RESOLUTION NO. -2012

By:

A RESOLUTION WITH RESPECT TO A PETITION FILED BY COLLINS ENTERPRISE, LLC SEEKING AMENDMENTS TO THE ASSOCIATED DOWNTOWN WATERFRONT MASTER PLAN AND GUIDELINES, AFFECTING THE REAL PROPERTY IDENTIFIED AS PARCEL B IN THE YONKERS DOWNTOWN WATERFRONT MASTER PLAN AND DESIGNATED ON THE TAX MAP OF THE CITY AS SECTION 2, BLOCK 2605, LOTS 1 AND 73.

WHEREAS, on November 30, 2012, petitioner, Collins Enterprise, LLC filed a petition with the City Clerk seeking approval of amendments to the Downtown Waterfront Master Plan; and

WHEREAS, the Downtown Waterfront Master Plan had previously been amended to facilitate prior development of the Hudson Park project along with additional density and building height associated with future redevelopment of parcels H and I to the south; and

WHEREAS, the Downtown Waterfront Master Plan currently limits Parcel B to maximum heights of 80 feet and 60 feet. The 80 feet height limitation on the western portion of Parcel B would not be adequate to facilitate development of the type of mixed-use, transit-oriented development proposed by the petitioner; and

WHEREAS, in order to conform to the Downtown Waterfront Master Plan, petitioner seeks the approval of the amendment of said Master Plan;

NOW, THEREFORE, BE IT RESOLVED by the Yonkers City Council that the petition attached hereto be and the same is referred to the appropriate Committee of this body and that the petition also be referred to the City of Yonkers Planning Board for review and consideration.

AND BE IT FURTHER RESOLVED, that this resolution take effect immediately.
CITY COUNCIL: CITY OF YONKERS
COUNTY OF WESTCHESTER: STATE OF NEW YORK

In the Matter of the Application of

Collins Enterprises, LLC

For amendments to the associated Downtown Waterfront Master Plan and Design Guidelines, affecting the real property identified as Parcel B in the Yonkers Downtown Waterfront Master Plan and designated on the tax map of the City as Section 2, Block 2605, Lots 1 and 73.

Collins Enterprises, LLC (the "Petitioner") hereby petitions the City of Yonkers for certain amendments to the Downtown Waterfront Master Plan and Design Guidelines, as follows:

THE PETITIONER AND THE PROPOSED BUILDING

1. The Petitioner is the developer/owner/manager of the Hudson Park I and II projects, which include approximately 560 residential units and 20,000 square feet of space for retail, restaurants and office use.

2. The Petitioner is the owner of the property located at the intersection of Alexander Street and Wells Avenue, which is identified as Parcel B in the Yonkers Downtown Waterfront Master Plan and designated on the tax map of the City as Section 2, Block 2605, Lots 1 and 73, which is part of a larger 4.56± acre assemblage (the "Site"). The Site is located in the Planned Urban Redevelopment District of the City and contains approximately 198,633 square feet of lot area.

3. The Petitioner received prior approvals from the City of Yonkers for the development of Hudson Park South and Hudson Park North (Parcels B, C, D, E and J) in 2006 and 2000. The plans included: a 266-unit residential complex with a leasing office, commercial space and fitness room on Parcel E (Hudson Park South); a 294-unit residential building, leasing space and a fitness center on Parcel C (Hudson Park North); a parking garage on Parcel B; and a waterfront park and esplanade on Parcel D and a portion of Parcel J. These elements have been successfully constructed previously under earlier implementation phases of the Yonkers Downtown Waterfront Master Plan.

4. The Petitioner proposes to develop a tower containing 222 residential units and approximately 13,320 square feet of amenity space for residents, a 160-space addition to the existing parking garage, and a continuation of the riverfront esplanade that will link the publicly-accessible river walk to Habirshaw Park. The residential building would have 23 stories and be approximately 240 feet high, and contain approximately 210,675 square feet. The existing parking garage would be expanded to accommodate an additional 160± parking spaces.
5. The Petitioner seeks to build upon the City's successful implementation of the Downtown Waterfront Master Plan by promoting transit oriented development which also supports the revitalization of Yonkers downtown area and connect a critical link in the City's waterfront esplanade.

6. The Site is zoned Planned Urban Redevelopment (PUR). Under PUR zoning, development controls are imposed after approval of a conceptual plan. In this case, the Yonkers Downtown Waterfront Master Plan determines the development potential of the site.

7. The building is shown on the conceptual site plan and floor plans prepared by Do H. Chung & Partners of Stamford, Connecticut, the project architect, attached to this Petition as Exhibit A.

THE PROPOSED AMENDMENTS TO THE DOWNTOWN WATERFRONT MASTER PLAN

8. The Downtown Waterfront Master Plan had previously been amended to facilitate prior development of the Hudson Park project along with additional density and building height associated with the future redevelopment of Parcels H and I located to the south.

9. The Downtown Waterfront Master Plan currently limits Parcel B to maximum heights of 80 feet and 60 feet. The 80-feet height limitation on the western portion of Parcel B would not be adequate to facilitate development of the type of mixed-use, transit-oriented development proposed by the Petitioner.

10. Therefore, to permit the proposed building, the Petitioner respectfully requests that the City amend the Master Plan & Design Guidelines Figure 21 – Building Heights and other related graphics so that the western portion of Parcel B currently designated as 80' Maximum be designated as 250' Maximum.

