BUFFALO NEIGHBORHOOD DEVELOPMENT PROGRAM

EMSLIE URBAN RENEWAL AREA

ND-401 URBAN RENEWAL PLAN

A. Description of NDP Urban Renewal Area

The Emslie 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 Emslie area is bounded generally by William Street on the north, Smith Street on the east, Seneca Street on the south, and Jefferson Avenue on the west, as shown on the Land Use Plan Map, Map ND-401.

B. Statement of Development Objectives

1. The development objectives of the Emslie Urban Renewal Plan are as follows:

(a) The removal of substandard housing conditions either through redevelopment and new housing construction or through the upgrading and rehabilitation of existing residential structures where feasible.

(b) The utilization to the maximum extent possible of vacant lots and vacant structures for new development in order to minimize both family displacement and displacement of existing institutions and business enterprises.

(c) The focussing of housing development or rehabilitation 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.

(d) 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.

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

(f) To expand the economic and employment base of the area through the preservation or upgrading of existing major light industrial, warehousing, and commercial establishments in non-residential sections of the area 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: The permitted uses as shown on the Land Use Plan Map shall be as follows:

(a) Residential: In the predominantly residential area bounded generally by William Street on the north, Smith Street on the east, Seymour Street on the south, and Jefferson Avenue on the west -- density of new residential development shall not exceed 25 dwelling units per net acre.

(b) Light Industrial, Warehousing and Major Commercial Uses: In the section of the area designated for such uses - bounded generally by Seymour Street on the north, Smith Street on the east, and Seneca Street on the south - the maximum floor area ratio of new buildings shall not exceed 1.5 to 1 unless a higher ratio is specifically authorized by the Buffalo Urban Renewal Agency to meet special circumstances consistent with the objectives of this urban renewal plan. No development of new residential buildings shall be permitted in such areas.

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 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.

(1) The location of secondary streets will be determined in conjunction with the location of the new uses contemplated by this plan and will be limited to providing vehicular and pedestrian access to abutting properties, with lay-out designed to discourage through traffic.

(2) Collector streets will be provided as required by the location of the uses contemplated by this plan and designed and distribute it to the urban renewal area's arterial system.

(3) Arterial streets will be provided to distribute through traffic to and from the urban renewal area.

(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. 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 property surveys, economic and planning analyses, and land use determinations.

1. Rehabilitation

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

(b) Owners of properties 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 will 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 structures for redevelopment in accordance with this plan.

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

2. Acquisition and Clearance

Properties 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 analyses.

(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

1. In the areas bounded as follows (the two first action year areas

in the Emslie Neighborhood Development Program):

(a) on the north by William Street, on the east by Emslie Street, on the south by Howard Street, and on the west by Watson Street; and

(b) on the north by Howard Street, on the east by Lord Street, on the south by Addison Alley, and on the west by Bond Street, land use regulations shall be as follows:

Permitted Land Uses: Residential rehabilitation where feasible; new residential at a density not to exceed 25 dwelling units per net acre or the equivalent for lesser building sites; and commercial facilities, including mixed commercial-residential facilities where considered consistent with urban renewal plan objectives by the Buffalo Urban Renewal Agency and community facilities.

2. Circulation System: William Street and Clinton Street will function as east-west arterials serving the action areas, consistent with the comprehensive plan of the City of Buffalo. Existing through north-south streets will be retained. Interior streets or closings will be determined by the Buffalo Urban Renewal Agency in consultation with redevelopers and the Buffalo City Planning Commission.

3. 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.

4. 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.

5. 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.

6. Commitments on moderate and low-income housing: Not applicable to this section.

7. Statement of urban design objectives or controls: Set forth in paragraph 1 above.

8. Duration of controls: 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 Laws

1. Proposed time schedule for the effectuation of the plan: All activities scheduled for the first action year of the Emslie 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.