



**CITY OF CAMBRIDGE
MASSACHUSETTS
BOARD OF ZONING APPEAL
831 MASSACHUSETTS AVENUE
CAMBRIDGE, MA 02139
617 349-6100**

BZA APPLICATION FORM

Plan No: BZA-017179-2019

GENERAL INFORMATION

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit : v Variance : Appeal :

PETITIONER : A&T JCuisine - C/O Andrew Upton, Esq.

PETITIONER'S ADDRESS : Six Beacon Street, Suite 700 Boston, MA 02108

LOCATION OF PROPERTY : 57 Jfk St Cambridge, MA 02138

TYPE OF OCCUPANCY : Restaurant ZONING DISTRICT : Business B Zone

REASON FOR PETITION :

Other: Fast Order Food

DESCRIPTION OF PETITIONER'S PROPOSAL :

Special Permit for Fast Order Food Establishment.

SECTIONS OF ZONING ORDINANCE CITED :

Article <u> 4.000 </u>	Section <u> 4.35.0 </u> (Fast Order Food Establishment).
Article <u> 11.000 </u>	Section <u> 11.30 </u> (Fast Order Food Establishment).
Article <u> 10.000 </u>	Section <u> 10.40 </u> (Special Permit).

Original Signature(s) :

 Andy Truong
(Petitioner(s) / Owner)

 ANDY TRUONG
(Print Name)

Address : 572 ELM ST

 BRAintree, MA 02184

Tel. No. : 617-650-3536

E-Mail Address : TRUONGANDY@HOTMAIL.COM

Date : 9/10/19

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/We Crimson Galeria Limited Partnership
(OWNER)

Address: 166 Harvard Street, Brookline, MA 02446

State that I/We own the property located at 57 John F. Kennedy St., Cambridge, MA 02138, which is the subject of this zoning application.

The record title of this property is in the name of Crimson Galeria, LP

*Pursuant to a deed of duly recorded in the date July 10, 1998, Middlesex South County Registry of Deeds at Book 28824, Page 484; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.

Raj K. Dhanda
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*

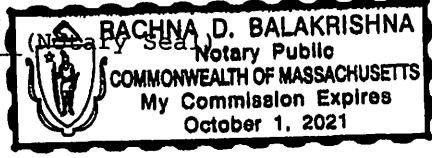
*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Norfolk

The above-name Raj K. Dhanda personally appeared before me, this 21st of August, 2019, and made oath that the above statement is true.

Rachna D. Balakrishna Notary

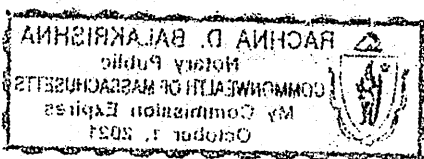
My commission expires October 1, 2021



• If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.

NOTARIAL PUBLIC - MASSACHUSETTS

to be signed by the person whose name is written in the space provided for the purpose of the Board of Registration of Professional Engineers



BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for Menya Jiro at 57 John F. Kennedy Street, Cambridge, MA 02138 would not be a detriment to the public interest because:

A). Requirements of the Ordinance can or will be met for the following reasons:

- 1) The operation of Menya Jiro at this location will not create any additional traffic or reduce parking. Patrons of the establishment will arrive primarily on foot.**
- 2) The nature of the offering of food (Japanese Cuisine) is compatible with the other restaurant tenants in the building, while offering a unique style of food.**
- 3) Menya Jiro is very interested in providing this fresh, unique, authentic Japanese Cuisine at Harvard Square, and seeks a long, successful relationship with the local community.**

B). Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

- 1) Patrons of Menya Jiro will primarily arrive on foot.**
- 2) Other uses in the same building are similar so no changes to the local traffic patterns are anticipated.**
- 3) Parking areas around the building are clearly marked. The site is also serviced by the Harvard Square Subway Station, numerous bus routes, and popular ride and bike sharing services.**

C). The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

- 1) Adjacent uses as permitted by the zoning ordinance will not be adversely affected by the proposed use of the tenant space. Menya Jiro is a similar use to many of the neighboring businesses (restaurants), and will not create any adverse impacts to the adjacent uses. Automobile traffic will not be negatively impacted, as Menya Jiro will only be part of a large community of business that relies heavily on foot traffic.**

D). Nuisance or hazard would not 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 for the following reasons:

- 1) The area is already occupied by many other restaurant establishments.**

2) Menya Jiro would utilize to the best of its ability natural, recyclable or biodegradable materials for serving and eating.

3) Menya Jiro's limited Japanese Cuisine styled menu will enable fast, efficient, and a constant quality of product for the consumer.

E). For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

1) The operations of an authentic Japanese Cuisine restaurant here is very compatible with the other businesses in the area. Although the preparation and cooking process allows for a quick-serve environment and easy pick-up and go services, places to sit and eat will also be available for those patrons wishing to stay and eat.

2) The area is very diverse in its businesses. Menya Jiro would not stand out as a fast food use, as others are also in the area, but would offer itself as a unique food alternative in the area due to the product mix and preparation style.

COMPLIANCE WITH REQUIREMENTS OF SECTION 11.30 – FAST ORDER SPECIAL PERMIT

a) The operation of the establishment shall not:

- 1) Create traffic problems. The operation of a Menya Jiro fast order food establishment shall not create traffic problems at this location. The large majority of customers will be pedestrians from Harvard Square. Because of this, traffic patterns, congestion, and parking will not be adversely affected.
- 2) Reduce available parking. Menya Jiro's use of the site as a fast order food establishment will not reduce available parking. The customers will be walk-in customers from the Harvard Square area.
- 3) Threaten the public safety in the streets and sidewalks. The use of the space as Menya Jiro will not threaten the public safety in the streets or sidewalks. The large majority of customers will access the site on foot and are served by adjacent sidewalks and marked street crossings near the site. There will be no "drive thru" service at the restaurant.
- 4) Encourage or produce double parking on the adjacent public streets. The nature of the business will not encourage or provide double parking on the street. Street parking is clearly defined, and the majority of customers will arrive on foot.

b) The physical design, including color and use of materials, of the establishment shall be compatible with and sensitive to the visual and physical characteristics of other buildings, public spaces and uses in the particular location.

This site and the surrounding retail business sites in the local Harvard Square business/commercial areas provide a diverse mix of physical designs, colors and materials. The space design for Menya Jiro will add to and contribute to the variety and vibrancy of the retail establishments in Harvard Square. This factor is additionally minimized as the majority of the public-facing space is internal to the Mall.

c) The establishment fulfills a need for such a service in the neighborhood or in the city.

Menya Jiro will offer a unique food product (Japanese Cuisine) that is quickly prepared, flavorful and authentic. Servings will be such that customers can easily fit the meal into their personal portion sizes and/or easily fit within a budget.

The Harvard Square neighborhood attracts a large number of shoppers, visitors, and tourists. The existing retail, commercial, office, academic, and residential character of the neighborhood, and the large number of local working people, residents, and students, along with visitors, tourists, and shoppers in Harvard Square can easily incorporate a fast order food establishment such as Menya Jiro, which is offering a fresh, authentic food style.

d) The establishment will attract patrons primarily from walk in trade as opposed to drive in or automobile related trade; however, should the Board specifically find that the district or area within which the establishment is proposed to be located does not have significant pedestrian traffic, this requirement need not be met.

Being in Harvard Square, and the large number of office, retail workers, residents, students,

shoppers, visitors and tourists that are present on a daily basis, Menya Jiro anticipates the vast majority of patrons to arrive via foot. Menya Jiro would be providing 40 interior seats.

- e) The establishment shall, to the greatest extent feasible, utilize biodegradable materials in packaging the food and in the utensils and other items provided for consumption thereof.**

Menya Jiro will provide its customers with recyclable or biodegradable eating utensils and serving plates.

