

BATHGATE DEVELOPMENT AREA

CITY OF NEW YORK

COMMUNITY DEVELOPMENT PLAN

also known as the

BATHGATE URBAN RENEWAL PLAN

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APPROVED BY CPC
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SUPERSEDED
Date 5/29/1980

CITY OF NEW YORK
COMMUNITY DEVELOPMENT PLAN

SECTION I - DESCRIPTION OF PROJECT

A. Project Area Description

The boundaries of the Community Development Area are shown on Map 1, Project Boundary Map, dated January 1975 and the Plan Area is described in the attached boundary description, Exhibit A.

B. Community Participation

The City of New York will continue its policy of working closely with the Community Planning Boards, and any other community groups interested in improving the quality of life in their neighborhoods.

C. Community Development Plan Objectives

The objectives of the Plan are as follows:

1. The elimination of blighting influences from the Community Development Area.
2. The removal of substandard and insanitary structures from the Community Development Area.
3. The elimination of impediments to land disposition and development by the physical improvement of the street pattern.
4. The establishment of land use patterns consistent with modern planning concepts and conducive to the creation of a superior living and working environment.
5. The provision of land for adequate and convenient community facility space including as examples pre-school and day-care facilities.

6. The provision of new housing for low and moderate income families in a compatible mix with commercial uses and community facilities built to high standards of design, privacy light, air and open space.
7. The provision of a new traffic circulation system and off-street parking.
8. The coordination of all design and architectural elements to assume high quality, creative design.

The Plan seeks to create an improved living and working environment intergrated with capital projects, existing public housing and other Public and semi-public and private developments adjacent to the Project Area.

The Project area is eligible under state and local laws for the actions proposed. It has been delineated so that following the completion of construction, the projected redevelopment and the surrounding area will have reasonable protection from decay; and so that the redevelopment will constitute a stable environment and will be a beneficial influence on abutting public and private development.

The following types of deficiencies are present and adversely affect living conditions in the project area and in the immediate neighborhoods.

1. Substandard and insanitary buildings.
2. General characteristics of obsolescence tending to reduce neighborhood stability.
3. Incompatible mixtures of uses, i.e. warehousing, manufacturing, parking lots and other incompatible commercial uses among and adjacent to

residential Development.

4. Safety hazards due to the presence of non-fireproof construction and vacant buildings.
5. Obsolete traffic circulation system characterized by lack of off-street loading and parking facilities and aggravated by a narrow and inefficient street system.

D. Types of Proposed Renewal Action:

All properties within the Community Development Area shall be subject to the land use controls contained in Section II of this plan.

1. Land Acquisition, Clearance and Redevelopment

Properties within the Community Development Area that are to be acquired for clearance or rehabilitation are identified in the attached Exhibit B, dated January 1975 and will be redeveloped predominantly with housing for families of low and moderate income together with such appurtenant or related uses as may be indicated.

Certain streets within the Community Development Area will be modified to improve or limit access of vehicular traffic and to assure the safety and convenience of residents.

2. Zoning Changes and Street Closings

It is anticipated that where applicable, future action will be required by the City Planning Commission and the Board of Estimate to change the zoning in order to effectuate this plan.

Subject to the approval of various City agencies, the following streets may be closed or widened pursuant to this Community Development Plan:

- a. East 174th Street between Fulton Avenue and Third Avenue, or
- b. East 173rd Street between Fulton Avenue and Third Avenue

SECTION II - LAND USE PLAN

A. Land Use Plan

1. Map #2, Land Use Plan dated January, 1975, shows existing property in the Plan area and the proposed use and treatment thereof. The uses permitted shall be as specified below.
2. Land Use Provisions and Building Requirements
Controls covering land use and building requirements, the permitted use of redevelopment parcels, maximum residential densities, required setbacks, maximum land coverage and required off-street parking and loading areas, etc., shall be as defined in the Comprehensive Amendment to the Zoning Resolution of the City of New York, as published in the City Record on November 10, 1960, and as approved by resolution of the Board of Estimate on December 15, 1960, and as amended to the date application is filed with the Department of Buildings for the construction or alteration of property improvements pursuant to this plan. Whenever both specific controls in the Community Development Plan and reference to the Zoning Resolution are used, in the case of conflict, the more restrictive shall govern,

B. Description of Predominant Land Use Categories

Permitted Densities and Parking Requirements

1. Predominant Land Use Categories

Land Use shown on the Land Use Plan reflects existing zoning as modified by specific proposed changes in the aforementioned Zoning Resolution. As shown on the Land Use Plan, Map 2 dated January 1975 the following uses shall be permitted exclusively:

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a. Residential

Residential uses shall be permitted including appurtenant community facility, recreational and park uses. Appurtenant community facilities and recreational uses are those which are appropriate in residential areas and include such uses as medical offices, health centers, limited recreational facilities, day care centers and uses of a similar nature. New residential uses to serve families of low and moderate income as determined by the New York City Housing and Development Administration will be developed at densities as specified in Section II B.2 of this plan.

