

BRA APPROVAL: 10/18/12  
ZC APPROVAL: 11/14/12  
EFFECTIVE: 11/16/12

SECOND AMENDMENT TO DEVELOPMENT PLAN  
FOR  
PLANNED DEVELOPMENT AREA NO. 46  
BRIGHTON LANDING  
Dated: October 18, 2012

Pursuant to Section 3-1A and Article 80C of the Zoning Code of the City of Boston ("Zoning Code"), this plan constitutes the Second Amendment to the Development Plan for Planned Development Area No. 46, Brighton Landing ("Second PDA Plan Amendment").

Reference is made to the Development Plan for Planned Development Area No. 46, Brighton Landing, dated February 25, 1999, approved by the Boston Redevelopment Authority (the "BRA") on February 25, 1999 and by the Boston Zoning Commission (the "BZC") on March 24, 1999, which became effective on March 26, 1999 (the "Original PDA Plan"), as amended by a First Amendment to Development Plan for Planned Development Area No. 46, Brighton Landing, dated September 29, 2004, approved by the BRA on December 21, 2004 and by the BZC on January 19, 2005, which became effective on January 19, 2005 (the "First PDA Plan Amendment", and together with the Original PDA Plan, the "Current PDA Plan"). NB Guest Street Associates, LLC has succeeded to all of the rights and interests of B.V. Development, LLC, the Developer of the Original PDA Plan.

The First PDA Plan Amendment was approved to allow WGBH Educational Foundation ("WGBH") to add additional adjacent land as a part of Planned Development Area No. 46, and to allow for the development of a new headquarters facility for WGBH (the "WGBH Headquarters") to be located at One Guest Street in Brighton. The WGBH Headquarters has been developed and is currently occupied by WGBH. As evidence of WGBH's support of this Second PDA Plan Amendment, a letter has been submitted to the BRA by WGBH authorizing and consenting to the same.

Capitalized words not defined herein shall have the meaning ascribed in the Current PDA Plan.

In accordance with Article 80C of the Zoning Code, this Second PDA Plan Amendment is intended to modify the Current Development Plan in the manner set forth below:

(1) By adding a comma and then the following words after the word "manufacturing" in the third paragraph describing the South Building under the **Proposed Development** heading in the Original Plan:

(a) "restaurant, service, clinic (non-institutional, non-hospital use), office, fitness center"

(2) By deleting the fourth sentence in the paragraph under the **Proposed Uses of the Area** heading in the Original PDA Plan and replacing it with:

(a) "The ground-level and second floor of the East Building may be used for lobby area, restaurant, clinic (non-institutional, non-hospital use), retail, service, office and/or research and development use, as well as accessory, ancillary and incidental uses related thereto".

(3) By deleting the fifth sentence in the paragraph under the **Proposed Uses of the Area** heading in the Original PDA Plan and replacing it with:

(a) "The remaining floor area of the East Building may be used for office, clinic (non-institutional, non-hospital use) and/or research and development use, as well as accessory, ancillary and incidental uses related thereto."

(4) By deleting the period after the words "fitness center" which are the last words in the paragraph under the **Proposed Uses of the Area** heading in the Original PDA Plan, replacing the period with a comma and adding the following language:

(a) "although a fitness center may also be located on the ground floor".

Second Amendment to Development Plan for  
Planned Development Area No. 46,  
Brighton Landing


Boston Redevelopment Authority

SECOND AMENDMENT TO DEVELOPMENT PLAN  
FOR  
PLANNED DEVELOPMENT AREA NO. 46, BRIGHTON LANDING,  
BRIGHTON


The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956, as amended, after due report, notice and hearing, does hereby approve the Second Amendment to Development Plan for Planned Development Area No. 46, Brighton Landing, dated October 18, 2012, and approved by the Boston Redevelopment Authority on October 18, 2012.


Said Second Amendment to Development Plan amends "First Amendment to Development Plan for Planned Development Area No. 46, Brighton Landing," approved by the Authority on December 21, 2004, and approved by the Zoning Commission on January 19, 2005, effective, January 19, 2005. Planned Development Area No. 46 was designated on "Map 7A and 7B, Allston-Brighton Neighborhood District" of the series of maps entitled "Zoning Districts City of Boston" dated August 15, 1962, as amended, by Map Amendment No. 354, adopted by the Zoning Commission on March 24, 1999, effective March 26, 1999.


