



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: DECEMBER 16, 2010

Date: December 9, 2010
Case No.: **2010.0853 C**
Project Address: **2390 MISSION STREET**
Zoning: Mission Street NCT (Neighborhood Commercial Transit)
Mission ABC/RUSD Special Use District
55-X Height and Bulk District
Block/Lot: 3596 / 019
Project Sponsor: Sandra Jimenez
334 Laidley Street
San Francisco, CA 94131
Staff Contact: Kimberly Durandet – (415) 575-6816
kimberly.durandet@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 proposes to add massage services in one room, approximately 70 square feet, to an existing 3000 square foot commercial yoga studio (dba *Bikram Yoga*) located on the second floor of the subject property. The massage services will include Esalen, Thai, Reiki, Accupressure, Cranial Sacral, Swedish, and Shiatsu bodywork modalities. Skincare and epilation will also be offered as personal services. No expansion to the building's exterior envelope is proposed.

SITE DESCRIPTION AND PRESENT USE

The project is located on the northwest corner of Mission Street, and 20th Street, Block 3596, Lot 019 within the Mission Street NCT (Neighborhood Commercial Transit) Zoning District, the Mission ABC/RUSD, and a 55-X Height and Bulk District. The property, built in 1927, is a three-story over basement brick building of approximately 18,300 square feet. It has full lot coverage with 50 feet fronting on Mission Street and 90 feet fronting on 20th Street. The building contains twelve commercial units which are occupied by various businesses including a dental lab, travel agencies, telecommunication services, janitorial/maid services, and insurance agencies.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project site is located in the Mission Street NCT District with a variety of neighborhood-serving uses. A mixture of food establishments, personal services, small retail establishments, and high density residential uses defines the District. The surrounding properties to the west are located within the Mission NCT and to the east the Valencia Street NCT (Neighborhood Commercial Transit) Zoning

Districts. The NCT districts are predominately either commercial or mixed use buildings that have residential above commercial uses at the street level. The RTO-M (Residential, Transit-Oriented, Mission Neighborhood) Zoning Districts located to the northwest and southwest contain high density residential buildings. The block faces surrounding the site consist of a mix of single, two, and three story buildings.

ENVIRONMENTAL REVIEW

The Project was determined by the Department to be Categorically Exempt from the California Environmental Quality Act ("CEQA") as a Class 1a exemption under CEQA Guidelines, section 15301, pursuant to Title 14 of the California Code of Regulations.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 26, 2010	November 24, 2010	24 days
Posted Notice	20 days	November 26, 2010	November 23, 2010	23 days
Mailed Notice	20 days	November 26, 2010	November 23, 2010	23 days

PUBLIC COMMENT

- The Department has not had any public comment regarding this project.

ISSUES AND OTHER CONSIDERATIONS

- The Planning Department contacted the Department of Public Health (Ed Walsh) as part of the City's Interdepartmental effort to regulate massage establishments. The Applicant has filed for a massage permit with the Department of Public Health. At this time, Public Health has no concerns about the proposed massage use or the Applicant requesting Conditional Use Authorization. Condition of Approval No. 4 ensures that the Applicant maintains "a 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.
- The proposed operation will likely consist of 5 contractors and the following hours of operation: Sunday through Saturday 11:00 a.m. to 8:00 p.m.
- Any proposed signage will be subject to the review and approval of the Planning Department.
- Any massage establishment as defined in §790.60, whether an accessory or primary use requires Conditional Use Authorization as well as neighborhood notification as required by §312, which was conducted in conjunction with the conditional use process.
- The existing yoga studio predates Formula Retail Controls. The proposed accessory massage is not a Formula Retail use.

- With respect to an application for a massage establishment as defined in Section 790.60 of the Planning Code, the Planning Commission shall consider the following additional findings:
 - Whether the applicant has obtained and maintains a permit for a massage establishment from the Department of Public Health;
 - Whether the façade is transparent and open to the public, with a preference for transparency; and
 - Whether the use includes pedestrian-oriented lighting, encouraging lighting during the post-sunset hours of operation;
 - Whether the use is reasonably oriented to facilitate public access. Barriers that make the 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.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow for a massage establishment on the first and second floor in the Mission Street Neighborhood Commercial Transit District per §736.54 and 790.60 of the Planning Code.

BASIS FOR RECOMMENDATION

The Department believes this project is necessary and/or desirable under Section 303 of the Planning Code for the following reasons:

- The project is a neighborhood serving use that will be an added amenity to the existing patrons of the yoga studio.
- The proposed Project meets all applicable requirements of the Planning Code.
- The District is well served by transit therefore, customers should not impact traffic.
- The proposed massage use will compliment the mix of goods and services currently available at the project site and contributes to the economic vitality of the neighborhood. The Project is desirable because it will provide a personal service use.
- The Applicant has filed for a massage permit with the Department of Public Health. Condition of Approval No. 4 ensures that the Applicant maintains “a 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.
- The yoga studio and accessory massage are located on the second floor of the building. Therefore, the façade transparency requirement is not applicable.
- There is a street light in front of the Mission Street entrance to the building. Furthermore, Mission Street is very active with abundant pedestrian-oriented lighting.

- The proposed massage use is accessory to an existing yoga studio use. Therefore, there will be the same open public access for massage clients as there is for the yoga studio clients.
- The proposed project meets all of the criteria outlined in Planning Code Section 790.60.

RECOMMENDATION: Approval with Conditions
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Attachments:

Block Book Map
Sanborn Map
Aerial Photographs
CU Application
Photographs
Reduced Plans

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input 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 type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Environmental Determination |
| <input checked="" type="checkbox"/> Site Photos | |

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

Planner's Initials

Kjd I:\Neighborhood Planning\SE Team\KDurand\VCUs\2390 Mission_Massage\3596019_2390_Mission_ExecutiveSummary_Massage.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 736.54 AND 790.60 TO ALLOW AN EXISTING YOGA STUDIO (DBA BIKRAM YOGA) TO ADD MASSAGE AS AN ACCESSORY SERVICE LOCATED AT 2390 MISSION STREET ON ASSESSOR'S BLOCK 3596 LOT 019, WITHIN THE MISSION STREET NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) ZONING DISTRICT AND A 55-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On September 23, 2010, Sandra Jimenez (Project Sponsor) filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303, 736.54, and 790.60, to allow an existing yoga studio (dba Bikram Yoga) to add massage as an accessory service located within the Mission Street Neighborhood Commercial Transit (Mission NCT) District and a 55-X Height and Bulk District.

On December 16, 2010, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0853C.

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

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2010.0853C, 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 northwest corner of Mission Street and 20th Street, Block 3596, Lot 019 within the Mission Street NCT (Neighborhood Commercial Transit) Zoning District, the Mission ABC/RUSD, and a 55-X Height and Bulk District. The property built in 1927 is a three-story over basement brick building of approximately 18,300 square feet full lot coverage with 50 feet fronting on Mission Street and 90 feet fronting on 20th Street. The building contains twelve commercial units which are occupied by various businesses including a dental lab, travel agencies, telecommunication services, janitorial/maid services, and insurance agencies.
3. **Surrounding Properties and Neighborhood.** The Project site is located in the Mission Street NCT District with a variety of neighborhood-serving uses. A mixture of food establishments, personal services, small retail establishments, and high density residential uses defines the District. The surrounding properties to the west are located within the Mission NCT and to the east the Valencia Street NCT (Neighborhood Commercial Transit) Zoning Districts. The NCT districts are predominately either commercial or mixed use buildings that have residential above commercial uses at the street level. The RTO-M (Residential, Transit-Oriented, Mission Neighborhood) Zoning Districts located to the northwest and southwest contain high density residential buildings. The block faces surrounding the site consist of a mix of single, two, and three story buildings.
4. **Project Description.** The project proposes to add massage services (approximately 70 square feet) in an existing 3,000 square foot commercial yoga studio (dba *Bikram Yoga*) located on the second floor of the subject property. The massage services will include Esalen, Thai, Reiki, Accupressure, Cranial Sacral, Swedish, and Shiatsu bodywork modalities. Skincare and epilation will also be offered as personal services. No expansion to the building's exterior envelope is proposed.

The existing yoga studio predates Formula Retail Controls. The proposed accessory massage is not a Formula Retail use.

