

DISTRICT PLAN FOR THE
SOHO
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

Received by Central Intake on October 26, 2010



N110128BDM

INTRODUCTION

This District Plan describes the proposed SoHo Business Improvement District, the sources of funding, the first year budget and budget allocations, as well as the general guidelines pursuant to local and state law.

I. MAP OF THE DISTRICT

Geographically, the proposed SoHo Business Improvement District (the "District") is located in Lower Manhattan (zip codes 10012 & 10013) and is comprised of an area of approximately 12 block-fronts, or approximately 280 taxlots. The District is broadly defined by the east and west side of Broadway from the north side of Canal Street to the south side of East Houston. The District is further defined and delineated on the map annexed hereto as **Exhibit I**.

Mayor Michael R. Bloomberg, by a resolution dated October 12, 2010 a copy of which is annexed hereto as **Exhibit II**, has approved preparation of the this plan (the "Plan") pursuant to authority granted by Chapter 4 of Title 25 of the Administrative Code of the City of New York (the "Law") for the District.

II. PRESENT USES OF DISTRICT PROPERTY AND DISTRICT PROFILE

A. Area Profile

The District, located within the SoHo neighborhood, generally contains five- to twelve-story loft buildings, many with upper floor commercial uses ranging from small service-oriented firms to art galleries to large companies such as Scholastic Corporation who occupies a full building and leases additional space throughout the District. Many loft buildings have upper floors that were converted to Joint-Live-Work-Quarters-for-Artists (JLWQAs), while new developments have introduced residential condominium units to the District. Ground floor retail establishments occupy most of the District's properties. The history of the SoHo neighborhood summarized below represents an effort to meet the challenges associated with balancing the area's industrial past and its vibrant, mixed-use present and future.

The District reflects the M1-5B zoning designation and the SoHo–Cast Iron Historic District designated by the NYC Landmarks Commission in August 1973. Many of the structures within the SoHo–Cast Iron Historic District were built in the post Civil War era as store and loft buildings which were occupied by a variety of commercial establishments into the early 20th century. A major change in occupancy occurred after

World War Two, as textile firms began to relocate, and printing firms and storage uses moved into the large SoHo buildings. By the 1960's, many artists established studio space and living quarters in the loft buildings, and by the late 1970s, the trend towards increasing rents and real estate values as well as new residential developments had begun to take place. Today, the District still maintains the essence of its early industrial history, even as it continues to evolve into one of the City's most attractive and popular residential neighborhoods and shopping destinations.

The District is located within Manhattan Community Board 2, and the area is represented by a New York City Council member from District 1. The area is also represented by the public officials associated with the US Senate, the US Congressional District #8, the New York State Assembly Districts #66 and the New York State Senate Districts #25. Additionally, the NYPD Precincts #1 & #5 covers the District. (See Exhibit III).

B. Commercial Office and Retail Use

There are over 130 retail uses within the District, of which approximately 65% are apparel and accessories type stores with the remaining storefronts occupied by a mix of personal services, general merchandise, health and beauty, and food stores as well as a limited number of eating and drinking establishments. The commercial buildings within the District provide office space for over 800 companies.

C. Not-For-Profit & Public

The District contains one, publically owned parcel. It is a triangular-shaped parcel at the southeast corner of Broadway and East Houston Street. The NYC Transit Authority has jurisdiction over the property.

D. Residential

The District contains approximately 146 residential condominium units as well as several mixed-use buildings with either co-operative residential units or Joint-Live-Work-Quarters-for-Artists dwelling units on the upper floors.

E. Transportation Access

The District is directly served by subway and bus transportation along Broadway. The MTA bus line M5 has several stops along Broadway and the "Broadway Local- R" subway has stations Prince Street and then at Canal Street.

III. PROPOSED SERVICES

A. Description of Services

The services to be provided pursuant to this Plan (the "Services") may include any services required for the enjoyment and protection of the public, and the promotion and enhancement of the District. The Services will supplement the municipal services that are provided by the City to the District, and shall not take the place of services provided by the City on a city wide basis. The Services shall be performed under the direction of the SoHo District Management Association (hereafter, the "DMA"). The Services shall include, but not be limited to, the following:

1. Sanitation and Graffiti Removal

Sanitation services may include, but shall not be limited to, the sweeping and cleaning of sidewalks and curbs, graffiti removal and maintenance of trash receptacles within the District. Sanitation services will be performed with the cooperation of the NYC Department of Sanitation.

2. Public Safety and Visitor Services

Public Safety services may include, but shall not be limited to, unarmed patrol of the District or designated to specific areas of concern. A licensed and bonded company would provide public safety services under a contract with the SoHo DMA and work in conjunction with the local NYPD Precinct. Visitor services may include, but shall not be limited to, highly visible "ambassadors" to welcome, inform and guide visitors, information kiosks, Wi Fi internet access to encourage visitors to stay in the district, and "visitor training" designed for retailers to increase their knowledge of area attractions, restaurants, and events.

3. Marketing, Promotion & Advertising

Promotional services may include, but will not be limited to, promotion of local commercial opportunities and will be designed to attract, retain, and expand business activities in the area. These activities may include, but shall not be limited to: print and/or broadcast promotions, institutional advertising, special events, installation of decorative holiday lighting, an interactive BID website and destination brochure, and development of relationships with the area's cultural and tourist destinations.

4. Social Services

Social service initiatives may include, but not be limited to, providing support to not-for-profit entities that provide programming and services that contribute to the implementing the goals and objectives of the District. More specifically, support may be provided to a not-for-profit entity that participates in a joint project that provides a service that benefits the district, such as, installation and maintenance of a planting plan, or preparing and distributing promotional materials and providing assistance for a special event.

5. Technical Services

Other Programs and Technical Services may include, but not be limited to, engaging the services of consultants and professionals to undertake planning and technical studies in an effort to guide and develop effective projects for the District.

6. General & Administration

The administration of the District shall be by salaried staff which may include, but not be limited to: Executive Director, Project Manager and any other special staff and/or consultants that the Board of Directors may deem necessary from time to time, such as communications professionals, and others with specialized technical knowledge and abilities. Administrative costs may also include office-related expenses such as rent, telephone, insurance, supplies, fringe benefits and other ordinary, necessary, and reasonable services and supplies.

7. Additional Services

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

B. Implementation

1. It is anticipated that the District Management Association will commence most services during the first Contract Year (hereafter 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 City of New York (the "City") on a city-wide basis.
2. All Services need not be performed in every Contract Year.
3. The staff and/or subcontractors of the District Management Association may render such administrative services as are needed to support performance of the Services.
4. In the event that in any given Contract Year, the sources of funding (as same are described in Section V of this Plan) do not in the aggregate produce revenues equal to the Total Annual Budget Amount (hereafter defined) for such Contract Year, the District Management Association may, subject to the Contract (hereafter defined), forego providing one or more or all Services in order to have revenues sufficient to pay the debt service (if any) required in the Budget (hereafter defined) for such Contract Year.

IV. PROPOSED IMPROVEMENTS

A. Description of 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 agency shall be submitted to that City agency and to the affected Community Board(s) prior to undertaking any Improvement.

1. Street and sidewalk amenities to identify, enhance and beautify the District as well as improve pedestrian circulation and safety, including, but not limited to:
 - a. Information kiosks and boards;
 - b. Street identification and way-finding signs
 - c. Advocate for muni-meters where necessary;
 - d. Litter cans.

2. Capital Improvement Projects

Capital improvement projects, may include but not be limited to, storefront and or façade improvement projects that address issues of signage, pedestrian area lighting, among others. When necessary, the BID will assist and act as a liaison to governmental agencies that have jurisdiction, particularly NYC Landmarks Commission, as the SoHo BID area properties are located within the SoHo-Cast Iron Historic District. Capital improvement projects may also include, but not be limited to physical streetscape improvements within the District.

B. Implementation Schedule

The Improvements may be implemented on an as-needed basis.

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 on a city-wide basis, benchmarks for which are presently being studied and recorded.
2. The staff and/or sub-contractors of the District Management Association may render such administrative services as are needed to support construction and installation of the Improvements.

V. PROPOSED SOURCES OF FUNDING

A. Sources of Funding: General

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

B. Sources of Funding: Assessments

The District Management Association may enter into Contract (hereinafter defined) with the City for the purpose of having the City levy and collect, and then disburse to the District Management Association, assessments with respect to the Benefited Properties (hereafter defined, in exchange for the rendering of Services and Improvements by the District Management Association. A list of the Benefited Properties is attached hereto as Exhibit IV. Such assessments, as described in paragraphs 1, 2, and 3 herein below, shall be defined as "Assessments".

