

**Special Permit (Formula Business) - Central Square Overlay District
Resurgence Investment, LLC d/b/a Jersey Mike's
675 Massachusetts Avenue, Cambridge, MA 02319**

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CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

COVER SHEET

In accordance with the requirements of the City of Cambridge Zoning Ordinance, the undersigned hereby petitions the Planning Board for one or more Special Permits for the premises indicated below.

Parcel Address(s): 675 Massachusetts Avenue, Cambridge, MA 02319

Base Zoning District(s): Business B Zoning District

Overlay Zoning District(s): Central Square Overlay District

Applicant Name: Resurgence Investment, LLC d/b/a Jersey Mike's

Applicant Address: c/o McDermott, Quilty & Miller LLP, 28 State Street, Suite 802, Boston, MA 02109

Contact Information: Dennis Quilty, Esq. 617-946-4600

Name Telephone #

dquilty@mqmhlaw.com

Email Address

Note that the Applicant is responsible for seeking all necessary special permits for the project. A special permit cannot be granted if it is not specifically requested in the Application.

List all requested special permit(s) (with reference to zoning section numbers):

Zoning Section	Requested Special Permit
Section 20.304.5.4	Special Permit (Formula Business) - Central Square Overlay District

Denote other City of Cambridge Board/Commission Review Needed:

☐ Board of Zoning Appeal (Variances) ☐ Conservation Commission ☐ Historical Commission

Denote applicable Committee Review and Public Outreach:

☒ Central Square Advisory Committee ☐ Harvard Square Advisory Committee ☐ Community Meeting(s)

Signature of Applicant

Date

CITY OF CAMBRIDGE, MA • PLANNING BOARD • SPECIAL PERMIT APPLICATION

DIMENSIONAL FORM

Project Address: 675 Massachusetts Avenue, Cambridge, MA 02319

Date: 12/12/2024

	Existing	Allowed or Required (max/min)	Proposed	Permitted
Lot Area (sq ft)	44,434	N/A	No Change	
Lot Width (ft)	23'	N/A	No Change	
Total Gross Floor Area (sq ft)	1,780 (Jersey Mike's Unit)	1,780 (Jersey Mike's Unit)	No Change	
Residential Base	0	0	No Change	
Non-Residential Base	164,237 (Entire Building)	164,237 (Entire Building)	No Change	
Inclusionary Housing Bonus	0	0	No Change	
Total Floor Area Ratio	2.22	2.75/3.0	No Change	
Residential Base	N/A	N/A	No Change	
Non-Residential Base	2.22	2.75/3.0	No Change	
Inclusionary Housing Bonus	N/A	N/A	No Change	
Total Dwelling Units	N/A	N/A	No Change	
Base Units	N/A	N/A	No Change	
Inclusionary Bonus Units	N/A	N/A	No Change	
Base Lot Area / Unit (sq ft)	N/A	N/A	No Change	
Total Lot Area / Unit (sq ft)	N/A	N/A	No Change	
Building Height(s) (ft)	14 stories	80'	No Change	
Front Yard Setback (ft)	0.0	0.0	No Change	
Side Yard Setback (ft)	0.0	0.0	No Change	
Side Yard Setback (ft)	0.0	0.0	No Change	
Rear Yard Setback (ft)	0.0	0.0	No Change	
Open Space (% of Lot Area)	12.9%	0	No Change	
Private Open Space	12.9%	0	No Change	
Permeable Open Space	N/A	N/A	No Change	
Other Open Space (Specify)	N/A	N/A	No Change	
Off-Street Parking Spaces	286 (Entire Building)	Restaurant (Maximum 1 per 600 sf = 2)	No Change	
Long-term Bicycle Parking Spaces	24 (Entire Building)	Restaurant (0.2 per 1,000 sf = 0.22)	No Change	
Short-term Bicycle Parking Spaces	24 (Entire Building)	Restaurant (1 per 1,000 sf = 1.2)	No Change	
Loading Bays	1 (Entire Building)	4 (Entire Building)	No Change	

