

Approved as amended
PLANNING COMMISSION MINUTES
February 15, 2023
7:00 PM
Jamestown Town Hall
93 Narragansett Ave.

I. Call to Order and Roll Call

The meeting was called to order at 7:02pm and the following members were present:

Duncan Pendlebury – Vice Chair	Mick Cochran
Rosemary Enright - Secretary	Diane Harrison
Bernie Pfeiffer	Dana Prestigiacomio

Not present: Michael Swistak

Also Present:

Lisa Bryer, AICP - Town Planner
Carrie Kolb - Planning Assistant
Wyatt Brochu, Esq. – Ruggiero, Brochu & Petrarca
Christian Infantolino, Esq.
Marla Romash, Applicant
Marc Alexander, Applicant
Chris Arner, AIA
Connie Slick

II. New Business

1. Our Table –53 Narragansett Ave., Plat 9 Lot 207, Jamestown Village Special Development district, Jamestown Zoning Ordinance Article 11, Amendment to the 2021 Development Plan -Discussion, Review and Approval and Recommendation to Zoning Board on Special Use Permit for liquor (outdoor seating) and Variance for Parking (reduced due to proposed outdoor seating).

Infantolino gave a quick overview of the project for Our Table restaurant to add 5 tables of 4-seats each for 20 additional seats. They would remove 2 parking spaces for seating and 2 parking space for bike racks. A variance is needed for 8 parking spaces.

Commissioner Pendlebury asked if the original plan had 46 seats in the restaurant? Arner said yes and that with 20 more seats to the total seating capacity is for 66 seats.

Marla Romash, 34 Clinton Avenue, co-owner of Our Table restaurant addressed the Planning Commission. She expressed appreciation for all the positive support from the community. There are many repeat customers who are Jamestowners. She said that guests have been requesting outdoor seating and with the restaurant approaching their first anniversary, they feel like the right moment to create outdoor seating.

The other businesses located on the lot are 9am-5pm. The restaurant is open from 4-10pm. The other businesses do not generate a lot of traffic or parking. They will put bicycle parking that will be open to all. They try very hard to be good neighbors and approached neighbor Connie Slick to talk with her about their plans for expanding outdoor seating.

Chris Arner, AIA, described the plans with a presentation. He showed photographs of the building that exhibited where the outdoor seating would be. He showed site plans that gave a representation of 5 tables of 4 drawn within the two parking spaces, and the bike parking across from the outdoor seating. He pointed out where the jersey-type barriers would be and requested that they not be placed on the south side. The parking calculations for the current seating of Our Table is 10 spaces out of 29. When 20 additional seats are added, it will require four (4) more parking spaces. Four (4) parking spaces are lost with the outdoor seating and bike parking, so a zoning variance for eight (8) parking spaces is needed. Arner described the plans to disguise the barriers with planters and slated wood around them. The outdoor seating would have string lights attached to the side of the building. He described how the front door of the restaurant also serves as the access to the second floor. The tenants who live in the apartments above are patrons of the restaurant.

The details of the outdoor seating area and bike parking were discussed. The lighting is intended to be shut off each night when the restaurant closes for the night. There are no plans to put a platform down on the parking spaces. The plan is for the bike parking to revert to parking in the winter. The type of tables that will be outdoors has not been determined yet.

The hours of operation were discussed. The other businesses in the lot have hours of operation from Monday-Friday from 9am-5pm. Our Table is open Thursday – Monday from 4pm-10pm in the summer and Thursday – Sunday from 5pm-10pm in the winter. It is closed on Tuesday and Wednesday year-round. This is consistent with all their previous approvals. The parking lot does not fill up during the off peak months.

Chief Mello was consulted and wanted to know what the process was for the liquor license. He was comfortable with the jersey barrier, and he wanted the Building Official to sign off on them. Connie Slick, 49 Narragansett Ave, let the Planning Commission know that she appreciated both Romash and Bryer speaking with her about the project. She stated that she doesn't have a problem with outside seating as long as requirements are met because she lives next door. She stated that she is ok with the lighting plan. She was under the impression that there would only be 3 or 4 tables, not 5 tables. She is concerned about parking space #4 and the turning radius for cars backing out of it.

Discussion on the bike spaces, planters and turning radius ensued. Arner stated that they could adjust the parking as needed and can continue the discussion with the Building Official.

Discussion on the number of barriers ensued. Arner stated that they would like to have barriers on two side, not three. Bryer stated that the barriers are a condition of approval on the draft motion.

Discussion on when the season would start ensued. Romash stated that the earliest outdoor seating could happen is June due to all the approvals that are needed. They are thinking that it would not be longer than September. Infantolino requested that there not be any constraints on the time of year when they can operate outdoors as the plan is for summer months.

