

BRA APPROVAL: 11/15/12  
ZC APPROVAL: 12/12/12  
EFFECTIVE: 12/30/12

**SECOND AMENDMENT TO DEVELOPMENT PLAN**

**FOR**

**PLANNED DEVELOPMENT AREA NO. 67**

**OLMSTED GREEN**

**American Legion Highway, Morton Street and Harvard Street**

**BOSTON, MASSACHUSETTS**

**Dated: November 15, 2012**

Pursuant to Section 3-1 A and Article 80, Section 80C of the Zoning Code of the City of Boston, this amendment constitutes the Second Amendment to Development Plan for Planned Development Area No. 67 (the "Second Amendment").

On January 26, 2006, the Boston Redevelopment Authority (the "BRA") approved a zoning Map Amendment Application to establish Planned Development Area No. 67 and a Development Plan for Planned Development Area No. 67, Olmsted Green (the "PDA Plan"). On February 15, 2006, the Boston Zoning Commission adopted said Map Amendment and approved the PDA Plan (together, the "Original PDA Plan").

The Original PDA Plan encompasses an approximately 42.5-acre site in the Mattapan section of Boston, comprising three parcels of land (the "Site"). Two of the parcels, owned by Lena New Boston LLC (the "Proponent"), are the former Boston State Hospital campus parcels which abut the east and west sides of Morton Street, (designated as the "East Campus" and "West Campus", respectively). The third parcel is an approximately four-acre parcel owned by Lena Park Community Development Corporation (the "Lena Park Parcel") and is adjacent to the East Campus. The Original PDA Plan provides for the construction of a mixed-use development, including residential, senior housing, community facilities, mental health program space, urban farming, retail, open space, accessory parking and recreational facilities known as the Olmsted Green Project. As set forth in the Original PDA Plan, the Olmsted Green Project involves the development on the Site of multiple buildings and facilities containing a total combined Gross Floor Area of approximately 851,000 square feet.

## First Amendment to the Original PDA Plan

A First Amendment to the Original PDA Plan (“First Amendment”) amended the Original PDA Plan by reducing the Senior Housing from 83 Units and approximately 76,000 square feet to 59 Units and approximately 59,049 square feet. The First Amendment also decreased the total Gross Floor Area for the Olmsted Green Project from approximately 851,000 square feet to approximately 834,000 square feet. The First Amendment was approved by the BRA on November 16, 2010 and adopted by the Boston Zoning Commission on November 17, 2010 (collectively the First Amendment and the Original PDA Plan are herein after referred to as the “Amended PDA Plan”).

## Second Amendment to the Amended PDA Plan

This Second Amendment to the Amended PDA Plan (“Second Amendment”), as set forth below, amends the Amended PDA Plan only with respect to permitted uses for the Lena Park Parcel, the square footage for the Project Component on the Lena Park Parcel, and the total Gross Floor Area for the Olmsted Green Project. This Second Amendment amends the provision that the Lena Park Parcel may be used for a Lena Park Training, Education and Job Advancement Center and Recreation Facility of approximately 80,000 square feet and revises the permitted use to that of a community center and school having a floor area of approximately 61,000 square feet. This Second Amendment also reduces the total Gross Floor Area for the Olmsted Green Project to approximately 815,000 square feet. Capitalized terms in this Second Amendment, unless otherwise defined herein, shall have the meaning set forth in the Amended PDA Plan.

The Second Amendment hereby amends the Amended PDA Plan as follows:

1. In Section 1, entitled “Development Plan”, the third sentence is amended by inserting after the phrase “employment and job training facilities,” the phrase “school facilities, wireless communications equipment (rooftop antennae and appurtenant equipment),”

2. In the table located at the end of Section 3 entitled “Project Site”, the line item identified as “E1 – Lena Park Training, Education & Job Advancement Center and Recreation Facility” and the line item identified as “Total” are hereby deleted and replaced with the following text:

	USE	Approximate Gross Floor Area	Approximate #of Acres
E1	Community Center and School	61,000	3.9
	<b>Total:</b>	<b>815,000± GFA</b>	<b>42.4</b>

3. Section 4, entitled “Project Description”, is amended by deleting the fourth bullet point and inserting the following text in its place:

- A renovated and expanded Lena Park Building to contain a community center with facilities for uses such as recreation, social, educational and job training programs for youth, adults and seniors, daycare and associated offices (the “Community Center Component”) and a School (as defined in Article 2A of the Boston Zoning Code, in effect as of the date of this Second Amendment) (the “School Component”);

4. Section 7, entitled “Proposed Traffic Circulation”, is amended by deleting the seventh, eighth and ninth sentences of the third paragraph and inserting the following text in their place:

The Lena Park Parcel will be accessed by two curb cuts on American Legion Highway.

