

MINUTES

April 7, 2015

Chairman Smith called the Planning Commission Meeting to order at 7:05 p.m. in the City Council Chamber and announced that Ordinance 1-15-02 was withdrawn and the subdivision matter entitled Equestrian Estates would be continued at the request of the applicant. The following Commission members were in attendance:

Michael Smith, Chairman
Gene Nadeau
Kenneth Mason
Fred Vincent
Lynne Harrington
Mark Motte
Kim Bittner

Also present were:

Peter Lapolla, Planning Director
Stephen Marsella, Esq., Assistant City Solicitor
Jason Pezzullo, Principal Planner
Lynn Furney, Senior Planner
J. Resnick, Clerk

APPROVAL OF MINUTES

Upon motion made by Mr. Vincent and seconded by Mr. Nadeau, the Commission unanimously voted to approve the minutes of the March 3, 2015, Plan Commission Meeting.

ORDINANCE RECOMMENDATIONS

Ordinance #1-15-01 In Amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (950 Phenix Avenue)

Mr. Lapolla stated that no drive through restaurants would be allowed in the proposed MPD. He also stated that some of the proposed building heights will be 45 ft. tall. The site consists of approximately 16.67+/- acres and is bounded by vacant land to the south, Phenix and Natick Avenues to the west, a municipal skating rink and animal shelter to the north and I-295/Route 37 ramps to the east. Portions of the site are within a Special Flood Hazard Area and are subject to Chapter.17.16.010 of the City Code.

The ordinance, as submitted, proposes:

- A storage component consisting of 1 two-level self-storage building with 81,000 SF, 2 one-level automobile storage buildings with 14,500 SF and 6,000 SF, and 1 one-level commercial storage building with 12,000 SF, with associated parking, landscaping, and storm water management areas.
- A 12,000 SF retail/commercial building fronting on Phenix Avenue that may have a number of uses such as dry-cleaning, coffee shop, legal and/or realty offices, salon, bank, or convenience store.

Attorney John Mancini; on behalf of the applicant, BCP Properties, LLC, stated that this parcel has been discussed for about "the past decade". He stated that the project consists of the following components: 1) soft retail, the likes of

which are seen in C-3 and C-4 Zones. Retail on the first floor and office on the second floor is proposed. A drive through for a bank is proposed. 2.) The largest building will be 388 units of climate controlled self storage. The building will be a shingle style building without the "big box" look. 3.) Commercial storage (16,000 sq. ft. building), as allowed, with one garage/one door. Small businesses will be allowed to store their equipment. There will be 14-15 of this type of unit. At this time the developer is unsure if these units will be owned or rented. 4.) Buildings 4a and 4b will be for automobile storage that will allow up to two cars per unit. One building will be 6,000 sq. ft. and the other will be 14,000 sq. ft. No auto body or mechanic work will be allowed in these units.

Mr. Mancini explained that a monument sign is proposed for Phenix Avenue. A 340 sq. ft. (half the size of a billboard) pylon sign, advertising the storage facility only, is proposed to the rear of the property so as to be visible from Route 295 (and possibly Route 37). He stated that this sign will not be visible from Phenix Avenue and will be blocked by trees. The sign will be no more than 20 ft. above the tree line. As the Plan Department staff expressed concern that the rather large pylon sign will be unreadable from Route 295, Mr. Mancini stated that his client is "willing to do a balloon test". Mr. Mancini proposed that the pylon sign be eliminated from the MPD proposal and be subject to further due diligence by the applicant. He stated; "It is not to our advantage to have a sign that serves no purpose."

Mr. Vincent expressed concern over the possibility of hazardous materials being stored on the site. Mr. Mancini responded, stating that the applicant must submit a hazardous materials plan. Further, the project will be subject to approval by the Development Plan Review Committee. He further stated that these storage buildings will be state-of-the-art and fully monitored, either by camera or a guard.

Ms. Harrington asked about car washing. Mr. Mancini stated that the buildings will have a drainage system to accommodate this.

Mr. Fred Joslyn, 23 Gaglione Ct., asked if BCP is a separate entity. Mr. Mancini state that it is a separate entity. Mr. Joslyn then asked if the proposed pylon sign be illuminated or digital. Mr. Mancini responded, stating that the sign will not be electronic; there would be no movement.

