



614 Massachusetts Ave.
Cambridge, MA 02139

October 27, 1986

Cambridge City Council
City Hall
Cambridge, MA. 02139

This letter evidences the support of the Central Square Business Association for the proposed mixed-use development by Schochet Associates at 595 Massachusetts Avenue. The Association encourages the City Council to authorize leasing the city-owned parking lot at the corner of Bishop Allen Drive and Essex Street to Schochet Associates for a term of 99 years for the construction of the project.

We would encourage continued support to a development we feel is important for the continued vitality of the Square.

Sincerely,

Carl F. Barron
President.

CFB/tds

0359S

Schochet Associates

720 STATLER OFFICE BUILDING
TEL. (617) 482-8925

BOSTON, MASS. 02116
CABLE: SCHOCHET BOSTON

October 24, 1986

Area 4 Neighborhood Coalition
Cambridge, Massachusetts

Re: Schochet Associates
595 Massachusetts Avenue

Ladies and Gentlemen:

This letter summarizes our proposals and understandings with respect to the development of our mixed-use project at 595 Massachusetts Avenue.

1. Schochet Associates does not intend to deviate materially from the building design by Hoskins, Scott, Taylor & Associates that has already been presented to the Steering Committee. We will continue to work with the Area 4 Neighborhood Coalition and the City of Cambridge to resolve open design issues including suggested visual breaks in the Essex Street facade and the mansard roof as well as increases to the fenestration in end walls facing Bishop Allen Drive. It is understood that all remaining architectural issues will be resolved prior to Council acceptance of the UDAG grant.

2. If we can obtain a \$1,500,000 UDAG for this project with an effective interest rate of 50% of market rate financing, 14 units will be made available to the Cambridge Housing Authority (with Section 707 rent subsidy and with two of the units rent-controlled, if required) and 10 units will be made available to neighborhood residents at 50% of published market rents.* If the amount of the UDAG exceeds \$1,500,000 or the effective interest rate is less than 50% of market rate financing, the unit mix will be adjusted to increase the number of neighborhood units and decrease the number of units subsidized under Section 707. The community will assist us in recommending tenants for neighborhood units, but the final decision on tenants will be made by Schochet Associates or its management subsidiary, Federal Management Co., Inc. based on normal criteria for tenant selection. (Area 4 Neighborhood Coalition will appoint a tenant selection committee to work with Schochet Associates and the City of Cambridge in this selection process.)

3. All units subsidized by the Section 707 program will remain subsidized as long as those subsidies or equivalent subsidies are available to the project, but for a period no longer than 20 years. All units subsidized internally by the project will remain subsidized for a period of 20 years. This condition may be made part of the required zoning variances.

4. With respect to the current rent controlled units, they will remain rent controlled as long as such is in effect. Should rent control be abolished for these units, these units will revert to Section 707.

5. The project is dependent on the City of Cambridge leasing the parking lot at the corner of Bishop Allen Drive and Essex Street to Schochet Associates for a 99-year period at a mutually agreeable sum.

6. Construction will not commence prior to 7:00 a.m. on a five-day per week schedule for any work on the exterior of the building. Concrete will be delivered by not more than 3 trucks at any one time. All trucks will take a route to and from the site which avoids travel on Essex, Norfolk, Suffolk, Columbia and Washington Streets north of Bishop Allen Drive.

7. If UDAG is paid off prior to 10 years, payments between the 5th and 10th years on a pro rata basis would be made to the City in amounts equal to \$50 or \$100 thousand dollars in the 5th year reduced by 20% each succeeding year. Final amount still open for negotiation.

8. Both the developer and the Area 4 Neighborhood Coalition urge the City of Cambridge to utilize the repaid UDAG funds to assist cultural, artistic and community services in Area 4.

9. Both the developer and the Area 4 Neighborhood urge the City of Cambridge to support traffic control patterns in the area, taking note that a preschool/day care center is planned on the site of the former bowling alley on Bishop Allen Drive.

