

MINUTES

March 4, 2014

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

Michael Smith, Chairman
Frederick Vincent
Gene Nadeau
James Moran
Ken Mason
Mark Motte

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. Motte and seconded by Mr. Moran, the Commission unanimously voted to approve the minutes of the February 4, 2014, Plan Commission meeting.

2014-2018 CAPITAL BUDGET AND IMPROVEMENT PROGRAM

Mr. Vincent asked for detail on the School Department requests. Mr. Judy Lundsten, Superintendent, stated that the ages of the buildings vary. She stated that she would forward a list of the buildings/ages the next day. Mr. Smith asked if a study has been done of the buildings. Ms. Lundsten stated that an architect has been assessing all 25 buildings for health and safety. Mr. Mason, Public Works Director, concurred with the School Department's requests. Ms. Lundsten further noted that some school bathrooms are not handicap accessible.

Mr. Mason then presented a bridge inspection report from RIDOT depicting a bridge in disrepair. He stated that he is requesting funds for 2016 for bridge repair. The Stillhouse Cove boat ramp repair will cost approximately \$200,000; \$150,000 of which will come from a grant. Renovation of the IT Department is estimated to cost \$700,000 for the various renovations needed. He asked for \$50,000 for this fiscal year to hire an engineer for design and \$650,000 for the following year. Again this year, one million dollars was requested for road paving. Chairman Smith noted the deplorable condition of some of the roads after this harsh winter and suggested two million dollars for paving be appropriated.

Fire Chief William McKenna stated that typically, a fire engine should be replaced every 15 years, therefore, the Fire Department will be requesting a new truck for the next several years and placing the older ones into reserve. He further noted that the Fire Department Maintenance Division was built in 1964. Funding is requested to replace the exhaust system, the heavy lift, the bay doors, etc.

No representative from the Recreation Department attended the meeting. Mr. Motte requested photos/documentation of the tennis court condition.

Mr. Pezzullo stated that again this year, he added the \$500,000 request for Open Space because "we have no funds for this".

Upon motion made by Mr. Motte and seconded by Mr. Vincent, the Commission unanimously voted to recommend approval of the 2014-2018 Capital Budget as amended.

Ayes: Messers Smith, Moran, Mason, Motte, Nadeau and Vincent. Nay: none

SUBDIVISION AND LAND DEVELOPMENT PROJECTS

The Woods at Orchard Valley - Preliminary Plan

Major Subdivision with street extension

Terminus of Ashbrook Drive

AP 25/2, Lot 6

Attorney Robert Murray explained that this 20 lot subdivision has undergone some refinement since the Master Plan approval last May. He stated that he and the project engineer met with Mr. Mason yesterday on the stormwater management proposal, which comply with new requirements from RIDEM.

Mr. Chris Duhamel, DiPrete Engineering, stated that the site is 36 acres with access from Ashbrook Drive. He further stated that 61% of the site will remain open space (22 acres) under this RPD. Twenty four feet roadway width with concrete curbing is proposed. A homeowners association will be formed to provide for maintenance of the drainage system (500 sq. ft. bio-retention basins will be on each lot). Providence Water has affirmed water availability. Mr. Vincent asked if he has seen these rain gardens on lots. Mr. Duhamel stated that this is a fairly new RIDEM requirement but there have been subdivisions that required this recently. Mr. Moran asked what will happen if homeowners do not clean their bio-retention basins. It was determined that the City can do emergency work if need be.

Claire Monahan, 25 Orchard Valley Drive, stated that she has ponding in her backyard. She asked if this development will make that worse. Mr. Duhamel stated that there is an inlet pipe at the beginning of the new cul-de-sac. He stated that the proposed swale can be moved closer. Mr. Monahan came forward and stated that he "is not sure about the homeowners association". Mr. Pezzullo explained that the homeowners association is for maintenance of the drainage structures. The roadway is public.

There being no further public comment, the Commission moved to a vote. Upon motion made by Mr. Vincent and seconded by Mr. Nadeau, the Commission unanimously voted to adopt the Findings of Fact denoted below and approve this Preliminary Plan, with waiver for roadway width, sidewalk provision and cul-de-sac length, and subject to the following conditions.