5. **Public Comment.** The Department has received no comment regarding 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 / Massage Establishment.** Planning Code Sections 736.54 and 790.60 states that Conditional Use Authorization is required to establish a massage use within the Mission Street NCT (Neighborhood Commercial Transit) Zoning District.
7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:
 - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The size of the proposed use at 70 square feet is in keeping with the existing floor plates on the property and within the immediate neighborhood. The additional massage use will be adjunct to the yoga studio use and will be located within the existing space of the yoga studio. The proposed accessory massage establishment is not expected to impact existing traffic or parking in the District as the proposed use is within short walking distances to public transit, existing public garages or lots and high density residential districts (RTO-M).

The proposed massage use will compliment the mix of goods and services currently available at the project site and contributes to the economic vitality of the neighborhood. The Project is desirable because it will provide a personal service use.

- 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 Project size and shape are compatible with the pattern of development in the area. The project building currently exists and the proposal will not change the exterior dimensions of the subject building.
 - 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 proposed accessory massage establishment is not expected to impact existing vehicular traffic or parking in the district as the proposed use is located within walking distances to well-known local and regional transit stops and public parking garages or lots. The project site is in close proximity to areas which are transit-oriented, high-density mixed-use residential and commercial neighborhoods.

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

The proposed accessory massage establishment is not expected to generate noticeable levels of noxious or offensive emissions such as noise, glare, dust and 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 is not expected to create demand for on street loading. Signs announcing the accessory massage activity shall comply with all provision of Article 6 of the Planning Code.

- 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.

- 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 purpose of Mission Street NCT District in that the intended use will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime hours.

- 8. **Planning Code Section 790.60** establishes that the Planning Commission shall make findings in addition to those required under Planning Code Section 303 (c), based on the following criteria:
 - a. Whether the applicant has obtained, and maintains in good standing, a permit for a Massage Establishment from the Department of Public Health pursuant to Section 1908 of the San Francisco Health Code.

Criteria Met

The Applicant has filed for a massage permit with the Department of Public Health. Condition of Approval No. 4 ensures that the Applicant maintains "a 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.

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

- i. 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.

Criteria Not Met

The yoga studio is located on the second story of the building and therefore does not meet the pedestrian eye-level clause of this finding.

However, personal service uses near or within Neighborhood Commercial districts are traditionally located on floors above the ground story.

- ii. Windows that use clear, untinted glass, except for decorative or architectural accent.

Criteria Met

The subject tenant space windows are clear, providing transparency into the existing yoga studio use.

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

Criteria Met

The project site does not contain decorative railings or grille work. The subject tenant space windows are clear, providing transparency into the existing yoga studio.

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

Criteria Met

At sunset, the project site receives adequate light via a street light in front of the project site on Mission Street.

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

Criteria Not Met

The existing building features a recessed entrance which is shared by the commercial establishments located on-site which remains open during the hours of operation. However, it has been the practice of the yoga studio to turn off the elevator and lock the door during class times as the studio has been a target for theft.

Conditions of approval No. 7 and 8 specifically prohibits the project sponsor from locking the entrance to the existing personal service use during business hours and prohibits the practice of using a buzzer and security camera system to allow entrance to the business during business hours.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

The proposed development will provide a desirable service to the neighborhood and will provide resident employment opportunities to those in the community. Further, the Project Site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan.

OBJECTIVE 2:

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

Policy 2.1:

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

The Project will retain an existing commercial activity and will enhance the diversity of services offered in the Mission NCT District.

OBJECTIVE 6:

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

Policy 6.1:

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

No commercial tenant would be displaced and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

Policy 6.2:

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

The Project will maintain and enhance an existing commercial activity and will enhance the diverse economic base of the City. No commercial tenant would be displaced and the project would enhance the district to achieve optimal diversity in the types of goods and services available in the neighborhood. This is not a Formula Retail use.

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

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

The proposal would preserve and enhance the district by providing a new accessory massage establishment which creates additional skilled employment opportunities to those in the community. Further, the Project Site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan.

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

The proposed commercial project would not result in the loss of any dwellings units. The surrounding neighborhoods would not be adversely affected by the project because the new massage use is in conjunction with an existing yoga studio and will provide a unique and desirable feature to the existing neighborhood.

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

No housing is removed for this Project.

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

The proposed massage establishment is not expected to impact existing vehicular traffic or parking in the district as the proposed use is primarily intended to support the immediate neighborhood. The immediate neighborhoods are primarily transit-oriented, high-density mixed-use residential areas which provide goods and services to thousands of dwellings within a short walk. The use should not generate significant amounts of new vehicular trips to the immediate neighborhood or citywide. Furthermore, parking is not required in the Mission NCT District.

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

The Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities.

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

No construction is proposed per this application. However, this proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The project site contains a building that was constructed more than 50 years ago. For the purposes of CEQA (California Environmental Quality Act) the subject building may be considered a potential historic resource. However, the project does not propose to alter any exterior character defining features.

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

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

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

12. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2010.0853C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans filed with the Application as received on December 16, 2010 and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on December 16, 2010.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 16, 2010

