



CITY OF CAMBRIDGE

Community Development Department

To: Planning Board

From: CDD Staff

Date: September 3, 2019

Re: Special Permit **PB #351, Western Front LLC Cannabis Retail Store at 567 Massachusetts Avenue**

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Community Development*

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This memo contains an overview of the proposed project at 567 Massachusetts Avenue, the special permits being requested, and related comments.

Summary of Proposal

Western Front LLC is proposing to repurpose the first floor of the existing building that is mostly located on parcel 571 Massachusetts Avenue and a small rear portion located on parcel 575 Massachusetts Avenue to operate a retail cannabis store. The proposal includes renovation of 2,027 square feet of the existing building's first floor to include sales space, storage, and offices for the retail cannabis store.

The site is within the Central Square Overlay District, requiring review by the Central Square Advisory Committee, whose report is attached to this memo. The building is not a contributing structure in the Central Square National Register District. The project does not fall under the purview of the Cambridge Historical Commission (CHC); however, CHC staff has reviewed the project and has communicated some design comments to CDD staff.

Requested Special Permits

The project is located in the Business B (BB) District and requires a Special Permit to allow a cannabis retail store per Section 11.800. Applicable sections of the zoning are provided in an appendix.

Last year, the City Council amended Section 11.800 to include provisions for non-medical or "adult use" cannabis establishments in addition to medical cannabis establishments. The Council is currently considering a "Cannabis Business Permitting Ordinance" which, if adopted, could apply to this use.

Requested Special Permits	Summarized Findings <i>(detailed zoning text on following pages)</i>
Cannabis Retail Store (Sections 11.800)	<p>Complies with Zoning Requirements:</p> <ul style="list-style-type: none"> • Located in a BA, BA-2, BA-3, BB, BB-1, BB-2, BC, IA-1, IB, IB-1, or IB-2 district, or a BA-1 district only if it is designated by the Cannabis Control Commission as an Economic Empowerment Applicant or as qualifying for its Social Equity Program. • Located in a permanent building. • Not within 1,800 feet of another Cannabis Retail Store, unless it is designated by the Cannabis Control Commission as an Economic Empowerment Applicant or as qualifying for its Social Equity Program. • Not within 300 feet of an existing public or private K-12 school or within 300 feet of a public children’s playground, public youth athletic field, or public youth recreation facility, otherwise the Planning Board finds that it is sufficiently buffered such that users of such facilities will not be adversely impacted by its operation. • No packaging or re-packaging of cannabis products will occur on-site. <p>Meets Special Permit Criteria:</p> <ul style="list-style-type: none"> • 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. • Location and design of cannabis use will not detract from the sense of activity with opaque, unwelcoming façade at ground floor in retail areas. • Loading, refuse and service areas are designed to be secure and shielded from abutting uses. • 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. • The facility will provide programs to assist qualifying patients in obtaining services under Massachusetts Medical Use of Marijuana Program.
General Special Permit Criteria (Section 10.43)	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 (see appendix).

Area Planning and Zoning

The base zoning for the site is Business B (BB) and it is in the Central Square Overlay District. The district allows a broad range of residential and commercial uses, including retail.

Cannabis Retail Stores

Cannabis retail stores are generally allowed in districts where other retail uses are allowed. The pertinent planning and zoning considerations for cannabis retail stores are their location relative to other cannabis retail stores and relative to schools and youth-oriented public facilities, their operational characteristics in terms of transportation for customers, employees, and products, and their façade design in relation to the character of other retail storefronts in the area. The zoning provides greater flexibility for applicants with an “Economic Empowerment” or “Social Equity” designation from the state Cannabis Control Commission to promote greater participation in the cannabis industry from communities that have been disproportionately affected by past drug enforcement policies. Cannabis retail stores are subject to the same dimensional, parking, and signage requirements as comparable retail uses within a given zoning district.

In addition to meeting the zoning requirements and special permit criteria summarized on the preceding page, cannabis retail stores must be properly licensed by the state Cannabis Control Commission. A host community agreement is required under state regulations for both medical and non-medical cannabis establishments. Special permits are unique to a particular cannabis retail store (i.e., not transferrable to a different operator).

