

THE CITY OF KINGSTON COMMON COUNCIL  
LAWS AND RULES  
COMMITTEE REPORT

Department	<u>Planning</u>	Date	<u>12-16-04</u>
Description: <u>Comprehensive Plan - Mixed Use Overlay Zoning</u>			
<u>① Issue Written Findings Statement (see attached document) and</u> <u>direct it to be filed in accordance w/ 6 NYCRR Part 617.12 (b).</u>			
<u>② Adopt Comprehensive Plan and Zoning Amendments to</u> <u>Create Mixed Use Overlay Districts, as defined within</u> <u>SEQR Documents.</u>			
Signature _____			

Motion By <u>Alderman Reynolds</u>	Committee Vote	Yes	No
Seconded By <u>Alderman Gonyea</u>	<u>Ann Marie DiBella, Chair</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Action Required:	<u>Chris Burns, Ward 1</u>	<input checked="" type="checkbox"/>	
	<u>Bill Reynolds, Ward 7</u>	<input checked="" type="checkbox"/>	
	<u>Clinton Brown, Ward 4</u>	<input checked="" type="checkbox"/>	
	<u>Chris Gonyea, Ward 2</u>	<input checked="" type="checkbox"/>	

# Findings Statement

617.11

## State Environmental Quality Review Act (SEQR)

Pursuant Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law and 6 NYCRR Part 617, the City of Kingston Common Council, as Lead Agency, makes the following findings:

**Date:** \_\_\_\_\_

**Name of Actions:** Mixed Use Overlay Zoning District Amendments

**Description of Actions:** The City of Kingston Common Council is considering adoption of Comprehensive Plan and Zoning Ordinance Amendments to create Mixed Use Overlay Districts to address an identified need for adaptive reuse of vacant or underutilized industrial and commercial buildings for housing including affordable housing. A primary benefit of the proposed action would be revitalization of the City's neighborhoods as livable and walkable urban environments.

The proposed Mixed Use Overlay Districts are based upon the following overall goal:

**To provide a decent home and a suitable living environment for all existing and new residents of the City while revitalizing its neighborhoods as mixed use mixed income pedestrian based urban environments.**

To attain this goal, the following objectives are proposed:

- Adaptively reuse vacant or underutilized industrial and commercial buildings to provide multi-family rental housing.
- Dedicate a percentage of the overall rental housing units to affordable housing.
- When adaptively reusing buildings for rental housing, maintain the first floor for commercial or retail development, encouraging mixed use.
- Encourage pedestrian based neighborhoods through the use of design guidelines, including safe pedestrian traffic circulation, sheltering, traffic calming, tree planting, human scale lighting and parking lot design.

- Prevent community deterioration and blight in areas where commercial and industrial buildings are vacant or underutilized.
- Support cooperative public and private efforts to meet the need for rental and affordable housing and the creation of mixed use pedestrian based neighborhoods.
- Develop or redevelop areas with substandard conditions to improve neighborhood vitality and prevent depreciation of property values.
- Make full and effective use of federal and state resources to help increase the supply of rental and affordable housing and to meet related goals and objectives of this Plan.

**Location:** City of Kingston, Ulster County, NY

**Agency Jurisdiction:** The City of Kingston Common Council, as project sponsor, has the power to undertake the actions as provided by the New York State Legislature under §§ 20 and 28-A of the General City Law and Article X of the Kingston City Code.

**Date Final EIS Filed:**

**Facts and Conclusions in the GEIS Relied Upon to Support the Decision:**

- 1. Public Need.** The proposed Mixed Use Overlay District addresses Public Need in the following areas:

Adaptive Reuse of Vacant and underutilized Industrial and Commercial Buildings

The proposed Mixed Use Overlay Zoning District Amendments would allow for greater flexibility, than exists in the Zoning Ordinance, towards redevelopment of specific areas of the City that are characterized by vacant or underutilized industrial and commercial buildings. By focusing on the adaptive reuse of buildings with commercial and retail activities on the first floor and residential uses above, the proposed Mixed Use Overlay Zoning District Amendments would allow a number of compatible commercial, retail and residential uses in selected selections of the Midtown and the Stockade District areas.