- f) The establishment shall provide convenient, suitable and well-marked waste receptacles to encourage patrons properly to dispose of all packaging materials, utensils and other items provided with the sale of food; and**

Well-marked and conveniently located trash receptacles will be available to encourage proper disposal of waste materials.

- g) The establishment complies with all state and local requirements applicable to ingress, egress and use of all facilities on the premises for handicapped and disabled persons.**

The design of Menya Jiro complies with all state & local requirements for egress/ingress and use of facilities as an accessible space.

BZA APPLICATION FORM
DIMENSIONAL INFORMATION

APPLICANT: DiNicola, Seligson, & Upton, LLP PRESENT USE/OCCUPANCY: Restaurant

LOCATION: 57 John F. Kennedy St., Cambridge, MA 02138 ZONE: _____

PHONE: 617-279-2595 REQUESTED USE/OCCUPANCY: Restaurant

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	(max.)
<u>LOT AREA:</u>		<u>0</u>		<u>0</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:²</u>		<u>0</u>	<u>0</u>	<u>0</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>SIZE OF LOT:</u>	WIDTH	<u>0</u>		<u>0</u>	(min.)
	DEPTH				
<u>Setbacks in Feet:</u>	FRONT	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
	REAR	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
	LEFT SIDE	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
	RIGHT SIDE	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	<u>0</u>	<u>0</u>	<u>0</u>	(max.)
	LENGTH	<u>00</u>	<u>0</u>	<u>0</u>	
	WIDTH	<u>0</u>	<u>0</u>	<u>0</u>	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:³</u>		<u>00</u>	<u>0</u>	<u>0</u>	
		<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>		<u>0</u>	<u>0</u>	<u>0</u>	(max.)
<u>NO. OF PARKING SPACES:</u>		<u>0</u>	<u>0</u>	<u>0</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>		<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		<u>0</u>	<u>0</u>	<u>0</u>	(min.)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

N/A

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



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 MASSACHUSETTS
 BOARD OF ZONING APPEAL
 831 MASSACHUSETTS AVENUE
 CAMBRIDGE, MA 02139
 617 349-6100

2019 SEP 17 PM 3:29

BZA APPLICATION FORM
GENERAL INFORMATION

OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS
 Plan No: BZA-017179-2019

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit : ✓ Variance : _____ Appeal : _____

PETITIONER : A&T JCuisine - C/O Andrew Upton, Esq.

PETITIONER'S ADDRESS : Six Beacon Street, Suite 700 Boston, MA 02108

LOCATION OF PROPERTY : 57 Jfk St Cambridge, MA 02138

TYPE OF OCCUPANCY : Restaurant ZONING DISTRICT : Business B Zone

REASON FOR PETITION :

Other: Fast Order Food

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Special Permit for Fast Order Food Establishment.

SECTIONS OF ZONING ORDINANCE CITED :

Article 4.000 Section 4.35.0 (Fast Order Food Establishment).
 Article 11.000 Section 11.30 (Fast Order Food Establishment).
 Article 10.000 Section 10.40 (Special Permit).

Original Signature(s) :

 Andy Truong
 (Petitioner(s) Owner)

 ANDY TRUONG
 (Print Name)

Address : 512 ELM ST

 BRAINTREE, MA 02184

Tel. No. : 617-650-3536

E-Mail Address : TRUONGANDY@HOTMAIL.COM

Date : 9/10/19

Site Photographs



Fig 1- View of the building from the N.E. corner of JFK and Winthrop St.



Fig 2 – View of N.E. corner of building



Fig 4 – View of walk from parking garage toward Galeria



Fig 7 – Storefront adjacent to Shake Shack.



Fig 8 – Ramp and sidewalk to main Galeria entry. Note blade signs.

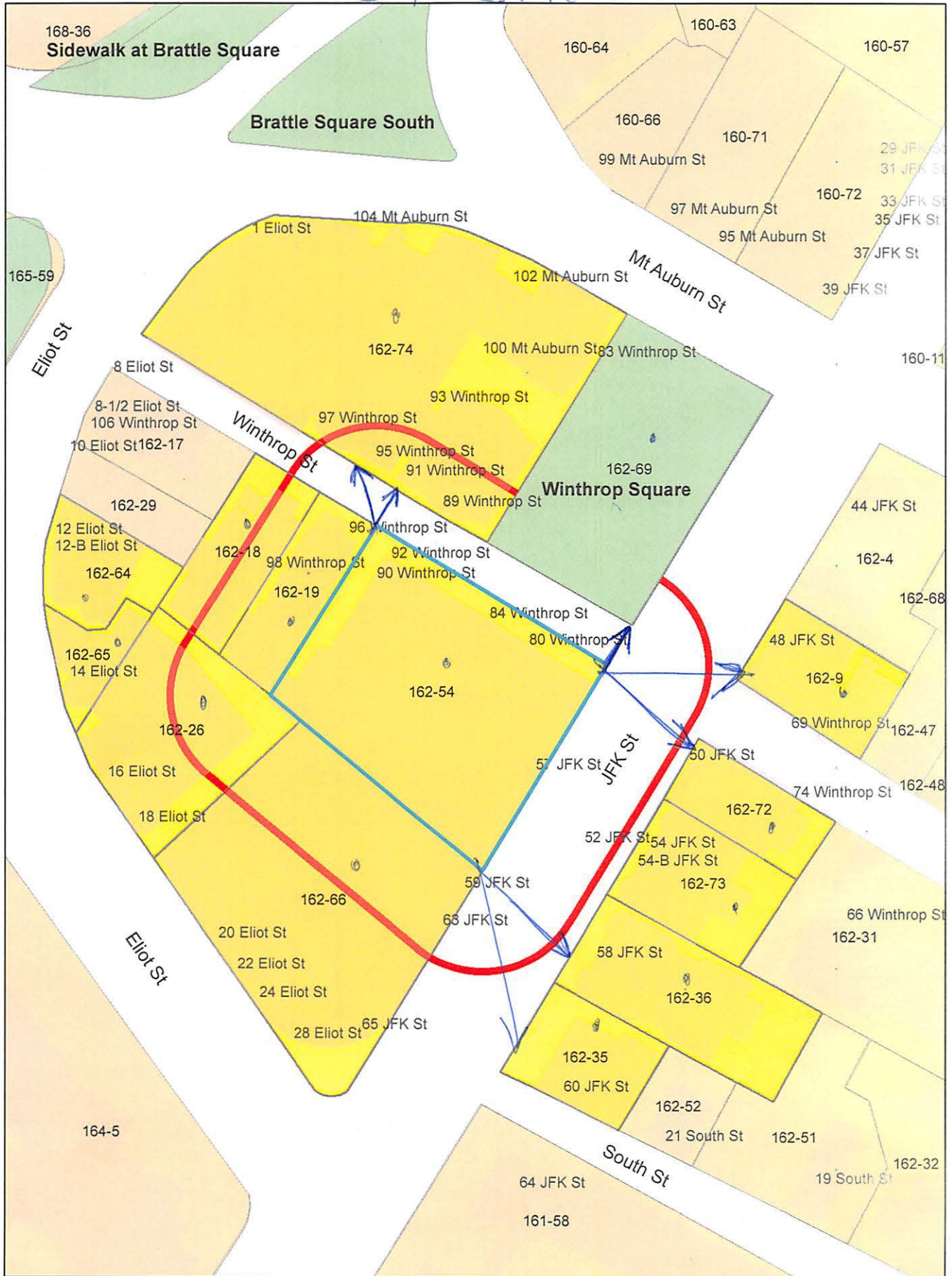


Fig 9 – Steps to Galeria main entrance.



