AN EXAMINATION OF REUSE OPTIONS FOR BOSTON UNIVERSITY'S AUDUBON CIRCLE PROPERTIES

by

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ABSTRACT

A history of the political considerations behind the 1980 and 1984 Cooperation Agreements between the City of Boston and Boston University was compiled. A proposal for reuse of the buildings which will be sold under the terms of the 1984 agreement was developed. The reuse plan was structured to meet goals for redevelopment of the area which were drafted by the Audubon Circle Neighborhood Association. Research was conducted by interviews with state and local officials and developers, examination of Boston University publications and correspondence, and inspection of the buildings located in Audubon Circle.

The thesis provides an overview of the properties and the various resources which can be used to create affordable housing. The reuse plan includes multiple development options for most of the buildings as well as development costs and projected sales prices and rent levels.

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INTRODUCTION

In the late 1970's, Boston University began buying buildings to the South of its main campus, located along the Charles river in Boston. The buildings, which the University intended to use as dormitories, were part of a neighborhood known as Audubon Circle. Neighborhood opposition to the University's expansion plans increased as the area became populated with students, and residents of Audubon Circle apartments and rooming houses were displaced.

In 1980, a Cooperation Agreement was negotiated between the city of Boston and the University which delineated a boundary for the University's southern campus. The Audubon Circle Neighborhood Association (ACNA) was formed to monitor Boston University's activities in the neighborhood.

Almost immediately, Boston University began acquiring buildings which were located beyond the boundary line of the 1980 agreement. While the neighborhood association protested, little action was taken by the City to enforce the 1980 agreement until 1984 when a new agreement was drafted. Under this agreement, the University and the City agreed to a planning process which would lead to the sale of properties owned by the University outside of the 1980 boundary line.

This planning process is currently underway. The City, the University, and ACNA will identify which properties are to be sold. An independent consultant has recently been employed to assist the parties in developing a program for the sale.
This thesis is written in two parts. The first part is a history of the neighborhood and University expansion and a discussion of the origins of the 1980 and 1984 agreements. The second part is a reuse plan for the buildings which is structured to meet the goals which the neighborhood has set for the redevelopment of the area. The purpose of this thesis is to provide a framework for structuring the disposition of the Audubon Circle properties. The analysis covers historical and political considerations in Part One. In Part Two, the physical characteristics of the buildings are detailed, and the financial and subsidy options are discussed.

The information used in preparing the thesis was obtained through interviews with state and local officials, developers, and neighborhood residents. Several visits were made to the properties, and interior inspections were conducted in over half of the buildings. Unfortunately, the University provided little assistance. Despite numerous telephone calls and inquiries at the University's community relations and housing offices, we were not able to obtain any financial information concerning the buildings. All of our information was taken from deeds in the Boston land records, the Boston Globe newspaper, and the Boston University Free Press and B.U. Exposure, both student newspapers.
ACNA, the Audubon Circle Neighborhood Association, Inc., existed as an unincorporated neighborhood association as early as 1979. Originally, the residents were concerned with improving the quality of municipal services for their neighborhood. In 1981, as the number of Boston University acquisitions in the neighborhood increased, neighbors organized formal opposition to B.U.'s tactics. ACNA scheduled public meetings where residents were able to meet with B.U. representatives. ACNA members attended Board of Appeal meetings, opposed B.U.'s applications for conditional use permits, and appealed the Board's decisions to Superior Court.

In 1982, after ACNA tried unsuccessfully to have the Audubon Circle neighborhood rezoned by the Boston Zoning Commission to exclude dormitories, the Boston City Council adopted the ordinances curbing institutional expansion which were proposed by ACNA. The city of Boston and the BRA have acknowledged ACNA as the local organization representing the Audubon Circle neighborhood.

ACNA was incorporated as a tax-exempt charitable organization in February, 1982. Its purposes include: to work with other groups to enhance the quality of life in the city's neighborhoods; to promote and develop housing and educational programs for the area, and particularly for lower income elderly residents; to combat deterioration of Audubon Circle as a residential neighborhood. The only qualification for ACNA membership is residence, or operating a business in the
Audubon Circle, and payment of a nominal fee. Members may participate at monthly ACNA meetings and elect a Board of Directors at annual meetings. There are currently over 100 dues-paying members; about sixty per cent are renters, the rest are homeowners.

In response to the divestiture proposal in the 1984 Cooperation Agreement, the residents have agreed on several goals to be accomplished in a plan for reuse of the Boston University buildings:

1. Increase the stock of decent and affordable rental housing.

2. Provide a range of housing alternatives for a diverse cross-section of people.

3. Establish lodging houses in buildings appropriately suited therefor.

4. Provide opportunities of home ownership through owner-occupied rental buildings.

5. Provide opportunities for home ownership in moderately priced condominiums or cooperatives.

6. Increase stability in the neighborhood.

7. Provide housing opportunities for displaced residents of the neighborhood.

These goals have been incorporated into the Reuse Plan for the Audubon Circle buildings.
THE AUDUBON CIRCLE NEIGHBORHOOD

Audubon Circle is that area of Boston centering on the intersection of Park Drive and Beacon streets, between Kenmore Square and St. Mary's street at the Brookline -Boston line. To the North, Audubon Circle is bounded by the Massachusetts Turnpike and to the South, the Riverside Line of the MBTA.

The Circle was originally developed in a twenty year period between 1885 and 1915 after the marshes which kept this area separate from the rest of Boston were drained by landscape architect Frederick Law Olmstead. (1) Apartment buildings and town houses were constructed on narrow, dense lots. The townhouses were initially occupied by single families, examples of some of the last single family urban residences built in Boston. The apartments, designed in the "french flat" style, were built by developers who planned to sell them to other buyers after an expected period of rapid appreciation. The row houses and apartment houses were built later than their counterparts in Back Bay and they are more modest. There is not as much ornamentation, and in many of the buildings, several architectural styles are combined.

These housing units were built for a newly forming urban class in Boston, the clerical, professional and the semi-professional workers who had jobs in downtown Boston.(2) The apartment houses, particularly, were a relatively new form of housing and were designed for moderate income occupants.

In the 1920's, many of the townhouses were converted to Doctor's offices on the lower levels and commercial space was
added on the street levels as well. As a result, property values rose. Rents in this area were among the highest in Boston. Homeownership stood at 10.1 percent compared to 26.1 percent for Boston overall. (3)

Between 1930 and 1970, the housing units in Audubon Circle were subdivided into apartments, and then into rooming houses, as the property changed hands over the years. One reason for the decline was increasing property taxes, which forced out many single-family occupants and homeowners. In addition, the area no longer attracted many of the young, educated professionals who had comprised the original population. The Audubon Circle rents for larger apartments were too high for the newer lower income rental market. As a result, units were subdivided into more, smaller, and cheaper units, and the total number of units increased substantially. For example, 33.5 new units were added to the neighborhood annually during 1948-1950.(4).

In the 1960's, an urban renewal plan was developed for the Kenmore Square-Fenway Neighborhood districts; some street and sewer improvements were made to a few of the side streets off Beacon street. When the Massachusetts Turnpike Extension was constructed in 1963, however, almost 280 units of housing were demolished in Audubon Circle. The Turnpike also removed the Neighborhood's link to Kenmore Square.

According to a Boston University study (5), owner-occupancy in Audubon Circle decreased from 5 per cent in 1940 to 1 per cent in 1970. In 1980, the percent increased slightly to 1.5. At the same time, vacancy rates went from 2
per cent in 1940 to 25 per cent in 1975. In 1980, the area vacancy rate was 10 per cent. The neighborhood was rediscovered by young professionals who began buying buildings, restoring them, and moving in. A few condominium developers, sensing an upturn in the neighborhood, followed and condominiums were developed next door to rooming houses and single family homes.

A recent BRA study gives information for the combined neighborhoods of Mission Hill, Fenway, and Kenmore. In 1980, 54 per cent of population was between the ages of 15 and 24; 32 per cent of the population was living in group quarters. Both statistics show the large student population in the area. In Audubon Circle, by 1983, Boston University owned outright 862 units, out of a total of 1,540 units.(7)
(1) Buildings and Builders, An Architectural History of Boston University, Nancy Lurie Salzman, Boston University Scholarly Publications, 1985, p. 64.


"When John Silber first visited Boston University in 1970, he took a look around and decided that it was 'the ugliest damn place he had ever seen.' Twelve years later, while it might not have become any prettier, it has unquestionable gotten larger. In the 11 years of Silber's administration, the often described 'cigar-shaped' BU campus has become more like a blimp, crowding out everything in its path."(1)

In the 1950's and '60's, Boston University's "cigar-shaped" campus was consolidated as the Law and Education Tower, Mugar Library, Warren Towers and other major buildings were constructed along Commonwealth Avenue and the Charles River above Kenmore Square. When John Silber became president of the University in 1971, however, other areas in addition to the immediate Charles River campus were targeted for acquisition and development.

Future development was planned for the Bay State Road neighborhood, the Cottage Farm area of Brookline, and the Buswell Street neighborhood in Audubon Circle, eventually to be designated as Boston University's South Campus. By 1978, B.U. had acquired the majority of the properties on Bay State Road, using the buildings as academic offices, undergraduate dormitories and apartment style residences. According to its development program at that time, B.U. intended to purchase additional properties as they became available, and to close Bay State Road for use as a pedestrian mall. Individual houses in the Cottage Farm area were purchased for
administrative offices and faculty and student housing, including the home of President John Silber. Audubon Circle buildings were purchased for use as student housing.

In the Spring of 1978, following the purchase of Cardinal Cushing College in 1975, the University's plans to "swap" the college for the National Guard complex on Commonwealth Avenue fell through. Boston University had been negotiating for the purchase of the armory from the state from as early as 1967. Now, state officials gave the university notice that any sale of the armory would have to be considered separately from the possible state purchase of Cardinal Cushing college. Objections had been raised by State Senator Jack Backman of Brookline who said that any sale of the armory should take place through the public bidding process. The National Guard also notified B.U. that while it eventually planned to transfer the 1500 troops who were assigned to the armory, nine separate facilities would be needed, and seven of those would have to be newly constructed. The timetable for this relocation was estimated at 5-8 years. With the timetable for obtaining the armory extended far in the future, the University began looking for other sites for development.

At the beginning of the academic year 1978-79, the University was faced with a housing shortage, and almost 600 students were placed in temporary housing. While the University's enrollment appears to have been fairly stable at this time, (2) the demand for student on-campus housing
increased as private housing costs in the city of Boston escalated, and students looked to the University for lower cost accommodations. In 1956, and shortly thereafter, B.U. purchased two buildings on Buswell street (10-18 Buswell and 40-48 Buswell) and one on Park Drive (518 Park Drive) to be used as dormitories. In 1978-79, B.U. acquired fifteen more buildings on Buswell Street and Park Drive for student housing to alleviate the crisis, and the Audubon Circle area was formally acknowledged as Boston University's "South Campus." South Campus was described as a triangular area bounded by Mountfort street on the North, St. Mary's street on the West, and the south side of Buswell street.(3) By the end of 1980, the University owned thirty one of the forty two residential properties in the south campus area and housed 1100 students (1/8 of the total B.U. enrollment) in south campus buildings.

Finally, in 1979, the University acquired three buildings which had belonged to Graham Junior College in Kenmore Square, after the college declared bankruptcy and closed. B.U. announced that it intended to keep the main administration building of the college for classrooms, and renovate the two dormitory buildings for elderly housing which it would develop in partnership with a private developer, the firm of Harrington, Keith and Schorck.(4)

B.U.'s vice-president for operations Ernest Corvo clearly stated the University's position concerning its presence in the Kenmore Square area. He said"... if the City and the other necessary authorities won't give us the permits, then we will keep [the buildings] as dorms. We've advised the city
and the Association (Kenmore Association and Planning Group) that we won't move into the Square, unless we're forced to." (5) Corvo also told the Boston University Free Press that the University was interested in acquiring more apartment buildings, rather than dormitories, to be used as student housing. According to his assistant at the time, Jeffrey Jarvis, B.U. did not want to "be stuck" with a large dormitory in the face of declining student enrollments. The University wanted smaller units which would give more leeway for future development. (6).

(1) B.U. Exposure, November 1982, p. 10
(2) Development Plan for Boston University, 11/14/80, p.1
(3) Development Plan for Boston University, 11/14/80, p.10
(4) Boston University Free Press, October 5, 1979
(5) Boston University Free Press, October 5, 1979
(6) Boston University Free Press, December 3, 1979
THE 1980 COOPERATION AGREEMENT BETWEEN
BOSTON UNIVERSITY AND THE CITY OF BOSTON

In July, 1980, the City of Boston and the Trustees of Boston University signed a "Cooperation Agreement" which, among other things delineated boundaries for the Boston University campus, outlined a development plan and review procedures by the city, provided for property tax payments for some properties to be acquired, and calculated payments in lieu of taxes for other university held properties. This section of the thesis examines the origins of the agreement, and reviews the provisions of the Agreement and accompanying Development Plan.

In the two year period prior to the adoption of the Cooperation Agreement, neighborhood opposition grew more vocal with each property B.U. acquired. In Kenmore Square, concern centered on the re-use of the Graham Junior College buildings. Residents were afraid that the University would continue to use the buildings as dormitories and that University expansion into their neighborhood would continue. Opposition in the Allston area of Boston arose from the University's acquisition of Hamilton House on upper Commonwealth Avenue and the leasing of privately owned apartments to 250 students in Allston as well.

On Bay State Road, civic association members were angered as B.U. announced "expansion plans" to buy up all of the properties on the street. (1) One building after another was purchased by the university and the road became dominated with
dormitories. The residents felt they were being kept in the dark about their future. President of the Civic Association, Victor Themo, complained "Dr. Silber does not want to show the community what B.U. wants to do with the specific buildings they buy." (2) Another resident, Madeline Kasden, expressed the hope that the neighborhood could "eventually dispel B.U. from Bay State Road through pressure."

Residents of the Cottage Farm neighborhood were disturbed by the disruption of their neighborhood, and they enlisted the assistance of State Representative Barney Frank who became a vocal opponent of further B.U. expansion in Brookline.

At the same time, Buswell street tenants secured a promise from Boston University not to evict any tenants from buildings acquired in Audubon Circle, as the result of pressure from the neighborhood and Barney Frank. (There was speculation that B.U. agreed to this policy because the University was afraid that Frank would oppose the state sale of the armory to B.U.). (4) Residents in the Buswell area complained that B.U. had given thirty day Notices to Vacate to tenants when the buildings were purchased, despite the protections of the Boston Rent Control ordinance. (5) There were also statements from Buswell street Community leader Ed Mroz that B.U. had single-handedly raised the area rents by forty per cent.

In March, 1979, State Representative Mel King accepted an Ad Hoc petition from members of the B.U. community calling for the Education Committee of the State Legislature to investigate Boston University's management practices,
particularly the union activities and the land acquisition policies. On accepting the petition, King commented on another concern that he had: "the displacement of people...[which] is happening whenever B.U. purchases a residential building in the area."(7)

The first public hearing on the Ad Hoc petition was held on February 20, 1980, and while the Special Commission to Investigate B.U. that many people wanted did not materialize, strong opinions against B.U.'s policies were expressed. Barney Frank spoke of the Boston housing crisis, saying that "B.U. exacerbates the crisis; they should build some new buildings."(8)

Frank told the Boston Herald American that the only job President Silber was suited for was "ambassador to Iran" because of the president's "increasingly lunatic and bizarre behavior."(9)

Earlier, Andy Olins, Mayor White's Special Assistant on Housing, had expressed concerns about B.U.'s aggravation of the city's housing crisis. While not disagreeing with the proposed development of the Graham Junior College buildings for elderly housing, Olins said, ..."we have very serious questions about B.U. as a participant in the project. B.U. probably saw to do something public spirited. I would much rather see B.U. handle its own problems."(10)

In addition to the community opposition, the city's attention was focused on B.U.'s acquisition program when the university appeared before the Boston Board of Appeal, requesting conditional use permits for dormitory use for 14
Bay State Road buildings in July, 1979. The Board dismissed the applications. The University continued to house students in the buildings, however. According to University Vice President Ernest Corvo, the school "agreed with the city and the Boston Redevelopment Authority (BRA), that once a [masterplan for B.U.] was approved, ... all of the conditional use permits would be approved."(11). The university was negotiating with the city and was convinced that as long as negotiations continued, the buildings could be maintained as dormitories.

At the same time, the university requested conditional use permits to house students in buildings in 23 buildings on Buswell and Park Drive. In these cases, the Board approved the permits only if specific conditions were fulfilled. One of these conditions was the adoption, with city approval, of a master plan for future university growth.

The University had been working with the BRA on a campus master plan for four years; now the public hearings and agency involvement in the zoning approvals were placing deadlines on the planning process. Negotiations for a workable master plan were still in progress, but the original drafts had included acquisitions on Bay State Road and in South Campus that were unacceptable to the BRA.(12) According to BRA planner, Mitchell Fischman, "A traditional master plan outlines what is there now, how did it get there, and what they plan to do in the future. The last point, the future expansion plans, that's where the BU master plan is
weakest, and that’s what we’re most interested in." (13) The
city wanted a containment plan, especially for housing. "If
d they don’t have a master plan and they want to establish a
dormitory in a building, the BRA and the Board of Appeals
would be against it. We’d say ‘we’re not going to entertain
your variances until a masterplan has been developed.’" (14).

For the City, there was also the issue of taxes. Since
B.U. is a non-profit corporation, it is exempt from paying
property taxes. For Fischman, the question of whether the
newly acquired buildings would remain on the tax rolls was a
major issue. (15) For Boston University, getting
conditional use permits to use the newly acquired buildings as
student housing was a major factor for the University’s
participation in the cooperation agreement. There were other
interests as well. Since 1974, the university had received
low interest loans to finance construction and renovation of
its facilities through the Massachusetts Health and
Educational Facilities Authority (HEFA). In late 1979 and
early 1980, the University was seeking a HEFA bond issue to
finance the renovation of buildings in the Bay State Road
and Audubon Circle neighborhoods. Because many of the
properties the school was seeking to finance were being used
as dormitories without proper zoning clearances, HEFA counsel
could not approve the bond issue because of the illegal
occupancies. The HEFA counsel told B.U. that the zoning
problems would have to be cleared up before HEFA would
allocate any more funds. (16)
The University also needed the City's support to get title to the National Guard armory. After the "swap arrangement" with the state failed, B.U. continued to lobby for sale of the armory.

The entire Cooperation Agreement and the Development plan are attached as Appendix One. The Agreement begins with a list of objectives which are listed below:

1. To preserve and strengthen the residential character of the areas surrounding the University in such a way as to promote and insure their future;

2. To facilitate efficient use of land in the area for housing, commercial and institutional use;

3. To strengthen and expand the real property tax base of the city;

4. To preserve and strengthen the University as an educational institution in recognition of its substantial economic, cultural and social contribution to the City and its people. (17).

Next the Agreement describes the "mutual promises" of the parties. The university intends to acquire properties within the boundaries of the University campus in accordance with the development plan. The City's condition for granting the permits and accepting the plan is that the University make annual contributions with respect to its tax-exempt properties (about $200,000), to return nearly $170,000 in tax-abatements previously granted by the city on tax-exempt properties, and to extend additional services, including scholarships, to
Boston residents. For all properties acquired after June 30, 1980, the university will pay full taxes and charges to the city. (18)

The boundaries for the "University Campus" are delineated in an exhibit attached to the Cooperation Agreement. For Audubon Circle, the boundary line is drawn through the alley between Buswell street and Beacon street.

Boston University also states that it is university policy that no tenant is to be displaced from his or her dwelling place in order to accommodate a university student. (19)

The Agreement and Development Plan cover future development within the boundaries of the University Campus. However, one section appears to take some acquisitions away from public scrutiny. For "Properties Outside the Area of the University Campus," the Agreement states:

(1) The University shall give the City sixty (60) days prior notification before acquiring additional property for educational purposes (including residence halls) outside the University campus. The provisions will not apply to bona fide gifts to the university.

(2) The University shall give the City sixty (60) days prior notification in the event it leases more than fifty (50%) percent of the total units in any one apartment building outside the University Campus. (20)

While there are several clauses which permit either party to declare the Agreement null and void, it is significant that the City agrees in paragraph D of the Agreement that it will
support and encourage the applications for conditional use permits for the Buswell street properties, and if any of the permits are not granted by September 5, 1980, the Agreement will be void. (21)

The Development Plan, which is incorporated into the Agreement, refers to the same boundaries for "South Campus" which have already been described. The plan makes clear that "it is the intention of the Board of Trustees to acquire and improve property within these boundaries to ... complete the centralization of the main campus begun more than sixty years ago." (22)

The University also agrees to submit yearly reports to the Boston Board of Appeal with respect to the number of buildings in which it leases more than 50% of the dwelling units to students.

B.U.'s plans for development of Audubon Circle are outlined in a distinct section of the Development Plan:

"Although the University student population has not grown significantly, the demand for on-campus student housing has increased dramatically in recent years. As the ability to provide housing for students is crucial to the survival of Boston University, the Board of Trustees is committed to establishing a student residential complex in the Buswell street/Park Drive area, known as South Campus.

There are forty-two (42) residential properties within the triangular area bounded by Mountfort street on the North, St. Mary's street on the West, and the south side of Buswell
street. In a state of decay and neglect for many years, this neighborhood is an area where the University's revitalization program has substantially benefitted both the City and the neighborhood....

