

**WHITEPAPER: PRELIMINARY RECOMMENDATIONS ON THE
REDEVELOPMENT OF THE MAIN STREET SUPERBLOCK**

**MAYOR'S TASK FORCE ON THE
REDEVELOPMENT OF THE MAIN
STREET SUPERBLOCK**

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MARCH 13, 2009

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I **Introduction:**

a. Brief Historical Overview:

By December of 2008 the Village of Nyack and Riverspace Arts had been participants in a discussion relating to the possible re-development of the downtown “superblock” within which Riverspace is situated. As the history of the theater complex is known to those involved with this process, it will not be repeated at length here. Of note, by December 2008 Riverspace Arts had evinced a strong desire to purchase the Village owned property in the superblock as part of a redevelopment plan that anticipated a theater complex, residential housing units and commercial space on the site, as well as an underground parking complex to service all the site specific uses as well as the general public. It had obtained development rights to the M&T Bank parcel, and an option to buy the theater complex from the current owner, Millbrook Properties. Riverspace Arts held voluntary meetings to elicit community input on the proposed project, and had appeared before the Village Board as participant in an informational public hearing on its plans for the site.

At the request of Riverspace Arts the Nyack Village Board had passed two resolutions of support for the redevelopment project. Riverspace has put forward the proposition that any redevelopment of this site should be accomplished within the structure of a public-private partnership (hereinafter “PPP”).

Riverspace hired Dattner Associates to develop concept drawings of the proposed redevelopment project and provided estimates of some parameters of the project (e.g square footage devoted to residential, commercial, arts center uses, possible building heights and locations). Riverspace also conducted preliminary geological studies in relation to soil composition, foundation requirements and excavation issues.

No formal land use proceeding has been instituted as of this writing.

b. History, Composition of Taskforce:

On December 2, 2008 a meeting was held between representatives of Riverspace Arts and the Village of Nyack. The ostensible purpose of the meeting was to discuss a purchase offer made by Riverspace for the Village owned property in the superblock. An offering letter had been sent by Riverspace to the Village which was replied to by the Village Attorney. In his letter, the Village Attorney raised various issues related to the sale which were to be addressed, at least in part, at this meeting.

As a result of discussions at this meeting concerning a potential PPP with the Village and Riverspace Arts, the concept for the informational Task Force (hereinafter "TF") arose, and Steve Knowlton (one of the authors) volunteered to head the Task Force. The scope of the TF decided at that meeting was merely to advise the Mayor of potential vehicles to accomplish a redevelopment of the superblock utilizing a PPP, or some iteration thereof.

The Mayor chose Jennifer Laird-White, Douglas Foster and Joseph Adams, Esq. to be the additional members. Julian Palmer, the Riverspace Director of Development and Outreach was chosen as the Arts Center's representative and contact.

II **Scope and Process of Taskforce Function:**

a. Description of Scope:

The scope of review of the TF was originally limited to the issue of identifying vehicles by which the Village and Riverspace may work together to redevelop the superblock. Research related to this specific issue is appended to this paper. Research by the TF has lead to the identification of other issues that will be explored in this Whitepaper as follows:

Issues concerning the appropriate type and scope of redevelopment, and processes to determine same;

Suggested timeline for re-development milestones;

b. Description of Process Utilized by Taskforce

The TF members met on a number of occasions to discuss the Riverspace proposal and the concept of the superblock redevelopment. Internet and other research was performed related to PPP formation, the types of projects amenable to PPP application and other aspects potentially related to the superblock redevelopment.

III **Task Force Recommendations:**

a. General Overview

Several general issues pertinent to the redevelopment question arose during the course of the TF discussions and research. These are noted below:

1. Does the Village of Nyack seek a redevelopment of the superblock?

Despite the resolutions passed by the Village Board supporting the concept of Riverspace, the level of dedication of the Village Board to the concept of the superblock redevelopment, whether done in partnership with Riverspace or some other entity, remains unclear to the members of the TF.

Recommendation 1 – Decide if Superblock redevelopment is a priority:

In order for any redevelopment of the superblock to be successful, the Village Board must decide whether a redevelopment will be beneficial and a Village priority. If so, it must then display a level of dedication that will encourage developers to partner with the Village. Planning and implementing a redevelopment of any scale on this site is a significant initiative, which will take time and resources.