Fig 10 – Galeria with Yogurtland storefront windows on right.

57 JFK St.



57 JFK

Petitioner

162-9
TARTARIAN, LLC
1188 CENTRE ST.
NEWTON, MA 02459

162-18
TIMBUKTU REAL ESTATE LLC
10 ELIOT ST
CAMBRIDGE, MA 02138

DINCOLA, SELIGSON & UPTON, LLP
C/O ANDREW F. UPTON, ESQ.
6 BEACON STREET, SUITE 700
BOSTON, MA 02108

162-26
CHARLES RIVER HOLDINGS LLC,
1299 BEACON ST
BROOKLINE, MA 02446

162-35
PRESIDENT & FELLOWS OF HARVARD COLLEGE
C/O HARVARD REAL ESTATE, INC.
HOLYOKE CENTER, ROOM 1000
1350 MASSACHUSETTS AVE
CAMBRIDGE, MA 02138

ANDY TRUONG
512 ELM STREET
BRAINTREE, MA 02184

162-54
CRIMSON GALERIA LIMITED PARTNERSHIP
C/O RAJ DHANDA
1299 BEACON STREET
BROOKLINE, MA 02446

162-64-65
THE R B FAMILY LIMITED PARTNERSHIP
C/O THE BANKER REAL ESTATE COMPANY
14A ELIOT ST
CAMBRIDGE, MA 02138

162-19
RAJ & RAJ LLC, NEENA'S DESIGN LIGHTING, LTD
C/O RAJ DHANDA
1299 BEACON ST
BROOKLINE, MA 02446

162-66
DI GIOVANNI, LOUIS F.
TR. OF KENNEDY AND ELIOT REALTY TRUST
P.O. BOX 380212
CAMBRIDGE, MA 02238

162-69
CAMBRIDGE CITY OF PWD
147 HAMPSHIRE ST
CAMBRIDGE, MA 02139

162-72
JANES, ROGER V.,
TRUSTEE THE 50 JFK STREET REALTY TRUST
351 SHOREWOOD DR
EAST FALMOUTH, MA 02536

162-73
HARVARD SQUARE HOLDINGS LLC.
1299 BEACON ST
BROOKLINE, MA 02446

162-74
ELIOT SQUARE ENTERPRISES INC.,
TR. ELIOT SQUARE ENTERPRISES TRUST
1270 SOLDIERS FIELD RD
BRIGHTON, MA 02135

162-74
JUNIPER ENTERPRISES LIMITED PARTNERSHIP
1270 SOLDIERS FIELD RD
BRIGHTON, MA 02135

162-69
CITY OF CAMBRIDGE
C/O LOUIS DEPASQUALE
CITY MANAGER

162-69
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR

162-74
THOMPSON, JANE McC,
TR. OF WINTHROP STREET 93 REALTY Tr.
93 WINTHROP ST. UNIT#WSR6
CAMBRIDGE, MA 02138

162-74
BORDEN, PHILIP A. & CATHERINE J. TURCO
95 WINTHROP ST., #WSR7
CAMBRIDGE, MA 02138

162-74
LEVITAN, SHARI A.,
TRUSTEE THE 93 WINTHROP NOMINEE TRUST
C/O HOLLAND & KNIGHT LLP
10 SAINT JAMES AVE, 11 FL
BOSTON, MA 02116

162-74
LAURELWOOD, LLC
1188 CENTRE ST.
NEWTON, MA 02458

162-74
HUEBNER, ALEXANDRA
93 WINTHROP ST. UNIT#5A
CAMBRIDGE, MA 02138

162-74
OSMENA, MARIA VICTORIA R.
465 PARK AVE. APT 33W
NEW YORK, NY 10022

162-36
MCMILLAN, GENEVIEVE,
TRUSTEE OF MC MILLAN REALTY TRUST
P.O. BOX 380209
CAMBRIDGE, MA 02238

BZA APPLICATION FORM

CHECK LIST

PROPERTY LOCATION: 57 John F. Kennedy St., Cambridge, MA 02138 DATE: _____

PETITIONER OR REPRESENTATIVE: Andrew Upton, Esq.

ADDRESS & PHONE: 6 Beacon Street, Suite 700, Boston, MA 02108 617-279-2595

BLOCK: _____ LOT: _____

PLEASE CHECK THAT YOU HAVE INCLUDED THE FOLLOWING WITH YOUR APPLICATION. APPLICATIONS WILL NOT BE ACCEPTED FOR PROCESSING & SCHEDULING UNLESS ALL REQUIRED DOCUMENTS ARE PROVIDED.

PLEASE INCLUDE THIS CHECKLIST WITH YOUR APPLICATION. ALL DOCUMENTS ARE TO BE TYPED OR WRITTEN LEGIBLY.

<u>DOCUMENTS</u>	<u>REQUIRED</u>	<u>ENCLOSED</u>
Application Form	<u>✓</u>	<u>✓</u>
3 Forms with Original Signatures	<u>✓</u>	<u>✓</u>
Supporting Statements - 2 Copies	<u>✓</u>	<u>✓</u>
Application Fee (\$ _____) (SEE ATTACHED FEE SCHEDULE)	<u>✓</u>	<u>✓</u>
Assessor's Plat (Available at Engineering Dept. - 147 Hampshire Street)	<u>✓</u>	<u>✓</u>
Dimensional Form - Refer to Cambridge Zoning Ordinance - 2 Copies (Subject to further review by Zoning Specialist)	<u>✓</u>	<u>✓</u>
Ownership Certificate, Notarized - 2 Copies	<u>✓</u>	<u>✓</u>
Floor Plans - 2 Sets	<u>✓</u>	<u>✓</u>
Elevations - 2 Sets *	<u>✓</u>	<u>✓</u>
Certified Plot Plan - 2 Copies (By Registered Land Surveyor)	<u>✓</u>	<u>✓</u>
Photographs of Property - 2 Copies	<u>✓</u>	<u>✓</u>
Parking Plan (if relevant to your application) 2 Copies	<u>n/a</u>	<u>n/a</u>

FOR SUBDIVISION ALSO INCLUDE:**

Proposed Deeds	_____	_____
Evidence of Separate Utilities ***	_____	_____
Proposed Subdivision Plan	_____	_____

Petitioners are advised to refer to Attachment A (Procedures for applying to the Board of Zoning Appeal) & consult zoning staff for review.
It is advisable for the Petitioner to discuss the petition with the abutters as listed in the Zoning BZA Case file.

* For Special Permits under Art. 4.32.G.1 (Communication Towers and Antennas), include a photo simulation.
** See attachment G.
*** Can be submitted after subdivision has been approved.

BZA APPLICATION FORM
GENERAL INFORMATION

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit: Variance: _____ Appeal: _____

PETITIONER: A AND T JCUISINE, INC. d/b/a Menya Jiro

PETITIONER'S ADDRESS: 6 Beacon Street, Suite 700, Boston, MA 02108

LOCATION OF PROPERTY: 57 John F. Kennedy St., Cambridge, MA 02138

TYPE OF OCCUPANCY: _____ ZONING DISTRICT: _____

REASON FOR PETITION:

- | | |
|---|--|
| <input type="checkbox"/> Additions | <input type="checkbox"/> New Structure |
| <input type="checkbox"/> Change in Use/Occupancy | <input type="checkbox"/> Parking |
| <input type="checkbox"/> Conversion to Addi'l Dwelling Unit's | <input type="checkbox"/> Sign |
| <input type="checkbox"/> Dormer | <input type="checkbox"/> Subdivision |
| <input checked="" type="checkbox"/> Other: <u>SP for Quick Serve Portion of Restaurant.</u> | |


DESCRIPTION OF PETITIONER'S PROPOSAL:

To operate a fast order food establishment.

