

2

Land Use, Zoning, and Community Character

Contents

2	Land Use, Zoning, and Community Character	2-1
2.1	METHODOLOGY	2-1
2.1.1	Land Use.....	2-1
2.1.2	Zoning	2-3
2.2	EXISTING CONDITIONS.....	2-3
2.2.1	Land Use.....	2-3
2.2.2	Zoning	2-11
2.2.3	Community Character.....	2-13
2.3	FUTURE WITHOUT THE PROPOSED ACTION	2-14
2.4	PROPOSED ACTION	2-16
2.4.1	Land Use.....	2-16
2.4.2	Zoning	2-20
2.4.3	Community Character.....	2-20
2.5	MITIGATION.....	2-21

Figures

Figure 2-1.	Existing Land Use within the Study Area.....	2-4
Figure 2-2.	Station Area 1 Land Use — Southern Segment.....	2-6
Figure 2-3.	Station Area 2 Land Use — Middle Segment	2-8
Figure 2-4.	Station Area 3 Land Use — Northern Segment.....	2-10
Figure 2-5.	Zoning within the Study Area	2-12
Figure 2-6.	No Action Condition Projects within the Study Area	2-15

Acronyms/Abbreviations

BNMC	Buffalo Niagara Medical Campus
C-M Zone	C-M Metro Rail Zone
GBNRTC	Greater Buffalo Niagara Region Transportation Council
LRT.....	light-rail transit
NCD.....	New Community District
NFTA	Niagara Frontier Transportation Authority
TOD.....	transit-oriented development
UB.....	University at Buffalo

2 Land Use, Zoning, and Community Character

This chapter describes existing conditions and future conditions without the Proposed Action and analyzes the potential impacts of the Proposed Action as they relate to land use and public policy, zoning, and community character.

2.1 METHODOLOGY

Land use and zoning information was obtained from the City of Buffalo and towns of Tonawanda and Amherst. Field surveys were conducted to verify existing conditions and to supplement the desktop research performed for the study area, which is defined as a 1/4 mile on either side of the Proposed Action alignment and a 1/2-mile radius around each proposed station.

2.1.1 Land Use

Land use impacts were evaluated for consistency with the following plans that are applicable within the study area:

- **Buffalo Comprehensive Plan** is also known as the *Queen City in the 21st Century* (February 2006) and is a 20-year comprehensive plan created by the Office of Strategic Planning and adopted by the Common Council in 2006. The plan stresses the importance of adopting a form-based land use and zoning code that will encourage reinvestment and reinforce the city's traditional walkable, mixed-use neighborhoods. The plan also notes the importance of public transit and the need to continue to improve and extend the system.¹
- **Buffalo Green Code Land Use Plan** is a place-based development strategy that is designed to provide a framework for decision-making about physical development. The plan outlines the community's expectations and preferences regarding future development. The plan serves as a connection between the city's comprehensive plan and zoning code by recommending the appropriate type, intensity, and character of development.²
- **Amherst Bicentennial Comprehensive Plan** provides a long-range guide for physical development and outlines the goals, objectives, and principles for short-term and medium-term growth. Rather than focusing on individual neighborhoods, the plan focuses on the larger context of the town while also identifying strategic areas known as "focal planning areas."³ The

¹ One Region Forward Queen City in the 21st Century. 2006. Accessed at <http://www.oneregionforward.org/plan/queen-city-in-the-21st-century-comprehensive-plan/>

² Buffalo Green Code: Using the Unified Development Ordinance. 2016. Accessed at <http://www.buffalogreencode.com/green-code-components/land-use-plan-2/>

³ Town of Amherst Bicentennial Comprehensive Plan. 2014. Accessed at http://www.amherst.ny.us/pdf/planning/compplan/sept_2015.pdf

bicentennial plan was amended in 2017⁴ and 2019. The most recent 2019 amendment incorporates new mixed-use zoning districts.⁵

- **Egbertsville Action Plan** mentions the benefit of being close to the Metro Rail University Station and highlights the desirability to become a less automobile dominant community. Focus is placed on revitalizing commercial corridors/nodes along Niagara Falls Boulevard, Eggert Road, Kenmore Avenue, Sheridan Drive, Millersport Highway, and Main Street.
- **Imagine Amherst** is a rezoning effort that looks at incorporating form-based commercial centers/nodes to be more walkable and multimodal while allowing for contextual transition to adjacent residential neighborhoods.
- **Tonawanda 2014 Comprehensive Plan Update** provides a framework for managing and adapting to changes in the town. The plan serves as the basis for land use decisions, community projects, and public and private investment in the town.⁶
- **Buffalo-Niagara Medical Campus (BNMC) Master Plan** focuses on the need for alternative transportation, particularly transit, and for transit-oriented development.⁷
- **One Region Forward: A New Way to Plan for Buffalo Niagara** is a regional plan that explores ideas and potential strategies to align actions and values. The plan provides a basic framework for moving the region toward a more sustainable, resilient, prosperous, and opportunity-rich future.⁸
- **Moving Forward 2050** is a regional transportation plan produced by the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) that details the trajectory of regional population and economic activity and provides transportation solutions to accommodate better economy, community, environment, and innovation to 2050.⁹
- **Erie-Niagara Framework for Regional Growth** is a partnership between Erie and Niagara Counties. As envisioned by county leaders, the framework establishes basic policies and principles to guide the future growth and development of the region.¹⁰
- **WNY Regional Strategic Economic Plan (A Strategy of Prosperity)** emphasizes implementing smart growth¹¹ principles, investing in the Buffalo Central Business District, and reestablishing high quality multimodal transportation corridors that strategically link Main Street, the Genesee Gateway, and BNMC to the Downtown Buffalo districts.
- **UB 2020 Plan** calls for growth, migration, and transformation, using the theme “Three Campuses, One University.” The plan guides development of a single university located on three well-connected campuses, with each one organized by a compelling academic concept.

⁴ Town of Amherst Bicentennial Comprehensive Plan. 2017. Accessed at http://www.amherst.ny.us/pdf/planning/compplan/2017/181030_2017_entire.pdf

⁵ Town of Amherst Bicentennial Comprehensive Plan Amendments. 2019. Accessed at http://www.amherst.ny.us/pdf/planning/compplan/190709_plan_revisions_and_all_maps.pdf

⁶ Town of Tonawanda 2014 Comprehensive Plan Update. 2015. Accessed at <http://www.tonawanda.ny.us/departments/planning-development/comprehensive-plan/228-2014-comprehensive-plan-update/file.html>

⁷ As per the Federal Transit Administration, transit oriented development includes a mix of commercial, residential, office and entertainment centered around or located near a transit station. Dense, walkable, mixed-use development near transit attracts people and adds to vibrant, connected communities.

⁸ One Region Forward: A New Way to Plan for Buffalo Niagara. 2015. Accessed at <http://www.oneregionforward.org/the-plan/>

⁹ Moving Forward 2050. Accessed at <https://drive.google.com/file/d/1Zx66cjKbPy9y11Wzz2lCpoxYwdx5h0fe/view>

¹⁰ Erie-Niagara Framework for Regional Growth. 2006. Accessed at <http://www2.erie.gov/regionalframework/>

¹¹ Smart growth is a way to build cities, towns, and neighborhoods that are economically prosperous, socially equitable, and environmentally sustainable.

