

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

TIME: 8:30PM

PRESENT: PRESIDENT OF THE COUNCIL
 CHUCK LESNICK

DISTRICT:
2 MAJORITY LEADER SANDY ANNABI
4 MINORITY LEADER LIAM J. McLAUGHLIN

COUNCIL MEMBERS
DISTRICT:

1 PATRICIA D. McDOW
3 JOAN GRONOWSKI
5 JOHN M. MURTAGH
6 DEE BARBATO

I, THE UNDERSIGNED PRESIDENT OF THE CITY COUNCIL,
PURSUANT TO RULE 1 (2) OF THE CITY COUNCIL RULES, DO
HEREBY CALL A SPECIAL MEETING OF THE CITY COUNCIL, TO BE
HELD ON TUESDAY, MAY 19, 2009 IN THE CITY COUNCIL
CHAMBERS, FOURTH FLOOR, CITY HALL, YONKERS, NEW YORK AT
7:00 P.M. FOR THE FOLLOWING PURPOSE:

TO DISCUSS AND TAKE ACTION ON:

1. RESOLUTION - APPROVING PLAN MODIFICATION TO THE
 GETTY SQUARE URBAN RENEWAL PLAN.

2. RESOLUTION - APPROVING PLAN MODIFICATION TO THE
 MODIFIED URBAN RENEWAL PLAN FOR N.D.P. AREA NO. 1
 AND N.D.P. AREA NO. 2 IN CONNECTION WITH PALISADES
 POINT PROJECT.

3. RESOLUTION - APPROVING MODIFICATIONS TO THE
 DOWNTOWN YONKERS WATERFRONT MASTER PLAN.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

4. GENERAL ORDINANCE – AMENDING CHAPTER 43 OF THE CODE OF THE CITY OF YONKERS RELATING TO THE SFC DEVELOPMENT PROPOSAL PURSUANT TO ARTICLE XIII OF THE YONKERS ZONING ORDINANCE.
5. SPECIAL ORDINANCE – DISCONTINUING STREETS AND PORTIONS OF PUBLIC STREETS IN THE CITY OF YONKERS PURSUANT TO SECTION 29 OF ARTICLE III OF THE GENERAL CITY LAW.
6. RESOLUTION – AUTHORIZING THE DISCONTINUANCE OF CERTAIN CITY PARKLAND IN EXCHANGE FOR CERTAIN REPLACEMENT LANDS AND DEDICATION OF SAID LANDS AS PARKLAND.
7. SPECIAL ORDINANCE – AMENDING THE OFFICIAL MAP OF THE CITY OF YONKERS.
9. ALL OTHER BUSINESS PROPERLY COMING BEFORE THE COUNCIL.

CHUCK LESNICK
CITY COUNCIL PRESIDENT

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

INDEX

OLD BUSINESS

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1. RULES	RES - SEQRA – ALEXANDER ST. MASTER PLAN	6/9
2. RULES	RES – ALEXANDER ST. MASTER PLAN & BROWN FIELD OPPORTUNITY AREA PLAN	10/12
3. RULES	RES - ALEXANDER ST URBAN RENEWAL PLAN	13/16

NEW BUSINESS

4 GO 3-2009	AMENDING CHAPTER 43 OF THE YONKERS CODE OF THE CITY OF YONKERS RELATING TO THE SFC DEVELOPMENT	17/29
5.SO 9-2009	DISCONTINUING STREETS AND PORTIONS OF PUBLIC STREETS	30
6.SO 10-2009	AMENDING THE OFFICIAL MAP OF THE CITY OF THE CITY OF YONKERS	31/33
7.R- 89-2009	APPROVING PLAN MODIFICATION TO THE GETTY SQUARE URBAN RENEWAL PLAN	34/58
8.R- 90-2009	RES – APPROVING PLAN MODIFICATION TO THE MODIFIED URBAN RENEWAL PLAN FOR N.D.P. AREA NO.1 AND N.D.P. AREA NO. 2 IN CONNECTION WITH PALISADES POINT PROJECT.	59/66
9. R-91-2009	RES – APPROVING MODIFICATIONS TO THE DOWN - TOWN YONKERS WATERFRONT MASTER PLAN	67/71
10. R-92-2009	RES – AUTHORIZING THE DISCONTINUANCE OF CERTAIN CITY PARKLAND IN EXCHANGE FOR CERTAIN REPLACEMENT LANDS AND DEDICATION OF SAID LANDS AS PARKLAND.	72/73

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

INDEX (CONTINUED)

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
11R-93-2009	RES – COMMISSIONERS OF DEEDS	74/76

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

COMMUNICATIONS FROM CITY OFFICIALS

1. FROM MAYOR AMICONE; AMENDMENTS TO THE FISCAL YEAR 2010 EXECUTIVE BUDGET FOR COUNCIL'S CONSIDERATION. THIS LETTER WAS SENT TO ALL COUNCILMEMBERS.

FILED

2. TO COUNCIL PRESIDENT LESNICK, FROM THE YONKERS DEPARTMENT OF PLANNING AND DEVELOPMENT RE: SUBMITTING NODINE HILL MASTER PLAN AND NODINE HILL URBAN RENEWAL PLAN TO THE CITY COUNCIL.

WITHDRAWN

3. TO COUNCIL PRESIDENT LESNICK: FROM THE YONKERS DEPARTMENT OF PLANNING AND DEVELOPMENT RE: BRINGING TO THE COUNCILS ATTENTION THAT THE TABLES IN CHAPTER 4 PAGES 9-12 IN THE ALEXANDER STREET MASTER PLAN WERE NOT UPDATED AND CONSISTENT WITH THE TABLES IN THE ALEXANDER STREET FGEIS. DEPARTMENT OF BLDG AND DEVELOPMENT HAS CORRECTED THIS ERROR AND RESUBMITTED THE ALEXANDER STREET MASTER PLAN.

FILED

4. DATED MAY 18, 2009 FROM ED BOROUGHS OF THE WESTCHESTER COUNTY PLANNING BOARD IN RESPONSE TO THE CITY COUNCIL'S SITE PLANS DATED APRIL 15, 2009 PROPOSED BY STREUVER, FIDELCO, CAPPELLI LLC.

FILED

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

COMMITTEE OF THE WHOLE

SPEAKERS

<u>NAME:</u>	<u>ADDRESS</u>	<u>ITEM</u>
1. Pat Brady	Yonkers Fire Union President	S.F.C.
2. Margaret Setterholm	146 Warburton Avenue	S.F.C.
3. Ed Gomez	(DID NOT SPEAK)	Budget
4. Steve Sansone	(DID NOT SPEAK)	LDA
5. Louis Picani	160 S. Central (Teamsters)	S.F.C.
6. Lt. Kai Erwin	(DID NOT SPEAK)	S.F.C.
7. Fred Buhler	95 Landscape Avenue	S.F.C.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

OLD BUSINESS

RESOLUTION

1. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

A RESOLUTION AUTHORIZING THE ISSUANCE OF FINDINGS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATING TO THE ALEXANDER STREET MASTER PLAN, THE ALEXANDER STREET URBAN RENEWAL PLAN AND THE BROWNFIELD OPPORTUNITY AREA PLAN.

WHEREAS, the Yonkers Community Development Agency (“Agency”) has prepared Draft and Final Environmental Impact Statements (the “DGEIS” and “FGEIS” respectively) that examine the adoption of an Alexander Street Master Plan (the “Master Plan”), an Alexander Street Urban Renewal Plan (the “Urban Renewal Plan”), and the adoption of a Brownfield Opportunity Area Plan (the “BOA Plan”) under the State of New York’s BOA Program (collectively, the “Proposed Action”); and

WHEREAS, the Master Plan is an area-wide plan having the same geographic area as the Alexander Street Urban Renewal Area and the Brownfield Opportunity Area, and is intended to create a physical planning framework for redevelopment and revitalization of the Alexander Street waterfront area; the Urban Renewal Plan and the BOA Plan are intended to remove blighted conditions and underwrite an implementation program to facilitate future redevelopment activities; and

WHEREAS, the City Council of the City of Yonkers (“City Council”) is the approving agency for the Urban Renewal Plan, the Master Plan and the BOA Plan and, as a result, must adopt a Statement of Findings pursuant to the requirements of New York State law set forth below; and

WHEREAS, in preparation of the activities set forth above, the City Council by Resolution No. 8-2005 adopted on January 11, 2005, approved and authorized urban renewal site designation for certain parcels along the Hudson River waterfront, immediately north of the adjoining Riverview Urban Renewal Area in accordance with Section 504 of Article 15 of the New York State General Municipal Law (the “Alexander Street Urban Renewal Area”); and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION (CONTINUED)

WHEREAS, the Agency, by Resolution No. 17-2005 adopted on August 31, 2005, was authorized to undertake all actions required under the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law of the State of New York) and the implementing regulations issued thereunder by the Commissioner of the Department of Environmental Conservation of New York State (6 NYCRR Part 617) (such act and regulations being hereinbelow referred to as "SEQRA"), to complete and file a Notice of Lead Agency Designation/Coordination Review for the purpose of securing Lead Agency Status for the Agency and to conduct an environmental review of the Proposed Action under SEQRA; and

WHEREAS, the Agency, by Resolution No. 24-2005 adopted on December 29, 2005, confirmed its Lead Agency status and was authorized to undertake all actions required under SEQRA for a Coordinated Environmental Review in connection with the Proposed Action; and

WHEREAS, the Agency, upon the adherence and compliance with the comment and public hearing requirements set forth under SEQRA, by Resolution No. 12 – 2007 adopted on December 20, 2007, accepted the DGEIS for the Proposed Action as complete and adequate for public review; and

WHEREAS, the Agency, by Resolution No. 1 -2008 adopted on October 30, 2008, upon the adherence and compliance with the requirements under SEQRA, accepted the Final Generic Environmental Impact Statement ("FGEIS") for the Proposed Action as complete and authorized all circulation, filing, notification and publication actions required under SEQRA in connection with the FGEIS and the completion thereof; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION (CONTINUED)

WHEREAS, the Agency by Resolution No. 2-2008 adopted on November 20, 2008, approved the Statement of Findings for the Proposed Action ("Findings Statement") and caused same to be filed in accordance with the applicable requirements of SEQRA and submitted the Proposed Action to the Planning Board of the City of Yonkers ("Planning Board") for its review and determination; and

WHEREAS, on January 14, 2009 the Planning Board held, upon due notice, a public hearing on the Urban Renewal Plan in accordance with Section 505(2) of Article 15 of the General Municipal Law; and

WHEREAS, the Planning Board, at its meeting held on February 25, 2009, unqualifiedly approved the Urban Renewal Plan for approval by the City Council, determined that the Urban Renewal Plan is in compliance with the provisions of subdivision 7 of Section 502 of Article 15 of the General Municipal Law, and directed the Planning Director to submit to the City Council the report of the Planning Board certifying such unqualified approval and such determination and findings, and requesting further proceedings under subdivision 3 of Section 505 of Article 15 of the General Municipal Law; and

WHEREAS, the Planning Board, as an Involved Agency under SEQRA, at its meetings held on February 25, 2009, and March 11, 2009, carefully reviewed the FGEIS and the Findings Statement prepared by the Agency for the Proposed Action and considered areas of environmental concern set forth in the FGEIS in connection with the Proposed Action and compared them to the criteria identified in the SEQRA Regulations 6 NYCRR §617.7 to determine if the Proposed Action will have a significant impact upon the environment, and recommended the adoption of a negation declaration; and

WHEREAS, the City Council, as an Involved Agency under SEQRA, carefully reviewed FGEIS and the Findings Statement adopted by the Agency and considered areas of environmental concern set forth in the FGEIS in connection with the Proposed Action and compared them to the criteria identified in the SEQRA Regulations 6 NYCRR § 617.7 to determine if the Proposed Action will have a significant Impact upon the environment,

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION (CONTINUED)

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YONKERS, that based upon it's review of the aforesaid documents it hereby finds that the Proposed Action will not have a significant adverse impact upon the environment, the Statement of Environmental Findings prepared by the City of Yonkers Department of Planning on behalf of the City Council for the FGEIS for the Proposed Action is hereby approved and adopted (the "FGEIS Findings"), and the President of the City Council is hereby authorized and directed to execute such FGEIS Findings on behalf of the City Council, and directs the City Clerk to file these findings as required under SEQRA Part 617; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

THE ABOVE RESOLUTION WAS REFERRED BACK TO RULES.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTIONS

2. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, the Yonkers Community Development Agency, (the "Agency") by Resolution No. 7-2004 adopted on September 22, 2004, and the City Council of the City of Yonkers by Resolution No. 8-2005 adopted on January 11, 2005, approved and authorized site designation for certain parcels along the Hudson River waterfront, immediately north of the adjoining Riverview Urban Renewal Area in accordance with Section 504 of Article 15 of the New York State General Municipal Law (the "Alexander Street Urban Renewal Area"); and

WHEREAS, the Agency , in cooperation with the City of Yonkers (the "City"), in accordance with Articles 15 and 15-A of the General Municipal Law, caused to be prepared an urban renewal plan for the area known as the Alexander Street Urban Renewal Area, (the "Alexander Street Urban Renewal Plan"); and

WHEREAS, the Agency by Resolution No. 17-2005 adopted on August 31, 2005 was authorized to undertake all actions required by the State Environmental Quality Review Act ("SEQRA") to complete and file a Notice of Lead Agency Designation/Coordination Review for the purpose of securing Lead Agency Status for the Agency and to conduct an environmental review of the proposed Alexander Street Urban Renewal Plan, the Alexander Street Master Plan and a Brownfield Opportunity Area Plan for the Alexander Street Urban Renewal Area under SEQRA (hereinafter referred to collectively as the "Alexander Street Plans"); and

WHEREAS, the Agency by Resolution No. 24-2005 adopted on December 29, 2005, confirmed its Lead Agency status and was authorized to undertake all actions required under SEQRA for a Coordinated Environmental Review in connection with the proposed Alexander Street Plans; and

WHEREAS, the Agency had caused to be prepared a Draft Generic Environmental Impact Study ("DGEIS") in connection with the Alexander Street Plans; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTIONS (CONTINUED)

WHEREAS, the Agency, by Resolution No. 12 – 2007 adopted on December 20, 2007, accepted the DGEIS as complete; and

WHEREAS, the Agency, by Resolution No. 1 -2008 adopted on October 30, 2008, accepted the Final Generic Environmental Impact Statement (“FGEIS”) for the Alexander Street Plans as complete and authorized all circulation, filing, notification and publication actions (collectively, “notification actions”) required under SEQRA in connection with the FGEIS and the completion thereof; and

WHEREAS, the Agency, by Resolution No. 2-2008 adopted on November 20, 2008, approved the Statement of Environmental Findings (the “Findings Statement”), caused same to be filed in accordance with the applicable requirements of SEQRA and submitted the Alexander Street Plans to the Planning Board of the City (the “Planning Board”); and

WHEREAS, in accordance with a recommendation heretofore made by the Planning Board, the City Council reserves the right to conduct proceedings with respect to the Alexander Street Master Plan pursuant to Section 28-a of the New York State General City Law; and

WHEREAS, the approval being sought hereunder is limited to the Master Plan and Brownfield Opportunity Area Plan for the Alexander Street Urban Renewal Area; and

WHEREAS, earlier at this meeting the City Council, as an Involved Agency under SEQRA, adopted its own findings statement in connection with the Alexander Street Plans,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yonkers that, after a public hearing held on due notice pursuant to Section 28-a of the New York State General City Law, the Alexander Street Master Plan as submitted by the Planning Board to the City Council, is hereby approved and, the Brownfield Opportunity Area Plan, as submitted by the Planning Board to the City Council, is hereby approved; and be it further

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTIONS (CONTINUED)

RESOLVED, that, this resolution shall take effect immediately.