SECTIONS OF ZONING ORDINANCE CITED:

- Article 4.000 Section 4.35.0 (Fast Order Food Establishment).
- Article 11.000 Section 11.30 & 11.31 (Fast Order Food Establishment).
- Article 10.000 Section 10.40 (Special Permit).

Applicants for a **Variance** must complete Pages 1-5
Applicants for a **Special Permit** must complete Pages 1-4 and 6
Applicants for an **Appeal** to the BZA of a Zoning determination by the
Inspectional Services Department must attach a statement concerning the reasons
for the appeal

Original Signature(s): 
(Petitioner(s)/Owner)

ANDY TRUONG
(Print Name)

Address: 512 ELM ST
BRAINTREE, MA 02184

Tel. No.: 617-650-3536

E-Mail Address: MENYAJIRO2019@GMAIL.COM
TRUONGANDY@HOTMAIL.COM

Date: 08/22/2019

BZA APPLICATION FORM

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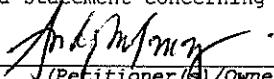
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E-Mail Address: MENYATIRO2019@GMAIL.COM
TRUONGANDY@HOTMAIL.COM

Date: 08/22/2019

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/We Crimson Galeria Limited Partnership
(OWNER)

Address: 166 Harvard Street, Brookline, MA 02446

State that I/We own the property located at 57 John F. Kennedy St., Cambridge, MA 02138, which is the subject of this zoning application.

The record title of this property is in the name of Crimson Galeria, LP

*Pursuant to a deed of duly recorded in the date July 10, 1998, Middlesex South County Registry of Deeds at Book 28824, Page 484; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.

Raj K. Dhanda
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*

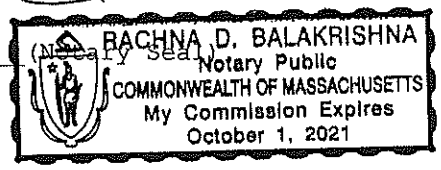
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Commonwealth of Massachusetts, County of Norfolk

The above-name Raj K. Dhanda personally appeared before me, this 21st of August, 2019, and made oath that the above statement is true.

Rachna D. Balakrishna Notary

My commission expires October 1, 2021



• If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.

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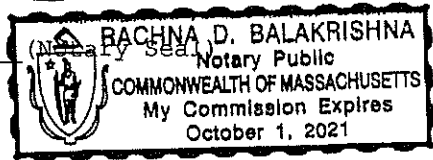
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- If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: DiNicola, Seligson, & Upton, LLP PRESENT USE/OCCUPANCY: Restaurant

LOCATION: 57 John F. Kennedy St., Cambridge, MA 02138 ZONE: _____

PHONE: 617-279-2595 REQUESTED USE/OCCUPANCY: Restaurant

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹
<u>TOTAL GROSS FLOOR AREA:</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u> (max.)
<u>LOT AREA:</u>	<u>0</u>	<u>0</u>	<u>0</u> (min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u>	<u>0</u>	<u>0</u>	<u>0</u> (max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>0</u>	<u>0</u>	<u>0</u> (min.)
<u>SIZE OF LOT:</u>			
WIDTH	<u>0</u>		<u>0</u> (min.)
DEPTH			
<u>Setbacks in</u> <u>Feet:</u>			
FRONT	<u>0</u>	<u>0</u>	<u>0</u> (min.)
REAR	<u>0</u>	<u>0</u>	<u>0</u> (min.)
LEFT SIDE	<u>0</u>	<u>0</u>	<u>0</u> (min.)
RIGHT SIDE	<u>0</u>	<u>0</u>	<u>0</u> (min.)
<u>SIZE OF BLDG.:</u>			
HEIGHT	<u>0</u>	<u>0</u>	<u>0</u> (max.)
LENGTH	<u>00</u>	<u>0</u>	<u>0</u>
WIDTH	<u>0</u>	<u>0</u>	<u>0</u>
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>	<u>00</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u> (min.)
<u>NO. OF DWELLING UNITS:</u>	<u>0</u>	<u>0</u>	<u>0</u> (max.)
<u>NO. OF PARKING SPACES:</u>	<u>0</u>	<u>0</u>	<u>0</u> (min./max)
<u>NO. OF LOADING AREAS:</u>	<u>0</u>	<u>0</u>	<u>0</u> (min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>	<u>0</u>	<u>0</u>	<u>0</u> (min.)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

N/A

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: DiNicola, Seligson, & Upton, LLP PRESENT USE/OCCUPANCY: Restaurant

LOCATION: 57 John F. Kennedy St., Cambridge, MA 02138 ZONE: _____

PHONE: 617-279-2595 REQUESTED USE/OCCUPANCY: Restaurant

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	(max.)
<u>LOT AREA:</u>	<u>0</u>		<u>0</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>SIZE OF LOT:</u>				
WIDTH	<u>0</u>		<u>0</u>	(min.)
DEPTH				
<u>Setbacks in</u> <u>Feet:</u>				
FRONT	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
REAR	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
LEFT SIDE	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
RIGHT SIDE	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>SIZE OF BLDG.:</u>				
HEIGHT	<u>0</u>	<u>0</u>	<u>0</u>	(max.)
LENGTH	<u>00</u>	<u>0</u>	<u>0</u>	
WIDTH	<u>0</u>	<u>0</u>	<u>0</u>	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u> ²	<u>00</u>	<u>0</u>	<u>0</u>	
	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(max.)
<u>NO. OF PARKING SPACES:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

N/A

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BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:

- A) A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

Please See Attached.

- B) The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

Please See Attached.

- C) *DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:*

- 1) Substantial detriment to the public good for the following reasons:

Please See Attached.

- 2) Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

Please See Attached.

- * If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.

BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g.; fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for 57 John F. Kennedy St., Cambridge, MA 02138 (Location) would not be a detriment to the public interest because:

- A) Requirements of the Ordinance can or will be met for the following reasons:

Please See Attached.

- B) Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

Please See Attached.

- C) The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

Please See Attached.

- D) Nuisance or hazard would not 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 for the following reasons:

Please See Attached.

- E) For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

Please See Attached.

BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for Menya Jiro at 57 John F. Kennedy Street, Cambridge, MA 02138 would not be a detriment to the public interest because:

A). Requirements of the Ordinance can or will be met for the following reasons:

- 1)** The operation of Menya Jiro at this location will not create any additional traffic or reduce parking. Patrons of the establishment will arrive primarily on foot.
- 2)** The nature of the offering of food (Japanese Cuisine) is compatible with the other restaurant tenants in the building, while offering a unique style of food.
- 3)** Menya Jiro is very interested in providing this fresh, unique, authentic Japanese Cuisine at Harvard Square, and seeks a long, successful relationship with the local community.

B). Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

- 1)** Patrons of Menya Jiro will primarily arrive on foot.
- 2)** Other uses in the same building are similar so no changes to the local traffic patterns are anticipated.
- 3)** Parking areas around the building are clearly marked. The site is also serviced by the Harvard Square Subway Station, numerous bus routes, and popular ride and bike sharing services.

C). The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

- 1)** Adjacent uses as permitted by the zoning ordinance will not be adversely affected by the proposed use of the tenant space. Menya Jiro is a similar use to many of the neighboring businesses (restaurants), and will not create any adverse impacts to the adjacent uses. Automobile traffic will not be negatively impacted, as Menya Jiro will only be part of a large community of business that relies heavily on foot traffic.

D). Nuisance or hazard would not 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 for the following reasons:

- 1)** The area is already occupied by many other restaurant establishments.

2) Menya Jiro would utilize to the best of its ability natural, recyclable or biodegradable materials for serving and eating.

3) Menya Jiro's limited Japanese Cuisine styled menu will enable fast, efficient, and a constant quality of product for the consumer.

