BRA APPROVAL: 3/11/04 TC APPROVAL: 4/25/04 EFFECTIVE: 6/28/04

# DEVELOPMENT PLAN AMENDMENT TO PDA #61

# LONGWOOD NORTH RESEARCH CENTER Phase of BLACKFAN—LONGWOOD NORTH PROJECT

#### **BOSTON, MASSACHUSETTS**

Amendment to Planned Development Area Number 61

#### Introduction

In accordance with Article 80C-3 of the Code, this Development Plan Amendment sets forth information on the Longwood North Research Center phase (the "Longwood North Research Center") of the Blackfan-Longwood North Project (the Longwood North Research Center together with the previously approved Blackfan Research Center are the "Proposed Project"), including the project area, proposed location and appearance of the structures, open spaces and landscaping, the proposed uses of the Longwood North Research Center phase of the Proposed Project, the proposed density, the proposed traffic circulation, parking and loading facilities, access to public transportation, proposed dimensions, development impact exaction, zoning, development review procedures, proposed public benefits and other aspects of the Longwood North Research Center. This Development Plan Amendment is subject to ongoing design, environmental, and development review by the BRA and other governmental agencies. Upon approval of this Development Plan Amendment, the Development Plan approved originally by the Boston Redevelopment Authority on October 7, 2003 and adopted by the Boston Zoning Commission on December 17, 2003 ("Original PDA") as PDA #61 shall be amended hereby and such Original PDA together with this Development Plan Amendment shall constitute PDA #61.

# <u>Developer</u>

The Applicant is New Blackfan LLC, a Delaware limited liability company, hereinafter referred to as the Developer. As the owner of the LNRC Phase Lot (defined below), Beth Israel Deaconess Medical Center ("BIDMC") has consented to this Development Plan Amendment. The Applicant, BIDMC and its and their successors and assigns from time to time owning all or any portion(s) of the LNRC Phase Lot shall succeed to all rights, privileges and obligations hereunder.

The business address, telephone number and designated contact persons for the Developer are:

-4.

New Blackfan LLC c/o Lyme Properties, LLC 101 Main Street, 11<sup>th</sup> Floor Cambridge, Massachusetts 02141

Phone: 617.225.0909

Contact persons: Robert L. Green and Scott R. Dumont

## Project Area

The Longwood North Research Center phase of the Proposed Project will be located along Blackfan Circle, Blackfan Street and the north end of Binney Street in the Longwood Medical and Academic Area (the "LMA") of Boston on the LNRC Phase Lot of the Amended Site (the Site approved in the Original PDA, as amended by the LNRC Phase Lot, being the "Amended Site"), which contains more than one acre in area and is more fully described and depicted on Exhibit A attached hereto. The Longwood North Research Center is intended to support the life sciences activities of the LMA and is therefore consistent with the plans of the City of Boston to support and expand medical, academic and research activities within the LMA.

# **Proposed Location and Appearance of Structures**

The ground level of the building for the Longwood North Research Center includes the building main entrance and lobby and public amenities. Loading docks, entrances to underground parking and support areas will also be accommodated at or below ground level. The proposed ground floor plan locates the garage parking entrance at the westerly side of the building. The loading area will be located on the service road running through and on the easterly side of the building. The main building entrance and lobby will front on what is currently the north end of Binney Street. There are a total of 16 floors to be occupied above grade, with two mechanical equipment floors between the 12<sup>th</sup> and 13<sup>th</sup> floors plus equipment penthouses above floor 16. The height of the building to the roof of the highest occupied floor is 267 feet, with roof walls enclosing mechanical equipment occupying portions or all of the roof to an additional 39 feet of height.

Exhibit B describes the design and includes the proposed location and appearance of the Longwood North Research Center building, proposed landscaping and open spaces, proposed dimensions and parking and loading facilities locations. Signage on the exterior of the building shall be permitted as approved by the BRA, notwithstanding anything in Article 11 or otherwise in the Code.

# Open Spaces and Landscaping

<sup>&</sup>lt;sup>1</sup> All references to the defined term "Site" in the Original PDA are hereby deemed to refer only to the phase lot for the Blackfan Research Center phase of the Proposed Project (the "BRC Phase Lot"). Accordingly, as set forth above, the BRC Phase Lot and the LNRC Phase Lot together comprise the Amended Site for the Proposed Project.

Exhibit B includes a conceptual design of the proposed open spaces and landscaping for the Longwood North Research Center.

# **Proposed Uses**

The Longwood North Research Center is primarily intended for laboratory and related office uses but may include any one or more of the uses listed on Exhibit C attached hereto. As also set forth in the Original PDA and in accordance with Article 80C-9 of the Code, such uses will be uses permitted for the Longwood North Research Center phase and any prior or subsequent phase of the Proposed Project. The underlying zoning for the Longwood North Research Center is the Beth Israel Hospital Institutional District (as affected by any approved Institutional Master Plan now or hereafter affecting any portion of the Amended Site) and the Restricted Parking Overlay District.

### **Proposed Dimensions**

Without limitation, only the dimensional regulations set forth in the following table,<sup>2</sup> and no others, shall apply to the Longwood North Research Center:

Longwood North Research Center	
LNRC Phase Lot Area	46,677 square feet
Maximum Floor Area, Gross	352,000 square feet of gross floor area
Maximum Height of Building	267 feet

# Proposed Density

As set forth above, the Longwood North Research Center will result in the development of 352,000 gross square feet of floor area, which, with the LNRC Phase Lot area for FAR purposes of approximately 46,677<sup>3</sup> square feet, corresponds to a floor area to lot area ratio of approximately 7.54.<sup>4</sup>

All references to square feet within the building refer to "Floor area, gross" as defined in Section 2A of the Code as in effect on the date of approval of this Development Plan Amendment.

Due to ongoing planning and building design, the final LNRC Phase Lot configuration may change and thus floor area to lot area ratio may also change, but gross square feet of floor area, as defined in Article 2A of the Code on the date of approval of this Development Plan Amendment, will not exceed 352,000 square feet.

Consistent with the Code, areas of the LNRC Phase Lot have been calculated for FAR purposes measuring horizontal area at the surface and therefore including the shaded area shown on Exhibit A. The shaded area was excluded for purposes of calculating FAR with respect to the Blackfan Research Center phase in the Original

# **Development Impact Exaction**

As required under Article 80B-7 of the Code, the Developer will enter into a Development Impact Project ("DIP") Agreement with the BRA and will be responsible for making a DIP Contribution with regard to the Longwood North Research Center. The DIP Contribution with respect to the Longwood North Research Center once commenced by New Blackfan is expected to consist of a Housing Exaction in the approximate amount of \$2,527,360 and a Jobs Contribution Exaction in the approximate amount of \$506,880. In addition, among the public benefits to be provided the Developer will also commit additional funding, totaling \$352,000, in excess of statutory requirements toward the affordable housing initiative and \$92,000 in excess of statutory requirements toward the jobs training initiative.

