



This meeting is being held in accordance to Governor Cuomo’s Executive Order and other Federal and State Orders that impact in-person attendance at public meetings, if applicable orders expire or are revoked before August 5, 2020, this will be an in-person meeting in City Hall, please check our website and Facebook for updates. Please submit your public comment via email commoncouncil@albanyny.gov or on our website <https://www.albanyny.gov/Government/CityOfficials/CommonCouncil.aspx> by **Wednesday, August 5, 2020 12pm**. These comments will be shared with members and/ or read for the record at the meeting. The meeting will be held using Zoom and streamed through the Albany Common Council’s Facebook. To stream this video please visit: <https://www.facebook.com/albany.commoncouncil>. If we experience any technical difficulties on Facebook, the video will be streamed to YouTube: https://www.youtube.com/channel/UC-rQHp1fBLPcdk_4N6J4XbQ

PLANNING, ECONOMIC DEVELOPMENT AND LAND USE COMMITTEE
Cathy Fahey, Chair

DATE: Wednesday, August 5, 2020

TIME: 5:30 p.m.

TOPIC(S) OF DISCUSSION/CONSIDERATION:

ORDINANCE 10.61.20

AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) CHANGING THE ZONING CLASSIFICATION OF 180 SHERIDAN AVENUE FROM “TOWNHOUSE” (R-T) TO “MIXED-USE COMMUNITY URBAN” (MU-CU) AND AMENDING THE ZONING MAP ACCORDINGLY

RESOLUTION NUMBER 62.71.20R

RESOLUTION OF THE COMMON COUNCIL REGARDING POTENTIAL BROWNFIELD SITES

Resolution Number 69.72.20R

RESOLUTION OF THE COMMON COUNCIL REAPPOINTING ANDRE LAKE AS A MEMBER OF THE Sustainability Advisory Committee

Resolution Number 70.72.20R

RESOLUTION OF THE COMMON COUNCIL REAPPOINTING PETER SHEEHAN AS A MEMBER OF THE Sustainability Advisory Committee

Resolution Number 71.72.20R

RESOLUTION OF THE COMMON COUNCIL REAPPOINTING TINA LIEBERMAN AS A MEMBER OF THE Sustainability Advisory Committee

PUBLIC COMMENT PERIOD: YES

Council Member Love introduced the following:

ORDINANCE 10.61.20

AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) CHANGING THE ZONING CLASSIFICATION OF 180 SHERIDAN AVENUE FROM “TOWNHOUSE” (R-T) TO “MIXED-USE COMMUNITY URBAN” (MU-CU) AND AMENDING THE ZONING MAP ACCORDINGLY

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. Chapter 375 of the Code of the City of Albany (Unified Sustainable Development Ordinance) and the Official Zoning Map are hereby amended to change the zoning classification of 180 Sheridan Avenue from Townhouse (R-T) to Mixed-Use Community Urban (MU-CU), said properties being more particularly described as follows:

All that parcel of land situated in the City of Albany, County of Albany and State of New York, identified on the tax map as follows:

Section: 65

Block: 81

Lot: 4

Sub Lot: 23

Said premises more commonly known as 180 Sheridan Avenue measuring approximately 24.66’ by 110’.

Section 2. This ordinance shall take effect immediately.

APPROVED AS TO FORM

THIS 22ND DAY OF MAY, 2020

Corporation Counsel

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: May 22, 2020
SPONSOR Council Member Love

ORDINANCE 10.61.20

TITLE:

AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY

OF ALBANY (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) CHANGING THE ZONING CLASSIFICATION OF 180 SHERIDAN AVENUE FROM “TOWNHOUSE” (R-T) TO “MIXED-USE COMMUNITY URBAN” (MU-CU) AND AMENDING THE ZONING MAP ACCORDINGLY

GENERAL PURPOSE OF LEGISLATION:

The proposed amendment expands an existing MU-CU zone district to encompass an adjacent property at 180 Sheridan Avenue. The property at 180 Sheridan Avenue is currently improved by a +/- 1,932 square foot residential structure. Directly to the east, within the MU-CU zone boundary, are located the facilities of Interfaith Partnership for the Homeless. Interfaith Partnership seeks to acquire the property located at 180 Sheridan Avenue in order to expand its office space capacity. The residential building will be fully renovated and interconnected with existing offices serving Interfaith Partnership at 176 Sheridan Avenue. The detached structure at 180 Sheridan Avenue is not contiguous with other residential properties on the block but for the existing zone boundary. The zone boundary would continue to be buffered by a driveway recently constructed to serve a row of attached townhouses.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW:

The existing dwelling structure, constructed circa 1880, is in need of investment and its future remains uncertain but for the proposed reuse by Interfaith Partnership. While the existing zone designation would accommodate a residential reuse of the property, it is unclear whether the property would attract the level of investment necessary to allow for its viable reuse for residential purposes. Despite this challenge, it is unlikely that the hardship would be unique enough to support reuse of the property by means of a variance. The zone change would relieve the proposed user of the need to seek a variance for its intended reuse.

FISCAL IMPACTS:

None.

Council Member O'Brien introduced the following:

RESOLUTION NUMBER 62.71.20R

RESOLUTION OF THE COMMON COUNCIL REGARDING POTENTIAL BROWNFIELD SITES

WHEREAS, Albany 2030, the City of Albany Comprehensive Plan, was adopted by the Common Council on April 2, 2012 as the foundation and reference point for the city's policy and decision-making over the next approximately two decades; and

WHEREAS, the Plan was put together over a three year process in six phases of development, enlisting much community and professional input; and

WHEREAS, preparation of a Brownfield Nomination Study was integrated into the Albany 2030 planning process; and

WHEREAS, of the various potential brownfield sites in Albany, the 2030 Plan chose seven sites pursuant to the NYS Department of State's Brownfield Opportunities Areas Program. Among the seven sites is land identified as Site E consisting of 60 Colvin Ave (1.8 acres) and land immediately behind it (2.4 acres) identified as 60B Colvin Ave which property currently belongs to the City of Albany and is used as the dog park area of Westland Hills Park; and

WHEREAS, this area was used by a wrecking company and by an auto company that stored building debris and auto components. According to Albany 2030 Plan Appendix A, environmental assessment of the property, which was done several years ago, shows that subsurface soils on site have been impacted by asbestos, heavy metals, and other hazardous materials. Additionally, old maps of Albany show wetlands on this area identified as Schafers Pond; and

WHEREAS, currently a developer is seeking approval to construct 63 apartments and some commercial space on the 60 Colvin Ave portion of the site and the matter is currently scheduled before the City of Albany Planning Board as Project #00357; and

WHEREAS, the developer's application makes no mention of the site's listing in the Brownfield Appendix A of the 2030 Plan but public comment submitted at the June 22, 2020 Planning Board meeting requested that the site should be reviewed by consultants independent of the applicant developer to determine whether proper mitigation standards will be met in developing this site; and

WHEREAS, the Planning Director stated "Reference to a site location as a brownfield, or as in the case of the Comprehensive Plan, a potential brownfield, is not de-facto evidence of contaminants at the site. The designations are sometimes based upon perception alone if that perception is encumbering of a higher and better use of the site"; and

WHEREAS, it appears that the Albany Planning Board is preparing to override the 2030 Plan's declaration of this site as a potential brownfield cleanup area;

NOW THEREFORE BE IT RESOLVED, the Common Council declares that if the Planning Department and/or the Planning Board believes that any 2030 Plan site designation or characterization is in error, it should not make any such ruling on its own, but instead refer the matter for consideration in the same manner by which the 2030 Plan itself was enacted.

To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: June 25, 2020

SPONSOR Council Member O'Brien

RESOLUTION NUMBER 62.71.20R

TITLE

RESOLUTION OF THE COMMON COUNCIL REGARDING POTENTIAL BROWNFIELD SITES

GENERAL PURPOSE OF LEGISLATION

Should the Planning Department and/or the Planning Board believe that any 2030 Plan site designation or characterization is in error, it should not make any such ruling on its own, but instead refer the matter back for consideration in the same manner by which the 2030 Plan itself was enacted.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

See body of text.

FISCAL IMPACT(S)

None.

