

City Planning Department



Memo

To: Cranston City Plan Commission
From: Joshua Berry, AICP - Senior Planner / Administrative Officer
Date: July 1, 2021
Re: **Dimensional Variance @ 0 Myrtle Ave and 76 Myrtle Ave**

Owner/App: Bruce D. Lane & Mindy B. Lane
Location: 0 and 76 Myrtle Ave Avenue, AP 9, Lots 1860 & 1861
Zone: A-6 (Single-family dwellings on lots of minimum areas of 6,000 ft²)
FLU: Single Family Residential 7.26 to 3.64 unit per acre

There are two docketed matters for two separate proposed lots – but as both are part of the same project, this memo will cover both variance applications.

DIMENSIONAL VARIANCE REQUESTS:

0 Myrtle Ave – AP 9 Lot 1860

1. To allow a merged 4,000 ft² lot to be unmerged. [17.88.010 Substandard Lots of Record]
2. To allow a single-family dwelling to be constructed on a 4,000 ft² lot where 6,000 ft² is required. [Section 17.20.120 – Schedule of Intensity]
3. To allow a single-family dwelling to be constructed on a lot with 40' of frontage where 60' is required. [Section 17.20.120 – Schedule of Intensity]

76 Myrtle Ave – AP 9 Lots 1861

1. To allow a merged 4,000 ft² lot to be unmerged [17.88.010 Substandard Lots of Record]
2. To allow a single-family to remain on a 4,000 ft² lot where 6,000 ft² is required. [Section 17.20.120 – Schedule of Intensity]
3. To allow a single-family dwelling to remain on a lot with 40' of frontage where 60' is required. [Section 17.20.120 – Schedule of Intensity]
4. To allow an existing garage to encroach 4.5' into the required 5' side yard setback for accessory structures. [17.60.010 Accessory Uses]

