

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MASSACHUSETTS 02139

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

2020 MAR 26 AM 9:16

NOTICE OF DECISION

Case Number:	339 Amendment #1
Address:	541 Massachusetts Avenue
Zoning:	Business B District / Central Square Overlay District
Applicant:	Revolutionary Clinics II, Inc. 9 Bartlet Street, #335, Andover, MA 01810
Owner:	545-565 Mass Ave, LLC 585 Massachusetts Avenue, Cambridge, MA 02139
Application Date:	October 21, 2019
Date of Planning Board Public Hearing:	November 12, 2019; February 11, 2020
Date of Planning Board Decision:	February 11, 2020
Date of Filing Planning Board Decision:	March 26, 2020
Application:	Amendment to previously granted Special Permit Decision that authorized Revolutionary Clinics II, Inc. to operate a registered marijuana dispensary (RMD) occupying approximately 6,025 square feet at 541 Massachusetts Avenue. Amendment would authorize the co-location of a Cannabis Retail Store for the sale of cannabis products for non-medical use pursuant to Sections 11.802.1(c) and 10.43 of the Zoning Ordinance, with no changes proposed to the building or site.
Decision:	GRANTED, with Conditions.

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws, Chapter 40A, and shall be filed within twenty (20) days after filing of the above referenced decision with the City Clerk. Copies of the complete decision and final plans, if applicable, are on file with the Community Development Department and the City Clerk.

Authorized Representative of the Planning Board: Swaathi Joseph

For further information concerning this decision, please contact Liza Paden at 617-349-4647, or lpaden@cambridgema.gov.

DOCUMENTS SUBMITTED

Application Documents and Supporting Material

1. Special Permit Application submitted on 10/21/19, including, *inter alia*, Application Forms, Project Narrative, Description of Activities, Transportation Logistics Plan prepared by Howard Stein Hudson dated 9/12/19, Community Outreach Summary, Dimensional Form, plan set prepared by Elton Hampton Architects dated 3/15/18.
2. Presentation slides shown to Planning Board on 11/12/19.

City of Cambridge Documents

3. Memorandum from Community Development Department (CDD) staff dated 11/4/19.
4. Memorandum from Joseph E. Barr, Director of Traffic, Parking and Transportation, dated 11/4/19.
5. Legal opinion from the City Solicitor to the City Manager, dated 1/14/2020.

APPLICATION SUMMARY

In a January 11, 2019 special permit decision (“Original Decision”) the Planning Board approved a proposal by Revolutionary Clinics II, Inc. to operate a RMD. The approved development included the renovation of the existing building, which is approximately 6,025 square feet in area, to include an RMD to sell cannabis products under the Massachusetts Medical Use of Marijuana Program and a separate retail space occupying approximately 292 square feet at the corner facing Massachusetts Avenue and Norfolk Street to be leased to a retail establishment that would not be subject to restrictions on access and visibility. The approved development included no new on-site parking spaces, as none existed under the building’s previous retail use, and included the creation of 4 long-term bicycle parking spaces and a contribution to the City Public Bike fund for 6 short-term parking spaces. The RMD has been constructed and is anticipated to start operations in the future subject to the approval of the Massachusetts Cannabis Control Commission. The current application seeks an amendment to the Original Decision in order to approve the sale of cannabis products for non-medical use at the same facility, as required by Section 11.802.1, Paragraph (c) of the Zoning Ordinance. No changes are proposed to the building or the parking spaces as part of this amendment. The requested special permits are discussed in detail in the Findings below.

FINDINGS

After review of the Application Documents and other documents submitted to the Planning Board, testimony given at the public hearing, and review and consideration of the applicable requirements and criteria set forth in the Zoning Ordinance with regard to the relief being sought, the Planning Board makes the following Findings:

1. Approval of a Cannabis Retail Store (Section 11.800)

The proposed site is located within the Business B (BB) Zoning District. The Planning Board may grant a special permit approving a Cannabis Retail Store within this district upon finding that the proposal meets the criteria set forth in Section 11.800. The Board finds that these criteria are met, for the reasons set forth below.

11.803 Location Standards.

11.803.1 Cannabis Retail Stores.

(a) Cannabis Retail Stores shall be allowed only by Planning Board Special Permit within the following districts: Business A (BA), Business A-1 (BA-1), Business A-2 (BA-2), Business A-3 (BA-3), Business B (BB), Business B-1 (BB-1), Business B-2 (BB-2), Business C (BC), Industry A-1 (IA-1), Industry B (IB), Industry B-1 (IB-1), and Industry B-2 (IB-2) districts, and special districts and overlay districts whose use regulations are based on those of any of the aforementioned districts, subject to any limitations set forth in the regulations of those districts. In the Business A-1 district, only applicants that have been designated as Economic Empowerment Applicants or certified as eligible to participate in the Social Equity Program by the Massachusetts Cannabis Control Commission may be permitted and it shall be made a condition of the special permit that such designation or eligibility shall be maintained.

The site is within the Business B district, where Cannabis Retail Stores are allowed under current zoning.

(b) A Cannabis Retail Store shall not be permitted within one thousand and eight hundred (1,800) feet of another Cannabis Retail Store, except if the applicant has been designated as an Economic Empowerment Applicant or certified as eligible to participate in the Social Equity Program by the Massachusetts Cannabis Control Commission and it is made a condition of the special permit that such designation or eligibility shall be maintained.

This site is within 1,800 feet of two other permitted Cannabis Retail Stores. Since the applicant is not an Economic Empowerment Applicant, the Board requested a legal determination from the City Solicitor whether the proposed Cannabis Retail Store, which will be co-located with the existing RMD, can be permitted at this location. The City Solicitor provided an opinion dated January 14, 2020 (refer to City of Cambridge Documents), expressing that pursuant to the applicable state law for adult-use Cannabis Establishments, G.L. c.94G, §3(a)(1), the provisions of Section 11.803.1 Paragraph (b) are not applicable to this proposal.

