



**IN THE MATTER of an application submitted by the Department of Business Services on behalf of the 86th Street Bay Ridge District Management Association, pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, concerning the formation of the 86th Street Bay Ridge Business Improvement District, Borough of Brooklyn, Community District 10 .**

On February 10, 1999, Mayor Rudolph W. Giuliani authorized the preparation of a district plan for the 86<sup>th</sup> Street Bay Ridge Business Improvement District (BID). On October 2, 2000 on behalf of the 86th Street Bay Ridge District Management Association, the Department of Business Services (DBS) submitted the proposed district plan for the BID located in Community District 10 in the Borough of Brooklyn.

**BACKGROUND**

86<sup>th</sup> Street in Bay Ridge is a major shopping district in western Brooklyn. The proposed BID would incorporate the regional Bay Ridge comparison shopping district. The district will extend from 4<sup>th</sup> Avenue to the Gowanus Expressway along 86<sup>th</sup> Street. It will include commercial frontages along 4<sup>th</sup> Avenue from 87<sup>th</sup> Street to 85<sup>th</sup> Street and commercial frontages along 5<sup>th</sup> Avenue from 88<sup>th</sup> Street to 85<sup>th</sup> Street (see map).

The proposed BID contains 92 merchants in 132 properties. There are approximately 89 property owners. There are approximately 125 residential units in the district. Most residents are in two large 6 story apartment houses. The remainder of the residents live in buildings above stores.

The shops in the proposed district are a mix of major retailers and some small owner-occupied businesses, including Century 21 Department Store, a major establishment. Buildings devoted to commercial use include bank buildings and retail stores. Other buildings are mixed-use with commercial establishments located at ground level and some residential units located on second and third floors. There are two large apartment buildings with ground floor retail uses. Retail rents in the district are estimated to average between \$80 and \$100 per square foot.

According to the sponsors, organizing for the BID began in 1996. There were 25 public meetings. The BID organizers did door to door canvassing. Six mailings were sent to property owners and commercial tenants. Two mailings were sent return receipt requested.

Most BID funds will be spent manually sweeping and cleaning streets and to address the problem of over-flowing trash baskets. Marketing and promotion funds will be spent for joint advertising and for holiday decorations. BID capital funds will be used to purchase sidewalk plantings, logos, new newspaper boxes, trash receptacles, and sidewalk benches. No borrowing is anticipated.

The BID projects a first year budget of \$210,000. It is estimated that in the first year that \$103,200 will be spent on sanitation and maintenance;\$22,500 on marketing and promotion;\$16,800 on capital expenses;\$52,900 on administration; and \$14,300 will be held for contingency.

The BID District Management Association (the BID board) will contain representatives of the mayor, comptroller, community board, commercial and residential tenants as well property owners.

Commercial property will be assessed at a rate of 39 cents per commercial square foot. A typical 2000 square foot store would pay approximately \$780 per year. Wholly Residential and Vacant land would pay \$1. Public and non-for-profit property would not be assessed.

### **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 00BS004K. The lead agency is the Department of Business Services.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on May 9, 2000.

### **Referral of the Proposal**

On October 3, 2000 the Department of Business Services submitted the 86<sup>th</sup> Street Bay Ridge Business Improvement District proposal to the City Planning Department. The plan was then transmitted for review to the Office of the Mayor, the Office of the Speaker of the City Council, the Councilmember for City Council District 43 , Office of the Brooklyn Borough President, and Brooklyn Community District 10.

### **Community Board Public Hearing**

On October 16, 2000, Community Board 10 adopted a favorable resolution regarding the formation of the 86<sup>th</sup> Street Bay Ridge BID by a vote of 38 in favor, 1 opposed, and five abstentions.

### **City Planning Commission Public Hearing**

On November 1, 2000 (Calendar No. 3) the Commission scheduled November 15, 2000 for a public hearing on the district plan. On November 15,2000 (Calendar No. 18), the hearing was duly held. Four speakers spoke in favor of the proposal.