Findings of Fact

Positive Findings

1. An orderly, thorough and expeditious technical review of this Preliminary Plan RPD has been conducted. Property owners within a 100' radius have been notified via first class and return receipt requested mail on 2/20/14 and the meeting agenda has been properly posted. Advertisement for this major subdivision was published in the 2/20/14 edition of the Cranston Herald.
2. The proposed subdivision and its resulting density of approximately .55 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 3.63 to 1 unit per acre" (A-20).
3. The proposed RPD 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 property in question has adequate permanent physical access Ashbrook Drive, 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 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. Provide a performance guarantee in the amount of \$1,280,000 with separate 2% administrative fee in the amount of \$25,600 prior to Final Plan recording.
2. Payment Western Cranston Capital Facilities Impacts fees in the amount of \$27,790 (1,389.50 x 20) at the time of Final Plat recording.
3. Submit *draft* Homeowners Association documentation with all applicable deed restrictions, covenants, and maintenance requirements deemed necessary by the Public Works Director at the time of Final Plan submission. Final documents shall be reviewed and approved by the City's legal department and Public Works Director prior to the Final Plan recording.

Ayes: Messers Smith, Motte, Moran, Nadeau, Mason and Vincent. Nay: none

Carmax – Preliminary Plan

Major Land Development without street extension
 Bald Hill Road
 AP 18/3, Lot 1044

Attorney Julie McKenna , Revens, Revens and St. Pierre, stated that there is a possibility that one property abutter was not notified of the meeting. City Solicitor Marsella stated that a waiver from this abutter will be required, if deemed necessary, or an affidavit that the one lot that was omitted did not need to be notified after all.

Jason explained the proposal, stating that the DPR Committee was satisfied with the plan. Both Kent County Water and Veolia Water approvals are pending.

Mollie Titus, DiPrete Engineering, stated that the existing access geometry will remain, as required by RIDOT.

There being no public comment on this matter, the Commission moved to a vote. Upon motion made by Mr. Motte and seconded by Mr. Moran, the Commission unanimously voted to adopt the Findings of Fact denoted below and *approve* this Preliminary Plan subject to the provision of a waiver from the one property abutter that was omitted from the notification, if required, and subject to the following conditions.

Findings of Fact

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 and return receipt requested mail and the meeting agenda has been properly posted. Advertisement for this subdivision was published in 2/20/14 edition of the Cranston Herald.
2. The proposed land development is consistent with the City of Cranston Comprehensive Plan's Future Land Use Map which designates the subject parcel as "Highway Commercial / Services"
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 land development as shown on the Master Plan.
5. The proposed land development promotes high quality appropriate design and construction, will be well integrated with the surrounding area and will reflect its existing characteristics.
6. The proposed 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.
7. The proposed land development 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 and state regulations for mitigation of flooding and soil erosion.
10. The property has adequate permanent physical access to Bald Hill (Route 2) north and southbound.

Conditions of Approval

1. Applicant shall receive final design approvals from Veolia Water and Kent County Water Supply Board for the design of the sewer force main and water main prior to Final Plan application with the Planning Department.
2. Provision of a waiver from the one property abutter that was omitted from the notification, if deemed necessary, and/or an affidavit confirming that the one property abutter that was omitted did not need to be notified after all.

Ayes: Chairman Smith, Messers Moran, Mason, Motte, Vincent and Nadeau. Nay: none.

St. Marks School Redevelopment – Mixed Plan Development/Preliminary Plan/Final Overall Development Plan –
 Major Land Development without street extension
 Poplar Drive and Midway Road
 AP 10/3, Lots 745 and portion of Lots 742 and 743

Attorney Robert Murray stated that the property owner is St. Mark's Church Corporation. The applicants are D& P Real Estate Advisors, LLC and Truth Box, Inc. The project has obtained the necessary MPD zoning district approval from the Cranston City Council, consistent with the Master Plan approval granted by the City Plan Commission on September 3, 2013.

The multi-family project will be completed in two phases and will include the renovation of the former CJCR School into twenty residential units with sixteen (16) one-bedroom units and four (4) two-bedroom units. Phase 2 will include the construction of a new structure facing the Garden City Center that will include thirty-two new residential units including twelve (12) one-bedroom units and twenty (20) two-bedroom units. He stated that one more approval is pending from RIDEM.

