



City of Somerville

PLANNING BOARD

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

TO: Planning Board
FROM: Planning, Preservation & Zoning Staff
SUBJECT: 44 Medford Street, P&Z 21-079
POSTED: November 01, 2021

RECOMMENDATION: Approve with Conditions (SP)

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from the Planning, Preservation & Zoning staff to the Review Board members.

This memo summarizes the development review application submitted for 44 Medford Street, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance, and provides related analysis or feedback as necessary. The application was deemed complete on September 29, 2021 and is scheduled for a public hearing on November 18, 2021. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

LEGAL NOTICE

KapSam LLC seeks to establish a Fitness Services Use on a Pedestrian Street, which requires a Special Permit.

SUMMARY OF PROPOSAL

KapSam LLC is proposing to establish a Fitness Service Use on a Pedestrian Street. The proposed business will be located in a 1,200 square feet commercial storefront in a mixed-use building. The applicants will provide three motor vehicle parking spaces.

ADDITIONAL REVIEW NECESSARY

44 Medford Street is located on a Pedestrian Street and in the 0.5mi Transit Area in the Mid Rise 4 (MR4) zoning district in the Ball Square neighborhood represented by Ward 2 Councilor JT Scott.

NEIGHBORHOOD MEETINGS

The neighborhood meeting was hosted by Ward 2 Councilor JT Scott and the applicant on September 02, 2021 via the Zoom meeting platform. Attendees to the neighborhood meeting had entirely positive things to say about the business. Those in attendance

were mostly current clients. All in attendance endorsed their plan for an inclusive fitness space.

ANALYSIS

The applicant intends to establish a fitness use called P+E Wellness that focuses on providing fitness and nutrition to under-represented community clientele. The fitness use will provide a safe space for people of color, LGTQ+ and gender fluid individuals to exercise. The applicant will provide three parking spaces across Ward Street. The SZO does not require parking in this instance. The current plans do not indicate that they are blocking any windows to the pedestrian street, allowing for visibility and engagement between the business and pedestrians.

CONSIDERATIONS & FINDINGS

The Planning Board is required by the Somerville Zoning Ordinance to deliberate each of the following considerations at the public hearing. The Board must discuss and draw conclusions for each consideration but may make additional findings beyond this minimum statutory requirement.

Special Permit Considerations

1. The comprehensive plan and existing policy plans and standards established by the City.
2. The intent of the zoning district where the property is located.
3. The maintenance of a diverse blend of commercial uses within the neighborhood
4. The existing concentration of uses from the same category within the neighborhood.
5. The availability of the same services within the neighborhood.
6. The availability of comparable commercial spaces within the neighborhood

Information relative to the required considerations is provided below:

- 1. The comprehensive plan and existing policy plans and standards established by the City.*

The proposal will help to achieve the following goals from SomerVision 2040, the comprehensive Master Plan of the City of Somerville:

- Protect and promote a diverse, interesting mix of small-scale businesses in Somerville's neighborhoods.
- Facilitate thoughtfully designed, pedestrian-oriented mixed-use development and reuse opportunities in commercial corridors, squares and around transit stations that are sensitive to neighborhood context and serve existing and future residents and businesses.
- Make Somerville a regional employment center with a mix of diverse and high-quality jobs.

2. The intent of the zoning district where the property is located

The proposal is consistent with the intent of the MR4 zoning district which is, in part: "To create, maintain, and enhance areas appropriate for smaller scale, multi-use and mixed-use buildings and neighborhood serving uses."

3. The maintenance of a diverse blend of commercial uses within the neighborhood

Currently the immediate neighborhood is dominated by storage, moving, and autobody businesses. A fitness use will add diversity to the commercial uses within the neighborhood.

4. The existing concentration of uses from the same category within the neighborhood.

The commercial services category includes uses like animal services, assembly or entertainment, banking and financial services, broadcast services, building and home repair services, educational services, and recreational services. On this stretch of Medford Street between Warren Street and the railroad tracks there appear to be no uses within the same category.

5. The availability of the same services within the neighborhood.

There are no fitness use services in the immediate area. In the larger neighborhood only one other fitness area is in operation located in Twin City Plaza. Additionally, the proposed business is unique in that it is intended to cater to under-represented communities and act as a safe place to work-out for people of color, LGBTQ+, and gender fluid individuals.

6. The availability of comparable commercial spaces within the neighborhood.

There are no additional comparable spaces other than the immediate neighbor. Including the subject site, only two new modern ground floor commercial spaces are available. All other ground level commercial space is moving, storage, and autobody related. Whereas the area is expected to undergo further growth and development this is one of two newer commercial spaces available in the area.

PERMIT CONDITIONS

Should the Board approve the required Special Permit to establish a Fitness use, Planning, Preservation & Zoning Staff recommends the following conditions:

Validity

- This Decision must be recorded with the Middlesex County Registry of Deeds prior to applying for a Certificate of Occupancy.

- Approval is limited to KapSam, LLC and is not transferable to any successor in interest.

Public Record

- A copy of the Recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted for the public record. A copy of the Recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted for the public record.
- Physical copies of all submittal materials as permitted by the Review Boards must be submitted for the public record in accordance with the document format standards of the ISD/PB/ZBA Submittal Requirements.