

III. Environmental Setting, Anticipated Impacts and Proposed Mitigation

III.A: Land Use and Zoning

III. ENVIRONMENTAL SETTING, ANTICIPATED IMPACTS AND MITIGATION MEASURES

A. Land Use and Zoning

1. Existing Conditions

a. Existing Land Use

Based on direction from the Planning Bureau of the City of Yonkers, the analysis of existing land use for the purposes of this DEIS addresses two study areas:

- One larger area (“Overall Land Use Study Area”) that generally extends from Hudson River in the west to the Saw Mill River Parkway in the east, including a portion of the Alexander Street and Nepperhan Valley areas to the north. It also extends to the Yonkers Sewage Treatment Plant to the south. See Exhibit III.A-1.
- A detailed area (“Detailed Land Use Study Area”) that focuses more directly on the four sites included in the DEIS: River Park Center, Cacace Center, Larkin Plaza, and Palisades Point. See Exhibit III.A-2. Note that the River Park Center development includes three sub-areas: (1) the Palisade Avenue Office Building; (2) the Government Center site on New Main Street; and (3) the balance of River Park Center between Nepperhan Avenue, New Main Street, Palisade Avenue and Elm Street.

The Detailed Land Use Study area, extending over ½- mile from the Project sites, (and extending over 1½-miles along the waterfront) encompasses the City’s traditional downtown and waterfront area and its adjoining residential neighborhoods. The larger, Overall Land Use Study area encompasses additional land areas that are within the “Phase II” development area described in the MDDA, including areas that are identified in this DEIS as subject to future growth induced by the Project (see Chapter VI of this DEIS).

The major roads that service these areas are the Saw Mill River Parkway, Cross County Parkway, Riverdale Avenue, Warburton Avenue, North and South Broadway (Route 9), Saw Mill River Road, Nepperhan Avenue, Yonkers Avenue and Ashburton Avenue.

The Overall Land Use Study Area has a mixed-use character that includes residential, commercial, public/quasi-public, and industrial uses typical for an older urban setting. This Study Area is the oldest area of the City. Its history dates back to Paleo Indian settlements in the county at the location where the Saw Mill River entered into the Hudson, near present Larkin Plaza. In the 17th century, an early farm and saw mill were located on the Saw Mill River. In the late 18th century, the Town of Yonkers was created and generally encompassed the area. As present day Yonkers emerged, the Overall Land Use Study Area became an industrial and commercial center.

Today, Getty Square is the major commercial hub within the area. Located at the intersection of Main Street, New Main Street, Palisade Avenue, North Broadway, and South Broadway, Getty Square contains retail stores, restaurants, religious institutions

and nearby City Hall. Close to Getty Square are several prominent public and quasi-public land uses, including: the Yonkers Metro-North Railroad Station, U.S. Post Office, Yonkers Riverfront Library, Westchester County Department of Social Services, and New York State Department of Motor Vehicles. Recent development in the area is reflected in the rehabilitated City Pier, riverfront esplanade and City “sculpture park,” and the new waterfront housing developments (with ground floor commercial). Other major uses in the Overall Land Use Study Area include the American Sugar Refinery and Yonkers Sewage Treatment Plant along the southern portion of the waterfront and the St. Joseph’s Hospital and the Cacace Justice Center on South Broadway.

River Park Center is located roughly in the center of the Overall Land Use Study Area, generally adjacent to Getty Square and City Hall. It contains a mix of residential, commercial, industrial, and public/quasi-public uses, parking and vacant land. It includes the Getty Square parking area known locally as “Chicken Island.” The Cacace Center site is located to the south of City Hall, across Nepperhan Avenue at the corner of South Broadway. Larkin Plaza is located in the northwestern portion of the Overall Land Use Study Area, between Dock Street and Nepperhan Street. Palisades Point is located in the central portion of the Hudson River waterfront, west of the railroad tracks to the south of the residential development known as Scrimshaw House, and to the north of the American Sugar Refinery (See Exhibit III.A-1).

The following section of this chapter of the DEIS describes the land use character of the Overall Land Use Study Area and then presents, in detail, the land use characteristics of the four sites: River Park Center, Cacace Center, Larkin Plaza and Palisades Point.

(1) *Description of the General Land Use Character of the Overall Land Use Study Area*

The land use pattern in the Overall Land Use Study Area, based on the City of Yonkers GIS maps, is shown on Exhibit III.A-1. The following is a description of the major use categories.

Residential Uses

Large concentrations of multifamily uses exist in the northern portions of the Overall Land Use Study Area along Warburton Avenue, Palisade Avenue, and Locust Hill Avenue; within the Nodine Hill neighborhood in the east; and along Hawthorne Avenue and Riverdale Avenue in the south. Similarly, large concentrations of two/three family residences are mostly found within the Nodine Hill neighborhood to the east; and within the blocks surrounded by Palisade Avenue to the north, and Hawthorne Avenue and Buena Vista Avenue to the south.

The area includes a number of publicly assisted housing developments, including Griffin House, a senior housing project.

Relatively few single-family uses exist in the Overall Land Use Study Area. Single-family homes are found scattered on various blocks, mostly at the extreme edges of the Study Area, including portions of Nodine Hill and Ludlow Park.

Commercial and Office Uses

Commercial uses within the Overall Land Use Study Area include retail stores, personal services, restaurants, auto repair/gas stations and offices. These uses are mostly concentrated in the central portion of the study area. Getty Square is the major retail concentration. It includes convenience stores, restaurants and delicatessens, apparel stores, beauty salons, etc., with residential, government, religious and office uses nearby. The office uses are mostly clustered on either side of South Broadway, near City Hall.

The area along Main Street from Riverdale Avenue to Buena Vista Avenue has been the focus of some significant new development, including new restaurants, shops and mixed-use buildings, close to the railroad station and the Hudson River.

The majority of the automotive repair and gas station uses are found in the Nepperhan Valley in the northeastern portion of the study area, bounded by Nepperhan Avenue to the west, Saw Mill River Road to the east and Ashburton Avenue to the south. Auto-related uses are also located along Yonkers Avenue.

Mixed Uses

The land use pattern in the Overall Land Use Study Area comprises a mix of land use types. As can be seen on Exhibit III.A-1, the waterfront properties are used for recreation facilities, manufacturing, community service facilities, multifamily residences, parking lots, and vacant land. Recent development in this area includes restaurants and multifamily buildings, some of which include ground-floor commercial uses. The City Pier, waterfront esplanade, and City sculpture park were developed subsequent to the issuance of the City's GIS mapping. A mix of uses exists away from the waterfront, with, as previously described, residential neighborhoods, commercial uses, and office uses. There are retail uses located within the downtown and scattered throughout areas that are predominantly residential. Community service facilities, recreation facilities and parks also exist within many of the residential neighborhoods.

Mixed-use buildings exist throughout the Overall Land Use Study Area, typically containing stores, restaurants and other commercial uses on the first floor with apartments above. Although mixed-use buildings are concentrated within the vicinity of Getty Square, they are found on many other streets, including Yonkers Avenue, Warburton Avenue, Elm Street, etc. In addition, in recent years the area has included the development of live-work projects, further establishing the area's mixed use character.

Industrial Uses

Large parcels of industrial land are predominantly found in the western and northeastern sections of the Overall Land Use Study Area, along the riverfront and in the Nepperhan Valley. The American Sugar Refinery, a major industrial use, is located to the southwestern portion of the Overall Land Use Study Area. The Alexander Street area contains a number of industrial buildings. The Nepperhan Valley area has a number of warehouse, storage and office uses in former mill buildings.

Public/Quasi-Public Uses

The Overall Land Use Study Area has an abundance of public/quasi-public uses. These include government buildings, community centers, hospitals, religious buildings, schools, funeral homes, police and fire stations, veterinary services, and parks. The City government center is located at the western corner of Nepperhan Avenue, South Broadway and New Main Street and consists of the City Hall, the Health Center Building (87 Nepperhan Avenue), and a municipal parking garage. The St. Joseph's Hospital and nursing home are located to the south of the Prospect Street and South Broadway intersection just beyond the City Hall. The Fire Department's Headquarters building is located on School Street and the Police Headquarters and Cacace Justice Center is located on South Broadway. Various public schools are also found within the study area, including the Enrico Fermi School located on Linden Street to the south and the Martin Luther King High School located on Locust Hill Avenue.

There are a number of parks and open spaces in the study area including small pocket City parks on the eastern and western ends of Larkin Plaza. The City sculpture park and an esplanade are located along the Hudson River to the south of the City Pier. In addition, there are several other parks within the study area such as: the War Memorial Park, the Pitkin Park, the Cochran Park and Fleming Park. City Hall, the Health Center Building and adjacent municipal parking lot are located within Washington Park. Just south of City Hall, adjacent to the Cacace Center, is Waring Park. A detailed description of the various facilities existing in these parks is provided in the Community Facilities section of this DEIS.

Vacant Land and Parking

Large and small vacant parcels are found scattered throughout the Overall Land Use Study Area, including the Palisades Point site. Several private and public parking lots are located in the central and southern portions of the study area. This includes the five-acre surface parking lot at Chicken Island and the existing Government Center municipal parking structure.

(2) *Detailed Land Use Character of River Park Center, Cacace Center, Larkin Square and Palisades Point*

Exhibit III.A-2 and Table III.A-1 indicate the various land uses that exist within the Detailed Land Use Study Area, specifically at River Park Center, Cacace Center, Larkin Plaza, and Palisades Point. Since they are in close proximity across Nepperhan Avenue, land use data on the Cacace Center and River Park Center sites is combined.