### Multi-Family Rental and Affordable Housing

The City of Kingston is currently faced with a housing shortage that has reached a point where action is required. Permitting the conversion of vacant and underutilized industrial and commercial buildings to multi-family rental and affordable housing, while maintaining commercial and retail activities on the first floor, is designed to help to alleviate this situation.

2. **Transportation / Parking.** The conversion of underutilized or vacant commercial or industrial buildings into residential units will require parking for those residents. It is difficult to predict how many gross square feet of commercial and industrial space are available to be adaptively reused for residential units and what percentage of that gross might be developed to yield an accurate estimate of net square footage for residential uses.

In many instances, however, off street parking to serve the buildings to be adaptively reused, left over from the time of commercial and industrial occupancy, already exists. The practical planning issue then becomes whether that existing parking is adequate to accommodate the envisioned residential uses and/or whether additional parking needs to be created altogether.

The conversion of underutilized or vacant commercial and industrial buildings into residential units will require parking for those moving into the residential units. To guarantee that this parking is provided, the City of Kingston will, during the Site Plan and Special Permit review processes, adhere to Section 405-34 of the Zoning Regulations, Off-street parking and loading, to maintain needed levels of parking.

**Land Use & Zoning.** The proposed action would create a new overlay Zoning District. Within the overlay Zoning District, new regulations would be established for adaptive reuse of vacant or underutilized commercial and industrial buildings through the Special Use Permit provisions of the City Zoning Ordinance. No effect would occur to the underlying Zoning District or to uses or structures that do not meet the special conditions.

The proposed Mixed Use Overlay District will allow for greater flexibility in the City's approach to development and redevelopment in areas of the City that have vacant or underutilized commercial and industrial buildings. The proposed plan will allow adaptive reuse of such buildings to help foster walkable and convivial urban neighborhoods. This can be considered a beneficial impact.

No existing uses will be made non-conforming by the proposed action and consequently, no mitigation measures are required to address this concern.

- 4. Community Facilities and Services.** To the extent that the conversion of underutilized or vacant commercial or industrial buildings into residential units will attract new residents to the City, these residents can be expected to be in need of school services and recreational opportunities. Estimating the number of additional residents due to the proposed Zoning Ordinance Amendment is not possible because of the unknown variables in predicting how many gross square feet of commercial and industrial space will be available to be adaptively reused for residential units and what percentage of that area might be developed to yield an accurate estimate of net square footage for residential uses. Existing City residents that move into adaptively reused spaces would not put additional pressures on the school and recreational services since they would be simply relocating within the City.

The City of Kingston Planning Board, as part of the SEQR review of project specific proposals, within the Mixed Use Overlay Districts, will consider the need for a project sponsor to:

- Prepare a fiscal impact analysis on school services.
- Prepare a recreational impact analysis of how the recreational needs of new residents will be addressed including the extent to which on-site recreational opportunities will be developed or already available in the area.

**5. Socio-Economics / Housing.**

As outlined in the DGEIS/Plan, there has been a decline in the availability of housing in the City, the aging of available housing units, and the stagnant weekly wages and per capita income are creating a severe shortage of affordable housing in the City.

The proposed Mixed Use Overlay Districts would have a beneficial impact on the shortage of rental and affordable housing in the City of Kingston. By allowing the conversion of vacant or underutilized commercial and industrial buildings to residential units, some of which would be dedicated to affordable housing, the proposed action addresses an important need within the City.

**6. Community Character.**

The proposed Mixed Use Overlay District Zoning Ordinance Amendments would permit the conversion of underutilized and vacant commercial and

industrial buildings for residential uses as long as commercial or retail activities take place on the ground floor. In addition, the proposed Amendments encourage the creation of mixed use pedestrian friendly urban neighborhoods. Adverse impacts on housing, neighborhoods and historic resources will occur if the integrity of existing buildings and streetscapes are altered by inappropriate design, materials, and construction.

Adaptive reuse of commercial and industrial buildings should be subject to design guidelines to ensure that rehabilitation, conversion, renovation, reconstruction, alteration, or modification of these buildings and their surroundings maintains their historical integrity and supports mixed use pedestrian friendly urban neighborhoods. Design guidelines would help ensure that redevelopment of these former commercial and industrial buildings and nearby streetscapes will conserve the value of lands and buildings while addressing housing needs and the revitalization of neighborhoods sought in the proposed Mixed Use Overlay District Zoning Amendment.

