



SAN FRANCISCO PLANNING DEPARTMENT

CONSENT CALENDAR

Executive Summary Conditional Use

HEARING DATE: JUNE 23, 2011

Date: June 16, 2011
Case No.: **2011.0250 C**
Project Address: **1453 VALENCIA STREET**
Zoning: Valencia Street NCT (Neighborhood Commercial Transit)
Mission Alcoholic Beverage Special Use Subdistrict
55-X Height and Bulk District
Block/Lot: 6530/017
Project Sponsor: Usanee Walthew
1446 Kansas Street
San Francisco, CA 94107
Staff Contact: Corey Teague – (415) 575-9081
corey.teague@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 applicant proposes to establish a 1,350 square foot massage establishment (d.b.a. La Nee Thai Massage Therapy) that will include 13 massage tables separated by full-height curtains. The proposal includes interior tenant improvements, but no work to the building's exterior. The two rear yard storage structures will be used for cold and dry storage.

The proposed use is an independent neighborhood-serving use that is locally owned, which is encouraged throughout San Francisco. The owner also owns and operates another Thai massage establishment (d.b.a. La Biang Thai Massage) at 1301 Polk Street. The proposed operation consists of 16 employees. Hours of operation will be 9:00a.m. to 9:00p.m. daily.

SITE DESCRIPTION AND PRESENT USE

The project site is a 3,524 square foot lot located on the eastern side of Valencia Street between 25th and 26th Streets. The property is developed with a three-story, approximately 5,900 square foot building that includes four residential units on the second and third floors, and a currently vacant 1,350 square foot commercial unit on the ground floor. The commercial unit previously housed a musical instrument store (d.b.a. Lark in the Morning).

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located at the southern end of the Valencia Street NCT corridor, which includes a variety of neighborhood-serving and retail uses. A mixture of food establishments, personal

services, and small retail establishments defines the District, although the southern portion of the District contains a higher ratio of residential development and less intense commercial uses. Many properties on the subject block are residential only, but other businesses on the same block include restaurants, pilates studios, a mortuary, and a religious-based residential care center.

The block is split between 25th and 26th Street by Orange Alley. Properties on this block that front on Orange Alley and Bartlett Street are zoned RTO-Mission. They are primarily developed by low to moderate density residential structures.

ENVIRONMENTAL REVIEW

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

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 3, 2011	June 1, 2011	22 days
Posted Notice	20 days	June 3, 2011	June 3, 2011	20 days
Mailed Notice	20 days	June 3, 2011	June 3, 2011	20 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

- The Department received no public comment for this project.

ISSUES AND OTHER CONSIDERATIONS

- The Department contacted the Health Department as part of the City's interdepartmental effort to regulate massage establishments. At this time, the Health Department has concerns about the proposed massage establishment or the applicant requesting conditional use authorization.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow the massage establishment within the Valencia Street NCT District, pursuant to Planning Code Section 726.54.

BASIS FOR RECOMMENDATION

- The project was found to be compatible with the surrounding neighborhood and the Valencia Street NCT District as the business would offer a consumer service to residents and workers in the area.
- The project will not displace an existing retail tenant providing convenience goods and services to the neighborhood.
- The project will increase the diversity of uses within the Valencia Street NCT District, especially the most southern portion.
- The business is not a Formula Retail use and would serve the immediate neighborhood.
- The project will be subject to the standard conditions of approval applicable to massage establishments.
- The project meets all applicable requirements of the Planning Code, Mission Area Plan, and General Plan.

RECOMMENDATION: Approval with Conditions
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Attachments:

Draft Motion

Parcel Map

Sanborn Map

Aerial Photographs

Zoning Map

Site Photograph

Project Sponsor Submittal, including:

- Letter to the Planning Commission
- 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 checked="" 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 type="checkbox"/> Context Photos | <input type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | |

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

Planner's Initials

CT: G:\Documents\CI\2011\1453 Valencia St\Executive Summary.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

HEARING DATE: JUNE 23, 2011

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Case No.: **2011.0250 C**
Project Address: **1453 VALENCIA STREET**
Zoning: Valencia Street NCT (Neighborhood Commercial Transit)
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PURSUANT TO PLANNING CODE SECTIONS 303, 726.54, AND 790.60 TO ALLOW AN APPROXIMATELY 1,350 SQUARE FOOT MASSAGE ESTABLISHMENT (D.B.A. LA NEE THAI MASSAGE THERAPY) IN THE VALENCIA STREET NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) ZONING DISTRICT, MISSION ALCOHOLIC BEVERAGE SPECIAL USE SUBDISTRICT, AND 55-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 17, 2011 Usanee Walthew (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303, 726.54, and 790.60 to allow an approximately 1,350 square foot massage establishment (d.b.a. La Nee Thai Massage Therapy) in the Valencia Street NCT (Neighborhood Commercial Transit) Zoning District, Mission Alcoholic Beverage Special Use Subdistrict, and 55-X Height and Bulk District.

On June 23, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0250C.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 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. 2011.0250C, 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 site is a 3,524 square foot lot located on the eastern side of Valencia Street between 25th and 26th Streets. The property is developed with a three-story, approximately 5,900 square foot building that includes four residential units on the second and third floors, and a currently vacant 1,350 square foot commercial unit on the ground floor. The commercial unit previously housed a musical instrument store (d.b.a. Lark in the Morning).
3. **Surrounding Properties and Neighborhood.** The project site is located at the southern end of the Valencia Street NCT corridor, which includes a variety of neighborhood-serving and retail uses. A mixture of food establishments, personal services, and small retail establishments defines the District, although the southern portion of the District contains a higher ratio of residential development and less intense commercial uses. Many properties on the subject block are residential only, but other businesses on the same block include restaurants, pilates studios, a mortuary, and a religious-based residential care center.

The block is split between 25th and 26th Street by Orange Alley. Properties on this block that front on Orange Alley and Bartlett Street are zoned RTO-Mission. They are primarily developed by low to moderate density residential structures.

4. **Project Description.** The applicant proposes to establish a 1,350 square foot massage establishment (d.b.a. La Nee Thai Massage Therapy) that will include 13 massage tables separated by full-height curtains. The proposal includes interior tenant improvements, but no work to the building's exterior. The two rear yard storage structures will be used for cold and dry storage.

The proposed use is an independent neighborhood-serving use that is locally owned, which is encouraged throughout San Francisco. The owner also owns and operates another Thai massage establishment (d.b.a. La Biang Thai Massage) at 1301 Polk Street. The proposed operation consists of 16 employees. Hours of operation will be 9:00a.m. to 9:00p.m. daily.

5. **Public Comment.** The Department no public comment for this 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 726.54 allows massage establishments with Conditional Use Authorization in the Valencia Street NCT District and requires that the Planning Commission 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 project sponsor will file for a massage permit with the Department of Public Health before the Planning Department will approve the associated Building Permit Application. Conditions of Approval will also 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 percent of that length is devoted to entrances to commercially used space or windows at the pedestrian eye-level.

