



City of Cambridge

(Calendar Item No. 17)

Agenda Item No. 8

IN CITY COUNCIL

October 17, 1988

October 24, 1988

ORDERED:

That the City Manager be and hereby is authorized to prepare and deliver the necessary legal documentation to delete the following language "THE USE OF SAID PREMISES HEREBY CONVEYED IS RESTRICTED TO EDUCATIONAL PURPOSES ONLY" as contained in a deed from the Mayor Edward Quinn of the City of Cambridge to the Roman Catholic Archbishop of Boston, a Corporate Sole, dated November 12, 1924 and recorded in Middlesex South District Registry of Deeds, Book 4787, Page 216.

In City Council October 24, 1988.

Adopted by a yea and nay vote:-

Yeas 7; Nays 1; Absent 0; Present 1.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.

HASTINGS-TAPLEY INSURANCE



June 3, 1988

East Cambridge Stabilization Committee
c/o Aaron Gorstein
Cambridge Community Development
57 Inman Street
Cambridge, MA 02139

Re: Gore Street School (St. Francis School)

This will confirm that if we are able to get a variance to use the vacant Gore Street School for office purposes we will provide a meeting room for your committee and the planning committee, which we understand meet once a week. We will provide this meeting space at no charge and make whatever parking that is under our control available to the people attending the meeting.

David J. Lane, CPCU, ARM
Chairman of the Board

DJL/gd

HASTINGS-TAPLEY INSURANCE AGENCY, INC.

271 Cambridge Street, P.O. Box 128, Cambridge, MA 02141 (617) 876-7510 • Toll Free (Mass.) 1-800-842-1218 • FAX (617) 876-7155



CAMBRIDGE • DANVERS • GLOUCESTER • IPSWICH • MEDFORD • NORTH READING
QUINCY • RANDOLPH • READING • SAUGUS • WATERTOWN • WOBURN



City of Cambridge

16.

IN CITY COUNCIL

February 1, 1988

MAYOR ALFRED E. VELLUCCI

- WHEREAS: The Saint Francis School on Gore Street in East Cambridge is being offered for sale by the Archdiocese of Boston, and
- WHEREAS: The sale offers an opportunity for the local community to purchase the building for the purpose of creating twelve to eighteen units of affordable housing; now therefore be it
- RESOLVED: That the City Council supports any efforts of the local community in East Cambridge to secure the building for the purposes of producing affordable home ownership.

