

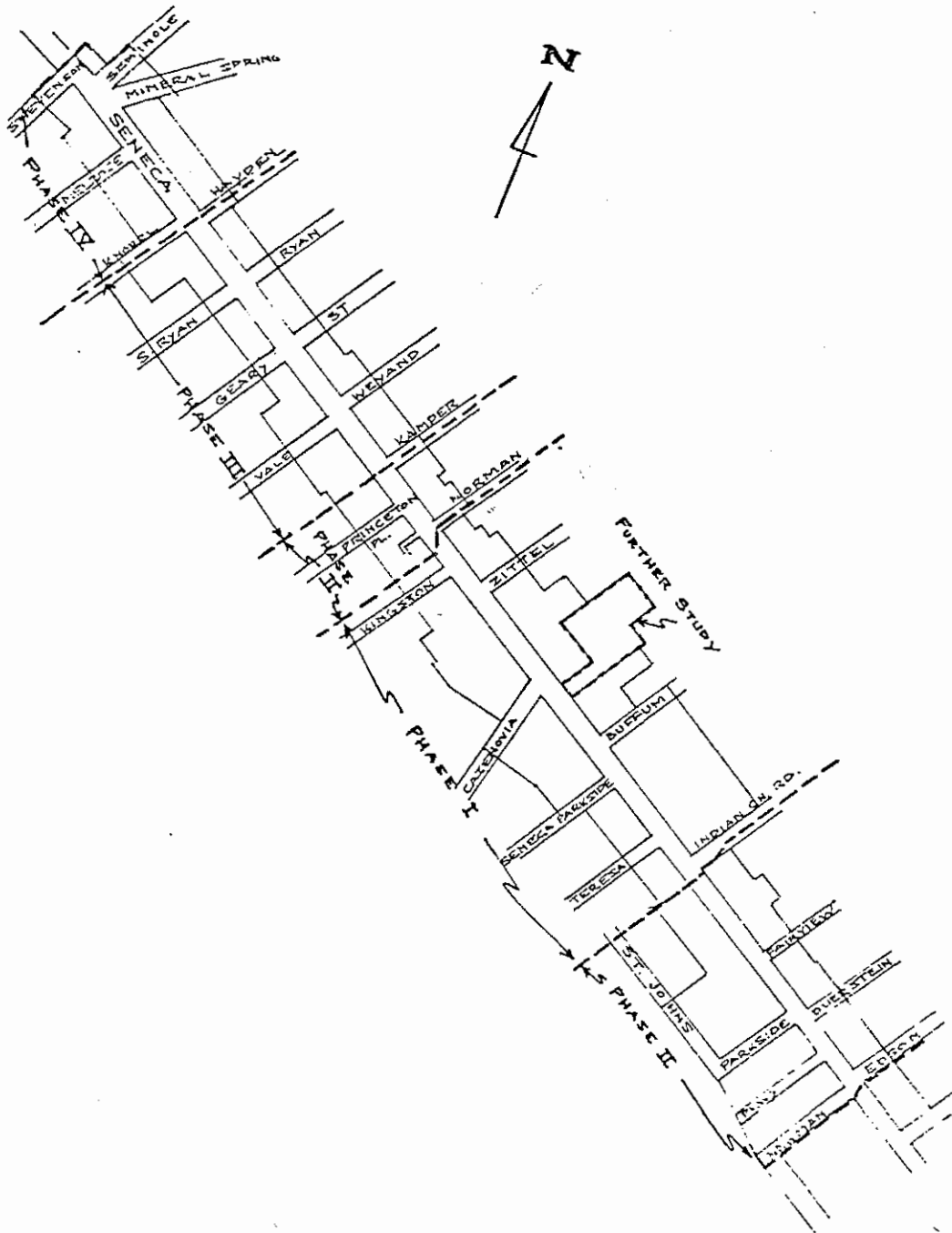
SENECA-CAZENOVIA  
COMMERCIAL DISTRICT

Site designated - February 5, 1980, C.C.P. No. 174.

City Planning Board held public hearing and approved Urban Renewal Plan  
March 27, 1980.

Common Council held public hearing and approved Urban Renewal Plan April 29,  
1980, C.C.P. No. 112.

40-year duration  
April 28, 2020



URBAN RENEWAL PLAN  
FOR  
SENECA-CAZENOVIA COMMERCIAL DISTRICT  
NEIGHBORHOOD BUSINESS REVITALIZATION PROGRAM

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## I N T R O D U C T I O N

The Seneca-Cazenovia Business District extends from Stevenson Street to Edson Place along Seneca Street. It is one of the most successful commercial areas in South Buffalo. However, in recent years it has surrendered its once preeminent position as the most important regional shopping district in southeast metropolitan Buffalo.

The Seneca-Cazenovia Business District once featured the strongest alignment of major department stores outside downtown Buffalo. Most of these stores have left as the fortunes of the area have declined.

The emergence of suburban shopping centers, principally the Seneca Mall and Southgate Plaza has drawn off many of the former customers of the Seneca-Cazenovia Business District. The physical erosion of the strip as well as a poor and inadequate commercial mix in which anchor or "magnet" stores are lacking, contribute to this trend.

Despite these problems, the indigenous social, economic and physical characteristics of the Seneca-Cazenovia Business District give it advantages that other business areas cannot match. The physical insularity of the market area the commercial strip draws from, the stability and ethnicity of the

predominantly Irish-American neighborhood surrounding the strip, the proximity of Cazenovia Park and the presence of a considerable segment of the Buffalo banking community combine to make Seneca-Cazenovia an uniquely attractive retail center.

