



**TOWN OF COVENTRY, RI  
DEPARTMENT OF PLANNING & DEVELOPMENT**

## **STAFF REPORT**

<b>Project Name:</b>	<b>Harkney Hill Office/Storage Units</b>
<b>Plan Type:</b>	Unified Development Review (Major Land Development w/ associated Dimensional Variance)
<b>Plan Review Phase:</b>	Master Plan
<b>Owner/Applicant:</b>	Andrew Barber
<b>Address:</b>	71 Harkney Hill Road
<b>Plat / Lot / Zone:</b>	<b>AP 10 Lot 42 Zone GB-1 Lot Size 2.2 acres</b>
<b>Existing Use:</b>	Vacant
<b>Proposed Use:</b>	Commercial office and equipment storage buildings
<b>Description:</b>	Applicant proposes to develop one commercial office building and two equipment storage buildings for contractor use, with development occurring in phases. The applicant is seeking zoning variances for the number of loading spaces, required distance between driveways, and minimum landscaped buffers. The application also seeks a reduction in the number of required parking spaces.

**I. PROJECT INFORMATION**

**Overview**

This matter previously came before the Planning Commission in August 2024 and October 2024 as a Pre-Application for a proposed Major Land Development. The applicant has tweaked aspects of the site design, such as by reducing the number of curb cuts on Harkney Hill Road from two to one and reducing the number of parking spaces, based on feedback received from the Planning Commission and Technical Review Committee. The applicant has also identified sections of the Zoning Code from which relief will be required, thus elevating the project to Unified Development Review.

In support of its proposal, the applicant has submitted a narrative elaborating on the dimensional relief and waivers it is requesting. Staff anticipates the applicant will submit additional materials, including a fully-engineered plan set, relevant environmental information, and a water letter from Kent County Water Authority, at the Preliminary Plan stage of review.