2.1.2 Zoning

The following regulations and guidance apply to zoning:

- **Buffalo Green Code** is a place-based economic development strategy designed to implement the smart growth and sustainability objectives of the City of Buffalo Comprehensive Plan. The Green Code plan includes the Buffalo Land Use Plan and the Unified Development Ordinance. The Buffalo Green Code's Land Use Plan provides a framework for decision-making and outlines the community's expectations and preferences regarding future development. The Land Use Plan bridges the city's comprehensive plan and zoning code by recommending the appropriate type, intensity, and character of development. The Unified Development Ordinance rewrites the city's comprehensive zoning and implements the community's vision for the development.¹²
- **Zoning Code for Tonawanda (Chapter 215)** administers zoning controls for Tonawanda. In addition, the zoning code is consistent with the Tonawanda Comprehensive Plan, which serves as the basis for the Town of Tonawanda's land use and zoning decisions.
- **Zoning Code for Amherst (Chapter 203)** administers zoning controls for the Amherst. In addition, the zoning code is consistent with the Amherst Comprehensive Plan, which serves as the basis for Amherst's land use and zoning decisions.

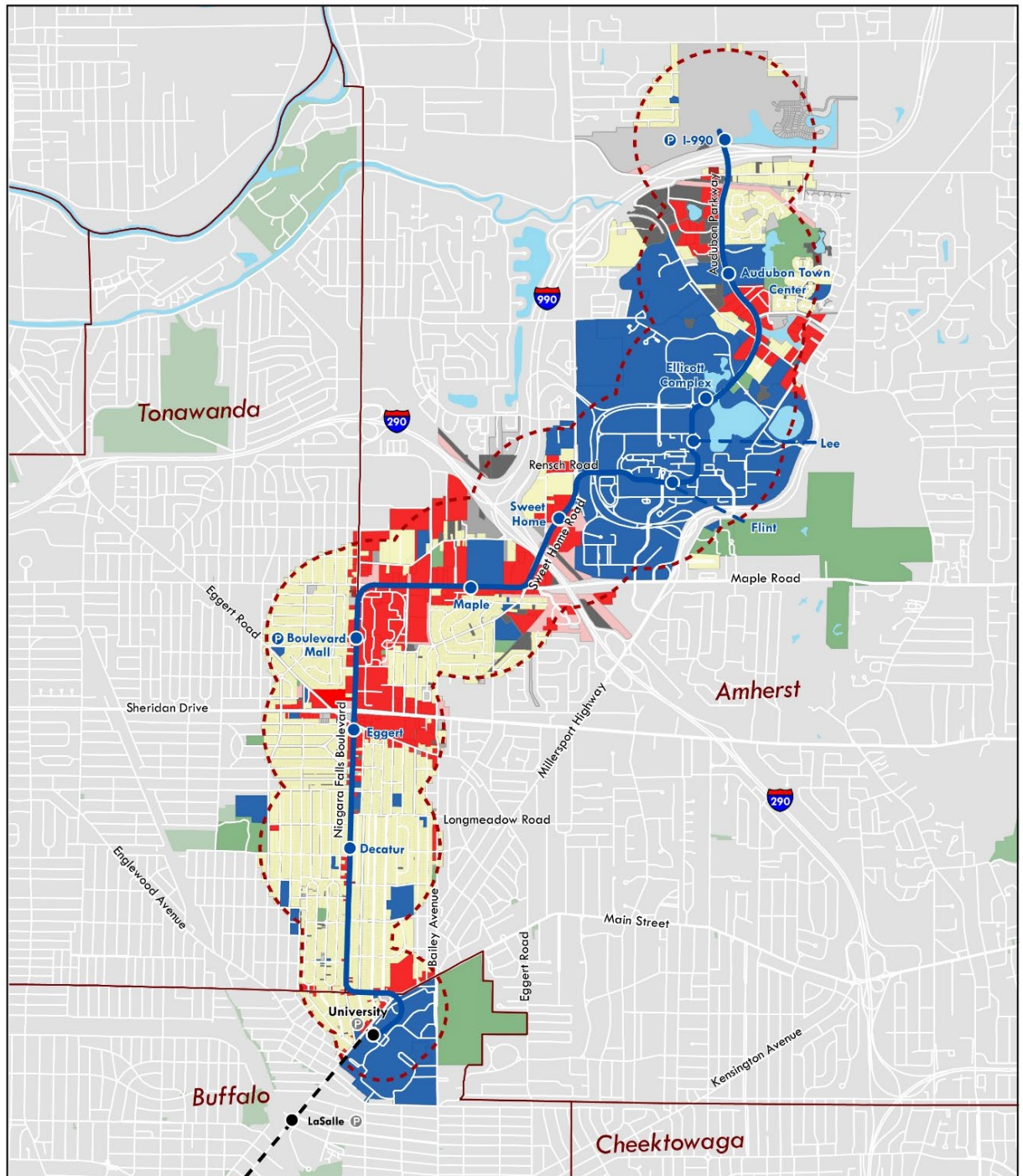
2.2 EXISTING CONDITIONS

2.2.1 Land Use

The Proposed Action corridor comprises a variety of residential, commercial, and institutional uses (Figure 2-1). The corridor begins in Buffalo, at the existing University Station on the Metro Rail system. Northwest and southwest of University Station is predominately residential, with single-family homes and commercial uses clustered around Main Street. Southeast of University Station is the UB South Campus. Grover Cleveland Golf Course is northeast of the station. The corridor travels along Kenmore Avenue, which contains a mix of residential and commercial uses. The corridor then travels north on Niagara Falls Boulevard where predominately single-family residential uses are to the east and west of the Proposed Action alignment. Single-story commercial uses are scattered along Niagara Falls Boulevard near the intersection of Decatur Road as well as north of Longmeadow Road to Eggert Road.

¹² Buffalo Green Code: Unified Development Ordinance. 2016. Accessed at <https://www.buffalony.gov/DocumentCenter/View/2107/Unified-Development-Ordinance-PDF?bidId=>

Figure 2-1. Existing Land Use within the Study Area



- Metro Rail Expansion**
- Study Area
 - Proposed Alignment
 - Proposed Station
 - Proposed Storage/Light Maintenance Facility
 - Proposed Park & Ride

- Land Use**
- Existing Station
 - Existing Metro Rail Line
 - City and Town Boundary
 - Existing Park & Ride

- Residential
- Commercial
- Mixed Use Commercial/Residential
- Community Facilities

- Open Space Resources and Recreational Uses
- Transportation and Utility
- Manufacturing and Industrial
- Vacant