Second Amendment to Development Plan for Planned Development Area No. 46,  
Brighton Landing, Brighton

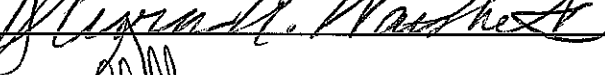
  
Chairman


  
Vice Chairman










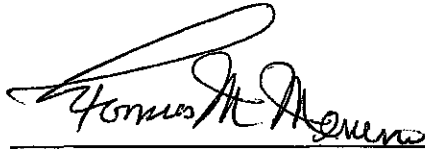


In Zoning Commission

Adopted: November 14, 2012

Attest:   
Executive Secretary

Second Amendment to the Development Plan for Planned Development Area No. 46,  
Brighton Landing, Brighton

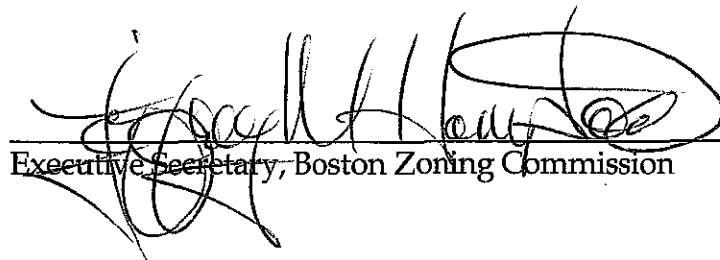


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Mayor, City of Boston

Date: 11/16/13

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The foregoing Second Amendment to the Development Plan, was presented to the Mayor on NOVEMBER 14, 2013, and was signed by him on NOVEMBER 16, 2013, whereupon it became effective on NOVEMBER 16, 2013 in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:

  
\_\_\_\_\_  
Executive Secretary, Boston Zoning Commission

**TO:** BOSTON REDEVELOPMENT AUTHORITY AND  
PETER MEADE, DIRECTOR

**FROM:** BRENDA MCKENZIE, DIRECTOR OF ECONOMIC DEVELOPMENT  
KAIROS SHEN, CHIEF PLANNER  
HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT  
REVIEW  
DAVID CARLSON, SENIOR ARCHITECT/URBAN DESIGNER  
ERICO LOPEZ, SENIOR PROJECT MANAGER

**SUBJECT:** PUBLIC HEARING FOR THE SECOND AMENDMENT TO THE  
DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT AREA NO. 46  
FOR BRIGHTON LANDING LOCATED IN BRIGHTON,  
MASSACHUSETTS

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**SUMMARY:** This Memorandum requests the Boston Redevelopment Authority (the "BRA") (i) authorize the Director to issue pursuant to Section 80A-6 of the Boston Zoning Code (the "Code") a Determination waiving further review of the revised Brighton Landing project; (ii) authorize the Director to issue a Certification of Compliance pursuant to Section 80B-6 of the Code for the revised Brighton Landing project; (iii) approve the Second Amendment to the Development Plan for Planned Development Area No. 46 (the "Second Amendment") for Brighton Landing pursuant to Section 80C of the Code; (iv) authorize the Director to petition the Zoning Commission of the City of Boston (the "Zoning Commission") for approval of the Second Amendment, pursuant to Section 80C-4 of the Code; (v) authorize the Director to issue a Certification of Consistency for the revised Brighton Landing project pursuant to Section 80C-8 of the Code; (vi) authorize the Director to issue any and all documents, or amendments thereto, as may be necessary and appropriate in connection with the Second Amendment and the revised Brighton Landing project.

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**PROPONENT AND PROJECT SITE**

The proponent of the Proposed Project is NB Guest Street Associates LLC., (the "Proponent"). Brighton Landing, encompassed by Planned Development Area No. 46, contains approximately 8.05 acres of land located on both the northerly and southerly sides of Guest Street in Brighton (the "Project Site").

## **BRIGHTON LANDING**

The Development Plan for Planned Development Area No. 46, Brighton Landing (the "Original PDA Plan"), approved by the BRA on February 25, 1999, approved by the Boston Zoning Commission on March 24, 1999 and which became effective on March 26, 1999, involved the construction of approximately 554,155 square feet of floor area on the northerly side of Guest Street for office, research and development, retail and parking, as well as accessory, ancillary and incidental uses related thereto, and also involved the construction of approximately 520,000 square feet of floor area on the southerly side of Guest Street, approximately 100,000 square feet of which was designated for manufacturing, retail and fitness center use, as well as accessory, ancillary and incidental uses related thereto on the ground floor and basement, and the balance of approximately 420,000 square feet was designated for approximately 1,200 accessory off-street parking spaces.

## **THE FIRST AMENDMENT (WGBH)**

The First Amendment to Development Plan for Planned Development Area No. 46 dated September 29, 2004 (the "First PDA Plan Amendment"), approved by the BRA on December 24, 2004, approved by the Zoning Commission on January 19, 2005, and which became effective on January 19, 2005, involved the expansion of the area encompassed by Planned Development Area No. 46 and the construction of approximately 146,717 square feet of floor area on the northerly and southerly sides of Guest Street, and an above-ground connector connecting the building at One Guest Street with the building at 10 Guest Street, in order to allow the WGBH Educational Foundation to use the West Building (as defined in the Original PDA Plan) and the 146,717 square feet of new space for corporate offices, radio and television studios, and state-of-the art multi-media broadcasting, production and communication facilities (the "First PDA Plan Amendment, and together with the Original PDA Plan, the "Current PDA Plan").