The City has taken steps to reverse the negative trends that have developed in the Seneca-Cazenovia area. An Economic Development Administration sponsored public improvements program has recently upgraded public rights-of-way in the district. A marketing study of South Buffalo conducted by Stuart Alexander & Associates included an economic analysis of the Seneca-Cazenovia business district and planning recommendations for the area. Currently, a facade improvement program that encompasses the business strip between Indian Church Road and Zittel Street is in progress.

As a demonstration of its continuing faith in the economic future of the area, the City has chosen the Seneca-Cazenovia Business District as one of three target areas of the Neighborhood Business Revitalization Program. This commercial urban renewal plan is the instrument that will facilitate implementation of the program by insuring orderly and harmonious commercial revitalization and providing for continuing maintenance of the program area.

1. BOUNDARIES OF THE URBAN RENEWAL PROJECT

The boundaries of the Urban Renewal Project Area are as shown on the General Boundary Map (Map No. 1) attached to and made a part of this Plan.

The Seneca-Cazenovia Commercial Revitalization boundaries generally front on Seneca Street and are bounded by Seminole Parkway and Stevenson Street on the north and Edson Street and Newman Place on the south.

2. Justification

According to the New York State General Municipal Law, Article 15, Section 501:

"In order to protect and promote the safety, health, morals and welfare of the people of the state and to promote the sound growth and development of our municipalities, it is necessary to correct ... substandard, insanitary, blighted, deteriorating conditions, factors and characteristics by the clearance, replanning, reconstruction, redevelopment, rehabilitation, restoration or conservation of such areas, the undertaking of public and private improvement programs related thereto and the encouragement of participation in these programs by private enterprise."



3. Authorization

The New York State General Municipal Law, Article 15, Section 501 grants to municipalities of this state:

"The use of such rights and powers to correct... such conditions, factors and characteristics and to eliminate or prevent the development and spread of deterioration and blight through the clearance, replanning, reconstruction, rehabilitation, conservation or renewal of such areas, for residential, commercial, industrial, community, public and other uses is a public use and public purpose essential to the public interest, and for which public funds may be expended."

#### 4. URBAN RENEWAL PLAN OBJECTIVES

##### Objectives:

The primary objectives of this urban renewal plan for the Seneca-Cazenovia Commercial Revitalization Program, in accordance with the objectives established by the area's business community and the Buffalo Community Development Block Grant Program, are to foster the revitalization and redevelopment of the Seneca-Cazenovia Business District and, in the course of such action, to encourage the stabilization, expansion, and creation of business in the project area which will improve the quality of life of neighborhood residents by contributing to the strengthening and upgrading of the general area as a vital and indispensable component of the entire neighborhood.

The specific objectives of this plan are as follows:

- A. To eliminate blighting influences and environmental deficiencies by removing substandard and obsolete structures.
- B. To rehabilitate structures consistent with the long range plans for commercial revitalization in the Seneca-Cazenovia Business District.
- C. To create an area of diverse but related and mutually supportive uses.
- D. To create a safe, convenient, visually attractive, and aesthetically pleasing shopping environment.
- E. To insure and facilitate the orderly and coherent development of the Seneca-Cazenovia Business District by providing an ambience conducive to such development.
- F. To support and assist redevelopment in the Commercial Strip.

5. Types of Proposed Urban Renewal Actions

The Buffalo Urban Renewal Agency, in concert with the City of Buffalo, with the authorization of the Common Council, proposes certain urban renewal actions within the Seneca Street Commercial Revitalization Program which include:

- A. Acquisition of real property as delineated in Seneca/Cazenovia Neighborhood Business Revitalization Land Acquisition Map.
- B. Consistent with all applicable rules and regulations, the relocation of site occupants residing in structures which are scheduled for acquisition and clearance by the City.
- C. Rehabilitation of existing properties by owners in accordance with the objectives of this Plan, facilitated by the provision of technical expertise and financial assistance and/or incentives.
- D. Sale or lease of land owned or acquired by the City of Buffalo for uses consistent with the objectives of the Urban Renewal Plan.
- E. The construction and modification of public improvements and facilities necessary to support and facilitate the orderly and cohesive development of the Seneca/Cazenovia Business District.
- F. The beautification of public space and rights of way.

B. LAND USE PLAN

1. PROPOSED LAND USE

a. The land use plan map, (Map No. 2) attached herein and made a part of this plan, identifies the general land use categories and areas which are established and permitted within the Seneca Street Commercial Revitalization Program:

- 1) Public Parking Facilities
- 2) Residential and Related Use - second story residential use.

- 3) Neighborhood Business and General Commercial

Types of use permitted within the above land use categories are outlined in the following section of this plan.

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS

The following requirements shall apply to the use and development of land within the boundaries of the Seneca Street Commercial Revitalization Program, and together with the Land Use Map, shall constitute the provisions of this Urban Renewal Plan that govern such use and development.

These requirements are established as basic guidelines and standards for new construction as well as rehabilitation, reflecting the public renewal objectives and intent of the Agency and the City in undertaking the

Seneca Street Commercial Revitalization Program. It is not intended however, that such provisions inhibit exploration of valid land uses, economic concepts or other development concepts or objectives which, while varying from some aspect of these requirements, may nevertheless achieve the public objectives embodied herein.

