

City of Mount Vernon Urban Renewal Agency

FINDINGS STATEMENT

**SOUTH FOURTH AVENUE - EAST THIRD STREET
URBAN RENEWAL PLAN AND IMPLEMENTING
ZONING LEGISLATION**

**ISSUED PURSUANT TO THE NEW YORK STATE
ENVIRONMENTAL QUALITY REVIEW ACT**

SEQRA Action Type:	Type I
Date:	October 15, 2014
Lead Agency:	Mount Vernon Urban Renewal Agency
Contact:	Jaime Martinez, Executive Director Mount Vernon Urban Renewal Agency City Hall One Roosevelt Square Mount Vernon, New York 10550

Table of Contents

INTRODUCTION 1

DESCRIPTION OF THE PROPOSED ACTION 1

DESCRIPTION OF THE PROJECT SITE 3

PROJECT HISTORY 3

BENEFITS OF THE PROPOSED ACTION 5

**CONSIDERATION OF THE ENVIRONMENTAL IMPACTS
OF THE PROPOSED ACTION** 6

Land Use, Zoning and Public Policy 7

Urban Design and Visual Character 10

Historic and Archaeological Resources 13

Natural Resources 13

Infrastructure 15

Transportation, Traffic and Parking 15

Air Quality and Noise Resources 17

Socio-Economic Conditions 18

Municipal Services 19

Construction 20

Growth Inducing Impacts 21

Adverse Impacts that Cannot be Avoided 21

Irretrievable and Irreversible Commitment of Resources 21

ALTERNATIVES CONSIDERED 22

No Action Alternative Scenario 22

As-of-Right Alternative Scenario 22

Focused Density Alternative Scenario 22

CONCLUSIONS & CERTIFICATION OF FINDINGS REQUIRED BY SEQRA 23

LEAD AGENCY'S FINDINGS STATEMENT

WITH RESPECT TO ADOPTION OF THE PROPOSED SOUTH FOURTH AVENUE-EAST THIRD STREET URBAN RENEWAL PLAN AND IMPLEMENTING ZONING LEGISLATION

INTRODUCTION

This Findings Statement is prepared by the Mount Vernon Urban Renewal Agency (“Urban Renewal Agency”) pursuant to the New York State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, and the implementing regulations in Title 6, Part 617 of the New York Code of Rules and Regulations (“NYCRR”) relating to the adoption of the proposed *South Fourth Avenue-East Third Street Urban Renewal Plan* (“Urban Renewal Plan”) and zoning to implement the Urban Renewal Plan (the “Proposed Action”). The Urban Renewal Agency has served as the Lead Agency for this SEQRA review. This Findings Statement draws upon the matters set forth in the administrative record for the Proposed Action, including the Draft Generic Environmental Impact Statement (“DGEIS”), accepted May 30, 2014, and the Final Generic Environmental Impact Statement (“FGEIS”), accepted September 16, 2014. The DGEIS and FGEIS are expressly incorporated into these Findings by reference.

This Findings Statement considers the relevant environmental impacts facts and conclusions in the DGEIS and FGEIS prepared in conjunction with the Proposed Action. Having reviewed the DGEIS and FGEIS, the Urban Renewal Agency makes the findings and conclusions set forth below based upon those documents and the administrative record before it. Further, this Findings Statement sets forth the facts and conclusions relied upon by the Urban Renewal Agency to support its decision and indicates the social, economic and other considerations which form the basis thereof in accordance with 6 NYCRR § 617.11(d).

DESCRIPTION OF THE PROPOSED ACTION

The Proposed Action involves the adoption of the proposed *South Fourth Avenue-East Third Street Urban Renewal Plan* (“the Urban Renewal Plan”) and enactment of the zoning legislation to implement the Plan.

The *South Fourth Avenue-East Third Street Urban Renewal Plan* has been designed to implement the City’s planning and economic development goals of providing quality housing for residents, increasing the commercial amenities and offerings for residents and stakeholders, increasing the number of employment opportunities for residents and stabilizing the City’s tax base. Activities in the South Fourth Avenue-East Third Street Urban Renewal Area are intended to accomplish the following goals:

- The redevelopment of the area in a comprehensive manner.
- The elimination and improvement of substandard buildings and other deteriorated and obsolete structures.

- The development of new mixed-use commercial, office, residential and related uses in the South Fourth Avenue-East Third Street Urban Renewal Area to create an attractive and visually appealing environment adequately served by nonresidential, public and semi-public facilities including sufficient and readily accessible off-street parking.
- The provision of a substantial number of new multi-family ownership and rental housing units in areas accessible to public transit and services.
- The development of new public and semi-public uses, including off street parking.
- The creation of a strong commercial corridor through the provision of physically attractive mixed-use streets enhanced by uniform design standards.
- The improvement and upgrading of existing buildings to remain in the project area through the application of minimum property rehabilitation standards to effectively blend with the proposed redevelopment.
- The overall improvement of the streetscape.
- The creation of jobs and tax rateables.
- The removal of impediments to land assemblage for the orderly development of the City.

The *South Fourth Avenue-East Third Street Urban Renewal Plan* consists of the potential development of 64 properties with mixed-market rate and affordable housing, commercial and office facilities, and off-street parking on South Fourth Avenue. The Proposed Action is designed not only to allow affordable housing opportunities, but also to revitalize this blighted neighborhood. Implementation would be via acquisition, clearance, relocation, new construction and rehabilitation. Fifty-three (53) of the properties could be fully acquired and consolidated into 14 disposition parcels, with five of the remaining eleven parcels being designated as to be rehabilitated. There may be some residential rehabilitation of the “Modern Flats” on South Third Avenue.

The Proposed Action involves the adoption of the proposed Urban Renewal Plan and the enactment of zoning text and map amendments to establish the proposed South Fourth Avenue-East Third Street Urban Renewal Planned Unit Development (UR-PUD-S4) Overlay Zone and UR-PUD-S4-TP Townhouse sub-district described in the Plan. South Fourth Avenue is a unique shopping street within the City’s downtown; accordingly, the enhancement, growth and expansion of this shopping street is essential to the future growth and stability of the area. The purpose of the UR-PUD-S4 Overlay Zone is to foster the development of high-rise mixed use buildings within the Urban Renewal Area while preserving the special character of architecturally and culturally significant structures within the area. To further this objective, the UR-PUD-S4-TP sub-district is also intended to be established to preserve the architecturally and culturally significant “brownstone” style urban flats that fall within the Urban Renewal Area. The intent is to foster this type of unique urban housing along the streets that are directly adjacent to the high-rise mixed use structures. A narrative outline of both the proposed UR-PUD-S4 Overlay Zone and the UR-PUD-S4-TP sub-district is included in *Section X. Proposed Amendments to Existing Codes and Ordinances* of the Urban Renewal Plan.

DESCRIPTION OF THE PROJECT SITE

The site of the Proposed Action includes 64 properties bounded by East Third Street to the north, East Fourth Street to the south, South Fifth Avenue to the west and South Third Avenue to the east located in the City of Mount Vernon, New York.

The proposed South Fourth Avenue-East Third Street Urban Renewal Area encompasses approximately 10.85 acres¹ located in the central portion of the City of Mount Vernon, directly south of the Metro North Railroad cut. The area encompasses the intersection of two major collector roads: the east-west collector Martin Luther King Boulevard (Third Street) and the north-south collector Gramatan Avenue – South Fourth Avenue corridor. Access to the project area is also provided by a local transportation network which includes the Westchester County Bee-Line Bus System with stops on South Fifth Avenue and East Third Street, as well as the Mount Vernon East rail station just north and east of the site.

The neighborhood surrounding the South Fourth Avenue-East Third Street Urban Renewal Area includes a variety of residential, commercial and retail, mixed-use, institutional and public assembly, manufacturing, industrial and warehouse uses, and vacant land. Many of the properties are in poor or deteriorated condition. A Blight Determination Study was completed in 2012 as a key determinant in declaring the area a proposed Urban Renewal Area.² The study determined that of the 67 properties in the proposed Urban Renewal Area (which has since been adjusted to 64 properties),³ 39 properties- 58 percent- were found to have some degree of blighting influence on the neighborhood.

