

BOSTON REDEVELOPMENT AUTHORITY

MARCH 27, 1991

DEVELOPMENT IMPACT PROJECT PLAN

AND

THIRD AMENDMENT TO AND RESTATEMENT OF DEVELOPMENT PLAN

FOR

THE BRIGHAM AND WOMEN'S HOSPITAL, INC. ("BWH")

PLANNED DEVELOPMENT AREA NO. 10

Bounded Southerly by Huntington Avenue and Francis Street, Westerly by Binney Street, Northerly by land of Dana Farber Cancer Institute, Inc., land of The Children's Hospital Corporation and by Shattuck Street (a private way), and Easterly by land of the President and Fellows of Harvard College, Boston, Massachusetts.

Background and History:

A Development Plan for Planned Development Area No. 10, dated October 6, 1976 was approved by the Boston Redevelopment Authority (the "Authority") on October 21, 1976 (the "Development Plan"). The Development Plan, as amended, relates to a parcel of land in the Roxbury section of Boston, Massachusetts, bounded generally as described above and specifically as described below under "Site".

The Development Plan permitted the construction of a hospital bed tower, a laboratory building, and an ambulatory care center (Ambulatory Services Building I or "ASB I"). On the basis of that Development Plan, the Boston Zoning Commission, on October 22, 1976, adopted Map Amendment No. 145 to the Boston Zoning Code (the "Zoning Code"), creating an H-3-D subdistrict with respect to the Planned Development Area (the "PDA") referred to in the Development Plan. Subsequently BWH obtained from the Boston Board of Appeal (the "Board") exceptions from the Zoning Code, consistent with the Development Plan, relating to the new hospital, at the corner of Francis and Binney Streets, in the "New Hospital Area" part of the PDA. The bed tower, laboratory building and ASB I were constructed and occupied in due course.

The Development Plan was amended by Amendment to Development Plan for Planned Development Area No. 10 approved by the Authority on January 21, 1982 (the "1982 Amendment"):

- (1) to make certain adjustments to the internal parcel lines within the PDA; and
- (2) to permit the construction of two new buildings, namely a former version of Ambulatory Services Building II ("ASB II") to be erected adjacent to ASB I, with access via Francis Street, and the Research Building (now known as the Thorn Building) to be constructed to the northeast of ASB II.

After Zoning Commission approval of the 1982 Amendment, BWH obtained from the Board exceptions from the Zoning Code, consistent with the 1982 Amendment. The Thorn Building was constructed and occupied in due course. BWH did not commence construction of the original version of ASB II as contemplated in the 1982 Amendment and the exceptions for it lapsed.

The Development Plan was further amended by a Development Impact Project Plan and Second Amendment to and Restatement of Development Plan, dated March 21, 1985, approved by the Authority on May 9, 1985 (the "1985 Amendment"), providing for further changes in internal parcel lines and a redesigned version of ASB II together with an atrium, entrance lobby and underground parking garage. After approval of the 1985 Amendment by the Zoning Commission and the granting of exceptions by the Board, the facilities referred to in the 1985 Amendment were constructed and occupied in due course.

BWH now wishes to construct the following additional facilities:

1. A Clinical Support Facility (the "CSF") on Shattuck Street (a private way). As proposed, the CSF will consist of a building containing 9 full levels above grade plus an intermediate level between levels three and four (plus a mezzanine level and two full floor levels below grade, and an additional full floor of mechanical penthouse areas), and two above grade pedestrian connectors (also referred to herein as bridges): a) to the existing Bed Tower, and b) across Shattuck Street to Children's Hospital. The CSF will be located primarily on the site presently occupied by the Tackaberry Building, lying just to the east of the existing hospital bed tower complex.

The CSF has been designed primarily to house obstetrical services, including a labor and delivery

unit, a neonatal intensive care unit, and offices and support staff areas.

The CSF is designed to have approximately 234,056 s.f. of gross floor area (after deduction of F.A.R. exclusions permitted under Section 2-1 [21] of the Zoning Code; all building square footages given in this document are after deduction of those exclusions).

2. The Tower Lobby Extension project (the "Tower Lobby Extension") consists of additional public areas and admitting services space proximate to the bed tower at ground level. Phase I of the Tower Lobby Extension, consisting of approximately 5,500 s.f., located at the northeast corner of the bed tower, was completed in 1988. A maximum additional area of 34,677 s.f. will be constructed in three phases: (a) Phase II of the Tower Lobby will consist of the construction of approximately 9,200 s.f. located on the north side of the existing bed tower; and (b) Phases III and IV of the Tower Lobby Extension will consist of the construction of approximately 25,477 s.f. extending out from the bed tower, to the north, west, and south.
3. A loading and receiving facility (the "West Plaza") at ground level on the west side of the northwest pod of the existing bed tower, containing approximately 6,900 s.f.

These new facilities may be referred to individually by the names indicated above or collectively as the "New Facilities."

In conjunction with the development of the New Facilities, BWH intends to do the following:

The so called "Tackaberry Building" located within the Remaining Old Peter Bent Hospital Area-1 ("ROPBH-1") described below, and including an above-grade pedestrian connector or bridge connecting Tackaberry to Children's Hospital will be demolished to allow for the construction of the CSF. Tackaberry contains administrative offices for the emergency room and pathology departments. A temporary replacement bridge will be constructed in order to provide access between BWH and Children's Hospital during construction of the CSF. The administrative offices and emergency room currently within Tackaberry must be temporarily relocated prior to demolition of Tackaberry and then moved into the CSF upon its completion. Prior to the demolition of Tackaberry and construction of CSF these administrative offices and emergency room will be located

in a temporary building within the New Hospital Area adjacent to the bed tower and ASB I (the bridge and building shall be referenced herein as the "Temporary Facilities"). The Temporary Facilities are anticipated to be demolished in January 1994.

BWH intends, in the future, to request approval from the Authority to construct a below-grade food court/retail space of approximately 10,000 s.f., with landscaping and other pedestrian improvements (the "Brigham Green"), to be constructed within the Remaining Old Peter Bent Hospital Area-2. In connection with this BWH will provide a pedestrian link between Francis Street and Shattuck Street through the Peter Bent Hospital. However, BWH is not seeking approval of Brigham Green as part of this amendment to the Development Plan.

To allow BWH to construct the New Facilities, the Development Plan is hereby further amended and restated to read as follows. This Development Impact Project Plan and Third Amendment to and Restatement of Development Plan restates and amends the Development Plan, the 1982 Amendment and the 1985 Amendment for ease of reference so that they need not be read separately from this Third Amendment.

Developer and Owner: The Brigham and Women's Hospital, Inc. (formerly Affiliated Hospitals Center, Inc.).

List of Plans:

The plans set forth on Appendix A are the plans which allow for the construction of the existing structures within the PDA and are incorporated herein by reference.

The plans for the New Facilities are described on Appendix B attached hereto and incorporated herein by reference.

Employment Plans: It is anticipated that the construction of the New Facilities will generate approximately 330 "construction worker years" and will result in a net increase of approximately 228 full time permanent employees. The majority of these jobs will be associated with the CSF. BWH has submitted a Boston Residents Construction Employment Plan for the New Facilities to the Mayor's Office of Jobs and Community Services ("MOJCS") in accordance with the requirements of the Mayor's Executive Order Extending the Boston Residents Jobs Policy dated July 12, 1985 and the requirements of the Ordinance Establishing the Boston Employment Commission set forth in Chapter 12 of the Ordinances of 1986, as amended by Chapter 17 of the Ordinances of 1986. BWH will also formulate an Employment Opportunity Plan, providing for BWH's good faith efforts to achieve a goal that 50% of permanent employment opportunities created by the New

Facilities shall be made available to Boston residents. Listing of employment opportunities will be distributed to the following community agencies: ABCD Parker Hill/Fenway, Jobs for Youth, Mission Hill Neighborhood Housing Services, Mission Link, Mission Main Tenants Task-Force, and Roxbury Tenants of Harvard.

Development Impact Project Contribution: The CSF is a "Development Impact Project" under the Zoning Code. As required thereunder, BWH will enter into a Development Impact Project Agreement with the Authority for the New Facilities (the "DIP Agreement"). Under the DIP Agreement, BWH shall be responsible for making a Development Impact Project Contribution (the "DIP Contribution") with regard to the New Facilities. The DIP Contribution shall be made, at BWH's option, by (i) the grant and payment by BWH of a sum of money, payable at the times and in the manner and under the conditions specified in the DIP Agreement (referred to in Section 26A-3 of the Zoning Code as the "Housing Contribution Grant" but payable at the rate set forth in Section 26A-2(3)(b) of the Zoning Code), or (ii) the creation by BWH of low and moderate income housing units at a cost at least equivalent to the amount of the Housing Contribution Grant and under the conditions specified in the DIP Agreement (referred to in Section 26A-2 as the "Housing Creation Option"), or (iii) a combination of items (i) and (ii) above. Should BWH's obligation with regard to the DIP Contribution be satisfied solely in the form of a Housing Contribution Grant, total payments from BWH would equal approximately \$1,340,100 calculated as follows:

Total Gross Square Footage of Uses Enumerated in Table D of Article 26A of the Zoning Code for the New Facilities	268,361 s.f.*
Plus square footage of Longwood Medical Research Center, included in these calculations per letter agreement of BWH, March 21, 1989 attached as Exhibit B to the DIP Agreement	99,659 s.f.
Square Footage Before Exclusion	368,020 s.f.
Threshold Exclusion	<u>-100,000 s.f.</u>

*226,784 s.f. for the CSF (Excluding 7,272 s.f. for the Ambulance Court), 34,677 s.f. for Tower Lobby Extension Phases II-IV, and 6,900 s.f. for the West Plaza.

Net DIP Gross Square Feet

268,020 s.f.

x \$5

Total Housing Contribution
Grant

\$ 1,340,100

Jobs Contribution Grant: As required under Section 26B-3 of the Zoning Code, and pursuant to the terms of the agreement respecting DIP contributions entered into between BWH and the Authority, and as required under the terms of the DIP Agreement, BWH shall also be responsible for making a Jobs Contribution Grant with regard to the New Facilities, in the manner and under the conditions specified in the DIP Agreement. The Jobs Contribution Grant will equal approximately \$268,020, calculated as follows:

Total Gross Square Footage
of Uses Enumerated in Table
E of Article 26B of the Code
for the New Facilities

268,361 s.f.*

Plus square footage of Longwood
Medical Research Center,
included in these calculations
per agreement of BWH, March
21, 1989, attached to and
incorporated within the DIP
Agreement

99,659 s.f.

Square Footage Before Exclusion

368,020 s.f.

Threshold Exclusion

-100,000 s.f.

Net DIP Gross Square Feet

268,020 s.f.

x \$1

Total Jobs Contribution
Grant

\$ 268,020

*226,784 s.f. for the CSF (Excluding 7,272 s.f. for the Ambulance Court), 34,677 s.f. for Tower Lobby Extension Phases II-IV, and 6,900 s.f. for the West Plaza.

Estimated Construction Time: The CSF (including its connecting bridges to the bed tower and Children's Hospital) will be developed in a single, continuous phase with a duration of approximately 30 months from the start of construction. Phase

II of the Tower Lobby Extension and West Plaza will each be developed in a single, continuous phase with durations of approximately 4 and 5 months from their respective starts of construction. Phases III and IV of the Tower Lobby Extension will be developed with a duration of approximately seven months and nine months from their respective starts of construction. All construction and completion dates are approximate and may be affected by delays due to permitting, financing, weather and other matters beyond the control of BWH.

Tackaberry Building demolition will commence about June 1, 1991 and be completed by September, 1991.

CSF construction will commence in August of 1991 and be completed about December 31, 1993.

Tower Lobby Extension Phase II - construction will commence about February 1993 and be completed about June 1993

Phase III - construction will commence about June 1993 and be completed about December 1993

Phase IV - construction will commence about January 1994 and be completed about November 1994

West Plaza construction will commence about October, 1991 and be completed about February, 1992

Brigham Green construction is to commence about January of 1995 and be completed about October of 1995.

Temporary Facilities construction will commence about April 1, 1991 and be removed about January 1994.

Site:

A parcel of land on the northerly side of Francis Street in the Roxbury District of the City of Boston bounded southerly by Huntington Avenue and Francis Street, westerly by Binney Street; northerly by land of Dana-Farber Cancer Institute,

Inc., land of The Children's Hospital Corporation and by Shattuck Street (a private way); and easterly by land of the President and Fellows of Harvard College. Said parcel contains 389,303 s.f. (or 8.94± acres), and is shown on the plan entitled "Subdivision Plan of Land in Boston, MA" dated February 12, 1991, as revised, consisting of two sheets, prepared by R.H. Cole Associates (the "1991 Plan") further defined and described in Appendix B, including that portion of the PDA within Shattuck Street (a private way). The portion within Shattuck Street (a private way) is approximately 7,225 s.f., and is shown as Lots 3 and 5 on the plan entitled "Subdivision Plan of Land in Boston, Mass." dated February 1, 1991 by R.H. Cole Associates. This 7,225 s.f., when added to the 382,078 s.f. shown on the 1991 Plan, totals the 389,303 s.f. referred to above. A metes and bounds description is contained in Appendix C and the land so described may be referred to herein as the "PDA".

As a result of the 1985 Amendment, the PDA is treated as subdivided into 5 parcels known as the New Hospital Area, the ASB II Area, the Research Building Area, the Remaining Old Peter Bent Hospital Area-1, and the Remaining Old Peter Bent Hospital Area-2 as shown on the 1985 Recorded Plan. This Third Amendment proposes the division of the Remaining Old Peter Bent Hospital Area-1 into two areas, a portion of which will be added to increase the area known as the New Hospital Area and the remainder of which will be called the Remaining Old Peter Bent Hospital Area-1. As a result of the redivision, the following will be the areas included in the PDA (which areas will include a portion of Shattuck Street (a private way)):

New Hospital Area, described on Appendix D.

ASB II Area, described on Appendix E.

Research Building Area, described on Appendix F.

Remaining Old Peter Bent Hospital Area-1, described on Appendix G.

Remaining Old Peter Bent Hospital Area-2, described on Appendix H.

Reference to any of these areas shall be to them as described in those Appendices.

The CSF will extend approximately six feet into Shattuck Street, (a private way) at ground level and one bay of the building at the northeast corner will extend approximately 5' further over Shattuck Street from the fifth through the ninth floor. An above-ground pedestrian bridge from the CSF to

Children's Hospital will extend across Shattuck Street. These extensions into Shattuck Street are shown on the plans for the New Facilities described on Appendix B hereto. BWH has a Land Court registered title to the fee interest in the portion of Shattuck Street into or over which the CSF and one half of the length of the bridge to Children's Hospital extend. The New Hospital Area has always included the half of Shattuck Street it abuts. By virtue of this Third Amendment, the redivision of the New Hospital Area and the Remaining Old Peter Bent Hospital Area-1, BWH's half of the fee in Shattuck Street abutting the CSF will be included within the PDA, and within the enlarged New Hospital Area. The area in Shattuck Street which is currently part of the New Hospital Area is shown as Lot 3 on the 1991 Plan and contains 4,029 s.f. The area in Shattuck Street which will be added to the New Hospital Area by virtue of this Third Amendment is shown as Lot 5 on said plan, containing 3,196 s.f. (Lot 3 and Lot 5 totalling the 7,225 s.f. referred to above.) Appendix C (the description of the whole PDA) and Appendix D (the description of the New Hospital Area) will both now include the area of Shattuck Street abutting the New Hospital Area.

A. Permitted Uses:

- A1. Hospital not providing custodial care for drug addicts or mentally ill or mentally deficient persons, and the following accessory uses: clinics, professional offices, scientific research and teaching laboratories, parking, loading, the keeping of laboratory animals, and incidental uses and services ordinarily found in connection with the above uses (such as gift shop, restaurant and snack bar, outpatient pharmacy, ambulance unloading and the like) for the convenience of patients, visitors and staff. Those uses are permitted in the entire PDA except that in-patient care is restricted to the New Hospital Area and those portions of the CSF which will be located within the ASB II and ROPBH-1 Areas. The accessory uses of scientific research and teaching laboratories and the keeping of laboratory animals are accessory not only to the main hospital use but also to the Harvard Medical School, the Biosciences Research Foundation, Inc. and the Howard Hughes Medical Institute, all of which are owners of space in the Thorn Building within the Research Building Area.

