



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

2022 JAN 11 PM 12:52  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## NOTICE OF DECISION

Case Number:	384
Address:	98 Winthrop Street
Zoning:	Business B District / Harvard Square Overlay District
Applicant:	Western Front, LLC 699 Boylston Street, 12th Floor, Boston, MA 02116
Owner:	Timbuktu Real Estate, LLC 10 Eliot Street, Cambridge, MA 02138
Application Date:	September 28, 2021
Date of Planning Board Public Hearing:	October 26, 2021
Date of Planning Board Decision:	October 26, 2021
Date of Filing Planning Board Decision:	January 11, 2022
Application:	Request for a special permit for Western Front, LLC to operate a 1,589-square-foot Cannabis Retail Store on the first floor of the existing building at 98 Winthrop Street pursuant to Sections 11.800 and 10.43 of the Zoning Ordinance.
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 Swaathi Joseph at 617-349-4668, or [sjoseph@cambridgema.gov](mailto:sjoseph@cambridgema.gov).

## **DOCUMENTS SUBMITTED**

### Application Documents and Supporting Material

1. Special Permit Application submitted on 9/28/2021 containing Application Forms, Project Narrative and Special Permit Criteria; Community Outreach Meetings and Engagement Summary Report; Transportation Logistics Plan prepared by Vanasse & Associates, Inc., dated August 31, 2021; Certified Economic Empowerment Status, License and Registration Materials; Certificate of Organization, notarized; ADA Variance; and plan set prepared by Huth Architects, dated September 10, 2021.
2. Presentation slides shown to the Planning Board on October 26, 2021.

### City of Cambridge Documents

3. Memorandum to the Planning Board from Community Development Department (CDD) staff, dated 10/19/2021.
4. Memorandum to the Planning Board from Traffic, Parking and Transportation Department (TP+T) staff, dated 10/22/2021.

### Other Documents

5. Memorandum to the Planning Board from the Harvard Square Advisory Committee, dated 10/08/2021.

## APPLICATION SUMMARY

The applicant, Western Front, LLC (“the Applicant”), proposes to operate a Cannabis Retail Store at 98 Winthrop Street in Harvard Square. The Applicant has received approval from the Cannabis Control Commission as an Economic Empowerment Applicant, pursuant to Application Number EEA 202211. No cultivation, processing, or packaging will occur on site.

The Applicant proposes to repurpose the vacant retail space at the rear of the existing building to operate a Cannabis Retail Store. The previous use of the retail space was a Registered (Medical) Marijuana Dispensary. The applicant does not propose to make any physical alterations to the building besides installing signage and lighting. The other use located in the building, The Red House restaurant, will continue operation. The Cannabis Retail Store will have a separate building entrance off the side of the building that is set back approximately 20 feet from Winthrop Street and distinct from the entrance for The Red House. Since store operations will take place behind the restaurant space, the restaurant frontage will effectively screen the Cannabis Retail Store. Deliveries will occur on Winthrop Street in front of the store. All customers will be required to review and sign a Community Norms Agreement, which will place an emphasis on respecting Winthrop Park.

## 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. Cannabis Retail Store (Section 11.800)

The proposed site is located within the Business B District (BB). 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 (BA3), Business B (BB), Business B-1 (BB-1), Business B-2 (BB-2), Business C (BC), Industry A-1 (IA1), 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.*

The site is within the Business B district, where Cannabis Retail Stores are allowed by Planning Board Special Permit 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.*

The Applicant has been designated as an Economic Empowerment Applicant, so the 1,800 foot separation requirement does not apply.

*(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.

#### *11.803.4 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.*

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.*

There are no public children's playgrounds, public youth athletic fields, or public youth recreation facilities within 300 feet of the proposed location.

