

MEMORANDUM

DECEMBER 19, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW
[REDACTED], 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 that the Boston Redevelopment Authority (the "BRA") take the following actions regarding the Bridgeview Center project (the "Proposed Project") in Charlestown, MA: (1) adoption of a Resolution titled "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY DATED DECEMBER 19, 2013 RE: FINAL DESIGNATION OF BRIDGEVIEW APARTMENTS LIMITED PARTNERSHIP ("Bridgeview Apartments LP") OF PARCEL P-15-2C-4 OF THE CHARLESTOWN URBAN RENEWAL AREA PROJECT NO. MASS R-55", (2) authorize the Director to enter into a Term Sheet and Negotiation for Sale of the Property located on Parcel P-15-2C-4; and (3) extension of the termination condition to commence construction of the Proposed Project by September 30, 2014, 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.

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 61 rental apartments, all of which will be affordable to households earning less than 60% of Area Median Income. This proposed project, 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 (6) 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 Project will include approximately 6,000 square feet of community 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 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 a resolution to extend the Tentative Designation to January 31, 2013. On January 17, 2013 the BRA adopted a resolution to extend the Tentative Designation to December 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 Proposed Project, Gilcrest Associates, Inc. formed a new Chapter 121A entity, Bridgeview Apartments LP, and applied for Chapter 121A status for the 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 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. On January 17, 2013, the BRA amended Section J to extend the period until December 31, 2013.

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

DEVELOPMENT TEAM

The development team consists of Byron Gilcrest of Gilcrest 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.

PROJECT FINANCING

Bridgeview has been awarded funding by the City of Boston’s Department of Neighborhood Development and has been approved by the Commonwealth of Massachusetts’ Department of Housing and Community Development (“DHCD”) for additional funding in November 2013. The Proposed Project is now fully funded.

The Redeveloper has submitted evidence of sufficient equity and a commitment to finance the Project as approved, both to the satisfaction of the BRA.

RECOMMENDATION

To facilitate the redevelopment of Parcel P-15-2C-4, BRA staff has determined that the Redeveloper has met the requirements necessary to receive Final Designation of Parcel P-15-2C-4 in the Charlestown Urban Renewal Area. Therefore, it is the staff’s

recommendation that the Authority: (1) adopt a Resolution titled "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY DATED DECEMBER 19, 2013 RE: FINAL DESIGNATION OF BRIDGEVIEW APARTMENTS LIMITED PARTNERSHIP ("Bridgeview Apartments LP") OF PARCEL P-15-2C-4 OF THE CHARLESTOWN URBAN RENEWAL AREA PROJECT NO. MASS R-55", (2) authorize the Director to enter into a Term Sheet and Negotiation for Sale of the Property located on Parcel P-15-2C-4; and (3) extension of the termination condition to commence construction of the Proposed Project by September 30, 2014, 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.

Appropriate votes follow:

VOTED: That the Boston Redevelopment Authority hereby adopts the Resolution entitled "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY DATED DECEMBER 19, 2013 RE: FINAL DESIGNATION OF BRIDGEVIEW APARTMENTS LIMITED PARTNERSHIP ("Bridgeview Apartments LP") OF PARCEL P-15-2C-4 OF THE CHARLESTOWN URBAN RENEWAL AREA PROJECT NO. MASS R-55"; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a Term Sheet and Negotiate Sale of the Property located on Parcel P-15-2C-4; 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 if the terms and conditions of the Resolution have not been met to the satisfaction of the Director by September 30, 2014, the Final Designation shall be automatically rescinded without prejudice and without further action by the BRA Board; and

FURTHER

VOTED: That the Boston Redevelopment Authority extend the termination condition to commence construction of the Project by September 30, 2014, 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 DECEMBER 19, 2013 RE: FINAL 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 hereby is finally 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
- (b) Execution of the Sale of the Property located on Parcel P-15-2C-4, on or before September 30, 2014 to Bridgeview Apartments Limited Partnership, or a related entity created and controlled by Bridgeview Apartments Limited

Partnership; all upon terms and conditions to be determined by the Director to be in the best interests of the Boston Redevelopment Authority; and

(c) Issuance of a Building Permit from the city of Boston's Inspectional Services Department ("ISD"), unless failure to obtain such permit is the result of action or inaction by the BRA or the city of Boston.

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 Final 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 Final 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 September 30, 2014.