

MINUTES

September 2, 2014

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
Kenneth Mason
Robert Strom
Frederick Vincent
Gene Nadeau
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. Moran and seconded by Mr. Vincent, the Commission unanimously voted to approve the minutes of the August 5, 2014, Plan Commission meeting.

SUBDIVISION AND LAND DEVELOPMENTS

Chapel View MPD – Major Land Development Violations of the Approved MPD Ordinance-Enforcement Actions

Sockanossett Crossroad/New London Road
AP 14, Lot 1 and portion of Lot 15

Mr. Lapolla presented the areas of violation of the previously approved MPD, specifically the removal of islands and plantings in lieu of parking, as well as additional signage.

Attorney John Bolton, on behalf of his client, Chapel View Associates, confirmed that there have been several discussions to remedy the situation. He stated that a revision will be submitted prior to the next meeting. He further stated that a request will be submitted for the top two floors of Building 1000 to be converted to “flex space” to allow for residential and office.

Kelly Coates, Sr. Vice President, Carpionato Corporation, stated that the signage was approved by the HDC (the City Council has ceded authority to the HDC). He reassured the Commission that the project will conform to the approved plan.

Commissioner Strom asked that this be resolved in a timely manner. Commissioner Vincent asked that the violation issues be resolved prior to a zone change.

Upon motion made by Mr. Motte and seconded by Mr. Strom, the Commission unanimously voted to *continue* the matter to the October 7, 2014, Plan Commission Meeting.

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

The D'Ercole Plat

Minor Subdivision with street extension
Preliminary Plan
Terminus of D'Ercole Drive
AP 16/1, Lot 308

Jason explained the subject parcel has 42,814 sq.ft. and the applicant proposes to subdivide this into two lots: Lot 1 will have 22,852 sq.ft of land area with 140' of frontage; Lot 2 will have 19,960 sq.ft of land area with 140' of frontage. Both lots conform to the A-8 zoning requirements, are consistent with the Cranston Comprehensive Plan – Future Land Use Map, and will be serviced by public water and sewer. He further stated that due to the presence of a drainage easement and wetland area, a hammerhead turnaround was not feasible. The Fire Department concurred.

Jeff Davis, P.E., stated that the wetland permit was approved by RIDEM.

No public comment was offered on this matter.

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 Minor Subdivision, with waiver for sidewalks, and subject to the following conditions.

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 8/22/14 and the meeting agenda has been properly posted. Advertisement for this minor subdivision was published in the 8/20/14 edition of the Cranston Herald.
2. The proposed subdivision and its resulting density of approximately 2.1 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. 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 Preliminary Plan. RIDEM has approved the wetlands alterations as shown on the plans.
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 on D'Ercole Drive, an improved public roadway 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. Municipal Lien Certificate the existing lot of record shall be submitted with the Final Plan application prior to recording in land evidence.
2. Payment of Eastern Cranston Capital Facilities impact fee in the amount of \$593.46 at the time of Final Plat Recording.
3. Final sewer design approval shall be granted by Veolia Water prior to recording the final plan.
4. Provide a performance guarantee in the amount of \$26,000 with a separate 2% administrative fee in the amount of \$528 for the roadway extension prior to the recording of the new house lot.
5. All required legal documentation between the applicant and the RIDEM shall be complete prior to recording of the Final Record Plan.

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

Garden City Infill Project

Major Land Development
Master/Preliminary Plan
Hillside Road
AP 10/3, Lot 740

Attorney Robert Murray, on behalf of Gateway Woodside, Inc., stated that the proposal is for the construction of an 8500 square foot +/- infill building between the two buildings that presently house the retail stores Mel & Me at 74 Hillside Road and J. Jill at 78 Hillside Road.

Joe Koschel, General Manager, Garden City Center, thanked the Commission for their prior approvals, stating that Sephora and The Container Store have been a success. He stated that the "bulk of prospective tenants for this new building will be of high quality, in keeping with the rest of the Village".

Cheryl Guglielmo, P.E., gave an overview of the proposed drainage, stating that there will be a "400 sq. ft. reduction in drainage resulting in significantly improved water quality". She stated that there will be a "continuous sidewalk" that will connect all of the buildings.

Jason Pezzullo explained that the application has received DPR approval, further stating that due to the Subdivision and Land Development regulations, this project "triggered" a major land development.

There was no public comment 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 application subject to the following conditions.

Positive Findings

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 requested and the meeting agenda has been properly posted. Advertisement for this proposed building project was published in 8/20/14 edition of the Cranston Herald.

