

# CITY PLANNING DEPARTMENT



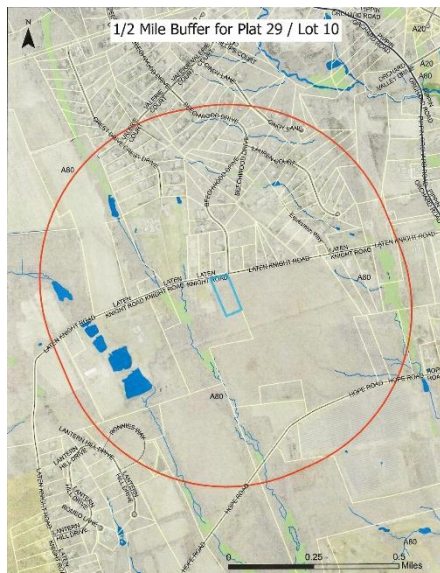
## Memorandum – Unified Development Review

**To:** City Plan Commission  
**From:** Toby Arment, Municipal Fellow  
**Date:** May 28, 2025  
**RE:** Capezza Family Plat Preliminary Plan – Minor Subdivision

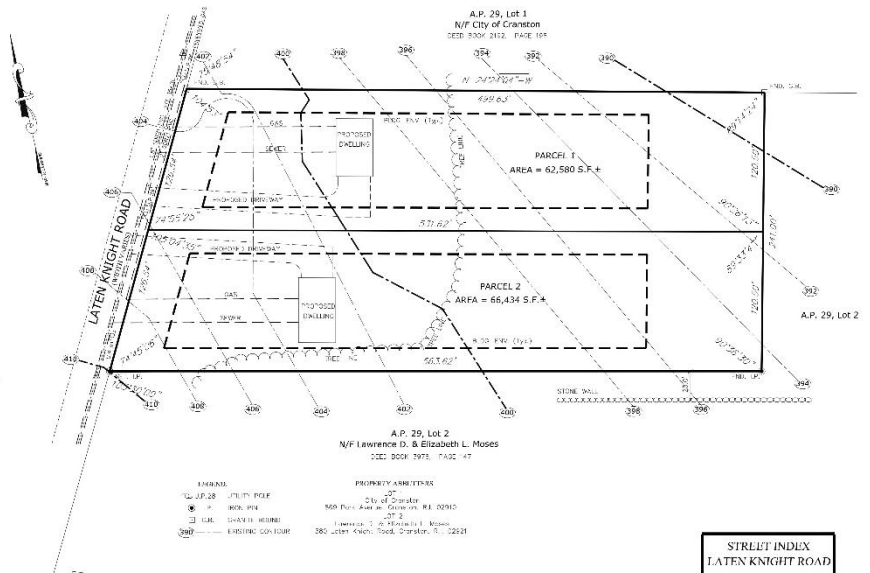
**Owner:** Nicholas W. and Cynthia L. Capezza  
**Applicant:** Nicholas W. and Cynthia L. Capezza  
**Location:** Laten Knight Rd.  
**Neighborhood:** Western Cranston  
**Parcels:** Assessor's Plat 29, Lot 10  
**Zoning:** A-80 Single-family dwellings (80,000 sq. ft.)  
**FLUM Designation:** Single Family Residential Less Than 1 Unit Per Acre

**Recommendation:** Approval of Preliminary/Unified Development Review with dimensional variances for lot size and frontage.

