#### **AGENDA**

# PHILADELPHIA LAND BANK BOARD OF DIRECTOR'S MEETING

Tuesday, August 11, 2020 – 10:00 am

Pursuant to 35 Pa.C.S.§ 5741, this meeting will be held remotely

THIS MEETING IS OPEN TO THE PUBLIC

# INSTRUCTIONS FOR PUBLIC ACCESS TO THIS MEETING AND TO SUBMIT PUBLIC COMMENTS ARE LOCATED ON THE FOLLOWING PAGE

#### **AGENDA ITEMS**

- 1. Roll Call
- 2. Approval of Minutes of the Meeting of July 14, 2020
- 3. Executive Director's Report
- 4. Property Dispositions

The applicant for each of the properties below is a "qualified applicant" and, as such, is tax compliant.

#### **Gardens**

The garden disposition listed below is subject to a right of re-entry and the following restrictions: (i) one year following settlement at least 50% of the property must be actively used for growing and harvesting "Crops" for at least five consecutive months; (ii) no more than 50% of the property may be used for "Ancillary Use(s)"; (iii) the sale of Crops may not exceed \$1,000 in any year; (iv) all compost must be stored in rodent-resistant containers; (v) no structures are permitted unless expressly permitted or an "Ancillary Use(s)"; (vi) no parking, maintaining, or storage of motor vehicles, trailers, and watercrafts; (vii) no keeping of any animals.

- 2001 Pemberton Street to Neighborhood Gardens Trust (CD2)
- 320 North 41st Street to Neighborhood Gardens Trust (CD3)
- 323 N. Holly Street to Neighborhood Gardens Trust (CD3)
- Resolution Authorizing a Lease to Community Justice Land Trust for 1210, 1212, 1214 S. 27th Street;
   2723, 2725, 2727, 2729, 2731, 2733, 2735, 2737, 2739 Ingram Street; 2704, 2706, 2710, 2712, 2716,
   2720, 2724, 2726, 2738, 2740 Manton Street; and 2705, 2720 Oakford Street
- 6. Public Comment (Old & New Business)
- 7. Adjournment



1234 Market St., 16<sup>th</sup> Floor, Philadelphia PA 19107 philadelphialandbank.org

#### — MEMORANDUM -

FROM: Steve Cusano, Esq., Senior Counsel

**RE**: Philadelphia Land Bank August 11, 2020 Board Meeting

Remote Board Meeting Notice, Attendance, and Comment Procedures

**DATE**: July 31, 2020

A meeting of the Board of Directors of the Philadelphia Land Bank ("Land Bank") is currently scheduled for **Tuesday, August 11, 2020, to commence at 10:00 A.M.** Because of the closure of Land Bank offices in connection with the Covid-19 emergency, this meeting will be held remotely using Zoom Webinar and may be joined and viewed by the public at the following link:

https://us02web.zoom.us/j/89181593752?pwd=VVQ2b24wR1pCK1lEeE1SUGRRK2h4Zz09

Use the following password to access the meeting: 062343

The Board agenda and packages will be available to view five (5) days prior to the Board meeting at https://phdcphila.org/who-we-are/boards/philadelphia-land-bank-board/.

Public comment and questions may be received with regard to those matters posted on the agenda prior to, and during, the Board meeting. If you are joining and viewing the Board meeting through the Zoom Webinar link above, you will be able to submit your questions and comments live during the Board meeting through a "question and answer" window on the web interface. *Do not use the chat function for questions and comments*. If you would like to submit any questions or comments prior to the Board meeting, you must email the following information to <a href="steve.cusano@phdc.phila.gov">steve.cusano@phdc.phila.gov</a> by 1:00 p.m. on Monday, August 10, 2020:

- Full name/company affiliation;
- Contact information;
- Identify the item/resolution that you are addressing; and
- Provide your question(s)/comment(s) in a clear and concise manner.

With respect to those members of the public who submit the above information within the required time frame, your question(s)/comment(s) will be read at the Board meeting and answered or addressed to the extent they can be. The Board Chair may limit repetitious question(s)/comment(s).

If possible, the Board meeting will be recorded and made publicly available within thirty (30) days. If you have question(s)/comment(s) following the conclusion of the Board meeting, please submit as described above and they will be addressed to the extent possible at the next scheduled Board meeting.

#### PHILADELPHIA LAND BANK BOARD MEETING MINUTES

A Regular Meeting of the Board of Directors of the Philadelphia Land Bank was held on Tuesday, July 14, 2020 commencing at 10:00 a.m. via Zoom webinar pursuant to 35 Pa.C.S. § 5741 and proper notices.

#### **CALL TO ORDER**

Ms. Fadullon called the meeting to order at 10:05 a.m.

#### Item 1 Roll Call

The following members of the Board of Directors reported present: Alex Balloon, Eric Bodzin, Richard DeMarco, Anne Fadullon, Michael Johns, Michael Koonce, Majeedah Rashid, and Rick Sauer.

The following members of the Board of Directors were not present: Paulette Adams, Christian Dunbar and Joshu Harris.

The following staff members were present: Angel Rodriguez, Steve Cusano, Esq., Wendolyne David, Roneece Dent, Andrea Saah, Esq., Carolyn Terry, and Jamila Davis.

Public Attendees: The list of public attendees is attached to these minutes.

A quorum of directors was present and the meeting, having been duly convened, proceeded with business.

Steve Cusano, Senior Counsel, made the following announcement: Today's Board meeting is being held via an authorized communication device as authorized by Title 35, Section 5741 of the Pennsylvania Consolidated Statues and is being recorded. Questions and comments may be made using the Q&A button at the bottom of the screen. Please do not use the chat function. If any member of the public has any issues submitting questions or comments, please send an email to Steve.Cusano@phdc.phila.gov.

Mr. Cusano then announced that prior to today's public session, the Board held an executive session where the Board received information regarding the lease between North Broad Renaissance and the Philadelphia Land Bank, information on a potential assignment of a purchase and development agreement with Yuhan Holdings, and an update on committee assignments.

Prior to today's meeting, the public had an opportunity to email any questions or comments. The deadline for submission was Monday, July 13<sup>th</sup>, 2020 at 1:00 pm. Mr. Cusano indicated that questions and comments were received and that, at the appropriate time during the meeting as determined by Ms. Fadullon, the Board could address them.

Ms. Fadullon indicated that the structure of the meeting would be different in that as each specific agenda item was addressed members of the public would have an opportunity to submit questions and comments for that agenda item. Ms. Fadullon further indicated there would be an opportunity to discuss new and old business at the end of the meeting at which time members of the public would have another opportunity to submit questions and comments.

### Item 2 (Item 3 on the Agenda) Approval of Board Minutes

Ms. Fadullon called for a motion to approve the minutes of the Board meeting of June 9, 2020.

Mr. Balloon abstained from the vote because he was absent from the June 9<sup>th</sup> board meeting.

Mr. Johns made a motion to approve the minutes of the Board meeting of June 9, 2020. The motion was seconded by Mr. DeMarco.

Upon motion made and duly seconded, the Board approved the minutes of the June 9, 2020 Board meeting.

