



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: OCTOBER 5, 2017
CONSENT

Date: September 28, 2017
Case No.: **2017-004415CUA**
Project Address: **2809 San Bruno Avenue**
Zoning: NC-2 (Neighborhood Commercial, Small Scale) Zoning District
40-X Height and Bulk District
Block/Lot: 5457/030
Project Sponsor: Patrice Fambrini, Jaidin Consulting Group
205 13th Street
San Francisco, CA 94116
Staff Contact: Michael Christensen – (415) 575-8742
michael.christensen@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The project sponsor proposes to convert the existing state licensed medical massage therapy establishment (dba Attraction Spa) to a general public massage therapy establishment. No physical modifications to the structure are proposed (internal or external).

SITE DESCRIPTION AND PRESENT USE

The project is located on the east side of San Bruno Avenue, between Wayland and Woolsey Streets, Block 5457, Lot 030. The subject property is located within the Neighborhood Commercial, Small Scale Zoning District ("NC-2") and the 40-X Height and Bulk District. The property is developed with a three-story mixed-use building, with the massage establishment occupying the commercial tenant space on the ground floor and residential units on the upper floors.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area surrounding the project site is mixed-use in character. A variety of commercial establishments are located within ground floor storefronts along San Bruno Avenue, including dentist offices, nail salons, bakeries, laundromats, and other retailers. Buildings in the vicinity typically range from one to three stories in height. Upper floors of buildings are generally occupied by residential units.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 3 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	September 15, 2017	September 13, 2017	22 days
Posted Notice	20 days	September 15, 2017	September 15, 2017	20 days
Mailed Notice	10 days	September 15, 2017	September 15, 2017	20 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the Conditional Use Authorization process.

PUBLIC COMMENT/COMMUNITY OUTREACH

- To date, the Department has received six letters in support of the application from adjacent merchants.
- The Project Sponsor conducted a public outreach meeting at the Community Empowerment Center on September 6, 2017.

ISSUES AND OTHER CONSIDERATIONS

- The approval of a Conditional Use Authorization would render the use compliant with current Planning Code requirements for massage establishments.
- The site has historically been utilized as a state-licensed medical massage establishment, so the establishment of a general massage establishment would not change the appearance or character of the use and structure.
- The existing facility has operated without major issues or enforcement actions. The only enforcement action on record related to storefront transparency and was abated by the previous owner of the business.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow the establishment of a massage establishment within the NC-2 Zoning District, pursuant to Planning Code Sections 303 and 711.

BASIS FOR RECOMMENDATION

- No businesses or residents will be displaced by the granting of this authorization.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The business is not a Formula Retail use and would serve the immediate neighborhood.

RECOMMENDATION: Approval with Conditions
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Attachments:

- Draft Motion
- Parcel Map
- Sanborn Map
- Zoning District Map
- Height and Bulk District Map
- Aerial Photographs
- Site Photographs
- Environmental Determination
- Conditional Use Authorization Application
- Public Comment
- Project Plans

Attachment 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 checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> RF Report |
| | <input type="checkbox"/> Community Meeting Notice |
| | <input type="checkbox"/> Housing Documents |
| | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

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

MC

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: OCTOBER 5, 2017

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Project Address: **2809 San Bruno Avenue**
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303 AND 711 OF THE PLANNING CODE TO ALLOW A MESSAGE ESTABLISHMENT (D.B.A. ATTRACTION SPA) WITHIN THE NC-2 (NEIGHBORHOOD COMMERCIAL, SMALL SCALE) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 11, 2017, Patrice Fambrini (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 303 and 711 to allow a massage establishment (dba Attraction Spa) within the NC-2 (Neighborhood Commercial, Small Scale) Zoning District and a 40-X Height and Bulk District.

On October 5, 2017, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2017-004415CUA.

The proposed project (Project) is exempt from the California Environmental Quality Act (“CEQA”) as a Class 3 categorical exemption.

The Planning Department Commission Secretary is the custodian of records; the file for Case No. 2017-004415CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

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. 2017-004415CUA, 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 and Present Use.** The Project is located on the east side of San Bruno Avenue, between Wayland and Woolsey Streets, Block 5457, Lot 030. The subject property is located within the Neighborhood Commercial, Small Scale Zoning District ("NC-2") and the 40-X Height and Bulk District. The property is developed with a three-story mixed-use building, with the massage establishment occupying the commercial tenant space on the ground floor and residential units on the upper floors.
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is mixed-use in character. A variety of commercial establishments are located within ground floor storefronts along San Bruno Avenue, including dentist offices, nail salons, bakeries, laundromats, and other retailers. Buildings in the vicinity typically range from one to three stories in height. Upper floors of buildings are generally occupied by residential units.
4. **Project Description.** The Project Sponsor proposes to convert the existing state licensed medical massage therapy establishment (dba Attraction Spa) to a general public massage therapy establishment. No physical modifications to the structure are proposed (internal or external).
5. **Public Comment.** Department has received six letters in support of the application from adjacent merchants. The Project Sponsor conducted a public outreach meeting at the Community Empowerment Center on September 6, 2017.
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. **Massage Establishment Use.** Planning Code Section 711 states that a Conditional Use Authorization is required to establish a massage establishment, as defined by Planning Code Section 102, in the NC-2 Zoning District.

The Project Sponsor seeks to change the use to massage establishment and is seeking Conditional Use Authorization for the project.

- B. **Use Size.** Planning Code Section 121.2 requires non-residential uses to be limited to a maximum of 4,000 square feet in size within the NC-2 Zoning District.

The size of the existing ground floor non-residential tenant space is approximately 1,523 gross square feet in size and thus complies with this requirement.

- C. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

There are no changes proposed to the commercial frontage, which is in compliance with this section. The commercial frontage is approximately twenty feet in width and is fenestrated with transparent glass windows along at least 60% of the length at the pedestrian level.