The Housing Exaction requirement will be met by the payment of a Housing Contribution Grant by a single lump sum discounted payment according to the formula and in the manner specified under Article 80B-7 of the Code. The Jobs Contribution Exaction may be met by (i) the payment of a Jobs Contribution Grant according to the formula (including the amount and payment schedule), and in the manner specified in Article 80B-7 of the Code, (ii) the creation of a jobs training program in compliance with the requirements of Article 80B-7, if approved by the Neighborhood Jobs Trust ("NJT") or (iii) a combination of payments and creation of a jobs training program, if approved by the NJT, meeting the requirements of Article 80B-7.

# **Proposed Traffic Circulation**

Exhibit B includes the proposed traffic circulation for the Longwood North Research Center.

# Proposed Parking and Loading Facilities

The LNRC Phase Lot currently includes approximately 454 parking spaces in the BIDMC East Campus parking garage which will be relocated to the Blackfan Research Center garage upon its completion. BIDMC will continue to use and retain its rights with respect to the BIDMC East Campus parking garage until the opening of the Blackfan Research Center parking garage. The existing BIDMC East Campus parking garage will be closed upon the opening of the Blackfan Research Center parking garage and subsequently demolished prior to commencement of construction of the Longwood North Research Center will provide 264 new parking spaces. The parking garage for the Longwood North Research Center will be located below-grade with access shown as generally described in Exhibit B. There will be two loading bays and one dumpster bay. The foregoing parking and loading will, in accordance with Article 80C-9 of the Code, be permitted as of right and be

sufficient, notwithstanding any regulation thereof on account of the Restricted Parking Overlay District, Articles 3, 23, 24 and 70 or otherwise in the Code.

# Access to Public Transportation

The Amended Site is centrally located within the LMA and is well served by public transportation. The Amended Site is within an approximate five-minute walk to the Arborway Branch (E Line) of the MBTA Green Line, which runs from Lechmere Square in Cambridge to Heath Street in Jamaica Plain. The Longwood Medical Area Station on the E Line is located at the intersection of Longwood Avenue and Huntington Avenue. The Riverside Branch (D Line) of the MBTA Green Line runs from Downtown Boston to Riverside Station in Newton. The D Line serves the LMA via the Longwood Station, which is located approximately one-half mile from the Amended Site. In addition, the Amended Site can be accessed via the MBTA Commuter Rail's Worcester/Framingham Line via Yawkey Station and connecting LMA shuttle bus service. The MBTA also operates seven (7) bus routes that provide service within one-half mile of the Amended Site:

- ◆ Crosstown 2 (CT2) bus route operates on 20-minute headways between Kendall Square in Cambridge and Ruggles Station (MBTA Orange Line service and commuter rail services to points south and west of Boston). CT2 makes several stops along Brookline Avenue, Longwood Avenue, and Huntington Avenue within the LMA.
- ♦ Crosstown 3 (CT3) bus route operates on 20-minute headways between Beth Israel Deaconess Medical Center East Campus and the Andrew Square MBTA Red Line Station in Dorchester. In the LMA, CT3 travels along the Fenway, Avenue Louis Pasteur, Longwood Avenue, and Brookline Avenue and makes several stops within one block of the Amended Site.
- Route 8 operates on 20-minute intervals between Kenmore Square and Harbor Point in Dorchester, with high-frequency service between Kenmore Square and the Ruggles Street MBTA Orange Line/Commuter Rail Station during peak commuter periods. Route 8 stops at the corner of Longwood Avenue and Binney Street, which is one block from the Amended Site.
- Route 39 provides service between the Forest Hills MBTA Orange Line Station and the Back Bay and stops at Brigham Circle. This service operates on 4-minute headways during peak periods and 7-minute headways during off-peak periods.
- A Route 60 provides service between Chestnut Hill in Newton and Kenmore Square and operates on 18-minute headways during peak periods and 30-minute headways during off-peak periods. This route makes several stops along Brookline Avenue within the LMA.

- ♦ Route 65 provides service between Brighton Center and Kenmore Square and operates on 25-minute headways during peak periods and 30-minute headways during off-peak periods. This route also makes several stops along Brookline Avenue within the LMA.
- Route 66 provides service between Harvard Square in Cambridge and Dudley Square and operates on 10-minute headways during peak periods and 15-minute headways during off-peak periods. This route stops at Brigham Circle in the LMA, within a five-minute walk from the Amended Site.

## Zoning and Development Review Procedures

The underlying zoning for the Longwood North Research Center consists of regulations associated with the Beth Israel Hospital Institutional District (as affected by any approved Institutional Master Plan ("IMP") now or hereafter affecting any portion of the Amended Site), the Restricted Parking Overlay District and related provisions of the Code. In accordance with Article 80C-9 of the Code, the regulations set forth in the Original PDA, as amended by this Development Plan Amendment, for proposed uses, proposed dimensions, proposed density and proposed parking and loading will be applicable to both the Blackfan Research Center phase and the Longwood North Research Center phase of the Proposed Project and the Amended Site in lieu of any zoning regulations made applicable by the underlying zoning. Where conflicts exist between the provisions of the Original PDA, as amended by this Development Plan Amendment, and any provisions of the Code, the provisions of the Original PDA, as amended by this Development Plan Amendment, shall govern.

As described in the Original PDA, New Blackfan and BIDMC contemplate the conveyance of portions of the Amended Site now owned by BIDMC, including the LNRC Phase Lot, to New Blackfan or its designee following approval of this Development Plan Amendment. Should such conveyance not occur, BIDMC (or any designee of BIDMC) reserves the right, without approval of New Blackfan or any other person, to seek an amendment withdrawing such portions owned by BIDMC from this Development Plan, as amended, and to seek such other zoning relief with respect thereto, including, without limitation, the addition of the LNRC Phase Lot to the BIDMC IMP Area.

The Longwood North Research Center phase of the Proposed Project is subject to, and is being reviewed under, Large Project Review under Article 80B-1 of the Code. A Project Notification Form ("PNF") for the Longwood North Research Center together with an Institutional Master Plan Notification Form for the BIDMC IMP was filed with the BRA in October 2002. On August 29, 2003, BIDMC submitted a Draft Project Impact Report ("DPIR") for the Longwood North Research Center together with the BIDMC IMP. On November 19, 2003, the BRA issued a Request for Supplemental Information requesting updated and additional information. On January 14, 2004, BIDMC submitted the Supplemental Information Document to the BRA, which serves as a technical addendum with respect to comments on the DPIR. On March 11, 2004, the BRA Board voted, pursuant to Section 80B-5.4(c)(iv) of the Code, to issue a Preliminary Adequacy Determination with regard to the DPIR waiving further review of the

### Longwood North Research Center.

As initially proposed in the PNF and more fully described in the DPIR, the Longwood North Research Center originally comprised a total of approximately 440,000 square feet in gross floor floor area for the described project uses and 330 off-street parking spaces. As a result of ongoing discussions between the Developer and the BRA and in view of the ongoing LMA master planning process, the Developer has sought approval pursuant to this Development Plan Amendment of the LNRC Alternative, which was described in the DPIR and is comprised of eighty percent (80%) of the initially proposed square footage, resulting in the current parameters described herein. Pending the substantial completion of the LMA master planning process, the Developer intends to seek a further amendment to the Original PDA, as modified by this Development Plan Amendment, to permit development of the full-build alternative as originally proposed.

