

BRA Approval: 8/21/91
Zoning Comn. Approval:* 10/07/91
effective: 10/10/91

BOSTON REDEVELOPMENT AUTHORITY

July 18, 1991

AMENDMENT TO DEVELOPMENT PLAN
and
DEVELOPMENT IMPACT PROJECT PLAN
for
PLANNED DEVELOPMENT AREA NO. 36

OLMSTED PLAZA

Bounded by Park Drive, Brookline Avenue,
Fullerton Street and MBTA Right-Of-Way

Development Plan: In accordance with Section 3-1A of the Boston Zoning Code (the "Code"), the Boston Redevelopment Authority approved a Development Plan and Development Impact Project Plan for Planned Development Area No. 36 for Olmsted Plaza on November 30, 1989. The PDA/DIP Plan and the Planned Development Area designation of the site which is the subject of the PDA/DIP Plan were approved by the Zoning Commission on December 13, 1989 and the Mayor on December 14, 1989. This Amendment to the PDA/DIP Plan sets forth revisions to the PDA/DIP Plan to reflect changed circumstances since the approval of the PDA/DIP Plan.

Amendment of PDA/DIP Plan: The PDA/DIP Plan is hereby amended in the following respects:

1. The following language is inserted at the end of the fourth and fifth sentences of the second paragraph of the Section headed "Development Plan" on page 1 of the PDA/DIP Plan:

" , as affected by the Amendment to the Development Plan dated July 18, 1991."

2. The following sentence is inserted after the fifth sentence in the third paragraph of the Section headed "Proposed Location and Appearance of Structures" on page 2 of the PDA/DIP Plan:

* with corrective amendments to items 1, 2, 5, and 9(a)

"Furthermore, any one or more of the buildings or subphases located or to be located on the Site may be financed independently of the other buildings or subphases located or to be located on the Site and, therefore, any one or more of such buildings or subphases may need to be considered as situated on a separate zoning lot, capable of being conveyed or mortgaged as such. In addition, a commercial condominium may be created on the Site, or any portion thereof, and the units therein may be conveyed or financed independently."

4. The following language is inserted at the end of the last sentence of the Section headed "Proposed Parking and Loading Facilities" on page 4 of the PDA/DIP Plan:

"and, at least until completion of construction of the Garage, in the Sears Building."

5. The Section headed "Proposed Phasing of Construction" on page 4 of the PDA/DIP Plan is deleted and the following is inserted in place thereof:

"Proposed Phasing of Construction: It is currently anticipated that Phase 1 of the Project will involve the demolition of the warehouse additions, renovation of the Sears Building, construction of the Garage and permanent landscaping on the completed portions of the Site. As a result of financing and market considerations, Phase 1 will be undertaken by the Developer in several subphases, the first subphase ("Subphase 1A") to consist of the renovation of approximately 300,000 square feet of floor area in the Sears Building. Subphase 1A will also include demolition of the warehouse additions. Construction of the garage and permanent landscaping on completed portions of the Site are anticipated to be completed at the time of completion of the final subphase of Phase 1. Prior to construction of the garage, the remainder of the Site will consist of grade level parking accommodating approximately 420 cars and temporary landscaping. Such grade level parking shall be permitted to remain until such time as the Garage is constructed. Construction of the stairway from the Project to the MBTA/Fenway Park Green Line Station is also anticipated to be completed at the time of completion of the final subphase of Phase 1. Subsequent stages of development will entail completion of the Project, including the construction of the Park Drive Building and the Brookline Avenue Building. During these subsequent stages of development, permanent landscaping and circulation systems will be completed, including a walkway along the station platform, an extension of the existing canopy, and, if necessary, modifications to the stairway from the Project to the Fenway Park Station. The stages of development are summarized in Exhibit H.

"Sears, Roebuck and Co., the current owner of the Site and the Developer have entered into an agreement providing for acquisition of the Site by the Developer. Assuming that the necessary approvals are obtained, the Developer will proceed immediately with its construction schedule after purchasing the Site. The demolition of the warehouse additions is scheduled to begin in the Fall of 1991, with renovation of the portion of the Sears Building to be included in Subphase 1A planned for substantial completion within two (2) years after commencement of construction. The schedule for completion of the renovation of the Sears Building, construction of the garage, and construction of the improvements to be included in subsequent stages of development depend upon demand for additional tenant space in the Project and financing considerations."

