

## DRAFT MEMORANDUM FOR REVIEW\*

**To:** CRA Board  
**From:** Alexandra Levering and Fabiola Alikpokou  
**Date:** October 13, 2021  
**Re:** Residence Inn Open Space Proposal

### INTRODUCTION

The CRA has been considering design interventions to improve Danny Lewin Park as part of a broader planning effort for the interstitial spaces within Parcel Three of the Kendall Square Urban Redevelopment Plan (KSURP). The Ames Place Open Space (APOS) effort requires the coordination of multiple property owners within the block. The goal of the planning effort was to activate the interior open space and improve access into and through the block to increase the utility of open space in the KSURP.

As part of a larger reinvestment in its property, the Residence Inn has proposed a redesign of their open space at 120 Broadway, which makes up a third of the area designated as Danny Lewin Park. They are looking to expand their existing food and dining services to include a full-service bar, and to enhance seating options for guests and visitors by connecting the western portion of their building to Danny Lewin Park through a new doorway, and by redesigning their open space to include a patio with outdoor furniture.

Over the past few months, CRA staff have met with Residence Inn, both onsite and virtually, to discuss their plans for the open space. CRA staff have also considered the designs with the project goals identified during the APOS design process for Danny Lewin Park. While the Residence Inn concepts do not achieve all APOS goals, staff believe that the creation of a patio that is accessible to the public during the day and activated by a restaurant at night, could help to “create a space that balances contemplative uses with activation”. Thus, with the proper design, staff are supportive of the programmatic concept proposed by Residence Inn, and would seek to coordinate these designs with other modifications to Danny Lewin Park to support a more cohesive open space design that’s aligned with the APOS goals.

In addition to designs, CRA staff have also discussed the requirements imposed by the open space covenant established over the Residence Inn owned portion of Danny Lewin Park. The covenant (see Attachment A), which is held by the City of Cambridge, requires the area to be open space for the benefit of the general public, one hour after sunrise and ending one hour before sunset. Through conversations with Residence Inn, they’ve requested a modification to the covenant rules to close their seating area at 5:00pm each evening to the general public in order to create a designated area to serve

\* This memo will be revised and updated should the agenda item go before the CRA board.

alcohol. While this covenant modification is not in the purview of the CRA, staff have met with staff from the City Manager's office to discuss Residence Inn's intended plans and their covenant request.

## DESIGN REVIEW PROCESS & COMMENTS

The key tenant to the open space designs proposed by Residence Inn is to ensure the patio design complies with the open space covenant during the hours it is open and accessible to the general public, while also providing points of control necessary for the consumption of alcohol in the space. This means, the park design must find a balance that allows the space to feel open and welcoming to the general public during the day, that can be adapted during the evening hours to create an enclosed space that adheres to the Massachusetts liquor license laws.

In addition, below are staff responses to specific design items as it relates to Residence Inn's open space proposal.

**Paving and Drainage:** Preservation of the trees on Danny Lewin Park is a goal of the CRA's APOS designs as well as numerous City policies and plans, and staff are appreciative that Residence Inn's plan maintains the trees that exist today. Staff are concerned however about the paving surrounding the trees and the impact it could cause around the trees' root zones. Staff would also like more information about drainage. Creating an impervious surface in this area will likely impact the drainage of other areas of the park, and potentially cause unsafe conditions. Analysis should be done to understand drainage impacts. It is also recommended that Residence Inn considers pervious paving materials for the seating area.

**Civic Furnishings:** In order to signify that the Residence Inn space is open to the public, staff recommends the design to include furnishings that look and feel civic, and match public furniture found in other locations in Kendall Square. This could include the addition of benches and other furniture installed at the 6<sup>th</sup> Street Walkway.

**Landscape Planting:** CRA staff suggests enhancing the landscape design by creating an additional planting area on the southern edge of Residence Inn's patio. Including additional plantings will help to address an APOS goal of creating a space that embraces plants and trees, and will respond to the community's comments heard during the APOS design process and Inclusive Open Space Survey conducted by CDD and the CRA described below, to maintain and improve greenery in the area. The CRA staff would also look to help coordinate landscape planting design in collaboration with Residence Inn and Boston Properties to ensure the landscaping plan is considered holistically throughout the space.