As indicated in the Original PDA, the final phase of the Proposed Project must commence under a building permit, application for which shall be made within ten (10) years following the Adequacy Determination for the Blackfan Research Center phase of the Proposed Project on November 21, 2003. Consequently, the Longwood North Research Center phase of the Proposed Project will comply with the Large Project Review procedures of Article 80B. In accordance with Article 80B-6, a building permit for the Longwood North Research Center phase of the Proposed Project shall not be issued until the Director of the BRA shall have issued a Certification of Compliance pursuant to Article 80B-6 of the Code with respect thereto. The Longwood North Research Center is also subject to review by the Boston Civic Design Commission, to which the Longwood North Research Center has been or will be submitted for review. As was provided in the Original PDA, the Longwood North Research Center phase of the Proposed Project shall be deemed not to be a Proposed Institutional Project.

The Director may issue a Certification of Consistency for the Longwood North Research Center phase of the Proposed Project pursuant to Article 80B-6 without regard to whether such a Certification of Consistency has been issued with respect to the Blackfan Research Center or any other phase or part of the Proposed Project. As provided for in the Original PDA, no violation by a single phase of the Proposed Project shall result in a violation of any other phase, but the owner of the violating phase shall correct the violation. Upon the transfer of ownership of all or any portion of the Amended Site or all or any phase of the Proposed Project, any successor owner or owners of the Amended Site, the Proposed Project or any such portion of the Amended Site or the Proposed Project will be solely responsible for compliance with the provisions of the Original PDA, as amended by this Development Plan Amendment, with respect thereto.

As set forth in the Original PDA, the Proposed Project is approved to be constructed in phases, the final phase of which must commence under a building permit, application for which shall be made within ten (10) years following the issuance of the Adequacy Determination for the Blackfan Research Center phase of the Proposed Project on November 21, 2003. As provided for in Article 80C-9 of the Code, the issuance of any permit for the development, including without limitation Certifications of Consistency or Compliance, or construction of any phase or portion of the Proposed Project, shall be deemed to be the issuance of a permit for the entire

Proposed Project for the purpose of applying Article 5 of Chapter 665 of the Acts of 1956, as amended. Furthermore, construction of the Proposed Project may proceed on phases of the Proposed Project so long as the final phase commences within the foregoing ten-year period, which is the development schedule established for the Proposed Project. Given the type and nature of the Proposed Project, construction for these purposes includes, without limitation, excavation work or utility relocation associated with the underground garage portion of the Proposed Project, as well as any environmental remediation work.

# **Proposed Public Benefits**

The Longwood North Research Center provides numerous public benefits to the City of Boston, including:

- Providing housing and jobs exaction payments as set forth above;
- Committing additional funding in excess of statutory requirements toward the affordable housing initiative and jobs training programs and committing to ongoing technical support to ensure that housing is completed;
- Providing significant property tax revenues for the City of Boston, upon anticipated development by the Developer, by converting property that is currently non-taxable.
- ♦ Contributing to and reinforcing the economic strength of the LMA through the creation of much-needed research space;
- Creating a modern building that reflects the state-of-the-art research being conducted within the building;
- Providing covered and off-street loading;
- Creating a Workforce Development Plan to provide strategies to target Boston residents as potential employees for the Longwood North Research Center;
- Providing active convenience and retail opportunities; and
- ♦ Incorporating sustainable design elements including sustainable site development, water conservation, energy efficiency and indoor environmental quality; the Developer will seek Leadership in Energy and Environmental Design (LEED) certification for the Longwood North Research Center.

In addition, cooperative planning between the Developer and BIDMC provides the following benefits:

- Providing district-wide pedestrian improvements, and parking and loading access improvements;
- Replacing above-ground parking with below-ground spaces allowing BIDMC to make better use of its existing campus;
- Contributing to the financial recovery of a non-profit health care institution that is important to the City of Boston;
- Reducing overall impacts by reducing the total number of parking spaces and sharing operational infrastructure; and
- Ensuring that parking and service access are not on major public streets.

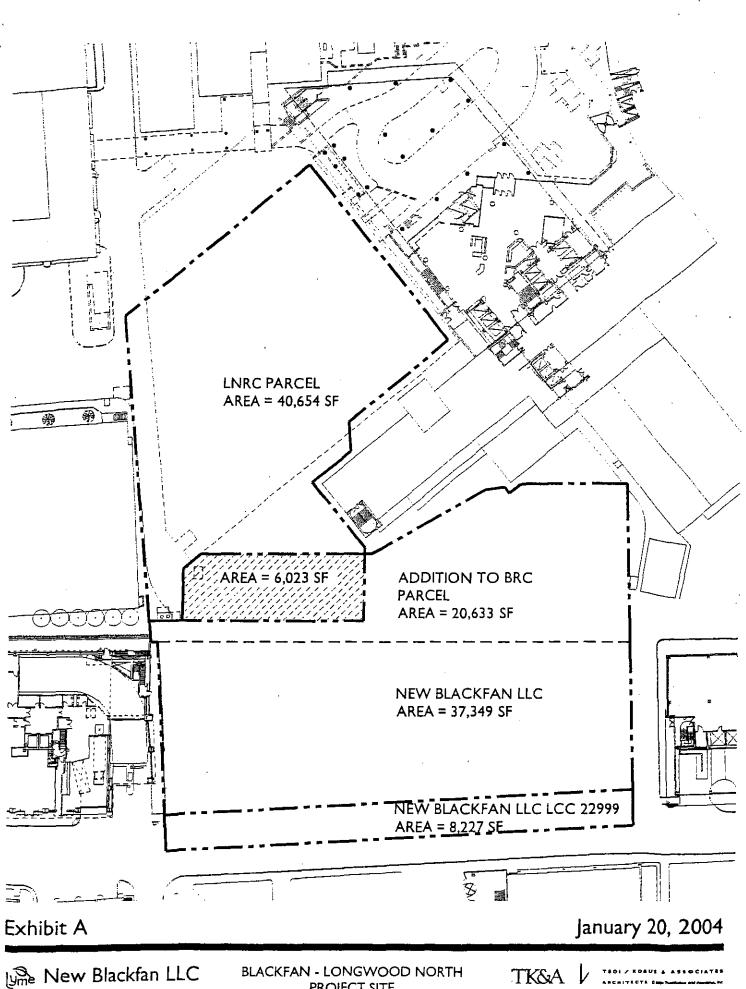
## **Anticipated Job Creation**

It is anticipated that the Longwood North Research Center will create approximately 280 new full- and part-time construction jobs. Once built and occupied, it is anticipated that the Longwood North Research Center will create approximately 320 new permanent full- and part-time jobs through tenants of the Longwood North Research Center.