6. The last sentence of the first paragraph of the section headed "Public Benefits" on page 6 of the PDA/DIP Plan is hereby deleted and the following is substituted therefor:

"Construction of the park shall commence within twenty-four (24) months after commencement of construction of Subphase 1A and shall be completed within eight (8) months after commencement of construction of the park, subject in each case to extension for delays caused by circumstances beyond the reasonable control of the Developer, provided that the approval of the Authority is obtained, such approval not to be unreasonably withheld or delayed, and to other extensions approved by the Authority."

7. The elevation attached hereto as Attachment A is inserted into Exhibit D of the PDA/DIP Plan and the Sears Building South elevation is deleted from Exhibit D.

8. The elevations attached hereto as Attachment B are inserted as Exhibit D-1 to the PDA/DIP Plan.

9. The following are inserted in Exhibit G (Anticipated Zoning Exceptions), as indicated below:

(a) The following exception is inserted in Section II (Brookline Avenue Lot):

"24-2 Off-Street Loading Bay Design"

(b) The following use is inserted in Section III (Sears Lot), A (Conditional Use Permits or Exceptions Required for Uses), 1 (Article 8, Section 7 (Use items)):

<u>"No.</u>	<u>Use</u>
"58	Parking Lot"

(c) The following exceptions are inserted in Section III (Sears Lot), C (Other Exceptions Required):

"3. Exceptions required in connection with Subphases

"Section

- | | |
|-------|---|
| "6-3A | Additional Relief Required Within Restricted Parking District |
| "23-9 | Off-Street Parking Design |
| "24-1 | Off Street Loading Bay Requirements |
| "24-2 | Off-Street Loading Bay Design" |

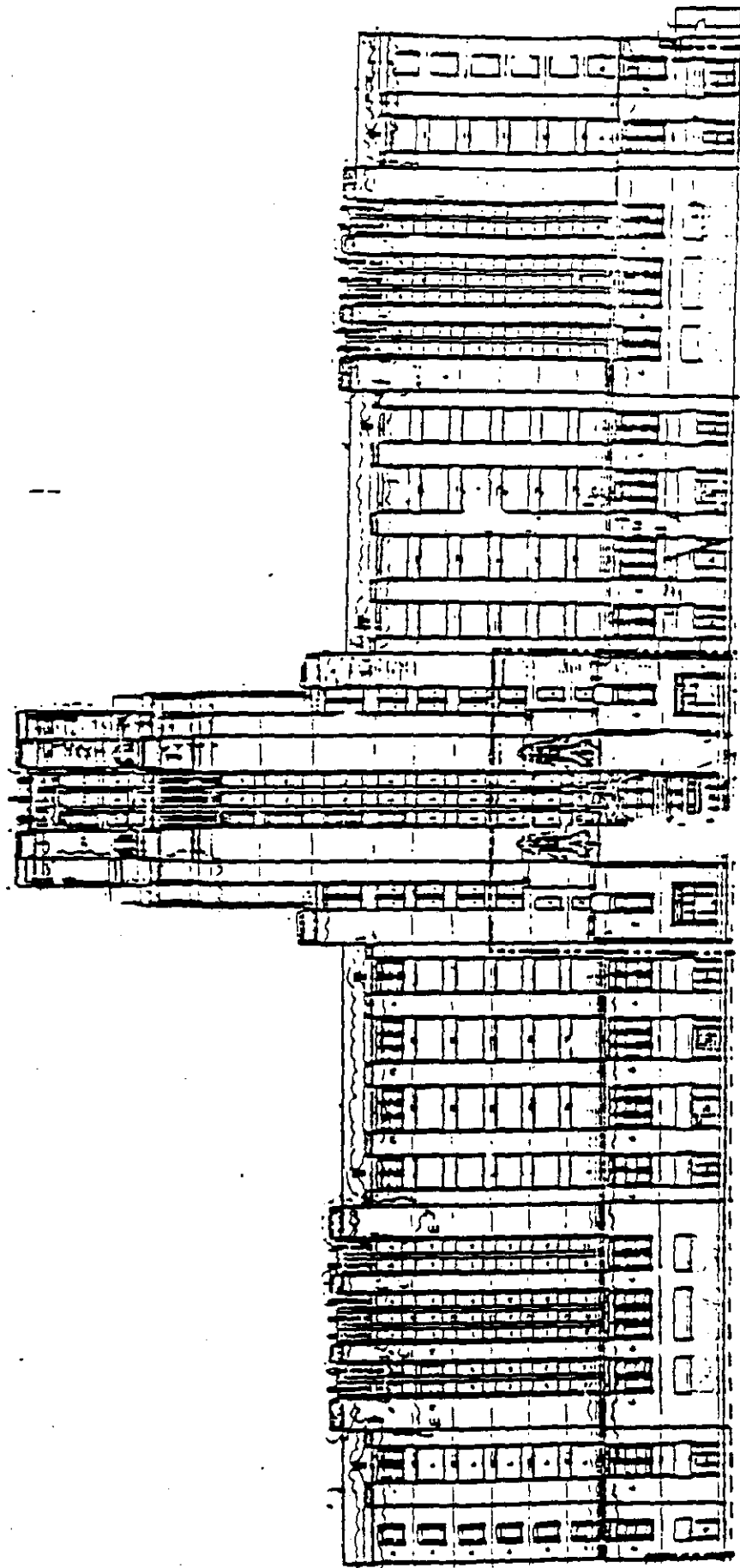
9. Exhibit H, Olmsted Plaza Summary, is amended (a) by deleting the entire column headed "Estimated Construction Period" and (b) by inserting the following at the beginning of Footnote 1:

"It is anticipated that, subject to obtaining necessary approvals, surface parking with a total of approximately 420 parking spaces will be provided on the Sears Lot, the Park Drive Lot and the Brookline Avenue Lot until construction of the Garage. After construction of the Garage, surface parking will be provided on the Park Drive Lot and Brookline Avenue Lot as specified in the chart until construction of the Park Drive Building and Brookline Avenue Building, respectively.

10. Except as set forth above, the PDA/DIP Plan shall remain unmodified and in full force and effect.

ATTACHMENT A

(Attachment Begins on Next Page)

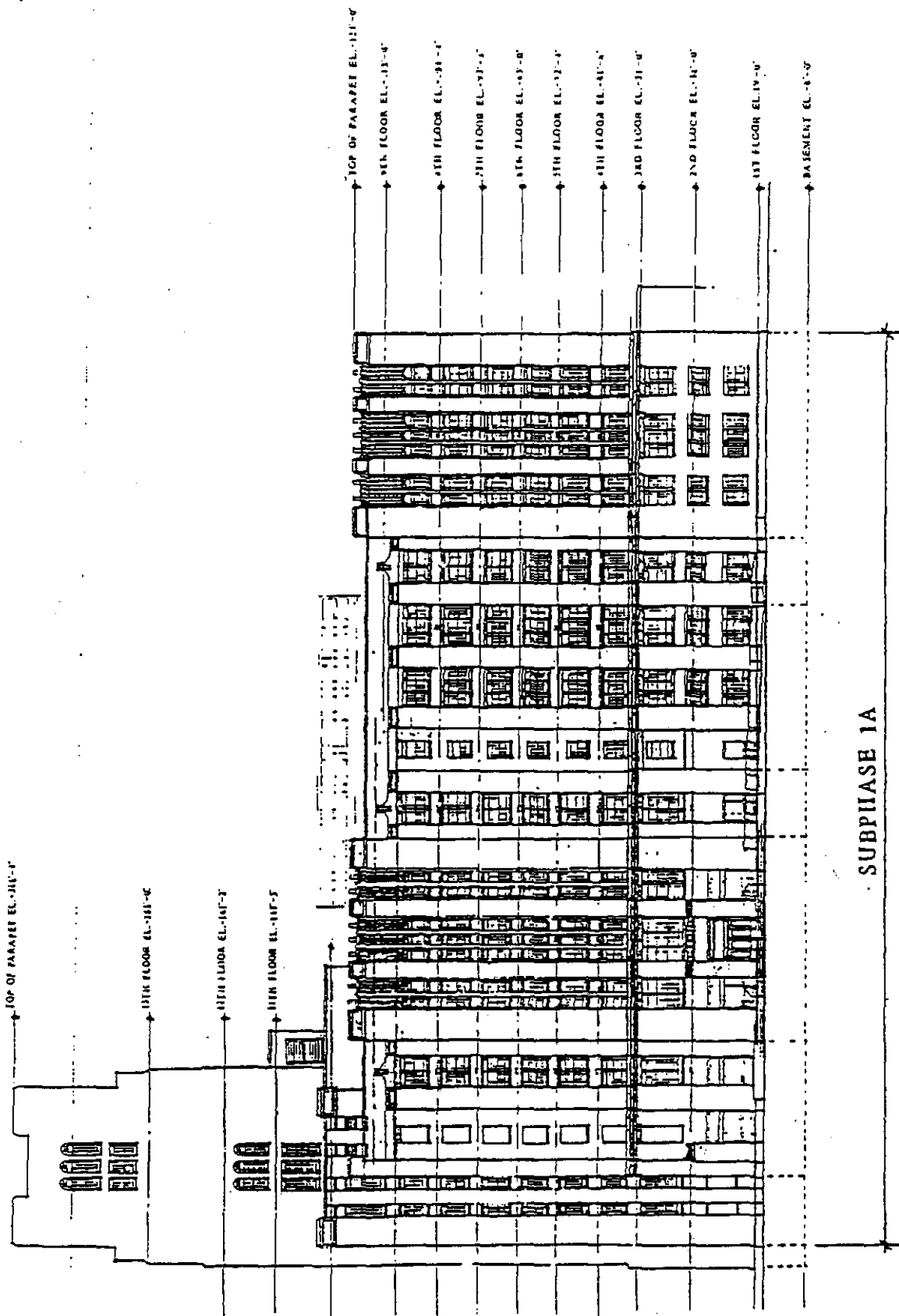


SEARS BUILDING - South elevation

This elevation is shown on a plan entitled "Olmsted Plaza - Design Development Submission, 309 Park Drive, Boston, Massachusetts" dated November 15, 1989 prepared by Notter Finegold + Alexander Inc., Sheet A-10

ATTACHMENT B

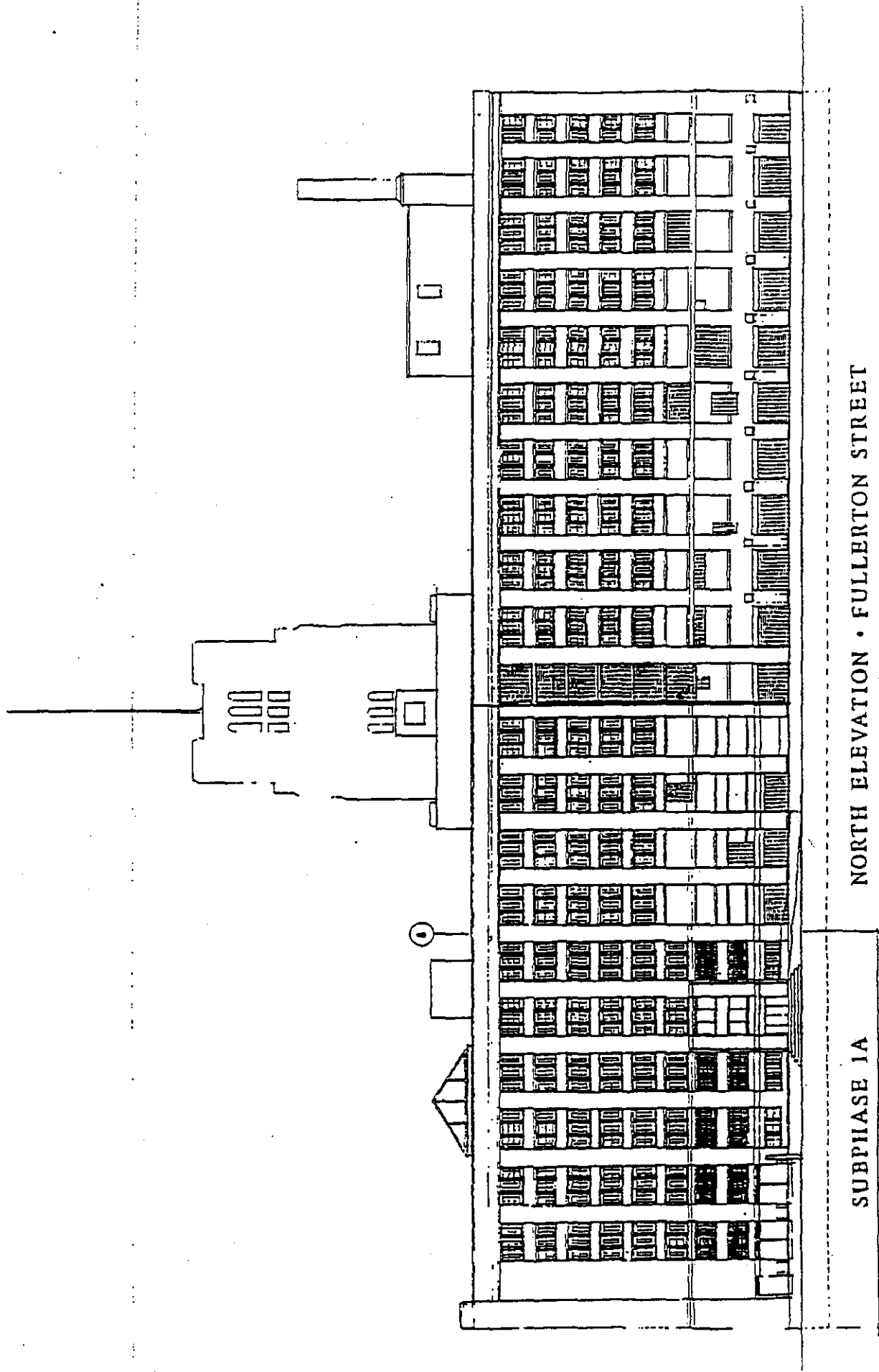
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OLMSTED PLAZA • SUBPHASE 1A • OLMSTED PLAZA ASSOCIATES

