

# City Planning Department



## Memo

To: Cranston City Plan Commission  
From: Doug McLean, AICP – Principal Planner / Administrative Officer  
Date: June 29, 2021  
Re: “The Preserve at Pippin Orchard” Master Plan - Major Subdivision

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**Owner:** Linda M. Shaw and The Linda M., Shaw Revocable Trust  
**Applicant:** Narragansett Partners, LLC  
**Location:** Near intersection of Pippin Orchard Road and Scituate Avenue, AP 34, Lot 51  
**Zone:** A-80 (Single-family dwellings on lots of minimum areas of 80,000 ft<sup>2</sup>)  
**FLU:** Single Family Residential Less Than 1 unit per acre

### I. Proposal

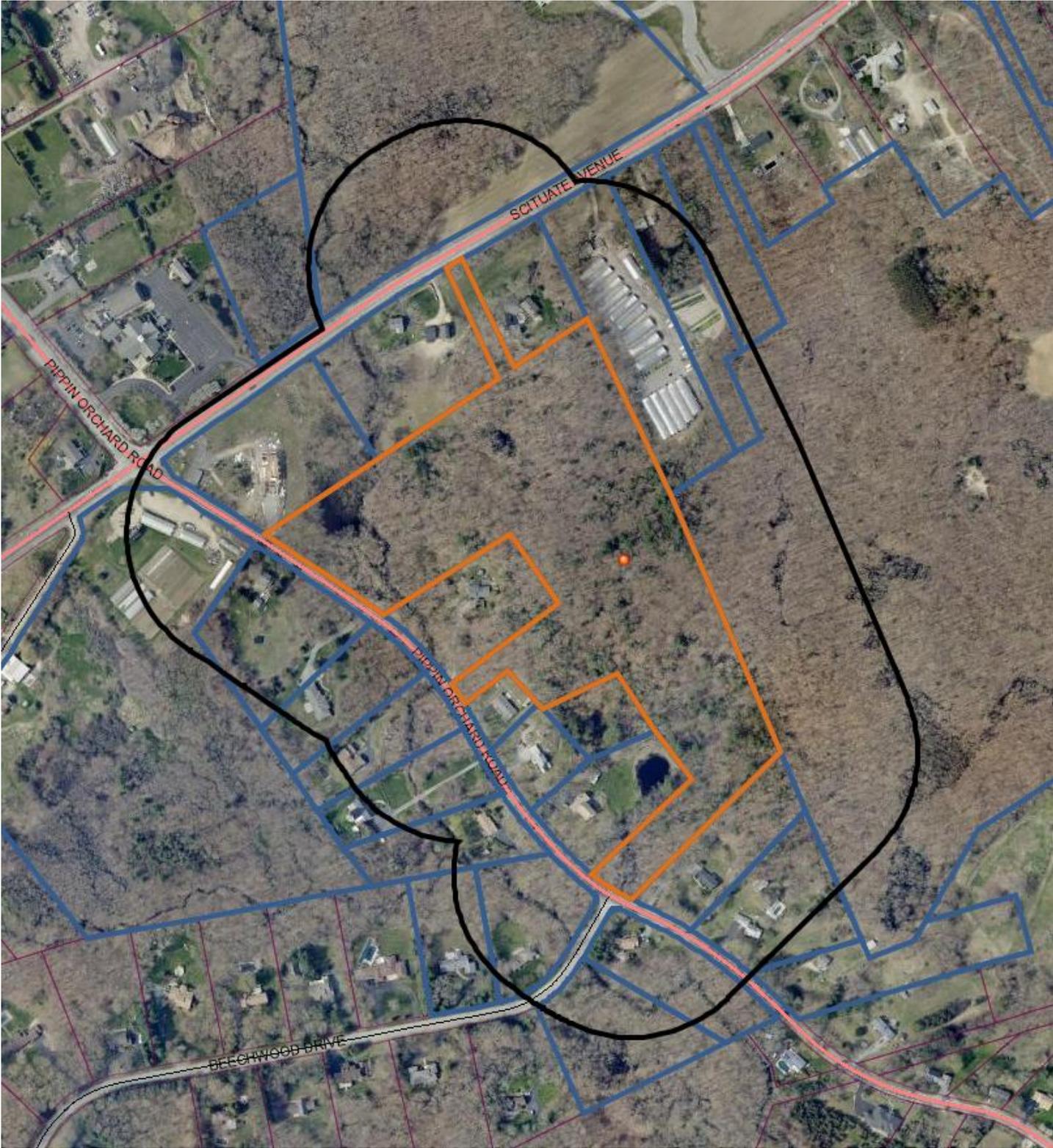
The owner/applicant proposes to subdivide an existing 19.89 +/- acre lot into eight (8) individual parcels as a Residential Planned District (RPD) while leaving approximately 60% of the site to be preserved as permanent open space. The property is currently undeveloped, vegetated and has a few separate wetlands complexes as well as a brook and associated riverbank buffer. As an RPD, the proposed lots must be a minimum of 20,000 ft<sup>2</sup> and meet A-20 dimensional standards for lot frontage and building setbacks. All eight of the proposed lots meet the required dimensional thresholds. The proposed subdivision will be serviced by public water and public sewer. The proposed roadway on the subject property will be a public (City) right-of-way.

