

U R B A N . R E N E W A L P L A N

ENTERTAINMENT DISTRICT

RENEWAL PROJECT

NOVEMBER 1979

PHASE II

Buffalo, New York
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ENTERTAINMENT DISTRICT RENEWAL/PHASE II

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ENTERTAINMENT DISTRICT RENEWAL PROJECT
URBAN RENEWAL PLAN - PHASE II

INTRODUCTION:

The Entertainment District is located one block to the north of Buffalo's Central Business District. It is roughly bounded by the Elm-Oak Arterial to the east, Edward and Goodell Streets to the north, Delaware Avenue to the west, and Mohawk Street to the south. Within these boundaries lies a twenty block area which historically represented the center of entertainment activity for the region.

In 1979, over twenty years after its peak, the Entertainment District is again recognized as an area possessing considerable redevelopment potential. Plans to reverse the current trend of blight and substandard conditions are the result of a widespread conviction in the inherent assets of the area, despite its recent deterioration. The Downtown Entertainment District is the focus of a coordinated effort designed to raise the area to its former position of health and prominence.

In July of 1978, the SUNYAB School of Architecture and Environmental Design completed the Downtown Entertainment District Master Plan, now on file with the Department of Community Development. This report succeeded in framing general parameters for development decisions affecting the area and generated substantial public awareness of the problems and possibilities for the District.

This comprehensive, long term development plan for the core area focused on the economic, social and physical goals essential to any major development scheme. Principle economic goals include the creation of jobs, an improved municipal tax base, a stronger reliance upon the service sector, and attracting outside investment into the inner city. Social goals are designed to enhance the quality of the urban experience by directing the community's attention to the City's cultural and recreational resources. The fulfillment of physical goals involves the insurance of a safe and visually attractive downtown.

In recognition of the economic, social and physical decline of the area, the Department of Community Development filed with the Buffalo Common Council, Phase I of the Downtown Entertainment District Urban Renewal Plan. Because of the prevalence of sub-standard and blighted conditions, the twenty block area, with Main Street as its central axis, was therefore deemed appropriate for Urban Renewal. Pursuant to the provisions of New York General Municipal Law, Section 504, this project was officially designated as an Urban Renewal Area by adoption of Common Council Proceeding #86, on May 1, 1979.

To date, substantial progress in the District has been recorded. The opening of the Buffalo Convention Center, federally assisted reconstruction of the Studio Arena and Sheas Buffalo Theatre, and commencement of construction for the Light Rail Rapid Transit Line all combine to promise greater potential for the Entertainment

District and related pedestrian mall. The City's purchase of a number of vacant, but architecturally significant Main Street properties will insure that development progresses in a coordinated fashion. Common Council approval of Block Grant allocations to the District has enabled the Department of Community Development to initiate the revitalization process. One of the most significant accomplishments to date, has been the formation of the Upper Main Street Development Corporation. Because of the commitment of area business leaders to redevelopment of the project area, a mechanism now exists to encourage development in a planned, strategic manner.

The proposed Phase II - Downtown Entertainment District Urban Renewal Plan constitutes an effort to carry previous plans further towards implementation. The public appears convinced that a safe, stimulating, and attractive entertainment center is the key to making the renaissance of Downtown Buffalo a reality. Approval of the present plan will enable the Department of Community Development to enter into the necessary stages required to bring such a change about.

SECTION II
PROJECT AREA REPORT

II. PROJECT AREA REPORT

A. URBAN RENEWAL PLAN

State General Municipal Law requires an urban renewal plan to be submitted to the local legislative body prior to engaging in Urban Renewal Activities. Section 502.7 of the Urban Renewal Law states in part "Such urban renewal plan shall include, but shall not be limited to: a statement of proposed land uses; proposed land acquisition, demolition and removal of structures; proposed acquisition of air rights and concomitant easements or other rights of user necessary for the use and development of such air rights".

This document fulfills the requirements for an Urban Renewal Plan for Phase II of the Entertainment District Renewal Area. This Plan and other reference material available in its preparation will specifically serve to provide the documentation necessary to: define the project area; demonstrate its eligibility for Urban Renewal, and propose methods and means for eliminating blight.

1. Project Area - The Phase II project area is located in the center of the southern most section of the original 20-block area diagonally adjacent to the Buffalo Convention Center. The project area straddles Main Street and is contiguous to the Phase I Project Area, effectively creating a renewed corridor. This continuity is considered vital to promote re-development on both sides of the corridor.

A. URBAN RENEWAL PLAN (Continued)

2. Existing Blighting Conditions - The Urban Renewal Plan will show that conditions of economic blight exist, (as defined in the "Urban Renewal Law", Article 15, Section 500-504 of the General Municipal Law), that there are certain permitted remedial actions that may be taken by the City to remove such blighted conditions and finally that there are certain proposed uses and developments that may be constructed which will insure that the blighted conditions are permanently removed.
3. Proposed Redevelopment Activities will Eliminate Blight - Based on independent market analyses it has been determined that the Buffalo area can support a limited number of activities in a given area. The proposed commercial complex will replace blight with a development that will be economically sound and again provide a source of public revenues.

Compatible land uses generally will remain self-sustaining and profitable. A complex of this type is compatible with the Entertainment District and will contribute significantly and become an economic stabilizer. The various forms of blight will thereby be eliminated permanently.

B. PROJECT BOUNDARY

1. General Description:

The boundaries of the project area are shown on the Project Boundary Map on Page 12, and are generally described as follows:

BOUNDED BY:

Chippewa Street on the North

Washington Street on the East

Genesee Street on the South

Franklin Street on the West to Huron Street

The West Boundary Line then Jogging East on Huron Street to Pearl Street, North on Pearl to Chippewa Street.

B. PROJECT BOUNDARY (CONTINUED)

1. General Description: (Cont'd)

The total Phase II Project Area contains approximately 15.14 acres including the Huron Parking Ramp, an Office Building (181-183 Franklin Street) the Ancient Landmark Building (318-320 Pearl Street) and the Buffalo Savings Bank Properties (543-561 Main Street) which will not be acquired, but contain approximately 1.90 acres.

There are 36 parcels, or 5.97 acres, proposed for clearance, not including Street Right-of-Way.

There are a total of 7.32 acres of Street Right-of-Way in the four-block project area of which 0.04 acres of the Street Right-of-Way will be vacated, leaving 7.28 acres of Street Right-of-Way scheduled for retention.

2. Technical Description:

ALL THAT TRACT OR PARCEL of land situated in the City of Buffalo, County of Erie, State of New York, and described as follows:

B. PROJECT BOUNDARY (Continued)

2. Technical Description: (Cont'd)

BEGINNING at a point of intersection of the south right-of-way line of Chippewa Street (66' wide) and the east right-of-way line of Washington Street (66' wide); thence southerly along said line to its intersection with the south right-of-way line of Huron Street (66' wide); thence westerly along said line to its intersection with the southwest right-of-way line of Genesee Street (99' wide); thence southwesterly along said line to its intersection with the east right-of-way line of Main Street (99' wide); thence southerly along said line a distance of 130' more or less, to a point; thence westerly and at right angles to Main Street, a distance of 129' more or less, to its intersection with the southwest right-of-way line of Genesee Street (99' wide); thence southwesterly along said line to its intersection with the east right-of-way line of Pearl Street (66' wide); thence westerly and at right angles to Pearl Street, to its intersection with the west right-of-way line of Pearl Street; thence northerly along said line a distance of 23' more or less, to a point; thence southwesterly along the southwest right-of-way line of Genesee Street (40' wide), a distance of 82.80'; thence westerly along said line

B. PROJECT BOUNDARY (Continued)

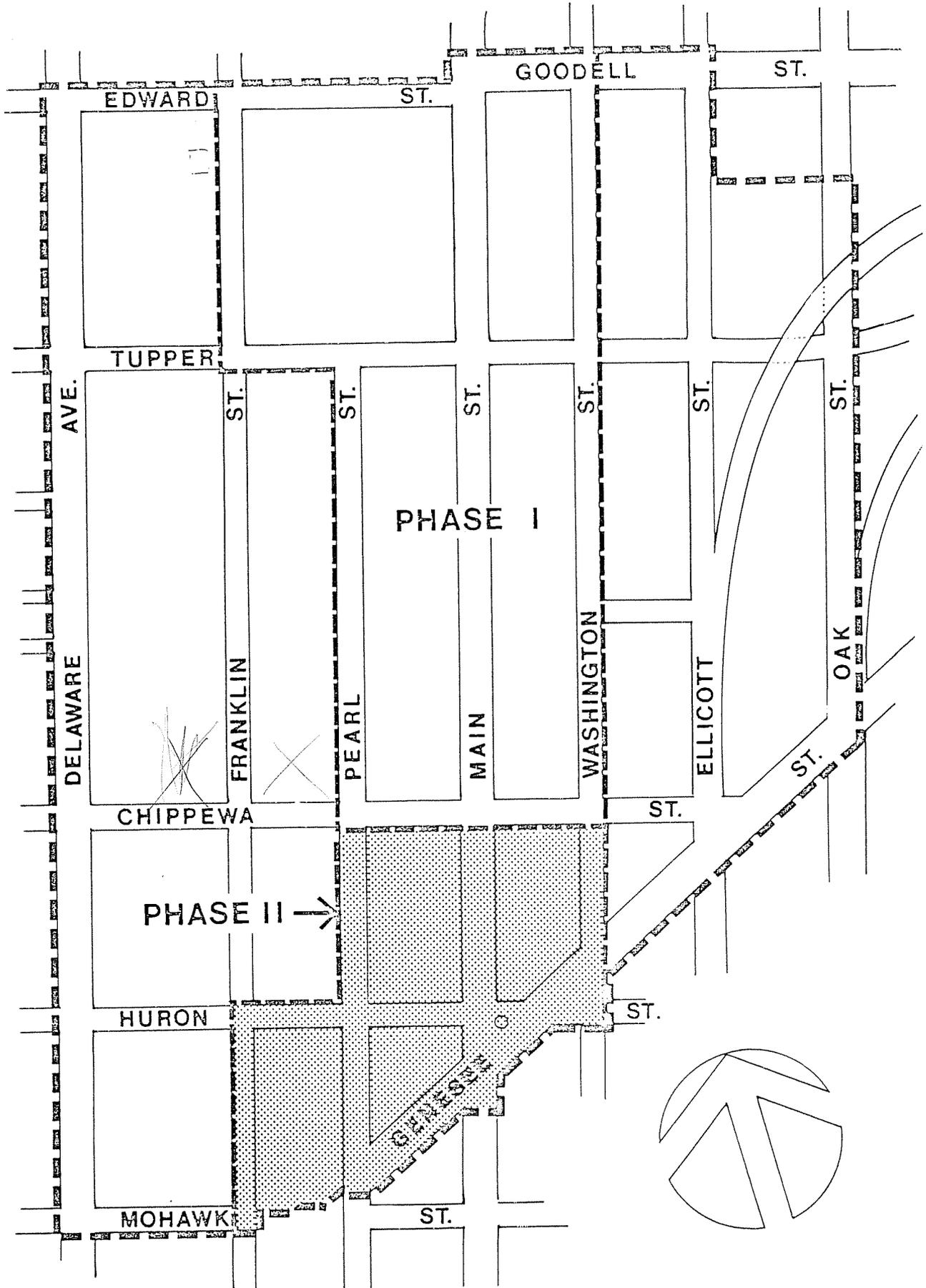
2. Technical Description: (Cont'd)

