



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: MARCH 9, 2017
CONSENT CALENDAR

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: February 27, 2017
Case No.: **2016-010282CUA**
Project Address: **404 Balboa Street**
Zoning: NC-2 (Neighborhood Commercial, Small Scale)
40-X Height and Bulk District
Block/Lot: 1548/023
Project Sponsor: Huijuan Huang
237 Peabody Street
San Francisco, CA 94134
Staff Contact: Wayne Farrens – (415) 575-9172
wayne.farrens@sfgov.org

PROJECT DESCRIPTION

The project proposes to convert an existing Chair Massage use to a Massage Establishment (dba “Magic Massage”) use in an approximately 748 square-foot commercial tenant space. A Chair Massage use prohibits the use of private treatment rooms and requires that customers remain fully clothed at all times. The proposed Massage Establishment use adds three private treatment rooms for full body massage and maintains an open area containing four seats for chair massage. The Project Sponsor does not propose any physical changes to the exterior.

The proposal requires Conditional Use Authorization pursuant to Planning Code Sections 303 and 711.54 to allow a Massage Establishment use, within the NC-2 (Neighborhood Commercial, Small Scale) Zoning District and the 40-X Height and Bulk District.

SITE DESCRIPTION AND PRESENT USE

The project site is located at the northwest corner of Balboa Street and 5th Avenue, Block 1548, Lot 023. The property is located within the NC-2 (Neighborhood Commercial, Small Scale) Zoning District and the 40-X Height and Bulk District. The parcel measures approximately 4,750 square feet and is developed with a two-story mixed-use building constructed circa 1908. The subject building contains three commercial tenant spaces on the ground floor including the subject tenant space, a Limited Restaurant (dba “Cafe Sis”), and a Retail use (dba “Cai’s Framework”). The second floor contains two residential dwelling units.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located on the northwest corner of Balboa Street and 5th Avenue in the Inner Richmond neighborhood. The surrounding zoning is primarily RH-2 (Residential, House, Two-Family), RH-3 (Residential, House, Three-Family), and NC-3 (Neighborhood Commercial, Moderate Scale). The scale of development in the area consists of one- to three-story structures mostly built in the early 1900s. The adjacent property to the west (424 Balboa Street) is a three-story residential building containing two dwelling units. The adjacent property to the north (587 5th Avenue) is a two-story residential building containing two dwelling units.

ENVIRONMENTAL REVIEW

The project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

HEARING NOTIFICATION REQUIREMENTS

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	February 17, 2017	February 15, 2017	22 days
Posted Notice	20 days	February 17, 2017	February 6, 2017	31 days
Mailed Notice	20 days	February 17, 2017	February 17, 2017	20 days

PUBLIC COMMENT

- As of February 27, 2017, the Planning Department has not received any public comment in support of or in opposition to the proposed project.

ISSUES AND OTHER CONSIDERATIONS

- Conditional Use was authorized by the Planning Commission via Motion No. 17824 on February 19, 2009 to allow the Chair Massage use. The Planning Code has since been amended to no longer require Conditional Use authorization for Chair Massage uses
- Planning Code Section 303(n) establishes additional criteria for the Planning Commission to consider when reviewing applications that propose massage use. Findings have been included in the Draft Motion for the Commission's consideration.

REQUIRED COMMISSION ACTION

For the project to proceed, the Commission must grant Conditional Use authorization to convert an existing Chair Massage use to a Massage Establishment use, within the NC-2 (Neighborhood Commercial, Small Scale) Zoning District and the 40-X Height and Bulk District.

BASIS FOR RECOMMENDATION

- No existing tenants will be displaced by this project; the proposal is to expand the services offered by the current commercial tenant.

- The project is necessary and desirable as it will expand the range of therapeutic services available to persons residing or working in the neighborhood.
- The site is well-served by public transportation, including Muni lines 5, 31, 38, and 44.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for and compatible with the surrounding neighborhood.

RECOMMENDATION: Approval with Conditions
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Attachments:

- Block Book Map
- Sanborn Map
- Zoning Map
- Aerial Photograph
- Site Photograph
- Project Sponsor Submittal

Exhibit Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input type="checkbox"/> Height & Bulk Map | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Block Book Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photos | <input type="checkbox"/> Community Meeting Notice |
| <input type="checkbox"/> Context Photo | <input type="checkbox"/> Public Correspondence |
| <input checked="" type="checkbox"/> Site Photo | |

Exhibits above marked with an "X" are included in this packet

WF
Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion

HEARING DATE: MARCH 9, 2017

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303 AND 711.54 OF THE PLANNING CODE TO CONVERT A CHAIR MASSAGE USE TO A MESSAGE ESTABLISHMENT USE (DBA “MAGIC MASSAGE”), IN THE NC-2 (NEIGHBORHOOD COMMERCIAL, SMALL SCALE) ZONING DISTRICT AND THE 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On August 9, 2016, Huijuan Huang (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section(s) 303 and 711.54 to allow the conversion of an existing Chair Massage use to a Massage Establishment use (dba “Magic Massage”) in the NC-2 (Neighborhood Commercial, Small Scale) Zoning District and the 40-X Height and Bulk District.