5. Section 11, entitled “Parking and Loading”, is amended by striking the second sentence and inserting in its place:

The East Campus will have approximately 336 parking spaces comprising approximately 218 surface off-street parking spaces and approximately 118 on-street spaces shared by the Project Components within the East Campus.

6. Section 13.3, entitled “Greenbelt Protection Overlay District”, is amended by inserting the following sentences at the end:

The Lena Park Parcel is located within the American Legion Highway Protection Overlay District. The developer of the Lena Park Parcel will submit its site plan and proposed building elevations to the Boston Parks Commission consistent with the greenbelt protection standards set forth in Section 29-6 of the Boston Zoning Code. The developer of the Lena Park Parcel will obtain a written determination from the Boston Parks Commission as to whether said standards are met. The developer of the Lena Park Parcel will provide a copy of this letter to the BRA prior to the issuance of a Certificate of Consistency. Accordingly, the developer of the Lena Park Parcel will not be required to obtain a conditional use permit from the Board of Appeal for the Community Center Component and the School Component of the Project.

7. Section 15, entitled “Public Benefits”, is amended by striking the second bullet point and inserting in its place:

- **Community Center.** The Community Center Component will have facilities for uses such as recreation; social, educational and job training programs for youth, adults and seniors; daycare and associated offices;
- **School.** The School Component will include a school serving approximately 475 students in grades K-8;

8. In Section 16, entitled “Development Schedule and Phasing of the Project”, the table entitled “Anticipated Project Phasing Schedule” is amended by deleting the Lena Park Community Center Component from Phase 2, and inserting a new Phase 2A in the table immediately after Phase 2, as follows:

<i>Phase 2A, Commencement 2013</i>	
<i>West Campus</i>	<i>East Campus</i>
	<ul style="list-style-type: none"> <li>▪ Lena Park Community Center Component and School Component</li> </ul>

9. In Exhibit C, at the end of the table entitled “Project Team Members” add the following parties:

Architect for Lena Park Building	Arrowstreet, Inc. 212 Elm Street Somerville MA 02144 Tel: 617-623-5555 <i>Larry Spang</i> <i>spang@arrowstreet.com</i>
Legal Counsel to Edward Brooke Charter School (School Component)	Klein Hornig LLP 145 Tremont Street, Suite 400 Boston, MA 02111 Tel: 617-224-0600 <i>John Achatz</i> <i>jachatz@kleinhornig.com</i>

10. In Exhibit D, the portion of Figure D-1 depicting the Lena Park Parcel is superseded by the drawing entitled “Edward Brooke 2 Charter School, Site Concept”, dated July 31, 2012, 2012, prepared by Copley Wolff Design Group and Arrowstreet, attached to this Second Amendment as Exhibit D.

11. In Exhibit E, Figure E-3 depicting the building elevation of the Lena Park Community Center is deleted and replaced with the figure entitled “Brook 2 Charter Public School, Proposed Improvements Elevations”, dated 30 August, 2012, prepared by Arrowstreet attached to this Second Amendment as Exhibit E.

12. Except as expressly set forth this Second Amendment, the Amended PDA Plan remains in full force and effect unchanged.

