

URBAN RENEWAL PLAN

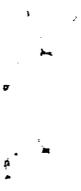
OAK-MICHIGAN INDUSTRIAL CORRIDOR

PHASE IIB

February, 1981

Buffalo, New York  
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OAK-MICHIGAN INDUSTRIAL CORRIDOR

PHASE IIB URBAN RENEWAL PLAN

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**SECTION I**

**INTRODUCTION**

OAK-MICHIGAN INDUSTRIAL CORRIDOR

URBAN RENEWAL PLAN - PHASE IIB

INTRODUCTION:

The Oak-Michigan Industrial Corridor is an area two blocks wide and eleven blocks long just east of the Buffalo Central Business District. It is bounded by Goodell Street to the north, Seneca Street to the south, Oak Street to the west and Michigan Avenue to the east. Much of the area was cleared in anticipation of the construction of a depressed highway which was later changed to two at-grade arterial streets - now completed.

The combination of available land, proximity to Downtown and the highway network make this corridor a prime candidate for the development of high technology and Downtown service industries. This reuse has been identified as a high priority in a series of studies performed by Fry Consultants and Arthur D. Little Inc. and embraced by the Buffalo Department of Community Development.

Several projects were initiated to implement the objectives articulated in these studies including the location of Nanodata in the Weed Building and the construction of a new building tenanted by Comptek. These first steps led the Department of Community Development to hire Building Science Inc. (now Cannon Planning and Development) to prepare a detailed comprehensive plan for the entire corridor completed in February, 1980. This overall plan describes a phased redevelopment effort which will impact the entire corridor over time.

## PROJECT PHASING

The early efforts of the Department of Community Development to revitalize the corridor have been tremendously successful, and confirm the corridor's strong development potential. The successful sale of the state-owned Weed Building to Nanodata provided the corridor with its first "anchor" tenant. The subsequent development of the Comptek project mandated that a small portion of the corridor receive immediate urban renewal action; hence the approval and execution of Phase I of the Corridor Plan in February, 1980.

Similarly, the rapid evolution of the Allentown Industries sheltered workshop project mandated that still another element of the Corridor Plan be implemented immediately; hence the preparation and presentation of Phase IIA of the Corridor Plan in November 1980.

These early successes not only confirm the development potential of the corridor, but also confirm the immediate need for a broader redevelopment plan. Now the Department of Community Development is attempting to keep up with and anticipate market activities by preparing and presenting Phase IIB of the Oak-Michigan Industrial Corridor Project.

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 IIB of the Oak-Michigan Industrial Corridor 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 IIB project area is a 'L' shaped area encompassing 8 blocks from the center of the corridor to its northeastern limit. The area completes the strip between Oak and Elm Streets north of Nanodata, Comptek and Allentown Industries and begins redevelopment activities between Elm and Michigan.
- 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 - the proposed reuse is an integral element in the development of the corridor's objective to replace largely vacant and grossly underutilized land with job-producing industry.

B. PROJECT BOUNDARY

1) General Description:

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

BOUNDED BY:

Clinton and Genesee Streets on the South  
Goodell Street on the North  
Oak Street on the West  
Elm Street and Michigan Avenue on the East

The Phase IIB area includes eight City blocks, consisting of 38 parcels containing approximately 1,230,127 square feet. The majority of the land is already in public ownership.

2) Technical Description:

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

BEGINNING at a point of intersection of the southerly right-of-way line of Clinton Street and the westerly right-of-way line of Oak Street; thence easterly along the southerly right-of-way line of Clinton Street to the easterly right-of-way line of Elm Street; thence northerly along the easterly right-of-way line of Elm Street to the southerly right-of-way line of Genesee Street; thence easterly along the southerly right-of-way line of Genesee Street to the easterly right-of-way line of Michigan Avenue; thence northerly along the easterly right-of-way line of Michigan Avenue to the southerly right-of-way line of Goodell; thence westerly along the southerly right-of-way line of Goodell Street to a point 250 feet west of the intersection of the southerly right-of-way line of Goodell Street and the easterly right-of-way line of Oak Street; thence southerly to a point 100 feet south of the southerly right-of-way of Goodell Street; thence westerly 154 feet to a point; thence southerly 110 feet to a point; thence westerly to the westerly right-of-way line of Oak Street; thence southerly along the westerly right-of-way line of Oak Street to the place and point of BEGINNING.