B. Public and Semi-Public

Permitted public and semi-public uses may include pre, elementary, intermediate and senior high schools, libraries, community centers, health facilities, and other essential service uses which can function best in a residential environment and are not objectionable in residential areas.

c. Public Open Space

Permitted uses may be playgrounds or similar open space available for public recreational purposes.

d. Commercial

Appropriate accessory and other retail and service commercial uses will be permitted to support the residential development.

e. Industrial

Appropriate industrial facilities compatible with residential development will be permitted.

2. Permitted densities and Parking Requirements

a. All parcels shall be developed as specified below:

<u>Density</u>	<u>Max. Zoning Rooms per Acre</u>	<u>Floor Area Ratio for Max. D.U.'s</u>	<u>Open Space Ratio Range</u>	<u>Parking Required as a Percentage of Dwelling Units Provided</u>		
				<u>Mod. Income Housing</u>	<u>Low Income Housing</u>	<u>Elderly Housing</u>
R6	454	2.36	28.5 - 37.5	55%	35%	22.5%
R7-1	605	3.30	16.5 - 25.5	45%	30%	20%

Open Space Ratio: is the area of open space on the lot expressed as a percentage of the floor area on the lot.

Floor Area Ratio: is the total floor area on the lot divided by the lot area.

b. Parcels to be developed as part of a large scale Plan may vary individually from the above standards although the overall package shall conform to the density and parking requirements stated herein. Commercial, industrial and community facilities parking requirements shall be in conformance with the requirements of the Zoning Resolution. All sponsors or developers not legally exempt from the provisions of the Zoning Resolution shall develop their parcels in conformance with the requirements of the zoning districts as specified in Section II B.3 of this Plan. Sponsors or developers otherwise legally exempt from the provisions of the Zoning Resolution shall be required to conform to the density, open space floor area and parking requirements of said Resolution for the zoning districts specified for their sites in Section II B.3 of this Plan.

3. Planned Development Activity

Stage I will consist of the three (3) blocks as indicated on Map 2, Land Use Plan dated January 1975 and will be redeveloped at an R6 density with a C2-4 overlay. To effectuate this it is intended that Chapter 8 Special Regulations Applying to Large Scale Residential Developments of the Zoning Resolution will be applied to this Stage I. Provision may be made for pedestrian circulation and pedestrian plazas in Stage I.

C. Planning Criteria and Standards for Accessory or Supporting Uses, Internal Circulation System and Public Improvements and Facilities Not Identified on the Land Use Plan, Map 2, dated January 1975

1. Supporting and Accessory Uses

Appurtenant commercial, recreational, parking, and community facilities, will be required to support and strengthen the residential character of the area as outlined in Section II.B above. These appurtenant facilities shall be developed, as authorized or required by the aforementioned Zoning Resolution, and, where appropriate to serve the needs of the low and moderate-income families in the new housing planned for the area. These facilities shall be located so as to provide convenience and accessibility to the residents served.

2. Internal Circulation System

The circulation system shall be developed, to the extent practicable, to reflect the objective of achieving adequate separation of local traffic uses. The existing functional pattern of local and major streets may have to be upgraded to meet internal circulation needs. Planning for necessary improvements is under way where current City-wide practice calls for higher design

standards, e.g. wider roadbeds or rights of way and/or straighter alignments. Every attempt will be made to insure that these higher standards are incorporated into the design and redevelopment of the area.

3. Public Improvements and Facilities

New neighborhood facilities including several small parks and recreational areas, new educational and health facilities, and the possible upgrading of some utilities are planned in order to meet the needs of the area residents.

4. Duration of Land Use Provisions and Building Requirements

The land use provisions and building requirements shall remain in effect for a period of forty years (40) from the date of approval of this Community Development Plan or any modification thereof by the Board of Estimate of the City of New York, except as provided by Section VI hereunder.

Section III - Project Proposals

A. Rehabilitation

1. Description of Conditions under which Rehabilitation of Properties will be Permitted

Certain of the properties within the Urban Renewal Area as identified in Exhibit C are in sound condition and need not now be acquired in order to round out economically feasible rehabilitation and/or clearance and new construction sites. However, the present condition of these properties does not meet the property rehabilitation standards for the Urban Renewal Area. Accordingly, owners of these properties will be given the opportunity to rehabilitate them in accordance with such standards. The Housing and Development Administration will notify the owner of such property of its appropriateness for rehabilitation and offer him the opportunity to so rehabilitate the premises. If the owner thereafter refuses or indicates no interest in rehabilitating the property or if he fails to take necessary action to rehabilitate the property, then the property may be acquired by the City pursuant to this Plan and disposed of for rehabilitation or for new construction, as may be appropriate. As a minimum, such action to rehabilitate the premises shall be the securing of a commitment for financing the rehabilitation (if necessary) and the employment of a contractor to carry out the rehabilitation within six (6) months of the date of the aforesaid notification.