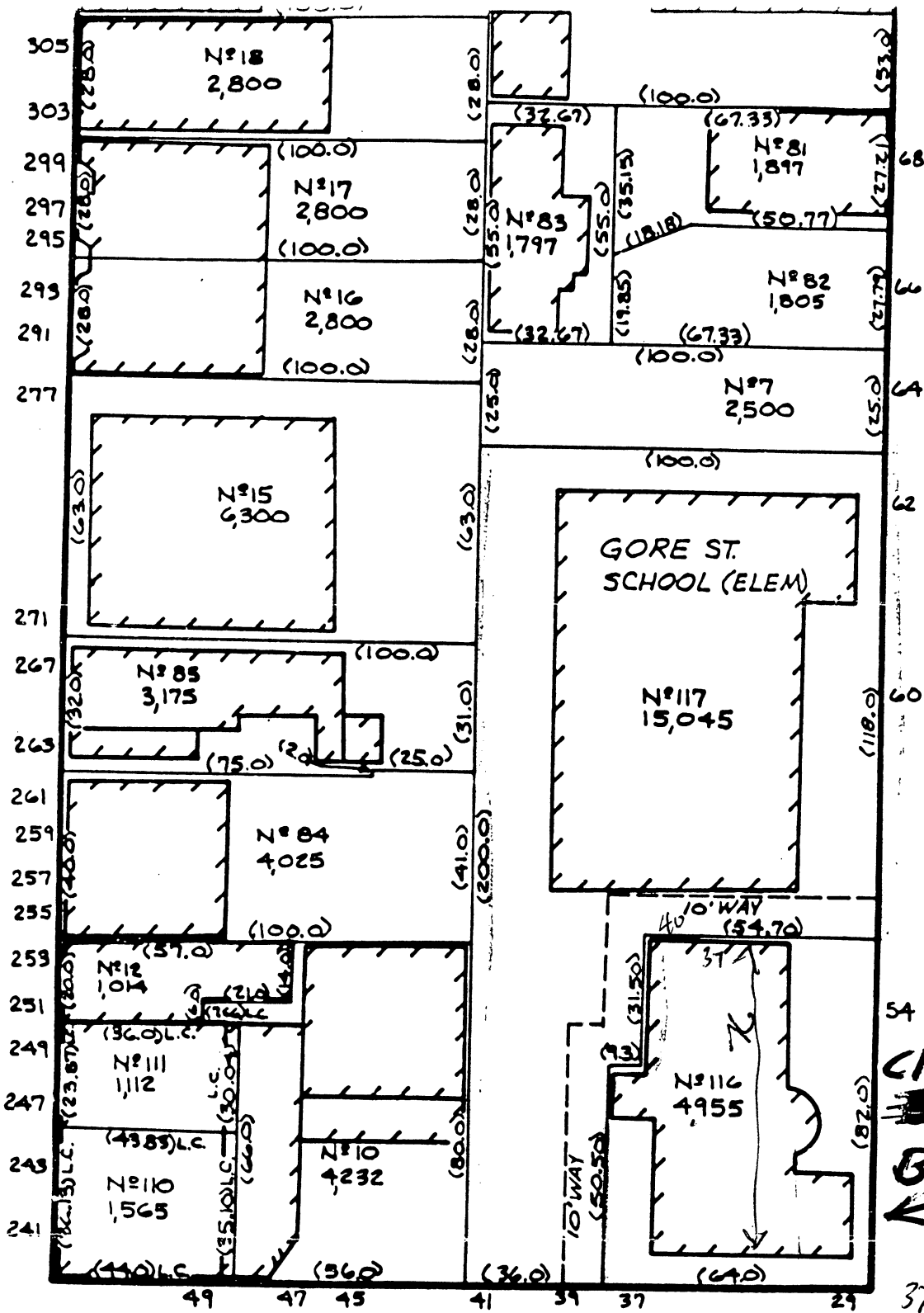


In City Council February 1, 1988.
Adopted by the affirmative vote of 8 members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:- *Joseph E. Connarton*
Joseph E. Connarton, City Clerk.

CAMBRIDGE



GORE

CITY
BUILDING

THIRD

Scale
1" = 40' $\frac{15}{75}$

37 x 76 = 2812
20 x 15 = 300
10 x 10 = 100
Total 3212

3212 x 80% effing = 2569 avail for units
2569 = 3 units @ 856 to 900 / unit
2 Floors = 3 x 2 floors = 6 units total

July 7, 70

76
40
3040
300
100
3440

OBJECTIONS RESPECTFULLY SUBMITTED BY:

July 7 '88

Thomas P. Weed, 26 Sixth Street, East Cambridge, MA 02141

Reed A. Kiefer, Architect, Owner/Occupant 501 Cambridge St., East
Cambridge, MA 02141

The Gore Street school is in the middle of a Residence C-1 Zone. This allows multi-family dwelling specifically as well as other dwelling uses. The ordinance specifically disallows offices for physicians, accountants, banks, technical offices, and insurance companies.

To permit this disallowed use in the center of a C-1 Residential Zone is tantamount to spot zoning.

The following requirements must be met for granting a variance:

1. A literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise to the petitioner or appellant

We fail to see that there exists any substantial hardship, financial or otherwise, because there are many other available spaces in the area that are in business zones.

2. The hardship is owing to 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.

The change in use cannot be justified by soil conditions, shape or topography of the land or structure because the structure can just as easily and profitably be converted to residential use.

3. Desirable relief may be granted without either:
 - a. substantial detriment to the public good.

The granting of relief will be a substantial detriment to the public good because:

1. The property can be converted to residential use at profit. Residential use is consistent with zoning. Non-residential use is tantamount to spot zoning.

2. Traffic generated by residential multi-family use would be at a maximum for 12 units = 62 trip/day and 5 trips at peak hour.

Traffic generated by 12,000 SF of office use would be 148 trips/day and 26 trips at peak hour.

Traffic generated by 18,000 SF of office use would be 221 trips/day and 40 trips during the peak hour.

The traffic calculations are based on studies by Wilbur Smith & Associates and were provided by Cambridge Communities and Development.

This increase for office use is at minimum 238% higher than traffic for 12 residential units and does not provide any benefit to the community or city.

Traffic in East Cambridge is congested.