#### Exhibit A

#### Amended Site

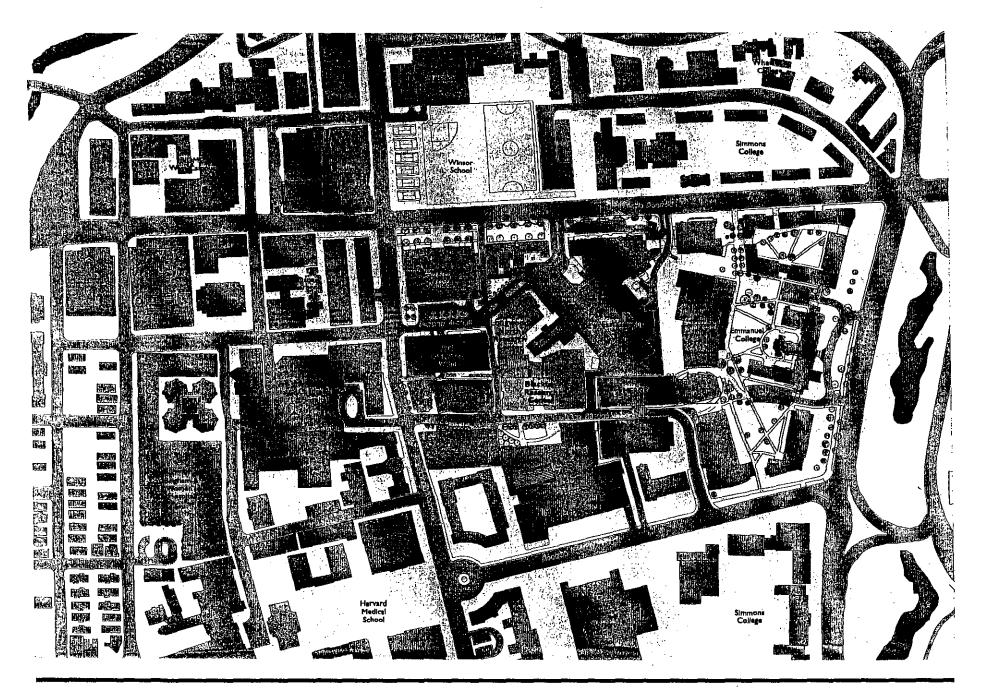
The area shown on the attached plan including (1) the LNRC Phase Lot (including the parcel shown as "LNRC Parcel Area = 40,654 SF" together with the shaded area shown as "Area = 6,023 SF" at and above elevation 16 on Boston Datum), and (2) the BRC Phase Lot (including the subsurface area shown as "Area = 6,023 SF" below elevation 16 on Boston Datum, the "Addition to BRC Parcel Area = 20,633 SF," the "New Blackfan LLC Area = 37,349 SF," and the "New Blackfan LLC LCC 22999 Area = 8,227 SF"), together with all access rights to and from the Proposed Project and with all utilities, easements and other appurtenances serving the Proposed Project.



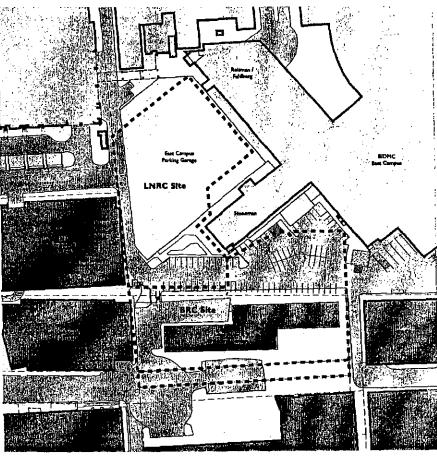
# Exhibit B

# Proposed Project Design - Longwood North Research Center

(including proposed location and appearance of the building, proposed landscaping and open spaces, proposed dimensions, parking and loading facilities and traffic circulation)