PROJECT HISTORY

The City of Mount Vernon is in the process of considering the adoption of an updated *Comprehensive Plan* and a draft was released in November 2011. In the Draft Plan, the City states that due to the current economic downturn, property maintenance is a growing concern for the City. Vacant storefronts and properties falling into disrepair can have negative impacts on commercial corridors and neighborhoods.

In 2012, a blight determination study was undertaken to survey and analyze the South Fourth Avenue-East Third Street Corridor in the City of Mount Vernon. The resulting *Mount Vernon East Third Street-South Fourth Avenue Blight Determination Study* (“Blight Determination Study”) concluded that of the 64 properties in the proposed urban renewal area, 39 or 58 percent were found to have some degree of blighting influence on the neighborhood. The Mount Vernon City Council adopted the Blight Determination Study on October 24, 2012, and declared the area appropriate for urban renewal under Articles 15 and 15A of the New York General Municipal Law.

In early 2013, the preparation of the *South Fourth Street-East Third Street Urban Renewal Plan* was undertaken outlining the terms, conditions and proposed zoning provisions under which the urban

¹ Based upon September 2013 survey prepared by Badey & Watson for the *South Fourth Avenue-East Third Street Urban Renewal Plan*.

² *Mount Vernon East Third Street-South Fourth Avenue Blight Determination Study* prepared by Ferrandino & Associates Inc., July 2012 and adopted by the Mount Vernon City Council on October 24, 2012.

³ The *Mount Vernon East Third Street-South Fourth Avenue Blight Determination Study* (July 2012) cites 67 parcels in the proposed Urban Renewal Area. The most recent City tax map indicates that four of these parcels, 210-224 South Fourth Ave., were consolidated under one owner and are identified as Map Key Parcel 365.

renewal area could be developed. The proposed Urban Renewal Plan was presented to the Mount Vernon Urban Renewal Agency on July 16, 2013 and to the City Council on August 13, 2013.

Thereafter, the Urban Renewal Agency prepared a Full Environmental Assessment Form (“EAF”) to assess the potential impacts of the Proposed Action under the New York State Environmental Quality Review Act (“SEQRA”) and preliminarily classified the Proposed Action as a Type I action under SEQRA.

Pursuant to Resolution 2013-19 adopted on September 17, 2013, the Urban Renewal Agency circulated to other involved agencies a Notice of Intent to be Lead Agency under SEQRA for the environmental review of the Proposed Action. Receiving no objection from any other involved agency within the 30 day time period set forth in that Notice, on October 30, 2013, the Mount Vernon Urban Renewal Agency adopted Resolution 2013-22 declaring itself to be Lead Agency for the Proposed Action under SEQRA, determining that the Proposed Action was a Type I action under SEQRA and adopting a Positive Declaration of Environmental Significance for the *South Fourth Avenue-East Third Street Urban Renewal Plan*. The Notice of Adoption of the Positive Declaration was filed, circulated, transmitted and published in accordance with NYS Department of Environmental Conservation Rule 617.12 (6 NYCRR Section 617.12).

On January 3, 2014, by Resolution 2014-1, the Urban Renewal Agency adopted a final Scoping Document for the preparation of a Draft Generic Environmental Impact Statement (“DGEIS”) to examine the environmental impacts the Urban Renewal Plan, and the zoning proposed to implement the Plan, would have on the proposed project site and surrounding area.

On May 12, 2014, the Urban Renewal Agency received a DGEIS dated May 2014, prepared by Ferrandino & Associates Inc. on behalf of the Urban Renewal Agency for the Proposed Action. The Urban Renewal Agency subsequently received a memorandum from Ferrandino & Associates Inc. dated May 19, 2014 attaching an updated copy of Section 4.3 of the DGEIS incorporating a response from the New York State Office of Parks, Recreation and Historic Preservation with regard to the impact or effect of the Proposed Action on the archaeological and historic resources within and immediately surrounding the Urban Renewal Area. The Urban Renewal Agency reviewed the DGEIS and the May 19th memorandum and considered the comments from City Staff, SEQRA Counsel, counsel and consultants and other advice, information and impressions available to them.

On May 30, 2014, the Urban Renewal Agency, by Resolution 2014-023, determined that the DGEIS was adequate with respect to its scope and content for purposes of commencing the public review. Pursuant to that Resolution, the DGEIS and Notice of Completion of DGEIS were filed, circulated and published, posted on a website designated for that purpose and deposited in the Mount Vernon Public Library in accordance with NYS Department of Environmental Conservation Rules 617.9 and 617.12 (6 NYCRR Sections 617.9 and 617.12).

A public hearing on the DGEIS was held on June 26, 2014 at which time all those present were given an opportunity to be heard and on that date the Public Hearing was closed and written public comments on the DGEIS were accepted until July 11, 2014. However, on July 17, 2014 the Urban Renewal Agency directed the refiling, recirculation and redistribution of the accepted May 2014 DGEIS to correct a minor error in the prior filing, circulation and distribution of that document and reopened and extended the Comment Period until August 8, 2014.

On September 8, 2014 the Urban Renewal Agency received a proposed Final Generic Environmental Impact Statement (“FGEIS”) dated September 2014, prepared by Ferrandino & Associates Inc. on behalf of the Urban Renewal Agency for the Proposed Action. Included in the FGEIS, and incorporated by reference herein, is a September 8, 2014 memorandum from Ferrandino & Associates Inc. proposing certain changes to the Urban Renewal Plan originally presented to the Urban Renewal Agency. A copy of the Urban Renewal Plan as proposed to be revised in the September 8, 2014 Memorandum was included in the FGEIS and is attached to this Findings Statement as Exhibit A. The specifics of the proposed changes to the Plan are discussed below in the “Consideration of the Environmental Impacts of the Proposed Action” section of this Findings Statement.

The Urban Renewal Agency reviewed the proposed FGEIS, including the proposed revisions to the Urban Renewal Plan, and considered the comments from City staff, SEQRA counsel, counsel and consultants and other advice, information and impressions available to them.

On September 16, 2014 the Urban Renewal Agency adopted Resolution 2014-30 determining that the proposed FGEIS was complete and constituted the FGEIS and a Notice of Completion of FGEIS and the FGEIS were filed, circulated and published, posted on a website designated for that purpose and deposited in the Mount Vernon Public Library in accordance with NYS Department of Environmental Conservation Rule 617.9 and Rule 617.12 (6 NYCRR Section 617.9 and 617.12).

BENEFITS OF THE PROPOSED ACTION

Creation of a unified neighborhood character. The adoption of the proposed *South Fourth Avenue-East Third Street Urban Renewal Plan* and the zoning proposed to implement that Plan will lead to the development of the area under a unified set of design principles. The redevelopment of the blighted and vacant properties within the Urban Renewal Area will help to create a unified visual character for the neighborhood that is currently lacking.

Revitalization of blighted neighborhood. The proposed Urban Renewal Plan calls for the removal or rehabilitation of blighted buildings in the proposed Urban Renewal Area. This will facilitate the revitalization of the area through the development of new residential and/or commercial spaces which will bring increased tax revenue and jobs to the City.

Increase housing stock that meets housing quality standards. The proposed Urban Renewal Plan calls for the potential development of several hundred new residential units. These new units, constructed to current building codes and standards, would replace or supplement the existing housing stock in the neighborhood, much of which is in poor condition due to its age and owner neglect. Additionally, the Plan will preserve and seek to rehabilitate the “Modern Flats” on South Third Avenue, several of which have building code violations.

Job creation. The proposed Urban Renewal Plan permits a number of commercial/retail/office uses which will provide support and services to the residential components of any new development(s) constructed. It is anticipated that the new development(s) that will result due to the implementation of the proposed Urban Renewal Plan will increase the net number of jobs that exist in the proposed Urban Renewal Area. Currently many of the 51 parcels within the proposed Urban Renewal area that are zoned

for retail/commercial use are either vacant or underutilized. The redevelopment of the area would allow for an increase in retail/office space in the area and provide more jobs for workers.