Ms. Nicole Reilly stated that the pavement will be pervious, and a RIDEM permit for water quality is pending. Mr. Peter Gilcase stated that this is a green building design. There will be underground parking in the Phase 2, new building.

No public comment was offered. Upon motion made by Mr. Vincent and seconded by Mr. Nadeau, the Commission unanimously voted to adopt the Findings of Fact denoted below and *approve* this Preliminary Plan MPD / PODP / MP / MLD subject to the following conditions.

Findings of Fact

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 and return / receipt requested mail on 2/18/14 and the meeting agenda has been properly posted. Advertisement for major land development was published in the 2/20/14 edition of the Cranston Herald consistent with Section V.C.2.h of the City of Cranston Subdivision Regulations.
2. The proposed Mixed-Use Planned District is consistent with the Comprehensive Plan – Future Land Use Plan which designates this parcel as a “Special Redevelopment Area”.
3. The Mixed-Use Planned District (MPD) as approved by the Cranston City Council is the zoning designation, consistent with the Comprehensive Plan and 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 land development as shown on the Preliminary Plan.
5. The proposed land development promotes high quality appropriate design and construction, will be well integrated with the surrounding neighborhoods and will reflect its existing multi-family characteristics.
6. The proposed 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.
7. The property in question has adequate permanent physical access on Midway Road, an improved public roadway located within the City of Cranston.
8. The proposed land development 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 provide letters from Veolia Water and Providence Water Supply for the design of sewers and public water for this site.
2. At the time of recording the Final Plans, applicant shall submit Eastern Cranston Capital Facilities Impact Fees in the amount of \$11,869.20 (593.46 x 20) at Phase I, and \$18,990.72 (593.46 x 32) at Phase II.

Aye: Messers Smith, Nadeau, Motte, Moran, Mason and Vincent. Nay: none

Champlin Hills – Master Plan

Major Land Development / Multi-family residential development without street extension
Scituate Avenue (southerly side)
AP 20/4, Lot 2117

Attorney John DiBona stated that the property owner and applicant is West Bay LLC c/o Alfred Carponato. The property is zoned **B-2** which allows multi-family units as a use by right.

The developer proposes a multi-family apartment complex consisting of sixty-two (62) residential units split between buildings with 27 and 35 units respectively. The proposed development is consistent with the Cranston Comprehensive Plan and the Cranston Zoning Code. All units will be serviced by public water and public sewer service. The applicant is seeking a waiver from the State law requiring the applicant to submit a verified wetlands edge as part of their Master Plan submission. In this particular case, the developer has utilized an experienced wetlands biologist to flag the site which is shown on the plans. However, these flags have not yet been verified by the RIDEM.

Mr. John Kupa, wetlands biologist, spoke about the freshwater wetlands as depicted in the presentation. He stated that the river is 4 ½ to 5 ft. wide. The second wetland is a centrally located wooded wetland. A drainage swale runs to the north. It drains the wooded wetland to the north.

Mr. Coates stated that no subsidized units are proposed. He has met with the neighbors and agreed to work on traffic calming and/or the speed of traffic on Scituate Avenue with the RIDOT. He has proposed the installation of arborvitaes along the abutting single family home and to provide buffering to the other abutting neighbors. He informed everyone that the buildings will be brick with flat roofs. Rents will range from \$1,600 to \$3,000 per month. Garages will be available for rent.

Mr. Steve Garofalo, engineer, stated that the site has 330 ft. of frontage on Scituate Avenue and is 880 ft. deep. The front slopes from southwest to north east. The back portion slopes from west to east and east to west. The site surfaces will be impervious with infiltration sites. Bio-retention will also be used. All approvals for water and sewer have been received. He further explained that Scituate Avenue is 36 ft. wide. The access point for this development will be to the west. Two parking spaces per dwelling unit are proposed. The building that will face Scituate Avenue will be setback 75 ft. Scituate Avenue has 9,800 vehicles per day. Vehicle trips from this development will be 36 vehicles in the pm peak and 29 vehicles in the am peak. He stated that traffic moves in excess of the 30 miles per hour speed limit.

