



City of Cambridge

Consent Agenda #4A

IN CITY COUNCIL

June 23, 2003

ORDERED: Pursuant to Sec. 2.110.010G of the Cambridge Municipal Code, the City Council hereby approves a diminished process for the execution of an easement by the City Manager to the Cambridge Hotel LLC, for the installation of several permanent decorative elements over an area not to be more than 519 square feet on the building located at 25 – 27 Edwin Land Boulevard, Cambridge, Massachusetts and known as the Hotel Marlowe.

In City Council June 23, 2003.

Adopted by a ye and nay vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in black ink that reads "D. Margaret Drury". The signature is written in a cursive style and is positioned to the right of the printed name.

D. Margaret Drury
City Clerk

City of Cambridge

MASSACHUSETTS

In City Council June 23, 2003

CM #4 Denunciation of Process

YEA	NAY	ABSENT	PRESENT	
✓				Vice Mayor Henrietta Davis
✓				Ms. Marjorie C. Decker
✓				Mr. Anthony D. Galluccio
✓				Mr. David P. Maher
✓				Mr. Brian Murphy
✓				Mr. Kenneth E. Reeves
✓				Ms. Denise Simmons
✓				Mr. Timothy J. Toomey, Jr.
✓				Mayor Michael A. Sullivan

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City of Cambridge

Consent Agenda #4B

IN CITY COUNCIL

June 23, 2003

- WHEREAS: The City of Cambridge is the owner of a certain parcel of land known as the public way, Edwin Land Boulevard, which is adjacent to a building owned by the Cambridge Hotel LLC and such building is located at 25 – 27 Edwin Land Boulevard, Cambridge, Massachusetts; and
- WHEREAS: The Cambridge Hotel LLC desires to install and maintain several permanent decorative elements on its building which will extend over the public way; and
- WHEREAS: Pursuant to the Municipal Code of the City of Cambridge, Section 2.110.010 which regulates the disposition of City property, a request has been made to grant an easement and a request under Section 2.110.010G has been made to diminish that process; and; now therefore be it:
- ORDERED: That the City Council hereby approves and authorizes the City Manager to enter into an easement by the City Manager to the Cambridge Hotel LLC for the installation of several permanent decorative elements over an area to be no more than 519 square feet that will extend over the public way on such conditions and terms the City Manager deems necessary and appropriate.

In City Council June 23, 2003.

Adopted by a yea and nay vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:- *D. Margaret Drury*

D. Margaret Drury
City Clerk

City of Cambridge

MASSACHUSETTS

In City Council June 23, 2003

CM #4 Authorization of Event

YEA	NAY	ABSENT	PRESENT	
✓				Vice Mayor Henrietta Davis
✓				Ms. Marjorie C. Decker
✓				Mr. Anthony D. Galluccio
✓				Mr. David P. Maher
✓				Mr. Brian Murphy
✓ ✗	✗			Mr. Kenneth E. Reeves
✓ ✗				Ms. Denise Simmons
✓				Mr. Timothy J. Toomey, Jr.
✓				Mayor Michael A. Sullivan

