The City of Ithaca is committed to creating a work environment and community that values and supports diversity and inclusion and to developing laws, policies and procedures that are mindful and inclusive of our diverse community.

The Community Investment Incentive Tax Abatement Program (CIITAP) is a property tax abatement program that allows property owners to apply for abatement for a portion of their property taxes for a period of up to 7 years.

I. Objective

In conjunction with the goals of the Tompkins County Comprehensive Plan, the objective of CIITAP is to encourage development in the City that would increase jobs, increase the tax base, promote density in the city core, encourage rehabilitation and redevelopment of underutilized sites, and help create a vibrant downtown center. Specifically the goals, as stated in the Tompkins County Comprehensive Plan, are as follows:

- Strengthen and enhance the City of Ithaca’s downtown area as the urban center of the county.
- Increase the amount and density of housing and business space in the central business districts throughout the county.
- Promote greater density by encouraging development of existing ‘gaps’ left by abandoned buildings and vacant parcels.

II. Eligibility Criteria

Project sponsors applying for tax abatement(s) under the City of Ithaca Community Investment Incentive Program must meet the following size, density, location, and municipal compliance requirements:

1.) **Project Size Requirement** — In order to meet the minimum project size requirement to be eligible for tax abatements under CIITAP, a project must provide a letter from the Tompkins County Assessment Office that states that the project will result in an estimated increase in the assessed value of the property by at least $500,000.

2.) **Project Density Requirement** — In order to meet the minimum density requirement to be eligible for tax abatement under CIITAP, a project must either:

   - Contain a minimum of 3 occupiable stories in height.

   or

   - Must be a major restoration of an existing structure.
3.) **Project Location Requirement** — In order to meet the location requirement to be eligible for tax abatement under CIITAP, a project must either:

- Be located in the City of Ithaca Density District

  or

- Be a redevelopment of a Brownfield site that is registered as a DEC inactive hazardous waste site ([www.dec.ny.gov/cfm/externapps/derextern/index.cfm?pageid=3](http://www.dec.ny.gov/cfm/externapps/derextern/index.cfm?pageid=3))

4.) **Municipal Compliance** — Each property in the City of Ithaca owned by the Applicant must be in full compliance with all applicable local laws and regulations, consent agreements, and orders of the Director of Code Enforcement, and current on all taxes, assessments, fees and penalties due to the City. Properties owned by the Applicant in the City of Ithaca shall include any property for which an Applicant, or their partners has an ownership interest of 20% or more. Partners shall include any partners owning 20% or more of the project LLC, Corporation, or project equity.

Eligibility is determined by the Mayor of the City of Ithaca, based on the above-stated criteria. Once eligibility has been determined, the Mayor will provide a letter of endorsement to the Tompkins County Industrial Development Agency (IDA). (See Section IV for the complete application process.)

**III. Density District Boundary**

![Density District Boundary Map](image_url)
IV. Incentive Package

Property Tax Abatement — The standard CIITAP property tax abatement will begin at 90% in year one and decrease in equal increments over seven (7) years. Applicants may request an enhanced property tax abatement that begins at 100% in year one and decreases in equal increments over ten (10) years, if the applicant can demonstrate financial need, as determined by a review by IDA administrative staff of the project pro forma, and demonstration of an annual return on investment less than 20% in the first five years. The abatement will only impact taxes on improvements to the property and not taxes on the existing value.

The IDA retains the ability to offer more than the standard abatement package, based on an analysis of the impact on the economy, the needs of the business, and input from the City of Ithaca. The IDA may negotiate additional abatements based on financial need.

- Sales Tax Abatement – The applicant will be exempt from both the local and State portion of sales tax on construction materials, equipment, and furnishings associated with the project.
- Mortgage Recording Tax – The applicant will be exempt from the State portion of the Mortgage Recording Tax ($2.50 per $1,000).

V. Application Process

Tompkins County Area Development, Inc. (TCAD) provides administrative and marketing services to the IDA. Potential applicants should contact the City Planning Division to schedule a meeting with Planning staff and TCAD staff, to determine project eligibility.

If the project appears eligible, TCAD will assist with completing the application for assistance. It is strongly advised that potential applicants schedule the initial eligibility determination meeting as early in the process as possible, in order to determine if the dollar value of the proposed incentives exceeds the associated fees.

Based on the nature of the project and the incentives requested, the following will occur:

1. Eligibility Determination Meeting — A developer seeking a tax abatement under this program must first have a joint meeting with staff from TCAD and the City Planning Division.

