

DISTRICT PLAN

for the

EAST HARLEM 125th STREET

BUSINESS IMPROVEMENT DISTRICT

in

THE CITY OF NEW YORK

BOROUGH OF MANHATTAN

PREPARED PURSUANT TO SECTION 25-405(a) OF CHAPTER 4 OF TITLE 25 OF THE
ADMINISTRATIVE CODE OF THE CITY OF NEW YORK

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I. DESCRIPTION OF THE DISTRICT

The East Harlem 125th Street Business Improvement District is located in northern East Harlem, centered along the East 125th Street corridor. A diverse neighborhood with a rich history and outstanding transit connectivity, northeast Harlem became home to New York City's growing population first in the mid-1600s with the establishment of the first Dutch outpost called Haarlem (now Harlem). The area began to grow more rapidly in the 1830s, when the New York & Harlem Railroad built a street-level rail line from lower Manhattan to Harlem along Fourth Avenue (now Park Avenue). In the 1870s, the Third Avenue Elevated and Second Avenue Elevated also brought new residents, largely German, Jewish, and later Italian, to the area. After World War I and with the advent of the Harlem Renaissance, East Harlem became the center of the Puerto Rican diaspora and is the birthplace of much of New York City's vibrant and dynamic African American culture, industry, and political life. Since the mid-20th Century, the neighborhood has faced several challenges following the demolition of the elevated lines in the 1950s, large urban renewal projects in the 1960s and redlining. With construction now starting for the Second Avenue Subway, the District is now seeing a new influx of residents and increased investment.

The District includes:

- East 125th Street, from just east of Fifth Avenue to Second Avenue
- East 124th Street, from Madison Avenue to Second Avenue on the north side of the street
- East 126th Street, from Lexington Avenue to Second Avenues, and including corner properties at East 126th Street & Madison Avenue and East 126th Street & Park Avenue
- East 127th Street, from Lexington Avenue to Second Avenue
- East 128th Street, from Third Avenue to Second Avenue
- Madison Avenue, from 124th Street to 126th Street on the west side of the avenue, and from 124th Street to the middle of the block between 126th Street and 127th Street on the east side of the avenue
- Park Avenue, from 124th Street to 127th Street on the west side of the avenue, and from 124th to 126th Street on the east side of the avenue
- Lexington Avenue, from 124th Street to 126th Street on the west side of the avenue, and from 124th to 127th Street on the east side of the avenue

- Third Avenue, from 124th Street to 127th Street on the west side of the avenue, and from 124th to 128th Street on the east side of the avenue
- Second Avenue, from 124th Street to 128th Street on the west side of the avenue

The precise boundaries and properties within the District are illustrated on the maps in Exhibit A and indicated in the table of benefited properties in Exhibit C, respectively.

The Mayor of the City of New York, by written authorization dated July 11, 2024, a copy of which is annexed hereto as Exhibit B, has provided for the preparation of this plan (the “Plan”) pursuant to authority granted by Local law 96 of 1989 (the “Law”).

II. DISTRICT PROFILE AND PRESENT USES OF THE DISTRICT PROPERTY

A. DISTRICT PROFILE

The geographic area that is now the District was home to the first settlement of Haarlem (now Harlem) in the mid-1600s, after Dutch colonists from lower Manhattan established an outpost in the vicinity of East 127th Street and the Harlem River. For the next two centuries, the area grew slowly, as the journey from southern to northern Manhattan took multiple hours by steamboat or stagecoach. By the early 1800s, however, when the N.Y. & Harlem Railroad built its rail line north along Fourth Avenue (now Park Avenue) and piers were established along the Harlem River, the area began to grow thanks to better transit connectivity -- a trend that to this day has continued.

The District has few landmarked or historical buildings due to urban renewal and “slum clearance” of multiple blocks in advance of the construction of the Triborough (now Robert F. Kennedy) Bridge. Statistics from the New York City Landmarks Preservation Commission (LPC) show the percentage of buildings in East Harlem that are landmarked to be less than 2 percent. Likewise, East Harlem now has the highest concentration of public housing developments in the United States outside of Brownsville in Brooklyn, New York.

Even though very few properties have been preserved, there are several buildings that hint to the neighborhood's past:

- **The Corn Exchange (85 East 125th Street) & the 125th Street Branch of the New York Public Library (224 East 125th Street):** These two buildings are the District's two official City landmarks as designated by the LPC. The Corn Exchange, previously known as the Mount Morris Bank Building and Corn Exchange Bank, was added to the National Register of Historic Places in 1993 and was designated a New York City landmark in 1993. The 125th Street branch of The New York Public Library was designed by McKim, Mead & White, built with funds donated by Andrew Carnegie, and designated a New York City Landmark in 2009.
- **Caribbean Cultural Center African Diaspora Institute (120 East 125th Street):** Founded in 1976 by Dr. Marta Morena Vega, CCCADI was first located in Hell's Kitchen, but opened its home on the East 125th Street corridor in 2016 after the City decommissioned several firehouses to be transformed into cultural centers. The building is listed on the National Register of Historic Places as Fire Hook and Ladder Company No. 14.
- **Harlem Savings Bank (124 East 125th Street):** This building is listed on the National Register of Historic Places but has not been designated a landmark by the LPC and is set to soon be demolished. Founded in 1863 as the Haarlem Savings Bank by a group of local merchants as a community-based mutual savings bank, its building on East 125th Street was constructed in 1907. The granite-clad structure was built in the Classical Revival style by architects Bannister & Schell just as 125th Street "was becoming the main commercial thoroughfare in Harlem," according to a 2003 history by the National Park Service.
- **The Lee Building (1825 Park Avenue):** While not an official landmark, this 12-story office building is well-known in the neighborhood due to its proximity to the Harlem-125th Street Metro-North station, as well as the fact that for decades it has been the tallest building on the East 125th Street skyline. First built by the Pittsburg Life Insurance Company, it was purchased in 1922 by the Lee Brothers Storage & Van Company, which gave it its name.

