

APPENDIX D

Proposed Urban Renewal Amendment

DRAFT

MODIFIED URBAN RENEWAL PLAN
FOR N.P.D. AREA No. 1 and N.P.D. AREA No. 2
YONKERS, NEW YORK

December 1998

Proposed Revisions August 2011

A. DESCRIPTION OF NDP URBAN RENEWAL AREAS

This Modified Urban Renewal Plan includes without boundary changes NDP Area No. 1 and No. 2 as described in the last previous NDP Urban Renewal Plan for this area dated May 31, 1972.- In conformance with federal requirements, the project area as a whole was reduced approximately 90 acres by deleting NDP Area 3 from the modified Urban Renewal Plan dated May 21, 1973 and adopted by the City Council on June 26, 1973. These NDP Urban Renewal Areas are located in the City of Yonkers, County of Westchester, State of New York and are described ad follows:

NDP AREA NO. 1

Beginning at a point formed by the intersection of the north right-of-way line of Prospect Street and the west right-of-way line of Hawthorne Avenue; thence south along the west right-of-way line of Hawthorne Avenue to the intersection of said right-of-way line with the south right-of-way line of Vark Street; thence east along the south right-of-way line of Vark Street to a point formed by the intersection of said right-of-way .line of Vark Street and the southerly projection of the east right-of-way line of Riverdale Avenue; thence north along a line formed by the southerly projection of the east right-of-way line of Riverdale Avenue, the east right-of-way line of Riverdale Avenue and the northerly extension of the east right-of-way line of Riverdale Avenue to the intersection of said line and the center line of Prospect Street; thence east along said center line of Prospect Street to a point of intersection of said center line and the southerly extension of the east property line of lot 37, block 499; thence north to the southeast corner of lot 37, block 499; thence north to the northwest corner of lot 29, block 499; thence east to the southwest corner of lot 25, block 499; thence north to the northwest corner of lot 25, block 499; thence west to the southwest corner of lot 21, block 499; thence north to the northeast corner of lot 3, block 499; thence north along the northern projection of the east property line of lot 3, block 499 to the point of intersection of said projected property line of lot 3, block 499 and the north right-of-way line of Hudson Street; thence west along said right-of-way line of Hudson Street to the point of intersection of said right-of-way line and the projected .west right- of-way line of Clinton Street; thence south along the projected west right-of-way line of Clinton Street and the west right-of-way line of Clinton Street to its intersection with the north right-of-way line of Prospect Street.; thence west along the north right-of-way line of Prospect Street to its

intersection with the west right-of-way line of Hawthorne Avenue which is the point of beginning.

NDP AREA NO. 2

Beginning at the point of intersection of the north right-of-way line of Manor House Square and the east right-of-way line of North Broadway; thence in a southerly direction along the east right-of-way line of North Broadway to the point of intersection of the straight line projection of said right-of-way line of North Broadway and the north right-of-way line of New Main Street; thence southeast along said right-of-way line of New Main Street to the intersection of said right-of-way line and the straight line projection of the east right-of-way line of South Broadway; thence south along the east right-of-way line of South Broadway to the point of intersection with the center line of Prospect Street; thence westerly along the center line of Prospect Street to the point of intersection of said center line and the southerly projection of the east property line of Lot 37, block; thence north to the southeast corner of lot 37, block 499 thence north to the northwest corner of lot 29, block 499; thence east to the southwest corner of lot 25, block-499;. thence north to the northwest corner of lot 25, block 499; thence west to the southwest corner of lot 21, block 499; thence north to the northeast corner of lot 3, block 499; thence north along the northern projection of the east property line of lot 3, block.A9_9_ to the point of intersection of said projected property line of lot 3, block 499-and the north right-of-way line of Hudson Street; thence west along said right-of- way line to the point of intersection of said right-of-way line of Hudson Street and the projected west right-of-way line of Clinton Street; thence south along the projected west right-of-way line of Clinton Street and along the west right-of-way line of Clinton Street to its intersection with the north right-Of-way line of Prospect Street; thence west along the north right-of-way line of Prospect Street to its intersection with the west right-of-way line of Hawthorne Avenue; thence south along the west right-of-way line of Hawthorne Avenue to the intersection of said right-of-way line with the south right-of-way line of Vark Street; thence east along the south right-of-way line of Vark Street to a point at the intersection of said right-of-way line of Vark Street and the southerly projection of the east right-of-way line of Riverdale Avenue; thence north across Vark Street to the point of intersection of the east right-of-way line of Riverdale Avenue and the north right-of-way line of Vark Street; thence easterly along the north right-of-way line of Vark Street to the southwest corner of lot 65, block 493; thence north to the northwest corner of lot 65, block 493; thence

