

Regular Meeting
Cambridge Redevelopment Authority

Wednesday, June 15, 2016, 5:30pm
Robert Healy Public Safety Center / Cambridge Police Station / Community Room
125 Sixth Street, Cambridge, MA

FINAL REGULAR MEETING MINUTES

Call

CRA Chair Kathleen Born called the regular meeting to order at 5:34 p.m. Other Board members present were Vice Chair Margaret Drury, Assistant Treasurer Conrad Crawford, and Assistant Secretary Barry Zevin. CRA Treasurer Christopher Bator was absent due to illness. Ms. Born also introduced CRA staff members – Executive Director Tom Evans, Office Manager Ellen Shore, Program Manager Jason Zogg and welcomed newly hired Project Manager Carlos Peralta, as well as summer intern Liz Pongratz. CRA attorney Jeff Mullan was also present.

The meeting is being recorded by the CRA Office Manager.

Public Comment

Ms. Heather Hoffman commended the CRA on quickly publishing the minutes of the Executive Session meeting. Ms. Hoffman spoke about the new agreement regarding the roof garden. She said that this area is a public space and Boston Properties (BP) should not be mandating the rules regarding its use. She is outraged that BP has allowed the Marriot to close off a public area for private functions. Ms. Hoffman urged the CRA Board to amend the agreement accordingly before signing it.

Mr. Steven Kaiser spoke about transportation issues in Kendall Square. He was pleased that the CRA Grand Junction Park has started the momentum for a community path to connect into Somerville. He mentioned Monday's MIT forum on driverless vehicles and urged the CRA Board to maintain a neutral stance and to have an open process on the issue. Regarding transit development, Mr. Kaiser stated that since the governor has spoken about increasing capacity on the Orange line, the CRA Board should urge the government and MBTA officials to improve capacity on the Red line. Mr. Kaiser asked if the CRA annual traffic count was planned for this year. Mr. Evans stated that it would happen after Main Street is reopened. Mr. Kaiser mentioned that congestion can cause lower counts. He suggested using a photographic study. He is also concerned that no one is looking at the Alewife situation. He stated that most of the traffic and trip generation studies should be modified to use a more accurate modal distribution. Rather than the standard 40% transit / 40% cars it should be 75% transit / 5% cars because there is no room for 40% cars.

There were no other requests to enter a comment.

A motion to close the public comment portion of the meeting was moved and unanimously approved.

Minutes

1. Motion: To accept the minutes of the Regular Meeting of the Board on May 18, 2016

Mr. Heather noted a typo on the bottom of page 4; the first word should be "Mr.," not "Ms."

Mr. Zevin sent Ms. Shore minor edits before the meeting that will be incorporated into the final version.

There were no other comments.

A motion to accept the minutes of the Regular Meeting of the Board on May 18, 2016, as amended, was seconded and unanimously approved.

2. Motion: To Accept the minutes of the Executive Session of the Board on May 18, 2016

There were no comments.

A motion to accept the minutes of the Executive Session of the Board on May 18, 2016 was seconded and unanimously approved.

Communications

Mr. Evans passed out a copy of a recent email communication from Mr. Kaiser requesting a public comment portion at a Planning Board meeting regarding the MXD Infill Development Concept Plan. Mr. Evans added that it will be a combination of the discussions that have been discussed at the CRA Board meetings. The thirty-minute presentation will focus on urban design, open space and traffic and transit issues.

A motion to place Mr. Kaiser's communication on file was seconded and unanimously approved.

Mr. Evans also mentioned that the agenda was updated (as noted with a strike out) because the Foundry Public presentation was postponed.