Criterion Met:

More than 22 feet of the ground floor's 25 feet of width consists of transparent storefront and an entrance, representing more than 88 percent of its length.

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

Criterion Met:

The subject tenant space has clear, untinted 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 more than 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 massage use during the post-sunset hours of the massage 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.

- B. **Hours of Operation.** Planning Code Section 726.27 permits hours of operation from 6:00a.m. to 2:00a.m. as of right, as defined by Planning Code Section 790.48.

The proposed massage establishment will operate 9:00a.m. to 9:00p.m. daily.

- C. **Parking.** Planning Section 151.1 of the Planning Code does not require off-street parking for any use in the Valencia Street NCT District, and provides maximums for specific uses.

The project site currently contains no off-street parking, and no parking is proposed.

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 where the closest licensed massage establishment is nearly a half a mile away.

- 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 and representative of the District. 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 Planning Code does not require parking or loading in the Valencia Street NCT District, and the subject property contains no parking. Traffic patterns for the proposed massage establishment will not be significantly different than those of the previous retail uses. Patrons of the restaurant from the immediate neighborhood have ample walking, bicycling, and public transit options through MUNI and BARTI.

- 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 proposed massage establishment does not require any additional landscaping or screening, and the Department shall review all lighting and signs proposed for the new business under a separate building permit.

- 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 description and purposed of the Valencia Street NCT District in that "new neighborhood-serving commercial development is encouraged mainly at the ground story."

8. **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 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 expanding the diversity of neighborhood-serving uses in the area.

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 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 proposed massage establishment is not a Formula Retail use, and is owned by a local resident who also owns and operates another massage establishment in the City.

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 proposal enhances the district by occupying the existing vacant commercial unit with a locally-owned business that will provide job opportunities for neighborhood.

- 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 massage establishment will occupy an existing building that previously contained a musical instrument shop, and therefore will preserve the neighborhood character of the space. The building will not be altered.

- 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 replacing a musical instrument shop in the same space. Therefore, there will be no new impact to any type of traffic or parking associated with this use.

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

The Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

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

The proposed massage establishment will occupy an existing commercial space and will not alter the existing building. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The subject building was constructed in 1977 and is not a potential historic resource.

- 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.

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. 2011.0250C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated June 9, 2011, 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 June 23, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: June 23, 2011

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow an approximately 1,350 square foot massage establishment (d.b.a. **La Nee Thai Massage Therapy**) located at 1453 Valencia Street, Block 6530, Lot 017, pursuant to Planning Code Sections 303, 726.54, and 790.60 within the **Valencia Street NCT** Zoning District, Mission Alcoholic Beverage Special Use Subdistrict, and **55-X** Height and Bulk District; in general conformance with plans, dated **June 9, 2011**, and stamped "EXHIBIT B" included in the docket for Case No. **2011.0250C** and subject to conditions of approval reviewed and approved by the Commission on **June 23, 2011** 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 **June 23, 2011** 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 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.

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

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

MONITORING - AFTER ENTITLEMENT

3. **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

4. **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

5. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>*
6. **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/>*
7. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*
8. **Massage Establishments.** All massage establishments shall comply with the following standard massage use operation standards.
 - a. The entry to the massage treatment room shall remain directly visible from the public right-of-way. If any additional doors are required under the Building Code for emergency egress purposes, such door shall be labeled "for emergency use only" and shall have an audible alarm that will go off when the door is opened.
 - b. All interior alterations shall be reviewed by the Planning Department to verify compliance with these conditions.
 - c. No locks shall be allowed on any interior door of the business except that a lock for privacy may be permitted on the bathroom door.
 - d. Any blinds or curtains located behind the storefront windows must be kept open during business hours to allow for visibility into the tenant space from the street. No obstructions shall be located in front of any of the storefront windows that would prevent such visibility.
 - e. The front door to the business must be open during business hours. The use of buzzers or a security camera is not permitted.
 - f. The massage establishment shall comply with the hours of operation outlined in Ordinance 140-09, approved on July 2, 2009. This Ordinance amended the Health Code to limit the hours of permitted operation for massage establishments from 7:00 am to 10:00 pm.

- g. All persons engaged in performing massage shall be licensed for that purpose by the State of California and the licenses shall be prominently displayed on walls of the business.
- h. The Planning Commission may revoke this Conditional Use authorization if the Department of Public Health revokes the health permit for massage.