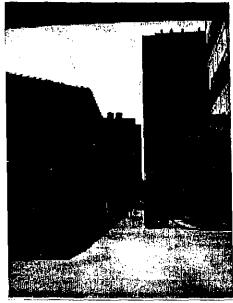




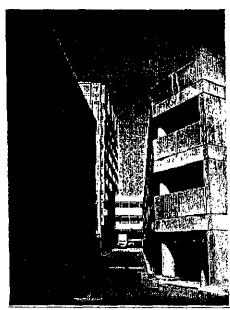




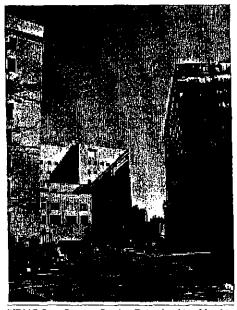
Binney Street Looking North



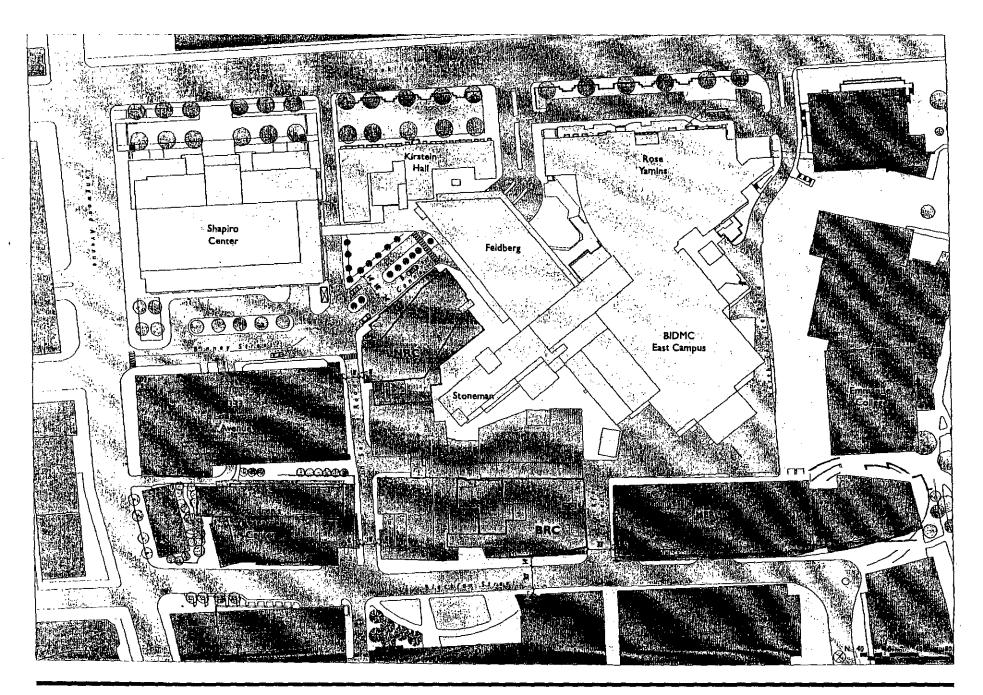
BIDMC South Service Drive Looking East

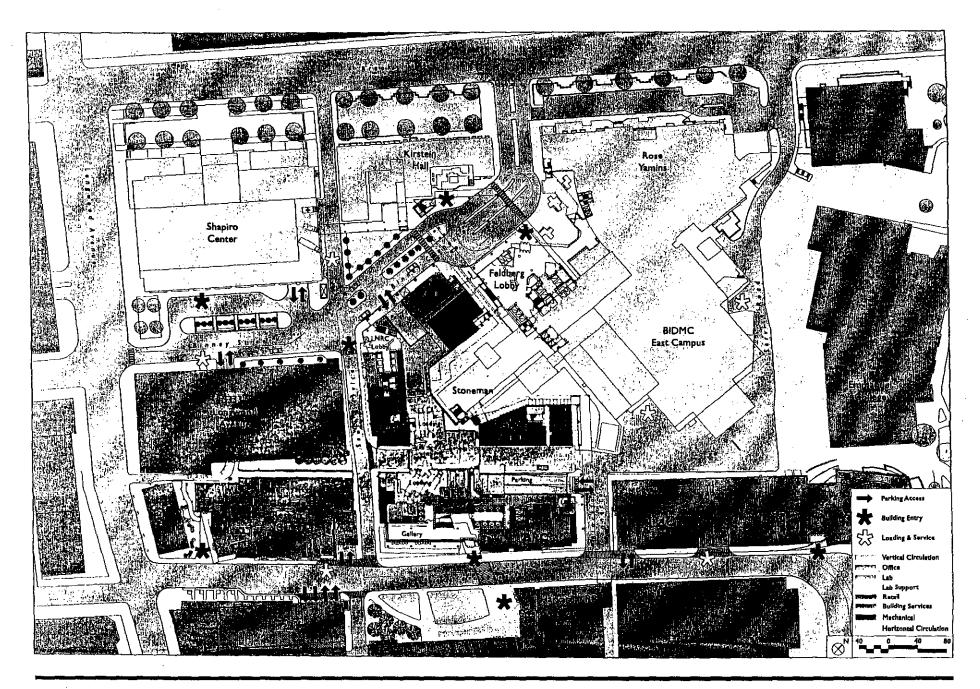


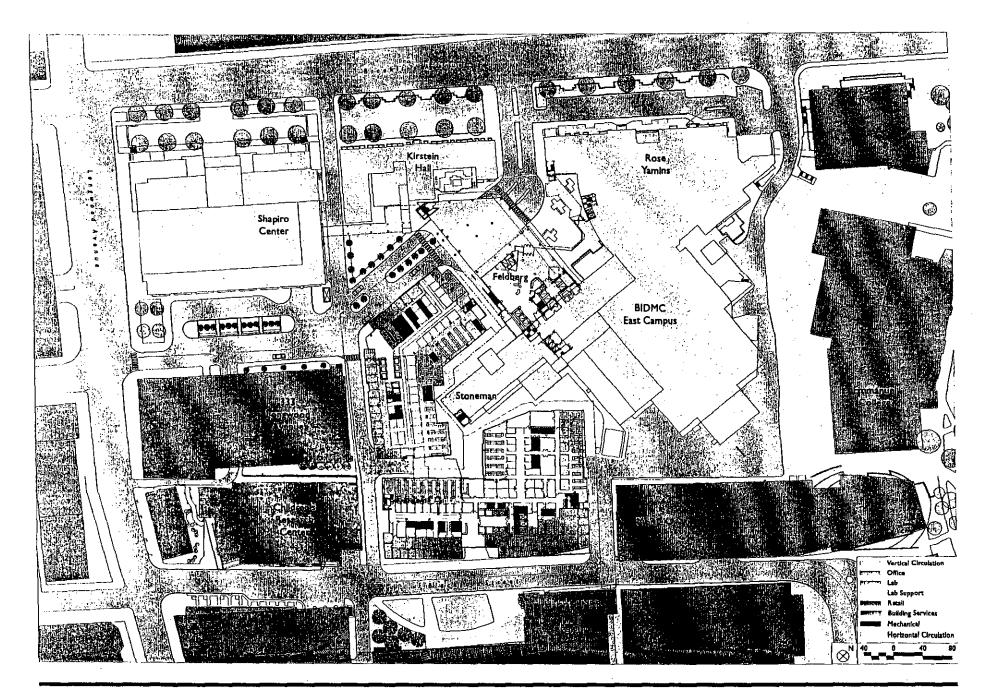
BIDMC East Campus Service Drive Looking West