It is also worthy to note that the District is adjacent to the site of the historic Harlem African Burial Ground, located under the decommissioned MTA 126th Street Bus Depot between First and Second

avenues. The site dates to the mid-1600s, when this neighborhood was centered around the Low Dutch Reformed Church of Harlem (now Elmendorf Reformed Church) and will be the location of a new City-led project that will include both housing and an educational center.

The District is also home to several anchor institutions:

- **New York College of Podiatric Medicine (53 East 124th Street):** NYCPM is the oldest and second-largest podiatric medical school in the United States. Founded in 1911 on 125th Street, the school built its current building in 1927 after outgrowing previous locations. The college also operates The Foot Center of New York, the nation's oldest facility for providing specialized medical care for the foot, and now sees nearly 25,000 patients annually.
- **Harlem Children's Zone Promise Academy II (35 East 125th Street):** Harlem Children's Zone is a nationally known nonprofit that provides both education and comprehensive, wraparound services for its children and families. Its first flagship school building, first known as Promise Academy II and now as the Geoffrey Canada Community Center, opened at this location in 2004.
- **The New York Proton Center (225 East 126th Street):** Opened in 2019 as part of the City's East 125th Street Development project, the New York Proton Center is the first proton therapy facility in New York City. Operated by a consortium consisting of Memorial Sloan Kettering Cancer Center, Montefiore Health System and Mount Sinai Health System, the facility provides advanced cancer treatment using cutting-edge targeted radiation and beam therapy that is especially effective on difficult-to-treat cancers.

Also to note is that since 2021, the district has been home to the nation's first safe injection site, operated by the nonprofit OnPoint NYC (104 East 126th Street). The safe injection site is the newest of several heavily concentrated social service facilities that have come to define much about the District. According to the City Comptroller's 2023 Fair Share report, East Harlem is one of three community districts in the city that have a far higher concentration of mental health services, substance use disorder treatment programs, homeless services, and other health programs than other communities, especially neighborhoods with higher income. According to City Council's 2017 Fair Share report, the northern portion of East Harlem that includes the District is particularly concentrated, with "one-third of the NYC Department of Homeless Services (DHS), NYS Office of

Addiction Services and Supports (OASAS), and NYS Office of Mental Health (OMH) beds in the district located between 116th Street and 126th Street between the East River and Park Avenue.”

The district is also home to several small- and medium-sized commercial buildings and new residential buildings, as described below.

B. PRESENT USES OF DISTRICT PROPERTY

1. Zoning

The properties within the proposed District are primarily commercial and mixed-use and generally within the following zoning designations: C4-4A, C4-4D, C4-7, C6-4, C6-3, R6-A, R7-2, M1-6/R-9 and M3-1.

2. Commercial/Retail

The District is a convenience shopping corridor comprised mostly of take-out restaurants, bodegas, and beauty salons, in addition to a good number of healthcare clinics and pharmacies. On blocks surrounding the East 125th Street corridor, there are additional uses such as construction supply companies, storage facilities and automobile and motorcycle repair shops.

These businesses are predominantly small in nature (1-10 employees) and many are family-owned. There is also some regional and national brand presence including several banks, cell phone stores, and fast-food chains.

Most of the commercial space in the District is on the ground floor, with smaller businesses such as beauty salons on upper levels.

3. Residential

Until the past decade, there had not been a strong residential presence along the East 125th Street corridor for many years, except for a small number of three- to five-story walk-ups located above ground-floor retail. Over the past 10 years, several new larger residential properties have been built with many new apartments, most of which are a mix of both market-rate and affordable units. These buildings include Harlem 125 (69 East 125th Street), opened in 2017 with 12 stories and 75 units; The

Smile (158 East 126th Street), opened in 2020 with 11 stories and 233 units; EastView Residence (2306 Third Avenue), opened in 2020 with 12 stories and 211 units; One East Harlem (2293 Third Avenue), opened in 2022 with 19 stories and 400 units; Common Living at The Reserve (215 East 124th Street), opened in 2023 with 12 stories and 45 units; and 1856 Park Avenue (88 East 127th Street), opened in 2024 with 19 stories and 163 units.

Residential housing stock adjacent to the District consists of several blocks of Section 8 housing to the north and south, including 1775 Houses, A.K. Houses, M.S. Houses and Taino Towers. There are also New York City Housing Authority (NYCHA) complexes including the Robert F. Wagner Houses to the east and Jackie Robinson Houses to the north. To the west and north of the District are several blocks of brownstone buildings that are both owner-occupied and rental units, as well as Housing Development Fund Corporation (HFDC) co-op buildings at Maple Plaza and Maple Court.

4. Government and Not-for-Profit

The District lies within Manhattan's Community Board 11, the 25th Police Precinct, and Manhattan's Sanitation District 11. The District is within both City Council District 8 (east of Lexington Avenue) and City Council District 9 (west of Lexington Avenue).

5. Transportation

The District has several public transit modes that make the area convenient for shoppers and visitors. The District is home to the Lexington Avenue 4/5/6 subway line, known for being the most-used rapid transit line in the United States of America, with an average of 1.3 million daily riders, more than the total ridership of the entire transit systems of Chicago, Boston, and San Francisco. The District is also home to the Harlem-125th Street station of the Metro-North Railroad, which brings commuters into New York City from upstate New York and Connecticut and is the critical connection point to Grand Central Terminal for Metro-North's Hudson, Harlem, and New Haven lines.

