

MINUTES

November 7, 2017

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

Michael Smith, Chairman
Ken Mason, P.E.
Mark Motte
Lynne Harrington
Gene Nadeau
Robert Strom
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 Ms. Lanphear and seconded by Mr. Nadeau, the Commission voted (7/1 - Commissioner Motte abstained) to approve the October 3, 2017, Plan Commission Minutes with the removal of "movie theatre" on Page 5.

ORDINANCE RECOMMENDATIONS

Ordinance 09-17-03 – In amendment of Title 17 of the Code of the City of Cranston, 2005, Entitled "Zoning" (Change of Zone – Chapel View Boulevard)

Mr. Lapolla referenced his staff report, stating that the applicant is proposing to rezone Assessor's Plat 14 Lots 1 and 22 [Chapel View] from **Mixed-Use Planned Development [MPD]** to **C-5 with Conditions**. Mr. Lapolla stated the reasons for the proposed rezone are twofold:

- As a now developed site, the rezone will remove some of the detailed conditions that governed the development process so as to allow Chapel View to adapt to and grow with market conditions.
- The rezone sets zoning standards that mirror the recent rezones of the former Training School (the Fountains at Chapel View) and Citizen's Bank site: the goal being to create, to the extent possible, a unified zoning ordinance for the three properties.

The ordinance, as proposed, would make the following changes to the site's current zoning:

- It eliminates the requirements that the site have a mix of specified uses with designated areas and designated locations.
- It expands the uses allowed on site. [The expanded list of uses mirror what was allowed for the former Training School and the Citizen's Bank Re-zones.]
- It sets a parking requirement of 3 spaces per 1,000 square feet of active space [current parking requirement is a designated number 1697 spaces].
- It eliminates the requirement that the City's Local Historic District Commission review all development at Chapel View. The proposed ordinance would restrict said review to the site's historic structures: the Chapel, the cemetery, the dormitory buildings and their connecting buildings and the historic wall.
- It authorizes the construction of an LED sign [to be constructed at the corner of New London Avenue and Sockanosset Cross Road and a slight increase in the area allowed for the site's existing pylon signs.

The applicant's attorney, Tom Moses, reiterated Mr. Lapolla's comments, stating that in the long term, the applicant will be seeking "consistent zoning of the three sights" (Citizens/Davol, the former training school site and existing Chapel View).

Commissioner Harrington questioned the applicant's statement referring to traffic (see attachment). Mr. Lapolla explained that the Plan Commission's adopted traffic policy is what should have been attached. The applicant is prepared to comply with this traffic policy. He further stated that the project, as constructed, complies with the Plan Commission traffic policy. Ms. Harrington then questioned the "recreational/membership club" portion of the ordinance proposal and expressed concern that there could possibly be a "rod and gun club". Attorney Moses stated that no such use is proposed and he further stated that the district use table proposed "mirrors what is allowed at Garden City with some reductions". He further stated that "this request is for a C-5 zone with conditions". Mr. Kelly Coates, Sr. Vice President, Carpiionato Corporation, further added that "this is the fourth time we have made changes" to the ordinance proposal. He stated that the existing MPD is very restrictive.

Commissioner Motte asked Mr. Coates to address the need for the large LED sign proposed. Mr. Coates distributed plans to the Commission. He stated that a smaller LED sign than the existing LED sign at Garden City has been proposed. He stated that it "will not be higher than 22 ft." Mr. Lapolla added that the original signage allowance under the MPD from 1998 was far too low. He further pointed out that the third 14,000 sq. ft. pylon sign that was approved was never built. He stated that the same performance standards "are being applied here as is at Garden City". Mr. Coates added that the proposed LED sign will be reduced to 200 sq. ft.

Regarding the ordinance language, Mr. Lapolla stated that the location of the proposed LED sign should be stipulated, as well as the fact that the sign will be 22 ft. high due to the grade of the property and the existing location of the "pump house". Mr Coates concurred, stating that "the ordinance will be adjusted as is shown on the plan".

Chairman Smith then made mention of the existing historic Copper Beech Tree, expressing concern that the tree be maintained. Mr. Coates stated that it is the applicant's intention to keep the tree and will add language to the proposed ordinance to maintain it.

Commissioner Lanphear asked if the proposed LED sign would be color or contain animation. She expressed concern with "illumination"; referring to a formula and asked where the formula comes from.

She also questioned the proposed hours of operation (6 a.m. to 12 a.m.), and she asked if the sign would continue to change after 12 a.m. Mr. Coates responded, stating that the sign will be color without animation. He further stated that the applicant “did not select any of this” but rather it is “what the City Council allows”. Mr. Lapolla stated that the formula comes from a national standard. He will forward the Commission the national standard.

