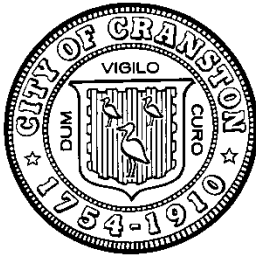


City Planning Department



Memo

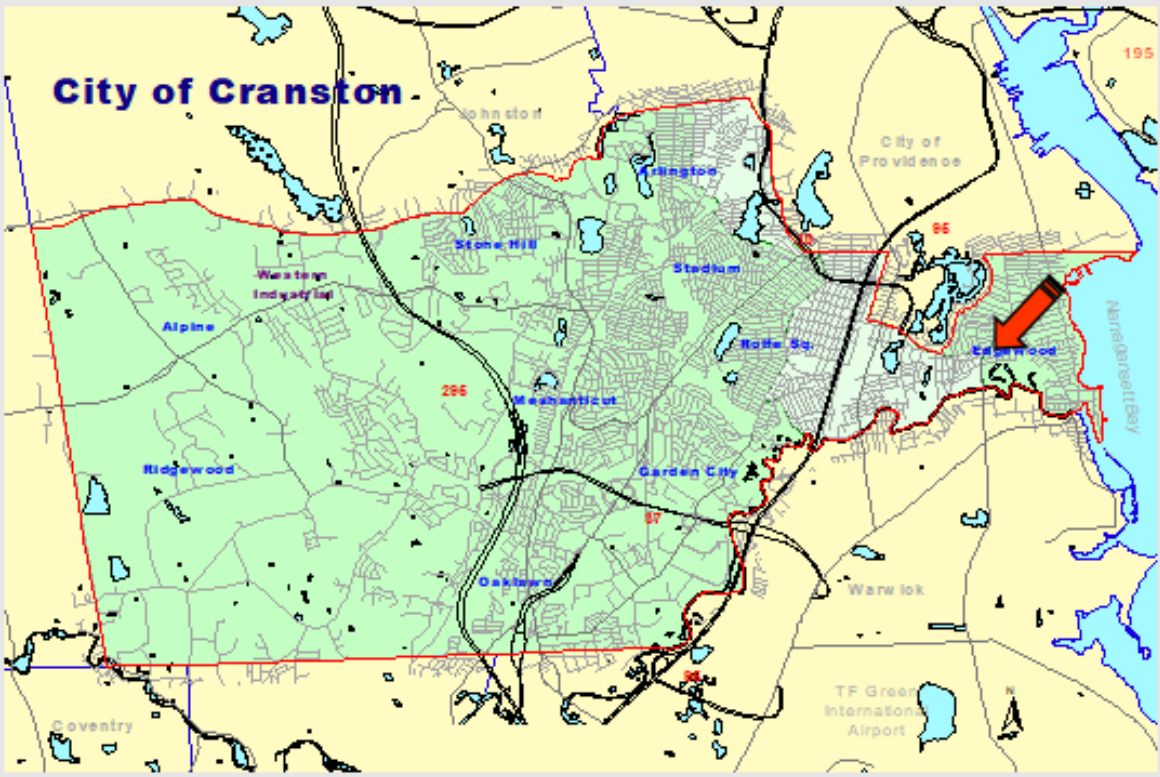
To: Cranston City Plan Commission
From: Joshua Berry, AICP - Senior Planner / Administrative Officer
Date: February 23, 2021
Re: **Variance Application for @ 132-134 Park Avenue**

Owner/App: Shon Campbell
Location: 132-134 Park Avenue, AP 2, Lot 2646
Zone: A-6 (Single-family dwellings on min areas of 6,000 ft²)
FLU: Single-Family Residential 7.26 than 3.64 units per acre

