

MEMORANDUM

JANUARY 17, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW
GEOFFREY LEWIS, SENIOR PROJECT MANAGER

SUBJECT: PARCEL P-15-2C-4, CHARLESTOWN URBAN RENEWAL AREA,
PROJECT NO. MASS. R-55 LOCATED AT 400 RUTHERFORD AVENUE

SUMMARY: This Memorandum requests: (1) the adoption of a Resolution of the Boston Redevelopment Authority dated January 17, 2013 re: Tentative Designation of Bridgeview Apartments Limited Partnership (“Bridgeview Apartments LP”) with Respect To Parcel P-15-2C-4 in the Charlestown Urban Renewal Area; (2) authorization for the Director to enter into a Temporary License Agreement authorizing Bridgeview Apartments LP to conduct pre-development activities on Parcel P-15-2C-4; and (3) approval of an extension of the financing and construction conditions regarding the Bridgeview Apartments Chapter 121A Project Report and Decision, proposed to be located on Parcel P-15-2C-4.

INTRODUCTION

Charlestown Urban Renewal Area Parcel P-15-2C-4 consists of 40,132 square feet of land located at the southwesterly corner of Rutherford Avenue and A Street in Charlestown (the “Parcel”). The site was originally acquired by the Boston Redevelopment Authority (“BRA”) as part of the land assembly for the Bunker Hill Community College.

Bridgeview Apartments LP, in partnership with Towards Independent Living and Learning, Inc. (“TILL”), a Massachusetts nonprofit service provider with over 30 years of experience in providing supportive services to individuals with disabilities, proposes to redevelop the Parcel to provide approximately 66 rental apartments, all of which will be affordable to households earning less than 60% of Area Median Income. This proposed project, anticipated to be known as Bridgeview Center (“Proposed Project”), will be able to offer all of the units at affordable rent levels as a result of tax credits and other subsidies that are to be made available through various city, state and federal programs, including Federal Low Income Housing Tax Credits. The Proposed Project

will have a strong focus on providing supportive services to residents with special needs, including a supportive living component to be operated by TILL that is designed to provide approximately five (5) beds with common living space for individuals with developmental disabilities requiring 24/7 support and approximately seven (7) units which will be subject to a preference for homeless or formerly homeless households as required by the Mayor for all City of Boston projects receiving public funding. Additionally, the Proposed Project will include approximately 6,000 square feet of commercial space to be used to provide services to residents as well as the community at large.

PARCEL HISTORY

On March 9, 1989, the BRA granted Tentative Designation of Parcel P-15-2C-4 to Life Focus Charlestown, Inc. ("Life Focus").

On June 22, 2010, the BRA adopted a resolution to extend the Life Focus tentative designation for Parcel P-15-2C-4. On July 16, 2010 Life Focus in conjunction with Gilchrest Associates, Inc. (Bridgeview Apartments LP had not yet been formed at this time) submitted a Project Notification Form ("PNF") under Article 80B for the Proposed Project, which was described in the PNF as consisting of approximately 60 units of rental housing, with a commercial component of approximately 11,980 square feet (the "Previous Proposed Project") designated for use by Life Focus. The Proposed Project was approved by the BRA under Article 80B, subject to further design review, on January 13, 2011 and the BRA subsequently issued a Scoping Determination Waiving Further Review on April 25, 2011.

EXTENSION AND TRANSFER OF DESIGNATION

As part of the January 13, 2011 BRA approvals, the Tentative Designation for Life Focus was extended until January 31, 2012. On January 12, 2012 the BRA adopted its most recent resolution to extend the Tentative Designation to January 31, 2013. On August 14, 2012 the Board of Directors for Life Focus voted to relinquish the Tentative Designation. On September 13, 2012, the BRA transferred the Tentative Designation from Life Focus to Bridgeview Apartments LP.

CHAPTER 121A REPORT AND DECISION

In connection with developing the Previous Proposed Project, Gilchrest Associates, Inc. formed a new Chapter 121A entity, Bridgeview Apartments LP, and applied for Chapter 121A status for the Previous Proposed Project. On January 13, 2011 the BRA voted to adopt a Report and Decision on the Bridgeview Apartments Chapter 121A Project. Such vote was approved by the Mayor on January 18, 2011 and filed with the City Clerk on January 20, 2011. Approval of the Report and Decision was conditioned

upon finalizing financing for the Previous Proposed Project and commencing construction within one year of the approval date. The Report and Decision provides in Section J that “Notwithstanding the 18 year term for the tax exemption granted herein, if the Applicant is unable to secure the necessary financing for the Project and commence construction of the Project by January 31, 2012, then the approvals granted herein shall terminate and this Report and Decision shall no longer be effective, unless such approvals are extended by the Authority Board. On January 12, 2012, the BRA amended Section J to extend the period until January 31, 2013.

The term of the tentative designation runs concurrently with the conditions of Section J of the Report and Decision.

Bridgeview has been awarded funding by the City of Boston’s Department of Neighborhood Development and submitted an application to the Commonwealth of Massachusetts’ Department of Housing and Community Development (“DHCD”) for additional funding in October 2012, which application is now pending. Evidence of site control is required to move forward with the Proposed Project.

It is the expectation of the community, the Developer, and the BRA that Bridgeview Apartments, LP, or an affiliated entity, will receive the necessary funding to complete the Proposed Project from the state in calendar-year 2013. The BRA will not seek extension of the tentative designation after December 31, 2013.

DEVELOPMENT TEAM

Byron Gilchrest of Gilchrest Associates is the developer and Jack French of Nashemkin French Architects is the architect. Joe Lieber at Klein Hornig LLP is counsel to Bridgeview Apartments LP.

