



CITY OF CAMBRIDGE

Community Development Department

To: Planning Board

From: CDD Staff

Date: Date

Re: Special Permit **PB-395, 425 Massachusetts Avenue (Crumb Cookies)**

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Overview

Submission Type:	Special Permit Application
Applicant:	Commonwealth Specialty Baking C, LLC
Zoning District(s):	Business B; Central Square Overlay District
Proposal Summary:	Operate a Formula Business bakery occupying approximately 1500 square feet in the first floor of the existing building.
Special Permits Requested:	Formula Business (20.304.5(4))
Other City Permits Needed:	n/a
Planning Board Action:	Grant or deny requested special permits.
Memo Contents:	CDD Zoning Report & Urban Design Report
Other Staff Reports:	n/a

Zoning Section	Required Planning Board Findings <i>(Summary - see appendix for zoning text excerpts)</i>
<p>Central Square Overlay District: Formula Business Special Permit (20.304.5(4))</p>	<ul style="list-style-type: none"> • The design reflects, amplifies and strengthens the established historical character of existing buildings and storefronts in Central Square. • 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. • Standard elements of the enterprise defining 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.
<p>Central Square Overlay District: Criteria for Issuance of Special Permits (Section 20.300)</p>	<ul style="list-style-type: none"> • Proposed development is consistent with the goals and objectives of the Central Square Action Plan: <ul style="list-style-type: none"> ○ 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. • 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.” • Building and site designs adequately screen the parking provided and are sensitive to the contributing buildings in the vicinity. <p>No National Register or contributing building is demolished or so altered as to terminate or preclude its designation (either now or within the past 5 years).</p>

Zoning Section	Required Planning Board Findings <i>(Summary - see appendix for zoning text excerpts)</i>
General Special Permit Criteria (Section 10.43)	<p>Special permits will be normally granted if the zoning requirements are met, unless it is found not to be in the public interest due to one of the criteria enumerated in Section 10.43:</p> <ul style="list-style-type: none"> (a) It appears that requirements of this Ordinance cannot or will not be met, or (b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or (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 (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 (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 (f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

Zoning & Development Staff Report

Area Planning and Zoning

Site Context

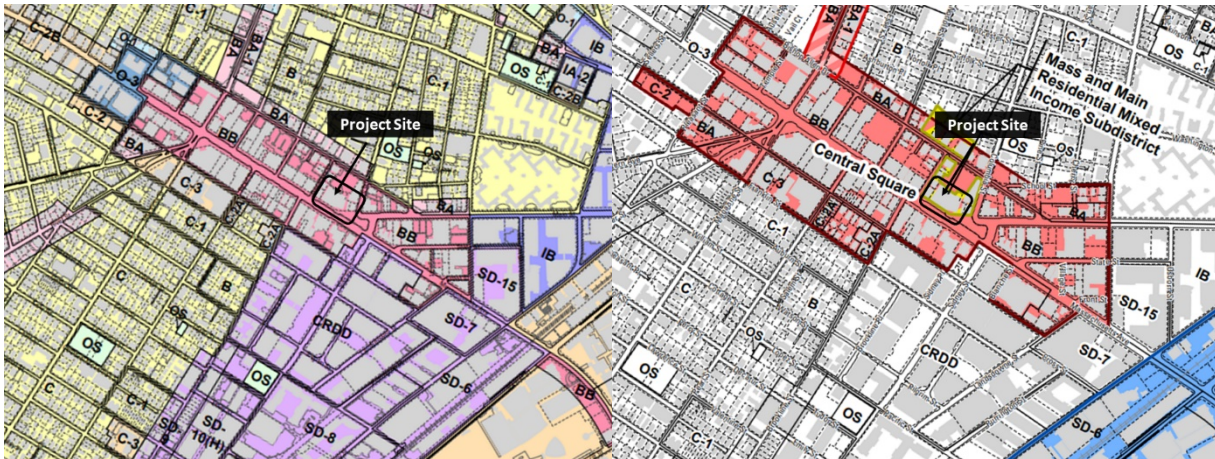
- Neighborhood/Area: Central Square
- Development Patterns: The site is located at the eastern end of Central Square where Main Street and Massachusetts Avenue converge. Most buildings on Massachusetts Avenue host retail uses on the ground story and office uses on the upper stories. Building heights and sizes vary; most buildings are built to the lot line and do not provide off-street parking.
- Nearby Features: The site is a few blocks away from the MBTA Central Square Station. There is a Bluebikes station and a stop for the Route 1 MBTA bus in front of the building. Jill Brown-Rhone Park and Lafayette Square create a triangular plaza at the corner where Main Street and Massachusetts Avenue meet.



