

BCA APPROVAL: 12/21/04  
ZC APPROVAL: 1/19/05  
EFFECTIVE: 1/19/05

**BRIGHTON LANDING**  
**FIRST AMENDMENT TO DEVELOPMENT PLAN**  
**PLANNED DEVELOPMENT AREA NO. 46**

**Dated: September 29, 2004**

**FIRST AMENDMENT TO DEVELOPMENT PLAN**  
**for**  
**PLANNED DEVELOPMENT AREA NO. 46**  
**BRIGHTON LANDING**  
**Dated: September 29, 2004**

**Developer:** WGBH Educational Foundation (“WGBH”) is a nonprofit corporation formed under the laws of the Commonwealth of Massachusetts. The business address, telephone number, and related information for WGBH, together with the designated contact of WGBH concerning this First Amendment to Development Plan for Planned Development Area No. 46 (the “First Amendment”) and the development team for the First Amendment, are listed in Exhibit A attached hereto and made a part hereof. WGBH hereby proposes to amend the Development Plan for Planned Development Area No. 46 (the “Existing PDA Plan”) to include additional adjacent land and to allow for the development of a new headquarters facility for WGBH (the “WGBH Headquarters”), to be located at One Guest Street in the Brighton neighborhood of Boston, Massachusetts (the “City”).

The Development Plan for Planned Development Area No. 46, as amended by the First Amendment (the “Amended PDA Plan”), does not affect the regulation of uses within the existing Planned Development Area No. 46 (the “Existing PDA Overlay District”) as set forth in the Existing PDA Plan and, except as expressly provided in the First Amendment, does not affect the dimensional limitations applicable to the buildings and other improvements as approved in the Existing PDA Plan. This Amended PDA Plan allows for the development of approximately 146,717 square feet of new building space to accommodate the new WGBH Headquarters. For purposes of clarity in specifying the effect of this First Amendment, the term “PDA Overlay District Amendment” shall refer to the WGBH North Parcel (as defined below), the WGBH

South Parcel (as defined below) and the Guest Street PDA Area (as defined below), and the term “Site” or “PDA Overlay District” shall refer to the Existing PDA Overlay District as expanded by the PDA Overlay District Amendment.

**Background:** The Existing PDA Plan was approved by the Boston Redevelopment Authority (the “BRA”) on February 25, 1999 and the Boston Zoning Commission on March 24, 1999, and became effective on March 26, 1999. The Existing PDA Overlay District covers an area of approximately 5.96<sup>1</sup> acres and consists of three buildings, two of which are mid-rise, commercial buildings and the third of which is a mid-rise building with retail, health club, and manufacturing uses on the first floor, and parking on the four floors above. Under the Existing PDA Plan, the two commercial buildings include a ten-story building with a height of approximately 150 feet and approximately 242,600 square feet of floor area (the “East Building”). The East Building is the headquarters for the New Balance Athletic Shoe, Inc. The second commercial building is a seven-story building with a height of approximately 102 feet, containing approximately 185,683 square feet of floor area used for office and related accessory purposes and approximately 25,200 square feet used for loading bays and approximately 52 accessory off-street parking spaces (the “West Building” as identified in the Existing PDA Plan, but referred to herein as the “WGBH North Building”). The third building under the Existing PDA Plan is a five-story building with a height of approximately 63 feet (excluding elevator lobbies and stairwell penthouses located on the roof level), and floor area of approximately 100,000 square feet on the ground floor and basement used for manufacturing, retail, and health

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<sup>1</sup> The Existing PDA Plan does not include the WGBH North Parcel, which consists of approximately 0.28 acres. Accordingly, the Existing PDA Plan indicates that the Existing PDA Overlay District consists of only 5.68 acres. Boston Zoning Map Number 7A/7B/7C/7D which depicts the Existing PDA Overlay District, indicates, however, that the WGBH North Parcel is part of the Existing PDA Area. This inclusion brings the total acreage of the Existing PDA Overlay District to 5.96 acres. As discussed below, this First Amendment confirms that the WGBH North Parcel is included within the Existing PDA Overlay District.

club facilities, and related accessory purposes, and approximately 420,000 square feet used for approximately 1,262 accessory and ancillary off-street parking spaces in four stories above grade and on a fifth level on the roof (the “Brighton Landing Parking Garage”).

As part of its plan to develop a new headquarters facility at Brighton Landing, WGBH purchased the WGBH North Building, together with the right to use 670 parking spaces in the Brighton Landing Parking Garage, in 2002<sup>2</sup>. WGBH also purchased the lot immediately north of the WGBH North Building, which was formerly the site of a Boston Edison Company (“BECO”) electric substation (the “WGBH North Parcel”), in 2002. As noted above, the WGBH North Parcel is not included in the Existing PDA Plan, although the Boston Zoning Map reflects that this parcel is included in the Existing PDA Overlay District. Finally, WGBH owns the parcel of land south of Guest Street opposite the WGBH North Building. This 2.09 acre parcel consists of the former Browning Ferris Industries (“BFI”) property, which is approximately 2.0 acres (the “WGBH South Parcel”), and a narrow, triangular-shaped strip of land located between Guest Street and the WGBH South Parcel, which is approximately 0.09 acres (the “Triangle Parcel”). The Triangle Parcel was purchased by WGBH in 2002<sup>3</sup> at the time that WGBH acquired the WGBH North Building, and the WGBH South Parcel was also acquired by WGBH in 2002. The Triangle Parcel is part of the Existing PDA Overlay District but the WGBH South Parcel is not.

The Amended PDA Plan will permit WGBH to develop its new headquarters building. To that end, approval of this First Amendment will: (1) include the WGBH South Parcel in the

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<sup>2</sup> The WGBH North Building is one unit in a commercial condominium called Brighton Landing Condominium. WGBH, accordingly, owns one unit of the Brighton Landing Condominium, which unit is comprised of the WGBH North Building, as well as certain rights in the common areas of the Brighton Landing Condominium, including the right to specified parking spaces in Brighton Landing Parking Garage.

<sup>3</sup> WGBH currently owns a long-term leasehold interest in the Triangle Parcel. WGBH has an option to acquire the fee interest in this parcel for nominal consideration at such time as necessary approvals are obtained from the Land Court. WGBH expects to obtain these necessary approvals and acquire the fee interest in the Triangle Parcel prior to commencing construction of the WGBH Headquarters.

Amended PDA Overlay District and confirm that the WGBH North Parcel is included in the Existing PDA Overlay District; (2) allow for the development of approximately 146,717 square feet of new building space, including a new building on the WGBH South Parcel and the Triangle Parcel (the “WGBH South Building”) and a “Building Connector” that will span Guest Street, using air rights to be acquired, if necessary, via the Boston Redevelopment Authority, and connect the WGBH North Building and the WGBH South Building (and, in order to accommodate the Building Connector, the Amended PDA Overlay District will include the portion of Guest Street (the “Guest Street PDA Area”) that is bounded by Market Street to the west and by an extension of the easterly boundary line of the property known as 20 Guest Street to the east); and (3) allow for the radio and television studio, broadcasting, production, and other uses necessary for WGBH’s operations.

**Site Description and History:** The Existing PDA Plan sets forth a complete description and history of the Site with the exception of the WGBH North Parcel, the WGBH South Parcel and the Guest Street PDA Area, which are described and shown on the plan (the “Plan”) entitled “WGBH Brighton Landing, Brighton, Massachusetts, Planned Development Area,” prepared by Vanasse Hangen Brustlin, Inc., dated December 17, 2004 and attached hereto as Exhibit B and made a part hereof. Additional information regarding these two parcels follows:

(i) WGBH North Parcel.