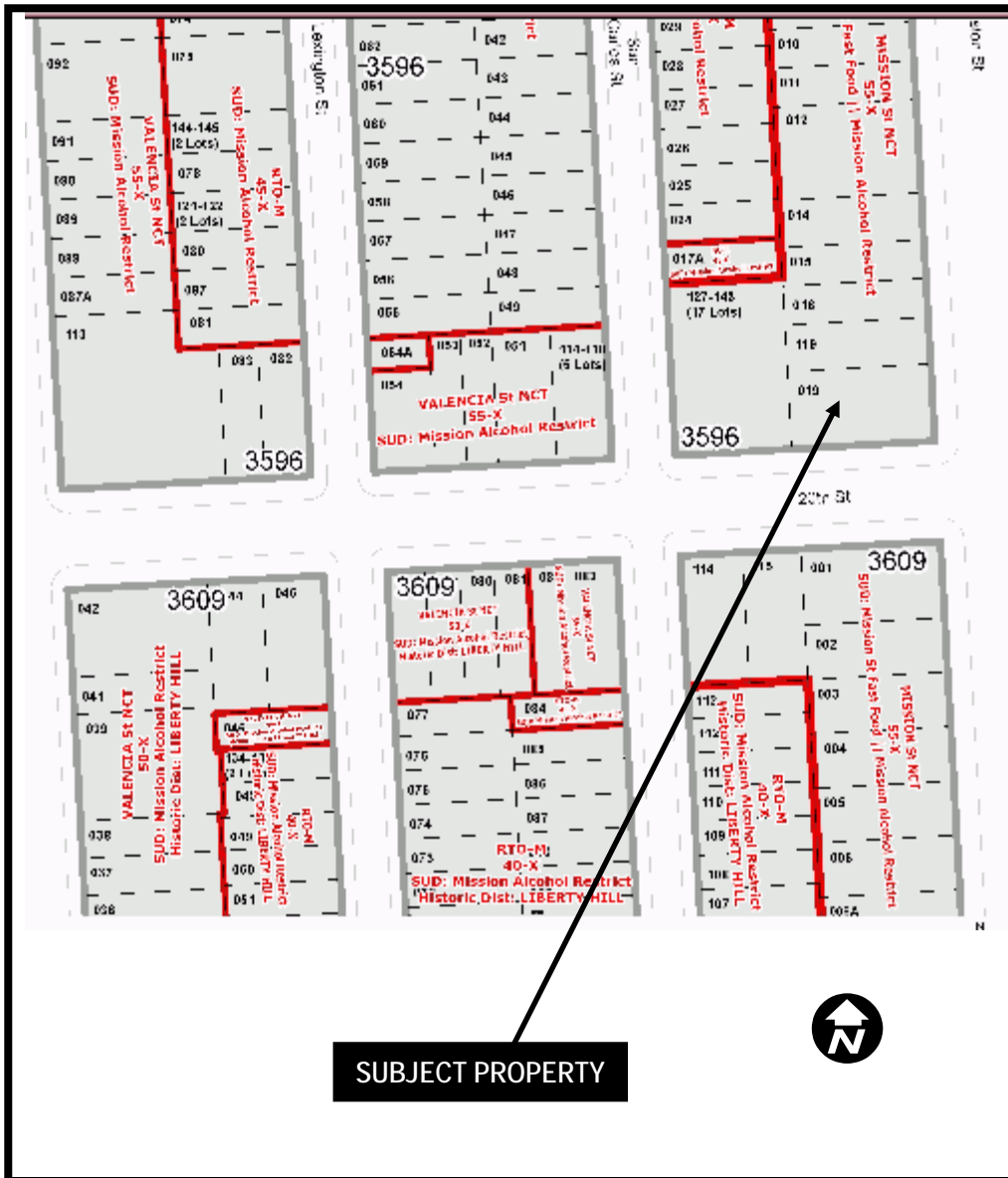
Exhibit A

Conditions of Approval

1. This authorization is for a Conditional Use Authorization under Planning Code Sections 303, 736.54, and 790.60, to allow a massage use in conjunction with and accessory to a yoga studio use, within the Mission Street Neighborhood Commercial Transit District (Mission NCT) and a 55-X Height and Bulk District, in general conformance with plans filed with the Application dated September 23, 2010 and stamped "EXHIBIT B" included in the docket for **Case No. 2010.0853C**, reviewed and approved by the Commission on December 16, 2010.
2. Prior to the issuance of the Building Permit 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 premises (Assessor's 3596, Lot 019), which notice shall state that a new use has been authorized by and is subject to the conditions of this Motion.
3. Violation of the conditions contained in this Motion or of any other provisions of the Planning Code may be subject to abatement procedures and fines up to \$250 a day in accordance with Planning Code Section 176.
4. The Planning Commission may revoke this Conditional Use Authorization if the Department of Public Health revokes the health permit for massage.
5. Monitoring of the Conditions of Approval contained in Exhibit A of this Motion is required, the Project Sponsor or successors shall pay fees as established in Planning Code Section 351(e)(1).
6. Signs and exterior lighting for the business shall be reviewed and approved by the Planning Department before they are installed. The existing lighting must remain on from dusk until the business is closed.
7. 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.
8. The front door to the business must be open during business hours. The use of a buzzer and security camera system is not permitted.
9. 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 a.m. to 10:00 p.m.
10. 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.

11. 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.
12. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor. This authorization may be extended at the discretion of the Zoning Administrator only if the failure to issue a permit by the Department of Building Inspection is delayed by a city, state, or federal agency or by appeal of the issuance of such permit.

Parcel Map

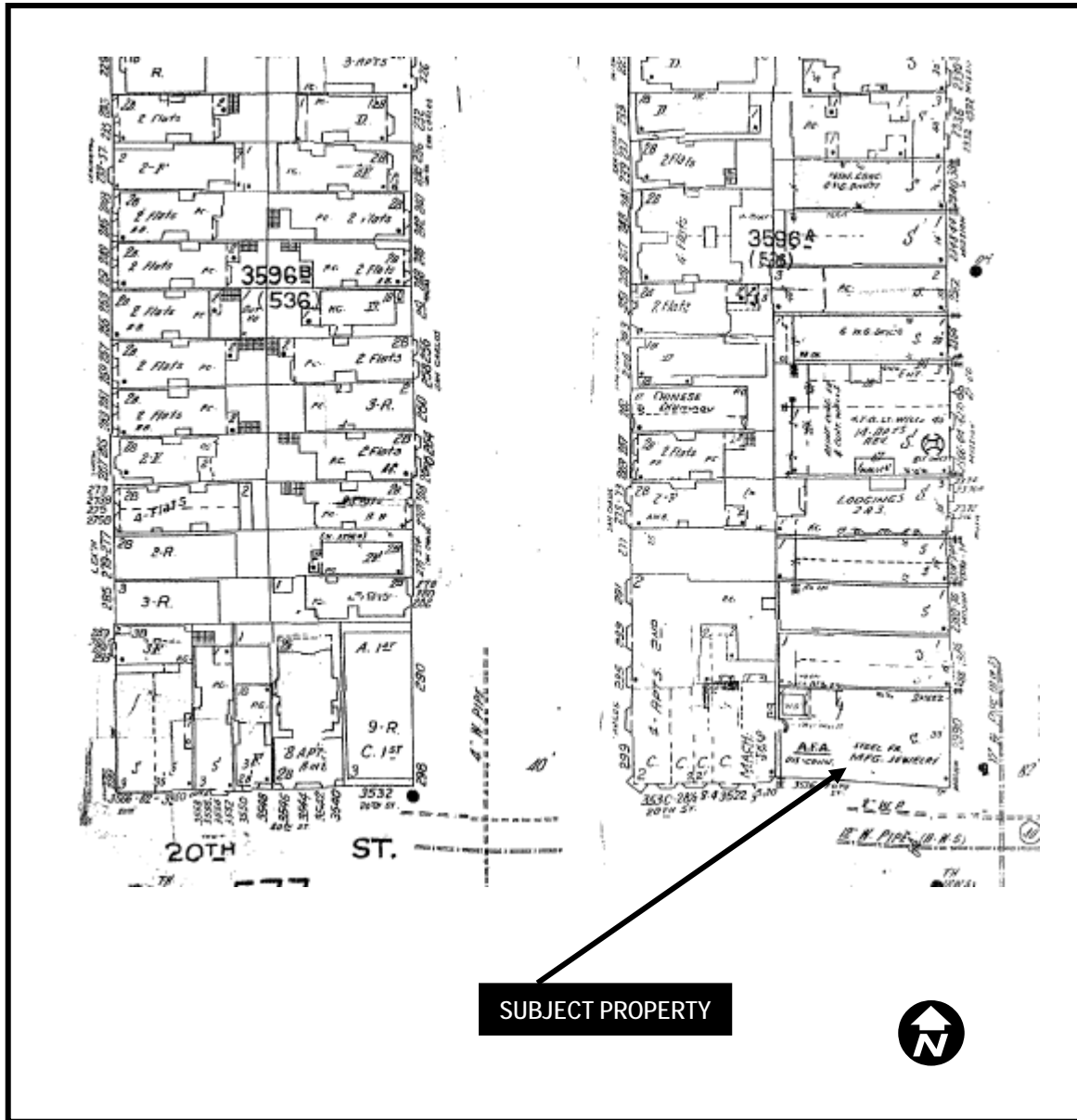


SUBJECT PROPERTY



Conditional Use Hearing
 Case Number 2010.0853C
 Accessory Massage- Bikram Yoga Studio
 2390 Mission Street

