NOTICE OF PUBLIC HEARINGS

BIRMINGHAM CITY COMMISSION
PUBLIC HEARING OF NECESSITY PUBLIC HEARING OF CONFIRMATION

Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, September 21, 2015, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, October 12, 2015, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Location:	Principal Shopping District (PSD) District 1 & District 1A (See attached map)
Nature of Improvement:	To renew the special assessment for the 2015-16, 2016-17, and 2017-18 fiscal years for the purposes set forth in the act, including, but not limited to the financing of improved promotion, maintenance, security and operation of the PSD. (Public Act 120 of 1961 and Public Act 260 of 1984 as amended in 1992) All vacant land parcels are included in the hearing of necessity. If necessity is declared, vacant property will be assessed when developed, as other like properties in this special assessment district.
City Staff Contact:	John Heiney 248.530.1250 jheiney@bhamgov.org
Notice Requirements:	Mail to affected property owners Publish September 6 & 13, 2015
Approved minutes may be reviewed at:	City Clerk's Office

You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012.

The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll.

All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

MEMORANDUM

DATE: **September 21, 2015**

TO: **Joseph A. Valentine, City Manager**

FROM: **John Heiney, Executive Director**

SUBJECT: **Resolution declaring Necessity for Principal Shopping District**

Attached is a resolution declaring necessity for the Birmingham Principal Shopping District for the next three years- 2015-16, 2016-17, and 2017-18. The PSD Board has determined not to increase the rate for this entire three year period. Therefore, the rate for non-capped properties will remain flat for the three year period, as outlined in the resolution.

The hearing notice was sent to all commercial, non-residential properties within the district, including vacant commercial parcels. In the event that vacant parcels become improved during the term of this special assessment district, additional public hearings of confirmation to amend the roll may be held, and affected property owners shall be notified that they will be assessed as all other like properties in the district.

At the hearing, I will give a brief presentation outlining the PSD's request, their accomplishments and goals for the future. The PSD has made significant progress in recruiting soft goods retailers that will serve as anchor stores to our existing boutiques. The PSD has overseen improvements in the area of maintenance and beautification, special event promotion, and new marketing initiatives designed to bring customers downtown. The PSD is also completing a re-branding initiative that was called for by PSD Board strategic planning in 2014. However, much work remains to be done, especially in light of road construction projects that are scheduled for the coming years in the central business district. The PSD can play a key role in assisting businesses before, during and after this time.

By approving a three year assessment, the City Commission will allow the PSD to appropriately budget for these priorities on an ongoing basis.

Suggested Resolution:

To declare necessity to establish the Birmingham Principal Shopping District for 2015-16, 2016-17, and 2017-18.

RESOLUTION DECLARING NECESSITY FOR SPECIAL ASSESSMENT DISTRICTS TO PROVIDE FUNDING FOR A PRINCIPAL SHOPPING DISTRICT FOR 2015-16, 2016-17, 2017-18.

WHEREAS, the Birmingham City Commission by Resolution No: _____, in accordance with the provisions of the Birmingham City Code, provided for a public hearing today, September 21, 2015, to meet and consider any objections to the public improvements contemplated for the Principal Shopping District, and any objections to defraying the cost thereof by special assessment; and

WHEREAS, notice of the public hearing was given pursuant to Chapter 94 of the Birmingham City Code, to each owner or party-in-interest of property to be assessed; and

WHEREAS, at said hearing, all those owners or parties-in-interest or their representatives have been given an opportunity to be heard and to state their objections, if any; and

WHEREAS, the Birmingham City Commission is of the opinion that making the contemplated public improvements and defraying the cost thereof by special assessment is necessary, expedient and advisable; and

WHEREAS, the Birmingham City Commission has decided that it is in the best interest of the City to establish continuing financing for the public improvements for a period of three fiscal years; and

WHEREAS, the Principal Shopping District Board has recommended for properties identified in Downtown Birmingham PSD Assessment Area map (Exhibit A) that the City Commission establish an assessment for all properties included in District 1 and District 1A; and

WHEREAS, City Code and State Law require that the rate for the maximum capped properties be tied to the Inflation Rate Multiplier (formerly known as the Consumer Price Index), as reported October 31 of the prior year; and

WHEREAS the Principal Shopping District Board has requested the following rates:

	District 1		**District 1A**		**Max. / Property**
YEAR	1st Story	2nd Story	1st Story	2nd Story	
2015-16 (Current fiscal year)	$.494 (49.4 cents/ sq. ft)	$.196 (19.6 cents/ sq. ft.)	$ .247 (24.7 cents/sq. ft.)	$.096 (9.6 cents/ sq. ft.)	$15,362
2016-17 (Next Fiscal year)	$.494 (49.4 cents/ sq. ft)	$.196 (19.6 cents/ sq. ft.)	$ .247 (24.7 cents/sq. ft.)	$.096 (9.6 cents/ sq. ft.)	$__TBD___**
2017-18	$.494 (49.4 cents/ sq. ft)	$.196 (19.6 cents/ sq. ft.)	$ .247 (24.7 cents/sq. ft.)	$.096 (9.6 cents/ sq. ft.)	$__TBD__**

* Rate will be held at 08-09 levels for all three years. **Subsequent increases to the max/property will be tied to the Detroit Consumer Price Index (MCL 125.985(4)).

NOW, THEREFORE BE IT RESOLVED that the Birmingham City Commission determines there is a necessity to make public improvements including the financing of marketing, advertising, promotions, economic development, maintenance, and operation of the Principal Shopping District; and

IT IS FURTHER RESOLVED that the Birmingham City Commission determine a special assessment district shall be established for the purpose of making the public improvements and defraying the entire cost thereof. The special assessment district includes the properties in the existing Principal Shopping District assessment rolls (Exhibit B) within the Downtown Birmingham PSD Assessment Area map (Exhibit A), subject to further modification by the City Assessor as presented at the hearing of confirmation.

IT IS FURTHER RESOLVED that the assessment shall be established for 2015-16, 2016-17, 2017-18.

IT IS FURTHER RESOLVED that the city manager or designee is directed to prepare special assessment rolls each year beginning with 2015-16, which shall describe all parcels of land to be specifically assessed, adjust for physical improvements to the structure, and reflect the names of the owners thereof, if

known, and the total amount to be assessed against each parcel of land included in District 1 and District 1A for one year at a time.

However, the square foot area of all privately owned parking decks located in any district where the properties are subject to this special assessment shall not be assessed. Property owners except as provided hereafter, who are exempt from ad valorem taxes shall pay forty percent (40%) of the appropriate rate from their district. Property owners who are religious organizations and federal, state and local government entities, whose properties are exempt from ad valorem taxes, shall be exempt from this special assessment.

IT IS FURTHER RESOLVED that all vacant land parcels have been included in this public hearing of necessity. In the event that vacant parcels become improved during the term of this special assessment district, additional public hearings of confirmation to amend the roll shall be held, and affected property owners shall be notified that they will be assessed as all other like properties in the district.

IT IS FURTHER RESOLVED that in the event that improved parcels in the Principal Shopping District change their building area during the term of this special assessment district, additional public hearings of confirmation to amend the roll shall be held and affected property owners shall be notified of the increase or decrease in the assessment amount resulting from the change in building area.

IT IS FURTHER RESOLVED that the city manager or designee shall sign and certify said assessment roll in accordance with the requirements of Chapter 94 of the Birmingham City Code.

IT IS FURTHER RESOLVED that when the city manager or designee completes the special assessment roll, it shall be filed with the City Clerk for presentation to the Birmingham City Commission for review in a public hearing of confirmation.

Birmingham
Principal Shopping District (PSD)

Submitted by John Heiney, Executive Director

September 21, 2015

Birmingham
IT ALL STARTS HERE

Principal Shopping District
Mission Statement

We strive to provide leadership in marketing, advertising and promotion of the Birmingham Principal Shopping District.

We actively work to promote a district that is exciting, clean, safe and pedestrian-friendly and ensure that the district continues to serve as a center for business, service, social and community activities.

Principal Shopping District
Background

- Public Act 146 was passed by the State Legislature in July, 1992 creating a Principal Shopping District.
- Ad Hoc Citizens Committee formed to study feasibility of a Principal Shopping District.
- Birmingham City Commission approved formation of PSD in September, 1992.
- PSD District was created, encompassing the downtown area.
- First meeting held in January, 1993.
- Funded by special assessments on commercial properties only, within the district boundaries.
- Assessment hearings held in 1993, 1994, 1997, 2000, 2003, 2004, 2006, 2009 and 2012.