The WGBH North Parcel is an approximately 0.28 acre parcel located immediately north of the existing WGBH North Building, and shown as “WGBH North Parcel” on the Plan attached as Exhibit B. The WGBH North Parcel was formerly owned by BECO and used as the site of an electricity substation. This property was purchased from BECO by B.V. Development,

LLC, the developer of the Existing PDA Overlay District, in December of 1999, subsequent to the approval of the Existing PDA Plan. WGBH purchased the WGBH North Parcel in 2002.

(ii) WGBH South Parcel.

The WGBH South Parcel consists of approximately 2.0 acres of land on the south side of Guest Street opposite the WGBH North Building and is bounded by the Triangle Parcel on the north (directly south of Guest Street), Market Street on the west, and North Beacon Street on the south. It is bounded on the northeast by the Brighton Landing Parking Garage. To the southeast, the WGBH South Parcel is bounded by land occupied by Spectrowax and Isaac the Mover. The WGBH South Parcel is shown as "WGBH South Parcel" on the Plan attached as Exhibit B. This property was owned by BFI and was used by BFI as a dispatch center for commercial solid waste disposal trucks. There are two structures located on the WGBH South Parcel. At the center of the property is a one-story concrete block garage with two small, two-story projections on its west and east sides. On the southwest part of the property at the corner of Market and North Beacon Streets is a two-story wood frame building. WGBH purchased the WGBH South Parcel in 2002, and redevelopment of the former BFI property is an integral part of WGBH's plan to relocate its headquarters to Brighton Landing.

(iii) Guest Street PDA Area.

Guest Street is a public way. The Guest Street PDA Area is a portion of Guest Street that comprises approximately 0.56 acres located immediately to the east of Market Street. The Guest Street PDA Area is bounded by the Existing PDA Overlay District on the north and on the south, and is shown as "Guest Street PDA" on the Plan attached as Exhibit B. Legal descriptions of the WGBH North Parcel, the WGBH South Parcel, the Guest Street PDA Area, and the PDA Overlay District are attached hereto as Exhibit C and made a part hereof.

**Proposed Development:** The new WGBH Headquarters will involve both the construction of new building space and the renovation of existing space (the “Project”). In total, the WGBH Headquarters will have approximately 332,400 square feet of building space (excluding the loading bays and off-street parking area located in the WGBH North Building). Approximately 185,683 square feet of this building space already exists in the WGBH North Building. The Project will involve construction of approximately 146,717 square feet of new building space. The WGBH South Building and southern portion of the Building Connector will contain approximately 131,159 square feet of floor area. The northern portion of the Building Connector and the tie-in of the Building Connector to the WGBH North Building will add approximately 15,558 square feet of floor area to the WGBH North Building.<sup>4</sup> The Project is shown in further detail on the plans and drawings (the “Drawings”) listed in Exhibit D attached hereto and made a part hereof, as they may be further refined, revised, amended and approved, as set forth in further detail below.

The Building Connector will provide important functional and aesthetic integration of the WGBH North Building and the WGBH South Building both in the internal environment, by allowing for efficient accommodation of WGBH’s operations, and in the external environment, by creating a unified architectural form. The Building Connector will consist of approximately 55,278 square feet on two levels, and will connect the fifth and sixth floors of the north side of the WGBH South Building to the fifth and sixth floors of the west side of the WGBH North Building. The Building Connector will be used mainly for office and circulation space. Following completion of the Project, the WGBH North Building will comprise approximately

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<sup>4</sup> For purposes of this First Amendment, the northern portion of the Building Connector is deemed to be part of the WGBH North Building, and the southern portion of the Building Connector, including the majority of the portion of the Building Connector located above Guest Street, is deemed to be part of the WGBH South Building.

201,241 square feet of floor area (excluding the loading bays and off-street parking area located in the WGBH North Building). The Building Connector will not increase the height of the WGBH North Building.

The WGBH South Building will have approximately 131,159 square feet of floor area, and will primarily provide office space, production studios and technical space for WGBH's operations. The WGBH South Building will have a height of approximately 91 feet at its northern end (exclusive of the penthouse mechanical room, the satellite earth stations and the microwave mast, as provided in the definition of "Building Height" set forth in Code Article 2A; such rooftop appurtenances are subject to BRA review, as set forth in further detail below), and will step down to a height of approximately 41 feet at its southern end. The main entrance to the WGBH South Building will be on its northern side off Guest Street.

**Location and Appearance of Structures:** The new WGBH Headquarters will be visible from the Massachusetts Turnpike as one enters Boston from the west and will therefore reflect a sense of entry into the City. The WGBH Headquarters will be comprised of three formal elements: the WGBH North Building, the WGBH South Building, and the Building Connector, which spans Guest Street and unifies the Project. The WGBH South Building will step down from six stories at its northern end, which is compatible with the height of the WGBH North Building, to two stories at its southern end, which is compatible with the surrounding buildings located on North Beacon Street. The exterior surface of the Building Connector will consist of a glass curtain wall with programmable light-emitting diode ("LED") panels, which will allow for creation of a changeable digital façade. This digital façade will feature images, rather than text, and these images, which will contain no advertising of any kind, will either be static, with a fade-in and fade-out character, or slow-moving, with a change-and-hold character. The architectural



design of the Project, along with consistent landscape and streetscape improvements, will serve to establish a distinct identity for the Project and will also render the Project compatible with the surrounding area, thereby enhancing the aesthetics of the Site and the surrounding area.

The proposed location and appearance of the structures are shown in greater detail on the Drawings listed in Exhibit D, as they may be further refined, revised, amended and approved, as set forth in further detail below.

**Location and Appearance of Open Spaces and Landscaping:** The landscaping for the Project has been designed to improve the character of: (a) the edges of Market and North Beacon Streets in the Project area, and (b) the existing corridor on Guest Street between the WGBH North Building and the WGBH South Building. This landscape design will conform to the Drawings listed in Exhibit D, as they may be further refined, revised, amended, and approved, as set forth in further detail below.

The developer will replace the entire sidewalk along the east side of Market Street between Guest Street and North Beacon Street, and will plant trees in linear planting wells located on WGBH's property at the edge of the Market Street right-of-way. The sidewalk will extend onto WGBH's property between the trees, creating a much wider pedestrian way along Market Street. The paved area on WGBH's property will include a number of usable benches.

The Project will provide visually-unifying enhanced landscape and streetscape treatments along the Guest Street frontage of the existing WGBH North Building, and new landscape and streetscape treatments in front of the new WGBH South Building. Because this area will be mostly in shadow, the landscape approach will emphasize the creation of a well-designed, decoratively-paved pedestrian environment for the sidewalks and the WGBH South Building

entrance plaza, and plants with high resilience and shade tolerance will also be included in the area of the WGBH South Building entrance plaza.

A shrubbery hedge will follow and define the edge of WGBH's property along North Beacon Street, serving as a soft foreground to the WGBH South Building.

