

I. Description of the Project Area

A. Boundary of the Urban Renewal Area

The Park South neighborhood is generally defined as the nine contiguous city blocks within the following streets: Madison Avenue on the north, Myrtle Avenue on the south, Robin Street on the west, and Lark Street on the east. These blocks have been designated the Park South Urban Renewal Area (“Area”) by the City of Albany Common Council after several years of studies, community meetings, and public hearings. The Area also includes interior streets: Dana Avenue and Morris Street, which flow east and west, and New Scotland Avenue and Knox Street, which flow north and south.

New Scotland Avenue is the main commercial corridor within the Area. Madison Avenue and Knox Street provide a historically significant residential area. Considered together with Dana and Myrtle Avenues and Morris Street, these create the residential character of the area. See the Location Plan (A-i) and Area Boundary Map (A-iii) in Appendix A.

B. Urban Renewal Plan Objectives

The Park South Urban Renewal Plan (Plan) herein is created to map out specific improvements in the Park South Urban Renewal Area to effect:

- The elimination of urban blight and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities of importance to the welfare of the community, through rehabilitation, historic preservation and redevelopment, and establishment of conditions that will prevent recurrence of such conditions;
- The elimination of conditions which are detrimental to health, safety, and public welfare through code enforcement, demolition, interim rehabilitation assistance, and related activities;
- The expansion and improvement of the quantity and quality of community services, which are essential for sound community development and for the development of viable urban communities;
- The creation of residential opportunities which maintain the affordability of housing and the diversity of the neighborhood, through the conservation and expansion of the housing stock in order to provide a decent home and a suitable living environment for all persons, including those of low and moderate income;
- An increase in the sense of community and place, and improvement of the visual image and character of the Area, through the restoration and preservation of properties of special value for historic, architectural or aesthetic reasons;
- The reduction of the isolation of income groups within communities and geographical area and the promotion of an increase in the diversity and vitality of neighborhoods through the spatial de-concentration of housing opportunities for persons of lower income and the revitalization of deteriorating or deteriorated

- neighborhoods to attract persons of higher incomes, to effect the stabilization of and an increase in property values, and increase home ownership in the Area;
- The alleviation of physical and economic distress through the stimulation of private investment and community revitalization in areas with population out-migration or stagnating or declining tax base;
 - To expand employment opportunities providing a range of jobs that are accessible to low and moderate income persons and minority City residents;
 - The reduction of isolation by creating effective and safe public linkages between the Area and surrounding recreational, commercial, and residential uses and employment opportunities;
 - The more rational utilization of land and other natural resources and the better arrangement of residential, commercial, retail, recreational, and other needed activity centers, through the development of a land use plan and proper zoning controls.

To reach these goals, the Plan evaluates current and proposed land uses within the Area along each corridor, including the interior streets of New Scotland Avenue, Knox Street, Morris Street, and Dana Avenue. After evaluating existing conditions and ownership patterns, as well as the needs of the Albany Medical Center campus, traffic patterns, parking requirements, and infrastructure needs, a viable redevelopment pattern has emerged for the different land uses. The uses include residential units for home-ownership and rental, retail and mixed use structures, commercial and general office space, medical office space, accessory open space and public facilities.

The proposed uses described below are adapted to existing spaces and structures, and a strategy to implement the new land uses is set forth, using historic rehabilitation, selective demolition and new construction, in-fill new construction, and spot rehabilitation throughout the Area. One supportive objective of the Plan is to encourage current residents and property owners within the Area to invest in their properties by enforcing building codes, offering rehabilitation assistance programs, and increasing public investment in infrastructure and supporting facilities.

Design standards are included to supplement existing City codes and specific provisions of the Zoning ordinance are being applied to the Area including the C-1 Neighborhood Commercial District and Traditional Neighborhood Overlay District design guidelines. Specific changes to the zoning code are accomplished through the adoption of regulations for the Park South Planned Development Overlay District for the Area. The changes will be implemented through the building permit process. A listing and description of available funding mechanisms, both public and private, are discussed, and a timeline for implementation of various projects within the Plan are presented. Implementation includes addressing the needs of Area residents that may be temporarily or permanently displaced by specific redevelopment projects. Guidelines for relocation assistance plans are outlined with emphasis on accommodating dislocated residents in new or rehabilitated housing within the Park South neighborhood.

C. Consistency with local objectives and Conformance with other community plans and prior reports

The Park South Urban Renewal Plan (Plan) is in general conformance with the existing land uses, zoning classifications, and zoning ordinance. The Plan acknowledges the historical patterns of development in the neighborhood and creates a framework to enhance those patterns for a vibrant urban character.

The Area is currently made up of four (4) zoning districts:

R-2A – One and Two Family Residential District – (Zoning Code § 375-64)

R-2C – One and Two Family Row House Residential District – (Zoning Code § 375-66)

C-1 – Neighborhood Commercial District – (Zoning Code § 375-71)

C-O – Commercial Office District – (Zoning Code § 375-72 Code § 375-72)

Some land uses vary significantly from the permitted uses in the four zoning districts. This is due to pre-existing non-conforming uses, use variances granted, special use permits granted and other occupancies. The primary land use in the Area is residential but some administrative offices have been added in the Albany Medical Center – 2 block area. Also the New Scotland Avenue Corridor and Madison Avenue from opposite Willet Street to Lark Street have a variety of retail uses.

The Plan creates the Park South Planned Development Overlay District (PSPDOD) for the Area. The PSPDOD furthers the objectives of the Plan, strengthens existing design guidelines, and allows maximum flexibility for implementation of the Plan, while mitigating the impact of pre-existing non-conforming uses that do not currently contribute or benefit the Area. The PSPDOD is detailed in Article VI and in Appendix C.

The Plan is also an outgrowth of the Park South Redevelopment Plan prepared by the Design Collective for the City of Albany and the Albany Local Development Corporation (“ALDC”), acting on behalf of the Albany Community Development Agency. This planning process began in January 2003 and involved a dozen public meetings and small workshops, as well as oversight from the Park South Advisory Committee. A Park South Redevelopment Plan was presented to the City of Albany Common Council in June 2004. Refer to Appendix D for a complete copy of the Park South Redevelopment Plan.

The uses proposed in the Park South Redevelopment Plan include: new for-sale housing, new rental units, student housing, increased retail services, and an increase in commercial and medical office space. The Park South Urban Renewal Plan herein is consistent with these recommendations, except that the student housing component is not incorporated into the Plan.

II. Statement of Proposed Land Uses

A. General Objectives

The Objectives outlined in Article I are intended to create a vibrant and healthy mixed use and mixed income urban neighborhood that seeks to reinforce the existing and historical fabric, density and diversity of the neighborhood while enabling new mixed-use development opportunities. The Urban Renewal Plan (“Plan”) is based on a variety of iterative planning and design exercises informed by a broad range of constituencies and influences. These include:

- The Park South Redevelopment Plan produced by the ALDC
- An in depth urban design analysis conducted by the Planning team for both the Park South neighborhood and its larger urban context
- Input from neighborhood residents and other community and business organizations
- An analysis of market conditions within the neighborhood and around the City of Albany.

Refer to Appendix A, Map (ix), Urban Renewal Plan, for the specific locations of the strategies detailed below. The strategies are color-coded and reflect two basic categories: Rehabilitation and New Development which includes new construction. The Urban Renewal Plan is a mixed-use proposal for the Park South neighborhood that is governed by the following strategies. **Appendix A, Map (x), Alternate Urban Renewal Plan,** reflects an option for a second medical office building and only impacts properties currently owned by Albany Medical Center.

B. Strategies

1. Rehabilitation

It is the intent of this Plan that required rehabilitation be undertaken on a voluntary basis. However, if the owner of a property to be rehabilitated is unable or unwilling to comply or conform to the improvements required by the Plan, the ACDA may acquire such property in accordance with the provisions of Article IV, Section D 2 below.