E). For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

1) The operations of an authentic Japanese Cuisine restaurant here is very compatible with the other businesses in the area. Although the preparation and cooking process allows for a quick-serve environment and easy pick-up and go services, places to sit and eat will also be available for those patrons wishing to stay and eat.

2) The area is very diverse in its businesses. Menya Jiro would not stand out as a fast food use, as others are also in the area, but would offer itself as a unique food alternative in the area due to the product mix and preparation style.

COMPLIANCE WITH REQUIREMENTS OF SECTION 11.30 – FAST ORDER SPECIAL PERMIT

a) The operation of the establishment shall not:

1) Create traffic problems. The operation of a Menya Jiro fast order food establishment shall not create traffic problems at this location. The large majority of customers will be pedestrians from Harvard Square. Because of this, traffic patterns, congestion, and parking will not be adversely affected.

2) Reduce available parking. Menya Jiro's use of the site as a fast order food establishment will not reduce available parking. The customers will be walk-in customers from the Harvard Square area.

3) Threaten the public safety in the streets and sidewalks. The use of the space as Menya Jiro will not threaten the public safety in the streets or sidewalks. The large majority of customers will access the site on foot and are served by adjacent sidewalks and marked street crossings near the site. There will be no "drive thru" service at the restaurant.

4) Encourage or produce double parking on the adjacent public streets. The nature of the business will not encourage or provide double parking on the street. Street parking is clearly defined, and the majority of customers will arrive on foot.

b) The physical design, including color and use of materials, of the establishment shall be compatible with and sensitive to the visual and physical characteristics of other buildings, public spaces and uses in the particular location.

This site and the surrounding retail business sites in the local Harvard Square business/commercial areas provide a diverse mix of physical designs, colors and materials. The space design for Menya Jiro will add to and contribute to the variety and vibrancy of the retail establishments in Harvard Square. This factor is additionally minimized as the majority of the public-facing space is internal to the Mall.

c) The establishment fulfills a need for such a service in the neighborhood or in the city.

Menya Jiro will offer a unique food product (Japanese Cuisine) that is quickly prepared, flavorful and authentic. Servings will be such that customers can easily fit the meal into their personal portion sizes and/or easily fit within a budget.

The Harvard Square neighborhood attracts a large number of shoppers, visitors, and tourists. The existing retail, commercial, office, academic, and residential character of the neighborhood, and the large number of local working people, residents, and students, along with visitors, tourists, and shoppers in Harvard Square can easily incorporate a fast order food establishment such as Menya Jiro, which is offering a fresh, authentic food style.

d) The establishment will attract patrons primarily from walk in trade as opposed to drive in or automobile related trade; however, should the Board specifically find that the district or area within which the establishment is proposed to be located does not have significant pedestrian traffic, this requirement need not be met.

Being in Harvard Square, and the large number of office, retail workers, residents, students,

shoppers, visitors and tourists that are present on a daily basis, Menya Jiro anticipates the vast majority of patrons to arrive via foot. Menya Jiro would be providing 40 interior seats.

- e) The establishment shall, to the greatest extent feasible, utilize biodegradable materials in packaging the food and in the utensils and other items provided for consumption thereof.**

Menya Jiro will provide its customers with recyclable or biodegradable eating utensils and serving plates.

- f) The establishment shall provide convenient, suitable and well-marked waste receptacles to encourage patrons properly to dispose of all packaging materials, utensils and other items provided with the sale of food; and**

Well-marked and conveniently located trash receptacles will be available to encourage proper disposal of waste materials.

- g) The establishment complies with all state and local requirements applicable to ingress, egress and use of all facilities on the premises for handicapped and disabled persons.**

The design of Menya Jiro complies with all state & local requirements for egress/ingress and use of facilities as an accessible space.

BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

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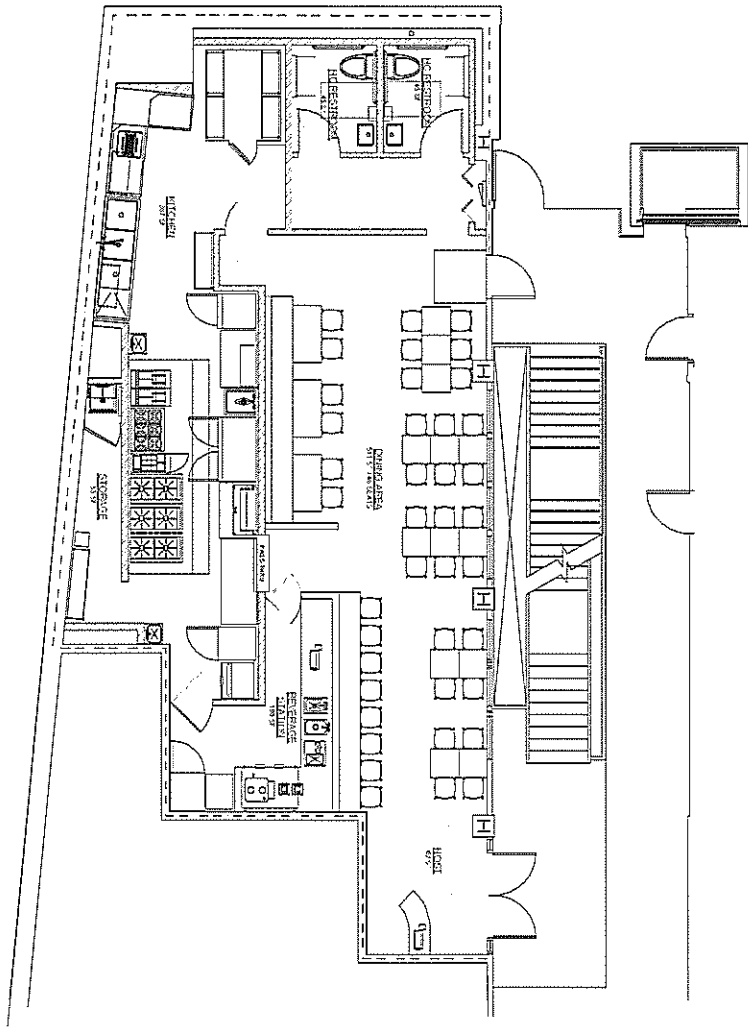
- f) The establishment shall provide convenient, suitable and well-marked waste receptacles to encourage patrons properly to dispose of all packaging materials, utensils and other items provided with the sale of food; and**



Well-marked and conveniently located trash receptacles will be available to encourage proper disposal of waste materials.

- g) The establishment complies with all state and local requirements applicable to ingress, egress and use of all facilities on the premises for handicapped and disabled persons.**

