



Town of Bristol, Rhode Island

Department of Community Development

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

May 23, 2022

TO: Melissa Cordeiro, Town Clerk

FROM: Diane M. Williamson, Director

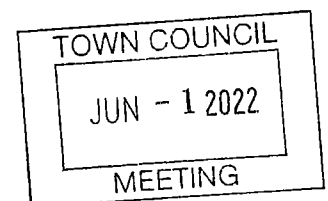
RE: **Change of Zone petition for 374 and 380 Metacom Avenue**
Change of Zone from "M" Manufacturing to "MMU" Metacom Mixed Use Zoning

Attached is an application for a Change of Zone submitted by the property owners of 374 and 380 Metacom Avenue.

Please schedule this for a first reading and referral to the Planning Board for a recommendation. Three weeks of advertising is required prior to the second reading and public hearing.

Thank you.

TOWN CLERK'S OFFICE
BRISTOL, RHODE ISLAND
2022 MAY 24 PM 2:09





Town of Bristol, Rhode Island

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APPLICATION FORM FOR ZONING MAP CHANGE

1. Name of Applicant Januario Family Realty, LLC
Address 374 Metacom Avenue
Bristol, RI 02809

2. Name of Owner Sener
Address _____

If Owner is different from applicant, a notarized statement from the owner authorizing the applicant to make the zone change request on their behalf is required.

3. Property Address 374 + 380 Metacom Avenue

4. Tax Assessor's Plat(s) 171 Lot(s) 27 + 114

5. Current Zoning M

6. Requested Zoning MMU

7. Area of Subject Property _____ (in square feet or acres)
Lot 27 = 53,578.80 sq. ft.
Lot 114 = 35,196 sq. ft.

8. Is the subject area:

- ☐ In a Flood Zone ; if yes, indicate which one _____
☐ In the Historic District;
☒ Serviced by Public Water;
☒ Serviced by Public Sewer.

I hereby certify that all information provided above and on any attached maps and reports is correct and true and that all requirements for a zone change have been met.

Signed [Signature]
Print Name Sener Januario

Date 5/20/2020

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This following narrative is intended to address the requirements No 1. (i) of the list of submission requirements in connection with an Application for (a) Zoning Map Change.

There are two (2) properties the Applicant is seeking to rezone. Both are located on Metacom Avenue in the M ("Manufacturing") zoning district. The first is 374 Metacom Avenue, AP 171, Lot 27, containing 1.23 acres and upon which is situated a 3,306 square foot single-story concrete commercial building. The second is 380 Metacom Avenue, AP 171, Lot 114, containing 35,000 square feet and upon which is situated a 2,730 square foot concrete industrial/commercial building sitting. The applicant is petitioning to rezone the parcels to a Metacom Mixed Use designation ("MMU").

As the Land Use Element of the Town of Bristol Comprehensive Plan (the "Comprehensive Plan") explains, the MMU district was created in 2010 in conjunction with 2007's "Metacom Avenue Corridor Management Plan. The expressed intent was to establish a mixed-use zone development along Metacom Avenue with retail /office uses on the first floor of existing or proposed structures. To quote the Comprehensive Plan's Future Land Use designations and descriptions, the MMU district is "Intended for designating key areas along the Metacom Avenue (Rt. 136) corridor and nearby nodes for focused development or redevelopment in dense mixed-use zones to help create a sense of place and order and encourage the expansion of business use areas while creating vibrant, walkable affordable neighborhoods well served with appropriately scaled retail, services, and other commercial development."

The subject parcels abut Minturn Street and are situated directly across from Franklin Street. The Land Use Element of the Comprehensive Plan recognizes that Metacom Avenue, in the vicinity of Bayview Avenue, Franklin Street, and Minturn Farm Road are zoned M, LB or GB and that *this area is ripe for redevelopment where appropriate consistent with the Metacom Avenue Corridor Management plan and proposed MMU zoning* (pg.53 emphasis supplied)

The Comprehensive Plan also informs that the Town Council has already rezoned two (2) neighboring Metacom Avenue properties to MMU.

The Applicant presently only has specific plans only for 374 Metacom Avenue. The intended use will be a children's daycare facility which will be permitted as a matter of right in the MMU zone. However, the MMU designation for both properties will ensure the parcels' future use will conform to the ideals expressed in the Comprehensive Plan and the Metacom Avenue Corridor Management Plan. Currently, Petitioner has no plans to physically expand either structure. Accordingly, there will be no new construction beyond some interior renovations to accommodate future uses.

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APPLICATION FOR ZONING MAP CHANGE

1. The applicant must submit the following to the Director of Community Development who shall review the submission for completeness and forward same to the Town Council and Planning Board:

	Complete
a. Application Form (Page 3 see attached).	
b. A narrative explaining the proposal in detail, including intended use of property and the reason for the zone change request.	
c. Application fee of \$1,000 to cover the cost of advertising, the cost of mailing notices; and, the cost of recording the change on the Town's zoning map. The Applicant must pay any deficits.	
d. A map showing the area to be rezoned.	
e. A map showing the property within 200 feet of the perimeter of the area being rezoned including, existing and proposed boundaries, zoning district boundaries, existing streets and roads and their names; and, where appropriate, town boundaries. Note: This map must be clear and legible since it will be part of the newspaper advertisement.	
f. A list with the names and addresses of the current property owners within 200 feet of the perimeter of the area being rezoned. This information must also be provided on three (3) sets of standard mailing labels for notice.	
g. A legal description of the land being rezoned.	
h. A concept plan for proposed development (master plan level detail)	
i. A narrative, with specific citations, indicating how the proposal is consistent with the Comprehensive Plan; or, identifying where it is inconsistent and indicating what Plan changes are needed.	

