



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: JANUARY 27, 2011

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

Reception:
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Planning
Information:
415.558.6377

Date: January 20, 2011
Case No.: **2010.0736C**
Project Address: **1617 Polk Street**
Zoning: Polk Street Neighborhood Commercial District (NCD)
65-A Height and Bulk District
Block/Lot: 0622/003
Project Sponsor: Ron Puangpinij
1911 Bush Street, #2A
San Francisco, CA 94115
Staff Contact: Aaron Hollister – (415) 575-9078
aaron.hollister@sfgov.org
Recommendation: **Approval with Conditions**

PROJECT DESCRIPTION

The project proposes to establish a business (d.b.a. Anjalee Thai Massage) that would offer massage and reflexology services. The business would be located on the ground-floor of the subject building, would contain eight massage treatment rooms and occupy approximately 1,100 gross square feet. The proposal does not include any exterior alterations to the building. The business owner already has one massage business, which is located approximately four blocks to the south at 1301 Polk Street.

SITE DESCRIPTION AND PRESENT USE

The project is located on the west side of Polk Street, mid-block between Sacramento and Clay Streets, Assessor's Block 0622, Lot 003. This site is within the Polk Street Neighborhood Commercial District (NCD) and a 65-A Height and Bulk District. The Project Site is occupied by a four-story mixed-use building that was constructed in 1907 and contains approximately 45 dwelling units and ground-floor commercial space. Retail and restaurant uses are currently found in the commercial tenant spaces. A retail business (d.b.a. Hallmark) most recently occupied the subject commercial space.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The Polk Street NCD, located in the gulch between Nob Hill, Russian Hill, and Pacific Heights, provides convenience goods and services to the residents of the Polk Gulch neighborhood and the west slopes of Nob Hill and Russian Hill. The district has a very active and continuous commercial frontage along Polk

Street, while the side streets have a greater proportion of residences. The zoning controls are designed to encourage residential development above neighborhood-serving commercial uses on the ground floor.

The surrounding development is a variety of multi-story, mixed-use buildings. Nearby ground-floor uses include eating and drinking establishments, small-scale retail stores, and nighttime entertainment. The upper stories are generally occupied by apartments, and residential hotels. The scale of development throughout the area varies widely. The scale of development throughout the area consists of low- and mid-rise buildings (one- to four-story structures) and high-rise buildings exceeding 100 feet in height. The height limits in the area range from 65 to 130 feet.

ENVIRONMENTAL REVIEW STATUS

The project is categorically exempt pursuant to the California Environmental Quality Act (CEQA), Section 15303 (Class 3, Conversion of a Small Structure).

HEARING NOTIFICATION REQUIREMENTS

| TYPE | REQUIRED PERIOD | REQUIRED NOTICE DATE | ACTUAL NOTICE DATE | ACTUAL PERIOD |
|--------------------|-----------------|----------------------|--------------------|---------------|
| Classified News Ad | 22 days | January 7, 2011 | January 5, 2011 | 22 days |
| Posted Notice | 20 days | January 7, 2011 | January 7, 2011 | 20 days |
| Mailed Notice | 20 days | January 7, 2011 | January 7, 2011 | 20 days |

PUBLIC COMMENT

- The Department has received letters of support from the Polk Merchant's Association, the Middle Polk Neighbors and a nearby business.
- Two nearby businesses jointly submitted a letter in opposition of the project.

ISSUES AND OTHER CONSIDERATIONS

- The Department contacted the Department of Public Health and the Police Department as part of the City's interdepartmental effort to regulate massage establishments. At this time, neither agency has concerns about the proposed massage establishment or the applicant requesting conditional use.

REQUIRED COMMISSION ACTION

- Pursuant to Planning Code Section 723.54, Conditional Use Authorization is required to allow a massage establishment in the Polk Street NCD.

BASIS FOR RECOMMENDATION

The Department believes this project is desirable and compatible with the neighborhood under Section 303 of the Planning Code for the following reasons:

- The project has been found to be compatible with the surrounding neighborhood and the Polk Street NCD as the business would offer a consumer service to residents and workers in the area.

- The project would provide a greater diversity of uses in an area of the Polk Street NCD that primarily features eating and drinking establishments.
- The project promotes small-business ownership.
- There is no indication that the applicant is involved in any illegal enterprises related to operating the proposed massage establishment.
- As conditioned, the Project will meet all of the criteria established in Planning Code Section 790.60(c).
- The project has been found to be desirable as the requested Conditional Use authorization request would comply with the Priority Policies and Commerce and Industry Element of the General Plan.

| |
|--|
| RECOMMENDATION: Approval with Conditions |
|--|

Attachments:

Draft Approval Motion
Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Photographs
Reduced Plans