ZONING MAP

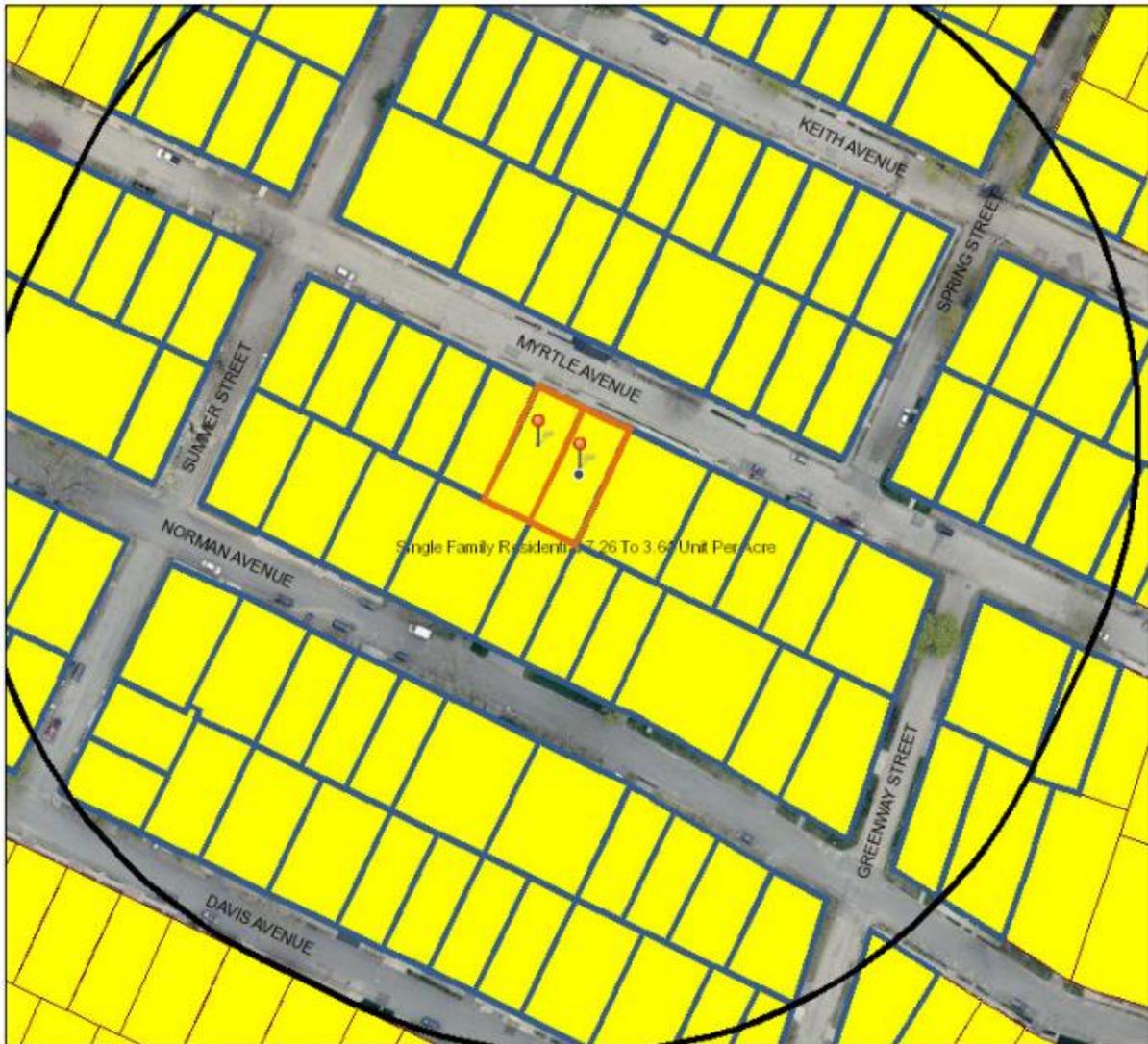


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FUTURE LAND USE MAP

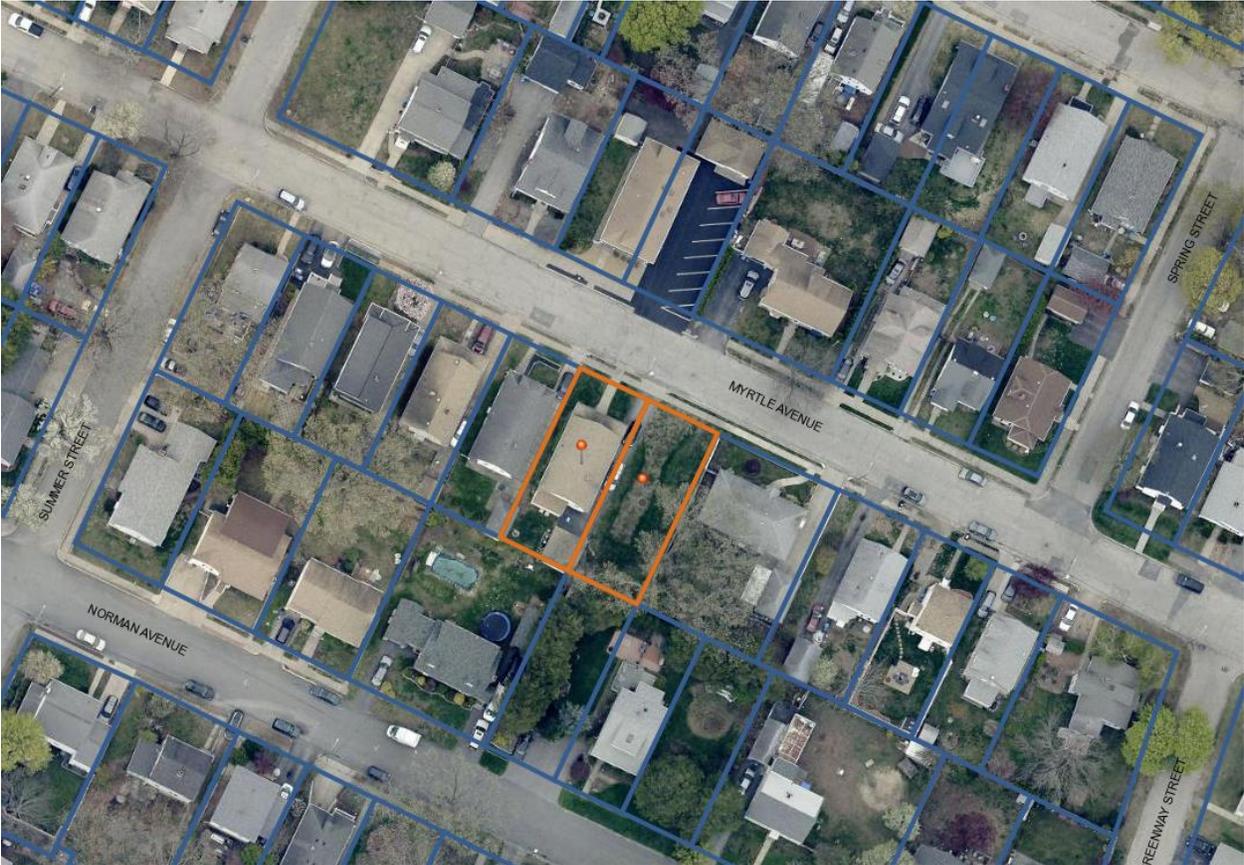