EXHIBIT D

REVISED SITE PLAN FOR LENA PARK PARCEL

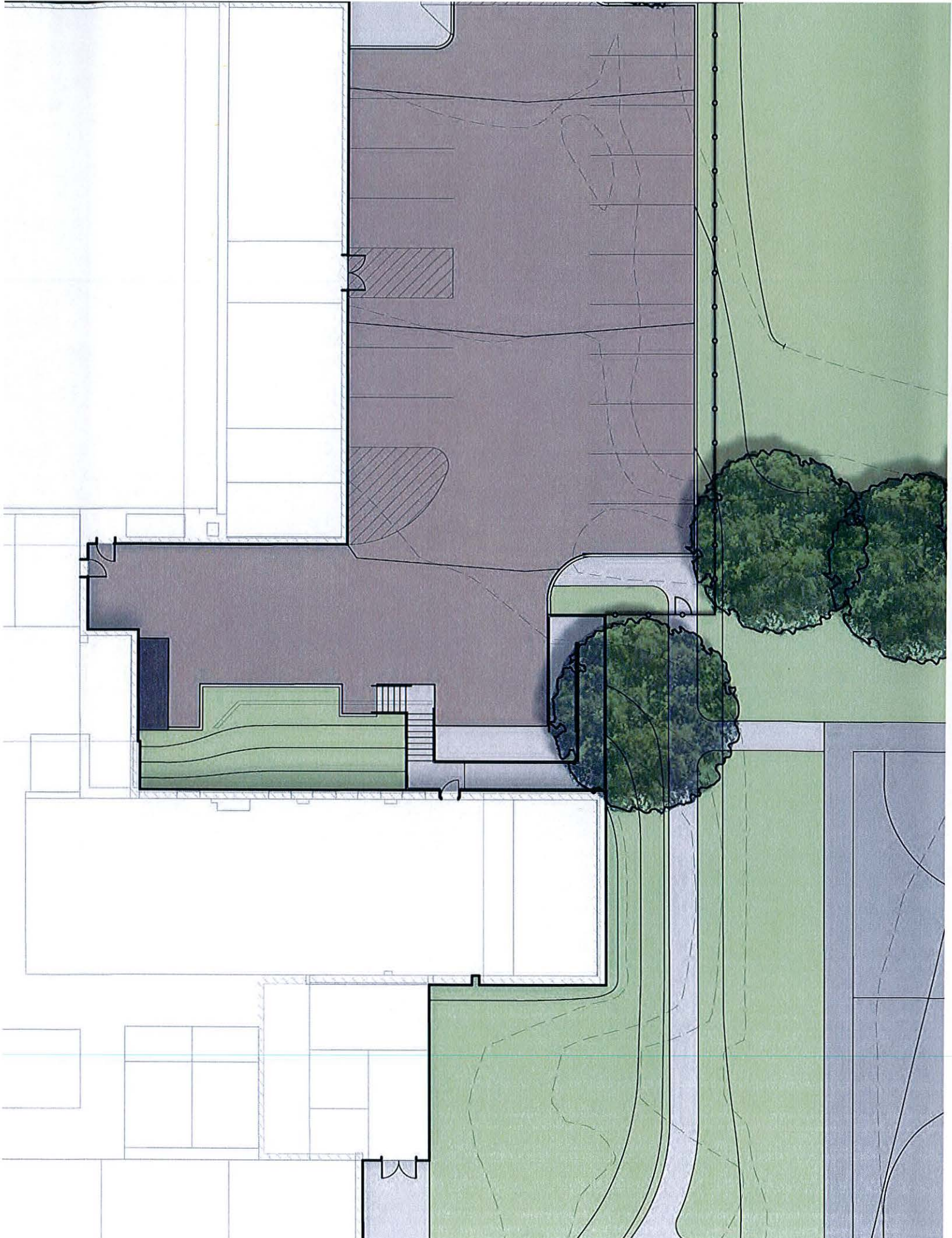
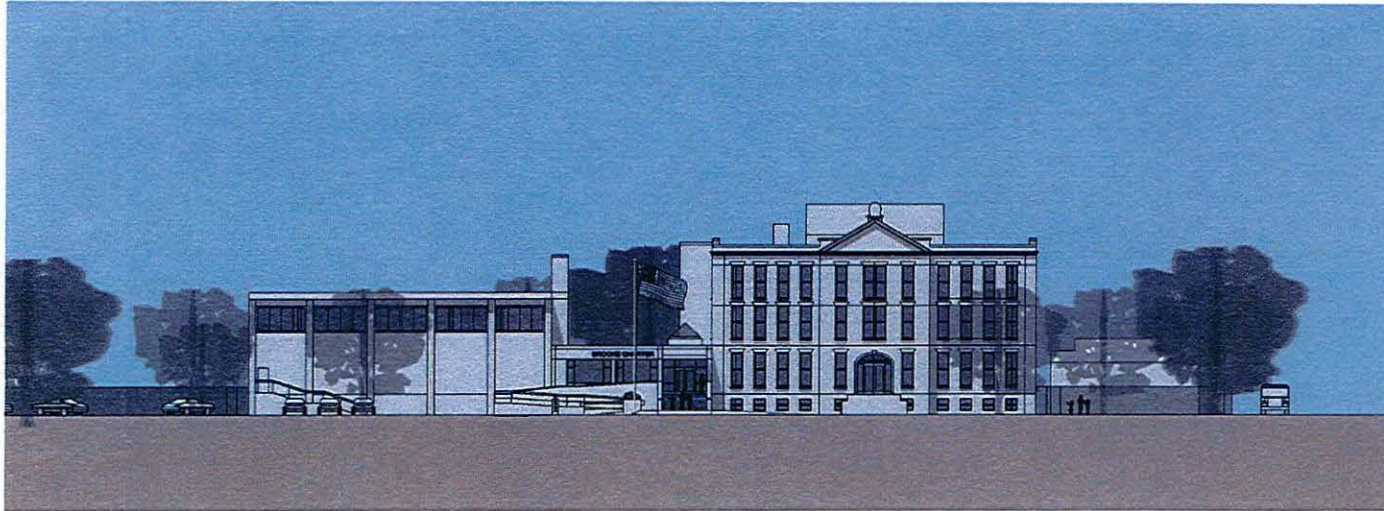