**Gas Fire Tables:** Gas fire pits are proposed as a feature to extend the usable hours of the space in the evenings during the shoulder seasons. While such features have been supported in other open spaces, staff is concerned about the gas fire "high-top" proposed along the park pathway and Residence Inn's open space. The high-top structure acts as a large barrier separating the park spaces, that will make the patio space feel more private and inaccessible during the day. Staff encourage the removal of this feature. Details should also be provided to explain when the fire is operating, how it will be safe for families with children who might be using the area in the evening. In addition, to make the space usable during the summer hours when the lower fire pits are not in use, staff suggests converting them into seating areas.

**Seating Area Planters:** Residence Inn has proposed slat box planters with faux greenery to separate the patio space. Staff is not in favor of using faux greenery, and strongly encourages seasonal live plantings. In addition, another entryway space should be created in the planter alignment to make the space more feel more publicly accessible.

Further, there are restaurants in Kendall Square that uses stanchions and ropes to designate an area to serve guests in outdoor areas. This is something that can be implemented during the evening hours, and taken down during daytime use. Staff encourages Residence Inn to look into this alternative.

**Elevations:** CRA staff would like to see the elevations of the new door proposed on the eastern façade of the building, to allow for access between the building and the Danny Lewin Park open space.

**Lighting:** CRA staff would like to see a lighting plan.

## DANNY LEWIN PARK – FENCE REMOVAL

First discussed as part of the Ames Place Open Space design discussions, CRA staff began exploring removing the brick and wrought iron fence structure surrounding Danny Lewin Park on the northern and southern edges. The outreach efforts, both with property stakeholders and the public supported the concept of increasing the porosity of the park boundary.

Further, in February of this year, the Cambridge Community Development Department (CDD) and the CRA conducted an Inclusive Open Space Survey, that sought to ask community members about privately owned open spaces (POPS) in Cambridge, which included Danny Lewin Park (see Attachment B). The survey received 174 responses. The results showed that 25% respondents did not feel that the park was intended for them to use it, and roughly another quarter responded that they neither agreed nor disagreed with that statement. Additionally, an open-ended response question provided the opportunity for respondents to comment on what aspects of the park they were more or less drawn to. A number of respondents noted that they appreciated the seating, trees, greenery, and shade the park provided. Others commented that the space looked and felt private, and was designed for the use of the adjacent buildings rather than as a public park. A handful of other respondents identified that the fence made the park less noticeable, and that the narrow entry gates made the space feel private.

To respond to the public responses, CRA staff have initiated discussions with Boston Properties and MYKD Landscape Architects to remove the fence on the north and south edges of the park, and to re- envision the landscape plantings along the park edges as part of the Infill Development Concept Plan. CRA staff would look to coordinate this landscaping plan with Residence Inn, to ensure the park's design works well and is cohesive.

## ATTACHMENTS

Attachment A: Danny Lewin Park Covenant

Attachment B: CDD's Privately Owned Public Space Survey Results – Danny Lewin Park

Attachment A – Open Space Covenant

7-5

OPEN SPACE RESTRICTION COVENANT  
(TRACT III)

This COVENANT, made effective as of this 29th day of October, 1997, by BOSTON PROPERTIES LIMITED PARTNERSHIP, a Delaware limited partnership, having its office c/o Boston Properties, Inc., 8 Arlington Street, Boston, Massachusetts 02116 (the "Grantor").

The following are facts relevant to the execution of this Covenant:

A. The Grantor is the owner in fee of a parcel of land in Cambridge, Massachusetts, containing 34,402 square feet, more or less ("Tract III"), which is shown as "Tract III" on a plan entitled "Property Line Plan, Tract III of Parcel 3, Cambridge, MA," prepared by Allen & Major Associates, Inc., and dated October 23, 1997 (the "Property Line Plan"), to be recorded with the Middlesex South District Registry of Deeds concurrently herewith, and also shown as "Tract III" on a plan entitled "Master Easement Plan, Tract III of Parcel 3, Cambridge, MA," sheets E-1 through E-3, prepared by Allen & Major Associates, Inc. and dated October 23, 1997 (the "Easement Plan"), to be recorded concurrently herewith with said deeds and a print of said Easement Plan is attached as an Exhibit to an original counterpart of the Easement Agreement (hereinafter defined) to be filed with the Middlesex South Registry District of the Land Court concurrently herewith. The Grantor intends to improve Tract III by constructing thereon a fifteen (15) story residence hotel (the "Hotel").

B. Contained within Tract III is a parcel of land containing 7,341 square feet, more or less, which is shown as the "Public Open Space Easement Area" on sheet E-2 of the Easement Plan (the "Tract III Open Space Area").