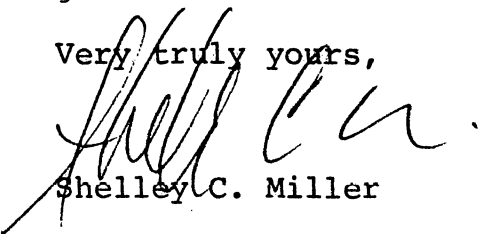
10. Subject to approval of the Area 4 Neighborhood Coalition at an open meeting of the project as now conceived, the Area 4 Neighborhood Coalition or its designees will assist the project in the following manner:

- (a) Attend all hearings with the Cambridge City Council, Board of Zoning Appeals, Planning Boards, Rent Control Board and others to show neighborhood support for the project.
- (b) Provide written confirmation of this support for all meetings and applications for assistance (including variances, UDAG, Historic Commission, Rent Control Board, and Section 707 subsidies).
- (c) Work with the developer to meet the proposed project schedule for ground-breaking in early 1987.

Area 4 Neighborhood Coalition
October 24, 1986
Page Three

11. Schochet Associates notes that this project is dependent on the receipt of all necessary permits and approvals, our ability to negotiate a satisfactory lease for the City of Cambridge parking lot at Essex Street and Bishop Allen Drive, a UDAG award, the condition of financial markets, and our ability to build the project within current budget guidelines.

Very truly yours,



Shelley C. Miller

SCM:lh

cc: Jay R. Schochet

APPENDIX

* Apartment Breakdown

<u>Decription</u>	<u>Number</u>
1 BR Market	10
2 BR Market	46
3 BR Market	2
1 BR "707"	2
2 BR "707"	6
3 BR "707"	6
1 BR Neighborhood	0
2 BR Neighborhood	7
3 BR Neighborhood	3
	82

**AGREEMENT: AREA IV NEIGHBORHOOD COALITION
SCHOCHET ASSOCIATES / FEDERAL MANAGEMENT
CITY OF CAMBRIDGE**

Whereas: The Cambridge City Council, in deliberation of an Urban Development Action Grant, suggested that the Area IV Neighborhood Coalition review management practices of Schochet Associates and Federal Management Company and

Whereas: This review was requested by the City Council due to reported management difficulties resulting in legal action at Fresh Pond Apartments, 362 and 364 Rindge Ave., Cambridge, and

Whereas: The final UDAG contract and/or the lease of the parking lot between the City of Cambridge and Schochet Associates is contingent on the signing of this agreement by all parties and

Whereas: in the event the development receives a UDAG of \$1.5 million at one-half market interest rate, the project shall include fourteen (14) low-income units under Chapter 707 and ten (10) moderate income units; and in the event the development does not receive a UDAG, it shall include twenty-one (21) low and moderate income units;

Therefore: The following document has been developed to define conditions of the on-going relationships between the Area IV Neighborhood Coalition (neighborhood), Schochet Associates/Federal Management (developer/owner) and the City of Cambridge (city) regarding the proposed development project at 595 Massachusetts Avenue in Central Square.

Establishment of the Coordinating / Management Oversight Committee (C/MOC):

1. The aforementioned parties agree to the formation of a Coordinating / Management Oversight Committee (C/MOC) and to the provisions which follow. The C/MOC shall have the following membership:

- 1 representative chosen by non-market rate tenants;
- 1 representative chosen by market rate tenants;
- 1 neighborhood representative chosen by the Area IV Coalition (a neighborhood organization of residents of Area IV and human service agencies which is represented by an elected steering committee);
- 1 representative of the owner of the development;
- 1 representative of the owner's management company
- 1 representative from the City of Cambridge (government);
- 1 designee from the City of Cambridge Fair Housing Board (formally called the Cambridge Community Housing Resource Board -- CCHRB);

AGREEMENT: AREA IV NEIGHBORHOOD COALITION
SCHOCHET ASSOCIATES / FEDERAL MANAGEMENT
CITY OF CAMBRIDGE

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Meetings and Procedures of the C/MOC:

2. For an official meeting of the C/MOC to be held, all members must be notified in writing and five (5) of the above seven (7) members must be present to constitute a quorum. All members must be given at least five (5) working days' notice prior to the meeting date and at a time previously agreed to by all parties; however, on agreement by telephone of five (5) of seven (7) members, an emergency meeting may be held (such meeting would not constitute one of the two meetings required to resolve a dispute). All seven (7) members must be telephoned to request an emergency meeting.

3. Any member of the C/MOC may request a meeting. All mailings to committee members and reasonable costs associated with preparations for meetings shall be borne by the developer/owner.

