

LOWER WEST SIDE
(GEORGIA - PROSPECT)

URBAN RENEWAL PLAN

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Buffalo, New York

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AS AMENDED

LOWER WEST SIDE
URBAN RENEWAL PLAN
 TABLE OF CONTENTS

| | <u>Page</u> |
|---|-------------|
| SECTION I | 1 |
| INTRODUCTION & BACKGROUND | 2 |
| SECTION II | 5 |
| PROJECT AREA REPORT | 6 |
| A. URBAN RENEWAL PLAN | 6 |
| B. PROJECT BOUNDARY | 7 |
| C. PROJECT ELIGIBILITY | 9 |
| SECTION III | |
| URBAN RENEWAL PLAN | 11 |
| A. URBAN RENEWAL PLAN OBJECTIVES | 12 |
| 1. Authority | 12 |
| 2. Objectives | 12 |
| 3. Types of Proposed Urban Renewal Action .. | 14 |
| B. LAND USE PLAN | 15 |
| 1. Proposed Land Use | 15 |
| 2. Land Use Provisions and Building Requirements | 15 |
| 3. Development Plan Review Process | 19 |
| 4. Duration of Land Use Provisions and Building Requirements | 22 |
| C. DEVELOPMENT OPPORTUNITIES | 22 |
| D. PROJECT PROPOSALS | 23 |
| 1. Land Acquisition | 23 |
| 2. Land Disposition | 23 |
| 3. Redeveloper's Obligations | 23 |

TABLE OF CONTENTS (CONTINUED)

Page

SECTION III - URBAN RENEWAL PLAN (Continued)

| | | |
|----|--|----|
| E. | OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS | 24 |
| 1. | Provision of Community Facilities and Utilities | 24 |
| 2. | Local Codes or Ordinances | 25 |
| 3. | Schedule for Effectuation of Urban Renewal Plan | 25 |
| 4. | Underground Utility Lines | 25 |
| 5. | Historic Preservation Review Analysis ... | 25 |
| F. | PROCEDURE FOR CHANGES IN THE APPROVED URBAN RENEWAL PLAN | 26 |
| G. | PROPERTY REHABILITATION STANDARDS | 26 |
| 1. | General Acceptability Criteria | 27 |
| 2. | Site Criteria | 29 |
| 3. | Building Planning | 30 |
| | EXHIBITS | 36 |

LIST OF EXHIBITS

EXHIBIT.

PROJECT AREA MAP

A

LAND ACQUISITION MAP

B

LAND USE PLAN MAP

C

PROJECT ZONING MAP

D

PROJECT LOCATION MAP

E

SECTION I

INTRODUCTION & BACKGROUND

LOWER WEST SIDE
URBAN RENEWAL PLAN

INTRODUCTION & BACKGROUND:

The West Village portion of the Lower West Side is one of Buffalo's oldest and best preserved neighborhoods. Significant private investment, marked by housing renovation and business development, has occurred in the area over the past fifteen years. But this injection of life has been somewhat random and has often collided with influences stemming from the revitalization of the nearby central business district. Following recent neighborhood schematic planning efforts, Cannon Planning & Development (CPD) was retained to establish a formal planning and development framework in which the definition of the West Village, which has been included on the National Register of Historic Places, can be maintained and in which its current problems can be resolved.

The area is located within walking distance of Buffalo's central business district and gives visual evidence of the quality of Victorian living in the nineteenth century. Due to the area's long term development, a wide range of architectural motifs are found: Victorian, Italian Palazzo, Romanesque Revival and American Commercial. The majority of the stock consists of durable brick construction, making renovation and adaption practical investments.

Since its establishment in the latter part of the last century, the neighborhood has witnessed much change yet with a significant degree of stability. The village, a part of what is considered the early Village of Buffalo, contains well kept period housing stock that exists alongside vacant lots, dilapidated structures, and commercial parking lots. The property tax base of the area has eroded continually since 1961, due

largely to the increase in the number of privately developed parking lots. These lots have removed tax generating property in the interest of meeting the increasing parking pressure from downtown redevelopment, most dramatically from the Federal Office Building on South Elmwood Avenue.

While this encroachment was occurring, seeds of rebirth were also being planted. Interest in the area was physically manifested on Johnson Park during the late 1960's. By the early 1970's several federally subsidized loan programs were in place to assist in housing purchases and renovation. Some public improvements, such as new street lighting, lot lots, landscaping, and street re-surfacing, were implemented during the mid 1970's on selected streets. Hundreds of new apartments were constructed across Niagara Street just east of the area which made the shared census tract one of a handful in the City to show a gain in population since 1970.

The West Village Community Association was established in 1974, somewhat prior to the area's landmark designation, to promote and inform the public of the historic and architectural value of the district. Residents include new, young 'rehabbers', downtown workers, and those with over 30 years residency tenure. Many ethnic groups are represented: Hispanic, Italian, Black, English, Irish, Polish, Lebanese and Arabian. Residents of early times included Buffalo's founders and their descendents.

In light of recent positive development efforts, a need became evident to control the destructive forces, to build upon consumer interest and to maintain the architectural fabric of the historic district. So, in the summer and fall of 1979, after a period of dormancy, a preliminary planning study was conducted by the Lower West Side Resource & Development Corporation. It culminated with the following recommendations:

- A buffer between the residential area and the central business should be designed.
- Infill housing should be planned for the vacant lots in the West Village, with particular emphasis in the Georgia-Prospect section.
- Specific governmental rehabilitation programs should be introduced including low interest loans and subsidies.
- A marketing strategy should be developed.
- Parking encroachment should be halted or reversed.

CPD was asked by the Department of Community Development and the Lower West Side Resource & Development Corporation to prepare development alternatives and an action plan within a comprehensive context of architectural, economic and aesthetic requirements. The plan that evolved attempts to provide for community growth in a systematic manner that is coordinated with the needs of the downtown district. One manifestation of this planning process is this urban renewal plan which will assemble vacant and underutilized land for conversion to productive residential uses which are supportive of neighborhood goals.

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 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 the Lower West Side. 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 project area is contained in two locations.