### Item 3 (Item 4 on the Agenda) <u>Executive Director's Report</u>

The Executive Director's report is attached to these minutes as **Exhibit A**.

Mr. Rodriguez updated the Board regarding recently completed settlements including the Grays Ferry Earp Street RFP properties to Civetta Property Group, and certain properties to Neighborhood Garden Trust for the Five Loaves Two Fish Community Garden and the Emerald St. Urban Farm. Mr. Rodriguez commended the staff for bringing these properties to settlement while working remotely. Additional details regarding these settlements can be found on Exhibit A.

Mr. Rodriguez then reported on requests for proposals and competitive sales. Mr. Rodriguez reported the following postings:

- 1. Ten (10) properties in the First Council District (see <u>Exhibit A</u>) have been listed for competitive sale. Mr. Rodriguez indicated that properties are listed as a competitive sale, rather than a request for proposal, when the property is not adjacent to other publicly owned properties and cannot be bundled with other properties.
- 2. A request for proposal was recently posted for eighteen (18) properties in the Second Council District (see Exhibit A) in which no less than 70% of the residential units must be

reserved for purchasers with household incomes not to exceed 80% of the area median income.

- 3. A request for proposal was recently posted for seven (7) properties in the First Council District (see Exhibit A) in which no less than 60% of the residential units must be reserved for purchasers with household incomes between 80% to 120% of the area median income.
- 4. A request for proposal was recently posted for thirteen (13) properties in the First Council District (see Exhibit A) in which no less than 60% of the residential units must be reserved for purchasers with household incomes between 80% to 120% of the area median income.

Mr. Rodriguez informed the Board that a public training webinar on side/rear yard and garden/open space dispositions twas held on July 13<sup>th</sup>. Additional information is located on Exhibit A. Mr. Rodriguez announced that the next public training webinar will be on July 27<sup>th</sup> and will cover land disposition processes for competitive and non-competitive dispositions.

Mr. Rodriguez informed the Board that the Land Management webpages have been reformatted and on-line applications have been developed for the various dispositions, as indicated on <a href="Exhibit A">Exhibit A</a>.

Mr. Rodriguez also discussed website traffic as shown on Exhibit A. He stated that all past expressions of interest were archived as a result of the decision to move away from expressions of interest and instead require applicants to complete an application. Mr. Rodriguez then outlined certain issues that still need to be addressed regarding the website application process, as shown on Exhibit A.

Mr. Koonce asked about the number of side yard and garden conveyances that were expected to close by the end of June, as mentioned in the minutes from the June 9th Board meeting. Mr. Rodriguez responded that staff is working to clear title, but that most City agencies are working remotely, resulting in delays. Mr. Koonce asked if the Executive Director would provide a written report. Mr. Rodriguez indicated that he did share his screen showing the report, but that Mr. Koonce was unable to view it and that it would be included with the minutes. Ms. Fadullon asked to have the minutes posted earlier than just prior to the Board meeting. Mr. Cusano responded that he would do so.

#### Item 4 (Item 5 on the Agenda)

Resolution Authorizing an Amended and Restated Management Contract Between the Philadelphia Land Bank and the Philadelphia Housing Development Corporation

This item was tabled.

# Item 5 (Item 6 on the Agenda) Resolution Regarding Purchase and Development Agreement for 1938 and 1942 N. Darien Street

Mr. Cusano presented this Resolution and explained its terms to the Board, asking that Section 1 of the Resolution be amended to read that "The Board hereby consents to the assignment of the

PDA to the Assignee and the conveyance of 1938 N. Darien Street and 1942 N. Darien Street to the Assignee."

Mr. Johns asked for some background for the public's benefit. Mr. Cusano explained that the initial conveyance to Yuhan Holdings was part of a swap in which Yuhan Holdings received 1938 N. Darien Street and 1942 N. Darien Street and the Land Bank received certain property which was needed to relocate an alleyway for the development of a portion of the Norris Square Choice Neighborhood, a project which involved several million dollars of grant funding. Mr. Cusano added that the developer was unable to complete the development of 1938 and 1942 N. Darien Street and has requested to sell these properties and have the Purchase and Development Agreement assigned to another developer.

Mr. Rodriguez added that this project was for the relocation of the Norris Homes residents, at 80% of area median income, and that \$30 million dollars came from HUD for this development. Ms. Fadullon clarified that the properties being discussed today have no public subsidies and are a completely private development. Ms. Fadullon asked if any members of the Board had any questions or comments. There were no questions or comments from the Board. Ms. Fadullon asked if any members of the public had any questions or comments and indicated that the public can use the Q&A or raised hand function. There were no questions or comments from the public.

Ms. Fadullon called for a motion on the Resolution.

Mr. Cusano asked that the motion include that Section 1 of the Resolution be amended to read that "The Board hereby consents to the assignment of the PDA to the Assignee and the conveyance of 1938 N. Darien Street and 1942 N. Darien Street to the Assignee."

Mr. DeMarco made a motion to approve the Resolution Regarding Purchase and Development Agreement for 1938 and 1942 N. Darien Street, as amended. The motion was seconded by Mr. Johns.

Upon made and duly seconded, the Board approved the Resolution Regarding Purchase and Development Agreement for 1938 and 1942 N. Darien Street, as amended, attached to these minutes as Exhibit B.

## Item 6 (Item 7 on the Agenda) Property Dispositions

Interagency Transfer <u>1605 N. 33<sup>rd</sup> Street to PRA</u>

Mr. Johns recused himself due to a potential conflict of interest. Mr. Johns muted his microphone and turned off his video while the Board deliberated (see attached letter).

Mr. Rodriguez presented the conveyance of 1605 N. 33<sup>rd</sup> Street as an interagency transfer to the Philadelphia Redevelopment Authority (PRA). PRA owns many of the parcels that are being developed by Habitat for Humanity for affordability of 31% to 60% of area median income. Ms. Fadullon clarified that this is only a conveyance to PRA and that the PRA Board will consider the ultimate conveyance to Habitat for Humanity.

Ms. Fadullon asked if any members of the Board had any questions or comments. There were no questions or comments from the Board. Ms. Fadullon asked if any members of the public had any questions or comments and indicated that the public can use the Q&A or raised hand function. There were no questions or comments from the public.

Ms. Faullon called for a motion on the Resolution.

Mr. Sauer made a motion to approve the Resolution Authorizing Conveyance of 1605 N. 33<sup>rd</sup> Street to the Philadelphia Redevelopment Authority. The motion was seconded by Mr. DeMarco.

Upon motion made and duly seconded, the Board approved the Resolution Authorizing Conveyance of 1605 N. 33<sup>rd</sup> Street to the Philadelphia Redevelopment Authority, attached to these minutes as Exhibit C.

### Item 7 (Item 2 on the Agenda) Public Comment

Ms. Faullon asked if anyone from the public would like to address any old business with the Board. No member of the public raised any old business.

Ms. Faullon then asked if anyone from the public would like to address any new business with the Board. Mr. Rodriguez indicated that the Land Bank received some questions that he would like to address. Below are those questions and Mr. Rodriguez's response.

Q: Will applicants get an automatic receipt?

