

B1- Received at meeting

TOWN OF BRISTOL, RHODE ISLAND

TOWN COUNCIL

Kenneth A. Marshall, *Chairman*
Raymond Cordeiro, *Vice Chairman*
Mary A. Parella
David E. Barboza
Halsey C. Herreshoff



Council Clerk
Louis P. Cirillo, CMC

0000346
176

B1I

DECISION

Re: Robin Industries, Inc., Russell Karian

On July 31, 2008 with a quorum present (Councilman Cordeiro absent), the Bristol Town Council voted unanimously to grant a conditional zone change to the subject property; further defined as Assessor's Plat 10, Lots 42, 60, 61, 62, and 73 from "W" to "W - Urban Rehab Land Development Project" as recorded in the Council Records of the Town of Bristol Book 65 beginning on Page 597 as follows:

Barboza/Parella - Motion made and seconded to grant the zone change based upon the finding of fact and consistency with the Comprehensive Plan as outlined by the Planning Board; incorporating the Planning Boards eight (8) Development Conditions:

1. Public Access to the Waterfront
2. Affordable Housing
3. Commercial Space
4. Water-Related Uses
5. Traffic Study
6. Infrastructure Mitigation
7. Off-Site Parking
8. Existing historic buildings

and as further refined in the Planning Board's memorandum of July 23, 2008*; and

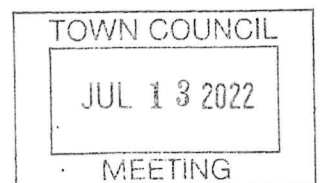
Herreshoff/Barboza - Voted unanimously to amend this motion to include the condition that the absolute number of residential units shall not exceed ninety-eight (98); and

Voting unanimously in favor of the motion, as amended, were Council members Marshall, Parella, Barboza and Herreshoff.

Attest:

Louis P. Cirillo, CMC, Council Clerk

* Attached



Page 1



Town of Bristol, Rhode Island

Planning Board

10 Court Street
Bristol, RI 02809
www.Bristolri.us
401-253-7000
253-7010

June 23, 2008

TO: Honorable Town Council

FROM: Jerome Squatrito, Chairman
Bristol Planning Board

RE: Petition to Change of Zone Ordinance relative to
Density and Commercial uses for Robin Rug

The Planning Board reviewed the above at their regular meeting of June 10, 2008. The Board heard a presentation by the applicant's attorney as well as testimony from the public. The Planning Board also considered the April 11, 2008 report from Mr. Kenneth Buckland of The Cecil Group and the Department recommendation. Mr. Buckland was commissioned by the Department, and partially funded by the applicant, in order to evaluate the petition.

The petition requested an amendment to zoning ordinance text to

- 1) exempt part of the property from the requirement to have retail business uses and/or restaurants, cafes and delis on the first floor within 50' of the front lot line; and,
- 2) amend the density calculation to a minimum of 4,000 square feet of gross floor area per dwelling unit for contributing buildings on the National Register of Historic Places in excess of 25,000 square feet (Robin Rug building).

The above amendment to the density calculation is to allow a density up to 98 residential units by calculating the density based on the gross floor area of the existing building. It was noted, in review of the proposal by The Cecil Group, that the existing building will have an atrium that will reduce the gross floor area such that the actual density calculation would need to be 2,900 square feet of building area per unit to achieve the proposed density. The applicants will be revising their petition accordingly.

Page 2

A motion was unanimously passed to find that the petition to allow up to 98 residential dwelling units and revised commercial space is consistent with the Comprehensive Plan and the General Purposes of Zoning as follows, WITH CERTAIN DEVELOPMENT CONDITIONS AS NOTED BELOW.

Comprehensive Plan Update of 2003

Figure G- Housing Plan concepts – are mapped for potential rehab/redevelopment includes housing.

Action Item OSR18 – “The development or redevelopment of the Bristol Waterfront will include a Harbor’s Edge Walk that connects the public parks and access points between Independence Park and the Coast Guard Station. As part of the Town’s historic policy of providing public access to the water, the walk will be pieced together through easements and acquisitions during the development review process.