THE ABOVE RESOLUTION WAS REFERRED BACK TO RULES

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION

3. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

WHEREAS, the Yonkers Community Development Agency, (the "Agency") by Resolution No. 7-2004 adopted on September 22, 2004, and the City Council of the City of Yonkers by Resolution No. 8-2005 adopted on January 11, 2005, approved and authorized site designation for certain parcels along the Hudson River waterfront, immediately north of the adjoining Riverview Urban Renewal Area, in accordance with Section 504 of Article 15 of the New York State General Municipal Law (the "Alexander Street Urban Renewal Area"); and

WHEREAS, the Agency in cooperation with the City of Yonkers (the "City") in accordance with Articles 15 and 15-A of the General Municipal Law, caused to be prepared an urban renewal plan for the area known as the Alexander Street Urban Renewal Area (the "Alexander Street Urban Renewal Plan"); and

WHEREAS, the Agency by Resolution No. 17-2005 adopted on August 31, 2005 was authorized to undertake all actions required under the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law of the State of New York) and the regulations issued thereunder by the Commissioner of Environmental Conservation of New York State (6 NYCRR Part 617) (such Act and regulations being hereinbelow referred to as "SEQRA"), to complete and file a Notice of Lead Agency Designation/Coordination Review for the purpose of securing Lead Agency Status for the Agency and to conduct an environmental review of the proposed Alexander Street Urban Renewal Plan, the Alexander Street Master Plan ("Master Plan") and a Brownfield Opportunity Area plan ("BOA Plan") for the Alexander Street Urban Renewal Area under SEQRA (hereinafter referred to collectively as the "Alexander Street Plans"); and

WHEREAS, the Agency by Resolution No. 24-2005 adopted on December 29, 2005, confirmed its Lead Agency status and was authorized to undertake all actions required under SEQRA for a Coordinated Environmental Review in connection with the proposed Alexander Street Plans; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION (CONTINUED)

WHEREAS, the Agency had caused a Draft Generic Environmental Impact Study (“DGEIS”) in connection with the Alexander Street Plans; and

WHEREAS, the Agency by Resolution No. 12 – 2007 on December 20, 2007, accepted the DGEIS as complete; and

WHEREAS, by Resolution No. 1 -2008, adopted by the Agency on October 30, 2008, the Agency accepted the Final Generic Environmental Impact Statement (“FGEIS”) for the Alexander Street Plans as complete and authorized all circulation, filing, notification and publication actions (collectively, “notification actions”) required under SEQRA in connection with the FGEIS and the completion thereof; and

WHEREAS, the Agency by Resolution No. 2-2008, adopted on November 20, 2008, approved the Findings Statement on behalf of the Agency, caused same to be filed in accordance with the applicable requirements of SEQRA and submitted the Alexander Street Urban Renewal Plan to the Planning Board of the City (the “Planning Board”) for its review and certification in accordance with Section 505(2) of Article 15 of the General Municipal Law; and

WHEREAS, on January 14, 2009 the Planning Board held, upon due notice, a public hearing on the Alexander Street Urban Renewal Plan in accordance with Section 505(2) of Article 15 of the General Municipal Law; and

WHEREAS, the Planning Board, at its meeting held on January 14, 2009, unqualifiedly approved the Alexander Street Urban Renewal Plan for approval by the City Council, determined that the Alexander Street Urban Renewal Plan is in compliance with the provisions of subdivision 7 of Section 502 of Article 15 of the General Municipal Law, found that it conformed to a comprehensive community plan for the development of the municipality as a whole, confirmed the finding made pursuant to Section 504 of the General Municipal Law, and directed the Planning Director to submit to the City Council the report of the Planning Board certifying such unqualified approval and such determination and findings, and requesting

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION (CONTINUED)

further proceedings under subdivision 3 of Section 505 of Article 15 of the General Municipal Law; and

WHEREAS, in accordance with a recommendation heretofore made by the Planning Board, the City Council reserves the right to conduct proceedings with respect to the Master Plan pursuant to Section 28-a of the General City Law; and

WHEREAS, the approval being sought hereunder is limited to the Alexander Street Urban Renewal Plan; and

WHEREAS, earlier at this meeting the City Council, as an Involved Agency under SEQRA, adopted its own findings statement in connection with the Alexander Street Plans

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yonkers that, after a public hearing held on due notice pursuant to Section 505(3) of Article 15 of the General Municipal Law, the proposed Alexander Street Urban Renewal Plan as submitted by the Planning Board to the City Council, is hereby approved; and be it further

RESOLVED, that the factors and characteristics in the Alexander Street Urban Renewal Area contributing to urban blight are hereby found to be appropriate for urban renewal as defined in Section 502 of Article 15 of the General Municipal Law; and be it further

RESOLVED, that in accordance with Section 505(4) of Article 15 of the General Municipal Law, the City Council hereby makes the following additional findings:

(a) The Alexander Street Urban Renewal Area is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality.

(b) Any financial aid provided to the municipality is necessary to enable the project to be undertaken in accordance with the Alexander Street Urban Renewal Plan (the "Urban Renewal Plan").

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION (CONTINUED)

(c) The Urban Renewal Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking of the urban renewal program contained in the Urban Renewal Plan.

(d) The Urban Renewal Plan conforms to a comprehensive community plan for the development of the municipality as a whole.

(e) There is a feasible method for the relocation of families and individuals from the Alexander Street Urban Renewal Area into decent, safe and sanitary dwellings which are or will be provided in the urban renewal area or in other areas not generally less desirable in regard to public utilities and public commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonable accessible to their places of employment.

(f) The undertaking and carrying out of the urban renewal activities in stages is in the best public interest and will not cause any additional or increased hardship to the residents of the Alexander Street Urban Renewal Area; and be it further

RESOLVED, that, this resolution shall take effect immediately.

THE ABOVE RESOLUTION WAS REFERRED BACK TO RULES.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

GENERAL ORDINANCE NO.3-2009

4. BY COUNCIL PRESIDENT LESNICK, COUNCILMEMBERS McDOW, MURTAGH AND BARBATO:

A GENERAL ORDINANCE GENERALLY AMENDING CHAPTER 43 OF THE CODE OF THE CITY OF YONKERS (COMMONLY KNOWN AS THE CITY OF YONKERS ZONING ORDINANCE) RELATING TO THE SFC DEVELOPMENT PROPOSAL PURSUANT TO ARTICLE XIII OF THE YONKERS ZONING ORDINANCE

The City of Yonkers, in City Council convened, does hereby ordain and enact:

Section 1. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby generally amended and revised, in part, as follows:

Section 43-8 of the Code of the City of Yonkers entitled "Definition of Terms" is hereby amended in part by the addition of the following term to be placed in alphabetical order within the section:

DESIGNATED DEVELOPMENT SITE – In the CB or GC zone districts, a tract having 10 or more acres of area in the aggregate and comprised of one or more parcels and/or lots may be designated by the City Council as a single "Designated Development Site."

Section 2. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended , in part, by amending thereof, Section 43-33 entitled. "Supplementary regulations for all uses and districts" to read as follows:

§43-33 Supplementary regulations for all uses and districts.

- O. Exceptions to the heights limitations of the Schedule of Dimensional Regulations (Table 43-3). The Height limitations provided for in the Schedule of Dimensional Regulations (Table 43-3) shall not apply to:
- (1) Rooftop bulkheads, elevator penthouses, water towers, water tanks, monitors, fire towers hose towers or cooling towers, radio antennas, stage towers or scenery lofts provided that such features shall be erected only to the heights necessary to accomplish the purpose they are intended to served. The total area covered by such features shall not exceed 20%

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009
GENERAL ORDINANCE NO.3-2009 (CONTINUED)

of the horizontal area of the roof on which they are located or 10% of the lot area, whichever is the lesser, except that such limitation shall not apply on a Designated Development Site. Where the lot on which they are located is in or adjacent to a residence district such features shall be set back from the edge of the roof at least one foot for each one foot by which such features exceed the maximum height otherwise specified for the district in which they are located”

Section 3. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning code of the City of Yonkers, is hereby amended, in part, by adding thereto a new sub-section E entitled “Philanthropic institutions providing social services,” to Section 43-35 thereof entitled “Supplemental regulations for certain public and institutional uses” to read as follows:

§43-35 Philanthropic institutions providing social services

- E. (1) Philanthropic institutions providing social services existing as of the date of adoption of this subsection (1) shall be permitted in the GC District only on a Designated Development Site.”

Section 4. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended in part, by adding thereto a new sub-section 43-43 thereof, entitled, “Supplemental regulations for certain accessory nonresidential uses and structures” to read as follows:

§43-43 Classrooms for existing place of worship.

- T. (1) Classrooms for a place of worship existing as of the date of adoption of this subsection (1) this shall be permitted in the CB District only on a Designated Development Site, and provided that the lot on which the existing place of worship is located is contiguous to the Designated Development Site.”

Section 5. Chapter 43 of the Code of the City of Yonkers, also known as the Zone Code of the City of Yonkers, is hereby amended, in part, by adding thereto a new Section 43-46, thereof, entitled, “Designated Development Site”, to read as follows:

§43-46 Designated Development Site.

The City Counsel may, upon petition by one or more applicants, designate an area within the CB and/or GC Districts of not less than 10 acres in the aggregate and comprised of one or more parcels and/or lots

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

GENERAL ORDINANCE NO.3-2009 (CONTINUED)

as a single Designated Development Site for the purpose of effecting the comprehensive redevelopment of an area of the city. The following supplemental regulations shall apply to a Designated Development Site:

1. The dimensional regulations of this chapter, including but not limited to the supplementary regulations in Section 43-33 of this chapter, shall apply to the entire tract designated as a Designated Development Site and not to any of the individual parcels and/or lots which comprise the Designated Development Site or any of the individual lots into which the Designated Development Site is subdivided, and regardless of the ownership of the parcels and/or lots shall be used only in accordance with the approved site plan for the Designated Development Site.
2. Notwithstanding any other provision of this chapter (s): the parcels and/or lots which comprise a Designated Development Site or the lots into which a Designated Development Site is subdivided may be separated by public or private streets or rights-of-way.
3. The individual lots into which a Designated Development Site is subdivided shall not be required to comply with the lot and dimensional requirements of this chapter, including but not limited to lot width requirements and the supplementary regulation in Section 43-33 of this chapter.
4. Subsections 43-40.(D) (3). 43-44.A (2), 43-44 A (9) (c). 43-44.B (4) and 43-44. B (6) of this chapter shall not apply to a Designated Development Site.
5. The individual lots into which a Development Site is subdivided may be comprised wholly or partially of subsurface land and/or volumes of air space, and may be 'flag lots' as defined in Section 43-8 of this Chapter."

Section 6. Chapter 43 of the Code of the City of Yonkers also known as the Zoning Code of the City of Yonkers, is hereby amended in part, by amending Section 43-72 C (1) of the Article VII entitled "Special use permit requirements for certain residential uses", to read as follows:

§43-72. Special use permit requirements for certain residential uses.

- C. 1. Planned urban redevelopments (PURs) may be permitted in all

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

GENERAL ORDINANCE NO.3-2009 (CONTINUED)

designated urban renewal areas in all districts, on tracts of land of two or more acres in aggregate.

2. Notwithstanding §43-27, §43-50 and §43-127, PURs shall not be required to meet the dimensional or use requirements for the district in which they are located, or the off-street parking and loading requirements contained in §43-128 and Table 43-4 and Table 43-5.
5. Uses established and buildings and structures constructed pursuant to a PUR special use permit shall be deemed conforming to the dimensional and use requirements of this Chapter."