Table III. A-1
River Park Center, Cacace Center, Larkin Plaza and Palisades Point by Area and Number of Parcels Included

RIVER PARK CENTER/CACACE CENTER				
Category	Number of Parcels	% of Total Parcels	±Acres	% of Total Area
Residential	12	14.3%	1.14	5.3%
Multifamily	5	6.0%	0.34	1.6%
Mixed Use	7	8.3%	0.8	3.7%
Commercial	11	13.1%	2.62	12.2%
Office	1	1.2%	0.1	0.5%
Restaurant/Retail	8	9.5%	0.99	4.6%
Auto Repair/Gas Station	2	2.4%	1.53	7.1%
Public/Quasi-Public	7	8.3%	5.49	25.6%
Community Services/Other	6	7.1%	4.62	21.5%
Recreation Facilities	1	1.2%	0.87	4.1%
Industrial	3	3.6%	0.54	2.5%
Warehouse/Manufacturing	3	3.6%	0.54	2.5%
Other	51	60.7%	11.67	54.4%
Vacant Land	36	42.9%	5.33	24.8%
Parking	1	1.2%	5.0	23.3%
Vacant Land ¹	3	3.6%	0.31	1.4%
Right-of-way	11	13.1%	1.03	4.8%
Total	84	100.0%	21.46	100.0%
LARKIN PLAZA AREA				
Category	Number of Parcels	% of Total Parcels	Area	% of Total Area
Residential	5	33.3%	0.74	15.2%
Multifamily	3	20.0%	0.36	7.4%
Mixed Use	2	13.3%	0.38	7.8%
Commercial	3	20.0%	0.54	11.1%
Office	2	13.3%	0.43	8.8%
Auto Repair/Gas Station	1	6.7%	0.11	2.3%
Public/Quasi-Public	2	13.3%	0.99	20.3%
Community Services/Other	1	6.7%	0.61	12.5%
Recreation Facilities	1	6.7%	0.38	7.8%
Industrial	2	13.3%	0.19	3.9%
Warehouse/Manufacturing	2	13.3%	0.19	3.9%
Other	3	20.0%	2.41	49.5%
Vacant Land	1	6.7%	0.18	3.7%
Parking	1	6.7%	2.19	45.0%
Vacant Land ¹	1	6.7%	0.04	0.8%
Total	15	100.0%	4.87	100.0%
PALISADES POINT				
Category	Number of Parcels	% of Total Parcels	Area	% of Total Area
Parking Lot	4	50%	2.3	39.7%
Vacant Land	4	50%	3.5	60.3%
Total	8	100.0%	5.8	100.0%

¹ Some vacant sites have small accessory buildings

SOURCE: Yonkers GIS

River Park Center/Cacace Center

As previously noted, the River Park Center and Cacace Center sites and surrounding area consist of a variety of land uses. The major uses in this area are the existing Cacace Justice Center and adjacent Police Headquarters, City Hall and the Health Center Building at 87 Nepperhan Avenue. St. Joseph's Hospital is located nearby.

Vacant Land, Parking and Right-of-Way – Approximately 60% of total parcels and 54% of land of the River Park Center and Cacace Center sites, representing nearly 12 acres, are vacant land, parking lots, and right-of-way. Out of a total of 84 parcels, 40 parcels are being used for these purposes. Included in the parking facilities are the 386 space public parking lot at Chicken Island and the 438 space municipal parking structure.

Commercial - Only 13% of the parcels are used for commercial purposes, which are mostly concentrated at the New Main Street and Palisade Avenue intersection. Of the 11 commercial parcels, 8 are restaurant and retail uses. There are two auto-related uses. Getty Square includes a mix of small scale retail, restaurants and personal service uses. A long-standing retail business in the community is the C. H. Martin store, located at the corner of Broadway and Main Street. Newer commercial uses, including restaurants are located along New Main Street.

Residential – Twelve parcels and 5% of the land of the River Park Center and Cacace Center sites are residential or residential and commercial mixed use. A small proportion of the total parcels (4.6%) clustered along School Street are used for light industrial purposes.

Public and Quasi-Public – Seven parcels representing 25.6% of the land of the River Park Center and Cacace Center sites are being used for public/quasi-public purposes. These include the current Fire Department Headquarters, Mt. Caramel Baptist church, Waring Park, and the Salvation Army.

Light Industrial – A small proportion of the total parcels clustered along School Streets are used for light industrial purposes.

Larkin Plaza

The Larkin Plaza area (which in this land use analysis includes the existing parking lots, a City park and its surrounding area) contains a total of 15 parcels. Larkin Plaza itself consists of only park and parking lot uses, and comprises a total of approximately 2.5 acres. The plaza is surrounded by a range uses such as the Yonkers Riverfront Library, Department of Motor Vehicles (DMV), Yonkers Railroad Station, the Post Office and the Philipse Manor Hall historic site. Retail, commercial and office uses are presently found on either side of Larkin Plaza. The existing public parking lot at Larkin Plaza has 120 spaces.

Palisades Point

The Palisades Point site is located at the Hudson riverfront on Parcels H, I and a portion of J as designated under the City's Waterfront Master Plan¹, immediately to the north of the American Sugar Refinery. These vacant parcels are accessed from Main Street.

The eight parcels included in Palisades Point are currently owned by the Yonkers Community Development Agency. Out of a total of eight tax parcels within this area, four are currently used as a parking lot for Scrimshaw House. The remaining four parcels are vacant. The total site area is approximately 5.8 acres.

Adjacent land uses include a mix of residential and commercial uses, including smaller-scale retail and personal service uses, and single-family, two-family and multifamily housing.

b. Zoning Regulations

The Yonkers Zoning Ordinance was recodified in September 2000, and has been amended from time to time since then. In recent years, certain districts in the downtown area were eliminated and others were consolidated to reflect a land use pattern more reflective of existing and potential uses. The Project sites are now within the following districts:

- CB –Central Business District
- GC – Government Center District
- DW – Downtown Waterfront District
- PDR - The Palisades Point site is identified on the Zoning Map of the City as being in the former PDR District.

Existing zoning is shown on Exhibit III.A-3. As indicated, the four sites being evaluated in this DEIS are located within four separate zoning districts. Zoning for each site is described below.

Palisades Point

As noted above, Palisades Point is zoned PDR District, a zoning district that was not carried forward when the Zoning Ordinance was recodified in 2000. Palisades Point is proposed to be approved as a Planned Urban Redevelopment ("PUR"), a specially permitted use in the PDR District on a site located in an urban renewal area. If a PUR special use permit is granted by the Planning Board and the City Council, the use, lot and bulk controls of the Zoning Ordinance are superseded by the approved plan for the special permit use.

¹ Parcels H, I and J, as designated in the Yonkers Downtown Waterfront Master Plan, comprise eight individual tax parcels, as listed in Table II-1.

Larkin Plaza

The Larkin Plaza area is zoned DW-Downtown Waterfront District. Parks and recreation facilities are permitted in this district.

River Park Center and Cacace Center

The River Park Center site is within two zoning districts: (1) CB-Central Business District for the blocks on either side of School Street and the Palisade Avenue Office Building site; and (2) GC-Government Center District for the Government Center and Cacace Center sites.

Use, lot and bulk controls for these districts are summarized on Tables III.A-2 and III.A-3. Note that multifamily housing (apartments) is not currently permitted in either the CB District or the GC District unless it is a component of a specially permitted PUR.

Table III.A-2
Permitted Uses (selected list) in Zoning Districts

Use	District		
	CBD	GCD	DWD
Banks	P	P	P
Night Clubs	-	P	-
Eating and Drinking	P	P	P
Food and Beverage Stores	P	P	P
Health Clubs	P	P	P
Hotels	P	P	P
Live/Work	SP	SP	SP
Medical/dental offices	P	P	P
Offices	P	P	P
Personal Services	P	P	P
Restaurants	P	P	P
Retail	P	P	-
Supermarket	-	-	-
Theatre	P	P	P
Department Stores	-	-	-
Day Care Centers	P	P	P
Indoor Markets	P	P	-
Apartment Houses	-	-	-
Planned Urban Redevelopments	SP	SP	SP

P = Permitted; some with supplemented requirements

SP = Special Permit Uses

**Table III.A-3
Lot and Bulk Controls**

Maximum*	District		
	CBD	GCD	DWD
Coverage	90%	90%	90%
Height	50'	100'	5 stories/66'
FAR	5.0	9.0	4.5

* Minimum rear yard= 10 feet in each district

The Zoning Ordinance also includes minimum ratios for off-street parking as indicated in Table III.A-4.

**Table III.A-4
Off Street Parking Requirements**

Use	Parking Ratio
Personal Services	1 per 200 s.f
Offices	1 per 300 s.f
Retail	1 per 200 s.f
Movie Theatres, multi-screen	1 per each three seats
Apartments	1 per dwelling unit plus 0.33 per bedroom
Stadiums	1 per each four seats
Hotels	0.75 per room + accessory uses
Restaurants	1 per 3 seats or 1 per 100 s.f
Health Clubs	1 per 200 s.f
Eating and Drinking Establishment	1 per 150 s.f

According to information provided by the Yonkers Planning Bureau, there are no pending zoning changes in the Detailed Land Use Study Area that would affect the subject proposal.

c. Urban Renewal

Most of downtown Yonkers and the adjacent waterfront area are included in designated urban renewal areas, with some urban renewal plans that date back the 1970's. See Exhibit III.A-4. Like zoning, urban renewal plans regulate land use, density of development, parking, etc. They also provide design objectives and establish strategies for redevelopment or rehabilitation treatment.

Palisades Point is included 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 Riverview Urban Renewal Plan indicates that this area is planned for residential, commercial (retail/office), public and quasi-public uses, with uses and densities permitted under the City's BA District (General Business and Apartment Houses, High Density), or PDR District zoning. The Larkin Plaza area is also included within the Riverview Urban Renewal Plan area.

The River Park Center and Cacace Center sites are subject 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”). Proposed land uses in the Getty Square Urban Renewal Plan area are different for each site being considered in this DEIS. The Getty Square Urban Renewal Plan calls for redevelopment of two separate areas within the River Park Center site, divided by School Street. The Getty Square Urban Renewal Plan proposes that the Chicken Island parking lot and several other internal streets be abandoned and made available for redevelopment. The Getty Square Urban Renewal Plan anticipates the development of a retail center, office development, housing and structured parking. On the Government Center site the Getty Square Urban Renewal Plan calls for expansion of public institutional uses and expansion of government center parking. The portion of New Main Street to the north of the existing Government Center Garage is indicated as predominately commercial use, where the Getty Square Urban Renewal Plan calls for rehabilitation of existing uses. The Cacace Center site is also proposed in the Getty Square Urban Renewal Plan for a continuation of existing uses.

The Getty Square Urban Renewal plan calls for a maximum FAR of 5.0 excluding parking, and a maximum building coverage of 77%. The minimum parking ratio is 4.5 spaces per 1,000 square feet of retail use up to 750,000 square feet and 4.0 spaces per 1,000 square feet for 750,000 square feet or greater. In addition the Getty Square Urban Renewal Plan calls for the widening of Palisade Avenue and Elm Street.

Sites within the Getty Square Urban Renewal area could be developed as a specially permitted PUR, with such uses and densities as are approved by the Planning Board and City Council. The Getty Square Urban Renewal Plan calls for the expansion of government uses and the development of a planned retail center of 350,000 to 1,200,000 square feet.

The Project will include acquisition of properties owned by the City and the Yonkers Community Development Agency (“CDA”) including the parcels that comprise Palisades Point (in the Riverview Urban Renewal Plan area) and the parcels that currently comprise the Chicken Island public parking lot. Acquisition of privately owned buildings and land within the Project sites is being pursued by the Applicant without the use of the City’s power of eminent domain. This includes properties in the River Park Center site on New Main Street, Palisade Avenue, Elm Street and Nepperhan Avenue.

d. Other Districts and Regulations

(1) *Empire Zone*

In addition to urban renewal area designations, all four sites are located within a New York State Empire Zone (“EZ”). The location of the proposed Project within the EZ will enable the Project to obtain EZ program benefits and economic development tax incentives and credits. Receipt of the benefits will not affect the finances of the City of Yonkers.

