

# **BRYN MAWR BUSINESS IMPROVEMENT DISTRICT PLAN**

Draft 11/1/09

## **Overview**

Few community development tasks are more important, or more challenging, than that of central business district revitalization. Communities of all sizes are realizing that a strong, vibrant, well-managed downtown is a critical element of a comprehensive economic development effort. In times of significant economic distress, the sustainability of such revitalization efforts based solely on governmental and charitable contributions is often called into question. Increasingly, communities around the country are seeking a tool for the business district that will sustain the downtown effort without the worry of shifting governmental priorities, corporate contributions or over-worked charitable foundation coffers. A business improvement district, or BID, is a resource development tool that allows property owners the opportunity to take the business district revitalization effort into their own hands and ensure its ongoing support. By establishing an improvement district, property owners decide to pay an annual, legally binding fee, or assessment, to be used within the defined geographic area where they are located and only for activities that their representatives decide upon. With the same general legal standing as a water or sewage bill, the BID assessment is a value-added payment for downtown services. Unlike other voluntary programs, where many benefit from the contributions of a few, inside the BID, everyone who benefits pays their fair share of the common costs.

It is anticipated that the Bryn Mawr Master Plan, which is currently being implemented by the Township of Lower Merion will include particular studies and potential outcomes that are consistent with and made a part of the Bryn Mawr Business Improvement District Plan. The Bryn Mawr Master Plan suggested that a BID be created. The Bryn Mawr BID Plan is also consistent with the Urban Land Institute report on Bryn Mawr which also suggested that a Business Improvement District be created. Commercial Properties and Businesses located in Radnor Township and Haverford Township within the Village of Bryn Mawr may participate in the BID.

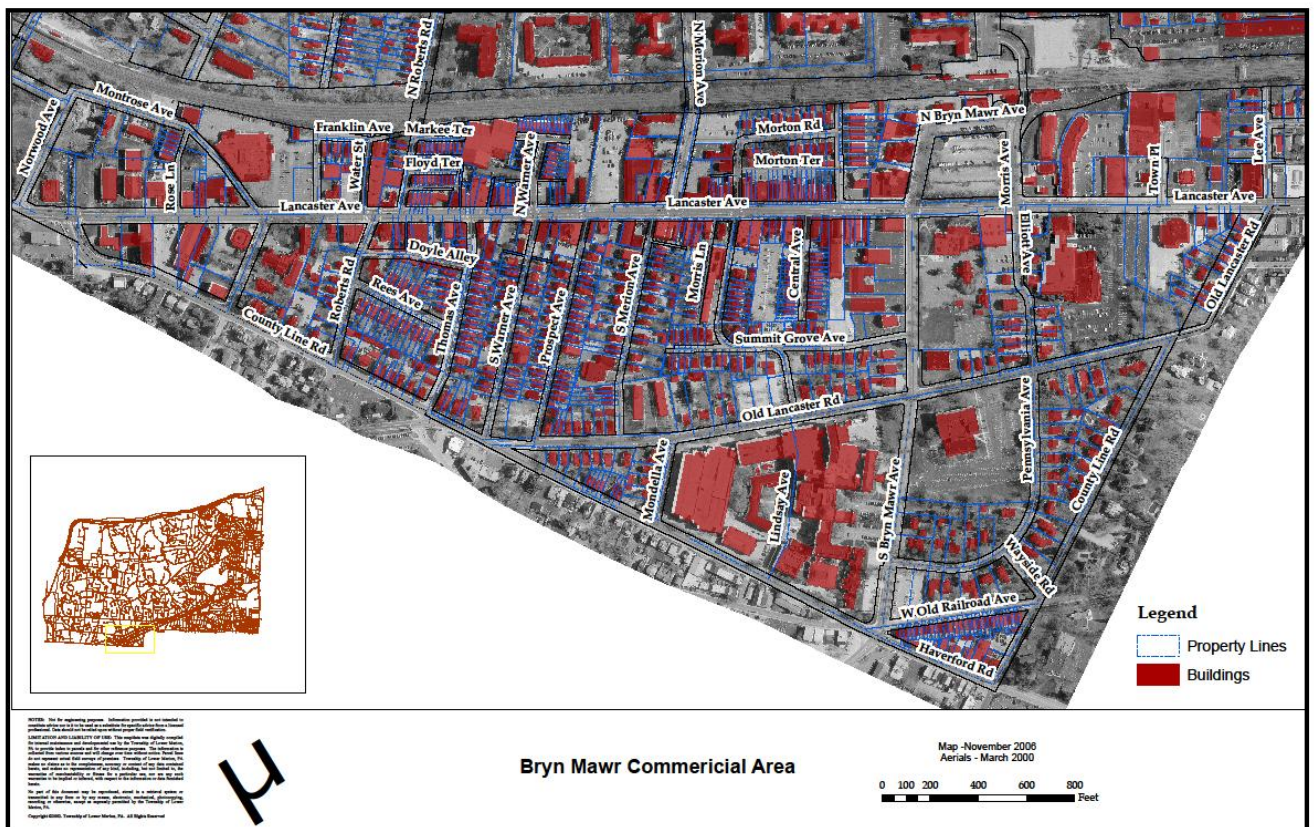
Over the next several months, the stakeholders of downtown Bryn Mawr will have the opportunity to review a proposal that could establish a business improvement district within the central business district. Pennsylvania state law (Act 130 of 2000) dictates a process that must be followed in establishing a BID. In compliance with that law, the following preliminary plan is being provided to you for your review. Various public meetings and public hearings will be held, where you will have an opportunity to have your say about this

