



PLANNING BOARD

Report to Town Meeting

Article 20. Zoning Petition – Hallock Area Rezoning (Guidera, et al)

To see if the Town will vote to amend the Official Zoning Map of the Zoning Bylaw to change the zoning designation for the contiguous area currently zoned Limited Business (B-L) and located west of North Pleasant Street and north of Cowls Lane to General Business (B-G), including the following properties: 11C-174; 11C-179; 11C-180; 11C-181; 11C-195; 11C-196; 11C-197; 11C-227; 11C-229; 11C-230; 11C-231; 11C-304; and 11C-305

Recommendation

The Planning Board voted 6-1-1 to recommend that Town Meeting adopt Article 20 for the properties south of Hallock Street. It further recommends (6-1-1 vote) that the article be referred to the Planning Board for the properties north of Hallock Street.

Background

Article 20 is a petition article that proposes to rezone several properties (see map) in the area on North Pleasant Street between Cowles Lane and McClellan Street. This would extend the existing Business General (B-G) District across North Pleasant from the east, and would create a B-G corridor from the Town Common to Kendrick Park.

The Planning Board has been studying the town center for many years and has proposed a number of zoning amendments to encourage optimal use of the center as a focus of Amherst's civic life, some of which have been adopted by Town Meeting and some not. Recently, the Planning Board has been examining the Limited Business (B-L) zone, which makes up part of the town center and also exists in other areas around town. As a recent building application made clear, the dimensional regulations in effect for the B-L zone are a significant challenge – even an impediment – to redevelopment of most of the parcels zoned B-L in the town center, and as a result, the B-L zone may not be fulfilling its purpose as described in the Zoning Bylaw: “to provide areas for moderate density, office, commercial, and multifamily developments.”

Unlike the town's other business zones, housing density is regulated by lot size in the B-L zone. That is, a minimum lot size of 20,000 square feet (almost half an acre) is required for even one residential unit (even in a mixed-use building), and an additional 4,000 square feet is needed for each additional unit. Only one parcel (out of fourteen) in the area that is the subject of this article is more than 20,000 sf in area, and none are 24,000 sf or larger, which means that none can accommodate a multifamily development or even a two-family dwelling. And while there is some demand for strictly commercial use

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on multiple floors, most potential developers would prefer to use upper floor residential development to complement and diversify an investment in lower floor retail or offices. That is not currently possible in the town center B-L zones. (Some residential use does exist in the B-L zone, but it is nonconforming and grandfathered.)

Beyond the de facto restriction on residential uses, other dimensional standards make it difficult to build anything on many of these lots. In particular, setbacks of 20-25 feet on all sides and a maximum building footprint (building coverage) of 35% shrink the buildable area on already modest parcels, and height is restricted to three floors and 35 feet, all of which makes for a building that may be too small to earn enough revenue to carry the mortgage that would be needed to build it. Setbacks and height can be modified by a Special Permit, but building footprint (building coverage) cannot in the B-L zone, limiting the potential relief, which is, in any case, discretionary.

The Planning Board has begun studying how to address these problems and has considered introducing amendments to reduce or eliminate the lot size requirement for residential use in the B-L zone and to adjust the dimensional table for B-L to reflect existing conditions and make it more functional. The petition article would achieve similar goals.

Purpose and Effect of Amendment

The petitioner seeks to create a more flexible zoning district and encourage sensible development on North Pleasant Street. The change to B-G zoning would allow for more intense development, with a 70% maximum building footprint (building coverage), up to five floors, no front setback requirement, and no lot size requirements for residential use. These factors should promote mixed-use development, and may result in more office and retail space and more downtown housing. It is expected that any new development should result in increased tax revenues compared to existing conditions.

The proposed rezoning from B-L to B-G is in accord with the Key Directions and goals and objectives of the Amherst Master Plan and with past community planning, which has consistently called for directing most new growth to center districts, particularly downtown.

Appropriate development following a rezoning of the west side of North Pleasant to B-G would create physical enclosure of and activity on both sides of a principal street in a mixed use center that currently lacks enclosure. This would strengthen this center from the standpoints of design, function, and economic viability.

The range of uses, both residential and nonresidential, and the permitting standards for those uses are virtually identical in the B-L and B-G zones, with the most notable difference being that apartments and townhouses require a Special Permit in the B-L zone but are allowed with Site Plan Review in B-G.

Public Hearing

The Planning Board held a public hearing on this article on Wednesday, October 19, 2016. The issues described above were presented and discussed and feedback was received from members of the public.

During the public hearing the Planning Board acknowledged that Parcel 11C-228 was inadvertently left out of the petition, even though it is clearly shown on the Official Zoning Map as being included in the B-L zoning district located west of North Pleasant Street and north of Cows Lane. Planning Board members included this parcel in their discussion of Article 20.

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Most members of the Planning Board felt that the proposed change was a natural extension of the existing B-G district on the east side of North Pleasant Street, at least between Cowles Lane and Hallock Street, and that the proposed change would encourage appropriate development on underused lots. There was less consensus about continuing the rezoning north of Hallock Street.

Discussion centered on the perceived function of the B-L zone as alternately a “buffer” or transition between downtown businesses and surrounding residential neighborhoods: Should there be such a buffer or transition? Where should it be? Does it already exist beyond the bounds of the current B-L district? What are appropriate dimensions and uses for this kind of zoning district?

