

CITY PLANNING DEPARTMENT



Memorandum – FINAL

To: City Plan Commission
From: Kenneth R. Kirkland, MPA, MRP, AICP; Asst. City Planning Director
Date: March 5, 2024
RE: Oaklawn Avenue – Assessors Plat 17/3, Lot 670
“Residences at Oaklawn Ave” – Major Land Development Project: Preliminary Plan

I. Applicant | Property | Proposal

The Applicant and Owner is Amalgamated Financial Equities I, LLC.

The subject property is located off Oaklawn Avenue, identified as Assessor’s Plat 17/3, Lot 670.

The property is zoned B-2 with Conditions and is not located in any municipal overlay district. The B-2 with Conditions allows for multi-family residential development of ten (10) market-rate and two (2) affordable residential units, and is consistent with Ordinance 2023-4, passed on March 27, 2023, and approved March 29, 2023.

The Proposal is a 2-story, 12-unit, multi-family residential building, with associated parking and landscaping and will be serviced by public water and sewer.

II. Land Evidence Records References

Lot 670 Oaklawn Avenue

Title: The subject property is referenced in a Deed dated December 21, 2015, recorded in the City Clerk’s Land Evidence Records Office in Book 5213, Page 144.

III. Documents Submitted for This Application

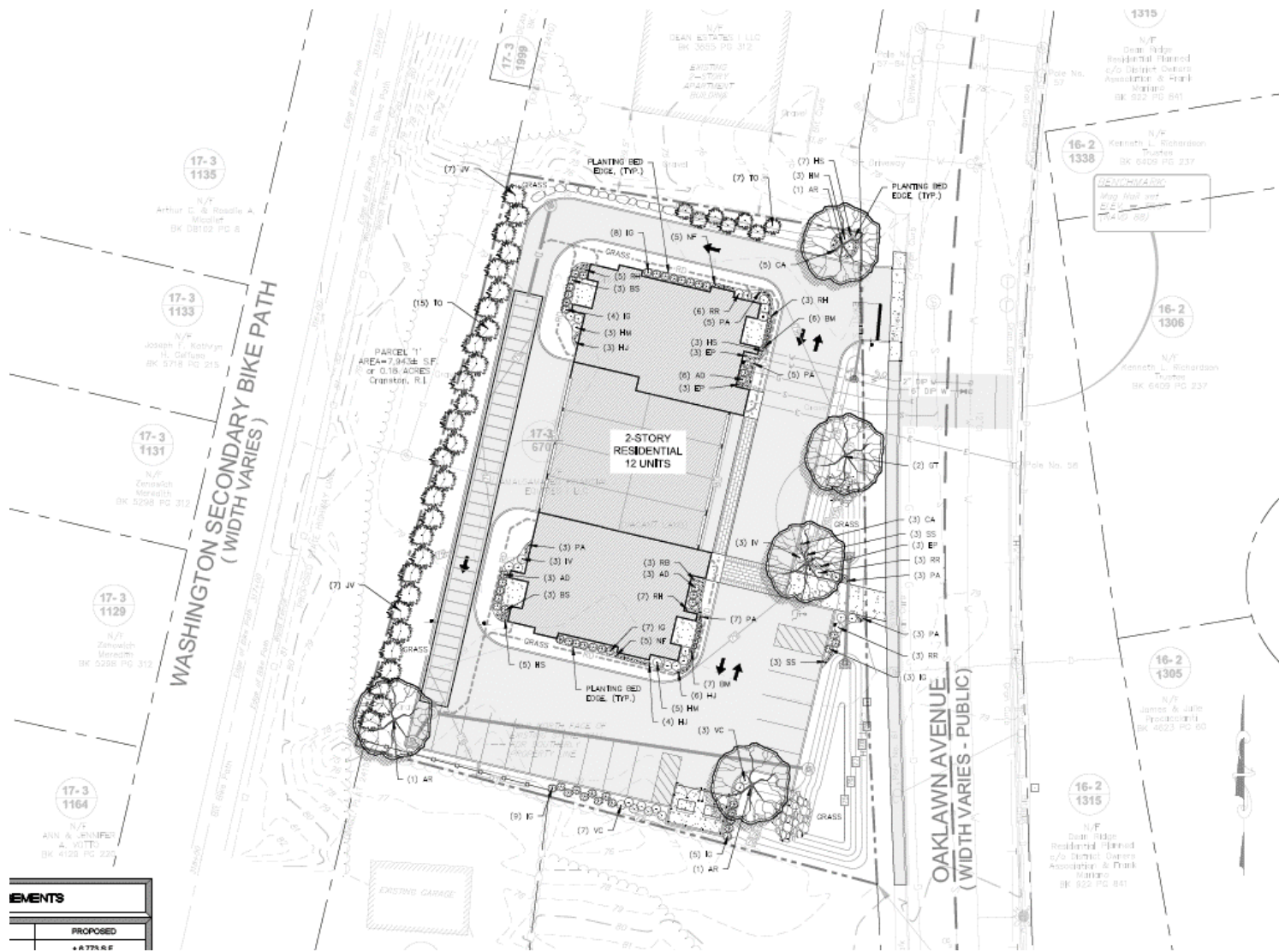
1. Minor Subdivision Plan entitled “Residences at Oaklawn Ave” prepared by Garofalo & Associates, Inc.; dated January 15, 2023.
2. Major Land Development Project – Preliminary Plan Application, signed by Applicant Representative Moses Ryan Ltd.; dated January 16, 2024.
 - a. Application Fee for \$1,400.00; dated December 18, 2023.
 - b. Master Plan Decision; recorded in the City Clerk’s Land Evidence Records Office in Book 6655 Page 192.
 - c. Rhode Island Historic Preservation & Heritage Commission, (RIHPHC) Letter; dated March 7, 2023.
 - d. Ordinance #2023-3; passed by the City Council, March 27, 2023, approved March 29, 2023.
 - e. Ordinance #2023-4; passed by the City Council, March 27, 2023, approved March 29, 2023.
 - f. List of 100’ Abutters.
 - g. RIDOT-PAP Letter, (Application No. 23-63); dated January 2, 2024.
 - h. RIDEM-OWR Letter, (WQC/STW File No. 23-072; UIC File No. 002186); dated December 8, 2023.
 - i. Project Narrative; prepared by Garofalo & Associates, Inc.; dated January 15, 2024.
 - j. Stormwater Management O&M Plan, prepared by Garofalo & Associates, Inc.; dated May 1, 2023, as revised December 6, 2023.

