

City Planning Department



Memo

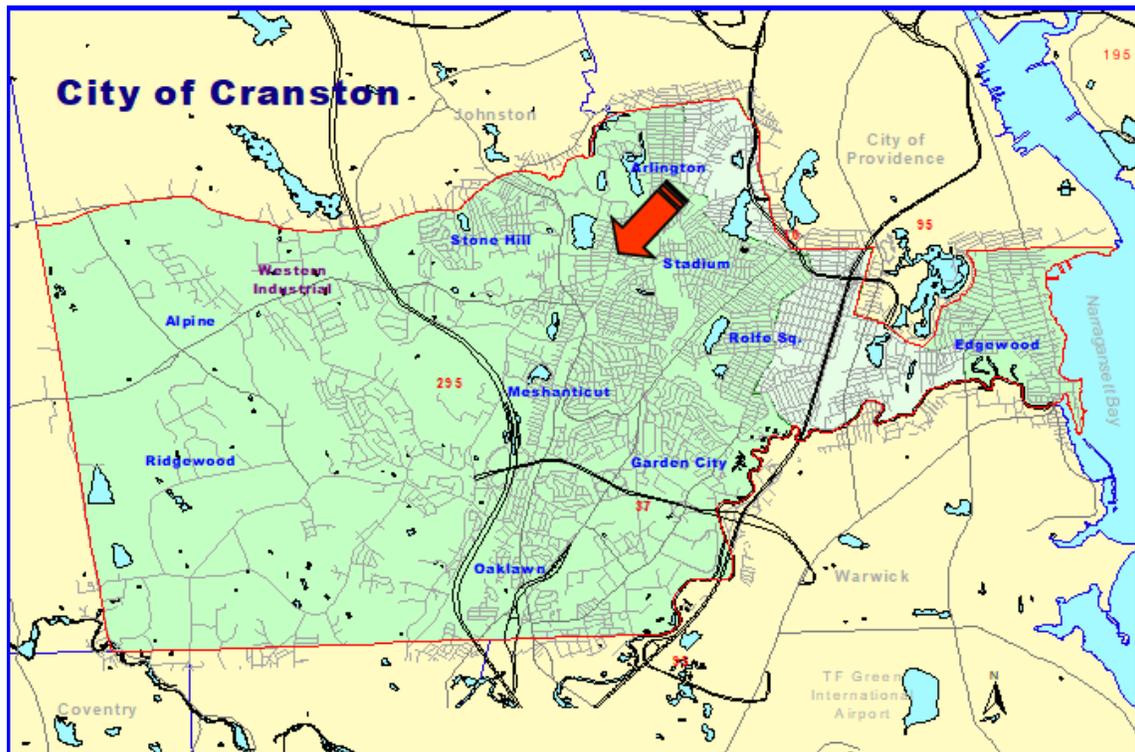
To: Cranston City Plan Commission
From: Joshua Berry, AICP - Senior Planner / Administrative Officer
Date: May 28, 2021
Re: "Cranston Highlands" Preliminary Plan - Minor Subdivision without street extension

Owner/App: Angelo E. Muccio & Rosa M. Muccio
Location: 15 Connecticut Street, AP 8/1, Lots 2331
Zone: A-6 (Single-family dwellings on lots of minimum areas of 6,000 ft²)
FLU: Single/Two Family Residential Less than 10.89 units/acre

I. Proposal

The applicants are proposing to subdivide the existing 11,200 ft² A-6 zoned lot into 2 lots – Parcel 'A' (6,626 ft²) and Parcel 'B' (4,574 ft²) as shown on the attached site plan. There is an existing two-family residence that is to remain on Parcel 'A' which will require zoning relief for substandard lot area (8,000 ft² required). Parcel 'B' will require zoning relief for substandard lot frontage, lot width and lot area. The proposed new lot will be serviced by public water and sewer.

