



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: MAY 28, 2020

Record No.: 2019-020831CUA
Project Address: 1117 Irving Street
Zoning: Inner Sunset Neighborhood Commercial District (NCD)
40-X Height and Bulk District
Block/Lot: 1767/001
Project Sponsor: Ling Deng
1117 Irving Street
San Francisco, CA 94122
Property Owner: Mark Dames
Redwood City, CA 94062
Staff Contact: Katherine Wilborn
Katherine.Wilborn@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The Project is a request for Conditional Use Authorization pursuant to Planning Code Sections 303, 703.4, and 730 to convert an existing 600 sq. f.t chair/foot massage service into a Massage Establishment at the ground floor of a two-story, residential-over-commercial building within in the Inner Sunset Neighborhood Commercial District (NCD) and 40-X Height and Bulk District.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 730, 703.4, and 303 to allow a Massage Establishment within the Inner Sunset Neighborhood Commercial District (NCD) Zoning District.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.**
 - **Support/Opposition:** The Department has not received any correspondence in support and or opposition to the Project.

ENVIRONMENTAL REVIEW

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

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Inner Sunset Neighborhood Commercial District, and the Objectives and Policies of the General Plan. The Project will support an existing, local business to continue and expand their massage operations and offerings. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

ATTACHMENTS:

Draft Motion – Conditional Use Authorization with Conditions of Approval
Exhibit B – Plans and Renderings
Exhibit C – Environmental Determination
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion HEARING DATE: MAY 28, 2020

Record No.: 2019-020831CUA
Project Address: 1117 IRVING STREET
Zoning: Inner Sunset Neighborhood Commercial District (NCD)
40-X Height and Bulk District
Block/Lot: 1767/001
Project Sponsor: Ling Deng
1117 Irving Street
San Francisco, CA 94122
Property Owner: Mark Dames
Redwood City, CA 94062
Staff Contact: Katherine Wilborn – (415) 575-9114
Katherine.Wilborn@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 303, 703.4, AND 730 TO AUTHORIZE A MESSAGE ESTABLISHMENT USE AT AN EXISTING CHAIR/FOOT MESSAGE SERVICE AT 1117 IRVING STREET, LOT 001 IN ASSESSOR'S BLOCK 1767, WITH THE INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT (NCD) ZONING AND DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 5, 2019, Ling Deng of U-Feet Massage (hereinafter "Project Sponsor") filed Application No. 2019-020831CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use Authorization to convert an existing chair/foot massage service into a Massage Establishment (hereinafter "Project") at 1117 Irving Street, Block 1767, Lot 001 (hereinafter "Project Site").

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

On May 28, 2020, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2019-020831CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-020831CUA 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 Authorization as requested in Application No. 2019-020831CUA, 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. **Project Description.** The Project includes the conversion of an existing chair/foot massage service into a Massage Establishment use (d.b.a. “U-Feet”) at the ground floor of a two-story, residential-over-commercial building located within the Inner Sunset Neighborhood Commercial District. U-Feet Massage currently operates as a chair- and foot-massage establishment in the location proposed. The Project would allow U-Feet Massage to expand its massage services for its clientele and continue its operations, in good standing, as a local business. The proposed Massage Establishment would occupy the existing, approximately 600 square foot ground floor space. No exterior alterations are proposed.
3. **Site Description and Present Use.** The Project site is located on the southwest corner of Irving and 12th Avenue (with a lot area of approximately 2,060 square feet), with approximately 85-ft of frontage along Irving Street and 25-ft of frontage along 12th Avenue, which contains a two-story structure with three commercial storefronts and one residential unit. U-Feet Massage is the western-most storefront of the three commercial spaces at the ground floor of the Project site.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the Inner Sunset NCD Zoning District. The immediate context is mixed in character with two-to-three-story residential, commercial, and institutional uses to provide convenient goods and services to local Inner Sunset residents, as well as comparison shopping goods and services to a larger market area and users of Golden Gate Park.
5. **Public Outreach and Comments.** To date, the Department has not received any public comment on the Project.
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. **Use.** A Massage Establishment use is defined under Planning Code Section 102 and the Health Code Section 29.5, as a type of Retail Sales and Service activity where more than one individual administers Massage for compensation, excluding those locations where Massage is provided only on an outcall basis or accessory to a principal use. Pursuant to Planning Code Section 730, Massage Establishment uses within the Inner NCD Zoning District require Conditional Use Authorization. Planning Code Section 303 provides consideration for the Planning Commission to consider when authorizing Conditional Uses, Section 303(n) provides

additional criteria for Massage Establishment's Conditional Uses, and section 703.4 provides consideration for Massage Establishments within Neighborhood Commercial Districts (NCD) Zoning Districts.

