

I. Executive Summary

I. EXECUTIVE SUMMARY

This Draft Environmental Impact Statement (“DEIS”) is submitted on behalf of Struever Fidelco Cappelli, LLC (the “Applicant”) in connection with a proposed mixed-use redevelopment project in downtown Yonkers. The three principal components of the Project are development projects known as River Park Center, Cacace Center and Palisades Point (collectively, the “Project”). The Project includes the “daylighting” of the portions of the Saw Mill River that pass through the River Park Center site and through Larkin Plaza, the latter being a City of Yonkers public improvement project that is also addressed in this DEIS.

The Proposed Action is the development of the Project and the daylighting of the Saw Mill River at Larkin Plaza, and related actions including: (1) amendments to the Zoning Ordinance of the City of Yonkers (the “Zoning Ordinance”); (2) amendments to the Urban Renewal Plan for the Getty Square Urban Renewal Area dated September 19, 1975, and last amended July 10, 1978 (the “Getty Square Urban Renewal Plan”); (3) amendments to the City’s Master Plan & Design Guidelines for the Yonkers Downtown Waterfront (the “Waterfront Master Plan”); (4) approval by the City Council of a Redevelopment Plan under the New York Municipal Redevelopment Law and issuance by the City of tax increment bonds to fund costs of public improvements; (5) Planned Urban Redevelopment special permit approval for Palisades Point from the City Council and Planning Board of the City; (6) alienation of certain City park lands; (7) discontinuance of certain City streets; and (8) site plan approval of the Project, among other actions by the City, County and State governments. The Project and related actions are described below.

A. Proposed Project

The proposed Project, as shown on Exhibits I-1 and I-2 and summarized on Table I-1, will include the following components:

1. Palisades Point

Palisades Point is a mixed-use riverfront development on the site designated as Parcels H and I (and a portion of Parcel J) under the Waterfront Master Plan with 436 dwelling units, ground level retail and/or professional office space, publicly accessible open space along the Hudson River, and on-site structured and at-grade parking, including replacement parking for the adjacent Scrimshaw House. More specifically, Palisades Point includes the following:

- Two buildings each having a 25 story tower and a five (5) story low-rise “wing” (creating a residential façade when viewed from the Hudson River) containing an aggregate total of approximately 8,700 square feet of retail and/or professional office space;
- Two on-site, five (5) level parking structures containing an aggregate total of approximately 670 private parking spaces (inclusive of the replacement parking for Scrimshaw House);
- Approximately 57 on-street public parking spaces located in the street between the two buildings and in a parking area located in the southern portion of the site;
- Approximately 136,000 square feet of publicly accessible open space along the Hudson River with a pedestrian promenade and a kayak/canoe launch; and

- A new public bridge over the Metro-North Railroad tracks from Prospect Street to Palisades Point, providing additional access for pedestrian and vehicles.

**Table I-1
Proposed Program
River Park Center, Cacace Center and Palisades Point**

Use	River Park Center				Cacace Center	Palisades Point	Total
	River Park Center	Government Center	Palisades Avenue Office	Subtotal			
Residential	950 d.u.	-	-	950 d.u.	-	436 d.u.	1,386 d.u.
Office	100,000 s.f.	-	225,000 s.f.	325,000 s.f.	150,000 s.f.	-	475,000 s.f.
Retail	455,000 s.f.	10,000 s.f.	10,000 s.f.	475,000 s.f.	-	8,700 s.f.	483,700 s.f.
Restaurant	80,000 s.f.	10,000 s.f.	-	90,000 s.f.	-	-	90,000 s.f.
Movies	2,200 seats	-	-	2,200 seats	-	-	2,200 seats
Salvation Army	-	-	-	21,000 s.f.	-	-	21,000 s.f.
Ballpark	6,500 seats	-	-	6,500 seats	-	-	6,500 seats
Hotel	-	-	-	-	150 rooms	-	150 rooms
Fire House	-	-	-	-	50,000 s.f.	-	50,000 s.f.

a. Publicly Accessible Open Space Along the Hudson River and Within the Site

The publicly accessible open space at Palisades Point (subject to easements for public access and use) will include an esplanade running the entire length of the riverside of the site (within the area designated as Parcel J under the Waterfront Master Plan), providing views of the Palisades and Hudson River. Benches set along the esplanade will provide ample room for informal gathering and passive recreation while larger scenic overlook plaza areas located along the esplanade will allow for both informal and formal gatherings (e.g., watching the sunset, and the bridges to the north and the south, and organized events).

Two large publicly accessible green areas are located in the area between the proposed mixed-use buildings and the esplanade. The first is a proposed “cultural park” that will be created by reconfiguring and extending the existing sculpture park located on Parcel J. New pathways will extend through landscaped areas that are to be the setting for outdoor public art. The second of the two large green areas will be a formal lawn surrounded on three sides by continuous rows of shade trees, left open to the south to relate to a larger paved plaza area. This lawn area will allow for informal gatherings, picnics, sunbathing and other forms of passive recreation and informal active recreation.

The plaza to the south of the lawn area, adjacent to commercial storefronts and/or professional offices in the proposed buildings, will allow for vehicular turnaround and drop off for both the commercial space and the publicly accessible areas of the site. This paved area will also allow for a variety of programs including organized events. Located near the center of the plaza, on axis with the lawn directly to the north, will be a monument element that serves a visual beacon when seen both from within the site, as well as from boats on the Hudson River. A canoe and kayak launch area (to be owned and operated by the City or its designee) will allow for easy access to water recreation.

A waterfront promenade will run the entire length of the riverside of the Project site. The promenade design will incorporate guidelines established for the Westchester County Riverwalk and provide expansive views of the Palisades and Hudson River. Benches set along the promenade will provide ample room for informal gathering and passive recreation while larger scenic overlook plaza areas located on the promenade will allow for both informal and formal gatherings such as watching the sunset, organized festivals, etc.

2. *River Park Center*

River Park Center consists of three components: a mixed-use residential and commercial component on the approximately 13 acre site consisting of the area commonly known as “Chicken Island” and certain surrounding parcels; the redevelopment of an approximately 2.5 acre portion of the City Hall and Government Center Garage site (sometimes called “Government Center”); and the redevelopment of a site at the northwest corner of Palisade Avenue and Elm Street (sometimes called the “Palisade Avenue Office Building”).

a. Mixed-use residential and commercial development at “Chicken Island” and Surrounding Properties

The portion of River Park Center on the approximately 13 acre site bounded by Palisade Avenue, Elm Street, Nepperhan Avenue and New Main Street will be a mixed-use residential, commercial and entertainment development having the following principal components:

- A building having an 11 level “podium” and two (2) residential buildings above the podium each approximately 500 feet high. The podium contains:
- Approximately 455,000 square feet of retail space;
- Approximately 80,000 square feet of restaurant space;
- Approximately 80,000 square feet of movie theatre space;
- Approximately 100,000 square feet of office space;
- Approximately 1,200 square feet for a police department substation
- A 6,500 seat “rooftop” ballpark and related concession and services areas; and
- Approximately 2,550 parking spaces.

The two (2) residential towers will contain an aggregate total of approximately 950 dwelling units. Private parking to serve the western tower will be located at the Government Center site.

The City of Yonkers Fire Headquarters (Station 1), which is currently located on the site, will be relocated from School Street to a new building to be constructed by the Applicant, at its expense, at the Cacace Center site (see below). During construction, it is anticipated that Fire Headquarters will be temporarily located in an existing building located on the corner of Palisade Avenue and Elm Street. (See Section III.M of this DEIS for details).

b. Daylighting/Riverwalk at River Park Center

The Saw Mill River at River Park Center stretches from Elm Street to New Main Street, curving through the site for a distance of approximately 1,100 linear feet. As a part of the Project, the Saw Mill River will be reconfigured and daylighted, creating a continuous open river through the River Park Center site. The entire length of the river through the site will be landscaped to include pedestrian pathways, places to rest and view the river, with overlooks and steps along the way. Bridges will connect the two sides of the river at intervals of approximately 400 feet. The river channel will be approximately 20 feet wide, although the river will vary in width as it traverses the site, thus providing visual and spatial diversity to the development. The riverwalk will be a publicly accessible space (subject to easements of public access and use) with multiple points of access along its traverse.

Primary pedestrian access to the riverwalk is from the street level along New Main Street. Here, the riverwalk becomes a literal extension of the public urban environment. At Nepperhan Avenue, adjacent to the walkway entrance to the ballpark, are an elevator and stairs to allow access to the riverwalk below. A stairway aligning with St. Casmir Street will be located at Elm Street, permitting public access into the site. From these points, pedestrians will be able to access the wide variety of shops and restaurants that line both sides of the riverwalk.

Beginning at New Main Street, the riverwalk is essentially at the same elevation as the adjoining city sidewalks. Here, the riverwalk acts as an extension of the existing urban environment, with the sidewalk opening up into a wide plaza level adjacent to the river. Moving northeast, the sidewalks and adjacent streets increase in elevation. However, the riverwalk elevation remains at only approximately 10 feet above the Saw Mill River. Riverwalk pedestrian circulation is organized in two “loops” around the broader parts of the river with bridges traversing the river. The loops are also connected via a promenade along the narrower portion of the river. Each loop has access from public streets (Elm and New Main Streets) and a connector provides access from Nepperhan Avenue via a staircase and elevator near the ball park entrance.

A public plaza stretches north along the New Main Street frontage of the site. The plaza will have stand-alone restaurant spaces (of approximately 3,000 square feet each). The public plaza area will be enhanced with street furniture, lighting and tree plantings, thus adding to a lively urban gathering space environment at the site’s main corner.

The riverwalk will provide public access to multi-level retail, restaurant and entertainment uses. The riverwalk will feature seating and outdoor dining areas, and will be landscaped with trees and plantings for shade and comfort, as well as pedestrian scale lighting. The access to the Saw Mill River afforded by the riverwalk will broaden and encourage public awareness of the river and its ecology.

c. The Ballpark

A 6,500-seat minor league baseball field and its associated service components will be located on the “roof” of the podium of the building. The field will be a regulation-sized ball field with an outfield (straight away center field) distance of approximately 411 feet measured from home plate. Distances to right and left field fences measure 313 and 330 feet respectively. Service areas and public areas will surround the playing field.

Pedestrian access to the ballpark is provided via the main vertical circulation atrium on the southern façade of the building along Nepperhan Avenue.

d. Government Center

Yonkers City Hall, the existing municipal Government Center garage and the building owned by the City known as 87 Nepperhan Avenue (also known as the “Health Center Building,” and used for City administrative offices) are all located within Washington Park, a designated City park. The Government Center garage and Health Center Building will be demolished, and the approximately 2.5 acres on which they are currently located and an adjoining private parcel owned by The Salvation Army building will be demolished and relocated. The development will include approximately 20,000 square feet of street level retail/restaurant space fronting on New Main Street, approximately 21,000 square feet for the relocation of the Salvation Army, and a new eight (8) level parking garage containing approximately 1,613 parking spaces. The garage will have approximately 473 private parking spaces to serve the western residential tower at River Park Center, and approximately 1,048 public spaces, some of which are anticipated to be designated for the Mayor, City Council members, and certain City employees. The private residential parking spaces and the public spaces will have separate entries/exits and circulation routes within the garage.

City offices formerly in the Health Center Building will be relocated to the new office building at the Cacace Center site.

e. Palisade Avenue Office Building

The Palisade Avenue Office Building will be a fourteen-story office building located on the northwest corner of Elm Street and Palisade Avenue. The building will have approximately 10,000 square feet of street level retail and 225,000 square feet of office space on seven levels on top of a 435-space, six-level public parking structure (the first level of parking is located below grade). The parking facility would serve both the on-site office uses and provide overflow parking for the ballpark. In response to comments raised during the community outreach process, the Applicant is actively

pursuing the potential occupancy of the building by the State University of New York or other established educational institutions.

