

City of Cranston Comprehensive Plan 'Consistency Analysis'

Proposed Zone Change, Authored Ordinance(s), and Comprehensive Plan Amendment

**661 Park Avenue, 665 Park Avenue, and 271 Doric Avenue
Assessor's Plat 3-3 - Lot(s) 289, 291, 1695, and 1696**

Prepared For: Legion Development, Inc.

Prepared By: Pimentel Consulting, Inc.

Date: 17 March 2022

INTRODUCTORY STATEMENT

Legion Development, Inc. ("Applicant") has retained my professional land use planning and zoning consulting services ("Consultant"), in order to evaluate the appropriateness of introducing a uniquely crafted zoning designation for purposes of realizing the full redevelopment potential of property located at 661 Park Avenue, 665 Park Avenue, and 271 Doric Avenue, otherwise historically known as the Legion Bowl. This report is comprised of two (2) equally important components: first, affirming the community's position on mixed-use development for purposes of evidencing Comprehensive Plan 'consistency'; and, as a logic outcome of said confirmation, authoring the requisite ordinance(s) to realize a successful project.

In light of the requested proposal, this Consultant has reviewed the preliminary plans prepared by the applicant's design team. In addition, the following regulatory documents have been thoroughly researched:

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

This Consultant has likewise conducted a preliminary neighborhood analysis, consisting of several site and neighborhood inspections. 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 rezoning and preparing respective Ordinance(s), 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.

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."

"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.”

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.**”

EXISTING PROPERTY CONDITIONS

The subject property is addressed 661 Park Avenue, 665 Park Avenue, and 271 Doric Avenue, further designated Assessor's Plat 3-3, Lot(s) 289, 291, 1695, and 1696, and containing approximately 84,030 square feet of total land area (“Property”). The Property has historically been improved with a combination indoor recreational facility (bowling alley) and pub, otherwise known as the ‘Legion Bowl.’ The referenced one-story building is situated at the intersection of Park Avenue and Doric Avenue, having an approximate building footprint of 22,250 square feet. The Property is both uniquely configured and located, fronting on no fewer than three (3) physical roadways and literally aligned with Interstate-95. The Property has approximately 243 linear feet along Park Avenue (Route 12), 225 linear feet along Doric Avenue, and 50-feet along North Clarendon Street. Furthermore, and most pertinent, is the proximate presence of Interstate-95, aligned along the entire Easterly property boundary. Interstate-95's proximity not only signifies a more intensive neighborhood character, but also the ability to realize real redevelopment presence, both from a physical as well as visual perspective. In addition, multiple lot frontages permits greater site design flexibility. The applicant can incorporate multiple points of ingress and egress to accommodate both user and emergency access. The same is true of new construction; ability to position a building with true stature and architectural significance at the intersection of Park Avenue and Doric Avenue, being aligned with and a visual statement from Interstate-95.

The property is almost entirely impervious, being predominantly improved with facility and off-street parking. Furthermore, there is little to no landscaping, especially along the perimeter, failing to properly buffer directly abutting residences. These conditions are long-pre-existing, having been present well prior to any current site and engineering design standards.

Park Avenue is classified a 'Principal Arterial' roadway pursuant to the Rhode Island Department of Transportation ("RIDOT"). The referenced roadway classification is further defined by RIDOT in the following manner:

Principal Arterial - "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...The primary difference is that there are usually multiple Arterial routes serving a particular urban area, radiating out from the urban center to serve the surrounding region. In contrast, an expanse of a rural area of equal size would be served by a single Arterial."

All preceding property conditions are well reflected in the following illustration, excerpted from the City of Cranston Geographic Informational System ("GIS") and Google Earth, respectively.

Aerial View of the Property - GIS



The following illustrations, combination of Google Earth and personally obtained photographs, detail existing property neighborhood conditions from a street perspective. It must be reemphasized that the Property is surrounded by a variety of commercial and residential land uses of varying intensities, evidencing the mixed-use character that already permeates the immediate neighborhood.