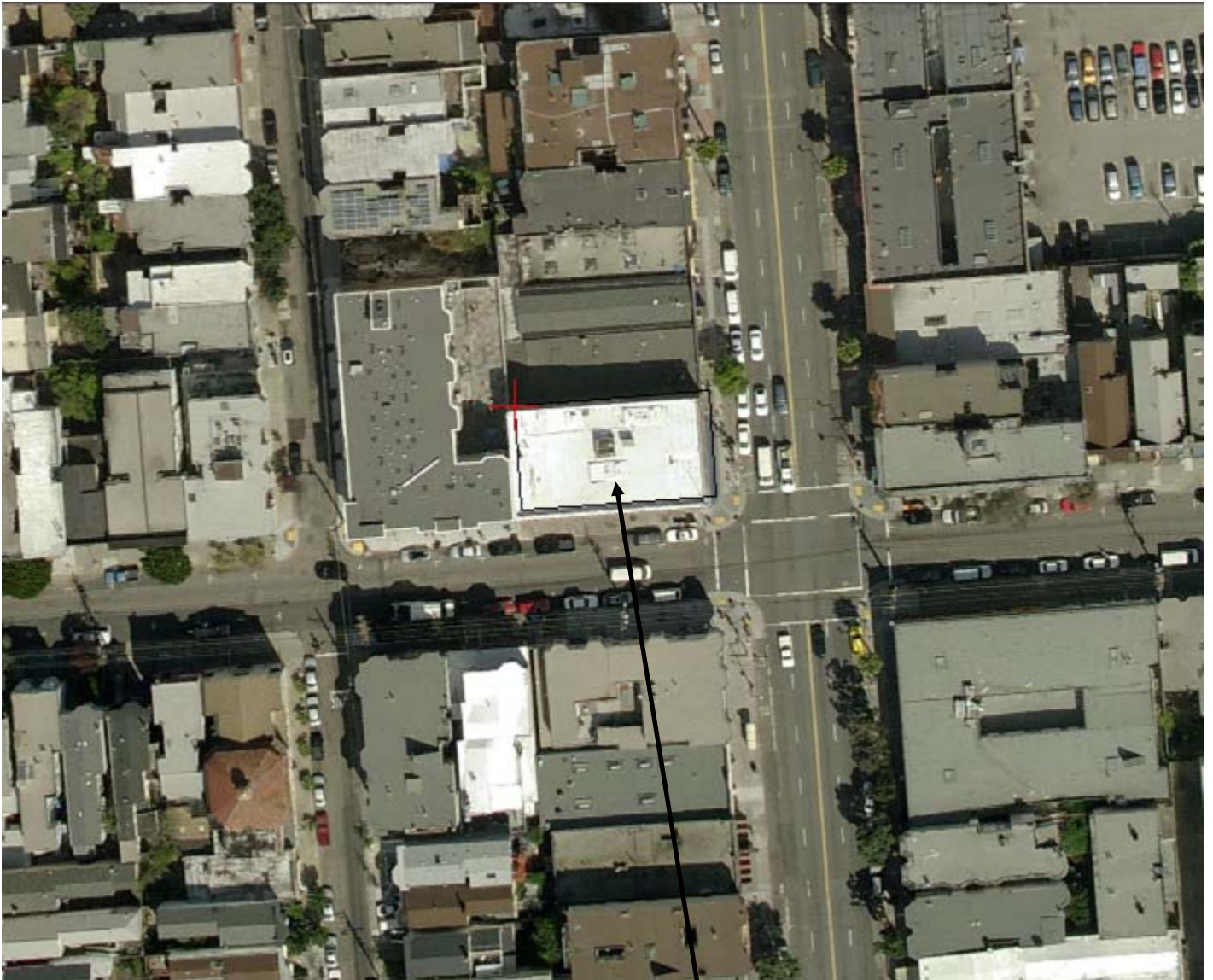
Sanborn Map*



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

Conditional Use Hearing
Case Number 2010.0853C
Accessory Massage- Bikram Yoga Studio
2390 Mission Street

Aerial Photo

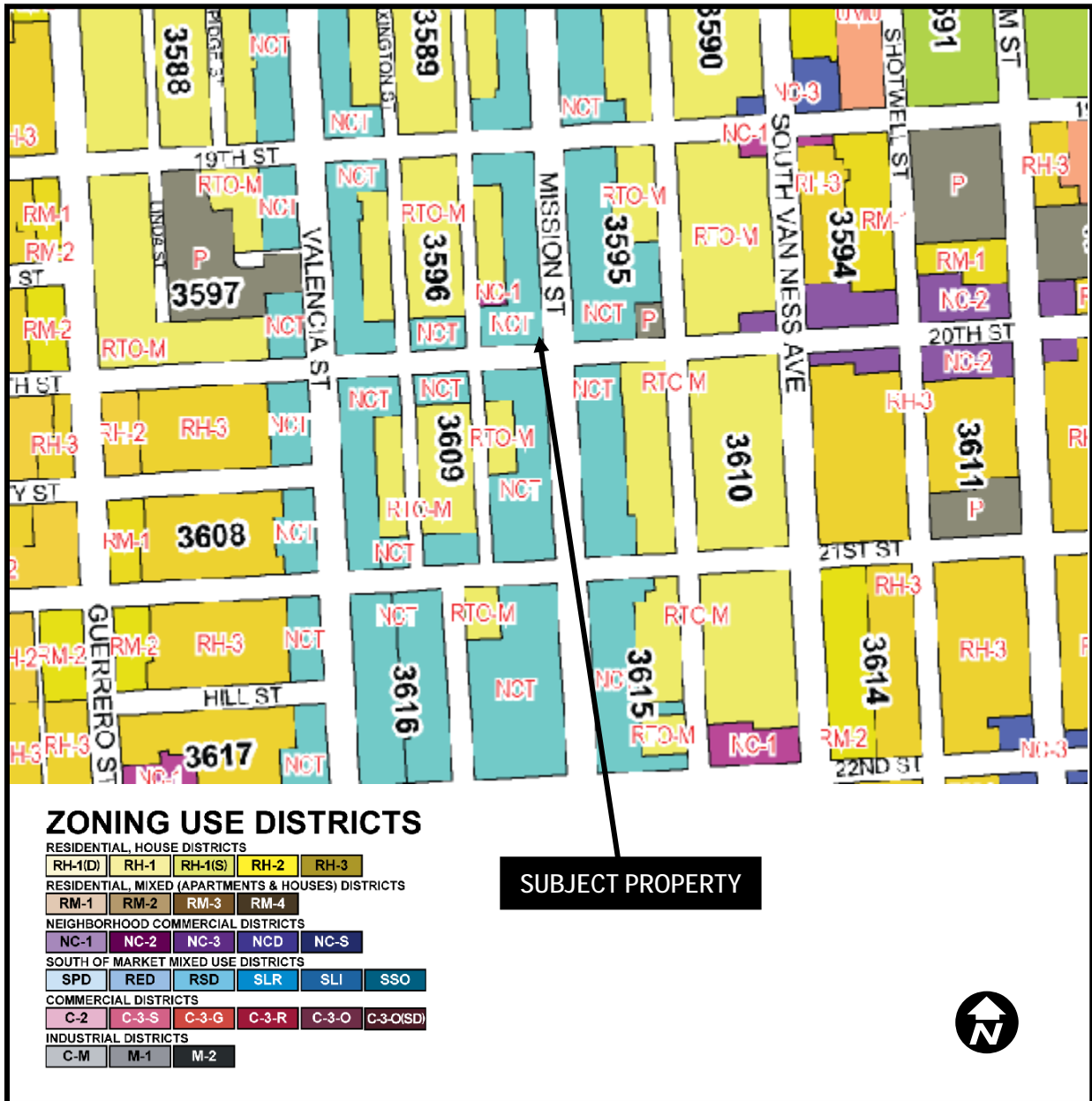


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2010.0853C
Accessory Massage- Bikram Yoga Studio
2390 Mission Street

Zoning Map



Conditional Use Hearing
 Case Number 2010.0853C
 Accessory Massage- Bikram Yoga Studio
 2390 Mission Street

Site Photo



Conditional Use Hearing
Case Number 2010.0853C
Accessory Massage- Bikram Yoga Studio
2390 Mission Street

2390 MISSION STREET
BLOCK: 3596
LOT: 019



CORNER OF MISSION AND 20TH STREET (BLOCK 3596, LOT: 019, 120)



