

**IN THE MATTER OF** an application submitted by the Department of Small Business Services on behalf of West Shore Industrial Business Improvement District pursuant to Section 25-405(a) of Chapter 4 of Title 25 of the Administrative Code of the City of New York, as amended, concerning the establishment of the West Shore Industrial Business Improvement District. Community District 2, Staten Island.

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On April 3, 2014 the Mayor authorized the preparation of a district plan for the West Shore Industrial Business Improvement District Expansion (BID). On April 23, 2014, on behalf of the West Shore Industrial 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 Staten Island.

## **BACKGROUND**

The proposed West Shore Industrial Business Improvement District (BID) is located on the West Shore of Staten Island in the Bloomfield and Chelsea sections, bordering the neighborhood of Travis. It includes properties broadly bounded by Bloomfield Avenue to the north, the Arthur Kill to the west, Meredith Avenue to the south, and the West Shore Expressway to the east.

In June 2011, City Planning released the report *Working West Shore 2030* which laid the framework for future investment and land use decisions on the West Shore of Staten Island. The final report identifies strategies to help create jobs, upgrade infrastructure, preserve open space and manage growth over the next twenty years. The proposed BID is located within the report study area.

The BID contains 72 parcels of land predominately developed with open industrial uses and relatively few buildings. The area of the BID is approximately 230 acres. About half of the overall BID acreage (approximately 114 acres) are occupied by 42 private businesses/uses; 25 are engaged in industrial or transportation (60%); 13 are engaged in commercial businesses (30%); and one is non-profit use (2.4%). Area businesses include bus parking and servicing, construction companies, auto storage and repair and cement production. About 13% of the land (approximately 30 acres) consists of vacant but developable private property. The BID also includes about 98.12 acres of publicly owned land owned by either New York City or New York State. There are no residential units in the district. The area does not have sanitary or storm sewers and many streets are in disrepair and subject to frequent flooding.

To the greatest extent practicable, the boundaries of the BID were drawn to exclude public property and designated wetlands; however, to preclude excessive gaps and to make the district contiguous, the proposed BID still includes some publicly-owned property and wetlands. Public transportation in the area is limited and most workers and business customers come to the area by private automobile.

The District is zoned M3-1 and M2-1 which allows heavy industrial uses, open industrial uses, as well as office use and select retail uses. The BID has been organized by Staten Island Economic Development Corporation (SIEDC), a non-profit organization that promotes economic development on Staten Island. Funding for the BID organizing effort was provided by the City's Economic Development Corporation which is not affiliated with SIEDC.

The BID proposes a first year budget of \$110,420. The budget will spend \$24,000 for sanitation and maintenance, addressing concerns regarding the illegal dumping of trash, abandoned cars and other material within the area. The budget allocates \$6,000 for district-wide signage improvements to help navigate the intricate web of roads in the area. An estimated \$17,420 will be spent on security services to establish patrols to survey the area as well as other security measures. Lastly, the BID expects to expend \$63,000 for general and administrative expenses and salaries.

Administration shall be by a salaried Executive Director who will be charged with advocating for and overseeing the BID's services and improvements. The BID will attempt to raise supplemental funds through private fund raising and through allocations and grants from City or state agencies.

In the first year it is projected, that each industrial, commercial and/or vacant but developable property owner will be charged at a rate in between \$1,000 and \$8,000. Properties will pay each year a base assessment of \$1000 per tax lot plus a fee based upon 50% of assessed value and 50% lot size. The median assessment for the district is about \$1400 per year and the average assessment is about \$2,200 per year. Assessments are capped at a maximum of \$8,000 per parcel. Properties that are fully occupied by wetlands as determined by the New York State Department of Environmental Conservation would pay \$1. Public property would not be assessed.

SIEDC surveyed 27 property owners. Nineteen signed written ballots in support of the BID. One was in opposition. The rest of the property owners did not respond.

## **ENVIRONMENTAL REVIEW**

The district plan was reviewed pursuant to the New York State Environmental Quality Review

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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 14SBS002R. 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 March 23, 2014.

### **Waterfront Revitalization Program (WRP)**

The City Planning Commission, acting as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that the actions will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies. The WRP number is 14-051.

### **LAND USE REVIEW**

On April 23, 2014 the Department of Small Business Services submitted a district plan for the West Shore Industrial 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 Staten Island Borough President, City Council Speaker, City Councilmember of District 50 and Staten Island Community Board 2.

### **Community Board Public Hearing**

On May 20, 2014, Staten Island Community Board 2 held a public hearing on the proposed BID and then voted 26 in favor with no opposition to

establishing the BID.

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

On May 21, 2014 (Calendar No. 3), the Commission scheduled June 11, 2014 for a public hearing on the district plan. On June 11, 2014 (Calendar No. 16), the hearing was duly held.

There were four speakers in favor of the proposal and none in opposition. Those who testified in favor included a representative of the City Council member who represents the district, the Vice President of the Staten Island Economic Development Corporation, a representative of the New York City Department of Parks and Recreation as well as a property owner who serves as the Chairperson of the BID Steering Committee. The Vice President of Staten Island Economic Development Corporation summarized the planning efforts and outreach that had been undertaken to gather support for the proposed BID. He explained some of the infrastructure difficulties that the West Shore of Staten Island area faces and how the BID would help address those district wide concerns. The representative of the Parks Department expressed a desire to be more involved in the BID and stated that his agency could provide expertise in managing environmental issues that the BID would confront. The Chairperson of the BID Steering Committee discussed how the BID would have a positive impact on the area.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the proposal to establish the West Shore Business Improvement District in Staten Island is appropriate.

Establishing the West Shore BID is important because it complements the City's efforts to promote economic development and enhances the provision of and maintenance of significant environmental resources. These efforts will be a significant component in promoting the goals originally outlined by City Planning in the *Working West Shore 2030* Plan. The plan called for creating quality local jobs while also preserving and linking open space resources in the area. The West Shore BID would be located in an area that is environmentally sensitive, but it is also an area that has not seen large infrastructure investment and has suffered from a lack of an overall management plan. The area contains a large amount of designated wetlands on both public and private land. The area does not have sanitary or storm sewers and many streets are in disrepair and subject to frequent flooding. The proposed BID could provide a means of developing critically needed infrastructure improvements which could improve access, support employment growth in the area and protect the adjacent natural areas.

