



City of Somerville

ZONING BOARD OF APPEALS

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

TO: Zoning Board of Appeals
FROM: OSPCD Staff
SUBJECT: 34 Allen Street, ZP24-000095
POSTED: February 13, 2025

RECOMMENDATION: Approve with Conditions

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 development review application submitted for 34 Allen 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 January 27, 2025, and is scheduled for a public hearing on February 19, 2025. 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

Chris Ulrich seeks a Special Permit for an entry canopy on a nonconforming principal building type for the NR zoning district.

SUMMARY OF PROPOSAL

Chris Ulrich is proposing to construct add an awning and sign over the front door to an existing commercial space that has been approved for a veterinary use in the NR zoning district. The proposed awning will project 2'6" out from the existing building and measure 14'10" in width.

BACKGROUND

34 Allen Street is located the 0.5 mi Transit Area in Neighborhood Residence (NR) zoning district in the Union Square represented by Ward 2 Councilor J.T. Scott. Any conforming building component may be added to modify an existing principal building type that is not permitted in the zoning district by Special Permit. In this case, a conforming awning and sign over the front door of a veterinary principle use in the NR district is being proposed. The veterinary use was previously approved by the Zoning Board of Appeals with a Special Permit (P&Z 23-028) on July 19, 2023.

NEIGHBORHOOD MEETINGS

The first neighborhood meeting was hosted by Ward 2 Councilor J.T. Scott and the applicant on August 26, 2024, via the Zoom meeting platform. One member of the public attended and voiced their support for the proposal.

ANALYSIS

On July 19, 2023, the Zoning Board of Appeals granted Chris Ulrich a Special Permit to establish a veterinarian principal use in a pre-existing nonconforming commercial building in the NR zoning district. That same applicant now seeks to add an awning and signage over the front door of this existing space. Addition of a conforming entry canopy on a nonconforming principal building type for the NR zoning District requires Special Permit per SZO 14.1.5.c.i.a.

The signage proposed was not reviewed for zoning compliance, as this permit is specifically required for the entry canopy. The signage will need to adhere to the requirements of SZO 10.8.12, and to SZO 10.8.9 if illumination is proposed.

CONSIDERATIONS & FINDINGS

The Zoning Board of Appeals 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 extent and nature of the proposed alteration
4. The ability of conforming alterations to meet the demonstrated need of the Applicant;
5. Consistency of the proposed alterations with the evolution of neighboring structures.
6. Establishment of permeable lot surface, to the maximum extent possible.
7. Conformance to design guidelines applicable to the district where the property is located.

Information relative to the required considerations is provided below:

Site Plan Approval and 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:

- Create an environment that enables existing small businesses to thrive and produce entrepreneurial opportunities for new ones. Ensure that the regulatory environment supports the innovative business models necessary for businesses to adapt.

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

The intent of the NR zoning district is, in part: "To conserve already established areas of detached and semi-detached residential buildings." Because this is an existing commercial building, there is no residential building to conserve.

3. The extent and nature of the proposed alteration

The proposed awning will project 2'6" out from the existing building and measure 14'10" in width. The footprint of the building itself is not being altered. The changes are minimal and do not impact the surrounding properties.

4. The ability of the conforming alterations to meet the demonstrated needs of the applicant

This added awning and signage will allow the veterinarian office to be easily identifiable to clients. Any methods to add conforming building components to signal the name and type of business to customers would require a Special Permit per SZO 14.1.5.c.i.a.

5. The consistency of the proposed alterations with the evolution of neighborhood structures

There are several other non-residential use buildings in the immediate vicinity. This proposed awning and signage is consistent with the non-residential uses in the area.

6. Establishment of permeable lot surface, to the maximum extent possible

No permeable lot surface is being added to or subtracted from the proposed site.

7. Conformance to the design guidelines applicable to the district where the property is located

The proposed awning and signage do not conflict with any of the design guidelines applicable to the NR zoning district.

PERMIT CONDITIONS

Should the Board approve the required Special Permit for an awning for a nonconforming building type in the NR zoning district, Planning, Preservation & Zoning Staff recommends the following conditions:

. 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 (10) working days in advance of a request for a final inspection.

Public Record

3. 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.
4. Digital copies of all required application materials 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.