

MINUTES

July 11, 2017

Chairman Smith called the City Plan Commission Meeting to order at 7 p.m.in the City Council Chamber. The following Commission members were in attendance:

Michael Smith, Chairman
Kenneth Mason, P.E.
Robert Strom
Mark Motte
Lynne Harrington
Gene Nadeau
Fred Vincent
Kimberly Bittner
Kathleen Lanphear

Also present were: Peter Lapolla, Planning Director
Stephen Marsella, Esq. Assistant City Solicitor
Jason M. Pezzullo, AICP, Principal Planner
J. Resnick, Clerk

APPROVAL OF MINUTES

Upon motion made by Mr. Vincent and seconded by Mr. Strom, the Commission voted (Ms. Harrington, Ms. Bittner, Mr. Motte and Mr. Nadeau abstained) to approve the June 6, 2017, Plan Commission Minutes.

SUBDIVISION AND LAND DEVELOPMENT

Scituate Farm - Phase 5

Final Plan
Scituate Avenue / Doreen Court
AP 37/3, Lot 15
Request for an additional sub-phase of Phase 5 (no additional housing units)

Mr. Pezzullo explained the request for re-phasing approval of Phase 5 – A & B of the Scituate Farms residential development into Phase 5 – A, B, and C. The Plan Commission approved Phase 5 with two sub-phases in July 2014:

Phase 5A – Lots 31, 32, 33, 39
Phase 5B – Lots 34, 35, 36, 37, 38

The new phasing proposal adds an additional phase (but no additional lots):

Phase 5A – Lots 31, 32, 37
Phase 5B – Lots 33, 38, 39
Phase 5C – Lots 34, 35, 36

Upon motion made by Mr. Motte and Seconded by Ms. Bittner, the Commission unanimously voted (9/0) to

approve the applicant's re-phasing request as it will not alter the Plan Commission's approval. However, the roadway as constructed for these lots has been left for several years without the final topcoat of asphalt. Therefore, the Commission's approval is conditioned upon the final topcoat of asphalt being installed prior to the issuance of any building permits for homes within Scituate Farms Phase 5.

ZONING BOARD OF REVIEW RECOMMENDATIONS

OMEGA, INC. (OWN) AND CRANSTON BTS RETAIL, LLC. (APP) have filed an application for permission to construct a new retail building at **1315 Park Avenue**. AP 11/1, Lot 754, area 29,335 +/- SF, zoned C-3. Applicant seeks relief per Section 17.92.010 Variance; Section 17.64.010 Off-Street Parking and Section 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 proposed retail building is consistent with the 2010 Comprehensive Plan Future Land Use Map that designates this area of Park Avenue as Neighborhood Commercial.
2. A portion of the former Old Park Avenue that abuts the Dyer Avenue side of the applicant's property, was abandoned by the City Council on May 22, 2017, which, after the approval of an Administrative Subdivision, will increase the total area of the property to 36,716 sq. ft.
3. The total building area is 7,512 sq. ft., which requires 38 parking spaces. The site plan provides 23 spaces.
4. The parking plan and site circulation have been approved by the City's Traffic Engineer.
5. The building has a 60.5 ft. front yard setback from Park Avenue, and a 16.4 ft. setback from Dyer Avenue, where a 0 setback is allowed in a C-3 zone.
6. The proposed 2 sided freestanding pylon sign is 10' x 5' for a total of 100 sq. ft., where 35 sq. ft. is allowed per the sign ordinance.
7. The pylon height is 15' which is permitted by zoning.
8. The proposed building (one) wall sign is 3'-9" x 26' for a total of 97.28 sq. ft., where 30 sq. ft. is allowed.
9. The total area of signage on the lot is 197.28 sq. ft., where 200 sq. ft. is allowed.
10. The application received a Development Plan Review approval on June 21, 2017.

Recommendation:

The proposed retail use is consistent with the 2010 Comprehensive Plan Future Land Use Map that designates this area of Park Ave. as Neighborhood Commercial, and the site circulation and parking plan incorporates the Development Plan Review approval. The Commission finds that the request for increased area of freestanding signage and wall signage still falls below the total area of signage allowed in this zone, and therefore, upon motion made by Mr. Vincent and seconded by Mr. Motte, the Commission unanimously voted (9/0) to forward a positive recommendation on this application to the Zoning Board.

W.A.C. & FAMILY, LLC, PAULA SARDELLI AND ROBERT RECCHIA, TRUSTEE OF THE EVELYN RECCHIA IRREVOCABLE TRUST (OWN) AND MPG CORP. (APP) have filed an application for permission to expand the minimart area in a fuel service station and to construct an 8' x 30' cooler box area to rear of existing structure at **1036 Reservoir Avenue**. AP 9/2, Lots 2606 and 2609, area 23,627 +/- SF, zoned C-1. Applicant seeks relief per Section 17.92.010 Variance, Sections 17.20.120 Schedule of Intensity Regulations, 17.48.010 Gasoline Service Station, 17.72.010 Signage, 17.88.030 Extension, and 17.88.050 Structural Alterations.

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 existing fuel service station and mini mart is consistent with the Highway Commercial designation of the 2010 Comprehensive Plan Future Land Use Map.
2. The proposed 8' x 30' cooler box will have a 6.2' setback from Intervale Road. The existing building setback is 11.4'.
3. The mini-mart area will be expanded into three former vehicle service bays of the former fuel service/mini mart business.
4. A new 28' x 102' canopy will be installed over 4 new pump islands.
5. The proposed canopy will have a 28.1' front yard setback from Reservoir Ave., and 31.6' setback from Bridgeton Road, where a 40' setback is required for each.