View Looking Northwest from the Intersection Park and Doric Avenues - Google Earth



View Looking Northeast from Park Avenue



Commercial Plaza Situated to the Immediate West - Undergone Recent Redevelopment



Non-profit Entity Situated to the Immediate South, Directly Across Park Avenue



**Residences Situated to the Immediate Northwest, or Rear of the Property
Detailing Lack of Landscaping and Residential Buffering**



**Residences Situated to the Immediate North, or Rear of the Property
Detailing Lack of Landscaping and Residential Buffering**

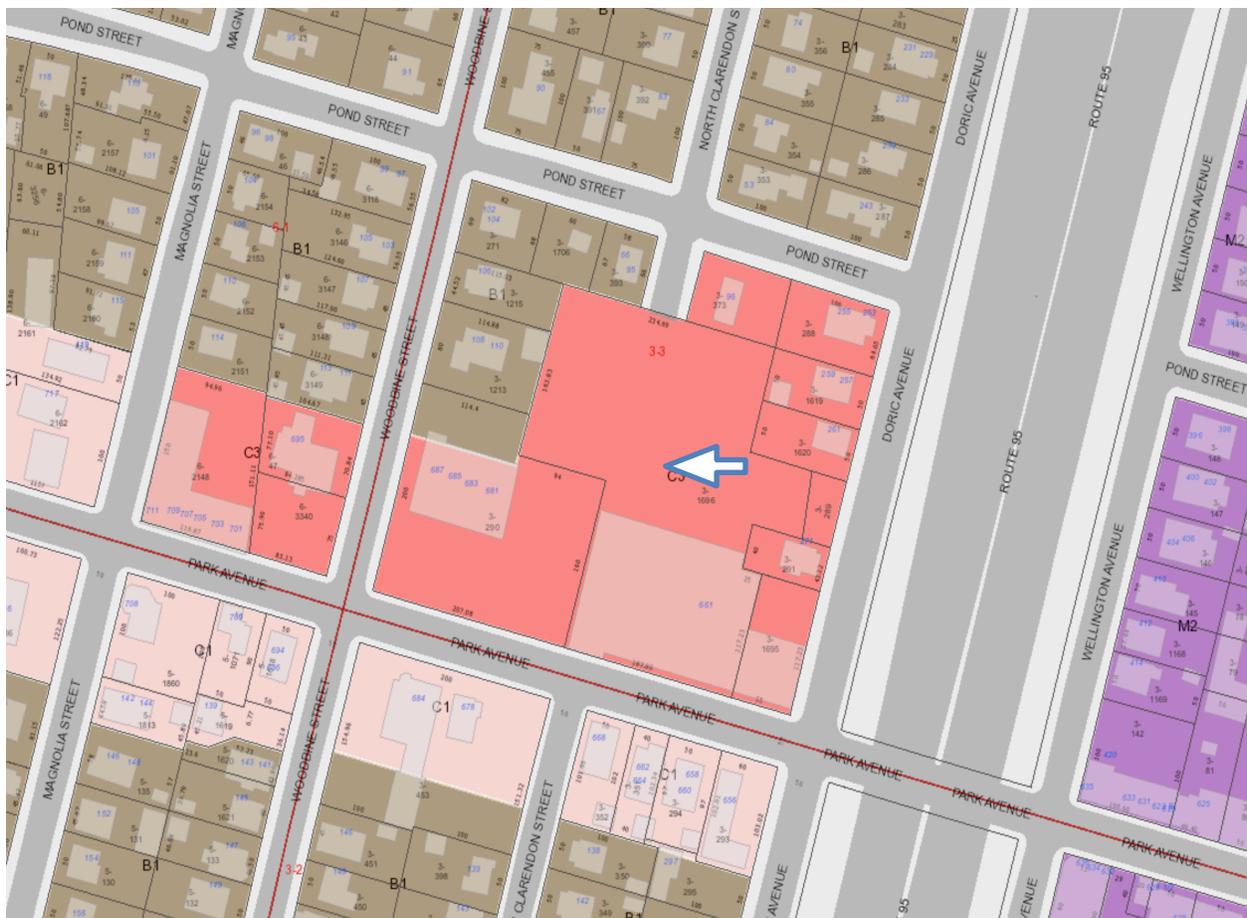


Exiting the Property onto Doric Avenue - Evidencing the Proximity of Interstate-95