Staten Island environmental groups have sent letters and at community board hearings express concern that the BID will advocate for new development and is focused predominantly on private business development, not on the areas substantial public property and protected wetlands. The Commission acknowledges these concerns and encourages the BID going forward to consult with the Community Board and environmental groups on its services, proposals and plans. The BID will need to develop a plan that ensures regular consultation with these important area stakeholders.

The City's Department of Parks and Recreation (DPR) has requested involvement with the BID. DPR has said that approximately 40% of the area in the BID is parkland or public property. The Commission believes that DPR should have an active role in the BID. DPR can provide expertise in environmental matters and serve as a conduit to other environmental stakeholders. It can also

provide operational and maintenance assets that can be combined with the efforts of the BID.

Environmentally sensitive public land can co-exist with local commercial and industrial businesses if the area is properly managed.

The BID Board of Directors by statute includes a representative of the Mayor. That representative will have the responsibility of ensuring that the concerns of all stakeholders are considered before the BID moves forward on projects that are of concern to the environmental community, City or State agencies or the business community. The Mayor's representative will also provide managerial expertise in resolving difficult issues and support in obtaining appropriate City resources for the area as needed.

The proposed BID does not include the 200,000 square foot West Shore Plaza Shopping Center a major land use and destination in the area. Also, north of the proposed BID, is the former GATX site, a 675 acre vacant area that is being planned as new industrial park. The Commission believes that, in the future, the BID should work with owners of these properties to determine their appropriateness for inclusion within the BID boundaries at a future date. The addition of these properties will allow the BID to have additional resources to address the many challenges that the area confronts.

The Commission has seen the documents that the BID sponsor submitted regarding notification of stakeholders about the proposed BID. It believes that these outreach efforts for the BID were satisfactory.

BIDs are important to the City because they promote healthy economic development for the City and help retain and attract businesses to the District. A BID in this area of Staten Island will also be important in advocating for public improvements to area infrastructure. It is difficult for business to locate and grow in the area and for public land to be properly managed when the district lacks substantial public infrastructure. The BID can work as partner with the City in assessing area needs and helping to implement needed area improvements.

## **RESOLUTION**

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

RESOLVED, that the City Planning Commission certifies its unqualified approval of the district plan for West Shore Industrial Business Improvement District.

The above resolution duly adopted by the City Planning Commission on July 9, 2014 (Calendar No. 7) 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.

**CARL WEISBROD**, *Chairman*

**KENNETH J. KNUCKLES, ESQ.**, *Vice Chairman*

**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.**,

**ALFRED C. CERULLO, III, MICHELLE DE LA UZ, MARIA M. DEL TORO,**

**JOSEPH I. DOUEK, RICHARD W. EADDY, ANNA HAYES LEVIN, ORLANDO MARIN, *Commissioners***



DANA T. MAGEE  
CHAIR

DEBRA A. DERRICO  
DISTRICT MANAGER

THE CITY OF NEW YORK  
*Community Board Two*  
BOROUGH OF STATEN ISLAND

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May 23, 2014

Ms. Yvette Gruel  
City Planning Commission  
Calendar Information Office, Room 2 E  
22 Reade Street  
New York, New York, 10007

Re: City Planning Application Number N 140 362 BDR- District Plan for the Staten Island West Shore Industrial Business Improvement District in the City of New York, Borough of Staten Island.

Dear Ms. Gruel:

Community Board 2 has heard the presentation at our regular monthly meeting of the full Board on Tuesday, May 20<sup>th</sup>, 2014 for the West Shore Industrial Business Improvement District ("BID"). The Board voted to unanimously support the project.

Vote: 26–In Favor; 0–Opposed; 0–Abstentions; 0–Not-Entitled

We respectfully ask the City Planning Commission to give its approval to Application Number N 140 362 BDR-District Plan for the Staten Island West Shore Industrial Business Improvement District in the City of New York, Borough of Staten Island.

Thank you for taking the Board's comments into consideration prior to voting.

Sincerely,

Dana T. Magee  
Chairman

CITY PLANNING COMMISSION

2014 APR 23 PM 4: 35

DEPT. OF CITY PLANNING

N140362BDR

**DISTRICT PLAN**

*for the*

**STATEN ISLAND WEST SHORE INDUSTRIAL  
BUSINESS IMPROVEMENT DISTRICT**

*in*

**THE CITY OF NEW YORK  
BOROUGH OF STATEN ISLAND**

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

April 2014

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## **I. DISTRICT DESCRIPTION AND BOUNDARIES**

The proposed Staten Island West Shore Business Improvement District (the “District”) is located on the West Shore of Staten Island in a contiguous M-zoned location, which includes industrial and commercial businesses, developable property, and City-owned land. The Staten Island West Shore Business Improvement District (WS-BID) sits on approximately 230 acres.

Boundary & Block & Lot Notes:

- Northernmost Parcel - Block 1760 Lot 115, bound to the east by Gulf Avenue.
- All the contiguous parcels fronting Gulf Avenue on the west side of the street to Bloomfield Avenue are included within the WS-BID.
- All of the parcels contained between Chelsea Road (West), Bloomfield Avenue (North), Gulf Avenue (East) and Edward Curry Avenue (South) are included within the WS-BID.
- All parcels fronting Chelsea Road and the Saw Mill Creek are included in the WS-BID boundaries and extend to the railway right-of-way excluding Block 1815 Lots 75 and 85.
- All parcels fronting Edward Curry Avenue between Gulf Avenue and Chelsea Road on the south side of the Street and all lots fronting Chelsea Road from Edward Curry Avenue to the Saw Mill Creek are included within the WS-BID.
- All lots contained between Saw Mill Creek, the railroad right of way, South Avenue and Meredith Avenue are included in the boundaries including Block 1801 lot 20.
- All parcels fronting Meredith Avenue to the West side of the street from the northern terminus to the West Shore Expressway overpass excluding block 2810 lot 7 and 12 are included within the boundaries.
- Southernmost Parcel - Block 2810 Lot 14.

A map of the district (the “District Map”) is attached as Exhibit A.

The Mayor of the City of New York, by written authorization dated April 3, 2014, and attached as Exhibit B, has provided for the preparation of 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”).

## **II. DISTRICT PROFILE & PRESENT USES OF DISTRICT PROPERTY**

### **A. DISTRICT PROFILE**

The WS-BID is located along the West Shore of Staten Island in a primarily industrial area generally referred to as Bloomfield and Chelsea, bordering the neighborhood of Travis. For the majority of its existence, the WS-BID area has served as an industrial area, with businesses engaged in construction, trade, recycling, and transportation.