The Empire Zone program includes the following benefits²:

- QEZE Sales Tax Exemptions – Qualified Empire Zone Enterprises are granted a 10-year exemption from State sales tax on purchases of goods and services (including utility services and owned vehicles) used predominantly in such zone.
- QEZE Credit for Real Property Taxes – Qualified Empire Zone Enterprises are allowed a refundable credit equal to a percentage of real property taxes paid based upon factors including job creation and wages.
- QEZE Tax Reduction Credit - Qualified Empire Zone Enterprises are allowed a credit against their income tax based upon job creation.
- Wage Tax Credit – this credit is available for up to five consecutive years for companies hiring full-time employees in newly created jobs.
- EZ Investment Tax and Employment Incentives Credit – businesses that create new jobs and make new investments in property and equipment may qualify for tax credits.
- New Business Refund – businesses new to New York State are entitled to a cash refund on unused wage tax credits and investment tax credits.
- Utility Rate Savings – Special reduced electric and gas rates may be available through investor-owned utilities in New York State. Businesses that locate or expand their operations in an Empire Zone may receive significantly reduced rates.

(2) *Scenic Hudson Easement*

Portions of the Hudson River waterfront in Yonkers, including the Palisades Point site, are subject to a “Conservation Easement” granted to Scenic Hudson Inc. in 1989, as amended by an Agreement between Scenic Hudson, the CDA and the City dated June 22, 2001 (the “Scenic Hudson Easement”). The Scenic Hudson Easement calls for the preservation of view corridors and the provision of additional access to the Hudson River. The Scenic Hudson Easement limits building heights at Palisades Point to not more than 50 feet for any building within 70 feet of the Hudson River and 250 feet for buildings in other locations, and requires reservation of 60 feet of open space along the Hudson River, 30 feet of which is for a pedestrian walkway.

e. *Planning Studies*

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.

² See http://www.empire.state.ny.us/Tax_and_Financial_Incentives/Empire_Zones/descriptions/benefit.

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.”

Additional planning studies are described below.

(1) *Patterns for Westchester*

Prepared by the Westchester County Planning Board in 1996, *Patterns for Westchester* (“*Patterns*”) provides a regional perspective on countywide land use issues. *Patterns* recognizes downtown Yonkers and the adjacent waterfront area as a “Major Center”, with development classified as “High Density Urban.” County policies set forth in this regional planning document call for redevelopment of Major Centers, like downtown Yonkers, with a mixture of land uses. For residential uses, *Patterns* suggests a range of 51 to 205 dwelling units per acre. For commercial uses, the recommended floor area ratio is 1.6 to 6.4. For River Park Center, the 1.6 to 6.4 floor area ratio would result in 1.6 to 6.5 million square feet of development; the 51 to 205 units per acre would yield 1200 to 4800 dwelling units.

(2) *Connections—The Yonkers Comprehensive Plan*

In September 2000, the City of Yonkers adopted a citywide comprehensive plan entitled *Connections—The Yonkers Comprehensive Plan* (“*Connections*”). The adoption of *Connections* was followed by the adoption of the recodified Zoning Ordinance. (See item b. above.) 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 (p. 37)

- Solidify partnerships with the real estate community (p.38)
- Increase the amount of green space and formalize visitors along the waterfront (p. 43)
- Coordinate development planning with downtown planning efforts (p. 49)
- Explore new opportunities for city services and facilities (e.g., Larkin Plaza, Fire Department Headquarters) (p. 54, 55)
- Provide affordable homeownership opportunities (p. 60)

Connections built upon prior comprehensive plan documents, including the 1977 policy document discussed above and a 1990 downtown plan, discussed below. The 1977 policy document is referenced in *Connections*. The 1977 policy document established goals to improve economic opportunities, improve quality of life, improve the physical environment and involve citizens in the decision-making process. It includes goals to preserve the existing housing stock, promote diverse new housing and coordinate housing development with land use policies.

(3) *New Direction for Downtown Yonkers—A Master Plan*

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. Although there were no specific land use or development proposals for the sites evaluated in this DEIS, the plan does call for zoning changes, which were further studied in subsequent planning documents.

Subsequently, the City engaged the firm of Ernst & Young to prepare a strategic plan for improving and developing retail in downtown Yonkers and specifically Getty Square. Ernst & Young noted recent developments in the downtown area,

including the initial waterfront redevelopment, the revitalization of Main Street, expanding Yonkers to New York City transportation opportunities, new upscale residential construction and civic amenities (such as the new library). With these developments in mind, Ernst & Young suggested the redevelopment of Chicken Island with 325,000 square feet and retail, entertainment and food services.

(4) *Master Plan & Design Guidelines for the Yonkers Downtown Waterfront*

The Master Plan & Design Guidelines for the Yonkers Downtown Waterfront (the “Waterfront Master Plan”) was adopted by the CDA and the City in December 1998 and April 1999, respectively. 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. The Palisades Point site is within the area studied under the Waterfront Master Plan; Larkin Plaza and the River Park Center site are not.

The Waterfront Master Plan envisions a significant amount of residential development along the six-block waterfront, with support retail, restaurant and other commercial uses. It calls for open space areas, public amenities and parking. Three development scenarios (A, B and C) are described. Scenario A is primarily residential, had a total of 669 residential units, 20,000 s.f. of retail, 134 marina slips, 951 new parking spaces and 4.8 acres of open space, including a riverfront promenade. Building heights range from two to nine stories under Scenario A. Scenario B, suggests major non-residential components, including an 89,000 square foot office building, 210-room hotel, and 65,000 square foot recreation facility. It limits housing to 234 units and includes 24,000 square feet of retail/restaurant uses and 38,000 square feet of second story office space. Scenario B calls for 1,119 parking spaces and the same open space program as Scenario A. Building heights in Scenario B are 6-9 stories. Scenario C increases the residential program to 762 units, again in 6-9 story buildings. It includes 23,000 square feet of commercial, restaurant and community facility space, 24,500 square feet second story offices, 898 parking spaces and the same open space as Scenario A and B.

The Waterfront Master Plan calls for 262 units of housing on the Palisades Point site and 528 parking spaces (including 184 permanent replacement parking spaces for the adjacent Scrimshaw House. (p. S-5). The suggested maximum height is 80 feet.

The Waterfront Master Plan was the subject of a Generic Environmental Impact Statement prepared by the CDA.

(5) *Draft Local Waterfront Revitalization Program (“LWRP”): 1989 and 2006*

The City of Yonkers has prepared a number of draft LWRP documents, but has not completed the State approval process.

As part of this DEIS, the 1989 draft LWRP and the 2006 draft LWRP documents were reviewed. The 2006 LWRP boundary is larger than the 1989 boundary. It extends along the entire Hudson River waterfront, expanding it generally eastward to Riverdale Avenue, Warburton Avenue, and up Nepperhan Avenue to encompass the River Park Center and Cacace Center sites. The land use plan in the 2006 draft identifies the Cacace Center and River Park Center sites as part of the “Historic Downtown”, a mixed use area. Palisades Point and Larkin Plaza are identified as part of the “Waterfront Downtown,” an extension of the downtown with water dependent and water enhanced uses. The Palisades Point and the Larkin Plaza sites were within the 1989 LWRP area. Only portions of River Park Center and the Cacace Center were within the proposed LWRP boundary in 1989.

Both the 2006 and 1989 draft plans have sections on implementation, including zoning. The 1989 draft calls for a number of relevant actions, including proposals for comprehensive revitalization of Getty Square, for provision of additional parking resources in the downtown and for development of the City Pier. The 1989 draft LWRP calls for PDR District zoning for waterfront sites like Palisades Point, and an overlay zone that would establish design guidelines for development along the waterfront. The 1989 draft LWRP recommends maximum building height of 10 stories. The 2006 draft LWRP also suggests an overlay zone with a maximum building height of 60 feet. It recommends improved public access to the waterfront through public streets and protection of existing view corridors from east-west roads and public parks. Several of the 1989 draft proposals have since been implemented or have been the subject of follow-up study.

Because the City has not yet adopted an LWRP, any State or federal permits are subject to review by the New York State Department of State for consistency of Palisades Point with State coastal management policies. A summary of the relevant policies and the consistency of Palisades Point to each is presented in the Appendix of this DEIS.

(6) *Community Vision for Southeast Yonkers*

This 2004 document, developed by community residents, suggests a number of actions that the City should pursue in the residential and commercial areas south of Getty Square.

A major issue cited in the report was the need for additional affordable housing opportunities, particularly for lower income families. The plan also suggests a policy where 20% of new housing construction be made available to households at 80% of Yonkers median income.

The plan addresses the local retail and shopping needs of the area, citing the need for book stores, competitive pricing food stores, coffee shops, bakeries,

etc. In terms of jobs, the plan suggests promotion of construction and service jobs and job training programs.

Other recommendations call for improvements to street amenities and parks. A specific item was a riverfront park with ballfields, between the American Sugar Refinery and the County sewage treatment plant with a trail extending to the Yonkers Pier. Improvements to public infrastructure systems, including the sewage treatment plant, are also recommended. Finally, the plan calls for reduction in crime through police activity, community service and youth programs.

(7) *Ongoing Studies and Plans*

A number of planning studies are currently being conducted in the general area, including master plans and urban renewal plans for the Alexander Street area, Nodine Hill neighborhood, Ravine Avenue area and Ashburton Avenue (HOPE VI) projects. As required by the Master Developer Designation Agreement dated May 17, 2006, the Applicant has prepared on behalf of the City and submitted to the City Council a Conceptual Development Plan for an additional seven sites in downtown Yonkers. The conceptual plan has been the subject of an extensive community participation program, but was not submitted for approval under the City's Zoning Ordinance or any other local or State land use law, and no formal action of any kind on the plan has yet been taken by the City Council.

2. *Future Without the Proposed Project*

The future without the Project will likely include the development of both residential and commercial projects in the Overall Land Use Study Area. There are 30 projects currently planned or under construction in and around the Overall Land Use Study Area that could add 1,546 dwelling units and 380,000 square feet of commercial space to Yonkers. See Table III-H-3. Although this additional development is significant, completion of these projects would not materially affect the mixed use nature of the Overall Land Use Study Area.

As indicated on Exhibit III.A-5 and Table III.A-5, anticipated future projects³ identified by the City include 15 developments. Of these, there are six residential developments with a total of over 700 units. The largest of these is Hudson Park North, with 312 units located at a site near the Yonkers Metro-North Railroad Station and Hudson River. Other projects in this general vicinity represent the greatest concentration of residential development shown in the no-build list.

