

BRA APPROVAL: 2/16/10
ZC APPROVAL: 3/24/10
EFFECTIVE: 3/30/10

DEVELOPMENT PLAN
FOR
PLANNED DEVELOPMENT AREA NO. 76
RTH RESIDENTIAL BUILDING
FORMER MASSACHUSETTS MENTAL HEALTH CENTER SITE
MISSION HILL NEIGHBORHOOD, BOSTON

Dated: February 16, 2010

The Development Plan: Pursuant to Section 3-1A and Article 59-29 of the Zoning Code of the City of Boston, Massachusetts, as amended (as so amended, the “Zoning Code”), this plan constitutes a Planned Development Area Development Plan (the “Plan”) for the development of an approximately 48,640 square foot parcel at the corner of the Riverway, Brookline Avenue and Fenwood Road in the Mission Hill neighborhood of Boston, Massachusetts (the “Project Site”). The entirety of the Project Site is located within the Planned Development Area governed by this Plan. The Project Site is legally described in Exhibit A attached hereto and shown on the plan dated October 16, 2009 entitled “Leasehold Division Plan in Boston, Massachusetts” prepared by Vanasse Hangen Brustlin, Inc., a copy of which is attached hereto as Exhibit B (the “Division Plan”). The Project Site is part of a larger, approximately 2.61 acre site owned by the Commonwealth of Massachusetts (the “Main MMHC Site”), which site is depicted in its entirety on Exhibit B attached hereto. The Main MMHC Site formerly housed the Massachusetts Mental Health Center (“MMHC”), which is operated by the Commonwealth of Massachusetts Department of Mental Health (“DMH”). MMHC has temporarily relocated its services and operations to the Lemuel Shattuck Hospital campus in the Jamaica Plain neighborhood of Boston.

This Plan consists of 10 pages of text plus the attachments designated as Exhibits A-E. All references herein to “this Plan” refer to such pages and exhibits.

Subsequent to the approval of this Plan by the Boston Redevelopment Authority (“BRA”) and the City of Boston Zoning Commission (“Zoning Commission”), the Division Plan will be recorded with the Suffolk County Registry of Deeds to codify the division of the Main MMHC Site into two separate “Lots,” as such term is defined in Article 2A of the Zoning Code. The Project Site will comprise the “Residential Lot” as shown on the Division Plan.

The proposed project, as more fully described herein (the “Project”), will include multi-family residential uses, community uses (as defined in Article 2A of the Zoning Code and including without limitation, non-profit organization office uses), and open space, all as more fully described in this Plan. There will be no parking created as part of the Project, as discussed below. This Plan sets forth the proposed location, appearance and dimensions of the structure to be constructed on the Project Site, the new open spaces and landscaping improvements to be created, the proposed uses and densities at the Project, the proposed traffic circulation, the access to nearby public transportation resources, the anticipated public benefits of the Project, and the

Proponent's plans for the Project's adherence to the green building standards promulgated by the City of Boston pursuant to Article 37 of the Zoning Code. This Plan also describes the planning history and context of the Project Site.

The Proponent: The Proponent is Roxbury Tenants of Harvard Association, Inc., a Massachusetts not-for-profit corporation ("RTH"). RTH is a community-based organization that was formed in 1969 to ensure the continued preservation and creation of affordable housing in the Mission Hill neighborhood, together with complementary community and social services, all in order to foster an economically and ethnically diverse community. Today, RTH owns and operates over 940 units of housing in the Mission Hill neighborhood, including the 775-unit Mission Park rental housing development across Vining Street from the Project Site. The majority of RTH's housing units are affordable units, consistent with RTH's charitable mission. The members of RTH's Project team are identified on Exhibit E attached hereto. Additional team members will be added as the design of the Project progresses. The Proponent has filed a Disclosure of Beneficial Interests Statement with the BRA, the Zoning Commission, and the Boston City Clerk as required by Section 80B-8 of the Code.

The MMHC Redevelopment Project. The development of the Project is part of a three-phased, coordinated development project (the "MMHC Redevelopment Project") being undertaken by Partners HealthCare System, Inc. and the Brigham and Women's Hospital (collectively, "BWH") and RTH involving not only the Main MMHC Site, but also two other nearby properties. In the first phase of the MMHC Redevelopment Project, BWH will construct two buildings for MMHC's administrative and clinical needs: (1) a 56,540± s.f. building on a parcel of land that BWH owns adjacent to BWH's ServiCenter Garage (the "Binney Street Building"), and (2) a 21,000± s.f. building at the property known as 20 Vining Street (the "Partial Hospital/Fenwood Inn Building"), which is the Commonwealth-owned site formerly occupied by the DMH Partial Hospital/Fenwood Inn. Phase Two of the MMHC Redevelopment Project will likely be development of the Project, while Phase Three will likely be BWH's development of an approximately 358,670 s.f. building for clinical and research purposes (the "Brigham and Women's Building") on a 65,129+ s.f. parcel of land directly to the east of the Project Site (the "Brigham and Women's Site").¹ Thus the Project and the Brigham and Women's Building will both be located on the Main MMHC Site, although each will occupy a separate "Lot" for zoning purposes, as discussed above. The sequencing of the construction of the Project and the BWH Building will be dependent upon a variety of factors, including market conditions. When the Brigham and Women's Building is completed, MMHC will relocate its administrative and clinical operations out of the Binney Street Building and into the new Brigham and Women's Building, and BWH will locate BWH operations in the Binney Street Building. DMH will continue to operate the new Partial Hospital/Fenwood Inn Building for MMHC's clinical operations. The entire MMHC Redevelopment Project is being permitted as part of a consolidated Article 80 Large Project Review/Institutional Master Plan/Planned Development Area review process under Sections 80B, 80C and 80D of the Zoning Code.

The Main MMHC Site will be ground leased by BWH from the Commonwealth for a term of 95 years. When RTH is ready to construct the Project, an affiliate of RTH created to construct the Project will sub-lease the Project Site from BWH. Each of the RTH affiliate and

¹ The Brigham and Women's Site is also depicted on Exhibit B.

BWH will develop, finance, own, and operate their respective buildings independently. This Plan addresses only the Project as it will be constructed and operated by the RTH affiliate.

The Project: The Project will involve the construction of an approximately 182,500 square foot, 16-story structure that is expected to contain approximately 136 residential units (including affordable rental apartments and market-rate and affordable condominium units) and approximately 10,000 square feet of community uses (which community uses may include non-profit organization office uses, in accordance with Article 2A of the Zoning Code). If the planned community space is instead built at the nearby RTH-owned Mission Park development, then all or some of the space allocated to community uses will be allocated to residential uses. In addition, the design of the building is still at the conceptual stage; thus, the final design plans (including the floor layout plans) as approved by the BRA pursuant to Article 80B of the Zoning Code may allow for an additional increase in the final number of residential units and/or an increase in the square footage devoted to non-residential uses (i.e., the community space). Depending upon the final design plans and floor layouts, the Project could contain as many as 165 residential units and/or the non-residential space could exceed 10,000 s.f. (The Proponent expects that if the Project contains more than 136 residential units, the additional units will be for-sale condominiums, the majority of which will be marketed as affordable units.) The Project will be approximately 194 feet in height, as such term is defined in the Zoning Code. The rooftop mechanical equipment will be sited away from the Riverway and so as to minimize its visual impact to pedestrians.

The conceptual plans for the Project are included in Exhibit D attached hereto. The first floor will include the lobby areas and the proposed community uses, Floors 2 through 7 will contain the rental apartments, and Floors 8 through 16 will contain the residential condominiums. As noted above, if all or a portion of the planned community space is built off-site, the first floor may include some residential units. No new on-site parking will be created as part of the Project. In order to meet the parking needs of the residents at the Project, up to 90 parking passes will be made available to the residents to enable them to park at the nearby RTH-owned Mission Park garage. The entrances to the residential units at the Project will be on the northern and eastern sides of the building off of Fenwood Road. The structure has been designed to maximize the amount of open space on the Project Site; about 75% of the Project Site will be maintained as open space (including a 40 to 50+ foot green buffer along the Riverway, which together with the nearby Frederick Law Olmsted-designed Emerald Necklace, is listed on the National Register of Historic Places). This green space along the Riverway will extend the generous green buffer created by RTH at its adjacent Mission Park project, to the intersection of Brookline Avenue, Fenwood Road and the Riverway. The Project's Site and Traffic Circulation Plan is included herein as Exhibit C.

Because BWH's development agreement with DCAM requires that the Project not be occupied until MMHC has taken occupancy of the Binney Street Building and the new Partial Hospital/Fenwood Inn Building, construction of the Project is not expected to commence before 2011. Therefore, the Project's design is still in its conceptual stage. When Project design has been advanced to the schematic design phase, the Proponent will submit the schematic design plans to both BRA and the Boston Civic Design Commission for review pursuant to Articles 80 and 28, respectively, of the Zoning Code. Community input on the Project's schematic design will also be sought through one or more BRA-sponsored community meetings. Upon schematic

design approval by the BCDC and the BRA, the Project will thereafter undergo further design review by the BRA pursuant to the BRA's Development Review Guidelines.

In the future, a leasehold condominium ownership structure will be created at the Project in order to facilitate the sale of the residential condominiums planned for the upper 9 floors of the Project.

The Project Site. The Project Site is bounded to the west by the Riverway, to the north by Fenwood Road, and to the east by the Brigham and Women's Site, and includes a portion of a private way on the southerly portion of the Project Site. As noted on Page 1 of this Plan, the entirety of the Project Site is located within the Planned Development Area governed by this Plan. The entirety of the Main MMHC Site, including the Project Site, is owned by the Commonwealth of Massachusetts, acting by and through DCAM on behalf of DMH. In connection with the Project, BWH will enter into a long-term lease of the Main MMHC Site with DCAM, and BWH will sublease the Project Site to an RTH affiliate formed to undertake the Project. After the Project's development, it will be owned by the RTH affiliate, and the RTH affiliate will be responsible for operating the Project and maintaining the Project Site.

Main MMHC Site - Existing Conditions. The Main MMHC Site currently contains five buildings comprising the former MMHC campus. The existing MMHC buildings contain substantially more square footage than MMHC requires for its services and operations, and DCAM and DMH have determined that the rehabilitation of those buildings to meet MMHC's current and future needs would be prohibitively expensive. All of the former MMHC buildings are currently vacant and subject to further deterioration, and are scheduled to be demolished by BWH as part of the first phase of the MMHC Redevelopment Project; such demolition will provide a site for necessary interim parking and construction staging purposes. The Boston Landmarks Commission ("BLC") has reviewed the proposed demolition of the MMHC complex pursuant to Article 85 of the Zoning Code, and the 90-day demolition delay period imposed by the BLC pursuant to Article 85 has expired.

General Description of Proposed Development and Use Allocation: The proposed uses at the Project (multi-family residential uses and community uses as defined in Article 2A of the Zoning Code, which community uses may include, without limitation, non-profit organization offices) are allowed as-of-right under Section 59-24 of the Zoning Code, which governs uses within the Massachusetts Mental Health Center Institutional Subdistrict (as discussed below).

Subject to the design refinements and the design review process previously referenced, it is expected that all but approximately 10,000 square feet of the approximately 182,500 s.f. building will be dedicated to multi-family residential uses, comprised of approximately 66 rental apartments and approximately 70 condominium units. As noted above, refinements during the design process could result in a larger number of residential units and/or an increase in the non-residential square footage in the building (i.e., community uses, which may include, without limitation non-profit organization offices). It is expected that all of the rental apartments will be affordable units, and that the majority of the condominium units will be affordable units. If all or a portion of the planned community space is constructed at RTH's Mission Park development instead of at the Project, the unit mix may change, the Project may include some residential units

on the first floor, and the allocation of residential/non-residential space within the Project may change.

The southern portion of the RTH lot comprises an existing private way that will be improved by BWH as part of the Brigham and Women's Building project. Pedestrian and vehicular use of this private way will be as discussed in the "Proposed Traffic Circulation" section of this Plan.

Portions of the landscape improvements at the Project Site may be delayed and some of the Project Site may be used as a construction staging area in connection with the construction of the Brigham and Women's Building. The delayed landscaping improvements will be completed no later than the date on which a certificate of occupancy is issued for the Brigham and Women's Building.