Exhibit Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input checked="" type="checkbox"/> Public Correspondence |
| <input checked="" type="checkbox"/> Sanborn Map | |
| <input checked="" type="checkbox"/> Aerial Photo | |
| <input checked="" type="checkbox"/> Context Photos | |
| <input checked="" type="checkbox"/> Site Photos | |

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

AJH
Planner's Initials

AJH: 1617 Polk Street Executive Summary.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Inclusionary Housing (Sec. 315)
- Jobs Housing Linkage Program (Sec. 313)
- Downtown Park Fee (Sec. 139)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 314)
- Other

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Planning Commission Motion No. XXXXX

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ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303 AND 723.54 OF THE PLANNING CODE TO ALLOW A MESSAGE ESTABLISHMENT (D.B.A. ANJALEE THAI MASSAGE) AT 1617 POLK STREET ON ASSESOR'S BLOCK 0622, LOT 003, LOCATED WITHIN THE POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT A 65-A HEIGHT AND BULK DISTRICT.

PREAMBLE

On August 25, 2010, Ron Puangpinij (Project Sponsor) applied for Conditional Use Authorization, Application No. 2010.0736C, on the property at 1617 Polk Street, Lot 003 in Assessor's Block 0622 (Project Site), to allow a massage establishment as defined in Planning Code Section 790.60 to be part of a proposed business (d.b.a. Anjalee Thai Massage) in general conformity with plans labeled Exhibit B dated January 6, 2011 (Project). The site is within the Polk Street Neighborhood Commercial District (NCD) and a 65-A Height and Bulk District.

On January 27, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0736C.

The Project was determined by the San Francisco Planning Department (hereinafter "Department") to be categorically exempt pursuant to the California Environmental Quality Act (CEQA), Section 15303 (Class 3, Conversion of a Small Structure). The Commission has reviewed and concurs with said determination.

This Commission has reviewed and considered reports, studies, plans and other documents pertaining to this Project.

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. 2010.0736C, 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 west side of Polk Street, mid-block between Sacramento and Clay Streets, Assessor's Block 0622, Lot 003. This site is within the Polk Street Neighborhood Commercial District (NCD) and a 65-A Height and Bulk District. The Project Site is occupied by a four-story mixed-use building that was constructed in 1907 and contains approximately 45 dwelling units and ground-floor commercial space. Retail and restaurant uses are currently found in the commercial tenant spaces. A retail business (d.b.a. Hallmark) most recently occupied the subject commercial space.
3. **Surrounding Properties and Neighborhood.** The Polk Street NCD, located in the gulch between Nob Hill, Russian Hill, and Pacific Heights, provides convenience goods and services to the residents of the Polk Gulch neighborhood and the west slopes of Nob Hill and Russian Hill. The district has a very active and continuous commercial frontage along Polk Street, while the side streets have a greater proportion of residences. The zoning controls are designed to encourage residential development above neighborhood-serving commercial uses on the ground floor. The surrounding development is a variety of multi-story, mixed-use buildings. Nearby ground-floor uses include eating and drinking establishments, small-scale retail stores, and nighttime entertainment. The upper stories are generally occupied by apartments, and residential hotels. The scale of development throughout the area varies widely. The scale of development throughout the area consists of low- and mid-rise buildings (one- to four-story structures) and high-rise buildings exceeding 100 feet in height. The height limits in the area range from 65 to 130 feet.
4. **Project Description.** The project proposes to establish a business (d.b.a. Anjalee Thai Massage) that would offer massage and reflexology services. The business would be located on the ground-floor of the subject building, would contain eight massage treatment rooms and occupy

approximately 1,100 gross square feet. The proposal does not include any exterior alterations to the building.

5. **Public Comment.** The Department has received letters of support from the Polk Merchant's Association, the Middle Polk Neighbors and a nearby business

Two nearby businesses jointly submitted a letter in opposition of 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. **Planning Code Section 723.54 – Massage Use.** Section 723.54 allows massage establishments with Conditional Use Authorization in the Polk Street NCD and requires that the Planning Commission shall make findings as outlined in Planning Code Section 790.60(c) in addition to those required under Planning Code Section 303(c), based on the following criteria:

1. 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 1908 of the San Francisco Health Code.

Criterion Met

The existing clinic maintains such a permit and the applicant has filed for a massage permit with the Department of Public Health. Conditions of Approval will ensure that the Applicant maintains the Massage Establishment Permit in good standing with the Department of Public Health. Failure to do so may result in this Conditional Use Authorization being revoked by the Planning Commission.

2. 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. An 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.

Criterion Met:

The storefront of the subject business would be open and unobscured for at least 75% of its area.

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

Criterion Met:

The subject tenant space has clear, un-tinted glass along the entire frontage.

- iii. Any decorative railings or decorative 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.

Criterion Met:

The storefront of the subject business would be open and unobscured for at least 75% of its area.

3. 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 mass use during the post-sunset hours of the mass use are encouraged.