The University currently owns 31 of the 42 residential properties in South Campus with a student housing capacity of 1,100, or 14% of the total number of undergraduates housed at the Charles River campus. If the University were able to acquire the eleven remaining properties, its student housing capacity would be increased by approximately 1,500 persons. This... would be a significant step in implementing the agreement with the City to concentrate our students closer to the Central Campus thus having the effect of withdrawing students from the Brighton/Allston area and the Bay State Road area." (23)

When the Agreement was signed, Mayor White praised it as a "breakthrough in the city's efforts to generate revenue from non-profit institutions."(24) In the neighborhoods, there was a feeling of optimism. A community spokesman said, "...the City held itself out as coming up with something that would resolve the problem. B.U. said, 'a deal is a deal.' So we didn't have any alternative but to believe."(25)

______________________________
(16) Told to Joan Dolan, ACNA member, by Donald Winter, Esq., Palmer and Dodge, bond counsel to HEFA.
(18) 1980 Cooperation Agreement, p.2 and 3.
(19) 1980 Cooperation Agreement, p. 3.
(20) 1980 Cooperation Agreement, p. 4.
(21) 1980 Cooperation Agreement, p. 14
(22) 1980 Development Plan, p.2.
(23) 1980 Development Plan, p. 9 and 10.
1981 and 1982 DEVELOPMENTS

After the Cooperation Agreement was signed, Boston University aggressively pursued zoning approvals for its expansion program. At the end of the year, HEFA floated a $22 million bond issue on B.U.'s behalf which covered, among other things, 25 buildings in Audubon Circle, and "South Campus" was firmly established.

Between June and October of 1981, eight buildings were purchased on the North side of Beacon street, over the boundary line of the Buswell street alley which was set in the Cooperation Agreement. At first, residents of Audubon Circle were not aware of these acquisitions. During the summer, the lower 800 blocks of Beacon street were deserted. Many apartment buildings which were formerly filled with tenants and lodgers were empty.

According to stories published in the B.U. Exposure magazine, B.U. tried many methods to empty these apartment buildings for future student use. The University sent tenants rent increase notices to tenants of as much as 20%, as well as false condominium conversion notices. Locks were changed. Vacated apartments were renovated while other apartments in the building were occupied. Tenants were subjected to excessive noise, debris, and utility shut-offs, making it very difficult for the remaining tenants to stay. Signs were posted in the building entrances stating rules for B.U. dormitories, and advertisements for student activities. As the work progressed, representatives of the neighborhood
organization went to check at the City Hall's office of Inspectional Services for building permits. They discovered that B.U. had purchased the buildings and that there were only a few building permits for renovation on file with the City. "Smoke detectors" was the only item listed on most of the permits. The residents filed complaints with the Inspectional Services department. On August 14, after being notifies of these complaints, B.U. obtained $750,000 worth of permits.

As in the case of the Buswell street apartments, the newly acquired Beacon street properties were located in an area zoned for residential use (H-2 district). In order to use the buildings as student housing, Boston University needed conditional use permits. On August 20, after obtaining the necessary building permits to convert the following buildings to student housing: 806-820, 824-826, 828, 830, 834, 836 Beacon street.

In August and September, the Audubon Circle Neighborhood Organization (ACNA) organized meetings at a neighborhood church. John Silber met with the residents, and discussed making a "compromise" on the B.U. boundary line; however, no specific proposals were forthcoming from the University.

By the end of September, the community prepared for the Board of Appeal hearings on the conditional use permit applications. The residents brought with them citations for illegal occupancy for B.U. owned buildings at 848, 864, and 866 Beacon, and evidence that the buildings under consideration for permits were already being used as dormitories for B.U. students. The Board granted the permits for all of the
buildings, with no opposition from the City.

In fact, it appeared as the "University Campus" boundary line was being changed. According to Jeffrey Jarvis, Director of Real Estate for Boston University at that time, "In 1981, perhaps, on-going negotiations with the City of Boston resulted in, not a moving of the line in the Cooperation Agreement, but an understanding that if the University acquired property in the Eastern-most block of Beacon street [806-840], and in the central block of Beacon street [844-868], in those two blocks on the North side of Beacon street, that it would support the University's applications for permits and variances. (2)

Following defeat at the Board of Appeal, ACNA appealed the Board's decisions to Superior Court. Frustrated by the Board's actions, the group turned to other sources to try to prevent B.U.'s continued expansion into the neighborhood. First, ACNA drafted and filed a bill with the state legislature, H B 4013, to amend the HEFA bonding procedures. The proposed amendment added a paragraph to existing legislation to preclude funding for any project by an institution which would result in the removal of residential housing from the private market.

At the same time, ACNA filed a petition with the Boston Zoning Commission to rezone the Audubon Circle area. The petition asked that the part of the Audubon Circle neighborhood outside of the 1980 Agreement boundary be rezoned from an H-2 to an H-2-65 district. This change would have
required a variance for any change in residential use, a much stricter legal standard than the conditional use permit. A second petition was also filed to change the definition of "dormitory" in the zoning code from a building housing 50% or more students, to any building owned or leased by an institution with at least one unit rented to a student.

In March, the Zoning Commission voted 8-0 to deny the petition following a recommendation from the BRA Board that the problem of dormitory expansion be considered on a city-wide basis and addressed by a redefinition of "dormitory" in the Zoning Code.(3)

At the same time, the proposed HEFA amendment was unfavorably disposed of by a legislative committee who suggested that the problem of institutional displacement should be handled by the Boston Zoning Commission.

Earlier, B.U. had held meetings with the community, and there were negotiations over a "new" boundary line which never materialized. Now, negotiations were underway between the City and Boston University. In September, the Board of Appeal had granted conditional use permits for several buildings on Beacon street, over the 1980 boundary line. The Zoning Commission had denied the neighborhood’s petition for a zoning change on the City’s recommendation. And the City’s office of Inspectional Services had refused to act on the violations they had issued in September on the buildings that were being used as dorms in total non-compliance with the zoning laws. Housing Court dates for the hearings on the violations were postponed repeatedly, and the complaints were subsequently
dismissed by the City.

In February and early March, several meetings were held between City and University officials. At one of the meetings, held on a Saturday, John Silber, President of Boston University, Boston Mayor Kevin White, and Robert Ryan, BRA director, were present. According to Jeffrey Jarvis, B.U. executive director of real estate at that time, "Dr. Silber had previously notified Kevin White that Boston University needed help from the city to acquire property for academic purposes and for residential purposes; and that the restrictions, the technical restrictions in the Cooperation Agreement were not accurate or were not helpful in this expansion and that Boston University needed some relief from the restrictions of the Agreement. And the meeting was a general discussion about this relief and what form it might take." (4)

In February, two more buildings, at 870 and 872 Beacon, on the northern side of the street were purchased by B.U.

In March, B.U. filed for conditional use permits at the Board of Appeal to convert the following buildings into dorms: 844-844A, 848, 850, 864, 870, and 872 Beacon. At this point, the university owned twelve of the twenty three properties in the first two blocks on the northern side of Beacon street in Audubon Circle.

The City appeared to acquiesce in B.U.'s purchases on Beacon street, and the discussions at City Hall at first seemed friendly.(4). The parties agreed that the BRA and B.U.
staffs would continue to meet to discuss the matter further. B.U. staff presented a list of targeted properties which they were interested in acquiring. In response, the BRA staff suggested that the university could meet its needs without acquiring additional property. As this was unsatisfactory to B.U., the parties continued to meet and have discussions through the month of March.(5)

On March 12, 1982, Jeffrey Jarvis was instructed by President Silber to begin acquiring property through "nominee trusts", for the benefit of private investors, keeping the University's involvement concealed. (6) A nominee trust is a legal entity which is used for a variety of purposes. It may be used to acquire real estate in order not to disclose the identity of the principals involved in the acquisition or development, or it may be used to secure financing for acquisition or development of real estate in order to avoid the personal liability of the principals. On the land records, only the name of the trustee is disclosed.

President Silber gave Jarvis the authority to go West and South, and purchase buildings in the 900 block of Beacon street, as well as in the 845-877 block. "And his instructions to me were that I was to initiate this push into the Audubon Circle area, not into Allston Brighton or the Back Bay, or any other area, but in the Audubon Circle area specifically; that I was to do it confidentially, quickly, quietly; and that these properties were to be acquired, not by the University, not in the University's name, but by private investors who in fact were going to hold title to these
properties, arrange financing for these properties and lease them on a long-term basis to Boston University for the purpose of student housing.

And the assumption was that these private investors would not be required to go to city of Boston to obtain dormitory permits or dormitory licenses or any zoning relief from the Board of Appeals."(7)

In May, 1982, 844-844A on the north side of Beacon street was purchased by the Trustees of Boston University. During the months of May, June, and July, nine properties were purchased by nominee trusts created by Boston University: Homer Nominee Trust, 853 Beacon; Humble Nominee Trust, 875 Beacon; Templeton Nominee Trust, 906-908 Beacon; Wilbur Nominee Trust, 455-457 Park Drive; Cavatica Nominee Trust, 867 Beacon; Avery Nominee Trust, 25 Aberdeen; Aranea Nominee Trust, 27 Aberdeen; Arable Nominee Trust, 845 Beacon; Lurvy Nominee Trust, 855 Beacon. According to Jeffrey Jarvis, Boston University legal counsel had chosen the names of characters from the book, Charlotte's Web in order to keep the purchases confidential. "We were looking for a way to make certain that B.U.'s activities in this area were and remained confidential. We were particularly concerned that the City of Boston and that the people in the neighborhood groups would be or would come to find out about these activities. And using the Charlotte's Web to set up a series of nominee trusts was a very specific attempt to keep the University's activities out of it." (8)
Letters were sent to the Corporation Counsel of the City of Boston informing the City of each Nominee Trust purchase on the day of acquisition. This was in violation of the requirement of Article I.B.(1) of the 1980 Cooperation Agreement which asked for 60 days notice to be given to the City of the University's intent to purchase outside the boundary line.(9)

After several ACNA members reported receiving letters from a law firm offering to purchase their properties, the ACNA Board of Directors discovered the Nominee Trust purchases when they checked for recent acquisitions at the Suffolk Registry of Deeds. Unable to confirm the purchases with Boston University, the group sent a mailgram to Mayor White, asking for an urgent meeting. When there was no response, and tenants in the nominee trusts buildings began complaining of harassment, large rent increases, and lease terminations, the group again contacted the Mayor, asking the city for help in preserving the Audubon Circle neighborhood. (10) Again, there was no response from Mayor White.

In August, the Board approved conditional use permits for the remaining Beacon street buildings which had been purchased outright by the Boston University Trustees despite the repeated protests of ACNA members. Again, at the Board hearing, the BRA was in favor of granting the permits. The decisions granting the permits were appealed to Superior Court by ACNA.

A series in the Boston Globe in September, 1982, documents some of the events in Audubon Circle during that
year. It also helps shed light on the positions of City Hall staffers and agency heads who were involved in the zoning disputes in Audubon Circle. For the residents, ACNA members who were fighting B.U.'s expansion, the boundary line in the 1980 Agreement set a limit, containing B.U.'s future acquisitions. Andrew Olins, head of the Mayor's Office of Housing in 1980, said "the boundary line was meant to be inviolate, not to be crossed." (11) BRA planner Mitchell Fischman, on the other hand, said that the line had never been intended to be a "Berlin Wall." (12) And Martha Goldsmith, the Mayor's advisor on housing in 1982, offered another interpretation--that "at the city's request, the university agreed to pull back from Allston-Brighton, and has agreed that the residents of Audubon Circle may have to accept the fact that they are 'losers' in the agreement." (13)

John W. Priestley, Jr. Chairman of the Board of Appeal, and a mayoral appointee, acknowledged: "I believe it is an appropriate process for an administration to create an authority which it can depend on to carry out its policies and philosophies...Probably we are [a rubber stamp]. What that administration says weighs far more heavily here than in other cases." (14)

For the residents, the 1980 Agreement became a failure. For the City administration the Agreement was purely political. A small neighborhood, already heavily populated by non-voting transient students, Audubon Circle was dismissed by City Hall. (15)
Frustrated by their failures with the City, ACNA members turned their attention to members of the City Council. In January, 1983, overriding the Mayor's veto, the Boston City Council adopted two new ordinances concerning institutional expansion which were originated and written by ACNA members. (Ordinance No. 1147 and 1148). Under the ordinances, an Institutional Expansion Board was created, permits were required for removal of any rental housing unit from the open market by an institution, and fines were spelled out for noncompliance.

(1) B.U.Exposure, November 1982, p. 16
(2) Jarvis Deposition, Trustees of Boston University v. Crossle Realty Trust, et al. (Suffolk Superior Court No. 56776), March 22, 1985, p.125.
(3) BRA Board letter, March, 1982,(Appendix 2)
(4) Jarvis deposition, p. 101.
(5) Jarvis deposition, p.103.
(6) Jarvis deposition, p. 97.
(7) Jarvis deposition, p. 172,173.
(8) Jarvis deposition, p. 115.
(9) Letter from Elizabeth Frantz, Ass't B.U. Counsel. (Appendix 3)
(10) Letter from Kathleen Schultz, ACNA president. (Appendix 4)
(11) Boston Globe, September 26, 1982, p. 16
(12) Boston Globe, September 26, 1982, p. 16
(13) Boston Globe, September 27, 1982, p. 36.
(14) Boston Globe, September 27, 1982, p. 36.

Chapter 649, of the Acts of 1982, was passed by the Massachusetts Legislature on the last day of the 1982 session. Part of a program for state armories, Chapter 649 authorized the sale of the Commonwealth Armory to the Trustees of Boston University for $2,500,000. No public hearings were held, and the bill was signed immediately by Governor Edward King on the last day of his term in office. Under Ch. 649, the Massachusetts Deputy Commissioner of Capital Planning and Operations (DCPO) was to deliver a deed to the armory to B.U. following a determination that the property was "surplus property" and not of use or value to the Commonwealth in the future.

In late January, 1983, state representative Businger filed repeal legislation to prevent the sale of the armory. He and other representatives were unhappy with the price and the procedures by which the legislation was passed. The armory had recently been appraised for between $4.5 - 8.4 million in 1981. Chapter 649's price of $2.5 million represented a significant loss to Massachusetts taxpayers. In addition, the legislation appeared to be an attempt to circumvent the procedures of Chapter 579 which required DCPO to conduct hearings and an extensive survey to determine if the armory had any future value for the state.

The new state administration of Governor Michael Dukakis was faced with two options--it could basically follow Ch. 649
and sell to B.U., or it could follow the extensive procedures of Ch. 579 and bargain for concessions from the university in exchange for the low sales price.

By December, 1983, after the various state agencies had found no use for the property, the Commonwealth Armory was declared "surplus property" by Tunney Lee, the Deputy Commissioner of DCPO. Lee felt he had no choice, but to follow the administrative mandates of Chapter 649.(1) However, at the same time, Lee added a condition to his decision. As the City administration was changing in January, with the election of Mayor Raymond L. Flynn, Lee gave the new mayor 15 days in which to come up with a municipal use for the armory, and thus avoid the "surplus property" label.

Subsequently, extensions were given to the City, while support continued to be expressed for repeal of Ch. 649. According to State Representative Businger, "...the process was wrong. B.U. did not file a bill. He [Silber] only went to the Speaker of the House and not to the House Ways and Means Committee. But that's his way of doing business. [B.U. did not come to the community first.] We need a fresh start to deal with B.U. We will be a lot better off and so will B.U. in community cooperation."(2) City Councillor David Scondras said that the Boston City Council would go to court if Ch. 649 were not repealed.(3)

Meetings were scheduled between Mayor Flynn and B.U. President John Silber. The Mayor, who ran for election supporting the idea that people should be able to influence the future of their neighborhoods, wanted to place conditions
on the Commonwealth Armory sale. He wanted student housing constructed at the site as well as divestiture of the Audubon Circle properties which had been purchased outside the 1980 Agreement boundary line. (4) At the request of Mayor Dukakis, representatives of Brookline, Audubon Circle, and Allston-Brighton neighborhood groups met with the Governor and Tunney Lee.

In a letter to Mayor Flynn, President Silber made his position clear. He wanted the city's assistance in the acquisition of properties for its new science center, a maximum of 400 units of student housing for the armory site, no boundary line, and no divestiture of units in the Audubon Circle neighborhood. Silber also refused to incorporate any conditions in the property disposition agreement for the armory. (5)

Additional meetings continued to be held between representatives of Flynn and Silber. The main bone of contention between the parties was the city's concern for Boston University's ownership of buildings in Audubon Circle. (6) When John Silber said he would relocate 225 students out of fifteen buildings on the North side of Beacon street, Flynn responded by calling the President's act a "public relations gesture." (7)

Despite Silber's announcement that the fifteen apartment buildings would be rented to the general public, and statements by B.U. administrators that there was "no need" for student housing on Beacon street (8), over 600 Boston
University students were homeless when the academic year began in September. (9) This was the University's second largest entering class, and it was coupled with an unusually low attrition rate. (10) Students were being housed in dormitory lounges and Boston hotels.

In September, former Mayor Kevin White became a professor at Boston University. He discussed the new city attitudes with B.U. students, saying Mayor Flynn's policy was "to kick B.U. and play to the crowd...Mayor Flynn and Silber might not agree, but I think B.U. should have been in Audubon Circle. They have every right to be there and I don't change my mind now that I'm down here. Audubon Circle is close to the center of the campus that stretches down toward Kenmore Square. It would help the area." (11).

In December, a Ten Point Armory Plan, the 1984 Agreement, was announced. The Agreement was the result of twenty meetings between B.U. Provost Jon Westling and John Connolly, the Development Administrator to Mayor Flynn. The ten points of the Agreement are:

1. B.U. and the City agree to develop the Commonwealth Armory site under a master plan to be submitted to the City along with subsequent plans for review and approval under zoning regulations.

2. The formation of a Project Advisory Committee to advise B.U. and the City on the master plan, and subsequent plans. Members of the affected neighborhoods are to serve on the committee.
3. The University agrees to make annual payments of $50,000 in lieu of taxes on the property in addition to any other in-lieu of-tax payments, to commence once B.U. begins to take control of the property.

4. B.U. will construct housing for up to 550 students on the Armory site in the first phase of development, with an agreement to discuss the feasibility of housing up to 800 students on the site.

5. The City agrees to join with the University in seeking to amend the original bill as necessary for the desired development of the site.

6. Both parties agree that B.U. will concentrate but not limit its acquisitions of property within the boundaries established by the 1980 Cooperation Agreement with the City. For five years, B.U. is required to clear all purchases outside the boundaries with the Boston Redevelopment Authority.

7. B.U. and the City will commence a six month planning process which will lead to the sale of properties that are owned by the University outside of the Charles River Campus in Audubon Circle. The University, the City and ACNA will identify and mutually agree upon those University properties which are suitable for sale. An independent expert will assist the parties in developing a plan for sale of the properties which are to be sold within 24 months of the agreement. The plan will allow the University to sell the properties without financial loss.
8. B.U. agrees to make recreational facilities at the armory available to the general public for free, with compensation from the city for reasonable maintenance costs.

9. Both parties agree to submit the agreement to DCPO for its possible inclusion in the final disposition agreement with the state.

10. The University agrees to work jointly with a community task force to be comprised of local neighborhood groups.

(Appendix 5)

There was mixed reaction to the armory agreement. Neighborhood leaders were dismayed by the fact that there was no bidding process, and that nothing was done by the state to help the community get more money for the property. (12) The City Councillor from the Allston-Brighton neighborhoods called the agreement a "step in the right direction," but criticized the University for not increasing its housing capacity as the enrollment of students increased. (13) State Senator Jack Backman from Brookline, said that the state bill to repeal Ch. 649 was no longer necessary, since "[Mayor Flynn] was apparently satisfied with the terms of the agreement." (14) A week after the agreement was finalized, the repeal bill was dropped.

While an official present at the negotiations concerning the armory site has told us that implicit in selling the armory site at a low cost was the assumption that B.U. in turn would make a contribution to the city, the process of divestiture of the buildings has been slow. B.U.'s
responsibilities and plans are also open to various interpretations.

A year and a half later, a consultant, Economic Research Associates (ERA) has just been designated by the City, ACNA and the University to prepare the study of the properties in Audubon Circle.

B.U., while realizing that the University will probably be forced to give up some of the buildings, has maintained the position that any buildings which are divested will be sold at the current fair market value. (15) The agreement states that the University will be able to sell the buildings "without financial loss."

There have been several meetings of the Boston University Task Force. Critical issues such as enrollment projections and housing site designation have emerged from the discussions, but a new master plan has not yet been produced. The state would like the University to take site control of the armory. Tunney Lee has made many contacts with B.U. asking to set up a meeting to begin the process. (16) B.U. has balked. The Army does not have satellite facilities for the National Guard’s relocation. Proposals for the construction of three new armories have been turned down by the "host" communities, and there is not enough space at existing armories to handle the Guard staff and equipment from the Commonwealth Armory. While the back section of the armory is vacant, no feasibility studies for partial development of the site have been conducted. The state has taken the position that B.U.is responsible for conducting any further
studies of the site. (17)

The City is reviewing plans for other Boston University projects. According to BRA staff member Larry Koff who is the city's coordinator for institutional planning, B.U. has promised to build 800 new units of housing at the armory or alternate sites. The University is seeking approval for the development of 300 housing units at 1019 Commonwealth Avenue, and the City is considering linking the approval on these new units with B.U.'s divestiture of 300 units in Audubon Circle. (18)

The University continues to need student housing. In the Spring of 1985, one year after John Silber offered to relocate 250 students from Beacon street housing, B.U. administrators found that the University was 792 beds short for the September, 1985 academic year. B.U. notified the City that students would need to be housed on Beacon street. For 1986-87, predictions of housing demand are similar to past years. However, in addition to BRA negotiations on the divestiture issue, another city agency will determine B.U.'s plans. Following a decision by the Boston Housing Court enjoining the University from operating student housing without dormitory licenses from the Licensing Board, B.U. applied for licenses for 62 buildings, 21 of which are properties located in Audubon Circle outside the 1980 Agreement boundary line. On June 30, 1986, the Licensing Board held a hearing on the applications. The Licensing Board postponed any decisions until three conditions are met by Boston University: a showing
by B.U. that all the buildings will comply with local zoning laws, a master plan for the University’s future development is completed, recommendations are given by the Task Force concerning the use of the buildings as dormitories. Until license approvals are given from the Licensing Board, the University will not be able to use the Audubon Circle buildings for student housing.