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

Parcel Map

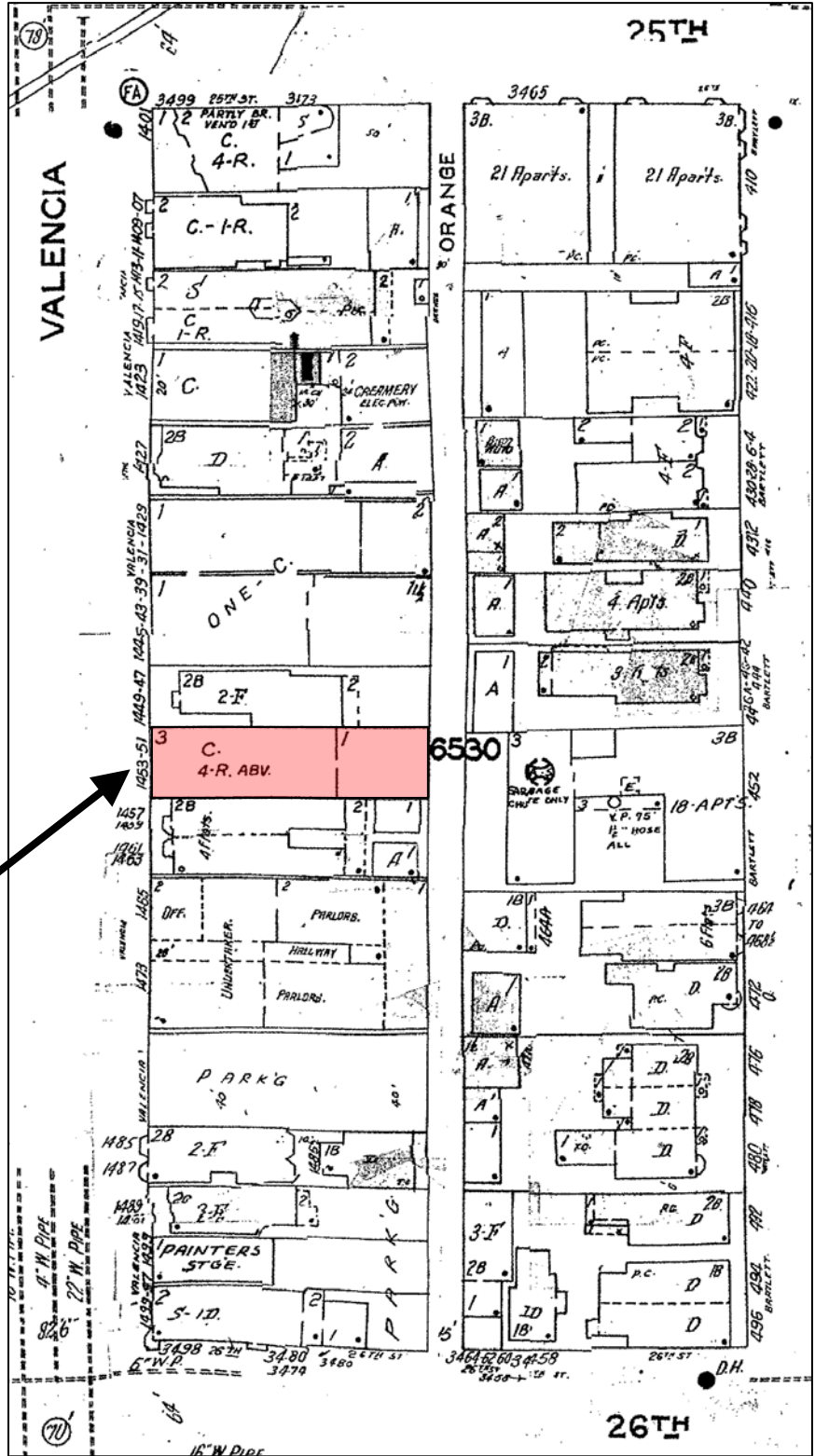


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2011.0250C
Massage Establishment
1453 Valencia 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 Hearing
 Case Number 2011.0250C
 Massage Establishment
 1453 Valencia Street

Aerial Photo



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2011.0250C
Massage Establishment
1453 Valencia Street

Aerial Photo

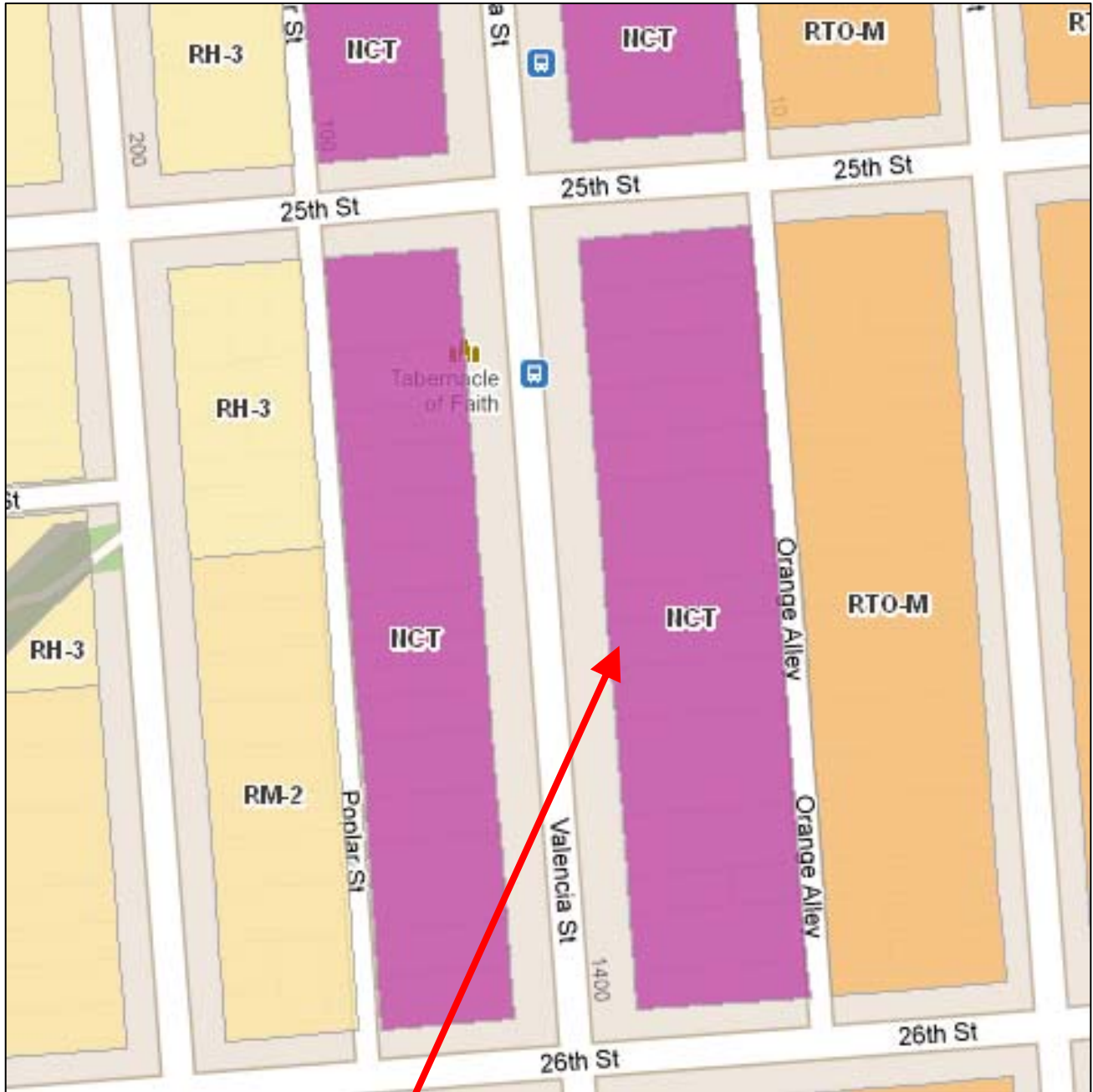


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2011.0250C
Massage Establishment
1453 Valencia Street

Zoning Map



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2011.0250C
Massage Establishment
1453 Valencia Street

Site Photo



Conditional Use Hearing
Case Number 2011.0250C
Massage Establishment
1453 Valencia Street

La Nee Thai Massage

The Traditional Healing of Thailand

June 9, 2011

San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Planning Commissioners:

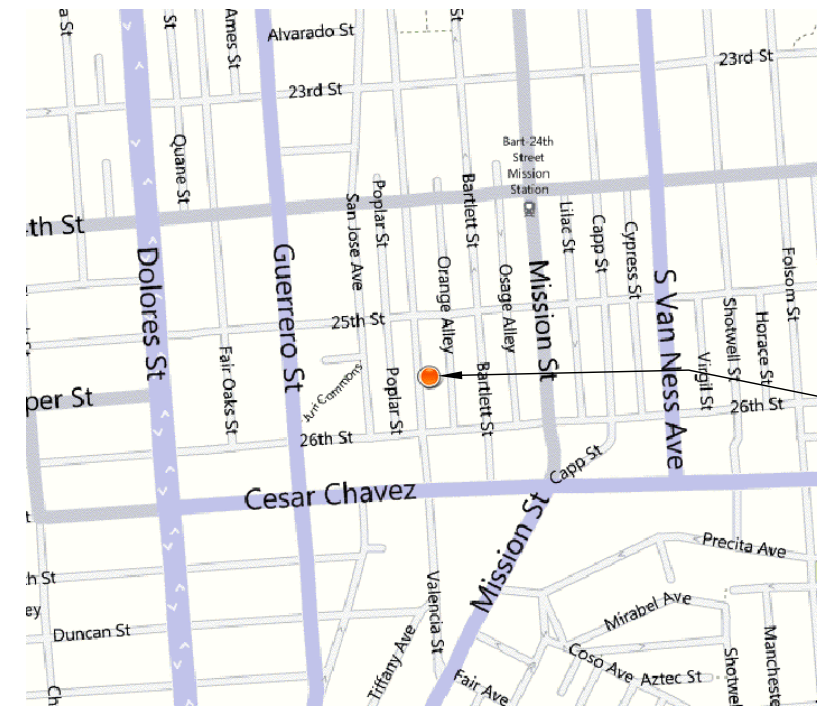
My name is Usanee Walthew. I currently own a massage spa called La Biang Thai Massage (www.LaBiangThai.com), located at 1301 Polk Street, since 2005. My brother, Ron Puangpinij, is operating this location. We have good track record with health department, local police station, retail and residential neighbors.