3. *Cacace Center*

The Cacace Center will be a mixed-use development on an approximately 4.3 acre site owned by the City (on which the existing Cacace Justice Center Garage is located) bounded by South Broadway, Nepperhan Avenue, New Main Street and the existing Cacace Justice Center building (which will remain). Cacace Center will have office uses, a hotel, a new City of Yonkers Fire Department Headquarters building, and a new public parking garage. More specifically, the Cacace Center will have the following principal components:

- An approximately 225,000 square foot building at the southeast corner of Nepperhan Avenue and South Broadway – the building will be approximately 190 feet high and contain approximately 150,000 square feet of office space and a hotel having 150 guest rooms;
- A new public parking garage fronting on Nepperhan Avenue and containing approximately 1,349 parking spaces, some of which will be assigned to the hotel and office uses; and
- A new 50,000 square foot Fire Department Headquarters building at the southwest corner of New Main Street and Nepperhan Avenue having five (5) vehicle bays.

4. *Larkin Plaza*

The City is considering making public improvements at Larkin Plaza, including the daylighting of the Saw Mill River and the creation of a new public park (expansion of the existing public park at Larkin Plaza). If the City makes the improvements, the cost is anticipated to be defrayed with grants from the State and potentially the County and the federal government. The Applicant has prepared a concept plan for improvements to Larkin Plaza, which shows:

- The daylighting of approximately 800 linear feet of the Saw Mill River; and
- The expansion of the existing public park made possible by the relocation by the City of the approximately 120 existing public parking spaces at Larkin Plaza.

Daylighting at Larkin Plaza

The concept for Larkin Plaza includes expanding the existing public park by removing the public parking lot from this area, and daylighting approximately 800 linear feet of the Saw Mill River from Warburton Avenue to Buena Vista Avenue. The new park would have sidewalks along its street edges, and curving walkways that follow the path of the river to allow for greater public connection with the daylighted river. Low earth berms and low walls would be constructed to contain the newly open river during a 100-year flood event.

Due to a difference in elevation between the river and street levels, the riverbank gradually slopes down to the river and the walkways and paths along the river would be at a lower elevation than those along the street. A pedestrian bridge, located in the vicinity of Atherton Street, would allow for mid-park crossings at street level. As an

alternative, a wider bridge at Atherton Street could be constructed that would be suitable for pedestrian and vehicular use, and could be used as a large plaza for festivals and other special events.

Due to the topography and hydrology in this area, the river would have two very separate and distinct riparian environments. The upper section, roughly from Warburton Avenue to Bashford Street, would be a freshwater system. Because the elevation of the river falls as it flows to the Hudson River, a small dam would be located in the upper section of the park, near Woodworth Avenue. This would create a freshwater pool and a waterfall. Public access to the riverbank in this area would be provided by a series of walkways, steps and a deck.

The lower section, from Bashford Street to Buena Vista Avenue, would be a marine environment. Here, brackish tidal flows from the Hudson River would mix with the river, and after the Atherton Bridge, the river would widen, creating a tidal pool. The landscape and vegetation would change between these two areas to reflect tolerance to salt water and changing water levels. Educational signs could be located in this area to explain the two ecosystems.

Although Larkin Plaza is not part of the Applicant's Project, this Draft Environmental Impact Statement analyzes the potential environmental impacts of the daylighting and other improvements potentially to be made by the City.

B. Zoning Amendments, Urban Renewal Plan Amendments, Amendments to the Waterfront Master Plan, Redevelopment Plan Approval ("Tax Increment Financing") and Other Principal City Actions

The City would assist the development of the Project through the following related actions:

1. Amendments to the Zoning Ordinance (see Appendix 1.C of this DEIS)

a. Palisades Point

Palisades Point is proposed to be approved as a Planned Urban Redevelopment ("PUR"). Amendments to the PUR regulations are needed to: (a) clarify that a PUR may be established in current and former zoning districts of the City, including the PDR District, since that is the last district classification of record for the site, but is not currently a zoning district of the City; (b) clarify that none of the use or dimensional regulations of the Zoning Ordinance apply to a PUR; and (c) clarify that uses established and buildings lawfully constructed as a PUR shall be considered to be conforming under all provisions of the Zoning Ordinance.

b. River Park Center and Cacace Center

The amendments to the Zoning Ordinance necessary to permit River Park Center to be developed fall into two broad categories: (a) modifications to the use and dimensional regulation of the Central Business (CB) District and Government Center (GC) District; and (b) and modifications to the supplementary regulations for off-street parking and building height. The proposed modifications to the use and

dimensional regulations are intended to specifically permit the broad range of uses proposed for River Park Center, including, most importantly, residences, which are not currently permitted in the CB District, and to permit buildings up to 525 feet high¹ on sites in the CB District having at least 10 acres, and buildings 220 feet high on sites in the GC District having at least 4 acres, in both districts without a required rear yard setback and at a maximum coverage of 100%. Maximum floor area ratio (FAR) in the CB District is also proposed to be increased from 5.0 to 6.0.

The supplementary parking regulations of the Zoning Ordinance are proposed to be amended primarily to: (a) establish new parking ratios for the uses at River Park Center that are consistent with ratios successfully utilized by the Applicant at other similar mixed-use urban projects in Westchester County and elsewhere; (b) specifically permit off-street parking requirements for River Park Center and Cacace Center to be satisfied in public parking garages proximate to the development; (c) specifically permit shared parking in the public garages for the uses at River Park Center and Cacace Center, including the ballpark.

c. Other Proposed Amendments to the Zoning Ordinance

The supplementary regulation providing for exceptions to building height is proposed to be amended to permit rooftop appurtenances to cover the entire “floorplate” of the roof, consistent with recent architectural design trends.

The Zoning Ordinance is proposed to be amended to provide that in the CB and GC Districts, a tract having 10 or more acres of area in the aggregate and comprised of one or more parcels and/or lots may be designated by the City Council as a single “Development Site,” and further provide that the dimensional regulations of the Zoning Ordinance, including but not limited to the supplementary regulations in Section 43-33 of the Zoning Ordinance, shall apply to the entire tract designated as a Development Site and not to any of the individual parcels and/or lots which comprise the Development Site or any of the individual lots into which the Development Site is subdivided, and regardless of the ownership of the parcels and/or lots, provided that in all events each of the parcels and/or lots shall be used only in accordance with the approved site plan for the Development Site. The proposed amendment also provides that: (a) the parcels and/or lots which comprise a Development Site or the lots into which a Development Site is subdivided may be separated by public or private streets or rights-of-way; (b) the individual lots into which a Development Site is subdivided shall not be required to comply with the dimensional requirements of this chapter, including but not limited to the supplementary regulations in Section 43-33 of this chapter; and (c) the individual lots into which a Development Site is subdivided may be comprised wholly or partially of subsurface land and/or volumes of air space.

¹ Excluding rooftop structures permitted under Zoning Ordinance Section 43-33O(1)

2. *Amendments to the Getty Square Urban Renewal Plan (see Appendix 1.D of this DEIS)*

Palisades Point is located within Development Area No. 10 of N.D.P Area 2 under the Modified Urban Renewal Plan for N.D.P. Area 1 and N.D.P. Area 2 dated December 1998, and last amended in October 2004 (the “Riverview Urban Renewal Plan”). The current regulations of the Riverview Urban Renewal Plan permit Palisades Point to be developed as proposed.

However, the Getty Square Urban Renewal Plan, which was last amended in 1978, does not permit the uses and the density of development proposed at River Park Center and Cacace Center, and therefore must be amended. More specifically, the proposed amendments would: (a) make the permissible floor area ratios and building coverage consistent with the amended Zoning Ordinance; (b) reflect the fact School Street between Nepperhan Avenue and Palisade Avenue will be closed (see below); and (c) identify Government Center and Cacace Center as areas to be redeveloped.

Amendments to the Getty Square Urban Renewal Plan must be approved by both the City Council and the Yonkers Community Development Agency.

3. *Amendments to the Waterfront Master Plan*

The Downtown Waterfront Master Plan, dated May 1998, prepared by Ehrenkrantz Echstut & Kuhn is proposed to be amended to reflect the proposed development for Palisades Point (see Appendix 1.E). The proposed amendment calls for an increase in height and density on Parcels H and I, which comprise the Palisades Point site. The proposed amendment also identifies revisions to waterfront access, including the proposed Prospect Street bridge, which was not proposed in the Downtown Waterfront Plan.

4. *Adoption of a Redevelopment Plan and Tax Increment Bond Financing under the Municipal Redevelopment Law (see Appendix 1.F of this DEIS)*

The development of Palisades Point, River Park Center and Cacace Center is a public-private partnership. An essential component of the City’s participation is City funding for the construction of the approximately 5,000 public parking spaces at Palisades Point, River Park Center and Cacace Center and the public sewer, water and road and other infrastructure improvements needed to support the development, which are currently estimated to cost \$160,000,000 or more. The vehicle through which public improvement is proposed to be funded is “tax increment financing” under the New York Municipal Redevelopment Law (New York General Municipal Law Article 18-C).

Tax increment financing can only be utilized only in connection with a Redevelopment Plan approved pursuant to the Municipal Redevelopment Law. In a tax increment financing, the current real property tax assessed value of all properties in a designated “tax increment financing district” would be established as the “base value.” As redevelopment in the district increases the assessed values of the redeveloped properties, a portion of the additional tax revenue generated by the increase in assessed value over

the base value (the “tax increment”) would be set aside and committed by the City for debt service on “tax increment bonds,” the proceeds of which would be used for the construction of public improvements and infrastructure to support the development described in this DEIS. The Applicant has proposed that 75% of the tax increment be devoted to bond debt service. The remaining 25% and the tax revenue attributable to the base value in the tax increment-financing district would continue to be general revenues of the City useable for any City purpose, including payment of the costs incurred by the City and Yonkers Public School District to provide services to the Project.

5. *Sale of Land owned by the City and the Yonkers Community Development Agency and Discontinuance of City Streets*

The Palisades Point site is owned by the Yonkers Community Development Agency (the “CDA”), as is a small parcel at the River Park Center site in the vicinity of Engine Place. The Cacace Center site, Government Center site, the majority of the existing Chicken Island parking area which is the largest component to the River Park Center site and the existing Fire Department Headquarters site on School Street are all owned by the City. All City and CDA owned property within the Project area is proposed to be sold to the Applicant² under the Master Developer Designation Agreement dated May 17, 2006 and made between the Applicant, the City, the CDA, the City of Yonkers Industrial Development Agency (the “IDA”) and the City of Yonkers Parking Authority. In addition to the sale of City and CDA-owned land and buildings, certain existing City streets are proposed to be conveyed to the Applicant and redeveloped as part of the Project. School Street between its intersection with the New Main Street and Nepperhan Avenue and Palisade Avenue will be closed and discontinued and the portion of Guion Street between New Main Street and the site of the City’s proposed new detention center will also be closed and discontinued. Five other streets at River Park Center that are shown on the Official Map of the City will also be discontinued and conveyed to the Applicant: Ann Street, Henry Herz Street; James Street; John Street and Engine Place.

In addition to the above, 0.3 acres of excess right of way of Nepperhan Avenue, owned by the New York State Department of Transportation, is proposed to be acquired by the City and transferred to the Applicant.

6. *Alienation of City Parkland*

To permit the development of the Project, small areas of existing City parklands (approximately 2.93 acres in total) are proposed to be alienated and transferred to the Applicant. The park lands to be alienated are: 1) the Government Center site, which is an approximately 2.08 acre portion of the 4.8-acre³ Washington Park. This portion of designated parkland includes the existing Government Center garage and a portion of the Health Center Building (87 Nepperhan Avenue); and 2) three other parcels that are currently designated as City parkland (totaling approximately 0.85 acres), including i) a small parcel that fronts on South Broadway and is currently vegetated parkland, ii) a parcel that fronts on Guion Street and currently comprises vegetated land and surface

² City owned property may be conveyed by the City to the CDA for disposition to the Applicant.