Council Member Fahey on behalf of the Committee on Planning, Economic Development, and Land Use introduced the following:

Resolution Number 69.72.20R

RESOLUTION OF THE COMMON COUNCIL REAPPOINTING ANDRE LAKE AS A MEMBER OF THE SUSTAINABILITY ADVISORY COMMITTEE

NOW, THEREFORE, BE IT RESOLVED, that Andre Lake is hereby appointed as a member of the Sustainability Advisory Committee for a term expiring June 30, 2023; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

To: Danielle Gillespie, City Clerk

From: John-Raphael Pichardo, Esq., Research Counsel

Re: Request for Common Council Legislation

Supporting Memorandum

Date: July 9, 2020

SPONSOR Council Member Fahey on behalf of the Committee on Planning, Economic Development, and Land Use

RESOLUTION NUMBER 69.72.20R

TITLE

RESOLUTION OF THE COMMON COUNCIL REAPPOINTING ANDRE LAKE AS A MEMBER OF THE SUSTAINABILITY ADVISORY COMMITTEE

GENERAL PURPOSE OF LEGISLATION

To reappoint Andre Lake to Sustainability Advisory Committee for a term expiring June 30, 2023

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Requires Common Council Approval.

Andre Lake was appointed to a 1-year term in 2018 (Resolution 26.51.18R) expiring 6/30/19, but was never reappointed.

FISCAL IMPACT(S)

None.

Council Member Fahey on behalf of the Committee on Planning, Economic Development, and Land Use introduced the following:

Resolution Number 70.72.20R

**RESOLUTION OF THE COMMON COUNCIL REAPPOINTING PETER SHEEHAN AS
A MEMBER OF THE SUSTAINABILITY ADVISORY COMMITTEE**

NOW, THEREFORE, BE IT RESOLVED, that Peter Sheehan is hereby appointed as a member of the Sustainability Advisory Committee for a term expiring June 30, 2022; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

To: Danielle Gillespie, City Clerk

From: John-Raphael Pichardo, Esq., Research Counsel

Re: Request for Common Council Legislation

Supporting Memorandum

Date: July 9, 2020

SPONSOR Council Member Fahey on behalf of the Committee on Planning, Economic Development, and Land Use

RESOLUTION NUMBER 70.72.20R

TITLE

RESOLUTION OF THE COMMON COUNCIL REAPPOINTING PETER SHEEHAN AS A MEMBER OF THE SUSTAINABILITY ADVISORY COMMITTEE

GENERAL PURPOSE OF LEGISLATION

To reappoint Peter Sheehan to Sustainability Advisory Committee for a term expiring June 30, 2022

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Requires Common Council Approval.

Peter Sheehan was appointed to a 2-year term in 2014(Resolution 69.62.14R) expiring 6/30/16, but was never reappointed

FISCAL IMPACT(S)

None.

Council Member Fahey on behalf of the Committee on Planning, Economic Development, and Land Use introduced the following:

Resolution Number 71.72.20R

**RESOLUTION OF THE COMMON COUNCIL REAPPOINTING TINA LIEBERMAN
AS A MEMBER OF THE SUSTAINABILITY ADVISORY COMMITTEE**

NOW, THEREFORE, BE IT RESOLVED, that Tina Lieberman is hereby appointed as a member of the Sustainability Advisory Committee for a term expiring June 30, 2021;

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

To: Danielle Gillespie, City Clerk

From: John-Raphael Pichardo, Esq., Research Counsel

Re: Request for Common Council Legislation

Supporting Memorandum

Date: July 9, 2020

SPONSOR Council Member Fahey on behalf of the Committee on Planning, Economic Development, and Land Use

RESOLUTION NUMBER

TITLE

RESOLUTION OF THE COMMON COUNCIL REAPPOINTING TINA LIEBERMAN AS A MEMBER OF THE SUSTAINABILITY ADVISORY COMMITTEE

GENERAL PURPOSE OF LEGISLATION

To reappoint Tina Lieberman to Sustainability Advisory Committee for a term expiring June 30, 2021

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Requires Common Council Approval.

Tina Lieberman was via Resolution 27.51.18R expiring 6/30/18, but was never reappointed

FISCAL IMPACT(S)

None.