

BOSTON REDEVELOPMENT AUTHORITY

March 21, 1985

DEVELOPMENT IMPACT PROJECT PLAN

AND

SECOND 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, and Easterly by land of
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 adopted by the Boston Redevelopment
Authority (the "Authority") on October 21, 1976 (the
"Development Plan"). The Development Plan 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.

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

- (1) to straighten the division line between the New
Hospital Area and the Old Peter Bent Area (both

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.

Anticipated Increase in Number of Employees as a Result of ASB II and the GARAGE/LOBBY: Because the ASB II primarily involves replacement of existing, obsolete hospital facilities the only anticipated increase in the number of permanent employees is 10 additional facilities operations personnel for ASB II and 4 parking attendants for the Garage. It is estimated that approximately 130 construction-related jobs will be generated by construction of ASB II and Garage/Lobby. BWH will formulate a voluntary employment opportunity plan which, recognizing that the ASB II and the Garage/Lobby construction will be a union project, will provide for BWH's good faith efforts to achieve a goal that 50% of the employment opportunities created by ASB II and the Garage/Lobby will be made available to Boston residents.

Development Impact Project Exaction: No zoning exception is to be granted for ASB II and the Garage/Lobby unless BWH has entered into an agreement with the Boston Redevelopment Authority and the Neighborhood Housing Trust, or if such Trust has not been established at the time of the execution of such agreement, the Boston Redevelopment Authority, acting on behalf of said Trust, for the payment of a Development Impact Project Exaction. Said exaction shall be based on the number of square feet of gross floor area as follows:

ASB II and Lobby	104,451
Less 100,000 sq.ft. threshold exemption	<u>-100,000</u>
	4,451 sq. ft.

If BWH elects to satisfy the responsibility for said exaction by money payments, payments to said Trust or its fiduciary shall be paid in twelve equal annual installments,

the first installment due upon the issuance of a Certificate of Occupancy for the first component of the building, or twenty-four months after the issuance of the Building Permit for said component. The payment shall be one-twelfth of \$5.00 per square foot of gross floor area, for 12 years. (The Garage square footage is excludable under Article 26 of the Zoning Code.)

If the Hospital shall elect to satisfy the responsibility for said exaction by contributing to the creation of housing units for occupancy exclusively by low and moderate income residents of the City of Boston, the Hospital shall submit a proposal in writing to the Authority on or before the earlier of the issuance of a Certificate of Occupancy or twenty-four (24) months after the granting of the building permit for the Project, describing the number, location, cost, and design of the housing units. Such proposal shall satisfy the Housing Creation Exaction requirement set forth in subparagraph 3(b) of Section 26-1 of Article 26, and shall provide for the creation of housing units at a cost at least equal to the amount set forth in the preceding paragraph hereof. Such proposal shall be subject to approval by the Authority after public notice and hearing.

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; and easterly by land of the President and Fellows of Harvard College. Said parcel contains 8.86 acres, and is shown by plan BRA-1 and by the plan described in paragraph 3 on page 3 above, by Whitman and Howard, as corrected to include 4,029 square feet in existing Shattuck Street, a private way. A metes and bounds description is contained in Appendix A.1/

Because of financing considerations, the parcel, was treated as though subdivided into two parcels in 1976, the "New Hospital Area" at the westerly end of the property, containing 3.42 acres and more fully described in Appendix A 2/, and the "Old Peter Bent Area" containing the balance of the former Peter Bent Brigham Hospital property (5.44 acres).

The entire parcel lies in an H-3 zoning district which is an apartment district with a floor area ratio of 3.0.

The following changes were made to the parcel as described above:

1. An easement of ninety (90) square feet was taken by eminent domain in 1979 from the Old Peter Bent Area for Huntington Avenue improvements.

2. The boundary between the New Hospital Area and the Old Peter Bent Area has been straightened by the 1982 Amendment to the Development Plan, adding 862 square feet to the Old Peter Bent Area and subtracting the same amount from the New Hospital Area.

The following additional changes are now made:

Four parcels are created in the Old Peter Bent Area; those parcels are shown on the plan entitled "A-2 Ambulatory II/Garage Campus Site Plan" and in part on the plan entitled "A-3 Ambulatory Services Building II and Garage-Lobby Site Plan" listed in paragraph 4 above. One of these is called the "ASB II Area", another is called the "Research Building Area". The remainder of the Old Peter Bent Area to the north of the ASB II Area and to the west of the Research Building Area is called the "Remaining Old Peter Bent Hospital Area - 1" and the remainder of the Old Peter Bent Area to the east of the Research Building Area and to the east of the ASB II Area is called the "Remaining Old Peter Bent Hospital Area - 2". These parcels are more fully described in Appendices 3-6. Reference to any of said four areas shall be to them as described in those appendices.

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, 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 and the like) for the convenience of patients, visitors and staff. The same uses will be permitted in the Old Peter Bent Area except that in-patient care is restricted to the New Hospital Area. The accessory uses of scientific research and teaching laboratories and the keeping of laboratory animals are to be accessory not only to the main hospital use but also to the Harvard Medical School, which is to lease or own space in the Research Building on the Research Building Area.

B. Proposed Location and Appearance of Structures

B1. New Hospital Area: A new hospital complex consists of a 16-story bed tower accommodating 680 beds

(replacement for existing obsolete facilities of the hospitals which merged to form Developer); 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; and two below grade levels beneath the entire complex containing basic hospital functions. The location and appearance of these buildings shall be as shown by Plans BRA-1 through BRA-8. The exterior building material is concrete.

- B2. Old Peter Bent Area: The structures in the Old Peter Bent Area shall remain in location and appearance as they are now (except as provided below). 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.
- B3. The following structures may be constructed in the Old Peter Bent Area, as exceptions to paragraph B2.
- (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, will contain offices for doctors associated with BWH, hospital based services and support services. Most of Wards C, D, and E will be demolished for the construction of ASB II.
 - (b) Research Building, a 16-story building (looking from Shattuck Street), and one below grade level, which faces Shattuck Street and will contain laboratories for anesthesia, surgery, pathology, immunology, orthopedic, radiology, biophysics, genetics and other research, and areas for laboratory animals. The Metal Accounting Building, a metal shed and a portion of the pike were demolished for the construction of the Research Building.
 - (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 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, to be located in front of the 6-story Medical Research Building on the Remaining Old Peter Bent Hospital Area - 2 so as to be visible from Francis Street and appropriate signs located in the plaza area to direct traffic and indicate the entrance to the Garage, all subject to design review by the BRA. The Garage/Lobby will face Francis Street. Most of Wards C, D and E will be demolished for the construction of the Garage/Lobby.

The location and appearance of the above structures shall be as shown by the above-listed plans (paragraphs 4 & 5).