Zoning. The Project Site is located within the Mission Hill neighborhood zoning district established under Article 59 of the Zoning Code ("Article 59"). The Mission Hill Neighborhood District is shown on Map 6D of the Boston Zoning Maps. The Project Site is also located within the Restricted Parking Overlay District, as established by Section 3-1A.c of the Zoning Code. The western portion of the Project Site is also located within the Greenbelt Protection Overlay District as established by Article 29 of the Zoning Code and made applicable to the Project Site by Section 59-28 of the Zoning Code. The Project Site is not located within the City's Groundwater Conservation Overlay District, as established pursuant to Article 32 of the Zoning Code. Pursuant to Section 59-23 of the Zoning Code, the Massachusetts Mental Health Center Institutional Subdistrict includes the entirety of the Main MMHC Site, (including the Project Site). The Project Site contains at least one acre, as required by Section 3-1A.a of the Zoning Code.

Upon the adoption of Text Amendment Application No. 408 to Article 59 and Map Amendment Application No. 579 to Map 6D of the Boston Zoning Maps, a Planned Development Area ("PDA") will be allowed at the Project Site with a maximum height of 204 feet and a maximum floor area ratio ("FAR") of 4.2. These will be the only dimensional requirements applicable to the Project Site under the Zoning Code. The Project, with a planned FAR of 3.8± and a planned maximum height of 194± feet, will be consistent with the permitted PDA FAR of 4.2 and the maximum permitted PDA height of 204 feet.

No on-site parking will be required as part of the Project.

The Project Site will be located entirely within a planned development area zoning district pursuant to Section 3-1A.a of the Zoning Code, after giving effect to such proposed text and map amendments submitted for approval by the BRA and the Zoning Commission prior to the approval of this Plan.

The Project Site is not located within the City's Groundwater Conservation Overlay District ("GCOD") established pursuant to Article 32 of the Zoning Code. Thus, the GCOD Article 32 requirements are not applicable to the Project.

Nonetheless, the Proponent is committed to a Project design that will not have adverse effects on area groundwater levels. For example, the Project will result in the conversion of

about 75% of the Project Site into open space areas, thereby naturally improving groundwater recharge conditions in the area (in which there are no known nearby structures with wooden piles that could be adversely affected by low groundwater levels). In addition, construction of the Project will not involve significant excavation of soils below the area water table, and the proposed storm water management system for the Project will include subsurface groundwater recharge elements.

The western portion of the Project Site is located within a Greenbelt Protection Overlay District pursuant to Article 59 of the Zoning Code. As part of the Article 80 and design review process for the Project, the Proponent will comply with the applicable substantive requirements of Article 29 of the Zoning Code and submit to the BRA, the documentation and plans required by Section 29-5 of the Zoning Code to confirm that the Project will not have any material adverse impacts on the Riverway and the Emerald Necklace. The issuance of a Certification of Consistency with this Plan pursuant to Section 80C-8 of the Zoning Code shall conclusively establish compliance with the GPOD, to the extent applicable to the Project.

Planning Context/Objectives: The Project Site borders the large-scale institutional buildings of the Longwood Medical and Academic Area to the north, a portion of Frederick Law Olmsted's Emerald Necklace and the Riverway to the west, the RTH-owned Mission Park residential community to the south, and a relatively low-scale residential neighborhood to the east that contains a large number of smaller-scale, wood-frame two and three-family buildings, most of which are owned by RTH affiliates. The Project has been designed to relate to the disparate scales and architectural appearances of these areas.

Proposed Location and Appearance of Structure: The location of the Project will be consistent with the Site and Traffic Circulation Plan attached as Exhibit C. The architectural design of the Project will be developed as the construction commencement date comes into clearer focus. The Project's design will evolve in the course of BCDC and BRA design review, and the design process will include community feedback on the schematic design of the Project at one or more BRA-sponsored community meetings. During this process, final floor plans will be developed and the final program will be devised for the building, yielding the final allocations of space for the planned uses (residential/community) and the final unit count and unit mix (i.e., apartment/condominium; market/affordable). Final architectural plans and specifications for the Project will be submitted to the BRA for approval and the issuance of a Certification of Consistency with this Plan, in accordance with Section 80C-8 of the Zoning Code.

Density and Dimensions of Proposed Improvements: This Plan seeks the approval of the height and massing of the Project, as set forth on the conceptual plans attached as Exhibit D. The Project is expected to have an FAR of approximately 3.8, and this Plan seeks approval of a 4.2 maximum FAR for the Project Site, to allow for design refinements during the design review process. Although the Project is expected to have a maximum height of approximately 194 feet, this Plan seeks approval of a maximum height of 204 feet, to allow for design refinements during the design review process. The Project shall be deemed to be in conformity with the height and density requirements of this Plan provided that it is constructed in accordance with the maximum FAR and building height for the Project Site approved by this Plan and a Certification of Consistency is issued for the Project pursuant to Section 80C-8 of the Zoning Code.

Proposed Traffic Circulation: The Project Site is bounded by the Riverway to the west, Fenwood Road to the north, and the Brigham and Women's Site to the east, and includes a portion of a private way on its southerly border. Vining Street, Fenwood Road, and the Riverway are two-way streets. The private way, which currently exists, will continue to be one-way from the Riverway until the entrance to the Brigham and Women's Building garage, at which point it will become two-way to Vining Street. The Commonwealth of Massachusetts, BWH and RTH will have use of the private way over its entire length, which will allow the visitors, employees and invitees of both the Commonwealth and BWH to access the Brigham and Women's Building garage from the Riverway or from Vining Street (which is a public street), and allow Brigham and Women's Hospital employees and RTH residents (Project or otherwise) to access the Mission Park garage from the Riverway or from Vining Street. Service vehicles such as trash removal trucks serving the Brigham and Women's Building (including the DMH facility located there) will access the private way to the Brigham and Women's Building loading area via Vining Street only, since such vehicles are not permitted on the Riverway. As previously noted, the sidewalks along the private way will be reconstructed by BWH as part of the Brigham and Women's Building Project, to provide pedestrian access to both the Project and the Brigham and Women's Building.

The Proponent has prepared a transportation study as part of the Draft Environmental Impact Report/Draft Project Impact Report for the MMHC Redevelopment Project submitted to the BRA under the Article 80B Large Project Review process. The Project's proposed vehicular and pedestrian circulation patterns are shown on the Site and Traffic Circulation Plan.

Pedestrian access to the rental and condominium portions of the Project will be provided via two building entrances at the northern and eastern corners, respectively, of the building off of Fenwood Road. The entrance to the community space will be on the southeastern side of the Project, located off a pedestrian path connecting Fenwood Road and the private way on the southern portion of the Project Site.

Parking and Loading Facilities: The Project will not contain any parking facilities. Rather, parking will be available to residents of the Project at the nearby RTH-owned Mission Park garage. Upon the opening of the Project, BWH, which currently leases the Mission Park garage from an RTH affiliate, will release to the RTH affiliate constructing the Project, 90 parking passes for Project residents' use of the Mission Park garage.

Loading operations for the Project will occur at a dedicated drop-off and loading zone on Fenwood Road, as shown on the Site and Traffic Circulation Plan. Subject to the approval of the Boston Transportation Department, this drop-off zone will be approximately 60 feet long and therefore accommodate passenger cars and trucks of the type that typically serve residential buildings (e.g., single unit FedEx, USPS, and UPS vehicles, and garbage trucks). The residential uses at the Project are not expected to generate significant truck traffic except for (i) intermittent package deliveries, move-in/move-out activities, and furniture/appliance deliveries, and (ii) regular trash removal activities.

Access to Public Transportation and Pedestrian Connections: The Project Site has ready access to public transportation services, including the MBTA Green Line (E and D lines), and MBTA bus service along Huntington Avenue, Brookline Avenue, and Longwood Avenue.

The sidewalk adjacent to the Project along Fenwood Road will be reconstructed as part of the Project. The private way on the southern edge of the Project Site will be reconstructed as part of the Brigham and Women's Building project, and those improvements will include new sidewalks on both sides of the private way. A new pedestrian connection through the Main MMHC Site, leading from Binney Street to the Riverway, will also be created as part of the Project and the Brigham and Women's Building project. The Proponent will seek to preserve the street trees adjacent to the Project along Fenwood Road and the Riverway to the extent practicable. The Proponent will also recreate the historic fence around the Riverway and Fenwood Road portions of the Project Site; the fence is now in a deteriorated condition.

Open Space and Landscaping: At the current time, there is almost no open space at the Project Site, as it is almost entirely occupied by hardscaped surfaces (parking) and vacant buildings. In furtherance of the open space enhancement objectives set forth in Section 59-32 of the Zoning Code, a significant amount of the built and hardscaped areas currently comprising the Project Site will be converted into open space -- so that upon completion of the Project, about 75% of the Project Site will comprise open space areas. These areas will include a prominent green space/plaza at the intersection of the Riverway, Fenwood Road and Brookline Avenue, as well as ample green space around the Project, a children's playground, and pedestrian pathways. The new pedestrian pathway between the Project and the Brigham and Women's Building will create a new pedestrian connection between Fenwood Road and the private way, linking up with the Riverway. As previously noted, the Project will also include new sidewalks and streetscape improvements adjacent to the Project Site.

Construction of the new pedestrian pathway between the Project and the Brigham and Women's Building may occur in stages. As part of construction of the Project, the first segment of the pathway will be constructed, running from Fenwood Road to approximately the community space entrance at the Project. This segment may be constructed in either an interim or permanent condition, depending upon the need to accommodate the final plans for construction of the Brigham and Women's Building. As previously noted, the southerly portion of the Project Site will be used temporarily as a staging area for the construction of the Brigham and Women's Building. As part of construction of the Brigham and Women's Building, BWH will construct the second segment of the pedestrian pathway connecting to the private way, as well as the children's play area to be located on the southerly portion of the Project Site. In addition, if the first segment of the pathway was required to be constructed in an interim location and/or condition in order to accommodate construction of the Brigham and Women's Building, then BWH will construct the permanent first segment of the pedestrian pathway as well.

Public Benefits: The Project is expected to provide the following benefits:

- The Project will create approximately 136 units of much-needed housing, most of which will be affordable housing. (As noted herein, design of the Project is at an early stage and some or all of the community space may be located off-site. Thus, the Project has the potential to create up to 165 residential units, which would make the Project an even more key housing resource in the Mission Hill community.) The Project will create new affordable homeownership opportunities in a neighborhood where such opportunities are relatively rare;

- The Project will be a smart-growth development that places residential uses close to the Longwood Medical and Academic Area's centers of employment and to public transportation resources such as the MBTA's Green Line and bus service;
- As part of the MMHC Redevelopment Project, the Project will replace a campus of vacant, deteriorating buildings with an attractive, active building;
- The Project Site will comprise about 75% open space, including green areas, pedestrian paths, and a children's playground, replacing a site that is now nearly 100% covered with structures or hardscape (parking);
- The Project will be subject to City of Boston taxation, and will thereby enhance the City of Boston's real estate tax base consistent with the affordable housing restrictions on the Project;
- The Project will have a sensitive and sustainable design that responds to the surrounding context;
- The Project will continue the broad, green landscaped setback area created by the RTH-owned Mission Park development, thereby enhancing the pedestrian experience along the historic Riverway;
- The Project will include sidewalk and streetscape improvements along Fenwood Road adjacent to the Project, and the private way on the southern boundary of the Main MMHC Site will also be improved as part of the construction of the Brigham and Women's Building, all of which improvements will complement the other new sidewalk and streetscape improvements to be constructed by BWH along Fenwood Road and Vining Street in connection with construction of the Brigham and Women's Building.
- The Project will create approximately 100 annual full-time equivalent construction period jobs (a daily range of approximately 20 - 200 jobs), as well as an estimated 13 permanent jobs related to the management and operation of the Project and the staffing of community programs at the Project;
- Long-term community-based stewardship of the Project will be afforded through the role of RTH, a community-based organization with a proven track record of effectively owning and managing residential housing and addressing the needs and interests of Mission Hill residents; and
- The Project will have sustainable design features that will minimize environmental impacts.

Green Building: Article 37 of the Code was promulgated to promote sustainable development in the City of Boston, and requires certain proposed projects to be "LEED Certifiable" (as defined in Article 37). That is, such projects must be planned, designed, and constructed to achieve the level "certified" using the most current applicable LEED building rating system, promulgated by the U.S. Green Building Council. The Proponent is committed to

sustainable design for the Project, and the Project will be “LEED Certifiable.” The Project design is currently only in the conceptual stage. As Project design progresses further, the Proponent will file additional appropriate LEED information with the BRA as contemplated in Article 37.