2390 MISSION - 20TH STREET ENTRANCE

2390 MISSION ST
BLOCK 3500
L.P. 019



SECOND FLOOR - 2390 MISSION - TOPS STUDIO / PLANNING LOTUS



Block 1250/16 Lot: 120, 1, 019

2390 MISSION STREET
BLOCK: 3574
LOT: 219



North-East View of Mission Street



North-West View of Mission Street

2390 MISSION STREET
BLOCK: 3590
LOT: 019



20TH STREET ACROSS FROM 20TH ST. ENTRANCE TO 2390 MISSION ST



2390 MISSION STREET / 20TH STREET ENTRANCE.
(YOGA STUDIO & FLOATING LOTUS MASSAGE ON SECOND FLOOR)

ABBREVIATIONS

&	AND	EA	EACH	LAM	LAMINATE	SD	SMOKE DETECTOR
<	ANGLE	ELECT	ELECTRICAL	LOC	LOCATION	SCHED	SCHEDULED
@	AT	ELEV	ELEVATION			SED	SEE ELECTRICAL DRAWING
(E)	EXISTING	EQ	EQUAL	MAX	MAXIMUM	SIM	SIMILAR
(N)	NEW	EXSTG	EXISTING	MECH	MECHANICAL	SL	SLOPE
		EXT	EXTERIOR	MANUF	MANUFACTURER	SCD	SEE CIVIL DRAWING
AB	ANCHOR BOLT			MIN	MINIMUM	SLD	SEE LANDSCAPE DRAWINGS
ABV	ABOVE	FAC	FACTORY	MTL	METAL	STD	STANDARD
ADD'L	ADDITIONAL	F.D.	FLOOR DRAIN			SS	STAINLESS STEEL
ADJ	ADJUSTABLE	F.F.	FINISHED FLOOR	N.I.C.	NOT IN CONTACT	SSD	SEE STRUCTURAL DRAWINGS
AFF	ABOVE FINISH FLOOR	F.H.W.S.	FLAT HEAD WOOD SCREW	N.T.S.	NOT TO SCALE	STL	STEEL
ALT	ALTERNATE			NAT	NATURAL	STRUC	STRUCTURAL
APPROX	APPROXIMATE	FIN	FINISH	NO. / #	NUMBER	SUPPL	SUPPLEMENTAL
		FLASH'G	FLASHING			SUSP	SUSPENDED
		FL	FLOOR LINE	O.C.	ON CENTER		
		F.O.	FACE OF...	O.D.	OUTSIDE DIAMETER		
		F.W.	FINISH WALL	O.D.R	OVERFLOW DRAIN	T&G	TONGUE AND GROOVE
BD	BOARD			O.F.C.I.	OWNER FURNISHED, CONTRACTOR INSTALLED	T.O.	TOP OF...
BWN	BETWEEN			O.H.	OPPOSITE HAND	TEL	TELEPHONE
BLDG	BUILDING	GA	GAUGE			THK	THICK OR THICKNESS
BLK	BLOCK	GAL	GALLON	PERF	PERFORATED	TS	TUBE STEEL
BLKG	BLOCKING	GALV	GALVANIZED	P.H.W.S.	PAN HEAD WOOD SCREW	TYP	TYPICAL
BM	BEAM	GFCI	GROUND FAULT CIRCUIT INTERRUPTER	PL	PLYWOOD	T.B.C.	UNIFORM BUILDING CODE
B.O.	BOTTOM OF...			PLYWD	PLYWOOD	T.N.O.	UNLESS NOTED OTHERWISE
				PNL	PANEL	U.O.N.	UNLESS OTHERWISE NOTED
C	CHANNEL	GL	GLASS	PNT	PAINT		
CJ	CONTROL JOINT	G.W.B.	GYP SUM WALL BOARD	PT	POINT	VAR	VARIES
CLR	CLEAR	GYP	GYP SUM	PTN	PARTITION	VER	VERIFY
CLG	CEILING					V.I.F.	VERIFY IN FIELD
CH	CEILING HEIGHT					VERT	VERTICAL
CMU	CONCRETE MASONRY	HDR	HEADER	R.	ROUND		
CDR	UNIT	HDW	HARDWARE	RDWD	REDWOOD	W.R.	WATER RESISTANT
CL	CEDAR	HORIZ	HORIZONTAL	R.H.W.S.	ROUND HEAD WOOD SCREW	W	WASHER
COL	CEILING LINE	HB	HOSE BIB			W/	WITH
CONC	COLUMN	HT	HEIGHT	R.O.	ROUGH OPENING	WD	WOOD
CONT	CONCRETE			RAD	RADIUS	WP	WATERPROOF
C.O.T.G.	CONTINUOUS			REN	REINFORCING		
CNTR	CLEAN OUT TO GRADE	I.D.	INSIDE DIAMETER	REQ'D	REQUIRED		
CT	CENTER CERAMIC TILE	INS	INSULATION	RM	ROOM		
		INT	INTERIOR				
DBL	DOUBLE	JST	JOIST				
DIA	DIAMETER	JT	JOINT				
DN	DIMENSION						
DR	DOWN						
DTL	DOOR	KDDF	KILN DRIED DOUGLAS FIR				
DWG	DETAIL DRAWING						

DRAWING SYMBOLS

	ELEVATION MARKER
	AREA DESIGNATION
	DETAIL REFERENCE
	SECTION / ELEVATION
	SLOPE
	INTERIOR ELEVATION
	TREE
	TRUE NORTH ARROW
	ELEVATION/CENTER LINE
	PROPERTY / PROJECTED LINE
	SETBACK LINE

PROJECT DESCRIPTION

SCOPE OF WORK IS TO RECEIVE A CONDITIONAL USE PERMIT FOR A MASSAGE ROOM IN AN EXISTING YOGA STUDIO. MASSAGE PERFORMED WILL BE ACUPRESSURE, ESALEN STYLE, SHIATSU, DEEP TISSUE, PREGNANCY, REFLEXOLOGY, FACIAL SKIN TREATMENTS, REIKI, AND SWEDISH.

PROJECT COMPLIANCE

ALL WORK SHALL COMPLY WITH SAN FRANCISCO MUNICIPAL BUILDING CODE AND THE 2007 EDITIONS OF THE CALIFORNIA BUILDING CODE BASED ON THE 2006 INTERNATIONAL BUILDING CODE. CALIFORNIA MECHANICAL CODE 2007. CALIFORNIA ELECTRICAL CODE 2007. CALIFORNIA PLUMBING CODE 2007.

PROJECT INFORMATION

PROPERTY OWNERS	
PROPERTY LESSEE	JUICY LIBERTY SANCHEZ STEVEN SANCHEZ
PROJECT ADDRESS	2390 MISSION STREET
BLOCK / LOT	3596/019
ZONING	MISSION STREET
OCCUPANCY	NC3
TYPE OF CONSTRUCTION	C
ALLOWED MAXIMUM HEIGHT	55-X
YEAR BUILT	1927

AREA CALCULATIONS

LOT AREA	4,500.00 SQ.FT.
BASEMENT:	3,600.00 SQ.FT.
FIRST FLOOR:	4381.23 SQ.FT.
SECOND FLOOR:	4381.23 SQ.FT.
THIRD FLOOR:	4381.23 SQ.FT.

DRAWINGS INDEX

a0.0	TITLE SHEET
a1.1	EXISTING SITE PLAN
a2.1	EXISTING FLOOR PLAN- FIRST FLOOR
a2.2	EXISTING FLOOR PLAN- SECOND FLOOR
a2.3	EXISTING FLOOR PLAN- THIRD FLOOR
a2.4	PROPOSED FLOOR PLAN

GENERAL NOTES

PLEASE NOTE THAT THE DRAWINGS AS PREPARED BY SANDRA B. JIMENEZ DESIGN FOR THE PROJECT ARE LIMITED TO THE EXTENT AS REQUIRED FOR PLAN CHECK PURPOSES BY CITY AGENCIES HAVING JURISDICTION OVER THE PROJECT.

THE USE OF THESE DRAWINGS FOR THE CONSTRUCTION OF THE PROJECT SHALL CONSTITUTE THE CONTRACTOR'S REPRESENTATION THAT IT HAS REVIEWED AND VERIFIED THE BUILDABILITY OF THE PROJECT AS SHOWN ON THESE DRAWINGS IN THE LIGHT OF SITE CONDITIONS AND APPLICABLE CODE REQUIREMENTS; AND THAT ONCE CONSTRUCTION HAS COMMENCED, THE CONTRACTOR SHALL UNDERSTAKE FULL RESPONSIBILITIES TO DESIGN-BUILD ALL ELEMENTS AND MAKE NECESSARY ADJUSTMENTS AS REQUIRED FOR THE COMPLETION OF THE PROJECT IN ITS ENTIRETY PURSUANT TO ALL APPLICABLE CODE REQUIREMENTS, TRADE AND WORKMANSHIP STANDARDS. ALL CONTRACTORS SHALL HOLD HARMLESS THE DESIGNER AND THE OWNER FROM ALL DAMAGES AND/OR PENALTY ARISING OUT OF VIOLATION THEREOF.

ALL CONSTRUCTION WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY BUILDING CODE AND UNIFORM BUILDING CODE, AS WELL AS ALL APPLICABLE FEDERAL, STATE, OSHA, BAY AREA AIR QUALITY MANAGEMENT DISTRICT, COUNTY AND CITY ORDINANCES, AMENDMENTS AND RULINGS. THE CITY CODE SHALL GOVERN WHEN IT AND THE UBC OR ANY OTHER REFERENCE CODES AND STANDARDS ARE IN CONFLICT.

THE CONTRACTOR SHALL GIVE ALL NOTICES NECESSARY AND INCIDENTAL TO THE LAWFUL EXECUTION OF THE WORK.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS OF THE LOT, EASEMENT, SOIL CONDITIONS, ALL PROPOSED DIMENSIONS, INCLUDING EXCAVATION, UNDERPINNING, DRAINAGE AND UTILITY LINES AT SUBJECT PROPERTY, AS WELL AS, AT ADJACENT PROPERTIES. IF THE CONTRACTOR ENCOUNTERS DISCREPANCIES IN THE DRAWINGS, HE SHALL CONTACT THE DESIGNER FOR CLARIFICATION BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COSTS OF CORRECTIONS TO THE WORK IF HE NEGLECTS TO ADHERE TO THIS PROCESS.

