

April 5, 2017

Brian P. Golden, Director
Boston Planning and Development Agency
Boston City Hall, 9th Floor
Boston, MA 02201

Re: **Application for the Adoption of a Demonstration Project Plan Pursuant to M.G.L. c. 121B, Section 46(f), as Amended**

Dear Director Golden:

This application is being submitted to the Boston Redevelopment Authority d/b/a the Boston Planning and Development Agency (the "BPDA") on behalf of Landmark Center Park Drive LLC, a Massachusetts limited liability company (the "Applicant") requesting: (i) adoption of a Demonstration Project Plan under M.G.L. c. 121B, Sec. 46(f), as amended, in connection with the Project (as hereinafter defined); (ii) adoption of an Order of Taking for that certain parcel of land located at the intersection of Park Drive and Brookline Avenue in the Fenway neighborhood of the City of Boston, consisting of approximately 7,890 square feet of land and more particularly described in Exhibit A attached hereto ("City-Owned Sliver Parcel"); (iii) authorization to co-petition the City of Boston Public Improvement Commission to discontinue the roadway layout on the City-Owned Parcel; and (iv) the subsequent conveyance of such City-Owned Sliver Parcel from the BPDA to the Applicant at a value determined by a third party appraisal in order to facilitate the use of the City-Owned Sliver Parcel as publicly accessible space, restricted to the uses listed on Exhibit B, for in connection with the proposed improvements to Landmark Center described below (the "Project"). The Sliver Parcel was originally acquired by the City in 1941 apparently for use in a roadway reconfiguration which never occurred.

The Project

As shown on Exhibit C, and as previously reviewed and approved by the BPDA, Parks and Recreation Department and Landmarks Commission, the Applicant's proposed Project includes the conversion of the existing surface parking lot at Landmark Center to approximately 1.1-acres of publicly accessible space, including a new public plaza, enhanced pedestrian connectivity in the Fenway neighborhood, improved access to the Fenway MBTA station, and much-needed activation of underutilized portions of the Project site's frontage. The open space will be designed to complement the newly-created open space along the Muddy River adjacent to the Project. The completion of the Project, particularly, the creation of new open space within the Project site, will increase the vibrancy and activity in the Fenway neighborhood, and will contribute to the continued economic viability of the businesses located on the Project site. The City-Owned Sliver Parcel will be included in, and fully integrated with, this newly created area,

further increasing the public realm improvements in connection with the Project and complementing the Muddy River restoration work recently undertaken by the Army Corps of Engineers and DCR.

Project Site

The City-Owned Sliver Parcel is contained within the Project Area under the 121A project approved by the BPDA on December 5, 1996 by a Report and Decision approved by the Mayor of the City of Boston on December 24, 1996 and filed with the Clerk of the City of Boston on December 24, 1996, as amended. As shown on Exhibit D, the City-Owned Sliver Parcel is currently occupied predominantly by surface parking. The proposed Project has been and will continue to be closely coordinated with the Boston Parks and Recreation Department, the Boston Landmarks Commission and the BPDA design staff, in order to assure that the achievement of the open space objectives described above. As highlighted on the "before and after" plan in Exhibit D, the conversion of this area from surface parking to high-quality open space, together with the recent daylighting of the adjacent Muddy River, will eliminate a blighted condition by significantly transforming and enhancing the quality and usability of the publicly accessible space in this area of the Fenway neighborhood.

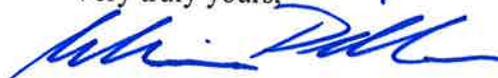
Request for Demonstration Project

Based on the foregoing, the Applicant respectfully requests that the BPDA adopt a Demonstration Project Plan for the acquisition and disposition of the City-Owned Sliver Parcel as part of a "demonstration project" under General Laws Chapter 121B, Section 46(f), as amended. Pursuant to such Demonstration Project Plan, the Applicant further requests that the BPDA (i) acquire by eminent domain title to the City-Owned Sliver Parcel, (ii) co-petition the Public Improvement Commission to discontinue the roadway layout on the City-Owned Parcel and (iii) convey the Sliver Parcel to the Applicant, subject to the restrictions set forth on Exhibit B.

Summary

The Applicant respectfully requests that the BPDA adopt the requisite finding for the approval of a demonstration project and Demonstration Project Plan in order that this important Project may move forward with the assistance and support of the BPDA, which is essential to convert the asphalt parking lot into publicly accessible open space. Therefore, the Applicant respectfully requests that the Director of the BPDA be authorized to execute the appropriate documents in order to (i) cause the BPDA to adopt an Order of Taking for the City-Owned Sliver Parcel as necessary for the Project, (ii) co-petition the Public Improvement Commission, as described above, and (iii) execute a deed and all other documents deemed necessary in connection with the transfer of the City-Owned Parcel to the Applicant.