1. General

To defray the cost of Services and Improvements in the District, all real property in the District shall be assessed in proportion to the benefit such property receives from the Services and Improvements. Each property will be assessed an amount determined by the District Management Association, that when totaled together with the amounts for other properties in the District, shall yield an amount sufficient to meet its annual budget. Each individual assessment shall be calculated pursuant to the assessment formula set forth below times the percentage for the type of property in question.

All taxable real property within the District, except any site and building thereon devoted to entirely residential use, will be assessed each fiscal year according to a assessment formula that is based on a Flat Rate, Broadway Front Footage rate, side Street Front Footage (where applicable), and an Assessed Value rate for each BID Class.

2. Classes of Properties

Class A –Wholly Commercial Use

All properties with entirely commercial use shall constitute Class A properties. Class A properties shall be assessed based on a BID Assessment Formula equal to: [Base Rate + (Property Front Footage * Front Footage Rate) + (Property Side Street Footage * Side Street Frontage Rate) + (Property Assessed Value * Assessed Value Rate)].

Class ACG –Commercial Condo- Ground Floor Unit

All ground floor commercial condominium units as defined by the property condominium plan shall constitute Class ACG properties. Class ACG properties shall be assessed based on a BID Assessment Formula equal to : [Base Fee + (Property Front Footage * Front Footage Rate) + (Property Side Street Footage * Side Street Frontage Rate) + (Property Assessed Value * Assessed Value Rate)].

Class ACC –Commercial Condo Use – Upper Floor or Below Grade Unit

All upper floor and below grade commercial condominium units as defined by the property condominium plan shall constitute Class ACC properties. Class ACC properties shall be assessed based on a BID Assessment Formula equal to : [Base Fee + (Property Assessed Value * Assessed Value Rate)].

Class B –Ground Floor Commercial Use and Upper Floor Residential Use

All properties with ground floor commercial use and upper floor residential use shall constitute Class B properties. Class B properties shall be assessed based on a BID Assessment Formula equal to : [Base Fee + (Property Front Footage * Front Footage Rate) + (Property Side Street Footage * Side Street Frontage Rate) + (Property Assessed Value * Assessed Value Rate)].

Class C – Privately-Held Vacant Land

All privately-held, unimproved (vacant land) properties shall constitute Class C properties. Class C properties shall be assessed based on a BID Assessment Formula equal to : [Base Fee + (Property Front Footage * Front Footage Rate) + (Property Side Street Footage * Side Street Frontage Rate) + (Property Assessed Value * Assessed Value Rate)].

Class D – Tax Exempt and Publically-owned

All properties with designated as "tax-exempted" by the NYC Department of Finance will be exempt from the assessment and constitute Class E properties.

Class E – Residential Use Only

All properties that contain only residential uses shall constitute Class R properties. These properties are to be assessed at a total sum of \$1.00 per year.

3. Limitation on Assessment

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.

4. Specific Formula

All properties as classified in the most recent New York City tax rolls and as described in BID Classes will be assessed based on the formula specified above for each BID Class. However, in order to reflect the relationship among the many variables (ie, Total Budget, Base Fee, Front Footage, Side Street footage, Assessed Value, BID Class), the following defines how each rate is determined.

Base Fee: Base fee is defined as a flat annual fee of \$250. The flat fee is assigned to all BID Classes, except for BID Classes D & E.

Front Footage (FF) Rate: The front footage rate is assigned to all BID Classes, except for BID Classes ACC, D & E. This rate is the result of the following calculation:

$$\frac{[(\text{TOTAL ANNUAL BUDGET} - \text{Class A Base Fee Sum} - \text{Class ACG Base Fee Sum} - \text{Class ACC Base Fee Sum} - \text{Class B Base Fee Sum} - \text{Class C Base Fee Sum} - \text{Class E Base Fee Total}) * 40\%]}{}$$

$$[\text{Class A FF} + (40\% * \text{Class A SSF}) + \text{Class ACG FF} + (40\% * \text{Class ACG SSF}) + \text{Class B FF} + (40\% * \text{Class B SSF}) + \text{Class C FF} + (40\% * \text{Class C SSF})]$$

Side Street Footage (SSF) Rate: The Side Street Footage rate assigned to all BID Classes, except for BID Classes ACC, D & E. This rate represents 40% of the Front Footage Rate as calculated above.

Assessed Value (AV) Rate for BID Classes A, ACG, & ACC: The Assessed Value rate assigned to all BID Classes, except for BID Classes C, D & E. The assessed value rate calculated for BID Classes A, ACG, & ACC as follows:

$$\frac{[(\text{TOTAL ANNUAL BUDGET} - \text{Class A Base Fee Sum} - \text{Class ACG Base Fee Sum} - \text{Class ACC Base Fee Sum} - \text{Class B Base Fee Sum} - \text{Class C Base Fee Sum} - \text{Class E Base Fee Total}) * 60\%]}{[\text{Class A AV} + \text{Class ACG AV} + \text{Class ACC AV} + (90\% * \text{Class B AV})]}$$

Assessed Value (AV) Rate for BID Class B: The Assessed Value rate assigned to BID Class B represents 90% of the Assessed Value rate for BID Classes A, ACG, & ACC as calculated above..

C. Source of Funding: Grants and Donations

The District Management Association may accept grants and donations from private institutions, the City, other public entities or individuals and other not-for-profit organizations.

D. Source of Funding: Borrowings

1. Subject to subparagraphs 2 and 3 immediately hereinbelow, the District Management Association may borrow money from private lending institutions, the City, other public entities or [individuals] for the purpose of funding operations, or financing the cost of improvements.
2. The use of monies received by the District Management Association 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 expenditures and use of such monies, and (ii) any contractual requirements imposed by the City (whether pursuant to the Contract or otherwise) or by any other public entity, as the case may be.
3. Any loan which the District Management Association 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 District Management Association may, in accordance with Section IX of this Plan, impose charges as consideration for the sub-granting or sub-licensing of user rights (hereafter defined) as such charges and user rights are described in Section IX of the Plan.

F. Source of Funding: Other

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

G. Assignment of Funding

The District Management Association may assign revenues from the sources of funding described in paragraphs B, C, D, E, and F of this Section V for the purpose of securing loans which the District Management Association obtains pursuant to paragraph D of this Section V, provided, however, 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 District Management Association for Improvements, if any, Services and operations for the First Contract Year is \$700,000, as more fully set forth in Subsection B of this Section VI.

The total amount proposed to be expended by the District Management Association for any subsequent Contract year, shall not be greater than the aggregate amount of all the monies which the District Management Association may collect for the Contract Year in question from all funding sources permitted under Section V of the Plan.

During the existence of the BID, the maximum cost of improvements, if any, will not exceed \$5,000,000.

B. Annual Budget

1. First Year Budget – It is anticipated that the budget of proposed expenditures to be made during the first Contract year is as follows:

a. **Services**

Sanitation and Graffiti Removal	\$ 160,000
Public Safety and Visitor Services	\$ 110,000
Marketing, Promotion & Advertising	\$ 50,000
Holiday Lighting	\$ 35,000
Social Services	\$ 10,000
Other Programs & Services/Consultants	\$ 40,000
General and Administrative	\$ 250,000

b. **Improvements**

Physical Streetscape & Storefront Improvements	\$ 45,000
TOTAL FIRST CONTRACT YEAR BUDGET	\$ 700,000

2. **Subsequent Budgets**

The District Management Association shall establish for each Contract Year after the first contract Year, a proposed budget of expenditures. Such proposed budgets shall (with respect to the Contract Years to which they respectively apply): (i) reasonably itemize the purpose for which monies are proposed to be expended by the District Management Association; (ii) specify the amount, if any, proposed to be expended by the District Management Association 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 subsequent Contract Year, shall be referred to as a "Budget".

C. General Provisions

1. The District Management Association shall make no expenditures other than in accordance with and pursuant to: (i) a Budget for which a Total Annual Budget amount has been approved by the City and the Board of Directors of the District Management Association, (ii) any provisions in the

Contract providing for the satisfaction of outstanding obligations of the District Management Association; or (iii) any provisions in the Contract providing for the expenditure of amounts provided in the Budget for, but expended in, a previous Contract Year.

