

APPENDIX A

URBAN RENEWAL PLAN TEXT

NYC[™]

Department of
Housing Preservation
& Development

OFFICE OF DEVELOPMENT

WILLETS POINT

QUEENS COMMUNITY DISTRICT NO. 7

**URBAN
RENEWAL
PROJECT**

URBAN RENEWAL PLAN

APRIL 2008

**THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT**

URBAN RENEWAL PLAN

**WILLETS POINT
URBAN RENEWAL AREA**

**Queens
Community District No. 7**

April 2008

HISTORY OF PRIOR APPROVALS

Original

City Planning Commission: _____, 20__

City Council: _____, 20__ (Cal. No. __)

Mayor: _____, 20__ (Cal. No. __)

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A: URBAN RENEWAL AREA

1. LEGAL AUTHORITY

The City of New York ("City") has designated the Willets Point Urban Renewal Area ("Area") as an urban renewal area pursuant to §504 of Article 15 ("Urban Renewal Law") of the General Municipal Law. The Department of Housing Preservation and Development ("HPD") represents the City in carrying out the provisions of the Urban Renewal Law pursuant to §502(5) of the Urban Renewal Law and §1802(6)(e) of the Charter.

2. AREA

The properties indicated on Map 1 and listed in Exhibit A ("Acquisition Parcels") have been or will be acquired by the City for redevelopment pursuant to this Willets Point Urban Renewal Plan ("Plan"). These Acquisition Parcels comprise the entire Area and, as such, are the only properties to be redeveloped pursuant to this Plan.

3. BOUNDARY

The Area is located in Community District No. 7 in the borough of Queens and is generally bounded by (i) Northern Boulevard on the north, (ii) the Van Wyck Expressway and the western boundary of Block 1833, Lot 1 (the property owned by the Metropolitan Transit Authority) on the east, (iii) Roosevelt Avenue on the south, and (iv) 126th Street on the west. The perimeter described in Exhibit B and shown on Map 1 ("Project Boundary") encompasses all of the Acquisition Parcels which comprise the Area, but may also encompass other properties which are not part of the Area. The Acquisition Parcels, and not the Project Boundary, define the Area.

4. OTHER PROPERTIES

Any properties located within the Project Boundary which are not listed in Exhibit A ("Exempt Parcels") will not be acquired by the City for redevelopment pursuant to this Plan. Notwithstanding the fact that they are located within the Project Boundary, Exempt Parcels are not part of the Area and are not subject to the controls of this Plan, even if they are or become City-owned.

5. ELIGIBILITY

The Area is eligible for designation as an urban renewal area pursuant to the Urban Renewal Law. The following insanitary and substandard conditions adversely affect the quality of life in the Area and its immediate vicinity:

- a. Abandoned, vacant, substandard, underutilized, and/or obsolete buildings and structures characterized by physical deterioration, high levels of code violations, defective construction, outmoded design, lack of proper sanitary facilities, and/or inadequate fire or safety protection.
- b. Abandoned, vacant, underutilized, substandard, and/or insanitary, lots.
- c. Hazardous or detrimental industrial uses.

- d. Significant and extensive environmental contamination.
- e. Illegal uses and conversions.
- f. Poorly or improperly designed street patterns and intersections.
- g. Lack of suitable off street parking.
- h. Unsuitable topography, subsoil, or other physical conditions.
- i. Deteriorated, substandard and inadequate infrastructure, including storm sewers, sanitary sewers and streets.

B: URBAN RENEWAL PLAN

1. LEGAL AUTHORITY

The City has established this Plan for the redevelopment of the Area pursuant to §505 of the Urban Renewal Law.

2. STATEMENT OF COMPLIANCE

In accordance with §502(7) of the Urban Renewal Law, this Plan states the following information:

a. Proposed Land Uses

See Section C.

b. Proposed Land Acquisition, Demolition, And Removal Of Structures

See Section D.

c. Proposed Acquisition Of Air Rights And Concomitant Easements Or Other Rights Of User Necessary For The Use And Development Of Such Air Rights

None.

d. Proposed Methods Or Techniques Of Urban Renewal

See Section D.

e. Proposed Public, Semi-Public, Private, Or Community Facilities Or Utilities

See Section C.

f. Proposed New Codes And Ordinances And Amendments To Existing Codes And Ordinances As Are Required Or Necessary To Effectuate The Plan