Very truly yours,



William H. Dillon, Attorney for Applicant

Enclosures

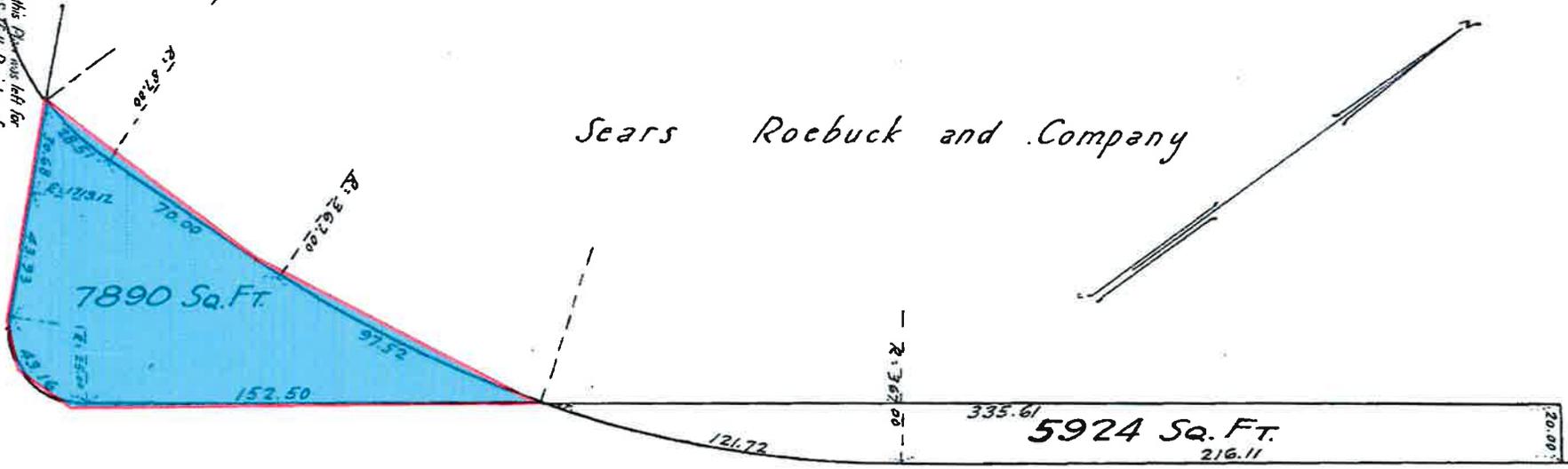
EXHIBIT A

City Owned Parcel

18756.v

The original of this Plan was left for Record in the Suffolk Registry of Deeds, and is on file A True Copy

Scale 1" = 40'



Sears Roebuck and Company

Brookline

Ave.

Boylston St.