COMMUNITY BENEFITS

The Developer will make 6,000 square feet of commercial space available for the benefit of the Charlestown community. TILL recommends dedicating and fitting-out 1,500 square feet of the 6,000 square feet to Special Townies. TILL will work with Special Townies to increase their financial capacity through TILL Inc.'s contacts and grant relationships, ultimately working together to make Special Townies financially self-sustaining and to expand programming.

To the extent permitted under federal and state laws and regulations, priority for housing will be given to Charlestown residents and recipients of Charlestown service providers.

The Developer and TILL will continue to work with the community to make recommendations for the use of the 6,000 square feet of commercial space based upon the Community Health Needs Assessment currently being conducted in the community.

RECOMMENDATION

In order for Bridgeview Apartments LP to continue with finalizing financing and demonstrate site control and to facilitate the redevelopment of Parcel P-15-2C-4, staff recommends that the BRA adopt a Resolution Re: Tentative Designation of Bridgeview Apartments Limited Partnership with respect to Parcel P-15-2C-4 in the Charlestown Urban Renewal Area; (2) authorize the Director to enter into a Temporary License Agreement authorizing Bridgeview Apartments Limited Partnership to conduct pre-development activities on Parcel P-15-2C-4; and (3) adopt a vote extending the financing and construction conditions under the Report and Decision for the Bridgeview Apartments Chapter 121 Project. For purposes of the Chapter 121A status, the description of the Proposed Project is substantially consistent with the approval of the description of the Previous Proposed Project.

Appropriate votes follow:

VOTED: That the Resolution entitled “Resolution of the Boston Redevelopment Authority Dated January 17, 2013 Re: Tentative Designation Of Bridgeview Apartments Limited Partnership Of Parcel P-15-2C-4 Of The Charlestown Urban Renewal Area Project No. Mass R-55” (the “Resolution”) be, and hereby is, adopted; and

FURTHER

VOTED: That if the terms and conditions of the Resolution have not been met to the satisfaction of the Director and the Final Designation has not been granted by December 31, 2013, the Tentative Designation shall be automatically rescinded without prejudice and without further action by the BRA Board; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a temporary license agreement and any and all agreements and documents which the Director deems appropriate and necessary in connection with the Tentative Designation, by and between the Boston Redevelopment Authority and Bridgeview Apartments Limited Partnership (“Bridgeview Apartments LP”), all upon terms and conditions to be determined by the Director to be in the best interests of the Boston Redevelopment Authority; and

FURTHER

VOTED:

That the Boston Redevelopment Authority confirm that the termination conditions to secure financing and commence construction of the Project by December 31, 2013, set forth in Section J of the Report and Decision entitled "BOSTON REDEVELOPMENT AUTHORITY, REPORT AND DECISION ON THE APPLICATION OF BRIDGEVIEW APARTMENTS LIMITED PARTNERSHIP FOR AUTHORIZATION AND APPROVAL OF A PROJECT UNDER CHAPTER 121A OF THE GENERAL LAWS AND ACTS OF 1960, CHAPTER 652, BOTH AS AMENDED, KNOWN AS BRIDGEVIEW APARTMENTS CHAPTER 121A PROJECT," as amended, is in full force and effect.

**RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
DATED JANUARY 17, 2013 RE: TENTATIVE DESIGNATION OF
BRIDGEVIEW APARTMENTS LIMITED PARTNERSHIP OF PARCEL
P-15-2C-4 OF THE CHARLESTOWN URBAN RENEWAL AREA
PROJECT NO. MASS R-55**

WHEREAS, the Boston Redevelopment Authority (hereinafter referred to as the "Authority") has established a Charlestown Urban Renewal Plan (the "Urban Renewal Plan") under Chapter 121B of the General Laws of the Commonwealth of Massachusetts, as amended and applicable ("Chapter 121B"); and

WHEREAS, the Urban Renewal Plan for the Charlestown Urban Renewal Area (hereinafter referred to as the "Project Area") has been duly reviewed and approved in full compliance with local and state laws; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects under Chapter 121B, including those prohibiting discrimination because of race, color, sex, religion, or national original; and

WHEREAS, Bridgeview Apartments Limited Partnership ("Bridgeview Apartments LP") has expressed an interest in the development of the Disposition Parcel P-15-2C-4 in the Project Area; and

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

NOW THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That Bridgeview Apartments LP is tentatively designated as the Redeveloper of Parcel P-15-2C-4 in the Charlestown Urban Renewal Area subject to:
 - (a) Publication of all public disclosure and issuance of all approvals if required by the Massachusetts General Laws and Title 1 of the Housing Act of 1949, as amended; and

of: (b) Submission by December 31, 2013 in a form satisfactory to the Authority

- (i) Evidence of the availability of necessary equity funds as needed; and
- (ii) Evidence of firm financial commitments from banks or other lending institutions; and
- (iii) Proposed development schedule.

2. That disposal of Disposition Parcel P-15-2C-4 by negotiation is the appropriate method of making the land available for improvements.

3. That it is hereby found and determined that the proposed development will not result in significant damage to or impairment of the environment and further, that all practicable feasible means and measures have been taken and are being utilized to avoid or minimize damage to the environment.

4. That by accepting this tentative designation, Bridgeview Apartments LP is specifically acknowledging that Bridgeview Apartments LP shall be solely responsible for any and all costs of whatever kind or nature incurred prior to the date of this Resolution or hereafter, in connection with the planning and improvements of Disposition Parcel P-15-2C-4 and the Authority shall not be responsible or liable for any of such costs or be required to reimburse Bridgeview Apartments LP for such costs in any respect or to any extent.

5. That this tentative designation is automatically rescinded without prejudice and without any further authorization or approvals by the Authority Board, if final designation has not been granted to Bridgeview Apartments LP by December 31, 2013.