Use space below and/or attached pages for additional notes:

OWNERSHIP CERTIFICATE

Project Address: 675 Massachusetts Avenue, Cambridge, MA 02319

Date: 12/12/2024

To be completed by the Property Owner:

I hereby authorize the following Applicant: Resurgence Investments LLC d/b/a Jersey Mike's
at the following address: 321 East Grove Street, Unit 3, Westfield, NJ 07090
to apply for a special permit for: Formula Business; sign permit
on premises located at: 675 Massachusetts Avenue, Cambridge, MA 02319
for which the record title stands in the name of: U.S. REIF Central Plaza Massachusetts LLC
whose address is: c/o Intercontinental Real Estate Corporation, 1270 Soldiers Field Road, Boston, MA 02135

by a deed duly recorded in the:

Registry of Deeds of County: Middlesex Book: 51851 Page: 264
OR Registry District of the Land Court,
Certificate No.: _____ Book: _____ Page: _____

Scott Kelly (only authorized)
Signature of Property Owner (If authorized Trustee, Officer or Agent, so identify)

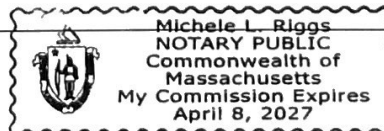
To be completed by Notary Public:

Commonwealth of Massachusetts, County of Middlesex

The above named Scott Kelly personally appeared before me,
on the month, day and year 12/12/2024 and made oath that the above statement is true.

Notary: [Signature]

My Commission expires: _____



FEE SCHEDULE

Project Address: 675 Massachusetts Avenue, Cambridge, MA 02319

Date: 12/12/2024

The Applicant must provide the full fee (by check made to City of Cambridge) with the Special Permit Application. The required fee is the larger of the following amounts:

- (a) The fee is ten cents (\$0.10) per square foot of total proposed Gross Floor Area noted in the Dimensional Form.
- (b) The fee is one thousand dollars (\$1,000.00) if Flood Plain Special Permit is sought as part of the Application and the amount determined above is less than \$1000.
- (c) The fee is one hundred fifty dollars (\$150.00) if the above amounts are less than \$150.

Fee Calculation

(a) Proposed Gross Floor Area (SF) in Dimensional Form:	1,224 × \$0.10 = \$122.40
(b) Flood Plain Special Permit fee	: 1000.00
(c) Minimum Special Permit fee	: 150.00
SPECIAL PERMIT FEE	Enter Largest of (a), (b), and (c): \$150.00

PROJECT NARRATIVE AND ZONING ANALYSIS

The applicant, Resurgence Investment LLC d/b/a Jersey Mike's ("Jersey Mike's"), proposes to open a new franchise location of the fast-casual restaurant "Jersey Mike's" at 675 Massachusetts Avenue, Cambridge, Massachusetts 02139 (the "Proposed Restaurant"). The premises is located within Cambridge's Business B Zoning District and the Central Square Overlay District. The Proposed Restaurant shall occupy approximately 1,224 square feet on the first floor of the premises, and will replace a T-Mobile which previously occupied this retail unit. As part of the build-out, the applicant shall redesign the existing interior of the premises and plans to utilize a variant of its standard color scheme, signage and logo which can be differentiated from many other Jersey Mike's locations across the country. There are no changes proposed to the building envelope and/or footprint, nor will there be any front-facing window treatments. The exterior of the restaurant will also contain a small outdoor patio under the existing loggia space with up to twelve seats to accommodate patrons, and Jersey Mike's will further beautify the outdoor space utilizing colorful seating arrangements and planter boxes. A copy of the applicant's proposed floor plans and signage plans have been submitted herewith.