Section 7. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended in part by amending Section 43-74 F (1) of Article VII entitled "Special use permit requirement for certain business, commercial and office uses", to read as follows:

- F. 1.Planned urban redevelopments (PURs) may be permitted in all designated urban renewal areas in all districts, on tracts of land of two or more acres in aggregate.
2. Notwithstanding §43-27, §43-50 and §43-127, PURs shall not be required to meet the dimensional or use requirements for the district in which they are located, or the off-street parking and loading requirements contained in §43-128 and Table 43-4 and Table 43-5.
5. Uses established and buildings and structures constructed pursuant to a PUR special use permit shall be deemed conforming to the dimensional and use requirements of this Chapter."

Section 8. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended in part by revising, "Table 43-1 of the Schedule of Use Regulations for Residential Uses" by adding a new vertical column captioned "CB" and to make apartment houses "Permitted uses" and planned urban redevelopments "Permitted subject to special use requirements as follows:

<u>"Residential Uses</u>	<u>CB</u>
<u>Apartment Houses</u> ¹	<u>P</u>
<u>Planned Urban Redevelopments</u>	<u>S"</u>

¹ Permitted only on a Designated Development Site

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

GENERAL ORDINANCE NO.3-2009 (CONTINUED)

Section 9. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended in part, by revising, "Table 43-1 of the Schedule of Use Regulations for Public and Institutional Uses" by allowing philanthropic institution providing social services, to read as follows:

<u>"Public and Institutional Uses</u>	GC
<u>Philanthropic institutions providing social services</u>	Ps"

Section 10. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by revising, "Table 43-1 of the Schedule of Use Regulations of Nonresidential Accessory Uses" by allowing classrooms for existing place of public worship, "Permitted with supplemental requirements" to read as follows:

<u>"Nonresidential accessory uses</u>	CB
<u>Classroom for existing place of worship</u>	<u>Ps"</u>

Section 11. Chapter 43 of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by revising "Table 43-1 of the "Business Commercial and Office Schedule for Use Regulations" with respect to the CB District to make commercial recreation uses – indoor, commercial recreation – outdoor, department stores and planned shopping centers "Permitted Uses"; building supply stores, cabarets and night clubs and garden centers "Permitted with supplemental requirements"; and supermarkets and wholesale price clubs and big box retail stores Permitted subject to special use requirements" and add footnote 2, to read as follows:

<u>"Business, Commercial and Office uses</u>	<u>CB</u>
<u>Building supply stores²</u>	<u>Ps</u>
<u>Cabarets and Nightclubs²</u>	<u>Ps</u>
<u>Commercial recreation uses-indoor²</u>	<u>P</u>
<u>Commercial recreation uses-outdoor²</u>	<u>P</u>
<u>Department stores²</u>	<u>P</u>
<u>Garden Centers²</u>	<u>Ps</u>
<u>Planned shopping centers²</u>	<u>P</u>
<u>Supermarkets²</u>	<u>S</u>
<u>Wholesale price clubs and big-box retail stores²</u>	<u>S"</u>

² Permitted only on a Designated Development Site

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

GENERAL ORDINANCE NO.3-2009 (CONTINUED)

Section 12. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by revising “Table 43-1 of the Residential Accessory Uses – Schedule of Accessory Use Regulations” to add a new vertical column captioned “CB” and make: decks and patios, fences and walls, radios and TV antennas, refuse collection, storage and recycling facilities, signs, storage sheds, greenhouses and children’s playhouses, swimming pools and bathhouses and tennis courts and other sports courts Permitted with supplemental requirements; and satellite antennas “Permitted subject to special use requirements”, to read as follows:

<u>Residential Accessory Uses</u>	<u>CB</u>
<u>Decks and patios</u>	<u>Ps</u>
<u>Fences and walls</u>	<u>Ps</u>
<u>Radio and TV antennas</u>	<u>Ps</u>
<u>Refuse collection, storage and recycling facilities</u>	<u>Ps</u>
<u>Satellite antennas</u>	<u>S</u>
<u>Signs</u>	<u>Ps</u>
<u>Storage sheds, greenhouses and children’s playhouses</u>	<u>Ps</u>
<u>Swimming pools and bathhouses</u>	<u>Ps</u>
<u>Tennis courts and other sports courts</u>	<u>Ps</u>

Section 13. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by amending, “Table 43-2- List of Use Regulations by District” in regard to CB Districts and allowing classrooms as accessory uses with supplemental requirements for an existing place of worship.

Section 14. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by amending, “Table 43-2- List of Use Regulations by District” in regard to GC Districts and allowing Philanthropic Institutions providing social services only on a Designated Development Site.

Section 15. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by revising “Table 43-3- Schedule of Dimensional Regulations for Accessory Uses” to add a new vertical column listed “CB” and add a new footnote 4 to increase the maximum permitted building coverage, increase the maximum permitted building height and increase the

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

GENERAL ORDINANCE NO.3-2009 (CONTINUED)

maximum permitted floor area ratio for residential uses on a Designated Development Site in the CB District, to read as follows:

“Minimum Requirements for Residential Uses **CB**

<u>Lot are (square feet)</u>	
<u>Single – and two – family houses</u>	--
<u>Multifamily dwellings</u>	--
<u>Lot width (feet)</u>	
<u>Single – and two – family houses</u>	--
<u>Multifamily dwellings</u>	--
<u>Front yard (feet)</u>	
<u>Single-and two-family dwellings</u>	--
<u>Multifamily dwellings</u>	--
<u>Rear yard (feet)</u>	
<u>Single-and two – family dwellings</u>	--
<u>Multifamily dwellings</u>	--
<u>Side yard; one/both (feet)</u>	
<u>Single – and two – family dwellings</u>	--
<u>Multifamily dwellings</u>	--
<u>Side yard of corner lot (feet)</u>	
<u>Single – and two – family dwellings</u>	--
<u>Multifamily dwellings</u>	--
<u>Average lot area per family (square feet)</u>	
<u>Single-family dwellings</u>	--
<u>Two-family dwellings</u>	--
<u>Multifamily dwellings</u>	--
<u>Gross floor area (square feet)</u>	
<u>Apartments</u>	<u>350</u>

Maximums Permitted for Residential Uses

<u>Building coverage (%)</u>	--
<u>Single- and two-family dwellings</u>	--
<u>Multifamily dwellings</u>	<u>90⁴</u>

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

GENERAL ORDINANCE NO.3-2009 (CONTINUED)

<u>Height (stories/feet)</u>	--
<u>Single- and two-family dwellings</u>	--
<u>Multifamily dwellings</u>	<u>--/50⁴</u>
<u>Floor Area Ratio</u>	
<u>Single- and multi-family dwellings</u>	--
<u>Multifamily dwellings</u>	<u>5.00⁴</u>

Notes: ⁴

On a Designated Development Site, the maximum permitted building coverage shall be 100%, the minimum height shall be two stories or 25 feet, whichever is greater, and the maximum height shall be 400 feet, and the maximum permitted floor area ratio shall be 6.00."

Section 16. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by amending footnote 2 of "Table 43-3-Schedule of Dimensional Regulations for Nonresidential Uses." To increase the maximum permitted height on a Designated Development Site in the CB District and GC District to read as follows:

"²In the CB, DW and GC Districts, the minimum height shall be two stories or 25 feet, whichever is greater. In the CB District, the maximum height shall be 400 feet on a Designated Development Site. In the GC District, the maximum height shall be 220 feet on a Designated Development Site."

Section 17. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by revising "Table 43-3-Schedule of Dimensional Regulations for Nonresidential Uses" to add new footnote 8 and to eliminate the required rear yard, increase the maximum permitted building coverage and increase the maximum permitted floor area ratio of nonresidential uses on a Designated Development Site in the CB District, to read as follows:

"Minimum requirements for Nonresidential Uses
CB
Rear yard (feet)
10⁸

Maximums Permitted for Nonresidential Uses

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

GENERAL ORDINANCE NO.3-2009 (CONTINUED)

Building coverage (%)

90⁸

Floor Area Ratio

5.00⁸

Notes: ⁸ On a Designated Development Site, there shall be no required rear yard, the maximum permitted building coverage shall be 100%, and the maximum permitted floor area ratio shall be 6.00."

Section 18. Chapter 43 of the Code of the City of Yonkers, is also known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by revising, "Table 43-3- Schedule of Dimensional Regulations for Nonresidential Uses" to add a new footnote 9 and to eliminate the required rear yard and increase the maximum permitted building coverage of nonresidential uses on a Designated Development Site in the GC District, to read as follows:

"Minimum Requirements for Nonresidential Uses

GC

Rear yard (feet)

10⁹

Maximums Permitted for Nonresidential Uses

Building coverage (%)

90⁹

Notes: ⁹ On a Designated Development Site, there shall be no required rear yard, the maximum permitted building coverage shall be 100%.

Section 19. § 43-44 of the Code of the City of Yonkers entitled "Supplemental requirements for accessory parking uses." § 43-44 A (9) (a) specifically therein, is hereby amended, in part, by the addition of a new § 43-44 A (9) a (i), to read as follows:

"In the GC, CB and DW districts, except where shared parking has been specifically authorized by the approving authority as per §43-132C, private garages and private open air parking areas serving multifamily uses shall be provided on the same lot as the principal use or building or on a separate lot provided that such parking-garages and open air parking areas on a separate lot are no more than 300 feet, measured by the shortest available route for pedestrian travel, from the property line nearest the entrance of the principal use or building which such parking

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

GENERAL ORDINANCE NO.3-2009 (CONTINUED)

serves to the pedestrian entrance of such garage or open air parking area closest to such property line, and further provided that as a condition of its approval, the agency approving a site plan shall require a legal instrument satisfactory to the Corporation Counsel of the City of Yonkers assuring the continued existence and use of such private parking for the duration of the principal use or building which such parking serves.”

Section 20. § 43-44 of the Code of the City of Yonkers entitled “Supplemental requirements for accessory parking uses.” § 43-44 A (9) (d) specifically therein, is hereby amended in part, to read as follows:

“§ 43-44. Supplemental requirements for accessory parking uses.

9. Except on a designated Development Site, no private parking garage accessory to and below a multifamily building to which it is accessory shall contain more than five parking levels above lowest grade.”

Section 21. § 43-44 of the Code of the City of Yonkers entitled “Supplemental requirements for accessory parking uses.” § 43-44 B (7) specifically therein, is hereby amended, in part, to read as follows:

“§ 43-44. Supplemental requirements for accessory parking uses.

Except on a Designated Development Site, no semipublic parking structure provided below the principal building to which it is accessory shall contain more than five parking levels above the lowest grade.”

Section 22. § 43-44 of the Code of the City of Yonkers entitled “Supplemental requirements for accessory parking uses” § 43-44 B (2) specifically therein, is hereby amended, in part, by the addition of a new § 43-44 B (2) (a), to read as follows:

“In the GC, CB and DW districts, except where shared parking has been specifically authorized by the approving authority as per § 43-132C, semipublic parking structures and semipublic open air parking areas shall be provided on the same lot as the principal use or building or on a separate lot, provided that such parking structures and open air parking areas on a separate lot are no more than 300 feet, measured by the shortest publicly available route for pedestrian travel, from the property line nearest the entrance of the principal use or building which such parking serves to the pedestrian entrance of such parking structure or open air parking area closest to such property line, and further provided

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

GENERAL ORDINANCE NO.3-2009 (CONTINUED)

that as a condition of its approval, the agency approving a site plan shall require a legal instrument satisfactory to the Corporation Counsel of the City of Yonkers assuring the continued existence and use of such semipublic parking for the duration of the principal use or building which such parking serves.”

Section 23. § 43-44 of the Code of the City of Yonkers entitled “Supplemental requirements for accessory parking uses” is specifically amended therein, in part, by the addition thereto of a new § 43-44 (C), to read as follows:

“C. Public parking garages and public parking lots.

Off-street parking accessory to a principal use of building on a Designated Development Site may be provided in one or more public parking garages or public parking lots provided that such parking garages and parking lots are no more than 500 feet, measured by the shortest available publicly available route for pedestrian travel, from the property line nearest the entrance of the principal use or building which such parking serves to the pedestrian entrance of such parking garage or parking lot closest to such property line.”

Section 24. § 43-132 of the Code of the City of Yonkers entitled “Alternate methods of providing parking” , is specifically amended, in part, by the addition of a new § 43-132 (D) to read as follows:

“§ 43-132. Alternate methods of parking.

D. Shared parking in the GC, CB and DW Districts, The agency approving a site plan may allow off street parking and loading spaces required for uses, buildings or structures on the same or different lots to be provided in one or more semipublic parking structures or semipublic open air parking area, and in the GC, CB and DW District, one or more public parking garage or public parking lot, subject to the following:

- (1) The total capacity of the common facility shall be the sum of the requirements of each individual use, except that said total capacity may be reduced by the approving agency, providing the applicant provides credible evidence to the satisfaction of the approving agency that the peak parking demands of the two (2) or more uses sharing such a facility do not coincide, and that the accumulated parking demand at any one time of the two (2) of more uses sharing the facility shall not exceed the total capacity

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

GENERAL ORDINANCE NO.3-2009 (CONTINUED)

of the facility. Such evidence shall indicate the use of the facility by residents, employees, customers and visitors on both weekdays and weekends and both during the day and overnight.

- (2) As a condition of its approval, the approving agency shall require a legal instrument satisfactory to the Corporation Counsel of the City of Yonkers assuring the continued existence and use of such shared parking spaces in connection with the uses, buildings and structures that they serve. Such instrument shall also guarantee that upon termination of such use, each individual participant shall provide off-street parking and loading spaces for its own use in accordance with all requirements of this chapter.
- (3) No shared semipublic parking facility shall be located more than 300 feet and no shared public parking facility shall be located more than 500 feet, measured by the shortest publicly available route for pedestrian travel, from the property line of the uses, buildings or structures which such shared parking facility serves to the pedestrian entrance of such shared parking facility closest to such property line."