On March 9, 2017, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-010282CUA.

The project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2016-010282CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description.** The project site is located at the northwest corner of Balboa Street and 5th Avenue, Block 1548, Lot 023. The property is located within the NC-2 (Neighborhood Commercial, Small Scale) Zoning District and the 40-X Height and Bulk District. The parcel measures approximately 4,750 square feet and is developed with a two-story mixed-use building constructed circa 1908. The subject building contains three commercial tenant spaces on the ground floor including the subject tenant space, a Limited Restaurant (dba "Cafe Sis"), and a Retail use (dba "Cai's Framework"). The second floor contains two residential dwelling units.
3. **Surrounding Neighborhood.** The project site is located on the northwest corner of Balboa Street and 5th Avenue in the Inner Richmond neighborhood. The surrounding zoning is primarily RH-2 (Residential, House, Two-Family), RH-3 (Residential, House, Three-Family), and NC-3 (Neighborhood Commercial, Moderate Scale). The scale of development in the area consists of one- to three-story structures mostly built in the early 1900s. The adjacent property to the west (424 Balboa Street) is a three-story residential building containing two dwelling units. The adjacent property to the north (587 5th Avenue) is a two-story residential building containing two dwelling units.
4. **Project Description.** The project proposes to convert an existing Chair Massage use to a Massage Establishment use (dba "Magic Massage") in an approximately 748 square-foot commercial tenant space. A Chair Massage use prohibits the use of private treatment rooms and requires that customers remain fully clothed at all times. The proposed Massage Establishment use adds three private treatment rooms for full body massage and maintains an open area containing four seats for chair massage. The Project Sponsor does not propose any physical changes to the exterior.

Conditional Use was authorized by the Planning Commission via Motion No. 17824 on February 19, 2009 to allow the Chair Massage use. The Planning Code has since been amended to no longer require Conditional Use authorization for Chair Massage uses.

5. **Public Comment.** As of February 27, 2017, the Planning Department has not received any public comment regarding this proposal.
6. **Planning Code Compliance:** The Commission finds that the project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Off-Street Parking.** Pursuant to Planning Code Section 151, off-street vehicle parking is not required for retail uses occupying less than 5,000 square feet of floor area.

The subject tenant space is approximately 748 square feet in size and therefore does not require off-street vehicle parking.

- B. **Hours of Operation.** Pursuant to Planning Code Section 711.27, the principally permitted hours of operation are from 6:00 AM to 2:00 AM, every day.

The proposed hours of operation are from 11:00 AM to 9:00 PM daily.

- C. **Conditional Use Authorization.** Planning Code Section 303(c) establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. The project does comply with said criteria in that:

- i. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposed Massage Establishment use is necessary and desirable in that it will expand the range of therapeutic services available to persons residing or working in the neighborhood. The proposal expands upon the offerings of the existing Chair Massage use which has been in place at this location for approximately eight years.

- ii. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The subject tenant space has been used for Chair Massage services for approximately eight years with no known negative effects to health, safety, or convenience of those residing or working in the area. The size, shape, and arrangement of the subject tenant space is suitable for a Massage Establishment use and is not expected to have any negative effect on the health, safety, or convenience of those residing or working in the area.

- iii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The proposal is not expected to have any effect on traffic pattern or the adequacy of parking or loading areas. The site is well served by public transportation, including Muni lines 5, 31, 38, and 44.

- iv. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The conditions of approval will ensure that the use meets minimum, reasonable performance standards.

- v. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The project is a change of use within an existing commercial tenant space and will have no effect on landscaping, screening, open spaces, parking and loading areas, or lighting. Any changes to existing signage will be made to comply with all applicable requirements of the Planning Code.

- vi. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

- vii. That the use as proposed would provide development that is in conformity with the purpose of the applicable Use District.

The proposed project is consistent with the stated purpose of the NC-2 (Neighborhood Commercial, Small Scale) Zoning District, which is intended to provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market.

D. Planning Code Section 303(n) establishes the following criteria for the Planning Commission to consider when reviewing applications that propose a massage use:

- i. Whether the applicant has obtained, and maintains in good standing, a permit for a Massage Establishment from the Department of Public Health pursuant to Section 29.251 of the San Francisco Health Code;

A permit application for a Massage Establishment has been filed with the Department of Public Health. The permit cannot be issued until the Planning Department has informed the Department

of Public Health that the proposed use complies with all provisions of the Planning Code. Therefore, the applicant cannot obtain a permit from the Department of Public Health prior to the approval of the subject Conditional Use.