Site context for 425 Massachusetts Avenue. (Source: Nearmap March 27, 2021)

Site Zoning

General description: The base zoning for the site is Business B (BB). Business B allows a wide range of typical neighborhood business uses, as well as office and residential uses. The district development standards allow higher-density development, with maximum heights up to 80 feet and floor-area ratios (FAR) up to 3.00. The site is also in the Central Square Overlay District, which modifies base zoning provisions both as-of-right and by special permit.



Zoning Map (left) and Overlay Zoning Map (right). (Source: City of Cambridge)

Development Plans and Guidelines

- [Central Square Overlay District](#). The Central Square Overlay District (CSOD) was created in 1989 following a planning study that established development goals and guidelines for the area; it was most recently amended in 2017. There are a variety of plans and guidelines focused on Central Square, including the [Kendall Square Central Square Planning Study - K2C2 \(2013\)](#), the [Central Square Action Plan](#), and the [Central Square Development Guidelines](#). Overall, these documents envision a Central Square with a strong retail base made up of local, independent retailers; an active arts community; vibrant public spaces; new and historic buildings that are compatible with each other; and more housing options.
- [Mass and Main](#). The zoning that led to the development of Mass and Main, now called Market Central, was adopted in 2015. As part of their zoning and special permit conditions, the developer of Market Central agreed to provide various public benefits, including a commitment to recruit and retain local, independent businesses.
- [Formula Business](#). The definition of “Formula Business” was added to the Zoning Ordinance in 2017 with the adoption of the Central Square Restoration Zoning (Sater, et al.) Petition. At the same time, the Central Square Overlay District zoning was amended to allow Formula Businesses by special permit. While there were discussions about whether to remove the Formula Business provisions from the zoning petition, they were ultimately included.

Current Proposal

Overview

The Application by Crumbl Cookies proposes to open a Retail Bakery in the Market Central development at 425 Massachusetts Avenue, occupying approximately 1500 square feet. While this use is allowed as-of-right by the Zoning Ordinance, the applicant is a Formula Business and therefore needs a special permit from the Planning Board. The applicant does not propose any changes to the building exterior, besides signage and transparency. Details on the retail fit out, including proposed floor plans and sign plans, have been submitted by the applicant. Also included is an example of typical signage at a nearby Crumbl Cookies franchise location.

The proposed use is within the “Market Central” development, which was the subject of the 2015 zoning described above and was subject to a Project Review Special Permit by the Planning Board (PB-321), granted in 2017.

Special Permits

Formula Business Special Permit

Zoning defines a Formula Business as “an individual Retail or Consumer Service establishment that is required by virtue of a contract, franchise agreement, ownership or other similar legal obligation to conform or substantially conform to a set of common design and operating features that serve to identify the establishment as one of a group of establishments for business, marketing and public relations purposes.”

The zoning effectively creates a two-part test to determine if a business is a Formula Business: the number of establishments and the amount of standard language, signage, and design. Crumbl Cookies has over 600 locations throughout the United States, and approximately 10 locations in Massachusetts. These include a nearby location at Station Landing in Medford and a soon to open location at Boston Landing in Boston. Crumbl Cookies operates under franchise agreements, so franchisees are required to follow certain standard practices.

The criteria for granting a Formula Business special permit in the Central Square Overlay District focus on the extent to which the proposal is unique to Central Square. The Application notes that the proposed signage is in keeping with the existing building façade. The Urban Design report includes additional commentary on the proposed building design and signage.

Advisory Review

Central Square Advisory Committee (CSAC) Review and Comment

Pursuant to the provisions of Section 20.300 of the Cambridge Zoning Ordinance, the Central Square Advisory Committee reviewed and commented on this project in advance of the applicant’s request for a Formula Business special permit from the Planning Board. The Committee voted to forward a report to the Planning Board with a positive recommendation. The Committee report and comments are included with the Planning Board’s materials.

Community Engagement

According to the applicant's community engagement summary, they held a pre-application community meeting at the retail location on January 5, 2022 and a virtual community meeting over Zoom on January 6, 2022. The applicant noted positive feedback provided during these meetings.

Special Permit Conditions

If the Board decides to grant the special permit, the following list summarizes the general categories of conditions recommended for this development based on the requested special permits:

1. Approved Development. Authorized development would need to conform with the submitted application materials. An Approved Dimensional Form would be attached as an Appendix.
2. Permitted Uses. The special permit would authorize the uses proposed in the application. Specifically, the permitted use would be Retail Bakery (Section 4.35r). The Board's approval of this Formula Business would not be transferrable to a different use.
3. Design Review. CDD staff would review and approve design details at the construction documents phase, prior to issuance of a building permit, to certify that the plans conform to the Planning Board's approval. Board members may cite specific areas of focus for detailed review, based on the Urban Design Report and Board discussion.