Criterion Met:

The ground floor use of the building provides adequate pedestrian-oriented lighting.

4. 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.

Criterion Met:

No such barriers are proposed in the plans contained in Exhibit B of this Motion.

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 project has been found to be desirable and compatible with the neighborhood as the business would offer a consumer service to residents and workers in the area. The project would also provide a greater diversity of uses in an area that primarily features eating and drinking establishments.

- 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 size and shape of the site and the size, shape and arrangement of the building are adequate for the Project. There will be no physical expansion of the existing building or commercial space.

- 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 Project will not adversely impact public transit or overburden the existing supply of parking in the neighborhood. Several City transit options exist in the project area. Many of the patrons are expected to walk from their residences or respective work places.

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

Given the nature of the Project (a massage service), it would not emit any substantial amount of glare, dust or odor.

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

The Project does not propose the physical expansion of the existing tenant space, therefore, no landscaping will need to be provided. All lighting and signage would be required to comply with the requirements of the Planning Code, an approved signage program, the Secretary of the Interior's Standards for the Treatment of Historic Properties (Secretary Standards) and the Urban Design Element of the General Plan.

- 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 Project will provide development that is in conformity with the purpose of the zoning controls for the Polk NCD as set forth in Planning Code Section 723.1. The Polk NCD provides convenience goods and services to the residents of the Polk Gulch neighborhood and the west slopes of Nob Hill and Russian Hill. The zoning controls are designed to encourage residential development above neighborhood-serving commercial uses on the ground floor. Because the Project would provide a service that is neighborhood-serving, the Project is compatible with the Polk NCD.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 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 which 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 addition of a massage establishment will provide desirable services and employment opportunities to individuals who live in, work in, or visit the project area. The Project will provide net benefits to the community by enhancing an area of the City that has traditionally served as a regional retail and consumer service center.

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.

Policy 2.3:

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

The project will be located within an existing commercial tenant space and will compliment the diverse economic base of the City.

OBJECTIVE 3:

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR 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 semi-skilled workers.

Policy 3.2:

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

The Project represents a new business in an existing building and will provide additional employment opportunities for licensed massage professionals.

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 diversity in the types of goods and services available in the neighborhood. The proposed massage use would help diversify the spectrum of uses in the area, which primarily features eating and drinking establishments.

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, and the proposed use is a neighborhood serving use. This is not a Formula Retail use.

9. **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 Project would not displace any neighborhood-serving retail uses, and will fill a vacant commercial tenant space. The subject business would be owned by a San Francisco resident.

- 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 will not displace housing as no housing exists in the building.

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

The Project will not have any impacts on the City's supply of affordable housing. No housing will be removed as part of this project.

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

The Project will not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. Many of the patrons will be able to walk from their residences or places of employment. Additionally, the Project Site is well-served by public transportation. Those who drive will be able to utilize nearby parking garages.

- 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.

There is no commercial office development associated with the Project. No industrial or service sector uses would be displaced.

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

The Project does not involve any construction activities that would compromise the structural integrity of the existing building or trigger any Building Code requirements for a seismic upgrade.

- G. That landmarks and historic buildings be preserved.

The project will not affect potential historic resource as there are no exterior alterations proposed for the project.

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

The Project, which does not include any physical expansion of the existing building envelope, and would not impact any parks or open spaces or their access to sunlight.

10. 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.
11. 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. 2010.0736C** subject to the following conditions attached hereto as "EXHIBIT A" 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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on January 27, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: January 27, 2011

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use to allow a Massage Use (d.b.a. Anjalee Thai Massage) located at 1617 Polk Street in Assessor's Block 0622, Lot 003, pursuant to Planning Code Section(s) 303 and 723.54 within the Polk Street Neighborhood Commercial District and a 65-A Height and Bulk District; in general conformance with plans, dated January 6, 2011, and stamped "EXHIBIT B" included in the docket for Case No. 2010.0736C and subject to conditions of approval reviewed and approved by the Commission on January 27, 2011, under Motion No XXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on January 27, 2011, under Motion No XXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

Validity and Expiration. The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved. Additionally, 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.

PROVISIONS

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.

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.

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

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 off 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/>.