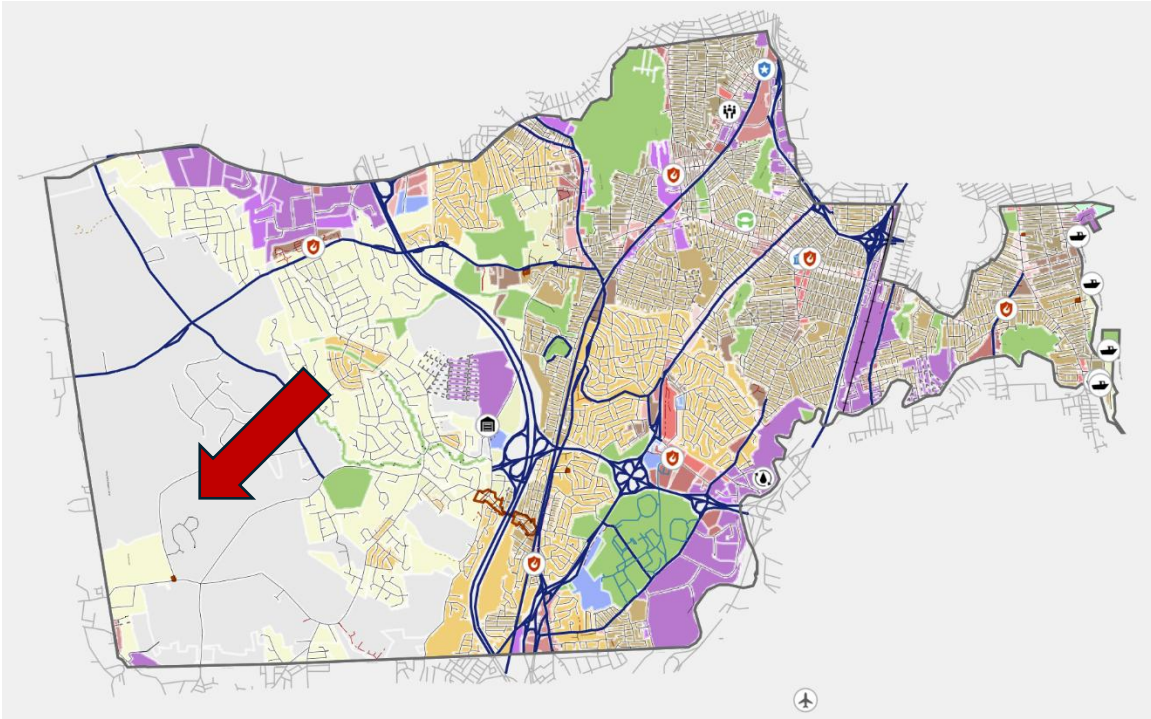
### AERIAL PHOTO



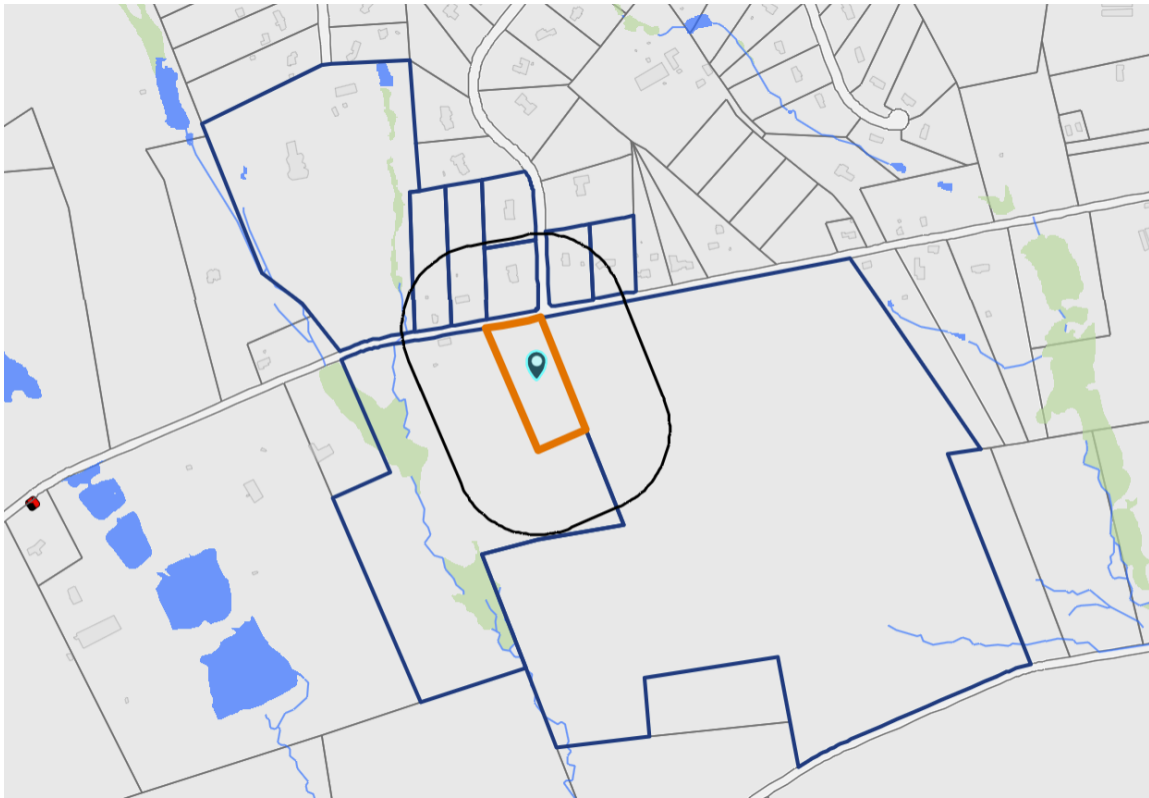
### PROPOSED SITE PLAN



## LOCATION MAP



## SURROUNDING CONDITIONS (400 ft buffer)



## I. Applicant | Property | Proposal

The subject property is located in Western Cranston on the southerly side of Laten Knight Road approximately 100' west of the intersection of Beechwood Drive. It is identified Assessor's Plat 29, Lot 10. The property is zoned Residential A-80 and does not fall within any overlay zones. The property is undeveloped and wooded except for an area extending approximately 150 feet into the property which has been cleared and filled.

The applicants propose dividing the parcel into two lots which would each be suitable for construction of a single-family home. Proposed Lots 1 and 2 would have frontages of 126.54' and areas of 62,580ft<sup>2</sup> and 66,434ft<sup>2</sup>, respectively, for a total area of 128,014ft<sup>2</sup>. In conformance with the A-80 zone, the minimum frontage is 200' and the minimum lot area is 80,000ft<sup>2</sup>. Therefore, this project requires dimensional variances. The subdivided lots would conform with the Future Land Use Map designation of "Single Family Residential Less Than 1 Unit Per Acre."

### ***Relief from 17.20.120 – Schedule of Intensity Regulations:***

	<b><i>Minimum Lot Area (sq. ft.)</i></b>	<b><i>Minimum Frontage (ft.)</i></b>
<b><i>A-80 Required</i></b>	80,000	200
<b><i>Lot 1 Proposed</i></b>	62,580	126.54
<b><i>Lot 2 Proposed</i></b>	66,434	126.54

## II. Documents Submitted for This Application

1. Minor Subdivision Preliminary Plan Application and Checklist prepared and signed by Nicholas W. and Cynthia L. Capezza, dated April 27, 2025.
2. Project Narrative and Neighborhood Analysis prepared by Robert D. Murray, Esq., dated April 25, 2025.
3. Class 1 Boundary Survey and Subdivision Plan entitled "Capezza Family Plat," prepared by W.P. Skorupski, registered professional landscape architect.
4. Certificate of Municipal Liens issued April 16, 2025, and receipt from the City of Cranston for the balance due on April 16, 2025.