C. Pursuant to the provisions of Article II, Paragraph 4 of that certain Parcel 3 Easement Agreement (Master Utility and Access Easements) (hereinafter the "Easement Agreement") dated of even date herewith by and between the Grantor and the Cambridge Redevelopment Authority (the "CRA") to be concurrently recorded with said Deeds and filed with said Registry, Grantor has agreed to dedicate of record the Tract III Open Space Area as public open space for the benefit of the general public and to use the Tract III Open Space Area for the purpose of installing and maintaining grass, walkways, shrubs and other forms of landscaping and public amenities.

MSD 11/04/97 09:24:40 156 11.00

PL #1184

SEE PLAN IN RECORD BOOK 27840 PAGE 018

Dep in l d ct

D. Dedication of the Tract III Open Space Area to such public benefit comports with the requirements of Section 14.42 of the Zoning Ordinance for the City of Cambridge (the "Zoning Ordinance"), which requires that a minimum of 100,000 square feet within the Cambridge Center Mixed Use Development District (the "MXD District") which is contained within the "Kendall Square Urban Renewal Project" established by the CRA pursuant to Urban Renewal Plan dated August 30, 1965, as amended by Revised Amendment No. 1, dated October, 1977, as further amended by Amendment No. 2, dated May 19, 1981 and as further amended by Amendment No. 3, dated June 11, 1993, and as further amended by Amendment No. 4, approved by the CRA on April 15, 1997, be reserved or dedicated as public open space. The restrictions on the Tract III Open Space Area hereby imposed by the Grantor are intended to satisfy, in part, the aforesaid public open space requirement of the Zoning Ordinance.

NOW THEREFORE, the Grantor, hereby imposes the following restrictions on the Tract III Open Space Area, and assumes the following obligations in connection therewith:

(a) The Tract III Open Space Area shall be used only: (1) to provide light and air to the surrounding buildings and improvements; (2) for scenic, recreational, or similar purposes; (3) for subsurface utility services (including, without limitation, gas, electric, telephone and cable), water service and stormwater drainage; (4) for pedestrian ingress and egress to and from the Hotel and other improvements that may be constructed from time to time on Parcel A shown on the Property Line Plan; and (5) for such other purposes as are specified in the Easement Agreement. The Tract III Open Space Area shall be open and available to the community use of residents and lessees of, and visitors to, the MXD District, seven days a week, during the period commencing one hour after sunrise and ending one hour before sunset; provided that Grantor may (i) after 15 days' prior written notice to the City Manager of the City of Cambridge, or his successor or designee, adopt reasonable rules and regulations for purposes of safety and security to persons and property, with respect to the use and operation of the Tract III Open Space Area, which rules and regulations may, inter alia, modify the days and hours during which the Tract III Open Space Area shall be open and available for community use as aforesaid; and (ii) adopt such additional rules and regulations as may be approved by said City Manager, or his successor designee, which approval shall not be unreasonably withheld or delayed. The notice to said City Manager hereinabove required must set forth the proposed rules and regulations, a brief explanation of the reason for such rules and regulations, the proposed effective date of such rules and

regulations and an offer to meet with said City Manager, or his successor or designee, at least 10 days prior to the implementation of such proposed rules and regulations.

(b) No such rules and regulations shall be valid if they are at variance with the requirements of the Zoning Ordinance that the Tract III Open Space Area be open and available to the community use of the residents, lessees and visitors to the MXD District for reasonable amounts of time on a regular basis.

(c) The aforesaid restriction regarding the use and enjoyment of the Tract III Open Space Area shall be a burden on Tract III, and shall run to the benefit of, and shall be enforceable by, the City of Cambridge. The Tract III Open Space Area shall be subject to and burdened by the "Telephone, Electric and Cable Easement" and "Access and Utility Easement #1", each as defined in the Easement Agreement.

(d) The Grantor covenants and agrees to keep in effect, or cause to be kept in effect, at all times, general liability insurance naming the City of Cambridge and the CRA as parties insured, with limits of not less than \$1,000,000/\$5,000,000 against claims for injury to or death of one or more than one person, not less than \$500,000 for property damage and not less than \$50,000 for medical payments (or such greater limits as said City Manager, or his successor or designee, or the CRA, or its successor public body, may reasonably request from time to time) due to alleged incidents occurring on or about the Tract III Open Space Area or the other areas to be open and available for community use pursuant to the terms hereof. Upon request therefor, the Grantor shall promptly furnish, or cause to be furnished promptly, to the CRA and the City of Cambridge evidence, reasonably satisfactory to the CRA and the City of Cambridge, that the aforesaid insurance is being maintained.