3. Parking required by 12 residential units is 12 spaces. This is easily accommodated in the basement of the building. Parking for 12,000 SF of office space is 20 spaces. This cannot be accommodated on the site.
4. Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance.

As mentioned above, the Gore Street School is in the middle of a residence C-1 Zone. To allow office use when it has been specifically disallowed by the Ordinance is nullifying and substantially derogating from the intent and purpose of the Ordinance.

The granting of a variance is understable when there is a slight departure from the Ordinance. However, in order to allow this use, the area should be completely rezoned.

Granting of a variance for this application would effectively be spot zoning.

Thomas Weed
Fred J. Kiefer
July 7, 1988

17-Oct-88

18 UNITS
6 AFFORDABLE

DEVELOPMENT PRO FORMA Gore Street 18 Units

DEVELOPMENT COSTS		ORIG.	EST.
Acquisition	To seller		<u>\$340,000</u>
RE broker 1st sale		0.00%	\$0
Construction			\$1,450,402
A&E Fees		5.00%	\$72,520
Legal and Acct.			\$10,000
Insurance			\$5,000
Permits			\$1
Txs Dur Const.	\$0	\$0.00	\$1
Taxes dring sellout	\$0	\$0.00	\$1
Title Insurance			\$4,000
Survey			\$3,000
Ch. 21E			\$3,000
Other			\$0
Appraisal			\$1,500
Contractor bond		1.50%	\$21,756
Tax consult			\$0
Broker leasing	N.A.		\$0
3 mo. free rent	N.A.		
Sub Sub Total			\$1,911,181
Contingency		0.00%	\$0
Sub total			\$1,911,181
Financing.	Usage Months	Constant	
	0.75 24	8.49%	\$278,908
Sub total			\$2,190,089
Developer Fee	N.A.	0.00%	\$0
TOTAL DEVELOPMENT COST			\$2,190,089
LOAN AMOUNT	100.00%		\$2,190,089
CASH REQUIRED			\$0

CONSTRUCTION COSTS			
	units	Cst/unit	
Ramp	1	\$20,000	\$20,000
Landscape	1	\$15,000	\$15,000
Basement	6419 s.f.	\$20	\$128,380
Ground	6419 s.f.	\$60	\$385,140
Second	6169	\$60	\$370,140
Third	6169	\$75	\$462,675
item	0		\$0
item	0		\$0
item	0		\$0
item	0		\$0
item	0		\$0
item	0		\$0
item	0		\$0
item	0		\$0
SUB TOTAL			\$1,381,335
Conting.	5.00%		\$69,067
TOTAL CONST			\$1,450,402

Sale price per unit (sf.* \$/sf) \$0

SALES			
FLOOR	units	\$/unit	
Sell Units	12	\$140,000	\$1,680,000
Sell Unit	6	\$85,000	\$510,000
			\$0
Other	0	\$0	\$0
Other	0	\$0	\$0
Other	0	\$0	\$0
Other	0	\$0	\$0
Other	0	\$0	\$0
Total	12		\$2,190,000

Pay broker bal on orig sale	0.00%	\$0	\$0
Pay broker for resale	N.A.		\$0
Pay bank loan			\$2,190,089
Pay principal to investors			\$0
Pay interest to investors	15.00%		\$0
Fund operating expenses			\$0
Pay seller at sale of units			\$0
PRE-TAX PROFIT			(\$89)
Margin on total dev cost	Dev cst + 200K		-0.00%

end

17-Oct-88

12 UNITS
& AFFORDABLE

DEVELOPMENT PRO FORMA Gore street 12 units

DEVELOPMENT COSTS		ORIG. EST.
Acquisition		<u>\$312,000</u>
RE broker 1st sale	0.00%	\$0
Construction		\$964,593
A&E Fees	5.00%	\$48,230
Legal and Acct.		\$10,000
Insurance		\$5,000
Permits		\$1
Txs Dur Const.	\$0 \$0.00	\$1
Taxes dring sellout	\$0 \$0.00	\$1
Title Insurance		\$4,000
Survey		\$3,000
Ch. 21E		\$3,000
Other		\$0
Appraisal		\$1,500
Contractor bond	1.50%	\$14,469
Tax consult		\$0
Broker leasing	N.A.	\$0
3 mo. free rent	N.A.	
Sub Sub Total		\$1,365,795
Contingency	0.00%	\$0
Sub total		\$1,365,795
Financng.	Usage Months Constant	
	0.75 12 8.49%	\$92,881
Sub total		\$1,458,676
Developer Fee	N.A. 0.00%	\$0
TOTAL DEVELOPMENT COST		\$1,458,676
LOAN AMOUNT	100.00%	\$1,458,676
CASH REQUIRED		\$0

