

City of Cranston Comprehensive Plan 'Consistency Analysis'
Proposed Zone Change and Comprehensive Plan amendment(s)
"Comstock Crossing"
0 Comstock Parkway
Assessor's Plat 36 / 2; Lot(s) 51, 52, and 53

Prepared For: Elizabeth Paul

By: Pimentel Consulting, Inc.

Date: 3 February 2022

INTRODUCTORY STATEMENT

Elizabeth Paul (“Applicant”) has retained my professional land use planning and zoning consulting services (“Consultant”), in order to provide an independent assessment on the appropriateness of rezoning property presently classified in an industrial manner for highway commercial purposes. The applicant has a unique interest in the referenced property, because she owns and successfully operates a coffee shop the multi-tenant commercial facility located directly across the shared public right-of-way, namely Comstock Parkway. The unique placement, configuration, and overall size of the referenced parcels do not particularly lend themselves for industrial development, but more-so oriented towards highway commercial as this report will evidence. In addition to seeking the requisite rezone, a corresponding land use classification amendment will similarly be pursued to ensure Comprehensive Plan consistency. This Consultant has thoroughly vetted the following regulatory documents in preparing the subject land use analysis:

- o City of Cranston Comprehensive Plan - June 2012 Amendment (“Comprehensive Plan”);
- o Land Development and Subdivision Regulations (“Development Regulations”);
- o City of Cranston, Rhode Island, Zoning Ordinance (“Ordinance”); and
- o Pertinent state statutes and case law.

In addition, this Consultant has prepared a comprehensive neighborhood analysis, consisting of several site and neighborhood inspections, followed by reviewing Tax Assessment Data. It was the determination of this Consultant that a neighborhood analysis was necessary, otherwise it would be virtually impossible to render a professional opinion on whether a zone change could be legitimately supported. Neighborhood compatibility and Comprehensive Plan consistency go hand-in-hand. This report has been prepared for the express purpose of rendering a professional opinion on the appropriateness of both rezoning as well as amending the present land use classification, in light of the goals and objectives of the Land Use and Economic Development Elements. The Comprehensive Plan [Pages 2-3] provides the requisite regulatory foundation for all future development. However, there is also a full understanding that development expectations maybe erred, thereby realizing a pathway to change.

Comprehensive Plan - How Do We Get There?

“Methods: Following the steps for action as outlined in the Implementation section, the City may adopt the policies of Smart Growth and create new standards for development. The City may also program public investment to support community goals such as extending public utilities to new private development when other public goals are met.” [Page 3]

"This Comprehensive Plan Update continues this tradition of planning. As Cranston approaches the build-out of its residential, commercial and industrial-zoned land, it becomes more critical to identify ways of successfully developing and redeveloping the City's economic resources, while protecting its natural and cultural resources, maintaining quality public services and facilities, and ensuring the long-term affordability of its housing stock. These are some of the more important issues that guided the Comprehensive Plan process." [Page 3]

Growth Management - *"Development in the City can be redirected to improve the local businesses and neighborhoods. Connecting new public policy goals with tailored, specific development will position the City as sustainable for future generations." [Page 2]*

PROPERTY and GENERAL NEIGHBORHOOD FACTS

The subject property is addressed 0 Comstock Parkway, further designated Assessor's Plat 36 / 2, Lot(s) 51, 52, and 53, containing a combined approximately 95,440 square feet of total land area, is presently unimproved, although some type of landscaping or other external business appears to have quite recently occupied the premises ("Property"). Current Property conditions are detailed below, as illustrated below in personally obtained photographs.



