

C O D E S T U D I O

MEMORANDUM

TO: Daniel Howard, Town of Amherst Planning Director

FROM: Lee D. Einsweiler

DATE: March 31, 2019

RE: Local Professional/Staff Training Notes - March 25 and 28, 2019 (NYSERDA Task 9.1)

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The Consultant held two local professionals & staff training sessions to explain and walk through the proposed changes to the Zoning Code developed under Tasks 7.6 and 8.2.

The first training session was held on Monday, March 25, 2019 at 8:30am in the Town Hall Council Chambers. Approximately 12 people were in attendance, including local architects and engineers along with staff from the Building, Engineering, and Highway Departments, the Attorneys Office, and the Amherst Industrial Development Agency (IDA). This session was video recorded and is visible on the Town's website.

Lee Einsweiler from Code Studio presented the new code provisions. The following are questions and comments from this session.

QUESTIONS / COMMENTS:

Is a residential use allowed in the residential frontage type?

- » Yes they would be allowed but the frontage is really aiming to create the look at feel of surrounding residential context while still allowing for various commercial uses to exist inside.

Is the setback measured from the street?

- » No the setback is typically measured from the sidewalk. The new text also has a provision that if residential is allowed on the ground floor, there is usually some separation from the street required for privacy, so there is a vertical height element for these instances that the residential use feels somewhat separate.

In building a half street for one of the new Retrofit Districts, wouldn't that place more financial burden on the first developer in?

- » Yes. The first person in may have to build a little bit more of the half street because you need the two driving lanes in order to accommodate all traffic. The next person in will have to build the pedestrian realm on the other side when they develop. Building a full street may be in the first person's best interest because they would get all the benefits if existing buildings are staying while new ones in out-parcels for example are built. This way the developer gets to continue with revenue from existing buildings while still infilling the site at the same time. Likely the roadway/ blocks will have to be all laid out up front and then that gets built in phases.

For transitions to residential, is that based on a residential use or zoning?

- » Definitely zoning because non-conforming uses exist today in many residential districts.

How exactly is the 20% of core streets calculated?

- » All centerlines are added up and then from that total the developer will need to put 20% of those as core streets. There are requirements that they go through the entire site both north/south and east/west as well. It is good to encourage in both directions so that they can connect to adjacent development.

A second training session was conducted by the Consultant on Thursday, March 28, 2019 at 2:30pm at Town Hall and included seven people from the Planning Department, two from the Building Department, and one local Landscape Architect. This session utilized three existing, approved site plans to describe how those would be developed differently under the new Code provisions. It also helped to clarify to staff how each of the new provisions would work regarding the site, building, parking, new streets, blocks, and more. The Consultant also further explained the changes that may occur regarding approval processes and design guidelines. Questions and comments from this training session will be used to guide consideration for any modifications to the Draft Code.

#### QUESTIONS / COMMENTS:

- » Need to make sure the roles between the Planning Director, Zoning Enforcement Officer, and Building Commissioner are clear.
- » In order to get a civic space near a corner or round-about they would need to either have the green frontage or have the “equivalent or better” rule.
- » Increasing the number of minor site plans may be difficult. Many would still need SEQR completed by the Town if they are over a certain threshold.
- » Minor site plans can still be bumped up to the Planning Board as determined by either the Planning Director or Zoning Enforcement Officer.
- » Unless mapped as Village, Green or Residential, all streets in the Traditional Districts will get the General Frontage which is the base frontage and a little more flexible.
- » Is there a minimum for a wall face along these streets? – Usually this is 18 feet and will likely be put into the Code as such.
- » Needs to be stated that additions can be up to 20% non-conforming “from the adoption of this Code.”
- » For streetscape tree spacing, it should be a bit wider than 35 feet – maybe 40 feet instead.
- » Entrance spacing needs to be larger – this doesn’t work for a lot of uses today. It can remain smaller in the Village Frontage.
- » For 6 foot sidewalk requirements, this is good but we have to figure out how this would work with sidewalks in the Right-of-Way, especially with those in the State and County Rights-of-Way. This is a challenge and needs to be worked out with those various entities.
- » Many of the design exceptions will be present in the Design Guidelines document that will be used by the Architectural Review Board.

- » When an application comes in, the developer/petitioner should explicitly show how they are meeting the regulations. This can be either in the application or as a cover sheet on the site plan. This way the staff is not guessing but rather just checking to see if yes they met it or no they did not.
- » The Alley/Drive should just have a 10 foot minimum – may need to be wider in order to allow for fire trucks/hoses/ladders/etc.
- » The blocks for a whole development should be laid out from the beginning, taking into consideration surrounding context like utilities, streets and drive aisles. This way there is a plan for the site and it can incrementally be met.
- » There needs to be something written in the code that makes the owners come to the Town before they split and/or merge parcels – right now we get the information after the fact. This could be a problem in helping to lay out whole areas or trying to connect.
- » We have to emphasize that the Rules of Measurement apply to almost all districts and so it is important to look at this section of all applications.
- » We should seek to ensure bike parking/amenities, transit considerations, car charging and other incentives into the Code.
- » Should be a provision that when on a transit route (bus or possibly the future LRT) that the petitioner should have a conversation with the NFTA before submitting plans to see if they can incorporate some public transit aspects/connections.