- D. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department under a separate permit.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. 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 size of the proposed use is in keeping with other storefronts on the block face. The proposed massage establishment will not impact traffic or parking in the District because it replaces an extremely similar use without intensification of the use. The use will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood. A similar use has existed in its current location for several years with no apparent impact on the surrounding neighborhood.

- B. 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:

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

The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity. The proposed work will not affect the building envelope.

- ii. 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 Planning Code does not require parking or loading for a 1,523 square-foot massage establishment use. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.

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

The proposed use has little to no potential for noxious or offensive emissions such as noise, glare, dust, and odor. As the space utilized an existing state-licensed medical massage establishment, no construction is needed to accommodate the general massage establishment use, which limits potential impact from construction activities.

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

The proposed massage establishment does not require any tenant improvements or construction. However, the existing site does not contain any parking or landscaping areas at the front setback, and lighting and signage already exist on the site. The existing structure and tenant space are treated appropriately for their surrounding context.

- C. 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.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is consistent with the stated purposes of NC-2 Districts in that the intended use is located at the ground floor, will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime hours.

8. **Additional Conditional Use Criteria for Massage Establishments.** Planning Code Section 303(n) establishes criteria with regard to a Conditional Use Authorization application for a massage establishment use:

- A. 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 29.10 of the Health Code;

The Project Sponsor has applied for a permit from the Department of Public Health (DPH) to operate the massage establishment, which was referred to the Planning Department for review and was placed on hold pending authorization of a Conditional Use Authorization for the use. A permit authorized by DPH must be obtained prior to operation.

- B. 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:
- i. active street frontage of at least 25 feet in length where 75% of that length is devoted to entrances to commercially used space or windows at the pedestrian eye-level;
 - ii. windows that use clear, untinted glass, except for decorative or architectural accent;
 - iii. 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% open to perpendicular view and no more than six feet in height above grade;

The existing commercial tenant space is compliant with Planning Code Section 145.1, which requires transparency into commercial storefronts in Neighborhood Commercial Districts. The existing site contains windows that are clear and untinted at the ground level and does not contain any decorative railings or grille work, which block perpendicular view into the space.

- C. 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 existing site has a decorative street lamp directly in front of the proposed space which provides ample lighting at the pedestrian level after sunset.

- D. 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 existing tenant space does not contain any features which could be a barrier to public access, such as double door entry systems which can only be opened from the inside. The existing tenant space is accessed by a slightly recessed single-door system which does not impede access into the space.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3:

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The proposed change in use will provide desirable goods and services to the neighborhood and will provide employment opportunities to those in the community. The expanded scope of the existing business to operate as a general massage establishment will not result in undesirable consequences. Further, the Project Site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan.

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 Project will retain an existing commercial activity and will enhance the diverse economic base of the City.

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.

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.

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.

An independent entrepreneur is sponsoring the proposal. The proposed use is a neighborhood serving use. This is not a Formula Retail use.

10. **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 would modify the operation of an existing neighborhood serving use to include general, therapeutic massage, enhancing the vitality of the existing business and providing additional opportunity for resident employment and business ownership.

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

The existing units in the surrounding neighborhood would not be adversely affected. The proposal does not displace any residential units.

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

No housing is removed for this Project.

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

The site is on San Bruno Avenue and is well served by transit. Employees have the potential to commute via public transit thereby mitigating possible effects on street parking. San Bruno Avenue is served by three MUNI bus lines (8, 9, and 9R).

- 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 as it is a modification of an existing business.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

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

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

11. 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.
12. 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. 2017-004415CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 11, 2017, 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 October 5, 2017.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 5, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a massage establishment (d.b.a. Attraction Spa) located at 2809 San Bruno Avenue, Block 5457, Lot 030 pursuant to Planning Code Sections 303 and 711 within the NC-2 District and a 40-X Height and Bulk District; in general conformance with plans, dated April 11, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2017-004415CUA and subject to conditions of approval reviewed and approved by the Commission on October 5, 2017 under Motion No. XXXXXX. 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 October 5, 2017 under Motion No. XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX 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

1. **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*

2. **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

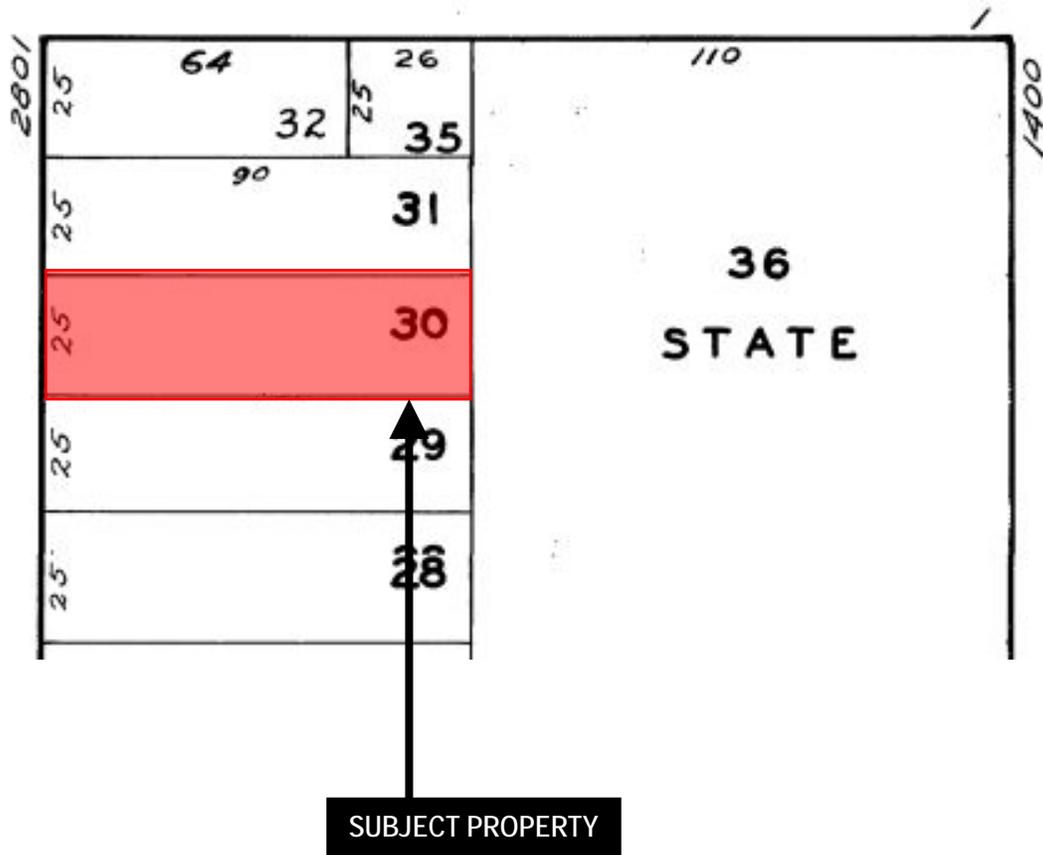
6. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*
7. **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

