

# HOUSING AND REDEVELOPMENT AUTHORITY OF THE CITY OF SAINT PAUL, MINNESOTA

REPORT TO THE COMMISSIONERS

DATE: DECEMBER 9, 2020

**REGARDING: RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF CONDUIT MULTIFAMILY HOUSING REVENUE BONDS FOR THE PARKWAY APARTMENTS PROJECT TO BE LOCATED AT 1428 7<sup>th</sup> STREET EAST; APPROVING THE EXECUTION OF RELATED DOCUMENTS AND ADOPTING A HOUSING PROGRAM, DISTRICT 2, WARD 7**

## **Requested Board Action**

The HRA Board to take action on a resolution pertaining to the Parkway Apartments project (the “Project”) to authorize the issuance and sale of Conduit Multifamily Housing Revenue Bonds, the execution of a Loan Agreement and other related documents with The Parkway Limited Partnership (the “Developer”), adoption of a Housing Program for the Project.

## **Background**

On October 14, 2020 the Board of Commissioners adopted RES 20-1420 which approved the issuance and sale of a conduit multifamily housing revenue note for the Parkway Apartments project to be located at 1428 7th Street East and the execution of related documents. Immediately prior to the adoption of that resolution, The Parkway Limited Partnership, a Minnesota limited partnership (the “Borrower”) had switched lenders providing funds for the project. After the adoption of that resolution, the new lender advised the Borrower that a different document structure would be required rather than using the documents approved by the HRA on October 14, 2020. At the recommendation of the Office of the City Attorney, the Board is being asked to re-authorize the issuance and sale of a conduit multifamily housing revenue note for the Parkway Apartments project and the execution of related documents. The resolution for consideration by the Board supplements and restates but does not rescind RES 20-1420.

The Parkway Limited Partnership is planning to acquire a parcel located at 1428 East 7<sup>th</sup> Street (the “Property”) measuring approximately 1.34 acres. The proposal by the Developer includes construction of a four-story building with 60 housing units, 32 underground and 30 surface parking spaces. The proposed housing will consist of 9 one-bedroom, 18 two-bedroom units, and 33 three-bedroom units.

The sixty (60) housing units will be affordable to households as follows:

Size and Income /Rent Limits of Units:

<u>Size</u>	<u># of units</u>	<u>Gross Rent</u>	<u>Rent and Income Limits</u>
1 BR	3	\$937	50%
1 BR	6	\$1,215	60%
2 BR	2	\$1,125	50%
2 BR	16	\$1,350	60%
3 BR	10	\$1,650	30% (Project Based Vouchers)
3 BR	4	\$1,300	50%
3 BR	<u>19</u>	\$1,560	60%
Total	60		

The Developer has extensive experience developing commercial real estate and senior living facilities. The Developer will be partnering with an experienced property manager who will help manage this building.

The Property is zoned RM-2 (Multi Family Housing). The proposed Project use is a permitted in the RM-2 districts. See attached **Map**/Address of the Property, and attached **demographic profile** of District 2, the Saint Paul Planning District in which the Project is located. No businesses will be displaced, and no land acquisition took place as a result of eminent domain.

### **Budget Action**

The requested bonds are conduit revenue bonds which bonds shall not constitute an indebtedness, liability, general or moral obligation, or pledge of the faith or credit or taxing power of the HRA, City of Saint Paul, or any agency or political subdivision thereof, and shall not constitute indebtedness of any of the foregoing within the meaning of any constitutional, statutory, or charter provision, nor be a charge against their respective general assets, credit or taxing powers, and do not grant the owners or holders of the bonds any right to have the HRA, City of Saint Paul or any agency or political subdivision thereof to levy any taxes or appropriate any funds for the payment of the principal thereof or interest thereon. Principal and interest on the bonds are payable solely out of the revenues and other sources pledged to the payment thereof as described in the bond documents.

### **Future Action**

None

### **Financing Structure**

The Developer has proposed the following permanent sources and uses to complete the Project. The Developer is seeking HRA issued Multifamily Housing Revenue Bonds with automatic 4% Low Income Housing Tax Credits (LIHTC) and HOME funds.

<b><u>SOURCES</u></b>		<b><u>USES</u></b>	
First Mortgage	\$10,130,000	Acquisition	\$600,000
LIHTC Equity (4%)	\$5,777,335	Construction	\$13,107,376
Deferred Developer Fee	\$1,078,689	Professional Fees	\$1,127,500
HOME Deferred Loan	\$1,500,000	Financing Costs	\$1,251,500
Met Council Grant	\$15,947	Developer Fee	\$2,000,000
Energy Rebates	<u>\$15,000</u>	Reserves	<u>\$430,595</u>
<b>TOTAL</b>	<b>\$18,516,971</b>	<b>TOTAL</b>	<b>\$18,516,971</b>

### **Multifamily Housing Revenue Note and 4% LIHTC**

On August 26, 2020, the City Council conducted a public hearing and authorized preliminary approval for the HRA to issue a tax-exempt conduit multifamily housing revenue bond for the Project (RES PH 20-179). The developer has requested that the HRA issue a maximum \$12,000,000 in tax-exempt conduit multifamily revenue bonds. Of that amount, not more than the lesser of \$8,910,000 or 53% of the borrower's basis in the project will be volume cap 4% bonds. The \$8,910,000 volume cap bonds will generate approximately \$5,777,335 in Low Income Housing Tax Credit (LIHTC) equity. The developer has requested that the HRA issue additional tax-exempt bonds, not subject to volume cap, provided that the total amount of the bonds does not exceed \$12,000,000. The additional bonds are available from repayment of prior HRA-issued bonds and do not generate tax credits. The Bonds will be sold through a private placement with R4 Capital Funding.

