

CITY OF BURLINGAME

**PLANNING COMMISSION RESOLUTION 2026-__
APPROVING A CONDITIONAL USE PERMIT FOR A SMALL-SCALE COMMERCIAL USE
(PILATES STUDIO) WITHIN A 2,557 SQUARE-FOOT TENANT SPACE AT
1465 BURLINGAME AVENUE
PROJECT NO. CUP25-0005**

WHEREAS, an application has been made by Jason Mighdoll, of MNT Wellness Co., on behalf of Property Owner, Zdenko Baban, for a Conditional Use Permit for a small-scale commercial recreation use (Pilates studio) within a 2,557 square-foot tenant space in an existing 4,623 square-foot commercial building with four parking spaces on a 6,250 square-foot site in the BAC (Burlingame Avenue Commercial) zoning district, APN: 029-201-040; and

WHEREAS, on February 23, 2026, the Planning Commission of the City of Burlingame held a duly noticed public hearing at which time it reviewed and considered the staff report and all other written materials and testimony presented at said hearing; and

WHEREAS, February 23, 2026, the Planning Commission of the City of Burlingame reviewed and considered a Categorical Exemption under Section 15301 (a) for the Project; and

NOW, THEREFORE, the Planning Commission of the City of Burlingame does here by resolve, find, determine and order as follows:

SECTION 1: The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (a) of the CEQA Guidelines, which states interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances are exempt from environmental review.

SECTION 2: City of Burlingame Municipal Code (BMC) authorizes the Planning Commission to grant Conditional Use Permit upon making certain findings. The Planning Commission finds the following:

CONDITIONAL USE PERMIT FINDINGS (BMC SECTION 25.66.060)

A. *The proposed use is consistent with the General Plan and any applicable specific plan.*

The proposed small-scale commercial recreation use (Pilates studio) is consistent with the General Plan in that the General Plan land use designation, Downtown Specific Plan, encourages a mix of complementary pedestrian-oriented retail uses and the proposed use, a small-scale commercial use, adds to the existing mix of retail, personal service, and restaurant uses.

B. *The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.*

The proposed small-scale commercial recreation is allowed with a Conditional Use Permit in the BAC (Burlingame Avenue Commercial) zoning district and complies with all other applicable provisions of the Zoning Code and the Municipal Code.

- C. *The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity.*

The design, location, size, and operating characteristics of the proposed small-scale commercial recreation use will be compatible with the existing and future land uses in the vicinity in that 1) the Pilates studio is located within an existing commercial building and there are no changes proposed to the interior or exterior of the building; 2) the small-scale commercial use contributes to the planned mix of retail uses identified within the Downtown Specific Plan; 3) the tenant will occupy a long-term vacancy and contribute to a vibrant downtown area; and 4) the proximity of the site to several public parking lots will offset parking demand during peak class times.

- D. *The site is physically suitable in terms of:*

1. *Its design, location, shape, size, and operating characteristics of the proposed use to accommodate the use, and all fences, landscaping, loading, parking, spaces, walls, yards, and other features required to adjust the use with the land and uses in the neighborhood;*
2. *Streets and highways adequate in width and pavement type to accommodate public and emergency vehicle (e.g., fire and medical) access;*
3. *Public protection services (e.g., fire protection, police protection, etc.); and*
4. *The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.).*

The site is physically suitable for the small-scale commercial recreation use in that there are no changes proposed to existing site features, Burlingame Avenue is an existing roadway that currently accommodates emergency vehicle access, and public protection services and utilities can accommodate the proposed use since these services are currently provided and there is no significant intensification of use that would have an impact on these services.

- E. *The measure of site suitability shall be required to ensure that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located.*

The small-scale commercial use will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located in that there is no expansion to the envelope of the building, that all activities associated with the use will be kept indoors, conditions of approval have been added to restrict noise generated by the use, and that all tenant improvements will be required to comply with applicable requirements of the California Building Code and Uniform Fire Code.

SECTION 3: The Planning Commission of the City of Burlingame after conducting the public hearing **HEREBY APPROVES** CUP25-0005 subject to the following conditions:

CONDITIONS OF APPROVAL

1. The Applicant shall comply with the project description and project plans submitted to the Planning Division as shown on the project description date stamped November 14, 2025, and the plans date stamped January 16, 2026, sheets A0.0 through A3.0.

2. The Conditional Use Permit shall apply only to the small-scale commercial recreation use (Pilates studio). All activities associated with the use shall occur indoors only; no portion of the exterior of the site shall be used for activities associated with the small-scale commercial recreation use.
3. The hours of operation for the small-scale recreation use shall be limited to 6:30 a.m. to 1:00 p.m. and 3:30 p.m. to 6:30 p.m. Monday through Thursday, 6:30 a.m. to 1:00 p.m. on Fridays, and 8:00 a.m. to 1:00 p.m. on Saturday and Sunday.
4. A maximum of 13 persons shall be on site at any given time. A maximum class size shall not exceed eight (8) attendees.
5. No more than eight (8) reformers shall be permitted in the primary studio space and one (1) reformer in the private Pilates studio at the rear, as shown the approved plan set on page A2.0.
6. The property owner/business operator shall comply with Burlingame Municipal Code Chapter 10.40 (Radio Interference, Loudspeakers, Etc.) at all times. Any amplified noise or music shall be kept at a level so to not disturb the peace and quiet of the neighborhood and adjacent owners/businesses.
7. The property owner/business operator shall ensure all exterior doors remain closed during the hours of operation to reduce impacts of any noise associated with the small-scale commercial use on adjacent owners/businesses.
8. A separate Sign Permit shall be required for any exterior signage associated with the small-scale commercial recreation use. Banners on the exterior of the building are prohibited. Signage shall comply with Burlingame Municipal Code Chapter 24.42.
9. The project shall meet all the requirements of the California Building and Uniform Fire Codes, in effect at time of building permit submittal, as amended by the City of Burlingame.
10. If the use for which this Conditional Use Permit was granted (Pilates studio) is discontinued pursuant to Burlingame Municipal Code Chapter 25.56, or if the tenant for whom the Conditional Use Permit was granted (MNT Wellness Co.) vacates the subject property, the Conditional Use Permit shall not be transferrable and it shall become null and void. Any amendment or new application shall be subject to the approved uses within the BAC Zoning District and the notice, hearing, and appeal provisions in Burlingame Municipal Code Title 25, Article 7.

SECTION 4: The Conditional Use Permit approval shall be subject to revocation if the applicant fails to comply with the conditions listed herein at any time. If, at any time, the Community Development Director or Planning Commission determines that there has been or may be a violation of the findings or conditions of this approval, or of the Zoning Code, a public hearing may be held before the Planning Commission to review this approval pursuant to Burlingame Municipal Chapter 25.88. At said hearing, the Planning Commission may add conditions, or recommend enforcement actions, or revoke the approval entirely, as necessary to ensure compliance with the Zoning Regulations, and to provide for the health, safety, and general welfare of the community.

PASSED AND ADOPTED this 23th day of February 2026.

Chairperson

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I, _____, Secretary of the Planning Commission of the City of Burlingame, do hereby certify that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission held on the 23th day of February 2026 by the following vote:

Secretary

Exhibits:

Exhibit A - Project Plans dated January 16, 2026

Exhibit B - Project Description dated November 14, 2025