Increase tax revenue generated. New development(s) emanating from this Proposed Action are anticipated to generate real property taxes greater than existing properties. Currently 15 properties within the proposed Urban Renewal Area are City-owned and thus do not generate real property taxes for the City, County and school district. Furthermore, many of the properties have outstanding taxes owed, some to the extent of tens of thousands of dollars.

The Proposed Action is also anticipated to generate additional sales tax revenue for the City, State and County. According to Mount Vernon's *2011 Citywide Marketing Study*, the City is estimated to have unmet retail sales potential of \$205 million. With the implementation of the Proposed Action, it is expected that the new development(s) will aid in capturing sales tax revenue for the City that residents are currently spending outside of the City and/or draw in new customers with the addition of new employees in the area.

CONSIDERATION OF THE ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION

In order to evaluate the environmental impacts of the implementation of the Proposed Action in the DGEIS and FGEIS, a build-out analysis was prepared, which represents a "worst-case" scenario in which all 14 disposition parcels are developed to the maximum extent under the UR-PUD-S4 Overlay Zone with ground floor commercial/retail space and residential above. The "worst-case" scenario resulted in the development of 963 Residential Dwelling Units housing an estimated 2,016 residents and generating an estimated 151 public school age children. Assuming that the buildings developed under the Proposed Action maximize their foot-prints, 232,429 square feet of non-residential development could potentially be built in the proposed Urban Renewal Area. Based upon the potential mixed residential and non-residential development under the Proposed Action, and a shared parking scenario, 955 off-street parking spaces would be required per the proposed UR-PUD-S4 Overlay Zone. It is anticipated that this development would occur in phases over a period of time.

In addition, the Lead Agency notes that prior to the approval of any development proposed under the Urban Renewal Plan, additional environmental review, consistent with the procedures set forth in SEQRA and its implementing Regulations, would be required to examine the site specific environmental impacts of the proposed development project. Preliminary development concept plan approval by the Mount Vernon City Council and site plan approval by the Mount Vernon Planning Board and Certificate of Appropriateness by the Architectural Review Board would be conditions precedent to the approval of any site specific development and such approvals would be subject to and based upon the additional environmental review discussed above.

The DGEIS and FGEIS considered the potential impacts of the Proposed Action in the following areas:

- Land Use, Zoning and Public Policy
- Urban Design and Visual Character
- Historic and Archaeological Resources
- Natural Resources

- Infrastructure
- Transportation, Traffic and Parking
- Air Quality and Noise Resources
- Socio-Economic Conditions
- Municipal Services
- Construction
- Growth Inducing Impacts
- Adverse Impacts that Cannot be Avoided
- Irretrievable and Irreversible Commitment of Resources

As discussed below, and except as set forth herein with respect to Urban Design and Visual Character, Natural Resources and Transportation, Traffic and Parking, no significant adverse environmental impacts are expected in these areas as a result of the Proposed Action.

Land Use, Zoning and Public Policy

At present, the proposed Urban Renewal Area includes a variety of residential, commercial and retail, mixed-use, institutional and public assembly, manufacturing, industrial and warehouse uses, and vacant and undeveloped land. The proposed Urban Renewal Area is currently comprised of three zoning districts; the area along East Third Street within the proposed Urban Renewal Area is zoned Neighborhood Business (NB) and the properties south of East Third Street on South Fourth Avenue are zoned Commercial Business (CB), the properties south of East Third Street on South Fifth Avenue and South Third Avenue are zoned Three Family District (RMF-6.75). The Gramatan Avenue- South Fourth Avenue Corridor is an area identified in the *2011 Draft Comprehensive Plan* as a “High Intensity Planning Area” in Downtown Mount Vernon, which is recommended for rezoning to allow for a mixture of uses.

Under the Proposed Action, as examined in the DGEIS and FGEIS, the area would be rezoned to a UR-PUD-S4 Overlay Zone and a UR-PUD-S4-TP sub-district. While the overall intensity of development permitted would increase, as seen in the table below, the proposed zoning regulations do not exceed the maximum height (in feet) and lot coverage dimensions currently permitted by the DB zoning district, the district in the City that allows for the most density and the tallest buildings.

Zoning Matrix for Existing and Proposed Zoning of the Urban Renewal Area

Zone	Building height (feet/stories)	Percent Coverage (Buildings/ Impervious)	Lot Area Per Dwelling Unit (square feet)	Parking
Existing Zoning				
RMF-6.75	35’/3	40/70	2,250	2/DU
RMF-10	42’/3	40/70	1,200	2/DU
RMF-15	70’/--	40/70	2,250 per DU for first two units, 660 for each additional unit	2/DU
RMF-SC	90’/--	50/80	250	0.25/DU
CB	30’/2	50/80	Residential use	Depends on Use

			not permitted	
DB	120'/10	80/100	Residential use not permitted	Depends on Use
NB	30'/2	60/90	Residential use not permitted	Depends on Use
<i>Proposed Zoning</i>				
<i>UR-PUD-S4</i>	<i>120'/11</i>	<i>80/100</i>	<i>300</i>	<i>Depends on Use</i>

Source: Ferrandino & Associates Inc., 2014

The Proposed Action would allow for a mix of uses and, with a minimum lot area per dwelling unit of 300 square feet, would support a higher density concentration of residential uses. It would also promote incentives such as zoning that allows mixed-uses, increased building square footages, and would establish ratios between the amount of new commercial and living spaces appropriate to balance economic and residential growth.

Overall, the Lead Agency finds that the impacts on land use and zoning in the proposed Urban Renewal Area resulting from the Proposed Action will be beneficial in nature. While the proposed UR-PUD-S4 Overlay Zone will change the zoning and existing pattern of land use in the proposed Urban Renewal Area by allowing a range of uses and encouraging mixed use buildings, it is not expected to disrupt the overall pattern of land use in the neighborhood. The proposed Overlay Zone is intended to encourage the development of existing properties that are blighted and/or vacant and to effectuate the proposed Urban Renewal Plan. In addition, existing non-conforming mixed-use buildings would conform to the proposed UR-PUD-S4 Overlay Zone. The anticipated change of land use in the proposed Urban Renewal Area is expected to positively impact the City by increasing tax revenues, creating new local businesses and jobs, and creating incentives for the development of mixed use residential buildings.

Furthermore, the Lead Agency finds the Proposed Action to be consistent with the City's local planning objectives and plans including the *City of Mount Vernon 2010-2014 Consolidated Plan*, the *City of Mount Vernon 2011 Draft Comprehensive Plan* and regional plans such as *Westchester 2025* and *Patterns for Westchester* that identify the proposed Urban Renewal Area as an opportunity to establish high-rise mixed use development that includes new affordable housing stock as well as to preserve and enhance existing architectural resources. Furthermore, given the differences with the Center City Improvement Program, adopted in 1980 in an area to the north of the Urban Renewal Area, such as the permitted uses and rehabilitation standards, the Lead Agency has determined that the proposed *South Fourth Avenue-East Third Street Urban Renewal Plan* is best served as a stand-alone urban renewal plan.

While, overall, the Lead Agency finds that the impacts on land use and zoning in the proposed Urban Renewal Area resulting from the Proposed Action will be beneficial in nature, certain changes were suggested in the FGEIS. These changes are detailed in the September 8, 2014 memorandum prepared by Ferrandino & Associates Inc., included in the FGEIS, and incorporated herein by reference. The Lead Agency finds that the suggested modifications to the Urban Renewal Plan contained in the FGEIS should be implemented, because, as discussed below and throughout this section of the Findings Statement, they further clarify the intent of the Proposed Action and the requirements under the Plan, strengthen the review procedures for development proposed under the Plan, reinforce the link to the *Urban Design Guidelines* in the Plan and, in sum, are more protective of the environment. The suggested modifications

to Section X. *Proposed Amendments to Existing Codes and Ordinances* of the Urban Renewal Plan include:

(A) Townhouse Preservation Sub-District (UR-PUD-S4-TP)

- a. The revisions to the *(a) Rehabilitation* and *(b) Reconstruction* provisions of the *(4) Requirements* section are intended to clarify the damage threshold established as a pre-condition to redevelopment of the Modern Flats properties and to clarify the reconstruction options under the sub-district. The elimination of the *(c) Deviations and Waivers* provision prevents redundancy within the Urban Renewal Plan as the Planning Board and Architectural Review Board have the ability to provide relief from the sub-district requirements through their review and approval processes. These changes are not anticipated to have any adverse environmental impact.