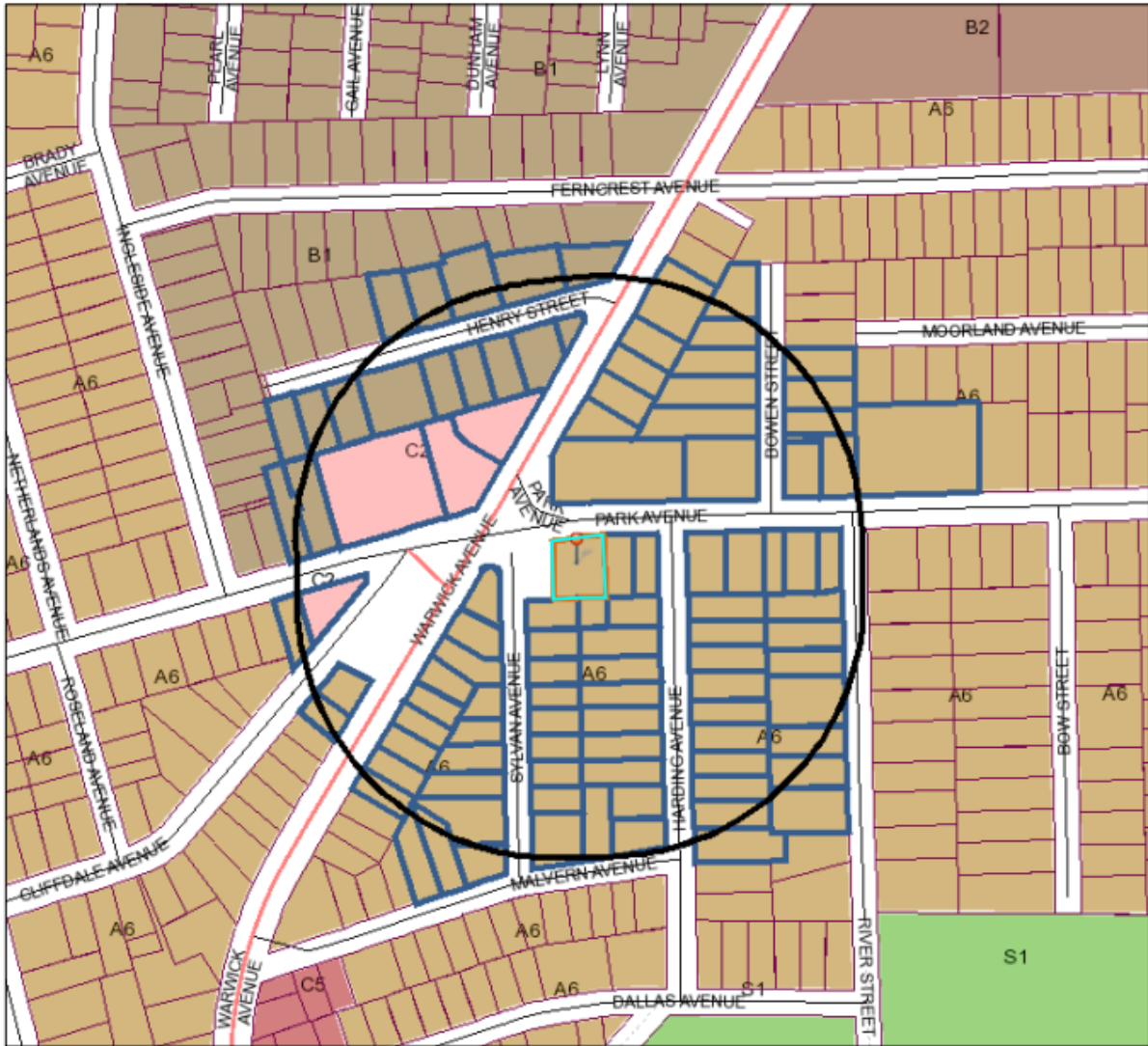
VARIANCE REQUEST:

1. To allow a “residence above a first floor business use” (professional office) in an A-6 zone where it is not an allowed use. [Section 17.20.030 – Schedule of Uses]