and parallel to Mohawk Street, a distance of 38.00'; thence southwesterly along said line and parallel to the northwest right-of-way line of Genesee Street a distance of 28.28'; thence westerly along said line and parallel to the north right-of-way line of Mohawk Street, a distance of 116.50' to its intersection with the east right-of-way line of Franklin Street (66' wide); thence southerly along said line to its intersection with the south right-of-way line of Mohawk Street (66' wide); thence westerly along said line to its intersection with the west right-of-way line of Franklin Street (66' wide); thence northerly along said line to its intersection with the north right-of-way line of Huron Street (66' wide); thence easterly along said line to its intersection with the west right-of-way line of Pearl Street (66' wide); thence northerly along said line to its intersection with the south right-of-way line of Chippewa Street (66' wide); thence easterly along said line to its intersection with the east right-of-way line of Washington Street; to the place and point of Beginning.

B. PROJECT BOUNDARY (Continued)

2. Technical Description: (Cont'd)

PHASE I of the Project is generally bounded by Edward and Goodell on the north, Washington on the east, Chippewa on the south, and Pearl and Franklin Streets on the west.



**Entertainment
District**

**Project
Boundary
Map**

C. PROJECT ELIGIBILITY

The State General Municipal Law defines areas which are eligible for Urban Renewal to be residential, nonresidential, commercial, industrial or vacant areas "which are slum or blighted, or which are becoming slum or blighted areas because of substandard, insanitary, deteriorated or deteriorating conditions, factors, and characteristics, with or without tangible physical blight. The existence of such areas constitutes a serious and growing menace, is injurious to the public safety, health, morals and welfare, contributes increasingly to the spread of crime, juvenile delinquency and disease, necessitates excessive and disproportionate expenditures of public funds for all forms of public service and constitutes a negative influence on adjacent properties impairing their economic soundness and stability, thereby threatening the source of public revenues".

This plan establishes that the area is eligible for Urban Renewal by demonstrating that blight and conditions of blight exist in this area. (The finding of blight and its various conditions has already been found to exist in the City's designation and approval of the overall Urban Renewal Plan, of which this area is a part, on May 1, 1979, C.C.P. NO. 86). *FALSE*

The plan demonstrates the existence of blight through a building conditions survey, and an economic survey of business activity in the area.

C. PROJECT ELIGIBILITY (CONTINUED)

1. Building Condition Survey:

- a. Survey Form - Construction was broken down into the three overall categories of major elements, minor elements and mechanical systems.

Each of these was further reduced into sub-categories resulting in 17 distinct components. Each of these components was assigned a weighted value totaling 100 points per building. The lowest point total being the most acceptable.

This information was then charted on a SURVEY FORM and the building placed into one of the four categories as described under Item d. and shown on the Project Area Map "Exhibit B".

See sample of Survey Form "Exhibit J".

- b. Inspection - Interior and exterior inspections of all buildings in the project area were conducted during October and November 1979, by a Rehabilitation Construction Analyst employed by the Department of Community Development, with background in all building types and ages.

The most critical elements of a structure, and consequently the most costly to repair, replace or restore were assigned the highest weighted value. The condition of this element was then examined and assigned a "score" within its total point value (the higher the number the more deteriorated its condition). For example, a "score" of 3 on an element with a total point value of 5 meant that the element presently contained only 40% of its original quality (100% less 3/5 or 60% = 40%).

- c. Qualifications of the Inspector - The Inspector employed to survey the buildings has a wide variety of experience in many phases of building construction, administration and maintenance. Knowledge of cost estimating involved in rehabilitation is a prime requirement since a judgment must be made for each building to justify rehabilitation. See EXHIBIT K.

C. PROJECT ELIGIBILITY (CONTINUED)

1. Building Condition Survey: (Cont'd)

- d. Rating System - The criteria was then used to classify buildings as to physical quality and each building was placed into one of the following four categories:
1. Structures deemed to be sound.
 2. Structures requiring extensive minor repair which create a deteriorating influence.
 3. Structures with deteriorating conditions which are not correctable by normal maintenance, classified as being in need of major repair.
 4. Structures having defects to a point warranting clearance.

This information is charted on the PROJECT AREA MAP - EXHIBIT B.

2. Economic Survey:

- a. Vacancy - the Department of Community Development's Staff surveyed all properties in the Project Area to determine the percentage of vacancy and this information was visually confirmed by the Building Inspector. The City determined that this information would serve as a fairly accurate indicator of those properties experiencing or about to experience economic difficulties. The results are compiled on the BUILDING VACANCY MAP - EXHIBIT C.
- b. Tax and Mortgage Foreclosures - Title searches and reports were prepared for all properties in the Project Area by reviewing City Records and the results on the tax and mortgage foreclosures were compiled. The results are shown on the FORECLOSURE ACTIONS MAP - EXHIBIT D.

C. PROJECT ELIGIBILITY (CONTINUED)

3. Conclusions:

- a. Building Conditions - By these investigations, it is proven that real factors of blight exist, showing a tendency to affect other properties in the area. This will lead to a general weakening of public health and safety.
- b. Economic Conditions - As shown on the Vacancy and Foreclosure Maps, it is apparent the existence of these factors constitute a blight, and if not checked will certainly spread to adjacent properties.
- c. Tax Base - Due to the poor physical and economic conditions as explained, the City's source of revenues has been threatened and in some instances severely diminished.

The existence of the combination of these factors constitutes a blight. This area is therefore an eligible Urban Renewal Area.

III. URBAN RENEWAL PLAN

A. URBAN RENEWAL PLAN OBJECTIVES

1. Authority:

The State General Municipal Law states that the undertaking of Urban Renewal; "it is necessary to correct such substandard, insanitary, blighted, deteriorated or deteriorating conditions, factors and characteristics by the clearance, replanning, reconstruction, redevelopment, rehabilitation, restoration or conservation of such areas, the undertaking of public and private improvement programs related thereto and the encouragement of participation in these programs by private enterprise".

2. Objectives:

The primary objective of this Plan is to insure the continuing, orderly and expeditious development of Buffalo's Entertainment District. It is consistent with the goals of the Buffalo Master Plan, the Regional Center Plan, and the Entertainment District Report. The Plan outlines project objectives, standards for development, procedures for acquisition and disposition, as well as preferred courses of action.

A. URBAN RENEWAL PLAN

2. Objectives: (Cont'd)

The Entertainment District Phase II Urban Renewal Plan seeks to accomplish the general goals and objectives set forth in the State General Municipal Law and the Phase I Entertainment District Urban Renewal Plan. The Phase II Plan also seeks to accomplish the following specific objectives embodied in this Plan, to be achieved through public and private action as follows:

- a. The acquisition and/or demolition of structurally substandard buildings, including those incompatible with the overall development of the Entertainment District Area.
- b. The elimination of blighting influences detrimental to the economic development of the area.
- c. Creation of major land sites for new commercial construction and development.
- d. The creation of safe, efficient and functional vehicular and pedestrian circulation systems.
- e. The creation of an attractive, visually exciting, economically sound, redevelopment in the Entertainment District.

A. URBAN RENEWAL PLAN (CONTINUED)

2. Objectives: (Cont'd)

- f. The disposition of appropriate public right-of-ways to accommodate pedestrian movement consistent with the Land Use Plan.
- g. The creation of marketable air rights and/or easements for new construction and multi-level connections between various new buildings and developments.
- h. The creation of recreational opportunities to reinforce new and on-going commercial activities.
- i. The creation of opportunities for the construction of new commercial facilities that will support and enhance the Phase I target area and the established Central Business District.

3. TYPES OF PROPOSED URBAN RENEWAL ACTIONS

The City of Buffalo, in concert with the Urban Renewal Agency, with the authorization of the governing body thereof, proposes certain Urban Renewal actions within the Entertainment District Renewal Project - Phase II, which include:

a. Clearance and Redevelopment

- I) Acquisition of all real property, except as explicitly excluded, as identified for such action on the "Land Acquisition Plan Map", bound herein.
- II) Clearance of all structures and improvements thereon, except as explicitly excluded.

A. URBAN RENEWAL PLAN OBJECTIVES (CONTINUED)

3. TYPES OF PROPOSED URBAN RENEWAL ACTIONS (CONT'D)

a. Clearance and Redevelopment

- III) Relocation of site occupants residing in structures which are considered substandard and scheduled to be cleared.
- IV) Assembly of such cleared land into parcels whose size, shape and location will allow for economically feasible redevelopment in accordance with the objectives of this Plan, and the projected market demands for such new development.
- V) Sale or lease of all land acquired by the City for reuse in accordance with the goals and objectives as established in the Urban Renewal Plan.
- VI) Rehabilitation assistance to individual property owners by providing technical support and financial incentives.

b. Public Improvements and Facilities

- I) The modification, development and construction of necessary public improvements and facilities required to adequately support and service the existing and proposed land uses and activities in the Entertainment District Project, Phase II, including streets, utilities, open spaces and pedestrian facilities.