The following design guidelines are adopted as part of this DGEIS/Plan. They should be used, together with the requirements of the proposed Zoning Amendments, during Special Permit reviews by the City Planning Board. The guidelines will help the City Planning Department and developers with the review of redevelopment proposals within the proposed Mixed Use Overlay Districts.

The guidelines are intended to create a clear direction for involved parties to:

- Adaptively reuse existing commercial and industrial buildings to provide rental multi-family, including affordable housing
- Encourage mixed use / mixed income pedestrian based neighborhoods
- Prevent inappropriate use of design, materials and construction for both buildings and streetscapes.

The design guidelines provide basic information about what elements need to be included as part of a Site Plan and Special Use Permit application. However, they do not attempt to address all the design issues relevant to a proposed project. That is the responsibility of the Planning Board during the Site Plan and Special Use Permit approval processes. The guidelines should present a clear understanding of what critical issues need to be addressed so that both the developer and the reviewing board share a common understanding. When circumstances require, the Kingston Historic Landmark Preservation Commission should advise the reviewing

board on the application of the design guidelines to determine the extent to which the proposed development may conform or conflict with the guidelines and to discuss the possible diminution or elimination of any conflicts. Interpretation of the design guidelines remains the sole responsibility of the City of Kingston.

### **Design Guidelines**

**1. Preserve historic architecture.** The historical integrity of industrial buildings should not be injuriously affected so that their value to the community, in promoting cultural association with the past, creates lasting economic value to the City. To this end, the following minimum thresholds will apply:

- (a) Original architectural details and features, light fixtures, fenestration, and building materials will be preserved and, where necessary, restored.
- (b) Original exterior siding will be preserved and, where necessary, restored. It will not be concealed under new siding.
- (c) Historic signs painted on buildings will be preserved, and not be removed, concealed or covered with new signs, paint or any other materials.
- (d) Reflective glass and windows that cannot be opened will be prohibited.

**2. Provide compatible signage.** Where signage is permitted and requested, it should be an integral design element of a building's architecture and be compatible with the building's style in terms of location, scale, color and lettering. All signs will require Planning Board approval and will be subject to the design guidelines for signs in Section 405-36D of the City of Kingston Zoning Ordinance. In addition, the following thresholds apply:

- a) Signage will be incorporated into a building's architecture by using wall signs. Free-standing signs will be prohibited.
- b) Wall signs will be positioned so that they do not cover openings or architectural details and should be located within areas designed to house signs, if such exist.
- c) Where the architecture of the building prohibits the location of a wall sign, a hanging sign may be substituted. The sign will be hung with painted or wrought iron brackets.

- d) Roof signs are prohibited.
- e) Menu signs are discouraged.
- f) All signs will be constructed of wood, metal or other durable material as approved by the Planning Board.
- g) A sign may contain up to twelve (12) words. Any symbol or logo is counted as a word.
- h) The color contrast on all signs should consist of light lettering on a dark background. Each sign may contain a maximum of three colors; black and white are each considered a color. Garish colors and materials should be avoided. Florescent colors are prohibited.
- i) Internally illuminated signs are incongruous with historic buildings and will not be used. Signs may only be illuminated as discussed under "improve outdoor lighting" in the following section.

**3.Improve outdoor lighting.** Outdoor lighting should conserve energy resources while providing safety, utility and security. It should minimize glare, protect the privacy of residents, reduce atmospheric light pollution, and enhance the City's night-time character. The design of lighting fixtures will be consistent with the architecture of the building. To this end, the following thresholds apply:

- (a) All outdoor lights and illuminated signs will be designed, located, installed, and directed in such manner as to prevent objectionable light at and across property lines, and to prevent direct glare at any location on or off the property. Light trespass from a property will be designed not to exceed 0.5 footcandles at the property line. Adjacent to residential property, no direct light source will be visible at the property line at ground level or above.
- (b) All lighting will use fully-shielded lighting fixtures and will be installed in such a way that no light is emitted above a horizontal plane running through the lowest part of the fixture. The lighting will also be shielded to prevent direct glare and/or light trespass and will be, as much as possible, contained to the target area.
- (c) Only top mounted floodlights on signs should be used instead of internally illuminated signs or ground mounted floodlights. Externally lit signs, displays, buildings, structures, streets, parking areas, recreational areas, landscaping, and other objects lit for aesthetic or other purposes should be lit from the top of the fixture and directed downward towards the earth.