- k. Stormwater Management Report, prepared by Garofalo & Associates, Inc.; dated May 15, 2023, as revised December 1, 2023.

IV. Surrounding Land Use & Context

Analysis using the Cranston Geographic Information System and the FEMA Flood Map Service Center indicates that:

1. The subject property is located on the northerly side of Ezekiel Street, westerly side of Oaklawn Avenue, and easterly side of Cranston Street.
2. The surrounding area is A-8 land, with A-6 to the immediate south and west. Development in the area consists of single-family residential, with multi-family development directly abutting north and south along both sides of Oaklawn Avenue.
3. The subject property is outside of any regulated resource areas under jurisdiction of the Rhode Island Department of Environmental Management, (RIDEM).
4. The subject property is outside of any identified historic / cultural districts under jurisdiction of the Local Historic District Commission, State Historical Preservation Commission, State, or National Registers of Historic Places.
5. The subject property is identified as “Zone X – Area of Minimal Flood Hazard” on FEMA Flood Map Panel 44007C0313H, and outside of any regulated floodplain or flood hazard districts.



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V. Municipal Review

Pursuant to RIGL §45-23-37, these Plans and submitted documents were distributed for comment to the following agencies. Responses are as follows:

1. Department of Public Works
 - a. Engineering Division: Mr. Justin Mateus, P.E., Public Works Director, has not provided commentary at this time.
 - b. Traffic Safety Division: Mr. Steven Mulcahy has not provided commentary at this time.
 - c. Sewer Division: Although Mr. Edward Tally, Environmental Program Manager, hasn't responded at this time, the existence of an 8" sewer line on the Existing Conditions Plan indicates existing service. A Letter and approved design from Veolia Water could be conditioned for Final Plan submission.
 - d. Providence Water Supply Board: Although PWSB hasn't responded at this time, the existence of a 12" water supply line on the Existing Conditions Plan indicates existing service. A Service Availability Letter from PWSB could be conditioned for Final Plan submission.
2. Department of Building Inspection & Zoning Enforcement
 - a. Mr. David Rodio, Building Official, has not provided commentary at this time.
 - b. Mr. Stanley Pikul, Alt. Building Official, has not provided commentary at this time.
3. Fire Department: Mr. James Woyciechowski, Fire Marshal has not provided commentary at this time.

