



The School Lofts @ Abbott

Section I: Applicant Background Information

Applicant Information - Company Receiving Benefit

Applicant Name	Karl Frizlen
Applicant Address	257 Lafayette Avenue, Buffalo, NY 14213
Phone	716.881.0046
Fax	716.881.5110
E-mail	frizlen@frizlengroup.com
Website	frizlengroup.com
Federal ID#	-----
NAICS Code	
Will a Real Estate Holding Company be utilized to own the Project property/facility	Yes
What is the name of the Real Estate Holding Company	432 Abbott LLC
Federal ID#	-----
State and Year of Incorporation/Organization	New York, 2015
List of stockholders, members, or partners of Real Estate Holding Company	Karl Frizlen, Ron Schreiber, Jordan Levy, Michael Joseph

Individual Completing Application

Name	Karl Frizlen
Title	Architect
Address	257 Lafayette Avenue, Buffalo, NY 14213
Phone	716.881.0046
Fax	716.881.5110
E-Mail	frizlen@frizlengroup.com

Company Contact (if different from individual completing application)

Name

Title

Address

Phone

Fax

E-Mail

Company Counsel

Name of Attorney	Blaine Schwartz
Firm Name	Lippes Mathias Wexler Friedman LLP
Address	665 Main Street, Suite 300
Phone	716.853.5100
Fax	716.853.5199
E-Mail	bschwartz@lippes.com

Identify the assistance being requested of the Agency

Exemption from Sales Tax	Yes
Exemption from Mortgage Tax	Yes
Exemption from Real Property Tax	No
Tax Exempt Financing*	No

* (typically for not-for-profits & small qualified manufacturers)

Business Organization

Type of Business	Limited Liability Company
Type of Ownership	
Year Established	2015
State of Organization	New York

List all stockholders, members, or partners with % of ownership greater than 20%

Please include name and % of ownership.

Karl Frizlen 50% JLS Partners 50%

Applicant Business Description

Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility

The Frizlen Group is a full service architectural firm that was founded over 30 years ago by principal Karl Frizlen, AIA, LEED AP. The firm has completed over 1200 projects with an aggregate construction cost of over 1 billion Dollars in nine US States, Canada and Germany. The company's expertise is the design of new urban infill projects as well as restoration and adaptive reuse of existing buildings in mostly urban environments. Some of the local urban projects that were designed and completed are: • 468 Delaware is a 3-story mixed-use infill project, which features 9 loft style apartments, 15,000 sq. ft. offices and parking underneath the building on a tight urban corner lot. In addition, a carriage building from 1860's was restored and converted into 3 apartments. Project cost is \$ 4.5MM and the owner is Scott Croce. • 766 Elmwood Avenue is a 3-story mixed-use new infill project on an existing parking lot, featuring 24 market-rate apartments, 4 retail storefronts and parking underneath the building. Project cost is \$ 5.0MM and the developer is Benchmark Properties. The project is currently under construction. • 448 Elmwood is a 3-story mixed-use new infill project on a prominent corner where there used to be a dilapidated one-story franchise building. The award-winning building features 12 luxury apartments, a coffee shop and two retail storefronts. All parking is under the building accessible from a side street. The project cost was \$ 4.0 MM and was privately financed. The development arm of The Frizlen Group was formed in 2005 with the goal to acquire and develop primarily dilapidated buildings and properties in urban areas. Some of the local urban developments that are completed are: • 257 Lafayette is an adaptive reuse project of a 1928 school that was converted into 20 market-rate apartments and 10,000 sq. ft. commercial space. The building has received numerous design and restoration awards and is now a national historic landmark. The \$ 4.0 MM project was financed with historic tax credit investors and private banks. • Horsefeathers Market @ Residences used to be a 5-story warehouse built in 1896 that was converted into 24 loft-style apartments and a food-makers market on the ground and basement floor. The building has obtained national landmark status and is a popular destination for 'foodies'. The \$ 4.0 MM project was financed with historic tax credit investors and private banks. • 504 Elmwood is a new urban infill project on a tight city lot. The 3-story building features 9 loft-style apartments and three commercial businesses. The award winning \$ 1.5 MM project has been privately financed. • 306 Utica is a new urban infill project on three city lots, replacing 2 dilapidated rooming houses. It features 18 apartments with private garages underneath the building. The award winning \$ 2.5 MM project has been privately financed.