2. The Total Annual Budget Amount shall not exceed the maximum total and annual amount which the District Management Association may expend for the Contract Year in question pursuant to Paragraph A of this Section VI.
3. The Total Annual Budget Amount shall not be less than the amount needed to satisfy the District Management Association's debt service obligations for the Contract Year in question.
4. Subject to the District Management Association's need to satisfy its debt service obligations for the Contract Year in question, the District Management Association may revise the itemizations within any Budget.
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 District Management Association 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.

VII. BENEFITED PROPERTIES

The providing of Services and Improvements shall benefit all properties within the District (the "Benefited Properties"). The Benefited Properties are described, in the alternative, by the following: the District Map or the tax block and lots indicated in **Exhibit IV** hereto.

VIII. DISTRICT MANAGEMENT ASSOCIATION

The District Management Association, a not-for-profit corporation incorporated under Section 402 of the New York State Not-For-Profit Corporation law and is named the SoHo Business Improvement District Management Association and has been established as the SoHo District Management Association, Inc. The corporation is organized for the purpose of executing the responsibilities of a District Management Association as set forth in the Law. Furthermore, the District Management Association will carry out the activities prescribed in the Plan and will promote and support the District.

The District Management Association is organized exclusively for charitable and educational purposes as specified in Section 501 c (3) of the Internal Revenue code of 1986, as amended.

The District Management Association will have four 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, including proprietary leases, leasing space within the District, if any, and (iv) elected public officials.

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 will elect members to the Board of Directors in the manner prescribed by the by-laws of the District Management Association.

The Board of Directors of the District Management Association includes the representatives of owners of record of real property within the District (which shall constitute a majority of the Board), the 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 the Manhattan and the City Council member representing the District, or if more than one City Council member represents portions of the District, then by the Speaker of the City Council.

IX. USER RIGHTS

A. User Rights: General

The District Management Association 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 District management Association shall have been: (i) set forth in this Plan or authorized for licensing or granting by the City council, and/or (ii) licensed or granted to the District Management Association by the City, pursuant to the contract and/or (iii) authorized by the appropriate City agency having jurisdiction thereof. Once so granted or licensed, the user Right(s) in question shall be undertaken or permitted by the District Management Association 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 Right(s), 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 District Management Association shall pay to the City for the grant and/or license in question; (ii) requirements as to whether and how the District Management Association may permit other persons to undertake the User Right(s) in question pursuant to a sub-grant or sub-license; (iii) requirements as to what charges the District Management Association may impose upon other persons as consideration for such sub-grant or sub-license; and (iv) requirements as to the general regulation of the User Right(s) by whomsoever undertaken.

B. User Rights: Proposed

Subject to the approval of the appropriate City agency and/or subject to any requirements set forth in any Contract, the District Management Association may undertake or permit the following User Rights, subject to the requirements of this Contract, such as information and promotion kiosks, newsstands, street fairs, and media productions.

X. REGULATIONS

The rules and regulations proposed for governing the operation of the District and the provision of Services and Improvements by the District Management Association (the "Regulations") are set forth hereinbelow.

1. The District Management Association shall obligate itself to provide the Services and Improvements in a Contract or Contracts into which both the District Management Association and the City shall enter (collectively, the "Contract") for a specified term (each year of the contract term to be defined as a "Contract Year"). The City shall, pursuant to the terms, conditions and requirements of the Contract, levy and collect, and then disburse to the District Management Association the Assessments. Such disbursements shall be made in accordance with general procedures for the payment of other City expenditures.
2. The District Management Association shall comply with all terms, conditions and requirements (i) elsewhere set forth in the Plan, and (ii) to be set forth in the Contract and in any other contracts into which both the District Management Association and the City may enter and (iii) shall comply with all terms, conditions and requirements set forth in writing by the appropriate City agency which is required to give its approval.

3. The District Management Association shall let any sub-contracts that it intends to enter into in connection with providing the Services and Improvements.

XI. GLOSSARY OF TERMS

TERM	SECTION LOCATION OF DEFINITION
Assessments	V (B)
Budgets	VI (B)
City	I
Contract	X
Contract Year	X (1)
District	I
District Management Association	VIII
District Map	I
Improvements	IV
Services	III
Total Annual Budget	VI (B)
User Rights	IX

EXHIBIT I

PROPOSED SOHO BID
DISTRICT MAP
(BOUNDARY AND BENEFITED PROPERTIES)



EXHIBIT II

PLAN PREPARATION AUTHORIZATION



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

October 12, 2010

Mr. Robert W. Walsh
Commissioner
Department of Small Business Services
Third Floor
110 William Street
New York, NY 10038-3901

Dear Commissioner Walsh:

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 SoHo Business Improvement District, located in the Borough of Manhattan. The proposed SoHo Business Improvement District is bounded generally as follows:

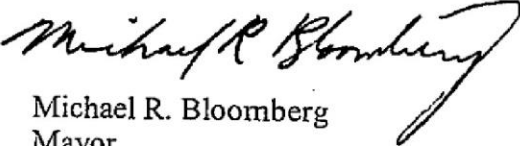
BID Boundaries: Properties on both sides of Broadway from the north side of Canal Street to the south side of East Houston Street.

Sponsor Organization: SoHo BID 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,


Michael R. Bloomberg
Mayor

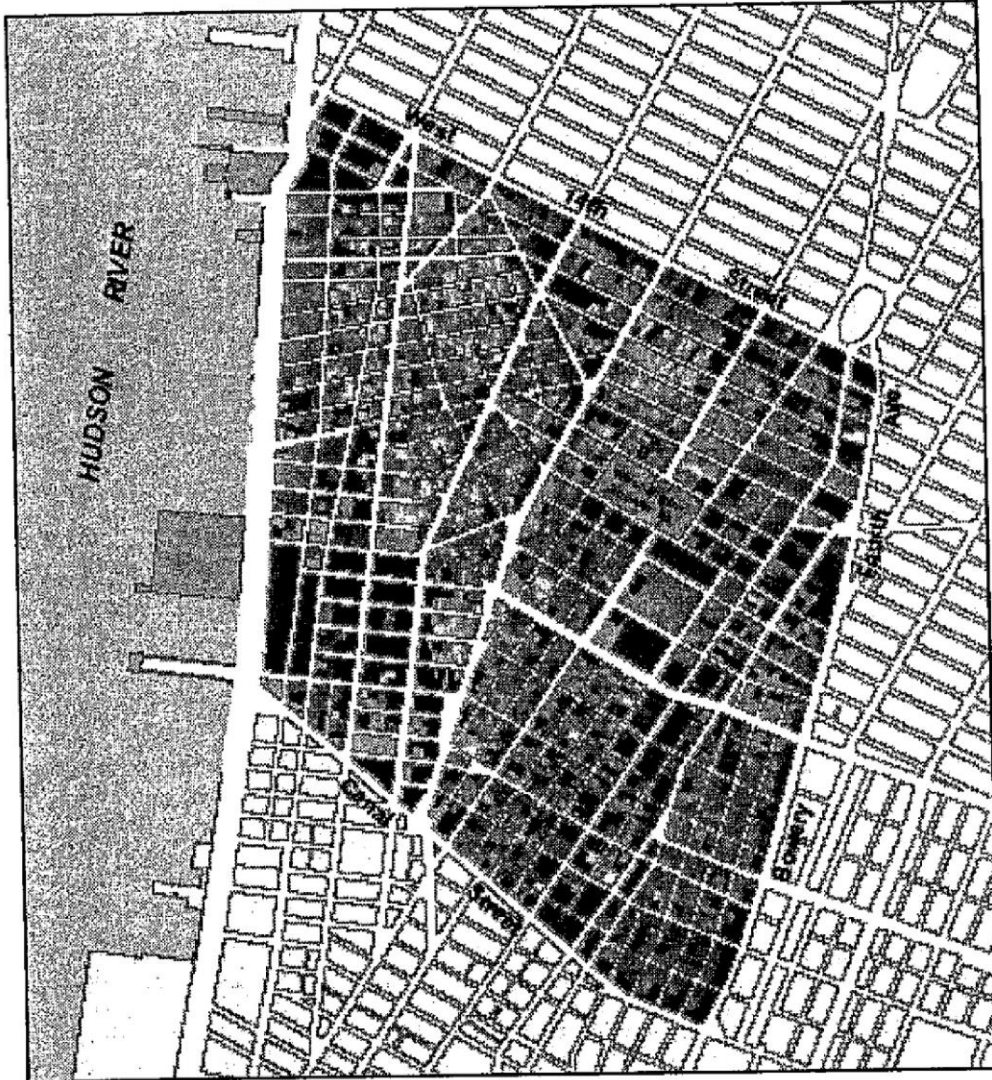
MRB:jk

cc: The Honorable Christine Quinn, Speaker of the City Council
The Honorable Domenic M. Recchia, Jr. Chair of the City Council Finance Committee
The Honorable Scott M. Stringer, Manhattan Borough President
Members of the City Council
Robert Steel, Deputy Mayor for Economic Development
Andrew Schwartz, First Deputy Commissioner, Department of Small Business Services
David Margalit, Deputy Commissioner, Department of Small Business Services
Jeremy Waldrup, Assistant Commissioner, Department of Small Business Services