B. Location and Appearance of Structures (Existing and Proposed)

- B1. New Hospital Area:

Existing: The New Hospital Area contains a hospital complex ("New Hospital"), consisting of a 16-story bed tower; a two-story L-shaped laboratory and administration building that is raised one story above grade, lying west and south of the bed tower; a three-story ambulatory care center to the east of the tower ("ASB I"); and two below-grade levels beneath the entire complex containing basic hospital functions. The location and appearance of these buildings are as shown on Plans BRA-1 through BRA-8, as previously modified and approved by the Authority in accordance with its regulations and the Boston Zoning Code. The exterior building material is concrete.

Proposed: The modifications on the New Hospital Area for which approval is sought in this Third Amendment will include the CSF, the Tower Lobby Extension, and West Plaza as described in Paragraph B3 below. A portion of the CSF will consist of an additional floor on part of ASB I.

B2. Remainder of the PDA:

The structures in the remainder of the PDA shall remain in location and appearance as they are now (except as provided below in Paragraph B2 and B3). They may from time to time be repaired or renovated, but any new construction, in the form of new buildings or extensions of existing buildings, shall require amendment of this Development Plan, after notice and public hearing. The existing structures include the following, heretofore constructed pursuant to this Development Plan:

- (a) Ambulatory Services Building II ("ASB II"), a 2-story building above grade (with another level partially below grade and another level entirely below grade) which faces Francis Street, containing offices for doctors associated with BWH, hospital based services and support services. A new mechanical ventilation shaft servicing ASB I may be added to ASB II as a result of the construction of CSF.
- (b) Thorn Building, a 16-story building (looking from Shattuck Street, a private way), and one below grade level, which faces Shattuck Street, containing laboratories for anesthesia, surgery, pathology, immunology, orthopedic, radiology, biophysics, genetics and other research, and areas for laboratory animals.

- (c) Parking garage, entrance lobby and atrium ("Garage/Lobby"), a parking garage containing 4 levels of underground parking, with a two-way entrance/exit ramp providing access thereto, a single-story grade level entrance lobby and atrium, with mezzanine level, containing a waiting area and, at BWH's discretion, a coffee shop or small cafe for patients, visitors, and employees, and serving as a passage to ASB II, the Pike and the Garage. One sign on a pylon approximately 4 feet wide and 12 feet high identifying the facility, is located in front of the 6-story Medical Research Building on the Remaining Old Peter Bent Hospital Area-2 and visible from Francis Street and appropriate signs are located in the plaza area to direct traffic and indicate the entrance to the Garage. The Garage/Lobby faces Francis Street.

B3. Proposed Structures: The following structures may be constructed in the remainder of the PDA, as an exception to paragraphs B1 and B2.

- (a) Clinical Support Facility on Shattuck Street (a private way), consisting of approximately 234,056 s.f. in a building with nine full levels above grade plus an intermediate level between levels three and four, (plus a mezzanine level and two full floors below grade, and an additional full floor of mechanical penthouse area) and two above-grade pedestrian connectors (bridges): a) to the existing bed tower, and b) across Shattuck Street to Children's Hospital, located to the east of the existing hospital bed tower complex. The CSF is designed for inpatient service, including a labor and delivery unit and a neonatal intensive care unit and for ancillary services and facilities, support staff areas, and offices for physicians, research faculty and others. As set forth above, the existing Tackaberry Building will be demolished in order to accommodate the construction of CSF.
- (b) The Tower Lobby Extension Phases II-IV, consisting of approximately 34,677 s.f. of additional public areas and admitting services to be constructed in three phases in the areas described above at ground level. It is intended that the existing facade on Francis Street will be altered to provide a presence on Francis

Street giving an identifiable entrance for vehicles and pedestrian traffic.

- (c) The West Plaza, a loading and receiving facility at ground level on the west side of the northwest pod of the existing bed tower, containing approximately 6,900 s.f.

The location and appearance of the above structures referred to in this paragraph B3 shall be as shown in the plans listed in the "List of Plans" section above, as modified with the approval of the Authority.

C. Open Spaces and Landscaping:

- C1. In the New Hospital Area, open spaces and landscaping are as shown by plans BRA-1 and BRA-1A, with trees and other plantings to be maintained and replaced as necessary, except as modified to accommodate the New Facilities.

The landscaping for the New Facilities will include the construction of an exterior courtyard which will serve as a transitional space from the pedestrian mall on Shattuck Street to the Tower Lobby and will provide direct access through the lobby to BWH's main entrance on Francis Street. During periods of good weather the courtyard will be an enjoyable place for eating and socializing; it will be further defined through the use of concrete pavers and landscaping that will extend, to the north, across Shattuck Street. The landscaping will visually unite the two sides of the street, soften the courtyard space, as well as mitigate surface winds on the site. Planned landscaping includes one row of trees along the curbline, with ground cover and low plantings at the building base. Specimen trees will mark the East and West edges of the site.

- C2. In the ASB II Area and the Research Building Area, open spaces and landscaping are as shown on plans entitled "A-2 Ambulatory II/Garage Campus Site Plan" and "A-3 Ambulatory Services Building II and Garage-Lobby Site Plan" (ASB II and Garage/Lobby) listed in paragraph 4 of the List of Plans and A-2 Site Plan (Thorn Building) listed in paragraph 5 of the List of Plans with trees and other plantings to be maintained and replaced as necessary. In the Remaining Old Peter Bent Hospital Area-1, there will not be any open spaces. In the Remaining Old Peter Bent Hospital Area-2, open spaces are shown on the plan

entitled "A-2 Ambulatory II/Garage Campus Site Plan" listed in paragraph 4 of the List of Plans above.

- C3. Any development of Brigham Green including landscaping, shall be subject to the Authority's Development Review Procedures dated 1985, revised 1986 as may be further revised.

D. Density:

- D1. The floor area ratios for and within the Planned Development Area shall not exceed the following limits after redivision of the existing lots and construction of the New Facilities:

PDA as a whole - 3.91

New Hospital Area - 6.76

ASB II Area - 1.70

Research Building Area - 8.61

Remaining Old Peter Bent Hospital Area-1 - 2.64

Remaining Old Peter Bent Hospital Area-2 - 1.31

See Appendix I for Further
Details on FAR Calculations.

These floor area ratios reflect the demolition of floor areas necessary for construction of the CSF, Tower Lobby Extension, West Plaza and, with respect to existing structures are based upon F.A.R. square footages as modified per the space inventory described in Appendix I, Zoning Calculations and Deviations.

E. Traffic Circulation:

- E1. Non-emergency traffic enters the New Hospital Area at the main entrance on Francis Street (which entrance will be modified as described in paragraph B3(a) above), passes through it on a roadway running under the raised laboratory and administration building, and exits onto Binney Street. Emergency vehicles enter and exit from Binney Street to Shattuck Street (a private way) by means of an extension of Shattuck Street (the Shattuck Street Extension) constructed by

BWH. BWH's policy is to discourage the use of sirens by emergency vehicles on Francis Street.

- E2. The main pedestrian and vehicular access points for dropping off passengers to ASB II, the Tower Lobby Extension and the CSF will be from Francis Street via: a) a driveway and drop-off plaza shown on the plan entitled "A-3 Ambulatory Services Building II and Garage-Lobby Site Plan" listed in Appendix A, and b) the proposed Tower Lobby Extension described in Paragraph E1 above. Vehicular access to and egress from the Garage is via a single, two-way ramp located in the western part of the drop-off plaza. Vehicular access to the Thorn Building is from Shattuck Street (a private way). The main pedestrian and vehicular entrance for Remaining Old Peter Bent Hospital Area-2 is at the junction of Huntington Avenue and Francis Street, opposite Brigham Circle. The main pedestrian and vehicular entrance for Remaining Old Peter Bent Hospital Area-1 is from Shattuck Street (a private way), Shattuck Street Extension and the New Hospital Area.

F. Parking Facilities:

- F1. Surface parking in the New Hospital Area and the Remaining Old Peter Bent Hospital Area-2 totaling facilities for approximately 74 cars, exclusive of parking space for ten ambulances within the ground floor level of the CSF, and two loading bays in West Plaza, will remain after construction of the New Facilities. Parking for approximately 240 automobiles, as well as motorcycles and bicycles, is be provided in the Garage.
- F2. The Mission Park Project, so called, is to the south of the PDA, the northerly portion of which project is shown as "Mission Park Housing Project & Parking Facility" on plan BRA-1. Said project is in an area (hereinafter called "Mission Park") shown on a plan by Harry R. Feldman, Inc., dated September 9, 1974, revised September 29, 1975, entitled "Plan of Land Boston (Roxbury) Mass.", recorded at Suffolk Deeds at Book 8825, Page 198 (Lots 1 through 6).

BWH has leased the entire Mission Park Garage, with 1005 of the 1274 parking spaces reserved for BWH use, subject to provisions regarding use of spaces by Mission Park residential and office building tenants. The lease will expire on December 31, 2002.

- F3. A service center and garage (hereinafter called the Servicenter) has been constructed at the westerly end of the block bounded by Brookline Avenue, Francis Street, Fenwood Road and Binney Street (extended). The garage is leased by Medical Area Service Corporation (MASCO), provides parking primarily for visitors and outpatients of the MASCO member institutions, and especially BWH, and is open to the public, with some spaces reserved for monthly parkers. At present, at least 400 parking spaces are available in the Servicenter for turnover parking for the general public. MASCO has agreed to maintain these on a year to year basis (subject only to fire or other causes beyond MASCO's control).
- F4. MASCO has made 185 parking spaces in the Servicenter available to BWH on an annual basis for employee parking. MASCO will review and renew this Agreement at five year intervals to the year 2009, unless and to the extent MASCO devotes the 185 spaces to turnover parking. This agreement was renewed in 1989 for the five year term expiring in 1994.
- F5. Parking facilities outside the PDA, referred to in Paragraphs F2 through F4, are subject to elimination if and to the extent required by causes beyond the control of BWH, provided such causes are set forth in the leases involved and are approved in advance by the Director of the Authority. If any facilities are eliminated pursuant to this paragraph F5, BWH will use its reasonable best efforts to lease from time to time, at least the same number of substitute parking spaces as were eliminated, so as to provide such facilities for a period ending no earlier than December 31, 2002. The location of any such facilities and the terms of any such alternative leasing arrangements will be subject to the approval of the Director of the Authority.
- F6. A maximum of 110 physicians seeing patients may occupy ASB II at any one time. The total number of employees working in ASB II and the Garage/Lobby is approximately an additional 150. The maximum number of persons working in the Thorn Building at any one time is 850. If the maximum occupancy of either building is proposed to be exceeded, BWH shall notify the Authority. The staff of the Authority shall review whether parking facilities are adequate to accommodate the increase in occupancy, and shall report to the Authority, which may authorize one or more increases in occupancy.

G. Off Street Loading:

G1. Currently, the materials handling for the New Hospital, ASB II, the Garage/Lobby, and the other buildings on the Remaining Old Peter Bent Hospital Area-1 and the Remaining Old Peter Bent Hospital Area-2 is from the MASCO Servicer. Materials handling for the Thorn Building is provided both from the MASCO Servicer, and via Shattuck Street (a private way) by the two off-street loading bays in the Thorn Building. The arrangements will continue, with the two loading bays proposed to be constructed within West Plaza providing additional loading facilities for all buildings within the PDA. The Servicer and West Plaza will handle most of the materials supplied to the Thorn Building. The Thorn Building loading bays are used and will continue to be used, to handle the laboratory animals and related materials, research equipment and supplies and waste disposal.

H. Access to Public Transportation:

H1. The following Massachusetts Bay Transportation Authority ("MBTA") facilities serve the PDA:

Arborway Branch of the Green Line, running from Lechmere Square, Cambridge to Heath Street Loop, Jamaica Plain, with a stop at Brigham Circle, at the entrance to the Remaining Old Peter Bent Hospital Area-2.

Riverside Branch of the Green Line, running from Government Center, Boston, to Riverside Station, Auburndale, with a stop at Longwood, about one-half mile from the New Hospital Area.

Bus Route 60, running from Chestnut Hill, Newton, to Kenmore Square, with a stop on Brookline Avenue, about 500 feet from the New Hospital Area.

Bus Route 65, running from Brighton Center to Kenmore Square, with a stop on Brookline Avenue.

Bus Route 66, running from Dudley Square, Roxbury, to Harvard Square, Cambridge, with a stop at Brigham Circle.

Bus Route 47, running from Central Square, Cambridge, to the Boston City Hospital Loop via Dudley Street and Longwood Avenue, about 600 feet from both areas of the site.

Bus Route 39, running from Back Bay Station to Forest Hills, with a stop at Brigham Circle.

BWH will continue its subsidy of MBTA passes, currently subsidized at an average rate of 22 percent.

H2. In addition, MASCO provides bus service from Harvard Square to the Medical Area.

I. Proposed Dimensions of Structures:

- I1. Structures in the New Hospital Area shall be as shown by plans BRA-2 through BRA-8, as previously modified and approved by the Authority pursuant to its regulations and the Boston Zoning Code, except to the extent modified to accommodate the New Facilities as described in Appendix B attached hereto.
- I2. The New Facilities, the ASB II Area, the Remaining Old Peter Bent Hospital Area-1 and the New Hospital Area shall be as shown on the plans described in Appendix B, as approved by the Authority. Detailed dimensional information with respect to the New Facilities and the exceptions from the Zoning Code which will be sought therefor are described in Appendix I hereto. Other than as modified to accommodate the New Facilities as shown on the plans described in Appendix B, structures in the Remaining Old Peter Bent Hospital Area-1 and in Remaining Old Peter Bent Hospital Area-2 shall remain, as to their dimensions, as they are now, subject to the provisions of paragraph B2, and changes to the lot area of Remaining Old Peter Bent Hospital Area-1. Delay or abandonment of the CSF, any phase of the Tower Lobby Extension, West Plaza, or Brigham Green or any of the activities now planned for any of them, if such should occur, will not impair the zoning status of the PDA and the buildings and facilities thereon.

J. Design Review:

- J1. In General: Any changes to the materials and treatment of the existing buildings and open space, plus the size, location, design, color, and materials of exterior signs, are subject to the Authority's design review process.
- J2. With Respect to the New Facilities: Schematic drawings for the CSF (the plans referred to in the

List of Plans above) have been approved by the Authority. Further plans and specifications for CSF, Tower Lobby Extension and West Plaza, will be submitted to the Authority for approval in accordance with the Authority's "Development Review Procedures" 1985, Revised 1986.

- J3. With Respect to Brigham Green: Any plans and specifications for Brigham Green will be submitted to the Authority for approval in accordance with the Authority's "Development Review Procedures" dated 1985, Revised 1986.

K. Boston Civic Design Commission:

The CSF is subject to Article 28 of the Zoning Code, requiring review by the Boston Civic Design Commission ("BCDC"). Copies of the schematic project plans for the CSF were submitted to the BCDC on January 25, 1991, for review pursuant to said Article 28. The Hospital met with BCDC on February 5 and February 26 and obtained approval of the CSF on March 5, 1991.

L. Environmental Review:

On December 15, 1989, BWH filed with the Secretary of Environmental Affairs an Environmental Notification Form for the CSF. On January 25, 1990, the Secretary determined that no Environmental Impact Report was required. That Environmental Notification Form related to an 8-story CSF. The design of the CSF was changed by adding a floor, and the revised design was the subject of a Notice of Project Change submitted to the Secretary of Environmental Affairs under date of May 10, 1990. On July 23, 1990 the Secretary determined that the Notice of Project Change did not alter the Secretary's determination that no Environmental Impact Report was required. Additional design changes to the CSF (the CSF as referred to in this document) consisting of a slightly different building configuration with an increased square footage required the submission of an additional Notice of Project Change. This Notice of Project Change was submitted to the Secretary of Environmental Affairs on February 15, 1991.