EXHIBIT E

REVISED ELEVATIONS FOR LENA PARK PARCEL

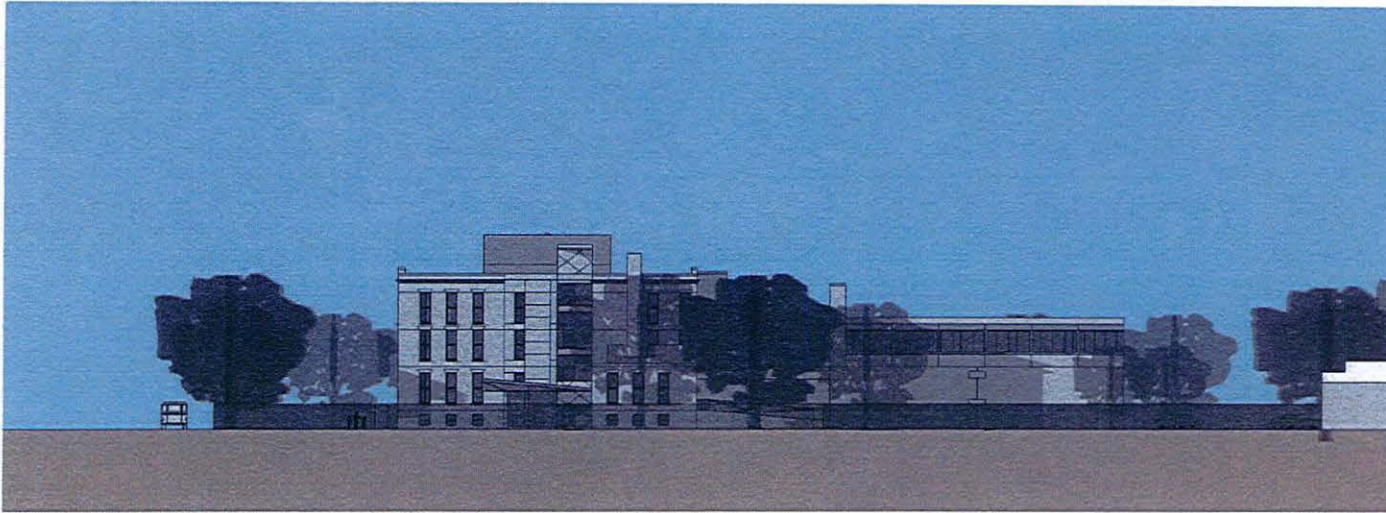




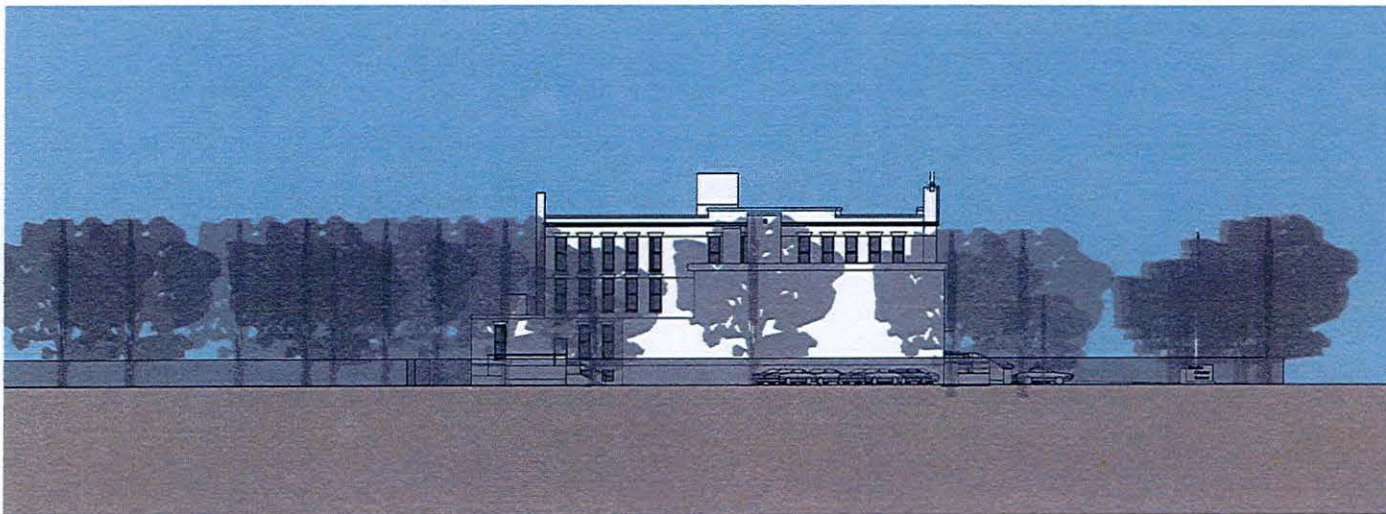
Northwest Elevation



Southwest Elevation



Southeast Elevation



Northeast Elevation

Second Amendment to the Development Plan  
for Planned Development Area No. 67,  
Olmsted Green

