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June 24, 2024

Jason M. Pezzullo, Planning Director
Cranston City Hall
869 Park Avenue
Cranston, RI 02910

RE: Application of McDonald's Corporation for Minor Land Development Project Review and Variances - 927 Cranston Street, 419 Webster Avenue, Cranston RI

Dear Mr. Pezzullo,

On behalf of McDonald's Corporation ("McDonald's" or the "Applicant"), and working with Bohler, we submit this project narrative to provide a general description of the proposed redevelopment of Assessor's Plat 7, Lots 632, 3669, 3514, and 3488, commonly known as 927 Cranston Street and 419 Webster Avenue (the "Property"), in Cranston, Rhode Island. In brief, the Applicant proposes to demolish and rebuild the existing McDonald's restaurant on the Property generally within the existing building footprint and make related improvements to the existing parking lot and drive-through circulation (the "Project").

Notably, in 2019, the Planning Board and Cranston Zoning Board of Review approved a very similar proposal from the Applicant. At that time, the Applicant had proposed to remodel the existing McDonald's restaurant on the property. The Applicant requested the same relief from the City of Cranston Zoning Ordinance (the "Zoning Ordinance") as is requested in the current proposal, and the Cranston Zoning Board of Review granted the necessary variances on September 11, 2019. Shortly thereafter the Cranston Development Plan Review Committee unanimously issued Final Development Plan Approval. Although the 2019 project received a building permit in 2020, the project was put on hold after the COVID-19 pandemic began. In the midst of the uncertain conditions that followed, the project approvals, including a second building permit issued in 2023, lapsed.

The Applicant now seeks to proceed with this previously approved project. Although the current proposal calls for a full demolition and reconstruction of the entire building rather than a remodel, the Applicant seeks similar or smaller variances from the Zoning Ordinance, as described below. Additionally, the Project now calls for replacing the existing utilities with new

infrastructure, including sewer, drainage, water, gas, and electric service lines. This upgraded infrastructure, along with the restaurant rebuild, will bring substantial improvements to the site.

Existing Conditions

The existing McDonald's restaurant, which was constructed in December 1985, is located in an approximately 3,862 square foot building (the "Building") contained entirely within the 927 Cranston Street parcel.¹ 927 Cranston Street, as well as the unaddressed Lots 3514 and 3669, is located in the C-5 Commercial District, and 419 Webster Avenue is located in the B-1 Residential District. Pursuant to § 17.08.010 of the Zoning Ordinance, the C-5 District is intended for the primary use of "Heavy business; industry," and the B-1 District is intended for the primary use of "Single family and two-family dwellings."

The existing drive-through configuration includes one drive-through lane with one menu board located at the back northern portion of the Property, followed by one payment window and one pick-up window on the east side of the Building. The existing drive-through order point speaker is set back 62.4 feet from the residential line and constitutes an existing nonconformance. There are presently 50 parking spaces on the Property, which contains a total of approximately 46,561 square feet.

Proposed Project

The Applicant proposes to demolish and rebuild the existing McDonald's restaurant building and make related improvements, including all new utility infrastructure. The Applicant proposes to alter the drive-through configuration by using two side-by-side lanes, each lane containing one digital menu board and one digital pre-browse board. This dual order point setup allows the Applicant to continually process orders, and to keep the vehicle queue moving. Consequently, the Applicant's operational capacity will improve, allowing more cars to process through the drive-through quickly and reducing any potential traffic backup.

The Applicant also proposes improvements to the parking lot, sidewalks, and other accessible features to conform to applicable requirements of the Americans with Disabilities Act (the "ADA"). Although the Project will modestly reduce the number of onsite parking spaces, the Property will still have more than the required parking under the Zoning Ordinance (32 spaces required; 50 spaces existing; and 44 spaces proposed). The Applicant will update the wall and other building signage in conformance with the Zoning Ordinance.

¹ Although the prior Notice of Decision from the Zoning Board and the Final Development Plan Review Approval reference 927 Cranston Street as the address for the Property, the Assessor's records state an address of 923 Cranston Street for the McDonald's building.

