BUFFALO NEIGHBORHOOD DEVELOPMENT PROGRAM

BROADWAY-FILLMORE URBAN RENEWAL AREA

ND-401 URBAN RENEWAL PLAN

A. Description of NDP Urban Renewal Area

The Broadway-Fillmore Urban Renewal Area is located in the City of Buffalo, Erie County, State of New York. It is one of four major areas in Buffalo designated for treatment under the Neighborhood Development Program. The Broadway-Fillmore area is bounded generally by Best Street on the north, the Penn-Central Railroad and Curtiss Street on the east, William Street on the south, and Smith Street and Herman Street on the west excluding the following:

1. The Federally assisted Code Enforcement Project NYE-200 bounded by Paderewski Drive on the north, Fillmore Avenue on the west, and Memorial Drive on the south and east.

B. Statement of Development Objectives

1. The development objectives of the Broadway-Fillmore Urban Renewal Plan are as follows:

The upgrading of deteriorating or deteriorated housing conditions predominantly through rehabilitation and code enforcement.

The development of new housing on sites involving a minimum amount of family displacement.

The focussing of housing rehabilitation or development on dwellings within the financial means of moderate and low-income households and individuals, including full use of available financial assistance from Federal and State programs.

The improvement of community and public facilities such as schools; neighborhood parks and playgrounds; streets, street lighting, street trees and street landscaping; transportation, and sewer and water facilities.

The upgrading of existing areas of major retail concentration and the removal of deficient structures in such areas when rehabilitation is not feasible.

Where feasible, the provision of opportunities for neighborhood commercial and appropriate light industrial activities.

To expand the economic and employment base of the area through the preservation or upgrading of existing major commercial establishments and through new development of such facilities where appropriate.

2. Environmental Objectives: To eliminate blighting environmental influences within the area, including substandard existing structures where the economic feasibility of rehabilitation does not exist; to upgrade community and public facilities as set forth in paragraph 1, and to establish satisfactory controls over land uses to eliminate or protect against air and noise pollution.

3. Urban Design Objectives: To encourage sound urban design in the urban renewal area for predominantly residential and related uses or for planned light industrial and commercial uses, as the case may be. In order to accomplish the planning and design objectives of this urban renewal plan, development plans for all private and public development or major rehabilitation in the urban renewal area shall be submitted to the Buffalo Urban Renewal Agency for its review and approval prior to the issuance of building permits.

C. General Land Use Plan

1. Land Use Plan Map: Predominant land uses, major circulation routes, and public uses are shown on the Land Use Plan Map, Map ND-401-1.

2. Description of Predominant Land Uses:

(a) Residential: In the existing predominantly residential sections of the area, such uses shall be maintained

through rehabilitation and code enforcement activities to the maximum extent feasible, any new residential development shall not exceed a density of 30 dwelling units per net acre, except that a density not to exceed 40 dwelling units per net acre may be authorized by the Buffalo Urban Renewal Agency if in the judgement of the Agency such higher density would enhance the achievement of the objectives of this urban renewal plan. Only that portion of the project area designated for housing for the elderly will allow 70 dwelling units per net acre with parking for 44 cars, provided additional space be set aside by the developer, should the need arise.

(b) Retail and Other Commercial Uses: Existing major retail and other commercial uses be retained, subject to rehabilitation of deteriorating or deteriorated structures. Any new structures developed in predominantly commercial areas as designated by the Land Use Plan Map may not involve a floor ratio of more than 2.0 to 1 unless a higher ratio is specifically authorized by the Buffalo Urban Renewal Agency to meet special circumstances consistant with the objectives of this urban renewal plan.

(c) Light Industrial Uses: Existing light industrial uses may be retained, subject to rehabilitation of deteriorating or deteriorated structures Any new light industrial development shall be subject to specific approval by the Buffalo Urban Renewal Agency as to consistency with the objectives of this urban renewal plan and the absence of adverse influences on neighborhoring residential uses. Any new light industrial development thus approved shall not involve a floor area ratio in excess of 1.5 to 1.

3. Planning Criteria, Standards, and Design Objectives to Determine:

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

(1) In residential areas, the following supporting uses will be permitted or required:

Public or private development of schools, neighborhood parks, playgrounds, and play lots.

Off-street parking facilities.

Neighborhood commercial and limited light industrial uses.

Mixed residential-commercial uses where consistent with the objectives of this urban renewal plan, as determined by the Buffalo Urban Renewal Agency.

(2) In non-residential areas, the following supporting uses will be permitted or required:

Public development of cultural, civic and park facilities, off-street parking, pedestrian ways, and open space.

Off-street parking and loading required for commercial and industrial uses.

(b) Type, location, and other characteristics of the internal circulation system.

The existing arterial streets and other major streets are considered adequate to meet the internal circulation requirements of the area on a satisfactory basis.

(c) Need; Type, location and other characteristics of public improvements and facilities not identified on the Land Use Plan Map.

In addition to the public supporting facilities identified in paragraph (a) above, this urban renewal plan contemplates improvements in water and sewer facilities, improvements in streets and street lighting, development of pedestrian ways and improvements in landscaping and tree planting for streets and pedestrian ways.

