

IDA Downtown Density Incentive Program Policy

Application

1. A developer seeking a tax abatement under this program must first seek the approval and endorsement of the City of Ithaca. IDA applications must be accompanied by a letter of support from the Mayor, copies of all the application materials submitted to the City, and a listing of all the public benefits that the City believes will be achieved under its Community Investment Incentive Program (CIIP). The IDA application must also be signed to be considered complete.
2. The IDA will make an independent determination of the number of community benefits to be achieved by the project. While the City and the IDA will use the same list of potential benefits, and the IDA intends to give considerable weight to the City's approval of the developer's proposed listing of benefits to be achieved, the IDA will weigh the costs and benefits of any tax incentives it delivers and will exercise independent judgment.
3. In addition to the materials submitted by the developer to the City, the IDA will ask about and consider the potential impacts on other businesses, including those outside of the City. The IDA recognizes that, in adopting a density incentive program, it is accepting that it may favor some local businesses over others in an effort to influence location decisions. The IDA also recognizes that the negative impact on existing businesses may outweigh the benefits gained from locating new development within the density zone. Density Incentive Program decisions will have to be made on a case-by-case basis.
4. The IDA will also evaluate the potential impact on other governmental entities, including school districts, and Density Incentive Program decisions will be weighed against the potential public benefits to be achieved.
5. Following an initial review, the IDA will, if favorably disposed toward a project, schedule a public hearing on the proposed incentive package.
6. No final decision may be reached by the IDA until SEQR requirements have been met by the developer.
7. Upon successful conclusion and transfer of title, the applicant shall pay to the IDA an administrative fee set by the IDA, not to exceed an amount equal to 1% of the total project cost. See the IDA Policy and Procedure document for a definition of the administrative fee.
8. Applications under this policy may not be accepted after December 31, 2012 unless the IDA Board votes to extend the policy beyond that date.

Incentives to be delivered

1. If the IDA decides to approve tax incentives for the project, they will be awarded based on the type and number of potential public benefits that the IDA determines shall be achieved by the project. The initial level of abatement awarded shall be according to the following schedule :

Number of Benefits	Level of Abatement
23 or more	100%
22	95%
21	90%
20	85%
19	80%
18	75%
17	70%
16	65%
15	60%
Fewer than 15	Ineligible

2. The abatement shall decline in equal increments over a period of ten years. At its sole discretion, the IDA may extend the time period and/or alter the increments by which the abatement declines in order to award greater incentives to a project that is projected to be exceptionally desirable and for which such additional incentives appear necessary for the project to succeed.
3. It is the purpose of the IDA Density Incentive Program to encourage the location of development within the City Density Zone when such development would otherwise be economically prohibitive. Therefore, each contract for incentives shall contain a requirement that the actual financial performance and profitability be reported to the IDA on an annual basis and that the tax abatement may be reduced proportionately if the project outperforms expectations.
4. Before the contract is drafted, the developer shall pay for a consultant, to be chosen by the IDA, who will examine the finances and profitability projections of the project, once they are available, and assist the IDA in developing the lookback provisions of the incentive contract.
5. The developer shall provide the IDA with annual reports certified by the chief executive officer and the chief financial officer on financial performance of the project, data related to its achievement of promised community benefits, and compliance with any other requirements included in the incentive agreement.
6. All progress reports, compliance documents, or other information regarding the project that is provided to the City of Ithaca, shall also be provided to the IDA.

7. If, at any point during the period of abatement, it is determined by the IDA that the project has failed to deliver the agreed upon community benefits, the abatement schedule may be adjusted to reflect the IDA's determination of the actual benefits delivered. If the number of benefits falls below the minimum required, the abatement may be terminated after the developer has failed to cure the deficiency in a reasonable period of time.
8. If, at any time during the period of abatement, it is determined by the IDA that an abatement has already been awarded for a time during which the agreed upon community benefits were not achieved, the developer may be required to repay the value of the abatement.

Tompkins County
Industrial Development Agency
Downtown Density Incentive Program Application for Incentives

Applicant Information

Date: _____

Name of Company/Applicant:	
Owner:	
Address:	
City/State/ZIP:	
Primary Contact:	
Phone:	Fax:
Email:	

Will a separate company hold title to/own the property in question that is separate from the operating company/applicant? If yes, please provide the name and contact information for that entity.	
Name:	
Address:	
City/State/Zip:	
Owner and/or Primary Contact:	
Phone:	Fax:
Email:	
Describe the terms and conditions of the lease between the applicant and the owner of the property.	

