



## BZA APPLICATION FORM

Plan No: BZA-017073-2019

### GENERAL INFORMATION

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit : √ Variance : \_\_\_\_\_ Appeal : \_\_\_\_\_

PETITIONER : Ngoc Tran

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 FOR PETITION :

Other: Fast food

**DESCRIPTION OF PETITIONER'S PROPOSAL :**

The proposed Yoki Express fast food restaurant is planned to replace the former Bruegger's Bagels fast food restaurant of 25 plus years. The restaurant is located on the corner of Mass. Ave. and Upland Road, and occupies almost the entire site, leaving no area for the required parking. The restaurant will have 60 seats. Relief is requested to continue operation of a fast food concept at the location.

**SECTIONS OF ZONING ORDINANCE CITED :**

Article 4.000                      Section 4.35.0 (Fast Order Food Establishment).

Article 11.000                      Section 11.30 (Fast Order Food Establishment).

Original Signature(s) :

  
(Petitioner(s) / Owner)

NGOC TRAN

(Print Name)

Address : 62 Station Landing,  
Medford, MA 02155

Tel. No. : 781-606-2527

E-Mail Address : 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/We Byung C Lee, Trustee  
(OWNER)

Address: 13 Colby Street, Belmont, MA 02478

State that I/We own the property located at 1876 Massachusetts Ave, Cambridge, MA 02140,  
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 Avenue Trust


\*Pursuant to a deed of duly recorded in the date 04/24/1992, Middlesex South  
County Registry of Deeds at Book 21972, Page 574; or  
Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_.


  
\_\_\_\_\_  
SIGNATURE BY LAND OWNER OR  
AUTHORIZED TRUSTEE, OFFICER OR AGENT\*

***\*Written evidence of Agent's standing to represent petitioner may be requested.***

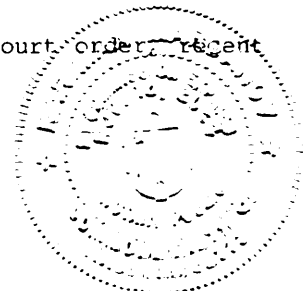
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Commonwealth of Massachusetts, County of MIDDLESEX

The above-name BYUNG C LEE personally appeared before me,  
this 8<sup>th</sup> of FEBRUARY, 20 19, and made oath that the above statement is true.

  
\_\_\_\_\_  
Notary

  
My commission expires \_\_\_\_\_ (Notary Seal).

- If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.



REPUBLIC OF THE PHILIPPINES

Department of Education  
Division Office - [illegible]

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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 Ordinance.

**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.

**D)** 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.

**E)** 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> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> <sup>1</sup>	
<u>TOTAL GROSS FLOOR AREA:</u>	<u>12,000* sq ft</u>	<u>ame as existin</u>	<u>N/A</u>	<u>(max.)</u>
<u>LOT AREA:</u>	<u>4228 sq ft</u>	<u>ame as existin</u>	<u>None</u>	<u>(min.)</u>
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u> <sup>2</sup>	<u>3.7</u>	<u>ame as existin</u>	<u>2.0</u>	<u>(max.)</u>
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>(min.)</u>
<u>SIZE OF LOT:</u> <u>WIDTH</u>	<u>34.50 - 68.38</u>	<u>ame as existin</u>	<u>None</u>	<u>(min.)</u>
<u>DEPTH</u>	<u>83.55</u>	<u>ame as existin</u>	<u>None</u>	
<u>SETBACKS IN FEET:</u> <u>FRONT</u>	<u>0</u>	<u>ame as existin</u>	<u>None</u>	<u>(min.)</u>
<u>REAR</u>	<u>6 ft</u>	<u>ame as existin</u>	<u>None</u>	<u>(min.)</u>
<u>LEFT SIDE</u>	<u>0</u>	<u>ame as existin</u>	<u>None</u>	<u>(min.)</u>
<u>RIGHT SIDE</u>	<u>0</u>	<u>ame as existin</u>	<u>None</u>	<u>(min.)</u>
<u>SIZE OF BLDG.:</u> <u>HEIGHT</u>	<u>About 38 ft</u>	<u>ame as existin</u>	<u>55 ft</u>	<u>(max.)</u>
<u>LENGTH</u>	<u>78 ft</u>	<u>ame as existin</u>	<u>None</u>	
<u>WIDTH</u>	<u>34.50ft - 66 ft</u>	<u>ame as existin</u>	<u>None</u>	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>	<u>0.097</u>	<u>ame as existin</u>	<u>None</u>	<u>(min.)</u>
<u>NO. OF DWELLING UNITS:</u>	<u>0</u>	<u>0</u>	<u>None</u>	<u>(max.)</u>
<u>NO. OF PARKING SPACES:</u>	<u>0</u>	<u>0</u>	<u>6</u>	<u>(min./max)</u>
<u>NO. OF LOADING AREAS:</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>(min.)</u>
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>	<u>10 ft</u>	<u>ame as existin</u>	<u>None</u>	<u>(min.)</u>

