

C O D E S T U D I O

MEMORANDUM

TO: Eric Gillert, Town of Amherst Planning Director

FROM: Lee D. Einsweiler

DATE: May 8, 2016

RE: Staff Meeting Notes: Kick-off Trip -- March 8, 9, 10, 2016 (NYSERDA Task 3.3.B)

MARCH 8TH 2016

Staff Briefing (10-11am)

Attendees:

- Joe Frese, Code Enforcement Officer
- Doug Gesel, Senior Code Enforcement Officer
- Jean Brzezinski, Planning
- Scott Marshall, Planning
- Ellen Kost, Planning?
- Bob Walter, Landscape Architect
- Eric Gillert, Planning Director
- Gary Black, Assistant Planning Director
- Dan Howard, Planning
- Kim Schueler, Planning

Comments:

- » Process
 - » Design professionals very positive about working with staff.
 - » How should we approach the general public?
 - » Are there things that we should focus on that we should fix first?
 - » How do you monitor what is going on in the development community?
 - » Planning Board understands their limitations. View the code as sacrosanct.
 - » Planning Board vs. discretion was a topic of discussion.
 - » How staff interacts with the Planning Board at meeting needs to be discussed – the level of review by staff behind the scenes isn't very evident to the general public.

- » Staff can approve minor site plans, 750 square feet maximum not within 200 feet of residential.
- » TND zone doesn't work well – has it ever been used?
- » Project development by variance.
- » Community District?
- » Most site plans approved in 30 days. Site plans are not getting “gamed.” The really challenge is the rezoning process.
- » Infill
 - » Public not buying in to this higher density approach.
 - » Starting to see higher-end rental apartments.
 - » Student housing has started to spread into neighborhoods – need to get a handle on it.
 - » If there is an open parcel of land in the Town it is going to get built on – no guidance on design.
 - » Structured parking – land values not there yet – at the brink of things changing.
 - » Transitions and edges with the Village are important – the Mosey didn't get it right.
 - » Have to get the new zoning in place somewhere otherwise the project will not be considered a success.
 - » Need to get a handle on the scale and character of each center.
- » Growth in Amherst
 - » Tim Hortons.
 - » Senior housing.
 - » Hotels.
- » Transportation of Students
 - » UB Stampede (bus).
 - » UB has partnered with Zipcar.
 - » UB has safety walk stations.
 - » UB has a Bikeshare program.
 - » UB has electrical charging stations.
- » Code
 - » How do we get more places to eat outdoors?
 - » In 2006 we tried to avoid putting anything about design in the code. Ready to move away from that – need a better balance.
 - » The new Village code is really more a set of guidelines.
 - » More design controls in the Village, a lot more demand for people to be in the Village.
 - » Design guidelines vs. standards? GB zone.
 - » Sustainability, how will it get addressed?

MARCH 10, 2016

Staff Debriefing

Attendees:

Lee Einsweiler, Colin Scarff, Annette Herman, Penny Kerr, Dal Giuliani, Eric Gillert, Gary Black, Dan Howard, Kim Schueler, Bill Pidgeon, Doug Gesel, Jean Brzezinski

Lee Einsweiler (Code Studio Consultant):