1. 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"
2. The proposed use will not alter the general character of the surrounding area or impair the intent or purpose of the Cranston Zoning Code.
3. There will be no significant negative environmental impacts from the proposed land development as shown on the Master/Preliminary Plan.

4. The proposed land development promotes high quality appropriate design and construction, will be well integrated with the surrounding area and will reflect its existing commercial/retail characteristics.
5. 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.
6. 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.
7. Significant cultural, historic or natural features that contribute to the attractiveness of the community have not been identified on site.
8. 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.
9. The overall property in question has adequate permanent physical access within the internal road network within the Garden City Shopping Center.

Condition of approval

Applicant shall incorporate all of the required amendments from the Development Plan Review Committee into the Final Plan set prior to filing the Final Plan application with the Planning Department.

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

Pandora Storage

Mixed-Use Planned District / Preliminary Overall Development/
Major Land Development – Master Plan
Natick/Phenix Avenue
AP 19/1, Lot 3

Attorney John Mancini stated that this developer has the benefit of past proposals for this site. He believes this proposal focuses on the industrial use; storage buildings. He stated that the bulk of the development will be to the rear of the property, “with significant buffering”. He stated that the 6,000 sq. ft. retail building will be visible. Due to the buildings small size, the applicant foresees smaller “mom and pop” businesses; perhaps a bank, drycleaner or small professional office. The project does meet the parking requirements. The proposed commercial storage units will be 1,000 – 2,000 sq. ft. Automobile storage building/s are also proposed. A septic system should be adequate for the use proposed and will be located along therear of the property along Route 295. A Physical Alteration Permit should be re-issued without issue. He closed by stating that the plan presented in conceptual and a traffic report will be presented.

Melissa Lawson presented conceptual drawings, stating that “nice windows and a peeked roof on the storage buildings are proposed”. She stated the retail building will be clapboard. She stated that, in all, five buildings are proposed: 2 auto storage buildings, commercial storage, a one to two story storage building and the retail building. The applicant will be operating the building and will ensure proper security. There will be 15,750 sq. ft. of commercial storage and 13,800 sq. ft. of auto storage. Both will be single level buildings.

Dave Taglianetti, VHB, explained the drainage proposal. He stated that it will be low flow, an on-site wastewater system is proposed.

Attorney Mancini further stated that “this project will have minimal impact on traffic”. He also mentioned the low amount of the square footage of the buildings, in total, on such a large parcel of land.

Mr. Fred Joslyn, 23 Gaglione Ct., asked where the entrance and exits will be and if the owner has knowledge of other development of this type. Mr. Taglianetti explained that the entrance will be at the existing traffic light. There will also be a second access point to the storage area for vehicles that are traveling south on Phenix Avenue. Mr. Mancini stated that the owner of the parcel is a trust. The applicant will be managing the facility. Blue Dog Investments have developed other storage facilities and intend to manage this facility.

Ms. Thompson, Oak Hill Terrace, asked if a traffic study would be done, stating that the previous traffic study “contained errors”. Mr. Mancini stated that a traffic study will be done and reviewed by RIDOT. It is his belief that the “impact will be benign”. Mr. Taglianetti explained that a right turn lane, a thru lane and a left turn lane, with dual approach lane of 300 ft. will be proposed.

Aram Garabedian, 173 Belvedere Drive, a trustee, stated that he is impressed with the low impact project proposed. He stated that this project “reaches many of the goals the people wanted”. Mr. Pezzullo concurred, stating that this proposal is much less intense than previous proposals. Any concerns the Fire Department may have will be “shaken out” in the Preliminary Plan process, as well as matters of landscaping and lighting, which will be addressed by the Development Plan Review Committee; after the City Council approval.

Upon motion made by Mr. Motte and seconded by Mr. Strom, the Commission unanimously voted to adopt the Findings of Fact denoted below and approve this application subject to the following conditions.

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 8/22/14 and the meeting agenda has been properly posted. Advertisement for this Master Plan was published in the 8/20/2014 edition of the Cranston Herald.
2. The proposed Master Plan and its resulting land uses are consistent with the City of Cranston Comprehensive Plan’s Future Land Use Map which designates the subject parcel as “Special Redevelopment Area”.
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 proposal as shown on the Master Plan.
5. The proposed Master Plan promotes high quality appropriate design and construction, will be well integrated with the surrounding neighborhoods and will reflect its existing characteristics.
6. The proposed Master Plan 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 Phenix Avenue, an improved public roadway located within the City of Cranston.
8. The proposed Master Plan provides for safe and adequate local circulation of pedestrian and vehicular through traffic, for adequate surface water run-off and for suitable building sites.
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. Prior to Preliminary Plan submission, applicant shall receive the Mixed-Use Planned District approval from the City Council and receive all necessary permits from outside agencies prior to submission a Preliminary Plan application.
2. Submit Municipal Lien Certificates for AP 19-1 Lot 3 at the time of Preliminary Plan submission to the Planning Department.
3. Permissible land uses for the two-story Commercial “Building 1” shall be consistent with the uses contained within the current C-3 “General Business” zoning classification.