Over the course of time, the WS-BID has not received infrastructure improvements commensurate with the growth of the area's economy and industrial development. In fact, the area still does not possess sanitary or storm sewers and the roads have been neglected for years. It is very difficult for the industrial business owners to remain competitive, develop vacant land, and attract new business when the district does not enjoy basic infrastructure requirements such as sewers, signage and wayfinding, stormwater run-off management and adequate roads for industrial traffic.

The WS-BID is comprised of 72 parcels of land (229.75 total acres). Of those 72 parcels, 52 parcels (131.6 acres) are privately owned; about 57% of the WS-BID area is privately owned developed and/or developable land. Twenty (20) parcels (98.12 acres) are publicly owned (all by New York City and New York State).

Today, the WS-BID is comprised of an assortment of businesses, about 35% of which are owner occupied. Privately-owned businesses are housed on about 114 acres of land. This makes up about 50% of the overall WS-BID acreage. Of the private property within the WS-BID, about 13% of the land is made up of vacant developable private property.

The area surrounding the WS-BID consists of waterfront property and wetlands (almost exclusively tidal wetlands that feed into the Arthur Kill), commercial enterprises and undevelopable park land, owned by the City or, State. There are no residential housing or residential zoning permissions within the WS-BID.

The WS-BID is located in Staten Island Community Board 2, the 122nd police Precinct District, the 50th New York City Council District, and Sanitation District 2.

## **B. PRESENT USES OF DISTRICT PROPERTY**

### **1. ZONING**

The WS-BID contains primarily industrial zoning (M3-1 and M2-1) with low to mid-density industrial properties, allowing a range of industrial uses and a C4-3 commercial zoning adjacent to the WS-BID boundary.

### **2. BUSINESS DESCRIPTIONS**

The 27 property owners and their tenants within the WS-BID are primarily engaged in industrial business. Of the WS-BID's approximately 42 private businesses/uses, 25 are engaged in industrial or transportation (60%), 13 are engaged in commercial businesses (30%) and one non-profit use (2.4%).

### **3. RESIDENTIAL**

There are no properties in the District that are wholly residential.

### **4. NOT-FOR-PROFIT, INSTITUTIONS AND PUBLIC AGENCIES**

There are no properties in the District that operate solely as a not-for-profit, however the Staten Island Sportman's Club operates as a community based youth education and recreation facility. There are public and governmental agencies that own properties in the District. These agencies include: New York State Department of Environmental Conservation; New York State Department of General Services; NYC Department of Parks and Recreation; NYC Department of Citywide Administrative Services; NYC Office of Small Business Services; and NYC Economic Development Corporation.

### **5. TRANSPORTATION**

The area is generally not served by public transit. There is no rail or subway access, nor ferry service. The S46 and S96 bus lines depart the West Shore Shopping Plaza and then proceeds north on South Avenue to Mariners Harbor and Elm Park before continuing on Castleton Avenue to the Staten Island Ferry Terminal. This trip is approximately 10 miles and is scheduled to take between 55 and 70 minutes. Access to major highways and bridges is convenient from the area as direct connections can be made to the Bayonne and Goethals Bridges and the Outerbridge Crossing via NY-440. Plans for a potential light rail/bus rapid transit connection to Bayonne are underway regarding studies and funding.

### **III. PROPOSED SERVICES**

#### **A. DESCRIPTION OF SERVICES**

The services to be provided pursuant to this Plan (the “Services”) shall include any services required for the protection and general welfare of the public; the promotion, growth, and enhancement of the WS-BID; and the representation of the WS-BID for needs identified by its members. The Services shall not take the place of, but will instead supplement, those services provided by the City of New York on a citywide basis. The Services shall be performed under the direction of the WS-BID District Management Association (hereinafter “DMA”).

##### **1. Sanitation and Maintenance**

In addition to limited services provided by the New York City Department of Sanitation, it is anticipated that the Sanitation and Maintenance Program will be contracted out to a private contractor or performed in-house to address illegal dumping of trash, abandoned cars, and other material within the area. The DMA may hire an industrial sanitation service to clean the area, thereby making the industrial area cleaner, safer, and more appealing to customers and businesses.

The DMA may hire a private contractor to oversee the maintenance of various medians throughout the district, including cutting back on overgrowth, where appropriate. Enhancing the district’s “curb appeal” will be a critical component to the WS-BID’s marketing strategy in later years.

The Program may include, but shall not be limited to: removing and carting away trash and illegally dumped items, emptying of pedestrian trash receptacles and liners (where appropriate), preparing garbage pickup for the City, cutting back overgrowth on approved streets and medians, and maintaining medians. The Program may include such other sanitation and maintenance services as required from time to time so as to achieve a clean, uncluttered environment. Close coordination will be maintained with the New York City Sanitation Department, the local Community Board, the Department of Environmental Protection, and any and all other government agencies necessary to ensure that lawful cleanup and maintenance is achieved.

##### **2. Security**

The Security Program may include, but shall not be limited to, a supplemental security program throughout the WS-BID. Based on the needs of the WS-BID property and business owners, security patrols are necessary primarily at night and on the weekends when there is less traffic and business throughout the WS-BID. It is therefore anticipated that security services will be undertaken on a part-time basis, primarily at night and on the weekends, in the first year of operation, and may increase or decrease thereafter based on the needs of the property owners as assessed by the DMA.

The DMA may contract out private security companies to patrol the area, and anticipates working cooperatively with the local police precinct, to accomplish the Security Program's objectives. The DMA will periodically assess the need for security patrols, including the areas of most concern, at least annually. The DMA will also work closely with the NYPD to advocate for additional security patrols by the City, as necessary and appropriate. The DMA will also ascertain whether other security measures, such as security cameras, are necessary and appropriate, and may secure funds from private and charitable sources to obtain additional security measures, including but not limited to security cameras.

### 3. District-Wide Wayfinding and Streetscape Improvements

It is anticipated that the DMA may advocate for, fund and oversee programs that address issues and concerns related to district-wide wayfinding and streetscape improvements. It is anticipated that the DMA will implement a wayfinding program that may include creating and installing signage throughout the WS-BID to assist property owners, tenants, and customers to successfully navigate the intricate web of roads within the WS-BID. Placing signage throughout the district will assist those traveling through this area to both understand where the WS-BID starts and ends, and which property belongs to which business. Designating signage at the entry points to the district will also establish an address for every business within the WS-BID, and put the district "on the map." The DMA will also work closely with government agencies, when necessary, to ensure that, when required, signage complies with all regulations set forth by the Department of Transportation, is placed in appropriate areas within the district. No signs will be posted on public property without consent from the relevant permitting agency.

