

IN RE: DAVIDSON MANAGEMENT COMPANY

LOCUS: 30 PARK AVENUE  
ARLINGTON, MASSACHUSETTS

REVIEW OF THE CONDITIONS FOR THE GRANTING  
OF THE SPECIAL PERMIT

Article 10, Section 10.11 of the Arlington Bylaws requires the petitioner to establish the following seven conditions prior to the granting of an application for a Special Permit by the Arlington Redevelopment Board:

Section 10.11.a.1. The use requested is listed in the Table of Use Regulations as a Special Permit in the district for which application is made or is so designated elsewhere in the Bylaw:

The proposed development is subject to environmental design review permit procedure under Chapter 11, Section 11.06.b.1.(a) of the Arlington Zoning Bylaw, as a result of the change in use: requiring a building permit; being subject to a Special Permit in accordance with Article 5, Section 4.10 of the Table of Use Regulations; and its being a non-residential use in a non-residential district with more than 10,000 square feet of gross floor area and more than 20 parking spaces. Further, a Special Permit is required pursuant to Section 8.12 (n) for parking reduction.

Section 10.11.a.2. The use requested is essential or desirable to the public convenience or welfare:

Davidson Management Company's proposal will be a revitalization of one of the few remaining industrial zones within the Town of Arlington. It will remove from the community an environmentally intensive use and replace it with a more environmentally sound use. It will provide the business community in the Heights district of the Town with a new customer market, and will allow the Town of Arlington to maintain its commercial tax base and avoid the trend of having to rely on residential taxes for the funding of community services. Unquestionably, the Davidson Management Company proposal will not only be an economic boost for the petitioner but for the Town of Arlington as well.

Section 10.11.a.3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety:

The impact on pedestrian safety will be minimized by the implementation and use of the existing two curb cuts for providing a means of access and egress to the site. The site is serviced by an existing curb cut on Lowell Street, approximately 35 feet in width and a second, existing curb cut on Park Avenue. Furthermore, the proposed use intends to encourage its customers to use the Minuteman Trail for access to the facility as depicted on the plans submitted. It is the petitioner's opinion that a great number of the customers of the proposed facility will utilize the trail when coming to and leaving the facility since the use of the trail is complementary to the proposed use. The proposal will not create undue traffic congestion due to the fact that ingress and egress from the premises will be in accordance with the flow of traffic down the adjoining streets, as well as adequate parking for the facility. The proposed project will have a minimum parking capacity of 48 vehicles. Utilization of the Minuteman Trail should alleviate traffic congestion to the premises. Clearly, the proposed use of the premises will lessen the traffic of heavy commercial trucks which once serviced the manufacturing facility. See Exhibit A - Use Data, attached hereto and incorporated herein by reference. See also petitioner's traffic study filed herewith.

Section 10.11.a.4. A finding must be made that the requested use will not overload any public water, drainage or sewer system:

This standard contemplates an intensification of use on any particular site. The building is presently serviced by a two-inch (2.00") water line and a six-inch (6.00") sewer pipe which is tied into a thirty-six-inch (36.00") MWRA sewer line located on the property. The petitioner expects that these services will be sufficient to accommodate the purposed use. There will be no increase in the amount of floor space on the present site and the proposed use is such that the consumption of water and waste generated probably would be more than that generated when the premises was utilized for manufacturing and office space, but surely not enough to overload the existing systems. See Exhibit B - Water Use, attached hereto and incorporated herein by reference. Furthermore, drainage will be similar to that which presently exists as depicted on the site plan submitted for the existing site.

Section 10.11.a.5. Special regulations set forth in Article 11 are fulfilled:

It does not appear that any special regulations other than environmental design review are required for this project as contained in Article 11.

Section 10.11.a.6. A finding is required that the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals or welfare:

Since the requested use will be contained in an existing manufacturing facility, surrounded by numerous other manufacturing facilities and warehouses, with no residential uses within a few block radius, it does not seem probable that the requested use will impair the integrity or character of the district, but truly improve the environmental quality of same. Furthermore, the petitioner intends to use the existing structure and facade with no changes, other than the construction of additional exits and outdoor stairway as shown on the plans submitted, so as not to alter the appearance of the industrial zone. It is obvious that the proposed use contemplated by Davidson Management Company will not be detrimental to the health, morals or welfare, but rather should enhance the same.

The proposed use is situated on a lot of land and bounded several feet below street level at Park Avenue which provides an adequate screening of the existing structures from adjoining properties and roadways. Furthermore, there exists on the premises natural fauna and foliage which acts as a natural screen from existing roadways. The existing fauna and foliage along with the difference in elevations between the site and roadways should effectively screen the parking area from any adjacent homes and provide an effective noise and visual buffer.

Any overhead lighting used for the parking area will be properly screened so as to avoid any resulting glare on adjacent properties.