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AERIAL VIEW



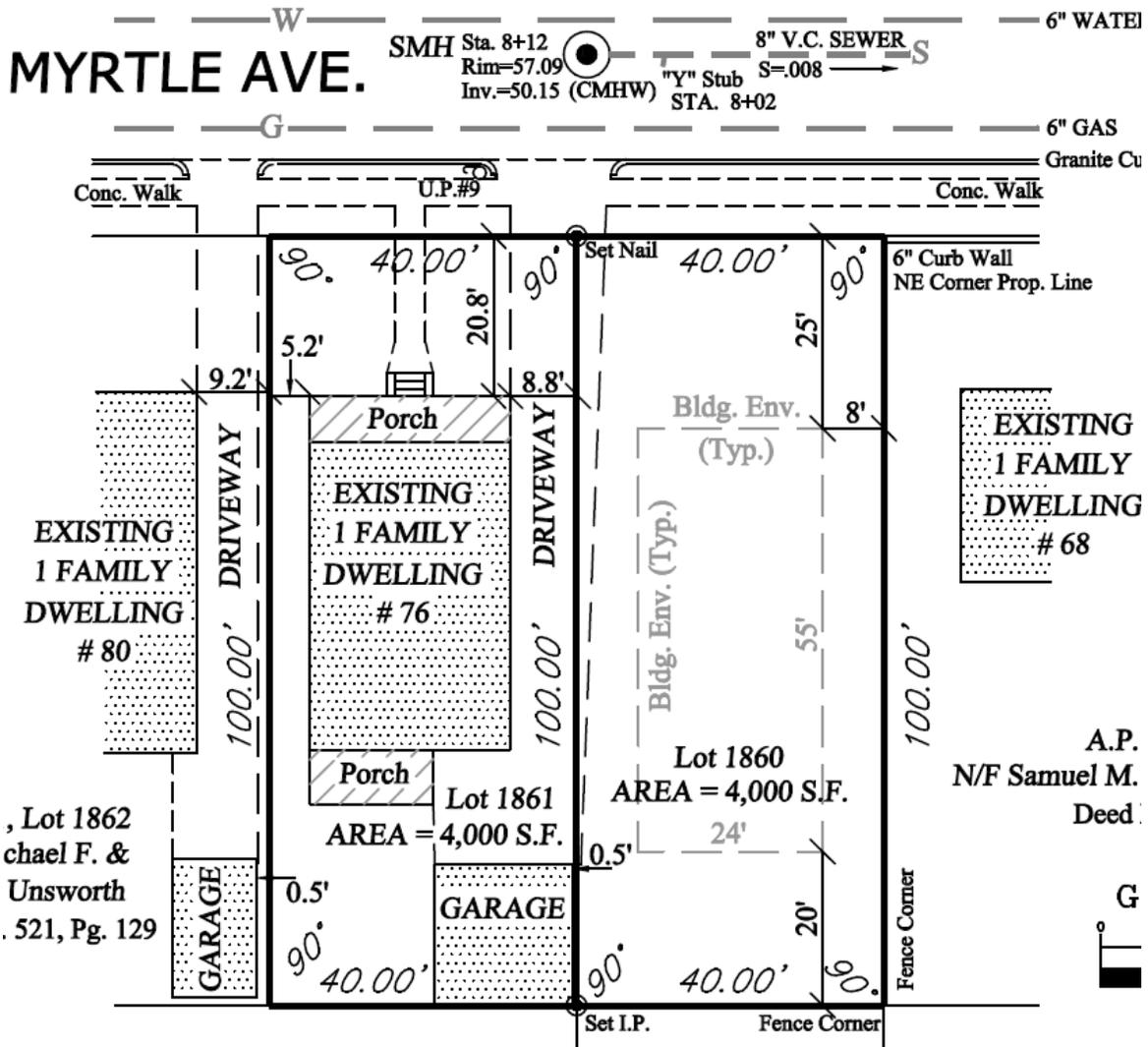
3-D AERIAL VIEW (facing southwest)



