

City Planning Department



Memo

To: Cranston Planning Commission
From: Doug McLean, AICP, Principal Planner
Date: July 7, 2022
Re: Staff Report – “**Proposed Mixed Use Development - Phase 2**” Minor Amendment to Approved Final Overall District Plan, 950 Phenix Avenue, Assessors Plat 19/1, Lot 3

I. Applicant/Proposal

The subject parcel is located at 950 Phenix Avenue, Assessors Plat 19/1, Lot 3 and is currently zoned Mixed-Use Planned District (consistent with the Master Plan / City Plan Commission and City Council approvals). The applicant, BCPSTOR Development, L.P., has submitted a request for a Minor Amendment to an approved Overall District Plan. Such an approved is specific to properties within a Mixed-Use Planned District zone. The property owners are BCPSTOR Development, L.P., and 950 Phenix Ave, LLC.

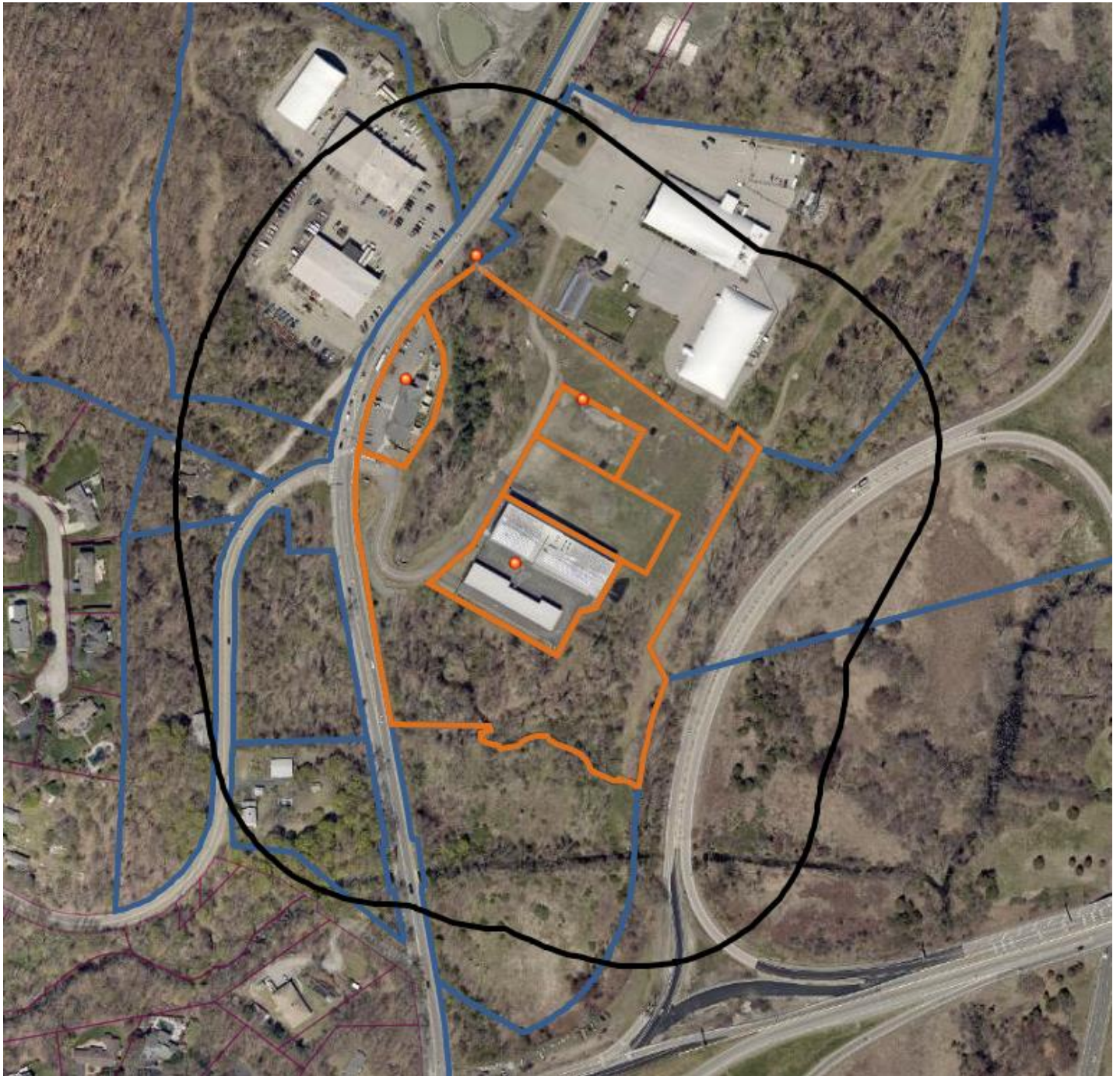
The immediate application is to modify the Final Overall District Plan to remove two (2) buildings that would have been host to commercial uses and replace them with one (1) new building that will be host to a self-storage use of 40,000± square feet. The modifications are taking place entirely within the portion of the site designated as “Phase 2” on the plans. This specific portion of the site was left unconstructed and there are currently no buildings within the “Phase 2” area. The proposed modification does not include any impacts to wetlands and will not require wetland permitting.