The proposed project is a request for Conditional Use Authorization to allow the change of use of an existing Chair/Foot Massage, defined under the Planning Code as a Retail Sales and Service Use where the only massage service provided is chair or foot massage, such service is visible to the public, and customers are fully clothed at all times to a Massage Establishment Use with accessory personal service use with approximately 600 square feet of floor area located on the ground floor space of the existing two-story commercial and residential building.

- B. **Retail Sales and Services Use within the Inner Sunset NCD Zoning District.** Section 730 of the Planning Code generally permits "retail sales and services uses", as defined under Planning Code Section 102, on the first story, to encourage the neighborhood's character of being a neighborhood-serving commercial corridor.

The Project would allow a Retail Sales and Service use, which Massage Establishment is conditionally encompassed within, to operate at the ground floor of a two-story, residential-over-commercial building.

- C. **Hours of Operation.** Planning Code Section 730 states that the permitted hours of operation for a commercial use are 6:00am – 2:00am.

The current hours of operation for U-Feet Massage are Monday – Thursday, 11:30am-10:00pm; and Friday – Sunday, 11:00am-10:00pm. U-Feet Massage is within the principally permitted hours of operation and intend to keep these hours of operation if Conditional Use Authorization is granted.

- D. **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.

The subject commercial space has approximately 25-feet of frontage on Irving Street with approximately 10-feet devoted to the entrance or window. The windows are to remain clear and unobstructed. There are no changes proposed to the commercial frontage.

- E. **Use Size.** Planning Code Section 730 principally permits non-residential uses up to 2,499 square feet. Uses 2,500 square feet or larger require Conditional Use Authorization.

The Project proposes no changes to the existing 600 square foot commercial space, which is principally permitted.

- F. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department and must comply with Article 6 of the Planning Code.

The Project does not propose any signage at this time. If signage is to be proposed in the future, it shall be in accordance with Article 6 Sign regulations and maintain the 75% storefront transparency requirement.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies 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 to remain as-is existing, which is in keeping with other storefronts on the block face. The Project will not impact traffic or parking in the District, as the Massage Establishment is expected to serve only a moderate number of customers, and there being sufficient on-street parking available along both northern and southern sides of Irving Street.

- 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:

- (1) 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.

- (2) 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 off-street parking, although on-street parking is provided along the block face, It is unlikely that the Massage Establishment use will generate significant vehicular trips citywide.

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

The proposed use will not generate significant noise, glare, dust, or odor.

- (4) 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 shall not alter the site's landscaping, open space or lighting Windows shall remain transparent and unobstructed, as outlined in Planning Code Section 145. No new signage is proposed.

- 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 purposed of the Inner Sunset NCD District in that the intended use is commercial in nature, and shall support the continued operation of a small, non-Formula Retail business. The expanded use (from chair/foot massage) will provide a compatible, convenient service for the immediate neighborhoods during principally permitted hours.

8. **Planning Code Section 303(n).** Planning Code Section 303(n) establishments additional criteria for the Planning Commissions to consider when reviewing applications of Conditional Use Authorizations for a Massage Establishment use.

- A. Whether the applicant has obtained, and maintains in good standing, a permit for a Massage Establishment form the department of Public Health pursuant to Section 29.10 of the San Francisco Health Code.

The Project Sponsor currently has a foot/chair massage permit that is in good standing with the Department of Public Health. The Conditions of Approval in Exhibit A will help ensure tat the applicant maintains the Massage Establishment Permit in good standing with the Department of Public Healthy. Failure to do so may result in this Conditional Use Authorization being revoked by the Planning Commission.

- 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 faced include:

- (1) An Active 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.

The proposed Massage Establishment will maintain its existing location on the ground floor of the subject building and shall ensure its compliance with transparency requirements. No exterior changes are proposed to the existing façade, windows, or storefront entrance.

- (2) Windows that use clear, un-tinted glass, except for decorative and architectural accent.

The existing door and windows, which give visibility into the Massage Establishment, will remain clear, un-tinted, and unobscured.

- (3) Any decorative railings or grille work other than wire mesh which place in front of or behind such windows should be at least 75 percent open to perpendicular view and no more than six feet in height above grade.

The existing commercial frontage does not have railing, grille work, or security bars on its entry, nor are any proposed.