This is a by-right subdivision with no requested variances. The applicant is utilizing the City's RPD regulations which allow for the A-20 dimensional requirements to be applied despite the property's A-80 zoning designation. In order to utilize these RPD standards, the applicant must set aside a minimum of 25% of the lot be protected as open space. This subdivision is dedicating approximately 60% of the site as open space (over twice the amount required), and therefore the project is viewed as exceeding the intended purpose of the RPD regulations which further assists the City in achieving its open space goals.

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

1. Master Plan application;
2. Application filing fees;
3. Subdivision plan set entitled “The Preserve at Pippin Orchard,” prepared by Eric M. Prive, PE and Robert G. Babcock PLS of DiPrete Engineering with a last revised date of 5/25/21.
4. Master Plan checklist;
5. Project Narrative signed by Eric Prive, PE dated 5/4/21;
6. Wetlands Letter of Findings signed by Christian Sutter, PWS dated 5/5/21;
7. Letters regarding sewer availability and water availability;
8. Certificate of Municipal Leans;

**AERIAL VIEW**



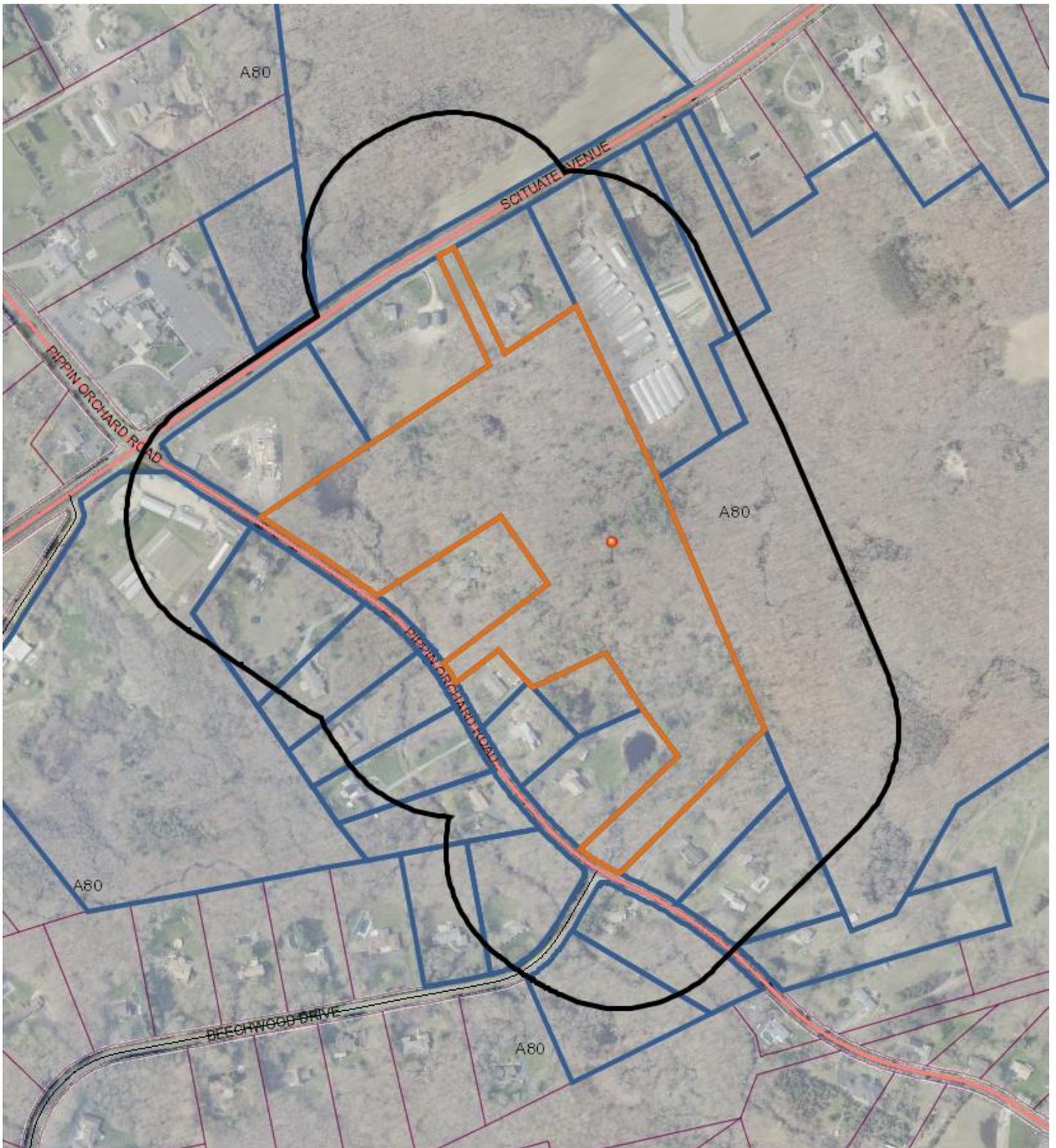
### 3-D AERIAL VIEW (facing east)