Source: Erie County, 2018

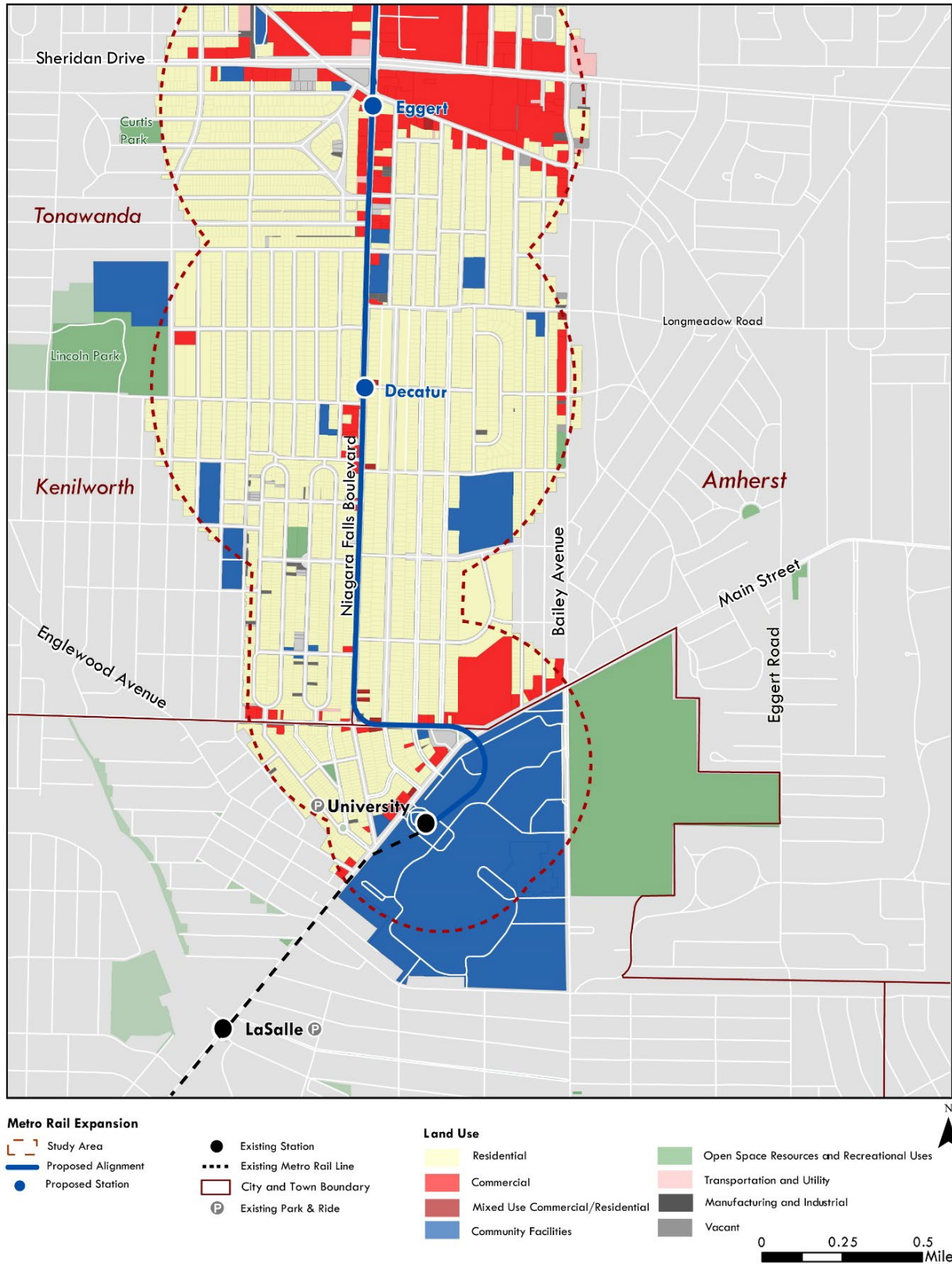
North of Eggert Road, commercial uses line Niagara Falls Boulevard on both the east and west sides, with predominately single-family neighborhoods located beyond the shallow commercial lots to the west in Tonawanda. Commercial lots on the east side are much deeper in Amherst. At Maple Road, the Proposed Action corridor continues with predominately commercial uses on both sides. North of Maple Road is predominately composed of commercial uses with scattered single-family homes. South of Maple Avenue, residential uses are behind the first row of commercial parcels. Sweet Home Middle School is along Maple Road west of Sweet Home Road. At Sweet Home Road, the corridor crosses under I-290. Along Sweet Home Road, a mix of commercial, residential, and institutional uses exist.

Near Rensch Road, the Proposed Action corridor enters the UB North Campus—a community facilities land use. As the corridor exits UB, office and commercial land uses line both sides of Audubon Parkway, shifting to community facilities and parkland near the Amherst Town Complex. Farther north, residential uses exist on the east side with office uses on the west side. Vacant parcels exist in the northwest near I-990. The area north of I-990 is vacant but new residential uses are proposed.

2.2.1.1 Station Area 1 – Southern Segment

The southern segment of the Proposed Action comprises the Decatur and Eggert Stations. Medium-density residential neighborhoods surround the proposed Decatur Station area. Small-scale, commercial, and residential uses fronting Niagara Falls Boulevard (Figure 2-2) characterize the Eggertsville community to the east and the Kenilworth, Lincoln Park, and Curtis Park neighborhoods to the west of the Proposed Action. Medium-density single-family residential homes surround Niagara Falls Boulevard, which encompasses a traditional grid street pattern that offers good connectivity. At Eggert Road, the land uses change to more suburban commercial uses along Niagara Falls Boulevard with big-box commercial establishments; medium-density residential neighborhoods continue to surround the station beyond Niagara Falls Boulevard.

Figure 2-2. Station Area 1 Land Use – Southern Segment



Source: Erie County, 2018

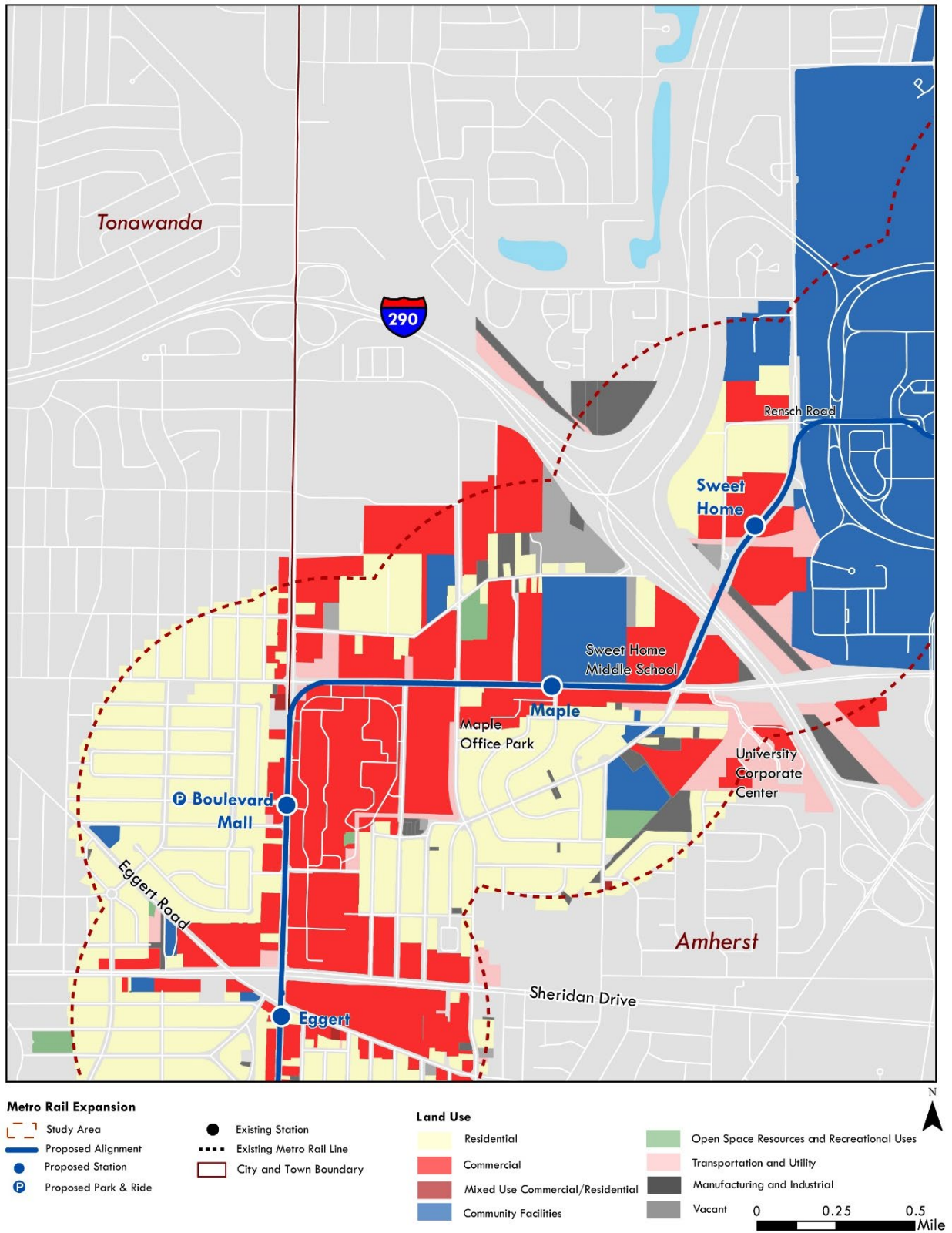
2.2.1.2 Station Area 2 – Middle Segment

The middle segment comprises proposed Boulevard Mall, Maple, and Sweet Home Stations (Figure 2-3). Commercial uses become more predominant as the Proposed Action alignment travels into the Boulevard Mall Station area. Beyond the commercial uses lining Niagara Falls Boulevard, single-family residential uses are still to the west of the station area in Tonawanda and multifamily residential uses are to the east in Amherst. Commercial uses along Niagara Falls Boulevard and Maple Road in Amherst contain larger big-box stores, supermarkets, and other larger commercial uses associated with Boulevard Mall. Much of the commercial establishments are also surrounded by parking and are not arranged to be highly walkable. Some residential neighborhoods are south of the Maple Station area.