The Plan Commission is charged with reviewing this Minor Amendment to the approved Final Overall District Plan (site plan) consistent with the findings and standards for a Major Land Development - Preliminary Plan submittal.

II. Documents for the Minor Amendment to Overall District Plan Application

1. Preliminary Plan application signed by Stephen Harris and Robert Consalvo of BCPSTOR Development L.P.
2. Owner Authorization Form signed by Kendra Tanguay of 950 Phenix Ave, LLC
3. Filing Fees in the form of checks totaling \$3,500 (Preliminary Plan fee)
4. 400' radius map, list of abutters including mailing labels.
5. Preliminary plan set entitled “Proposed Mixed Use Development – Phase 2” prepared by Vanasse Hangen Brustlin, Inc., Renee L. Codega, P.E., Richard S. Lipsitz P.L.S., dated 11/22/21.
6. Long Term Operation and Maintenance Plan and Pollution Prevention and Source Control Report, prepared by Vanasse Hangen Brustlin, Inc., dated 11/22/21.
7. Stormwater Management Report and Soil Erosion and Sediment Control Report, prepared by Vanasse Hangen Brustlin, Inc., dated 11/22/21.

AERIAL VIEW (400 foot radius line marked in black)



3-D VIEW (LOOKING NORTH)



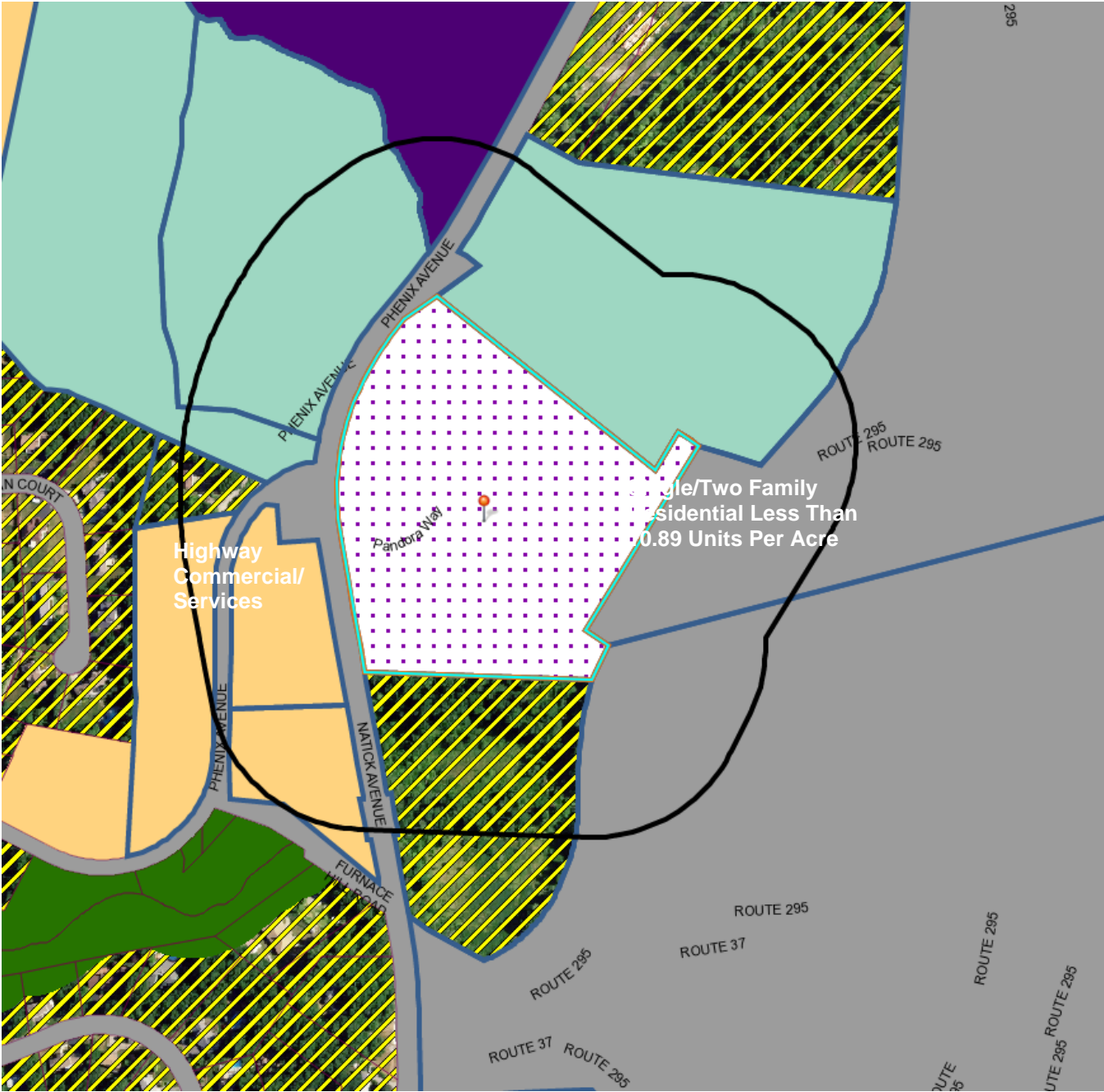
STREET VIEW (FROM PHENIX AVE. LOOKING EAST)