Mr. Pezzullo reiterated that the applicant is seeking a waiver from the State law requiring the submittal of a verified wetlands edge as part of their Master Plan submission. In this particular case, the developer has utilized an experienced wetlands biologist to flag the site which is shown on the plans. However, these flags have not yet been verified by the RIDEM. Therefore, the application would be deemed incomplete. The applicant is asking for a waiver in order for the City Plan Commission to entertain the plan as submitted without the verification. Staff has considered this request and recommends that the Commission grant this waiver. Per the yield plan calculation, which excludes wetlands, the applicant would have the right to construct 74 units. If the applicant was requesting this amount absent the verified wetlands edge, it would be problematic. In this case, the applicant is asking for 62 units, which is far below the maximum allowed, and therefore will unlikely change substantially once the verified edge is set by the RIDEM.

No public comment was offered on this matter. Upon motion made by Mr. Motte and seconded by Mr. Moran, the Commission unanimously voted to adopt the Findings of Fact denoted below and *approve* this Master Plan, with a waiver for wetlands verification, and subject to the following conditions.

Findings of Fact

Positive Findings

1. An orderly, thorough and expeditious technical review of this Master Plan has been conducted. Property owners within a 100' radius have been notified via first class mail on February 17, 2014 and the meeting agenda has been properly posted. Advertisement for this major land development was published in the Cranston Herald consistent with Section V.C.2.h of the City of Cranston Subdivision Regulations on February 20th, 2014.
2. The proposed major land development and its resulting density of approximately 7.72 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 less than 10.89 residential units per acre".
3. The proposal is consistent with the B-2 Multi-Family zoning district. Under the existing zoning, the applicant has the right to develop 74 units where 62 units are proposed. 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 Master Plan.
5. The proposed land development promotes high-quality appropriate design and construction, will be well integrated with the surrounding neighborhoods, and will reflect its existing characteristics.

6. The proposed 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.
7. The property in question has adequate permanent physical access on Scituate Avenue, an improved public (State) roadway located within the City of Cranston.
8. The proposed land development 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

Prior to submission of the Preliminary Plan application with the Planning Department, the applicant shall be in receipt of the following items:

1. Physical Alteration Permit (PAP) from the RIDOT, including any required traffic analysis;
2. RIDEM Freshwater Wetlands verified wetlands edge and any alteration permit, if deemed necessary;
3. Providence Water Supply Board final engineering approval;
4. Veolia Water approval of sewer engineering stating that the plans conform to Annex A - Design of Sewers;
5. Preliminary Approval granted by the Development Plan Review Committee;
6. Municipal Lien Certificate to certify that all taxes have been paid.

Aye: Messers Smith, Nadeau, Motte, Moran, Mason and Vincent. Nay: none

ZONING BOARD OF REVIEW RECOMMENDATIONS

ALAN AND BARI HARLAM 1256 NARRAGANSETT BLVD CRANSTON RI 02905 (OWN/APP) have filed an application for permission to build a 2 foot +/- garage addition, rebuild and convert an existing sunroom to storage and build a covered walkway to an existing legal non-conforming single family home with restricted frontage and side yard setback at **1256 Narragansett Boulevard**. AP 2, lot 1901, area 23,680+/- SF, zoned B-1. Applicant seeks relief from Sections; 17.92.010 Variance, 17.20.120 Schedule of Intensity.

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 single family use is consistent with the 2010 Comprehensive Plan Future Land Use Map that designates this area of the City as Single/Two Family Residential, less than 10.89 units per acre.
2. The existing garage that has a 61.84' front yard setback, will have a 59.8' front yard setback after the addition is built.
3. The existing roof overhang on the garage ranges between 6" and 18" from the northerly side property line, where 5' is required per the Zoning Code.
4. The proposed covered walkway from the garage's new rear storage room to the house, will have a 2'-5" side yard setback from the northerly lot line.
5. The existing house's roof overhang is 2'-9.6" from the northerly lot line, where 8' is required per the Zoning Code.

Recommendation: Upon motion made by Mr. Moran and seconded by Mr. Vincent, the Plan Commission unanimously voted to forward a positive recommendation on this application to the Zoning Board, as the proposed renovations to the

garage, former sunroom and new covered walkway will not change the existing restricted yard setbacks for the building, and will not alter the general character of the surrounding area.