The Commissioner of Community Development, and/or his Designee, and the City Planning Board, and/or any Design Review Board which may be appointed and authorized by the Buffalo Urban Renewal Agency (hereinafter Agency) and the City of Buffalo (hereinafter City) shall be responsible for review of all redevelopment proposals, and for interpretations of the terminology and intent of this Plan, and shall determine the appropriateness and acceptability of all redevelopment and rehabilitation proposals in terms of their conformity with this Urban Renewal Plan. The Commissioner of Community Development and/or his Designee, shall, in all cases, act on behalf of the City, as the initial authority in the review of proposals, and shall consult with the City Planning Board, as required, prior to making any recommendations to the Common Council regarding such proposals.

a. PUBLIC USE AND DEVELOPMENT

The public facilities that exist or are to be developed

by the Agency or the City are identified on the Land Use Map. (Map No. 2) All such existing or new public uses and development shall be subject to the procedures for review and approval as cited in this Plan and otherwise to be established by the Agency and the City.

1. PUBLIC PARKING FACILITIES AND OPEN SPACES

Because of a deficiency in the current level of off-street parking facilities within the boundaries of Seneca Street Commercial Revitalization Program, and the expectation of substantial increase in parking demand as the commercial facilities stabilize and/or expand; and recognizing that this parking problem cannot be corrected solely through private actions, it shall be the general policy of the City, in cooperation with the Agency, and through the Parking Board of the City, to provide and construct necessary central parking facilities within the boundaries of the Seneca Street Commercial Revitalization Program, subject to maintenance policy.

It is the primary objective of the Agency and the City with regard to the off-street parking requirements within the Seneca Street Commercial Revitalization Program to insure that through joint or individual public or private actions, the type, distribution and capacity of parking facilities adequately meet the needs of all land uses and activities.

The City will therefore evaluate and determine such aggregate parking needs as the Program's renewal and redevelopment progresses. The City and Agency may, at their discretion, elect to offer for sale or lease any parcel of land identified for Public Parking to a private developer or group who will agree to maintain or construct parking facilities available to the general public and to meet the objectives of this Plan.

As needed, open public spaces will be developed to complement and enhance commercial redevelopment and revitalization in the project area.

## 2. RESIDENTIAL AND RELATED USES

### USES PERMITTED:

The following land uses are permitted on lands designated for Residential and Related Use:

- a) Dwellings, including all buildings commonly used for such purposes primarily on the second stories.
- b) Churches and accessory facilities, social or recreational buildings and facilities developed and operated either in conjunction with housing under (1) above, or by a non-profit institution or other community service organization.
- c) Retail sales, primarily limited to sales of

food staples and related items of daily need, developed and operated in conjunction with housing under (1) above and located within a dwelling building or social, recreational or similar community building. The Agency reserves the right to approve any uses under this urban renewal program.

3. NEIGHBORHOOD BUSINESS AND SERVICES

USES PERMITTED:

- a) Retail trade and service, office, and other establishments, which by virtue of the type, variety, quality or nature of goods or services offered, will primarily serve the daily convenience shopping, service and related needs of employees, residents, and visitors to the Program Area.
- b) Lands designated for neighborhood business and general commercial use may be used by existing adjacent enterprises within the Program Area which are designated as not to be acquired by the City, for activities and purposes that comply with the objectives of the Program.

In the event that such enterprises do not elect to acquire such lands, the City may permit redevelopment of any general retail, wholesale, warehousing or similar commercial uses which are considered appropriate within this area under the objectives of



this Plan provided that such uses be further restricted as follows:

Such uses shall not be hazardous, noxious or offensive by reason of dust, odor, smoke, gas, fumes, noise, vibrations, refuse or any similar characteristics, and shall otherwise conform to all applicable smoke and air pollution abatement and other regulations and ordinances.

Offensive uses tending to create a nuisance will not be permitted in the project area.

- C. Existing non-conforming uses shall be allowed to exist but expansion is not permitted.

New non-conforming uses shall not be permitted.

3. REQUIREMENTS APPLICABLE TO ALL LAND USE AND REDEVELOPMENT AREAS

A. OFF STREET VEHICULAR FACILITIES

The objectives and requirements of this Plan regarding off-street areas and facilities for vehicular parking, service, access and related uses within the Seneca Street Commercial Revitalization Program are as follows:

1) OFF STREET PARKING

In accordance with City policy, the City will construct, or cause to be constructed, facilities to help alleviate the current deficiencies in off-street parking, and to meet future aggregate increases in demand within the Program Area. These facilities

will primarily serve the general commercial uses although they will be available for other existing and future uses.

All uses and properties not to be acquired by the Agency shall be obligated under this Plan to preserve and maintain any existing off-street parking facilities, and, if feasible, to use any vacant portions of such property for off-street parking, consistent with the objectives of this Plan.

Open parking lots shall be surfaced with a dustless all-weather durable material capable of bearing all vehicular loads to which they may be subjected, and shall be properly graded and provided with adequate drainage subject to all codes and ordinances of the City of Buffalo. All parking facilities shall be landscaped and maintained. The design of all parking lots shall be subject to the approval of the Design Review Board. Any parking lot adjacent to housing areas shall be so designed, planted and/or walled so that the parking lot is visually attractive.

All vehicular access from or egress onto any public right-of-way shall be carefully reviewed by the Commissioner of Community Development and the Commissioner of Transportation or their Designees, for approval.

B. Signage - see Design Standards Section

C. Building Materials - see Design Standards  
Section

D. Illumination - see Design Standards Section

4. DURATION AND EFFECTIVE DATE OF LAND USE

Except as specified hereinafter the regulations and controls contained in this Urban Renewal Plan shall be binding and effective by deed or lease upon all purchasers or lessees of land and their heirs and assigns, in the area of the City of Buffalo, New York, covered by this plan from the date of approval of this plan by the Common Council of the City of Buffalo, New York for 40 years unless amended as provided by the plan.

C. PROJECT PROPOSALS

1. LAND ACQUISITION

a. Property to be Evaluated for Future Acquisition to Complement or Facilitate Redevelopment.