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'.



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

2019 FEB 20 PM 2:28  
OFFICE OF THE CITY CLERK  
CAMBRIDGE MASSACHUSETTS

BZA APPLICATION FORM

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(Petitioner(s) / Owner)

(Petitioner(s) / Owner)

NGOC TRAN

(Print Name)

Address :

62 Station Landing,  
Medford, MA 02155

Tel. No. :

781-606-2527

E-Mail Address :

nick@yokirestaurant.com

Date : \_\_\_\_\_











BK11873 PG165

MASSACHUSETTS QUITCLAIM DEED INDIVIDUAL (LONG FORM) 802

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

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

with quitclaim covenants

~~wherein~~ A certain parcel of land with the buildings thereon situated in Cambridge, Middlesex County, Massachusetts, being shown as lots 1 and 2 on a plan entitled, ~~Cambridge, Middlesex County, Massachusetts~~, "Plan of Premises in Cambridge, belonging to J. F. Noera," dated October 1913, by W. A. Mason and Son, Surveyors, recorded with Middlesex 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 Railroad, 88.37 feet;  
 WESTERLY by lot 2 on said plan, 68.38 feet; and  
 SOUTHERLY by Upland Road, 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;  
 EASTERLY by lot 1 on said plan, 68.38 feet;  
 NORTHERLY by land of the Fitchburg Railroad, 58.76 feet; and  
 WESTERLY by lot 3 on said plan, 91.54 feet.

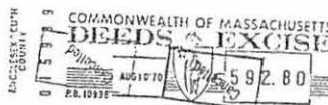
Containing 4,318 square feet of land.

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 ADJUTING LOT 1, ON THE  
 NORTHEASTERLY CORNER THEREOF, AND KNOWN IN THE NUMBERING  
 AS 1800 MASS. AVE, CAMBRIDGE.