CONSTRUCTION COSTS			
	units	Cst/unit	ccest
Ramp	1	\$20,000	\$20,000
Landscape	1	\$15,000	\$15,000
Basement	6419 s.f.	\$20	\$128,380
Ground	6419 s.f.	\$60	\$385,140
Second	6169 s.f.	\$60	\$370,140
item	0	\$0	\$0
item	0		\$0
item	0		\$0
item	0		\$0
item	0		\$0
item	0		\$0
item	0		\$0
item	0		\$0
item	0		\$0
SUB TOTAL			\$918,660
Conting.	5.00%		\$45,933
TOTAL CONST			\$964,593

Sale price per unit (sf.* \$/sf) \$0

SALES			
FLOOR	units	\$/unit	
Sell Units	8	\$140,000	\$1,120,000
Sell affdabl units	4	\$85,000	\$340,000
Other	0	\$0	\$0
Other	0	\$0	\$0
Other	0	\$0	\$0
Other	0	\$0	\$0
Other	0		\$0
Total	8		\$1,460,000

Pay broker bal on orig sale	0.00%	\$0	\$0
Pay broker for resale	N.A.		\$0
Pay bank loan			\$1,458,676
Pay principal to investors			\$0
Pay interest to investors	15.00%		\$0
Fund operating expenses			\$0
Pay seller at sale of units			\$0
PRE-TAX PROFIT			\$1,324
Margin on total dev cost	Dev cst + 200K		0.08%

end

Best use

17-Oct-88

DEVELOPMENT PRO FORMA Gore Street 18 Units Commercial no affordable housing In the school use FS for affordable

DEVELOPMENT COSTS

		ORIG	EST.
Acquisition	To seller		\$635,000
RE broker 1st sale		0.00%	\$0
Construction			\$1,450,402
A&E Fees		5.00%	\$72,520
Legal and Acct.			\$10,000
Insurance			\$5,000
Permits			\$1
Txs Dur Const.	\$0	\$0.00	\$1
Taxes dring sellout	\$0	\$0.00	\$1
Title Insurance			\$4,000
Survey			\$3,000
Ch. 21E			\$3,000
Other			\$0
Appraisal			\$1,500
Contractor bond		1.50%	\$21,756
Tax consult			\$0
Broker leasing	N.A.		\$0
3 mo. free rent	N.A.		
Sub Sub Total			\$2,206,181
Contingency		0.00%	\$0
Sub total			\$2,206,181
Financng.	Usage Months	Constant	
	0.75 24	8.49%	\$321,959
Sub total			\$2,528,139
Developer Fee	N.A.	0.00%	\$0
TOTAL DEVELOPMENT COST			\$2,528,139
LOAN AMOUNT	100.00%		\$2,528,139
CASH REQUIRED			\$0

CONSTRUCTION COSTS

	units	Cst/unit	
Ramp	1	\$20,000	\$20,000
Landscape	1	\$15,000	\$15,000
Basement	6419 s.f.	\$20	\$128,380
Ground	6419 s.f.	\$60	\$385,140
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SUB TOTAL		\$1,381,335
Conting.	5.00%	\$69,067
TOTAL CONST		\$1,450,402

Sale price per unit (sf.* \$/sf) \$0

SALES

FLOOR	units.	\$/unit	
Sell Units	18	\$140,000	\$2,520,000
Sell Unit	0	\$0	\$0
Other	0	\$0	\$0
Other	0	\$0	\$0
Other	0	\$0	\$0
Other	0	\$0	\$0
Other	0	\$0	\$0
Total	18		\$2,520,000

Pay broker bal on orig sale	0.00%	\$0	\$0
Pay broker for resale	N.A.		\$0
Pay bank loan			\$2,528,139
Pay principal to investors			\$0
Pay interest to investors	15.00%		\$0
Fund operating expenses			\$0
Pay seller at sale of units			\$0
PRE-TAX PFOFIT			(\$8,139)
Margin on total dev cost	Dev cst + 200K		-0.30%

end



City of Cambridge

(Calendar Item No. 17)

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IN CITY COUNCIL

October 17, 1988

October 24, 1988

ORDERED:

That the City Manager be and hereby is authorized to prepare and deliver the necessary legal documentation to delete the following language "THE USE OF SAID PREMISES HEREBY CONVEYED IS RESTRICTED TO EDUCATIONAL PURPOSES ONLY" as contained in a deed from the Mayor Edward Quinn of the City of Cambridge to the Roman Catholic Archbishop of Boston, a Corporate Sole, dated November 12, 1924 and recorded in Middlesex South District Registry of Deeds, Book 4787, Page 216.