EXHIBIT III
Community Maps

A. Land Use Map

Manhattan Community District 2



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 NYC Department of City Planning
 Source: MapINFO™ Release 08/08

Residential Land Use

- One & Two Family Buildings
- Multi-Family Buildings
- Mixed Residential and Commercial Buildings

Non-Residential Land Use

- Commercial/Office Buildings
- Industrial/Manufacturing
- Open Space and Outdoor Recreation
- Public Facilities and Institutions
- Transportation and Utility
- Parking Facilities
- Vacant Land
- All Other or No Data

B. NYPD – Precinct 1 & Precinct 5 Map

14th St

Police Precinct 6

Police Precinct 9

Houston St

Police Precinct 1

Police Precinct 5

Canal St

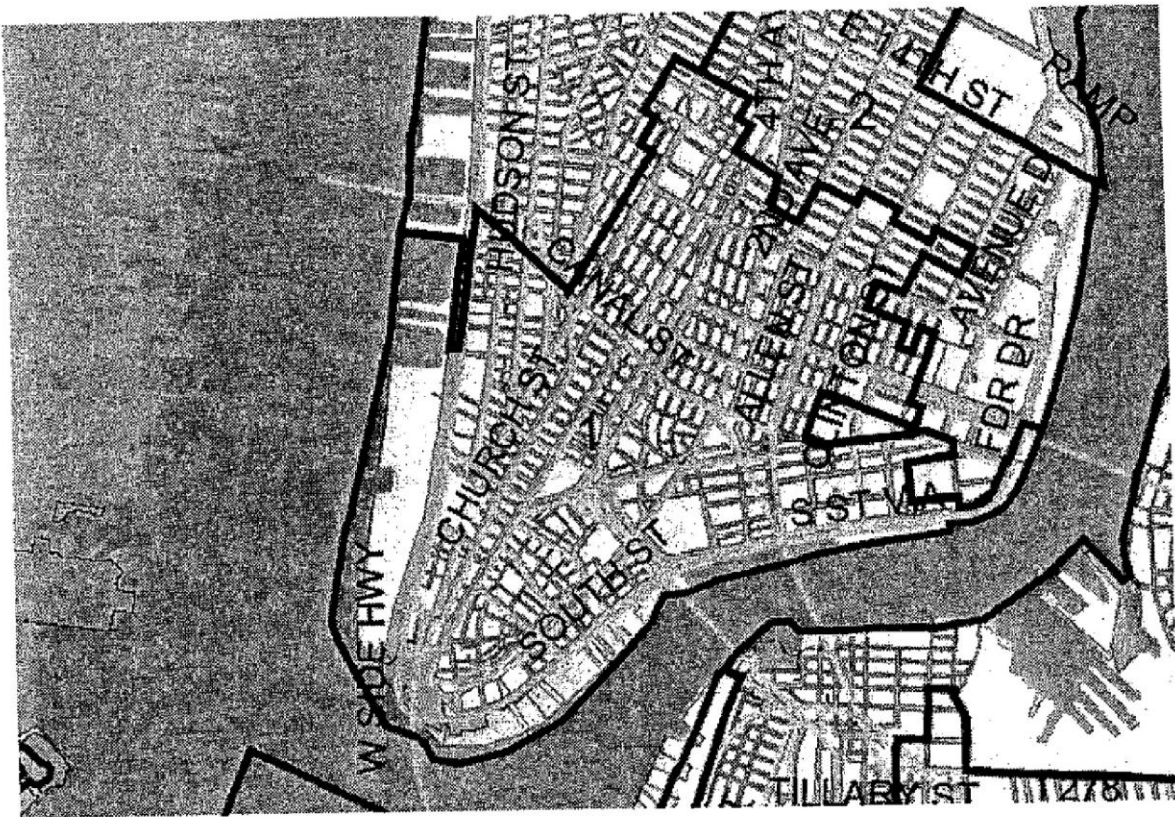
AVENUE

BROADWAY

Bowery



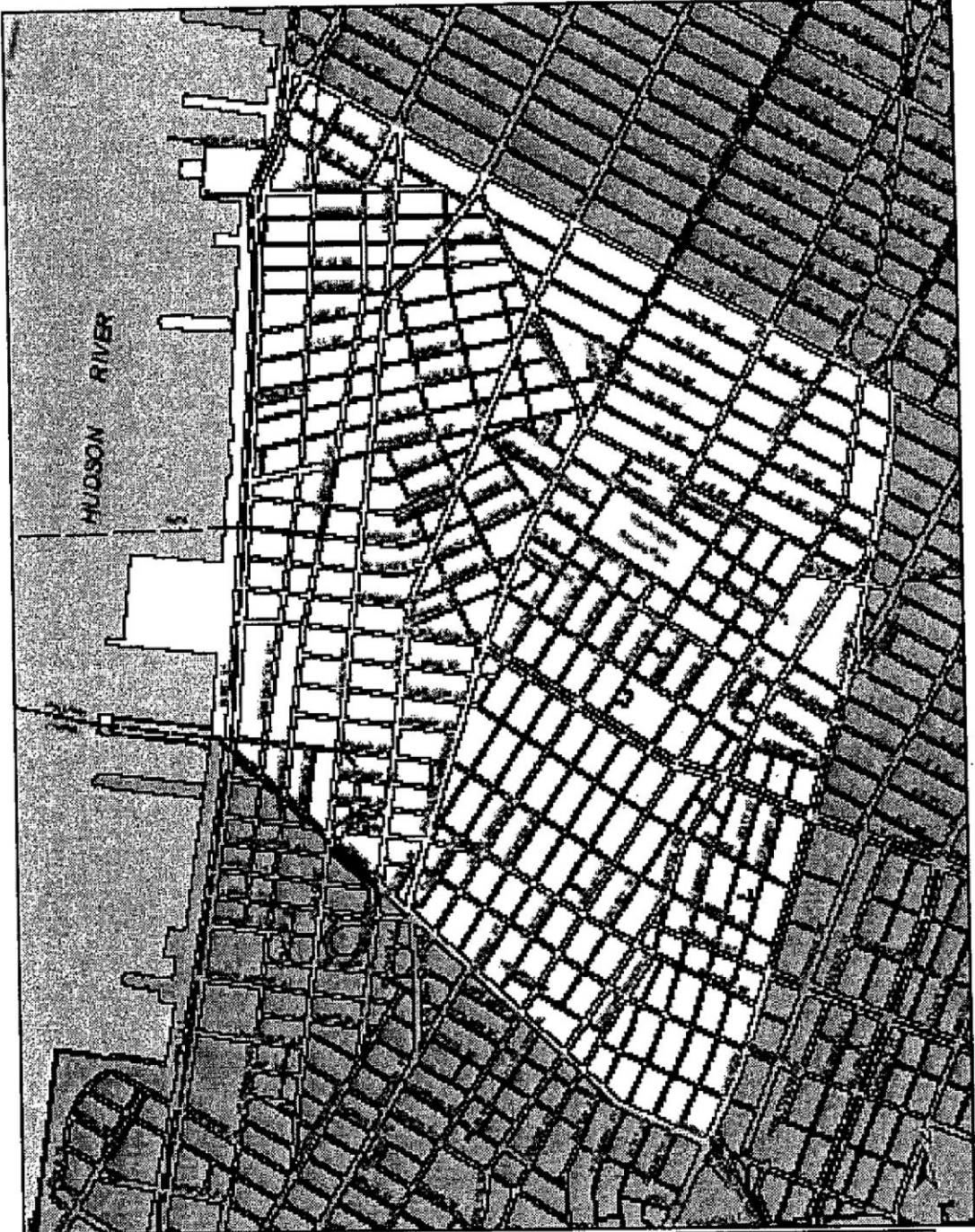
C. New York City Council District Map



NYC City Council District 1 Map

D. Manhattan Community Board District 2 Map

Manhattan Community District 2

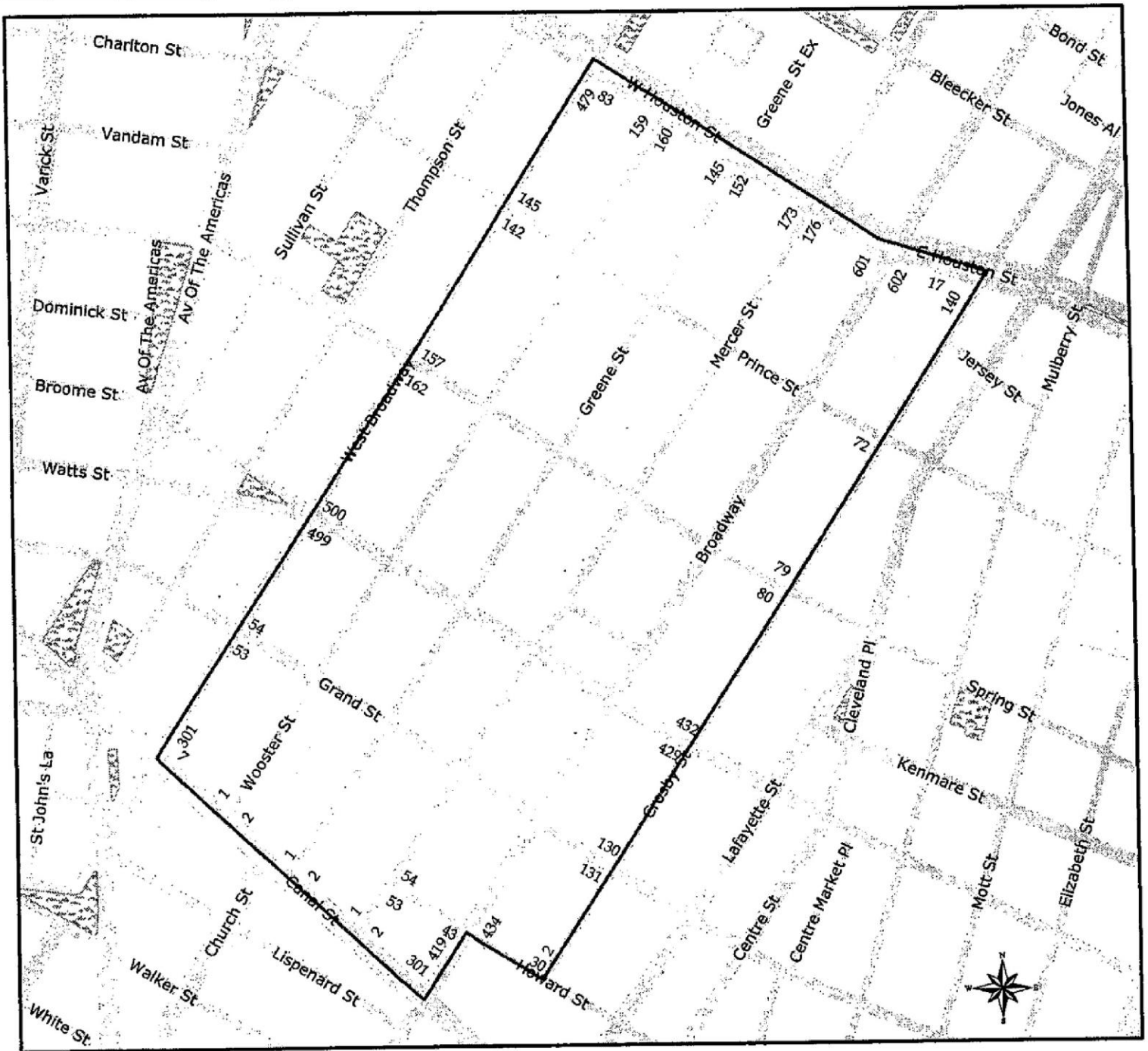


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
0 500 1,000 2,000 Feet

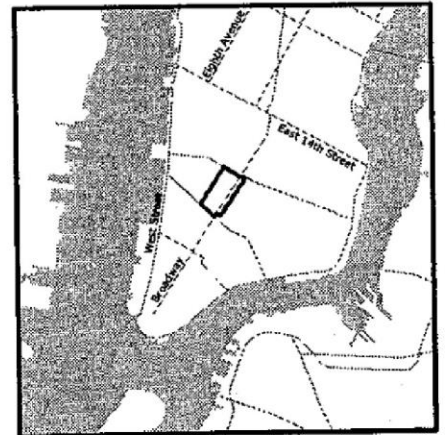
**E. New York State Assembly & New York State Senate
District Maps**

SoHo-Cast Iron



SoHo-Cast Iron
 Historic District
 Manhattan
 Designated: August 14, 1973

 Historic District Boundaries



14th St

Assembly District 75
Gottfried

Assembly District 66
Deborah Glick

LANA

BOWEN

Houston St

SPRING ST

BROOME ST

Assembly District 64
Sheldon Silver

HOWARD ST

Canal St

CROSBY ST

LAFAYETTE ST

CLEVELAND PL

MULBERRY ST

ELIZABETH ST



14th St

State Senate District 29
Thomas K. Duane

Houston St

Assembly District 25
Daniel L. Squadron

SULLIVAN ST

BROADWAY

BLEECKER ST

BOWEN ST

Canal St



F. Congressional District Maps

14th St

New York's 14th
Congressional District
Carolyn B. Maloney

New York's 8th Congressional District
Jerrold Nadler

Houston St

Bowery

MOTT ST

PRINCE ST

SPRING ST

BROOME ST

HOWARD ST

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Congressional District
Nydia Velasquez

Canal St

JARVIS ST
CENTRE ST
CENTRE MARKET PL

CLEVELAND PL
MULBERRY ST



EXHIBIT IV

TAX BLOCKS AND LOTS OF BENEFITED PROPERTIES

**PROPOSED SOHO BID PROPERTIES
(Listed by TaxLot)**

BLOCK	LOT	STREET ADDRESS	BID CLASS