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/>.*

Community Liaison. Prior to issuance of a building permit application 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 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

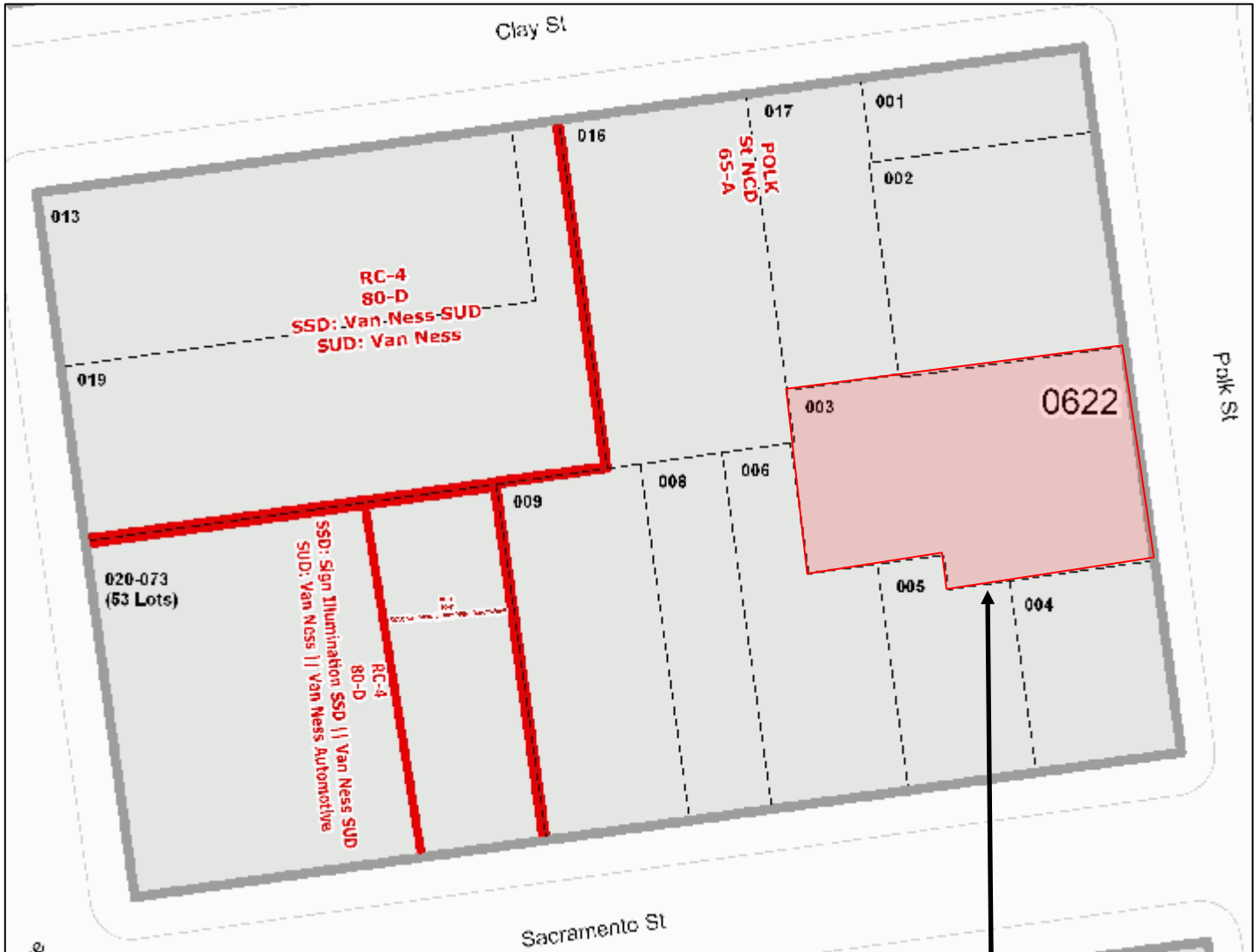
Massage Use Operation Standards.

- 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.
- All interior alterations shall be reviewed by the Planning Department to verify compliance with these conditions.
- 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.
- 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.
- The front door to the business must be open during business hours. The use of buzzers or a security camera is not permitted.

- 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.
- 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.

