



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2011-09

Date: May 19, 2011

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 9 Sanborn Court / 255 Washington Street

Applicant Name: Summer & Hancock LLC

Applicant Address: 9 Sanborn Court, Somerville, MA 02143

Property Owner Name: Kepnes Brothers Realty Trust

Property Owner Address: c/o Henry Patterson, 109 Seymour Street, Concord, MA 01742

Agent Name: Ben Dryer

Agent Address: c/o Other City Builders, 11 Olive Square, Somerville, MA 02143

Alderman: Tom Taylor

Legal Notice: Applicant Summer & Hancock LLC and Owner Kepnes Brothers Realty Trust, seek a special permit to expand an existing Eating and Drinking use in the building approximately 1,300 net square feet under SZO §7.13.Use Cluster D. CCD 55 zone.

Zoning District/Ward: CCD 55 Zone / Ward 3

Zoning Approval Sought: Special Permit under SZO §7.13.Use Cluster D

Date of Application: April 19, 2011

Dates of Public Meeting • Hearing: Planning Board **5/19/11**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 13,461 square foot lot with a 16,047 gross square foot, single story (not including the basement level), office and retail mixed use building situated on it near the intersection of Washington Street and Somerville Avenue in Union Square. The Applicant owns and operates Journeyman Restaurant, a 1,460 net square foot restaurant located within the building. In June of 2010, the Applicant received approval to add signage and lighting to the restaurant's façade which included a 4' by 1' unfinished steel sign, three lamps across the 10' by 12' window, one lamp illuminating the hanging sign from above, and a wall sconce by the door.



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2. Proposal: The Applicant is proposing to expand the existing 1,460 net square foot Eating and Drinking establishment (Journeyman Restaurant) in the building approximately 1,300 net square feet within the confines of the existing structure. No exterior changes to the building are being proposed. The proposed expansion will add a bar, seating for an additional 37 patrons, a restroom, a dish room, space for wine storage, a plating station, and additional storage space for the business.

3. Nature of Application: This is a mixed use property containing office and retail uses within a CCD 55 district that is also in the Arts Overlay District. The structure on the lot is currently nonconforming with respect to the maximum ground coverage, minimum landscaped area, and the minimum left side yard setback. The existing Journeyman Restaurant space is 1,460 net square feet and the proposed addition will raise the total net square footage over the 1,500 net square footage by-right allowance for an Eating and Drinking establishment in the CCD 55 district. The exceeding of this by-right allowance for net square footage requires the Applicant to obtain a special permit under Somerville Zoning Ordinance (SZO) §7.13. Use Cluster D to expand the existing Eating and Drinking use. The Applicant is seeking a special permit to expand the use within the building approximately 1,300 net square feet.

4. Surrounding Neighborhood: This property is located in a CCD 55 district as well as the Arts Overlay District. The property is located in the heart of Union Square and there are many other restaurants and businesses in the area. The structures in the surrounding neighborhood consist of mixed-use office and retail buildings along with strictly commercial buildings between 1 and 4 stories. There are also single, two-, three-, and multi-family dwellings just to the north of the property at the end of Sanborn Court.

5. Impacts of Proposal: There shall be minimal impacts to the surrounding neighborhood as the proposed expansion of the Eating and Drinking establishment would not appear to be detrimental to the immediate abutters or the surrounding area. The proposed expansion will allow the restaurant to approximately double the seating capacity from 34 to 71 patrons. This will also necessitate an increase in staffing during the hours of operation from 6 to 8-12 employees. The delivery process for the restaurant will not change even with the increased patron capacity. Deliveries currently are, and will still be made, to Sanborn Court in the same size trucks, at the same delivery frequency, with only the size of the delivery products themselves increasing. Trash disposal will also remain the same with dumpster and tipcars being located off of Sanborn Court in a private parking lot. Currently, the trash dumpster is picked up four times per week, single stream recycling is picked up three times per week, cardboard twice per week, and compost is picked up three times per week. The frequency of pick ups will remain the same and should accommodate the waste removal and recycling needs for the expanded restaurant with no additional pick ups needed. All construction activities for the proposed expansion will be occurring inside and at the rear of the existing structure, therefore minimal disruption to the neighborhood or the streetscape due to construction activities is anticipated.

6. Green Building Practices: None indicated.

7. Comments:

Fire Prevention: Has been notified but has not yet provided comments.

Ward Alderman: Alderman Taylor stated in an email to Planning Staff that he is “supportive with the notation that, this project would benefit the overall business climate in Union Square.”



Existing Conditions



II. FINDINGS FOR SPECIAL PERMIT (SZO §7.13.Use Cluster D):

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 §7.13.Use Cluster D of the SZO, Staff finds that the alterations 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 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 protect health; 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 CCD district (6.1.22. Corridor Commercial Districts (CCDs)), which is, to "promote appropriate infill development along heavily traveled transportation corridors, especially where those corridors meet at named Squares. The district recognizes that such corridors present opportunities for an active mix of uses while also addressing development challenges posed by smaller lots and nearby existing residential development and the need to be accessible by multiple modes of transportation. The major objectives of the districts are to:

1. Encourage active mid-rise commercial and residential uses that contribute to a multi-modal-friendly street;
2. Increase commercial investment in high-profile, accessible areas including retail that is largely neighborhood-serving in multi-tenant, mixed use buildings;
3. Preserve and complement historic structures;
4. Discourage inappropriate auto-oriented, significant trip-generating uses along transit corridors; and,
5. Promote pedestrian and bicycle activity."