Estimated % of sales within Erie County 100

Estimated % of sales outside Erie County but within New York State 0

Estimated % of sales outside New York State but within the U.S. 0

Estimated % of sales outside the U.S. 0

(*Percentage to equal 100%)

What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County? Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation of the estimated percentage of local purchases

90% Hertel Plumbing, Heatwave Heating & Cooling, DMC Heating, Lamparelli Construction, Deltex Electric

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Municipality or Municipalities of current operations

Buffalo, NY

Will the Proposed Project be located within the Municipality, or within a Municipality, identified above?

Yes

In which Municipality will the proposed project be located

Buffalo, NY

Address

31 Tamarack Street

If the Proposed Project is located in a different Municipality than that Municipality in which current operations are being undertaken, is it expected that any of the facilities in any other Municipality will be closed or be subject to reduced activity?

No

(If Yes, you will need to complete Section V of this Application

SBL Number for Property upon which proposed Project will be located

SBL: 133.32-5-1.1

What are the current real estate taxes on the proposed Project Site

Assessed value of land

N/A

Assessed value of building(s)

1,905,100

Are Real Property Taxes current?

No

If no please explain

Religious sites are exempt from taxes

Town/City/Village of Project Site

Buffalo, NY

School District of Project Site

Buffalo

Does the Applicant or any related entity currently hold fee title to the Project site?

No

If No, indicate name of present owner of the Project Site

Diocese of Buffalo

Does Applicant or related entity have an option/contract to purchase the Project site?

Yes

Describe the present use of the Proposed Project site

The two school buildings that the developer is purchasing from the diocese are empty and have not been used since June 2006. The adjacent parking lot that the developer is purchasing is currently used for church staff and parishioners.

Please provide narrative of project (new build, renovations, and/or equipment purchases). Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project

eligibility)

The two school buildings that the developer is purchasing from the diocese is part of the St Thomas Aquinas church complex. The developer will convert the school buildings into 32 market-rate apartments and convert the existing gym into a fitness center and office spaces with tenants to be determined.. The integrity of the classrooms will be maintained and new partition walls will separate the open living, dining, kitchen area from the bedrooms and bathrooms. Unique and authentic features such as black boards, entry doors, windows, transoms, wood & tile floor finishes, molding & trim, details on the building will be retained and restored. The restoration will follow Department of Interior Standards as mandated by State Historic Preservation for a historic tax credit project.

Describe the reasons why the Agency's Financial Assistance is necessary and how the Financial Assistance enables the company to undertake the Project to facilitate investment, job creation and/or job retention. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary)

Residential rents in Buffalo are very low compared to national average, however the construction cost is about the same than other comparable cities. A tax abatement or exemption is required to provide a reasonable return given the additional risks of adaptive reuse of this older, vacant building and the additional costs associated with a historic renovation.

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms.

Site Characteristics

Will the Project meet zoning/land use requirements at the proposed location?

Yes

Describe the present zoning/land use

R-2 allows multi-family and small commercial

Describe required zoning/land use, if different

If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements

A variance is required to increase the density to 32 apartments

Is the proposed Project located on a site where the known or potential presence of contaminants is complicating the development/use of the property?

No

If yes, please explain

Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed Project Site?

Yes

If yes, please provide a copy.

Have any other studies, or assessments been undertaken with respect to the proposed Project Site that indicate the known or suspected presence of contamination that would complicate the site's development?

Yes

If yes, please provide copies of the study.

If you are purchasing new machinery and equipment, does it provide demonstrable energy efficiency benefits?

You may also attach additional information about the machinery and equipment at the end of the application.

Does or will the company or project occupant perform research and development activities on new products/services at the project location?

No

If yes, please explain.

What percentage of annual operating expenses are attributed to the above referenced research and development activities?

Select Project Type for all end users at project site (you may check more than one)

Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, complete the Retail Determination contained in Section IV of the Application.

Please check any and all end uses as identified below.

Retail Sales Yes **Services** Yes

For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b) (4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

No Manufacturing	Yes Multi-Tenant	Yes Mixed Use
Yes Acquisition of Existing Facility	Yes Commercial	No Facility for the Aging
Yes Housing	Yes Back Office	No Civic Facility (not for profit)
No Equipment Purchase	Yes Retail	No Other

Project Information

Estimated costs in connection with project

Land and/or Building Acquisition

\$ 340,000 40,950 square feet 1 acres

New Building Construction

\$ 0 square feet

New Building addition(s)

\$ 0 square feet

Infrastructure Work

\$ 60,000

Renovation

\$ 3,200,000 40,950 square feet

Manufacturing Equipment

\$ 0

Non-Manufacturing Equipment: (furniture, fixtures, etc.)