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

Parcel Map

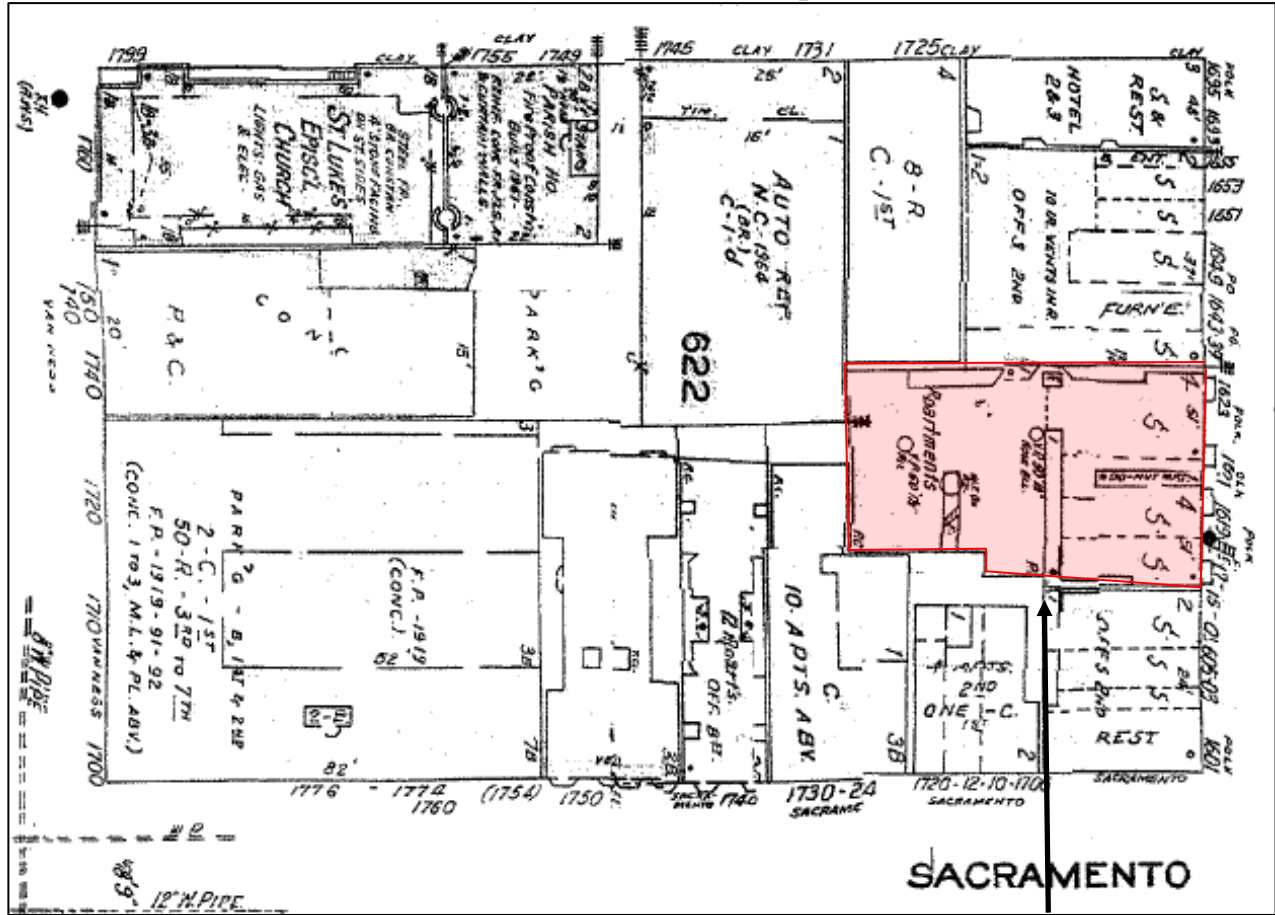


SUBJECT PROPERTY



Conditional Use Authorization Request
Case Number 2010.0736C
Massage Use
1617 Polk Street

Sanborn Map*



SUBJECT PROPERTY



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

Conditional Use Authorization Request
 Case Number 2010.0736C
 Massage Use
 1617 Polk Street

Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization Request
Case Number 2010.0736C
Massage Use
1617 Polk Street