Rehabilitation of the exteriors and facades of buildings within the Area are the focus of the Plan. Interior rehabilitation, renovation, or alterations of existing buildings are to be encouraged through the provisions and application of the New York State Uniform Building Code, municipal Residential Occupancy Permit inspections, and the building permitting process as applicable. It is the goal of the Plan to encourage both cosmetic improvements and interior rehabilitation of existing units and efforts will be made to assist property owners interested in property improvements in conformance with these plan goals.

The Plan identifies a number of rehabilitation projects for existing properties identified as historic, or as consisting of traditional fabric that contributes to the architectural character of the neighborhood. This strategy is reinforced by focused rehabilitation and preservation projects identified for:

- Madison Avenue – Focusing on the rowhouses at the New Scotland intersection and west of New Scotland Ave.
- Knox Street – Focusing on the rowhouses between Dana and Morris and the multi-family buildings on the corner of Knox and Morris
- Morris Street between Knox and Lark – Focusing on the traditional 2 family wood residences

These rehabilitation projects are seen as being primarily for residential use, although the plan recognizes the important street level commercial opportunities at the intersection of New Scotland and Madison. The rehab of the Knox Street properties also offers some neighborhood retail potential at the Dana and Morris Street intersections.

The rehabilitation projects identified above are intended to serve as neighborhood investment efforts that will demonstrate significant improvements in key locations. The Madison Avenue properties recognize and contribute to the ongoing revitalization of the Washington Park frontage and will reinforce New Scotland as a central retail corridor. The Knox Street properties are intended to refocus Knox Street as an important spine for the residential core of the neighborhood – reinforced by the presence of the neighborhood park on the southwest corner of Knox and Morris, and the Knox Street pedestrian mall in Washington Park.

The rehabilitation project for the 2-family units on Morris Street is intended to recognize one of the more common and distinctive building types within the neighborhood. While these homes are not identified as historic, their repetitive pattern results in a distinct collection of buildings that contributes a great deal to the grain and fabric of the neighborhood.

While the Urban Renewal Plan identifies these specific focus areas for rehabilitation, the plan also calls for a general, neighborhood-wide goal of renovation and rehabilitation scattered throughout the neighborhood that continues to promote the current property investments that are taking place in the Plan. All projects within the Plan Area shall conform to design guidelines, attached and made a part of this Urban Renewal Plan. Pursuant to Article VII, all property owners seeking building permits for renovation or rehabilitation of properties within the Area must submit plans to ACDA for review and approval prior to obtaining a building permit during the term of ACDA's oversight.

2. New Neighborhood Housing

a. Mid-Block Developments between New Scotland and Knox

The ACDA intends to redevelop or cause to be redeveloped 2 mid-rise, 4 story multi-family residential buildings located between Morris and Dana - one proposed in the middle of the block between New Scotland and Knox, and one between Knox and Lark Streets. Both of these buildings are oriented perpendicular to Morris and Dana and occupy the full width of the block with both parking and pedestrian access from either street. The housing sits on 1 to 2 story structured parking levels which take advantage of the +/- 10' grade change across the block. The parking is screened by at-grade housing accessed directly from the street. Each of these buildings is oriented around common open space with the opportunity for through block pedestrian connectors. The Plan also identifies opportunities for smaller multi-family 4 story buildings on Dana and Morris, situated at the either end of the mid-block building between New Scotland and Knox.

b. Morris & Lark Street Developments

The ACDA intends to redevelop or cause to be redeveloped 2 additional sites for multi-family buildings on either side of Morris Street at the intersection with Lark Street. Recognizing the shift in scale from the traditional residential fabric of the neighborhood to the institutional and commercial scale of Delaware Avenue, either of these sites could sustain a taller structure of up to 4 stories in height. As proposed by the Plan, these buildings would have 1 level of parking accessed from the rear of the site and screened by at-grade housing along Lark Street and Morris Street frontages.

c. New Scotland Avenue Mixed Use Corridor

The Plan recognizes the importance of New Scotland Avenue as a mixed-use commercial/residential corridor and seeks to reinforce the street as a vibrant neighborhood connector. The Plan proposes to maintain the existing pattern of street level retail spaces of small and mid-size footprints with new retail development incorporating 2 to 3 levels of multi-family residential spaces above. Access to the residential cores of the mixed-use buildings will occur through lobby entrances on New Scotland Avenue. Convenience parking for the retail space will occur in surface lots at the rear of the buildings with dedicated residential spaces one level below grade. All of the New Scotland Avenue off street parking will be accessed from Dana and Morris Streets, avoiding any curb cuts on New Scotland.

General office space may also be constructed on the second and third levels above ground level retail spaces as another method of creating mixed-use buildings.

d. General scattered site infill

The Plan identifies a variety of scattered site residential projects throughout the neighborhood. These infill projects are primarily one, two or three family town homes

consisting of 2 and 3 story structures echoing the scale of the existing neighborhood fabric. Given the limitation of existing lot size and side yard dimension, these infill projects do not require additional off-street parking.

3. Albany Medical Center Properties

The 2-block area west of New Scotland Avenue between Myrtle and Dana Avenue consists of properties owned predominantly by the Albany Medical Center (AMC). This 2-block area will be redeveloped as a mixed-use complex consisting of medical and AMC administrative office space, with some street level retail, a mixture of various housing types, and a structured parking facility serving the office building.

a. Office Building & Related Structured Parking

- (i) **Phase I.** The ACDA intends to redevelop or cause to be redeveloped a 5-story 100,000 square foot office building located west of the New Scotland mixed-use development, spanning the full width of the block between Myrtle Avenue and Morris Street. The preliminary program calls for half of the building to be medical office space and half to accommodate AMC administrative office spaces. The building's front entrance will be located on Morris Street with the main entrance to the garage directly to the west. The service entrance will be located on Myrtle adjacent to a second garage entrance. The siting of both the office building and the garage along Myrtle Avenue recognizes the edge of the institutional scale of Albany Medical while the Morris Street edge of the garage is screened by town homes fronting the street. The project identifies the opportunity for some street level retail in the ground floor of the office building along Morris Street.
- (ii) **Phase II.** An additional 50,000 square foot 5-story office building would be constructed along the south half of the block between Dana Avenue and Morris Street, and townhouse construction would continue along Dana Avenue as a residential buffer. **Refer to Appendix A, Map (x), Alternate Urban Renewal Plan, for the specific layout.**

Redevelopment over five stories is not authorized under this Plan.

b. Multi-family residential developments

Within the block between Dana Avenue and Morris Street, the ACDA intends to redevelop or cause to be redeveloped mid-rise multifamily buildings with at-grade parking beneath screened by at-grade housing. The developments follow the pattern proposed by the mid-block proposals east of New Scotland by running perpendicular to the street. Oriented around a common, mid-block open space, the development also proposes to incorporate town homes running with Dana Avenue and Morris Street frontage. Recognizing the larger scale of the 2-block AMC complex, the project

identifies these buildings to be 4-7 story structures with 4-story wings along Dana Avenue.

Redevelopment over four and seven stories, respectively, is not authorized under this Plan.

c. Townhome developments

Scattered throughout the balance of the 2 AMC owned blocks, the ACDA intends to redevelop or cause to be redeveloped one, two and three family town homes lining Dana Avenue, Morris Street and Robin Street, following the typical patterns of density found throughout the neighborhood. In addition, 2 existing buildings on Myrtle Avenue currently used for medical administrative spaces are identified for housing rehabilitation.

C. Proposed Unit Counts and Square Footage Requirements

Refer to the following spreadsheets for projected total development square footages under the base Phase I Plan and under the Phase II Plan. Refer to Appendix A, Map (ix) Urban Renewal Plan, and Map (x), Alternate Urban Renewal Plan, for project layouts and locations.

Table I – Spreadsheet inserted here

Table II – spreadsheet inserted here

III. Proposed Land Acquisition, Demolition and Removal of Structures, and Rehabilitation Standards

A. General Objectives

A primary objective of the Plan is to encourage and facilitate the rehabilitation of existing structures within the Area to maintain the strong urban design fabric present in the neighborhood. Rehabilitation programs shall promote repair of code violations; removal, abatement or encapsulation of environmental hazards such as lead based paint in accordance with all federal, state and local laws, rules and regulations; and improving the overall quality of owner- and renter-occupied units to meet current market standards. The Design Guidelines discussed below and included in **Appendix B** focus on exterior rehabilitation and new construction requirements.