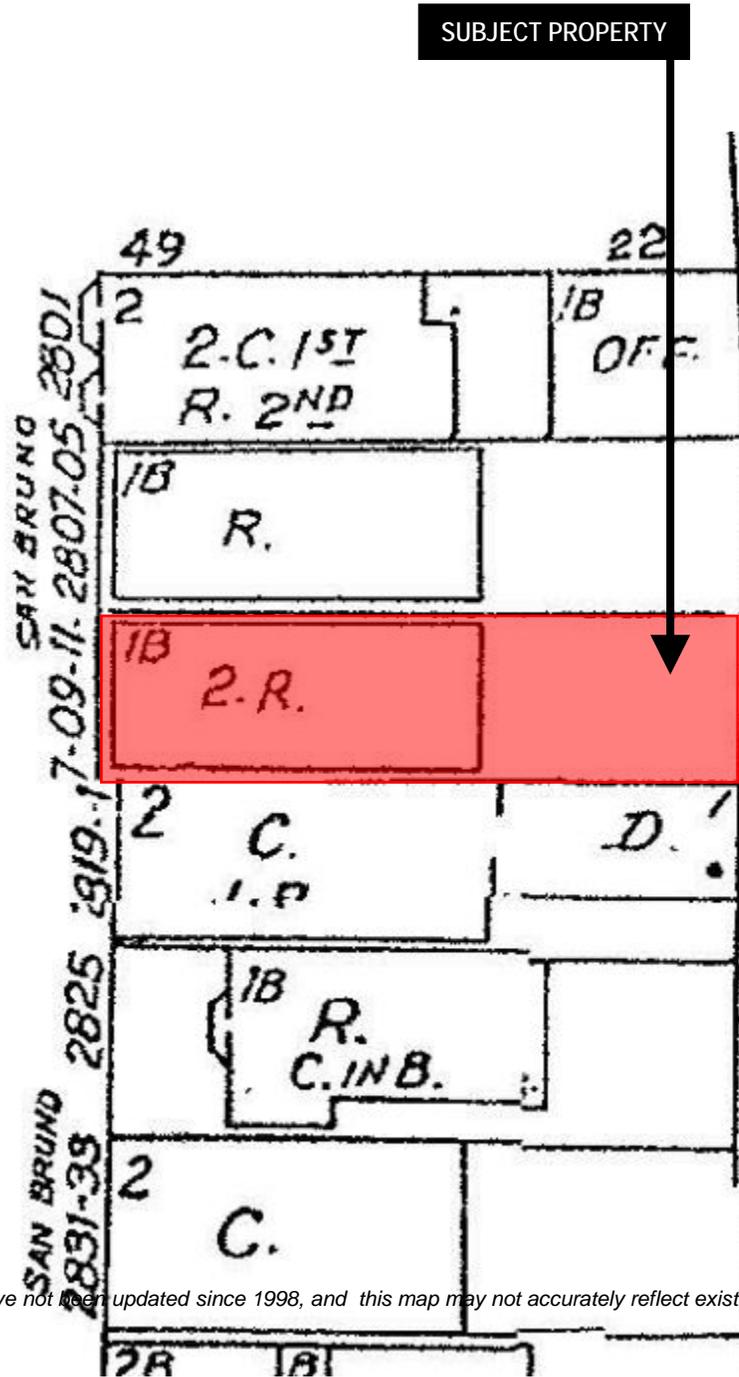
Parcel Map

WAYLAND



Sanborn Map*

SAN BRUNO



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

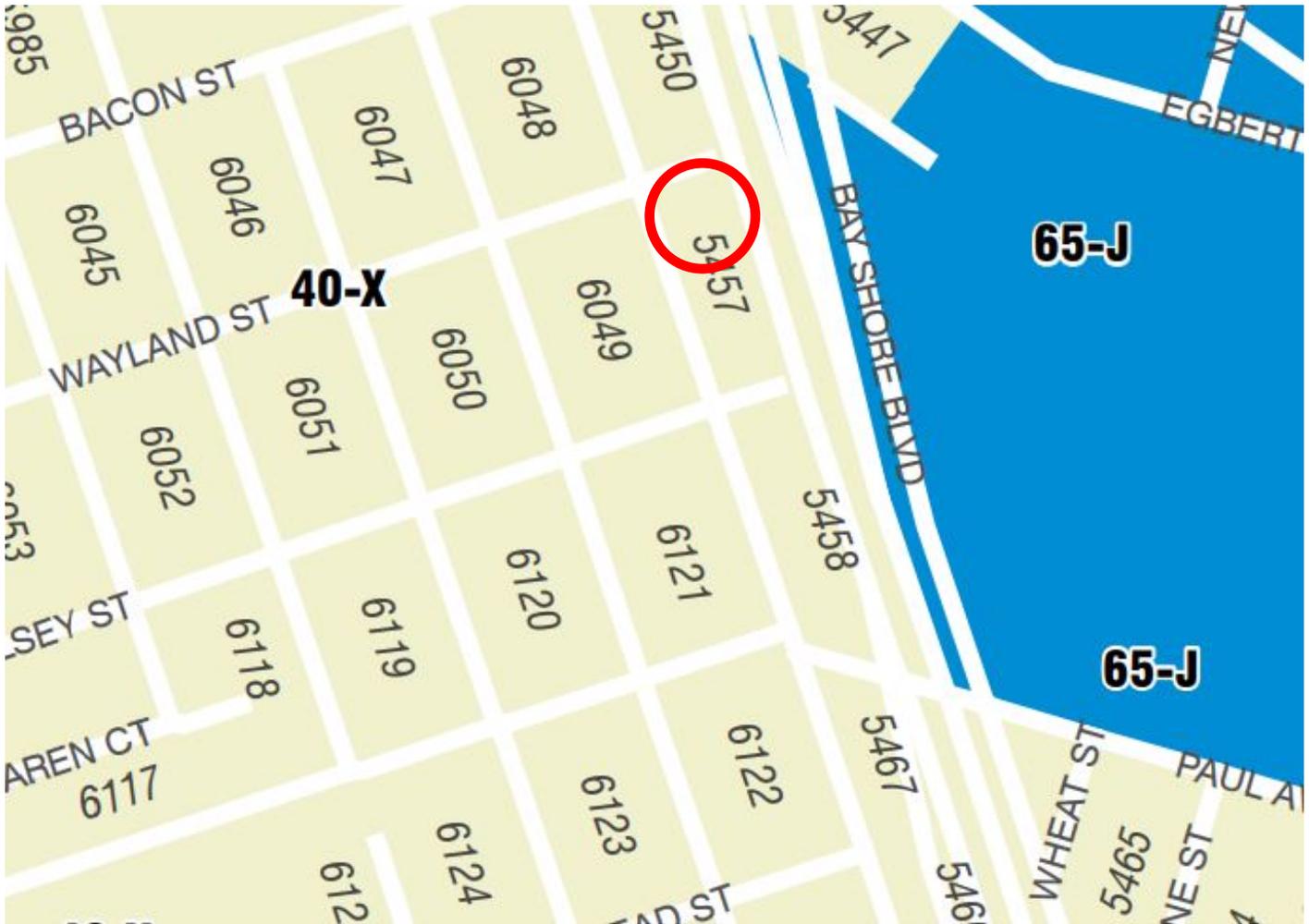


Zoning Map



Conditional Use Authorization Hearing
Case Number 2014-004415CUA
Attraction Spa
2809 San Bruno Avenue

Zoning Map



Conditional Use Authorization Hearing
Case Number 2014-004415CUA
Attraction Spa
2809 San Bruno Avenue

Aerial Photo

SUBJECT PROPERTY



Site Photo



Conditional Use Authorization Hearing
Case Number 2014-004415CUA
Attraction Spa
2809 San Bruno Avenue



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
Case No.	Permit No.	Plans Dated	
<input type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class ___

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i>Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</i>
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i>
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required.
<u>If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u>	
<input type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

**STEP 3: PROPERTY STATUS - HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER**

PROPERTY IS ONE OF THE FOLLOWING: <i>(refer to Parcel Information Map)</i>	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building’s historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior’s Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p style="text-align: right;"><i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i> _____</p>
<input type="checkbox"/>	<p>10. Reclassification of property status. <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i></p> <p style="padding-left: 40px;"> <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C </p> <p>a. Per HRER dated: _____ <i>(attach HRER)</i></p> <p>b. Other <i>(specify)</i>: _____</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p> 	
<p>Preservation Planner Signature:</p>	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either <i>(check all that apply)</i>:</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review </p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>					