Aerial Photo

West-Facing

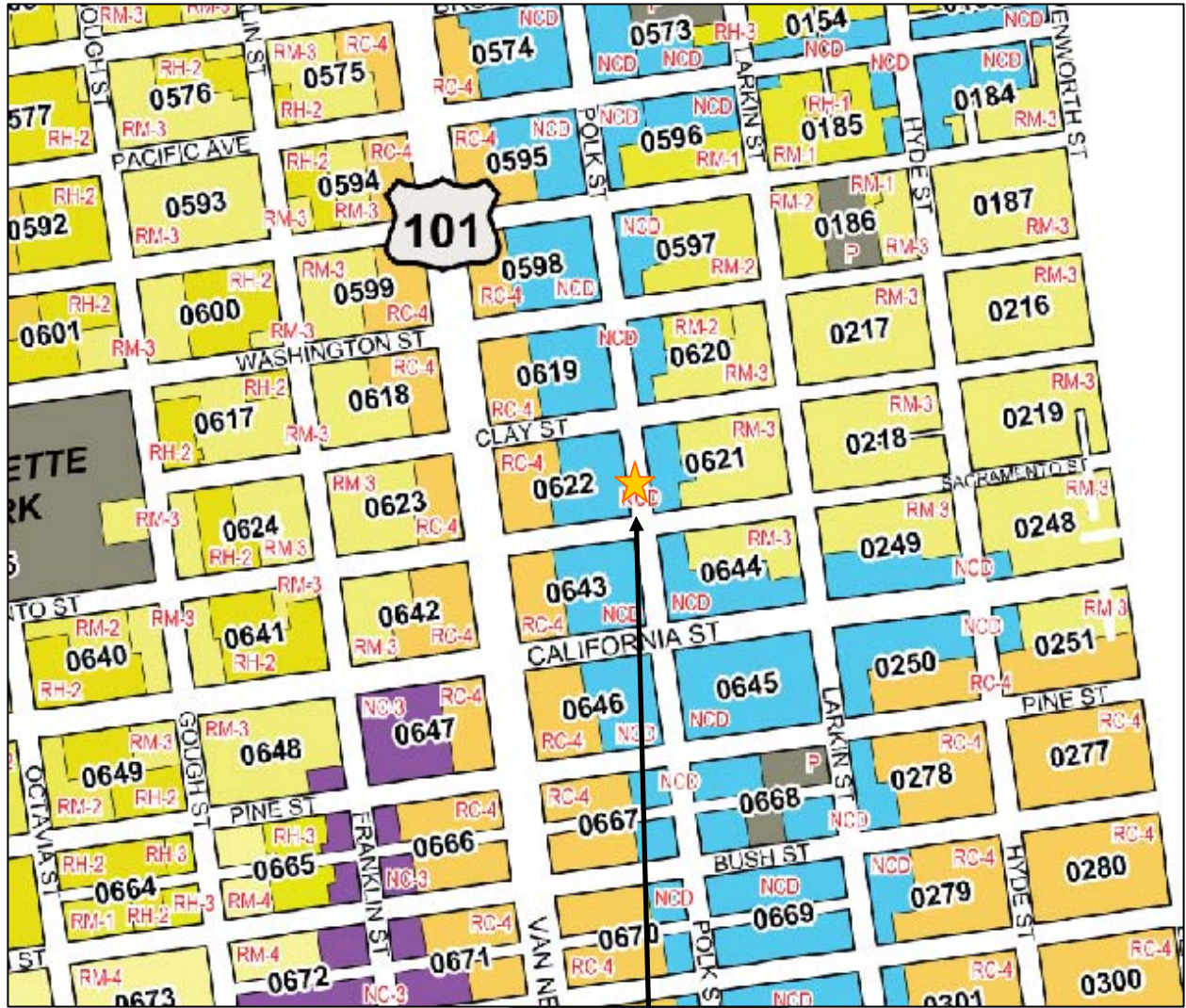


SUBJECT PROPERTY



Conditional Use Authorization Request
Case Number 2010.0736C
Massage Use
1617 Polk Street

Zoning Map



SUBJECT PROPERTY



Conditional Use Authorization Request
Case Number 2010.0736C
Massage Use
1617 Polk Street

January 19, 2011

Mr. Aaron Hollister
Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

Re: 2010.0736C – 1617 Polk Street

Dear Aaron:

The Middle Polk Neighborhood Association (MPNA) is in strong support of the additional location that La Biang Thai Massage is looking to expand to in our Neighborhood. This new location to be called Anjalee Thai Massage will be a very welcomed addition to our stretch of Polk Street.

We have carefully viewed existing location of this business on Polk and Bush. In fact several of us have recently become returning clients to La Biang Thai. This business is run in clean, safe and professional manner. The massages that they offer are of very high quality and their prices are very reasonable. They enjoy a very favorable standing with the Lower Polk Neighbors, the association that covers their existing location. This case has been presented to the members of the MPNA in November of 2010 and also in January of 2011. All comments made have been positive toward this planned expansion into the Middle Polk Neighborhood.

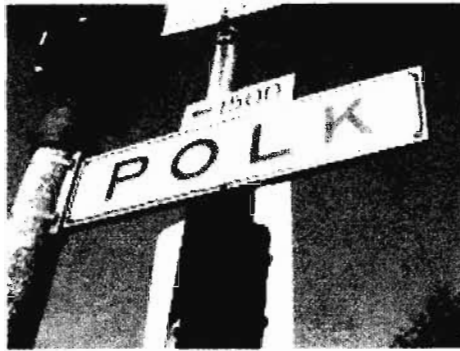
We believe that this additional location will benefit not only their additional clientele, but also the surrounding businesses. It is easy to imagine those who have just enjoyed a wonderful Thai massage being willing to visit other local shops and restaurants afterward.

We request that this business be awarded with all permits needed for their planned expansion. Thank you.

Kindest regards,
Dawn S. Trennert
Chair

dawn@middlepolk.org 415.314.0772

www.middlepolk.org



**POLK DISTRICT MERCHANTS ASSOCIATION
1815 POLK STREET · SAN FRANCISCO, CA 94109**

16 November 2010

To whom it may concern,

We are writing on behalf of the Polk District Merchants Association (PDMA) to express our full support for proposed new Traditional Thai Massage establishment at 1617 Polk Street, to be owned and operated by Ron Puangpinij. We have met several times with Mr. Puangpinij and at our recent meeting he received the unanimous support of our membership for his new venture.

Mr. Puangpinij has done a very good job of introducing himself to his new neighbors, both merchants and residents, and answering any questions about his proposed business. We welcome the addition of his establishment to the neighborhood and look forward to having him as a fellow merchant in the mid-Polk District.