**Underlying Zoning and PDA Designation:** Portions of the Amended PDA Overlay District are located within both the Guest Street Local Industrial Subdistrict (the "Guest Street Subdistrict") and the Market-North Beacon Street Neighborhood Shopping Subdistrict (the "Market-North Beacon Subdistrict"), as established pursuant to the Boston Zoning Code and Boston Zoning Maps Number 7A through 7D. A separate zoning petition currently proposes to include the portion of the Amended PDA Overlay District that is located in the Market-North Beacon Subdistrict within the Guest Street Subdistrict. Subsequent to the approval of such petition by the Boston Zoning Commission, this First Amendment will expand the Existing PDA Overlay District to include the entirety of the Site. The Project will be deemed to be in compliance with the requirements of underlying zoning to the extent that such requirements are addressed in the Amended PDA Plan.

**Proposed Uses of the Area:** WGBH is an important employer and corporate citizen in the Allston-Brighton community and the larger City. Upon completion of the Project, WGBH will relocate to Brighton Landing from its current headquarters, which is located nearby at 125 Western Avenue. WGBH intends to use its new Brighton Landing headquarters to house corporate offices, radio and television studios, and state-of-the-art multi-media, broadcasting, production, and communications facilities, as more particularly set forth below. The WGBH North Building will be used as set forth in the following table:

WGBH North Building		
Area	Primary Uses	Accessory Uses
Ground Floor	Office and Production Studio	Parking, Circulation, and Mechanical Support
Upper Floors	Office and Production Studio	Circulation, Mechanical Support, and Catering

The WGBH South Building will be used as set forth in the following table:

WGBH South Building		
Area	Primary Uses	Accessory Uses
Ground Floor	Office, Radio and Television Studio, and Production Studio	Theatre, Circulation, and Mechanical Support
Upper Floors	Office, Radio and Television Studio, and Production Studio	Circulation, Mechanical Support, Employee Café, and Catering

**Dimensions and Densities:** The proposed dimensions and densities applicable to the Amended PDA Overlay District shall be as set forth in the zoning calculations attached hereto as Exhibit E and made a part hereof. The actual dimensions and densities of the Project, as such dimensions may be further refined, revised, amended, and approved pursuant to review by the BRA, in accordance with its Development Review Procedures, and other appropriate agencies and authorities, may differ slightly from the permitted dimensions and densities set forth in Exhibit E, provided that the actual dimensions and densities of the Project shall in no event exceed the permitted dimensions and densities set forth in Exhibit E. The dimensions and densities of the WGBH Headquarters are shown in further detail in, and will conform with, the Drawings listed in Exhibit D, as they may be further refined, revised, amended, and approved, as set forth in further detail below.

**Traffic and Pedestrian Circulation:** Regionally, the Site is accessible from the Massachusetts Turnpike, Soldiers Field Road, and North Beacon Street, all of which are important links to downtown Boston, the surrounding metropolitan area, and the southern New England region. Locally, the Site has access to Market Street, North Beacon Street, and Guest Street, but direct vehicular and pedestrian access to the WGBH Headquarters will be via Guest Street only. The parking area on the east side of the WGBH South Building will be used primarily by WGBH's visitors and will be designed such that traffic cannot enter the Site directly from North Beacon Street or exit the Site directly onto North Beacon Street. Those who park in this lot will use a sidewalk along the east wall of the WGBH South Building to travel from their vehicles to the main entrance of the WGBH South Building located on Guest Street. There is an existing curb-cut onto North Beacon Street from the Site, which will be maintained only for emergency vehicle access purposes. WGBH's employees and visitors who park in the Brighton Landing Parking Garage will exit the garage onto the southerly sidewalk along Guest Street. Access to the WGBH South Building lobby will be through the main entrance located on Guest Street.

It is anticipated that a visitor drop-off area will be designated on Guest Street in order to ensure that on-street drop-off and pick-up of visitors will not adversely affect traffic on Guest Street. All truck loading activities at the Project will occur off-street in the enclosed loading docks provided for the WGBH North and South Buildings. The receiving department for WGBH will be located in the WGBH North Building. As a result, the majority of truck deliveries to the WGBH Headquarters will use the existing northerly truck driveway off of Guest Street. Any trucks delivering to the WGBH South Building will obtain access by use of the

existing one-way truck driveway located behind the Brighton Landing Parking Garage and accessed from Life Street, and exit via the southerly driveway off of Guest Street.

**Parking and Loading Facilities:** The 672 parking spaces located at WGBH's Western Avenue facility today adequately accommodate the parking needs of WGBH's employees and visitors. After WGBH's relocation to Brighton Landing, it is not anticipated that the level of automobile commuting among WGBH's employees will change. Accordingly, it is expected that a similar parking supply will be adequate to accommodate WGBH's parking needs at Brighton Landing.

WGBH currently has the right to use approximately 568 existing parking spaces located in the Brighton Landing Parking Garage, as well as approximately 50 existing parking spaces located (a) inside the WGBH North Building and (b) on the surface lot that is on the WGBH North Parcel, for a total of approximately 618 existing parking spaces.<sup>5</sup> WGBH will provide 50 additional off-street surface parking spaces to the east of the WGBH South Building as part of the Project. Those parking spaces will have access to the main entrance of the WGBH South Building located on Guest Street by means of a sidewalk running along the east wall of the WGBH South Building.

Although WGBH's receiving department will be located in the WGBH North Building, some loading activity will occur at the off-street loading bays that will be provided in the WGBH South Building. It is anticipated that the Project will generate a low frequency of truck traffic, and that all truck loading activities will occur off-street at the loading facilities located in the WGBH North Building and the WGBH South Building.

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<sup>5</sup> In addition to the approximately 618 existing parking spaces identified above, WGBH currently leases approximately 102 parking spaces in the Brighton Landing Parking Garage to tenants in the WGBH North Building,

The parking and loading facilities are shown in greater detail, and will conform with, the Drawings listed in Exhibit D, as they may be further refined, revised, amended, and approved as set forth in further detail below.

**Proposed Access to Public Transportation:** Public transportation to the Site is available in the form of bus and train service operated by the Massachusetts Bay Transit Authority (the "MBTA"). Two MBTA bus routes travel past the Site as follows: (a) Route #64, Oak Square - Central Square, Cambridge, and (b) Route #86, Sullivan Square Station - Cleveland Circle. Several other MBTA bus routes also operate within 0.5 miles of the Site, including the #70 bus on Arsenal Street and the #57 bus at Brighton Center. There are several connecting points between most MBTA bus routes, allowing the potential for the Site to be reached by bus from within the City and the surrounding suburbs.

The closest MBTA rapid transit route to the Site is the Boston College branch of the Green Line, which travels along Commonwealth Avenue, approximately 0.6 miles east of Union Square. Additionally, the Cleveland Circle area, which is approximately 1.5 miles south of the Site, is serviced by three Green Line branches: the Boston College Line, the Cleveland Circle Line, and the Riverside Line. The closest MBTA commuter rail station is the Newtonville Station on the Framingham/Worcester line, located along Washington Street, approximately three miles west of the Site. The locations of these public transportation facilities are shown on Exhibit F attached hereto and made a part hereof.

A Transportation Demand Management program for the WGBH Headquarters will be implemented to maintain, or improve upon, the existing rate at which WGBH's employees utilize modes of transportation other than automobiles.

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and leases approximately 29 existing parking spaces located (a) inside the WGBH North Building and (b) on the

**Proposed Building Elevations:** The building elevations of the WGBH Headquarters will conform with the Drawings listed in Exhibit D, as they may be further refined, revised, amended, and approved, as set forth in further detail below.