The following properties will be subject to examination and evaluation by the City of Buffalo. In the event that the acquisition of these properties or portions of these properties is deemed necessary by the City to support or spur commercial revitalization in the project area, appropriate acquisition and clearance actions will be taken by the City to accomplish those ends. The land acquisition map (map No. 3) attached herein and made a part of this plan identifies the properties described in this section.

The properties are:

2190 Seneca Street

2176-88 Seneca Street

2202-2208 Seneca Street

33 Parkview Avenue

31 Parkview Avenue

29 Parkview Avenue

25 Parkview Avenue

b. Special Conditions Under Which Real Property Not Designated for Acquisition May be Acquired.

1. Any properties not designated for acquisition

may be acquired by the Agency if such property is not made to substantially conform to, and/or maintained in accordance with the Property Rehabilitation Standards and Design Standards contained herein and to all other applicable local codes and ordinances.

In the event that the Agency elects to acquire any such property because of failure of the owner to conform to such Standards and is unable to secure a purchaser who will agree to rehabilitate said property, and does not itself elect to rehabilitate said property, and therefore proposes to clear and sell the property for redevelopment or for public use, such proposed action shall be expressly subject to authorization and approval of the Agency and the Common Council.

Any other real property may be acquired at a future date to facilitate new development.

This land acquisition shall be deemed an amendment to this plan and shall require the approval of the Agency and the Common Council.

2. REHABILITATION AND CONSERVATION

All properties not designated for acquisition on the Land Acquisition Map shall conform to the Property Rehabilitations and Design Standards, attached to and made a part of this Urban Renewal Plan. Strictly residential structures will not be required to comply with these property rehabilitation and design standards.

3. REDEVELOPER'S OBLIGATIONS

All land held by the City of Buffalo will be disposed of subject to mutual agreement between the City and the redeveloper. A redeveloper will be required by contractual agreement to observe the land use and rehabilitation standards of this Urban Renewal Plan. In addition, the following provisions will be included in the agreement:

To prevent speculation in land holding in the Project Area, all private redevelopers will be required to commence and complete all proposed improvements within a reasonable time following their acquisition of the land, including the rehabilitation or restoration of any improved properties disposed of by the Buffalo Urban Renewal Agency.

- a. The redeveloper shall submit a financial capability statement and site plan for the proposed development for approval by the Commissioner of Community Development.
- b. The land will be developed in conformity with the provisions of the Urban Renewal Plan.
- c. A redeveloper may not sell, without prior approval of the Buffalo Urban Renewal Agency, any or all interest in the project area property before the completion of redevelopment activities.



d. The redevelopers, their successors or assigns, agree that there will be no discrimination against any person or group of persons on account of race, creed, color, national origin, or ancestry in the sale, lease, transfer, use, occupancy, tenure or enjoyment of the premises therein conveyed or any improvements erected or to be erected thereon. Nor will the redeveloper himself, or any other person, claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, or vendors in the premises therein conveyed or any improvements erected or to be erected thereon. The above provisions will be perpetual and will run with the land.

D. OTHER PROVISIONS NECESSARY TO MEET STATE  
AND LOCAL REQUIREMENTS.

1. PROPOSED TIME SCHEDULE

The time schedule for effectuation of the Urban Renewal Plan is dependent upon the participation and plans of developers and rehabilitation by property owners. Developers will be required to complete redevelopment activities within a reasonable and specified period of time. Rehabilitation of existing structures will be completed within a time period determined by the City of Buffalo consistent with a policy of systematic inspection and supervision of the project area.

2. PROPOSED PROGRAM OF CODE ENFORCEMENT

The City of Buffalo will implement a policy of strict code enforcement and systematic inspection to insure the compliance with the standards and objectives of this Urban Renewal Plan and other applicable codes and ordinances of the City of Buffalo.

3. PROVISION OF COMMUNITY FACILITIES AND UTILITIES

Community facilities and public utility systems including sewers, water lines, street lights, street improvements (street signs, traffic lights, etc.) and public open space already exist or will be provided in the event that it is necessary to expand and/or replace existing facilities that are either (1) inadequate due to age, condition, or capacity or (2) that must be relocated to accommodate the requirements of redevelopment.

4. LEGISLATION NECESSARY TO EFFECTUATE THE PLAN

The Agency proposes the following legislation for enactment by the Common Council of the City of Buffalo, the Planning Board, and/or the Agency, as may be required in order to effectuate this Urban Renewal Plan.

1. Adoption of legislation that would enable the Agency and the City to undertake and finance acquisition of land and construction of public facilities and to provide public improvements contemplated by the Plan.
2. Legislation authorizing the City to begin condemnation proceedings on behalf of the Agency, and, when necessary, to acquire properties designated for acquisition outlined in this Plan in cases where the Agency is unable to acquire the desired property by means of negotiations with the owner(s).
3. Adoption of a relocation program to insure an adequate method of relocating families, individuals, and commercial and other institutions being displaced by the Seneca Street Commercial Revitalization Program.
4. Adoption or enactment of such other legislation as may be required under State or Local law in order to implement and effectuate this plan.
5. An ordinance incorporating by reference the standards herein contained in the building codes and ordinances of the City of Buffalo.

5. REVIEW OF REDEVELOPMENT PROPOSALS

The Buffalo Urban Renewal Agency will invite proposals in the event of purchase, lease or redevelopment, in accordance with this Urban Renewal Plan, of the various areas and sites in the Project Area, in accordance with all applicable Federal, State, and Local laws, rules and regulations relating to urban renewal projects.