Bus lines include the M60 Select Bus to La Guardia Airport and M15 Select Bus to downtown Manhattan, as well as the M1, M98, M100, M101, M103 and Bx 15 bus routes. The district also includes the M35 bus route to Randall's Island, which riders frequent both for the sports fields at Randall's Island Park as well as the concentration of shelters and treatment facilities on the island.

While there are few dedicated taxi stands in the District, many green taxis consistently circulate outside the Harlem-125th Street Metro-North station, to transport passengers to points further west in Harlem or south on the Upper East Side.

Citi Bike introduced bike share to East Harlem in 2017, and there are docking stations located at East 124th Street & Park Avenue and East 125th Street & Second Avenue.

III. PROPOSED SERVICES

A. DISTRICT SERVICES

The services to be provided pursuant to this Plan (the "Services") are intended to include services required for the enjoyment, protection, and general welfare of the public, the promotion, and enhancement of the District, and to meet needs identified by the members of the District. The Services shall be performed under the direction of the District Management Association (hereinafter, the "DMA"). All services performed under the direction of the DMA will be subject to any approvals and controls that may be required by a New York City agency having jurisdiction thereof.

1. MAINTENANCE & SANITATION

The DMA is authorized to administer a maintenance and sanitation program, which may include, but shall not be limited to, manual sweeping and cleaning of sidewalks, streets, curbs and gutters, and regular graffiti removal, as well as removal of snow and ice during inclement weather.

Any sanitation program approved by the Board of Directors will be closely coordinated with the New York City Department of Sanitation and any other government City agency with relevant jurisdiction. The program will supplement, but will not replace, City sanitation services or cleaning by property owners/managers.

2. PUBLIC SAFETY

The DMA is authorized to administer a public safety program, which may include, but shall not be limited to, surveillance equipment and public safety personnel who will be trained, uniformed, licensed, bonded, and experienced, and/or assigning a DMA staff member to serve as a liaison with the New York City Police Department, other city agencies, and any private security personnel hired by BID members and stakeholders.

Any security/public safety program shall operate in conjunction with the local police precinct to accomplish program objectives and maximize public safety.

3. MARKETING & PROMOTIONS

The DMA is authorized to administer marketing and promotion services for the District, which may include, but shall not be limited to, advertising, special events, street pole banners, a district website, social media, and other online presence, print mailings and flyers, and efforts that build upon existing events.

4. PUBLIC REALM PROGRAMMING

The DMA is authorized to administer and support events and public realm programming for the District, which may include, but shall not be limited to, community and small business events, public plaza programming, farmers markets, Open Streets, sidewalk sales, sidewalk cafes and open-air dining, and initiatives that support the economic development and vibrancy of the District.

Any public realm programming approved by the Board of Directors will be closely coordinated with the New York City Department of Transportation, New York City Department of Parks and Recreation, and any other government City agency with relevant jurisdiction.

5. STREETScape & BEAUTIFICATION

The DMA is authorized to administer beautification services for the District, which may include, but shall not be limited to, street tree and tree pit maintenance, seasonal plantings, holiday and winter lighting, and public art.

Any façade improvement program undertaken by the DMA shall not be funded by assessment dollars.

6. ECONOMIC DEVELOPMENT

The DMA is authorized to administer economic development services for the District, which may include, but shall not be limited to, operating business attraction and retention programs, providing business support services, and monitoring and liaising with stakeholders regarding economic development projects.

7. ADVOCACY

The DMA may serve as an advocate on behalf of the District and stakeholders within the District. This includes working to ensure that East Harlem is receiving appropriate levels and intensity of municipal services, as well as liaising with all city agencies to address issues relating to city service delivery and with utilities and other private concerns to coordinate interventions and activities that affect the quality of life in the District. Issues may include, but are not limited to, streetscape improvement, small business assistance and compliance, crime, sanitation, public health, pedestrian/bike safety, public transportation, traffic, and parking.

8. ADMINISTRATION

Administration of the District may be performed by a salaried staff (the “Staff”), either in-house or contracted, and may include an Executive Director and any staff deemed necessary by the Board of Directors of the DMA. The Staff will oversee long-and short-term projects in connection with the District Services and Improvements, as directed by the DMA’s Board of Directors for the benefit of the District constituents. The Staff may also serve as spokesperson for the BID’s business owners, merchants, and property owners, collectively and individually, as authorized by the DMA’s Board of Directors and the individual business owner, merchant, or property owner. Additional administrative expenses may include, but not be limited to, office space rent, utilities, equipment, supplies, insurance, postage, fringe benefits, and back-office support services.

9. ADDITIONAL SERVICES

Subject to any approvals and controls that may be required by a New York City agency having jurisdiction thereof, in addition to the approval of the Board of Directors of the DMA, in subsequent years the District may provide such additional services as are necessary and permitted by applicable law.

B. IMPLEMENTATION

It is anticipated that the DMA will commence most Services during the first Contract Year (hereinafter defined).

C. GENERAL PROVISIONS

1. All Services shall be in addition to (and not in substitution for) required and customary municipal services provided by the New York City on a citywide basis.
2. The Staff and/or subcontractors of the DMA may render such administrative services as needed to support performance of the Services.

All Services need not be performed in every Contract Year. In the event that in any given Contract Year the aggregate revenue of the DMA is not sufficient to equal the total operating budget of the DMA, then subject to any controlling provisions within the Contract between the City of New York and the DMA, the DMA may elect to forgo providing any services necessary in order to meet the organization's required minimum obligations as identified in the annual operating budget.

IV. PROPOSED IMPROVEMENTS

A. PROPOSED IMPROVEMENTS

The improvements (the "Improvements") to be provided pursuant to this Plan may include, but are not limited to, the following, provided that any Improvements that require review and approval by an appropriate City or State agency shall be submitted to that City or State agency, and to the affected Community Board prior to undertaking any Improvements:

Street and sidewalk amenities to enhance the pedestrian environment and beautify the District, including, but not limited to, improvements to pedestrian circulation and safety, supplemental pedestrian area lighting, plantings, sanitation receptacles, and other permanent structures and equipment.