The first location is a three-and-one-half block area between Carolina, Virginia, West and Fell Alley, not including frontage on Virginia or Niagara. The second location is a two-block area bounded by W. Chippewa, Georgia, W. Huron and S. Elmwood.

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. While significant private investment has occurred, a need became evident to control destructive forces, most often commercial parking lots, and to maintain the architectural fabric of the historic district. This plan will provide for community growth in a systematic manner. The plan should result in the development of a significant number of suitable new housing units and the upgrading of the existing housing stock.

B. PROJECT BOUNDARY

1. General Description:

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

BOUNDED BY:

Virginia on the North
West Avenue on the East
Carolina Street on the South
Fell Alley on the West

and,

West Chippewa Street on the North
South Elmwood Avenue on the East
West Huron Street on the South
Georgia Street on the West

The total project area covers five-and-one-half blocks containing 17.8 acres.

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:

BEGINNING at the point of intersection of the northerly line of Carolina Street with the westerly line of West Avenue; thence northwesterly along the westerly line of West Avenue 529.01 feet. Thence westerly 90 feet along the lot lines, thence southerly 54 feet. Thence

westerly 240 feet, crossing Tenth Street to the back lot line of the houses fronting on the east side of Whitney. Thence northerly 74 feet, thence westerly 134 feet to the westerly line of Whitney. Thence southerly along the westerly line of Whitney 74 feet. Thence westerly 100 feet following the lot lines, thence northerly 17.5 feet, thence westerly 50 feet, thence northerly 36.7 feet. Thence westerly 155.6 feet crossing Prospect Avenue to the westerly line of Prospect. Thence southerly along the westerly line of Prospect 43.5 feet. Thence westerly along lot lines 140.5 feet to the easterly line of Fell Alley. Thence northerly 42.5 feet along the easterly line of Fell Alley, thence westerly 16 feet to the westerly line of Fell Alley. Thence southerly along the westerly line of Fell Alley 572.85 feet to the northerly line of Carolina Street. Thence easterly along the northerly line of Carolina 889.17 feet to the place and point of beginning.

And,

BEGINNING at a point of intersection of the westerly line of Elmwood Avenue and the southerly line of West Chippewa, thence westerly along the southerly line of West Chippewa 367.74 feet to its intersection with the easterly line of Georgia. Thence southwestery along the easterly line of Georgia 587.33 feet crossing Prospect to its intersection with the easterly line of Niagara. Thence southerly along the easterly line of Niagara 57.74 feet to its intersection with the northerly line of West Huron, and thence easterly along the northerly line of West Huron 717 feet crossing Prospect to its intersection with the westerly line of Elmwood Avenue. Thence northerly along the westerly line of Elmwood 461 feet crossing Cary Place 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, 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".

1. Building Condition Survey:

All buildings within the project area were surveyed twice, first by a team from the Lower West Side Resource & Development Corporation and then, independently by an architect from Cannon Design Inc. Surveys were exterior only with detailed interior inspections made on sample properties to assess rehabilitation feasibility. The results of these surveys are depicted in Exhibit A.

Overall, 33.9% of the parcels in the project area are open or dilapidated. Within the Georgia-Prospect subarea the percentage is 55.9% due to a large number of parcels with surface parking. The Virginia-Carolina corridor has 23.6% of its parcels within this classification.

Overall, of the 63 parcels that are open or classified dilapidated, 33 (52.4%) are to be acquired. Of the total 39 parcels that are to be acquired, the 33 open or dilapidated parcels represent 84.6%. The area to be acquired (119,794 square feet, or 2.8 acres) is 15.7 of the total five and one-half block area of 17.8 acres.

Vacant Land

A significant portion of the project area, including most of the parcels slated for acquisition, consist of vacant land.

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 much of the area is grossly underutilized and largely unproductive. Tax base has reduced from \$722,030 in 1961 to under \$500,000 today. It is unlandscaped and unsightly.
- c. The area must be upgraded and is ideally suited to accommodate new residential development which will buttress the private rehabilitation efforts already underway, compliment downtown revitalization activities and provide badly needed housing and taxes.

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

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: "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 Lower West Side. It is consistent with the goals of the Buffalo Master Plan, the Regional Center Plan, and the Georgia-Prospect Neighborhood Improvement Plan. This Plan outlines project objectives, standards for development, procedures for acquisition and disposition, as well as preferred courses of action.

The Lower West Side Urban Renewal Plan seeks to accomplish the general goals and objectives set forth in the State General Municipal Law and the overall neighborhood plan. The urban renewal plan also seeks to accomplish the following goals and objectives included in the overall Plan, to be achieved through public and private action as follows.

The project goals are the following:

- a. Maintain significant neighborhood participation in the development process.
- b. Stimulate interest in further development in the Lower West Side.
- c. Maintain the heterogeneous character of neighborhood residents.
- d. Maintain the historic character of neighborhood residences.
- e. Stabilize property values.
- f. Recapture vacant land and parking lots for more productive, neighborhood-related purposes.
- g. Buffer the neighborhood from downtown.
- h. Employ neighborhood residents during construction.
- i. Try to capture jobs for neighborhood residents.

The project objectives are the following:

- a. Displacement of households is to be minimized and anyone who must be displaced should first be accommodated within the neighborhood if they want to stay. If relocated, the individual will receive adequate compensation and assistance.
- b. Rehabilitation and even relocation of existing structures are strongly preferred to demolition.
- c. Infrastructure improvements necessary to preserve safety would be first.
- d. Demolition of additional housing for off-street parking to serve downtown should be halted.
- e. Traffic patterns should minimize high-speed traffic while allowing good circulation within the neighborhood.
- f. The feasibility of giving area residents priority for on-street parking should be studied.
- g. New development should be promoted in all sections of the study area.

- h. New development should be architecturally compatible with existing structures.
- i. New development should be physically linked to the rest of the neighborhood.
- j. New development should provide off-street parking.
- k. Relocation of suitable buildings from outside areas should be considered for vacant lots.
- l. While individual new development projects may target specific market segments, the total impact of new development neighborhood-wide should offer the widest range of choice possible of family size and income.
- m. The Urban Renewal Plan will supercede existing zoning. Modification to the zoning map will be made as necessary when the project is completed.