A motion was moved by Commissioner Pendlebury and seconded by Commissioner Enright as follows:

The application of Marla Romash and Marc Alexander, owner Gino DiFante, 53 Narragansett Avenue was reviewed and approved by the Planning Commission on February 15, 2023 and the Planning Commission hereby grants an amendment to the approved Development Plan based on the following finding of fact and subject to the following conditions of approval:

Findings of Fact:

1. The application was previously reviewed under the standards of Zoning Article 11 as a new use and granted approval by the Planning Commission on August 4, 2021.
2. This application has been reviewed by the TRC on February 14, 2023 and by the Planning Commission on February 15, 2023;
3. The applicant was represented by Christian Infantolino, Esq. and Architect Chris Arner, AIA, and has provided the following information for the current application:
 - Development Plan Review Application;
 - Development Plan Approval by the Planning Commission dated August 6, 2021;
 - Final Development Plan approval signed by Lisa Bryer, AICP, Town Planner dated April 4, 2022;
 - Zoning approval of a Special Use Permit dated August 24, 2021 to use the premises as a “lunchroom or restaurant (alcoholic beverages)”;
 - Site Plan entitled OUR TABLE RESTAURANT 53 Narragansett Avenue, Jamestown, RI, Plat 9, Lot 207 dated 2-15-23:
 - Photographs
 - Outdoor Seating Site Plan
 - Parking Calculations, Existing Floor Plans
 - Exterior Elevation, Details, Images
4. The proposed improvements consist of:
 - a) Adding outdoor seating protected by safety barriers and decorative planter boxes;

- b) Seeking permission from Zoning Board and the Town Council sitting as the Board of Liquor Licensing to serve food and drink during the allowed hours of operation;
5. This property is located in the Commercial Downtown (CD) District. Restaurant, office, personal service and retail uses are permitted in the CD District. Restaurant with Liquor requires a special use permit. The Planning Commission finds this application is consistent with the Jamestown Comprehensive Plan.
6. The restaurant and additional uses as shown on the plans were approved in 2021 with compliant parking, 29, based on proposed uses including a 46 seat inside restaurant (27 on-site and 2 on street as permitted by Zoning Ordinance 82-1204J). The removal of 4 parking spots and the addition of 20 seats (5 tables with 4 seats each) renders the parking inadequate per Jamestown Zoning Regulations by 8 spaces:
29 current spaces minus 4 taken away by bike racks and tables. The need increases by 4 with the increase of 20 seats. Therefore 33 spaces = total need and 25 spaces = spaces proposed plus bike racks which may be removed during the winter months;
7. The applicant and the Planner both discussed the project with the Police Chief Mello and his concerns were addressed with the proposal;
8. The applicant discussed the project with the direct abutter at 49 Narragansett – Plat 9 Lot 208 and the Planner received several questions related to the project which were answered;
9. The applicant has committed to no smoking outside on the premises;

Conditions of Approval:

1. The site improvements shall be built in strict accordance with the plans referenced above, including:
 - a. Prior to the certificate of occupancy, the building official will insure the safety barriers and decorative planters are installed and provide safety as designed;
2. A Special Use Permit is required for liquor service;
3. A liquor license is required for serving liquor outside;
4. Final Development Plan Approval shall be granted administratively when all conditions of approval are satisfied and the Special Use Permit, variance and liquor license have been granted.
5. No outdoor entertainment or amplified music;
6. An additional barrier shall be provided on the south side of the seating area if deemed necessary by the building official and Police Chief;
7. Additional lighting outside will turn off each night; and;
8. Applicant will investigate best configuration for turning out of parking space #4 located next to the bike racks.

So voted:

Commissioner Cochran – aye

Commissioner Enright - aye

Commissioner Harrison -aye

Commissioner Pfeiffer - aye

Commissioner Prestigiacomo -aye

Commissioner Pendlebury - aye

Motion carries 6-0.

III. Citizen's Non-Agenda Item - none

IV. Correspondence

1. Accessory Family Dwelling Unit Approval letter, Steven & Kristi Ross, 354 Beavertail Road, Plat 12 Lot 52

Correspondence recognized as received.

V. Reports

- Planner's Report
 - Future meetings – topics and applications

Bryer said that there will not be a meeting on March 1. The meeting on March 15 will be the first Zoning Ordinance Workshop. There will not be a meeting on April 5. The meeting on April 19 will be the second Zoning Ordinance Workshop. The workshops will be advertised in the paper. At this time, there are no applications, however if there are applications submitted then the Commission will meet at 6:00pm before the public workshops.

VI. Old Business

1. Jamestown Zoning Ordinance update - review, discussion and/or action and/or vote
 - A. Accessory Dwelling Units - review, discussion and/or action and/or vote

Bryer informed that Commission that a revised ADUs Bill was just submitted in the House and it is not as comprehensive as anticipated. More time is needed on this topic and the discussion was tabled to a future meeting.

- B. Cannabis - review, discussion and/or action and/or vote

Bryer said that there was discussion of the use table at the last meeting. The printed use table distributed in the packet. A footnote on the use table was questioned and it was determined that the footnote should be three (3) plus signs instead of two (2).

VII. Approval of Minutes – review, discussion and/or action and/or vote

1. February 1, 2023

A motion was moved by Commissioner Enright and seconded by Commissioner Harrison to approve the minutes from February 1, 2023 as amended. All in favor.

Page 2: Paragraph 4: to read “anything zoned over 20,000 sq feet.”

VIII. Adjournment

A motion to adjourn at 7:54pm was moved by Commissioner Enright and seconded by Commissioner Cochran. So unanimously voted.

Attest:

Carrie Kolb & Lisa Bryer