

## City Planning Department



## Memo

To: Cranston City Plan Commission  
From: Doug McLean, AICP - Principal Planner / Administrative Officer  
Date: August 28, 2020  
Re: **Minor Subdivision without street extension - Preliminary Plan**  
"The Sintra Seven Plat"

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**Owner/  
Applicant:** Sintra Seven, LLC

**Location:** Intersection of Magnolia Street and Clarence Street, AP 5, Lot 99

**Zone:** B-1 (Single-family and two-family dwellings)

**FLU:** Single/Two Family Residential Less Than 10.89 units per acre

### I. Proposal

The proposal is to subdivide a 10,000 ft<sup>2</sup> lot with an existing single-family house into 2 lots. If approved, 1 new lot will host the existing single-family house on 5,000 ft<sup>2</sup> of land, and the other new lot will be a vacant buildable parcel on 5,000 ft<sup>2</sup> of land. The application requires dimensional variances for substandard lot size (proposed 5,000 ft<sup>2</sup> where 6,000 ft<sup>2</sup> is required) for both new parcels, and a substandard frontage variance (50' where 60' is required). This application will require subsequent approval for dimensional relief from the Zoning Board of Review. The proposed subdivision is located in a B-1 zone and will be serviced by public water and sewer.

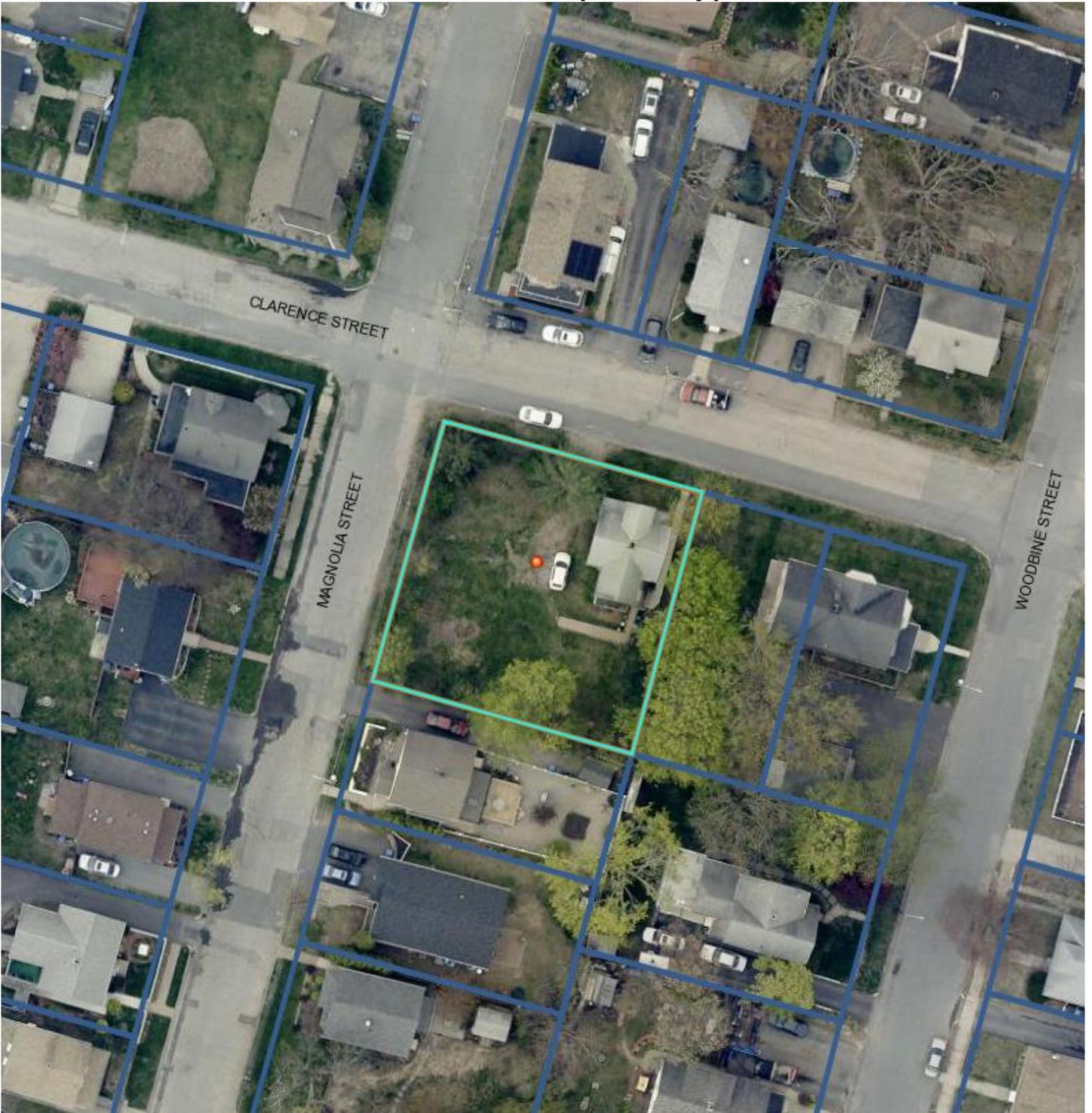
### II. Documents which are part of the application

