



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Project Summary and Motion No. _____

COMMUNITY BUSINESS PRIORITY PROCESSING PROGRAM

HEARING DATE: JANUARY 7, 2016

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Date Prepared: December 1, 2015
Case No.: **2012.1368C**
Project Address: **1500 PACIFIC AVENUE**
Zoning: Pacific Avenue NCD (Neighborhood Commercial District)
40-X Height and Bulk District
Block/Lot: 0573/004
Project Sponsor: Vickie Ho Washington
1500 Pacific Avenue
San Francisco, CA 94109
Staff Contact: Nicholas Foster – (415) 575-9167
nicholas.foster@sfgov.org

PROJECT DESCRIPTION

This is a request for Conditional Use Authorization pursuant to Planning Code Sections 303 and 732.51 for a change of use from Business/Professional Use to Medical Service Use. The project would convert approximately 936 square feet of vacant, ground floor commercial space most recently used as an insurance brokerage office (Business/Professional Use) into an acupuncture clinic, d.b.a. "Vickie Washington LAc" (Medical Service Use). The project has qualified for review under the Planning Commission's Community Business Priority Processing Program ("CB3P").

REQUIRED COMMISSION ACTION

In the Pacific Avenue Neighborhood Commercial District, Planning Code Section 732.51 requires that Medical Service Uses obtain Conditional Use Authorization.

DECISION

Based upon information set forth in application materials submitted by the project sponsor and available in the case file (which is incorporated herein by reference as though fully set forth) and based upon the CB3P Checklist and findings below, the Commission hereby **APPROVES Conditional Use Application No. 2012.1368C** subject to conditions contained in the attached "EXHIBIT A" and in general conformance with plans on file, dated August 26, 2015, and stamped "EXHIBIT B."

CB3P CHECKLIST

	Required Criteria			Comments (if any)
	Complete & adequate	Incomplete and / or inadequate	Not required and / or not applicable	
Project Sponsor's application	X			
CB3P eligibility checklist	X			Pre-Application Meeting held on 11/16/15; no attendees.
Planning Code §101.1 findings	X			
Planning Code §303(c) findings	X			
Planning Code §303(o) findings for Eating and Drinking Uses				N/A
Any additional Planning Code findings e.g. §303(k) findings for movie theater removals or §303(m) findings for grocery store removals				N/A
<small>list specific §§</small>				
Photographs of the site and/or context	X			
Scaled and/or dimensioned plans	X			
Clearance under California Environmental Quality Act ("CEQA")	X			

Additional Information	
Notification Period	12/18/15 – 1/7/16 (20 days newspaper; 20 days mailing; 20 days posted).
Number and nature of public comments received	N/A
Number of days between filing and hearing	78 days.

Generalized Basis for Approval (max. one paragraph)

The project is necessary and/or desirable for, and compatible with, the neighborhood or the community as it would activate a vacant, ground floor space and provides new, neighborhood-serving use. The subject commercial space has not been in use since the previous tenant terminated the lease in December, 2011. The space was previously used as an insurance brokerage office for over 10 years and before that a grocery store. The space has never been used for any medical uses. The current application is to obtain authorization to use the space for Medical Service, specifically, acupuncture. Acupuncture is the only service offered at this location and any practicing acupuncturist to provide treatment will be certified by the California Acupuncture Board ("Board"). Currently, the Project Sponsor is the only licensed acupuncturist with the intention to practice at this location; eventually, the practice may grow to include 2-3 additional Board-certified acupuncturists. Hours of operation will be from Monday thru Sunday, from 9:00am until 6:00pm, as allowed by Planning Code Section 732.51.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on January 7, 2016.

AYES:

NAYS:

ABSENT:

ADOPTED: January 7, 2016

 Jonas P. Ionin
 Commission Secretary

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. 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.

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.

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Medical Service Use (d.b.a. "Vickie Washington LAc") located at 1500 Pacific Avenue, Lot 004 in Assessor's Block 0573, pursuant to Planning Code Section 732.51 within the Pacific Avenue Neighborhood Commercial District and a 40-X Height and Bulk District; in general conformance with plans, dated August 26, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2012.1368C and subject to conditions of approval reviewed and approved by the Commission on January 7, 2016 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 January 7, 2016 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

DESIGN – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

7. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

8. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

9. **Noise.** Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

10. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

11. **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*

- 12. 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

- 13. 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>

- 14. 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>

- 15. Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

- 16. Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

17. 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.

