

CITY PLANNING DEPARTMENT



Memorandum – Unified Development Review

To: City Plan Commission
From: Brianna L. Valcourt, M.Arch; Senior Planner
Date: September 21, 2026
RE: “Kelly Plat” – Minor Subdivision with Zoning Relief

Recommendation: Approval of the proposed subdivision with the requested zoning relief.

I. General Information

Owners: Patrick Kelly and Lauren Gottfried-Kelly
Applicant: Patrick Kelly
Representative: Robert D. Murray, Esq.
Location: Butler Street
Zoning: B-1 (Single/Two-Family Residential 6,000/8,000SF)
Future Land Use Map: Single/Two Family Residential Less Than 10.89 Units Per Acre
Neighborhood: Meshanticut
Application Type: Minor Subdivision
Stage of Review: Preliminary Plan -- Unified Development Review
Certified Complete: September 9, 2026
Decision Due: December 13, 2026 (95 days)

Proposal

The applicant is proposing to subdivide the existing lot, AP 11 Lot 559, into two lots which will contain 12,393 sq. ft. and 5,107 sq. ft. The existing house will remain on Parcel A, and a new single-family dwelling is proposed on Parcel B. The subdivision will require the City Plan Commission to grant dimensional variances for Parcel B to have 53 feet +/- of street frontage where 60 feet is required and a lot size of 5,107 sq. ft. where 6,000 sq. ft. is required.

17.20.120 Schedule of Intensity Regulation

Parcel B

Standard	Required	Proposed	Relief Sought
Lot width/frontage	60-ft	53-ft	7-ft
Lot Size	6,000-sqft	5,107-sqft	893-sqft

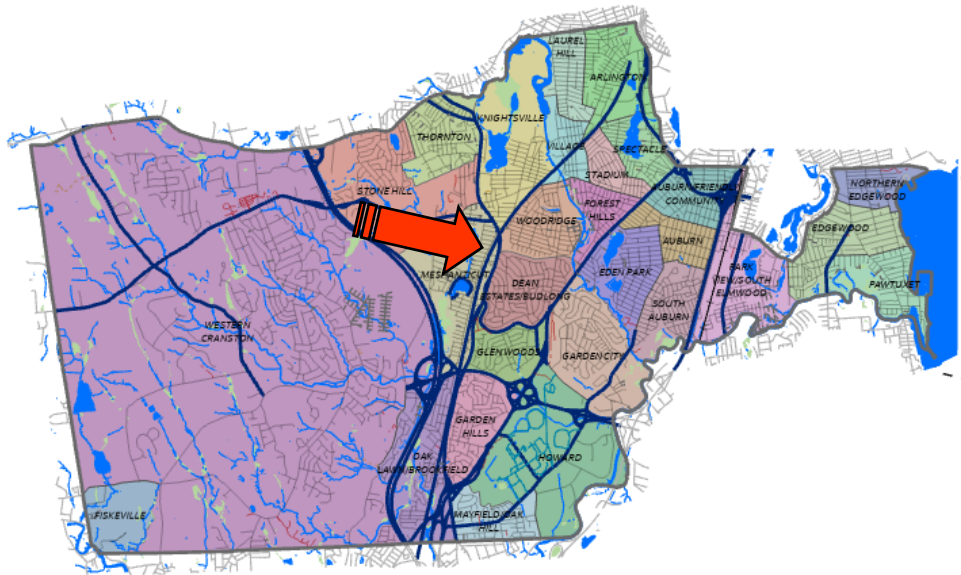
II. Surrounding Land Use & Context

Analysis using the Cranston Geographic Information System and the FEMA Flood Map Service Center indicates that:

1. The subject property is a part of the recorded subdivision “Wayland Park Plat”.
2. The site is located south of Wayland Ave, easterly of Angell’s Pond and westerly of Cranston Street in the Meshanticut neighborhood.
3. The site has a total area of approximately 17,500 sf and is zoned Residential B-1.
4. Public utilities are available at this proposed development and letter of service availability for public water has been received. No letter of availability has been received for sewer.

