

CITY OF CAMBRIDGE **MASSACHUSETTS BOARD OF ZONING APPEAL** 831 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139 617 349-6100

BZA APPLICATION FORM

Plan No: BZA-017073-2019

GENERAL INFORMATION

The under	signed	hereby petition	ons the Boa	rd of Zoning Ap	peal for the	following:		
Special Pe	ermit :			Variance:		Appeal :		
PETITION	ER:	Ngoc Tra	n					
PETITIONER'S ADDRESS :			1876 Massachusetts Avenue Cambridge, MA 02140					
LOCATION OF PROPERTY :			1876 Massachusetts Ave Cambridge, MA					
TYPE OF OCCUPANCY :				ZONING DISTRICT: Business C Zone				
REASON I	FOR PE	TITION :						
		Other	: Fast fo	ood				
DESCRIP1	TION OF	PETITIONER	s's PROPOS	SAL:				
the corr no area to conti	ner of for t inue o	Mass. Ave he require peration o	e. and Uped parkin of a fast	land Road, a g. The resta food concep	and occup aurant wi	ears. The restaurant is located on ies almost the entire site, leaving ll have 60 seats. Relief is requested location.		
		NING ORDIN	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		t Order	Food Fetablishment)		
Article 4.000 Article 11.000			Section 4.35.0 (Fast Order Food Establishment). Section 11.30 (Fast Order Food Establishment).					
			Original Signature(s) :		ture(s):	(Petitioner(s) / Owner)		
						NGOC TRAN (Print Name)		
				А	ddress :	62 Station Landing, Medford, MA 02155		
				T	el. No. :	781-606-2527		
				E	-Mail Addre	ss: nick@yokirestaurant.com		
Date :	2-	16-19						

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/WeByung C Lee, Trustee	
	(OWNER)
Address: 13 Colby Street, Belmont, MA 024	78
	1976 Magazahusatta Aug. Cambridga, MA 02140
State that I/We own the property loc	ated at
which is the subject of this zoning	application.
The record title of this property is	in the name of
Byung C Lee, Trustee of 1876 Massachusetts	s Avenue Trust
*Pursuant to a deed of duly recorded	in the date <u>04/24/1992</u> , Middlesex South
County Registry of Deeds at Book $_{2}$	1972 , Page <u>574</u> ; or
Middlesex Registry District of Land	Court, Certificate No
BookPage	
	SIGNATURE BY LAND OWNER OR TYUSTES
<	AUTHORIZED TRUSTEE, OFFICER OR AGENT*
*Written evidence of Agent's standing	g to represent petitioner may be requested.
	y as a special feed and any as actions.
Commonwealth of Massachusetts, Count	y of MIDDLe SON
Divisite o ten	
	personally appeared before me,
this 8th of Perruppy, 20 19, and	made oath that the above statement is true.
	No (N - 1)
MARINA MARINA	MMARDANOV Notary
Ne.	ery Public
My commission expires & Commence	<u>Chinf Massechusetts</u> (Notary Seal). Expires New 15, 2004
my outilitions.	Explaids 1907. 15, 1908
	ردردودسستانان
	corded deed, e.g. if by court order recent
deed, or inheritance, please incl	ude documentation.

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BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g.; fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for 1876 Massachusetts Ave Cambridge, MA (location) would not be a detriment to the public interest because:

A) Requirements of the Ordinance can or will be met for the following reasons:

The request is for a change of operator only. The former fast food restaurant was able to receive the special permit while in keeping with the requirements of the Ordinace.

B) Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

No exterior changes will be made, and patterns of access and egress will also remain the same, therefore no congestion hazard or substantial change to the established neighborhood character will be caused.

C) The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

The proposed use is for a fast food restaurant, which is the same as the former operator of over 25 years, therefore the Zoning Ordinance would not be adversely affected.

Nuisance or hazard would not 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 for the following reasons:

No nuisance or hazard would be created as the proposed use is the same as the former.