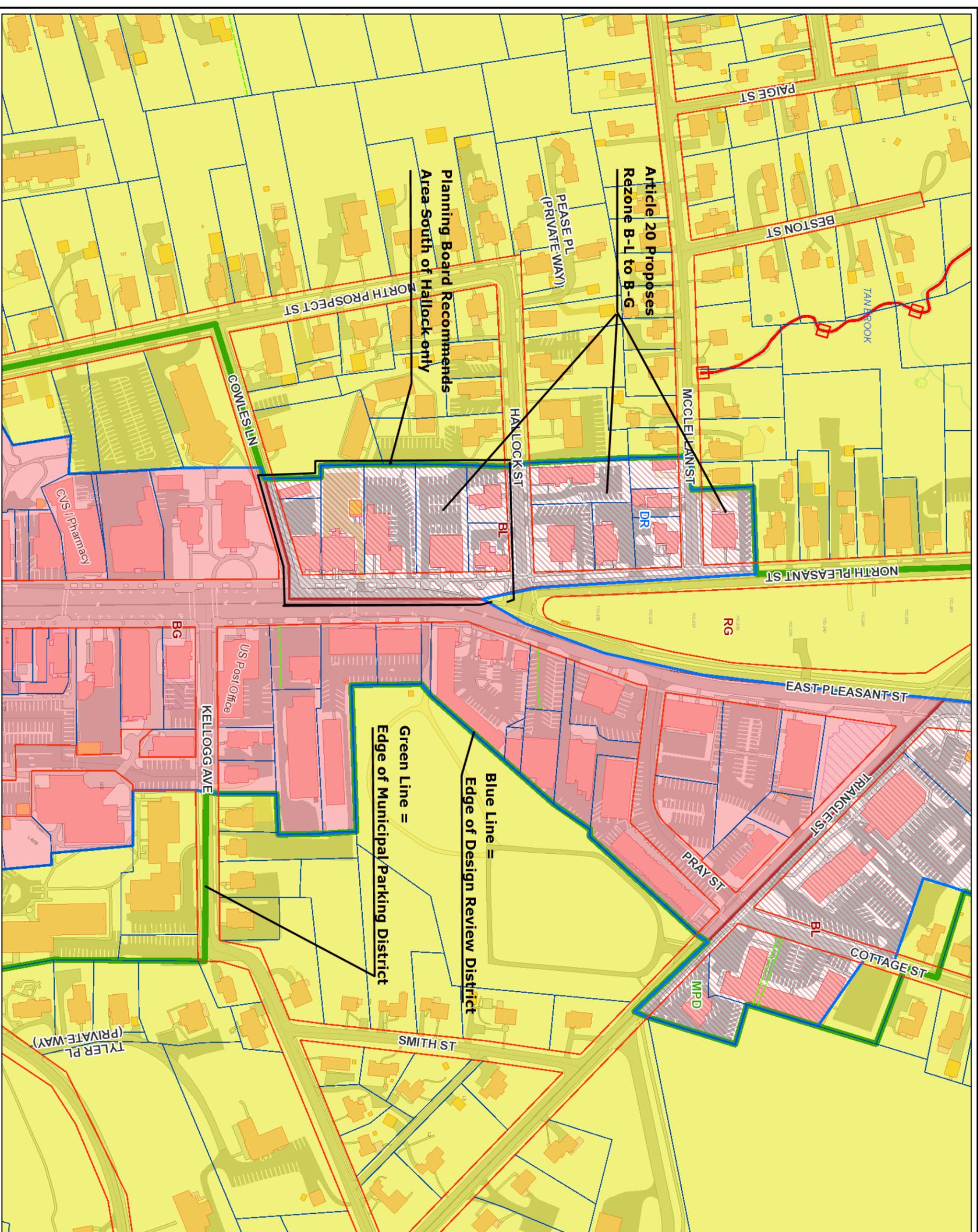
Some members of the public urged concerted outreach to town center neighborhoods and further study of potential impacts on housing, parking, and the town economy and finances before making a decision about rezoning. None of the property owners of the lots proposed for rezoning, nor abutters to those properties, were present.

After further discussion, the Planning Board voted 6-1-1 to recommend that Town Meeting adopt Article 20 for the properties south of Hallock Street and refer the article to the Planning Board for the properties north of Hallock Street. The board member voting against the motion was concerned about the increased intensity of use, heights, and lot coverage that could result from a rezoning, while the board member who abstained believed that the proposal should be endorsed as written.

Article 20 - Hallock Area Rezoning



- Property Map
 - Adjacent Towns Parcel
- Zoning Map
 - × FPC Boundary Elevatio
 - FPC Stream Setbacks
 - 25 Setback
 - 50 Setback
 - Zone Overlay
 - Design Review Board J
 - Municipal Parking Distri
- Zoning
 - R-LD: Low Density Res
 - R-F: Fraternity Residen
 - R-O: Outlying Residen
 - R-N: Neighborhood Re
 - R-V-C: Village Center R
 - R-G: General Residenc
 - B-V-C: Village Center B
 - B-L: Limited Business
 - B-N: Neighborhood Bu
 - B-G: General Business
 - OP: Office Park
 - COM: Commercial
 - PRP: Professional & R
 - LI: Light Industrial
 - ED: Educational
 - FPC: Flood-Prone Con



Planning Board Recommends Area South of Hallock only

Article 20 Proposes Rezone B-1 to B-G

Green Line = Edge of Municipal Parking District

Blue Line = Edge of Design Review District

Horizontal Datum: MA Stateplane Coordinate System, Zone 4151, NAD83, Feet; Vertical Datum: NAVD88, FT
 Planimetric & topographic basemap compiled at 1"=40' scale from April, 2009 Aerial Photography. Parcels compiled to match the basemap; revisions are ongoing.

The information depicted on this map is for planning purposes only. It may not be adequate for legal boundary definition, regulatory interpretation, or property conveyance purposes. Utility structures & underground utility locations are approximate & require field verification.

The Town of Amherst makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of these data, & does not assume any liability associated with the use or misuse of these data.

1" = 192 ft