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

Jamieson Plat

Preliminary Plan

Elmhurst Avenue/Preston Drive

AP 12/5, Lots 282,283,284 and 1704

Mr. Pezzullo explained the proposal for a two-lot minor subdivision without street extension. The subject parcels have a total land area of 12,000 sq. ft. and the applicant proposes to subdivide this combined area into two new lots: Lot 1 will have the existing home on 6,000 sq. ft. of land area with 60' of frontage; Lot 2 is vacant and will also have 6,000 sq. ft. of land area with 60' of frontage. Both lots conform to the A-6 zoning requirements, are consistent with the Cranston Comprehensive Plan – Future Land Use Map, and will be serviced by public water and sewer.

No public comment was offered on this matter.

Upon motion made by Mr. Motte and seconded by Mr. Strom, the Commission unanimously voted to adopt the Findings of Fact denoted below and approve this application, with waiver for sidewalks and concrete curbing, and subject to the following conditions.

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 8/22/14 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 7.26 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. 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 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 on Preston Avenue, and Elmhurst Avenue, 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. Municipal Lien Certificates for all existing lots of record shall be submitted with the Final Plan application prior to recording in land evidence.
2. Payment of Eastern Cranston Capital Facilities impact fee in the amount of \$593.46 at the time of Final Plat Recording.

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

ZONING BOARD OF REVIEW RECOMMENDATIONS

SAINT GEORGE ENTERPRISES LLC 175 BEECHWOOD DRIVE CRANSTON RI 02921 (OWN/APP) has filed an application for permission to convert the second floor of an existing commercial office building into a residential living unit on an undersized lot at **1302 Elmwood Avenue**. AP 3/2, lot 957 area 5989+/-SF, zoned A-6. Applicant seeks relief from Section 17.92.010 Variance and 17.20.120 Schedule of Intensity, 17.20.090 Specific Requirements, 17.20.030 Schedule of Uses, 17.64.010 H 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 A-6 zoning listed in the application is an error, the correct Zone is B-2. All supporting documents in the application indicates the correct B-2 zone.
2. The 2010 Comprehensive Plan Future Land Use Map designates this area of Elmwood as "Residential, Less than 10.39 units per acre". The requested residential component of the application is consistent with the Comprehensive Plan.
3. The existing doctor's office on the first floor is a permitted use; the result of a variance request in 1988 that was approved for office use.
4. The medical office space requires 5 parking spaces, and one for the residential unit. Nine spaces are shown on the site plan, however space # 5 contains a freestanding monument sign, which would leave 8 usable spaces.
5. In a B-2 zone, the required lot size for a mixed use is 8,000 sq. ft. The existing lot is 2,011 sq. ft. short of the required area.
6. The existing rear yard setback is 19.6', where 20' is required per the zoning code.

Recommendation: The Commission finds that the application would not alter the general character of the surrounding area. Upon motion made by Mr. Moran and seconded by Mr. Motte, the Plan Commission unanimously voted to forward a positive recommendation on this application to the Zoning board, noting the residential request is consistent with the Comprehensive Plan Future Land Use Map.

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

JOHN AND LINDA MARCHETTI 562 LAUREL HILL CRANSTON RI 02920 (OWN/APP) have filed an application for permission to build a new 26' X 44' two story single family dwelling with restricted frontage on an undersized lot on **AP 7-4 lot 1054 Oxford Street**. AP 7/4, lots 1050, 1051, 1052 and 1054 area 20,000+/-SF, zoned B-1. Applicant seeks relief from Section 17.92.010 Variance and 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 2010 Comprehensive Plan Future Land Use Map designates this area of Oxford Street as "Single/Two Family Residential, Less than 10.89 Units per acre". The application for a single family on 5,000 sq. ft. is consistent with the Comp Plan, as the resulting density is 8.7 units per acre.
2. The existing lot has 50ft. of frontage, where 60 ft. is required.
3. The proposed single family dwelling meets all the required front, side and rear yard setbacks.
4. The application will not alter the general character of the surrounding area, as at least 30 of the residential dwellings located within the 400' Zoning radius are on 5,000 sq. ft. lots.