## Existing Conditions

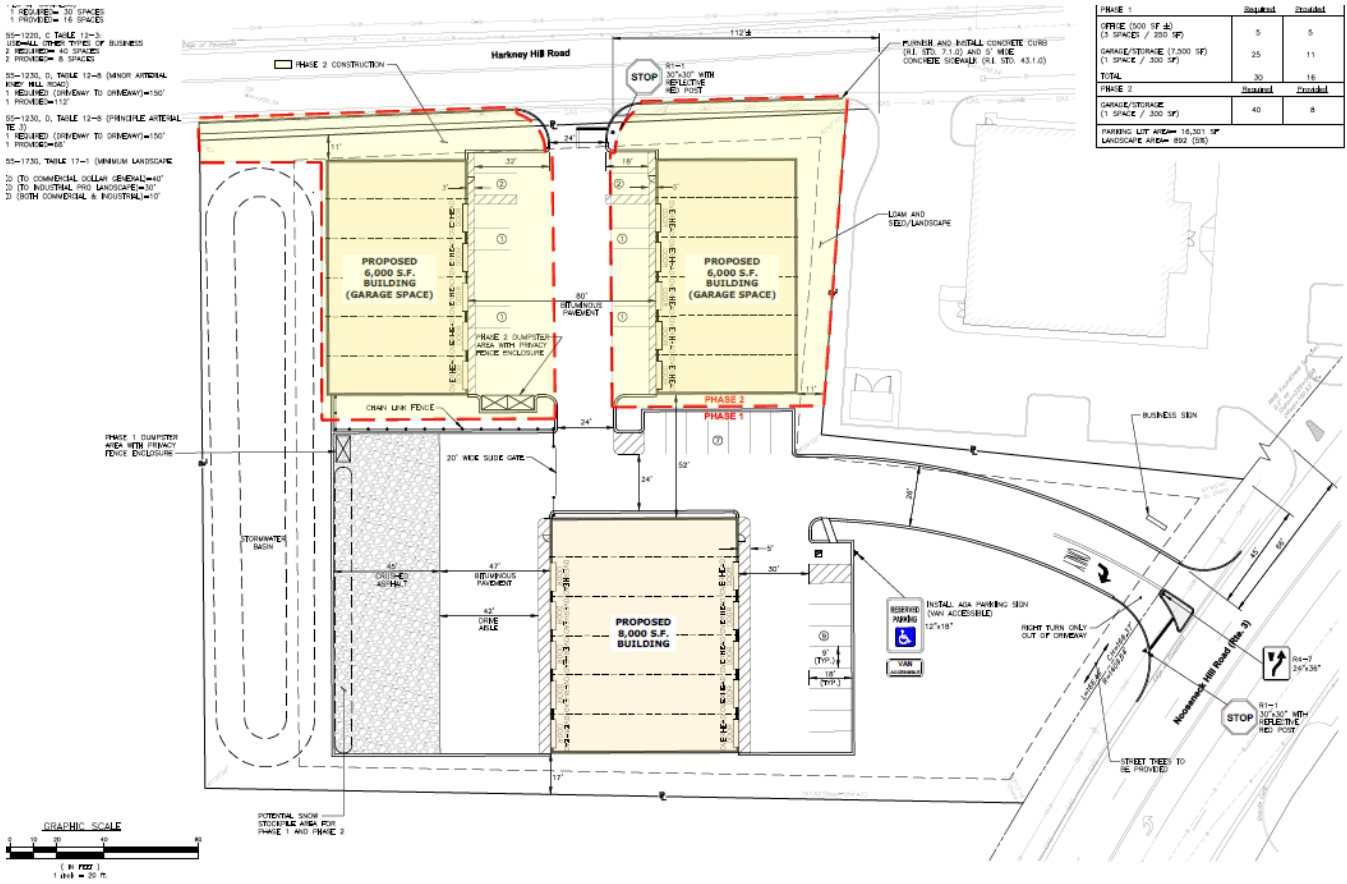


The subject parcel is an undeveloped lot located behind the Dollar General at the corner of Nooseneck Hill Road and Harkney Hill Road, with frontage along both roadways. No wetlands exist on the site, but the parcel does fall within a Natural Heritage Area (RIDEM ID #128).

Along with its two immediate abutters, the subject parcel is zoned GB-1 (General Business, minimum one acre) and falls within the Route 3 and Sandy Bottom Road Special Planning Overlay District/Special Management District. This overlay is intended to improve the functionality and aesthetic character of these corridors, and as such the parcel is subject to certain design standards in addition to the dimensional and use standards inherent to the underlying zone.

Although the subject parcel is not located within a Groundwater Protection Zone or a Local Historic District, it does fall within a Natural Heritage Area (RIDEM ID #128). The parcel is located within Zone "X" (defined as area outside the 0.2% annual chance floodplain) of the National Flood Insurance Maps for the Town of Coventry.

**Proposed Conditions**



The applicant intends to develop the subject parcel in two phases. The first phase would consist of an 8,000 SF building containing storage space as well as a small office for the owner/applicant’s oil delivery and tank installation/removal business. The second phase (denoted by the dashed area along the parcel’s Harkney Hill Road frontage in the image above) would consist of two 6,000 SF buildings offering garage-style commercial storage. The owner/applicant currently intends to use one of the two buildings for off-season truck and equipment storage for his business; some or all of the space within the other Phase 2 building could be leased for others’ equipment storage needs.

Per the Project Narrative, utilities (public water, OWTS, gas, and telecommunications) are available and are proposed to serve the development. Stormwater management would be achieved with two surface retention basins; the primary basin would be located along the parcel’s western lot line, while a much smaller one would be located along the driveway into the site from Nooseneck Hill Road. Both basins would be constructed during Phase 1. The project will eventually require a Physical Alteration Permit from RIDOT and three permits from RIDEM (OWTS, RIPDES, and Stormwater).

The applicant is requesting a reduction in the number of off-street parking spaces to more accurately reflect its own parking needs. It proposes to provide 24 spaces for the site (16 for the Phase 1 building

and 8 for the Phase 2 buildings), where 70 total would be required per Article XII, Section 1220(c)(Table 12-3). The applicant instead proposes a total of 24 spaces (16 for Phase 1 and 8 for Phase 2). Justifications for the proposed reduction can be found in both the Project Narrative and the Zoning Narrative.