A. URBAN RENEWAL PLAN OBJECTIVES (CONTINUED)

3. TYPES OF PROPOSED URBAN RENEWAL ACTIONS (Cont'd)

b. Public Improvements and Facilities

- II) The spanning of portions of Huron Street, between Main and Pearl Streets for development in conformance with the overall objectives of the Entertainment District Plan.
- III) The underground placement of all new utilities, and of existing utilities where deemed necessary.

B. LAND USE PLAN

1. PROPOSED LAND USE

The Land Use Plan Map, bound herein and made a part of this Plan, identifies the general land use categories and areas which are established and permitted within the Entertainment District Project, Phase II.

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS FOR PHASE II

The following requirements shall apply to the use and development of land within the Entertainment District Renewal Project, Phase II and together with the Land Use Plan Map, shall constitute the provisions of this Urban Renewal Plan that govern such use and development.

These requirements are established as basic guides and standards for new construction as well as rehabilitation, reflecting the public renewal objectives and intent of the City in undertaking the Entertainment District Renewal Project. It is not intended, however, that such provisions unduly inhibit exploration of valid land uses, design concepts, economic concepts, or other development and objectives which, while varying from some aspect of these requirements, may nevertheless achieve the public objectives embodied herein.

B. LAND USE PLAN (CONTINUED)

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS FOR PHASE II (CONTINUED)

The Commissioner of Community Development and/or his Designee, and the City Planning Board, shall be responsible for review of all redevelopment proposals, and for interpretations of the terminology and intent of this Plan, and shall determine the appropriateness and acceptability of all redevelopment and rehabilitation proposals in terms of their conformity with the Urban Renewal Plan. The Commissioner of Community Development, and/or his Designee, shall, in all cases, act on behalf of the City, as the initial authority in the review of proposals, and shall consult with the City Planning Board, as required, prior to any recommendations to the Common Council regarding such proposals.

A Design Plan is also attached, but, shall not be construed as applicable in governing or controlling the specific type, character, or pattern of redevelopment which may be permitted. The Design Plan, and Section B3, Design and Development Objectives of the Plan, is intended to generally illustrate and guide the interpretation of the Land Use Provisions, Building Requirements, and Public Objectives of the Urban Renewal Plan.

B. LAND USE PLAN (CONTINUED)

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS FOR
PHASE II (CONTINUED)

It should be noted that properties not to be acquired shall be subject to the Urban Renewal Plan, including the Property Rehabilitation Section, and/or other applicable controls, and enforced through Code Enforcement, Zoning Regulations and Restrictions, or any other appropriate means available to the City or Agency.

a. Public Use and Development

In addition to adjustments in the Public Street Rights-of-Way, the City may provide additional public amenities such as covered walk-ways, pedestrian malls, landscaped plazas, etc..

b. Private Use and Development

I) In the area of the project designated for Commercial (Central Business District/C3), the following uses are encouraged:

Art Galleries, Supplies and Studios
Hotel
Office Building
Parking Structures
Professional Offices and Services
Radio, Television and Communication
Facilities

B. LAND USE PLAN (CONTINUED)

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS FOR
PHASE II (CONTINUED)

b. Private Use and Development

I) Cont'd:

Recreational Usage
Residential; Permanent and Transient
Restaurants and Night Clubs
Retail Stores
Theaters - Legitimate or Motion Picture
Theatrical Services and Supplies

Other uses generally comparable and compatible to the above may be authorized by the Commissioner of Community Development, or his Designee. Site Development Plans shall be submitted to the Commissioner of Community Development for approval.

Noxious or nuisance uses will not be permitted, and any such existing uses will be encouraged to relocate outside the Project Area.

B. LAND USE PLAN

(CONTINUED)

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS FOR
PHASE II (CONTINUED)

b. Private Use and Development

II) Off-Street Parking and/or Loading

It is the intent of this Plan, that all uses and activities within the Entertainment Project, have off-street facilities or areas for parking and receiving, loading and distribution of material or merchandise, or other servicing by vehicle.

Adequate off-street parking or loading facilities shall be provided and available within or adjacent to all new building development and shall furthermore be located entirely within the parcel of such buildings

Common use of loading facilities by a number of establishments, or grouping of such facilities to serve several uses or establishments, may be permitted. In any permitted case, the City may require and enforce such agreements as to limited hour and/or staged delivery schedules by the various uses and establishments, as may be required to effectively utilize such reduced or grouped facilities, and service vehicles will be denied any on-street parking or standing which may result from lack of adherence to such schedules.

Loading and other service areas shall be subject to the following requirements:

B. LAND USE PLAN

(CONTINUED)

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS FOR
PHASE II (CONTINUED)

b. Private Use and Development

II) Off-Street Parking and/or Loading (Cont'd)

Loading/Service Area Requirements:

Loading areas shall be surfaced with a dustless all-weather, durable material capable of bearing all vehicular loads to which they may be subjected, and

Shall be properly graded and drained to collect and dispose of surface water, and

Proper lighting shall also be considered a necessity.

c. Related Provisions

All vehicular access from or egress onto, any public right-of-way shall be carefully reviewed by the Commissioner of Community Development and the Commissioner of Transportation.

NOTE: It should be noted that parking for 10 vehicles or more, must meet all the requirements under Chapter LXX, Section 17B (3) and Chapter V, Section 362. Also, note Chapter LXX, Section 17B (4), 23 (32) and Chapter V, Section 363 of the City Codes.

B. LAND USE PLAN (CONTINUED)

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS FOR PHASE II (CONTINUED)

d. Sidewalk Coverings (Other Than Covered Mall Areas)

Subject to approval of the City, sidewalk coverings, canopies, marquees or similar structures in the Entertainment District may be extended a maximum of ten feet (10') into any public right-of-way, but, in no case closer than six feet (6') to the face of any street curb.

Vertical clearance from the sidewalk shall be not less than ten feet (10'). Supporting posts or columns if permitted, shall be located so as to not impede general pedestrian movement.

e. Signs

I) A sign program, describing the location, nature, character and size of signs shall be presented to the Commissioner of Community Development as part of any redevelopment proposal.

II) All signs within the Entertainment District Renewal Project Area shall be restricted to signs which identify buildings to which they are attached, or uses, businesses,

B. LAND USE PLAN (CONTINUED)

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS FOR
PHASE II (CONTINUED)

e. Signs (Cont'd)

- II) services, or goods located or obtainable on the premises.
- III) No flashing electrical signs may be used, except in keeping with a specific theme as approved by the Commissioner of Community Development.
- IV) Exceptions for special heraldic devices and symbols, hanging signs, or mechanical signs may be approved on an individual basis by the Commissioner of Community Development, if these can be shown to relate to the entity which the building represents. Fixed signs and advertising and heraldic devices, shall be approved on the basis of a general plan for each portion of the property separately conveyed in relation to facade structures, rather than on an individual basis.

B. LAND USE PLAN (CONTINUED)

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS FOR
PHASE II (CONTINUED)

f. Illumination

All illumination of buildings, grounds, signs, or other appurtenances within the Entertainment District Renewal Area shall be arranged and shielded so that no direct ray shall cross any street or property line, or otherwise create a nuisance to any adjacent use or activity, public or private. Such illumination shall be non-flashing and non-blinking.

g. Building Design and Materials

All buildings shall be constructed of substantial and permanent materials, consistent with long-range economic use and competitive requirements. While a variety of architectural expressions shall be encouraged, building elements shall harmonize with each other and with surrounding area, and discordant novelty designs shall not be permitted.

B. LAND USE PLAN (CONTINUED)

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS FOR
PHASE II (CONTINUED)

h. Architectural and Landscape Plans

The Commissioner of Community Development shall evaluate Architectural Plans for all new buildings to ensure that each building will be a distinguished architectural expression which may have a distinctive character and yet be harmonious with adjacent buildings in the project, and to ensure that the buildings will conform with the Urban Design Concepts on which the Urban Renewal Plan is based. Portions of building sites not containing structures shall be appropriately landscaped. The Commissioner of Community Development shall evaluate Landscape Plans to ensure that the landscaping will complement the building or buildings on the site and adjacent buildings in the project, and to ensure that the landscaping will conform with the Urban Design Concepts on which the Urban Renewal Plan is based. In the disposition of land and in Owner Participation Agreements, the Commissioner of Community Development may establish detailed design criteria with appropriate provisions in the Disposition Documents and Owner Participation Agreements.

B. LAND USE PLAN (CONTINUED)

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS FOR PHASE II (CONTINUED)

i. Off-Site Improvements

The City of Buffalo shall, as a condition of sale or lease, require a redeveloper, to install street trees, landscaping, paving, benches, screening, waste receptacles, and other improvements considered necessary toward the overall revitalization of the area.

3. DESIGN AND DEVELOPMENT OBJECTIVES

The basic objectives of this Plan have been stated under A2, Urban Renewal Plan Objectives. These objectives are directed primarily at the functional restoration and strengthening of the Project Area as the current and continuing location of Central Business facilities and other social and economic resources of the community.

Exception: The Commissioner of Community Development, the City Planning Board, and the Common Council may approve variations from and exceptions to any of the above requirements on the basis of development program and site plans submitted by redevelopers for disposal parcels considered to best serve the objectives of the Urban Renewal Plan for the Entertainment District Development.

B. LAND USE PLAN .(CONTINUED)

4. DURATION OF LAND USE PROVISIONS AND BUILDING REQUIREMENTS

This Urban Renewal Plan, and all provisions contained herein, governing the use and redevelopment of lands in the Entertainment Renewal District Area, including any modifications thereof, shall be in full force and effect for a period of forty (40) years following the date of the Resolution of the Common Council of the City of Buffalo approving and adopting this Urban Renewal Plan.

C. DEVELOPMENT OPPORTUNITIES

The underlying purpose of renewal is to remove the blighting influences which threaten the City's source of revenue and replace them with permanent income producing alternatives which in turn strengthen the tax base.