Medium-density, mainly single-family residential neighborhoods surround the commercial streets, with some multifamily areas mixed in. The major roadways are predominately automobile-oriented, with most establishments offering plenty of off-street parking. Several major retail anchors in the area as well as several retail centers are undergoing redevelopment. (See further discussion in Section 2.3, “No Action Condition.”)

The proposed Maple Station would be near Sweet Home Middle School as well as other adjacent commercial uses, including the Wegmans. The Maple Office Park and Maple Village Office Park sit on the south side of Maple Road, and a larger office park (University Corporate Center) lies just southeast of the intersection of Maple Road and Sweet Home Road. As the Proposed Action alignment travels along Sweet Home Road, another proposed station (Sweet Home Station) would be located adjacent to the UB North Campus. Areas along Sweet Home Road include a mix of commercial, student housing, and educational uses. The Sweet Home High School complex is just north of the study area along Sweet Home Road.

Figure 2-3. Station Area 2 Land Use – Middle Segment



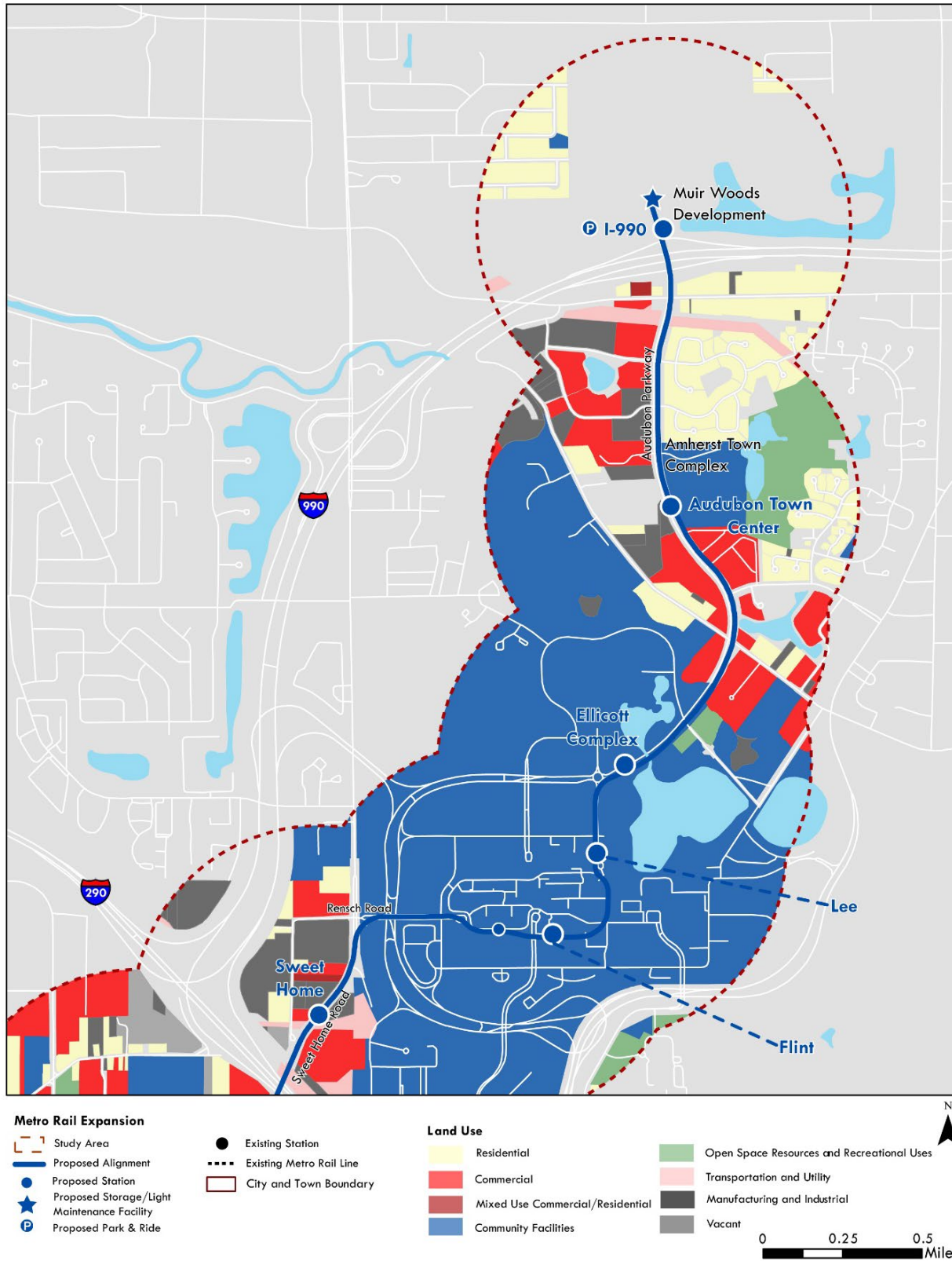
Source: Erie County, 2018

2.2.1.3 Station Area 3 – Northern Segment

The northern segment of the corridor comprises proposed Flint, Lee, Ellicott Complex, Audubon, and I-990 Stations (Figure 2-4). These station areas capture the UB North Campus and neighborhoods to the north, including the Audubon Community, as well as their surrounding areas. The UB North Campus consists of educational uses along with student housing and recreational uses. The Audubon Community is a planned community consisting of office and commercial space along Audubon Parkway and in nearby office parks, with residential neighborhoods set back from Audubon Parkway. The area is suburban in character with separated uses, large lots, large setbacks, and plenty of off-street parking. The major roadways are predominately automobile-oriented. While there are no pedestrian or bicycle facilities along Audubon Parkway, trails are located throughout the Audubon Community.

The UB North Campus would have three proposed stations: Flint Station, Lee Station, and Ellicott Complex. These three stations would be surrounded by the university's institutional land uses. Development activity in the area has been predominately student housing and related services driven by UB. Farther north, Audubon Station would be located adjacent to the Amherst Town Complex, which consists of a police station and court, library, senior center, and park. The I-990 Station—which would include a park & ride and light maintenance/storage facilities—would be at the northern-most point of the Proposed Action, which is surrounded by vacant, commercial, and single- and multifamily residential uses. The proposed Muir Woods mixed-used development, near the proposed I-990 Station, would add additional residential student housing with some mixed uses.