1. Preliminary Plan application signed by a Sintra Seven LLC representative owners.
2. Application filing fees in the form of a check.
3. Preliminary Plan subdivision plan entitled "The Sintra Seven Plat" prepared by W.P. Skorupski, PLS.
4. Project Narrative with neighborhood assessment prepared by W.P. Skorupski, PLS.
5. 100' radius map and list of abutters.
6. Certificates of Municipal Liens showing property taxes are in good standing.

**AERIAL VIEW**



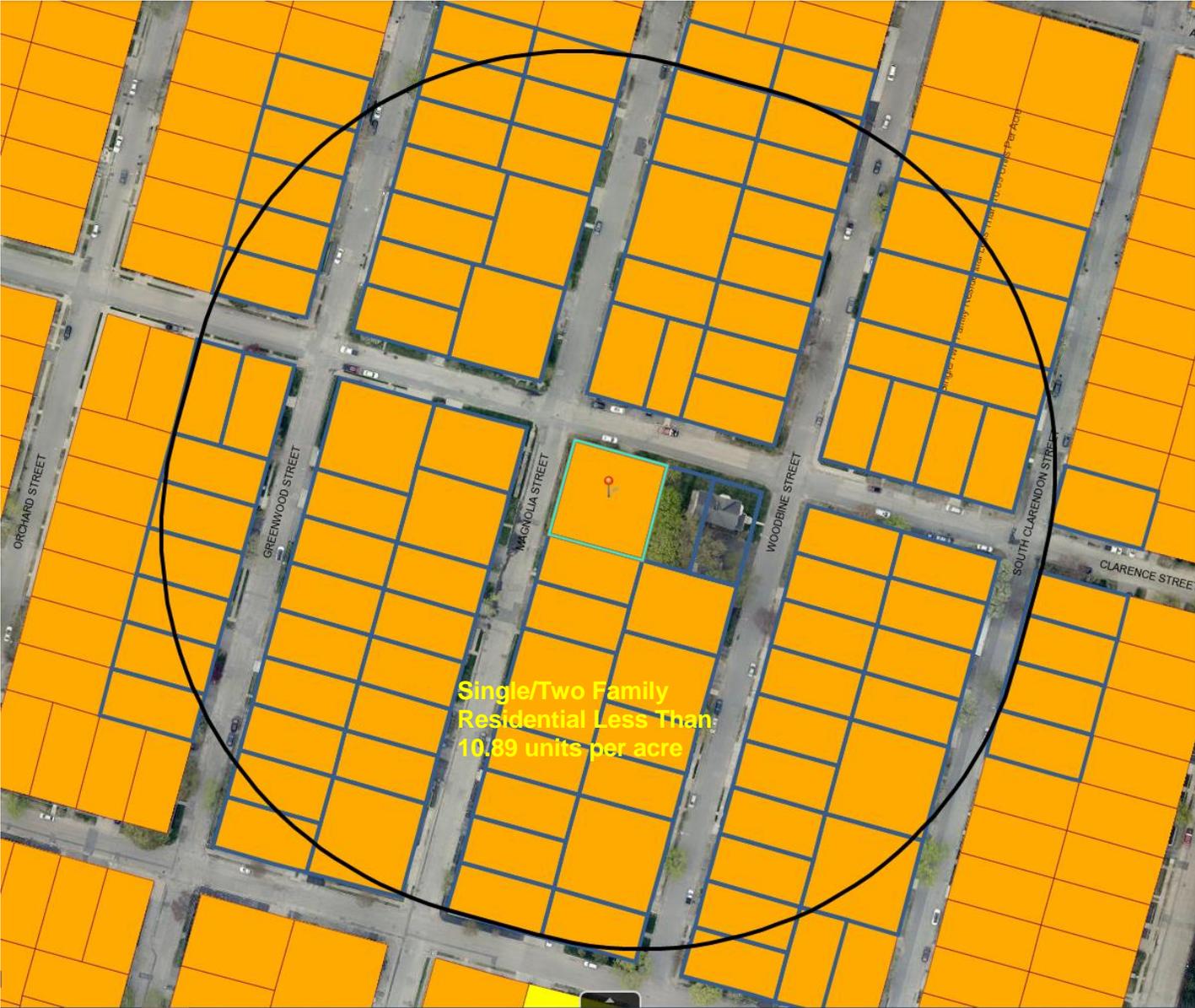
**AERIAL VIEW (close up)**



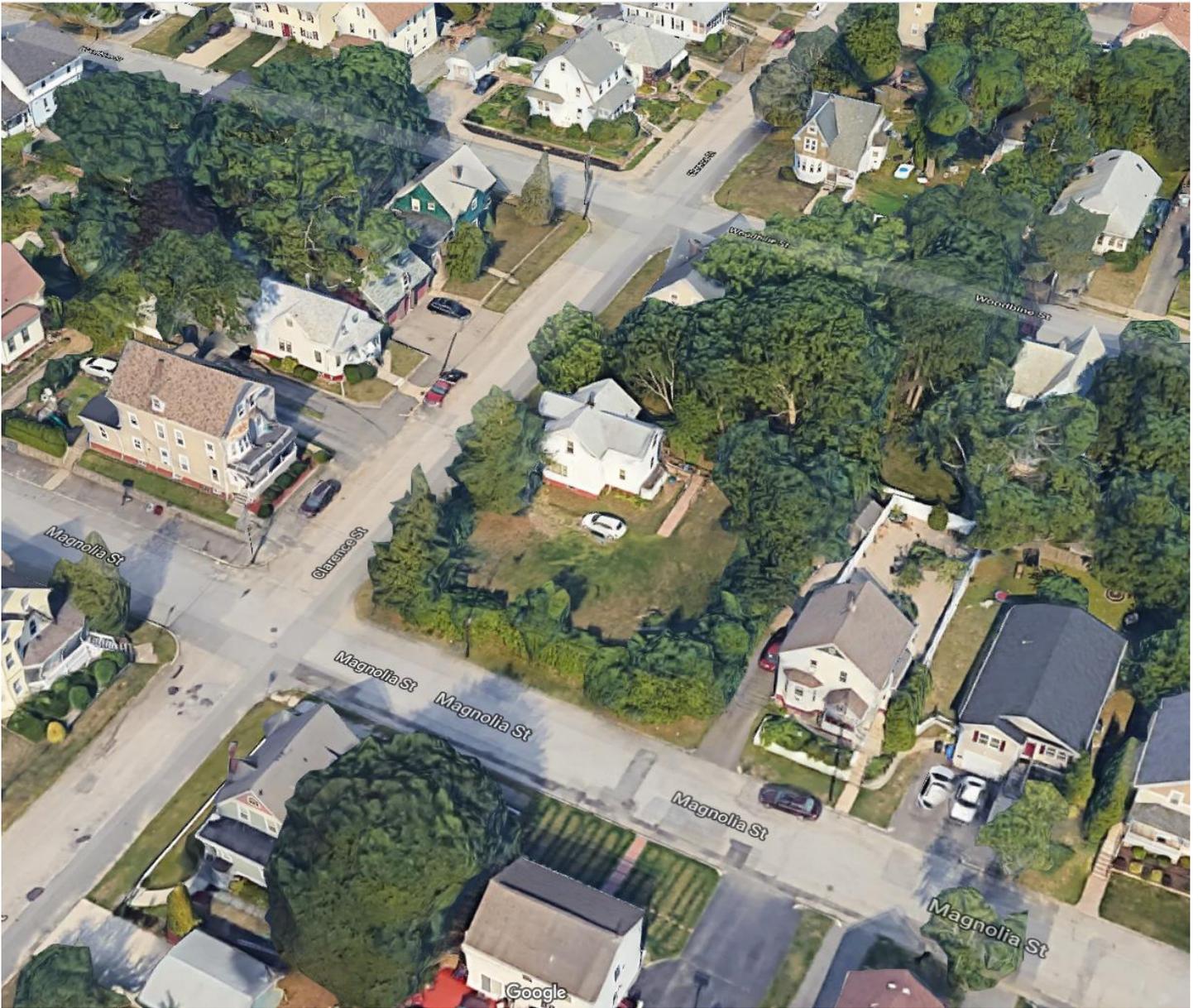
# ZONING MAP



# FUTURE LAND USE MAP



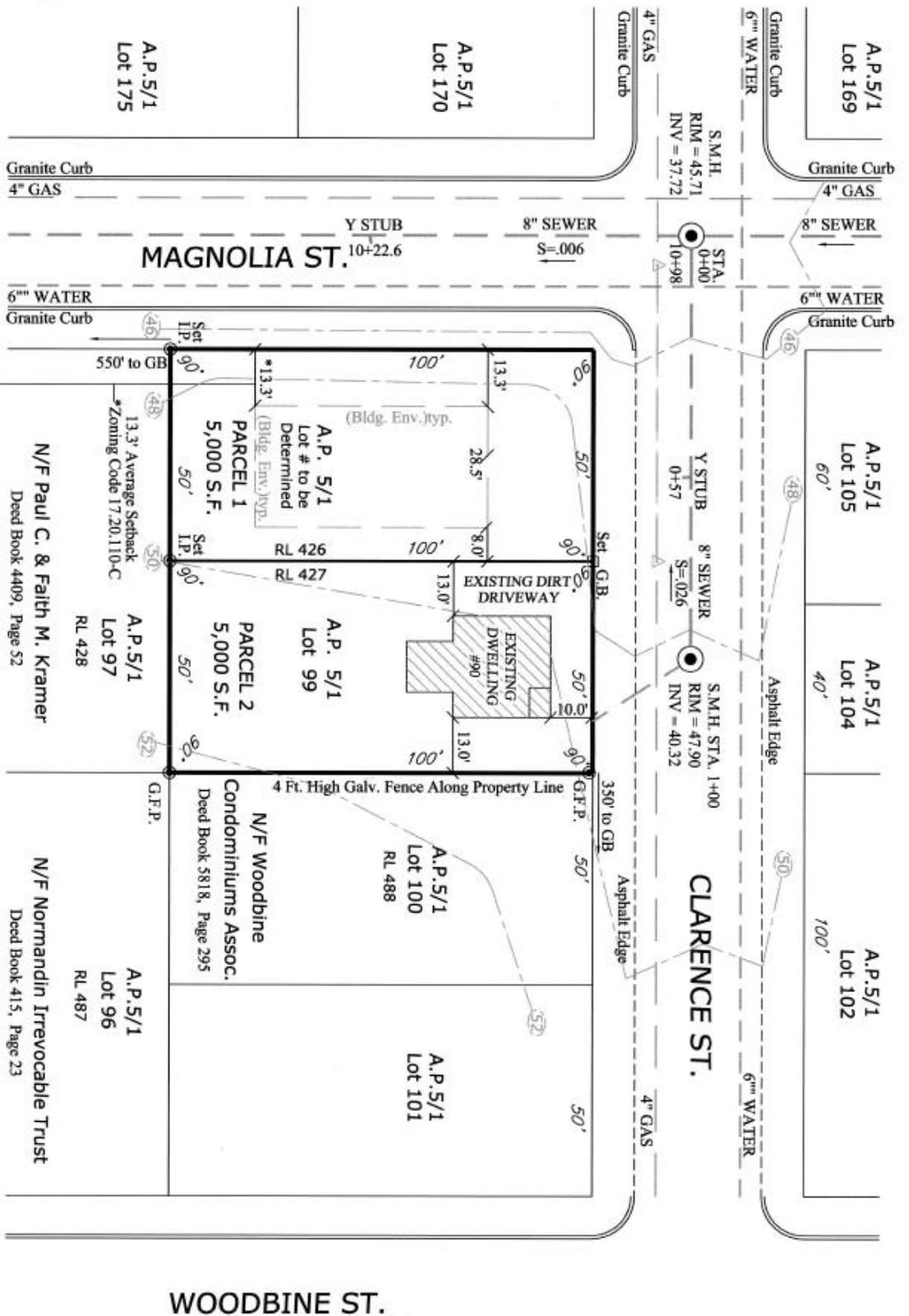
### 3-D AERIAL VIEW



## STREET VIEW (from Crescent Avenue)



# SITE PLAN



- LEGEND:**
- 1. YARD 68 RL 428
  - 2. D LOT #
  - 3. Granite Bound
  - 4. Iron Pin

| A.P. LOT # | ADDRESS          | FRONT SETBACK |
|------------|------------------|---------------|
| 5/1, 106   | 306 Magnolia St. | 10.0'         |
| 5/1, 97    | 232 Magnolia St. | 9.0'          |
| 5/1, 98    | 234 Magnolia St. | 22.5'         |
| 5/1, 94    | 238 Magnolia St. | 15.0'         |