See Section E.

g. Proposed Program Of Code Enforcement

Properties will be required to comply with applicable United States ("Federal"), State of New York ("State"), and City laws, codes, ordinances, and regulations (collectively, "Laws").

h. Proposed Time Schedule For Effectuation Of Plan

<u>Project Activity</u>	<u>Estimated Commencement Date</u>	<u>Estimated Completion Date</u>
Land Acquisition	January 2009	October 2009
Relocation of Site Occupants	October 2009	October 2010
Demolition and Site Clearance	July 2009	May 2011
Site Preparation (Including Installation of Site Improvements)	May 2011	May 2012
Land Disposition	January 2009	October 2010
Project Completion		December 2017

3. OBJECTIVES

This Plan seeks to:

- a. Redevelop the Area in a comprehensive manner, removing blight and maximizing appropriate land use.
- b. Remove or rehabilitate substandard and insanitary structures.
- c. Remove impediments to land assemblage and orderly development.
- d. Strengthen the tax base of the City by encouraging development and employment opportunities in the Area.
- e. Provide new housing of high quality and/or rehabilitated housing of upgraded quality.
- f. Provide appropriate community facilities, parks and recreational uses, retail shopping, public parking, and private parking.

- g. Provide a stable environment within the Area which will not be a blighting influence on surrounding neighborhoods.

4. DESIGN OBJECTIVES

It is the intent of this Plan that, to the extent deemed feasible by HPD, the Area should be developed in a manner compatible with or beneficial to the surrounding community.

C: CONTROLS ON REDEVELOPMENT

1. ZONING

The controls of this Plan will be concurrent with, and will not preempt or supersede, the controls of the Zoning Resolution of the City, as amended ("Zoning Resolution"). The controls of the Zoning Resolution will apply to all Acquisition Parcels at all times to the extent permitted by Law. The controls of this Plan will commence to apply to any Acquisition Parcel upon acquisition by the City or at such later date as may be specified in this Plan. Thereafter, if there is any conflict between the controls imposed by the Zoning Resolution and the controls imposed by this Plan, the more restrictive of the two will govern.

2. PROPOSED USES

Map 2 indicates the permitted use of each Acquisition Parcel following disposition by the City to a redeveloper. Each use indicated in Map 2 will have the meaning set forth in this Section C.2.

- a. Commercial

Commercial, residential, institutional, community facility, public open space, private street, and other uses will be permitted in accordance with the Zoning Resolution, including, but not limited to, the requirements of the Zoning Resolution pertaining to the Special Willets Point District.

3. SUPPLEMENTARY CONTROLS

- a. Building Bulk

- (1) Total floor area, as such term is defined in the Zoning Resolution ("Floor Area"), will not exceed 8,940,000 square feet.
- (2) Residential Floor Area will not exceed 5,850,000 square feet.
- (3) Commercial Floor Area will not exceed 3,160,000 square feet.
- (4) In addition to the aggregate Floor Area limits set forth in Section C.3.a(1), Section C.3.a(2), and Section C.3.a(3), each individual building will comply with the Floor Area, height, and setback requirements of the Zoning Resolution, including, but not limited to,

the requirements of the Zoning Resolution pertaining to the Special Willets Point District.

b. School

A public school containing not less than 650 seats will be constructed in the Area to meet the needs of the new residential population. The design of the school will be subject to review and approval by the School Construction Authority and the Department of Education.

c. Open Space

Not less than 8 acres of publicly accessible open space will be created in accordance with the requirements of the Zoning Resolution pertaining to the Special Willets Point District.

d. Parking

Parking requirements will be as required by the Zoning Resolution, including, but not limited to, the requirements of the Zoning Resolution pertaining to the Special Willets Point District.

e. Utilities

- (1) Any existing overhead telecommunications, electrical, and cable network lines in the Area will be removed and relocated underground and all new or additional telecommunications, electrical, and cable network lines will be placed underground, unless HPD determines that such placement underground is either unnecessary or infeasible.
- (2) Sewers, water lines, street lighting, and electrical and gas services will be installed as required. Water supply, sanitary sewers, and storm sewers will be provided in accordance with the requirements of the City's Department of Environmental Protection.