\$ 0

Soft Costs: (professional services, etc.)

\$ 620,000

Other Cost

\$ 350,000

Explain Other Costs

Loan Cost, Developer Fee

Total Cost

\$ 4,570,000

Project Refinancing; estimated amount (for refinancing of existing debt only)

\$ 0

Sources of Funds for Project Costs:

Estimated Mortgage Amount

\$ 3,300,000

Lender Name, if Known

Evans Bank

Equity

1,270,000

Have any of the above costs been paid or incurred as of the date of this Application?

Yes

If Yes, describe particulars:

Architectural, survey, engineering, attorneys

Construction Cost Breakdown:

Total Cost of Construction

\$ 3,200,000.-

(sum of 2,3,4,5, and/or 7 in Question K, above)

Cost for materials

\$ 1,280,000.-

% sourced in Erie County

90%

% sourced in State

100% (including Erie County)

Gross amount of costs for goods and services that are subject to State and local sales and use tax- said amount to benefit from the Agency's sales and use tax exemption benefit

\$ 700,000

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):

\$ 61,250

For proposed facility please include # of sq ft for each of the uses outlined below

		Cost	% of Total Cost
Manufacturing/Processing	square feet	\$ 0	0
Warehouse	square feet	\$ 0	0
Research & Development	square feet	\$ 0	0
Commercial	square feet	\$ 0	0
Retail	5,700 square feet	\$ 467,000	15
Office	square feet	\$ 0	0
Specify Other	34,300 square feet	\$ 2,733,000	85

If you are undertaking new construction or renovations, are you seeking LEED certification from the US Green Building Council?

No

If you answered yes to question above, what level of LEED certification do you anticipate receiving? (Check applicable box)

<BLANK>

Provide estimate of additional construction cost as a result of LEED certification you are seeking

Will project result in significant utility infrastructure cost or uses

Yes

What is your project timetable (Provide dates)

Start date : acquisition of equipment or construction of facilities

6/1/2015

End date : Estimated completion date of project

5/1/2016

Project occupancy : estimated starting date of operations

5/1/2016

Have construction contracts been signed?

No

Have site plans been submitted to the appropriate planning department for approval?

Yes

Has the Project received site plan approval from the appropriate planning department?

Yes

Is project necessary to expand project employment?

Yes

Is project necessary to retain existing employment?

No

Employment Plan (Specific to the proposed project location):

	Current # of jobs at proposed project location or to be relocated at project location	If project is to retain jobs, number of jobs to be retained	Total # of jobs 2 years after project completion	Net total new jobs
Full time	0	0	2	2
Part time	0	0	2	2
Total	0	0	4	

Employment at other locations in Erie County: (provide address and number of employees at each location):

Address	257 Lafayette	346 Connecticut	504 Elmwood
Full time	5	1	0
Part time	2	1	1
Total	7	2	<u>1</u>

Will any of the facilities described above be closed or subject to reduced activity?

No

Payroll Information

Annual Payroll at Proposed Project Site

\$ 80,000

Estimated average annual salary of jobs to be retained

\$ 0

Estimated average annual salary of jobs to be created

\$ 35,000

Estimated salary range of jobs to be created

From \$ 25,000 **To** \$ 45,000

Is the project reasonably necessary to prevent the project occupant from moving out of New York State?

No

If yes, please explain and identify out-of-state locations investigated

What competitive factors led you to inquire about sites outside of New York State?

Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies?

No

If yes, please indicate the Agency and nature of inquiry below

Do you anticipate applying for any other assistance for this project?

