



November 3, 2011

MEMO

TO: Members of the Northampton City Council

FROM: Suzanne Beck & Dennis Bidwell
On behalf of the Greater Northampton Chamber of Commerce

Re: A request to approve the King Street zoning proposals without the amendment proposed by Councilor Freeman Daniels

We have some feedback for you about the proposal recently introduced by Councilor Owen Freeman Daniels. Councilor Freeman Daniels has proposed to amend the King Street zoning recommendations with a requirement specifying a 100' maximum setback in the highway business district.

On the surface, this new proposal may appear to be a simple, inconsequential change. We'll make the case that it is anything but simple. The Chamber does not endorse Councilor Freeman-Daniels proposal. And, in fact, if adopted, the proposal will jeopardize the Chamber's endorsement of the zoning recommendations as a whole.

The King Street zoning recommendations represent a carefully constructed compromise developed over a 2 year public process. The key compromises in the ordinance, including a compromise on the HB setback, were finally worked out in two planning charrettes that included all members of the ZRC, all members of the Planning Board, 5 representatives of the Chamber, Wayne and Carolyn from OPD, and Teri Anderson. These charrettes, expertly facilitated by Kevin Lake, resulted in two especially hard-won key compromises:

1. There would no longer be a second-floor requirement in either Highway Business or the newly-created Entranceway Business districts. There will of course be the option to build two or more stories (up to 65' maximum), as market demand and development economics allow. However, there would be a requirement that a building façade facing King Street have an average height of 20 feet. Good examples of this look, in practice, are the Northampton Cooperative Bank and Goggins Real Estate buildings on Main Street in Florence.
2. There would no longer be a required maximum building setback in Highway Business, removing the 55' maximum setback in the current zoning. This would permit property owners flexibility in situating parking and buildings as determined by the particular circumstances and constraints of individual properties. In exchange for this flexibility, we agreed to adopt rigorous building design standards and landscaping standards in parking areas. Property owners will also be required to provide a 10' tree belt at King



Street, a 6' sidewalk and a 12' planted buffer between the sidewalk and any parking. (Buildings, on the other hand, could be built at the sidewalk.)

The Planning Board, Ordinance Committee and the Education, Housing and Land Use Committee are recommending these zoning proposals because they strike a balance of improved pedestrian and bicycle safety, incentives for commercial development and an appealing landscaped environment.

We hope the Council will consider these arguments and oppose the amendment for a 100' setback:

1. The entire package of zoning reforms for Highway Business is built on the foundation of the compromise for no maximum setback requirement in exchange for imposition of strict building design and landscaping standards. Developers will not invest in King Street with the aggregate requirements for a 100' setback, tree belt, sidewalk and landscaped buffer, 24' -wide pedestrian access from the street, extensive parking landscaping and rigorous building design standards.
2. Two years of study and conversation have resulted in a collective conclusion that the existing 55' maximum setback was arbitrary when selected, and has not in any event been a success. A maximum setback of 100' would be equally arbitrary, and in opposition to the conclusions reached through the public process.
3. There has been no public discussion of the benefits or goals that would be achieved with a 100' setback. It would not achieve any benefit to "frame the street" in an urban design context. Study of locations that have addressed strip development indicate that in markets like Northampton's, unless there is some level of public investment in the street infrastructure, buildings are not built to frame the street because they are not viable.
4. Councilor Freeman Daniel's new setback proposal is an expansion of the 2002 setback requirement in that it would apply to all uses, not just retail. There is no evidence that the intent of the 2002 setback requirement would have been better met had it applied to all properties, regardless of use.
5. Even with a maximum setback, buildings would be built at numerous locations on King Street lots – some building pads at the sidewalk, some at varying distances back. And the pattern of detached buildings will prevail.
6. An unintended consequence of creating an arbitrary setback is to encourage owners to take advantage of statutory allowances to "grandfather" buildings that are setback further than the 100'. This will result in less investment in building modifications thus facades would not likely be consistent with the approved design criteria.



7. The required tree belt, sidewalk and landscaped buffer will provide the visual continuity that the original maximum setback intended. This landscaping applies to all uses along King Street, not just retail properties which the original zoning impacted.

Thank you for your consideration of this information. We look forward to participating in the Council's deliberations.