

## **MINUTES**

June 5, 2018

Chairman Smith called the City Plan Commission Meeting to order at 7 p.m.in the City Council Chambers.

The following Commission members were in attendance:

Michael Smith, Chairman  
Ken Mason, P.E.  
Robert Strom  
Lynne Harrington  
Fred Vincent  
Kimberly Bittner  
Kathleen Lanphear

Also present were:

Jason M. Pezzullo, AICP, Planning Director  
Stephen Marsella, Esq, Assistant City Solicitor  
Joshua Berry, Senior Planner  
J. Resnick, Clerk

### **APPROVAL OF MINUTES**

Upon motion made by Mr. Mason and seconded by Ms. Harrington, the Plan Commission unanimously voted (7/0) to approve the minutes of the May 1, 2018, Plan Commission Meeting.

### **SENIOR PLANNER** – Introduction / authorize as Administrative Officer for the City Plan Commission

Mr. Pezzullo introduced Joshua Berry to the Commission. Upon motion made by Ms. Bittner and seconded by Ms. Harrington, the Commission unanimously voted (7/0) to authorize Mr. Berry as an Administrative Officer of the Plan Commission.

### **ORDINANCE RECOMMENDATIONS**

#### **Ordinance 3-18-06** – *Amendment to the Cranston 2012 Comprehensive Plan, as amended:* **(Edgewood Architectural Integrity / Pedestrian Safety)**

This ordinance was withdrawn by the sponsor, Councilman Stycos.

### **SUBDIVISIONS AND LAND DEVELOPMENT**

**Johnson Controls** - Master / Preliminary Plan  
Major Land Development w/o street extension  
1467 & 1473 Elmwood Avenue  
AP 4, Lots 1614 & 2645  
Overall campus expansion and upgrade

Attorney Robert Murray, on behalf of Johnson Controls, explained that the site is the former Grinnell site. One lot is owned by Grinnell and the other is owned by Johnson Controls. He stated that the property is zoned M-2 (Heavy Industrial). The subject area of the parcels is approximately 6.58 acres +/-.

The applicant proposes a two-phase development plan that will include some demolition and utility work in the first phase. The second phase will include construction and additions to several buildings. The planned construction includes small additions, canopy structures, a pedestrian bridge to connect a parking area to a building second floor and a planned 21,000 square foot building footprint for a building area to be demolished. The applicant is seeking major land development plan approval and has submitted companion applications to the Development Plan Review Committee (which received Pre-application approval on 5/16/18) and dimensional zoning relief from the Cranston Zoning Board of Review (granted 6/13/18).

Mr. Joseph Casali, P.E., went through a slide presentation. He reiterated that the project will be completed in several phases, and sewer and water improvements are planned. Drainage is to Fenner Pond, and he has been working with the Public Works Department on infiltration improvements.

Mr. Pezzullo reiterated that the project has received DPR Pre-Application and Preliminary Plan approval and that the Committee was satisfied with the overall project as presented.

No public comment was offered on this matter, therefore, the Commission moved to a vote. Upon motion made by Mr. Vincent and seconded by Ms. Lanphear, the Plan Commission unanimously voted (7/0) to adopt the Findings of Fact denoted below and approve this Major Land Development; subject to the following conditions:

## **Findings of Fact**

### Positive Findings

1. An orderly, thorough and expeditious technical review of this Master/Preliminary Plan has been conducted. Property owners within a 100' radius have been notified via certified and return receipt mail on 5/22/18 and the meeting agenda has been properly posted. Advertisement for this major land development was published in the 5/20/18 edition of the Cranston Herald.
2. There will be no significant negative environmental impacts from the proposed land development as shown on the Master/Preliminary Plan and the overall impact from this site will be improved with the proposed drainage enhancements.
3. The proposed major land development conforms to the Comprehensive Plan – Future Land Use designation of “Industrial”.
4. The proposed major land development promotes high quality appropriate design and construction, will be well integrated with the surrounding neighborhoods and will reflect its existing characteristics.
5. The proposed major land development 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.
6. The lots in question have adequate permanent physical access on Elmwood Avenue an improved public roadway located within the City of Cranston.
7. 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.
8. Significant cultural, historic or natural features that contribute to the attractiveness of the community have not been identified on site.
9. The design and location of streets, building lots, utilities, drainage and other improvements conform to local regulations for mitigation of flooding and soil erosion.