(B) South Fourth Avenue-East Third Street Urban Renewal Planned Unit Development District (UR-PUD-S4)

- d. The revisions to the *(7) Density Bonus* provision clarify the Mount Vernon City Council's role in the approval of density bonus(es) during the preliminary development concept plan review process. Furthermore the revisions appropriately tie the approval of any such density bonus(es) by the City Council to the provision of "physical, social or cultural community benefits or amenities" by the Applicant. The environmental impacts of any such density bonus shall be examined as part of the site specific environmental review of the overall application.
- g. Section *(12) Green Standards* has been removed, as currently the City of Mount Vernon has not adopted any green standards or strategies as part of its zoning code. However, the Urban Design Guidelines attached to and made a part of the Urban Renewal Plan contain a short section on green standards and strategies which encourage green building, construction and site design standards to increase energy efficiency, reduce greenhouse gas emissions and other harmful environmental impacts. Additionally, any voluntary green buildings or technologies, which are to be integrated into a proposed development, must be included in the preliminary development concept plan to be reviewed by the City Council.
- h. The revisions to section *(11) Design Standards* (formerly section 13) clarify the roles of the Planning Board and Architectural Review Board in the review and approval of the design of proposed developments within the Urban Renewal Area. Furthermore, the revisions reinforce the link to the Urban Design Guidelines attached to and made a part of the Urban Renewal Plan and stipulate the design elements which must, at a minimum, be included in any proposed development. These procedural changes will have no adverse environmental impacts.
- i. Section *(14) Design Bulk Exceptions and Waivers* has been removed, as any deviations from design requirements would follow the process outlined in section *(C) Review Process*. These procedural changes will have no adverse environmental impacts.

(C) Review Process

- j. The revisions to *(C) Review Process* clarify the roles of the City Council, Planning Board and Architectural Review Board in the review and approval of development projects under the Urban Renewal Plan. Applications for site specific developments will only be accepted by the City from designated developers who have been approved by both the Urban Renewal Agency and the City Council. The two phased review process for site-specific development projects will include preliminary development concept plan approval by the City Council, followed by subdivision and/or site plan approval by the Planning Board and Certificate of Appropriateness from the Architectural Review Board. These procedural changes will have no adverse environmental impacts.

(D) Application Process

- k. The revisions to *(D) Application Process* lay out the steps to be taken during the review and approval of development projects under the Urban Renewal Plan; additionally, it further clarifies the roles of the City Council, Planning Board and Architectural Review Board in that process. The City Council is responsible for setting the general parameters of a proposed urban renewal project during the preliminary development concept plan approval process. It is also anticipated that the City Council will assume the Lead Agency role in the coordinated environmental review of the proposed development projects under SEQR. Following a public hearing, the completion of SEQR and after receiving any comments from the Planning Board and Architectural Review Board, the City Council would then decide whether or not to approve the preliminary development concept plan. Once the preliminary development concept plan is approved by the City Council, the developer would then submit full site plans to the Planning Board and Architectural Review Board for approval and Certificate of Appropriateness. These procedural changes will have no adverse environmental impacts.

(E) Conflicts with other zoning requirements

- l. The addition of section *(E) Conflicts with Other Zoning Requirements* is intended to clarify the City Council's role in approving variances to the bulk and area requirements included in the Urban Renewal Plan during the preliminary development concept plan approval phase. The second provision allows the Urban Renewal Plan to take precedence where it conflicts with other sections of the City's Zoning Code. These procedural changes will have no adverse environmental impacts.

Urban Design and Visual Character

The Urban Renewal Area includes a variety of residential, commercial and retail, mixed-use (non-conforming), institutional and public assembly, manufacturing, industrial and warehouse uses, and vacant land. South Fourth Avenue between East Third and East Fourth Streets has a few nail salons, bodegas, and lots used for vehicle storage interspersed with a number of vacant buildings and overgrown lots. Structures range from single story to four-to-five stories; many are of brick or cement construction in a variety of architectural styles, with a few single-family residential and mixed-use structures of wooden stick-frame construction. Many of the properties are in poor or deteriorated condition.

The wider neighborhood surrounding the Urban Renewal Area includes a variety of residential, commercial and retail, mixed-use (non-conforming), institutional and public assembly, manufacturing, industrial and warehouse uses, and a number of vacant parcels. Residential structures in the Land Use Study Area range from older two and three-family detached buildings to modern twelve-story multifamily buildings. There is no unified architectural character to the area, with residential structures ranging from highly modified Victorian-era single family homes to pre-war tudor-esque multifamily buildings and contemporary high-rises. The lack of unified character of the neighborhood is continued with its wide range of commercial and retail uses. South Fourth Avenue is a typical, if depressed, “downtown street” with ground floor retail uses and residential or offices above and on-street parking.

The proposed *South Fourth Avenue-East Third Street Urban Renewal Plan* addresses the design and visual relationship of redevelopment projects in the Urban Renewal Area and the wider community in several ways: first through the inclusion of the UR-PUD-S4-TP Sub-district; secondly through height and bulk requirements; thirdly through supplemental development standards; and finally through the design standards and guidelines included in the UR-PUD-S4 Overlay Zone and the *Urban Design Guidelines* attached to and made a part of the Plan.

The stated purpose of the UR-PUD-S4-TP Sub-District is to preserve the five architecturally and culturally significant “brownstone” style urban flats that fall within the Urban Renewal Area. Under this sub-district, redeveloper(s) and/or property owner(s) of the “Modern Flats” must make every effort to preserve, maintain and restore all structures within the sub-district. As such, any exterior alteration, restoration, reconstruction, demolition or new construction of properties in this sub-district must maintain the materials, height, bulk, setbacks, light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements which affect the appearance and cohesiveness of the “Modern Flats”.

The proposed UR-PUD-S4 Overlay Zone has certain height and bulk requirements which are intended to minimize the adverse visual impacts of development projects in the Urban Renewal Area while promoting an improved visual aesthetic for the corridor. A maximum building height of 120 feet (11 stories) will visually link the Urban Renewal Area with the downtown via the South Fourth Avenue corridor. The yard setbacks, especially the front yard setback, are designed to create a strong street wall which is integral to the Urban Renewal Plan’s goal of fostering a vibrant commercial corridor. The front yard setback along commercial corridors requires that at least 70 percent of the aggregate length of a structures street wall must be located at the property line. This requirement allows a structure to be strategically set back, providing visual interest in the form of complex massing, court yards, etc., while still re-enforcing the need for a continuous street wall. Open space provisions require that 10 percent of the total area of the development remains permanently as usable open space. Public open space that provides amenities for pedestrians and landscaping in front of buildings will improve the visual aesthetic for the corridor, while more private spaces, such as green roofs, tot lots and community gardens, will provide much needed amenities for residents of the development. Utilities, such as electricity, cable and phones, are required to be underground and any above ground equipment must be located away from major pedestrian streets and corners. This requirement will improve the visual aesthetic of the neighborhood and reduce visual and physical impediments on streets by removing telephone poles and utility boxes from the public realm and placing them where they cannot be seen or adequately screening them. The industrial-type dumpsters for solid waste and recyclables will be required to be located and screened to reduce their visual impacts. Artificial lighting of the development projects will provide illumination sufficient to provide safety to residents, but not project light into, or be visible from, adjacent properties.