The New Facilities will utilize existing waste management plans. At the present time Browning Ferris Industries ("BFI"), is BWH's prime waste hauler.

Waste from the New Facilities falls into three categories: trash, biomedical waste, and infectious waste.

Trash from the New Facilities will be discharged into existing compactors in the Servicer building. These

compactors are then taken to a transfer station by a licensed contractor where they are emptied. From there the waste is taken to a licensed landfill.

Biomedical waste will be produced by the services to be housed in the CSF. This waste is already being produced in the facilities that currently house these services. The waste is sterilized in existing on-site facilities then is transported by a licensed carrier to an approved and secured landfill.

Infectious waste that is produced by the services housed in the CSF will be sterilized and incinerated in existing on-site facilities. These materials are then disposed of in an approved off-site landfill. This waste is already being produced in those sections of the Hospital that currently house these services.

M. Zoning:

The PDA is in an H-3-D District, Planned Development Area 10. Zoning descriptions and a list of required exceptions for the New Facilities are described in Appendix I hereto.

N. Legal Information:

The entire PDA is owned by BWH. There are no legal judgments or actions pending which involve the New Facilities.

LIST OF APPENDICES

- Appendix A - List of Plans for Existing Buildings
- Appendix B - CSF, Tower Lobby Extension and West Plaza Plans
- Appendix C - Description of PDA
- Appendix D - Description of New Hospital Area
- Appendix E - Description of ASB II Area
- Appendix F - Description of Research Building Area
- Appendix G - Description of Remaining Old Peter Bent Hospital Area-1
- Appendix H - Description of Remaining Old Peter Bent Hospital Area-2
- Appendix I - Zoning Calculations and Deviations

APPENDIX A

1. Plans by Sasaki Associates, Inc., as follows:
 - a. BRA-1, dated 6/30/76, revised 10/1/76, AHC Area Site Plan, scale 1" = 50'.
 - b. BRA-1A, dated 10/1/76, Landscape Site Plan, scale 1/16" = 1'
2. Plans by Bertrand Goldberg Associates, all, except g, at a scale of 1/16" = 1', as follows:
 - a. BRA-2, dated 7/1/76, Plan Plaza Level +1, revised 10/6/76;
 - b. BRA-3, dated 7/1/76, Elevation South-Francis Street, revised 9/1/76;
 - c. BRA-4, dated 7/1/76, revised 9/1/76, Elevation North - Shattuck Street;
 - d. BRA-5, dated 7/1/76, revised 9/1/76, Elevation West - Binney Street;
 - e. BRA-6, dated 7/1/76, revised 9/1/76, Project Section - Transverse;
 - f. BRA-7, dated 7/1/76, revised 9/1/76, Project Section - Longitudinal; and
 - g. BRA-8, dated 10/1/76, Perspective Sketch and Details, not to scale.
3. Plan by Whitman & Howard, Inc., entitled "Plan of Land in Boston, Mass. (Roxbury District)", Scale 1" = 50', dated 12/11/75.
4. Set of plans entitled "BWH Research Bldg., BRA - PDA Drawings", prepared by Bertrand Goldberg Associates, as follows:

A-2 Site Plan, Scale: 1/8" = 1', dated 4/1/80, last revised 4/9/81, as amended by A-3 Site Plan, Scale: 1/8" = 1', dated 8/25/81, last revised 12/2/81;

A-5 Ground Floor Plan, Scale: 1/8" = 1', dated 8/25/81;

A-7 First Floor Plan, Scale: 1/8" = 1', dated 4/1/80,
last revised 4/9/81;

A-9 West Elevation, Scale: 1/16" = 1', dated 8/25/81;

A-10 East Elevation, Scale: 1/16" = 1', dated
8/25/81, last revised 10/20/81;

A-11 North & South Elevations, Scale: 1/16" = 1',
dated 8/25/81, last revised 10/20/81;

A-12 Building Sections, Scale: 1/16" = 1', dated
8/25/81.

5. Set of plans entitled "Brigham and Women's Hospital Ambulatory II/Parking Garage/P.D.A. Application Dated January 31, 1985", prepared by Kaplan/McLaughlin/Diaz and Tsoi/Kobus & Associates, as follows:

<u>Sheet No.</u>	<u>Sheet Title</u>	<u>Scale</u>	<u>Latest Revision Date</u>
A-1	Aerial Perspective of Ambulatory II and Garage	-	2/19/85
A-2	Ambulatory II/Garage Campus Site Plan	1" = 40'0"	2/19/85
A-3	Ambulatory Services Building II and Garage-Lobby Site Plan	1/16" = 1'0"	3/14/85
A-4	Ambulatory II Level-1 Floor Plan	1/8" = 1'0"	2/19/85
A-5	Ambulatory II Level One Floor Plan	1/8" = 1'0"	1/31/85
A-6	Ambulatory II Level Two Floor Plan	1/8" = 1'0"	1/31/85
A-7	Ambulatory II Level Three Floor Plan	1/8" = 1'0"	1/31/85
A-8	Ambulatory II Roof/Penthouse Floor Plan	1/8" = 1'0"	1/31/85
A-9	Parking Garage Level D Floor Plan	1/8" = 1'0"	3/14/85

A-10	Parking Garage Level C Floor Plan	1/8" = 1'0"	3/14/85
A-11	Parking Garage Level B Floor Plan	1/8" = 1'0"	3/14/85
A-12	Parking Garage Level A Floor Plan	1/8" = 1'0"	3/14/85
A-13	Garage Lobby	1/8" = 1'0"	2/19/85
A-14	Exterior Elevations	1/8" = 1'0"	2/19/85
A-15	Ambulatory II and Garage/Lobby Building Section	Not to scale	2/19/85
A-16	Interior Elevations of Atrium	1/8" = 1'0"	1/31/85

6. Plan by Whitman & Howard, Inc. entitled "Plan of Land in Boston, Mass. (Roxbury District)", dated December 13, 1985, recorded at Suffolk County Registry of Deeds at the end of Book 12143 (the "1985 Recorded Plan").

APPENDIX B

Plans for CSF, Tower Lobby Extension, and West Plaza

1. A set of plans entitled "Brigham and Women's Hospital Clinical Support Facility Planned Development Area Amendment", prepared by Tsoi/Kobus & Associates, Architects, dated January 11, 1991 consisting of 54 sheets including a cover sheet, as follows:

<u>Sheet No.</u>	<u>Sheet Title</u>	<u>Scale</u>	<u>Latest Revision Date</u>
Cover	Brigham and Women's Hospital Clinical Support Facility	_____	_____
A-1	Site Plan	1" = 30'	1/11/91
A-2	Aerial View Looking North	_____	1/11/91
A-3	L-2 Plan	1" = 16'	1/11/91
A-4	L-1 Plan	1" = 16'	1/11/91
A-5	L-1 Intermediate Floor Plan	1" = 16'	1/11/91
A-6	Ground Level Plan	1" = 16'	1/11/91
A-6A	Tower Lobby Concept Plan (including West Plaza)	1" = 16'	1/11/91
A-7	Main Level Plan	1" = 16'	1/11/91
A-8	Level 3 Plan	1" = 16'	1/11/91

A-9	3/4 Intermediate Floor Plan	1" = 16'	1/11/91
A-10	Level 4 Plan	1' = 16'	1/11/91
A-11	Level 5 Plan	1" = 16'	1/11/91
A-12	Level 6-9 Plan (Initial Phase)	1" = 16'	1/11/91
A-13	Penthouse Level Plan	1" = 16'	1/11/91
A-14	Roof Level Plan	1" = 16'	1/11/91
A-15	Shattuck Street Elevation (North)	1" = 16'	1/11/91
A-16	East Elevation	1" = 16'	1/11/91
A-17	Francis Street Elevation (South)	1" = 16'	1/11/91
A-18	West Elevation	1" = 16'	1/11/91
A-19	Building Section Transverse	1" = 16'	3/20/91
A-20	Building Section Longitudinal	1" = 16'	3/20/91
A-21	Perspective View from Francis Street	_____	1/11/91

A-22	Perspective View from Binney Street	_____	1/11/91
A-23	Perspective View from Shattuck Street Looking West	_____	1/11/91
A-24	Perspective Views from Shattuck Street, from Tower, from Blackfan Street	_____	1/11/91
A-25	Perspective Views @ Tower Lobby @ CSF Ground Lobby	_____	1/11/91
A-30	L-2 Level Plan	1" = 8'	1/11/91
A-31	L-1 Level Plan	1" = 8'	1/11/91
A-32	L-1 Intermediate Level Floor Plan	1" = 8'	1/11/91
A-33	Ground Level Plan	1" = 8'	1/11/91
A-34	Main Level Plan	1" = 8'	1/11/91
A-35	Level 3 Plan	1" = 8'	1/11/91
A-36	3/4 Intermediate Level Floor Plan	1" = 8'	1/11/91
A-37	Level 4 Plan (LDR)	1" = 8'	1/11/91

A-38	Level 5 Plan (NICU)	1" = 8'	1/11/91
A-39	Level 6-9 Plan (Initial Phase)	1" = 8'	1/11/91
A-40	Penthouse Level Plan	1" = 8'	1/11/91
A-41	Roof Level Plan	1" = 8'	1/11/91
A-42	North Elevation	1" = 8'	1/11/91
A-43	East Elevation	1" = 8'	1/11/91
A-44	South Elevation	1" = 8'	1/11/91
A-45	West Elevation	1" = 8'	1/11/91
A-46	Partial Elevation/ Section- North	1" = 8'	1/11/91
A-47	Partial Elevation/ Section- South	1" = 8'	1/11/91
A-48	Wall Section Details	1½" = 1'	1/11/91
A-49	Pedestrian Bridge to Children's Hospital	1" = 16'	1/11/91
L1	Layout and Materials Plan	1" = 30'-0"	12/21/90
L2	Planting Plan	1" = 30'-0"	12/21/90

L3	Lighting Plan	1" = 30'-0"	12/21/90
L4	Drainage Plan	1" = 30'-0"	12/21/90
L5	Furnishings Plan	1" = 30'-0"	12/21/90

2. A plan entitled "Subdivision Plan of Land in Boston, MA," dated February 12, 1991, as revised, consisting of two sheets, prepared by R.H. Cole Associates (the "1991 Plan").

APPENDIX C

Metes and Bounds Description
of
Planned Development Area

A parcel of land on the northerly side of Francis Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at the northeasterly corner of Francis and Binney Streets;

Thence by Binney Street, N 38° 00' 54" E, three hundred sixty-three (363) feet;

Thence by land now or formerly of Sidney Farber Cancer Center, Inc. in seven courses, as follows:

S 52° 00' 27" E, sixty-eight and 42/100 (68.42) feet;

S 37° 59' 32" W, 50/100 (.50) feet;

S 52° 00' 27" E, five and 02/100 (5.02) feet;

By a curved line to the left with a radius of ninety-three and 59/100 (93.59) feet, a distance of seven and 15/100 (7.15) feet;

N 79° 57' 38" W, three and 63/100 (3.63) feet;

By a curved line to the left with a radius of ninety-seven and 17/100 (97.17) feet, a distance of forty-four and 79/100 (44.79) feet;

N 83° 00' 18" E, thirty-two and 91/100 (32.91) feet;
and

Thence by land now or formerly of The Children's Hospital Medical Center in two courses, as follows:

S 41° 10' 18" W, sixteen and 86/100 (16.86) feet;

S 48° 51' 16" E, three hundred ninety-six and 26/100 (396.26) feet, the last two hundred seventy-six and 64/100 (276.64) feet of which is by the center-line of Shattuck Street;

Thence continuing by the center line of Shattuck Street in one course as follows:

By a curved line to the left with a radius of five hundred four and 35/100 (504.35) feet, a distance of twelve and 05/100 (12.05) feet, and

Thence by other land of Brigham & Women's Hospital, Inc. in one course, as follows:

S 39° 46' 34" W, twenty-five feet and 00/100 (25.00) feet by Lot 4 which is a portion of Shattuck Street;

Thence continuing by the southerly sideline of Shattuck Street and other land of Brigham & Women's Hospital, Inc. in four courses, approximately as follows:

By a curved line to the left with a radius of five hundred twenty-nine and 35/100 (529.35) feet, a distance of one hundred twelve and 81/100 (112.81) feet; and

S 62° 26' 04" E, two hundred eighty-four and 96/100 (284.96) feet;

By a curve to the left with a radius of two hundred seven and 00/100 (207.00) feet a distance of one hundred fifty-five and 87/100 (155.87) feet; and

S 62° 26' 04" E, seventeen and 40/100 (17.40) feet;

Thence by land now or formerly of the President and Fellows of Harvard College, in seven courses, as follows:

S 23° 55' 44" W, sixty-six and 68/100 (66.68) feet;

S 66° 04' 16" E, one and 88/100 (1.88) feet;

S 22° 19' 50" W, seventy-four and 39/100 (74.39) feet;

N 67° 40' 10" W, two and 83/100 (2.83) feet;

S 22° 19' 50" W, one and 13/100 (1.13) feet;

N 67° 40' 10" W, 85/100 (.85) feet; and

S 22° 21' 50" W, one hundred ninety-six and 55/100 (196.55) feet;

Thence by the northerly corner of Huntington Avenue and Francis Street by a curved line to the right, having a

radius of two hundred thirty-one and 85/100 (231.85) feet,
a distance of two hundred fifteen and 01/100 (215.01)
feet; and

Thence by Francis Street, in two courses, as follows:

N 50° 13' 24" W, eighty and 20/100 (80.20) feet; and

N 49° 07' 11" W, nine hundred four and 94/100
(904.94) feet to the point of beginning.

Said parcel contains 389,303 square feet, more or less, or
8.937 acres, more or less.

APPENDIX D

Metes and Bounds Description
Of
New Hospital Area

A parcel of land on the northerly side of Francis Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at the northeasterly corner of Francis and Binney Streets;

Thence by Binney Street, N 38° 00' 54" E, three hundred sixty-three (363) feet;

Thence by land now or formerly of the Sidney Farber Cancer Center, Inc. in seven courses, as follows:

S 52° 00' 27" E, sixty-eight and 42/100 (68.42) feet;

S 37° 59' 32" W, 50/100 (.50) feet;

S 52° 00' 27" E, five and 02/100 (5.02) feet;

By a curved line to the left with a radius of ninety-three and 59/100 (93.59) feet, a distance of seven and 15/100 (7.15) feet;

N 79° 57' 38" W, three and 63/100 (3.63) feet;

By a curved line to the left with a radius of ninety-seven and 17/100 (97.17) feet, a distance of forty-four and 79/100 (44.79) feet;

N 83° 00' 18" E, thirty-two and 91/100 (32.91) feet;
and

Thence by land now or formerly of the Children's Hospital Medical Center in two courses, as follows:

S 41° 10' 18" W, sixteen and 86/100 (16.86) feet; and

S 48° 51' 16" E, three hundred ninety-six and 26/100 (396.26) feet, the last two hundred seventy-six and 64/100 (276.64) feet of which is by the center-line of Shattuck Street.;

Thence by other land of the Brigham & Women's Hospital, Inc. in nine courses, as follows:

By a curved line to the left with a radius of five hundred four and 35/100 (504.35) feet, a distance of twelve and 05/100 (12.05) feet, and

S 39° 46' 34" W, twenty-six and 34/100 (26.34) feet, the first twenty-five (25) feet of which is by Lot 4 which is a portion of Shattuck Street;

N 51° 22' 28" W, two and 08/100 (2.08) feet;

S 38° 37' 32" W, one and 92/100 (1.92) feet;

S 40° 47' 47" W, forty and 14/100 (40.14) feet;

N 49° 10' 49" W, three and 65/100 (3.65) feet;

S 40° 58' 34" W, sixty-two and 00/100 (62.00) feet;

N 49° 07' 11" W, forty-four and 87/100 (44.87) feet;

S 40° 52' 49" W, one hundred ninety-seven and 00/100 (197.00) feet to Francis Street;

Thence by Francis Street N 49° 07' 11" W, four hundred and sixty and 00/100 (460.00) feet to the point of beginning.

Said parcel contains 162,413 square feet, more or less, or 3.728 acres, more or less.