For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

No other reason exist. The proposed use is the same as the former use which would not impair the integrity of the district or derogate the intent of the Ordinance.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Nick Tran PRESENT USE/OCCUPANCY: Fast food

LOCATION: 1876 Massachusetts Ave Cambridge, MA ZONE: Business C Zone

PHONE: REQUESTED USE/OCCUPANCY: Fast food

		<u>EXISTING</u>	REQUESTED	ORDINANCE 1	
		<u>CONDITIONS</u>	<u>CONDITIONS</u>	REQUIREMENTS	
TOTAL GROSS FLOOR AR	EA:	12,000* sq ft	ame as existin	N/A	(max.)
LOT AREA:		4228 sq ft	ame as existin	None	(min.)
RATIO OF GROSS FLOOR TO LOT AREA:	AREA	3.7	ame as existin	2.0	(max.)
LOT AREA FOR EACH DWELLING UNIT:		N/A	N/A	N/A	(min.)
SIZE OF LOT:	WIDTH	34.50 - 68.38	ame as existin	None	(min.)
	DEPTH	83.55	ame as existin	None	
SETBACKS IN FEET:	FRONT	0	ame as existin	None	(min.)
	REAR	6 ft	ame as existin	None	(min.)
	LEFT SIDE	0	ame as existin	None	(min.)
	RIGHT SIDE	0	ame as existin	None	(min.)
SIZE OF BLDG.:	HEIGHT	About 38 ft	ame as existin	55 ft	(max.)
	LENGTH	78 ft	ame as existin	None	
	WIDTH	34.50ft - 66 ft	ame as existin	None	
RATIO OF USABLE OPEN TO LOT AREA:	SPACE	0.097	ame as existin	None	(min.)
NO. OF DWELLING UNIT	<u>s:</u>	0	0	None	(max.)
NO. OF PARKING SPACE	<u>s:</u>	0	0	6	(min./max)
NO. OF LOADING AREAS	<u>:</u>	0	0	0	(min.)
DISTANCE TO NEAREST ON SAME LOT:	BLDG.	10 ft	ame as existin	None	(min.)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

The same lot has one nail salon, one hair salon, and three business offices. The proposed Yoki Express proposed cosmetic changes to the interior of the space using various materials.

*Total Gross Floor Area is about 12,000 sq ft. The proposed Yoki Express will only use 3300 sq ft

- 1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
- 2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
- 3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



Date:

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			GENERAL INFORM	MATION	Plan No:	≖ ₹ 2		
The unders	TOTAL TOTAL		oning Appeal for the	following:	Appeal :	PM 2: 2		
PETITIONE	R: Ngoc Tr	an			-	- 以		
PETITIONE	R'S ADDRESS :	1876 Massac	husetts Avenue	Cambridge, MA	02140			
LOCATION	OF PROPERTY:	1876 Massach	nusetts Ave Camb	oridge, MA	V			
TYPE OF O	CCUPANCY:		ZONING DISTRICT: Business C Zone					
REASON F	OR PETITION:	r: Fast food						
DESCRIPTI	ION OF PETITIONE	R'S PROPOSAL :						
Bruegger the corn no area to conti	's Bagels fast er of Mass. Av for the requir nue operation OF ZONING ORDI	t food restaura ve. and Upland red parking. Th of a fast food NANCE CITED:	restaurant is p nt of 25 plus y Road, and occup e restaurant wi concept at the .0 (Fast Order	ears. The res sies almost th 11 have 60 se 1 location.	taurant e entire ats. Rel	is located on		
Article	11.000	Section 11.3	0 (Fast Order F	ood Establish	ment).			
		Origir	nal Signature(s) :			Tem		
					2. 2.5	er(s) / Owner)		
				(metrodologo eta mentro actividado)	NGOC - (Prin	TRAN t Name)		
			Address:	62 Stati		//		
			Tel. No. :	781-60				
			E-Mail Addro		@ wak			









BK 1 1 8 7 3 PG 1 6 5

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We, Frank L. Burns and Muriel M. Burns, husband and wife as tenants by the entirety, both of Somerville,

oíz

226RF+

PH

Middlesex County, Massachusetts,

MASSACHUSETTS QUITCLAIM DEED INDIVIDUAL (LONG FORM) 882

being name which for consideration paid, grant to Richard C. Farrington, of 9 Forest Street, Cambridge, Middlesex County, Massachusetts,

afr

with guttriaim copenants

thrimdian A certain parcel of land with the buildings thereon situated in Cambridge, Middleser County, Messachusetts, being shown as lots 1 and 2 on a plan entitled. "Plan of Premises in Cambridge, belonging to J. F. Noera," dated October 1913, by W. A. Mason and Son, Surveyors, recorded with Middleser South District Deeds in Plan Book 240, plan 24, bounded and described as follows:

Lot 1 is bounded and described as follows:

EASTERLY by Massachusetts Avenue, formerly North Avenue, 34.5 feet; NORTHERLY by the location of the Fitchburg Bailroad, 88.37 feet; WESTERLY by lot 2 on said plan, 68.38 feet; and SOUTHERLY by Upland Hoad, 83.55 feet.