(d) Wallpack type fixtures, a lighting unit designed for direct mounting on building walls whose primary function is to light building exteriors, will be prohibited unless the fixture is original to the building and is fully shielded.

(e) The maximum allowable height of a freestanding light will be 16 feet above the finished grade within a 20 foot radius.

(f) The illumination of a site beyond what is minimally necessary for security and visibility will be prohibited.

(g) All non-essential lighting will be turned off after business hours, leaving only necessary lighting for site security, which will be reduced to the minimum level necessary. "Non-essential" includes: display, aesthetic, parking and sign lighting. Motion sensor security lighting is recommended to promote safety and reduce the amount of night lighting in the City.

**4. Provide on-site amenities.** On-site amenities should be provided for the benefit of tenants of the building and to increase neighborhood vitality. Whenever feasible, public spaces should be developed on site through the provision of benches, shade trees and human scale lighting. If possible, courtyards and other appropriate outdoor activity areas should be included to provide backdoor open space areas for tenants of the building.

**5. Integrate traffic calming measures with on-site amenities.** Traffic calming, which slows traffic by specific street designs, attempts to create road conditions that make streetscapes more pedestrian friendly. By integrating traffic calming with onsite amenities associated with adaptively reused commercial and industrial buildings, neighborhoods become more walkable and desirable locations for convivial urban exchanges. Coordination of traffic calming measures with appropriate City agencies will occur during the Site Plan and Special Use permit review processes.

**7. Assessment of Alternatives.** Two alternatives have been studied including the "No Action" alternative and an alternative location for the Zoning map changes. No other reasonable alternatives were identified during the SEQR process. The proposed action will provide the greatest public benefits of the alternatives identified. Based on a review of the proposed action in comparison to the alternatives, the Common Council has determined that potential environmental impacts of the action can be adequately mitigated by the measures identified herein.

### **"No Action" Alternative**

The "no action" alternative has been examined in relation to the proposed action. This alternative would occur if the Common Council does not adopt the proposed Mixed Use Overlay District Zoning Ordinance Amendments.

With this alternative, the existing zoning would remain as is. The opportunity to redevelop underutilized or vacant industrial and commercial buildings for multi-family rental units would not be addressed and the possibilities of creating mixed-use mixed income pedestrian based neighborhoods, out of former industrial buildings that are now lying vacant, would be lost.

If the Common Council were not to adopt the proposed Zoning Amendments, development can still be undertaken according to the existing permitted and specially permitted uses. However, full development within the study areas has not occurred to date as expected. Thus the Zoning Amendment to expand the allowable uses and the hope of creating economic and community development in distressed areas would not occur. The no action alternative would potentially result in the continuation of urban blight that results from decaying vacant and underutilized buildings.

The no action alternative would potentially result in environmental impacts on cultural resources and community character. Many of the single tenant industrial buildings in the study area cannot be reused as zoned since the demand in the current economic climate is for businesses requiring less square footage. Consequently, many of these buildings are now vacant and deteriorating. If this situation persists, ongoing deterioration and subsequent decline of neighborhood character will continue. In addition, landowners may chose to demolish these buildings and replace them with structures that suit the market if they cannot be reused for other purposes. Although none of the single tenant industrial buildings have been listed on the National Register of Historic Places, they are a significant part of the City's local historic heritage. The demolition and replacement of the industrial buildings with modern structures would affect the integrity of an irreplaceable historic context.

Finally, the no action alternative would not support the City's numerous efforts to revitalize the Midtown area and Stockade District, and may, in fact, undermine those efforts if ongoing vacancies in industrial buildings continue.

### **Alternative Location**

An important objective of the Plan and Mixed Use Overlay District Zoning Amendments is to increase the housing supply in the City of Kingston through the adaptive reuse of underutilized or vacant commercial and industrial buildings into residential units. A careful analysis was undertaken to identify those areas

within the City where vacant or underutilized commercial and industrial buildings were located and where there had been significant activity by property owners to apply for variances to convert commercial and industrial buildings into residential uses. Based on this analysis, three potential areas were considered for the Mixed Use Overlay District Zoning Ordinance. They were the Stockade District, the Midtown area and the Rondout Creek area (commonly referred to as the Strand).

