

Council Member Clarke introduced the following, which was approved:

ORDINANCE 11.32.23 (As Amended 7/17/23)

AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) CHANGING THE ZONING CLASSIFICATION OF 64, 67, 75, 91, 93, 97, AND 105 COLVIN AVENUE FROM MIXED-USE COMMUNITY URBAN (MU-CU) TO MIXED-USE NEIGHBORHOOD CENTER (MU-NC), CHANGING 111 COLVIN AVENUE, 924 CENTRAL AVENUE, AND 944 CENTRAL AVENUE FROM MIXED-USE COMMUNITY URBAN (MU-CU) TO MIXED-USE COMMUNITY HIGHWAY (MU-CH), 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 classifications of 64, 67, 75, 91, 93, 97, and 105 Colvin Avenue from Mixed-Use Community Urban (MU-CU) to Mixed-Use Neighborhood Center (MU-NC), said properties being more particularly described as follows:

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

Section: 53.74

Block: 2

Lot: 14

Said premises, more commonly known as 64 Colvin Avenue, measuring approximately 7.0± acres.

Section: 53.83

Block: 1

Lot: 2

Said premises, more commonly known as 67 Colvin Avenue, measuring approximately 0.33 ± acres.

Section: 53.83

Block: 1

Lot: 4

Said premises, more commonly known as 75 Colvin Avenue, measuring approximately 0.2± acres.

Section: 53.75

Block: 1

Lot: 9

Said premises, more commonly known as 91 Colvin Avenue, measuring approximately 0.46 ± acres.

Section: 53.75

Block: 1

Lot: 10

Said premises, more commonly known as 93 Colvin Avenue, measuring approximately 0.09± acres.

Section: 53.75

Block: 1

Lot 11

Said premises, more commonly known as 97 Colvin Avenue, measuring approximately 0.02 ± acres.

Section: 53.75

Block: 1

Lot 12

Said premises, more commonly known as 105 Colvin Avenue, measuring approximately 0.33 ± acres.

Section 2. 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 classifications of 111 Colvin Avenue, 924 Central Avenue, and 944 Central Avenue from Mixed-Use Community Urban (MU-CU) to Mixed-Use Community Highway (MU-CH), said properties being more particularly described as follows:

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

Section: 53.75

Block: 1

Lot: 13

Said premises, more commonly known as 111 Colvin Avenue, measuring approximately 0.17± acres.

Section: 53.75

Block: 1

Lot 14

Said premises, more commonly known as 924 Central Avenue, measuring approximately 0.36 ± acres.

Section: 53.75

Block: 1

Lot: 8.2

Said premises, more commonly known as 944 Central Avenue, measuring approximately 1.89± acres.

Section 3. This ordinance shall take effect immediately.

**APPROVED AS TO FORM THIS
3RD DAY OF MARCH, 2023**

Corporation Counsel

To: Danielle Gillespie, City Clerk

From: E. Hyde Clarke, Council Member for the 12th Ward
Brett Williams, Senior Assistant Corporation Counsel

Re: Request for Common Council Legislation
Supporting Memorandum

Date: March 3, 2023

SPONSOR Council Member Clarke

ORDINANCE 11.32.23

TITLE

AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (UNIFIED SUSTAINABLE DEVELOPMENT ORDINANCE) CHANGING THE ZONING CLASSIFICATION OF 64 COLVIN AVENUE, 65 COLVIN AVENUE, 67 COLVIN AVENUE, AND 69 COLVIN AVENUE FROM “MIXED-USE COMMUNITY URBAN” (MU-CU) TO “MIXED-USE NEIGHBORHOOD CENTER” (MU-NC) AND AMENDING THE ZONING MAP ACCORDINGLY

GENERAL PURPOSE OF LEGISLATION

The action is a proposed ordinance to amend the zoning map of the City of Albany for the following properties: 64 Colvin Avenue, 65 Colvin Avenue, 67 Colvin Avenue, and 69 Colvin Avenue. The properties are currently zoned MU-CU, which is inconsistent with the existing Colvin Avenue corridor that is not otherwise connected to Central Avenue. Pursuant to USDO Section 375-204(2)(b), “the purpose of the MU-NC District is to provide for moderate density housing options amongst a nexus of locally oriented neighborhood-scale commercial uses, providing support services to the surrounding residential neighborhoods. Land uses include a variety of predominantly non-destination and non-auto-oriented retail and commercial establishments, as well as complimentary residential uses. A mix of residential and nonresidential uses on individual lots is encouraged.” From a planning perspective and in accordance with the Albany 2030 Plan, Colvin Avenue is a walkable “main street” with a mix of business and medium density residential. The current zoning map utilizes the park entrance as a divide between two different zoning districts. The park entrance should not be a divide between neighborhoods, but a connection. Each side of Westland Hills Park should be the same zoning district, MU-NC, which will provide for the orderly development of the neighborhood.

The changes proposed herein will also need to be referred to the County Planning Board under General Municipal Law § 239-M because the proposed actions affect properties within five hundred feet of both “any other recreation area” (GML § 239-m (3)(b)(ii)) – in this case Westland Hills Park – and “the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway (§ 239-m (3)(b)(iii)) – in this case Central Avenue, which is otherwise known as New York State Route 5.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Amendments to the Zoning Map and the USDO require Common Council action by ordinance.

FISCAL IMPACTS:

None.

Passed by the following vote of all the Council Members elected voting in favor thereof:

Ordinance 11.32.23 was co-sponsored by Council Members Anane, Balarin, Farrell, Flynn, and Hoey

Affirmative – Adams, Anane, Balarin, Clarke, Farrell, Flynn, Frederick, Hoey, Johnson, Keegan, Kimbrough, Love, Robinson, and Romero

Affirmative: 14 Negative: 0 Abstain: 0

Clerk of the Common Council

President of the Common Council

Mayor

Date

I, Danielle Gillespie, City Clerk and Clerk of the Common Council, do hereby certify that Ordinance 11.32.23 was passed at a meeting of the Albany Common Council on August 21, 2023.

In affirmation thereof, I hereto set my hand and affix The Seal of the City of Albany this 2nd day of January, 2026.

Danielle Gillespie, Clerk of the Common Council