AT ALL TIMES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR THE CONDITIONS AT THE JOB SITE, INCLUDING SAFETY OF PEOPLE, SUBJECT PROPERTY, AND ADJACENT PROPERTIES. THE DESIGNER SHALL NOT REVIEW THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES.

THE DESIGNER SHALL NOT HAVE CONTROL OR CHARGE OF, AND SHALL NOT BE RESPONSIBLE FOR, CONSTRUCTION MEANS, TECHNIQUES, SEQUENCES OR PROCEDURES, FOR THE OMISSIONS OF THE CONTRACTOR OR SUBCONTRACTORS PERFORMING ANY OF THE WORK OR FOR THE FAILURE OF ANY OF THEM TO CARRY OUT THE WORK IN CONFORMANCE WITH THE PLANS AND SPECIFICATIONS.

ALL ATTACHMENTS, CONNECTIONS OR FASTENING OF ANY NATURE ARE TO BE PROPERLY AND PERMANENTLY SECURED IN CONFORMANCE WITH THE BEST PRACTICE OF THE BUILDING INDUSTRY. DRAWINGS SHOWS ONLY SPECIAL REQUIREMENTS TO ASSIST THE CONTRACTOR AND DO NOT ILLUSTRATE EVERY DETAIL.

UNLESS OTHERWISE NOTED, ALL ANGLES SHALL BE RIGHT ANGLES, ALL LINES, WHICH APPEAR PARALLEL, SHALL BE PARALLEL, AND ALL ITEMS WHICH APPEAR CENTERED SHALL BE CENTERED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL LINES TRUE LEVEL, PLUMB AND SQUARE.

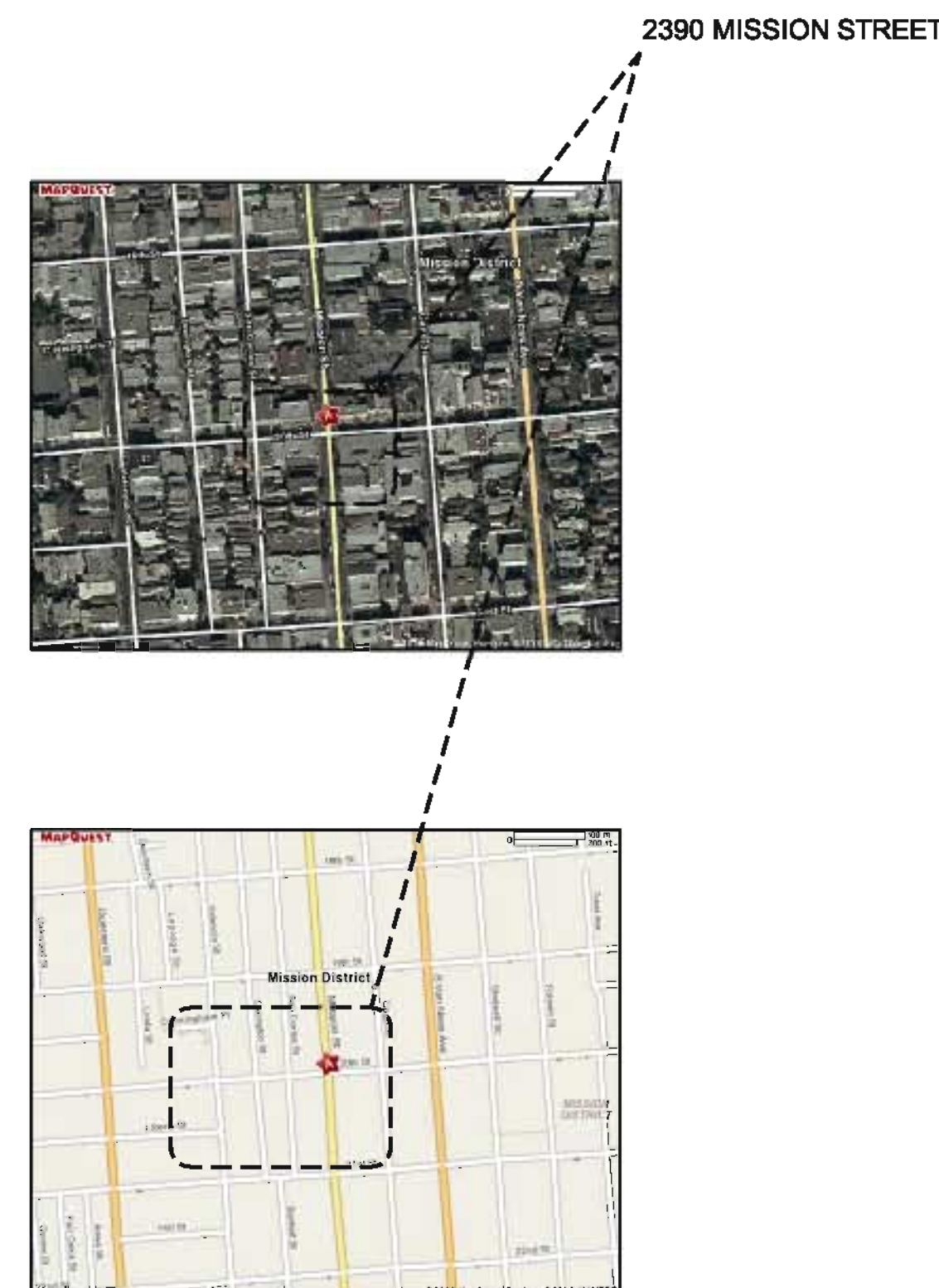
THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SHORING AND PROTECTION DURING CONSTRUCTION. ALL EXISTING IMPROVEMENTS TO REMAIN SHALL BE PROTECTED. ALL MATERIALS DELIVERED TO THE SITE SHALL BE PROPERLY STORED AND PROTECTED UNTIL INSTALLATION. ALL LUMBER SHALL BE PROTECTED FROM MOISTURE AND STORED ABOVE GROUND.

ALL DRAWINGS, SPECIFICATIONS, AND INFORMATION FURNISHED HERewith ARE AND SHALL REMAIN THE PROPERTY OF THE DESIGNER AND SHALL BE HELD CONFIDENTIAL AND SHALL NOT BE USED FOR ANY PURPOSE OR PURPOSES OTHER THAN THOSE FOR WHICH THEY HAVE BEEN SUPPLIED AND PREPARED. THE DESIGNER'S DRAWINGS, SPECIFICATIONS OR OTHER DOCUMENTS SHALL NOT BE USED BY THE OWNER OR OTHERS ON OTHER PROJECTS, FOR ADDITIONS TO THIS PROJECT OR FOR COMPLETION OF THIS PROJECT BY OTHERS, EXCEPT BY AGREEMENT IN WRITING, AND WITH APPROPRIATE COMPENSATION TO THE DESIGNER.

ANY DRAWINGS ISSUED WITHOUT THE APPROVAL STAMP, SIGNED AND DATED BY THE BUILDING DEPARTMENT SHALL BE CONSIDERED IN THE PRELIMINARY STAGE AND SHALL NOT BE USED FOR CONSTRUCTION.

DO NOT SCALE DRAWINGS.

VICINITY MAP



DATE COMMENT

1 07.15.10 CLSUBMITTAL

JIMENEZ & ASSOCIATES
COMMERCIAL & RESIDENTIAL DESIGN
1000 California Street, Suite 400, San Francisco, CA 94108
Tel: 415.232.8841
Fax: 415.232.8841
jimenez@jimenezdesign.com

TITLE SHEET

FLOATING LOTUS MASSAGE
1232 DIAMOND STREET
SAN FRANCISCO, CALIF.