Applicant Attorney:	
Address:	
City/State/ZIP:	
Primary Contact:	
Phone:	Fax:
Email:	

Applicant Accountant :	
Address:	
City/State/ZIP:	
Primary Contact:	
Phone:	Fax:
Email:	

Applicant Engineer/Architect (if known):	
Address:	
City/State/ZIP:	
Primary Contact:	
Phone:	Fax:
Email:	
Applicant Contractor (if known):	
Address:	
City/State/ZIP:	
Primary Contact:	
Phone:	Fax:
Email:	

Business History

Year Company was Founded: _____

NAICS Code: _____

Product or Service:

Major Customers:

Major Suppliers:

Who are your major competitors in Tompkins County? _____

How will this project impact other business in Tompkins County? _____

Has your business ever received incentives tied to job creation from local governments in New York State?
____ Yes ____ No

If Yes, please describe. _____

Were the goals met? ____ Yes ____ No

If No, why were goals not met? _____

Project Description

Please give a brief narrative description of the project.

Location: _____

Property size (acres) – both existing and proposed: _____

Building size (square feet) – both existing and proposed: _____

Proposed project start and completion dates: _____

Do you certify that the project will not result in the relocation of all or part of any business or jobs from another county within New York State to Tompkins County? ____ Yes ____ No

Will this project result in a regular increase in overnight visitors to your facility (e.g. for training programs)?
___ Yes ___ No

If yes, number of visitors per year _____ Average duration of stay _____ days

Occupancy

List the name(s), nature of business of proposed tenant(s), and percentage of total square footage to be used for each tenant (Additional sheets may be attached if necessary).

Will this project include housing units? ___ Yes ___ No. If Yes, please describe.

Please estimate the impact this will have on the local School district.

Project Costs

	<u>Amount</u>	<u>Percent subject to local sales tax</u>
Value of land to be acquired (if any):	_____	N/A
Value of building to be acquired (if any):	_____	N/A
Cost of new construction:	_____	_____ %
Value of improvements to existing building:	_____	_____ %
Value of equipment to be acquired:	_____	_____ %
Other:	_____	_____ %
TOTAL	\$ _____	N/A

For IDA to fill out

Estimated reimbursement of soft costs based on project cost: _____

Agency Fee: _____

Agency Counsel Fee: _____

Agency Bond Counsel Fee: _____

Financing

Amount of anticipated financing from a lending institution \$ _____

(Please note: the applicant must inform the TCIDA at the time of issuance of commitment letter if the financing will exceed the amount stated here.)

Value of Incentives

Property tax abatement

Assumptions

\$xxx,xxx value of new assessment

4% annual increase in assessment and tax rate

<u>Year</u>	<u>New Taxes paid</u>					<u>Taxes Abated</u>				
	County	School	City/Town	Village	Total	County	School	City/Town	Village	Total
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										

Totals

Value of sales tax abatement: \$ _____

Estimated length of sales tax abatement: _____

Estimated value of abatement for facility construction including information on assumptions used in calculations: _____

Estimated value of abatement for furniture, fixtures and equipment including information on assumptions used in calculations: _____

Mortgage Recording tax abatement: \$ _____

Other government incentives or support (include summary of program, name of contact person and terms and conditions of program): _____

CIIP for Incentives

Based on the City of Ithaca's Community Investment Incentive Program (CIIP), have you received an endorsement from the Mayor of Ithaca? ___ Yes ___ No. If Yes, please provide endorsement letter.

If No, do you anticipate endorsement and when? _____

The level of property tax abatements for a Downtown Density Incentive Program Project is linked to the number of Community Benefits to be achieved by the project. Please indicate (by check mark or circle) the number and then total the individual benefits to be achieved.

Community Benefits

Architecture

- Project is architecturally exceptional as judged by the Design Review Board or as evidenced through positive architectural reviews.
- Project involves the rehabilitation of a historically significant building.
- Project exceeds Americans with Disabilities Act standards for accommodations for people with disabilities.

Transportation

- Project encourages and generates pedestrian activity.
- Project promotes use of public transit.
- Project has accommodations for bicycles, beyond what is required under normal site plan review.
- Project has accommodations for 2-wheeled motor vehicles.

Construction Labor

- 75% of construction cost goes to contractors that have a certified apprenticeship program to train workers in skilled trades.
- Project produces skilled trades jobs during construction.
- Project contractors will pay prevailing wage.
- Project produces **local** construction jobs from within Tompkins County.
- Project is built with at least 25% local labor.

Employment

- Project produces permanent jobs.
- Project produces entry-level jobs.
- Project produces at least five jobs which pay a local living wage or better.
- Project produces jobs that all pay a living wage or better.

- Project leads to the retention of existing jobs that might otherwise move outside the city.
- Project provides 50 or more new jobs to the target area.
- Project will include high-tech jobs.

Housing

- Project includes housing.
- Project includes housing for low- or moderate- income persons/households making no more than 100% of median income.
- Project includes housing for low- or moderate- income persons/households making no more than 80% of median income.
- Project includes housing for low- or moderate- income persons/households making no more than 60% of median income.
- Project includes mixed-income housing (within the same project).