Reports, Motions and Discussion Items

3. Report: 88 Ames Street Project and Parcel Three and Four Development Agreement

Motion: To approve Amendment #13 to the Cambridge Center, Parcel Three and Four Development Agreement, adjusting the Residential Development Payment Schedule, consistent with the Letter of Intent dated November 7, 2013: Kendall Square Urban Renewal Plan

Motion: To accept a new public open space covenant from Boston Properties over the Roof Top Garden above the parking garage on Parcel Four for a term of 99 years, substantially in the form presented in this meeting, consistent with the Letter of Intent dated November 7, 2013: Kendall Square Urban Renewal Plan

Mr. Evans invited Mr. Mullan to join the conversation. He noted the packet contained three documents on this issue - a cover letter, amendment #15 to the Development Agreement to Parcel 3 and 4 (the two blocks between Broadway and Main Street in the MXD District), and the proposed covenant from Boston Properties (BP) to the CRA for the roof top garden space.

Mr. Mullan explained that, before the Board, is a completion of the terms of the letter agreement that the CRA Board executed with BP when the Third Street project was initially conceived a couple of years ago. The purchase price of \$4.75 million will be paid in equal annual installments. A provision is include for a higher payment if the roadway costs decrease, although Mr. Mullan felt this was unlikely. This agreement and the pricing stem from a prior amendment (#5) to the transaction. This included a provision that if BP was to convey the project before they built it; there would be an opportunity for the CRA to participate further in the pricing. This amendment makes it clear that the price is set when the first payment is made. Mr. Mullan did not feel that this is a change to the previous agreement that was made because the prior agreement never anticipated an installment payment plan. The intent was for the CRA to capture any increase value that BP might realize if they were to convey or lease the property before they actually built it.

Mr. Mullan stated that the chance of the project being sold is remote since it is now under construction. Mr. David Stewart of BP, who was present at the meeting, concurred. Mr. Mullan stated that if it is sold over the

next eleven years, the price is locked in and there will be no further participation. Mr. Evans added that there is a provision if they sell it within that time period. Mr. Mullan said that if the building is sold, all the money becomes due. The amendment is a guarantee from BP's parent, which is solid. He confirmed that the staff has followed up on several other items in the amendment including the circulation in and around Parcel 4, particularly regarding Ames Street, the Plaza, and the hotel. The open space covenant in the package is being extended through 2115, rather than 2050. The CRA has the benefit of the covenant and the Board has the opportunity to transfer that to the City of Cambridge without BP's approval. In response to the issues stated in public comment, BP uses the property according to rules and regulations, which are available to the CRA. This might be something to address. Mr. Mullan stated that according to Mr. Evans, the programming being offered by BP is improving on the roof top and other open spaces in the area. Mr. Evans added that BP is adding programming as well as reporting this programming to the CRA and the public on an annual basis. Mr. Mullan stated that the City has the land they need for the Third Street project. Lastly, the remaining issues with BP regarding Parcel 2 will be addressed through the adoption of the KSURP Amendment #10 whereby development will be done in accordance with City zoning. In summary, the amendment and the covenant satisfy the side letter agreement negotiated with BP.

Mr. David Stewart from BP gave a project update. He stated that construction has begun. A building permit was issued in February. Utility and roadwork preparation has been occurring ever since. The garage started being dismantled this week. An electric transformer is being replaced. The foundation construction will start in the next four to six weeks with a goal of starting to "go up" by the end of the year. A mockup of the exterior materials will be ready the week of June 27th. There is currently a webcam available.

Ms. Drury asked for more information regarding the rules and regulations and how they were changed. Mr. Mullan stated that these are built into the covenant in Sections A and B. Mr. Mullan stated that the issues mentioned in the public comment are not necessarily about the covenant with the CRA but how the rules and regulations are enforced. In response to Ms. Born, Suffolk County appears in the document since the Prudential Center is the main BP office location. Mr. Mullan explained that multiple signature locations are needed since the roof top garden spans internal parcels to Parcel 4. This covenant parallels an existing City covenant but the CRA covenant is enforceable through the CRA Executive Director instead of being enforced by the City through the City Manager. The rules are the same in case the CRA Board decides to transfer the covenant to the City.