Market studies indicate the Phase II Area is a prime location for additional retail and office space and for new convention hotel facilities, all highly desirable and compatible uses in the district. A development of this nature would benefit the City by; 1) improving the Convention Center operations, 2) act as an anchor for the theater district, 3) augment future Light Rail Rapid Transit ridership and 4) enhance the employment picture, both permanent and temporary (construction and related business). A project such as this obviously would preserve the area as a tax rateable property and will, in fact, significantly increase the amount of tax dollars generated.

D. PROJECT PROPOSALS

1. LAND ACQUISITION

The real property to be acquired by the City in the Entertainment District Renewal Area, pursuant to this Plan, is identified on the Land Acquisition Plan Map attached to and made a part of this Plan.

2. LAND DISPOSITION

Real property will be disposed of subject to the provisions as set forth in No. 3 below.

3. REDEVELOPERS OBLIGATIONS

Land held by the City of Buffalo will be disposed of subject to a mutual agreement between the City and the Redeveloper. The Redeveloper will be required by the Contractual Agreement, to observe the Land Use and Building Requirement Provisions of the Urban Renewal Plan. In addition, the following provisions will be included in the agreement:

- a. That the Redeveloper will submit a Financial Capability Statement and Site Plan for the proposed development for approval by the Commissioner of Community Development.
- b. That the purchase of the land is for the purposes of redevelopment and not for speculation.

D. PROJECT PROPOSALS (CONTINUED)

3. REDEVELOPERS OBLIGATIONS (Cont'd)

- c. That the land will be developed in conformity with the Provisions of the Urban Renewal Plan.
- d. That the building or improvements will be commenced and completed within a reasonable time.
- e. That the Redevelopers, their Successors or Assigns, agree that there will be no discrimination against any person or group of persons on account of race, creed, color, national origin, or ancestry in the sale, lease, transfer, use, occupancy, tenure or enjoyment of the premises therein conveyed or any improvements erected or to be erected thereon, nor will the Redeveloper himself, or any other person, claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy of tenants, leasees, or vendees in the premises therein conveyed or any improvements erected or to be erected thereon. The above provisions will be perpetual and will run with the land.

D. PROJECT PROPOSALS (CONTINUED)

4. IMPROVEMENT OF MAIN STREET

A portion of Main Street shall be closed to public vehicular traffic and improved as per mutual agreement between the City of Buffalo, individual property owners, and any new Redevelopers wishing to locate in the area.

E. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

The following statements are made to conform with State and Local Laws:

1. PROVISION OF COMMUNITY FACILITIES AND UTILITIES

The following community facilities and utilities are existing or will be provided:

- a. Sewers
- b. Water Lines
- c. Street Lights
- d. Street Improvements, Including Street Signs, Traffic Lights, Etc.
- e. Public Open Space

2. LOCAL CODES OR ORDINANCES

No additions or alterations to the Local Codes or Ordinances are necessary to effectuate the Urban Renewal Plan.

3. SCHEDULE FOR EFFECTUATION OF URBAN RENEWAL PLAN

The schedule for effectuation of the Urban Renewal Plan is contingent upon the development plans of the proposed developers, and rehabilitation by existing owners.

E. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS
(CONTINUED)

4. UNDERGROUND UTILITY LINES

Relocation and provisions for private and public utility systems will be made as needed to adequately serve the redevelopment undertaken in accordance with this Plan. Such relocation as required, will be coordinated with other private and public construction, and will include elimination of all overhead utility lines, and the underground installations of any new lines and systems. The cost of relocating the underground utility lines will be borne by the utility companies, pursuant to the appropriate laws and ordinances concerned with the redevelopment of the Area.

5. HISTORIC PRESERVATION REVIEW ANALYSIS

The Buffalo Urban Renewal Agency, in cooperation with the Department of Community Development, has conducted a historic preservation review analysis of the Plan and finds that the Urban Renewal Plan will have no adverse effect on the properties which are listed on the National Historic Register of Buildings within the Entertainment District or adjacent area. It is further found that new commercial development and construction in the Phase II area will greatly enhance those properties in the Phase I area which have been deemed eligible for the National Historic Register.

F. PROCEDURE FOR CHANGES IN THE APPROVED URBAN RENEWAL PLAN

The provisions of this Urban Renewal Plan may be modified or amended or additions made thereto, at any time, by the Common Council of the City of Buffalo, provided that any such changes, amendments, or additions made subsequent to the sale or lease of land in the Project Area by the City of Buffalo, shall be concurred in by the Owners or Leasees of the Project Land abutting such land.

Information to be obtained during the execution stage may indicate the need for minor revisions in property lines, thus making unnecessary the acquisition of property that is currently designated to be acquired.

G. PROPERTY REHABILITATION STANDARDS

All properties designated to remain in the Entertainment District Renewal Area, Phase II, shall comply with standards set forth in applicable City of Buffalo Statutes, Codes, and Ordinances, as amended, relative to the use, maintenance and occupancy of such facilities, including, but not limited to the Housing and Property Code, Building Code, Plumbing Code, Electrical Code, Fire Prevention Code, Flammable Liquid Ordinance, and the Code for Erie County Air Pollution Control, Article XIV. All such Code Standards are hereby incorporated by reference and made a part of these Property Rehabilitation Standards. In addition to compliance with such Statutes, Codes, and Ordinances, properties shall furthermore comply with the applicable OTHER REQUIREMENTS hereinafter outlined.

It is the intent of the City of Buffalo to preserve existing historic and aesthetic landmarks, where economically feasible, by encouraging improvements that will improve or maintain the original architectural character of the building.

The City of Buffalo, therefore, urges each property owner to review the Design Objectives and Requirements of this Plan and to voluntarily undertake additional improvements deemed necessary to achieve said objectives.

G. PROPERTY REHABILITATION STANDARDS (CONTINUED)

In turn, the City will provide substantial improvements to the Street and Pedestrian Network, to encourage rehabilitation and improvement by private property owners.

All new development and private property improvements will in turn increase the long-range benefit and value of the Project to each property and to the community as a whole.

H. OTHER REQUIREMENTS

1. EXTERIOR

- a. When replacement of exterior materials is required, new materials should assure ease of maintenance or improvement of the original architectural character of the building, and such new materials shall be masonry or other appropriate materials.

The fire resistance and weather resistance of all surfacing materials shall be as prescribed in the Buffalo Building Code.

- b. All deteriorating eaves or overhangs or similar appurtenant structures, or portions thereof, shall be repaired or reconstructed.
- c. Existing inappropriate materials on any building shall be replaced or covered with the types of materials cited under 1.a., above.
- d. Consideration should be given to substantial improvement of properties fronting along Main Street as integrated functional and elements of the overall plan for public improvements. All new pedestrian facilities to be constructed, shall conform to the overall design concept of the Entertainment District Project, and shall meet with approval by the City.

H. OTHER REQUIREMENTS (CONTINUED)

1. EXTERIOR (Cont'd)

- e. All finish surfaces on building exteriors shall be appropriately cleaned and maintained.
- f. All portions of properties not built upon shall be landscaped and/or paved with suitable materials to achieve an attractive appearance.
- g. All exterior storage areas shall be properly screened. The City will make special arrangements for the pick-up of trash and garbage within this area, where the closing of a street prohibits direct vehicular access.
- h. Any proposed color alterations of exterior surface finishes shall be submitted to the City for prior review and approval. Such review and approval shall also apply to the continuance of existing colors and surface finishes.

2. SIGNS, MARQUEES, AWNINGS, AND SIMILAR APPURTENANCES AND STRUCTURES

Such appurtenances and structures shall conform with the requirements of the Urban Renewal Plan, Section E, Paragraphs (1) thru (4).

H. OTHER REQUIREMENTS (CONTINUED)

3. WINDOWS

All window areas exposed to public view shall be kept clean and in a state of good repair. Except for display purposes, storage of materials, stock, or inventory shall not be permitted in window areas unless such areas are first screened or obscured from public view.

All windows and other openings in exterior walls with a fire resistance rating of three-quarter (3/4) hour or more shall be properly protected with appropriate windows, and shall not exceed the opening limitations and distance separation requirements specified in the Buffalo Building Code.

4. AIR CONDITIONERS AND HEATING UNITS - OUTSIDE ELEMENTS

All outside elements of air conditioning and heating units shall be so constructed, located, and maintained as not to be visible from, or constitute a safety, noise or vibration hazard to adjacent properties or public streets.

No equipment shall be installed and operated directly over a public sidewalk nor shall there be permitted condensation drainage upon any sidewalk. Any exhaust fumes shall be expelled above a height of eight feet (8').

H. OTHER REQUIREMENTS (CONTINUED)

5. OFF-STREET PARKING

Surface parking areas shall be paved with a dustless all-weather material capable of bearing all vehicular loads to be imposed thereon. Surface off-street parking areas shall be effectively screened from public view in a manner approved by the City of Buffalo.

6. OFF-STREET LOADING

Loading berths or other vehicular service facilities, where feasible, shall be completely enclosed within a building or screened in a like manner as surface off-street parking areas.

Open loading berths or areas shall be surfaced with a dustless all-weather material capable of bearing all vehicular loads to be imposed on them.

Lighting used to illuminate off-street loading areas shall be directed away from other properties and public streets in such a way as not to create a nuisance.

NOTE: It should be noted that No. 5 and No. 6 above, must meet the Parking and Off-Street Loading Requirements under Item 2B and 2C of the Urban Renewal Plan and other requirements under Chapter LXX, Section 17B (3) and Chapter V, Section 362, as well as Chapter LXX, Section 17B (4), 23 (32) and Chapter V, Section 363 of the City Codes.

H. OTHER REQUIREMENTS (CONTINUED)

7. AIR POLLUTION CONTROL

Air pollution control throughout the Project Area shall comply with the Code for Erie County Air Pollution Control, Article XIV.