A: We are working to set up automatic receipts. In the meantime, everyone who has submitted an application will be contacted.

Q: What's the next steps and how long will it take?

A: Under the ordinance, there is a deadline of 120 days after receipt of a complete application to review and make a decision. Upon a favorable review, the proposed conveyance goes to the Board and then City Council.

Mr. Cusano then asked if these were the questions submitted by Nomblé Lee, to which Mr. Rodriguez responded affirmatively.

Ms. Fadullon again asked if anyone from the public would like to address any new business with the Board. No member of the public raised any new business.

# Item 8 Adjournment

There being no further business, Ms. Fadullon called for a motion to adjourn the meeting.

Mr. Koonce made a motion to adjourn the meeting. Mr. Johns seconded the motion.

Upon motion made and duly seconded, the Board approved to adjourn the meeting.

The meeting was adjourned at 10:32 a.m.	
	SECRETARY TO THE BOARD

August 3, 2020

#### Via Certified Mail

Anne Fadullon Chair - Philadelphia Land Bank Department of Planning & Development 1515 Arch Street, 13th Floor Philadelphia, PA 19102

General Counsel City of Philadelphia Board of Ethics One Parkway Building 1515 Arch Street, 18th Floor Philadelphia, PA 19102-1504 Angel Rodriguez Executive Director Philadelphia Land Bank 1234 Market Street, 16th Floor Philadelphia, PA 19107

James Leonard, Esquire Commissioner City of Philadelphia Department of Records Room 111, City Hall Philadelphia, PA 19107

Re: Conflict Disclosure Letter

#### Ladies/Gentlemen:

In accordance with the Philadelphia Land Bank's ("Land Bank") Public Disclosure and Disqualification Procedure for Conflict Issues, I write to disclose that my firm, MDesigns + MWJ Consulting LLC conducts business with Habitat for Humanity.

On July 11, 2020, the Land Bank Board of Directors considered and voted on the conveyance of 1605 N. 33rd Street (the "Property") to the Philadelphia Redevelopment Authority for further conveyance to Habitat for Humanity. I did not take any official action at that meeting related to the conveyance of this Property. At that meeting, I announced my conflict, disqualified myself and abstained from voting. Because this meeting was being held via Zoom pursuant to 35 Pa.C.S.§ 5741, I turned off my video and muted my microphone - the equivalent of leaving the room - while the Land Bank Board considered, and voted on, this matter. I have not, and will not, influence in any manner the Land Bank's actions related to the conveyance of this Property.

This letter will also confirm that I will abide by the Land Bank's Public Disclosure and Disqualification Procedure for Conflict Issues and I will not take any official action in any future Land Bank matters involving Habitat for Humanity while the above described conflict exists.

Sincerely,

Michael Johns

Philadelphia Land Bank Board Member

#### **Public Attendance Sheet**



# BOARD OF DIRECTORS REGULAR MEETING

#### Tuesday, July 14, 2020 at 10:00 AM

Pursuant to 35 Pa.C.S.§ 5741, this meeting was held remotely using Zoom webinar

First Name	Last Name	Email
johnkromer		jkromer@gmail.com
nlee		Nomble.lee@gmail.com
Charles	Watson	reporterc.watson@gmail.com
Jamila	Davis	jamila.davis@phila.gov
Joyce		joycealicesmith@gmail.com
admin		sharla.russell@phila.gov
guy		goblue8690@msn.com
LCross		LCross@phmc.org
Winnie	Branton	wbranton@brantonstrategies.com
Nicole	Hostettler	nicole.hostettler@phila.gov
Wendy	D	natkry22@hotmail.com
Roneece		roneece.dent@phdc.phila.gov
michael	koonce	mikekoonce1951@gmail.com
CAROLYN		Carolyn.Terry@phdc.phila.gov
Robin	Miller	nyparealtor@gmail.com
Andrea	S.	andreasaah@comcast.net

#### **EXHIBIT A**

#### PHDC LAND MANAGEMENT UPDATE: 7/14/2020

- 1. Settlements
  - a. (CD 2) Grays Ferry Earp Street et al
    - i. Use: Homeownership
      - 1. 19 parcels
        - a. 15 parcels at 80% or below AMI
        - b. 4 parcels at 120% AMI
    - ii. Settled June 19, 2020
    - iii. Properties:
      - 1. 1327 S 27th St:
      - 2. 2613, 2616, 2701, 2703, 2714, 2719, 2724, 2727, 2735 Earp St;
      - 3. 2639, 2641, 2643 Reed St;
      - 4. 2614, 2626, 2630, 2642, 2648, 2700 Sears St
    - iv. Civetta Property Group, LLC
    - v. Price \$1,900
  - b. (CD 4) Five Loaves Two Fish Community Garden
    - i. Use: Community Garden
      - 1. 3 Parcels
    - ii. Settled June 26, 2020
    - iii. Properties:
      - 1. 1703, 1707, 1711 N 55th St
    - iv. Neighborhood Gardens Trust
    - v. Price \$3.00
  - c. (CD 7) Emerald St Urban Farm
    - i. Use: Community Garden
      - 1. 2 Parcels
    - ii. Settled June 26, 2020
    - iii. Properties:
      - 1. 1937 E Dauphin St,
      - 2. 2300 Emerald St
    - iv. Neighborhood Gardens Trust
    - v. Price \$2.00
- 2. Requests for Proposals & Competitive Sales:
  - a. Competitive Sales (CD 1):
    - i. 1853 E. Ontario Street
    - ii. 723 Mercy Street
    - iii. 2077 E. Cambria Street
    - iv. 2089 Somerset Street
    - v. 2073 Elkhart Street
    - vi. 2549 S. 3rd Street
    - vii. 2068 E. Monmouth Street
    - viii. 2215 S. 5th Street
    - ix. 3347 Kensington Avenue
    - x. 3058 Joyce Street
  - b. (CD 2) RFP for Point Breeze, Cross Street et Al.
    - i. The Philadelphia Land Bank ("Land Bank"), is soliciting proposals from developers to acquire and develop eighteen (18) parcels located in the Point Breeze neighborhood for affordable homeownership in accordance with this Request for Proposals ("RFP").