209	1	418 Broadway	A
209	5	428 Broadway	A
209	1001	424 Broadway	A/CCG
209	1002	424 Broadway	CC
209	1003	424 Broadway	CC
209	1004	424 Broadway	CC
209	1005	424 Broadway	CC
209	1006	424 Broadway	CC
231	8	427 Broadway	A
231	10	425 Broadway	A
231	11	423 Broadway	A
231	12	419 Broadway	A
231	14	433 Broadway	VL/UC
231	30	459 Broadway	A
231	32	455 Broadway	A
231	35	451 Broadway	A
231	36	449 Broadway	A
231	37	447 Broadway	A
231	40	441 Broadway	A
231	1001	443 Broadway	A/CCG
231	1002	443 Broadway	R
231	1003	22 Mercer Street	R
231	1004	22 Mercer Street	R
231	1005	22 Mercer Street	R
231	1006	22 Mercer Street	R
231	1007	22 Mercer Street	R
231	1008	22 Mercer Street	R
231	1009	22 Mercer Street	R
231	1010	22 Mercer Street	R
231	1011	22 Mercer Street	R
231	1012	22 Mercer Street	R
231	1013	22 Mercer Street	R
231	1014	22 Mercer Street	R
231	1015	22 Mercer Street	R
231	1016	22 Mercer Street	R
231	1017	22 Mercer Street	R
232	1	434 Broadway	A
232	3	440 Broadway	A
232	4	442 Broadway	A
232	5	444 Broadway	A
232	6	446 Broadway	A
232	8	450 Broadway	A
232	9	452 Broadway	B
232	10	454 Broadway	A

BLOCK	LOT	STREET ADDRESS	BID CLASS
232	11	456 Broadway	A
232	12	458 Broadway	B
473	1	462 Broadway	A
473	5	470 Broadway	A
473	7	474 Broadway	A
473	10	478 Broadway	A
473	14	486 Broadway	A
473	1001	476 Broadway	A/CCG
473	1002	476 Broadway	CC
473	1003	476 Broadway	CC
473	1004	476 Broadway	CC
473	1005	476 Broadway	CC
473	1006	476 Broadway	R
473	1007	476 Broadway	R
473	1008	476 Broadway	R
473	1301	472 Broadway	A/CCG
473	1302	472 Broadway	R
473	1303	472 Broadway	R
473	1304	472 Broadway	R
473	1305	472 Broadway	R
474	29	487 Broadway	B
474	30	483 Broadway	A
474	32	481 Broadway	A
474	33	479 Broadway	A
474	1101	471 Broadway	A/CCG
474	1102	471 Broadway	R
474	1301	475 Broadway	A/CCG
474	1302	475 Broadway	R
474	1303	475 Broadway	R
474	1304	475 Broadway	R
474	1305	475 Broadway	R
474	1306	475 Broadway	R
474	1307	475 Broadway	R
474	1308	475 Broadway	R
474	1309	475 Broadway	R
474	1310	475 Broadway	R
474	1311	475 Broadway	R
474	1312	475 Broadway	R
474	1313	475 Broadway	R
474	1314	475 Broadway	R
474	1315	475 Broadway	R
474	1401	473 Broadway	A/CCG
474	1402	473 Broadway	R
474	1403	46 Mercer Street	R
474	1404	473 Broadway	R
474	1405	46 Mercer Street	R
474	1406	473 Broadway	R
474	1407	473 Broadway	R