Appendix - Zoning Text Excerpts

Special Permit for Formula Business

- 20.304.5(4)** *Formula Business District.* A Formula Business as defined in this Ordinance may be established in the Central Square Overlay District only after the issuance of a special permit from the Planning Board. In reviewing an application the Planning Board shall take the following into consideration:
- 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.

General Criteria for Issuance of a Special Permit in the Central Square Overlay District

20.303.2 *Criteria for Development Consultation Review and Review of Applications for Special Permits and Variances.* In reviewing applications for variances, special permits or development consultation reviews the permit or special permit granting authority or the Central Square Advisory Committee shall be guided by the objectives and criteria contained in the publication "Central Square Action Plan", City of Cambridge, November 1987, and "Central Square Development Guidelines", July 1989, in addition to the requirements of Section 10.30 - Variances, 10.40 - Special Permits, and Subsection 20.305 of this Section 20.300. These guidelines are also intended to assist in shaping any contemplated physical change within the Central Square Overlay District.

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.

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

General Criteria for Issuance of a Special Permit

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
- (b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or
- (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
- (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
- (g) 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
- (h) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

19.30 Citywide Urban Design Objectives [SUMMARIZED]

Objective	Indicators
New projects should be responsive to the existing or anticipated pattern of development.	<ul style="list-style-type: none"> • Transition to lower-scale neighborhoods • Consistency with established streetscape • Compatibility with adjacent uses • Consideration of nearby historic buildings
Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.	<ul style="list-style-type: none"> • Inhabited ground floor spaces • Discouraged ground-floor parking • Windows on ground floor • Orienting entries to pedestrian pathways • Safe and convenient bicycle and pedestrian access
The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.	<ul style="list-style-type: none"> • Location/impact of mechanical equipment • Location/impact of loading and trash handling • Stormwater management • Shadow impacts • Retaining walls, if provided • Building scale and wall treatment • Outdoor lighting • Tree protection (requires plan approved by City Arborist)
Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system.	<ul style="list-style-type: none"> • Water-conserving plumbing, stormwater management • Capacity/condition of water and wastewater service • Efficient design (LEED standards)
New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.	<ul style="list-style-type: none"> • Institutional use focused on existing campuses • Mixed-use development (including retail) encouraged where allowed • Preservation of historic structures and environment • Provision of space for start-up companies, manufacturing activities
Expansion of the inventory of housing in the city is encouraged.	<ul style="list-style-type: none"> • Housing as a component of large, multi-building development • Affordable units exceeding zoning requirements, targeting units for middle-income families
Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.	<ul style="list-style-type: none"> • Publicly beneficial open space provided in large-parcel commercial development • Enhance/expand existing open space, complement existing pedestrian/bicycle networks • Provide wider range of activities

Urban Design Staff Report

Urban Design Comments

Central Square is characterized by businesses with relatively narrow ground floor street frontages, and vibrant and diverse storefronts, that create a varied experience for pedestrians. The ground floor façade of the Market Central residential building (PB-321), with its pleasant pedestrian scale, appropriate materials, and highly glazed storefronts contributes to this pattern.

The proposed Crumbl Cookies storefront essentially remains unchanged. A high degree of visual transparency is maintained, which is consistent with the urban design objectives for Central Square and the Market Central Special Permit approval. Signage is subtle and the proposed window decals are small in scale to maintain transparency. The cookie vinyl on the lower right portion of the storefront is a little taller than typically preferred for storefronts, but overall, it adds some quirkiness to the façade. The proposed business identification sign is of a similar scale to other signage in Central Square. It is located above the canopy on the louver band, which complements nearby stores. Any proposed signage lighting should be consistent with other Market Central retail tenancies.

On the walkway side, a vinyl wave print graphic is proposed to cover most of the windows and the rear door. Initially, the Applicant had proposed a completely opaque treatment for this elevation; however, after discussions with staff, the vinyl was removed from the corner windows and the transom. These specific windows were incorporated into the Market Central project to help provide a sense of surveillance, visual interaction, and safety for pedestrians along the public walkway. Maintaining the transparency at the building corner is important as it animates both the walkway and the sidewalk, and provides a node of activity for pedestrians. However, staff would have preferred to see more transparency provided as the long stretch of vinyl results in an expansive, blank wall experience. Additional transparency could be achieved by removing the vinyl from the side entrance door, or by creating some sense of transparency or depth in the design of the graphic print itself.

Continuing Review

The following are additional recommendations for ongoing design review by staff if the Board decides to grant the special permit:

- Review of exterior lighting.
- Review of all exterior signage, and attachments, and window film/vinyl.