The City Council member from the 43<sup>rd</sup> district spoke of how he had long supported the BID effort in Bay Ridge and how he believed it would improve the area.

The executive director of the Bay Ridge and Bensonhurst Beautification and Preservation Alliance a local civic group that has organized the BID spoke about the outreach to property owners and merchants. He stated that all merchants and property owners had been contacted and told of the proposed services and costs of the BID district. In response to Commission questions he explained how the district's boundaries were drawn to provide a cohesive area where all the businesses had similar characteristics. Adjacent areas that contained large numbers of restaurants or automotive uses were excluded from the BID district because it was felt that these businesses had different needs and hours of operation.

Several local property owners explained how the BID would provide for a unified voice for the area,

would address needs of the area such as improved sanitation and would provide a reliable source of funding for holiday lighting and seasonal promotion efforts.

There were no other speakers. The hearing was closed.

### **Consideration**

When a BID is established the Commission has a number of concerns. BID boundaries should appropriately reflect a commercial area. As a vehicle for businesses, BIDs should not be created in residential areas or be drawn to burden residents. Broad support for the BID should be demonstrated by its sponsors.

The Commission believes that the proposed Bay Ridge BID will be an important economic development instrument for the area. A concern voiced by the Commission was that the BID include all viable businesses that are geographically proximate to the proposed boundaries, and that the BID boundaries as proposed were drawn too narrowly. Organizers for the BID at the City Planning public hearing explained that the proposed BID boundaries to the Commission. The BID's goal is to support a regional shopping district and its enlargement would have included many businesses that were automotive, or restaurants with different needs than businesses on 86<sup>th</sup> Street.

The proposed BID contains about 125 residential units. Most tenants live in large residential buildings and are protected by rent stabilization. There are no buildings included in the BID that do not contain commercial uses. The Commission believes the proposed BID will not create a burden on tenants who live in the district.

The outreach efforts to establish the BID began in 1996 and have continued until the present with few property owners indicating any objection. The Commission believes that property owners and merchants have been kept well informed about the process. This has resulted in widespread agreement among business and property owners that the proposed sanitation and marketing and promotion efforts of the BID will increase the business activity in the neighborhood.

There is considerable evidence that BIDs have proven to be effective economic tool and have provided many benefits for commercial neighborhoods. This is important not only to the business community, but also as a resource for the neighborhood. The Commission believes that the proposed 86<sup>th</sup> Street Bay Ridge BID will be an important economic development instrument for the area. 86<sup>th</sup> Bay Ridge is a thriving shopping district and its appearance and success is important for the Bay Ridge neighborhood and Western Brooklyn.

**RESOLUTION**

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

RESOLVED, that the City Planning Commission certifies its unqualified approval of the proposed district plan for the 86<sup>th</sup> Street Bay Ridge Business Improvement District.