5. The subject property abuts developed A-6 and B-2 zoned parcels. The surrounding area is predominately single and two-family residential and is in close proximity to several residential apartments.
6. The subject property is outside of any regulated resource areas under jurisdiction of the Rhode Island Department of Environmental Management, (RIDEM).
7. The subject property is outside of any identified historic / cultural districts under the jurisdiction of the Local Historic District Commission, State Historical Preservation Commission, State, or National Registers of Historic Places.
8. The subject property is located in FEMA Flood Zone X (unshaded). Zone X (Unshaded) designates an area of minimal flood hazard. The area is therefore outside of the Special Flood Hazard District.

LOCATION MAP



STREET VIEWS



(View from Butler Street)

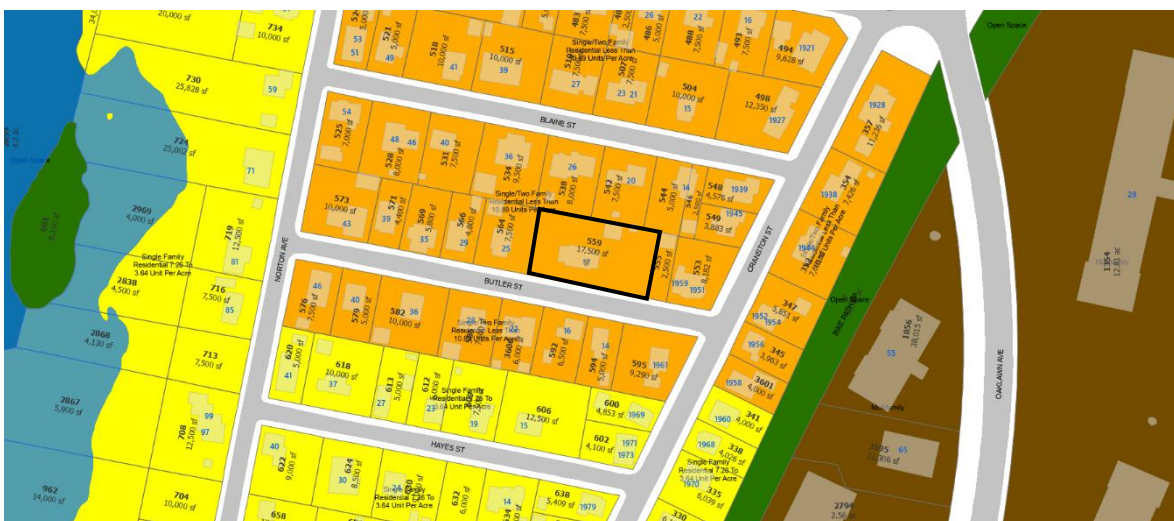


(View across the street from property on Butler Street)