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(1) Boston Globe, December 24, 1983, p. 19
(2) The Daily Free Press, March 16, 1984
(3) The Daily Free Press, March 16, 1984
(4) Letter from John Silber to Mayor Flynn, March 31, 1984
(5) Letter from John Silber to Mayor Flynn, March 31, 1984
(6) The Daily Free Press, April 8, 1984
(7) The Daily Free Press, April 8, 1984
(8) The Daily Free Press, April 3, 1984
(9) The Daily Free Press, September 7, 1984
(10) The Daily Free Press, September 7, 1984
(11) The Daily Free Press, October 12, 1984
(12) The Daily Free Press, December 4, 1984
(13) The Daily Free Press, December 4, 1984
(14) The Daily Free Press, December 4, 1984
(16) Conversation with Tunney Lee, DCPO, June 12, 1986
(17) Conversation with Tunney Lee, DCPO, June 12, 1986
(18) Conversation with Larry Koff, BRA, June 4, 1986

45
INTRODUCTION TO THE REUSE PLAN

The preceding portion of this study describes the historical and political context in which the debate over the future use of the Boston University properties in Audubon Circle is taking place.

In order to understand the University’s apparent refusal to accept the very real possibility that it may be forced to dispose of its Audubon Circle holdings, it is necessary to understand the nature of the relationship between B.U. (principally its President, John Silber) and the previous Mayor of the City of Boston, Kevin White.

Under Mayor White, the City allowed the virtually unrestricted expansion of Boston University’s real estate holdings, despite repeated protests by community groups in the various neighborhoods affected.

Although the present administration, under Mayor Raymond Flynn, has made clear its intention to limit and even roll back real estate acquisitions by the University, it is not yet apparent that B.U. has gotten the message.

By the behavior of its representatives at public meetings, by its almost total refusal to cooperate in the preparation of this report, and by its unwillingness to proceed with the development of additional student housing, the University continues to display an arrogance toward the community which, while perhaps understandable in the past, is probably more harmful than beneficial at the present time.
The closeness of the relationship between the White administration and Boston University is also a key to understanding the frustration and anger felt by the members of the Audubon Circle Neighborhood Association (ACNA).

Although an independent consultant is being retained by the City, ACNA, and B.U., to evaluate the University's Audubon Circle properties and prepare a disposition plan, the University refuses to acknowledge that any large scale sale of their buildings has been agreed to. ACNA members have learned over the years to judge the University by its actions rather than its words, and the University's level of cooperation with the community has yet to increase by a significant amount.

Purpose of this study

The material contained in the following sections of this study is intended to serve as a general guide for the redevelopment of the Boston University properties in Audubon Circle. While it may duplicate some of the work being done by the consultant described above, this report will provide ACNA with technical assistance uninfluenced by the agenda of the City or the University.

This "development guide" is organized in a manner which attempts to provide community members and potential non-profit and for-profit developers with an overview of the properties in question, the various resources which could be used to create affordable housing, and a description of the current real estate market in the area. Additionally, a reuse plan is presented which includes multiple redevelopment options for most of the buildings, as well as development costs and
projected sales prices and rent levels.

**Impact of the plan on Boston University**

When this study was planned, the authors had intended to include an evaluation of the financial impact on Boston University of the conversion of a large portion of its Audubon Circle holdings to housing for low and moderate income people. Although our primary goal was the creation of a plan which would expand the availability of affordable housing in Boston, we had also hoped to minimize any negative fiscal effects which the University, as seller, might encounter.

Unfortunately, the refusal of the University to provide information concerning its costs of acquiring, rehabilitating, and operating these properties has prevented us from establishing the extent of B.U.’s investment in Audubon Circle. Although the University’s acquisition costs were found in the City land records, most of the buildings have been renovated, at costs which we have been unable to determine. Our evaluation of the financial impact of the reuse plan on B.U. is limited, therefore, to a calculation of the difference between the market value of each property and its value as mixed income housing.

**Condition of the properties**

Despite the University’s attempts to deny us relevent information concerning their Audubon Circle properties, one B.U. administrator did allow us access to approximately two thirds of the buildings. In addition, ACNA supplied us with a portion of a report released by the University in early 1985
which outlined the condition of the properties at that time. Through a combination of personal inspections, the B.U. report, and interviews with local developers and rental agents, we were able to establish the current condition and renovation needs of the buildings with an acceptable level of accuracy. The estimated rehabilitation costs contained in the reuse plan will need to be refined further prior to the initiation of renovations.

In general, the apartments in question require cosmetic repair and modernization of kitchens and bathrooms, rather than structural and mechanical improvements. New kitchens, bathroom fixtures, paint, and floor finishes in the individual units, and paint, carpet, elevator modernization, and lighting in common areas, are typical needs. Building exteriors are mostly brick and masonry, and are in need of minor pointing and patching.

While some of the properties have received very little rehabilitation to date, others had been substantially upgraded prior to acquisition by B.U. An average renovation expenditure of $10,000 per unit would bring the condition of these buildings in line with other non-luxury properties in Boston.

**Potential developers**

ACNA members have expressed interest in becoming a community development corporation and participating in the redevelopment of the Boston University properties in Audubon Circle. In addition, at least one local private developer has stated that he would be willing to work with ACNA on this
Because of the large number of buildings involved, it is feasible for several developers, both non-profit and for-profit, to participate in the redevelopment of the properties in question. A non-profit developer with experience in the development of residential facilities for the physically and mentally handicapped might be best for those buildings which will house tenants with special needs. Most residential developers with rehabilitation experience could carry out the renovation of the remaining properties, perhaps with a non-profit partner. The greatest efficiency would probably be realized by limiting the number of developers participating in the project. Economies of scale and simpler coordination of renovation activities could be achieved in this manner.

The primary determinant of the profitability of the various components of this project will be the price paid to Boston University for the properties. If the disposition agreement calls for too high a sales price, any redevelopment other than market rate condominiums and apartments may be infeasible. If the sales price is low enough to allow a mixed income reuse but leaves no room for a reasonable profit, the entire project may have to be carried out by non-profit developers. A target of the sales price negotiations should be to set a price which allows a mixed income reuse of the buildings and a reasonable return for any private developers who may become involved with the project.
Under other circumstances, it would not be unusual for the owner of properties such as the ones B.U. owns in Audubon Circle to enter into a joint venture or partnership agreement with a developer who would provide development expertise and construction oversight in return for a share of the profits from the improved properties. The historically stormy relationship between B.U. and ACNA, and the distrust with which the community views every action taken by the University, almost certainly renders impossible any participation in the project by the University.
Like most of the buildings in the Audubon Circle area, the properties owned by Boston University were constructed between 1885 and 1915. B.U. currently owns or controls twenty seven buildings, containing 283 residential units, four commercial spaces, and a small amount of vacant ground floor space which may be inappropriate for either residential or commercial use. The residential units consist of 78 studios, 156 one bedroom units, 43 two bedrooms units, and 4 three bedroom units.

Most of the buildings in question are four story walkups with two units per floor and one or two basement units. There are a few larger properties, some of which have small elevators.

The buildings are all of masonry construction, with brick or stone exteriors. Some are set back from the street slightly and have small lawns or planting areas. Exterior conditions range from fair to good, with none of the buildings apparently in need of major structural repair.

The condition of interior common areas also varies from fair to good. Most common areas are carpeted, and all lobbies have locked doors with buzzer controlled access. In certain buildings, high quality wood or tile work has been left intact, but in the majority of the properties any architecturally significant or interesting features have been covered or removed.
The condition of the individual unit interiors varies much more than that of the common areas. Some apartments are in very good condition with modern kitchens and baths, while others require new kitchens, baths, carpet, and paint. Units used as dormitory space are generally in worse condition than units rented to non-students.

Despite the substantial investment which B.U. indicates it has made in the rehabilitation of these buildings, they remain for the most part below the standards set by market rate rental units of good quality in desirable neighborhoods.

The current condition of the properties however, represents a substantial improvement over the conditions which obtained in the recent past. The entire neighborhood has changed dramatically in the last five to ten years, and long term residents give some of the credit for this to the University. The drug and crime problems which were quite severe have been largely curtailed, and interest in the area has developed outside of the student community.

Many of the buildings were originally single family homes, while others contained both small and large apartments. There were also several rooming houses, a few of which remain largely unaltered.

The single family buildings were mostly converted to apartments prior to acquisition by B.U., but many of the properties still contained large units at that time. A large part of the renovation program carried out by the University was the conversion of all the buildings to very small individual spaces. Most units are now studios or small one
bedroom units, although several larger units remain. Evidence of the attempt to squeeze in as many units as possible is seen in the location of the kitchens, which are often in the corner of the living room, and of bathrooms, which are sometimes in former closets.

Few of the buildings appear to be feasible for use by the physically handicapped. All have several steps leading up or down to the lobby, and most have one or two steps inside very small outer lobby areas. The configuration of the steps makes the installation of ramps almost impossible. Very few of the buildings have elevators, although one of the elevator buildings has some potential for accessibility by the physically handicapped.
806-820 Beacon Street

This building is located at the corner of Beacon and Mountfort Streets. The main building consists of three units on each of six floors. A one story structure occupies the street frontage in front of the building with the main building being set back from both Beacon and Mountfort Streets. The smaller structure has contained residential and commercial uses in the past, but is now exclusively commercial. Several of the small storefront-like spaces are vacant.

The exterior of the building is in fair condition, with brick walls and exposed fire escapes. There are no off street parking spaces.

The lobby is in fair condition, and there is an elevator which is very slow and obsolete in appearance. Hallways are carpeted with low grade material which needs replacement.

The units are very small, with small rooms. Layouts are very unusual, with identifiable living rooms and bedrooms difficult to locate. The units appear to be mostly hallways, with oddly shaped kitchens at one end, and one or two small rooms at the other. B.U. considers the make-up of the building to be six studios and twelve one bedroom units, but most of the bedrooms seem to be too small to accept a double bed. The gross size of each unit is around 350 square feet.

Interiors are generally in fair to good condition. Closets are small, but most apartments have good natural light. Kitchen appliances and bath fixtures are mostly good,
with the baths having tile walls and floors. Kitchens have linoleum floors.

The primary difficulties with this property include the one story structure around the exterior perimeter, the very small, oddly shaped rooms, small closets, and the somewhat frightening elevator.

824 and 826 Beacon Street

These identical buildings each have three stories with two units per floor, and one unit in the basement. Exteriors are of brick with stone lintels, and appear to be in fair condition. Seven steps up are required to reach the lobbies, which are in fair condition. Each building has two parking spaces located at the rear of the property. Hallways have average grade carpet in fair condition.

The apartments in these buildings are very small, with gross sizes under 350 square feet. The upper floor units are studios, while the basement units contain one bedroom. The units have poor kitchens with few cabinets and small, older appliances. Baths are better, but still only fair. Several of the inspected units had dropped panel ceilings.

828 and 830 Beacon Street

These identical buildings are similar to 824 and 826 Beacon but have an additional story. They each contain two units per floor plus one in the basement, for a total of nine units in each building. Exteriors are of brick with stone lintels. 830 Beacon has exposed fire escapes. Six steps lead up to each lobby. Both lobbies and common areas are in fair condition. There is room behind each building for two parking
spaces. The removal of four old garages located at the rear of the properties would create additional area for off street parking.

828 Beacon contains six studios and three one bedroom units, while 830 Beacon contains two studios and seven one bedroom units. The apartments are similar in condition, layout and size to 824 and 826 Beacon, described above. The one bedroom units have a gross size of under 350 square feet.

832 Beacon Street

This four story brick and stone building contains seven small one bedroom units and one large one bedroom unit on the ground level which could easily be converted into a two bedroom apartment. The smaller units contain approximately 400 square feet of space, while the larger unit is 880 square feet in size.

As with most of the properties in the neighborhood, several steps lead up to the lobby, and a limited amount of off street parking is available behind the building.

This building is distinguished by the quality of the renovations which were performed in 1982, with the intention of preparing the property for condominium conversion. The appliances, fixtures, and finishes are of a much higher quality than is the norm in the majority of the other buildings in Audubon Circle owned by Boston University.

834 and 836 Beacon Street

These identical buildings are very similar to 824 and 826 Beacon, which are described in detail above. 834 has four
studios and four one bedroom units, while 836 contains three
studios and four one bedroom apartments. Exterior and
interior layout and condition are essentially identical to 824
and 826 Beacon Street.

844 Beacon Street

This building, which is located at the corner of Beacon
and Arundel Streets, is the largest property owned by Boston
University in the Audubon Circle area. The building has five
floors and a brick and masonry exterior. Exposed fire escapes
are present on the Arundel Street side. There are six steps
up to the lobby, and two more inside. One of the two basement
units has a separate outside entrance. Exterior and lobby are
both in fair condition, with stucco paint and worn carpeting
in the common areas. There is no off-street parking.

The building contains 26 units on the five upper floors
and two units in the basement. There are 18 one bedroom units
and 10 two-bedroom units. Most floors have five apartments.
Interior hallways are in fair condition with worn carpeting.
There is an elevator, but it is slow and noisy.

The units range in size from approximately 400 to 450
square feet. Most have good natural light, and are in fair to
good overall condition. Kitchens have low grade but newer
appliances, and baths have tile walls in most cases. Closets
are very small. Interior carpeting is only fair, and some
linoleum floors need replacement.

848 Beacon Street

This is a brick and masonry building with four upper
floors and a basement which is only half below grade. Ten
steps up are required to reach the lobby, which is in fair condition. The overall exterior condition of the building is good. There is one basement unit which has a separate outside entrance. Off street parking is available behind the building for two to four vehicles.

There are nine units in the building. In addition to the basement unit, two units are located on each floor. There are two studios and seven one bedroom apartments which have gross sizes of around 350 to 400 square feet. No inspections were made of unit interiors in this building.

**850 Beacon Street**

This building is very similar in exterior appearance and condition to 848 Beacon. It also has similar off street parking availability. This property is a rooming house, consisting of fifteen separate rooms without kitchen facilities. No inspection of unit interiors was made in this building, but according to the University, renovations to this property have been of a minor nature.

**852 Beacon Street**

This building is very similar in exterior appearance and condition to 848 and 850 Beacon, except it has only four steps leading up to the lobby, which is in fair condition, and nine steps leading down to the separate entrance of the basement unit. No interior inspection was made, but B.U. has stated that only very minor repairs have been made to this building since its acquisition by the University.
These four buildings were originally similar to most of the other buildings in the neighborhood: four floors above partially below grade basements. Prior to their acquisition by B.U., however, a two story addition was constructed on top of these buildings, so they are now effectively a package. The units on the two new floors are accessed via an elevator which is in the lobby of 858 Beacon.

The exteriors of the original portions of the buildings are of brick and masonry and are in fair condition. 858 and 860 are entered by going down five steps to a sunken concrete terrace. A large commercial laundromat which occupies the basement area of these buildings is also reached in this manner. 856 and 862 are entered by walking up ten steps to separate lobbies, which are in fair condition. 862 has a lower level which appears to have been used as commercial space in the past although it is vacant at the present time. The exterior appearance of these four buildings is diminished by the presence of the addition, which was constructed in the 1970's. It is totally out of context architecturally with the rest of the neighborhood, and seems completely out of place. Units in the addition have sliding glass doors leading to full balconies. The exterior of the addition is vertical siding rather than brick or masonry. Off street parking is available behind the buildings for a limited number of vehicles.

856 Beacon consists of three studios and seven one bedroom units. There are two apartments on each upper floor, and two more in the basement. (Access to the units in the
addition is through 858 Beacon. The original portion of 862 Beacon consists of six one bedroom apartments which are located on the four upper floors. The lobby and common areas of 856 and 862 are in fair condition.

860 Beacon is the entrance to the original portions of 858 and 860 Beacon and the entire addition, a total of thirty two units. The lobby is in fair condition, and has a very small, slow elevator. One unit is located outside of the locked lobby door.

The units in the original portion of the four buildings are similar to those previously described. Interior sizes range from 350 to 400 square feet, with most units having one small bedroom. Interior conditions are fair overall, although most units need upgrading badly. Kitchens in particular are in need of repair, with baths not much better. Paint and carpet are also needed. Interior hallways are dark and have worn carpeting.

The units in the two story addition are larger and have more natural light, due to the sliding glass doors. These apartments have between 550 and 600 square feet, and five of the eight are two bedroom units. Finishes are cheap and poorly done. Exterior walls are of block construction, kitchens are in need of replacement, having bad linoleum floors, and cheap, damaged appliances. Some units have free standing fireplaces. Cheap shag carpeting is in poor condition. Baths are fair, with no tile. The units in the addition have the potential to be attractive because of their
larger size and natural light, but will need extensive renovation to overcome their initial low grade construction and finishes. The University has not made any substantial repairs or improvements to these buildings since their acquisition.

864 Beacon Street

This is a four story brick and stone building very similar in exterior appearance to most of the properties previously described. The exterior condition of the building is good.

Seven steps up are required to enter the lobby, and there are three more steps inside the lobby, which is in fair condition. Hallways are uncarpeted. Off street parking is available behind the building for two to four vehicles.

The building contains nine residential units and one office, which is on the first level above the basement. The basement, which is half below grade, contains two units, one of which has a separate entrance. There are two units per floor.

The apartments are in the 350 square foot gross size range. Two are studios, and eight have one bedroom. The units are in fair condition overall, with small kitchens, older appliances, and cheap carpeting. Baths have tile floors and walls.

866 Beacon Street

This building is identical in exterior appearance and condition to 864 Beacon. The building contains five studios and one bedroom unit. At least some of the studios are not
equipped with kitchens. The basement area is not being utilized as living space. Parking for between two and four vehicles is available behind the building. No interior inspection of the apartments was made, but B.U. has stated that no substantial repairs have been made to this building.

870 Beacon Street

This is a four story brick and stone building which is essentially identical in appearance to the smaller buildings described above. Exterior condition is fair to good. Ten steps lead up to the lobby, which is in fair condition. Off street parking for two to four vehicles is located behind the building.

There are two units on each of the upper floors, and one unit in the basement. The basement unit has a separate outside entrance. Hallways have fresh paint but no carpeting.

Most units are 375 to 400 square feet in size, and are in fair condition. The building contains one studio and eight one bedroom units. Kitchens are often located in the corner of the living room, with low grade linoleum floors and small appliances which are in poor condition. The baths are in better condition than the kitchens, but are only fair. There is very little storage space in the kitchens, and only one closet in most units.

872 Beacon Street

This building is identical in exterior appearance and condition to 870 Beacon. It also has off street parking behind the building.
The property contains two studios and six one bedroom apartments. There are two units per floor, with basement space unoccupied. Unit size is in the 375 to 400 square foot range.

Kitchens and baths need replacement or upgrading. Floors are uncarpeted and worn. There are two closets in most units, and few kitchen cabinets. Baths are tile. The overall condition of the units is fair.

906 and 908 Beacon Street

These two buildings are the only University owned properties in this study which are located west of Park Drive. The buildings have identical four story brick and stone exteriors, which are in good condition. Both buildings have commercial uses in the basement storefronts which have separate entrances and are only partially below grade. A real estate broker occupies the commercial space in 908 Beacon, while a bookstore occupies the lower level of 906. Five steps up are required to reach the lobbies, which are in fair condition and have another five steps inside. Off street parking is located behind the buildings. A total of eight spaces for both buildings appears to be available.

Each building has four units, with one apartment per floor. All are two bedroom units. No interior inspection was made.

845 Beacon Street

This building is located at the corner of Miner and Beacon Streets. It has a masonry exterior with stone lintels. The exterior is in fair condition. The lobby is in fair
condition, and is reached by going up eight steps. No off street parking is provided.

The building has four floors over a basement level which is half below grade. The first three upper levels have large bow windows, while the top floor does not. There is one unit in the basement with an outside entrance. There are two units on the first three upper floors, and one unit on the top floor. The units are similar in size to those described above, and consist of one studio, five one bedroom units, and one two bedroom unit. No interior inspection was made.

853 Beacon Street

This building has a brick and masonry exterior which is in fair condition. Five steps lead up to the lobby, which is in fair condition. Another three steps are located in the lobby. There are three off street parking spaces located behind the building.

The building has four upper floors and a basement which is half below grade. There are two units on each floor and in the basement, for a total of ten in the building. There are two studios and eight one bedroom units. The apartments are in the 375 to 400 square foot range. No interior inspections were made.

855 Beacon Street

This building is identical in exterior appearance and condition to 853 Beacon. It also has three off street parking spaces. The lobby is in better condition, however, with attractive woodwork and finishes.
This building contains only five units, with one apartment being located on each of the upper floors, and another in the basement. These consist of one one bedroom unit and four two bedroom units. These are large units for the area, with gross sizes in the 800 square foot range.

867 Beacon street

This building is located at the corner of Aberdeen and Beacon Streets. It has a brick exterior with stone lintels and is in good condition. There is an attractive entranceway with ornamental wrought-iron work, leading to a lobby which is in good condition. Six steps lead up to the lobby, which has another three steps inside. One off street parking space is available behind the building.

The building has four upper stories and a basement which is half below grade. The basement unit has an outside entrance which is currently boarded up. The building contains one studio, three two bedroom units, and one three bedroom unit, for a total of five. One apartment is located on each floor, although the basement appears to be unoccupied at the present time. These units are similar in size to those in 855 Beacon, with most being in the 800 square foot range.

875 Beacon

This building, along with 855 and 867 Beacon, is in the best condition of all of the University owned properties in Audubon Circle. This building has a stone exterior with ornamental pediments, and a small terrace and french doors above the front door. A wrought-iron fence encloses the plantings in the front yard, and can be locked.
The entranceway is very attractive, with a large piece of oval shaped glass in the center of the front door. Some of the original windows have been replaced with large new window units. The lobby is in good condition and has the potential to be very attractive, with four steps up required to gain access. Two off street parking spaces are located behind the building.

The building has four floors over a basement which is two thirds below grade. There are three one bedroom units, and two two bedroom units, for a total of five. One apartment is located on each floor, including the basement. No interior inspection was made, but a local developer familiar with the property stated that the units had undergone substantial rehabilitation and are in good condition with good details and finishes.

25 and 27 Aberdeen Street

These buildings are located one block off Beacon Street, adjacent to the MBTA tracks, and across from a light industrial facility. The buildings are essentially identical, with brick and masonry exteriors which are in fair condition. The lobbies are in fair condition, with six interior steps up to the first level. There is room behind the buildings for a total of eight parking spaces.

The buildings have three upper floors, and a basement level which is mostly below grade. 25 Aberdeen has five studios, two one bedroom units, and one two bedroom unit, for a total of eight. 27 Aberdeen has five studios, one bedroom
unit, and four two bedroom units, for a total of ten. There are generally two units per floor, although 27 Aberdeen appears to have three units in the basement. No interior inspections were made.