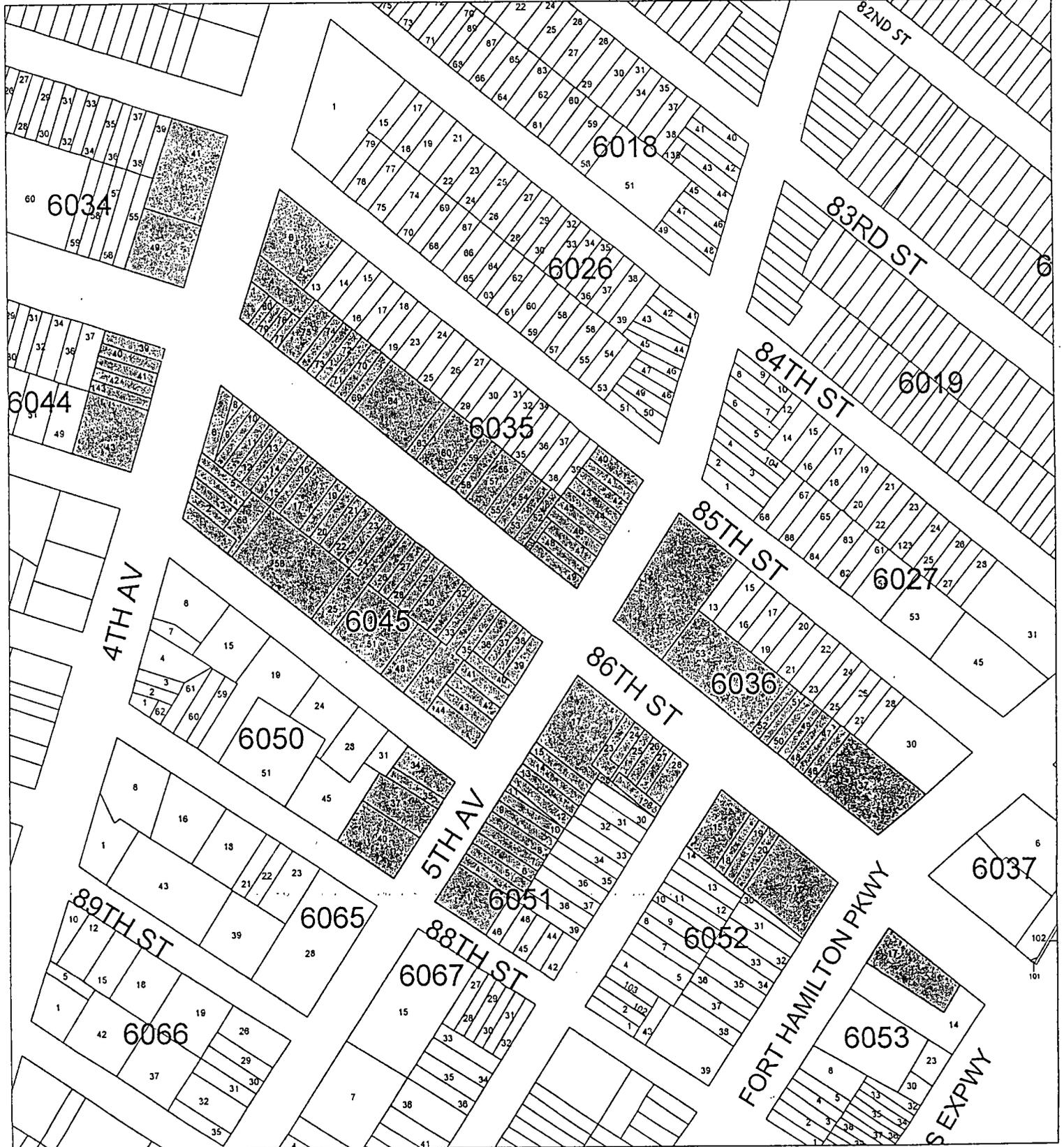
The above resolution duly adopted by the City Planning Commission on December 13, 2000 (Calendar No.24 ) is filed with the City Council and the City Clerk pursuant to Section 25-405 of the Administrative Code of the City of New York.

**JOSEPH B. ROSE**, Chairman  
**VICTOR G. ALICIA**, Vice-Chairman  
**ALBERT ABNEY, ANGELA M. BATTAGLIA, AMANDA M. BURDEN**, A.I.C.P.  
**ANGELA R. CAVALUZZI, R.A., KATHY HIRATA CHIN**, Esq, **ALEXANDER GARVIN**,  
**KENNETH J. KNUCKLES**, Esq., **JOHN MEROLO, EDWARD T. ROGOWSKY**, Commissioners

# THE 86th STREET BAY RIDGE BUSINESS IMPROVEMENT DISTRICT



Brooklyn Community district 10



The  
City  
of  
New York



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Chairperson

MARIANNE TETA  
Vice Chairperson

ELEANOR SCHIANO  
Secretary

DINO LAMIA  
Treasurer

# Community Board Ten

621 - 86 Street • Brooklyn, N.Y. 11209

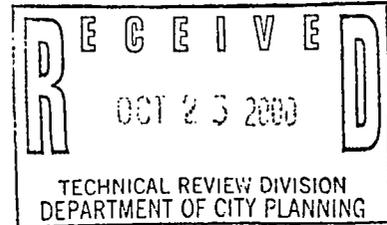
(718) 745-6827 • FAX (718) 836-2447

<sup>YISK</sup>  
Myer  
Michaels  
Paines  
Romero

DENISE VIRGA  
DISTRICT MANAGER

OFFICE OF THE  
PERSON  
OCT 20 2000  
1803

October 17, 2000



Joseph B. Rose, Chairman  
City Planning Commission  
22 Reade Street  
New York, New York 10007