Recommendation: The Commission finds that the application for a single family on 5,000 sq. ft. is consistent with the designated density of the Comprehensive Plan Future Land Use Map. Upon motion made by Mr. Motte and seconded by Mr. Nadeau, the Plan Commission voted to forward a positive recommendation on this application to the Zoning Board.

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

JOSEPH J NATALE 145 FOX RIDGE DRIVE CRANSTON RI 02921 (OWN/APP) has filed an application for permission to build a new 30' X 40' garage with restricted frontage, front, rear and side yard setback on an undersized lot at **487 Niantic Avenue**. AP 6, lot 1283 area 9402+/-SF, zoned M-2. Applicant seeks relief from Section 17.92.010 Variance and 17.20.120 Schedule of Intensity, 17.88.050 Structural Alterations.

This application was reviewed for conformance with criteria (3) of R.I.G.L. 45-24-41 (c) "Standards for Variance" which reads as follows: "That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based."

Findings of Fact:

1. The 2010 Comprehensive Plan Future Land Use Map designates this area of Niantic Avenue as "Neighborhood Commercial". The existing 3 family on the lot, the result of a 1995 Zoning Variance, is consistent with the Neighborhood Commercial designation which allows multi-family dwellings.
2. The existing 20' x 30' garage and an existing 8' x 16' shed will be removed.
3. The proposed garage will have a 20' front yard setback, where 40' is required; a 6' and an 18' side yard setback, where 25' is required, and a 33' rear yard setback, where 30' is required in an M-2 zone.
4. The 6' side yard setback (along the 40' side of the garage) abuts a single family use.
5. The proposed garage is two stories.
6. The existing driveway that abuts the house can accommodate two parking spaces.

Recommendation: The application for a garage as an accessory use for the 3 family dwelling is consistent with the 2010 Comprehensive Plan Future Land Use designation of Neighborhood Commercial, which permits multi-family uses, 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.

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

THOMAS AND DAWN FERRY 111 SUNDALE ROAD CRANSTON RI 02921 (OWN/APP) have filed an application for permission to relocate the southerly property line of lot 839 on AP 37 fifty feet further south at **111 Sundale Road**. AP 36/4, lot 1, area 8.59 acres and AP 37/3 lot 839 area 0.59 acres, zoned A-20. Applicant seeks relief from Section 17.92.010 Variance, 17.20.090 (E) Specific Requirements.

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:

Section 17.20.090 (E.) of the Zoning Code states: *Side lot lines shall be substantially at right angles to straight street lines or radial to curved street lines for their full length from front to rear with the following exception: side lot lines may deviate from this requirement in areas where natural constraints such as watercourses, wetlands, etc. or where prudent division practices necessitates special consideration. In all such cases, the burden will be on the owner to justify such deviation in design.*

The applicant has submitted an application for a Minor Subdivision that will move the side lot line that currently conforms to zoning, further south 50 feet, with a waiver request to create a side lot line that will contain two angles, a 270 degree interior angle, and a ninety degree interior angle. The proposed irregular lot line is not permitted in the Subdivision Regulations.

The Application requires a conditional approval from the Plan Commission for a Minor Subdivision, prior to being heard by the Zoning Board.

Recommendation: The Minor subdivision will not be heard until the October 2014 Plan Commission meeting. Upon motion made by Mr. Motte and seconded by Mr. Moran, the Commission unanimously voted to continue this matter to the October 7, 2014, meeting.

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

COASTWAY COMMUNITY COASTWAY BANK ONE COASTWAY PLAZA CRANSTON RI 02910 (OWN) AND TASCA AUTOMOTIVE GROUP 1300 PONTIAC AVENUE CRANSTON RI 02920 (APP) have filed an application for special permit for permission to operate an automotive body repair shop and paint shop with administrative offices from an existing building at **33 Sharpe Drive**. AP 13, lot 83 area 214,546+/- SF, zoned M-2. Applicant seeks relief from Section 17.92.020 Special Use Permit.

This application was reviewed for conformance with criteria (3) of R.I.G.L. 45-24-41 (c) "Standards for Variance" which reads as follows: "That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based."

Findings of Fact:

1. The 2010 Comprehensive Plan Future Land Use Map designates this area of the City as Industrial, which allows automotive body repair and paint shops by special permit. The application, therefore, is consistent with the Comprehensive Plan.
2. No exterior additions are proposed to the existing 38,400 s. f. building.

3. An application for Development Plan Review was approved by the Development Plan Review Committee on August 6, 2014.
4. This application will not alter the general character of the surrounding area or hinder the general purpose and intent of the Zoning Code or the Comprehensive Plan.
5. The application will relocate the existing Tasca Collision Center currently on Slater Road, to Sharpe Drive. Slater Road is also located within the same industrial park.