C. Open Spaces and Landscaping

- C1. In the New Hospital Area, open spaces and landscaping shall be as shown by plans BRA-1 and BRA-1A, with trees and other plantings to be maintained and replaced as necessary.
- C2. In the ASB II Area and the Research Building Area, open spaces and landscaping shall be shown by 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 and A-2 Site Plan (Research Building) listed in paragraph 5, with trees and other plantings to be maintained and replaced as necessary. In the remaining Old Peter Bent Hospital Area - 1 and the Remaining Old Peter Bent Hospital Area - 2, open spaces shall be as shown on the plan entitled "A-2 Ambulatory II/Garage Campus Site Plan" listed in paragraph 4 above, except that existing open space may be used for the possible widening of Francis Street.

D. Density

- D1. The floor area ratios for and within the Planned Development Area shall not exceed the following limits:

PDA as a whole - 3.7

New Hospital Area - 5.6

ASB II Area - 3.7

Research Building Area - 9.4

Remaining Old Peter Bent Hospital Area - 1 - 2.1*

Remaining Old Peter Bent Hospital Area - 2 - 1.6*

BWH is pledged to a good faith effort to arrange its planning so that other future changes, if any, in the PDA will result in an F.A.R. for the entire PDA of not in excess of 3.0, exclusive of the floor area of the Garage.

E. Proposed Traffic Circulation

E1. Non-emergency traffic enters the New Hospital Area at the main entrance on Francis Street, passes through it on a roadway running under the raised laboratory and administration building, and exits onto Binney Street or Shattuck Street. The latter, which is a private way, was extended, by BWH, to connect to Binney Street. Emergency vehicles enter from Francis Street on a roadway abutting the west side of the Ambulatory Care building and exit onto Shattuck Street. It shall be a policy of BWH to discourage the use of sirens by emergency vehicles on Francis Street. Pedestrian and vehicular movements to and through the New Hospital Area are shown on plan BRA-1.

E2. Vehicular access for dropping off passengers to ASB II and the Lobby shall be from Francis Street via a driveway and drop-off plaza shown on the plan entitled "A-3 Ambulatory Services Building II and Garage-Lobby Site Plan" listed in paragraph 4 above. Vehicular access to and egress from the Garage shall be via a single, two-way ramp located in the western part of the drop-off plaza. Vehicular access to the Research Building shall be from Shattuck Street. The main pedestrian and vehicular entrance for Remaining Old Peter Bent Hospital Area - 2 shall be at the junction of Huntington Avenue and Francis Street, opposite Brigham Circle, while the main pedestrian and vehicular entrance for Remaining Old Peter Bent Hospital Area - 1 shall be from Shattuck Street, Shattuck Street Extension and the New Hospital Area.

* These figures are approximate only, but in no event does the FAR of the Remaining Old Peter Bent Hospital Area-1 and the Remaining Old Peter Bent Hospital Area-2 combined exceed 1.7.

- E3. Increased traffic on Francis Street may require the future widening of Francis Street between Binney Street and Huntington Avenue by no more than 10'. In the New Hospital Area the proposed conformation of the structures makes allowance for such widening as shown on Plans BRA-1 and BRA-2. In the ASB II Area the design similarly allows for such widening.
- E4. For any such widening undertaken within the New Hospital Area, BWH shall bear the construction costs for any needed street improvements within the New Hospital Area in connection with such widening, and shall make no charge to the City of Boston for the surface easement for the widening area, provided the same leaves BWH with rights to subsurface structures under the future widening area, the particulars of which surface easement, including provision for a space under the surface, above the subsurface structures, shall be subject to written approval of the Division Engineer of the City's Public Works Department.
- E5. With respect to the portion of such possible widening within the Old Peter Bent Area, BWH shall make no charge to the City of Boston for an easement needed for surface rights in the widening area, provided the same leaves BWH with rights to subsurface structures under the widening area, subject to similar approval of said Division Engineer. Further if BWH should redevelop any part of the Old Peter Bent Area abutting Francis Street, it will bear the construction costs for normal street improvements involved in widening Francis Street (by not more than 10 feet, as aforesaid) in front of the area involved. Nothing in this paragraph E5 shall be deemed to constitute advance approval by the Authority of any such redevelopment in the Old Peter Bent Area.
- E6. Without reference to any possible redevelopment of the Old Peter Bent Area, if such a widening (i.e., not more than 10') is required within the Old Peter Bent Area as a result of an increase in traffic along Francis Street after occupancy of any part of the new hospital, BWH will bear the construction costs of curbing and paving within the widening area, at existing grades, but all other costs, including wall or other costs involved in preserving existing grades on BWH land immediately abutting the widening, will be borne by the City.

[Note: A surface easement and street widening, as referred to in paragraphs E3 through E6, occurred in 1982 in the New Hospital Area and in part of the ASB II Area.]

F. Parking Facilities

- F1. Surface parking in the New Hospital Area, the Remaining Old Peter Bent Hospital Areas and in BWH's half (the southerly half) of Shattuck Street (a private way) adjoining Remaining Old Peter Bent Area - 2, totaling facilities for approximately 113 cars, will remain after construction of ASB II, the Garage/Lobby and the Research Building (although the 21 spaces for staff physician parking on Shattuck Street may be reduced or eliminated). Parking for approximately 240 automobiles, as well as motorcycles and bicycles will be provided in the Garage.

Parking facilities referred to in this paragraph F1 are subject to elimination if and to the extent required by a widening of Francis Street, if that should occur, and by reason of federal, state, or local laws, ordinances, or regulations.

- 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) and provides parking primarily for visitors and outpatients of the MASCO member institutions, and especially BWH, open to the public, with some spaces reserved for monthly parkers. After construction of ASB II and the Research Building, at least 400 parking spaces will be available in the Servicenter, for turnover parking for the general public, and which MASCO has agreed to maintain on that basis for at least 5 years, (subject only to fire or other causes beyond MASCO's control).

- F4. MASCO has made 130 parking spaces in the Servicenter available to BWH on an annual basis for employee parking. MASCO will renew this Agreement annually through 1989. After 1989, MASCO will review and renew this Agreement at five year intervals to the year 2009, unless and to the extent MASCO devotes the 130 spaces to turnover parking.
- F5. Parking facilities outside the PDA, referred to in Paragraphs F2 through F4, are subject to elimination if and to the extent caused 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 substitute parking facilities in at least the same number 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 to be subject to the approval of the Director of the Authority.
- F6. The maximum occupancy of ASB II at any one time by physicians seeing patients shall be 110 (the identity of which 110 may vary at any given moment). It is anticipated that the total number of employees working in ASB II and the Garage/Lobby will be approximately 150, of which 14 are new employees as stated above on page 5. The maximum number of persons working in the Research Building at any one time shall be 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 report to the Authority, which may authorize one or more increases in occupancy.