east to the southeast corner of lot 18, block 493; thence north to the northwest corner of lot 26, block 493; thence east to the northeast corner of lot 26, block 493; thence easterly across South Broadway to the point of intersection of the straight line projection of the north property line of lot 26, block 493 and the easterly right-of-way line Of South Broadway; thence southerly along the eastern right-of-way line of South Broadway to the southwest corner of Lot 2, block 190, continuing southerly along the southerly projected east right-of-way line of South Broadway to the intersection of the easterly straight line projection of the center line of Robbins Place; thence westerly along the straight line projection of the center line of Robbins Place and the center line of Robbins Place to a point of intersection of said center line and the northern projection of the east right- of-way line of Caroline Place; thence south along the east right-of-way line of Caroline Place to its intersection with the north property line of lot 37, block 186; thence west along the north property lines of lots, 37 and 162, block 186 to the northwest corner of lot 162, block 1136; .thence south to the southwest corner Of lot162, block 186; thence west across Highland Avenue to the southeast corner of lot 11, block 1_84; thence west to the southwest corner of lot 11, block 184; thence west along the projection of the southerly property line of lot 11, block 184 across Stanley Avenue to the west right-of-way line of Stanley Avenue; 'thence north to the southeast corner-of lot 10, block 183; thence west to the southwest corner of lot 10, block 183; thence north along the west property line of lot 10, block_183, to the northeast corner of lot 81, block 183; thence west to the northwest corner of lot 81, block 1E3; thence south along the east right-of-way line of Riverdale Avenue to the intersection of said east right-of-way line and the easterly projection of the south right-of-way line of Downing Street; thence west along the south right-of-way line of Downing Street; and its westerly projection to the west right-of-way line of the Penn Central Railroad; thence northerly along said right-of-way line of the Penn Central Railroad to the northeast corner of lot 43, block 635; thence west to the point of intersection of the north property line of lot 43, block 635 and the pier line; thence northerly along the pier line to the point of intersection of said pier line and the westerly projection of the north right-of-way line of Wells Avenue; thence easterly along the north right-of-way line of Wells Avenue to the east right-of-way line of River Street; thence southerly along this right-of-way Line to the north right-of-way line of Dock Street; thence easterly along the north right-of-way line of Dock Street and its extension known as Manor House Square to the point of intersection of said right-of-way line and the east right-of-way line of North Broadway which is the point of BEGINNING.

B. STATEMENT OF DEVELOPMENT OBJECTIVES

This Urban Renewal Plan has been designed to achieve the development goals outlined in the City's Master Plan, Workable Program, and subsequent studies prepared for the City, *including the City's Comprehensive Plan ("Connections, The Yonkers Comprehensive Plan", September 2000)*. Specifically, these will include:

1. The elimination of substandard and deteriorating residential, commercial and industrial areas.
- ~~4.2.~~ The elimination of environmental deficiencies by providing land areas for a balanced and integrated arrangement of land uses which are consistent with the neighborhood.
- ~~4.3.~~ The development of sites for residential construction, with special emphasis on low and moderate income housing.
4. The rehabilitation of residential areas that are evidencing signs of deterioration but are suitable for retention as part of the community's housing supply.
5. The re-establishment of the Central Business District as it relates to these NDP Areas through development of sites to support commercial activities outlined in the Master Plan.
6. The development of an improved thoroughfare system and adequate community facilities, including parks and school sites, in order to properly serve the proposed residential and commercial areas.
7. The acquisition and development of industrial areas that would add to the city's tax base as well as provide increased job opportunities and advancement for Yonkers' residents, particularly minority group workers.
8. The encouragement of continuing comprehensive social service delivery programs within the neighborhood to serve area residents.
- ~~8.9.~~ The development of adequate off-street parking to service the needs of both residential and non-residential uses.
- ~~8.10.~~ Enhancement of the City's first urban renewal area located adjacent to these

NDP Areas.

- 8.11. The improvement of streets, sidewalks, curbs, and storm and sanitary sewers, when necessary, with the ultimate goal of the placement of utility lines underground.
- 8.12. Creation of an urban design for the area which will conform to characteristics of topography, terrain, location, and site configuration in the design of new structures, circulation systems, and the spatial environment created by the placement of buildings, streets and roadways, and other forms of urban open space and promotion of a high standard of design of buildings, signs, items of street furniture, and landscaping of open space.
- 8.13. Implementation of a Facade Rehabilitation Program in the downtown area of the City, which is located in NDP 1 and 2.

C. LAND USE PLAN

1. Land Use Map

The Project Boundaries and Proposed Land Use Map attached as Exhibit 2 shows the general location of Public and Semi-Public uses (including hospitals, parks, schools, and parking facilities), other uses (including light industrial, commercial and residential uses with accessory uses) and existing and proposes major external and internal circulation routes.

2. Land Use Provisions and Density Requirements

The description of each predominant land use category in NDP Areas 1 and 2 shown on the Land Use Map, including densities to be permitted or required for non-redevelopment areas, is as follows:

a. Residential

The residential land use category is used to describe all predominantly residential land uses within these NDP Areas and the related development necessary to support this activity, including neighborhood commercial areas, school sites, park areas and other community facilities related to the residential development. In most instances new residential uses are planned for 60-100 DU's/Acre. *Higher density development can be approved by the Planning Board*

and City Council, when connected to special use permit approval for Planned Urban Renewal (PUR) projects. ~~and no new residential uses will exceed medium-high density.~~ Areas scheduled for rehabilitation will retain their present medium density (20-40 DU's). The design of the residential uses will incorporate community facilities so as to minimize conflict between pedestrian movement and vehicular activity. Furthermore, the design will relate to various topographic features typical of the area, and will use this topography, wherever possible, to create vistas of the Hudson River and New Jersey shoreline. Adequate off-street parking will be created in both the new development and in the area anticipated for rehabilitation. Active and passive recreation areas, in addition *to existing* public parks, will be a requirement of any new residential construction. The function of the residential development will be to provide housing opportunities close to the Center City of Yonkers, conveniently located to: the regional transportation network; job opportunities, existing and proposed; and various governmental Services that exist within the City. The supporting commercial activities and other community facilities will be related to the service demands of the residents of the areas themselves. No commercial development will be allowed within residential areas that are not primarily oriented towards the service of those residential areas themselves.