Councilman Mario Aceto stated that Route 295 N presently has three gas station signs and one Dunkin Donuts sign. He stated that RIDOT allows small directional signs near the exit ramps.

Mr. Dave Taglianetti, gave a brief overview of the proposed traffic lanes and stated that the design has not been finalized.

There being no further comments, the Commission moved to a vote. Upon motion made by Mr. Motte and seconded by Mr. Vincent, the Commission unanimously voted (7/0) to make a favorable recommendation to the Ordinance Committee on this proposal subject to the following: 1.) The Narrative shall be amended by adding the following language: "Mechanic work and/or auto body work shall not be allowed in the automobile storage units" and, 2.) Section 5 – Signs of the Narrative shall be amended to remove any language that refers to a pylon sign to be located on site.

SUBDIVISION AND LAND DEVELOPMENTS

Equestrian Estates - Final Plan
Major Subdivision with street extension
Laten Knight Road - AP 28, Lot 11

Upon motion made by Mr. Motte and seconded by Ms. Bittner, the Commission unanimously voted to continue this matter to the May 5, 2015, Plan Commission Meeting.

Garfield Avenue Subdivision - Preliminary Plan
Minor Subdivision w/o street extension
Garfield Avenue- AP 7/2, Lot 91

Mr. Pezzullo explained the proposal is for a four-lot minor subdivision without street extension. The subject lot has a total land area of 769,045 sq.ft. (17.65 acres) and the applicant proposes to subdivide this and create four new conforming parcels:

- AP 7-2 Lot 91 – 699,925
- Lot 2 – 17,280
- Lot 3 – 17,280
- Lot 4 – 17,280

- Lot 5 – 17,280

The proposed subdivision conforms to the minimum C-4 dimensional and density zoning requirements and is consistent with the Cranston Comprehensive Plan – Future Land Use Map which calls for Highway Commercial. At this time, there are no land development projects associated for the proposed lots. All lots will be serviced by public water and public sewer. All future proposals for these parcels will be subject to the approval of the Development Plan Review Committee.

Attorney Mancini, representing the property owner/s, Rhode Island Industrial Facilities Corporation, reiterated Mr. Pezzullo's comments. Mr. Mason, Public Works Director, asked about the old remediation system from the former brewery. Ms. Molly Titus, project engineer, stated that the system was deactivated in 2005.

No public comment was offered on this matter.

Upon motion made by Mr. Motte and seconded by Mr. Nadeau, the Commission voted (6/0, Mr. Vincent abstained) to adopt the Findings of Fact denoted below and approve this Preliminary Plan, subject to the following condition.

Positive Findings

1. An orderly, thorough and expeditious technical review of this Preliminary Plan has been conducted. Property owners within a 100' radius have been notified via first class mail on 3/27/15 and the meeting agenda has been properly posted. Advertisement for this minor subdivision is not required under Section V.C.2.h of the City of Cranston Subdivision Regulations since no street extension is proposed.
2. The proposed commercial subdivision lots conform to the Comprehensive Plan – Future Land Use designation of Highway Commercial.
3. The proposal will not alter the general character of the surrounding area or impair the intent or purpose of the Cranston Zoning Code.
4. There will be no significant negative environmental impacts from the proposed subdivision as shown on the Preliminary Plan.
5. The proposed subdivision promotes high quality appropriate design and construction, will be well integrated with the surrounding neighborhoods and will reflect its existing characteristics.
6. The proposed subdivision will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
7. The lots in question have adequate permanent physical access on Garfield Avenue, an improved public roadways located within the City of Cranston.
8. The proposed subdivision provides for safe and adequate local circulation of pedestrian and vehicular through traffic, for adequate surface water run-off and for a suitable building site.
9. Significant cultural, historic or natural features that contribute to the attractiveness of the community have not been identified on site.
10. The design and location of streets, building lots, utilities, drainage and other improvements conform to local regulations for mitigation of flooding and soil erosion.

Condition of approval

Municipal Lien Certificate for the existing lot shall be submitted with the Final Plan application prior to recording in land evidence.