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

There is existing street lighting at the corner of Irving Street and 12th Avenue, which provides adequate pedestrian-oriented lighting on the subject building.

- 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 discourages. These include (but are not limited to) foyers equipped with double doors that can be opened only from the inside and security cameras.

The such barriers are existing or proposed in the applicant's plans or application. Access will be open and unobstructed, and all doors will remain open during the hours of operation.

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

COMMERCE AND INDUSTRY

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 Massage Establishment use would provide a service to the neighborhood and will provide resident employment opportunities to those in the community. The Conditions of Approval will ensure that the use meets minimum, reasonable performance standards. Further, the Project Site is located within the Inner Sunset NCD Zoning District that is part of a heavily trafficked area and is thus consistent with activities allowed 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 allow an existing chair/foot massage service to become a Massage Establishment commercial use; whereas, encouraging the viability and retention of an existing commercial business, while maintaining a diverse economic base in the area.

OBJECTIVE 3:

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.4:

Assist newly emerging economic activities.

The Project will allow the establishment of a new Massage Establishment use that would employ six new independent contractors, which will enhance the diverse economic base of the City.

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 6:

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

Policy 6.1:

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

Policy 6.3:

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

The Project will promote the District to achieve optimal diversity in the types of goods and services available in the neighborhood, provided there is currently no other Massage Establishment within Subject Property nor any other permitted Massage Establishments within the Inner Sunset NCD Zoning District.

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 complies 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 Project is not anticipated to significantly affect the existing mix of neighborhood-serving retail uses and would provide future opportunities for resident employment. The Project would retain the current mix of neighborhood-serving commercial uses by providing a new Massage Establishment use, which expands upon the existing foot/chair massage service. The Project will continue to provide desirable services and will continue to provide employment opportunities to those in the community.

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

The Project is not anticipated to adversely affect the character or diversity of the neighborhood. There are no changes proposed to the façade or building exterior.

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

The Project would not have any adverse effect on the City's supply of affordable housing.

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

The Project Site is well-served by nearby public transportation options. The Project is located within walking distance of (3) Muni bus lines (6-Haight/Parnassus; 7-Haight/Noriega; 44-O'Shaughnessy), and (1) Muni streetcar line (N-Judah). The Project also provides metered street parking and sufficient on-street bicycle parking.

- 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 or adversely affect any service sector or industrial businesses as the Project will occupy its existing commercial space.

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

The Project will not adversely affect the property's ability to withstand an earthquake. The Project will comply with the requirements of the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

The Project is not located within a historic building or district, nor will the Project adversely impact the City's stock of such historic buildings or districts.

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

The Project will have no negative effect on existing parks and open spaces, and will not adversely affect their access to sunlight, or vistas.

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 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 Authorization Application No. 2019-020831CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, submitted November 5, 2019, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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. 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 May 28, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 28, 2020

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Massage Establishment (d.b.a. **U-Feet Massage**) located at 1117 Irving Street, Block 1767, and 001 pursuant to Planning Code Section(s) **303, 703.4, and 730**, within the **Inner Sunset Neighborhood Commercial District (NCD)** Zoning District and a **40-X** Height and Bulk District; in general conformance with plans, submitted **November 5, 2019**, and stamped "EXHIBIT B" included in the docket for Record No. **2019-020831CUA** and subject to conditions of approval reviewed and approved by the Commission on **May 28, 2020** 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 **May 28, 2020** 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. **Signage.** If signage is proposed, a sign permit is required and will be reviewed for compliance with Article 6 of the Planning Code.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

7. **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
8. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
9. **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

10. **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>
11. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety but shall in no case be directed so as to constitute a nuisance to any surrounding property.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