Containing 4,228 square feet of land.

Lot 2 is bounded and described as follows:

SOUTHERLY by said Upland Road, 54 feet; EASTELLY by lot 1 on said plan, 68.38 feet; NORTHERLY by land of the Fitchburg Hailroad, 58.76 feet; and WESTELLY by lot 3 on said plan, 91.54 feet.

Containing 4,318 square feet of land.

Being the same premises conveyed to us by deed of Sterling Lanier et ux, dated March 23, 1962, recorded with said Deeds in Book 10,005, page 118.

This conveyance is made subject to easements and restrictions of record if any there be, in so far as the same are now in force and applicable, and to taxes assessed as of January 1, 1970.

The consideration for this conveyance is \$260,000.00.

TOGETHER WITH GRANTORS' RIGHT, TITLE AND INTEREST IN THE ONE STORY STRUCTURE ABUTING LOT I, EN THE NUMBERING MORTHERSTERLY CORNER THOREOF, AND KNOWN IN THE NUMBERING AS 1880 MAIS. AVE, CAMBRINGE,



(*Individual - Joint Tenants - Tenants in Common - Tenants by the Entirety.)

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of sale,

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BK11873 PG166 relêtikê di dihê zîrînêkê dir dizînêkanî din nazarinê nazar kananê di kananê nazar kananê din kananê nazar nazar nazar nazar nazar nazar nazar nazar n Titness....our ... hand sand seal sthis tenth. The Commonwealth of Massachusetts Middleser, August 10, 19 70 Then personally appeared the above named Frank L. Burns and Muriel M. Burns and acknowledged the foregoing instrument to be their free act and deed, before me John J. Dris MEGALIERALIANIA

#15 10 .70 PH 3:59 227RE ***7.00

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Lot 1

EAST: NORTH WESTE BOUTH

Conta:

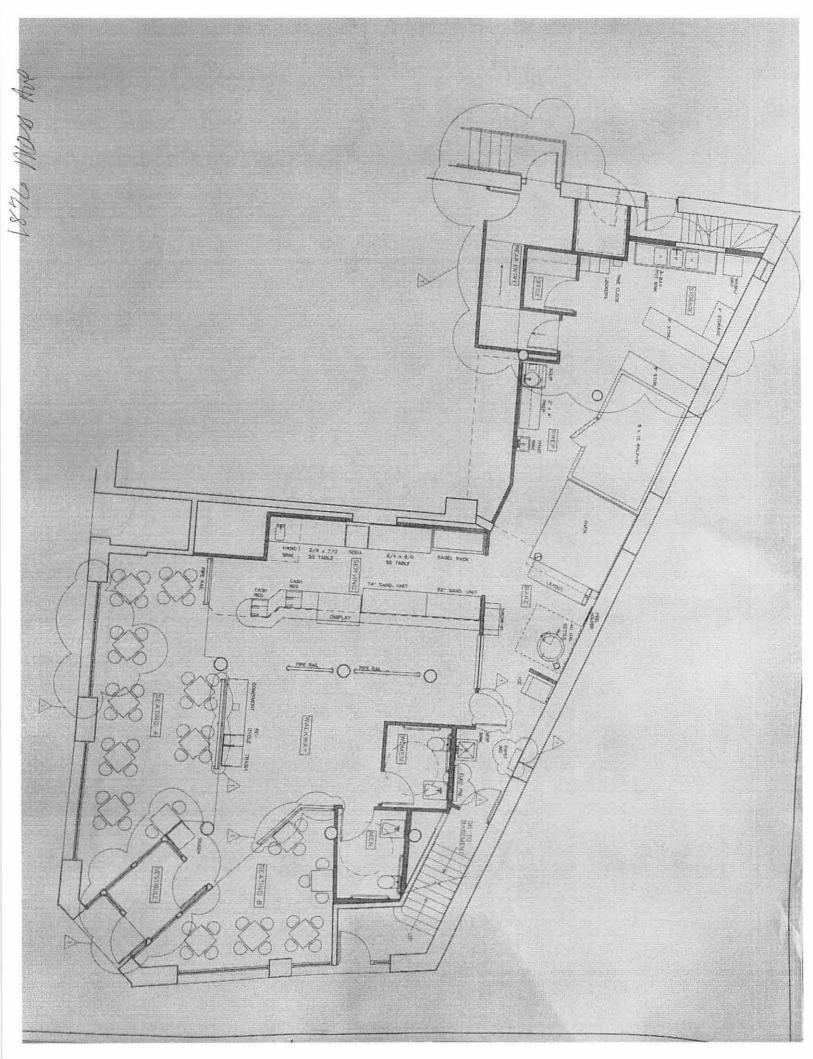
SOUTH / EASTE. NORTH: WESTE.