APPENDIX E

Metes and Bound Description
of
ASB II Area

A parcel of land on the northerly side of Francis Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at a point on the northerly sideline of Francis Street, at the southeasterly corner of the New Hospital Area:

Thence by land now or formerly of The Brigham & Women's Hospital, Inc. in six courses, as follows:

N 40° 52' 49" E, one hundred ninety-five and 94/100 (195.94) feet;

S 49° 07' 11" E, one hundred fifty-three and 97/100 (153.97) feet;

N 40° 52' 49" E, four and 47/100 (4.47) feet;

S 53° 14' 23" E, one hundred six and 68/100 (106.68) feet;

S 27° 26' 04" W, sixty-seven and 07/100 (67.07) feet;

S 40° 52' 49" W, one hundred forty-two and 85/100 (142.85) feet;

Thence by Francis Street N 49° 07' 11" W, two hundred seventy-five and 99/100 (275.99) feet to the point of beginning.

Said parcel contains 54,633 square feet, more or less, or 1.254 acres, more or less.

1: \wp r c a c a \m t o \s i j j o s s z o \s w n p c - z . s e z

A parcel of land on the southerly side of Shattuck Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at a point on the southerly sideline of Shattuck Street, at the northeasterly corner of the Remaining Old Peter Bent Hospital Area-1:

Thence by the sideline of Shattuck Street sixty-nine and 39/100 (69.39) feet:

Thence by land now or formerly of The Brigham & Women's Hospital, Inc. in sixteen courses as follows:

S 57° 29' 14" W, twenty-one and 44/100 (21.44) feet;

S 27° 29' 14" W, forty-seven and 26/100 (47.26) feet;

S 62° 25' 03" E, seven and 34/100 (7.34) feet;

S 27° 32' 09" W, sixty-two and 62/100 (62.62) feet;

S 62° 35' 09" E, twenty-seven and 67/100 (27.67) feet;

S 26° 37' 04" W, seventy-seven and 00/100 (77.00)
feet;

N 63° 22' 56" W, thirty-five and 24/100 (35.24) feet;

S 40° 57' 30" W, ten and 71/100 (10.71) feet;

N 49° 02' 30" W, sixty-one and 12/100 (61.12) feet;

N 40° 52' 49" E, eight and 23/100 (8.23) feet;

N 27° 26' 04" E, sixty-seven and 07/100 (67.07) feet;

N 53° 14' 23" W, eleven and 82/100 (11.82) Feet;

N 31° 54' 24" E, twenty-nine and 57/100 (29.57) feet;

S 58° 04' 03" E, three and 43/100 (3.43) feet;

N 32° 06' 27" E, seventy-nine and 53/100 (79.53)
feet;

N 27° 33' 56" E, sixteen and 75/100 (16.75) feet to
the point of beginning.

Said parcel contains 16,242 square feet, more or less, or 0.373
acres, more or less.

APPENDIX G

Metes and Bounds Description
Of
Remaining Old Peter Bent Hospital Area 1

A parcel of land on the southerly side of Shattuck Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at a point on the southerly sideline of Shattuck Street, at the northeasterly corner of the New Hospital Area:

Thence by the sideline of Shattuck Street in two courses, as follows:

By a curved line to the left with a radius of five hundred twenty-nine and 35/100 (529.35) feet, a distance of one hundred twelve and 81/100 (112.81) feet; and

S 62° 26' 04" E, seventy-one and 05/100 (71.05) feet;

Thence by land now or formerly of the Brigham & Women's Hospital, Inc. in thirteen courses, as follows:

S 27° 33' 56" W, sixteen and 75/100 (16.75) feet;

S 32° 06' 27" W, seventy-nine and 53/100 (79.53) feet;

N 58° 04' 03" W, three and 43/100 (3.43) feet;

S 31° 54' 24" W, twenty-nine and 57/100 (29.57) feet;

N 53° 14' 23" W, ninety-four and 86/100 (94.86) feet;

S 40° 52' 49" W, four and 47/100 (4.47) feet;

N 49° 07' 11" W, one hundred nine and 12/100 (109.12) feet;

N 40° 58' 34" E, sixty-two and 00/100 (62.00) feet;

S 49° 10' 49" E, three and 65/100 (3.65) feet;

N 40° 47' 47" E, forty and 14/100 (40.14) feet;

N 38° 37' 32" E, one and 92/100 (1.92) feet;

S 51° 22' 28" E, two and 08/100 (2.08) feet;

N 39° 46' 34" E, one and 34/100 (1.34) feet to the
point of beginning;

Said parcel contains 22,313 square feet, more or less, or 0.512
acres, more or less.

APPENDIX H

Metes and Bounds Description
of
Remaining Old Peter Bent Hospital Area 2

A parcel of land on the southerly side of Shattuck Street and the northerly side of Francis Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at a point on the southerly side of Shattuck Street, at the northeasterly corner of the Research Building Area:

Thence by the sideline of Shattuck Street in three courses, as follows:

S 62° 26' 04" E, one hundred forty-four and 52/100 (144.52) feet;

By a curved line to the right with a radius of two hundred seven and 00/100 (207.00) feet, one hundred fifty-five and 87/100 (155.87) feet; and

S 62° 26' 04" E, seventeen and 40/100 (17.40) feet;

Thence by land now or formerly of President and Fellows of Harvard College in seven courses, as follows:

S 23° 55' 44" W, sixty-six and 68/100 (66.68) feet;

S 66° 04' 16" E, one and 88/100 (1.88) feet;

S 22° 19' 50" W, seventy-four and 39/100 (74.39) feet;

N 67° 40' 10" W, two and 83/100 (2.83) feet;

S 22° 19' 50" W, one and 13/100 (1.13) feet;

N 67° 40' 10" W, 85/100 (.85) feet; and

S 22° 21' 50" W, one hundred ninety-six and 55/100 (196.55) feet;

Thence by the northerly corner of Huntington Avenue and Francis Street by a curved line to the right, having a radius

of two hundred thirty-one and 85/100 (231.85) feet, a distance of two hundred fifteen and 01/100 (215.01) feet;

Thence by Francis Street in two courses, as follows:

N 50° 13' 24" W, eighty and 20/100 (80.20) feet; and

N 49° 07' 11" W, one hundred sixty-eight and 95/100 (168.95) feet;

Thence by other land of The Brigham and Women's Hospital, Inc. in ten courses, as follows:

N 40° 52' 49" E, one hundred thirty-four and 62/100 (134.62) feet;

S 49° 02' 30" E, sixty-one and 12/100 (61.12) feet;

N 40° 57' 30" E, ten and 71/100 (10.71) feet;

S 63° 22' 56" E, thirty-five and 24/100 (35.24) feet;

N 26° 37' 04" E, seventy-seven and 00/100 (77.00) feet;

N 62° 35' 09" W, twenty-seven and 67/100 (27.67) feet;

N 27° 32' 09" E, sixty-two and 62/100 (62.62) feet;

N 62° 25' 03" W, seven and 34/100 (7.34) feet;

N 27° 29' 14" E, forty-seven and 26/100 (47.26) feet; and

N 57° 29' 14" E, twenty-one and 44/100 (21.44) feet to the point of beginning.

Said parcel contains 133,702 square feet more or less, or 3.069 acres more or less.

APPENDIX I

ZONING CALCULATIONS AND DEVIATIONS

THE BRIGHAM AND WOMEN'S HOSPITAL, INC. ("BWH")

Development Impact Project Plan and
Third Amendment To and
Restatement of Development Plan
for Planned Development Area No. 10
("Third Amendment")

Clinical Support Facility ("CSF")
Tower Lobby Extension Phases II through IV
(the "Tower Lobby Extension") and
West Plaza Receiving Area (the "West Plaza")

A. ZONING DESCRIPTIONS AND CALCULATIONS FOR THE CSF, THE
TOWER LOBBY EXTENSION AND THE WEST PLAZA

Use Items; Table A, Section
8-7 (all allowed), H-3-D
Subdistrict

#22. Hospital; clinic or
professional offices
accessory to a hospital.
Custodial care will not be
provided for drug addicts,
alcoholics or mentally
deficient persons.

#24. Scientific research and
teaching laboratories not
conducted for profit and
accessory to Use Item 22.
The provisos about cinders,
etc., noise and vibration are
satisfied.

Accessory Use:

#72 Parking for patients,
visitors and employees
accessory to above main uses.
Conditional use because in a
restricted parking overlay
district. The provisos in
Use Item # 72 are
inapplicable because the
spaces are not accessory to a
dwelling use.

#79 Accessory uses for
hospital with more than fifty
beds. All uses under this

item are incidental uses and services ordinarily found in connection with the hospital and primarily for the patients and the hospital staff and will be conducted wholly within a building and entered solely from within the building or from an entrance not directly facing a street or lot line where there is more than one building on the lot.

#85. Any use ancillary to, and ordinarily incident to, the other uses to be included.

Accessory Uses comply with Article 10.

See Note 5 - Below Regarding Use Violations Caused by Creation of Separate Lots.

Dimensional Requirements. Article 13-1.

<u>Article and Section</u>	<u>Required by Code</u>	<u>CSF</u>	<u>Tower Lobby Extension</u>	<u>West Plaza</u>
14-1 Min. Lot Size	None	—	—	—
14-2 Min. Lot Area for Add'l Dwelling Units	None	—	—	—
14-1 plus 14-2 Total Lot Size	None	—	—	—
14-3, 14-5 Min. Lot Width	None	—	—	—
14-5 Bldg. on Rear of Lot	5' Access to Street	Complies	Complies	Complies
Art. 15 Max. Floor Area Ratio	3.0	See Attached Memorandum	See Attached Memorandum	See Attached Memorandum
Art. 16 Max. Height of Building	None	—	—	—

<u>Article and Section</u>	<u>Required by Code</u>	<u>CSF</u>	<u>Tower Lobby Extension</u>	<u>West Plaza</u>
Art. 17 Usable Open Space Per Dwelling Unit	None	—	—	—
Art. 18 and 18-2 Min. Front Yard (to Francis St.)	15' or modal depth	97'± Provided Complies	0' Provided <u>Violation</u>	160'± Provided Complies
Art. 18-1 and 18-2 and 20-7, Min. Front Yard (to Shattuck Street)	15' or modal depth	0' Provided (Main wall of CSF will extend 6'± into Shattuck Street; Bay will project 5± over Shattuck Street beyond building face below. Bridge to Children's Hospital will extend to center line of Shattuck Street.) <u>Violation</u>	42'± Provided Complies	Not Applicable
Arts. 18-1, 18-2 and 20-7, Min. Front Yard (to Binney Street)	15' or modal depth	280'± Provided Complies	38'± Provided Complies	50'± Provided Complies
Art. 19 Min. Side Yard (See Below Note 1)				
Westerly (from Binney Street)	20' (maximum) under Section 19-4	280'± to CSF from Side Lot Line Complies	38'± to Tower Lobby Extension from Side Lot Line Complies	50'± to West Plaza from Side Lot Line Complies
Easterly (from Land of Harvard off Huntington Avenue)	20' (maximum) under Section 19-4	555'± from Side Lot Line Complies	870'± to Tower Lobby Extension from Side Lot Line Complies	1050'± to West Plaza from Side Lot Line Complies
Art. 20 Min. Rear Yard	Front yard requirements apply. See above.			
Art. 21 Min. Setback of Parapet	<u>H+L</u> ¹ 6	See Below Note 2. <u>Violation.</u>	See Note 2 Below. <u>Violation.</u>	See Note 2 Below.
Art. 20-2 Max. Use of Rear Yard	35%	Not applicable	Not applicable	Not applicable

<u>Article and Section</u>	<u>Required by Code</u>	<u>CSF</u>	<u>Tower Lobby Extension</u>	<u>West Plaza</u>
Art. 23 Off-Street Parking	PDA is within Restricted Parking District; no spaces are required	None Provided. See Below Note 3. <u>Violation.</u>	None provided Complies	None Provided Complies
Art. 24 Off-Street Loading	See Below Note 4.	See Below Note 4.	See Below Note 4.	See Below Note 4.

See Note 5 - Below Regarding Additional Violations Caused By Creation of Separate Lots

Note 1. Side Yard: Pursuant to Section 2-1 (30) BWH elects the Francis Street street line as the front lot line. The westerly side lot line is therefore the Binney Street street line. The easterly side lot line is the boundary line of land of President and Fellows of Harvard College off Huntington Avenue.

Note 2. Parapet: CSF/Tower Lobby Extension/West Plaza

Mean Grade = 38 feet (as required under the definition of "grade", Sec. 2-1(22) as "the average elevation of the nearest sidewalk at the line of the street or streets on which the building abuts").

"Free Height" is the height below which no setback is required, under Section 21-2. As to setback from Shattuck Street and rear setback to Francis Street, free height is 25' (combined height of first and second stories above mean grade exceeds 25', so 25' is the free height under Section 21-2(1)(2)). As to setback from the east and west to lot lines, free height is 70' under Section 21-2(b).

CSF (exclusive of bay and walkways):

H = 166.30 feet (distance to top of parapet of main walls from mean grade of building). Height of penthouse of CSF is included under the definition of "Height of Building", Section 2-1 (23), since the area of the penthouse is more than one-third of the roof.

Side Yard Violations:

The redivision of the ROPBH Area-1 and the construction of the CSF affect the required side yards along the easterly boundary of the New Hospital Area and the westerly boundary of the ROPBH Area-1 and the ASB II Area. CSF abuts the existing Amphitheater Building along the lot line between the New Hospital Area and the ROPBH Area-1 and the ASB II Area. CSF further extends at the third floor and above into the ROPBH Area-1. The side yards provided for the CSF within the New Hospital Area, the ROPBH Area-1 and the ASB II Area do not comply with the requirements set forth in Section 19-4 of the Zoning Code. No further relief is required for the Tower Lobby Extension or the West Plaza.

Violation.

Rear Yard Violations:

In 1985, the Hospital obtained permission for no rear yard within the Remaining Old Peter Bent Hospital Area-1 and the ASB II Area. The construction of the CSF places both the ROPBH Area-1 and ASB II Area Lots into further violation.

Violations.

Parapet Setback Violations

The redivision of the New Hospital Area and the ROPBH Area-1 and the construction of CSF result in side parapet violations and the need for exceptions for portions of CSF on the ROPBH Area-1, ASB II Area and New Hospital Area because insufficient setbacks are provided as follows:

(a) CSF Parapet Setback to ASB II Area Westerly Side Lot Line:

$$L^1 = 4'$$

$$H = 166.33' - 70' = 96.3'$$

$$\frac{96.3' + 4'}{6} = \frac{100.3'}{6} = 16.7'$$

16.7' required,

0' provided

Violation.

(b) CSF Parapet Setback to ROPBH Area-
1 Westerly Side Lot Line:

$$L^1 = 117'$$

$$H = 166.30' - 70' = 96.3'$$

$$\frac{96.3' + 117'}{6} = \frac{213.3'}{6} = 35.6'$$

35.6' required,

0' provided

Violation.

(c)(i) CSF Parapet Setback to New
Hospital Area Easterly Side Lot Line
(excluding extension over ASB I):

$$L^1 = 117'$$

$$H = 166.3' - 70' = 96.3'$$

$$\frac{117' + 96.3'}{6} = \frac{213.3'}{6} = 35.6'$$

35.6' required,

0' provided

Violation.

(c)(ii) Parapet Setback to New
Hospital Area Easterly Side Lot Line
for CSF Extension over ASB I:

$$L' = 104'$$

$$H = 75' - 70' = 5'$$

$$\frac{104 + 5}{6} = \frac{109'}{6} = 18.16'$$

18.16' required,

0' provided.

Violation.

Exceptions to allow insufficient setbacks for parapets will be required for the parapet setbacks of CSF from the rear lot line of the ROPBH Area-1 and the rear lot line of the ASB II Area as follows:

CSF Parapet Setback to ROPBH Area -1
Rear Lot Line:

$$L^1 = 8'$$

$$H = 166.3' - 25' = 141.30'$$

$$\frac{141.3' + 8'}{6} = \frac{149.3'}{6} = 24.9'$$

24.9' required,
0' provided

Violation.