05.08.10

JOB 010119

DRAWN BY SBJ

a0.0

#	DATE	COMMENT
1	07-15-10	C.U.SUBMITTAL

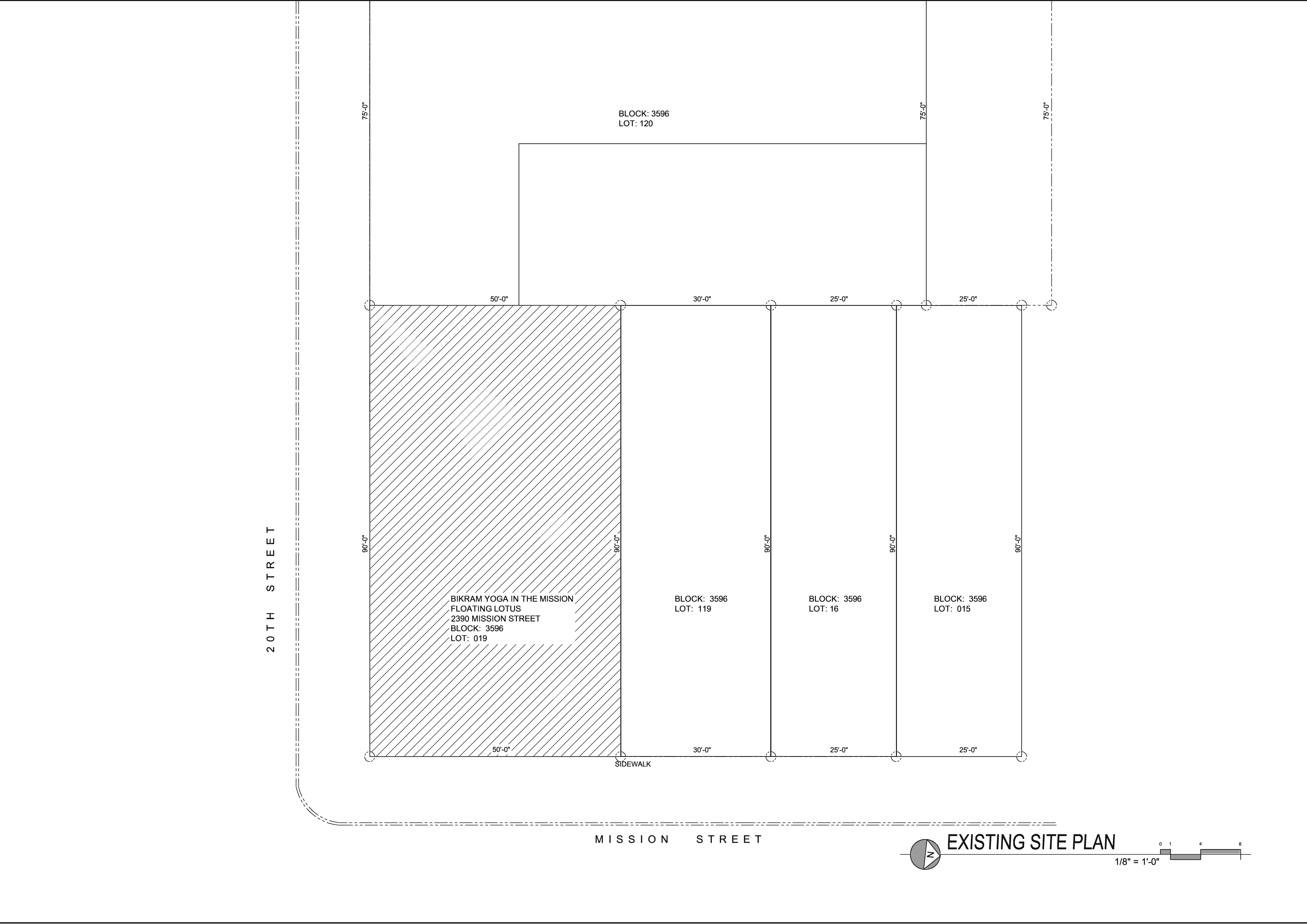
JIMENEZ & ASSOCIATES
 CONSULTANTS &
 RESIDENTIAL DESIGN
 334 Lakes Street
 SF, CA 94133
 P: 415.232.8481
 F: 415.232.8482
 email@jimenezdesign.com

EXISTING SITE PLAN

FLOATING LOTUS - MASSAGE
 2390 MISSION STREET
 SAN FRANCISCO, CALIF.

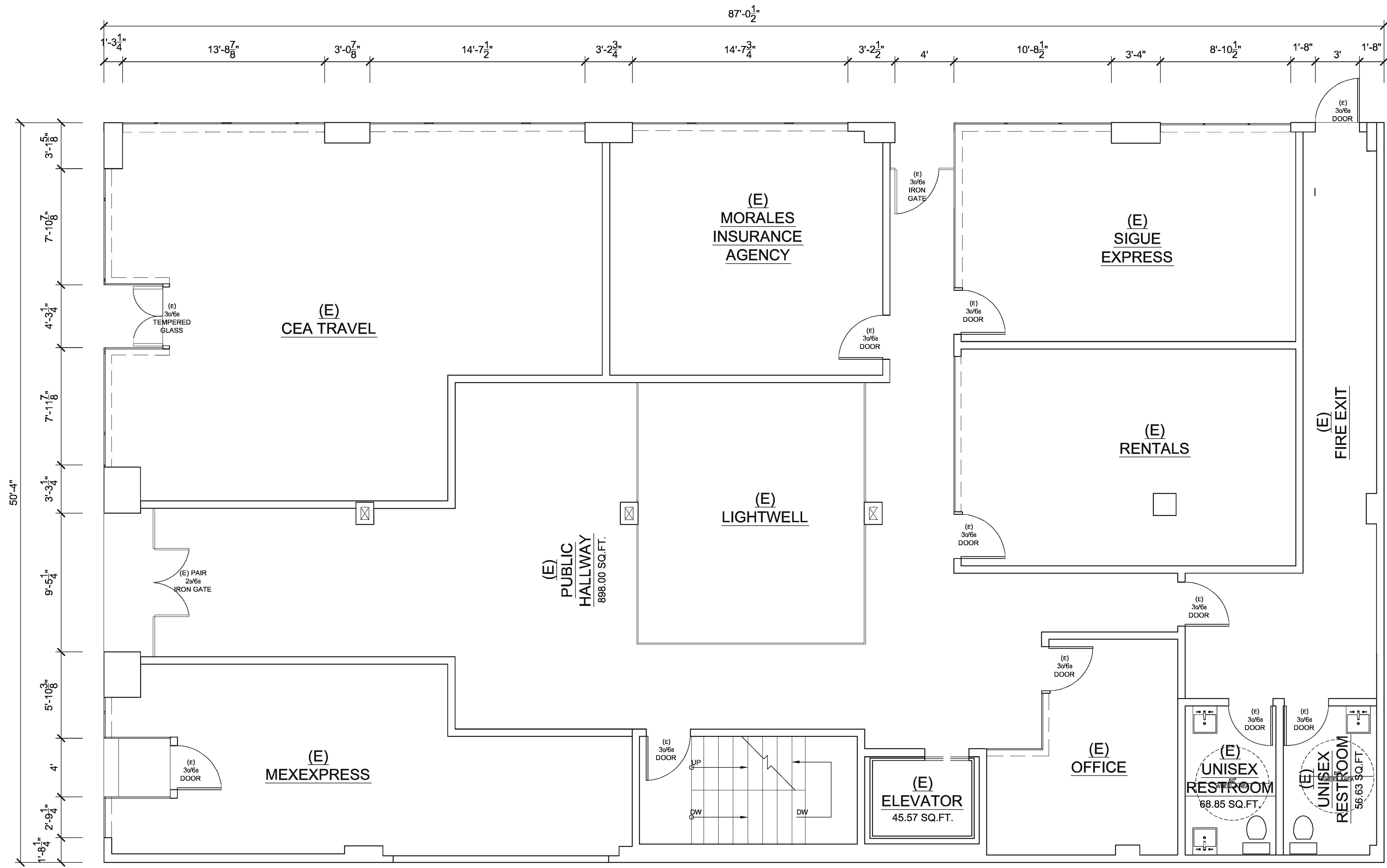
05.15.10
 JOB 010119
 DRAWN BY SBJ

a1.1



EXISTING SITE PLAN

1/8" = 1'-0"