If necessary, the DMA will select and hire experienced, insured/bonded contractors to create, install, and maintain any signs, banners, or other streetscape furniture throughout the District, and obtain any required permits and licenses for all DMA programs.

During the existence of the BID, the maximum cost of improvements shall not exceed \$10,000,000.

B. IMPLEMENTATION SCHEDULE

It is anticipated that the Improvements, as identified by the DMA, may be implemented on an as-needed basis, under supervision of the DMA.

C. GENERAL PROVISIONS

1. All Improvements shall be in addition to and not in substitution for required and customary municipal improvements provided by the City of New York on a citywide basis, benchmarks for which are presently being studied and recorded.
2. The staff and/or subcontractors of the DMA may render such administrative services as are needed to support implementation and construction of the Improvements.

V. PROPOSED SOURCES OF FUNDING

A. SOURCES OF FUNDING: GENERAL

The proposed sources of funding for all (i) Services, (ii) Improvements, (iii) proceeds arising from indebtedness, as permitted pursuant to paragraph D herein below, and (iv) administrative costs necessary to support the program contemplated under this Plan shall be the sources of funding described in paragraphs B through G (inclusive). Subject to requirements of the law, the DMA may apply all monies derived from the sources of funding permitted herein to fund any expenditure permitted under this Plan.

B. SOURCES OF FUNDING: ASSESSMENTS

The DMA will enter into a Contract (hereinafter defined) for the purpose of having the City of New York levy, collect and disburse to the DMA, assessments with respect to the Benefited Properties (hereinafter defined) in exchange for the rendering of Services and Improvements. Such assessments, as described herein below, shall be defined as “Assessments”.

1. GENERAL

To defray the cost of Services and Improvements in the District, as herein before defined, all real property in the District shall be assessed in proportion to the benefit such property receives from the Services and Improvements. Each property shall be assessed an amount, that when totaled together with amounts for other properties in the District shall yield an amount sufficient to meet the District's annual budget as determined by the DMA. Each individual assessment shall be calculated based upon a formula (set forth below) applicable to the class of property (hereinafter defined).

The amounts, exclusive of debt service, assessed and levied in a given year against the Benefited Properties as Assessments, may not exceed 20% of the total general City taxes levied in that year against the Benefited Properties.

2. SPECIFIC FORMULA

All properties as classified in the most recent New York City tax rolls and as described below as Classes A1, A2, C, and D shall be assessed as follows:

CLASS A1 PROPERTY – COMMERCIAL, MULTI-FAMILY RESIDENTIAL, SINGLE-FAMILY RESIDENTIAL, MIXED-USE, OR VACANT PROPERTIES OF 80,000 SQUARE FEET (SF) OR GREATER

All properties in whole or in part devoted to commercial or residential use, including parking facilities, commercial or residential condominiums, or vacant/development sites located in the District and of a size of 80,000 square feet or greater are defined as Class A1 property and shall be assessed 80% of Class A2 linear front footage (FF) rate and 80% of Class A2 taxable value (TV) rate. Class A1 property shall be assessed in the following manner:

$$\underline{A1 \text{ FF Rate} = 80\% \text{ of } A2 \text{ FF Rate}}$$

A1 TV Rate = 80% of A2 TV Rate

Individual Class A1 Assessment = (Class A1 FF Rate × Individual Property FF) + (Class A1 TV Rate x Individual Property TV)

*Minimum A1 TV Fee = For A1 properties with a TV of \$0, a minimum TV fee of \$250 will be assessed in place of TV rate being applied.

*Linear Front Footage (FF) is equal to 100% of all front footage on Primary Corridors and 50% of all front footage on Secondary Corridors. Primary Corridors are 125th Street, Madison Avenue, Park Avenue, and Lexington Avenue. Secondary Corridors are 124th Street, 126th Street, 127th Street, 128th Street, 3rd Avenue, and 2nd Avenue.

*Commercial and/or residential condominiums within the same building shall apportion the shared FF based on their square footage, proportionally.

*For vacant lots, development sites and/or surface parking lots, tax lot size shall be used in place of SF to determine the class and calculate the assessment.

CLASS A2 PROPERTY – COMMERCIAL, MULTI-FAMILY RESIDENTIAL, SINGLE-FAMILY RESIDENTIAL, MIXED-USE, OR VACANT PROPERTIES LESS THAN 80,000 SQUARE FEET (SF)

All properties in whole or in part devoted to commercial or residential use, including parking facilities, commercial or residential condominiums, or vacant/development sites located in the District and of a size of less than 80,000 square feet are defined as Class A2 property and shall be assessed 80% based on linear front footage (FF) and 20% based on taxable value (TV). Class A2 property shall be assessed in the following manner:

Class A2 FF Rate =
$$\frac{(80\% \times (\text{Total Budget} - \text{Total A1 TV and A2 TV Fees}))}{(80\% \text{ of Class A1 FF}) + (\text{Total Class A2 FF})}$$

Class A2 TV Rate =
$$\frac{(20\% \times (\text{Total Budget} - \text{Total A1 TV and A2 TV Fees}))}{(80\% \text{ of Class A1 TV}) + (\text{Total Class A2 TV})}$$

Individual Class A2 Assessment = (Class A2 FF Rate × Individual Property FF) + (Class A2 TV Rate x Individual Property TV)

*Minimum A2 TV Fee = For A2 properties with a TV of \$0, a minimum TV fee of \$100 will be assessed in place of TV rate being applied.