Pine Orchard Estates – Preliminary Plan
Minor Subdivision w/o street extension
Pippin Orchard Road - AP 28, Lot 197

Mr. Pezzullo stated that the proposal is for a five-lot minor subdivision without street extension. The subject lot has a total land area of 729,511 sq.ft. (16.75 acres) and the applicant proposes to subdivide this into five new conforming parcels:

- Parcel A – 80,236
- Parcel B – 176,422
- Parcel C – 186,662
- Parcel D – 129, 231
- Parcel E – 156,960

The proposed subdivision conforms to the minimum A-80 dimensional and density zoning requirements and is consistent with the Cranston Comprehensive Plan – Future Land Use Map, which calls for residential density less than 1 unit per acre. All lots will be serviced by public water and public sewer.

Ms. Linda Allard, Pippin Orchard Road, asked where the subdivision is. Mr. Pezzullo responded, stating that all lots will front on Pippin Orchard Road where there are currently pine trees. Ms. Allard then asked if a pumping station is required. Mr. Pezzullo responded, stating that Providence Water will provide a water adequacy statement. Ms. Allard then asked about trees that were planted on the property with Federal money from the government effort to preserve farming and agriculture. Mr. Pezzullo stated that he would have to look further into that matter as he had no knowledge that trees were planted with Federal funds.

Ms. Allard then asked if Pippin Orchard Road would be expanded, citing the additional traffic from these five homes. Mr. Vincent responded, stating that five more homes would have no impact on traffic.

Homeowner Richard ? expressed concern with water on Pippin Orchard Road and asked if “drainage will be put in on the road”. Mr. Pezzullo responded, stating that five homes is a low impact development. Mr. Mason also responded, stating that Pippin Orchard Road is a state road, and the applicant is not proposing a change in topography.

Mr. Bill Taylor, 1199 Pippin Orchard Road, stated that he is “at the low end of the road” and asked “where will the water go”? He asked if further engineering will be done. Assistant City Solicitor, Steve Marsella, responded, stating that new RIDEM regulations require zero net run off, therefore, this will be addressed at the building permit process.

No further comment was offered on this matter.

Upon motion made by Mr. Motte and seconded by Mr. Nadeau, the Commission unanimously voted (7/0) to adopt the Findings of Fact denoted below; contingent upon verification of a recorded conservation easement statement to preserve the trees, and approve this Preliminary Plan subject to the conditions denoted below.

Positive Findings

1. An orderly, thorough and expeditious technical review of this Preliminary Plan has been conducted. Property owners within a 100’ radius have been notified via first class mail on 3/27/15 and the meeting agenda has been properly posted. Advertisement for this minor subdivision is not required under Section V.C.2.h of the City of Cranston Subdivision Regulations since no street extension is proposed.
2. The proposed subdivision and its resulting density of approximately .29 residential units per acre is consistent with the City of Cranston Comprehensive Plan’s Future Land Use Map which designates the subject parcel as “Residential” less than one unit per acre.

3. The proposal will not alter the general character of the surrounding area or impair the intent or purpose of the Cranston Zoning Code.
4. There will be no significant negative environmental impacts from the proposed subdivision as shown on the Preliminary Plan.
5. The proposed subdivision promotes high quality appropriate design and construction, will be well integrated with the surrounding neighborhoods and will reflect its existing characteristics.
6. The proposed subdivision will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
7. The lots in question have adequate permanent physical access on Pippin Orchard Road, an improved public roadways located within the City of Cranston.
8. The proposed subdivision provides for safe and adequate local circulation of pedestrian and vehicular through traffic, for adequate surface water run-off and for a suitable building site.
9. Significant cultural, historic or natural features that contribute to the attractiveness of the community have not been identified on site.
10. The design and location of streets, building lots, utilities, drainage and other improvements conform to local regulations for mitigation of flooding and soil erosion.