FIRST FLOOR



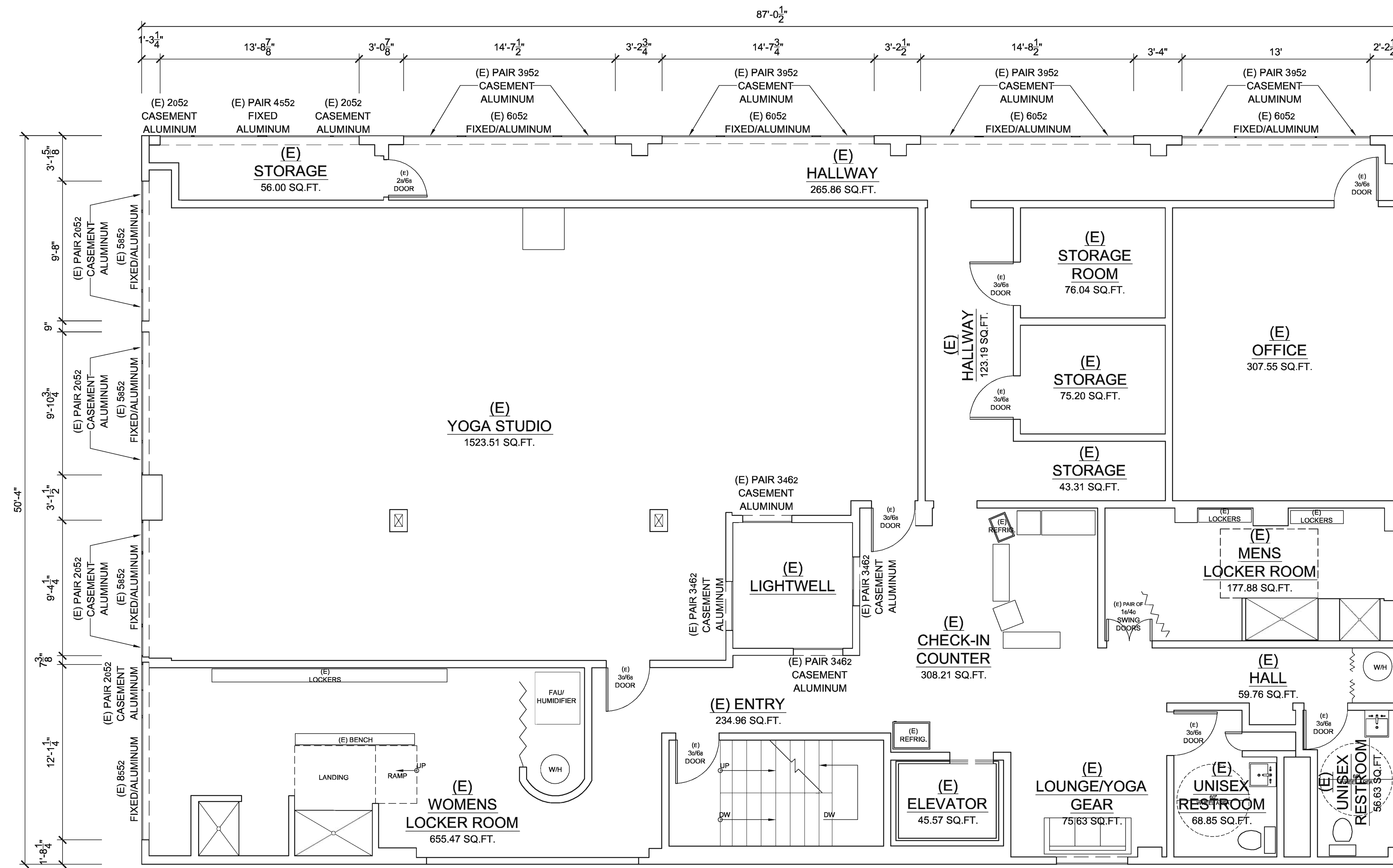
#	DATE	COMMENT
1	07.15.10	C.U. SUBMITTAL

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jim@jimenezdesign.com

EXISTING FLOOR PLAN - STREET LEVEL

FLOATING LOTUS MESSAGE
2390 MISSION STREET
SAN FRANCISCO, CALIF.

05.08.10
JOB 010119
DRAWN BY SBJ



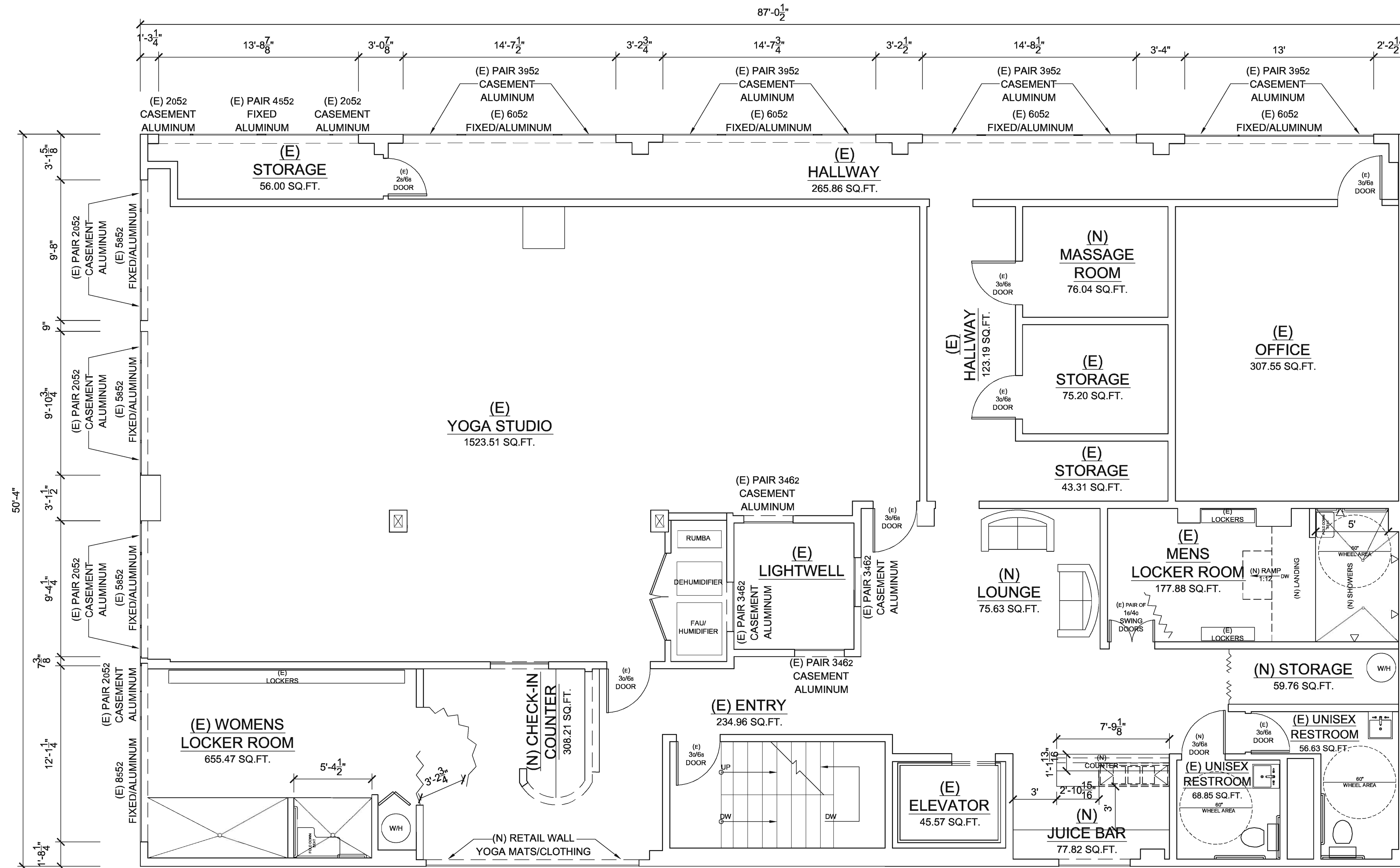
SECOND FLOOR

EXISTING FLOOR PLAN
1/4" = 1'-0"

EXISTING FLOOR PLAN - SECOND FLOOR

FLOATING LOTUS MASSAGE
2390 MISSION STREET
SAN FRANCISCO, CALIF.

05.09.10
JOB 010119
DRAWN BY SBJ



SECOND FLOOR



PROPOSED FLOOR PLAN

FLOATING LOTUS MASSAGE
2390 MISSION STREET
SAN FRANCISCO, CALIF.