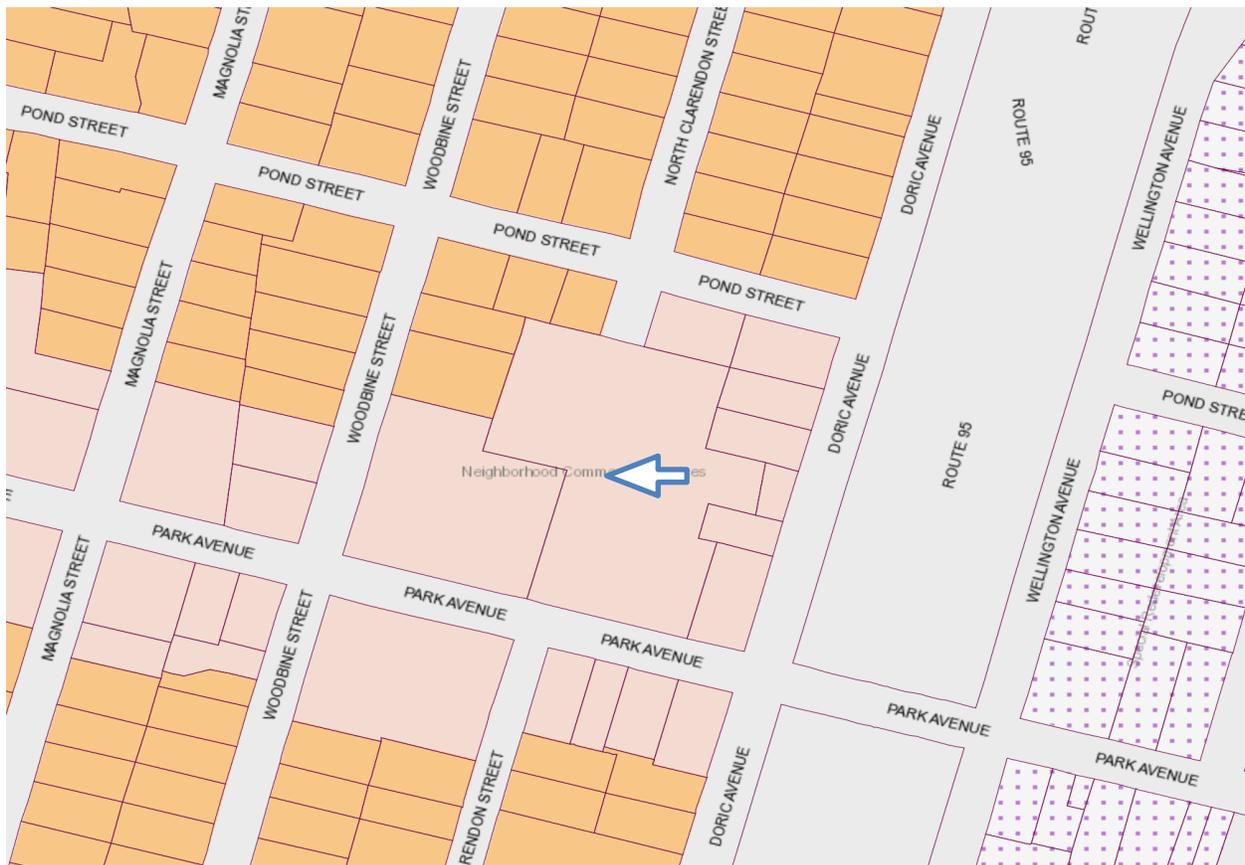


The Property is presently zoned Commercial C-3 General Business District ("C-3 District"). The Property is similarly classified pursuant to the Comprehensive Plan - Future Land Use Map ("FLUM") for 'Neighborhood Commercial Services'. Both maps are provided below and on the following page, respectively, to affirm present Property and surrounding neighborhood conditions.

