

## MINUTES

March 3, 2015

Chairman Smith called the Planning Commission Meeting to order at 7:05 p.m. in the City Council Chamber. The following Commission members were in attendance:

Michael Smith, Chairman  
James Moran, Vice Chairman  
Gene Nadeau  
Kenneth Mason  
Robert Strom  
Lynne Harrington  
Mark Motte  
Frederick Vincent  
Kimberly Bittner

Also present were:

Peter Lapolla, Planning Director  
Stephen Marsella, Esq., Assistant City Solicitor  
Jason Pezzullo, Principal Planner

### APPROVAL OF MINUTES

Upon motion made by Mr. Strom and seconded by Mr. Nadeau, the Commission unanimously voted to approve the minutes of the February 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)

Upon motion made by Mr. Motte and seconded by Mr. Nadeau, the Commission unanimously voted to continue this matter to the April 7, 2015, Plan Commission Meeting. Votes: 8/0 (Mr. Moran absent)

**Ordinance #1-15-02** In Amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Change of Zone-145 Warwick Avenue, 149 Park Avenue & 161 Park Avenue)

Upon motion made by Mr. Motte and seconded by Mr. Nadeau, the Commission unanimously voted to continue this matter to the April 7, 2015, Plan Commission Meeting. Votes: 8/0 (Mr. Moran absent)

**Ordinance #2-15-01** In Amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Zone Change - New London Avenue.) Petition filed by Crown Holdings, LLC

Ordinance 2-15-01 proposes to change the zoning classification for a parcel of land identified as Assessors Plat 14 Lot 15 located off of Power Road [A Portion of Lot 1 on Zoning Plat 14] from S-1 Open Space to C-5 Heavy Business, Industry with conditions. The site consists of 13.06 acres and was formerly used by the State of Rhode Island as a correctional facility [The Training School]. The property is located within the Sockanosset Cross Road commercial corridor that currently houses Garden City, Chapel View and Citizen's Bank. It is bounded by Route 37 to the south, The Chapel View MPD to the west, Citizen's Bank to the east, and a City Fire Station and Library to the north. The Site is currently owned by the State and Crown Holdings, II, LLC has

entered into a purchase and sales agreement to acquire the site conditioned upon a rezoning by the City of Cranston

The Commission would note that the ordinance, as proposed, was drafted through a joint effort of the Planning Department and Crown Holdings. It is designed to give Crown Holdings the flexibility to maximize the development of the site and allow the City sufficient safe guards to ensure that any impacts from development are mitigated. The controlling document for the zone change is entitled "The Fountains at Chapel View Planned Unit Development." The document sets out the conditions by which the site may be developed. In brief:

- Section 3.A. lists the uses that are allowed within the zone.
- Section 3.C. requires that any major Land Development comply with the City Plan Commission's policy for traffic.
- Section 3.D requires that all state permits be acquired prior to an application for Preliminary Plan Approval under the City's Subdivision and Land Development Regulations. Section 3.D. also requires that any traffic improvements that may be required as part of a Major Land Development approval be substantially completed prior to the issuance of any occupancy permit.
- Section 4.A. requires that any development comply with the applicable parking and loading standards set by zoning.
- Section 4.B. sets the dimensional and density standards by which the site may be developed. Section 4.B. allows the site to have 0' front, side and rear yard setbacks and allow a building height of 100' [subject to approval of the fire department.
- Section 4.C. requires that any development comply with Chapter 17.72 of the City Code with the exception that one 450 SF sing, not to exceed 50' in height, is allow along Rt. 37.

#### Findings

Cranston Comprehensive Plan 2010, the Future Land Use Plan of the 2010 Compressive Plan designates the site as Highway Commercial and Services [Land Use Classification]. The Land Use Element of the Comprehensive Plan indicates that for Highway Commercial and Services appropriate zoning would be C-3, C-4 and C-5. Therefore the proposed rezone to C-5 will be consistent with the Comprehensive Plan.

Findings Under §17.04.010 City Code. Sec. 17.20.30 requires that the City Plan Commission, as part of its recommendation to the City Council, "Include a demonstration of recognition and consideration of each of the applicable purposes of zoning as presented in Section 17.04.010 of this title." Section 17.04.010 set forth the General Purpose for Title 17 of the City Code. The Commission would note that to the extent that any development of this site will be required to comply with Title 17, included Development Plan Review, and will be required to comply with City of Cranston Subdivision and Land Development Regulations. The Commission finds that the proposed rezone will adequately address the appropriate purposes detailed in §17.04.010.

#### Recommendation

The Commission finds the proposed zone change to C-5 Heavy Commercial, Industrial consistent with the 2010 Comprehensive Plan. Therefore, upon motion made by Mr. Motte and seconded by Mr. Moran, the Commission unanimously voted (9/0) to forward a positive recommendation and endorsement of the proposed zone change conditioned on the document entitled "The Fountains at Chapel View Planned Unit Development" being adopted as part of the ordinance to the City's Ordinance Committee and to the full City Council.

### **SUBDIVISION AND LAND DEVELOPMENTS**

Muccio Plat – Minor Subdivision without street extension  
Preliminary Plan  
Royal Avenue and Holland Street  
AP 12/2, Lots 1777, 1778 and 1779

Upon motion made by Mr. Motte and seconded by Mr. Nadeau, the Commission unanimously voted (9/0) to adopt the following Findings of Fact and *approve* this Preliminary Plan with waivers for sidewalks, concrete curbing and lot design standards; 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 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 6.6 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" allowing more 7.26 to 3.64 residential units per acre".
3. There will be no significant negative environmental impacts from the proposed subdivision as shown on the Preliminary Plan.
4. The proposed subdivision promotes high quality appropriate design and construction, will be well integrated with the surrounding neighborhoods and will reflect its existing characteristics.
5. 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.
6. The property in question has adequate permanent physical access on Royal Avenue, and Holland Street, improved public roadways 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

10. The proposal does not conform to the A-8 zoning classification for frontage and area. However the proposal will not alter the general character of the surrounding area or impair the general intent or purpose of the Cranston Zoning Code.