Re: District Plan for the  
86th Street Bay Ridge Business  
Improvement District  
(NO10135BDK)

Dear Director Rose:

At the duly publicized meeting conducted on the evening of Monday, October 16, 2000, a public hearing was conducted on the above captioned subject. A joint committee was previously held with the Environmental Committee and the Zoning & Land Use Committee and approved the 86th Street BID as proposed. Further, the full Board voted and supported the committee's recommendation.

I am enclosing a copy of the committee's report for your perusal. If you should require additional information, please do not hesitate to contact me.

Sincerely,

Denise Virga  
District Manager

ENCLOSURE

cc: Kirk Tzanides  
Boro President Howard Golden  
Councilman Marty Golden  
Congressman Vito Fossella  
Senator Vincent Gentile  
Assemblywoman Adele Cohen  
Pat Condren  
John Logue

DV: jg

HOWARD GOLDEN, BOROUGH PRESIDENT

**REPORT OF  
The Joint Committee  
CB 10 Environmental Committee  
CB10 Zoning and Land Use Committee**

Concerning a Proposed District Plan for the 86<sup>th</sup> Street Business Improvement District (BID) Pursuant  
to Section 25-405(a) of Chapter 4 of Title 25 of the Administrative Code of the City of New York  
Report Date: October 16, 2000                      Committee Meeting Date: October 5, 2000

The Environmental Committee and the Zoning and Land Use Committee met in joint session on October 5, 2000 at the offices of CB10 to consider a proposed District Plan for an 86<sup>th</sup> Street Business Improvement District (BID). The Joint Committee had a quorum. The Chairs of both committees were present and the meeting was chaired by Board Chair, Kirk Tzanides. The presenter of the plan was Mr. Patrick Condren. Mr. John Logue was also present on behalf of the BID proposal. Because Mr. Logue is also a member of the Environmental Committee, he chose to recuse himself from voting on the issue. Similarly, Ms. Eleanor Schiano, a member of ZALUC, recused herself because of past involvement with the proposed BID. The Joint Committee approved the 86<sup>th</sup> Street BID as proposed.

As suggested by its name, a BID is a district organized by the businesses in a specific retail locale for the expressed purpose of improving business in the district. The improvement sought is generally accomplished by making the area more attractive to potential customers by making the shopping atmosphere more attractive and through promotion. Pursuant to City law, when the merchants have reached a specified level of organization, the Mayor can authorize the Department of Business Services to prepare a district plan for a City BID. The Mayor has issued the authorization in this case, the plan has been prepared and pursuant to law it is now before CB10 as part of the review and approval process.

Central to the BID concept is mandatory assessment of businesses in the district. This requires the City's participation. If the BID is passed, the City commits to add the BID's assessment to the tax bill of each property owner in the BID. It is important to know that once a BID is established, the assessment is not optional. All owners in the BID must pay whether they voted for the BID or not, whether they agree with the BID or not. The City will then pursue payment of the assessment in the same manner as it collects delinquent taxes. In short, it puts the clout and resources of the City behind the assessment.

Mr. Condren explained that, to date, voluntary merchant programs on 86<sup>th</sup> Street have not been successful in improving the business atmosphere. Cleanliness in front of stores is spotty. Not all merchants contribute to holiday lighting etc. The result of this has been to put a disproportionate burden on those merchants and property owners in the area who do participate.

The assessment is determined by a formula, so that the amount paid is roughly proportionate to the benefit received. Currently, the suggested formula involves the landowner paying his or her proportionate share of the overall budget for the BID based on commercial square footage. Its really not complicated. As an example, if an assessed property has 5% of the total commercial space in the BID, the owner pays 5% of the BID's budget.