* (d) In any event, new construction and specific requirements thereof shall in all cases comply with the existing zoning ordinance of the City of Buffalo. (Copy Attached.)

D. Urban Renewal Techniques to be Used to Achieve Plan Objectives

The urban renewal techniques to be used in achieving the objectives of this urban renewal plan will include rehabilitation, acquisition and redevelopment, acquisition without clearance, and spot clearance.

The use of these various techniques with respect to specific properties and areas within the urban renewal areas will be based on parcel surveys, economic and planning analyses, and land use determinations.

* Revised 10/16/74

1. REHABILITATION.

(a) Determination of the feasibility of rehabilitation will be determined by parcel surveys and economic analyses, subject to over-all urban renewal plan considerations.

(b) Owners of parcels judged to be feasible of rehabilitation will be offered the opportunity to carry out such rehabilitation in accordance with the established Property Rehabilitation Standards. If owners are unable or unwilling to comply with such standards, their properties may be acquired by the Buffalo Urban Renewal Agency for the following actions, at its option:

(1) Resale to purchasers, with the obligation to carry out the rehabilitation in accordance with the Property Rehabilitation Standards and to comply with the other pertinent provisions of this plan.

(2) Rehabilitate the structures in accordance with these standards, for resale upon completion.

(3) Clear the parcels for redevelopment in accordance with this plan.

(c) Property Rehabilitation Standards will be developed in accordance with accepted professional practice.

(1) Code enforcement activities within the over-all Broadway-Fillmore area will

be carried out in accordance with the Housing Code of the City of Buffalo.

2. Acquisition and Clearance

Parcels will be acquired and cleared for redevelopment under the following conditions:

(a) To remove substandard physical conditions, beyond the feasibility of rehabilitation, as determined by property surveys in compliance with local and Federal requirements.

(b) To remove blighting influences, as determined by field surveys and planning anslysis.

(c) To provide land for public improvements and facilities in accordance with the objectives of this Urban Renewal Plan.

(d) To complete land assembly for redevelopment, in accordance with the objectives of this Urban Renewal Plan.

E. Land Disposition Supplement I

In the following first year action, as amended, areas, land use regulations shall be as set forth below:

Area I bounded by Sycamore Avenue on the north, the right-of-way of the Penn-Central Railroad on the east, Broadway on the south, Sobieski Street on the west.

Area II bounded by Stanislaus Street on the north, Beck Street on the east, Gibson Street on the west and the northerly property line of Sattler's on the south.

*Area III bounded by Sycamore on the north, Sobieski on the east, Broadway on the south and Loepere on the west.

1. Permitted land uses:

Residential rehabilitation shall be the predominant use. Any land made available through clearance of structures for which rehabilitation is not possible shall be disposed of for new residential development at a density of not to exceed 30 dwelling units per net acre or related community facilities, provided that neighborhood commercial facilities and mixed commercial-residential facilities may be authorized by the Buffalo Urban Renewal Agency if it considers such uses compatible with urban renewal plan objectives.

2. Circulation system:

Broadway and Sycamore Avenues will provide major east-west circulation in the action areas. Sobieski Street and Lathrop Street will provide north-south circulation in the Area I Action Area and Best and Gibson Streets will provide north-south circulation in the Area II Action Area and Lopere Street and Sweet Avenue will provide north-south circulation in Area III Action Area.

These major streets are considered adequate to accommodate anticipated traffic volumes.

The following land use regulations will apply to the first year action areas:

(a) Statement of obligations to be imposed on redevelopers: In the sale or lease of property in this area for redevelopment, the land disposal contract shall contain provisions obligating the redeveloper to comply with the requirements of this plan and to commence and complete the construction of the improvements within a reasonable period of time as determined by the Buffalo Urban Renewal Agency.

(b) Commitments on moderate and low-income housing: Land disposed of for new housing will be limited to moderate and low-income housing under the disposition agreements.

(c) Statement of urban design objectives: Development plans for all new development will be subject to review and approval by the Buffalo Urban Renewal Agency for consistency with the design objectives of the Urban Renewal Plan.

(d) Commitments on moderate and low-income housing: Not applicable to this section.

(e) Statement of urban design objectives or controls: Set forth in paragraph 1 above.

(f) Duration of Control: Forty (40) years from the date of approval of the urban renewal plan for this section by the Buffalo Common Council.

F. Other Provisions Necessary to Meet Requirements of State and Local Law

1. Proposed time schedule for the effectuation of the plan: All activities scheduled for the first action year of the Broadway-Fillmore Neighborhood Redevelopment Program are scheduled for completion within the action year. The activities required to effectuate the plan for the over-all urban renewal area are scheduled to be completed within five to seven years.

2. Compliance with state and local law: The various elements of this Urban Renewal Plan are in compliance with the requirements of state and local law and there are no additional requirements with respect to the Urban Renewal Plan which have not been complied with.

G. Procedures for Amending the Urban Renewal Plan

This Urban Renewal Plan may be amended at any time by the Buffalo Urban Renewal Agency and the Common Council of the City of Buffalo, provided that any major amendment shall be concurred in by the owner or lessee of the project land materially affected thereby. For the purposes of this plan, a major amendment shall be deemed to be a change in project boundaries or a change in the land uses and building regulations set forth in this plan.