Thai massage is unique and very much integrated with Buddhism. It is also an ancient branch of holistic healing which includes mind, body and spirit. There are many people who believe in this practice and can benefit greatly from Thai massage. We will offer Traditional Thai Massage, Thai Herbal Massage, Hot Oil Massage, Pre Natal and Post Natal Massage, etc.

I am hoping to open a second store, La Nee Thai Massage, closer to my home. I will operate this location. It will have the same business structure and will open from 9:00 am and last appointment at 8:30 pm. I am looking forward to being part of this community and to help bring improvements to the neighborhood. It is my hope that you will approve my application based on my good standing record and intentions. Attached please find my proposed floor plan and interior elevations as well as rendering images for your review and consideration.

Very truly yours,

Usanee Walthew, CID, LEED GA



PROJECT AREA

PROJECT ADDRESS: BLOCK 66530 LOT 17
1453 VALENCIA STREET, SF, CA 94110

LANDLORD:
LAUREL REALTY
294 29th ST, SAN FRANCISCO, CA 94131
CONTACT: JEFF APPENRODT, 415-641-1500

TENANT:
LA NEE THAI MASSAGE THERAPY & REPLEXOLOGY
1453 VALENCIA STREET, SF, CA 94110
CONTACT: USANEE WALTHER(usanee@sbcglobal.net) 298-0564



	1453 VALENCIA ST, SF, CA 94109 MARCH 02, 2011
	PHOTO & MAP
PREPARED BY: USANEE WALTHER	NO SCALE

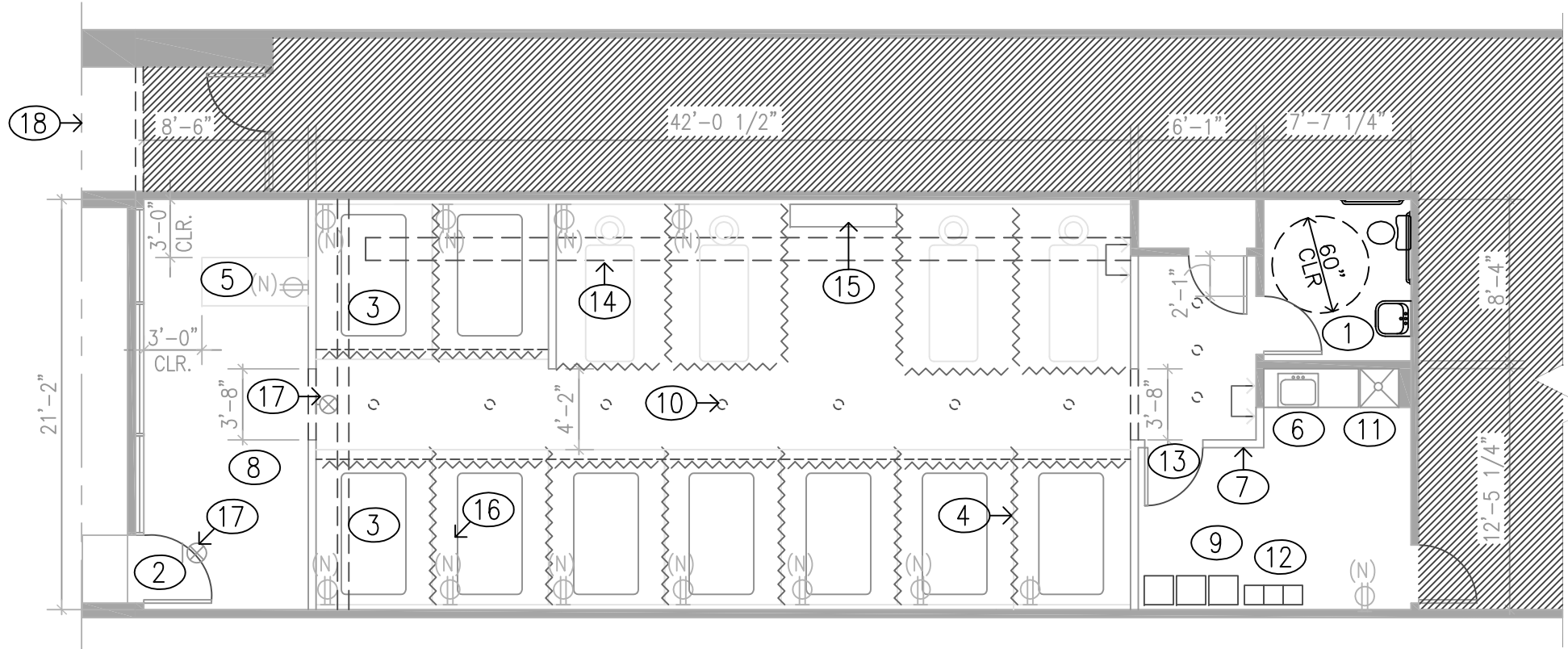
A0.0

LEGEND:

- EXISTING PARTITION:
- NEW PARTITION:
- ALGIN:
- DUPLEX OUTLET:
- EXIT SIGN:
- NOT INCLUDED IN SCOPE:

KEY NOTES:

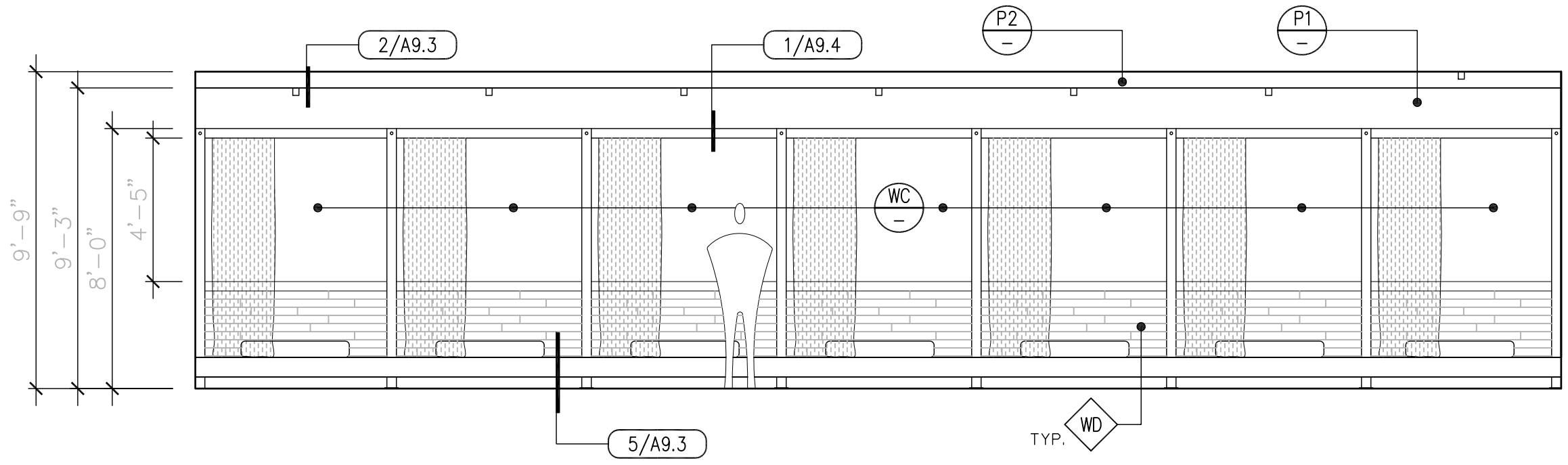
- ① UNISEX RESTROOM FOR OCCUPANT LOAD LESS THAN 15 PEOPLE, PER CHAPTER 29. SEE 6/ACC1 FOR TYP. ACCESSORY MOUNTING HT. AND 4&5/ACC1 FOR DOOR SIGNAGE.
- ② SEE 2/ACC1 FOR DOOR ACCESSIBILITY.
- ③ TYPICAL MASSAGE STATION 6'-0"W x 8'-0"D x 1'-0" HT. PLATFORM WITH HARDWOOD FLOOR.
- ④ NEW CURTAIN BY OWNER-BUILDER TO INSTALL TRACK AND HARDWARE.
- ⑤ RECEPTION DESK 29"(34"MAX) FURNITURE PROVIDE BY OWNER.
- ⑥ NEW ADA COMPLIANT SINK, FAUCET & MILLWORK.
- ⑦ NEW INTERIOR WALL. TYPICAL - SEE A9.1
- ⑧ WAITING AREA.
- ⑨ SOILED LINEN/LAUNDRY AREA
- ⑩ SURFACE MOUNTED FIXTURE, UNDER SEPARATE PERMIT. TYP.
- ⑪ 24"X24" MOP SINK; CONNECT WATER SUPPLY & DRAIN W/EXISTING PLUMING.
- ⑫ STAFF'S LOCKERS BY OWNERS (12"W X 15"D)
- ⑬ NEW 3'-0" DOOR
- ⑭ EXISTING HVAC TO REMAIN THROUGHOUT SPACE.
- ⑮ CLEAN LINEN STORAGE
- ⑯ NEW DUPLEX OUTLET. FILED UNDER SEPARATE PERMIT. TYP.
- ⑰ CEILING OR WALL-MOUNTED EXIT SIGN.
- ⑱ PROPERTY LINE



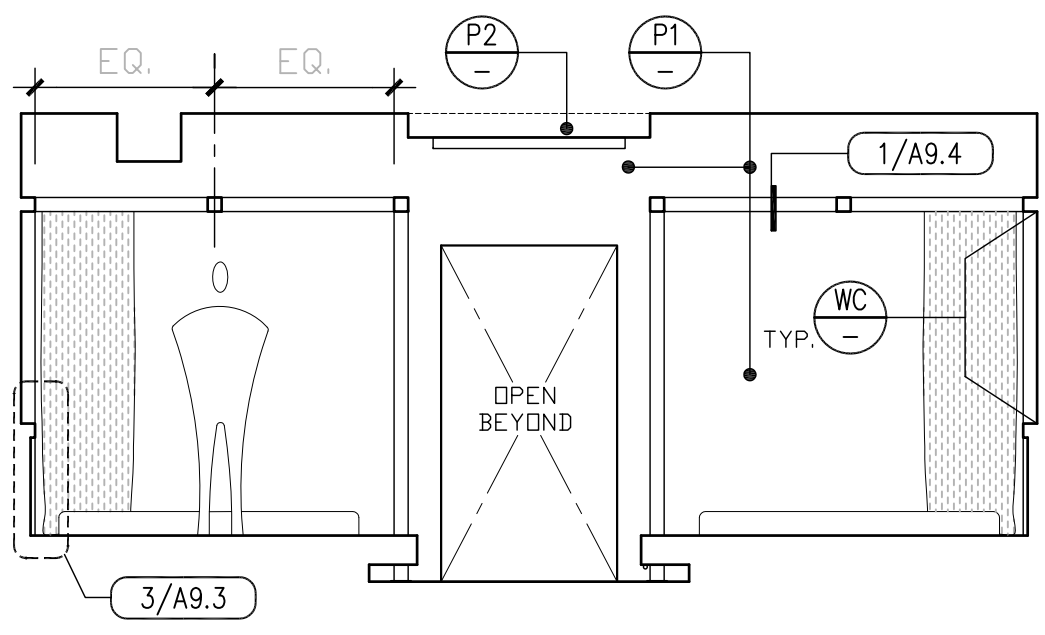
NOTES:

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- EXISTING CEILING, LIGHT FIXTURES AND EXIT SIGN TO REMAIN, NO WORK REQUIRED.
- PROVIDE ADEQUATE GENERAL LIGHTING FOR AFTER HOUR AS REQUIRED BY SFDPH.
- SEE APPROVED ROOM FINISHES AS REQUIRED BY SFDPH ON A2.4.