Commissioner Motte then stated that he still hasn’t heard what the size of the sign proposed will be. He also mentioned that the sign graphics presented for consideration should be to scale, as is required. Mr. Lapolla stated that the sign will be 6’5” x 20’. Mr. Coates concurred.

Ms. Gretchen Bagel, 27 Perennial Drive, stated that the proposed changes affect the whole area. She stated that at the time of Master Plan, no “big box was proposed”. She stated that she is “for development but it has to be done thoughtfully”. She also expressed concern with quality of life and property values. Mr. Lapolla, responded, stating that there “is no project application for the reuse of the Citizens Bank site”. He stated that the matter tonight is regarding the existing Chapel View MPD. He noted that Chapel View is “largely developed”.

Mr. Robert Murray, 75 Debbie Drive, stated that “he came to listen to the discussion, not to represent clients”. He pointed out that Garden City is a C-3 Zone, not a C-5 Zone. He expressed confusion that “he had the September ordinance that was introduced at the Ordinance Committee”. Mr. Lapolla stated that that ordinance, as submitted, would have received a negative recommendation from the Planning Department staff. He stated that “we have worked with the applicant to amend that ordinance”. Mr. Murray then stated that “it is not appropriate to review an ordinance that has not been before the Ordinance Committee”. He asked if this ordinance is “referencing the Power Road abandonment parcel”. He mentioned wall signs that “were x’ed out”. He also asked for clarification on the S-1 Zone.

Mr. Douglas Doe, Lippitt Avenue, stated that he was “confused by what he read”. He stated that this is “not what is being discussed”. He stated “we should all be looking at the same document” and made reference to having documents on line. Chairman Smith replied, stating that “this is not germane to this matter”.

Mr. Coates stated that the Chapel View project is currently zoned MPD “and has been amended about 22-30 times”. He stated that what is being proposed “is to tie the parcels together” so that they will be roughly the same zone. Mr. Lapolla stated that Power Road is still owned by the State, and “it is not part of any zoning request”. He stated that “when and if Power Road is abandoned, the zoning for that will extend depending on how the lot is combined”

Commissioner Nadeau questioned the communication device. Mr. Lapolla stated that the applicant would like to have the ability to place an antenna on top of the Alex and Ani building. Mr. Nadeau then questioned the proposed “motor craft and water craft”. Mr. Coates responded, stating that all types of “crafts” would be all interior. He stated that he is currently in negotiations with a company that markets their vehicles via storefront. He stated that “you will not see a car lot”.

There being no further discussion, the Commission moved to a vote. Upon motion made by Mr. Motte and seconded by Mr. Strom the Commission voted (7/1- Ms. Harrington voted nay) to forward a positive recommendation with the following amendments: the size of the proposed LED sign, the location of the proposed LED sign, preservation of the existing Copper Beech Tree and the size of the pylon signs will be set at 1304.42 sq. ft.

SUBDIVISION AND LAND DEVELOPMENT

Replat of Highland Park No. 2

Minor subdivision without street extension
One additional housing unit
Preliminary Plan
Southern Street and Aplin Street
AP 8-1, Lots 867-871

Attorney John DiBona, on behalf of the Estate of Dorothy DeLuca, explained that the subject parcels are located along Southern Street and Aplin Street, AP 8-1, Lots 867 - 871. The total area of the site is 21,170 square feet. The site is zoned **B-1** which allows single and two-family residential homes with 60' of frontage and 6,000 (8,000 for two-family) square feet of lot area.

The applicant has proposed to re-plat the five record lots and create three new lots:

- Parcel A – 8,000 square feet with 80' of frontage (existing multi-family);
- Parcel B – 6,770 square feet with 64' of frontage (vacant);
- Parcel C – 6,400 square feet with 160' of frontage (existing single-family).

All of the proposed lots will be serviced by public water and sewer. The proposed subdivision will require zoning relief for dimension and design. The proposed subdivision does not require street extension.

No public comment was offered on this matter.

Mr. Pezzullo stated that he has worked with Ocean State Planners on this proposal to come up with the proposed plan, which does not seek more units than the underlying zoning allows. He stated that waivers are required for sidewalk provision and lot configuration.

