

CITY PLANNING DEPARTMENT



Memorandum – FINAL

To: City Plan Commission
From: Jonas U. Bruggemann, MSCRP | Senior Planner
Date: January 29, 2025
RE: 42 Phenix Avenue – Assessors Plat 11/2, Lots 2839, 3557
Application for Dimensional Variance

Owner / Applicant: Blue Moon Properties LLC, Steven E. Pratt, Pamela Avarista Pratt
Location: 42 Phenix Avenue
Zoning: C-5: Heavy Business, Industry
FLUM Designation: Neighborhood Commercial/Services

Subject Property:

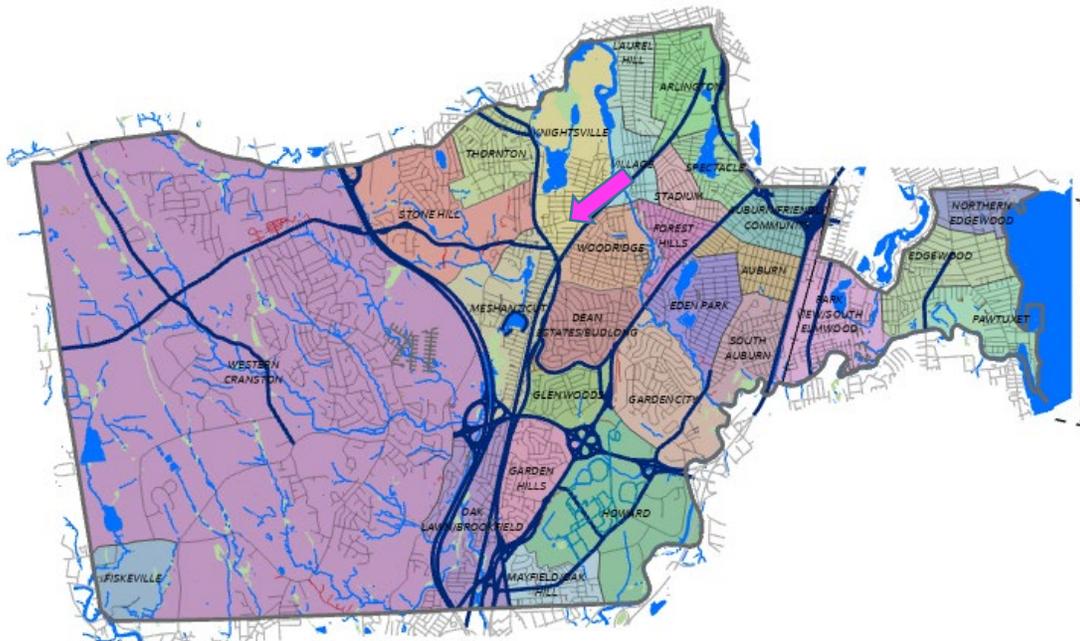
The subject property is located at 42 Phenix Avenue, identified as Plat 11/2, Lots 2839 and 3557, and has a land area of 0.2353± acres, (10,251± sq. ft.) with frontage on Phenix Avenue.

Request:

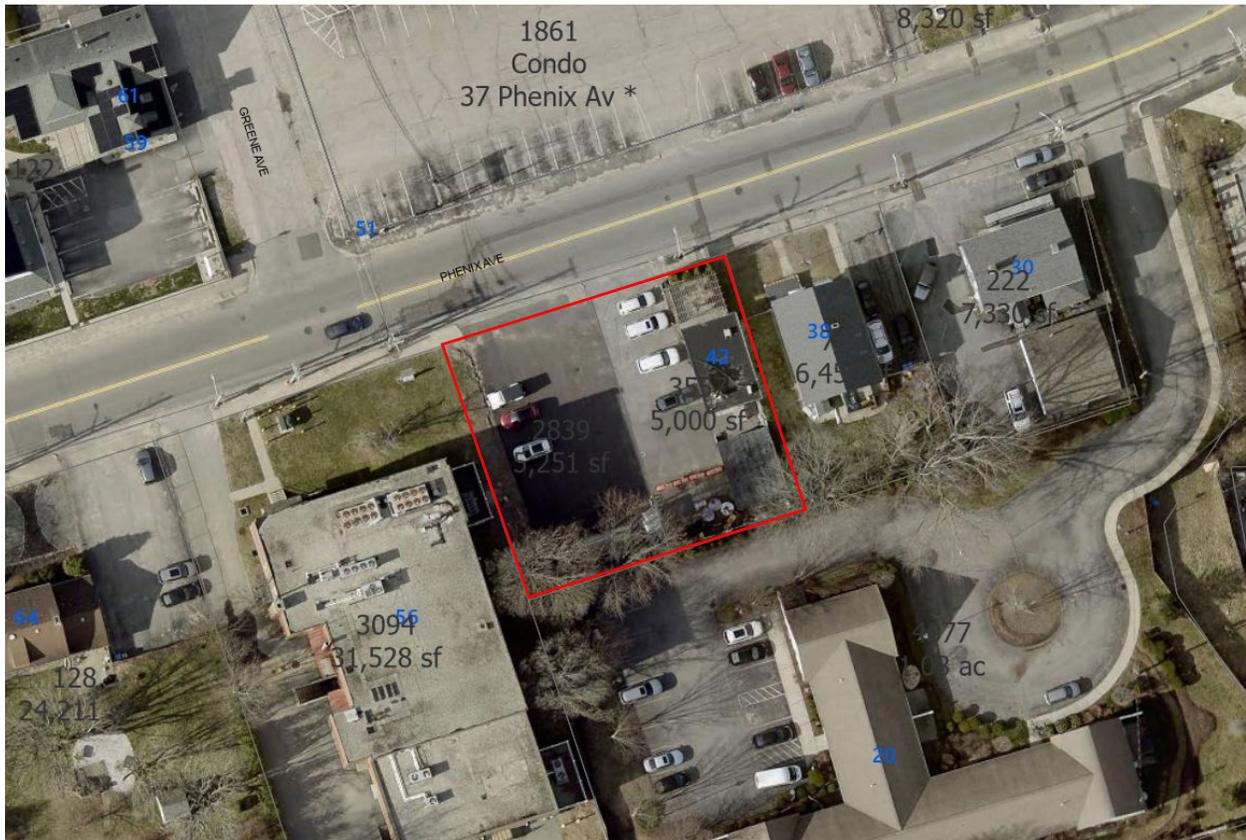
To allow relief from setback and parking requirements to install a pavilion and deck (17.20.120 – Schedule of Intensity Regulations, 17.64.010 – Off-Street Parking, and 17.92.010 – Variances).

The proposal includes removal of an existing pavilion, cooler, stage, and storage container in the rear of the property. Proposed is also construction of a ramp, new bathrooms, and storage space in addition to formalized striping in the parking lot and safety barriers in front of the stage area.

LOCATION MAP



AERIAL PHOTO



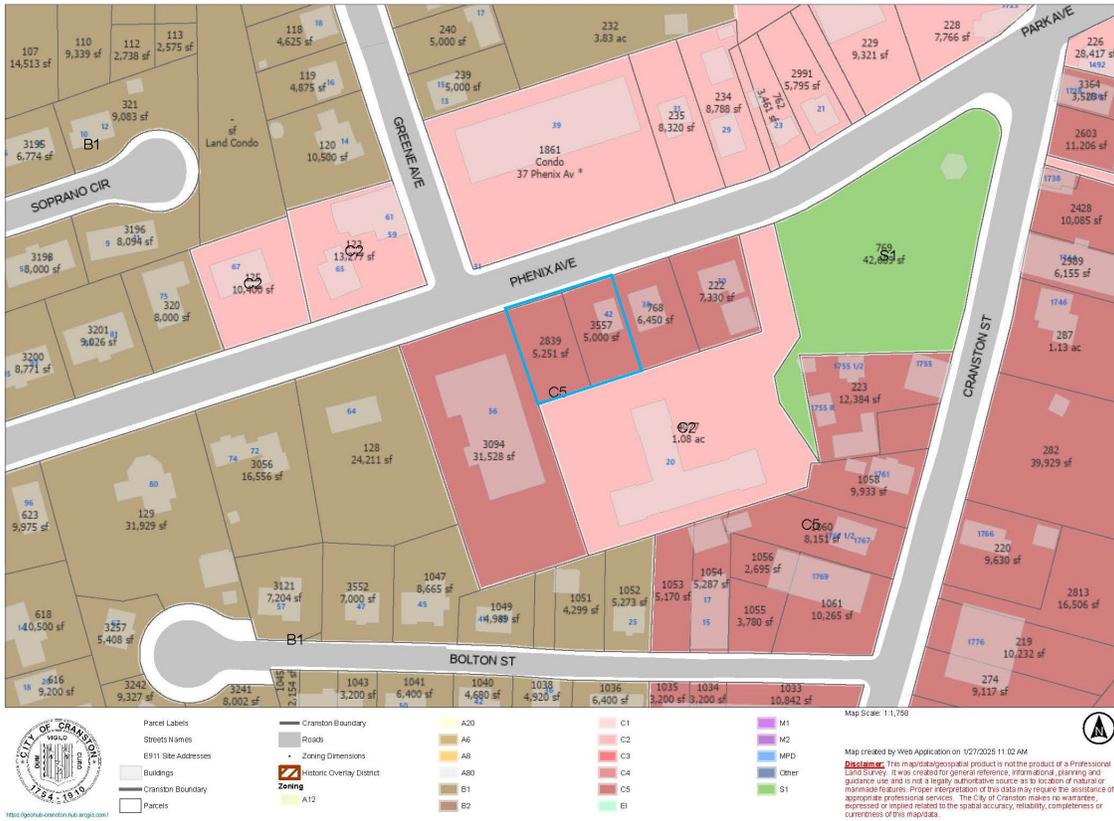
(RIDOT, March 2024)