³ <http://www.cityofyonkers.com/Index.aspx?page=259&recordid=105>

parking (these two parcels are part of Waring Park Block 490, Lot 72), and iii) a parcel formerly known as Block 486, Lots 1 and 4, and now known as Block 483, part of Lot 60, which is within the River Park Center site (in the vicinity of Engine Place). This third parcel is grassy parkland with little tree coverage. (See Exhibits II-15 through II-19.) Under New York law, public parkland cannot be used for non-park purposes or transferred to a private party for private use (“alienated”) unless New York State grants special legislative approval for the discontinuance of the park use. The Applicant has requested that the City Council adopt and transmit to the State Legislature a “home rule message” requesting legislative approval of the discontinuance of these parcels as park land so that they can be redeveloped as a part of the Project. To comply with State policy regarding replacement of alienated park land, the City proposes to dedicate as park land two City owned parcels comprising a total of ±8.25 acres - 4.95 acres at 1061 North Broadway (Block 3515, Lot 115) and 3.30 acres at 101 Odell Avenue (Block 3515, Lot 100). The designation of the replacement park land is not dependent on the receipt by the City of any State or federal funding.

7. *Special Permit Approval for Palisades Point and Site Plan Approval of the Project*

Palisades Point is proposed to be approved as a Planned Urban Redevelopment. Planned Urban Redevelopment is a special permit use subject to approval by the City Planning Board and the City Council. All components of the Project require site plan approval from the Planning Board.

8. *Financial Assistance from the Yonkers Industrial Development Agency (“YIDA”)*

The YIDA is expected to provide financial assistance to all qualified components of the Project (through a so-called “straight-lease transaction”) in the forms of a sales tax exemption and mortgage recording tax exemption.

C. *Principal State and County Actions*

The State and County would assist the development of the Project through the following related actions:

1. *State Actions*

- The State Legislature will enact special legislation permitting alienation of City park land (portions of Washington Park, Waring Park and a small former park at River Park Center).
- The City does not have an approved Local Waterfront Revitalization Program for the Hudson River, which is a State designated coastal area. Therefore, any State or federal permits which may be required for the construction of Palisades Point or the waterfront esplanade and related improvements will require Coastal Management consistency review and determination by the New York State Department of State.
- Portions of the currently unused right-of-way of Nepperhan Avenue totaling approximately .3 acres will be acquired from the New York State Department of Transportation (see Exhibits II-20 and II-21). Permits will also be required from the

New York State Department of Transportation for improvements to State highways including the Saw Mill River Parkway ramps.

- Pursuant to the Master Developer Development Agreement (“MDDA”), the Applicant and the City of Yonkers will pursue available State and federal loan and grant programs that are consistent with the proposed Project as described in the DEIS.

2. County Actions

- The Applicant has proposed that the County of Westchester participate in the Project by pledging the County’s incremental additional tax revenues to the repayment of the City’s tax increment bonds. In order to do so, the County and the City must engage in a “joint undertaking” as authorized under the Municipal Redevelopment Law.
- County funding for various public improvements will be requested, such as the continuous public promenade along the Hudson River. County participation in the Tax Increment Financing program will be sought.

D. Background

The Project would further goals and objectives of the City as represented by a history of comprehensive planning efforts to revitalize the downtown and reinvigorate the waterfront dating back nearly 40 years.

The first non-industrial proposal for the waterfront was the 1960 City of Yonkers Marina Proposal. Under this plan, Prospect Street would have been widened and extended across the railroad tracks and a marina developed at its terminus. This plan was never implemented.

In 1973, the City of Yonkers Department of Development proposed the first comprehensive program for redevelopment of the Yonkers waterfront. The plan proposed the redevelopment of the full length of the waterfront, including the current Palisades Point site, as a mixed-use development including housing, retail, parking, open space and marinas. The City never adopted this plan.

In 1977, the City of Yonkers adopted Policies for Future Land Development, which established the following policies:

- “Create a stronger linkage between the downtown shopping area and the adjacent waterfront.”
- “Encourage public access to the Hudson River waterfront.”
- “Capitalize on the natural beauty of the Hudson River waterfront.”
- “Encourage the implementation of sound urban design principles.”
- “Improve the accessibility to, and parking in, the downtown area.”

In 1988, the Yonkers Planning Bureau prepared a downtown plan entitled *New Direction for Downtown Yonkers—A Master Plan* (“*New Direction*”) that encompassed all four sites that are evaluated in this DEIS. The plan called for a number of short-term actions, in terms of providing clean up, beautification, amenities and parking. Its long term goals included: “extending the range of stores available, increasing the range of housing opportunities for

residents, expanding the range of job opportunities, providing more office space, consolidating it as a center of government, finding suitable alternatives for the vacant buildings and land, providing more off street parking, preserving and enhancing its historic character and expanding the types of recreation and community facilities available, especially at the waterfront” (p. 7).

New Direction emphasizes potential improvements to Getty Square and redevelopment of the adjacent “Triangle in the Square” site, i.e., the block bound by Broadway, Riverdale Avenue and New Main Street; the Chicken Island/New Main Street area; and the Government Center area, including both sides of Nepperhan Avenue east of South Broadway.

In 1998, the City adopted *The Master Plan & Design Guidelines for the Yonkers Downtown Waterfront* (the “*Waterfront Master Plan*”). The CDA adopted the plan in 1999. The *Waterfront Master Plan* was adopted as a “guide to future activities” by the CDA and the City along the central waterfront, between the Hudson River and the Metro-North Railroad tracks.

In September 2000, the City of Yonkers adopted a citywide comprehensive plan entitled *Connections—The Yonkers Comprehensive Plan* (“*Connections*”) and adopted the recodified Zoning Ordinance. The overall “theme” of *Connections* is to relate and connect plan proposals to the City’s history, to its place in the region, to its neighborhoods, economic centers, parks and natural resources, and to its transportation systems and community facilities. The *Connections* plan calls for the City to:

- Strengthen shopping areas, including Getty Square
- Solidify partnerships with the real estate community
- Increase the amount of green space and formalize visitors along the waterfront
- Coordinate development planning with downtown planning efforts
- Explore new opportunities for city services and facilities (e.g., Larkin Plaza, Fire Department Headquarters)
- Provide affordable homeownership opportunities

Connections built upon prior comprehensive plan documents, including the 1977 policy document discussed above and a 1990 downtown plan, discussed below.

In addition to the planning studies mentioned above, two urban renewal plans have been adopted in the Project area: the Riverview Urban Renewal Plan and the Getty Square Urban Renewal Plan. These plans were designed to achieve the development goals outlined in the City’s Comprehensive Plan (“*Connections, The Yonkers Comprehensive Plan*”) and other studies mentioned above.

The planning efforts listed above are discussed in detail in Section III.A of this DEIS.

E. Summary of Impacts and Mitigation

A summary of anticipated impacts and mitigation measures is outlined below.

1. Land Use, Zoning and Urban Renewal

The proposed Project is consistent with the City's planning objectives and policies, as expressed in the Comprehensive Plan. However, a number of modifications to the Zoning Ordinance and the Getty Square Urban Renewal Plan are necessary to implement the Project.

As previously noted, the Getty Square Urban Renewal Plan and the regulations of the CB District and GC District are proposed to be amended to permit additional uses, (e.g., ballpark and housing) with additional height, coverage and Floor Area Ratio allowed in certain instances, and to permit the designation by the City Council of "Development Sites" as described in Section B.1.c, above. The parking requirements of the Zoning Ordinance are also proposed to be amended to reflect the proposed uses and their downtown location, available transit opportunities and shared parking characteristics.

Palisades Point is proposed to be approved as a Planned Urban Redevelopment special permit use. With the exception of some minor modifications to clarify the existing Planned Urban Redevelopment regulations, no amendments to the either the Zoning Ordinance or to the land use controls of the Riverview Urban Renewal Plan are required for the development of Palisades Point.

The proposed Project is consistent with several other City studies and plans that have been prepared over recent years. However, Palisades Point is inconsistent with the existing Waterfront Master Plan. In response to concerns regarding building height, the proposed buildings at Palisades Point are sited perpendicular to the Hudson River, thereby maximizing view corridors. The high-rise buildings maximize open space, which is a critical waterfront issue.

The Palisades Point plan includes a publicly accessible open space area along the Hudson River with an esplanade, canoe and kayak launch and parking available to the public. The residential buildings are setback in excess of 125 feet from the Hudson River. An additional building setback of ± 75 feet is provided along the southerly property line adjacent to the American Sugar Refinery plant to the south of the site.

The River Park Center and Cacace Center sites will include a dynamic mixture of uses that will strengthen downtown Yonkers as a 24-hour location, including retail, restaurant, office, hotel and entertainment uses (ballpark, cinema). The riverwalk that runs through River Park Center will be a gathering space for patrons of the ballpark, shoppers, residents and downtown workers, bringing vibrancy to the heart of the downtown.

2. Visual

Each of the development sites currently contains vacant and underutilized land, contributing to the sense that downtown Yonkers is in need of revitalization. The

proposed Project will upgrade strategic portions of the downtown area with new uses and activity, highlighted by the publicly accessible open space along the Hudson River, and with the riverwalk and its open spaces, restaurants and shops along the daylighted Saw Mill River.

As previously noted, the 25-story buildings at Palisades Point will be sited perpendicular to the Hudson River, thereby minimizing visual impacts. The height allows the density to be achieved and leaves approximately half of the site for publicly accessible open space. The 50-story towers at River Park Center will create a new skyline for downtown Yonkers as part of the mixed-use development. The architecture of the commercial component of River Park Center will be reminiscent of a classic ballpark.

The rooftop ballpark, however, is only a small part of the proposed program for River Park Center. Retail, restaurant, cinema, office, and housing uses, along with the riverwalk, will be prominent design features.

The Cacace Center will include a distinctive hotel/office building at the corner of South Broadway and Nepperhan Avenue, across from City Hall, marking an entry to the downtown and waterfront at Prospect Street.

The buildings proposed at Palisades Point, Cacace Center and River Park Center will be taller than existing buildings in the area. The buildings will cast shadows and will affect certain views. Building orientation and materials will mitigate visual impacts. The buildings will create a new skyline for Yonkers, clearly identifying the revitalized downtown area. An extensive landscape design program will complement the architecture for Palisades Point, River Park Center and Cacace Center. Landscape design is a critical issue for the design of the riverwalk at River Park Center, the expanded park at Larkin Plaza, and for the publicly accessible open space along the Hudson River at Palisades Point.

3. *Natural Resources*

The most significant natural resources in downtown Yonkers are the Hudson River and the Palisades along the river's western edge, and the Saw Mill River, which is channelized and mostly contained in an underground flume in the vicinity of River Park Center and at Larkin Plaza.

In addition, the area's topography, particularly at River Park Center, presents design issues for pedestrian and vehicular access to the proposed developments. River Park Center has a number of separate access points serving different levels of the proposed development and its parking facilities. Access to the riverwalk also requires design solutions that address grade changes.

The most significant and beneficial natural resource impact is the daylighting and landscaping of large portions of the Saw Mill River in downtown Yonkers.

The Flume

Beginning at the Elm Street Bridge, the Saw Mill River has an open section that flows in a southwesterly direction, under the bridge at the John Street extension, and enters a culvert at the School Street Bridge. The river proceeds under the municipal parking lot in a westerly direction parallel to Nepperhan Avenue and re-immerses west of Henry Herz Street. The river then turns north and enters the flume at Ann Street. The river falls approximately 13 feet in elevation along this length. The river bottom throughout this area is naturalized, with a cobble/boulder stream bed. The open portions of the river have a channel width between 20 and 40 feet and steep sloping or vertical banks stabilized with concrete, stone riprap or masonry walls.

At Ann Street, the river enters the flume and flows in a northerly direction toward Getty Square, under buildings located along New Main Street and North Broadway to Manor House Square and then in a westerly direction south of and parallel to Dock Street under Larkin Plaza, then under Buena Vista Avenue and the Metro-North Railroad tracks to the Hudson River. The construction and overall dimensions of the flume varies substantially between Ann Street and Warburton Avenue and is described and photo-documented in detail in the Nepperhan/Saw Mill River Culvert Flume Inspection Study dated August, 2006 and prepared by McLaren Engineering Group, the Applicant's engineers. See DEIS Appendix 3.B. West of Warburton Avenue, the flume consists of an arch concrete structure with maximum height of 8 feet and a width of 20 feet. The culvert is made of reinforced concrete that is 12 to 15-inch thick. The foundation is supported by timber piles varying in length from 28 to 41 feet. The arch culvert enters Larkin Plaza to the east at Warburton Avenue and extends to Buena Vista. At Buena Vista Avenue, the arch culvert flows into a 29 feet wide by 10 feet high structure that extends under the street and the building to the west to the tidal basin to the Hudson River.

