

**NYS Department of State Monitoring of
the City of Albany's
Local Waterfront Revitalization Program**

Community Background

The City of Albany, located on the Hudson River, is New York State's capitol. It is the fourth oldest city in the United States and the oldest in the northeast. Historically it was a major center of transportation and industry. Today its local economy is tied to state employment, higher education, and an emerging high-technology center. As with many older cities, its population has been in decline, as neighboring suburbs have flourished.

Interstate 787 and active freight train tracks serve as barriers to the City's Hudson River waterfront. The Port of Albany is an important year-round economic engine, and Corning Preserve, the City's Hudson River public park, is a destination for both residents and visitors.

LWRP Monitoring Process

The goal of the monitoring process is for the DOS to assess a community's consistency with its LWRP, and to understand implementation activities and decision-making procedures related to the LWRP.

Secondarily, this process provides a forum for a community to highlight successes and request technical and financial assistance. Participating in this process from the City was Douglas Melnick, Director of Planning.

DCR Findings

LWRP Implementation and DOS Collaboration

Since the adoption of its LWRP in 1991, the City has worked to advance its implementation. The City actively seeks out funding for the projects identified in its LWRP and, in the process, has created a vibrant waterfront. These great strides are bringing people to the waterfront, by attracting residents and visitors to the boat launch, bike path, historic naval ship USS SLATER docked along its shoreline, and events at the amphitheater. (See attached chart of Department of State Division of Coastal Resources Environmental Protection Fund (EPF) Grants awarded to the City.) According to the City, more than \$500 million of investment has occurred in the waterfront and downtown districts between 1991 and 2006.

The City's primary focus since completing its LWRP has been revitalizing Corning Preserve and connecting this park to the downtown area. In 1995, with DOS funding, the City prepared a Corning Preserve Master Plan. Subsequently, with DOS and other public funding sources, the City constructed Hudson River Way, a pedestrian bridge which crosses Interstate 787 and connects downtown and Corning Preserve, and completed Phase 1 improvements to the park. Phase 1 included shoreline stabilization improvements, an amphitheater, a visitor's center, and floating docks. The City is currently working on developing a plan for Phase 2 improvements to the park using DOS funding. Over the years, again in partnership with the DOS, the City also completed pedestrian improvements to the waterfront at its Broadway entrance by improving the appearance of the overpass to encourage pedestrian use. They did this by creating a gateway, installing streetscape improvements, and developing trompe l'oeil murals.

Next steps for Corning Preserve Phase 2 is to assess design scenarios given that federal funding for the project is limited to transportation elements. Originally the City wanted to fill in two tidal ponds in the park to create additional amphitheater and festival space. Given potential mitigation factors, and funding issues, a rescope of project is required. The City has a 2001 DOS grant for this purpose that has languished, and will expire March 31, 2011. As no progress has been made in several years, it does not seem it should be extended.

Recent DOS grants are providing the City with funding to update its LWRP, complete a Climate Adaptation and Action Plan, and implement its Bicycle Master Plan.

LWRP Document Accessibility and Local Consistency Review Process

Overall, the City's LWRP is not a well known, or well used document by local agencies, boards, commissions, or local officials. It would appear that only the Planning Director is aware of the LWRP, and that only he has a copy of it. As such, the document while used occasionally over the years to plan project implementation, has been used haphazardly, if at all, for local consistency decisions. It became apparent during the monitoring process that the City's Local Waterfront Consistency Review Ordinance has not been codified into the City's Local laws, as it should have been. Therefore, the Commissioner of Buildings for the City is not aware of the duties associated with the enforcement role. The Planning Director was advised that the City's LWRP is available electronically on the DOS website.

A big issue for the City is that all of the different agencies are all on different computer systems. A thorough analysis and integration of the system is required. As an integrated system is developed, the Planning Director recommended that a tab for local consistency review be added to the City's interdepartmental database for project review.