- 1. Not less than 70% of residential units (13) produced shall be:
  - a. reserved for purchasers with household incomes not to exceed 80% of the area median income ("AMI") as determined by the United States Department of Housing and Urban Development
- c. (CD 1) RFP for 2855 and 2857 Amber Street, 2111 E Auburn Street, 2134 E Cambria Street and 2106, 2133 and 2135 E William Street
  - i. The Philadelphia Land Bank ("Land Bank") and the City of Philadelphia ("City"), is soliciting proposals from developers to acquire and develop seven (7) parcels located in the Kensington neighborhood for affordable homeownership or rental in accordance with this Request for Proposals ("RFP").
    - 1. 60% of residential units (5) produced shall be:
      - a. reserved for purchasers or renters with household incomes between 80% to 120% of the area median income ("AMI") as determined by the United States Department of Housing and Urban Development
- d. (CD 1) RFP for 2100 Block of East Orleans Street, 2100 Bellmore Street and 2000 East Birch Street
  - i. The Philadelphia Land Bank is soliciting proposals from developers to acquire and develop 13 parcels located in the Kensington neighborhood for affordable homeownership or rental in accordance with this RFP.
    - 1. 60% of residential units (8) produced shall be:
      - a. reserved for purchasers or renters with household incomes between 80% to 120% of the area median income ("AMI") as determined by the United States Department of Housing and Urban Development
- 3. Trainings/ Webinars
  - a. Hosted first Webinar on Monday July 13, 2020
    - i. Topic: Side/Rear Yards and Garden/ Open space Dispositions
      - 1. 74 Registered
      - 2. 38 Attended (51%)
  - b. Next Webinar is scheduled for Monday July 27, 2020; 9:30-11:30 am
    - i. Topic: Land Disposition Process
      - 1. Competitive Process
      - 2. Non-Competitive Process
- 4. Website
  - The Land Management webpages have been reformatted and on-line applications have been developed for the following categories:
    - Side/ Rear Yards
    - Garden/ Open Space
    - Development Opportunities, which include
      - Business Expansion
      - Assemblages
      - Unsolicited Development Proposals where 51% of the units proposed are affordable
  - The web pages went live on June 25, 2020
    - Web site traffic data as of July 3, 2020
      - SIDE/REAR YARDS (SY)

SY SCREENER
 SY TERMS & CONDITIONS
 190

SY APPLICATIONS SUBMITTED 62

INELIGIBLE APPLICATIONS 8NET APPLICATIONS 54

- COMMUNTIY GARDENS
  - o TERMS & CONDITIONS 79
  - o APPLICATIONS SUBMITTED 7
- LAND APPLICATIONS
  - o TERMS & CONDITIONS 209
  - o APPLICATIONS SUBMITTED 14
- Issues that need to be addressed:
  - Internal sorting indicators for work assignments
  - Tighten the screening process for Side/Rear Yards
    - o Not allow for ineligible applications
  - Tighten the upload process
    - o Scenario with submissions made without attachments
  - Out-going Automatic Receipt responses
  - Verbiage on each landing page explaining
    - o The evaluation processes
    - o Length of time for evaluation 120 days
    - o Development of page for Individual Garden Agreements
    - o Development of page for License Agreements

#### **EXHIBIT B**

#### RESOLUTION NO. 2020 – 15 RESOLUTION REGARDING PURCHASE AND DEVELOPMENT AGREEMENT FOR 1938 AND 1942 N. DARIEN STREET

WHEREAS, the Philadelphia Land Bank ("Land Bank") and Yuhan Holdings LLC ("Developer") entered into a Purchase and Development Agreement dated June 7, 2017 (the "PDA") for the sale and development of 1938 N. Darien Street and 1942 N. Darien Street.

**WHEREAS**, section 23 of the PDA provides, among other things, that the Developer may not assign the PDA prior to the issuance of a Certificate of Completion unless the Land Bank has given its prior written consent.

**WHEREAS**, the Developer has requested that the Land Bank consent to an assignment of the PDA to North Darien Holdings LLC ("Assignee").

**WHEREAS**, Assignee is willing to assume the PDA and has requested that the PDA be amended in certain respects.

**WHEREAS**, the Philadelphia Land Bank Board of Directors ("**Board**") has determined that it is in the best interest of the Land Bank to consent to the assignment of the PDA to Assignee and to amend the PDA in accordance with the terms of this Resolution.

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Board of Directors of the Philadelphia Land Bank that:

- 1. The Board hereby consents to the assignment of the PDA to the Assignee and the conveyance of 1938 N. Darien Street and 1942 N. Darien Street to the Assignee.
- 2. The Executive Director is hereby authorized to amend the PDA with such terms and conditions as the Executive Director shall deem necessary or desirable, except that the following deadlines shall not be extended without further approval of the Board
  - (i) Construction Commencement Date: no later than April 30, 2021.
  - (ii) Construction Completion Deadline: no later than eighteen (18) months following the Construction Commencement Date.
- 3. Subject to the terms of this Resolution, the Executive Director and Senior Counsel are each hereby authorized, in the name of and on behalf of the Land Bank, to prepare, execute, deliver, and perform any and all agreements and other documents, as may be necessary or desirable, to assign the PDA to Assignee and amend the PDA (collectively, the "Transaction Documents") and, from time to time and at any time, amend, supplement, and modify the Transaction Documents, or any of them, as may be necessary or desirable. The Transaction Documents and any amendments, supplements, and modifications thereto shall contain such terms and conditions as the Executive Director and Senior Counsel shall deem necessary or appropriate subject to the terms of this Resolution, and, when so executed and delivered by the Land Bank shall constitute the valid and binding obligations of the Land Bank.

- 4. The Executive Director with the advice of Senior Counsel may modify this Resolution as may be necessary or desirable to carry out its purposes and intents. The Executive Director or Senior Counsel will notify the Board of all modifications to this Resolution at the next Board meeting following the date of such modifications.
- 5. This Resolution shall take effect immediately upon adoption by the Board.

#### **ADOPTED 7/14/2020**

#### **EXHIBIT C**

#### RESOLUTION NO. 2020 – 16 RESOLUTION AUTHORIZING CONVEYANCE OF 1605 N. 33RD STREET TO THE PHILADELPHIA REDEVELOPMENT AUTHORITY

**WHEREAS**, Section 16-707 of the Philadelphia Code authorizes the Philadelphia Land Bank ("**Land Bank**") to convey, exchange, sell, transfer, lease, grant or mortgage interests in real property of the Land Bank in the form and by the method determined to be in the best interests of the Land Bank.

**WHEREAS**, the Board of Directors has determined that it is in the best interest of the Land Bank to convey 1605 N. 33rd Street (the "**Property**") to the Philadelphia Redevelopment Authority (the "**Purchaser**").

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Board of Directors of the Philadelphia Land Bank that:

- 1. The conveyance of the Property to the Purchaser for One Dollar (\$1.00) is in the best interests of the Land Bank and is hereby approved.
- 2. Subject to the terms of this Resolution, the Executive Director and Senior Counsel are each hereby authorized, in the name of and on behalf of the Land Bank, to prepare, execute, deliver, and perform any and all agreements, deeds, and other documents, as may be necessary or desirable, to consummate the conveyance of the Property (collectively, the "Transaction Documents") and, from time to time and at any time, amend, supplement, and modify the Transaction Documents, or any of them, as may be necessary or desirable. The Transaction Documents and any amendments, supplements, and modifications thereto shall contain such terms and conditions as the Executive Director and Senior Counsel shall deem necessary or appropriate subject to the terms of this Resolution and, when so executed and delivered by the Land Bank, shall constitute the valid and binding obligations of the Land Bank.
- 3. The Executive Director with the advice of Senior Counsel may modify this Resolution as may be necessary or desirable to carry out its purposes and intents. The Executive Director or Senior Counsel will notify the Board of all modifications to this Resolution at the next Board meeting following the date of such modifications.
- 4. This Resolution shall take effect immediately upon adoption by the Board.