455 and 457 Park Drive

These identical buildings are located one half block off of Beacon on a major street. The exteriors are brick and masonry, with stone trim around the windows. The exteriors are in fair to good condition. Lobbies are fair, with new, low grade carpet and fresh paint. Six steps up are required to reach the lobbies. Off street parking is available behind the buildings for eight vehicles.

Each building has three floors above a basement which is below grade. There are seven units in each building, with two being located on each upper floor and one in each basement. There are five two bedroom units and two three bedroom units in each building.

These buildings originally had one six bedroom unit per floor, and were later divided into their current configuration. The apartments in these buildings are in the 600 square foot range, and are generally in good condition.
POTENTIAL DEVELOPMENT FINANCING SOURCES

Massachusetts Executive Office of Communities and Development

Administered Through Public Housing Authorities
Chapter 667 Housing for the Elderly
Chapter 689 Housing for People With Special Needs
Chapter 705 Housing for Families
Chapter 707 Rental Assistance
Chapter 707 Moderate Rehabilitation Rental Assistance

Weatherization Grants

Massachusetts Housing Finance Agency

Tax Exempt Bond Financing For Mixed-Income Housing
Homeownership Opportunity Program
State Housing Assistance for Rental Production

Massachusetts Land Bank

City Administered Federal Funds

Community Development Block Grants
Urban Development Action Grants

Conventional Financing
Banks, Thrifts, and Other Private Lenders
DESCRIPTION OF FINANCING AND SUBSIDY SOURCES

Executive Office of Communities and Development (EOCD)

As the lead State agency in housing and community development, EOCD is the source of most of the funding for housing which is appropriated by the legislature of the Commonwealth. All but one of the EOCD programs which may be of use in creating affordable housing in the Audubon Circle area are locally administered by public housing authorities which receive the funds as grants from EOCD. The Boston Housing Authority would be the administering agency for these programs in Audubon Circle.

In reviewing applications for funding from local housing authorities, EOCD measures each proposal against the agency’s objectives. Successful applicants must demonstrate evidence of need in the community for additional housing for lower income families and individuals, indicate a willingness to develop a balanced housing program rather than emphasize only housing for the elderly, and show evidence of strong local support from local officials and community groups.

Applications for Chapter 667 Elderly Housing and Chapter 705 Family Housing are accepted three times per year. Other EOCD programs accept applications for funding on an ongoing basis.

Chapter 667 Housing For the Elderly

This program provides grants for the new construction of housing for the elderly and physically handicapped, and the adaptive reuse of non-residential buildings for residential
use by these groups. Priority is given to those projects which include the development of congregate facilities and the provision of home health care and other services which help the elderly remain in an independent living environment. Current funding for the program is $66.6 million, with a limit of $60,000 per unit.

Chapter 689 Housing For People With Special Needs

This program provides grants for the development of housing for people with special needs, including the chronically mentally ill and at-risk populations such as homeless families, adolescents, and battered women.

At the local level, the housing authority which administers the program must affiliate with a human service sponsor. The sponsor assists with site selection and building design, and is responsible for resident services upon occupancy of the facility. In Boston, the most likely sponsor would be Massachusetts Mental Health.

According to Ms. Rieko Hayashi of EOCD, Massachusetts has signed a Federal Consent Decree to develop Chapter 689 housing in several jurisdictions, including Boston. Although the Boston Housing Authority has been actively searching for suitable development sites, none have yet been located. This is due to the very high prices of real estate in Boston, but also to the type of property being sought. First priority is given by EOCD to new construction projects which are one or two stories high. This severely limits the search for sites in any largely developed urban area.
Ms. Hayashi indicated that it might be possible to utilize first or second floor units in renovated buildings such as those in the Audubon Circle area if the special needs tenants could exit the premises unassisted in under two and one half minutes in the event of an emergency.

Current funding for the Chapter 689 program is $30.3 million. Grants range from $49,500 to $57,000 per unit for clients who meet certain physical self-preservation requirements, and up to $84,000 per unit for clients without these minimum abilities.

**Chapter 705 Housing For Families**

This program provides grants for the new construction or adaptive reuse of non-residential buildings for large units for families. Priority is given to those proposals which will produce units with at least three bedrooms.

Although rehabbed properties are eligible for funding, the emphasis is on production of new residential units because of the severe shortage of existing affordable family housing. To the extent that the B.U. properties in the Audubon Circle area have been used as dormitories, their conversion to non-student apartments would qualify as adaptive reuse of non-residential property.

According to Elizabeth Murch of the Boston Housing Authority, the BHA is planning to use Chapter 705 funds to purchase condominium units. The BHA would retain ownership of the units and use them to house families currently on the housing authority waiting list. The BHA will not purchase more than one third of the units in a single building, and
will not purchase units in a building where a condominium association exists. This policy effectively limits the BHA to the purchase of units in buildings that are in the process of converting to condominium status.

The current funding level for the Chapter 705 program is $101 million. Cost limits are $90,000 for two bedroom units, and $110,000 for three bedroom units. Twenty percent of each housing authority's allocation of units may exceed these levels.

**Chapter 707 Rental Assistance**

This program is modeled after the Federal Section 8 Existing Housing program. Families and individuals on the waiting list of a local housing authority receive certificates which make them eligible for monthly rental assistance payments.

The Commonwealth determines the fair market rent for units of various sizes in each city and town, including utilities. The tenant pays twenty five percent of their adjusted monthly gross income towards rent and utilities and the Commonwealth pays the difference between that amount and the contract rent level. The contract level cannot exceed the specified fair market rent for the area.

According to James Simpson, Director of Rental Assistance at EOCD, less than half of the households which receive rental assistance certificates are able to locate units which meet the minimum quality standards within the sixty day eligibility period. Certificate holders who fail to lease a unit within
the eligibility period must forfeit their benefits.

The primary obstacle to securing a qualifying unit is the lack of availability of decent, safe and sanitary housing at rents which are below the maximum fair market rent levels approved by EOCD. In Boston, for example, the current maximum rents, including utilities, are $472 for a one bedroom unit, $560 for a two bedroom unit, and $652 for a three bedroom unit. Most of the apartments which rent for these amounts fail to meet the minimum physical standards established by EOCD.

Because of the lack of suitable units, maximum allowable rents are expected to be raised by seven or eight percent in the near future. In addition, priority will be given to units which are likely to remain in the program on a long term basis.

Chapter 707 Moderate Rehabilitation Rental Assistance

This program is similar to the Chapter 707 program described above, but is targeted to buildings needing limited upgrading in order to meet the minimum physical standards for participation in the rental assistance program.

In return for capital improvements or correction of deferred maintenance items with a cost of at least $1,000 per unit, EOCD will allow fair market rents up to twenty percent above the normal maximum for units of a similar size and configuration. The purpose is to provide an incentive for property owners to perform renovations which will enlarge the pool of units which meet the minimum standards of the rental assistance program.
Weatherization Grants

This program is administered directly by EOCD, without housing authority participation. Grants of up to $3,000 per unit are available for energy saving repairs or improvements to properties occupied by lower income families or individuals.

Massachusetts Housing Finance Agency

The primary function of MHFA is to issue tax-exempt bonds for the purpose of generating capital to finance the construction and rehabilitation of mixed income rental and owner occupied housing.

Under the rules of the Federal Treasury Department, buyers of MHFA bonds may omit interest received from MHFA from their calculation of taxable income, thus rendering the interest from MHFA bonds tax-free. Because a large portion of the investors total return on such an investment is derived from this favorable tax status, MHFA is able to offer a yield below that of instruments which produce taxable income.

The trade-off required by the Federal government for this tax-exempt status is that the revenue generated from the sale of MHFA bonds be used to create housing in which at least twenty percent of the units are affordable to low and moderate income households. An additional important restriction is that only new construction or projects in which substantial rehabilitation is planned are eligible for financing with tax-exempt bonds.
Although MHFA funding has to date been used exclusively for rental projects and single family owner occupied developments, it is hoped that financing for cooperatives will be available on a limited basis in the near future. According to Linda Conroy, Director of Research at MHFA, up to $1.5 million from an upcoming bond issue may be used for coops if qualifying projects are found. These loans would be to no more than twenty five percent of the buyers of units in a new coop, rather than a blanket loan to the cooperative organization.

At this time, only loans for owner occupied projects such as condominiums and single family homes are being made. The uncertainty over the eventual outcome of the current Congressional deliberations concerning tax reform has caused MHFA and many other state housing finance agencies to place their rental financing programs on hold. The potential negative impact of the Senate-passed tax bill on syndication, depreciation, and passive losses may make the type of rental projects normally financed by MHFA infeasible.

**Standard Mixed Income Rental**

As described above, this program provides below market rate interest construction and long term financing for rental projects in which at least twenty percent of the units are offered for rent at no more than thirty percent of eighty percent of area median income. The Federal government defines eighty percent of median income as "moderate income", and thirty percent of gross income as an appropriate expenditure for shelter. The balance of the units in the project may be
rented at market levels with no restrictions.

**Single Family Home Mortgages**

This program provides below market rate interest permanent financing to the buyers of one to four family homes and condominium units. These loans are privately insured, allowing buyers to reduce the required down payment to five percent of the total sales price.

As stated above, MHFA may only lend to the buyers of twenty five percent of the units in any one building or project without a special waiver from its bond insurers. This limits the impact of MHFA financing on urban, multifamily projects.

The current rate on MHFA loans is approximately 8.85% for both rental and owner occupied projects. Construction loans are slightly higher.

**Homeownership Opportunity Program**

This program, which was begun in 1986, provides assistance to low income home ownership projects using funds which supplement conventional MHFA financing.

Many of the program guidelines are similar to those which apply under the standard MHFA program. Units can be created by new construction, rehabilitation of abandoned structures, and adaptive reuse of non-residential properties to residential use.

Twenty five percent of the units created in any given project must be affordable to moderate income buyers. In Boston, this means households with annual incomes of between
$18,000 and $27,000, and a maximum unit price of $86,000. If market conditions permit, prices on the unsubsidized portion of a project may be skewed upward in order to provide an even deeper subsidy to the assisted units. Extra funds may also be used to provide assistance to a greater percentage of the units within a project.

The largest portion of funding under this program will be used to further write down the already below market interest rates available through MHFA. Under the Homeownership Opportunity Program, interest rates will be reduced an additional three percentage points. The current level would be 5.85%. The extra write down would be gradually eliminated through the use of graduated mortgage payments. Buyers will pay slightly more every three years until their monthly payments reflect the normal MHFA rate. This system is based on the assumption that the buyers incomes will rise during the years following the purchase, enabling them to handle the increased monthly mortgage payments.

An important aspect of this program is its emphasis on long term affordability. Like a limited equity cooperative, the resale prices of these homes will be restricted. This restriction will be incorporated into the deed to each property, and will reflect the extent of the initial subsidy. For example, if a unit is originally sold for thirty percent less than its actual market value, that level of discount must be applied if the property is resold at a later date.

The Commonwealth is encouraging the combination, or "piggy-backing", of this program with others, in an attempt to
provide even more assistance to homeowners. Priority in the allocation of funds under this program will be given to projects which also incorporate donated land, Community Development Block Grant funding, higher than normal density approved by the local municipality, or some other indication of broad support for the project.

Resources assembled to fund the program initially include up to $200 million in tax-exempt financing from the standard MHFA program, up to $20 million for the "buy-down" of MHFA interest rates, up to $5 million in Community Development Action Grants for sewers, roads, or other infrastructure improvements, and an unspecified reserve fund which may be used to further write down project costs in certain cases.

State Housing Assistance For Rental Housing Production

This program, enacted in 1983 and known by the acronym SHARP, provides funds to write down the effective interest rate on MHFA financing for mixed income rental developments.

At least twenty five percent of the units in each SHARP project must be rented to low income households utilizing Federal Section 8 or State Chapter 707 Rental Assistance certificates. The reduced interest rate on the permanent financing allows these new and substantially rehabilitated units to be made available at rents which do not exceed the Section 8 and Chapter 707 fair market rents for existing housing.

SHARP funds are provided as loans, rather than grants, and must be repaid after fifteen years. It is assumed that
SHARP assisted projects will become self sustaining by that time. The repaid SHARP loan may then be used to provide further assistance to the tenants of the project, if necessary, or to finance additional assisted housing development.

According to Gail Monahan, Director of the Teller program at EOCD, SHARP loans can be used to reduce the effective interest rate on an MHFA loan to no lower than five percent. This represents a discount of almost four points from current MHFA permanent financing rates.

As with any program which relies on the ability of MHFA to issue tax exempt bonds to finance rental housing, the SHARP program may have to change significantly if Federal tax laws are modified. No new SHARP projects have gone forward in 1986 because of this uncertainty, and it is unclear when the program will reopen. Ms. Monahan believes that the Commonwealth is committed to the goals of the SHARP program, and that some similar program will exist regardless of the outcome of the current tax reform process.

**Massachusetts Land Bank**

Created by the Massachusetts legislature, the land bank is one of the only sources of below market rate financing for housing cooperatives.

According to Michael Shaff, Project Manager at the Land Bank, blanket loans with up to a ninety percent loan to value ratio can be made to coops. Because the land bank has the authority to issue general obligation bonds, the interest rate on a land bank loan may be even lower than on an MHFA loan.
which is made from the proceeds of a tax exempt revenue bond sale.

Because of the low interest rate and high loan to value ratio, it is likely that tenants in land bank financed coops will need very little equity in order to become shareholders. The land bank believes that all tenants should contribute at least $1,000 in up-front equity, unless mitigating circumstances exist. Given the minimal equity requirement, it is unlikely that a potential shareholder would need an individual mortgage in order to purchase a share in a land bank coop. This is a key element in making homeownership available to low income households who may have a poor or non-existent credit history.

The land bank prefers projects which are in the twenty to thirty unit range, and which are under professional management. The top priority is for large units for families, but a limited number of smaller units will be permitted. Because land bank projects are financed with general obligation bonds, the proposed tax law changes will not affect the program.

City Administered Federal Funds

Although the various Federal programs which provide housing and community development assistance to cities have been substantially reduced in scope and funding levels in recent years, it is still possible for cities to provide significant loans or grants to neighborhood revitalization projects.
Community Development Block Grants

This program provides a fixed amount of Federal funds to the City of Boston on an annual basis. Although the funding level has been cut in half over the past three years, the City still received $22.4 million in the current fiscal year.

According to Peter Dreier, Director of Housing Programs for the Boston Redevelopment Agency, the City is unable to contribute any of its block grant allocation to the capital costs of mixed income housing development. Because of the large number of non-profit, community based organizations which receive administrative funds from the block grant, no monies are available for direct housing assistance. The City would, however, be likely to provide a small grant to a non-profit developer to partially offset soft costs such as architects fees and feasibility studies in the Audubon Circle area.

Although current City policy does not include the use of block grant funds for loans or grants to support affordable housing, such expenditures would meet the Federal requirements for block grant utilization. A change in the City position on this issue could create a potentially significant source of equity capital for affordable housing which might be used to leverage much larger amounts of private financing.

Urban Development Action Grants

This program, known as UDAG, is administered by the Federal Department of Housing and Urban Development (HUD). Applications for eligible projects are submitted by the municipality in which the project is located, although the
recipient of the funds is often a private or non-profit developer.

Unlike the Community Development Block Grant Program, in which each large city receives a specified amount of funding, the approval of UDAG applications is totally discretionary. In an often politically sensitive process, the entire pool of applications submitted in each of the three annual funding cycles is evaluated according to the level of economic distress of the community in which the proposed project is located, and the quality and feasibility of the proposed development. A key factor is the portion of total project costs which the UDAG would represent. Successful applications typically request one dollar of UDAG funds for every five or six dollars of private or non-Federal financing.

Conventional Financing

Most of the programs outlined above can be used in conjunction with conventional financing from private lending institutions.

MHFA will in some cases make mortgages to the buyers of cooperative housing units, for example, but will not make a blanket loan to the cooperative organization. It is also common to create a revolving loan pool by combining private and subsidized capital. This "blending" of market rate and below market rate capital results in an effective interest rate in between the basic rate carried by each source individually, but creates a larger total amount of available funds.
The severe curtailment of Federal housing and community development programs which began in the final years of the Carter administration has led to the formation of public/private partnerships and other innovative methods of financing affordable housing. It is difficult to imagine a comprehensive neighborhood revitalization program which could be successful at the present time without the significant participation of private lenders.
Property values in the Audubon Circle area have increased rapidly in recent years, as they have in the greater Boston area as a whole. Although local developers and realtors believe that Boston University overpaid when they purchased the properties which are the focus of this study, the appreciation in values since 1983 has probably made up for any excesses in acquisition cost.

Rents have increased from approximately $300 per month for a small one bedroom unit (350-400 square feet) in 1980, to around $600 per month at the present time. Although some local apartment brokers do not believe the recent pace of rent escalation will continue, higher prices are anticipated for September, 1986. The return of student housing demand in the Fall is expected to raise the rent of the above described apartment to around $650 per month.

Larger one bedroom units are currently renting for $700 to $850 per month, while two bedroom units are in the $850 to $1100 range. These prices are for good quality, non-luxury apartments. Although most landlords have not added high grade appliances, fixtures and finishes, a building improved to such luxury standards would likely command rents approximately $100 to $200 per month higher.

Some of the B.U. properties contain units which are under the Boston rent control program. This limits the rent escalation potential of these apartments, as well as their current rent levels. Participation in the rent control
program also places restrictions on the conversion of these units to condominiums.

The conversion of rental units to condominiums began in Audubon Circle around 1980. Developers became aware of young professionals renting apartments and buying buildings in the neighborhood, and felt that the gentrification of the area was beginning. This was slightly premature, as very high interest rates and a depressed economy kept demand for the initial condominium offerings below the developers' projections. Several unsuccessful conversion projects were sold to B.U. by developers unwilling to hold the properties until the market improved.

Currently, condominium conversion appears to be a viable development strategy in Audubon Circle. A few buildings have been converted, and prices for these units are now in the $165 to $175 per square foot range for totally renovated units, and $120 per square foot for properties in need of modernization.

At these price levels, a typical 400 square foot one bedroom apartment might be sold for $48,000 prior to upgrading, and $70,000 after renovation and modernization, while a 600 square foot unit would sell for $72,000 before improvement and $105,000 after.

Most of the properties owned by Boston University in Audubon Circle would require new kitchens, paint, carpet, and common area improvements to meet the basic standards for older, unmodernized buildings.
Sources for the information contained in this section include Roy McPherson, a local developer active in the Audubon Circle area, and Jack Creighton, President of Audubon Circle Realty, the largest rental agent in the neighborhood.
Audubon Circle Reuse Plan

The twenty eight buildings which Boston University owns in the Audubon Circle area contain a total of 285 residential units. This figure includes several basement apartments which may be infeasible to utilize on a permanent basis, and approximately twenty lodging house rooms which are without individual kitchen facilities.

There are many ways in which these properties could be utilized, including market rate rentals or condominiums, rooming houses, student dormitories or shared student housing, congregate care facilities, subsidized rental or owner occupied housing, or any of several combinations of these.

For the purposes of this study, the reuse goals of the Audubon Circle Neighborhood Association (ACNA) will be used as a target. These goals, which were informally adopted, call for one third of the units to be made available to low income households, one third to moderate income households, and one third to be sold or rented for market prices. In addition, ACNA would like one half of the units to be rentals, with the other half owner occupied. Housing for the elderly and people with special needs is also desired, as is at least one rooming house.

Even within these parameters, there are a number of options for the redevelopment of the area. In this section of the study, the potential uses of each building or group of buildings will be discussed. A proposal for the reuse of all the properties follows, with the effects of possible
variations to the plan considered.

Reuse Options

806-820 Beacon Street

This building contains 18 studio and one bedroom apartments. The units are oddly shaped, with few right angles and small rooms. Although the building is serviced by an elevator, exterior stairs prevent access by the physically handicapped. In addition, the units have narrow hallways and corners which would make wheelchair maneuvering difficult.

Because it is a corner building and taller than its neighbors, most of the apartments have good natural light. Some neighborhood residents have suggested that this building might be desirable as living and studio space for artists, because they would benefit from the natural light and would have the creativity to effectively utilize the oddly shaped interior spaces.

The property is an unlikely candidate for condominium conversion, due to the relative undesirability of the units and the one story commercial structure which occupies the street frontage on two of the triangular building's three sides.

Because it has no multiple bedroom units, the property is not attractive for the use of Chapter 707 Rental Assistance certificates. If an artists group could be located with an interest in purchasing the building, or leasing it on a long
term basis, this arrangement should be pursued. The alternative is most likely market rate rental of the apartments to single individuals after minor renovation of the common areas and apartments.

824, 826, 828 Beacon Street

These three buildings are essentially identical in appearance and layout. 824 and 826 have three stories above partially below grade basements, while 828 has four. The buildings contain between seven and nine units each, for a total of twenty two. Of these, fifteen are studios, and seven are one bedroom units.

Because of their proximity to 820 Beacon and to a tavern which is located at 822 Beacon, and because most of the units are studios, these buildings are less attractive for conversion to condominiums than are many of the other University owned properties in the area.

The small units suggest an institutional use in which the three buildings might be taken as a package, with the studios occupied by mentally handicapped or developmently disabled people, and the one bedroom units utilized by residential staff members.

The Chapter 689 program for people with special needs could fund the purchase of the first and second floor units. Upper floor tenants could be supported by Chapter 707 certificates, State assistance for the handicapped, and family contributions. There could also be a combination of market rate and institutional use, with the upper floor units being unassisted.
These ten buildings are very similar in appearance, size, layout, and condition. All are either three or four stories, with between seven and ten units each. All have limited off street parking, and all have at least seven steps leading up to the lobby.

These buildings contain a total of 86 apartments, with 21 studios, 63 one bedroom units, and 2 two bedroom units. The apartments are in fair condition, with most needing kitchen, bath, hallway, and flooring improvements. Almost all of the units are in the 350 to 400 square foot range.

Because of their small size, these apartments are not likely to be approved by the State for inclusion in the Chapter 705 or 707 programs. The exterior steps leading to the lobbies make the buildings inaccessible to the handicapped and elderly.