proposed plan. We hope you will take the opportunity to learn more about, and participate in, this process in a meaningful and constructive way.

### Required Plan Elements

In accordance with the Pennsylvania Neighborhood Improvement District (NID) Act of 2000, P.L. 949, No. 130, Section 5 (Creation of a Neighborhood Improvement District), the information contained in this document is being provided to all property owners and lessees located within the proposed boundaries of the NID.

### 1. Map of the proposed downtown Bryn Mawr Business Improvement District (BID)



**Figure 1.** Map of the proposed Bryn Mawr Business Improvement District (BID) details the boundaries and the properties located within those boundaries, for which this plan has been prepared.

## **2. Business Improvement District Written Report**

### **i. Bryn Mawr Business Improvement District**

In accordance with the Pennsylvania Neighborhood Improvement District (NID) Act of 2000, P.L. 949, No. 130 Section 5 (c) (2) (i), the name of the proposed neighborhood improvement district shall be the Bryn Mawr Business Improvement District.

### **ii. Detailed Service Area Description.**

Starting at the western most point of the district, the east side of Norwood Avenue at the corner of Lancaster Avenue and Norwood Avenue to the north side of County Line Road at the intersection of County Line Road and Lancaster Avenue; east to Montrose Avenue, excluding the parcels 63 and 381 of Block 10A , north on Montrose Avenue to Lancaster Avenue, excluding parcel 62 of Block 10A; east on the south side of Lancaster Avenue to Roberts Road, including parcels 59, 60, and 61 of Block 10A; south on the west side of Roberts Road to Doyle Alley; east on the north side of Doyle Alley to Thomas Avenue; north on Thomas Avenue, excluding parcels 32, 33, and 34 of Block 9A, to the intersection of Thomas Avenue and Lancaster Avenue; east on Lancaster Avenue to Morris Lane; south on Morris Lane, excluding parcels 48, 49, 50, 51, 52, and 53 of Block 9A; across the east side of Morris Lane to Central Avenue, excluding parcels 241, 242, 243, 244, 245, 246, 247, 248 , 249, 250, 251, and 253 of Block 9A, but including parcels 254, 255, and 256 of Block 9A; north on Central Avenue to the intersection of Central Avenue and Lancaster Avenue, excluding the parcels 00X1 fronting both sides of Central Avenue (X1, X2, X3 X4, X5, X6, X7, X8, X9,X10,X11,X12,X13, X14, X15, X16, X17,X18, X19, X20, X21, X22, X23, X24, X25, X26, X27, X28, X29) of Block 9A; east on Lancaster Avenue to the intersection of Lancaster Avenue and South Bryn Mawr Avenue; south on South Bryn Mawr Avenue to Summit Grove Avenue, west on Summit Grove Avenue to the intersection of Summit Grove Avenue and Central Avenue, excluding the parcels 258, 259, and 260 of Block 9A; south on Central Avenue to Old Lancaster Road, excluding the parcel 224 of Block 9A; west on Old Lancaster Road to Mondella Avenue, excluding parcels 217, 218, 219, 220, and 473 in Block 9A; south on the east side of Mondella Avenue to Haverford Road; east on the north side of Haverford Road to South Bryn Mawr Avenue; north on South Bryn Mawr Avenue to Old Lancaster Road, excluding parcels 191 of Block 9A; east on Old Lancaster Road to County Line Road, excluding the parcels 199 and 200 in Block 9A and parcels 37, 38, and 39 on Block 8A; north on Old Lancaster