In order to accomplish the above, the applicant is filing for a Special Permit to authorize the operation of a Formula Business in Cambridge's Business B Zoning District and Central Square Overlay District, as well as for a sign permit concerning the signs to be installed at the premises as described herein.

Section 2.0 of the Cambridge Zoning Ordinance defines "Formula Business" as follows:

Formula Business. An individual Retail or Consumer Service establishment that is required by virtue of a contract, franchise agreement, ownership or other similar legal obligation to conform or substantially conform to a set of common design and operating features that served to identify the establishment as one of a group of establishments for business, marketing and public relations purposes. Specifically, an establishment shall be considered a Formula Business if it shares at least two (2) of the following three (3) characteristics with ten (10) or more other establishments in Massachusetts or within twenty (20) or more other establishments.

1. Trademark, service mark or logo, defined as a work, phrase, symbol, or design or combination thereof that identifies and distinguishes the source of the goods or services from others;
2. Standardized building architecture including but not limited to façade design and signage;
3. Standardized color scheme used throughout the exterior of the establishment, including color associated with signs and logos.

As the applicant (Jersey Mike's) shares a trademark and logo, and a standardized color scheme, with ten (10) or more other establishments in Massachusetts, the applicant is seeking a Special Permit to install and use its trademark and logo, and its standardized color scheme (red, white and blue), on the exterior of the building and certain areas on the interior of the premises. Elevations and plans depicting the placement of said trademarks, logos and color schemes have been submitted herewith. The applicant will separately pursue any and all necessary signage permit(s) under Section 7 of the Ordinance with respect to the exterior signage proposed herein.

COMPLIANCE WITH SPECIAL PERMIT CRITERIA

Section 10.43

Granting the Special Permits requested would not be a detriment to the public interest, in accordance with Section 10.43 of the Cambridge Zoning Ordinance, because:

- (a) It appears that requirements of this Ordinance cannot or will not be met:
 - i. The relief requested is of such a nature that the applicant, a franchisee of a national company which operates many locations in both the Commonwealth of Massachusetts and elsewhere in the United States, qualifies as a Formula Business, and therefore cannot comply with the requirements of the Ordinance.
- (b) Traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character:
 - i. There will be no change to the traffic patterns generated or patterns of access of egress as a result of the relief requested.
- (c) The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use:
 - i. The proposed use is entirely consistent with the surrounding retail environment and will not adversely affect the surrounding businesses.
- (d) Nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City:
 - i. No nuisance or hazard will be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City by way of the relief requested.
- (e) For other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance:
 - i. The proposed use will not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.

- (f) The new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30:
 - i. The proposed use is not inconsistent with the Urban Design Objectives set forth in Section 19.30.

Section 20.304.5.4

A Formula Business as defined in Section 20.304.5.4 of the Ordinance may be established in the Central Square Overlay District only after the issuance of a special permit from the Planning Board. In reviewing an application the Planning Board has taken the following into consideration for the relief requested herein:

- a. The extent to which the design of the proposal reflects, amplifies, and strengthens the established historical character of existing buildings and store fronts in Central Square.
 - i. As shown on the plans submitted herewith, the proposed use will not derogate from the character of the façade of the existing building itself, and the proposed signage will not adversely affect the character of Central Square. The applicant's proposed upgrades to the exterior loggia space at the premises will improve the current conditions at the property in a manner consistent with the design guidelines of Central Square, and the proposed "Jersey Mike's" signage has been adapted by the applicant to fit in with the unique character of Central Square, such as the use of individual letters for exterior signage opposed to the standard circular or rectangular signs utilized at many other Jersey Mike's locations across the country.
- b. The extent to which the particulars of the building or storefront design is varied from the formula or standard design of the chain in order to reflect the unique character and conditions of Central Square generally or the specific location in particular.
 - i. As shown on the plans submitted herewith, the proposed use will not derogate from the character of the façade of the existing building itself, and the proposed signage will not adversely affect the character of Central Square. The existing building is not historical in nature, and will not be adversely affected by the proposed signage and/or usage. Moreover, as mentioned above, the applicant's proposed signage has been specifically modified for this location in order to fit in with the character and conditions of Central Square.
- c. The extent to which the standard elements of the enterprise as they define it as a Formula Business are modified to respect and provide unique expressions of Central Square history and traditions as well as innovation in physical design and marketing that will distinguish the Central Square location from other locations of the Formula Business.