6. The maximum driveway opening cannot exceed 30' per the zoning code, the Shortway Road frontage formerly had no curbing, but curbing and sidewalk has been added, providing for a 41.5' driveway opening.
7. Some curbing has been provided on Bridgeton Road as well, where there was none, creating a 41' driveway opening.
8. The driveway openings on Reservoir Avenue are 28.2 ft. and 29.8 ft.
9. Three 15 sq. ft. canopy signs (1'-6" x 10') are proposed, one on the front, and one on each side.
10. A 3'x 4' (12 sq. ft.) logo sign is also proposed on the front of the canopy, for a total of 57 sq. ft. of signage on the canopy.
11. One conforming 3' x 8' building wall sign (24 sq. ft.) is proposed, where 30 sq. ft. is allowed.
12. The proposed freestanding 2-sided pylon sign is 18'6" high, and 100 sq. ft. total (5' x 10' x 2), where 12' high and 25 sq. ft. is permitted.
13. Total signage for the site is 181 sq. ft. where 100 sq. ft. total is allowed in a C-1 Zone.
14. Eight parking spaces are required for the mini mart. The site plan provides 12 spaces; curbing and sidewalk has been added to Bridgeton Road frontage, where there was none before.
15. The parking plan has not been approved by the City's Traffic Engineer as of yet.

Recommendation: The application is consistent with the Highway Commercial designation of the 2010 Comprehensive Plan Future Land Use Map. Upon motion made by Mr. Motte and seconded by Ms. Bittner, the Commission voted (7/2 – Ms. Lanphear and Ms. Harrington voted nay) to forward a positive recommendation on this application with the condition that the parking and circulation plan be stamped approved by the City Traffic Engineer. The Commission notes that the total signage proposed would be comparable with the total area of signage permitted in a Highway Commercial Zone.

DAVID SPAZIANO (OWN/APP) has filed an application to install an 8'x8' addition to be used as an outdoor freezer and attached roof to provide protection from the weather to access the freezer at **52 Bald Hill Road**. A/P 18/3, Lot 855, area 1589 +/- SF, zoned C-4. Applicant seeks relief per Section 17.92.010 Variance, Section 17.20.120 Schedule of Intensity Regulations.

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 2010 Comprehensive Plan Future Land Use Map designates this area of the City as Highway Commercial.
2. The building has a 0 front yard setback from Old Bald Hill Road, and 0 yard setback on Bend Street, which is a paper street.
3. The existing building's side yard setback is 14.6 ft.; the proposed right side yard setback for the 8 x 8 freezer is 6.6 ft., where an 8 ft. side yard setback is required in this zone.
4. The proposed front yard setback for the freezer is 5 ft. from Bald Hill Road.
5. The front concrete steps at the building's front door are actually located within the Right of way for Bald Hill Road. A car port type covered walkway will extend from the front door, around the right corner of the building, to the freezer.
6. The proposed roof structure extends about 4 feet into the right of way of Bald Hill Road, and will need an approval from the Cranston City Council, as well as a bond, provided that this section of Bald Hill Road is not a state road.
7. The building is surrounded by asphalt and parking lots.

Recommendation: The 2010 Comprehensive Plan Future Land Use Map designates this area of the City as Highway Commercial. The proposed Commercial use (food Preparation) is consistent with the Comprehensive Plan, therefore, upon motion made by Ms. Lanphear and seconded by Mr. Motte, the Plan Commission voted (7/2 – Mr. Smith and Ms. Harrington voted nay) to forward a positive recommendation on the freezer location to the Zoning Board. With regard to the 4 ft. roof encroachment on to the road right of way, Commission approval is conditioned upon the applicant seeking and receiving prior approval from the required State or Municipal entities.

CRAIG FREEMAN (OWN/APP) has filed an application for permission to build a 936 +/- s.f. single family dwelling with restricted lot width, frontage, area, and side setback at 0 Beckwith Street AP 6/2, lot 318, area 4,000+/- s.f. zone B-1. Applicant seeks relief per Section 17.92.010 Variance, Section 17.20.120 Schedule of Intensity.

Upon motion made by Mr. Motte and seconded by Mr. Vincent, the Commission unanimously voted (9/0) to continue this matter to the September 5, 2017, meeting.

WORKSHOP – ORDINANCE

Cranston Zoning Code - *Residential Planned District (RPD)*

Mr. Lapolla stated that the process to revamp the current RPD Ordinance started over a year ago. The reason for the reconsideration is that the current RPD Ordinance does not address lot size maximums. When this matter was last brought before the City Council, they raised concern with property rights; and no Council members would “sponsor” the revised ordinance proposal.

Mr. Lapolla reiterated the proposal as follows: West of Rt. 295, traditional subdivision proposals would not provide City ownership of public improvements. He stated that should a developer choose to develop using the RPD option, a 10% density bonus would be given along with City maintenance of public improvements.

Mr. Motte endorsed this proposal, stating that “this gets us 75% of what we are seeking”. While the proposal is not a true Conservation Subdivision proposal, it provides a good alternative for the City. Mr. Motte suggested a “more powerful justification” of this proposal before the City Council.

Mr. Lapolla stated that the purpose of the discussion on this night is to make sure that the Plan Commission is “comfortable with this” prior to further action on this matter.

Mr. Vincent suggested modifications to the Public Benefits section – 1, 2, and 3. Mr. Motte suggested eliminating element “B”. All were in agreement with these changes.

Ms. Harrington asked why we don’t just pursue a Conservation Subdivision option. Mr. Motte responded, stating that “this gets us most of what we want”.

ADJOURNMENT

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

NEXT MEETING August 1, 2017 – City Council Chamber, 7 pm

Respectfully submitted,

Jason M. Pezzullo, AICP
Principal Planner/Administrative Officer