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9 FLOOR PLAN



- LEGEND
-  EXISTING CONSTRUCTION
 -  NEW CONSTRUCTION



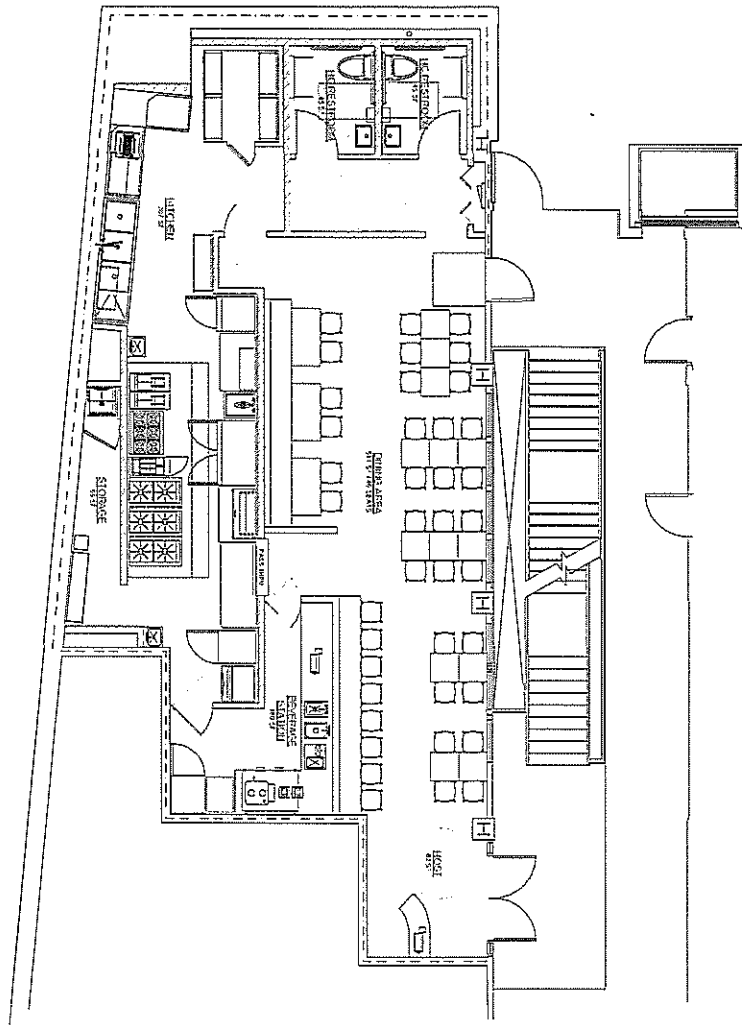
FROHE ARCHITECTS
 300 North Street
 Cambridge, MA 02142

PROGRESS DRAWING
 03/02/2019

NO.	DATE	DESCRIPTION
1	03/02/2019	ISSUED FOR PERMIT
2	03/02/2019	ISSUED FOR CONSTRUCTION
3	03/02/2019	ISSUED FOR CONSTRUCTION
4	03/02/2019	ISSUED FOR CONSTRUCTION
5	03/02/2019	ISSUED FOR CONSTRUCTION
6	03/02/2019	ISSUED FOR CONSTRUCTION
7	03/02/2019	ISSUED FOR CONSTRUCTION
8	03/02/2019	ISSUED FOR CONSTRUCTION
9	03/02/2019	ISSUED FOR CONSTRUCTION
10	03/02/2019	ISSUED FOR CONSTRUCTION

A-1.0

FLOOR PLAN



LEGEND



EXISTING CONSTRUCTION
NEW CONSTRUCTION



PEOPLE ARCHITECTS
NEW YORK, NY

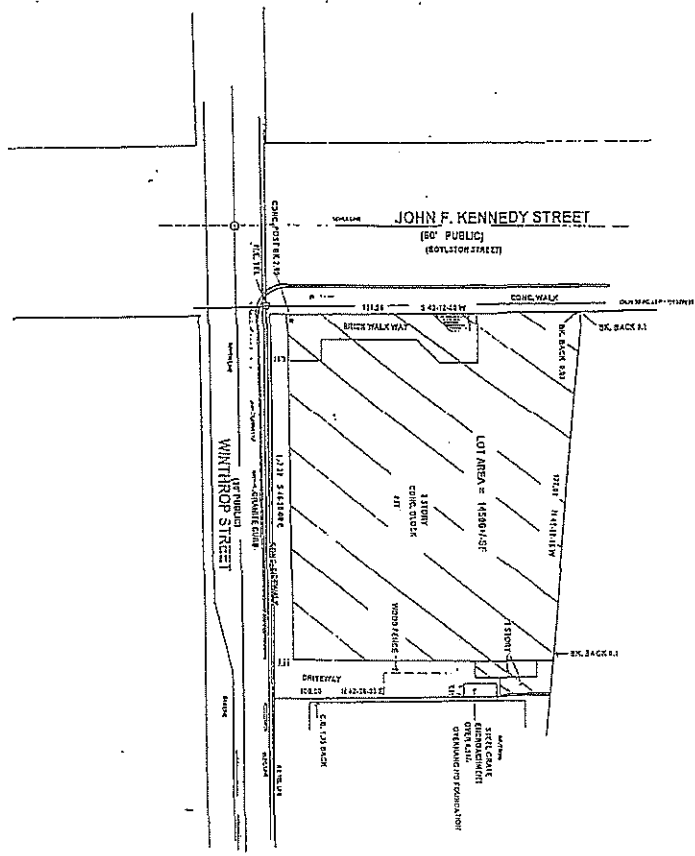
PROGRESS DRAWING

283822145

NO.	DATE	DESCRIPTION
1	10/10/14	ISSUED FOR PERMIT
2	10/10/14	ISSUED FOR CONSTRUCTION
3	10/10/14	ISSUED FOR CONSTRUCTION
4	10/10/14	ISSUED FOR CONSTRUCTION
5	10/10/14	ISSUED FOR CONSTRUCTION
6	10/10/14	ISSUED FOR CONSTRUCTION
7	10/10/14	ISSUED FOR CONSTRUCTION
8	10/10/14	ISSUED FOR CONSTRUCTION
9	10/10/14	ISSUED FOR CONSTRUCTION
10	10/10/14	ISSUED FOR CONSTRUCTION

A-1.0

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 PROJECT NO.: _____



THE STATE OF MASSACHUSETTS
 COUNTY OF MIDDLESEX
 CITY OF CAMBRIDGE
 DISTRICT OF SOUTH CAMBRIDGE
 BEFORE ME, the undersigned authority, on this _____ day of _____, 20____, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.