LOCATION MAP



ZONING MAP



UserSelectedParcels	Zoning	B2	EI
vParcels_Buffer	none	C1	MPD
ParcelsInBufferOutput	A80	C2	S1
Parcels	A20	C3	Other
Streets Names	A12	C4	Street Names
Zoning Dimensions	A8	C5	Red: Red
Historic Overlay District	A6	M1	Green: Green
	B1	M2	Blue: Blue

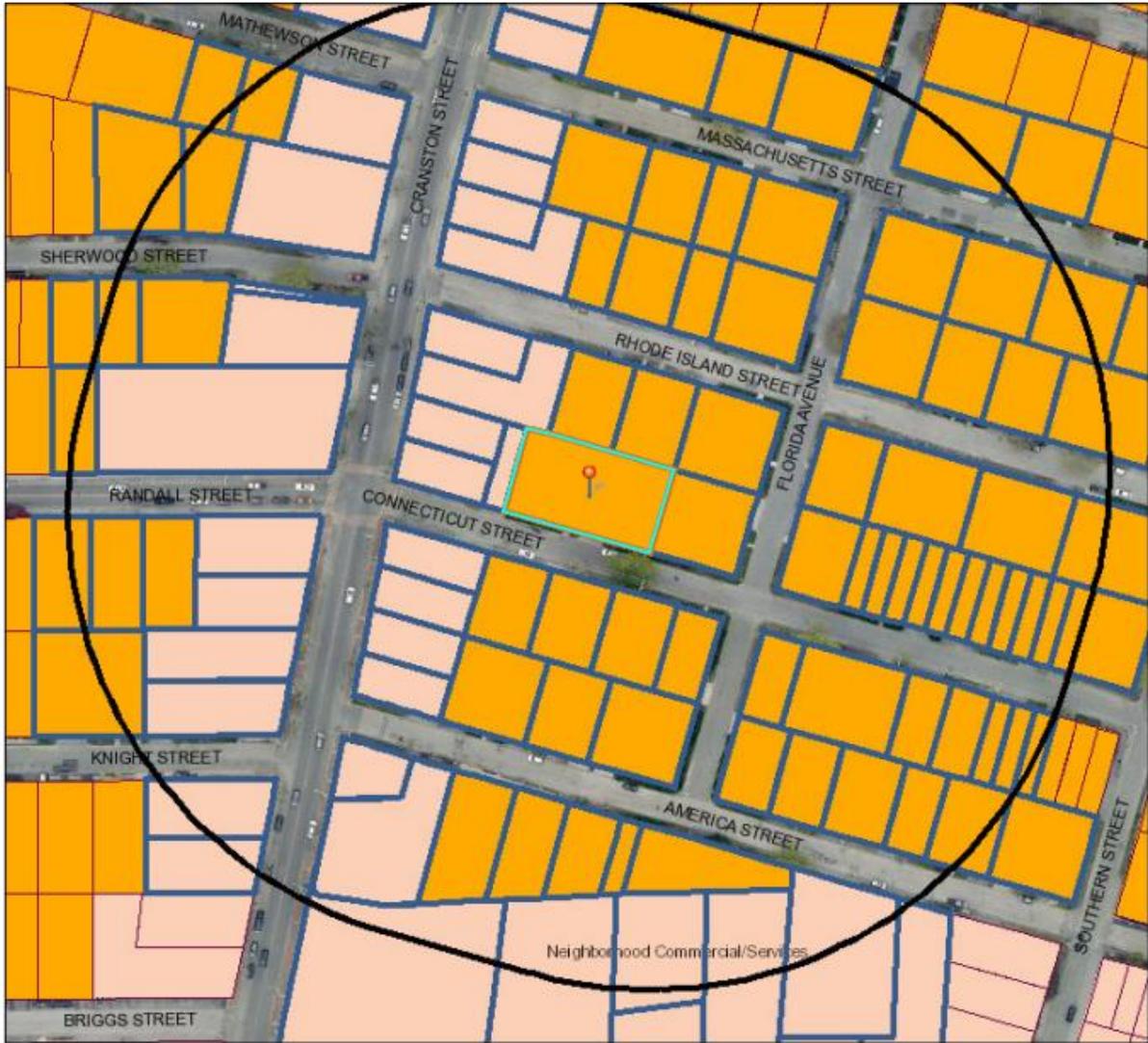


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FUTURE LAND USE MAP