Inquiries and proposals for such purchase or lease of land within the Program Area shall be directed to the Commissioner of Community Development of the City of Buffalo, herein after referred to as the "Commissioner". The Commissioner and his staff, on behalf of the Agency, shall advise and guide prospective redevelopers as to the requirements and procedures for submission of proposals; shall receive and review all proposals, and initiate and secure review by the City Planning Board and any other review required or otherwise appropriate. All findings and recommendations stemming from such reviews will be transmitted to the redeveloper for further action and/or to the Agency who will be responsible for selection, designation and approval of all Redevelopers and redevelopment proposals at the interim agreements and final land disposition levels.

Once the Agency and Common Council approves the designation of a Redeveloper, a contract cannot be executed until review and approval by Agency and the City is given on all submission requirements. The Agency and City shall furthermore retain the right to review and approve all final construction drawings and specifications to determine whether they are in accordance with the prior approved proposal submissions. No building permit will be issued by the City without such final review and approval. Proposals shall generally be submitted and reviewed in the following three stages.

a. Preliminary Proposal

This submission by the Redeveloper permits initial review and evaluation of the proposals in terms of appropriateness and conformity with requirements and objectives of this Plan. It is also used to secure agreement on and approval of the general design and development concept before actual work by the Redeveloper occurs.

1. Site Plan at any appropriate scale. It should emphasize general use of the land, buildings, open spaces, walks, parking areas, driveways, and pedestrian and vehicular use.

2. Building plans, elevations, and sections at any appropriate scale, showing organization of building functions and spaces.
3. Sketches, diagrams, study model and other materials as may be required to clarify or explain the design and other aspects of the proposal.
4. Written statement of the proposal including: floor area, number of units, type of buildings, size of units, number of parking spaces, principal building materials and such other data that may be deemed necessary to the proposal.
5. General information regarding the Redeveloper's experience and financial ability.

Following review of the proposal, the Commissioner will advise the Redeveloper as to the general acceptability of the proposal and will inform the Redeveloper of any additional information which may be required in the course of the review.

Subject to general approval of the proposal by the Commissioner, on behalf of the Agency, the Redeveloper may proceed with the following submission, if required by the Commissioner.

b. Interim Proposal

This proposal, if required, is intended to permit further review or revision of the project proposed by the Redeveloper. It is used to secure a basic agreement on and approval of the proposal in terms of size, type, scope and character of building and site development and design concept, prior to final planning by the Redeveloper.

The proposal will provide all information necessary for a thorough study of the proposal in terms of its conformity with this Plan.

1. Complete Site Development Plan at 1" = 4' scale. The plan will show phasing possibilities, general site grading proposals and adjacent buildings and streets.
2. Site sections at 1" = 40' scale showing vertical relationships of all development.
3. General building plans, elevations, and sections in connection with redevelopment, plans and elevations of each typical unit 1/4" = 1'0".
4. Study model at 1" = 20' if proposal has changed significantly as determined by Agency.
5. Written statement of proposal including floor area, number of units, type of buildings, size of units, number of parking spaces, principal building materials, estimated costs, operating expenses and time schedule for completion.



6. Perspective sketches of architectural character. Following review and approval of this proposal, the Commissioner may, on behalf of the Agency and the City, authorize the Redeveloper to proceed with the Final Proposal.

c. Final Proposals

Final proposals shall include the following items:

1. Site Plan - conforming to the approved Interim Proposal and including any changes that may have been required. It shall indicate all landscaping and site development details including walls, fences, plantings, outdoor lighting and furniture, and ground surface materials, bounding streets, points of vehicular and pedestrian access, number and type of parking facilities, utility lines and connections, existing and proposed grading and draining and public easements to remain. Work to be done by others should be described and the responsible party identified.
2. Building plans, elevations, and sections developed in detail and large enough scale to show all materials and assemblies that comprise the buildings.
3. Outline specifications - for materials and methods of construction.
4. Statement - including major building dimensions and gross area of buildings, size of each unit, floor area ratio, open space, proposed division of work between the Redeveloper and public agencies, proposed financial plan and time schedule for construction.

The City will give final review and approval to the Proposal. Following written approval of the proposal by the Commissioner, on behalf of the Agency and the City, the Agency and the Redeveloper may execute a Land Disposition Agreement subject to authorization by the Common Council and in accordance with all applicable Federal, State and Local Laws and regulations and the goals and objectives of this Urban Renewal Plan.

E. Procedure for Changes in Approved Plan

This Urban Renewal Plan may be modified at any time by the Buffalo Urban Renewal Agency and the City of Buffalo provided; if modified after the lease or sale of real property in the Project Area, the modification must be consented to by the redeveloper of such real property or his successor or their successors in interest adversely affected by the proposed modification. Where the proposed modification will substantially change said Plan, the approval of the proposed modification shall follow the same procedures as that which governed the adoption of this Plan.

F. Rehabilitation Standards

Over and above the codes and ordinances of the City of Buffalo, the following additional standards shall be applied to all commercial and mixed use structures in the program area.

1. Property Rehabilitation Standards

- a. All properties in the Seneca/Cazenovia Business District Urban Renewal Area, herein referred to as the "Project Area", which are not to be acquired, shall be rehabilitated by their owners. The rehabilitation of properties shall comply with the standards set forth in applicable City of Buffalo Statutes, Codes and Ordinances, as amended, relative to the use, maintenance and occupancy of such facilities, including, but not limited to the Housing and Property Code, Plumbing Code, Electrical Code, Fire Prevention Code, Flammable Liquid Ordinance and the Code for Erie County Air Pollution Control, Article 14, All such code requirements are hereby incorporated by reference and made a part of these Property Rehabilitation Standards. In addition to compliance with such Statutes, Codes and Ordinances, properties shall furthermore comply with the applicable General Rehabilitation Standards hereinafter outlined.