However, only the Stockade District and the Midtown area were chosen for the Mixed Use Overlay District Zoning Ordinance Amendments. The present Zoning Ordinance, specifically Section 405-19 RT Rondout District, allows for the conversion of commercial and vacant buildings to commercial and retail uses on the ground floor with residential uses above. In addition, the flexible site plan review process called for in Section 405-19 RT Rondout District allow for the creation of the pedestrian based mixed-use urban environments encouraged under the proposed amendments.

Given the redundancy between the existing zoning for this section of the City and the proposed Mixed Use Overlay District Zoning Ordinance, it was concluded that adding the proposed Mixed Use Overlay District to the Rondout District was unnecessary. No other areas of the City are suitable for the proposed Overlay District Amendments.

**Public Review of Environmental Documents.** The Lead Agency has determined that the Draft GEIS and Final GEIS documents and the Draft GEIS Public Hearing are sufficient to inform the public of all environmental aspects of the proposed actions' effects.

**Findings Consistency with Draft & Final GEIS.** The Lead Agency has determined that the mitigation measures specified in the Draft and Final GEIS's, including all addenda thereto, are adequate to avoid or minimize environmental impacts of the actions. All such measures are incorporated by reference in this Findings Statement as if they were enunciated herein.

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## **CERTIFICATION OF FINDINGS TO APPROVE**

Having considered the Draft and Final GEIS's and the public comments thereon, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617, this Statement of Findings certifies that:

1. The Common Council hereby concludes that the requirements of Article 8 of the Environmental Conservation Law and Part 617 of the implementing regulations have been met.
2. The Common Council concludes that the action, as discussed in the DGEIS and FGEIS, is consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, and will minimize or avoid adverse environmental effects to the maximum extent practicable; including the effects disclosed in the environmental impact statement.
3. The Common Council concludes that consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the decision those mitigation measures that were identified as practicable.

City of Kingston Common Council

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### **Agency**

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Signature of Responsible Official

**President**

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Title of Responsible Official

**James Noble**

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Name of Responsible Official

**07/05/04**

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Date

**Contact Person for Further Information:**

Contact Person: Suzanne Cahill, City Planner  
Address: City of Kingston Planning Department  
420 Broadway  
Kingston, NY 12401  
Telephone: 845.331.0080

**A Copy of This Findings Statement Is Filed With:**

City of Kingston Common Council

Mayor James Sottile

City of Kingston Planning Board

City of Kingston Historic Preservation Landmarks Commission

City of Kingston Urban Cultural Park Commission

Ulster County Planning Board

Kingston City Clerk's Office

CITY OF KINGSTON, NEW YORK COMMON COUNCIL

HONORABLE JAMES NOBLE, PRESIDING

1/01/04 - 12/31/05

ROLL CALL

COMMITTEE \_\_\_\_\_

DATE 1/4/05

RESOLUTION TITLE: Refer #20 back to committee

OFFERED BY: ALDERMAN \_\_\_\_\_

SECONDED BY: ALDERMAN \_\_\_\_\_

RECORD OF VOTE

<u>ALDERMAN</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>REASON</u>
1. CHRIS BURNS <u>1</u> (R)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. CHRIS GONYEA (D)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. LEONARD WALKER <u>2</u> (D)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. CLINTON BROWN (D)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. ANNMARIE DI BELLA (D)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. JOHN MARTINO (D)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. WILLIAM REYNOLDS (D)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. JENNIFER PRIMO-GILBERT (D)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. MICHAEL MADSEN (D)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

2 7  
TOTALS

CARRIED \_\_\_\_\_ DEFEATED ☒

KATHY JANECEK, CITY CLERK

commoncouncilresolution

CITY OF KINGSTON, NEW YORK COMMON COUNCIL

HONORABLE JAMES NOBLE, PRESIDING

1/01/04 - 12/31/05

ROLL CALL

COMMITTEE L&R

DATE 1/4/05

RESOLUTION TITLE: Recommend approval for authorizing the issuance of written findings statement and adoption of comprehensive plan and zoning ordinance amendments for mixed use overlay district