Zoning Map - GIS



FLUM - GIS



The referenced zoning district and land use classification, albeit supportive of the present land uses, are nevertheless lacking in regard to supporting both intensity and variety (permitting residential presence). They also fail to recognize unique property nuances, for example being aligned with Interstate-95. As this report will conclude, in order to realize true Comprehensive Plan consistency, the present C-3 District and corresponding land use classification must be rendered flexible. This can only be accomplished via the imposition of more broad-based designation(s) that will be supportive of the proposed extensive improvements and property reinvestment; authoring ordinances that are non-overly intrusive. This is well corroborated by the Comprehensive Plan.

Village and Neighborhood Centers

*“The village and neighborhood centers in many parts of Cranston need to maintain their character and economic vitality. **The pedestrian environment and the overall condition for some small commercial neighborhoods could be improved. There are also opportunities to improve these areas with mixed-use developments, neighborhood open spaces, streetscape, and zoning changes.**” [Page 31]*

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."* [Page 34]

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."*

Principle 2: "Apply design guidelines for commercial corridors and initiate streetscape improvements in the village centers to support development and improve the overall image of these areas."

"The City should adopt design and signage guidelines along commercial corridors, such as Reservoir Avenue, Park Avenue, Elmwood Avenue, Atwood Avenue, and Oaklawn Avenue to improve the attractiveness and quality of the businesses. Streetscape improvements and better signage in the village centers would also improve the attractiveness, pedestrian access, and overall image of these areas..."

MIXED-USE REDEVELOPMENT APPROPRIATENESS

The Property is located directly amidst a rather profound commercial corridor, as evidenced by the already detailed Zoning Map, FLUM, and neighborhood investigation. Although the present proposal is at its infancy stage, merely seeking conceptual approval (site design details to be thoroughly vetted throughout the Preliminary stage of review), a somewhat detailed plan has already been prepared for discussion purposes. The proposal anticipates introducing a mixed-use facility, as highly anticipated by the Comprehensive Plan. The referenced facility is intended to be improved with a maximum of four-stories and structural height of 50-feet, with an additional ten-feet allocated to roof-top improvements (mechanicals) and other amenities (rooftop kitchen and accessory dining, etc.). The facility will have an approximate 20,750 square foot building footprint, and improved with an overall gross floor area of approximately 83,000 square feet. The first-floor will be improved with both residences and commercial space (most likely retail and/or restaurant); referenced commercial gross floor area approaching approximately 5,200 square feet. The upper stories will be entirely residential, consisting of a combination one and two-bedroom units, 69-units in total.

Albeit at a very early conceptual stage, the present proposal anticipates a ratio of 59 one-bedroom units (85.5%) to ten (10) two-bedroom units (14.5%), for a total bedroom count of 79

bedrooms. It is now well recognized that unit density is a myth, bedroom density being the most important factor in determining redevelopment appropriateness. Larger units containing more bedrooms generate increased traffic and greater need for off-street parking, as well as attracting a larger number of inhabitants, inclusive of school-aged children. It is for this reason why the subject proposal solely entertains smaller one and two-bedroom units; smaller units realizing little to no school-aged children and necessitating on average between 0.75 and 1.25 off-street parking spaces per unit. Given the provision of 100 off-street parking spaces and limiting residential unit count to 69-units, the resulting parking ratio is 1.45-spaces per unit. This Consultant professionally believes that this will be more than sufficient, even with the intended mixture of commercial entities. It is well-recognized that mixed residential and commercial developments do not need to provide parking on levels necessitated by archaic regulatory standards, in which total parking is an aggregate of the individual land uses. This is evidenced by the 'shared-parking' concept. Commercial and residential land uses have differing peak parking needs and there is a natural overlapping of parking resulting from an already present customer base (staff and/or residents using on-site services). In addition, there are generational attitudes to consider; an ever growing preference for alternative modes of transportation. Rhode Island Public Transit Bus service is literally located within walking distance of the Property, and there has long been discussion (albeit still uncertain) on locating an additional train stop within proximate distance of the Property. Therefore, parking need should be primarily based on the residential component, particularly when it will be the predominant land use;