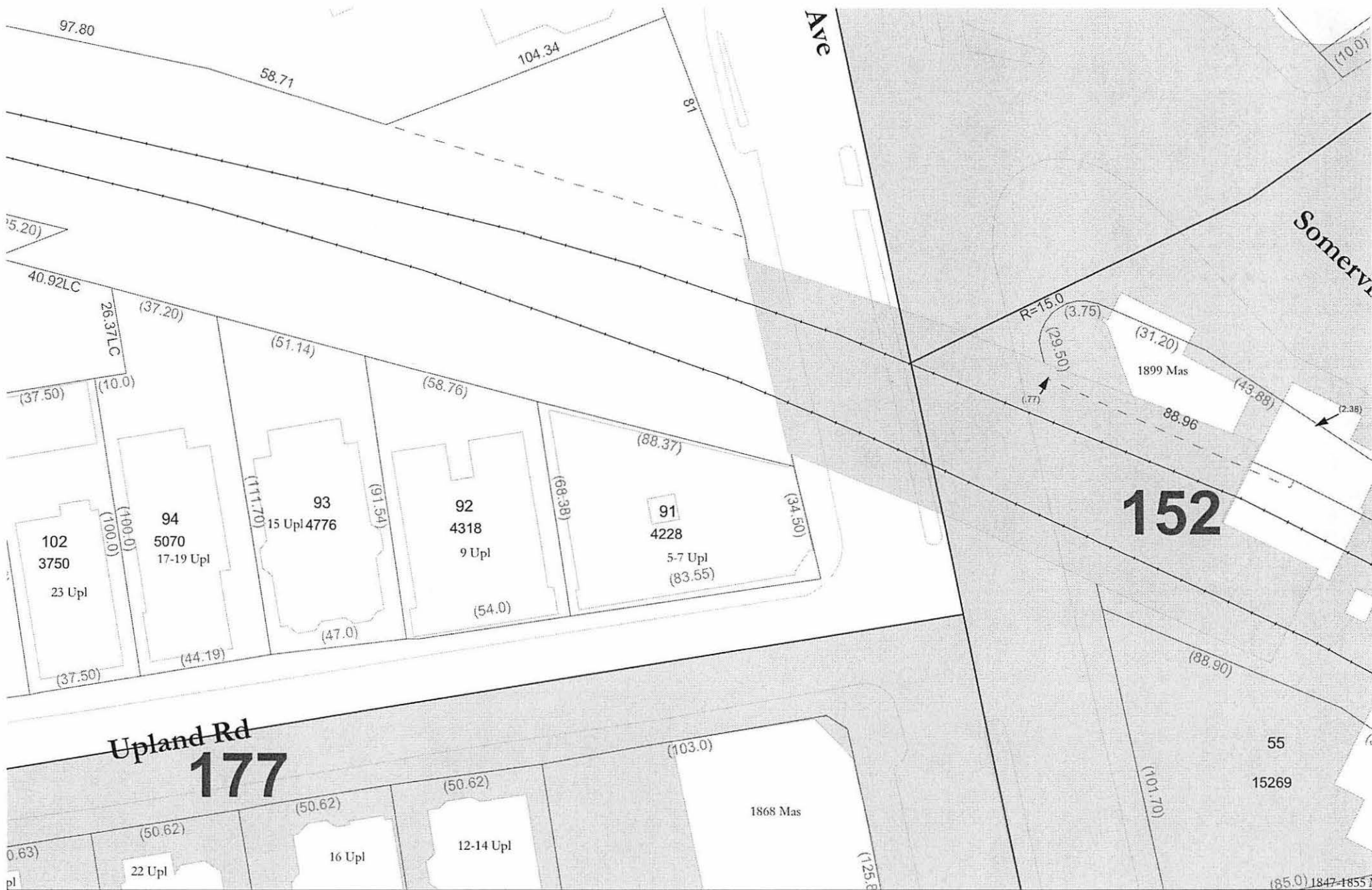
(\*Individual — Joint Tenants — Tenants in Common — Tenants by the Entirety.)



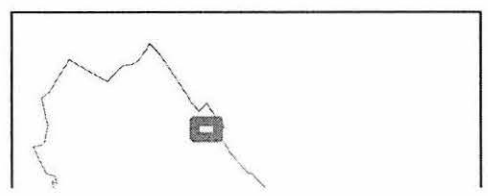
Said p:  
Upland  
number:

AUG 10-10 PM 3:59 Z27RE \*\*\*7.00

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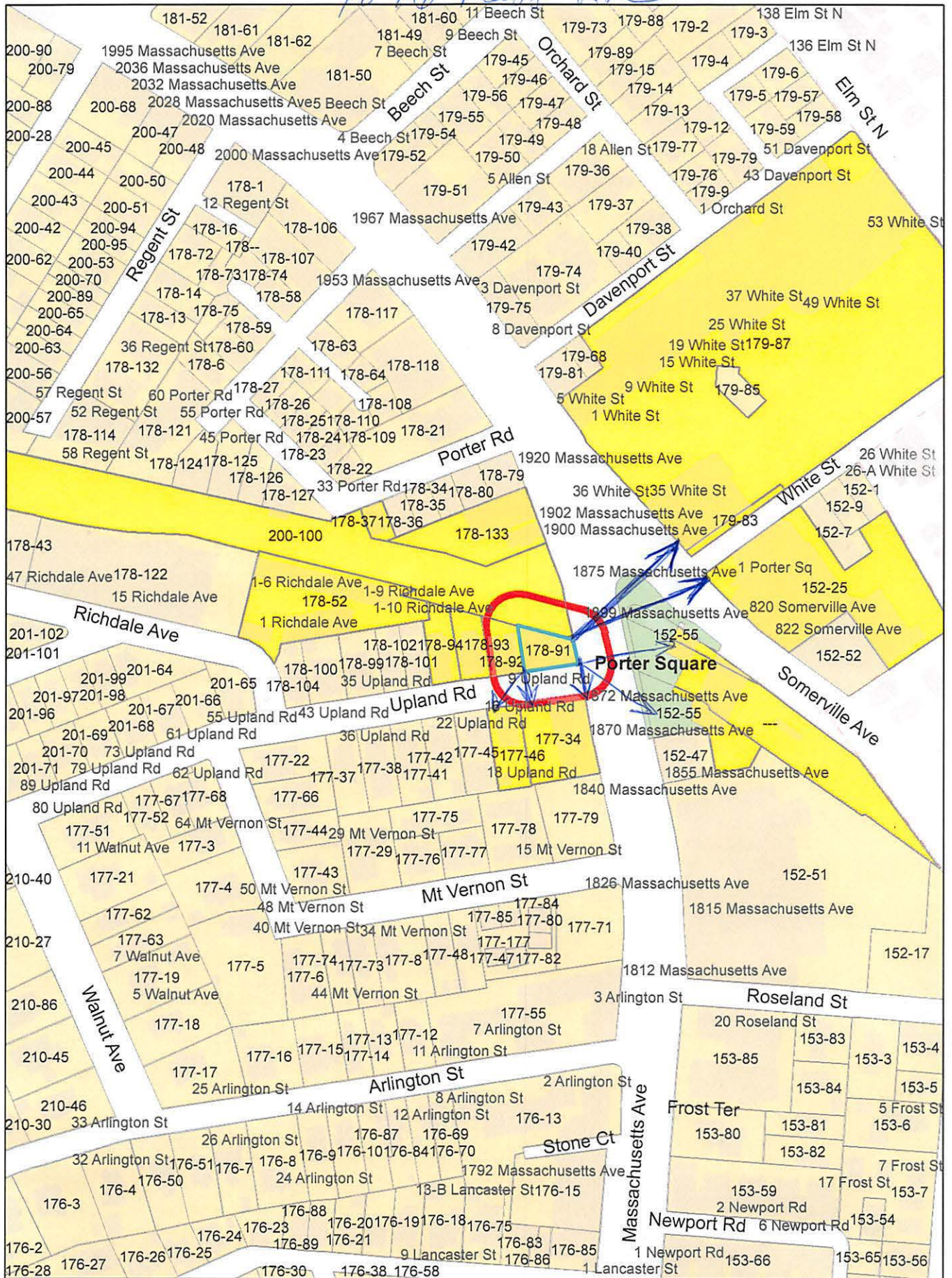


from existing Assessor's Tax Maps  
Assessor's Office and the Department  
in completed using the City of  
Parcels have not been created





1876 Mass Ave





1846 Mass Ave

Petitioner

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

152-55 / 179-83 / 200-100  
MASSACHUSETTS BAY TRANSPORTATION  
AUTHORITY  
10 PARK PLAZA  
BOSTON, MA 02116

NGOC TRAN  
62 STATION LANDING  
MEDFORD, MA 02155

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

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

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

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

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

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

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

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

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

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

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

178-52  
YILDIZ, BILGE & AUDUN BOTTERUD  
1 RICHDALE AVE. UNIT#9  
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  
KOPELL, NANCY J.,  
TRUSTEE THE NANCY J. KOPELL LIV TRUST  
1 RICHDALE AVE., #11  
CAMBRIDGE, MA 02140

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

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

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

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

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

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

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

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

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

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

178-93  
LIU, CINDY & HENRY LIU  
15 UPLAND RD UNIT #4  
CAMBRIDGE, MA 02140

178-93  
PAPA, EUGENE  
15 UPLAND RD, UNIT #5  
CAMBRIDGE, MA 02138

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



1876 Mass Ave

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