	FLOOR PLAN
PREPARED BY: USANEE WALTHER	1/8" = 1'-0" A2.1

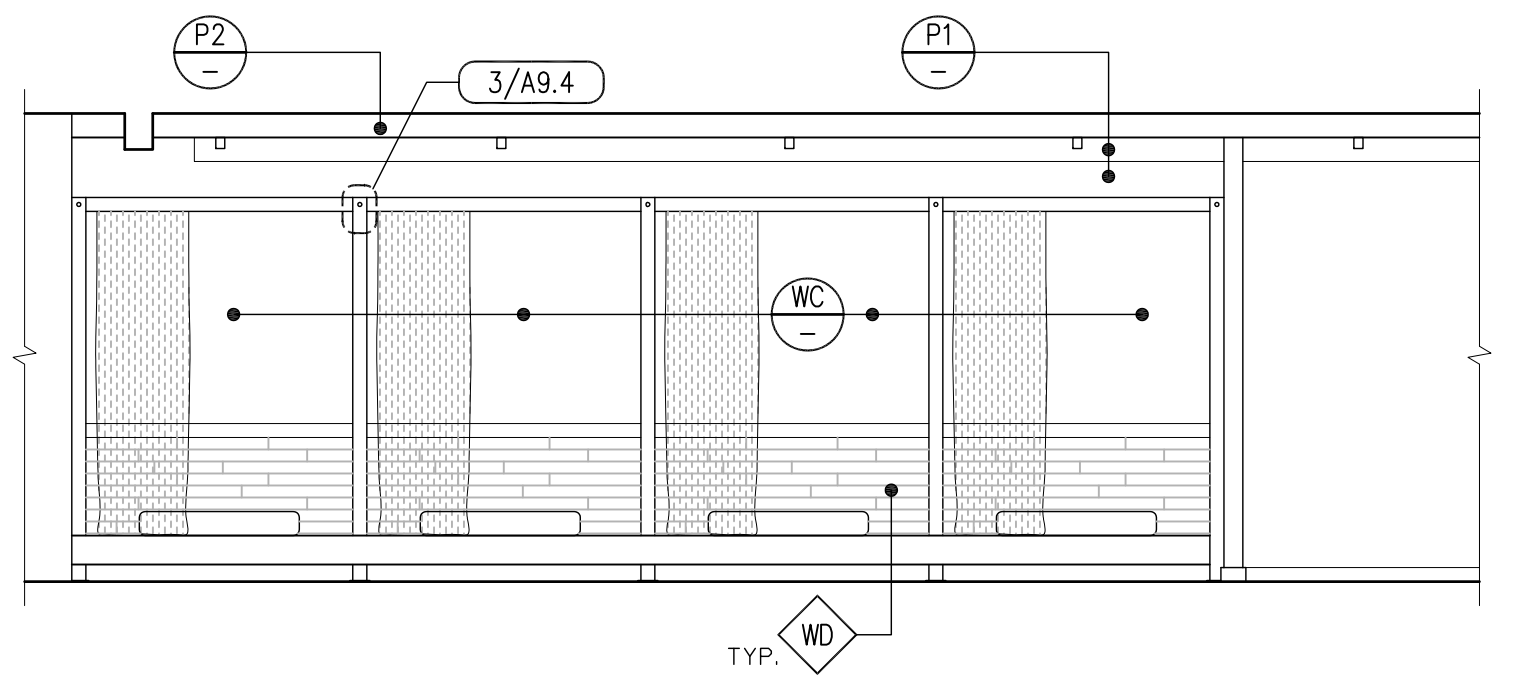


3 SOUTH ELEVATION
A9.5



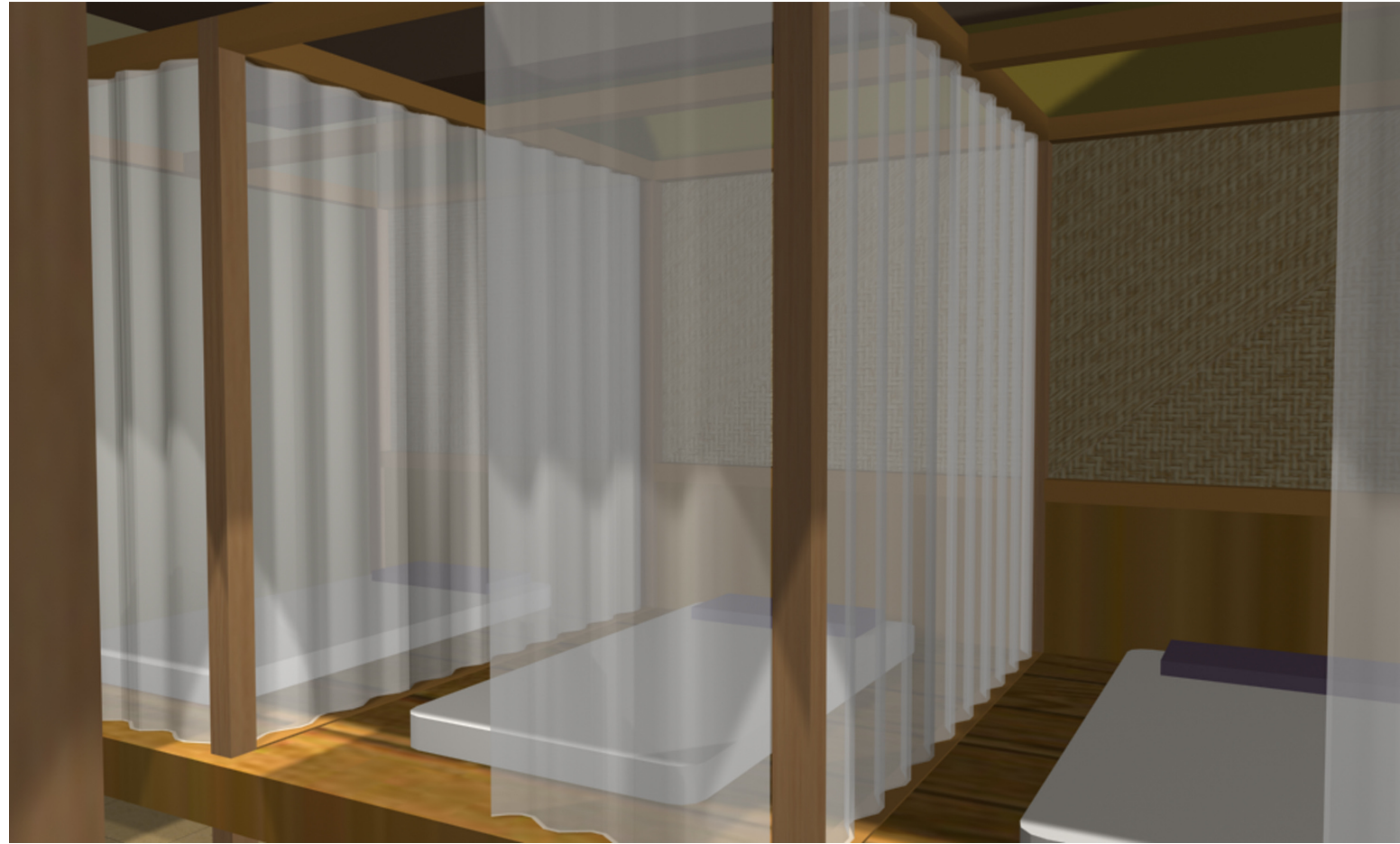
1 EAST SECTION
A9.5

WC SEE SHEET A2.4



1 NORTH ELEVATION
A9.5

		ELEVATIONS
PREPARED BY: USANEE WALTHER	1/4" = 1'-0"	A9.5

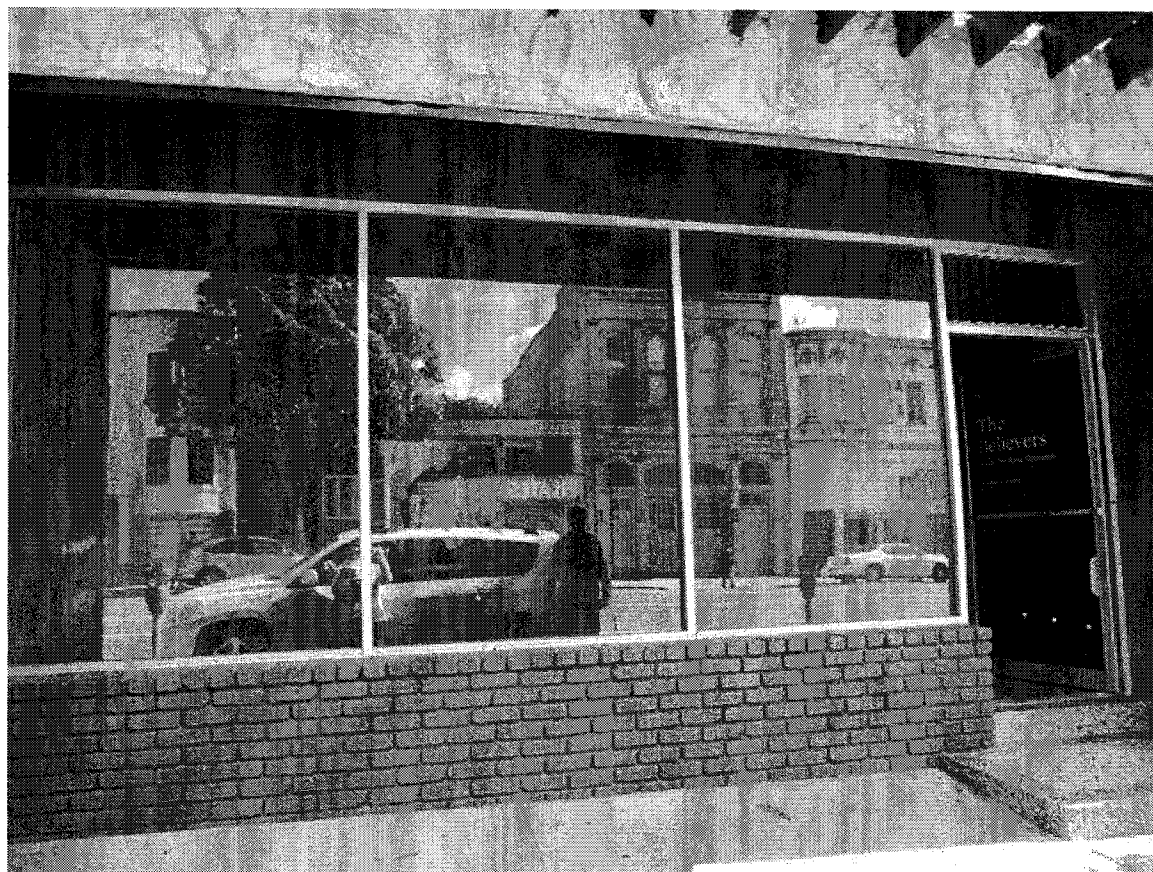