Similar to the residential projects, anticipated restaurant and entertainment space is also concentrated in the area along Main Street and the Yonkers Metro-North Railroad Station, near the waterfront. In contrast, there is no substantial development planned in the immediate vicinity of the River Park Center or the Cacace Center sites.

³ For DEIS analyses, these anticipated projects are part of the "no-build" scenarios.

The overall effects of these future projects on the land use character of the Detailed Land Use Study Area will be a continuation of its mixed-use development patterns, with residential and commercial uses combined in a downtown setting.

**Table III.A-5
Future Projects within Detailed Land Use Study Area**

Land Use	Name	Units/Square Feet/Seats
Residential	Buena Vista Phase II	60 units
	Stan Lou Building	15 units
	Main Street Lofts	171 units
	Hudson Park North	312 units
	Greystone	100 units
	179 Riverdale	<u>83 units</u>
		741 units
Retail	Buena Vista	7,500 sq ft
	Homes for America	12,000 sq ft
	Old Furniture Storage	4,400 sq ft
	Main Street Lofts	12,000 sq ft
	I Park Phase II	<u>20,000 sq ft*</u>
		91,800 sq ft
Office	None	-
Other	Proctor Theater	1,200 seats
	Hudson Park Phase II	153 berths
	31 Dock Street Restaurant	80 seats
	X20	240 seats

* Net increase
Source: AKRF

The Applicant's Conceptual Plan for Other Portions of the Area

In addition to its planning for River Park Center, Cacace Center, Palisades Point and Larkin Plaza, pursuant to the MDDA, the Applicant was required to prepare a broad conceptual plan for potential future development of areas in downtown Yonkers designated in the MDDA as the "Phase II" project areas.

The Conceptual Development Plan for the potential future Phase II projects, dated November 17, 2006, identifies five Phase II development "districts" (two of which encompass Project sites studied in this DEIS) and presents an approach for the redevelopment of each district. The plan notes that Yonkers is a city of neighborhoods that vary in character as much as topography. Each of the five districts has distinct characteristics and thus holds unique opportunities. The Conceptual Development Plan proposes to link these disparate districts together through the integration of open space and transportation elements. This would allow development at each site to be distinctive but still maintain a consistent overall identity. The Conceptual Development Plan proposes a balance between development and open space, under the premise that neither works as well without the other. The planning and design concepts for each district do not include densities of development, but rather an overall direction that could be pursued, building upon the momentum of the Project analyzed in this DEIS and other ongoing and proposed activity in the area.

The Conceptual Development Plan generally proposes the following for each of the five districts:

a. Gateway District

The Gateway District includes the River Park Center and Cacace Center sites and adjacent blocks. The Gateway District is planned to emerge as a vibrant 24-hour downtown. A consolidated government center and an expanded market for office space would create busy street life during the day, while new residential development, and retail and entertainment destinations – centered around River Park Center and a new ballpark – would keep the district alive well into the evenings. Major features of the district would be the daylighting and landscaping of the Saw Mill River, and improving Nepperhan Avenue as the major vehicular access into Southwest Yonkers.

b. Downtown/Waterfront District

The Downtown/Waterfront District is the connection between the Gateway District and the Hudson River. This district extends from the Alexander Street area on the north to just north of the Ludlow Train Station on the south. It includes Palisades Point and Larkin Plaza. The Conceptual Development Plan calls for continuation of the current revitalization of the Hudson waterfront, building new mixed use developments and public open spaces on the river's edge. The new waterfront development would establish an iconic image of Yonkers, while the continuous esplanade would make the historically privately owned waterfront accessible to the public. The district would also serve as a major transit access point centered on Larkin Plaza, which would have an expanded and enhanced public park featuring the daylighting and landscaping of the Saw Mill River, and mixed use development surrounding the park.

That portion of this district to the south of the Metro-North railroad station, including Buena Vista Avenue and Hawthorne Avenue, is not planned for large scale development. This area is envisioned as a low scale, mostly residential area, in which rehabilitation of existing housing would be a focus.

c. Ludlow Transit Village District

The Ludlow Transit Village would become a mixed use area centered around the Ludlow Train Station. Ludlow Street would be the new “main street” for the surrounding neighborhoods, and would connect Riverdale Avenue to the waterfront. The district would extend the public waterfront south, and create a new public park on the waterfront. A vibrant waterfront with retail pavilions and a new marina would create an intimate “neighborhood” feel.

d. Alexander Street District

The Alexander Street District, which is also currently the subject of a draft urban renewal plan commissioned by the City, is envisioned as a new neighborhood with mixed use development within walking distance to the Yonkers and Glenwood train stations. The Alexander Street District expands the public waterfront esplanade north to the JFK Marina, and establishes a continuous waterfront roadway system that links

over two miles of the Hudson Riverfront for vehicular traffic. High density development along the waterfront would be positioned around public open spaces that have different characters, and are inviting to the public.

e. Nepperhan Valley District

The Nepperhan Valley District, along both sides of the Saw Mill River, would capitalize on its industrial heritage and proximity to local highways. The district would have three distinct areas: north, central and south. The north Nepperhan Valley area would offer opportunities for relocating industry from the waterfront; central Nepperhan Valley would adaptively reuse the former Alexander Smith Carpet Mills into a live/work loft environment; south Nepperhan Valley would build upon the Valley Technology Center to offer development opportunity for office space close to downtown. Landscaping and improvements to the Saw Mill River, where possible, would link the Nepperhan Valley District to the other districts.

3. Anticipated Impacts

a. Land Use

The proposed Project is generally consistent with existing and anticipated land use patterns in the Detailed Land Use Study Area and Overall Land Use Study Area. While the scale of the proposed Project will differ from existing development, the proposed uses will be consistent with the existing mixed-use nature of downtown Yonkers. The proposed buildings will vary in height and texture. The proposed uses will build on the smaller-scale retail, restaurants, offices and public and quasi-public uses that exist within the downtown, and provide a mix of larger scale retail, new restaurants, and destinations, such as the proposed ballfield and “riverwalk” at River Park Center. The development also provides new rental and owner housing opportunities, adding to the consumer base for not only the proposed commercial uses, but the existing stores and businesses in the downtown and greater Yonkers area.

The Palisades Point development represents a continuation of the emerging pattern of multi-family housing and publicly accessible open space between the Metro-North tracks and the Hudson River. Palisades Point will have a maximum height of 250 feet for the residential towers. To the south of Palisades Point, the existing land use is industrial with the American Sugar Refinery, at a height of 60 feet, located directly adjacent to the proposed development. There are structures to the south of the refinery with heights of 120 and 160 feet. To the east, across the tracks, there is a mixed-use area, with a daycare center located adjacent to the proposed access bridge from Prospect Street to Palisades Point. The buildings to the east of the tracks typically range between 30 to 45 feet. To the north is Scrimshaw House, a 120-foot high waterfront condominium and several other existing and proposed multifamily developments, which include ground level commercial uses.

The scale of the proposed Palisades Point development, with two 25-story towers, will present a different character than the adjacent uses to the south and east. The proposed towers will create a central focal point, with existing buildings as high as

120 feet to the north, and as high as 160 feet to the south. This stretch of the waterfront will have varying heights and textures.

Even with over 3 acres of publicly accessible open space, the new development will be the area's dominant land use. See Chapter III. B of this DEIS for a further discussion of community character impacts. Aside from its height, however, the Palisades Point development is similar to the emerging land use pattern to the north, with housing, accessory commercial and open space uses along the Hudson River. With its publicly accessible open space, esplanade and canoe/kayak launch, the Palisades Point site will become a major attraction for the community as a whole.

A similar condition will exist at Larkin Plaza. The current parking lot and small park areas will be replaced with an expanded and enhanced public park, with a daylighted Saw Mill River and a "riverwalk" that will be a major attraction for people who currently utilize the nearby Yonkers Riverfront Library, New York State Department of Motor Vehicles office, railroad station, and other uses in the area. The riverwalk will likely be an attraction for additional visitors to the area and for possible reuse and redevelopment of surrounding properties.

The Cacace Center and the River Park Center sites will be an even greater attraction for visitors, shoppers, residents, etc. than Larkin Plaza. River Park Center will contain a riverwalk along a daylighted Saw Mill River, with stores, shops and restaurants along with well-landscaped edges. With a variety of retail uses, the ballpark, movie theatres, offices and housing, this mixed use development will transform a largely underutilized area into a mixed use activity center. This development will complement the abutting Getty Square area, bringing new vitality to the heart of the downtown area.

The Cacace Center building and garage will reach maximum heights of 200 feet and 70 feet respectively, as compared with the 60-foot height of the adjacent Cacace Justice Center, and the 175-foot height of City Hall located across Nepperhan Avenue. Structures located to the east, across New Main Street, have a maximum height of 42 feet, while the structures to the west, located across South Broadway, reach a maximum height of 160 feet.

River Park Center will have an 11-story main podium (where the proposed ballfield would be located), reaching 113 feet in height. Two residential towers above the podium would reach a maximum height of 500 feet (not including rooftop mechanical equipment and spaces). (See Exhibits II-38 and II-39) The Palisade Avenue Office Building, located to the north across Palisade Avenue from River Park Center, would have a maximum height of nine stories, or 125 feet. Adjacent structures to the northeast and southwest have height of 25 and 28 feet, respectively.

Although surrounding land use patterns are similarly mixed use, River Park Center will present a new and different character for the area, with tall towers and a ballpark located in the roof of a mixed-use development.

Modifications to Street Patterns and Effects on Land Use

Changes to one-way street patterns are proposed. School Street between Palisades Avenue and Nepperhan Avenue, Ann Street, Henry Herz Street, James Street, John Street, Engine Place and a portion of Guion Street are proposed to be closed. All of the closed streets except Guion Place will be incorporated into the River Park Center site. Guion Street will dead end at the City's planned new detention center.

With the exception of Guion Street, the proposed street closings will not affect future land uses, since the bed of the closed streets will become part of the River Park Center site. Improvements will be made to Guion Street, resulting in the creation of a dead-end cul-du-sac near the proposed access for the City's proposed new detention center. The newly configured section of Guion Street between South Broadway and the proposed turnaround would allow for two-way traffic flow. It is recommended that truck access be prohibited due to the relatively small diameter of the proposed turnaround. The existing on-street parking spaces on Guion Street would be discontinued so as to allow for two-way traffic flow to/from the detention center. As part of this improvement plan, existing water, sanitary sewer and storm drain lines may require adjustments to provide the necessary connections and maintain existing service between Guion Street and New Main Street. The existing residential uses on Guion Street will remain with suitable access provided.

On-street parking will be eliminated on New Main Street, Elm Street, Palisade Avenue, and Yonkers Avenue to facilitate traffic flow. The Project will provide a significant amount of off-street parking in the heart of the downtown commercial area. See Chapter III.B of this DEIS for a further discussion of community character and Chapter III.E.1 for further discussion of parking.

b. Zoning

The Applicant has proposed amendments to the zoning regulations for the CB District and GC District that would apply to Cacace Center and River Park Center, specifically permitting the additional building height and the broad mixture of uses. To facilitate the development of Palisades Point as a PUR, the Applicant has also proposed amendments to the Zoning Ordinance 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.