*11.806 Special Permit Criteria. In granting a special permit for a Cannabis Use, 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 Vanasse & Associates, Inc. was included with the application and has been reviewed by the Traffic, Parking and Transportation

Department (TP+T). The proposed Cannabis Retail Store is located in Harvard Square, which is a transit-oriented location served by the MBTA Harvard Square Red Line station, 13 MBTA bus lines, two nearby Bluebikes public bicycle sharing stations, and on-street and off-street vehicle parking, including private commercial parking garages. Overall, TP+T believes that providing no new automobile parking spaces for this project will not cause a substantial negative impact if employees and customers are informed and encouraged to access the Project by sustainable forms of transportation, such as taking public transportation, bicycling, and walking.

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

A minimal amount of business-related waste will be generated from the facility and disposed of by commercial trash pickup. The Applicant will adhere to the landlord's direction for refuse; however, trash will be locked at all times per the Cannabis Control Commission regulations.

*(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.*

The changes to the building's exterior in the current application are limited to new identifying signage, lighting, and security cameras; the visual impact of the proposed facility will be minimal.

*(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 or where there is no access by customers, 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.*

In the front of the building, an existing restaurant faces Winthrop Street; the proposed Cannabis Retail Store is in the rear. A narrow, paved courtyard/walkway along the east side of the building leads from Winthrop Street to the facility's entry door, which constitutes the entirety of its ground-floor street-facing facade. The proposed security check point is located just inside the entry door; from there a corridor continues back to the sales area. The business's office space is proposed on the second floor of the original building, accessed by a stair from the entry corridor. Due to the setback of the entry door and the length of the corridor, the sales area will not be visible from Winthrop Street and the active restaurant use will continue to be the most prominent part of the building's frontage.

*(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 not initially include a medical marijuana treatment center. However, it will assist and consult with registered medical patients to access services through the Massachusetts Medical Use of Marijuana Program.

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 ...*

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. The Applicant has agreed to implement measures recommended by TP+T to mitigate adverse transportation impacts.

*(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 will be located in a business zoning district characterized by similar types of retail establishments and will be operated in accordance with applicable state and local regulations for that 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. The Applicant is also an Economic Empowerment Applicant, which the zoning is intended to support.

- (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 Cannabis Retail Stores. No new exterior mechanical systems are proposed. The building is not a contributing structure in the Harvard Square National Register District; however, it is located in the Harvard Square Conservation District. Cambridge Historical Commission (CHC) staff reviewed the proposal and have concluded that CHC review will not be required as long as the signage is zoning-compliant. All exterior alterations will be subject to continuing review by CHC and Community Development Department (“CDD”) staff, where applicable. Therefore, the Board finds no inconsistency with applicable urban design objectives.

*10.43.1 Conditional Retail or Consumer Service Establishments. Where a special permit is required for a Retail or Consumer Service Establishment listed in Section 4.35 or 4.36 of this Zoning Ordinance, the special permit granting authority shall consider the following factors when evaluating the criteria in Section 10.43:*

- (a) *Anticipated delivery and loading operations, their potential impacts on neighboring uses and the overall neighborhood, and the extent to which those impacts are mitigated;*

Loading and deliveries will occur on Winthrop Street through “live loading,” meaning that the transport vehicle will remain occupied by a Registered Marijuana Agent while a second Registered Marijuana Agent is escorted inside the facility by staff. Deliveries will occur before 11:00 a.m. three times per week on randomized days. No offsite deliveries will be made from the store directly to customers. Per the Conditions of this Decision, the Permittee will provide a loading and service delivery management plan to TP&T for approval prior to issuance of a Building Permit.

- (b) *The extent to which neighboring uses would be impacted by environmental nuisance such as dust, fumes, odors, smoke, vapors, noise, vibration, flashing, light trespass, or glare, and the extent to which those impacts are mitigated;*

No such impacts are anticipated. Because no repackaging of cannabis products is allowed on-site, potential odors will be mitigated.