#### **ADOPTED 7/14/2020**

### THE FOLLOWING PERTAINS TO ITEMS 4 AND 5 ON THE AUGUST 11, 2020 AGENDA

#### RESOLUTION NO. 2020 –

#### RESOLUTION AUTHORIZING CONVEYANCE OF 2001 PEMBERTON STREET, 320 N. 41ST STREET, AND 323 N. HOLLY STREET TO NEIGHBORHOOD GARDENS TRUST

**WHEREAS**, Section 16-707 of the Philadelphia Code authorizes the Philadelphia Land Bank ("**Land Bank**") to convey, exchange, sell, transfer, lease, grant, or mortgage interests in real property of the Land Bank in the form and by the method determined to be in the best interests of the Land Bank, subject to approval by resolution of Philadelphia City Council, and subject further to the terms and conditions of Chapter 16-404 of the Philadelphia Code.

**WHEREAS**, the Board of Directors has determined that it is in the best interest of the Land Bank to convey 2001 Pemberton Street, 320 N. 41<sup>st</sup> Street, and 323 N. Holly Street (collectively, the "**Properties**") to Neighborhood Gardens Trust (the "**Purchaser**").

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Board of Directors of the Philadelphia Land Bank that:

- 1. The conveyance of the Property to the Purchaser for Three Dollars (\$3.00) is in the best interests of the Land Bank and is hereby approved, subject to approval by resolution of Philadelphia City Council.
- 2. The conveyance of the Property complies with all applicable terms and conditions of Section 16-404 of the Philadelphia Code, subject to approval by resolution of Philadelphia City Council.
- 3. Subject to the terms of this Resolution, the Executive Director and Senior Counsel are each hereby authorized, in the name of and on behalf of the Land Bank, to prepare, execute, deliver, and perform any and all agreements, deeds, and other documents, as may be necessary or desirable, to consummate the conveyance of the Property (collectively, the "Transaction Documents") and, from time to time and at any time, amend, supplement, and modify the Transaction Documents, or any of them, as may be necessary or desirable. The Transaction Documents and any amendments, supplements, and modifications thereto shall contain such terms and conditions as the Executive Director and Senior Counsel shall deem necessary or appropriate subject to the terms of this Resolution, and, when so executed and delivered by the Land Bank shall constitute the valid and binding obligations of the Land Bank.
- 4. The Executive Director with the advice of Senior Counsel may modify this Resolution as may be necessary or desirable to carry out its purposes and intents. The Executive Director or Senior Counsel will notify the Board of all modifications to this Resolution at the next Board meeting following the date of such modifications.
- 5. This Resolution shall take effect immediately upon adoption by the Board.

### 1. ADDRESS: 2001 Pemberton Street

#### 2. PROPERTY INFORMATION

<b>Zip Code</b> : 19146	Census Tract: 010800	Council District: 2
Zoning: RSA-5	Lot Area: 811 sq. ft.	
<b>OPA Value</b> : \$220,000	Appraised Value: \$N/A	
Redevelopment Area: N/A	Urban Renewal Area: N/A	

#### 3. APPLICANT INFORMATION

Applicant Name: Neighborhood Gardens Trust	Type: Nonprofit	
Entity Owners: Jennifer Greenberg		
Mailing Address: 100 N. 20th Street, 5th Floor, Philadelphia, PA		
Authorized Contact: Jennifer Greenberg		
Application Date: 10/02/2019		

#### 4. PROJECT INFORMATION

<b>Disposition Type</b> : Non-Comp: Garden (Non-Profit only)	Strategic Plan Goal (Land Bank Only): Garden / Open Space
Price: \$1	Proposed Use: Community Garden
Development Type: N/A	No. of Buildings: 0
Units: 0 - Residential / 0 - Commercial	End User: Owner-Occupied (by Applicant)
Gross Floor Area (sq. ft.): 811	Construction Cost / sq. ft.: \$0
Construction Costs: \$0	<b>Project Funding Available</b> : Committed and Verified - Applicant has provided documentation of available,
Total Project Costs: \$0	committed funds in an amount no less than total project costs.

#### 5. APPROVALS, DEADLINES, EOP

Ag	greement Executed: N/A	Economic Opportunity Plan Goals: 0% MBE; 0% WBE
La	and Bank Board Approval: N/A	PRA Board Approval: N/A
Co	onstruction Commencement Deadline: N/A	Construction Completion Deadline: N/A

#### 6. DEVELOPMENT SUMMARY

**How was title acquired?** See attached spreadsheet for title information.

#### **Project Summary:**

Neighborhood Gardens Trust intends to preserve the Pemberton Sitting Garden for use as a community garden. The garden was established as part of the Pennsylvania Horticultural Society's Philadelphia Green program in 1978 as a respite and contemplative space with flower beds, benches, and shade trees. NGT plans to work with the gardeners and an arborist to assess tree conditions for potential tree work needed in the garden. They also plan to install a pollinator garden in the rear of the property. NGT is in good standing with the City of Philadelphia andtax compliant with the Department of Revenue. An Economic Opportunity Plan will not apply to this project.

Summary of Restrictions or Covenants: This transaction is subject to the following only if the box is checked:

☐ Irrevocable Power of Attorney	⊠Right of Re-entry/Reverter

Pursuant to the disposition policy, the property will be permanently deed restricted with the following restrictions:

For Garden Dispositions the following Restrictions Apply.

- No later than one (1) year following Settlement and at all times thereafter, at least fifty percent (50%) of the total land area of the Premises must be actively used for the Permitted Use for at least five (5) consecutive months in each calendar year.
- No more than fifty percent (50%) of the total land area of the Premises may be used for any of the Ancillary Use(s) at any time.
- The sale of Crops at the Premises is not permitted to exceed One Thousand Dollars (\$1,000) in any calendar year.
- All compost must be stored in rodent-resistant containers.
- No structures are permitted on the Premises unless expressly permitted by the agreement.
- Parking, maintaining, and storage of motor vehicles, trailers, non-gardening machinery, motorcycles, ATVs, boats, and watercrafts is prohibited
- Keeping or breeding any pets, animals, fowl, poultry, fish, or livestock on the Premises is prohibited.
- The Premises shall at all times be used, operated, and maintained in accordance with this Agreement and all Applicable Laws.

#### 7. STAFF RECOMMENDATION

PHDC recommends the disposition of this property to Neighborhood Gardens Trust for preservation as a community garden.