In **Article IV**, programs for existing property owners are outlined to encourage stakeholder participation in the implementation and eventual success of the Plan. Owner-occupied units were taken into consideration in the creation of the Plan's proposed uses, and therefore are not targeted for acquisition or redevelopment to the greatest extent feasible.

Acquisition and rehabilitation of certain blocks are proposed in order to accommodate: historic preservation, increased control and accountability of property management and maintenance, and implementation of proposed design standards.

Acquisition of structures for demolition and redevelopment is proposed for certain buildings in order to: enhance the urban character of the neighborhood, improve the overall streetscape, improve the commercial corridor and level of services provided, or accommodate a different use pursuant to the Plan.

Acquisition of property within the Area will be completed on a project-by-project basis to implement specific redevelopment or rehabilitation activities. The ACDA and Developers shall work with property owners to negotiate purchase agreements on a voluntary basis to the greatest extent possible and based on reasonable terms. The City of Albany and ACDA are committed to the voluntary acquisition of property from willing landowners. Municipal acquisition of properties pursuant to the Eminent Domain Procedures Law (EDPL) shall not be used except in unusual cases where a strategic parcel cannot be obtained through voluntary negotiations.

B. Acquisition and Redevelopment Plan and Rehabilitation Plan

A map of properties within the Area identified for redevelopment or for rehabilitation is provided in **Appendix A, Map (viii), Redevelopment Strategy**.

Parcels targeted for redevelopment (color - dark gray) include: vacant parcels where new in-fill housing units would be constructed, commercial properties or businesses that would become part of a larger mixed-use structure, properties where current use does not

coincide with proposed use, and parcels with back yards that would be combined to create off-street parking and green spaces.

Parcels targeted for rehabilitation (color – orange) include: buildings worthy of historic preservation, buildings with good design that contribute to the urban character of the neighborhood but suffer from deferred maintenance, properties that may be renter occupied but would be suitable for home-ownership opportunities, and parcels with back yards that, when combined with redevelopment parcels, would create off-street parking and green spaces.

C. Demolition or Removal of Structures – General Statement

If demolition and removal of existing structures is required for a project, a specific relocation plan for residents or businesses occupying the structures shall be prepared and implemented by the developer of the project. Such relocation plan shall be in conformance with the Relocation Plan parameters set forth in **Article X** herein and be reviewed and approved by ACDA.

All appropriate and relevant permits and approvals required by the City of Albany Department of Buildings and Codes shall be obtained prior to the removal and demolition of structures.

D. Rehabilitation Design Standards – General Design Guidelines

The goals for rehabilitation design standards shall reflect those standards established by the City of Albany Zoning Ordinance for the **C-1 Neighborhood Commercial District and the Traditional Neighborhood Design Overlay District**. The overall intent and approach of the C-1 and Traditional Neighborhood design guidelines are consistent with and applicable to the mixed use nature of the Park South neighborhood in spite of the fact that portions of the 9 block area are technically designated as R-2A and R-2C

The design provisions within the C-1 Neighborhood Commercial District and Section 375-41 of Article VII: Traditional Neighborhood Design Overlay District of the City of Albany Zoning Ordinance as may be amended from time to time shall apply to all new development and redevelopment projects in the Area. These design provisions shall be incorporated into the **Park South Planned Development Overlay District (PSPDOD)** provided herein. The PSPDOD shall act as an overlay to supplement existing zoning requirements for the area and will provide flexibility on setback, yard, and parking requirements that are otherwise required by these Sections of the Ordinance.

Properties deemed eligible for historic designation on the National Register shall also continue to conform to historic preservation guidelines of the City of Albany Historic Resources Commission. **Refer to Article VI – C and Article VII for the design review process.**

The Plan also adopts additional Design Guidelines for new building types not found in the C-1 Neighborhood Commercial District, but proposed in the Plan. See Appendix A, Map (ix), Urban Renewal Plan, and Map (x), Alternate Urban Renewal Plan for proposed New Development structures. New Development structures shall include medical office buildings, parking structures, and multifamily mid-rise apartment buildings (“New Development”). Refer to Appendix B, Design Guidelines, for a full description of the applicable design requirements for New Development projects.

IV. Proposed Methods or Techniques of Urban Renewal

A. Financial Assistance Programs

1. Residential:

The State of New York, City of Albany, local non-profit agencies, and local lenders offer an array of financing mechanisms to facilitate renovation of owner- and renter-occupied residential and commercial properties, homeownership opportunities, and lead based paint abatement. These programs shall be marketed to property and business owners in the Area to encourage participation in the Plan.

Agencies and lenders include but are not limited to:

- The Albany HomeStore
- Albany Community Development Agency (ACDA)
- Albany Local Development Corporation (ALDC)
- The Affordable Housing Partnership
- Community Preservation Corporation
- Historic Albany Foundation
- Citizens Bank
- Albany Housing Authority
- Empire State Development Corporation

Programs funded or promoted by the above entities include but are not limited to:

- City Living marketing programs
- Section 8 Homeownership Programs for voucher-holders
- Midtown Homeownership Program – Includes an Employer Assisted Housing component and a separate component funded by Citizens Bank. Presently includes properties in the three blocks west of New Scotland Avenue within Park South. This program should be expanded to include the six blocks east of New Scotland Avenue to Lark Street.
- Home Acquisition Program – eligible properties presently only include those within the City's Neighborhood Strategy Areas, which does not include Park South. This program should be expanded to include Park South for the duration of the ACDA's oversight of the implementation of the Plan.
- Capital District Individual Development Accounts – assists first time homebuyers in saving money for down payment and closing costs.
- Homeowner Assistance Program (HOAP) – a combination of grants and loans for income eligible homeowners City-wide.
- Tenant Assistance Rehabilitation Program (TARP) – Available City-wide, includes matching grants and loans to owners of rental housing for repairs and elimination of code violations. Tenant income restrictions apply.

- Lead Based Paint (LBP) Abatement Program – federal grant funds, which may be coupled with HOAP and TARP grants and loans, to assist property owners with eliminating LBP hazards.

Additional programs specific to the Park South Urban Renewal Area for residential rehabilitation or new home construction on vacant lots may be developed using public and private sources such as:

- NYS Division of Housing and Community Renewal
- SONYMA Affordable Housing Corporation
- Federal Home Loan Bank of New York

These programs would be established and operated by a Local Program Administrator (LPA) such as the ACDA or local non-profit.

2. Commercial:

Business owners within the Park South Urban Renewal Area may also be eligible for financing assistance to renovate or redevelop their buildings in keeping with the design guidelines contained herein or to rectify code violations that they are notified of upon stepped up code enforcement. Other small business services shall be marketed to Park South commercial property owners to encourage investment in the properties and strengthening their business plans, and encouraging new business development in the neighborhood to meet the retail needs of Area residents.

The Albany Local Development Corporation (ALDC) facilitates economic development activity in the City of Albany. The Community Preservation Corporation (CPC) is a private lending institution that provides market-rate loans to mixed use building owners to effect community development. Financing or benefits available to business owners in the Area may include but are not limited to:

- ALDC Revolving Loan Fund
- Empire Zone benefits
- Small Building Loan Program (CPC)

The City sponsors Business Improvement Districts (BID). A BID is a public/private partnership through which a special assessment is used to finance improvements or services within a designated commercial area. Property and business owners form BIDs to provide enhanced services in order to reverse the deterioration of their urban business environment. Albany's BIDs assist in economic development, promote the businesses and services within their districts, and create a clean, safe environment for workers, residents, and visitors. Presently, the Lark Street BID includes only a small portion of businesses along Madison Avenue, near Lark Street, within its district.

- The Lark Street BID could be expanded to include businesses within the Park South Urban Renewal Area. This expansion would require approval by the existing Lark BID and a resolution to be passed by the Common Council.