G. Off Street Loading

- G1. The materials handling for the New Hospital, ASB II and the Garage/Lobby and the buildings on the Remaining Old Peter Bent Hospital Areas will be from the MASCO Servicenter. Materials handling for the Research Building will be provided both from the MASCO Servicenter and via Shattuck Street by the two off-street loading bays in the Research Building, which will replace the present Shattuck Street loading bays. The Servicenter will handle most of the materials supplied to the Research Building. The Shattuck Street loading bays will 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 facilities of the Massachusetts Bay Transportation Authority serve the site as follows:

Arborway Branch of the Green Line, running from Park Street to Forest Hills with a stop at Brigham Circle, at the entrance to the Old Peter Bent Area.

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

Bus Route No. 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 Station on the Orange Line to Union Square, Allston, with a stop at Brigham Circle.

Bus Route No. 47, running from City Hospital to Cambridge with stops on Longwood Avenue, about 600 feet from both areas of the site.

- H2. In addition, the MBTA operates, under contract with the Town of Brookline, a minibus line which loops through Brookline and crosses over into the medical area, with a stop at Pilgrim and Francis Streets, about 800 feet from the New Hospital Area, and MASCO provides minibus service from Harvard Square.

I. Proposed Dimensions of Structures

- I1. Structures in the New Hospital Area shall be as shown by plans BRA-2 through BRA-8.
- I2. Structures in the Research Building Area and the ASB II Area shall be as shown on the plans described in paragraphs 4 and 5 above. Detailed dimensional information with respect to ASB II and the Garage/Lobby and the exceptions from the Zoning Code which will be sought therefor are described in Exhibit A hereto. Structures in the Remaining Old Peter Bent Hospital Area - 1 and in the Remaining Old Peter Bent Hospital Area - 2 shall remain, as to their dimensions, as they are now, subject to the provisions of paragraph B2. Delay or abandonment of ASB II and

the Garage/Lobby, if such should occur, will not be deemed to impair the zoning status of other parts of the PDA and the buildings thereon; provided, however, a further amendment to the Development Plan as amended by the Second Amendment would be required for construction of ASB II without the Garage/Lobby or for construction of the Garage/Lobby without ASB II.

J. Design Review

- J1. In General: Materials and treatment of the buildings and open space, plus the size, location, design, color, and materials of exterior signs, will be subject to the Authority's design review process. Samples of exterior materials including poured-in-place and pre-cast concrete, glass, metal frames, soffit materials, railings, sidewalk pavers, driveway paving and any other exterior building materials visible to the public, shall be submitted to the Authority for approval by the Urban Design Department.
- J2. With Respect to ASB II and the Garage/Lobby: Schematic drawings for ASB II and the Garage/Lobby, (the plans listed in paragraph 4 above) have been approved by the Authority. Further plans and specifications will be submitted to the Authority for approval in accordance with the "Design Review Procedures" of the Authority for the Development Approval Process, published in 1984. Review of further plans and specifications is limited to consideration of design refinements, new elements not present in previous submissions and conformity with previously approved submissions.

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

Development Impact Project Plan and
Second Amendment To and
Restatement of Development Plan
for Planned Development Area No. 10

("Second Amendment")

Brigham and Women's Ambulatory Services Building II ("ASB II")
and
Parking Garage, Entrance Lobby
and Atrium (together, the "GARAGE/LOBBY")

Exhibit A

ZONING DESCRIPTIONS AND CALCULATIONS

ASB II AND GARAGE/LOBBY

Use Items; Table A,
Section 8-7, (all
allowed, except
#72 Conditional.),
H-3-D Subdistrict

#22. Hospital; clinic or professional offices accessory to a hospital. (See description of uses in Second Amendment.) Custodial care will not be provided for 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 restricted parking district. The proviso in Use Item 72 is inapplicable because the spaces are not accessory to a dwelling use.

Accessory 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. The uses under this item will include, without limiting the foregoing, a coffee shop or cafe (for staff and visitors).

Accessory Use:

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

Accessory Uses comply with Article 10.

Signs:

One sign on a pylon approximately 4 feet wide and 12 feet high identifying the ASB II facility is to be located in front of the 6-story Medical Research Building on the Remaining Old Peter Bent Hospital Area-2 so as to be visible from Francis Street. Appropriate signs are to be located in the plaza in front of the Lobby to direct traffic flow and indicate the entrance to the Garage. Accordingly, Section 11-1 of the Zoning Code will be violated.

See Note 7 - Below Regarding Use Violations Caused By Creation of Separate Lots

Dimensional Requirements. Article 13-1. See Note 1.

<u>Article and Section</u>	<u>Required by Code</u>	<u>ASB II</u>	<u>GARAGE/LOBBY</u>
14-1 Min. Lot Size	None	-	-
14-2 Min. Lot Area for Add' Dwelling Units	None	-	-

<u>Article and Section</u>	<u>Required by Code</u>	<u>ASB II</u>	<u>GARAGE/LOBBY</u>
14-1 plus 14-2 Total Lot Size	None	-	-
14-3, 14-4 Min. Lot Width	None	-	-
14-5 Bldg. on Rear of Lot	5' Access to Street	Not applicable	Not applicable
Art. 15 Max. Floor Area Ratio	3.0	See Attached Memorandum	See Attached Memorandum
Art. 16 Max. Height of Building	None	-	-
Art. 17 Usable Open Space Per Dwelling Unit	None	-	-
Art. 18 and 18-2 Min. Front Yard (to Francis St.)	15'	1'+ See Below Note 2	0 + See Below Note 2
Art. 18-1 and 18-2 and 20-7, Min. Front Yard (to Shattuck Street). See Note 2.	15'	Not Applicable Because Garage/Lobby Intervenes	110'+ See Below Note 2
Art. 19 Min. Side Yard			
Westerly	20' (maximum)	447'±	457'±
Easterly	20' (maximum)	535'±	391'±
	See Below Note 3	See Below Note 3	See Below Note 3

<u>Article and Section</u>	<u>Required by Code</u>	<u>ASB II</u>	<u>GARAGE/LOBBY</u>
Art. 20 Min. Rear Yard	Front yard requirements apply. See Note 2		
Art. 21 Min. Setback of Parapet	<u>H+L'</u> 6	See Below Note 4	See Below Note 4
Art. 20-2 Max. Use of Rear Yard	35%	Not applicable	Not applicable
Art. 23 Off-Street Parking	None. PDA is within Restricted Parking District	See Below Note 5	See Below Note 5
Art. 24 Off-Street Loading	Four	0 Provided See Below Note 6	0 Provided See Below Note 6

See Note 7 - Below Regarding Additional Violations Caused By Creation of Separate Lots

Note 1.