LOCATION MAP



ZONING MAP

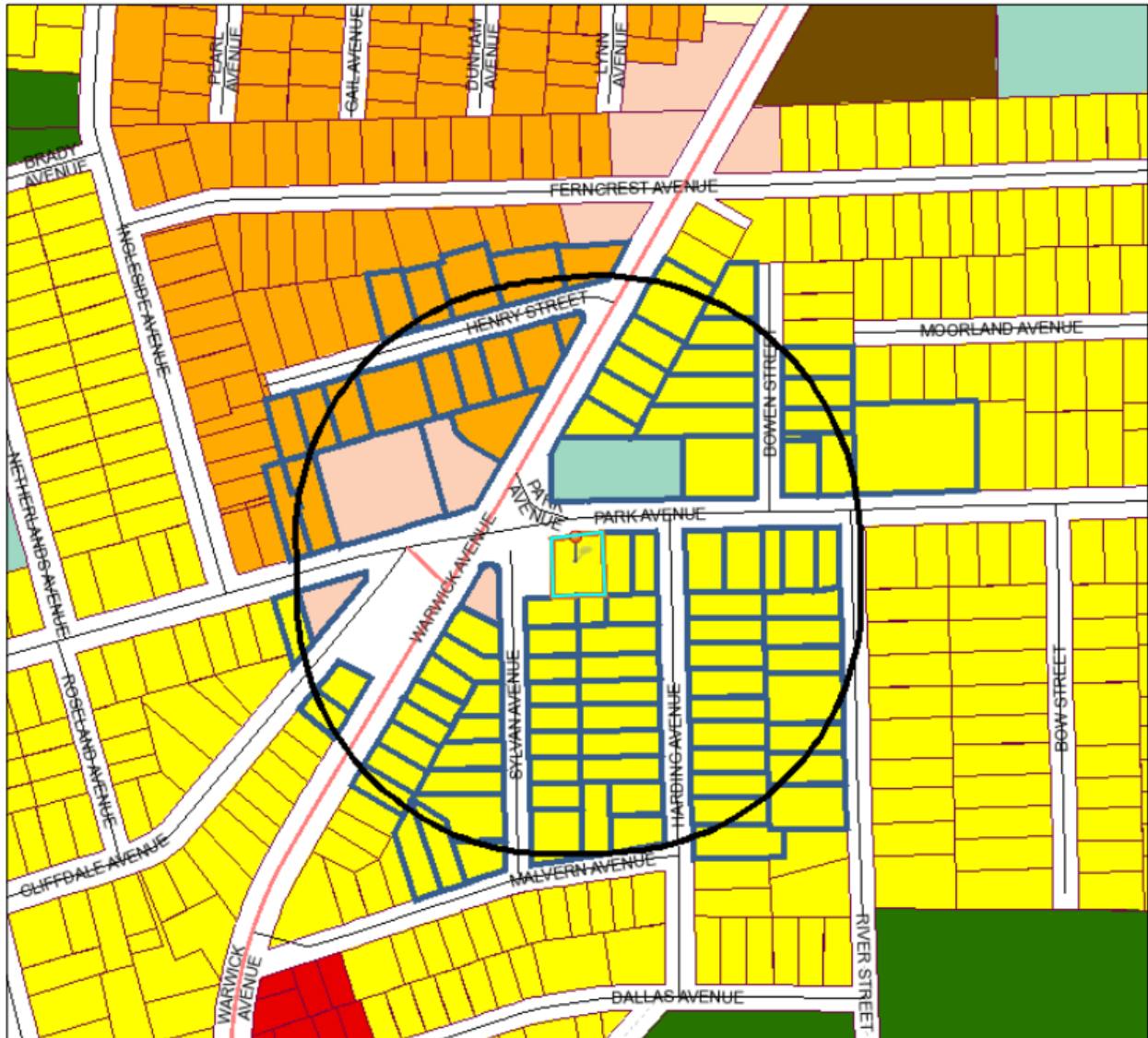


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City of Cranston

FUTURE LAND USE MAP



Future Land Use

	Governmenta...		Neighborhood Commercial/...		Single Family Residential 3.63 To 1 Unit Per Acre		Single/Two Family Residential Less Than 10.89 Units Per Acre
	Highway Commercial/...		Open Space		Single Family Residential 7.26 To 3.64 Unit Per Acre		Special Redevelopm... Area
	Industrial		Residential Less Than 10.39 Units Per Acre		Single Family Residential Less Than 1 Unit Per Acre		Water
	Mixed Plan Development		Right Of Way				
	Multifamily						