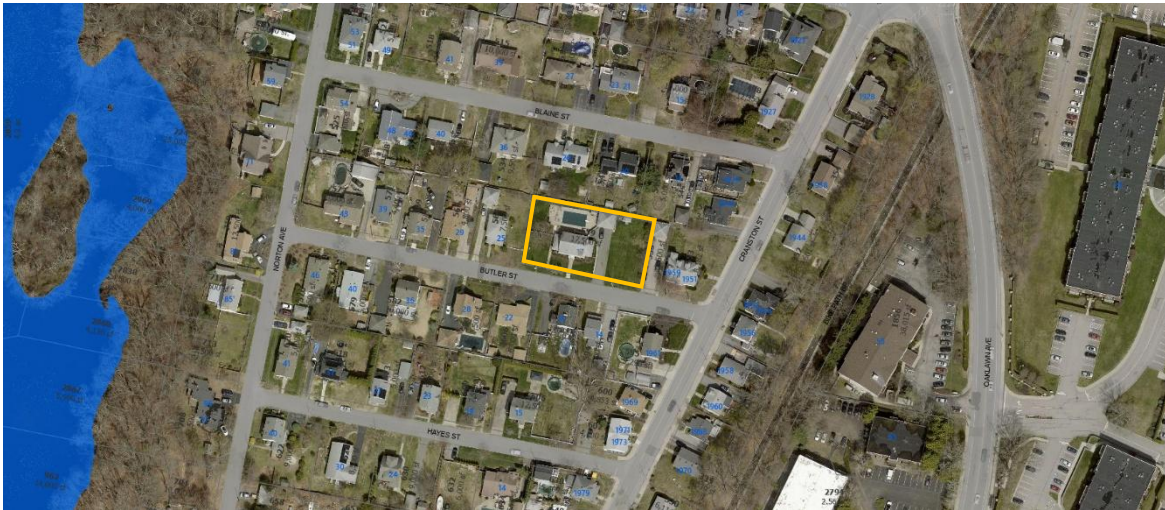
ZONING MAP



FUTURE LAND USE MAP



AERIAL PHOTO

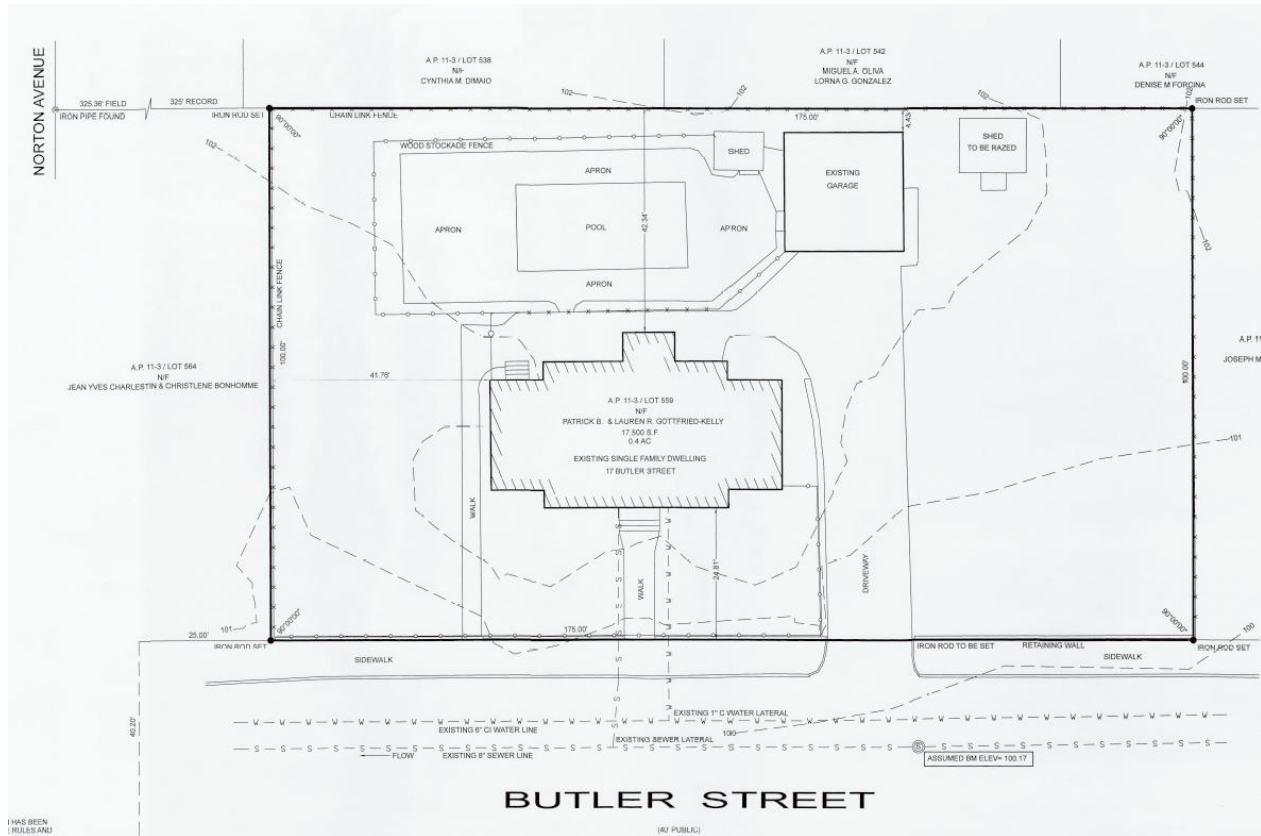


3D AERIAL PHOTO



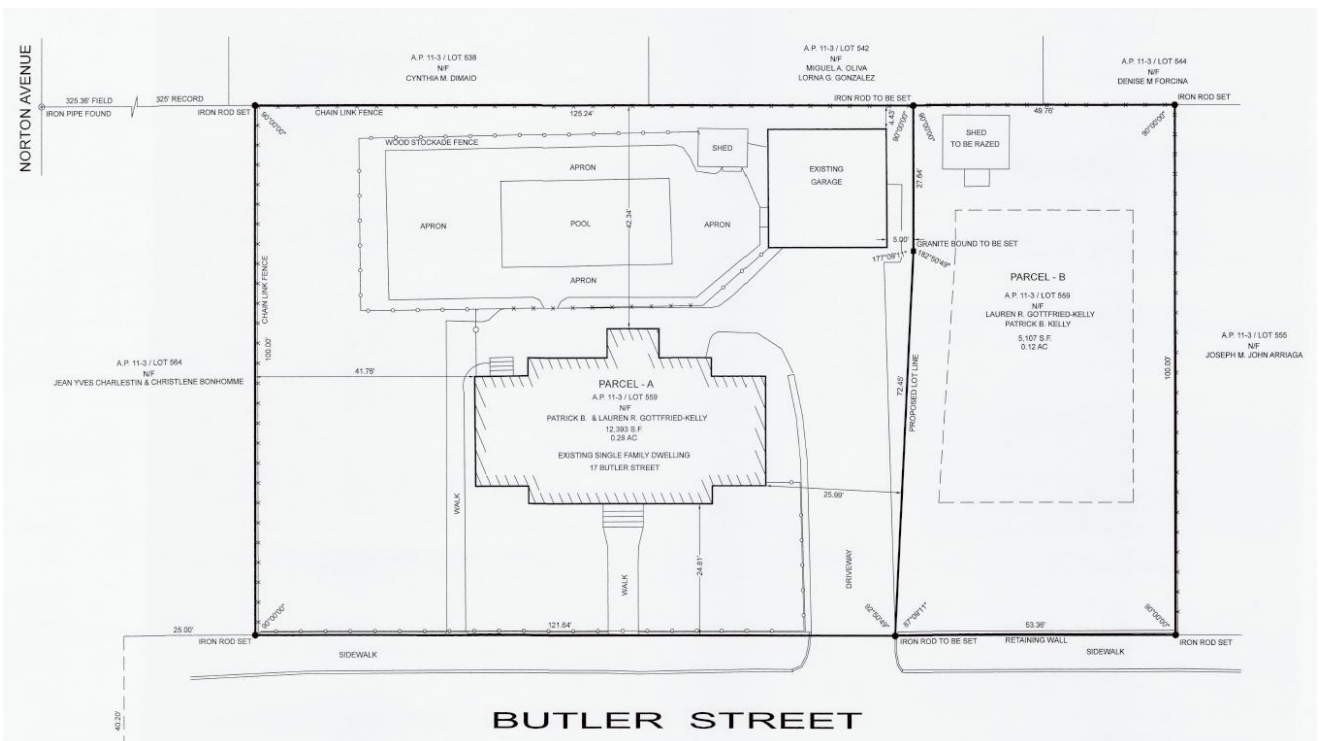
EXISTING CONDITIONS PLAN

(Image cropped and zoomed, full site plan posted online in Application Materials)



PROPOSED CONDITIONS PLAN

(Image cropped and zoomed, full site plan posted online in Application Materials)



17 Butler Street - "Kelly Plat"

III. Requested Waivers

None to Report.

IV. Public Comments

None to Report.

V. Municipal Review

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

1. Department of Public Works
 - a. Engineering Division: Mr. Frank Corrao, P.E., Public Works Director: Review completed with no comments.
 - b. Traffic Safety Division: Mr. Stephen Mulcahy: Review not completed.
2. Providence Water Authority: Review completed comment as follows: Presently, there are sufficient reserves in the PWA system for this residential development. Prior to service connection, an evaluation of demand must be conducted to determine the size of the domestic service line and water meter.
3. Veolia Water: Staff conditioned that the letter of sewer availability is submitted prior to the recording of final plan due to staffing shortages in Cranston's sewer division which has caused delays in obtaining availability letters. City records show that there is an 8" sewer main in Butler Street.
4. Department of Building Inspection & Zoning Enforcement: Mr. Stanley Pikul, Building Official: Review completed with no comments.
5. Fire Department: Mr. Armand Niquette: Review completed with no comments.

