BZA Number: 172691

General Information

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

Special Permit: ________ Variance: _____ X _____ Appeal: ________

PETITIONER: MDHCT Holding LLC C/O HRI

PETITIONER'S ADDRESS: 280 Franklin Street, Cambridge, MA 02139

LOCATION OF PROPERTY: 808-812 Memorial Drive, Cambridge, MA

TYPE OF OCCUPANCY: Mixed-Use (Residential and Commercial)

ZONING DISTRICT: Office-2 Zone

REASON FOR PETITION:

/Sign/

DESCRIPTION OF PETITIONER'S PROPOSAL:

We are requesting relief for an illuminated wall sign for the height and setback.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 7.000 Section: 7.16.22.C (Wall Sign).
Article: 10.000 Section: 10.30 (Variance).

Original Signature(s):

(Petitioner(s) / Owner)

Address: 280 Franklin St, Cambridge MA 02139

Tel. No.: 617-868-4858 x209
E-Mail Address: emacrakis@homeownersrehab.org

Date: 5/3/2022
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.

MDHCT Holding LLC

I/We ___________________________ (OWNER)

Address: __________________________________________________________________________________________

State that I/We own the property located at ____________________________________________________________________________,

which is the subject of this zoning application.

The record title of this property is in the name of ____________________________________________________________________________

MDHCT Holding LLC

*Pursuant to a deed of duly recorded in the date _________________, Middlesex South County Registry of Deeds at Book _____ Page ________; 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.

Commonwealth of Massachusetts, County of __________

The above-name ____________________________ personally appeared before me, this ____________ of __________, 2022, and made oath that the above statement is true.

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.

(ATTACHMENT B - PAGE 3)
BZA Application Form

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10.

A)

A literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

This sign is important to our property as the most visible corner of the property is dominated by a Mobil Station and a street tree. By placing the sign higher than the Ordinance allows and a bit larger than the internal lighting dimensions currently allow, our potential residential tenants, commercial customers, and office visitors will be able to properly identify the property before driving too far down Memorial Drive or River Street. In order to be a successful property, we need folks unfamiliar with the property to see the sign easily. If visitors can't easily identify the property, we will have a harder time leasing up the residential, commercial, and office spaces which can negatively affect the property's financial health and our organization's affordable housing mission.

The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures by not affecting generally the zoning district in which it is located for the following reasons:

B)

The shape of the 812 building is such that the ground floor is dominated by a Mobil Station and the part of the building that is built above the station is blocked by a street tree. As we don't intend to change the shape and size of the building and are hoping that the street tree stays on Memorial Drive as part of the streetscape, a sign that conforms to the Ordinance would be blocked and not visible for its intended purpose.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

1) Desirable relief may be granted without substantial detriment to the public good for the following reasons:

The proposed sign will not be seen by residents in their homes in the adjacent neighborhood as the sign will face Memorial Drive and not the residential neighborhood behind the property. The slightly higher height will not be detrimental to the public good, in fact it will allow for easier identification of the property which will help those visiting the property find it more easily. In addition, this sign is consistent with other large buildings on both sides of the Charles River near this property as most nearby buildings have large building signs that are much higher than the height of the sign we are proposing.

2) Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

Our sign location height request is site-specific as this property is located at a major intersection where people driving would not be able to see a sign below the second story sill (or 20' from ground). The same logic applies for the slightly higher sign than allowed under the internal lighting of the Ordinance - the higher proposed location will make this the sign appear smaller from ground level. We believe that both requests for relief are within the spirit of the Ordinance and simply reflect the unique nature and location of this property.

*If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an attorney.
**BZA Application Form**