Figure 2-4. Station Area 3 Land Use – Northern Segment



Source: Erie County, 2018

2.2.2 Zoning

Zoning is directed by land use planning efforts, including the comprehensive plans and policies listed in Section 2.1.1. Existing land use along the Proposed Action alignment generally reflects established zoning districts and zoning codes, as shown in Figure 2-5. Buffalo zoning is dictated by the Green Code and within that, the Unified Development Ordinance, which includes the city's comprehensive zoning initiative. In Tonawanda, zoning and permitted land uses are defined by Chapter 215 in the Tonawanda Town Code. In Amherst, zoning regulations are defined in Chapter 203 of the Amherst Town Code.

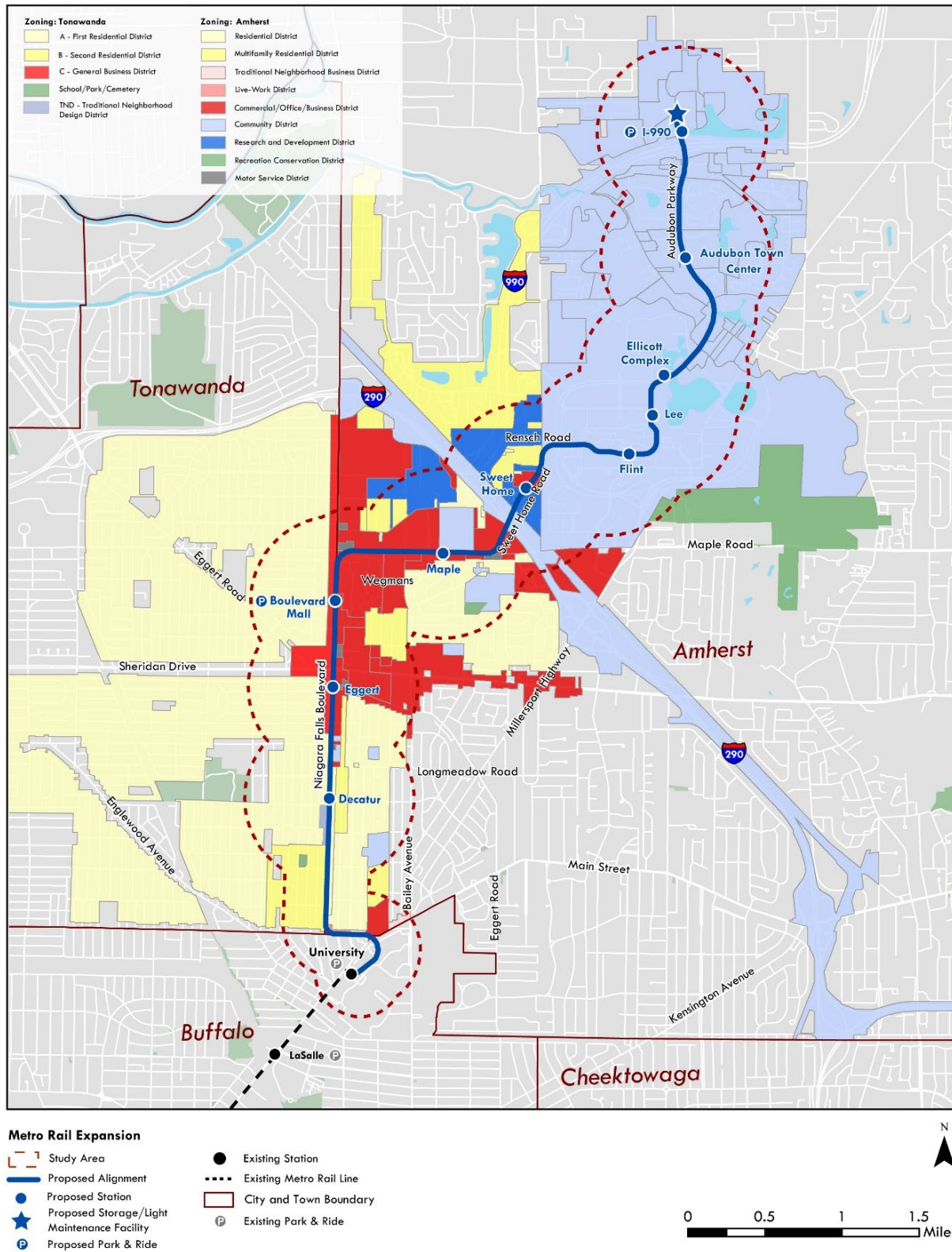
Under the Buffalo Green Code's Unified Development Ordinance, the C-M Metro Rail Zone (C-M Zone) addresses designated areas within close walking distance of Metro Rail stations, and is intended to facilitate an elevated level of urban intensity and transit orientation. The C-M Zone is an overlay zone, so both the standards of the C-M Zone and underlying zones apply. All development in the C-M Zone must comply with the standards of this section, as well as any applicable standards in the underlying zone and other sections.

Current zoning concentrates residential uses along the Proposed Action alignment's southern segment near the proposed Decatur Station and continues along the west side of Niagara Falls Boulevard near the proposed Eggert and Boulevard Mall Stations. Commercial zoning districts are along Niagara Falls Boulevard to the east between Sheridan Drive and the proposed Maple Station. The town of Amherst amended their Bicentennial Comprehensive Plan in 2019 to incorporate new mixed-use zoning districts, along with goals for revitalizing these areas. This Plan also identifies Niagara Falls Boulevard north of Longmeadow as a Suburban Center, characterized by larger parcels that are connected by higher speed thoroughfares without many walkable connections and may have little existing place identity. These suburban areas should provide pedestrian-friendly environments, including safe sidewalk connections through parking lots and from adjacent sidewalks to the front door of developments. Walkability should be a key priority within and between developments.

Research and development districts surround the proposed Sweet Home Station, and the remainder of the corridor is zoned New Community District (NCD) with varying sub-districts under Amherst's zoning code. The NCD allows the development of flexible land use and design regulations using performance criteria, which allows multi-use neighborhoods to be developed on relatively large tracts and incorporates residential types and nonresidential uses and services into an area. NCD sub-districts adjacent to the Proposed Action corridor include SUNY UB, MOS, GC, LC, ND, SA.¹³

¹³ SUNY UB – State University of New York University at Buffalo; MOS – Major Open Space; GC – General Commercial; LC – Local Center; ND – Neighborhood District ; and SA – Suburban Agriculture

Figure 2-5. Zoning within the Study Area



Source: Towns of Tonawanda and Amherst, and Erie County, 2018

2.2.3 Community Character

Community character within the study area varies and depends on the major land uses (as described in Section 2.2.1, “Land Use”). The UB South Campus is the main feature in the southern portion of the study area. The campus, designed in the 1920s, contains the tallest buildings in the area, a large student population, and a major transportation hub at University Station. Low- to medium-density commercial, residential, and university facilities are concentrated around both the University Station park & ride facility and Main Street. Moving north from University Station, the southern portion of Niagara Falls Boulevard is a mainly residential area. The community in that area is defined by one- to two-story, single-family homes that are setback from the street and a few small single-story commercial uses (e.g., an aquarium store, mini mart, autobody shop, restaurant) that are interspersed along Niagara Falls Boulevard. A larger corner commercial lot at the intersection of Decatur Road and Niagara Falls Boulevard is unique to the immediate area compared to the surrounding blocks. East of Niagara Falls Boulevard, the residential homes transition to multifamily housing.

The residential suburban character continues north along Niagara Falls Boulevard. At Longmeadow Road, larger community facility uses (Trinity and Korean United Methodist Churches, and Christian Fellowship Baptist Church) and single-story commercial uses become the more predominant land use as the roadway widens to a five-lane road. The community character gradually changes from a single-family residential community to a commercial strip of larger big-box stores as the Proposed Action alignment nears Sheridan Drive and continues north along Niagara Falls Boulevard toward Maple Road and the proposed Boulevard Mall Station.