Addressing Ms. Hoffman's testimony, there was a long discussion regarding public use and the rules and regulation specifications in open spaces in the MXD and the urban renewal plan. Mr. Evans stated that he would investigate the issue and come back to the Board for a discussion. There was a consensus that the rules and regulations should reflect a general spirit of access that is inclusive through policies or reviews by the CRA. Spaces created through the CRA should robustly serve the public. The current rules and regulations that might have been created with a previous CRA administration would be reevaluated. Mr. Evans said that the BP representative to best address this issue was not present. Mr. Mullan suggested that documents should specify that it operates like a City park but the issue is that it is integrated into the buildings. Mr. Zevin said the integration is minimal since there are two stairways connected to a public way. However, security is different since it's not visible from a public street. By signing the agreement, the CRA would have an enforcement capability as the agreement is currently written without any modifications. Mr. Mullan suggested keeping things as simple as possible.

Mr. David Stewart noted that BP's commitment to the side letter was that BP would take the existing covenant and extend it. There is already a mechanism for BP to send rules and regulations to the CRA. Ms. Drury agrees with that sentiment and thinks that there is sufficient surrounding language. She noted that it does say that after 15 days' notice, BP can change the rules and regulations. Mr. Evans stated that the approval of the Executive Director is required (paragraph ii). Ms. Hoffman said that she reads the words as saying that BP can call anything "safety and security," but only other "stuff" would need approval from the Executive Director.

Mr. Evans suggested a follow-up action to the motions before the Board. He suggested that the Executive Director asks BP to present the rules and regulations of the roof-top garden and other parks in the area.

The motion to approve Amendment #13 to the Cambridge Center, Parcel Three and Four Development Agreement, adjusting the Residential Development Payment Schedule, consistent with the Letter of Intent dated November 7, 2013: Kendall Square Urban Renewal Plan was moved and seconded

A role call was taken. There were 4 “ayes” - Mr. Zevin, Ms. Born, Ms., Drury, and Mr. Crawford. Mr. Bator was absent. The motion passed.

The motion to accept a new public open space covenant from Boston Properties over the Roof Top Garden above the parking garage on Parcel Four for a term of 99 years, substantially in the form presented in this meeting, consistent with the Letter of Intent dated November 7, 2013: Kendall Square Urban Renewal Plan was moved and seconded.

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4. Update MXD Infill Development Concept Plan:

a. Presentation: Circulation and Streetscape Plans

Mr. Michael Tilford from Boston Properties (BP) mentioned past meetings on various sections of the Infill Development Plan with the CRA Board, the East Cambridge Planning Team, CDD, and the City’s Traffic, Parking and Transportation Department. BP is working with Sasaki, VHB, Pickard Chilton, SCB, and Perkins + Will. The architect team will be introduced at a later time. Representatives from each team will come to the CRA Board at some point. Mr. Tilford reviewed the current massing concept.

Mr. Alan Ward from Sasaki spoke about the pedestrian circulation. He noted a hierarchy of circulation. Broadway, the Sixth Street connector and Galileo are the significant pedestrian routes. The east-west connectors link to the Sixth Street connector. Lastly are the alleyways which provide access to the buildings. BP is investigating a better pedestrian circulation for the Broadway Park.

Bike parking is a critical planning issue at this stage. Mr. Ward showed possible positions for short-term and long-term bike parking. Bike parking for residential buildings is more difficult to accomplish. To avoid interference with potential open space and programming, they are looking to relocate bike parking to the edges of Broadway Park. He showed the locations of an existing Hubway station and a place for a second one.