### 4. Advocacy

The DMA will institute an advocacy program, focusing its efforts on planning, studying and advocating for improvements and changes related to, but not limited to, issues such as district-wide wayfinding, stormwater management, basic infrastructure improvements, crime and security, traffic, parking and business attraction, retention and assistance. The DMA will work closely with with local elected officials, city and state agencies, and other relevant stakeholders in these efforts.

### 5. Administration

It is anticipated that administration of the WS-BID shall be by a salaried Executive Director (the "Executive Director"), who will be charged with advocating for and overseeing the WS-BID Services and Improvements (as defined in Section IV (A), below), as directed by the DMA's Board of Directors, for the benefit of the district's constituency. The Executive Director will serve as spokesperson for the WS-BID's owners and tenants collectively and individually, as authorized by the DMA Board of Directors, and with the permission of the individual owner or tenant.

### 6. Additional Services

Subject to any approvals and controls that may be required by a City agency having jurisdiction thereof, and in addition to the approval of the Board of Directors of the DMA, in subsequent

years the WS-BID may approve such additional services as are necessary and are permitted by applicable law.

**B. IMPLEMENTATION**

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

**C. GENERAL PROVISIONS**

1. All Services shall be in addition to (and not in substitution for) required and customary municipal services provided by the City of New York on a citywide basis. Benchmarks for existing City services will be developed and monitored by the DMA.

2. All Services need not be performed in every contract year.

3. The staff and/or subcontractors of the DMA 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 hereinafter described do not in the aggregate produce revenue equal to the Total Annual Budget Amount (hereinafter defined) for such contract year, the DMA may, subject to the Contract (hereinafter defined), forego providing one or more or all Services in order to have revenues sufficient to pay debt.

**IV. PROPOSED IMPROVEMENTS**

**A. IMPROVEMENTS**

The improvements (“Improvements”) to be provided pursuant to this Plan, may include, but are not limited to, the following; provided that any Improvements that require review and approval by an appropriate city or state agency shall be submitted to that city or state agency, and to Community Board #2, prior to undertaking any Improvement.

1. Street and sidewalk amenities to enhance and beautify the district, and to improve pedestrian and vehicular safety, which may include but not be limited to:
  - a. Surveillance cameras and monitoring equipment
  - b. Trash receptacles
  - c. Light poles
  - d. Street telephones and/or wi-fi hotspots
  - e. Signage and key building identification

- f. Banners and/or medallions
- g. Benches and/or street furniture
- h. Shelters, information boards and kiosks

**B. IMPLEMENTATION GOALS**

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 citywide basis, benchmarks for which are presently being studied and recorded.

2. The staff and/or subcontractors of the DMA may render such administrative services as are needed to support installation of the Improvements.

**V. PROPOSED SOURCES OF FUNDING**

**A. SOURCES OF FUNDING: GENERAL**

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

**B. SOURCES OF FUNDING: ASSESSMENTS**

The DMA may enter into a Contract for the purpose of having the City levy and collect and then disburse to the DMA, assessments with respect to the Benefited Properties (hereinafter defined). A list of the Benefited Properties is attached hereto as Exhibit C. Such Assessments, as described herein below, shall be defined as “Assessments.”

1. General

To defray the costs of Services and Improvements in the WS-BID, as herein before defined, all real property in the WS-BID shall be assessed in proportion to the benefit such property receives from the Services and Improvements. Each property shall be assessed an amount, that when totaled together with amounts for other properties in the WS-BID, shall yield an amount sufficient to meet the WS-BID’s annual budget as determined by the DMA. 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 Benefitted Properties.

2. Specific Formula

All properties as classified in the most recent New York City tax rolls and as described below as Classes A, B, C, and D will be assessed on current calculations as follows (notwithstanding the below definitions, all property within the WS-BID which is free from existing property taxes may enter into an agreement with the DMA to pay an equivalent amount equal to the Assessment of a Class A property):

Class A: Industrial or Commercial

All properties within the WS-BID devoted in whole or in part to industrial or commercial uses, and/or vacant but developable, shall be assessed at a rate as follows:

- ❖ Each parcel of land shall be assessed a base contribution of \$1,000.00 per parcel.
- ❖ Each parcel of land shall be further assessed a contribution comprised of 50% assessed value (AV) and 50% lot size (LS).
- ❖ No parcel of land shall be assessed an amount exceeding \$8,000.00 per parcel.

$$\text{AV rate} = \frac{0.5 \times (\text{Total Budget} - \text{Sum of base contributions} - \text{Total assessment of classes B and C})}{(\text{Total assessed value of Class A})}$$

$$\text{LS rate} = \frac{0.5 \times (\text{Total Budget} - \text{Sum of base contributions} - \text{Total assessment of classes B and C})}{(\text{Total lot square footage of Class A})}$$

$$\text{Individual Assessment} = \$1,000 \text{ base} + (\text{Class A AV} \times \text{AV rate}) + (\text{Class A LS} \times \text{LS rate})$$

Class B: Residential

All properties devoted in whole to residential uses shall be assessed at one dollar (\$1.00) per year.

Class C: Wetland Parcels

All privately owned parcels, which are not eligible to be defined as Class D, and which are absent of any existing commercial use and deemed fully encumbered by wetlands by the New York State Department of Environmental Conservation will be assessed at one dollar (\$1.00) per year.

*Class D: Not-for-Profit and Government*

Government and not-for-profit owned property devoted entirely to public or not-for-profit use shall be exempt from an assessment. Government or not-for-profit owned properties devoted in whole or in part to commercial or for-profit uses shall constitute Class A property and the portion devoted to commercial/for-profit uses shall be assessed in the same manner as those properties listed as Class A properties.

*3.Limitations on Assessment:*

The amount, exclusive of debt service, assessed and levied in any given year against the Benefited Properties, as assessed, shall not exceed 20% of the total general City real property tax levied in that year against the Benefited Properties.

**C. SOURCE OF FUNDING: DONATIONS**

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

**D. SOURCE OF FUNDING: BORROWINGS**

1. Subject to subparagraphs 2 and 3 immediately herein below, and to the approval of its Board of Directors, the DMA may borrow money from private lending institutions, the City, other public entities, individuals, firms, corporations or partnerships and other not-for-profit organizations for the purposes of funding operations or financing the costs of improvements.

2. The use of monies received by the DMA from the City or from any other public entity, whether in the form of a grant or as proceeds from a loan, shall be subject to (i) all statutory requirements applicable to the expenditure and use of such monies, and (ii) any contractual agreements imposed by the City (whether pursuant to the Contract or otherwise), or by any other public entity, as the case may be.