Principal Shopping District
Organizational Structure

- Twelve (12) member Board with specific constituent representation.
- Executive Director and four (4) part-time positions.
- Standing Operational Committees
  - Marketing and Advertising
  - Special Events
  - Maintenance and Capital Improvements
  - Business Development
  - Executive Committee

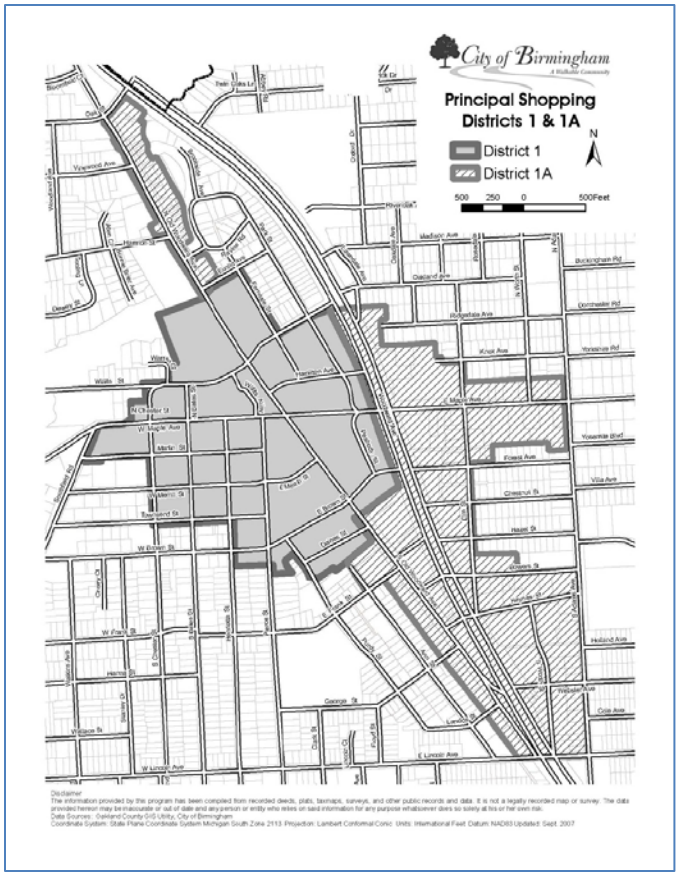
Principal Shopping District

Objectives

In 2014, the PSD Board conducted a thorough Strategic Planning Process, identifying goals and objectives that will guide the organization into the future.

- The PSD will strive to confirm the organization's leadership role as a change agent and supporter of merchants, the Birmingham business environment and the community by:
  - Engaging merchants and providing resources, education and support to assure their ongoing success,
  - Branding and marketing the shopping district and community,
  - Advocating for our constituents in addressing parking, traffic and infrastructure issues, and
  - Identifying and integrating relevant trends, changing demographics, and innovative ideas that confirm Birmingham's reputation as a unique and desirable market.

Principal Shopping District
Special Assessment Request



The PSD will seek no increase in the rate for the next three years. Rates for non-capped properties have remained flat since 2007, and will remain until at least 2018.

Birmingham Principal Shopping District Assessment Rates 2015-2018

	District 1		District 1A		Max. / Property
YEAR	1st Story	2nd Story	1st Story	2nd Story	
2014-15 (Current SAD 838)	$.494 (49.4 cents/ sq. ft)	$.196 (19.6 cents/ sq. ft.)	$ .247 (24.7 cents/sq. ft.)	$.096 (9.6 cents/ sq. ft.)	$15,194.50
2015-16	$.494 (49.4 cents/ sq. ft)	$.196 (19.6 cents/ sq. ft.)	$ .247 (24.7 cents/sq. ft.)	$.096 (9.6 cents/ sq. ft.)	$15,362*
2016-17	$.494 (49.4 cents/ sq. ft)	$.196 (19.6 cents/ sq. ft.)	$ .247 (24.7 cents/sq. ft.)	$.096 (9.6 cents/ sq. ft.)	$__TBD__*
2017-18	$.494 (49.4 cents/ sq. ft)	$.196 (19.6 cents/ sq. ft.)	$ .247 (24.7 cents/sq. ft.)	$.096 (9.6 cents/ sq. ft.)	$__TBD__*

* PSD Rate will be held at the same rate for all three years. Subsequent increases to the max/property will be tied to the Detroit Consumer Price Index (MCL 125.985(4)).