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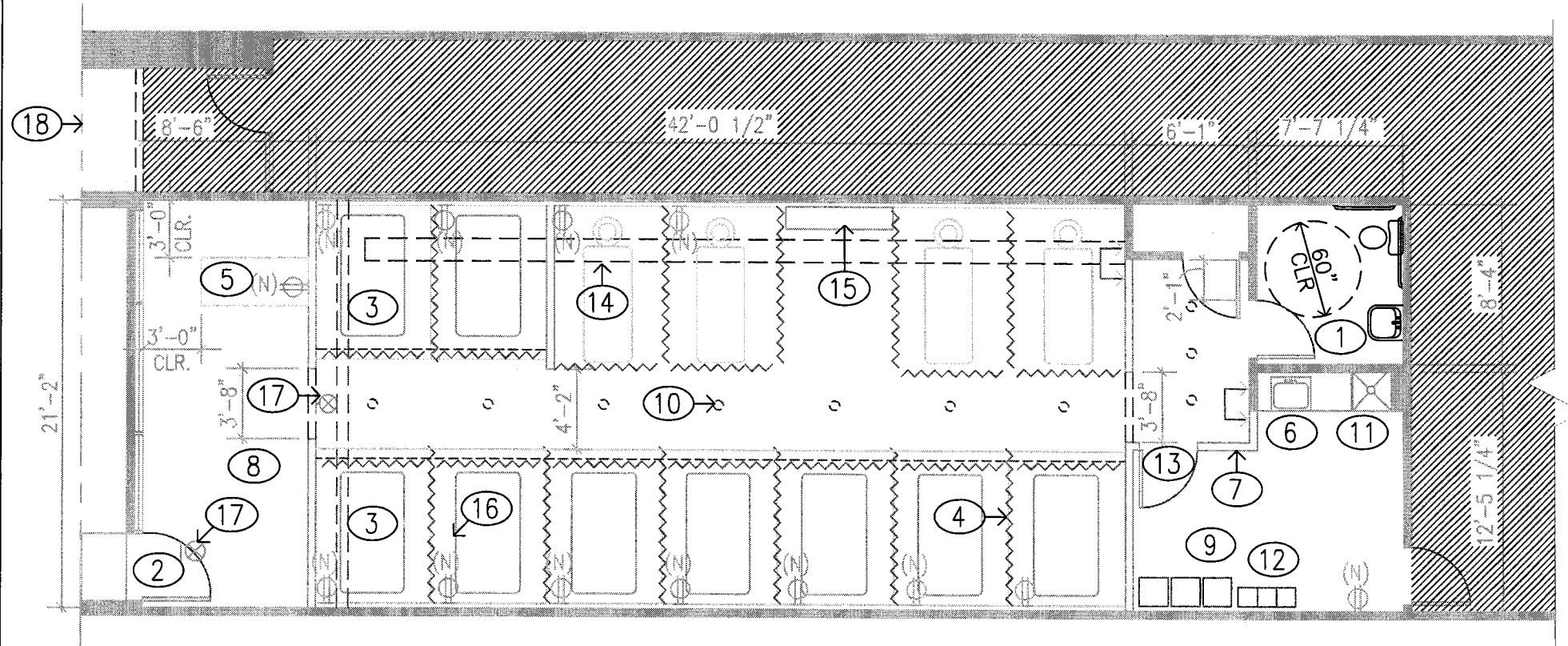
PREPARED BY: USANEE WALTHER	NO SCALE	A0.0
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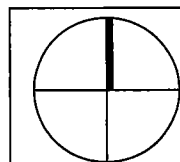
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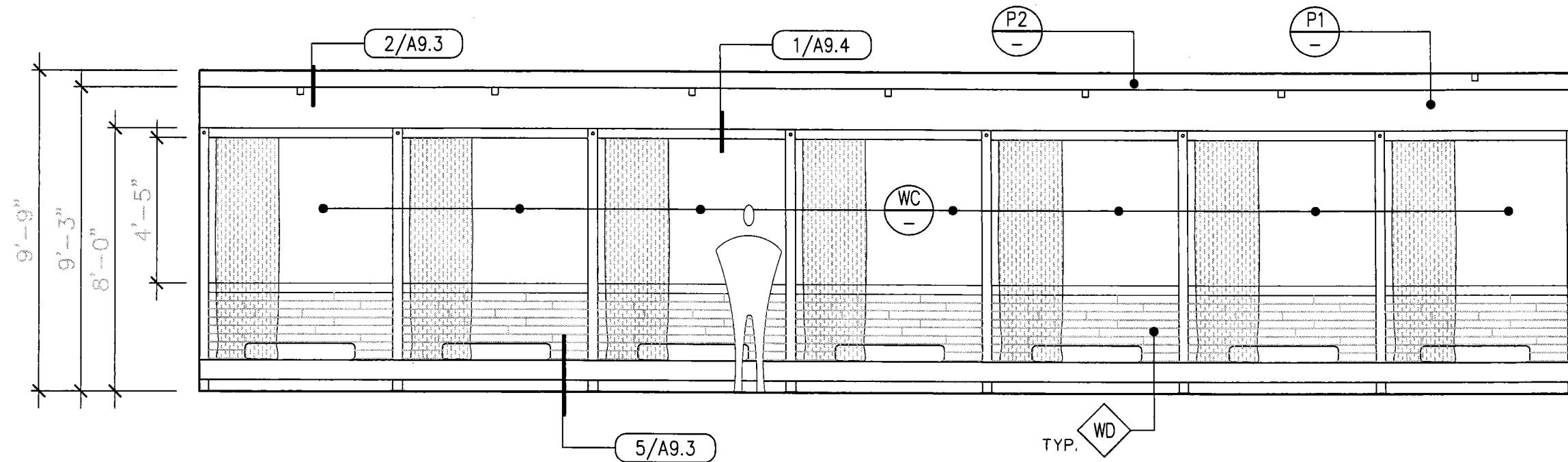