4. The C/MOC will meet at least semi-annually, and more frequently at the call of any member of the Committee to consider any general issues of common interest to the Neighborhood, the Developer and/or the City of Cambridge (e.g. operational impacts of the development on neighbors or city services, delivery of city services to the neighborhood including the development, services within the development such as, but not limited to, rental receipts, eviction practices, necessary repairs and maintenance and construction). Specific landlord/tenant issues will be addressed as outlined in section 10 of this document. All parties agree to adhere to the unanimous consensus recommendations of the C/MOC.

5. If an issue develops between the neighborhood, tenants of the development, owner of the development or the City of Cambridge which cannot be resolved by unanimous consensus after reasonable good-faith efforts to do so in two (2) meetings of the C/MOC, such issues shall be referred to mediation or arbitration. The parties agree to make reasonable, good-faith efforts to complete the two meetings described above within twenty (20) calendar days from the date of the first written notice requesting a meeting on the issue.

6. The C/MOC shall designate, on a regular rotating basis, from among the members other than the developer's or the owner's management company's representative, a contact person to whom requests for meetings of the C/MOC and all notices from, to or among the groups and interests represented on the C/MOC shall be

AGREEMENT: AREA IV NEIGHBORHOOD COALITION
SCHOCHET ASSOCIATES / FEDERAL MANAGEMENT
CITY OF CAMBRIDGE

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sent as a central clearing house. The contact person shall initiate the process of calling a meeting within three (3) days of receipt of request, notifying the owner's or management company's representatives to this committee first.

Mediation or Arbitration:

7. At the conclusion of the second meeting, if unanimous consensus has not been reached, two (2) members of the C/MOC may vote to request to refer the matter to mediation or arbitration, the fees and costs of which shall be borne by the owner of the development. If mediation does not resolve the issues, the option remains to refer the matter to arbitration within a reasonable amount of time. Any issue referred to arbitration must be resolved in accordance with the rules of the American Arbitration Association. All parties shall participate in good faith in arbitration and abide by results.

8. (a) The decision of the arbitrator so chosen will be binding upon the owner of the development, the Area IV Coalition and the City of Cambridge. The arbitrator may require the owner to post a bond to guarantee compliance with the arbitrator's decision; said bond to be forfeited to the City of Cambridge in the event of non-compliance. Either party may request the arbitrator to make a finding as to whether the issue referred to arbitration or the request for arbitration has been brought frivolously or in a harassing manner. If the arbitrator finds that the issue referred to arbitration or the request for arbitration has been brought frivolously or in a harassing manner, a vote of five (5) members of the C/MOC may remove any member(s) responsible and request that the groups they represent replace them on the C/MOC.

(b) In the event of non-compliance, a court of competent jurisdiction shall have full legal and equitable authority to enforce these provisions; and the parties agree that if violation of these provisions irreparably harms the city, the owner, the neighborhood and the residents, that injunctive relief is necessary and appropriate to protect and enforce the rights and duties set forth in this document.

9. Should any party to this agreement not abide by the results of arbitration, any other party to this agreement may pursue legal remedies to enforce the arbitration result. In the event that such legal action is undertaken, and that the party seeking enforcement substantially prevails, in addition to all other remedies available, the developer shall pay reasonable attorneys' fees and costs to the prevailing parties, unless the developer is the prevailing party, all as prescribed by the court under law.

AGREEMENT: AREA IV NEIGHBORHOOD COALITION
SCHOCHET ASSOCIATES / FEDERAL MANAGEMENT
CITY OF CAMBRIDGE

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Specific, Individual Landlord-Tenant Issues

10. The existence of the C/MOC and of the contact person as well as the functions of both and the mechanism by which each can be contacted will be clearly and prominently explained in a lease rider attached to all residential leases in the development. The name, address and phone number of the currently designated contact person will be prominently displayed in the management office at which rent receipts will be available for tenants in the development. The owner will notify on an annual basis all tenants by mail of the existence and function of the C/MOC.

11. Except as otherwise specified in this agreement, or as agreed to by five (5) of the seven (7) members of the C/MOC, the lease form used at the development will be the standard lease form of the Greater Boston Rental Housing Association with appropriate modifications outlined in section 10 above. It is also recognized that the Cambridge Housing Authority may require a different lease form for their units.