(c) All products offered to consumers shall be pre-packaged off-site, and no packaging or repackaging of cannabis or marijuana products shall take place on the premises of a Cannabis Retail Store unless it also meets the requirements for a Cannabis Production Facility.

All products are pre-packaged at the cultivation facility. No cultivation, packaging, or repackaging is proposed at the Cannabis Retail Store.

11.803.3 Buffer Zones.

(a) A Cannabis Retail Store or Cannabis Production Facility shall not be permitted within 300 feet of a pre-existing public or private school providing education in kindergarten or any of grades one through 12, except where the Planning Board, in issuing a special permit, approves a reduced distance upon finding that the location will cause no substantial adverse impact due to site-specific factors or other mitigating efforts agreed to in writing by the permittee and made conditions of the special permit.

The Application Documents indicate that there are no public or private K-12 schools within 300 feet of the proposed location.

(b) A Cannabis Retail Store or Cannabis Production Facility shall not be permitted within 300 feet of a pre-existing public children's playground, public youth athletic field, or public youth recreation facility, except where the Planning Board, in issuing a special permit, approves a reduced distance upon finding that the location will cause no substantial adverse impact due to site-specific factors or other mitigating efforts agreed to in writing by the permittee and made conditions of the special permit.

The Application Documents indicate that there are no public children's playgrounds, public youth athletic fields, or public youth recreation facilities within 300 feet of the proposed location.

11.805 Special Permit Criteria. In granting a special permit for a Cannabis Retail Store or Cannabis Production Facility, in addition to the general criteria for issuance of a special permit as set forth in Section 10.43 of this Zoning Ordinance, the Planning Board shall find that the following criteria are met:

(a) The site is designed such that it provides convenient, safe and secure access and egress for customers and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users.

A transportation logistics plan prepared by Howard Stein Hudson has been provided with the Application, and has been reviewed by the Traffic, Parking and Transportation Department ("TP&T"). TP&T provided comments to the Planning Board in a memorandum dated November 4, 2019. While there is limited data about traffic generated by a Cannabis Retail Store, the expectation is that the traffic will not be significantly greater than that of a typical retail establishment of similar size and should have minimal impacts on transportation in the

Central Square vicinity. The proposed co-location within the RMD is within a commercial district that supports retail establishments of this scale and will have convenient access routes for pedestrians, bicyclists, and users of public transportation. There is also the availability of on-street parking, public parking lots, and bicycle parking spaces. Board members acknowledged that traffic and parking are already challenging in Central Square but no more so than for other allowed types of retail uses, and that customers would largely need to rely on alternative means of travel.

The main concern raised by members of the Planning Board was the potential for outdoor queueing that could be disruptive to pedestrian flow on the public sidewalk. Board members noted that the location has a large amount of interior space to manage queueing and the Applicant agreed to design the interior space to manage as many customers as possible within the store. The Applicant has also committed to submitting an operations plan for approval by TP&T staff and to implementing both transportation demand management (TDM) measures and a monitoring program of employee and customer visits as well as loading and pick-up activities of this project to mitigate any unexpected transportation impacts. The Applicant has also proposed programmatic strategies, including an appointment system, to reduce the potential for queueing. Board members were satisfied that the issue of queueing could be addressed with oversight by TP&T as recommended in its memorandum.

(b) On-site loading, refuse and service areas are designed to be secure and shielded from abutting uses.

No changes are proposed to loading and trash management and will continue to be managed in a similar way to the existing RMD.

(c) The building and site have been 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.

No changes are proposed to the building or the site from previous approval for the RMD.

(d) In retail areas, the location and design of the Cannabis Use will not detract from the sense of activity with opaque, unwelcoming façades at the ground floor. Where interior activities must be screened from public view, such areas should be screened by transparent, publicly accessible active business uses where possible. Opaque façades should be minimized, and where they are necessary they should include changing public art displays or other measures to provide visual interest to the public.

The site is located in a predominantly retail area and no changes are proposed for the building façade from its previous approval as an RMD. The proposal retains an active retail space at the corner of Massachusetts Ave. and Norfolk St. and a public art display to screen parts of the cannabis retail store that are required by state regulations to be screened from public view.

(e) If the proposed Cannabis Retail Store or Cannabis Production Facility is not proposed to include a Medical Marijuana Treatment Center, it will nevertheless provide programs to assist qualifying patients within the city or neighborhood who are registered through the Massachusetts Medical Use of Marijuana Program in obtaining services under that program.

The proposed Cannabis Retail Store will maintain its status as a RMD and will remain an operational medical marijuana treatment center serving registered medical patients.

2. General Criteria for Issuance of a Special Permit (10.43)

The Planning Board finds that the proposal meets the General Criteria for Issuance of a Special Permit, as set forth below.

10.43 Criteria. Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:

(a) It appears that requirements of this Ordinance cannot or will not be met, or ...

With the requested special permit, the requirements of the Ordinance will be met.

(b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or ...

As set forth above in these findings, the proposed use is not expected to adversely impact traffic patterns or the character of the area in general.

(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, or ...

The proposed Cannabis Retail Store is allowed in the district, will be operated in accordance with applicable state and local regulations, and will generate pedestrian and vehicular traffic comparable to that generated by a similarly sized allowed retail use. Therefore, the proposed use and location will not adversely impact adjacent uses.

(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, or ...

The proposed Cannabis Retail Store will be operated in accordance with applicable health and safety regulations, as well as state and local regulations particular to cannabis retail stores, which are specifically intended to prevent nuisance or hazard.

(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, and ...

The site is located within the Business B District, which allows Cannabis Retail Stores, as authorized in a zoning amendment adopted by the City Council in 2018.

(f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

The design of the building and site previously underwent review and approval by the Planning Board, and no changes are currently proposed to the building or the site. Therefore, the Board finds no inconsistency with applicable urban design objectives.

DECISION

Based on a review of the Application Documents, testimony given at the public hearings, and the above Findings, the Planning Board hereby GRANTS the requested Special Permit, subject to the following conditions and limitations.