The individual lot characteristics are detailed as follows:

1. 0 Comstock Parkway - Assessor's Plat 36 / 2, Lot 51: The subject parcel contains approximately 42,622 square feet of total land area, and is presently zoned in an industrial manner. It is configured in typical rectangular fashion, however having a lot depth that is

approximately three-times its lot width thereby more-so resembling a bowling alley. The parcel is situated a mere 300-feet South of Plainfield Pike, and predominantly surrounded by commercial entities of varying intensities. Directly to the West, across Comstock Parkway, is both a Gymnastics Training Center and large multi-tenant commercial plaza. To the immediate rear, or East, is another large multi-tenant commercial plaza. And finally, to the immediate South, is the Cox Communications 'Office' Center. Regardless, of the predominant commercial presence, the parcel is nevertheless presently zoned in an industrial manner.

2. 0 Comstock Parkway - Assessor's Plat 36 / 2, Lot 52: The subject parcel likewise contains approximately 42,571 square feet of total land area, and similarly zoned in an industrial manner. The parcel is likewise configured in typical rectangular fashion, however it too has a lot depth that is approximately three-times its lot width thereby more-so resembling a bowling alley. The parcel is situated a mere 180-feet South of Plainfield Pike, and likewise predominantly surrounded by commercial entities of varying intensities. Directly to the West, across Comstock Parkway, is both a Gymnastics Training Center and large multi-tenant commercial plaza. To the immediate rear, or East, is another large multi-tenant commercial plaza. And finally, to the immediate Northeast is a Washington Trust banking facility.

3. 0 Comstock Parkway - Assessor's Plat 36 / 2, Lot 53: The subject parcel is the smallest of the three (3), containing only 10,247 square feet of total land area, and yet, similarly zoned in an industrial manner. The parcel is likewise configured in typical rectangular fashion, and literally situated a mere 80 or so feet away from the intersection of Plainfield Pike and Comstock Parkway. It too is literally surrounded by non-industrial land uses, primarily of a commercial nature. Plainfield Pike is almost entirely comprised of commercial operations, to include within the jurisdiction of the Town of Johnston across Plainfield Pike. Directly to the West, across Comstock Parkway, is a large multi-tenant commercial plaza, and to the immediate East is a Washington Trust banking facility.

The Property is situated along Comstock Parkway, and literally within proximate distance of Plainfield Pike. Comstock Parkway is classified an 'Urban Minor Arterial' roadway and Plainfield Pike a 'Principal Arterial' roadway, pursuant to the Rhode Island Department of Transportation ("RIDOT"). The referenced roadway classifications are defined by RIDOT in the following manner:

Principal Arterials - "These roadways serve major centers of metropolitan areas, provide a high degree of mobility and can also provide mobility through rural areas. Unlike their access-controlled counterparts, abutting land uses can be served directly. Forms of access for Other Principal Arterial roadways include driveways to specific parcels and at-grade intersections with other roadways..."

Minor Arterials - "Minor Arterials provide service for trips of moderate length, serve geographic areas that are smaller than their higher Arterial counterparts and offer connectivity to the higher Arterial system. In an urban context, they interconnect and augment the higher Arterial system, provide intra-community continuity and may carry local bus routes."

All of the referenced surrounding neighborhood conditions are illustrated below, as excerpted from the Town's Geographical Information System ("GIS") and Google Earth, respectively.

The referenced illustrations detail just how prominent is commercialism throughout Plainfield Pike, especially in proximity and literally surrounding the Property.

Aerial View



11 Comstock Parkway - Multi-Tenant Commercial Facility

View Looking West from the Property, directly across Comstock Parkway



View Looking South from Plainfield Pike



41 Comstock Parkway - Gymnastics Facility
Situated directly across Comstock Parkway to the West



70 Comstock Parkway - Cox Office Facility
Situated to the immediate South



2174 Plainfield Pike - Washington Trust Banking Facility
Situated to the immediated Northeast



The combined acreage is approximately 2.19-acres, although the individual parcels, with the inclusion of the much-smaller Lot 53, could very well accommodate reasonable commercial development. The same cannot be stated in regard to reasonable industrial development,

which would necessitate the entire acreage, and more likely even greater quantities to attract modern-day industrial entities. This was recently corroborated by industry-oriented testimony provided in support of development of industrial property located a mere several parcels to the South, referenced parcel containing in excess of 17-acres. Much larger parcels are required to accommodate facilities that necessitate greater massing and scale; the type of businesses that presently permeate the industrial landscape, and it appears well into the future (e.g., distribution and wholesaling). It is the professional opinion of this Consultant that the Property should more appropriately serve in a 'transitional' capacity; being already well surrounded by land uses that are more akin to commercialism. This fragmentation, and therefore industrial incompatibility, is well recognized by the Comprehensive Plan.