Other Approvals: As noted above, the Project design is subject to future Boston Civic Design Commission review at the schematic design stage, as well as further design review by the BRA pursuant to the BRA’s Development Review Guidelines and Article 80B of the Zoning Code. The BRA’s review will include review of the final building program. The MMHC Redevelopment Project, of which the Project is a part, is undergoing review under the Massachusetts Environmental Protection Act (“MEPA”). A MEPA Certificate for the MMHC Redevelopment Project was issued on August 7, 2009 requiring an Environmental Impact Report, and a Certificate of the Secretary has been issued on the consolidated Draft Environmental Impact Report/Draft Project Impact Report submitted to the BRA and the MEPA Office by RTH and BWH. A final Environmental Impact Report on the MMHC Redevelopment Project will be submitted to the MEPA Office and a final MEPA Certificate obtained therefor. The Project is also subject to the review of other governmental agencies and authorities with jurisdiction thereof, including without limitation, the City of Boston’s Parks and Recreation Commission, which has jurisdiction over the construction of structures within 100 feet of parks and parkways (e.g., the Riverway) and also enforces a 20 foot setback requirement along the portion of the Riverway adjacent to the Project. (The Project will exceed the 20-foot setback requirement.) The Proponent has already made informational presentations to the City’s Parks and Recreation Commission and Public Improvements Commission with respect to the Project and the MMHC Redevelopment Project.

Development Schedule: Construction of the Project is expected to take approximately twenty-four months. Construction commencement will occur after MMHC occupies the Binney Street Building and the Partial Hospital/Fenwood Inn Building, and will be dependent upon the completion of design and development review, market conditions, and the availability of Low Income Housing Tax Credits and other appropriate public subsidies for the Project.

Applicability: In accordance with Section 80C-8 of the Zoning Code, consistency of the Project with this Plan, as evidenced by the issuance by the BRA of a Certification of Consistency therefor, constitutes compliance with the dimensional, use, parking, GPOD, and other requirements of the Zoning Code, to the extent addressed herein.

Construction of the Project. Nothing in this Plan shall be deemed to require the Proponent to undertake the Project.

Exhibits to Plan:

- Exhibit A – Legal Description of Project Site
- Exhibit B – Survey of Main MMHC Site (i.e., Project Site and Brigham and Women’s Site)
- Exhibit C – Site and Traffic Circulation Plan
- Exhibit D – Conceptual Plans of Project
- Exhibit E – Project Team Members

Exhibit A

Legal Description of Project Site

A certain parcel of land located at the southeasterly intersection of Fenwood Road and Brookline Avenue in the City of Boston (Roxbury District) and being more particularly described as follows:

Beginning at a point on the southerly sideline of Fenwood Road and the easterly sideline of Brookline Avenue, said point being the northwest corner of said parcel; thence

S 49° 07'11" E a distance of three hundred fifteen and one hundredths feet (315.01') by the southerly sideline of Fenwood Road to a point; thence

S 40° 52'49" W a distance of eighty and sixty seven hundredths feet (80.67') to a point; thence

N 49° 07'11" W a distance of three and fifty hundredths feet (3.50') to a point; thence

S 40° 52'49" W a distance of one hundred thirty seven and sixteen hundredths feet (137.16') to a point; thence

S 49° 07'11" E a distance of one hundred three and forty five hundredths feet (103.45') to a point; thence

S 41° 01'32" W a distance of thirty and eighty seven hundredths feet (30.87') to a point; thence

N 48° 58'28" W a distance of one hundred sixty three and ninety five hundredths feet (163.95') by land now or formerly Mission Park LLC to a point of curvature; thence

Southwesterly and curving to the left along the arc of a curve having a radius of fifteen and no hundredths feet (15.00'), a length of four and fifty nine hundredths feet (4.59') continuing by said land to a point of curvature; thence

Northwesterly and curving to the left along the arc of a curve having a radius of four hundred seventy eight and thirty four hundredths feet (478.34'), a length of two hundred twenty two and twenty four hundredths feet (222.24') to a point of curvature; thence

Northwesterly and curving to the left along the arc of a curve having a radius of eight hundred sixty five and ninety seven hundredths feet (865.97'), a length of one hundred two and eighty hundredths feet (102.80') to a point of reverse curvature; thence

Northeasterly and curving to the right along the arc of a curve having a radius of twenty and no hundredths feet (20.00'), a length of twenty one and twenty hundredths feet (21.20') to a point, the last three (3) courses by the easterly sideline of the Riverway; thence

N 38° 49'22" E a distance of twenty four and sixty eight hundredths feet (24.68') by the northeasterly line of Brookline Avenue to the point of beginning.

Said parcel containing 48,640 square feet (1.117 acres), more or less.

Included in the above described legal description is a portion of registered land shown as Lot 1 on a plan entitled "Subdivision Plan of Land in Boston, Massachusetts (Roxbury District) being a subdivision of land in Land Court Case No. 31095B," dated September 8, 1972, by Whitman & Howard, Surveyors.

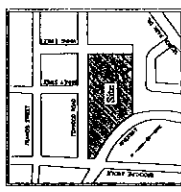
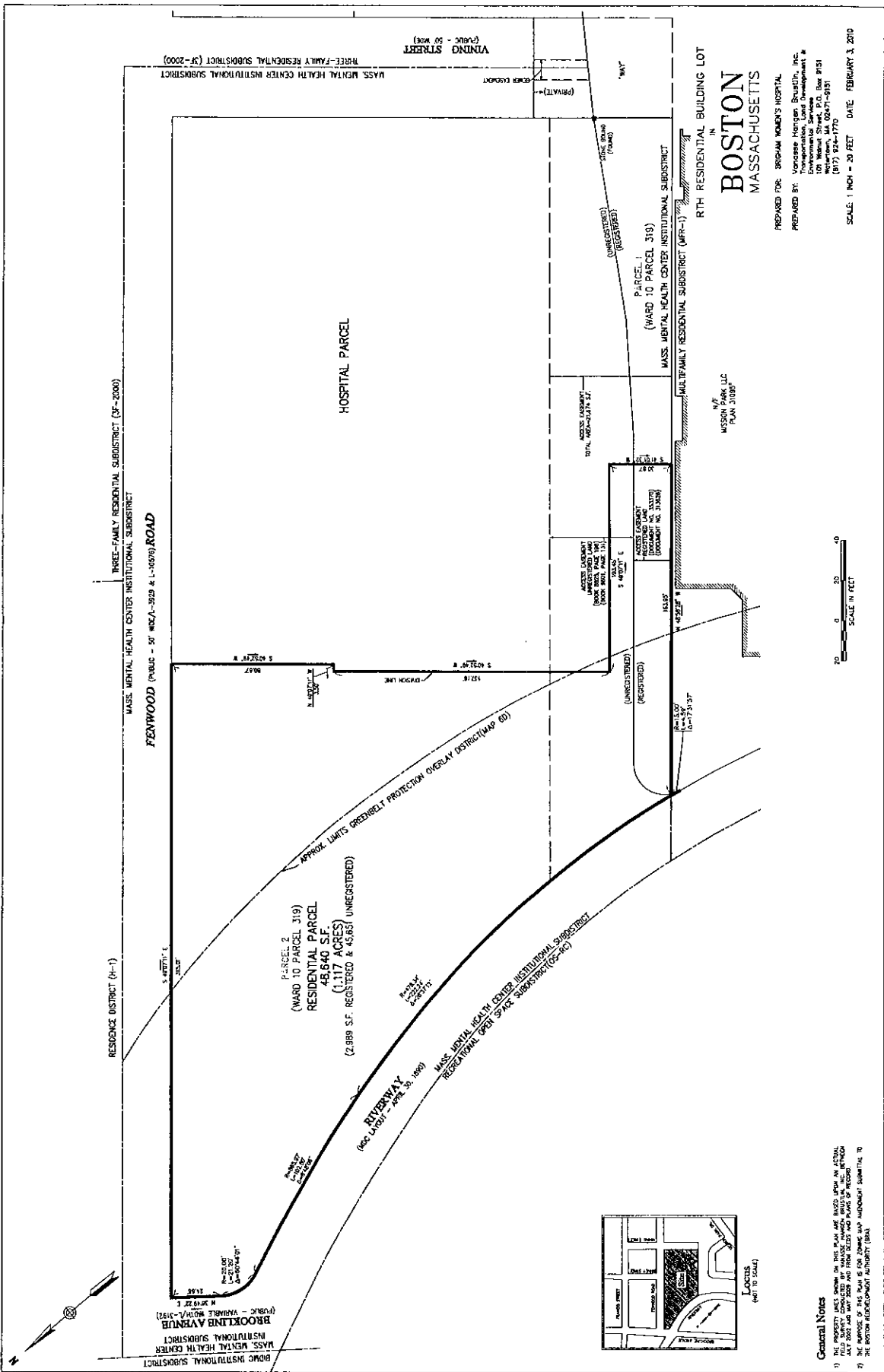
As affected by grant of easement between the Commonwealth of Massachusetts acting by and through the trustees of the Boston State Hospital pursuant to Chapter 99 of the Acts of 1976 and the President and Fellows of Harvard College, dated November 12, 1980, recorded in Book 9601, Page 131 and shown on a plan entitled "Plan of Land in Boston (Roxbury), Mass.," dated September 9, 1974, recorded in the Suffolk County Registry of Deeds Book 8825, Page 198.

As affected by grant of easement between the Commonwealth of Massachusetts acting by and through the trustees of the Boston State Hospital pursuant to Chapter 99 of the Acts of 1976 and the President and Fellows of Harvard College, dated November 13, 1980, filed in the Suffolk Registry District as Document No. 353370.

As affected by terms and provisions of a deed from the President and Fellows of Harvard College to the Commonwealth of Massachusetts Department of Mental Health, dated March 7, 1973, filed in the Suffolk Registry District as Document No. 313626.

Exhibit B

Division Plan
[See attached]

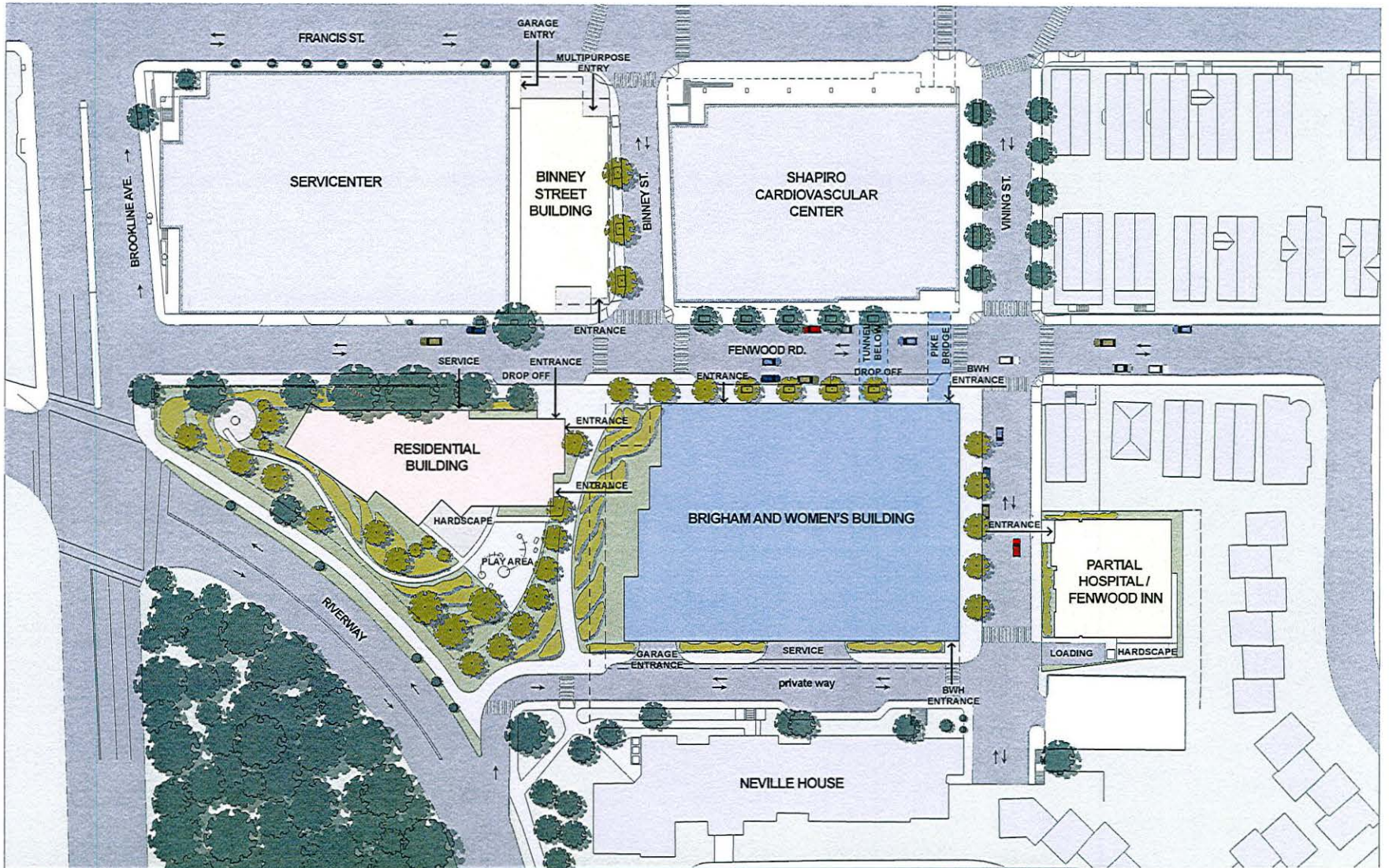


General Notes

- 1) THE PROPERTY LINES SHOWN ON THIS PLAN ARE BASED UPON AN ACTUAL SURVEY BY VANESSA HORGAN, GRADUATE, INC. IN 2009. THE PROPERTY LINES AND ALL DIMENSIONS SHOWN ARE FROM THAT SURVEY AND SHALL BE CONSIDERED CORRECT UNLESS OTHERWISE NOTED.
- 2) THE PURPOSE OF THIS PLAN IS FOR ZONING MAP AMENDMENT SUBMITTAL TO THE BOSTON DEVELOPMENT AUTHORITY (BDA).