There are many locations where debris has collected within the flume. This ranges from large cobbles and stones to portions of trees and garbage. In order to restore full hydraulic capacity to the flume, it is recommended that that the debris be cleared from the flume. It is also recommended that the City initiate a program to inspect and clear the flume of debris on a regular basis.

The daylighting of 1,200 linear feet of the Saw Mill River (400 linear feet at River Park Center, and an additional 800 linear feet at Larkin Plaza, if the City decides to pursue that improvement project) and the landscaping along the river's course provides numerous social and environmental benefits. This is a unique opportunity to address the reintroduction of open space into a highly urbanized area. When fully completed, it will connect downtown Yonkers to its Hudson River waterfront, with a people friendly pathway. An open watercourse encourages public access, reconnects the community's historic roots, and is a major step towards river and habitat restoration. It will encourage water quality improvements that also benefit the Hudson River.

4. Surface and Subsurface Conditions/Hazardous Materials

The Applicant has undertaken a subsurface survey program to determine bedrock depth, groundwater levels and other conditions. In addition research has been undertaken with regard to potential contamination given prior uses of the sites.

The issues relating to past uses on River Park Center have provided a basis for the State of New York to determine that this site is eligible for inclusion in the voluntary New York State Department of Environmental Conservation (“NYSDEC”) Brownfield Cleanup Program (“BCP”).

Based on an application submitted by the Applicant, the River Park Center site is eligible for inclusion in the program. A similar application was filed for the Cacace Center site and was found by NYSDEC to be not eligible for inclusion in the program.

Prior to completion of a more detailed investigation, it is not known what remediation activities will be undertaken and, hence, what the short-term impacts of a remediation program will be. Nevertheless, it is possible to identify the activities likely to be addressed during the remediation process, including:

a. Soil Removal

It is very likely that soils will be encountered that are contaminated at levels requiring removal and off-site disposal. In addition, there may be discrete sources such as leaking underground storage tanks that will be removed along with their contents, and appropriately disposed of. As the sites are excavated for building foundations, soils will be tested to determine whether they are contaminated or not, in accordance with a process that will be approved by NYSDEC. As necessary those soils, rocks and old foundations will be removed from the site and disposed of as appropriate. The Palisades Point site was previously contaminated but has since been remediated under NYSDEC’s Environmental Restoration Program through the 1986 New York State Bond Act.

b. Groundwater

Ground water that is affected by past industrial practices will be treated as required by law. If construction activities require that any site be dewatered, ground water will be tested to determine if it requires treatment prior to disposal. No uncontrolled contaminated ground water will be allowed to be discharged either back to the ground or to surface water.

c. Surface Water and Sediment

The Saw Mill River traverses Larkin Plaza and the River Park Center site, mostly underground. Historically, the river had a split or dual channel through the River Park Center site forming an island commonly known as Chicken Island. As part of site development and as part of the BCP, the river and its sediments will be tested to determine whether there is contamination in the river, and if so where those contaminants are coming from. Any contamination will be remediated to the degree

practicable given the highly urbanized watershed of the river. Biological studies of existing conditions in the River show no significant aquatic life.

5. *Utilities*

The proposed Project will require the upgrade of, or installation of, the following systems: storm drainage and sanitary sewers; domestic water and fire protection systems; electric, telephone, cable TV and natural gas. New systems will be placed underground. Obsolete systems will be abandoned. Some of the existing combined storm and sanitary sewer flows in the vicinity of River Park Center will be separated and sanitary sewer flows from the Project will not be directed into the combined sewer, a beneficial impact of the Project.

a. Water Supply Service

The City of Yonkers maintains high-pressure water mains north and east of the River Park Center site, in Van Cortland Park Avenue and High Street. All of the Project sites are in the vicinity of existing water main sources. The projected water demand of the Project, with consideration for the use of water conservation measures, is estimated to be approximately 520,000 gallons per day (gpd) with a peak flow rate of 1,100 gallons per minute (gpm). Fire demand for the Project is conservatively estimated to be between 4,000 and 4,500 gpm.

b. Water Distribution System

In order to provide adequate fire flow and domestic supply to the new buildings and without significantly impacting existing water flow in the area, the City of Yonkers has indicated various improvements to the existing water system in the area will be required. Based on the flow testing, the City's consultant has recommended replacement of five (5) 12-inch water mains with 16-inch mains. These improvements will service the River Park Center and Cacace Center project sites and are described in detail in Section III.H of this DEIS. For the Palisades Point site, the City's consultant has recommended that a dual source of supply for the area west of the railroad tracks be created. Four scenarios were presented in the City consultants' report, and these are described in detail in Section III.H of this DEIS.

All water supply construction work will be phased so domestic and fire service will be maintained to the existing buildings that are occupied during construction. The final design and construction sequencing will be developed during the site plan review of the Project.

The City of Yonkers currently purchases water from the New York City water system at a set rate scale based on U.S. Census data. The population of the City of Yonkers is allotted a fixed amount of gallons based on Census population data and is sold this amount of water at a set rate. When water demand exceeds this allotment, the City is charged for the "excess" water at a premium rate⁴. Since the allotment is based on resident population and not transient water users such as patrons of retail and

⁴ Based on meeting between the Applicant's engineer and the City of Yonkers Water Bureau, September 11, 2007

entertainment facilities, construction of new facilities that draw a transient population could conceivably increase the demand for premium priced “excess” water. However, the Project includes a significant residential component that will increase the City’s resident population and therefore the water allocation from the New York City system.

Since the City will receive payment for the water consumed through metering of the service mains, the money received for water use compensates the City for the increased operational costs associated with the additional water demand. The replacement of water mains in the adjacent streets with pipe adequately sized to accommodate the water flow would mitigate the effects of the increased water demand in the distribution system and improve flow and reliability of the City system to the downtown area.

In addition to the above improvements, several measures for conserving water resources are proposed for the Project. These include the use of water saving fixtures within the proposed Project such as reduced flow plumbing fixtures, reduced flow shower head, drip irrigation where feasible, and air-cooled condensing units where possible. These measures will reduce the water demand by approximately 20%. See Section III.H for detailed description of these proposed measures.

The existing stormwater runoff within the Project area (with the exception of Palisades Point) is collected by the City of Yonkers combined storm and sanitary sewer collection system, the New York State Department of Transportation (“NYSDOT”) storm drain system within Nepperhan Avenue and direct runoff to the Saw Mill River.

The City combined sewer is tributary to the Westchester County trunk sanitary sewer. A regulator at the County’s Main Street Pump Station located at the west end of Main Street on the west side of the Metro-North railroad tracks overflows directly to the Hudson River during times of heavy rainfall. From a regulator at Getty Square, the 72-inch County trunk sewer flows north to the County’s North Yonkers Pump Station located along the Hudson River. The North Yonkers Pump station also has an overflow to the Hudson. The overflow is chlorinated prior to discharge during times of heavy rain.

A separate storm drain system was constructed within Nepperhan Avenue when the street was previously reconstructed by the NYSDOT. This storm drain system is generally located between New Main Street and Waverly Street and discharges directly into the Saw Mill River, southwest of the Henry Herz Street Bridge.

If the City decides to perform the Larkin Plaza daylighting, there is the opportunity to provide for the separation of the stormwater runoff in the adjacent streets from the existing combined sewer. This will require the installation of new inlets and storm drains within Dock and Nepperhan Streets and the extension of outlet pipes to the open daylighted portion of the river. This will reduce flow into the combined sewer

system and improve drainage within the adjacent streets during storm events. It will allow for the connection of existing or future buildings in the adjacent area to the new storm drain system, instead of the existing combined sewer.

With the exception of Palisades Point, the drainage from the proposed Project will discharge to the Saw Mill River, rather than into the City's combined sewer. Based on the building program for the proposed development, an analysis of the proposed stormwater runoff conditions was performed to determine the impact of River Park Center and Cacace Center on the existing City combined sewer system and to the Saw Mill River. Drainage from Palisades Point will discharge directly into the Hudson River.

The diversion of runoff from the City's combined sewer and the increase in impervious area will increase discharge to the Saw Mill River. However, there is sufficient capacity to accommodate the localized increase in stormwater flows to the Saw Mill River, and therefore no stormwater detention is proposed (only stormwater quality treatment).

In order to address stormwater quality issues and pollution removal goals, underground filtration devices will be provided on all discharges from the parking garages and site roads. Runoff from building, pedestrian plaza, walkways, etc will be directed to hydrodynamic systems prior to discharge to the Saw Mill River and the Hudson River.

Due to the additional development on the Project sites, there will be a net increase of approximately 452,750 gallons per day in wastewater loading to the City and County wastewater collection and treatment systems. The removal of inflow and infiltration from sources around the City will mitigate the base flow directly and existing on-site City-owned combined wastewater and stormwater systems will be upgraded to accommodate the proposed Project. However, the Westchester County Department of Environmental Facilities has requested that the additional flow to the sewer system from the Project sites be off-set by reductions in existing inflow/infiltration at a three for one ratio. To meet this request, a series of potential measures are proposed in this DEIS. These include physically separating stormwater from the sanitary sewer in the area of the River Park Center site, diverting stormwater from the existing combined sewer system through the construction of new stormwater drainage facilities in the Project area, and removing known sources of inflow/infiltration that are listed in the Sewer System Evaluation Survey, which is included as Appendix 3.H in this DEIS. Contributory sources identified in the report that are within the limits of the Project will be remediated during construction and additional items listed in the report will be examined for possible rehabilitation to reduce inflow and infiltration. The City of Yonkers Department of Engineering has indicated that the preferred inflow/infiltration remediation is diversion of stormwater from the existing combined sewer system through the construction of the new stormwater drainage facilities in the Project area. The Applicant is currently awaiting a response from Westchester County regarding these proposed mitigation measures. The Applicant requests that

Westchester County in coordination with the City of Yonkers review the range of potential mitigation measures with the Applicant to help further reduce flows to the existing system. Table III. H-5 in Section III.H presents a summary of the possible mitigation program.

6. *Traffic, Transportation and Parking*

The traffic study prepared by the Applicant (See Appendix 2.K to this DEIS) examines existing, “no-build” and future conditions at 60 intersections for the AM, PM and Saturday peak hours. It considers the proposed ballpark separately as a special event condition. Separate analyses of pedestrian traffic, mass transit and parking are also included.

The construction of the proposed Project in the downtown Yonkers area will result in the elimination of several streets within the Project area. Given the current traffic flow pattern and the capacity restrictions at Getty Square, it is recommended that New Main Street be directed away from Getty Square (towards Nepperhan Avenue). In conjunction with this, the section of Elm Street between Nepperhan Avenue and Palisade Avenue as well as Palisade Avenue between Elm Street and Getty Square would be reversed in direction. The reversal of these one-way streets would provide both additional capacity and better distribution of traffic within the area.

In addition to the above traffic pattern modification, there are other improvements recommended to improve operating conditions within the area. These recommended improvements include:

- The elimination of on-street parking along the Yonkers Avenue/Nepperhan Avenue corridor from the Saw Mill River Parkway to the downtown area. New “off-street” parking areas will be provided for the residents and merchants currently fronting Yonkers Avenue/Nepperhan Avenue.
- Parking will be eliminated along Palisade Avenue, Elm Street and New Main Street. Users of this existing on-street parking will be able to use the new River Park Center, Palisade Avenue Office Building and Government Center garages.
- The Saw Mill River Parkway southbound exit ramp at Yonkers Avenue will be widened to provide two lanes. A traffic signal is proposed to handle traffic off the ramp onto Yonkers Avenue.
- Geometric improvements to the Saw Mill River Parkway Northbound Ramp at Yonkers Avenue will be implemented to improve traffic flow.
- The entire signal system along the Yonkers/Nepperhan Avenue corridor extending from the Saw Mill River Parkway into the downtown area will be upgraded and made part of the City’s computerized traffic signal system. This will allow for “real time” management of the traffic within the corridor.