If you have any questions, please do not hesitate to contact either of us.

Sincerely,

Jennifer Farris, owner
STUDIO Gallery
PDMA Co-President
415.931.3130
Jennifer.Farris@sbcglobal.net

Stephen Cornell, owner
Brownie's Hardware
PDMA Co-President
415.673.8900
Stephen@BrowniesHardware.com



barbara jo tice
<ashkatice@sbcglobal.net>
01/19/2011 12:49 PM

To aaron.hollister@sfgov.org
cc jennifer.farris@sbcglobal.net, dawn@middlepolk.org
bcc
Subject La Biang Thai Massage

Mr. Aaron Hollister
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103-2479

Re: 1617 Polk Street La Biang Thai Massage / Anjalee Thai Massage 2010.0736C

Dear Mr. Hollister:

I am writing in strong support for the addition of another branch of La Biang Thai on Polk Street. This is an excellent massages at a very reasonable price. Their business is clean, professional and classy. It will be an a Neighborhood. I believe that this business will have a very positive spillover effect on other merchants. Just Biang Thai's Polk and Bush Street location. I was very impressed with the entire operation. I can easily pictu more time and money in the nearby businesses after having such a great massage.

Please provide the necessary approvals for this expansion of business. I look forward to having their new loca clientele and me to enjoy. Thank you.

Best,

Barbara Jo Ellen Tice
Proprietor
Bell Tower Restaurant
1900 Polk Street
225 2272

CC: Polk District Merchants Association
Middle Polk Neighborhood Association



tedda hughes
<teddahughes@hotmail.com>

01/11/2011 03:42 PM

To <jay@jaysieganpresents.com>, <aaron.hollister@sfgov.org>
cc <rm@well.com>

bcc

Subject la biang thai massage proposed for 1617 polk

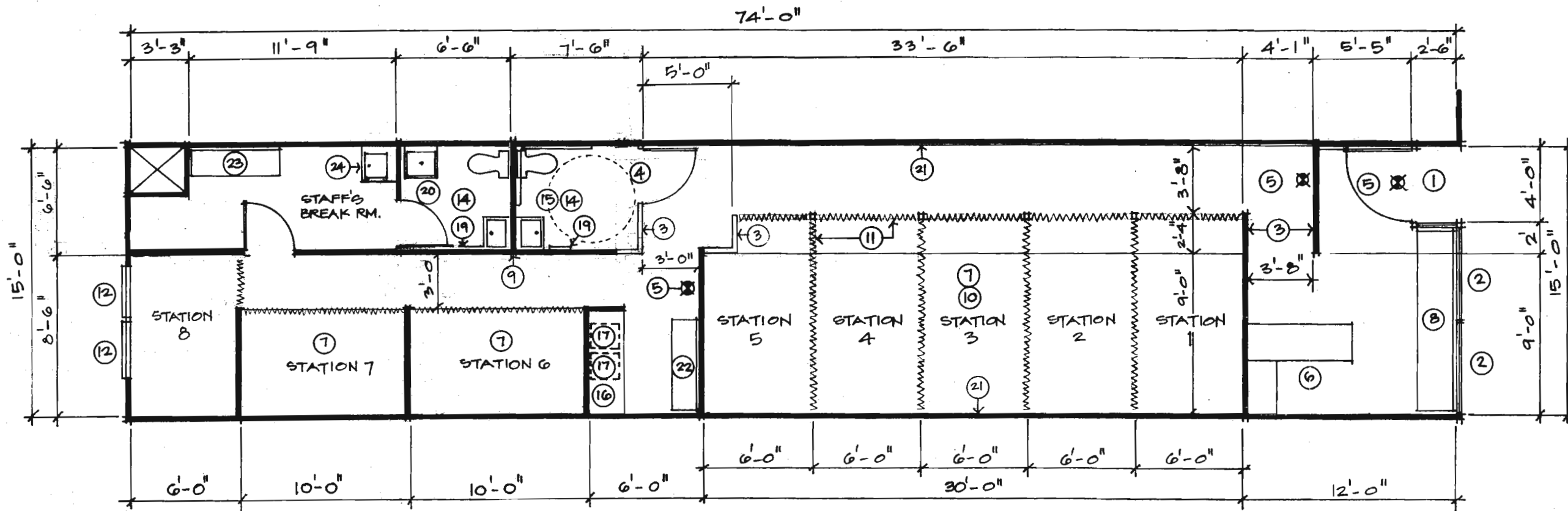
hello aaron hollister and ron miguel

my name is tedda hughes, i am a local business owner. i am writing on behalf of local businesses including JSP/Jay Siegan Presents at 1655 polk, Red Devil Lounge 1695 polk, and tedda hughes gallery boutique 1623 polk street.