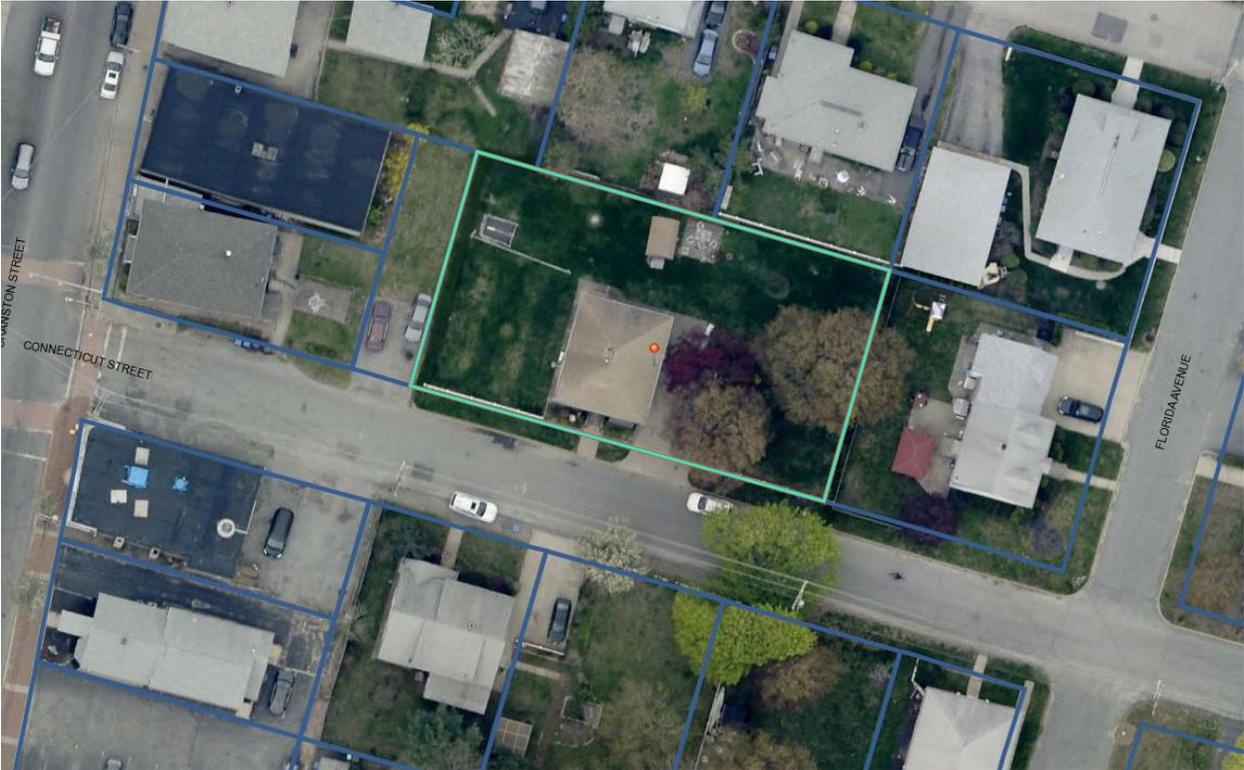


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AERIAL VIEW



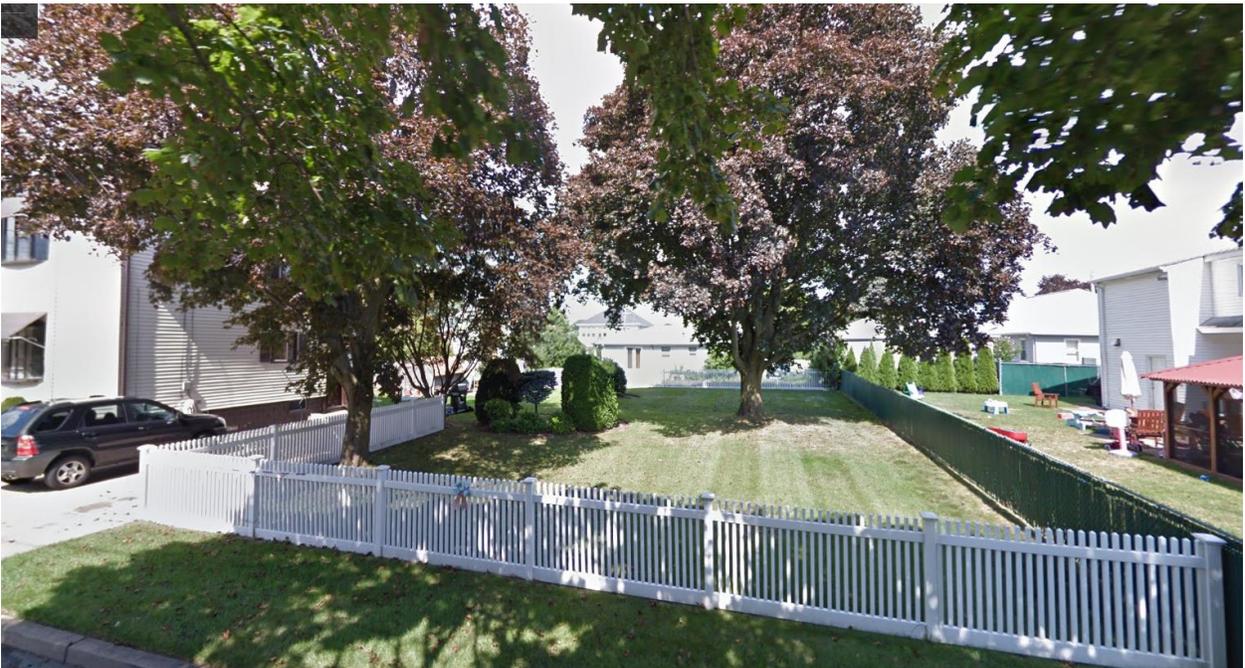
3-D AERIAL VIEW (facing northeast)