- (c) *The extent to which storefronts and other elements of the façade visible to the public are compatible with the visual character of the surrounding area and conform to the City's urban design objectives for retail uses in the area; and ...*

The store's entry door constitutes the entirety of its ground-floor street-facing facade. No changes to the building storefront or façade are proposed. The existing building will retain its historic and visual character.

*(d) Where citywide or neighborhood plans have been published by the City that identify types of retail uses that are preferred or desirable in the area, such plans may be considered in support of such identified uses where they are proposed.*

The Retail Cannabis Store sustains the vitality of the commercial environment while preserving architecturally-significant building fabric at street level, as stated in the Statement of Goals and Guidelines and Standards for Review of the Final Report of the 2017-19 Harvard Square Conservation District Study Committee. The use also contributes to the pedestrian-friendly, accessible, human-scale, quirky, mixed-use environment of Harvard Square. There are no neighborhood plans for the Harvard Square area and Envision Cambridge does not identify preferred retail uses for Harvard Square.



## 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 and other supporting materials submitted to the Planning Board, except as modified by the additional Conditions of this Special Permit Decision. The project plans hereby approved by the Planning Board are the plan set and plan set prepared by Huth Architects, dated September 10, 2021. Appendix I summarizes the dimensional features of the project as approved.
2. The Planning Board approves the uses as described and depicted in the Application Documents, including Cannabis Retail Store (Section 4.35s. of the Table of Use Regulations in the Cambridge Zoning Ordinance). Any substantive change in use from those depicted in the Application Documents shall require an amendment of the Special Permit by the Planning Board.
3. 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.
4. 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. Review by the CDD and the Cambridge Historical Commission of any changes to the building exterior;
  - b. Long term bicycle parking - review of a 1" = 10' plan;
  - c. Signage;
  - d. Exterior lighting, with reference to the standards in Cambridge’s Draft Outdoor Lighting Ordinance to minimize light pollution and light trespass;
  - e. Review of any changes needed to improve accessibility;
  - f. Review of any changes to mechanical equipment, with particular attention to noise levels and visual and acoustical screening.
5. 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. In particular, the Permittee shall execute a Host Community Agreement with the City of Cambridge pursuant to the regulations of the Massachusetts Cannabis Control Commission 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.

6. The special permit shall be valid only for the approved 98 Winthrop Street site. The special permit shall be valid only for the original Applicant and the original Economic Empowerment Applicant (“EE 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 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 Persons or Entities Having Direct Control failing to maintain an equity interest, shall be reported to the Commissioner of Inspectional Services Department 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.
7. The permitted operating hours of the approved Cannabis Retail Store shall be between 9:00 AM and 10:00 PM daily.
8. 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 two (2) bicycle parking spaces or one (1) bicycle rack. Such contribution shall be made prior to the issuance of an Occupancy Permit.
9. The Permittee shall submit an Operations and Logistics Plan, in accordance with Section 11.804, Paragraph (e) of the Cambridge Zoning Ordinance, to the Traffic, Parking and Transportation Department (“TP&T”) and Cambridge Police Department for preliminary approval prior to issuance of a Building Permit and again for final approval prior to issuance of a Certificate of Occupancy. This plan should address in detail how the Applicant is intending to manage bicycle lane infringement and sidewalk crowding in a manner that maintains safety and access to adjacent buildings, transit, and any other key uses. In addition, there should be a specific plan for the initial opening period, including how the Permittee will identify and respond to any unexpected situations (i.e., sidewalk crowding, blocking bike lanes, or other safety issues). If required by TP&T in the course of approving an operations plan, the Permittee shall commit to use an on-line pre-purchase and/or appointment-only scheduling system for operations for a period of time that is determined by TP&T to be necessary to manage traffic impacts and prevent queuing on the public sidewalk that may cause disruption to the operation of other nearby businesses or to the general public. The City shall extend the commitment beyond that period if it is deemed by the City to minimize transportation impacts.
10. The Permittee shall contribute \$35,000 to the City toward transportation, parking, transit and/or bicycle improvements to support non-automobile travel modes for employees and customers and to mitigate the Project’s traffic and parking impacts on the surrounding area. Half of this contribution shall be made prior to the issuance of a Building Permit and the other half of the contribution shall be made prior to the issuance of a Certificate of Occupancy.

