

DEVELOPMENT NARRATIVE

Property: 393 Highland Avenue
Applicant: 393 Highland Avenue, LLC
Owner: 393 Highland Avenue, LLC
Agent: Adam Dash, Esq.
Zoning District: Commercial Core 4 (“CC-4”)
¼ Mile Transit Area
In the Pedestrian Street District

Summary: Application for a Special Permit for a single commercial space greater than ten-thousand (10,000) square feet in leasable floor area for a Commercial Service, namely a Fitness Services use.

The Property contains an existing commercial structure in Ward 6, which was last used as a pharmacy. The leasable floor area is 18,946 sf, as shown on the plans filed with this application. Said structure will be retained, and the use will be changed to a Fitness Services use which requires a Special Permit due to being a single commercial space greater than ten-thousand (10,000) square feet in leasable floor area by a Commercial Service.

The Property abuts Highland Avenue in front, a municipal parking lot on the left, commercial and residential structures on the right, and a parking lot and the Minuteman Community Path in the rear. There is a bus stop at the adjacent municipal parking lot. The existing building takes up essentially the entire lot.

Exterior alterations to the building are being done as previously allowed by Minor Site Plan Approval in Case # P&Z 22-152 and are being conducted under an existing building permit.

There are no dimensional changes proposed to the existing building at the Property.

This application is a companion to the application under ZP24-000058 for a Special Permit to establish a Fitness Services use, which is required due to the Property being in a Pedestrian Street District.

Applicant intends to lease the Property to the owners of Healthworks Fitness for operation of a gym under its Republic Fitness brand. Healthworks does not have nine or more locations and is, therefore, not a formula business.

The Property has been vacant for some time, as Applicant has been unable to find a tenant which can meet the requirements of the zoning district and Pedestrian Street District, while operating in an older structure with no parking and only one story.

There will be no motor vehicle parking spaces at the Property, and no motor vehicle parking is required under the Somerville Zoning Ordinance (“SZO”) since the Property is within the ¼ mile Transit Area.

The Property will have two (2) long-term bicycle parking spaces inside the building, and nine (9) short-term bicycle parking spaces outside the building on City-owned property which will require a permit from the City Council. As such, the proposal complies with the bicycle parking requirements of the SZO.

The Arts and Creative Enterprises requirement does not apply here, but Applicant proposes to add a mural to the left façade of the building facing the municipal parking lot, as shown on the elevations filed herewith. There once was a mural on that façade, which decayed and was eventually painted over.

Applicant now seeks a Special Permit under SZO Section 9.1.7.c.i for:

-a single commercial space greater than ten-thousand (10,000) square feet in leasable floor area for a Commercial Service, namely a Fitness Services use.

A. Special Permit

Per Section 15.2.1.e of the Somerville Zoning Ordinance:

In its discretion to approve or deny a Special Permit required by this Ordinance, the review board shall make findings considering, at least, each of the following:

a). The comprehensive plan and existing policy plans and standards established by the City.

b). The intent of the zoning district where the property is located.

c). Considerations indicated elsewhere in this Ordinance for the required Special Permit.

- a. Applicant's proposal meets the requirements for fitness services establishments as set forth in Section 9.2.6.k.ii of the SZO. In addition, the City amended the SZO in 2022 to permit fitness services uses on first floors in Pedestrian Street Districts in order to facilitate the establishment of those uses in locations such as this. This amendment shows that the policy plans and standards as established by the City favor the creation of fitness services uses in this particular area, and that Applicant has met such policy plans and standards.
- b. Per Section 6.2.2.b of the SZO, the intent of the Commercial Core ("CC") district is "[t]o create, maintain, and enhance areas appropriate for moderately-scaled single- and multi-use commercial buildings; neighborhood-, community-, and region-serving uses; and a wide variety of employment opportunities." Per Section 6.2.3.b of the SZO, the purpose

of the CC district is “[t]o provide quality ground story commercial spaces and permit small and medium-scale, neighborhood-, community-, and region-serving commercial uses.” The CC zoning district was recently amended in 2022 to allow fitness services uses on ground floors facing Pedestrian Street Districts. The Property at issue fronts a Pedestrian Street District and meets the intent that fitness services uses are appropriate in such locations. The single-story building is moderately scaled, will contain a use which will serve the neighborhood, community and region and will provide quality ground story commercial space and employment opportunities, all in accordance with SZO 6.2. The services being proposed by Applicant will serve both Somerville residents and workers, as well as visitors to Somerville.

- c. For a single commercial space greater than ten-thousand (10,000) square feet in leasable floor area for a Commercial Service, namely a Fitness Services use, additional considerations are required. Per Section 9.1.7.c of the Somerville Zoning Ordinance:

- i. *Unless otherwise specified, occupancy of any single commercial space greater than ten-thousand (10,000) square feet in leasable floor area by any permitted Auto-Oriented, Commercial Service, or Retail Sales use requires a Special Permit.*
- ii. *In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing an auto oriented, consumer service or retail sales use over ten thousand (10,000) square feet in leasable floor area:*
 - a) *Compatibility with the intensity of activity associated with the surrounding land uses.*
 - b) *Capacity of the local thoroughfare network providing access to the site and the impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.*

- a) The proposed Fitness Services use is compatible with, and enhances, the mix of businesses in Davis Square, where there is currently only one gym. The large amount of residents, workers and visitors in the Davis Square area need more Fitness Services uses. Healthworks differs from the typical gym in that it is involved in the communities where it operates, runs a nonprofit public charity called Healthworks Community Fitness, fosters diversity, equity and inclusion, and provides educational resources to its employees.

While there may one other fitness use in Davis Square, there are certainly not enough to serve the many residents, workers and visitors in the neighborhood. There is not a large concentration of gyms nearby. The only gym in Davis Square is the Boston

Sports Club. By comparison, Porter Square has 3 gyms: Healthworks, Planet Fitness, Retro Fitness.

Being that there is already one fitness services use in Davis Square, this proposal is in keeping with the existing intensity of activity in Davis Square. Being on a Pedestrian Street District, an active use such as a gym activates the streetscape and makes Davis Square better.

- b) The Property is located between the major commercial street of Highland Avenue and the Minuteman Community Path in Davis Square, which is well served by the MBTA Red Line, buses and bike lanes and is easily accessible to many people.

The proposed Fitness Services use, in an existing single-story commercial building which is not changing in size, will not tax the local thoroughfare network because the Property is adjacent to the bike path and right down the busway from the Red Line MBTA station, with an adjacent bus station and an adjacent municipal parking lot. The Property is the perfect place for this use, as it is accessible by multi-modal methods. The fitness services use also attracts people more likely to travel by healthier, non-automobile methods.

There will be no parking provided with this proposal, and there was no parking with this building in its prior incarnations as a pharmacy and supermarket. This proposed use merely re-opens the existing, vacant commercial building which has long been a part of Davis Square. The Property has always drawn people to it.

This Property has direct access to almost all of the various transportation modes, and the proposed use will spread the use of the thoroughfares out over all of such modes, thereby avoiding overburdening any one of them.