



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

STAFF

MADELEINE MASTERS, *PLANNING DIRECTOR*
CHRISTOPHER DI IORIO, *PLANNER/ZONING ADMINISTRATOR*
LORI MASSA, *PLANNER/ZONING ADMINISTRATOR*
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*
FREDERICK J. LUND, *SENIOR DRAFTSMAN*

Case #: ZBA 2009-09
Date: April 13, 2009
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 691A Somerville Avenue

Applicant Name: Heidi Brown

Applicant Address: 113 River Street #1, Cambridge, MA 02139

Property Owner Name: Garrie Reilly

Property Owner Address: 691 Somerville Ave, Somerville MA 02143

Agent Name: none

Alderman: Taylor

Legal Notice: Applicant Heidi Brown & owner Garrie Reilly seek a special permit (SZO §5.1) to establish a private fitness studio (§7.11.6.3.a).

Zoning District/Ward: Residence C / 3

Zoning Approval Sought: Special Permit under §7.11.6.3.a

Date of Application: March 24, 2009

Date(s) of Public Hearing: ZBA: May 6, 2009

Date of Decision: N/A

Vote: N/A

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is an approximately 6,080 s.f. lot on which sits a one-story commercial structure attached to a three-story, eight-unit residential building. The commercial space occupies a real estate office and a vacant space that used to be a tile and stone product showroom and retail space.

2. Proposal: The proposal is to establish a private fitness studio. The studio would be 2278 gross square feet with no more than six employees and an average of no more than twenty people during peak hours. There would be personal training, yoga, and cycling classes, all by appointment. Business hours

would be between 6 a.m. to 8 p.m. The only exterior change would be replacement of the existing sign with a similarly sized sign that complies with the Somerville Zoning Ordinance requirements.



691A Somerville Ave

3. Nature of Application: A private fitness studio under the “commercial health, exercise, racquet, weight reduction, bowling or similar facility” use of less than 10,000 g.s.f requires the Applicant to apply for a Special Permit under §7.11.6.3.a of the Somerville Zoning Ordinance (SZO).

The site is nonconforming with respect to parking requirements – there is no off-street parking. The previous use required 5.4 spaces and the new use requires 5.5. Since the new use requires less than one parking space, no additional parking spaces are required (§9.4).

4. Surrounding Neighborhood: Immediately abutting the property are two-family and multi-family dwellings. Other uses in close proximity are auto-related uses: a car wash and gasoline/service stations. The two major streets in front of the site, Somerville Avenue and Elm Street, have parking on both sides.

5. Impacts of Proposal: The Applicants have stated that they “[] intend to open a small business in the space that is in line with the needs of the community – encouraging an active lifestyle for the residents of Somerville and the surrounding area. Very few interior modifications and absolutely no exterior modifications will be necessary. Somerville residents in the area will not be affected as we intend to keep similar business hours to both the previous use and surrounding businesses.”

They also stated that all any vibration and noise will be contained within the structure. Efforts will be made to ensure that noise levels will be kept low in the early morning and evening and they do not expect any noise to be heard outside of the studio.

The Applicants expect that many people will walk to the site. They stated that if someone drives to the studio, they would not occupy a parking space for more than one hour.

6. Green Building Practices: None.

7. Comments:

Fire Prevention: Have been contacted but have not provided comments.

Ward Alderman: Have been contacted but have 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.”

Staff find that the Applicant has complied with the standards for granting a special permit.

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 encouraging the most appropriate use of land throughout the City. The use would also be consistent with the purpose of the district because it is compatible with multi-family residential and could be used by 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 proposed use would be compatible with the built surrounding area and uses. There are no exterior chances to the structure except for replacement of the existing sign with a new similar sign. As conditioned the noise levels will be keep low in the early morning and evening and abide by Somerville’s Noise Control Ordinance. The studio programs are appointment based so the number of people at the facility at one time is controlled. The Applicants expect clients to walk to the site but if they drive, they would anticipate that they would not occupy a parking space for more than one hour. This would allow for turnover of on-street parking.

5. Vehicular and pedestrian circulation: The circulation patterns for motor vehicles and pedestrians which would result from the use or structure will not result in conditions that create traffic congestion or the potential for traffic accidents on the site or in the surrounding area.

III. RECOMMENDATION

Special Permit under §7.11.6.3.a

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 use of a commercial health/exercise facility under SZO §7.11.6.3.a. This approval is based upon the following application materials and the plans submitted by the Applicant:	CO	Png.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(March 24, 2009)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>(April 13, 2009)</td><td>Plans submitted to OSPCD (existing floor plan, proposed floor plan, existing elevation)</td></tr></table>				Date (Stamp Date)	Submission	(March 24, 2009)	Initial application submitted to the City Clerk’s Office	(April 13, 2009)	Plans submitted to OSPCD (existing floor plan, proposed floor plan, existing elevation)
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Any changes to the approved use that are not <i>de minimis</i> must receive ZBA approval.										
2	The Applicant shall keep noise levels low in the early morning and evening and abide by Somerville’s Noise Control Ordinance.	Perpetual	ISD							
3	The Applicant shall contact Planning Staff at least five working days in advance of a request for a certificate of occupancy to ensure the proposal was implemented in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Png.							