- ii. Whether the use's façade is transparent and open to the public. Permanent transparency and openness are preferable. Elements that lend openness and transparency to a façade include:

- a. active street frontage of at least 25 feet in length where 75 percent of that length is devoted to entrances to commercially used space or windows at the pedestrian eye-level;

The façade of the subject tenant space measures approximately 18.5 feet in width; the subject tenant space is one of three commercial tenant spaces located on the ground floor of the subject property, with a cumulative active street frontage of 50 feet. The subject store front features large windows and a glass entry door, exceeding the recommended 75% minimum.

- b. windows that use clear, untinted glass, except for decorative or architectural accent;

All of the subject tenant space's windows are made of clear, un-tinted glass.

- c. any decorative railings or decorative grille work, other than wire mesh, which is placed in front of or behind such windows, should be at least 75 percent open to perpendicular view and no more than six feet in height above grade;

The proposal does not include any railings or decorative grille work.

- iii. Whether the use includes pedestrian-oriented lighting. Well lit establishments where lighting is installed and maintained along all public rights-of-way adjacent to the building with the massage use during the post-sunset hours of the massage use are encouraged:

The front entrance, which is recessed approximately four feet, is illuminated by existing overhead lighting. Existing street lighting along Balboa Street adequately lights the public right-of-way during post-sunset hours.

- iv. Whether the use is reasonably oriented to facilitate public access. Barriers that make entrance to the use more difficult than to an average service-provider in the area are to be strongly discouraged. These include (but are not limited to) foyers equipped with double doors that can be opened only from the inside and security cameras.

The entrance to the subject tenant space does not contain any barriers that make public access more difficult than the average service provider in the area.

3. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2:
MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The proposal seeks to expand upon the existing massage services currently provided. Approval of this Conditional Use will allow this neighborhood-serving business to offer a wider variety of services which will help it to remain competitive and viable in this commercial corridor.

OBJECTIVE 6:
MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

Policy 6.2:

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

Policy 6.3:

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

No commercial tenant would be displaced and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood. The proposed use is a neighborhood-serving use. The proposed use is not considered a formula retail use.

The proposed project will contribute to the mixed-use character of the neighborhood and district. The proposed project would not adversely affect public transit or place a burden on the existing supply of parking in the neighborhood. The project site is well served by public transportation.

7. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The proposal will preserve and enhance the existing neighborhood-serving business by allowing the expansion of the services provided.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The proposal does not include any physical changes to the exterior of the building.

- C. That the City's supply of affordable housing be preserved and enhanced,

The project will have no effect on the City's supply of affordable housing.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The proposal is not expected to have any effect on commuter traffic, MUNI service, or neighborhood parking. The site is well served by public transportation, including Muni lines 5, 31, 38, and 44.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The proposal is a change of use and will have no effect on the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The existing building is not a landmark. Exterior improvements are not proposed.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The project is a change of use and will have no effect on existing parks and open spaces.

8. The project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
9. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2016-010282CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 9, 2016, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. **xxxxx**. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 9, 2017

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to convert an existing Chair Massage use to a Massage Establishment use, located at 404 Balboa Street, Block 1548, Lot 023 pursuant to Planning Code Sections 303 and 711.54 within the **NC-2 (Neighborhood Commercial, Small Scale) Zoning District** and the **40-X Height and Bulk District**; in general conformance with plans, dated **August 9, 2016** and stamped "EXHIBIT B" included in the docket for Case No. **2016-010282CUA** and subject to conditions of approval reviewed and approved by the Commission on **March 9, 2017** under Motion No. **xxxxx**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **March 9, 2017** under Motion No. **xxxxx**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **xxxxx** shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

6. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
7. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