1. This special permit shall authorize only Revolutionary Clinics II, Inc. (the “Permittee”) to establish and operate a Cannabis Retail Store at 541 Massachusetts Avenue, Cambridge, in substantial conformance with the Application Documents and supplemental documents and information submitted by the Applicant to the Planning Board as referenced above. This Cannabis Retail Store is permitted to operate only as a Cannabis Retailer and a Medical Marijuana Treatment Center. No other type of cannabis establishment is hereby permitted. Any activity that involves the cultivation, processing, manufacturing, packaging, storage, transportation, or use of cannabis products shall require an amendment to this special permit, and shall require compliance with all applicable state and local regulations for such activity.
2. The Permittee shall maintain all required state and local licenses and/or registrations and comply with all applicable state and local public health regulations and all other applicable laws, rules and regulations at all times. The Permittee shall execute a Host Community Agreement with the City of Cambridge pursuant to the regulations of the Massachusetts Cannabis Control Commission (“CCC”) and shall have received a Cannabis Business Permit pursuant to the Cambridge Cannabis Business Permitting Ordinance prior to the issuance of a Certificate of Occupancy.
3. This special permit shall be valid only for the approved 541 Massachusetts Avenue site. Furthermore, the special permit shall only be valid for the original Applicant and shall expire on the date the Permittee either ceases operation of a Cannabis Retail Store, or the Permittee’s License or Certificate of Registration expires or is terminated by the CCC. Any change in the majority ownership of the Cannabis Retail Store from the original application, including without limitation a takeover, merger, sale of assets and equity, or sale to another entity resulting in a majority of the individuals initially disclosed under 935 CMR 500.002 as Controlling Persons failing to maintain a controlling equity interest, shall be reported to the Commissioner of Inspectional Services Department (“ISD”) for purposes of determining whether the change in ownership requires a new special permit or modification of the existing permit for the succeeding owner of the Cannabis Retail Store.
4. No alterations to the building are proposed in the building plan set prepared by Elton Hampton Architects dated 3/15/18, and the presentation to the Planning Board on 11/12/19. Before issuance of each Building Permit for the project, CDD shall certify to the Superintendent of Buildings that the final plans submitted to secure the Building Permit are consistent with and meet all conditions of this Decision. As part of CDD’s administrative review of the project, and prior to any certification to the Superintendent of Buildings, CDD may present any design changes made subsequent to this Decision to the Planning Board for its review and comment.

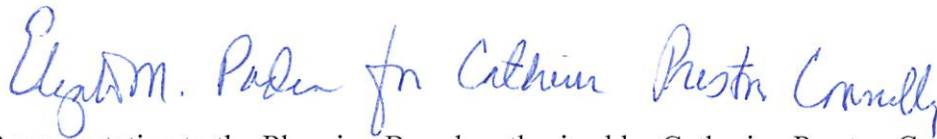
5. The permitted operating hours of the approved Cannabis Retail Store shall be between 9:00 AM and 11:00 PM daily.
 6. The Permittee shall provide an interior queuing plan for review and approval by CDD staff prior to the issuance of a Certificate of Occupancy. There shall be no queuing in the entrance vestibule.
 7. The Permittee shall commit to use an on-line pre-purchase and appointment only scheduling system for the non-medical cannabis use operations for the initial 6 months to manage traffic impacts and shall extend the commitment beyond 6 months if it is deemed by the City to minimize transportation impacts.
 8. The Permittee shall submit an operations plan to Traffic, Parking and Transportation Department (“TP&T”) for approval prior to issuance of a Certificate of Occupancy. The operations plan shall include details regarding management of traffic, parking, and sidewalk crowding to maintain safety and access to adjacent buildings, transit and other key uses. The Permittee shall work with TP&T and the Cambridge Police Department on a specific plan for the opening period to identify and respond to situations related to traffic, parking, transit and bicycling accommodations and any safety issues.
 9. The Permittee shall make a contribution to the City’s Bicycle Parking Fund equivalent to the amount necessary to provide three (3) bicycle racks. Such contribution shall be made prior to the issuance of a Building Permit.
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10. The Permittee shall contribute \$70,000 to the City toward mitigation of traffic impacts, improvement of transportation services, operations, and information in the area, such as Bluebikes stations, and studies and design of a pedestrian and bicycle bridge over the railroad tracks. This contribution shall be made prior to the issuance of a Building Permit for the approved Cannabis Retail Store.
 11. The Permittee shall ensure that all loading and deliveries shall occur in legal loading zones or parking spaces with access through the door on Norfolk Street. At no time, shall a delivery vehicle stop or park on Massachusetts Avenue or any other public street in a way that blocks emergency vehicle access or impedes the flow of vehicle, pedestrian or bicycle travel.
 12. The Permittee shall be required to implement a transportation demand management (TDM) program and a transportation monitoring and reporting program including, at a minimum, the following measures, which shall be certified by the TP&T and CDD prior to issuance of a Certificate of Occupancy for the approved Cannabis Retail Store.
 - a. Provide 100% MBTA T-Pass subsidies to all employees (may be pro-rated for part-time employees). The program shall be administered by the employer through the MBTA Corporate Pass/Perq Program.
 - b. Offer all employees Gold Level Bluebikes bikeshare membership; to be administered through the Bluebikes Corporate Program by the employer.

- c. Provide lockers for employees that walk or bike to work.
- d. Have available an air pump and bicycle repair tools for employees and customers to use when needed.
- e. Designate an employee of the facility as a Transportation Coordinator (TC) to manage the implementation of the TDM measures and a transportation monitoring program. The TC shall:
 - i. Post in a central and visible location (i.e. lobby for customers, break room for employees) information on available non-automobile services in the area, including, but not limited to:
 1. Available pedestrian and bicycle facilities in the vicinity of the Project site.
 2. MBTA maps, schedules and fares.
 3. "Getting Around in Cambridge" map (available from CDD).
 4. Locations of bicycle parking.
 5. Blue Bikes regional public bikeshare system.
 6. Carpool-matching programs.
 7. Other pertinent transportation information.
 - Instead of or in addition to posting paper MBTA schedules, provide a real-time transportation display screen in a central location to help people decide which mode to choose for each trip.
 - ii. Compile up-to-date transportation information explaining all commuter options and provide to all employees. This information should also be distributed to all new employees as part of their orientation.
 - iii. Provide or describe to customers information on transportation options to access the site.
 - iv. Provide and maintain information on the project's website, newsletters, social media, etc., on how to access the site by all modes, with emphasis on sustainable modes.
 - v. Participate in any TC training offered by the City of Cambridge or a local Transportation Management Association.
 - vi. If requested by TP&T or CDD, the Permittee shall provide information on employees and customer travel modes and where they customarily park, as well as information on loading and service delivery operations. Surveys of employees and customers shall be designed and conducted in a manner approved by TP&T and CDD.

