



City of Somerville

PLANNING BOARD

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

TO: Planning Board
FROM: OSPCD Staff
SUBJECT: 30 Bow Street, P&Z 23-068
POSTED: December 4, 2023

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 Planning, Preservation, & Zoning Staff to the Review Board members.

This memo summarizes the Special Permit application submitted for 30 Bow 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 October 23, 2023 and is scheduled for a public hearing on December 21, 2023. 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

Modern Love, LLC seeks to establish an Alcohol Sales principal use along a Pedestrian Street in the Mid-Rise 3 (MR3) District, which requires a Special Permit.

SUMMARY OF PROPOSAL

Modern Love, LLC is proposing to establish an Alcohol Sales principal use at 30 Bow Street. The proposed business "Wild Child" plans to set up a boutique bottle shop selling fine and rare natural wines, as well as beer and cheese sections. In addition to selling wine, beer & cheese, the Applicant proposed to establish an ecommerce and delivery service and expand its existing wine club at Bow Market in Union Square.

BACKGROUND

30 Bow Street is located on a Pedestrian Street and in the 0.5mi Transit Area in the MR3 zoning district in the Union Square neighborhood represented by Ward 3 Councilor Ben Ewen-Campen. Establishing an Alcohol Sales principal use in the MR3 district requires a Special Permit. The Planning Board is the decision-making authority for all (non-variance) discretionary or administrative permits required for the MR3 zoning district.

NEIGHBORHOOD MEETINGS

One (1) required neighborhood meeting was hosted by Ward 3 Councilor Ben Ewen-Campen and the Applicant team on August 16, 2023, via the Zoom meeting platform. At the meeting, the following concerns were raised by community members:

- Neighborhood safety and business clientele
- Traffic generation
- Potential for adjacent driveways to be blocked by motor vehicles
- Concern that the Applicant may seek a full liquor license to serve all types of liquor and alcohol
- Concern that people may attempt to walk down driveway to enter Bow Market
- Proposed use is more intense than previous business establishment
- Potential alterations to the historic building

The Applicant held an on-site meeting with adjacent neighbors and Councilor Ewen-Campen on September 15, 2023 to discuss concerns and impacts in more detail. Staff were not present at that site meeting. The Applicant's neighborhood meeting report discusses topics that were brought up at that meeting including potential mitigation to address concerns. Potential mitigation discussed included the potential for a short length fence along the property line, signage, and the installation of security cameras.

To provide some neighborhood context, some of the concerns raised by members of the community meetings are existing neighborhood concerns including but not limited to traffic generation, driveways being blocked, pedestrians trying to enter Bow Market through private drives, and alterations to historic buildings. The future plans for Bow Street as envisioned in the Union Square Neighborhood Plan call for the Bow Street to become a shared street, prioritizing pedestrians and bicyclists without causing impediment on existing residents who own vehicles who will come and go. Some of the existing concerns related to traffic might be addressed with the transformation of the street, but that is currently only in design stages at this time¹. Additionally, alterations to any historic building must go through a separate application process with the Somerville Historic Preservation Committee.

ANALYSIS

30 Bow Street is located in a local historic district, which the entirety of Bow Street is in. Many of the existing historic buildings along Bow Street have been successfully repurposed into multifamily housing and mixed-use buildings. The current mix of local businesses have evolved organically into one of Union Squares top destinations for pedestrians. The street sees some of the highest pedestrian counts per hour.

The current commercial use on the ground floor of 30 Bow Street is an architectural office. The proposed Alcohol Sales use "Wild Child" plans to relocate from their current location just behind the site at Bow Market to accommodate their growing businesses and establish ecommerce and delivery services. The proposed site will sell strictly fine

¹ The redesign of Bow Street is part of phase 3 of the Union Square Plaza and Streetscape project.

natural wines, beer, and cheese selections in addition to hosting a wine club. The Applicant expects much of the shop visits to be done by foot, which is the current situation at their Bow Market location.

Bow Street is a Pedestrian Street, meaning ground floor uses are meant to activate segments of streets to enhance a pedestrian-oriented environment, such as shopping, dining/drinking and other leisure activities done by foot. Staff believe the proposed use is more in line with the intent of a Pedestrian Street designation as the previous existing office use. Though a Special Permit is needed for an Alcohol-oriented retail use, the proposed establishment is not consistent with the typical Alcohol retail use. The Applicant does not intend to sell liquor, nips/shooters, or other related products, and only sell strictly rare natural wines, beer, and cheese selections. Further, the Applicant only intends to seek a liquor license to sell only wine and beer.

Concerns about the proposed use were raised at the virtual neighborhood meeting as well as the in-person meeting at the site with Ward 3 Councilor Ben Ewen-Campen. At the in-person site meeting, the Applicant and neighbors discussed mitigation for potential use-related impacts. Staff do not recommend conditioning any specific mitigation to address those impacts as the Applicant is already considering mitigation, but do recommend a condition that the Special Permit be attached to the Applicant and not the property. If any future prospect Applicant propose to establish an Alcohol-oriented business, another Special Permit would need to be sought.

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. Concentration of packaged liquor uses in the neighborhood.

Information relative to the required considerations is provided below:

Special Permit

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

Staff believes that this project supports the goals laid out in SomerVision 2040, the City's Comprehensive Master Plan, including the following:

- Invest in the growth of a resilient economic base that is centered around transit, generates a wide variety of job opportunities, creates an active daytime population, supports independent local businesses, and secures fiscal self-sufficiency.

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

Staff find that the proposal meets the intent of the MR3 zoning district, which is, in part “[T]o create, maintain, and enhance areas appropriate for smaller scale, multi-use and mixed-use buildings and neighborhood serving commercial uses.”

3. Concentration of packaged liquor uses in the neighborhood.

There is one (1) other packaged liquor use (Jerry’s Liquor Mart) within 300 feet of the site at 329 Somerville Ave: Jerry’s Liquor Mart. This business is more characteristic of a traditional packaged liquor store as it sells typical liquor store products such as beer, wine, hard liquor, nips/shooter, etc. The proposed Alcohol Sales use at 30 Bow Street is more niche as it will specifically be selling rare and natural wines and beer.

PERMIT CONDITIONS

Should the Board approve the required Special Permit to establish an Alcohol Sales principal use, Planning, Preservation & Zoning Staff recommend the following conditions:

Permit Validity

1. This Decision must be recorded with the Middlesex South Registry of Deeds.
2. A written narrative or descriptive checklist identifying the completion or compliance with permit conditions must be provided to the Inspectional Services Department at least ten (1) working days in advance of a request for final inspection.
3. Approval is limited to Modern Love, LLC and is not transferrable to any successor in interest.

Public Record

4. Digital copies of all required application material reflecting any physical changes required by the Board, if applicable, must be submitted to the Planning, Preservation & Zoning Division for the public record. Materials must be submitted in accordance with the document format standards of relevant Submittal Requirements.
5. A copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning, Preservation & Zoning Division for the public record.