



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: 2010-55
Date: October 21, 2010
Recommendation: Conditional Approval

PLANNING BOARD RECOMMENDATION

Site: 334 Washington Street

Applicant Name: David de Sola

Applicant Address: 336 Windsor Street, Cambridge MA, 0141-1340

Property Owner Name: Mary Annese

Property Owner Address: 334 Washington Street

Alderman: Maryann Heuston

Legal Notice: Applicant David deSola and owner Joseph Annese as agent for Mary Annese seek a special permit (SZO §4.5.1) to convert the use of a structure from one non-conforming use (a sign shop per §7.11.14) to another non-conforming use (office use §7.11.7.1.a and Artist Studio Space §7.11.6.8).

Zoning District/Ward: RB/2

Zoning Approval Sought: Special Permit under SZO §4.4.1 & §4.5.1

Date of Application: 9/28/10

Dates of Public Meeting • Hearing: PB 10/21/10 • ZBA 11/3/10

Dear ZBA members:

At its regular meeting on 10/21/10 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted 3-0, with the absence of Kevin Prior, Elizabeth Moroney, and Dana LeWinter, to recommend **conditional approval** of the requested **Special Permit**.

In conducting its analysis, the Planning Board found:



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I. PROJECT DESCRIPTION

1. Subject Property: The subject Property is a 10,000 square foot commercial building that is currently used as light industrial facility for a machine shop. Currently 7000 square feet is occupied by the owner's business that makes optics equipment. The building has always been subdivided into two portions, and for many years the owner's business has occupied the majority of the site. The remaining space (indicated by the applicant as approximately 3000 square feet and shown on his plan to include 2133 sf of office and workshop and 478 sf of studio space) have been occupied by a number of industrial uses, most recently a sign shop.

2. Proposal: The Applicant would like to change the former use of a 3000 square foot signage shop to an architecture firm and artist studio space. While the exterior of the building will remain the same, 3000 square feet will be renovated to accommodate for the proposed use.

3. Nature of Application: Uses in the RB district are governed by SZO §7.11. To change the use to an architecture firm with associated artisanal activities is a change in use under the SZO, and requires a special permit.

The application also required review for parking. The existing building houses 10,000 square feet of industrial space. The machine shop has no on-site vehicles, while the sign shop had an on-site bucket truck. SZO section 9.5 indicates that this use mix would require 11 parking spaces (1 per 1000 square feet plus 1 for the on-site truck). The existing site has four parking spaces off Washington Street. Per Section 9.4, the process for change in use is applied. The existing use would continue to require 7 parking spaces for the existing business. The new use would require 5.46 spaces (4.26 for the office area and 1.20 for the arts use area). The net increase would be 1.46 spaces. Section 9.6.1 allows the applicant to reduce this to 1 parking space, and Section 9.4D allows the applicant to waive additional parking if only one space is required.

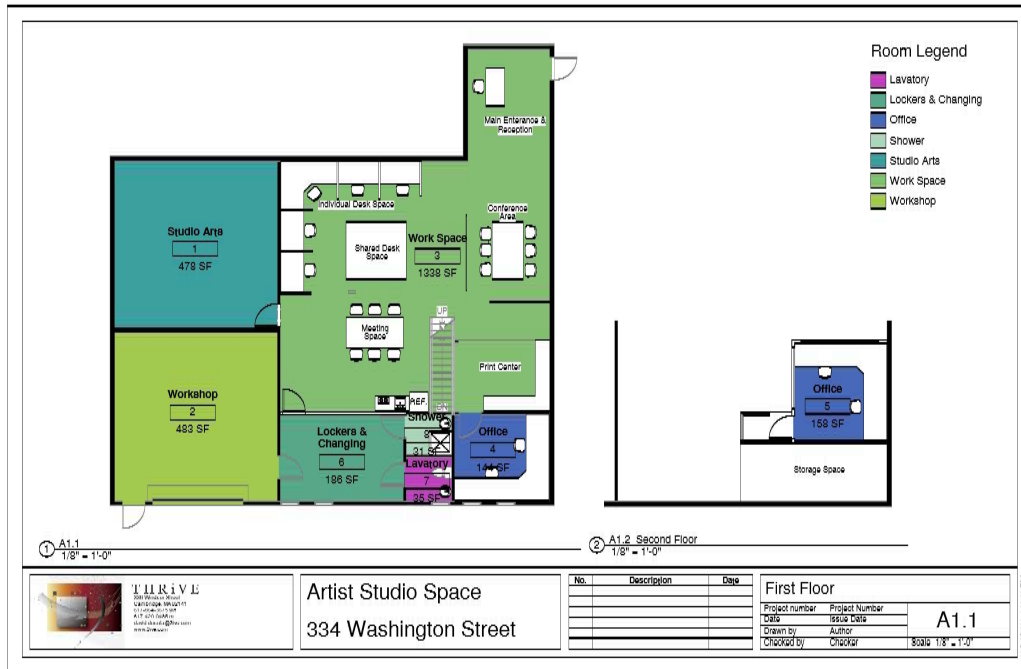
4. Surrounding Neighborhood: The surrounding neighborhood consists of a 2-3 story residences that encircle the site. The site is the only commercial building located in the neighborhood and has been in the neighborhood for decades.

5. Impacts of Proposal: Although the site is the only commercial building located in a residential neighborhood, the change in use will benefit the neighborhood by changing from a light industrial use to a non-industrial use, therefore being less detrimental in neighborhood impact than many industrial uses that may locate there as a continuation of the existing allowed use category.

6. Green Building Practices: The new occupants are LEED registered professionals and will accommodate for any necessary mitigation in example, energy saving practices, green practices, encouraging the use of bicycle transportation, recycling, maximizing daylighting, and common standard practices.

7. Comments:

Ward Alderman: Has been contacted and has not provided comment at this time.



Proposed interior Plan



Current site conditions

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 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."

In considering a special permit under §4.5 of the SZO, the Board finds that the use proposed would not be substantially more detrimental to the neighborhood than the existing use.

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 existing structure is a pre-existing non-conforming structure that somewhat varies from the purpose of the RB district. The district is designed to "establish and preserve medium density neighborhoods of one-, two- and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts". Nonetheless, it has operated as a commercial industrial building in this neighborhood for many years.

The proposed use, while not residential, will benefit the RB district by being less non-conforming than the previous use, and providing the community with a more compatible use of an office with artist studio space.

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." There will be no exterior alterations done to the existing building.

5. Adverse environmental impacts: The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.

The office and arts use will be less disruptive than many industrial uses that are currently permitted through extension of the existing use.

6. 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.

Approval is for change in use category for use under 7.11. The applicant will not create extensive traffic and will be able to use on-street and existing off-street parking for the business.

III. RECOMMENDATION

Special Permit under §5.1

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

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the change in use category to an office under 7.11.7.1a and artist studio space §7.11.6.8. 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>Sep. 28, 2010</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>Oct. 18, 2010</td><td>plans submitted to OSPCD</td></tr></table>				Date (Stamp Date)	Submission	Sep. 28, 2010	Initial application submitted to the City Clerk’s Office	Oct. 18, 2010	plans submitted to OSPCD
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Any changes to the approved use that are not <i>de minimis</i> must receive SPGA approval.										
2	The Applicant or Owner shall meet the Fire Prevention Bureau’s requirements.	CO	FP							
3	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional 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.							

Sincerely,



Joseph Favaloro
Acting Chair

Cc: Applicant: David de Sola
Owner: Mary Annese



334 Washington St.