



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2010-40
Date: August 19, 2010
Recommendation: Conditional approval

PLANNING STAFF REPORT

Site: 1-3A Beacon Street

Applicant Name: Josh Childs and Beau Sturm; Service Bar, LLC
Applicant Address: 3 Beacon Street, Somerville MA 02143
Property Owner Name: 1-3A Beacon St, LLC; Eric Anderson
Property Owner Address: 853 Fellsway West, Medford MA 02155
Agent Name: none
Alderman: Maryann Heuston

Legal Notice: Applicants, Josh Childs and Beau Sturm of Service Bar, LLC, and Owner, Eric Anderson of 1-3A Beacon St, LLC, seek a special permit under SZO §4.4.1 to replace and enlarge the existing windows of a nonconforming structure.

Zoning District/Ward: RC/ 2

Zoning Approval Sought: Special Permit §5.1

Date of Application: July 19, 2010

Dates of Public Meeting/Hearing: Planning Board 8/24/10; ZBA 9/01/10

I. PROJECT DESCRIPTION

1. Subject Property: The property is a 5,450 sf lot at the corner of Beacon Street and Dickinson Street in Inman Square. The three-story structure on the lot includes Trina's Starlite Lounge on the first floor and four apartments on the upper two stories. Trina's Starlite Lounge opened in September 2009, replacing the previous bar in the space. In 2004, the ZBA granted the previous owner and tenet special permits in order to renovate and expand the existing bar (Abbey Lounge).



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2. Proposal: The proposal is to enlarge three windows on the bar's front façade. The front façade currently consists of three opaque windows approximately 1ft square, a set of larger windows to the right, and three entrances, one of which has a metal roll-down security gate. The proposal replaces the three small windows with two sets of 4'4" x 7'3" casement windows. The existing windows to the right and a set facing Dickinson Street are also replaced by right.



1-3A Beacon Street

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements, including minimum lot size, landscaped area, and front and side yard setbacks. The proposal affects the nonconforming front yard setback, which is zero; the minimum is no less than 10 feet. Under SZO §4.4.1 "Lawfully existing nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit authorized by the SPGA in accordance with the procedures of Article 5."

The bar is a lawful continuation of a nonconforming use in the RC district.

4. Surrounding Neighborhood: The surrounding Inman Square neighborhood includes offices, apartments, retail stores, and restaurants. Other businesses in the immediate vicinity include the Cambridge Portuguese Credit Union, Walgreens Pharmacy, Rosie's Bakery, and ABG Realty. The neighborhood to the north of 1-3A Beacon Street is residential, primarily composed of two-family homes.

5. Impacts of Proposal: New and enlarged windows on this building will be an improvement to the current façade. The Applicant states that the proposal will make the storefront more attractive and allow better light and improved air circulation within the business.

6. Green Building Practices: None.

7. Comments:

Ward Alderman: Has been contacted but has not provided comments.

Fire Prevention: Has been contacted but has not provided comments.

II. FINDINGS FOR SPECIAL PERMIT (SZO §5.1):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. Information Supplied: The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

2. Compliance with Standards: The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."

In considering a special permit under §4.4 of the SZO, Staff find that the alterations proposed will not be substantially more detrimental to the neighborhood than the existing structure. The proposed windows will add visual interest to the storefront and may improve the pedestrian experience along this portion of Beacon Street. The enlarged windows will face the street and are not expected to further impact any surrounding structures.

3. Consistency with Purposes: The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to providing for and maintaining the uniquely integrated structure of uses in the City. The proposal is also consistent with the purpose of the RC district, which is, "[t]o establish and preserve a district for multi-family residential and other compatible uses which are of particular use and convenience to the residents of the district."

4. Site and Area Compatibility: The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."

The proposal is designed to be compatible with the existing bar and surrounding area. Enlarging the windows to the size of those at the right front will create a more balanced façade. Any increase in light or noise due to the enlargement is expected to be minimal.

To further improve the compatibility with the neighborhood, OSPCD recommends removing the roll-down security gate over the door. The gate serves no purpose with the new large windows. Many communities including Boston and New York are phasing out the use of these gates to improve community aesthetics and safety.

III. RECOMMENDATION**Special Permit under §5.1**

Based on the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the proposed window enlargement. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>July 19, 2010</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>July 7, 2010</td><td>Plans submitted to OSPCD (elevations, sheets 1-3)</td></tr></table>				Date (Stamp Date)	Submission	July 19, 2010	Initial application submitted to the City Clerk's Office	July 7, 2010	Plans submitted to OSPCD (elevations, sheets 1-3)
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Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval.										
2	The Applicant shall remove the roll-down security gate over the front door.	CO	Plng.							
3	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.							