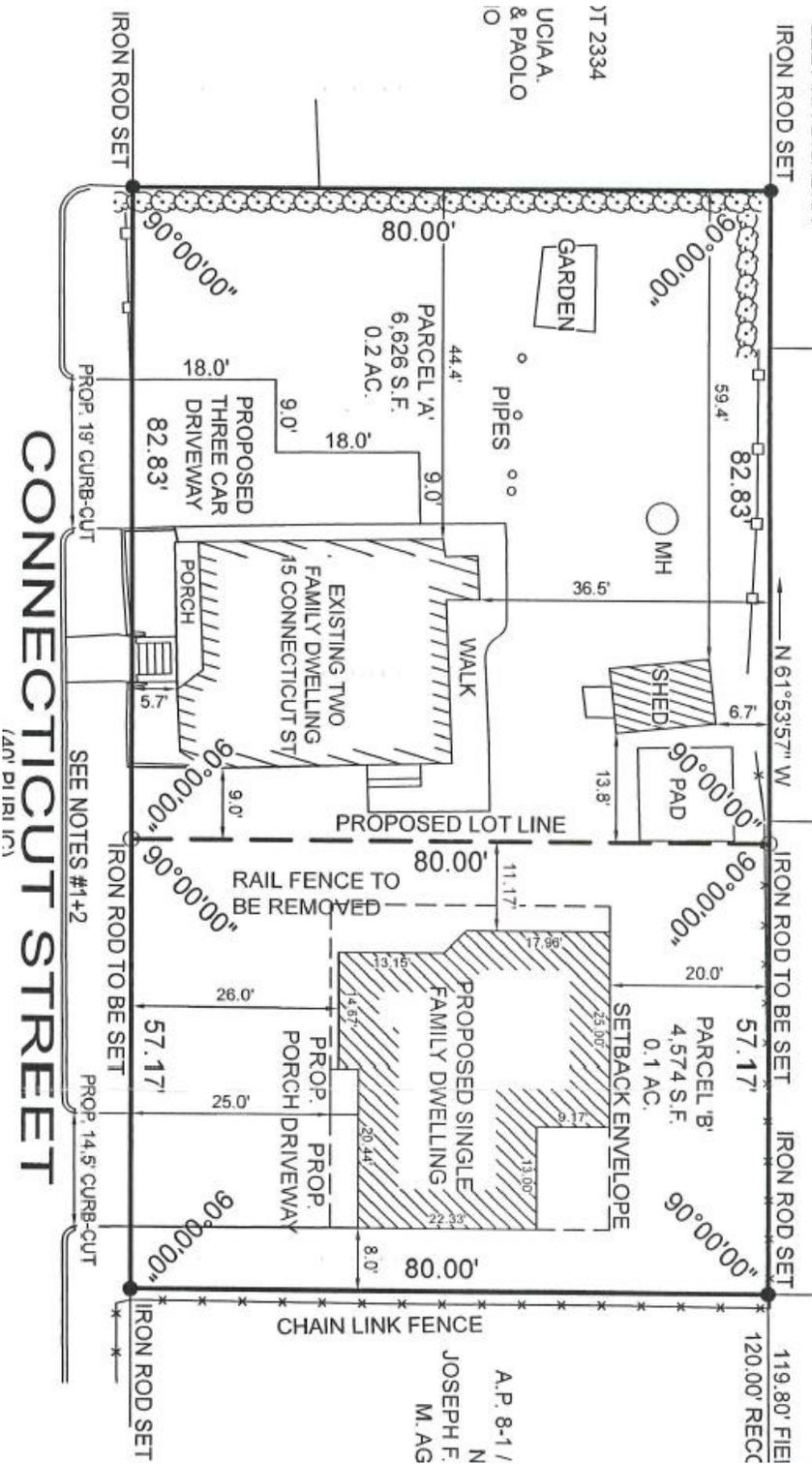
STREET VIEW – PROPOSED PARCEL A
(Connecticut St facing northeast)



STREET VIEW – PROPOSED PARCEL B
(Connecticut St facing north)



SITE PLAN



II. Documents which are part of the application

1. Preliminary Plan application;
2. Application filing fees;
3. Subdivision plan set entitled "Replat of Lots 533-539 'Cranston Highlands'" prepared by Richard Bzdyra, PLS of Ocean State Planners, Inc.;
4. Preliminary Plan checklist;
5. 100' radius map, list of abutters and an Affidavit of Notice Compliance signed by John S. DiBona, dated 5/18/21;
6. Letter regarding sewer availability signed by Edward Tally, Environmental Program Manager of the City of Cranston, dated 5/28/21;
7. Certificate of Municipal Leans;
8. 400' Zoning/Neighborhood Analysis;
9. Floor Plans.

III. Surrounding land use and context

Analysis using Geographic Information System indicates that:

1. The subject parcel is located in Eastern Cranston (speaking in general terms, but more specifically described as north-central Cranston) in the Knightsville neighborhood east of Cranston Street and north of Park Avenue.
2. The entire abutting neighborhood is zoned B-1 except for the C-2 lots directly abutting Cranston Street and Park Ave to the south. The residential area has been developed with mostly single-family and two-family lots (there is one nonconforming three-family and two four-family uses).
3. The zoning map and Future Land Use Map (FLUM) are consistent in that the B-1 zones are all designated as Single/Two Family Residential Less than 10.89 units/acre and the commercial zones are all designated as Neighborhood Commercial/Services.
4. There are no wetlands on site.
5. The site is fairly flat, only changing a few feet in grade over its 140' width.
6. The project is free 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. Waivers