As indicated in Section E.5.(e)(ii), below, "the land use restrictions and controls specified herein for residential and residential related development will apply until January 28, 2009". Although the duration of controls has lapsed, the goals and objectives of this Modified Urban Renewal Plan continue to apply to residential development in the designated NPD Urban Renewal Areas.

b. Commercial

A portion of these NDP Areas is within the boundaries of the central business district, consisting of a number of deteriorated or deteriorating commercial, public, industrial and residential uses combined in a manner which detracts from the viability of the entire area. This Urban Renewal Plan anticipates the rehabilitation and redevelopment of this area with office uses, retail and service activities, commercial recreation and, in the commercial land-use area of N.D.P. Area No. 2, above-ground-floor live/work accommodations intended to provide

within individual apartments not only residential space but also work space such as but not limited to offices, practice rooms, studios, craft workshop areas and laboratory space, in which the resident conducts a business, trade, artistic or craft pursuit which has only limited external evidence of its presence. In addition, subject to applicable zoning requirements, the Yonkers Community Development Agency in its discretion may permit, in such commercial land-use area of N.D.P. Area No. 2, rehabilitation of one or more existing buildings to create up to 75 above-ground floor residential apartments that are not intended exclusively for live/work occupancy, provided that the Agency hereafter determines, with respect to any such proposed apartments, that the creation of such apartments will make a substantial contribution to the economic revitalization of such commercial land use area, and that appropriate contractual controls are imposed to assure that such objective will be met. Moreover, portions of the two N.D.P. Areas, including portions of the commercial land-use area, are anticipated to be utilized for necessary off-street public or private parking to serve the needs of the commercial land-use area, of the nearby residential land- use area and of the nearby waterfront area. In some cases this parking is to be structured and may be combined with commercial uses. In the commercial land-use area, a municipal parking structure may (together with any such accompanying commercial uses) occupy all or substantially all of the Tax Block or disposition parcel on which it is to be constructed, notwithstanding anything to the contrary in this Urban Renewal Plan or in Exhibit 2 annexed thereto. The commercial land-use category includes both support commercial activities and high intensity commercial shopping activities. The design control for this area will allow for high intensity use, at a maximum floor area ratio of 7.0, but only where it will not compromise any abutting use or obstruct views. Convenient pedestrian and vehicular movement will be provided, linking the area to the remainder of the central business district. Walkways will be planned as links between interior and exterior public open spaces of commercial areas in an attempt to create-meaningful progressions in pedestrian movement and exciting visual contact with adjoining commercial and other uses through the creation of malls, seating areas, small plazas and parks, etc.

c. Public and Semi-Public

This Urban Renewal Plan anticipates the development of public schools necessary to serve the needs of the residents of these NDP Areas. The Plan also provides for the development of additional park sites to serve the basic recreation needs of the neighborhood itself, as well as some city-wide open space requirements. Neighborhood parks will contain the necessary playground equipment to serve the needs of these NDP Areas. A hospital is located within the boundaries of NDP Area 2 and it is anticipated that additional space will be provided for its expansion, as well as ancillary health facilities, necessary to serve the needs of the neighborhood. The latter would be adjacent to the hospital and would be aimed at the provision of neighborhood health services in the form of out-patient clinics. Parking facilities, in accordance with the Zoning Ordinance, are to be provided for any public or semi-public use.

d. Light Industrial

The area abutting Riverdale Avenue in NDP Area 2 will be utilized for light manufacturing. Industrial uses that will be allowed within the project will not emit noxious odors, excessive noise or vibration, or contribute to air or water pollution problems of the City. These uses will provide noise buffers against a major traffic artery for the adjacent neighborhoods. In addition to the provision of relocation resources for existing light industries within this NDP Area, the light industrial land-use category will create job opportunities for the residents who will be housed in nearby residential areas.

3. General Planning Criteria and Standards

a. Type, intensity and location of other uses permitted or required in predominant land use categories (accessory or supporting uses).

(1) Residential Use

The residential land use category provides for both residential units and supporting commercial and community facilities necessary for the establishment of a viable residential neighborhood. In order that these supporting uses not conflict with the residential units, no supporting uses, as identified above, will be allowed within the residential areas unless they are specifically designed to serve those areas and are so oriented

as to provide convenient access to the residents they are designed to serve.

(2) Commercial Use

The supporting or accessory uses that will be allowed within the commercial area include off-street parking, some necessarily structured, and necessary governmental or institutional activities that may be appropriately located therein to serve either these NDP Areas themselves or the remainder of the community. Off-street parking will be designed to serve all commercial activities (and some residential needs) that will be located within the commercial area as well as any other CBD functions that could be served by such parking (within an appropriate service area). The location of these public off-street parking areas will be subordinate to any commercial value that will exist.

(3) Light Industrial Use

The light industrial category includes all light industrial uses and their supporting activities. Specific attention will be given to the physical appearance of the accessory uses, particularly landscaping, the selection of construction materials, placement of vehicular storage areas and loading areas. All external storage areas will be screened with appropriate landscaping or fencing. Vocational education facilities will be allowed, utilizing on-the-job training facilities.

b. Type, Location and Other Characteristics or Requirements of the Internal Circulation System

(1) Vehicular Circulation

The present system will be utilized in most cases. There are, however, a number of external inputs that will be beneficial in number of instances. These include action generated by the TOPICS Program (immediate), planned State arterials (imminent), and the Yonkers Thoroughfare Plan (planning proposals), all geared increasing traffic flows through physical street improvements, street widening signalization or off-street parking.