Road to the intersection of Old Lancaster Road and Lancaster Avenue, excluding the parcels 19, 52, 53, 54, 55, 56, 57, 58, and 59 of Block 8A; north across Lancaster Avenue to the west side of Lee Avenue; North on Lee Avenue to the southern boundary line of the Railroad Right-of-Way, excluding parcels 76, 77, 78, 79, 80, 81, and 83 in Block 8A ; west along the southern boundary of the Railroad right-of-Way to Morris Avenue, excluding parcel 494 of Block 9A; across Morris Avenue to Morton Road, south on the east side of Morton Road to Morton Terrace, excluding parcels 346, 445, 347, 434, 348, 349, 350, 351 and 433 on Block9A; west on Morton Terrace to Morton Road, excluding parcels 370, 371, 372, 373, 374, 375, 376, 377, and 438 of Block9A; north on the west side of Morton Road to the southern boundary line of the Railroad Right-of-Way, excluding parcel 491 of Block 9A; west along the boundary line of the Railroad Right-of-Way to North Merion Avenue; across North Merion Avenue to North Roberts Road, excluding parcels 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 474 and 483 of Block 9A, and 77, 78, 79, 80, 81, 82, 275, 279, 285, 286, 288, 289, 290, 293, 511, and 511 of Block 10A, parcels fronting on Markee Terrace and Floyd Terrace OX37, OX38, OX40, OX42, OX44, OX45, OX46, OX47, OX48, OX50, OX51, OX52, OX54, OX55, OX57, OX58, OX58, OX59, OX60, OX61, OX62, OX63, OX65, OX66, OX67,OX68,OX69, OX70, OX71,OX73, OX74, OX75, OX76 of Block 10A ; across North Roberts Road to Franklin Avenue, excluding parcels 91, 92, 93, and 94 of Block 10A and parcels 101, 102, 103, 104, 105, 106, 107, 108, and 228 of Block 10A; across Franklin Avenue to the intersection of the Railroad Right of Way, Montrose Avenue, and Norwood Avenue, excluding parcel 421 of Block 10A; south on the east side of Norwood Avenue to the intersection of Norwood Avenue and Lancaster Avenue, excluding parcel 134 of Block 10A.

**iii. List of All Properties to be assessed.**

Please Refer to **Appendix A** of this plan for a complete listing of all properties for which a base annual improvement district assessment has been established.

**iv. List of Proposed Improvements to be provided within the Bryn Mawr Business Improvement District:**

**Business Improvement District (BID) Organization**

Detailed below are the proposed Physical and Service Improvements for the Bryn Mawr Commercial District. The Bryn Mawr Partnership, Inc., (BMP), the Neighborhood Improvement District Management Association (NIDMA), will direct the execution of the BID Plan. A Business Improvement District

Executive Director will facilitate all daily activities that enhance the vitality of the commercial district. Revitalization, the most important aspect of the BID, requires a professional Executive Director to oversee implementation and is critical for the long-term success and sustainability of the BID.