BLOCK	LOT	STREET ADDRESS	BID CLASS
474	1408	473 Broadway	R
474	1409	473 Broadway	R
474	1410	473 Broadway	R
474	1411	473 Broadway	R
474	1412	473 Broadway	R
474	1413	473 Broadway	R
474	1414	473 Broadway	R
474	1501	40 Mercer Street	R
474	1502	40 Mercer Street	R
474	1503	40 Mercer Street	R
474	1504	40 Mercer Street	R
474	1505	40 Mercer Street	R
474	1506	40 Mercer Street	R
474	1507	40 Mercer Street	R
474	1508	40 Mercer Street	R
474	1509	40 Mercer Street	R
474	1510	40 Mercer Street	R
474	1511	40 Mercer Street	R
474	1512	40 Mercer Street	R
474	1513	40 Mercer Street	R
474	1514	40 Mercer Street	R
474	1515	40 Mercer Street	R
474	1516	40 Mercer Street	R
474	1517	40 Mercer Street	R
474	1518	40 Mercer Street	R
474	1519	40 Mercer Street	R
474	1520	40 Mercer Street	R
474	1521	40 Mercer Street	R
474	1522	40 Mercer Street	R
474	1523	40 Mercer Street	R
474	1524	40 Mercer Street	R
474	1525	40 Mercer Street	R
474	1526	40 Mercer Street	R
474	1527	40 Mercer Street	R
474	1528	40 Mercer Street	R
474	1529	40 Mercer Street	R
474	1530	40 Mercer Street	R
474	1531	40 Mercer Street	R
474	1532	40 Mercer Street	R
474	1533	40 Mercer Street	R
474	1534	40 Mercer Street	R
474	1535	40 Mercer Street	R
474	1536	40 Mercer Street	R
474	1537	40 Mercer Street	R
474	1538	40 Mercer Street	R
474	1539	40 Mercer Street	R
474	1540	40 Mercer Street	R
474	1541	40 Mercer Street	R

BLOCK	LOT	STREET ADDRESS	BID CLASS
474	1542	40 Mercer Street	A/CCG
474	1543	40 Mercer Street	A/CCG
474	1544	40 Mercer Street	A/CCG
474	1545	40 Mercer Street	A/CCG
474	1546	40 Mercer Street	A/CCG
474	1547	40 Mercer Street	CC
483	1	490 Broadway	A
483	3	494 Broadway	A
483	4	496 Broadway	A
483	5	498 Broadway	A
483	7	504 Broadway	A
483	8	506 Broadway	A
483	10	510 Broadway	B
483	13	514 Broadway	B
483	14	518 Broadway	A
483	15	520 Broadway	A
483	17	524 Broadway	A
483	1001	508 Broadway	A/CCG
483	1002	508 Broadway	R
483	1003	508 Broadway	R
483	1004	508 Broadway	R
483	1005	508 Broadway	R
483	1201	56 Crosby Street	A/CCG
483	1202	56 Crosby Street	R
483	1203	56 Crosby Street	R
483	1204	56 Crosby Street	R
483	1205	56 Crosby Street	R
483	1206	56 Crosby Street	R
483	1207	56 Crosby Street	R
483	1208	56 Crosby Street	R
483	1209	56 Crosby Street	R
483	1210	56 Crosby Street	R
484	1	84 Mercer Street	B
484	9	525 Broadway	A
484	11	523 Broadway	B
484	12	521 Broadway	A
484	17	511 Broadway	A
484	23	499 Broadway	A
484	24	495 Broadway	A
484	26	491 Broadway	B
484	28	489 Broadway	A
484	1001	501 Broadway	A/CCG
484	1002	72 Mercer Street	R
484	1003	72 Mercer Street	R
484	1004	72 Mercer Street	R
484	1005	72 Mercer Street	R
484	1006	72 Mercer Street	R
484	1007	72 Mercer Street	R

BLOCK	LOT	STREET ADDRESS	BID CLASS
484	1008	72 Mercer Street	R
484	1009	72 Mercer Street	R
484	1010	72 Mercer Street	R
497	1	530 Broadway	A
497	4	536 Broadway	A
497	6	540 Broadway	A
497	7	542 Broadway	B
497	9	546 Broadway	A
497	11	550 Broadway	A
497	12	552 Broadway	A
497	15	558 Broadway	A
497	18	560 Broadway	A
498	5	565 Broadway	B
498	7	561 Broadway	B
498	9	557 Broadway	A
498	11	549 Broadway	A
498	15	547 Broadway	B
498	16	545 Broadway	A
498	17	543 Broadway	B
498	18	541 Broadway	B
498	20	537 Broadway	B
498	21	535 Broadway	A
498	23	529 Broadway	A
511	1	75 Prince Street	A
511	6	580 Broadway	A
511	8	584 Broadway	A
511	12	592 Broadway	A
511	15	598 Broadway	A
511	16	600 Broadway	A
511	19	19 East Houston Street	EX/ML
512	14	595 Broadway	A
512	15	593 Broadway	A
512	16	591 Broadway	A
512	17	589 Broadway	A
512	20	579 Broadway	A
512	22	577 Broadway	B
512	23	569 Broadway	A
512	1001	583 Broadway	A/CCG
512	1002	583 Broadway	A/CCG
512	1010	599 Broadway	A/CCG
512	1011	599 Broadway	CC
512	1012	599 Broadway	CC
512	1013	599 Broadway	CC
512	1014	599 Broadway	CC
512	1015	599 Broadway	CC
512	1016	599 Broadway	CC
512	1017	599 Broadway	CC
512	1018	599 Broadway	CC

BLOCK	LOT	STREET ADDRESS	BID CLASS
512	1019	599 Broadway	CC
512	1020	599 Broadway	CC
512	1021	599 Broadway	CC
512	1022	599 Broadway	CC
512	1023	599 Broadway	CC
512	1101	597 Broadway	CC
512	1102	597 Broadway	A/CCG
512	1103	597 Broadway	CC
512	1104	597 Broadway	CC
512	1105	597 Broadway	CC
512	1106	597 Broadway	CC
512	1107	597 Broadway	CC
512	1108	170 Mercer Street	R
512	1109	170 Mercer Street	R
512	1110	170 Mercer Street	R
512	1111	597 Broadway	R
512	1112	170 Mercer Street	R
512	1113	597 Broadway	R
512	1114	597 Broadway	R
512	1115	597 Broadway	R
512	1116	597 Broadway	R
512	1201	583 Broadway	R
512	1202	583 Broadway	R
512	1203	583 Broadway	R
512	1204	583 Broadway	R
512	1205	583 Broadway	R
512	1206	583 Broadway	R
512	1207	583 Broadway	R
512	1208	583 Broadway	R
512	1209	583 Broadway	R
512	1210	583 Broadway	R
512	1211	583 Broadway	R
512	1212	583 Broadway	R
512	1213	583 Broadway	R
512	1214	583 Broadway	R
512	1215	583 Broadway	R
512	1216	583 Broadway	R
512	1217	583 Broadway	R
512	1218	583 Broadway	R
512	1219	583 Broadway	R
512	1220	583 Broadway	R
512	1221	583 Broadway	R
512	1222	583 Broadway	R
512	1223	583 Broadway	R



CITY PLANNING COMMISSION

January 26, 2011 / Calendar No. 12

N 110128 BDM

IN THE MATTER of an application submitted by the Department of Small Business Services on behalf of the SoHo Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, concerning the formation of the SoHo Business Improvement District, Borough of Manhattan, Community District 2.

On October 12, 2010, the Mayor authorized the preparation of a district plan for the SoHo Business Improvement District (BID). On October 26, 2010, on behalf of the SoHo District Management Association (DMA), the Department of Small Business Services (DSBS) submitted the district plan for the BID, located in Community District 2 in the Borough of Manhattan.