OFFERED BY: ALDERMAN \_\_\_\_\_

SECONDED BY: ALDERMAN \_\_\_\_\_

RECORD OF VOTE

<u>ALDERMAN</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>REASON</u>
1. CHRIS BURNS (R)		<input checked="" type="checkbox"/>		
2. CHRIS GONYEA (D)				
3. LEONARD WALKER (D)				
4. CLINTON BROWN (D)				
5. ANNMARIE DI BELLA (D)				
6. JOHN MARTINO (D)	<input checked="" type="checkbox"/>			
7. WILLIAM REYNOLDS (D)				
8. JENNIFER PRIMO-GILBERT (D)				
9. MICHAEL MADSEN (D)				

8/1 TOTALS

CARRIED ☒ DEFEATED \_\_\_\_\_

KATHY JANECEK, CITY CLERK

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE ISSUANCE OF WRITTEN FINDINGS STATEMENT AND ADOPTION OF COMPREHENSIVE PLAN AND ZONING ORDINANCE AMENDMENTS FOR MIXED USE OVERLAY DISTRICT

Sponsored By: Laws and Rules Committee: Alderman DiBella, Burns, Reynolds, Gonyea

**WHEREAS**, the City of Kingston wishes to adopt a Comprehensive Plan and Zoning Ordinance Amendments to create mixed use overlay districts; and

**WHEREAS**, the City seeks to spur revitalization of Midtown Kingston and the Stockade District to preserve its historic heritage, conserve the value of lands and buildings and increase the City's tax base; and

**WHEREAS**, redevelopment and reinvestment of this area could occur by permitting a greater variety of businesses and residences to locate there; and

**WHEREAS**, there is an increasing need for more affordable housing in the City; and

**WHEREAS**, the Common Council of the City of Kingston recognizes there is a need to address the use of former and underutilized industrial and commercial buildings for both residential and non-residential uses while continuing positive growth and redevelopment within the City; and

**WHEREAS**, there is a demonstrated need to allow redevelopment of former underutilized industrial and commercial buildings for contemporary uses to help create mixed used neighborhoods; and

**WHEREAS**, the Common Council has complied with all SEQR regulations and the procedures set forth in General City Law §28-a.

**NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AS FOLLOWS:**


**SECTION-1.** That the Common Council hereby adopts the Findings Statement pursuant to SEQR and authorizes the City Clerk to file the Finding Statement in accordance with 6 NYCRR 617.12 (b).


**SECTION-2.** That the Common Council hereby adopts the Comprehensive Plan and Zoning Amendments annexed hereto.

**SECTION-3.** This resolution shall take effect immediately.

Submitted to the Mayor this 5<sup>th</sup> day of  
January, 2005

Approved by the Mayor this 5<sup>th</sup> day of  
January, 2005

  
Kathy Janeczek, City Clerk

  
James M. Sottile, Mayor

Adopted by Council on January 4, 2005.



RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, AUTHORIZING THE ISSUANCE OF WRITTEN FINDINGS STATEMENT AND ADOPTION OF COMPREHENSIVE PLAN AND ZONING ORDINANCE AMENDMENTS FOR MIXED USE OVERLAY DISTRICT

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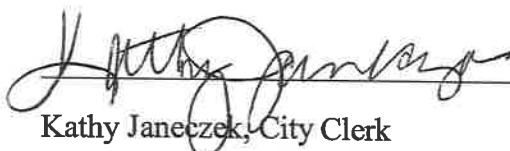
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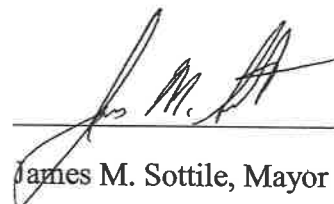
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**WHEREAS**, redevelopment and reinvestment of this area could occur by permitting a greater variety of businesses and residences to locate there; and

**WHEREAS**, there is an increasing need for more affordable housing in the City; and

**WHEREAS**, the Common Council of the City of Kingston recognizes there is a need to address the use of former and underutilized industrial and commercial buildings for both residential and non-residential uses while continuing positive growth and redevelopment within the City; and

**WHEREAS**, there is a demonstrated need to allow redevelopment of former underutilized industrial and commercial buildings for contemporary uses to help create mixed used neighborhoods; and

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