11. The proposed Figure 21 and other related amendment are set forth in Exhibit B.

WHEREFORE, Petitioner respectfully requests that the City grant this Petition and adopt the amendments to the Downtown Waterfront Master Plan described above.

Dated: November 29, 2012

Respectfully submitted,
Collins Enterprises, LLC
Petitioner
2001 West Main Street, Suite 175
Stamford, CT 06902
VERIFICATION

STATE OF NEW YORK

COUNTY OF WESTCHESTER

Arthur Collins, a member of Collins Enterprises, LLC, being duly sworn states: I have read the annexed Petition, know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true.

Arthur Collins

Sworn to before me this 30th day of November, 2012

Notary Public

BARBARA J. CARMICHAEL
NOTARY PUBLIC
MY COMMISSION EXPIRES FEB. 28, 2014
EXHIBIT “A”
EXHIBIT "B"
Proposed Amendments to the
Yonkers Downtown Waterfront
Master Plan and Design Guidelines

Submitted by:
Collins Enterprises, LLC
In conjunction with proposed
Hudson Park III

Submitted to:
City of Yonkers
1. INTRODUCTION

In the 19th Century, the beauty of the Hudson River Valley inspired its own "school" of artists devoted to capturing the essence of the river. While the natural landscape dominates their paintings, the work also depicts a human presence. Sailboats glide along the river and buildings embrace the hills along the shore. Life in the Hudson River Valley at the time was harmoniously linked - visually, economically and otherwise - to the water.

In this century, economic and social forces have obscured this vision of the riverfront and limited one of the nation's greatest natural resources from the public experience. The City of Yonkers and The County of Westchester now have the opportunity to restore the magical quality and integrity of this one-of-a-kind landscape, and at the same time, promote the economic growth and vitality of the city. The Master Plan will physically, visually, and aesthetically reconnect the fabric of the city's downtown with the Hudson River. The generation of public activity will bring new opportunities for development adjacent to the river as well as the downtown.

To achieve this vision, Yonkers initiated a design process for the downtown waterfront which focused on a 16-acre site west of the Yonkers Train Station. During the analysis of existing conditions, opportunities and constraints, public policies and community concerns, a set of design and planning principles was developed to capitalize on the unique assets of a small-scale, historic urban city. These principles, summarized below, led to a concept for development of the site:

- Establish a small scale, yet urban, residential atmosphere.
- Promote low-rise/high-coverage development.
- Provide on-street parking.
- Enhance development with a variety of water-related uses.
- Create a variety of interconnected public places at the water's edge.
- Reinforce and enhance visual connections from downtown through to the Hudson River and Palisades.
- Retain existing water edges and bulkheads wherever possible.
- Establish a connection between the train station and the waterfront.
- Create distinctive rooflines and building profiles to enliven the waterfront.
- Orient buildings and streets to take advantage of views through the site and along the waterfront.

Building on the existing water edges, bulkheads, and infrastructure, the plan envisions a new, mixed-use community with housing, retail, recreational and educational uses, new streets, and open spaces that complement a revitalized Main Street.

The Concept Plan for the site is shown in the Illustrative Plan, Figure 1.

Two key elements of the new community will be the waterfront streets...
VI. Building Design Guidelines

The design guidelines describe the urban and architectural design goals for the waterfront development and set the level of quality for the future development. The design guidelines address urban design elements, such as street walls and bulk, and architectural elements such as materials, colors, and projections. As noted earlier, the focus of the new development is on the public streets and parks. The buildings are treated as the background that defines and enhances the public space.

A. Street Walls

The guidelines for street walls and building heights control the scale of the neighborhood and provide consistency between development parcels.

Street walls -- building walls located on the property line -- are required on all building walls facing public streets and the esplanade. A minimum height requirement of 25 feet for 75% of the length of the wall has been established to provide a uniform base. Street wall requirements are shown in Figure 20.

The 25 foot base is required to provide a consistent low-scale enclosure around key streets and public spaces. Higher quality materials such as brick, stone and pre-cast stone should be used. Above the base, walls should be simple facades with intermediate elements to reduce the scale of the wall. Greater opportunities for individual expression are encouraged on the upper floors and roof lines. Major recesses, balconies, and setbacks are needed to provide sculptural relief.

Buildings with frontages over 100 feet must be divided into distinct components to minimize the appearance of a super-block. Breaks in the street wall may be used for building entrances, courtyards or viewing windows. Changes in architectural elements, such as materials and fenestration, may also be used to reinforce the small-scale atmosphere.

B. Building Heights

Building height limits have been established to provide view corridors, concentrate bulk in key locations and establish the scale of the project site. Building heights are typically four to six stories at the waterfront to ensure a low profile on the waterfront. In key locations, however, additional height is permitted to provide dramatic views to the river.

Three height zones have been established -- 40 feet, 60 feet and 80 feet. To allow flexibility in floor-to-floor heights, building may exceed the maximum height limits by up to 10%. In the 80 foot zone, only 50% of the building area may exceed 60 feet in height. The building height restrictions are illustrated in Figure 21.

C. Setbacks

To reinforce the scale of the neighborhood, setbacks (changes in the plane of the building wall) and setback expression zones are...