

FIFTH AMENDMENT TO DEVELOPMENT PLAN
FOR
PLANNED DEVELOPMENT AREA NO. 46
BRIGHTON LANDING
Dated: August 13, 2015

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

Reference is made to the Development Plan for Planned Development Area No. 46, Brighton Landing, dated February 25, 1999, approved by the Boston Redevelopment Authority (the “BRA”) on February 25, 1999 and by the Boston Zoning Commission (the “BZC”) on March 24, 1999, which became effective on March 26, 1999 (the “Original PDA Plan”), as amended by a First Amendment to Development Plan for Planned Development Area No. 46, Brighton Landing, dated September 29, 2004, approved by the BRA on December 21, 2004 and by the BZC on January 19, 2005, which became effective on January 19, 2005 (the “First PDA Plan Amendment”), as amended by a Second Amendment to Development Plan for Plan Development Area No. 46, Brighton Landing, dated October 18, 2012, approved by the BRA on October 18, 2012, and by the BZC on November 14, 2012, which became effective on November 16, 2012 (the “Second PDA Plan Amendment”), (as amended by a Third Amendment to Development Plan for Planned Development Area No. 46, Brighton Landing, dated June 13, 2013, approved by the BRA on June 13, 2013 and by the BZC on July 10, 2013, which became effective on July 10, 2013 (the “Third PDA Plan Amendment”), as amended by a Fourth Amendment to Development Plan for Planned Development Area No. 46, Brighton Landing, dated October 17, 2013, approved by the BRA on October 17, 2013 and by the BZC on November 20, 2013, which became effective on November 21, 2013 (the “Fourth PDA Plan Amendment”, and together with the First PDA Plan Amendment, the Second PDA Plan Amendment, the Third PDA Plan Amendment, the Fourth PDA Plan Amendment and the Original PDA Plan, the “Current PDA Plan”). NB Guest Street Associates, LLC, is the proponent (the “Proponent”) of this Fifth PDA Plan Amendment, and it has succeeded to all of the rights and interests of B.V. Development, LLC, the Developer of the Original PDA Plan.

The Original PDA Plan was approved to allow for the construction of Brighton Landing, 10 Guest Street (now occupied by WGBH Educational Foundation (“WGBH”) and other third party tenants), 20 Guest Street (as of September 3, 2015, the former New Balance World Headquarters Building) and 15 Guest Street (the South Parking Garage and associated retail). The First PDA Plan Amendment was approved to allow WGBH to add additional adjacent land as a part of Planned Development Area No. 46, and to allow for the development of a new headquarters facility for WGBH (the “WGBH Headquarters”) to be located at One Guest Street in Brighton. The WGBH Headquarters has been developed and is currently occupied by WGBH. The Second PDA Plan Amendment expanded the permissible uses allowed in the South Building and East Building, and it also confirmed that a fitness center may be located on the ground floor of the South Building. The Third PDA Plan Amendment was approved to allow the Proponent

to enclose the existing fifth level on the Brighton Landing Parking Garage, to allow the Proponent to add a sixth level to the Garage, and to allow the Proponent to modify and enhance the façade of the Garage. The Fourth PDA Plan Amendment added additional adjacent land (the “Additional Land”) as a part of Planned Development Area No. 46. This Additional Land resulted from the discontinuance, as a public way, of a portion of Life Street by the Public Improvement Commission. The Fourth PDA Plan Amendment also authorized the Proponent to construct a new garage lobby, two new elevators and the extension and improvements of an existing stairwell, all to be located in the northeasterly portion of the Brighton Landing Parking Garage, at the corner of Guest Street and Life Street. The Fourth PDA Plan Amendment also authorized the extension of two other existing stairwells, as well as capital improvements to the existing elevator core on the northwesterly portion of the Brighton Landing Parking Garage.

This Fifth PDA Plan Amendment amends the Current PDA Plan to:

- (1) allow a Studio Production Use and an Office Use on the first level retail space of the South Building at 15 Guest Street / 40 Life Street (the “South Building”) and;
- (2) allow an Office Use and a Studio Production Use in the basement of the South Building.

This Fifth PDA Plan Amendment also amends the Current PDA Plan by:

- (3) deleting the third sentence, fourth sentence and fifth sentence in the paragraph under “Phase 1” heading in the Third PDA Plan Amendment and replacing it with:

“These additional spaces will be used not only to compliment the shared parking scenario for Planned Development Area No. 87, especially the sports uses contemplated within Planned Development Area No. 87, but also other uses allowed in Planned Development Area No. 46.

- (4) deleting the last sentence in the paragraph under “Phase 2” heading in the Third PDA Plan Amendment and replacing it with:

“Following Phase 2, the Proponent submitted the Third Amendment to the Master Plan for Planned Development Area No. 87 (the “Third Master Plan Amendment”), to allow up to 1,900 parking spaces to be constructed under a shared parking scenario, and in conjunction with the Third Master Plan Amendment Submission the Proponent attached a Transportation Impact Assessment confirming that no new traffic impacts would be added to the area”.

A letter has been submitted to the BRA by WGBH in support of this Fifth PDA Plan Amendment.