Exhibit C

Site and Traffic Circulation Plan
[See attached]



Massachusetts Mental Health Center
Boston MA

RTH Residential Building
Site and Traffic Circulation Plan

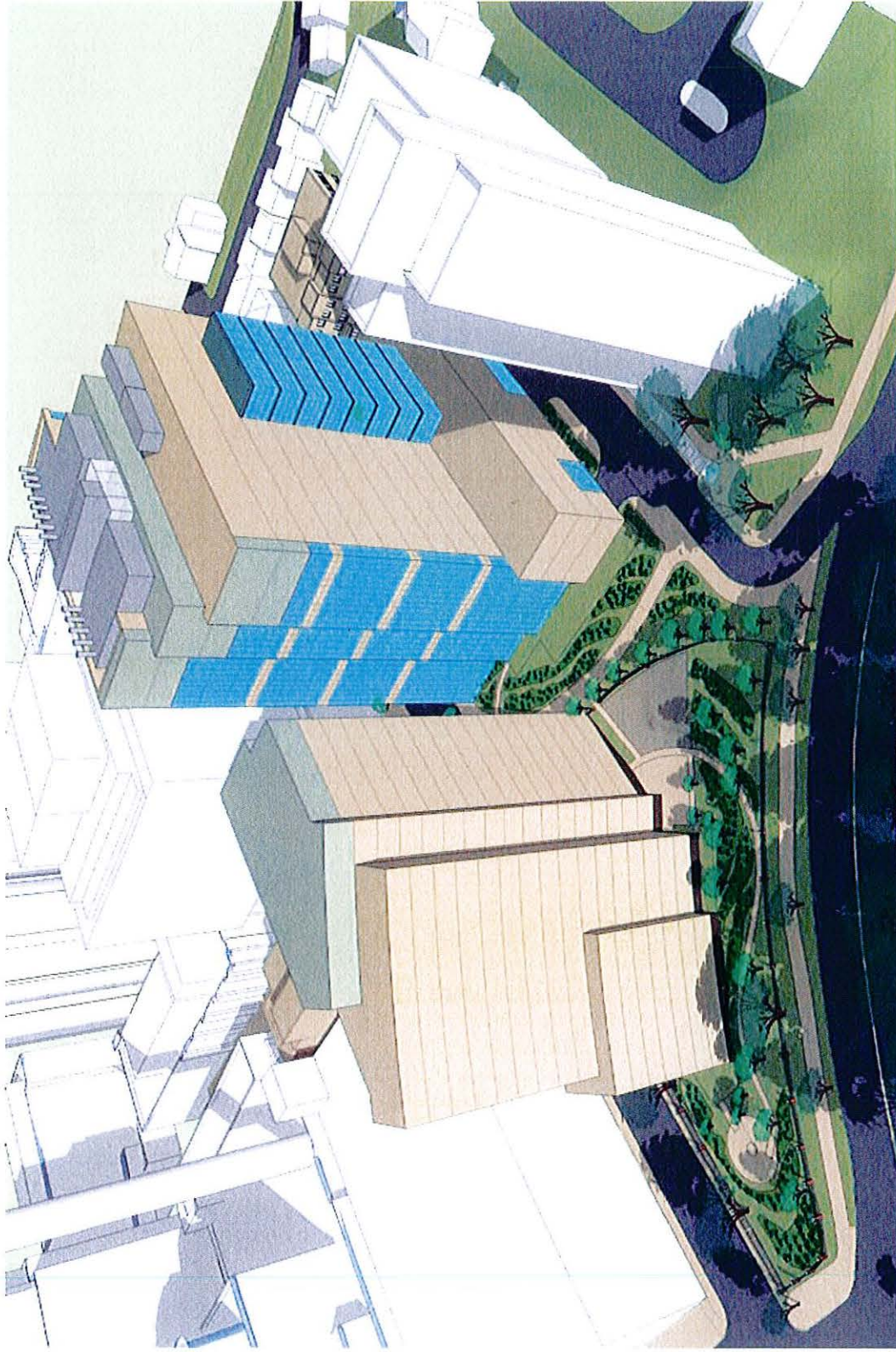
December 10, 2009

ARCHITECT: The Architectural Team

tat | the architectural team

Exhibit D

Conceptual Plans of Project
[See attached]

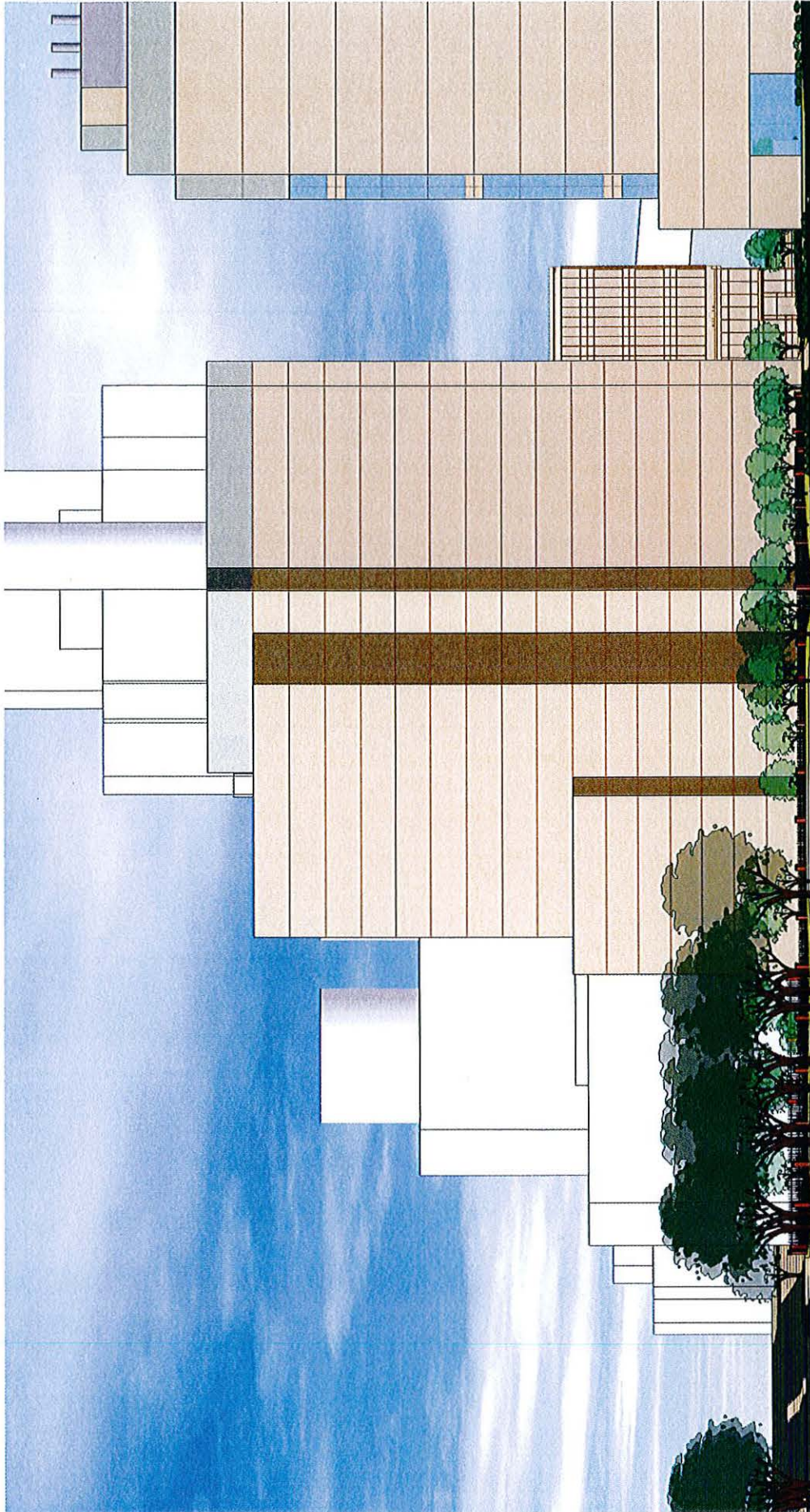


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LINEA 5, i n c .
Boston, MA • Miami Beach, FL

December 14, 2009
ARCHITECT - The Architectural Team | Linea 5

Perspective

Massachusetts Mental Health Center
Boston, MA

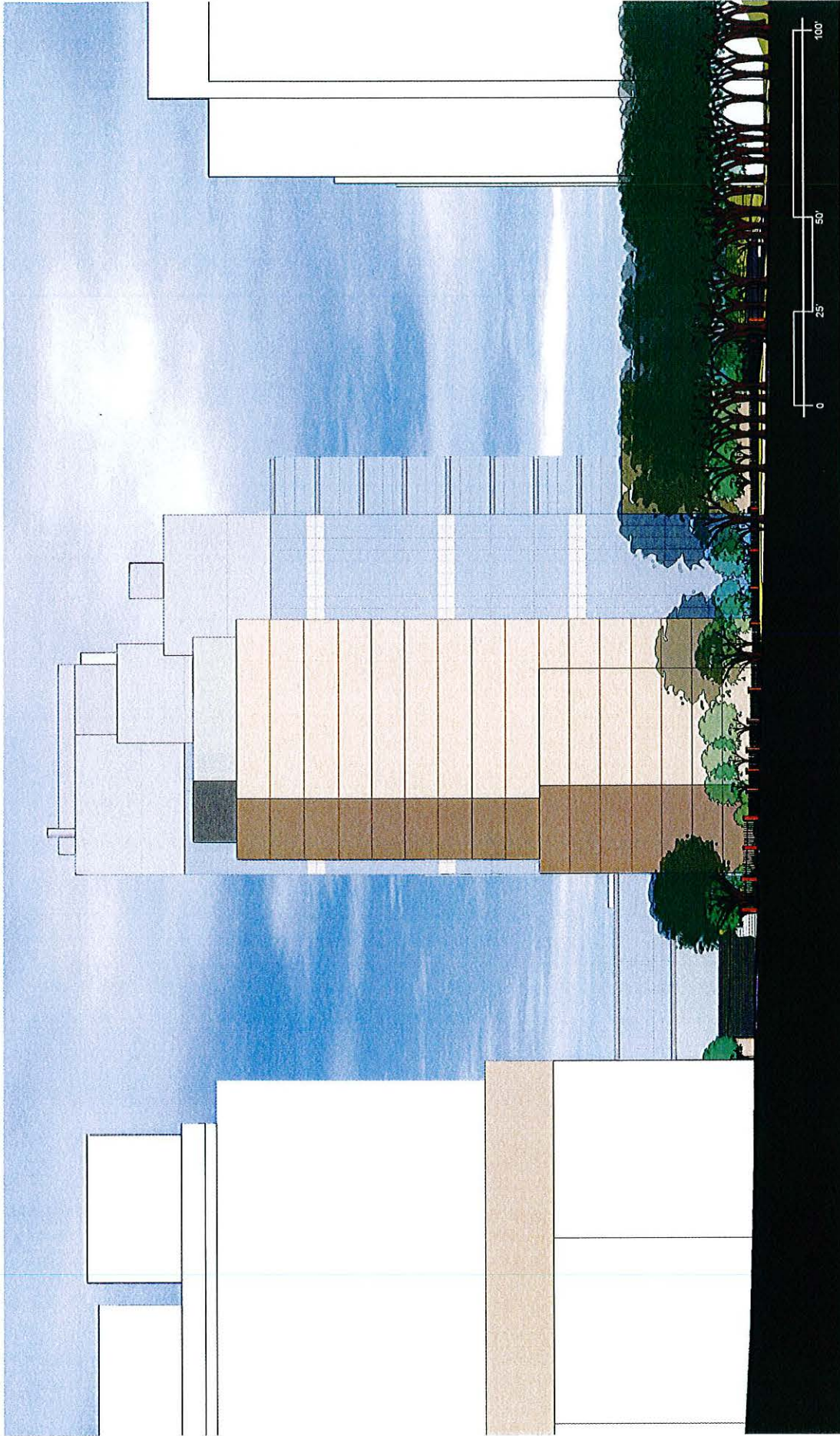


Massachusetts Mental Health Center
Boston MA

RTH Residential Building
South Elevation

December 10, 2009
ARCHITECT - The Architectural Team

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Massachusetts Mental Health Center
Boston MA