3. Types of Proposed Urban Renewal Action:

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 Lower West Side Renewal Plan which include:

a. Clearance and Redevelopment

- i. Acquisition of all real property, as identified for such action on the "Land Acquisition Plan Map", Exhibit B, bound herein. This also includes exhibits Bi & Bii
- ii. Clearance of all structures and improvements thereon with the exception of 241 Georgia Street if rehabilitation should prove to be feasible. (245, 247 & 267)
- iii. 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.

- iv. 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.
- v. Relocation of site occupants residing in structures which are considered substandard and are scheduled to be cleared.
- 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 Lower West Side Renewal Project, 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 as Exhibit C and made a part of this Plan, identifies the general land use categories and areas which are established and permitted within the Lower West Side Project. Existing non-residential uses with the exception of some parking lots are allowed to remain.

2. Land Use Provisions and Building Requirements

of land within the Lower West Side Renewal Project, and together with the Land Use Plan Map, Exhibit C, 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 Lower West Side Renewal Project. It is not intended, however, that such provisions unduly inhibit exploration of valid land uses, design concepts, economic concepts, or other development objectives which, while varying from some aspect of these requirements, may nevertheless achieve the public objectives embodied herein.

a. Planning Guidelines

- i. Preserve houses that have historic or architectural merit where conditions permit.
 - Regain sense of enclosure and scale.
- ii. Preserve Prospect Street as a thru street in some form. Scale the street down to relate to people and buildings. Discourage expressway short cut by reviewing the possibility of making the street one-way south.
- iii. Provide public open space at focal points - particularly across from the Prospect Baptist Church. This space should be developed so that it is contained and is easily supervisable by new development. It should appear to be part of the development and should be urban in nature.
 - Landscape in easily maintainable materials: pavers, hard surfaces, trees, benches and sculpture.
- iv. Provide parking for residents off-street in an enclosed structure and visitors on the street

- Minimize curb cuts at street by aggregating driveways and reducing the total amount of paving required.
- v. Orientation should be open to the neighborhood with a view and public walkway to downtown.
- vi. Infrastructure - Utilities should be located underground.
- vii. Lighting, street furniture, trees and other public improvements should be provided.
 - Lighting should be in scale and in keeping with the existing historic character.
 - Trees should be provided along the street consistent with City standards, but with a minimum caliper of 3½" and the site should be landscaped completely.
 - Street furniture - signs, mailboxes, benches should be consistent with the historic character of the neighborhood.

b. Unit Design Standards

- i. Build 42 units of new housing with 23.8% in the Virginia-Carolina Corridor and 76.2% on the Georgia-Prospect parcels. A mixture of income types should be provided.
- ii. Units should predominantly be single houses with carriage house garages and courtyards between. Where lot size is constrained, attached garage or garage under units may be used.
- iii. Height - Units should be no higher than 40' nor less than 30'.
- iv. Set Back - Units should be set back a minimum 3' of the existing set back or sidewalk line. All units should not have the same set back but a variety which identify them as individual units.

Side Yards - Side yards are required a minimum of one for every two units, with a minimum total width of 10% of the

but need not exceed 8'.

- v. Construction - Buildings in the Georgia- Prospect portion of the project shall be constructed of masonry (brick) so as to comply with the city fire limit ordinance. Brick colors will be compatible with existing buildings (orange or red) no used or 'antique' bricks. Coursing and jointing shall also be consistent with existing buildings. A variety of trim and facade styles are required including porches, dormers, pediments, brackets and windows ornaments which are consistent with the vernacular in the neighborhood.
- vi. Roof Pitch - No less than an 8 in 12 roof pitch shall be allowed. Orientation of the major axis of the roof should relate to others in the neighborhood. Roof materials should match the colors and texture of the original period of the neighborhood (no wood shakes designs). The roof should be an integral part of the design of the house and not applied false front (e.g. mansard). The roof should have eaves. Vent stacks and mechanical equipment should be painted out with the roof or enclosed in a chimney or dormer.
- vii. Doors/Windows - Doors and windows should be compatible with existing styles and proportions (e.g. double doors, doors with pediments, double hung wood windows). Garage doors should be single doors with a variety of finish treatments consistent with the intent of a carriage house.
- viii. Utilities - Utility lines and meters should be connected and enclosed to minimize their impact on the exterior of the building.
- ix. Landscape and yards - All units shall be landscaped with a minimum of two 3" caliper shade trees or four 8'-10' evergreen trees. Ground cover and minimum maintenance materials are

encouraged. Brick pavers are desirable for all paved areas, but walkways fronting the street are most significant. All units should provide a minimum of one 20' x 20' enclosed private area at ground level enclosed with a fence. All units above ground level should provide 5% of their floor area in an outdoor deck or porch.

- x. Walks, Fences, Benches - Walkways, fences and benches are required which are consistent with the architectural styles of the neighborhood at the time the architecture was built.

3. Development Plan Review Process

The Commissioner of Community Development or his designee, 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 Commissioner of Community Development 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 and the Landmark Preservation 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 the disposition of any project land. The following materials shall be submitted for review and approval:

a. Preliminary drawings shall include:

- i. Site plan showing the location of proposed building (s), pedestrian and vehicular circulation, planting areas, immediately adjacent buildings and site utilities. (1"=100'-0')

- ii. Floor plan drawings at a scale of $1/8'' = 1'-0''$ or $1/4'' = 1'-0''$ showing all exits, sanitary facilities, stairways, partitions, storage and utility areas. A plan is required for each separate level.
 - iii. Elevations and perspectives indicating exterior materials and signing. ($1/8''-1'-0''$)
 - iv. Sections of all major building features showing all materials and methods used in construction.
 - v. General description and specifications listing type of
 - 1) foundations, 2) structural systems, 3) mechanical and electrical systems, and 4) interior and exterior finishes.
 - vi. Cost estimate.
 - vii. Estimate of time necessary to complete the project.
- b. Upon approval of preliminary drawings, final drawings must be submitted for review and approval prior to land disposition and construction. This submission should include:
- i. 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. ($1''=100'-0''$)
 - ii. 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

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.