Importantly, per Article XII, Section 1220(a) of the Zoning Code, the Planning Commission has the authority to reduce the amount of parking required for a given proposal when it determines the reduction is warranted. Despite the fact that the applicant included parking in its Dimensional Variance application and narrative, it does not require a dimensional variance for the parking reduction it seeks. As relayed in the attached Technical Review Committee report, the Town Engineer supports the request for reduced parking based on the Applicant's justification.

### **Variances**

The applicant has requested dimensional relief for number of loading spaces provided, minimum distance between driveways, and minimum landscaped buffers. Specifically, the applicant proposes:

- Zero loading spaces, where two are required per Article XII, Section 1210(c)(1-2);
- A distance of 112 feet between its own curb cut and the Dollar General's curb cut on Harkney Hill Road, and a distance of 66 feet between its and Dollar General's Nooseneck Hill Road curb cuts, where 150 feet is required in both cases per Article XII, Section 1230(d)(Table 12-8); and
- A 10-foot landscaped buffer where 40 feet would be required from commercial uses (Dollar General) and 30 feet would be required from industrial uses (Proscap Landscaping) per Article XVII, Section 1730 (Table 17-1).

The applicant has not yet requested relief from any components of Article V, Section 530, which concerns architectural and site design standards for properties within the Route 3 Special Management Area. Staff recommends reviewing the project's conformance with this section of code at the Preliminary Plan stage of review, when building elevations and/or renderings will be provided.

### **Waivers**

The applicant has not yet requested any waivers. A determination on waivers will be addressed at the Preliminary Plan stage.

### **Interdepartmental Review and Comments**

Please see the attached report from the Technical Review Committee (dated November 12, 2024) for interdepartmental comments on this application.

## II. DIMENSIONAL VARIANCE

### Findings of Fact

Staff has conducted a review of the Dimensional Variance component of this application for conformance with required standards set forth in RIGL Section 45-24-41. Staff's findings are as follows:

*RIGL § 45-24-41. General provisions – Variances. (d)(1) states, "That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(a)(16)"*

1. The subject parcel's irregular shape impacts the site layout, including the location of curb cuts and structures. The applicant's Master Plan concept aims to respect the dimensional standards of the GB-1 Zone and applicable minimum buffers while making efficient use of the available land.

*RIGL § 45-24-41. General provisions – Variances. (d)(2) states, "That the hardship is not the result of any prior action of the applicant"*

2. The applicant did not create the lot and is proposing to locate the structures, buffers, and curb cuts as optimally as possible.

*RIGL § 45-24-41. General provisions – Variances. (d)(3) states, "That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based"*

3. The subject parcel's existing Zoning designation is GB-1 (General Business), while its Future Land Use designation is Business. The proposed office and storage uses are consistent not only with the intent of both Zoning and Future Land Use, but also with the mix of business uses currently found in close proximity along Nooseneck Hill Road.
4. The current site design incorporates and reflects feedback received from the Planning Commission, notably to consolidate the number of proposed curb cuts on Harkney Hill Road to eliminate the one which stood closer to Dollar General's existing curb cut.
5. The proposed 10-foot buffer will be landscaped consistent with the Special Planning Overlay District/Special Management Area's attention to aesthetics. The rear sides of both the Dollar General and the easterly of the two Phase 2 buildings face one another; this represents the subject parcel's closest approach to abutting development. Both are commercial structures; the subject parcel is expected to be a low-intensity use.

*RIGL § 45-24-41. General provisions – Variances. (d)(4) states, "In granting a dimensional variance, that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted is not*



*grounds for relief. The zoning board of review, or, [planning board] in unified development review, has the power to grant dimensional variances where the use is permitted by special-use permit.”*

6. Viewed in light of the subject parcel’s irregular shape and the location of the Dollar General’s pre-existing curb cuts, as well as the fact that the proposed use is expected to generate few trips given its significant storage component, the relief sought appears minimal.
7. The applicant’s Zoning Narrative provides a reasonable foundation of information for positive consideration of the requested Dimensional Variances.

### **Recommendation**

Staff finds this proposal consistent with the standards for required Dimensional Variance findings of fact set forth in RIGL Section 45-24-41. Staff therefore recommends that the Planning Commission adopt the documented findings of fact and approve the Dimensional Variance application with a condition that the applicant receive approval of its Final Plan – Major Land Development application.