**Drawings:** The WGBH Headquarters Project will conform with the Drawings listed in Exhibit D, as they may be further refined, revised, amended, and approved pursuant to review by the BRA in accordance with its Development Review Procedures and other appropriate agencies and authorities, provided that any such refinements, revisions, or amendments that affect exterior facades, site improvements, roofscapes, or interior or exterior public spaces shall be subject to the approval of the Director of the BRA pursuant to the BRA's Development Review Procedures without further action on the part of the BRA Board, unless the Director of the BRA determines that such refinements, revisions, or amendments are not consistent with the Amended PDA Plan.

**Exterior Building Materials and Structure:** The exterior of the existing WGBH North Building consists of conventional pre-cast concrete spandrel panels and ribbon windows, and will remain mostly unchanged. The exterior of the Building Connector will be comprised of a structural silicone glazed curtain wall with LED panels spaced in progression and integrated into the curtain wall. The WGBH South Building will be clad in painted, rolled steel panels. The exterior building structure is shown in greater detail on, and will conform with, the Drawings listed in Exhibit D, as they may be further refined, revised, amended, and approved, as set forth in further detail above.

**Signage:** The Project will include (a) use of the LED panels discussed above, and (b) potential additional signs, all as may be approved by the BRA pursuant to its Development Review Procedures. In the case of the aforementioned LED Panels, any BRA approval will be

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surface lot that is on the WGBH North Parcel to tenants of the East Building.

conditioned on, and subject to, ongoing regulation of the use of such panels, including their hours of operation and the content of the images displayed thereupon, as set forth in a Cooperation Agreement between WGBH and the BRA. This authorization of the use of the LED panels is personal to WGBH only, and may be granted to or withheld from any subsequent owner or occupant of the Project in the BRA's sole and absolute discretion.

**Public Benefits:** Development of the Project represents a substantial investment by WGBH that will provide significant benefits to the Allston-Brighton community and the City of Boston. This investment will replace a formerly abandoned and blighted property with a vibrant, attractive, and highly visible complex that will enhance the economy, appearance, and public perception of the Site and the surrounding area. By providing sufficient expansion space for WGBH, the Project will allow WGBH to relocate while remaining within the Allston-Brighton community. Keeping WGBH in Boston means that approximately 900 technical and professional jobs will be preserved, and it is anticipated that additional jobs will be added over the next several years as WGBH grows; because it is expected that any additional future expansion by WGBH will take place within portions of the WGBH North Building that are currently leased by WGBH to others, the parking spaces allocated to this presently-leased space will be sufficient to meet the needs of any such expansion by WGBH at the Site.

These jobs, as well as the indirect benefits they will provide to local businesses and shops, represent significant economic opportunities for Boston residents, including those within the Allston-Brighton community. Development of the WGBH Headquarters will also create approximately 280 construction jobs. The Development Impact Exactions required pursuant to Article 80B will provide substantial funding for affordable housing creation and job training programs. Furthermore, in an effort to improve traffic circulation in the vicinity of the Site,



WGBH will provide for upgrades to existing directional signage, coordination of the traffic signals along Market Street, and upgrades to the traffic signal hardware located at the corner of North Beacon Street and Life Street. In addition to the landscaping that will be provided as part of the WGBH Headquarters along the east side of Market Street, the north side of North Beacon Street, and both sides of Guest Street, WGBH will improve the character of Market Street in the Project area by providing landscaping, including the planting of trees, on the west side of Market Street from the Massachusetts Turnpike to North Beacon Street. Another community benefit is that WGBH South Building's lobby, private theater, and related function and meeting spaces will be available for certain Allston-Brighton community events and will enable WGBH to serve as a host for local gatherings. Finally, WGBH has committed to entering into a payment-in-lieu-of-taxes agreement concerning its Brighton Landing headquarters with the City of Boston.

**Other Approvals and Review Procedures:** The Project is subject to Large Project Review under Article 80B of the Zoning Code. A Project Notification Form ("PNF") relating to the Project was filed on June 4, 2004, to formally commence the Large Project Review process. Prior thereto, in September 2003, WGBH and its design team met with the Boston Civic Design Commission (the "BCDC") to informally introduce the Project and present a general overview of the proposed architectural design. WGBH initiated formal BCDC review of the Project at the BCDC meeting on July 6, 2004.

Various other permits and approvals may also be required for the Project and will be obtained as appropriate.

## EXHIBIT LIST

- Exhibit A - WGBH Information and Project Team
- Exhibit B - Plan
- Exhibit C - Legal Descriptions
- Exhibit D - Drawings
- Exhibit E - Dimensions and Densities
- Exhibit F - Public Transportation Facilities

## EXHIBIT A

### WGBH Information and Project Team

The business address and telephone number for WGBH are: WGBH, 125 Western Avenue, Brighton, MA 02134. The President of WGBH is Henry P. Becton, Jr. The Designated Contact at WGBH concerning this Amended PDA Plan is David Norton, Project Manager; Telephone: (617) 300-2805.

The development team for the Project includes:

Architect: Polshek Partnership Architects, Inc., 320 West 13<sup>th</sup> Street, New York, NY 10014; Telephone: (212) 807-7171; Designated Contacts: Tomas Rossant and Pat Golden.

Engineering and Transportation Consultant: Vanasse Hangen Brustlin, Inc., 101 Walnut Street, Watertown, MA 02471; Telephone: (617) 924-1770; Designated Contact: Douglas L. Landry.

Legal Counsel: Hemenway & Barnes, 60 State Street, Boston, MA 02109; Telephone: (617) 227-7940; Designated Contact: Stephen W. Kidder.

**EXHIBIT B**

Plan

- Plan entitled "WGBH Brighton Landing, Brighton, Massachusetts, Planned Development Area," prepared by Vanasse Hangen Brustlin, Inc. and dated December 17, 2004

**EXHIBIT C**

Legal Descriptions

## **EXHIBIT D**

### Drawings

- Design Development - WGBH Headquarters Floor 1, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004
- Design Development - WGBH Headquarters Floor 2, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004
- Design Development - WGBH Headquarters Floor 3, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004
- Design Development - WGBH Headquarters Floor 4, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004
- Design Development - WGBH Headquarters Floor 5, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004
- Design Development - WGBH Headquarters Floor 6, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004
- Design Development - WGBH Headquarters Floor 7, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004
- Design Development - WGBH Headquarters Floor B, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004
- Design Development - WGBH Headquarters Roof, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004
- Design Development - East Elevation - PDA - WGBH Headquarters, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004
- Design Development - North Elevation - PDA - WGBH Headquarters, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004
- Design Development - South Elevation - PDA - WGBH Headquarters, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004
- Design Development - West Elevation - PDA - WGBH Headquarters, prepared by Polshek Partnership Architects, LLP and dated September 17, 2004

## EXHIBIT E

### Brighton Landing Dimensions and Densities

#### AMENDED PDA OVERLAY DISTRICT ZONING CALCULATIONS

<u>Dimension/Density</u>	<u>Underlying Zoning<sup>6</sup></u>	<u>Existing PDA Plan</u>	<u>Amended PDA Plan</u>
Maximum Floor Area Ratio <sup>7</sup>	2.0	2.25	2.0
Maximum Building Height, South Parcel <sup>8</sup>	45 feet	63 feet	100 feet
Maximum Building Height, North Parcel <sup>9</sup>	45 feet	150 feet	150 feet
Minimum Lot Size	None	None	None
Minimum Open Space	None	None	None
Minimum Lot Width	None	None	None
Minimum Lot Frontage	None	None	None
Minimum Front Yard, South Parcel	5 feet	None	4 feet <sup>10</sup>
Minimum Front Yard, North Parcel	5 feet	20 feet	None <sup>11</sup>
Minimum Side Yard	None	None	None
Minimum Rear Yard, South Parcel	12 feet	None	None
Minimum Rear Yard, North Parcel	12 feet	5 feet	5 feet

<sup>6</sup> These calculations presume Boston Zoning Commission approval of the inclusion within the Guest Street Subdistrict of the portion of the Site that is currently located in the Market-North Beacon Subdistrict. Accordingly, the term "Underlying Zoning" as used in this First Amendment refers to the zoning regulations that are applicable in the Guest Street Subdistrict.