The City of Boston holds a surface easement in the ten-foot wide (maximum) strip to the north of the PDA boundary line beginning along Francis Street as shown on the Plan A-3. The line of the surface easement is projected to Brigham Circle so that extension of the surface easement to Brigham Circle will not be precluded in the future. Because the City holds the surface easement described above, the front yard has to be measured to the surface easement taking line, by virtue of the definitions of "street" and "street line", Sections 2-1 (44) and (45).

Note 2. Front Yard:

ASB II

Level 1 is not entirely below grade. Accordingly, it is assumed that that is the front of the building. That is one foot \pm (minimum) from the widened street line. The requirement is 15 feet and there is a violation.

Violation

GARAGE/LOBBY

The ceiling of Level A of the GARAGE is not entirely below the mean grade of the portion of Francis Street in front of the GARAGE. Accordingly, it is assumed that that is the front of the GARAGE. This is 0 feet from Francis Street (as widened by the surface easement taking). The requirement is 15 feet and there is a violation. In addition, plantings may exceed 5 feet.

Violation

The entrance lobby and atrium (together the "LOBBY") are 130 feet \pm from Francis Street (as widened by the surface easement taking) and thus adequate front yard requirements are met with respect to Francis Street.

With Shattuck Street as a "street", then under Sections 18-4 and 20-7 front yard requirements (15') apply. The distance from the GARAGE/LOBBY to the southerly line of Shattuck Street is 110' \pm and complies.

Note 3. Side Yard:

Pursuant to Section 2-1 (30) BWH elects the Francis Street line as the front lot line. The westerly side lot line is shown as the "PDA Boundary Line" along Binney Street. The easterly side lot line is the line shown as "PDA Boundary Line" leading off the intersection of Huntington Avenue and Francis Street, on the A-2 Ambulatory II/Garage Campus Site Plan.

ASB II

On both the westerly and easterly side lines, the maximum required yard is

20' (under Section 19-4) and 447'± and 535'± are provided, respectively.

GARAGE/LOBBY

The same requirements govern as to the GARAGE/LOBBY. The GARAGE/LOBBY is 457'± from the westerly sideline and 391'± from the easterly sideline and complies.

Note 4. Parapet:

ASB II

Mean Grade = 49.81' (Mean elevation of the portion of the Francis Street sidewalk in front of ASB II, as required under the definition of "grade", Sec. 2-1(22)).

H = 37.17' to top of parapet from mean grade of building. Additional height of penthouse can be ignored, under the definition of "Height of building", Section 2-1 (23), since the penthouse is a roof structure and not devoted to human occupancy.

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

Southerly Setback (towards Francis Street)

L' = 140' on the southerly side

H = 37.17 - 25 (free height) = 12.17

$$\frac{12.17 + 140}{6} = \frac{152.17}{6} = 25.36 = 26$$

26	
<u>-30</u>	(1/2 width of portion
0	Francis Street in front of
	ASB II, a public open
	space, per Section 21-1)

0' required,
2'+ provided.
Complies.

Easterly and Westerly Setbacks

Both comply. Because $H = 37.17'$ and the free height is 70' (per 21-2(b)), no set-back is required. If front setback requirements is in effect under Section 19-6 of the Zoning Code, approximately 13' is required, and 447+ provided to the west and 108'+ provided to the east.

Northerly Setback (towards Shattuck Street)

Inapplicable because Lobby intervenes

GARAGE/LOBBY

Mean Grade = 50.31' (Mean elevation of the portion of the Francis Street sidewalk in front of the GARAGE/LOBBY, as required under the definition of "grade", Sec. 2-1(22)).

$H = 36.67'$ to the top of the parapet of the Lobby from mean grade of building.

"Free Height" Height below which no setback is required, under Section 21-2. As to setback from Francis and Shattuck Street, free height is 25' (height of first story above mean grade exceeds 25' so 25' is the free height under Section 21-2(a)(2)). As to setback from the westerly and easterly lot lines, free height is 70', under Section 21-2(b).

Southerly Setback (towards Francis Street)

Garage

The Garage does not extend above Free Height so no setback is required.

Lobby

$H = 36.67 - 25$ (free height) = 11.67

L' = 257.5' on the southerly side

$$\frac{11.67 + 257.5'}{6} = \frac{269.17}{6} = 44.86 = 45$$

45
-25 (1/2 width of portion
20 Francis Street in front of
Garage/Lobby, a public open
space)

20' required,
130' provided.
Complies.

Northerly Setback (towards Shattuck
Street)

Garage

The Garage does not extend above the
Free Height so no setback is required.

Lobby

Same requirement as for southerly
set-back.

20' required,
110' provided.
Complies.

Easterly and Westerly Setbacks

Garage

The Garage is located entirely below
grade with respect to these lot lines
so no setback is required.

Lobby

Both comply. Because H = 36.67' and
the Free Height is 70' (per 21-2(b)),
no setback is required. (If front
setback requirements are in effect
under Section 19-6 of the Zoning code,
approximately 7' is required and 391'±
provided to the west and 457'±
provided to the east.)

Note 5. Off-Street Parking:

Approximately 70 spaces will be removed from the Old Peter Bent Area because of construction of ASB II and the GARAGE/LOBBY. Two on-street will be removed due to the curb cut on Francis Street. Other on-street parking spaces may be eliminated by the City to improve traffic flow on Francis Street. 240+ parking spaces for automobiles and parking for motorcycles and bicycles will be provided in the GARAGE for visitors and patients and for employees in off-peak hours only. Parking is also available in the nearby Mission Park Garage and Masco Servicenter, as well as underneath and adjacent to the New Hospital, on Shattuck Street (which spaces may be reduced or eliminated in the future), and adjacent to the Peter Bent Brigham Hospital. There are approximately 17 short-term parking spaces in the New Hospital Area in addition to the 38 spaces approved in 1976. 12 spaces (including 4 spaces for handicapped parkers) are provided in the area shown as "taxi-stand-6 cabs" on the plan approved in 1976 and labelled BRA-1. Finally, 8-10 emergency parking spaces are provided in the area shown as "taxi-stand-6 cabs" to the east of the Hospital bed towers, rather than the 4 emergency parking spaces shown on the plan labelled BRA-1.

Because the PDA is in a Restricted Parking District, no off-street parking facilities are required; rather, any newly created spaces are a conditional use, requiring PDA special exceptions.