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Final Report - November 1977
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ENTERTAINMENT DISTRICT PHASE II

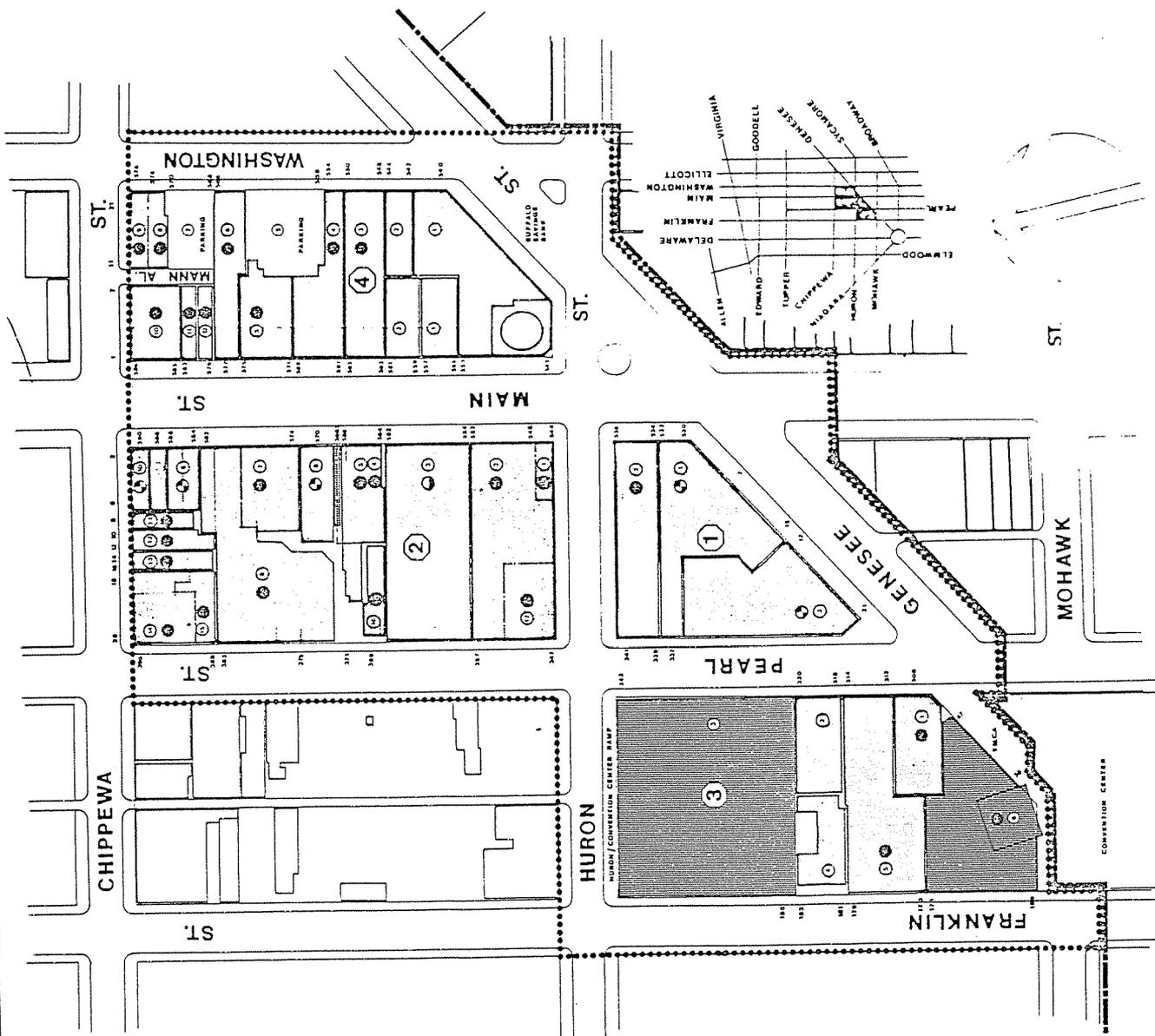
PROJECT AREA MAP

- LEGEND**
- PROJECT BOUNDARY
 - PHASE II BOUNDARY
 - ▨ PUBLIC / SEMI PUBLIC
 - ▩ COMMERCIAL

- ⑤ BLOCK NUMBER
- ① PARCEL NUMBER
- ST STREET ADDRESS

STRUCTURAL CONDITIONS

- STRUCTURE - SOUND
- ◐ STRUCTURE WITH MINOR DEFICIENCIES
- ◑ STRUCTURE WITH MAJOR DEFICIENCIES
- ◒ STRUCTURE SUBSTANDARD TO A DEGREE REQUIRING CLEARANCE



ENTERTAINMENT DISTRICT PROJECT
 BUFFALO, N.Y. JAMES D. GRIFFIN MAYOR
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 BRUCE C. WATRO
 LAWRENCE QUINN
 PREPARED BY: DI DOMATO, REMALDO ASSOCIATES
 DATE: 11-30-70

ENTERTAINMENT DISTRICT

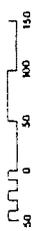
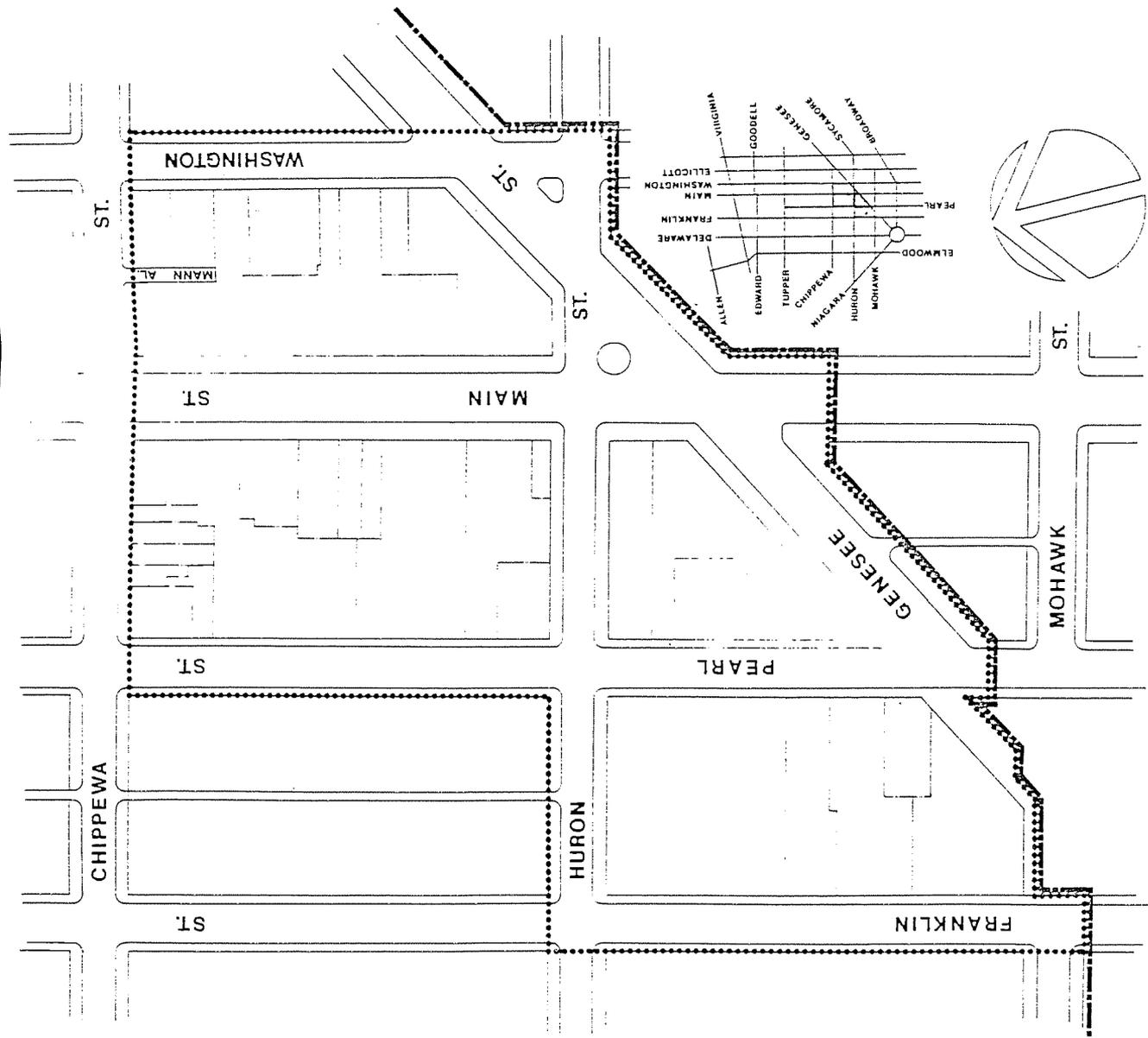
PHASE II

PROJECT BOUNDARY (M.A.I.)