Boston Redevelopment Authority on behalf of  
Lena New Boston, LLC

SECOND AMENDMENT TO DEVELOPMENT PLAN

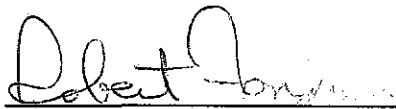
FOR

PLANNED DEVELOPMENT AREA NO. 67  
OLMSTED GREEN, MATTAPAN

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 the Development Plan for Planned Development Area No. 67, Olmsted Green, dated November 15, 2012, and approved by the Boston Redevelopment Authority on November 15, 2012.

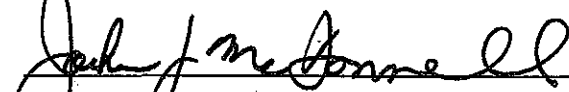
Said Second Amendment amends "Development Plan for Planned Development Area No. 67, Olmsted Green," approved by the Authority on January 26, 2006, and approved by the Zoning Commission on February 15, 2006, effective, February 15, 2006. Planned Development Area No. 67 was designated on "Map 8B, Greater Mattapan Neighborhood District" of the series of maps entitled "Zoning Districts City of Boston" dated August 15, 1962, as amended, by Map Amendment No. 455, adopted by the Zoning Commission on February 15, 2006, effective February 15, 2006.

Second Amendment to Development Plan for Planned Development Area No. 67,  
Olmsted Green, Mattapan

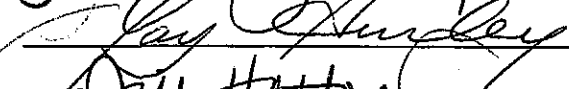


Chairman

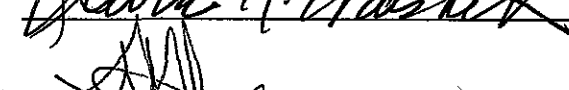
Vice Chairman

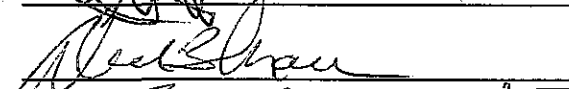


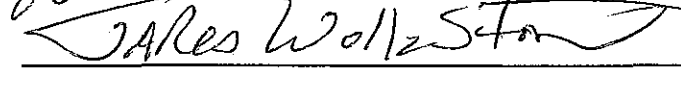








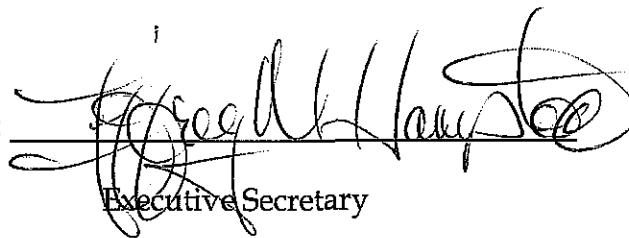




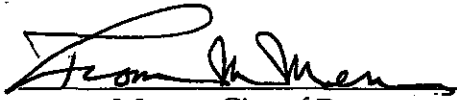
In Zoning Commission

Adopted: December 12, 2012

Attest:

  
Executive Secretary

Second Amendment to the Development Plan for Planned Development Area No. 67,  
Olmsted Green, Mattapan

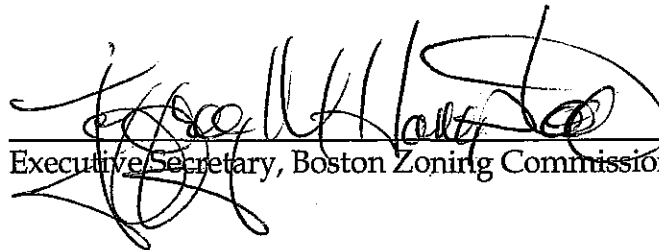
  
\_\_\_\_\_  
Mayor, City of Boston

Date: 12-20/12

---

The foregoing Second Amendment to the Development Plan, was presented to the Mayor on ~~DECEMBER 18, 2012~~, and was signed by him on ~~DECEMBER 20, 2012~~ whereupon it became effective on ~~DECEMBER 20, 2012~~ in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:

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

**MEMORANDUM****NOVEMBER 15, 2012**

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

**FROM:** BRENDA MCKENZIE, DIRECTOR OF ECONOMIC DEVELOPMENT  
HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT  
REVIEW  
LANCE CAMPBELL, SENIOR PROJECT MANAGER

**SUBJECT:** PUBLIC HEARING - SECOND AMENDMENT TO THE DEVELOPMENT  
PLAN FOR PLANNED DEVELOPMENT AREA NO. 67, OLMSTED  
GREEN, IN MATTAPAN

**SUMMARY:** This Memorandum requests, as part of the scheduled Public Hearing regarding the Olmsted Green Project located on American Legion Highway, Morton Street and Harvard Street in Mattapan, that the Boston Redevelopment Authority ("BRA" or "Authority"): [A] approve the Second Amendment to the Development Plan for Planned Development Area No. 67, (the "Second Amendment"), Olmsted Green Project, pursuant to Section 80C of the Boston Zoning Code (the "Code"); and [B] authorize the Director to: (1) issue a Determination waiving the requirement of further review of the Edward W. Brooke Charter School portion of the Olmsted Green Project pursuant to Section 80A-6 of the Code; (2) issue a Certification of Compliance pursuant to Section 80B-6 of the Code for the Edward W. Brooke Charter School portion of the Olmsted Green Project; (3) petition the Boston Zoning Commission for the approval of the Second Amendment ; (4) issue a Certification of Consistency pursuant to Section 80C-8 of the Code for the Edward W. Brooke Charter School portion of the Olmsted Green Project; and (5) execute a Cooperation Agreement, a Boston Residents Construction Employment Plan, and any and all other agreements, amendments and documents that the Director deems appropriate and necessary.

**PROJECT SITE**

The approximately 42.5-acre site in the Mattapan section of Boston consists of two former Boston State Hospital campus parcels on the west and east sides of Morton Street, owned by Lena New Boston LLC, and an adjacent approximately four acre parcel owned by Lena Park Community Development Corporation. The land on the

west side of Morton Street is also bounded by Harvard Street and the Mattapan Wellington Hill residential neighborhood to the south, the Massachusetts Audubon Boston Nature Center to the north, and the Massachusetts Biologic Laboratories to the west. On the east side of Morton Street, the property is bordered by the American Legion Highway and Franklin Park to the north, a Massachusetts Department of Youth Services correctional facility to the east, and the Harvard Commons residential development to the south. The Lena Park property at 150 American Legion Highway contains an existing 57,000 square foot building formerly occupied by the Hecht House, a Jewish community and recreation center. The building is owned and occupied by Lena Park Community Development Corporation and is roughly 50% underutilized (the "Project Site").

### **PROJECT BACKGROUND**

On December 3, 2004, Lena New Boston LLC (the "Developer"), filed a Letter of Intent in accordance with the BRA's policy regarding Provision of Mitigation by Development Projects in Boston. On January 18, 2005, the Developer filed a Project Notification Form ("PNF"). Notice of the receipt by the BRA of the PNF was published in the Boston Herald on January 18, 2005, which initiated a 30-day public comment period with a closing date of February 22, 2005. The Notice and the PNF were sent to the City's public agencies pursuant to Section 80A-2 of the Boston Zoning Code (the "Code").

Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on January 28, 2005, with the City's public agencies where the Olmsted Green Project (the "Project") was reviewed and discussed. The BRA issued a Scoping Determination, pursuant to Section 80B-5 of the Code, on March 22, 2005.

The Developer filed a Draft Project Impact Report ("DPIR") for the Project on November 3, 2005, which initiated a 75-day public comment period with a closing date of January 23, 2006. The DPIR was sent to the City's public agencies pursuant to Section 80A-2 of the Code.

Pursuant to Section 3-1A and Article 80C of the Code, the Developer filed a Development Plan for Planned Development Area ("PDA") No. 67 on December 7, 2005, which initiated a 45-day comment period with a closing date of January 23, 2006.

PDA No. 67 was approved by the BRA Board on January 26, 2006 and by the Boston Zoning Commission on February 15, 2006.

On November 16, 2010 the BRA approved and adopted the First Amendment to the Development Plan for PDA No. 67, Olmsted Green (the "First Amendment").

## **PROPOSED PROJECT**

On January 26, 2006, the BRA Board approved the Olmsted Green Project as proposed by the Developer, which called for the development of approximately 851,000 square feet on the Project Site. The Project Site is divided into Olmsted West and Olmsted East, on either side of Morton Street.