The proposed amendments to the Zoning Ordinance are set forth in the Appendix of this DEIS.

The proposed zoning would permit a greater coverage and building height, as shown in Table III.A-6 below, for sites of 10 acres or more in the CB District and sites of 4

acres or more in the GC District. Floor Area Ratio (“FAR”) is also proposed to be increased from 5.0 to 6.0 on sites of 10 acres or more in the CB District.

Table III.A-6
Bulk and Dimensional Controls for Sites of 10 Acres or More in the CB District and 4 acres or more in the GC District

	Existing CBD Zoning	Existing GCD Zoning	Proposed CBD Zoning	Proposed GCD Zoning
Max. Coverage	90%	90%	100%	100%
Max. Height	50 feet	100 feet	525 feet	220 feet
Max. FAR	5.0	6.0	6.0	6.0

In addition, the supplementary parking regulations of the City 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. The currently required and proposed parking ratios are shown on Table III.A-7. See Section II-E.1 of this DEIS for additional information on parking supply and demand.

Table III.A-7
Existing and Proposed Parking Ratios

Use	Existing Ratio	Proposed Ratio
Personal Services	1:200 s.f	1:350 s.f
Offices	1:300 s.f	1:500 s.f
Retail	1:200 s.f	1:350 s.f
Movies	1:each 3 seats	1:each 3 seats
Apartments	1:dwelling unit + 0.33 per bedroom	1:1
Stadiums	1:4 seats	same
Hotels	0.75: hotel room + accessory uses	0.75: hotel room
Restaurants	1:100 s.f	1:150 s.f
Health Clubs	1:200 s.f	1:350 s.f
Eating and Drinking	1:150 s.f	same

The supplementary regulation of the Zoning Ordinance 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 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 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.

Proposed Development Compared to Proposed Zoning

The increased height and density proposed for the River Park Center and Cacace Center sites are slightly greater than currently proposed to allow for flexibility of final design. The current plan is shown below.

Table III. A-8
Proposed Zoning and Provided Development

	Cacace Center		River Park Center	
	<i>Proposed</i>	<i>Provided</i>	<i>Proposed</i>	<i>Provided</i>
Height	220 feet	190 feet	525 feet	500 feet
FAR	6.0	4.1	6.0	5.7
Coverage	100%	63%	100%	98%

* Palisade Avenue Office Building has the highest coverage percentage in River Park Center.

The total number of required parking spaces in accordance with existing zoning would be over 8,000 (6,990 public and 1,425 private spaces). With proposed zoning, the parking requirement would be approximately 6,000 spaces. (This includes replacement of approximately 1,300 existing spaces.) The nearly 6,000 spaces provided (4,954 public and 950 private), conforms to the proposed parking ratios, and takes into account shared parking for uses with different operating hours, as currently permitted in the Yonkers Zoning Ordinance. In the Applicant's opinion, the proposed parking is sufficient to meet expected public and private parking demands for the proposed project and surrounding land uses at all time periods analyzed, which include parking distributions and peak parking demand factors that account for time of year, use and day or week (Weekday/Weekend) (see Chapter III.E.1). See Section 1.2 in Chapter II-E.1 of this DEIS for detailed information and comparison of current supply and demand parking conditions and those under the "no-build" and under the proposed Project.

The proposed amendments to the bulk and dimensional regulations of the City's CB and GC Districts would have limited applicability, because they would apply only to downtown parcels having a 10 acre and 4 acre minimum land area, respectively. Opportunities for assemblage of development parcels in the downtown are limited

given existing development and ownership patterns. The Palisades Point development is being proposed as a Planned Urban Redevelopment, a special permit use allowed under existing zoning, and the proposed minor amendments to the PUR regulations would not have any impact on future land use trends.

c. Urban Renewal

The Palisades Point development is consistent with the Riverview Urban Renewal Plan. The Riverview Urban Renewal Plan permits development as permitted in the PDR District, and PURs are specially permitted in the PDR District.

The Getty Square Urban Renewal Plan, which includes all of the River Park Center and Cacace Center sites, would have to be amended to permit the proposed mixed use development, which was not fully contemplated in 1978 when that plan was last amended. The parking, FAR and coverage requirements would also have to be modified. However, it should be noted that the Getty Square Urban Renewal Plan calls for a major retail development in the area with 350,000 to 1.2 million square feet of development. This vision for the redevelopment of the area is consistent with the proposed Project, as with the Getty Square Urban Renewal Plan objective to achieve major redevelopment of Chicken Island and abutting areas to support the overall revitalization of downtown and Getty Square.

The existing Getty Square Urban Renewal Plan is proposed to be amended to reflect the closing of School Street between Nepperhan Avenue and Palisade Avenue. The FAR and coverage at 5.0 and 77%, respectively, are proposed by the Applicant to be changed to 6.0 and 100% to be consistent with the proposed zoning amendments.

The Getty Square Urban Renewal Plan does not call for the replacement of the existing Government Center municipal parking garage, the Health Center Building (87 Nepperhan Avenue) or the existing Fire Department Headquarters building on School Street. The Getty Square Urban Renewal Plan does not call for new development on the Cacace Center site or the Government Center site. The proposed amendments to the Getty Square Urban Renewal Plan would permit the redevelopment of these sites. See Appendix of this DEIS.

d. Other Districts and Regulations

The Applicant's plan for Palisades Point complies with the Scenic Hudson Easement, including the provisions dealing with view corridors, additional waterfront access and open space.

In addition, Scenic Hudson has been a strong advocate of daylighting the Saw Mill River, which is being proposed at Larkin Plaza and the River Park Center site.

e. Planning Studies

(1) *Yonkers Hudson Riverfront Program*

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.

The plan recommended commercial use for the Palisades Point area with the intention of expanding on the offerings of Getty Square, linking the waterfront to Getty Square via Main Street. The plan called for a balance of commercial square footage to draw people to the river, but that would not necessarily replace the existing commercial uses in Getty Square. Residential uses were recommended for the area between what was referred to as the Corn Products Corporation site and Hudson Street (where Palisades Point is located). In the areas west of the railroad tracks, the recommended general building height was six stories, with a few towers to be spaced no closer than 1,500 feet apart.

(2) *Patterns for Westchester*

The proposed Project is consistent with the County's Patterns plan in terms of floor area ratio and density of development. It is also consistent with the Patterns recommendation for mixed-use redevelopment in "Major Centers."

As per Map 6 in Patterns for Westchester, the maximum recommended floor area ratio for this area of the City is 6.4. River Park Center and Cacace Center have a floor area ratio of 5.7 and 4.1 respectively; the Applicant's proposed zoning amendments for the Central Business District would permit a FAR of 6.0. As per Map 6 in Patterns for Westchester, the maximum recommended gross residential density for this area of the City is 205 dwelling units per acre. The residential density at River Park Center is 72 units per acre. As per Map 6 in Patterns for Westchester, the maximum recommended floor area ratio at the Palisades Point site is 3.2. The proposed floor area ratio at Palisades Point is 2.4. As per Map 6 in Patterns for Westchester, the maximum recommended gross residential density for the Palisades Point site is 102 dwelling units per acre, where 67 units per acres are proposed. Each of these densities is lower than those recommended in Patterns.

(3) *Connections*

The proposed Project is fully consistent with Connections, the City's recently adopted Comprehensive Plan.

The Project will bring new retail, open space and housing uses to the area strengthening the downtown and the amenities it offers the City. The Comprehensive Plan calls for a public-private partnership, which is specifically the approach being pursued by the Applicant and the City of Yonkers.

(4) *New Direction for Downtown Yonkers*

The proposed Project is fully consistent with this 1988 plan and the follow-up study by Ernst & Young that called for a major retail development on the River Park Center site.

(5) *Yonkers Downtown Waterfront Plan*

The Waterfront Master Plan suggests a different development scenario than is currently being proposed for Palisades Point in terms of building height and number of units. The Waterfront Master Plan calls for a maximum building height of 80 feet, compared to 250 feet for the proposed development. It recommends 262 dwelling units and 528 parking spaces, compared to 436 units and 658 spaces as proposed

As previously addressed, the proposed height and density will build on the smaller-scale retail, restaurants, and other uses that exists along the waterfront and within the downtown and will provide new housing opportunities, adding to the consumer base for not only the proposed commercial uses, but the existing stores and businesses in the downtown and greater Yonkers area.

The Waterfront Master Plan was adopted by the CDA and the City as a guide for future actions along the affected portion of the Hudson River waterfront. Accordingly, it should be amended to reflect the PUR plan for Palisades Point ultimately approved by the Planning Board and City Council. Proposed amendments to the Yonkers Downtown Waterfront Plan are shown in Appendix 1.E of this DEIS

(6) *Local Waterfront Revitalization Program*

Although drafted, a Local Waterfront Revitalization Program (“LWRP”) has not yet been approved by the State of New York Department of State or adopted by the City. The 1989 and 2006 draft LWRPs call for maximum building height of 6 to 10 stories compared to the maximum height of 220 feet proposed by the Applicant for Palisades Point.

Because the City has not yet adopted a LWRP, any State or federal permits are subject to review by the New York State Department of State for consistency with State coastal management policies. A summary of the relevant policies and the consistency of Palisades Point to each is presented in the Appendix of this DEIS.

(7) *Community Vision for Southwest Yonkers*

The proposed Project will create new and permanent construction jobs, new stores and shops, and additional open space areas that address some of the plan’s major proposals. The Applicant will either provide affordable housing units equal to 6% of the total number of residential units or contribute an amount in lieu of but based on the 6% set-aside to a housing fund to compliment other City housing initiatives in the area.

f. *Alienation of Parkland*

The Overall Land Use Study Area contains over 16 acres of designated parkland. The Applicant’s proposal calls for the discontinuance and alienation of approximately 2.93 acres of designated City park land. The park lands to be alienated are: 1) the

Government Center site, which is an approximately 2.08 acre portion of the 4.8-acre⁴ Washington Park. This portion of Washington Park includes the land under the existing Government Center garage and a portion of the land under the Health Center Building (87 Nepperhan Avenue); and 2) three other parcels that are currently designated as City park land (totaling approximately 0.85 acres), including i) a small parcel that fronts on South Broadway and is currently vegetated, ii) a parcel that fronts on Guion Street and is currently vegetated land and surface parking (both of these two parcels being 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 with little tree coverage. (See Exhibit III.A-6 and Exhibits II-15 through II-19.)

