

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW
LANCE CAMPBELL, SENIOR PROJECT MANAGER

SUBJECT: FIRST AMENDMENT TO REPORT AND DECISION FOR THE
ST. KEVIN'S CHAPTER 121A PROJECT, LOCATED AT 516-530
COLUMBIA ROAD AND 35 BIRD STREET IN DORCHESTER

SUMMARY: This Memorandum requests the adoption of a First Amendment to the Report and Decision on the St. Kevin's Chapter 121A Project (the "Project"), which involves approval of: (1) the division of the Project into two phases, Phase 1 being the development of the buildings at 516 Columbia Road and 35 Bird Street and for approximately 33 dwelling units ("Phase 1"), and Phase 2 being the development of 530 Columbia Road for approximately 47 dwelling units ("Phase 2"); (2) the transfer of Phase 2 of the Project to Uphams Corner Limited Partnership ("UCLP") pursuant to Chapter 121A, Section 11 and Chapter 652; (3) the consent to and authorization for UCLP to act as an urban redevelopment corporation under Chapter 121A and Chapter 652 for the purposes of acquiring Phase 2 of the Project and carrying out the Project as hereinafter described pursuant to Chapter 121A, Section 18C and Chapter 652, Section 13A; and (4) certain associated changes for the Project.

INTRODUCTION

The Project Site, as herein defined, consists of 2.63 acres located on the former St. Kevin's Parish property in the Dorchester neighborhood of Boston. The Project Site is located at the southern gateway to Upham's Corner and is bounded by Davern Avenue to the north, Bird Street to the south, Columbia Road to the east, and residential homes along Virginia Street to the west (the "Project Site").

PROJECT BACKGROUND

On March 10, 2011 the Boston Redevelopment Authority ("BRA") voted to adopt a Report and Decision on the St. Kevin's Chapter 121A Project (the "Report and

Decision”). Such vote was approved by Mayor Thomas M. Menino on March 14, 2011 and filed with the City Clerk on March 15, 2011. St. Kevin’s Limited Partnership, a Massachusetts limited partnership (“SKLP” and the “Developer”), was designated as the Chapter 121A entity to own, operate and manage the Project. Approval of the Report and Decision was conditioned upon finalizing financing for the proposed project and commencing construction within one year of the approval date. The Report and Decision provides in Section L 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 March 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” (the “Financing Conditions”). On March 13, 2012, the BRA voted to extend the Financing Conditions until March 31, 2013, which were extended again until March 31, 2014.

The St. Kevin’s Redevelopment (the “Project”) will consist of the rehabilitation of one former school building and construction of two new buildings for a total of 80 residential units, including 14 one-bedroom, 58 two-bedroom and 8 three-bedroom apartments in the present plan, and approximately 1,000 square feet of community space.

The former school building at 530 Columbia Road will be demolished and a new 5-story building, consisting of approximately 47 residential apartment units and approximately 1,000 square feet of community space will be constructed in its place. At the time of the original 121A application, the Boston Public Library (“BPL”) was considering the relocation of its Uphams Corner Branch Library to this new building. Since then, the BPL has decided to continue the branch in its present location in the Municipal Building at 500 Columbia Road, and not relocate to 530 Columbia Road. Without the library, the gross floor area will be 57,728 square feet, including approximately 1,000 square feet of community space on the first floor.

The Building at 516 Columbia Road will be rehabilitated and converted into approximately 21 residential apartment units with the addition of a third story.

The former Convent and office building at 35 Bird Street will be demolished and a new neighborhood-scale 12-unit building will be constructed in its place.

APPLICATION TO TRANSFER PROJECT

On August 7, 2013, SKLP and UCLP (together “the Applicants”) filed with the Authority an application entitled, “Application to Boston Redevelopment Authority to transfer a portion of the St. Kevin’s Chapter 121A Project from St. Kevin’s Limited Partnership to Uphams Corner Limited Partnership” (the “Transfer Application”). The Transfer Application seeks the Authority’s approval to separate the Project into two

phases (“Phase 1” and “Phase 2”), the consent to transfer Phase 2 of the Project to UCLP, the consent and authorization for UCLP to act as an Urban Redevelopment Limited Partnership, and other related matters.