Section 25. Chapter 43 of the Code of the City of Yonkers, also known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by adding thereto a new § 43-137 entitled "Required parking in the CB District and GC District" to read as follows:
 "§ 43-137 Required parking in the CB District and GC District.

A. Notwithstanding § 43-128 and Table 43-4 in the CB District and GC District in a Designated Development Site, the minimum number of required off-street parking spaces for the following uses shall be set forth below:

<u>Use</u>	<u>Minimum Number of Spaces</u>
<u>Apartments</u>	<u>1 per dwelling unit</u>
<u>Commercial recreation uses-</u>	
<u>Outdoor-Minor League-</u>	
<u>Baseball Park</u>	<u>1 per 4 spectator seats</u>
<u>Offices</u>	<u>1 per 500 square feet of gross</u>
<u>floor area</u>	
<u>Medical Offices</u>	<u>1 per 400 square feet of gross</u>
<u>floor area</u>	
<u>Planned Shopping Centers</u>	<u>1 per 350 square feet of gross</u>
<u>floor area</u>	

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

GENERAL ORDINANCE NO.3-2009 (CONTINUED)

<u>Restaurants</u> <u>floor area</u>	<u>1 per 150 square feet of gross</u>
<u>Retail craft uses</u> <u>floor area</u>	<u>1 per 450 square feet of gross</u>
<u>Retail establishments</u> <u>floor area</u>	<u>1 per 350 square feet of gross</u>
<u>Supermarkets</u> <u>floor area</u>	<u>1 per 350 square feet of gross</u>
<u>Wholesale price clubs</u> <u>and big-box retail stores</u> <u>floor area</u>	<u>1 per 350 square feet of gross</u>
<u>Theaters or movie theaters</u>	<u>1 per 3 seats</u>

- B. For all other uses the minimum required number of off-street parking spaces shall be as set forth in Table 43-4.”

Section 26. This ordinance shall take effect immediately.

THIS GENERAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A SPECIAL CITY COUNCIL MEETING HELD ON TUESDAY MAY 19, 2009 BY A ROLL CALL VOTE OF 4-3, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN AND COUNCILMEMBER GRONOWSKI VOTING “NAY”

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

SPECIAL ORDINANCE NO.9-2009

5. BY COUNCIL PRESIDENT LESNICK, COUNCILMEMBERS McDOW, MURTAGH AND BARBATO:

A SPECIAL ORDINANCE DISCONTINUING STREETS AND PORTIONS OF PUBLIC STREETS IN THE CITY OF YONKERS PURSUANT TO SECTION 29 OF ARTICLE III THE GENERAL CITY LAW.

The City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. That portion of Ann Street, Henry Herz Street, James Street, John Street, Engine Place and the partial discontinuance of School Street between Nepperhan Avenue and Palisade Avenue/ Elm Street and the partial discontinuance of Guion Street, as shown on a map and description filed with the Planning Board of the City of Yonkers, as a public street in the City of Yonkers, are hereby discontinued as public streets and removed from the Official Map of the City of Yonkers, in their entirety pursuant to Section 29 of Article III of the General City Law.

Section 2. The affected City departments, bureaus and agencies shall amend the necessary City records, including the Official City Map accordingly.

Section 3. This Special Ordinance shall take effect as provided by law.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A SPECIAL CITY COUNCIL MEETING HELD ON TUESDAY MAY 19, 2009 BY A ROLL CALL VOTE OF 4-3, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN AND COUNCILMEMBER GRONOWSKI VOTING "NAY"

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

SPECIAL ORDINANCE NO.10-2009

6. BY COUNCIL PRESIDENT LESNICK, COUNCILMEMBERS McDOW MURTAGH AND BARBATO:

WHEREAS, by Resolution, the City Council of the City of Yonkers has previously dedicated two (2) parcels of City-owned land totaling 8.25 acres plus or minus located along Odell Avenue and North Broadway for public park purposes.

NOW THEREFORE, the City of Yonkers in City Council convened, hereby ordains and enacts:

Section 1. That the Official Map of the City of Yonkers, Westchester County is hereby amended by designating the following two (2) parcels, totaling 8.25 acres, more or less, located along Odell Avenue and North Broadway and more particularly bounded and described below, as parkland for public park purposes:

Parcel 1: All that certain piece or parcel of land located in the City of Yonkers, Westchester County, at 101 Odell Avenue, Block 3515, Lot 100 and being more particularly bounded and described as follows:

BEGINNING, at a point on the easterly side of Odell Avenue a distance of 1,244.40 feet northerly as measured along the northerly and easterly sides of Odell Avenue from the intersection of the northerly side of Odell Avenue with the westerly side of North Broadway

THENCE, from said point of beginning the following two (2) courses and distances along the easterly and northerly side of Odell Avenue:

1. North 00 degrees 15 minutes 30 seconds East a distance of 100.00 feet to a point;
2. South 89 degrees 34 minutes 00 seconds West a distance of 50.00 feet to a point on the easterly side of the Croton Aqueduct;

THENCE, the following two (2) courses and distances along the easterly side of the Croton Aqueduct:

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

SPECIAL ORDINANCE NO.10-2009 (CONTINUED)

1. North 00 degrees 26 minutes 00 seconds West a distance of 427.16 feet to a point;
2. Along the arc of curve to the right having a radius of 460.00 feet an arc length of 91.51 feet to a point on the southerly side of land now or formerly of the County of Westchester;

THENCE along the southerly side of land now or formerly of the County of Westchester South 73 degrees 05 minutes 00 seconds East a distance of 399.63 feet to a point; thence South 29 degrees 31 minutes 20 seconds West a distance of 454.11 feet to a point; thence South 11 degrees 41 minutes 57 seconds West a distance of 96.72 feet to a point; thence South 82 degrees 56 minutes 51 seconds West a distance of 94.37 feet to the easterly side of Odell Avenue and the point of beginning.

Described parcel contains an area of 143,165.01 square feet or 3.3 acres more or less.

Parcel 2: All that certain piece or parcel of land located in the City of Yonkers, Westchester County, located at 1061 North Broadway, Block 3515, Lot 115 and being more particularly bounded and described as follows:

BEGINNING, at a point where the westerly side of North Broadway (Rt. 9) intersects the northerly side of Odell Avenue;

THENCE, from said point of beginning the following six (6) courses and distances along the northerly and easterly side of Odell Avenue:

1. South 87 degrees 31 minutes 00 seconds West a distance of 170.59 feet to a point;
2. Along the arc of a curve to the right having a radius of 75.00 feet an arc length of 46.05 feet to a point;
3. North 57 degrees 18 minutes 00 seconds West a distance of 197.22 feet to a point;
4. Along the arc of a curve to the right having a radius of 75.00 feet an arc length of 88.75 feet to a point;
5. North 10 degrees 29 minutes 52 seconds East a distance of 340.46 feet to a point;
6. North 00 degrees 15 minutes 30 seconds East a distance of 401.33 feet to a point;

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

SPECIAL ORDINANCE NO.10-2009 (CONTINUED)

THENCE, North 82 degrees 56 minutes 51 seconds East a distance of 94.37 feet to a point; thence South 16 degrees 26 minutes 04 seconds East a distance of 319.07 feet to a point;

THENCE, South 00 degrees 25 minutes 39 seconds East a distance of 350.00 feet to a point; thence South 68 degrees 44 minutes 52 seconds East a distance of 256.00 feet to a point on the westerly side of North Broadway;

THENCE along the westerly side of North Broadway South 21 degrees 05 minutes 18 seconds West a distance of 200.00 feet to the northerly side of Odell Avenue and the point of beginning.

Described parcel contains an area of 215,463.48 square feet or 4.95 acres more or less.

Section 2: That the City Engineer be and hereby is authorized and directed to correct and amend the Official Map of the City of Yonkers in accordance with the provisions of this Special Ordinance.

Section 3. That this Special Ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A SPECIAL CITY COUNCIL MEETING HELD ON TUESDAY MAY 19, 2009 BY A ROLL CALL VOTE OF 4-3, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN AND COUNCILMEMBER GRONOWSKI VOTING "NAY"

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.89-2009

7. BY COUNCIL PRESIDENT LESNICK, COUNCILMEMBERS McDOW, , MURTAGH AND BARBATO:

RESOLUTION OF THE CITY COUNCIL APPROVING PLAN
MODIFICATION TO THE GETTY SQUARE URBAN
RENEWAL PLAN

WHEREAS, the City of Yonkers, in cooperation with the Yonkers Community Development Agency (hereinafter referred to as the "Agency"), have caused to be prepared an urban renewal plan for the downtown and government center area known as the Getty Square Urban Renewal Area, as last revised on July 10, 1978 (the "Getty Square Urban Renewal Plan"); and

WHEREAS, by Resolution No. 16-2006 adopted on May 17, 2006 , the Agency approved Struever Fidelco Cappelli, LLC ("SFC") as an eligible and approved sponsor of certain projects in the Getty Square Urban Renewal Area (the "Redevelopment Projects"); and

WHEREAS, the Redevelopment Projects require certain amendments to the Getty Square Urban Renewal Plan, the proposal for which is more particularly set forth in Exhibit A attached hereto and made a part hereof (the "Plan Modification"); and

WHEREAS, following completion of coordinated review procedures under the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law of the State of New York) and the regulations issued thereunder by the Commissioner of Environmental Conservation of New York State (6 NYCRR Part 617) (such Act and regulations being hereinbelow referred to as "SEQRA"), the City Council of the City of Yonkers designated itself as lead agency for the environmental review of the Redevelopment Projects including the Plan Modification; and

WHEREAS, the City Council completed the SEQRA process, and by Resolution No. 176-2008 adopted the Findings Statement for the Redevelopment Projects and the Plan Modification on November 5, 2008; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.89-2009 (CONTINUED)

WHEREAS, the Agency carefully considered the Plan Modification and found and determined that (a) the Plan Modification is not in material conflict with Yonkers current plans and goals as officially approved or adopted, and will ensure the continued development of the City of Yonkers downtown area and government center are in an orderly manner consistent with the Getty Square Urban Renewal Plan, resulting in satisfaction of the goals and intent of said plan; (b) the Plan Modification does not impair the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood; (c) the Plan Modification, which will enable mixed-use commercial, residential and recreational development to proceed, is consistent with the Getty Square Urban Renewal Plan and overall downtown development goals, which are designed to encourage the orderly development of the downtown and government center areas; (d) the present condition and use for the Redevelopment Projects located in the Getty Square Urban Renewal Area is a blighted area in a distressed urban renewal area in serious need of redevelopment in accordance with the objectives of the Getty Square Urban Renewal Plan, as proposed to be amended by the Plan Modification for such plan.

WHEREAS, the Agency by Resolution 1-2009 adopted on March 6, 2009 submitted the Plan Modification to the Planning Board in accordance with Section 505 of Article 15 of the General Municipal Law; and

WHEREAS, the Planning Board by resolution, adopted at its meeting held on March 25, 2009 after a public hearing held on March 11, 2009 upon due notice, gave its unqualified approval of the Plan Modification in accordance with Section 505 of Article 15 of the General Municipal Law of the State of New York, and recommended adoption of the Plan Modification of the Getty Square Urban Renewal Plan by the City Council without modification,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YONKERS,

Section 1. That, after a public hearing held on due notice pursuant to Article 15 of the General Municipal Law, as amended, the Plan Modification to the Getty Square Urban Renewal Plan set forth in Exhibit A and attached hereto and made a part hereof, as prepared and submitted by the Agency to the Planning Board, and recommended by the Planning Board to the City Council with unqualified approval without modification, is

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.89-2009 (CONTINUED)

hereby approved, and the Getty Square Urban Renewal Plan is hereby amended to incorporate the Plan Modification as an integral part thereof.

Section 2. That, the Getty Square Urban Renewal Plan, as amended, complies with the provisions of Section 502(7) of Article 15 of the General Municipal Law, and conforms to the findings originally made by the City Council in accordance with Section 504 of said Article 15, and the findings made by the Agency in connection with the Plan Modification to the Getty Square Urban Renewal Plan at its meeting held on March 6, 2009 and contained in the Agency's Resolution No.1-2009 are hereby approved and adopted by the City Council and that in accordance with Section 505(4) of said Article 15, the following additional findings are hereby made:

(a) The Redevelopment Projects are in a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality.

(b) The financial aid provided to the municipality is necessary to enable the project to be undertaken in accordance with the Getty Square Urban Renewal Plan.

(c) The Plan Modification affords maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking of the urban renewal program contained in the Getty Square Urban Renewal Plan.

(d) The Plan Modification conforms to a comprehensive community plan for the development of the municipality as a whole.

(e) There is a feasible method for the relocation of families and individuals displaced from the Getty Square Urban Renewal Area into decent, safe and sanitary dwellings, which are or will be provided in the Getty Square Urban Renewal Area or in other areas not generally less desirable in regard to public utilities and public commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonable accessible to their places of employment.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.89-2009 (CONTINUED)

(f) The undertaking and carrying out of the urban renewal activities in stages is in the best public interest and will not cause any additional or increased hardship to the residents of such designated area.

Section 3. That, this resolution shall take effect immediately.

A FRIENDLY AMENDMENT BY COUNCIL PRESIDENT LESNICK TO STRIKE THE WORDS "EXPANDABLE" ON PAGE 49 WAS ACCEPTED BY THE CITY COUNCIL.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A SPECIAL CITY COUNCIL MEETING HELD ON TUESDAY MAY 19, 2009 BY A ROLL CALL VOTE OF 4-3, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN AND COUNCILMEMBER GRONOWSKI VOTING "NAY"

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

EXHIBIT A

PROPOSED AMENDMENTS TO THE URBAN RENEWAL PLAN FOR THE GETTY
SQUARE URBAN RENEWAL AREA (THE "GSURP")

The proposed amendments to the GSURP are shown on Exhibit A-1 attached hereto, and are as follows:

1. The first sentence of Section A, subsection 1 (on page 1) is amended to read as follows: "The boundaries of this Urban Renewal Area, located in the City of Yonkers, County of Westchester, State of New York, as last amended on July 10, 1978 and shown on Exhibit 1, are generally as follows...."