Yes

If yes, what type of assistance (Historic Tax Credits, 485(a), Grants, Utility Loans, Energy Assistance, Workforce Training)

Historic Tax Credits, 485 (a), Grants

Section III: Adaptive Reuse Projects

Are you applying for tax incentives under the Adaptive Reuse Program?	Yes
What is the age of the structure (in years)?	93
Has the structure been vacant or underutilized for a minimum of 3 years? (Underutilized is defined as a minimum of 50% of the rentable square footage of the structure being utilized for a use for which the structure was not designed or intended)	Yes
If yes, number of years vacant?	9
Is the structure currently generating insignificant income? (Insignificant income is defined as income that is 50% or less than the market rate income average for that property class)	Yes
If yes, please provide dollar amount of income being generated, if any	\$ Zero, buildings are vacant
Does the site have historical significance?	Yes
Are you applying for either State/Federal Historical Tax Credit Programs?	Yes
If yes, provide estimated value of tax credits	\$ \$ 1,000,000
Briefly summarize the financial obstacles to development that this project faces without ECIDA or other public assistance. Please provide the ECIDA with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections documenting costs, expenses and revenues with and without IDA and other tax credits included indicating below average return on investment rates compared to regional industry averages)	
The obstacles on converting old buildings are increased construction cost caused by amongst other items: 1. Core drilling through exterior 18-24" walls for exhaust, vent and fresh air supply. This can be as many as 5 penetrations per apartment 2. Restoration of existing windows, required by SHPO, is more expensive than replacement in kind. 3. Fewer contractors are bidding on existing buildings vs new buildings because of often unpredictable conditions. 4. Access to tied existing spaces requires more hand labor rather than machine equipment.	
Briefly summarize the demonstrated support that you intend to receive from local government entities. Please provide ECIDA with documentation of this support in the form of signed letters from these entities	
Planning Board Zoning Board	
Please indicate other factors that you would like ECIDA to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, site or structure is located in a distressed census tract, structure presents significant costs associated with building code compliance, site has historical significance, site or structure is presently delinquent in property tax payments	
The school building is in a distressed census tract and in need of repair. It has been empty for a number of years and has negatively impacted the vitality of the neighborhood. Adapting the building to a different use will generate activity inside and outside and bring back the neighborhood. In addition, it will save an iconic structure and symbolizes stability in the community. The retrofit of this structure is expensive due to the deferred maintenance for many years and the nature of conversion. The building has not generated any taxes for the city, county or state, while the conversion will bring the building onto the tax roll.	

Section IV: Retail Determination

Will any portion of the project (including that portion of the costs to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site? Yes

If yes, complete the Retail Questionnaire Supplement below.

What percentage of the cost of the project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? 15 %

If the answer to this is **less than 33%** do not complete the remainder of the page and proceed to the next section (Section V: Inter-Municipal Move Determination).

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

Will the project be operated by a not-for-profit corporation? No

Is the project location or facility likely to attract a significant number of visitors from outside the economic development region (Erie, Niagara, Allegheny, Chautauqua and Cattaraugus counties) in which the project will be located? No

If yes, please provide a third party market analysis or other documentation supporting your response.

Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the municipality? Are services provided at the proposed project site needed because of a lack of reasonably accessible retail trade facilities offering such goods or services? No

If yes, please provide a market analysis supporting your response.

Will the project preserve permanent, private sector jobs or increase the overall number of permanent private sector jobs in the State of New York? Yes

If yes, explain

Increase the number of permanent private sector jobs

Is the project located in a Highly Distressed Area? Yes

Section V: Inter-Municipal Move Determination

The Agency is required by state law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, Agency financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

Will the project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state? No

Will the project result in the abandonment of one or more plants or facilities of the Project occupant located within the state? No

If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Does this project involve relocation or consolidation of a project occupant from another municipality or abandonment of an existing facility?

Within New York State No

Within Erie County No

If Yes to either question, please, explain

Will the project result in a relocation of an existing business operation from the City of Buffalo?

No

If yes, please explain the factors which require the project occupant to relocate out of the City of Buffalo (For example, present site is not large enough, or owner will not renew leases etc.)

What are some of the key requirements the project occupant is looking for in a new site? (For example, minimum sq. ft., 12 foot ceilings, truck loading docks etc.)

If the project occupant is currently located in Erie County and will be moving to a different municipality within Erie County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located?

No

What factors have lead the project occupant to consider remaining or locating in Erie County?

If the current facility is to be abandoned, what is going to happen to the current facility that project occupant is located in?

Please provide a list of properties considered, and the reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.) Please include full address for locations.

Section VI: Facility Type - Single or Multi Tenant

Is this a Single Use Facility or a Multi-Tenant Facility?

Multi-Tenant Facility

For Single Use Facility

Occupant Name

Address

Contact Person

Phone

Fax

E-Mail

Federal ID #

SIC/NAICS Code

Multi-Tenant Facility

Please explain what market conditions support the construction of this multi-tenant facility

The need of apartments for hospital workers, nurses, residents for the nearby Mercy Hospital and technology workers for the new Riverbend Solar park.

