

City Planning Department



Memo

To: Cranston City Plan Commission
From: Doug McLean, AICP - Principal Planner / Administrative Officer
Date: December 31, 2020
Re: **Administrative Subdivision** – Garfield Avenue Subdivision

**Owner/
Applicant:** CP Associates, LLC c/o Paolino Properties

Location: Garfield Avenue, AP 7, Lot 91

Zone: C-4 (Highway business)

FLU: Highway Commercial/Services

I. Proposal

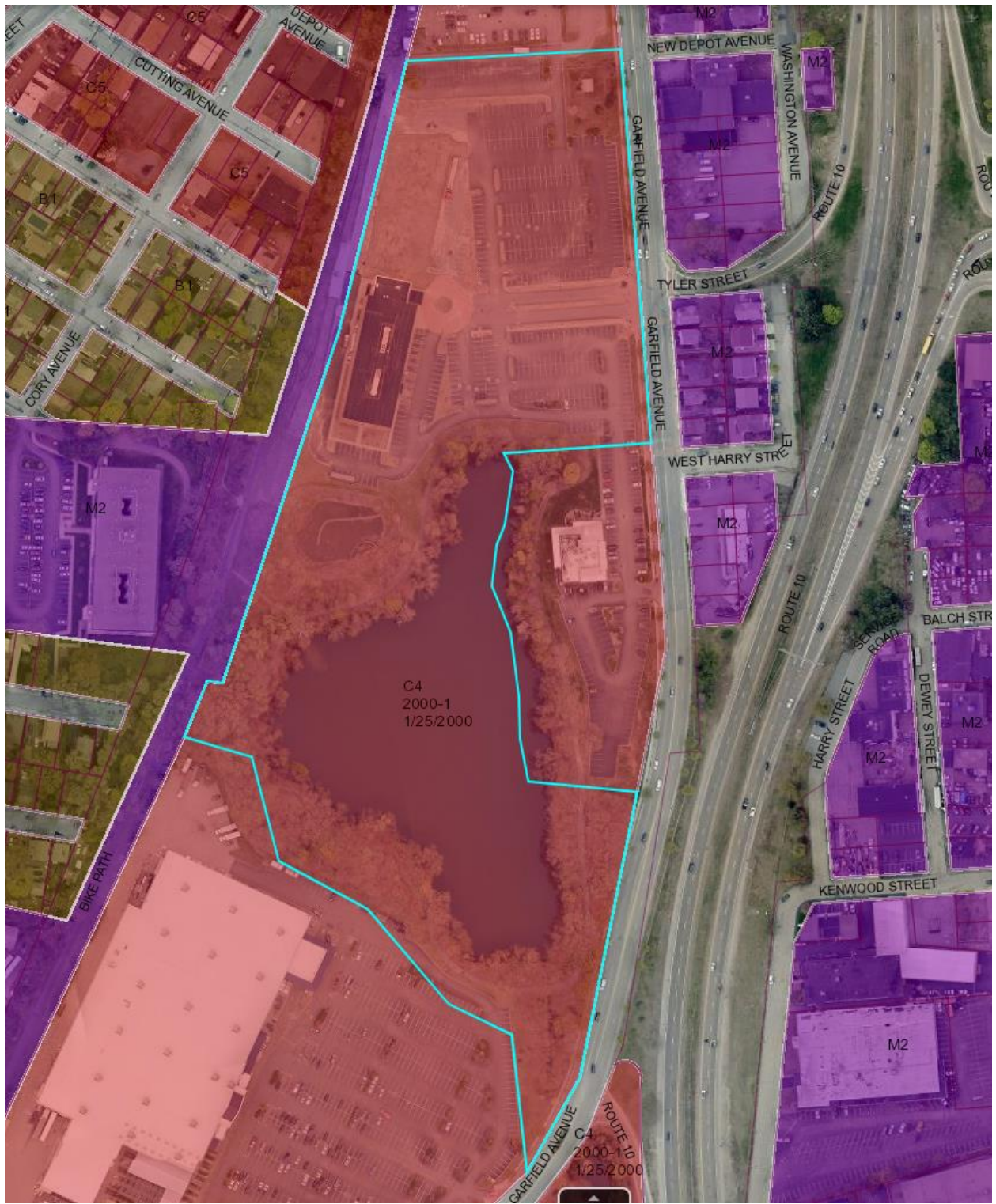
The Garfield Avenue Subdivision before the commission seeks to subdivide the existing 17.65 acre parcel, AP 7-2, Lot 91 and create two new lots: Lot A (Pond Lot A) will be 10.21 acres to include Tongue Pond, the associated walking trail, the large scale drain structures and a series of utility easements. Lot B will be 7.44 acres and will contain the Achievement First charter school. Typically, this type of subdivision would be considered a Minor Subdivision without street extension. However, this would only apply if the result of the subdivision resulted in a new parcel for development. In this case, Pond Lot A will be deemed unbuildable, and thus an Administrative Subdivision which would be processed internally by staff without a review by the City Plan Commission.

In this particular case, given the scale of what is being proposed and the irregular nature of the request, staff felt it best to refer this administrative subdivision to City Plan Commission for their review and approval. The Cranston Subdivision and Land Development Regulations Section V. B. 4. Administrative Subdivision – Criteria and Procedures for Approval states: “If referred to the Planning Commission, the Commission shall consider the application and the recommendations of the Administrative Officer and shall either approve, approve with conditions, or deny the application within sixty-five (65) days of the certification of the completeness.”

AERIAL VIEW



ZONING MAP



FUTURE LAND USE MAP



3-D AERIAL VIEW



STREET VIEW



II. Planning Analysis

On its face, the applicant seeks to remove the Tongue Pond area (Lot A) from the Achievement First school (Lot B) to make the lot more marketable. It was explained to staff that a potential buyer might take issue with the pond itself, the walking path which the City maintains, the utility easements, drainage easements, and large scale drainage infrastructure installation which services a wide area including the adjacent Brewery Parkade and Cranston Police station area. If this subdivision is to be approved by the Plan Commission, the applicant will then both lots independently, one buildable and one unbuildable.

III. Finding of Fact

An orderly, thorough and expeditious technical review of this Administrative Subdivision has been conducted.

Staff has reviewed this 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 proposed administrative subdivision is consistent with the Cranston Comprehensive Plan.

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.”

2. The proposed administrative subdivision conforms to the dimensional, density and frontage requirements of the C-4 zoning district.

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.”

3. The subdivision proposes to create a non-buildable lot and therefore there are no significant negative environmental impacts anticipated from this proposal.

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.”

4. This administrative subdivision by its nature results in a non-buildable lot due to the fact that the majority of this site is a surface water.

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.”

5. The subdivision creates a non-buildable lot therefore the lack of physical access on the an city street is irrelevant for the purpose of this subdivision.

IV. Recommendation

In the interests of transparency, staff defers to the City Plan Commission in this instance. Staff is able to make positive findings on all required findings of fact. Barring no new information resulting from the discussion with the applicant during the course of the public presentation, staff recommends that the City Plan Commission approve this administrative subdivision as submitted and direct staff to record the plans with the applicant at their earliest convenience.