CSF Parapet Setback to ASB II Area
Rear Lot Line:

$$L^1 = 56'$$

$$H = 166.3' - 25 = 141.30'$$

$$\frac{141.3' + 56'}{6} = \frac{197.3'}{6} = 32.8'$$

32.8' required,
0' provided.

Violation.

The parapet setbacks for the Tower Lobby Extension and West Plaza are unchanged when one views the New Hospital Area as a separate lot.

Violations.

Off-Street Parking Violations

As noted above, the CSF is within a restricted parking overlay district.

No parking spaces are required for the CSF. As noted above, the Hospital will obtain an exception to allow for the restriping and relocation of the parking spaces within the New Hospital Area. The violation is not increased by the treatment of the New Hospital Area as an independent lot for zoning purposes or by its expansion to incorporate area which was previously a part of the Remaining Old Peter Bent Hospital Area-1.

Off-Street Loading

In 1976, the Hospital obtained an exception which allowed it to include no loading bays within the New Hospital Area. By virtue of this Third Amendment 273,207 FAR s.f. will be added to the New Hospital Area. Therefore, 273,207 square feet for off-street purposes will be added to the New Hospital Area. Two loading bays are proposed to be located within the New Hospital Area within the West Plaza, which bays will be utilized to service the loading bay uses for the PDA as a whole. Based upon the FAR square footage which is proposed to be added to the New Hospital Area, three loading spaces would be required. Two loading bays are provided; thus the provided loading bays are one less than what would otherwise be required.

Violation.

Note 6.

An exception from the requirements of the Zoning Code will be required for the Children's PDA across Shattuck Street in order to allow for a structure (i.e., the overhead walkway, with lift support structures connecting CSF to Children's Hospital) in a front yard.

Note 7.

The Temporary Facilities as defined above are temporary accessory uses to be allowed with the permission of the Commissioner of Inspectional Services pursuant to §10-3 of the Boston Zoning Code.

Note 8.

According to Sheets L1-L5 of the Plans, landscaping is proposed to be provided within the Shattuck Street front yard of the New Hospital Area and ROPBH Area-1. The landscaping includes lampposts exceeding the 5 foot height limit of §18-1 of the Zoning.

Violation.

Changes to the descriptions and calculations set forth above, including other violations, may occur during the course of elaboration and refinement of plans. All measurements given above are approximate.

THE BRIGHAM AND WOMEN'S HOSPITAL, INC. ("BWH")
DEVELOPMENT IMPACT PROJECT PLAN
AND THIRD AMENDMENT TO AND RESTATEMENT OF THE
DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT
AREA NO. 10 (THE "THIRD AMENDMENT")

CLINICAL SUPPORT FACILITY ("CSF"), TOWER LOBBY EXTENSION Phases II-IV, AND WEST PLAZA

MEMORANDUM ATTACHED TO APPENDIX I
ZONING DESCRIPTION AND CALCULATIONS

FLOOR AREA RATIO ("FAR") CALCULATIONS

Note: Unless indicated to the contrary, all numbers are in square feet and building square footages are per Tsoi/Kobus submissions and are after exclusions permitted under BZC for FAR purposes.

I Land Areas

Total Before any Deductions = 389,303, which includes 7,225 within Shattuck Street.

Deductions

- 100 - Huntington Avenue Taking from Remaining Old Peter Bent Hospital Area-2 ("ROPBH Area-2")
- 7,225 - Shattuck Street (all of which is within the New Hospital Area)
- 10,160 - Shattuck Street extension and area to the north thereof (all in New Hospital Area)
- 9,102 - Widening of Francis Street, including the widening made in 1982 and the possible extension thereof to Brigham Circle, 3,400 in the New Hospital Area and 2,760 in ASB II Area and 2,942 in Remaining Old Peter Bent Hospital Area-2 ("ROPBH Area-2").

-26,587 Total FAR Deductions

389,303 PDA

-26,587 FAR Deductions

362,716 FAR PDA

The FAR PDA is comprised of the following five lots:

129,911	New Hospital Area
51,873	ASB II Area
16,242	Research Area Building
34,030	ROPBH Area-1
<u>130,660</u>	ROPBH Area-2
362,716	

- II Building Areas Before Construction of CSF, Tower Lobby Extension, and West Plaza and Before Redivision of the Lots. Note - these figures are based upon revisions arising from a campus-wide space inventory conducted after 1985 and excludes the underground Garage on the ASB II Area.

684,004	New Hospital Area
87,930	ASB II Area
139,847	Research Building Area
87,786	ROPBH Area-1
<u>171,273</u>	ROPBH Area-2

1,170,840

- III Ratios Before Construction of CSF, Tower Lobby Extension and West Plaza and Before Redivision of Lots

Whole PDA	$\frac{1,170,840}{362,716} = 3.23$
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New Hospital Area	$\frac{684,004}{129,911} = 5.27$
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ASB II Area	$\frac{87,930}{51,873} = 1.70$
-------------	--------------------------------

Research Building Area	$\frac{139,847}{16,242} = 8.61$
------------------------	---------------------------------

ROPBH Area-1	$\frac{87,786}{34,030} = 2.58$
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ROPBH Area-2	$\frac{171,273}{130,660} = 1.31$
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- IV Building Areas after Construction of CSF, Tower Lobby Extension and West Plaza and Lot Areas after Redivision of Lots.

Building Areas:

234,056 CSF (231,630 in New Hospital Area (including one half of bridge to Children's Hospital), 2036 over ROPBHA-1, 390 over ASB II Area)

34,677 Tower Lobby Extension (all in New Hospital Area)

6,900 West Plaza (all in New Hospital Area)

275,633

Lot Areas after Redivision of Lots

141,628 New Hospital Area

51,873 ASB II Area

16,242 Research Building Area

22,313 ROPBH Area-1

130,660 ROPBH Area-2

362,716

V Demolition - 31,000 Tackaberry, all in area that was formerly ROPBH Area-1 and is now included in New Hospital Area.

VI Ratios After Construction of CSF, Tower Lobby Extension and West Plaza and Redivision of Lots

Whole PDA 1,415,473 - 3.91
 362,716

New Hospital Area 957,211 - 6.76
 141,628

ASB II Area 88,320 - 1.70
 51,873

Research
Building Area No Change

ROPBH Area-1 58,822 - 2.64
 22,313

ROPBH Area-2 No Change

Northerly Setback (towards Shattuck Street)

$L^1 = 186'$ on the northerly side

$H = 166.30 - 25'$ (free height) =
 $141.30'$

$$\frac{141.30' + 186'}{6} = \frac{327.3}{6} = 54.55'$$

$54.55'$ <u>-15.00</u> <u>39.55</u>	($\frac{1}{2}$ width of portion of Shattuck Street in front of CSF, a public open space, per Section 21-1)
---	---

$39.55'$ required,

$0'$ provided. (CSF extends
 $7.5'\pm$ into Shattuck Street)

Violation.

Southerly Setback (towards Francis Street)

$L^1 = 186'$ on southerly side
 $H = 166.30' - 25'$ (free height) =
 $141.30'$

$$\frac{141.30' + 186'}{6} = \frac{327.3'}{6} = 54.55'$$

$54.55'$ <u>-25.00</u> <u>$29.55'$</u>	(Francis Street is a public way)
--	-------------------------------------

$29.55\pm$ required,

$180\pm'$ provided.

Complies.

Southerly Setback (towards Francis Street) for portion of CSF which is over ASB I

$L^1 = 186'$ on southerly side
 $H = 75' - 25'$ (free height) = $50'$

$$\frac{50' + 186'}{6} = 39.33'$$

$39.33'$
 $-25.00'$ (Francis Street is a public way)

$14.33'$

$14.33'$ required
 $82'$ provided

Complies.

Easterly and Westerly Setbacks

$L^1 = 121'$
 $H = 166.30' - 70'$ (free height) = $96.3'$

$$\frac{96.3' + 121'}{6} = \frac{217.3'}{6} = 36.2'$$

$36.2'$ required,

$555'\pm$ provided to the east, $280'\pm$ provided to the west.

Complies.

Bay of CSF (faces Shattuck Street and intrudes over Shattuck Street from 5th through 9th floors)

Northerly Setback (towards Shattuck Street)

$L^1 = 186$ on the northerly side
 $H = 166.3 - 25'$ (free height) = $141.30'$

$$\frac{141.30' + 186'}{6} = \frac{327'}{6} = 54.55'$$

$54.55'$
 -10.00 ($\frac{1}{2}$ width of portion of Shattuck Street in front of

the Bay, a public open
space, per Section 21-1)

44.55

44.55' required,

0' provided. (The Bay will extend
5± feet over Shattuck Street
beyond building face below.)

Violation.

Southerly Setback (towards Francis
Street)

Not applicable. CSF intervenes.

Easterly and Westerly Setbacks

$$L^1 = 126'$$

$$H = 166.3' - 70'(\text{free height}) = 96.3'$$

$$\frac{96.3' + 126'}{6} = \frac{222.3'}{6} = 37.05'$$

37.05' required,
280' provided to the east,
555' provided to the west.

Complies.

**Overhead Walkway to Children's
Hospital from CSF:**

Northerly Setback (towards Shattuck
Street)

$$L^1 = 13' \text{ on the northerly side}$$

$$H = 26' - 25' (\text{free height}) = 1'$$

$$\frac{1' + 13'}{6} = \frac{14'}{6} = 2.33'$$

$$\begin{array}{r} 2.33' \\ -15.00 \end{array} \quad \left(\frac{1}{2} \text{ width of portion of} \right.$$

Shattuck Street over which
the walkway extends, a public
open space, per Section 21-
1).

$$\underline{\underline{-12.67'}}$$

0' required,
0' provided (The Walkway will extend
over Shattuck Street to
Children's Hospital)

Violation.

Southerly Setback (towards Francis
Street)

Not applicable. CSF intervenes.

Easterly and Westerly Setbacks

H = 26', - (free height) 70'.
Walkway does not extend above free
height so no setback is required.

Overhead Walkway to Tower from CSF:

Northerly Setback (towards Shattuck
Street)

L¹ = 31' on the northerly side
H = 96' - 25' (free height) = 71'

$$\frac{71' + 31'}{6} = \frac{102'}{6} = 17.0'$$

17.0'
-15.00 (½ width of portion of
Shattuck Street in front of
the walkway, a public open
space, per Section 21-1).

2.0'

2.0' required,

66' provided

Complies.

Southerly Setback (towards Francis
Street)

Not applicable. ASB I intervenes.

Easterly and Westerly Setbacks

Not applicable. CSF and Tower
intervene.

Tower Lobby Extension:

Southerly Setback (toward Francis Street)

$$L^1 = 271'$$

$$H = 53' - 25' \text{ (free height)} = 28'$$

$$\frac{28' + 271'}{6} = \frac{299'}{6} = 49.83'$$

$$\begin{array}{r} 49' \\ -25.0' \text{ (}\frac{1}{2}\text{ width of portion of Francis} \\ \hline 24.83' \text{ Street in front of Tower} \\ \text{Lobby Extension)} \end{array}$$

24.83' required,

0' provided

Violation. Tower Lobby Extension will be beyond face of existing building to create, visual identification at Francis Street.

Northerly Setback (toward Shattuck Street)

$$L = 68'$$

$$H = 48' - 25' \text{ (free height)} = 23'$$

$$\frac{23' + 68'}{6} = \frac{91'}{6} = 15.2'$$

$$\begin{array}{r} 15.2' \\ -22.0 \text{ (}\frac{1}{2}\text{ width of portion of Shattuck} \\ \hline -6.8 \text{ Street to rear of Tower Lobby} \\ \text{Extension Connector)} \end{array}$$

0' required,

42'± provided

Complies.

Easterly and Westerly Setbacks

Height does not extend above 70' free height, so no setbacks are required.

Infill below the existing Amory Building.

West Plaza:

H = 23'; free height 25' at a minimum

West Plaza does not extend above free height so no setbacks are required.

Air Shaft Parapet:

Northerly Setback (towards Shattuck Street)

Not applicable. CSF intervenes.

Southerly Setback (towards Francis Street)

$L^1 = 8'$

$H = 104' - 25' \text{ (free height)} = 79'$

$$\frac{79' + 8'}{6} = \frac{87'}{6} = 14.5'$$

14.5'

-25.00' (Francis Street is a public way)

-10.5'

0' required,

144' provided.

Complies.

Easterly and Westerly Setbacks

Not applicable. ASB I and ASB II intervene.

Note 3. Off-Street Parking:

There are approximately 51 parking spaces currently provided within the New Hospital Area. The Hospital obtained an exception in 1976 to allow 38 parking spaces to be located within the New Hospital Area.

38 parking spaces are currently provided within Shattuck Street adjacent to the New Hospital Area.

The construction of the CSF will change the existing parking and will involve the elimination of 18 existing parking spaces along Shattuck Street and 12 existing parking spaces within the New Hospital Area. 8 parking spaces will be eliminated by virtue of the creation of the West Plaza. An additional 4 parking spaces will be eliminated by virtue of the construction of the Tower Lobby Extension. Other on-street parking spaces may be eliminated by the City to improve traffic flow on Francis Street. After construction of CSF, West Plaza and Tower Lobby Extension, 30 parking spaces will remain within the New Hospital Area. The "ambulance court" within the CSF will provide facilities for 10 ambulances.

In addition to the approximately 30 parking spaces in the New Hospital Area, parking is available from the following sources: (a) 240± parking spaces for automobiles, and parking for motorcycles and bicycles are provided in the Garage for visitors and patients and for employees in off-peak hours only; (b) parking is also available in the nearby Mission Park Garage, in the MASCO Servicecenter, (underneath and adjacent to the New Hospital), and approximately 44 spaces are available adjacent to the Peter Bent Brigham Hospital within Remaining Old Peter Bent Hospital Area-2.

26 additional parking spaces may be proposed in an underground parking structure to be located within the Remaining Old Peter Bend Hospital Area-2. Because the PDA is in a Restricted Parking District, no off-street parking facilities are required. BWH is not intending to provide any parking spaces for the CSF.

An exception will be required to allow for the changes to the parking within the New Hospital Area as shown on the Plans.

Violation.

Note 4. Off-Street Loading:

The construction of CSF, Tower Lobby Extension and West Plaza will add a maximum of 234,056 square feet, 34,677 square feet and 6,900 square feet, respectively, of F.A.R. portion gross floor area. The 275,633 additional square feet proposed as a result of the CSF, Tower Lobby Extension and West Plaza construction will result in a campus-wide total of 1,415,473 F.A.R. square feet for loading purposes, after deduction of 31,000 s.f. of the Tackaberry Building which is being demolished. Deducting 169,242 s.f. of excludable Pre-Code (pre-1964) structures, leaves 1,246,231 s.f. for off-street loading purposes. However, two pre-1964 bays were previously demolished. Thus, a total of 13 loading bays are required per Sec. 24-1 (Group II uses), (11 for post-1963 square footage and 2 for pre-1964 construction).

An exception for 6 bays was granted in 1976 for the New Hospital Area and for 1 bay for the Research Building Area in 1982. There are 2 bays in the Research Building Area (serving the Research Building Area only). An exception for 1 bay was granted in 1985 in connection with ASB II. Two loading bays designed in conformance with Art. 24 will be provided in West Plaza. Thus, the deficiency is 1 bay.

Note 5.

Each lot in the PDA shall be considered separately for zoning purposes. Construction of the CSF, Tower Lobby Extension and West Plaza, and redivision of the area comprising the New Hospital Area and the Remaining Old Peter Bent Hospital Area-1 will not produce additional

zoning violations for the Research Building Area or Remaining Old Peter Bent Area - 2. However, additional violations will be created for the ASB II Area, the New Hospital Area, and Remaining Old Peter Bent Hospital Area - 1, including FAR, yard, parapet setback and off-street loading violations.

BWH wishes to be able to mortgage the CSF as part of the New Hospital Area following the redivision. Treating the New Hospital Area as a separate lot produces the following additional violations resulting from the construction and use of the CSF, Tower Lobby Extension and West Plaza.