## III. Surrounding Land Use and 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 southerly side of Laten Knight Road.
2. The surrounding area in Western Cranston is zoned A-80.

3. The subject property is outside of any identified historic or cultural districts under jurisdiction of the Local Historic District Commission, State Historical Preservation Commission, State, or National Registers of Historic Places.
4. The subject property is identified as “Zone X – Area of Minimal Flood Hazard” on and outside of any regulated floodplain or flood hazard districts.
5. There are nine lots with single-family homes within 400’, all of which are on lots of 80,000ft<sup>2</sup> or larger. Seven of these nine lots have at least 200’ of frontage.

#### **IV. Municipal Review**

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

1. Department of Public Works: No comments provided.
  - a. Sewer Division: The applicant received confirmation from Edward Tally that sewer is available for the subject property, through the Rhode Island State Energy (RISE) line.
2. Department of Building Inspection & Zoning Enforcement: No comments provided.
3. Fire Department: No comments provided.

#### **V. Planning Analysis**

##### Consistency with the Surrounding Area

Staff has reviewed this Application in consideration of the compatibility with the character of the surrounding area and the request does not impose undue nuisances and is not out of the character beyond any other uses on this site or within the surrounding area.

- The surrounding area predominantly consists of single-family residences.

##### Consistency with the Comprehensive Plan

- The Future Land Use Map (FLUM) designates the subject property as “Single Family Residential Less Than 1 Unit Per Acre” and A-80 zoning is an appropriate zoning classification for this land use.
- The proposed use of single-family residential is consistent with the FLUM designation.
- The proposed subdivision and new houses would increase the density on lots within 400’ zoned A-80 from 0.10 acres per unit to 0.13 acres per unit. The proposed subdivision creates a negligible increase in density and maintains a density within the range established in the Future Land Use Map.