Central Square

The Central Square Overlay District provides special design standards and greater scrutiny for development projects to advance the planning goals for the area. The specific design guidelines for Central Square are included in the appendix, and include encouraging strong retail frontage for Massachusetts Ave., providing visual interest and pedestrian orientation in storefront design, preventing disruption of parking and service facilities on pedestrians and residences, and taking advantage of existing public transportation.

So far, one medical retail cannabis dispensary (i.e. Registered Marijuana Dispensary or “RMD”) has received a special permit in Central Square, at 541 Massachusetts Ave. The dispensary is currently under construction. Additional cannabis retail stores would only be allowed in the vicinity if they are Economic Empowerment or Social Equity applicants. In addition to the current application, the Planning Board is reviewing one other application by another Economic Empowerment Applicant for a cannabis retail store in Central Square, at 580 Massachusetts Avenue.

Comments on Proposal

Consistency with Planning and Zoning

This is the second special permit application for a cannabis retail store made after the City Council adopted amendments to cannabis zoning last year that address both medical and non-medical cannabis establishments within the city. The Board continued its review of the first application for further

discussion of issues related to access, egress, and queuing of customers and how that activity might impact other public uses along the sidewalk at that particular location.

The proposal is to renovate the entire first floor of the existing building, which is currently conforming with regard to dimensional requirements and contains 2,027 square feet of retail area. No dimensional changes are proposed and therefore the dimensional standards of the district will continue to be met. The proposed establishment will be a cannabis retail store with its main entrance on Massachusetts Avenue and service and handicap access from the alley along the building that connects to the City Parking Lot #5 at the corner of Bishop Allen Drive and Norfolk Street. The store will be operational between 9 am and 10 pm all days of the week. The application does not indicate the location from which the products will be supplied. The application mentions that the applicant Western Front LLC is an Economic Empowerment Applicant with license number EE202211. However, the attached report from the Cannabis Control Commission, identifies Western Front LLC as EEA202205. The summary form included in the Logistics Plan mentions that the maximum capacity of the sales area is 14 and the maximum capacity of the waiting area is 4.

Location

The site is within the BB district, where cannabis retail stores are allowed under current zoning by special permit from the Planning Board. This site is within 1,800 feet from the permitted medical dispensary at 541 Massachusetts Avenue. However, since the applicant is an Economic Empowerment Applicant, the 1,800-foot separation requirement does not apply. The project narrative materials indicate that the site is within 300 feet of Henry Buckner School, which is located at 85 Bishop Allen Drive. Cambridge's current zoning allows the Planning Board to reduce the required buffer distance if it finds that there are site-specific reasons why the cannabis retail store will not adversely impact the operation of such an educational facility.

Transportation, Loading and Service

The application includes a transportation logistics plan by Howard Stein Hudson Engineers + Planners. The Traffic, Parking and Transportation (TP&T) Department is reviewing the analysis. The key considerations for the Planning Board will be whether or not the proposed cannabis retail store might have substantially different transportation impacts than a comparably-sized retail establishment.

Under the current zoning, an establishment of this size would be required to have at least one, but no more than two, off-street parking spaces, one long-term bicycle parking space, and two short-term bicycle parking spaces. However, as this is a change of use in an existing building, parking requirements are waived by the provisions of the Central Square Overlay District, and no new bicycle parking is required because the change in use does not cause an increase in the required number of spaces. The project proposes 2 long-term bicycle parking spaces, exceeding the minimum requirements, which is supported by staff. The proposed long-term bicycle parking spaces will allow the employees to secure their bikes in a weather protected location. The Applicant is aware that any planned long-term uses of the city parking lot (dumpsters, loading, etc.) will need to be reviewed by the City and may need a license agreement to solidify the use.

Urban Design

As described in the City's urban design objectives, the Central Square Action Plan, and relevant Central Square Design Guidelines, buildings should contribute to the public realm with pedestrian friendly ground floors, active uses and sufficiently transparent facades to offer visual interest and a sense of connection to building interiors.

The proposed floor plan consists of a waiting room and educational area to the side of the main entrance on Massachusetts Avenue. The showroom and back of house functions (offices, storage, etc.) will be located in the rear of the building. The front elevation shows some minor modifications to the existing façade, including repainting brickwork and window trim, and updates to signage band. The existing bi-fold windows and entry doors will remain unchanged, preserving the existing transparent and pedestrian friendly frontage. CHC staff made note of the proposal to relocate the existing hoods above the windows, which are among the few remaining features left from the original building. It is recommended that the window hoods be maintained in their current location and that changes to the façade in general, aside from repainting, be minimized to the extent possible.