In replacement for the park land to be discontinued and alienated, it had previously been proposed that the City dedicate as park land approximately 7.09 acres of City owned land on Warburton Avenue. According to a letter from Mayor Amicone to the Yonkers City Council⁵, dated August 22, 2007, it was the State's position that the conversion of these lands, which were scattered among 16 individual parcels, was not appropriate. The currently proposed replacement lands comprise a total of 8.25 acres of City-owned lands in two parcels; 4.95 acres at 1061 North Broadway (Block 3515, Lot 115) and 3.30 acres at 101 Odell Avenue (Block 3515, Lot 100). The replacement park land is not proposed to be State or federally funded.

4. Proposed Mitigation

Land Use

As discussed, the proposed Project is consistent with the existing mix of land uses, providing a range of residential unit types, office, retail, community service and entertainment uses in the downtown/waterfront area. While the scale of the proposed development at River Park Center and Cacace Center will be greater than the adjacent uses, the proposed uses will expand the City's downtown core. The proposed uses for Palisades Point will build on the new housing and restaurant uses along the waterfront.

The adverse effects of the proposed removal of parking on Palisade Avenue, Elm Street and Yonkers Avenue will be mitigated by the provision of off-street parking. The adverse effects of the closure of a portion of Guion Street will be mitigated by improvements to the existing roadway. The newly configured section of Guion Street will be improved between South Broadway and the proposed turnaround, which would allow for two-way traffic flow. As part of this improvement plan, existing water, sanitary sewer and storm drain lines will likely require adjustments to provide the necessary connections and maintain existing service between Guion Street and New Main Street.

⁴ <http://www.cityofyonkers.com/Index.aspx?page=259&recordid=105>

⁵ This letter was a cover letter to the *Resolution of the City Council Requesting the Discontinuance of Certain Lands Used for Park Purposes*.

To improve traffic operating conditions within the area due to changes in the street pattern, other improvements will be made including:

- The elimination of parking along Yonkers Avenue/Nepperhan Avenue from the Saw Mill River Parkway to the downtown area. This parking will be replaced with off-street parking areas to provide parking for the residents and merchants impacted by the elimination of the parking. The proposed locations of these parking areas are shown in Exhibits II-49 through II-49c. The four Yonkers Avenue parking lots are spaced along the stretch of the corridor with two sites on the north side and two on the south side of the roadway. Most of the existing businesses and residents who currently use on-street parking would have access to an off-street lot that is not more than one to two blocks from their current location. Some would be farther.
- The elimination of parking along Palisade Avenue, Elm Street and New Main Street adjacent to River Park Center. Current users of this on-street parking will be able to use the new River Park Center and Government Center garages.
- The Saw Mill River Parkway southbound exit ramp to Yonkers Avenue will be widened to provide two lanes and a new traffic signal is proposed to handle traffic off the ramp onto Yonkers Avenue.
- Geometric improvements to the Saw Mill River Parkway northbound ramp from 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 in this area. This intersection will be signal controlled and be incorporated into the City's computerized traffic signal system along the Yonkers Avenue/Nepperhan Avenue corridor.
- A flashing traffic signal is proposed for the intersection of South Broadway/Hudson Street.
- Other signals within the Project area will be upgraded and linked to the City's computerized traffic signal system.
- Access points to all of the proposed parking structures will be designed to allow access to/from multiple streets to improve circulation.
- A new vehicle and pedestrian bridge will be constructed across the Metro-North Railroad tracks from Prospect Street. This will provide direct access to Palisades Point and 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 visiting River Park Center.
- A trolley system is contemplated to be implemented in conjunction with the downtown 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 demand.

As discussed in Chapter II, with the implementation of the above improvements, traffic operating conditions in the study area will be similar to the currently existing operating conditions.

Zoning

To facilitate the development of River Park Center and Cacace Center, the Applicant has proposed amendments to the use, bulk and dimensional regulations of the CB and GC Districts. The amendments would allow for multifamily residential use and, for qualifying sites, an increase in permitted building heights and density. As previously discussed, because the increased height and density would be limited to parcels in the downtown having a land area of 10 acres or more in the CB District and 4 acres or more in the GC District, the proposed amendments have limited applicability.

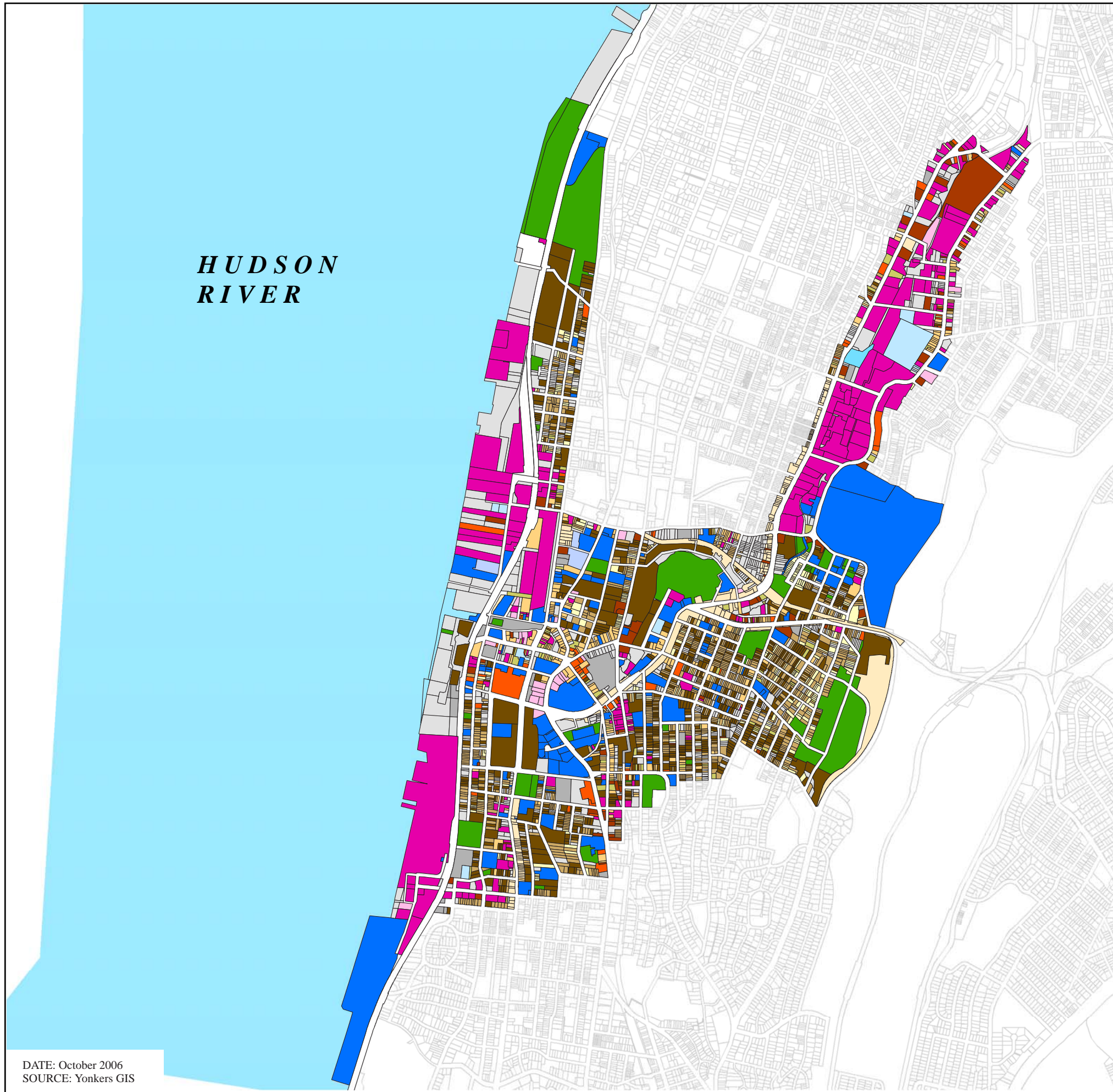
The Palisades Point development is being proposed as a Planned Urban Redevelopment, a special permit use permitted in a PDR District, which is the last classification of record for the subject site. The use, bulk and dimensional requirements of a Planned Urban Redevelopment are established as part of special permit approval.

It is the Applicant's opinion that the proposed building heights at River Park Center, Cacace Center and Palisades Point will not create a negative impact, but will instead be a positive reflection of the revitalization of the City of Yonkers' downtown and waterfront. The proposed floor area ratios and residential densities of the Project are within the recommended maximums outlined in *Patterns for Westchester*.

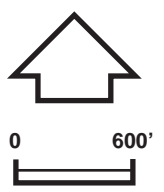
The Applicant's plans include a number of mitigation measures to address land use and zoning impacts. These include a landscaping design program for all four sites, with special attention given to the riverwalk at River Park Center (and at Larkin Plaza, if the City chooses to go forward with those improvements) and to the esplanade and publicly accessible open space along the Hudson River. Design treatment for the abutting roadways and edges of the development is also emphasized. A 10 foot buffer strip and 65± foot setback is proposed between Palisades Point and the American Sugar Refinery. The daycare center playground on Buena Vista Avenue at the end of Prospect Street, which will be the location of the new bridge access to Palisades Point, will be enhanced with new landscaping and open space areas. The development plan does not affect the location of the Queen's Daughter Day Care building, but does require the relocation of their outside recreational facility located adjacent at 75 Buena Vista Avenue. The Applicant is presently pursuing negotiations with adjacent property owners to relocate these facilities (see Exhibit II-22). The height of the residential buildings at Palisades Point are mitigated by their orientation perpendicular to the River and the amount of publicly accessible open space that results from concentrating the development in taller buildings, rather than spreading it out in lower scale structures.

In addition to the above, the City has taken several initiatives in order to make certain that surrounding areas are improved. These actions include master and/or urban renewal plans for the nearby Nodine Hill, Ashburton Avenue, Ravine Avenue and Alexander Street areas, each with environmental analysis components. The Nodine Hill and Ravine

Avenue plans include potential affordable, infill housing opportunities and housing rehabilitation components. The Ashburton Avenue urban renewal plan includes a federally-funded HOPE VI component, with new affordable housing replacing the Mulford Gardens public housing complex, and with a widened Ashburton Avenue.