Use Violations: Table A, Section 8-7, Use Item #71. Any use on a lot adjacent to, or across the street from, but in the same district ancillary and ordinarily incident to and for which it would be a lawful accessory use if it were on the same lot is conditional. Accordingly, an exception is required to allow uses accessory to the main uses on each of the other four areas to the extent that the main use to which the accessory use is incidental and that accessory use is not located in the same area. Additionally, although the CSF will be located primarily within the New Hospital Area, it will intrude both above and below grade into the ASB II Area and ROPBH-1 Area, the above-grade intrusions are as shown on the 1991 Plan prepared by R. H. Cole Associates, Inc.

FAR Violation: Viewed separately, the New Hospital Area violates the FAR limit. See attached memorandum.

Violation.

Front Yard Violations: No additional front yard violations result within the New Hospital Area, the ROPBH Area-1 or the ASB II Area, other than those set forth above.

BOSTON REDEVELOPMENT AUTHORITY

Fact Sheet

THIRD AMENDMENT TO AND RESTATEMENT OF DEVELOPMENT PLAN

FOR

PLANNED DEVELOPMENT AREA NO. 10

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

PROJECT NAME: The Brigham and Women's Hospital Clinical Support Facility, Tower Lobby Extension, and West Plaza Improvements

PROJECT ADDRESS: 75 Francis Street (Longwood Medical Area)

DEVELOPER: The Brigham and Women's Hospital, Inc.

ARCHITECT: Tsol/Kobus & Associates

**DEVELOPMENT
PROGRAM UNDER
THIRD AMENDMENT:**

Clinical Support Facility (CSF)

234,056 FAR square feet of new construction including the following uses:

- o Clinical space including obstetrical services, labor and delivery unit, and neonatal intensive care unit (NICU)
- o Medical office space
- o Staff support space

Tower Lobby Extension

34,677 square feet, including public areas and new admitting services space.

West Plaza Improvements

6,900 square feet, including the improvement of loading and receiving facilities.

(Walkway bridges will connect the new facility to Children's Hospital and to the adjacent Brigham & Women's Patient Tower.)

Open Spaces and Landscaping, including new courtyard.

DEMOLITION:	31,000 gross square feet (existing Tackaberry Building)								
DEVELOPMENT COST:	\$48,545,000								
BENEFITS:	<table border="0"> <tr> <td><u>Housing Linkage:</u></td> <td>\$1,340,000</td> </tr> <tr> <td><u>Jobs Linkage:</u></td> <td>\$268,000</td> </tr> <tr> <td><u>Construction Jobs:</u></td> <td>330</td> </tr> <tr> <td><u>Permanent Jobs:</u></td> <td>228</td> </tr> </table>	<u>Housing Linkage:</u>	\$1,340,000	<u>Jobs Linkage:</u>	\$268,000	<u>Construction Jobs:</u>	330	<u>Permanent Jobs:</u>	228
<u>Housing Linkage:</u>	\$1,340,000								
<u>Jobs Linkage:</u>	\$268,000								
<u>Construction Jobs:</u>	330								
<u>Permanent Jobs:</u>	228								
PDA AREA:	8.94 _± acres								
FAR, ENTIRE PDA:	3.23 (before construction) 3.91 (after construction)								
CSF BUILDING HEIGHT:	9 stories above grade, 2 stories below grade								
PARKING:	No new parking associated with the project								
ZONING:	H-3-D								
NECESSARY APPROVALS:	BRA approval of Development Impact Project Plan, Third Amendment to and Restatement of the Development Plan for Planned Development Area No. 10, and PDA Amendment Zoning Commission approval of said Third Amendment and Restatement and PDA Amendment Board of Appeal approval of exceptions under Article 6A of Zoning Code Determination of Need (State Public Health Council and Department of Public Health) Sewer Connection Permit (State Department of Environmental Protection)								
EXCEPTIONS REQUIRED:	Planned Development Area No. 10: exceptions for <ul style="list-style-type: none"> o Side Yard, Front Yard, and Rear Yard o Parapet Setback o Floor Area Ratio o Off-Street Loading o Reconfiguration of parking o Conditional use-ancillary uses 								

Planned Development Area No. 29 (The Children's Hospital): Exceptions for replacement of a pedestrian bridge across Shattuck Street to provide handicapped access to and from the Clinical Support Facility and Children's Hospital

**DEVELOPMENT REVIEW
APPROVAL STATUS:**

BRA approval:	March 27, 1991
BCDC approval:	March 5, 1991
Zoning Commission hearing:	April 24, 1991
Board of Appeal hearing:	Not yet scheduled

**CONSTRUCTION
TIMETABLE:**

Tackaberry Building - Demolition

Estimated Start:	1991-II
Estimated Completion:	1991-III

Clinical Support Facility (CSF) - Construction

Estimated Start:	1991-IV
Estimated Completion:	1993-IV

Tower Lobby - Construction

Estimated Start (Tower Lobby):	1993-I
Estimated Completion (CSF Construction):	1993-IV
Estimated Completion of Tower Lobby Construction:	1994-IV

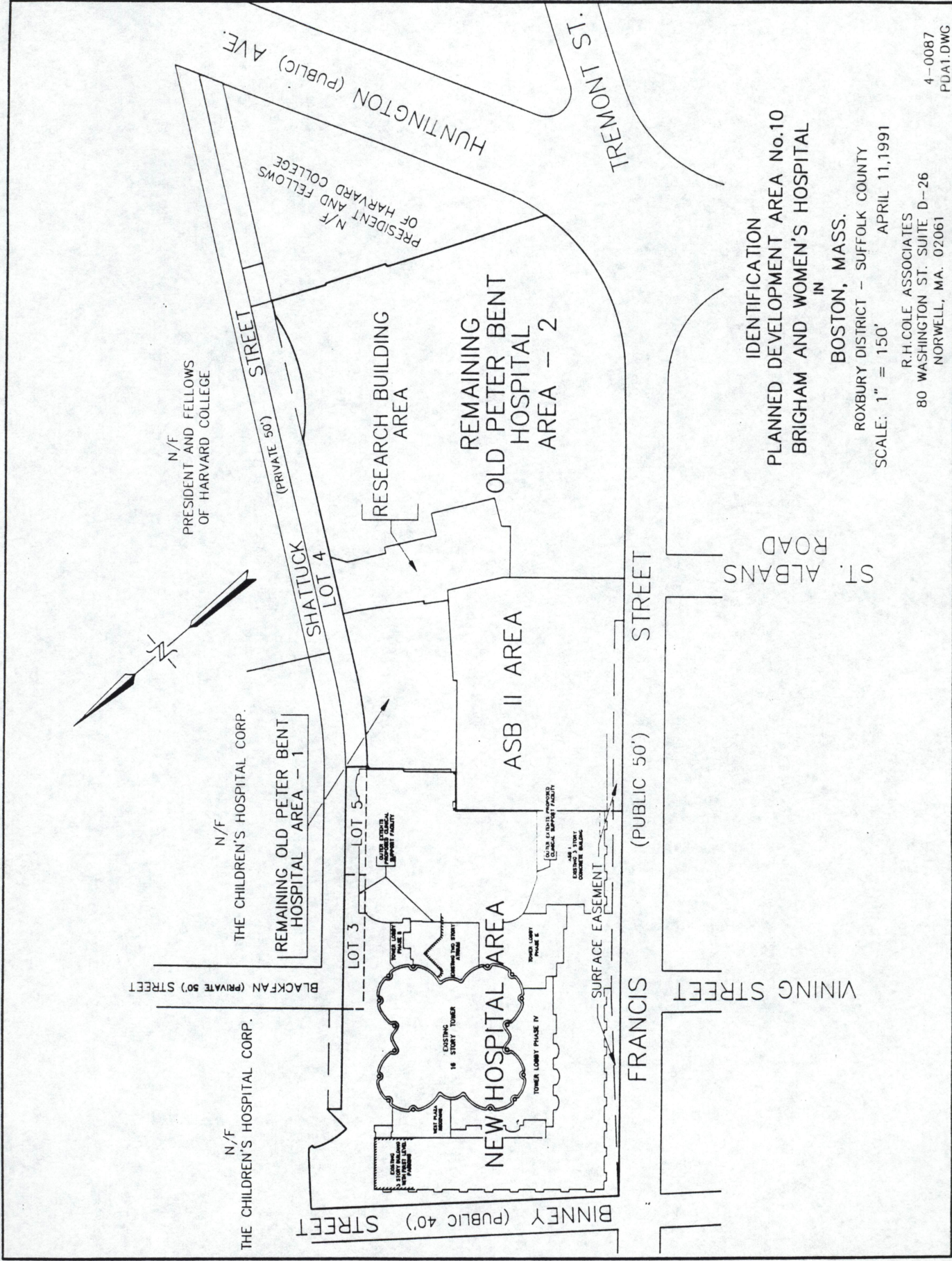
radius of two hundred thirty-one and 85/100 (231.85) feet,
a distance of two hundred fifteen and 01/100 (215.01)
feet; and

Thence by Francis Street, in two courses, as follows:

N 50° 13' 24" W, eighty and 20/100 (80.20) feet; and

N 49° 07' 11" W, nine hundred four and 94/100
(904.94) feet to the point of beginning.

Said parcel contains 389,303 square feet, more or less, or
8.937 acres, more or less.

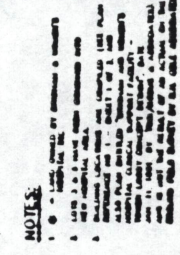


IDENTIFICATION
 PLANNED DEVELOPMENT AREA No.10
 BRIGHAM AND WOMEN'S HOSPITAL
 IN
 BOSTON, MASS.
 ROXBURY DISTRICT - SUFFOLK COUNTY
 SCALE: 1" = 150' APRIL 11,1991

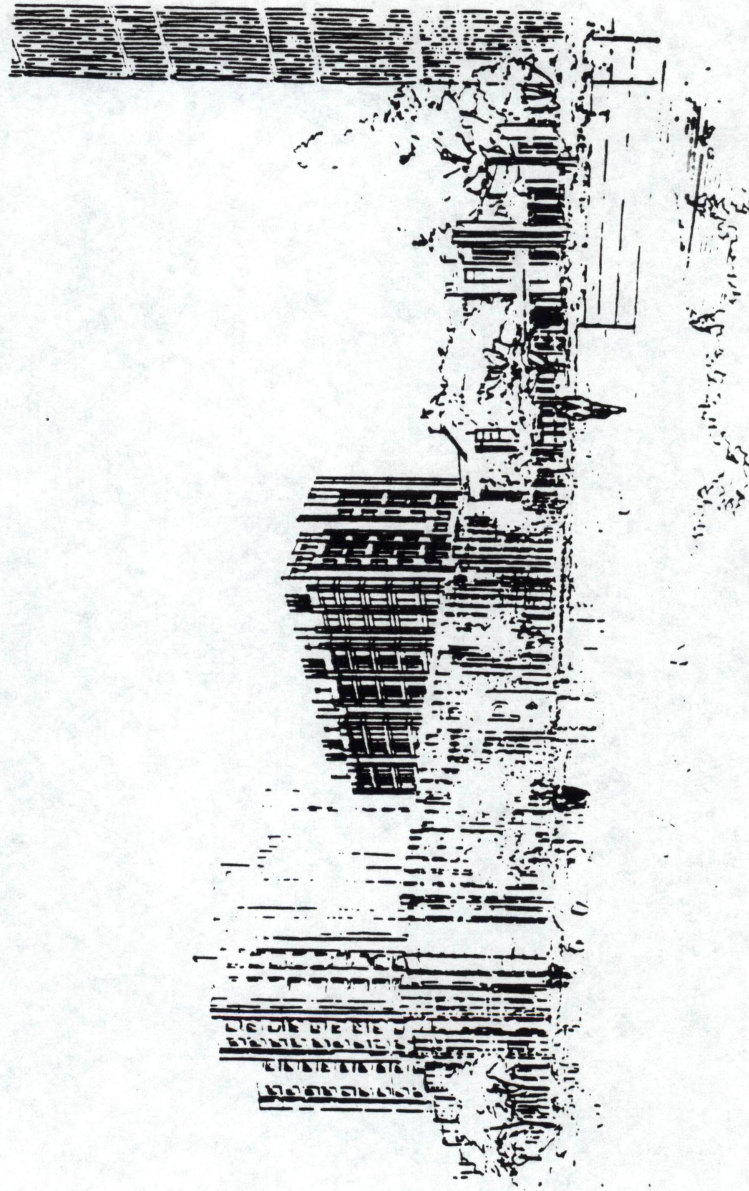
R.H.COLE ASSOCIATES
 80 WASHINGTON ST. SUITE D-26
 NORWELL, MA. 02061
 4-0087
 PDA1.DWG