- iii. Floor plan drawings showing all floor plans showing all dimensions, structural details, materials, mechanical and electrical details and lighting. (1/8"=1'-0")
- iv. 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.
- v. Sections showing all major building features of canopies, overhangs, copings, walls, ceiling, structural and mechanical systems, foundations and footings (1/8"=1'-0"). Additional large scale details shall be included where required to explain particular details.
- vi. 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.

vii. A final detailed cost estimate or General Construction bid of the cost of the program will be submitted.

viii. A colored perspective rendering of the proposed project showing the form, style, and scale of the project, landscaping and other architectural features. Such rendering shall be accurate as to both scale and color representation.

ix. 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.

x. Preliminary construction schedule.

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 Lower West Side 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.

C. DEVELOPMENT OPPORTUNITIES

The underlying purpose of urban renewal is to remove the blighting influences which threaten the City's source of revenue and decent living environment for its citizens and to replace them with decent housing alternatives which in turn strengthen the residential and tax base.

Studies indicate the Lower West Side is a prime location for

D. PROJECT PROPOSALS

1. Land Acquisition

The real property to be acquired by the City of Buffalo/Urban Renewal Agency pursuant to this Plan is identified on the Land Acquisition Plan Map, Exhibit B, attached to and made a part of this Plan. This also includes exhibits B i & Bii

2. Land Disposition

Real property will be disposed of subject to the provisions set forth in Item 3 below. Land adequate to construct building and associated improvements will be sold to the redeveloper in accordance with the Redeveloper's Obligations defined below. Preferential consideration will be given to development teams that include recognized neighborhood based organizations. Also, single lots will be offered for sale first to abutters in most cases.

3. Redeveloper's 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.

- 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 redevelopment will be done in accord with products of ongoing neighborhood planning efforts.
- f. 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 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

Modification to the local zoning ordinances if necessary, will be made upon completion of the Project.

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 adverse effect on any viable 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 in the project area 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 Requirement described earlier will

be applied wherever possible. Properties including those not specifically shown on Acquisition maps, which fail to comply will be acquired and demolished or sold to a new owner who agrees to bring the property into compliance.

The Buffalo Building Department shall assume responsibility for enforcing or determining compliance with codes or regulations and making interpretations regarding their application in any specific instance.

An inspection by the City of Buffalo or its agent, shall be made of the interior and exterior condition, appearance and layout of all

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 following standards and requirements:

DEFINITIONS

Terms, phrases and words and their derivatives used in these standards shall have the meanings given in the Buffalo Building Code.

1. General Acceptability Criteria

a. Service and Facilities

- i. Utilities shall be independent for each property without dependence upon other properties.
- ii. Independent facilities shall be provided for each living unit other than rooming houses except that common facilities such as laundry and storage or heating may be provided for each property containing five living units or less. These common facilities shall be provided in structures with six or more living units. Provision of facilities for rooming house structures shall be in accordance with city code.
- iii. Each building and each living unit within the building shall contain provisions for each of the following:

- A) A continuing supply of safe potable water.
- B) Sanitary facilities and a safe method of sewage disposal.
- C) Heating adequate for healthful and comfortable living conditions.
- D) Domestic hot water.
- E) Electricity for lighting and for electrical equipment used in the dwelling.
- F) Provisions for the removal of trash and garbage and its sanitary storage pending removal.

b. Types of Dwellings

- i. Each dwelling or portions thereof providing complete living facilities for one family shall be counted as a living unit. Rehabilitation of nursing homes or housing for the elderly projects or rooming houses shall have living facilities appropriate to their needs:
- ii. A room or group of rooms, containing complete living facilities, such as an apartment of a janitor, caretaker, or servant shall be counted as separate living unit.
- iii. Rooming houses which contain six or more people or which are boarding houses in nature are considered group quarters. Rooming houses in which facilities are shared, but which are not described above, are considered one living unit.

c. Partial Nonresidential Use

- i. Any space or feature included in the property from which income is anticipated apart from the rental of living units is termed non-residential or commercial use.
- ii. Any non-residential use of the property shall be subordinate to its residential use and character. Normally, this non-

residential use should not exceed 25% of the total floor area. However, if the property includes five or more living units, the maximum space devoted to non-residential use shall not exceed 20%.

iii. For one or two story structures not exceeding four living units, where the percentage of total dwellings in the neighborhood having non-residential space included is small, and the use is considered harmonious and architecturally compatible, a higher percentage of non-residential space shall be permitted up to but not exceeding 50% of the total floor area.

iv. A property, any portion of which is designed or used for non-residential purpose, shall be harmonious with the residential character of the area. An inharmonious use is one which by its unresidential appearance, excessive noise or odor, lack of sanitation, or unwholesome influence on people adversely affects the neighborhood in which it is located.

d. Dilapidated or Blighted Structures

All dilapidated portions of existing properties, or blighted structures will be rehabilitated subject to review by the Landmarks and Preservation Board. While rehabilitation and even relocation are strongly preferred to demolition, the economic feasibility of such actions will be measured against demolition.

2. Site Criteria

a. Objective

The individual site under consideration shall be appropriate

to the neighborhood in which it is located, and not have characteristics which will induce or perpetuate neighborhood blight or obsolescence.

b. Parking

Parking areas shall be adequately drained and paved with an all-weather dust free surface, as approved by the Department of Public Works. Approved plans shall be filed with the Building Department.

c. Site Improvements

The open space of each property shall provide:

- i. For the immediate diversion of water away from buildings and disposal from buildings and disposal from the lot.
- ii. Prevent soil saturation detrimental to structures and lot use.
- iii. Where needed, appropriate paved walks, parking areas, driveways, and exterior steps. Open spaces should be landscaped.