<input type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <p>Planner Name:</p> </td> <td style="width: 50%; padding: 5px;"> <p>Signature:</p> </td> </tr> <tr> <td style="padding: 5px;"> <p>Project Approval Action:</p> </td> <td style="padding: 5px;"></td> </tr> </table> <p style="font-size: small; padding-top: 10px;"> If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project. </p>		<p>Planner Name:</p>	<p>Signature:</p>	<p>Project Approval Action:</p>	
<p>Planner Name:</p>	<p>Signature:</p>					
<p>Project Approval Action:</p>						
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>						

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT
TO BE COMPLETED BY PROJECT PLANNER**

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a “substantial modification” and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required.	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:

APPLICATION FOR Conditional Use Authorization

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: Linda Yu	
PROPERTY OWNER'S ADDRESS: 175 Somerset Street San Francisco, CA 94134	TELEPHONE: () EMAIL:

APPLICANT'S NAME: Guomei Zhang Same as Above <input type="checkbox"/>	
APPLICANT'S ADDRESS: P.O. Box 16675 San Francisco, CA 94116	TELEPHONE: () EMAIL:

CONTACT FOR PROJECT INFORMATION: Jaidin Consulting Group, Patrice Fambrini Same as Above <input type="checkbox"/>	
ADDRESS: 205 13th Street San Francisco, CA	TELEPHONE: (510) 280-9327/415 863-3888 EMAIL: patricefambrini@yahoo.com/jdngrp@pac

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): Jaidin Consulting Group, Patrice Fambrini Same as Above <input checked="" type="checkbox"/>	
ADDRESS:	TELEPHONE: () EMAIL:

2. Location and Classification

STREET ADDRESS OF PROJECT: 2809 San Bruno Avenue	ZIP CODE: 94134
CROSS STREETS: Wayland and Woolsey Streets	

ASSESSORS BLOCK/LOT: 5457 / 030	LOT DIMENSIONS: 25' x 90'	LOT AREA (SQ FT): 2,250 SQ FT	ZONING DISTRICT: NC-2	HEIGHT/BULK DISTRICT: 40-X
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3. Project Description