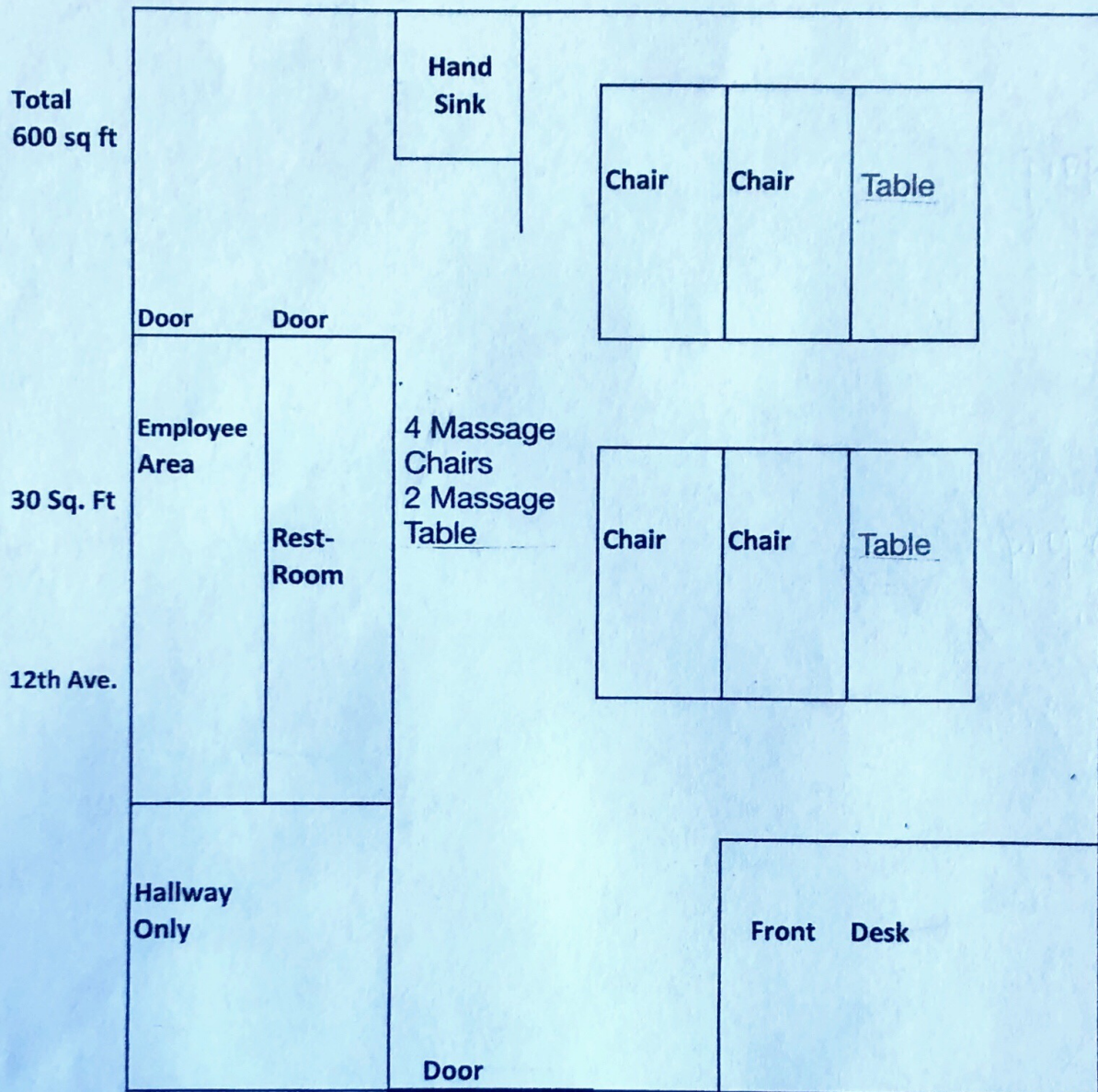
12. **Massage Establishments.** All massage establishments shall comply with the following standard massage use operation standards.
- A. The entry to the massage treatment room shall remain directly visible from the public right-of-way. If any additional doors are required under the Building Code for 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

13. **Hours of Operation.** The subject establishment is limited to the following hours of operation: Principally Permitted hours of operation within the Inner Sunset Neighborhood Commercial District, pursuant to Planning Code Section 730, is 6:00am-2:00am.

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

20 Square Feet



1117 IRVING ST. SAN FRANCISCO, CA 94122

U - FEET MASSAGE LLC

There are no any change ,no any structural change,inclusing its size and shape



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
1117 IRVING ST		1767001
Case No.		Permit No.
2019-020831PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
Project description for Planning Department approval. Conditional Use Authorization request to include message services in existing foot message establishment dba "U Feet".		