VI. Planning Analysis



200ft Radius Map: Defining the "Surrounding Area"

Consistency with the Surrounding Area

Staff has reviewed this Application in consideration of the compatibility with the character of the surrounding area. Planning Staff have found that the proposal is **consistent** with the surrounding area. The proposed lot layout matches the adjacent lots regarding lot size. While nonconforming lot size and frontage is prevalent in the surrounding area, the requested variances pose a minimal impact or adversely affect the established character of the surrounding area.

Within the surrounding area, defined as the properties located within a 200-ft radius of the subject property, there are a total of 38 lots. Of these, 30 lots contain single-family dwellings and 7 lots contain two-family dwellings. In comparison to the proposed 5,100-sqft lot, 24 of the surrounding lots are larger than 5,100-sqft, while 14 lots are smaller than 5,100-sqft. There are no surrounding lots with an area equal to exactly 5,100-sqft.

Consistency with the Comprehensive Plan

- The proposal is **consistent** with the Comprehensive Plan's Future Land Use Map designation of "Single/Two Family Residential Less Than 10.89 Units Per Acre".
 - The existing subject parcel has a density of 2.49 U/a.
 - The proposed subject parcels have a total density of 4.98 U/a.
- Staff find that the following goal and policies outlined in the Comprehensive Plan pertaining to residential development **support** the approval of this Application:
 - **Goal H-2:** Permit a variety of residential development types to achieve multiple community objectives.
 - **Policy H-1:** Maintain zoning densities that reflect planned municipal service levels and natural resource constraints.
 - **Policy H-3:** Enact flexible development standards that attain desired community objectives, but also provide a wide range of building types, uses, subdivisions, and site plans.
 - **Policy H-6:** Maintain a varied housing stock, with units of different age, size and type that are affordable to a wide range of incomes.

Parking and Traffic Circulation

- The proposed residential lot has sufficient land area to meet the minimum requirements of the zoning ordinance for off-street parking spaces.
- One new driveway is required. One new curb cut would need to be made to create access to the proposed single-family dwelling. The proposed residential lot has adequate frontage and width to provide driveway access to the proposed residential development.

Zoning Analysis

- The proposal intends to subdivide an existing oversized lot to create one new lot within the B-1 Zone.
- The proposed subdivision would result in the existing lot becoming nonconforming with respect to minimum lot area and lot frontage.
- The requested dimensional relief is limited in scope, with the proposed 53-ft frontage representing an 11.67% reduction from the required 60-ft frontage and the proposed 5,107-sqft lot representing a 14.88% reduction from the required 6,000-sqft minimum lot area.
- Both requested variances fall within the 0%–25% range permitted for zoning modifications and, as such, could have been addressed through the administrative zoning modification process without requiring ZBR, followed by the applicable administrative minor subdivision review.

Summary

Planning Staff find that the project meets all standards for approval of the requested variances and subdivision standards. The proposal is consistent with the Comprehensive Plan's Future Land Use Map designation of "Single/Two Family Residential Less Than 10.89 Units Per Acre" and supports Goal H-2 and Policies H-1, H-3, and H-6 by providing additional residential development while maintaining compatibility with planned

densities, allowing flexible development standards, and contributing to a varied housing stock. The requested dimensional relief is limited to lot area and frontage deficiencies resulting from the existing house placement and lot configuration, and will not adversely affect the character of the surrounding area or the intent of the Zoning Ordinance. The proposal proves to be adequate for conforming parking, access, and traffic circulation for the proposed residential development.

VII. Findings of Fact

Variance Standards

The requested dimensional relief displays conformance and consistency with the required Findings of Fact in accordance with RIGL §45-23-50.1, § 45-24-41 and § 45-24-46.4 as well as Section VII of the Subdivision & Land Development Regulations 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);”

- The hardship from which the applicant seeks relief arises from the unique configuration and existing development of the subject parcel.
- The existing single-family dwelling is situated centrally on a 17,500 sqft parcel, substantially exceeding the 6,000 sqft minimum lot area required for a single-family dwelling. As a result of the existing dwelling’s location, the remaining developable land is distributed on both sides of the existing house rather than being contiguous to form a new conforming lot.
- The hardship from which the applicant seeks relief is not due to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant.