3. Real Property Tax Abatement:

To encourage capital improvements in properties by existing or new property owners, the City of Albany may enable partial exemptions or abatements from increases in real property taxes related to capital improvements. These may mirror current abatement incentives offered by the City of Albany or new programs. Any new abatement program would require approval by the Common Council.

B. Public Improvements and Supporting Facilities

The condition of public infrastructure was assessed for development of the Plan. Infrastructure includes streets, sidewalks, curbs, pedestrian crossings, street trees, water and sewer mains, and other utility lines. Parking conditions and vehicular traffic were also reviewed under current conditions and projected build out conditions. Necessary improvements are provided in more detail in Article V below.

Infrastructure improvements that are required for a specific New Development project (see Appendix A, Map (ix), Urban Renewal Plan for locations of New Development projects) shall be the responsibility of the developer. Such improvements shall be coordinated with the City of Albany and the appropriate City Departments through the ACDA. The ACDA shall coordinate with property owners, consultants and City Departments for any infrastructure testing and improvements to water, sewer, streets and other issues that are not part of specific New Development projects, particularly those improvements along New Scotland Avenue and east to Lark Street. When specific New Development projects and the improvements necessary to effectuate these projects are identified throughout the implementation and phasing of the Plan, such improvements shall be coordinated among the City of Albany, ACDA, and the developer(s) and fiscal responsibility for those improvements shall be ascertained. When determined necessary or feasible, such improvements may be incorporated into annual City budgets and planning processes to effect implementation of the Plan. See **Article V** below for more detail. Site plan approval for any New Development project shall address responsibility for implementation of such improvements.

Supporting facilities are available to the neighborhood but not on an exclusive basis. A neighborhood park, recently renamed the Pat Kelly Park, exists on the corner of Morris and Knox Streets. The park should be enlarged through the addition of City-owned parcels along Knox Street. The existing house to the west of the park is targeted for acquisition and rehabilitation for use as a community facility to enhance the programs and services available in the park. Various youth, senior, block club, and Neighborhood Association activities could be accommodated in that location, to increase the residential core of the Area along Knox Street and improve civic interaction and engagement.

The Boys and Girls Club and Senior Center of Albany are located immediately east of the Area along Lark Street. Both facilities require modernization to meet growing needs of their clients and to better serve the needs of the residents of Park South. Albany Medical Center owns an annex building (the “Castle”) on the corner of Robin Street and Madison Avenue. Meeting space is made available within this building for Neighborhood Association meetings. While not within the Urban Renewal Area, these facilities are noted as resources to the Area. The proposed land uses in the Plan accommodate better connections with those facilities and encourage physical improvements to those sites to provide the supportive social and retail services needed in the Area.

C. Code Enforcement and Crime Reduction

The ACDA shall coordinate focused code enforcement procedures and neighborhood watch programs with supporting resources to be maintained for ten years to support the implementation of the Plan and its success. Such coordination will call upon the support and expertise of the City of Albany Fire Department, City of Albany Police Department and the City of Albany Buildings and Codes Department. See **Article VII** for further detail.

Increased police presence, reporting of violations, inspections, and development activities as the Plan is implemented will create a positive and highly visible environment that is not conducive to loitering, drug traffic, and other illegal activities, effecting a reduction in crime.

D. Acquisition

1. Voluntary Negotiations:

It is the intent and goal of the Plan to implement projects under the Plan through private acquisitions of properties, based on voluntary negotiations between developer(s) and sellers reflecting fair market value as documented in purchase and sale contracts or option agreements. Implementation of the Plan shall remain flexible to accommodate to the greatest extent feasible current owners’ desire to retain their property and to encourage owners to redevelop or rehabilitate their properties according to the design guidelines and proposed uses indicated herein.

Developers shall use best efforts to acquire parcels needed for specific projects through such voluntary negotiations and shall have the financial capacity to effect such acquisition. Financing may be private or from conventional or government loan programs.

2. Municipal Acquisitions:

The nine-blocks of Park South were declared an Urban Renewal Area by the Common Council during a regularly scheduled meeting held on March 21, 2005. As an Urban Renewal Area, the City of Albany through its Urban Renewal Agency known as the

Albany Community Development Agency (ACDA) is authorized to acquire properties according to the Eminent Domain Procedures Law (EDPL) in order to implement projects in the Urban Renewal Plan.

Municipal acquisition of properties pursuant to the EDPL shall not be used except in unusual cases where a strategic parcel cannot be obtained through voluntary negotiations. Acquisition via EDPL shall further the public purpose of the Urban Renewal Plan.

The City of Albany, upon determination by resolution, after due consideration that the property owner has failed to achieve substantial conformity with Plan requirements, may acquire such property after thirty (30) days written notice to the owner. The City of Albany, through the ACDA, reserves the right to acquire any such non-complying property for a period of three years from the date of written notice by the City of Albany to the property owner.

In the event that EDPL is required to be used to acquire properties in the Area for redevelopment, the disposition of the properties shall be subject to a Disposition Agreement between ACDA and the redeveloper(s), which shall outline the redevelopers' obligations upon disposition.

V. Proposed Public, Semi-Public, Private or Community Facilities or Utilities

A. Current Conditions

1. Streets and Sidewalks – The City of Albany has an annual plan to pave or reconstruct streets, replace curbs, replace sidewalks, construct ADA compliant pedestrian ramps at intersections or crossings and to plant street trees. Reconstruction or repaving of streets is coordinated through the City Engineer to avoid excavation of reconstructed or repaved streets for a period of 5 years. Since new construction or major rehabilitation projects will require new underground utility services, close coordination with the City Engineer is required. Streets in the Area are in fair to poor condition and may have pools of standing water after rain storms.

2. Sanitary and Storm Sewers - The Area is traversed by major combined sewers including the Myrtle Avenue Sub Trunk Branch of the Beaver Creek Sewer and the Washington Park (New Scotland) Sub Trunk Branch of the Beaver Creek Sewer. These branch sewers are in generally good repair but are inadequately sized to accommodate major storm events. Local sewers on each street are also combined sewers. Many are old, some dating to the 1880's and are constructed of "brick & stone", vitrified clay pipe or other pipes known to be susceptible to root penetration, pipe crushing or other modes of failure, which may impact their capacity to transmit both sanitary waste and storm drainage. These pipes are also subjected to infiltration through joints.

3. Water Supply – Potable water and water for fire protection is provided through an aging water distribution system with some pipes dating to the 1880's. These pipes are primarily cast iron pipe with lead joints. Tapping or repairing these pipes is difficult due to the irregular dimensions of pipes of this age. Most water services are either small diameter cast iron pipes or lead pipes except where new water service connections have been made. Modern water services of 2 inch diameter or less are Type K copper.

4. Street Trees – The City of Albany offers a street tree planting program with very reasonable cost for planting trees. Newly planted trees are to be watered by the property owner during the period of establishment. The City offers up to 29 species of street trees, although some have limited availability. Six of these are especially designed to be located under overhead wires. The City of Albany through its Forester or through outside contractors plants new street trees and trims existing trees. Trees which have become too large to be accommodated within the streetscape are often removed. The Area has a number of large trees and a number of trees which are surrounded by wrought iron tree guards primarily along New Scotland Avenue and Madison Avenue.