LEGEND

- (solid line) —
- (dashed line) —
- (dotted line) —

ENTERTAINMENT DISTRICT
 BUFFALO, N.Y.
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 BRUCE C. BAIRD
 LAWRENCE GUINN
 PREPARED BY
 DATE - 11-30-79



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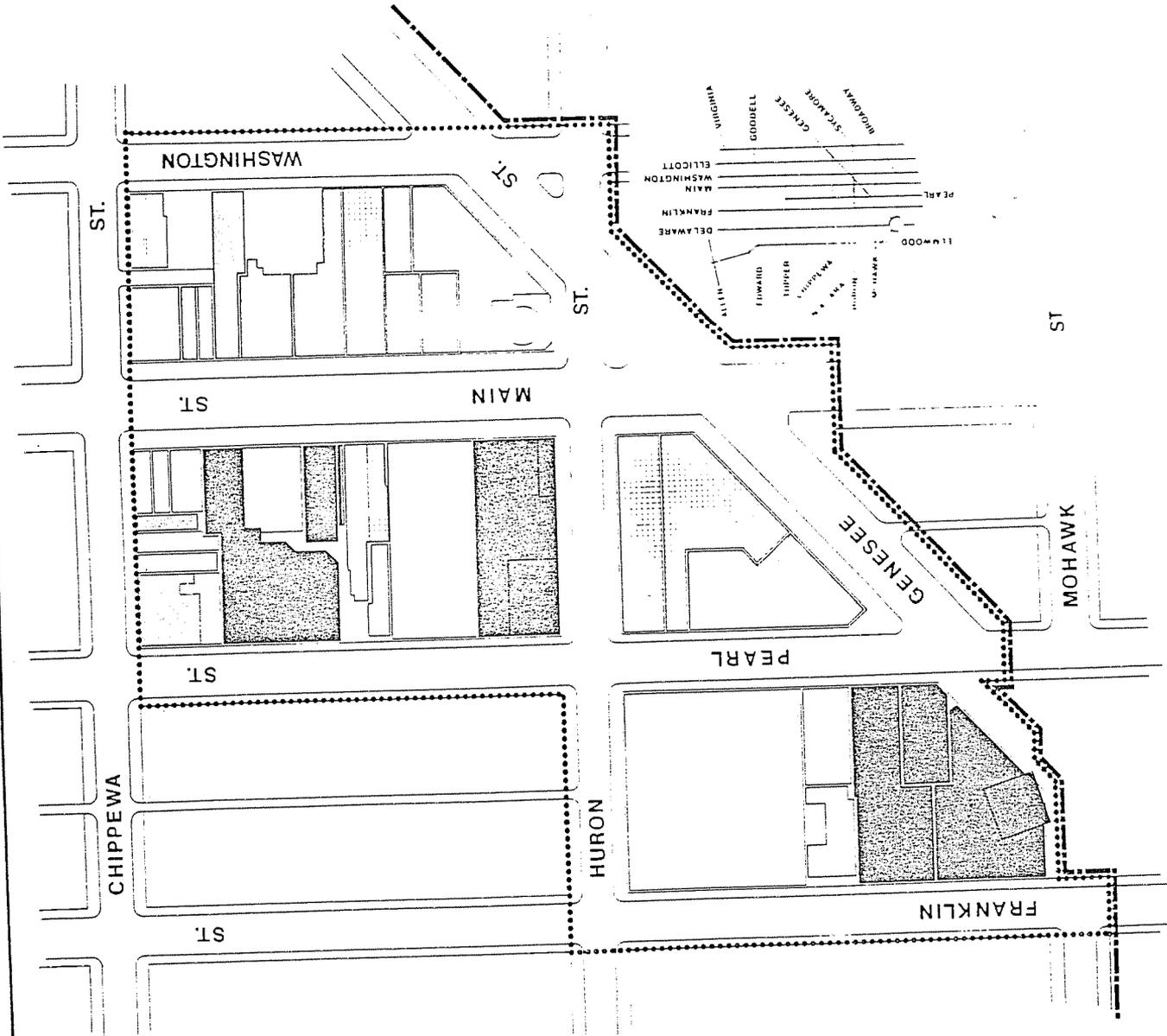
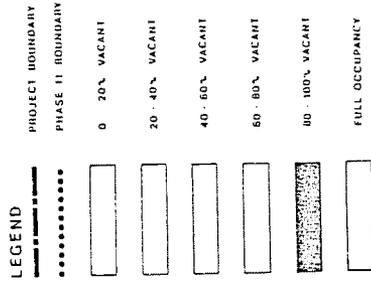
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ENTERTAINMENT DISTRICT

PHASE II

BUILDING VACANCY MAP

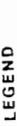


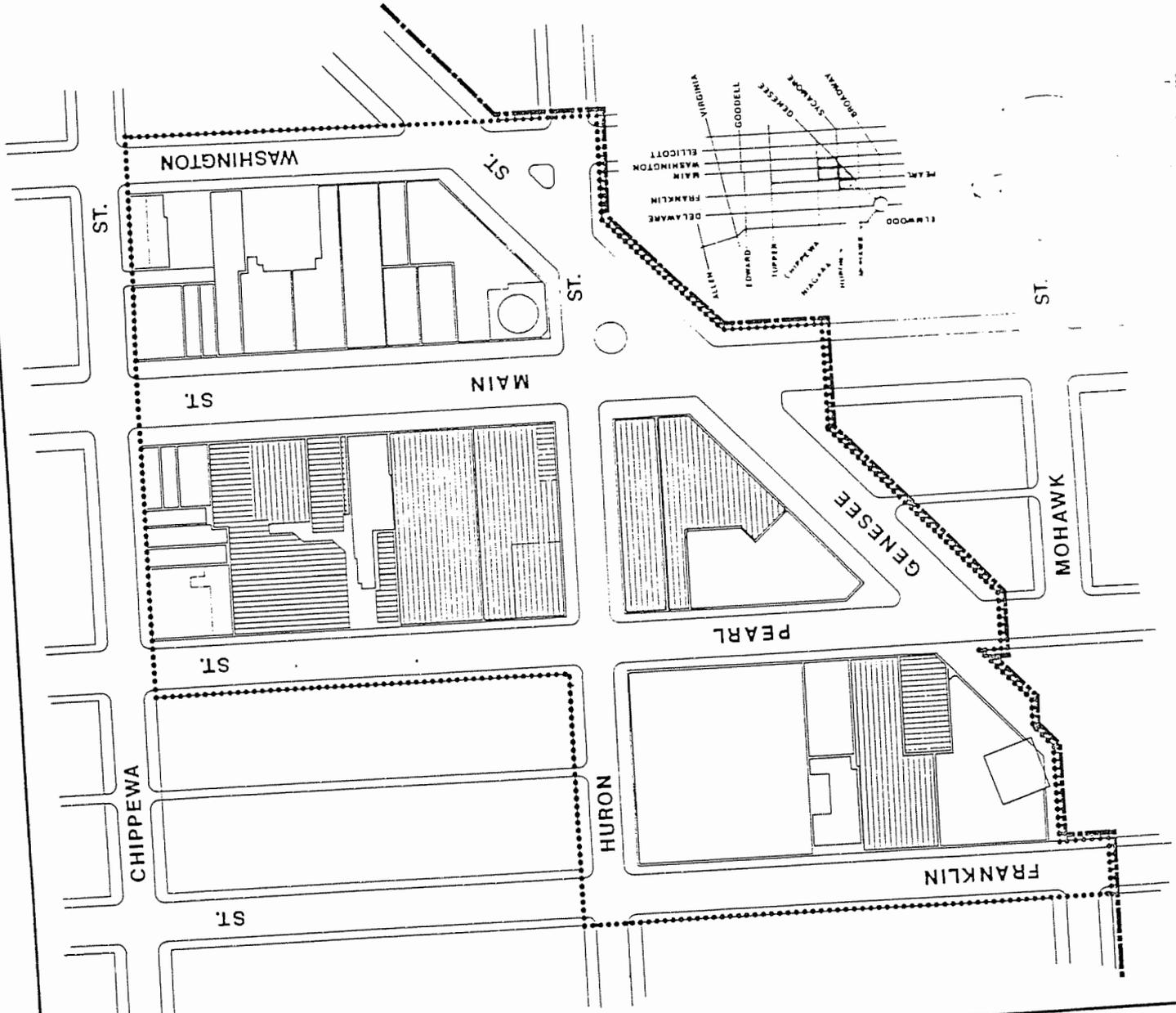
ENTERTAINMENT DISTRICT PROJECT
 BUFFALO, N. Y. JAMES D. GRIFFIN MAYOR
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 BRUCE C. HARRIS COMMISSIONER
 LAWRENCE QUINN DEPUTY COMMISSIONER
 PREPARED BY DI DONATO METALINO ASSOCIATES
 DATE: 11-30-79 EXHIBIT 1

ENTERTAINMENT DISTRICT

PHASE II

FORCLOSURE ACTIONS

LEGEND	
	PROJECT BOUNDARY
	PHASE II BOUNDARY
	TAX FORCLOSURE / TAX NOTICE
	MORTGAGE FORCLOSURE
	TAX & MORTGAGE FORCLOSURE
	NO ACTION AS OF 11-30-79



ENTERTAINMENT DISTRICT PROJECT
 BUFFALO, N.Y. JAMES D. GRIFFIN MAYOR
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 COMMISSIONER
 BRUCE C. BAIRD DEPUTY COMMISSIONER
 LAWRENCE QUINN
 DI DONATO, RENALDO ASSOCIATES
 PREPARED BY:
 EXHIBIT D
 DATE: 11-30-79