C. PROJECT ELIGIBILITY

The State General Municipal Law defines areas which are eligible for Urban Renewal to be residential, non-residential, 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 through a building conditions survey.

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 H".

- b) Inspection - Interior and exterior inspections of all buildings in the project area were conducted during December, 1979 and October, 1980 by a Rehabilitation Construction Analyst employed by the Department of Community Development, with background in all building types and ages, and by architectural personnel from Cannon Design Inc. 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 judgement must be made for each building to justify rehabilitation. See Exhibit J.

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) Vacant Land:

The balance of the area is vacant, underutilized land.

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) Vacant land which comprises the bulk of the area is grossly underutilized and largely unproductive. Most of it is unlandscaped and unsightly.
- c) The area must be upgraded and is ideally suited to accommodate new industrial facilities which will complement the Nanodata and Comptek developments, and provide badly needed jobs and taxes.

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

SECTION III

URBAN RENEWAL PLAN

### 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 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 the Oak-Michigan Industrial Corridor. It is consistent with the goals of the Buffalo Master Plan, the Regional Center Plan, and the Oak-Michigan Industrial Corridor Development Plan. This Plan outlines project objectives, standards for development, procedures for acquisition and disposition, as well as preferred courses of action.

The Oak-Michigan Industrial Corridor Phase IIB Urban Renewal Plan seeks to accomplish the general goals and objectives set forth in the State General Municipal Law and the overall corridor plan.

The Phase IIB Plan also seeks to accomplish the following objectives included in the overall Plan, to be achieved through public and private action as follows:

- a) To remove substandard structures, incompatible uses, obsolete structures and blighting influences.
  - b) To provide sites for new development which will generate jobs, increase tax revenue and be compatible with the Ellicott neighborhood to the East, the Central Business District to the West, and residential development to the North.
  - c) To retain and improve existing sound non-residential structures.
  - d) To beautify the corridor through landscaping, well designed open spaces and attractive buildings.
  - e) To enhance pedestrian access within and through the project and to maximize pedestrian safety.
  - f) To maintain efficient traffic circulation.
  - g) To provide adequate off-street parking while minimizing the amount of valuable land devoted to surface parking.
  - h) To develop an attractive visual image for people entering the City through the Corridor.
- 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 Oak-Michigan Industrial Corridor Renewal Plan - Phase IIB, which include:

a) Clearance and Redevelopment

- i. Acquisition of all real property except as explicitly excluded for such action on the "Land Acquisition Plan Map", bound herein.

- ii. Clearance of all structures and improvements thereon, except the following explicitly excluded properties: 224 Elm Street; 684 Michigan Avenue; and 690 Michigan Avenue.
- iii. Relocation of businesses and occupants located in structures 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.

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 Oak-Michigan Industrial Corridor Renewal Project Phase IIB, including streets, utilities, open spaces and pedestrian facilities.
- ii. 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 Oak-Michigan Industrial Corridor Project, Phase IIB.

2) Land Use Provisions and Building Requirements for Phase IIB

The following requirements shall apply to the use and development of land within the Oak-Michigan Industrial Corridor Renewal Project, Phase IIB and together with the Land Use Plan Map, Exhibit D, 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 reflecting the public renewal objectives and intent of the City in undertaking the Oak-Michigan Industrial Corridor Renewal Project as anticipated in the Corridor Development Plan. It is not intended, however, that such provisions unduly inhibit exploration of valid land uses, design concepts, economic concepts, or other developments and objectives which, while varying from some aspect of these requirements, may nevertheless achieve the public objectives embodied herein.

a) Project Wide Controls for New Development

The following new development controls shall apply to all parcels within the Oak-Michigan Industrial Corridor Phase IIB Project Area:

1) Use Restrictions:

Uses within the project area will be limited to those permitted under zoning classification "CM", General Commercial, of the Buffalo Zoning Ordinances except that no building shall be designed or used primarily as living quarters.