*Linear Front Footage (FF) is equal to 100% of all front footage on Primary Corridors and 50% of all front footage on Secondary Corridors. Primary Corridors are 125th Street, Madison Avenue, Park Avenue, and Lexington Avenue. Secondary Corridors are 124th Street, 126th Street, 127th Street, 128th Street, 3rd Avenue, and 2nd Avenue.

*Commercial and/or residential condominiums within the same building shall apportion the shared FF based on their square footage, proportionally.

*For vacant lots, development sites and/or surface parking lots, tax lot size shall be used in place of SF to determine the class and calculate the assessment.

CLASS C PROPERTY – NONPROFIT-OWNED

Nonprofit-owned property classified as such by the City of New York and devoted in whole to public or nonprofit use are defined as Class C and are exempt from an assessment. Nonprofit-owned property devoted in whole or in part to commercial/for-profit use shall constitute Class A1 or Class A2 property, as defined above, and the proportion of the property devoted to commercial/for-profit use shall constitute Class A1 or Class A2 property and the proportion of the property devoted to commercial/for-profit uses shall be assessed according to the Class A1 or Class A2 rate. Proportions for commercial/for-profit uses of a property shall be calculated based on the percentage of a property's gross square footage devoted to commercial/for-profit use.

CLASS D PROPERTY – GOVERNMENT-OWNED

Government-owned property classified as such by the City of New York and devoted in whole to public or nonprofit use are defined as Class D and are exempt from an assessment. Government-owned property devoted in whole or in part to commercial/for-profit use shall constitute Class A1 or Class A2 property, as defined above, and the proportion of the property devoted to commercial/for-profit use shall constitute Class A1 or Class A2 property and the proportion of the property devoted to commercial/for-profit uses shall be assessed according to the Class A1 or Class A2 rate.

Proportions for commercial/for-profit uses of a property shall be calculated based on the percentage of a property's gross square footage devoted to commercial/for-profit use.

C. SOURCE OF FUNDING: GRANTS AND DONATIONS

The DMA may accept grants and donations from private institutions, the City, State or Federal government, other public and private entities and individuals, elected officials, universities, corporations, partnerships, not-for-profit organizations, and charitable foundations.

D. SOURCE OF FUNDING: BORROWING

1. Subject to subparagraphs 2 and 3 in this subsection V. D., and with the approval of its Board of Directors, the DMA may borrow money from a private lending institution, the City, other public and private entities or individuals, firms, corporations or partnerships, and other not-for-profit organizations for the purposes of funding operations or financing the cost of Services or Improvements.
2. The use of monies received by the DMA from the City or from any other public entity, whether in the form of a grant or as proceeds from a loan, shall be subject to (i) all statutory requirements applicable to the expenditure and use of such monies, and (ii) any contractual requirements imposed by the City (whether pursuant to any Contract or otherwise) or by any other public entity, as the case may be.
3. Any loans, which the DMA may enter into as a borrower shall be subject to Section VI of this Plan.

E. SOURCE OF FUNDING: CHARGES FOR USER RIGHTS

Subject to the approval and control of the appropriate City Agency, the DMA may, in accordance with Section IX of this Plan, impose charges as consideration for the sub-granting or sublicensing of user rights (hereinafter defined) as such charges and user rights are described in Section IX of the Plan.

F. SOURCE OF FUNDING: OTHER

The DMA may derive revenues from any other sources of funding not heretofore mentioned and which are permitted by law.

G. ASSIGNMENT OF FUNDING

The DMA may assign revenues from the sources of funding described in paragraphs A, B, C, D, E and F of this Section V for the purpose of securing loans which the DMA may enter in pursuant to paragraph D of this Section V, provided such assignments are subject to the requirements of Section V of this Plan.

VI. PROPOSED EXPENDITURES: ANNUAL BUDGET

A. TOTAL ANNUAL EXPENDITURES AND MAXIMUM COST OF IMPROVEMENTS

The total amount proposed to be expended by the DMA for Improvements, if any, Services and Administrative/Operational for the First Contract Year, as well as for the subsequent Second and Third Contract Years, is \$750,000 as more fully set forth in Subsection B of this Section VI. It is anticipated that this amount will be collected from the Assessments, as set forth in Section V, above.

The total, as proposed to be expended by the DMA for any subsequent Contract Year after the Third Contract Year, shall not be greater than aggregate amount of all monies which the DMA may collect for the Contract Year in question from all funding sources permitted under Section V of this Plan which shall not exceed an annual budget of \$1,000,000 for any single Contract Year during the term of the Contract. During the existence of this BID, the maximum cost of the Improvements, if any, will not exceed \$10,000,000.

B. ANNUAL BUDGET

1. FIRST-YEAR BUDGET

It is estimated that the annualized budget of proposed expenditures to be made during the First Contract Year shall be as follows:

PROGRAMS AND SERVICES	
Maintenance & Sanitation	\$ 370,000
Public Safety	\$ 65,000
Marketing & Promotions	\$ 35,000

Public Realm Programming	\$ 110,000
Streetscape & Beautification	\$ 135,000
General & Administrative	\$ 35,000
Total First-Year Budget	\$ 750,000

2. SUBSEQUENT BUDGETS

The DMA shall establish for each Contract Year after the First Contract Year, a proposed budget of expenditures that must be approved by the Board of Directors. Such proposed budgets shall with respect to the Contract Years to which they respectively apply: (i) reasonably itemize the purposes for which monies are proposed to be expended by the DMA; (ii) specify the amount, if any, proposed to be expended by the DMA for debt service; and (iii) set forth the total amount proposed to be expended (the "Total Annual Budget Amount"). A proposed budget, whether for the First Contract Year or for a subsequent Contract Year, shall be referred to as a "Budget."