It is the intent of the City of Buffalo to preserve existing historically significant structures, where economically feasible, by encouraging improvements that will improve or maintain the original architectural character of the building.

b. Urban Design Review

The Buffalo Urban Renewal Agency shall create a Design Review Board. The Board shall review and coordinate the exterior design proposals for all buildings and redevelopment projects in the program area. All proposals shall be subject to final approval by the Buffalo Urban Renewal Agency.

2. General Rehabilitation Standards

The following shall apply to both mixed use and non-residential properties.

- a. An inspection by the City of Buffalo shall be made of the interior and exterior condition, appearance and layout of all structures in the Project Area. Based on this inspection, the City of Buffalo will provide the owner of the property with a list of required structural repairs and improvements and a list of suggested improvements for elements affecting appearance or preserving the character of the area.

- b. Yards shall be free of all debris. No subsidiary structures, fences, open incinerators or similar subsidiary items shall be permitted which:
- (1) significantly obstruct light or air from doors or windows
  - (2) obstruct a safe means of access to or egress from the building
  - (3) create fire hazards, attract or harbor rodents, or create unhealthful conditions
  - (4) are structurally unsafe, or
  - (5) create objectionable odors, noises or view.
- c. An unenclosed rear yard may be used as a parking or loading area providing that it is properly paved, illuminated and maintained. A sign not exceeding six (6) square feet may be used to identify and control parking and loading. Merchants shall be responsible for the maintenance of parking areas in a neat and clean manner. No storage of trash containers shall be allowed in this area except when housed in permanent structures of acceptable design. The parking area may terminate at the rear of the building or at an enclosed rear yard.

- d. Off-street parking, loading facilities and pedestrian access shall be separated to the maximum extent feasible so as not to create conflicting movements. All areas other than driveways, parking areas, walks and terraces shall be appropriately landscaped and provided with appropriate trees and shrubbery. Landscaping, exterior paving, parking arrangement and site layout shall be in keeping with established urban design objectives.
- e. All structural and decorative elements of building fronts and sides abutting streets shall be repaired and replaced in a workman like manner to match as closely as possible the original materials and construction techniques.
- f. All cornices shall be made structurally sound and rotten or weakened portions shall be removed and repaired or replaced to match as closely as possible the original patterns. All exposed wood shall be painted to present a clean and homogeneous surface.
- g. All exterior front or side walls shall be repaired and cleaned or painted in an acceptable manner. Brick walls shall be pointed where necessary.



Painted masonry walls shall have loose material removed and be painted a single color except for trim which may be another color. Patched walls shall match the existing adjacent surfaces as to materials, color bond and joining.

- h. Sheet metal gutters and downspouts shall be repaired or replaced as necessary and shall be neatly located and securely installed. Gutters and downspouts shall be painted to harmonize with the other building front colors.
- i. Any mechanical equipment placed on a roof shall be so located as to be hidden from view from the shopping streets and to be as inconspicuous as possible from other view points. Equipment shall be screened with suitable elements of a permanent nature, finished so as to harmonize with the rest of the building. Where such screening is impossible or impractical, equipment shall be painted in such a manner as to minimize its visibility.
- j. Television and radio antennae shall be located so as to be as inconspicuous as possible.
- k. Roofs shall be kept free of trash, debris or any other materials which are not a permanent part of the building or a functioning element of its mechanical or electrical system.

1. Structures at the rears of buildings attached or unattached to the principal commercial structure which are found by the City to be structurally deficient, shall be properly repaired or demolished.

### 3. REHABILITATION STANDARDS

It is the intent of the City of Buffalo to spur orderly and lasting rehabilitation, redevelopment and revitalization of the Seneca Street Business District. In order to insure this, the following rehabilitation standards shall apply to commercial and mixed use (commercial-residential, professional-residential) structures in the program area.

- a. Every mixed use and commercial building shall have sufficient open space to permit convenient access for maintenance, fire protection, adequate light and ventilation of habitable rooms and reasonable indoor privacy.
- b. Access to each living unit shall be provided without passing through any other living unit.
- c. Complete bathing and sanitary facilities shall be provided within each living unit; they shall consist of a water closet, a tub or shower, and a lavatory. An adequate supply of hot water to the tub or shower

stall and lavatory, and cold water to all fixtures shall be provided. Arrangement of fixtures shall provide for the comfortable use of each fixture and permit at least a 90° door swing. Wall space shall be available for a mirror or a medicine cabinet and for towel bars.

- d. Natural ventilation of spaces such as attics and enclosed basementless spaces shall be provided by openings of sufficient size to overcome dampness and minimize the effect of conditions conducive to decay and deterioration of the structure, and to prevent excessive heat in attics. Exterior ventilation openings shall be effectively screened where needed.
- e. Exterior doors shall have safe locks.
- f. A door shall be provided for each opening to a bedroom, bathroom or toilet compartment; together with a locking device on bath and toilet compartment doors.
- g. Exterior appurtenances or accessory structures which are in a deteriorated condition which are not economically repairable, shall be removed. Such structures include porches, terraces, entrance platforms, garages, carports, walls, fences, miscellaneous sheds.
- h. Every dwelling and multi-family building shall be supplied with a means of disposal or removal of trash and garbage.

- i. Where disposal will not take place promptly there shall be a convenient and appropriate temporary and sanitary storage for trash and garbage provided, which is inaccessible to rodents.
- j All materials and products used as replacements or additions in rehabilitation shall be of good quality conforming to generally accepted good practice. Second hand materials which meet the standards for new materials may be used when approved by the City. The suitability of special materials and products not conforming to a national standard shall be determined by the building inspector, after an evaluation of its properties and performance characteristics.
- k. All structural components of the building shall be in sound condition and considered serviceable for the expected useful life of the rehabilitated building. Sagging or out of plumb floors, chimneys, fireplaces, partitions or stairs and bulging exterior walls shall be restored as near as practical to an acceptable level or plumb position; and supported or braced so as to prevent a reoccurrence of these conditions. Stair railings shall be rigid. Individual structural members in a seriously deteriorated condition shall be replaced. Loosely jointed structural members shall be restored to original rigidity.