Continuing Review

The following is a summary of issues that staff recommends should be further studied by the Applicant, either in preparing revised materials if the Planning Board continues the hearing to a future date, or as conditions for ongoing design review by staff if the Board decides to grant the special permit:

- Confirm the total customer capacity of the facility. Provide clarification whether customers are admitted only with scheduled appointments.
- Provide additional information on how handicapped customers will be subject to ID checking with the proposed separate access from the alley.
- Revise the Mass Ave elevation to retain the existing window hoods in their current location.
- Review of all exterior materials, colors, façade alterations and details.
- Review of any 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. Any proposed outdoor lighting should be designed to conform to the guidelines recommended in the proposed Cambridge Outdoor Lighting Ordinance.



ECONOMIC EMPOWERMENT PRIORITY APPLICANT APPROVALS

May 22, 2018

#	APPLICATION NUMBER	FIRST NAME POINT OF CONTACT	LAST NAME POINT OF CONTACT	BUSINESS NAME (If Established)	THERE ARE NO KNOWN CONFLICTS OF INTEREST AT THIS TIME	AS CLAIMED BY APPLICANT					
						FIRST CRITERIA	SECOND CRITERIA	THIRD CRITERIA	FOURTH CRITERIA	FIFTH CONDITION OR FACT	SIXTH CRITERIA
1	EEA202121	Eric	Ortiz	Best of Buddz	no	Applicable	Not Applicable	Applicable	Not Applicable	Applicable	Not Applicable
2	EEA202216	Omar	Lawrence		no	Applicable	Applicable	Applicable	Applicable	Applicable	Applicable
3	EEA202011	Ericca	Kennedy		no	Applicable	Not Applicable	Applicable	Not Applicable	Applicable	Applicable
4	EEA202072	Hilario	Tucker		no	Not Applicable	Applicable	Applicable	Not Applicable	Applicable	Not Applicable
5	EEA202224	Mark	Davis		no	Applicable	Not Applicable	Applicable	Applicable	Applicable	Applicable
6	EEA202385	George	Richards	GRADY HOLDINGS, LLC	no	Not Applicable	Applicable	Applicable	Applicable	Not Applicable	Applicable
7	EEA201959	Michael	Pires	KG Collective LLC	yes(a)	Applicable	Applicable	Not Applicable	Applicable	Applicable	Applicable
8	EEA202005	Annaekiye	Aprala		no	Not Applicable	Applicable	Not Applicable	Not Applicable	Applicable	Applicable
9	EEA202028	Gerardo	Ramos	Holyoke Green Growers, LLC	no	Applicable	Applicable	Applicable	Not Applicable	Applicable	Applicable
10	EEA202152	John	Jenkins		no	Applicable	Not Applicable	Applicable	Not Applicable	Applicable	Applicable
11	EEA202257	Enid	Johnson Pope	Verde	yes(b)	Not Applicable	Applicable	Applicable	Applicable	Applicable	Applicable
12	EEA202198	Warren	Keller-Brittle		no	Applicable	Applicable	Applicable	Applicable	Applicable	Applicable
13	EEA202205	Timothy	Flaherty	WESTERN FRONT, LLC	no	Applicable	Applicable	Applicable	Applicable	Applicable	Applicable
14	EEA202258	John	Tarashuck	Kurdi's Kush, LLC	no	Not Applicable	Applicable	Applicable	Not Applicable	Not Applicable	Applicable
15	EEA202343	kyron	Barnett		no	Applicable	Not Applicable	Applicable	Not Applicable	Applicable	Applicable
16	EEA202374	Michael	Latulippe		yes(c)	Not Applicable	Applicable	Applicable	Applicable	Applicable	Not Applicable
17	EEA202084	Trevor	Barnes		no	Not Applicable	Not Applicable	Applicable	Applicable	Applicable	Not Applicable
18	EEA202043	Raheem	McCoy	Da Gas Station	no	Applicable	Not Applicable	Applicable	Applicable	Applicable	Not Applicable
19	EEA201831	Izamar	Barrantes	El Jardin	no	Applicable	Applicable	Applicable	Not Applicable	Applicable	Applicable
20	EEA202156	Ethan	Vogt	Home Grown Boston	no	Not Applicable	Applicable	Applicable	Not Applicable	Not Applicable	Applicable
21	EEA202115	Ivelise	Rivera		no	Applicable	Applicable	Applicable	Not Applicable	Applicable	Not Applicable
22	EEA202206	Blair	Ross		no	Applicable	Applicable	Applicable	Applicable	Applicable	Applicable
23	EEA202127	Averyl	Andrade	Between The Rows LLC	no	Not Applicable	Applicable	Applicable	Not Applicable	Not Applicable	Applicable
24	EEA202288	Jose	Oquendo	Bud Life	no	Applicable	Applicable	Applicable	Not Applicable	Applicable	Applicable
25	EEA201829	Pierre	Alexandre		no	Applicable	Applicable	Not Applicable	Not Applicable	Applicable	Applicable
26	EEA201990	Janel	Dansby	Mass420	no	Applicable	Applicable	Not Applicable	Not Applicable	Applicable	Applicable
27	EEA202313	Daniel	Garcia-Decoteau	Hair It Is Barbershop, LLC	yes(d)	Applicable	Applicable	Applicable	Not Applicable	Applicable	Applicable
28	EEA202203	Shannon	Jones		no	Applicable	Not Applicable	Applicable	Not Applicable	Applicable	Applicable
29	EEA202423	Bruno	Aguilar Flores		no	Applicable	Not Applicable	Applicable	Not Applicable	Applicable	Not Applicable
30	EEA202024	Jeremy	Thompson		yes(e)	Applicable	Applicable	Applicable	Not Applicable	Applicable	Applicable
31	EEA202245	Debra	Tolliver	Relevant Energy Concepts Inc.	no	Applicable	Not Applicable	Not Applicable	Not Applicable	Applicable	Applicable
32	EEA202371	Tyrone	Taylor		no	Applicable	Applicable	Not Applicable	Not Applicable	Applicable	Not Applicable
33	EEA202228	Jessica	Pelletier		yes(f)	Not Applicable	Applicable	Applicable	Applicable	Not Applicable	Applicable
34	EEA202153	Michael	Nashawaty	NashMac, LLC	no	Applicable	Applicable	Applicable	Applicable	Applicable	Applicable
35	EEA202418	Jaison	Cramer		no	Applicable	Applicable	Applicable	Applicable	Applicable	Applicable
36	EEA202213	Vernon	Jackson		no	Applicable	Applicable	Applicable	Applicable	Applicable	Applicable
37	EEA202185	Chitra	Son		no	Applicable	Not Applicable	Applicable	Not Applicable	Applicable	Not Applicable
38	EEA202353	Ericca	Kennedy		no	Applicable	Not Applicable	Applicable	Not Applicable	Applicable	Not Applicable
39	EEA202283	Emmanuel	Janvier		no	Not Applicable	Applicable	Applicable	Not Applicable	Applicable	Applicable