ZONING MAP

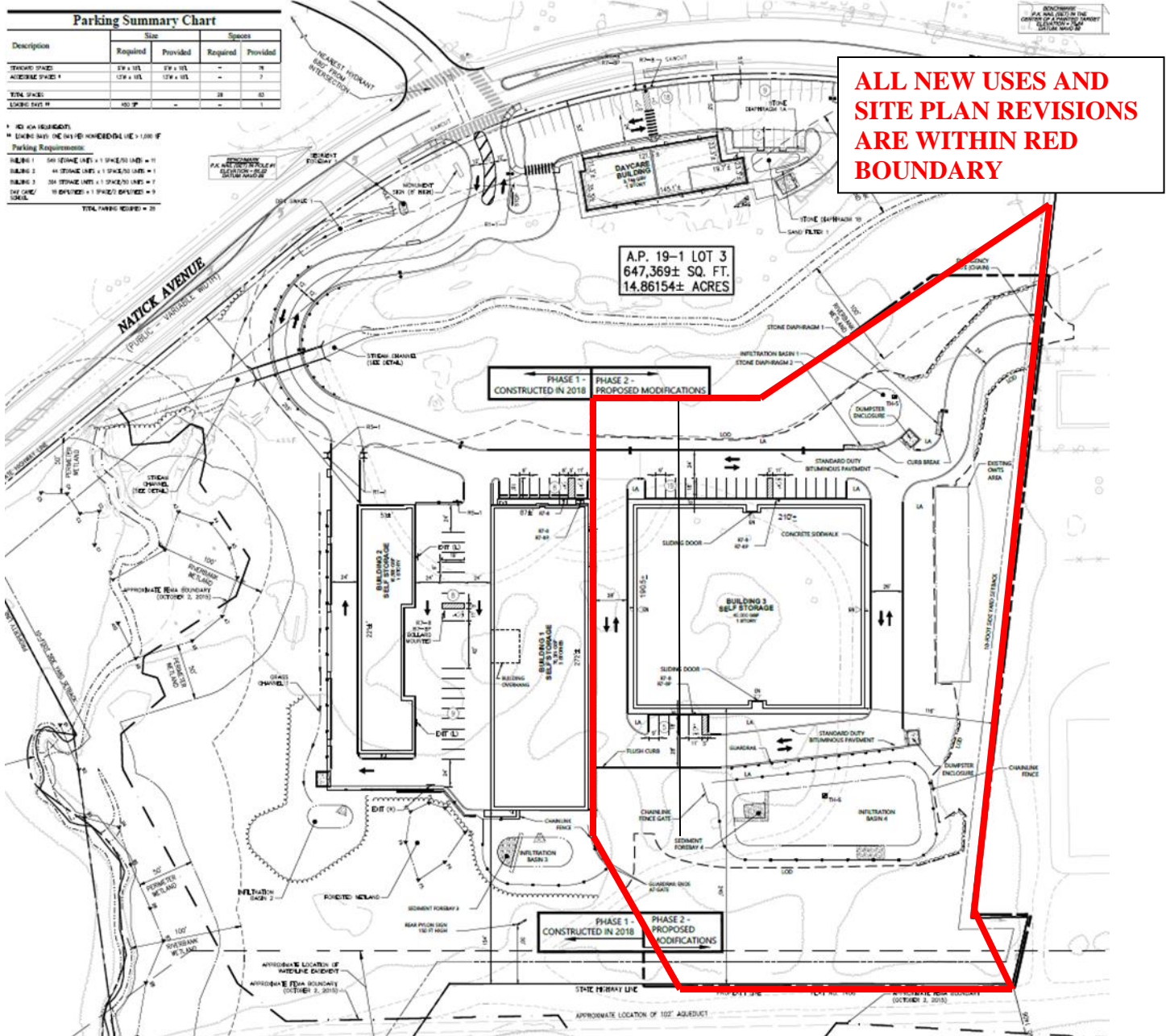


FUTURE LAND USE MAP



[illegible]

STAFF EXHIBIT: AREA SUBJECT TO MINOR AMENDMENT



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III. Surrounding land use and context

Analysis using the City of Cranston Geographic Information System indicates that:

1. The property is located in the central portion of Cranston, abutting the I-295 right-of-way.
2. The abutting land to the north is zoned A-12 and contains the City's Ice Rink.
3. The abutting land the south is also zoned A-12 and contains one single-family home.
4. The property on the opposite side of Phenix Avenue is a mix of land zoned M-2 and A-20. The M-2 zoned land to the west and northwest contains City buildings as well as the abutting gravel operation owned by Tillman Mineral Incorporated.
5. The parcel has minimal slope variation and is generally consistent with the grade of a former industrial sand and gravel operation.
6. The property has areas of flowing water which appear to have been covered up, possibly with a culvert, during the formal industrial use of the property. Most recently, this culvert has been repaired and the water is allowed to flow into the natural areas unabated.
7. Areas of historical or cultural significance which contribute to the character of the community have not been identified on site.

IV. Staff / Agency Comments

Pursuant to RIGL 45-23-41 A3, the modification proposal was distributed for comment to, Public Works Department / Engineering Division / Traffic Safety Division, Building and Zoning Department, Conservation Commission and the Fire Department. No comments have been received at this time. The previously approved Final Overall District Plan - preliminary plan set were reviewed and approved unanimously by the Development Plan Review Committee on 9/19/19.

V. Interests of Others

None to report at this time.

VI. Planning Analysis

In brief, this application has been thoroughly vetted by staff prior to deeming the applicant's submission complete and staff worked with legal counsel to ensure the proposed review process was accurate and consistent with City code.

It should be noted that the regulatory framework for a project within a Mixed-Use Planned District zone provides for an alternative review and approval process as compared to a standard Major Land Development. That is why the process references different terms that may be unfamiliar to new Plan Commission members, such as "Final Overall District Plan". In this case, the Final Overall District Plan represents the final approval necessary through the Planning Department process before beginning the building permit process. It is equivalent to a "Final Plan" within a traditional Major Land Development application. The project was deemed to be a "Minor Amendment" because the project is a significant

reduction in land use intensity on the site, both in terms of the number of proposed buildings and in terms of the proposed uses within the buildings.