2. Description of Conditions under which property acquired by the LPA will be Rehabilitated

Of the property to be acquired in the Urban Renewal Area (Exhibit

B), certain of these properties may be capable of rehabilitation to Property Rehabilitation Standards at costs which allow marketable rents. Moreover, these sites may not be required for the development of economically feasible new construction sites. If the Housing and Development Administration determines that the aforesaid conditions exist, such individual property may be rehabilitated by sale to selected developers who shall agree to undertake such redevelopment.

3. Property Rehabilitation Standards

These standards and controls have been developed to serve as the basis for rehabilitation and conservation of the existing structures to provide accommodations and environment for family living which are decent, safe, livable and designed to have continuing appeal. They are geared to the rehabilitation of structures on a long-range basis to extend the life of the premises for a period equal to long term financing availability, where adequate income will be available for all charges and expenses, including normal replacements and an equitable return on investment.

The minimum standards for rehabilitation include compliance with all State and Local codes and ordinances applicable to the regulations and control of building construction and renovation including: /

- A. Chapter 26, Title C, Building Code of the Administrative Code of the City of New York;
- B. Chapter 26, Title D, Housing Maintenance Code of the City of New York;
- C. Chapter 713, L. 1929, Multiple Dwelling Law, as amended, and Bathgate Community Development Plan
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D. Comprehensive Amendment of the Zoning Resolution of the City of New York, adopted December 15, 1960, and as amended to the date application is filed with the Department of Buildings for the alteration or renovation of property improvements pursuant to this Plan.

In addition, recognizing that State and Local codes and ordinances provide the minimum standards for safety and health but are not necessarily geared to the requirements of current residential living, rehabilitated property shall be required to comply with the Standards for residential rehabilitation contained in the Housing and Development Administration Bulletin "Design Standards for Rehabilitation" notwithstanding the source of financing of such rehabilitation. Copies thereof are available at the office of the Housing and Development Administration.

B. Acquisition and Clearance

Properties designated for acquisition (Exhibit B) which thereafter do not prove capable of rehabilitation pursuant to the requirements as set forth in Section IIIA(2) above or which are needed to make a feasible clearance and new construction site, as determined by the Housing and Development Administration, will be designated for clearance and new construction. These sites will be acquired in order to achieve the stated plan objective of removing sub-standard conditions and blighting influences and of providing land for uses permitted pursuant to Section II of this plan. Where residential redevelopment is determined to be appropriate, it will be predominantly, for housing for families of low and moderate income together with appropriate appurtenant or related uses.

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D. Redeveloper's Obligations

1. The regulations and controls set forth in Section II hereof will be implemented, wherever applicable, by appropriate covenants or other provisions in agreements for land disposition and conveyance, executed pursuant thereto.
2. The redeveloper/contractor shall devote the land solely to the uses specified in this Community Development Plan.
3. The redeveloper/contractor shall begin and complete the development of the land for the uses required in this Community Development Plan, and the construction of the improvements agreed upon in the respective Land Disposition contracts within a reasonable period of time, as determined and set forth in the contracts between the City of New York and the respective redeveloper.
4. The redeveloper of project land shall not sell, lease or otherwise transfer such land at any time prior to the completion of the redevelopment thereof without the prior written consent of the City of New York except as set forth in the contracts between the City of New York and the respective redeveloper.
5. No covenant, agreement, lease, conveyance or other instrument shall be affected or executed by the City of New York, or by a redeveloper or any of his successors or assigns, whereby land in the project area is restricted upon the basis of race, creed, color or national origin in the sale, lease use or occupancy thereof. Appropriate covenants running

with the land, which will prohibit any such restrictions, shall be included in the disposition instruments.

6. Site Plans, architectural drawings, outline specifications and schedules of materials and finishes for the construction of improvements on the land, all in sufficient detail to permit determination of compliance with the intent and controls of the Community Development Plan and the design and character of proposed construction, must be submitted to and approved by the Housing and Development Administration at the design concept stage, at the preliminary design stage and prior to the commencement of construction. Any material changes proposed after receipt of such approval by the Housing and Development Administration must be similarly approved. As built drawings shall be submitted to the Housing and Development Administration after construction for final determination of compliance.
7. The redeveloper shall cooperate with appropriate City agencies in carrying out activities pursuant to this Plan.

SECTION IV

OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

The following statement is set forth to indicate compliance with Article XV of the General Municipal Law of the State of New York and more particularly, Section 502, subdivision 7 thereof.