The Planning Office for Urban Affairs, Inc., the sponsor of the Project, formed UCLP for the purpose of undertaking Phase 2 of the Project. UCLP seeks approval of the Authority to act as an urban redevelopment corporation under 121A and approval for SKLP to transfer Phase 2 of the Project to UCLP. UCLP is a Massachusetts limited partnership whose general partner, Uphams Corner GP LLC is a Massachusetts limited liability company. SKLP is a Massachusetts limited partnership whose general partner St. Kevin’s GP LLC is a Massachusetts limited liability company.

Phase 1 shall consist of the land commonly known as 516 Columbia Road and 35 Bird Street, having approximately 47,100 square feet of land. 516 Columbia Road upon completion will contain 21 dwellings units on three floors and approximately 26,611 square feet of floor area. 35 Bird Street upon completion will contain 12 dwelling units and approximately 14,521 square feet of floor area.

Phase 2 shall consist of the land commonly known as 530 Columbia Road, having approximately 67,083 square feet of land. Upon completion it will contain 47 dwelling units, a community center and approximately 57,728 square feet of floor area.

FINANCING

In early 2011, the City of Boston Department of Neighborhood Development (“DND”) awarded a total of \$3,250,000 in HOME and/or CDBG funds for the Project. These awards were subject to the receipt of funding commitments from the Massachusetts Department of Housing and Community Development (“DHCD”). The Developer filed the initial funding application with DHCD in the April 2011 funding round and again in the February 2012 funding round, but given the number of applications the Commonwealth received, no DHCD funding was awarded to the Project as a result of those filings.

After DHCD funding announcements were made in June 2012, the Developer was invited to submit a project update to DND. In October 2012, DND renewed its support of the Project, in particular by issuing renewals of the HOME and/or CDBG funding to support the resubmission of the proponents DHCD funding application. In addition the City of Boston Public Facilities Commission extended the proponents designation as developer of the 10-12 Davern Avenue parcel which will be part of the Project Site, and the Boston Housing Authority made an award of Section 8 Project-Based Vouchers for the Project. The Project also received renewals of financing from the Massachusetts Housing Partnership for a \$3,125,000 first mortgage.

As a result of these important steps and the BRA’s extension of the construction commencement date to March 31, 2014 the DHCD committed significant funding to the Project through its October 2012 funding round. The awards announced on February 7, 2013, provide the Project with \$768,500 in 9% Low Income Housing Tax Credits (“LIHTC”) and \$2,708,806 in subsidy funds. Since the last BRA Board action, the Project was able to acquire additional DHCD funding of approximately \$3,550,000 in subsidy funds, \$1,000,000 in 9% Federal LIHTC, and \$517,000 in State Housing Tax Credits.

The financing for the Project will come from a variety of sources, including low income housing credit tax equity, Federal Home Loan Bank, City of Boston HOME/NHT and other City Funds, Mass. Housing Stabilization Fund, Mass. Housing Innovations Fund, Mass. Affordable Housing Trust, Mass. Commercial Area Transit Node Program and a Permanent Loan.

The estimated cost of Phase 1 of the Project as stated in Section 5 of the Transfer Application is \$13,155,088 and the estimated cost of Phase 2 of the Project as stated in Section 5 of the Transfer Application is \$18,743,150 as follows.