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.”

- The proposal will continue to provide residential development largely consistent with the B-1 Zone and will not introduce a use, density, or development pattern that is inconsistent with the surrounding area.
 - The predominant residential development pattern consists of single-family dwellings, with 30 of the 38 surrounding lots containing single-family residences.
 - The surrounding area demonstrates a mix of lot sizes, with 24 of the 38 lots exceeding 5,100 square feet and 14 lots containing less than 5,100 square feet, indicating that the proposed lot size falls within the range of existing lot sizes in the neighborhood.
- The requested relief will not impair the intent or purpose of the Zoning Ordinance or the Comprehensive Plan upon which the ordinance is based.
 - The dimensional relief for frontage and lot area is supported by the ability to maintain compliance with the Zoning Ordinance for the required minimums of setbacks, lot coverage, and parking.
- The proposed second single-family lot contains approximately 5,107-sqft, representing a 14.88% reduction from the 6,000-sqft minimum lot area.

RIGL § 45-24-41. General provisions – variances. (e)(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.”

- Given that the proposed new lot will otherwise meet the applicable dimensional requirements of the B-1 zone, is consistent with the listed goals and policies of the Comprehensive Plan, and will provide adequate access and sufficient area to accommodate a single-family development, the denial of the requested dimensional relief would amount to more than a mere inconvenience.

Subdivision Standards

This Preliminary Plan application displays conformance and consistency with the required Findings of Fact in accordance with RIGL § 45-23-60 as well as the Subdivision & Land Development Regulations 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 proposal is **consistent** with the Comprehensive Plan’s Future Land Use Map designation of “Single/Two-Family Residential Less Than 10.89 Units Per Acre” as well as the following goals and policies of the Comprehensive Plan:
 - **Goal H-2:** Permit a variety of residential development types to achieve multiple community objectives.
 - **Policy H-1:** Maintain zoning densities that reflect planned municipal service levels and natural resource constraints.
 - **Policy H-3:** Enact flexible development standards that attain desired community objectives, but also provide a wide range of building types, uses, subdivisions, and site plans.
 - **Policy H-6:** Maintain a varied housing stock, with units of different age, size and type that are affordable to a wide range of incomes.

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 or has obtained relief from the same, or another provision of this chapter that exempts compliance with a specific provision or standard.”

- The proposal seeks dimensional zoning relief for substandard lot area and frontage/lot width for the newly proposed lot which if granted, will establish compliance with the standards and provisions of 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.” (emphasis added)*

- This finding pertains specifically to the Final Plan; however, no significant environmental impacts are anticipated as:
 - The proposal is located outside of the floodplain.
 - The location of a new single-family home on this parcel creates a new residential unit with minimal environmental impacts and where it 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 physical and permanent physical access to a public street unless there are local zoning ordinance provisions allowing exceptions to this requirement or the applicant has obtained the required relief from this provision."

- All lots in this proposal will have adequate physical and permanent physical access to a public city street.
- The proposal provides for safe and adequate local circulation for vehicular traffic.

VIII. Recommendation

Staff finds this Proposal **consistent** with the Comprehensive Plan, the Zoning Ordinance, and the standards for required Findings of Fact set forth in RIGL § 45-24-41, 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 Preliminary Plan submittal under Unified Development Review with the following variances and subject to the following conditions of approval.

Variances

- Parcel B: The applicant is requesting dimensional variances to allow 53 feet of street frontage where 60 feet is required, requiring 7 feet of relief, and a 5,107-sqft lot area where 6,000-sqft is required, requiring 893-sqft of relief.

Conditions of Approval

1. The submission Sewer availability letter prior to the recording of Final Plan.

Respectfully Submitted,

Brianna L. Valcourt

Brianna L. Valcourt, M.Arch
Senior Planner/Administrative Officer

Cc: City Planning Director
File