Commercial square footage increases as the Proposed Action alignment nears Eggert Road and intersections become larger. At this point, Niagara Falls Boulevard becomes solely commercial without dispersed residential pockets. Retail and services, including big-box retailers and chain restaurants, dominate the project corridor. The Boulevard Mall anchors the retail character. The mall parking lot is generally at low capacity, and the property itself is primed for redevelopment. The commercial area around Niagara Falls Boulevard and Maple Road is known as a regional commercial destination.

North and east of the proposed Boulevard Mall Station along Maple Road, mostly larger-scale commercial uses exist (e.g., grocery, retail, restaurants, and office). Sweet Home Middle School lies within this commercial area, providing surrounding green space. Sweet Home Road is less developed than Niagara Falls Boulevard and Maple Road but still contains commercial, office, academic, and multifamily residential uses. The major development on Sweet Home Road is a mixed-use plaza, which serves the UB North Campus. Attached two-story townhouses, used for student housing, are just south of Rensch Road along Sweet Home Road before the Proposed Action alignment turns into the UB North Campus. Additional development in the form of a new hotel and new student housing complex are under construction.

The UB North Campus has its own character that is different from the other neighborhoods surrounding the Proposed Action alignment and is a major contributor to the character of the study area. The campus was designed and built in the 1960s and 1970s as a part of a master-planned community geared toward vehicular access. The campus hosts most of the undergraduate programs and student population within the university. The university is a major element in the Proposed

Action, because the student population will be a major ridership generator. The portion of the Proposed Action alignment north of UB North Campus is part of the same master-planned community theme, consisting of campus-style office parks and residential neighborhoods. The Town of Amherst Town Complex consists of a library, senior center, police/court building, and a public park. As the alignment travels along John James Audubon Parkway north of UB North Campus, campus-style office, community facilities, and commercial uses front the corridor with residential development to the east. The northern-most portion of the alignment north of Dodge Road is vacant and wooded but was proposed to be part of the master-planned community.

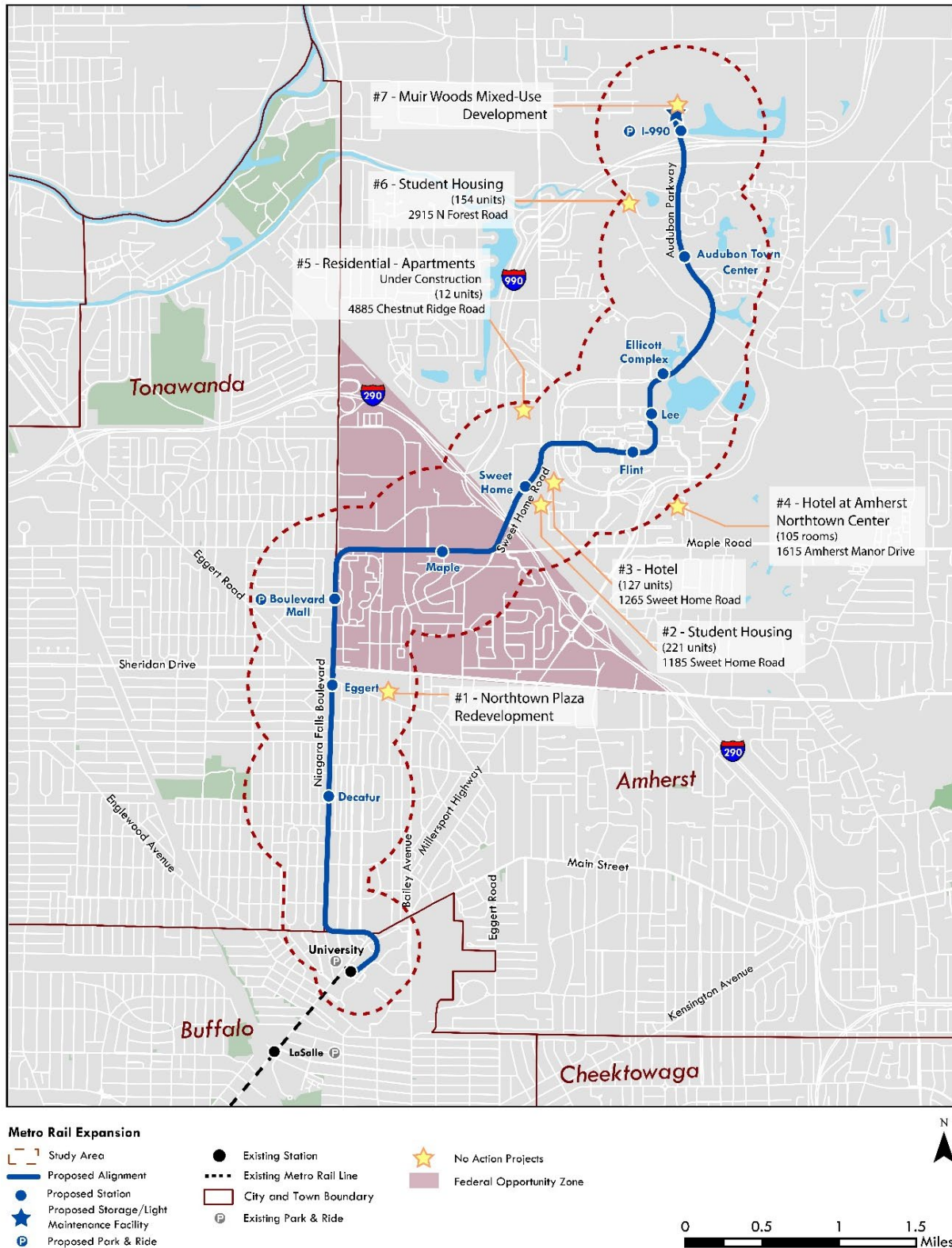
2.3 FUTURE WITHOUT THE PROPOSED ACTION

The No Action condition would consist of a future scenario with no changes to the Proposed Action corridor, beyond the projects that are already committed and planned by others. Information request letters were transmitted to Amherst, Tonawanda, and Buffalo asking for information regarding recently approved or planned private or public developments that are anticipated to be completed by the Proposed Action's analysis year (2040), and generally located within study area. Information was also requested regarding anticipated zoning projects and/or capital improvement projects within the study area.

Information received at the time of publication of this draft environmental impact statement are shown on Figure 2-6 and has been reviewed as part of the impact evaluation. As shown on Figure 2-6, the No Action condition would consist of several residential and mixed-use developments along the corridor. No Action condition projects are in Amherst and consist of two student housing projects, two hotels, a 12-unit apartment building, and two mixed-use developments: Northtown Plaza Redevelopment and Muir Woods Mixed-Use Development.

In addition to these planned developments, the Boulevard Mall has recently been sold to multiple new owners and coordination with the town of Amherst and the Niagara Frontier Transportation Authority (NFTA) is on-going relating to redevelopment. Moreover, a federal opportunity zone is located in Amherst. The Opportunity Zones program is a tax deferral investment program designed to spur community development in distressed areas by providing long-term tax benefits to investors. Amherst released a Draft Generic Environmental Impact Statement in August 2019 to evaluate the cumulative impacts of growth within this opportunity zone (Amherst Boulevard Central District). The SEQRA action involves the application of newly adopted mixed-use zoning districts in the commercial areas of an approximately 1,260-acre study area, bounded on the east and north by the Interstate 290 (I-290), the west by Niagara Falls Boulevard and on the south by Sheridan Drive, as well as including properties immediately to the south of Sheridan Drive. The goal of the Amherst Boulevard Central District is to encourage mixed-use development and increased density, maximize economic investment and tax revenue, improve mobility and pedestrian access via public transit, bicycling, and walkability, invest in aged infrastructure systems, and protect and enhance surrounding residential neighborhoods.