(2) Pedestrian Circulation

A pedestrian circulation system will be designed to allow convenient and

safe access to all community facilities and commercial developments. Wherever possible, this will be accomplished by the development of a pedestrian network that will relate the existing residential uses within these NDP Areas (as well as those within the City's first Urban Renewal Project) to all of the community and shopping facilities that will be developed in these NDP Areas or exist Outside of them Where a street widening takes place, the sidewalks leading to areas of high pedestrian concentration shall be widened to a minimum of ten feet. Such widened sidewalks and pedestrian access ways will be landscaped and provided with benches, street furniture, and sufficient lighting to provide for safe movement at all hours. *Specific landscape features will be subject to Planning Board approval as connected to site plan and special use permit approval as well as review by Yonkers Community Development Agency.*

- c. The need, type and location and other characteristics of public improvements and facilities not identified on the Land Use Map.

Curbs, sidewalks and street lights will be installed as required. Any public utilities that conflict with proposed development on this site will be relocated as needed.

D. URBAN RENEWAL TECHNIQUES TO BE USED TO ACHIEVE PLAN OBJECTIVES

This Urban Renewal Plan will be carried out through a combination of public and private actions. The type of actions proposed are as follows:

- a. Clearance and Redevelopment,
Clearance and Redevelopment will be undertaken in those clearance areas designated by the Yonkers Community Development Agency where substandard conditions exist to such a degree that over 50% of the structures have deteriorated to a point warranting clearance or contain blighting influences that can only be eliminated by removal of the structures in said areas. This technique will be utilized in specific areas within these NDP Areas
- b. Spot Clearance

Spot clearance will be utilized for the elimination of any structures that have deteriorated to a point warranting clearance, exert a blighting influence in the neighborhood that can only be eliminated by the removal of the structure, or are needed for the development of necessary public facilities. Spot clearance will be utilized in the areas designated for retention and/or rehabilitation as necessary to ensure that those areas will meet the standards being developed for these NDP Areas.

c. Rehabilitation

Rehabilitation will be proposed in those portions of the NDP Areas that contain structures of sufficient quality, located in neighborhoods appropriate to their use in accordance with the specific criteria as established below. The Agency will require treatment of all exposed walls of structures that were contiguous or attached to a structure or structures that were demolished.

d. Code Enforcement

The Enforcement of all applicable codes will be utilized as a tool to upgrade any properties that have not deteriorated to a point that would require extensive rehabilitation treatment, yet evidence deficiencies that would detract from the neighborhood following redevelopment.

~~a.e.~~ e. Provision of Community Facilities and Utilities

This Urban Renewal Plan proposes the provision of all necessary public improvements including new utility systems, new or rebuilt streets and sidewalks, and the construction of all necessary public facilities to support the uses planned within these NDP Areas. These facilities will be proposed in accordance with the standards established within the community and contained in the City's Master Plan, and *the City's Comprehensive Plan* and, will be located on sites appropriate to their use.

2. Rehabilitation

a. Description of conditions under which rehabilitation of properties or areas will be permitted.

(1) Residential Rehabilitation

Residential rehabilitation will be proposed in areas which exhibit the following characteristics:

- (a) All properties to remain within the rehabilitation area are feasible of upgrading to property rehabilitation standards. The rehabilitation of the supporting commercial uses will be necessary to accomplish balance in the NDP Area and/or the surrounding community as a result of the improvements that will have occurred.
- (b) The area has a desirable location and physical characteristics sufficient to evidence its vitality as an area that can be restored to a long-term sound condition.
- (c) The street and land use patterns can be adapted to present day needs and objectives.

(2) Non-Residential Rehabilitation

Commercial Rehabilitation will be proposed in areas that exhibit the following characteristics:

- (a) All properties to remain can be improved in such a way that they are functional and attractive and adhere to all building codes and ordinances.
- (b) The structure is located within an area suitable for non-residential use, in conformity with this Urban Renewal Plan and the Master Plan.

In the downtown area a Facade Improvement Program will be implemented by the Agency which will rehabilitate and conserve buildings by a voluntary facade easement process. When an owner and/or tenant refuses to comply voluntarily with recommended improvements, the Agency may acquire buildings or facade easement rights by means of condemnation proceedings.

b. Description of Conditions under Which Properties Will Be Acquired for Rehabilitation by the Yonkers Community Development Agency or Others

Areas proposed for rehabilitation within these NDP Areas will strive for

the greatest amount of owner participation in the Program. However, the Agency will consider undertaking demonstration rehabilitation programs in order to offer examples of how rehabilitation might occur within the various types of structures to be rehabilitated. The Agency will undertake this type of activity only in properties wherein the owner indicates his unwillingness or inability to undertake the rehabilitation himself. The Agency may acquire property designated for rehabilitation if the owners are either unable or unwilling to undertake the necessary improvements. In addition, the Agency will encourage redevelopers to rehabilitate structures within these NDP Areas wherein the owner will be unwilling or unable to rehabilitate without assistance. The Agency will encourage the organization of local non-profit corporations, limited dividend corporations, or limited profit corporations for the same purpose of rehabilitating structures within these NDP Areas.

c. Property Rehabilitation Standards

All residential properties within these NDP Areas must be brought into compliance with the Environmental Protection Code of the City of Yonkers (Chapter 38 of the City Code), the air pollution ordinance for the County of Westchester and those provisions of the Building Code of the City of Yonkers applicable to existing buildings. In addition, the standards set forth in Exhibit 3 must be complied with.