Condition of Approval

1. Payment of Eastern Cranston Capital Facilities impact fee in the amount of \$1,186.92 (\$593.46 x 2) at the time of Final Plat Recording.

**2015-2020 CAPITAL BUDGET AND IMPROVEMENT PROGRAM**

Upon motion made by Mr. Vincent and seconded by Mr. Nadeau, the Commission unanimously voted (9/0) to approve the proposed Capital Improvement Program.

**ZONING BOARD OF REVIEW RECOMMENDATIONS**

**COMBINED INVESTMENTS LLC 30 ADAMS STREET MILTON MA 02186-3412 (OWN) AND JASON BUCO 2080 MINERAL SPRING AVENUE NORTH PROVIDENCE RI 02911 (APP)** have filed an application for permission to use a former florist shop and green house as a professional office at **235 Wilbur Avenue**. AP 18/2, lot 1785, area 26,711+/- SF, zoned A-12. Applicant seeks relief from Section 17.92.010 Variance, 17.20.030 Schedule of Uses.

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 Wilbur Avenue as Single Family Residential; however, the property was a commercial florist with associated greenhouses that has existed prior to 1965, when the existing Zoning took effect. The building has been vacant for several months.
2. An existing 21' x 20' building section on the left side of the building will be removed, and replaced with 2 parking spaces.
3. The former florist shop will contain 4 offices, a conference room and kitchen.
4. The 25' existing curb cut on the left side of the front parking area will be closed, leaving a 23' curb cut on the right side of the property, as access to the front parking area, and rear parking lot.
5. The property is located within the Oak Lawn Village Local Historic District.
6. The application must first receive a Certificate of Appropriateness from the Cranston Historic District Commission prior to any building permit application for exterior renovations.
7. Nine parking spaces will be required for the approximately 2,182 sq. ft. of office building. The site plan submitted shows 9 cars; however, the parking area can accommodate several more vehicles if needed.

Recommendation: The former Commercial retail use of the property has existed for over 45 years, therefore, converting a former commercial use of the property to professional office use will not alter the general character of the surrounding historic neighborhood, or hinder the intent or purpose of the Comprehensive Plan or the Zoning Ordinance upon which the ordinance is based. Therefore, upon motion made by Mr. Motte and seconded by Mr. Strom, the Commission unanimously voted (9/0) to forward a positive recommendation on this application to the Zoning Board.

**ALBACO LLC 2190-2192 BROAD STREET CRANSTON RI 02905 AND BRIDGE GROUP LLC 2206 BROAD STREET AND 16 GEORGE STREET CRANSTON RI 02905 (OWN) AND FELLINI PIZZERIA INC 2190 BROAD STREET CRANSTON RI 02905 (APP)** have filed an application for permission to expand the seating for an existing restaurant with restricted off street parking at **2190-2192 Broad Street, 2206 Broad Street & 16 George Street**. AP 1, lots 33, 34, 36, 315, area 37,205+/-SF, zoned C-3. Applicant seeks relief from Section 17.92.010 Variance, 17.20.120 Schedule of Intensity, 17.64.010 (b), (f) (i) Off-Street Parking.

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 commercial use as a pizza restaurant, is consistent with the 2010 Comprehensive Plan Future Land Use Map that designates this area of Broad Street as Neighborhood Commercial.
2. The site plan submitted shows the plaza where this restaurant is located currently has a parking area for 8 cars. The parking area originally had 12 spaces, but a railroad tie wall enclosing a concrete patio in front of this restaurant was built, eliminating 4 spaces. This parking lot shares the spaces with three other business located within this plaza.
3. The parking area at the rear of the restaurant, around the corner and only accessible from George Street, has parking for 6 cars.
4. The application states that parking will be provided at the rear of 2206 Broad Street. The 9000 sq. ft. commercial building at that address requires 37 parking spaces. The site plan submitted shows 43 spaces, where 6 of those spaces are designated as parking only for Powers Pub, (located on Aborn Street). None of the spaces illustrated on the site plan conform to the required length of 18 feet, but instead range between 11 ft. and 16 ft. deep. The 2 rows of parking spaces perpendicular to Aborn Street and Bridge Street are located within the sidewalk right of way for both streets. This parking area would have considerable lesser spaces if required to conform to the Zoning Ordinance.
5. The application also states that parking will be accommodated at 16 George Street that currently is a two family. Though drawings submitted show 10 spaces, 4 of those spaces are double stacked, and 1 has no backup area.

6. The floor plan submitted shows the restaurant currently has 40 seats, requiring 14 spaces. 33 additional seats are proposed, requiring 11 additional parking spaces.

Recommendation: Though the application states that parking will be provided at 2206 Broad Street and 16 George Street, those parking areas are already sharing parking with other businesses and residents in the village, and are at capacity. However, upon motion made by Mr. Motte and seconded by Ms. Bittner, the Commission unanimously voted (9/0) to recommend approval of this application as the elimination of four spaces will not be detrimental to the village.

**PLANNING DIRECTORS REPORT** – Mixed-Planned Districts / Residential Planned Districts

**ADJOURNMENT**

Upon motion made by Mr. Moran and seconded by Mr. Mason, the Commission unanimously voted to adjourn at 10 pm.

**NEXT MEETING** April 7, 2015 – City Council Chamber, 7 pm

Respectfully submitted,

Jason M. Pezzullo, AICP  
Principal Planner/Administrative Officer