### **Low Income Tax Credits (LIHTC)**

The 4% LIHTC are to be purchased by NDC Corporate Equity Fund XVI, L.P. for \$0.88 per dollar.

### \$1,500,000 HOME Loan

The HOME loan in an amount up to \$1,500,000 will be structured as a 50% cash flow note with a term of 40 years and a 1% interest rate. This loan will be in second position behind the first lender's \$10,130,000 loan.

### Deferred Developer Fee

In order to maximize the amount of tax credit equity, the Developer is requesting a Developer fee of \$2,000,000. This fee is within the City's Developer Fee Guidelines; it will be included as part of the project costs eligible for tax credits. A portion of the Developer Fee (\$1,078,689) will be deferred and paid over a period of approximately 11 years through excess cash flow as it is available after operating expenses and debt service on the first mortgage.

### **PED Credit Committee Review**

On October 6, 2020, the Credit Committee reviewed the proposed Multifamily Housing Revenue Bonds and the HOME loan. The Credit Committee approved the Bond assistance as consistent with PED Bond policies. The Credit Committee also approved of the terms of the \$1,500,000 HOME loan being risk rated as "Originated as a Loss".

### **Compliance**

The Parkway Limited Partnership has signed the compliance letters regarding the Project. The Project will comply with the following programs and/or requirements: Vendor Outreach Program, Affirmative Action, Federal and State Labor Standards, Project Labor Agreement, Sustainable Building Ordinance, HUD Section 3, Affirmative Fair Housing Marketing Plan and Two Bid Policy. The Project is exempt from the following: Business Subsidy based on development of housing; Living Wage based on the number of employees.

### **Green/Sustainable Development**

The project will comply with the Saint Paul Sustainable Development Policy.

## **Environmental Impact Disclosure**

An Environmental Review was completed. The Environmental Review was published on May 23, 2020 in the Pioneer Press paper.

## **Historic Preservation**

This project will not require Heritage Preservation Commission review. However, a HUD 106 review was completed. There are no impacts to historic resources.

## **Public Purpose/Comprehensive Plan Conformance**

The proposed Project at the Property is consistent with the 2030 and pending 2040 Comprehensive Plans. The 2030 Plan promotes multiple types of housing for people of all ages (LU1.40 and LU1.41) and development that supports walking and the use of public transportation (LU1.42). The 2040 Comprehensive Plan, which was approved by City Council in June of 2019, but has not yet been adopted, encourages transit-supportive density and the development of growth near transit (LU-1). It also calls for medium-density housing that diversifies housing options (LU-34) and directs multi-family housing to be located along arterial and collector streets to leverage the use of public transportation (LU-35). The Project is also consistent with the Greater East Side (District 2) Community Plan, which identifies this specific area as a location for higher density housing development (LU1d).

## 2030 and pending 2040 Comprehensive Plan future land use designation

The 2030 Comprehensive Plan identifies the future land use of the area as Industrial. However, that was written when Cemstone occupied a parcel to the east which was zoned I1 industrial. The Cemstone site has since been rezoned to T1 traditional neighborhood and is now occupied by a school. Industrial zoning and uses here would be inconsistent with surrounding development and zoning. Future land use designation informs changes to land use, which in this case would not occur since the entirety of the parcel is currently zoned multi-family residential. Additionally, multi-family residential use is permitted in industrial zoning districts as part of mixed residential and commercial use, so is not inherently inconsistent with industrial land use.

The 2040 Comprehensive Plan designates the future land use of the parcel as Urban Neighborhood: “Urban Neighborhoods are primarily residential areas with a range of housing types. Single family homes and duplexes are most common, although multi-family housing predominates along arterial and collector streets, particularly those with transit.” The proposed Project would continue to allow multi-family housing on a collector street with transit and is therefore consistent with the future land use designation of the 2040 Comprehensive Plan.

#### 2030 Comprehensive Plan

LU1.40. Promote the development of housing that provides choices for people of all ages, including singles and young couples, families, empty-nesters, and seniors.

LU1.41. Promote the development of a range of housing types and housing values in each of the 17 planning districts.

LU1.42. Promote the development of housing in mixed-use neighborhoods that supports walking and the use of public transportation.

#### 2040 Comprehensive Plan (Approved by the City Council in June of 2019, but not yet adopted)

Policy LU-1. Encourage transit-supportive density and direct the majority of growth to areas with the highest existing or planned transit capacity.

Policy LU-34. Provide for medium-density housing that diversifies housing options, such as townhouses, courtyard apartments and smaller multi-family developments, compatible with the general scale of Urban Neighborhoods.

Policy LU-35. Provide for multi-family housing along arterial and collector streets, and in employment centers to facilitate walking and leverage the use of public transportation.

#### Greater East Side (D2) Community Plan (an addendum to the 2030 Comprehensive Plan)

LU1. Development Opportunities. Promote higher density, mixed-use development in targeted business areas.

LU1d. Collaborate with District 2 to identify redevelopment sites for either mixed use or housing development. Possible sites include: state-owned property on York Avenue between Clarence Street and Birmingham Street; East 7th Street between Parkway School and Hazelwood Street;

vacant land, also known as the Cemstone site, north of Minnehaha Avenue; the 3M distribution center; and on vacant land between Case Avenue and the railroad tracks, west of White Bear Avenue.

**Recommendation:**

The Executive Director recommends approval of the resolution which approves the following actions:

- 1) The issuance and sale of Conduit Multi-Family Housing Revenue Bonds and the execution of related documents.
- 2) Adopting a Housing Program for the Project.

**Sponsored by:** Commissioner Prince

**Staff:** Report prepared by: Daniel K. Bayers, (266-6685)  
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**Attachments**

- Map
- District 2 Profile
- HRA Resolution #20-1420