FLOOR PLAN

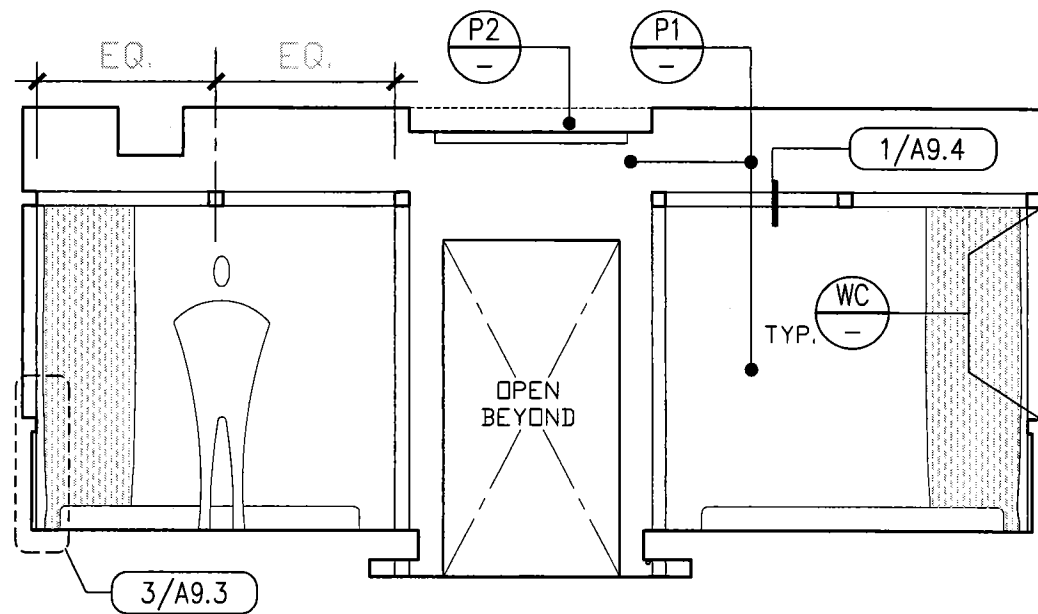
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1/8" = 1'-0"

A2.1

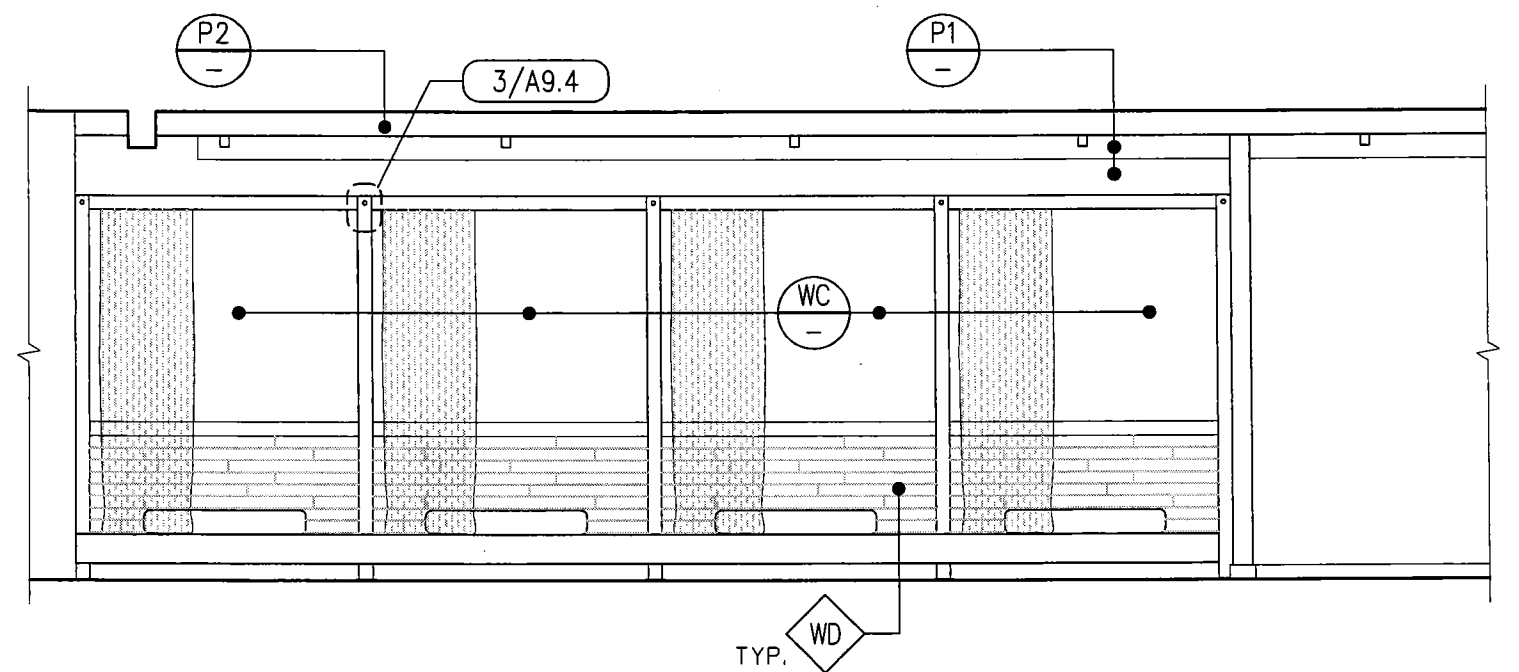


3 SOUTH ELEVATION
A9.5



1 EAST SECTION
A9.5

WC SEE SHEET A2.4



1 NORTH ELEVATION
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ELEVATIONS

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1/4" = 1'-0"

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