3. Building Planning

a. Space Standards

i. Objective

To provide each living unit with space necessary to provide suitable living, sleeping, cooking and dining accommodations, storage, laundry and sanitary facilities; also, to provide space of such size and dimensions as to permit placement of furniture and essential equipment. Space and living standards for rooming houses shall follow applicable requirement from city building codes.

ii. Privacy and Arrangement

- A) A degree of privacy shall be provided commensurate with suitable living conditions by means of the proper location of exterior opening to exterior conditions, and by the interior arrangement of rooms, particularly with reference to access to bathrooms from bedrooms. These standards shall apply in the event that major structural changes or changes in the number of living units are made in the process of rehabilitation.
- B) Access to all parts of a living unit shall be possible without passing through a public hall.
- C) Every water closet, bathtub or shower of a living unit shall be installed in a bathroom or toilet compartment which will afford privacy to the occupant.
- D) A bathroom location is not acceptable if it is used as a passageway to a habitable room, hall, basement or to the exterior. Also, the only access to a single bathroom should not be through a kitchen or a bedroom in living units having more than one bedroom.
- E) A bathroom should not be separated from all bedrooms of a living unit by locating it a full story above or below the bedrooms.
- F) A bedroom shall not be used as the only means of access to another bedroom or habitable room.

iii. Kitchen Facilities

Each living unit shall have a specific kitchen space, which contains a sink with counter work space and having

hot and cold running water, adequate space and facilities for installing cooking and refrigeration equipment, and adequate space for the storage of cooking utensils.

iv. Bath Facilities

Complete bathing and sanitary facilities shall be provided within each living unit consisting of water closet, a tub and/or shower, and a lavatory. An adequate supply of hot water shall be provided to the tub or shower stall and lavatory, and cold water to all fixtures. Arrangement of fixtures shall provide for the comfortable use of each fixture and permit at least a 90° door swing. Wall space shall be available for a mirror or medicine cabinet and for towel bars. Bathtub shall be not less than 5 ft. minimum. Shower, if provided, should have a least dimension of not less than 30". A shower and bathtub shall be provided in the event that extensive remodeling takes place or increases are made in the number of living units.

v. Space for Laundry Facilities

These standards shall apply in the event that major structural changes or changes in the number of living units are made in the process of rehabilitation:

A) Adequate space and facilities for mechanical laundry washing machines and dryers shall be provided in either of the following locations in structures containing six or more living units:

1) Within each living unit having two or more bedrooms, and located in the kitchen or other suitable service

2) In basement, cellar or other suitable public space within the building for the use of all occupants.

B) Clothes closet space minimums shall be as provided within each living unit on the basis of approximately 12 sq. ft. for the first BR plus 6 sq. ft. for each additional BR. The space provided should be, if possible, divided into separate closets serving each bedroom and having one closet located so as to open directly off of a hall or living or dining room. None of the minimum clothes closet space shall be located within the kitchen.

C) Clothes closets shall have a shelf and rod.

Within each living unit, total shelf area or built-in drawer space of at least 8 sq.ft. should be provided for linens. This space should be appropriately increased for living units having 3 or 4 bedrooms. ;

vi. General Storage

Each living unit in structures shall have a private and conveniently accessible space for general storage within the structure. If such space is not incorporated within the individual unit, it shall be locked and accessible only to tenants of that unit. The minimum volume of such space for each living unit shall be 100 cu. ft. and should be appropriately increased for 3 or 4 bedroom units.

vii. Exterior Appurtenances

All exterior appurtenances or accessory structures which serve no useful purpose, or those in a deteriorated condition which are not repairable without imposing severe economic

hardship shall be removed, subject to the review and approval of the City of Buffalo Landmark and Preservation Board. Such structures include porches, terraces, entrance platforms, garages, carports, walls, fences, miscellaneous sheds. Where a structure is needed for utility or privacy and the existing one requires removal, it shall be replaced with a structure that appropriately serves the dwelling in conformity with design approved by the Landmark & Preservation Board.

viii. Trash and Garbage Disposal

- A) Every dwelling and multifamily building shall be supplied with a means of disposal or removal of trash and garbage.
- B) There shall be a convenient and appropriate temporary and sanitary storage for trash and garbage provided which is inaccessible to rodents.

b. Exterior Restoration

All restorations will be subject to the review and approval of the Landmark & Preservation Board.