2. The fifth paragraph of Section 2 (page 7) is amended to read as follows: "Most of Getty Square's buildings are deteriorated or deteriorating, and most are obsolete in construction. The general appearance of retail establishments in the Square is fair to poor, with both shops and buildings poorly maintained. Surveys have outlined a need for extensive rehabilitation or redevelopment of the area (See Appendix A. Structural Condition Survey). City Hall, the Health Center Building and the Government Center Garage are all in good condition."

3. The sixth paragraph of Section 2 (page 8) is amended to read as follows: "The adjoining residential neighborhoods have undergone considerable redevelopment in the recent past. Approximately 1800 units of housing have been built in these neighborhoods since Philipse Towers was completed in 1964, many of them in Neighborhood Development Areas. This housing provides a substantially increased shopping market from the surrounding neighborhoods to augment Getty Square's other major market - the workers who come to the Square."

4. The first sentence of Section B (page 9) is amended to read as follows: "This Urban Renewal Plan has been designed to achieve the development goals outlined in the City's Comprehensive Plan ("Connections, The Yonkers Comprehensive Plan"), and other studies prepared for the City."

5. Section B, subsection 5 (page 6) is amended to read as follows: The reestablishment and revitalization of the Getty Square Area as a viable Central Business District through the development of a major retail center, expandable to include office, residential, entertainment and hotel use.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

6. Section B, subsection 9 (page 10) is amended to read as follows: "The improvement of streets, sidewalks, curbs, and storm and sanitary sewers, when necessary, with the ultimate goal of the placement of all utility lines underground."

7. Section B, subsection 9 (page 10) is amended to read as follows: "The opening of the Saw Mill (or Nepperhan) River to "daylight" to the extent practicable in those areas in which new construction is to take place."

8. Section B, to include subsection 14: The reestablishment and revitalization of the Getty Square shopping environment as a viable walkable/shopable downtown.

9. The first sentence of Section C (page 11) is amended to read as follows: "The framework for this Urban Renewal Plan rests with the development of a planned mixed-use commercial/residential facility and an expanded government center, as well as the rehabilitation of the remaining downtown buildings and uses. The Proposed Land Use Map, attached as Exhibit 2, shows the locations of proposed "Mixed Use," "Predominately Commercial" and "Commercial, Parking and Governmental Uses" for the area. These proposed uses are described as follows (See exhibit 2)...."

10. Section C, subsection 1 (page 11) is amended to read as follows: "Mixed Use - This Urban Renewal Plan anticipates the development of a planned regional, mixed use commercial/residential facility in the area bounded by Nepperhan Avenue, New Main Street and Palisades Avenue/Elm Street, which will include major retailing and comparison shopping activities, restaurants, office space, entertainment facilities, including but not limited to a minor league ballpark, residential buildings and structured off-street public and private parking, predominately to serve these new uses. The commercial component will range in size between a minimum of 300,000 square feet to a maximum of 1.2 million square feet, depending on redeveloper market studies and prevailing economic conditions. The maximum number of residential units will be 950."

11. Section C, subsection 2 (page 12) is amended to read as follows: "Predominately Commercial - Existing commercial (retail and office), residential-commercial, or residential uses will also be included among the proposed land uses, as indicated in Exhibit 2. These are buildings close by the commercial-public parking sites and are primarily buildings-to-remain in the Getty Square area, with shops in the first floor and shops,

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

offices, storage, etc. or apartments on the upper floors, if any. This Plan includes most "Central Business District Core" properties not included in the Riverview Neighborhood Development Program Area (See General Description) in order to assure that the rehabilitation of the entire area downtown is carried out in a comprehensive manner."

12. Section C, subsection 3 (page 12) is amended to read as follows: "Commercial, Parking and Governmental Uses - This Urban Renewal Plan anticipates the development of a commercial facility in the area bounded by South Broadway, the southerly side of Nepperhan Avenue and Guion Street/New Main Street, which will include an approximately 225,000 square foot building containing approximately 150,000 square feet of office space (of which approximately 100,000 square feet will be City office space) and a hotel containing approximately 150 rooms, a new public parking facility and a new Fire Department Headquarters facility to replace the existing headquarters on New School Street. The existing Cacace Justice Center will remain. This Urban Renewal Plan also anticipates the development of the commercial facility in the area bounded by South Broadway, the northerly side of Nepperhan Avenue and New Main Street, which will include private and public structured parking (to replace the existing Government Center Garage) and approximately 41,000 square feet of commercial space. City Hall will remain, but the Health Center Building is anticipated to be demolished."

13. Section C, subsection 4 (page 12) is deleted in its entirety.

14. The third paragraph of Section D, subsection 1 (page 13) is amended to read as follows: "When originally approved, approximately 75 families were to be relocated from this project area (See Appendix A. Structural Condition Survey). Approximately 85 non-residential establishments were to be displaced and accorded financial assistance, as required."

15. Section D, subsection 2 (page 14) is amended to read as follows: "Streets to be closed and eliminated from the Official City Map are shown on Exhibit 1."

16. The first sentence of Section F, subsection 2 (page 15) is amended to read as follows: "The effectuation of this Urban Renewal Plan will provide a rehabilitation program for the existing-to-remain commercial, residential-commercial, and all other uses-to-remain (except City Hall), and this program will consist of...."

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

17. Section F, subsection 3 (page 16) is amended to read as follows: "Street Widening - No street widenings are contemplated."

18. Section F, subsection 4a (page 16) is amended to read as follows: "Use, Lot and Dimensional Regulations - The use, lot and dimensional regulations for this Urban Renewal Area shall be as set forth in the Zoning Ordinance for the district(s) in which the affected property is located."

19. Section F, subsection 4b (page 16) is amended to read as follows: "Off-Street Parking - Structured off-street parking shall be provided in accordance with the requirements of the Zoning Ordinance."

20. Section F, subsection 4c (page 17) is amended to read as follows: "Truck Loading and Unloading - Off-street loading berths will be provided for the commercial development within the project area in accordance with the Zoning Ordinance."

21. Section G (page 19) is amended to read as follows: "The City, the Agency and/or the Yonkers Industrial Development Agency will construct the necessary public parking and the City will close the streets shown in Exhibit 1 and 2 and described above. Street beds of closed streets shall be donated by the City to the Agency for disposal for redevelopment."

22. The first sentence of Section H (page 19) is amended to read as follows: "Revisions or amendments will be necessary to the City's Zoning Ordinance in order to effectuate the Urban Renewal Plan."

23. Section I, subsection 1 (page 20) is amended to read as follows: "Duration of Controls - The land use restrictions and controls of the Urban Renewal Plan and any modification thereof for this Urban Renewal Area shall run with the land and shall be binding on all parties and all persons claiming under them until December 31, 2049."

24. Section I, subsection 3 (page 20) is amended to read as follows: "In order to preserve the integrity of this Urban Renewal Plan, the Commissioner of Buildings of the City of Yonkers shall notify the Yonkers Community Development Agency upon receipt of any applications for a permit for building construction or alteration or for a certificate of occupancy for a structure or use within this Urban Renewal Area. Pursuant to Section 503 (h) of the General Municipal Law, for a period

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

of three years from the approval of this Plan by the City Council, or of any amendments hereto, the Commissioner of Buildings shall not issue a building, construction or alteration permit or a certificate of occupancy for a structure or use within this Urban Renewal Area without having first obtained the consent of the Yonkers Community Development Agency, unless the construction, alteration or use is necessary for the immediate protection of the public health and safety. The Director of the Community Development Agency shall consent to the issuance of certificates and permits upon determination that the proposed construction, alteration or use is not inconsistent with this Urban Renewal Plan or amendments hereto.”

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

EXHIBIT A-1

A. DESCRIPTION OF URBAN RENEWAL AREA

1. Boundary Description

The boundaries of this Urban Renewal Area, located in the City of Yonkers, County of Westchester, State of New York, as last amended on July 10, 1978 and shown on Exhibit 1, are generally as follows:

Starting at a point which is formed by the intersection of the North right-of-way line of Elm Street and the East right-of-way line of Nepperhan Avenue Arterial proceed westerly to a point formed by the North right-of-way line of Elm Street, and West right-of-way line of Nepperhan Avenue Arterial; thence westerly along the said northern right-of-way line of Elm Street to its intersection with the East right-of-way line of Palisade Avenue; thence Northerly along the eastern right-of-way line of Palisade Avenue to its intersection formed by the East right-of-way line of Palisade Avenue and the eastern extension of the North property line of Lot 40, Block 2027; thence westerly along the said eastern extension to a point formed by the intersection of the West right-of-way line of Palisade Avenue and the North property line of Lot 40, Block 2027; thence westerly along the said northern property line to its intersection with the East property line of Lot 78, Block 2027; thence southerly along the said eastern property line its intersection with the South property line of Lot 78; Block 2027; thence westerly along the said southern property line to its intersection with the West property line of Lot 48,

Block 2027; thence southerly along the said western property line to its intersection with the North property line common to Lots 50, 51, 52, 54, and 56, Block 2027; thence West/Southwest along said common northern property lines to its intersection with the West property line of Lot 56, Block 2027; thence southerly along the said western property line to its intersection with the North property line of Lot 58, Block 2027; thence West/Southwest along the said northern property line to its intersection with the West property lines of Lot 58, Block 2027; thence West/Southwest through Lot 58, 60 and 62 along a straight line to a point formed by the intersection of the East property line and North property line of Lot 63, Block 2027; thence West/Southwest along the northern property line of Lot 63, Block 2027 to its intersection with the East right-of-way line of Locust Hill Avenue; thence southerly along the said eastern right-of-way line for 60 feet; thence West/Southwesterly to a

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

point formed by the intersection of the West right-of-way line of Locust Hill Avenue and the North property line common to Lots 35 and 36, Lot 2018; thence westerly along the said northern property line to its intersection with the West property line of Lot 36, Block 2018; thence North/Westerly through Lot 48, Block 2018 along a straight line to a point formed by the intersection of East property lines common to Lots 50, 51, 52, 53, 54, 55, and 56 and the South property line of Lot 50, Block 2018; thence northerly along the common eastern property line of Lot 50 through 56 to its intersection with the East property line of Lot 57, Block 2018; thence northerly along the said eastern property line to its intersection with the South right-of-way line of Overlook Terrace; thence westerly along the said southern right-of-way line to its intersection with the South property line of Lot 18, Block 2018; thence westerly along the said southern property line to its intersection with the East property line of Lot 62, Block 2018; thence northerly along the said eastern property line to its intersection with the North property line of Lot 62, Block 2018; thence westerly along the said northern property line to its intersection with the East right-of-way of North Broadway; thence westerly along the path formed by the western extension of the North property line of Lot 62, Block 2018 to its intersection with the West right-of-way line of North Broadway; thence southerly along the said western right-of-way line to its intersection with the North right-of-way of Manor House Square; thence easterly along the line formed by the extension of the North right-of-way line of Manor House Square to its intersection with the East right-of-way line of North Broadway; thence southeasterly along the said eastern right-of-way line to a point formed by the southern extension of the East right-of-way line of North Broadway and the northern extension of the West right-of-way line of New Main Street; thence southerly along the line formed by the northern extension of the West right-of-way line of New Main Street to its intersection with the South right-of-way line of South Broadway; thence southwesterly along the said southern right-of-way line to its intersection with the West property line of Lot 5, Block 487; thence southeasterly along the said western property line to its intersection with the southeast property line of Lot 5, Block

487; thence northeasterly along the said southeastern property line to its intersection with the southwestern property line of Lot 7, Block 487; thence southeasterly along the southwestern property line of Lot 7, Block 487; thence southeasterly along the said southwestern property line to its intersection with the Northwest property line of Lot 11, Block 487; thence southwesterly along the northwestern property line of Lots 11 and 21 to its intersection with the southwestern property line of 21; thence northwesterly along the southwestern property line of Lot 20 in Block 488 to its intersection with the southeastern property line of Lot 6 in Block

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

488; thence southwesterly along said southeastern property line to its intersection with the southwestern property line of Lot 2; thence northwesterly along said southwestern property line to its intersection with the East right-of-way line of South Broadway; thence southwesterly along said East right-of-way line to its intersection with the North right-of-way line of Nepperhan Avenue; thence southwesterly along a straight line to a point which is the intersection of the south right-of-way line of Prospect Street and the west right-of-way line of South Broadway; thence Southeasterly along the West right-of-way line of South Broadway; thence southeasterly along the West right-of-way line of South Broadway to its intersection with the southeastern property line of Lot 24 in Block 493; thence northwesterly along a straight line to a point which is the intersection of the East right-of-way line of South Broadway and the southeastern property line of Lot 66 in Block 490; thence northeasterly along the southeastern property line of

Lot 66 to its intersection with the North right-of-way of Guion Street; thence easterly along a straight line to a point which is the intersection of the South right-of-way line of Guion Street and the southern property line of Lot 9 in Block 492; thence northeasterly along the South right-of-way line of Guion Street to its intersection with the West right-of-way line of New Main Street; thence easterly along a straight line to a point which is the intersection of the southern property line of Lot 22 in Block 481 and the East right-of-way of New Main Street; thence northerly along the East right-of-way of New Main Street to its intersection with the South right-of-way line of Nepperhan Avenue to its intersection with a point formed by the North right-of-way of Elm Street and the right-of-way of Nepperhan Avenue which is the point or place of beginning.

2. General Conditions

The general land use pattern in the Getty Square Central Business District today includes offices (finance, insurance, real estate, and related business services) in local government offices and services, banking, personal and repair services, churches and other institutions, a few warehouses and small factories, and retail (general merchandising, apparel, specialty shops, food and drug stores, and furniture and appliance stores, etc.). There are some occupied dwelling units on the floors above several of the retail establishments. Large office buildings of up to twelve stories cluster on South Broadway.