**Prepared by:** Brad Vassallo – Senior Development Specialist

**Reviewed by:** Angel Rodriguez – Senior Vice President of Land Management

Attachments - If box below is checked, the item is attached.
☑ Property photos
⊠ Site Plan
☐ Floor Plans
$\square$ Sources and Uses (Excel spreadsheet)
☐ Appraisal Summary Page
If any box above is not checked, explain why here. If all boxes are checked, delete these instructions





### 1. <u>Address:</u> 320 N. 41st Street

#### 2. PROPERTY INFORMATION

<b>Zip Code</b> : 19104	Census Tract: 009200	Council District: 3
Zoning: RSA-5	<b>Lot Area</b> : 1,779 sq. ft.	
<b>OPA Value</b> : \$57,300	Appraised Value: \$N/A	
Redevelopment Area: N/A	Urban Renewal Area: N/A	

#### 3. APPLICANT INFORMATION

Applicant Name: Neighborhood Gardens Trust	Type: Nonprofit	
Entity Owners: Jennifer Greenberg		
Mailing Address: 100 N. 20th Street, 5th Floor, Philadelphia, PA		
Authorized Contact: Jennifer Greenberg		
Application Date: 05/26/2020		

#### 4. PROJECT INFORMATION

Disposition Type: Non-Comp: Garden (Non-Profit only)	Strategic Plan Goal (Land Bank Only): Garden / Open Space
Price: \$1	Proposed Use: Community Garden
Development Type: N/A	No. of Buildings: 0
Units: 0 - Residential / 0 - Commercial	End User: Owner-Occupied (by Applicant)
Gross Floor Area (sq. ft.): 1,779	Construction Cost / sq. ft.: \$0
Construction Costs: \$0	Project Funding Available: Committed and Verified - Applicant has provided documentation of available,
Total Project Costs: \$0	committed funds in an amount no less than total project costs.

### 5. APPROVALS, DEADLINES, EOP

Agreement Executed: N/A	<b>Economic Opportunity Plan Goals</b> : 0% MBE; 0% WBE
Land Bank Board Approval: N/A	PRA Board Approval: N/A
Construction Commencement Deadline: N/A	Construction Completion Deadline: N/A

#### 6. DEVELOPMENT SUMMARY

**How was title acquired?** 320 N. 41st Street was acquired by way of a land swap with Ira Development and Mkos Enterprises.

#### **Project Summary:**

Neighborhood Gardens Trust intends to preserve the Holly Street Neighbors Community Garden for use as a community garden. Holly Street Neighbors Community Garden has been in operation for 13+ years on four lots totaling over 5,000 square feet. The lots were under threat of development in 2016, but neighbors banded together to prevent the property from being rezoned. The garden was founded by Winnie Harris, a local community leader who lost her life a few years ago. The garden has a partnership with UC Green who helps maintain and provide community programming and events. NGT is in good standing with the City of Philadelphia and tax compliant with the Department of Revenue. An Economic Opportunity Plan will not apply to this project.

Summary of Restrictions or Covenants: This transaction is subject to the following only if the box is checked:

☐ Irrevocable Power of Attorney	⊠Right of Re-entry/Reverter

Pursuant to the disposition policy, the property will be permanently deed restricted with the following restrictions:

For Garden Dispositions the following Restrictions Apply.

- No later than one (1) year following Settlement and at all times thereafter, at least fifty percent (50%) of the total land area of the Premises must be actively used for the Permitted Use for at least five (5) consecutive months in each calendar year.
- No more than fifty percent (50%) of the total land area of the Premises may be used for any of the Ancillary Use(s) at any time.
- The sale of Crops at the Premises is not permitted to exceed One Thousand Dollars (\$1,000) in any calendar year.
- All compost must be stored in rodent-resistant containers.
- No structures are permitted on the Premises unless expressly permitted by the agreement.
- Parking, maintaining, and storage of motor vehicles, trailers, non-gardening machinery, motorcycles, ATVs, boats, and watercrafts is prohibited
- Keeping or breeding any pets, animals, fowl, poultry, fish, or livestock on the Premises is prohibited.
- The Premises shall at all times be used, operated, and maintained in accordance with this Agreement and all Applicable Laws.

#### 7. STAFF RECOMMENDATION

PHDC recommends the disposition of this property to Neighborhood Gardens Trust for preservation as a community garden.

**Prepared by:** Brad Vassallo – Senior Development Specialist

**Reviewed by:** Angel Rodriguez – Senior Vice President of Land Management

	<u> Attachments -</u>	<ul> <li>If box</li> </ul>	<u>below</u>	is chec	ked, the	item is	attached.
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☑ Property photos
☑ Site Plan
☐ Floor Plans
☐ Sources and Uses (Excel spreadsheet)
☐ Appraisal Summary Page
If any box above is not checked, explain why here. If all boxes are checked, delete these instructions





### 1. ADDRESS: 323 N. Holly Street

#### 2. PROPERTY INFORMATION

<b>Zip Code</b> : 19104	Census Tract: 009200	Council District: 3
Zoning: RSA-5	Lot Area: 563 sq. ft.	
<b>OPA Value</b> : \$20,900	Appraised Value: \$N/A	
Redevelopment Area: N/A	Urban Renewal Area: N/A	

#### 3. APPLICANT INFORMATION

Applicant Name: Neighborhood Gardens Trust	Type: Nonprofit			
Entity Owners: Jennifer Greenberg				
Mailing Address: 100 N. 20th Street, 5th Floor, Philadelphia, PA				
Authorized Contact: Jennifer Greenberg				
Application Date: 05/26/2020				

#### 4. PROJECT INFORMATION

<b>Disposition Type</b> : Non-Comp: Garden (Non-Profit only)	Strategic Plan Goal (Land Bank Only): Garden / Open Space	
Price: \$1	Proposed Use: Community Garden	
Development Type: N/A	No. of Buildings: 0	
Units: 0 - Residential / 0 - Commercial	End User: Owner-Occupied (by Applicant)	
Gross Floor Area (sq. ft.): 563	Construction Cost / sq. ft.: \$0	
Construction Costs: \$0	Project Funding Available: Committed and Verified - Applicant has provided documentation of available, committed funds in an amount no less than total project costs.	
Total Project Costs: \$0		

#### 5. APPROVALS, DEADLINES, EOP

Agreement Executed: N/A	<b>Economic Opportunity Plan Goals</b> : 0% MBE; 0% WBE
Land Bank Board Approval: N/A	PRA Board Approval: N/A
Construction Commencement Deadline: N/A	Construction Completion Deadline: N/A

#### 6. <u>DEVELOPMENT SUMMARY</u>

**How was title acquired?** 320 N. 41st Street was acquired by way of a land swap with Ira Development and Mkos Enterprises.

#### **Project Summary:**

Neighborhood Gardens Trust intends to preserve the Holly Street Neighbors Community Garden for use as a community garden. Holly Street Neighbors Community Garden has been in operation for 13+ years on four lots totaling over 5,000 square feet. The lots were under threat of development in 2016, but neighbors banded together to prevent the property from being rezoned. The garden was founded by Winnie Harris, a local community leader who lost her life a few years ago. The garden has a partnership with UC Green who helps maintain and provide community programming and events. NGT is in good standing with the City of Philadelphia and tax compliant with the Department of Revenue. An Economic Opportunity Plan will not apply to this project.

Summary of Restrictions or Covenants: This transaction is subject to the following only if the box is checked:

☐ Irrevocable Power of Attorney	⊠Right of Re-entry/Reverter

Pursuant to the disposition policy, the property will be permanently deed restricted with the following restrictions:

#### For Garden Dispositions the following Restrictions Apply.

- No later than one (1) year following Settlement and at all times thereafter, at least fifty percent (50%) of the total land area of the Premises must be actively used for the Permitted Use for at least five (5) consecutive months in each calendar year.
- No more than fifty percent (50%) of the total land area of the Premises may be used for any of the Ancillary Use(s) at any time.
- The sale of Crops at the Premises is not permitted to exceed One Thousand Dollars (\$1,000) in any calendar year.
- All compost must be stored in rodent-resistant containers.
- No structures are permitted on the Premises unless expressly permitted by the agreement.
- Parking, maintaining, and storage of motor vehicles, trailers, non-gardening machinery, motorcycles, ATVs, boats, and watercrafts is prohibited
- Keeping or breeding any pets, animals, fowl, poultry, fish, or livestock on the Premises is prohibited.
- The Premises shall at all times be used, operated, and maintained in accordance with this Agreement and all Applicable Laws.