| 5/1, 103   | 95 Clarence St.  | 10.0'         |
|            | AVERAGE SETBACK  | 13.3'         |

\*Required Front Yards in Developed Block\*



| STREET INDEX    |  |
|-----------------|--|
| CLARENCE STREET |  |
| MAGNOLIA STREET |  |
| WOODBINE STREET |  |

**PRELIMINARY PLAN**

### **III. Surrounding land use and context**

Analysis using the City of Cranston Geographic Information System indicates that:

1. The subject parcel comprises a total of 10,000 ft<sup>2</sup> and is located in Eastern Cranston at the intersection of Magnolia Street and Clarence Street.
2. The existing site contains a single-family dwelling and surrounding vegetation/lawn.
3. The surrounding neighborhood (400 foot radius) is comprised of B-1 zoned parcels, containing mostly single-family residential lots, with a number of higher density residential uses (2-family, 3-family, etc).
4. The neighborhood was primarily developed prior to the establishment of this zoning designation and many of the lots in the neighborhood do not meet the minimum lot area requirement in a B-1 zone (6,000 sq. ft.).
5. There is no significant slope within the subject property area.
6. The project is free of wetlands and outside of any regulated floodplains or historic/cultural districts.
7. The 2018 Natural Heritage Map does not show any known rare species located on or near the site.

### **IV. Interests of Others**

No comments received at this time.

### **V. Staff / Agency Comments**

Pursuant to RIGL 45-23-41 A3, these plans were distributed for comment to the Public Works Department / Engineering Division, Building and Zoning Department and the Fire Department.

No comments were received by other department at this time.

### **VI. Planning Analysis**

The applicant proposes to subdivide a single 10,000 ft<sup>2</sup> lot with an existing single-family house into 2 new lots. Should this subdivision be approved, the applicant intends to keep the existing single-family dwelling on 1 of the lots, and on the other lot the applicant intends to build a new single-family dwelling. The new dwelling would be serviced by public water and sewer.

The application requires dimensional variances for substandard lot size (proposed 5,000 ft<sup>2</sup> where 6,000 ft<sup>2</sup> is required) for both new parcels, and a substandard frontage variance (50' where 60' is required). The applicant provided a neighborhood assessment that provided the following facts:

- Total number of lots within a 400 ft radius: 101
- Lots less than 5,000 ft<sup>2</sup>: 1
- Lots equal to 5,000 ft<sup>2</sup>: 79

- Lots greater than 5,000 ft<sup>2</sup>: 21
- Lots with equal to 50' frontage: 79
- Average size of all lots: 5,594 ft<sup>2</sup>

The surrounding neighborhood contains mostly single-family residential lots, but also has a number of higher density residential uses which typically occur on the larger lots in the area. This brings the average lot size up above 5,000 ft<sup>2</sup> due to the multi-family dwellings, however staff finds that the proposed lots size of 5,000 ft<sup>2</sup> for the proposed project is still in keeping with the character of the neighborhood. Overall, staff finds that the neighborhood analysis provided by the applicant gives positive evidence for consideration of the proposed substandard lot sizes based on consistency with the character of the surrounding neighborhood.