RTH Residential Building
West Elevation

December 10, 2009
ARCHITECT : The Architectural Team

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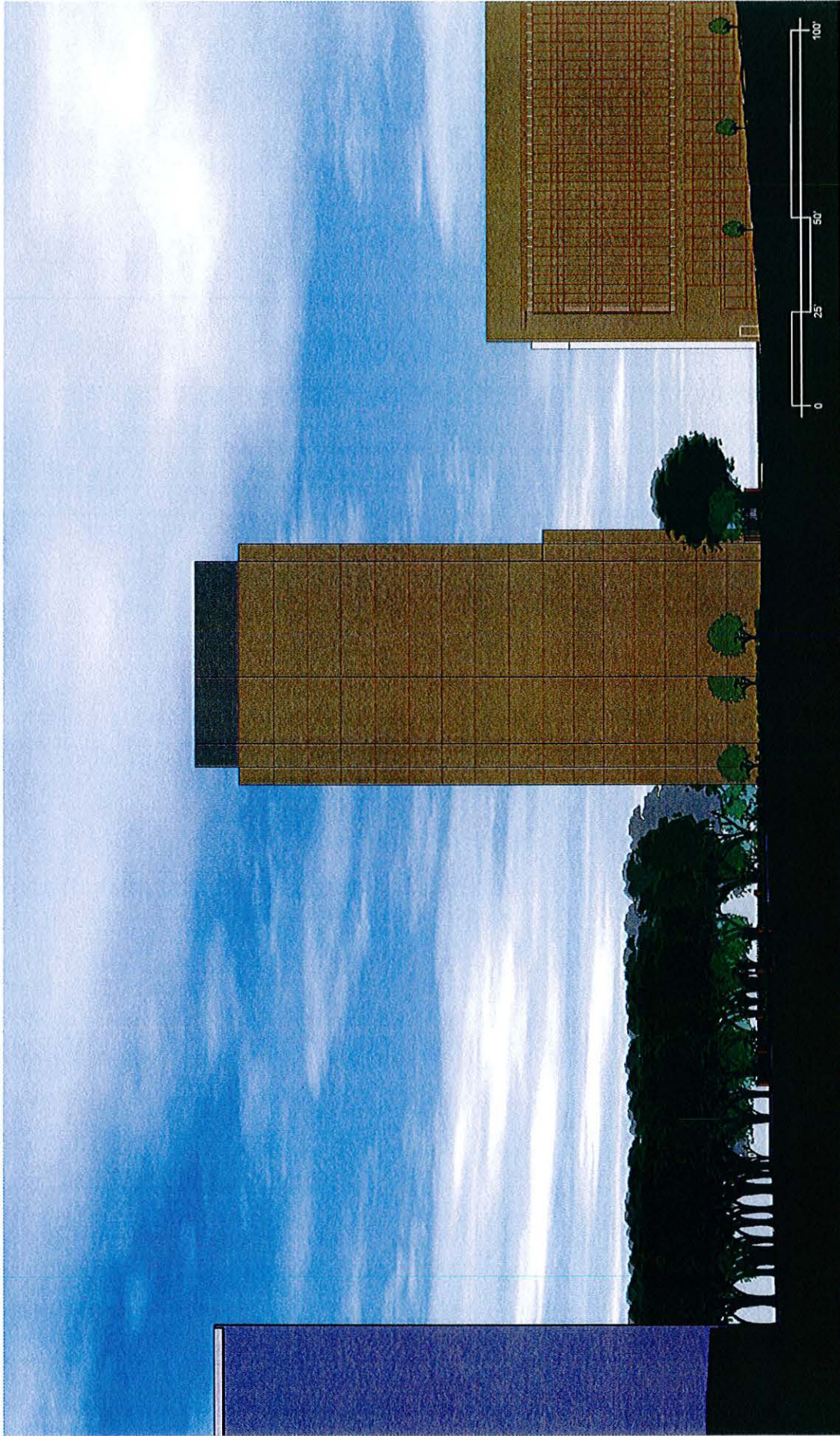


Massachusetts Mental Health Center
Boston, MA

RTH Residential Building
North Elevation

December 10, 2009
A.R.C.H.I.T.E.C.T. - The Architectural Team

tat | the architectural team



Massachusetts Mental Health Center

Boston MA

RTH Residential Building
East Elevation

December 10, 2009
ARCHITECT - The Architectural Team

tat | the architectural team

Exhibit E

Project Team Members

Proponent:	Roxbury Tenants of Harvard Association, Inc. 11 New Whitney Street Boston, MA 02115 <i>Girma Belay, Executive Director</i>
Architect:	The Architectural Team 50 Commandant's Way at Admiral's Hill Chelsea, MA 02150 <i>Michael Liu, Principal</i> <i>Tom Schultz</i>
Development Consultant:	Peter Munkenbeck 145 Tremont Street Boston, MA 02111
Environmental and Permitting Consultant:	Epsilon Associates 3 Clock Tower Place, Suite 250 Maynard, MA 01754 <i>Cindy Schlessinger, Principal</i> <i>Katherine Fuller</i> <i>Ronald Morad</i>
Legal Counsel:	Edwards Angell Palmer & Dodge LLP 111 Huntington Avenue Boston, MA 02199 <i>Rebecca A. Lee, Esq.</i>
Surveyor/Transportation Engineer/Civil Engineer:	Vanasse Hangen Brustlin, Inc. 99 High Street Boston, MA 02110 <i>Howard Moshier, Project Manager</i> <i>Sean Manning, Transportation Engineer</i>

Landscape Design:	Copley-Wolff Design Group 160 Boylston Street, 4 th Floor Boston, MA 02116 <i>John Copley, Principal</i>
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MEMORANDUM

BOARD APPROVED

FEBRUARY 16, 2010

TO: BOSTON REDEVELOPMENT AUTHORITY AND
JOHN F. PALMIERI, DIRECTOR

FROM: BRENDA MCKENZIE, DIRECTOR OF ECONOMIC DEVELOPMENT
LINDA KOWALCKY, DEPUTY DIRECTOR FOR INSTITUTIONAL
SECTOR DEVELOPMENT
SONAL GANDHI, SENIOR PROJECT MANAGER

SUBJECT: PUBLIC HEARING: (1) TO CONSIDER THE BRIGHAM AND WOMEN'S
HOSPITAL, INC. INSTITUTIONAL MASTER PLAN ("BWH 2010 IMP");
(2) TO CONSIDER THE DEVELOPMENT PLAN FOR THE PROPOSED
PLANNED DEVELOPMENT AREA NO. 76 ("PDA") FOR THE
MASSACHUSETTS MENTAL HEALTH CENTER REDEVELOPMENT
PROJECT ("MMHC PROJECT"); AND (3) TO CONSIDER THE
APPLICABLE PORTIONS OF THE MMHC PROJECT AS A
DEVELOPMENT IMPACT PROJECT.

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA" or "Authority") authorize the Director to: (1) issue a Preliminary Adequacy Determination Waiving Further Review regarding the Massachusetts Mental Health Center Redevelopment Project ("MMHC Project") pursuant to Section 80B-5.4(c)(iv) of the Boston Zoning Code ("Code"); (2) issue one or more Certification(s) of Compliance, pursuant to Section 80B-6 of the Code, upon the successful completion of the Article 80 processes for the MMHC Project or any portion thereof; (3) execute a Development Impact Project Agreement for the applicable portions of the MMHC Project; (4) issue an Adequacy Determination, pursuant to Section 80D-5.4(c) of the Code, approving the Brigham and Women's Hospital Institutional Master Plan dated October 2009, revised February 2010 ("BWH 2010 IMP"); (5) petition the Boston Zoning Commission for approval of the BWH 2010 IMP and to amend the accompanying maps; (6) issue one or more Certification(s) of Consistency, pursuant to Section 80D-10 of the Code, for the MMHC Project; (7) petition the Boston Zoning Commission for approval of Map Amendment Application No. 579 and Text Amendment Application No. 408; (8) approve the Development Plan for Planned Development Area No. 76 ("PDA No. 76") for the MMHC Project; (9) petition the Boston Zoning Commission for approval of the Development Plan for PDA No. 76; (10) issue one or more Certification(s) of Consistency, pursuant to Article 80C-8 of the Code, in connection with

the Development Plan for PDA No. 76; and (11) execute any and all documents deemed necessary and appropriate by the Director, including but not limited to, Cooperation Agreements, Boston Residents Construction Employment Plans and a Development Impact Project Agreement.

BRIGHAM AND WOMEN'S HOSPITAL, INC. INSTITUTIONAL MASTER PLAN ("BWH 2010 IMP") AND PROPOSED PROJECTS

The Brigham and Women's Hospital, Inc. ("BWH"), located in the Longwood Medical and Academic Area ("LMA") and portions of the adjacent Mission Hill Neighborhood, comprised of 777 beds, is a world-renowned center for advanced patient care, medical education and research. BWH is a Harvard-affiliated, non-profit teaching hospital and a founding member of Partners Healthcare System Inc. BWH is a major institutional employer of Boston residents. With a workforce of approximately 14,288 total employees, 12,894 of which are in the LMA, current data indicates that approximately 37% or 4,817 of employees working in the LMA are Boston residents.

The BWH 2010 IMP will result in a new IMP for a term of ten years (2010 to 2020), and will incorporate the elements of the existing BWH IMP as approved in February 2005 ("BWH 2005 IMP"), while providing for BWH's future programmatic and facilities needs. The BWH 2010 IMP includes descriptions of BWH's existing facilities located within the LMA and adjacent Mission Hill neighborhood, projected future growth and space needs, long-range urban design guidelines, and master plan projects that are proposed to be developed during the term of the BWH 2010 IMP.

The BWH 2010 IMP includes the following projects: (1) the Brigham and Women's Building and Binney Street Building, which will be part of the Massachusetts Mental Health Center Redevelopment Project (2) the construction of the Brigham Green Enhancement and Parking (previously approved in the BWH 2005 IMP) and (3) Campus Additions and Campus Upgrades.

MASSACHUSETTS MENTAL HEALTH CENTER REDEVELOPMENT PROJECT ("MMHC PROJECT")

The site includes three parcels: (1) the first parcel totaling 2.61 acres is the Main Massachusetts Mental Health Center site ("Main MMHC Site"), (2) the second parcel totaling 0.25 acres is the Partial Hospital/Fenwood Inn site, (3) the third parcel totaling 0.29 acres is the Binney Street site owned by BWH. The first two parcels, the Main MMHC Site and the Partial Hospital/Fenwood Inn site constitute the MMHC Site and comprise 2.86 acres. Together, these three parcels collectively comprise the 3.15 acre Project Site.

BWH and Partners HealthCare System Inc. ("PHS"), in association with the Roxbury Tenants of Harvard Association Inc. ("RTH") (collectively, the "Proponent") are proposing to redevelop these three parcels in Boston in a three-phase project. The Proponent proposes and the Massachusetts Mental Health Center Redevelopment Project ("MMHC Project") is predicated upon the demolition of the existing buildings located on the MMHC Site and removal of the construction trailers on the Binney Street site in order to construct approximately 633,960 square feet of space in four buildings:

- (1) The Partial Hospital/Fenwood Inn Building: A new Department of Mental Health ("DMH")-operated Partial Hospital/Fenwood Inn, which will be developed by BWH on behalf of DMH, will include a 42 bed transitional shelter program for homeless, mentally ill men and women, a five bed crisis stabilization unit, and 8,260 square feet of partial hospital and outpatient treatment space.
- (2) The Binney Street Building: A new clinical and administrative building which will be developed and owned by BWH, will comprise of 56,540 square feet of clinical and office space to be used by BWH for outpatient uses. DMH will occupy the Binney Street Building for similar purposes, on an interim basis until the DMH-designated space within the proposed Brigham and Women's Building is available.
- (3) The Residential Building: A residential building which will be developed, operated, and controlled by RTH, will provide approximately 136 units, including approximately 66 affordable rental units and approximately 70 condominiums. The 182,500 square foot building may also include approximately 10,000 square feet of community space.
- (4) The Brigham and Women's Building: A new research and development, clinical and office building which will be developed, managed, and controlled by BWH will include approximately 358,670 square feet of space and 406 parking spaces which will be located beneath the Brigham and Women's Building, 50 parking spaces will be reserved for use by DMH. DMH's clinical and office uses will be relocated from the Binney Street Building into the Brigham and Women's Building once it is complete. At that time, BWH will use the Binney Street Building for office and clinical space.