STREET VIEW (facing south)



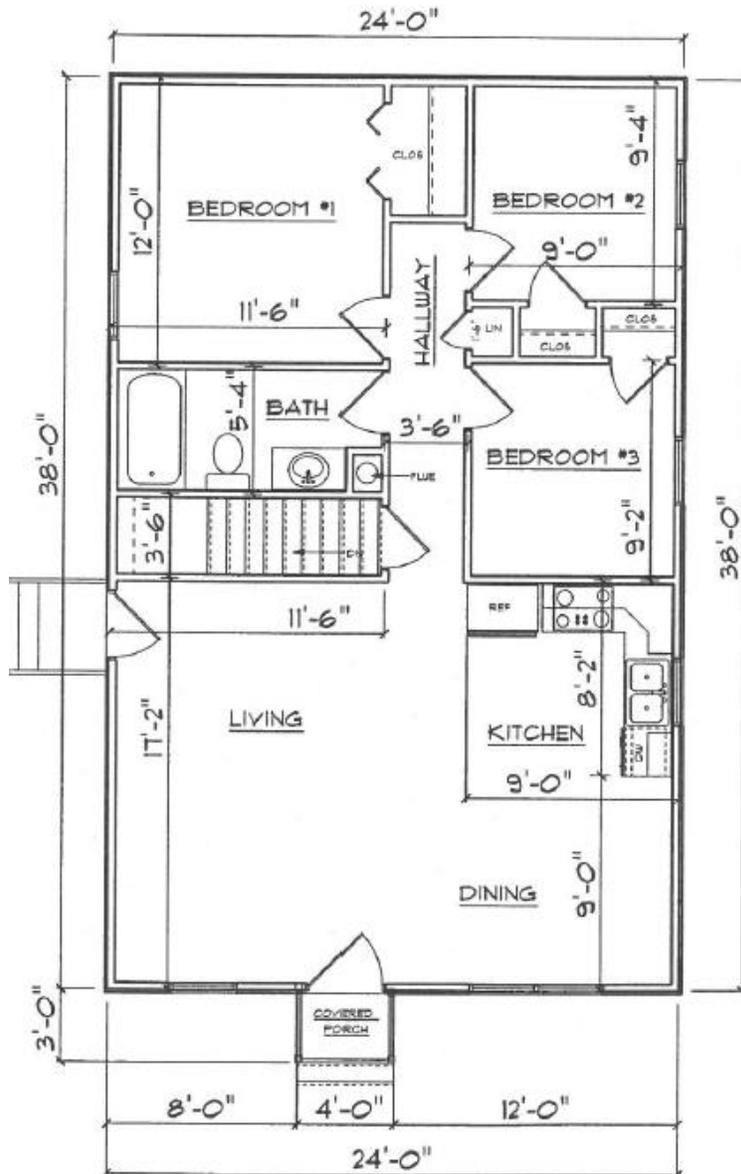
SITE PLAN



FRONT ELEVATION



FLOOR PLAN



FINDINGS OF FACT

1. AP 9 Lot 1860 is currently merged to AP 9 Lot 1861 per Section 17.88.010 *Substandard Lots of Record & Lot Mergers*. Lot 1860 is the last/only undeveloped lot of record on the south side of Myrtle Ave between Greenway Street and Summer Street.
2. The applicant proposes a 24' x 38' shotgun ranch single-family home on AP 9 Lot 1860. The elevations indicate that the home would be generally in conformance with the surrounding area, particularly the several homes immediately to the west of the subject properties.
3. There is an existing detached garage on AP 9 Lot 1861 that is 6" from the side lot line that would require a 5' setback if the lots became unmerged. Aerial images indicate that there is a pattern of nonconforming accessory structures on in the neighborhood located in the back corners of their respective lots.
4. The visual impacts to the abutting neighbor to the east of the proposed new single-family residence would minimal due to the existing wooden fence and vegetation. The site plan and the orientation of the fence indicate that the fence is either co-owned or owned by the applicant.
5. The neighborhood analysis provided by the applicant finds that there are 95 other single-family homes, 4 two-family homes, and 12 lots either residential land undeveloped or other within a 400' radius of the subject properties. The average lot size within the 400' radius is 5,007 ft². On the south side of Myrtle Ave between Greenway Street and Summer Street, including the two subject lots, there are 12 lots - 9 of them are 4,000 ft². The two subject lots are equal to the median, but below the average area of the 12 lots. Due to the numerous other 4,000 ft² lots, the proposed 4,000 ft² lots would be in general conformance to the neighborhood.
6. The Comprehensive Plan Future Land Use Map designates the property as Single Family Residential 7.26 to 3.64 units/acre. The proposal is consistent in terms of *use* but inconsistent in terms of *density* prescribed with a proposed density of 10.89 units per acre.
7. The proposal is consistent with several policies in the Comprehensive Plan, including but not limited to HG-4, HP-4.1, HP-4.6 and other excerpts addressing the inconsistency between zoning and existing lots of record.