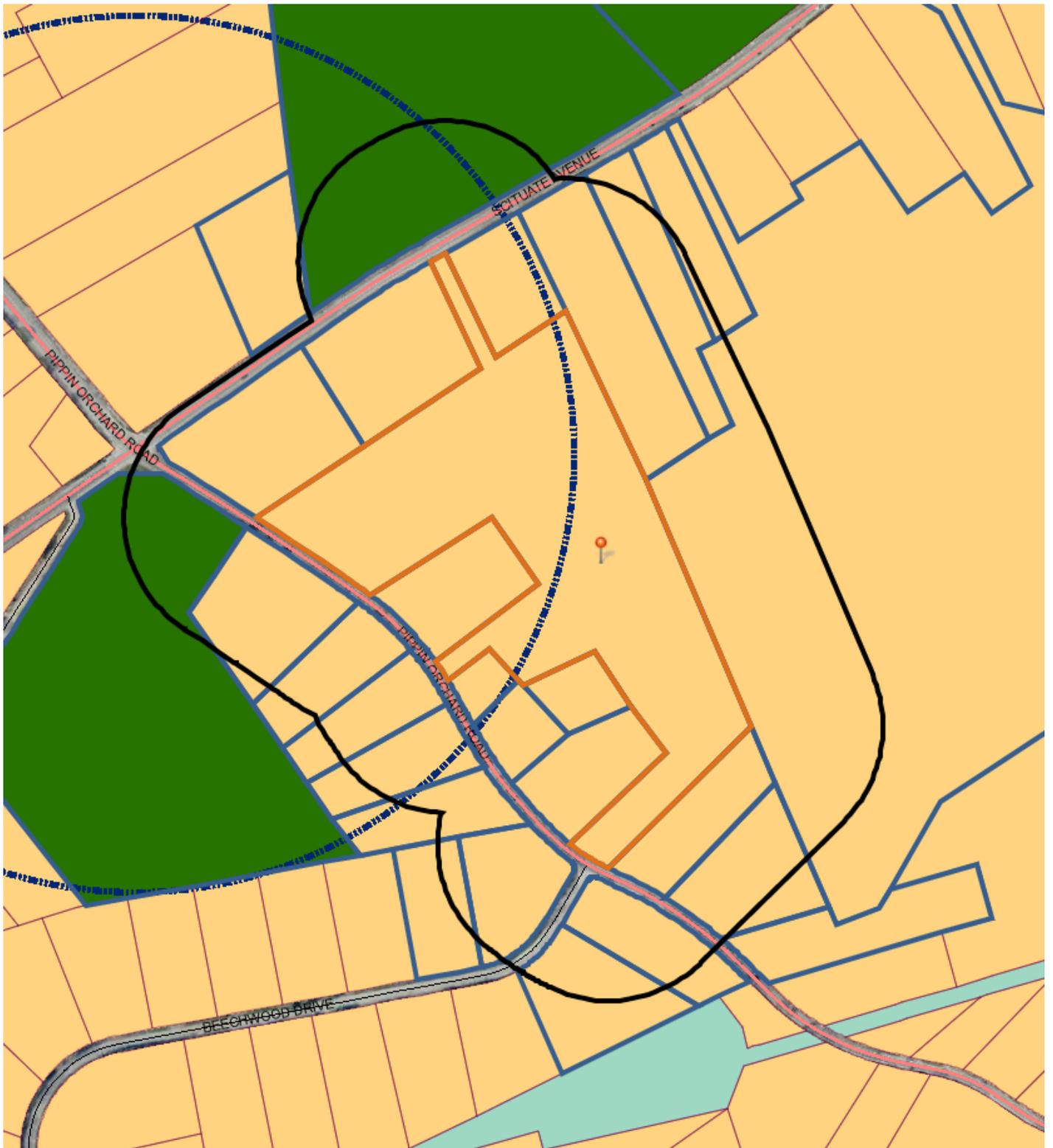
### STREET VIEW (Pippin Orchard Road near the proposed subdivision entry road)