Overall, much of the Property will remain the same – changes in lot coverage are minimal, as the Building will remain on the same general building footprint. Additionally, the building height will remain well below the maximum allowable height.

The Applicant intends to continue the Property's current use as a restaurant with drive-through services. With the exception of existing non-conformities on the Property that will remain, and the requested relief from the Zoning Ordinance (as discussed further below), the proposed Project will conform with the use and dimensional requirements applicable to the C-5 and B-1 Districts under the City of Cranston Zoning Ordinance, including, among others, minimum setback, building dimension, parking and accessible parking, minimum lot area, and building coverage requirements.

Requested Relief

The Applicant requests two dimensional variances in connection with the proposed Project. First, the Applicant currently has one speaker in connection with its drive-through lane that is located 62.4 feet from the residential use near the left boundary line of the Property, whereas the Zoning Ordinance calls for a 100-foot setback. The Applicant proposes to maintain this approximate speaker location (62.9 feet from the property line of the adjacent residential use) and add a second drive-through lane with a corresponding speaker. This second speaker will be located 50.5 feet from the property line of the adjacent residential use. Accordingly, the Applicant requests that the Plan Commission issue a variance from Section 17.28.010(B)(10) of the Zoning Ordinance to permit the two speakers to be less than 100 feet from an adjacent residential use.

Second, the Applicant proposes to relocate its exit and entrance on Webster Avenue from the unaddressed parcels on Webster Avenue to the 419 Webster parcel, as shown on the attached plans (the "Plans"). As 419 Webster Avenue is zoned residential, the Applicant requests a variance from Section 17.64.010(C) of the Zoning Ordinance, which requires any extension of commercial parking onto a residential lot to "have ingress and egress only via the lots in the zoning district on which the conforming use is located and shall not substantially increase traffic in the adjoining zoning district." As stated above, the Zoning Board of Review granted this exact request for relief in connection with the 2019 application.

Pursuant to Rhode Island Gen. Laws § 45-24-41, the Plan Commission (when acting under unified development review pursuant to Rhode Island Gen. Laws § 45-24-46.4) shall require that the following standards be satisfied to grant a variance:

1. That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(a)(16);

2. That the hardship is not the result of any prior action of the applicant; and
3. 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.

For a dimensional variance, the Plan Commission also must require that the following standard be satisfied:

[T]hat the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, meaning that the relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted is not grounds for relief.

Rhode Island Gen. Laws § 45-24-41(e)(2).

A. The variance standards are satisfied for granting a variance from § 17.28.010B(10) (Residential Speaker Setback)

The need for a variance from the residential speaker setback arises from the unique shape of the Property and the long and narrow footprint and orientation of the Building. These are not general characteristics of the surrounding area, but rather result from the fact that the Property is a combination of a number of lots that span from Webster Avenue to Cranston Street. While the sections of the Property directly adjacent to Cranston Street and Webster Avenue provide adequate access to and from the Property and additional parking, they cannot adequately incorporate the Building or drive-through lanes. Any reconfiguration of the Building is made extremely difficult by the irregular slope of the Property, which is flat on the Property portion where the Building is located, and increases in slope as the lot nears the public right of way. As a result, the most feasible location and configuration of the two drive-through lanes is limited to the north of the Building, as displayed in the Plans. The layout will improve internal traffic circulation, lower waiting times for customers, and reduce the possibility of vehicle backup onto the public rights of way. Because both the northern and western perimeters of the Property are surrounded by residential uses, the drive-through lanes cannot adequately be shifted in either direction to satisfy the 100-foot buffer requirement while still providing for sufficient drive-through operations.

While the locations of the two speakers for the drive-through lanes are less than 100 feet from the residential use located to the north of the Property, the Project has proposed numerous measures to minimize any impact to the neighboring residential areas. The reconfiguration of the

drive-through lanes redirects the speakers towards the McDonald's parking lot and further away from the residential properties than the current configuration. The two proposed speakers also incorporate technology that adjusts the sound decibel level based on ambient noise. During evening hours or other periods when there is not a great deal of traffic or other ambient noise, the speakers' decibels decrease. The Project also includes landscaping and other buffering measures, including trees and fencing, to minimize any impact on the surrounding residential uses.