Western Cranston's Arterials - Plainfield Pike: *"As a regional arterial, Plainfield Pike was a focus of economic development policies. Strip commercial development, similar to what was emerging on the Johnston side, was specifically discouraged."* [Page 24]

- o *"Strengthen the zoning regulations governing M-1 and M-2 districts to ensure that **industrial areas are not fragmented by incompatible uses. Suggested strategies included creating a new zoning designation** specifically for the Plainfield Pike and Howard Industrial Park areas and enacting a Planned Unit Development (PUD) ordinance."*

It is therefore this Consultant's professional opinion given the well-established surrounding commercial and transitional industrial character (Cox office and warehousing being the last semi-commercial and industrial land use), already fragmented positioning of the Property, and overall deficient lot size for current industrial needs, that development for hybrid commercial and light industrial purposes is much more appropriate. The Property is presently zoned M-2 'General Industry' District ("M-2 District"), as are the immediately surrounding properties to the North, East, and South [Illustrations below excerpted from the City's GIS]. This includes all of the previously identified commercial entities, thereby rendering many of them non-conforming. This is rather perplexing considering Plainfield Pike is clearly already developed in a highway commercial manner, to include the properties North of Plainfield Pike within the jurisdiction of the Town of Johnston, and therefore a zoning contradiction.



This commercial recognition is not mere professional opinion, but also well corroborated by the community as evidenced by the present commercial zoning designation of the properties situated at the intersection of Comstock Parkway and Plainfield Pike, directly to the West of the Property. Therefore, rezoning further land resources for commercial purposes cannot be deemed 'spot zoning,' especially when doing so for the purpose of realizing neighborhood compatibility. The referenced zoning designations are likewise in agreement with the present land use classifications, to include those properties presently zoned in a commercial manner. This zoning / land use classification corroboration is evidenced by the fact that they are not defined as being in disagreement and thus included in the quite comprehensive listing of all properties necessitating rezone action. Finally, pursuant to both Rhode Island General Law ("RIGL") and the City's Comprehensive Plan [Page 24], there must be agreement in regard to land usage between municipalities.

RIGL 45-22.2-3(b)(5) - *'Legislative findings and intent - Statement of goals - Intent: "Establish and maintain a procedure for coordinating planning at state and municipal levels including addressing potentially conflicting land uses as well as shared resources in contiguous municipalities and encouraging cooperative planning efforts by municipalities."*

Comprehensive Plan - Western Cranston's Arterials: *"Special attention was given to the largest arterials bounding western Cranston: Plainfield Pike, and Natick Avenue and Route 37."*

o *"Coordinate with the Town of Johnston to ensure that future development of the commercial zoned land north of the road reinforces the image and function of the Plainfield Pike to the benefit of both communities."*

The following Future Land Use illustration is excerpted from the City's GIS, detailing the presence of commercialism immediately opposite the Property.



GENERAL NEIGHBORHOOD DESCRIPTION

A thorough analysis of the surrounding blocks was personally prepared for purposes of evidencing neighborhood compatibility, and therefore affirming rezoning appropriateness. The referenced analysis included all properties sandwiched between Plainfield Pike to the North, Western Industrial Drive to the West, Amflex Drive and Western Industrial Drive to the South, and Sailor Way to the East. In total, 38 properties were thoroughly reviewed, exclusive of those situated across Plainfield Pike within the jurisdiction of the Town of Johnston. However, these properties were likewise investigated for purposes of assuring land use compatibility, as mandated by both RIGL and local ordinance. Every single referenced property is commercially zoned, and either improved in a commercial or nonconforming single-family manner.