3. Acquisition and Clearance - Description of conditions under which Property will be acquired

Acquisition will be accomplished within these NDP Areas when it has been determined by the finding of the Yonkers Community Development Agency that acquisition is required to meet Plan objectives.

a. Clearance Areas

A clearance area will be designated if more than 50 percent of the structures in an area proposed for specific development activities have deteriorated to a point warranting clearance or contain blighting influences that can be eliminated only by acquisition and demolition of the structures. Additionally, all structures proposed for acquisition will be

analyzed to determine if they can be retained through rehabilitation or more extensive rehabilitation or could be retained by a Plan change that did not compromise the overall planning objectives of these NDP Areas.

b. Spot Clearance

Spot Clearance activities will be undertaken, where necessary, to:

- (1) Remove substandard conditions
- (2) Remove blighting influences
- (3) Provide land for needed public facilities or utilities
- ~~(3)~~ (4) Promote historic or architectural preservation.

E. LAND DISPOSITION SUPPLEMENT

The following land use provisions and building requirements are intended to bring about a quality of new development which will result in substantial long-term values to the community and complement the existing uses within the general area. The land use provisions and building requirements shall apply to all land made available for redevelopment within the Yonkers NDP boundary limits.

1. Restrictions on Uses of Land

No covenant, agreement, lease, conveyance, or other instrument' shall be affected or thereof. These restrictions shall be implemented by appropriate covenants or other provisions in land disposition instruments.

2. General Controls for Redevelopment of Real Property

The basic standards and controls for the redevelopment of real property shall be the provisions of this Plan herein set forth, the City of Yonkers Building Code, Environmental Protection Code, Electrical Code, Fire Prevention Code, and the Zoning Ordinance in effect. In all cases the more restrictive code shall govern, except that amendment of the Zoning Ordinance, *including Planned Urban Development (PUD) Special Use Permits*, may be sought in accordance with this Urban Renewal Plan.

a. Design Review

Specific proposals for the redevelopment of all parcels shall be evaluated by the Yonkers Community Development Agency *and the Planning Board* as to the manner in which they achieve the objectives, standards,

and controls of this Plan. While the redevelopers will be given freedom in concept, design, and layout within the standards specified in this Plan, the structures and any facilities to be erected must reflect distinguished architectural expression and techniques in order to signify quality and permanence.

b. Landscaping

All areas not specifically designated for a building, parking, loading, access drives, walkways, or terraces shall be suitably covered with grass or turf or other suitable plant material, as approved by the Yonkers Community Development Agency *and the Planning Board*. Any open area not to be used for the aforementioned purposes shall be attractively landscaped with shade trees, shrubs, and walkways; trees shall be spaced no more than 25 feet apart. At least 10 percent of any parking area or lot which holds more than 20 cars shall be landscaped with trees and/or shrubs of sufficient size to aesthetically break up any large expanse of pavement and to guide traffic. Trees with low growing branches, gum or moisture, seeds or pods shall be avoided. Tree planting strips shall be at least 5 feet wide for proper tree growth. No trees, shrubs, or other plantings shall be situated on or near a street corner where they may cause danger by obstructing a view. # Trees and shrubs shall be maintained at mature heights, periodically trimmed, and attractively kept up. All grass shall be kept cut to a length no greater than three inches and adequate fertilized and seeded ±o maintain an attractive appearance.

c. Maintenance

All property shall be maintained in a clean, sanitary and attractive condition at all times. Debris and building materials shall not be stored or piled on the premise except during building construction.

d. Electric, Telephone, and Other Utility Facilities

Electric, telephone, and all other utility facilities shall be installed underground unless, in the opinion of the Yonkers Community Development Agency *and the Planning Board*, special conditions require

otherwise. In such event, such installations shall be as directed by the Yonkers Community Development Agency *and the Planning Board*.

e. Sign Regulations

The design, construction, and display of all signs for all buildings or structures shall be subject to the following regulations:

(1) Business signs for identification of a business or industrial building or use shall be limited to one wall or eaves sign and one detached or ground sign on each side of the building having frontage on a public street.

~~(1)~~ (2) No tenant or occupant may erect or construct more than one sign for each exterior wall of his premises

~~(2)~~ (3) No sign shall be painted on any exterior wall of a building, nor shall any sign be lighted by or contain flashing, revolving, or other pulsating sources of illumination.

(4) Temporary signs may be installed for the purpose of offering the premises for sale, rent or lease, or in the case of building construction underway on the site for the identification of the building contractor, owner, architect, engineer, etc. No such temporary sign shall exceed 32 square feet in area.

(5) Ground signs must be erected on suitable supports as approved by the Yonkers Community Development Agency *and the Planning Board* and relate solely to the identification of the enterprise conducted on the premises, or they must be public service, informational, or directional signs. Identification signs shall be limited to one to each building for each public street on which the building fronts.

(6) All signs must be integrated into the architectural design of the building on which it is placed and into the overall sign layout of the project in character and quality. To insure uniform design, a redeveloper must submit the design and specifications of all signs to the Yonkers Community Development Agency *and the Planning Board* for its approval.

(7) No billboards or other non-accessory signs shall be allowed. Signs will be restricted to the non-animated, non-flashing types, identifying only the establishment and the nature of its product. No sign shall project beyond the face of the building more than 24 inches. All signs must be approved by the Yonkers Community Development Agency *and the Planning Board*.

(8) No signs other than the types described herewith may be erected within the boundaries of these NDP Areas.