<sup>7</sup> For purposes of this First Amendment, in order to ensure consistency with the Existing PDA Plan, all off-street parking, whether located on the South Parcel or North Parcel, is deemed to be required accessory parking for the entire Site. In order to ensure consistency with the Existing PDA Plan, floor area devoted to off-street parking is excluded from Gross Floor Area for the purpose of calculating the FAR of the Site. Based upon the foregoing, the FAR of the Site will not exceed 2.0. If floor area devoted to off-street parking were not excluded from Gross Floor Area for purposes of calculating FAR, then the FAR of the Site would not exceed 3.25.

<sup>8</sup> The term "South Parcel" as used in this First Amendment refers to the portion of the Site that is south of Guest Street, including the land on which the Brighton Landing Parking Garage is located and the land on which the WGBH South Building will be located.

<sup>9</sup> The term "North Parcel" as used in this First Amendment refers to the portion of the Site that is north of Guest Street, including the land on which the East Building and the WGBH North Building are located.

<sup>10</sup> The frontage along Market Street is deemed to be the front yard for the South Parcel.

<sup>11</sup> The frontage along Market Street is deemed to be the front yard for the North Parcel.

**EXHIBIT F**

Public Transportation Facilities

- Plan entitled "Public Transportation Facilities, WGBH Headquarters at Brighton Landing"



**MEMORANDUM**

DECEMBER 21, 2004

**TO:** BOSTON REDEVELOPMENT AUTHORITY AND  
MARK MALONEY, DIRECTOR

**FROM:** TOM MILLER, DIRECTOR OF ECONOMIC DEVELOPMENT  
JAY RUSSO, DEPUTY DIRECTOR FOR DEVELOPMENT REVIEW  
JIM GRIBAUDO, SENIOR PROJECT MANAGER

**SUBJECT:** WGBH HEADQUARTERS AT BRIGHTON LANDING

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**SUMMARY:**

This memorandum requests that the Boston Redevelopment Authority ("Authority") approve the WGBH Headquarters Project ("Proposed Project") as a Development Impact Project within the meaning of Section 80B-7 of the Boston Zoning Code ("Code"), approve the First Amendment to the Development Plan for Planned Development Area No. 46 ("Amendment to Development Plan") in accordance with Article 80 Section C of the Code, and to authorize the Director to (1) issue a Scoping Determination waiving further review pursuant to Section 80B-5.3(d) of the Code approving the Project Notification Form and Supplemental Information for the WGBH Headquarters Project; (2) issue a Certification of Compliance pursuant to Section 80B-6 of the Code upon successful completion of Article 80 Large Project Review for the WGBH Headquarters Project; (3) issue a Certification of Consistency pursuant to Section 80C-8 of the Code upon successful completion of Article 80 PDA Review for the WGBH Headquarters Project; (4) petition the Zoning Commission to: (i) approve the Amendment to the Development Plan in substantial accord with the First Amendment to the Development Plan for Planned Development Area No. 46 presented to the Authority at its hearing on December 21, 2004; and (ii) amend Map 7A/7B/7C/7D Allston-Brighton Neighborhood Subdistrict to expand the Guest Street Local Industrial Subdistrict to encompass a portion of the WGBH Site located at the Northeast corner of the intersection of Market and Beacon Streets which is presently zoned NS-1; (5) petition the City of Boston Public Improvements Commission to discontinue a portion of Guest Street; (6) take all actions and execute all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering a Boston Residents Construction Employment Plan, a Development Impact Project Agreement, and a Cooperation Agreement, and (7) petition the Zoning Commission to adopt the Map amendment.

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## **INTRODUCTION**

The WGBH Educational Foundation ("WGBH") proposes the construction of a new headquarters complex on a site that includes two parcels located on the north and south sides of Guest Street, immediately east of Market Street in the Brighton neighborhood. The proposed development involves the adaptive use and occupancy of 150,000 SF in the existing West Building of the Brighton Landing development, and the construction of approximately 147,000 SF of new space on an additional parcel of land acquired by WGBH ("WGBH Site"). The West Building was originally built pursuant to the Development Plan for Planned Development Area No. 46 (Brighton Landing).

WGBH proposes to construct an architecturally expressive building that would span Guest Street (on air rights leased to WGBH by the BRA), involving a fully functional and aesthetic connection/integration of the existing West Building of Brighton Landing with the new building space to be constructed on the WGBH Site. The exterior façade elements of the existing Brighton Landing West Building would be modified to become part of the single, unified building design. The entire space will function as and appear to be one building.

A distinctive architectural component of the new Headquarters building is the integration of light emitting diode ("LED") panels as part of the long glass curtain wall on the west and north facades of the building overlooking the Massachusetts Turnpike. This changeable electronic surface will allow WGBH to express, through its architecture, the ideas and images that define the WGBH mission, that is to create, produce and distribute educational content.

The proposal will also include 50 existing parking spaces in the West Building area of Brighton Landing and 50 new parking spaces in a small surface lot that will be located on the WGBH Site. Also available for the WGBH headquarters are 568 parking spaces (WGBH owns a total of 670 spaces of which 102 are leased to the existing commercial tenants) within the existing Brighton Landing garage that was approved and constructed as a part of the original Brighton Landing Planned Development Area.

## **PROJECT REVIEW**

On December 3, 2003, in accordance with the Mayor's Executive Order Relative to the Provision of Mitigation by Development Projects in Boston, a Letter of Intent was submitted by WGBH for the proposed WGBH Headquarters Project at Brighton Landing in the Brighton neighborhood. Letters were sent to the elected officials soliciting nominations and recommendations for membership to the Impact Advisory Group ("IAG") in accordance with the provisions of the Mayor's Executive Order. Based on

recommendations received, and in working with the Mayor's Office of Neighborhood Services, an 8-member IAG was established for the Proposed Project.

On June 7, 2004, the Proponent filed a Project Notification Form ("PNF") for the WGBH Headquarters Project at Brighton Landing. Notice of receipt by the BRA of the PNF was published in the Boston Herald on June 9, 2004, which initiated a 30-day public comment period with a closing date of July 9, 2004. The BRA together with the Proponent conducted a public meeting on June 24, 2004 at the Brighton Marine Hospital Auditorium. The Proponent agreed to extend the comment period due date until October 1, 2004.

Pursuant to Section Article 80A-2 of the Boston Zoning Code ("Code"), notice of receipt and the PNF were sent to City Agencies. On June 16, 2004, pursuant to Article 80 of the Code, a Scoping Session was held for City Agencies to review and discuss the Proposed Project. Members of the IAG were invited to attend the Scoping Session. Comments received from the City Agencies, the community and elected officials have been reviewed by BRA staff and the Proponent has submitted supplemental information to satisfactorily resolve all issues.