He noted the flow of vehicular circulation today and the proposed new flow. Parking would be available below 11CC and 14CC. The loading locations for the buildings were noted. He showed the location for ground floor active use which could be retail, recreation space, amenity space, or lobby space. It is not a blank wall but shows signs of life. The edges of the park spaces could be activated. The proposal includes two residential lobbies. Mr. Zevin suggested that the east-facing lobby is likely to have a real connection. Ms. Hoffman suggested removing the hedges that conceal the park along Broadway to activate it. Mr. Ward spoke of previously discussed ideas for enhancing the Sixth Street connector. An arborist will be evaluating the health and sustainability of the trees along the connector as well as any negative effects from additional pavement. Mr. Ward spoke about a potential for a rain garden and bicycle park on the east-west connector.

The two key spaces for parks are on Broadway and on Binney. Mr. Ward showed a possible concept design for the Broadway Park that would improve accessibility from the street, create better pedestrian desire lines, and engage the ground level. Mr. Zevin was not convinced that dividing the park into small triangles was a good idea. Mr. Ward noted that an extended park over the alley would allow for outdoor seating for a future restaurant and connect the park to a surrounding building. Mr. Ward added that the area could also have programming space for 200 people, an indoor winter garden area, and a potential rain garden. The rain garden would be similar to that mentioned for the east-west connectors and relates to the history of the Broad Canal. Mr. Zevin wondered if the future building to the left could be designed to open up the alley. A discussion occurred regarding the garage and servicing traffic. Ms. Hoffman urged BP to keep the

imaginative planting as opposed to making it a corporate garden. A discussion about gardens occurred. Mr. Evans suggested that the design also incorporate a connection to the park across Broadway. Mr. Ward added that the Binney Park would be greener while the Broadway Park would have more programming. Ms. Hoffman mentioned incorporating play spaces to pavement, painted bollards, electrical boxes, fire hydrants, etc. She added that schools and neighborhood artists might want to be involved. Mr. Kaiser mentioned that all the traffic flows aren't shown so the pedestrian conflicts aren't apparent. He added that he would like to see Galileo Way narrowed, more T intersections, and the medians removed on Broadway; all of which would add green space and make the roads safer for pedestrians.

Mr. Evans stated that rooftop discussions with CDD occurred regarding private open space for residential users which is different than a commercial neighbor's usage. Mr. Crawford asked if the residents could use the daycare's playground during off hours. Mr. Evans noted that the parcel is owned by Biogen, not BP. The possibility of another green roof was discussed.

Mr. Evans noted that CDD is hosting an open space planning session tomorrow. The Binney Street (Porkchop) Park and Triangle Park will be on the agenda. The ideas are conceptual at this time. It would be nice to keep in mind how these urban spaces related to each other. There is also the issue of the right-of-way on Galileo which is currently a truck route and used heavily for bus circulation. He added that it is important that new activity doesn't create a frustration for the transit community. Mr. Crawford asked about the need for transportation demand management and the role of the Charles River TMA in generating auto trips. Mr. Evans said that there is a standard suite of expectations from the City for transportation demand management from the City. They have been working on enhanced measures. There has been nothing more specific on this topic than what is listed in the EIR. CDD is the steward of the TDM program. More information will come after the TIS study by the City. Ms. Hoffman suggested that BP look at the St. Louis museum for out-of-the-ordinary rooftop ideas.

b. Discussion: Community Outreach and Review

Mr. Evans said that the memo explains what has been done regarding community outreach. This can be used in response to the City Council's concern about sufficient public process. There have been several meetings in the past and many more coming up. Ms. Pongratz passed around a flyer regarding the open house event in the Marriot on July 19. There will be a presentation as well as stations with the various consultant teams to discuss the various chapters of the Infill Development Concept Plan (IDCP). This is all occurring before the IDCP is submitted. Mr. Crawford suggested highlighting the consultants on the announcements as a draw for attendance. Mr. Evans added that staff is still working out the details for obtaining the feedback and reporting the results. More interest needs to be generated on the coUrbanize site. Mr. Evans noted that summer is not the best time to do outreach. There's also a Citywide Master plan and a City Manager search process occurring withing the City. Staff is working to have frequent engagements with the East Cambridge Planning Team and has reached out to the Kendall Square Residents Alliance. A meeting could happen in the summer and possibly continue into the fall.