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2. The Planning Board shall report to the Town Council within 45 days after receipt of the proposal giving its findings and recommendations including a statement of consistency with the Comprehensive Plan.
3. A public hearing by the Town Council must be held within 65 days after receipt of the proposal, with the following notice requirements:
 - A **display** advertisement, including the map, in the newspaper (Bristol Phoenix and/or Providence Journal) at least once each week for 3 **consecutive weeks**, which may include the week in which the hearing is to be held, prior to the date of the hearing;
 - At least 2 **weeks** prior to the date of the hearing, written notice to the property owners within **200 feet** of the perimeter of the area to be rezoned shall be sent by **certified mail return receipt requested**;
 - At least 2 **weeks** prior to the hearing, written notice shall also be sent to the Associate Director of the RI Division of Planning by certified mail;
 - If the subject area is within 200' of the Town of Warren, notice shall also be mailed to the Warren Town Council; and,
 - If subject area is within 2000' of the Touisset Point Water Trust wells, notice shall also be mailed to the Trust.
4. Within 45 days after the close of the hearing, the Town Council shall render a decision on the proposal. In granting an approval, the Town Council may impose limitations, conditions, and restrictions. (Refer to Section 1102 of the Zoning Ordinance.)
5. If the rezoning is granted, the Director of Community Development shall have the zoning map amended to reflect the new zone within 90 days.

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383
AP047 Lot 0028
Zone: MMU

AP046
Lot 0010
381
Zone: GB

METACOM AVE

AP171 Lot 0026
Zone: GB

AP171 Lot 114
380
Current Zone: M
Proposed Zone: MMU

AP171 Lot 0043
Zone: M

AP171 Lot 27

374
Current Zone: M
Proposed Zone: MMU

CLIN ST

400
AP046 Lot 0012
Zone: M

AP046 Lot 0005
Zone: M

375
AP046 Lot 0014
Zone: M

AP046 Lot 0005
Zone: M

AP046
Lot 0015
Zone: M
367

AP046 Lot 0009
365
Zone: M

METACOM

AP171 Lot 0030
370
Zone: M

MINTURN FARM RD

AP171 Lot 0028
Zone: M

3

Assessor's Plat 171 Lot 0093
R.P. ASSOCIATES, INC.
c/o COMPOSITES ONE, LLC
4 Minturn Farm Road
Bristol RI 02809

Assessor's Plat 047, Lot 0028
JACKYS REALTY, LLC
383 Metacom Ave.
Bristol, RI 02809

Assessor's Plat 046, Lot 0014
William St. Vincent, Jr.
13 Weetamoe Farm Dr.
Bristol RI 02809

Assessor's Plat 046, Lot 0015
The Maria A. Neves
Irrevocable Trust
10 Casey Dr
Bristol, RI 02809

Assessor's Plat 171, Lot 0115
VK PROPERTIES, LLC
360 Metacom Ave
Bristol, RI 02809

Assessor's Plat 171, Lot 0026
SAINTGOBAIN PERF PLASTICS
c/o RYAN, LLC
13155 Noel Rd, Ste. 10
Dallas TX 75240

Assessor's Plat 171, Lot 0028
OUTERLIMITS REALTY, LLC
323 Manley Street
West Bridgewater, MA 02379

Assessor's Plat 046, Lot 0012
VICTORY REALTY, LLC
PO Box 436
Bristol, RI 02809

Assessor's Plat 046, Lot 0009
David, Jr. & Sarah McGovern
365 Metacom Ave
Bristol, RI 02809

Assessor's Plat 046, Lot 0005
Riley Kitchen and Bath Co., Inc.
369 Metacom Ave
Bristol, RI 02809

Assessor's Plat 171, Lot 0030
MINTURN METACOM, LLC
370 Metacom Ave.
Bristol, RI 02864

Assessor's Plat 046, Lot 0010
JOMA REALTY CO
670 Metacom Avenue
Warren, RI 02885

Description: AP. 171, Lot 114
380 Metacom Avenue

EXHIBIT A

That certain real estate situated on the easterly side of Metacom Avenue in the Town and County of Bristol, Rhode Island, together with all the buildings and improvements thereon, bounded and described as follows:

Beginning at a point on said easterly line of Metacom Avenue which point is One Hundred Ninety-Five and 38/100 feet (195.38) northerly of the northerly line of Mintum Farm Road; thence running northerly along the easterly line of Metacom Avenue a distance of One Hundred Forty-four and 62/100 feet (144.62) to the southerly line of a Right of Way; thence making an interior angle of Eighty-Nine degrees, Three minutes and no seconds ($89^{\circ} 03' 00''$), and running easterly a distance of Two Hundred Forty-Six (246') feet, more or less, to land now or lately of R.P. Associates, Inc. bounded on the north by said right of way; thence making an interior angle of Ninety-One degrees, Thirty-Seven Minutes and Forty Seconds ($91^{\circ} 37' 40''$) and running southerly along the westerly line of said R.P. Associates, Inc. land a distance of One Hundred Forty and 55/100 (140.55) feet, to a point for a corner; thence making an interior angle of Eighty-Nine degrees, Nineteen minutes, Twenty seconds ($89^{\circ} 19' 20''$) and running westerly, a distance of Two Hundred Forty-Seven and 71/100 (247.71) feet, more or less, to the easterly line of Metacom Avenue and the point and place of beginning, the first and last courses making an interior angle of Ninety degrees (90°).

Together with any and all right, interest and title which this grantor may have in and to that right of way, so-called, along the north side of the herein described real estate, which right of way is fifty (50) feet in width by the entire depth of the herein described premises.

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