Figure 2-6. No Action Condition Projects within the Study Area



Source: Erie County, 2019

Most of the development projects assumed under the No Action condition would remain consistent with land use, zoning, or adopted plans and policies that pertain to the study area. The exception is the Muir Woods development. An Amherst-based developer plans to build single-family homes on 46 acres within the 326-acre property and sell remaining portions of the property to a student housing developer that would develop student housing in two phases. Development is planned in phases and would be market-driven. The developer is working with Amherst and various utility companies on infrastructure planning. Eighty acres have been set aside for mixed-use commercial and retail development, and the remaining nearly two-thirds of the land would remain “green” with no projects planned.

The Muir Woods development project would be a significant change to the existing land uses and community character compared to the vacant and wooded lot. However, the new residential and mixed-use development would be consistent with adjacent land uses along Audubon Parkway. The proposed development would be consistent with Amherst zoning and public policy. As such, the No Action condition would not result in effects to land use, zoning and public policy.

With the No Action condition, enhanced access to transit associated with the implementation of the Proposed Action would not occur to support future land use, as called for in adopted plans and policies. Therefore, the No Action condition would not be consistent with adopted land use controls, policies, and guidelines.

2.4 PROPOSED ACTION

The following analysis addresses land use, zoning, and public policy, and the compatibility of the Proposed Action with surrounding uses and densities, and consistency of the Proposed Action with local plans and ordinances. As described in Chapter 1, “Project Description”, the purpose of the Proposed Action is to provide a fast, reliable, safe, and convenient transit ride in the Metro Rail Expansion corridor, linking established and emerging activity centers along the existing Metro Rail line in Buffalo with existing and emerging activity centers in Amherst. Therefore, with this purpose in mind, the Proposed Action’s compatibility with the surrounding area has been examined.

2.4.1 Land Use

The Proposed Action would alter existing land uses at proposed station locations and along the alignment. Sections 2.4.1.1 and 2.4.1.2 describe anticipated land use changes at both the corridor and station levels. In addition, Chapter 4, “Acquisitions and Displacements,” provides more detailed information on the number of displacements/relocations.

2.4.1.1 Corridor Impacts

The Proposed Action would be constructed primarily along existing transportation right-of-way. See Appendix D, “Conceptual Plans” for the Proposed Action conceptual design. Portions of the Proposed Action would be constructed in areas where there is insufficient right-of-way width. As such, implementing the Proposed Action would require acquiring property and, in some cases, displacing commercial and residential uses. Property acquisitions and displacements are described in Chapter 4, Property Acquisitions and Displacements.

Most direct, corridor-level land use impacts would affect commercial properties. Displacement and direct land use changes to residential properties would be limited to two residential properties. Therefore, the overall land use composition would not change substantially. Some loss of business property and parking facilities would also occur on individual properties. No significant adverse land use impacts would be expected from these changes. Land use benefits would also occur through the Proposed Action's support for existing and future transit-oriented development.

The 2018 Comprehensive Transit-Oriented Development Planning study demonstrated that the proposed transit investment would have the ability to enhance mobility options for the community and support broader social and economic goals by promoting transit-oriented development. The Proposed Action would enhance regional mobility and is part of a larger regional investment strategy to leverage economic and community development opportunities associated with transit investment.

While the Proposed Action would not create population, the transit investment would enhance mobility options for the community and serve to support broader social and economic goals by promoting transit-oriented development (TOD). Chapter 3, "Socioeconomic Conditions" describes this growth in population and employment, as development patterns shift closer to the Proposed Action corridor. As noted in Chapter 20, "Indirect and Cumulative Effects", the Proposed Action could encourage residential and commercial growth in the study area by providing improved transit access. Based on the findings of the GBNRTC report, future development indirectly resulting from the Proposed Action is expected to add approximately 8.4 million square feet of commercial and residential space throughout the study area.

While the supply of available vacant, underutilized, and/or redevelopment parcels in the study area could accommodate the projected household and employment growth expected to occur through 2040, development induced by the Proposed Action would depend on revising zoning and land use policies in Amherst and Tonawanda and eliminating development constraints such as sanitary and storm sewer capacity issues. Assuming the land use and infrastructure requirements would be met, TOD could occur, resulting in new growth.

2.4.1.2 Station Area Impacts

Most direct land use impacts would occur on parcels around the Proposed Action stations, resulting from the conversion of existing land uses needed to accommodate the stations as well as the two proposed park & ride facilities. The development of the park & ride facilities would be incorporated into the station area plans. In addition, during final design, the NFTA will evaluate sustainable design features that could be incorporated into the proposed stations in accordance with city and town regulations and guidance that apply to land use (see Section 2.1.1, "Land Use"). The proposed stations would be consistent with local plans and policies and have beneficial land use and environmental effects by supporting existing and future development in the station areas and acting as focal points for future growth. Guidelines for this growth will be detailed in station area plans, which will outline the unique characteristics critical to integrating each station with its surrounding area. The station area plans will be developed, in the future, in coordination with municipalities and neighborhoods. The following sections describe anticipated changes to land use within each station area. Renderings of the proposed stations are provided in Chapter 1, "Project Description" and Chapter 7, "Visual Resources".

DECATUR STATION

The proposed Decatur Station platform would be located on Niagara Falls Boulevard north of Decatur Road at the intersection of Yale Avenue. The station would have side platforms within the existing right-of-way of Niagara Falls Boulevard. A substation would be located west of the station and would require property acquisition, including a full acquisition at the south corner of Decatur Road and Niagara Falls Boulevard and a partial acquisition of the parcel to the west. Refer to Chapter 4, “Acquisitions and Displacements” for a full list of property acquisitions. Residents of the surrounding neighborhoods would benefit from increased transit access and mobility provided by the Proposed Action. The station would be compatible with existing surrounding land use.

EGGERT STATION

The proposed Eggert Station platform would be located on Niagara Falls Boulevard just south of Eggert Road. The station platform would have side platforms within the existing right-of-way of Niagara Falls Boulevard. A substation would be located west of the station, along with a bus transfer. Full acquisition would be required on the east and west sides of Niagara Falls Boulevard to account for the station, substation, and a bus transfer. Refer to Chapter 4, “Acquisitions and Displacements” for a full list of property acquisitions. The mixed retail and business activity in the station area would benefit from increased access and connection to population centers. Residents of the surrounding neighborhoods would benefit from increased transit access and mobility provided by the Proposed Action.

BOULEVARD MALL STATION

The proposed Boulevard Mall Station platform would be located on Niagara Falls Boulevard north of Treadwell Road near the entrance of the Boulevard Mall parking lot. The station platform would have side platforms within the existing right-of-way of Niagara Falls Boulevard. The land use surrounding this station is dominated by the retail presence of surrounding plazas and the Boulevard Mall. New developers have purchased the rights to the mall property, leaving the future use uncertain. A new Metro Rail station could incentivize development of mixed-use land use on the property, and the Town of Amherst approved revisions to its zoning that would allow for denser, mixed-use transit-oriented development at the site. The new transit-oriented “Live,Work,Play” neighborhood based around the station would transform the mall property and infill vacant or underutilized properties. Complete street treatments around this station would improve walkability and multi-modal transportation opportunities. The big-box retailers and services in the mall property as well as surrounding residences would benefit from the increased transit access. A proposed park & ride facility would be located in the proposed Boulevard Mall Station. The park & ride facility would not cause any changes to land use because it would be located in the existing Boulevard Mall parking lot, which contains sufficient parking capacity to facilitate a proposed park & ride facility.