STREET VIEW



View from Phenix Avenue (Google Street View, July 2023)

ZONING MAP



FUTURE LAND USE MAP



42 Phenix Avenue

Findings of Fact:

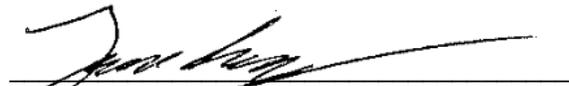
- The Applicant has requested specific relief in their Application, namely:
 - 17.20.120 – Schedule of Intensity Regulations
 - Side set back in C-5
 - Required: 8ft
 - Proposed: 2ft
 - Relief needed: 6ft
 - Rear Set back in C-5:
 - Required: 20ft
 - Proposed: 4.8ft
 - Relief needed: 15.2ft
 - 17.64.010 – Off-Street Parking
 - 17.64.010.I.12 - Eating and Drinking Establishments (1 parking space per 3 seats for patron use)
 - Required: 24 parking spaces (for 72 proposed seats)
 - Proposed: 11 parking spaces
 - Relief needed: 13 parking spaces
- Staff has reviewed this Application in consideration of the compatibility with the general character of the surrounding neighborhood and the request does not impose undue nuisances and is not out of character beyond any other uses on this site or within the surrounding area.
 - The property and the surrounding area are neighborhood level commercial and residential in nature. The proposal would not be a significant change of use from the existing use.
 - The proposal would be a significant investment into the property and formalize many temporary elements on the site.
 - Neighboring residential uses may be impacted by noise and other nuisances due to the outdoor dining and use of the stage for public events.
 - Noise levels are not predicted to increase as the use on the property is to remain the same. Noise complaints have been rare in the last two years according to the Cranston Police Department.
 - Staff do not have enough information to make a conclusive statement on the parking demand for the existing conditions or the proposal
 - Cranston Police have no reports of complaints regarding parking on this property
 - Businesses in the immediate area have adequate levels of off-street parking
 - On-street parking is available along Phenix Avenue
 - Applicant must demonstrate that request does not create nuisances
- Staff finds that the Application is consistent with the Zoning and Future Land Use Map (FLUM) designation:
 - The FLUM designates the subject property as “*Neighborhood Commercial/Services*.”
 - Per the Comprehensive Plan, the C-5 zoning district is not an appropriate zoning classification for a neighborhood commercial land designation and development.
 - The use of restaurant/tavern/pub with outdoor dining is an appropriate use for “*Neighborhood Commercial/Services*”.
- Staff find that the following goals, policies, and action items outlined in the Comprehensive Plan pertaining to commercial (re)development support the approval of this Application:
 - Policy ED-13: Encourage redevelopment opportunities at locations near Garden City Center, Rolfe Square, Knightsville, and along Interstate 295.
 - Policy ED-14: Promote the development or redevelopment of neighborhood commercial centers to service local market areas to reduce cross- town traffic. New neighborhood village center developments should be focused at Phenix Avenue and Natick Avenue, and Scituate Avenue and Pippin Orchard Road. Redevelopment of neighborhood centers should continue to occur at Pawtuxet Village, Knightsville, and Rolfe Square.

- Policy ED-22: Add to the City's taxable property base by constructing industrial and commercial structures which are properly designed and sited in keeping with environmental, planning and design considerations.
- Policy ED-24: Ensure that new and expanded commercial development along major arterials exhibits a high standard of design quality and is compatible with existing roadway functions and adjacent residential neighborhoods.

Recommendation:

In accordance with RIGL § 45-24-41(b) and Section 17.92.010(A) of the Zoning Ordinance, Staff finds this Application consistent with the goals and purposes of the Comprehensive Plan and is compatible with the general character of the surrounding neighborhood. Staff therefore recommends that the City Plan Commission adopt the Findings of Fact documented above and forward a **POSITIVE RECOMMENDATION** on the Application to the Zoning Board of Review.

Respectfully Submitted,



Jonas U. Bruggemann, MSCRP
Senior Planner/Administrative Officer

Cc: City Planning Director
File