



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

Memorandum

To: ZBA Members

From: Planning Staff

Date: September 24, 2008

RE: 1 SUMMER STREET

This memo is to address some confusion regarding the applicant's proposal for the existing storage space. The original application requested a change in use to convert an existing storage space into a rentable "non-commercial office" to be used by residents of 1 Summer Street. After review by the Planning Staff and discussion with the applicant, it is apparent that a resident of 1 Summer Street, an attorney, will be renting the office. The attorney would "render or receive professional services", which is considered commercial (business) activity under the SZO definitions. Therefore, the space would be considered to have a commercial use and require a revision to the original Special Permit with Site Plan review.

Under the SZO a non-medical, commercial office would require an additional parking space, to which the applicant is requesting a variance. Condition 2 has been added to address Traffic and Parking concerns in recommending approval of the variance

Under the SZO this use would not be considered a home occupation because the activity would not be carried out "inside the dwelling unit".

Staff is continuing to recommend approval.

Updated Conditions as of 9/24/08:

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
1	Approval is for a revision to the original Special Permit with Site Plan Review to allow the alteration of a storage area into a non-medical, commercial office space and for a variance to reduce the parking requirement for this use by one space. This approval is based upon the following application materials and the plans submitted by the Applicant and/or its contractor:		Plng.	

	Date	Submission				
	August 11, 2008	Initial application and site plan submitted to the City Clerk's Office				
	Any changes to the approved site plan or use that are not <i>de minimis</i> must receive ZBA approval.					
2	As indicated in the applicant's application, the office space shall only be available for lease to residents of 1 Summer Street. No clients, patrons or employees that do not reside at 1 Summer Street shall be allowed to enter or use the office.		Perpetual	ISD.		
3	No signage identifying the commercial use shall be placed on the 1 Summer Street property.		CO	Plng.		
4	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final sign-off on the building permit to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.		CO	Plng.		