### Consistency with the Comprehensive Plan

- 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 1:** Ensure that future residential development in western Cranston is consistent with the capacity of the area's natural resources and infrastructure, and preserves community character.
  - **Housing Goal 2:** Permit a variety of residential development types to achieve multiple community objectives.
  - **Land Use Goal 1:** Preserve the rural quality and critical resources of Western Cranston through appropriate land use controls.
  - **Land Use Goal 7:** Enhance services and facilities in western Cranston that support future growth.

### **VI. Interests of Others**

None to report.

### **VII. Additional Matters**

None to report.

### **VIII. Waivers**

None to report.

### **IX. Findings of Fact**

An orderly, thorough, and expeditious staff review of this Preliminary Plan has been conducted. Property owners within a 400' radius have been notified via certified mail and the meeting agenda has been properly posted.

#### A. Unified Development Review

Staff has reviewed this Preliminary Plan application for conformance and consistency with the required Findings of Fact in accordance with RIGL §§ 45-23-50.1(b)(1), 45-24-41(d), 45-24-41(e)(2), and 45-24- 46.4(f), as well as Section VII of the Subdivision & Land Development Regulations and finds 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);”*

- Staff note that the relief the applicant seeks is not due to the general characteristics of the surrounding area or due to a physical or economic disability of the applicant.

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

- There do not appear to be any prior actions by the applicant that would have resulted in hardship.

*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.”*

- This area of Western Cranston has many examples of nearby lots with frontage or size that does not meet the minimum requirements established by zoning. Single-family homes match the character of the neighborhood and adding two new units does not noticeably increase the housing density of the area, nor does the created density exceed the prescription established in the Future Land Use Map.

*RIGL § 45-24-41. General provisions – variances. §(2) 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, where unified development review is enabled pursuant to § 45-24-46.4, the planning board or commission has the power to grant dimensional variances where the use is permitted by special use permit.”*

- Staff note that the applicant will not be able to construct the two proposed units without the requested zoning relief.

In summary, the dimensional relief sought is minimal, reasonable in nature, and will create two additional dwelling units for housing purposes. While the smaller lot size and frontage do not predominate in the surrounding area, non-conforming properties exist within the neighborhood, and providing dimensional relief supports the goals of the Comprehensive Plan.

## B. Subdivision and Land Development Review

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 proposed use of single-family residential is consistent with the FLUM designation of Single Family Residential Less Than 1 Unit Per Acre.
- The proposed residential density is consistent with the FLUM designation of Single Family Residential Less Than 1 Unit Per Acre.
- The following goals, policies, and action items of the Comprehensive Plan support the approval of this Application:
  - Housing Goal 1: Ensure that future residential development in western Cranston is consistent with the capacity of the area’s natural resources and infrastructure, and preserves community character.
  - Housing Goal 2: Permit a variety of residential development types to achieve multiple community objectives.
  - Land Use Goal 1: Preserve the rural quality and critical resources of Western Cranston through appropriate land use controls.
  - Land Use Goal 7: Enhance services and facilities in western Cranston that support future growth.

*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.”*

- Staff notes that this Proposal requires and seeks dimensional zoning relief for which, if granted, will establish compliance with the Zoning Ordinance.

*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.”*

- This finding pertains to the final plan, but no significant negative environmental impacts from the proposed development are predicted.
- Two new single-family homes on this parcel create new residential units with minimal environmental impacts and where they can utilize existing urban infrastructure.

- 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.

*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.

*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.”*

- All proposed lots have adequate permanent physical access to an improved public city street.

## **X. Recommendation – Minor Subdivision**

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 and Section III(L) of the Subdivision & Land Development Regulations. Staff therefore recommends that the City Plan Commission adopt the Findings of Fact documented above and APPROVE the Unified Development Review of this subdivision with the following variances:

1. The newly recorded 62,580sq. ft. **Lot 1** be granted zoning relief from the required lot size where 80,000sq. ft. is required and be granted relief from the required frontage where 200' is required.
2. The newly recorded 66,434sq. ft. **Lot 2** be granted zoning relief from the required lot size where 80,000sq. ft. is required and be granted relief from the required frontage where 200' is required.
3. Approval of the variance(s) shall be conditioned on approval of the final plan of the minor subdivision as required by RIGL § 45-23-50.1 (b)(1).



Respectfully submitted,

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Toby J. Arment  
Municipal Fellow

**Cc:** City Planning Director  
File