Section 10.11.a.7. The requested use will not cause an excess of that particular use that could be detrimental to the character of the said neighborhood:

The Town of Arlington often divides the municipality up into different districts for purposes of establishing school and voting districts. Likewise, there are several similar uses throughout each of these districts. It is not uncommon to find several food establishments, grocery stores, restaurants, general merchants and gas stations within the same district. Within the Heights district, there is no full-service health facility. The proposed

EXHIBIT "A"

GOLD'S GYM OF BOSTON  
USE DATA FOR  
TUESDAY, MARCH 23, 1993

6:00 a.m.	-	8:00 a.m.	50 people
8:00 a.m.	-	10:00 a.m.	20 people
10:00 a.m.	-	12:00 p.m.	30 people
12:00 p.m.	-	2:00 p.m.	60 people
2:00 p.m.	-	5:00 p.m.	90 people
5:00 p.m.	-	8:00 p.m.	220 people
8:00 p.m.	-	10:00 p.m.	30 people

Average workout time approximately 1 hour.

Gold's Gym of Boston has a total membership built up after three years of approximately 2,200 members. Monday and Tuesday are Gold's Gym's busiest days.

We anticipate a total membership after one year of approximately 1,000 members.

EXHIBIT "B"  
 DAVIDSON MANAGEMENT CO.  
 TOWN OF ARLINGTON  
 WATER CHARGES FOR 30 PARK AVENUE

<u>Month/Year</u>	<u>Previous</u>	<u>Cu. Ft. Present</u>	<u>Consumed</u>	
03/86	673100	643400	29,700	
09/86	643400	712100	68,700	98,400
03/87	712100	736900	24,800	
09/87	736900	764400	27,500	52,300
03/88	764400	791200	26,800	
09/88	791200	818700	27,500	54,300
03/89	818700	842300	23,600	
09/89	842300	873900	31,600	55,200
03/90	873900	900500	26,600	
09/90	900500	918300	17,800	44,400
03/91	918300	938800	20,500	
09/91	5000	28000	23,000	43,500
03/92	28000	76000	48,000	
09/92	76000	104000	28,000	76,000

**ANTICIPATED USE  
 BASED UPON BOSTON GOLD'S FACILITY**

Number of Members: 2,200

Water usage for entire building: February - March, 1993

Cask & Flaggon Bar	10,000 square feet
Boston Gold's Gym	15,000 square feet

13,000 cubic feet

Estimated 50% Gym Use: 6,500 cubic feet

X 12 months = 78,000 cubic feet

GOLD'S GYM FITNESS AND AEROBICS CENTER  
ARLINGTON, MA

PROGRAM MENU

HI/LO AEROBICS  
STEP AEROBICS  
LOW IMPACT AEROBICS  
OVER 50 AEROBICS  
SELECTORIZED EQUIPMENT (NAUTILUS AND CYBEX)  
FREEWEIGHTS  
LIFECYCLES  
STAIRMASTERS  
TREADMILLS  
ROWING MACHINES  
TWO "SUSPENDED HARDWOOD" AEROBIC STUDIO  
BASKETBALL COURT/VOLLEYBALL COURT  
PERSONAL TRAINING  
BODYFAT TESTING/CHOLESTEROL SCREENING  
BLOOD PRESSURE SCREENING  
NUTRITIONAL CONSULTATION  
SPORT CONDITIONING AND THERAPY  
CERTIFIED INSTRUCTORS  
BEGINNER INSTRUCTION CLASSES  
REFRESHMENT CENTER (WATER, FRUIT DRINKS, SPORTS DRINKS)  
SEPARATE MEN'S AND WOMEN'S LOCKER FACILITIES  
HANDICAP LOCKER FACILITIES  
TOWEL SERVICE  
BABY SITTING  
DIRECT ACCESS TO MINUTEMAN BIKE PATH  
FREE PARKING  
AIR CONDITIONING  
GOLD'S GYM SPORTSWEAR  
GOLD'S GYM MEMBERSHIP HONORED WORLDWIDE  
SENIOR CITIZENS PROGRAM

EXHIBIT "D"

DAILY ACTIVITIES CALENDAR  
GOLDS GYM FITNESS AND AEROBICS CENTER

6:00 A.M.	EARLY BIRD AEROBICS
(9:00 A.M.-2:00 P.M.)	BABY SITTING
9:00 A.M.	LOW IMPACT AEROBICS
9:30 A.M.	BLOOD PRESSURE AND CHOLESTEROL SCREENING (EVERY TUESDAY)
10:00 A.M.	SENIOR CITIZEN STRETCH AND TONE
11:00 A.M.	SENIOR CITIZEN 2 MILE WALK AND MINUTEMAN TRAIL
12:00 (NOON)	LUNCH TIME AEROBICS
12:30 P.M.	NUTRITIONAL WORKSHOP & CONSULTATION (EVERY WEDNESDAY)
3:00 P.M.	BEGINNERS CIRCUIT TRAINING PROGRAM
5:30 P.M.	HIGH IMPACT AEROBICS
6:30 P.M.	STEP CLASS
7:30 P.M.	LOW-IMPACT AEROBICS
8:00-10:00 P.M.	OVER 30 BASKETBALL LEAGUE (M-W-F-) (CO- ED)
8:00-10:00 P.M.	OVER 30 VOLLEYBALL LEAGUE (TUES/THURS) (CO-ED)

development is intended to be a full-service health facility serving the entire town, but primarily that portion of the community west of Mill Street. See Exhibits C and D attached hereto and incorporated herein by reference, for services to be provided by proposed use. As a result and due to the fact that the proposed use will be located in an existing industrial zone, and that the proposed use will be more environmentally sound, it is obvious that the proposed use would not be detrimental to the character of this industrial zone or constitute an excessive use.

*at1/rte/davicond.d03*