This group of buildings appears to be most suited for market rate condominium conversion. With a moderate amount of upgrading, these apartments, although small, could be profitably resold to owner occupants or investors. As a package, the buildings might also be attractive to a developer who could make the required improvements and rent the units at market rates. Individually, the buildings are too small to be managed and maintained efficiently as rentals.

An alternative approach would be to combine some of these small units into larger apartments which would qualify for inclusion in the various subsidy programs. This would require
greater construction expenditures, but represents a method of creating large family units, which are in very short supply in Boston. Under either method, the larger units could be sold to moderate income individuals using the MHFA Homeownership Opportunity Program (HOP).

832 Beacon

Although similar in exterior appearance to the properties described immediately above, this building was renovated for conversion to high grade condominiums in 1982. The building was sold to B.U. in 1983, after the developers failed to sell the units.

The building contains seven one bedroom units in good condition, with high quality appliances and finishes. Six of the units are in the 400 square foot range, while the ground floor apartment is a floor-through, containing 880 square feet.

The smaller units are now most appropriate for market rate condominium conversion. The ground floor unit could be easily converted to a two bedroom unit and sold to the Boston Housing Authority under the Chapter 705 program.

844 Beacon

This is the largest single building in this study, with a total of 26 units. Two additional units could be placed in the basement, which has been used for this purpose in the past. The building is five stories tall and has an elevator, but the eight steps necessary to reach the lobby prevent accessibility by the handicapped.
The building contains 16 one bedroom units and 10 two bedroom units, which are in fair to good condition. Minor renovation is needed in both unit interiors and common areas.

There are several viable reuse options for this property. The building could be converted to a limited equity cooperative utilizing financing from the Massachusetts Land Bank, if the Land Bank could be convinced to finance a building in which the majority of the units have only a single bedroom. The property could also be converted to condominiums, with the larger units being purchased through the Chapter 705 and HOP programs.

Larger units sold to investors could be rented to tenants holding Chapter 707 certificates, if the purchase price were such that the limited 707 rents provided a reasonable return to the owner. Chapter 707 certificates could also be used in this building if it was maintained as a rental property, possibly with financing through the SHARP program.

850 Beacon

This building is a fifteen unit lodging house which has had only minor renovations since its acquisition by Boston University. This property could be maintained as a market rate rooming house after moderate rehabilitation, but with the availability of Chapter 707 assistance for rooming houses, this building can be efficiently operated as a subsidized rooming house. The building is not accessible to the physically handicapped.
856, 858, 860, 862 Beacon

Because of the two story addition that was constructed above these essentially identical four story buildings in the 1970's, they must be treated as a single property. The original buildings are similar in appearance to most of the smaller buildings described above, but the addition is unattractive and very inconsistent with the architectural style of the buildings below it and the neighborhood as a whole.

856 and 862 Beacon have separate entrances with ten steps up required to reach the lobby. (The units in the addition are accessed only through the lobby of 858 Beacon.) The apartments in 856 and 862 are similar to many of those described previously. They are studios and one bedroom units, with 375 to 425 square feet of space, and are in fair condition.

Were it not for the presence of the addition above them, 856 and 862 would be suitable for condominium conversion. The legal difficulty of separating these buildings from a liability and financing standpoint makes such a conversion unlikely, unless the entire four buildings were converted.

858 and 860 Beacon are reached by going down five steps to a sunken terrace in front of the buildings. The entrance to 860 leads to a large laundromat, while the units in 858, 860, and the addition are reached through the lobby of 858. The entrance to the sunken terrace could be ramped, making 858 Beacon, which has an elevator, accessible to the handicapped.
A total of 32 units are contained in 858, 860, and the addition. Of these, 27 are one bedroom units, and 5 have two bedrooms. The apartments are in fair condition, with a moderate amount of renovation needed. The eight units in the addition have sliding glass doors leading to balconies, and are larger than the other units in the building.

The addition is so unattractive and ungainly that the conversion of these properties to condominiums seems unlikely. The potential for accessibility by the handicapped and elderly, however, presents some interesting opportunities for the reuse of 858 and 860 Beacon.

The 32 units in the elevator accessed portion of the property could be subsidized through the Chapter 667 Housing for the Elderly program and the Chapter 689 Housing for People With Special Needs program. There is a unit which is located on the ground floor of 858 Beacon outside of the outer lobby door which might make a good office or social service headquarters.

856 and 862 Beacon could receive moderate renovation and be rented as market rate apartments, which could provide additional income to further subsidize 858 and 860 Beacon. Since the property would not be a condominium, the owner, (probably a non-profit organization) would have to enter into agreements with the State to dedicate certain units for perpetual use by the Chapter 667 and 689 programs in return for contributions by those programs toward the purchase of the property. Section 707 Rental Assistance certificates could also be used in this building, especially in the two bedroom...
units which are located in the addition.

One of the few remaining Federal housing programs is the Section 202 Housing for the Elderly and Handicapped program. This property could be converted to one hundred percent elderly and handicapped use with permanent financing and rent subsidies through the Section 202 program.

866 Beacon

This building is similar in appearance to most of the smaller buildings in the immediate area. It contains six units, five of which are lodging house rooms without kitchen facilities. The other unit has one bedroom.

Because of the several steps up required to reach the lobby, this building is not suitable for the physically handicapped. It could, however, be used as Chapter 689 housing for mentally handicapped people, with the one bedroom unit utilized as a staff residence. Chapter 707 certificates are available for rooming houses. These could be used on the upper floors if time of egress restrictions limit Chapter 689 units to the lower levels.

906-908 Beacon Street

These identical buildings have one two bedroom unit on each of their four upper floors, and storefronts on each lower level, which are only partially below grade. Off street parking for eight vehicles is available behind the buildings.

Each unit is in the 800 square foot range, and most are in fair condition. Because of their relatively large size,
these apartments would be desirable condominium units. One unit in each building could be purchased by the Boston Housing Authority (BHA) under the Chapter 705 program, while one or two more in each building could be purchased by owner occupants under the HOP program. The remaining residential units and the commercial spaces could be sold as market rate condominiums.

An alternative to condominium conversion would be the sale of the buildings to a developer who would perform the required minor renovations and rent the units to tenants with Chapter 707 certificates. The several steps up required to reach the lobby prevent handicapped accessibility.

**855 and 875 Beacon Street**

These buildings were substantially renovated in 1982 with the intent of selling the upgraded units as condominiums. They were purchased by Boston University after failing to succeed as condos.

855 Beacon is a four story walk-up building with one apartment per floor, including the basement. There are 4 two bedroom units and 1 one bedroom unit. 875 is similar in exterior size and appearance, and contains 3 one bedroom units and 2 two bedroom units. Neither of the buildings is accessible to the physically handicapped. Each apartment is approximately 800 to 850 square feet in size.

These are probably the most marketable of the B.U. properties in Audubon Circle, and would likely bring the highest prices if sold as market rate condominiums. In order to meet ACNA’s goal of creating a mixed income community,
however, the two bedroom units should be sold to the BHA through the Chapter 705 program or to moderate income buyers through the HOP program. The four one bedroom units could be sold at market rates.

867 Beacon

This is also a better quality building than most of the B.U. properties in Audubon Circle, although it has not been upgraded to the extent which 855 and 875 Beacon have.

There is one unit on each of the four upper floors, and another in the basement. There is 1 one bedroom unit, 3 two bedroom units, and 1 three bedroom unit. Each apartment is approximately 850 square feet in size.

While this building would be a candidate for market rate condominium conversion after only minor renovation, the larger units should be made available for occupancy by low and moderate income families through the Chapter 705 and HOP programs. The one bedroom unit could be sold at market rates.

25-27 Aberdeen

These buildings are probably more appropriate as rentals than condominiums. They are located at the end of Aberdeen Street, adjacent to the MBTA tracks, and across the street from a light industrial facility. There is only limited off street parking, and the lobbies are not accessible to the handicapped.

The buildings would best be sold to a single owner, who could efficiently manage the eighteen total units. There are ten studios, 3 one bedroom units, and 5 two bedroom units.
The buildings have three upper floors, with several units located in the basement areas.

The 5 two bedroom units could be subsidized through the Chapter 707 program, while the remaining apartments could be rented at market rates.

455-457 Park Drive

These adjacent and identical buildings have several possibilities. With fourteen total units, the property is somewhat below the size which the Massachusetts Land Bank considers optimal for a limited equity cooperative. If this obstacle could be overcome, this property would be a good location for such a use, especially since all 14 units contain two or more bedrooms.

The buildings could also be converted to condominiums, which has already taken place in an adjacent, similar property. If this option were chosen, the three bedroom units and one or two of the two bedroom units could be assisted through the Chapter 705 and HOP programs, while the balance could be sold at market rates. The property is also large enough to function efficiently as a rental, with subsidy through the Chapter 707 program. The buildings are not accessible to the handicapped.
Costs and Revenues Under Various Options

Subsidy program price limits
Chapter 667: $60,000 per unit
Chapter 689: $49,500-$57,000 per unit. Avg. of $53,000 used here
Chapter 705: $90,000 (2 b.r. unit) $110,000 (3 b.r. unit)
Chapter 707: $315(s.r.o.) $472(1 b.r.) $560(2 b.r.) $652(3 b.r.)
HOP: $86,000 per unit
Mass. Land Bank: no program limits, will structure to make affordable to moderate income buyers

Market Rate Condominium Sales Prices @ $175 per sq ft
Studios: $60,000-$70,000
One bedroom units: $70,000-$105,000

Market Rate Rents
Studios: $500 per month
One bedroom units: $550-$650 per month

Notes
1) As previously stated, the Chapter 705 and HOP programs limit their participation in any building to 33% and 25% of the total units. The recommendations and options for each property meet these limits.
2) In very few cases will any of the subsidy programs provide assistance to units with fewer than two bedrooms. The exceptions are Chapter 667, Chapter 689, and the rooming house subsidy available through Chapter 707.
3) Although the SHARP program is described in the section on potential funding sources, it has not been included in the recommendations and options for any of the buildings. Because of the uncertainty of the future of rental housing subsidy programs due to the proposed changes in Federal tax law, this program has not been suggested for use. In addition, it is questionable whether or not any of the properties are in need of the extensive level of repair required for participation in tax-exempt bond programs.

Although recently proposed changes in Federal tax law are likely to reduce the overall returns produced by residential rental property, no attempt has been made to estimate this effect. Because the final outcome of the "tax reform" process is unknown, values assumed in this study reflect the current real estate market in Audubon Circle. When a new tax code is adopted, the properties in question should be reevaluated in order to determine their market value given the new regulations.

4) The Boston University properties in Audubon Circle are in need of varying levels of rehabilitation. Some have received only minor upgrading since being acquired by the University, while others have been substantially improved. The range in necessary rehab costs per unit is between $1,000 and $15,000, with relatively few apartments at either extreme.
Summary of Recommendations and Options

806-820 Beacon
Recommendation: Housing and workspace for artists
Option: Market rate rentals

824, 826, 828 Beacon
Recommendation: Group living for the mentally handicapped with staff quarters and social service areas
Option: Combination of small units to form larger apartments. Could be subsidized through Chapter 707

830, 834, 836, 845, 848, 852, 853, 864, 870, 872 Beacon
Recommendation: Market rate condominiums
Option: Market rate rentals, or some rentals/ some condos
Option: Combination of some smaller units to create larger apartments for subsidy through Chapter 707 (rentals), or Chapter 705 and HOP (condos)

832 Beacon
Recommendation: Convert ground level unit to two bedrooms and subsidize through Chapter 705. Sell other units as market rate condos

844 Beacon
Recommendation: Limited equity cooperative financed by Massachusetts Land Bank
Option: Condo conversion with larger units subsidized through Chapter 705 and HOP
Option: Market rate rental in smaller units, Chapter 707 subsidy for larger units
850 Beacon

Recommendation: Market rate rooming house

Option: Subsidize a portion of the rooms with Chapter 707

Option: Group living facility subsidized through Chapter 689 and Chapter 707

856, 858, 860, 862 Beacon

Recommendation: Market rate rentals in 856 and 862. Subsidized housing for the elderly and the physically and mentally handicapped in 858 and 860, utilizing Chapter 667, Chapter 689, and Chapter 707

Option: Federal subsidy through the Section 202 Housing for the Elderly and Handicapped program

866 Beacon

Recommendation: Group living facility for the mentally disabled with staff quarters, subsidized through Chapter 689 and Chapter 707

906-908 Beacon

Recommendation: Condo conversion with two units subsidized through Chapter 705, two units sold with HOP financing, and four purchased by a non-profit organization and leased to tenants with Chapter 707 assistance

Option: Sale of entire property to non-profit developer and rental of all units to tenants assisted through the Chapter 707 program
855 and 875 Beacon

Recommendation: condo conversion with two units subsidized under Chapter 705, two units sold with HOP financing, and two units sold to a non-profit owner for rental to tenants with Chapter 707 assistance.

The four smaller units could be sold at market rates

867 Beacon

Recommendation: Condo conversion with one unit subsidized through Chapter 705, one unit sold with HOP financing, and two units sold to a non-profit group for rental to tenants with Chapter 707 assistance

25-27 Aberdeen

Recommendation: Market rate rental, except five larger units assisted with Chapter 707 certificates

455-457 Park Drive

Recommendation: Limited equity cooperative financed through Massachusetts Land Bank

Option: Condo conversion with the four three bedroom units subsidized through the Chapter 705 program and three two bedroom units sold with HOP financing. Balance would be sold at market rates

Option: Market rate rental, except four large units could be assisted under Chapter 707
The reuse targets established by ACNA call for an approximately equal division of the units among low income, moderate income, and unassisted households. In addition, half of the properties should be rentals, with the other half owner occupied.

The recommendations contained in the reuse plan meet the owner/renter goal, but fall short of an equal apportionment of the units by income group.

The reuse plan contains only 47 moderate income units, which represent 17% of the total. This is half of the target level of 94 units, which would be one third of the total.

The reason for this discrepancy is simple. A large majority of the apartments contain one or fewer bedrooms, and these small units are not normally eligible for the subsidies which are available for larger units.

All but eight of the 55 apartments containing two or more bedrooms have been recommended for low or moderate income use. In addition, 96 smaller units have been recommended for assistance as housing for people with special needs, limited equity cooperatives, or subsidized rooming houses.

An option for increasing the number of units eligible for subsidy would be to create additional multiple bedroom units by combining existing smaller apartments into fewer, but larger, apartments.

The following chart summarizes the reuse plan by income and ownership status, and compares the recommendations contained in the plan with the reuse goals adopted by ACNA.
## REUSE PLAN SUMMARY

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<thead>
<tr>
<th>USE</th>
<th>TOTAL</th>
<th>%</th>
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<tbody>
<tr>
<td>market rate rental apartments</td>
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<td>17</td>
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<tr>
<td>market rate condominiums</td>
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<td>36</td>
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<td>limited equity cooperatives (2)</td>
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<td>14</td>
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<tr>
<td>housing for physically/mentally handicapped and elderly</td>
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<td>21</td>
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<tr>
<td>subsidized rooming house</td>
<td>15</td>
<td>5</td>
</tr>
<tr>
<td>subsidized rental apartments (inc. Chap. 705, 707)</td>
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<td>5</td>
</tr>
<tr>
<td>subsidized condominiums (HOP)</td>
<td>7</td>
<td>2</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>283</strong></td>
<td><strong>100%</strong></td>
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### OCCUPANCY BY INCOME

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<th>TARGET</th>
<th>REUSE PLAN</th>
<th>ACNA</th>
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<tr>
<td>market rate</td>
<td>149 (52%)</td>
<td>95</td>
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<tr>
<td>(34%)</td>
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<tr>
<td>moderate income</td>
<td>47 (17%)</td>
<td>94</td>
</tr>
<tr>
<td>(33%)</td>
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<td></td>
</tr>
<tr>
<td>low income</td>
<td>87 (31%)</td>
<td>94</td>
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<tr>
<td>(33%)</td>
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### OCCUPANCY BY OWNERSHIP

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<tr>
<th>TARGET</th>
<th>REUSE PLAN</th>
<th>ACNA</th>
</tr>
</thead>
<tbody>
<tr>
<td>owner occupied</td>
<td>148 (52%)</td>
<td>142</td>
</tr>
<tr>
<td>(50%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>renter occupied</td>
<td>135 (48%)</td>
<td>141</td>
</tr>
<tr>
<td>(50%)</td>
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</tbody>
</table>
GUIDE TO PROPERTY EVALUATION FORMS

Address: street address of building or buildings evaluated on form

Ownership: B.U. or nominee trust

Acquisition date: Date of initial purchase by B.U. or nominee Trust

# floors: number of floors above basement level

Elevator: yes or no plus condition if present

Total units: Total number of currently habitable units in building or buildings on form

Units per floor: for multiple building evaluation forms, most typical figure is used

Parking: Number of currently available off street parking spaces

Commercial: Existing commercial use or potential for such use

Zoning: Conditional Use permit for use as student housing, or no such approval

Breakdown: Total number of units by number of bedrooms

Size of units: Gross square feet of space per unit

Condition: Exterior and interior common spaces are rated from poor to excellent. Number of units in each condition category is listed

Rehab needed: Summary of type of renovations required to meet non-luxury residential standards. Cost is hard cost only, exclusive of soft costs and developer profit.

B.U. acquisition cost: From land records

Current estimated market value: Calculated by multiplying the number of square feet in each building by its resale value as market rate condominium space. $175 is used, except where noted. Rehab costs are subtracted from this figure, as is a 40% soft cost and profit allowance.
Estimated value with use proposed in reuse plan: Estimates the amount which the subsidy program being recommended for use can pay for the space being purchased. Rehab costs are subtracted, as is a 40% soft cost and profit allowance. It is possible that soft costs and profit allowances could be reduced through participation by profit developers.

Difference between market value and proposed use value: This is included to provide an indication of the gap, if any, between what B.U. could sell the property for if its use was unrestricted, and what the likely sale price would be if the use recommended in the Plan were implemented.

Occupancy: From a study released by B.U. Provides a breakdown of the properties by status of occupants.

Recommended use: Summarizes the recommended use proposed in the Reuse Plan.
ADDRESS/LOCATION: 806 Beacon
OWNSHIP: B.U.

ACQUISITION DATE: 7/10/81 # FLOORS: 6
ELEVATOR: old/slow
cap.: 6

TOTAL UNITS: 18
UNITS PER FLOOR: 3

PARKING: no
COM'CIAL: possible
ZONING: Cond. Use

BREAKDOWN:
STUDIO/NO KITCHEN:
ONE: 12
TWO: 6
THREE: 6

SIZE OF UNITS:
STUDIOS: 325sf
ONES: 350sf

CONDITION:
EXTERIOR: good
INT. COMMON AREAS: fair
POOR: 18
GOOD: EXCELNT:

REHAB NEEDED:
DESCRIPTION: paint, replace dropped ceiling, carpet and
paint halls. Some appliances, elevator

COST: $135,000

B.U. ACQUISITION COST: $290,000
CURRENT EST. MKT. VALUE: $430,000

EST. VALUE AS ARTISTS SPACE: Unknown

DIFFERENCE BET. MKT. VALUE AND PROPOSED USE VALUE: Unknown

OCCUPANCY (3/29/85):
STUDENT: 6
STAFF: 10
MARKET: 12
VACANT: 10

RECOMMENDED USE: living and work space for artists or market rate
rental apartments

NOTE: The value of this building has been discounted 30% from
neighborhood averages because of negative aspects of the
property.

NOTE: Current estimated market value is based on condo conversion
potential even though market rate apartments are recommended
as alternative to artists housing. The most lucrative
development alternative was used to determine current
market value.
BOSTON UNIVERSITY AUDUBON CIRCLE PROPERTIES

ADDRESS/LOCATION: 824, 826, 828 Beacon

ACQUISITION DATE: 6/30/81

TOTAL UNITS: 22

PARKING: 6

BREAKDOWN: ONE: 7

SIZE OF UNITS: STUDIOS: 350sf

CONDITION:

EXTERIOR: good
POOR: 
GOOD: 

REHAB NEEDED:

DESCRIPTION: kitchens, replace dropped ceiling, carpet, paint, upgrade baths, special needs features

COST: 212,000

B.U. ACQUISITION COST: $260,000

CURRENT EST. MKT. VALUE: $597,000

EST. VALUE AS SPECIAL NEEDS HOUSING: $663,000

DIFFERENCE BET. MKT. VALUE AND PROPOSED USE VALUE: $66,000 above market value listed above

OCCUPANCY (3/29/85): STUDENT: 3 MARKET: 18

RECOMMENDED USE: housing for mentally handicapped or similar institutional use with subsidy through Chapter 689

NOTE: The value of these buildings has been discounted 20% from neighborhood averages because of negative aspects of the property.

NOTE: Only one bedroom units will have kitchens. Rehab cost estimate includes design features for special needs occupants.
BOSTON UNIVERSITY AUDUBON CIRCLE PROPERTIES

ADDRESS/LOCATION: 830, 834, 836, 845, 848 852, 853, 864, 870, 872 Beacon
OWNSHIP: B.U. and Nom. Trusts

ACQUISITION DATE: @1981  # FLOORS: 3/4  ELEVATOR: NO
TOTAL UNITS: 86  UNITS PER FLOOR: 2
PARKING: 20  COM' CIAL: no  ZONING: C.U.

BREAKDOWN:
STUDIO/NO KITCHEN:
ONE: 63  TWO: 2  THREE:

SIZE OF UNITS:
STUDIOS: 350sf  ONES: 400sf
TWOS: 400sf

CONDITION:
EXTERIOR: FAIR  INT. COMMON AREAS: FAIR
POOR: FAIR: 86  GOOD: EXCELNT:

REHAB NEEDED:
DESCRIPTION: Kitchens, floors, paints, carpets, some baths, halls need paint, carpet

COST: $860,000
B.U. ACQUISITION COST: $1,825,000 (no cost found for 852)
CURRENT EST. MKT. VALUE: $3,517,000

EST. VALUE WITH TWO HOP SUBSIDIZED UNITS: $3,549,000

DIFFERENCE BET. MKT. VALUE AND PROPOSED USE VALUE: $32,000 above market value listed above

OCCUPANCY (3/29/85):
STUDENT: 14  MARKET: 67  STAFF: 4  VACANT: 1

RECOMMENDED USE: 84 market rate condos, 2 HOP subsidized condos

NOTE: per building values can be estimated by dividing total market value by 86 and multiplying by number of units in building. Values per unit are essentially identical

NOTE: HOP maximum purchase price is above estimated market value as market rate condo. State will likely approve purchase price equal to market value
BOSTON UNIVERSITY AUDUBON CIRCLE PROPERTIES

ADDRESS/LOCATION: 832 BEACON

OWNSHIP: B.U.