<u>Uses</u>	<u>Phase 1</u>	<u>Phase 2</u>
Acquisition	\$ 814,729	\$ 1,160,371
Direct Construction	9,466,883	13,508,895
General Development Costs	1,357,648	1,933,347
Reserves, Fees, Overhead	<u>1,515,828</u>	<u>2,140,537</u>
TOTAL USES	\$ 13,155,088	\$ 18,743,150

DEVELOPMENT TEAM

The Development team consists of Lisa B. Alberghini, President and David Aiken, Project Manager of the Planning Office for Urban Affairs, Inc.; Judith Beckler of St. Mary’s Center for Woman & Children as project Service Partner and Co-Sponsor; John Achatz of Klein Hornig LLP as Legal Counsel; Michael D. Binette, AIA, NCARB and Gary M. Kane, AIA, LEED AP of The Architectural Team as project Architects; Richard Latini, P.E., Jane Howard, and Joseph SanClemente, P.E., AICP of Howard/Stein-Hudson Associates, Inc. as project Permitting Consultant/Civil and Site Engineer/Surveyor/Transportation Analyst; Michael J. DeRosa, LEED A.P. of DeRosa Environmental Consulting, Inc., as Environmental Consultant; Ambrose Donovan, P.E. and Jonathon Patch, P.E. of McPhail Associates, Inc. as Geo-Technical Engineers and Kevin Young and Leslie Scribner of Corcoran management Company as Management Agent.

ZONING

The subdivision of the Project Area into two lots results in an insufficiency in the side yard setback between Building A and Building B. The Applicant requests that the zoning deviations set forth in Appendix 10A of the Transfer Application, which includes floor area ratio, building height in stories/feet, front and side yard setback, and accessory parking, be approved by the Authority.

FUNDAMENTAL CHANGE DETERMINATION

The General Counsel has determined that the changes set forth in the Transfer Application for approval to transfer the Project and related matters pursuant to Massachusetts General Laws Chapter 121A do not collectively constitute a “fundamental change” in accordance with the Acts of 1960, Chapter 652, Section 13A, as amended and a public hearing is therefore not required.

RECOMMENDATION

After due consideration of the documents and materials presented, it is recommended that the Authority vote to adopt the foregoing First Amendment to Report and Decision on the St. Kevin’s Chapter 121A Project (the “Project”), which includes the: (1) the division of the Project into two phases, Phase 1 being the development of the buildings at 516 Columbia Road and 35 Bird Street and for approximately 33 dwelling units (“Phase 1”), and Phase 2 being the development of 530 Columbia Road for approximately 47 dwelling units (“Phase 2”); (2) the transfer of Phase 2 of the Project to Uphams Corner Limited Partnership (“UCLP”) pursuant to Chapter 121A, Section 11 and Chapter 652; (3) the consent to and authorization for UCLP to act as an urban redevelopment corporation under Chapter 121A and Chapter 652 for the purposes of acquiring Phase 2 of the Project and carrying out the Project as hereinafter described pursuant to Chapter 121A, Section 18C and Chapter 652, Section 13A; and (4) certain associated changes for the Project.

An appropriate vote follows:

VOTED: That the document presented at this meeting entitled “FIRST AMENDMENT TO REPORT AND DECISION ON THE ST. KEVIN’S CHAPTER 121A PROJECT FOR THE APPROVAL, UNDER MASSACHUSETTS GENERAL LAWS, CHAPTER 121A AND THE ACTS OF 1960, CHAPTER 652, BOTH AS AMENDED, OF THE TRANSFER OF THE PREVIOUSLY APPROVED ST. KEVIN’S CHAPTER 121A PROJECT, AND CONSENT TO THE FORMATION OF UPHAMS CORNER LIMITED PARTNERSHIP AS A NEW URBAN REDEVELOPMENT LIMITED PARTNERSHIP PURSUANT TO SAID CHAPTER 121A AND

CHAPTER 652 FOR THE PURPOSE OF ACQUIRING AND CARRYING OUT OF SUCH PROJECT IN TWO PHASES” , be and hereby is, approved and adopted in all respects; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute any and all other agreements, instruments, documents or letters he deems necessary and appropriate, in his sole discretion, and in the best interest of the Boston Redevelopment Authority, regarding the transfer of ownership of the St. Kevin’s Chapter 121A Project.