- A driveway to River Park Center will be located on Nepperhan Avenue across from Waverly Street. A separate left turn lane and a separate right turn lane will be developed for traffic entering the site. This intersection will be signal controlled and be made part of the City's computerized traffic signal system along the Yonkers Avenue/Nepperhan Avenue Corridor.
- It is recommended that the flashing traffic signal at the intersection of South Broadway/Hudson Street be activated.
- Other signals within the Project area will be upgraded and linked to the City's computerized traffic signal system.
- The driveways to the proposed parking structures at River Park Center and Cacace Center will be designed to provide access to/from multiple streets to improve circulation.
- A new vehicle and pedestrian bridge will be constructed across the railroad at Prospect Street to Palisades Point. This will provide direct access to the Hudson River from the Yonkers Avenue/Nepperhan Avenue corridor.
- A bus drop-off lane will be provided on Nepperhan Avenue westbound between Elm Street and New Main Street for the discharge and boarding of passengers.
- Variable message signs will be installed in the Project area to direct patrons to the ballpark parking areas. Exhibit III.E-59 shows the potential location of these signs, the preferred routes for ballpark traffic and the existing pedestrian bridge from the Cacace Center to the north side of Nepperhan Avenue. In addition, it is recommended that uniform police officers or traffic control personnel be assigned to direct traffic in the area for ballgames and special events at the ballpark.
- A trolley system will be implemented in conjunction with others including the Downtown Waterfront Business Improvement District to shuttle people from the Yonkers railroad station to River Park Center and the Cacace Center. The trolley system will have the ability to make multiple stops within the area based on the demand.

With the implementation of the above improvements, operating conditions in the study area will be similar to the currently existing operating conditions.

Parking

A detailed parking study and analysis is provided in Section III.E.1 of this DEIS. As indicated on Table I-2, the proposed Project will remove 1,498 existing parking spaces and provide a total of 6,673 parking spaces. These are allocated as follows: River Park Center (main site) will remove 521 existing parking spaces and provide a total of 2,550 new parking spaces. Government Center will remove 543 existing parking spaces and provide 1,613 new parking spaces. The Palisade Avenue Office Building site has no existing parking. The proposed building will provide 425 new parking spaces. Cacace Center will

remove 250 existing marked parking spaces and provide 1,349 new parking spaces. Palisades Point will remove 184 existing parking spaces and provide 726 new parking spaces (184 of which are for Scrimshaw House). If the City elects to go forward with improvements to Larkin Plaza, additional parking would be needed to replace the 120 existing parking spaces, which could be relocated to a site either adjacent to the plaza or at a nearby off-site location to be determined by the City. Chapter V of this DEIS examines one alternative that would relocate the spaces to a parking structure located at Wells and Woodworth Avenues, one block north of Larkin Plaza.

**Table I-2
Project Parking Summary**

Project Site	Existing Parking	New Parking		
		Public	Private	Total
River Park Center (main site)	521	2,075	475	2,550
Government Center	543	1,048	565	1,613
Palisade Office Building	0	435		435
Cacace Center	250 ¹	1,349		1,349
Palisades Point	184	266	460	726
TOTAL	1,498	5,293	1,500	6,673

Source: Struever Fildelco Cappelli LLC

1. Does not include vehicles parked in aisles and unmarked spaces (utilization closer to 300 spaces)

7. Air Quality and Noise

a. Air Quality

Traffic-Related

Traffic information (including Levels of Service volumes, speeds and delay time) for each of the 60 intersections studied in the Traffic Study for the Project was compiled and tabulated from data provided by the project traffic engineer. A three-step screening analysis was performed in accordance with the methodology in the NYSDOT EPM (NYSDOT 2001) to identify which of the 60 intersections should be considered for a more detailed analysis of CO emissions. The screening evaluated the future condition with the Project during peak hours, including the peak ballpark traffic hour. Mobile source analysis was performed based on the traffic scenarios presented in the Traffic Study.

It was determined that the modeled CO concentrations plus background concentrations are less than the applicable National and National Ambient Air Quality Standards (NAAQS). It can be concluded that CO emissions associated with the Project with and without ballpark traffic will not have a significant impact on air quality.

Stationary Sources

Stationary emission sources associated with various Project components will include combustion equipment such as boilers, emergency generators and heating units. This equipment will be used for space heating, HVAC, and emergency services to support various components of the Project. Appropriate air permits will be obtained for these

stationary sources. Preliminary design of this equipment indicates no equipment will be classified as a “major source”.

The only major source within 1,000 feet of any of the Project sites is the American Sugar Refinery Company, Inc. plant (NYSDEC ID 3551800214). Preliminary screening modeling indicated that there is potential for interactions of emissions from the plant and the proposed Palisades Point structures. Therefore, atmospheric dispersion modeling was performed to assess the potential for interaction between emissions from the American Sugar Refinery Company, Inc. facility and the proposed Palisades Point structures. The Palisades Point residential tower design will incorporate features to mitigate the potential impact from interaction of the nearby plant emissions.

Construction

Construction of the Project will affect ambient air quality temporarily but impacts are not anticipated to be significant. Construction equipment for the Project may include mobile cranes, jackhammers, trucks, concrete cutters, bulldozers, graders, asphalt pavers, rollers etc. The following are mitigation measures that can be used to minimize construction emissions:

- Use of tarps over open-body trucks transporting materials to and within the site;
- Use of temporary vegetative cover such as annual grasses on soil stockpiles and disturbed areas awaiting additional construction;
- Application of water or other dust suppressant on-site dirt roads during construction to mitigate dust;
- Prohibition of on-site burning of construction wastes;
- Unnecessary idling of internal combustion engines will be prohibited;
- Keeping equipment well maintained; and
- Use of ultra-low sulfur diesel to reduce emissions from non-road equipment.

b. Noise

Existing noise was measured at several locations surrounding the River Park Center, Cacace Center and Palisades Point sites during October 2006 at representative sensitive receptor locations in the vicinity of each site.

Traffic

Noise screening was undertaken based on estimated traffic volumes. The projected noise due to Project related traffic is not expected to significantly increase ambient noise levels, and would be barely perceptible.

River Park Center Stadium

During baseball games and special events at the ballpark, the potential exists for noise to be generated. The estimated peak noise levels are lower than the existing peak noise levels from other existing sources. Some of the new residential units of the Project facing the ballpark may have outdoor balconies that may be subject to unabated noise from the ballpark.

Trains

Approximately 100 commuter trains per day pass-by the Palisades Point site. The number of commuter train pass-bys is not expected to increase significantly. No significant change to background sound levels is expected in the future. The two residential towers will be designed to provide sound attenuation so that indoor noise levels will meet federal guidelines.

Construction

Noise associated with construction activities will be generated primarily by heavy equipment operation. This noise will be temporary in duration, and vary with the types of construction and the types of equipment used for the different stages of construction, and the location of the construction activity on a site. Most construction equipment is equipped with engine noise control devices, such as exhaust mufflers and acoustic casing enclosures, in accordance with federal and State regulations

8. *Socio-Economics*

The socio-economic analysis of the Project includes the following: a) a review of demographic information relating to population and housing conditions; b) an overview of market conditions, including an in-depth study of the retail trade area and the effects of the proposed Project on other commercial locations in Yonkers; c) an environmental justice analysis that analyzes whether any adverse effects of the Project would disproportionately impact minority and low-income populations; and d) a fiscal analysis, assessing projected revenue and costs, including the proposed use of tax increment financing for the construction of public infrastructure improvements and public parking facilities. The socio-economics chapter also includes a discussion of related actions and studies being undertaken by the City and the Applicant that address socio-economic issues.

The socio-economic studies examined the downtown area of Yonkers (generally the area within ¼ mile from each Project site*). The Study Area is predominantly a mixed use, low-income, rental community that experienced modest population and household growth through the 1990s. Almost 93% of the occupied housing units in the Study Area were rental units in 2000, and approximately 36% of households were at or below the poverty line. Median rent in the Study Area in 2000 was \$683, and, while this approximates \$800 in 2006 adjusted dollars and newer units rent for higher amounts, it is estimated that as much as 80% of existing stock in the Study Area is protected by the New York State Emergency Tenant Protection Act of 1974, which stabilizes rents.

Total private sector employment reported for the Study Area in 2000 was 14,876. The Healthcare and Social Assistance Services sector represented 36.3% of the total employment, while the Manufacturing sector represented 14.4% of the total private sector

* The precise boundaries of the area differ for different aspects of the analysis to conform to the particular data source utilized. However, the geographic area as a whole is generally the same for all analyses. See Chapter III-I for detail.

employment, with the Retail Trade sector at 7.8% of the total. Retail facilities are primarily concentrated in the Getty Square area, South Broadway and the downtown waterfront district. Public sector employment in the Study Area totaled 6,333 in 2000.

In total, there are 32 existing private sector businesses occupying approximately 110,000 square feet of space, all located on the River Park Center project site. Of the 110,000 square feet, about 71,750 square feet is occupied by 25 retail establishments. At River Park Center, these 32 commercial uses and 22 residential units would be directly displaced as a result of the proposed Project. The commercial uses represent a small percentage of the total retail and office type uses within downtown Yonkers. Additionally, many of the retailers are “owner-occupants” who have voluntarily entered into agreements with the Applicant to sell their property (and vacant store space) to the Applicant. It is estimated that there are currently 16 vacancies totaling approximately 30,000 square feet within the downtown area that could be occupied by some of the displaced retailers. Residential displacement is addressed in the Environmental Justice section below.

Currently, there is no real property tax generating development at Palisades Point or on the Cacace Center site. The existing retail development at River Park Center yields approximately \$500,000 in property taxes for the City of Yonkers and the Yonkers School District per year. The total current City sales tax from this area is estimated to be \$355,000 per year. The City of Yonkers will receive an estimated \$4.2 million per year in sales tax from the Project, plus \$2 million per year in income and other taxes. The Project will yield an estimated \$9.9 million in property taxes for the City of Yonkers for a total of \$16 million in tax revenues per year. Over \$35 million dollars in tax revenues will be generated for all taxing jurisdictions.

The estimated number of existing jobs is 175, including both full time and part time positions. The estimated number of permanent jobs to be generated by the proposed Project is over 5,300 jobs of all types in the proposed offices, hotel, residences, retail, restaurant and entertainment uses. This will result in estimated earnings of over \$200 million per year. There will be an estimated 13,000 construction jobs resulting from the proposed Project.

a. Tax Increment Financing (“TIF”)

The public improvements associated with the redevelopment include replacement of obsolete water and sewer lines, construction of new storm sewers and a number of major road and intersection improvements, including the provision of an additional exit lane for the Saw Mill River Parkway at Yonkers Avenue and the new Prospect Street bridge across the Metro-North tracks. The costs also include construction of approximately 5,000 public parking spaces on the River Park Center, Cacace Center and Palisades Point sites. The total cost for these public improvements is more than \$160,000,000.

The Redeveloper has requested that the City issue tax increment bonds in the amount necessary to cover the costs of construction of the public improvements,

infrastructure and parking and bond issuance and related financing costs (including capitalized interest and a reserve fund), currently estimated to total approximately \$187,000,000. As discussed in Section IV of the TIF Feasibility Study (see Appendix 1.F), the amount of initial annual debt service on this amount of bonds is estimated to be \$11,786,438,⁵ and would increase to approximately \$19,593,563 in the 30th and final year. The fund to pay the debt service on the bonds will be comprised of approximately 75% of the incremental additional real property tax revenue to the City and County⁶ generated by the Project (i.e., the amount of additional tax generated by the increased assessed value of the Project above the current “base assessed value” of all of the Project sites except Larkin Plaza) and the revenues from the new public parking facilities, which are estimated to be approximately \$2,957,765 in the first year, rising to approximately \$5,048,568 in the final year. The real property tax attributable to the base assessed value and the approximately 25% of the City tax increment that will not be devoted to tax increment bond debt service will be more than sufficient to cover the estimated \$3 million per year in costs of the Project for school, police, fire and other City services.⁷

The total tax revenue for the City, from all sources is estimated to be \$16 million per year. Subtracting the \$9 million for initial annual debt service on the bonds, leaves a balance of \$7 million per year, this is more than double the anticipated costs of the Project for school, police fire and other City services.