(Please check all that apply) <input checked="" type="checkbox"/> Change of Use <input type="checkbox"/> Change of Hours <input type="checkbox"/> New Construction <input type="checkbox"/> Alterations <input type="checkbox"/> Demolition <input type="checkbox"/> Other Please clarify:	ADDITIONS TO BUILDING: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input type="checkbox"/> Height <input type="checkbox"/> Side Yard	PRESENT OR PREVIOUS USE:	
		vacant retail	
		PROPOSED USE:	
		massage establishment	
		BUILDING APPLICATION PERMIT NO.:	DATE FILED:
		2013.01.29.0493	1/29/13

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
PROJECT FEATURES				
Dwelling Units				
Hotel Rooms				
Parking Spaces				
Loading Spaces				
Number of Buildings				
Height of Building(s)				
Number of Stories				
Bicycle Spaces				
GROSS SQUARE FOOTAGE (GSF)				
Residential				
Retail	1,523 GSF	1,523 GSF		1,523 GSF
Office				
Industrial/PDR <small>Production, Distribution, & Repair</small>				
Parking				
Other (Specify Use)				
TOTAL GSF	1,523 GSF	1,523 GSF		1,523 GSF

Please describe any additional project features that are not included in this table:
 (Attach a separate sheet if more space is needed)

Proposed project is to establish a therapeutic massage establishment in a ground level vacant storefront in a mixed use three story building envelope; in full compliance Planning Code requirements.

Guomei Zhang, the project applicant is a therapeutic massage professional certified with the State of California's Massage Therapy Council (CAMTC).

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

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

The proposed project will occupy a now vacant storefront; enhancing and improving the San Bruno neighborhood commercial district by increasing active pedestrian oriented retail frontage. This new business will add a local woman owned business to the community, also offering employment potential to certified therapeutic massage professionals.

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

The proposed business will occupy an existing vacant ground floor existing retail space, preserving the character of the existing mixed use building envelope and surrounding neighborhood commercial ground level streetscape.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposal is a small neighborhood commercial retail storefront and does not affect the City's housing stock.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

The proposed certified therapeutic massage establishment replaces a prior similar personal service establishment at this location; and there will be no new impacts to any traffic, transit service or parking associated with this very small retail outlet (1,523 square feet).

CASE NUMBER:
For Staff Use only

- 5. 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 proposal is a small, woman owned, personal service retail commercial project; and it will not displace any service or industry establishment, nor will it impact these service sectors or related employment opportunities.

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

This project des not involve any alterations or new construction. The massage establishment will occupy an existing retail storefront space in a mixed use building envelope in full compliance with City Codes.

- 7. That landmarks and historic buildings be preserved; and

The subject building was constructed in 1975 and is not idenified as a potential historic resoure.

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

The project will occupy an existing vacant storefrnt and does not involve any building alteration therefore will have no impact on existing parks and open space.

Estimated Construction Costs

TYPE OF APPLICATION: Conditional Use	
OCCUPANCY CLASSIFICATION: B	
BUILDING TYPE: R-3	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION: no construction proposed - change in use	BY PROPOSED USES: therapeutic massage establishment
ESTIMATED CONSTRUCTION COST: 0	
ESTIMATE PREPARED BY: Project Sponsor Representative	
FEE ESTABLISHED: \$ 1,625.	

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: Guo Mei Zhang

Date: 4/3/2011

Print name, and indicate whether owner, or authorized agent:

GUO MEI ZHANG
 Owner / Authorized Agent (circle one)

Application Submittal Checklist

Applications listed below submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent and a department staff person.**

APPLICATION MATERIALS	CHECKLIST
Application, with all blanks completed	<input checked="" type="checkbox"/>
300-foot radius map, if applicable	<input type="checkbox"/>
Address labels (original), if applicable	<input type="checkbox"/>
Address labels (copy of the above), if applicable	<input type="checkbox"/>
Site Plan	<input type="checkbox"/>
Floor Plan	<input type="checkbox"/>
Elevations	<input type="checkbox"/>
Section 303 Requirements	<input checked="" type="checkbox"/>
Prop. M Findings	<input checked="" type="checkbox"/>
Historic photographs (if possible), and current photographs	<input checked="" type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Original Application signed by owner or agent	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input checked="" type="checkbox"/>
Other: Section Plan, Detail drawings (ie. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors)	<input type="checkbox"/>

NOTES:

- Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)
- Typically would not apply. Nevertheless, in a specific case, staff may require the item.
- Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

After your case is assigned to a planner, you will be contacted and asked to provide an electronic version of this application including associated photos and drawings.

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



SAN FRANCISCO
PLANNING
DEPARTMENT

FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415 558-6409**
WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**
*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

Address: 2809 San Bruno Block and Lot No. AB 5457 / 30

Project Description

The applicant proposes to establish a 1,523-square foot therapeutic massage establishment within an existing now vacant retail storefront located at 2809 San Bruno Avenue.

This therapeutic massage establishment, would be owned and run by the project applicant; Guomei Zhang a small businesswoman, certified by the California Massage Therapy Council (CAMTC); providing Swedish, deep tissue and back working (Ashiatsu) massage services.

The proposed personal service is similar to previous medical massage establishment at this location (BPA 201310290493); which occupied the retail space prior to 2014 massage code standards. This current application utilizes the approved tenant improvements while meeting new planning requirements, with the filing of this Conditional Use application.

The massage establishment would occupy the existing floorplan; providing five massage tables separated by interior walls and employ five CAMTC certified massage therapists. No further interior or exterior modifications would be required.

The proposed use is an independent neighborhood serving business that is locally owned; supported by the City's economic policy and neighborhood commercial zoning. The City Planning Code, Section 711.54 allows massage establishments by Conditional Use in NC-2 Districts. This proposed plan complies with Code standards and requirements as follows.