- i. The applicant will respect the history of Central Square and the proposed use will not alter the character of the façade of the existing building itself. In addition to the applicant's use of a different signage package at this location which has been modified to fit in with the character of Central Square, the applicant's proposed exterior seating and its brightly-colored patio furniture will further distinguish the applicant's Central Square location from other locations across the country. Additionally, as mentioned the applicant's "Jersey Mike's" signage varies from many of the standard circular or rectangular shaped signs which are typically utilized at many other locations for this formula business across the United States.

Section 20.305

In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings as relative to the relief requested herein:

1. The proposed development is consistent with the goals and objectives of the Central Square Action Plan:
 - i. The proposed use will encourage responsible and orderly development; strengthen the retail base to more completely serve the needs of the neighborhoods; preserve the Square's cultural diversity; create active people oriented spaces; improve the physical, and visual environment; provide retail establishments that serve people of diverse economic and social groups who live in the surrounding neighborhoods; and promote compatible retail adjacent to residential uses.
2. The building and site designs are consistent with "Urban Design Plan for Central Square" as outlined in the "*Central Square Action Plan*" and the "*Central Square Development Guidelines*."
3. The building and site designs adequately screen the parking provided and are sensitive to the contributing buildings in the vicinity.
4. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
5. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

COMMUNITY OUTREACH

Prior to filing the instant application, Jersey Mike's has been in contact with and coordinated community outreach efforts with the Community Development Department for the City of Cambridge concerning the relief requested herein.

On November 25, 2024, in coordination with the Community Development Department, Jersey Mike's held a Pre-Application Community Meeting which was held both in-person at 675 Massachusetts Avenue with a remote attendance option. A copy of the flyer mailed by the applicant providing notice of said meeting to all applicable abutters and parties is attached hereto as Exhibit 1; and attached hereto as Exhibit 2 is a copy of all of the addresses to which said flyer was mailed by the applicant more than ten (10) days prior to said meeting. Jersey Mike's did not receive any opposition to the proposed Restaurant, the proposed signage, and/or the relief requested herein at the Pre-Application Community Meeting.

Moreover, on December 4, 2024, Jersey Mike's met with the Central Square Advisory Committee to give a presentation and discuss the relief requested herein and the Proposed Restaurant. The Central Square Advisory Committee has not opposed the Proposed Restaurant, the proposed signage, and/or the relief requested herein.

In addition to the foregoing, after filing the application, the applicant shall timely comply with all other request(s) of the Community Development Department including but not limited to posting and maintaining panels on-site, and doing all other things which may reasonably be requested of the applicant by the Community Development Department and/or the Planning Board prior to the public hearing on the instant application.

Exhibit “1”

Pre-Application Community Engagement

PUBLIC MEETING

The Cambridge Community Development Department and Resurgence Investment LLC d/b/a Jersey Mike's invite you to attend a public meeting to discuss Jersey Mike's proposed new location on the first floor of the premises located at 675 Massachusetts Avenue, Cambridge, Massachusetts 02139. The meeting will be held both in-person with a remote attendance option.

Where: 675 Massachusetts Avenue
2nd Floor (Conference Room)
Cambridge, MA 02139

Remote Option: Microsoft Teams
<https://bit.ly/JerseyMikes675>
Meeting ID: 252 890 296 397
Passcode: JWQAgA

When: Monday, 11/25/2024

Time: 5:00 PM EST

Questions/Concerns, contact:
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McDermott, Quilty, Miller & Hanley LLP
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617-946-4600