### Negative Finding

1. The proposed land development does not conform to the dimensional setback regulations of the M-2 zoning district but will not alter the general character of the surrounding area or impair the intent or purpose of the Cranston Zoning Code as this site is already substantially developed.

### **Conditions of approval**

1. Applicant shall obtain all necessary dimensional relief from the Zoning Board of Review prior to applying for Final Plan application with the Planning Department.
2. Applicant shall receive final approval from the DPR Committee prior to recording the major land development in land evidence.
3. Applicant shall receive the necessary approvals from all outside agencies.

### **Gray Coach Estates** - Phase 2 - Amendment of Final Plan

Gray Coach Lane and Scituate Avenue

AP 36/3, Lot 54

Increase in dwelling units from 94 to 108 units (*116 allowed by-right*)

Final phase to be constructed as multi-level structure vs. town homes

Attorney Robert Murray explained that the applicant has requested to amend the approved and recorded multi-family housing development project currently under construction. The amended overall plan will increase the total number of approved units from 94 units to 108 units (the original proposal was approved for as many as 116 units). The style of the buildings will change from the townhouse style units (4 to 8 units each) back to multi-floor / multi-family construction (12 housing units per building). The roadway and drainage systems will not see any alterations and will not require additional permitting from the RIDPW. He further explained that the infrastructure and utilities were built to accommodate 116 units, and the property has public sewer. No changes are proposed to the landscaping plan, and the natural wetland buffer between the multi-family buildings and the single-family homes will remain.

Mr. Frank Colucci, 208 Gray Coach Lane, questioned whether the developer's presentation is an honest representation, stating that "this will burden existing parking, bring down property values" and expressed concern that this will further exacerbate inadequate water pressure. He further stated that the new proposed buildings will be out of character with the rest of the development.

Area residents, Roland (?), Sheryl Jolly, Kim Pitowsky, King (?) and Rose Cevlic expressed the following concerns: interference with privacy, inadequate detention basin, backyard flooding, inadequate parking, traffic on Scituate Avenue and difficulty exiting the development, statements made to them regarding future development (single-family homeowners were not told of the pending Phase 2 condo project behind them), inadequate snow removal, building maintenance, inadequate dumpster maintenance and lack of recycling.

Attorney Murray responded, stating that "these issues should be brought to the attention of the property management company". He stated that drainage is incomplete as "this is an active construction site". He stated that condominium documents have been filed with the City, and the developer is "under no obligation to declare what he is building". He stated that the project meets the City's parking requirements, and the developer is presently working with the City regarding trash removal. Also, all roadways are private and maintained by a HOA. He further stated that all units were sold via a professional realtor and there was "never any written statement about how the rest of the property would be developed". "All 72 existing units are sold". In closing, he stated that a traffic study was done when the 116 units were approved.

Mr. Pezzullo explained that this project was originally approved in 2005. He mentioned that the developer's request could have been handled as a minor amendment to the overall plan and stated that this amendment actually "looks closer to the original approved project". He further stated that "it is already a mixed style project and is less intense than was originally approved in 2005".

Mr. Mason stated that “the City has nothing to do with snow removal there”, and the dumpster is not serviced by the City either, however, 2 ten-yard dumpsters and recycling bins will be provided when the project is complete. He further stated that Scituate Avenue is a State road, and he does not believe that the entrance “would meet the warrants for a signal”.