Additionally, no light sources can be higher than 10 feet from the ground. This requirement will help to reduce the impact of the larger developments at night, while still improving safety in the neighborhood. The proposed Urban Renewal Plan also includes design standards and guidelines that are intended to “create an attractive and visually appealing environment”. The design standards address the “placement, scale, size and rhythm of window and door openings on building facades and the architectural details, including materials, trims, bands and cornices, determine the appeal of a building”. The design standards included in the UR-PUD-S4 Overlay Zone and in the *Urban Design Guidelines* are meant to complement and reinforce the Urban Renewal Plan, and to assist in achieving the goals set forth in the Plan.

Overall, the Lead Agency finds that impacts on the design and character of the neighborhood resulting from the Proposed Action are anticipated to be beneficial in nature. The objective of the Urban Renewal Plan is to eliminate and/or improve currently substandard buildings and to create a vibrant, safe and visually appealing environment through the development of new mixed-use structures and public and semi-public facilities. Furthermore, the Urban Renewal Plan contains *Urban Design Guidelines* aimed at creating an aesthetically pleasing environment as well as ensuring that the area grows into a vibrant mixed-use community. The Lead Agency supports such guidelines because they employ principles of form-based development, whereby the City can proactively shape its vision for a particular area, and thus enhance the City as a whole.

However, the Lead Agency finds that the proposed Urban Renewal Area and surrounding neighborhood is a dense urban community that already imposes significant shadow impacts on its sunlight sensitive resources, including parks and residential uses; a worst-case-redevelopment scenario could potentially have a significant adverse impact on the sunlight that reaches the residential properties directly to the east and west of the proposed Urban Renewal Area during the morning and evening. However, the Lead Agency notes that site-specific mitigation measures, such as siting of structures and architectural interventions, would be identified as part of the environmental review for the preliminary development concept plan(s) for site specific developments submitted by designated developer(s) for approval by the Mount Vernon City Council.

While, overall, the Lead Agency finds that the urban design and visual character impacts to the proposed Urban Renewal Area resulting from the Proposed Action will be beneficial in nature, certain changes were suggested in the FGEIS. These changes are detailed in the September 8, 2014 memorandum prepared by Ferrandino & Associates Inc., included in the FGEIS and incorporated herein by reference. The Lead Agency finds that the suggested modifications to the Urban Renewal Plan contained in the FGEIS should be implemented, because, as discussed below and throughout this section of the Findings Statement, they further clarify the intent of the Proposed Action and the requirements under the Plan, strengthen the review procedures for development proposed under the Plan, reinforce the link to the *Urban Design Guidelines* in the Plan and, in sum, are more protective of the environment. The suggested modifications to *Section X. Proposed Amendments to Existing Codes and Ordinances* of the Urban Renewal Plan include:

(B) *South Fourth Avenue-East Third Street Urban Renewal Planned Unit Development District (UR-PUD-S4)*

- b. The revisions to the (a) *Building height* provision of the (4) *Standards* section is simplified through the elimination of the building setback requirement. As the primary intent of

building setbacks, to provide increased light and air reaching the street, is not significantly met by the requirement or needed within the Urban Renewal Area, it can be eliminated with no further environmental impact beyond that which was covered in the DGEIS. The secondary intent of building setbacks, providing visual interest to the building façade by modulating the mass and bulk of the building, is met through the revised design provisions in section (11) *Design Requirements*.

- c. Per the mitigation measures identified in DGEIS Section 4.2.4 and 4.3.3, the revisions to the (f) *Setback* provisions of the (4) *Standards* section are intended to help preserve the residential character of South Third, Fifth and Sixth Avenues by allowing contextual setbacks.

Historic and Archaeological Resource

No properties within the proposed Urban Renewal Area have been designated as a New York State Historic Site. As of February 2014, there are five (5) officially designated historic properties within Mount Vernon, two (2) of which are located in proximity to the Urban Renewal Area: the John Stevens House and Trinity Episcopal Church Complex. Though not officially designated on the New York State or National Historic Registers, five “brownstone” style urban flats (the “Modern Flats”) within the proposed Urban Renewal Area were recognized in a 1986 historic property inventory as architecturally significant due to the good condition of the building cornice and the notable detail in the individual entrances to the buildings. While the intervening three decades have not been kind to the buildings, the proposed Townhouse Preservation Sub-District (UR-PUD-S4-TP) within the proposed Urban Renewal Area is designed to encompass and establish mechanisms to preserve the five “Modern Flats” on South Third Avenue.

As all five (5) of the nationally recognized historic resources in the City of Mount Vernon are located outside of the proposed Urban Renewal Area, the Lead Agency finds that the adoption and implementation of the Proposed Action by the City of Mount Vernon will not adversely impact the City’s historical and archaeological resources identified on the National Register. Furthermore, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has determined that there are no archaeological concerns in the proposed Urban Renewal Area and most properties in the survey area are not eligible for listing on the State and National Registers of Historic Places.

Additionally, a worst-case-redevelopment scenario could potentially have a significant adverse impact on the sunlight that reaches the “Modern Flats” during the morning and evenings throughout the year (see Urban Design and Visual Character section above for further discussion and mitigation measures). However, this would not be considered a significant impact to the historic quality of the “Modern Flats” properties as it does not interfere with the qualities which make the properties “architecturally significant”.

Natural Resources

Often industrial or commercial properties are contaminated when hazardous materials such as petroleum and its by-products are “spilled”. These “brownfield sites” consist of land and structures known to be

contaminated or perceived to be contaminated that are underutilized or not used⁴. Since most of the brownfield properties within the South Fourth Avenue-East Third Street Urban Renewal Area are, or were historically, used for industrial or commercial purposes, there is a high likelihood of contamination. According to data provided by Westchester County, two hazardous waste sites have been identified within the Urban Renewal Area; a light industrial manufacturer and a dry cleaner, neither of which are still in business. Additionally, there have been five (5) recorded “spill incidents” within the proposed Urban Renewal Area. The five incidents in the proposed Urban Renewal Area occurred on three separate sites: the first site, at 210 South Fourth Avenue, has two recorded spills, the first in 1991 (National Uniform Corp.) involved fabric shards, and the second in 2013 involved an equipment failure that spilled an unknown substance; the second site, 225 South Fourth Avenue, also has two records of spills, the first in 1994 (Atlas Trucking) was a deliberate dumping of waste oil into the sewer and the second in 2005 (National Gear and Piston, Inc.) was a tank test failure of #2 fuel oil; the third site, at the corner of South Fourth Avenue and East Third Street, involved the spill of an unknown petroleum product in 2009. All of the spill incidents have been “closed” which indicates that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary.

Due to its highly urban development patterns, the City of Mount Vernon has few natural habitats remaining. Most land within the City, including the Urban Renewal Area, is defined as “urban land,” which provides little space or connectivity necessary to support viable wildlife habitat. Mount Vernon has an extensive network of residential streets lined with mature street trees. Street trees are critical to reducing the heat island effect and stormwater runoff of highly urbanized areas, while also providing enhanced air quality, thus providing for healthier and more livable communities. South Fourth Avenue between East/West First and Third Streets has sufficient street tree coverage. However, the segment of South Fourth Avenue between East/West Third and Fourth Streets contains only one street tree.

Due to the highly urbanized development patterns of the City of Mount Vernon, the Lead Agency finds that there are no significant adverse impacts from the Proposed Action on the City’s natural resources including wildlife or wildlife habitats. There are minimal trees of “significant stature” within the Urban Renewal Area which would be affected by the City’s proposed municipal tree ordinance. Furthermore, if fully built out, the Urban Renewal Plan is anticipated to create just over one acre of new open space to be enjoyed by the residents of the area. There is nothing in the Plan that precludes the City from taking an active role, alone or through a public-private partnership, in developing inviting open spaces within the Urban Renewal Area where the community can socialize.

However, given that the Urban Renewal Area has historically contained industrial and commercial land uses there may be some existing contamination which may require site remediation. The Lead Agency finds, as part of an environmental review during the site specific preliminary development concept plan review process, that the exact nature and location of any hazardous waste contamination within the Urban Renewal Area, if any, will be identified and appropriate mitigation measures taken to protect the health and safety of the City’s residents.