- vii. The Permittee shall provide a loading and service delivery management plan that includes all delivery activities to TP&T for approval prior to issuance of a Building Permit.
 - viii. The Permittee shall maintain membership in the Alewife TMA and provide employees and patients access to the shuttle bus to/from the Alewife MBTA station, as provided by the TMA or a comparable shuttle service approved by TP&T and CDD.
13. The Cannabis Retail Store at 541 Massachusetts Avenue shall not be used as a distribution point for home deliveries.
14. Prior to issuance of a Certificate of Occupancy for the approved Cannabis Retail Store, CDD shall certify to the Superintendent of Buildings that all Conditions of this Special Permit Decision are met.
15. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code).
16. Except as set forth above, all Conditions set forth in the previously granted Special Permit Decision PB #339, filed on January 11, 2019 and attached to this Special Permit Decision, shall continue to apply.

Voting in the affirmative to GRANT the Special Permit Amendment were Planning Board Members Louis Bacci, H Theodore Cohen, Steven Cohen, Catherine Preston Connolly, Hugh Russell, and Tom Sieniewicz, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,

A handwritten signature in blue ink that reads "Elizabeth M. Paden for Catherine Preston Connolly". The signature is written in a cursive style.

Representative to the Planning Board, authorized by Catherine Preston Connolly, Chair.

A copy of this decision PB #339 Amendment #1 shall be filed with the Office of the City Clerk. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws, and shall be filed within twenty (20) days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the above decision has been filed on March 26, 2020 with the Office of the City Clerk, by Liza Paden, duly authorized representative of the Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

Twenty days have elapsed since the above decision was filed in the office of the City Clerk and:
_____ no appeal has been filed; or

_____ an appeal has been filed within such twenty days.

The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. This certification shall in no event terminate or shorten the tolling, during the pendency of any appeals, of the periods provided under the second paragraph of G.L. c. 40A, §6.

Date: _____, City Clerk

Appeal has been dismissed or denied.

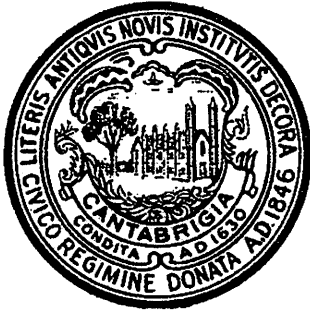
Date: _____, City Clerk

Appendix I: Approved Dimensional Chart

	Approved by PB #339	Allowed or Required	Proposed	Permitted
Lot Area (sq ft)	6,025	None	No Change	No Change
Lot Width (ft)	121	None	No Change	No Change
Total GFA (sq ft)	6,025	39,545	No Change	No Change ¹
Residential Base	n/a	n/a	n/a	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	6,025	13,221	No Change	
Inclusionary Bonus	n/a	n/a	n/a	
Total FAR	1.0	2.75/4.0	No Change	Consistent with Application Documents and applicable zoning requirements
Residential Base	n/a	n/a	n/a	
Non-Residential Base	1.0	1.0	No Change	
Inclusionary Bonus	n/a	n/a	n/a	
Total Dwelling Units	0	n/a	0	0
Base Units	n/a	n/a	n/a	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	n/a	n/a	n/a	
Base Lot Area / Unit (sq ft)	n/a	n/a	n/a	
Total Lot Area / Unit (sq ft)	n/a	n/a	n/a	
Height (ft)	15.9	55	No Change	Consistent with Application Documents and applicable zoning requirements
Front Setbacks (ft)	0	None	No Change	
Side Setback (ft)	0	None	No Change	
Rear Setback (ft)	0	None	No Change	
Open Space (% of Lot Area)	0	None	No Change	Consistent with Application Documents and applicable zoning requirements
Private Open Space	0	None	No Change	
Permeable Open Space	0	None	No Change	
Off-Street Parking Spaces	0	3	0	0
Long-Term Bicycle Parking	4	1	4	Consistent with Application Documents and applicable zoning requirements
Short-Term Bicycle Parking	0	4	0 ²	
Loading Bays	0	0	0	

¹ No change to the existing total GFA.

² Provided by making a contribution to the City's Public Bicycle Parking Fund for 3 bicycle racks.



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

Notice of Extension of Time

Case No: PB#339
Address: 541 Massachusetts Avenue
Applicant Revolutionary Clinics II, Inc
Owner: 545-565 Mass Ave, LLC
Application Date: October 21, 2019

Public Hearing Date: November 12, 2019, continued to January 21, 2020 and February 11, 2020

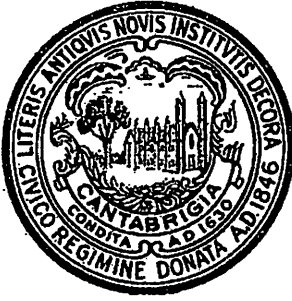
Application: Special Permit Amendment for Co-Location for a Retail Cannabis Store within an existing Medical Marijuana Dispensary, Section 11.800.

At the General Business meeting of February 11, 2020, the Planning Board voted to agree to an extension of time for the continuation of the public hearing, deliberation and decision on the above case until **March 28, 2020** as requested during the meeting.

Authorized Representative to the Planning Board

For further information, please contact Liza Paden at 617 354 5640 or lpaden@cambridgema.gov.