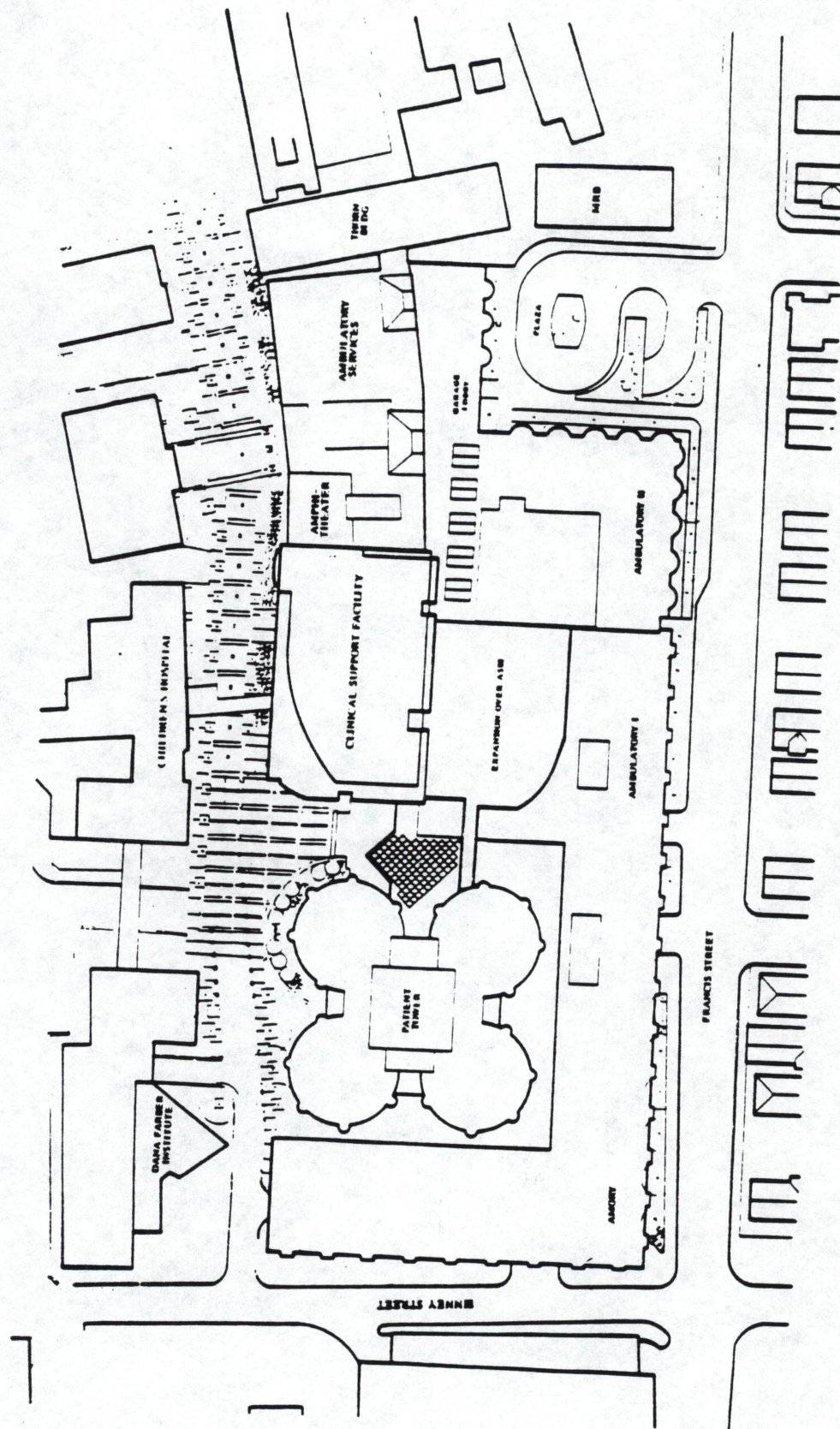
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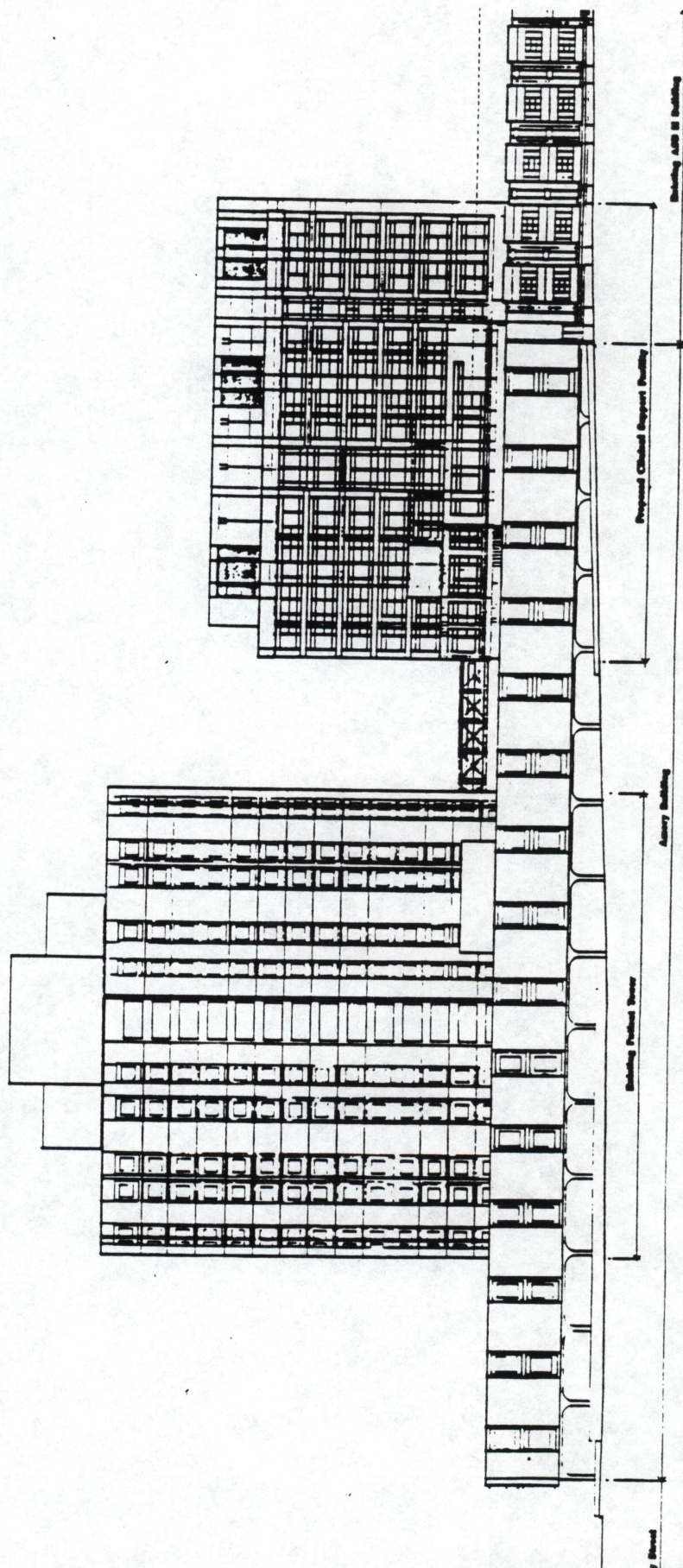
RM Code

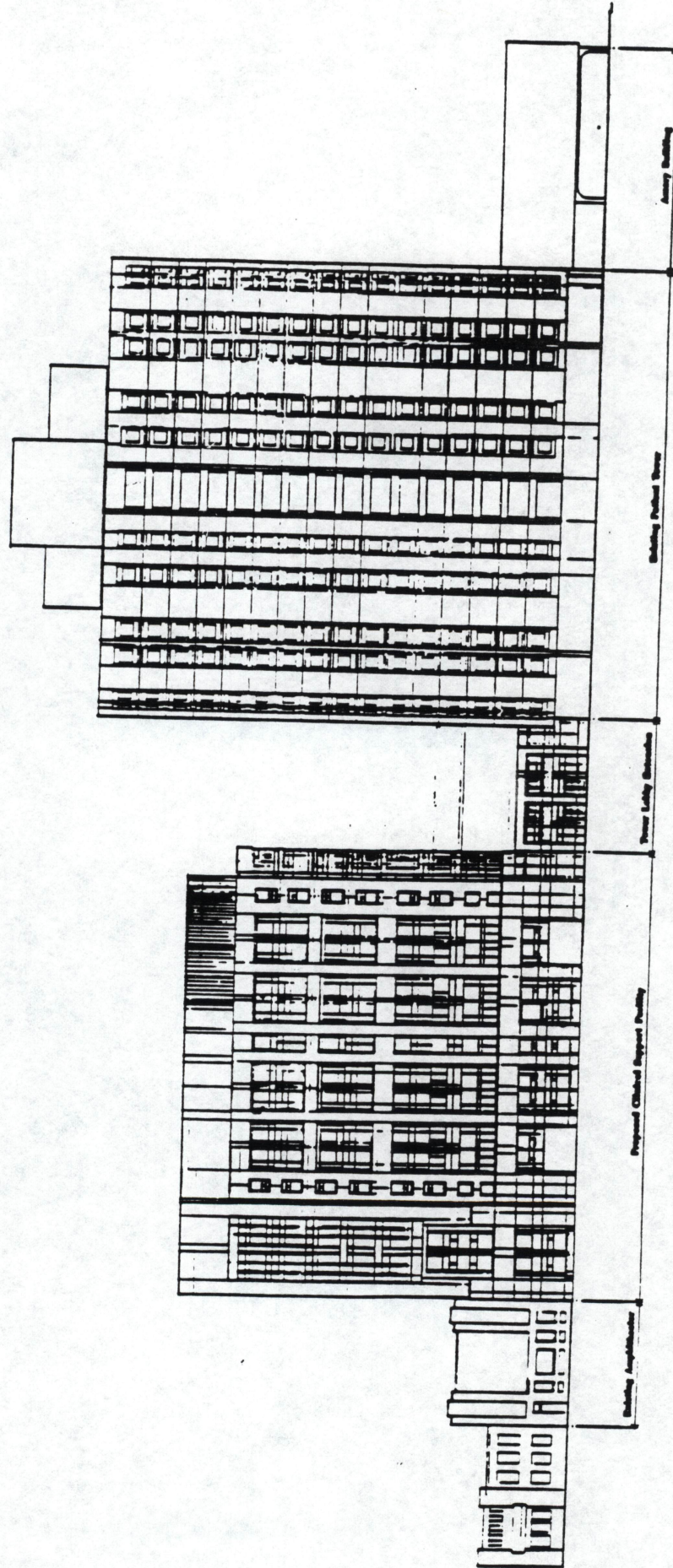
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MEMORANDUM

MARCH 27, 1991

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: LINDA MONGELLI-HAAR, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD PLANNING AND ZONING
GERRY KAVANAUGH, DIRECTOR OF
INSTITUTIONAL PLANNING
MICHAEL HUNTER, DEPUTY DIRECTOR FOR
URBAN DESIGN AND DEVELOPMENT
VINCE MCCARTHY, PLANNING ASSISTANT

SUBJECT: PUBLIC HEARING ON (1) DEVELOPMENT IMPACT PROJECT
PLAN FOR BRIGHAM & WOMEN'S HOSPITAL CLINICAL
SUPPORT FACILITY, TOWER LOBBY EXTENSION, AND WEST
PLAZA AND (2) THE THIRD AMENDMENT TO AND
RESTATEMENT OF THE DEVELOPMENT PLAN FOR PDA NO. 10

EXECUTIVE
SUMMARY:

This memorandum requests that with respect to the proposed Brigham & Women's Hospital Clinical Support Facility, Tower Lobby Extension, West Plaza loading and receiving facility, and associated pedestrian bridges, the Boston Redevelopment Authority: (1) authorizes the Director to petition the Zoning Commission of the City of Boston for approval of the Third Amendment to, and Restatement of Development Plan for PDA No. 10; (2) make findings required for the approval of, and approve a Development Impact Project Plan pursuant to Sections 26A-3 and 26B-3 of the Zoning Code; (3) approve and authorize the Director to execute a DIPP Agreement and a Cooperation Agreement for PDA No. 10, substantially in form as appended hereto, all conditioned upon the issuance of an Adequacy Determination pursuant to Article 31 of the Zoning Code; (4) recommend approval of exceptions and conditional use permits pursuant to Articles 6 and 7 of the Zoning Code; and (5) authorize the Director to issue an Adequacy Determination pursuant to Section 31-5 of the Zoning Code.

Development Program

Brigham & Women's Hospital is seeking approval of a Development Impact Project Plan (DIPP) for its proposed Clinical Support Facility, Tower Lobby Extension, West Plaza loading and receiving facility, and associated pedestrian bridges.

The Hospital proposes to construct a 234,056 FAR gross square foot Clinical Support Facility, to be located along Shattuck Street, adjacent to its existing Inpatient Bed Tower. The proposed nine-story facility will replace the 40-year old, 31,000 square foot Tackaberry Building, which is to be demolished. A

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pedestrian bridge will connect the Clinical Support Facility to the existing Inpatient Bed Tower, and an existing pedestrian bridge to Children's Hospital will be replaced.

The Clinical Support Facility will house space for clinical services, staff support uses, and medical faculty offices. Clinical space will encompass improved and expanded facilities for labor and delivery services and the hospital's Neonatal Intensive Care Unit (NICU). Current facilities for these specific functions were constructed in the 1970s, and are inadequate because the number of annual births at the hospital has increased from 6,300 in 1980 to over 10,500 in 1990.

The Hospital also proposes to expand its existing Tower Lobby with an addition of 34,677 square feet. Plans call for improvements in the pedestrian environment within the structure itself and at the adjacent Francis Street and Shattuck Street entrances. A new pedestrian-oriented plaza would be created at the Shattuck Street entrance to the Tower Lobby.

The Hospital also desires to improve its loading and receiving facilities with its West Plaza addition of 6,900 square feet at the base of the west side of the Inpatient Bed Tower.

Construction of the Clinical Support Facility is expected to begin in the third quarter of 1991 with completion expected in the fourth quarter of 1993. Construction of the Tower Lobby Extension is expected to begin in the first quarter of 1993, with completion expected in the fourth quarter of 1994. Construction of the West Plaza facility will commence in the fourth quarter of 1991 and will be completed in the first quarter of 1992.

The Hospital further seeks to improve the pedestrian and visual environment of the campus through landscaping and pedestrian circulation improvements to the Brigham Green area, which is located at the historic Peter Bent Brigham Lobby entrance, immediately adjacent to Brigham Circle.

Planned Development Area No. 10

A Development Plan for Planned Development Area ("PDA") No. 10, dated October 6, 1976 was approved by the Authority on October 21, 1976 (the "Development Plan"). The Development Plan, as amended, relates to a parcel of land in the Roxbury section of Boston, within the Longwood Medical Area. On the basis of the Development Plan, the Boston Zoning Commission, on October 22, 1976, adopted Map Amendment No. 145 to the Boston Zoning Code (the "Zoning Code"), creating an H-3-D subdistrict with respect to the PDA.

The Development Plan was amended by Amendment to Development Plan for Planned Development Area No. 10, approved by the Authority on January 21, 1982.

The Development Plan was further amended by a Development Impact Project Plan and Second Amendment to and restatement of Development Plan, dated March 21, 1985, and approved by the Authority on May 9, 1985.

Planned Development Area/Development Impact Project Requirements

Brigham & Women's Hospital has requested several actions by the Board necessary for the project to proceed. Authorization is required for the Director to petition the Zoning Commission for approval of the Third Amendment and Restatement of Development Plan for PDA No. 10. The Board must also make findings required for the approval of, and approve, a Development Impact Project Plan pursuant to Sections 26A-3 and 26B-3 of the Zoning Code. The Board must approve and authorize the Director to execute a DIP Agreement and a Cooperation Agreement for PDA No. 10, substantially in form as appended hereto, all conditioned upon the issuance of an Adequacy Determination pursuant to Article 31 of the Zoning Code. The Hospital also requests that the Board recommend approval of exceptions and conditional use permits pursuant to Articles 6 and 7 of the Zoning Code, and authorize the Director to issue an Adequacy Determination pursuant to Section 31-5 of the Zoning Code.

In addition, the Hospital has indicated that a portion of the existing pedestrian bridge to the Children's Hospital, which will be replaced as a part of the Clinical Support Facility construction to provide handicapped accessibility between the Clinical Support Facility and the Children's Hospital, is located within the Children's Hospital Planned Development Area No. 29. Brigham & Women's Hospital, with the consent of Children's Hospital (see attached letter), has therefore requested that the Board determine that reconstruction of said pedestrian bridge is in accordance with Children's Hospital PDA No. 29.

With respect to DIPP requirements, Articles 26, 26A and 26B of the Zoning Code require that the Board approve a Development Impact Project Plan which defines the housing linkage and jobs linkage obligations of Brigham & Women's Hospital. The Development Impact Project Plan and Third Amendment to and Restatement of Development Plan for PDA No. 10 are combined into a single document and attached hereto for the Board's review.

A Development Impact Project Agreement (in connection with the Development Impact Project Plan) and Cooperation Agreement (in connection with the Development Plan) are also appended hereto.

Development Review Process

With the consent of Brigham & Women's Hospital, the new facilities are being reviewed pursuant to Article 31, Development Review Requirements. Accordingly, the Hospital submitted a Project Notification Form ("PNF") on May 1, 1990. The BRA issued its Scoping Determination on October 15, 1990. The Hospital filed a Draft Project Impact Report (DPIR) on February 15, 1991. BRA staff is currently preparing a Preliminary Adequacy Determination ("PAD") in response to the DPIR.

The Hospital, its architects and consultants have engaged in a thorough review with BRA staff of urban design, building design, open space, and environmental issues associated with the Proposed Project. Schematic Design drawings for the Clinical Support Facility have been submitted to and fully reviewed by BRA Urban Design staff. The Hospital and its consultants have also engaged in a thorough review with BRA staff and the Boston Transportation

Department ("BTD") staff of all transportation issues associated with the Proposed Project, and substantial transportation mitigation measures have been defined and will be incorporated into a Transportation Access Plan Agreement to be executed by the hospital and the Boston Transportation Department.

Brigham & Women's Hospital Institutional Master Plan

The Hospital has submitted an Institutional Master Plan to the BRA and the Mission Hill PZAC. The Proposed Project is included within and consistent with the Master Plan. BRA staff and the Mission Hill community have reviewed the Plan, and will complete its final review over the upcoming months.

Boston Civic Design Commission Review

The Proposed Project is subject to review by the Boston Civic Design Commission ("BCDC"). The Hospital presented plans for the Clinical Support Facility, Tower Lobby Extension, and West Plaza improvements at the BCDC meeting of February 5, 1991. The BCDC review continued at its Design Subcommittee meeting of February 26, and formal approval of the Proposed Project was voted at the full committee meeting of March 5, 1991.

Community Review Process

Over the past six months, the Brigham & Women's Hospital has participated in a comprehensive community review process with the Mission Hill Planning and Zoning Advisory Committee ("Mission Hill PZAC"). The community review process resulted in the commitment by the hospital to substantial public benefit initiatives related to employment, job training, community health care, and transportation and parking management. This review process was completed on March 5, 1991, at which time the Mission Hill PZAC determined that the Proposed Project should move forward with the public benefits and mitigation measures defined through the review process.

Public Benefits

The Clinical Support Facility, Tower Lobby Expansion and West Plaza will generate a total of \$1,608,120 in linkage funds, including a Housing Contribution of \$1,340,100, and a Jobs Contribution of \$268,020.