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 project is compatible with the characteristics of the surrounding area. The Applicant is proposing to expand the existing 1,460 net square foot Eating and Drinking establishment in the building approximately 1,300 net square feet within the confines of the existing structure. No exterior changes to the building are being proposed and the restaurant is within the commercial retail character of the

neighborhood. The property will remain a single story, office and retail mixed use building which is consistent with the surrounding neighborhood.

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.

No adverse environmental impacts are anticipated from this project. The restaurant expansion will not generate any additional light, glare, dust, etc. nor additional noise except for a new rooftop air conditioning condenser. The proposed expansion will use existing water and sewer lines and no additional burden to the system above the existing conditions is anticipated. The structure will remain a single story, office and retail mixed use building.

III. RECOMMENDATION

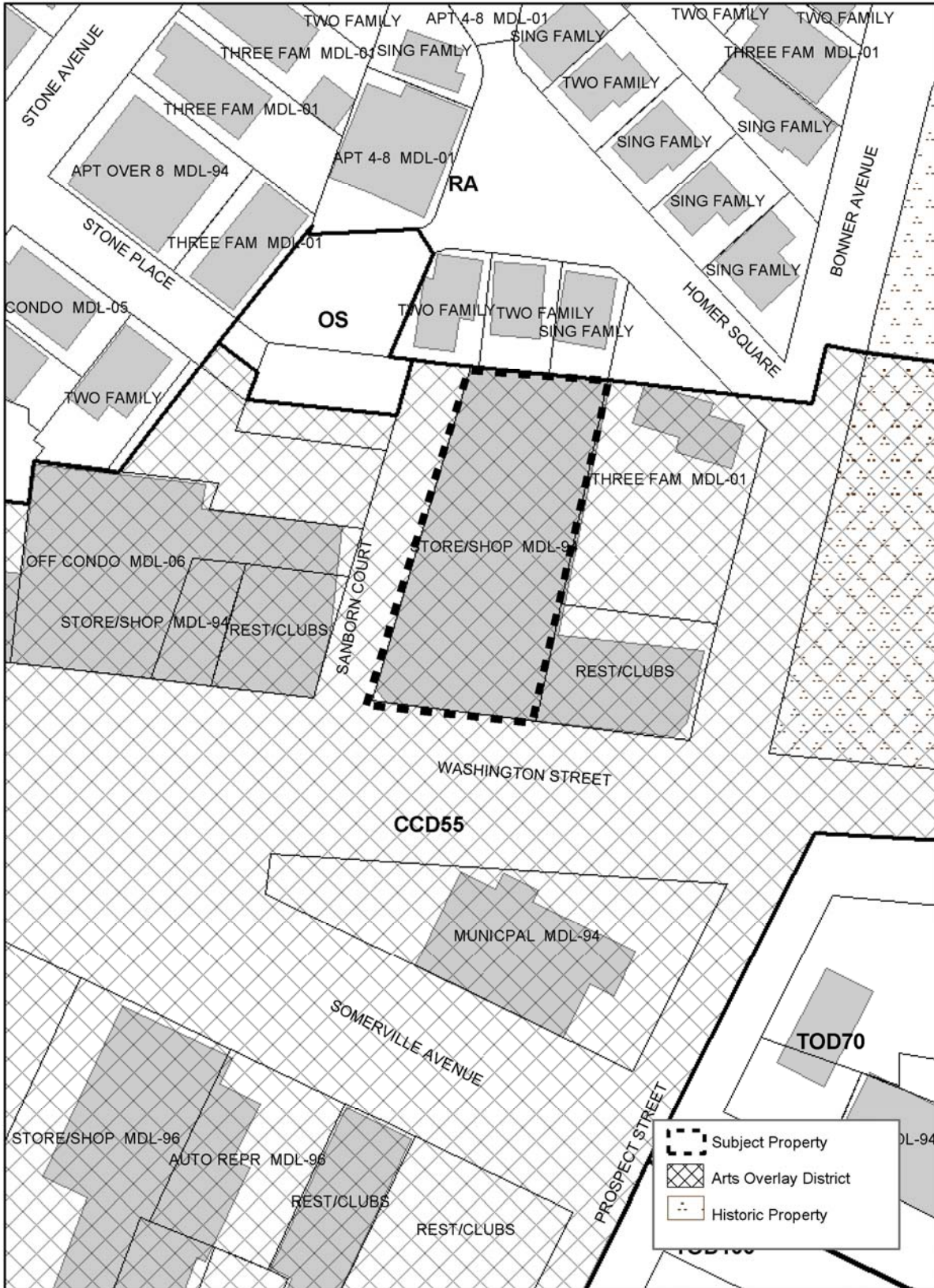
Special Permit under §7.13.Use Cluster D

Based on 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 to expand an existing Eating and Drinking use within the building approximately 1,300 net square feet. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.							
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(April 19, 2011)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>(April 29, 2011)</td> <td>Floor Plans: Journeyman Restaurant Addition (#1 and #2)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(April 19, 2011)	Initial application submitted to the City Clerk's Office	(April 29, 2011)	Floor Plans: Journeyman Restaurant Addition (#1 and #2)
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(April 29, 2011)	Floor Plans: Journeyman Restaurant Addition (#1 and #2)									
Any changes to the approved site plans that are not <i>de minimis</i> must receive SPGA approval.										
2	The Applicant 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 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.	
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9 Sanborn Court / 255 Washington Street