ACQUISITION DATE: 1/13/83

# FLOORS: 4

ELEVATOR: NO

TOTAL UNITS: 8

UNITS PER FLOOR: 2

OWNSHIP: B.U.

PARKING: 2

COM’CIAL: NO

ZONING: RES.

BREAKDOWN: STUDIO/NO KITCHEN:

ONE: 8

TWO:

THREE:

TOTAL UNITS:

STUDIOS:

ONES: 7 @ 400sf, 1 @ 880sf

SIZE OF UNITS:

CONDITION:

EXTERIOR: GOOD

INT. COMMON AREAS: GOOD

POOR:

FAIR:

GOOD: 8

EXCELNT:

REHAB NEEDED:

DESCRIPTION: minor refurbishing of units and common areas. No major work required. Add second bedroom to larger unit

COST: $25,000

B.U. ACQUISITION COST: $375,000

CURRENT EST. MKT. VALUE: $460,000

EST. VALUE WITH ONE CHAPTER 705 UNIT: $396,000

DIFFERENCE BET. MKT. VALUE AND PROPOSED USE VALUE: $64,000

OCCUPANCY (3/29/85):

STUDENT: 5

STAFF: 3

MARKET: 5

VACANT:

RECOMMENDED USE: convert large one bedroom unit to a two bedroom unit. Subsidize with Chapter 705 funds. Balance to be market rate condos

NOTE: This building was renovated with intent of condo conversion prior to its acquisition by B.U. This explains low rehab estimate and high B.U. acquisition price
**BOSTON UNIVERSITY AUDUBON CIRCLE PROPERTIES**

<table>
<thead>
<tr>
<th>ADDRESS/LOCATION:</th>
<th>844 BEACON</th>
<th>OWNSHIP: B.U.</th>
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<tbody>
<tr>
<td>ACQUISITION DATE:</td>
<td>5/25/82</td>
<td># FLOORS: 6</td>
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<tr>
<td>TOTAL UNITS:</td>
<td>26</td>
<td>UNITS PER FLOOR: 6</td>
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<tr>
<td>PARKING:</td>
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<td>COM'CIAL: no</td>
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<td>BREAKDOWN:</td>
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<td>ZONING: C.U.</td>
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<tr>
<td>ONE:</td>
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<td>STUDIO/NO KITCHEN:</td>
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<td>STUDIO:</td>
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<tr>
<td>SIZE OF UNITS:</td>
<td>ONE: 16</td>
<td>TWO: 10</td>
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<tr>
<td></td>
<td>400sf</td>
<td>450sf</td>
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<td>CONDITION:</td>
<td>EXTERIOR: GOOD</td>
<td>INT. COMMON AREAS: FAIR</td>
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<td>POOR:</td>
<td>FAIR: 26</td>
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<td>GOOD:</td>
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<td>REHAB NEEDED:</td>
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<tr>
<td>DESCRIPTION:</td>
<td>kitchens, baths, paint, floors halls need paint and carpet</td>
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<td>COST:</td>
<td>$260,000</td>
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<td>B.U. ACQUISITION COST:</td>
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<td>CURRENT EST. MKT. VALUE:</td>
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<td>EST. VALUE AS LTD. EQUITY COOP:</td>
<td>equals or exceeds market value listed above</td>
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<td>DIFFERENCE BET. MKT. VALUE AND PROPOSED USE VALUE:</td>
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<td>OCCUPANCY (3/29/85):</td>
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<td>STAFF:</td>
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<td></td>
<td>MARKET: 23</td>
<td>VACANT:</td>
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<tr>
<td>RECOMMENDED USE:</td>
<td>limited equity cooperative with financing through Mass Land Bank</td>
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<tr>
<td>NOTE:</td>
<td>Based on 90% financing at 8%, as per land bank guidelines, with average gross income of coop members at $25,000 annually</td>
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</table>
BOSTON UNIVERSITY AUDUBON CIRCLE PROPERTIES

ADDRESS/LOCATION: 850 BEACON
OWNSHIP: B.U.

ACQUISITION DATE: 10/30/81 # FLOORS: 4
ELEVATOR: NO

TOTAL UNITS: 15
UNITS PER FLOOR: 3/4

PARKING: 4
COM'CIAL: no
ZONING: Cond. Use

BREAKDOWN:
ONE: STUDIO/NO KITCHEN: 15
TWO:
THREE:

SIZE OF UNITS:
ROOMS: unknown

CONDITION:
EXTERIOR: fair
POOR: 
GOOD: 
INT. COMMON AREAS: fair
FAIR: 15
EXCELNT: 

REHAB NEEDED:
DESCRIPTION: assume baths, floors, paint, common area paint, carpet

COST: $113,000

B.U. ACQUISITION COST: $210,000

CURRENT EST. MKT. VALUE: $211,000

EST. VALUE AS SUBSIDIZED ROOMING HOUSE: $211,000

DIFFERENCE BETWEEN MKT. VALUE AND PROPOSED USE VALUE: none

OCCUPANCY (3/29/85): STUDENT: 14
STAFF: 
MARKET: 1
VACANT: 1

RECOMMENDED USE: subsidized rooming house with Chapter 707 rooming house rental assistance certificates

NOTE: Assumption has been made that Chapter 707 rent levels are equal to market rents for s.r.o. space

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BOSTON UNIVERSITY AUDUBON CIRCLE PROPERTIES

ADDRESS/LOCATION: 856, 858, 860, 862 BEACON
OWNSHIP: B.U.

ACQUISITION DATE: 7/8/82
# FLOORS: 6
ELEVATOR: old/slow
cap: 4

TOTAL UNITS: 48
UNITS PER FLOOR: 8

PARKING: 10
COMMERCIAL: yes
ZONING: RES.

BREAKDOWN:
STUDIO/NO KITCHEN: 3
ONE: 40
TWO: 5
THREE: 

SIZE OF UNITS:
STUDIOS: 375SF
ONES: 425SF
TWOS: 600SF

CONDITION:
EXTERIOR: FAIR
INT. COMMON AREAS: FAIR
POOR: 48
GOOD: EXCELNT:

REHAB NEEDED:
DESCRIPTION: kitchens, baths, paint, floors
halls need paint and floors
Elevator needs work, special needs
features to be added

COST: $640,000

B.U. ACQUISITION COST: Unknown

CURRENT EST. MKT. VALUE: $2,133,000

EST. VALUE WITH 32 SUBSIDIZED UNITS: $1,432,000

DIFFERENCE BET. MKT. VALUE AND PROPOSED USE VALUE: $701,000

OCCUPANCY (3/29/85):
STUDENT: 7
STAFF: 
MARKET: 41
VACANT: 

RECOMMENDED USE:
original units in 856 and 862 to be market rate
apartments. units in 858, 860, and the addition
to be subsidized with Chapter 667, 689, and 707

NOTE:
20 units Chapter 667
7 units Chapter 689
5 units 707 (the 2 bedroom units)
BOSTON UNIVERSITY AUDUBON CIRCLE PROPERTIES

ADDRESS/LOCATION: 866 Beacon
OWNSHIP: B.U.

ACQUISITION DATE: 7/31/81 # FLOORS: four
ELEVATOR: no

TOTAL UNITS: 6
UNITS PER FLOOR: 1/2

PARKING: 4
Com’cial: no

BREAKDOWN:
STUDIO/NO KITCHEN: 5
STUDIO:
ONE: 1
TWO:
THREE:

CONDITION:
EXTERIOR: good
POOR: 
GOOD: 

INT. COMMON AREAS: fair
FAIR: 6
EXCELNT: 

REHAB NEEDED:
DESCRIPTION:
assume baths, kitchen (1), paint, floors, halls need paint and floors

COST: $50,000

B.U. ACQUISITION COST: $192,000

CURRENT EST. MKT. VALUE: $96,000

EST. VALUE GROUP LIVING FACILITY WITH SUBSIDY:
equal to or greater than est. market value

DIFFERENCE BET. MKT. VALUE AND PROPOSED USE VALUE: none

OCCUPANCY (3/29/85):
STUDENT: 6
MARKET: 6
VACANT: 0

RECOMMENDED USE:
group living facility subsidized under Chapter 689, upper floor units can also utilize Chapter 707 rental assistance certificates
BOSTON UNIVERSITY AUDUBON CIRCLE PROPERTIES

ADDRESS/LOCATION: 906-908 Beacon
OWNSHIP: Nom. Trust

ACQUISITION DATE: 5/21/82
FLOORS: four
ELEVATOR: no

TOTAL UNITS: 8
UNITS PER FLOOR: 2

PARKING: 8
COM'CIAL: yes
ZONING: res.

BREAKDOWN:
 ONE:
 STUDIO/NO KITCHEN:

 TWO:
 STUDIO: 8

 THREE:

SIZE OF UNITS:
 TWO:
 800sf

CONDITION:
 EXTERIOR: good
 POOR:
 GOOD:

INT. COMMON AREAS: fair
FAIR: 8
EXCELNT:

REHAB NEEDED:
DESCRIPTION:
assume kitchens, baths, paint, floors
halls need paint, floors

COST:
$80,000

B.U. ACQUISITION COST:
$450,000

CURRENT EST. MKT. VALUE:
$760,000

EST. VALUE WITH SUBSIDIZED COMPONENT:
$552,000

DIFF. BET. B.U. MKT. VALUE AND PROPOSED USE VALUE:
$208,000

OCCUPANCY (3/29/85):
STUDENT: 3
MARKET: 5
VACANT:

RECOMMENDED USE:
two units subsidized through Chapter 705
four units market rate condos

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BOSTON UNIVERSITY AUDUBON CIRCLE PROPERTIES

ADDRESS/LOCATION: 855,875 Beacon
OWNSHIP: Nom.Trust

ACQUISITION DATE: 5/82 # FLOORS: four ELEVATOR: no

TOTAL UNITS: 10 UNITS PER FLOOR: 2

PARKING: 5 COM'cial: no ZONING: res.

BREAKDOWN:
ONE: 4 TWO: 6 THREE:

SIZE OF UNITS:
ONES: 800SF TWOS: 800SF

CONDITION:
EXTERIOR: good INT. COMMON AREAS: good
POOR: FAIR:
GOOD: 10 EXCELNT:

REHAB NEEDED:
DESCRIPTION: extensive rehab in 1982, so only minor work required now. Paint, some floors

COST: $25,000

B.U. ACQUISITION COST: $725,000

CURRENT EST. MKT. VALUE: $1,025,000

EST. VALUE WITH SUBSIDIZED CONDOS: $767,000

DIFFERENCE BET. MKT. VALUE AND PROPOSED USE VALUE: $258,000

OCCUPANCY (3/29/85):
STUDENT: 4
MARKET: 6 VACANT:

RECOMMENDED USE: three units subsidized under Chapter 705 two units subsidized with HOP financing
ADDRESS/LOCATION: 867 Beacon  OWNSHIP: Nom.Trust

ACQUISITION DATE: 5/21/82  # FLOORS: four  ELEVATOR: no

TOTAL UNITS: 5  UNITS PER FLOOR: 1

PARKING: 1  COM‘CIAL: no  ZONING: Res.

BREAKDOWN: STUDIO/NO KITCHEN:  STUDIO:
ONE: 1  TWO: 3  THREE: 1

SIZE OF UNITS: ONES: 850sf  TWOS: 850sf  THREES: 850sf

CONDITION:
EXTERIOR: good  INT. COMMON AREAS: good
POOR: 5  FAIR:  GOOD: 5  EXCELNT:

REHAB NEEDED:
DESCRIPTION: extensive renovations were done in 1982. Only minor work is presently required

COST: $15,000

B.U. ACQUISITION COST: $380,000

CURRENT EST. MKT. VALUE: $543,000

EST. VALUE WITH SUBSIDIES: $467,000

DIFFERENCE BET. MKT. VALUE AND PROPOSED USE VALUE: $76,000

OCCUPANCY (3/29/85): STUDENT: 1  STAFF: 1  MARKET: 1  VACANT: 3

RECOMMENDED USE: the three bedroom unit should be subsidized under Chapter 705. One of the two bedroom units should be subsidized with HOP financing. The remaining units will likely be market rate condos
BOSTON UNIVERSITY AUDUBON CIRCLE PROPERTIES

ADDRESS/LOCATION: 25-27 Aberdeen
OWNSHIP: Nom. Trust

ACQUISITION DATE: 5/21/82  # FLOORS: three
TOTAL UNITS: 18  UNITS PER FLOOR: 6
PARKING: 8

BREAKDOWN:
ONE: 3
TWO: 5
THREE: 10

SIZE OF UNITS:
STUDIOS: UNKNOWN
TWOS: UNKNOWN

CONDITION:
EXTERIOR: fair
POOR: unknown
GOOD: unknown

INT. COMMON AREAS: fair
FAIR: 18
EXCELNT: unknown

REHAB NEEDED:
DESCRIPTION: assume kitchens, baths, paint, floors
halls need paint, floors

COST: $180,000
B.U. ACQUISITION COST: $260,000
CURRENT EST. MKT. VALUE: $542,000

EST. VALUE WITH SUBSIDIZED APARTMENTS: $487,000

DIFFERENCE BET. MKT. VALUE AND PROPOSED USE VALUE: $55,000

OCCUPANCY (3/29/85):
STUDENT: 6
STAFF: 1
MARKET: 11
VACANT: 0

RECOMMENDED USE: The five two bedroom units could be subsidized
through the Chapter 707 rental assistance program.
The remaining units could be market rate rentals.
BOSTON UNIVERSITY AUDUBON CIRCLE PROPERTIES

ADDRESS/LOCATION: 455-457 Park Drive
OWNSHP: Nom. Trust

ACQUISITION DATE: 5/21/82
# FLOORS: three
ELEVATOR: no

TOTAL UNITS: 14
UNITS PER FLOOR: 2

PARKING: 8
COM’CIAL: no
ZONING: Res.

BREAKDOWN:
STUDIO/NO KITCHEN:
ONE: 10
TWO: 10
THREE: 4

SIZE OF UNITS:
TWOS: 600SF
THREES: 600SF

CONDITION:
EXTERIOR: fair
INT. COMMON AREAS: fair
POOR: 14
FAIR: 14
GOOD: EXCELNT:

REHAB NEEDED:
DESCRIPTION: information from tenants indicates
need for less rehab than most other
in study. Paint, floors,
kitchens/baths. Halls need paint,
floors

COST: $112,000

B.U. ACQUISITION COST: $350,000

CURRENT EST. MKT. VALUE: $991,000

EST. VALUE AS LTD. EQUITY COOP: $825,000

DIFFERENCE BET. MKT. VALUE AND PROPOSED USE VALUE: $166,000

OCCUPANCY (3/29/85):
STUDENT: 4
MARKET: 10
VACANT:

RECOMMENDED USE: Limited Equity cooperative with financing
from Mass. Land Bank
ISSUES FOR FURTHER CONSIDERATION

Displacement of Current Tenants

Prior to considering any reuse proposal for the B.U. properties, the parties will need to conduct an in-depth occupancy survey of the buildings. It will be essential to know how many of the units were occupied by students, and how many are currently vacant. We were not able to secure this information from the University. Many of the subsidy programs have eligibility requirements such as age, income or physical or mental disability, and the planners will need to know how many of the "market rate" tenants in the B.U. buildings qualify. Most important, the ranges of income of the existing tenants should be determined for income eligibility for the various programs as well as qualification for rental or homeownership at market rates.

Any reuse plan must take into account the needs of the current non B.U. tenants. The divestiture cannot be considered a success if tenants are once again forced to move from the Audubon circle neighborhood.

Rent Control and Condominium Conversion

There are 12 units in the buildings being considered for divestiture which are currently under rent control. These units, and the rents last approved by the Boston Rent Equity Board, are listed in a chart following this section.

In any cooperative or condominium conversion, a rent control tenant must be given notice of the procedures outline in Boston’s "Rental Housing Equity Ordinance." The Tenant is
entitled to receive written notice of tenancy termination and at least a one year period of time before any certificate of eviction will be granted and an eviction action can be instituted. For vacancy decontrolled units, no certificate of occupancy is required from the Rent Equity Board, but the time period for notice of tenancy termination is the same.

A tenant protected by rent control is given the right to purchase the dwelling unit for the same or more favorable terms as are offered to prospective purchasers, and if the tenant decides not to purchase, he or she is entitled to a relocation allowance.

The ordinance contains special provisions for low-income tenants, low-to moderate income handicapped tenants, or low-to moderate income elderly tenants. These tenants are entitled to a three year lease extension following the termination notice. Higher relocation benefits are offered to these tenants, and the landlord/converter is required to assist the tenants in relocating to comparable housing. If comparable housing cannot be found, the tenants may petition the Board for an additional two year lease extension. Elderly and handicapped tenants are entitled to a two year extension. Finally, notwithstanding the other provisions of the ordinance, no low-or moderate income elderly or low-or moderate income handicapped tenant may be evicted as the result of cooperative or condominium conversion.

Again, a thorough survey of the non-student existing tenants will determine which households are entitled to the
The Nominee Trusts

There are ten buildings which were originally purchased by Boston University through nominee trusts. B.U. subsequently consolidated the properties into two trusts in 1983, and the properties were sold to investors through syndication. The properties were syndicated and leased to Boston University under a sale-lease back arrangement.

Any program for divestiture and reuse is complicated by the fact that the University is no longer the owner or beneficiary of the trusts which own these buildings. Unfortunately, we were not able to obtain any details on the syndication arrangements for these buildings from B.U. However, there are several approaches which should be considered to include these buildings in the reuse plan.

All of the buildings have fifteen year leases from the trusts to the Trustees of Boston University. All of these leases begin in February and extend for fifteen years through 1998. One possibility is that a developer could sublet from Boston University and implement the reuse programs in the trust buildings. Another possibility would be for B.U. to assign the lease to the developer. We did not have access to the actual leases, and therefore, do not know if these options are precluded by the current lease.

Second, Boston University has the option to purchase the properties from the trusts at the time the leases expire. The options to purchase could be sold to a private developer. The option to purchase price for 855, 875, 906 and 908 Beacon
is recorded as $2,310,000. This figure could be discounted to present value and sold at today's price. There is no publicly recorded price for the remaining buildings, but a current price for the option to purchase could be arrived at by first valuing the rent stream and residual value in 1998, and then discounting.

A third option would be for the trustees to sell the properties directly to a developer. Again, the income, tax benefits, and residual value to the beneficiaries could be determined and discounted to today's prices for the sales price. All of these options can be explored if B.U. makes available the trust documents.
# RENT CONTROLLED HOUSING UNITS AS OF JUNE 27, 1986

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<tr>
<th>Address</th>
<th>Units</th>
<th>Rents</th>
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<td>824 Beacon</td>
<td>2</td>
<td>Studio/$173</td>
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<tr>
<td></td>
<td></td>
<td>2 BR/$298</td>
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<tr>
<td>826 Beacon</td>
<td>1</td>
<td>Studio/$121</td>
</tr>
<tr>
<td>834 Beacon</td>
<td>1</td>
<td>1 1/2R/$124</td>
</tr>
<tr>
<td>848 Beacon</td>
<td>1</td>
<td>1 BR/$205</td>
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<tr>
<td>850 Beacon</td>
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<tr>
<td>872 Beacon</td>
<td>1</td>
<td>1BR/$206</td>
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### APPENDICES

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<th>p.131</th>
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<tr>
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<td>BRA Board Letter, March, 1982</td>
<td>p.161</td>
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<tr>
<td>Appendix III</td>
<td>Letter from Elizabeth Frantz, Boston University Counsel, to City of Boston, May, 1982</td>
<td>p.163</td>
</tr>
<tr>
<td>Appendix IV</td>
<td>Letter from Katherine Shultz, ACNA President, to Mayor White, June, 1982</td>
<td>p.164</td>
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<td>Appendix V</td>
<td>1984 Agreement</td>
<td>p.168</td>
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<td>Appendix VII</td>
<td>Floor Plans</td>
<td>p.177</td>
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### MAPS

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<thead>
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<th>Audubon Circle in Relation to Boston University</th>
<th>p.128</th>
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<tr>
<td>Map II</td>
<td>The 1980 Boundary Line</td>
<td>p.129</td>
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<tr>
<td>Map III</td>
<td>1981-85 Purchases</td>
<td>p.130</td>
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</table>
AUDUBON CIRCLE IN RELATION TO BOSTON UNIVERSITY

p. 128
COOPERATION AGREEMENT

CITY OF BOSTON

and

TRUSTEES OF BOSTON UNIVERSITY

July 15, 1980
COOPERATION AGREEMENT

This Agreement, made and entered into this 15th day of July, 1980, by and between the CITY OF BOSTON, hereinafter the "City", and TRUSTEES OF BOSTON UNIVERSITY, an educational, non-profit corporation organized and existing under the laws of the Commonwealth of Massachusetts, hereinafter the "University".