Ayes: Messers Smith, Moran, Motte, Mason, Nadeau and Vincent. Nay: none

MICHAEL AND BRENDA REYES 5 MAYFIELD ROAD CRANSTON RI 02905 (OWN/APP) have filed an application for permission to keep an 8' X 10' storage shed in a corner side yard with restricted set back at **5 Mayfield Road**. AP 1, lot 403, area 6914 SF +/-, zoned A-6. Applicant seeks relief from Sections; 17.92.010 Variance, 17.60.010 B, 5, Accessory 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 existing single family use is consistent with the Comprehensive Plan Future Land Use Map designation of single family residential for this area of the City.
2. The 8' x 10' storage shed was installed without a building permit.
3. The existing house is located on a corner lot with a 20' front yard setback from Mayfield Road, and a 18.5' setback from Parkway Avenue.
4. The shed was installed 6" from the Parkway Avenue property line.
5. There are no other properties with Parkway Avenue frontages that have sheds located within the street yard setback areas.
6. Both aerial maps and the site plan submitted indicate there are other areas on the property where the shed could be located without a variance.

Recommendation:

Upon motion made by Mr. Motte and seconded by Mr. Nadeau, the Plan Commission unanimously voted to continue this application to the April 1, 2014, Plan Commission Meeting.

Ayes: Messers Smith, Moran, Motte, Mason, Nadeau and Vincent. Nay: none

CUMBERLAND FARMS INC 100 CROSSING BOULEVARD FRAMINGHAM MA 01702 (OWN/APP) have filed an application for special use permit to raze and rebuild an existing convenience store with gasoline pumps with restricted rear yard set back at **659 Reservoir Avenue**. AP 9/5, lot 119, area 26,056 SF +/-, zoned C-4. Applicant seeks relief from Sections; 17.92.010 (A), (B), (C), (2) and (E) Variance, 17.72.010 Signs.

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 and proposed gas station/convenience store use is consistent with the Comprehensive Plan Future Land Use Map designation of highway commercial for this area of the City.
2. The application received a Preliminary Development Plan Review approval on February 12, 2014.
3. The application and site plan shows one of the gas dispensing islands is 33.1 feet from the Reservoir Avenue property line, where 40 feet is required.
4. The 24' x 83' canopy is 25.8 feet from the Reservoir Avenue property line, where 40 feet is required.
5. The new building shows a rear yard setback of 5 feet, where 20 feet is required.
6. The application meets the remaining Specific Requirements for Gasoline Service Stations (Section 17.48.010) in the Zoning code.

7. Eleven parking spaces are required for the retail use. Fifteen spaces are provided on site, in addition to the 6 spaces at the pump islands.
8. The proposed freestanding sign is 15' high, which conforms to the Zoning Code.
9. The area of the two-sided freestanding sign is 90 sq. ft., where 50 sq. ft. is allowed per the Sign Ordinance.
10. There are two signs on the canopy totaling 37.28 sq. ft. (18.64 sq. ft. each, facing Park Avenue and Leydon St.) Forty square feet is permitted for canopies, per the sign ordinance.
11. A 41.25 sq. ft. wall sign is located on the front of the building, where a 30 sq. ft. wall sign is permitted per the ordinance.
12. Total signage for the site equals 168.53 square feet, where 300 sq. ft. total signage is permitted per the ordinance.

Recommendation: The proposed new gas station/convenience store use is consistent with the Comprehensive Plan Future Land Use Map designation of Highway Commercial for this area, therefore, upon motion made by Mr. Nadeau and seconded by Mr. Vincent, the Plan Commission unanimously voted to forward a positive recommendation on this application to the Zoning Board. Staff notes that though the freestanding sign and wall sign exceed the maximum area for these signs, the total signage for the site is slightly more than ½ of what is allowed.

Ayes: Messers Smith, Moran, Motte, Mason, Nadeau and Vincent. Nay: none

HAO HUANG AND JULIA HUANG 333 BUDLONG ROAD CRANSTON RI 02920 (OWN/APP) have filed an application for permission to build a 495+/- SF addition and a 342+/- SF single car garage to an existing legal non-conforming doctors office with separate existing apartment at **333 Budlong Road**. AP 11, lot 2769, area 15,975 SF +/-, zoned A-6.