(e) The Grantor covenants and agrees to maintain, or cause to be maintained, the Tract III Open Space Area and all improvements thereto (including, without limitation, landscaping) in an attractive, good, clean and sanitary condition, free of debris, and all pedestrian paths and passageways located on the Tract III Open Space Area shall be maintained sufficiently free of snow and ice to provide adequate and safe pedestrian access.

(f) This Covenant shall terminate automatically without the requirement of the execution or recordation of any further instrument of termination, upon the earlier of (i) the date on which the Hotel building improvements to be constructed upon Tract III, or any substantial part



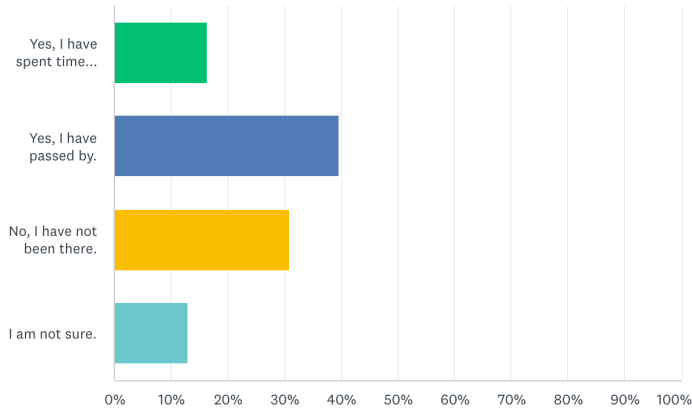
## Attachment B – CDD’s Privately Owned Public Space Survey Results Danny Lewin Park

Q19



Do you recognize this space?

Answered: 146 Skipped: 28



ANSWER CHOICES	RESPONSES	
Yes, I have spent time there.	16.44%	24
Yes, I have passed by.	39.73%	58
No, I have not been there.	30.82%	45
I am not sure.	13.01%	19
<b>TOTAL</b>		<b>146</b>

	STRONGLY DISAGREE	SOMEWHAT DISAGREE	NEITHER AGREE NOR DISAGREE	SOMEWHAT AGREE	STRONGLY AGREE	TOTAL
This space seems intended for me to use it.	8.51% 12	16.31% 23	22.70% 32	31.91% 45	20.57% 29	141
I would enjoy spending time in this space.	2.90% 4	9.42% 13	22.46% 31	47.10% 65	18.12% 25	138

**What aspects of the space made you feel more or less drawn to it? (Danny Lewin Park)**

**Open-Ended Response**

Would feel odd about being watched by people in the surrounding glass buildings. Would enter if there was an event or activity that looked open to the public

Nice space but small- you'd find mostly construction workers there during the day (from the many nearby construction sites). They don't always wear masks, so I would avoid the space if that is the case and there are too many folks there. Also, that park was designed a while ago and from a plant / nature standpoint it is very plain, very little diverse. Very different for instance from the garden outside Foundation Science

It is clean and open.

The entry with brick columns makes this park look private and for the occupant of the buildings.

Benches that don't have dividers are welcoming.

too boxed in by buildings

Design and easy access

I can't linger on spaces too far away from public restrooms.

There is nothing inspiring about this space. It looks very uninviting. The benches look uncomfortable.

Very nice little park, easily accessible with good seating.

the amount of benches.

The signage of being named after a person helps make it feel more public. The no dogs makes me less drawn to it

Did not know this a public area

feels like it belongs to the surrounding companies

more separated from the street

It's surrounded by gates, so it seems almost like private property, it's hard to tell it is open to the public. But the green grass is very nice and relaxing.

The grass is really nice, but I thknk the location — how it's back from the road — would make me think it's for the people who live/work in the area.

This one is tucked away, so I haven't noticed it as a place to spend time, but I would looking at the photographs. It's tucked away and near grass. Looks like you can't go on the grass though.

No dogs allowed- I kinda get it, but also I don't. Love the benches and shade, though. This also feels like a nice escape in the city.

The entrances to the courtyard/park seem public and inviting. Well maintained lawn is pleasant.

The landscaping and brick sidewalks are appealing, as are the number of benches. Good amount of shade trees, too.

looks so beautiful from photo I am interesting to spent time with family for summer. Nice to have in Cambridge.

greenery is nice

designed for only sitting no recreation

It appears private to those adjacent businesses

I love the circular design of the space with the benches around it. Makes me feel like I could even strike up a random conversation with someone.

