

Information about the proposed Ames Street Land Disposition October, 2013

1. What is “land disposition”?

Disposition refers to the process by which a public entity transfers ownership or control of public land to a private owner, usually through a sale.

2. What is the property that is being recommended for disposition?

The property that is being considered for disposition is a 20-foot-wide, 8,660 square foot parcel of land along the eastern edge of Ames Street between Broadway and Main Street (the “Property,” see map). While it is currently used as a sidewalk, the disposition would provide for a redesign of Ames Street to give it a more pedestrian scale, with bike facilities, new lighting and tree plantings, and the ability to add transit stops in the future. This redesign would narrow the roadway but still maintain appropriate vehicular space (see preliminary design plan). As a result of the redesign, the 20-foot strip on the eastern edge of Ames Street would not be necessary for the street to function.

3. Why is this disposition being considered at this time?

Boston Properties, the owner of the adjacent land, has proposed to the City that it could develop a residential building with ground floor retail on the site that currently serves as the entrance to its parking garage and loading bays. The addition of housing in Kendall Square has been a key component of the City’s future planning for the area, and Boston Properties committed to developing a residential project as part of its rezoning of the area in 2010. Moreover, a project on this site would improve the streetscape by enabling the relocation of the garage entrance and loading bays onto an interior drive, and adding pedestrian-accessible retail uses along with an entrance to the residential building.

Boston Properties has indicated that the project, as proposed, would require the acquisition of some City land to construct the front portion of the building. In association with the project, Boston Properties has indicated that it would undertake the improvements to Ames Street as envisioned by the City.

4. Why has an RFP been issued?

Although the concept of this potential land disposition originated with a proposal from Boston Properties, state law (Chapter 30B) requires that whenever public land is disposed, a municipality must first solicit proposals from all interested buyers before selecting a final buyer. The City has therefore issued a Request for Proposals (“RFP”) publicly soliciting proposals to acquire the Property and combine it with other properties in order to enable the development of a residential building. The successful proposal will be selected based on the criteria set forth in the RFP. While the price offered will be a factor in the selection, other considerations such as the feasibility and quality of the proposed development will also be considered.

The RFP may be obtained from the City’s Purchasing Department and is available on the web at <http://www2.cambridgema.gov/purchasing/listBids.cfm>. Proposals must be received by the Purchasing Department no later than 10:00 A.M. on November 8, 2013.

5. What is the process for completing a land disposition in Cambridge?

In addition to Chapter 30B of the state laws, Section 2.110.010 of the Cambridge Municipal Code requires that process be followed before the City can authorize a land disposition. This process includes the creation of a report by the City Manager providing information on a range of issues, which are described in more detail below. At least one public meeting will be held in the course of preparing the report.

After the report is completed, it is submitted to the Planning Board, the City Council and the City Clerk for public dissemination. The Planning Board will hold a public hearing on the proposed land disposition and will submit its recommendation to the City Council, which will also hold its own public hearing. The disposition may then be approved on a two-thirds affirmative vote of the City Council.

The following information outlines the topics to be considered in the Land Disposition Report and provides some background information. This information, along with public feedback from the meeting on October 23, will be used to inform the report.

In addition, a second community meeting will be held November 12, 2013, at 5:30 P.M. at 344 Broadway to announce the results of the RFP selection process.

A. Alternative Uses for the Property

If the redesign of the roadway is completed according to the City’s plan, the eastern edge of Ames Street would be of limited value to the City. It would not be developable by itself since it is very narrow. It would also have limited use as a public open space or other facility, because it would continue to serve as the primary access to an existing parking garage and loading bays.

While the land is of limited development potential to the City, it would be valuable to a private property owner if it could be combined with an adjacent property to create a developable site.

B. Current Use of the Property

The Property is within the public way along Ames Street. Its current use is for public passage by pedestrians and vehicles. If the land is disposed and developed, it would require a discontinuance of the public street for the narrow strip that is transferred to a private owner. The City has determined that the discontinuance of this portion of the street would not impact the ability for pedestrians, bicycles and automobiles to continue using the remaining public street, assuming that the redesign of the street is completed as planned.