Violation

Note 6. Off-Street Loading:

ASB II is to be a maximum of 89,114 square feet of F.A.R. gross floor area. The LOBBY will contain a maximum of 15,337 square feet of F.A.R. gross floor area. The Garage

being Use Item 72, requires no off-street loading. The square footage of gross floor area of post-1964 construction on the Old Peter Bent Area, at the time the original PDA application was submitted, was 73,705 square feet. Since then, there have been three new constructions on the Old Peter Bent Area, a Cath Scanner Building, 1,400 square feet, an addition thereto, 1,450 square feet, and the Research Building, 152,650 square feet, making 229,205 square feet of post-1964 construction on the Old Peter Bent Area. When that is added to the F.A.R. square footages of ASB II and the LOBBY, the total of post 1964 construction, actual and involved herein, is 333,656 F.A.R. square feet. To that should be added the pre-1964 square footage on the Old Peter Bent Area, 238,017 (since the two bays located therein were removed) and the New Hospital area square footage 724,252, making a total of 1,295,925 F.A.R. square feet. Subtracting demolitions (4000+ in 1982 and 54,324+, Wards C, D and E), leaves 1,237,501 F.A.R. square feet, requiring 10 loading bays, per Sec. 24-1 (Group II uses). 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 (serving the Research Building Area only). The deficiency is thus 1 bay.

Violation

The MASCO Servicenter provides materials handling for the Research Building and the buildings in the Remaining Old Peter Bent Hospital Areas and will provide materials handling for ASB II and the Garage/Lobby.

Note 7.

BWH wishes to be able to mortgage ASB II and the GARAGE/LOBBY separately from the Remaining Old Peter Bent Hospital Areas and the Research Building Area. To do this, the existing subdivision of the Old Peter

Bent Area into three lots (ASB II Area, Remaining Old Peter Bent Area, and Research Building Area) must be altered. An enlarged ASB II Area will abut the Research Building Area causing the Remaining Old Peter Bent Area (slightly altered) to consist of two lots. Accordingly, the lot areas are as follows:

	<u>Existing</u>	<u>New</u>
New Hospital Area	129,911	129,911
	<u>Existing</u>	<u>New</u>
Old Peter Bent Area	232,815	232,815
- Research Building Area	16,538+	16,242+
- ASB II Area	39,384+	51,873+
- Remaining Old Peter Bent Area	176,882+	N/A
- Remaining Old Peter Bent Hospital Area-1*	N/A	34,029+
- Remaining Old Peter Bent Hospital Area-2**	N/A	130,671+
Entire PDA	362,726	362,726

The new ASB II Area is shown by a dashed line on A-3 Plan and is more fully described in Appendix 3. It is bounded on the south by Francis Street, on the west by the New Hospital Area, on the north by the Remaining Old Peter Bent Hospital Area-1 and on the east by the Remaining Old Peter Bent Hospital Area-2 and in part by the Research Building Area.

The Research Building Area as altered is shown by a dashed line on the A-3 Plan and is more fully described in Appendix 4. It is bounded on the north by Shattuck Street, on the east by the Remaining Old Peter Bent Hospital Area-2, on the south by the

* North of ASB II Area
 ** South of Research Building Area

Remaining Old Peter Bent Area-2 and on the west by the Remaining Old Peter Bent Hospital Area-1 and in part by the ASB II Area.

The balance of the "Old Peter Bent Area" remaining after the deduction of the enlarged ASB II Area and the Research Building Area is split into two lots, one labelled the "Remaining Old Peter Bent Hospital Area-1", which is bounded on the south by the ASB II Area, on the east by the Research Building Area, on the north by Shattuck Street and on the west by the New Hospital Area, and the other labelled "Remaining Old Peter Bent Hospital Area-2", which is the part of the PDA to be east of the Research Building and ASB II Areas. These areas are shown on the A-2 and A-3 Plans and are more fully described in Appendices 5 and 6, respectively.

Adjustment of the existing subdivision of the Old Peter Bent Area from three separate lots into four separate lots produces the following additional violations (since each lot must be considered by itself):

Use Violations. Table A, Section 8-7, Use Items 71, 72, and 79. Any use on a lot adjacent to, or across the street from, but in the same district as, the other uses to which it is ancillary and ordinarily incident to and for which it would be a lawful accessory use if it were on the same lot (including uses under Use Items 72 and 79) is conditional. Accordingly, an exception is required for the ASB II Area to allow the coffee shop in the LOBBY and parking to be accessory to the main uses on the other three areas.

In residential districts no accessory use may occupy any part of the required side yards under Section 10-1. The coffee shop or cafe will be in that portion of the LOBBY which encroaches on the easterly side yard of the ASB II Area.

Front Yard Violations. The "Remaining Old Peter Bent Hospital Area-1" may be a rear lot under Sec. 18-1, in reference to the ASB II Area. Conversely, if Shattuck Street is a front street under Sec. 18-4, the ASB II Area may be a rear lot in reference to the Remaining Old Peter Bent Hospital Area-1. Looked at from both perspectives, the buildings on the other side of the boundary line between the ASB II Area and the Remaining Old Peter Bent Hospital Area-1 are too close to that boundary line, creating two front yard violations.

Side Yard Violations. Creation of the new ASB II Area puts the 6-story Medical Research Building on the Remaining Old Peter Bent Hospital Area-2 into violation, along all but 85' of the ASB II Area eastern boundary line; 20' (maximum) is required and 6'+ provided. In addition, there is an above-grade intake air grille serving the Garage in the required side yard of the Medical Research Building.

Creation of the ASB II Area also results in a side yard violation by the LOBBY along the eastern boundary of the ASB II Area (20' (maximum) is required and 6'+ (minimum) are provided). In addition, plantings may exceed 6 feet.

No side yard is required along the westerly boundary of the ASB II Area because ASB I abuts ASB II along the line, and Section 19-4 of the Zoning Code applies.

Shifting the lot line which divides the Research Building Area from the ASB II Area results in a side yard violation by the Research Building along the westerly lot line of the Research Building Area. (20' (maximum) is required and 3'+ are provided along the portion of the lot line being shifted. Previously the Research Building was 7'+ from this

portion of the side lot line). (In 1982 a special exception was granted for side yard violations of the existing buildings on both sides of the Research Building Area. Alteration of the Research Building Area does not create any new violations with respect to such buildings.)

Rear Yard Violations. Creation of the new ASB II Area puts the LOBBY and the buildings on Remaining Old Peter Bent Hospital Area-1 into rear yard violations. No rear yards are provided. In 1982 a special exception was granted for rear yard violations on both sides of the southerly boundary of the Research Building Area and alteration of the Research Building Area does not create any new rear yard violations.

Setback Violations. Creating the new ASB II Area as a separate lot means that the existing buildings on the Remaining Old Peter Bent Hospital Area-1 are in setback violation with respect to the ASB II Area northerly line, as no setback is provided.

Similarly, 45'+ is required for the LOBBY and 0'+ provided with respect to Remaining Old Peter Bent Hospital Area-1.

Similarly a 19'+ setback from the ASB II Area easterly line is required for the 6-story Medical Research Building and 6'+ provided, with respect to the Remaining Old Peter Bent Hospital Area-2.

On both the east and the west of the ASB II Area, there is no setback required because ASB II is under 70 feet and thus is exempted under Section 21-2(b).