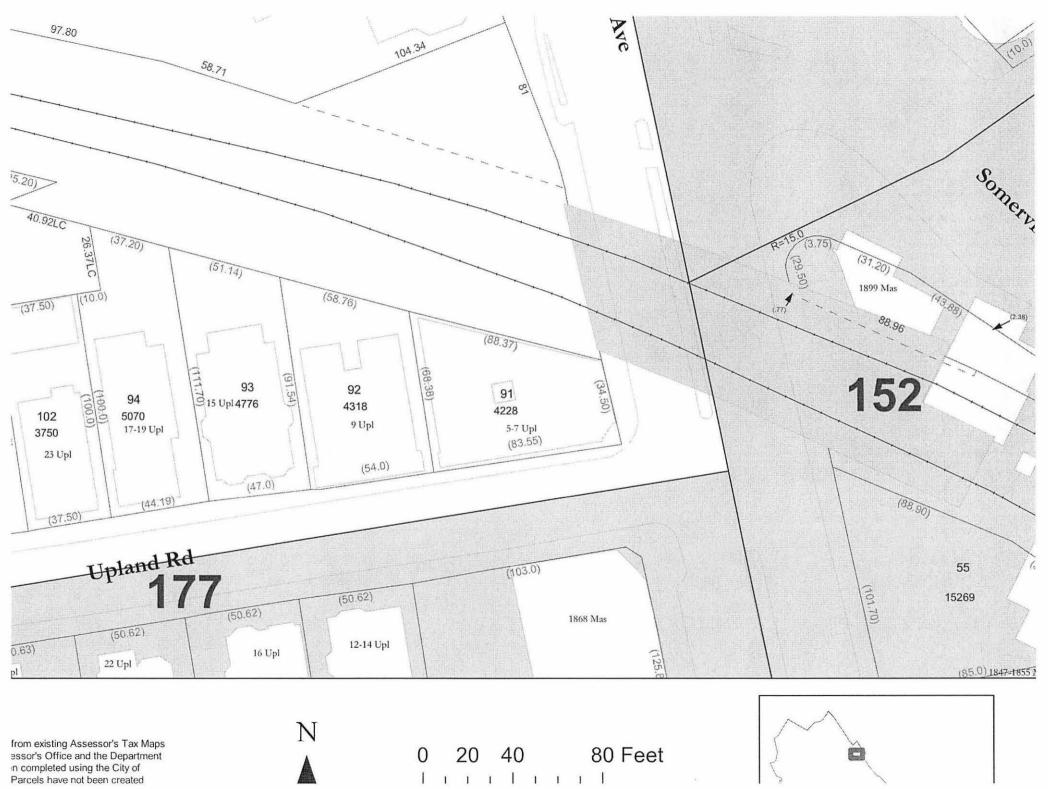
WESTE.

Being et ur,

Subjectin so

Said p: Upland number:





Parcels have not been created

181-60 11 bec. 181-49 9 Beech St 079-45 179-46 179 179-73 179-88 179-2 179-3 181-52 181-61 1995 Massachusetts Ave 181-62 200-90 7 Beech St 179-4 2036 Massachusetts Ave 181-50 200-79 179-6 200-68 2028 Massachusetts Ave5 Beech St 2020 Massachusetts Ave 3eech St 98 179-56 179-47 179-14 179-15 179-48 179-54 179-48 179-54 179-48 179-54 179-179-5 179-57 200-88 179-13 179-12 179-59 179-58 200-28 18 Allen St179-77 179-79 51 Davenport St 200-45 200-48 2000 Massachusetts Ave 179-52 179-50 5 Allen St 179-36 179-76 43 Dayenport St 200-50 200-43 200-51 778-16 178-106 1967 Massachusetts Ave 200-42 200-94 778-16 178-107 179-42 200-62 200-53 200-70 178-73178-74 1953 Massachusetts Ave 3 Davenport St 200-89 178-14 178-58 178-117 179-75 8 Davenport St 200-89 178-14 178-58 178-117 8 Davenport St 200-89 178-75 8 Davenport St 200-89 178-75 8 Davenport St 200-89 178-14 178-58 178-117 179-75 178-1 179-51 179-38 179-40 St St Davenport St 179-37 1 Orchard St 53 White St 37 White St₄₉ White St 25 White St 8 Davenport St 200-64 19 White St179-87 200-63 36 Regent St178-60 178-63 179-68 178-111 178-64 178-118 15 White St 178-132 178-6 5 White St 9 White St 179-81 57 Regent St 60 Porter Rd 178-27 57 Regent St 60 Porter Rd 178-27 200-57 52 Regent St 55 Porter Rd 178-26 178-108 178-114 178-121 45 Porter Rd 178-24178-109 178-21 1 White St 58 Regent St 178-124178-125 178-23 178-22 178-126 178-127 33 Porter Rd 178-34178-80 26 White St 1920 Massachusetts Ave 5 26-A White St 178-79 36 White St35 White St 152-1 178-35 152-9 1902 Massachusetts Ave 1900 Massachusetts Ave 178-133 52-7 178-43 1875 Massachusetts Ave 1 Porter Sq 47 Richdale Ave 178-122 -6 Richdale Ave 1-9 Richdale Ave 178-52 1-10 Richdale A 15 Richdale Ave Massachusetts Ave 820 Somerville Ave 1-10 Richdale Ave Richdale Ave 822 Somerville Ave 201-102 152-55 178-102178-94178-93 201-101 178-100178-99178-101 152-52 orter Square 178-92 201-99201-64 201-65 178-104 35 Upland Rd 201-97201-98 201-96 201-67 201-68 201-68 201-68 201-68 201-68 201-68 201-68 201-68 201-68 201-68 201-68 201-68 201-68 201-68 201-68 201-98 201 36 Upland Rd 22 Upland Rd 152-55 1870 Massachusetts Ave 201-70 73 Upland Rd 201-71 79 Upland Rd 62 Upland Rd 177-22 177-38 177-41 18 Upland Rd 177-37 177-38 177-45 1 18 Upland Rd 1855 Massachusetts Ave 9 Upland Rd 177-67177-68 177-66 80 Upland Rd 177-52 64 Mt Vernon St 177-4429 Mt Vernon St 89 Upland Rd 1840 Massachusetts Ave 177-75 177-79 177-78 11 Watnut Ave 177-3 15 Mt Vernon St 177-29 177-76 177-77 177-43 152-51 Mt Vernon St 210-40 177-21 1826 Massachusetts Ave 177-4 50 Mt Vernon St 48 Mt Vernon St 177-84 1815 Massachusetts Ave 177-85 177-80 177-71 40 Mt Vernon St 34 Mt Vernon St 177-177 177-62 177-63 210-27 177-74177-73177-8177-48177-47177-82 152-17 7 Walnut Ave 1812 Massachusetts Ave 177-19 44 Mt Vernon St 5 Walnut Ave Roseland St 3 Arlington St 210-86 20 Roseland St 177-18 177-16 177-15 177-13 177-12 7 Arlington St 7 Arlington St 153-83 153-4 2 Arlington St and St 210-45 153-3 153-85 Arlington St 25 Arlington St 153-5 153-84 8 Arlington St 14 Arlington St 12 Arlington St 176-13 210-46 Frost Ter 5 Frost S Arlington St 176-13 176-69 Stone Ct 1792 Massachusetts Ave User 1792 Massachusetts Ave User 176-18 176-75 176-83 176-85 210-30 33 Arlington St 153-81 153-6 176-87 176-69 153-80 26 Arlington St 32 Arlington St 176-51 176-7 176-8 176-9176-10176-84176-70 153-82 7 Frost S 176-4 176-50 17 Frost St 153-7 24 Arlington St 153-59 2 Newport Rd 176-88 176-20176-19176-18₁₇₆₋₇₅ Newport Rd 6 Newport Rd 153-54 9 Lancaster St 176-83 176-85 176-28 176-27 176-26176-25 1 Newport Rd 153-66 153-65153-56 1 Lancaster St