Finally, and equally important, is the applicant's commitment to affordable housing, assuring that ten-percent of the overall residential units will be furnished at affordable income levels. This not only affords individuals of all income levels the opportunity to reside on-site, but also assures the City of Cranston remains regulatory compliant.

It is clear from the Comprehensive Plan that the City not only recognizes, but encourages mixed-use redevelopment projects in specified locales (e.g. Wellington and Elmwood Avenue, and Intersection of Phenix Avenue and Route 37). It is the professional opinion of this Consultant that the Property exhibits the characteristics associated with those sites, and may therefore be redeveloped in a like manner. The referenced characteristics include: being perhaps one of the largest in land area within the immediate neighborhood; long improved with rather intensive commercial entities, but failing to achieve its full development potential; positioned along a major thoroughfare, namely Park Avenue; and, aligned with Interstate-95.

The type of improvement and reinvestment proposed by the applicant can only be achieved with the introduction of regulatory flexibility. Uncertainty resulting from additional layers of subjective regulatory review, can be an economic deterrent. It is abundantly clear that the Comprehensive Plan is in direct accord with the vision put forward by the applicant.

Illustrative Plans - *"Two key areas for new mixed-use development would support the increase and potential demand for services in Cranston. Each of these areas has characteristics that could support this type of development." [Page 36]*

- o *"They are near or along main access routes to the residential areas."*
- o *"They would help meet the expected increase in demand for services as residential development continues."*
- o *"This development would provide substantial improvement to the local tax base."*

Eastern Parcel

- o *"Retail - 180,000 sf."*
- o *"Estimated Office - 180,000 sf."*
- o *"Estimated number of housing units - 330."*
- o *"Estimated building height - 60 feet or 5 stories."*

The illustration on the following page, as excerpted from the Applicant's development package [Credit: DiPrete Engineering], details the development in a purely conceptual manner. The most glaring improvement is the introduction of landscaping throughout, realizing vastly enhanced aesthetics and residential buffering.

COMPREHENSIVE PLAN CONSISTENCY ANALYSIS

The Comprehensive Plan clearly acknowledges the community's support for mixed-use development, as evidenced by the following:

Land Use Action Goal No. 17: *"Apply sustainability policies to new projects."* [Page 48]

- o *"Include sustainability in drafting new regulations and review of new development projects."*
- o *"Adopt the Urban Services Boundary of the Statewide Land Use Plan 2025 as a guide to land use and development."*

Housing Action Goal No. 3: *"Encourage housing that is mixed into commercial projects."* [Page 49]

"Meet the Smart Growth goals of this Comprehensive Plan and the State."

Economic Development Action Goal No. 14: "Target large-scale, smart growth redevelopment opportunities at strategic locations to accommodate mixed-use, transit-oriented development. Focus on:" [Page 49]

- o "Properties along I-95 such as the Wellington/Elmwood industrial area."
- o "Properties at the I-295/Rt. 37 intersection."

Land Use Action No. 12 - "Establish design standards." [Page 54]

- o "Continue to improve site design standards to increase the quality of new development and use new 'smart growth' zoning techniques to assist these approaches."
- o "Adopt architectural design standards to increase the aesthetic quality of new commercial development or redevelopment."



