



MIDDLETOWN
Rhode Island

PLANNING DEPARTMENT

TOWN OF MIDDLETOWN

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To: Arthur S. Weber, Jr., Vice Chair
Planning Board members

From: Ron Wolanski, Town Planner

Date: December 4, 2024

Re: **Public Hearing** – Application for combined Preliminary and Final Development Plan Review by Jeff Lipshires on behalf of CCE Development, LLC for adaptive reuse of an existing commercial building to establish a 8-unit multi-family dwelling structure under the provisions of Middletown Zoning Ordinance Section 728. Property located at 499 East Main Road, Tax Assessors Plat 113, Lot 27.

This item was continued to the December 11th Planning Board meeting at the applicant's request in order to address concerns raised by board members regarding parking and traffic circulation on the site, and related safety concerns. The applicant has indicated that a traffic report would be provided for Planning Board consideration. As of this date neither that report, nor any other additional information has been provided by the applicant. Note that the application was certified complete on September 12, 2024. State law requires action on a DPR application within 65 days of an application being certified complete. Since that time has expired, unless the applicant and Planning Board agree to an additional continuance, the Planning Board must take action on the application during the December 11th meeting.

The applicant is proposing to convert an existing commercial building to an 8-unit multi-family dwelling structure through adaptive reuse. The project is proposed to stay within the existing footprint of the structure, with the addition of windows and minor changes to accommodate upgrades related to the building and fire codes and utilities, including additional stairways. The property is located on 499 East Main Road, in the Office Business (OB) zoning district. No sitework is proposed. Adaptive reuse, where at least 50% of the existing gross floor area is developed into residential units, is permitted by right in all zoning districts subject to development plan review by the Planning Board.

Site plan, building design drawings and other submitted items are attached. Application materials can also be viewed online at: <https://www.middletownri.gov/504/Planning-Board-Meeting-Packets>. Requests for comments and plans were provided to the DPW Director, Town Engineer, Building/Zoning Official, Fire Department, Tree Commission, and Roads & Utilities Committee. Any comments received will be provided as they become available.

TRC Review:

The Technical Review Committee (TRC) reviewed the application during its meeting on September 25, 2024. Proposed project scope, layout, and other aspects of the plan were discussed. No issues of concern were identified. Following its review, the TRC unanimously voted to forward a positive recommendation to the Planning Board.

Required findings for Development Plan Review approval:

In accordance with section 309 of the Middletown Zoning Ordinance, prior to granting any development plan review approval, or issuing a recommendation in favor of approval to the Zoning Board of Review, the Planning Board shall find that:

- (1) The granting of approval will not result in conditions inimical to the public health, safety and welfare;
- (2) The granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district;
- (3) The plans for such project comply with all the requirements of this chapter and the Regulations, or that necessary waivers from the requirements of the Regulations have been granted;
- (4) The plans for such project are consistent with the Comprehensive Plan; and
- (5) Any conditions or restrictions that are necessary to ensure that these guidelines have been met have been incorporated into the written approval or recommendation.