NOTTER FINEGOLD + ALEXANDER

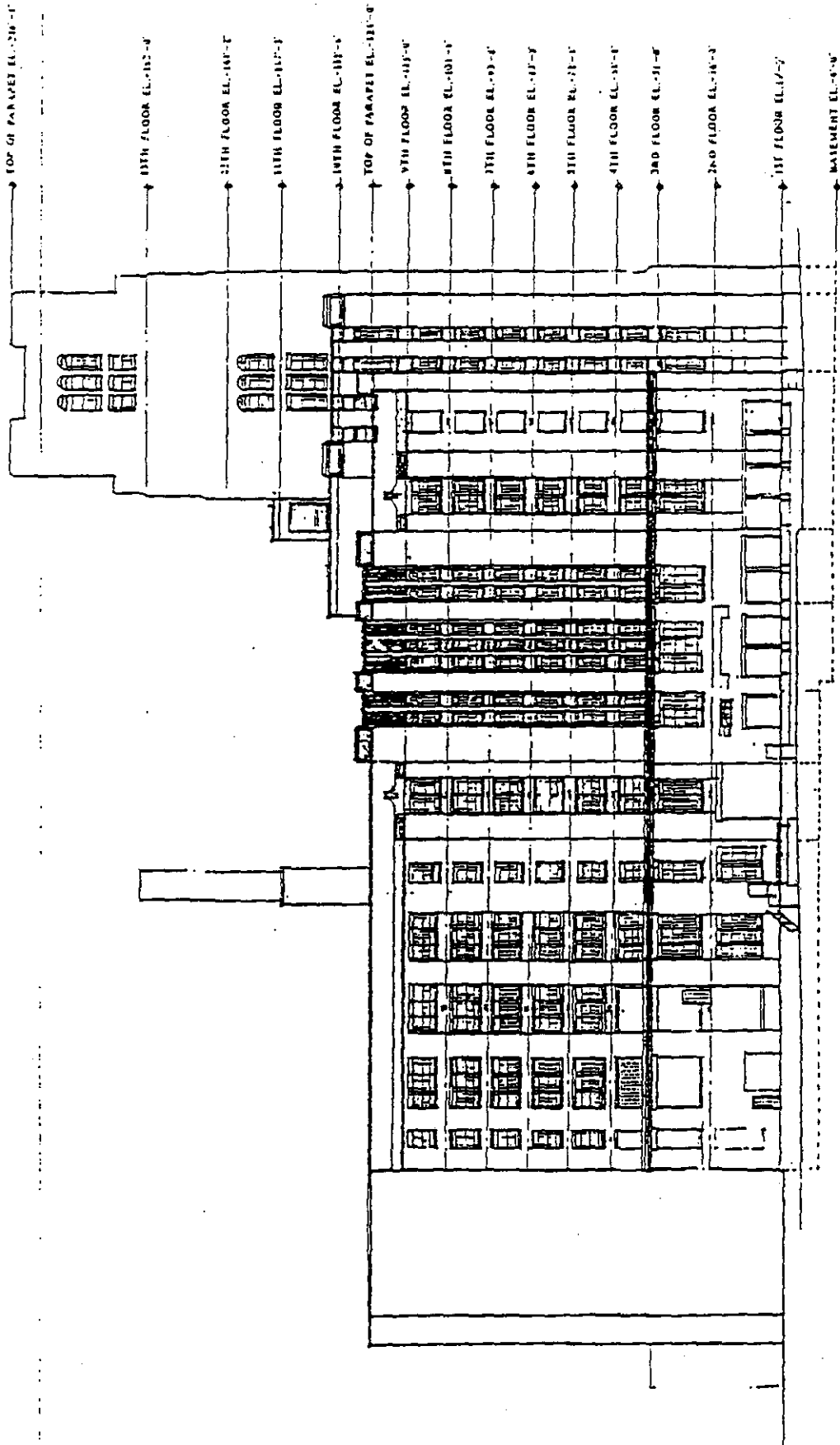
AUGUST 1991



NORTH ELEVATION • FULLERTON STREET

SUBPHASE 1A

OLMSTED PLAZA • SUBPHASE 1A • OLSTED PLAZA ASSOCIATES



WEST ELEVATION • MBTA TRACKS

Amendment to Development Plan
for Planned Development Area No. 36
Boston Redevelopment Authority in
behalf of Olmsted Plaza Associates, its
successors, and assigns.
Olmsted Plaza
Fenway: Brookline Avenue and Park
Drive

AMENDMENT TO DEVELOPMENT PLAN AND
DEVELOPMENT IMPACT PROJECT PLAN FOR
PLANNED DEVELOPMENT AREA NO. 36
OLMSTED PLAZA

EFFECTIVE
October 19, 1991

THE COMMONWEALTH OF MASSACHUSETTS
CITY OF BOSTON
IN ZONING COMMISSION

The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956, as amended, and under Section 3-1A of the Boston Zoning Code, after due report, notice, and hearing does hereby approve, with corrective amendments, the "Amendment to Development Plan and Development Impact Project Plan for Planned Development Area No. 36 Olmsted Plaza," dated July 18, 1991, and approved by the Authority on August 21, 1991, which Amendment amends the "Development Plan and Development Impact Project Plan for Planned Development Area No. 36 Olmsted Plaza," approved by said Authority on November 