



Challenges & Opportunities of Urban Waterfront Trails
From the Perspective of an <a href="Attorney">Attorney</a>, <a href="Owner">Owner</a>, and <a href="Designer">Designer</a>







## **INTRODUCTIONS**



Rob Armstrong – "Trail Champion"





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Michael Connor – Engineer/Designer NIV5







#### PRESENTATION GOALS

1) Focused Discussion On a Key Challenge

- 2) Discuss How Obstacles Can Become Opportunities
- 3) Offer Tips for Trail Champions, Planners, and Designers









#### **COMMON CONSTRAINTS & CHALLENGES**

Existing Land Use

Contamination

Floodplain/Flooding

**Existing Utilities** 

**Eminent Domain** 

Aging Waterfront Infrastructure

# Site Control

Community Support

Remnants of Former Industry

Planned Infrastructure Upgrades

Maintenance Capability

Political Support

Adjacent Land Use

Private Development Speculators

Legacy Neighborhood Issues







#### KEY CHALLENGE WORTH DISCUSSING

# SITE CONTROL (aka SECURING CONTROL TO THE RIGHT-OF-WAY)







# SITE CONTROL (AKA RIGHT-OF-WAY)



## PARKS & REC / TRAIL CHAMPION PERSPECTIVE



**COMMUNITY & POLITICAL SUPPORT** 

NIMBY RESISTANCE

PROJECT SCHEDULE & FUNDING







# SITE CONTROL (AKA RIGHT-OF-WAY)



#### LEGAL PERSPECTIVE



**NEW SAFETY ISSUES** 

CHANGING BUSINESS ACTIVITY TO DETER TRAIL CONSTRUCTION

RAMIFICATIONS OF DESIGN CHANGES



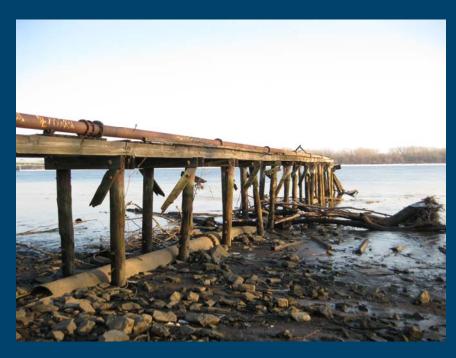




# SITE CONTROL (AKA RIGHT-OF-WAY)



## ENGINEERING/DESIGN PERSPECTIVE



Owner Negotiations During Design

Changing Shoreline Conditions

Legacy Pollution/Contamination







#### A Few Quick Case Studies:

1) Failing Bulkhead Opens Door To a Living Shoreline

2) How a Fight For a Greenway Led To The Revitalization Of a City





**OBTSACLE - FAILING BULKHEAD ALONG GREENWAY** 

Former Industrial Cement Property

Greenway Situated Above Platform and Bulkhead Structure

Intent to Utilize Bulkhead as an Esplanade







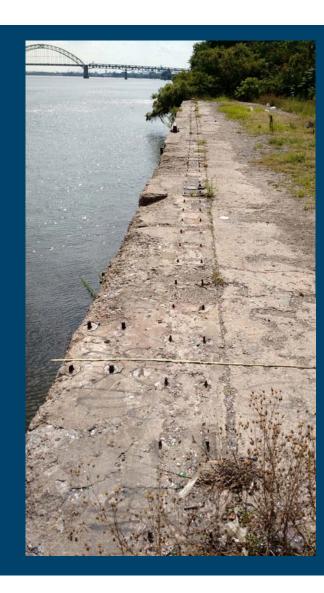


**OBTSACLE - FAILING BULKHEAD ALONG GREENWAY** 

High Cost to Repair

Delays to Construction

Change to Original Design Vision









**OPPORTUNITY – LIVING SHORELINE** 

Same \$ to Remove or Repair

Opportunity - Public Access to River

Obvious Ecological Benefits

**Educational Opportunity** 











OBSTACLE - INVEST IN GREENWAY OR OTHER CITY NEEDS?

Political Concerns of Investing in Greenway With Other City Needs

Concerns Over Safe Access to Greenway









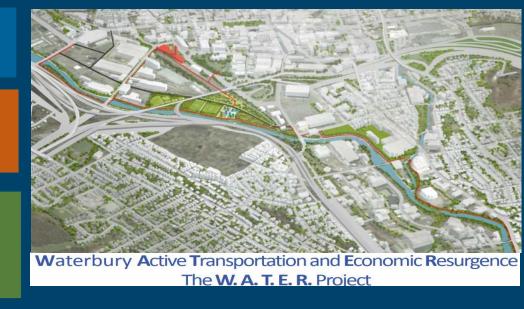


#### OPPORTUNITY - REFRAMING PROJECT TO MORE THAN JUST A GREENWAY

Reframing Investment

Safe Access Concerns to More Holistic Investment

Better Case Now for Higher Level Political Support























































#### **HELPFUL TIPS**



PARKS & REC / TRAIL CHAMPION PERSPECTIVE

GRIT AND PERSISTENCE

COMMUNICATE REGULARLY
WITH FUNDERS

IMPORTANCE OF AN NPO PARTNER

REVIEW AGENCIES AS PARTNERS, NOT OBSTACLES







## HELPFUL TIPS



#### LEGAL PERSPECTIVE

DIFFERENT TERMS FOR TRAIL FOR DIFFERENT PURPOSES

DISCUSS DESIGN RESTRICTIONS & NEEDS

KNOW REGIONAL LEGAL PRECEDENTS







## HELPFUL TIPS



#### ENGINEERING/DESIGN PERSPECTIVE

Establish Method to Track Right-of-Way Coordination Challenges

Regularly Monitor Existing Shorelines

Due Diligence For Any Environmental Liabilities







Questions?