The full neighborhood analysis is attached as an addendum to this report, which includes detailed information on average lot size, average facility size, lot coverage, date of construction, and a slew of other information. However, the most pertinent and clearly corroborating factor was a comparative assessment on current industrially zoned versus commercially zoned parcels. The average industrially zoned property, understanding that this is only an average with many being far larger, is more than twice the size of the average commercially zoned property; the average industrial property being upwards of 2.10-acres, as compared to the average commercial property approaching 0.95-acres. This factor alone evidences this Consultant’s contention that the parcels comprising the Property are more appropriate for commercial versus industrial development, because modern day industrial entities necessitate larger sized lots. This is particularly true given the surrounding commercial character and need to realize neighborhood compatibility.

COMPREHENSIVE PLAN ANALYSIS

Although, a zone change and corresponding land use reclassification is required, there is nevertheless general Comprehensive Plan textual support. The Comprehensive Plan well recognizes the importance of protecting neighborhood character, while simultaneously realizing that a stable tax base is of the utmost importance. It is therefore the opinion of this Consultant that given the transitional nature of the area from industrial to highway commercial, literally at the proximate positioning of the Property, the present M-2 District designation is now contrary to good development. It is most assuredly the Town’s desire, given a set quantity of land resources for economic development purposes, to assist in the development of an area that has clearly transformed itself into a highway commercial corridor.

Economic Development Element

EDG-2: "Attract capital into the Cranston area and expand the City's economic base." [Page 12]

EDP-2.3: "Maintain and enhance the growth of a diverse array of small, growth-oriented, value-adding business concerns."

EDG-3: "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." [Page 12]

EDG-4 "Revitalize underused areas of the City for uses that are in keeping with the needs and values of the community." [Page 12]

EDP-5 "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." [Page 12]

"The City's previous approaches to improving the quality of development have been through regulatory actions. The City could use market-based regulations such as allowing mixed-use developments as incentives to support the local economy and improve the utilization of land, and city resources and services. New development could be designed to meet the needs of the community for increased tax base, new services, and civic uses, if incentives are given to the new projects by opening up new opportunities that conform to public standards and market realities. The existing MPD (mixed use planned district) zone could be modified to accomplish these changes." [Page 35]

"As Cranston moves forward, it still needs to address the traditional economic development goals." [Page 73]

- o "Increase the tax base with new private investment in commercial and industrial properties.

Although, the City of Cranston has attempted since 1992, some 30-years now, to change the image and progression of commercial development along Plainfield Pike, it has nevertheless continued to develop in a highway commercial manner. Therefore, some recognition that market conditions dictate true development needs must be accepted, and alternate thinking introduced. This is not altogether a foreign concept, as evidenced by the Comprehensive Plan.

Land Use Element

Plainfield Pike - "Land uses along Plainfield Pike have become increasingly auto-oriented, creating a "strip mall" character. The City needs to coordinate with the adjacent Town of Johnston and implement zoning changes for this section of Cranston to halt this land use trend. If this coordination is not possible, the City should still recognize that strip commercial development is not the best possible land use. The City should maintain the higher standards and encourage the real estate market value to increase with new development." [Page 31]

Part III. Strategies and Actions - *"This section provides the concepts, strategies, and actions that will help resolve the issues identified in the previous section of the Land Use Plan element."* [Page 34]

Land Use Principles - *"During the comprehensive planning process, it was determined that there were common themes among many of the ideas, suggestions, and issues regarding land use that also affected the other elements. These themes support the following land use principles and provide a basis for actions proposed in this plan."*