Principal Shopping District

Committee Overview

PSD Operational Committees Overview:

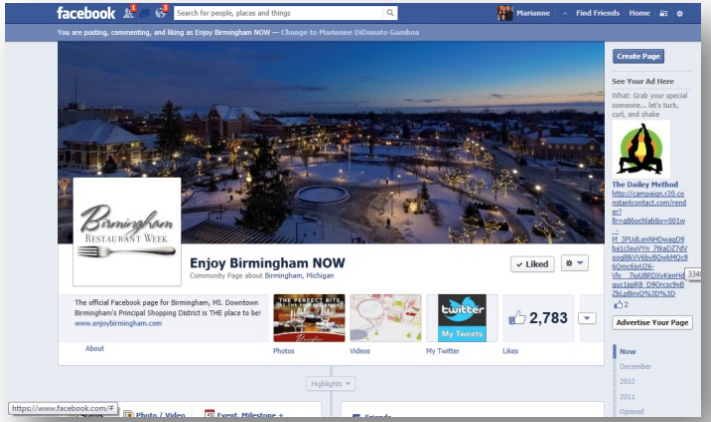
- Marketing
  - All-New Branding Initiative: "It's All IN Birmingham"
  - Three multi-media advertising campaigns yearly
    - Mainly print
    - Holiday TV
    - Some radio, for certain events
    - Email blasts
    - Internet and social media advertising increasing
    - Direct mail
  - Birmingham Magazine three times/year
    - 45,000 distribution to selected zip codes
    - Features merchants, products and events
    - Co-op, to keep advertising costs down for businesses
    - Great showcase for all of Birmingham

Principal Shopping District

Committee Overview

PSD Operational Committees Overview:

- Marketing
  - Websites
    - EnjoyBirmingham.com
    - BirminghamWinterMarkt.org
    - BirminghamFarmersMarket.org
    - BirminghamRestaurantWeek.org
    - BirminghamCruiseEvent.com



  - Social Media Facebook pages, Twitter, etc.
    - Enjoy Birmingham NOW Facebook page with 6,800 + likes.
    - Birmingham Farmers Market with 3,300+ likes.
  - Updated consumer market study in 2013.

Principal Shopping District

Committee Overview

PSD Operational Committees Overview:

- Special Events
  - Farmers Market, Day On the Town, Movie Nights, Cruise Event all saw increased attendance last year.
  - Holiday Activities including Tree Lighting, Santa House, Carriage Rides, Winter Markt and Small Business Saturday.

Principal Shopping District

Committee Overview

PSD Operational Committees Overview:

- Business Development
  - Dedicated Leasing agent since 2008.
  - Signed national leases in 2011 – Paper Source and J. McLaughlin.
  - 2012- lululemon and Francesca's.
  - 2013 – 14 – West Elm, Bluemercury and Evereve.
  - More in the pipeline.
- Current retail occupancy is 98%. Highest in 13 years.
  - Marketing materials, video and advertising campaign aimed at prospective retailers.
  - Updated commercial real estate listings sent to over 160 commercial real estate professionals.
  - Retail lease consulting available for property owners.

Principal Shopping District

Committee Overview

PSD Operational Committees Overview:

- Maintenance/Capital Improvements
  - PSD places over 180 hanging baskets, 35 large planters and tree wells throughout downtown.
  - PSD and City funds assist with holiday lighting in downtown area, including Shain Park.
  - PSD does sidewalk snow removal throughout the District- over 10 miles of sidewalk.
  - Sidewalk power washing in key downtown areas.