## **Proposed Physical Improvements:**

### **Streetscape**

Provides services and amenities to make the public streetscape more inviting, accessible, and pedestrian friendly. Proposed budget for these services is \$93,000.

Bryn Mawr Beautiful, Inc. (Horticultural Activities, Landscaping, Window Boxes, Hanging Baskets, Maintenance)  
Banners with Town Insignia  
Street Lighting  
Streetscape Furniture  
Green Machine (Periodic Cleaning of Sidewalks and Streets)  
Bi-Weekly Window Cleaning  
Sidewalk Bollards for pedestrian safety  
Shuttle Bus servicing R5 and R100 stops and operating within BID area

## **Proposed Service Improvements:**

### **Image/Marketing/PR**

Develop programs and publish materials to support activities designed to enhance the customer and social experience in the commercial area. Proposed Budget for these services is \$132,000.

### **Group Advertising**

Local and Regional Newspapers, Periodicals, Magazines, Websites  
Radio – AM, FM, HD-Radio  
Television – LMTV, Government Access Channels  
Community Leaflet to be distributed throughout Bryn Mawr Commercial and Residential areas

### **Holiday Décor and Festivities**

Annual Holiday Decorations  
Santa Claus for children  
Carolers  
Open Houses  
Center Square Christmas Tree Lighting  
Special Holiday Events

### **Special Events**

Bryn Mawr Farmers Market  
Bryn Mawr Twilight Concert Series  
5K Run  
A Taste of Bryn Mawr – Dining Under the Stars  
Mile of Art  
Bryn Mawr Day  
Film Festival  
Antique Festival  
Fundraising (Golf Outings and other Philanthropic Events)  
Charity Fashion Show  
Restaurant Promotional Package  
Book Festival – workshops, open-mic nights, literary trivia, panel discussions and readings  
Fall Jazz Festival  
Historic Walking Tours – Harriton House, Bryn Mawr College Historic District

(All special events will have unique sponsorship opportunities)

### **Website Creation**

Improve Communication between businesses, property owners, township  
Promote special events  
Educate community about Bryn Mawr  
Post all businesses and services in the BID  
Disseminate information for Cultural Institutions, Corporations, Bryn mawr Hospital & Bryn Mawr College in the BID

### **Business Recruitment & Retention Program**

Provide tools, products and communications to best meet the needs of property owners and businesses. Match current and future real estate opportunities with consumer demand in the Bryn Mawr Business Improvement District (BID) by:

- Professional Management to enhance existing Township Services
- Regular Meetings with Developers, Commercial Realtors and Property Owners
- Provide Database of Existing and Vacant Commercial Properties via BID website
- Communications and Announcements within the district of business news

Create Safe & Strolling Environment by:

Sidewalk Repair  
 Enhanced Crosswalks  
 Improve Retail Clusters  
 Way finding Signs to Promote Pedestrian movement  
 Strategic Bollard Post Placement

**v. Proposed Budget for the First Fiscal Year of the Plan - \$350,000**

- a. Personnel and Administration - \$100,000
- b. Programs and Services- \$225,000
- c. Maintenance & Operations - \$25,000
- d. Capital Expenditures- No capital improvements proposed in Year 1 budget

**Proposed Budget for the First Fiscal Year of the Plan - Detailed**

**Income:**

- o DCED - \$ 0.00
- o Local Government - \$ 0.00
- o BID - \$335,000
- o Voluntary BID Contributions - \$5,000
- o Non Collection @ 5% - (\$5,000)
- o Direct Public Contributions - \$5,000
- o Special Event Revenue - \$5,000