Olmsted West, containing approximately 24 acres, was approved for approximately 287 units of for-sale housing and approximately 51 rental units, a 3,000 square foot gateway center, and approximately 519 on and off street parking spaces.

Olmsted East, containing approximately 14.5 acres, was approved for approximately 102 rental units, a renovated and expanded community center on the Lena Park parcel, containing a Training, Education and Job Advancement Center ("TEDJAC") and a recreation facility, to be developed, owned and operated by Lena Park. Also on the site will be a 123-bed skilled nursing facility, to be developed, owned and operated by the Vinfen Corporation, approximately 83 units of senior rental housing, to be developed by HEARTH, Heritage House, envisioned as a clubhouse and a daycare program for DMH clients, offices for the Alliance for the Mentally Ill, an exhibition space to display and honor the mental health heritage of the former Boston State Hospital, an urban farm/food production center, including a job training component with a retail incubator featuring freshly prepared foods and organic produce, and approximately 371 on- and off-street parking spaces (the "Approved Project").

To date, fifty-one (51) rental units and nineteen (19) homeownership units have been constructed on Olmsted West and one hundred fifty-nine (159) rental units have been constructed on Olmsted East.

## **PROPOSED AMENDMENT**

On September 6, 2012, Lena Park Community Development Corporation and the Edward W. Brooke Charter School filed a Second Amendment to PDA No. 67 (the "Second Amendment"), which initiated a 45-day comment period, with a closing date of October 26, 2012. This Second Amendment amends PDA No. 67, as amended by the First Amendment, only with respect to permitted uses for the Lena Park Parcel, the square footage for the Project Component on the Lena Park Parcel, the total Gross Floor Area for the Olmsted Green Project and matters incidental thereto. This Second Amendment amends the provision that the Lena Park Parcel may be used for a Lena Park Training, Education and Job Advancement Center and Recreation Facility of approximately 80,000 square feet and revises the permitted use to that of a community center and School having a floor area of approximately 61,000 square feet. This Second Amendment also reduces the total Gross Floor Area for the Olmsted Green Project to approximately 815,000 square feet.



In addition, on September 6, 2012, Lena Park Community Development Corporation and the Edward W. Brooke Charter School, in conjunction with Lena New Boston LLC, filed a Notice of Project Change ("NPC") to update the Draft Project Impact Report for Olmsted Green pursuant to Article 80 of the Code. The NPC contained the same revisions to the Olmsted Green Project as the Second Amendment.

### **RECOMMENDATIONS**

BRA staff recommends that the Authority (A) approve the Second Amendment and (B) authorize the Director to (1) issue a Determination waiving the requirement of further review pursuant to Section 80A-6 of the Code for the Edward W. Brooke Charter School portion of the Olmsted Green Project; (2) issue a Certification of Compliance pursuant to Section 80B-6 of the Code for the Edward W. Brooke Charter School portion of the Olmsted Green Project; (3) petition the Boston Zoning Commission for the approval of the Second Amendment; (4) issue a Certification of Consistency pursuant to Section 80C-8 of the Code for the Edward W. Brooke Charter School portion of the Olmsted Green Project; and (5) execute a Cooperation Agreement, a Boston Residents Construction Employment Plan, and any and all other agreements, amendments and documents that the Director deems appropriate and necessary.

Appropriate votes follow:

**VOTED:** That the Director be, and hereby is, authorized to issue a Determination under Section 80A-6 of the Boston Zoning Code (the "Code"), which (i) finds that the Notice of Project Change submitted to the Boston Redevelopment Authority ("BRA") by Lena Park Community Development Corporation and the Edward W. Brooke Charter School on September 6, 2012 ("NPC") adequately describes the potential impacts arising from the renovation of the building located at 150-160 American Legion Highway for the Edward W. Brooke Charter School ("Edward W. Brooke Charter School Portion of the Olmsted Green Project"); and (ii) waives further review of the Edward W. Brooke Charter School Portion of the Olmsted Green Project, subject to continuing design review by the BRA; 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 for the Edward W. Brooke Charter School Portion of the Olmsted Green Project upon the successful completion of the Article 80 processes of the Code; and

**FURTHER**

**VOTED:** That the BRA hereby finds and determines that the Second Amendment to the Development Plan for Planned Development Area No. 67 (the "Second Amendment") complies with Section 80C-4(a)-(e), Standards for Planned Development Area Review Approval of the Boston Zoning Code; and