Three hundred thirty (330) new construction jobs will be created by the Project, and two hundred twenty-eight (228) new full-time permanent jobs will result. The hospital will execute a Boston Residents Construction Employment Plan Agreement with the Mayor's Office of Jobs and Community Services (OJCS). The hospital will also execute a First Source Agreement with the Mayor's Office of Jobs and Community Services regarding permanent employment opportunities.

Brigham & Women's Hospital has committed to a wide range of community benefit initiatives targeted to improving employment and job training opportunities and community health care services for the citizens of Boston, particularly for residents of the local area. These include the continuation of its services to local community health centers, neighborhood housing complexes, and local schools.

Transportation Mitigation

The hospital has committed itself to substantial transportation and parking management measures to mitigate transportation and parking impacts of the hospital and its Proposed Project. The hospital will remove existing leased parking spaces located at 75 St. Alphonsus Street which impact traffic flow in the Mission Hill residential community. The hospital will continue to subsidize the cost of public transit for employees at an average percentage of 22%, and will continue to subsidize off-site parking spaces to encourage employee use of such facilities. A Construction Management Plan will be executed which will require that construction traffic take routes to and from the project site which will avoid residential neighborhood streets.

Conclusion

Attached to this memorandum are documents regarding the application of Brigham & Women's Hospital for approval of Development Impact Project Plan and Third Amendment to and Restatement of Development Plan for PDA No. 10.

Appropriate votes follow:

VOTED:

VOTED: That in connection with the Development Impact Project Plan and the Third Amendment to and Restatement of Development Plan for The Brigham and Women's Hospital, Inc. Planned Development Area No. 10, presented at a public hearing duly held at the offices of the Authority on March 27, 1991 and after consideration of the evidence presented at that hearing, the Boston Redevelopment Authority, weighing the public benefits of the proposed project and the detriments of the proposed project, finds that said Plan and Third Amendment (1) conform to the general plan for the City of Boston as a whole; (2) contain nothing that will be injurious to the neighborhood or otherwise detrimental to the public welfare; and (3) do adequately and sufficiently satisfy all other criteria and specifications for a Development Impact Project and a Planned Development Area as set forth in the Boston Zoning Code as amended; and further

VOTED: That the temporary and the permanent proposed pedestrian bridge across the private way known as Shattuck Street to Children's Hospital, together with its provision for handicapped access and the supports therefor, which will replace the existing pedestrian bridge to Children's Hospital as described in said Plan and Third Amendment: (1) conforms to the general plan for the City of Boston as a whole; (2) contains nothing that will be injurious to the neighborhood or otherwise detrimental to the public welfare; (3) does adequately and sufficiently satisfy all other criteria and specifications for PDA #10 and (4) is in accordance with Children's Hospital PDA #29, and the drawings and specifications therefor have been reviewed and approved, all as provided for in the Boston Zoning Code as amended; and further

VOTED: That it is hereby found and determined that the proposed project if constructed in accordance

with said Plan and Third Amendment will not result in significant damage to or impairment of the environment, and, provided that all practical and feasible measures described in said Plan and Third Amendment are taken, will avoid or minimize damage to the environment; and further

VOTED:

That, pursuant to the provisions of Section 3-1A and Articles 26A and B of the Boston Zoning Code as amended, the Boston Redevelopment Authority hereby approves the "Development Impact Project Plan and Third Amendment to and Restatement of Development Plan for The Brigham and Women's Hospital, Inc. ("BWH") Planned Development Area No. 10", dated March 27, 1991 and further described in a series of plans listed in appendices A and B of said document. Said document and plans shall be on file in the Office of the Director of Zoning of the Authority; and further

VOTED:

That the Authority hereby authorizes the Director to petition the Zoning Commission of the City of Boston for approval of the Third Amendment to and Restatement of Development Plan for The Brigham and Women's Hospital Planned Development Area No. 10; to execute in the name and on behalf of the Authority substantially in the forms attached hereto, a Cooperation Agreement for Planned Development Area No. 10 and a Development Impact Project Agreement Including Provisions for the Housing Contribution Grant and the Jobs Contribution Grant for Planned Development Area No. 10 with the developer of said Planned Development Area; and to certify, in the name and on behalf of the Authority, that plans submitted to the Building Commissioner in connection with said Planned Development Area are in conformity with said Development Plan as amended and Development Impact Project Plan and that the developer has entered into an agreement to be responsible for a Development Impact Project Exaction; and further

VOTED:

That in reference to petitions brought by The Brigham and Women's Hospital, Inc., for exceptions as listed in the Development Impact Project Plan and Third Amendment to and Restatement of the Development Plan for Brigham and Women's Hospital Planned Development Area

No. 10, which are approved by the Authority today, the Boston Redevelopment Authority recommends approval provided that a Development Impact Project Agreement substantially in the form attached hereto has been executed by the Authority and the developer, and provided that the Zoning Commission will have approved said amendment, and the Authority hereby authorizes the Director to certify to the Board of Appeal that the exceptions requested are in conformity with said amended Development Plan and Development Impact Project Plan; and further

VOTED:

That in reference to a petition to be brought jointly by the Children's Hospital Corporation and The Brigham and Women's Hospital, Inc. for an exception to allow construction of a temporary and then a permanent replacement pedestrian connector bridge between the proposed Clinical Support Facility and the Children's Hospital, which is located within PDA #29, previously approved by the Authority, the Boston Redevelopment Authority recommends approval; and the Authority hereby authorizes the Director to certify to the Board of Appeal that the exception requested is in conformity with the Development Plan and the Development Impact Project Agreement for PDA #29.

VOTED:

That the Authority hereby authorizes the Director to execute in the name and behalf of the Authority, an Adequacy Determination with respect to the Final Project Impact Report for the Clinical Support Facility upon completion of the review by the Authority of such Final Project Impact Report for the Clinical Support Facility.

Map Amendment Application No. 320
Planned Development Area No. 10
Third Amendment to and Restatement of
Development Plan and Area
Boston Redevelopment Authority in
behalf of The Brigham and Women's
Hospital, Inc.

MAP AMENDMENT NO. 261

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

IN ZONING COMMISSION

*EFFECTIVE
May 9, 1991

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, and after due consideration of the findings of the Boston Redevelopment Authority adopted on March 27, 1991, does hereby:

1. Approve the "Third Amendment to and Restatement of Development Plan for The Brigham and Women's Hospital, Inc./Planned Development Area No. 10," dated March 27, 1991, and approved by the Boston Redevelopment Authority on that date;
2. Grant a revised Planned Development Area designation on "Map 1 Boston Proper" and Map 6 Roxbury," of the series of maps entitled "Zoning Districts City of Boston" as established under Chapter 665 of the Acts of 1956, as amended, to the area bounded generally as follows:

Southerly by Huntington Avenue and Francis Street, westerly by Binney Street, northerly by land of Dana Farber Cancer Institute, Inc., land of the Children's Hospital Corporation, and portions of the center line and the southerly sideline of Shattuck Street, and easterly by land of the President and Fellows of Harvard College, all as more particularly described in the attached Exhibit A.

Containing approximately 389,303 square feet of land.

The revised designation differs from the H-3-D designation granted in Map Amendment No. 145 principally in including an additional portion of Shattuck Street, a private way.

* Date of public notice: April 12, 1991 (see St. 1956, c. 665, s. 5).

Exhibit A

Metes and Bounds Description
of
Planned Development Area

A parcel of land on the northerly side of Francis Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at the northeasterly corner of Francis and Binney Streets;

Thence by Binney Street, N 38° 00' 54" E, three hundred sixty-three (363) feet;

Thence by land now or formerly of Sidney Farber Cancer Center, Inc. in seven courses, as follows:

S 52° 00' 27" E, sixty-eight and 42/100 (68.42) feet;

S 37° 59' 32" W, 50/100 (.50) feet;

S 52° 00' 27" E, five and 02/100 (5.02) feet;

By a curved line to the left with a radius of ninety-three and 59/100 (93.59) feet, a distance of seven and 15/100 (7.15) feet;

N 79° 57' 38" W, three and 63/100 (3.63) feet;

By a curved line to the left with a radius of ninety-seven and 17/100 (97.17) feet, a distance of forty-four and 79/100 (44.79) feet;

N 83° 00' 18" E, thirty-two and 91/100 (32.91) feet;
and

Thence by land now or formerly of The Children's Hospital Medical Center in two courses, as follows:

S 41° 10' 18" W, sixteen and 86/100 (16.86) feet;

S 48° 51' 16" E, three hundred ninety-six and 26/100 (396.26) feet, the last two hundred seventy-six and 64/100 (276.64) feet of which is by the center-line of Shattuck Street;

Thence continuing by the center line of Shattuck Street in one course as follows:

By a curved line to the left with a radius of five hundred four and 35/100 (504.35) feet, a distance of twelve and 05/100 (12.05) feet, and

Thence by other land of Brigham & Women's Hospital, Inc. in one course, as follows:

S 39° 46' 34" W, twenty-five feet and 00/100 (25.00) feet by Lot 4 which is a portion of Shattuck Street;

Thence continuing by the southerly sideline of Shattuck Street and other land of Brigham & Women's Hospital, Inc. in four courses, approximately as follows:

By a curved line to the left with a radius of five hundred twenty-nine and 35/100 (529.35) feet, a distance of one hundred twelve and 81/100 (112.81) feet; and

S 62° 26' 04" E, two hundred eighty-four and 96/100 (284.96) feet;

By a curve to the left with a radius of two hundred seven and 00/100 (207.00) feet a distance of one hundred fifty-five and 87/100 (155.87) feet; and

S 62° 26' 04" E, seventeen and 40/100 (17.40) feet;

Thence by land now or formerly of the President and Fellows of Harvard College, in seven courses, as follows:

S 23° 55' 44" W, sixty-six and 68/100 (66.68) feet;

S 66° 04' 16" E, one and 88/100 (1.88) feet;

S 22° 19' 50" W, seventy-four and 39/100 (74.39) feet;

N 67° 40' 10" W, two and 83/100 (2.83) feet;

S 22° 19' 50" W, one and 13/100 (1.13) feet;

N 67° 40' 10" W, 85/100 (.85) feet; and

S 22° 21' 50" W, one hundred ninety-six and 55/100 (196.55) feet;

Thence by the northerly corner of Huntington Avenue and Francis Street by a curved line to the right, having a

radius of two hundred thirty-one and 85/100 (231.85) feet,
a distance of two hundred fifteen and 01/100 (215.01)
feet; and

Thence by Francis Street, in two courses, as follows:

N 50° 13' 24" W, eighty and 20/100 (80.20) feet; and

N 49° 07' 11" W, nine hundred four and 94/100
(904.94) feet to the point of beginning.

Said parcel contains 389,303 square feet, more or less, or
8.937 acres, more or less.

Map Amendment Application No. 320
Third Amendment to and Restatement of
Development Plan for
Planned Development Area No. 10

Map Amendment No. 261

Richard Bowler

Chairman

Robert L. Mann
Vice Chairman

Vice Chairman

Frank M. Mc Grath
 Joseph W. Joyce
 Robert Fardem
 Ernest E. Hays
 Fernando J. Hernandez Jr.

In Zoning Commission

Adopted May 1, 1991

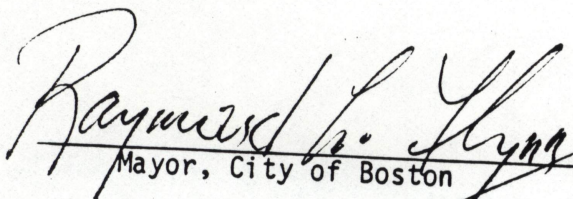
Attest:

Marjorie H. E. E. E.
Secretary

Secretary

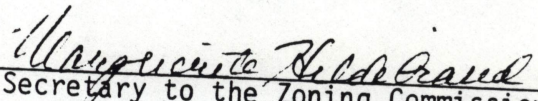
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Map Amendment No. 261

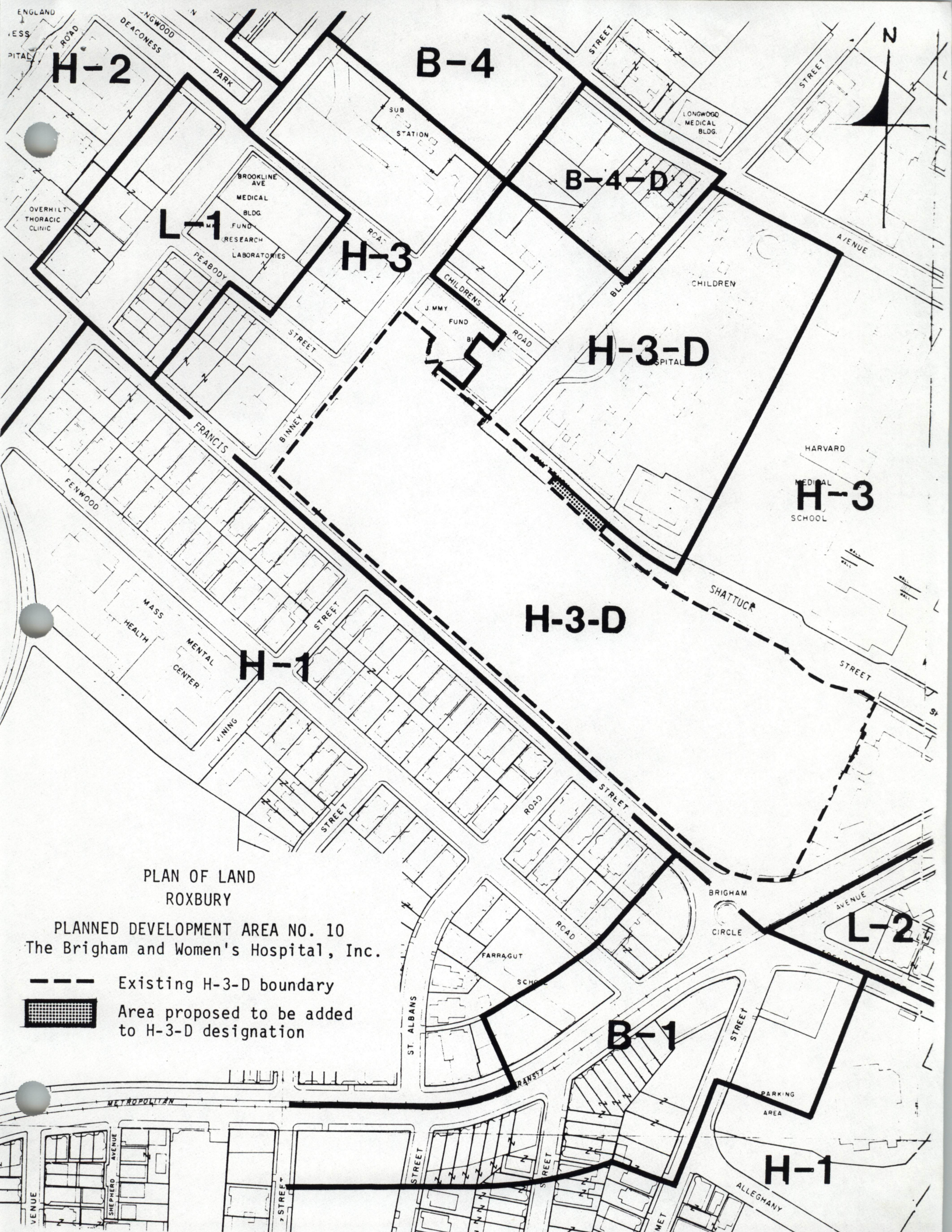


Mayor, City of Boston
Date: May 9, 1991

The foregoing amendment was presented to the Mayor on May 2, 1991, and was signed by him on May 9, 1991, whereupon it became effective on May 9, 1991, in accordance with the provisions of Section 3 of Chapter 665 of the Acts of 1956.

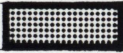
Attest: 

Secretary to the Zoning Commission



PLAN OF LAND
ROXBURY

PLANNED DEVELOPMENT AREA NO. 10
The Brigham and Women's Hospital, Inc.

- Existing H-3-D boundary
-  Area proposed to be added to H-3-D designation