

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139
CAMBRIDGE, MASSACHUSETTS

2018 DEC -5 PM 1:45

CAMBRIDGE, MA 02139
CAMBRIDGE, MASSACHUSETTS

NOTICE OF DECISION

Case Number:	340
Address:	624 Massachusetts Avenue
Zoning:	Business B (BB) / Central Square Overlay District
Applicant:	Amazon Pickup Points LLC 624 Massachusetts Avenue, Cambridge, MA 02139
Owner:	Central Square, LLC 303 Congress Street, Boston, MA
Application Date:	October 15, 2018
Date of Planning Board Public Hearing:	October 30, 2018
Date of Planning Board Decision:	October 30, 2018
Date of Filing Planning Board Decision:	December 5, 2018
Application:	Request for special permit pursuant to Section 20.304.5.4 of the Zoning Ordinance for a formula business use in the Central Square Overlay District.
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 10/15/2018, containing the Special Permit Cover Sheet, Dimensional Form, Ownership Certificate, Narrative, Community Outreach Summary, plan set titled Amazon Campus, prepared by M3 Messenger, dated 9/27/2017 and revised through 10/12/2017.
2. Revised plan set titled Amazon Campus, prepared by M3 Messenger, dated 10/29/2018.
3. Presentation slides shown to Planning Board on 10/30/2018.

City of Cambridge Documents

3. Memorandum to the Planning Board from Community Development Department staff, dated 10/25/2018.

Other Documents

4. Letter to the Planning Board from the Central Square Advisory Committee, dated 10/29/2018.
5. Email communication from Patrick W. Barrett to the Planning Board, dated 10/30/2018.
6. Email communication from Carol O'Hare to the Planning Board, dated 10/30/2018.

APPLICATION SUMMARY

The Applicant operates a commercial establishment at 624 Massachusetts Avenue affiliated with the company Amazon, and proposes to install Amazon's standardized signage on the exterior of the building and use its standard orange coloring scheme and "smile" logo in certain locations within the interior of the premises, which cause the establishment to fit the Cambridge Zoning Ordinance definition of a "Formula Business."

The business will occupy 3,431 square feet in the first floor of the existing building at 632 Massachusetts Avenue. The base zoning district is Business B and the parcel is located in the Central Square Overlay District in the Cambridgeport neighborhood. 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. Special Permit for Formula Business in Central Square Overlay District (Section 20.304.5.4)

In the Central Square Overlay District, a Formula Business may be established on a lot by special permit from the Planning Board upon consideration of the following:

- a. *The extent to which the design of the proposal reflects, amplifies, and strengthens the established historical character of existing buildings and store fronts in Central Square.*
- b. *The extent to which the particulars of the building or storefront design is varied from the formula or standard design of the chain in order to reflect the unique character and conditions of Central Square generally or the specific location in particular.*
- c. *The extent to which the standard elements of the enterprise as they define it as a Formula Business are modified to respect and provide unique expressions of Central Square history and traditions as well as innovation in physical design and marketing that will distinguish the Central Square location from other locations of the Formula Business.*

The business is located in an existing building that was built in accordance with a special permit granted by the Planning Board in 1998 (PB-133). The Planning Board granted an amendment to the original special permit in 2011, allowing the second floor of the building to be converted from its prior office use to additional residential units. As part of the original special permit and subsequent amendment, the Planning Board made findings of consistency with the Central Square Development Guidelines.

Aside from wall signs and window applications, no other alterations are proposed to the exterior façade of the building, which retains the colors and materials that are present throughout the building. The proposed signage conforms to the standards of Article 7.000 of the Zoning Ordinance and will be reviewed for compliance prior to issuance of a building permit.

The Board finds that the business itself provides a unique service to customers in Central Square, and helps to fill an irregularly shaped retail space that has been vacant for some time. The signage proposed is relatively modest in size and located in an appropriate place for patrons to identify it, above the doors to the establishment. The proposed sign design was modified from the initial application in order to fit within the building's existing sign band. The location, size, and color of signage is not inconsistent with the variety of signage found throughout Central Square. The interior design incorporates a representation of an MBTA map, and the Applicant has agreed to consider a local public art display of some type in place of the vinyl block-out material proposed in the Application for three ground-floor windows facing the building forecourt. For these reasons, the Board finds that the proposal meets the criteria set forth in Section 20.304.5.4.

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 use to be consistent with these goals and objectives. The new business will help to strengthen the retail base by attracting additional foot traffic, will not alter the physical features of the building design, will provide a unique service to patrons, and will be compatible with adjacent residential uses. It will fill a space that has not previously maintained a long-term retail tenant and will result in an active and more inviting pedestrian environment around Carl Barron Plaza.