30, 1989, and by the Zoning Commission on December 13, 1989, effective on approval by the Mayor on December 14, 1989, and which Planned Development Area was designated on "Map 1 Boston Proper," of the series of maps entitled "Zoning Districts City of Boston" dated August 15, 1962, by Map Amendment No. 234, adopted by the Zoning Commission on December 13, 1989, and effective on approval by the Mayor on December 14, 1989.

Amendment to Development Plan for
Planned Development Area No. 36 Olmsted Plaza

Richard B Fowler

Chairman

Vice Chairman

Ray M. Mc. Grath
1022 Gilman
Brent L. May
Edward J. Augustine
Herbert F. Ginn
Robert Jordan

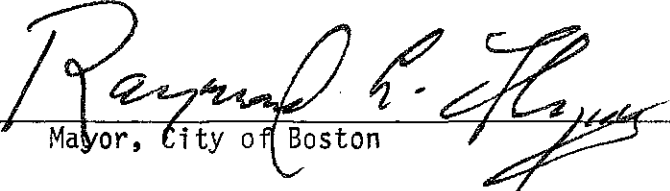
In Zoning Commission

Adopted October 7, 1991

Attest:

Marguerite Kildebrand
Secretary

"Amendment to Development Plan for
Planned Development Area No. 36 Olmsted Plaza"
dated July 18, 1991



Mayor, City of Boston

Date: October 19, 1991

The foregoing vote, with said Amendment to Development Plan, was presented to the Mayor on October 9, 1991, and was signed by him on October 19, 1991, whereupon it became effective on October 19, 1991, in accordance with the provisions of Section 3 of Chapter 665 of the Acts of 1956.

Attest: 

Secretary