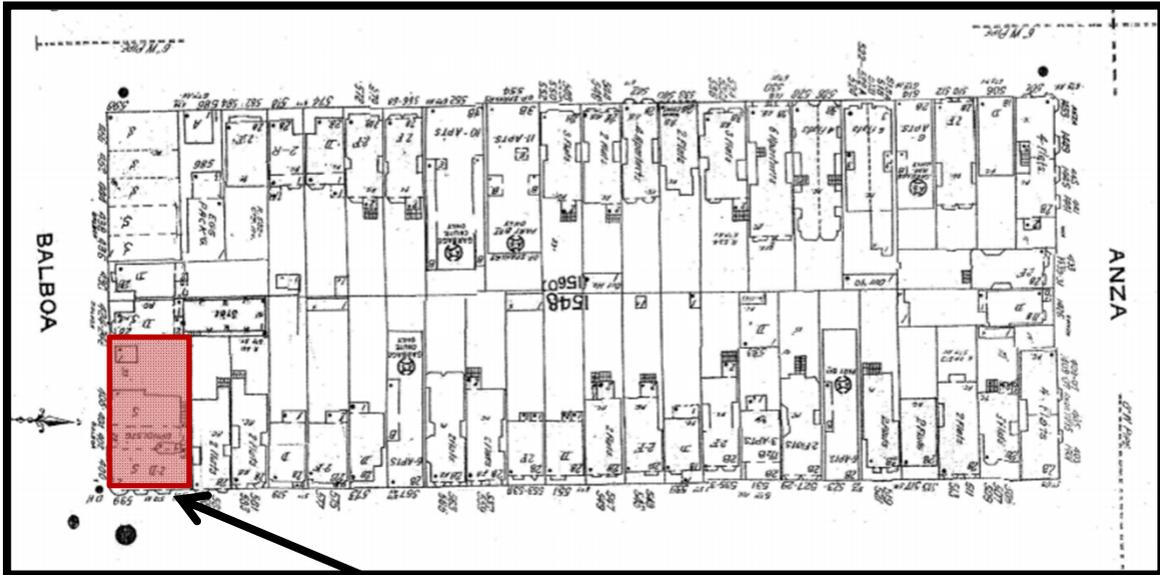
OPERATION

8. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>
9. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>
10. **Massage Establishments.** All massage establishments shall comply with the following standard massage use operation standards.
 - a. The entry to the massage treatment room shall remain directly visible from the public right-of-way. If any additional doors are required under the Building Code for emergency egress purposes, such door shall be labeled "for emergency use only" and shall have an audible alarm that will go off when the door is opened.
 - b. All interior alterations shall be reviewed by the Planning Department to verify compliance with these conditions.

- c. No locks shall be allowed on any interior door of the business except that a lock for privacy may be permitted on the bathroom door.
- d. Any blinds or curtains located behind the storefront windows must be kept open during business hours to allow for visibility into the tenant space from the street. No obstructions shall be located in front of any of the storefront windows that would prevent such visibility.
- e. The front door to the business must be open during business hours. The use of buzzers or a security camera is not permitted.
- f. The massage establishment shall comply with the hours of operation outlined in Ordinance 140-09, approved on July 2, 2009. This Ordinance amended the Health Code to limit the hours of permitted operation for massage establishments from 7:00 am to 10:00 pm.
- g. All persons engaged in performing massage shall be licensed for that purpose by the State of California and the licenses shall be prominently displayed on walls of the business.
- h. The Planning Commission may revoke this Conditional Use authorization if the Department of Public Health revokes the health permit for massage.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Sanborn Map*



SUBJECT PROPERTY

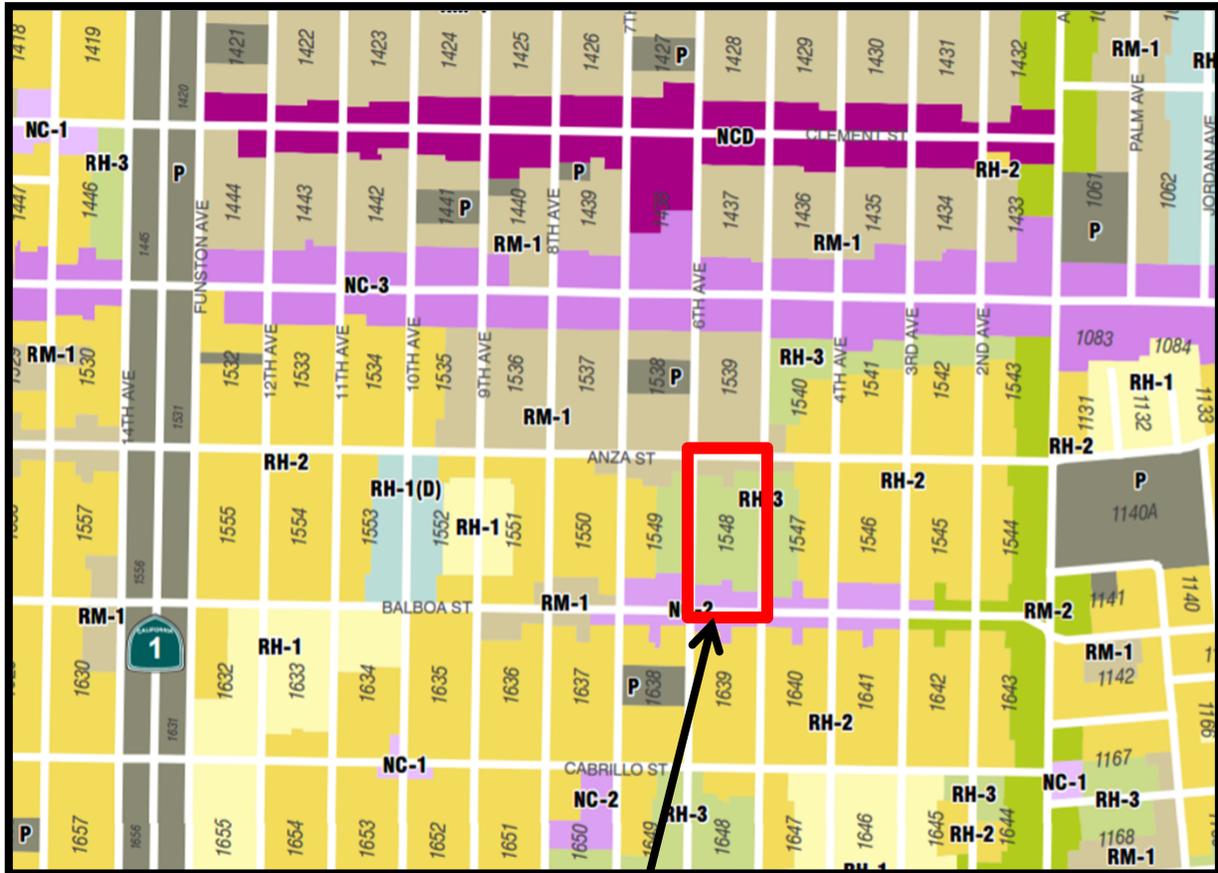
**The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.*