176-38 176-58

1896 Mass AR

152-25 CPUS PORTER SQUARE, LP C/O STRATEGIC PROPERTY TAX ADVISORS 14785 PRESTON RD. SUITE 660 DALLAS , TX 75254

177-46
BARRINGER, PAUL M. & JOYCE P. BARRINGER
12 UPLAND RD
CAMBRIDGE, MA 02140

178-52 ABRAHAMSON, PHILIP G. & DANA SHELLEY TRS, THE SHELLEY-ABRAHAMSON FAM REV TR 46 DOUGLASS WAY ATHERTON, CA 94027

177-34 1868 MASS AVE LLC 109 SCHOOL ST WATERTOWN, MA 02472

178-52 LIEBHABER, RUVEN & GAIL WASHOR LIEBHABER 1 RICHDALE AVE., #7 CAMBRIDGE, MA 02140

178-52 COMMONS, MATTHEW M. & CLAIRE W. COMMONS C/O ELENKO, MARK P. 1 RICHDALE AVE #10 CAMBRIDGE, MA 02140

178-52 HWANG, SHUE-YEARN & ONE K. HWANG 1 RICHDALE AVE. UNIT#13 CAMBRIDGE, MA 02140

178-52 TRENCHER, JEFFREY W. & RUTH R. GARVEY 1 RICHDALE AVE #16 CAMBRIDGE, MA 02140

178-93 PUIGVENTOS INVESTMENTS, LLC. 1646 CENTRE ST. WEST ROXBURY, MA 02132

178-93 LIU, CINDY & HENRY LIU 15 UPLAND RD UNIT #4 CAMBRIDGE, MA 02140 152-55 / 179-83 /200-100 MASSACHUSETTS BAY TRANSPORTATION AUTHORITY 10 PARK PLAZA BOSTON, MA 02116

177-46 TRICUSPID, LLC 16 LAWSON RD. WINCHESTER, MA 01890

178-52 ARNOPOLSKAYA, LUDMILA 64 GRIFFIN RD FRAMINGHAM, MA 01701

178-52 FOSS, CLIVE 1 RICHDALE AVE, #5 CAMBRIDGE, MA 02140

178-52 HAFERD, THOMAS E. & ROSE L. HAFERD 1 RICHDALE AVE. UNIT#8 CAMBRIDGE, MA 02141

178-52 KOPELL, NANCY J., TRUSTEE THE NANCY J. KOPELL LIV TRUST 1 RICHDALE AVE., #11 CAMBRIDGE, MA 02140

178-52 HERLIHY, PATRICIA ANN MCGAHEY, TR OF THE HERLLHY REALTY TRUST 1 RICHDALE AVE UNIT #14 CAMBRIDGE, MA 02140

178-91 LEE, BYUNG C., TR OF 1876 MASSACHUSETTS AVENUE TRUST 13 COLBY ST BELMONT, MA 02478

178-93 LUI, KEVIN 15 UPLAND RD., #2 CAMBRIDGE, MA 02138

178-93 PAPA, EUGENE 15 UPLAND RD, UNIT #5 CAMBRIDGE, MA 02138 NGOC TRAN 62 STATION LANDING MEDFORD, MA 02155

178-37 SEEGER, JEREMY 28 PORTER RD CAMBRIDGE, MA 02140

178-52 WISEMAN, FREDERICK, TR. THE WISEMAN RICHDALE AVE REALTY TR. 1 RICHDALE AVE., #4 CAMBRIDGE, MA 02138

178-52 BRADLEY, PATRICK J. 1 RICHDALE AVE #6 CAMBRIDGE, MA 02140

178-52 YILDIZ, BILGE & AUDUN BOTTERUD 1 RICHDALE AVE. UNIT#9 CAMBRIDGE, MA 02140

178-52 COLEMAN, SIDNEY & DOROTHY DIANE COLEMAN 1 RICHDALE PK., #12 CAMBRIDGE, MA 02140

178-52 MOORE, SALLY F. 1 RICHDALE AVE #15 CAMBRIDGE, MA 02138

178-92
DANESH, MORDECAI,
TR OF MH REALTY TR. - C/O ALLIED PRPERTIES
P.O. BOX 132
BROOKLINE, MA 02446

178-93 KRAFT, DINA & GILEAD ROSENZWEIG 15 UPLAND RD., #3 CAMBRIDGE, MA 02140

178-93 OLIVA, VICTORIA MCKITTRICK & MARK OLIVA 40 BLAKESLEE ST CAMBRIDGE, MA 02138 1876 Mars De

178-94 17-19 UPLAND ROAD LLC. C/O ERIC M. HOAGLAND 195 LEXINGTON AVE CAMBRIDGE, MA 02138 178-133 PKH PROPERTIES, LLC P.O. BOX 621 BROOKLINE BROOKLINE, MA 02446 179-87 PORTER SQUARE LLC C/O GRAVESTAR, INC. 160 SECOND ST CAMBRIDGE, MA 02142