MAPLE STATION

The proposed Maple Station would be located on Maple Road east of Bowmart Parkway, in front of the western entrance of Sweet Home Middle School. The station platform would have side platforms within the existing right-of-way of Maple Road, and there would be no major land use changes as a result of the Proposed Action. The surrounding office, retail, and grocery shopping would benefit from increased access to transit. Access to Sweet Home Middle School could be preserved to allow for

existing on-site flow of buses and student pickups/dropoffs to continue. Neighborhoods and residences located on the streets parallel to Maple Road would benefit from increased access to transit. The proposed station would be compatible with overall land use composition.

SWEET HOME STATION

The proposed Sweet Home Station would be primarily located within the street right-of-way. Partial property acquisition may be required for the parcel on the east side of Sweet Home Road on property sited for a future hotel and property owned by UB and Erie County. See Chapter 4, Property Acquisitions and Displacement. Since the development of the proposed hotel is underway, the station would not cause major land use changes. The future hotel, the existing mixed-use plaza, multifamily apartments, shops, restaurants, and the office building would benefit from increased transit access.

FLINT STATION

The proposed Flint Station platform would be located on the UB North Campus on a grassy area between Park Hall and Jacobs A Lot (parking). The station would not cause any major changes to land use on campus but would cause operational changes and future planning on the campus.

LEE STATION

The proposed Lee Station platform would be located on the UB North Campus starting south in the existing Lee loop, extending north, in the grassy area between the bookstore parking lot and Lee Road. The station would not cause any major changes to land use on campus but would cause operational changes and future planning on the campus. UB is proposing future development along Lee Road, which would be compatible with this proposed station. Current bus services operating in Lee Loop would be disrupted by the Proposed Action, as described in Chapter 13, “Transportation.” However, the Proposed Action would accommodate bus operations with a new loop.

ELLICOTT COMPLEX STATION

The proposed Ellicott Complex Station platform would be located on the UB North Campus starting in the grassy area east of Lee Circle continuing east into the right-of-way of the northbound side of Audubon Parkway. UB is proposing future development along Lee Road, which would be compatible with this proposed station. The station would not cause any major changes to land use on campus. The station would benefit the student residential community that is on the fringe of the campus limits by connecting this population to the campus center.

AUDUBON STATION

The proposed Audubon Station platform would be located on the east side of the existing northbound lane of Audubon Parkway. The center platform would be located on a grassy area in front of the Amherst Public Library and Town Complex. The existing land use is defined by large office buildings, community facilities such as the library and courthouse, as well as a healthcare facility. There is also a portion of residential land use north of the proposed station. The Proposed Action would not cause major changes in land use and would benefit office commuters as well as the surrounding residential neighborhoods. The focus of this station area plan is to create a transit-oriented neighborhood center within the traditional office park setting of Audubon, utilizing the civic services at the Amherst Town Complex as a generator. Access to the Town Complex facilities (i.e., library, senior center, police and court) would also be enhanced. The Proposed Action would be

consistent with Amherst’s plans to convert Audubon Parkway to a 2-lane roadway utilizing the southbound lanes and converting the northbound lanes into a multi-use path.

I-990 STATION

The proposed I-990 Station platform would be located on the existing site of Muir Woods, north of the I-990 and terminus of Audubon Parkway. A student housing development is proposed as part of the No Action condition (Section 2.3) that would alter the current land use of the area. The center platform would be located on the site of future development. There would not be major land use change as a result of the Proposed Action, because the land use change caused by the development was assumed in the No Action condition; however, the proposed station could alter and increase the density of the development. This terminus would host a park & ride facility that would aim to attract I-990 commuters. This proposed station would benefit residents in surrounding neighborhoods as well as commuters from distant suburbs utilizing the park & ride facility by improving transit access of commuters to downtown employment centers and UB.

In addition, the Proposed Action would include a storage facility to store LRT vehicles overnight and perform light maintenance and cleaning at the end of line, north of the I 990 and Audubon Parkway interchange. The storage facility would be fully enclosed with staff facilities to account for offices, restrooms, and lockers. NFTA has been coordinating with the developer of the property to incorporate the storage facility, station, and park & ride facility. No displacements would occur and direct land use changes would not result from the implementation of the Proposed Action.

2.4.2 Zoning

The Proposed Action would be consistent with local underlying zoning, comprehensive plans, and future development. The Proposed Action is compatible with the zoning codes and frameworks of the Buffalo Green Code and the zoning codes for Tonawanda and Amherst. In terms of public policy, the Proposed Action would be consistent with the plans listed in Section 2.1.1 and would further support the public policy initiatives by developing additional public transit connections. The potential positive impacts include enhanced development, improved access and mobility, and the integration of transportation and land use, to create sustainable growth within the region. In addition, existing and future development would be served by the improved transportation access and travel options that the Proposed Action would provide.

2.4.3 Community Character

The effect of the Proposed Action on community character would be felt mostly on the residential areas immediately adjacent to the Proposed Action alignment. As discussed in Section 2.2.3, the community character of the study area is currently shaped by the land uses along the Proposed Action corridor. The Proposed Action would maintain the existing land uses and the functionality of the transportation corridor. The following analysis does not identify adverse community character impacts related to the project.

2.4.3.1 Socioeconomic Conditions

The neighborhood character would not be adversely affected due to the potential effects of the Proposed Action on socioeconomic conditions. As discussed in Chapter 3, “Socioeconomic Conditions,” it is concluded that the Proposed Action would not result in adverse environmental impacts due to changes in socioeconomic conditions as the Proposed Action would generate economic benefits for the surrounding communities and region.

2.4.3.2 Visual Resources

As described in Chapter 7, “Visual Resources”, the Proposed Action would be visible from certain aesthetic resources or sensitive viewer locations along the alignment. However, the Proposed Action would not result in an adverse visual impact because the Proposed Action would not obstruct views to visual resources or otherwise notably detract from or cause a diminishment of the public’s enjoyment of a resource. Therefore, the Proposed Action is not expected to affect the character of the study area.

2.4.3.3 Noise

As described in Chapter 14, “Noise”, the implementation of the Proposed Action would increase noise in the study area. The potential for adverse noise impacts was identified at residences within 172 feet of the surface tracks along John James Audubon Parkway between Dodge Road and the Amherst Police station. The additional noise is not expected to affect the overall character of the communities in this area.

2.5 MITIGATION

Minimal direct land use changes are anticipated as a result of the Proposed Action. Land use conversions would be required primarily for alignment transitions and the acquisitions associated with the proposed stations, substations and maintenance facility, as well as for widening the right-of-way to accommodate Metro Rail in the median. Chapter 4, “Acquisitions and Displacements” describes the land acquisitions needed for the Proposed Action. Property acquisition activities, including relocations, would be performed in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) as amended and Federal Transit Administration Circular 5010.1D, Grants Management Requirements and all applicable New York State laws that establish the process through which NFTA may acquire real property through a negotiated purchase or through condemnation. These changes would not affect the overall land use composition of the corridor, and therefore, no mitigation is warranted.

The Proposed Action is consistent with local plans and policies and could further influence Tonawanda and Amherst to further adjust zoning along the corridor as they progress with zoning revisions in the upcoming years. No mitigation is required.

As described in Chapter 14, “Noise”, mitigation measures were incorporated to reduce the potential for noise impacts. These mitigation measures include vehicle rail skirts that break the line of sight between the wheel-rail contact point and adjacent noise receptors (e.g., residences). To reduce noise in the residential areas along the Proposed Action alignment north of the Ellicott Complex Station, speed would be limited to 28mph, and warning bells would not be used at at-grade crossings. With these mitigation measures in place, the potential for adverse noise impacts would remain for

residences within 172 feet of the surface tracks along John James Audubon Parkway between Dodge Road and the Amherst Police station. However, the additional noise is not expected to affect the overall character of the communities in this area.