Might be nice if I was around, but I wouldn't go out of my way to get there.

Grass is nice and there are benches to indicate I could sit there but not sure if open/public space or for people in building

Nice grass and seating but an inconspicuous location that makes it feel strictly for corporate use

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The benches and grass very welcoming

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Grass, trees with shade!!!, seating, nice footpaths even if just walking through. Nice circular area, feels like a park instead of an alley.

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This space looks very enjoyable, but from the street, it does not look welcoming and you can't tell it's nice inside.

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Beautiful space. Because the brick and concrete are so consistent with the nearby buildings, it seems more private. The small entry gates make access seem more private.

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The grass and trees are nice, but something about the location/orientation or lack of use suggest non-public space. Little to no activation. Tables and something for kids would be nice.

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It is not part of a pedestrian path. People usually walk past it, rather than through it.... Maybe more useful for people that work around it...

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Feels more public, but would be even more with less separation to the street. Good for eating lunch in nice weather but not more of a draw.

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spread out benches make it a nice spot to take a lunch, under shade.

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It looks like it is only intended for residents.

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It is not clear that it is for the public---love the green!

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more - seats, grass, bike parking less - looks possibly private, close to street

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Less drawn because it looks private, hidden, don't go there.

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It's in between two big buildings and reads as building space

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It's surrounded by trees. Looks shady and peaceful.

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It doesn't seem like a place that would be comfortable to sit for more than a few minutes. Is it for area employees? Like that there are trees

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Trees, seating options, the fact that it is identified as a park.

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Looks private

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It feels a bit fenced off but I've enjoyed going in there and taking a rest. Nice trees, green space

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I've walked by here a lot but not really noticed this space. I think the gate makes it less noticeable and makes it feel like its designed to be park of the office park.

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Seems to be connected to buildings not a public space - too separated. Nothing to do there.

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Not obvious it's public.

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nice green oasis. Have enjoyed walking through it on the way to the subway, even though there is no diagonal "shortcut" path.

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I like for the circle. Seems kind of like it was intended for the building employees

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the abundance of benches and trees

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It's kind of sterile. The brick pillars, even without fencing or walls, make it look private. The only thing that makes it look possibly public is the plaque.

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It is very small, which makes it feel like the lawn of the businesses next to it. On the positive side, the curved red brick walkway is nice.

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Benches! Grass! Trees! I think this is the park next to a hotel I stayed at in Kendall Square for a few months after our place was flooded. It's small but allows for shade and grass to play in

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Grass trees and benches.

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separation and tucked away from street, garden like

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The green space and comfortable seating

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Seems private and not for the public

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The brick columns at the street entrance make it feel like private property just for the building users

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It looks pleasant and like a place to have lunch or an outdoor meeting with someone. It's very green and has shade and looks quiet and separate from the street. A place to go, not a place to walk through. I like the brick. It could be much more beautifully designed and lush.

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Turkey! A turkey lived there for a long time. Lots of green space too.

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Doesn't look like I'm welcome.

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Secluded area. One has to know that it is there. Not all that inviting.

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It is easier to hang in now without the weird hill shape, but the garden across the street (and all its bunnies) is way more pleasant.

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Benches and shade

thereof, no longer exist by reason of casualty or taking; or (ii) forty (40) years from the date hereof.

(g) Subject to the provisions of the preceding paragraph (f), this Covenant may not be amended, modified or terminated except by a majority vote of the City Council of the City of Cambridge and with the approval of the Grantor, its successors-in-title and assigns.

(h) The rights and obligations of the Grantor hereunder (including, without limitation, the right to adopt rules and regulations pursuant to the terms hereof) shall be appurtenant to and a burden upon the Tract III Open Space Area and Tract III and shall run to the benefit of, and be enforceable by, the City of Cambridge.

IN WITNESS WHEREOF, the undersigned has caused this Covenant to be duly executed, under seal, on the day and year first above written.

**BOSTON PROPERTIES  
LIMITED PARTNERSHIP**

By: **Boston Properties, Inc.,  
its sole general partner**

By: 

Name: Michael A. Cantalupo

Title: Vice President

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF Suffolk, ss.

November 3, 1997

Then personally appeared the above-named Michael A. Cantalupo the Vice President of Boston Properties, Inc., the general partner of Boston Properties Limited Partnership, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said corporation and limited partnership, before me.

  
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NOTARY PUBLIC  
My Commission Expires:

**JAMES L. BLACK, JR.**  
NOTARY PUBLIC  
My Commission Expires July 13, 2001