No use shall be permitted, which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, heat, electromagnetic disturbance, radiation, smoke, cinders, odors, obnoxious dust or waste, undue noise or vibration, or other objectional features so as to be detrimental to the public health, safety or or general welfare.

2) Building Requirements and Restrictions:

New buildings should be compatible with the urban environment in terms of their massing, materials, relationship to the surrounding street, planning of surface parking and accommodation of adjacent pedestrian activity.

New buildings in the Oak-Elm blocks should respect the uses west of Oak Street and develop an attractive building edge along Oak Street. A planting buffer strip should be developed along the western edges of Elm Street, Oak Street and Michigan Avenue. All buildings abutting William, Broadway, Sycamore, Genesee and Goodell Streets should be sensitive to large traffic volumes and heavy pedestrian traffic, and develop an attractive facade close to those streets, safe vehicular access and attractive landscaping. Primary entrances to buildings should be located on the east-west streets.

The exterior facing of any building shall be of brick or other durable materials of equal attractiveness as determined by the Department of Community Development. Minimum size for any new principal building shall be 20,000 square feet. Building height shall not exceed 50 feet except where specified. Buildings which include structured parking will be exempt from this building height limitation to the extent of the height of the parking structure. Building coverage will be at least 60% for one story buildings, 50% for two story buildings, and 40% for buildings three or more stories high.

. All roof-top mechanical systems will be enclosed or screened. All permitted activities including storage, other than off-street parking and loading shall take place in fully enclosed structures. Unless paved, all open areas shall be landscaped and maintained in an attractive condition.

Servicing of all buildings shall be entirely within the site. Developers shall demonstrate that sufficient off-street loading will be provided to meet the needs of the specific use proposed. In any event at least one loading space shall be provided for each 50,000 square feet of net floor area or major fraction thereof. Each loading space shall be at least 50 feet long, 12 feet wide and 14 feet high. Off-street loading facilities shall be so designed as to discourage vehicles from backing into and servicing in public streets and across sidewalks, and shall be screened from adjacent streets. Curb cuts on Oak Street or Elm Street will be minimized and subject to specific approval by the City Department of Transportation.

3) Parking Requirements and Restrictions:

All required parking shall be provided in off-street spaces. All surface parking shall be carefully planned, landscaped and lighted to enhance the appearance of the area. Parking spaces will be provided on the same parcel with development or on another site within 1,000 feet.

All parking areas shall be graded, paved with a durable dust free surface, adequately drained, well landscaped, and all access points shall be defined and limited.

Parking shall be provided at the rate of one space for each 1,000 square feet of gross floor area or one space for each four persons working on the premises on the greatest shift, whichever is less. Floor area cited for parking requirements shall be net area. Where provision of parking is required, each off-street parking space shall contain, exclusive of required access lanes, not less than 160 square feet and shall be at least 9 feet wide.

Where a combination of uses is permitted on a parcel, the combined total of required parking spaces shall be provided unless it can be demonstrated to the satisfaction of the Buffalo CD Department that the nature of the proposed uses will permit mutual use of a lesser number

of spaces. In no event shall the number of parking spaces provided be less than that required by the use generating the largest number of spaces.

4) Signage Restrictions:

All signs shall be incidental, customary to, and commonly associated with the principal use. Rooftop, flashing, moving, or intermittently illuminated signs or advertising devices are prohibited, as are signs which may be mistaken for traffic control devices. No free standing signs shall be permitted. Total area of all signs on any building facade shall not exceed 100 square feet.