⁴ M.Greenberg, K. Lowrie, H. Mayer, K.T. Miller, and L. Solitare. “Brownfield redevelopment as a smart growth option in the United States.” *The Environmentalist*. 21(2), 2001, 129-143.

Infrastructure

Per Section IX of the proposed *South Fourth Avenue-East Third Street Urban Renewal Plan*, the City will oversee and install, or cause the private developer to install, necessary public facilities, such as, but not limited to, water, sewer and storm sewer lines if necessary. Since the DGEIS and FGEIS are based upon a conceptual plan, the status of existing connections to water, sewer and stormwater lines and gas and electricity lines and the need (including the costs) for construction and maintenance of new connections from individual redevelopment projects are unknown at this time and will be addressed during the individual site specific EISs for each development project.

The projected water demand is 211,786 gallons per day (GPD) under the Proposed Action; however, this estimate does not take into account any water saving devices, such as low-flow faucets, showerheads or toilets, which may be included in a site-specific development project. The projected sanitary demand is 192,533 gallons per day (GPD) under the Proposed Action; however, this estimate does not take into account any water saving devices, such as low-flow toilets, that may be included in a site-specific development project. The projected total waste generation is 3,237,696 pounds (approximately 1,619 tons) per year; however approximately 35 percent (1,125,835 pounds/563 tons) of that waste would in fact be recycled and only 2,111,861 pounds (1,056 tons) per year would be sent to the dump. A “will serve” letter sent by Con Edison confirmed that they would be able to provide gas and electric services to the proposed Urban Renewal Area based upon a full build-out scenario. However, until the final design for individual site-specific development projects is completed they are unable to determine “loads, schedules, impact to the surrounding areas and services, any governmental concerns, and any other characteristics of the project” that may impact the way Con Edison would proceed to provide the services in the time required.

The Lead Agency finds that the adoption and implementation of the Proposed Action by the City of Mount Vernon will not in and of itself adversely impact the City’s existing infrastructure systems because it does not directly authorize any particular development project. According to the Mount Vernon Board of Water Supply and the Westchester County Department of Environmental Facilities, existing water and sewer infrastructure in the area is anticipated to meet the projected water and sanitary sewer demands based upon the “worst-case scenario” build out. Additionally, the Lead Agency finds that the Proposed Action will have little to no adverse impact upon the stormwater runoff rates for the Urban Renewal Area, and may in fact decrease runoff rates due to the increasing amount of open space required under the Urban Renewal Plan. Furthermore, increases in dumping fees for solid waste generated under the “worst-case scenario” will be covered by the increased taxes generated by the development(s). Gas and electric services to the proposed Urban Renewal Area will be provided by ConEdison which has sufficient staff and resources to address any site-specific development project in a timely manner.

Transportation, Traffic and Parking

Existing daily traffic volumes in the Urban Renewal Area range from a low of less than 2,000 vehicles on South Sixth Avenue to over 10,000 vehicles per day on Third Street, the area’s major City arterial with current levels of service (LOS) at intersections in the A/B range. The total number of spaces in the proposed Urban Renewal Area is 273. There are no off-street, municipal parking lots within the Urban Renewal Area. It is anticipated that the total build out of the proposed Urban Renewal Area would add approximately 7,910 daily trips and some 1,570 new peak hour trips.

Estimated Site Generated Traffic – Full Build-Out

Type of Development	Size	Units	Unadjusted Traffic Volumes		
			Daily	AM Peak	PM Peak
Residential	963	Dwelling Units	6,404	491	597
Office	69,729	Square Feet	768	108	104
Retail	162,700	Square Feet	7,211	1,113	441
Sub Total – Unadjusted Traffic Volumes			14,383	1,712	1,142
Adjusted Traffic Volumes					
Type of Reduction	Percent Reduction		Daily	AM Peak	PM Peak
Existing Trips	-25%		-3,596	-428	-285
Internal Capture Trips	-20%		-2,877	-342	-228
Sub Total – Traffic Volume Reductions			-6,472	-770	-514
TOTAL ADJUSTED NET NEW TRAFFIC VOLUMES			7,910	942	628

The Lead Agency finds that while it would appear that the proposed Urban Renewal Plan may have significant traffic impacts, the incremental traffic volumes added to the City street system during the peak hours due to the Proposed Action will be moderate and in line with the existing and base volumes. Trip generation calculations included in the DGEIS account for a reduction in vehicle trips as a result of the mix of uses that encourages walking and/or biking trips. Level of service conditions under full build out would be generally LOS B with only East/West Third Street possibly reaching LOS C during the PM peak hour. Any anticipated impacts would occur over a period of time and each site-specific development project would have to undergo extensive review – including detailed traffic studies. Improvements to the street network and transit systems may be identified at the conclusion of such studies and implemented by the designated developer(s) and/or the City and transit operators as needed.

Parking demand is a function of the type of development which herein as set forth in the Plan is proposed to be residential (a mixture of market-rate, affordable family and senior housing), general office space and retail/commercial space at street level. The proposed UR-PUD-S4 zone provides the parking requirements for the types of development that could be built under the Proposed Action. The Lead Agency finds that the required off-street parking spaces, loading spaces and drop-off/pick-up zones will be provided on various sites in the proposed Urban Renewal Area and that most if not all of the new parking demand will be satisfied with parking provided either on-site or nearby by the designated developer(s). Impacts on public transportation will not be significant, as both commuter train and bus and para transit facilities are convenient to the proposed Urban Renewal Area. The routes were observed to have the capacity to accommodate any additional demand that may be generated by the build-out of those sites.

While, overall, the Lead Agency finds that there will be no significant adverse traffic and parking impacts to the proposed Urban Renewal Area resulting from the Proposed Action, certain changes were suggested in the FGEIS. These changes are detailed in the September 8, 2014 memorandum prepared by Ferrandino & Associates Inc., included in the FGEIS and incorporated herein by reference. The Lead Agency finds that the suggested modifications to the Urban Renewal Plan contained in the FGEIS should be implemented, because, as discussed below and throughout this section of the Findings Statement, they further clarify the intent of the Proposed Action and the requirements under the Plan, strengthen the review procedures for development proposed under the Plan, reinforce the link to the *Urban Design Guidelines* in the Plan and, in sum, are more protective of the environment. The suggested modifications to *Section X. Proposed Amendments to Existing Codes and Ordinances* of the Urban Renewal Plan include:

(B) South Fourth Avenue-East Third Street Urban Renewal Planned Unit Development District (UR-PUD-S4)

- e. Revisions to section (9)(b) *Number of Required Parking Spaces*, provision (i) increases the required number of parking spaces for multi-family dwelling units to 1.0 space per dwelling unit which is consistent with similar types of new development proposed in the City. The addition of provision (iv) further stipulates that for mixed-use developments, similar to what was examined in the DGEIS, shared parking is encouraged and may effectively reduce the required parking spaces by a maximum of up to 25 percent or to a rate of 0.75 spaces per multi-family dwelling unit, whichever is less. As the DGEIS assumed 0.75 parking spaces per family dwelling unit and projected no significant adverse environmental impact, there will be no additional adverse impacts as a result of the revisions proposed. Revisions to provision (d) concerning shared use parking facilities clarifies the Mount Vernon City Council's role in the review and approval process for shared parking facilities. These procedural changes will have no adverse environmental impacts.
- f. Section (10) *Alternate methods of providing parking* has been removed as, at present, the City of Mount Vernon does not have any mechanism by which this alternative would operate and furthermore, such an alternative could set a precedent where the City accepts funds from the designated developer and is then responsible for providing the needed parking spaces at a later date which could potentially result in significant adverse impacts.

Air Quality and Noise Resources

Air quality and noise resources are an important component of the overall quality of life. Poor air quality contributes to respiratory diseases and cancers and also diminishes community aesthetics. However, the ability of local action to influence air quality is severely limited because its sources are widely diffused. According to the *New York State Air Quality Report for 2012*⁵ published by the New York State Department of Environmental Conservation (NYS DEC) Division of Air Resources, the ambient air quality in Region 3 which includes Westchester County meets all of the Federal and State standards,

⁵ This is the most recent report for which data are available.

except for ozone. The New York metropolitan region, including Westchester County, continues to be listed as a marginal 8-hour ozone non-attainment area.