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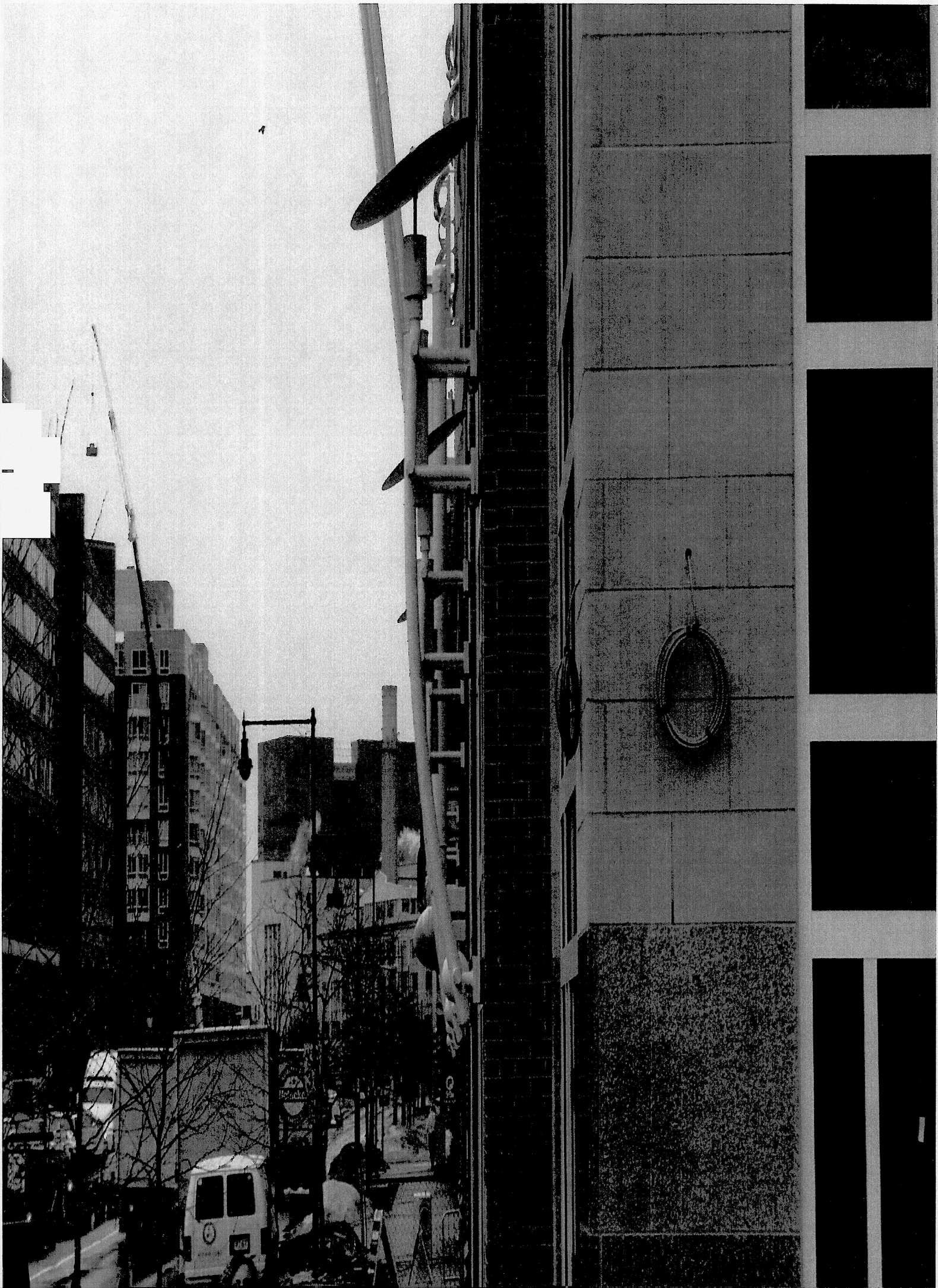
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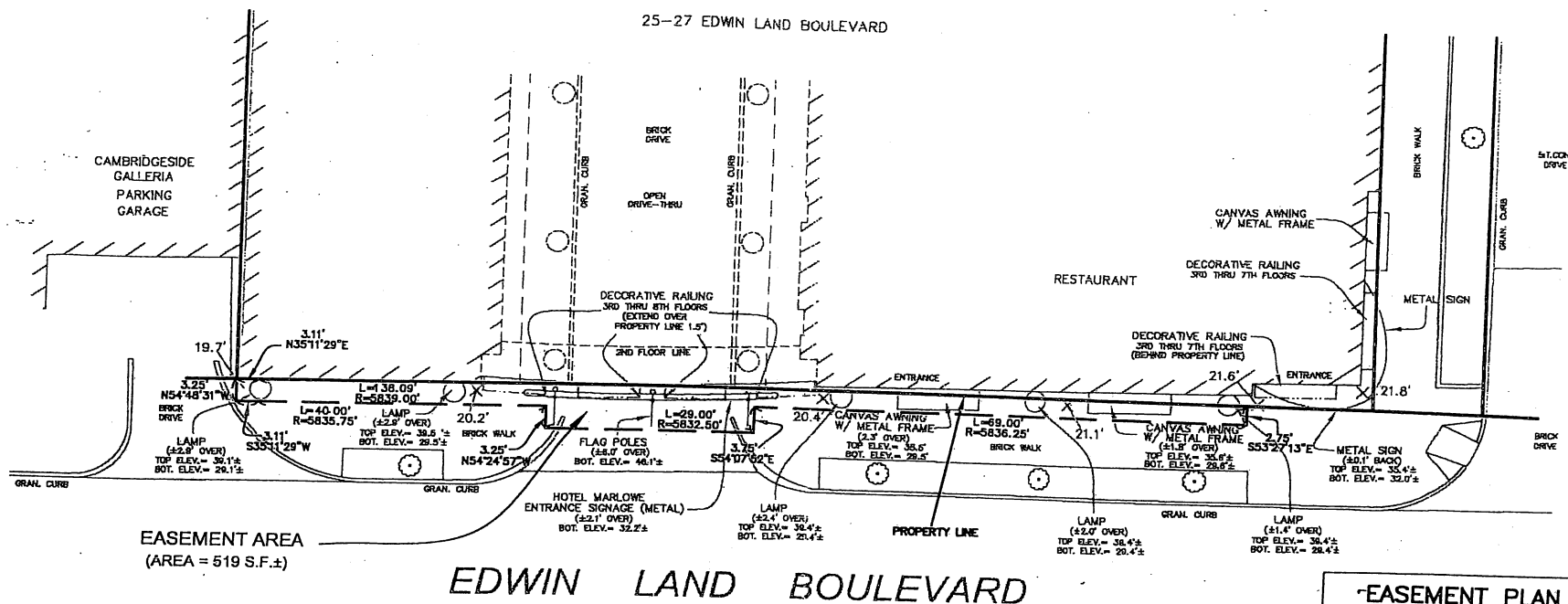
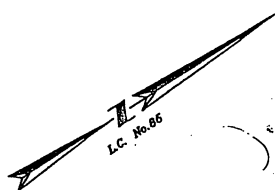