10/17/88 - CHARTER RIGHT EXERCISED BY COUNCILLOR DAVID SULLIVAN.

In City Council October 24, 1988.

Adopted by a yea and nay vote:-

Yeas 7; Nays 1; Absent 0; Present 1.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.



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A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.

City of Cambridge

MASSACHUSETTS

October 17, 1988

AGENDA ITEM NO. 8

In City Council

RE: PROPOSED ORDER AUTHORIZING THE CITY MANAGER TO PREPARE & DELIVER NECESSARY LEGAL DOCUMENTATION TO DELETE A DEED RESTRICTION FROM THE ST. FRANCIS SCHOOL DEED CONCERNING THE USE OF THE PROPERTY BEING RESTRICTED TO EDUCATIONAL PURPOSES ONLY

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

10/17/88 - Charter Right Exercised by Councilman - David Sullivan
 6
 7

OWS
 MS
 NK

City of Cambridge

MASSACHUSETTS

In City Council

*Oct. 24*198*8**C. Wolf - Moved to Table Chapter #17*

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

2

6

1

Failed 3 Adoption



City of Cambridge

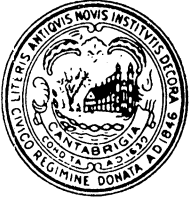
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CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9020

LAW DEPARTMENT

RUSSELL B. HIGLEY
CITY SOLICITOR

DONALD A. DRISDELL
DEPUTY CITY SOLICITOR

MICHAEL C. COSTELLO
ASSISTANT CITY SOLICITOR

SEVERLIN B. SINGLETON, III
BIRGE ALBRIGHT
GAIL S. GABRIEL
LEGAL COUNSEL

October 13, 1988

Robert W. Healy
City Manager
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Mr. Healy:

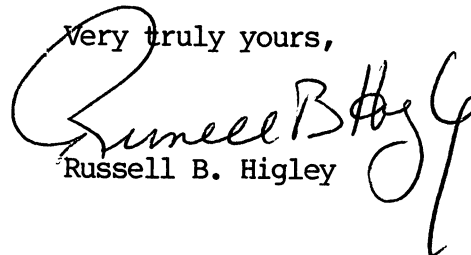
On September 16, 1924 the City Council voted to sell the Gore Street School for the sum of \$5,000.00 to the Roman Catholic Archbishop of Boston. On November 12, 1924 the Mayor of Cambridge executed a deed and said deed was recorded at the Middlesex Registry of Deeds, Book 4787, Page 216. The above deed contains the following language "THE USE OF SAID PREMISES HEREBY CONVEYED IS RESTRICTED TO EDUCATIONAL PURPOSES ONLY." The property is now being sold to a private group and will not be used for educational purposes.

You have asked my opinion as to whether or not a vote of the current City Council to delete the above language requires the submission first to the Planning Board pursuant to Ordinance 733 entitled "Sale or Lease of City Owned Land."

It is my opinion that Ordinance 733 is not applicable to this deed.

There is no sale or lease of City owned land as the sale was completed on November 12, 1924. The City Council vote would only delete the restriction contained in the deed of November 12, 1924.

Very truly yours,


Russell B. Higley

RBH/jab

RECEIVED
88 OCT 14 AM 8:49
OFFICE OF THE CITY MANAGER



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

October 17, 1988

To the Honorable, the City Council:

Attached is an opinion from the City Solicitor relative to the non-applicability of Ordinance No. 733 to the request of Hastings-Tapley for the Council's removal of the deed restriction on the St. Francis School property.

Given this opinion, and the fact that the neighborhood group support the project, I recommend that the City Council adopt the attached order.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Re: enclosed copy of the City Solicitor's
opinion & proposed order on the deed restric-
tion on the St. Francis School property.

In City Council,

October 17, 1988

10-17-88

Charter Right exercised
by C. D. Sullivan.

10-24-88

Order Adopted

7-1-0-1.