Commissioner Vincent stated that he “could not support the additional units as the buyers were not informed of the multi-family buildings”. Chairman Smith also expressed concern with the style of the buildings proposed. Commissioner Lanphear expressed concern with traffic and stated that the Commission would need traffic information that is current.

A motion was made by Mr. Mason and seconded by Mr. Strom to approve the Plan Department staff recommendation of approval, however, the vote did not carry (2/5 – Ms. Bittner, Ms. Lanphear, Ms. Harrington, Mr. Vincent and Chairman Smith voted nay).

## **PERFORMANCE GUARANTEES**

### **Estates at Camden Woods - Phase I**

Major Subdivision with street extension – (Recorded 5/18/18)  
Hope Road, AP 24, Lot 12  
Request for Bond Reduction

The Plan Commission reviewed the applicant’s request for a reduction in the existing bond amount of \$1,673,000.

Upon motion made by Ms. Harrington and seconded by Mr. Vincent, the Plan Commission unanimously voted (7/0) to reduce the bond amount required by 1,208,000; leaving a new required bond amount of \$465,000; in accordance with the Engineering Division’s recommendation.

## **DISCUSSION**

### **SSRE Gold Meadow Farms – 21.5 MW Solar Farm (Recorded 10/18/17)**

Major Land Development without street extension  
Lippitt Avenue  
AP 23, Lots 6,7,8,15,20 and 36 & AP 30, Lot 240

Mr. Pezzullo stated that this item was placed on the agenda for discussion after an email from Doug Doe was sent to the commission. Attorney Robert Murray stated that Mr. Doe expressed concern with the tree trimming of overhanging trees on the site. He stated that no wetland buffers were disturbed for this tree trimming.

Commissioner Vincent stated that “we have not spent enough time on solar requirements”. He stated that the trimming that was done “would not be considered feasible by an arborist”. He further stated that other communities have mandated a vegetated buffer. Commissioner Harrington expressed concern with “explosives and dynamite” that was used. She stated that “we need more stringent standards”. She also stated that the West Bay Land Trust asked for a fifty foot vegetative buffer. Commissioner Bittner stated that she did not support this project because “of pictures like that” and agreed that we need better standards. Assistant City Solicitor, Steve Marsella, stated that “ultimately the City Council would enact performance standards”.

Mr. Pezzullo stated that “we knew full well what the project would look like – the photos depict the edge where the tree clearing stopped”. Chairman Smith stated that he would like to include solar farm standards in the future Plan Commission “work plan”.



## **ZONING BOARD OF REVIEW RECOMMENDATIONS**

**FORTY SOCKANOSSET, LLC (OWN) AND POYANT SIGNS, INC. (APP)** have filed an application to allow increased signage to a site previously granted signage relief at **40 Sockanosset Crossroad, A/P 10**, lot 40 142,006 sq.ft. area, zoned C4. Applicant seeks relief per 17.92.010 Variance; Section 17.72.010(5).

Upon motion made by Ms. Lanphear and seconded by Ms. Harrington, the Plan Commission unanimously voted (7/0) to continue this matter to the July 10, 2018, Plan Commission Meeting at the applicant's request.

**ANDREW N. JORDAN & JODIE L. JORDAN (OWN/APP)** have filed an application to construct a new single-family dwelling on an undersized lot with restricted street frontage and reduced front yard setbacks at **0 Western Promenade A/P 3**, lot 1465, 4,750 sq.ft. area, zoned A6. Applicant seeks relief per 17.92.010 Variance; Sections 17.20.10 Schedule of Intensity.