~~(1)~~(9) Exceptions to any of the above sign regulations may be made only upon written approval of the Yonkers Community Development Agency *and the Planning Board*.

f. Exterior Lighting

Exterior lighting may be used to light doors, entrances, show windows, plazas, walkways, parking lots and open areas. Lighting shall be located and shielded so as to prevent glare on adjacent properties. No floodlighting of buildings or streets shall be permitted except by special permission of the Yonkers Community Development Agency *and the Planning Board*.

g. Off-Street Parking

Where applicable and appropriate, off-street parking shall conform to the City's zoning ordinance, *including Special Use Permits connected to Planned Urban Developments*. In addition, a redeveloper must demonstrate to the Yonkers Community Development Agency *and the Planning Board* that adequate provision has been made for all user needs including resident, employee, visitor, patrons, service and delivery vehicles. All off-street parking and loading areas shall be properly lighted, hard surfaced, drained, and posted or fenced or otherwise controlled to prevent vehicle overhang. No open air vehicle repair or service work shall be permitted in conjunction with surface parking facilities. Lighting used to illuminate the lot shall be so located and shielded so as to prevent glare on the adjacent properties. Parking areas shall be separated from the street and adjacent property lines by curbed and

landscaped buffer strips at least five feet in width. No signs of any kind, other than ones designating entrances, exits or conditions of use shall be maintained in or around the parking area.

h. Off-Street Loading

Where applicable, off-street loading shall conform to the City's Zoning Ordinance, *including Special Use Permits connected to Planned Urban Developments*. A redeveloper shall demonstrate to the Yonkers Community Development Agency that sufficient off-street loading berths will be provided to serve the operational needs of the proposed development. All loading berths must be entirely clear of street right-of-way lines; while truck loading docks or doors will be permitted on the front of buildings, they are to be discouraged unless found to be necessary. The Yonkers Community Development Agency may require that off-street loading berths be suitably screened with either trees, shrubs, fencing, baffles, walls or an aesthetically attractive combination of these materials; likewise, on-street docks and doors may require architectural treatment.

i. Plan Submission

Redevelopers will be required to submit to the Yonkers Community Development Agency *and Planning Board* —staff plans, including preliminary plans if specified, and specifications and elevations, for approval by the Yonkers Community Development Agency *and the Planning Board*;

For residential development, these plans, specifications and elevations must be sufficient in scope and detail to demonstrate the design, architectural concepts, typical unit plans, room distribution and size of rooms and dwelling units, location and adequacy of recreation space, type of landscaping and parking proposals for proposed developments;

For commercial and industrial development, these plans, specifications and elevations must be sufficient in scope and detail to demonstrate the design, architectural concepts, proposed distribution and intensity of uses, parking and loading facilities, landscaping and sign proposals for

the proposed development.

j Interpretation

In the event of any question regarding the meaning of standards and controls or other provisions of this Plan, the interpretation of the Yonkers Community Development Agency *and the Planning Board* shall be final and binding.

3 Redevelopers' Obligations

The land acquired by the Yonkers Community Development Agency will be disposed of subject to an agreement or agreements between the Yonkers Community Development Agency and redevelopers. Redevelopers will be required by the contractual agreements to observe the Urban Renewal Plan controls and development objectives as contained in this Urban Renewal Plan. They will further be required to submit a redevelopment schedule satisfactory to the Agency. The agreements with redevelopers will include all anti-discrimination provisions, equal employment provisions and all other applicable provisions required by Federal and State law and by the regulations of the U. S. Department of Housing and Urban Development and the New York State Division of Housing and Community Renewal. In addition, the following provision or provisions of similar intent will be included in the disposition agreements:

- a. The purchase and/or lease of the land is for the purpose of redevelopment and not for speculation.
- b. The building of improvements will commence and completed within a reasonable time.

4. Commitment to Provide Low and Moderate Income Housing

No less than 50% of all residential units to be constructed within these NDP Areas will be for low and moderate income families and 20% of these residential units will be for low income families. *The Planning Board may approve projects providing 10 % "affordable" units (as defined by the City of Yonkers) when projects require special use permits and site plan approval for a Planned Urban Development (PUD).*

5. Specific Land Use Designations and Standards or Controls; Other Restrictions to be Imposed Upon Land to be Offered for Sale or Lease.

Within these NDP Areas, specific Development Areas have been designated wherein specific redevelopment action is outlined. (See Project Boundary and Proposed Land Use Map).

These development areas supersede the activity areas A, B, C, and D Identified in the initial NDP Urban Renewal Plan, dated December 2, 1968 and Development Areas 1 through 18 identified in the ND Urban Renewal Plan dated May 31, 1972.

(a) Development Area 3 (Modified)

Boundaries

Development Area 3 (modified) is bounded by Riverdale Avenue, Prospect Street, Hawthorne, and Hudson Street.

Land Uses

Development Area 3 is of the Central Business District and is proposed for redevelopment with commercial uses (including retail, service, and office) and public and semi-public uses (including community facilities and parking). A portion of the parking will accommodate the needs of Development Area 5 residents.

The objective is to create a commercial-office-public and semi-public superblock that would augment the projected Getty Square Urban Renewal Area and become part of a total Central Business District. Recreational and entertainment facilities could also be included in the new development to stimulate a variety of activities in the superblock. Some of these activities could be centered around the existing YMCA Facility and the church buildings to the north. New recreational and entertainment activities could support and complement these existing facilities. All new development should be designed to recognize the buildings to remain.

The uses within the block will be interrelated by a system of public plazas and pedestrian pathways. These pathways shall connect to the parking facilities on the site as well as to the pedestrian system throughout these NDP Areas. Several of the adjacent blocks are proposed for various densities of residential use and each of these residential blocks should be tied to the commercial superblock through this pedestrian system. Each use in the superblock must

have access either to the pedestrian system or the street system. The pedestrian system would also relate to the topography where possible.

A twenty-five foot grade difference from one end of the site to the other will permit development of terraced levels, stairs and ramps to help create a visually interesting space. The ground floor levels (ground plain terraces down the site) are to be organized around a central mall. A network of walkways will link the ground floor retail uses.