**Total Income - \$350,000**

**Expenses:**

Personnel and Administration:

o Salaries, Fringe Benefits, Office Expenses and Administration - \$100,000

Programs and Services:

o Streetscape - \$93,000

o Business recruitment Plan - \$65,000

o Image, marketing, public relations - \$62,000

o General Image - \$5,000

Maintenance and Operations:

o Banners - \$13,500

o Decorations - \$10,000

o Web Site Maintenance - \$1,500

Capital Expenditures:

o None to date

**Total Expenses - \$350,000**

**vi. Proposed Revenue Sources.**

The Bryn Mawr BID plan envisions revenue from various sources over the five years detailed in this document. Total projected revenues of \$1,750,000 are estimated for the total five years. Of this amount \$1,675,000 (95.7%) is anticipated from BID assessments and another \$75,000 (4.3%) from voluntary contributions by tax exempt properties and other direct contributions. It should be noted here that businesses and property owners located within the BID will no longer pay a Bryn Mawr Business Association membership fee nor be asked to contribute to any of the program activities, including special events and seasonal decoration/banner programs, as the annual BID fee will include those items. The total five year BID-based income estimate of \$1,750,000 has been amortized over the five year BID plan period. This should help to insure minimal change in the annual assessment BID fee of any individual property owner.

**vii. Estimated Timeframe for Completion of Activities.**

All program activities to be completed under this plan and the first year budget will be completed by the end of the Bryn Mawr Business Improvement District, Inc. budget year – which runs from January 1st – December 31st. In accordance with this plan, the initial BID period will sunset on December 31, 2015, and as such all activities envisioned by this plan will be completed by that date.

**viii. Statement Identifying the Administrative Body That Will Govern and Administer the NID.**

Pennsylvania Commonwealth law requires in establishing a NID that an organization be identified to manage the operation of the district. This management entity is referred to as the Neighborhood Improvement District Management Association (NIDMA) and is designated by the Township of Lower Merion. The entity proposed to govern and administer the Bryn Mawr Business Improvement District as the NIDMA, shall be the Bryn Mawr Partnership, Inc. (BMP). It is the intention of the BMP, should this NID plan be approved, to maintain the name of the BMP as the governing entity for the Bryn Mawr Business Improvement District. A letter, with supporting documentation, requesting the Township of Lower Merion to designate the BMP as the NIDMA has been filed with the Township of Lower Merion as a part of this plan. See Section 2(ix) for more information. The current board of the Bryn Mawr Partnership, Inc. consists of the following people:

**THE BRYN MAWR PARTNERSHIP, INC.**

A Pennsylvania Non – Profit 501(c)(3) Corporation

President and Chair:

Vincent S. DiCioccio, Esquire  
Vincent S. DiCioccio, P.C.

Vice-President and Board Member:

Susan M. Arizini  
Via Bellissima

Secretary and Board Member:

Gail E. Wright  
Bryn Mawr Hospital

Treasurer and Board Member:

Charles A. Waters, III  
Suburban Hardware

Board member:

Board member:

Board member:

Board member:

Board member:

V. Scott Zelov, LMT Commissioner Ward 10, Haverford and Bryn Mawr

#### **ix. Statutory Authority and Governing Documents of the NIDMA.**

The following supportive documentation has been filed with the Secretary of the Township of Lower Merion in support of Bryn Mawr Partnership's request to be designated as the NIDMA for the Bryn Mawr Business Improvement District:

- Internal Revenue Service Designation of Bryn Mawr Partnership as a 501(c)(3) Non-Profit Corporation
- A copy of Bryn Mawr Partnership by-laws.

All documents are available for review at the office of the Secretary of the Township of Lower Merion, at the Ludington Library in Bryn Mawr, and at the offices of the BMP.

#### **x. Method for Determining the Assessment Fee to be Collected.**

(A). All benefited properties, as described in the Neighborhood Improvement District (NID) Act of 2000, P.L. 949, No. 130, shall have an annual NID fee established for them, based on the current real estate tax record's assessed value as maintained by the Recorder of Deeds, Montgomery County, Commonwealth of Pennsylvania.