The applicant seeks to modify the previously approved Final Overall District Plan to remove two (2) buildings that would have been host to commercial uses and replace them with one (1) new building that will be host to a self-storage use of 40,000± square feet. The previously propose commercial uses were for “commercial condos” intended to be a flexible space for contractors and other commercial enterprises to use as a work and storage space. The previous plan identified these building as for “Commercial Storage”. The new use of self-storage is less intensive than the previous commercial condo use because of the expected traffic generation and on-site activities in the building is significantly reduced. *"Self storage, mini storage"* is defined in the Cranston Zoning Code as: *“means a building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property.”*

The modifications are taking place entirely within the portion of the site designated as “Phase 2” on the plans. This specific portion of the site was left unconstructed and there are currently no buildings within the “Phase 2” area. The proposed modifications do not include any impacts to wetlands and will not require wetland permitting.

The applicant has complied with the requested “Minor Amendment” process which entails reviewing and approving the modified plans at the Preliminary Plan level of detail. The plans have met the City performance standards for commercial development as confirmed by the previous Development Plan Review Committee review and the immediate Planning Department staff review of the specific modifications.

VII. Waivers

No waivers are required.

VIII. Findings of Fact

The following findings are specific to the specified areas of the Final Overall District Plan subject to the immediate Minor Amendment application marked as “Phase 2” on the plans. All other aspects of the previously approved plans are not affected and are still authorized through the previous Final Overall District Plan approval.

An orderly, thorough and expeditious technical review of this Preliminary Plan has been conducted. Property owners within a 100’ radius have been notified first class mail prior to the public meeting, and the meeting agenda has been properly posted.

Staff has reviewed this Preliminary Plan application for conformance with required standards set forth in RIGL Section 45-23-60, as well as the City of Cranston’s Subdivision and Land Development Regulations and finds as follows:

RIGL § 45-23-60. Procedure – Required findings. (a)(1) states, “The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies.”

1. The proposed subdivision is consistent with the City of Cranston Comprehensive Plan policies and Future Land Use Map (FLUM) which designates the subject parcel as "Special Redevelopment Area."
2. Significant cultural, historic or natural features that contribute to the attractiveness of the community have not been identified on site. Wetlands on the site have been flagged and have been buffered accordingly.

RIGL § 45-23-60. Procedure – Required findings. (a)(2) states, "The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance."

3. The proposed use of self-storage and the dimensions of the lot and proposed improvements comply with all of the requirements of Mixed-Use Planned District zoning.
4. The proposal will not alter the general character of the surrounding area or impair the intent or purpose of the Cranston Zoning Code.

RIGL § 45-23-60. Procedure – Required findings. (a)(3) states, "There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval."

5. No significant environmental impacts are anticipated. Furthermore, the project will be subject to all local, state and federal requirements relating to environmental conditions on the site both during and after construction.
6. The Rhode Island November 2018 Natural Heritage map shows that there are no known rare species located on the site.

RIGL § 45-23-60. Procedure – Required findings. (a)(4) states, "The subdivision, as proposed, will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. (See definition of Buildable lot). Lots with physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans."

7. The proposed development will not result in the creation of individual lots with such physical constraints to development that those lots according to pertinent regulations and building standards would be impracticable.
8. The design and location of building lots, utilities, drainage and other improvements conform to local regulations for mitigation of flooding and soil erosion.

RIGL § 45-23-60. Procedure – Required findings. (a)(5) states, "All proposed land developments and all subdivision lots have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered in compliance with this requirement."

9. The properties in question will have adequate permanent physical access on Phenix Avenue and Pandora Way, roadways located within the City of Cranston.

10. 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.

IX. Recommendation

Staff finds this proposal consistent with the standards for required findings of fact set forth in RIGL Section 45-23-30, 45-23-60, City of Cranston's Subdivision and Land Development Regulations and the Cranston Zoning Code. Staff therefore recommends that the City Plan Commission adopt the findings of fact documented above and **approve** this Preliminary Plan - Major Land Development Application for a proposed Minor Amendment to the Final Overall District Plan.