**SAN FRANCISCO
PLANNING DEPARTMENT**



Conditional Use Hearing
Case Number 2016-010282CUA
404 Balboa Street
Block 1548 Lot 023

Zoning Map



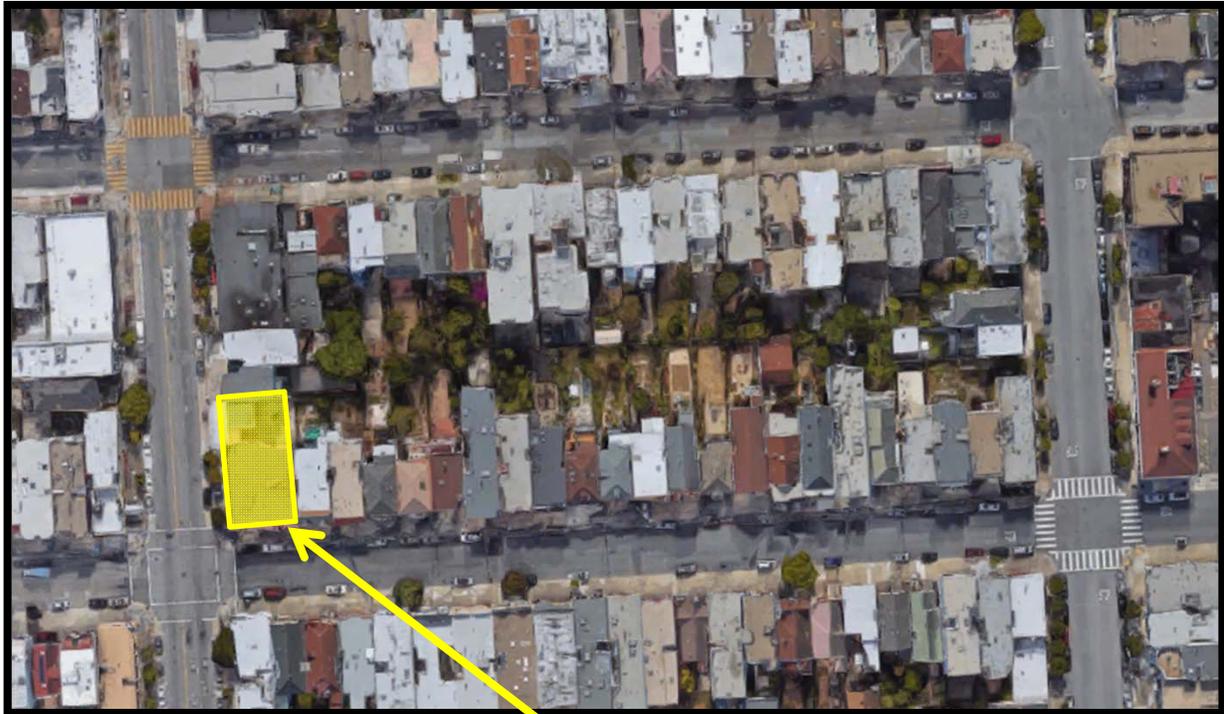
SUBJECT BLOCK

SAN FRANCISCO
PLANNING DEPARTMENT



Conditional Use Hearing
Case Number 2016-010282CUA
404 Balboa Street
Block 1548 Lot 023

Aerial Photo



SUBJECT PROPERTY

**SAN FRANCISCO
PLANNING DEPARTMENT**



Conditional Use Hearing
Case Number 2016-010282CUA
404 Balboa Street
Block 1548 Lot 023

Site Photo



SAN FRANCISCO
PLANNING DEPARTMENT



Conditional Use Hearing
Case Number 2016-010282CUA
404 Balboa Street
Block 1548 Lot 023

Management Plan

OPERATION

Previously, a Feet Massage Service shop and now I want to add Body Massage Service.