STEP 1: EXEMPTION CLASS

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).	
<input checked="" type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six 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.
<input type="checkbox"/>	Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. FOR ENVIRONMENTAL PLANNING USE ONLY
<input type="checkbox"/>	Class ____

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<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, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
<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? Note that a categorical exemption shall not be issued for a project located on the Cortese List if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).
<input type="checkbox"/>	Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? 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? If yes, archeo review is required (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.
<input type="checkbox"/>	Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.
Comments and Planner Signature (optional): Katherine Wilborn	

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

PROPERTY IS ONE OF THE FOLLOWING: (<i>refer to Property Information Map</i>)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PROJECT 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 checked="" 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): change of use only: chair/foot massage to Massage Establishment with Conditional Use Authorization
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Reclassify to Category A a. Per HRER or PTR dated b. Other (specify): </div> <div> <input type="checkbox"/> Reclassify to Category C (attach HRER or PTR) </div> </div>
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input checked="" type="checkbox"/>	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.
Comments (optional):	
Preservation Planner Signature: Katherine Wilborn	

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

<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Building Permit	Signature: Katherine Wilborn
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	04/02/2020
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. 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 approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

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.

MODIFIED PROJECT DESCRIPTION

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. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.

Planner Name:

Date:



SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 1117 IRVING STREET
RECORD NO.: 2019-020831CUA