The redevelopment proposal is the result of a request for proposals and subsequent developer selection process conducted by the Massachusetts Division of Capital Asset Management ("DCAM") on behalf of the Massachusetts Department of Mental Health ("DMH").

In the first phase of the MMHC Project, the Proponent proposes the abatement and demolition of the existing buildings followed by the construction of the Partial Hospital/Fenwood Inn Building and Binney Street Building to serve the DMH clientele. The Partial Hospital/Fenwood Inn Building, which will be developed by BWH on behalf of DMH, will include 13 single residential units and 17 double residential units, a 8,260 square foot outpatient clinic and a partial hospital component (a link between crisis stabilization/transitional housing and outpatient mental health treatment) for a total of 21,000 sf with 47 beds. The Binney Street Building, which will be developed by BWH on BWH-owned land adjacent to the existing Servicer Center Complex, will comprise 56,540 square feet of clinical and office space which will be used by BWH for outpatient uses. DMH will occupy the Binney Street Building for similar purposes, on an interim basis, until the DMH-designated space within the proposed Brigham and Women's Building (described below) is available.

Latter phases of the Project will include RTH's development of a residential building and BWH's development of the Brigham and Women's Building for research and development, clinical and office uses and below-grade parking. The Residential Building, which will be developed, operated, and controlled by RTH, will provide approximately 136 units, including approximately 66 affordable rental units and approximately 70 condominiums (the number of units and unit mix will be subject to refinement during the design process). It is expected that all of the rental apartments will be affordable units, and that the majority of the condominiums will be affordable housing. The approximately 182,500 square foot building may also include approximately 10,000 square feet of community space. If the planned community space is constructed at RTH's nearby Mission Park development instead of within the Residential Building, and if further refinement of design and engineering allows, the number of units may increase, the unit mix may change, the residential/non-residential square footages may change, and the Project may include residential units on the first floor. Parking for residents of RTH's residential building will be provided at the RTH-owned Mission Park Garage. The Brigham and Women's Building, which will be developed, managed, and controlled by BWH, will contain approximately 358,670 square feet of space for research and development, clinical, and office uses and 406 parking spaces which will be located beneath the Brigham and Women's Building, 50 of which will be reserved for use by DMH. DMH's clinical and office uses will be relocated from the Binney Street Building into the Brigham and Women's Building once it is complete. At that time, BWH will use the Binney Street Building for office and clinical space.

The Project will contain 406 parking spaces located beneath the Brigham and Women's Building, 50 of which will be reserved for DMH use.

DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT AREA

RTH, a community based organization formed in 1969 to ensure the continued preservation of affordable housing and complementary community and social services in the Mission Hill neighborhood, is the Proponent of the Residential Building component of the MMHC Project. A Development Plan for Planned Development Area for the site on which this part of the MMHC Project will be built was submitted by RTH. The Residential Building site is an approximately 48,640 square foot parcel at the corner of the Riverway and Fenwood Road in the Mission Hill neighborhood of Boston, and is part of the larger 2.61 acre MMHC Site.

IMP/MMHC PROJECT/PDA REVIEW

On June 17, 2009 the Proponent submitted an Institutional Master Plan Notification Form ("IMP/NF") and a Project Notification Form ("PNF") to the Boston Redevelopment Authority ("BRA"). Notice of the receipt by the BRA of the IMP/NF/PNF was published in the Boston Herald on June 19, 2009 initiating public comment periods ending on July 27, 2009.

A Task Force ("Task Force") consisting of members of the BWH IMP Task Force, members of the public, representatives of neighboring institutions and neighborhood leaders was established to advise the BRA and the Proponent of the impacts of the MMHC Project and to review the IMP/NF. Pursuant to Section 80D-4.3(c) of the Code and Section 80B-5.3(c), a Scoping Session was held on June 30, 2009 with the City's public agencies and to which members of the Task Force were invited and attended. A Task Force meeting, where the IMP/NF/PNF was reviewed and discussed, was held on June 30, 2009. The Proponent presented the IMP/NF/PNF at the LMA Forum on June 22, 2009. Based on the BRA's review of public comments and comments from the City's public agencies, the BRA issued Scoping Determinations pursuant to Sections 80D-4.3 and 80B-5.3 of the Code for the IMP/NF/PNF on August 11, 2009. The Proponent submitted the BWH 2010 IMP on October 21, 2009 initiating a public comment period ending on December 22, 2009. Notice of the receipt by the BRA of the IMP was published in the Boston Herald on October 23, 2009. A Draft Project Impact Report ("DPIR") was submitted on October 15, 2009 initiating a public comment period ending on December 31, 2009. Notice of the receipt by the BRA of the DPIR was published in the Boston Herald on October 16, 2009. RTH submitted a Development Plan for a Planned Development Area on October 23, 2009 initiating a public comment period ending on December 7, 2009. In order to accommodate public comment, RTH agreed to the BRA's extension of that comment period to December 21, 2009. Notice of the receipt by the BRA of the PDA Development Plan was published in the Boston Herald on October 24, 2009. A Scoping Session was held on November 4, 2009 with the City's public agencies and to which members of the Task Force were invited and attended. Task Force meetings, where the IMP/DPIR/PDA Development Plan were reviewed

and discussed, were held on November 4, 2009 and December 14, 2009. The Proponent presented the IMP/DPIR/PDA Development Plan at the LMA Forum on October 26, 2009. The Proponent also presented the IMP/DPIR/PDA Development Plan at two publicly advertised community meetings - on November 9, 2009 and December 14, 2009. The Boston Civic Design Commission ("BCDC") approved the schematic design for the Binney Street Building and the Partial Hospital/Fenwood Inn Building and the general massing for the Residential Building and the Brigham and Women's Building at its meeting on December 1, 2009. The Residential Building and the Brigham and Women's Building will return for further BCDC review.

ZONING

Existing Zoning

The Main MMHC Site is located within the Massachusetts Mental Health Institutional Subdistrict established by Article 59 ("Article 59") of the Boston Zoning Code ("Code"), as well as the Restricted Parking Overlay District established pursuant to Section 3-1A.c of the Code. A westerly portion of the Main MMHC Site is located within the Greenbelt Protection Overlay District as established by Article 29 and Section 59-28 of the Code and as shown on Map 6D of the Boston Zoning Maps.

The existing dimensional regulations within the Massachusetts Mental Health Institutional Subdistrict call for a maximum height of 55 feet, a minimum front yard of 20 feet, and a maximum floor area ratio of 2.0. There are no other dimensional requirements within this institutional subdistrict. The uses permitted as of right within this institutional subdistrict are as set forth on Table D to Article 59, and include the multi-family residential, community, clinical, laboratory, office and research uses planned for the MMHC Project.

The Partial Hospital/Fenwood Inn Site is not located within the Massachusetts Mental Health Institutional Subdistrict. It is located within the 3F-2000/Three Family Residential District and the Residential Parking Overlay District of the Mission Hill Zoning District. The development of this site will be exempt from local zoning and other regulations, as the site will be developed to serve as "essential governmental function" of DMH which, as an agency of the Commonwealth, is exempt from local zoning and other regulations. The Partial Hospital/Fenwood Inn Site will be developed by BWH on behalf of DMH pursuant to the terms of the DCAM/DMH Master Plan, BWH's Development Agreement with DCAM, and the future ground leases of the MMHC Site between DCAM.

The underlying zoning for the Binney Street Site is the H-1 Zoning District, and this site is also within the Restricted Parking Overlay District as shown on Map 1 and Map 6. By virtue of Map Amendment No. 444, adopted by the Boston Zoning Commission in

February 2005, the Binney Street is also now located within the BWH Institutional Master Plan Overlay District (the "BWH IMP Overlay District"), and the governing zoning for this site is BWH's existing IMP approved in 2005. The construction of the Binney Street Building will be approved as part of the BWH 2010 IMP.

Proposed zoning for Partial Hospital/Fenwood Inn

The development and use of the Partial Hospital/Fenwood Inns will be exempt from local zoning and other local regulations, and will be authorized as an "essential government function" of DMH which, as an agency of the Commonwealth, will use the replacement partial Hospital/Fenwood Inn for the care and treatment, with crisis stabilization, transitional housing and outpatient services, of the patient community which it serves.

Proposed zoning for the Binney Street Building and the Brigham and Women's Building

The 2010 BWH IMP, submitted to the BRA in October 2009 and revised in response to BRA comment in February 2010, proposes to supersede the 2005 BWH IMP and to amend the BWH IMP Overlay District boundaries. Once approved by the BRA and adopted by the Boston Zoning Commission, the BWH 2010 IMP will authorize the additional BWH specific components of the MMHC Project, specifically the Brigham and Women's Building and the Binney Street Building. The 2010 BWH IMP also includes the previously approved Brigham Green Enhancement and Parking and other Campus Improvements and Upgrades.

Proposed zoning for the Residential Building

The site of the proposed Residential Building will comprise the westerly portion of the Main MMHC Site and will contain approximately 48,640 square feet of land and approximately 182,500 square feet of building area (the RTH Site). The Residential Building will require zoning relief because it does not comply with the existing dimensional requirements for the MMHC Institutional Subdistrict. RTH submitted the Development Plan for Planned Development Area No. 76 for the Residential Building ("PDA No. 76") in October 2009.

As required by Section 3.1A.a of the Code, PDA No. 76 sets forth the proposed location, appearance, and dimensions of the Residential Building, the open space surrounding it, the proposed uses within the building, the density of development at the RTH Site, proposed traffic circulation around the RTH Site, the loading facilities at the building and access to public transportation.

At present, Article 59 does not contemplate the creation of a PDA at the RTH Site. Therefore, the rezoning of the RTH Site and the creation of a PDA covering the RTH Site will be accomplished in two steps: (1) a text amendment to Article 59 (Mission Hill Neighborhood District) of the Code and a map amendment to the Mission Hill zoning map (Map 6D of the Boston Zoning Maps) to authorize the creation of a PDA at the RTH Site, and (2) approval of the Development Plan for PDA No. 76.

DEVELOPMENT IMPACT PROJECT

Under Section 80B-7 of the Code, projects that require zoning relief and that will devote more than 100,000 square feet of space to "development impact uses" must make contributions to the City of Boston's Neighborhood Housing Trust and Neighborhood Jobs Trust. The Residential Building is not considered a Development Impact Use. The DMH space is exempt from local regulations because it is an "essential government function". The first 100,000 square feet are exempt from Development Impact Use contributions for new Institutional Master Plans. BWH will pursue a Housing Creation Option Application to allow the housing linkage funds to be targeted to the Residential Building, if applicable.

DEVELOPMENT IMPACT PROJECT EXACTIONS

BWH shall pay Development Impact Project (DIP) Exactions in connection with its portion of the MMHC Project. The present estimates of the DIP Exactions are \$2,065,560.20 for housing linkage and \$412,062.20 for jobs linkage calculated as follows:

Housing Linkage	
DIP Uses	362,460 square feet
Exclusions	(100,000) square feet
	262,460 square feet
Housing DIP Rate	\$7.87 per square foot
	\$2,065,560.20

Jobs Linkage	
DIP Uses	362,460 square feet
Exclusions	(100,000) square feet
	262,460 square feet
Housing DIP Rate	\$1.57 per square foot
	\$412,062.20

PUBLIC BENEFITS

1. Mental Health Services: The MMHC Project will make possible DMH's return of MMHC's patient care services to the Mission Hill neighborhood in modern,

state-of-the art buildings where care can be delivered in an efficient and dignified setting.

2. Increased Housing: The MMHC Project will provide much needed affordable housing - rental and home-ownership - to the City of Boston. Approximately 136-165 new units of housing will be added and it is expected that all of the new rental apartments will be affordable and that the majority of the condominiums will be affordable housing.
3. Affordable Housing: The Project team includes RTH, an experienced non-profit housing and human services organization that currently has 965 units of affordable housing it owns and operates in the Mission Hill neighborhood. The Residential Building will result in the creation of approximately 66 affordable rental units and 70 condominiums, a substantial number of which will be affordable.