Shifting a portion of the westerly lot line of the Research Building Area reduces the setback of the westerly parapet of the Research Building from that portion of the lot line to a

setback less than that allowed by a special exception granted in 1982.

F.A.R. Violations. Viewed separately, the ASB II Area violates the FAR limit. See the attached memorandum.

Loading Violations

As to off-street loading, there are the following violations:

ASB II Area - 2 bays required, none provided.

Remaining Old Peter Bent Hospital Area-1 - 1 bay required, none provided.

Remaining Old Peter Bent Hospital Area-2 - 3 bays required, none provided.

(Provision was made for the New Hospital and Research Building Areas in 1976 and 1982, respectively, allowing no bays in the former and 2 in the latter.)

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

BWH AMBULATORY SERVICES BUILDING II ("ASB II")
 AND PARKING GARAGE, ENTRANCE LOBBY
 AND ATRIUM (together, the "Garage/Lobby")

MEMORANDUM ATTACHED TO EXHIBIT A,
 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 Kaplan/ McLaughlin/ Diaz submissions or previous PDA applications and Building Department filings and are after exclusions permitted under BZC for FAR purposes.

I. Land Areas

	<u>New Hospital Area</u>	<u>Old Peter Bent Area</u>	<u>Total PDA</u>
Gross Square Feet, (after deducting amount taken at Huntington Avenue and after adjusting for the 1982 straightening of the New Hospital Area easterly boundary).	147,500	238,516	386,016

II. Deductions for FAR purposes (same as used in 1976 and 1982):

	<u>New Hospital Area</u>	<u>Old Peter Bent Area</u>	<u>Total PDA</u>
Figures from above:	147,500	238,516	386,016
a) BWH's half Shattuck Street. Note the rest of BWH's half of Shattuck Street, abutting the Old Peter Bent Area, was never included in the PDA.	- 4,029	<u>N/A</u>	- 4,029
	143,471	238,516	381,987

b)	Shattuck Street Extension and area to the north thereof.	- 10,160	<u>N/A</u>	- 10,160
		133,311	238,516	371,827
c)	Widening of Francis Street (including the widening made in 1982 and a projected ex- tension thereof to Brigham Circle).	- 3,400	- 5,701	- 9,101
		129,911	232,815	362,726

III. FAR Building Square Footages - Situation Prior to Second Amendment

All buildings in Old Peter Bent Area

-	As of Original PDA Application	311,722
-	Cath Scanner Building.	1,400
-	Cath Scanner Building Extension.	1,450
-	Research Building.	152,650
-	Buildings Demolished for Research Building - Metal Accounting Building, metal shed and portion of pike	- 4,000 ±
		463,222
	New Hospital.	724,252
	All Buildings in PDA.	1,187,474

IV.	FAR Building Square Footage - ASB II	89,114 ±
V.	FAR Building Square Footage - Garage/Lobby.	99,491 ±
VI.	Demolished for ASB II and Garage/ Lobby - Complete demolition of Buildings C, D & E.	54,324 ±
VII.	New FAR Building Square Footages	

<u>Whole PDA</u>		<u>Old Peter Bent Area</u>
1,187,474	Situation Prior to Second Amendment*	463,222
+ 89,114 ±	ASB II	+ 89,114 ±

*Before demolition of Wards C, D and E.

<u>Whole PDA</u>		<u>Old Peter Bent Area</u>
+ 99,491 +	Garage/Lobby	+ 99,491 +
1,376,079		651,827
- 54,324 +	Demolitions (Wards C, D and E)	- 54,324 +
1,321,755 ±		597,503 ±

VIII. Division of Old Peter Bent Area (232,815) into Three Lots Lot Areas - Situation Prior to Second Amendment

ASB II Area	39,384 +
Research Building Area	16,538 +
Remaining Old Peter Bent Area	<u>176,893 +</u>
Old Peter Bent Area	232,815 ±

IX. Floor Area Ratios - Situations Prior to Second Amendment

1. <u>All Buildings in PDA*</u>	=	<u>1,187,474</u>	=	3.3
All Land in PDA		362,726		
2. <u>New Hospital</u>	=	<u>724,252</u>	=	5.6
New Hospital Area		129,911		
3. <u>All Buildings in Old Peter Bent Area*</u>	=	<u>463,222</u>	=	2.0
Old Peter Bent Area		232,815		
4. <u>Research Building</u>	=	<u>152,650</u>	=	9.3
Research Building Area		16,538		

X. Adjustment of Division of Old Peter Bent Area (232,815) into Four Lots per Second Amendment -

ASB II Area	51,873 +
Research Building Area	16,242 ±
Remaining Old Peter Bent Hospital Area - 1	34,029 ±
Remaining Old Peter Bent Hospital Area - 2	<u>130,671 ±</u>
Old Peter Bent Area	232,815 ±

*Before demolition of Wards C, D and E

XI. Floor Area Ratios - After adjustment of division of Old Peter Bent Area, completion of ASB II and Garage/Lobby and considering the ASB II Area, Research Building Area, Remaining Old Peter Bent Hospital Area-1, and Remaining Old Peter Bent Hospital Area-2 as separate lots

All Buildings now existing in PDA plus ASB II and Garage/Lobby, and minus demolitions	=	<u>1,321,755</u>	=	3.7
Entire PDA		<u>362,726</u>		
ASB II and Garage/Lobby	=	<u>188,605</u>	=	3.7
ASB II Area		<u>51,873+</u>		
Research Building	=	<u>152,650</u>	=	9.4
Research Building Area		<u>16,242+</u>		
All Buildings on Remaining Old Peter Bent Hospital Area-1	=	<u>70,024*</u>	=	2.1**
Remaining Old Peter Bent Hospital Area-1		<u>34,029+</u>		
All Building on Remaining Old Peter Bent Hospital Area-2	=	<u>199,882*</u>	=	1.6**
Remaining Old Peter Bent Hospital Area-2		<u>130,671+</u>		

XII. Summary of FAR violations as per the Second Amendment:

Zoning District imposes a 3.0 FAR. PDA Development Plan allows 3.5. Accordingly:

- a) Construction of ASB II and Garage/Lobby cause a violation overall for the PDA. (3.7 as against the 3.5 allowed by exceptions granted in BZC-5580, 5582 and 5583).
- b) When the ASB II Area is considered as its own lot there is a violation. (3.7 as against 3.0).

(Note: The exception granted in BZC-5580 and the PDA Plan as amended in 1982 allowed an FAR of 9.4 as to the Research Building and its Area).

* This figure is approximate only. It is clear, however, that there is no F.A.R. violation on either Remaining Old Peter Bent Hospital Area-1 or Remaining Old Peter Bent Hospital Area-2.

