



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

PLANNING DIVISION

PLANNING BOARD MEMBERS

KEVIN PRIOR, *CHAIRMAN*
ELIZABETH MORONEY, *CLERK*
JOSEPH FAVALORO
JAMES KIRYLO
MICHAEL A. CAPUANO, ESQ.
DANA LEWINTER (ALT.)

Case #: PB #2010-11
Site: 145-147 Broadway
Date of Decision: June 3, 2010
Decision: *Petition Approved with Conditions*
Date Filed with City Clerk: June 8, 2010

PLANNING BOARD DECISION

Applicant Name:	Befekadu Defar
Applicant Address:	145 Broadway, Somerville, MA 02145
Property Owner Name:	Befekadu Defar
Property Owner Address:	145 Broadway, Somerville, MA 02145
Agent Name:	N/A

<u>Legal Notice:</u>	Applicant/Owner, Befekadu Defar, seeks a special permit under SZO §6.1.22.5 to alter signage on the building.
----------------------	---

<u>Zoning District/Ward:</u>	CCD 45 zone/Ward 1
<u>Zoning Approval Sought:</u>	§6.1.22.5
<u>Date of Application:</u>	May 10, 2010
<u>Date(s) of Public Hearing:</u>	June 3, 2010
<u>Date of Decision:</u>	June 3, 2010
<u>Vote:</u>	5-0

Appeal #PB 2010-11 was opened before the Planning Board at Somerville City Hall on June 3, 2010. Notice of the Public Hearing was given to persons affected and was published and posted, all as required by M.G.L. c. 40A, sec. 11 and the Somerville Zoning Ordinance. After one hearing of deliberation, the Planning Board took a vote.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722
www.somervillema.gov



DESCRIPTION:

The proposal is to add signage and awnings and alter the fenestration of the building for the existing restaurant. The owner of the building is applying for funding through the City's Storefront Improvement Program. The signage will consist of a one-inch aluminum icon, one-inch aluminum channel letters pinned to the façade, a painted metal blade sign with raised letters, and three sunbrella-fabric awnings. Lighting will project on the channel letters from above. The entrance on the left will be in-filled with operable windows and the existing windows will be replaced with consistent operable windows. The small square windows will be replaced with custom vinyl graphics. The door to the entry on the right will be replaced with either one door to access the bar and restaurant or two doors that would provide separate entrances to the bar and restaurant.

FINDINGS FOR SPECIAL PERMIT (SZO §6.1.22.5):

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 Board 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."

The sign design complies with the design guideline for signage in the CCD (§6.1.22.H). The sign respects the buildings' context. The icon will be centered on the building and placed within a projection in the parapet. The channel pinned letters will be located within a band that is created by the brickwork. The awnings will start below this band and be spaced evenly over the entrance and windows. The existing small square windows are not proportional to the building's size and will add an interesting element when covered with an Ethiopian inspired graphic. The blade sign located at the entrance will direct patrons to the entrance. Lighting will be placed within the parapet at a consistent height to light the channel letters. The signage and awnings do not conceal important façade details such as the brick patterns or parapet. The blade sign and awnings will be oriented to pedestrians. The signs will create a "signage line" that other businesses on the block could follow. The pottery school on either side of the restaurant is relocating and the school's painted signs will be replaced when the buildings are re-tenanted. The sign's material would be aluminum and the awnings would be fabric with tasteful lighting. These characteristics comply with the list of materials and sign technologies that are recommended in the guidelines. The sign is legible and does not have excessive wording.

The pedestrian oriented requirements of this district will be improved by the proposal. The new, large, bi-fold windows will provide more pedestrian interaction between the building and the sidewalk than the existing recessed entrance and small windows.

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 and the purpose of the CCD by promoting an active mix of uses with structures that complement the historic structures in the area.



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722
www.somervillema.gov



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 sign will be compatible with the building's design and create signage design that could be mimicked for other businesses on the block or in the area. The change to the fenestration will not disrupt the bays or symmetry of the building. Having a single recessed entrance will reduce confusion as to which entrance to use and improve the interior configuration of the restaurant. If two doors are placed within the recessed entrance to separate the bar and restaurant entrance, the doors would be marked to distinguish them.

DECISION:

Present and sitting were Members Kevin Prior, Elizabeth Moroney, Joseph Favaloro, James Kirylo and Michael Capuano. Upon making the above findings, Kevin Prior made a motion to approve the request for a special permit. James Kirylo seconded the motion. Wherefore the Planning Board voted **5-0** to **APPROVE** the request. In addition the following conditions were attached:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes								
1	Approval is for new signage, awnings, replacement of a door with windows and changes to existing windows. 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>5/10/10</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>4/22/10</td><td>Modified plans submitted to OSPCD (Scheme 3a: façade changes with one door in single recessed entrance, Scheme 3b: façade changes with two doors in single recessed entrance)</td></tr><tr><td>5/24/10</td><td>Modified plans submitted to OSPCD (SKD-0-1: elevation, SKD-2: storefront sections)</td></tr></table>				Date (Stamp Date)	Submission	5/10/10	Initial application submitted to the City Clerk's Office	4/22/10	Modified plans submitted to OSPCD (Scheme 3a: façade changes with one door in single recessed entrance, Scheme 3b: façade changes with two doors in single recessed entrance)	5/24/10	Modified plans submitted to OSPCD (SKD-0-1: elevation, SKD-2: storefront sections)
	Date (Stamp Date)				Submission							
	5/10/10				Initial application submitted to the City Clerk's Office							
	4/22/10				Modified plans submitted to OSPCD (Scheme 3a: façade changes with one door in single recessed entrance, Scheme 3b: façade changes with two doors in single recessed entrance)							
5/24/10	Modified plans submitted to OSPCD (SKD-0-1: elevation, SKD-2: storefront sections)											
Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval. Sign replacement of the same size within the same sign footprint and using the same sign technology shall be permitted by right.												
2	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.									



Attest, by the Planning Board:



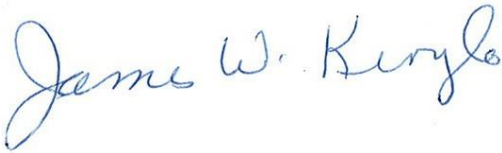
Kevin Prior, Chairman



Elizabeth Moroney



Joseph Favaloro



James Kirlyo



Michael A. Capuano, Esq.

Copies of this decision are filed in the Somerville City Clerk's office.
Copies of all plans referred to in this decision and a detailed record of the
SPGA proceedings are filed in the Somerville Planning Dept.



CLERK'S CERTIFICATE

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 3.2.10.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on _____ in the Office of the City Clerk, and twenty days have elapsed, and

FOR VARIANCE(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ any appeals that were filed have been finally dismissed or denied.

FOR SPECIAL PERMIT(S) WITHIN

_____ there have been no appeals filed in the Office of the City Clerk, or
_____ there has been an appeal filed.

Signed _____ City Clerk Date _____



CITY HALL • 93 HIGHLAND AVENUE • SOMERVILLE, MASSACHUSETTS 02143
(617) 625-6600 EXT. 2500 • TTY: (617) 666-0001 • FAX: (617) 625-0722
www.somervillema.gov

