



PLANNING BOARD

Report to Town Meeting

**Article 21. Zoning Petition – Triangle Street 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 Triangle Street, east of East Pleasant Street and west of Cottage Street, to General Business (B-G), including the following properties or portions of properties: 11C-265; 11C-322; 11D-40; and 11D-42

Recommendation

The Planning Board voted 8-0-0 to recommend that Town Meeting refer Article 21 to the Planning Board for further study.

Background

Article 21 is a petition article that proposes to rezone several properties in the area of Triangle and Cottage Streets (see map), extending the existing Business General (B-G) District at the northern end of the town center.

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 zoning district 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 zoning district may not be fulfilling its purpose as described in the Zoning Bylaw: “to provide areas for moderate density, office, commercial, and multifamily developments.”

While the aforementioned project demonstrates that there may be some demand for strictly commercial use 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. However, housing density is regulated by lot size in the B-L zoning district (unlike in the town's other business districts), meaning a minimum lot size is required for even one residential unit (even in a mixed-use building), with additional square footage needed for each additional unit. Most parcels in the town center B-L zones cannot accommodate multifamily development because they are too small, making mixed-use development impossible. In this particular B-L district, though, three of the four parcels are larger than the minimum needed for residential use.

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Purpose and Effect of Amendment

The petitioner seeks to create a more flexible zoning district and encourage sensible development on Triangle Street. The change to B-G zoning would allow a 70% maximum building footprint or building coverage (versus 35% under B-L zoning) and up to five floors (from three). These and other factors could promote significantly more intense development in the area, which could yield more office and retail space and more downtown housing. It is expected that any new development would 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.

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 zoning district 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. The issues described above were presented and discussed and feedback was received from members of the public.

The Planning Board observed that the proposed obstacles to development adhering to most of the parcels in the other town center B-L districts do not exist to the same extent in this area because the lots are much bigger. While the area is suitable for more density than is currently allowed, there isn't a de facto restriction against redevelopment in this area like there is elsewhere in B-L districts. Since this area is further from the heart of the town center than the districts addressed in other zoning articles at this Town Meeting, it does not need to be a rezoning priority at this time.

After further discussion, the Planning Board voted 8-0-0 to recommend that Town Meeting refer Article 21 to the Planning Board for further study.