The Property also contains many subsurface utilities for both municipal and private uses. As a condition of the sale, all of those utility lines would need to be relocated by the buyer when the Property is redeveloped.

C. Existing Zoning Status of the Property

The Property is within the Mixed Use Development District (MXD), a special zoning district that was intended to enable the redevelopment of the area according to a comprehensive urban renewal plan. Instead of controlling development on a lot-by-lot basis through FAR and density limits, as is the case in most districts, the MXD sets an overall cap on the total development allowed in the district. To date, nearly all of the permitted development in the MXD has been built out. However, up to 200,000 square feet of residential development is still allowed, along with a small amount of commercial development that could be applied to retail uses. The maximum building height in the district is 250 feet.

Because of the overall development cap within the MXD, the transfer of public land to private ownership will not confer any additional development rights to the private owner.

D. Attempts to Rezone the Property

The MXD zoning was last amended in 2010. At that time, the allowed commercial development within a subdistrict of the MXD called the “Ames Street District” (ASD) was increased by 300,000 square feet. This additional capacity was used toward the development of the Broad Institute Expansion on Ames Street and to create connections between existing buildings on the block east of Ames Street. The 200,000 square-foot capacity for residential development was retained, and in a Letter of Commitment to the City, Boston Properties agreed to begin development of a residential project within a specified period of time or else to make a series of cash contributions to the City of Cambridge.

In September, 2013, Boston Properties submitted a zoning petition proposing to further modify the zoning for the ASD. This petition has been advertised and will be heard by the Ordinance Committee on November 7, followed by the Planning Board on November 12. The intent of the proposed amendment is to enable the residential project that is intended as a result of this proposed land disposition.

The proposed zoning change will not change the total amount of development allowed within the MXD or the total amount of open space required. However, it would enable the proposed residential project by providing flexibility in the FAR and open space requirements applicable to individual lots within the MXD as well as to the parking and loading requirements. It would also permit additional fast order food establishments, which could occupy the retail space proposed along Ames Street. Both the land disposition and the proposed zoning change will be necessary to enable a residential project to be constructed as proposed.

E. Development Potential of the Property

The Property, on its own, has no development potential as is. This is because the site is too narrow to enable the construction of a building, and because there are no development rights attached to that particular parcel because development in the district is controlled by an overall development cap and must adhere to an urban renewal plan.

However, if combined with an adjacent site to form a developable parcel, the site could be developed to include up to 200,000 square feet of residential uses, up to a building height of 250 feet, with some capacity for retail uses at the ground floor.

F. Development Plans Proposed for the Site

The Property will be combined with adjacent properties for the development of a residential building with ground floor retail facing Ames Street. The residential uses would occupy up to 200,000 square feet of Gross Floor Area and the building would be up to 250 feet in height.

Residential development is anticipated in the zoning and the urban renewal plan for this part of Kendall Square, and the owner of adjacent property identified this particular site as a potential housing site when the zoning was most recently amended in 2010. Furthermore, in the City's recent Kendall Square Central Square (K2C2) Planning Study, a residential high-rise is envisioned on this site.

The new residential building would be subject to review by the Planning Board according to the Project Review Special Permit requirements in Article 19.000 of the Zoning Ordinance. This review will consider urban design and traffic impacts in greater detail.

The new residential building would also include Affordable Units in compliance with the Inclusionary Housing requirements in Section 11.200 of the Zoning Ordinance.

In association with the development, the purchaser would relocate the existing entrance to the parking garage and loading bays from Ames Street onto an interior drive, thereby making the streetscape more pedestrian-friendly. The existing subsurface utilities on the property would be relocated in order to remain within the public way.

G. Recommended Financial Arrangements

The RFP for disposition requires that a proponent make a cash offer for purchase of the property. Upon selection of a winning proponent and approval of the disposition by the City Council, the City and the buyer would enter into an agreement to sell the Property. The sale would be contingent on the development of a residential building, relocation of utilities and reconstruction of Ames Street as proposed. If the buyer decides to sell the property to a third party in the future, the City would have the right of first refusal.