Signs shall be attached to and parallel to a building and shall not extend above or beyond the building facade and shall project no more than 12 inches from the wall to which it is attached. Signs may be perpendicular to a building facade if suspended beneath a marquee, covered walkway, or arcade. The bottom of such signs shall be at least 10 feet above the sidewalk and shall not extend beyond the building line established for the parcel on which it is situated. All sign proposals shall be submitted to the Department for review and approval.

b) Block Specific Controls for New Development

The following new development controls shall apply to specific blocks within the Oak-Michigan Industrial Corridor Phase IIB Project Area:

Blocks 1 and 22

- 1) Any new structure must be built beginning no more than 30 feet from Goodell Street with careful attention to the facade to make it a good neighbor to the McCarley Gardens housing development.
- 2) A planting strip featuring trees of 3" caliper minimum spaced no more than 35' apart must be provided along Goodell Street.

Blocks 2 and 21

Any new structure must be built beginning no more than 20 feet from Genesee Street.

Block 20

Any new structure must be built beginning no more than 15 feet from Oak Street and 20 feet from Genesee Street with their principal orientation toward one of those streets.

Block 19

Any new structure must be built beginning no more than 15 feet from Oak Street and 20 feet from Broadway with their principal orientation toward one of those streets.

Block 18

Any new structure must be built beginning no more than 15 feet from Oak Street and 20 feet from Broadway.

Block 17

Any new structure must be built beginning no more than 15 feet from Oak Street and 30 feet from William Street. A planting strip featuring trees of 3" caliper minimum spaced no more than 35 feet apart must be provided along William Street.

c) DEVELOPMENT PLAN REVIEW PROCESS

The Commissioner of Community Development and the Development Plan Review Committee shall be responsible for review of all redevelopment proposals, and for interpretation 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 Commission of Community Development and the Development Plan Review Committee, 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. The Commissioner of Community Development shall inform all proposed developers of the urban design requirements and objectives of this plan prior to

any recommendations to the Common Council regarding such proposals. The Commissioner of Community Development shall inform all proposed developers of the urban design requirements and objectives of this plan prior to the disposition of any project land. The development plan review process entails three meetings of the Development Plan Review Committee as follows:

- a) When initial proposals are received, the Committee will meet, evaluate proposals and recommend action based on a submission to include the following:
  - 1) Site plan showing the location of the proposed building(s), pedestrian and vehicular circulation, planting areas, and immediately adjacent buildings.  
(1" = 10'-0").
  - 2) Elevations and perspectives indicating exterior materials and signing. (1/8" = 1'-0").
  - 3) General description and specifications listing types of 1) foundations, 2) structural systems, 3) mechanical and electrical systems, and 4) interior and exterior finishes.
  - 4) Estimate of project construction cost.
  - 5) Estimates on time necessary to complete the project.
- b) After initial approval has been granted, preliminary drawings shall be submitted for committee

review. This submission should include:

- 1) Site plan showing the location of proposed building(s), pedestrian and vehicular circulation, planting areas, immediately adjacent buildings and site utilities. (1" = 10'-0").
  - 2) Floor plan drawings at a scale of 1/8" = 1'-0" or 1/4" = 1'-0" showing all exits, sanitary facilities, stairways, partitions, proposed retail layout and use, storage and utility areas. A plan is required for each separate level.
  - 3) Elevations and perspectives indicating exterior materials and signing. (1/8" = 1'-0").
  - 4) Sections of all major building features showing all materials and methods used in construction.
  - 5) General description and specifications listing type of 1) foundations, 2) structural systems, 3) mechanical and electrical systems, and 4) interior and exterior finishes.
  - 6) Refined cost estimate.
  - 7) Refined estimate of time necessary to complete the project.
- c) Upon approval of preliminary drawings, final drawings must be submitted for committee review and approval prior to land disposition and construction. This submission should include:

- 1) Site plan showing the location of proposed building(s), pedestrian and vehicular circulation, loading areas, planting, site lighting and pavements. Details of site utility, drainage and waste disposal facilities structures and services would be shown (1" = 10'-0").
- 2) A colored landscaping plan clearly showing the size, location and species of all plant material. A schedule showing the type of plant, number, size at installation (height and spread), size maturity shall be included. In addition, the plan shall show any exterior lighting, provisions for trash storage and removal, location of air-conditioning equipment, transformers, signs, fences or walls, and any other equipment or construction. This plan should be similar in size and scale to the site plan.
- 3) Floor plan drawings showing all floor plans showing all dimensions, structural details, materials, mechanical and electrical details and lighting (1/8" = 1'-0" minimum).
- 4) Colored elevation drawings to scale of all sides showing complete architectural details and including all exterior equipment, and

appurtenances located on the roof, in the walls, and on the ground. All existing and proposed materials and finishes shall be identified, noted on the elevations, and keyed to the samples required below. The elevations should show accurately the placement of landscaping elements, (showing their size and shape) where they are in close proximity to any structure. Colored elevations shall be prepared at the largest practical scale and mounted on one or more heavy artist display boards not less than 24" x 36" in size.

- 5) Sections showing all major building features of canopies, overhangs, copings, walls, ceilings, structural and mechanical systems, foundations and footings (1/8" = 1'-0"). Additional large scale details shall be included where required to explain a structural system, signing, or other particular details.
- 6) Specifications shall set forth in detail and prescribe the work to be completed, the materials, workmanship, finishes and equipment required for architectural, structural, mechanical, electrical service connected equipment and site development and drainage work.

- 7) A final detailed cost estimate or General Construction bid of the cost of the program will be submitted.
- 8) A colored perspective rendering of the proposed project showing the form, style, and scale of the project, all roof-top equipment and screening proposed, signs, landscaping and other architectural features. Such rendering shall be accurate as to both scale and color representation.
- 9) Physical samples of all materials, items or devices to be installed accurately showing color, texture, and scale. All samples shall be identified by listing the manufacturer's name, brand name, manufacturer's color and keyed to the elevations required above.
- 10) Preliminary construction schedule.

D. PROJECT PROPOSALS

1) Land Acquisition

The real property to be acquired by the City, pursuant to this Plan, is identified on the Land Acquisition Plan Map, Exhibit C, attached to and made a part of this Plan.

2) Land Disposition

Real property will be disposed of subject to the provisions set forth in Item 3 below.

adequate to construct buildings and associated improvements will be sold to the redeveloper in accordance with the Redeveloper's Obligations defined 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 purpose of redevelopment and not for speculation.
- 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.

E. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

The following statements are made to conform with the 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 now to effectuate the Urban Renewal Plan. Later modification in the zoning classification from M-1 to CM may be considered.

3) Schedule for Effectuation of Urban Renewal Plan

The Urban Renewal Plan will be implemented immediately upon adoption by the Common Council.

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 effect on any properties which are listed or considered eligible for inclusion in the National Register of Historic Properties.

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 existing buildings which remain in the Corridor 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. In general, the Land Use Provisions and Building Requirements described earlier will be applied wherever

possible. The objectives of rehabilitation in the Corridor are as follows:

- 1) All existing buildings which remain will be improved, restored or maintained at a level necessary to adequately accomplish the distribution of goods and services and to provide safe, healthy working conditions for employees.
- 2) Off-street parking, loading facilities and pedestrian access should be separated to the maximum extent feasible so as not to create conflicting movements.
- 3) The exterior physical character of all structures should be aesthetically pleasing and architecturally consistent with other existing structures in the area as well as new construction.
- 4) Exterior modifications should be guided by the design and land use controls.

An inspection by the City of Buffalo or its agent, shall be made of the interior and exterior condition, appearance and layout of all structures in the Corridor which are to remain. Based on this inspection, the City will provide the owner of the property with a list of required structural repairs and improvements and a list of suggested improvements for elements affecting appearance. The owner will be requested to prepare or have prepared plans for design improvement generally in accord with the suggestions of the City and in harmony with

the architectural character of the surrounding area. The City will review the plans and will offer advice and suggestions to owners preparing such improvement plans.