The Proponent filed the First Amendment to the Brighton Landing Planned Development Area No. 46 on September 30, 2004, which initiated a 45-day public comment period, with a closing due date of November 15, 2004. Notice of receipt by the BRA was published in the Boston Herald on September 30, 2004. The First Amendment was distributed to City Agencies, pursuant to Article 80A-2 of the Code.

The Proposed Project comes within the design review jurisdiction of the Boston Civic Design Commission ("BCDC"), pursuant to Section 28-5 of the Code. The Proposed Project was presented to the BCDC on January 6, 2004. The Proponent met with the BCDC subcommittee, and having incorporated all comments received, presented to the full BCDC and received approval of the Proposed Project on July 6, 2004.

### **PUBLIC BENEFITS**

The Proposed Project, pursuant to Article 80B-7 of the Code, will be responsible for Development Impact Project extractions of approximately \$1,033,769.22 to the Neighborhood Housing Trust, based on \$7.18 per square foot of gross floor area, and approximately \$207,329.76 to the Neighborhood Jobs Trust, based on \$1.44 per square foot of gross floor area, calculated as follows:

#### Housing Linkage:

DIP Uses	143,979sf
Exclusion	0
	-----
	143,979
	x \$7.18 per square foot
	-----

\$1,033,769.22

Jobs Linkage:	
DIP Uses	143,979sf
Exclusion	0
	-----
	143,979
	x \$1.44 per square foot
	-----
	\$ 207,329.76

The 100,000 square foot exclusion for the Planned Development Area No. 46 was previously used by the Brighton Landing project.

WGBH will also work with the City of Boston to implement a Payment In Lieu Of Taxes (PILOT) program.

In addition to the financial benefits, the new headquarters complex proposed for WGBH will make a significant contribution to improving the streetscape in the immediate area of the development along Market Street. The new building is designed to allow pedestrians to experience the activities and energy that are part of the WGBH program production facility, with extensive glass openings and an expanded landscaped sidewalk along the entire length of the building. In addition, WGBH will contribute to traffic signal improvements in an expanded area surrounding the project site.

There are currently two tenants that lease commercial space in a portion of the building at Brighton Landing. WGBH has agreed to honor the current leases and work with these lessees to ensure that there is no displacement of these commercial tenants as a result of this new development.

The Proposed Project will also contribute directly to the local economy by providing approximately 300 construction jobs.

### **AMENDMENT TO BOSTON ZONING MAP 7A/7B/7C/7D**

The Boston Redevelopment Authority ("BRA") staff also proposes to amend Boston Zoning Map 7A/7B/7C/7D. Specifically, the proposed map amendment will expand the Guest Street Local Industrial Subdistrict to encompass a portion of the WGBH Site located at the Northeast corner of the intersection of Market and North Beacon Streets, which area is presently zoned NS-1.

## **CONCLUSION**

It is recommended that the Authority approve the WGBH Headquarters Project as a Development Impact Project within the meaning of Section 80B-7 of the Boston Zoning Code, approve the First Amendment to the Development Plan for Planned Development Area No. 46 ("Amendment to Development Plan") in accordance with Article 80 Section C of the Code, and to authorize the Director to (1) issue a Scoping Determination waiving further review pursuant to Section 80B-5.3(d) of the Code approving the Project Notification Form and Supplemental Information for the WGBH Headquarters Project; (2) issue a Certification of Compliance pursuant to Section 80B-6 of the Code upon successful completion of Article 80 Large Project Review for the WGBH Headquarters Project; (3) issue a Certification of Consistency pursuant to Section 80C-8 of the Code upon successful completion of Article 80 PDA Review for the WGBH Headquarters Project; (4) petition the Zoning Commission to: (i) approve the Amendment to the Development Plan in substantial accord with the First Amendment to the Development Plan for Planned Development Area No. 46 presented to the Authority at its hearing on December 21, 2004; and (ii) amend Map 7A/7B/7C/7D Allston-Brighton Neighborhood Subdistrict to expand the Guest Street Local Industrial Subdistrict to encompass a portion of the WGBH Site located at the Northeast corner of the intersection of Market and Beacon Streets which is presently zoned NS-1; (5) petition the City of Boston Public Improvements Commission to discontinue a portion of Guest Street; (6) take all actions and execute all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering a Boston Residents Construction Employment Plan, a Development Impact Project Agreement, and a Cooperation Agreement, and (7) petition the Zoning Commission to adopt the Map amendment.

Appropriate votes follow:

**VOTED:** That the Boston Redevelopment Authority ("BRA" or "Authority") hereby finds and determines that the proposed WGBH Headquarters Project ("Proposed Project"), as described in the Project Notification Form ("PNF"), conforms to the general plan for the City of Boston as a whole, and that nothing in such Proposed Project will be injurious to the neighborhood or otherwise detrimental to the public welfare; and

### **FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to issue a Scoping Determination waiving further review pursuant to Section 80B-5.3(d) of the Boston Zoning Code ("Code"), approving the Proposed Project, subject to continuing design review by the BRA, and finds that the PNF and

Supplemental Information sufficiently and adequately results in the identification, analysis and mitigation of expected impacts of the Proposed Project; and

**FURTHER  
VOTED:**

That the Director be, and hereby is, authorized to execute a Development Impact Project Agreement for the Proposed Project in accordance with Article 80, Section 80B-7 of the Code; and

**FURTHER  
VOTED:**

That the Director be, and hereby is, authorized to issue a Certification of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code after the Director has determined that the Proposed Project complies with (a) the conditions of the Scoping Determination waiving further review, and (b) to the extent applicable, the following provisions of the Code: (i) Section 80B-7: Development Impact Project Exactions; (ii) Section 80B-8: Disclosure of Beneficial Interests; (iii) Section 80C-8: Planned Development Area Review: Certifications; and (iv) Article 28: Boston Civic Design Commission, subject to BRA design review; and

**FURTHER  
VOTED:**

That, in connection with the First Amendment to Development Plan for Planned Development Area No. 46 presented at a public hearing duly held at the offices of the BRA on December 21, 2004, and after consideration of evidence presented at, and in connection with, the hearing in connection with the Proposed Project described in said First Amendment to Development Plan, the BRA finds, pursuant to Section 80C-4 of the Code with respect to the First Amendment to Development Plan, that (a) the Development Plan for Planned Development Area No. 46, as amended by the First Amendment to Development Plan for Planned Development Area No. 46, when approved by the Zoning Commission, will not be for a location or proposed project for which PDAs are forbidden by the underlying zoning; (b) the Proposed Project complies with any provisions of the underlying zoning that establish use, dimensional, design, or other requirements for proposed projects in Planned Development Areas; (c) the Development Plan for Planned Development Area No. 46, as amended by the First Amendment to Development Plan for Planned Development Area No. 46 complies with any provisions of the underlying zoning that establish planning and development criteria, including public benefits, for Planned Development Areas; (d) the Development Plan for Planned Development Area No. 46, as amended by the First Amendment to Development Plan for Planned Development Area No. 46 conforms to the plan for the district, subdistrict, or similar geographic area in which the Planned Development Area is located, and to the general plan for the city as a whole; (e) on balance, nothing in the Development Plan for Planned Development Area No. 46, as amended by the First Amendment to Development Plan for