B. Proposed Improvements and New Facilities

1. Streets and Sidewalks – The City, in support of the Plan and after review of proposed projects and subsequent agreements with the developers to support a portion of the fees associated with the development, is requested to direct available funds to improve sidewalks, curbs and pedestrian ramps in areas where rehabilitation or infill housing is to take place, on a time schedule consistent with the Plan. The City should also consider identifying crosswalks with a change in material. Materials such as stamped concrete or

asphalt should be considered, consistent with vehicular and pedestrian safety. When specific New Development projects and the street improvements necessary to effectuate these projects are identified throughout the implementation and phasing of the Plan, such improvements shall be coordinated among the City of Albany, ACDA, and the developer(s) and fiscal responsibility for those improvements shall be ascertained. When determined necessary or feasible, such improvements may be incorporated into annual City budgets and planning processes to effect implementation of the Plan. **Refer to Appendix B, Design Guidelines, Section II D. Refer to Appendix A, Map (xiii), Pedestrian Improvements, and Map (xv), Roadway and Curb Improvements, for specific locations.**

2. Sanitary and Storm Sewers - When New Development projects or rehabilitation projects are initiated by developers, an engineering review should be undertaken by the developer(s) to determine whether backflow preventors are warranted on any connections to local sewers or perhaps a backflow and storage system on local sewers prior to connection with the trunk sewers. A plan to inspect, repair or replace the local sewers should be undertaken by the Albany Water Board which owns and operates all sanitary and combined sewers in the City of Albany. The Albany Water Board has employed “trenchless technologies” on other similarly constructed pipe. By utilizing either heat activated resin or plastic linings, sewer function may be restored without the disruption of traffic and undue disturbance of the pavements or sidewalks. The Albany Water Board shall inspect existing lines for foreign materials and obstructions within the first year of adoption of the Plan. Any obstructions shall be removed to improve overall capacity and flow.

3. Water Supply – A plan to repair or replace all outdated water mains, valves and hydrants should be undertaken in conjunction with the Albany Water Board, which owns and operates all water mains in the City of Albany.

4. Street Trees – The City, in support of the Park South Urban Renewal Plan, should make street trees available without charge within the Area to individual home owners or commercial property owners who remain or who are undertaking rehabilitation. These trees should also be provided for single or two family infill housing units. On new multi-family housing, commercial construction or new retail development, the Developer shall provide street trees and guards where called for by the Design Standards or as required by the Planning Board. The City Forester shall review all existing trees within the first year of the Plan adoption and trim or remove trees as appropriate. **Refer to Appendix B, Design Guidelines, Section II D. Refer to Appendix A, Map (xvii), Street Tree Planting Scheme, for specific locations.**

C. Cost Estimates

Generally, improvements west of New Scotland Avenue are required for specific projects implemented pursuant to the Plan and shall be incorporated into the projects’ budgets. The ACDA with the City of Albany and the Preferred Developer shall coordinate and facilitate other sources to fund infrastructure improvements that benefit the Area as a whole, generally those improvements along New Scotland Avenue and east to Lark

Street. The implementation should be spaced over a six to ten year period to minimize the fiscal impact on municipal services.

A preliminary estimate of the cost of infrastructure improvements indicates a total cost of \$7,935,000 to be phased in over 6 years from 2007 through 2012. The average annual cost is \$1,222,000. Some of the expense is required to replace old water and sewer mains some more than 120 years old. During reconstruction of sewers, separation into a sanitary sewer system and a storm sewer system will be required. A method of preventing sanitary sewage backup and providing for relief of storm related system inadequacies can be implemented. A system using backflow preventors and storm water storage structures and large diameter pipes may be employed.

Construction of new sidewalks including a paver strip between the walk and curb is proposed. New or relaid granite curb need to be installed together with pedestrian handicapped ramps. Planting of additional street trees, installation of new decorative lights, installation of pedestrian signals and crosswalks, improvement of greenspace and providing other street amenities are also proposed by the Plan.

The overhead wires along New Scotland Avenue should be placed underground. The connections to buildings and side streets should also be placed underground. Obsolete or un-utilized wires for electric, phone, and cable services should be removed. The work will be phased and coordinated with major New Development projects and with areas of infill or rehabilitation.

The cost of major elements of work attributed to the City has been estimated and locations for such work are indicated as follows:

Water Mains (New Scotland Ave. and east)	\$ 600,000
Sanitary Sewers (New Scotland Ave. and east)	\$ 520,000
Storm Water Management (New Scotland Ave. and east)	\$ 500,000
Sidewalks (See Appendix B for various locations)	\$1,335,000
Curbs (See Appendix A, Map (xv))	\$ 430,000
Repaving (See Appendix A, Map (xv))	\$ 800,000
Traffic Related Improvements (See Appendix A, Map (xiii))	\$ 630,000
Street Trees (See Appendix A, Map (xvii))	\$ 100,000
Street Furniture (See Appendix B for various locations)	\$ 120,000
Place overhead wiring underground (New Scotland Ave.)	\$1,200,000
New Street Lights (See Appendix A, Map (xvi))	\$1,200,000
Green Space Improvements (See Appendix A, Map (xvii))	\$ 500,000

VI. Proposed New Codes, Ordinances, and Amendments to Existing Codes and Ordinances

A. Changes Required to Implement the Plan

Regulations to implement the Park South Planned Development Overlay District (PSPDOD) will be established. The PSPDOD contained in Appendix C shall supplement the other zoning classifications in the Area, and the Park South Urban Renewal Plan and Appendices shall be incorporated as part of the PSPDOD requirements. The physical boundaries of the PSPDOD are in keeping with boundaries that define the Plan Area. The PSPDOD shall have the permitted, accessory and special uses and yard requirements listed in the table below and in **Appendix C**, and their locations shall be authorized consistent with Maps (ix) and (x) in Appendix A of this Plan, or otherwise consistent with this Plan. Existing zoning regulations, as may be amended from time to time, shall continue to apply to all existing land uses not listed as “New Development” on Map A-ix. The goals for rehabilitation design standards shall incorporate those standards established by the City of Albany Zoning Ordinance for the C-1 Neighborhood Commercial District, the Traditional Neighborhood Design Overlay District and the Design Guidelines herein and shall apply to all property within the Urban Renewal Area.

Park South Planned Development District	
Permitted Uses	<p><u>Residential Uses</u> Single family detached dwellings Two-to-Four family detached dwellings Semidetached dwellings Single family row dwellings Two-to-Four family row dwellings Multi-family dwellings/Apartment buildings Multi-family dwellings/high rise (elevator apartment)</p> <p><u>Commercial/Retail Uses</u> Art galleries Bakeries Banks Business services Drive-in banks Drugstores Flower shop Ice cream & yogurt shops Neighborhood retail stores Offices – Medical, Professional, and General Personal service outlets Retail outlets Sit down Restaurants Take Out-Carry Out Restaurant</p>

Accessory Uses	Detached garages Fences Home Occupations Storage sheds Swimming pools Parking lots for private vehicles accessory to permitted uses Parking garages for private vehicles accessory to permitted uses
Special Uses	Adult day care centers Charitable and religious institutions Community residences Day care centers Funeral Homes Grocery and convenience stores Health clubs Houses of worship Private schools Restaurants serving alcohol Satellite dish antennas Solar collection equipment Taverns Theaters
Minimum total lot area	To be determined by site plan review in accordance with Map (ix) Urban Renewal Plan and Map (x) Alternate Urban Renewal Plan
Minimum lot width	To be determined by site plan review in accordance with Map (ix) Urban Renewal Plan and Map (x) Alternate Urban Renewal Plan
Minimum lot depth	To be determined by site plan review in accordance with Map (ix) Urban Renewal Plan and Map (x) Alternate Urban Renewal Plan
Minimum Front Yard	0 feet
Minimum Side Yard	To be determined by site plan review in accordance with Map (ix) Urban Renewal Plan and Map (x) Alternate Urban Renewal Plan
Minimum Rear Yard	To be determined by site plan review in accordance with Map (ix) Urban Renewal Plan and Map (x) Alternate Urban Renewal Plan
Maximum Lot Coverage	To be determined by site plan review in accordance with Map (ix) Urban Renewal Plan and Map (x) Alternate Urban Renewal Plan
Maximum Building Height	To be determined by site plan review in accordance with Map (ix) Urban Renewal Plan and Map (x) Alternate Urban Renewal Plan
Parking requirements	To be determined by site plan review in accordance with Map (ix) Urban Renewal Plan and Map (x) Alternate Urban Renewal Plan

Chart 1 – Park South Planned Development Overlay District (PSPDOD)

New Development projects as indicated on Map (ix) Urban Renewal Plan or Map (x) Alternate Urban Renewal Plan in Appendix A shall require site plan review. In addition, site plan review shall be required for projects that would demolish existing buildings to make way for newly constructed buildings and any project that involves re-subdivision or combination subdivisions in order to implement the project. Site plan approval of such projects shall allow flexibility in area and bulk requirements per the PSPDOD, while ensuring general compliance with the provisions and intent of the Plan and the project layouts as shown on the Maps. The location of the uses in the PSPDOD shall be authorized in accordance with Map (ix) or Map (x) of this Plan.