** These figures are approximate only, but in no event will the FAR of the Remaining Old Peter Bent Hospital Area-1 and the Remaining Old Peter Bent Hospital Area-2 combined exceed 1.7.

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

Development Impact Project Plan and
Second Amendment to and Restatement of Development Plan
for Planned Development Area No. 10

Appendix A¹

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 eight 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

S 41° 10' 18" W, one and 86/100 (1.86) feet;

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

Continuing S 41° 10' 18" W, fifteen (15) feet; and
S 48° 51' 16" E, two hundred eighty and 75/100
(280.75) feet, the last one hundred sixty-one and
13/100 (161.13) feet of which is by the center-line of
Shattuck Street;

Thence by other land of The Brigham & Women's Hospital,
Inc. (being part of Shattuck Street) S 41° 05' 15" W,
twenty-five (25) feet to the southerly line of Shattuck Street;

Thence by Shattuck Street a total distance of six hundred
ninety-nine and 23/100 (699.23) 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.

[Note: The Planned Development Area as described above
includes (i) the area contained within the surface easement

along Francis Street given by The Brigham and Women's Hospital, Inc. to the City of Boston in 1982 (approximately 5,660 square feet), and (ii) the area taken by eminent domain in 1979 for Huntington Avenue improvements (approximately 90 square feet).]

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

Development Impact Project Plan and
Second Amendment to and Restatement of Development Plan
for Planned Development Area No. 10

Appendix A²

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 Sidney Farber Cancer Center, Inc. in eight 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

S 41° 10' 18" W, one and 86/100 (1.86) feet;

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

Continuing S 41° 10' 18" W, fifteen (15) feet; and
S 48° 51' 16" E, two hundred eighty and 75/100
(280.75) feet, the last one hundred sixty-one and
13/100 (161.13) feet of which is by the center-line of
Shattuck Street;

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

S 41° 05' 15" W, sixty-nine and 21/100 (69.21) feet,
the first twenty-five (25) feet of which is by
Shattuck Street (to the southerly side line thereof);

S 48° 54' 45" E, twenty-two (22) feet;

S 41° 05' 15" W, sixty and 57/100 (60.57) feet;

S 49° 07' 11" E, fifty-six and 05/100 (56.05) feet; and

S 40° 52' 49" W, one hundred ninety-seven and 00/100
(197.00) 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.

[Note: This description of the New Hospital Area reflects the
straightening of the jog along the easterly boundary of the New
Hospital Area and the westerly boundary of the Old Peter Bent
Area, which straightening was accomplished by the 1982
Amendment to the Development Plan. The New Hospital Area as
described above includes the area contained within the surface
easement given by The Brigham and Women's Hospital, Inc. to the
City of Boston in 1982 (approximately 3400 square feet).]

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

Development Impact Project Plan
and Second Amendment To and Restatement
of Development Plan for
Planned Development Area No. 10

Appendix A³

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 25° 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.

[Note: The ASB II Area as described above includes the area contained within the surface easement along Francis Street given by The Brigham and Women's Hospital, Inc. to the City of Boston in 1982 (approximately 2260 square feet).]

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

Development Impact Project Plan
and Second Amendment To and Restatement
of Development Plan for
Planned Development Area No. 10

Appendix A⁴

DESCRIPTION OF
RESEARCH BUILDING AREA

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 side line of Shattuck Street, at the northeasterly corner of the Remaining Old Peter Bent Hospital Area-1:

Thence by the Shattuck Street sixty-nine and $39/100$ (69.39) feet;

Thence by land now or formerly of The Brigham and 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 25° 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.

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

Development Impact Project Plan
and Second Amendment To and Restatement
of Development Plan for
Planned Development Area No. 10

Appendix A⁵

DESCRIPTION OF
REMAINING OLD PETER BENT HOSPITAL AREA-1

A parcel³ 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 side line of Shattuck Street, at the northeasterly corner of the New Hospital Area:

Thence by Shattuck Street in three courses, as follows:

S 48° 51' 16" E, one hundred fifteen and 47/100 (115.47) feet;

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 twenty-five and 46/100 (125.46) 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 twelve 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 fifty-three and 97/100
(153.97) feet;

N 40° 52' 49" E, one and 06/100 (1.06) feet;

N 49° 07' 11" W, fifty-six and 05/100 (56.05) feet;

N 41° 05' 15" E, sixty and 57/100 (60.57) feet;

N 48° 54' 45" W, twenty-two and 00/100 (22.00) feet;

N 41° 05' 15" E, forty-four and 21/100 (44.21) feet to
the point of beginning.

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

Development Impact Project Plan and
Second Amendment to and Restatement of Development Plan
for Planned Development Area No. 10

Appendix A⁶

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 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.

[Note: The Remaining Old Peter Bent Hospital Area-2 as described above includes the area taken by eminent domain in 1979 for Huntington Avenue improvements (approximately 90 square feet).]

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

EFFECTIVE
August 12, 1985

SECOND AMENDMENT TO AND RESTATEMENT OF
DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT AREA NO. 10

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

IN ZONING COMMISSION

The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956 as amended and under Section 3-1A of the Boston Zoning Code, after due report, notice, and hearing does hereby approve a Second Amendment to and Restatement of the Development Plan for Planned Development Area No. 10, The Brigham and Women's Hospital, Inc., Francis Street, Roxbury, as embodied in a written document entitled "Development Impact Project Plan and Second Amendment to and Restatement of Development Plan, The Brigham and Women's Hospital, Inc., 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, and Easterly by Land of President and Fellows of Harvard College, Boston, Massachusetts," dated March 21, 1985, and in five series of plans listed in said document starting on page 3 thereof, which document and plans were approved by the Boston Redevelopment Authority on May 9, 1985; said Development Plan having been originally approved by the Boston Redevelopment Authority on October 21, 1976 and having been amended by "Amendment to the Development Plan for Planned Development Area No. 10, The Brigham and Women's Hospital, Inc., Francis Street, Roxbury," dated January 21, 1982, and approved by the Boston Redevelopment Authority on that date and by the Zoning Commission of the City of Boston, effective on March 15, 1982; and said Planned Development Area having been designated on Map 6 - Roxbury - of the series of maps entitled "Zoning Districts - City of Boston," dated August 15, 1962, by the Zoning Commission of the City of Boston in Map Amendment No. 145, effective on October 27, 1976.

