

## SECOND AMENDMENT TO DEVELOPMENT PLAN

for

### PLANNED DEVELOPMENT AREA NO. 75

### CHARLESVIEW APARTMENTS, ALLSTON-BRIGHTON

\_\_\_\_\_, 2014 (BRA Board Date)

Pursuant to Section 3-1A and Article 80, Section 80C of the Boston Zoning Code (the "Zoning Code"), this amendment constitutes the Second Amendment to Development Plan for Planned Development Area No. 75 (the "Second Amendment").

#### **The Original Planned Development Area ("PDA") Development Plan for PDA No. 75**

On December 17, 2009, the Boston Redevelopment Authority ("BRA") approved a PDA Development Plan for PDA No. 75 (the "Original PDA Plan"). The Original PDA Plan was approved by the Boston Zoning Commission (the "Zoning Commission") on January 13, 2010, and became effective on January 14, 2010.

The Original PDA Plan was submitted in relation to the Charlesview Redevelopment Project (the "Charlesview Project"), which entailed the redevelopment of approximately 8.73 acres of land divided between two parcels on opposite sides of Western Avenue in Brighton, as shown in Exhibit A and Exhibit C of the Original PDA Plan. The Charlesview Project is comprised of 240 rental units and 100 home ownership units, with approximately 470,163 square feet of residential space, approximately 26,533 square feet of commercial/community space, and a total of 490 parking spaces.

#### **The First Amendment to the Original PDA Plan**

On September 21, 2010, the BRA approved the First Amendment to the Original PDA Plan, which was approved by the Zoning Commission on October 13, 2010, and became effective on October 13, 2010 (the "First Amendment").

The First Amendment added an approximately 0.8 acre site to PDA No. 75 for the purposes of allowing the development of a McDonald's restaurant by the McDonald's Corporation and related landscaping and site improvements, as shown on Exhibit C to the First Amendment.

#### **The Second Amendment to the Original PDA Plan**

This Second PDA Plan Amendment ("Second Amendment") amends the Original PDA Plan to revise the list of permitted uses set forth in Exhibit E of the Original PDA Plan. The following uses will be added to the list of permitted uses for PDA No. 75: Banking and Postal Uses; Adult education center; Community center; Day care center; Day care center, elderly; Library; Art gallery; Art use; Museum; Public art, display space; Studios, arts; Ticket sales; Kindergarten; Fitness Center or gymnasium; Clinic; Agency or professional office; General office; Open space recreational building; Restaurant; Small take-out

restaurant; Large take-out restaurant; Bakery; General retail business; Local retail business; Barber or beauty shop; Caterer's establishment; Photocopying establishment; Shoe repair; Tailor shop.

The Original PDA Plan is hereby amended as follows: By deleting Exhibit E attached to the Original PDA Plan and replacing it by inserting the new Exhibit E, entitled "List of Permitted Uses", attached hereto.

Except as the Original PDA Plan is amended above by this Second PDA Plan Amendment, the Original PDA Plan, as amended by the First Amendment, remains unmodified and in full force and effect. This Second Amendment shall in no way modify or alter Exhibit E to the First Amendment.

**EXHIBIT E**

**PLANNED DEVELOPMENT AREA NO. 75**

**CHARLESVIEW APARTMENTS, ALLSTON-BRIGHTON**

**LIST OF PERMITTED USES**

The following uses will be allowed for PDA No. 75:

- Multifamily Residential
- Community
- Commercial
- Open Space
- Accessory Parking
- Banking and Postal Uses
- Adult education center
- Community center
- Day care center
- Day Care center, elderly
- Library
- Art gallery
- Art use
- Museum
- Public art, display space
- Studios, arts
- Ticket sales
- Kindergarten
- Fitness Center or gymnasium
- Clinic
- Agency or professional office
- General office
- Open space recreational building
- Restaurant
- Small take-out restaurant
- Large take-out restaurant
- Bakery
- General retail business
- Local retail business
- Barber or beauty shop
- Caterer's establishment
- Photocopying establishment

- Shoe repair
- Tailor shop