Environmental

- Project achieves basic LEED certification.
- Project achieves Silver LEED certification.
- Project achieves Gold LEED certification.
- Project achieves Platinum LEED certification.
- Project meets standards established under another green building program (only for those not receiving LEED certification).
- Project will be operated according to environmental standards appropriate for their industry (e.g. green hotel standards for hotels).
- Project cleans up a brownfield or other environmentally contaminated site.
- Project produces onsite power.

Site

- Project is constructed on a vacant or underutilized site.
- Project makes use of excess capacity in existing parking facilities.
- Project makes efficient use of infrastructure.
- Project provides non-surface level onsite parking.

Financial Benefits

- Project will generate additional property taxes.
- Project will generate at least \$200,000 annually in property taxes to the city after abatement period is ended.
- Project will generate additional sales taxes.
- Project will generate at least \$100,000 annually in additional sales taxes.
- Project has economic multiplier effects.

- Project attracts out of town visitors to spend money locally.

Other Benefits

- Project creates synergy with existing activities in the area.
- Project discourages sprawl.
- Project includes mixed uses.
- Project includes public amenities.
- Project builds new or enhances existing public spaces.
- Project produces other benefits suggested by developer that are not on this list but that are considered by the IDA to be significant community benefits. *Note: Developer should describe such benefits for consideration by the IDA. Developer may also wish to suggest that benefits which are already on this list be given additional weight if they are particularly significant for a given project.*

Total number of benefits: _____

The number of benefits determines the maximum level of year 1 abatement. The abatement will decline in equal increments over a ten (10) year period:

Number of Benefits	Level of Abatement
23 or more	100%
22	95%
21	90%
20	85%
19	80%
18	75%
17	70%
16	65%
15	60%
Fewer than 15	Ineligible

Employment Information (please note that during the course of the abatement you will be required to provide detailed employment information annually.)

Please provide your Employment Plan

Permanent Occupations in Company	Current Permanent Full-Time Jobs by Occupation		Projection of New Permanent Full-Time Jobs			
	Average Annual Salary Ranges/ Hourly Wage	Number of Employees	New Jobs Added in Year 1	New Jobs Added in Year 2	New Jobs Added in Year 3	Total New Jobs
Professional:						
Clerical:						
Sales:						
Services:						
Construction:						
Manufacturing:						
Skilled:						
Semi-Skilled:						
Unskilled:						
Other (Describe):						
Total:						

Estimated percentage of new hires who are currently not employed _____ %

Environmental Review

Environmental Assessment Form – short or long

Submitted to: _____

Agency name: _____

Agency address: _____

Date of submission: _____ Status of submission: _____

(please note: an environmental review must be completed before TCIDA can vote on proposed financial incentive. It is the applicant's responsibility to provide a copy of the determination of environmental impact by another agency to TCIDA.)

Permits

Describe other permits required and status of approval process.

Other

Do you have any thing else you would like to tell TCIDA regarding this project?

CERTIFICATION

_____ deposes that she/he is the _____
(Name of chief executive officer of company submitting application) Title)

of _____, the corporation named in the attached application; that (Company Name)

he has read the foregoing application and knows the contents thereof; that the same is true to his knowledge.

Deponent further says that the reason this verification is made by the deponent and not by _____ is because the said company is a corporation.
(Company Name)

The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

As an officer of said corporation (hereinafter referred to as the "Applicant"), deponent acknowledges and agrees that applicant shall be and is responsible for all costs incurred by the nonprofit Tompkins County Industrial Development Agency (hereinafter referred to as the "Agency") acting in behalf of the attached application whether or not the application, the project it describes, the attendant negotiations and ultimately the necessary issue of bonds or transfer of title are ever carried to successful conclusion. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails to act within a reasonable or specified period of time to take reasonable, proper, or requested action, or withdraws, abandons, cancels, or neglects the application or if the Agency or Applicant are unable to find buyers willing to purchase the total bond issue required or financing for the project, then upon presentation of invoice, the Applicant shall pay to the Agency, its agents, or assigns all actual costs involved in conduct of the application, up to that date and time, including but not limited to fees of bond counsel for the Agency and fees of general counsel for the Agency. Upon successful conclusion and sale of the required bond issue or transfer of title the Applicant shall pay to the Agency an administrative fee set by the Agency, not to exceed an amount equal to 1% of the total project cost. The cost incurred by the Agency and paid by the Applicant, including bond counsel, the Agency's general counsel's fees and the Agency's administrative fees, may be considered as a cost of the project and included as part of the resultant bond issue.

Signature of chief officer of company submitting application

NOTARY

Sworn to before me this

_____ day of _____, 20_____