Square footage requirements and limits on hours of operations for allowed uses shall comply with the provisions of the C-1 Neighborhood Commercial District incorporated herein, except for New Developments.

Site plan approval shall not be required for new construction single-family detached dwellings or two-four family detached, semi-detached, or row dwellings that are sited on pre-existing, approved building lots and do not require re-subdivisions, unless a site plan review requirement is otherwise triggered.

Establishing the PSPDOD is necessary because it will allow the proper mix of single and two family residential, row house residential, retail, commercial and office uses in conformance with the Plan. This could not be accomplished under the four (4) existing zone designations without use variances, area variances and special use permits for most projects contemplated under the Plan. The PSPDOD also provides flexibility on parking requirements to accommodate a vibrant, urban environment and mixed-use development.

Although the PSPDOD authorizes the City of Albany Planning Board to determine the required parking on a project by project basis, the goal of the Plan is to provide, as a minimum, the following parking ratios:

Rehabilitation of existing units:	0 spaces per unit
Two-Three Family townhome (rental):	0 spaces per unit
Infill Single family townhome (for-sale):	1 space per unit
Multi-Family Apartments:	0.75 space per unit
Senior Citizens Housing:	0.5 space per unit
Office:	3 spaces per 1,000 sf
Retail:	2 spaces per 1,000 sf

A comparison of existing parking spaces and proposed parking spaces is shown in the chart below:

Type	# of Spaces Existing	#of Spaces Proposed	Change in # of Spaces
Parking Garages/Private Garages	18	472	454
Parking Lots (Regular Spaces)	212	143	(69)
Parking Lots (Handicapped)	2	8	6
Driveways/Miscellaneous Off-Street	26	10	(16)
Basement Parking Garages	0	366	366
On-Street	694	602	(92)
TOTAL	952	1621	669

Chart 2 – Comparison of Existing and Proposed Parking Spaces

As can be seen, the predominant existing available parking is on-street parking which was counted on the interior streets and the side of border streets which adjoin the Area only and not along the opposite side of each border street.

B. Design Guidelines

The Plan provides for neighborhood urban design and architectural design guidelines, which are tailored to the specific blocks, uses, and project types identified in the Plan. **Refer to Appendix B, Design Guidelines.** Similar to the Traditional Neighborhood District that is targeted to residential properties with 4 or fewer units, various sections of the Design Guidelines are targeted to specific uses outlined in Appendix A, Map (ix), Urban Renewal Plan, and Map (x), Alternate Urban Renewal Plan. In addition, certain sections of the Design Guidelines are for application to infrastructure and public spaces such as sidewalks and parks.

Appendix B, Section I, Architectural Design Guidelines apply to the proposed medical office buildings west of New Scotland Avenue between Myrtle Avenue and Morris Street. The guidelines address the design of the proposed parking structure on Myrtle Avenue and the multifamily residential buildings between Morris Street and Dana Avenue.

Appendix B, Section II, Public Realm Design Guidelines outline the requirements for streets, curbs, sidewalks, pedestrian crossings, landscaping, street lighting and furniture, and public open spaces.

Minimum exterior design requirements not specifically included in the Plan’s Design Guidelines found in Appendix B revert to the applicable sections of the C-1 and

Traditional Neighborhood Overlay District guidelines referenced above. In such instances where the Plan or PSPDOD is inconsistent or in conflict with the C-1 or Traditional Neighborhood District guidelines, the provisions of this Plan and PSPDOD shall prevail.

The City of Albany Historic Resources Commission review procedure shall remain in effect for building permit applications on properties located in Historic Districts. Federal Rehabilitation Standards for Historic Preservation Projects shall apply to any improvements or rehabilitation work involving Area buildings that are eligible for inclusion or included on the National Register of Historic Places.

C. Consent of Agency to Building Permits

For the purpose of preserving the integrity of the Plan within the Area, no building construction or alteration permits or special use permit or site plan approval within the Area shall be issued or approved by the appropriate agency or department having jurisdiction thereof without the prior written consent of the ACDA consistent with the requirements of Section 503(h) of the General Municipal Law. The ACDA shall review applications for the proposed construction, alteration or use to determine that the proposals are not inconsistent with the parameters of the Plan. Parameters include: Design Guidelines within this Plan as well as the parameters of the C-1 Neighborhood Commercial District and the Traditional Neighborhood Design overlay; project type; project location; project scope; and general conformance with the Plan and the Environmental Impact Statement (EIS).

The ACDA retains the right to review permit applications for a period of 10 years following the date the Plan is adopted by the Common Council.

The ACDA shall adopt appropriate internal rules and regulations for the staffing and review of applications referred by the Division of Building and Codes for consistency with this Plan. The ACDA shall adopt appropriate procedures to be followed in case a specific development proposal under the Plan must also be reviewed and approved by other City agencies.

VII. Proposed Program of Code Enforcement

A. Property Owner Conformance Requirements

Existing land uses, to the extent different from uses proposed in this Urban Renewal Plan, shall continue to be allowed uses until such time as the use ceases to exist for at least one hundred eighty (180) days or until such time the affected property is acquired for redevelopment according to the Plan.

Property owners of conforming and non-conforming uses are encouraged to access the financial assistance programs outlined herein or other sources as may become available in order to meet the Design Guidelines provided in Appendix B and the NYS Uniform Building Code requirements.

The elimination of blight and reduction in building code violations are goals of the Plan. The City of Albany, in support of the Urban Renewal Plan, shall strive to pro-actively enforce building codes in the Area and respond to complaints in a timely manner. A Quality of Life Task Force was created in 2004. This Task Force shall remain in full force and effect during the oversight period of ACDA on the permitting process. The Task Force includes representatives from the Departments of General Services, Building and Codes, Fire and Police. Within six months of the adoption of the Plan, the Task Force shall complete a building by building assessment of all exterior code violations. Property owners cited for violations shall be encouraged by the Task Force to bring the property in conformance with the Urban Renewal Plan, as applicable, above and beyond the required corrections of the code violations.

Residential Occupancy Permits (ROPs) are issued by the Albany Fire Department for all renter-occupied units every 30 months and requires an inspection of the unit. Any violations noted during the inspection are sent to the property owner in a written notice, and the owner has 30 days to correct the violations prior to a re-inspection. If violations are not corrected in that timeframe, then the owner is referred to court. In order to effect implementation of the Plan, the frequency of the ROP requirement may be increased, after consideration by the Departments who perform such inspections and by resolution of the Common Council, to every 18 months.

Property owners submitting applications for building permits or site plan approval within the Park South Urban Renewal Area will be required to incorporate the requirements of the PSPDOD and the Design Guidelines included herein into the application. Prior to obtaining a building permit or site plan approval within the Area, applications are subject to review and approval by the ACDA as specified in Article VI and below.

B. Development Proposals – Obligations and Procedures

Developers submitting proposals for rehabilitation of existing buildings shall be required to bring the buildings into compliance with all applicable provisions of the New York

State Uniform Fire Prevention and Building Code, the New York State Energy Code, and Federal accessibility codes.

All new construction and rehabilitation within the Area shall conform to the Design Guidelines attached hereto as Appendix B and made a part of the Plan. Building types not specifically addressed in Appendix B shall refer to the design standards of the C-1 Neighborhood Commercial District and Traditional Neighborhood Overlay District guidelines.