C. GENERAL PROVISIONS

1. The DMA shall make no expenditure other than in accordance with and pursuant to:
 - a. a Budget for which a Total Annual Budget Amount has been approved by the City and the Directors of the DMA;
 - b. any provisions in the Contract providing for the satisfaction of outstanding obligations of the DMA; or
 - c. any provisions in the Contract providing for the expenditure of amounts provided in the Budget for, but unexpended in, a previous Contract Year.
2. The Total Annual Budget Amount shall not exceed the maximum total and annual amount that the DMA may expend for the Contract Year in question, pursuant to subsection A of this Section VI.
3. The Total Annual Budget Amount shall not be less than the amount needed to satisfy the DMA's debt service obligations for the Contract Year in question.
4. Subject to the DMA's need to satisfy its debt service obligations for the Contract Year in question, the DMA may revise the itemizations within any Budget accordingly.
5. In the event that in any given Contract Year the sources of funding do not in the aggregate produce revenues equal to the Total Annual Budget Amount for such Contract

Year, the DMA may, subject to the Contract, forego some or all of the non-debt service expenditures as are provided for in the Budget in question in order to have revenues sufficient to pay the debt service provided for in such Budget.

6. In the event the DMA needs to reallocate its non-debt service expenditures for the Contract Year in question, and provided further, that any debt service has been provided for, the DMA may revise the itemizations within any Budget to accomplish such goal with the appropriate review and approval of the Board of Directors and in accordance with the Contract.

VII. BENEFITED PROPERTIES

The providing of Services and Improvements shall benefit all properties within the District (hereinafter the "Benefited Properties"). The Benefited Properties are illustrated by the District Map (Exhibit A) and Tax Block and Lots indicated in Exhibit C.

VIII. DISTRICT MANAGEMENT ASSOCIATION

The DMA established for the East Harlem 125th Street Business Improvement District shall be incorporated under Section 402 of the New York State Not-for-Profit Corporation Law. The DMA shall be organized for the purpose of executing the responsibilities of a DMA as set forth in the Law. Furthermore, the DMA shall carry out the activities prescribed in the Plan and shall promote and support the District.

The DMA shall be organized exclusively for charitable and education purposes as specified in Section 501 (c) of the Internal Revenue Code, as amended.

The DMA shall have four (4) classes of voting membership and one class of non-voting membership. The voting classes are composed of: (i) owners of record of real property located within the District; (ii) commercial tenants leasing space within the District; (iii) residential tenants leasing space within the District, (iv) public representatives. The non-voting class shall include Community Board representatives, and may include others with an interest in the welfare of the District.

Each voting class shall elect members to the Board of Directors in the manner prescribed by the By-Laws of the Corporation. The Board of Directors shall include the representatives of owners of

record of real property located within the District (which shall constitute a majority of the Board), representatives of both commercial and residential tenants (including proprietary leases) leasing space in the buildings within the District and one member appointed by each of the following public officials: The Mayor of the City; the Comptroller of the City; the Borough President of Manhattan; and the City Council member who represents the District or, if more than one City Council member represents a portion of the District, by appointment of the Speaker of the City Council. The Community Board Chairperson or designated representative shall serve in a non-voting capacity.

IX. USER RIGHTS

A. USER RIGHTS: GENERAL

The DMA may undertake or permit commercial activities or other private uses of the streets or other parts of the District in which the City has any real property interest (the "User Rights"), provided, however, that the User Rights to be so undertaken or permitted by the DMA shall have been: (i) set forth in this Plan or authorized for licensing or granting by the City Council, and (ii) licensed or granted to the DMA by the City pursuant to the Contract, and (iii) authorized by the appropriate City agency having jurisdiction thereof. Once so granted or licensed, the User Rights in question shall be undertaken or permitted by the DMA in such a manner as to conform to the requirements, if any, set forth in this Plan, or the aforesaid Local Law with respect to User Rights, and conform to the requirements authorized by the appropriate City agency having jurisdiction thereof. Such requirements may include but shall not be limited to: (i) requirements as to what consideration the DMA shall pay to the City for the grant and/or license in question; (ii) requirements as to whether and how the DMA may permit other persons to undertake the User Rights in question pursuant to a sub-grant or sub license; (iii) requirements as to what charges the DMA may impose upon other persons as consideration for such sub-grant or sub-license; and (iv) requirements as the general regulation of the User Rights by whomsoever undertaken.

Once so granted or licensed, the User Rights in question shall be undertaken or permitted by the DMA in such a manner as to conform to the requirements, if any, set forth in the Plan or the aforesaid Local Law with respect to User Rights, and conform to the requirements authorized by the appropriate City agency having jurisdiction thereof. Such requirements may include but shall not be limited to:

1. requirements as to what consideration the DMA shall pay to the City for the grant and/or license in question;
2. requirements as to whether and how the DMA may permit others to undertake the User Rights in question pursuant to a sub-grant or sub-license;
3. requirements as to what charges the DMA may impose upon other persons as consideration for such sub-grant or sub-license; and
4. requirements as to the general regulation of the User Rights by whomsoever undertaken.

B. USER RIGHTS: PROPOSED

Subject to the approval and control of the appropriate City agency and/or subject to any requirements set forth in any Contract, the DMA may undertake or permit the following User Rights, subject to the requirements set forth in the Contract:

1. Any marketing or beautification program that makes use of the NYC Department of Transportation light poles or fixtures
2. Information Stands
3. News Racks
4. Promotion Signs or Kiosks
5. User rights not specifically granted may be authorized with prior written approval of the Deputy Commissioner of Neighborhood Development of the NYC Department of Small Business Services.

X. REGULATIONS

The rules and regulations proposed for governing the operation of the District and the provision of Services and Improvements by the DMA ("the Regulations") are set forth herein below.

1. The DMA shall obligate itself to provide the Services and Improvements in a Contract or Contracts into which both the DMA and the City shall enter (collectively, the "Contract") for a specified term (each year or the Contract term to be defined as a "Contract Year"). The City shall, pursuant to the terms, conditions and requirements of the Contract, levy, collect and disburse to the DMA the Assessments. Such disbursements shall be made in accordance with general procedures for the payment of other City expenditures.