Conditions of approval

1. Applicant shall submit the filing fee in the amount of \$1,050 at the time of Final Plan submission.
2. Applicant shall submit correspondence from Veolia Water stating completion and approval of all design work relating to the connection of sewers from the City's RISE Line.
3. Applicant shall submit correspondence from the RIDEM that all of the flags illustrated on the Record Plan are accurate and have been verified.
4. Connection to public utilities located within Pippin Orchard Road are subject to RIDOT Physical Alteration Permit.
5. If Federal funding was provided to the property owner for preservation of farmland and agriculture, documentation of a recorded conservation statement to preserve the trees is required.
6. Final Plan will be handled administratively.

Chapel View – Final Plan
 Mixed-Use Planned District / Major Land Development
 Restoration of landscape islands

The Plan Commission unanimously agreed to extend the deadline for restoration of the landscape/islands, with work to start by May 1, 2015, and be completed by May 15, 2015.

PERFORMANCE GUARANTEE

Whispering Pines
 Bond Reduction Request

This matter was mistakenly placed on the agenda.

ZONING BOARD OF REVIEW RECOMMENDATIONS

RANDALL REALTY CORP 46 WOODMONT DRIVE CRANSTON RI 02920 (OWN) AND JOSEPH MASTRATI III D/B/A SECOND TIME AROUND SPORTS 52 POMHAM STREET CRANSTON RI 02920 (APP) have filed an application for permission to operate a retail sales business including new and used merchandise from an existing building with restricted frontage, side and rear yard set-back on an undersized lot at **453 Atwood Avenue**. AP 12/4, lot 3119, area 15,000+/- SF, zoned M-1. Applicant seeks relief from Section 17.92.010 Variance, 17.20.030 Schedule

of Uses, 17.20.120 Schedule of Intensity, 17.88.010 Substandard lots of Record, 17.64.010 Off-Street Parking, 17.72.010 Signage.

This application was reviewed for conformance with criteria (3) of R.I.G.L. 45-24-41 (c) "Standards for Variance" which reads as follows: "That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based."

Findings of Fact:

1. The application for a commercial retail use is consistent with the 2010 Comprehensive Plan Future Land Use Map that designates this area of Atwood Avenue as Highway Commercial.
2. Nine of the ten buildings located on Atwood Avenue located within the area currently zoned as M-1, are commercial/retail uses.
3. The building previously contained all commercial/retail uses, i.e. Atwood Liquor Mart, D & M Tire and Richco Auto Supply.
4. A 3.5" x 12' (42 sq. ft.) sign is proposed for the building's front wall and a second sign that is the same size, is proposed on the rear wall, facing Libera Street.
5. The existing 2-sided, freestanding sign on Atwood Avenue is 99 sq. ft. That sign will be removed and replaced with a new freestanding smaller 2-sided sign that measures 4' x 6' (48 Sq. ft.)
6. The proposed freestanding sign is 15'7" high, which is the same height as the former sign.
7. Total proposed signage for the entire site is 132 sq. ft.
8. The existing 15,000 sq. ft. lot was created in 1960, prior to the adoption of the 1965 Zoning Ordinance, and is therefore, pre-existing, non-conforming.
9. Records in the Planning Office show the building was constructed in 1962, prior to the adoption of the current Zoning Ordinance, therefore the restricted side and rear yard setbacks are legal, non-conforming.
10. The site plan shows 20 off street parking spaces. The 5,760 sq. ft. building would require 29 parking spaces. (5,760 / 200 = 28.8).

Recommendation: The retail application is consistent with the Comprehensive Plan Future Land Use Map that designates this area as Highway Commercial; therefore, upon motion made by Mr. Motte and seconded by Mr. Vincent, the Plan Commission unanimously voted to forward a positive recommendation on this application to the Zoning Board as the application will not alter the general character of the surrounding area. Ayes: 7/0

PLANNING DIRECTORS REPORT – Residential Planned District (RPD) Zoning Amendment

Mr. Lapolla gave an overview of the Plan Department's effort to re-write the RPD regulations. The RPD re-write is an effort to simplify the regulations and take some of the restrictions out. This matter will be further discussed in upcoming meetings.

ADJOURNMENT

Upon motion made by Mr. Motte and seconded by Mr. Mason, the Commission unanimously voted to adjourn at 9:50 pm.

NEXT MEETING May 5, 2015 – City Council Chamber, 7 pm

Respectfully submitted,

Jason M. Pezzullo, AICP
Principal Planner/Administrative Officer