City Hall and the adjacent Health Center Building are located on a prominent knoll in the C.B.D. Building heights in the rest

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

of the Central Business District range from one to four stories.

Activities are distributed along the streets radiating out from the Square, with purely retail and office uses clustering close to Getty Square proper, in most cases within one block of this center point. Dock Street, Nepperhan Street (Larkin Plaza), and Main Street west of Riverdale Avenue contain more of a mixture of uses, including some wholesaling and industrial, and other non-downtown uses. Government uses are clustered along Nepperhan Avenue.

Various types of downtown activities are lacking in the Getty Square area, limiting its ability to attract a full cross-section of the shopping population. These include cultural facilities, shopping-oriented recreation, and appropriate number of quality of restaurants, and a diversification of merchandising within its many shops. For most merchants, advertising, sales, and other business promotional activity is extremely rare.

Getty Square's 300 retail establishments drew a daily population of approximately 40,000 persons, as of 1972. The existing street pattern in the Square converges at Getty Square, and as a result, traffic flows through the Square are often difficult. This has been the subject of many studies.

Most of Getty Square's buildings are deteriorated or deteriorating, and most are obsolete in construction. The general appearance of retail establishments in the Square is

fair to poor, with both shops and buildings poorly maintained. Surveys have outlined a need for extensive rehabilitation or redevelopment of the area (See Appendix A. Structural Condition Survey). City Hall, the Health Center Building and the Government Center Garage are all in good condition. ~~In addition to City government offices at this location however, there are also some County offices in the Health Center Building, which has caused overcrowding. Because of a lack of adequate space here, many other County service offices are situated in buildings in other areas of Yonkers.~~

The adjoining residential neighborhoods have undergone

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

considerable redevelopment in the recent past. Approximately 1800 units of housing have been built in these neighborhoods since ~~Phillipse~~ Philipse Towers was completed in 1964, many of them in Neighborhood Development Areas. This ~~new~~ housing provides a substantially increased shopping market from the surrounding neighborhoods to augment Getty Square's other major market - the workers who come to the Square daily.

Today it is the service and commercial portions of the Central Business District that badly need improvement, both physically and economically.

The Urban Renewal Area therefore has been defined to include most of the Central Business District not already contained in the Riverview Urban Renewal Areas (NDP Areas 1 and 2). It is an area which is characterized by blight and

various stages of deterioration, both physically and economically.

B. STATEMENT OF PLAN OBJECTIVES

The Urban Renewal Plan has been designed to achieve the development goals outlined in the City's Comprehensive Plan ("Connections, the Yonkers Comprehensive Plan"), and other studies prepared for the City. Specifically, those will include:

1. The elimination of substandard, deteriorating and functionally obsolete residential and commercial structures that exert a blighting influence on the area.
2. The elimination of environmental deficiencies by providing land area for a balanced and integrated arrangement of commercial and public uses consistent with the downtown character of the area and the City's planning and design objectives.
3. The acquisition of other property in order to provide sites with appropriate configurations so that proper and meaningful development can take place.
4. The rehabilitation of those commercial and residential areas

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

that are evidencing signs of deterioration but are suitable for retention as part of the community's retail and housing supply.

5. The reestablishment and revitalization of the Getty Square Area as a viable Central Business District through the development of a major retail center, include office, residential, entertainment and hotel use.

6. The development of an improved thoroughfare system and adequate public facilities, in order to properly serve the existing and proposed commercial areas.

7. The acquisition and development of commercial areas that would add to the City's tax base as well as provide increased job opportunities and advancement for Yonkers' residents.

8. The development of adequate off-street parking and public spaces to service the needs of downtown commercial uses.

9. The improvement of streets, sidewalks, curbs, and storm and sanitary sewers, when necessary, with the placement of all utility lines underground.

10. The integration of the new development with existing, viable development and anticipated construction projects for the Central Business District.

11. The ~~characteristics~~ opening of the Saw Mill (or Nepperhan) River, whether open or closed, shall be maintained to "daylight" to the extent practicable in those areas in which new construction is to take place.

12. The creation of an urban design for the area which will reflect the characteristics of topography, terrain, location, and site configuration in the design of new structures, circulation systems, and the spatial environment created by the placement of buildings, streets and roadways, and other forms of urban space and promotion of a high standard of design of buildings, signs, items of street furniture, and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

landscaping of open space.

13. The maintenance of the downtown area as a center for government functions and services.

14. The reestablishment and revitalization of the Getty Square shopping environment as a viable walk-able/shopable downtown.

C. STATEMENT OF PROPOSED LAND USE

The framework for this Urban Renewal Plan rests with the development of a ~~planned regional~~ mixed-use commercial/residential facility retail center and an expanded government center, as well as the rehabilitation of the remaining downtown buildings and uses. The Proposed Land Use Map, attached as Exhibit 2, shows the locations of proposed “Mixed Use,” “Predominately Commercial” and “Commercial, Parking and Governmental Uses” for the area. These proposed uses are described as follows (See Exhibit 2):

1. Mixed Use ~~Commercial-Public Parking~~

The Urban Renewal Plan anticipates the development of a

planned regional, mixed use commercial/residential facility retail center in the area bounded by Nepperhan Avenue, New Main Street and Palisades Avenue/Elm Street, which will include including major retailing and comparison shopping activities, restaurants, office space, entertainment facilities, including but not limited to a minor league ballpark, residential buildings and structured off-street public and private parking, predominately to serve these new uses. The commercial component of this mixed-use development will range in size between a minimum of 300,000 square feet to a maximum of 1.2 million square feet, depending on redeveloper market studies and prevailing economic conditions. The maximum number of residential units will be 950.

2. Predominately Commercial

Existing commercial (retail and office), residential-commercial, or residential uses will also be included among the proposed land uses, as indicated in Exhibit 2. These are buildings close by the commercial-public

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

parking sites and are primarily buildings-to-remain in the Getty Square area, with shops in the first floor and shops, offices, storage, etc. or apartments on the upper floors, if any. This Plan includes most “Central Business District Core” properties not included in the Riverview Neighborhood Development Program Area (See General Description) in order to ensure that the rehabilitation of the entire area downtown is carried out in a comprehensive manner.

3. Public Commercial, Parking and Governmental Uses

~~This permitted public parking consists of the Government Center Garage presently nearing completion, as sited on Exhibit 2. Thus garage, which contains 540 spaces, can potentially be expanded to 1,000 as the retail center goes forward. Of these, about 400 can be used to serve the parking needs of the municipal government, with 600 spaces to serve the parking requirements of the general public.~~

The Urban Renewal Plan anticipates the development of a commercial facility in the area bounded by South Broadway, the southerly side of Nepperhan Avenue and Guion Street/New Main Street, which will include an approximately 225,000 square foot building containing approximately 150,000 square feet of office space (of which approximately 100,000 square feet will be City office space) and a hotel containing approximately 150 rooms, a new public parking facility and a new Fire Department Headquarters facility to replace the existing headquarters on New School Street. The existing Cacace Justice Center will remain.

The Urban Renewal Plan also anticipates the development of a commercial facility in the area bounded by South Broadway, the northerly side of Nepperhan Avenue and New Main Street, which will include private and public structured parking (to replace the existing Government Center Garage) and approximately 41,000 square feet of commercial space. City Hall will remain, but the Health

Center Building is anticipated to be demolished.

4. Public Institutional

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

~~The area shown in Exhibit 2 proposed for public institutional development will be used for expansion of the government center complex. Construction of a new building to house Westchester County offices is proposed for the site. The development of this County Office Building would include off-street parking, a public plaza and a bridge linking it to the government offices on the north side of Nepperhan Avenue. It is also contemplated that the building presently used as a school on the site, will be converted for use as a police headquarters. A new main branch of the library is proposed for the site on the corner of South Broadway and Nepperhan Avenue (across the street from the existing building's site.~~

D. PROPOSED LAND ACQUISITION, DEMOLITION AND REMOVAL OF STRUCTURES

1. Land Acquisition, Demolition and Removal of Structures

All real properties to be acquired are shown on Exhibit 3 as "Redevelopment (Properties to be acquired)". All improvements on properties to be acquired will be demolished and removed to permit the proper redevelopment for the uses proposed above.

All properties so identified on Exhibit 3 will be acquired and cleared, unless future investigations indicate that they are not needed to achieve specific project objectives.

~~When originally approved, Approximately 75 families will be were to be~~ relocated from this project area (See Appendix A. Structural Condition Survey). Approximately 85 non-residential establishments ~~will be were to be~~ displaced and accorded financial assistance, as required.

Property information and final engineering design to be obtained during the execution stage may indicate the need for minor revisions in taking lines.

2. Streets Closed

Streets to be closed and eliminated from the Official City Map

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

are shown on Exhibit 1.

E. PROPOSED ACQUISITION OF AIR RIGHTS AND CONCOMITANT EASEMENTS, ETC.

It is contemplated that the Agency will acquire air rights bridging Nepperhan Avenue (New York State Arterial) to connect the proposed expansion of the Government Center Complex with City Hall.

F. PROPOSED METHODS OR TECHNIQUES OF URBAN RENEWAL

The effectuation of the Urban Renewal Plan will be accomplished through a combination of public and private actions. The type of actions proposed and the criteria under which each of these actions will be undertaken are as follows (See Exhibit 3, Proposed Renewal Action):

1. Redevelopment

Clearance and redevelopment will be undertaken in this Urban Renewal Area to eliminate environmental deficiencies and substandard, deteriorating, blighted, and functionally obsolete residential and commercial structures that exert a blighting influence on the area, and to accomplish the other applicable goals set forth in Section B, by the development of a regional retail and commercial center and an expanded government center complex.

(Standards and Controls for Redevelopment are found as the last item in this section.)

2. Rehabilitation and Conservation

The effectuation of the Urban Renewal Plan will provide a rehabilitation program for the existing-to-remain commercial, residential-commercial, and all other uses-to-remain (except ~~the Government Center Garage, City Hall, The Health Center Building~~), and this program will consist of:

(a) Housing and Building Code Enforcement.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

(b) Municipal Incentives.

(c) Financing Assistance.

i. Financing Methods (Agency Staff).

ii. Improved mortgage terms (financial institutions).

(d) Design and merchandising assistance, by Agency staff.

(e) Façade Improvement Program implemented by the Agency, which will rehabilitate and conserve buildings by a voluntary façade easement process. When an owner and/or tenant refuse to comply voluntarily with recommended improvements, the Agency may acquire building or façade

easement rights by means of condemnation proceedings.

(f) Assistance in dealing with other problems, where feasible.

3. Street Widening

~~Palisade Avenue and Elm Street are to be widened approximately 20 feet on~~

within the standards specified in this Plan, all structures, facilities, and public areas must reflect distinguished architectural expression and techniques (including landscaping) in order to signify attractiveness, quality and permanence.

4. Standards and Controls for Redevelopment

a. Use, Lot and Dimensional Building Regulations

The use, lot and dimensional building regulations for this Urban Renewal Area shall be as set forth in the Zoning Ordinance for the districts(s) in which the affected property is located. are as follows (Parking Garages excluded):

Maximum Permitted floor area ratio _____ 5.0 _____

Maximum permitted coverage _____ 77 percent _____

(However, open space may be roofed over) _____

~~Any enclosed promenades and landscaped public spaces will be excluded in the FAR and coverage figures.~~

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

b. Off-Street Parking

Structured off-street parking ~~shall be provided in accordance with the requirements of the Zoning Ordinance, by the City or its Parking Authority is specifically being provided for the new retail center and will be in a ratio of 4.5 parking spaces per 1,000~~

~~square feet of new gross leasable area (GLA) for up to 750,000 square feet of GLA and 4.0 parking spaces per 1,000 square feet of GLA for more than 750,000 square feet of GLA. Parking is to be sited in a manner suitable for shoppers, as determined by the Yonkers Community Development Agency and the redeveloper(s) jointly.~~

c. Truck Loading and Unloading

Off-street loading berths will be provided for the commercial development within the project area in accordance with the Zoning Ordinance. ~~This off-street loading is to be provided in accordance with the requirements of the redeveloper(s) reflecting department store requirements and specialty shop requirements.~~

d. Site Planning and Architectural Expression

Site plans shall reflect the goals listed in Section B, above. While redeveloper(s) will be given freedom in concept, design, and layout within the standards specified in this Plan, all structures, facilities, and public areas must reflect distinguished architectural expression and techniques (including landscaping) in order to signify attractiveness, quality and permanence.

e. Site Plan and Design Review

Redeveloper(s) shall submit plans for review by the staff of the Yonkers Community Development Agency and the Planning Board. Said site plans shall include, among others, specific documentation outlining: (1) grading, (2) drainage, (3) circulation, (4) parking area (5) street tree planting along

street frontages, fences, and walls if any, (6) landscaping and public are and (7) exterior design of buildings, structures, and signs. Said site plan may be amended from time to time through the same process as the original review. The specific proposals for the development of the site will be

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

evaluated by the Yonkers Community Development Agency and the Planning Board as to the manner in which they achieve plan objectives and controls.

f. Redeveloper(s) Obligations

The land acquired by the Yonkers Community Development Agency will be disposed of subject to an agreement or agreements between the Agency and the redeveloper(s). The redeveloper(s) will be required by the contractual agreements to observe the Urban Renewal Plan controls and development objectives as contained in the Urban Renewal Plan. The redeveloper(s) will further be required to submit a redevelopment schedule satisfactory to the Agency. The agreements with the redeveloper(s) will include requirements for adherence to all applicable local, state and federal laws. In addition, the following provisions or provisions of similar intent will be included in the disposition agreement:

1. The purchase of the land by the redeveloper(s) is for the purpose of redevelopment in accordance with the Urban Renewal Plan and not for speculation.
2. The building of improvements will be commenced and completed within a reasonable time.