**ZONE CHANGE: COMMERCIAL 'C-3' GENERAL BUSINESS DISTRICT to the
establishment of the
661 PARK MUPD - 661 PARK MIXED-USE PLANNED DISTRICT**

A zone change is absolutely mandatory in order to achieve successful redevelopment and perpetual flexibility. Without the requisite zone change and ordinance amendment(s), the Property will be incapable of realizing its full redevelopment potential. In considering the various regulatory alternatives in achieving land use and off-street parking flexibility, it was thoughtful analysis of the Comprehensive Plan [Pages 35 - 36] that dictated and detailed the most appropriate means of doing so. The following very specific guidance proffered property owners and developers alike, evidences the appropriateness of the regulatory course undertaken.

Implementation Approach - *"The following approaches describe ways in which these principles should be implemented."*

Smart Growth Districts - *"To promote the concept in Cranston, three district types could be proposed to accommodate smart growth development in key locations (Future MPD zones will be identified and zoned through the zoning process as defined in the City's zoning ordinance)."*

Mixed-use Planned Development – High Intensity (MPD-H):

"This mixed-use zone would be suited for predominantly mixed commercial development, with live/work space or artists' lofts, and 45'-50' building heights. It would also be suitable for encouraging significant redevelopment, and improved when it is adjacent to public transportation."

"It should be noted that current City ordinances limit building height to 35' except in Mixed Use Planned Districts, where City Council has discretion to go higher."

This report has already evidenced Comprehensive Plan textual consistency, furthering respective 'Land Use Element' and 'Economic Development Element' goals and objectives. However, what is still required, and which ultimately determined the regulatory path undertaken by this Consultant, was evidencing consistency with the Comprehensive Plan - FLUM. Although, the current C-3 District designation is not necessarily inappropriate, it does fail to permit land use flexibility, especially residential mixed-use. It also fails to recognize the dimensional nuances associated with mixed-use development, in particular the exaggerated quantity of unnecessary off-street parking. Therefore, permission is being sought to realize a uniquely crafted Mixed-Use Planned District, otherwise identified as the 661 Park - Mixed-Use Planned District ("661 PARK - MUPD").

In addition to amending the official zoning map, this Consultant has also crafted an Ordinance that both establishes the 661 PARK - MUPD and provides the requisite development criteria. The referenced Ordinance language is attached as an addendum to this report.

COMPREHENSIVE PLAN - FLUM CONSISTENCY
LAND USE RECLASSIFICATION: 'NEIGHBORHOOD COMMERCIAL SERVICES' to
MIXED PLAN DEVELOPMENT

The applicant is required by law to evidence consistency with the Comprehensive Plan, and more importantly the FLUM. 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 a 'Neighborhood Commercial' manner, given the numerous goals and objectives to be realized and resulting productive usage of the Property for both commercial and residential purposes, reclassification to '**Mixed Plan Development**' is appropriate.

MAJOR LAND DEVELOPMENT REGULATIONS - GENERAL REQUIREMENTS

Section III.H 'Required Findings' of the Cranston LD Regulations, and RIGL 45-23-60 -
“The requirements listed below shall be applicable to all subdivisions and land developments submitted for approval, unless otherwise specifically provided. Prior to final approval or any subdivision of land development project regulated herein, the Commission, or unless otherwise designated by the Commission, the Administrative Officer shall address the general purposes cited in RIGL 45-23-30 and Section 1(c) of these regulations and shall make positive findings on all of the standards listed below for the project record.”

1. *“Each subdivision or land development project shall be consistent with the requirements of the City of Cranston Comprehensive Plan or shall satisfactorily address the issues where there may be inconsistencies.”*

A thorough review of the Comprehensive Plan has concluded absolute textual 'consistency.' The proposed redevelopment will not alter the general character of the surrounding area or impair the intent or purpose of either the Ordinance or Comprehensive Plan. However, a zone change and corresponding land use classification, as detailed above, is nevertheless required to assure full Comprehensive Plan consistency.

2. *"For subdivisions, each lot shall conform to the standards and provisions of the Cranston Zoning Ordinance..."*

Although no subdivision is proposed, evidencing Zoning Ordinance compliance is nevertheless required. In furtherance of the Comprehensive Plan's desire to realize mixed-use development, the community has already authored the prescribed general mixed-use zoning regulations. A uniquely site specific ordinance, attached as an addendum to this report, has been accordingly crafted to assure individual Property success and neighborhood compatibility.