Have any tenant leases been entered into for this project?

No

If yes, please fill out a tenant form in section VII, for each tenant.

Tenant Name	Current Address (city, state, zip)	# of sq ft and % of total to be occupied at new projet site	SIC or NAICS-also briefly describe type of business, products services, % of sales in Erie Co.
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Section VII: Environmental Questionnaire

General Background Information

Address of Premises 31 Tamarack Street

Name and Address of Owner of Premises Diocese of Buffalo 795 Main Street Buffalo, NY

Describe the general features of the Premises (include terrain, location of wetlands, coastlines, rivers, streams, lakes, etc.)

urban site with existing building and parking lot

Describe the Premises (including the age and date of construction of any improvements) and each of the operations or processes carried out on or intended to be carried on at the Premises

school was built in 1922

Describe all known former uses of the Premises

school, gym

Does any person, firm or corporation other than the owner occupy the Premises or any part of it?

No

If yes, please identify them and describe their use of the property

Have there been any spills, releases or unpermitted discharges of petroleum, hazardous substances, chemicals or hazardous wastes at or near the Premises?

No

If yes, describe and attach any incident reports and the results of any investigations

Has the Premises or any part of it ever been the subject of any enforcement action by any federal, state or local government entity, or does the preparer of this questionnaire have knowledge of: a) any current federal, state or local enforcement actions; b) any areas of non-compliance with any federal, state or local laws, ordinances, rules or regulations associated with operations over the past 12 months?

No

If yes, please state the results of the enforcement action (consent order, penalties, no action, etc.) and describe the circumstances

Has there been any filing of a notice of citizen suit, or a civil complaint or other administrative or criminal procedure involving the Premises?

No

If yes, describe in full detail

Solid And Hazardous Wastes And Hazardous Substances

Does any activity conducted or contemplated to be conducted at the premises generate, treat or dispose of any petroleum, petroleum-related products, solid and hazardous wastes or hazardous substances?

No

If yes, provide the Premises' applicable EPA (or State) identification number

Have any federal, state or local permits been issued to the Premises for the use, generation and/or storage of solid and hazardous wastes?

No

If yes, please provide copies of the permits.

Identify the transporter of any hazardous and/or solid wastes to or from the Premises

Identify the solid and hazardous waste disposal or treatment facilities which have received wastes from the Premises for the past two (2) years

Does or is it contemplated that there will occur at the Premises any accumulation or storage of any hazardous wastes on-site for disposal for longer than 90 days?

No

If yes, please identify the substance, the quantity and describe how it is stored

Discharge Into Waterbodies

Briefly describe any current or contemplated industrial process discharges (including the approximate volume, source, type and number of discharge points). Please provide copies of all permits for such discharges

N/A

Identify all sources of discharges of water, including discharges of waste water, process water, contact or noncontact cooling water, and stormwater. Attach all permits relating to the same. Also identify any septic tanks on site

Municipal systems in place

Is any waste discharged into or near surface water or groundwaters?

No

If yes, please describe in detail the discharge including not only the receiving water's classification, but a description of the type and quantity of the waste

Air Pollution

Are there or is it contemplated that there will be any air emission sources that emit contaminants from the Premises?

No

If yes, describe each such source, including whether it is a stationary combustion installation, process source, exhaust or ventilation system, incinerator or other source

Are any of the air emission sources permitted?

No

If yes, attach a copy of each permit.

Storage Tanks

List and describe all above and under ground storage tanks at the Premises used to store petroleum or gasoline products, or other chemicals or wastes, including the contents and capacity of each tank. Please also provide copies of any registrations/permits for the tanks

Have there been any leaks, spills, releases or other discharges (including loss of inventory) associated with any of these tanks?

No

If yes, please provide all details regarding the event, including the response taken, all analytical results or reports developed through investigation (whether internal or external), and the agencies which were involved

Polychlorinated Biphenyls ("PCB" or "PCBs") And Asbestos

Provide any records in your possession or known to you to exist concerning any on-site PCBs or PCB equipment, whether used or stored, and whether produced as a byproduct of the manufacturing process or otherwise.

Have there been any PCB spills, discharges or other accidents at the Premises?

No

If yes, relate all the circumstances

Do the Premises have any asbestos containing materials?

Yes

If yes, please identify the materials

pipe wrap, caulk, floor tiles