3. Any loans which the DMA may enter into as 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 DMA may derive revenues from any other sources of funding not heretofore mentioned as are permitted by law.

**G. ASSIGNMENT OF FUNDING**

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

**VI. PROPOSED EXPENDITURES AND ANNUAL BUDGETS**

**A. TOTAL ANNUAL EXPENDITURES and MAXIMUM COST OF IMPROVEMENTS**

The total amount proposed to be expended by the DMA for Improvements, Services, and Administrative/Operational expenses for the first Contract Year is \$110,420.00, as more fully set forth in Subsection B of this Section VI.

The total, as proposed to be expended by the DMA, for any subsequent Contract Year shall not be greater than the aggregate amount of all monies which the DMA may collect for the Contract Year in question from all funding sources permitted under Section V of this Plan. During the existence of the WS-BID, the maximum cost of the Improvements, if any, will not exceed \$1,104,200.

**B. FIRST YEAR ANNUAL BUDGET**

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

Sanitation and Maintenance	\$24,000
District-wide Improvements	\$6,000
Security Services	\$17,420
General & Administrative Expenses and Advocate Salary	\$63,000
<b>TOTAL</b>	<b>\$110,420</b>

**C. SUBSEQUENT BUDGETS**

The DMA shall establish for each Contract Year after the first Contract Year, a proposed budget of expenditures. Such proposed budget shall (with respect to the Contract Years to which they

respectively apply): (i) reasonably itemize the purposes for which monies are proposed to be expended by the DMA; (ii) specify the amount, if any, proposed to be expended by the DMA for debt service, and (iii) set forth the total amount to be expended (the “Total Annual Budget Amount”). A proposed budget, whether for the first Contract Year or for a subsequent Contract Year, shall be referred to as a “Budget.”

**D. GENERAL PROVISIONS**

1. The DMA shall make no expenditure of monies 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 Directors of the DMA; (ii) any provisions in the Contract providing for the satisfaction of outstanding obligations of the DMA; or (iii) any provisions in the Contract 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 DMA 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 DMA’s debt service obligations for the Contract Year in question.
4. Subject to the DMA’s need to satisfy its debt service obligations for the Contract Year in question, the DMA may revise the itemizations within any Budget.
5. In the event that in any given Contract Year the sources of funding do not in the aggregate produce revenues equal to the Total Annual Budget Amount for such Contract Year, the DMA may, subject to the Contract, forego some or all of the non-debt service expenditures as are provided for in the Budget in question in order to have revenues sufficient to pay the debt service provided for in such Budget.
6. In the event the DMA needs to reallocate its non-debt service expenditures for the Contract Year in question, and provided further, that any debt service has been provided for, the DMA may revise the itemizations within any Budget to accomplish such goal.

**VII. BENEFITED PROPERTIES**

The providing of Services and Improvements shall benefit all properties within the WS-BID (the “Benefited Properties”). The Benefited Properties are described by the District Map (Exhibit A) and tax block and lots indicated in Exhibit C (attached).

## **VIII. DISTRICT MANAGEMENT ASSOCIATION**

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

The DMA shall be organized exclusively for purposes as specified in Section 501(c) of the Internal Revenue Code of 1986, as amended.

The DMA shall have four (4) classes of voting membership and one (1) class of non-voting membership. The voting classes are composed of (i) owners of record of real property located within the WS-BID as Defined in Section I; (ii) commercial tenants leasing space within the WS-BID; (iii) residential tenants leasing space (including proprietary leases) within the WS-BID; and (iv) public representatives. The non-voting class shall include community board representatives, and may include others with an interest in the welfare of the WS-BID.

Each voting class shall elect members of the Board of Directors in the manner prescribed in the By-Laws of the Corporation. The Board of Directors shall include representatives of owners of record of real property located within the WS-BID (which shall constitute a majority of the Board), representatives of both commercial and residential tenants (including proprietary leases) leasing space in the buildings within the district, and one member appointed by each of the following public officials: the Mayor of the City, the Comptroller of the City, the Borough president of Staten Island, and the City Councilmember. The Community Board Chairperson or designated representative shall serve in a non-voting capacity.

## **IX. USER RIGHTS: GENERAL**

The DMA may undertake or permit industrial or commercial activities or other private uses of the streets or other parts of the WS-BID in which the City has any real property interest (the "User Rights"), provided, however, that (i) the User Rights to be so undertaken or permitted by the DMA shall have been set forth in this Plan or authorized for licensing or granting by the City to the DMA in a Local Law adopted by the City Council, and (ii) licensed or granted to the DMA by the City, and (iii) authorized by the appropriate City agency having jurisdiction thereof. Once so granted or licensed, the User Rights in question shall be undertaken or permitted by the DMA in such a manner as to conform to the requirements, if any, set forth in the Plan or the aforesaid Local Law with respect to User Rights, and conform to the requirements authorized by the appropriate City agency having jurisdiction thereof. Such requirements may include but shall not be limited to:

- (i) requirements as to what consideration the DMA shall pay to the City for the grant and/or license in question;

- (ii) requirements as to whether and how the DMA may permit others to undertake the User Rights in question pursuant to a sub-grant or sub-license;
- (iii) requirements as to what charges the DMA may impose upon other persons as consideration for such sub-grant or sub-license; and
- (iv) requirements as to the general regulation of the User Rights by whomsoever undertaken.

**X. REGULATIONS**

The rules and regulations proposed for governing the operation of the WS-BID and the provision of Services and Improvements by the DMA (the “Regulations”) are set forth herein below.

1. The DMA shall obligate itself to provide the Services and Improvements in a Contract or Contracts into which both the DMA and the City shall enter (collectively, “the Contract”) for a specified term (each year 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, collect and disburse to the DMA the Assessments. Such disbursements shall be made in accordance with general procedures for the payment of other City expenditures.
2. The DMA shall comply with all terms, conditions and requirements that are (i) elsewhere set forth in this Plan, (ii) that are set forth in the Contract and in any other Contracts into which both the DMA and the City may enter; and (iii) shall comply with all terms, conditions and requirements set forth by the appropriate City agency, which is required to give its approval.
3. The DMA shall let any sub-contracts that it intends to enter into in connection with providing the Services and the Improvements.