Moreover, with the tax increment financing, long-overdue improvements to the obsolete infrastructure systems in downtown Yonkers would be realized—improvements that are required not only for the Project, but for the revitalization of downtown Yonkers as a whole. Roads and utilities would be upgraded. Together these improvements would make the downtown more attractive for additional redevelopment. Approximately 5,000 public parking spaces would be constructed. The City would have the benefits of the Project, including job creation, new useable open spaces and amenities and the daylighted Saw Mill River, with a significant surplus in revenues over expenditures.

Additional economic benefits would also be realized as spin-off or halo effects from the construction and operation of the proposed Project, as construction workers, residents and Project employees spend a portion of their earnings at restaurants and stores throughout downtown Yonkers and in the balance of the community.

Additionally, the anticipated continuation of redevelopment of downtown Yonkers and the upgrading of residential neighborhoods will bring additional purchasing power and tax revenues to the City.

⁵ This is the “gross” annual debt service payment (i.e., before applying debt service reserve fund income and income from operations). Although debt service schedules are uncertain at this point, it is expected that the first payment of debt service from City revenues and not from capitalized interest would be 3 and ½ years after issuance, i.e., after the Project is constructed and has begun operating. Interest expense during the construction period would be capitalized.

⁶ As previously indicated, Westchester County participation in “joint undertaking” will be requested, and the County will be asked to pledge 75% of its tax increment to the repayment of the City bonds.

⁷ Sales and income tax revenues generated by the Project are additional sources for payment of City services.

b. Trade Area Analysis

A trade area study was completed for the proposed retail uses at River Park Center to determine whether there is sufficient purchasing power in the area to support the retail stores. The study, undertaken by Economic Research Associates, assumes that the Ridge Hill project is operating and that the Cross County Center has been improved as currently proposed. The study concludes that the retail purchasing power in the trade area equals \$8.4 billion per year and that annual retail sales with Ridge Hill and Cross County are \$5.5 billion. The \$2.9 billion of unmet demand is sufficient to support 4.2 to 8.4 million square feet of retail space. The proposed Project only needs to capture 7 to 14% of this demand.

c. Environmental Justice

An analysis was performed by STV Inc. to determine whether any area potentially affected by the Project constitutes an “environmental justice area” under the thresholds established under New York State Department of Environmental Conservation Policy CP-29 (Environmental Justice and Permitting), and if so, whether a minority and/or low income population in the environmental justice area would bear a disproportionate share of any adverse impacts of the Project. The analysis also considers potential direct and indirect residential and business displacement as a result of the Project. The analysis concludes that except for short-term construction impacts that will be borne to a greater extent by the surrounding community than by the study area as a whole, there are no adverse impacts of the Project that will be borne disproportionately by a minority and/or low income population.

The proposed Project will add 1,386 new units or 8.4% to the estimated housing stock in the Study Area. Of the four project locations, River Park Center is the only Project site that contains existing residential units. At this Project site, direct residential displacement would include a total of 22 residential units situated on two parcels (Section 1, Block 475, Lot 26; Section 1, Block 484, Lot 53). These 22 households represent slightly more than 0.2% of the total Study Area households and statistically do not represent a significant portion of the population within the Study Area. Additionally, the directly displaced population would not constitute a loss of any particular population group within the neighborhood given the small number of households to be displaced. In addition, the Applicant has committed to either the construction of new affordable housing or an equivalent financial contribution to a City affordable housing fund, thereby mitigating any impact due to direct residential displacement.

The potential for indirect residential displacement depends on whether the proposed Project would result in rising property values, and rents, that would make it difficult for some existing residents to continue to afford their homes. The proposed Project is estimated to add 1,957 new residents in the residential units at River Park Center and Palisades Point. These new residents would have incomes that are significantly higher than the \$26,488 median annual income of Study Area residents. However, these new residents represent only 7.8% of the Study Area’s current population and therefore

the overall area character would not shift significantly, especially in light of the minimal direct displacement caused by the proposed Project.

Even in the absence of disproportionate adverse impacts on area residents (except for short-term construction impacts) and any adverse direct or indirect displacement impact, the Applicant has offered a number of measures in the nature of mitigation, including a commitment to provide 6% of the proposed housing as affordable/workforce units, either through new construction or through the establishment of a housing fund.

Small Business Enhancements

The Applicant will work closely with the Downtown Waterfront Business Improvement District (BID) to establish a “Downtown Small Business Enhancement Program”. The Project would generate approximately \$200,000 in funding for the BID, each year, significantly expanding its overall budget. The Applicant will assist the BID to further enhance its revenues through the application for State grants, such as Restore or the Model Block Program, which can be utilized for façade improvements, commercial rehabilitation and creation of live/work space that provides an additional revenue stream for downtown property owners. Assistance could be structured as a combination of outright grants and revolving low interest loans.

Funding of the commercial rehabilitation program could also include federal CDBG funds and potential grants from the Applicant.

The Downtown Small Business Enhancement Program will also encompass marketing and training for small business owners and merchants, including professionally designed window displays, individual and joint advertising and merchandizing. Working with the BID, suggestions will be made for special sidewalk sales and special events, some of which will be linked to events at River Park Center.

Another project developed in conjunction with the BID might be WI-FI wireless internet service, which can be funded by the State. Wireless connections will enhance various businesses and enliven public spaces.

A State-funded Clean Streets program will also be promoted to compliment directional signage and downtown beautification efforts provided by the Applicant.

Employment Opportunities

Many of the construction jobs (7,664) and permanent jobs (3,543) created by the Project will be filled by Yonkers residents. The permanent jobs will include positions in management, office, hospitality, retail sales, restaurant, entertainment and services.

Patterned after a similar program developed by Cappelli Enterprises in New Rochelle, the Applicant will create an employment initiative for local tradesmen, focusing on

pre-apprenticeship training and permanent employment. This program, to be known as the “Yonkers Development Employment Initiative”, will be designed to prioritize resident participation in various aspects of the construction of the Project. The program will be designed and implemented as a joint effort between the City, the Applicant and the Westchester-Putnam Consortium for Training, along with the Westchester Putnam Building Trades Council. Prospective workers will receive training and become union workers as a result of this program.

Similar to the construction training, the Applicant will work with Westchester One Stop, which provides recruitment services for office, retail and service employers. County trained residents will form a pool of potential employees for Project businesses, which the Applicant will provide to each of its tenants. The Applicant will also retain Crescent Consulting to assist with minority recruitment.

As a result of the above, it is fully anticipated that the majority of construction jobs and permanent jobs will be filled by Yonkers residents.

Other

Continued support for public service organizations and not-for-profits is also anticipated. In 2006-2007, the Applicant and its related entities funded numerous community organizations in Yonkers. Among others, these included the YMCA, YWCA, American Red Cross, Hudson River Museum, Beczek Environmental Education Center, Yonkers Public Schools, Family Service Society, Groundwork Yonkers, Inc., My Sister’s Place, Yonkers Community Action Program and Nepperhan Community Center, Inc.

The Applicant will also consider supplemental funding of a housing rehabilitation program to complement the commercial rehabilitation programs cited above. This program can augment the City’s CDBG and HOME funded rehabilitation efforts, targeting specifically to immediately surrounding areas like Nodine Hill, where the City is undertaking its own revitalization planning study.

9. Community Facilities

The community facilities section of the DEIS analyzes the Project’s impacts on:

- Schools
- Recreation
- Emergency Services
- Public Works, and
- Other Service Providers

Interviews were conducted with officials from each service provider.

The anticipated occupants of the proposed housing are projected to include mostly empty nesters and young professionals, seeking a downtown living environment, with an easy commute to work. The Applicant anticipates that there would be relatively few families with children and even fewer with school age children.

The anticipated population from the 1386 dwelling units would be approximately 2000± persons, including 196 school age children of which approximately 162 would be expected to attend public schools. This is a modest increase for a school system with an enrollment of 25,000 students. The net amount of local taxes needed to educate the students (excluding outside aid and district-wide costs) is approximately \$700,000 per year. The Project will yield an estimated \$9.9 million in property taxes yearly for the City of Yonkers, of which approximately \$2,775,000 would be available after tax increment bond debt service to pay for community service costs of the Project (the current base tax is approximately \$400,000; 25% of the \$9,500,000 increment = \$2,375,000; \$400,000 + \$2,375,000 = \$2,775,000). Approximately \$6,200,000 of sales, income and other tax revenues would also be generated by the Project each year, for total “unencumbered” revenues of approximately \$8,975,000. As discussed below, this is more than sufficient to cover increased school and other governmental service costs of the Project.

Although some of these new residents in the proposed housing would utilize City recreation facilities, most of their recreation needs would be addressed by on-site health and fitness clubs to be provided as part of each residential development. Many new residents would utilize the new publicly accessible open space areas along the Hudson River and at the riverwalk at River Park Center. They would likely opt to utilize sidewalk cafés, bookstores and restaurants, as well as the passive open spaces included as part of the proposed Project.

In terms of emergency services, there would be the need for additional police and fire protection in the area. The new ±50,000 square foot Fire Department Headquarters on New Main Street, to be built by the Applicant, will be a significantly improved facility in close proximity to each of the development sites. The Fire Department expressed a need for additional engine and ladder companies to serve the proposed Project and other area projects, since the downtown area and the surrounding residential areas are in the busiest part of the City. The capital costs for the two companies would be \$1.8 million. Personnel costs would be approximately \$4.7 million/year. Given that there are existing and anticipated demands in and around downtown as a result of the Project and future growth, the Project is assumed to contribute approximately 20% of the demand for the additional companies, or less than \$1 million per year of the cost of the companies, and the anticipated unencumbered tax revenues from the Project are more than sufficient to cover the Project’s share of this and all other governmental service costs. The Fire Department also expressed a need for improvements to the obsolete water supply system, particularly with respect to pressure problems often experienced during summer months in nearby Nodine Hill. The proposed Project will include improvements to the water supply system increasing the residual pressure from 40-55 psi to 60 psi. The Police Department also expressed a need for additional services in the area and in response the Applicant is proposing to provide 1,200 square feet of space for a police “substation” at River Park Center. For special events (e.g., minor league ball games), private security will augment police service. The estimated police costs are approximately \$1 million per year. As is the

case with school and fire department costs, the anticipated unencumbered tax revenues from the Project are more than sufficient to cover this cost.

The Department of Public Works, however, indicated that, for the most part, its existing manpower and facilities will be able to service the proposed Project with little or no additional cost.

The total estimated costs for municipal and school district services to the proposed development are slightly under \$3 million per year (see Section III.J for details). Given the total amount of projected property, income, sales and other taxes, even after paying these service costs and making debt service payments on the tax increment bonds, the City would have a tax surplus of approximately \$6 million per year.

10. Cultural Resources

A Phase 1A archaeological and cultural resources study was performed by Hartgen Archaeological Associates and is in Appendix 3.A of this DEIS. The study identifies seven known archeological sites within a one mile radius of the Project area, and seven National Register-listed structures and nine National Register-eligible structures within the Project area. A copy of the Phase 1A was transmitted to the New York State Office of Parks, Recreation and Historic Preservation.

Although numerous pre-contact archeological sites have been identified along the Hudson River, the combination of prior development and man-made land render the Palisades Point site “low priority” for pre-contact cultural resources. However, as indicated below, there is some historical archeological sensitivity in the area.

The River Park Center site lies along the Saw Mill River. This area experienced development beginning during the 18th century and into the early 20th century, when several early saw mills and grist mills were constructed adjacent to the river. This was followed by increased industrial development as well as residential neighborhoods along the perimeter streets. By the early 20th century, most of the properties along New Main Street, Palisade Avenue, Elm Street and Nepperhan Avenue were fully developed. Several factories were located along the river including a brewery, leather works, and a hat factory. Hence, the River Park Center Project site is considered to be “very sensitive” for historic cultural resources relating to the industrial development of the area.