*HUDSON
RIVER*



RESIDENTIAL

- One-Family Residence
- Two-/Three-Family Residence
- Multi-Family Residence
- Mixed-Use

COMMERCIAL

- Office
- Restaurant/Retail
- Auto Repair/Gas Station
- Wholesale (Lumber Yard)

PUBLIC/QUASI-PUBLIC

- Community Services/Other
- Recreation Facilities
- Military

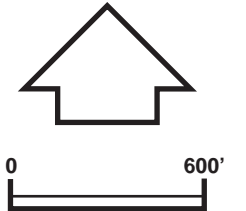
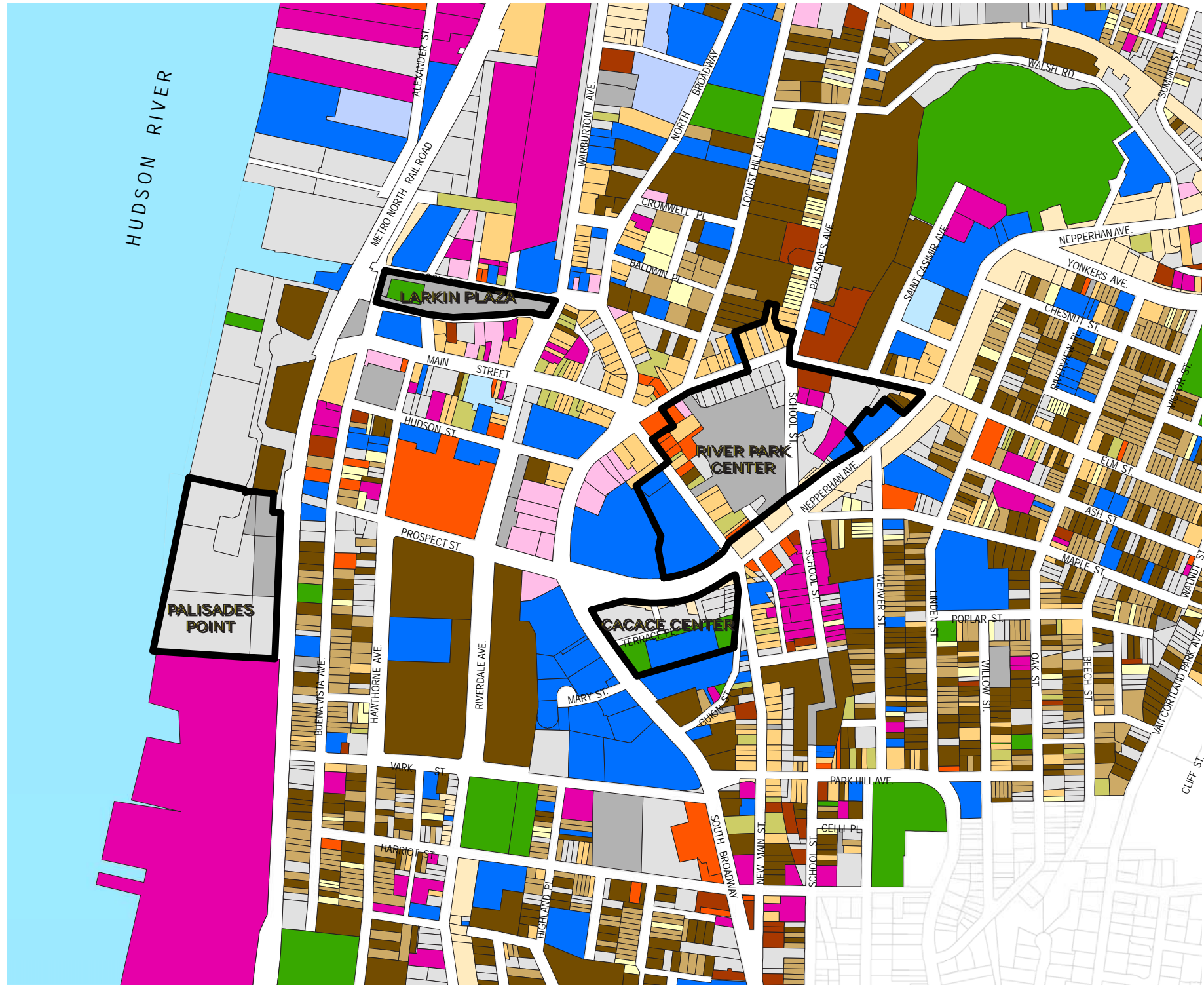
INDUSTRIAL

- Warehouse/Manufacturing

OTHER

- Vacant Land
- Parking
- Vacant Land (Some with Small Accessory Buildings)
- Utilities
- Right-of-Way Parcels

Exhibit III.A-1
**OVERALL
EXISTING LAND USE**
SFC PHASE I PROJECTS
STRUEVER FIDELCO CAPPELLI LLC



Residential

- One Family Residence
- Two/Three Family Residences
- Multifamily
- Mixed Use

Commercial

- Office
- Restaurant/Retail
- Auto Repair/Gas Station

Public/Quasi-Public

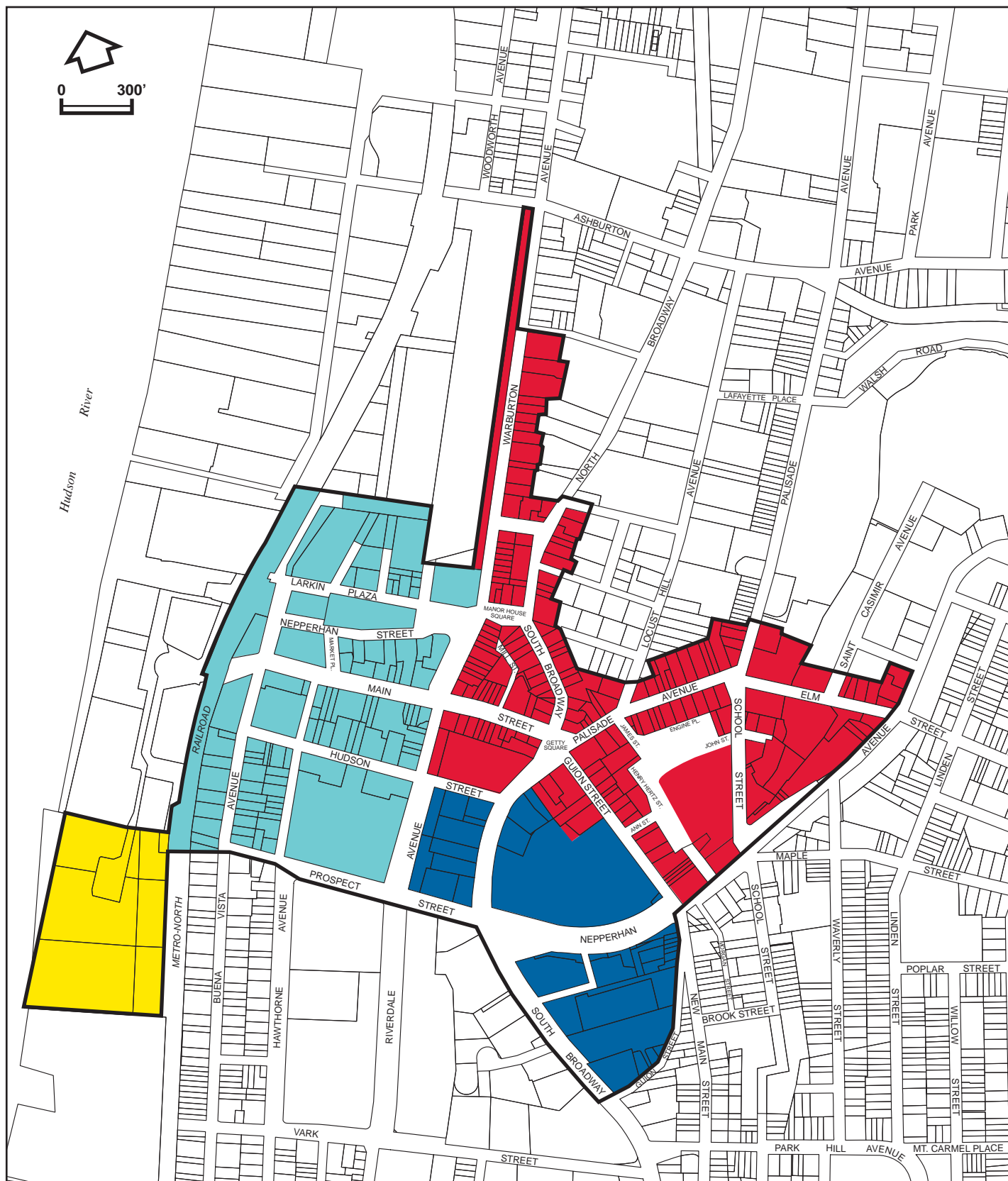
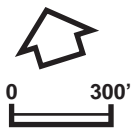
- Community Services/Other
- Recreation Facilities

Industrial

- Warehouse/Manufacturing

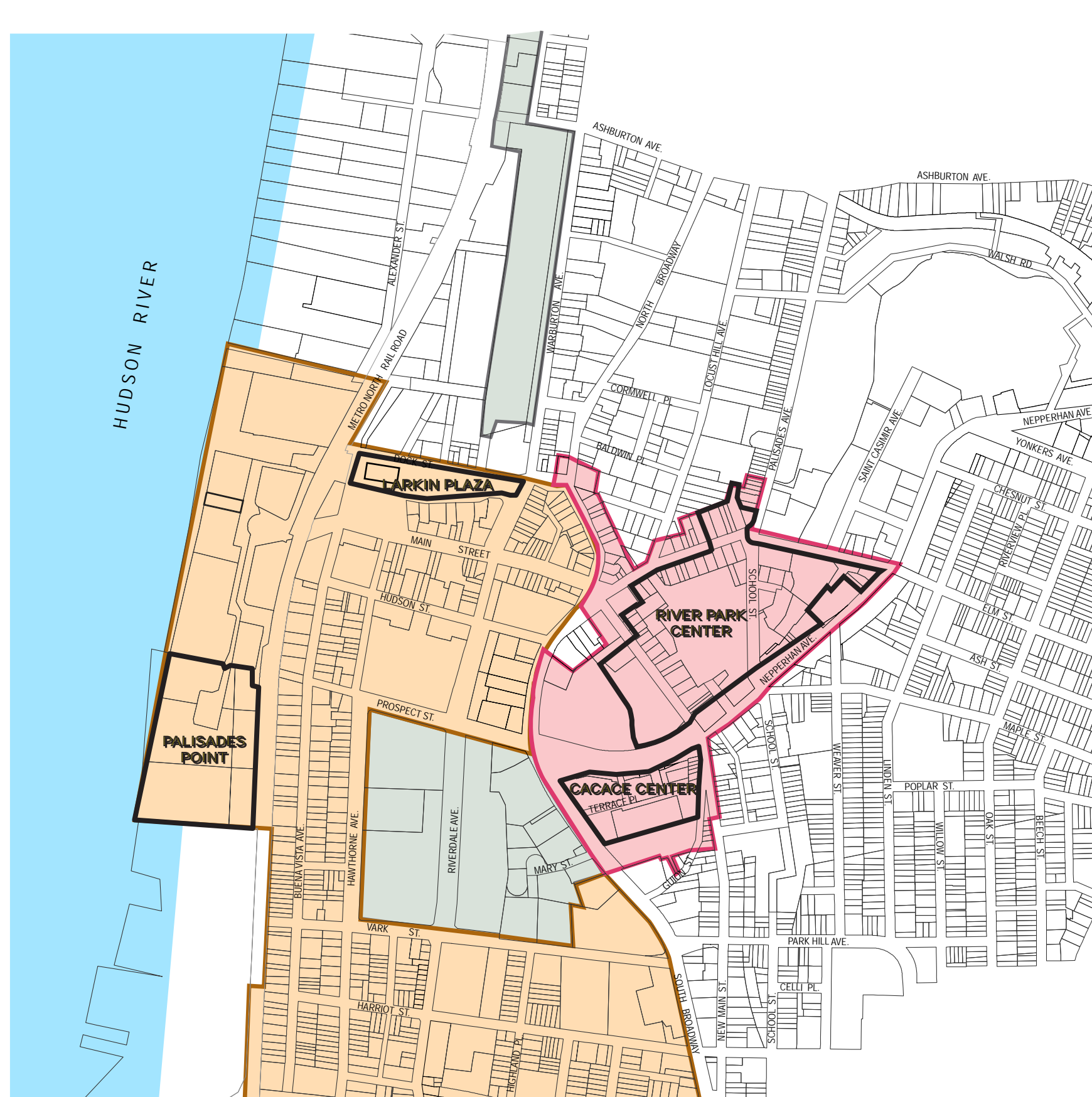
Other

- Vacant Land
- Parking
- Vacant Land (Some with small accessory buildings)
- Utilities
- Right-Of-Way Parcels
- Site Boundaries