**XI. GLOSSARY OF TERMS**

<b>TERMS</b>	<b>DEFINITION LOCATION</b>
Assessments	V-B
Benefited Properties	VII
Budget	VI-B
City	I
District	I
District Management Association	VIII
District Map	I
Improvements	IV
Law	I
Plan	I
Services	III
Total Annual Budget	VI
User Rights	IX

**LIST OF EXHIBITS:**

Exhibit A	MAP OF DISTRICT
Exhibit B	MAYORAL LETTER OF AUTHORIZATION OF THE PREPARATION OF DISTRICT PLAN
Exhibit C	TAX BLOCKS AND LOTS OF BENEFITED PROPERTIES
Exhibit D	LAND USE MAP
Exhibit E	ZONING MAP

# Exhibit A - Map of the District

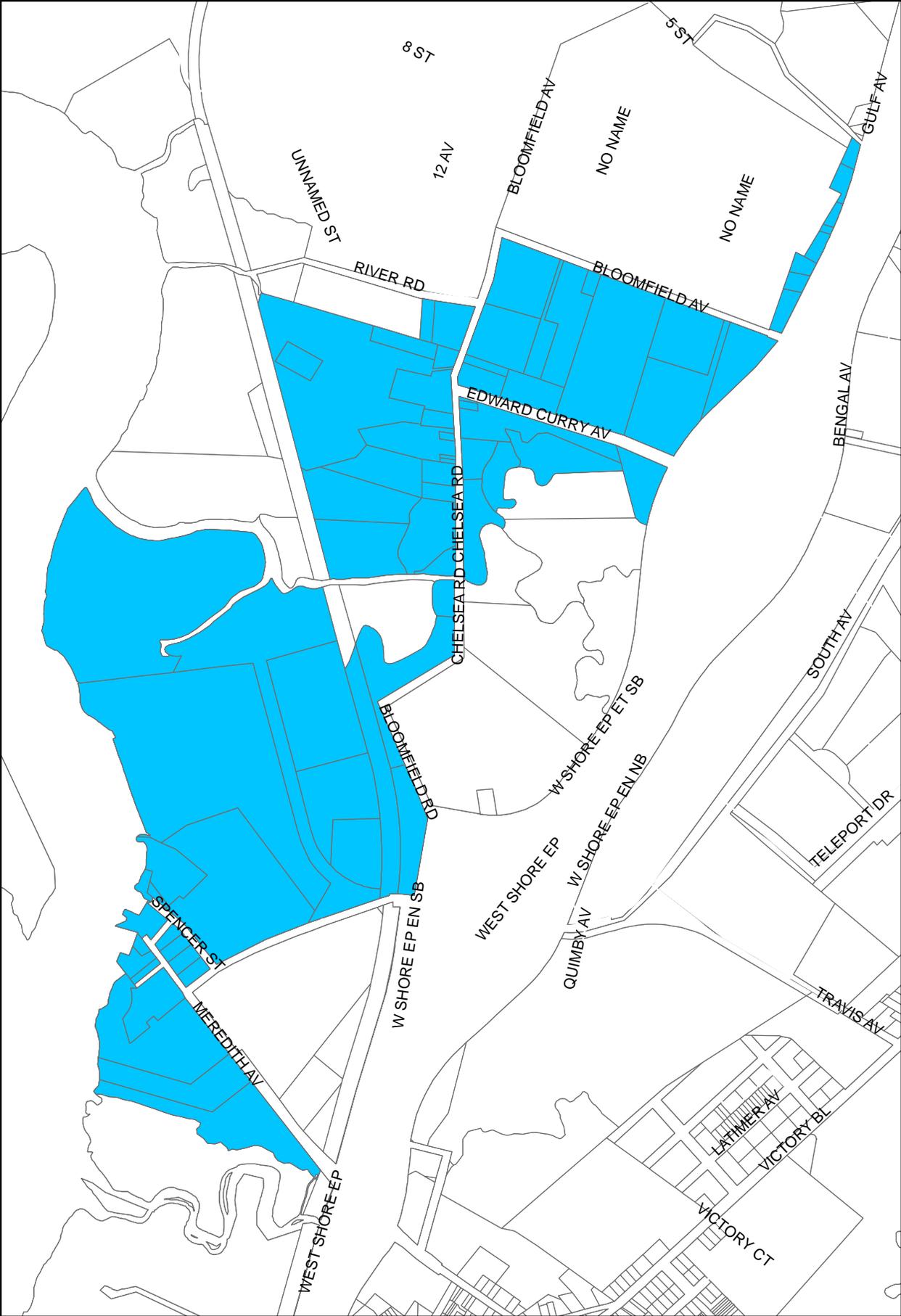


Exhibit B – Mayoral Letter of Authorization of  
the Preparation of the District Plan



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

April 3, 2014

Maria Torres-Springer  
Commissioner  
Department of Small Business Services  
110 William Street, 7th Floor  
New York, NY 10038

Dear Commissioner Torres-Springer:

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 West Shore Business Improvement District (WS-BID), located in the Borough of Staten Island. The proposed West Shore Business Improvement District is bounded generally as follows:

Proposed BID Boundaries: Properties broadly bounded by Bloomfield Avenue to the north, Arthur Kill to the West, Meredith Woods to the south, and West Shore Expressway to the east.

Sponsor Organization: Staten Island Economic Development Corporation

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,

A handwritten signature in blue ink that reads "Bill de Blasio".

Bill de Blasio  
MAYOR

cc: Hon. Melissa Mark-Viverito, Speaker of the New York City Council  
Hon. Julissa Ferreras, Chair of the New York City Council Finance Committee  
Hon. James S. Oddo, Staten Island Borough President  
Hon. Members of the New York City Council  
Alicia Glen, Deputy Mayor for Housing and Economic Development  
Andrew Schwartz, First Deputy Commissioner, Department of Small Business Services  
James Mettham, Assistant Commissioner, Department of Small Business Services  
Lydon Sleeper, Senior Advisor for Strategic Initiatives, Department of Small Business Services