Planned Development Area No. 46 will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens; and (f) the Development Plan for Planned Development Area No. 46, as amended by the First Amendment to Development Plan for Planned Development Area No. 46 adequately and sufficiently satisfies all other development plan criteria and specifications for a Planned Development Area as set forth in the Code; and

**FURTHER  
VOTED:**

That, pursuant to the provisions of Sections 3-1A.a and Article 80C of the Code, the BRA hereby approves the First Amendment to Development Plan for Planned Development Area No. 46 and authorizes the Director to petition the Boston Zoning Commission to: (1) approve the First Amendment to Development Plan for Planned Development Area No. 46; and (2) amend "Map 7A/7B/7C/7D Allston-Brighton Neighborhood Subsdistrict", all in substantial accord with the First Amendment to Development Plan for Planned Development Area No. 46 map and the text amendments presented to the BRA at its hearing on December 21, 2004; and

**FURTHER  
VOTED:**

That the Director be, and hereby is, authorized to issue a Certification of Consistency in accordance with Section 80C-8 of the Code when the Director finds that: (a) the Proposed Project is described adequately in the Development Plan for Planned Development Area No. 46, as amended by the First Amendment to Development Plan for Planned Development Area No. 46 applicable to the Proposed Project's location; (b) the Proposed Project is consistent with the Development Plan for Planned Development Area No. 46, as amended by the First Amendment to Development Plan for Planned Development Area No. 46; (c) the Development Plan for Planned Development Area No. 46, as amended by the First Amendment to Development Plan for Planned Development Area No. 46 has been approved by the BRA and the Boston Zoning Commission in accordance with the applicable provisions of Section 3-1A and Article 80C, Planned Development Area Review;

**FURTHER  
VOTED:**

That the Director be, and hereby is, authorized to take all actions and execute and deliver any and all documents deemed necessary, appropriate and in the best interest of the BRA by the Director in connection with the Proposed Project, including without limitation a Cooperation Agreement and a Boston Residents Construction Employment Plan; and

**FURTHER**

**VOTED:**

That the Director be, and hereby is, authorized to petition the City of Boston Public Improvements Commission to discontinue a portion of Guest Street, as appropriate; and



Map Amendment Application No. 503  
Planned Development Area No. 46  
Brighton Landing  
Boston Redevelopment Authority on  
behalf of B.V. Development, LLC  
Map 7A/7B/7C/7D, Allston-  
Brighton

MAP AMENDMENT NO. 443

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

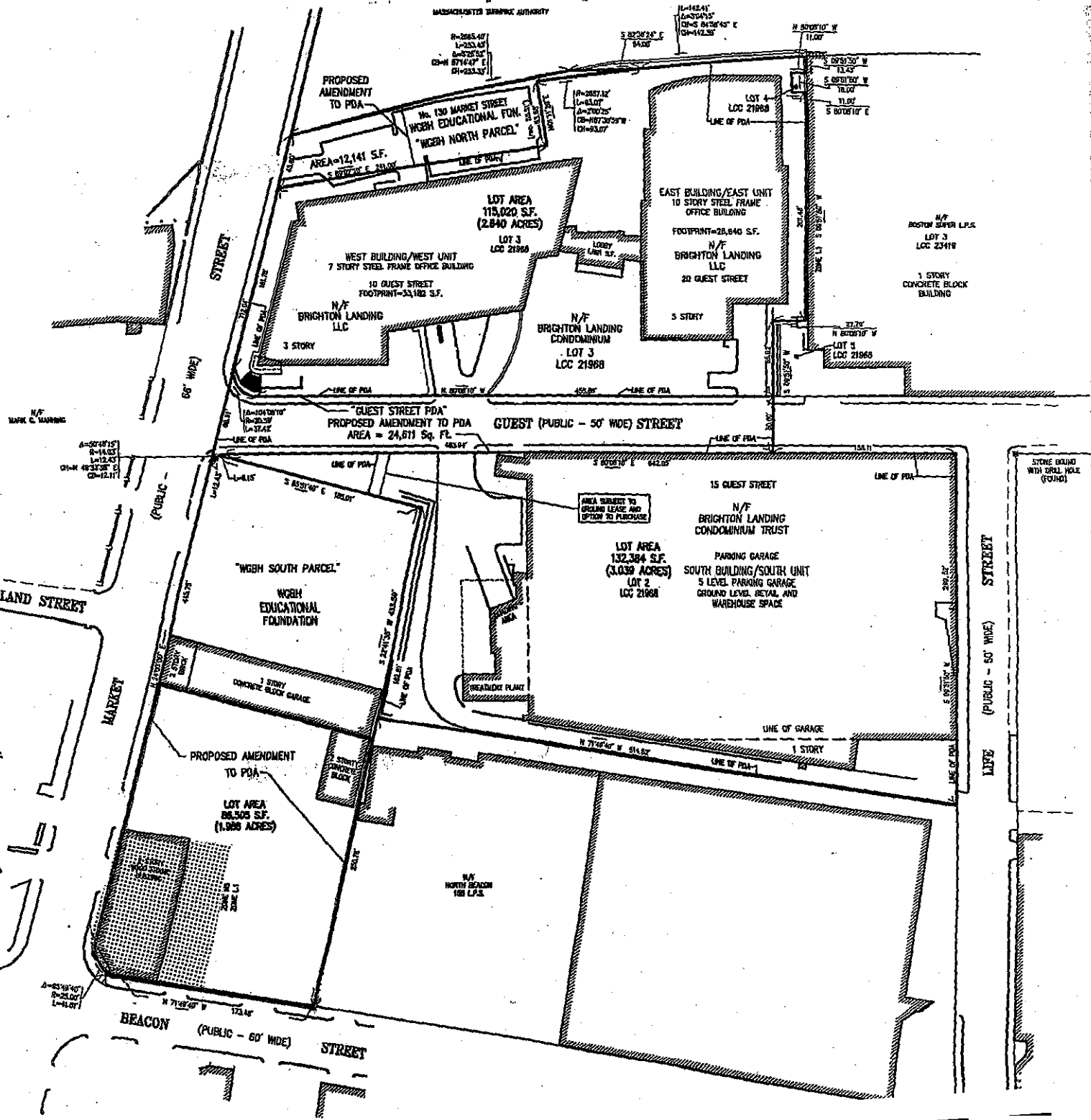
IN ZONING COMMISSION

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 Amended Development Plan for Planned Development Area No. 46, Brighton Landing, and amends "Map 7A/7B/7C/7D, Allston-Brighton Neighborhood District," of the series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, as amended, as follows:

1. By changing the existing zoning of the parcel of land located at 203 North Beacon Street, Brighton, from "NS-1," indicating a Neighborhood Shopping Subdistrict, to "LI-2," indicating a Local Industrial Subdistrict as shown on Appendix A.
2. By adding the designation "D", indicating a Planned Development Area overlay district, to the existing zoning of land in the Allston Brighton Neighborhood District as shown on Appendix B.