- A. Statement of Proposed Land Uses - See Section II of this Plan.
- B. Proposed Land Acquisition, Demolition and Removal of Structures - See Section III of this Plan.
- C. Proposed Acquisition of Air Rights and Concomitant Easements - Not Applicable.
- D. Proposed Public, Semi-Public, Private and Community Facilities of Utilities- See Section II of this Plan.
- E. Proposed New Codes and Ordinances - No new Codes or Ordinances are anticipated to be required to effectuate this Plan.
- F. Proposed Methods or Techniques of Community Development - See Sections II(B) and III.
- G. Proposed Program of Code Enforcement - The general code enforcement program of the City of New York is in effect in this area.
- H. Proposed Time Schedule for the effectuation of this Plan.

<u>Project Activity</u>	<u>Starting Date</u>	<u>Completion Date</u>
1. Land Acquisition	September 1975	September 1975
2. Relocation	October 1975	October 1976
3. Demolition and Site Clearance /	October 1975	November 1976
4. Site Preparation, including Installation of Project Improvements	January 1976	January 1977
5. Disposition of Land in Project Area	October 1975	March 1977
6. Completion of Development		September 1978

It is the objective of this Plan that the housing units will be completed and in full operation within as short a period of time as is feasible.

SECTION V - RELOCATION PLAN

A. Residential

All tenants residing on the lands to be acquired will receive full benefits and services of the Department of Relocation and Management Services of the Housing and Development Administration. All tenants residing on the lands to be acquired will be accorded first priority for admission to new apartments constructed as a part of the project.

B. Commercial

The Department of Relocation will maintain constant liaison with the commercial tenants in the area so as to coordinate the Commercial Relocation Program.

All businesses will be advised of the Small Business Administration's Program of making long-term, low-interest loans to assist in re-establishing small businesses that have suffered substantial economic injury as a result of displacement. Commercial tenants will be entitled to reimbursement for moving expenses and other displacement payments to the extent allowable.

Retail commercial site occupants will be accorded first priority in the rental of new retail commercial areas developed as a part of the project.

SECTION VI

Changes in Approved Plan

This Community Development Plan may be modified at any time by the City of New York provided that if such modification adversely affects any real property in the Community Development Area previously disposed of by the City of New York, written consent to such modification shall be obtained from the purchaser or lessee of such real property which consent shall not be unreasonably withheld. This shall not be construed to require the consent of the Purchaser or Lessee of any other parcel in the project area.

SECTION VII

Minor Changes

Where, owing to special conditions, a literal enforcement of these restrictions in regard to the physical standards and requirements as referred to in Sections II and III of this Community Development Plan would result in unnecessary hardships, involve practical difficulties, or would constitute an unreasonable limitation beyond the intent and purpose of these restrictions, the Housing and Development Administration shall have the power upon appeal in specific cases, to authorize such minor changes in the terms of these restrictions which conform with the intent and purpose of this Community Development Plan, provided that no variation or modification shall be permitted which is less restrictive than or contrary to applicable state and local codes and ordinances and provided further that concurrence is obtained from the City Planning Commission.

EXHIBIT A

Bathgate Community Development Area

Boundary Description

Beginning at a point formed by the intersection of the easterly line of Fulton Avenue with the southerly line of the South Service Road of the Cross Bronx Expressway and running

1. Thence southerly along the easterly line of Fulton Avenue to its intersection with the southerly line of St. Paul's Place;
2. Thence westerly along the southerly line of St. Paul's Place until its intersection with the westerly line of Third Avenue;
3. Thence northerly along the westerly line of Third Avenue until its intersection with the southerly line of East 171st Street;
4. Thence westerly along the southerly line of East 171st Street until its intersection with the westerly line of Webster Avenue;
5. Thence northerly along the westerly line of Webster Avenue until its intersection with the southerly line of the South Service Road of the Cross Bronx Expressway;
6. Thence easterly along the southerly line of the South Service Road of the Cross Bronx Expressway to the point or place of beginning.

EXHIBIT B

Properties to be Acquired Pursuant to the
Community Development Plan dated January 1975

<u>Block</u>	<u>Lot</u>
2929	50,58,66,67,68,69,70,71,72 and 73
2930	12,13,14,15,16,17,18,19,20,21,26,28, 29,30,38,39,41,42,43,44,46,58,66,70, 72,74,75,76,77,78,79,80,81,82,83,84, 122 and 123

and the beds of the following streets:

Fulton Avenue between the southerly line of the South
Service Road of the Cross Bronx Expressway and East
172nd Street.

East 174th Street between Fulton Avenue and Third Avenue.

East 173rd Street between Fulton Avenue and Third Avenue.

East 172nd Street between Fulton Avenue and Third Avenue.