**DIMENSIONAL INFORMATION**

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>MDHCT Holding LLC</th>
<th>Present Use/Occupancy:</th>
<th>Mixed-Use (Residential and Commercial)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>808-812 Memorial Drive, Cambridge, MA</td>
<td>Zone:</td>
<td>Office-2 Zone</td>
</tr>
<tr>
<td>Phone:</td>
<td>617-868-4858 x209</td>
<td>Requested Use/Occupancy:</td>
<td>Mixed-Use (Residential and Commercial)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Existing Conditions</strong></th>
<th><strong>Requested Conditions</strong></th>
<th><strong>Ordinance Requirements</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL GROSS FLOOR AREA:</td>
<td>407,073</td>
<td>407,073</td>
</tr>
<tr>
<td>LOT AREA:</td>
<td>120,647</td>
<td>120,647</td>
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<tr>
<td>RATIO OF GROSS FLOOR AREA TO LOT AREA:</td>
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<td>3.37</td>
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<tr>
<td>LOT AREA OF EACH DWELLING UNIT</td>
<td>402</td>
<td>402</td>
</tr>
<tr>
<td>SIZE OF LOT:</td>
<td>WIDTH N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>DEPTH N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>SETBACKS IN FEET:</td>
<td>FRONT 55</td>
<td>54</td>
</tr>
<tr>
<td></td>
<td>REAR N/A</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>LEFT SIDE 0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>RIGHT SIDE 22</td>
<td>21</td>
</tr>
<tr>
<td>SIZE OF BUILDING:</td>
<td>HEIGHT 209</td>
<td>209</td>
</tr>
<tr>
<td></td>
<td>WIDTH N/A</td>
<td>N/A</td>
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<tr>
<td>RATIO OF USABLE OPEN SPACE TO LOT AREA:</td>
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</tr>
<tr>
<td>NO. OF DWELLING UNITS:</td>
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<td>300</td>
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<tr>
<td>NO. OF PARKING SPACES:</td>
<td>257</td>
<td>257</td>
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<tr>
<td>NO. OF LOADING AREAS:</td>
<td>0</td>
<td>0</td>
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<tr>
<td>DISTANCE TO NEAREST BLDG. ON SAME LOT</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

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

N/A

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'.

2/3
SIGN CERTIFICATION FORM

COVER SHEET

Sign Text: Rivermark

Location of Sign: Building Facade above Mobil Station

Applicant: MDHC Holding LLC

Zoning District: O-2 Overlay District: Memorial Drive

Area of Special Planning Concern: (Sec. 19.46 & 19.42.1)

Application Date: 4/5/2022

Sketch of sign enclosed: Yes X No

PLEASE NOTE: All signs must receive a permit from the Inspectional Services Department (ISD) before installation. Community Development Department Certification action does NOT constitute issuance of a permit or certification that all other code requirements have been met. Do not contract for the fabrication of a sign until all permits have been issued including City Council approval, if necessary for signs in the public way*. 

* Any sign or portion of a sign extending more than six (6) inches into the public way/sidewalk, must receive approval from the Cambridge City Council; a bond must be posted with the City Clerk.

The Sign Ordinance is available online under Article 7.000 at https://www.cambridgema.gov/CDD/zoninganddevelopment/Zoning/Ordinance

Contact Liza Padon at 617 349 4647 or lpadon@cambridgema.gov for further information.
Proposed WALL Sign

Area in Square feet: 56.94
Dimensions: 205" X 40"

Illumination: Natural___ Internal ____ External ___

Height (from ground to the top of the sign): 47' 4"

1. COMPLETE WHEN SIGN IS ACCESSORY TO A FIRST FLOOR STORE
   Length in feet of store front facing street: (a) _____________. Area of signs allowed accessory to store:
   outside (1 x a) ______________, behind windows (0.5 x a) ______________. Area of all existing signs on
   the store front to remain (including any freestanding sign): ______________. Area of additional signs
   permitted: ______________.

2. COMPLETE FOR ANY OTHER SIGN
   Length in feet of building facade facing street: (a) _____________. Area of signs allowed accessory to
   the building facade: outside (1 x a) ______________, behind windows (0.5 x a) ______________. Area of
   all existing signs on the building facade to remain (including any freestanding sign): ______________.
   Area of additional signs permitted: ______________.

SUMMARY OF LIMITATIONS FOR WALL SIGNS (see reverse side for more general summary of the sign
regulations; review Article 7.000 of the Zoning Ordinance for all zoning requirements.)

AREA: 60 square feet maximum. HEIGHT ABOVE THE GROUND: 20 feet but below the sills of second floor
windows. ILLUMINATION: Natural or external, or internal illumination with significant limitations. NUMBER: No
limit.

COMMUNITY DEVELOPMENT DEPARTMENT CERTIFICATION

Sign conforms to requirements of Article 7.000: YES_______ NO ____ X

Sign requires a variance from the Board of Zoning Appeal: YES ___ X

Relevant sections: 7.16.22(C)

COMMENTS: Internally illuminated wall signs must have a vertical or horizontal dimension
not exceeding 30"; proposed sign is 205"Wx40"H. Wall signs must be located no higher than
20' and below sill line of second floor windows; proposed sign is 47'4" on wall face.

Date: 04/08/22   CDD Representative Daniel Messplay
Building sign on Memorial Drive
Building sign on Memorial Drive
Building sign on Memorial Drive

Notes
- Fabricated, reverse channel letters with internal illuminated
- Pinmounted on metal panel building system (blocking to be provided by general contractor)

This has been changed to have the sign mounted to a panel backing rather than pinmounted