WHEREAS, the City through its planning agency reviews development plans of institutions located within the City and makes recommendations thereon to the Board of Appeal of the City of Boston; and

WHEREAS, the University's draft Development Plan, hereinafter the "Development Plan", is attached hereto as EXHIBIT A; and

WHEREAS, the boundaries of the University's Campus, hereinafter called "University Campus" have been approved by the City and are delineated in EXHIBITS D, D-1, D-2 and D-3; and

WHEREAS, the basic objectives of the City are to facilitate sound development and orderly growth and to achieve neighborhood stability;

Specifically, the objectives are:

1. To preserve and strengthen the residential character of the areas surrounding the University in such a way as to promote and insure their future;

2. To facilitate efficient use of land in the area for housing, commercial and institutional use;
3. To strengthen and expand the real property tax base of the City;

4. To preserve and to strengthen the University as an educational institution in recognition of its substantial economic, cultural and social contribution to the City and its people; and

WHEREAS, the University desires to acquire properties located within the area covered by the University Campus and intends to develop such properties in accordance with the Development Plan; and

WHEREAS, certain real property of the University is exempt from taxation under the provisions of Massachusetts General Laws Chapter 59, Section 5, clause third (hereinafter referred to as M.G.L. c. 59, Sec. 5); and

WHEREAS, the University has applied for tax exempt status on the records of the City for a number of parcels of real property, as set forth in EXHIBIT B, which, but for the ownership and use of said parcels by the University and the stricture of M.G.L. c. 59, Sec. 5 could otherwise be subject to taxation; and

WHEREAS, the University has petitioned and intends to petition the Board of Appeal of the City of Boston for unqualified conditional use permits to occupy and use properties as set forth in EXHIBIT C; and

WHEREAS, one of the conditions to the issuance of such permits and a condition to the acceptance of the Development Plan,
is the requirement of the City that the University agree to make annual contributions to the City in recognition of certain municipal services provided by the City with respect to the University's tax-exempt properties and to finalize its draft Development Plan; and 

WHEREAS, the University is committed to extending additional benefits and services to the residents of the City:

NOW THEREFORE, in consideration of the mutual promises herein contained, the parties hereto agree as follows:

I. Development Plan

A. Properties Within the Area Covered by the University Campus

(1) The boundaries of the University Campus are as delineated in EXHIBIT D, EXHIBIT D-1, EXHIBIT D-2, and EXHIBIT D-3.

(2) Further acquisitions by the University within the area covered by the University Campus will be consistent with the Development Plan.

(3) With regard to University owned or leased housing, it is the policy of the University that no tenant is to be displaced from his or her dwelling place in order to accommodate a University student. However, the University reserves all common law and statutory rights of eviction, provided, however, the University shall not invoke said rights as a pretext to displace tenants in order to house University students.

(4) With regard to properties on Bay State Road in the block between Raleigh Street and Deerfield Street, the University
agrees that any vacancies in new property acquired will be filled with married graduate students, faculty or staff, or rented to adults on the open market. With the exception of Myles Standish and Shelton Halls, an effort will be made by the University to move undergraduates to other areas.

B. Properties Outside the Area of the University

Campus

(1) The University shall give the City sixty (60) days prior notification before acquiring additional property for educational purposes including residence halls outside the University Campus. The provisions will not apply to bona fide gifts to the University.

(2) The University shall give the City sixty (60) days prior notification in the event it leases more than fifty (50%) percent of the total units in any one apartment building outside the University Campus.

C. Approval of Development Plan

The Development Plan will be approved and endorsed by the City and the University as soon as possible after the execution of this Agreement. Nothing herein shall prevent the University from modifying the Development Plan in the event of changed circumstances, with the understanding that the University shall keep the City and the affected local communities informed of any material changes sought or proposed by the University for the Development Plan in the future.

D. Real Estate Taxes

(1) The sum of $169,063.65 awarded by the Board of Assessors to the University for abatements on the ground of tax
exemption with respect to Fiscal Year 1979 will be returned to the City as set forth in subparagraph (4).

(2) The University will return to the City all funds hereinafter received by the University from the City on account of abatements on the grounds of exemption, partial exemption, or overvaluation of the properties listed on EXHIBIT E, attached hereto, for Fiscal Year 1977 through Fiscal Year 1980, in accordance with subparagraph (4). The City and the Assessor will continue to recognize the University's right to change the use of the properties listed on EXHIBIT E and will in the future grant exempt or partial exempt status to the properties in accordance with their actual use from time to time.

The City will, to the extent permitted by law, continue to grant full exempt status to the properties listed on EXHIBIT E-1 as long as the present uses are continued.

The City will use its best efforts to prevent the issuing of tax bills for Fiscal Year 1981 on those properties of the University which have been granted exempt status by the Assessor.

(3) With respect to the properties acquired after June 30, 1980, which would otherwise possibly be exempt from taxation under M.G.L. c. 59, Sec. 5 as a result of their ownership and use by the University (hereinafter "after acquired exempt properties"), the University will nevertheless pay full taxes and charges on "after acquired exempt properties" except insofar as acquisition, development, sale, disposition or changed use of other properties by the University adds those other properties (hereinafter "off-setting properties") to the tax rolls of the
City. In such case or cases, the taxes and charges payable to the City with respect to "after acquired exempt properties" under the terms of this Section shall be reduced to the extent of any additional tax revenue generated by the "off-setting properties".

(4) The funds to be paid to the City pursuant to subparagraphs (1) and (2) shall be held in escrow in an interest bearing account or in any other investment mutually agreed upon by the City and the University. The funds paid into said escrow account and any additional funds paid into escrow pursuant to Section II shall be held in escrow until all conditional use permits or other permits and licenses (other than any required health or safety permits) necessary for the occupancy and use of the properties listed in EXHIBIT C have been granted by the appropriate authority, and the appeal period has lapsed, at which time said funds and any interest or dividend thereon shall be paid to the City. In the event that said conditional use permits or other permits or licenses have not been granted and the appeal period lapsed, with respect to properties listed on EXHIBIT C, I, II, III and IV by September 5, 1980, and with respect to the remaining properties listed on EXHIBIT C, V by December 31, 1980, at the option of the University, said funds and any interest or dividends thereon shall be paid to the University and this Agreement shall be terminated and deemed null and void.

(5) The University will continue to pay taxes as indicated on EXHIBIT F unless the use of the listed properties
by the University is changed so as to make them exempt, or increase their exemption under M.G.L. c. 59, Sec. 5. In the event that the use of the properties on EXHIBIT F is changed so as to increase their exemption, said increased exemption will not be treated as "after acquired exempt property" pursuant to subparagraph (3) above with the sole exception that an increase of the percentage exemption of the property owned by the University at 700 Commonwealth Avenue shall be deemed "after acquired exempt property" to the extent of the increase of the percentage exemption above that shown on EXHIBIT F. Any delinquent tax liens on these properties will be paid forthwith upon notification to the University of such delinquencies.

(6) Nothing herein shall be construed as a waiver by the University of its right to seek abatement of taxes on the grounds of overvaluation or disproportionate assessment of University property nor, except as expressly provided in Paragraphs (3) and (5) shall it be construed as a waiver of the University's right to seek abatement on the grounds of exemption of any University property.

E. Payment in Lieu of Taxes

(1) Amount of Payments - For each of its Fiscal Years, commencing Fiscal Year 1981, the University will pay to the City an amount computed to be the largest of the following:

(a) Two hundred thousand dollars ($200,000) for Fiscal Year 1981 plus an escalator, defined in Section E(2) for each year after Fiscal Year 1981

OR

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(b) $25.00 per full-time equivalent university student enrolled during the previous fiscal year, for Fiscal Year 1981, plus an escalator, defined in Section E(2), for each year after Fiscal Year 1981 minus a credit of fifty percent of the cash value of scholarships awarded pursuant to Sections III B and C as defined in Section E(3)

OR

(c) One percent of principal balance of endowment as reported in the University's financial statements for the previous year, plus one-half of one percent of the principal balance of endowment in excess of one hundred million dollars minus a credit of one hundred percent of the cash value of scholarships awarded pursuant to Sections III B and C as defined in Section E(3).

(2) When cash payments in lieu of taxes are computed according to Section E(1)(a) and (b), the computational base for each shall be escalated or decreased for each fiscal year commencing 1981 proportionately with the increase or decrease in the City's gross property tax levy compared with that of Fiscal Year 1981.

(3) When the cash payment in lieu of taxes is computed according to Section E(1)(b) and (c), the payment base will be credited by fifty percent of any living stipend granted by the University to students selected for the scholarships awarded
pursuant to Sections III B and C. If the University chooses to continue any of the scholarships awarded to these students beyond four years, it may continue to credit fifty percent of said living stipend against the payments to the City. In recognition of the fact that the University has been providing thirty-four scholarships each year under a program to be replaced by the one described in Sections III B and C, an additional credit will be available to the University in Fiscal Years 1981, 1982 and 1983. This credit will consist in the case of payment computed pursuant to Section E(l)(b) of 50 percent of the cash value of said scholarships and any living stipends which were awarded to the thirty students selected each year for four-year scholarships from Boston high schools in 1977, 1978 and 1979 and will consist, in the case of payment computed pursuant to Section E(l)(c), of 100 percent of the cash value of the remaining term of said scholarships and any living stipends so awarded. The University will provide the City with the names of these ninety students and their current academic status (if each student will provide the University with a waiver under the Buckley Amendment), high school graduating from and documentation of the school program.

(4) In no event shall this section be interpreted to require any payments by the City to the University.

II. Timing of Payments

The payments called for in I E(l) will be made to the
Collector-Treasurer of the City of Boston for each of the University's fiscal years beginning with Fiscal Year 1981. On each November 1, beginning November 1, 1980, the University will pay the City $100,000 and on each May 1, beginning May 1, 1981, it will pay the balance of the computed payment. In the event that all conditional use permits or other permits and licenses, (other than any required health or safety permits) necessary for the use and occupancy of the properties listed in EXHIBIT C have not been granted at the time any payment is due under this Section, said payment will be paid into escrow and held pursuant to the terms of Paragraph I(E)(4).

III. Other Considerations

A. Development Projects

(1) With regard to the former Kenmore Hotel, Boston University is fully committed to developing housing which will produce taxes. Boston University is currently working with a developer to accomplish this end with the expectation that this will be accomplished by June 30, 1983.

(2) The University is contemplating participation with owners of the Fenway Motor Hotel in Kenmore Square in the construction of expanded new facilities at the hotel including rooms, parking, a conference center and a new hotel management academic center. The City will cooperate with the University in this endeavor.

(3) With regard to the Commonwealth Armory, the City will cooperate with the University on its effort at the state level to acquire the site for development. The details of what
it will contain are indefinite, but some of it will be tax producing.

(4) The Fenway Motor Hotel and Commonwealth Armory projects shall be considered tax producing to the City within the meaning of Section D(3).

B. Scholarships

The University will expand its existing Boston High School Scholarship Program. Beginning in Fiscal Year 1981, it will award full tuition four-year scholarships each year to three academically qualified students attending or having graduated from each Boston public high school. If a high school is closed, the Committee may re-assign its allocation of three scholarships to students from other public high schools. These students will be chosen by a Committee consisting of one representative from the University, one from the Boston School Department to be chosen by the Superintendent of Schools, and one private citizen to be designated by the Mayor. If a student leaves the University's program, the scholarship will be reserved for him or her for one year. If he or she does not return to the University, the remaining term of the scholarship will be awarded to another graduate of a Boston high school to be chosen by the Committee. If the student does not perform satisfactorily academically or in other ways, the Committee shall have the option of re-assigning the remaining term of his or her scholarship. In all other respects of Boston High School Scholarship Program will be administered in the same manner and fashion as at present.
C. Special Enrollment of Qualified City Employee

The University will provide up to ten places in any one year in courses and/or programs offered by the University to provide for specialized study academically qualified City employees chosen by the Mayor in the areas of expertise needed by the City government.

D. Jobs for Bostonians

Consistent with the University's Equal Employment Opportunity and Affirmative Action Plan, and in accordance with the established practices of its personnel office, the University shall promote the employment by it of residents of the City, which shall include job posting and local advertising of available positions. The University will include a short report on the local residence composition of its work force with its May 1 payment each fiscal year beginning May 1, 1982.

IV. Additional Provisions

A. The City agrees that for at least fifteen (15) years from the date hereof and for so long thereafter as the University shall make payments and provide the scholarships set forth in this Agreement, to the extent permitted by the laws of the Commonwealth, the City and/or the Assessor will not assess or attempt to collect any local real estate or personal property taxes or any other payments in the nature of or in lieu of local real estate or personal property taxes with respect to the University property within the area covered by the University Campus under Chapter 59 of the General Laws.
of the Commonwealth of Massachusetts or under any other
general or special law heretofore or hereafter enacted re-
quiring payments by charitable or educational organizations
to or for the benefit of municipalities in which they are
located. It is the intent and purpose of this Agreement
that the payments to be made by the University to the City
hereunder shall constitute the maximum payments to be made
by the University to or for the benefit of the City with
respect to the University property within the area covered
by the University Campus during the term of this Agreement,
other than payment for building permits, betterment assess-
ments, and water and sewer charges.

B. The City agrees that to the extent permitted by the
laws of the Commonwealth, no amendments subsequent to the
date of this Agreement to any of the provisions of any general
or special laws of the Commonwealth of Massachusetts, including
without limitation Chapter 59 of the General Laws or Chapter
614 of the Acts of 1968 of the Commonwealth of Massachusetts,
seeking to impose local real estate or personal property
taxes or payments in lieu of local real estate or personal
property taxes or any other taxes, fees, excises, rates, or
charges, insofar as any such law may relate to property within
the area covered by the University Campus, shall be applicable
to the University with respect to the University property
within the area covered by the University Campus for so long
as the University makes payments to the City and awards of
Scholarships under the terms hereof.
C. If at any time during the term of this Agreement there is a change in the present tax structure of the Commonwealth of Massachusetts, such as a payroll tax, or there is a change in the City's present fee system (other than fees for building permits, betterment assessments, and water and sewer charges), then either party may notify the other that this Agreement is terminated and upon such notice this Agreement shall become null and void. The City and the University agree, however, that in the event of such termination, they will renegotiate an agreement in good faith in an effort to preserve the basic equities of the Agreement.

D. The City hereby agrees to support and encourage the University's applications for unqualified conditional use permits to occupy and use the properties set forth in EXHIBIT C, and further agree that if any permits are not granted by September 5, 1980 with respect to properties listed on EXHIBIT C, I, II, III and IV, and by December 31, 1980 with respect to the properties listed on EXHIBIT C, V, or are granted and then rescinded by order of a court of competent jurisdiction, then this Agreement shall, at the University's option, become null and void and without recourse to any party hereto.

E. If this Agreement shall be held in whole or in part not binding upon the City, or if substantial restrictions are placed upon the property of the University not contemplated herein, this Agreement shall, at the University's option, become null and void.
F. All notices required by this Agreement will be given by mailing the same in a sealed envelope, postage prepaid and either registered or certified, return receipt requested, addressed to the University at:

Boston University
Office of the University Counsel
141 Bay State Road
Boston, Massachusetts 02215

and addressed to the City and the Authority at:

Corporation Counsel and Collector-Treasurer
Room 615 Room 301
City Hall City Hall
Boston, Massachusetts 02201 Boston, Massachusetts 0220

G. The provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, each of the parties has caused this Agreement to be executed as a sealed instrument by its officers duly authorized as of the day and year first written above.

TRUSTEES OF BOSTON UNIVERSITY

By: Arthur G. B. Metcalf
Chairman of the Board

By: John R. Silber
President
CITY OF BOSTON

Approved as to Form:

Kevin H. White
Mayor

Harold G. Carroll
Corporation Counsel
City of Boston

Barbara Cameron
Commissioner of Assessing
EXHIBIT A: DEVELOPMENT PLAN

Boston University was founded in 1839 and was chartered by The Commonwealth of Massachusetts in 1869. From then until the 1930's its various schools and colleges were scattered throughout the City of Boston. In the 1930's the University recognized the need to consolidate its academic functions and buildings on one campus. Laboratories, lecture halls, seminar rooms, and faculty offices for more than a dozen schools and colleges had to be located within easy walking distance of a central library, a student union and one another. The University also recognized the need to provide student housing in close proximity to its academic centers and in the 1930's began the acquisition of these facilities on Bay State Road and Commonwealth Avenue.

Although its student population has remained relatively stable during the last decade and will continue so for the foreseeable future, the University must complete its acquisition of adequate academic facilities; it must also provide additional housing that is safe, convenient, and well-maintained to meet the pressing needs of its students. Without adequate academic and housing facilities Boston University cannot attract and retain outstanding faculty, staff and students.
For these reasons, the consolidation of the University on a central campus has been an essential concern for more than 60 years. Its completion remains the central issue underlying the University's development plan for the future.

A brief historical review shows that the University's Charles River Campus was established in 1920 with the acquisition of 15 acres of land along Commonwealth Avenue and Bay State Road between Granby Street and Chilmark Road (now University Road). The core academic facilities were constructed on the original parcel during two distinct building periods: 1938-1952 (including the College of Liberal Arts and the Schools of Management and Theology) and 1961-1968 (including the George Sherman Union, Mugar Library and the Schools of Law and Education). With the exception of Warren Towers, the West Campus complex and the Towers dormitory, the remaining areas necessary to the centralization of Boston University have been obtained through the acquisition and subsequent conversion of previously existing properties. It is interesting to note that the most devastating eminent domain takings along the Charles River were from Boston University when Storrow Drive was constructed.

The present boundaries of the Charles River Campus are delineated in Exhibit D and Exhibit D-1. It is the intention of the Board of Trustees to acquire and improve property within these boundaries to ensure continued high standards of academic excellence and to complete the centralization of the main campus begun more than sixty years ago.
The University has attempted to ensure that its new acquisitions would have a positive impact on the neighboring areas. This has been the University's commitment for more than 60 years. We still are committed to working with residents and the City to establish such areas as stable, attractive and safe neighborhoods for all who live and work there. The University continuously works with neighborhood residents, the City and its planning agency, the Boston Redevelopment Authority, to meet any reasonable concern and to structure an orderly plan for its future development.

Recently, this effort culminated in a Cooperation Agreement signed by the City and the University. In an effort to implement its responsibilities under this Agreement, the University is attempting to gradually terminate its use of leased housing for its students as alternative University-owned housing becomes available.

In addition, the University has observed a policy that no tenant living in a property at the time of its purchase by the institution will be evicted from his dwelling solely to accommodate a University use.

The University also has agreed to submit yearly reports to the Boston Board of Appeal with respect to the number of buildings in which it leases more than fifty (50%) percent of the dwelling units and with respect to its progress in terminating the use by unmarried undergraduate students of certain properties located on Bay State Road. The University has also agreed to meet at least annually with the neighborhood associations to work with the residents to structure and implement this Development Plan.

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Bay State Road

Bay State Road lies at the heart of the Charles River Campus. The University takes great pride in the intrinsic beauty of this area, and is committed to the preservation of its historic and architectural heritage through a comprehensive program of regular maintenance and supervision.

Of great significance to an understanding of the contribution that Boston University has made to this area are the comments by the famous historian Walter Muir Whitehill who, in writing of the Charles River/Kenmore Square area, said:

Boston University began life in a series of separate buildings around the top of Beacon Hill, and later, with its great expansion, fanned out all over the city. Impelled by the energetic determination of President Daniel L. Marsh it undertook in the nineteen thirties to create a central campus for itself on Commonwealth Avenue, east of Cottage Farm Bridge. Previous to this move Commonwealth Avenue west of Kenmore Square had proved a vain hope. The Temple Israel had built there on the corner of Blanford Street in 1907, in marble save on the west where cement was substituted in the confident expectation that the block would soon build up. It never did, for the street remained one of trolley cars, automobile salesrooms and vacant lots until President Marsh began its transformation. From its new buildings, Boston University had spread west to absorb the defunct Braves Field, and east to take in many of the larger houses of Bay State Road. The Lindsey house now accommodates the President of Boston University, the Weld house its Faculty Club. Altogether a street that never fulfilled its original promise is today coming into its own.¹

Boston University currently owns 53 of the 65 properties located on the block between Granby and Sherborn Streets, of which

eight are utilized as academic offices, 39 as undergraduate dormitories and apartment-style residences and two as faculty, staff, married and graduate student housing (four parcels are vacant).

In addition, 156 Bay State Road, currently owned by the Lahey Clinic, and 152 Bay State Road, currently University-owned but under lease to the Lahey Clinic, will be converted to academic offices by early 1981. The University will endeavor to acquire the remaining twelve properties in this block (including Massachusetts Institute of Technology fraternities located at 155 and 165 Bay State Road) as they become available and to utilize them for either academic or residential purposes as circumstances dictate.

The University has also converted vacant land at 217 Bay State Road, a parking lot at the southwest corner of Bay State Road and Granby Street, and a portion of a parking lot at 170 Bay State Road into landscaped parks for the use of Boston University faculty, staff and students and neighborhood residents alike. In conjunction with the effort to create open space and reduce traffic in this area, the University intends to cooperate with other Bay State Road residents to close this section of Bay State Road in order to create a landscaped pedestrian mall.

Boston University currently owns fifteen of the 31 properties located in the block between Sherborn and Deerfield Streets, of which eight are utilized as academic offices (including the Admissions Office, Alumni House, and the Offices of the President, Provost and several Vice Presidents), four as faculty, staff and
married and graduate student residences and one as a dormitory (the Towers); two parcels are vacant. The property located at 143 Bay State Road, currently owned by the Lahey Clinic, will be converted to academic offices in 1981. Several mini-parks have already been established in this area, and future acquisitions will enable additional landscape improvements.

The University will endeavor to acquire the sixteen remaining properties as they become available (including a Massachusetts Institute of Technology fraternity at 111 Bay State Road).

Among the potential acquisitions in this area are several outstanding examples of late 19th century architecture which will lend themselves to conversion to academic offices or faculty and staff housing. Other brownstones, particularly on the south side, will be utilized as academic offices or residences as needs dictate.

In the block between Deerfield and Raleigh Streets, there are approximately 1,115 residents. Of this number, 815 are Boston University students, faculty and staff, constituting over 72% of the people living in this block. Of the remaining 303 people, over 100 are students living in MIT fraternity houses.

By the beginning of the 1981-82 academic year, the University hopes to convert four undergraduate apartment residences to graduate or married student housing leaving only seven undergraduate residences on this block. With the exception of Shelton Hall, the University will endeavor to relocate remaining undergraduates to
other areas as space becomes available, and to reserve this area for faculty, staff and married and/or graduate student housing.

With respect to future acquisitions, the University will utilize such properties for residences or academic purposes, but will not utilize any property for unmarried undergraduate student housing.

In the area between Raleigh Street and Charlesgate West, there are 833 residents; 682 (or 82%) are Boston University students, faculty and staff and only 151 (or approximately 18%) are non-Boston University residents. Future acquisitions in this block are not planned, but any such acquisition would be implemented in accordance with Section B of the Cooperation Agreement.