- » During our few days here we learned a lot about the Town's development patterns and processes, and got useful information from both the Town and stakeholders/ members of the public. We got to interview a lot of good groups with different insights and opinions, and we thank you for putting those together.
 - » The design professionals and land owners/developers really seemed to understand the zoning code and the possible changes that would come with this project – they seem a little reluctant to change, but also were excited at the possible opportunities this may create for them.
 - » The neighborhood residents expressed a lot of dislike of the current practices and developments, and seemed like they may not understand how the development process works.
 - » We were really interested in what the younger residents had to say, and a few of them were really interested in becoming involved in this project and expressing their thoughts/opinions to the older residents in the Town – after all these younger people are the future of the Town and they are the ones we really need to plan for.
- » We had great experiences with the staff here and really appreciate how much time and effort you put into organizing all the events, interviews, the tours, etc.
- » We think that the committees are balanced and have been filled with members of the community and relevant organizations – it seems like a good group of people to work with.
- » The tour of the Town really helped visually show us the issues with scale and transition areas, along with the issues a lot of communities are trying to fix these days, such as automobile-oriented, office, and strip mall development (all of which are very evident here as you know).
- » The big question is how much change is possible? There are probably residents who may not want change/our proposed, new ideas – they are the ones that are very vocal – but in order to capture their ideas and thoughts, it is crucial that we work with these people and other residents in the Town to see if our proposed ideas are good for the Town, and if so, where in the Town should these changes occur.
- » When we look at Figure 6: are all the pink “mixed-use” areas and corresponding black stars the same, or are they different? Do they consist of different types of land uses, scales, and character? The Comp Plan does not address their differences but kind of uses a “one size fits all” mentality. The current zoning regulations may work for some of these places, but if they do have these differences we’re talking about and the zoning code doesn’t work for some of them, we need to look at those few particular places to see what may work better. We may have three or four new types of zoning districts that encompasses all the different characteristics of these pink areas.
- » We need to try to make it easier for developers and residents to understand the process, what we need from them, and how we can help to get the types of development we want. Maybe finding examples of developments we like to show to everyone and act as good examples for

future developments.

- » Single-family developments, light industrial, and large office parks are not longer desirable forms of development – this is a common trend happening in a lot of suburbs in the country, and it's most likely happening here as well. We need to determine how to deal with this and reuse these existing buildings in a way we want and a way to attract people.
- » The City of Buffalo is reactivating itself right now and because of that, it could attract many of the people living in Amherst to move there or it could keep the young people who left from moving back to Amherst when they start families because of its attractive development and amenities – it is offering alternatives the Town does not offer right now. The question then becomes how can we make them stay?
 - » It is great that there is a regional plan, One Region Forward, for reference to at least gauge some demographic trends, especially for the 25-35 age group and to look at different areas such as East Amherst, Buffalo, and elsewhere to compare and contrast.
 - » Most younger people would like to move back to Amherst, but the Town needs to give them a reason. Right now, the Village of Williamsville is where they would go because it's the closest thing the Town has to places in Buffalo that they like.
- » We can try to change the edges of the Village in order to make the transition of that type of development into the Town, but how do we jump start the movement? Currently, the zoning code and comp plan would not really allow the types of development in the Village into those edge areas.
 - » We can create a vision for where we want to see this type of compact, walkable development, but we also need a pilot program to test out the vision – it may not work in areas like Niagara Falls Boulevard or Transit Road. Where can we try the vision out, where can we test it?
- » People will invest if we enable them, especially in places like Eggertsville and Snyder because they already have some characteristics that make them unique as a neighborhood at an appropriate scale. We need to make it so that investment in our existing commercial and mixed use areas is obtainable both on a cost and market level, but also on a design and contextual level to satisfy the surrounding neighborhoods – we need to utilize the assets that we have; we are not totally starting over.
- » So if we can identify a vision of the character, architecture, and scale we want for these different neighborhoods, translate that to the Comp Plan and Zoning Code, and can test it out in one or two pilot areas, that's all great, but there is still the issue of making sure the community is on board and has had their input considered in the process. They are the ones who will live with the vision and so it is vital that they are a major part of the project. More or less this means the younger residents, those that will be living here for decades after these guidelines and the vision is in place, so we should also see if it's possible to get the younger cohorts to express their desires to the older residents, as this is going to be their Town, and to try to get them to go along with new ideas, with change.

Dan Howard:

- » Education and training is also a very important aspect of this project as well. We can do all this but in the end, unless people know how to use the Comp Plan and Zoning Code, it will be difficult to get people to change the way they are accustomed to doing things or the way they understand things to work. Education is the tip of the spear. Villages can do this more easily because they are smaller, but the Town can involve residents by having a project website or having charrettes to get residents' input. Other towns are at our level so we can see how they

have dealt with community input.

- » Amherst stands out compared to other surrounding suburbs because of the quality of the schools, but younger people aren't coming back just for them anymore. They want a certain type of "city" lifestyle and will pay for charter, private schools if the public schools are not up to a level they are satisfied with.