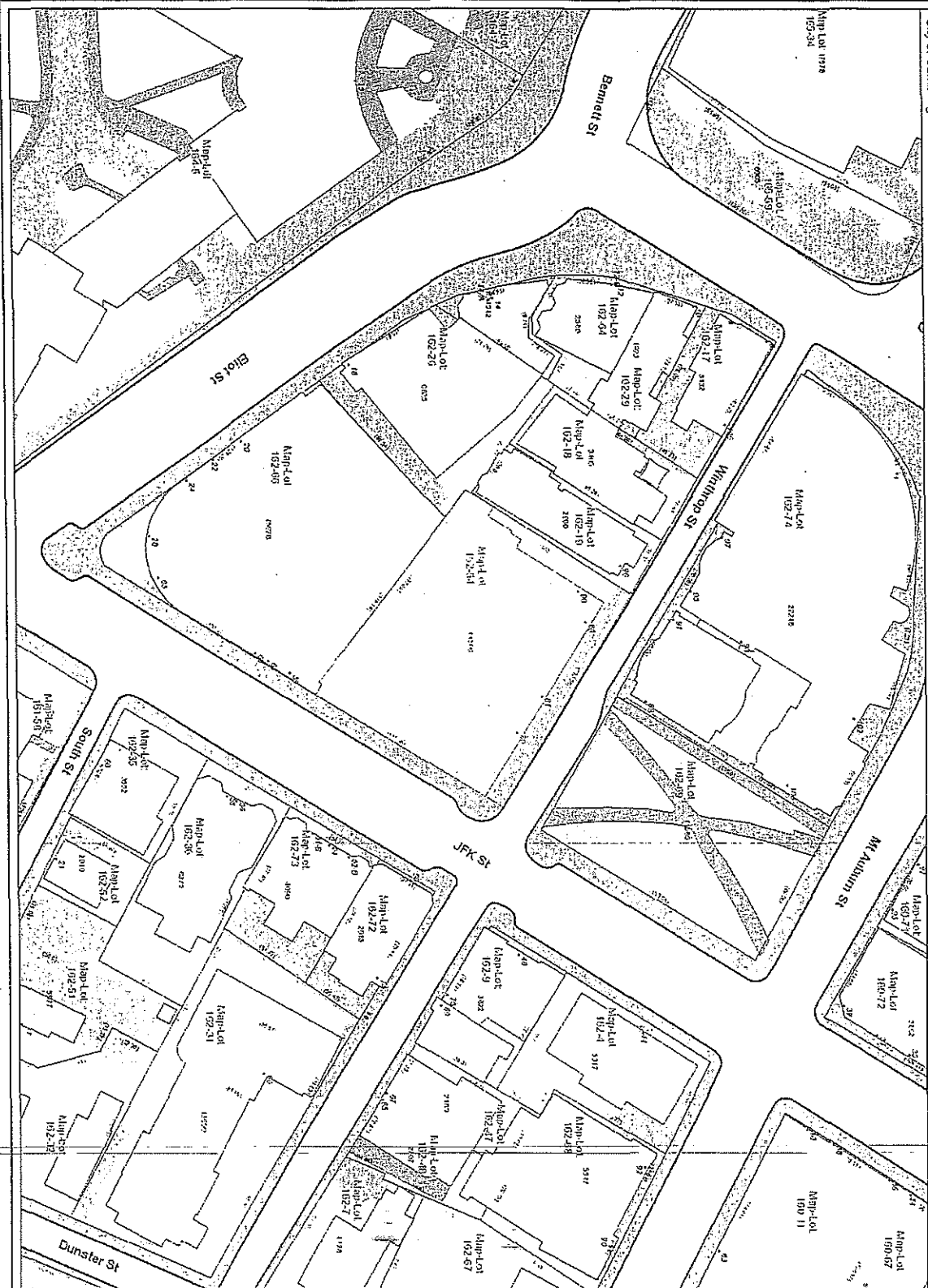
1. I HAVE REVIEWED THE RECORD MAP AND FOUND IT TO BE CORRECT AND ACCURATE.
2. I HAVE REVIEWED THE RECORD MAP AND FOUND IT TO BE CORRECT AND ACCURATE.
3. I HAVE REVIEWED THE RECORD MAP AND FOUND IT TO BE CORRECT AND ACCURATE.
4. I HAVE REVIEWED THE RECORD MAP AND FOUND IT TO BE CORRECT AND ACCURATE.
5. I HAVE REVIEWED THE RECORD MAP AND FOUND IT TO BE CORRECT AND ACCURATE.

CAMERON KEENE, L.S. *[Signature]*
 REGISTERED PROFESSIONAL LAND SURVEYOR
 1100 STATE STREET, SUITE 200
 CAMBRIDGE, MASSACHUSETTS 02142
 PHONE: 617-552-1111
 FAX: 617-552-1112
 E-MAIL: CAMERON@KEENE-SURVEYING.COM



REFERENCES:
 DEED BOOK, PAGE 312
 PLAT OF LAND COURT LAND 13103A
 According to Fiscal Controlling Management Agency
 (MCA), the map is prepared on the property (MCA) in
 the record of the City of Cambridge, 2008-00038
 and the City of Cambridge, 2008-00038
 and the City of Cambridge, 2008-00038
 and the City of Cambridge, 2008-00038

ALTA/CSM LAND TITLE SURVEY
 of JOHN F. KENNEDY STREET
 CAMBRIDGE, MASS.
 14500/157
 SCALE: 1 inch = 20 feet
 MAY 23, 2011



LEGEND

- Address
- Rail
- Quaker Footprints
- Forest
- Forest Stands
- Forest Tracts
- Fields
- Openfields
- Unimproved
- Sideways
- Driveways
- Other Forest Gates
- Public Footprint



City of Cambridge
Massachusetts
1" = 50 ft

All data is provided for public representation only. The City of Cambridge's explicit disclaimer is as follows: The City of Cambridge does not warrant the accuracy, completeness, or timeliness of any information provided on this website, and the City of Cambridge is not responsible for any errors or omissions in the data. For more information, please contact the City of Cambridge at www.cambridgema.gov/it.

REPL: 11/13/15
MEO: FURC



LEGEND

- Address
- Easement
- ▭ Building Footprints
- ▭ Courts
- ▭ Paved Surfaces
- ▭ Paved Roads
- ▭ Sidewalk
- ▭ Unpaved Roads
- ▭ Unpaved Parking
- ▭ Sidewalk
- ▭ Driveway
- ▭ Alley
- ▭ Other Paved Surface
- ▭ Public Footpath



City of Cambridge
Massachusetts
1" = 50 ft

All data is considered graphic representation only. The City of Cambridge and the City of Massachusetts do not warrant, express or implied, including, but not limited to, any warranty as to the accuracy of the data, measurability, or fitness for a particular purpose.

www.cambridgema.gov/gis

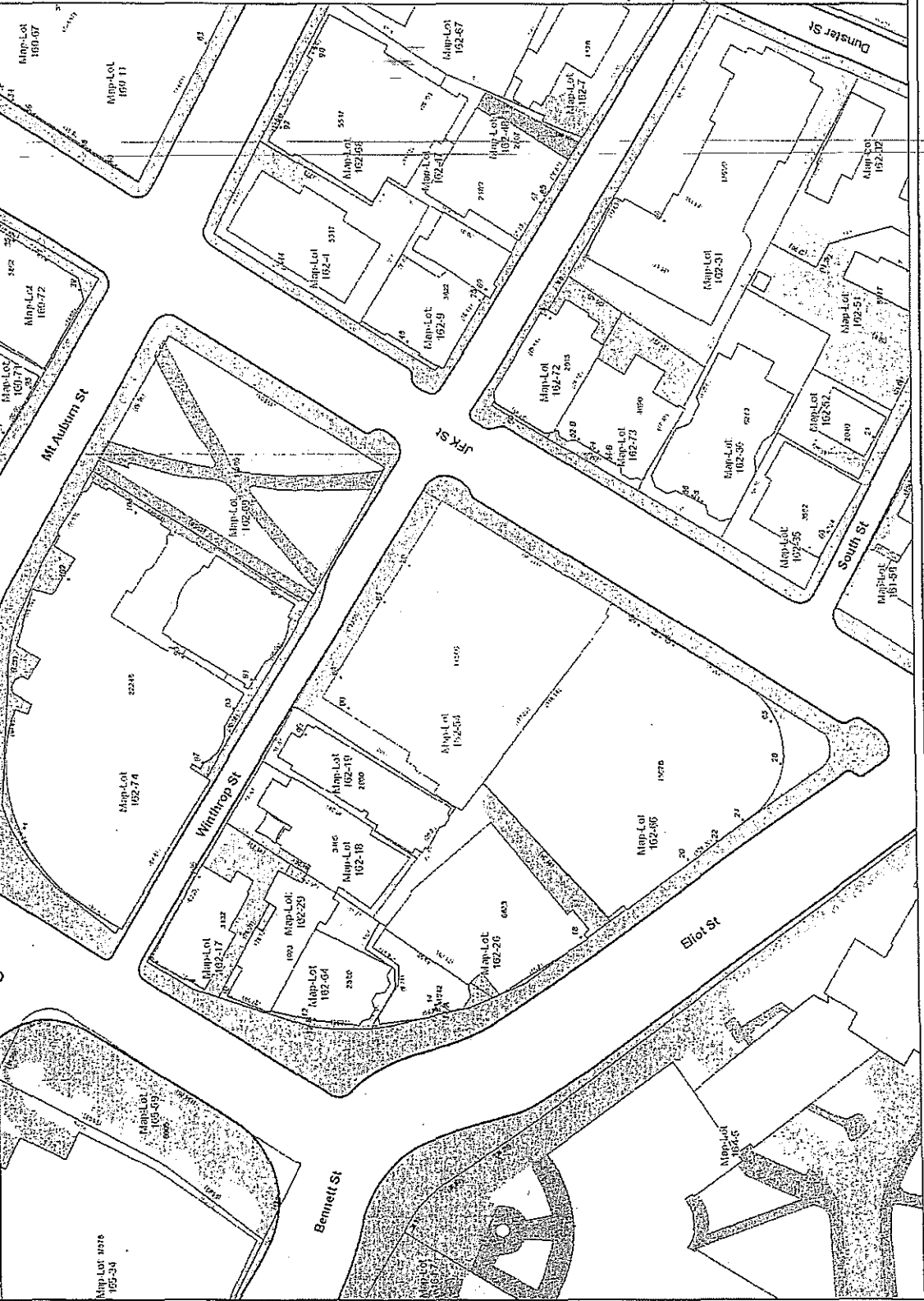
MUEUFJ03C



SECTION

November 16, 2015

City of Cambridge



Site Photographs



Fig 1- View of the building from the N.E. corner of JFK and Winthrop St.