2. The DMA shall comply with all terms, conditions and requirements (i) that are elsewhere set forth in this Plan; (ii) that are to be set forth in the Contract and in any other Contracts into which both the DMA and the City may enter; and (iii) shall comply with all terms, conditions and requirements set forth by the appropriate City agency which is required to give its approval.
3. The DMA shall let any sub-contracts that it intends to enter into in connection with providing the Services and/or the Improvements.

XI. GLOSSARY OF TERMS

TERMS

DEFINITION BY LOCATION

Assessments	V (B)
Benefitted Properties	VII
Budget	VI (B)
District	I
District Management Association	VII
District Map	I, Exhibit A
Improvements	IV (A)
Law	I
Plan	I
Services	III (A)
Total Annual Budget	VI (B)
User Rights	IX
Regulations	X

Table of Contents with Exhibits

Exhibit A	District Map
Exhibit B	Mayor's Authorization Letter to Prepare a District Plan
Exhibit C	Table of Benefited Properties with Tax Block and Lots and Property Class
Exhibit D	Land Use Maps of the Individual Towns
Exhibit E	Zoning Map of Entire District

Exhibit A
District Map





THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

July 11, 2024

Ms. Dynishal Gross
Acting Commissioner
NYC Department of Small Business Services
1 Liberty Plaza
New York, NY 10006

Dear Commissioner Gross:

Pursuant to Section 25-405(a) of the Administrative Code of the City of New York, I hereby authorize the preparation of a district plan for the establishment of the East Harlem 125th Street Business Improvement District (BID), located in the Borough of Manhattan. The proposed boundaries and sponsor organization for the proposed BID are as follows:

Proposed Boundaries: The East Harlem 125th Street Business Improvement District generally includes properties along East 125th Street, east of Fifth Avenue to the west of Second Avenue; north of East 124th Street to south of East 128th Street.

Sponsor Organization: East Harlem 125th Street BID Formation Steering Committee

The Department of Small Business Services shall prepare the District Plan pursuant to authority granted by Section 25-405(a) of this law.

The authorization shall take effect immediately.

Sincerely,

Eric Adams
Mayor

cc: Hon. Adrienne Adams, Speaker of the City Council
Hon. Justin Brannan, Chair of the City Council Finance Committee
Hon. Mark Levine, Manhattan Borough President
Hon. Members of the New York City Council
Maria Torres-Springer, Deputy Mayor for Housing, Economic Development, and Workforce
Michael Forte, Executive Deputy Commissioner, Department of Small Business Services
Calvin T. Brown, Deputy Commissioner, Department of Small Business Services
Raquel Olivares, Assistant Commissioner, Department of Small Business Services
Tian Weinberg, Chief of Staff, Department of Small Business Services
Leslie I. Velazquez, Director of BID Development, Department of Small Business Services

EXHIBIT C

Table of Benefited Properties with Tax Block and Lots and Property Class

BORO	BLOCK	LOT	CLASS	ADDRESS
1	1749	16	A2	25 EAST 124 STREET
1	1749	21	A2	1931 MADISON AVENUE
1	1749	22	C	1935 MADISON AVENUE
1	1749	23	A2	1937 MADISON AVENUE
1	1749	24	C	55 EAST 124 STREET
1	1749	33	A2	1800 PARK AVENUE
1	1749	46	A2	62 EAST 125 STREET
1	1749	48	A2	60 EAST 125 STREET
1	1749	49	A2	58 EAST 125 STREET
1	1749	50	A2	1943 MADISON AVENUE
1	1749	56	A2	28 EAST 125 STREET
1	1749	59	A2	26 EAST 125 STREET
1	1749	60	A2	24 EAST 125 STREET
1	1749	61	A2	20 EAST 125 STREET
1	1749	62	A2	18 EAST 125 STREET
1	1749	63	A2	16 EAST 125 STREET
1	1749	64	A2	14 EAST 125 STREET
1	1749	66	A2	4 EAST 125 STREET
1	1749	123	A2	1939 MADISON AVENUE
1	1749	160	A2	22 EAST 125 STREET
1	1750	5	C	13 EAST 125 STREET
1	1750	6	A2	17 EAST 125 STREET
1	1750	7	C	35 EAST 125 STREET
1	1750	21	A2	51 EAST 125 STREET
1	1750	23	A2	57 EAST 125 STREET
1	1750	24	A2	59 EAST 125 STREET
1	1750	25	A2	61 EAST 125 STREET
1	1750	26	A2	63 EAST 125 STREET
1	1750	27	A2	65 EAST 125 STREET
1	1750	28	A2	69 EAST 125 STREET
1	1750	31	C	77 EAST 125 STREET
1	1750	32	C	79 EAST 125 STREET
1	1750	34	A2	81 EAST 125 STREET
1	1750	40	A2	1824 PARK AVENUE
1	1750	50	C	1965 MADISON AVENUE
1	1750	52	C	1963 MADISON AVENUE
1	1750	53	A2	1961 MADISON AVENUE
1	1750	56	A2	40 EAST 126 STREET
1	1750	104	A2	11 EAST 125 STREET
1	1750	156	A2	1960 MADISON AVENUE
1	1751	20	A2	1975 MADISON AVENUE
1	1751	33	A1	1844 PARK AVENUE
1	1751	34	D	1842 PARK AVENUE
1	1751	126	A2	45 EAST 126TH STREET
1	1773	1	D	1801 PARK AVENUE
1	1773	4	D	1807 PARK AVENUE
1	1773	7	A1	118 EAST 125 STREET
1	1773	11	A2	123 EAST 124 STREET