G. PROPOSED PUBLIC, SEMI-PUBLIC, OR COMMUNITY FACILITIES

The City, the Agency and/or the Yonkers Industrial Development Agency will construct ~~install~~ the necessary public parking ~~execute the street widenings,~~ and the City will close the streets shown in Exhibit 1 and 2 and described above. Street beds of closed streets shall be donated by the City to the Agency for disposal for redevelopment.

H. PROPOSED NEW OR AMENDED CODES OR ORDINANCES AND PROGRAM OF ENFORCEMENT

Revisions or amendments will be necessary to ~~both~~ the City's ~~Building Code and~~ Zoning Ordinance in order to effectuate the Urban Renewal Plan. Enforcement procedures will continue as they exist today.

I. OTHER PROVISIONS NECESSARY TO MEET REQUIREMENTS OF

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

APPLICABLE STATE AND LOCAL LAWS

Pursuant to Section 502, Subdivision 7 or Article 15 of the New York State General Municipal Law, the following statements are made:

1. Duration of Controls

The land use restrictions and controls of the Urban Renewal Plan and any modification thereof for this Urban Renewal Area shall run with the land and shall be binding on all parties and all persons claiming under them ~~for a period of not less than forty (40) years from the date of approval of the Urban Renewal Plan by the City Council of Yonkers until~~ December 31, 2049.

2. Procedures for Changes in the Urban Renewal Plan as Approved

The provisions of this Urban Renewal Plan may be modified or amended or additions made thereto at any time by the City Council of Yonkers, provided that any such changes, amendments, or additions made subsequent to the sale or lease of land in this Urban Renewal Area by the Yonkers Community Development Agency, shall be concurred in by the owner(s) or lessee(s) of the land sold or leased by the Agency and which land is directly affected by such changes, amendments or additions.

3. Provisions to Preserve Integrity of Plan

In order to preserve the integrity of this Urban Renewal Plan, the ~~Commissioner~~ Superintendent of Housing & Buildings of the City of Yonkers shall notify the Yonkers Community Development Agency upon receipt of any applications for a permit for building construction or alteration or for a certificate of occupancy for a structure or use within this Urban Renewal Area. Pursuant to Section 503 (h) of the General Municipal Law, for a period of three years from the approval of this Plan by the City Council, or of any amendments hereto, the ~~Commissioner~~ Superintendent of Housing and Buildings shall not issue a building, construction or alteration permit or a certificate of occupancy for a structure or use within this Urban Renewal Area without having first obtained the consent of the Yonkers Community Development Agency unless the construction, alteration or use is necessary for the immediate protection of the public health and safety. The Director of the Community

Development Agency shall consent to the issuance of certificates and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

permits upon determination that the proposed construction, alteration or use is not inconsistent with this Urban Renewal Plan or amendments hereto.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

APPENDIX A
STRUCTURAL CONDITION SURVEY

On August 6, 1975, the Yonkers Community Development Agency staff completed a structural conditions survey report for the Getty Square urban renewal area. The structures that were surveyed are those that are within the acquisition area as outlined by this Agency's Urban Renewal Plan.

The survey was completed by qualified personnel of both the Yonkers Community Development Agency and the City of Yonkers Building Department to ascertain the overall condition of the area. A point rating system as outlined by HUD was utilized for the survey.

The following scale was used:

0 to 9 points	Sound condition
10 to 28 points	Minor defects
29 to 49 points	Major defects
50 or more points	Substandard

33 buildings were surveyed. This is approximately 96 percent of the structures to be acquired. The buildings that were not surveyed are those that were not available for entry at this time.

The survey proves that 75.7% of the structures are substandard. 15.3% of the structures surveyed have major defects. Only 6% of the buildings surveyed have minor defects with 3% being considered sound structures.

The figure to note here is that of the substandard structures 36% should be considered for demolition immediately.

The actual survey, data and reports will be retained by the Yonkers Community Development Agency for future reference.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.90-2009

8. BY COUNCIL PRESIDENT LESNICK, COUNCILMEMBERS McDOW, MURTAGH AND BARBATO:

RESOLUTION OF THE CITY COUNCIL APPROVING PLAN MODIFICATION TO THE MODIFIED URBAN RENEWAL PLAN FOR N.D.P. AREA NO. 1 AND N.D.P. AREA NO. 2 IN CONNECTION WITH PALISADES POINT PROJECT

WHEREAS, in furtherance of the objectives of Articles 15 and 15-A of the General Municipal Law of the State of New York, the City of Yonkers (the "City") and the Yonkers Community Development Agency (the "Agency") have undertaken a program for clearance and reconstruction of the Riverview Urban Renewal Area in accordance with an urban renewal plan known as the Modified Urban Renewal Plan for N.D.P. Areas No. 1 and No. 2 (the "Riverview Urban Renewal Plan"); and

WHEREAS, by Resolution No. 16-2006 adopted on May 17, 2006, the Agency approved Struever Fidelco Cappelli, LLC ("SFC") as an eligible and approved sponsor of certain projects in the Riverview Urban Renewal Area (the "Redevelopment Projects"); and

WHEREAS, the Redevelopment Projects require certain amendments to the Riverview Urban Renewal Plan, the proposal for which is more particularly set forth in Exhibit A attached hereto and made a part hereof (the "Plan Modification"); and

WHEREAS, the Riverview Urban Renewal Plan has been revised or modified several times in the past as more particularly set forth in Exhibit B attached hereto,

WHEREAS, following completion of coordinated review procedures under the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law of the State of New York) and the regulations issued thereunder by the Commissioner of Environmental Conservation of New York State (6 NYCRR Part 617) (such Act and regulations being hereinbelow referred to as "SEQRA"), the City Council of the City of Yonkers designated itself as lead agency for the environmental review of the Redevelopment Projects including the Plan Modification; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.90-2009 (CONTINUED)

WHEREAS, the City Council completed the SEQRA process, and by Resolution No. 176-2008 adopted the Findings Statement for the Redevelopment Projects and the Plan Modification on November 5, 2008; and

WHEREAS, the Agency carefully considered the Plan Modification and found and determined that (a) the Plan Modification is not in material conflict with Yonkers current plans and goals as officially approved or adopted, and will ensure the continued development of the City of Yonkers waterfront in an orderly manner consistent with the Riverview Urban Renewal Plan and the 1998 Yonkers Downtown Waterfront Master Plan, as amended (the "Waterfront Master Plan"), resulting in satisfaction of the goals and intent of the plans; (b) the Plan Modification does not impair the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood; (c)

the Plan Modification, which will enable residential development to proceed, is consistent with the Riverview Urban Renewal Plan and overall waterfront development goals, which are designed to encourage the orderly development of the waterfront in a manner that will prevent environmental contamination prior to construction of new sustainable development projects; (d) the present condition and use of Parcels H/I and a portion of J, as designated in the Waterfront Master Plan and which is the site for the Redevelopment Projects, and is part of an old landfill area exerting a blighting influence on nearby properties, is incompatible with the objectives of the Riverview Urban Renewal Plan for the area in which the property is situated; and

WHEREAS, the Agency by Resolution 1-2009 adopted on March 6, 2009 submitted the Plan Modification to the Planning Board in accordance with Section 505 of Article 15 of the General Municipal Law; and

WHEREAS, the Planning Board by resolution, adopted at its meeting held on March 25, 2009 after a public hearing held on March 11, 2009 upon due notice, gave its unqualified approval of the Plan Modification in accordance with Section 505 of Article 15 of the General Municipal Law of the State of New York, and recommended adoption of the Plan Modification of the Riverview Urban Renewal Plan by the City Council without modification,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YONKERS,

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.90-2009 (CONTINUED)

Section 1. That, after a public hearing held on due notice pursuant to Article 15 of the General Municipal Law, as amended, the Plan Modification to the Modified Urban Renewal Plan for N.D.P. Areas Nos. 1 and 2 set forth in Exhibit A and attached hereto and made a part hereof, as prepared and submitted by the Agency to the Planning Board, and recommended by the Planning Board to the City Council with unqualified approval without modification, is hereby approved, and the Riverview Urban Renewal Plan is hereby amended to incorporate the Plan Modification as an integral part thereof.

Section 2. That, the Riverview Urban Renewal Plan, as amended, complies with the provisions of Section 502(7) of Article 15 of the General Municipal Law, and conforms to the findings originally made by the City Council in accordance with Section 504 of said Article 15, and the findings made by the Agency in connection with the Plan Modification to the Riverview Urban Renewal Plan at its meeting held on March 6, 2009 and contained in the Agency's Resolution No. __-2009 are hereby approved and adopted by the City Council and that in accordance with Section 505(4) of Article 15 of the General Municipal Law, the following additional findings are hereby made:

(a) the Redevelopment Projects are in a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality.

(b) The financial aid provided to the municipality is necessary to enable the project to be undertaken in accordance with the Riverview Urban Renewal Plan.

(c) The Plan Modification affords maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking of the urban renewal program contained in the Riverview Urban Renewal Plan, also known as the Modified Urban Renewal Plan for N.D.P. Areas Nos. 1 and 2.

(d) The Plan Modification conforms to a comprehensive community plan for the development of the municipality as a whole.

(e) Parcels H/I and a portion of Parcel J are owned by the Agency and are currently vacant parcels used for parking vehicles. There will be no displacement of families and individuals from Parcel H/I and a portion

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.90-2009 (CONTINUED)

of Parcel J which would require relocation into decent, safe and sanitary dwellings in the urban renewal area or in other areas not generally less desirable in regard to public utilities and public commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonable accessible to their places of employment.

(f) The undertaking and carrying out of the urban renewal activities in stages is in the best public interest and will not cause any additional or increased hardship to the residents of such designated area.

Section 3. That, this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A SPECIAL CITY COUNCIL MEETING HELD ON TUESDAY MAY 19, 2009 BY A ROLL CALL VOTE OF 4-3, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN AND COUNCILMEMBER GRONOWSKI VOTING "NAY"

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

EXHIBIT A

Proposed Amendments to Modified Urban Renewal Plan for N.P.D. Area 1 and N.D.P. Area 2 (a/k/a Riverview Urban Renewal Plan)

The land use provisions of Section E, Land Disposition Supplement of the Modified Urban Renewal Plan for N.P.D. Area 1 and N.D.P. Area 2 dated December 1998, and last amended in October 2004, are to be amended to read as follows:

(1) Paragraph C.1a of Subsection 5 for Development Area #10 (Modified) is hereby amended to include the following additional paragraph at the end thereof (on page 32B):

“The residential project known as “Palisades Point,” as more particularly described in the Statement of Environmental Findings adopted by the City of Yonkers City Council on November 5, 2008, and located in Development Area #10 in N.D.P. Area 2 is an integral part of this urban renewal plan, and shall be developed in accordance with this urban renewal plan and the guidelines set forth in the Master Plan & Design Guidelines for the Yonkers Downtown Waterfront, initially approved by the Yonkers Community Development Agency (the “Agency”) and the City Council by resolutions dated December 16, 1998 and April 14, 1999, respectively, and as subsequently duly amended.”

(2) Paragraph e of Subsection 5 for Duration of Controls is hereby amended to include the following additional paragraph at the end thereof (on page 36):

“The Duration of Controls in all Development Areas for residential and residential related development projects approved by the Agency and the City Council subsequent to October 31, 2008 shall be extended and applied until 2048.”

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

EXHIBIT B

**MODIFIED URBAN RENEWAL PLAN FOR N.D.P. Area No. 1 and
N.D.P. Area No.2**

List of Prior Amendments

The City Council of the City of Yonkers (herein called the "Governing Body") has, by Resolution No. 789-1968 adopted November 12, 1968 and Resolution No. 392-1980 adopted December 16, 1980, found Neighborhood Development Program Areas Nos. 1 and 2, respectively (herein called "N.D.P. Areas Nos. 1 and 2"), appropriate for urban renewal as defined in Section 502(3) of Article 15 of the General Municipal Law of the State of New York, as amended, and collectively designated said Areas an urban renewal area pursuant to Section 504 of such law.

The Governing Body has, after a public hearing held on due notice on January 28, 1969, pursuant to Section 505(3) of Article 15 of the General Municipal Law of the State of New York, as amended, approved the aforesaid original Urban Renewal Plan for N.D.P. Areas Nos. 1 and 2 by Resolution No. 27-1969 adopted January 28, 1969.

The Governing Body has, after a public hearing held on due notice on January 26, 1971, pursuant to Section 505(3) of Article 15 of the General Municipal Law of the State of New York, as amended, approved a Modified Urban Renewal Plan by Resolution 41-1971 adopted January 26, 1971.

The Governing Body has, by Resolution No. 444-1971 adopted September 27, 1971, approved a minor modification of the aforementioned Modified Urban Renewal Plan.

The Governing Body has, after a public hearing held on due notice on September 12, 1972, pursuant to Section 505(3) of Article 15 of the General Municipal Law of the State of New York, as amended, approved the Urban Renewal Plan as further modified by Resolution No. 362-1972 adopted September 26, 1972.

The Governing Body has, after a public hearing held on due notice on June 26, 1973, pursuant to Section 505(3) of Article 15 of the General Municipal Law of the State of New York, as amended, approved a further modification of the Urban Renewal Plan for N.D.P. Areas Nos. 1

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

and 2 by Resolution No. 280-1973 adopted June 26, 1973.

The Governing Body has, after a public hearing held on due notice on October 28, 1975, pursuant to Section 505(3) of Article 15 of the General Municipal Law of the State of New York, as amended, approved a further modification of the Urban Renewal Plan for N.D.P. Areas Nos. 1 and 2 by Resolution No. 379-1975 adopted November 25, 1975.