**FURTHER**

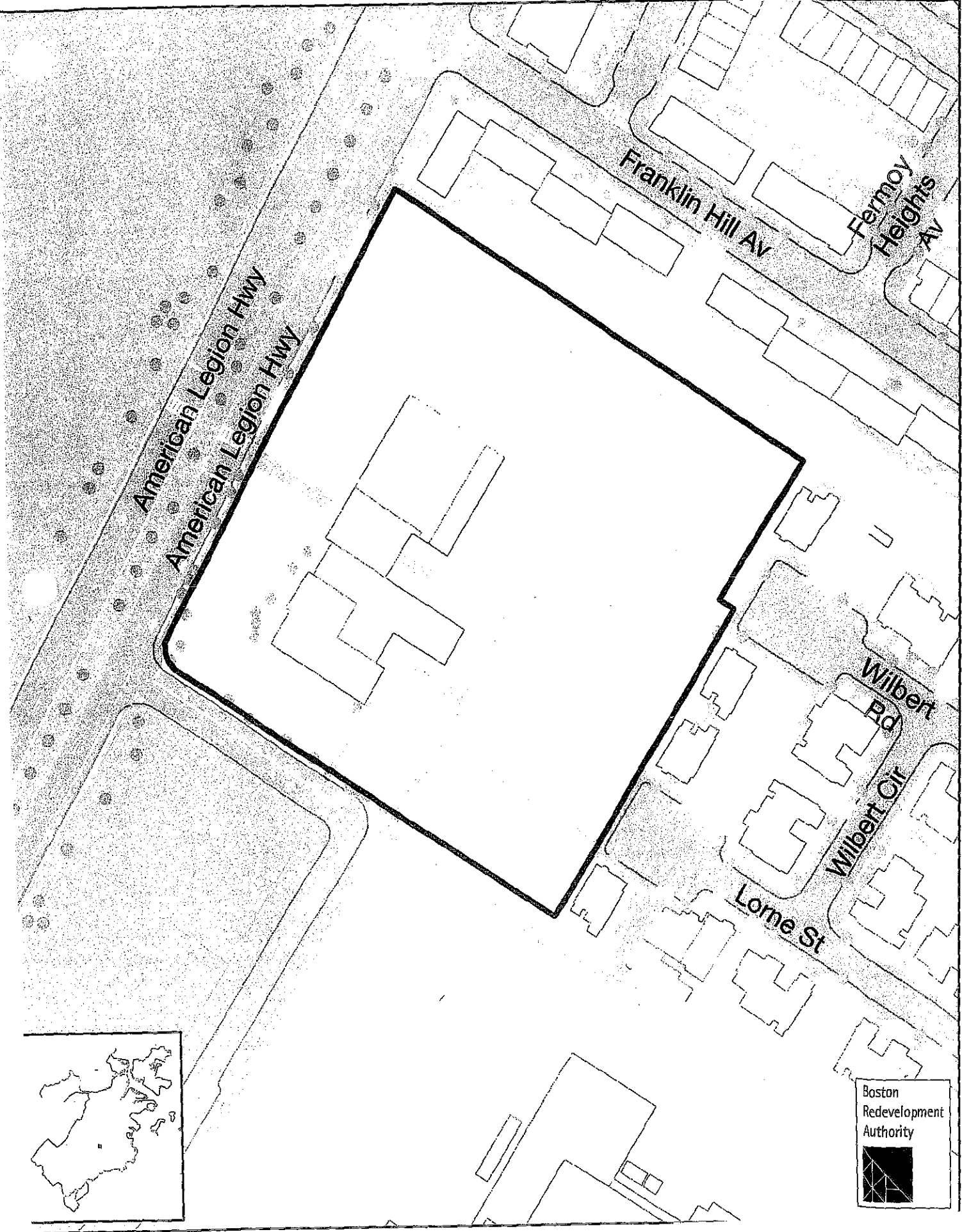
**VOTED:** That pursuant to the provisions of Section 3-1A.a and Article 80C of the Code, the Authority hereby approves the Second Amendment and authorizes the Director to petition the Boston Zoning Commission for approval of the Second Amendment, in substantial accord with the form of Second Amendment submitted to the Authority and attached hereto; and

**FURTHER**

**VOTED:** That upon approval of the Second Amendment by the Boston Zoning Commission, the Director be, and hereby is, authorized to issue a Certification of Consistency for the Edward W. Brooke Charter School Portion of the Olmsted Green Project pursuant to Sections 80C-8 of the Code; and

**FURTHER**

**VOTED:** That the Director be and hereby is authorized to execute a Cooperation Agreement, a Boston Residents Construction Employment Plan and any and all other agreements, amendments and documents deemed appropriate and necessary by the Director and containing terms and conditions determined by the Director to be in the best interest of the BRA.



Boston  
Redevelopment  
Authority



# Lena Park & Edward W. Brooke Carter School

1:1,200  
2011 Aerial