Once the IDCP is submitted, there will be at least one combined meeting where the CRA Board and Planning Board review the ICDP together. A goal of the concept plan is to have a special permit that permits the overall development. One building could be accelerated. There will be a full schematic design of the 11CC building. Subsequent design reviews of that building and the other buildings will be done with both Boards. This process is being developed in the hopes it will avoid the back-and-forth challenging situation that occurred with the Ames Street project. A commitment has been made for a robust joint review process in zoning with CDD.

Mr. Evans said that 11 CC can start without any more housing but the key is that it would require a conversion of a major percentage of 1 CC into innovation space. Innovation space does not impact the GFA so a transfer of space would be required. The exact mechanism needs to be evaluated. There are two exemptions in zoning. They must convert at least 10% of the Microsoft space and up to 20% to be exempt unless the innovation space is built in the first building. Microsoft sales force is moving to Burlington.

In response to Ms. Drury, Mr. Evans reviewed the phasing requirement for the housing and the commercial. The zoning is written so that in order to build more than 325,000 square feet of commercial space, there needs to be a second block of residential. Every commercial phase over 50,000 (or possibly 100,000) square feet must include at least 10% of innovation space delivery. Up to 20% of innovation space can be built and be exempt from the GFA cap. The building at 11 CC is about 400,000 square feet and it would borrow 80,000 square feet in GFA from the current Microsoft location and that Microsoft location would be converted to innovation space. There is a shift of GFA from 1 CC to 11 CC. Where the housing was coming in two smaller towers of 200,000 square feet, most of the housing would now be built as part of the next phase and will most likely come all at once.

5. Update: Grand Junction Park Completion and Maintenance Program

Motion: To authorize the Chair and Executive Director to enter into a three-year contract with the selected landscape firm for park maintenance of the Grand Junction Park and other CRA property in the Kendall Square Urban Renewal Plan area.

Mr. Zogg stated that he is going through the punch list with the contractor which is about 50% done. The two larger outstanding items are an agreement regarding the situation with the play spinners' and fixing the granite that sunk in one of the medians. The height installation wasn't followed according to the manufacturer's specification. Veolia also needs to fix the Broadway end that they messed up. The Main Street fixes still need to be discussed. The CRA won't take full possession of the property until the grass can get cut once.

Mr. Evans explained that a landscape and park maintenance RFP was advertised in the beginning of May. Mr., Evans also did some side outreach to local Cambridge companies. The timing of this RFP might not have been good for smaller firms since they already have their summer hires. Two submittals were received – Greenscape, which is our current landscape maintenance contractor, and BrightView (formally known as ValleyCrest). Staff recommends going with BrightView/ValleyCrest based on their price proposal, their written proposal and the interview process. They gave more informed enthusiastic responses to questions, particularly those relating to an organic program, the limited use of heavy gas powered machinery, and the establishment of the initial plantings on the Grand Junction Park.

Mr. Crawford suggested that the provisions be capped. Mr. Evans suggested that it not exceed \$92,000 for the 3 years, so about \$30,000 each year. In response to Ms. Born, emergency numbers will be obtained and a procedure to follow can be included in the contract. Mr. Evans said that Brightview/ValleyCrest has institutional knowledge of the utility structure in the area. As the CRA shifted responsibility to BP for maintenance, Greenscape's scope decreased and ValleyCrest's scope increased so now Brightview/ValleyCrest maintains most everything in the MXD district. The CRA has a different contractor for snow removal. In response to Mr. Zevin, Mr. Evans noted that requests for as-builts are included in CRA contracts.

The motion to authorize the Chair and Executive Director to enter into a three-year contract with BrightView Landscape for park maintenance of the Grand Junction Park and other CRA property in the Kendall Square Urban Renewal Plan area for an amount not to exceed \$92,000 was seconded and unanimously approved.

