



Legislation Text

File #: Res 1993-2013, **Version:** *

Preconsidered Res. No. 1993

Resolution concerning the establishment of the Hudson Yards Business Improvement District in the Borough of Manhattan and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.

By Council Members Recchia Jr., The Speaker (Council Member Quinn) and Koo

Whereas, Pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (the "Law"), the Mayor, by authorization dated July 15, 2013, provided for the preparation of a district plan (the "Plan") for the Hudson Yards Business Improvement District (the "District") in the Borough of Manhattan; and

Whereas, Pursuant to Local Law No. 82 for the year 1990, the City Council assumed responsibility for adopting legislation establishing Business Improvement Districts; and

Whereas, Pursuant to section 25-405 (c) of the Law, the New York City Department of Small Business Services ("SBS") submitted the Plan to the City Planning Commission (the "CPC") on July 19, 2013; and

Whereas, Pursuant to section 25-405 (c) of the Law, the CPC submitted the Plan to the City Council on July 22, 2013; and

Whereas, Pursuant to section 25-405 (c) of the Law, the CPC submitted the Plan to the Council Member representing the council district in which the proposed District is located on July 22, 2013; and

Whereas, Pursuant to section 25-405 (c) of the Law, the CPC submitted the Plan to the community board (Manhattan Community Board Number 4, hereinafter the "Community Board") for the community district in which the proposed District is located on July 19, 2013; and

Whereas, The CPC submitted the Plan to the Manhattan Borough President on July 22, 2013, pursuant to section 25-405 (c) of the Law; and

Whereas, Pursuant to section 25-405 (c) of the Law, the Community Board notified the public of the Plan in accordance with the requirements established by the CPC; and

Whereas, Pursuant to section 25-405 (c) of the Law, the Community Board voted to approve the establishment of the District on July 31, 2013; and

Whereas, Pursuant to section 25-405 (c) of the Law, the CPC reviewed the Plan, held a public hearing and prepared a report certifying its unqualified approval of the Plan; and

Whereas, Pursuant to section 25-405 (c) of the Law, the CPC submitted its report to the Mayor, to the City Council and to the Council Member representing the council district in which the proposed District is located; and

Whereas, Pursuant to section 25-405 (c) of the Law, a copy of the CPC's report, together with the original Plan, was transmitted for filing with the City Clerk on October 1, 2013; and

Whereas, Pursuant to section 25-406 (a) of the Law, a copy of the Plan and the CPC's report are annexed hereto and are made part of this Resolution; and

Whereas, Pursuant to section 25-406 (a) of the Law, the Plan is on file for public inspection in the Office of the City Clerk, 141 Worth Street, New York, New York; and

Whereas, Pursuant to Section 25-406 (b) of the Law, any owner of real property, deemed benefited and therefore within the District, objecting to the plan must file an objection at the Office of the City Clerk within thirty days of the conclusion of the hearing held by the City Council, notice of which is provided by this Resolution, on forms made available by the City Clerk; and

Whereas, Pursuant to Section 25-406 (b) of the Law, if owners of at least fifty-one percent of the assessed valuation of all the benefited real property situated within the boundaries of the District proposed for establishment, as shown upon the latest completed assessment roll of the City, or at least fifty-one percent of the owners of benefited real property within the area included in the District proposed for establishment, file objections to the Plan with the City Clerk within the thirty-day objection period, the District will not be established; now, therefore, be it

Resolved, That the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that:

(i) November 14, 2013 is the date and 10:00 a.m. is the time and the City Hall Committee Room is the place for a public hearing (the "Public Hearing") to hear all persons interested in the establishment of the District;

(ii) the Hudson Yards BID Steering Committee shall, not less than ten nor more than thirty days before the date of the Public Hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed District at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the proposed District, and to the tenants of each building within the proposed District;

(iii) the Department of Small Business Services shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten nor more than thirty days before the date of the Public Hearing; and

(iv) in the event that the Hudson Yards BID Steering Committee mails, or the Department of Small Business Services arranges for the publication of, a summary of this Resolution, such summary shall include the information required by section 25-406 (c) of the Law.