11. 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. No offsite deliveries shall be made from this location to customers unless approved by the Planning Board.
  
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” Public Bicycle Sharing System 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. Bluebikes regional Public Bicycle Sharing system.
      6. Carpool-matching programs.
      7. Other pertinent transportation information.
        - a. 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. Transportation information packets may be purchased from the CDD.
    - iii. Provide or describe to customers information on sustainable 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.
13. 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.
14. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code).

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PB-384 – Western Front, LLC, 98 Winthrop Street

Voting in the affirmative to grant the requested Special Permits were Planning Board Members Louis Bacci, Jr., Steven Cohen, Catherine Preston Connolly, Mary Flynn, Hugh Russell, Tom Sieniewicz, and Associate Member Ashley Tan, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board.

For the Planning Board,

A handwritten signature in cursive script that reads "Catherine Preston Connolly". The signature is written in black ink and is positioned above the printed name of the signatory.

Catherine Preston Connolly, Chair

A copy of this decision PB-384 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.

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ATTEST: A true and correct copy of the above decision has been filed on January 11, 2022 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)	3,582	N/A	3,582	No Change
Lot Width (ft)	36.54	N/A	36.54	No Change
Total GFA (sq ft)	1,589	N/A	1,589	
Residential Base	0	N/A	0	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	1,589	14,328	1,589	
Inclusionary Bonus	0	N/A	0	
Total FAR	0.44	5.2	0.44	Consistent with Application Documents and applicable zoning requirements
Residential Base	0	4.0	0	
Non-Residential Base	0.44	4.0	0.44	
Inclusionary Bonus	0	1.2	0	
Total Dwelling Units	0	14	0	
Base Units	0	11	0	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	0	3	0	
Base Lot Area / Unit (sq ft)	0	300	0	
Total Lot Area / Unit (sq ft)	0	255	0	
Height (ft)	18'4"	60	18'4"	
Front Setbacks (ft)	0	N/A	0	Consistent with Application Documents and applicable zoning requirements
Side Setback (ft)	0	N/A	0	
Side Setback (ft)	0	N/A	0	
Rear Setback (ft)	0	N/A	0	
Open Space (% of Lot Area)	0	N/A	0	Consistent with Application Documents and applicable zoning requirements
Private Open Space	0	N/A	0	
Permeable Open Space	0	N/A	0	
Off-Street Parking Spaces	0	0 <sup>1</sup>	0	
Long-Term Bicycle Parking	0	0 <sup>2</sup>	2	Consistent with Application Documents and applicable zoning requirements
Short-Term Bicycle Parking	0	0	2 <sup>3</sup>	
Loading Bays	0	0	0	

<sup>1</sup> Per Section 6.32.1, the minimum amount of parking required by Section 6.36 shall be waived for any nonresidential use in an office, business, or industrial district if such use would require four (4) or fewer spaces, and such nonresidential use is located in a building or row of attached buildings which contains a total of ten thousand (10,000) square feet or less of gross floor area devoted to nonresidential use. Furthermore, for a new nonresidential use within a building in existence on or before October 19, 2020, no new accessory parking shall be required.

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<sup>2</sup> Per Section 6.103.1(c), the conversion of existing Gross Floor Area to a new category of non-residential use, where such conversion results in less than a fifteen percent (15%) increase in the total number of bicycle parking spaces that would be required for the entire building by Section 6.100, is exempt from meeting the bicycle parking requirements.

<sup>3</sup> The Permittee has committed to contribute to the City's Public Bicycle Parking Fund for two short-term bicycle parking spaces (i.e., one (1) bike rack).