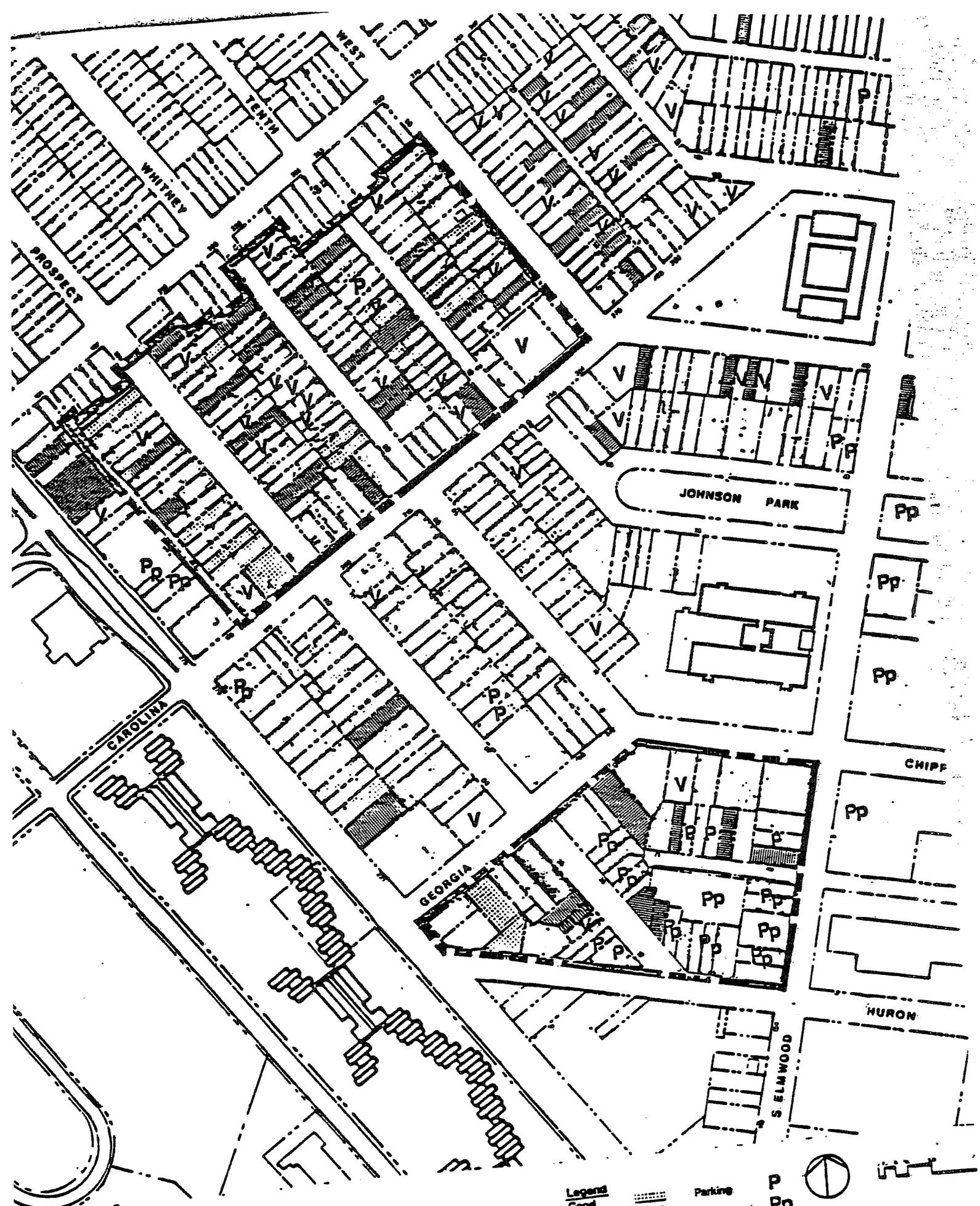
- i. Masonry reconstruction shall be of brick in colors compatible with existing buildings (orange or red) no used or 'antique' bricks. Coursing and jointing shall also be consistent with existing building.
- ii. A variety of trim and facade styles are encouraged including porches, dormers, pediments, brackets, and window ornaments which are consistent with the vernacular in the neighborhood.
- iii. Roof Pitch - No less than an 8 in 12 roof pitch shall be allowed. Roof materials should match the colors and texture

of the original period of the neighborhood (no wood shakes designs). The roof should be an integral part of the design of the house and not an applied false front (e.g. mansard). The roof should have eaves. Vent stacks and mechanical equipment should be painted out with the roof or enclosed in a chimney or dormer.

- iv. Doors/Windows - Doors and windows should be compatible with existing styles and proportions (e.g. double doors, doors with pediments, double hung wood windows). Garage doors should be single doors with a variety of finish treatments consistent with the intent of the carriage house.

EXCEPTIONS

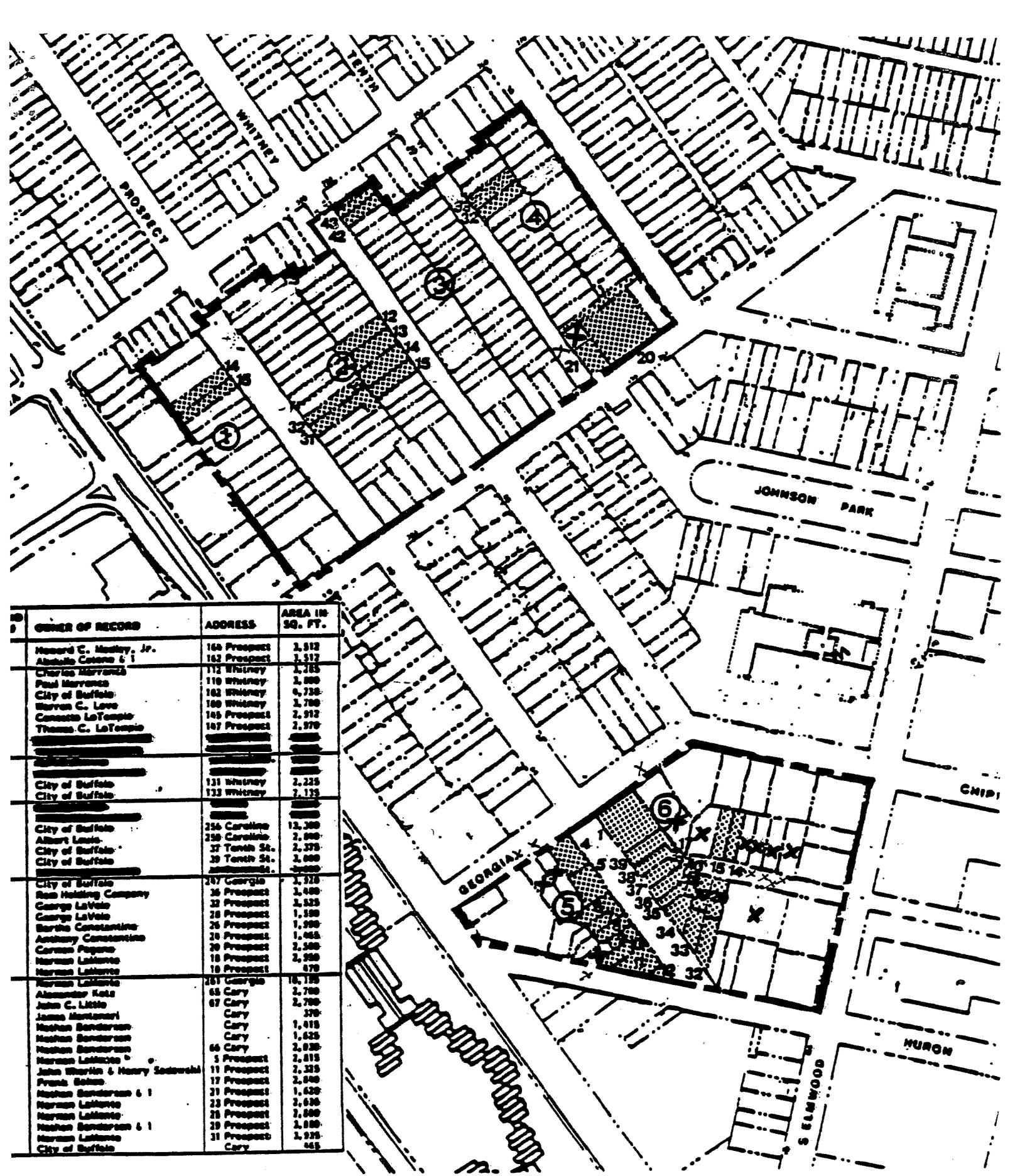
Where special site or structural conditions may make it impractical to carry out one or more of the minimum requirements listed herein without severe hardships, a variance to such requirements may be permitted by the City provided that no variance shall be permitted which is more restrictive than applicable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