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

Reception:
415.558.6378

Fax:
415.558.6409

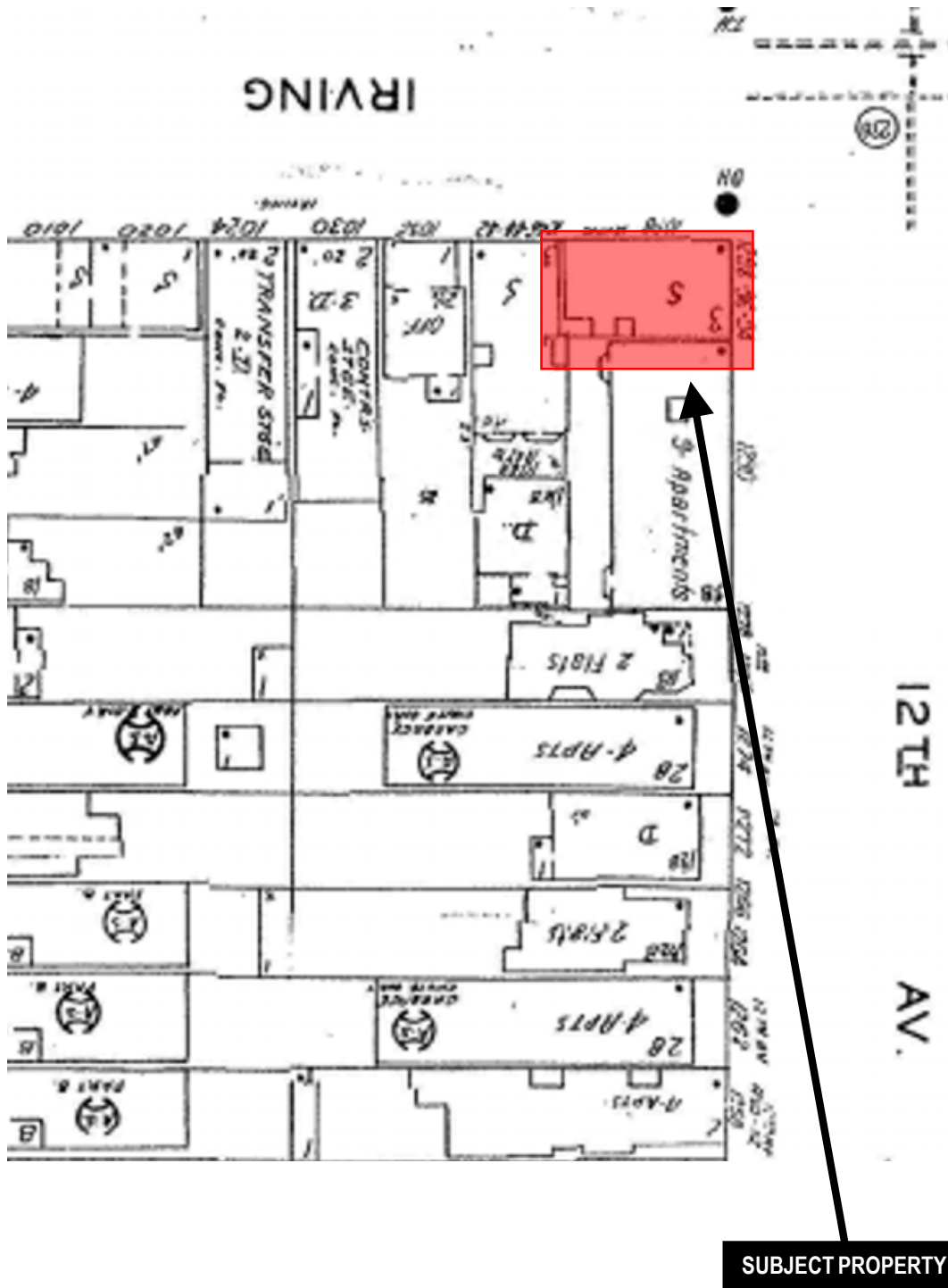
Planning
Information:
415.558.6377

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	N/A	N/A	N/A
Residential GSF	N/A	N/A	N/A
Retail/Commercial GSF	600	NO CHANGE	0
Office GSF	N/A	N/A	N/A
Industrial/PDR GSF <i>Production, Distribution, & Repair</i>	N/A	N/A	N/A
Medical GSF	N/A	N/A	N/A
Visitor GSF	N/A	N/A	N/A
CIE GSF	N/A	N/A	N/A
Usable Open Space	N/A	N/A	N/A
Public Open Space	N/A	N/A	N/A
Other	N/A	N/A	N/A
TOTAL GSF	600	0	600
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	N/A	N/A	N/A
Dwelling Units - Market Rate	N/A	N/A	N/A
Dwelling Units - Total	N/A	N/A	N/A
Hotel Rooms	N/A	N/A	N/A
Number of Buildings	N/A	N/A	N/A
Number of Stories	N/A	N/A	N/A
Parking Spaces	N/A	N/A	N/A
Loading Spaces	N/A	N/A	N/A
Bicycle Spaces	N/A	N/A	N/A
Car Share Spaces	N/A	N/A	N/A
Other	N/A	N/A	N/A