A full Feet and Body Massage service shop. Limited seating will be provided for our guests.

HOURS

Open 7 days a week 11:00 am to 9:00 pm

SERVICE/PRODUCTS

We only provide Feet Massage service and Body Massage service inside the shop. There is no outcall service. We might offer to provide massage oil and small massage products to our customers; we are not selling anything yet.

Foot Massage Service \$30 an hour

Body Massage Service \$43 an hour

STAFF

Staffing will depend on business days. There will be three Licensed Massage Therapist(s) contractor on Monday to Thursday. There will be four Licensed Massage Therapist(s) contractor on Friday to Sunday. Nearby there are five public bus stops such as 31 Bus, 38 Bus, 1 Bus, 44 Bus, 5 Bus and walk about 8 - 15 minutes away. The staffs are encouraged to take the public transportation, live a healthy lifestyle and relieve traffic congestion.

HEALTH

The health department (HD) requires a health plan check inspection. I already submitted all the required paperwork and floor plans to Health Department; they don't need anything else. After your department receive all the paperwork and pass the inspection, the health department will also send an inspector to come by to inspect the shop before approving the permit.



CALIFORNIA
MASSAGE THERAPY
COUNCIL

CERTIFIED
MASSAGE
PRACTITIONER

Zhang Xian Li
San Francisco, CA
Cert # 19204
Since 01/26/11



Expires 01/26/17



CALIFORNIA
MASSAGE THERAPY
COUNCIL

CERTIFIED
MASSAGE
THERAPIST

Huijuan Huang
San Francisco, CA
Cert # 49190
Since 09/06/13



Expires 09/06/17



CALIFORNIA
MASSAGE THERAPY
COUNCIL

CERTIFIED
MASSAGE
PRACTITIONER

Jin Shun Zhu
San Francisco, CA
Cert # 49351
Since 09/12/13



Expires 09/12/17



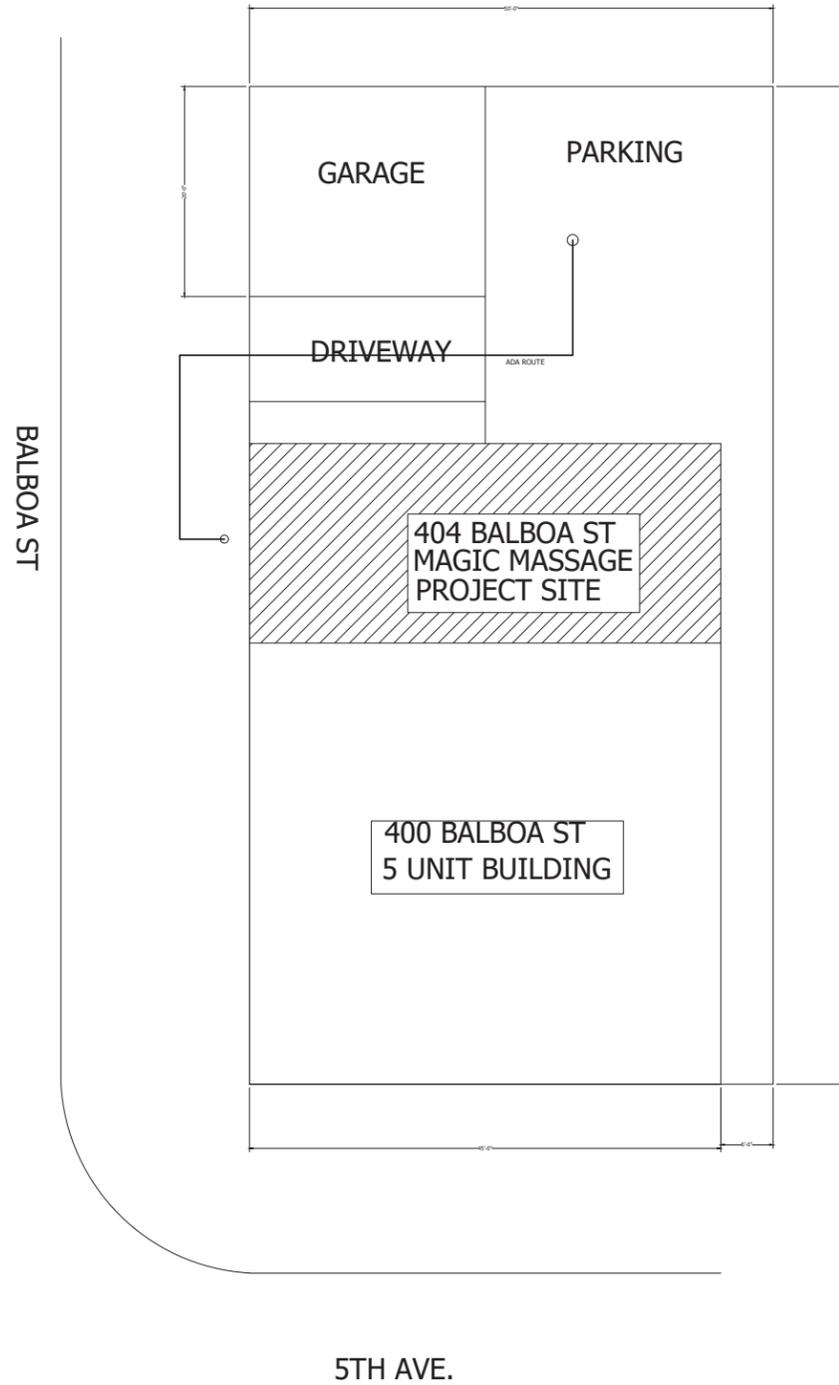
CALIFORNIA
MASSAGE THERAPY
COUNCIL

CERTIFIED
MASSAGE
PRACTITIONER

Guochang Huang
San Francisco, CA
Cert # 57896



Expires 07/08/18



0 SITE PLAN
A-0 NOT TO SCALE

SHEET INDEX	
A-0	VICINITY MAP, PHOTO OF SITE PLAN, FRONT ELEVATION, SIDE ELEVATION, EQUIPMENTS SCHEDULE AND FINISH SCHEDULE.
A-1	EXISTING FLOOR PLAN
A-2	CONSTRUCTION AND ADA COMPLIANCE

PROJECT DATA

LEASEE:
MAGIC MESSAGE
TEL: (415) 221-2988

BUSINESS NAME:
MAGIC MESSAGE

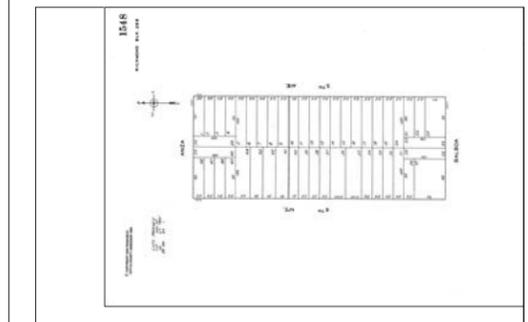
SITE INFORMATION:
404 BALBOA ST
SAN FRANCISCO, CA. 94118
OCCUPANCY TYPE: B
CONSTRUCTION TYPE: VB-V
ZONING DISTRICT: NC-2
APN: 1548/023
SQUARE FOOTAGE 748 SQ. FT.

SCOPE OF WORK:
CHANGE OF OWNERSHIP
3 MESSAGE RMS WITH 7'-6" HEIGHT PETITION WALL
1 FOOT MESSAGE RM, WITH 4 CHAIRS
READY RM
NO STRUCTURE, NO ELECTRICAL AND NO PLUMBING WORK