Mr. Evans recognized Mr. Zogg with a small token for his work on the project.

6. Report: Monthly Staff Report to the Board

Mr. Evans noted that staff has been working on IT issues with Oakbog Consulting which was recommended by Apple support. Apple computers are easy to manage but as staff and systems have grown, issues surrounding backup and networking are becoming more complicated.

Audit work for the 2015 year is scheduled for the end of June. The creation of a CRA OPEB fund is waiting for the State legislature decision which would allow authorities to invest monies more aggressively if desired.

Staff wants to contract with an engineering design firm to help with streetscape designs, particularly Galileo/Binney Street. FST has been the contractor since 1985 and there have been 29 contract amendments with them. The contract is not being extended further. Staff will be seeking a civil engineer and planning firm to focus on active transportation for cycle track and pedestrian design. Although engineering firms are exempt from 30B, the CRA will be going through a procurement process. Mr. Evans expects a competitive RFP process with seven or eight firms.

The Foundry selection process is moving more slowly than expected and will not be ready for CRA Board review in July. At this time, it is also uncertain if Boston Properties will present the Infill Development Concept Plan – Urban Design portion or whether a design review session might be needed.

The City's provision to allow remote participation for CRA public meetings will most likely be utilized by Ms. Born for the July Board meeting. Ms. Drury would chair the July meeting. The need for an August meeting will be dependent on the status of the Foundry. The date of the public presentation is undetermined at this time.

Regarding Parcel 6, Newport Construction has started the prep work but the site is not ready for food trucks. Their arrival is being postponed to June 27. The delay has not been an issue as paperwork for some food trucks has not been finalized. Ms. Pongratz has been assisting with community outreach. Mr. Peralta will continue to be in touch with the nearby restaurants. Staff is coordinating with DPW to use their supply of recycled granite. Some furniture will be purchased. The availability of a star bench is possible. Newport Construction is also the contractor working on Point Park.

Using the easement given to the City by BP, much of the work for the bike lane has been done, although it is not what the CRA recommended. The City is resetting the curbs. Mr. Zogg added that relocating the tactile strips will be done by CRA/BP during the latter part of the Point Park construction project. Any entity that has an area open for public use has the benefit of the state's liability relief. Mr. Zogg is working on a grant with artist Joe Davis for replacing the galvanized steel of the Galaxy to stainless steel. The idea of interviewing Joe Davis regarding his Galaxy sculpture was discussed.

As for the urban renewal plan amendment, the last piece of the MEPA process is to return back to MEPA with a Notice of Project Change which will focus on two things - the revision of the site plan and a draft MOU between the CRA, the City, and MassDOT for the KSTEP Transit Enhancement Fund. This MOU will be published. It explains how the CRA will use \$6 million for short and long term transit improvements for Kendall Square. Closely tied to the NPC is a revisit of the traffic study which will feed into the City's TIS.

Mr. Evans explained the 7 Kendall Center item on the July Calendar. MIT, who now owns the Broad building, wants to relocate an existing Kendall Square bank due to the construction in their East Cambridge project. MIT wants to use part of the retail space used by Sebastian's. Mr. Evans noted that an active streetscape and presenting to the corner are important to the CRA. Signage approval would come to the Board.

7. Report: Monthly Financial Update

Mr. Evans noted that he will be coming before the Board with budget adjustments. He will talk with the Treasurers beforehand regarding changes to insurance, a computer purchase, etc.

The main expense continues to be the Grand Junction, followed by staff and legal time on the MXD and Foundry work. About 60% of the Forward Fund has been dispersed. He also noted that a check for the Ames Street commercial development (which is separate from the residential piece) for \$800,000 was received in June and will be reflected in next month's reports.

The motion to adjourn the meeting was seconded and unanimously approved at 8:12pm.