1	1773	15	A2	129 EAST 124 STREET
1	1773	17	A2	2050 LEXINGTON AVENUE
1	1773	18	A2	2054 LEXINGTON AVENUE
1	1773	27	A1	160 EAST 125 STREET
1	1773	33	D	2282 3 AVENUE
1	1773	57	A2	132 EAST 125 STREET
1	1773	58	A2	128 EAST 125 STREET
1	1773	61	A2	122 EAST 125 STREET
1	1773	62	C	120 EAST 125 STREET
1	1773	72	D	1811 PARK AVENUE
1	1774	1	A1	103 EAST 125 STREET
1	1774	5	A2	107 EAST 125 STREET
1	1774	6	C	109 EAST 125 STREET
1	1774	7	A2	111 EAST 125 STREET
1	1774	8	A2	113 EAST 125 STREET
1	1774	9	C	115 EAST 125 STREET
1	1774	17	A2	127 EAST 125 STREET
1	1774	33	C	2306 3 AVENUE
1	1774	51	A2	142 EAST 126 STREET
1	1774	56	A2	132 EAST 126 STREET
1	1774	61	C	110 EAST 126 STREET
1	1774	65	A2	108 EAST 126 STREET
1	1774	68	D	102 EAST 126 STREET
1	1774	1001	A1	158 EAST 126 STREET
1	1774	1002	A2	159 EAST 125 STREET
1	1774	1004	A1	159 EAST 125 STREET
1	1774	1005	A2	159 EAST 125 STREET
1	1774	1101	C	104 EAST 126 STREET
1	1774	1102	C	104 EAST 126 STREET
1	1774	1103	C	104 EAST 126 STREET
1	1774	1104	C	104 EAST 126 STREET
1	1774	1105	C	104 EAST 126 STREET
1	1774	1106	C	104 EAST 126 STREET
1	1774	1107	C	104 EAST 126 STREET
1	1774	1108	C	104 EAST 126 STREET
1	1774	1109	C	104 EAST 126 STREET
1	1774	1110	A2	104 EAST 126 STREET
1	1774	1201	A2	159 EAST 125 STREET
1	1774	1202	A2	159 EAST 125 STREET
1	1774	1301	A2	145 EAST 125 STREET #RET
1	1774	1302	A2	145 EAST 125 STREET
1	1774	1303	A2	145 EAST 125 STREET #3
1	1774	1304	A2	145 EAST 125 STREET #4
1	1775	20	C	145 EAST 126 STREET
1	1775	28	A2	155 EAST 126 STREET
1	1775	33	A1	2322 THIRD AVENUE
1	1775	40	D	2338 3 AVENUE
1	1775	45	C	2101 LEXINGTON AVENUE
1	1789	1	A2	2283 3 AVENUE
1	1789	4	A2	2289 3 AVENUE
1	1789	5	A2	205 EAST 124 STREET
1	1789	10	C	221 EAST 124 STREET
1	1789	11	D	223 EAST 124 STREET
1	1789	12	D	225 EAST 124 STREET
1	1789	13	D	227 EAST 124 STREET
1	1789	14	D	229 EAST 124 STREET

1	1789	15	D	231 EAST 124 STREET
1	1789	21	A1	245 EAST 124 STREET
1	1789	26	C	260 EAST 125 STREET
1	1789	27	A2	258 EAST 125 STREET
1	1789	28	A2	256 EAST 125 STREET
1	1789	29	A2	254 EAST 125 STREET
1	1789	30	A2	246 EAST 125 STREET
1	1789	34	C	232 EAST 125 STREET
1	1789	35	C	230 EAST 125 STREET
1	1789	36	A2	228 EAST 125 STREET
1	1789	37	C	226 EAST 125 STREET
1	1789	39	C	220 EAST 125 STREET
1	1789	42	A2	218 EAST 125 STREET
1	1789	45	A1	212 EAST 125 STREET
1	1789	50	A2	2291 3 AVENUE
1	1789	1001	A2	2293 3 AVENUE
1	1789	1002	A2	2293 3 AVENUE
1	1790	9	D	EAST 125 STREET
1	1790	12	D	225 EAST 125 STREET
1	1790	13	D	243 EAST 125 STREET
1	1790	20	D	249 EAST 125STREET
1	1790	24	A2	2449 2 AVENUE
1	1790	25	D	2 AVENUE
1	1790	26	D	2453 2 AVENUE
1	1790	27	D	2455 2 AVENUE
1	1790	28	D	2 AVENUE
1	1790	29	D	2459 2 AVENUE
1	1790	30	D	238 EAST 126 STREET
1	1790	31	D	236 EAST 126 STREET
1	1790	1001	A2	201 EAST 125 STREET
1	1790	1002	A1	201 EAST 125 STREET
1	1790	1003	A1	201 EAST 125 STREET
1	1790	1004	A2	201 EAST 125 STREET
1	1790	1005	A2	201 EAST 125 STREET
1	1790	1006	A2	201 EAST 125 STREET
1	1790	1007	A2	201 EAST 125 STREET
1	1790	1008	A2	201 EAST 125 STREET
1	1791	1	A1	225 EAST 126 STREET
1	1791	20	D	2461 2 AVENUE
1	1791	25	D	2469 2 AVENUE
1	1791	34	A2	230 EAST 127 STREET
1	1791	44	C	2327 3 AVENUE
1	1791	46	D	2321 3 AVENUE
1	1792	1	C	2341 3 AVENUE
1	1792	5	A1	207 EAST 127 STREET
1	1792	19	A1	2485 2 AVENUE
1	1792	28	A2	224-252 EAST 128 STREET
1	1792	50	C	2355 3 AVENUE

EXHIBIT D

Land Use Map of Individual Towns



EXHIBIT E

Zoning Map of Entire District

