

**MEMORANDUM**

To: Affordable Housing Trust
From: Chris Cotter, Director of Housing
Cassie Arnaud, Senior Manager for Housing Development
Date: March 26, 2026
RE: Redevelopment of 139 Bishop Allen Drive (Vail Court)

At the Trust's October 2025 meeting, we provided an update on the status of 139 Bishop Allen Drive, familiarly known as Vail Court, which is currently owned by the City, but will be transferred to the Trust's control for redevelopment as affordable housing.

To briefly recap, after eight years of litigation, a settlement was reached with the former owners in 2025 allowing the City and Trust to restart the process of advancing plans to redevelop the site as affordable housing. The City Council voted to take the site by eminent domain in September 2016. Several months later, following a public meeting to solicit ideas for future uses, the City Council voted to approve the transfer of the site to the Trust for affordable housing. In July 2017, the City and Trust hosted an initial public meeting to introduce the Trust, share information on the anticipated process, and hear from the community. At the time, it was anticipated that the City and Trust would hold a second public meeting shortly thereafter, in advance of issuing of a Request for Qualifications (RFQ) to identify and select an affordable housing developer for Vail Court. However, the entire process was put on hold while the litigation was pending. Now that the legal issues are resolved, the process can recommence.

Overview of the Site

At the meeting in October, the Trust began a discussion of next steps for Vail Court and asked staff to provide some more information on what can now be built at the site, particularly given the intervening changes to zoning since 2017, including advent of the Affordable Housing Overlay (AHO).

It is likely that any affordable housing created at Vail Court will be developed under the AHO. The AHO zoning provisions require 100% of the housing in an AHO development to be permanently affordable at specific income thresholds. For rental AHO projects, at least 80% of the units must be affordable to households earning at or below 80% AMI, with the ability for the remaining 20% to restricted to up to 100% AMI. For an AHO homeownership development, at least half of the units must be affordable to household at or below 80% AMI, with ability for the remaining balance to be restricted at or below 100% AMI.

In terms of what can be built on the site, the disposition language regarding the transfer of the site to the Trust sets parameters on the site's future use, but the primary determining factor is what is allowed by zoning. The Vail Court site, located a block off of Massachusetts Avenue between Prospect and Inman Streets, is roughly 28,200 square feet and is located in the Residential C-1 District. The parcel falls just outside of the Central Square Overlay but is considered an 'AHO Corridor Lot' due to its location on Bishop Allen Drive, one of the AHO Corridors.

As an AHO Corridor Lot, an AHO development at Vail Court would be allowed to be built as high as twelve stories. An AHO development would be subject to a 5' foot rear setback but there would be no side or front yard setback requirements. An AHO project would also be subject to a 30% open space requirement, of which at least half would need to be provided at-grade. There is no zoning-based limit to the number of units which can be built at the site as Cambridge's zoning provisions no longer set limitations on density for new multi-family housing (e.g. there are no longer any 'floor area ratio (FAR)' or 'lot area per dwelling unit' requirements).

AHO projects located in zoning districts which allow non-residential uses as of right may include those uses on the ground floor. In the case of Vail Court, only very limited non-residential uses are allowed by zoning as of right in the Res C-1 district and many uses such as restaurants, bakeries and most retail are not allowed even by Special Permit. Given the zoning as well as the realities of financing mixed-use affordable housing developments, it is anticipated that any non-residential space at Vail Court would most likely be designed and intended to serve the building's residents, such as a community room or other related amenity space.

In addition to asking what can now be built on the site, the Trust was also curious about the condition of the site and whether any environmental testing had been done. The City has not undertaken environmental testing on the site itself (the City did demolish the existing buildings). It is assumed that the selected developer will engage those studies as part of their standard due diligence process.

Next Steps: Community Engagement + Developer Selection

Developer Selection

A Request For Qualifications (RFQ) process to seek and select an affordable housing developer remains the recommended process to select an affordable housing developer. Alternatively a Request for Proposals (RFP) could be issued which would involve the Trust selecting a developer by reviewing and selecting actual development proposals.

An RFQ that does not set specific parameters regarding the program or design of the affordable housing would allow for decisions regarding affordability mix, unit sizes, site and building design to be made once a development team is selected. This was the plan in 2017 and remains the recommended approach, particularly given the AHO which has established a successful pattern for moving affordable development designs forward. This approach allows

the designated affordable housing developer to put together a design and development plan balancing many considerations faced by affordable housing developers in Cambridge including maximizing the amount of affordable housing, development financial feasibility and the many other City goals and requirements around sustainability, environmental resilience, site and urban design considerations.

In addition to deciding if there should be building and site design parameters in the RFQ, staff would also like guidance from the Trust on whether establishing what type of affordable housing should be developed at the site, or if those decisions would be best considered once a developer is selected. For instance, if there is a set preference for specific income targets, tenure type, or population to be served, the RFQ could be prepared to encourage responses from developers with experience creating that type of affordable housing.

Community Engagement

Finally, as we think about the approach to moving the redevelopment forward, we would like to discuss with the Trust the community engagement process to conduct in advance of developing and issuing the RFQ. Given the amount of time which has passed since the last public update on Vail Court, staff recommend that the City and Trust host at least one public meeting to reintroduce the Trust, the Vail Court site and planned redevelopment process to the community.

The content of that community meeting could be very similar to the initial meeting held in 2017. The meeting could include an overview of the Trust including examples of recent Trust-funded developments, as well as an overview of the Vail Court site and the anticipated development process including the AHO review process. The meeting could also include a listening session component where members of the public could share ideas and questions for the Trust to consider ahead of developing the RFQ and selecting an affordable housing developer for the site.

The RFQ will require information on potential developers' qualifications including their track record developing and operating high-quality, well-designed affordable housing, their financial capacity and development team experience, and their track record and capacity in conducting robust and successful community engagement processes. It would also be helpful to hear from the community whether there are any additional types of qualifications to consider as the RFQ is prepared. The listening session could also be an opportunity for the public to share ideas for what type of housing should be encouraged to be built at the site, particularly if the Trust is interested in identifying specific affordable housing uses in the RFQ.

Given the Trust's interest in moving things forward as expeditiously as possible, we suggest that we plan to host this public meeting in early May to allow time for staff to synthesize community input we hear before the Trust's May 28th meeting at which we could revisit the next steps for the Vail Court redevelopment. Following the discussion at the Trust's May meeting, staff could then begin to work to prepare a draft RFQ, and taking into consideration input received from both the community and the Trust. The goal could be to issue the RFQ in the late summer so that a developer could be selected sometime in the fall.