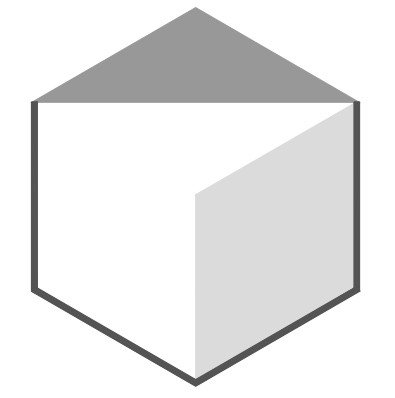
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

18. Hours of Operation. The subject establishment is limited to the following hours of operation: Sunday through though Saturday 6:00a.m. to 10:00p.m.

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

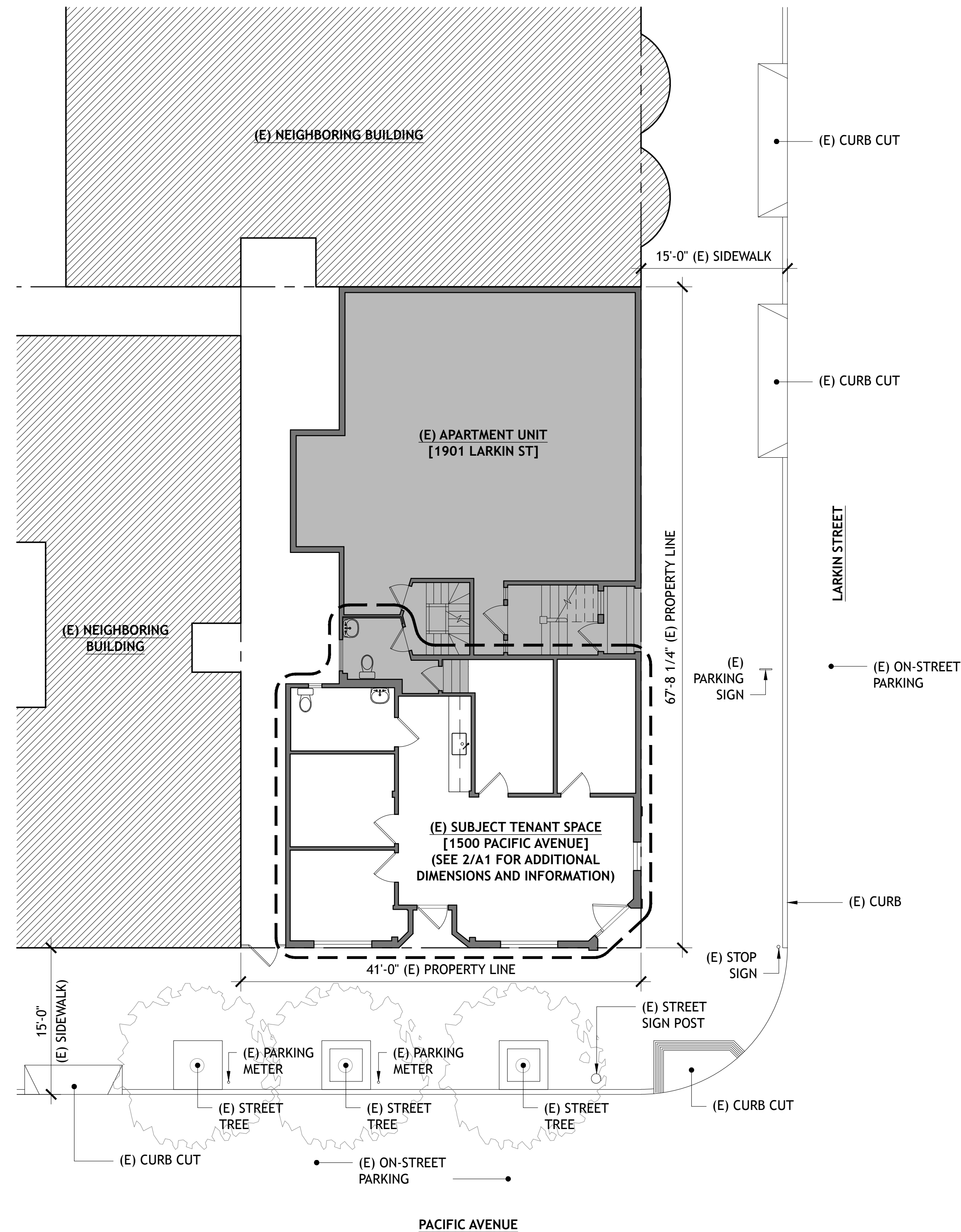
1500 PACIFIC AVENUE CONDITIONAL USE AUTHORIZATION