2. CIITAP Application — A developer must submit a completed CIITAP application to the City of Ithaca Planning Division. The application will be reviewed for completeness and will be submitted to the Mayor for consideration.

3. Public Information Session — The City will schedule a Public Information Session, at which the developer will be responsible for presenting information about the project and answering questions from the public. The City will advertise the public information session with a press release to the local media.
The developer is responsible for posting the property at least 5 days prior to the Public Information Session, with the date, time, and location of the meeting.

4. City Approval — A City CIITAP Review Committee, consisting of the Mayor, the Director of Planning and Economic Development, and the Director of Community Development for the IURA, will consider project approval, based on the stated criteria of density, size, location, and municipal compliance. If the criteria are satisfied, the CIITAP Review Committee will forward the completed application, along with a letter of approval to the IDA.

5. IDA Application — A developer will submit a standard IDA application to the IDA for consideration, in addition to the CIITAP application and Mayor’s approval letter. The IDA will make an independent determination of the project.

6. Public Hearing — Following an initial review, the IDA will, if favorably disposed toward a project, schedule a public hearing on the proposed incentive package. Standard IDA policies apply with regards to public hearing notification and other requirements.

7. IDA Determination — Following a public hearing, the IDA will make a conditioned determination on the project. No final decision may be reached by the IDA until SEQR requirements have been met by the developer.

8. Notification and Reporting — The IDA will notify the City of Ithaca and appropriate taxing jurisdictions once a project is approved. The IDA may diminish or rescind incentives should the project materially change. IDA agreements generally have clawback requirements.

9. Applications under this policy may not be accepted after December 31, 2017, unless the IDA and City of Ithaca vote to extend the policy beyond that date.

Refer to the Tompkins County Industrial Development Agency’s Mission, Policies, and Procedures for additional information.

**VI. Application Fees**

The applicant is responsible for payment of the following fees associated with the CIITAP process:

1. City Administrative Fees — The applicant will be responsible for paying the City a flat fee of $750 (seven hundred and fifty dollars) in order to cover the cost of processing the CIITAP application and the public meeting notifications. This fee is due to the City at the time that the application is submitted.

2. IDA Administrative Fees — The applicant is responsible for paying the IDA Administrative Fee at the time of closing. This fee will be equal to 1% of the total value of expenses that are positively impacted by IDA incentives. This includes the value of construction of improvements to property that is impacted by property and sales tax abatement, and the value of furniture, fixtures, and equipment that are impacted by sales tax abatement. It will not include any purchases, such as manufacturing equipment, where the IDA does not deliver an incentive. Soft costs (e.g., legal, consulting, financial, architectural, and engineering fees) will be
included in the amount considered as total value of expenses. In an attempt to make
its incentive program cost-effective for smaller projects, the IDA will reimburse the
applicant 100% of the Administrative Fee, IDA Counsel Fee, and IDA Bond
Counsel Fee associated with the IDA involvement in the project, if the total project
cost is less than $1 million. For a total project cost greater than $1 million, but less
than $2 million, the reimbursement of fees will be reimbursed on a sliding scale that
decreases from 100% to 0% gradually, based on project size. There will be no
reimbursement of fees for projects with costs over $2 million. The reimbursement
will take the form of additional property tax abatement credited to the business in
the initial years of the Payment-in-Lieu-of-Taxes (PILOT) agreement. The IDA
retains the right to determine the credit the applicant will receive. For projects
where there is no property tax abatement, there will not be any form of fee
reimbursement.

3. IDA Counsel Fees — The applicant is also responsible for paying the IDA for all
legal costs it incurs, including IDA Counsel and Bond Counsel fees.

4. Applicant Attorney Fees — The applicant is responsible for its own attorney fees
associated with closing IDA incentives.
VII. Tax Abatement Application

The City of Ithaca Community Investment Incentive Program provides incentives for investment in the City. The incentives include property tax reductions and/or abatements for a period of up to 7 years. Applicants and projects must meet the minimum eligibility requirements (see application, Part II) in order to apply for the program.

Part I. – Applicant Information

Application Date: 10/1/15

Company/Applicant Name: Lenroc L.P.

Primary Contact: David Hart

Address: 617 Dingens Street City: Buffalo State: NY Zip: 14206

Phone: 716.893.6551 Email: dhart@harthotels.com

Applicant Attorney: Mike Schiavone

Attorney Address: 42 Delaware Avenue City: Buffalo State: NY Zip: 14202

Attorney Phone: 716.649.1333 Email: mschiavone@lglaw.com

Applicant Accountant: Dopkins & Company LLP

Accountant Address: 200 International Drive City: Buffalo State: NY Zip: 14221

Accountant Phone: 716.634.8800 Email: dopkins@dopkins.com

Applicant Engineer/Architect: NH Architecture

Address: 2099 Ridge Road City: Rochester State: NY Zip: 14626

Phone: 585.225.4310 Email: nhh@nharchitecture.com
Will a separate company hold title to/own property in question that is separate from the operating company? If yes, please provide the name and contact information for that entity.