D: PROPOSED METHODS AND TECHNIQUES OF URBAN RENEWAL

1. ACQUISITION

a. Method Of Acquisition

Acquisition Parcels may be acquired by any means permitted by applicable Laws. Regardless of the method of acquisition, every Acquisition Parcel acquired by the City will be subject to the controls of, and developed in accordance with, this Plan.

b. Properties Acquired or to be Acquired

The Acquisition Parcels have been or will be acquired by the City. The Acquisition Parcels, if any, that the City acquired with Federal assistance are

identified in Exhibit A. All other Acquisition Parcels have been or are intended to be acquired with City funds, without Federal assistance.

2. RELOCATION

There is a feasible method for the relocation of families and individuals displaced from the Area into decent, safe, and sanitary dwellings, which are or will be provided in the Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment. HPD will relocate residential and commercial site occupants, if any, in compliance with all applicable Federal, State, and City Laws.

3. DEMOLITION AND/OR REHABILITATION

The structures on properties acquired in accordance with this Plan will either be demolished and cleared for new construction or retained for rehabilitation.

4. LAND DISPOSITION

Properties acquired will be disposed of for redevelopment in accordance with this Plan.

E: RELATED ACTIONS

1. ZONING MAP AMENDMENTS

The zoning of the Area will be as set forth in the Zoning Resolution. Zoning Map Amendments may be necessary in order to implement this Plan, but any proposed amendments set forth in this Section E.1 will have no force or effect until they are approved and become effective pursuant to the applicable provisions of the Charter. The proposed Zoning Map Amendments are a change in the zoning of the Area from M3-1 and R3-2 to C4-4 and the creation of the Special Willets Point District for the Area.

2. STREET MODIFICATIONS

It may be necessary to map, demap, or modify streets within and/or adjacent to the Area in order to implement this Plan, but any proposed street modifications set forth in this Section E.2 will have no force or effect until they are approved and become effective pursuant to the applicable provisions of the Charter. The proposed street modifications are the demapping of all existing public streets within the Area.

F: REDEVELOPER OBLIGATIONS

1. RECORDABLE AGREEMENTS

The instruments by which the City disposes of any Acquisition Parcel or part thereof to a redeveloper will be recorded in the Office of the City Register and will contain covenants running with the land which (i) incorporate this Plan by reference, (ii) require compliance with the terms and restrictions set forth in this Plan, and (iii)

require compliance with Section F.4. An amendment to this Plan which becomes effective after the date of disposition of an Acquisition Parcel to a redeveloper will not apply to the real property comprising such Acquisition Parcel unless, following the effective date of such amendment, the City and the owner of such real property execute a written agreement, approved as to form by the Corporation Counsel, providing that such amendment shall thereafter apply to such real property.

2. LAND USE RESTRICTION

Each redeveloper will be required to devote the land solely to the uses specified as permitted uses in this Plan and to comply with all other terms and restrictions set forth in this Plan.

3. TIMELY PERFORMANCE

Each redeveloper will be required to expeditiously apply for all required governmental approvals and to begin and complete the redevelopment and construction of the improvements mandated by this Plan and agreed upon in the disposition instruments within a reasonable time.

4. NON-DISCRIMINATION

Each redeveloper, its successors and assigns of the land conveyed or any part thereof, and any lessee of the land conveyed or any part thereof (i) will not enter into any agreement, lease, conveyance, or other instrument which restricts the sale, lease, or occupancy of such land or any part thereof upon the basis of race, color, national origin, ancestry, alienage status, religion, creed, age, sex, marital status, sexual orientation, or disability, and (ii) will comply with all applicable Federal, State, and City laws in effect from time to time prohibiting discrimination or segregation by reason of race, color, national origin, ancestry, alienage status, religion, creed, age, sex, marital status, sexual orientation, or disability in the sale, lease, or occupancy of the property.

5. DESIGN REVIEW

HPD may require any redeveloper to (i) submit site plans, landscape plans, architectural drawings, outline specifications, schedules of materials and finishes, and/or final working drawings, in sufficient detail to permit determination of compliance with the controls of this Plan, for HPD approval, in consultation with the New York City Economic Development Corporation ("EDC") and the Department of City Planning ("DCP"), prior to commencement of construction, and (ii) submit any material change to such documents thereafter proposed for approval by HPD, in consultation with EDC and DCP, prior to commencement of construction of such change.