2020 FEB 12 PM 2:12
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

2019 JAN 11 AM 8:39

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

NOTICE OF DECISION

Case Number:	339
Address:	541 Massachusetts Avenue
Zoning:	Business B District / Central Square Overlay District
Applicant:	Revolutionary Clinics II, Inc. 9 Bartlet Street, #335, Andover, MA 01810
Owner:	545-565 Mass Ave, LLC 585 Massachusetts Avenue, Cambridge, MA 02139
Application Date:	September 20, 2018
Date of Planning Board Public Hearing:	October 16, 2018; December 18, 2018
Date of Planning Board Decision:	December 18, 2018
Date of Filing Planning Board Decision:	January 11, 2019
Application:	Request for special permits for Revolutionary Clinics II, Inc. to operate a registered marijuana dispensary pursuant to Sections 11.800 and 10.43 of the Zoning Ordinance occupying approximately 6,025 square feet in the existing building at 541 Massachusetts Avenue.
Decision:	GRANTED, with Conditions.

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws, Chapter 40A, and shall be filed within twenty (20) days after filing of the above referenced decision with the City Clerk. Copies of the complete decision and final plans, if applicable, are on file with the Community Development Department and the City Clerk.

Authorized Representative of the Planning Board: Swaathi Joseph

For further information concerning this decision, please contact Liza Paden at 617-349-4647, or lpaden@cambridgema.gov.

DOCUMENTS SUBMITTED

Application Documents and Supporting Material

1. Special Permit Application submitted on 9/20/18, including, *inter alia*, Application Forms, Project Narrative, Description of Activities, Service Area, Transportation Analysis, Community Outreach Summary, Dimensional Form, and plan sets prepared by Elton + Hampton Architects, dated 7/25/18, including Context Map, Proximity Uses Map, Site Plan, Building Elevations, Renderings, and Floor Plans.
2. Revised plan sets prepared by Elton + Hampton Architects, dated 9/24/18.
3. Presentation slides shown to Planning Board on 10/16/18.
4. A letter dated 11/13/18 from Timothy R. Flaherty documenting responses to comments from the Planning Board.
5. Updated plan set dated 9/7/18 and revised through 11/6/18, prepared by Elton + Hampton Architects.
6. Presentation slides shown to Planning Board on 12/18/18.

City of Cambridge Documents

7. Report issued by Central Square Advisory Committee, dated 10/1/18.
8. Memorandum from CDD staff dated 10/10/18.
9. Memorandum from Joseph E. Barr, Director of Traffic, Parking and Transportation, dated 10/12/18.
10. Memorandum from CDD staff dated 12/10/18.

Other Documents

11. Email communication from Phillip Segó, dated 10/13/18.
12. Email communication from Charles Franklin, dated 10/14/18
13. Letter from Ellis I. Washington, St. Paul AME Church, dated 10/16/18.
14. Letter from Michael Monestime, Executive Director, Central Square Business Association, dated 12/18/18.

APPLICATION SUMMARY

The Applicant, Revolutionary Clinic II, Inc., having received a provisional certificate of registration from Massachusetts Department of Public Health, is proposing to operate a registered marijuana dispensary (RMD) at 541 Massachusetts Avenue, in Central Square, for retail sales. No cultivation or processing will occur on site. Products will be cultivated, processed, and packaged at a facility located in Fitchburg, Massachusetts. The Applicant proposes to establish the retail RMD in a portion of the existing building. The proposal includes the renovation of the existing building, approximately 6,025 square feet in area including a separate wellness retail space at the corner facing Massachusetts Avenue and Norfolk Street that will activate the street frontage. The 541 Massachusetts Avenue facility will only dispense cannabis products that are cultivated and processed at the Applicant's Fitchburg facility. The proposed facility will be designed and operated in accordance with state and local regulations for RMDs and will be subject to oversight by the Massachusetts Department of Public Health. The project does not propose adding any off-street parking, but will provide 4 long-term bicycle parking spaces and contribute to the City Public Bike fund for 6 short-term parking spaces. Loading and deliveries are proposed to be provided by secure vehicles on Norfolk Street.

FINDINGS

After review of the Application Documents and other documents submitted to the Planning Board, testimony given at the public hearing, and review and consideration of the applicable requirements and criteria set forth in the Zoning Ordinance with regard to the relief being sought, the Planning Board makes the following Findings:

1. Approval of a Registered Marijuana Dispensary (RMD, Section 11.800)

The proposed site is located within the Business B District (BB). The Planning Board may grant a special permit approving an RMD within this district upon finding that the proposal meets the criteria set forth in Section 11.804. The Board finds that these criteria are met, for the reasons set forth below.

11.804 Special Permit Criteria. In granting a special permit for a Registered Marijuana Dispensary, in addition to the general criteria for issuance of a special permit as set forth in Section 10.43 of this Ordinance, the Planning Board shall find that the following criteria are met:

(a) The Registered Marijuana Dispensary is located to serve an area that currently does not have reasonable access to medical marijuana, or if it is proposed to serve an area that is already served by other Registered Marijuana Dispensaries, it has been established by the Massachusetts Department of Public Health that supplemental service is needed.

There are currently four RMDs that have received special permits in Cambridge, three of which are in operation. The Massachusetts Department of Public Health has continued to permit additional dispensaries given that only a small number have been established thus far. The four other RMDs that have received special permits in Cambridge are in other areas of the city, all more than 1,800 feet from 541 Massachusetts Avenue, satisfying the distance requirement of Section 11.802.8.

(b) The site is located at least five hundred (500) 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 determined by the Planning Board to be sufficiently buffered from such facilities such that its users will not be adversely impacted by the operation of the Registered Marijuana Dispensary.

The Application Documents indicate the Henry Bucker School is located within a 500-foot distance of the site. The Board finds that the proposed RMD is sufficiently buffered and will not adversely impact the school use. This finding is based on the facts that the proposed RMD is not located on Bishop Allen Drive on which the school is located and separated by parking lots and buildings. The Board also found that the dance, music and sports facilities referenced at the hearing were either not the types of facilities encompassed by this section or were sufficiently distant and buffered from the proposed RMD.