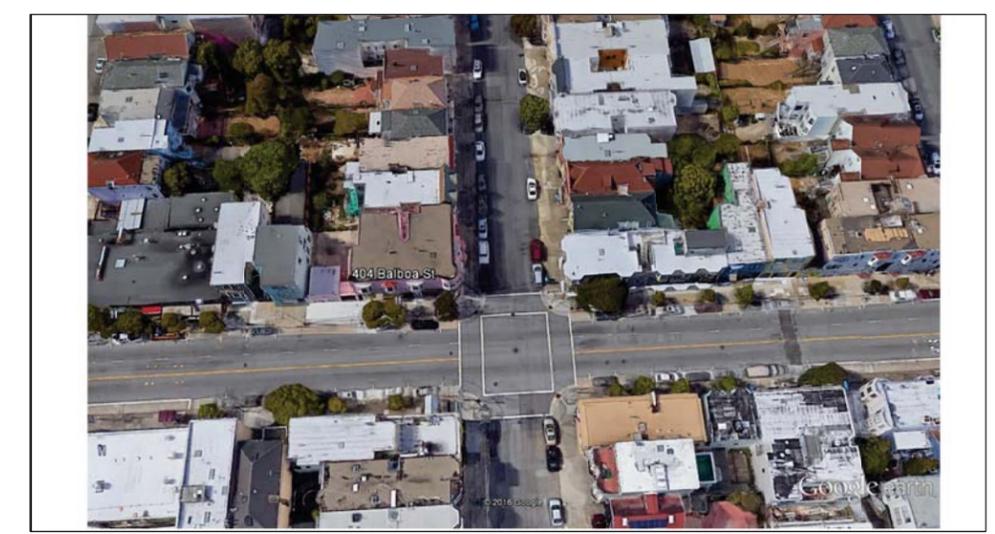
2 ENLARGE FRONT ELEVATION
A-0 NTC



3 PHOTO OF FRONT ELEVATION
A-0 NTC



1 VICINITY MAP
A-0 404 BALBOA ST
SAN FRANCISCO, CA. 94118



4 PHOTO OF TOP VIEW
A-0 NOT TO SCALE

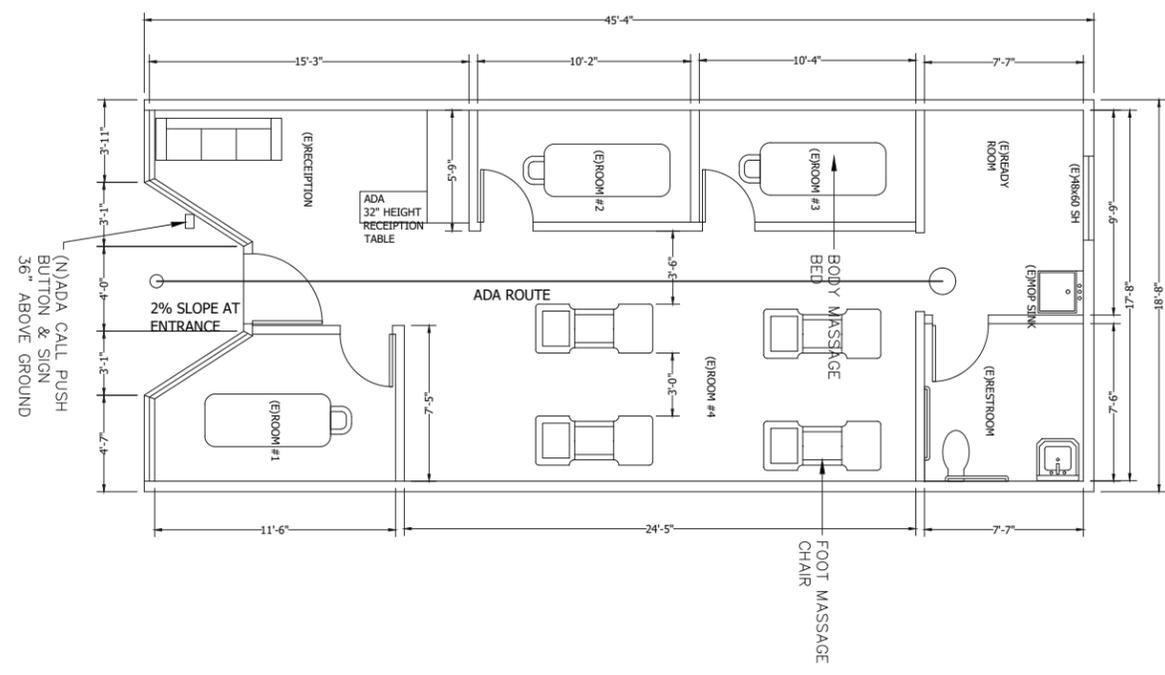
DESIGNER:
TECTURE CHAN AND YUNG CHEN
TEL: (415)713-9243

SHEET INDEX, PROJECT DATA,
VICINITY MAP, PHOTO OF SITE PLAN,
PHOTO OF FRONT ELEVATION, PHOTO
OF ENLARGE FRONT ELEVATION & NOTES

PROJECT NAME & LOCATION:
MAGIC MESSAGE
404 BALBOA ST
SAN FRANCISCO, CA. 94118
TEL: 415-221-2988

DATE : 07-18-2016
DRAWN : TECTURE CHAN
AND YUNG CHEN

SHEET
A-0



1 (E) FLOOR PLAN
A-1 1/4"=1'-0"

- LEGEND**
- EXIST. WALL TO BE REMOVED
 - EXIST WALL TO REMAIN
 - PROPOSED NEW 7' PETITION WALL
 - EXIST FIRE WALL TO REMAIN
 - PROPOSED NEW WALL
 - PROPOSED FIRE EXIT ROUTE

OCCUPANT LOAD CHART

ROOM	FUNCTION	AREA	LOAD FACTOR	# OF OCCUPANTS	# OF EXITS REQUIRED
SERVICE #1	BUSINESS	74 SF	100SF/OCCUPANT	1	
SERVICE #2	BUSINESS	50 SF	100SF/OCCUPANT	1	
SERVICE #3	BUSINESS	50 SF	100SF/OCCUPANT	1	
SERVICE #5	BUSINESS	250 SF	100SF/OCCUPANT	4	