#### 7. STAFF RECOMMENDATION

PHDC recommends the disposition of this property to Neighborhood Gardens Trust for preservation as a community garden.

**Prepared by:** Brad Vassallo – Senior Development Specialist

Reviewed by: Angel Rodriguez – Senior Vice President of Land Management

Attachments - If box below is checked, the item is attached.

☑ Property photos

☑ Site Plan

☐ Floor Plans
☐ Sources and Uses (Excel spreadsheet)
☐ Appraisal Summary Page

If any box above is not checked, explain why here. If all boxes are checked, delete these instructions





RESOLUTION AUTHORIZING A LEASE WITH COMMUNITY JUSTICE LAND TRUST FOR 1210, 1212, 1214 S. 27TH STREET; 2723, 2725, 2727, 2729, 2731, 2733, 2735, 2737, 2739 INGRAM STREET; 2704, 2706, 2710, 2712, 2716, 2720, 2724, 2726, 2738, 2740 MANTON STREET; AND 2705, 2720 OAKFORD STREET

**WHEREAS**, Section 16-707 of the Philadelphia Code ("**Code**") authorizes the Philadelphia Land Bank ("**Land Bank**") to convey, exchange, sell, transfer, lease, grant, or mortgage interests in real property of the Land Bank in the form and by the method determined to be in the best interests of the Land Bank.

**WHEREAS**, the Board of Directors has determined that it is in the best interest of the Land Bank to lease 1210, 1212, 1214 S. 27<sup>th</sup> St.; 2723, 2725, 2727, 2729, 2731, 2733, 2735, 2737, 2739 Ingram St.; 2704, 2706, 2710, 2712, 2716, 2720, 2724, 2726, 2738, 2740 Manton St.; and 2705, 2720 Oakford St. (collectively, the "**Properties**") to Community Justice Land Trust, a Pennsylvania non-profit corporation ("**Tenant**") pursuant to terms set forth in <u>Exhibit "A"</u> attached hereto.

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Board of Directors of the Philadelphia Land Bank that:

- 1. The lease of the Properties to the Tenant is in the best interests of the Land Bank and is hereby approved, subject to the terms and conditions of this Resolution.
- 2. The conveyance of the Property complies with all applicable terms and conditions of Section 16-404 of the Philadelphia Code.
- 3. The Executive Director and Senior Counsel are each hereby authorized, in the name of and on behalf of the Land Bank, to prepare, execute, deliver, and perform any and all leases, agreements, and other documents, as may be necessary or desirable, to consummate the lease of the Properties with terms and conditions materially in conformance with <a href="Exhibit "A"">Exhibit "A"</a> attached hereto (collectively, the "Transaction Documents") and further containing such other terms and conditions which the Executive Director and Senior Counsel deem necessary or desirable. The Executive Director and Senior Counsel are each hereby authorized, from time to time and at any time, to amend, supplement, and modify the Transaction Documents, or any of them, as may be necessary or desirable, with terms and conditions materially in conformance with <a href="Exhibit "A"</a> attached hereto. The Transaction Documents, when so executed and delivered shall constitute the valid and binding obligations of the Land Bank.
- 4. The Executive Director with the advice of Senior Counsel may modify this Resolution as may be necessary or desirable to carry out its purposes and intents. The Executive Director or Senior Counsel will notify the Board of all modifications to this Resolution at the next Board meeting following the date of such modifications.
- 5. This Resolution shall take effect immediately upon adoption by the Board.

#### Exhibit A

Term	Month-to-Month, automatically expires on the one (1) year anniversary of commencement.
Rent	Twenty-Four Dollars (\$24.00) annually.
Real Estate Taxes, Insurance, and Other Costs	All costs, expenses, liabilities, and obligations relating to the ownership and operation of the premises including insurance, utilities, taxes, construction, repair, and maintenance are tenant's responsibility.
Permitted Use	The tenant will use the premises as  (A) passive open space which significantly improves the appearance of the premises including (i) replacing topsoil, (ii) planting grass, trees, and other landscaping, and (iii) constructing post and rail fencing and  (B) for those uses expressly approved in writing by the Executive Director of the Land Bank.
Reservation	The lease shall serve as a reservation of the landlord's commitment to an exclusive negotiating relationship for the sale of the premises to the tenant in accordance with the disposition policies.

1210, 1212, 1214 S. 27th Street; 2723, 2725, 2727, 2729,

2731, 2733, 2735, 2737, 2739 Ingram Street; 2704, 2706,

2710, 2712, 2716, 2720, 2724, 2726, 2738, 2740 Manton

Street; 2705, 2720 Oakford Street

#### 2. PROPERTY INFORMATION

1. ADDRESS:

<b>Zip Code</b> : 19146	Census Tract: 003300	Council District: 2
Zoning: CMX-2; RM-1	<b>Lot Area</b> : 31,250 sq. ft.	
<b>OPA Value</b> : \$593,300	Appraised Value: \$1,320,000	
Redevelopment Area: N/A	Urban Renewal Area: N/A	

#### 3. APPLICANT INFORMATION

Applicant Name: Community Justice Land Trust	Type: Nonprofit		
Entity Owners: Nora Lictash and Paul Aylesworth			
Mailing Address: 100 W. Oxford Street, Suite E-2300, Philadelphia, PA			
Authorized Contact: Paul Aylesworth			
Application Date: 04/06/2020			

#### 4. PROJECT INFORMATION

<b>Disposition Type</b> : Non-Comp: 51% of Site as Affordable, Workforce, or Mixed Income Housing	Strategic Plan Goal (Land Bank Only): Housing - Affordable (30% AMI or below)
Price: \$N/A	Proposed Use: Mixed Use
Development Type: New Construction	No. of Buildings: N/A
Units: 27 - Residential / 1 - Commercial	End User: Lease to Tenant
Gross Floor Area (sq. ft.): 31,250	Construction Cost / sq. ft.: \$253.13
Construction Costs: \$7,910,449.50	Project Funding Available: No
<b>Total Project Costs</b> : \$12,724,281.50	

#### 5. APPROVALS, DEADLINES, EOP

Agreement Executed: N/A	<b>Economic Opportunity Plan Goals</b> : 25% MBE; 10% WBE
Land Bank Board Approval: N/A	PRA Board Approval: N/A

Construction Commencement Deadline: N/A	Construction Completion Deadline: N/A
<u> </u>	