EXHIBIT B

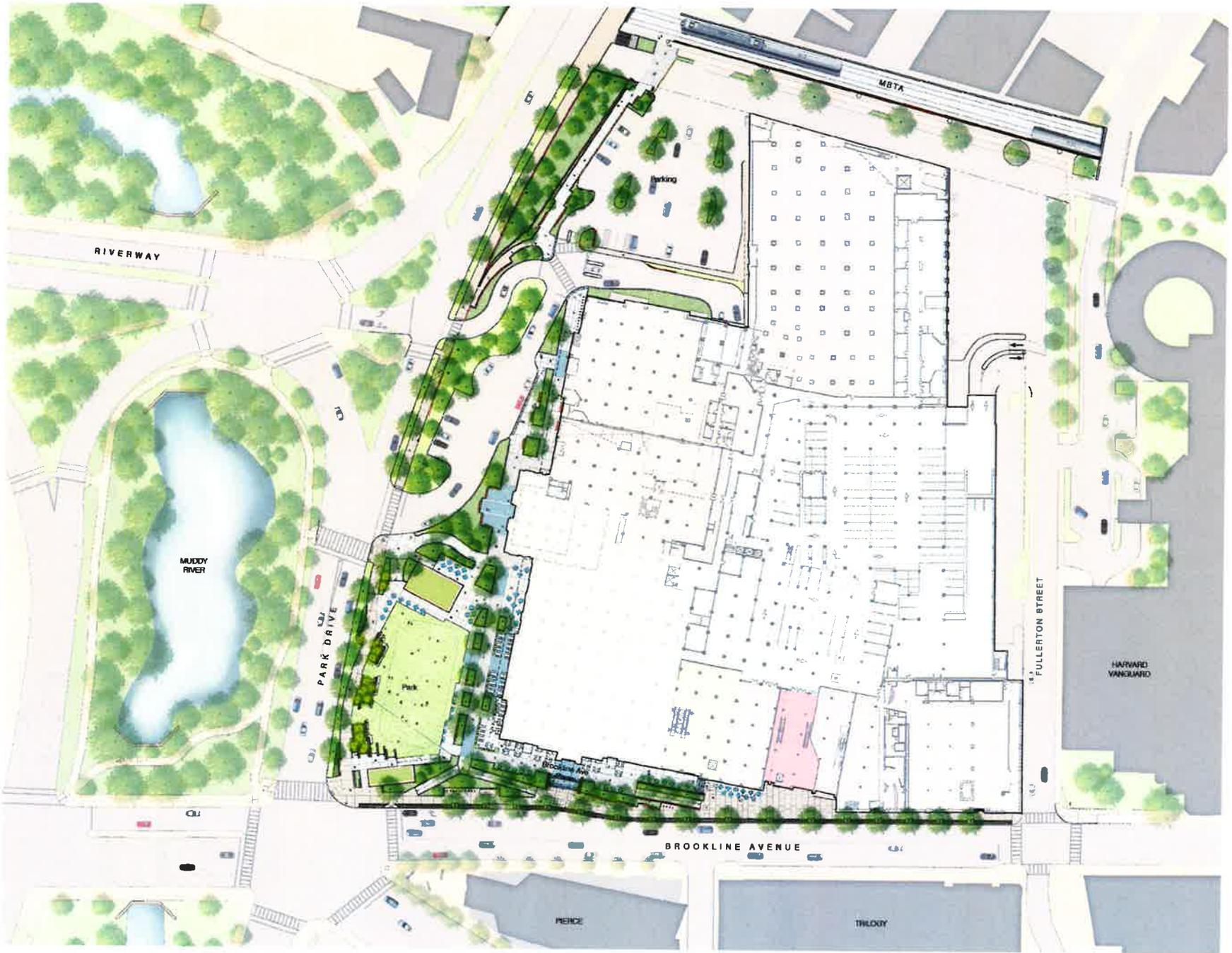
Allowed Uses

- Not more than 1,200 square feet of Gross Floor Area in enclosed permanent structures
- No building of more than one story
- Allowed Uses:
 - Restaurants and other Retail Uses
 - Outdoor uses as follows:
 - Active or passive recreational uses
 - Sports activities
 - Public art display
 - Live performances/movie screenings
 - Fitness activities
 - Special events
 - Picnics/food trucks/pushcarts
 - Fairs/Outdoor Markets
 - Skating Rink
 - Other uses for which City parks may be used
 - Accessory Uses
- All net revenues from the parcel to be used for maintenance, upkeep and programming of the open space at Landmark Center.