Company Name:__________________________________________

Primary Contact:________________________________________

Address:____________________ City:______ State:______ Zip:______

Phone:____________________ Email:____________________

Describe the terms and conditions of the lease between the applicant and the owner of the property:________________________________________


Part 2. – Business History

Year Company was Founded: 1992

Type of Ownership (e.g., corporation, LLC, sole proprietor, etc.): LLC

Product or Service: Hotel __________________________________

Major Customers: Cornell University, Ithaca College, American Airlines, Tompkins County Country Club

Major Suppliers: Maines Paper & Food, Cortland Produce, Empire Merchants, John Ryan Distributors

Major Local Competitors: Ramada, Best Western, Hilton Garden Inn, Statler Hotel Hampton Inn, Fairfield Inn
Part 3. – Project Description

Project Narrative: The north wing of hotel rooms will be demolished. A new five-story structure will be built in the same location with a total of 90 new guestrooms. A small addition to the meeting space, breakout meeting rooms and a new fitness center will be a part of the new building. Once the new building is complete, the two-story west wing of guestrooms will be demolished. When all demolition and construction is complete all parking and driving lanes around the property will be repaved and landscaping refreshed. Construction will commence in January 2016. Completion in Spring 2017.

Project Location: 222 S. Cayuga Street

Property Size (acres) – both existing & proposed: 2.7 acres – No Change

Building Size (square feet) – both existing & proposed: 100,000 S.F. – 130,000 S.F.

Proposed Project Start & Completion Dates: January 2016 – May 2017

Do you certify that this 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 ☐

List the names, nature of business of proposed tenants, and percentage of total square footage to be used for each tenant (additional sheets may be attached, if necessary):

<table>
<thead>
<tr>
<th>Hotel Guestrooms</th>
<th>70%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conference and Meeting</td>
<td>10%</td>
</tr>
<tr>
<td>Restaurant</td>
<td>11%</td>
</tr>
<tr>
<td>Other</td>
<td>9%</td>
</tr>
</tbody>
</table>
Part 4. – Project Costs

Value of Land to Be Acquired (if any): N/A

Value of Buildings to Be Acquired (if any): N/A

Cost of New Construction: 9,400,000 % subject to local sales tax 50%

Value of Improvements: 400,000 % subject to local sales tax 50%

Value of Equipment to Be Acquired: 1,300,000 % subject to local sales tax 100

Other: 350,000 % subject to local sales tax 0

Total: 11,450,000

Part 5. – Criteria

Will the proposed project result in an increase to the tax roll value of new real property by at least $500,000? Yes

Does this project contain at least three occupiable stories? Yes

Proposed Height (in stories and feet): Existing 10 – New 5

Does the project include a rehab of an existing structure? Yes

Is the project located in the City of Ithaca Density District? Yes

Does the project contain the redevelopment of a Brownfield site? No

Does the project applicant, or any of the partners owning at least 20% of the project equity, the project LLC, or the project corporation, currently own any properties located within the City of Ithaca that are delinquent on taxes, assessments, fees or penalties due to the City or that have one or more violations of local laws or regulations? No
VIII. Certification

_________________________________________  ________________________________________
David Hart                          deposes that he/she is the                           Managing Member
(name of chief executive officer of company submitting application)     (title)

of  Lenroc LP  , the corporation named in the attached application; that he/she has
(company name)

read the foregoing application and knows the contents thereof; that the same is true to
his/her knowledge. Deponent further says that the reason this verification is made by the
deponent and not by  Lenroc LP  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
caus ed 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 non-profit Tompkins County Industrial Development Agency (hereinafter referred
to as the “Agency”) acting on 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

2\textsuperscript{nd} day of October, 2015

Debra A. Herman

DEBRA A. HERMAN
NOTARY PUBLIC, STATE OF NEW YORK
REGISTRATION No. 01HE6172277
QUALIFIED IN ERIE COUNTY
My Commission Expires Aug. 6, 2019

IX. Completion Status (to be completed by staff)

ELIGIBILITY CRITERIA:

Size: ________________

Density: ________________

Location: ________________

Additional Documentation Submitted: ________________

Staff Review Date: ________________

Mayor's Endorsement Date: ________________