- *The proposed therapeutic massage establishment is compatible with San Bruno NCD and will offer a competitive personal service to residents and businesses in the area.*
- *The storefront will occupy a vacant, improved retail space and will not displace any existing retail use or service to the community.*
- *This independently owned small business is not a Formula Retail use and is designed to serve the immediate surrounding neighborhood.*
- *The project applicant meets the standards and conditions of the massage therapist requirements; Ms. Zhang is licensed by the California Massage Therapy Council (CAMTC); a certification fully recognized by the SF Health Department.*
- *Ms. Zhang has over seven (7) years of experience and good standing with CAMTC.*
- *This new personal service will increase the diversity of uses available in the San Bruno NC-2 district, and provide new employment opportunities.*
- *The project will meet the full requirements of the Planning Code and General Plan.*

CONDITIONAL USE FINDINGS

Pursuant to Planning Code **Section 303(c)**, before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below.

- (1) That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.**

The subject parcel is improved with a three-story mixed use residential commercial building comprised of two dwellings and one vacant retail unit including 1,523 gross square feet.

This project would occupy the now existing vacant storefront; re-establishing an active pedestrian oriented street face which is both compatible with the intention of the NC-2 zone and desirable to the San Bruno commercial community.

The massage establishment would offer massage services between 10:00 am and 10:00 pm as permitted by the NC-2 use district controls. The retail use would provide new jobs to five certified CACMT professionals.

The San Bruno neighborhood commercial district provides a variety of mixed use buildings including a mix of ground level retail commercial, personal service and office uses. The proposed massage establishment would provide a beneficial and competitive personal service to the businesses and residents in the Excelsior District.

- (2) That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to the property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:**

(A) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The project site is a 2,250-square foot lot located midblock on San Bruno Avenue between Wayland and Woolsey Street in the City's Excelsior District. This NC-2 block is comprised of single faced development, with lots backing onto the Bayshore freeway, State owned unimproved property.

The subject property includes an existing three story mixed use building with two dwellings above a small ground level already improved small retail storefront containing 1,523 gross square feet. The project proposes a therapeutic massage establishment, which will fully utilize the existing approved improvements (BPA 201310290493).

This project is well suited for the site and is in full compliance with the intent of the NC-2 zoning district. The project proposes to occupy an already existing improved ground level retail space maintaining and preserving the existing building envelope. No further modifications are required.

(B) 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 subject building does not include any parking and the proposed project is simply a replacement retail occupancy of a previous similar style business. The proposed plan will continue the existing pedestrian ground level frontage encouraged by the NC districts.

Traffic and parking patterns will not be significantly different than the previous retail use. Patrons of the neighborhood commercial district have adequate walking, bicycling and public transit options.

(C) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The nature of the proposed massage establishment is not expected to emit any offensive omissions.

(D) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and

The proposed massage establishment does not require any additional landscaping, screening or open space. The project applicant will apply separately as required for any business signage or exterior lighting.

(3) That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

The proposed therapeutic massage establishment is consistent with the Master Plan policies for the Commerce Element; General and Neighborhood Commercial Districts.

SF General Plan

Commerce and Industry Element

General Citywide - Objectives and Policies

Objective 1: Manage economic Growth and change to ensure enhancement of the total city living and working environment

The proposed therapeutic massage establishment will increase benefits to the community by expanding the diversity of retail sales and personal services available on San Bruno Avenue and increasing employment opportunities to individuals living and working in the neighborhood.

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 attract new such activity to the City.

Policy 2.3: Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

The proposed project provides a local woman, to establish a new local business in the community; while also offering new employment opportunities to certified massage therapists.

Objective 3: Provide expanded employment opportunities for the City residents particularly the unemployed and economically disadvantaged.

Policy 3.1: Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semiskilled workers.

Policy 3.2: Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

This project introduces a new local, woman owned – independent business within an existing building envelope. The new personal service will also provide additional employment opportunities for certified therapeutic massage professionals

Commerce and Industry – Neighborhood Commerce Policies and Objectives

Objective 6 Maintain and Strengthen viable neighborhood commercial areas 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 districts.

The proposed project would replace an existing vacant storefront in a mixed-use building on San Bruno Avenue; no retail tenant or service would be displaced with this plan. The new therapeutic massage establishment would add to the diversity and availability of personal services to the residents and businesses in the community.

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.

This therapeutic massage establishment, would be owned and run by the project applicant; Guomei Zhang a small businesswoman, certified by the California Massage Therapy Council (CAMTC). Ms. Zhang has over seven (7) years of experience and good standing with CAMTC

.

The proposed use is not formula retail – it is an independent neighborhood serving business that is locally owned; supported by the City’s economic policy and neighborhood commercial zoning.

Planning Code Section 303(n) Massage Establishments.

With respect to Massage Establishments that are subject to Conditional Use authorization, as defined in Sections 102, 790.60, and 890.60 of this Code, in addition to the criteria set forth in Subsection (c) above, the Commission shall make the following findings:

(A) 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 29.10 of the San Francisco Health Code;

The project applicant Guomei Zhang is certified by the California Massage Therapy Council (CAMTC) which is exempted by The Department of Public Health under Section 209.10.

Ms. Zhang has over seven (7) years of experience and good standing with CAMTC.

SEC. 29.10. PERMIT REQUIRED FOR MASSAGE PRACTITIONER; EXEMPTIONS.

(a) **Permit Required.** It shall be unlawful for any individual to administer Massage for Compensation without first obtaining a Massage Practitioner permit from the Director, unless that individual is exempt from the permit requirement under subsection (b).

(b) **Exemptions.** The following massage service providers are exempt from the permit requirement in subsection (a):

(1) CAMTC Certified Practitioners

(B) 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:

(i) 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;

Approximately 20 linear feet of the ground floors 25 feet of width consists of transparent storefront and entrances, representing 80% of its length.

(ii) windows that use clear, untinted glass, except for decorative or architectural accent;

The subject retail storefront has clear, untinted glass along the entire frontage and door entrances.

(iii) 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;

More than 75% of the storefront business would remain open and unobscured.

(C) 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 existing storefront has adequate storefront lighting and would be open to the public between 10:00 am and 10 pm.

(D) 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 proposed storefront occupies ground level street frontage and provides reasonable public access, as illustrated in plans accompanying this application. No barriers are proposed which would make access difficult.