Recommendation:

The Commission finds that the application is consistent with the Comprehensive Plan. 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.

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

PETER C GARZONE 15 MAUREEN DRIVE SMITHFIELD RI 02917 (OWN) AND MISS CRANSTON DINER LLC C/O SARKIS DIARBAN 50 PINE RIDGE DRIVE CRANSTON RI 02921 (APP) have filed an application for permission to convert a hair salon building to a restaurant and build a 32' X 34' addition to same at **786 Oaklawn Avenue**. AP 15/2, lot 395 area 18,840+/- SF, zoned A-6. Applicant seeks relief from Section 17.92.010 Variance, 17.20.120 Schedule of Intensity, 17.72.010 Signage, 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 Oaklawn Avenue as Single Family Residential 7.26 to 3.64 units per acre. The application for a restaurant, therefore, is not consistent with the Comprehensive Plan.
2. The application received an approval from the Development Plan Review Committee on July 23, 2014 pending Zoning Approval with the following site conditions:
 - I. The site's dumpster shall be properly maintained and shall be protected by a stockade fence with gate or by other fencing as shown on the Plans. Said dumpster shall be located on bituminous asphalt or concrete bases, which shall be constructed, so as to contain any leakage. The Applicant shall be responsible for trash disposal on a regular basis and shall ensure that the dumpster area is maintained. There shall be no exterior storage of refuse materials [within or adjacent to the designated dumpster area.
 - II. Given the proximity of the neighborhood, there shall be no early morning servicing of the site's dumpsters. The servicing of the site's dumpster shall be limited to afternoon hours.
 - III. The Applicant shall provide at least the minimum handicapped parking spaces (including van-parking spaces) as required by the Americans with Disabilities Act [ADA]. Handicapped spaces (including van-parking spaces) shall be signed and striped in accordance with the requirements set forth in the ADA. The Applicant shall make reasonable efforts to ensure "Handicapped Only Parking" is adhered to, including requesting enforcement.
 - IV. Landscaping shall be installed in accordance with plan sheet entitled Site and Landscape Plan of the Plans.
 - V. All landscaped areas shall be kept free of weeds and debris. All vegetation within said areas shall be maintained free of physical damage caused by chemicals, insects, diseases, lack of water or other causes. Damaged plants shall be replaced with the same or similar vegetation on an annual basis.
 - VI. The Applicant shall explore the installation of carbon filters in the design and installation of its cooking equipment in order to minimize cooking odors.
 - VII. Prior to the start of any activity authorized by this approval, the Applicant shall provide proof to the Committee that the RI Department of transportation is issued a Physical Alteration Permit for the alteration of curb cut on Oaklawn Avenue.
 - VIII. If the school zone sign that is located on Oaklawn Avenue is to be relocated, the applicant shall secure the approval of the City's Public Safety Manager prior to its relocation
 - IX. The Applicant shall comply with the requirements of Chapter 17.72 "Signs" of the Zoning Ordinance. Prior to the placement of any sign on site, the Applicant shall submit either proof of compliance or that a variance from Chapter 17.72 has been obtained.
3. The existing front yard setback is 24.93 ft. where 25ft. is required.
4. The proposed 32' x 34' rear addition exceeds the side yard setbacks, the rear set back is 155.5 ft.

5. The site plan shows 21 parking spaces, which complies with the number of spaces required for 63 seats in the restaurant.
6. The proposed wall signage is 35 sq. ft. where 6 sq. ft. of building signage is permitted in an A-6 zone.

Recommendation: The proposed commercial use of the property for a restaurant, is not consistent with the Comprehensive Plan Future Land Use Map that designates this area of Oaklawn Avenue for Residential Use. However, the Plan Commission recognizes that there are commercial uses in the immediate area; therefore, upon motion made by Mr. Motte and seconded by Mr. Moran, the Commission unanimously voted to forward no recommendation on this application to the Zoning Board.

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

PLANNING DIRECTOR'S REPORT Comprehensive Plan Implementation

Mr. Lapolla stated that the Plan Department staff will move forward with working with the IT Department, GIS coordinator, to digitize the zoning maps and will also file for a zone change for approximately 1,900 properties.

ADJOURNMENT

Upon motion made by Mr. Vincent and seconded by Mr. Moran, the Commission unanimously voted to adjourn at 9:30 p.m.

NEXT MEETING October 7, 2014, in the City Council Chamber at 7 pm.

Respectfully submitted,

Jason M. Pezzullo, AICP
Principal Planner/Administrative Officer