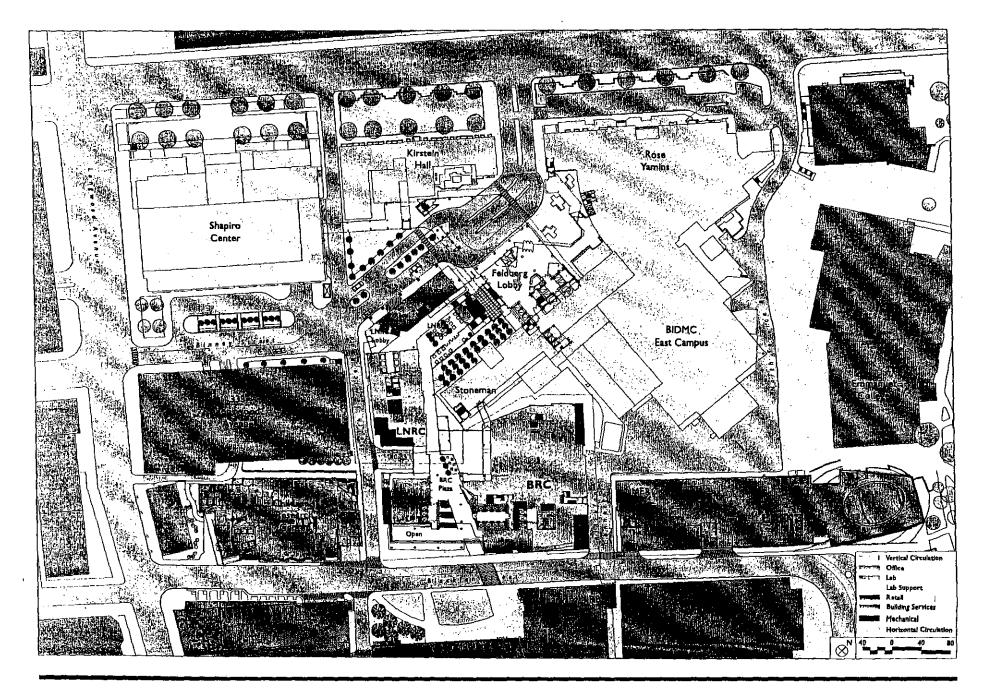


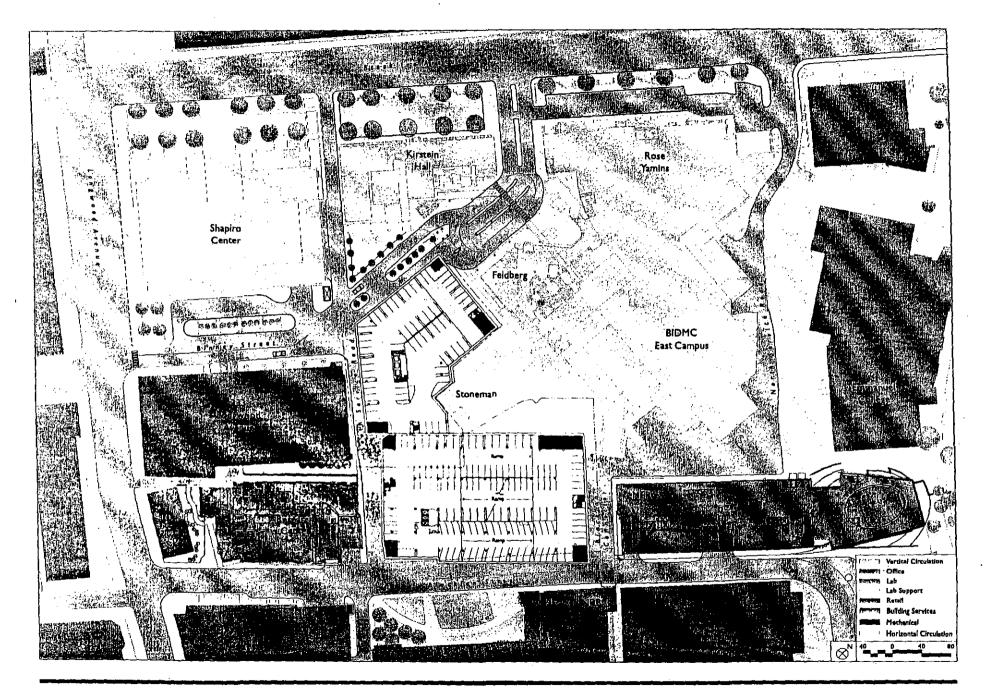
BIDMC East Campus Service Drive Looking North





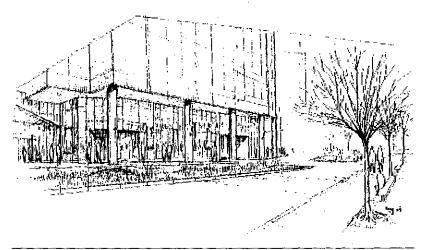




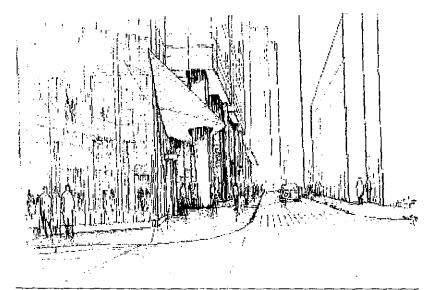




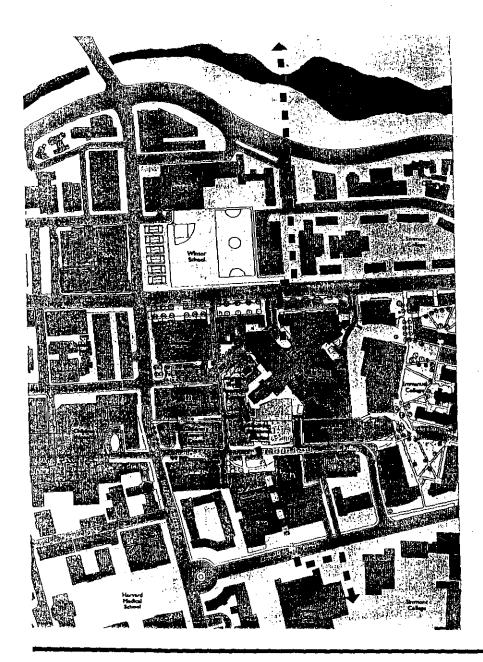
View from Binney Street and Longwood Avenue - 80% Option

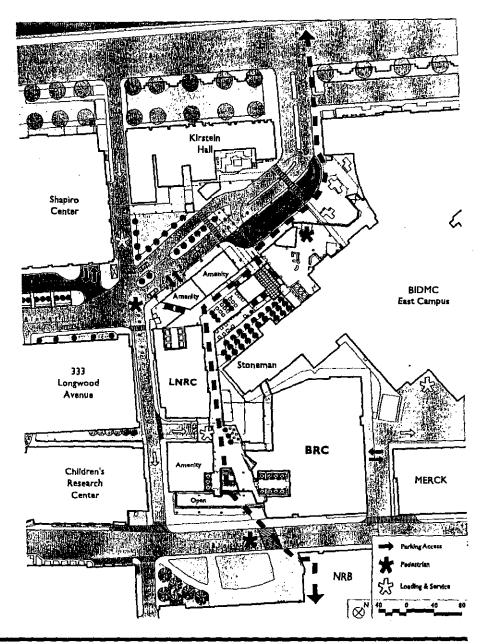


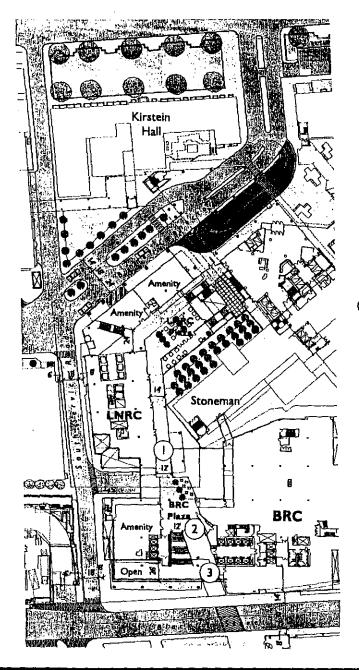
View Down Binney Connector toward Binney Street