The Government Center site is located southwest of the Saw Mill River. However, portions are considered sensitive for 19th century cultural resources associated with the residential development of the City.

The Cacace Center site is situated at the top of a hill. By the mid-19th century, two large estates, identified as belonging to the Honorable William Bradford and A. Baldwin, were located within the central portion of the site. Later maps show the Yonkers High School and a series of flats at the north end of the property within the Bradford parcel, and the Baldwin structure at the south end of the site. The site is considered “sensitive” for historic cultural resources.

The Larkin Plaza area is located within the earliest section of the City. The area lies along the Saw Mill River channel and is situated adjacent to the National Register Listed Phillipse Manor House, which dates from the late-17th century. The area may contain the remains of early mill sites and dwellings as well as outbuildings associated with Phillipse Manor. By the early 19th century, manufacturing and residential development encompassed the area. The Larkin Plaza area is considered to have a high sensitivity for containing historic cultural relating to the industrial and residential development of the City of Yonkers beginning during the 17th century.

The Palisades Point site is located on the Hudson River to the west of the railroad tracks. According to the historic maps, the site is man-made land. Although historic development is absent within the site, the area may contain undocumented wooden bulkheads, piers and sunken vessels that were later covered with fill. The area is considered as having a “moderate sensitivity” for marine related historic cultural resources.

Archaeological testing may be required as mitigation to determine if early historic cultural deposits have survived the later stages of development within the Project area. This testing will be coordinated with the site remediation program under the Brownfield Cleanup Program for River Park Center, and during initial site preparation work at any site that is not in the Brownfield Cleanup Program. Completion of building structure inventory forms is recommended for several structures including the Art Deco style buildings located at 87 Nepperhan Avenue and 5-7 New School Street, the remaining “tenement houses” on Nepperhan Avenue, and several buildings on New Main Street and is ongoing. The flume that contains the Saw Mill River may also require documentation prior to its alteration. The potential impact of the proposed Project on identified National Register-listed and National Register-eligible properties will be assessed as the Project moves through its State Historic Preservation Office (SHPO) review.

11. Construction Phasing

The proposed Project will consist of four (4) distinct areas of construction phased over an approximately 30 month period:

- River Park Center (including related development at Government Center and the Palisade Avenue Office Building)
- Cacace Center
- Palisades Point
- Larkin Plaza (assuming the City decides to make the improvements)

Given the need to relocate certain uses and facilities, including the Fire Department Headquarters, the City offices in the Health Center Building (87 Nepperhan Avenue), existing parking in the Government Center and Cacace Justice Center municipal garages, and the public parking at Chicken Island, there is a specific sequence needed to complete the work at River Park Center and Cacace Center. The work at Larkin Plaza and Palisades Point is separate and not dependent on the River Park Center and Cacace Center construction. Detailed descriptions of construction phasing for each Project site are provided in Section III-M of this document.

For River Park Center, the general sequence of the construction is site preparation and demolition; reconstruction and daylighting of the Saw Mill River and foundation construction; building superstructure construction; building interior; and exterior streetscape completion. Before work can begin on any part of the site, temporary parking to replace the parking displaced from Chicken Island and from surrounding streets will be provided in selected locations (see Exhibit III.M-18). The new Government Center garage will provide parking for River Park Center. Currently existing on this property are the municipal garage and the Health Center Building (87 Nepperhan Avenue). Before the new Government Center garage can be built, the City offices in the Health Center Building must be moved across Nepperhan Avenue to the new office/hotel building to be constructed at the Cacace Center site. The new Government Center Garage will be built in two stages because the Health Center Building and existing municipal garage will not be vacated at the same time. The prerequisite to the start of construction on the northern half of the site is the completion and occupancy of the new Cacace Center garage. Once the existing municipal garage at Government Center is vacated at month 12, then it can be demolished. Once the Health Center Building is vacated at month 18, then it can be demolished and work can proceed on the southern end of the site. The new Government Center garage will also include parking for the west residential tower at River Park Center, the retail spaces along New Main Street that are part of that structure and for the ballpark. Therefore, the new Government Center garage needs to be completed by the time the first of those components opens at Month 28.

The Larkin Plaza construction work, if pursued by the City, will include reopening the enclosed underground flume to provide a public walkway along the daylighted river. Because this is an active waterway, the daylighted river will need to be built outside of the existing flume. The water will then be diverted from the existing flume to the newly constructed river. Streetscaping will complete the work. It is anticipated that the Larkin Plaza improvements would take approximately 18 months to complete.

F. Alternatives

The DEIS considers a number of alternatives to the Proposed Action, including the following:

- No Action with the Project area left in its current condition.
- Development in accordance with existing zoning, without additional height, density or permitted uses at River Park Center and Cacace Center (i.e., no ballpark or housing)
- Site planning alternatives including:
 - Two options for River Park Center without the ballpark
 - Four options for alternate designs of Palisades Point showing various building configurations and heights
- Relocation of the hotel use from Cacace Center to River Park Center
- Prior proposal for a minor league ballpark at Chicken Island.
- Alternative parking for Larkin Plaza, describing the two options that the City may pursue to provide replacement parking.
- No tax increment financing for public improvements
- 13.5% and 20% Affordable Housing

- Adaptive Reuse including 87 Nepperhan Avenue, 5-7 New School Street and other properties along New Main Street

Each of these alternatives is compared to existing conditions and the Proposed Action, as applicable, and all alternatives are outlined in Tables I-3 (Program Comparison) and I-4 below.

**Table I-3
Program Comparison: Proposed Action and Alternatives**

Project Site	Proposed Action	Existing Zoning Alternative B	No Ballpark Alternative	No Ballpark- Replacement with Commercial	Previous Ballpark	Relocated Hotel	Palisades Point Alternatives*				Adaptive Re-Use
							14 story	30 Story	1998 Plan	Mixed Height ¹	
• Palisades Point	• 436 residential units • Publicly accessible open space along the Hudson River • Parking	• 436 residential units • Publicly accessible open space along the Hudson River • Parking	• Same as Proposed Action	• Same as Proposed Action	• Same as Proposed Action	• Same as Proposed Action	14 story • 436 units • Publicly accessible open space • Parking	30 Story • 436 units • Publicly accessible open space • Parking	1998 Plan • 262 units • Open Space • Parking	Mixed Height¹ • 436 Units • Publicly accessible open space • Parking	• Same as Proposed Action
• River Park Center (the approx. 13 acres between Nepperhan Ave., New Main St., Palisades Ave. and Elm St.)	• 455,000 s.f retail • 80,000 s.f restaurant • 100,000 s.f office • 80,000 s.f movies • 950 residential units • Publicly accessible open • 6,500 seat ballpark space/riverwalk • Parking	• 500,000 s.f retail/ restaurant/movies • 500,000 s.f office • Parking	• Same as Proposed Action but no ballpark (reduction of spaces)	• 600,000 s.f retail • 75,000 s.f restaurant • 175,000 s.f office • 80,000 s.f movies • 950,000 residential units • Parking (450 additional spaces)	• No project by Applicant	• Same as Proposed Action plus 150 room hotel	• Same as Proposed Action				• Same as Proposed Action
• Government Center Garage Site	• 41,000 s.f retail/ restaurant/other • Parking	• 30,000 s.f retail/ restaurant • Parking	• Same as Proposed Action	• Same as Proposed Action	• No project by Applicant	• Same as Proposed Action	• Same as Proposed Action				• Existing Conditions remain
• Palisade Avenue Office Building	• 225,000 s.f office • 10,000 s.f retail • Parking	• 100,000 s.f office • Parking	• Same as Proposed Action	• Same as Proposed Action	• No project by Applicant	• Same as Proposed Action	• Same as Proposed Action				• Same as Proposed Action
• Cacace Center	• 150,000 s.f office • 150-room hotel • 49,000 s.f Fire Dept. Headquarters • Parking	• 225,000 s.f office • 49,000 s.f Fire Dept. Headquarters • Parking	• Same as Proposed Action	• Same as Proposed Action	• No project by Applicant	• 150,000 s.f office • 49,000 s.f fire hydrant • Parking	• Same as Proposed Action				• Same as Proposed Action
• Larkin Plaza	• Open space/riverwalk • Parking	• Open space/riverwalk • Parking	• Same as Proposed Action	• Same as Proposed Action	• Same as Proposed Action	• Same as Proposed Action	• Same as Proposed Action				• Same as Proposed Action

* The Proposed Action, 14 Story, Mixed Height and 30 story alternatives have the same number of dwelling units and parking spaces. The publicly accessible open space is increased with taller buildings. The nine-story alternative is derived from the City's 1998 Downtown Waterfront Plan. The open space would be less, given the lower height. The 14 story and 20 story alternatives, like the Proposed Action Plan, will have a bridge connection to the site via Prospect Street. The alternatives based on the 1998 Plan would not have the new access bridge.

⁽¹⁾ 15, 18 and 25 Stories along the riverfront. Note: Above table does not include No TIF Alternative or No Public Financing to Larkin Plaza Alternative. Both of these result in a no project condition.

**Table I-4
Comparison of Selected Impact Factors**

	Land Use & Zoning	Max. Height	Key Natural Features	PM Peak Traffic Generation	Parking Spaces	Water/Sewer (000 gpd)	Population	Public School Children ⁽⁸⁾
PROPOSED ACTION								
▪ River Park Center	Zoning and Urban Renewal Plan changes required	50 Stories	Daylighting of Saw Mill & Riverwalk	2282	4554	376/342	1341	111
▪ Cacace Center	Zoning and Urban Renewal Plan changes required	25 Stories	Rock removal	219	1349	33/30	0	0
▪ Palisades Point	Clarification of PUR Zoning	25 Stories	Publicly Accessible Open Space along Hudson	183	669	109/99	616	51
▪ Larkin Plaza	No Zoning Changes	NA	Daylighting and Riverwalk	negligible	120	0	0	0
EXISTING ZONING								
▪ River Park Center	No Zoning or Urban Renewal Plan changes ⁽¹⁾	5 Stories	No Daylighting or Riverwalk	1834	3390	-220/-200 ⁽⁹⁾	0	0
▪ Cacace Center	No Zoning or Urban Renewal Plan changes ⁽²⁾	10 Stories	Same as Proposed Action	235	675	-9/-8	0	0
▪ Palisades Point	Same as Proposed Action	25 Stories	Same as Proposed Action	183	669	SPA	616	51
▪ Larkin Plaza	NA	NA	Same as Proposed Action	negligible	120	0	0	0
NO BALLPARK								
▪ River Park Center	Similar to Proposed Action	50 Stories	No green roof (ballfield)	-364	4554	-29/-26	1341	111
NO BALLPARK REPLACEMENT RETAIL								
▪ River Park Center	Additional changes to zoning and Urban Renewal Plan	50 Stories	No green roof (ballfield)	+562	+450	15/-14	1341	111
PREVIOUS BALLPARK								
▪ River Park Center	Modest changes to Zoning and Urban Renewal Plan ⁽³⁾	3 Stories	Limited Daylighting, No Riverwalk	775	None	51/51	0	0
RELOCATED HOTEL								
▪ River Park Center	Same as Proposed Action	50 Stories	Same as Proposed Action	+79	+105	+20/+18	1178	98
ALTERNATIVE PALISADES POINT DESIGN								
▪ 30 Story Buildings	Same as Proposed Action	30 Stories	Additional open space (3.45ac.)	183	669	109/99	616	51
▪ 14 Story Buildings	Same as Proposed Action	15 Stories	Less open space (1.79 ac.)	183	669	109/99	616	51
▪ 1998 Waterfront Master Plan	Same as Proposed Action	9 Stories	Less open space (1.72 ac.)	119	528	-44/-40 ⁽¹⁰⁾	367 ⁽⁷⁾	30
▪ Mixed Height Alternative	Same as Proposed Action	15, 18, 25 Stories	Same as Proposed Action	183 ⁽⁴⁾	669	109/99	616	51
ADAPTIVE REUSE (11)								
▪ River Park Center	Government Center uses remain	50 Stories	Same as Proposed Action	+90	-1457	+81/64	Same as Proposed Action	Same as Proposed Action
ALTERNATIVE FINANCING/ALTERNATIVE PERCENTAGES OF AFFORDABLE HOUSING								
▪ No TIF	No Project (NP)	NP	NP	NP	NP	NP	NP	NP
▪ 13.5% and 20% Affordable	No Project (NP)	NP	NP	NP	NP	NP	NP	NP
ALTERNATIVE PARKING								
▪ Larkin Plaza	Same as Proposed Action ⁽⁵⁾	3 ⁽⁶⁾	Same as Proposed Action	SPA	SPA	0	0	0

⁽¹⁾ No movie theatres, residential, supermarket or ballpark

⁽²⁾ No hotel

⁽³⁾ Rezoning and Urban Renewal Plan change to permit ballpark

⁽⁴⁾ Ramp instead of helix – no change in peak hour traffic

⁽⁵⁾ Project includes two options for replacement parking by the City. Options to be determined by the City for this improvement project.