*(Alternative proposed agenda listing:)*

**ANDREW N. JORDAN & JODIE L. JORDAN (OWN/APP) – 0 Western Promenade – Zone: A6**  
*Variance requests for relief from Section 17.20.120 for the minimum lot area in A6 zoning from 6,000 sq. ft. to 4,750 sq. ft. and lot width/frontage from 60' to 50' in order to construct a single family residence.*

### **FINDINGS OF FACT:**

1. The Applicant is proposing a single family residence on an undersized (4,750 sq. ft.) lot in A6 zoning, which is 1,250 sq. ft. (roughly 21%) short of the required 6,000 sq. ft. lot minimum.
2. The lot width is 50', which is 10' (20%) below the minimum 60' requirement in A6 zoning.
3. The lot is currently being used as a lawn and garden by the owner/applicant who owns the adjacent property to the rear.
4. Per Section 17.88.010 – Substandard Lots of Record, the lot has been merged with the owner's abutting property to the rear.
5. No front yard variance is required - the proposed 20' front setback complies per the application of Section 17.20.110.c. which allows the averaging the front setbacks of developed blocks.
6. The Comprehensive Plan encourages the development of infill lots in Eastern Cranston in order to mitigate the demand for development in Western Cranston.
7. The Comprehensive Plan Future Land Use Map designates this site as Single Family Residential 7.26 – 3.64 units/acre. The proposed density is 9.17 units/acre, 1.91 units/acre (26%) above the maximum.
8. The adjacent lots to the north and south are both single family residences on 4,750 sq. ft. lots. The vast majority of lots on Western Promenade have substandard lot area.
9. The size of the deck is 12' on floor plans and 8' on the site plan.

### **RECOMMENDATION:**

Due to the consistency in area and land use with the surrounding neighborhood, as well as consistency with the Comprehensive Plan Housing Element; upon motion made by Mr. Strom and seconded by Ms. Bittner, the Plan Commission unanimously voted (7/0) to forward a favorable recommendation on this application to the Zoning Board of Review.

**ANDREW KEANG & KONG KEANG (OWN/APP)** have filed an application to raze an existing structure and construct a new residence above first story business with restricted lot frontage, reduced front yard setback and restricted parking at 620 Reservoir Avenue, A/P 6, lot 2198, 5955 sq. ft. area, zoned C4. Applicant seeks relief per 17.92.010 Variance; Section 17.20.030 Schedule of Uses, Section 17.20.10 Schedule of Intensity, Section 17.64.010 (F), (I) 16, 18. Off Street Parking.

*(Alternative proposed agenda listing - Not provided until a use variance is submitted:)*

**ANDREW KEANG & KONG KEANG (OWN/APP) – 620 Reservoir Avenue, A/P 6, lot 2198 – Zone: C4** Variance requests for 1). Relief from Section 17.64.010 to provide 3 parking spaces where 6 are required; 2). Relief from Section 17.64.010(f) for the requirement that commercial developments shall be so arranged that vehicles will leave and enter the street with a forward motion; 3). Relief from Section 17.20.120 to allow a 22.9' encroachment into the 40' front building setback on Reservoir Ave and a 33.2' encroachment into the 40' front building setback from High School Ave; and 4). A use variance pursuant to Section 17.92.010 to allow a residence above first floor business in C4 zoning.