West Side Urban Renewal Project
 Buffalo, N.Y.
 James D. Griffin, Mayor
 Community Development

Legend
 Good
 Min. Deter.
 Maj. Deter.
 Dilapidated
 Parking
 Park. Paved
 Vacant
 P
 Pp
 V

Exhibit A



| OWNER OF RECORD | ADDRESS | AREA IN SQ. FT. |
|------------------------------|--------------|-----------------|
| Howard C. Mastey, Jr. | 164 Prospect | 1,512 |
| Abelito Casano & 1 | 162 Prospect | 1,512 |
| Charles Marranca | 112 Whitney | 1,235 |
| Paul Marranca | 110 Whitney | 1,000 |
| City of Buffalo | 102 Whitney | 4,750 |
| Warren C. Love | 100 Whitney | 1,700 |
| Constance LaTompie | 105 Prospect | 2,912 |
| Thomas C. LaTompie | 107 Prospect | 2,970 |
| City of Buffalo | 131 Whitney | 2,225 |
| City of Buffalo | 122 Whitney | 7,125 |
| City of Buffalo | 254 Caroline | 12,300 |
| Albert Lewis | 250 Caroline | 2,000 |
| City of Buffalo | 37 Tenth St. | 2,375 |
| City of Buffalo | 39 Tenth St. | 2,000 |
| City of Buffalo | 207 Georgia | 1,925 |
| Reo Holding Company | 26 Prospect | 2,400 |
| George LaVolo | 32 Prospect | 2,325 |
| George LaVolo | 28 Prospect | 1,100 |
| Bertie Constantine | 26 Prospect | 1,900 |
| Anthony Constantine | 20 Prospect | 1,465 |
| Carson Pugno | 20 Prospect | 2,500 |
| Norman Lattava | 18 Prospect | 2,500 |
| Norman Lattava | 18 Prospect | 470 |
| Norman Lattava | 201 Georgia | 18,100 |
| Alexander Katz | 65 Cary | 2,700 |
| John C. Little | 67 Cary | 2,700 |
| James Montanari | Cary | 370 |
| Norman Sanderson | Cary | 1,410 |
| Norman Sanderson | Cary | 1,625 |
| Norman Sanderson | Cary | 2,030 |
| Norman Lattava | 5 Prospect | 2,815 |
| John Martin & Henry Sedowski | 11 Prospect | 2,325 |
| Frank Salan | 17 Prospect | 2,000 |
| Norman Sanderson & 1 | 21 Prospect | 1,620 |
| Norman Lattava | 23 Prospect | 2,600 |
| Norman Lattava | 28 Prospect | 2,800 |
| Norman Sanderson & 1 | 29 Prospect | 2,000 |
| Norman Lattava | 31 Prospect | 1,925 |
| City of Buffalo | Cary | 455 |