3. *"There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval."*

The Property is already entirely disturbed, having been improved when there were little to no site design standards, most notably no requirement for proper drainage and/or landscaping features. The proposed redevelopment will not only reduce overall quantity of impervious surface and realize much-needed green-space, but also introduce some degree of run-off control measures.

4. *"The subdivision as proposed will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable."*

Once again, no true subdivision is proposed. The subject redevelopment project will nevertheless be thoroughly served by appropriate infrastructure; in fact realizing vast improvement over existing conditions.

5. *"All proposed land developments and all subdivision lots shall have adequate and permanent physical access to a public street."*

Present property conditions permits unimpeded access to several roadways, including the interior residential neighborhood. The subject redevelopment proposal will rectify this condition, by redirecting traffic purely to Park Avenue.

6. *"Each subdivision and land development project shall provide for safe and adequate local circulation of pedestrian and vehicular through traffic, for adequate surface water run-off, for suitable building sites, and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community."*

To reiterate, all site design features will be greatly enhanced, some being introduced for the first-time, such as drainage control measures. Redevelopment will also realize rather pertinent features, and not merely for the sake of achieving regulatory compliance, but

because they are necessary to realize a successful development that is respectful of adjoining dissimilar residential land usage. Of notable worthiness will be the introduction of much-needed green-space; minimizing site run-off, contributing in a rather environmentally impactful manner by reducing the present vast surrounding 'Urban Heat Island,' and most importantly enhancing site aesthetics in a manner that likewise provides for the first-time true residential buffering. The applicant will also be exploring 'sustainable improvements', such as vehicular electric charging stations, solar facilities (whether rooftop or carport oriented), and to the extent feasible, a LEED oriented facility as detailed below. Present parking conditions are woefully inadequate, because spaces are neither properly lined nor travel aisles appropriately defined. And finally, to reiterate, traffic will be redirected from the interior residential neighborhood out towards Park Avenue.

The following was expressly provided by the applicant's architect, and describes in detail how the facility will institute a variety of LEED strategies.

Green / LEED - *"Strategies Construction of each component, and as a whole, will meet or exceed current Rhode Island Energy Code standards ensuring a tight super-insulated wall envelope, penetrated by windows/doors and other elements with the highest insulative values. The roof will be clad in a highly reflective state-of-the-art membrane offering extreme weather protection, longevity, and high reflectivity to minimize energy consumption in the winter months. Energy saving and state-of-the-art Heating, Ventilating and Air Conditioning systems will ensure residents are warm in the winter and cool in the summer. Water saving features will be incorporated at macro and micro levels to preserve this precious resource. All appliance and equipment will carry the Energy-Star label or better. The project may very well gain at least LEED Silver and may reach LEED Gold status."*

"Building construction materials will include those with high recycled content. Materials (carpets, adhesives, etc.), fixtures (plastics and the like), finishes (paints, stains, laminates, etc.) and equipment will be specified that have low or no VOC's (Volatile Organic Compounds), which will mean little or no off-gassing into the environment post-construction. A pre-occupancy start-up and venting of air systems will ensure a healthy environment for all residents."

7. *"The design and location of streets, building lots, utilities, drainage improvements and other improvements in each subdivision shall minimize flooding and soil erosion."*

Once again, the subject redevelopment project will be thoroughly served by appropriate infrastructure; in fact realizing vast improvement over existing conditions.

CONCLUSION

It is the professional opinion of this Consultant that the proposed redevelopment project will achieve numerous goals and objectives of the Comprehensive Plan, and it is therefore very appropriate to author the 661 PARK - MUPD Ordinance, as well as amend both the official zoning map and FLUM. The City of Cranston Planning Commission and City Council should therefore not have any reservation in issuing an affirmative decision.