ENTERTAINMENT DISTRICT

PHASE II

LAND USE PLAN

LEGEND

PROJECT BOUNDARY

PHASE II BOUNDARY

COMMERCIAL

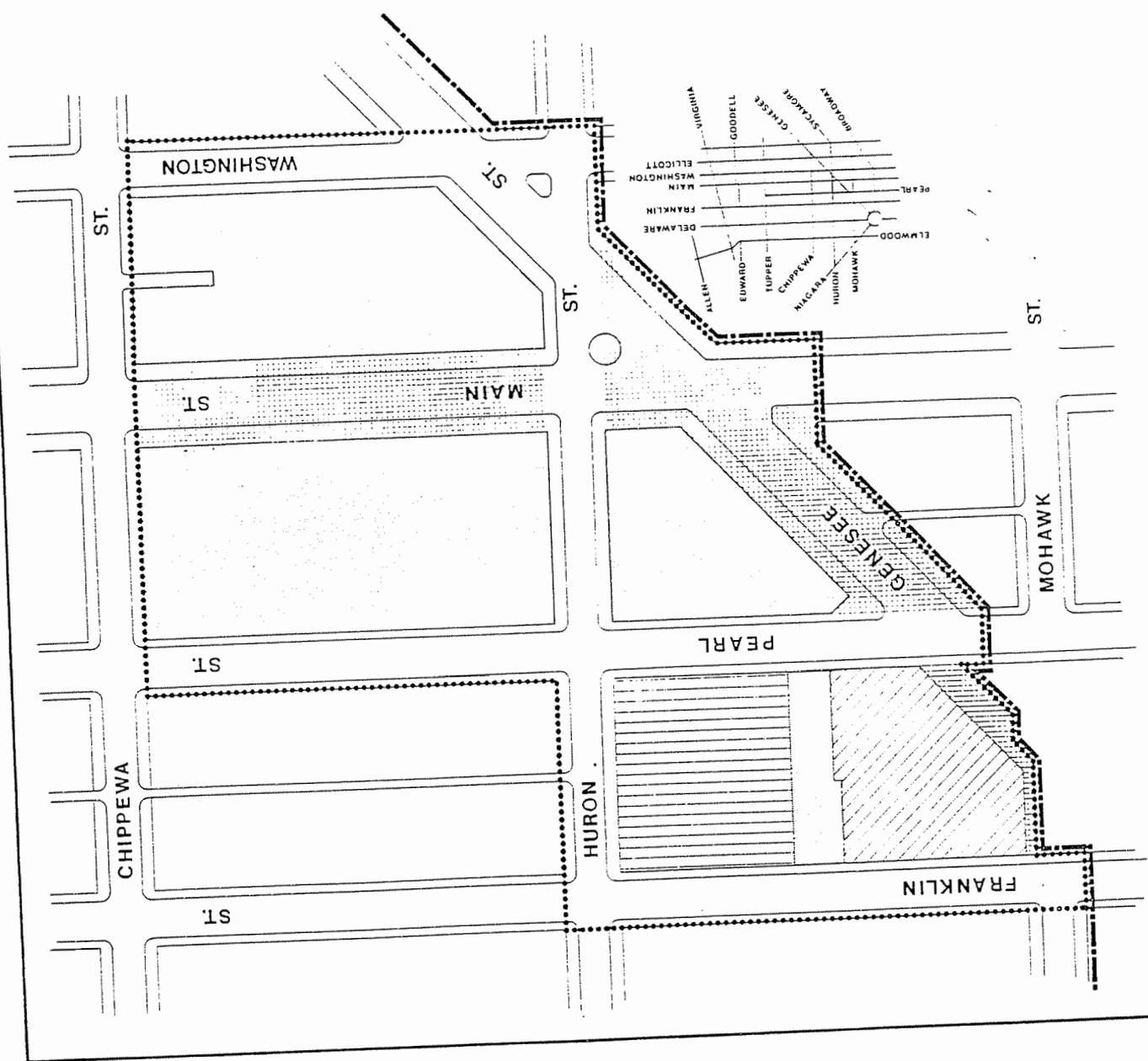
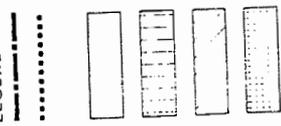
CENTRAL BUSINESS DISTRICT

PUBLIC PARKING FACILITY

PUBLIC RESERVATION

FUTURE USE

PUBLIC STREET RIGHT OF WAY
VEHICLE TRAFFIC CONTAINED
OR PROHIBITED



ENTERTAINMENT DISTRICT PROJ
BUFFALO, N.Y. JAMES D. GRIFFIN MA
DEPARTMENT OF COMMUNITY DEVELOP
COMMISS
BRUCE C. BAIRD DEPUTY COMMISS
LAWRENCE OUBIN
PREPARED BY
DI GONATO, RENALDO ASSO
DATE: 11/30/70
PA

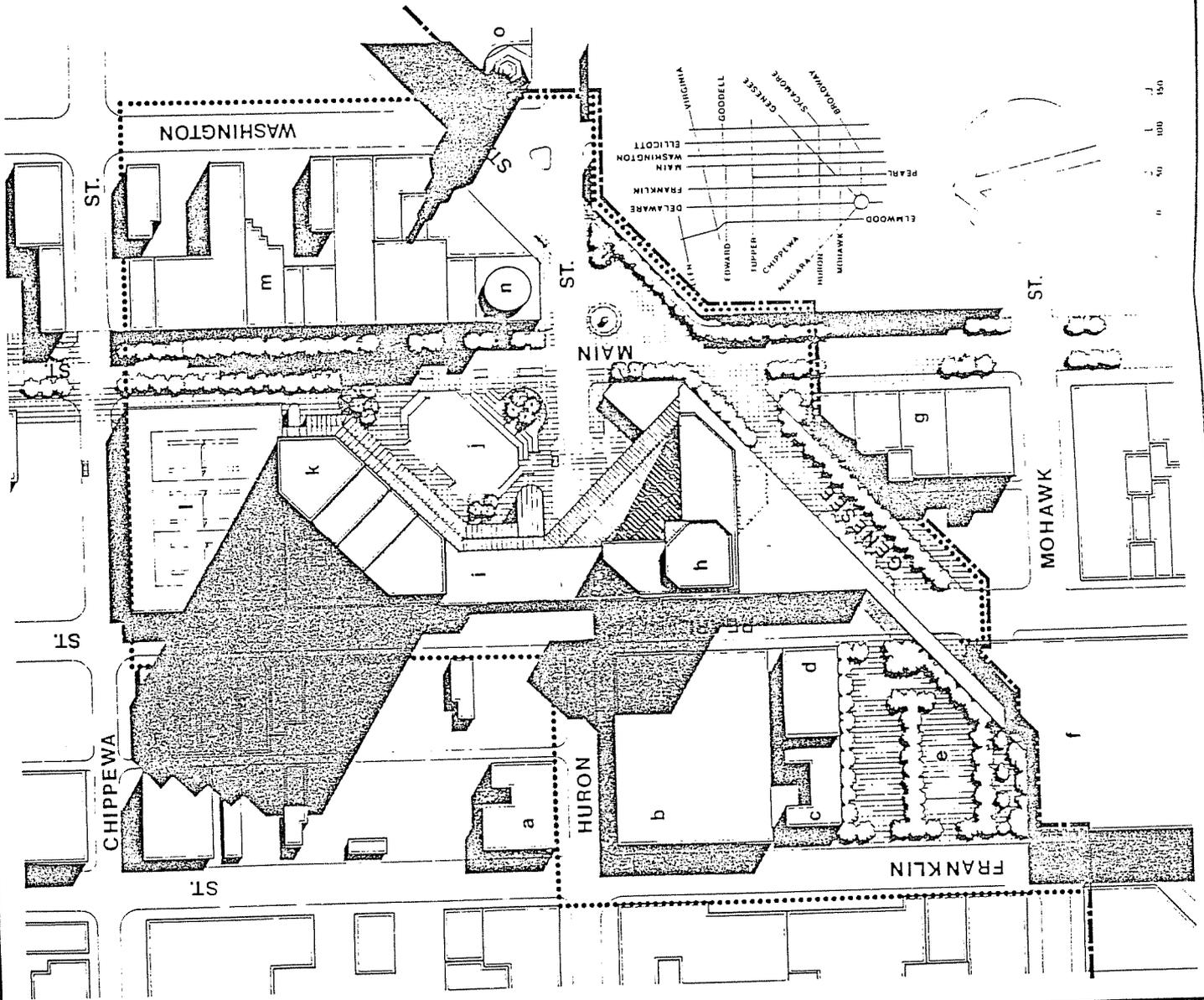
ENTERTAINMENT DISTRICT

PHASE II

DESIGN PLAN

LEGEND
 ——— PROJECT BOUNDARY
 PHASE II BOUNDARY

- a HURON BLDG.
- b HURON / CONVENTION CENTER RAMP
- c OFFICES
- d ANCIENT LANDMARK BLDG.
- e PARK / FUTURE CONVENTION CENTER EXPANSION
- f BUFFALO CONVENTION CENTER
- g L.L. BERGER
- h HOTEL
- i DETAIL
- j PARK / SKATING RINK
- k OFFICES
- l PARKING 1 BELOW 1
- m COMMERCIAL
- n BUFFALO SAVINGS BANK
- o NIAGARA MOHAWK



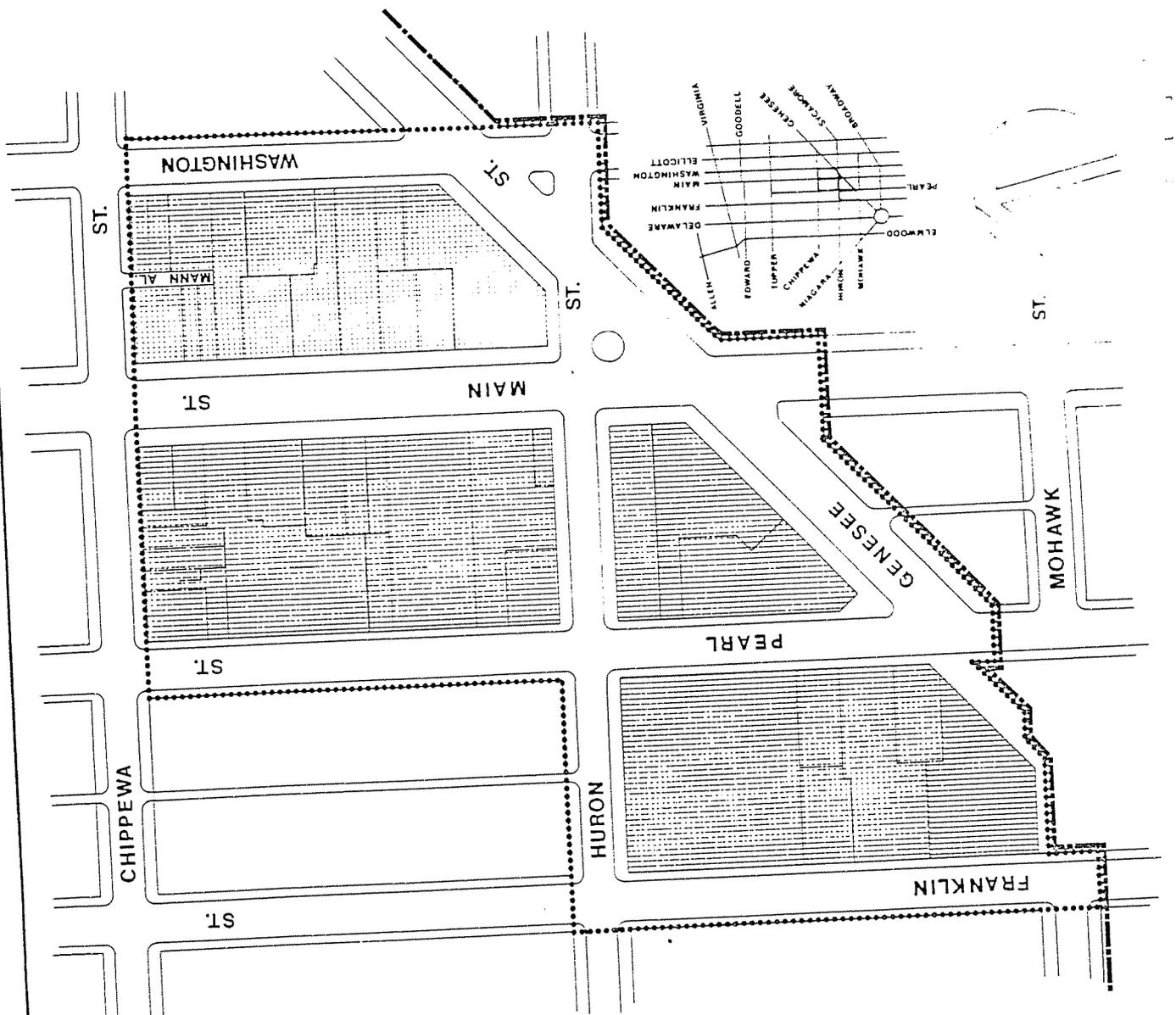
ENTERTAINMENT DISTRICT PROJECT
 BUFFALO, N. Y. JAMES D. GRIFFIN MAYOR
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 BRUCE C. BAIRD COMMISSIONER
 LAWRENCE QUINN DEPUTY COMMISSIONER
 PREPARED BY: DI DONATO, REHALDO ASSOCIATES
 DATE: 11.30.79 EXHIBIT G