6. RESTRICTION ON TRANSFER PRIOR TO COMPLETION

No redeveloper will be permitted to sell, lease, or otherwise transfer land at any time prior to completion of the redevelopment thereof without prior written consent of HPD, except as set forth in the disposition instruments.

7. COOPERATION WITH HPD

Each redeveloper will be required to expeditiously submit all documents required by HPD for the approval and processing of the redevelopment project.

8. COOPERATION WITH OTHER CITY AGENCIES

Each redeveloper will be required to cooperate fully with the appropriate City agencies in realizing the specific objectives of this Plan.

9. CERTIFICATE OF COMPLETION

Each redeveloper will be required to provide HPD with current revised drawings as required by HPD, including, but not limited to, descriptions reflecting substantial changes during construction. HPD will use these drawings and descriptions, together with materials submitted prior to commencement of construction, for final determination of compliance and issuance of a Certificate of Completion in accordance with the terms of the disposition instruments.

G: MODIFICATION OF PLAN

1. AMENDMENTS

The City may amend this Plan at any time pursuant to §505 of the Urban Renewal Law and §197-c and §197-d of the Charter and may amend the designation of the Area at any time pursuant to §504 of the Urban Renewal Law.

2. MINOR CHANGES

HPD, with the concurrence of the City Planning Commission ("CPC"), may authorize minor changes of the terms of these restrictions which conform with the intent and purpose of this Plan.

3. MERGERS AND SUBDIVISIONS

The development sites in the Area may be merged and/or subdivided where HPD determines in writing that (i) the site plan complies with the intent and provisions of this Plan, and (ii) the unused portion of the subdivided development site, if any, is marketable and developable in accordance with this Plan and with all applicable Federal, State, and City Laws. The merger and/or subdivision of a development site will not require review or approval by CPC, but HPD will file the Plan, as modified to indicate such merger and/or subdivision, with DCP for information purposes.

H: DURATION OF PLAN

This Plan will remain in effect for a period of forty (40) years from the date of the original approval of this Plan, until _____, except as provided in Section G.

EXHIBIT A

PROPERTIES ACQUIRED AND TO BE ACQUIRED

<u>Block</u>	<u>Lot(s)*</u>	<u>Land Use</u>
1820	1, 6, 9, 18, 34, 108	Commercial
1821	1, 6, 16, 25, 27	Commercial
1822	1, 5, 7, 17, 21, 23, 28, 33, 55, 58	Commercial
1823	1, 3, 5, 7, 12, 14, 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52, 55, 58, 59, 60	Commercial
1824	1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53	Commercial
1825	1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58	Commercial
1826	1, 5, 14, 18, 20, 31, 35	Commercial
1827	1	Commercial
1828	1, 4, 8, 11, 13, 17, 21, 23, 29, 34, 37, 39	Commercial
1829	19, 21, 40, 71	Commercial
1830	1, 9, 10, 21	Commercial
1831	1, 10, 35	Commercial
1832	1, 10	Commercial
1833	P/o 1,103, 111, 117, 120, 141, 143, 151, 155, 158, 165, 166, 168, 170, 172, 177, 179, 180, 186, 188, 192, 197, 199, 201, 203, 212, 215, 230, 300, 425	Commercial

All mapped and/or built streets within the Project Boundary.

*** Tax lot numbers are as they appeared on the Tax Map of the City of New York designated Tax Map 2004(c) by the Department of City Planning.**

EXHIBIT B

PROJECT BOUNDARY DESCRIPTION

Lying within the Borough of Queens in the City of New York;

BEGINNING at the corner formed by the intersection of the northerly line of Roosevelt Avenue with the southeasterly line of Willets Point Boulevard;

Running thence westwardly, along a prolongation of the northerly line of Roosevelt Avenue which is coincident with the prolongation of the southerly line of Tax Lot 117 in Queens Tax Block 1833 for 16.39 feet, more or less, to a point;

Thence northwardly, at a right angle to the previous course, for 102.45 feet, more or less, along a prolongation of the westerly line of Tax Lot 1 in Queens Tax Block 1827 which is coincident with the easterly line of 126th Street, to the corner formed by the intersection of the easterly line of 126th Street with the northwesterly line of Willets Point Boulevard;

Thence northwardly along the easterly line of 126th Street 147.55 feet to the southerly line of 39th Avenue;