**FINDINGS OF FACT:**

1. The applicant is seeking authorization to demolish an existing nonconforming building and construct a two-story building on a 4945 ± SF lot to be utilized as a first floor retail (jewelry store) with residential above.
2. The minimum lot size is 12,000 sq. ft. in C4 zoning. The site is 7,055 sq. ft. (59%) short of the requirement.
3. City Code requires 6 parking spaces for the proposed use, where only 3 are proposed.
4. The site plan labels the parking spaces as 9'x18', but the spaces are drawn with 8' widths.
5. City Code Section 17.64.010(f) requires that commercial developments shall be so arranged that vehicles will leave and enter the street with a forward motion. The proposed development does improve this current nonconforming aspect by approximately a car's length, but it has not been demonstrated that the proposal complies with the requirement.
6. City Code Section 17.20.120 requires a 40' front building setback on Reservoir Ave, the applicant is requesting to allow a 22.9' encroachment. City Code Section 17.20.120 requires a 40' front building setback from High School Ave, the applicant is requesting a 33.2' encroachment. The new building is being proposed in the same footprint/foundation as the existing nonconforming building with the exception of the demolition of the rear where parking is now proposed.
7. The width of the lot ranges from 36' - 54' roughly, so the setbacks effectively eliminate all buildable area on the lot due the 40' setback on High School Ave.
8. City Code Section 17.20.030 Schedule of Uses, does not permit residences above first story businesses in C4 zoning.
9. There is an existing nonconforming first floor business (psychic reading) with residential above. The ZBR approved the continuance of a commercial use in the basement with a single family above on 12/14/11.
10. The application seeks the Commission/Boards' recognition that the proposed nonconforming use may continue despite the demolition and construction of a new nonconforming building. The application does not include justification for this use as part of the application, but cites state law regarding continuance of nonconformities. Planning staff has reviewed the section, and holds that the City is well within the confines of state law in its regulation of nonconforming uses.
11. City Code Section 17.88.050 *Structural Alterations* states, "A nonconforming building, excepting churches and other buildings used in connection with religious or educational activities, may not be reconstructed or structurally altered during its life unless such building is changed to a conforming use." Therefore, the demolition of the building would not allow the nonconforming use to persist once the site is redeveloped.
12. The Future Land Use Map of the Comprehensive Plan assigns a Land Use Classification [LUC] of Highway Commercial/Services for this site. The Comprehensive Plan Land Use Element states, "HCS is oriented towards providing services to citywide and regional markets." Therefore, the proposed nonconforming use is not consistent with the Comprehensive Plan.
13. There is no direct pedestrian access from Reservoir Ave to the retail/first level, only to the upper level.

**RECOMMENDATION:** Upon motion made by Ms. Lanphear and seconded by Ms. Bittner, the Plan Commission unanimously voted (7/0 ) to continue this matter to the July 10, 2018, Plan Commission

Meeting at the applicant's request so that the applicant can work with Planning Department staff on their application.

**DIANA ESPINAL (OWN/APP)** has filed an application to allow an addition constructed without benefit of permits to be utilized as a third dwelling unit on an existing two family dwelling at **23-25 Frances Avenue**, A/P 3, lot 1207, 6,000 sq.ft. area, zoned B2. Applicant seeks relief per Section 17.92.010 Variance, Section 17.20.090(A) Specific requirements, Section 17.20.120, Schedule of Intensity.

*(Alternative proposed agenda listing:)*

**DIANA ESPINAL (OWN/APP) – 23 Frances Avenue, A/P 3, lot 1207 – Zone: B2**

*Variance request for relief from Section 17.20.120 for the minimum lot area requirement of 14,000 sq. ft. in B2 zoning to allow a three family dwelling unit to remain on a 6,000 sq. ft. lot.*

**FINDINGS OF FACT:**

1. The Applicant's lot is 6,000 sq. ft. and is currently being used as a three-family dwelling without having acquired a permit or zoning variance.
2. The minimum lot area for a three-family dwelling is 14,000 sq. ft. Therefore, relief is requested in the amount of 8,000 sq. ft.
3. The minimum lot area for a two-family dwelling is 8,000 sq. ft. Therefore, the existing two-family dwelling is a legal nonconforming by 2,000 sq. ft.
4. The adjacent lot to the south is a three family use on a 10,000 sq. ft. lot. The adjacent use to the North is Religious, St. Mathew's Catholic Rectory.
5. The 2010 Comprehensive Plan Future Land Use Map designates this site as Residential less than 10.29 units/acre which is equivalent to 4,233 sq. ft./unit. The Applicant is requesting 21.78 units/acre.

**RECOMMENDATION:**

Due to inconsistencies with the Comprehensive Plan Future Land Use Map, upon motion made by Mr. Vincent and seconded by Mr. Mason, the Plan Commission unanimously voted (7/0) to forward a negative recommendation on this application to the Zoning Board of Review.