(c) The site is designed such that it 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.

Primary access to the facility is proposed on Massachusetts Avenue, where there is convenient access to sidewalks and various modes of public transportation. There is on-street parking, public parking lots, and bicycle parking spaces in the immediate vicinity in addition to multiple bus stops and Central Square MBTA Red Line station. The customer entry and exit are proposed through a recessed entrance on Massachusetts Avenue. The deliveries will use the Norfolk Street entrance and vehicles will use public parking or loading areas located in the vicinity. All access doors will be monitored for security purposes as required by state regulations.

(d) Traffic generated by client trips, employee trips, and deliveries to and from the Registered Marijuana Dispensary shall not create a substantial adverse impact on nearby residential uses.

A transportation analysis prepared by Howard Stein Hudson has been provided with the Application, and has been reviewed by the Traffic, Parking and Transportation Department (TP&T). While there is limited data about traffic generated by an RMD, given the anticipated client base and experience with RMDs elsewhere in Massachusetts the expectation is that the traffic will not be significantly greater than that of a typical retail establishment of similar size and should have minimal impacts on transportation in the Central Square vicinity. The proposed RMD is located in a predominantly commercial district that supports retail establishments of this scale. The Applicant has committed to submitting a loading and service delivery management plan for approval by TP&T staff and to implementing both transportation demand management (TDM) measures and a monitoring program of employee and customer visits as well as loading and pick-up activities of this project to mitigate any unexpected transportation impacts.

(e) Loading, refuse and service areas are designed to be secure and shielded from abutting uses.

Loading and delivery operations specific to the RMD are anticipated to occur approximately three times per week. An interior service area is provided for holding materials after they are delivered and refuse before it is picked up. Loading is proposed to occur using the Norfolk Street entrance as noted in the Traffic Impact Statement prepared by Howard Stein Hudson in accordance with state regulations. All regulated material waste will be transported back to the Fitchburg facility for approved disposal. All other trash will be disposed as per city regulations.

(f) The building and site have been 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.

The Central Square Advisory Committee has reviewed this project and issued a report in support. The original proposal was changed in response to the comments from the Planning Board to include a separate retail space at the corner of Massachusetts Avenue and Norfolk Street. The exterior changes to the building proposed are meant to activate the streetscape, especially the active storefront presence on Massachusetts Avenue. The sales area and regulated material handling area are not visible from the streetscape on Massachusetts Avenue. The installation of signage and security lighting will be in conformance with local requirements for signage and lighting as well as state regulations specific to RMDs.

2. Approval of Parking, Bicycle Parking and Loading Requirements for an RMD

In approving an RMD, the Planning Board is responsible for determining the required amount of parking, bicycle parking, and loading in accordance with Section 11.802.6 of the Zoning Ordinance, as set forth below.

11.802.6 Parking and Loading. Notwithstanding anything to the contrary in Article 6.000 of this Ordinance, the required number of parking and bicycle parking (both long-term and short-term) spaces and the required number of loading bays for a Registered Marijuana Dispensary shall be determined by the Planning Board based on the transportation analysis and other information related to operational and security plans provided by the applicant. Except as set forth above, all parking, bicycle parking and loading facilities shall conform to the requirements set forth in Article 6.000.

The Application proposes no automobile parking on-site and indicates that necessary loading and service activities will occur on Norfolk Street using secure vehicles. The Applicant proposes that clients and staff will walk, drive, bike or use public transportation in order to get to the RMD; and that bicyclists will use public bicycle racks in the vicinity and that drivers will use either existing metered parking or public parking facilities near the facility in Central Square. Four long-term bicycle parking spaces are proposed within the building for the employees.

The transportation analysis provided by the Applicant and comments provided by TP&T indicate that the proposed use will likely generate only modest parking demand compared to a retail use of a similar scale, and that the loading needs of the facility can be reasonably accommodated. Therefore, the Board finds that the proposed parking and loading arrangements for the RMD will be sufficient, subject to the additional TDM and monitoring measures recommended by TP&T and agreed to by the Applicant.

For bicycle parking, the Board accepts the recommendation of TP&T that since space is limited at the site, a contribution be made to the City's Bicycle Parking Fund for six bicycle parking spaces (or three bicycle racks), as would be required for a retail establishment similar to the proposed size of the RMD.

Details of the automobile parking, bicycle parking, loading and TDM requirements are set forth in the Conditions of this Special Permit Decision.

3. General Criteria for Issuance of a Special Permit (10.43) and (20.305)

The Planning Board finds that the proposal meets the General Criteria for Issuance of a Special Permit, as set forth below.

10.43 Criteria. Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:

(a) It appears that requirements of this Ordinance cannot or will not be met, or ...

With the requested special permit, the requirements of the Ordinance will be met.

(b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or ...

As set forth above in these findings, the proposed use is not expected to adversely impact traffic patterns or the retail-oriented character of the area in general.

(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, or ...

The proposed RMD will be operated in accordance with applicable state and local regulations, and will generate pedestrian and vehicular traffic equal to, or less than, that generated by a similarly sized allowed retail use. Therefore, the RMD use and location will not adversely impact adjacent uses.

(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, or ...

The proposed RMD will be operated in accordance with applicable health and safety regulations, as well as state and local regulations particular to RMDs, which are specifically intended to prevent nuisance or hazard.

(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, and ...

The site is located within Business B District, which allows RMDs, as was recently authorized in a zoning amendment adopted by the City Council in 2017.

(f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

The proposed new use will minimally impact the design of the building, and all exterior alterations will be conducted in accordance with applicable zoning and other regulations for RMDs. The proposal includes a retail space at the corner of Massachusetts Avenue and Norfolk Street to activate street frontage as recommended by the goals and objectives of Central Square Action Plan.