Parcel Map



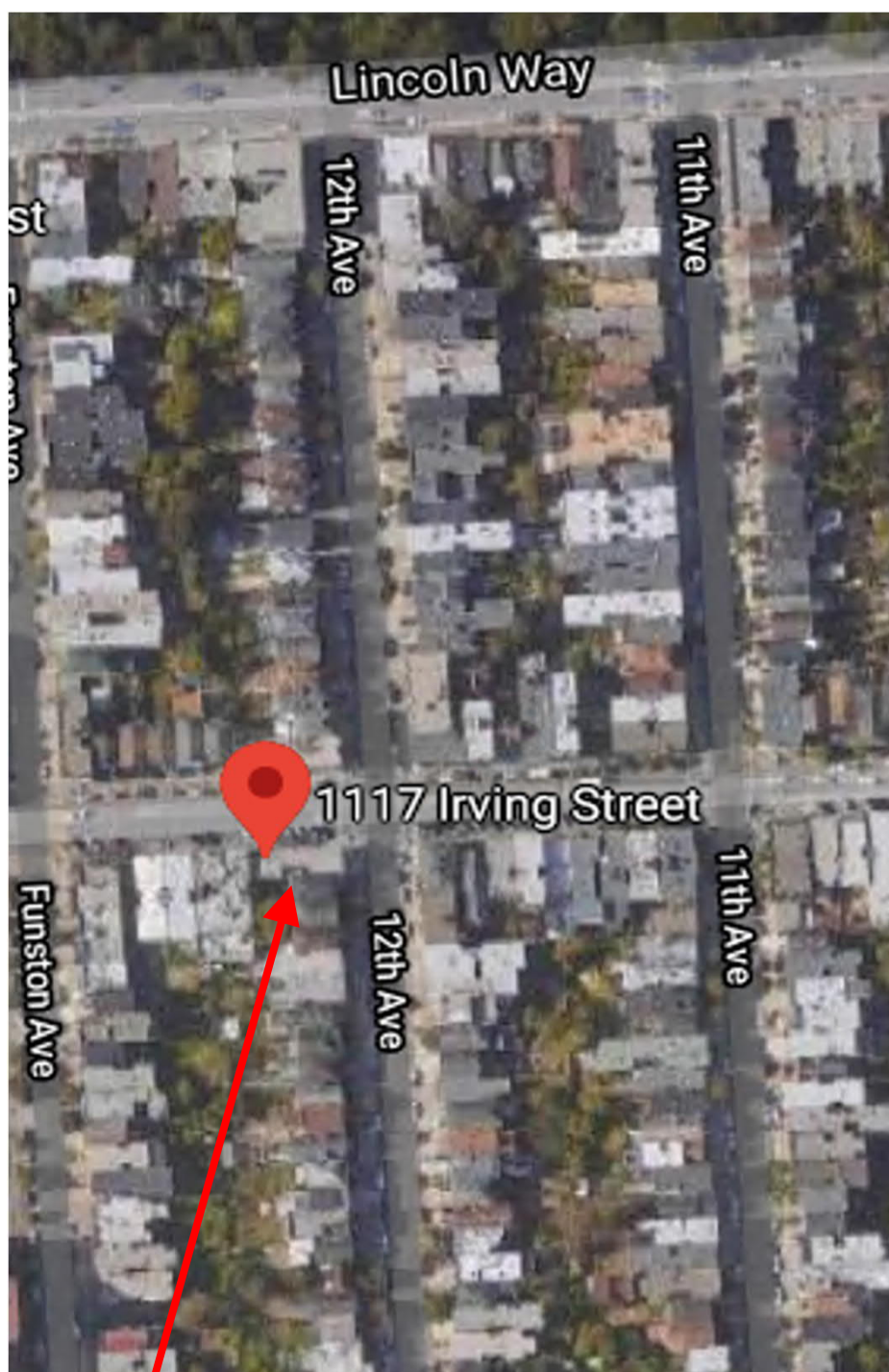
Sanborn Map*



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



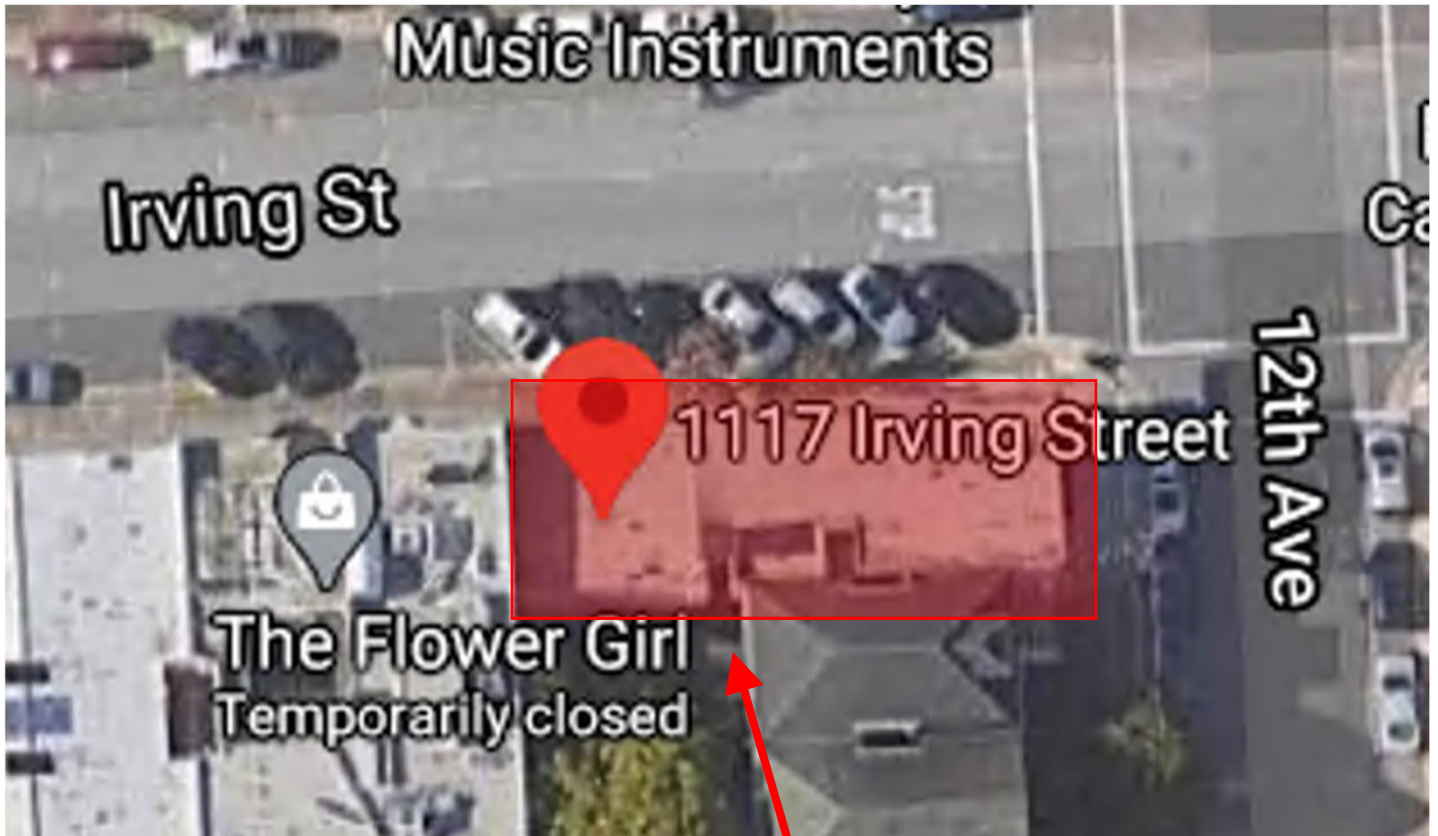