Recommendation 2 – Define Goals for Superblock: If the Village Board determines the redevelopment is a priority, the inquiries below naturally follow:

1. What is the appropriate scope and scale of redevelopment on the superblock?
2. What combination of uses should be highlighted?
3. What ownership interests (if any) will the Village either keep or seek to obtain over portions of the redevelopment?
4. Should the Village provide incentives for, or reduce barriers to redevelopment? Examples may include:
 - a. Offer a long term, low cost lease for the Village property
 - b. Waiving the affordable housing requirement.
 - c. Reduce parking requirements and provide alternatives to lower a major expense to the redevelopment.
5. What manner of partnership will the Village decide upon with the private sector in order to accomplish the redevelopment?
6. Will other municipal bodies (Orangetown, Rockland County) be partners in the process? If so, what will be their contributions, benefits and responsibilities?

The process of defining the goals and objectives in accordance with the Comprehensive Master Plan may be a task larger than the Village Board should handle alone. A potential partial solution would be to call upon the expertise of Village residents, especially those who have been previously involved with land use projects, as well as those who have professional training and expertise in related areas. A Village task force could also be created, and significantly, the task force would likely require a budget for consulting expertise, since the scope of the work is larger than can be expected from a purely volunteer effort.

The Village may seek preliminary planning assistance from the Town, County and State in an effort to better understand and quantify possible answers to the issues noted above. It would be helpful if the County or other body could provided planning staff assistance to the Village to help offset costs.

Summary: Once redevelopment of the superblock is deemed to be beneficial and politically acceptable by the Village Board, general parameters must be established for the redevelopment project that fit the Village's needs and that can be accommodated by the Village as set forth in the Comprehensive Master Plan. These parameters must be developed within a process set forth by the Village Board before concrete decisional and planning processes can proceed on any proposal.

- b. Specific Timeline/Concept recommendations

After the above are accomplished the Village Board must begin the process of assembling stakeholders and others who can implement the redevelopment vision of the Village.

Recommendation 3 -- RFP: The Village Board, in consultation with the Village Attorney and others it deems necessary, should draw up a Request for Proposals (RFP) that reflects the conclusions drawn in the above steps. The RFP must comply with all municipal laws and should reflect the redevelopment vision of the Village.

Recommendation 4 – Site Control: If the Village’s redevelopment vision includes the entire superblock, including parcels that the Village does not own nor hold development rights to, it should seek to obtain those development rights expeditiously in an economically responsible and efficient manner. If outright ownership of the non-Village parcel or legal transfer of the development rights of the non-village parcels is not possible or desirable, in the alternative, agreements with the landowners/rights-holders should be investigated to permit the fullest expression of the Village’s redevelopment of the superblock.

Assuming the above have been accomplished, what is attached is a sample timeline (Item 1 below) that may be utilized as a guideline for additional development milestones. Note: this timeline has been adapted from other material and will require “tweaking” in order to reflect the Village redevelopment project, should it go forward. Specific recommendations like these are beyond the scope and mandate of this TF, but is included here as an information source and is NOT meant to be a formal recommendation. Note that this timeline is for the creation of a park, but a significant amount of the substantive content is applicable to any redevelopment project.

c. Conclusions

Despite the resolutions passed by the Village Board supporting the concept of a Riverspace-type redevelopment of the Main Street superblock it is clear that political divisions remain and the political will for this project is divided. To that end, the TF has provided a common sense protocol for the preliminary decision making which must precede any type of major redevelopment for the Main Street superblock.

Appendix of Resources

The following is a list of materials reviewed by the TF during the course of its work. This listing is being provided as informational background for the Village Board or others who may take part in a further analysis or review. Where appropriate, paper documents have also been appended.

Web Resources

<http://www.mcparkandplanning.org/team/ppp/index.shtm>

<http://web.worldbank.org/WBSITE/EXTERNAL/WBI/WBIPROGRAMS/PPPILP/0,,menuPK:461142~pagePK:64156143~piPK:64154155~theSitePK:461102,00.html>

http://www.pps.org/parks_plazas_squares/info/pubpriv/

<http://www.fhwa.dot.gov/reports/pppdec2004/>

<http://www.socialedge.org/discussions/business-models/the-for-profit-non-profit-hybrid-model/>

<http://www.uli.org/TheULINetwork.aspx>

<http://www.pps.org/>

Articles and Papers

1. Draft Partnership Checklist Guide, A Sample Timeline for PPP Development (from Project for Public Spaces)
2. Public Private Partnerships: Terms Related to Building and Facility Partnerships (United States General Accounting Office Whitepaper (1999))
3. Article: "Stumbling Blocks to Creating Great Civic Centers....and How to Overcome Them" (Project for Public Spaces)
4. Article: "The Emerging Culture of Place" (Project for Public Spaces)
5. Article: "The Funding Gap" Chertok, Hamaoui and Jamison in Stanford Social Innovation Review (Spring 2008)(Stanford Graduate School of Business)