September 2017

SF Planning Department
1650 Mission Street, Suite 400
San Francisco, CA

Re: 2809 San Bruno Avenue
Conditional Use Case 2017.004415CUA

To Whom It May Concern:

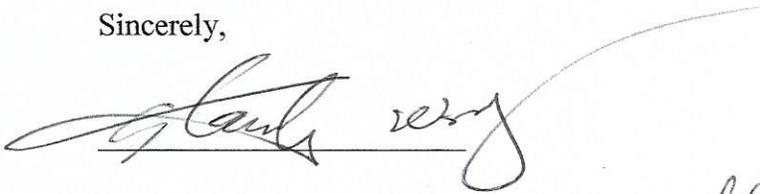
I have reviewed Ms. Guo Mei Zhang's proposal for a therapeutic massage establishment and support her plan to locate at 2809 San Bruno Avenue.

Our neighborhood is comprised of a variety of commercial stores and this new personal service will be both compatible and complementary to the surrounding San Bruno business and residential community.

Ms. Zhang is a local, independent small business operator and her plan will add retail vitality to our commercial street, while providing new employment opportunities. The proposal is similar to the previous massage establishment at this location and we appreciate that the project sponsor is utilizing the existing tenant improvements, while filing the conditional use application in compliance with the Planning Code.

In summary, I support the owner's efforts in this project and encourage the Planning Commission to approve the conditional use application and allow Ms. Zhang's storefront plan to move forward.

Sincerely,


Alan Wang, Health Center
(415) 467-8818

September 2017

SF Planning Department
1650 Mission Street, Suite 400
San Francisco, CA

Re: 2809 San Bruno Avenue
Conditional Use Case 2017.004415CUA

To Whom It May Concern:

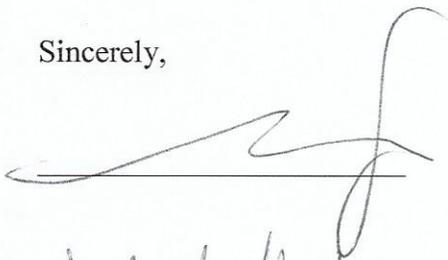
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In summary, I support the owner's efforts in this project and encourage the Planning Commission to approve the conditional use application and allow Ms. Zhang's storefront plan to move forward.

Sincerely,



Michelle's Nail Plus.
415-467-4920.

September 2017

SF Planning Department
1650 Mission Street, Suite 400
San Francisco, CA

Re: 2809 San Bruno Avenue
Conditional Use Case 2017.004415CUA

To Whom It May Concern:

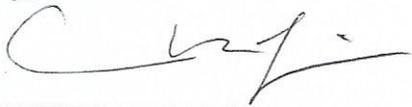
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In summary, I support the owner's efforts in this project and encourage the Planning Commission to approve the conditional use application and allow Ms. Zhang's storefront plan to move forward.

Sincerely,



SUNRISE AUTO SUC

415-467-7399

September 2017

SF Planning Department
1650 Mission Street, Suite 400
San Francisco, CA

Re: 2809 San Bruno Avenue
Conditional Use Case 2017.004415CUA

To Whom It May Concern:

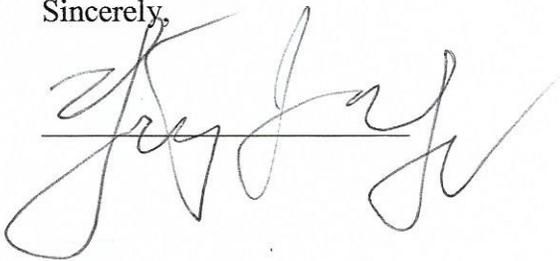
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In summary, I support the owner's efforts in this project and encourage the Planning Commission to approve the conditional use application and allow Ms. Zhang's storefront plan to move forward.

Sincerely,



Red Hong Beng

(415) 656-0148

September 2017

SF Planning Department
1650 Mission Street, Suite 400
San Francisco, CA

Re: 2809 San Bruno Avenue
Conditional Use Case 2017.004415CUA

To Whom It May Concern:

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In summary, I support the owner's efforts in this project and encourage the Planning Commission to approve the conditional use application and allow Ms. Zhang's storefront plan to move forward.

Sincerely,

Joanna

SAN BRUNO MAIL

(415) 656-1146

September 2017

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1650 Mission Street, Suite 400
San Francisco, CA

Re: 2809 San Bruno Avenue
Conditional Use Case 2017.004415CUA

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Sincerely,

Alfonso Pang

Cand Hair Salon

(415) 490-6327

PROJECT ADDRESS:
2809 SAN BRUNO
AVENUE
SAN FRANCISCO, CA
BLOCK 6547
LOT: 030



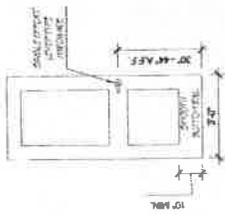
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NOV 18 2013
COMMERCIAL RETAIL
TENANT IMPROVEMENT
REMODEL

DETAILS

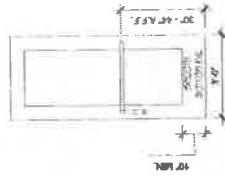
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OCT 12 2013
COMMERCIAL RETAIL
TENANT IMPROVEMENT
REMODEL

A-4

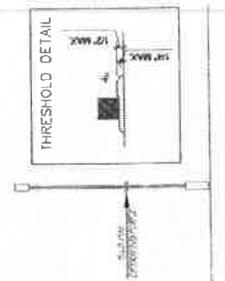
DOOR SCHEDULE			
DOOR #	WIDTH	HEIGHT	NOTES
DOC1	3'-0"	6'-8"	FRONT DOOR
DOC2	3'-0"	6'-8"	NON-LOCKABLE
DOC3	3'-0"	6'-8"	LOCKABLE
DOC4	2'-0"	6'-8"	LOCKABLE