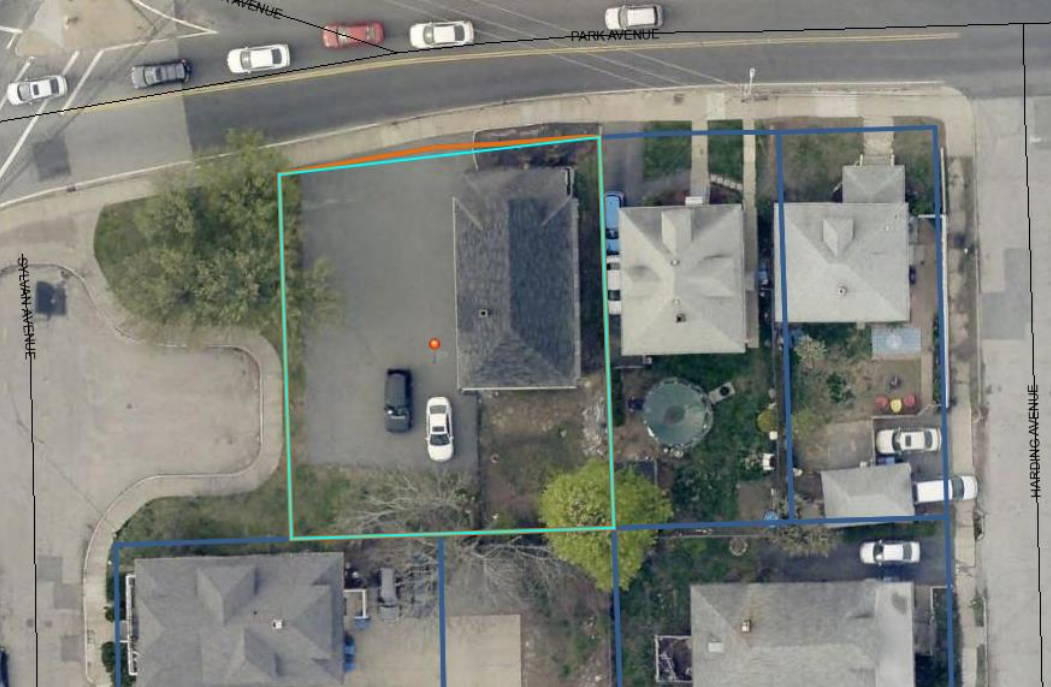


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AERIAL VIEW



AERIAL VIEW (close up)