There are currently no State or Federal noise standards used by the NYS DEC or US EPA. The City of Mount Vernon has a noise control ordinance to “prevent excessive, unnecessary or unusually loud noise which may jeopardize the well-being or health or welfare of its citizens or degrade the quality of life”. Chapter §178 of the Mount Vernon Municipal Code, known as the Mount Vernon Noise Control Ordinance, regulates the level of noise emitted by motor vehicles, railroads, aircraft, air-conditioning and air-handling devices, construction sites, etc. and limits the hours of operation during which certain noise levels can be reached.

The Lead Agency finds that the Proposed Action will produce no significant or substantial impacts on regional air quality or noise. The eventual implementation of the Proposed Action will produce some emissions from gas fuel combustion for domestic hot water and heating boilers in the new building(s). These emissions may cause some localized air quality impacts, but they are not expected to be any greater than the emissions from similar buildings in the area. Additionally, it is expected that under the Proposed Action, the growth in vehicle miles traveled will be minimal, as will the impacts on traffic flows during critical time periods. Additionally, the Proposed Action, in general, is not expected to result in any significant noise impacts as regulated under the City’s Noise Control Ordinance. Motor vehicle traffic generated by the Proposed Action would not be expected to result in any significant noise impacts. Short term construction-related noise impacts will be regulated under the City’s Municipal Code Section §178-4.14.

Socio-Economic Conditions

Within the proposed Urban Renewal Area there are 15 City-owned properties (23 percent of total) that do not generate real property taxes for the City and an additional 42 properties (66 percent) are in tax arrears as of February 2014. While most properties are currently only a year or two behind, four properties owe more than \$30,000 in back taxes, which represents over a decade of unpaid property taxes at their current rates. By contrast, the Lead Agency finds that the Proposed Action, upon maximum build-out, could yield significant annual tax revenues to the City of Mount Vernon (estimated \$6.1 million in property taxes plus an estimated \$400,000 in sales tax), the Mount Vernon City School District (estimated \$15 million in property taxes) and Westchester County (estimated \$1.9 million in property taxes plus an estimated \$1.3 million in sales tax).

Based upon a preliminary assessment, approximately 36 households and 13 businesses located within the proposed Urban Renewal Area may need to be relocated⁶, of which an undetermined number of households may qualify for new housing and would be given first preference to same. Any residential or commercial relocation activities, as a result of the implementation of the Proposed Action, will be overseen by the City and financed by the designated redeveloper(s) in accordance with the Federal Uniform Relocation Act. The impacts of relocation will be further examined in site-specific environmental impact statements required for each individual development project(s) within the proposed Urban Renewal Area prior to approval by the appropriate authorities.

⁶ See Appendix H. for the *South Fourth Avenue-East Third Street Urban Renewal Plan* and MVP Realty, 2013.

The DGEIS estimates that 557 new jobs will be generated by the implementation of the Proposed Action; however, they may be off-set by the potential for the loss of existing jobs within the proposed Urban Renewal Area when existing businesses close or relocate.

Implementation of the Proposed Action will result in the elimination and improvement of substandard buildings and other deteriorated and obsolete structures located within the Urban Renewal Area; replacement with new mixed-use development will provide a critical mass for further development along the South Fourth Avenue and East/West Third Street corridors. However, it is the Lead Agency's determination that this should not be done at the expense of the neighborhood's existing residents. While ultimately it should be the City's goal to encourage higher income residential development to be incorporated into the Urban Renewal Area, there is an existing population in the area that is under-served with quality affordable housing, which the Urban Renewal Plan addresses.

Municipal Services

Currently, based upon crimes reported⁷ in the proposed Urban Renewal Area from 2009 to 2011 versus crimes Citywide, it is four (4) times more likely that crimes were reported in the proposed Urban Renewal Area (on average) than in the City of Mount Vernon as a whole. However, with the removal of these blighting influences it is anticipated that the redevelopment of the Urban Renewal Area will reduce the number of crimes reported in this area as the new influx of residents and workers repopulating the area will change the character of the neighborhood from a neglected one to a safe and vital one.

Despite this change in the character of the neighborhood and potential reduction in crime, given the size of the proposed buildings as well as the size of the proposed zone and the potentially large influx of new residents, the Mount Vernon Department of Public Safety's assessment of the Proposed Action is that it will overburden already strained police services (see letter from Police Commissioner Terrance Raynor, dated March 24, 2014 in Appendix L.5). While this seems to indicate that the Proposed Action would have an immediate adverse impact upon the City's police services, the build out of the Urban Renewal Area will likely occur over a period of time which would allow the Department to gradually increase its capacity as needed. Furthermore, the Commissioner's comments indicate that the Department is already overburdened which would imply that currently the Department already requires additional officers or equipment to meet the existing demand and that while the Proposed Action will add to this demand, it is not the sole reason for the burdens on the Department.

There will be no immediate need for increased fire protection services. Initially, the impact due to staffing and equipment will be negligible, and budgetary implications resulting from the Proposed Action, if any, will be minimal.

The *South Fourth Avenue-East Third Street Urban Renewal Plan* seeks to dedicate usable open space with each new development to augment the City's existing infrastructure. The Plan states that all structures shall be developed such that at least 10 percent of the total area of the development remains permanently as usable open space. These areas may include, but are not limited to, active and passive recreation areas, tot lots and community gardens on individual plots, green roofs, and hardscaped courtyards that may include water features, benches or low walls with seating areas, free-standing

⁷ Crime statistics from *Mount Vernon East Third Street-South Fourth Avenue Blight Determination Study* prepared by Ferrandino & Associates Inc., July 2012 and adopted by the Mount Vernon City Council on October 18, 2012.

planters, public art or other pedestrian space or design features integrated into the overall design of the development.

Based upon the maximum build-out potential analyzed in the DGEIS, approximately 151 public school children would be generated by the Proposed Action. Of these 151 potential students, approximately 58 percent (88 students) would be enrolled in elementary school (Grades K – 6) while approximately 42 percent (63 students) would be enrolled in middle or high school (Grades 7 – 12)⁸. This “worst-case” scenario does not take into account other factors, such as the potential for senior housing developments or unit mixes focused on studio, 1 and 2-bedroom units marketed toward young professionals, young families and empty nesters, which will produce few school aged children, if any. As the proposed Urban Renewal Area is located in proximity to the Edward Williams Elementary School, it is anticipated that the majority of students would attend here. With a 2022 projected student enrollment of 568, the school will still be under capacity at 84 percent⁹. Therefore, with the addition of a maximum of 88 public school children¹⁰ generated by the Proposed Action the Edward Williams Elementary School would still be under capacity. Furthermore, it is anticipated that the total expenditures, estimated at \$3,551,973 annually¹¹, as a result of new public school children will be covered by the estimated \$23,307,091 in property taxes generated annually by the development(s).

Generally, it is expected that any new development will increase the need for health care services incrementally. The Montefiore Mount Vernon Hospital does not anticipate any increased demand for its services directly related to the Proposed Action. Part of the Hospital’s annual budgeting process mandates having adequate staff and equipment to support the services it provides. Toward that end, the Hospital does not anticipate that the Proposed Action will have any significant adverse impact on those budgeted staffing numbers or equipment requirements.

The Lead Agency finds that, generally, the implementation of the Proposed Action will have minimal adverse impacts upon the municipal services provided by the City. As the build out of the Urban Renewal Area would occur over a period of time it would allow the City’s Police and Fire Departments to gradually increase their capacity, as needed, utilizing the tax revenues generated by the developments. As the nearby Edward Williams Elementary School is currently operating under-capacity, impacts to the Mount Vernon City School District will be minimal. Furthermore, the total expenditures as a result of the new public school students will be covered by the increased taxes generated by the development(s).