1500 PACIFIC AVENUE
SAN FRANCISCO, CA 94109



**VINCENT
GONZAGA**
ARCHITECT
SAN FRANCISCO
415 690 7738

1190 PINE ST APT 103
SAN FRANCISCO CA 94109



1 SITE PLAN
SCALE: 1/8" = 1'-0"

SCOPE OF WORK

CONDITIONAL USE AUTHORIZATION
APPLICATION FOR ACCUPUNCTURE THERAPY
USE AT AN EXISTING TENANT SPACE

PROJECT DIRECTORY

OWNER
VICKIE WASHINGTON
1561 PACIFIC AVE
SAN FRANCISCO, CA 94109
PHONE: (415) 269-6320

DRAWING INDEX

A0	COVERSHEET AND SITE PLAN
A1	GROUND FLOOR EXISTING / DEMOLITION AND PROPOSED PLANS
A2	BUILDING ELEVATIONS

REV#	DESCRIPTION	DATE
	CUA NOTIFICATION	12/07/15

ISSUE DATES / REVISIONS

PROJECT NAME

**1500 PACIFIC AVENUE
CONDITIONAL USE
AUTHORIZATION**
1500 PACIFIC AVENUE
SAN FRANCISCO, CA 94109
BLOCK: 0573, LOT: 004

PROJECT NUMBER 1504

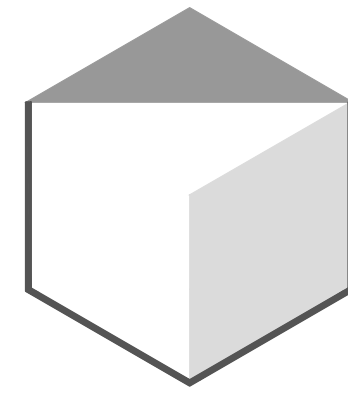
DATE 12/07/15

SHEET TITLE

COVERSHEET AND SITE PLAN

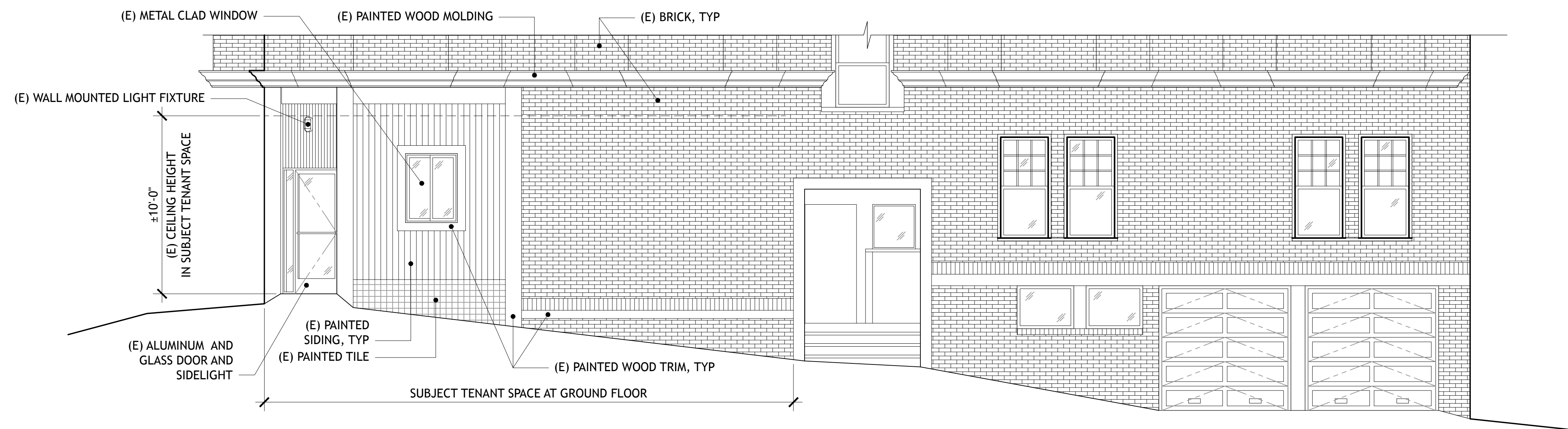
SHEET NUMBER

A0

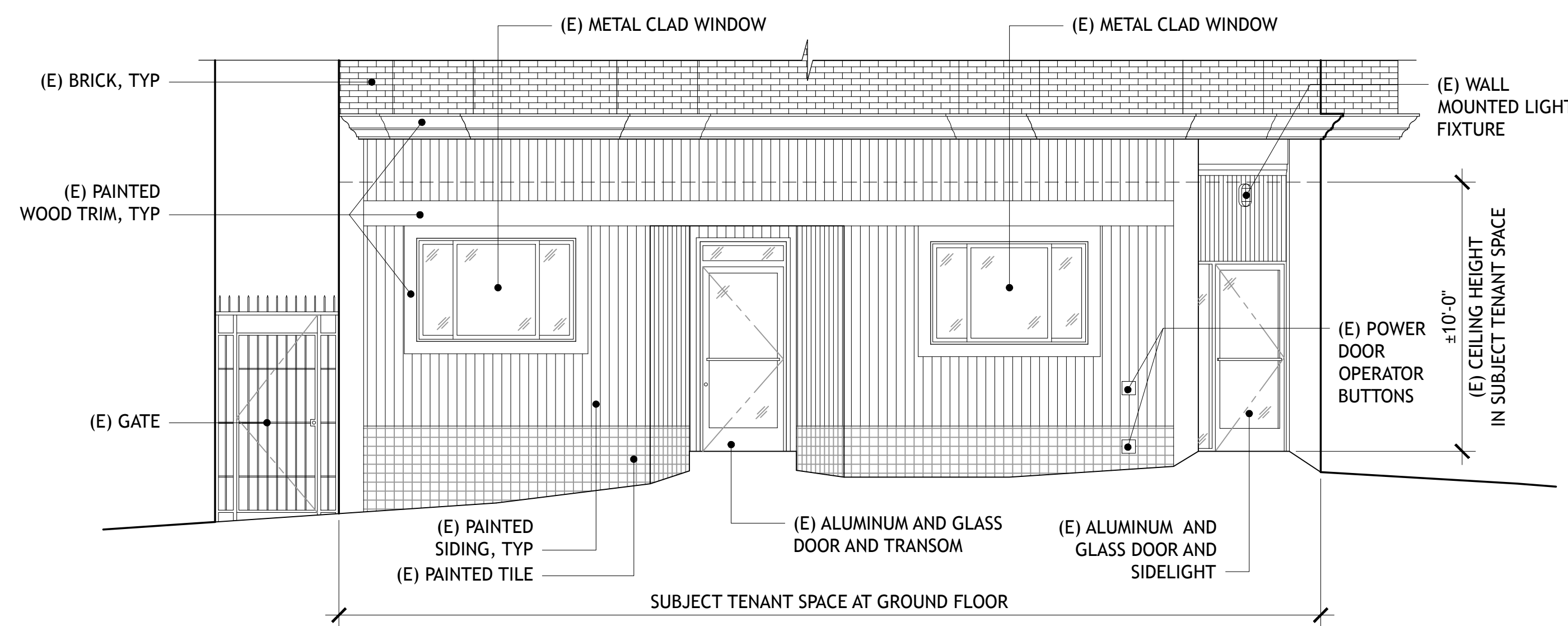


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2 PARTIAL EAST (LARKIN STREET) ELEVATION
SCALE: 1/4" = 1'-0"



1 PARTIAL SOUTH (PACIFIC AVENUE) ELEVATION
SCALE: 1/4" = 1'-0"

REV#	DESCRIPTION	DATE
	CUA NOTIFICATION	12/07/15

ISSUE DATES / REVISIONS

PROJECT NAME

**1500 PACIFIC AVENUE
CONDITIONAL USE
AUTHORIZATION**
1500 PACIFIC AVENUE
SAN FRANCISCO, CA 94109
BLOCK: 0573, LOT: 004

PROJECT NUMBER 1504

DATE 08/26/15

SHEET TITLE

BUILDING ELEVATIONS

SHEET NUMBER

A2