Controls

The maximum floor area ratio for development in Area J shall be 7.0 with maximum lot coverage of either the following alternatives:

- (1) 100 percent provided that public assembly and plaza areas are created as part of the development. The minimum area of these assembly and plaza spaces is to equal 15 percent of the total site area.
- (2) 85 percent.

The intent here is to allow for the development of large, covered, skylit, enclosed malls. The off-street parking requirements for commercial uses shall be structured and provided on the basis of one space per five hundred square feet of commercial or office space. Off-street loading berths of 25 feet by 10 feet each shall be provided in accordance with the Yonkers Zoning Ordinance.

(b) Development Area 5

Development Area 5 is bounded by Riverdale Avenue, Vark Street, Hawthorne Avenue and Prospect Street.

The controls for Development Area 5 are specified in Exhibit 4 of this Plan, and are identical to the controls specified in the original Urban Renewal Plan, dated December 2, 1968, and the NDP Urban Renewal Plan dated May 31, 1972, except as otherwise noted.

(b.1) Development Area 6

Development Area 6 is bounded by Prospect Street, Hawthorne Avenue, Vark Street, and the ConRail (*Metro North*) Railroad.

~~No major changes to any existing land uses are proposed at this time.~~

The Planning Board and City Council are considering a special use permit and site plan for a Planned Urban Development (PUD) for a site on the east and

west side of Buena Vista Avenue between its intersection with Main Street to the north and Prospect Street to the south. The PUD project involves the following tax lots: Block 512, Lots 1, 11, 13, 15, 17, 21, 23; block 511, Lots 24, 25, 27.

Another recommendation ~~The only action proposed at this time~~ is widening Prospect Street. This is to be accomplished by acquiring lots 1, part of 66 and 72 in Block 504. These lots are currently vacant. Upon acquisition of these lots, the south curb line of Prospect Street between Hawthorne Avenue and Buena Vista Avenue will be aligned with the south curb line of Prospect Street between Riverdale Avenue and Hawthorne Avenue. Prospect Street between Hawthorne Avenue and Buena Vista Avenue will then be widened 30' from its current pavement width of approximately 30' to a pavement width of 60' and 10' wide sidewalks will be installed on each side.

(c) Development Area 8

Development Area 8 is bounded by Jackson Avenue, Highland Avenue, Riverdale Avenue and Vark Street.

Land Use

Development Area B is proposed for residential and public and semi-public uses. Two high-rise housing projects have been constructed within this area in accordance with the previously adopted Urban Renewal Plan. Housing rehabilitation and construction of a new neighborhood park is proposed for the remainder of the area.

The program and design of the park will follow the needs of the immediate residential community and will undergo the careful design review procedures outlined above.

Controls

The maximum density for Area 8 shall be 75 dwelling units per acre, with a maximum height of 12 stories and a maximum coverage of 30 percent. For all new development, minimum off-street parking shall be 1.0 space per unit provided by the developer and 5 spaces per unit to the development.

(c.1) Development Area 9

Development Area 9 is bounded by Vark Street, Riverdale Avenue, the southern boundary line of NDP Area No. 2 (Downing Street), and Hawthorne Avenue.

Much of the area is proposed for rehabilitation. However, twenty-four lots on the west side of Riverdale Avenue between Vark Street and Downing Street have been acquired, families and businesses relocated and structures demolished to enable redevelopment. Exhibit

1 contains the individual lots involved. The properties acquired will be redeveloped in accordance with Exhibit

2 - Proposed Land Use Map.

(c.1a) Development Area #10 (Modified)

Boundaries

This Development Area boundary begins at a point of the intersection of the northerly property line of Lot 57 in Block 2600 with the westerly boundary line of the Penn Central right-of-way; thence proceeding southerly along the westerly boundary line of the Penn Central Railroad right-of-way to an intersection of the southerly property line of Lot 40 in Block 643; thence proceeding westerly along the said property line of lot 40 in Block 643 to the intersection with the southerly property line of Lot 38 in Block 640; and thence continuing westerly along said property line of Lot 38 in Block 640 to an intersection with the pier and bulkhead line established by the U.S. War Department, September 20, 1897 and then proceeding northerly along the said pier and bulkhead line to its intersection with the pier and bulkhead line established by the U.S. War Department, May 26, 1904 and thence continuing northerly along said pier and bulkhead line to an intersection with the extension of the northerly property line of Lot 33 in Block 2600; and thence proceeding easterly along said extension of Lot 33 in Block 2600 to the northerly property line of Lot 33 in Block 2600; and thence continuing easterly along said northerly property line to the intersection of Lot 33 in Block 2600 of the northerly property line of Lot 57 in Block 2600; and thence continuing easterly along said northerly property line of Lot 57 in Block 2600 to the intersection at the point of beginning.

Said boundary to include, in addition, all of Lots 1 and 2 in block 512, referred to as Old Trolley Car Barn and Old Firehouse. All of Development Area 110, also known as the Waterfront Project Area, is delineated by a solid black line on the Project Boundary and Proposed Land Use Map, contained herein.

Land Uses

The area is proposed for commercial (retail/office), residential, public, and semi-public uses. The zoning will be changed to BA (Retail Business-Apartments).

Controls

All development shall conform to codes and ordinances as permitted in the City's BA or PDR (Planned Development/Redevelopment) zone districts.

(c.2) Development Area 11

Development Area 11 is bounded by Hudson Street, Hawthorne Avenue, Prospect Street and Buena Vista Avenue.

Land Use

Development in Area 11 is proposed for a mix of commercial/residential/public and semi-public uses.