DRAFT



BUILDING FEATURES SHOWN HEREON ARE BASED ON FIELD MEASUREMENTS PERFORMED BY THE BSC GROUP INC. ON MAY 2, 2003.

PLAN REFERENCES:

1. ALTA/ACSM PLAN #2663-105 BY THE BSC GROUP INC.

DATE _____ PROFESSIONAL LAND SURVEYOR _____

DWG. # 2663-10
1-2039.82

EASEMENT PLAN OF LAND
HOTEL MARLOWE
25-27 EDWIN LAND BOULEVARD
IN
CAMBRIDGE, MASSACHUSETTS
SCALE: 1"=16' MAY 6, 200.

BSC GROUP
15 Elkins Street
Boston, Massachusetts
02127

617 896 4300

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4.

CITY OF CAMBRIDGE • EXECUTIVE DEPARTMENT

Robert W. Healy, City Manager *Richard C. Rossi, Deputy City Manager*

795 Massachusetts Avenue, Cambridge, Massachusetts 02139

Voice: 617.349.4300 Fax: 617.349.4307 TTY: 617.349.4242 Web: www.cambridgcma.gov

June 23, 2003

To the Honorable, the City Council:

Hardin Capital LLC, developer for the Cambridge Hotel LLC, the owners of the Hotel Marlowe, is requesting an easement to install permanent decorative elements along the front entrance of the Hotel Marlowe, which is located at 25 -27 Edwin Land Boulevard. The permanent decorative elements encompass an area of not more than 519 square feet in area and will extend over the public way with dimensions as shown on the attached photographs and draft plan (total easement area will be within but no more than the entire area shown). The owners of the building have agreed to pay \$40.00 per square footage for the right to install and maintain these permanent decorative elements that encroach over the public way. There will be three (3) flagpoles, five (5) light fixtures, two canvas awnings with metal frames and twelve (12) fixed railings. This proposal requires action by the City Council.