- (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”;*

The building was found to be in compliance with the Central Square Action Plan and the Central Square Development Guidelines during the review for the original development and the granting of special permit PB-133. No changes are proposed for the exterior of the building other than the installation of wall signage and window decals. The application proposes vinyl block-out material for some ground-floor windows facing the building’s forecourt, which the Board recommends be replaced with art displays to improve the public realm.

- (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 on the National Register of Historic Places. It is within the Central Square National Register District but not deemed a “contributing building” as it is less than twenty years old. The proposed signage will not alter the historic character of the district.

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

The Planning Board finds that the project 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 ...*

Upon granting of the requested special permits, it appears that 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 ...

The proposed formula business is not anticipated to cause particular congestion or hazard or substantial change in the neighborhood character.

(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 retail use (without the features that characterize it as a Formula Business) has been functional for a few months now and is generally consistent with the retail environment. The proposed Formula Business features will not adversely impact surrounding 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 Formula Business will not create nuisance or hazard, and all retail activity will continue to adhere to applicable health and safety regulations.

(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 ...

As set forth above in these Findings, the Formula Business features of the establishment have been designed so as not to impair the character of the district.

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

The proposal is not inconsistent with the citywide urban design objectives. The urban design objectives are supported in the proposal with the storefronts essentially remaining unchanged, and a high degree of visual transparency is maintained for the façade immediately adjacent to the sidewalk which is consistent with the urban design objectives for Central Square as set forth above in these Findings.

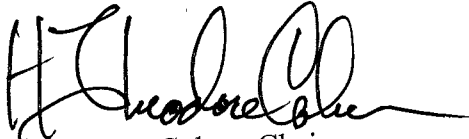
DECISION

Based on a review of the Application Documents, testimony given at the public hearing, and the above Findings, the Planning Board hereby GRANTS the requested Special Permits subject to the following conditions and limitations. Hereinafter, for purposes of this Decision, the Permittee shall mean the Applicant for the requested Special Permits and any successor or successors in interest.

1. All use, building construction, and site plan development shall be in substantial conformance with the Application Documents submitted on 10/15/2018 and revised by the plan set titled Amazon Campus, prepared by M3 Messenger, dated 10/29/2018, and the additional Conditions of this Special Permit Decision. Appendix I summarizes the dimensional features of the project as approved.
2. 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.
3. The Permittee shall address the following 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. CDD shall review and approve the treatment of three windows facing the entry forecourt, which shall be designed in a manner that provides more visual interest than the proposed vinyl block-out material, with public art displays being the preferred window treatment.
4. 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 approve the Development Proposal were Planning Board Members Louis Bacci, Jr., H Theodore Cohen, Steven Cohen, Catherine Preston Connolly, 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 stylized and cursive, with a long horizontal flourish extending to the right.

H Theodore Cohen, Chair.

A copy of this decision PB #340 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 December 5, 2018 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)	32,823	5,000	No Change	No Change
Lot Width (ft)	99.5	50	No Change	No Change
Total GFA (sq ft)	128,000	As Exists	No Change	No change
Residential Base	107,650	n/a	No Change	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	20,350	n/a	No Change	
Inclusionary Bonus	n/a	n/a	No Change	
Total FAR	3.9	As Exists	No Change	Consistent with Application Documents and applicable zoning requirements
Residential Base	3.3	n/a	No Change	
Non-Residential Base	0.6	n/a	No Change	
Inclusionary Bonus	n/a	n/a	No Change	
Total Dwelling Units	93	141	No Change	No change
Base Units	n/a	109	No Change	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	n/a	32	No Change	
Base Lot Area / Unit (sq ft)	n/a	300	No Change	
Total Lot Area / Unit (sq ft)	n/a	233	No Change	
Height (ft)	67	As Exists	No Change	Consistent with Application Documents and applicable zoning requirements
Front Setbacks (ft)	0; 1; 3	As Exists	No Change	
Side Setback (ft)	0	As Exists	No Change	
Open Space (% of Lot Area)	12	As Exists	No Change	Consistent with Application Documents and applicable zoning requirements
Private Open Space	12	As Exists	No Change	
Permeable Open Space	n/a	As Exists	No Change	
Off-Street Parking Spaces	80	93	No Change	No change
Long-Term Bicycle Parking	47	As Exists	No Change	Consistent with Application Documents and applicable zoning requirements
Short-Term Bicycle Parking	n/a	As Exists	No Change	
Loading Bays	2	As Exists	No Change	

There are no changes to the existing building with regard to the dimensional requirements. The approved formula business shall occupy an existing space of approximately 3,431 square feet in the first floor of the existing building in conformance with the Application Documents.