Construction

Since the DGEIS and FGEIS are based upon a conceptual redevelopment plan, it is difficult to determine, at this time, the potential construction impacts. Construction impacts will be addressed during the individual site specific EIS for each development project. However, it is anticipated that there will be short term construction-related impacts with respect to noise, dust, pollution and re-routing of traffic. All

⁸ Traditionally, elementary schools are grades K-5, middle schools are grades 6-8 and high schools are grades 9-12. However, Rutgers Multipliers are divided up differently. Therefore, an estimate for the public school children generated for elementary schools are K-6 instead of K-5.

⁹ Western Suffolk BOCES, 2013.

¹⁰ Traditionally, elementary schools are grades K-5; however, Rutgers Multipliers are divided up differently. Therefore, an estimate for the public school children generated for elementary schools are K-6 instead of K-5.

¹¹ Based upon \$23,523 in total expenditures per pupil which includes district expenditures for classroom instruction, as well as expenditures for transportation, debt service, community service and district-wide administration. (2011-2012 Fiscal Accountability Summary, DataNYSED.gov)

applicable State and local regulatory standards would be followed, including, but not limited to, City ordinances which require permits for demolition, street opening, street-sidewalk obstruction, dumpsters and cranes. Mitigation measures such as, erosion and sedimentation control measures, excavating and blasting control programs and traffic management, will be identified and included in a construction management plan as part of the site-specific SEQR process for each proposed development project in the proposed Urban Renewal Area.

Growth Inducing

The eventual development of the fourteen disposition parcels, in several stages, could potentially result in the addition of several hundred housing units, approximately 200,000 square feet of commercial/office space, and a new parking garage with the accompanying impacts as discussed in the DGEIS and FGEIS. Additional off-site growth in the immediate neighborhood, including South Fourth Avenue and East/West Third Street north of the proposed Urban Renewal Area, could potentially be stimulated by the adoption of the Proposed Action. The type of growth anticipated would be mixed-use and multifamily housing developments similar in scale and design to the development proposed for the proposed South Fourth Avenue-East Third Street Urban Renewal Area and the 13-story Randy A. Daniels Towers at Grace Plaza on East Third Street between South Second and Third Avenues. Currently the immediate neighborhood outside the proposed Urban Renewal Area does not permit this type of development as-of-right, but recent high-rise construction has occurred via zoning variances. The residential areas to the east, west and south of the proposed Urban Renewal Area may see renewed interest and investment in the existing housing stock, particularly along East/West Fourth Street. This additional off-site growth would not impose significant adverse impacts upon the City of Mount Vernon. As the area surrounding the proposed Urban Renewal Plan is already highly developed, encompassing the oldest sections of the City, there will not be a significant amount of new development except potentially along the commercial corridors of South Fourth Avenue and East/West Third Street

Adverse Impacts that Cannot be Avoided

No direct unavoidable adverse environmental impacts are expected as a result of the Proposed Action because it does not directly authorize any particular development project. However, to the extent that development is encouraged by the proposed *South Fourth Avenue-East Third Street Urban Renewal Plan* and UR-PUD-S4 Overlay Zone, some short-term unavoidable adverse impacts can be expected pertaining to construction activities for these projects. Additional long-term unavoidable adverse impacts may be identified for site-specific development projects. These adverse impacts that cannot be avoided will be addressed in any subsequent site-specific environmental impact statements subject to review and approval by the City Council and/or Planning Board for each proposed project.

Irretrievable and Irreversible Commitment of Resources

Implementation of the Proposed Action will not result in any direct irreversible or irretrievable commitment of resources. While the adoption of the Plan will not result in any irretrievable and irreversible commitment of resources, build out of the Urban Renewal Area, including buildings, parking areas and landscaped areas would result in the alteration of approximately 10.85 acres of previously developed land area. Build out is also projected to result in an average daily water demand of approximately 211,786 gallons per day. Gas and electric usage will increase in order to provide heating

and cooking, lighting and electricity services for the businesses, residents and employees associated with full build-out of the Plan. Economic resources committed in the construction of the build-out of the Plan would include the cost of land, construction materials, and energy and labor resources. There would also be commitments in terms of police and fire protection. The extent to which these resources are committed will be addressed in any subsequent site-specific environmental impact statements.

ALTERNATIVES CONSIDERED

No Action Alternative Scenario

This scenario assumes that the Proposed Action is not adopted, all properties retain their current zoning and no development takes place. The eleven (11) properties that are identified in the proposed Urban Renewal Plan as “Not to be Acquired” would also remain in their current state. Should the No Action alternative occur, any impacts attributable to the Proposed Action would not occur. Many of the properties are currently in poor or deteriorated condition and contribute in varying degrees, to the blighting influence on the neighborhood. Under this scenario the condition of the various blighted properties would continue to deteriorate and potentially spread beyond the established bounds of the proposed Urban Renewal Area. While none of the potential adverse impacts from the Proposed Action would occur under this scenario, the positive impacts of the Proposed Action, increased tax revenue, elimination of blight and creation of a vibrant neighborhood, would also be foregone.

As-of-Right Alternative Scenario

This scenario assumes that the Proposed Action is not adopted, all disposition parcels retain their current zoning, and development to the maximum permitted under the existing zoning takes place. Under this scenario it is unlikely that the redevelopment of the Urban Renewal Area will occur as there is little incentive to re-build what currently exists, as evidenced by the state of disrepair that the area is presently in. Under this scenario build-out of the disposition parcels would yield 20 dwelling units housing approximately 49 people, 276,079 square feet of commercial/office or industrial space and 966 parking spaces. Uses under this scenario will be even more segregated than current conditions, with the properties lining South Fourth Avenue comprised of commercial/industrial uses, the properties lining East/West Third Street comprised of retail/commercial uses, and the properties along South Third and Fifth Avenues comprised of residential uses. While this scenario would eliminate the current blighting conditions it would not foster the vibrant mixed use corridor that the *2011 Draft Comprehensive Plan* envisions, nor would it generate the same tax revenue as the Proposed Action.

Focused Density Alternative Scenario

This scenario assumes the Proposed Action is adopted, and that maximum development is focused at the intersection of South Fourth Avenue and Third Street before tapering off along South Fourth Avenue and West Third Street which will serve as a buffer for the more residential nature of the surrounding area. Under this scenario build-out of the disposition parcels would yield: 667 dwelling units housing approximately 1,634 people, 232,429 square feet of commercial/office and require a maximum of 737 parking spaces. Zoning and land use impacts under the Focused Density Alternative would be the same as those under the Proposed Action. The blighting conditions of the area would be eliminated through

clearance, just as is proposed under the Proposed Action. With a total adjusted additional daily trip potential of 6,828 trips, the Focused Density build-out would be slightly lower than the potential traffic associated with the Proposed Action build-out. Any potential additional burden on the City's municipal services in terms of additional demands on police, fire, emergency, health and recreational services or additional children to the Mount Vernon school district from new development would be slightly reduced due to the decreased residential development potential. However, any increase in property tax revenue generated by redevelopment of the Urban Renewal Area would also be reduced due to the decrease in development potential. Furthermore, the density of residential uses necessary to support the new retail would be reduced and thus imperil the potential viability of the revitalized neighborhood.

CONCLUSIONS and CERTIFICATION OF FINDINGS REQUIRED BY SEQRA

Having considered the relevant environmental impacts, facts and conclusions disclosed in the DGEIS and FGEIS, which FGEIS incorporates by reference the DGEIS, and includes the comments on the DGEIS and responses thereto, and having weighed and balanced relevant environmental impacts with social, economic and other considerations, and in consideration of the preceding written facts and conclusions, the Urban Renewal Agency finds and certifies:

- (1) that the requirements of SEQRA and the SEQRA Regulations have been met; and
- (2) that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Proposed Action avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that the DGEIS and FGEIS and this Findings Statement have identified as practicable.

Agency: Mount Vernon Urban Renewal Agency
City Hall
One Roosevelt Square
Mount Vernon, New York 10550

Signature of Responsible Officer:

Name of Responsible Officer:

Title of Responsible Officer:

Date:

Lead Agency Contact Person for Additional Information