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CITY OF CAMBRIDGE  
COMMUNITY DEVELOPMENT DEPARTMENT

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To: Planning Board

From: Swaathi Joseph, Associate Zoning Planner  
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Date: November 30, 2016

Re: Special Permit **PB #322, CAS Foundation Registered Marijuana  
Dispensary at 110 Fawcett Street**

This memo contains an overview of the proposed project at 110 Fawcett Street, the special permits being requested, and related comments.

### **Summary of Proposal**

The applicant is proposing to renovate the existing warehouse building into a registered medical marijuana dispensary at 110 Fawcett Street. The project also includes 8 off-street parking spaces, 4 long-term bicycle spaces, and 6 short term bicycle spaces.

### **Requested Special Permits**

The project is located in a Medical Marijuana Overlay District (MMD-1) and requires a Special Permit to allow a registered medical marijuana dispensary use per Section 20.700. The project is also located within the Flood Plain Overlay District and hence requires a Special Permit for development per Section 20.70. The project also requires review by the Conservation Commission for compliance with Massachusetts Wetlands Protection Act. Applicable sections of the zoning and *Concord-Alewife Planning Study* are provided in an appendix.

Requested Special Permits	Summarized Findings <i>(see appendix for zoning text excerpts)</i>
<p>Medical Marijuana Dispensary Use in Medical Marijuana Overlay Districts (Sections 20.700)</p>	<ul style="list-style-type: none"> <li>• Location shall serve an area that currently does not have reasonable access to medical marijuana.</li> <li>• Location is at least five hundred feet distant from a school, daycare center, preschool or afterschool facility or any facility in which children commonly congregate, or if not located at such a distance, it is sufficiently buffered from such facilities such that its users will not be adversely impacted by its operation.</li> <li>• Site design provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users.</li> <li>• Traffic generated shall not create a substantial adverse impact on nearby residential uses.</li> <li>• Loading, refuse and service areas are designed to be secure and shielded from abutting uses.</li> <li>• Building and site are designed to be compatible with other buildings in the area and to mitigate any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior.</li> </ul> <p><i>(See full criteria in appendix)</i></p>
<p>Substantial Building Improvement in Flood Plain Overlay District (Section 20.70)</p>	<ul style="list-style-type: none"> <li>• No encroachment of the floodway or displacement of water retention capacity is allowed unless fully offset.</li> <li>• Flood water systems shall not cause nuisance, hazard or detriment to site or abutters.</li> <li>• Development is consistent with zoning, area plans and guidelines, and applicable laws including Wetlands Protection Act.</li> <li>• Review by the City Engineer and Conservation Commission are required.</li> </ul> <p><i>(See full criteria in appendix).</i></p>
<p>General Special Permit Criteria (Section 10.43)</p>	<p>Special permits will be normally granted if the zoning requirements are met, unless it is found not to be in the public interest due to one of the criteria enumerated in Section 10.43 <i>(see appendix)</i>.</p>

## **Area Planning and Zoning**

The base zoning for the site is Industry B-2 (IB-2), which is modified by the Alewife Overlay District (AOD) zoning and Medical Marijuana Overlay District 1 (MMD-1) zoning, which has zoning regulations intended to permit Registered Marijuana Dispensaries where there is access to both regional roadways and public transportation, where they may be readily monitored by law enforcement for health and public safety purposes, and where they will not impact the character of lower-scale residential neighborhoods, business districts and educational institutions.

As with much of the Alewife area, the site is also located within the Flood Plain Overlay District, which encompasses areas designated as Flood Hazard Zones A and AE on the Middlesex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA). Projects within this district require a Planning Board special permit with the primary criteria being technical mitigation of flood hazard.

### *Future Development Goals*

The most recent planning effort in this area was the Concord-Alewife Plan, completed in 2006. This site is located within what the plan describes as the “Quadrangle,” and the development goals are to promote a mix of housing and commercial uses throughout the area, to manage traffic demand by supporting walking, bicycling and public transportation as alternative modes of transportation, and to promote stormwater management through increased landscape and permeable area, as well as engineered interventions.

In the Quadrangle in particular, the planning goals encourage the addition of housing, with a transition from lower-density development near the Cambridge Highlands neighborhood to medium-density development further to the east. The Quadrangle goals also support neighborhood-focused retail near Alewife Brook Parkway, while allowing the retention of light industrial uses in areas near the active railroad line. So far, there have only been a few scattered residential developments in the Quadrangle since the completion of the Concord-Alewife study, although directly adjacent to the proposed RMD site is the two-building, 429-unit residential complex at 70 Fawcett Street, known as the “Atmark” development, which was subject to Planning Board review and approval (PB #255). Another residential project proposing 44 units was recently granted approval by Planning Board (PB #309) at 95 Fawcett Street. Additional residential development is anticipated in the area in the future.

### *Infrastructure*

Another key component of the Concord-Alewife plan is desired infrastructure improvements to serve public goals. One major piece of infrastructure is a planned pedestrian/bicycle bridge providing a more direct connection from the Quadrangle to the Alewife MBTA station. The city is currently undertaking a feasibility study for this bridge connection, which also considers the possibility of creating a new MBTA commuter rail station along the existing Fitchburg line. One potential landing site for the bridge would be on railroad-adjacent land directly opposite from 95 Fawcett Street, alongside this site.