## **III. MAJOR LAND DEVELOPMENT**

### **Findings of Fact**

Staff has conducted an orderly, thorough, and expeditious technical review of this Preliminary Plan application for conformance with required standards set forth in RIGL Section 45-23-60, as well as in the Town of Coventry’s Subdivision and Land Development Regulations, and finds as follows:

*RIGL § 45-23-60. Procedure – Required findings. (a)(1) states, “The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies.”*

1. The Comprehensive Plan’s Future Land Use designation for the subject parcel is Business. The office and storage uses proposed for this parcel are consistent with the Business designation.

*RIGL § 45-23-60. Procedure – Required findings. (a)(2) states, “The proposed development is in compliance with the standards and provisions of the municipality’s zoning ordinance.”*

2. The proposed uses for the subject parcel are allowed by-right within the GB-1 zone.
3. The applicant proposes to provide 0 loading spaces where 2 are required; locate its own curb cuts 112 feet and 66 feet away from pre-existing Dollar General curb cuts where 150 feet would be required in both cases; and provide a 10-foot landscaped buffer where 30 feet is required from abutting industrial uses and 40 feet is required from abutting commercial uses.
4. Master Plan approval is conditioned upon obtaining relief in the form of a Dimensional Variance.

5. The proposal will not alter the general character of the surrounding area or impair the intent or purpose of the Coventry Zoning Code as consistent with the findings for the Dimensional Variance component of this project.

*RIGL § 45-23-60. Procedure – Required findings. (a)(3) states, “There will be no significant negative environmental impacts from the proposed development as shown on the **final** plan, with all required conditions for approval.” (emphasis added)*

6. This finding pertains specifically to the final plan; however, no significant environmental impacts are anticipated based on the Master Plan level of detail required at this stage. Further details on environmental components and mitigations will be reviewed and addressed at future stages of review to demonstrate how the application complies with this same finding at each stage.
7. The March 2023 update of the Rhode Island Natural Heritage map shows that the subject parcel falls within a Natural Heritage Area overlay.

*RIGL § 45-23-60. Procedure – Required findings. (a)(5) states, “All proposed land developments and all subdivision lots have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered in compliance with this requirement.”*

8. The subject parcel currently enjoys adequate permanent physical access to two public rights-of-way (Nooseneck Hill Road and Harkney Hill Road).
9. The Nooseneck Hill Road curb cut will restrict turning movements to right-turn only (both in and out of the subject parcel) to provide for safe and adequate circulation for vehicular traffic as well as for emergency vehicles.

## **Recommendation**

Staff finds this proposal consistent with the standards for required findings of fact set forth in RIGL Section 45-23-60 as well as with the Town of Coventry’s Subdivision and Land Development Regulations. Staff therefore recommends that the Planning Commission adopt the documented findings of fact and **approve** the Preliminary Plan application, subject to the conditions denoted below.

## **Conditions of approval**

1. Master Plan approval is conditioned upon strict adherence to the associated Dimensional Variance Application as presented and approved.
2. The applicant shall provide a letter confirming water availability with its Preliminary Plan application.
3. Building elevations/renderings will be required at the Preliminary Plan stage. The property is within the Special Planning Overlay District and is required to follow the standards in § 255-V-530 of the Zoning Code, or alternatively seek variances.

4. The applicant shall submit a Soil Erosion and Sedimentation Control Plan, a Grading Plan, a Utility Plan, and a Drainage Plan with its Preliminary Plan application.
5. A report or statement demonstrating the proposed use will be compliant with Article VII (“Industrial Performance Standards”) of the Zoning Code will be required at the Preliminary Plan stage.
6. The Nooseneck Hill Road curb cut must restrict turning movements to right-turn only (both in and out of the subject parcel) to provide for safe and adequate circulation for vehicular traffic as well as for emergency vehicles.

Pursuant to Article XII. Appeals, Subsection A. Procedure for Appeals to the Board of Appeal of the Coventry Subdivision Regulations, the decision of the Planning Commission herein may be appealed in writing by any party aggrieved by said decision to the Coventry Board of Appeal. Any such appeal shall be made within 20 days of the day of the decision is recorded and posted in the Town Clerk’s Office.