Additionally, the Cranston Comprehensive Plan's Future Land Use Map designates the subject parcels as "Single/Two Family Residential Less Than 10.89 units per acre". The proposed density of the project is 8.71 units/per acres (including the pre-existing single-family dwelling) so the project is in conformance with the Future Land Use Map despite the need for a lot size variance.

It should be noted that the Land Use Plan Element recognizes that many existing lots in the eastern portion of the city are undersized, and the Comprehensive Plan supports the development of these lots, stating: "...the City grants variances routinely when properties are 5,000 square feet limiting the purpose and effectiveness of the existing minimum size requirements. The City needs to address this issue and consider changing regulations to reflect the higher density in these areas, which are essentially built out and have an older housing stock." The Comprehensive Plan supports the development of undersized lots and provides clear policy direction relevant to this proposal. Furthermore, the proposal is consistent with the Comprehensive Plan Housing Element in that development of infill lots is encouraged in Eastern Cranston.

Staff has no concerns with the application and the resulting density on the site. This application provides an opportunity for infill development in Eastern Cranston in a manner that fits with the surrounding neighborhood.

## **VII. Waivers**

Waivers are requested for sidewalks. Since there are no sidewalks abutting the subject property in which to connect, staff finds this request appropriate.

## **VIII. 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 first class mail prior to the public meeting, and the meeting agenda has been properly posted.

Staff has reviewed this Preliminary Plan application for conformance with required standards set forth in RIGL Section 45-23-60, as well as the City of Cranston's Subdivision and 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 community plan and/or has satisfactorily addressed the issues where there may be inconsistencies."*

1. The Cranston Comprehensive Plan's Future Land Use Map designates the subject parcels as "Single/Two Family Residential Less Than 10.89 units per acre". The proposed density of the project is 8.71 units/per acres (including the pre-existing single-family dwelling) so the project is in conformance with the Future Land Use Map despite the need for a lot size variance. Additionally, the Land Use Plan Element recognizes that many existing lots in the eastern portion of the city are undersized, and the Comprehensive Plan supports the development of these lots, stating: "...the City grants variances routinely when properties are 5,000 square feet limiting the purpose and effectiveness of the existing minimum size requirements. The City needs to address this issue and consider changing regulations to reflect the higher density in these areas, which are essentially built out and have an older housing stock." The Comprehensive Plan supports the development of undersized lots and provides clear policy direction relevant to this proposal. Furthermore, the proposal is consistent with the Comprehensive Plan Housing Element in that development of infill lots is encouraged in Eastern Cranston.
2. Significant cultural, historic or natural features that contribute to the attractiveness of the community have not been identified on site.

*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."*

3. The proposed lots will require zoning relief for substandard lot size and frontage. Should approval be granted through a separate decision by the Zoning Board of Review, the project will be in compliance with the City's zoning ordinance.
4. The proposal will not alter the general character of the surrounding area or impair the intent or purpose of the Cranston Zoning Code.

*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."*

5. Clearing of vegetation (trees and bushes) would be needed in order to accommodate development on the proposed new buildable lot. However, the vegetation does not provide environmental habitat, and is located within a dense urban neighborhood. Additionally, the project will be subject to all local, state and federal standards regarding environmental impacts. Thus no negative environmental impacts are anticipated.
6. The Rhode Island November 2018 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."*

7. The proposed subdivision 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.

8. The design and location of building lots, utilities, drainage and other improvements 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.”*

9. The properties in question will have adequate permanent physical access on Magnolia Street or Clarence Street, public roadways located within the City of Cranston.
10. The proposed subdivision provides for safe and adequate local circulation of pedestrian and vehicular through traffic, for adequate surface water run-off and for a suitable building site.

## **IX. Recommendation**

Staff finds this proposal consistent with the standards for required findings of fact set forth in RIGL Section 45-23-60 as well as with the City of Cranston’s Subdivision and Land Development Regulations. Staff therefore recommends that the Planning Commission adopt the documented findings of fact and **approve** the Preliminary Plan application, subject to the conditions denoted below.

## **X. Conditions of approval**

1. Applicant shall receive variance approval for substandard lot area and frontage from the Cranston Zoning Board of Review prior to filing the Final Plan Application with the Cranston Planning Department.
2. Payment of the Eastern Cranston Capital Facilities impact fee in the amount of \$593.46 (1 new unit) must be submitted at the time of final plat recording.