Aerial Photo – View 1



SUBJECT PROPERTY



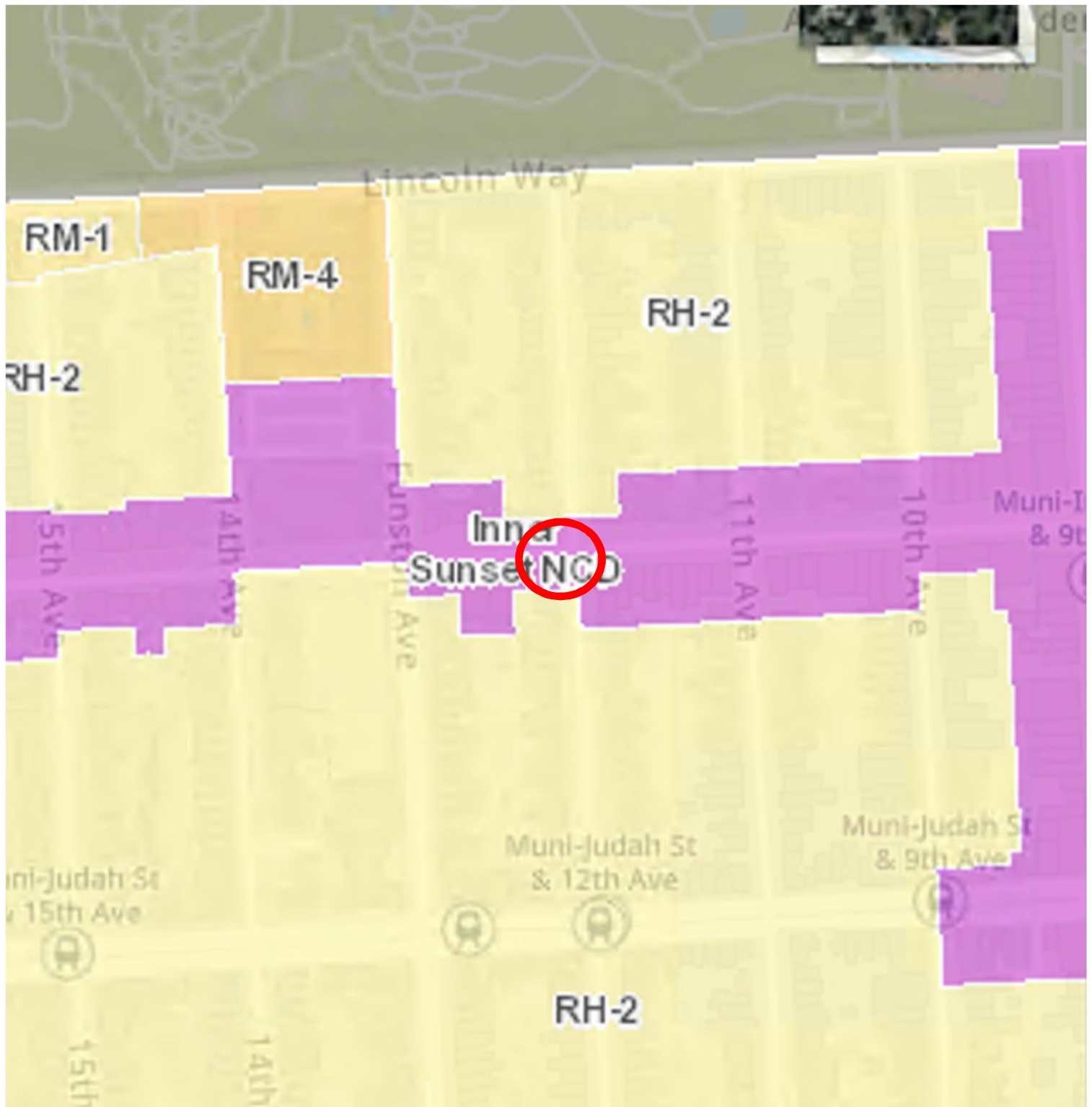
Aerial Photo – View 2



SUBJECT PROPERTY



Zoning Map



Site Photo