TOWN OF COVENTRY  
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## **TECHNICAL REVIEW COMMITTEE REPORT**

**DATE:** November 12, 2024  
**PROJECT NAME:** "Harkney Hill Office/Storage Units"  
**PROPERTIES:** AP 10, Lot 42  
**ADDRESS:** 71 Harkney Hill Road  
**ZONE:** GB-1 (General Business)  
**OWNER/APPLICANT:** Andrew Barber

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This matter came before the Coventry Technical Review Committee at its November 12, 2024 meeting as a Master Plan Application for a Major Land Development project with associated Dimensional Variances in accordance with Article V, § D.4. of the Coventry Subdivision & Land Development Regulations.

The project's Master Plan application was previously reviewed at the Committee's October 2024 meeting. A revised application and plan incorporating feedback received during the October meeting was submitted on November 6, 2024. The applicant proposes to develop one commercial office building and two equipment storage buildings for contractor use, with development occurring in phases. The proposal would require dimensional variances.

The members of the Technical Review Committee reviewed the following documents related to this application when preparing the comments below:

Harkney Hill Office-Storage Units - Project Narrative.pdf  
Harkney Hill Office-Storage Units - Zoning Narrative.pdf  
Harkney Hill Office-Storage Units - Plan Set.pdf

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### **TOWN ENGINEER**

#### **Project Narrative**

##### Requested Variances

- 1) Section 255-1210, C (1) Loading Spaces  
Engineering takes no exception to waiving the loading space requirement for Phase 1.
- 2) Section 255-1210, C (2) Additional Loading Space  
Engineering takes no exception to the requested reduction.
- 3) Section 255-1220, C, Table 12-3 Parking Use – Phase 1 - 30 spaces required and 30 provided (17 painted and 13 unpainted)

Engineering supports the reduction request of 16 painted parking spaces in lieu of the required 30 spaces. The reduction is substantiated by the applicant's staff size and non-retail business type.

- 4) Section 255-1220, C, Table 12-3 Parking Use - Phase 2 – 40 spaces required and 8 provided (outside of buildings).

Engineering supports a reduction request. The four (4) parking spaces at the north side of the site are acceptable as shown. Recommend locating all other parking spaces directly in front of the each unit's overhead doors. Coventry Fire would need to approve any additional future parking locations in the paved area between the buildings.

- 5) Section 255-1230, D, Table 12-8 (Minor Arterial Road – Harkney Hill Rd)  
Engineering supports the provided 112' in lieu of the required 150' between the proposed primary driveway and the Dollar General parking lot entrance.
- 6) Section 255-1230, D, Table 12-8 (Principal Arterial – Nooseneck Hill Rd)  
Engineering supports the provided 66' in lieu of the required 150' between the proposed primary driveway and the Dollar General parking lot entrance.

### **General**

- 1) Upon project completion, a Certificate of Conformance (COC) and a Section 128 Project Certification Form shall be submitted by the Engineer of Record (EOR).

### **PRINCIPAL PLANNER**

- The applicant has indicated it is seeking dimensional relief for number of loadings spaces provided, distance between driveways on both the Nooseneck Hill and Harkney Hill sides of the property, and minimum landscaped buffer. Planning Staff does not have heavy concerns with considering variances relative to the relief requested, but notes that the site plan does not currently show any loading spaces. The applicant must either revise their site plan to indicate the location of the single proposed loading space or revise their zoning narrative to propose zero loading spaces.
- Building elevations/renderings will be required at the Preliminary Plan stage. The property is within the Special Planning Overlay District and is required to follow the standards in § 255-V-530 of the Zoning Code, or alternatively seek variances.
- A report or statement demonstrating the proposed use will be compliant with Article VII ("Industrial Performance Standards") of the Zoning Code will be required at the Preliminary Plan stage.

### **PUBLIC WORKS DIRECTOR**

- Install concrete sidewalks along the Harkney Hill Road side of the project.

### **FIRE REPRESENTATIVE**

- No Fire comments at this time.

POLICE CHIEF

- No comment at this time.

PLANNING COMMISSION CHAIR

*The Planning Commission Chair recused as this item will be heard before the Planning Commission.*