20.305 Standards for Issuance of Special Permits. 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:

(1) The proposed development is consistent with the goals and objectives of the Central Square Action Plan:

- 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;*
- encourage the development of new mixed income housing; and*
- promote compatible retail adjacent to residential uses*

The Board finds the proposed uses to be consistent with these goals and objectives. The new retail use at the corner will help to strengthen the retail base by attracting additional foot traffic, while sufficiently screening the RMD activities from the streetscape. The project will not alter the physical features of the building design, provide a unique service to patrons and will be compatible with adjacent 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";

Moderate changes proposed for the exterior of the building including installation of wall signage, window treatments with art displays, and murals are consistent with design guidelines for Central Square. The retail use at the corner maintaining a high degree of visual transparency for the façade immediately adjacent to the sidewalk is consistent with the urban design objectives for Central Square.

(3) The building and site designs adequately screen the parking provided and are sensitive to the contributing buildings in the vicinity;

No parking is proposed.

- (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.*

The existing building is not listed in the National Register of Historic Places. The property is within the Central Square National Register District but the existing structure is not deemed a “contributing building”.

In addition, exterior alterations will be subject to ongoing review by Community Development Department (CDD) staff, where applicable. Therefore, the Board finds no inconsistency with applicable urban design objectives.

DECISION

Based on a review of the Application Documents, testimony given at the public hearings, and the above Findings, the Planning Board hereby GRANTS the requested Special Permits, subject to the following conditions and limitations.

1. This special permit shall authorize only Revolutionary Clinics II, Inc. (Permittee) to establish and operate a Registered Marijuana Dispensary (RMD) at 541 Massachusetts Avenue, Cambridge, in substantial conformance with the Application Documents and supplemental documents and information submitted by the Applicant to the Planning Board as referenced above. No other type of marijuana establishment is hereby permitted. Any activity that involves the cultivation, processing, manufacturing, packaging, storage, transportation, sale, or use of marijuana products for non-medical purposes shall require an amendment to this special permit, and shall require compliance with all applicable state and local regulations for such activity.
2. This special permit is not transferrable to any other RMD seeking to operate at 541 Massachusetts Avenue, and shall not apply to any RMD operated by Revolutionary Clinics II, Inc. at any other location within the City of Cambridge.
3. This special permit is conditioned upon ongoing registration of the approved RMD with the Massachusetts Department of Public Health or its successor agency, and shall terminate if such registration is terminated or fails to be renewed.
4. The approved RMD shall be operated in accordance with all applicable state and local regulations, including but not limited to regulations set forth by the Massachusetts Department of Public Health or its successor agency, as well as any additional regulations promulgated by local agencies.
5. A ground-floor active retail space, separate from the approved RMD, shall be created at the corner of Massachusetts Avenue and Norfolk Street in accordance with the revised Application Documents with revision date November 6, 2018, and presentation to the Planning Board on December 18, 2018. Such active retail space shall be occupied by retail and consumer service uses permitted in the district as set forth in Section 4.35 of the Zoning Ordinance, but not for sales of marijuana products or accessories, during the time that the approved RMD is in operation.
6. Alterations to the building shall occur in substantial conformance with the revised application documents with revision date November 6, 2018, and presentation to the Planning Board on December 18, 2018. The project shall be subject to continuing design review by the Community Development Department (“CDD”). Before issuance of each Building Permit for the project, CDD shall certify to the Superintendent of Buildings that the final plans submitted to secure the Building Permit are consistent with and meet all conditions of this Decision. As part of CDD’s administrative review of the project, and prior to any certification to the Superintendent of Buildings, CDD may present any design changes made subsequent to this Decision to the Planning Board for its review and comment.

7. The Permittee shall address the following design comments through the continuing design review process set forth above. Each of the below items shall be subject to CDD review and approval of the final design details prior to issuance of a Building Permit:
 - a. All exterior materials, colors, façade alterations and details in addition to the murals on the building façades.
 - b. Specifications for window glass, design of the window display boxes and their lighting, and options for the administration and curation of the window displays.
 - c. Any proposed mechanical equipment on the rooftop, façade or exterior of the building.
 - d. All exterior signage, lighting, and other security features that may be required by state regulations. To the extent possible, any proposed outdoor lighting shall be designed to conform to the guidelines recommended in the proposed Cambridge Outdoor Lighting Ordinance.
8. The Permittee shall coordinate with the Department of Public Works regarding any planned reconstruction of public spaces adjacent to the site.
9. The permitted operating hours of the approved RMD shall be between 9:00 AM and 9:00 PM daily.
10. There shall be no required off-street parking for the permitted RMD use. In order to meet the requirement for short-term bicycle parking spaces, the Permittee shall make a contribution to the City's Bicycle Parking Fund in accordance with Section 6.104.2-b of the Zoning Ordinance equivalent to the amount necessary to provide six (6) bicycle parking spaces or three (3) racks. Such contribution shall be made prior to the issuance of a Building Permit.
11. The Permittee shall contribute \$35,000 to the City prior to issuance of a Building Permit to improve transit services and information in Central Square and to support the use of transit for employees and patrons, such as providing real-time bus arrival information at bus stops.
12. The Permittee shall be required to implement a transportation demand management (TDM) program and a transportation monitoring and reporting program including, at a minimum, the following measures, which shall be certified by the TP&T and CDD prior to issuance of a Certificate of Occupancy for the approved RMD:
 - a. Provide 65% MBTA T-Pass subsidies, up to the federal fringe benefit limit, to all employees (may be pro-rated for part-time employees). The program shall be administered by the employer through the MBTA Corporate Pass Program.
 - b. Offer all employees Gold Level Blue Bikes bikeshare membership; to be administered through the Blue Bikes Corporate Program by the employer.