a) Conflict with Commissioner Title
 b) The subcontractor works for the state of Massachusetts. Prior to hiring, the subcontractor reviewed Massachusetts General Laws Chapter 54(c) with the Massachusetts State Ethics Commission to determine the ability to serve as an advisor regarding employment, real estate, and regulatory compliance matters. Subcontractor will consult with the Ethics Commission if any questions arise concerning possible conflicts.
 c) Conflict with Commissioner Title
 d) Conflict with Cedric Sinclair and Maryalce Gill
 e) Conflict with Commissioner Title
 f) Conflict with Commissioner Title

Joseph, Swaathi

Subject: FW: Project Review PB-351_567 Mass Ave

From: Sullivan, Charles M. <csullivan@cambridgema.gov>

Sent: Thursday, August 29, 2019 2:08 PM

To: Joseph, Swaathi <sjoseph@cambridgema.gov>

Subject: RE: Project Review PB-351_567 Mass Ave

Swaathi,

The building at 567 Massachusetts Avenue was constructed about 1834 and has been remodeled to the point that almost nothing original remains except the two masonry (probably brownstone) hoods over the second floor windows. The elevation shows that these are to be removed and rebuilt in a slightly different location to center them over the windows.





This is a relatively minor matter, but I consider it to be a gratuitous and unnecessary intervention – the existing façade should be left alone and painted as proposed so that the building continues to display evidence of its history.

Charlie

Charles Sullivan, Executive Director
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