12. The owner/landlord agrees to:

a) Simultaneous delivery of a copy of any notice to or from a tenant (concerning any default under the lease or condition which could become a default including Notice to Quit or Summary Process Complaint) to the contact person so that the contact person can attempt to avoid or minimize any dispute through direct contact with the parties, or determine that the issue presented is more general and has either already been discussed or warrants discussion by the C/M.O.C. An emergency meeting can be utilized as described above to determine further appropriate action.

b) Initial notice from owner/landlord will state in cases of default (except for non-payment of rent) that unless default is corrected within ten (10) business days, Notice to Quit may be served to commence eviction proceedings, unless the default interferes with other tenants or is causing or threatens to cause damage to the building, in which case such period shall be no less than three (3) business days.

c) Except for non-payment of rent, no Notice to Quit or other legal action will be initiated by owner/landlord if default is corrected within such ten (10) or such three (3) business days as the case may be.

**AGREEMENT: AREA IV NEIGHBORHOOD COALITION
SCHOCHET ASSOCIATES / FEDERAL MANAGEMENT
CITY OF CAMBRIDGE**

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d) Landlord's representative will meet with the contact person upon two (2) days' notice to attempt in good faith to resolve any default through direct discussions or mediation by a disinterested professional mediator, but no such discussion or mediation will affect the legal rights of either party or delay any Summary Process proceeding.

Agreement Binding On All Parties:

13. This agreement and its attachments will be binding upon the owner, its agents, employees, contractors and successors in interest as well as upon the Area IV Coalition and the City of Cambridge.

14. The length of this agreement shall be from the date of signature through the first twenty (20) years of full operation of the development (residents living in the housing). If after the first seven (7) years of such full operation, the C/MOC does not serve a useful function, the then current members, with agreement from the groups they represent, can agree to disband the C/MOC. The C/MOC can be thereafter reconstituted at the request of any of the tenant groups (market, neighborhood or Cambridge Housing Authority).

The parties represented below agree to abide by the conditions and procedures set forth in this document:

Area IV Neighborhood Coalition

City of Cambridge

Schochet Associates/Federal Management

Date signed:

City of Cambridge

PUBLIC HEARING

Pursuant to Ordinance Number 733 the City Council of the City of Cambridge will conduct a public hearing on Monday, October 27, 1986 at 6:00 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts relative to the proposed lease of the city parking lot at the corner of Bishop Richard Allen Drive and Essex Street.

By order of the City Council,

Joseph E. Connarton
City Clerk

City of Cambridge

PUBLIC HEARING

Pursuant to Ordinance Number 733 the City Council of the City of Cambridge will conduct a public hearing on Monday, October 27, 1986 at 6:00 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts relative to the proposed lease of the city parking lot at the corner of Bishop Richard Allen Drive and Essex Street.

By order of the City Council,

Joseph E. Connarton
City Clerk

CERTIFIED

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The Boston Globe

of Sat 10/18
appearing in classification
legal notice

miss Simon

Classified Advertising

CITY OF CAMBRIDGE —
Public Hearing. Pursuant
to Ordinance Number 733
the City Council of the
City of Cambridge will
conduct a public hearing
on Monday, October 27,
1986 at 6:00 p.m. in the
Sullivan Chamber, City
Hall, Cambridge, Mass-
achusetts relative to the
proposed lease of the city
parking lot at the corner
of Bishop Richard Allen
Drive and Essex Street.
By order of the City Coun-
cil, Joseph E. Connarton
City Clerk.

City of Cambridge

NOTICE OF A PUBLIC HEARING

The Cambridge City Council will hold a public hearing at 6:00 P.M. on Monday, October 20, 1986 in the Sullivan Chamber, City Hall, Cambridge, MA, relative to the lease of the City parking lot at the corner of Bishop Allen Drive and Essex Street to Schochet Associates.

All interested individuals are invited to attend and be heard at this time.

By Order of the City Council,

Joseph E. Connarton, Acting City Clerk.

City of Cambridge

NOTICE OF A PUBLIC HEARING

The Cambridge City Council will hold a public hearing at 6:00 P.M. on Monday, September 22, 1986 in the Sullivan Chamber, City Hall, Cambridge, MA, relative to the lease of the City parking lot located at the corner of Bishop Allen Drive and Essex Street to Schochet Associates.

All interested individuals are invited to attend and be heard at this time.

By Order of the City Council,

Joseph E. Connarton, Acting City Clerk.