Staff: Tanisha Edwards, Counsel, Finance Division

THE COUNCIL
REPORT OF THE FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
JEFF RODUS, FIRST DEPUTY DIRECTOR

COMMITTEE ON FINANCE
HON. DOMENIC M. RECCHIA, JR., CHAIR
October 30, 2013

PRECONSIDERED RES. By: Council Members Recchia Jr. and The Speaker (Council Member Quinn)

TITLE: Resolution concerning the establishment of the Hudson Yards Business Improvement District in the Borough of Manhattan and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.

BACKGROUND

Pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (the "Law"), the Mayor and the Council are authorized to establish Business Improvement Districts (BIDs) in New York City. BIDs, which are specifically established areas, use the City's property tax collection mechanism to approve a special tax assessment with which to fund additional services that would enhance the area and improve local business. The additional services are normally in the areas of security, sanitation, physical/capital improvements (lighting, landscaping, sidewalks, etc.), seasonal activities (Christmas lighting) and related business services (marketing and advertising). The Steering Committee of a BID demarcates the areas in which services will be enhanced and also establishes the mechanism for the assessment needed to generate the required budget.

The proposed Hudson Yards Business Improvement District (hereinafter the "District") is located in the borough of Manhattan and is generally bounded by West 42nd street to the north, eleventh avenue to the west, ninth avenue to the east, and West

30th street to the south. The District is largely within the Hudson Yards Special District, which was created in 2005 to foster a mix of uses and densities, provide new publicly accessible open space, extend the Midtown central business district by providing opportunities for substantial new office and hotel development, reinforce existing residential neighborhoods and encourage new housing on Manhattan’s Far West Side.

The District represents portions of 26 blocks and has 1,164 tax lots. The District is located in Community Board 4. There are approximately 150 ground level retail tenants, approximately 300 upper floor commercial tenants, and 6,336 residential units of which 836 are individual residential condos. The District also contains 5 buildings with 975 hotel rooms.

The District will be managed by the Hudson Yards District Management Association, Inc. Services to be provided in the District include: maintenance for Hudson Park (as agreed upon with the Parks Department) for public safety, traffic safety, creation of more open green space, marketing and promotion, administrative expenses, and a reserve (\$1.8 million).

Maintenance for Hudson Park (as agreed upon with Parks department) for public safety	\$445,000
District Wide services (traffic safety, creation of more green space, Ads and informational docs about local businesses)	\$430,000
Administration	\$325,000
Future Year Reserves	\$1.8 M

The budget for the first year of operation is \$1.2 million; with the maximum annual thereafter to operate the BID is \$3 million. The maximum cost for capital improvements for the entire existence of the proposed District shall be \$7 million.

Not for profits and individuals residential condominiums pay \$1.00, government buildings located within the proposed District are exempt. 226 tax lots of the 1,164 (19%) will pay the assessment, which averages to \$5,259. Assessment payments would vary with the highest totaling approximately \$178,000 for an 866,000 square foot mixed use property with an assessed value of \$83 million, and the lowest payment totaling approximately \$94 for a 550 square foot property with an assessed value of \$28,000.

PRECONSIDERED RESOLUTION

This Preconsidered Resolution is required by Section 25-407(b) (2) of the Administrative Code, which requires, in relevant part, that a further hearing shall be called by Resolution if the City Council finds that notice of the initial hearing on the proposed District was incorrectly or insufficiently given to property owners within a proposed district.

The main purpose of this Resolution is to set the public hearing date, time and place for the review of the local law which would establish the Hudson Yards Business Improvement

District.

The hearing on the local law and the Plan will be held on November 14, 2013 at 10:00 a.m. in the Committee Room at City Hall in New York, New York to hear all persons interested in the establishment of the District.

This Resolution also directs SBS and the Hudson Yards BID Steering Committee, respectively to, not less than ten nor more than thirty days before the date of the public hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed District at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the proposed District, and to the tenants of each building within the proposed District. The Resolution also directs SBS to arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten nor more than thirty days before the date of the public hearing.