



## Town of Middletown Planning Department

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350 East Main Rd., Middletown RI 02842 (401) 849-4027

To: Paul A. Croce, Chairman  
Planning Board members

From: Ron Wolanski, Town Planner

Date: May 4, 2021

Re: **Public Hearing** – Application of Aquidneck Crossing, LLC for combined Master, Preliminary and Final Plan approval for a major land development project and Development Plan Review approval for a proposed mixed-use development including 12 residential units and 10,124 sq.ft. of office space contained in two existing buildings pursuant to Article 27A of the Middletown Zoning Ordinance. Property is located at 438 East Main Rd., at the intersection of Forest Ave. and East Main Rd., Assessor's Plat 113, Lot 3.

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The applicant is proposing to convert an existing office building on the above referenced property from office use to multi-family residential use. A second building on the property would remain offices. The applicant is requesting approval for this project under the town's mixed-use development ordinance (Article 27A, Middletown Zoning Ordinance). A mixed-use development project is a use allowed by right in the limited business (LB) zoning district. Given the limited nature of the site modifications, with most work being the interior conversion, the applicant is requesting combined review and approval of the Master, Preliminary, and Final Land Development Project plans. Per Rhode Island General Laws § 45-23-39 (c) the Planning Board can vote to combine review stages if it finds that all necessary requirements have been met by the applicant. Please see the attached documents provided by the applicant.

Per the mixed-use development regulations, this project must undergo development plan review. The Technical Review Committee reviewed the proposal during its meeting held on May 4, 2021. Following review, the TRC voted to forward a positive recommendation to the Planning Board. Based on the limited nature of the project, no significant concerns were identified.:

Review and comment has also been sought from applicable local and state committees and agencies as required. The Middletown Tree Commission responded that there are no concerns given the lack of site work. Comments from others will be provided to the Board as they become available.

Please note that since this project involves the interior renovation and reconfiguration of an existing building from office to residential use, and no site alterations are proposed at this time, most of the design requirements of the subdivision and land development regulations and zoning ordinance Article 27A that would apply to a new development or proposed new building are not applicable. The proposal meets the residential density limitations of Section 27A05.

**Required findings** (Subdivision rules and regulations section 403)

The following is a list of the required findings the Board must make in approving a subdivision or land development project. The Board should make its own conclusions as to the consistency of the plan with these findings.

1. The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies;
2. The proposed development is in compliance with the standards and provisions of the Town Zoning Ordinance
3. There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions of approval;
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. (See definition of Buildable lot). Lots with such physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans;
5. All proposed land developments and all subdivision lots shall have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered compliance with this requirement.

Cc: Applicant