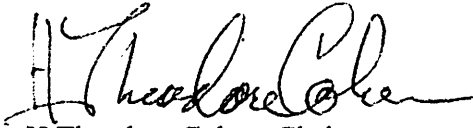
- c. Provide lockers for employees that walk or bike to work.
- d. Have available an air pump and bicycle repair tools for employees and customers to use when needed.
- c. Designate an employee of the facility as a Transportation Coordinator (TC) to manage the implementation of the TDM measures and a transportation monitoring program. The TC shall:
 - i. Post in a central and visible location (i.e. lobby for customers, break room for employees) information on available non-automobile services in the area, including, but not limited to:
 - 1. Available pedestrian and bicycle facilities in the vicinity of the Project site.
 - 2. MBTA maps, schedules and fares.
 - 3. "Getting Around in Cambridge" map (available from CDD).
 - 4. Locations of bicycle parking.
 - 5. Carsharing/ridematching programs.
 - 6. Blue Bikes bikesharing system.
 - 7. Carpooling/vanpooling programs.
 - 8. Other pertinent transportation information.
 - Instead of or in addition to posting paper MBTA schedules, provide a real-time transit and Blue Bikes display screen or tablet in a central location to help people decide which mode to choose for each trip.
 - ii. Compile up-to-date transportation information explaining all commuter options and provide to all employees. This information should also be distributed to all new employees as part of their orientation.
 - iii. Provide or describe to customers information on transportation options to access the site.
 - iv. Provide and maintain information on the project's website, newsletters, social media, etc., on how to access the site by all modes, with emphasis on non-automobile modes.
 - v. Participate in any TC training offered by the City of Cambridge or a local Transportation Management Association.
 - vi. Implement an annual transportation monitoring program which will involve surveying employees and customers on their travel modes and where they customarily park (cars and bicycles). The annual monitoring program shall continue for 10 years following the issuance of a Certificate of Occupancy for

the RMD, at which time TP&T will work with the Permittee to determine if it would be beneficial to continue the monitoring program.

1. The monitoring program shall include information/observations of the loading activities (locations and frequency of deliveries).
 2. All surveys shall be designed and conducted in a manner approved by TP&T and CDD.
 3. The form of any survey instrument or monitoring method shall be approved before issuance of the Certificate of Occupancy.
 4. Surveying shall begin one year from the date of the first Certificate of Occupancy. If the Certificate of Occupancy is issued between September 1 and February 29, the monitoring should take place during the months of September or October and be reported to the City no later than November 30. If the Certificate of Occupancy is issued between March 1 and August 31, monitoring should take place during the months of April or May and be reported to the City no later than June 30.
13. No loading bays shall be required; however, a loading and service delivery management plan that includes all delivery activity to the facility shall be submitted to and approved by TP&T prior to the issuance of a Building Permit for any improvements associated with the approved RMD. Such a plan shall include the following measures:
- a. At no time shall a vehicle park or stop on any public street or municipal parking lot in a manner that blocks traffic or impedes the flow of pedestrians or bicycles traveling on public streets.
 - b. All loading must be conducted from legal locations, without using No Stopping zones or Double Parking.
 - a. The Permittee shall cooperate with the City to resolve any issues caused by loading, pick-up and drop-off activities associated with the facility on public users and infrastructure.
 - b. In accordance with the proposal, the RMD at 541 Massachusetts Avenue shall not be used as a distribution point for home deliveries.
14. Prior to issuance of a Certificate of Occupancy for the approved RMD, CDD shall certify to the Superintendent of Buildings that all Conditions of this Special Permit Decision are met.
15. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code).

Voting in the affirmative to GRANT the Special Permits were Planning Board Members Louis Bacci, H Theodore Cohen, Steven Cohen, Mary Flynn, Hugh Russell, and Tom Sieniewicz, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,

A handwritten signature in black ink, appearing to read "H Theodore Cohen". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

H Theodore Cohen, Chair.

A copy of this decision PB #339 shall be filed with the Office of the City Clerk. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws, and shall be filed within twenty (20) days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the above decision has been filed on January 11, 2019 with the Office of the City Clerk, by Swaathi Joseph, duly authorized representative of the Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

Twenty days have elapsed since the above decision was filed in the office of the City Clerk and:
_____ no appeal has been filed; or

_____ an appeal has been filed within such twenty days.

The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. This certification shall in no event terminate or shorten the tolling, during the pendency of any appeals, of the periods provided under the second paragraph of G.L. c. 40A, §6.

Date: _____, City Clerk

Appeal has been dismissed or denied.

Date: _____, City Clerk

Appendix I: Approved Dimensional Chart

	Existing	Allowed or Required	Proposed	Permitted
Lot Area (sq ft)	6,025	None	No Change	No Change
Lot Width (ft)	121	None	No Change	No Change
Total GFA (sq ft)	6,025	39,545	No Change	No Change
Residential Base	n/a	n/a	n/a	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	6,025	13,221	No Change	
Inclusionary Bonus	n/a	n/a	n/a	
Total FAR	1.0	2.75/3.0	No Change	Consistent with Application Documents and applicable zoning requirements
Residential Base	n/a	n/a	n/a	
Non-Residential Base	1.0	1.0	No Change	
Inclusionary Bonus	n/a	n/a	n/a	
Total Dwelling Units	0	n/a	0	0
Base Units	n/a	n/a	n/a	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	n/a	n/a	n/a	
Base Lot Area / Unit (sq ft)	n/a	n/a	n/a	
Total Lot Area /Unit (sq.ft)	n/a	n/a	n/a	
Height (ft)	15.9	55	No Change	Consistent with Application Documents and applicable zoning requirements
Front Setbacks (ft)	0	None	No Change	
Side Setback (ft)	0	None	No Change	
Rear Setback (ft)	0	None	No Change	
Open Space (% of Lot Area)	0	None	No Change	Consistent with Application Documents and applicable zoning requirements
Private Open Space	0	None	No Change	
Permeable Open Space	0	None	No Change	
Off-Street Parking Spaces	0	0 ¹	0	0
Long-Term Bicycle Parking	0	4 ¹	4	Consistent with Application Documents and applicable zoning requirements
Short-Term Bicycle Parking	0	6 ¹	0 ²	
Loading Bays	0	0 ¹	0	

¹ Requirement determined by the Planning Board based on the transportation analysis as per Section 11.802.6.

² Provided by making a contribution to the City's Public Bicycle Parking Fund for 3 bike racks.