EXHIBIT C

Proposed Project





LANDMARK | 401 PARK DRIVE
 Boston, Massachusetts

PROPOSED DEVELOPMENT PLAN
 FEBRUARY 27, 2017



Samuels &

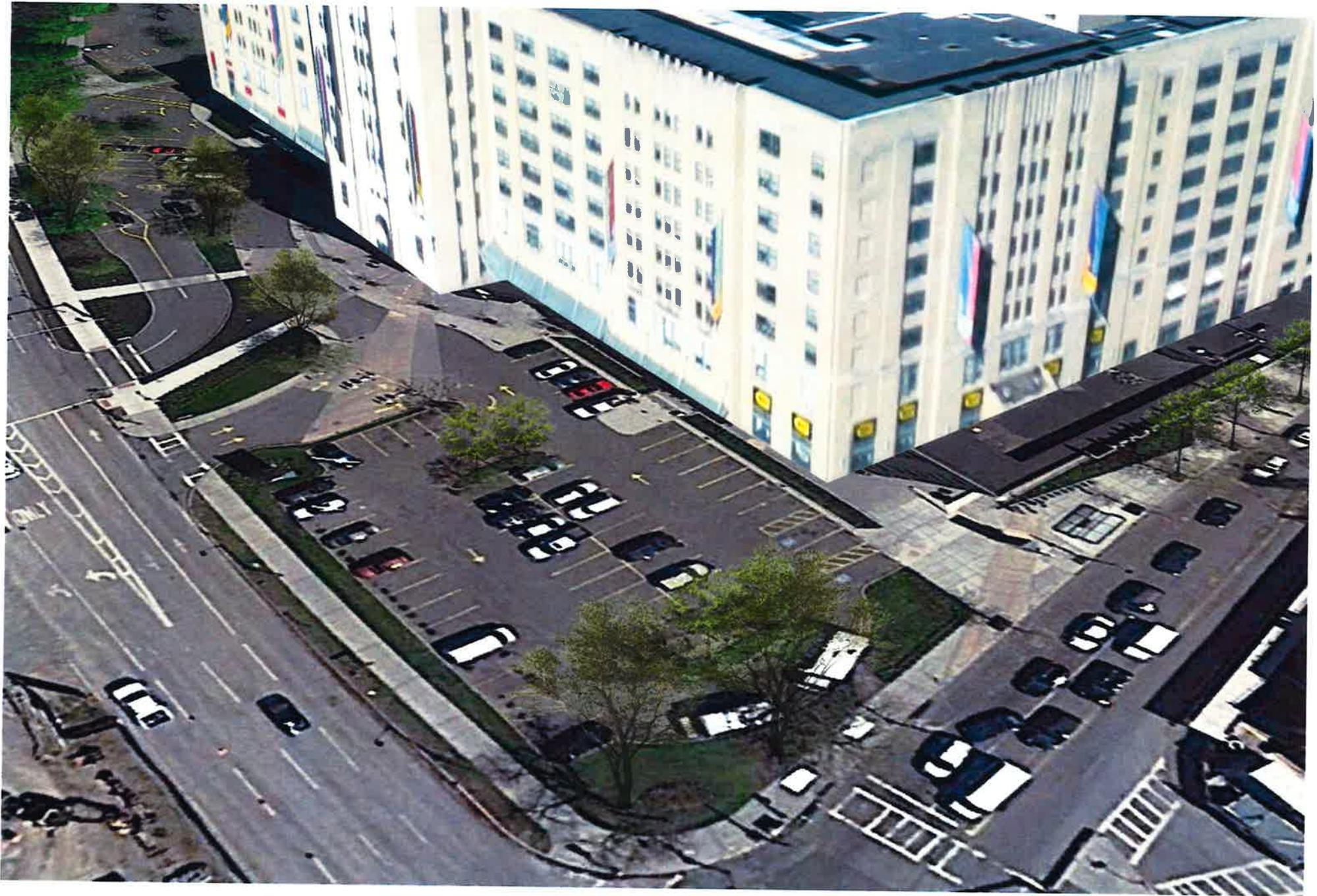
ELKUS | MANFREDI
 ARCHITECTS

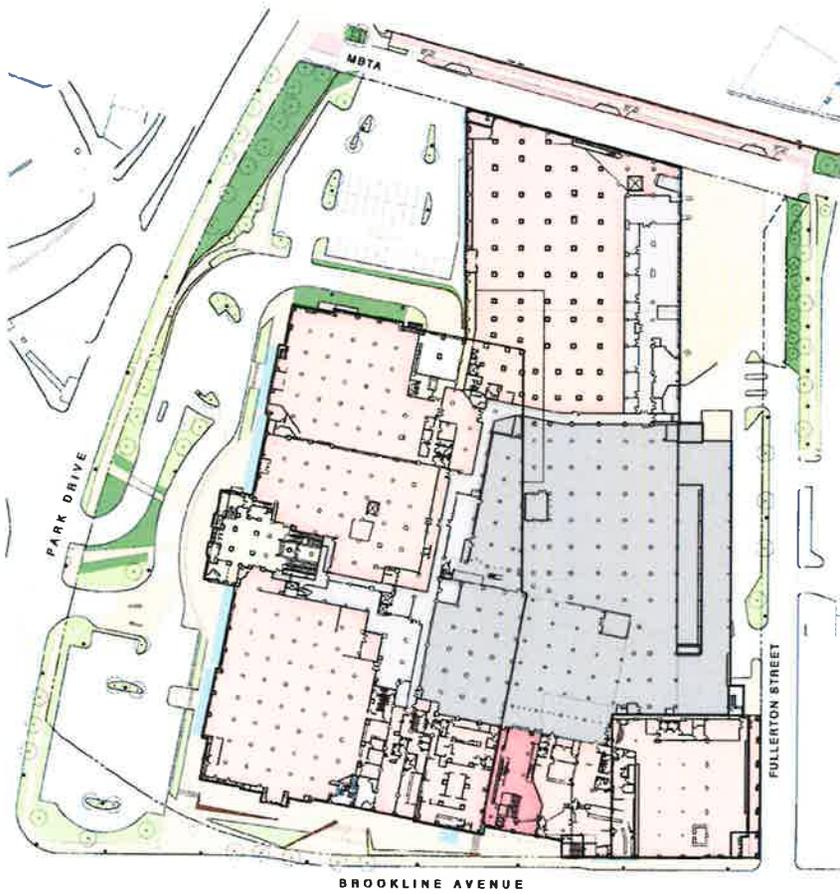


LEBLANC JONES
 LANDSCAPE ARCHITECTS

EXHIBIT D

Existing Conditions





EXISTING CONDITIONS



PROPOSED

**ADDED 14,500 SF PERVIOUS (APPROX.)
ADDED 100+ NEW TREES**