The proposal for two drive-through lanes is part of the Applicant's nationwide effort to upgrade its drive-through operations to, among other things, make the drive-through more efficient. These changes will assist in internal traffic flow and queueing speeds. The Applicant expects to incur substantial costs to complete the proposed rebuild and renovations. Its ability to improve the efficiency of the drive-through is a key financial factor in its decision to incur these costs, and the dual drive-through lanes constitute a necessary component of the site renovation.

The Property's use will remain the same. The proposed addition of the second drive-through lane is intended to reduce stacking and congestion at the Property, which is consistent with the intent and goals of § 17.28 of the Zoning Ordinance and the intent of the Cranston Comprehensive Plan. In sum, the Property will continue the same use, and the Building will be reconstructed on substantially the same footprint, resulting in no alteration of the general character of the surrounding area whatsoever. Accordingly, the Applicant's request satisfies the criteria for a dimensional variance.

During the public hearing, certified engineers from Bohler will present evidence to support the satisfaction of the variance criteria through explanation of the proposed conditions plan, information regarding the speaker systems, and discussion of the internal traffic flow.

B. The variance standards are satisfied for granting a variance from § 17.64.010(C) (Commercial Entrance/Exit on Residential Lot)

The Applicant also satisfies the variance criteria to relocate its Webster Avenue entrance/exit to the 419 Webster parcel. This relocation will result in shifting the driveway 65.6 feet further away from the intersection of Webster Avenue and Cranston Street. The Zoning Board of Review approved this same driveway location in 2019.

As with the speaker setback variance, the unique shape of the Property and orientation of the Building give rise to the need for a variance. These are unique characteristics of the Property and not general characteristics of the surrounding area. Leaving the entrance in its current location would impede internal traffic flow given the necessary proposed location of the drive-through lanes. The proposed entrance/exit location also will allow for better access from Webster Avenue by pulling the access point further from the Cranston Street and Webster Avenue intersection.

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This will reduce the likelihood of traffic congestion to the intersection and improve traffic flow. The proposed layout also will allow for better management of existing onsite traffic.

Because the entrance/exit to the Property already sits on Webster Avenue, moving it approximately 65.6 feet further away from the intersection of Webster Avenue and Cranston Street does not change the character of the surrounding area or impair the intent or purpose of the Zoning Ordinance. Rather, this proposed entrance and exit, combined with the two drive-through lanes, will allow for safer traffic conditions onsite due to decreased queueing time for customers and reduced risk of vehicle backup onto public right of ways.

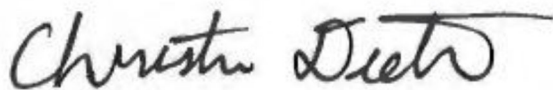
During the public hearing, certified engineers from Bohler will present evidence to support the satisfaction of the variance criteria through explanation of the proposed conditions plan and discussion of the internal traffic flow.

* * *

As detailed above, the Project proposes a comprehensive site upgrade that will improve substantially existing site conditions. It also satisfies all of the requirements under Rhode Island Gen. Laws § 45-24-41 for the Plan Commission to grant variances from Section 17.28.010(B)(10) and Section 17.64.010 of the Zoning Ordinance. Both the Plan Commission and Zoning Board had an opportunity to review the Applicant's substantially similar proposal in 2019 and granted final development plan review approval and relief from the Zoning Ordinance. The Applicant therefore respectfully requests that the Planning Board grant approval for this Minor Land Development Project, grant relief from the stated requirements of the Zoning Ordinance, and grant such other relief as the Plan Commission deems necessary for the Project.

We look forward to presenting this proposed Project to the Commission at the earliest possible meeting. If you have any questions on this matter, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Christine Dieter". The signature is fluid and cursive, with the first name "Christine" and last name "Dieter" clearly distinguishable.

Christine E. Dieter