The City's recommendations will be predicated on the rehabilitation objectives outlined above and on the following standards and requirements:

- 1) All structures shall be of adequate framing and construction, be weather-tight, contain adequate protection from corrosion, decay, insects and other destructive forces, be of an acceptable quality of workmanship, and contain sufficient and proper insulation to permit healthful year-round usage.
- 2) Any deterioration or failure of material, as evidenced by settlement, sagging, cracks, dampness, holes, leakage, inadequate drainage, rodents, insects, or other conditions impairing the safety or sanitation of the building, shall be repaired, replaced, or otherwise corrected in a workman-like manner with materials of good quality and reasonable durability. All integral structural components shall be in sound condition and servicable for the expected useful life of the rehabilitated building. Sagging of floors, roofs, partitions or stairs, or bulging of exterior walls shall be restored as near as practical

to an acceptable level or plumb position and supported or braced so as to prevent a recurrence of the condition. Individual structural members in a seriously deteriorated condition shall be replaced. Loose jointing of structural members shall be restored to original rigidity.

- 3) All exterior wood surfaces shall be protected from the elements against decay with paint or other protective coverings.
- 4) Leaking, cracked, sagging, or otherwise deteriorated roofs shall be repaired, reinforced, or rebuilt as required. Means shall be provided for satisfactory removal of rainwater.
- 5) All inside and outside stairways, rails and balconies shall be safely constructed and maintained in good repair.
- 6) All piping shall be adequately sized to supply, drain, and vent all fixtures attached hereto, and shall be sound, tight, and free of mineral deposits or corrosion. Piping not meeting these requirements shall be replaced. Pipes entering any space shall be securely closed against the wall surface to prevent leakage of air and sound or harborages for vermin or rodents.
- 7) The heating plant shall be properly installed in a separately enclosed space and shall be properly connected to an approved flue. The system shall be durable and quiet in operation.

- 8) All properties shall be graded in such a way as to provide satisfactory drainage for water run-off to a public street or drainage easement.
- 9) Halls, alleys and entranceways shall be free of all debris. No subsidiary structures, fences, or similar accessory items shall be permitted which:
  - a) Obstruct a safe means of access to or egress from the building, or rear parking area.
  - b) Create fire hazards, attract or harbor rodents, or create unhealthful conditions.
  - c) Are structurally unsafe.
  - d) Create objectionable odors, noises, or view.
- 10) Refuse shall be kept in rodent-and-odor proof containers, which shall be placed behind or within suitable visual barriers.
- 11) Where rear access is provided from a parking lot or right-of-way, adequate lighting and entrance signs shall be provided.
- 12) All driveways, parking areas, walks and plazas shall be suitably surfaced with dustless material. All other areas shall be landscaped and provided with appropriate trees and shrubbery.
- 13) Landscaping, exterior paving, parking arrangement, and site layout shall be in keeping with the Corridor Design and Land Use Controls.

- 14) Storefronts and all exterior facades shall be remodeled or refurbished in keeping with the Corridor Design and Land Use Controls. Roof line, sign treatment, display windows and exterior facing material shall all be considered. Architectural treatment of side and rear facades shall be in keeping with the Corridor Design and Land Use Controls. Adjoining buildings in separate, or the same ownership shall be designed so as to carry out a unified concept. Masonry facing shall be cleaned and pointed-up as necessary.

#### EXCEPTIONS

Where special site or structural conditions may make it impractical to carry out one or more of the minimum requirements listed herein without severe hardships, a variance to such requirements may be permitted by the City provided that no variance shall be permitted which is less restrictive than applicable state and local codes and ordinances.

H. 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 Oak-Michigan Industrial Corridor Renewal 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.

I. DEVELOPMENT OPPORTUNITIES

The underlying purpose of urban 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 job and tax base. Market studies indicate the Oak-Michigan Industrial Corridor is a prime location for high technology and downtown service industries.