**ROSE COPPOLA (OWN) & RALPH CAPPOLA (APP)** have filed an application to allow an existing above ground pool to remain with restricted setbacks and to construct a deck resulting in excessive lot coverage at **50 Frances Drive**, A/P 37, lot 304 8861 sq.ft. area, zoned A8. Applicant seeks relief per Section 17.92.010 Variance, Section 17.60.010 (D) Accessory Uses; Section 17.20.120 Schedule of Intensity Regulations.

*(Alternative proposed agenda listing:)*

**Rose Coppola (OWN) & RALPH CAPPOLA (APP) – 50 Frances Avenue, A/P 37, lot 304 8861 – Zone: A8**

*Variance requests for relief from Section 17.60.010 (D) to allow a pool to encroach 4.66' into the required 5' setback, and from Section 17.20.120 to exceed the 30% maximum lot coverage in A8 zoning to allow construction of a 24' x 18' deck.*

**FINDINGS OF FACT:**

1. The applicant is seeking authorization to construct a 28' x 14' deck at the rear of a single family dwelling in a Residential A-8 [Single-family] zoning district on a lot with an area of 8,861 SF.
2. A single family dwelling is a use allowed by right in a A-8 zone [Section 17.20.030 Schedule of Use of the City Code].

3. The Future Land Use Map of the Comprehensive Plan assigns a Land Use Classification **[LUC]** of Single Family Residential 7.26 to 3.64 Units per Acre for Assessor's Plat 37 Lot 304. The Land Use Element states that A-8 zoning classification is consistent with said LUC designation. Therefore, both the use and zoning designation is consistent with the Comprehensive Plan.
4. Assessor's Plat 37 Lot 304 does not conform to all the standards set by Section 17.20.120 Schedule of Intensity Regulation. In an A-8 zone the required minimum side yard setback is 10'. The existing dwelling has a setback of 7' along its western side. The proposed deck will not alter this condition.
5. City Code Section 17.60.010 allows for accessory uses such as decks to be up to 5' from the rear property line in A8 zoning, therefore, the proposed location of the deck is compliant with the rear setback.
6. The Zoning Board of Review's agenda indicates that the applicant is seeking from the lot coverage requirement set by Section 17.20.120 Schedule of Intensity Regulations. The amount of the request is unknown, as the existing and proposed lot coverage calculations are not provided in the application or site plan. In an A-8 zone, the lot coverage requirement is 30%. For Assessor's Plat 37 Lot 304, maximum building lot coverage would 2,658 SF. The site currently has 2,138 SF of development. The proposed deck is 392 sq. ft. Although not provided in the application, staff calculates that the pool area is roughly 314 sq. ft. Therefore, staff calculates the total lot coverage to be 2,844 sq. ft., 186 sq. ft. or 6.5% above the permitted maximum.
7. The owner of the property, Rose M. Coppola, has not sign the zoning application, As such, it is incomplete.
8. The application as submitted does not indicate what relief being sought from the Zoning Ordinance and does not provide justification for said relief.
9. The plans submitted in support of the application show an existing above ground pool located on the eastern side line [0.34' setback]. No permit was obtained for the pool. Section 17.60.010.B of the City Code requires an accessory structure, the pool, to be setback 5' from a side lot line. If the pool is to stay in its current location relief from the Zoning Board of Review should be obtained.
10. In December, 2017, a building permit was issued for Assessor's Plat 37 Lot 304 to enclose an 18' x 28' deck. In that the site is pre-existing nonconforming, ZBR authorization would have been required. None was sought or given.

**RECOMMENDATION:** Upon motion made by Mr. Vincent and seconded by Mr. Strom, the Plan Commission unanimously voted (7/0) to continue this matter to the July 10, 2018, Plan Commission Meeting.