Other desired infrastructure improvements particular to the Quadrangle include roadway connections to allow more flexible east-west travel without relying on Concord Avenue, and enhanced bicycle and

pedestrian connections throughout the area. In addition, the plan identifies public open space as a goal, to serve community-gathering functions in addition to stormwater management. The AOD zoning provides mechanisms by which development rights and requirements can be shifted, pooled and transferred flexibly across sites to enable these public improvements. For example, in the Atmark project, the site was split to provide a roadway connection that would form part of a future east-west internal roadway system, which resulted in a development bonus.

### *Urban Design*

One of the main urban design objectives for development in the Quadrangle is to transition from its current automobile-oriented character to a streetscape that enhances the bicycle and pedestrian environment. Key urban design considerations include fostering a pedestrian-friendly environment and vibrant public realm by creating active streets and outdoor gathering spaces, and reinforcing connections to nearby open spaces.

## **Comments on Proposal**

### *Consistency with Planning and Zoning*

The proposal is to renovate and reuse the existing, marginal warehouse building on the lot, which is currently non-conforming with regard to front setback requirements. The potential for a medical marijuana use in this area was anticipated by the creation of the MMD-1 district in 2013, and reflects the nature of the district as a transitional area with access to regional transportation, and a somewhat industrial character that would not be negatively impacted by the presence of an RMD, which would not allow physical or visual access to the public due to security requirements. However, the district is currently going through a very active transition with an increase in residential use, and the proposed RMD has the potential to conflict in some ways with that emerging residential character.

This is the first RMD proposed within MMD-1 and, if approved, would be the first RMD serving the area. However, another potential RMD operator (William Noyes Webster Foundation) has submitted a zoning proposal, currently before the City Council, that would expand the MMD-1 to include areas west of Smith Place. The maps provided in the application do not label the use of all buildings within a 500-foot radius, but show that the nearest schools are farther than 500 feet from the proposed RMD site. A map also shows a child care use (Cambridge KinderCare) within a closer distance, but located on Cambridgepark Drive and thereby buffered from the proposed RMD location.

### *Transportation*

The transportation analysis provided by Howard Stein Hudson projects patient parking demand to be about five to seven spaces. The project is proposing to provide 13 parking spaces, including eight spaces on-site and five leased at 125 Fawcett Street. The proposal also includes four long-term and six short-term bicycle parking spaces, which exceeds what would be required for a retail establishment of a comparable size. The applicant has been in discussion with Traffic, Parking and Transportation Department (TP&T) staff to determine if the proposed parking will be adequate, to identify any potential

concerns with regard to traffic, parking or loading operations, and to determine whether access and egress will be safe and convenient for users of the RMD. Also, due to the creation of new on-site parking spaces, the project is subject to the Parking and Transportation Demand Management (PTDM) ordinance and is required to submit a “small project” PTDM plan for approval prior to any permits being issued. The application also proposes leasing five parking spaces from 125 Fawcett Street. Since there are no parking spaces currently registered on that site, those may also require a PTDM plan.

#### *Urban Design*

While the need to limit visibility into the dispensary is understood, and re-purposing the shed has merit in terms of industrial character and proximity to the railroad, opportunities to mitigate the lack of façade articulation and create a more engaging pedestrian experience should be explored. This is particularly important for the publicly visible façades of the building, including the east elevation, which may someday become a visual focal point for users of the planned pedestrian/bicycle bridge. A higher level of detailing and façade treatments would create more interest across the relatively blank and flat building interfaces and help to make the building compatible with the evolving character of the area. These could include utilizing structural elements, such as pergolas, and larger/more defined trim pieces to frame openings that are in proportion to the scale of the structure, greater contrast in materials and colors, and use of taller landscape plantings if possible. This would help give the building more depth, and mitigate some of the negative aesthetic impacts of the design. Increasing the size of windows and bringing them closer to grade, if possible, for the staff areas could also help break down the scale of the building and improve façade proportions.

Further consideration should also be given to improving the pedestrian and bicycle connections to and from the site, and enhancing the screening of the parking area. Plantings should provide a balance between maintaining sightlines and visibility, while also reasonably screening vehicles. Trash storage appears well handled with a dedicated storage area provided within the building. No information on the placement of mechanical equipment, including rooftop mechanicals, has been provided.

#### *Flood Plain and Stormwater Management Requirements*

The Flood Plain Overlay District zoning requires technical review by the City Engineer and the Cambridge Conservation Commission to ensure that the development will not diminish the site’s ability to accommodate the retention and flow of flood water. Approval is also conditioned on compliance with the Wetlands Protection Act, which potentially could include an Order of Conditions imposed by the Conservation Commission and the Massachusetts Department of Environmental Protection. These requirements also dovetail with city standards for stormwater management, which are incorporated into the Alewife Overlay District (AOD) zoning requirements. The Applicant has provided an engineering report from Joyce Consulting Group and discussed the project with the City Engineer. The Applicant is also in communication with the Conservation Commission to schedule a hearing, but no report from the Conservation Commission has been received as of this date.

### **Continuing Review**

The following is a list of some key issues that staff recommends should be addressed further as the building and site designs advance. Additional comments from the Planning Board are welcome.

- More detail on access/egress routes for all modes of travel, along with potential measures that might be incorporated into a PTDM plan and other transportation strategies, with comment from TP&T.
- Amended building elevations, specifying all materials and colors, and showing potential facade and landscape improvements to the building elevations visible from Fawcett Street and from the direction of the planned pedestrian/bicycle railroad crossing.
- Review of all proposed mechanical equipment on the rooftop, façade or exterior of the building.
- Review of exterior signage, lighting, and other security features that may be required by state regulations.
- Comments on flood hazard mitigation and stormwater management strategies from the City Engineer (at DPW) and Conservation Commission.