



CITY OF SOMERVILLE, MASSACHUSETTS  
*MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY  
DEVELOPMENT*  
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**Case #:** ZBA 2012-72  
**Date:** September 13, 2012  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 48 Temple Street

**Applicant Name:** Miao Chang Fang  
**Applicant Address:** 48 Temple Street, Somerville, MA 02145  
**Property Owner Name:** White Cliffs LLC  
**Property Owner Address:** S/O Temple Street LLC, 48 Temple Street, Somerville, MA 02145  
**Agent Name:** Excel Signs  
**Agent Address:** 259 Quincy Avenue, Quincy, MA 02169  
**Alderman:** Tony Lafuente

Legal Notice: Applicant, Miao Chang Fang, and Owner, White Cliffs LLC, seek a Special Permit to alter a nonconforming structure under SZO §4.4.1 to relocate entry doors and windows.

Zoning District/Ward: RB / Ward 4

Zoning Approval Sought: Special Permit SZO §4.4.1

Date of Application: August 21, 2012

Dates of Public Hearing: Zoning Board of Appeals – **September 19, 2012**

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 5,573 square foot lot with a single-story commercial structure. The building is 2,798 square feet and constructed of concrete block. The existing business is a dry cleaning and laundromat facility called Cityline Laundr-O-Mat which has 1-2 employees present per



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shift. The building abuts the sidewalk and has two parking spaces located to the right of the main entry.

Prior zoning relief was granted in 2000 by the Zoning Board of Appeals for Special Permits to alter a nonconforming structure, change from one nonconforming use to another, and to modify the parking requirement. A variance was also granted at this time for front yard parking. Prior to granting the Special Permits and Variance, the structure was a 780 square foot vacant convenience store in need of significant repair.

2. Proposal: Applicant, Miao Chang Fang, and Owner, White Cliffs LLC, propose to relocate the entry doors and windows on the front façade. Currently, the door is located on the left half of the façade with the Cityline Laundr-O-Mat sign and two gooseneck lights above, and the window is located on the right half of the façade. The Applicant would like to reverse these two openings and relocate the entry door on the right half of the façade and the window on the left half. Relocating the entry door and windows will allow the interior plan to function better as an office is currently located along the left wall directly inside the entry doors. The signage and lighting would not be changed or relocated as part of this proposal and the window will remain unoperable. The height of the door is not proposed to change; therefore, the door will remain 8'-3" in height, which includes a transom above the door. The door currently has a glass transom on either side, but upon relocating the door, as these transoms are not part of the proposal, the width of the door in the new location would be 6 feet. The window is currently 5'-5" in height and in the new location, the window would become 6 feet in height. The window would also become slightly longer as sidelight panels would be added to both sides, making the total width 8'-7."



*Above: 48 Temple Street*

3. Nature of Application: The structure is currently nonconforming with respect to dimensional requirements such as minimum lot size and front yard setback. The existing zero foot front yard setback is nonconforming and requires the Applicant to obtain a Special Permit under SZO §4.4.1 to alter the openings on this nonconforming building façade.

4. Surrounding Neighborhood: The subject property is located in Winter Hill within a fairly dense residential neighborhood comprised of one-, two, and three-family homes. Extending from Mystic Avenue to Broadway, Temple Street is an extremely busy corridor with high levels of thru traffic.

5. Impacts of Proposal: The proposal to reverse the door and window openings on the front façade of this commercial structure will not be detrimental to the structure or the surrounding neighborhood.

The design of the façade will fundamentally remain the same as the sign and lighting will not be altered and the size of the new door and window openings will be similar to the current door and window

dimensions. The steel lintels above the current door and window will remain and new concrete blocks will be installed below the new window location to match the existing.

6. Green Building Practices: The Applicant has indicated that low emission tempered insulated glass will be used for the proposed window and doors.

7. Comments:

*Fire Prevention:* Has been contacted but has not yet submitted comments.

*Ward Alderman:* Alderman Lafuente indicated in an email to Staff on August 31, 2012 that he would conduct a site visit.

## **II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1):**

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 would not be substantially more detrimental to the neighborhood than the existing structure. The proposed alterations to the façade essentially retain the same openings as well as signage and lighting. Relocating the entry door and window allow the interior plan to function better for patrons due to the office space located along the left wall. Relocating the entry doors and window would not be detrimental to the structure or the surrounding residential neighborhood.

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 promoting the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the Residence B district, SZO §6.1.2, which is, "[t]o 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."

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 essential design and use of the building as a dry cleaning and laundromat facility are not proposed to change. As the immediate area is a residential neighborhood with multi-family dwellings and this building has functioned as a dry cleaning and laundromat facility for approximately 10 years, the use has proven to be compatible and is a necessary amenity for a residential neighborhood of this level of density.

### III. RECOMMENDATION

#### Special Permit under §4.4.1

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

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes												
1	Approval is for a Special Permit to alter a nonconforming structure to relocate entry doors and windows on the front façade. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/PIng.													
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(August 21, 2012)</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>May 21, 2000 (August 28, 2012)</td><td>Plot plan submitted to OSPCD</td></tr><tr><td>April 10, 2000 (August 28, 2012)</td><td>Site and floor plans submitted to OSPCD (A1 and A3)</td></tr><tr><td>August 13, 2000 (August 28, 2012)</td><td>Elevation plans submitted to OSPCD (A2)</td></tr><tr><td>(August 28, 2012)</td><td>Proposed Storefront Remodeling plan submitted to OSPCD (A1)</td></tr></table>				Date (Stamp Date)	Submission	(August 21, 2012)	Initial application submitted to the City Clerk's Office	May 21, 2000 (August 28, 2012)	Plot plan submitted to OSPCD	April 10, 2000 (August 28, 2012)	Site and floor plans submitted to OSPCD (A1 and A3)	August 13, 2000 (August 28, 2012)	Elevation plans submitted to OSPCD (A2)	(August 28, 2012)	Proposed Storefront Remodeling plan submitted to OSPCD (A1)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.																

2	New masonry blocks and associated materials for front façade shall match or be complimentary to the rest of the existing structure;	CO	Plng.	
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements;	CO	FP	
4	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard;	CO	DPW	
5	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.	

**48 Temple Street**