As the City is embarking on updating and amending its LWRP in the next year, this provides an ideal window of opportunity to educate and train the City on its responsibilities, to ensure that all actions taken by the City are consistent with its LWRP. A key element will be formal local consistency training by DOS staff to all pertinent local officials, boards, and commissions.

Need for Update LWRP

Ideal Time - It is an opportune time for the City to amend its LWRP as they are engaged in a public process to develop the City's first Comprehensive Plan, which will encompass the entire waterfront area. A draft of the Comprehensive Plan is anticipated by the end of 2010, with adoption by Spring 2011. The Comprehensive Plan will assess waterfront and natural resources, and provide the basis for the LWRP update.

Emerging Issues - Major issues that will be explored in the amended LWRP will be adapting to sea level rise and climate change; reuse of abandoned buildings and sites; enhancing tourism opportunities; preserving open space and increasing public access to the waterfront, especially in the South End and Arbor Hill neighborhoods; linking of the waterfront to the historic districts, neighborhoods and downtown commercial area; addressing intermodal and multi-modal transportation links to the waterfront; resolving conflicts among users of the bike path, boaters launching boats, and the State employee parking lots

adjacent to the river; natural resource protection and flood and erosion management; Port of Albany enhancements; and issues related to the useful life of Interstate 787 which separates the City from the waterfront. It is the City's desire to identify new access points to the river, which must overcome Interstate 787 and the active rail line, just as the Hudson River Way pedestrian bridge did.

Zoning - There have only been minor changes to the zoning of the waterfront area since the adoption of the LWRP. However, outside of the waterfront boundary, the City has created a Traditional Neighborhood Overlay and is planning on developing pattern books. It is anticipated that the City will extend its LWRP boundary to include more of the adjacent downtown so that the two areas can be planned more holistically. The City will also be looking to create more mixed use opportunities in the waterfront's industrial/warehouse districts.

Identification of Projects - Only three projects were identified in the City's LWRP, one of which involved improvements to Corning Preserve. The LWRP amendment process will provide an opportunity to build on the public process momentum generated as part of the Comprehensive Plan development to be far more reaching and forward thinking as to the next generation of projects based on an overarching vision reached through the Comprehensive Plan process.

Conclusion

The bottom line is that as the LWRP is updated, it must be institutionalized so that as administrations and personnel change, the document continues to provide the guidance and the tools necessary to achieve its implementation. Commitment by the City to enact a Local Consistency Law, and follow the review process outlined in the law, will be essential to the approval of the amendment by the Secretary of State.

DOS Environmental Protection Fund Grants Awarded to the City of Albany

Year	Amount of Grant	Project Description	Status
1994	\$10,000	Albany/Rensselaer Waterfront Charette	closed
1995	\$46,500	Riverfront Action Plan	closed
1996	\$100,000	Broadway Gateway to Corning Preserve	closed
1996	\$46,000	Broadway Gateway Tunnel Access Improvements	closed
1997	\$250,000	Corning Preserve Pedestrian Bridge Design	closed
1997	\$50,000	USS Slater Shoreline Improvements	closed
1997	\$100,000	Corning Preserve Pedestrian Study	closed
1998	\$42,500	Corning Preserve Floating Dock	closed
1999	\$95,500	North Waterfront Park Study	closed
1999	\$80,000	Port of Albany Master Plan and Development Study Update	closed
1999	\$70,000	Hudson River Regional Waterfront Vision	closed
2000	\$350,000	Waterfront Recapture Program - Corning Preserve Improvements	closed
2001	\$285,000	Corning Preserve Phase 2 - Design, Engineering and Permitting	contract to expire 3/31/11
2002	\$200,000	North Waterfront District: Inner Harbor Feasibility Study	closed - City decided not to undertake work
2008	\$130,000	Local Waterfront Revitalization Program update and Climate Action Adaptation Plan	work underway
2009	\$250,000	Downtown and Waterfront Bicycle Infrastructure Program	contract in process