

A meeting of the Cranston Zoning Board of Review was called to order in Cranston City Hall Council Chambers by Chairperson Christopher E. Buonanno on **Wednesday July 12, 2023 at 6:32 pm**. Also present were Joy Montanaro, Dean Perdikakis, 1st alternate Craig Norcliffe, and 3rd alternate Frank Corrao III

The following matters were heard before the Board:

OLD BUSINESS

Ward 6

COMMONWEALTH ASSOCIATES, LLC (OWN) and J&J GASBARRO OAKLAWN LIQUORS (APP) have applied to the Board to install a new sign exceeding the allowable area and add a new LED message center at **985 Oaklawn Avenue**, A.P. 18, lot 1232, area 66, 646 s.f. zoned C2. Applicants seek relief per Section 17.92.010- Variances; Section 17.72.010- Signs. Application filed 5/11/2023. David V. Iglizzi, Esq.

This matter was **continued** to the September 13, 2023 meeting with a change of counsel as requested by the applicant.

NEW BUSINESS

Ward 6

AMIR H. JOURABACHI & PAMELA JOURABACHI (OWN/APP) have filed an application to construct a new single-family dwelling on an under- sized lot with restricted frontage at **0 Oaklawn Avenue**, A.P. 16, lot 305, area 5,975 s.f. zoned A8. Applicants seek relief per Section 17.92.010- Variances; Section 17.20.120- Schedule of Intensity Regulations. Application filed 5/25/2023. Robert D. Murray, Esq.

This application was **withdrawn** by the applicant as it was determined the lot met the requirements of 17.20.040 (B),(1), omitting the need for a variance.

Ward 3

CRANSTON STREET ASSOCIATES, LLC (OWN) and COLBEA ENTERPRISES, LLC (APP) have applied to the Board to construct a new Fuel station minimart with drive- through coffee shop exceeding the allowable height and signage relief on number of signs, total area, and height at **777 Cranston Street**, A.P. 7, lot 1, Building Pad No. 3, area 44,915 s.f. zoned C5. Applicants seek relief per Section 17.92.010- Variances; Sections 17.72.010- Signs; 17.20.120- Schedule of Intensity Regulations. Application filed 5/11/2023. Danielle E. Dufault, Esq.

REQUESTED RELIEF

1. To exceed the maximum total area of a wall sign from thirty (30) square feet to 85 square feet (55 square feet or relief). [17.72.010(6)]
2. To exceed the total area of a monument sign from forty-five (45) square feet to 86.2 square feet (41.2 feet of relief) [17.72.010(6)].

3. To exceed the maximum height of a monument sign from four (4) feet to 7.63 feet (3.63 feet of relief). [17.72.010(6)]
4. To exceed maximum total signage area from 284.2 sq. feet (20 percent of the total street facing façade wall area), to 311.8 sq. feet (27.7 sq. feet of relief). [17.72.010(6)]
5. To exceed maximum building height from 35 feet to 36' 2-½" inches (1' 2-1/2" of relief). [17.92.010. Variances]
6. To exceed maximum total number of freestanding signs from one (1) per street frontage to two (2) freestanding signs on the premises. [17.72.010(6)].

On a motion made by Mr. Perdikakis and seconded by Ms. Montanaro, this variance was unanimously **approved** as presented to the Board on July 12, 2023.

The Board made their decision based on the following findings of fact:

FINDINGS OF FACT:

1. The applicant proposes to construct a new 5,000 s.f. convenience store with co-brand coffee shop and drive-through, gasoline fuel dispensers, and EV charging stations.
2. The applicant requires relief for individual sign height (monument); total area of an individual sign (monument sign, wall sign), building height, total signage area, and total number of signs.
3. The subject parcel (AP 7/2, Lot 1) is located in a "Special C-5 zone (Heavy business, industry) with conditions". See Ordinance #9-22-01 & #9-22-02 (Comprehensive Plan Amendment & Change of Zone)
 - a. The proposed uses for the Premises as a gasoline filling station with convenience store inclusive of a coffee shop/café and drive-through is permitted **by right** in the C-5 Zoning District, in accordance with Chapter 17.20.030 of the Ordinances.
4. This use is complementary to heavy industrial/commercial uses within the vicinity, as the property is located in the main commercial corridor of Cranston Street, surrounded by other gasoline service stations.
5. The Comprehensive Plan Future Land Use Map designates this area for highway/commercial services.
6. With freestanding, monument, and wall signs commonly found for businesses on Cranston Street, the proposed relief from sign height and total area would not be out of character or injurious to the area and are **not** inconsistent with the general highway-commercial character of Cranston Street.
7. The attorney for the applicant gave an overview of the project and then put forth testimony of its expert concerning the reasoning and placement of the signage. Said testimony is incorporated herein and accepted by the Board
8. There was no testimony either in favor or against the project by any members of the public.

In this case, the Board voted to accept the staff finding of fact and expert testimony and applying the facts above to the standard for a variance, the Board further finds that the application involves a hardship that is not due to a physical or economic disability of the applicant, that the hardship does not result primarily from the desire of the applicant to realize greater financial gain, will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan, and is the least relief necessary. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 Variance; Section 17.20.120 - Schedule of Intensity Regulations, Sections 17.72.010- Signs;

Stanley Pikul
Secretary, Zoning & Platting Boards

The meeting was adjourned at 7:35 PM