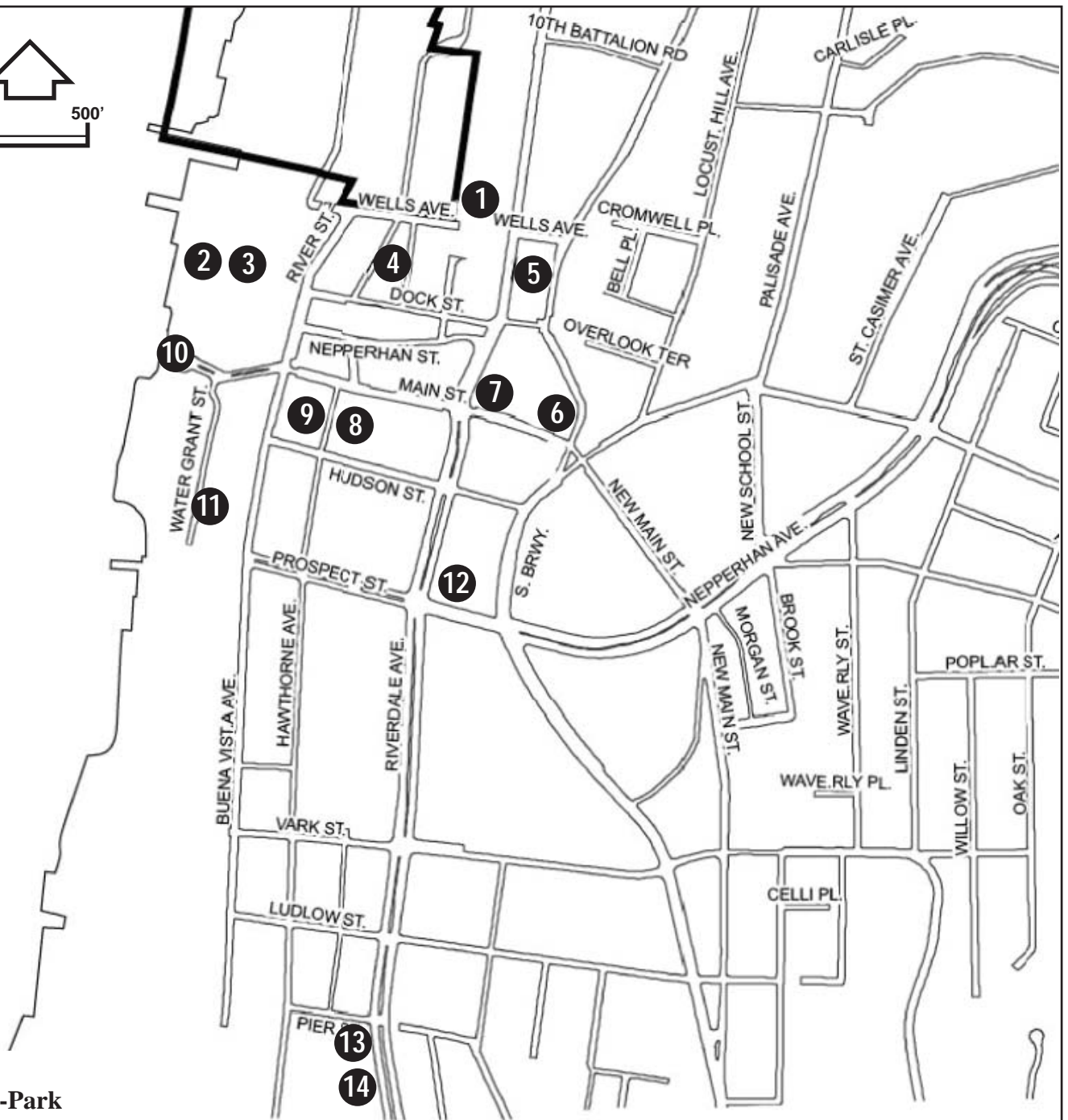
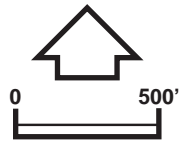


- CBD** Central Business District
- GCD** Government Center District
- DWD** Downtown Waterfront District
- PDR** Planned Development or Redevelopment

Exhibit III.A-3
**EXISTING
DOWNTOWN ZONING**
SFC PHASE I PROJECTS
STRUEVER FIDELCO CAPPELLI LLC



- Riverview Urban Renewal Area NDP 2
- Getty Square Urban Renewal Area
- Other Urban Renewal Area

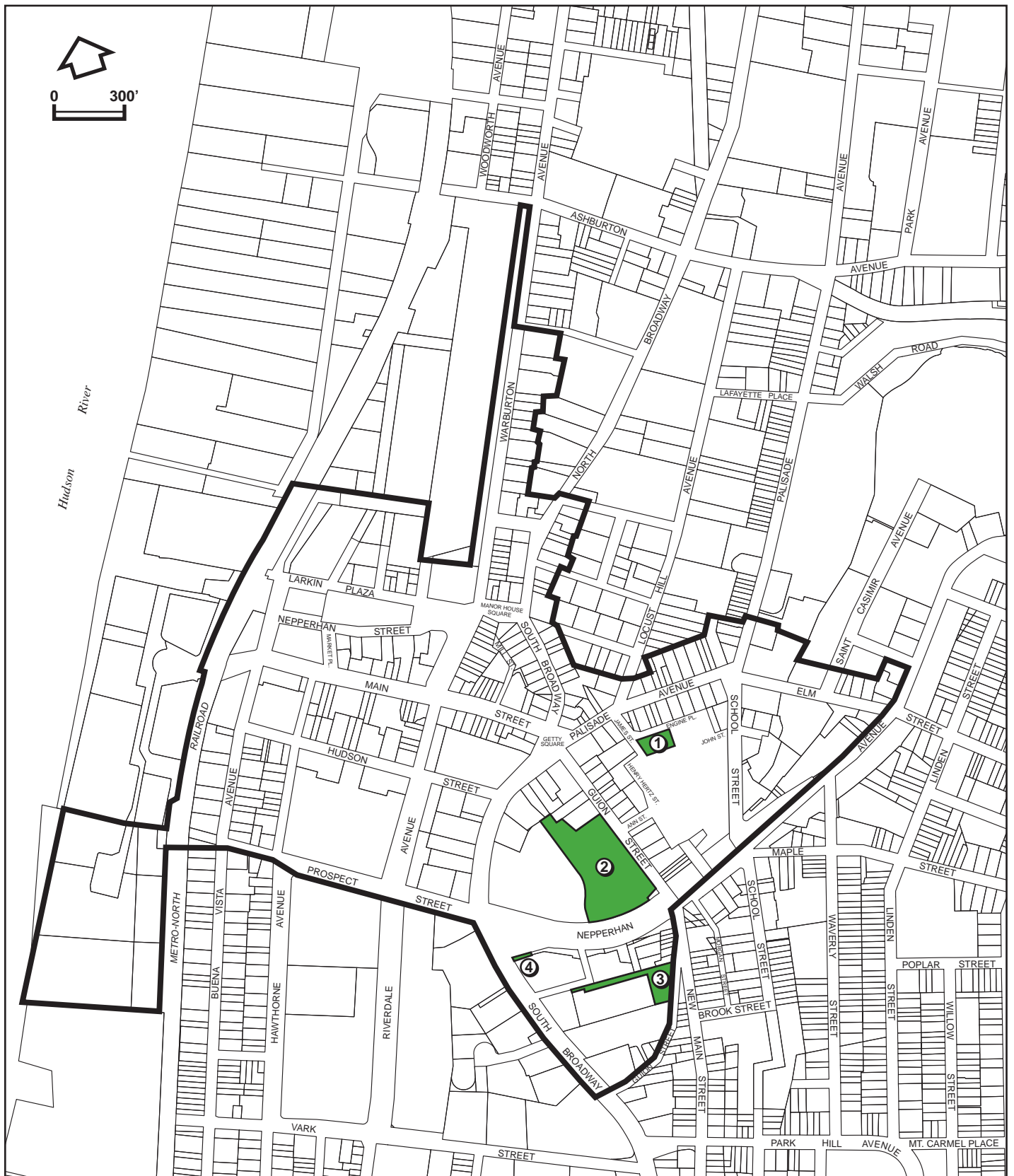
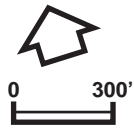


- ① I-Park
- ② Hudson Park Phase II
- ③ Hudson Park North
- ④ Restaurant
- ⑤ Greystone
- ⑥ Stan-Lou Building
- ⑦ Old Furniture Storage/Cooks
- ⑧ Main Street Lofts
- ⑨ Homes for America
- ⑩ Peter X Kelly's Xavier's
- ⑪ Buena Vista Phase 2
- ⑫ Proctor Theatre
- ⑬ 171 Riverdale Avenue
- ⑭ 179 Riverdale Avenue

Exhibit III.A-5
**DEVELOPMENT PROJECTS IN
 DETAILED LAND USE
 STUDY AREA**

SFC PHASE I PROJECTS

STRUEVER FIDELCO CAPPELLI LLC



- ① 0.2694 Acres
- ② 2.0800 Acres
- ③ 0.5690 Acres
- ④ 0.0140 Acres

TOTAL = 2.9324 Acres

Exhibit III.A-6
PARKLAND ALIENATION
SFC PHASE I PROJECTS
STRUEVER FIDELCO CAPPELLI LLC