3-D AERIAL VIEW



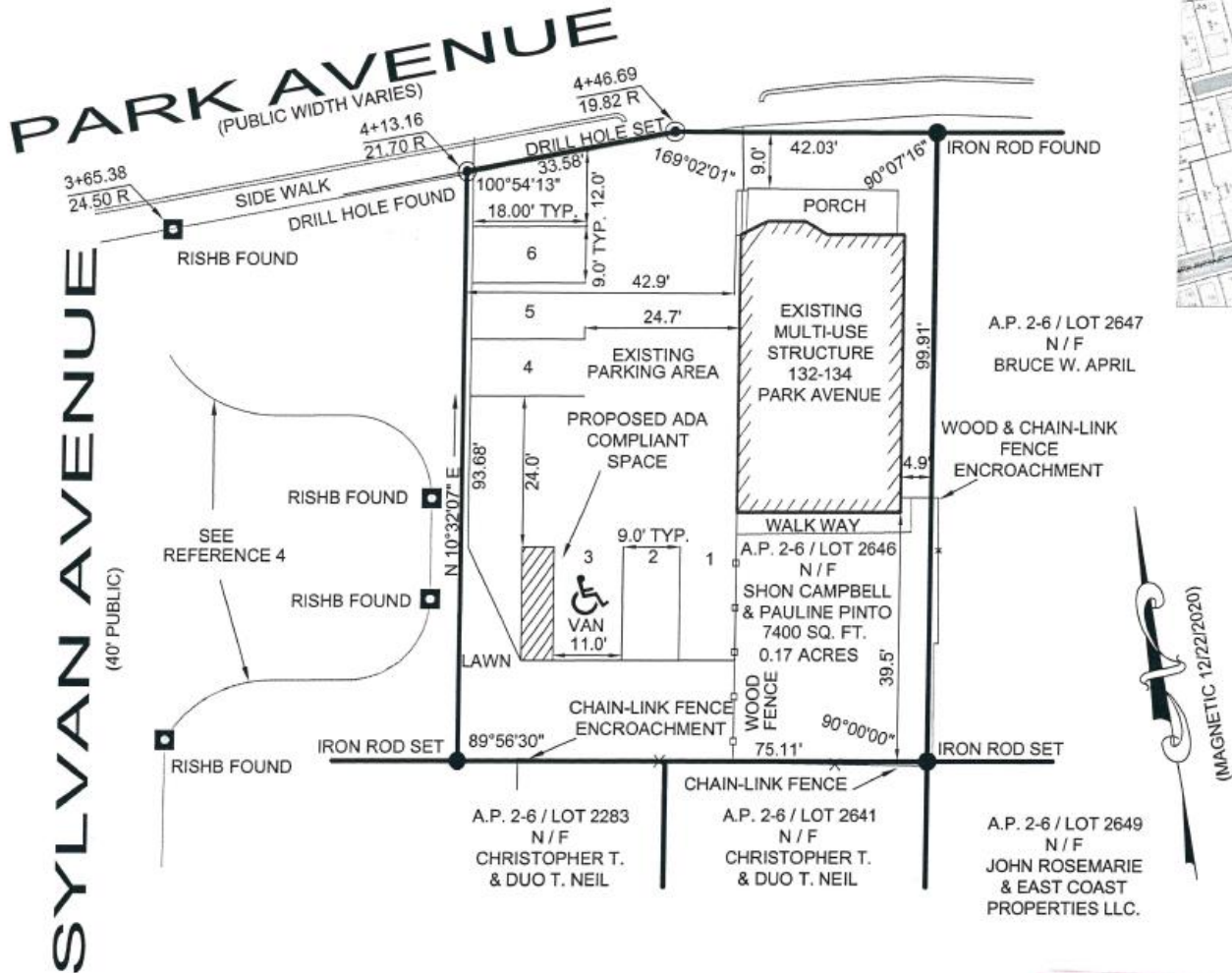
STREET VIEW (from Park Ave)



STREET VIEW (from Sylvan Ave)



SITE PLAN



FINDINGS OF FACT:

1. The subject property (AP 2, Lot 2646) has an area of 7,402 ft² and is zoned A-6 (Single-Family Dwellings on lots of minimum areas of 6,000 ft²).
2. Cranston City Code Section 17.20.030 *Schedule of Uses* establishes “Residence above first story business use” as a use category that is **not** permit in A-6 zoning - the zoning designated to the subject parcel. The existing use, a residence above a first story barber shop/beauty salon, is a legal-nonconforming use established prior to the enactment of Zoning in 1966. The applicant proposes to maintain the second floor residential use and change the first story business to a real estate office, triggering the need for zoning relief.
3. The subject property is located at the southeast corner of the meeting of Park Avenue and Sylvan Avenue, which is situated in the southeast corner of the intersection of Warwick Avenue and Park Avenue. The property has vehicular access to/from Park Avenue, but there is a curb around the edge of Sylvan Avenue, preventing it from connecting with Park Avenue or the subject property. Due to the lack of connectivity of Sylvan Avenue, and considering that the real estate office is anticipated to generate less vehicle trips than the barbershop especially as the real estate industry becomes increasingly virtual, there is no anticipated traffic impact to the residential neighborhoods. The Traffic Safety Division has reviewed the site plan and has no objections.
4. There are no proposed physical alterations to the outside of the building or property other than striping of the parking area as shown on the site plan. Therefore, granting relief would not have any negative visual impacts to the area.
5. The existing land uses found at the intersection at Park Avenue and Warwick Avenue are commercial and municipal, with residential uses behind and adjacent to the uses at the corners. The northeast corner of the intersection is zoned C-2 (Neighborhood Business) with a variety of vacant and commercial uses, the southwest corner is split by Cliffdale Avenue, with a C-2 use to the west (Quick Mart) and a parking area to the east, the northeast corner is zoned B-1 (single and two-family dwellings) but is occupied by a City fire station, and there is a law office utilizing the B-1 zoned parcel in the southeast corner of Warwick and Park Avenue which is west of Sylvan Avenue. The proposed use would be generally consistent with the mix of uses found at the intersection of Warwick Avenue and Park Avenue.
6. The Cranston Comprehensive Plan’s Future Land Use Map designates the subject parcels as “Single Family Residential 7.26 to 3.64 Units Per Acre”. The proposed density of the project is 5.88 units/per acre, so the project is **consistent** with the density allocation in the Future Land Use Map. However, the commercial portion of the proposal is **inconsistent** with the FLUM allocation which is not intended for commercial or mixed uses.
7. The applicant’s letter dated January 27, 2021 holds that “the professional office would be far less intrusive than a salon and thus create no undue burden to the neighborhood.” Beyond this statement, the application does not include information to demonstrate that the request meets the required standard for a use variance in City Code Section 17.92.010.(C). *Variances*.

PLANNING ANALYSIS:

On its face, the proposal to change a barber/shop salon into a real estate office seems simple and reasonable, but it becomes complicated by the property's zoning and Future Land Use Map (FLUM) designations. The property is a legal-nonconforming residence above a first floor business use, but the zoning designation of A-6 does not permit changes to the legal nonconforming use. When measured up to the use variance standard codified in 17.92.010 *Variance*, the merits of the application are not strong. It would be extremely difficult to demonstrate that the property could not yield any beneficial use if it is required to conform to zoning.

However, despite this significant flaw, staff makes multiple positive findings on this application:

- There has been a first floor business at this location for over half a century, so mixed use is not new to the area nor would it constitute the loss of an existing or potential dwelling unit;
- The intersection of Park Ave and Warwick Ave is all commercial and municipal uses, there are no strictly residential uses directly abutting the intersection (see finding #5);
- The proposed use is anticipated to be a less active & generate less vehicle trips than the existing/previous use;
- The off-street parking will be improved from current conditions and meets Code;
- The Traffic Safety Division has reviewed and signed-off on the plans, conditioned to relief; and
- No exterior work is proposed so the approval would not disturb the neighborhood.

Consistent with the zoning designation, the Comprehensive Plan Future Land Use Map designates this property as "Single Family Residential 7.26 to 3.64 Units Per Acre." The proposed density of the project is 5.88 units/per acre, so the project is **consistent** with the *density allocation* in the Future Land Use Map. However, the commercial portion of the *proposed use* is **inconsistent** with the FLUM allocation which is not intended for single-family residential uses, not commercial or mixed uses.

In conclusion, staff feels that this specific request is reasonable and would not have a negative impact for the City, but granting relief could be considered as to impair the intent or purpose of the Zoning Code and Comprehensive Plan. This finding prevents staff from being able to make a positive recommendation on the application.

RECOMMENDATION:

Due to the finding that granting the relief is inconsistent with the Comprehensive Plan, staff recommends the Plan Commission forward a **negative recommendation** on this application to the Zoning Board of Review. It should be noted that there are no outstanding concerns with the proposed use and relief is not anticipated to result in negative impacts.