



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

BZA APPLICATION FORM

Plan No: BZA-013467-2017

GENERAL INFORMATION

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

Special Permit:   v   Variance:            Appeal:           

PETITIONER: Zambrero NE Operations LLC - C/O Kevin P. Crane, Esq.

PETITIONER'S ADDRESS: 104 Mt. Auburn Street, P.O. Box 381030, Cambridge, MA 02238

LOCATION OF PROPERTY: 71 Mt Auburn St Cambridge, MA 02138

TYPE OF OCCUPANCY: fast order food establishment ZONING DISTRICT: Business B/ Harvard Square OD

REASON FOR PETITION: Change in Use / Occupancy

**DESCRIPTION OF PETITIONER'S PROPOSAL :**

Convert existing fast order food establishment (Boloco) to a different fast order food establishment (Zambrero) with continuing Mexican style cuisine.

**SECTIONS OF ZONING ORDINANCE CITED :**

Article 4.000 Section 4.35(o) (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):   
 (Petitioner(s) / Owner)  
Bianca Azzopardi  
 (Print Name)

Address: c/o Kevin P. Crane, P.O. Box 381030  
Cambridge, MA 02238

Tel. No.: 617-876-8500

E-Mail Address: kevin@cranelawoffice.com

Date: 2 / 6 / 2017

**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 71 Mt Auburn 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:
- The petitioner proposes a fast order food establishment in a location where one such establishment already exists. Furthermore, the type of food to be served Mexican style cuisine is similar to the present establishment. The proposal calls for 26 interior seats and 9 seats on the outside sidewalk adjacent to the premises. The petitioner's menu includes moderately priced items geared to meet the substantial community demands from students office workers and tourists in the area.
- 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:
- The proposed establishment will attract primarily walk-in patrons as opposed to patrons arriving by automobile. There is already a significant amount of foot traffic in this section of Harvard Square and this use is consistent with the established character of the street. Furthermore, given the similar nature of the proposed use to the existing use, it is not anticipated that traffic patterns would be adversely affected.
- 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:
- The proposed use will supplement adjacent uses including existing fast order food establishments and will provide for food service to a population which already exists on adjacent uses.
- 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:
- The proposed use will be professionally operated relative to health and safety issues similar to the petitioner's operations all over the world. Adequate garbage/rubbish receptacles shall be prominent on the premises and maintained on a regular basis.
- 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:
- There are no proposed changes to the existing building facade and there is no anticipated increase in traffic or parking demands as a result of the operation of the premises. The proposed establishment is consistent with other uses in the Harvard Square community which includes several other take out restaurants similar in size and scope to the petitioner's proposed use.

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**DIMENSIONAL INFORMATION**

**APPLICANT:** Law office of Kevin P. Crane      **PRESENT USE/OCCUPANCY:** fast food  
**LOCATION:** 71 Mt Auburn St Cambridge, MA 02138      **ZONE:** Business B/ Harvard Square  
**PHONE:** \_\_\_\_\_      **REQUESTED USE/OCCUPANCY:** fast food

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> <sup>1</sup>	
<u>TOTAL GROSS FLOOR AREA:</u>	<u>14,222</u>	<u>14,222</u>	<u>12,015</u>	(max.)
<u>LOT AREA:</u>	<u>4,369</u>	<u>4,369</u>	<u>none</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u> <sup>2</sup>	<u>3.26</u>	<u>3.26</u>	<u>2.75</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>none</u>	<u>none</u>	<u>300</u>	(min.)
<u>SIZE OF LOT:</u> <u>WIDTH</u>	<u>88.92</u>	<u>88.92</u>	<u>none</u>	(min.)
<u>DEPTH</u>	<u>72.0</u>	<u>72.0</u>	<u>none</u>	
<u>SETBACKS IN FEET:</u> <u>FRONT</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>REAR</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>LEFT SIDE</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>RIGHT SIDE</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>SIZE OF BLDG.:</u> <u>HEIGHT</u>	<u>50</u>	<u>50</u>	<u>80</u>	(max.)
<u>LENGTH</u>	<u>86</u>	<u>86</u>	<u>none</u>	
<u>WIDTH</u>	<u>30'/65'</u>	<u>30'/65'</u>	<u>none</u>	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>	<u>0</u>	<u>0</u>	<u>43</u>	(max.)
<u>NO. OF PARKING SPACES:</u>	<u>0</u>	<u>0</u>	<u>n/a</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>none</u>	<u>none</u>	<u>none</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.

On first there is a bank and Harvard Student Agencies cleaners. The upper floors of the structure are occupied by general office users

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'.