First, the proposal must be considered by the Council pursuant to Chapter 2.110 of the Cambridge Municipal Code which governs the disposition of city-owned property. I believe this disposition may properly be subject to Section 2.110.010 (G) of that ordinance. Section G provides for the disposition of city-owned property where the full process of the ordinance would be unduly burdensome. Under this section, the City Manager may request of the City Council a diminution of the process in the ordinance; approval of this request requires a two-thirds vote of the City Council. I recommend such approval at this time.

Secondly, Section 2.110.010 also requires a two-thirds vote of the City Council to authorize the City Manager to grant the easement to the Cambridge Hotel LLC. I also recommend that the City Council vote to authorize me to grant the easement to the Cambridge Hotel LLC and to execute and deliver such easement in form and substance as I determine is necessary or advisable.

Description of the Property

The developers of the Hotel Marlowe have received their building permit and are prepared to begin occupancy, if approved and otherwise meeting all other requirements such as zoning compliance. The Hotel Marlowe is in East Cambridge and is directly adjacent to the Galleria Mall. The site is located in a Business A/PUD 4 District.

Description of Easement and Financial Arrangements

The Easement Agreement will permit the installation and maintenance of several permanent decorative elements to enter the air space above Edwin Land Boulevard. In addition, the property owners will be responsible for all fees relating to the installation, maintenance and repairs to these improvements. The City will be indemnified by the property owner for any damages that may relate to or arise from the granting of the easement.

The City Assessor's office has reviewed the request for the easement and as part of that review considered the value of this particular use for the surrounding neighborhood, and based upon their review has concluded that a fair market value for an easement of this sort is \$40.00 per square foot.

I am recommending that the City grant an easement and that in consideration for doing so, there shall be a one-time fee for this easement.

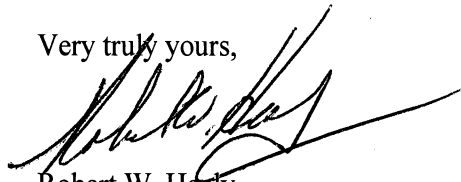
Request for Diminution of Process Stipulated in Chapter 2.110

Chapter 2.110 of the Cambridge Municipal Code on the disposition of city property allows for a diminution of the full process otherwise required by the ordinance if that process would be unduly burdensome. I believe that subsection (G) is appropriate for review of the property owner's request for this easement, and I thus request that a limited review process be approved.

Limiting the scope of review for the requested disposition would be consistent with the expressed objective of the procedure required by the Chapter: to render "a fair analysis of how the greatest public benefit can be obtained from the City property in question." I believe that the information furnished in this letter is sufficient to enable the City Council to make a determination on this matter. Carrying out a more detailed review would require a significant amount of money and staff time and expense. Since the procedure set forth in the Chapter would be costly and the use of this property is one that is consistent with City Council policy and has already been successfully in place for some time, I believe this to be the type of disposition anticipated by subsection (G) which allows for a simpler process; and I therefore request that you approve a diminution of the full disposition review process.

I appreciate your consideration of this matter, and welcome any questions you may have.

Very truly yours,



Robert W. Healy
City Manager

RWH/mec
Attachment

H 78

Consent Agenda #4

Transmitting communication from
Robert W. Healy, City Manager,
relative to a request for an easement to
install permanent decorative elements
along the front entrance of the Hotel
Marlowe, 25-27 Edwin Land
Boulevard.

In City Council June 23, 2003

**TWO ORDERS ADOPTED.
ROLL CALL. 9-0-0.**