- l. Foundations and exterior walls shall provide safe and adequate support for all loads upon them, and prevent the entrance of water or excessive moisture. Serious defects shall be repaired and cracks effectively sealed, or replaced.
- m. Basement and foundation walls shall prevent the entrance of water or moisture into the basement or crawl space area. Cracks in the walls shall be effectively sealed, and loose or defective mortar joints shall be replaced. Mortar shall match the existing color and texture. When necessary, the interior and exterior face of the walls shall be damp-proofed by bituminous coating and cementing parging.
- n. Any deficiencies in proper grading or paving adjacent to the building shall be corrected to assure surface drainage away from the basement walls.
- o. Partitions and other vertical supports which are to be continued in use shall be free of splits, excessive lean, buckling and other defects.
- p. An inspection shall be made of each building and accessory structure on each property for evidence of actual or potential infestation or access channels for infestation. Existing buildings that are found to have defects that will permit the entrance of rodents, termites or other vermin shall be corrected

by appropriate preventive measures. Damaged or deteriorated structures shall be replaced.

- q. Where interior or exterior rot, rust, or decay damage or other hazards exist or where structural damage is found to exist, correction shall be provided.
- r. Each building shall have a controlled method of disposal of water from roofs where necessary to prevent damage to the property and to avoid unsightly staining of walls and windows where adequate roof overhangs are not provided.
- s. Existing windows and doors, including their hardware, shall operate satisfactorily and give evidence of continuing acceptable service. Defective glass or locking mechanisms shall be replaced or repaired.
- t. All interior walls and ceilings shall provide:
  - 1. a finished surface without noticeable irregularities or cracking ,
  - 2. a waterproof and hard surface in spaces subject to moisture,
  - 3. suitable base for painting or other decoration, and
  - 4. reasonable durability and economy of maintenance.
- u. Finished floors shall be appropriate to the use of the space, shall be in good condition and shall provide reasonable ease of maintenance and an extended service life.

- v. Protective and decorative finish coating or surfacing shall provide:
  - 1. adequate resistance to weathering,
  - 2. protection of finished surfaces from moisture or corrosion,
  - 3. an attractive appearance, and
  - 4. reasonable durability.
- w. All alterations, repairs and other improvements shall harmonize with existing material as long as the architectural and design integrity of the building is maintained.
- x. When a rear access is provided from a public parking lot or right-of-way, adequate lighting and entrance signs shall be provided; the design shall be in keeping with the design standards and objectives of this plan.
- y. Entrance and exits shall be maintained in such a manner as to encourage customer safety.
- z. All refuse shall be kept in rodent proof and odor-proof containers placed behind the store in temporary sanitary storage.
- aa. Any worn or deteriorating display cabinets shall be refinished or new cabinets shall be installed.

G. SENECA--CAZENOVIA DESIGN STANDARDS

The creation of an aesthetically pleasing, visually stimulating retail environment in the Seneca-Cazenovia Business District is a major objective of the City of Buffalo's Neighborhood Business Revitalization Program. In order to create an ambience conducive to revitalization of business and continuing economic health the following design standards shall be mandatory in the program area.

The Design Review Board shall have final approval on all design elements of commercial and mixed use structures and redevelopment proposals. The Design Review Board shall have sole power to authorize a variance from the design standards established in this plan.

1. SIGNAGE

No sign, billboard, advertising display or structure, poster, or device shall be erected, hung, affixed, moved, altered, enlarged, reconstructed or displayed except as expressly permitted herein.

All signs shall conform to the following standards:

- a. Signs may be affixed to each facade of the main building. Permanent window signs shall be painted on glass or plexi-glass. The area of each sign shall not exceed 10% of the storefront area,



excluding upper story surface area.

- b. Signs shall relate solely to the business conducted on the premises and its address. National trademarks, brand names, or symbols shall not be allowed as elements of signs, unless approval is given by the Design Review Board.
- c. The number of signs shall be limited to 1 on a mid-block and 2 per corner store location.
- d. Sources of light directed toward the illumination of all exterior signs shall be a steady, non-flashing light and of one color, white. Electric conduits are to be recessed in the wall or sign and not be attached to the surface of the sign. When a sign features illumination from the interior of the sign itself that illumination shall be steady, non-flashing and of one color.
- e. Signs may be affixed above the first floor windows and below the second floor windows or roof line and are to be aligned with adjacent signs of other business.
- f. The following type of signs or artificial lighting are prohibited:
  - 1. billboards
  - 2. signs projecting above the roof line

3. Movable sidewalk flashing signs, including any sign or device in which the artificial light is not maintained stationary; constant in intensity and color at all times when in use.
  4. Beacons and flashing lights except where such lighting devices are deemed necessary for the public safety and welfare.
  5. Signs made of cardboard, paper, canvas or similar impermanent material are restricted to commercial display windows and may cover no more than twenty-five percent (25%) of the surface area of the display window.
- g. Vertical signs are allowed but must be coordinated with the neighboring signs.

## 2. MATERIALS

Materials used in repairs, reconstruction and rehabilitation of commercial and mixed use structures in the program area will match and preserve the original architectural and design integrity of the structure. The use of simulated wood, stone or brick is prohibited. Painting of concrete is not permitted.