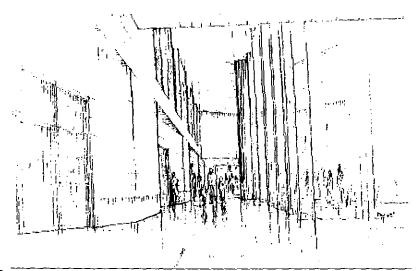


View Looking East on South Service Road LNRC Entry @ Left

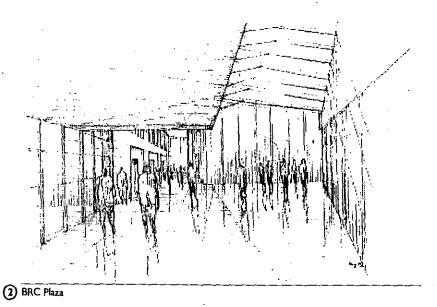






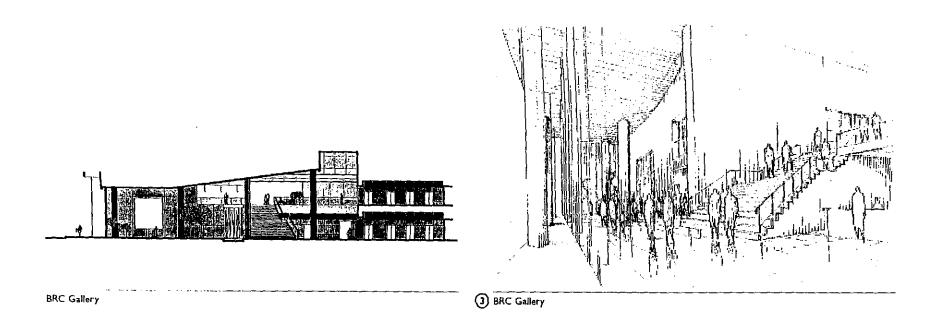


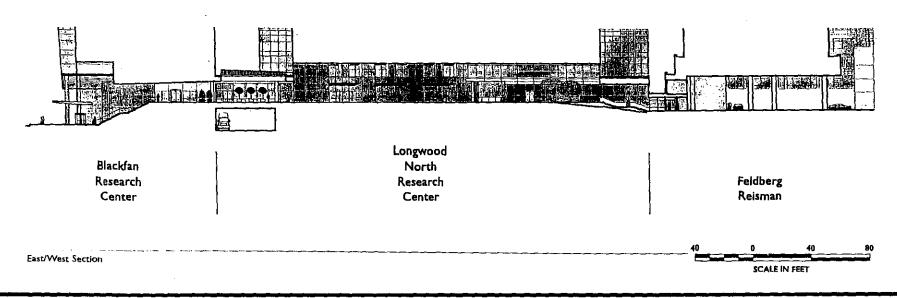
Concourse/LNRC Plaza

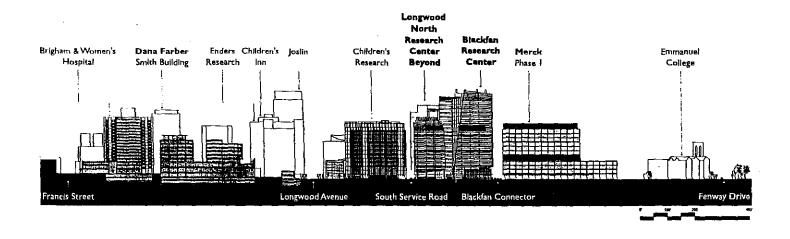


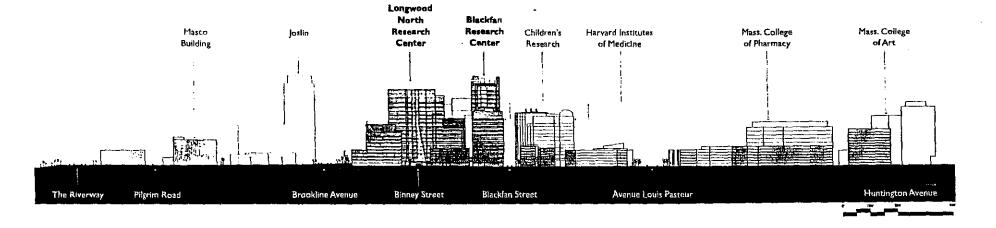
Beth Israel Deaconess Medical Center Longwood North Research Center

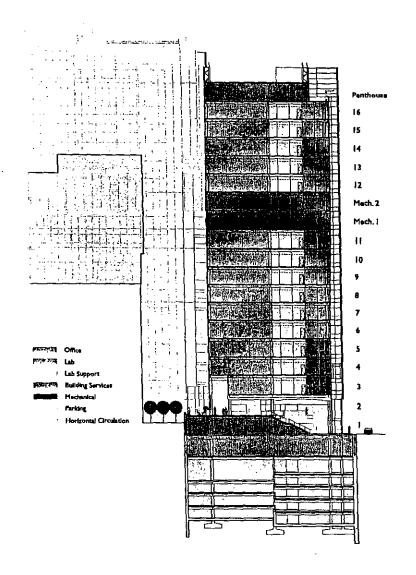


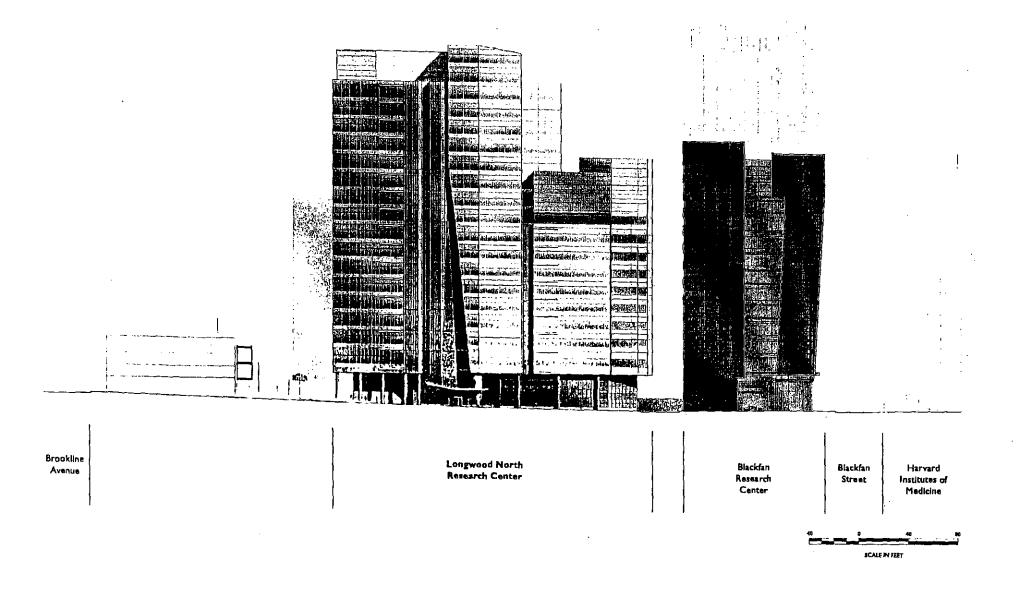












#### Exhibit C

# Proposed Project Uses'

Uses Allowed Of Right. (1) Any research and development, laboratory, and related office uses whether as main, accessory or ancillary uses, (2) Light Manufacturing in accordance with the Performance Standards for pharmaceutical, medical, optical, diagnostic, electronic, instruments, and other similar products, (3) any use allowed as provided in Table A, attached, (4) vehicular uses (whether accessory or ancillary), limited to parking garage, parking lot, accessory car wash/cleaning within a parking garage and (5) uses accessory or ancillary to any of the foregoing, including, without limitation, offices, keeping of laboratory animals (provided that such uses shall comply with all guidelines and standards promulgated by the National Institutes of Health concerning the care and use of laboratory animals), clinics, storage of flammable liquids and gases, retail and service uses, and any other accessory or ancillary use customary or incidental to any of the foregoing.