⁽⁶⁾ Height of parking garage options are 3 levels for potential structure on Nepperhan Street and Market Place and Wells Avenue near the railroad tracks.

⁽⁷⁾ 262 units @ 1.4 person/unit

⁽⁸⁾ 0.14 students/unit, of which 82.5% would attend public schools.

⁽⁹⁾ Assumes 50,000 s.f restaurant and 50 s.f/seat from retail total at River Park Center

⁽¹⁰⁾ Assumes same bedroom mix as Project

⁽¹¹⁾ Project changes would affect the potential marketability of units in the west tower and the viability of the proposed office at the Cacace Center.

SPA=Same as Project

NP=No Project

G. Reviews and Approvals

Required reviews and approvals by the City of Yonkers and other governmental agencies are summarized below.

1. Yonkers City Council

As previously noted, the City Council would need to amend the Zoning Ordinance to permit a number of additional uses at the River Park Center and Cacace Center sites in the CB and GC Districts, and to increase the maximum building heights to 525 feet and 250 feet respectively. The zoning amendment also calls for an increase of the floor area ratio (FAR) to 6.0 in the CB and the coverage to 100% in both districts in certain instances. The parking requirements within the Zoning Ordinance are also proposed to be modified, consistent with the downtown location, available transit and the shared parking characteristics of the mixed-use development. The Zoning Ordinance is also proposed to be amended to provide that in the CB and GC Districts, a tract having 10 or more acres of area in the aggregate and comprised of one or more parcels and/or lots may be designated by the City Council as a single “Development Site,” and to further provide that the dimensional regulations of the Zoning Ordinance, including but not limited to the supplementary regulations in Section 43-33 of the Zoning Ordinance, shall apply to the entire tract designated as a Development Site and not to any of the individual parcels and/or lots which comprise the Development Site or any of the individual lots into which the Development Site is subdivided, and regardless of the ownership of the parcels and/or lots, provided that in all events each of the parcels and/or lots shall be used only in accordance with the approved site plan for the Development Site.

For Palisades Point, the City Council needs to approve a Planned Urban Redevelopment special permit for the proposed development, and the City Council needs to amend the Planned Unit Redevelopment regulations of the Zoning Ordinance to clarify the applicability of the regulations to the site.

The City Council would also need to amend the Getty Square Urban Renewal Plan to, among other things, be consistent with the proposed zoning in the CB District and the GC District, and the Waterfront Master Plan to make it consistent with the approved plan for Palisades Point.

As previously noted, a major component of the proposed development involves the use of tax increment financing. To facilitate the issuance of tax increment bonds, the City Council must adopt a Redevelopment Plan for the Project area in accordance with the New York Municipal Redevelopment Law. The approval process for adopting a Redevelopment Plan and authorizing the issuance of tax increment bonds involves several steps, including preparation and approval by the City Council of a Preliminary Plan and final Redevelopment Plan. The Applicant’s proposed Preliminary Plan is included in the appendix of this DEIS. The impacts of the Preliminary Plan are indistinguishable from the impacts of the Project and therefore are not separately studied.

Additional actions by the City Council include approval of land disposition agreements and disposition of City property (including land currently designated as City park land,

assuming that the State legislature authorizes the alienation of that land) either to the Applicant or to the Yonkers Community Development Agency for disposition to the Applicant, and approval of the disposition by the CDA to the Applicant of the Palisades Point site and any other property it may own within the Project area. The City Council will also have to approve the discontinuance of certain existing public streets, and will determine whether or not to make public improvements at Larkin Plaza, including the daylighting of the Saw Mill River at that site.

2. *City Planning Board*

The Planning Board is responsible for recommendations to the City Council on the proposed Zoning Ordinance amendments, Getty Square Urban Renewal Plan changes and discontinuance of City streets. For the development of Palisades Point, the Planning Board will issue a Planned Urban Redevelopment special permit. The Planning Board will grant site plan approval for the entire Project.

3. *Yonkers Community Development Agency (“CDA”)*

The CDA would approve the amendments to the Getty Square Urban Renewal Plan and enter into a land disposition agreement for conveyance to the Applicant of the Palisades Point site and any other property in the Project area owned by the CDA, or which may be conveyed by the City to the CDA for disposition to the Applicant.

If any condemnation is required for the City to assemble a site for replacement parking at Larkin Plaza, the CDA would be involved in that process.

The CDA would also have to approve amendments to the Waterfront Master Plan to make the plan consistent with the approved plan for Palisades Point.

Yonkers Industrial Development Agency (“YIDA”)

The YIDA is expected to provide financial assistance to all qualified components of the Project (through a so-called “straight-lease transaction”) in the forms of a sales tax exemption and mortgage recording tax exemption.

4. *City Departments*

Various City departments would review the Project and provide recommendations to the City Council, Planning Board and CDA. Among these will be recommendations on tax increment financing, utilities, road and intersection improvements and parking.

5. *Westchester County Board and Departments*

The County Planning Board would review the proposed Project and the DEIS and evaluate its consistency with “Patterns,” the Westchester County Comprehensive Plan. The Department of Environmental Facilities and the Department of Health would issue required permits and approvals for sanitary sewer and water service improvements. The County Department of Transportation would review Bee-Line bus route changes and improvements to County roads. Permits to improve County roads would be required from the County Department of Public Works.

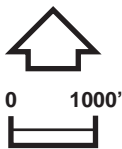
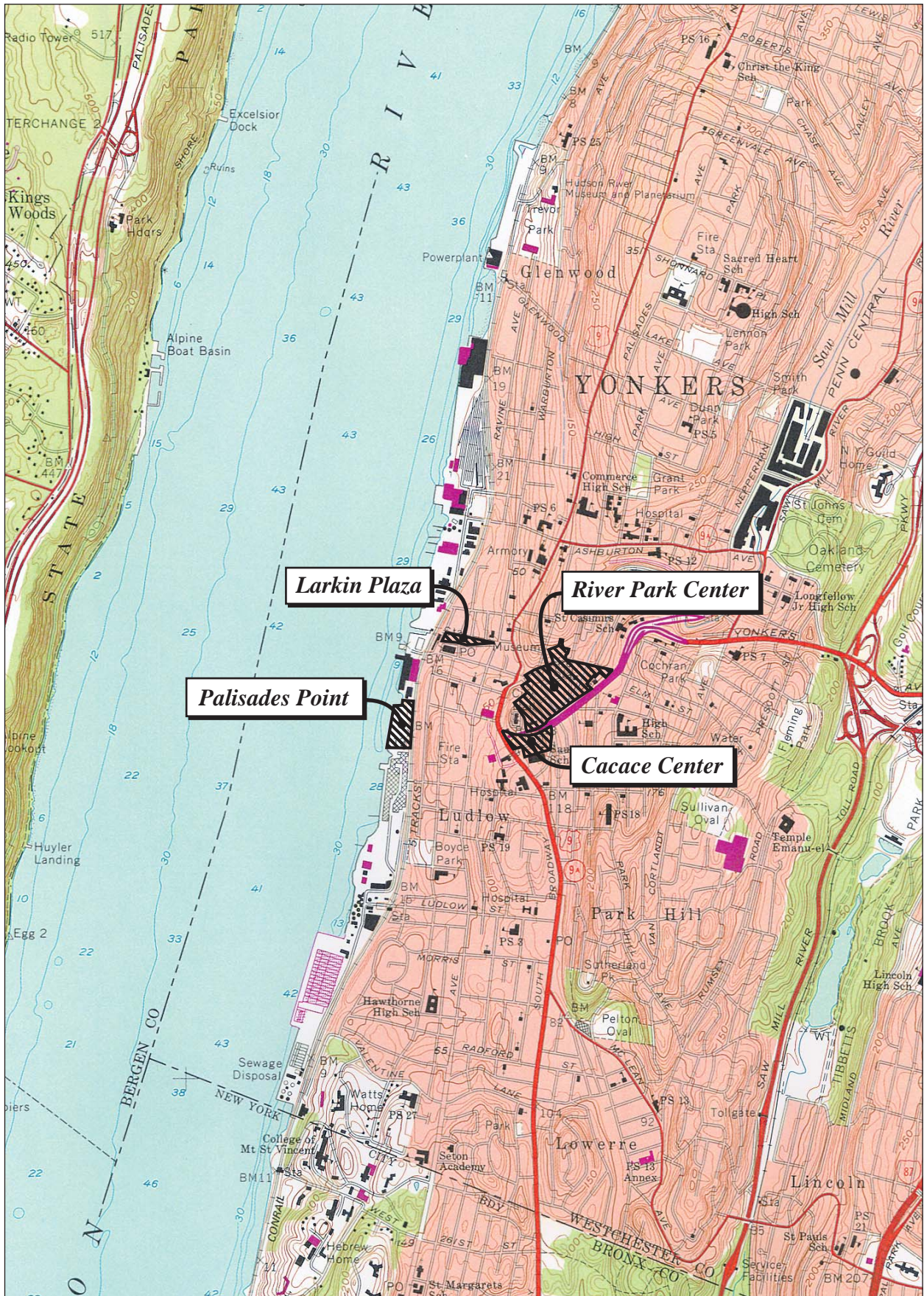
The County Board of Legislators will be requested to enter into a “joint undertaking” with the City under the Municipal Redevelopment law, and pledge 75% of its incremental tax revenue from the Project to the repayment of the City’s tax increment bonds.

6. *State and Federal Governments*

A variety of approvals would be the required from State and federal agencies. These include:

- Special legislation from the State Legislature permitting alienation of City parkland (portions of Washington Park, Waring Park and a small former park at River Park Center).
- New York State Department of Environmental Conservation Section 401 water quality certification for any required federal permits affecting the Saw Mill River or Hudson River, SPDES permits for construction activities and for storm water discharges into the Saw Mill River, and approvals in connection with the Brownfield Cleanup Program.
- NYS Department of State, Division of Coastal Resources, for Coastal Management consistency review and determinations in connection with any required State and/or federal permits and approvals for Palisades Point.
- New York State Office of Historic Preservation for “Section 14.09 review” of potential impacts of State agency permits and approvals on historic resources.
- New York State Department of Transportation for acquisition of Nepperhan Avenue right-of-way and highway work permits for improvements to State highways.
- Metro-North Railroad for the bridge crossing the tracks at Prospect Street.
- Federal Aviation Administration for review and permitting, if required, of the residential towers.
- U.S. Army Corps of Engineers for alterations to the Saw Mill River and for the shoreline restoration at Palisades Point.

Additional parties and agencies that would also review the Project but not issue any permits or approvals or provide any funding for the Project are identified under SEQRA as “interested agencies.” Interested Agencies include organizations such as Scenic Hudson, Riverkeeper, the Downtown Waterfront Business Improvement District, the Salvation Army and other not-for-profits serving the community.



BASE MAP SOURCE: USGS - Yonkers, NY-NJ Quadrangle

Exhibit I-1
SITE LOCATION

SFC PHASE I PROJECTS

STRUEVER FIDELCO CAPPELLI LLC



Palisades Point

Larkin Plaza

River Park Center

Cacace Center