ENTERTAINMENT DISTRICT PHASE II.

PROJECT ZONING MAP EXISTING AND PROPOSED

LEGEND

- PROJECT BOUNDARY
- PHASE II BOUNDARY
- ▨ C-3 / CENTRAL BUSINESS DISTRICT



ENTERTAINMENT DISTRICT PROJECT
 BUFFALO, N.Y. JAMES D. GRIFFIN MAYOR
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 BRUCE C. BAIRD COMMISSIONER
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 PREPARED BY: DI DONATO, RINALDO ASSOCIATES
 DATE: 11-30-70 EXHIBIT H

ENTERTAINMENT DISTRICT

PHASE II

LAND DISPOSITION PLAN

- LEGEND**
- PROJECT BOUNDARY
 - - - PHASE II BOUNDARY
 - AREA NOT TO BE ACQUIRED

⑤ A DISPOSITION PARCEL

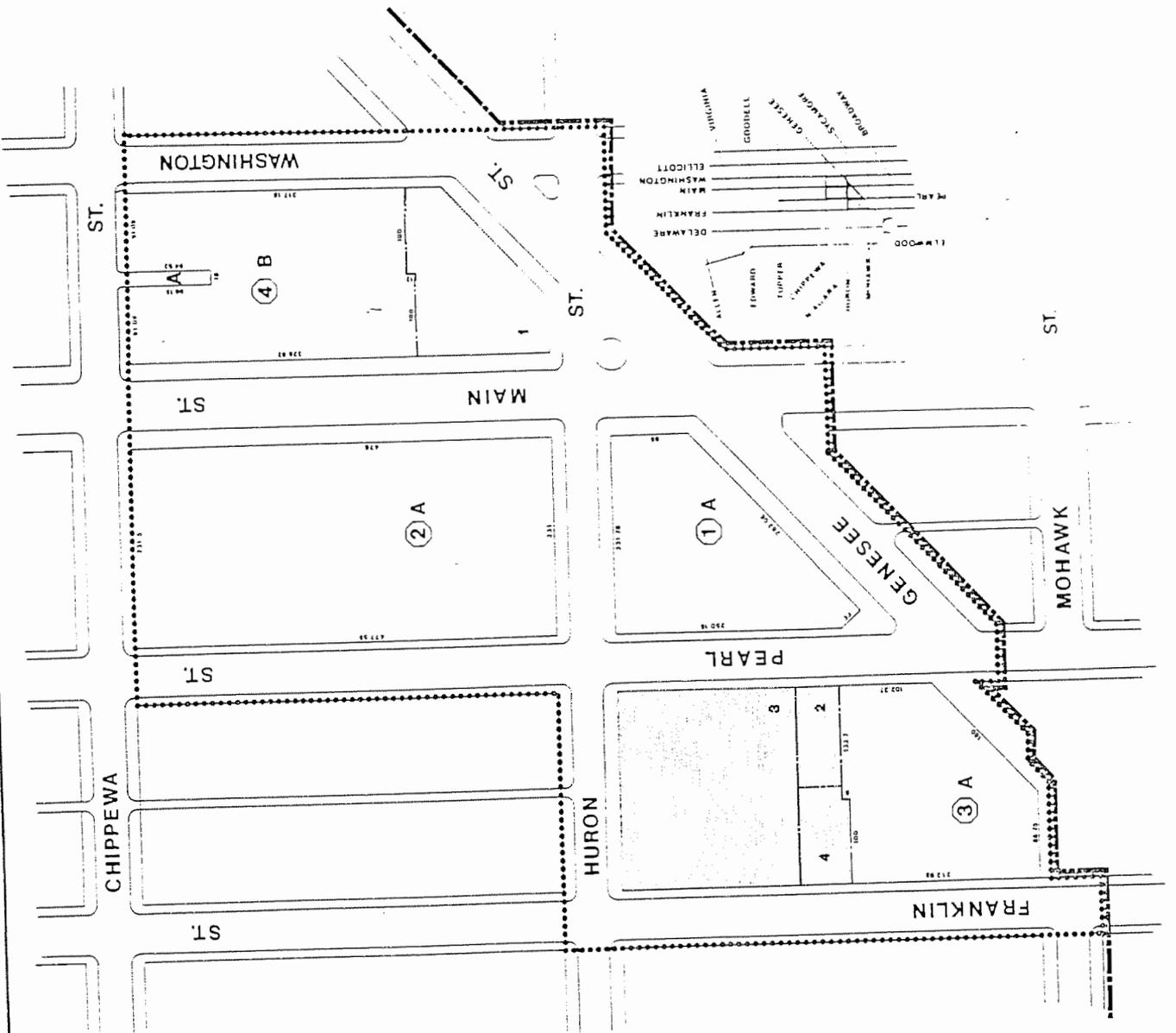
*** PARCEL DIMENSION

PARCEL	PROPOSED LAND USE	TO BE DISPOSED 150' FT.
1 A	COMMERCIAL C.B.D.	43,665
2 A	COMMERCIAL C.B.D.	110,320
3 A	PUBLIC RESERVATION - FUTURE USE	41,854
4 A 4 B	COMMERCIAL C.B.D.	1730 42,757
TOTAL AREA TO BE DISPOSED		239,826

PROPERTY NOT TO BE ACQUIRED

- 1 BUFFALO SAVINGS BANK 23,250 SQ. FT.
- 2 ANCIENT LANDMARK BLDG. 5,935 SQ. FT.
- 3 HURON/CONV. CTR. RAMP 47,108 SQ. FT.
- 4 181-185 FRANKLIN ST. 6,650 SQ. FT.

ENTERTAINMENT DISTRICT PROJECT
 BUFFALO, N.Y. JAMES D. GRIFFIN MAYOR
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 BRUCE C. BAIRD COMMISSIONER
 LAWRENCE DUJIN DEPUTY COMMISSIONER
 PREPARED BY: DI HOMATO, RENALDO ASSOCIATES
 DATE: 11-30-79 EXHIBIT I



ENTERTAINMENT DISTRICT - PHASE II - BUFFALO, N. Y.

STRUCTURAL CONDITION CHART

										POINT COUNT	BLOCK NUMBER
											PARCEL NUMBER
										10	FOUNDATION
										10	EXTERIOR WALLS
										10	ROOF STRUCTURE
										5	FLOOR JOISTS AND BEAMS
										5	INTERIOR WALLS
										40	SUB TOTAL A
										7	EXTERIOR WALL FINISH
										7	ROOFING
										4	CEILINGS
										4	STAIRWAYS
										4	BASEMENT CONSTRUCTION
										2	FLOORING MATERIAL
										2	CHIMNEYS
										5	DOORS AND WINDOWS
										5	CODE VIOLATIONS
										40	SUB TOTAL B
										5	PLUMBING SYSTEM
										10	HVAC SYSTEM
										5	ELECTRICAL SYSTEM
										20	SUB TOTAL C
										100	TOTAL - A, B, & C
										0	SOUND
										11	MINOR DEFICIENCIES
										25	MAJOR DEFICIENCIES
										36	CLEARANCE
										36	
										100	

MAJOR COMPONENTS

MINOR COMPONENTS

MECHANICAL

BUILDING STATUS

OTTO J. BECKER, R.C.A.

EXPERIENCE:

Ten years in construction for one contractor, journeyman, foreman, superintendant, and estimates.

Construction business for myself from 1928 to 1934.

From 1934 to 1946 - Chevrolet Division of General Motors; 2 years construction superintendant, 10 years maintenance superintendant, which included buildings, grounds, machinery, equipment, and power plant. Employees supervised; general foreman, foreman, electricians, pipe fitters, millwrights, carpenters, sheet metal workers, machine repair men, janitors, chip handlers, scrap sorters, painters, stock room clerks, laborers, and fire prevention employees.

During the war years there were 700 employees on three shifts under my supervision. I was promoted to plant engineer the day my resignation took effect.

Started my own construction business 5/1/46 - retired 9/1/68.
During this time I made approx. 150 property appraisals for outside companies.

EDUCATION:

Elementary School.

High School - 4 years.

Night School - Engineering Course - 4 years; including mathematics, theory, drawing, and field work.

General Motors Corp. Management and Engineering Course - 2 years; made at intervals during my 12 years employment.

Department of Community Development, Rehabilitation Construction Analyst from 9/23/68 to the present time.


OTTO J. BECKER, R.C.A.

Enc.

"EXHIBIT K"