Developers and/or property owners of redevelopment, new construction or rehabilitation projects shall submit building permit applications to Division of Building and Codes. Upon determining that the property is located within the Park South Urban Renewal Area, Building and Codes shall refer the application to the ACDA, or its designated Department staff, to verify conformance with the Plan, the PSPDOD, and the Design Guidelines and land uses herein. The following general procedures shall apply:

1. ACDA or its designated staff shall determine if the application is in general conformance with the Plan and requirements of the Historic Resources Commission (as applicable).
2. If the application is in conformance with the Plan, the staff shall refer the application to the Planning Board for site plan review and approval, or if site plan approval is not required, return the application to Building and Codes for issuance of a building permit.
3. If the application is deemed not in conformance with the Plan, Building and Codes shall deny a building permit.
4. An applicant may appeal such denial by making application to the Zoning Board of Appeals.

Developers and/or property owners submitting proposals for the redevelopment of parcels that include demolition of structures shall obtain all appropriate permits and approvals from the Division of Building and Codes prior to start of demolition.

C. Utility Lines - Conformance

The Area is traversed by a number of gas mains, overhead power lines and telecommunication lines. National Grid owns and maintains power lines primarily through a license agreement with the City of Albany. Verizon, Time-Warner Cable and other telecommunication carriers either own and maintain a system of overhead wires or share such facilities with others. Some small underground branches of telecommunication cables also traverse Park South. The numerous overhead wires and poles throughout the Area are unsightly. Many poles are tipped and damaged. Wires are bundled together mid-span, and there has been no attempt by utility owners to remove dead wires or repair wires with insulation or wire bindings hanging.

All new utilities provided by utility companies shall be placed underground when possible. Developers of redevelopment or rehabilitation projects shall install on-site utilities underground and remove or organize unnecessary or duplicative wires when

possible, and when such improvements are necessary to effectuate the scope of their project.

D. Resources

The City will facilitate the implementation of the Plan by making the Area and projects proposed within the Area a priority for all City agencies and Departments including financing available through the City. Targeted City services and increased visibility and presence in the Area from staff in the Police Department and Bureau of Building and Codes will parallel planned projects to effect a visual and physical change in the Area environment.

Programs such as the Quality of Life Task Force, Walk-and-Watch Program of the Park South Neighborhood Association and the Safe Homes – Safe Streets Program of the District Attorney’s Office, and similar future programs, shall be supported and facilitated by the City of Albany during the ten (10) year period that the ACDA has review and approval authority over development proposals within the Area. This long term commitment of resources will reduce the level of crime in the neighborhood, increase stability, encourage an increase in homeownership, and increase property owners’ willingness to invest in their properties.

ACDA may cause properties that cannot be rehabilitated because of basic structural conditions or that by either their physical condition or use create a blighting influence on the surrounding Area to be acquired and/or cleared.

VIII. Proposed Financing Mechanisms

A. Public Financing

A variety of public resources may be tapped to implement the Plan, including:

- Community Development Block Grant program
- HOME program
- Housing Trust Fund program
- New York Main Street program
- RESTORE Emergency grant program for elderly homeowners
- Other local not-for-profit and City homeownership and rental housing programs (See Article IV)
- Section 8 Project Based Certificate program
- Small business loans and services
- Tax Increment Financing (TIF)
- Empire Zone benefits

The local, State, and Federal agencies likely to be involved in these sources include:

- City of Albany Division of Community Development, ACDA and ALDC
- City of Albany Division of Economic Development
- City of Albany Industrial Development Agency
- City of Albany Water Board
- NYS Division of Housing and Community Renewal (DHCR)
- NYS Housing Finance Agency (HFA)
- Empire State Development Corporation
- New York State Energy Redevelopment Authority (NYSERDA)
- U.S. Department of Housing and Urban Development

B. Private Debt and Equity

A significant portion of financing for implementing specific projects of the Urban Renewal Plan will come from private sources, which include:

- Conventional debt
- Taxable and tax-exempt bond debt
- Proceeds from the sale of Federal and State Low Income Housing Tax Credits and Historic Preservation Tax Credits
- New Markets Tax Credits

Investors in the bonds and tax credits provide private capital and equity in return for the benefits of real estate ownership.

IX. Proposed Timetable for Effectuation of the Plan

It is the intent of the ACDA to commence the Urban Renewal actions specified herein immediately following the approval of this Plan by the Common Council and in accordance with all applicable Federal, State, and local laws. The duration of this Plan shall be 10 years from the date of approval by the Albany Common Council.

Upon adoption of the Plan, the following timelines are anticipated for different aspects of the Plan implementation. The Plan allows for projects to move forward individually or in parallel paths, but generally projects are not interconnected other than as catalysts.

The projects and parcels outlined below in the Timeline are shown on the Urban Renewal Plan maps in Appendix A, Maps (ix) and (x).

It is important to note that actual dates of completion will vary due to outside factors, such as competitiveness of financing sources and coordination and cooperation of sellers of individual properties involved with specific projects. The overall timeline to implement the entire Plan is estimated to take 10 years.

TIMELINES

Albany Medical Center (AMC) Parcels: The AMC parcels refers to property currently owned by AMC in the two blocks bounded by Robin Street on the west, Myrtle Avenue on the south, New Scotland Avenue on the east, and Dana Avenue on the north. It does not include parcels owned by others along New Scotland Avenue or owner-occupied properties within the two block area described herein. Projects shown on the Urban Renewal Plan maps in Appendix XII-A include medical and other office space, a parking garage and surface parking lots, and low to mid rise new housing construction to buffer the commercial uses from surrounding residential uses. **Time frame: Years 1-3**

Non-AMC Parcels – Acquisition and Redevelopment: These parcels include commercial, residential and mixed use buildings along New Scotland Avenue that are not owned by Albany Medical Center and are not in conformance with the Plan. Such parcels include but are not limited to the surface parking lot on the northwest corner of New Scotland and Myrtle Avenues and the residential buildings across the street from that parking lot, on the northeast corner of New Scotland and Myrtle Avenues. It also includes buildings with businesses that would be incorporated into a new structure, thus retaining the business in the neighborhood. **Time frame: Years 3-10**

Non-AMC Parcels – Acquisition and Rehabilitation: These parcels include residential and mixed use buildings along Madison Avenue, Knox Street, and Morris Street that are targeted for rehabilitation due to the architectural significance of the buildings to the overall character of the neighborhood. Each streetscape identified is treated as a different phase to be completed in succession. **Time frame: Years 2-10**

Non-AMC Parcels – In-fill construction and Owner-occupied rehabilitation: The majority of parcels in the Park South Urban Renewal Area are part of this category. In this category, current property owners will be encouraged and given incentives to participate in the revitalization of their neighborhood. These parcels include vacant lots suitable for additional single family detached or attached homes and row houses, existing one- and two-family homes that may or may not be owner occupied, and existing business locations requiring building upgrades to meet new design guidelines of the Plan.
Time frame: Outreach – Years 1-2; Implementation – Years 3-10

X. Proposed Program for Relocation of Displaced Residents

A. Relocation Goals

1. Redevelopment:

The Park South Urban Renewal Plan targets certain properties for acquisition and redevelopment into uses different from current uses. For example, certain parcels with residential units owned by Albany Medical Center are proposed to be redeveloped for a medical office building. In these cases, existing residents must be relocated into comparable housing. In other cases, a business may be temporarily or permanently displaced by redevelopment activities along New Scotland Avenue, and temporary or permanent relocation sites must be found.

The primary goal of the Relocation Plan for the Park South Urban Renewal Area is to retain existing residents and businesses within the Area. The Urban Renewal Plan recognizes that these residents and owners have made significant commitments, financial and otherwise, to the Area and may wish to participate in the renewal process.

2. Rehabilitation:

The majority of properties within the Park South Urban Renewal Area are targeted for rehabilitation. Individual property owners, whether homeowners or landlords, will be encouraged to take advantage of rehabilitation assistance programs outlined in Article IV of the Urban Renewal Plan. Other properties may be acquired for specific rehabilitation programs as part of a larger project in the implementation of the Plan.

It is anticipated that residents of properties acquired for rehabilitation will remain in place during rehabilitation activities, as many renovations are needed only to correct deferred maintenance issues. Developers of these projects shall give proper notice to residents of rehabilitation activities to take place so as to minimize disruption of residents' daily routines.