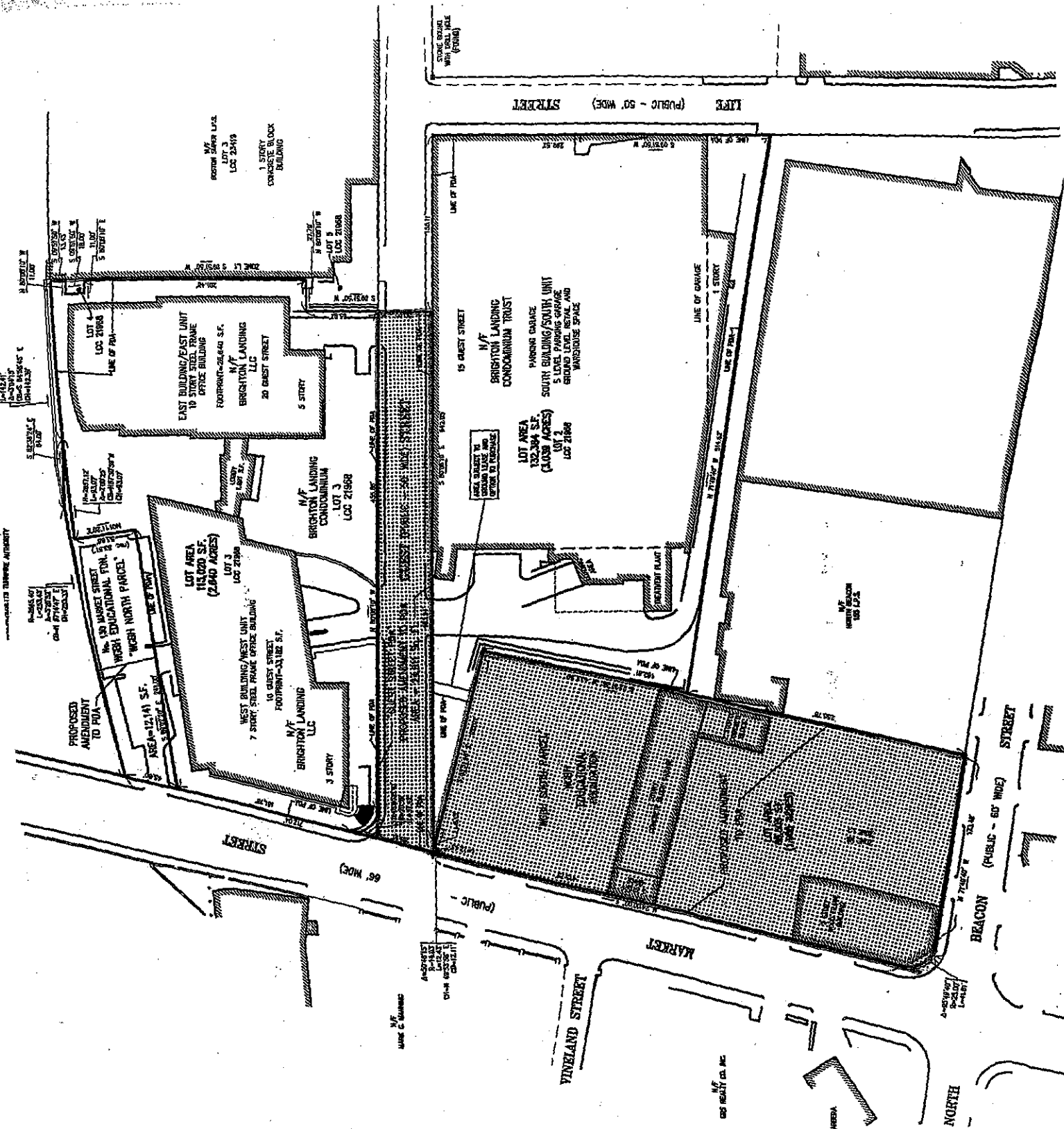
APPENDIX A

"NS-1" to "LI-2"





APPENDIX B  
 PDA "D"  
 Designation



Chairman

Robert Jordan

Vice Chairman

Jill Stratton

Paula Gray

Tommy

MA

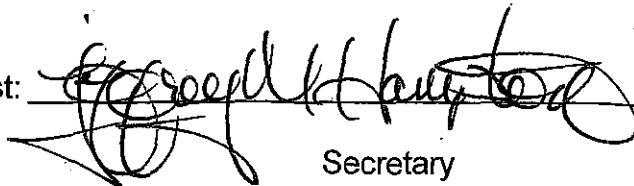
Mary Perry

Linda Bruce

In Zoning Commission

Adopted: January 19, 2005

Attest:



Secretary

Amended Development Plan for Planned Development Area No. 48, Brighton Landing

Chairman

Robert Fardieu

Vice Chairman

Paul Bay

Mary Perry

Suzanne Berceped

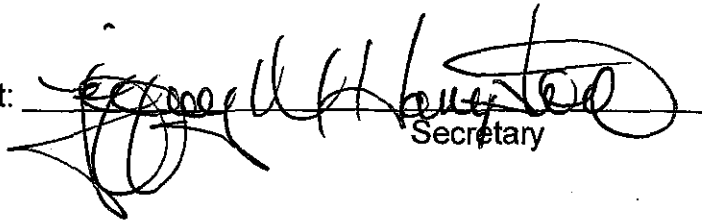
Jill Statten

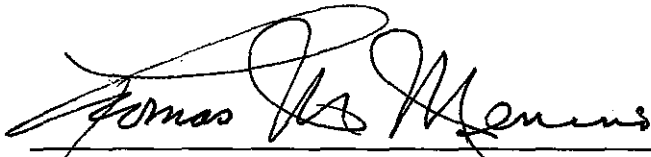
Joe Long Bray

In Zoning Commission

Adopted: January 19, 2005

Attest:

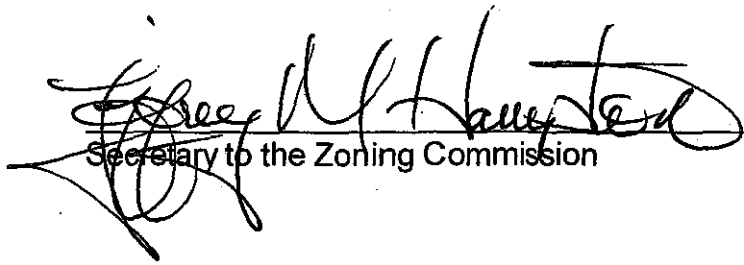
  
Secretary

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


Date: 2/19/05

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The foregoing amendment was presented to the Mayor on JANUARY 19, 2005 and was signed by him on JANUARY 19, 2005, whereupon it became effective on JANUARY 19, 2005, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:   
\_\_\_\_\_  
Secretary to the Zoning Commission

First Amendment to Development Plan for Planned Development Area No. 48, Brighton Landing

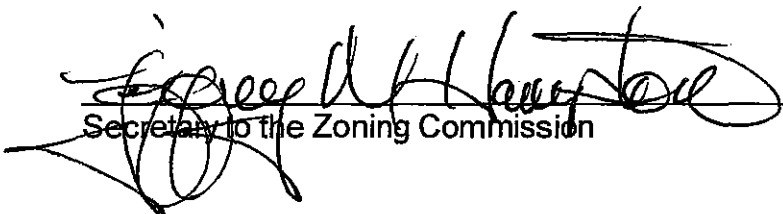
  
\_\_\_\_\_  
Mayor, City of Boston

Date: 1/19/05

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The foregoing First Amendment to the Development Plan was presented to the Mayor on ~~JANUARY 19, 2005~~, and was signed by him on ~~JANUARY 19, 2005~~, whereupon it became effective on ~~JANUARY 19, 2005~~, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:

  
\_\_\_\_\_  
Secretary to the Zoning Commission