

MEMORANDUM

May 15, 2020

To: Zoning Board of Review

From: Planning Department

Re: Recommendations for Zoning Case to be heard on May 20, 2020

**1. Request of 10 Tripps Holdings, LLC and
Pace Organization of Rhode Island
10 Tripps Lane
Industrial-1 District**

A. The petitioner seeks permission to convert a prior banking call center building on the property into comprehensive senior adult health services center. Due to the varied level of services provided within the proposed facility and as identified in the application, the Zoning officer has determined that the most effective method of handling these varied health related services, is to direct the applicant to seek a use variance for the aggregate of uses described in the application. The narrative provided in Attorney Engustian's Exhibit B effectively describes this issue in detail. According to the application, all other dimensional requirements under Zoning will be met.

B. There is prior zoning associated with this property. In November 1985, the owner at the time sought permission to utilize the building for warehousing. The application was approved by the ZBR. In February, 1986, the owner requested permission to utilize the building as a wholesale carpet business. This request was approved by the ZBR. In November/December 1986, the owner requested permission to use the building for distribution and warehousing. This application was approved by the ZBR at the time.

In May, 1989, the owner requested permission to build an expansion on the existing warehouse building. This petition was also approved by the ZBR. Assessment records indicate that the industrial building was constructed in 1950, thus predating current zoning.

C. In reviewing this case for a use variance the following finding under Section 19-45 is relevant:

"In granting a use variance the subject land or structure cannot yield any beneficial use if it is required to conform to the provisions of this chapter. Nonconforming use of neighboring land or structures in the same district and permitted use of lands or structures in an adjacent district shall not be considered in granting a use variance."

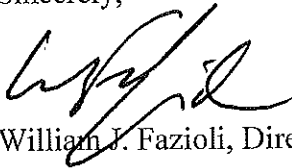
The subject property has a history of supporting a variety of uses over its lifetime. As shown in the Zoning history section, for a number of years, the building was used for an assortment of uses including warehousing and distribution, a wholesale carpeting distribution operation and more recently, as a bank office call center. As a bank call center, this property was extensively altered to serve its purpose as a call center, with an overall layout that included a significant number of office space cubicles within its floor plan. This call center space now stands vacant, with the likelihood of its re-use as a call center

limited in the future. The Planning Department believes that there is the potential to argue that the current structure cannot yield any beneficial use if it required to strictly conform to the provisions of Zoning in its current state. Furthermore, the Planning Department believes that a comprehensive senior health services facility, as described in the application and as proposed in the attached floor plan layout and site plan, would be highly suitable to the site and would be generally consistent with the neighborhood, as this area has in recent years been transitioning from a traditional manufacturing environment to an environment that includes a number of medical and wellness related facilities.

The Planning Department is also of the opinion that the proposed use is generally consistent with the City of East Providence Comprehensive Plan, which has identified the general area, including this subject property, as a mixed use development district.

D. Based on the review of the application materials as presented and on the opinion of Planning that the applicant appears to have a justifiable argument for hardship in this case, the Planning Department does not object to the granting of the use variance request.

Sincerely,



William J. Fazioli, Director of Planning & Economic Development

Cc: Honorable Mayor Robert DaSilva
City Solicitor
Zoning Officer
Public Works Director
Planning Board