## **THE SECOND AMENDMENT (MODIFIED USE)**

The Second Amendment proposes to modify the Current PDA Plan to also authorize the East Building (as defined in the Original PDA Plan) to be used for lobby area, restaurant, retail, office, research and development use, service and a clinic (non-institutional, non-hospital use), to also authorize the South Building (as defined in the Original PDA Plan) to be used for a clinic (non-institutional, non-hospital use), restaurant, service and office, and to confirm that a fitness facility use is allowed on the ground floor as well as the basement. Approval of the Second Amendment is requested of the BRA pursuant to Article 80C of the Code.

**ARTICLE 80 REVIEW**

On August 27, 2012 the Proponent submitted the Second Amendment. On August 2, 2012 the Proponent appeared before the Brighton Allston Improvement Association ("BAIA") detailing the amendment to the Current PDA Plan. The presentation was unanimously approved by the BAIA. The comment period for the Second Amendment concluded on Friday, October 12, 2012.

On October 17, 2012 the Proponent submitted a Notice of Project Change for Article 80B of the Code, Large Project Review ("NPC"). The NPC contained changes to the Brighton Landing project consistent with those changes contained in the Second Amendment.

**DEVELOPMENT TEAM**

The development team consists of:

Proponent: New Brighton Landing LLC.  
Ty Hanlan  
Jay Rourke  
Keith Craig

Legal  
Consultants: Goodwin Procter LLP  
Lawrence Kaplan

**RECOMMENDATION**

Based on the foregoing, staff recommends that the BRA: (i) authorize the Director to issue pursuant to Section 80A-6 of the Code a Determination waiving further review of the revised Brighton Landing project; (ii) authorize the Director to issue a Certification of Compliance pursuant to Section 80B-6 of the Code for the revised Brighton Landing project; (iii) approve the Second Amendment, pursuant to Section 80C of the Code; (iv) authorize the Director to petition the Zoning Commission for approval of the Second Amendment, pursuant to Sections 80C-4 of the Code; (v) authorize the Director to issue a Certification of Consistency for the revised Brighton Landing project pursuant to Section 80C-8 of the Code; (vi) authorize the Director to issue any and all documents, or amendments thereto, as may be necessary and appropriate in connection with the Second Amendment and the revised Brighton Landing project.

Appropriate votes follow:



**VOTED:**

That the Director be, and hereby is, authorized to issue pursuant to Section 80A-6 of the Boston Zoning Code (the "Code") a determination waiving further review for the revised Brighton Landing project in which the East Building may be used for lobby area, restaurant, retail, office, research and development use, service and a clinic (non-institutional, non-hospital use), and the South Building may be used for a clinic (non-institutional, non-hospital use), restaurant, service and office, and a fitness facility use on the ground floor as well as the basement ("Revised Brighton Landing Project"), subject to Boston Redevelopment Authority ("BRA") design review; and

**FURTHER**

**VOTED:**

That the Director be, and hereby is, authorized to issue a Certification of Compliance pursuant to Section 80B-6 of the Code in connection with the Revised Brighton Landing Project upon the completion of the Article 80 processes; and

**FURTHER**

**VOTED:**

That BRA hereby approves the Second Amendment to the Development Plan for Planned Development Area No. 46 (the "Second Amendment") Brighton Landing, pursuant to Section 80C of the Code ; and

**FURTHER**

**VOTED:**

That the Director be, and hereby is authorized to petition the Zoning Commission of the City of Boston (the "Zoning Commission") for approval of the Second Amendment pursuant to Section 80C-4 of the Code, in substantial accord with the Second Amendment presented to the BRA on October 18, 2012; and

**FURTHER**

**VOTED:**

That the Director be, and hereby is, authorized to issue a Certification of Consistency pursuant to Section 80C-8 of the Code for the Revised Brighton Landing Project as described in the Development Plan for Planned Development Area No. 46, as amended ("PDA No. 46 Plan"), when the Director finds that (a) the Revised Brighton Landing Project is described adequately in PDA No. 46 Plan, (b) the Revised Brighton Landing Project is consistent with the PDA No. 46 Plan, and (c) PDA No. 46 Plan has been approved by the BRA and the Zoning Commission in accordance with the applicable provisions of Section 3-1A.a and Section 80C of the Code; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute all agreements and any and all other documents, or amendments thereto, deemed necessary and appropriate by the Director in connection with the Second Amendment and the Revised Brighton Landing Project, subject to such terms and conditions as the Director deems to be in the best interest of the BRA, and to take such other actions deemed necessary and appropriate by the Director in connection with the foregoing.