**GRINNELL LLC & TYCO FIRE PRODUCTS LP (OWN) AND JOHNSON CONTROLS INTERNATIONAL (APP)** have filed an application to construct additions to two existing non-conforming structures with restricted setbacks and construct a pedestrian bridge connecting another non-conforming structure at **1467 & 1473 Elmwood Avenue**, A/P 4, lots 1614 and 2645, 6.5 ac.+/- area zoned M2. Applicant seeks relief per 17.92.010 Variance; Sections 17.20.10 Schedule of Intensity.

The proposed major land development conforms to the City of Cranston Comprehensive Plan – Future Land Use Map and the dimensional relief requested is consistent with the findings of fact required to issue a variance. In addition, the variance is consistent with the Master / Preliminary Plan submitted for consideration to the City Plan Commission.

**RECOMMENDATION:**

Upon motion made by Ms. Harrington and seconded by Ms. Bittner, the City Plan Commission unanimously voted (7/0) to forward a positive recommendation to the Zoning Board of Review as the proposed

subdivision conforms to the City of Cranston Comprehensive Plan – Future Land Use Map (Industrial), does not propose any new development or redevelopment inconsistent with the Zoning Code for use, and the requested dimensional setback variances are consistent with the Preliminary Plan subdivision approval from the City Plan Commission.

**KATHLEEN CLOXTON (OWN/APP)** has filed an application to raze an existing non-conforming dwelling and construct a new single family home exceeding allowed lot coverage at **28 Elmhurst Avenue**, A/P 12, lot 266, 6,000 sq. ft. area, zoned A6. Applicant seeks relief per 17.92.010 Variance; Sections 17.20.10 Schedule of Intensity.

*(Alternative proposed agenda listing:)*

**KATHLEEN CLOXTON (OWN/APP) - 28 Elmhurst Avenue, A/P 12 lot 266 – Zone: A6**

*Variance request from 17.20.10 to exceed the 30% maximum lot coverage in A6 zoning by 3.9% in order to construct a new 2039 sq. ft. single family residence.*

#### **FINDINGS OF FACT:**

1. The Applicant proposes 2,039 sq. ft. one-story ranch single family home, with a proposed height of 20'3".
2. The lot parameters are compliant with A6 zoning, meeting the bare minimum of both 6,000 sq. ft. lot area and 60 ft. width/frontage requirements.
3. To comply with the 30% maximum building lot coverage maximum, the largest compliant building footprint is 1,800 sq. ft. The applicant would need to reduce the proposed building footprint by 239 sq. ft. to comply.
4. Application item #18 ("State ground for exception or variance in this case") was not articulated, therefore, no hardship has been articulated by the Applicant.
5. Using the "Building 2016" data layer from the City's GIS, staff has determined that the building coverage pre-demolition was approximately 1842 sq.ft.
6. The demolition of the previous residence eliminated two nonconformities: a 17' encroachment into the 20' rear setback and a 3' encroachment into the 8' side yard setback on the west side on the lot.
7. The adjacent lots to the sides and rear all comply with the lot coverage maximum.
8. The 2010 Comprehensive Plan Future Land Use Map designates this site as Single Family Residential 7.26 – 3.64 units/acre.
9. The Comprehensive Plan Housing Element states, ". . . the regulatory environment and city programs should support the existing neighborhoods in terms of maintaining their character."

#### **RECOMMENDATION:**

Considering both the deviation from the Comprehensive Plan's directive to support the regulatory environment in terms of maintaining character and also the perceived minor impact of the proposed development, the Planning Commission, upon motion made by Mr. Vincent and seconded by Mr. Strom, the Commission voted (6/1 – Ms. Lanphear voted nay) to make no specific recommendation to the Zoning Board.

**THE CITY OF CRANSTON (OWN/APP)** has filed an application to expand a non-conforming structure to construct an addition to an existing fire station with restricted rear yard setbacks at **131 Park Avenue**, A/P 2, lot 1319, 19,755 sq.ft. area, zoned A6. Applicant seeks relief per 17.92.010 Variance; Section 17.20.10 Schedule of Intensity, Section 17.88.030 Extension.