Other. Any use accessory to any phase of the Proposed Project will be treated as accessory to any other phase of the Proposed Project. Any person occupying the Proposed Project for any of the foregoing uses shall be permitted to do so whether or not such uses or subuses are conducted by a hospital or college or university (which such uses or subuses shall not be deemed thereby to constitute a "Hospital Use" or "College and University Use," as defined in Article 2A of the Code) and notwithstanding any requirement that such person have an Institutional Master Plan or that such a Plan be amended.

All capitalized terms in this Exhibit C refer to the definitions in Article 2A of the Code as in effect on the date of approval of this Development Plan Amendment.

#### TABLE A

# A = Allowed

Community Uses (1)	·
Community center or meeting facility  Day care center	A A
Cultural Uses (1)	
Art gallery	Α
Art use	Ā
Ticket sales	A
Educational Uses (2)	
Professional school	A
Trade school	Ā
Adult education center	A
Retail Uses (1)	
Bakery .	Α
Local retail business	Ā
Liquor store	A
Post office	A
Service Uses (1)	
Barber or beauty shop	Α
Dry-cleaning shop	Ā
Laundry, retail	Ā
Laundry, self-service	Ā
Photocopying establishment	Ā
Shoe repair	A
Tailor shop	A
Other Uses	
Agency or professional office	A (3)
Automatic teller machine	A
Bank	Ā
Clinic	A (3)
Fitness center or gymnasium	A
General office	A (3)
Keeping of laboratory animals other than	- • (0)
as accessory or ancillary uses, provided that any	

such uses shall comply with all guidelines
and standards promulgated by the National
Institutes of Health concerning the care and
use of laboratory animals

Restaurant

A

Take-out restaurant

A

- (1) Provided that such use primarily serves the local area.
- (2) Provided that such use is limited to workforce development training for existing and potential employees in the Longwood Medical and Academic Area.
- (3) Provided that each such category of use shall not exceed more than ten percent (10%) of the Gross Floor Area of the Proposed Project.

Map Amendment Application No. 494
Planned Development Area No. 61
Longwood North Research Center
Boston Redevelopment Authority on
behalf of New Blackfan, LLC and Beth
Israel Deaconess Medical Center
Map 1, Boston Proper

#### MAP AMENDMENT NO. 434

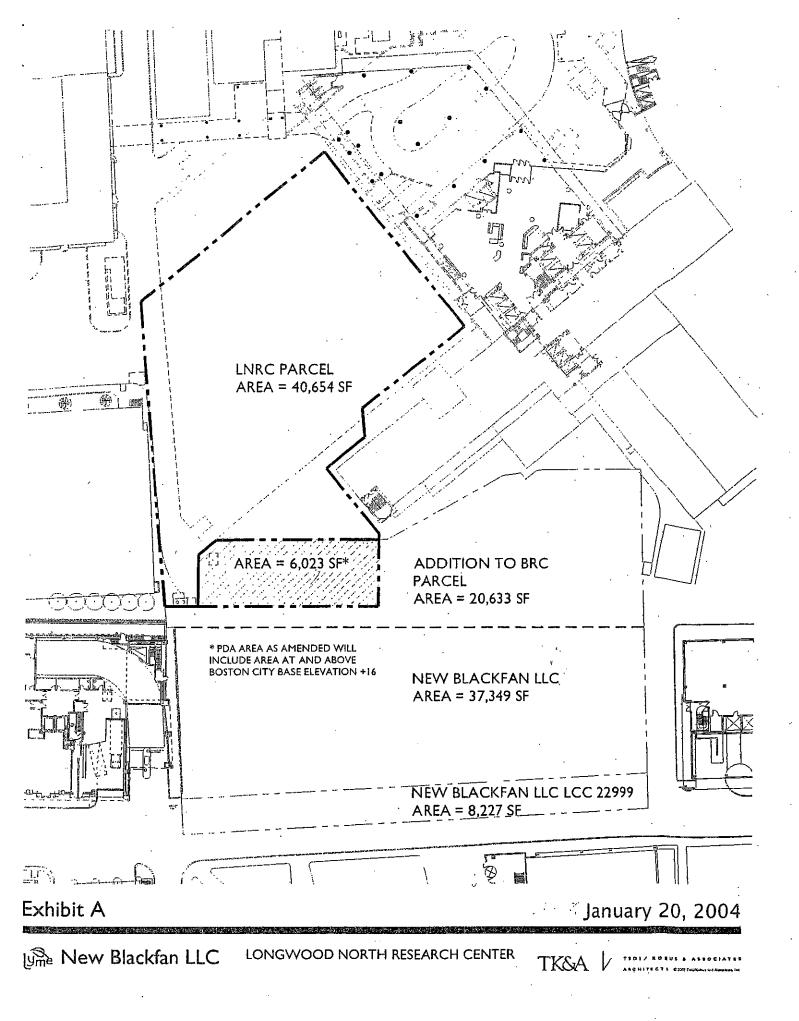
#### THE COMMONWEALTH OF MASSACHUSETTS

#### 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, after due report, notice and hearing, does hereby approve the "Development Plan Amendment," for Planned Development Area No. 61, and amends "Map 1, Boston Proper," of the series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, as amended, as follows:

1. By adding the designation "D", indicating a Planned Development Area overlay district, to the area of land described above, comprising approximately 46,677 square feet (approximately 1.07 acres) of land, as shown on Exhibit A.



First Amendment to the Development Plan for Planned Development Area No. 61, Blackfan Research Center/Longwood North Research Center

R. R. Man
Chairman Detect Jouds
Vice Chairman
All Manager
May Porce
Deale a slage
Jay Surley
In Com Bill
Miliam Tarlow

In Zoning Commission

Adopted: June 23, 2004

Attest:

Secretary

Q. L. Man
Chairman Robert Jonden
Vice Chairman
MAR
May Trun
- Jense halaget
- Lay Hurley
William Toncae
·

In Zoning Commission

Adopted:

June 23, 2004

Attest:

Secretary

Mayor, City of Boston

Date: 6 28 04

The foregoing amendment was presented to the Mayor on was signed by him on was accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:

Secretary to the Zoning Commission