The Governing Body has, after a public hearing held on due notice on September 26, 1978, pursuant to Section 505(3) of Article 15 of the General Municipal Law of the State of New York, as amended, approved a further modification of the Urban Renewal Plan for N.D.P. Areas Nos. 1 and 2 by Resolution No. 250-1978 adopted September 26, 1978.

The Governing Body has, after a public hearing held on due notice on March 28, 1982, pursuant to Section 505(3) of Article 15 of the General Municipal Law of the State of New York, as amended, approved a further modification of the Urban Renewal Plan for N.D.P. Areas Nos. 1 and 2 by Resolution No. 125-1982 adopted April 13, 1982; and promulgated therein a relocation plan for individuals and families that may be displaced from said areas.

The Governing Body has, after a public hearing held on due notice on April 12, 1983 pursuant to Section 505(3) of Article 15 of the General Municipal Law of the State of New York, as amended, approved a further modification of the Urban Renewal Plan for N.D.P. Areas Nos. 1 and 2 by Resolution No. 90-1983 adopted on April 12, 1983.

The Governing Body has, after a public hearing held on due notice on April 15, 1987 pursuant to Section 505(3) of Article 15 of the General Municipal Law of the State of New York, as amended, approved a further modification of the Urban Renewal Plan for N.D.P. Areas Nos. 1 and 2 by Resolution No. 62-1987 adopted April 15, 1987.

Plan Amendments adopted by the Agency on January 22, 1997 and on April 2, 1997 were superseded by plan amendment adopted by the Agency on April 29, 1998, together with the plan amendment known as the "Modified Urban Renewal Plan dated March 1997 for N.D.P. Areas Nos. 1 and 2."

The Governing Body has, after a public hearing held on due notice on October 26, 2004 pursuant to Section 505(3) of Article 15 of the General Municipal Law of the State of New York, as amended, approved a

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

minor modification of the Modified Urban Renewal Plan for N.D.P. Areas Nos. 1 and 2 by City Council Resolution No. 198-2004 adopted on October 26, 2004.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.91-2009

9. BY COUNCIL PRESIDENT LESNICK, COUNCILMEMBERS McDOW, MURTAGH AND BARBATO:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YONKERS
APPROVING MODIFICATIONS TO THE DOWNTOWN YONKERS
WATERFRONT MASTER PLAN

WHEREAS, by Resolution No. 57-1999, adopted on April 14, 1999, the City Council approved the Master Plan for the Downtown Yonkers Waterfront Master Plan as a guide to future municipal action affecting the downtown waterfront area of the City of Yonkers; and

WHEREAS, on April 4, 2006, the City Council, by Resolution No. 71-2006 approved the terms and conditions of a proposed master developer designation agreement for the designation of Struever Fidelco Cappelli, LLC, as a qualified and eligible sponsor for redevelopment of several blighted areas in urban renewal area, including the "Chicken Island" section of the Getty Square Urban Renewal Area and the waterfront area of the Riverview Urban Area (the "Redevelopment Projects"): and

WHEREAS, the Redevelopment Projects require certain amendments to the Waterfront Master Plan, including but not limited to an increase in the maximum height of buildings on Parcels H and I of the Waterfront Master Plan; and the proposed amendments are set forth in Exhibit A attached hereto and made a part hereof; and

WHEREAS, on or about October 24, 2006, Struever Fidelco Cappelli, LLC, (hereinafter referred to as the "Applicant") filed an Application/Petition, including an Environmental Assessment Form with the City Clerk for certain approvals from the City Council of the City of Yonkers (the "City Council") required for the development of the Redevelopment Projects; and

WHEREAS, pursuant to 6 NYCRR Part 617 of the Implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law (collectively "SEQRA") and based on the information contained in the Environmental Assessment Form the City Council determined at its October 24, 2006 meeting that the

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.91-2009 (CONTINUED)

Redevelopment Projects as described in the Application/Petition constitute a Type1 action as defined under 6 NYCRR §617 .4(b) of the SEQRA regulations and declared its intent to act as SEQRA Lead Agency in accordance with 6 NYCRR § 617.6 (b) ; and

WHEREAS, on or about October 26, 2006, the City Council initiated coordinated review and Lead Agency designation with the circulation of its Notice of Intent to Act as Lead Agency; and

WHEREAS, on or about November 29, 2006, the City Council confirmed that it would act as Lead Agency for the SEQRA review of said Application/Petition; and

WHEREAS, on December 19, 2006, the City Council determined that the Redevelopment Projects may have a significant effect on the environment and accordingly directed that an Environmental Impact Statement (“EIS”) be prepared: and

WHEREAS, on January 24, 2007, the City Council held a public scoping session to determine the scope of the EIS in accordance with 6 NYCRR § 617.8; and

WHEREAS, on March 27, 2007, the City Council adopted the final written scope for the EIS (hereinafter referred to as the “Scoping Document”); and

WHEREAS, on or about July 11, 2007 SFC submitted a preliminary DEIS (“pDEIS”) to be reviewed for completeness in accordance with the Scoping Document; and

WHEREAS, a second pDEIS was prepared and serially submitted during the month of February, 2008; and

WHEREAS, a so-called Revisions Document was prepared by the City Council’s consultant on or about March 14, 2008, which document identified further changes that the City Council would be required with respect to the February, 2008 pDEIS; and

WHEREAS, on or about March 18, 2008, the City Council by Resolution No. 44-2008 determined and declared the February 2008 pDEIS, as modified by the March 14, 2008 Revisions Document, to be complete and adequate for public review in

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.91-2009 (CONTINUED)

accordance with the Scoping Document and pursuant to the standards set forth in SEQRA, including the regulations at 6 NYCRR §617.9; and

WHEREAS, on or about March,18, 2008, the City Council directed the City Clerk, upon receiving confirmation from the Co-Chairs of the City Council Real Estate Committee that all changes set forth in the March 14, 2008 Revisions Document had been incorporated into the printed edition of the DEIS to file and publish a Notice of Completion of the DEIS, and at the same meeting, directed City staff to circulate the DEIS to all interested and involved agencies , all in accordance with the regulations at 6 NYCRR § 617.9 and 12: and

WHEREAS, on or about March 18, 2008, the City Council directed the City Clerk to publish and circulate in accordance with 6 NYCRR §617.9 and 12 a Notice of Public Hearing of the DEIS to be held on a date to be determined following confirmation of the inclusion of the conformance of the printed edition of the DEIS with the changes required by the City Council: and

WHEREAS, the City Council, as SEQRA lead agency, held a duly noticed public hearing concerning the DEIS on April 20, 2008 and continued on May 13, 2008; and

WHEREAS, the City Council accepted written comments on the DEIS until May 30, 2008, and

WHEREAS, the City Council, through its Real Estate Committee held a series of public meetings during the year 2008 to discuss issues raised in the DEIS, on the following dates: February 19, February 26, March 4, March 11, April 15, May 6, May 20, May 27, June 3, June10, June 17, June 24, June 30, July 1, July 10, September 2, September 3, September 9 and September 16; and

WHEREAS, following the close of the public comment period, representatives from the Applicant and the consultants to the City Council undertook the preparation of a Final Environmental Impact Statement (hereinafter referred to as the "FEIS") responding to all the substantive written and verbal comments on the DEIS submitted by the involved and interested agencies and the public; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.91-2009 (CONTINUED)

WHEREAS, the City Council with assistance from its consultants, upon careful review of the record including the Scoping Document, the DEIS, the August 22, 2008 draft preliminary FEIS ("pFEIS") and the submissions of the draft pFEIS throughout the month of September, 2008, as well as the many additional meetings listed above, directed the revision of substantial portions of the draft pFEIS; and

WHEREAS, in accordance with standards set forth in SEQRA, the City Council, on October 14, 2008 determined and declared that the FEIS was complete and adequate for public review; and

WHEREAS, the City Council by Resolution No. 176 -2008, adopted on November 5, 2008, approved the Findings Statement on behalf of the Applicant and caused same to be filed in accordance with the applicable requirements of SEQRA and also caused the Downtown Yonkers Waterfront Master Plan (the "Master Plan") to be sent to the Planning Board of the City (the "Planning Board") for review and certification; and

WHEREAS, the Planning Board of the City of Yonkers held a public hearing on March 11, 2009 upon due notice to discuss the proposed changes to the Master Plan, and on or about March 25, 2009, the Planning Board of the City of Yonkers, held a meeting in regard to the Master Plan, for which the Application/Petition was filed and it was found and determined by the Planning Board that the matter did not constitute an action under SEQRA and that the proposed changes are necessary to accomplishing the goal of redeveloping the downtown area of Yonkers: and

WHEREAS, in accordance with a recommendation heretofore made by the Planning Board, the City Council reserves the right to conduct proceedings with respect to the Master Plan pursuant to Section 28-a of the General City Law; and

WHEREAS, the approval being sought hereunder is limited to the Master Plan; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.91-2009 (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yonkers that, after a public hearing held on due notice pursuant to Section 28-a of the General City Law of the State of New York, the Master Plan as submitted by the Planning Board to the City Council, is hereby approved; and be it further

RESOLVED, that, this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A SPECIAL CITY COUNCIL MEETING HELD ON TUESDAY MAY 19, 2009 BY A ROLL CALL VOTE OF 4-3, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN AND COUNCILMEMBER GRONOWSKI VOTING "NAY"

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.92-2009

10. BY COUNCIL PRESIDENT LESNICK, COUNCILMEMBERS McDOW, MURTAGH AND BARBATO:

A RESOLUTION AUTHORIZING THE DISCONTINUANCE OF CERTAIN CITY PARKLAND IN EXCHANGE FOR CERTAIN REPLACEMENT LANDS AND DEDICATION OF SAID LANDS AS PARKLAND

WHEREAS, The City of Yonkers is preparing to redevelop the area known as "Chicken Island" and surrounding areas in the downtown area of the City as well as certain parcels on the City's waterfront; and

WHEREAS, to permit the development of the project as proposed, portions of Washington and Waring Parks, as well as lands located at Engine Place must be discontinued; and

WHEREAS, since parkland is dedicated to public use, this City Council petitioned the State Legislature by Resolution No. 12, 2008, to discontinue the above-cited parkland and to allow for any future conveyance of said lands, which approval was granted by Chapter 505 of the Laws of 2008; and

WHEREAS, by the terms of Chapter 505 of the Laws of 2008, the effective discontinuance of said properties as parkland may not take place until such time as the City of Yonkers accepts and formally dedicates replacement lands as public parkland.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yonkers that the City of Yonkers hereby accepts and dedicates for public use as parkland those parcels known as Section 3, Block 3515, Lot 100 and Section 3, Block 3515, Lot 115 or portions thereof, comprising a total of 8.25 acres, being more fully described in Section 4 of Chapter 505 of the Laws of 2008 and hereby authorizes and approves the discontinuance as parkland, of those parcels or portions thereof, known or formerly known as Section 1, Block 486, Lots 1 and 4, Section 1, Block 490, Lot 66, and Section 1, Block 490, Lot 72, and being more particularly described in Section 3 of Chapter 505 of the Laws of 2008, and be it further

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.92-2009 (CONTINUED)

RESOLVED, that this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A SPECIAL CITY COUNCIL MEETING HELD ON TUESDAY MAY 19, 2009 BY A ROLL CALL VOTE OF 4-3, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN AND COUNCILMEMBER GRONOWSKI VOTING "NAY"

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.93-2009

11. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER ANNABI, MINORITY LEADER McLAUGHLIN, COUNCILMEMBERS McDOW, GRONOWSKI, MURTAGH AND BARBATO:

BE IT RESOLVED, that the following applicant(s) are hereby appointed and/or reappointed to the office of Commissioner of Deeds for a period of two years to expire on June 30, 2011

William Joseph Duany
51 Park Ave. Terr
Yonkers, New York 10703

Westchester NEW

Leonard Baldino
180 Bobolink Rd.
Yonkers, New York 10701

Yks Fire Dept. NEW

Robert Santillan
100 Herriot Street
Yonkers, New York 10701

St. Joseph's Medical Center NEW

William E. Roza
141 First Street
Yonkers, New York 10704

Yks Fire Dept. NEW

Lawrence Baxman
500 Tuckahoe Road # 2 B
Yonkers, New York 10710 NEW

Truck Driver

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.93-2009 (CONTINUED)

Joe Cutrone 11 Hilary Way Eastchester, New York	NEW
Yonkers DPW	
Michael Guarniero 46 Fowler Ave Yonkers, New York 10701	NEW
N/A	
Pasquale Guarniero 470 Tuckahoe Road Apt. 10 A Yonkers, New York	NEW
Truck Driver	
Rosemarie Kops 230 Yonkers Ave # 5 F Yonkers, New York 10701	NEW
Homemaker	
William E. Kops, Jr. 230 Yonkers Ave # 5 F Yonkers, New York 10701	NEW
Retired	
Stephanie Mailman 60 Courter Ave Yonkers, New York 10705	NEW
N/A	
Mary Ann Watkins 220 Yonkers Ave Apt. 11 J Yonkers, New York 10701	NEW

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

RESOLUTION NO.93-2009 (CONTINUED)

Barbara Ann Whalen
220 Yonkers Ave Apt. 16 G
Yonkers, New York 10701

NEW

Retired

Rania H. Yacoub
1 Little John Place
Yonkers, New York 10701

NEW

Student

Patrick J. McLaughlin
20 Wilbur Street
Yonkers, NY 10704

RENEWAL

Bernadette McLaughlin
20 Wilbur Street
Yonkers, NY 10704

RENEWAL

Patrick P. McLaughlin
15 Crotty Ave
Yonkers, NY 10704

RENEWAL

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A
SPECIAL CITY COUNCIL MEETING HELD ON TUESDAY MAY 19, 2009
BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
SPECIAL MEETING
TUESDAY, MAY 19, 2009

THIS SPECIAL COUNCIL MEETING WAS ADJOURNED AT 9:32PM