Second Amendment to and Restatement of Development Plan for
Planned Development Area No. 10

Richard B Fowler
Chairman

Vice Chairman

Edward J D'Agostino

Michael J. [unclear]

Robert Fowler

[unclear]

Pat M. McArthur

Joseph W. Joyce

Ed. D. Casey

In Zoning Commission

Adopted July 17, 1985

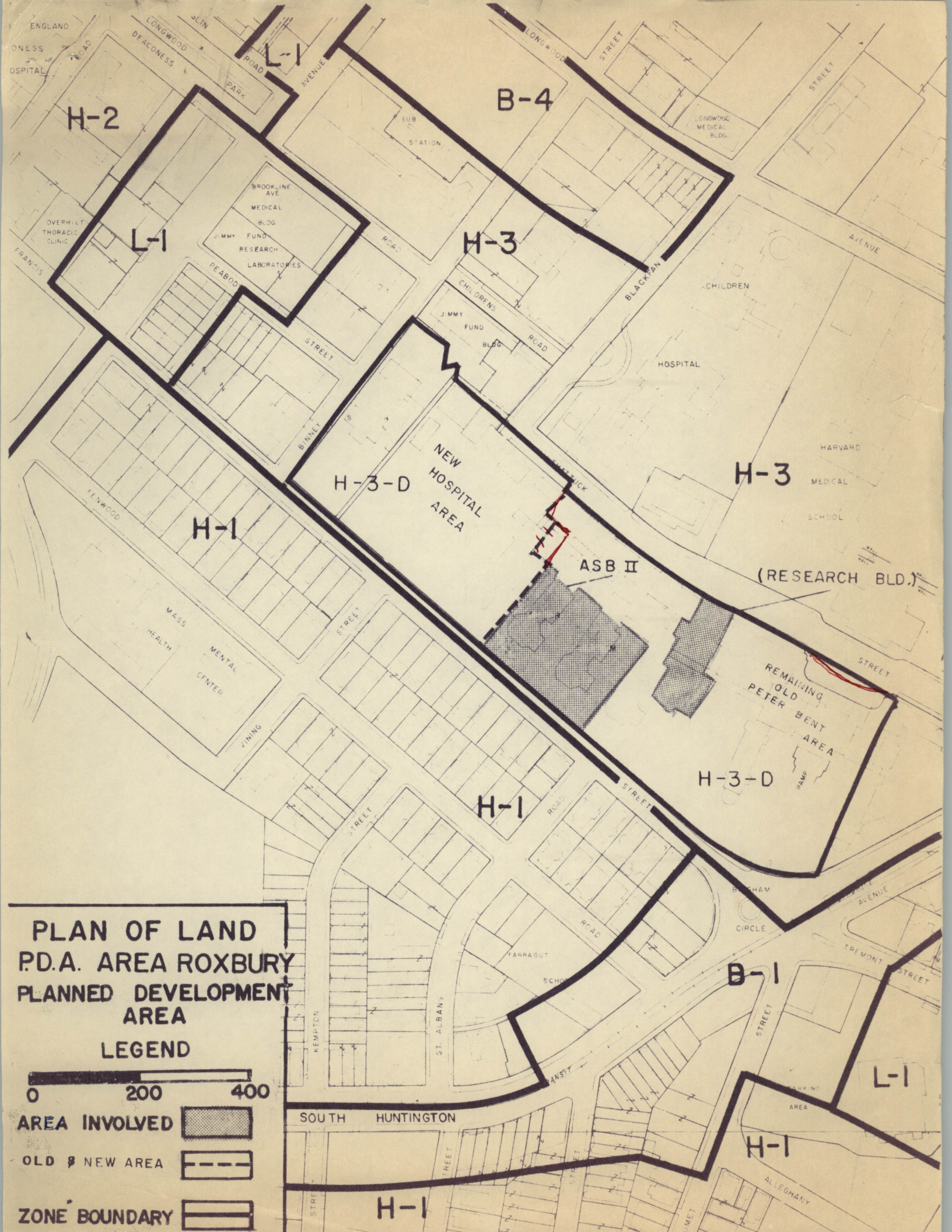
Attest: Marguerite Hildebrand
Secretary

Mayor, City of Boston

Date: _____

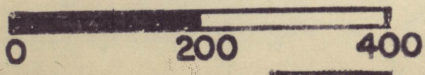
The foregoing vote, with said Second Amendment to and Restatement of Development Plan, was presented to the Mayor on July 25, 1985, and was not returned by him with objections thereto in writing within fifteen days thereafter. The foregoing vote, therefore, became effective on August 12, 1985, in accordance with the provisions of Chapter 665 of the Acts of 1956.


Attest: Marguerite Hildebrand
Secretary



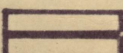
**PLAN OF LAND
P.D.A. AREA ROXBURY
PLANNED DEVELOPMENT
AREA**

LEGEND



AREA INVOLVED 

OLD & NEW AREA 

ZONE BOUNDARY 

**NEW
HOSPITAL
AREA**

ASB II

(RESEARCH BLD.)

**REMAINING
OLD
PETER BENT
AREA**

L-1

H-1

H-1

B-1

H-1

H-3-D

H-3-D

H-3

H-3

B-4

H-2

L-1

L-1

ENGLAND ROAD
DEACONESS ROAD
OSPIAL

OVERHILT THORACIC CLINIC
FRANCIS

ELMWOOD

MASS HEALTH MENTAL CENTER
Vining

SOUTH HUNTINGTON
KEMPTON STREET
ST. ALBANS STREET
TARRAGUT SCHOOL

READ STREET
BIRCHAM CIRCLE

TREMONT STREET
ALLEGHANY

BROOKLINE AVE. MEDICAL BLDG.
JIMMY FUND RESEARCH LABORATORIES
PEABODY STREET
BINNEY STREET

CHILDRENS HOSPITAL
JIMMY FUND BLDG.
CHILDRENS ROAD

LONGWOOD MEDICAL BLDG.
BLACKFAN STREET
HOSPITAL
HARVARD MEDICAL SCHOOL
RESEARCH BLD.

REMAINING OLD PETER BENT AREA
RAMP

SUB STATION

LONGWOOD MEDICAL BLDG.

CHILDRENS

HOSPITAL

HARVARD MEDICAL SCHOOL

RESEARCH BLD.

REMAINING OLD PETER BENT AREA

H-3-D

H-1

B-1

L-1

H-1

H-1

ENGLAND ROAD
DEACONESS ROAD
OSPIAL

OVERHILT THORACIC CLINIC
FRANCIS

ELMWOOD

MASS HEALTH MENTAL CENTER
Vining

SOUTH HUNTINGTON
KEMPTON STREET
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RAMP

SUB STATION

LONGWOOD MEDICAL BLDG.

CHILDRENS

HOSPITAL

HARVARD MEDICAL SCHOOL

RESEARCH BLD.

REMAINING OLD PETER BENT AREA

H-3-D

H-1

B-1

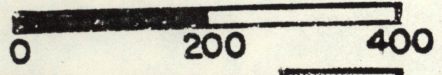
L-1


H-1

H-1

**PLAN OF LAND
P.D.A. AREA ROXBURY
PLANNED DEVELOPMENT
AREA**

LEGEND



AREA INVOLVED 

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