(B). In accordance with the enacted Bryn Mawr Village Zoning District as adopted May 15, 2008, four new zoning classes have been created namely, BMV1, BMV2, BMV3, and BMV4. Parcels with the C-2 zoning designation within BMV1, BMV2, BMV3 and BMV4 are determined to be benefiting properties, along with all other zoning classes within the Bryn Mawr Village Zoning District except owner occupied residential dwellings. For the purposes of this plan, only taxable properties, within the boundaries of the proposed Bryn Mawr Business Improvement District have been determined to be benefiting properties. Over the five years of the BID plan detailed in this document, the annual fee shall represent a payment equal to 3.35 mils on the current assessed value of the property in question. This annual payment shall be subject to the terms of items e, f, and g listed below.

(C). All owner-occupied residential properties within the boundaries of the proposed district have been determined, at this time, to be non-benefiting properties and are thus exempted from a required annual payment.

(D). Non-Profit organizations, or other entities owning property that is exempt from real estate taxes, should refer to section 3.iii of this plan for the details of their status.

(E). The Bryn Mawr Business Improvement District reserves the right to increase fees in accordance with future years' budget requirements, starting in 2010 or thereafter, provided that any such increase shall not exceed 3% of an individual property's Business Improvement District assessment fee in any given year. Any such increase shall apply to all properties.

(F). If a property has its assessed value increased by more than 10%, as a result of either a general county reassessment of the Village of Bryn Mawr or of improvements made to a property resulting in an assessment increase, the annual NID assessment will only be applied on the first 10% increase as a result of such re-assessment.

(G). In the event that a property has its assessed value decreased as a result of a real estate assessment appeal, any refund in the annual NID fee due to the property owner will be credited against the next year's assessment. In the event that such a reduction occurs in the last year of operation of the business improvement district as a result of non-renewal by the municipality, a refund shall be paid to the property owner.

### **3. Other Required Information**

#### **a. Duties and Responsibilities of the NIDMA and the Township of Lower Merion.**

In accordance with the Pennsylvania Neighborhood Improvement District (NID) Act of 2000, P.L. 949, No. 130, The Township of Lower Merion shall have all powers and authorities reserved to it respectively under Section 4 of the Act, and as to the Bryn Mawr Partnership, operating as the Neighborhood Improvement District Management Association (NIDMA), under Sections 6(c) and 7 of the Act as to the powers of the NIDMA.

**b. Written Agreement Between the Township of Lower Merion and the NIDMA.**

All activities relative to this BID shall be defined in a written agreement between Lower Merion Township and the Bryn Mawr Partnership operating as the Neighborhood Improvement District Management Association (NIDMA) as specified by Pennsylvania state law. A copy of this proposed agreement is available for inspection and review in the office of the Secretary of the Township of Lower Merion, at the Ludington Library, at the offices of the BMP.

**c. Status of Tax-Exempt Properties.**

There is case law, both in Pennsylvania and in other states, differentiating between an assessment and a tax. The assessment being recommended under this plan is not legally a tax. The issue of “benefited property” thus becomes a determining factor in deciding how to treat non-profit organizations and other entities that own property exempt from real estate tax payments. All tax-exempt properties have been classified under this proposed plan as “benefited properties” by virtue of the parking, promotion and general support service activities to be undertaken by the BID. As a result, all tax-exempt properties shall have an annual fee established for them under the proposed Bryn Mawr Business Improvement District. However, in accordance with Act 130 of 2000, such real estate tax exempt properties will be exempted from the mandatory payment of the annual fee. Instead all non-profit owned tax-exempt properties will be asked to make a voluntary payment based on their established assessed value in accordance with provisions of Section 2.x. of this plan. The recommended payment in lieu of the annual assessment for such properties will be for approximately 25% of the total BID assessment. Each property owner for whom this section is applicable will be contacted individually by BMP to negotiate a payment in lieu of the assessment. This section will only be applicable if the plan is approved in accordance with the procedures defined in section 3.vii. Owners of tax-exempt property who agree to a payment in lieu of the assessment will be asked to execute a multi-year pledge document.