To ensure that affordable housing is a viable Project component, BWH will not assign a land value to the Residential Building parcel (i.e., zero land cost to RTH) and is contributing \$3 million in straight subsidy for pre-construction and construction costs. BWH has also agreed to extend a letter of credit or guarantee a letter of credit of up to \$2 million to support the financing of the Residential Building, which will require Federal, State and City housing subsidies.

4. Support for Youth Serving Organizations: Brigham and Women's Hospital will contribute \$150,000 per year for 5 years to 6 youth serving organizations for a total of \$750,000. ABCD/Parker Hill Fenway will receive \$36,500 annually for 5 years; the Mission Hill School will receive \$8,200 annually for 5 years; the Tobin Community Center will receive \$29,200 annually for 5 years; Mission Safe will receive \$24,200 annually for 5 years; Sociedad Latina will receive \$42,700 annually for 5 years; and the Phillips Brooks House will receive \$9,200 annually for 5 years.
5. Community Space and Community Programs: The Project will provide approximately 10,000 square feet of community space either in the Residential Building or at the nearby RTH-owned Mission Park development, which will provide areas for social and educational programs including job-training, education and wellness programs. BWH is contributing \$2.5 million toward construction of this community center. BWH will provide \$1.7 million to help RTH to construct a recreational center with gymnasium and large meeting space for the community to be constructed on land near the Project and owned by RTH.

6. Preservation: The Proponent has developed an architectural salvage and reuse plan that will ensure that preservation of discrete architectural elements of the existing MMHC buildings to the extent practicable. The original 1912 cast iron and brick fence around a portion of the existing MMHC campus will be replicated as part of the Residential Building project and the healthy mature trees around the Main MMHC Site will be protected to the extent feasible.
7. Redevelopment: The Project will replace functionally obsolescent and dilapidated vacant buildings with new buildings to contain residential, community, DMH, research and clinical uses.
8. Increased Employment: The Project will create both temporary construction jobs and permanent jobs. The Brigham and Womens' Building will create approximately 500 new jobs in both research and clinical areas. The Residential Building will create the need for 13 new permanent jobs in building management and community programming.
9. Construction Employment: The construction of the four buildings will generate approximately 600 new construction jobs.
10. Sustainable Design: The Proponent's commitment to sustainability is reflected in its commitment to meeting various LEED levels. The Partial Hospital/ Fenwood Inn will be LEED Certified. The Proponent aims to exceed the requirements of Article 37 of the Code for the Binney Street Building and Brigham and Women's Building and proposes these buildings to be LEED Silver Certified. The Residential Building is proposed to be LEED Certifiable with the possibility of being LEED Silver Certifiable.
11. Tax Revenue: BWH anticipates entering into a PILOT agreement with the City of Boston in connection with certain elements of the Project. The Residential Building will be subject to City real estate taxation consistent with its affordability restrictions and is expected to generate real estate taxes in excess of \$100,000 per year at stabilized occupancy. DMH is exempt from taxation and thus, the Partial Hospital/ Fenwood Inn Building will continue to be tax-exempt.
12. Linkage: The non-residential portion of the Project will generate approximately \$2.4 million in housing and jobs linkage funds to the City of Boston.
13. Streetscape Improvements: The sidewalk areas around MMHC Site will be improved and in some cases, widened, thereby improving pedestrian circulation and safety.

RECOMMENDATION

BRA staff recommends that the Director be authorized to authorize the Director to: (1) issue a Preliminary Adequacy Determination Waiving Further Review regarding the Massachusetts Mental Health Center Redevelopment Project ("MMHC Project") pursuant to Section 80B-5.4(c)(iv) of the Boston Zoning Code ("Code"); (2) issue one or more Certification(s) of Compliance, pursuant to Section 80B-6 of the Code, upon the successful completion of the Article 80 processes for the MMHC Project or any portion thereof; (3) execute a Development Impact Project Agreement for the applicable portions of the MMHC Project; (4) issue an Adequacy Determination, pursuant to Section 80D-5.4(c) of the Code, approving the Brigham and Women's Hospital Institutional Master Plan dated October 2009, revised February 2010 ("BWH 2010 IMP"); (5) petition the Boston Zoning Commission for approval of the BWH 2010 IMP and to amend the accompanying maps; (6) issue one or more Certification(s) of Consistency, pursuant to Section 80D-10 of the Code, for the MMHC Project; (7) petition the Boston Zoning Commission for approval of Map Amendment Application No. 579 and Text Amendment Application No. 408; (8) approve the Development Plan for Planned Development Area No. 76 for the MMHC Project; (9) petition the Boston Zoning Commission for approval of the Development Plan for PDA No. 76; (10) issue one or more Certification(s) of Consistency, pursuant to Article 80C-8 of the Code, in connection with the Development Plan for PDA No. 76; and (11) execute any and all documents deemed necessary and appropriate by the Director, including but not limited to, Cooperation Agreements, Boston Residents Construction Employment Plans and Development Impact Project Agreement.

Appropriate votes follow:

VOTED: That the Boston Redevelopment Authority ("BRA") hereby finds and determines that the Massachusetts Mental Health Center Redevelopment Project ("MMHC Project") as described in the Draft Project Impact Report, conforms to the general plan for the City of Boston as a whole, and that nothing in such MMHC Project will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Preliminary Adequacy Determination for the MMHC Project pursuant to Article 80B-5.4(c)(iv) of the Boston Zoning Code ("Code") which (i) finds that the Draft Project Impact Report for the MMHC Project adequately describes the potential impacts arising from the MMHC Project and provides sufficient mitigation measures to minimize these impacts, and (ii) waives further review of the MMHC Project under subsection 5 of Section 80B-5 of the Code, subject to continuing BRA design review; and

FURTHER

VOTED:

That the Director be, and hereby is, authorized to issue one or more Certification(s) of Compliance for the MMHC Project or portions thereof pursuant to Section 80B-6 of the Code upon the successful completion of the applicable Article 80 processes; and

FURTHER

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

FURTHER

VOTED: That, in connection with the Brigham and Women's Hospital Institutional Master Plan dated October 2009, revised February 2010 ("BWH 2010 IMP"), presented at a public hearing held pursuant to Section 80D-5.4(c)(ii) of the Code at the offices of the Authority on February 16, 2010, and after consideration of evidence presented at, and in connection with, the BWH 2010 IMP, the BRA hereby finds that (a) the BWH 2010 IMP complies with the Scoping Determination issued in connection with the Institutional Master Plan Notification Form submitted on June 16, 2009 ("IMPNF"); (b) the BWH 2010 IMP conforms to the provisions of Article 80D of the Code; (c) the BWH 2010 IMP conforms to the general plan for the City as a whole; and (d) on balance, nothing in the BWH 2010 IMP will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue an Adequacy Determination pursuant to Article 80D-5.4(c) of the Code approving the BWH 2010 IMP; and

FURTHER

VOTED: That, pursuant to Article 80D of the Code, the BRA hereby authorizes the Director to petition the Boston Zoning Commission for approval of the BWH 2010 IMP and to amend Map 1, "Boston Proper", and Map 6D, "Mission Hill Neighborhood District" of the series of maps entitled "Zoning Districts City of Boston", dated August 15, 1962, as amended, all in substantial accord with the BWH 2010 IMP and map amendment presented to the BRA at its hearing on February 16, 2010; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue one or more Certification(s) of Consistency for the MMHC Project or any portion thereof pursuant to Article 80D-10 of the Code when the Director finds that (a) MMHC Project or portion thereof is described adequately in the BWH 2010 IMP and is consistent with the BWH 2010 IMP, and (b) the BWH 2010 IMP has been approved by the BRA and the Boston Zoning Commission in accordance with the applicable provisions of Article 80D, Institutional Master Plan Review; and

FURTHER

VOTED: That the BRA hereby authorizes the Director to petition the Boston Zoning Commission for approval of Map Amendment Application No. 579 to amend "Map 6D, Mission Hill Neighborhood District" of the series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, as amended; and to petition the Boston Zoning Commission for the approval of Text Amendment Application No. 408 to amend Article 59, Mission Hill Neighborhood District, all in substantial accord with the map amendment and the text amendment presented to the BRA at its meeting on February 16, 2010; and

FURTHER

VOTED: That in connection with the Development Plan for Planned Development Area No. 76 ("PDA No. 76"), presented at a public hearing held at the offices of the BRA on February 16, 2010, and after consideration of evidence presented at such public hearing in connection with the MMHC Project, the BRA hereby finds that (i) the MMHC project complies with any provisions of the underlying zoning that establish use, dimensional, design, or other requirements for proposed projects in Planned Development Areas; (ii) PDA No. 76 complies with any provisions of the underlying zoning that establish planning and development criteria for Planned Development Areas; (iii) PDA No. 76 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; (iv) on balance, nothing in PDA No. 76 will be injurious or otherwise detrimental to the public welfare, weighing all the benefits and burdens; and

FURTHER

VOTED: That the BRA hereby approves the Development Plan for PDA No. 76 as presented at a public hearing held at the offices of the BRA on February 16, 2010; and

FURTHER

VOTED: That, pursuant to Article 80C of the Code, the BRA hereby authorizes the Director to petition the Boston Zoning Commission for approval of the Development Plan for PDA No. 76 in substantial accord with the Development Plan for PDA No. 76 presented to the BRA at its hearing on February 16, 2010, by adding the designation "D," indicating a Planned Development Area to the property to be known as "Planned Development Area No. 76,"; and

FURTHER

VOTED: That, the Director be, and hereby is, authorized to issue one or more Certification(s) of Consistency for the MMHC Project or any portion thereof pursuant to Section 80C-8 of the Code when the Director finds that (i) the MMHC Project or a portion thereof is described adequately in a Planned Development Area (PDA) Development Plan applicable to the MMHC Project's location, (ii) the MMHC Project is consistent with Development Plan for PDA No. 76; and (iii) the Development Plan for PDA No. 76 has been approved by the BRA and the Boston Zoning Commission in accordance with the applicable provisions of Section 3-1A.a and Section 80C of the Code, Planned Development Area Review; and

FURTHER

VOTED: That, the Director be, and hereby is, authorized to execute and deliver any and all documents deemed necessary and appropriate by the Director in connection with the foregoing votes, including, but not limited to, Cooperation Agreements and Boston Residents Construction Employment Plans.

Map Amendment Application No. 579
Boston Redevelopment Authority
Planned Development Area No. 76
Maps 6D, Mission Hill Neighborhood
District

MAP AMENDMENT NO. 515

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 for Planned Development Area No. 76, RTH Residential Building, Former Massachusetts Mental Health Center Site, Mission Hill Neighborhood, Boston, and amends "Map 6D, Mission Hill Neighborhood District", of the series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, as amended, as follows:

1. By adding the suffix "D", indicating a Planned Development Area overlay district, to approximately 48,640 square feet (approximately 1.117 acres) of area, in Boston, as described in Exhibit A hereto and shown on Exhibit B hereto.

APPENDIX A

Legal Description – Residential Parcel

A certain parcel of land located at the southeasterly intersection of Fenwood Road and Brookline Avenue in the City of Boston (Roxbury District) and being more particularly described as follows:

Beginning at a point on the southerly sideline of Fenwood Road and the easterly sideline of Brookline Avenue, said point being the northwest corner of said parcel; thence

S 49° 07'11" E a distance of three hundred fifteen and one hundredths feet (315.01') by the southerly sideline of Fenwood Road to a point; thence

S 40° 52'49" W a distance of eighty and sixty seven hundredths feet (80.67') to a point; thence

N 49° 07'11" W a distance of three and fifty hundredths feet (3.50') to a point; thence

S 40° 52'49" W a distance of one hundred thirty seven and sixteen hundredths feet (137.16') to a point; thence

S 49° 07'11" E a distance of one hundred three and forty five hundredths feet (103.45') to a point; thence

S 41° 01'32" W a distance of thirty and eighty seven hundredths feet (30.87') to a point; thence

N 48° 58'28" W a distance of one hundred sixty three and ninety five hundredths feet (163.95') by land now or formerly Mission Park LLC to a point of curvature; thence

Southwesterly and curving to the left along the arc of a curve having a radius of fifteen and no hundredths feet (15.00'), a length of four and fifty nine hundredths feet (4.59') continuing by said land to a point of curvature; thence

Northwesterly and curving to the left along the arc of a curve having a radius of four hundred seventy eight and thirty four hundredths feet (478.34'), a length of two hundred twenty two and twenty four hundredths feet (222.24') to a point of curvature; thence

Northwesterly and curving to the left along the arc of a curve having a radius of eight hundred sixty five and ninety seven hundredths feet (865.97'), a length of one hundred two and eighty hundredths feet (102.80') to a point of reverse curvature; thence

Northeasterly and curving to the right along the arc of a curve having a radius of twenty and no hundredths feet (20.00'), a length of twenty one and twenty hundredths feet (21.20') to a point, the last three (3) courses by the easterly sideline of the Riverway; thence

N 38° 49'22" E a distance of twenty four and sixty eight hundredths feet (24.68') by the northeasterly line of Brookline Avenue to the point of beginning.