Controls

All development shall conform to existing codes and ordinances or as permitted in the City's PDR zone district. Any proposed open space parking shall be subject to Planning Bureau review for consideration regarding aesthetics, ingress and egress, lighting, signage, screening and any other pertinent items related to such a use.

(d) Development Area 13 (Modified)

Boundaries

Development Area 13 (modified) is bounded by Stanley Avenue, the southern boundary line of NDP Area No. 2, Riverdale Avenue and Highland Avenue.

Land Uses

Development Area 13 is proposed for light industrial uses, specifically light manufacturing, as described under C. 2. d. and C. 3.a. (3), above. It will provide a noise buffer against a major traffic artery for the adjacent neighborhoods, provide a relocation site for local light industries, and provide job opportunities for local and nearby residents. Permitted manufacturing will include only those which will not emit noxious odors, excessive noise or vibration, or contribute to the air or water pollution problems of the city.

Controls

Building Regulations: The building regulations for Development Area 13 are as

follows:

Maximum permitted floor area ratio - 1.5

Maximum permitted height - 2 stories or 40 feet

Maximum permitted coverage - 85 percent

Off-street Parking. Parking will be provided by the redeveloper in the amount of one parking space for every 1000 square feet of floor area. Parking is to be sited in a manner agreeable to both the Community Development Agency and the redeveloper.

Truck Loading and Unloading: Every building which has a floor area of ten thousand (10,000) square feet or more shall be provided with truck loading or unloading berths within the lot lines of its lot, each of a minimum size of twenty-five by ten (25 x 10) feet in accordance with the following schedule:

<u>SQUARE FEET OF AGGREGATE GROSS FLOOR AREA DEVOTED TO SUCH USE</u>	<u>REQUIRED NUMBER OF BERTHS</u>
10,000 up to & including 25,000	1
Over 25,000 up to & including 49,999	2
Over 50,000 up to & including 100,000	3
Over 100,000 up to & including 160,000	4
For each additional 80,000 over 160,000	1 additional

Landscaping of Parking and Loading Areas: Each parking and loading area for light manufacturing will be properly paved and landscaped. The rear edge of each of these areas (that which abuts a residential or institutional area) will be provided with a masonry wall (minimum height: 6 feet) to reduce visual and noise pollution.

As further protection, trees will be planted close to the wall a maximum of ten feet apart. Public parking lots will be landscaped with heavy plantings of trees around the periphery and between every stack of eight mid-area parking spaces.

Site Planning and Architectural Expression. Site plans shall reflect the goals listed in Section B above. While redevelopers will be given freedom in concept, design, and layout within the standards specified in this Plan, all structures, facilities and public areas must reflect

distinguished architectural expression and techniques (including landscaping) in order to signify attractiveness, quality, and permanence.

(e) Duration of Controls

(1) The duration of controls for Development Areas 3, 5, 6, 8, 9, 11, and 13 shall be according to Land Use and are as follows:

i) The land use restrictions and controls specified herein for commercial and commercial related development will apply until January 28, 1994.

ii) The land use restrictions and controls specified herein for residential and residential related development will apply until January 28, 2009.

iii) The land use restrictions and controls specified herein for light industrial development will apply until September 19, 2015.

iv) The land use restrictions and controls specified herein for public and semi-public development will apply until January 28, 2000.

(2) The duration of controls specified herein for Development Area 10 will apply to December 31, 2010.

F. OTHER PROVISIONS NECESSARY TO MEET REQUIREMENTS OF APPLICABLE STATE AND LOCAL LAW

Pursuant to Section 502, Subdivision 7 of Article 15 of the New York State General Municipal Law, the following statements are made:

1. The NDP Program will provide for necessary, NDP improvement and community facilities to be constructed. These facilities and improvements will include:
 - a. The modifications necessary to the major circulation plan.
 - b. Improvements necessary to local thoroughfares.
 - c. Improvements to the utility systems existent within the area.
 - d. Provision of recreational facilities.
 - e. The provision of necessary off-street parking.
 - f. The provision of sites for necessary schools.
2. Revisions will be necessary to the City's Zoning Ordinance in order to effectuate the Urban Renewal Plan.

3. The activities proposed under the Neighborhood Development Program, and contained in this Urban Renewal Plan, will initiated upon the approval by the U. S. Department of Housing and Urban Development of this Urban Renewal Plan and completed no later that 20 years thereafter.

G. PROVISIONS FOR AMENDING PLAN

The provisions of this Urban Renewal Plan may be modified or amended lame or additions made thereto at any time by the City Council of the City of Yonkers, provided that any such changes, amendments, or additions made subsequent to the sale or lease of land in these NDP Areas by the Yonkers Community Development Agency shall be concurred in by the owners or lessees of the land sold or leased by the Agency directly affected by such changes, amendments or additions.

H. PROVISIONS TO PRESERVE INTEGRITY OF PLAN

In order to preserve the integrity of this Urban Renewal Plan, the Superintendent of Buildings of the City of Yonkers shall notify the Yonkers Community Development Agency upon receipt of any applications for a permit for building construction or alteration or for a certificate of occupancy for a structure or use within these NDP Areas. Pursuant to Section 503 (h) of the General Municipal Law, for a period of three years, from the approval of this plan by the City Council, or of any amendments hereto, the Superintendent of Buildings shall not issue a building construction or alteration permit or a certificate of occupancy for a structure or use within these NDP Areas without having first obtained the consent of the Yonkers Community Development Agency unless the construction, alteration or use is necessary for the immediate protection of the public health or safety. The Director of the Yonkers Community Development Agency shall consent to the issuance of certificates and permits upon a determination that the proposed construction, alteration or use is not inconsistent with this Urban Renewal Plan or amendments hereto.