Principle 1: **"Direct future commercial, industrial and mixed-use development with two approaches:"**

o **"Adopt smart growth principles for new development that maintain the best qualities of Cranston."**

o *"Focus efforts on a few key redevelopment sites by encouraging smart growth to increase the value and job potential from each site and increase the mix and density of uses."*

ZONE CHANGE: 'M-2 DISTRICT' to 'C-5 DISTRICT'

A zone change is absolutely necessary in order to realize successful development of the Property, thereby furnishing appropriate land use flexibility. The results of the Comprehensive Plan analysis clearly evidences general textual support. The applicant thus seeks a zone change of the Property from the present **'M-2 District'** designation to the more appropriate **'C-5 District'** designation, reflecting existing neighborhood conditions and fulfilling numerous Comprehensive Plan goals and objectives. The C-5 'Heavy Business, Industry' District is recognized as a hybrid of highway commercial and light industry, thereby permitting development of the Property in a manner that realizes neighborhood compatibility while simultaneously assisting in the community's aspiration of protecting the proximate industrial entities.

Regulatory Strategies - *"The land use strategy for improving commercial development along the major arterials consisted of four parts:"* [Page 25]

o **"Review and adjust zoning district boundaries along the major arterials to provide for adequate commercial services while minimizing impacts on adjacent residential neighborhoods."**

Neighborhood Commercial/Services and Highway Commercial/Services - **"The Future Land Use Plan divides the previous 1992 designation of Commercial and Services into two new categories: Neighborhood Commercial/Services [NCS] and Highway Commercial/Services [HCS] in recognition that commercial land has a hierarchy of intensity of uses and service different market areas. NCS is oriented towards providing services to local neighborhoods while HCS is oriented towards providing services to citywide and regional markets. This plan recommends that the appropriate zoning for**

NCS is C-1, C-2 and C-3, and the appropriate zoning designation for HCS is C-3, C-4, C-5.
[Page 43]

Land Use Action No. 16: "Revise Plainfield Pike Zoning." [Page 54]

o "**Revise zoning districts along Plainfield Pike to eliminate incompatible land uses and consolidate the industrial zoning of the area.**"

EDP-5 "**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.**" [Page 12]

EDP-5.1 "**Adjust zoning map boundaries of commercial districts along major arterials, and refine use regulations applicable to such districts, to provide for adequate commercial services while minimizing impacts on adjoining residential neighborhoods.**"

COMPREHENSIVE PLAN - FLUM CONSISTENCY
LAND USE RECLASSIFICATION: 'INDUSTRIAL' to
'HIGHWAY COMMERCIAL / SERVICES'

The applicant is required by law to evidence consistency with the Comprehensive Plan, and more importantly the "Future Land Use" map. R.I.G.L. 45-24-50 – "Consistency with Comprehensive Plan," specifically grants local communities the authority to amend their Ordinances, when it is done so for the purpose of promoting the public health, safety, morals and general welfare. An Ordinance amendment, including change to the official zoning map, must first evidence consistency with the Comprehensive Plan. Textual consistency has already been affirmed, however there must also be agreement between the FLUM and the proposed zone change. Consistency with the FLUM, which reflects, "...*the preferred or acceptable patterns of land use...*" is legally mandatory. Evidence of this consistency must be satisfied, otherwise RIGL mandates a Comprehensive Plan amendment. It is the professional opinion of this consultant that although the Property is presently classified in an '**Industrial**' manner, given the numerous goals and objectives to be realized and resulting neighborhood compatibility, reclassification to '**Highway Commercial / Services**' is appropriate.

CONCLUSION

In summary, it is the professional opinion of this Consultant that the City of Cranston Planning Board and City Council, alike, should not have any reservations in affirming the requested zone change and land use reclassification. The proposed rezoning designation and amended land use classification, are purely for the purpose of permitting the subject property to be used in an appropriate manner that reflects Ordinance compliance and surrounding neighborhood

character. It will also further the goals and objectives of the Comprehensive Plan, in particular the Land Use and Economic Development Elements.