City of Cambridge

Agenda Item No. 2

IN CITY COUNCIL

September 8, 1986

- WHEREAS: On July 31, 1986, the City of Cambridge submitted an application for Urban Development Action Grant (UDAG) assistance to the U.S. Department of Housing and Urban Development (HUD) to assist Schochet Associates in the development of a mixed use project located at 595 Massachusetts Avenue; and
- WHEREAS: Schochet Associates has requested that the City enter into a lease agreement for a certain parcel of land located at the corner of Bishop Allen Drive and Essex Street, such land required for said project to proceed; and
- WHEREAS: HUD, in its review of said UDAG application is requiring additional information relating to the City's intent to lease said parcel of land to Schochet Associates and that this information is to be submitted by September 15, 1986; and
- WHEREAS: City Ordinance 733 requires that certain procedures be undertaken prior to approving the disposition of public land, and that these procedures can not be completed by September 15, 1986; and
- WHEREAS: The City is desirous of assuring HUD of its intention to proceed with the leasing of said parcel of land to Schochet Associates subject to the implementation of the required public process and subject to the resolution of certain other related issues; now, therefore, be it
- RESOLVED: By the City Council of the City of Cambridge that it go on record reaffirming its support of the 595 Massachusetts Avenue Project; and be it further
- RESOLVED: That this Council fully intends to proceed with the leasing of a parcel of land located at the corner of Bishop Allen Drive and Essex Street to Schochet Associates subject to meeting the provisions of City Ordinance 733 and the resolution of certain other related issues.

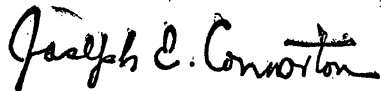
In City Council September 8, 1986.

Adopted by a yea and nay vote:-

Yeas 6; Nays 2; Absent 0; Present 1.

Attest:- Joseph E. Connarton, Acting City Clerk.

A true copy;

A handwritten signature in dark ink, appearing to read "Joseph E. Connarton". The signature is written in a cursive, flowing style with a prominent initial "J".

ATTEST:-

Joseph E. Connarton, Acting City Clerk.

Schochet Associates

720 STATLER OFFICE BUILDING
TEL. (617) 482-8925

BOSTON, MASS. 02116
CABLE: SCHOCHET BOSTON

September 4, 1986

Mr. Robert Healy
City Manager
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Re: 595 Massachusetts Avenue
Cambridge, Massachusetts

Dear Bob:

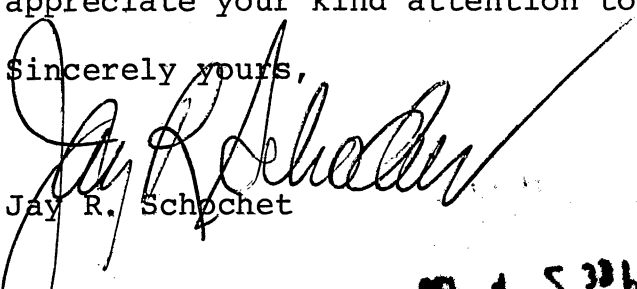
Schochet Associates requests City approval to enter into a lease agreement with the City of Cambridge for their 6,219 square foot parking lot located at the corner of Essex Street and Bishop Allen Drive in Central Square, Cambridge, Massachusetts. It is anticipated that this lease will run for a period not less than 99 years.

Schochet Associates plans to include this lot with other parcels to comprise the development site for a mixed-use project including the following components:

- 82 rental apartments (24 low/moderate income units)
- 15,000 square feet retail space
- 30,000 square feet office space
- 157 parking spaces

As you know, we have made application for a UDAG and would appreciate your kind attention to this matter.

Sincerely yours,


Jay R. Schochet

JRS:lh

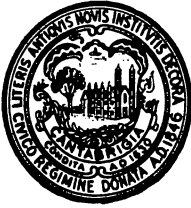
203 4 5 30 64 86

cc: Shelley Miller
Peter Lewis
File 510/City of Cambridge

RECEIVED
SEP 4 2 33 PM '86

OFFICE OF THE
CITY MANAGER

RECEIVED
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CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

498-9034

September 4, 1986

MEMORANDUM

TO: Robert W. Healy
City Manager

FROM: Michael H. Rosenberg *MHR*
Assistant City Manager
for Community Development

RE: Lease of City Parking Lot
Corner of Bishop Allen Drive
and Essex Street

Pursuant to the receipt from Schochet Associates of a request to lease the above referenced parcel of land, I am writing to provide you with certain related information and to request that the issue be placed on the City Council agenda.