#### **d. The Township of Lower Merion Municipal Services Agreement**

This plan stipulates, and Pennsylvania state law mandates, that the Township of Lower Merion maintain the same level of municipal programs and services within the business improvement district after establishment of the Bryn Mawr Business Improvement District as before designation. In accordance with those provisions, a Municipal Services Agreement has been prepared and is available for review at the Township of Lower Merion, at the Ludington Library in Bryn Mawr, and at the offices of the BMP.

A summary of those baseline services is as follows:

Baseline Services as of January 2010

(LOWER MERION TOWNSHIP WILL PROVIDE SUMMARY OF BASELINE SERVICES TO THE BID AREA)

Annual Township of Lower Merion Financial Support

The Township of Lower Merion will pay its full annual assessment, currently estimated to be \$ ??????. To the extent that annual budgetary provisions are made for an additional annual contribution, the Township of Lower Merion will pay the difference of \$ ?????? minus its current annual BID assessment fee.

Special Event Sponsorship

In-kind support: police, public works, administration, EMS on hand

#### **e. Sunset Provisions and Reauthorization**

In accordance with the Pennsylvania Neighborhood Improvement District (NID) Act of 2000, P.L. 949, No. 130, Section 4 (9) relating to the powers of the municipal corporation relative to the establishment of the neighborhood improvement district, the initial term for any sunset provision must be at least five years. As such the initial term for the Bryn Mawr Business Improvement District shall expire at midnight December 31, 2015. Assuming that authorization occurs in mid-2015, the initial term of the Bryn Mawr BID would be five (5) years, starting January 1, 2010 through December 31, 2015. Re-authorization of the Bryn Mawr BID may be approved by the Township of Lower Merion for an additional term provided that the NIDMA shall:

- Provide a third-party performance review of the effectiveness of the NID during its first term, along with any local legislation relating to the request for re-authorization.
- Submit a revised plan for the Bryn Mawr Business Improvement District in accordance with the Neighborhood Improvement District (NID) Act of 2000, P.L. 949, No.130, Section 5, and as it may have been amended in the intervening years.

#### **f. Responsibility for the Collection of NID Assessment Fees**

The BMP, functioning as the NIDMA for the Bryn Mawr Business Improvement District, has requested that Lower Merion Township be solely responsible for all services related to billing and collection of all assessment fees associated with the Bryn Mawr Business Improvement District. The BMP shall be solely responsible for placing liens for non-payment concerning all assessment fees associated with the Bryn Mawr Business Improvement District. Such accounting services may be contracted to third party service providers.

#### **g. Provisions for Property Owner Approval of the NID.**

A negative vote by forty percent (40%) or more, in terms of total properties within the NID boundary, of the assessed and payment in lieu of assessment property owners within the NID boundary on the FINAL NID PLAN shall be required to defeat the establishment of the proposed NID. A negative vote of a property owner shall be registered when the property owner files a written objection for each individual property with the Secretary of the Township of Lower Merion within 45 days of the presentation of the FINAL NID PLAN. Each individual, or ownership entity, owning a property within the NID shall be entitled to one vote for each parcel of property owned. Each property owner eligible to cast a vote shall be notified by US Mail as to the specific date by which a negative vote must be cast. A vote shall be considered when the objection includes the following:

- The Montgomery County parcel identification number.
- The name and address of the legal owner(s) of the property.
- A written statement indicating that the property owner wishes to cast a vote against the proposed Bryn Mawr BID plan. Please note that if the property is owned by more than one person, by a partnership or by a corporate structure, the objection must be signed by all of the owners, partners or include a resolution of the corporation's board of directors.

**Appendix A**

**List of Properties with the Bryn Mawr Business Improvement District  
Boundary Area**

(UPDATED LIST OF PROPERTY OWNER AND PROPERTY ADDRESS)

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