BACKGROUND

The proposed SoHo BID is located in the Borough of Manhattan. The BID boundaries extend along Broadway, from Canal Street to East Houston. The proposed district is within Community District 2. The proposed Chinatown BID is on the southern border of the proposed BID.

The BID includes 12 blocks, 280 tax lots and 129 retail businesses. There are over 800 commercial businesses in the BID and approximately 433 residential units. The area consists of a diverse mix of retail, art galleries and neighborhood services. Buildings within the BID area are typically five to twelve story loft buildings with commercial uses on the ground floor and Joint-Live-Work-Quarters-for-Artists (JLWQAs) on the upper floors.

The BID Plan includes funding to primarily address sanitation, public safety and visitor services. The first year budget for the BID is projected to be \$700,000. As originally filed, the budget will allocate \$160,000 to sanitation; \$110,000 to public safety and visitor services; \$50,000 to marketing, promotion and advertising; \$35,000 to holiday lighting; \$10,000 to social services;

\$40,000 to other programs and services; \$45,000 to physical streetscape and storefront improvements and \$250,000 to administrative expenses.

As originally proposed, the BID assessment method is based upon a combination of a flat fee, linear front footage and assessed value. Wholly commercial properties shall be assessed a base fee of \$250 plus the front footage rate plus the assessed value rate. Commercial condos with an upper floor or below grade unit shall be assessed the base fee plus the assessed value rate. All wholly residential properties will be assessed at one dollar annually. Government and not-for-profit owned property devoted in whole to public or not-for-profit use shall be exempt from assessment. Privately held vacant lots shall be the same rate as commercial properties.

Outreach to property owners, merchants and residents was done by the SoHo Steering Committee. The BID has obtained support from 55 percent assessed value property owners.

ENVIRONMENTAL REVIEW

The district plan was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York State Code of Rules and Regulations, Section 617.00 *et seq.*, and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 11SBS003M. The lead agency is the Department of Small Business Services.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on November 3, 2010.

LAND USE REVIEW

On October 26, 2010 the Department of Small Business Services submitted the district plan for the SoHo Business Improvement District (BID) to the Department of City Planning. The plan was then transmitted for review to the Office of the Mayor, Office of the Brooklyn Borough President, City Council Speaker, City Council Member of Council District 1 and Manhattan Community Board 2.

Community Board Public Hearing

On November 18, 2010, Community Board 2 adopted a resolution recommending disapproval of this application (N 110128 BDM), by a vote of 47 in favor, with 0 opposed and 1 abstention. Community Board Two urged the BID applicants to withdraw their application from Small Business Services and if the BID chose not to withdraw the application, the Board would oppose the BID for the following reasons:

1. "There was overwhelming public opposition to the BID from local residents who live within the proposed BID boundaries as demonstrated at the community board's full meeting of November 18, 2010 because they did not believe the BID would benefit them;
2. There is no mechanism in place that will ensure that residential owners not be responsible for any more than a nominal assessment of \$1, and that condo owners would be treated equally;
3. The BID applicants have failed to convince the public of the necessity of a new business improvement district for SoHo, which is a flashpoint for traffic and pedestrian congestion, and there is concern that a BID would only aggravate this situation;
4. The stated mission of the BID to increase local tourism would have a negative impact the quality of life of local residents of SoHo;
5. Residents believe that there are viable alternatives other than assessing property owners and creating a BID, such as participating in A.C.E. (SoHo Partnership) or increasing

efforts to encourage local retailers to voluntarily clean their adjacent sidewalks, which is the hallmark of a good neighbor policy and a common practice elsewhere in Manhattan.”

City Planning Commission Public Hearing

On December 15, 2010 (Calendar No. 3), the Commission scheduled January 5, 2011 for a public hearing on the district plan. On January 5, 2011 (Calendar No. 32), the hearing was duly held. There were 12 speakers in favor of the proposal and five speakers in opposition.

A property owner who is also a member of the BID Steering Committee spoke about the outreach to the property owners, merchants and residential tenants and the amount of support received. He also spoke about implementing a residential reimbursement plan to address the issue of some residential co-operative owners being assessed the commercial rate regardless of whether or not they control or receive rents from commercial co-operative units.

He expressed the importance of addressing and resolving the concerns of the Community Board and residential property owners and in response to the Community Board’s concerns he stated that the goals of the BID were: 1. Become an advocate for the Broadway SoHo property owners, 2. Clean the streets on Broadway, and 3. Address the traffic issues on Broadway.

A consultant to the BID responded to Community Board’s issues stated in the resolution letter and disapproval of the proposed BID. She spoke about how the BID followed the same method to establish the plan and assessment formula, not unlike other BIDs in the City. She also explained the BID’s assessment formula; its fairness to all property owners and the percentage of support from the property owners.

She clarified how the co-operative properties would be assessed based upon the structure of the

co-operative boards and whether the commercial units within the co-operative properties are under the control of the residential co-operative property owners. She further stated that the BID Steering Committee received confidential information from the co-operative boards about how the co-operative is structured, which aids the Steering Committee to be determine if the residential co-operative property owners are eligible for the reimbursement plan.

A resident and founder of a privately funded organization that provides social services spoke in support of the BID but stated that his organization could not to continue to provide adequate sanitation services without additional funding.

The remaining speakers in support of the BID were property owners and/or managing agents that spoke about the BID being able to address specific issues that include the tourist traffic and sanitation.

The five speakers in opposition included a representative of the Council Member of District One. He stated that although the Council Member supports BIDs in general, this particular BID could not be supported at this time, because of the lack of outreach and consensus from the co-operative property owners regarding the residential reimbursement program.

The Chair of the Community Board, spoke about the challenges that the board faced in deciding to disapprove the BID. The most challenging issue was the co-operative properties owners being assessed regardless of ownership or control of the retail units. The outreach efforts were also an issue for the board.

Two property owners, in opposition, spoke about the changes that have taken place in the neighborhood. They both stated that the proposed BID would attract big businesses that would

in turn, drive out small neighborhood businesses.

A community board member and director of a local community organization spoke about the increased tourism in the area and how the BID would further contribute to the problem by providing kiosks, signage and holiday lighting.

CONSIDERATION

The Commission believes that the proposal to establish the SoHo BID in Manhattan, as modified, is appropriate.

BIDs are designed to assist business in their service areas. The SoHo BID will serve as an advocate to address the coordination of services by city agencies, address street cleaning along Broadway, and improve pedestrian and street congestion created to a large extent by SoHo's success. The Commission believes that the proposed BID will address these concerns by facilitating the continued funding of a street cleaning program, study and improve street congestion which has been identified as a major concern of businesses and residents within the area, and serving as an advocate for all property owners with respect to the coordination of services with city agencies.

During the public review process, Community Board 2 and several residents testifying at the public hearing expressed concern regarding the BID's assessment to residential property owners. While the Commission believes that residents should participate in all aspects of a BIDs planning, development and implementation of services, the costs of the BID should principally be borne by the business property owners and their commercial tenants. The Commission is pleased that the BID, in letters dated January 17, 2011 and January 22, 2011, proposed to amend its budget to include funds to reimburse residents who could be required by their co-op to pay a

surcharge in order to fund the co-ops BID assessment. This would be accomplished through a Residential Reimbursement Plan. The Commission believes the proposed Plan should be modified to reflect the residential reimbursement plan as presented to the City Planning Commission.

The Commission further believes that the proposed BID should serve as an advocate for all Broadway SoHo property owners by addressing sidewalk and street congestion. While public relations for the neighborhood is also a component of the proposed amended first year budget, the Commission believes that staging large events such as street fairs, may exacerbate existing conditions. However, the Commission believes that using funds to create Way-Finders and businesses guides to make it easier for customers to navigate the neighborhood as well as for the preparation of instructional materials for property owners, has beneficial value to all property owners within the service area of the BID.

The Commission believes that the BID Steering Committee is committed to reaching out to all stakeholders to address the specific needs of existing businesses and the general community as well. Going forward, the Commission believes that the BID Steering Committee must continue to work with the residents within the BID's boundaries to address on-going concerns.

RESOLUTION

The Commission supports the proposed plan, as qualified, and has adopted the following resolution:

RESOLVED, that the City Planning Commission certifies its qualified approval with recommendations for modification of the District Plan for the SoHo Business Improvement

District.

The Commission recommends that the BID Plan be modified by the City Council to include a Residential Reimbursement Plan and revised first year budget as proposed by the BID sponsor (see attached).