PLANNING ANALYSIS

As Cranston is largely built-out, infill housing development in Central and Eastern Cranston has become a common development theme, arguably *THE* predominant development theme. The recently passed Ordinance amending Code Section 17.88.010 *Substandard Lots of Record & Lot Mergers* and Section 17.20.040 *Conformance to District Regulations Required* was a demonstration of support for infill development, but was specifically applicable to occurrences where the substandard lots met the exemption for the lot merger provision. The two subject lots do NOT meet that exemption and are requesting relief to be unmerged.

There are two levels of review to determine consistency with the Comprehensive Plan, the Future Land Use Map (FLUM) and an assessment of goals and policies. The Comprehensive Plan

Future Land Use Map designates the property as Single Family Residential 7.26 to 3.64 units/acre. The proposal is consistent in terms of *use* but inconsistent in terms of *density* prescribed with a proposed density of 10.89 units per acre.

The inconsistency with the FLUM must be weighed against the evaluation of consistency with the goals and policies of the Comprehensive Plan. There are numerous statements in the Comprehensive Plan that support the application, such as:

- HG-4 Promote housing opportunity for a wide range of household types and income levels;
- HP-4.1 Maintain a varied housing stock, with units of different age, size and type;
- HP-4.6 Promote the development of new housing that is affordable to average first-time buyers living in the City;
- A6, B1 and B2 Zoning Districts - Most properties in the A6, B1 and B2 zoning districts have less than the 6,000 square feet minimize lot size. In fact, about half (over 48 % and 55% of the A6 and B1 zones, respectively), are less than 5,000 square feet in area. This inconsistency between the lot sizes and zoning occurs typically in the older parts of the City, which limits development potential, and requires variances for changes to existing properties (p. 31); and
- Allowing 5,000 square foot lots within the A-6, B-1 and B-2 districts to become conforming would reduce a financial burden on the property owners when obtaining building permits in these districts. This could be an incentive to create more housing and improve existing housing. Although not required to be affordable, the new and improved units would help meet the current demand for housing. (p. 69)

Although the Comprehensive Plan supports infill residential development for many reasons it also calls for the protection of existing neighborhoods - so one needs to assess the character of the surrounding area to determine whether the relief would be appropriate in the neighborhood where it is located. Land Use Plan Principle 4 reads, "Protect and stabilize existing residential neighborhoods by basing land use decisions on neighborhood needs and quality of life (p. 34). This can be challenging to interpret, especially when weighed against city-wide goals like increasing housing stock and creating affordable housing. There is some supporting text which reads, "Protect the natural, historic and visual resources that define the neighborhoods. In addition, support the existing residential development patterns in order to stabilize the residential blocks and neighborhoods (p. 34). In this particular instance, as 9 lots of the 12 on the same side of the block are all 4,000 ft², staff finds that granting relief would be consistent with the residential development pattern and visual character of the area. Therefore, **staff finds the proposal to be consistent with the Comprehensive Plan policies.**

In conclusion, staff believes that the consistency with the housing goals and policies and the conformity with the surrounding neighborhood outweighs the inconsistency with the FLUM density allocation, and therefore supports the requested relief.

Recommendation

Due to the finding that the application is consistent with the Cranston Comprehensive Plan Housing Element policies, and due to the finding that the proposal generally conforms to the neighborhood, staff recommends the Plan Commission forward a **positive recommendation** on the application to the Zoning Board of Review.