Fig 2 – View of N.E. corner of building



Fig 3 – View of the proposed [redacted] space from JFK Street.

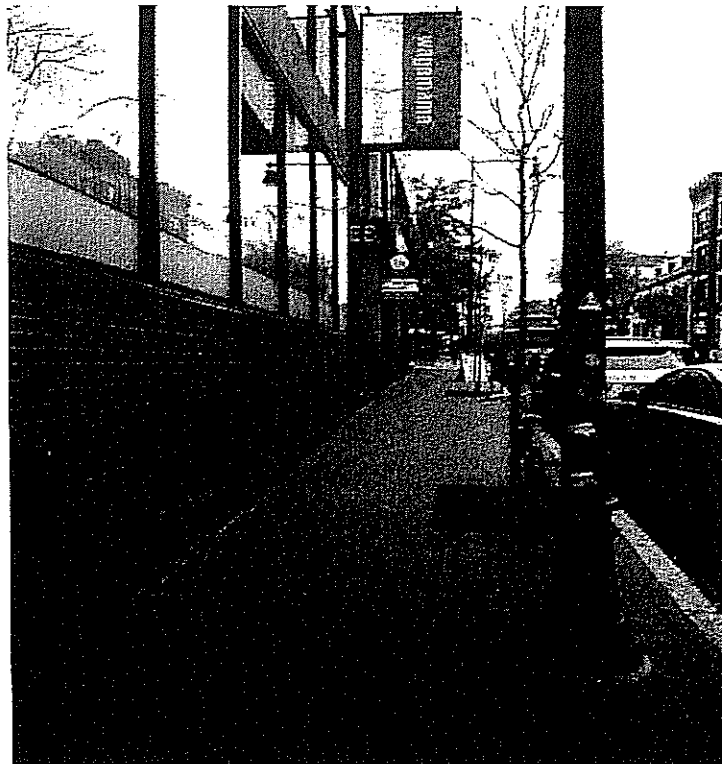


Fig 4 – View of walk from parking garage toward Galeria



Fig 5 – Main storefront



Fig 6 – Storefront adjacent to staples.

Site Photographs



Fig 1- View of the building from the N.E. corner of JFK and Winthrop St.



Fig 2 – View of N.E. corner of building



Fig 3 – View of the proposed space from JFK Street.

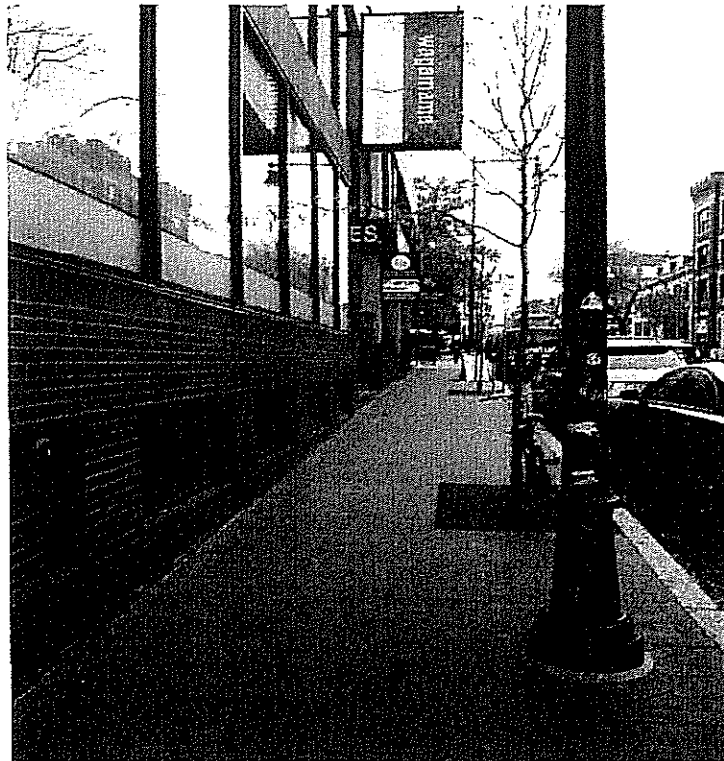


Fig 4 – View of walk from parking garage toward Galeria

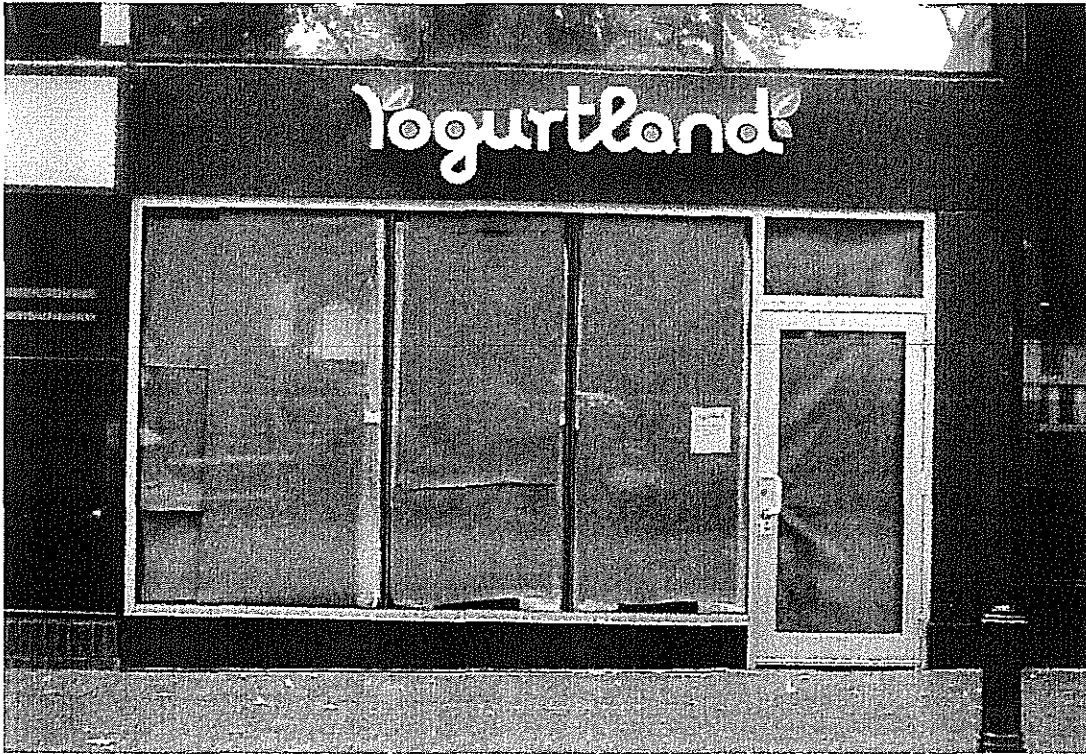


Fig 5 – Main storefront



Fig 6 – Storefront adjacent to staples.