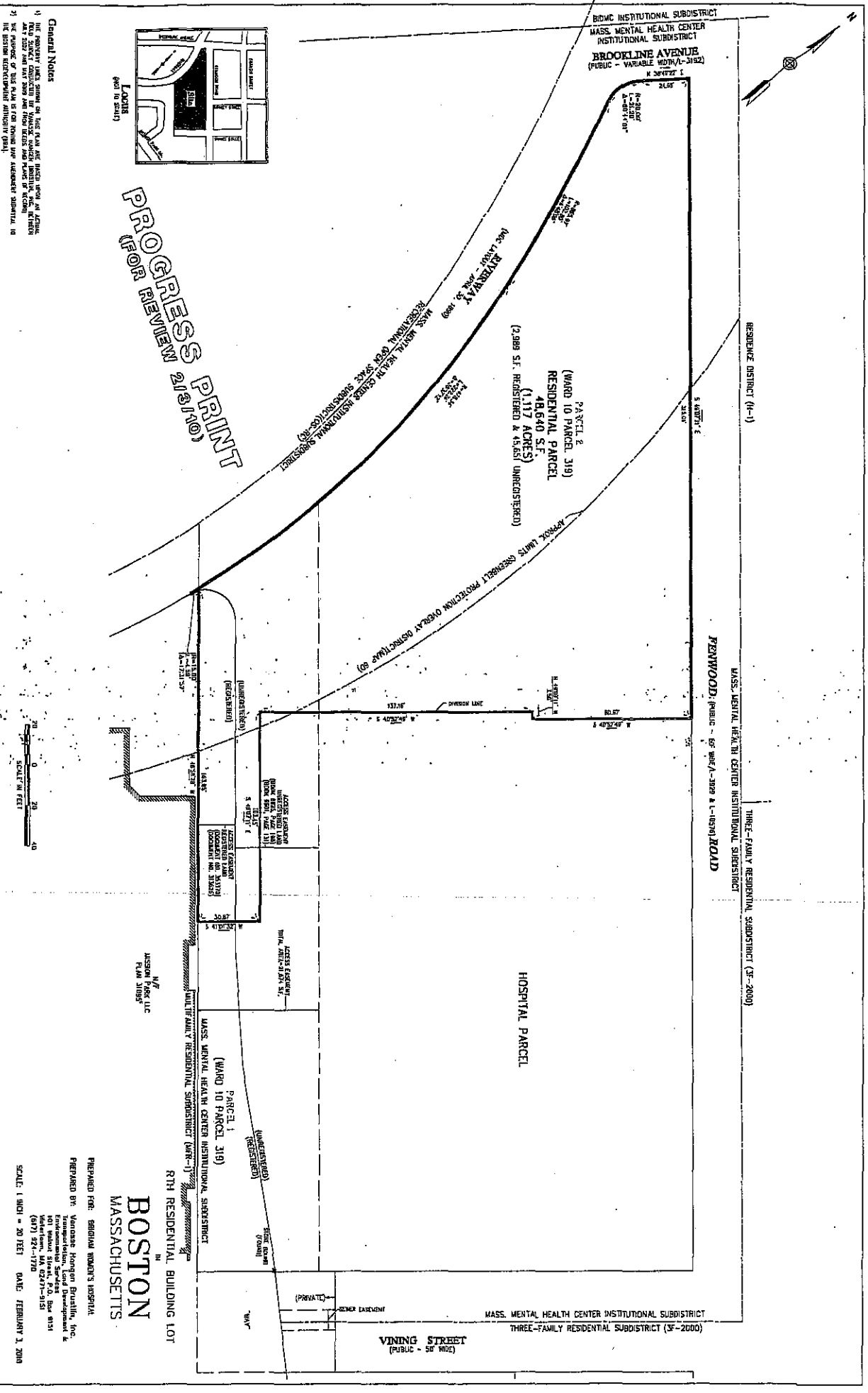
Said parcel containing 48,640 square feet (1.117 acres) more or less.

Included in the above described legal description is a portion of registered land shown as Lot 1, on a plan entitled "Subdivision Plan of Land in Boston, Massachusetts (Roxbury District) being a subdivision of land in Land Court Case No. 31095B," dated September 8, 1972, by Whitman & Howard, Surveyors.

As affected by grant of easement between the Commonwealth of Massachusetts acting by and through the trustees of the Boston State Hospital pursuant to Chapter 99 of the Acts of 1976 and the President and Fellows of Harvard College, dated November 12, 1980, recorded in Book 9601, Page 131 and shown on a plan entitled "Plan of Land in Boston (Roxbury), Mass.," dated September 9, 1974, recorded in Book 8825, Page 198.

As affected by grant of easement between the Commonwealth of Massachusetts acting by and through the trustees of the Boston State Hospital pursuant to Chapter 99 of the Acts of 1976 and the President and Fellows of Harvard College, dated November 13, 1980, filed as document no. 353370.

As affected by terms and provisions of a deed from the President and Fellows of Harvard College to the Commonwealth of Massachusetts Department of Mental Health, dated March 7, 1973, filed as document no. 313626.



PRINT
 2/1/00
 PROGRESS

1) THE PROPERTY LINES SHOWN ON THIS PLAN ARE BASED UPON AN AIRPHOTO
 FIELD SURVEY CONDUCTED BY VANASSE HANGEN CONSULTANTS, INC. BETWEEN
 MAY 2000 AND MAY 2001 AND FROM DEEDS AND PLANS IN RECORD.
 2) THE BOUNDARY SURVEY AND PROPERTY LINES ARE BASED UPON THE
 RECORD SURVEY AND PROPERTY LINES.

GENERAL NOTES
 1) THE PROPERTY LINES SHOWN ON THIS PLAN ARE BASED UPON AN AIRPHOTO
 FIELD SURVEY CONDUCTED BY VANASSE HANGEN CONSULTANTS, INC. BETWEEN
 MAY 2000 AND MAY 2001 AND FROM DEEDS AND PLANS IN RECORD.
 2) THE BOUNDARY SURVEY AND PROPERTY LINES ARE BASED UPON THE
 RECORD SURVEY AND PROPERTY LINES.



PREPARED FOR: BRIGHAM HOBBS'S HOSPITAL
 PREPARED BY: Vanasse Hangen Consulting, Inc.
 1000 Massachusetts Avenue, Suite 200
 Cambridge, MA 02142
 Telephone: (617) 552-1700
 (617) 552-1700
 SCALE: 1 INCH = 20 FEET DATE: FEBRUARY 1, 2000

BOSTON
 IN
MASSACHUSETTS

RTH RESIDENTIAL BUILDING LOT

(Vanasse Hangen Consulting, Inc. is not responsible for the accuracy of the information shown on this plan.)

Robert Jordan

Chairman

James C. Clark

Vice Chairman

[Signature]

Mary R. [Signature]

[Signature]

Jill Statton

Jane Z. Gray

In Zoning Commission

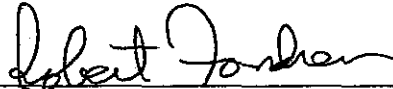
Adopted: March 24, 2010

Attest:

[Signature]

Secretary

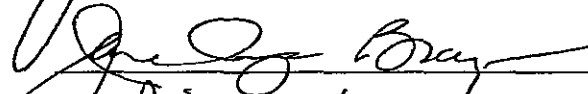
Development Plan for Planned Development Area No. 76, RTH Residential Building




Chairman

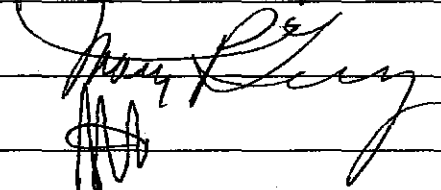


Vice Chairman



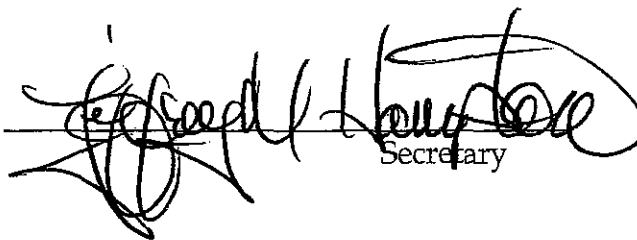






In Zoning Commission

Adopted: March 24, 2010

Attest: 
Secretary

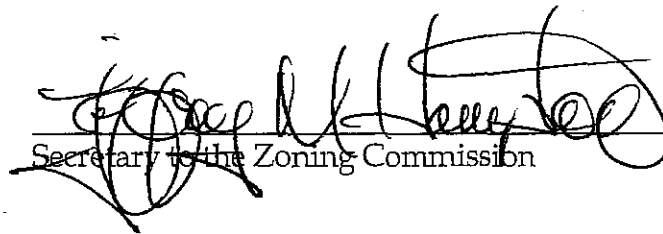


Mayor, City of Boston

Date: 9/20/10

The foregoing amendment was presented to the Mayor on March 24, 2010, and was signed by him on March 30, 2010, whereupon it became effective on March 30, 2010, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:



Secretary to the Zoning Commission

Development Plan for Planned Development Area No. 76, RTH Residential Building

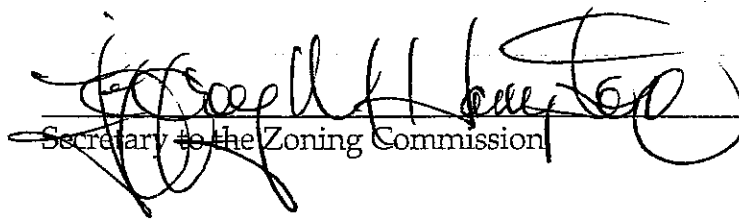


Mayor, City of Boston

Date: 7/11/21

The foregoing Development Plan, was presented to the Mayor on ~~March 24, 2010~~ and was signed by him on ~~March 30, 2010~~ whereupon it became effective on ~~March 30, 2010~~ in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:



Secretary to the Zoning Commission

Text Amendment Application No. 408
Boston Redevelopment Authority
Mission Hill Neighborhood District
Article 59

TEXT AMENDMENT NO. 362

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 amend the text of the Boston Zoning Code, as amended, as follows:

By amending **Article 59 (Mission Hill Neighborhood District)** in the following manner:

1. In **Section 59-29 (Establishment of Areas Within Which Planned Development Areas May Be Permitted)**, immediately after the text and punctuation "Planned Development Areas ("PDAs"), as described in Section 3-1A.a, are permitted within" insert the following text and punctuation:

the Massachusetts Mental Health Center Institutional Subdistrict,

2. In **Section 59-30.2 (Dimensional Regulations)**, in **Table 2 (Mission Hill Neighborhood District, Planned Development Areas, Maximum Building Heights, Floor Area Ratios, and Number of Dwelling Units Per Acre)** as follows:

- a. In the column under the heading "Area", insert the following text:

Massachusetts Mental Health Center Institutional Subdistrict

- b. In the column under the heading "Maximum Building Height", insert the following text:

204 Feet

c. In the column under the heading "Maximum FAR", insert the following text:

4.2

d. In the column under the heading "Maximum No. of Dwelling Units/Acre", insert the following text:

N/A

Robert Jordan

Chairman

James C. Clark

Vice Chairman

John Bray

Jim Statten

Wesley

Mark

In Zoning Commission

Adopted: March 24, 2010

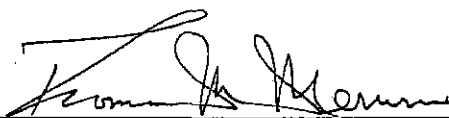
Attest:

Joseph L. Hampton

Secretary

Text Amendment Application No. 408

Text Amendment No. 362

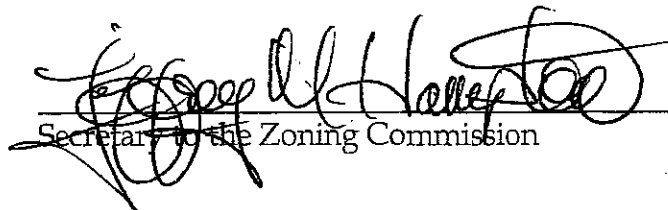


Mayor, City of Boston

Date: 3-30-10

The foregoing amendment was presented to the Mayor on March 24, 2010, and was signed by him on March 30, 2010, whereupon it became effective on March 30, 2010, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:



Secretary to the Zoning Commission