However, in some cases, based on the condition of the property (structural damage, code violations, failure to meet minimum quality standards) or financing program requirements (various sources of funding may have household income guidelines), occupants may need to be temporarily or permanently relocated. The primary goal, again, is to accommodate existing residents within Park South when temporary or permanent relocation is necessary. Programs will be put in place to ensure that any residents dislocated by rehabilitation are given first priority to return to their former residence after rehabilitation is complete.

B. Relocation - Businesses

In cases where a business is temporarily or permanently relocated for a rehabilitation or redevelopment project in the Area, the developer(s) and ADCA shall work with the local

business district to find adequate replacement space. The developer(s) shall provide financial compensation for normal moving related expenses. The ACDA shall also coordinate small business services and resources for the benefit of the displaced business. Appropriate record keeping shall be maintained by the developer(s) and all displaced business shall be contacted upon completion of redeveloped or rehabilitated commercial or retail space and provided an opportunity to return to the Area in newly leased space.

C. Relocation Plan - Residential

The following outline has requirements of all residential relocation plans to be utilized and implemented as required throughout the duration of the Urban Renewal Plan and the oversight of the Plan by the ACDA.

RELOCATION PLAN GUIDELINES

1. Coordination with the ACDA:

Developers implementing portions of the Urban Renewal Plan must create a project-specific relocation plan. The relocation plan must be submitted for review and approval by the Albany Community Development Agency (ACDA). The relocation plan shall designate the primary person from the Developer's staff who will have direct responsibility for implementation of the plan. Developers shall assign personnel as necessary to meet the requirements of the plan. The primary point of contact and other personnel will meet with or report to Agency staff on a regular basis, the frequency of which to be determined by the specific relocation plan, to keep the Agency informed on the status and progress in implementing the plan.

2. General Requirements:

- a. A Relocation Committee shall be established with representatives of ACDA and the Developer to monitor implementation of the relocation plan and grievance procedures.
- b. All residents or occupants as of the date the relocation process is initiated shall be given notices of their rights at least 90 days prior to the date that temporary or permanent relocation is expected to occur. Such notices shall include basic information about plans for the project and the level of relocation assistance that they may expect to receive.
- c. All residents or occupants to be temporarily or permanently displaced shall be offered a listing of comparable replacement units or locations that are decent, safe, sanitary, and affordable.
- d. Regardless of income, existing residents who will be vacated from their current premises must be given a second notice not less than 30 days prior to the actual date of relocation.
- e. The relocation plan shall include a grievance procedure to address occupant concerns related to choices for replacement/comparable housing and methods of relocation assistance of the specific relocation plan. The grievance procedure shall be distributed to affected residents with the 30-day notice.
- f. As applicable based on funding sources used in the development of a project, Developers shall implement a relocation plan according to Federal regulations under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (**URA**).
- g. All dislocated residents shall be given an opportunity to return to newly constructed or renovated units on a preferential basis.

3. Record Keeping:

A case file will be maintained for each resident or occupant displaced either temporarily or permanently. Copies of all notices and records shall be provided to ACDA on a

regular basis. The file will contain all information on relocation activities relating to such resident or occupant, including copies of all notices, counseling or advisory services provided, and determinations of relocation assistance.

Records shall track the locations where temporarily or permanently relocated residents have moved. Such records shall be updated at least annually while the specific redevelopment or rehabilitation project is in process. Displaced residents shall be contacted through a notice upon completion of the project and provided an opportunity to return to newly developed units under an appropriate lease and reasonable terms, as established by the developer(s).

All notices are to be delivered personally or by certified mail, return receipt requested. The case file will indicate the manner in which each notice is delivered and the date of delivery. A second attempt to deliver any notice shall be made to a forwarding address if such notice is returned as "undeliverable", a copy of which will be kept in the case file.

4. Relocation Assistance

Residents of units to be rehabilitated or redeveloped shall be provided relocation assistance for temporary or permanent dislocation. The relocation assistance to be provided for projects implemented according to the Urban Renewal Plan shall be detailed in the project-specific relocation plan submitted to the Agency for approval and shall meet the minimum **URA** requirements. Such relocation assistance shall include at a minimum:

- Reimbursement for moving and related expenses or a fixed payment allowance.
- Listings of apartments or houses available for rent or purchase within the Park South Urban Renewal Area. Such listings should be regularly updated and coordinated with local landlords or brokers. Such units or locations shall be comparable to the unit or space being vacated.
- Listings of apartments or houses available for rent or purchase within one (1) mile the Park South Urban Renewal Area. Such listings should be regularly updated and coordinated with local landlords or brokers. Such units or locations shall be comparable to the unit or space being vacated.
- Housing allowance compensation from the developer's project budget if a comparably priced unit is not available, for a maximum of 42 months.

Additional relocation services may include:

- Counseling and advisory services
- Homeownership counseling
- Business financing assistance
- Rental assistance under the Section 8 program for income eligible households, coordinated through the Albany Housing Authority. Developers of specific projects shall contact the Albany Housing Authority prior to implementing a relocation plan to determine if assistance is available for eligible households.

XI. Amendment Process

The Park South Urban Renewal Plan has been approved after review by the City of Albany Common Council, as lead agency under the State Environmental Quality Review Act (SEQRA), and the City of Albany Planning Board in accordance with the New York State General Municipal Law.

It is the intent of the Park South Urban Renewal Plan to allow some flexibility and minor modifications to the projects specified in Appendix A, Maps (ix) and (x), Urban Renewal Plan and Alternate Urban Renewal Plan. This flexibility will accommodate the results of voluntary negotiations with various property owners as well as proposals that meet the goals and objectives of the Plan.

Minor area and use modifications to the Plan may be approved by the ACDA Board or its designated staff that generally would not trigger the thresholds for a revision of the Environmental Impact Statement. Such minor modifications would include the following and similar situations:

- An increase in the number of dwelling units in a new construction project equal to or less than 10% of the total new units estimated in the Plan;
- Any decrease in the total number of new and net new dwelling units;
- An increase or decrease in the amount of new office or retail square footage equal to or less than 10% +/- of the total new square footage estimated in the Plan or Alternate Urban Renewal Plan;
- An increase in the number of lots (tax parcels) utilized for a new construction or redevelopment project so long as the above parameters are not exceeded.

Proposed changes to the basic elements of the Plan that are deemed major modifications or amendments shall not be approved by ACDA or its designated staff. Any major amendments to the Plan must be approved by the Common Council as required by law. Such major modifications or amendments would include the following and similar situations:

- Any increase in the height of a building. The number of stories for New Development projects shown on Maps (ix) and (x), Urban Renewal Plan and Alternate Urban Renewal Plan, are maximum heights. Any proposed increase in the number of stories shall require a Plan amendment.
- Locating mixed-use, office, or retail uses in areas other than those designated in the Plan Maps, except for expanding the footprint of a redevelopment project beyond the Plan locations in accordance with a minor modification listed above.

All costs associated with a major amendment shall be borne by the developer(s) proposing such amendment.

XII. Appendices

- A. Maps and Diagrams
 - i. Location Plan
 - ii. 2004 Aerial Orthophoto
 - iii. Area Boundary Map - Park South Urban Renewal Area
 - iv. Historical Context – 1794 Isaac Hutton Plan
 - v. Historical Context – 1879 Panoramic Aerial View
 - vi. Conceptual Plan
 - vii. Opportunity Sites
 - viii. Redevelopment Strategy - Parcels Identified for Redevelopment and Rehabilitation
 - ix. Urban Renewal Plan – Phase I
 - x. Alternate Urban Renewal Plan – Phase II (additional offices)
 - xi. Open Space Strategy
 - xii. Cross Street Strategies
 - xiii. Pedestrian Improvements
 - xiv. Overhead Utility Improvements
 - xv. Roadway & Curb Improvements
 - xvi. Street Lighting Scheme
 - xvii. Street Tree Planting Scheme
- B. Park South Urban Renewal Area Design Guidelines
- C. Special District – Park South Planned Development Overlay District
- D. Park South Redevelopment Plan, March 2004
- E. Environmental Assessment Form (Long EAF)
- F. Draft Environmental Impact Statement – Executive Summary