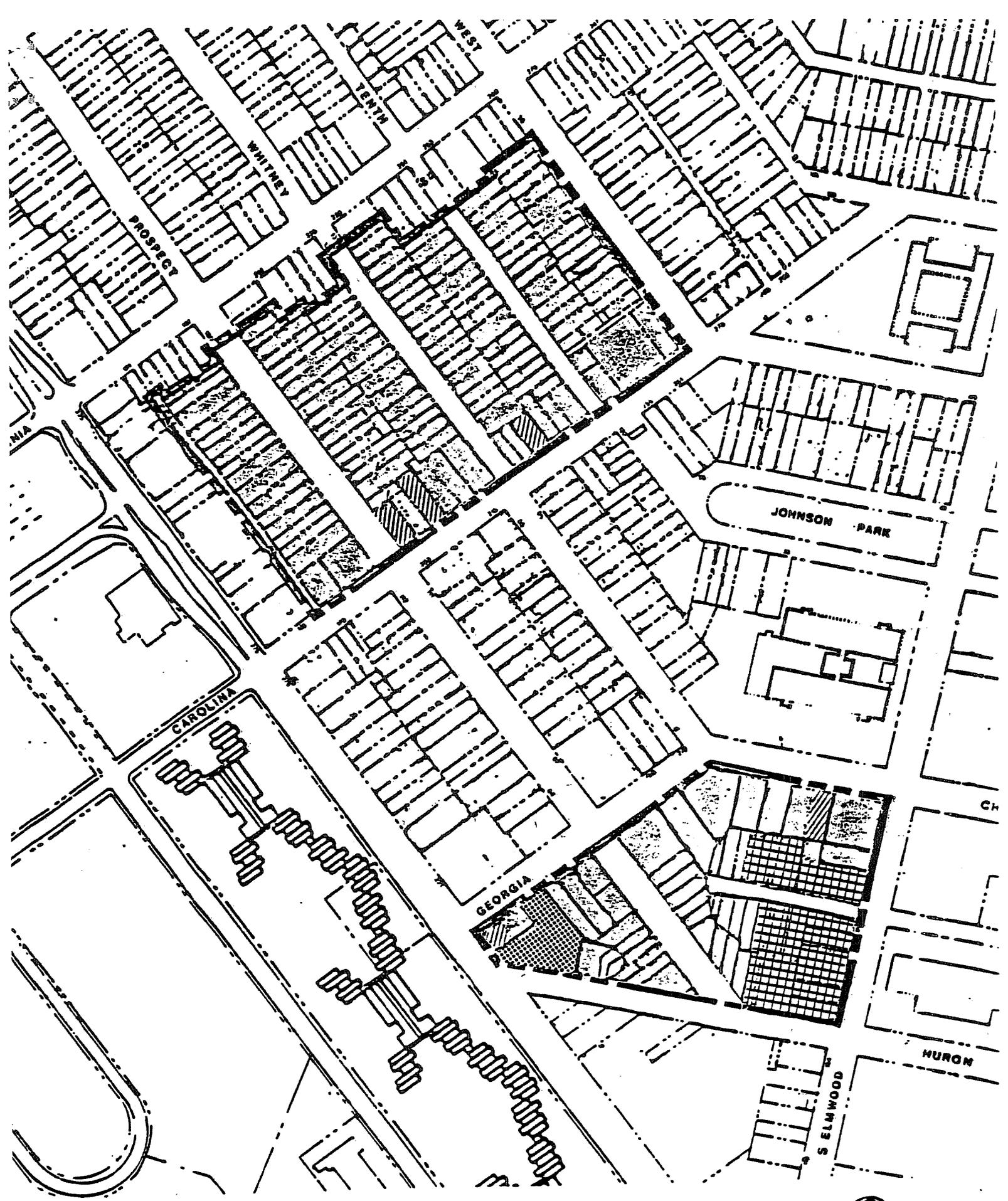
11 To be Acquired



PROPERTIES WITH AN "X" ARE THE AMENDED PARCELS, WHICH ARE ON EXHIBITS B1 & B11

West Side Urban Renewal Project
 Buffalo, NY
 James D. Griffin, Mayor
 Department of Community Development
 Thomas Quinn, Commissioner

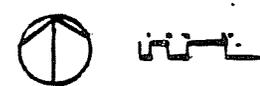
Land Acquisition Map

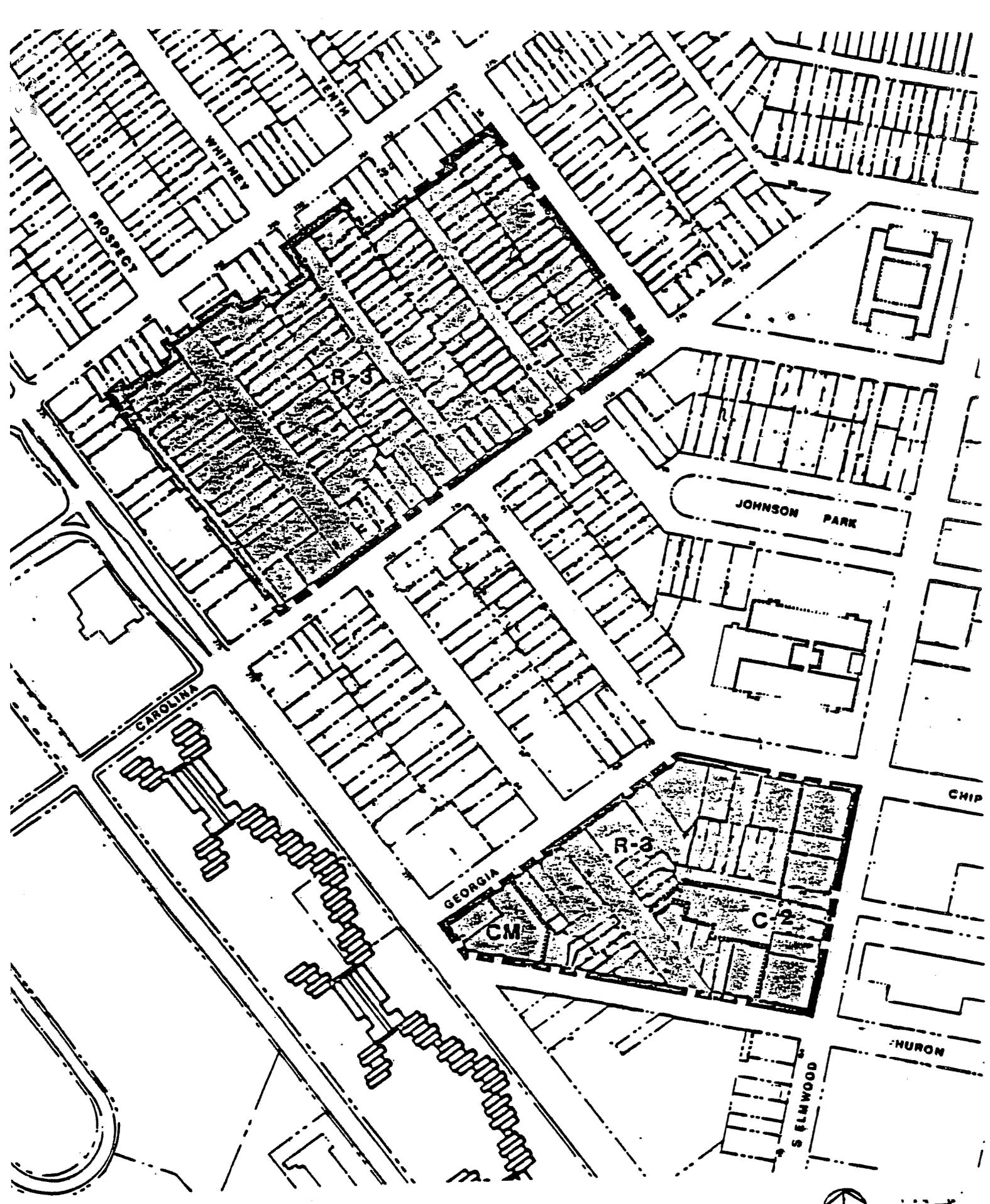


Western West Side Urban Renewal Project
 Buffalo, NY
 James D. Griffin, Mayor

Department of Community Development
 Lawrence Quinn, Commissioner

-  Residential
-  Commercial
-  Parking
-  Industry





West Side Urban Renewal Project
 City of New York
 James D. Griffin, Mayor

Department of Community Development
 Thomas Quinn, Commissioner

- Legend**
- Dwelling Dist. R-3
 - Community Bus. C-2
 - Gen. Commercial CM

Existing Zoning