VI. Planning Analysis

Consistency with the Comprehensive Plan

- The Comprehensive Plan's Future Land Use Map (FLUM) designates the subject property as "*Multifamily*."
 - Ordinance 2023-3 amended this property's FLUM designation for this Proposal to "*Multifamily*."
 - The proposed use (multi-family residential) is consistent with the Comprehensive Plan.
 - Per the Comprehensive Plan, the B-2 (with Conditions) zoning district is an appropriate zoning classification for multi-family residential development.
 - Staff finds that the Application is directly consistent with the FLUM designation.
- The Comprehensive Plan outlines goals, policies, and action items pertaining to residential development which Staff find support the approval of this Application, specifically:
 - Housing Goal 4: Promote housing opportunities for a wide range of household types and income levels.
 - Housing Policy 4.1: Maintain a varied housing stock, with units of different age, size and type that are affordable to a wide range of incomes.
 - Housing Policy 4.3: Promote regulations that facilitate the development of affordable housing.

Consistency with the Zoning Ordinance

- The Zoning Map and Ordinance designates the subject property as "*B-2 with Conditions*."
 - Ordinance 2023-4 amended this property's zoning designation for this Proposal to "*B-2 with Conditions*."
 - The proposed use (multi-family residential) and density (twelve (12) residential units) is consistent with Ordinance 2023-4.
 - Staff finds that the Application is directly consistent with the Zoning Ordinance.

VII. Interests of Others

None to Report.

VIII. Additional Matters

Master Plan Stage of Review: This Proposal previously received Master Plan Approval, a copy of which is included with this Application. A review of the Conditions imposed at Master Plan, (City Council passage of Ordinances 1-23-01 and 1-23-02) indicate the imposed Conditions have been satisfied.

IX. Waivers

None Requested.

X. Findings of Fact

An orderly, thorough, and expeditious technical review of this Preliminary Plan has been conducted. Property owners within a 100' radius have been notified via first class mail and the meeting agenda has been properly posted.

Staff has reviewed this Preliminary Plan application for conformance and consistency with the required Findings of Fact in accordance with RIGL § 45-23-60 as well as the Subdivision & 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 plan and/or has satisfactorily addressed the issues where there may be inconsistencies.”

- The Proposal is consistent with the Comprehensive Plan’s Future Land Use Map (FLUM) designation. The proposed resulting density of twelve (12) residential units is consistent with the FLUM’s designation of the subject property as “*Multifamily*.”
- The Proposal is consistent with Ordinance 2023-3, which changed the amended this property’s FLUM designation for this property to “*Multifamily*.”

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.”

- The Proposal is consistent with the Zoning Ordinance, particularly Ordinance 2023-4, which changed this property’s zoning designation to B-2 with Conditions. The proposed resulting density of twelve (12) residential units is consistent with the Conditions outlined in Ordinance 2023-4

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)

- No significant environmental impacts are anticipated.
- The Proposal will be subject to all state and local regulations pertaining to environmental impacts and wetlands.
- RIDEM’s Natural Heritage Map shows that there are no known rare species located on the site.
- The Application has supplied a RIDEM-OWR Approval Letter.

RIGL § 45-23-60. Procedure – Required findings. (a)(4) states, “The subdivision, as proposed, will not result in the creation of individual lots with any 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 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.”

- The Proposal 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.
- The design and location of building lots, utilities, drainage, and other improvements will conform to local regulations for mitigation of flooding and soil erosion.

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.”

- The Proposal will have adequate permanent physical access to Oaklawn Avenue, a public city street.
- The Proposal provides for safe and adequate local circulation for vehicular traffic.
- The Application has supplied a RIDOT-PAP Approval.

XI. Recommendation

Staff finds this Proposal generally consistent with the Comprehensive Plan, the Zoning Ordinance, and the standards for required Findings of Fact set forth in RIGL § 45-23-60.

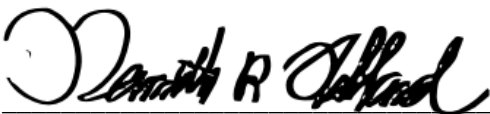
Staff therefore recommends that the City Plan Commission adopt the Findings of Fact documented above and **APPROVE** the Preliminary Plan submittal subject to the conditions denoted below.

XII. Recommended Conditions of Approval

The Final Plan submittal shall be subject to the following:

1. Development Plan Review shall be conducted prior to Final Plan submission. If the Development Plan Review Committee requires changes that result in a Major Amendment to the approved Preliminary Plan, the Final Plan shall appear before the City Plan Commission for Final Plan Approval prior to recording.
2. Submission of letters of availability from the Providence Water Supply Board and Veolia Water for water and sewer availability, respectively.
3. Payment of the Eastern Cranston Capital Facilities Development Impact Fee of \$7,121.52, (\$593.46 x12 units).

Respectfully Submitted,



Kenneth R. Kirkland, MPA, MRP, AICP
Asst. City Planning Director / Administrative Officer

Cc: Applicant
File