we want to express our opposition and concern over the proposed use for the space at 1617 polk street. all of our businesses are on the same city block of the potential site.

we see no reason to lower the value of neighboring business when there is already a "la biang" massage parlor 3 blocks away on the same street at 1301 polk. the massage parlor will have nothing different to offer than the one that exists. we understand supporters want to see vacant spaces filled at almost all costs, but the rising rents and shrinking foot traffic makes us believe that synergistic businesses are the way to go at this point. toast eatery is investing a great deal of money to open its doors on the corner and dunya underwent a major remodel in order to raise the value for themselves and surrounding businesses. we ask that our opposition be considered when you have your hearing on the 27th and that these issues be discussed when the topic is examined. again, there is **already** one of this **exact business only 3 blocks away** so supporters need go very little out of there way to enjoy the services.

thank you so much for your time,
tedda hughes and jay siegan



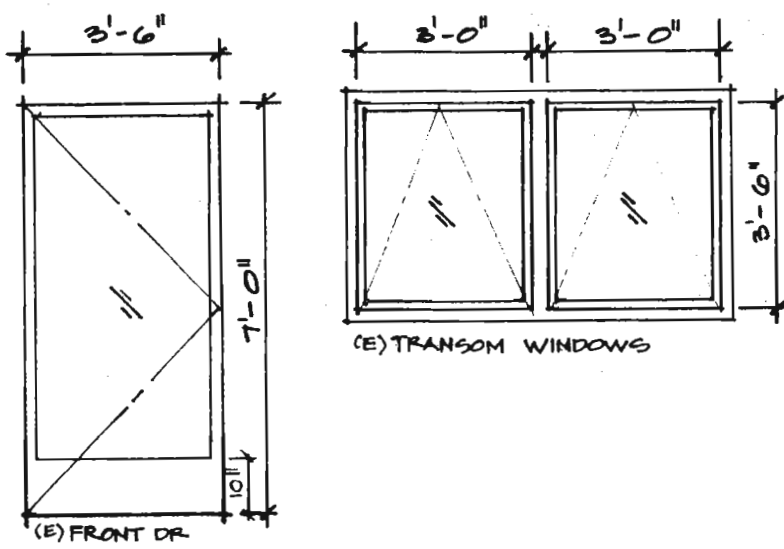
1 GROUND FLOOR PLAN 1,100 S.F.
1/4" = 1'-0"

SHEET NOTES


- | | |
|--|---|
| 1 (E) ENTRY DOOR | 18 NOT USED |
| 2 (E) STOREFRONT | 19 TOWEL & SOAP DISPENSER |
| 3 (N) INTERIOR WALL / PARTITION | 20 UTILITY SINK W/ HOT & COLD WATER |
| 4 NEW ACCESSIBLE DOOR (3' WIDE) | 21 FUR OUT AS REQ'D |
| 5 (E) EXIT SIGN | 22 FRESH LINEN/SUPPLY CABINET |
| 6 RECEPTION DESK (24" MAX. HT.) | 23 STAFF'S CUBBIES |
| 7 12" HT. RAISED PLATFORM WITHOUT GAPS - PER SFDPH | 24 KITCHEN SINK & CABINET W/ HOT & COLD WATER |
| 8 BUILT-IN WOOD BENCH | |
| 9 (E) WALL TO REMAIN | |
| 10 MASSAGE STATION 6' x 9' - TYPICAL | |
| 11 CURTAIN BY OWNER - BUILDER TO PROVIDE AND INSTALL ALL HARDWARE REQUIRED | |
| 12 (E) TRANSOM WINDOW | |
| 13 4% OF NATURAL VENTILATION SHALL BE PROVIDED THROUGH (E) DOOR & WINDOWS SEE DETAIL | |
| 14 (E) RESTROOM WITH EXHAUST FAN ON CLG. | |
| 15 PROVIDE GRAB BAR & NEW SINK AND TOILET SEE FORM C-A01 | |
| 16 COUNTERTOP AND SHELVES ABOVE | |
| 17 LAUNDRY CART BELOW COUNTERTOP | |

NATURAL VENTILATION

1 OF 3'-6" X 7'-0" DOOR = 24.5 S.F.
 2 OF 3'-0" X 3'-6" WINDOWS = 21.0 S.F.
 TOTAL = 45.5 S.F.
 4% NATURAL VENTILATION REQUIRED (4% OF 1,100 S.F.) = 44.0 S.F.



2 DOOR & WINDOW ELEVATIONS
1/2" = 1'-0"

| | |
|--|---|
| 1617 POLK ST, SAN FRANCISCO, CA 94109 |  1/4" = 1'-0" |
| FLOOR PLAN | |
| PREPARED BY: RON PUANGPINIJ | A2 |
| 1911 BUSH ST, #2A, SAN FRANCISCO, CA 94115 (415) 563-3589 | |