## 3. COLORS

On background areas the natural material color of brick, stone, or concrete will be maintained. Painted

colors will be earth tone (i.e. browns, beiges, golds, ocher, green-browns and grey-greens).

Accent colors to be used for lettering and trim areas will be warm colors (i.e. oranges, reds, and yellows).

4. WINDOWS

Window replacement should be made with insulated glass whenever possible. Windows are to be illuminated at night by interior lights.

5. AWNINGS

Awnings will align with adjacent awnings in height and depth and will be one color. The logo of the business establishment may be incorporated into the awning but may not cover more than 25% of the surface area of the awning excluding the underside. Each awning shall have a minimum clearance of 7'0 feet at its lowest point.

H. MAINTENANCE STANDARDS

The following standards will apply to all property owners and merchants in the Seneca Street Commercial Revitalization Program Area.

1. Any front yards and/or sidewalks shall be kept free of debris and litter and shall be maintained by the property owner. In winter, sidewalks shall be kept free of snow and ice.

2. It is the duty of each merchant and/or property owner to keep his display windows clean.
3. Window displays must be arranged in a neat, aesthetically appealing manner. Stacked items, messy displays or cluttered store windows are prohibited. Property owners and/or merchants using such displays will be required to redesign the display in accordance with the design objectives and spirit of this plan.
4. Broken windows will be replaced within 10 days.
5. Building facades that are defaced will be cleaned within 30 days.

April 1, 1980

No. 94.

March 27, 1980

**Seneca/Cazenovia Urban Renewal Plan**

Your HONORABLE BODY adopted a resolution C.C.P. No. 13 on January 22, 1980 designating a site for the Seneca/Cazenovia Commercial District and authorized an Urban Renewal Plan to be prepared.

The City Planning board has approved the Urban Renewal Plan after the required public hearing at its meeting of March 27, 1980 and a report from the Planning Board is a prerequisite to subsequent Common Council action. Upon receiving the City Planning Board report, it is requested that your Honorable Body hold a public hearing as required by Article 15 of the General Municipal Law and to direct the publication of a notice of said hearing. In accordance with New York State law, the hearing shall be no sooner than four (4) weeks after receipt of the City Planning Board report.

In the interest of time and anticipating that your Honorable Body will recognize the necessity of expediting this matter, we are attaching an appropriate resolution, together with a Notice of Public Hearing for your consideration.

Mr. Arthur moved the Item be laid on the table for a public hearing at the Common Council Meeting of April 29, 1980.

Adopted.

No. 110

Notice of Hearing--Seneca-Cazenovia Commercial District-- Urban Renewal Plan

I hereby inform you that a hearing has been set before the Common Council at its regular meeting on April 29, 1980, at 2:00 P.M., in connection with Seneca-Cazenovia Commercial District -- Urban Renewal Plan, and that notice of said hearing was published in the Buffalo Evening News and the City Record as directed, copy of said notice is attached hereto.

Received and filed.

No. 111

Take From Table--Item No. 94, C.C.P., April 1, 1980 -- Seneca-Cazenovia Commercial District Urban Renewal Plan

Mr. Arthur moved that Item No. 94, C.C.P., April 1, 1980 -- Seneca-Cazenovia Commercial District Urban Renewal Plan, which is the subject of hearing scheduled for this day before the Common Council is hereby taken from the table, and is now before the Common Council for its consideration.

Adopted.

No. 112

Hearing -- Item No. 94, C.C.P., April 1, 1980 -- Seneca-Cazenovia Commercial District Urban Renewal Plan.

Mr. Arthur moved that the above Item is properly before the Common Council and the hearing be opened.

Carried.

Appearances--

In Favor--

Joseph Bruzga, Supervisor of Commercial Neighborhood Revitalization.

In Opposition-- None

Mr. Arthur moved that the hearing be closed.

Carried.

Mr. Arthur moved that:

WHEREAS, the Common Council of the City of Buffalo has designated the Seneca/Cazenovia Commercial District as being appropriate for urban renewal as defined in Subdivision 3 of Section 502 of Article 15 of the New York State General Municipal Law at its January 31, 1980 (C.C.P. No. 13) meeting; and

WHEREAS, the City Planning Board, after a required public hearing held on due notice, did consider said Plan and did submit its report and recommendations respecting said Plan to the Common Council; and

WHEREAS, the Local Public Agency has made detailed studies of location, physical condition of structures, land use, environmental influences and social, cultural and economic conditions of the project area and has determined that the area is appropriate for urban renewal and that it is detrimental and a menace to the safety, health and welfare of the inhabitants and users because of the blighted and deteriorated condition of the majority of structures; and

WHEREAS, the Plan will propose a program of rehabilitation and reconstruction to upgrade the area along with other private and public improvements to encourage participation in these programs by private enterprise. It is the intention of this Plan to phase certain activities and developments while consideration will be given in other areas where the overall requirements of the Urban Renewal Plan are met.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Urban Renewal Plan entitled "Seneca/Cazenovia Commercial Renewal Project", as prepared by the Department of Community Development and approved by the City Planning Board, be and the same is hereby approved.
2. That the area affected by said Plan is described as follows:  
The Seneca/Cazenovia Commercial Revitalization boundaries generally front on Seneca Street and are bounded by Seminole Parkway and Stevenson Street on the north and Edson and Newman Place on the south.
3. That the area is substandard and tends to impair or arrest the sound growth and development of the City of Buffalo.
4. That the Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the City of Buffalo as a whole for the undertaking of an Urban Renewal Program.
5. That the Plan conforms to the Comprehensive Community Plan for the development of the City of Buffalo as a whole.

Passed.

Ayes -- 15. Noes -- 0.