Action Item ED11a – In any redevelopment of the current Robin Rug building on Thames Street, the Town should encourage a mixed use development with retail and/or parking on the first floor and office and/or residential on the upper floors. Any residential use on the first floor should be limited to the waterside of the building with commercial uses on the Thames Street side in order to keep the commercial vitality on Thames Street. Redevelopment of this building shall include a continuation of the public downtown harbor boardwalk (see OSR18) as well as the demolition of buildings (or portions of buildings) to open up view corridors and reduce the bulk on the waterfront. In conjunction with the redevelopment, the Town will also explore access through the site to the boardwalk along with an access point at the southern terminus of the boardwalk.

Affordable Housing Production Plan of 2005

Action Item 2.2 – Adaptively reuse underutilized site and buildings to create mixed-use, live/work communities containing affordable housing. Bristol has placed a high priority on maintaining and preserving industrial land, both undeveloped and underutilized parcels. However, these sites may present opportunities for mixed-use development, combining multi-family residential commercial office and or light industry. With mixed – use adaptive reuse, underutilized buildings can be revitalized, industrial uses can be maintained, and multi-family housing can be incorporated into a vibrant live/work environment. Residents would be able to walk to work, and could have access to other services such as shopping and public transportation.

Action Item 2.5 – There are sites in Bristol which could be developed as affordable housing if their current uses as industrial site were to cease. The Town will monitor these identified locations to facilitate the properties development as affordable housing if they become available.

DEVELOPMENT CONDITIONS:

1. Public Access to the waterfront. Developer shall construct at his expense a boardwalk all along the frontage of the property, with exact location to be determined as part of permitting process, provided that the northern end shall go beyond the property line and tie directly into Town owned land or public street. Crossing of Elk's parking lot at southern end is allowed, provided that extensive use of signs and materials (e.g. brick or stone walkway, railings, etc.) makes it clear to public where it is. No gates allowed. Limited closing allowed on same terms as Stone Harbor boardwalk.
2. Affordable Housing. The developer is to provide a minimum of 10% and no more than 20% affordable units, either onsite, offsite, or by fee in lieu to Affordable Housing Trust Fund as agreed to by the Planning Board during the Major Land Development Process.
3. Commercial Space - There shall be no less than 22,000 square feet of commercial space in the building. The commercial space shall be located in the building along Thames Street, north of Lot 42 on Plat 10, along Church Street, the waterfront and the proposed courtyard with a percentage allowed to be located above the first floor as agreed to by the Planning Board during the Major Land Development Process.
4. Water - Related Uses - A minimum percentage of said non-residential commercial space to be reserved for "water related" uses for a reasonable time frame to achieve such uses. This will also be further examined and decided as part of the Major Land Development Process to the satisfaction of the Planning Board.
5. Traffic Study - A Traffic study/traffic mitigation plan will be required as part of the Preliminary Plan application for the Major Land Development. Scope of the traffic study will be subject to Planning Board approval when density and mix of units is determined. Traffic study to be commissioned by the Developer with review of same by the Planning Board's engineering consultant. Fee for the review of the traffic study by the Planning Board's engineering consultant shall be reimbursed by the developer. If traffic mitigation is needed Developer will provide as a condition of any Planning Board approval on the Major Land Development.
6. Infrastructure Mitigation - Upgrade of off-site sewer and drainage facilities, or fee in lieu of, as well as payment of the Inflow and Infiltration funds to handle increased flow will be a condition of the zone change and must be paid prior to final approval of the Major Land Development application, or within a timeframe as mutually agreed by the Town and the Developer.

7. Off-Site Parking - The existing off-site parking lots to the east of Thames Street are connected to the improved property of the Robin Rug building. The Application for the Major Land Development must include this land owned by the applicant on the east side of Thames Street as part of the overall development. The Planning Board will require parking in excess of that required by the Zoning Ordinance and therefore one of the off-site parking lots must be used to provide parking for the development as part of the Master Plan approval for the Major Land Development. This provision does not include the parking lot currently leased by Aiden's Restaurant located at the southeast corner of the intersection of John Street and Thames Street.
8. Existing historic buildings - Change of zone is tied to existing historic buildings, consistent with the Rhode Island Historic Preservation and Heritage Commission. If any historic building or portion is demolished, voluntarily or involuntarily, prior to final permits, zoning is void. If demolished subsequent to final permits, the building can only be rebuilt exactly as before, without further Town Council zone change.

cc: Rob Stolzman, Attorney for Applicant

Jerome A Squatrito

Recorded Oct 29, 2008 at 09:59:09A.
Louis P. Cirillo Town Clerk