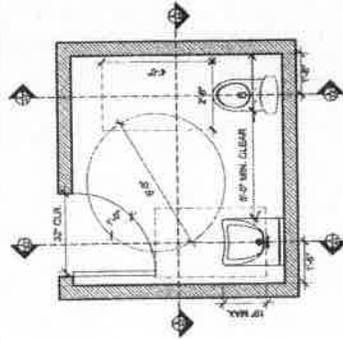
TYPICAL DOOR DETAIL



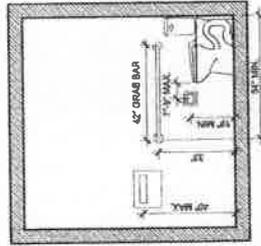
MAIN DOOR DETAIL



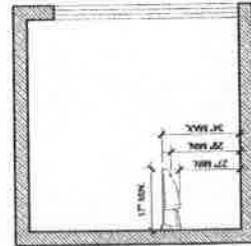
TYPICAL DOOR DETAIL



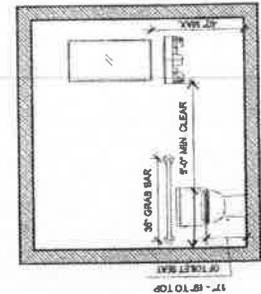
ENLARGED BATHROOM PLAN



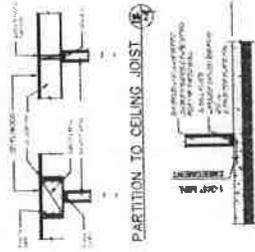
BATHROOM ELEVATION



BATHROOM ELEVATION



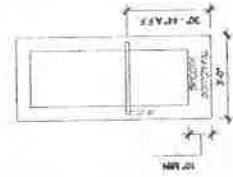
BATHROOM ELEVATION



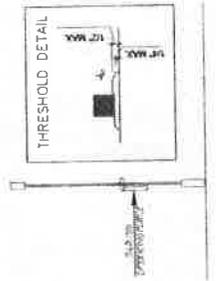
PARTITION TO CEILING JOINT DETAIL



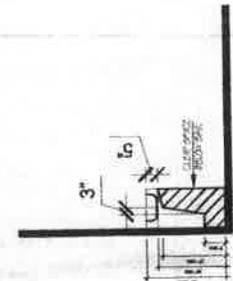
NON-BEARING WALL TO SLAB DETAIL



TYPICAL DOOR DETAIL



TYPICAL DOOR DETAIL



TYPICAL SINK DETAIL

PROJECT ADDRESS:
 2808 SAN BRUNO
 AVENUE
 SAN FRANCISCO, CA
 BLOCK: 5467
 LOT: 050

APPROVED
 MAY 11 2011

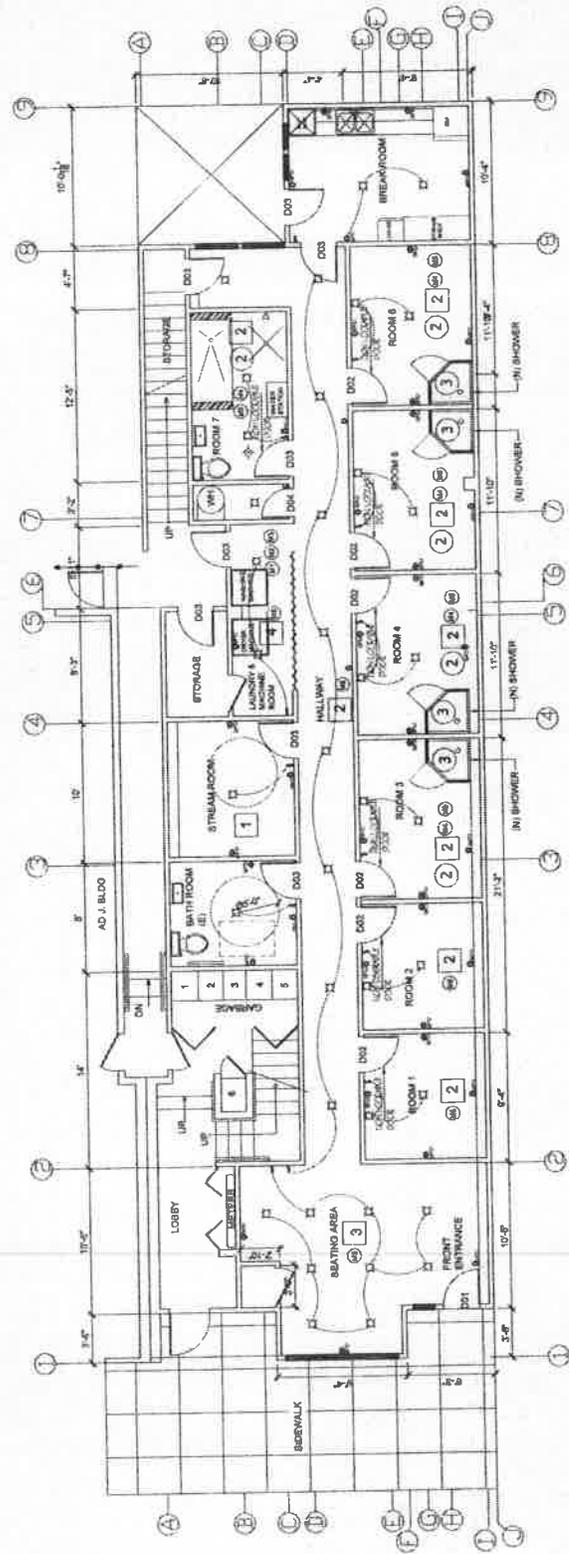


COMMERCIAL RETAIL
 TENANT IMPROVEMENT
 REMODEL

ELECTRICAL PLAN



A-5



Timothy J. Taylor, CE
 MAY 11 2011

1 ELECTRICAL PLAN

SCALE: 1/4" = 1'-0"



Project: 2808 San Bruno Ave
 2010
 10/13/11
 10/13/11