# 6. <u>DEVELOPMENT SUMMARY</u>

**How was title acquired?** See attached spreadsheet for title information.

#### **Project Summary:**

Community Justice Land Trust intends to lease and maintain the subject properties for one year in preparation for a future development project. This project will consist of 27 residential units, 24 of which will be affordable for 31% to 60% of AMI and 3 of which will be affordable for 30% AMI or below. The development will consist of one 1bedroom unit at 1,000 square feet, nine accessible 2-bedroom units at 975 square feet, nine additional 2-bedroom units at 975 square feet, six 3-bedroom units at 1300 square feet, and two additional 3-bedroom units at 3900 square feet. Ground floor amenities include a shared community space for residents and community members alike. The applicant, Community Justice Land Trust, is a subsidiary of the Women's Community Revitalization Project (WCRP). WCRP has extensive experience developing affordable housing in Philadelphia. The applicant is tax compliant and current with all obligations to the City of Philadelphia. An Economic Opportunity Plan will not apply to this project until disposition takes place. These properties were last appraised in February 2019. The Tenant will use the premises in the interim as passive open space which significantly improves the appearance of the Premises including (i) replacing topsoil, (ii) planting grass, trees, and other landscaping, and (iii) constructing post and rail fencing. Tenant shall implement written plans to ensure the safe and efficient operation of the Premises ("Property Maintenance Plan"). The Property Maintenance Plan shall include appropriate security measures to ensure the safety of all persons and property located at or using the Premises. Tenant shall, at its sole cost and expense, maintain all structural and nonstructural portions of the Premises, Tenant's Work, Permitted Alterations, including all plantings and landscaping, in good condition and repair.

**Summary of Restrictions or Covenants:** This transaction is subject to the following only if the box is checked:

☐ Irrevocable Power of Attorney	☐Right of Re-entry/Reverter			
If neither box above is checked, explain why here. The legislation requires these items "to the extent feasible in the context of the particular transaction". If boxes are checked, delete these instructions				
The properties will be leased. Specific use restrictions will be provided in the terms of the lease.				

# 7. STAFF RECOMMENDATION

PHDC recommends the disposition of this property to Community Justice Land Trust for development as affordable rental housing and community space.

**Prepared by:** Brad Vassallo – Senior Development Specialist

**Reviewed by:** Angel Rodriguez – Senior Vice President of Land Management

# Attachments - If box below is checked, the item is attached.

☐ Property photos

☐ Floor Plans	
⊠ Sources and Uses (Excel spreadsheet)	
☐ Appraisal Summary Page	
If any box above is not checked, explain why here.	If all boxes are checked, delete these instructions













































# **DEVELOPMENT BUDGET/ SOURCES AND USES OF FUNDS**

Please insert data only in the unshaded (white) cells. Please confirm that total sources of funds and total uses of funds are equal.

Applicant: Community Justice Land Trust

Property Address: 704-06, 2710-12, 2716, 2720, 2724-26, 27

# SOURCE OF FUNDS

Senior Debt	Committed (Y/N)	Source	% Total	Indicate Source and, if applicable, describe		
Subordinate Debt		\$0.00				
Developer Equity		\$0.00				
Other - describe to the right		\$0.00				
Other - describe to the right		\$0.00				
Other - describe to the right		\$0.00				
TOTAL SOURCE OF FUNDS		\$0.00				

# **USE OF FUNDS**

	052 01 101155			
	HARD COSTS			
	ACQUISITION	Cost	% Total	
	Property Acquisition	\$0.00	0.00%	
	Closing Costs	\$80,000.00	0.63%	
	Other - describe in space to the right	\$0.00	0.00%	
	UNIT CONSTRUCTION			
	Complete the table below	\$7,910,449.50	62.17%	
	OTHER CONSTRUCTION			
	Landscaping	\$0.00	0.00%	
	Permits	\$20,000.00	0.16%	
	Clearance and Demolition	\$0.00	0.00%	
	Utility Connections & Tap Fees	\$20,000.00	0.16%	
INFRASTRUCTURE				
	Streets and Sidewalks	\$0.00	0.00%	
	Water and Sewer	\$0.00	0.00%	
	Stormwater & Drainage	\$0.00	0.00%	
	Impact Fees	\$0.00	0.00%	
	OTHER HARD COSTS			
	Hard Cost Contingency	\$273,059.00	2.15%	
	Other - describe in space to the right	\$700,000.00	5.50%	
	Other - describe in space to the right	\$471,540.00	3.71%	
	Other - describe in space to the right	\$0.00	0.00%	

#### SOFT COSTS

PROFESSIONAL FEES	
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TOTAL HARD COSTS

Site Planning	\$0.00	0.00%
Architecture & Engineering	\$545,900.00	4.29%
Legal	\$85,000.00	0.67%
Consultant	\$0.00	0.00%
Survey	\$18,000.00	0.14%
Market Study	\$7,500.00	0.06%
Environmental	\$51,000.00	0.40%
Organization Expense	\$0.00	0.00%
Other Consultants	\$84,000.00	0.66%
NANCE COSTS		
Construction Loan Interest	\$222,000.00	1.74%
Construction Origination	\$0.00	0.00%
Appraisal	\$7,000.00	0.06%
Construction Insurance	\$38,000.00	0.30%
Property Taxes	\$15,000.00	0.12%
THER SOFT COSTS		
Holding Costs	\$0.00	0.00%

OTHER SOFT COSTS
Holding Costs
Soft Cost Contingency
Developer Fee, if applicable
Other - describe in space to the right
Other - describe in space to the right
Other - describe in space to the right

\$0.00 0.00% \$0.00 0.00% \$1,350,000.00 10.61% \$196,282.00 1.54% \$266,000.00 2.09% \$3363,551.00 2.86%

\$9,475,048.50

1.54% Misc development charges: PHFA fees, rent up, FFE, PHA ACC fee 2.09% Construction and financing charges

2.86% Reserves

### TOTAL DEVELOPMENT COST

**\$12,724,281.50** 100.00%

#### Construction/Rehab. Costs

TOTAL SOFT COSTS

	Unit Description	Unit Sq. Ft.	Cost/Sq. Ft.	Unit Cost	# Units	Total Const. Cost
1	Community room	1,000	\$253.14	\$253,140.00	1	\$253,140.00
2	2 bedroom accessible	975	\$253.13	\$246,801.75	9	\$2,221,215.75
3	2 bedroom	975	\$253.13	\$246,801.75	9	\$2,221,215.75
4	3 bedroom townhouse	1,300	\$253.14	\$329,082.00	6	\$1,974,492.00
5	1 bedroom	1,000	\$253.14	\$253,140.00	1	\$253,140.00
6	3 bedroom unit	1,950	\$253.14	\$493,623.00	2	\$987,246.00
7		0	\$0.00	\$0.00	0	\$0.00
8		0	\$0.00	\$0.00	0	\$0.00
9		0	\$0.00	\$0.00	0	\$0.00
#		0	\$0.00	\$0.00	0	\$0.00
#		0	\$0.00	\$0.00	0	\$0.00
		\$1,822,588.50	28	\$7,910,449.50		

Total Sq. Ft. %	
3.20%	
28.08%	
28.08%	
24.96%	
3.20%	
12.48%	
0.00%	
0.00%	
0.00%	
0.00%	
0.00%	
100.00%	

Rev. Jan. 2019