



CITY PLANNING COMMISSION

February 7, 2007/Calendar No. 12

N 070214 BDK

IN THE MATTER of an application submitted by the Department of Small Business Services on behalf of the Court Livingston Schermerhorn 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 Court Livingston Schermerhorn Business Improvement District, Borough of Brooklyn, Community District 2.

On November 8, 2006, the mayor authorized the preparation of a district plan for the Court Livingston Schermerhorn Business Improvement District (BID). On November 21, 2006, on behalf of the Court Livingston Schermerhorn District Management Association (DMA), the Department of Small Business Services (DSBS) submitted the district plan for the BID, located in Community District 2 of the Borough of Brooklyn.

BACKGROUND

The proposed Court Livingston Schermerhorn BID is located in the area generally known as Downtown Brooklyn. The BID's boundaries are generally on Court Street, from Joralemon Street to Atlantic Avenue; on Livingston Street, from Court Street to Flatbush Avenue; and on Schermerhorn Street, from Court Street to Flatbush Avenue.

The District represents 350 tax lots and 130 businesses; 45 of which are mixed-use and 28 properties are either governmental or nonprofit. There are 1300 residential units in approximately 150 tax lots.

The District can be characterized as a predominantly commercial neighborhood with ground floor commercial and residential units above. Within the BID, there are approximately 30 national and regional retail chains including Barnes and Noble, Radio Shack, United Artists Multiplex and True Value Hardware. Brooklyn Borough Hall, the Brooklyn Municipal Building, Brooklyn Law School and the New York Transit Museum are among the government and public institutions within the proposed BID boundaries. Currently, there are four existing BIDs that serve the area; the MetroTech BID, Fulton Mall Improvement Association, Montague Street BID and the Myrtle Avenue Brooklyn BID.

The services of the expanded BID will primarily focus on sanitation, security, holiday lighting and marketing, landscaping and maintenance, and economic development. The sanitation program may include cleaning and sweeping of sidewalks and gutters; graffiti removal; maintenance of street trees and snow removal at bus shelters and crosswalks. The BID proposes to employ a sanitation crew of seven to eight persons, and services will be provided 7 days a week. The program will supplement the existing municipal sanitation program.

The budget for the first year of the BID is projected to be \$765,000. The budget will allocate \$265,000 to sanitation, \$90,000 to security, \$50,000 to holiday decorations and marketing, \$25,000 to economic development and new initiatives, \$60,000 to landscaping and maintenance, \$210,000 to administration and \$65,000 as a reserve fund.

The BID assessment method is based upon linear front footage and assessed valuation. Commercial properties will be assessed at \$23 dollars per linear foot, plus not more than \$.0024 per dollar of individual property assessed valuation. Wholly residential properties will be assessed at one dollar annually. Government and not-for-profit owned properties shall be exempt from assessment.

Outreach to property owners, merchants and residents was done by the Court Livingston Schermerhorn BID steering Committee. All property owners were informed of the appropriate BID assessment for their properties. The outreach for the BID was documented and submitted to the Department of City Planning (DCP).

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 07SBS017K. 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 22, 2006.

LAND USE REVIEW

On November 21, 2006, the Department of Small Business Services submitted the district plan for the Court Livingston Schermerhorn 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 District 33 and Brooklyn Community Board 2.

Community Board Public Hearing

On December 13, 2006, Community Board 2 adopted a resolution recommending approval of this application (N 070214 BDK).

City Planning Commission Public Hearing

On December 20, 2006 (Calendar No. 2) the Commission scheduled January 10, 2007 for a public hearing on the district plan. On January 10, 2007 (Calendar No. 20), the hearing was duly held. There were two speakers in favor of the proposal and none in opposition.

The executive director of the Downtown Brooklyn Partnership and member of the steering committee spoke about the types of outreach that was done within the District. He also stated that the BID to date had 54% of total assessed value property owners in support of the BID. In addition, he explained how the services of the BID were selected based upon surveys and planning meetings conducted by the steering committee. A consultant to the BID explained the breakdown of the BID budget and services.

There were no other speakers and the hearing was closed.

Consideration

The Commission believes that the proposal to create the Court Livingston Schermerhorn BID in Brooklyn is appropriate.

The Commission notes that several existing BIDs are in close proximity to the proposed BID and was encouraged to hear that the Downtown Brooklyn Partnership is planning to merge the Court Livingston Schermerhorn BID, once it is approved, with the MetroTech BID, Fulton Mall Association and BAM LDC, which all currently serve the area.

The Commission has carefully reviewed the documents that the proposed BID sponsor submitted regarding notification of constituents about the pending BID. The Commission believes that these outreach efforts for the BID were adequate and satisfactory.

BIDs are an important economic development tool for the city. The Downtown Brooklyn area has been greatly served by the work of the existing BIDs in the area. The Commission believes that the Court Livingston Schermerhorn BID will aid in promoting economic development for the area.

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 Court Livingston Schermerhorn Business Improvement District.

The above resolution duly adopted by the City Planning Commission on February 7, 2007 (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, AICP. Chair

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