## EXHIBIT C – TAX BLOCK AND LOTS OF BENEFITTED PROPERTIES

#	Block	Lot	Address	Owner/Contact	Assessment Class
1	01760	46	71 Bloomfield Avenue	Carp Construction	A
2	01760	110	680 Gulf Avenue	Harry Shaughnessy	A
3	01760	115	600 Gulf Avenue	NASCAR/380 Development	A
4	01760	116	690 Gulf Avenue	Richmond Realty/Ray Masucci	A
5	01760	200	660 Gulf Avenue	Harry Shaughnessy	A
6	01760	215	600 Gulf Avenue	NY Fragrance/Ram Cherukuri	A
7	01760	250	Gulf Avenue	Harry Shaughnessy	A
8	01760	255	Gulf Avenue	Pat Pappalardo	A
9	01780	22	380 Chelsea Road	Island Charter/Fred DiGiovanni	A
10	01780	57	Bloomfield Avenue	Island Charter/Fred DiGiovanni	A
11	01780	69	Bloomfield Avenue	Parks & Rec	D
12	01780	80	298 Chelsea Road	Ronald Fanelli	A
13	01780	85	Bloomfield Avenue	Ronald Fanelli	A
14	01780	92	270 Chelsea Road	Faztec Industries	A
15	01780	95	Bloomfield Avenue	DCAS	D
16	01780	112	Bloomfield Avenue	DCAS	D
17	01780	150	220 Bloomfield Avenue	NYCEDC	D
18	01780	151	200 Bloomfield Avenue	Faztec Industries	A
19	01780	160	200 Bloomfield Avenue	Faztec Industries	A
20	01780	164	170 Bloomfield Avenue	SI Sportsman's Club	A
21	01780	186	Bloomfield Avenue	ADCO	A
22	01780	200	201 Edward Curry Avenue	ADCO	A
23	01780	210	Gulf Avenue	Parks & Rec	D
24	01780	240	Edward Curry Avenue	Faztec Industries	A
25	01780	250	Bloomfield Avenue	Island Charter/Fred DiGiovanni	C
26	01780	270	Bloomfield Avenue	Island Charter/Fred DiGiovanni	C
27	01780	298	780 Gulf Avenue	Stop & Stor - Jeff Henick	A
28	01801	1	Chelsea Road	Ken's Marine/Ken Poesl	A
29	01801	6	461 Spencer Street	Ken's Marine/Ken Poesl	A
30	01801	10	451 Spencer Street	SI Recycling/Tom Glikis	A
31	01801	20	358 Meredith Avenue	Richard Martucci	A
32	01801	25	436 Spencer Street	Ken Otten	A
33	01801	27	422 Spencer Street	Mary Venosa	A
34	01801	30	414 Spencer Street	934 Crecent Street	A
35	01801	31	410 Spencer Street	Design Plumbing/Robert Sutherland	A
36	01801	35	1900 South Avenue	Vanbro	A
37	01801	75	1900 South Avenue	Vanbro	A
38	01801	95	Chelsea Road	SBS	D
39	01801	100	625 Chelsea Road	U Store Self Storage	A
40	01801	125	Bloomfield Road	DEP	D
41	01801	135	Chelsea Road	Parks & Rec	D
42	01801	150	501 Industry Road	Superior Chocolate/George Kaye	A
43	01801	155	Industry Road	Superior Chocolate/George Kaye	A
44	01801	160	1800 South Avenue	Vanbro	A
45	01801	170	Industry Road	DGS	D
46	01801	200	Chelsea Road	Parks & Rec	D

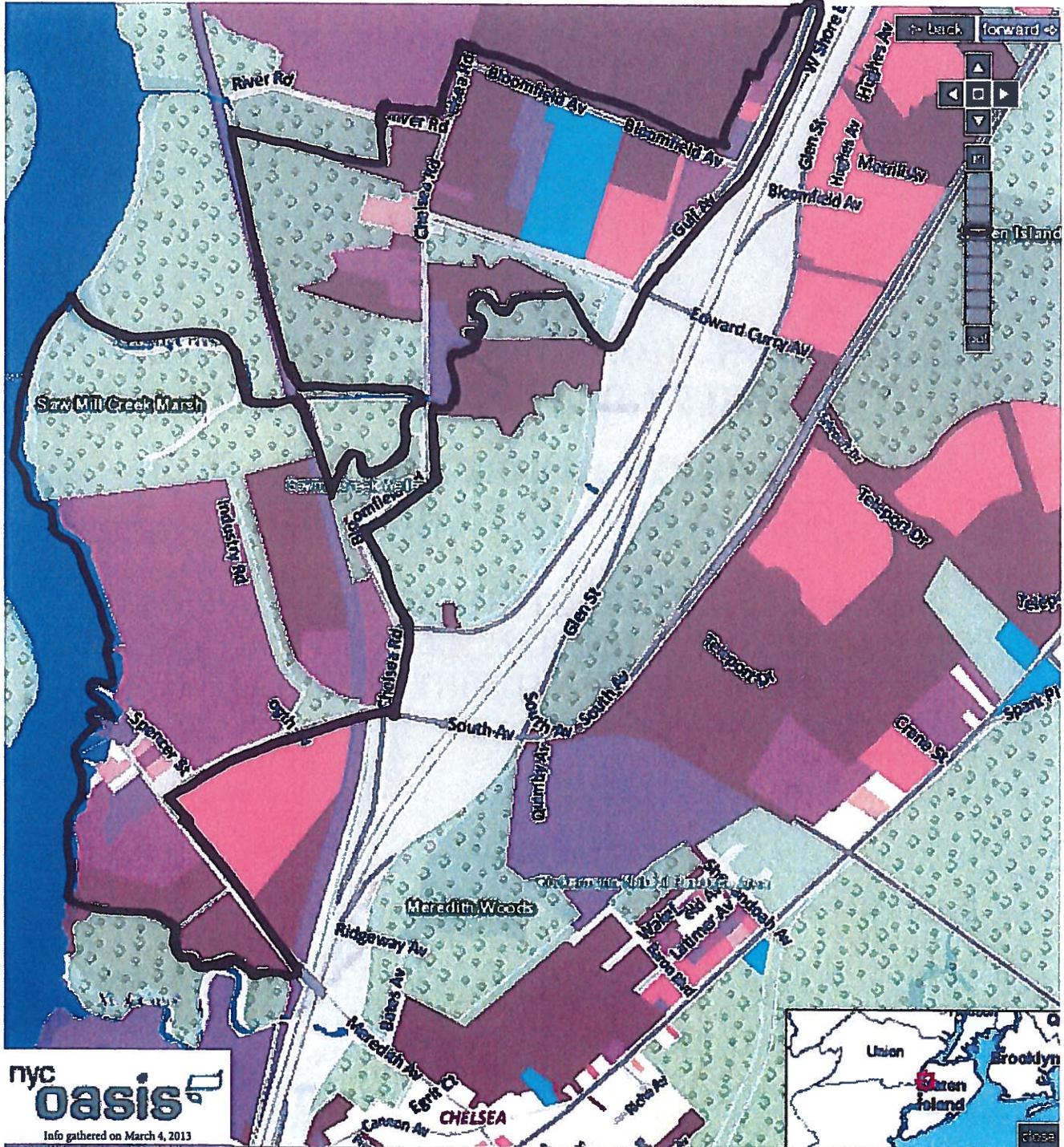
## EXHIBIT C – TAX BLOCK AND LOTS OF BENEFITTED PROPERTIES