Upon motion made by Mr. Motte and seconded by Ms. Bittner, the Commission unanimously voted (8/0) to adopt the Findings of Fact denoted below and approve this Preliminary Plan, with waivers for provision of sidewalk and lot configuration, 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 mail on 10/25/17 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 residential subdivision and its resulting density conform to the Comprehensive Plan – Future Land Use designation of “Residential - Less than 10.89 units per acre”.
3. The proposed subdivision conforms to the dimensional regulations of the B-1 zoning district 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 subdivision as shown on the Preliminary Plan.
5. The proposed subdivision promotes high quality appropriate design and construction, will be well integrated with the surrounding neighborhoods and will reflect its existing characteristics.
6. The proposed subdivision will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.

7. The lots in question have adequate permanent physical access on Aplin Street, and Southern Street, improved public roadways located within the City of Cranston.
8. The proposed subdivision provides for safe and adequate local circulation of pedestrian and vehicular through traffic, for adequate surface water run-off and for a suitable building site.
9. Significant cultural, historic or natural features that contribute to the attractiveness of the community have not been identified on site.
10. The design and location of streets, building lots, utilities, drainage and other improvements conform to local regulations for mitigation of flooding and soil erosion.

Conditions of approval

1. Payment of Eastern Cranston Capital Facilities Impact Fee in the amount of \$593.46 at the time of Final Plat recording.
2. Payment of outstanding application fees in the amount of \$430 (\$120-Pre-application, Preliminary, \$75-Preliminary, \$235 Final) at the time of Final Plan application.
3. *If required by the Building and Zoning Official, obtain all required relief from the Zoning Board of Review for the configuration of the lots and the preexisting locations of structures prior Final Plan application.*

ZONING BOARD OF REVIEW RECOMMENDATIONS

848 Park Avenue Associate, LLC; C/O State Bank of Texas (OWN), and Piyush Patel (**APP**) have filed an application to allow an existing L.E.D. message board sign to display changeable copy in color and with animation at **848 Park Avenue**; A/P 9/5 lots 152& 160. Area 22,009 +/- s.f., Zoned C-3. Applicant seeks relief per 17.92.010 Variance; Section 17.72.010 Signs.a

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 current use is consistent with the Comprehensive Plan's Future Land Use map which designates this property as Commercial and Services.
2. In November 2003, the Zoning Board granted a variance for the current uses of Restaurant, Theater, and Banquet facility, with the condition that the exterior façade of the building be subject to review and approval from the Cranston Historic District Commission.
3. In 2010 the Zoning Board of review granted a variance authorizing an LED sign above the marquee of the Park Cinema. In granting the variance, the Zoning Board restricted the LED to an amber color and to static message displays.
4. The current request before the Zoning Board seeks authorization for both color and animation of the LED.
5. While the Comprehensive Plan is silent as to the design and display of signs, the Economic Development Element of the Plan highlights the need to enhance and improve the Cites three business districts [Pawtuxet Village, Knightsville and Rolfe Square]. The Plan identifies the following goals for the squares:

Revitalization Projects	
ED-22	Target improvement of neighborhood commercial centers to service their market area and to reduce congestion for cross-town traffic. New neighborhood village center developments should be focused at: <ul style="list-style-type: none"> • Scituate Avenue and Pippin Orchard Road • Phenix Avenue and Natick Avenue. • Redevelopment of neighborhood centers should continue to occur at Pawtuxet Village, Knightsville, and Rolfe Square.
ED-23	Distinguish between each commercial center: <ul style="list-style-type: none"> • Develop design guidelines for public properties • Include signage, street furniture, landscaping, public parking areas, bicycle ways, and sidewalks.
ED-24	Develop design guidelines for site development: <ul style="list-style-type: none"> • Address different conditions and smart growth goals • Distinguish between each type of commercial area; major commercial center, village center, highway or arterial commercial • Development adjacent to transit.

6. Since the 2010 Comprehensive Plan, Rolfe Square has attracted a number of art related uses and the square has been increasingly identified as the City’s arts district. Park Cinema acts as a gateway to the square and its façade helps sets the ‘tone’ for the square. Color and animation will add to the image the square.

Recommendation: Upon motion made by Mr. Motte and seconded by Ms. Bittner, the Plan Commission unanimously voted (8/0) to forward a positive recommendation to authorize color and changeable copy only (no animation) for the LED marquee sign at the Park Cinema.

ADJOURNMENT

Upon motion made by Ms. Lanphear and seconded by Mr. Strom, the Commission unanimously voted to adjourn at 9 p.m.

NEXT MEETING December 5, 2017 – City Council Chamber, 7 pm

Respectfully submitted,

Jason M. Pezzullo, MPC, MPA, AICP
Principal Planner / Administrative Officer