As you know, Schochet Associates is in the process of developing a mixed use residential/commercial project to be located at the corner of Massachusetts Avenue and Essex Street in Central Square. This project will involve the construction of 82 new rental units, 30,000 square feet of office space, 15,000 square feet of ground floor retail space and 147 spaces of underground parking. Of the 82 rental units, Schochet is proposing to subsidize 24 units with either his own funds or the Section 707 program.

In order to build the project, however, a parcel of land owned by the City is required. This parcel is located at the corner of Bishop Allen Drive and Essex Street and is presently utilized as a metered parking lot for 18 cars.

In addition, the City has submitted an application to the U.S. Department of Housing and Urban Development for an Urban Development Action Grant (UDAG) to provide Schochet Associates with a low interest loan to assist in the financing

Mr. Robert W. Healy
September 4, 1986
Page 2

of the project. As part of the application review process, HUD is requiring proof that the site is controlled by the developer. Such proof needs to be in the form of an order approved by City Council authorizing the lease of the Essex Street parking lot to the developer.

The lease of the parking lot was raised at the Council meeting in June when authorization was granted to submit the UDAG application. The issue of building management was also raised and it was made clear by the Council that further discussion of the management process with neighborhood representatives would be required before they would approve any lease of the parking lot.

There have been a number of meetings of the Area Four group regarding this issue and it appears that progress is being made towards a resolution. While no actual agreement has yet been signed, it is expected that if certain issues are settled, that an agreement will be signed in the next two weeks.

In accordance with City Ordinance 733, the Planning Board needs to review the land disposition issue and the City Council needs to hold a public hearing before a lease can be signed. It is clear that this process can not be completed however by September 15, 1986, the deadline date which HUD has set for receipt of the required proof of developer site control. In the interim, HUD has suggested that the City Council pass a resolution reaffirming their support of the Schochet Project and acknowledging that they intend to proceed with leasing the land parcel subject to following the required procedure and subject to an agreement being reached regarding the building management issue.

I respectfully request therefore, that the City Council schedule a public hearing on this matter for Monday, September 22, 1986; that the proposed land disposition be referred to the Planning Board for their review and comment; and that the Council approve a resolution (attached) reaffirming both their support of the project and their intention to proceed with a land lease subject to the law and other required issues.

MHR/jk

Attachments

City of Cambridge

MASSACHUSETTS

In City Council _____ 198

AGENDA ITEM NO. 2

RE: RESOLUTION DECLARING THE COUNCIL'S INTENTION TO PROCEED WITH LEASING THE PARCEL OF LAND AT THE CORNER OF BISHOP ALLEN DRIVE & ESSEX ST. TO SCHOCHET ASSOCIATES, SUBJECT TO ORDINANCE 733 & THE RESOLUTION OF OTHER RELATED ISSUES.

	YEA	NAY	ABSENT	PRESENT
Mr. Thomas W. Denehy		✓ ②	① X	
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mrs. Sheila T. Russell	✓			
Mr. David E. Sullivan				✓
Mr. Alfred Vellucci		✓ ②		① X
Mr. William H. Walsh	✓			
Ms. Alice K. Wolf	✓			
Mayor Walter J. Sullivan	✓			

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ms
NK

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Hearing, 7/22/86
6 P.M.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

EXECUTIVE DEPARTMENT

ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

September 8, 1986

To the Honorable, the City Council:

Enclosed please find copies of correspondence from Schochet Associates and Michael Rosenberg, Assistant City Manager for Community Development, and a proposed resolution relative to the lease of the City parking lot at the Corner of Bishop Allen Drive and Essex Street.

Very truly yours,

Robert W. Healy
City Manager

F-387

(Seals F-291 + F-386)

Re: enclosed correspondence from the Asst.
City Mgr. for Community Development & Schochet
Associates & a proposed resolution for the
lease of the City parking lot at the corner
of Bishop Allen Drive & Essex St.

In City Council,

September 8, 1986

Order Adopted
Referred to Planning
Board Re: Ord. 733

Hearing Scheduled
by City Council - 9/22/86
@ 6 P.M.

9/22/86 Hearing postponed

10/27/86

C. A.
MS
AK

Hearing held
Order Adopted
F-1-0