Thence northwardly, across 39th Avenue, to the corner formed by the intersection of the easterly line of 126th Street with the northerly line of 39th Avenue;

Thence northwardly, along the easterly line of 126th Street for 250 feet to the southerly line of 38th Avenue;

Thence northwardly, across 38th Avenue, to the corner formed by the intersection of the easterly line of 126th Street with the northerly line of 38th Avenue;

Thence northwardly, along the easterly line of 126th Street for 250 feet to the southerly line of 37th Avenue;

Thence northwardly, across 37th Avenue to the corner formed by the intersection of the easterly line of 126th Street with the northerly line of 37th Avenue;

Thence northwardly, along the easterly line of 126th Street for 200 feet to the southerly line of 36th Avenue;

Thence northwardly, across 36th Avenue to the corner formed by the intersection of the easterly line of 126th Street with the northerly line of 36th Avenue;

Thence northwardly, along the easterly line of 126th Street for 200 feet to the southerly line of 35th Avenue,

Thence northwardly, across 35th Avenue to the corner formed by the intersection of the easterly line of 126th Street with the northerly line of 35th avenue;

Thence northwardly, along the easterly line of 126th Street for 200 feet to the southerly line of 34th Avenue;

Thence northwardly, across 34th Avenue, to the corner formed by the intersection of the easterly line of 126th Street with the northerly line of 34th Avenue;

Thence northwardly, along the easterly line of 126th Street for 230.78 feet to the southerly line of Northern Boulevard;

Thence eastwardly along the southerly line of Northern Boulevard for 400.44 feet to the westerly line of 126th Place;

Thence eastwardly across 126th Place to the corner formed by the intersection of the easterly line of 126th Place with the southerly line of Northern Boulevard;

Thence eastwardly, along the southerly line of Northern Boulevard for 211.66 feet to the westerly line of 127th Street;

Thence eastwardly, across 127th Street to the corner formed by the intersection of the easterly line of 127th Street with the southerly line of Northern Boulevard

Thence eastwardly, along the southerly line of Northern Boulevard for 205.94 feet to the westerly line of 127th Place;

Thence eastwardly, across 127th Place to the corner formed by the intersection of the easterly line of 127th Place with the southerly line of Northern Boulevard;

Thence eastwardly, along the southerly line of Northern Boulevard for 209.95 feet to a point on the southerly line of Northern Boulevard where the dividing line between Tax Lots 21 and 40 in Tax Block 1829 intersect the southerly line of Northern Boulevard;

Thence continuing eastwardly, along the southerly line of Northern Boulevard which is coincident with the northerly line of Tax Lot 40 in Tax Block 1829 for 73.41 feet to a point on the southerly line of Northern Boulevard;

Thence continuing eastwardly on a curve to the right with a radius of 1554.96 feet, a central angle of 20° 21' 17", and an arc length of 552.41 feet (the chord of said curve having a bearing of North 86° 47' 28" East for 549.51 feet) to its extended intersection with the prolongation northerly of the westerly line of Tax Lot 245 in Tax Block 1833;

Thence southwardly from the previous course on a curve to the right with a radius of 1601.00 feet, a central angle of 07° 02' 44", and an arc length of 196.87 feet (the chord of said curve having a bearing of South 25° 39' 54" East for 196.75 feet) to the northwesterly corner of Tax Lot 245 in Tax Block 1833;

Thence southerly, along the westerly line of Tax Lot 245, which is coincident with the easterly line of Tax Lots 215 and 230 in Tax Block 1833, for 393.32 feet, more or less, to the northerly line of Tax Lot 1 in Tax Block 1833;

Thence westwardly, along part of the northerly line of Tax Lot 1 in Tax Block 1833 for 127.2 feet, more or less, to a point on the northerly line of Tax Lot 1 where it is intersected by the prolongation northeasterly of the southeasterly line of Tax Lot 300 in Tax Block 1833;

Thence southwestwardly, along the prolongation of the southeasterly line of Tax Lot 300 in Tax Block 1833 for 81.63 feet, more or less, to the northeasterly corner of Tax Lot 300;

Thence southwestwardly along the southeasterly lines of Tax Lots 300, 155, 120 and 103 for 1756.88 feet to the northerly line Roosevelt Avenue;

Thence westwardly, along the northerly line of Roosevelt Avenue for 398.39 feet to the point or place of BEGINNING, the aforesaid distances being more or less.