Waivers are being requested from the requirement to install sidewalks. There are currently no sidewalks to connect to on either side of the subject property on Connecticut Street, although there is one lot with a sidewalk directly across the street. Staff is not convinced that there is current demand for the sidewalks. **For this reason, staff recommends the Plan Commission grants the waiver for sidewalks.**

V. Staff / Agency Comments

Pursuant to RIGL 45-23-41 A3, these plans were distributed for comment to the Public Works Department, Engineering Division, Traffic Division, Building and Zoning Department, Conservation Commission and the Fire Department. No comments have been received at this time.

VI. Interests of Others

None to report at this time.

VII. Planning Analysis

This minor subdivision without street extension preliminary plan application would be as conventional as can be *if it were not for the fact that zoning relief is required for substandard lot area, width and frontage*. No streets or utilities need to be extended, off-street parking requirements are being met, curbing will be installed and there aren't topography, drainage or soils issues. The only outstanding issue is that a water availability letter has not been provided. It is known that there is public water servicing the area, so the water availability letter is a technicality that can be conditioned to the Final Plan. There are also a few errant notes on the plans (#12 & #15). These serve no material purpose at this phase and staff will ensure that they are corrected as part of the Final Plan.

There is a separate staff memo that specifically addresses the variance requests. The potential for negative impacts to the neighborhood specific to the variance requests is addressed in the separate memo. If the lot requirements were being complied with, staff finds that there would not be any need to discuss negative impacts for a by-right subdivision. To summarize the variance recommendations, staff makes positive and negative findings, yet **staff interprets that the positive findings slightly outweigh the negative and recommends approval of the variances.**

Should the Plan Commission find that the variances and sidewalk waiver are warranted, the rest of the application is straight forward and the subdivision should be granted.

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 via first class mail, a display advertisement was published in the Cranston Herald on 5/19/21 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 total area of the existing lots is 11,200 ft². The proposed density is 11.67 units/acre, slightly above the maximum density established by the Future Land Use Map designation of less than 10.89 units/acre. Therefore, the proposal is consistent in terms of use, but inconsistent in terms of density. The discrepancy has to be balanced with the housing policies enumerated below, but also the finding that the lots are relatively consistent with lot areas within 400’.
2. The Housing Element supports infill housing in eastern Cranston. This policy encourages/promotes housing development which does not require the extension of roads and utilities, eats up less open space, and creates housing choices more in line with modest price points.
3. Page 69 of the Comprehensive Plan reads, “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.”
4. 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.”

5. Relief is being requested for the necessary deficiencies under the City’s zoning ordinance. Staff is in support of these requests on the basis of consistency with the Comprehensive Plan Housing policies and relative conformity to the area.
6. Based on the finding that the proposed lot sizes are generally consistent with the surrounding area, the proposal will not substantially 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.” (emphasis added)*

7. This finding pertains specifically to the final plan, however, no significant environmental impacts are anticipated. This would be an urban infill development, not disturbing wildlife or open space.
8. The project will be subject to all state and local regulations pertaining to environmental impacts.
9. 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.”

10. 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.

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.”

11. Proposed Parcel A & B will have adequate permanent physical access to Connecticut Street.

VIII. 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, with the waivers for curbing, sidewalks and dead-end streets and cul-de-sacs as requested, subject to the conditions denoted below:

IX. Condition of approval

1. The applicant shall obtain relief from the Zoning Board of Review, as applicable, and shall include the decision letter as part of the Final Plan application.
2. The applicant shall obtain a water availability letter and include the approval letter as part of the Final Plan application.
3. The applicant shall pay the Eastern Cranston Capital Facilities Impact Fee in the amount of \$593.46 at the time of Final Plan recording.