Principal Shopping District
Summary

- Retail occupancy rates now 98%; highest in 13 years.
- New national retail tenants as result of program– Paper Source, lululemon, West Elm, Francesca's, Evereve, J. McLaughlin, Bluemercury.
- Record attendance at 2015 events.
  - Farmers Market recently hosted over 5,000 visitors in one day.
  - Santa House increase in attendance – over 1,000.
  - Winter Markt hosted over 12,000 and raised over $10,000 for charities.
- Special Events have raised over $150,000 per year in private contributions from sponsors like Fred Lavery, Inc., Mercedes Benz of Bloomfield Hills, Lincoln of Troy, DMC Children's Hospital, Caruso Caruso, Meadowbrook Urgent Care, Max Broock and many others.
- Increase from zero to over 200 summer planters and hanging baskets in 15 years.
- All- New holiday TV advertising campaign on Channel 7 and Cable reached over 32 million impressions in 2014.

Principal Shopping District
Plans for the Future

- New Brand Roll-out across all advertising and event promotions.
- Implement Strategic Planning initiatives.
- Provide aggressive marketing and other innovative projects to support merchants during downtown road construction
- Implement capital improvement projects, possibly in conjunction with downtown construction, that enhance the downtown environment for patrons and business owners.

City of Birmingham

Laura Pierce <lpierce@bhamgov.org>

Fwd: OBJECTION TO SPECIAL ASS. DISTRICT RENEWAL--SQUIRRELS IN THE ASYLIM

1 message

John Heiney <jheiney@bhamgov.org> Fri, Sep 11, 2015 at 1:42 PM
To: Jeff Hockman <jeff.hockman.mec@gmail.com>, Joe Valentine <Jvalentine@bhamgov.org>, Laura Pierce <lpierce@bhamgov.org>, tim currier <TCurrier@bhlaw.us.com>

All-

This was delivered to my office via email from Mr. Elsman. I will ask the City Clerk to put this on record for the hearing on September 21.

This is the first written objection we have received. I did receive a call from a property owner of 1077 South Worth. She calls every year. I was able to convert her objection to "acceptance" with a promise to reach out to her tenant, Babs Salon.

I have had about a half dozen other calls, mostly asking if the assessment was increasing or staying the same.

FYI

–
John Heiney
Executive Director
Birmingham Principal Shopping District
248-530-1200
jheiney@bhamgov.org
www.enjoybirmingham.com

------- Forwarded message -------
From: <ELSMANLAWFIRM@aol.com>
Date: Fri, Sep 11, 2015 at 1:34 PM
Subject: OBJECTION TO SPECIAL ASS. DISTRICT RENEWAL--SQUIRRELS IN THE ASYLIM
To: jheiney@bhamgov.org
Cc: elsmanlawfirm@aol.com

mr. heiney,
i own the building at 635 elm st. on the s.e. corner of elm and bowers, called THE BUSINESS BLDG. The Notice says to write to you.
I continue to object to being included in any s.a. district, since i am a law office and not involved in any retail or other business, nor has any improvement benefited my premises,

unless you count the bus-stop as an enhancement---and, all that does is make for messes left behind by the riders, which i have to pick up, with messes i need not describe. i do not need your alleged "... promotion, maintenance, security or operation..." of the PSD.

indeed, since you and the City have scrambled the egg with PSD and THE TRIANGLE DISTRICT, ALL COMBINED, IT IS GETTING WORSE:

1. THE Lavery Car dealerships are flooding the area, something not exactly allowed under the Triangle. Car-haulers are oft at my front door for hours, waiting to unload cars, and they never turn off their diesel engines in that trade. that is your idea of a pleasant PSD environment? only if you like downtown Beijing or Shanghai or L.A. and, no Police enforce the parking over here. employees of various businesses stay the whole day, increasingly, in the 2-hour zones.

2. those goofballs who stripe the street- parking on my property to the North on Bowers have got to get better educated on their Resumes. for 2 or 3 years, i have had one "parking place" on eastbound Bowers that has a yellow curb----NO PARKING, correct? well, above that space is a sign saying: "TWO HOUR PARKING". guess which visual cue the public obeys, and i cannot egress my own parking lot.

shape up those squirrels over there!! i trust none of you have Pensions or retirement bennies, which my taxes pay for, alas!!

most sincerely, asking that you permanently record for both meetings, and for all time, that i don't need any more GOVERNMENT ASSISTANCE, and protest all past assessments, snuck craftily into property tax billings.

---james elsman, j.d.

"GO INTO ALL THE WORLD AND TEACH THE GOSPEL...."

MATT. 28