Dal Giuliani (Working Committee Chair):

- » Like Lee and Dan have mentioned, the Town has a glut of single-family homes and office buildings and in reality this just isn't what the younger people want anymore, even with exceptional school districts.

Lee Einsweiler:

- » Yes, there is absolutely too much of both of those and in other suburbs they are trying to replace those with attached townhomes and mixed uses inside buildings. People are not only looking for mixed use and walkable neighborhoods that are a little denser with a variety of housing types, but they also want the amenities like parks and trails where they can let their children be "free range children." It's not like it used to be a few decades ago when we were kids and we could come home from school and our parents would shove us out the door to play outside. Kids these days aren't outside playing because the roads are loaded with cars, there is more crime, and there may not be as many amenities and community facilities nearby because the Town is now much more developed. Our childhood model is just not the model anymore – parents take their kids with them everywhere they go now or they are inside playing with technology.
 - » We need to create areas for "free range children" and possibly show an example of this in a small diagram. The Village may be a good place to find an example or to start this.
- » As for the large office complexes or areas in the Town, we know that these were once thriving but the market has changed and these are sitting with vacancies in most cases – we need to consider utilizing these existing buildings and allowing them to infill with residential, retail, restaurants, etc. The zoning code probably does not permit this currently, and developers may want to try to utilize them for mixed uses but are unable to.
- » Another issue is surface parking – right now we have a building with a certain number of spaces required and it becomes a sea of parking lots around these buildings and abutting surrounding uses. Parking structures underground and underneath buildings could be a solution in some cases, but they are still very expensive to build and the projects they support may not be able to financially support building them right now. Developers just aren't quite at the point of parking structures yet and that's ok, but we may need to try to solve the parking lot issues and try to fix the required number of spaces depending on scale or neighborhood or commercial uses – this may mean parking is not free anymore? The Village needs paid parking in order to support structured parking and this may be something to explore in the future.
- » With all these issues that we've talked about, we need to find places to use as pilot programs – places that have all these issues already developed and have their own character already. This probably means Eggertsville and Snyder.

Dan Howard:

- » Transit development will affect these areas in the coming years as well. As you know, the NFTA has been working on the Transit Oriented Development (TOD) Study and the Buffalo-Amherst Alternatives Analysis (AA) or Transit Options (TO) Study which is exploring the option of expanding some sort of public transit, possibly light rail or bus rapid transit, into Amherst

to UB. Whatever the Locally Preferred Alternative (LPA) turns out to be, there are a lot of associated development aspects that go along with extended and expanded transit in these areas and we need to consider these within the process and analysis of this project.

Lee Einsweiler:

- » The Amherst IDA has been incentivizing a certain kind of development for many years – it can be hard to change the types of developments they incentivize or award abatements to so that they coincide with our new vision/plan/code. Their process may need to be altered as well.
- » Residents seem to always be concerned about traffic when a development is proposed. The idea of moving toll booths will not cut down on traffic. Other aspects of the development process can be altered and worked with to put their minds somewhat at rest about traffic.
- » One key element is that the Town Board needs to hear from people as to why they are leaving Amherst or what is making them leave/attracting them to other places. Sometimes the Town Board can get so bogged down in resolutions and motions that they miss key issues and problems related to a project. They are not always as in tune as we are to some of the nationwide trends and evolving solutions.
- » Along with talking to residents of the Town, we also need to have economic conversations with businesses. Many of them have firsthand experience with the Comp Plan and Zoning Code and they should realize that they too have a large influence, and that their experiences matter in creating a plan/code that does not hinder them, but supports and enables them. If they won't come to us we need to go to them.

Dal Giuliani:

- » There needs to be a more hands-on approach with these business owners to encourage them to participate and work with us on this project.

Doug Gesel:

- » I have asked the inspectors to report any problems, but there is not many clear definitions in the code regarding land uses, and we have to go to a dictionary to get a real definition to work with, which is a huge problem. There needs to be more clarity in the code with respect to land uses, but flexibility in where those uses are allowed is good too. I will ask the ZBA members what technical changes they would like to see regarding their experience with the code and its shortcomings or problems.