47	01815	125	Bloomfield Road	SBS	D
48	01815	135	Bloomfield Road	NYCEDC	D
49	01815	150	Bloomfield Road	NYCEDC	D
50	01815	160	291 Chelsea Road	Neil Devito	A
51	01815	175	Bloomfield Road	Luciano Russo	A
52	01815	180	333 Chelsea Road	Luciano Russo	A
53	01815	181	Bloomfield Avenue	Luciano Russo	A
54	01815	190	Bloomfield Avenue	Neil Devito	A
55	01815	191	Bloomfield Avenue	Neil Devito	A
56	01815	192	335 Bloomfield Avenue	Neil Devito	A
57	01815	199	Bloomfield Avenue	Island Charter/Fred DiGiovanni	A
58	01815	204	Bloomfield Avenue	Parks & Rec	D
59	01815	220	Bloomfield Avenue	Parks & Rec	D
60	01815	235	Bloomfield Avenue	Parks & Rec	D
61	01815	251	Bloomfield Avenue	Parks & Rec	D
62	01815	260	Bloomfield Avenue	Neil Devito	A
63	01815	300	Bloomfield Avenue	Parks & Rec	D
64	01815	325	Bloomfield Avenue	Parks & Rec	D
65	01815	375	Bloomfield Road	NYCEDC	D
66	02810	14	Meredith Avenue	Frank Mezzacappa	A
67	02810	47	250 Meredith Avenue	Anthony Bruno	A
68	02810	59	280 Meredith Avenue	Anthony Bruno	A
69	02810	80	336 Meredith Avenue	Anthony Bruno	A
70	02810	96	356 Meredith Avenue	Richard Martucci	A
71	02810	98	355 Meredith Avenue	Richard Martucci	A
72	02810	102	364 Meredith Avenue	Richard Martucci	A

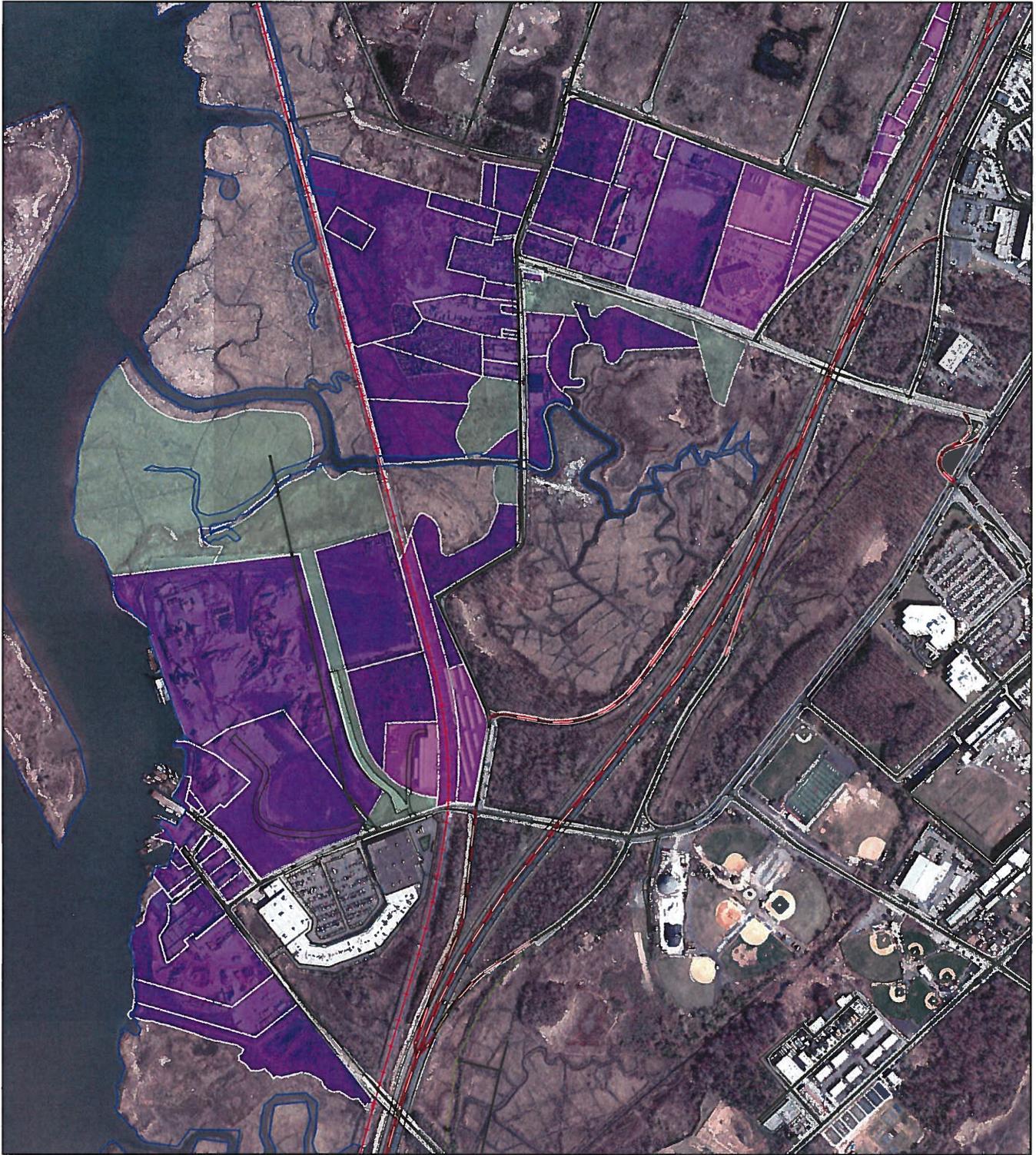
# Exhibit D – Land Use Map

## Legend

- 1 & 2 Family Residential
- Multi-family Residential
- Mixed Use
- Open space & outdoor recreation
- Commercial
- Institutions
- Industrial
- Parking
- Transportation / Utilities
- Vacant Lots



# Exhibit E – Zoning Map



## Legend

- M2-1
- M3-1
- Park
- City Street
- Vehicle Only Street
- Railroad Track

0 0.15 0.3 0.6 Miles