The Commission further recommends that the proposed marketing, promotion and advertising services as reflected in the District Plan be modified to provide a clearer statement as to its intended use. Specifically, this Plan should expressly state that funds are included for providing signage and other way-finding tools for identifying the location of businesses such as a logo and map as well as providing information to the public about the unique historical character of the district. The marketing section of the Plan should also expressly permit the preparation of materials for property owners that help to provide information on the maintenance of historical property as well as instructions on how to obtain the appropriate City permits and instructions on compliance with City regulations. The Plan should also state that large public events that would tax City services and infrastructure by attracting crowds are not contemplated as a part of the Plan.

The above resolution duly adopted by the City Planning Commission on January 26, 2011 (Calendar No. 12) is filed with the City Council and the City Clerk pursuant to Section 25-405 of the Administrative Code of the City of New York.

AMANDA M. BURDEN, FAICP, Chair

RAYANN BESSER, ALFRED C. CERULLO, III,

BETTY CHEN, MARIA M. DEL TORO, RICHARD W. EADDY,

NATHAN LEVENTHAL, ANNA HAYES LEVIN,

SHIRLEY A. MCRAE, KAREN A. PHILLIPS

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Jo Hamilton, Chair
Bo Riccobono, First Vice Chair
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Erin Roeder, Treasurer
Susan Kent, Secretary
Elaine Young, Assistant Secretary

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November 23, 2010

Robert W. Walsh, Commissioner
NYC Department of Small Business Services
110 William Street, 7th Floor
New York, NY 10038

Dear Commissioner Walsh:

At its Full Board meeting on November 18, 2010, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

Proposed SoHo Business Improvement District

Whereas, CB#2, Man. has been asked to review an application to the city for the formation of a SoHo Business Improvement District (BID); and

Whereas, the intent of the proposed BID is to provide services beyond sanitation, including measures to improve public safety, marketing and promotion, and capital improvements; and

Whereas, the intent of the BID is for property owners and commercial tenants and landlords to bear the cost of establishing and maintaining the BID; and

Whereas, the BID applicants have conducted a poor local public education campaign in clearly explaining the costs and benefits of the proposed BID leading to much confusion and contradictory assertions about the BID by a large number of the public and members of this community board.

Therefore Be It Resolved; that CB#2, Man. urges the BID applicants to withdraw their application from NYC Small Business Services and conduct outreach with members of the community in conjunction with a fuller explanation of the costs and benefits of the proposed BID, and only thereafter should they return to the community board with their application; and

Be it further resolved that should the BID applicant not withdraw its application from the BID review process, CB#2, Man. strongly opposes the BID for the following reasons:

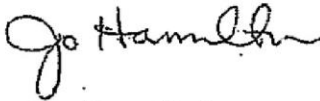
1) There was overwhelming public opposition to the BID from local residents who live within the proposed BID boundaries as demonstrated at the community board's full board meeting of November 18, 2010 because they did not believe the BID would benefit them;

- 2) There is no mechanism in place that will ensure that residential owners not be responsible for any more than a nominal assessment of \$1, and that condo and coop owners would be treated equally;
- 3) The BID applicants have failed to convince the public of the necessity of a new business improvement district for SoHo, which is a flashpoint for traffic and pedestrian congestion, and there is concern that a BID would only aggravate this situation;
- 4) The stated mission of the BID to increase local tourism would have a negative impact on the quality of life of local residents of SoHo;
- 5) Residents believe that there are viable alternatives other than assessing property owners and creating a BID, such as participating in A.C.E. (SoHo Partnership) or increasing efforts to encourage local retailers to voluntarily clean their adjacent sidewalks, which is the hallmark of a good neighbor policy and a common practice elsewhere in Manhattan.

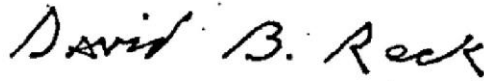
Vote: Unanimous, with 47 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jo Hamilton, Chair
Community Board #2, Manhattan



David Reck, Chair
Land Use and Business Development Committee
Community Board #2, Manhattan

JH/fa

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Thomas K. Duane, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Sandy Myers, CB2 Liaison, Man. Borough President's office
Lolita Jackson, Manhattan Director, CAU
SoHo Business Improvement District

Jo Hamilton, Chair
Bo Riccobono, First Vice Chair
Sheelah Feinberg, Second Vice Chair
Bob Gormley, District Manager



Erin Roeder, Treasurer
Susan Kent, Secretary
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January 21, 2011

Amanda Burden, Commissioner
NYC Department of City Planning
22 Reade Street
New York, NY 10007

Dear Commissioner Burden:

At its Full Board meeting on January 20, 2011, Community Board 2 (Manhattan) adopted the following resolution:

Proposed SoHo Business Improvement District

Whereas, at its November 18, 2010 meeting, in the face of overwhelming public opposition, CB2, Manhattan, passed a unanimous resolution strongly opposing the formation of a SoHo Business Improvement District (BID); and

Whereas, CB2 found that the BID applicants had conducted a poor public outreach campaign, and had failed to clearly explain to, or convince, people who live in the area that there is a need for a BID, beyond providing sanitation services; and

Whereas, there are viable alternatives for sufficient sanitation services, such as fully supporting A.C.E. (SoHo Partnership) in their current street cleaning program; and

Whereas, CB2 listed a number of specific objections to the BID as proposed, including:

- There is no mechanism in place to ensure that all residential owners will not be assessed more than \$1 annually, as is the custom in all BIDs in New York City
- There is concern that the voting membership is unfairly weighted in favor of condo owners over co-op owners because votes are tallied by tax lot
- One of the stated missions of the BID is Marketing/Promotion/Advertising, with the goal of attracting businesses to the neighborhood, when the area is already burdened with traffic and pedestrian congestion

Whereas, the BID applicants have had two months to address our concerns, and to meet with residents in order to develop support; and

Whereas, CB2 has no evidence that this has happened; and

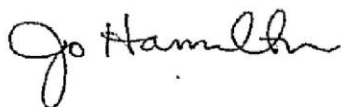
Whereas, the BID applicants have not resolved the inequitable assessment formula for all of the residential co-op buildings.

Therefore, be it resolved that CB 2 continues to oppose, unconditionally, the SoHo BID application and urges the Department of City Planning and our elected officials to reject it, as well.

Vote: Unanimous, with 38 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jo Hamilton, Chair
Community Board #2, Manhattan

JH/bg

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Daniel L. Squadron, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
Hon. Margaret Chin, Council Member
Robert W. Walsh, Commissioner, Dept. of Small Business Services
Lolita Jackson, Manhattan Director, CAU
Jessica Dewberry, Dept. of City Planning
Mary Balaban, A.C.E.

Proposed SoHo Business Improvement District

The following summarizes the "Residential Reimbursement Plan" that impacts the mixed-use cooperative properties within the proposed SoHo BID district

Profiles of Mixed –Use Co-operative Properties

At present, within the proposed SoHo BID District, there are 14, mixed-use cooperative properties.

Mixed-Use Cooperative properties can be categorized as follows:

1. Commercial Space(s) Owned and Controlled by the Cooperative Corporation;
2. Commercial Space(s) Owned by the Cooperative Corporation and Held by the Sponsor under a Long Term Agreement;
3. Commercial Space (s) Owned by a Shareholder of the Co-operative Corporation.

Mixed-Use Co-op – Residential Reimbursement Plan: Eligible Properties

The Residential Reimbursement Plan would only apply to mixed-use co-operative apartment buildings where the commercial space(s) is owned or controlled by an entity other than the co-operative corporation (1 and 2 above).

Based on the internal structure of the co-operative corporation, the proportion of the annual BID charge for the entire property (i.e. taxlot) assigned to the commercial space and to the residential portion will be disclosed by the co-operative corporation in an application.

The application will include a financial statement, or by-laws, co-op plan, or other supporting materials that clearly show how the BID assessment has been apportioned within the co-operative property

Full reimbursement for the residential portion will be provided to the cooperative corporation by the BID.

The annual budget as described in the District Plan has been revised accordingly.

Annual Budget

1. First Year Budget – It is anticipated that the budget of proposed expenditures to be made during the first Contract year is as follows:

a. **Services**

Sanitation and Snow Removal	\$ 160,000
Public Safety and Visitor Services	\$ 160,000
Public Relations for the Neighborhood	\$ 50,000
Mixed-Use Co-op Properties-Residential Reimbursement	\$ 35,000
General and Administrative	\$ 250,000

b. **Improvements**

Physical Streetscape & Storefront Improvements	\$ 45,000
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TOTAL FIRST CONTRACT YEAR BUDGET	\$ 700,000
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