The proposed BID will roughly include 86<sup>th</sup> from Fourth Ave. to the bridge approach but it will not include the north side between Ft. Hamilton Pkwy. and the bridge cut. That's the side of the block where CB10's district offices are located. The BID will also include Fifth Ave. from 85<sup>th</sup> to 88<sup>th</sup> and Fourth Ave. from 85<sup>th</sup> to 87<sup>th</sup>. There are 92 stores in this district. Mr. Condren advised that a significant majority now support the plan, most importantly Century 21. As the anchor store on the block Mr. Condren stated it would be virtually impossible to have the BID without Century's support.

The BID will be run by a District Management Association or DMA, a not-for-profit corporation organized for charitable and educational purposes under Section 501c of the Internal Revenue Code. The DMA has four classes of voting membership: owners, commercial tenants, residential tenants, public representatives. CB10 is a non-voting member. The Board of Directors will consist of representatives of the owners who will be a majority, representatives of commercial and residential tenants and one member each appointed by the Mayor, the Controller, Borough President, and City Councilperson. The Chair of CB10 or the Chair's designate also serves on the Board in a non-voting capacity. All these appointments are set by law incidentally.

The annual budget is set by the Board of Directors of the DMA. Three types of services are generally to be involved.

1. Street Maintenance. This includes sweeping, trash basket maintenance, curbs and gutters, gum removal, graffiti control, illegal poster removal and the like. The District Plan calls for 3 to 6 persons per shift, from 10 to 6, seven days per week.
2. Marketing and promotion. This includes joint advertising, special event and the like.
3. Administration. This includes the work of administering and supervising the street maintenance and marketing.

Improvements such as information kiosks, benches etc, will be added on an as needed basis.

All maintenance and improvements are supposed to be supplementary to, and not in place of, usual City services.

The proposed budget for the first year of operation is \$210,000 with about half going to street maintenance, one quarter to administration, ten percent each to marketing and capital improvements and the balance to a small contingency fund.

The Joint Committee questioned Mr. Condren and Mr. Logue. Mr. Logue agreed that the DMA would give a unified voice to the 86<sup>th</sup> Street merchants increasing their collective clout. He agrees that this would help them with merchant issues such as having the term "Staten Island Mall" removed from the destination signs of the S79 bus serving the area. Some merchants believe those signs act, unfairly, as *de facto* advertisements for a competing shopping area.

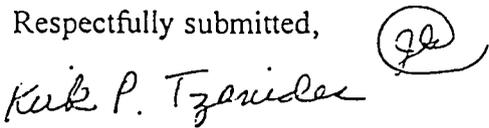
86<sup>th</sup> Street BID  
October 16, 200  
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One member of the joint committee expressed the opinion that CB10's role in this process is to protect the interests of the wider CB10 community. Although the money for the BID's operation comes exclusively from its members, another joint committee member pointed out that taxpayer funds will be used by the city to bill and collect the assessments and certain user rights are being given to the DMA. This gives the public the right of continued oversight to assure that the BID benefits and does not burden the larger community in some unforeseen manner. But, that continuing input seems to be covered through the City appointments on the DCA Board and CB10's advisory role.

In response to a question Mr. Logue stated that he hopes to see other BIDs in the area in the future, either new or as expansions to the proposed 86<sup>th</sup> Street BID. He explained that it is difficult to arrive at an equitable assessment formula for a BID that would extend any much further from 86<sup>th</sup> Street than the one proposed.

In the final analysis the Committee was hard pressed to see how a unified group of merchants chipping into a common financial pool to keep their streets and sidewalks cleaner, add benches and increase security could be other than beneficial to our Community. The Joint Committee voted unanimously to approve the 86<sup>th</sup> Street BID, as proposed, and so recommends to the Board.

Respectfully submitted,

A handwritten signature in cursive script, reading "Kirk P. Tzanides". To the right of the signature is a circular stamp containing the number "78".

Kirk P. Tzanides