



CITY OF CAMBRIDGE

Community Development Department

To: Planning Board

From: Harvard Square Advisory Committee

Date: March 10, 2021

Re: **57 JFK Street - Cannabis Retail Store Planning Board Special Permit Application (PB-376)**

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Overview

The Harvard Square Advisory Committee (the “Committee”) met on Tuesday, March 2, 2021 to discuss the cannabis retail store Planning Board Special Permit application for 57 JFK Street (PB-376). This meeting was conducted pursuant to the provisions of Section 20.50 of the Cambridge Zoning Ordinance. Committee members present were Lauren Curry, John DiGiovanni, Frank Kramer, Kari Kuelzer, and Matt Simitis. After lengthy discussion, the Committee decided to forward a report to the Planning Board with comments, but without a positive or negative recommendation.

Proposal Description

Joseph P. Hanley, Esq. of McDermott Quilty & Miller LLP presented on behalf of the applicant, Blue Enterprises HSMA, LLC (“Blue Enterprises”), which is doing business as Cookies Cambridge (“Cookies”). The applicant proposes an adult use retail marijuana dispensary that will use 2,447 square feet of the building’s ground floor and 590 square feet of auxiliary space in the basement. There will be no manufacturing, production, or packaging of cannabis products on site. Owner and operator Damond Hughes of Blue Enterprises explained that the applicant will be open daily from 8 a.m.-10 p.m. and estimates that there will be 350 customers per day. Customers will be encouraged to place online orders to reduce queuing and to walk, bike, or use public transportation to travel to the store. Architect Will Chalfant of Khalsa Design, Inc., explained the design of the store, showing exterior and interior architectural renderings as well as interior floor plans. He explained that the waiting area is designed to accommodate 34 people and the customer retail space is designed to accommodate 16 people. Blue Enterprises owner and Community Engagement Director Malaika Moses described their engagement with the neighborhood and how it resulted in design changes as well as commitments to Winthrop Park stewardship and seed funding for philanthropic programs.

Committee Questions

Each member of the committee asked the applicant several questions, which centered on clarifying aspects of the proposal and presentation. In response to these questions, the applicant noted the following:

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- Estimates show that a minimum of 30% and a maximum of 50% of customers will likely order in advance online. These customers will be given a specific window of time in which to pick up their order and will be served ahead of customers who are waiting in line.
- There will be six point-of-sale stations, which is a higher number than typical stores of this size and is intended to reduce the time that customers spend in the store. The applicant estimates that a typical customer will spend approximately 10 minutes in the store.
- Staff will conduct a daily walkthrough of the park to monitor conditions and dispose of any litter, if necessary. The operator will be on site daily.
- The store entrance on Winthrop Street will comply with accessibility requirements. The exit door on JFK Street will be locked so that people are not able to enter.
- The product being sold is at the higher end of the price point spectrum.
- The estimated number of daily customers is based on market knowledge of similar locations in heavily populated areas.
- There are strict rules governing the marketing of cannabis products.
- Customers will be required to sign a pledge holding them to certain behavior standards.
- This is the first Cookies store in the Northeast.

Public Comment

Eight members of the public provided comments to the Committee on the application. Comments focused on the following topics:

- Concern with amount of opaque ground level linear frontage, which would negatively impact the retail environment by not creating an active streetscape;
- Concern with negative impact on Winthrop Park due to an increase in foot traffic and potential for customers to consume cannabis products in the park;
- Support for minority-owned businesses in Harvard Square, especially in a prime location;
- Support for applicant team and willingness to work with them to improve the outcome for all stakeholders;
- Preference for a smaller, more discreet location for cannabis retail stores;
- Concern that the interior design looks like a corporate lobby, rather than a retail establishment;
- Concern that opposition to the application is due to the building ownership, not the merits of the design;
- Support for economic opportunities for Black people.

Committee Comments

The Committee expressed support for the applicant and the quality of their proposal; however, members were mixed on their support of Cookies at this location. The Committee noted that it would like to have seen more design details to better assess the scale of the storefront, its impact on the public realm, and how the space fits into the context of both the building and the street block. Specifically, members requested more detailed architectural renderings of the exterior elevations from JFK Street and Winthrop Street. The Committee was also concerned about the impact of the business on Winthrop

Park, given that, although Winthrop Park is not technically a playground, it is frequently used by families with young children, and that not all businesses in the area are good neighbors. Lastly, many members of the Committee noted that the state-mandated restrictions on cannabis were contrary to the guidelines for development in Harvard Square.

Some Committee members were concerned that the number of projected customers was significantly lower than might realistically occur and how that could overwhelm the environment, especially the quality of Winthrop Park. Other members were less concerned about the number of customers, citing the positive impact that they could have on other businesses in Harvard Square. Some members appreciated the design of the Winthrop Street elevation because the transparency would show activity within the building and change over the course of the day. Other members expressed a view that the interior looked like a bank lobby and would have preferred a design that looks more like a retail store. Additional members expressed concern regarding the amount of linear square feet of relatively inactive ground level windows along JFK Street and Winthrop Street. Some members stated that they needed more information about the design before they could decide if it followed the guidelines for Harvard Square. Several members also expressed concern that Cookies is a national brand and that this store could be a flagship location that does not contribute to the unique sense of place in Harvard Square.

Some Committee members asked to see the results of a property value appraisal and acoustical study that were commissioned in 2018 by the owner of 57 JFK Street in response to the proposed cannabis retail use at 98 Winthrop Street, as well as the agreement between the owners of the aforementioned properties that allayed the concerns of the owner of 57 JFK Street. These Committee members noted that addressing noise issues and other adverse impacts to the community are important aspects within the Committee's purview and that these documents would help the Planning Board understand how these concerns were addressed at another site on this street. Other members of the committee did not consider these documents relevant to the Committee's consideration of the present application.

Given the Committee's discussion, a motion was made and seconded to forward a report to the Planning Board with comments, but without a positive or negative recommendation.

Respectfully submitted for the Committee,

Sarah Scott

Sarah Scott

Associate Zoning Planner

Community Development Department