Kenmore Square

Kenmore Square is the gateway to the Charles River Campus of Boston University. The University is therefore anxious to continue to work with community groups, area businessmen and residents to restore and upgrade the area. In this regard, the University will participate in joint acquisitions which will be consistent with these aims.

For example, Boston University has acquired the former Kenmore Hotel and is actively working with the City of Boston and a private developer to produce housing which will enhance the fabric of community life, and produce real estate taxes for the City.
Other possibilities include participation with the owners of the Fenway Motor Hotel in the expansion of its facilities.

It should be noted that Boston University, by agreement with the City, refrained from entering the Kenmore Square Area when the demise of Graham Junior College raised the specter of its property in the Kenmore Square area being used other than in the most constructive way.

The present condition of Leverett Hall and the statement it makes in Kenmore Square is a clear indication that the apprehensions of the University were correct. But now, with the City's support, we have entered into a working agreement with the Kenmore Square Businessmen's Association to actively participate in the preservation of all Kenmore Square properties where a future use would be detrimental to the Kenmore Square Businessmen's Association, the City, and Boston University.

Commonwealth Avenue

The University intends to acquire property on Commonwealth Avenue for expansion of academic, classroom and science facilities except in cases in which circumstances clearly dictate residential or commercial usage. The main building of the Lahey Clinic (605 Commonwealth Avenue) will be converted to academic and classroom use by early 1981. The Lahey parking facility (595 Commonwealth Avenue) will continue in the same mode until development plans (perhaps in conjunction with the Fenway Motor-
Hotel) can be completed. In general, conversion of Commonwealth Avenue properties such as the Lahey Clinic building will result in a less intensive usage since the premises will serve pre-existing student, faculty and staff populations.

The use of the Lahey properties by Boston University will decrease measurably the average daily population which now uses these facilities. Presently, on any given day, over 1,500 patients staff and employees of Lahey Clinic with the attendant automobiles congest Bay State Road, Granby Street and Commonwealth Avenue. This usage will cease with the removal of Lahey Clinic. In taking over this property, Boston University will not add any additional persons or automobiles to the area but will merely relocate them from other segments of the Commonwealth Avenue area. Therefore, there will be a net reduction of 1,500 people per day. The conversion of these facilities to academic purposes are an essential part of the University's plan to develop additional research facilities and to upgrade and improve existing facilities.

South Campus/Audubon Circle

Although the University student population has not grown significantly, the demand for on-campus student housing has increased dramatically in recent years. As the ability to provide housing for students is crucial to the survival of Boston University, the Board of Trustees is committed to establishing a student residential complex in the Buswell Street/Park Drive area, known as South Campus.
There are forty-two (42) residential properties within the triangular area bounded by Mountfort Street on the north, St. Mary's Street on the west, and the south side of Buswell Street. In a state of decay and neglect for many years, this neighborhood is an area where the desire of the City to restore blighted properties and the need for the University for student housing have coincided, and where the University's revitalization program has substantially benefited both the City and the neighborhood.

Its presence in the area began in 1956 with the acquisition of 10-18 Buswell (Warren Hall) and was enhanced thereafter by the establishment of two dormitory complexes at 518 Park Drive and 40-48 Buswell Street. In 1977, the University began to acquire property on Buswell Street and Park Drive for student housing. In the process, because of the extensive rehabilitation required in each building, the University has reversed the trend toward urban decay.

As an example of the positive force that the University has exerted, we cite the re-opening of six abandoned stores on the corner of Buswell Street and Park Drive which for many years were empty and boarded up. With the coming of a concentrated student population in this area, all these stores now have been reopened and refurbished; all of the properties have gained in value and are thus making significantly increased tax contributions to the City of Boston.

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The University currently owns 31 of the 42 residential properties in South Campus with a student housing capacity of approximately 1,100, or 14% of the total number of undergraduates housed at the Charles River Campus. If the University were able to acquire the eleven remaining properties, its student housing capacity would be increased by approximately 1,500 persons. This would be a significant percentage of the 8,000 students that we now house in University residences and would be another significant step in implementing the agreement with the City to concentrate our students closer to the Central Campus thus having the effect of withdrawing students from the Brighton/Allston area and the Bay State Road area.

The Armory/Allston-Brighton

It is the University's long-range goal to encourage students to move closer to the core campus and out of residential areas of Allston-Brighton. In order to provide safe and attractive housing closer to the campus, the University has developed the South Campus area described above. In addition, the University hopes to acquire the Commonwealth Armory, which marks the geographic division between the West Campus complex and the core academic facilities. If the University acquires the 10.2 acre site, it will make every effort to establish tax producing functions as well as educational uses. Potential uses under consideration include the following: expansion of existing athletic facilities; the development of
commercial and residential properties; and the construction of a parking garage. The acquisition and development of the Armory will be planned in consultation with the community, to help reduce the University's impact on Allston-Brighton. If economically favorable, we will provide student housing for those now living in the Allston-Brighton area. At the same time, it will help reduce on-street parking in these neighborhoods.

With respect to the western boundaries of the campus, the University does not intend to extend beyond Malvern Street Field. Future acquisitions will be used primarily for expansion of athletic facilities and any new athletic facilities at Malvern Street or the Armory will provide opportunities wherever feasible for reasonable use by the public as well as the students of Boston University.

The property located at 1106-1110 Commonwealth Avenue will continue as a University dormitory and plans are being formulated to add twenty units to the top floor.

Finally, the University's leasing of residential property in the Allston-Brighton area will be eliminated gradually over the next few years as more University-owned housing becomes available.

In 1979-80 the number of leased apartments used by the University and its students stood at 111; this year it was 84, or a reduction of 24%. Every effort will be made to continue this withdrawal of student housing from the Allston-Brighton area as we are able to consolidate into the Buswell Street/South Campus.
area in furtherance to the University's commitment to the Brighton-Allston citizens and the City of Boston. It is clear, however, that unless Boston University can complete the development of its central campus, it cannot achieve the objective of withdrawing from the neighborhoods of Allston-Brighton and Brookline.
Dear Mr. Fowler:

RE: MAP AMENDMENT APPLICATION NO. 214

Attached please find a transmittal of a vote taken by the Boston Redevelopment Authority on February 18, 1982, recommending denial of the above petition. The Authority, as you know, has gone on record on many occasions to actively oppose institutional expansion throughout the City. More recently, it initiated a petition that was adopted by the Commission providing further controls to hospital growth and expansion. However, we are concerned with attempts to approach the problems of institutional expansion on a piecemeal "block by block" basis with total disregard for a more comprehensive and professional re-evaluation of the causes, including the present definition of "dormitory" in the existing code.

We are thoroughly reviewing this matter, as well as turning to experiences in other municipalities before we submit a comprehensive dormitory definition change to you for consideration at the earliest possible time.

I respectfully submit that amendments such as the one before you will not result in the type of changes which may be needed City-wide to control the proliferation of dormitories.

Sincerely,

Robert J. Ryan
Director

Attachment
TO: Mr. Richard B. Fowler, Chairman  
Zoning Commission, City of Boston  

RE: Map Amendment Application No. 214  

In reply to referral of the above-designated proposed amendment(s) to the zoning map for Boston Proper in accordance with Chapter 665 of the Acts of 1956 as amended and further in accordance with Chapter 652 of the Acts of 1960, the Boston Redevelopment Authority hereby makes the following report with recommendation as incorporated in the vote below, adopted by the Board in its meeting of February 18, 1982.

VOTED: That in connection with Map Amendment Application No. 214, by James L. Buechel and others, to change that portion of an existing H-2 district in the Audubon Circle area that lies south of an alley between Beacon Street and Buswell Street to an H-2-65* district, the Boston Redevelopment Authority recommends denial. It is felt that the problem of dormitory expansion is citywide in scope and should be addressed by a redefinition of "dormitory" in the zoning code.

BOSTON REDEVELOPMENT AUTHORITY

By ___________________________  
Secretary

February 22, 1982
May 21, 1982

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Harold J. Carroll, Esquire
Corporation Counsel
Boston City Hall
Room 615
Boston, MA 02201

Re: Boston University Proposed Acquisition

Dear Mr. Carroll:

Reference is made to the several meetings in late February and early March, 1982, among various City and University officials, during which the University officials advised that the University intended to acquire additional properties to meet the University's educational and housing needs. In accordance with Article I.B.(1) of the Cooperation Agreement between the City of Boston and the Trustees of Boston University, this to confirm that the Trustees of Boston University have today acquired, through a nominee, the property located at No. 455-57 Park Drive, Boston, Massachusetts.

Very truly yours,

Elizabeth K. Frantz
Assistant General Counsel

EKF: CBO

cc: Lowell L. Richards - CERTIFIED MAIL - RETURN RECEIPT
Collector Treasurer
Room M-1
Boston City Hall
Boston, MA 02201
Dear Mayor White:

On June 1, 1982, the Audubon Circle Neighborhood Association sent you a mailgram pleading, as we have to City authorities many times in the past year, that you take action to meet the destruction that is occurring in this neighborhood. As the attached copy of the mailgram shows, we informed you of B.U.'s purchase of 10 buildings here. All we asked is that you meet with us quickly to discuss what any reasonable person would have to describe as a crisis. A month has gone by and we have not received any response.

Mayor White, our backs are to the wall. We have begged, pleaded, and fought as the place where we live is being coldly and systematically wiped out. You know the history of the Buswell Street area. You also know that we were told that the Cooperation Agreement signed on July 15, 1980 would mark B.U.'s boundaries in this neighborhood. Not even one year after that agreement was signed, B.U. had bought approximately 10 buildings outside the boundary line, renovated, and occupied them in blatant violation of our building and zoning laws. In late September of 1981 the Board of Appeal appointed by you, and now in holdover status, granted conditional use permits for some of the buildings. Some they didn't even bother to try to get conditional use permits for. They simply filled the buildings with students. Our complaints to the building department and cries for action went unheeded.

In late November 1981 we tried to file a petition with the Zoning Commission to re-zone our neighborhood. We also put many hours into a redefinition of "dormitory" for the Zoning Code. Someone from your administration kept our petition away from the Zoning Commission and also saw to it that the dormitory re-definition never reached the Commission. Only direct contact and a demand that the petition be heard got it on the Commission's agenda.

On February 23, 1982, our case was heard. Did you hear how many people cared enough about their homes to come to that hearing on a workday in the middle of winter? At the hearing your administration opposed us on the ostensible ground that the problem was a city-wide one that shouldn't be dealt with on an individual neighborhood basis. What has since been done on this city-wide problem as the area of Boston suffering most severely from it watches as more and more buildings disappear as residential housing? The answer so far as we can see is nothing.

On March 19, 1982, B.U. filed applications with the Zoning Board of Appeal on nine buildings on Beacon Street. On March 23, the Zoning Commission voted
against us. Each of those individuals with the exception of one, a longtime
City employee, is a holdover appointment serving at your pleasure. The City
employee voted against us although he had not been a member of the Commission
at the time our case was heard so hence had no knowledge of the facts.

With your strong statements and vigorous intervention in the proposed con-
version of the Prudential apartments we took some degree of hope that the City
had a housing policy which at long last would stop the destruction of Audubon
Circle. We have been told repeatedly that the City could do nothing, an obvious
fallacy. All that has to be done is for our neighborhood to be re-zoned or
the Board of Appeal to say a loud and clear "NO" to any more dormitories in
Audubon Circle. The Prudential situation showed vividly what the City can do
when it chooses to.

Our hopes were false, however. We discovered purely by chance in late
May of 1982 that B.U. had bought yet nine more buildings in our small neigh-
borhood, all of which are on blocks where they have not been before. We
notified you immediately in the June 1 mailgram. We have just discovered that
the City already knew of these purchases and, it appears, encouraged, or at
least condoned them. We have also just discovered a new purchase, which is
875 Beacon Street.

As you know, B.U. has had only one claim that the Cooperation Agreement
boundary was not firm (despite the big black line drawn and specific language
on the extent of Audubon Circle expansion and the desirability of retaining
residential character of neighborhoods around B.U.). One sentence in the
Agreement reads that B.U. will give the city 60 days' advance notice of its
intent to purchase any building outside the boundary lines. In this latest
set of acquisitions even that meaningless requirement has been violated.

Attached you will find the notices they filed on the newest purchases.
How these notices referring to buildings purchased a few days previously can
be seen as complying with the 60-day advance notice requirement is a mystery.
It is also an insult to the City and to us. Additionally, we are outraged
beyond all bearing that, according to these notices, various City officials
knew in February and March of 1982 that B.U. was going to acquire more proper-
ties here. While City officials, according to the notices, were discussing
this subject with B.U., we naively were believing that the process we were
pursuing at the Zoning Commission and in attempts to get the Building Depart-
ment to stop the illegal occupances had some chance of working honestly.
Now we discover beyond any doubt that the City has apparently known for months
of B.U.'s plans to continue their acquisitions here. Who were the City officials
engaged in these discussions and why weren't we included?

Your mother lives in the Prudential apartments and we're sure you heard
of the agony of residents there who would be forced to move. Do you think
that what we've been going through is any less? In fact, it is more because
housing in our neighborhood has been relatively reasonably priced. Our
displaced neighbors, and there are now many of them, do not have the options
available to people who live at the Pru.

Do you fully realize that what we have here is nothing but raw blockbusting?
Do you know that we have any number of people who've lived here for well over
30 years? Has anyone told you of our unrefuted evidence to the Zoning Commission
about 872 Beacon Street? A straw bought and "owned" it while B.U. "managed" it. Rents were raised, condominium notices sent to the tenants, and students moved in as each apartment became empty. In slightly more than a year, a building filled with Boston working people was turned into a dormitory. Only one tenant remains, and her tales of what it's like to live there are pathetic. When there was only one person left, the building was "sold" to B.U. virtually tenant-free. Now we have ten more buildings bought through straws. If B.U. tells the City that they will not displace tenants, this lie should be rejected. Some of the tenants have already come to us to report that renovations have begun in some of the buildings, that their superintendents have told them they will have to leave, and that when they called B.U. they were told vacancies will be filled with students. You don't have to send people a letter telling them to get out to displace them by other means.

Mayor White, why are our elected and appointed officials destroying our neighborhood? We are merely single working people, families, and retired people trying to live peacefully in our homes. I have lived here for 10 years and am raising my two young children. Among my close neighbors are people who have been here for as long as 54 years. Words cannot describe the bitterness in our neighborhood towards an administration which has cooperated in, if not engineered, the devastation here.

In addition to our personal pain over this, there is also the issue of the terrible mockery that has been made of the law and the City's processes for enforcing the law. Time and again we have pointed out the absolutely outrageous lies B.U. continues to tell at every hearing we attend. Nothing is ever done to confront them or check on what they say. When B.U. tells City authorities something, why doesn't anyone ever call us to check on the accuracy of their statements? I am at home with my children and would be more than happy to answer any questions City officials may want to ask us.

On July 20, the Board of Appeal will be holding a hearing on B.U.'s application for variances and conditional use permits on nine buildings, several of which they occupied illegally as dormitories all last year. As at the Zoning Commission, your administration has opposed us at the Board of Appeal in the past for no reason that was ever made clear. We want to know what your administration's position will be on July 20. We have heard numerous rumors that you have "given" Audubon Circle to John Silber. Dr. Silber told a reporter in a Channel 5 interview that he had a deal with you whereby he would get a dormitory for every commercial, tax-paying property he generated. Is it true that there is such a deal? No neighborhood of the city of Boston is free to be "given" to any institution by our elected and appointed officials, and we hope that these statements were false. The latest acquisitions and the City's apparent prior knowledge of them do not give us much hope on this score.

We must have some resolution of the problem here. As everyone in your administration knows by now, we have done everything possible to solve this terrible problem through channels the law makes available to us. We have met with
not one iota of success. Unless we get some firm indication by July 12th that the City is committed to resolving the situation here in a manner other than turning our entire neighborhood over to B.U., we will have to conclude that there is no hope of preserving Audubon Circle as a mixed residential housing area. We are Bostonians, many of whom stayed in our city while so many were abandoning it. We have never wanted to drag a problem that could so easily be solved into the courts or any other arena where we would have to ask any outsider to resolve what is an internal problem. We now seem to have no other choice. We have no place left to go.

Please respond to us as rapidly as possible.

Sincerely,

Kathleen Schultz, President
AGREEMENT BETWEEN BOSTON UNIVERSITY AND THE CITY OF BOSTON RELATIVE TO THE TRANSFER OF COMMONWEALTH ARMORY FROM THE COMMONWEALTH OF MASSACHUSETTS TO BOSTON UNIVERSITY - DECEMBER 1, 1984

PLANNED DEVELOPMENT AREA

1. Boston University and the City of Boston agree that the University shall develop Commonwealth Armory as a Planned Development Area, as defined in Section 3-1A of the Boston Zoning Code and Enabling Act requiring the submission and approval of a master plan and a development plan or plans for the site. The City agrees that the University may, at its discretion, choose to submit either such a master plan and partial development plans or a master plan and a single development plan. The University agrees that, after the transfer of title and before development of the property begins, Boston University will submit such a plan or plans for review and approval by the City under existing provisions of law and zoning regulations.

PROJECT ADVISORY COMMITTEE

2. Boston University and the City agree that a Project Advisory Committee shall be formed to advise BU and the City on the master plan and development plan or plans. The Boston Redevelopment Authority shall consult with community organizations and the University to determine the composition of the Project Advisory Committee. The City recognizes that the development of the armory site will impact on neighborhoods in the Town of Brookline. The City agrees that representatives from impacted Brookline neighborhoods should be invited to serve on the Project Advisory Committee.

PAYMENT IN LIEU OF TAXES

3. Boston University agrees to make a payment in lieu of taxes of $50,000 per year for the armory site which will be in addition to any other in lieu of tax payments. The payment in lieu of taxes shall commence upon the transfer of possession of the armory from the National Guard to the University. If the transfer of possession is phased, the payment in lieu of taxes shall be prorated. In the event that taxable development occurs on the armory site, the University agrees that real estate taxes shall be paid for such development. Sections I.D. (3), I.D. (6), I.E. (3) and IV of the Cooperation Agreement of July 15, 1980 shall apply to the payment in lieu of taxes and any real estate taxes paid by the University for the armory site.
STUDENT HOUSING

4. Boston University and the City agree that, subject to enabling amendment(s) to Chapter 649, Laws of 1982, and subject to the availability of adequate financing, housing for up to 550 undergraduate and/or graduate students shall be constructed on the armory site. The University and the City agree that the housing for up to 550 students shall be included in the first phase of armory development. They further agree to conduct discussions concerning the feasibility of constructing housing for up to 800 students in total on the Armory site. If required, the City agrees to assist the University in obtaining financing for the student housing.

AMENDMENTS TO CHAPTER 649

5. The City of Boston agrees to join Boston University in seeking any amendment(s) to Chapter 649, Laws of 1982, that may be required to permit such development of the Commonwealth Armory site as may be deemed desirable by the City and the University. Both the City and the University will use their best efforts at the state level to urge the enactment of any such amendment(s).

UNIVERSITY CAMPUS

6. Boston University and the City agree that the University will concentrate its property acquisition and development activities within the area of the University Campus, as described in the Cooperation Agreement of July 15, 1980, and will for a period of five years from the date of this agreement acquire or lease property outside the University Campus only after first giving the Boston Redevelopment Authority sixty (60) days' prior notification of its intent to acquire or lease such property. The University will not proceed to complete such acquisition or lease without the written approval of the Authority, which shall approve or disapprove the acquisition or lease proposal within the sixty (60) day notification period.

AUDUBON CIRCLE PROPERTIES

7. Boston University and the City agree that upon the signing of this agreement a 6 month planning process will commence which will lead to the sale of properties that are owned by the University or that are to be acquired under existing purchase and sale agreements outside of the Charles River Campus in the Audubon Circle neighborhood. The University, the City and the Audubon Circle Neighborhood Association will undertake to identify and mutually agree upon those University owned properties which are suitable for sale. An independent expert shall be engaged to assist the University, the City and the Neighborhood Association in developing a mutually agreeable plan for the sale of the University properties. The University will sell the selected properties within 24 months of the signing of this agreement. The plan will allow the University to sell the properties without financial loss to the University. The University and the City agree to provide $25,000 each to design and implement the plan.

December 1, 1984
RECREATION FACILITIES

8. Boston University agrees to make available without fees to the user, but including reasonable maintenance costs, recreation facilities at the armory site to the Boston School Department and the Boston Parks and Recreation Department. In the past, the University has made its indoor track at the Armory available to the athletics programs of Boston's public high schools and has also made its other recreational facilities, including the Case Physical Recreation Center and Nickerson Field, available to the Boston Public Schools and other municipal groups. The University agrees to continue to make its athletic and recreational facilities available to Boston's schoolchildren and to the Boston Parks and Recreation Department to the maximum extent feasible, consistent with the needs of the University. A committee shall be formed consisting of representatives of the University, the Boston School Department and the Boston Parks & Recreation Department to coordinate the use of University recreational facilities.

ARMORY DISPOSITION AGREEMENT

9. Boston University and the City agree that this agreement shall be sent to the Division of Capital Planning and Operations. The University and the City have been informed by the Deputy Commissioner of D.C.P.O. that D.C.P.O. may include this agreement, or sections of this agreement, in the disposition agreement between the Commonwealth and Boston University transferring the armory to the University.

BOSTON UNIVERSITY - COMMUNITY TASK FORCE

10. As a large institution, Boston University's activities affect the communities which border it. In an effort to establish a cooperative relationship with its neighbors, the University agrees to participate in a Boston University-Community Task Force to be composed of representatives of community organizations from those neighborhoods adjacent to the Charles River Campus in the City of Boston and the Town of Brookline. The Task Force shall meet at least quarterly for the discussion and resolution of issues of concern to the community and the University. The chairperson of the Task Force shall be elected by the community representatives from the community members of the Task Force. The chairperson shall prepare in consultation with the membership the agenda for Task Force meetings. The University agrees to fund the publication of an annual report by the Task Force.

Agreed for Boston University:  
Agreed for the City of Boston:

[Signatures]

December 1, 1984
856-860 BEACON STREET
853 BEACON STREET