Applicant seeks relief from Sections; 17.92.010 Variance, 17.20.030 Schedule of Uses, 17.20.120 Schedule of Intensity, 17.64.010 Off-Street Parking, 17.88.030 Extension of non-conforming use, 17.88.050 Structural Alteration to non-conforming building.

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 medical office commercial use and proposed expansion of the medical office use on the property is **not** consistent with the 2010 Comprehensive Plan Future Land Use Map, that designates this area of the City as **Single Family Residential, 7.26 to 3.64 units per acre**.
2. The property received a Zoning variance in April 1988 for conversion of a single family house to a doctor's office and apartment. The current owner (doctor) was the applicant at the time.
3. An additional variance was received in 1991 to convert additional interior space to an office for export overseas of medical products technology. The current owner resided at the property at the time, which contained a doctor's office and apartment.
4. In 2011, a variance request to build a 1,491 s.f. addition to increase the medical office space was denied by the Zoning board.
5. The proposed addition provides 2 offices, bathroom, storage room, coffee room, and garage.
6. The remainder of the existing first floor contains 10 other rooms, all used for the existing medical space.
7. The total area for the medical office use will be 2345 sq. ft., (1850 + 495) requiring 10 parking spaces per the Zoning Code. The plan provides 9 spaces plus one garage space.
8. Though the doctor's office exists today, the building currently resembles a residential dwelling, heavily landscaped with trees, grass and bushes. The proposed addition, and two paved parking areas that will be located on both sides of the building, will change the appearance to a Commercial use. The existing building has 2 front doors, the addition will add two more doors (4 total), contributing to the Commercial appearance.

Recommendation: The application for expansion of a commercial use is not consistent with the Comprehensive Plan Future Land Use Map that designates this area as Single Family Residential. The proposed addition, and two paved parking areas that will be located on both sides of the building, alters the general character of the surrounding residential neighborhood, and hinders the intent and purpose of the Comprehensive Plan; therefore, upon motion made by Mr.

Moran and seconded by Mr. Motte, the Plan Commission unanimously voted to forward a negative recommendation on this application to the Zoning Board.

Ayes: Messers Moran, Motte, Mason, Smith and Nadeau. Nay: Mr. Vincent

GATEWAY WOODSIDE INC 100 MIDWAY ROAD SUITE 14 CRANSTON RI 02920 (OWN/APP) have filed an application for permission to have additional signage than that allowed by ordinance at **150 Hillside Road**. AP 10/3, lot 692, area 13.4 acres +/-, zoned C-3. Applicant seeks relief from Sections; 17.92.010 Variance, 17.72.010 (4) Signs.

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. All of the Garden City Shopping Center, where the applicant's store is located, is consistent with the Comprehensive Plan Future Land Use Map designation of Highway Commercial for this area of the City.
2. The proposed wall sign (The Container Store) is 4'-6" x 54', for a total of 243 sq. ft. The maximum area of wall signs permitted in this zone is 30 sq. ft.
3. The raised letters will be internally lit.
4. Cohoes, the retail store that abuts the Container Store, has a larger storefront, and a sign that is 4 ft. high. and totals 80 sq. ft.

Recommendation: The Staff finds that the retail use is consistent with the Highway Commercial designation of this site on the Comprehensive Plan Future Land Use Map. Staff also realizes that a 30 sq. ft. sign would be undersized for this building, but finds that a 4'-6" letter is too high, and would be out of character with the other 4 ft. high signs on the building. Therefore, upon motion made by Mr. Motte and seconded by Mr. Vincent, the Plan Commission unanimously voted to forward a negative recommendation on the size of the sign as submitted.

Ayes: Messers Smith, Motte, Moran, Nadeau and Vincent. Nay: Mason

ADJOURNMENT Upon motion made by Mr. Motte and seconded by Mr. Vincent, the Commission unanimously voted to adjourn at 10:35 pm.

NEXT MEETING April 1, 2014, at 7 pm

Respectfully submitted,

Jason M. Pezzullo, AICP
Principal Planner/Administrative Officer