*(Alternative proposed agenda listing:)*

**THE CITY OF CRANSTON (OWN/APP) - 131 Park Avenue, A/P 2, lot 1319 – Zone: A6**

*Variance request from 17.20.120 and 17.88.030 to expand the existing nonconforming fire station to encroach roughly 10' into the required 20' rear setback.*

**FINDINGS OF FACT:**

1. The applicant is seeking authorization to construct a single story 1528 ± SF addition to a fire station on a 20,269 SF lot with 245' of frontage in a Residential A-6 [Single-family] zoning district. The addition is being proposed to accommodate new and larger fire vehicles that are to be housed on site.
2. A fire station is classified as a Public Safety Facility and is a use allowed by right in a A-6 zone [Section 17.20.030 Schedule of Use of the City Code]
3. The Future Land Use Map of the Comprehensive Plan assigns a Land Use Classification **[LUC]** of Single Family Residential 7.26 to 3.64 Units per Acre for Assessor's Plat 2 Lot 1319 and the Land Use Element states the A-6 zoning classification is consistent with said LUC designation. Therefore, both the use and zoning designation is consistent with the Comprehensive Plan.
4. Assessor's Plat 2 Lot 1319 does not conform to all the standards set by Section 17.20.120 Schedule of Intensity Regulations. In an A-6 zone the required minimum rear yard setback is 20'. The existing fire station has a rear yard setback of 10'±. The addition proposes a rear yard setback of 10'±. While the addition will intensify a preexisting nonconformity, it will not create any new nonconformities.
5. Section 17.64.010.F.2 [Street Access] requires a maximum curb cut of 35' for a nonresidential development. Assessor's Plat 2 Lot 1319 has an existing curb cut of 85"±. The placement of the addition allows for use of the curb cut in its current configuration.
6. The applicant proposes to construct 12 off street parking spaces for the site. Section 17.64.010.I [Off Street Parking Requirements] of the City Code does establish a parking requirement for a Public Safety Facility. In those instances, the City's Building and Zoning Official determines the amount of parking to be required.
7. Assessor's Plat 2 Lot 1319 currently has building with 6,424 SF floor area. With a proposed 1,528 SF addition, the site will have a total of 7,952 SF of development. Per Section 18.84.020 [Applicability] of the City Code, 10'±a Development Plan Review **[DPR]** may be required for nonresidential development on a parcel located in or within two hundred (200) feet of a residential zoning district which proposes to increase a structure by the lesser of five percent or one thousand five hundred (1,500) square feet provided that said structure(s) will have five thousand (5,000) square feet or more after the increase. The Applicant is seeking a determination from Development Plan Review Committee as to if a DPR will be require for the addition.

**RECOMMENDATION:**

Due to consistency with the City's Comprehensive Plan, upon motion made by Ms. Bittner and seconded by Ms. Harrington, the Plan Commission unanimously voted to forward a favorable recommendation on this application to the Zoning Board of Review.

**PLANNING DIRECTORS REPORT – 1.) Principal Planner 2.) Work Plan**

Mr. Pezzullo stated that the Principal Planner position has been offered to Douglas McLean, AICP, and he has accepted. He is presently employed as the Senior Planner for the Town of South Kingstown. He will be starting in late July.

Regarding the "work plan", Mr. Pezzullo mentioned that a sub-committee could be established to work on solar farm buffering. Commissioner Harrington expressed an interest in membership of an energy siting

board. Commissioner's Lanphear and Bittner expressed a desire to work on a planning commission "handbook".

**ADJOURNMENT**

Upon motion made by Ms. Bittner and seconded by Mr. Strom, the Commission unanimously voted (7/0) to adjourn at 10:10 p.m.

**NEXT REGULAR MEETING** July 10, 2018 – City Council Chamber, 7 pm

Respectfully submitted,

Jason M. Pezzullo, MCP, MPA, AICP  
Planning Director