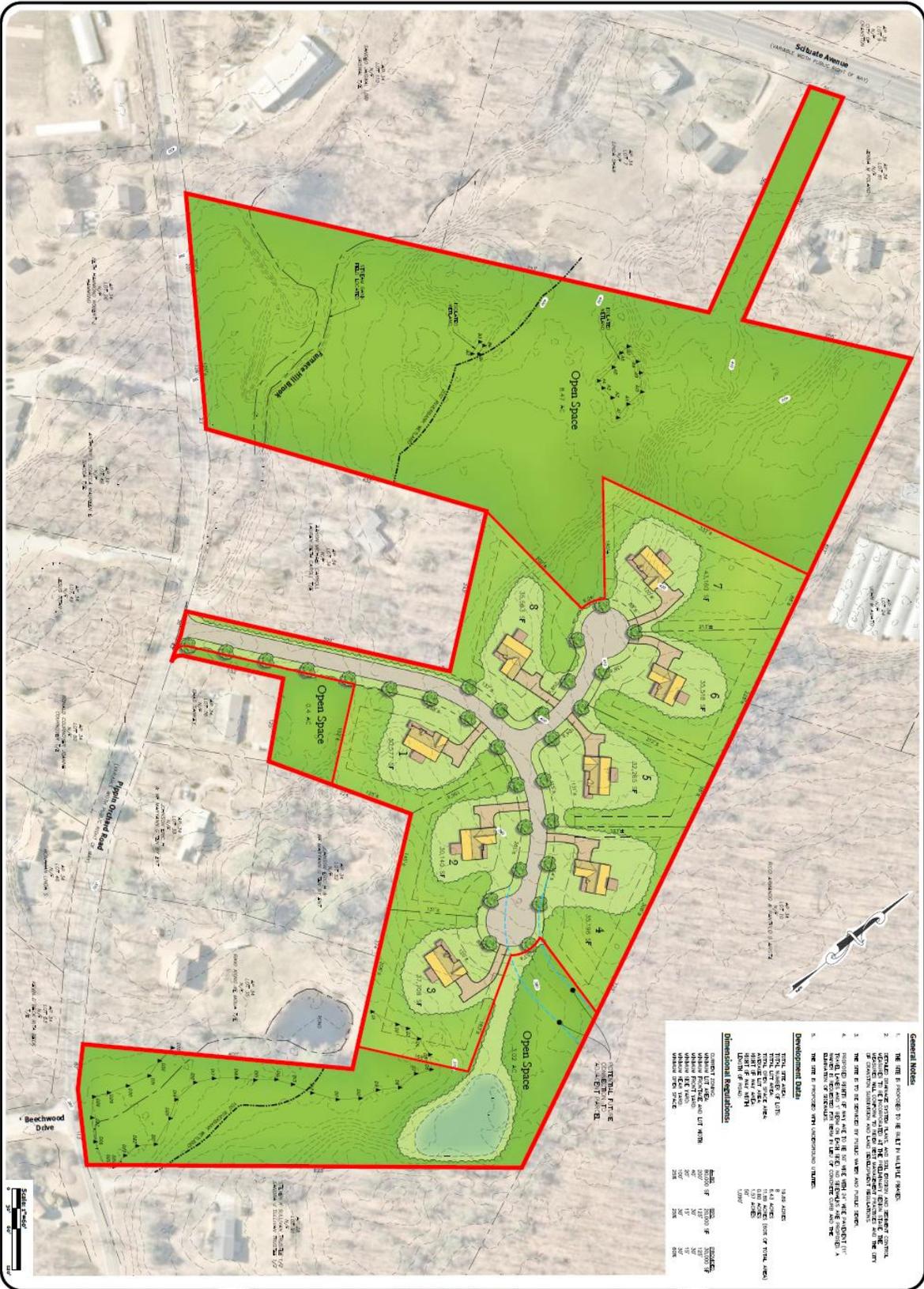
# ZONING MAP



# FUTURE LAND USE MAP



# SITE PLAN (snippet)



- General Notes**
1. THE SITE IS PROPOSED TO BE BUILT IN ACCORDANCE WITH THE CITY OF CHANDLER ZONING ORDINANCES AND THE CHANDLER SUBDIVISION ACT.
  2. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CHANDLER AND THE ARIZONA DEPARTMENT OF LAND CONSERVATION AND RECREATION.
  3. THE SITE IS TO BE DEVELOPED IN ACCORDANCE WITH THE CITY OF CHANDLER ZONING ORDINANCES AND THE CHANDLER SUBDIVISION ACT.
  4. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CHANDLER AND THE ARIZONA DEPARTMENT OF LAND CONSERVATION AND RECREATION.
  5. THE SITE IS PROPOSED WITH UNDERGROUND UTILITIES.
- Development Data**
- | Item   | Value    |
|--|----------|
| THICK WALLS OF LOT <td>10.00 FT</td>         | 10.00 FT |
| THIN WALLS OF LOT <td>10.00 FT</td>          | 10.00 FT |
| MINIMUM SIDE YARD SETBACK <td>5.00 FT</td>   | 5.00 FT  |
| MINIMUM FRONT YARD SETBACK <td>5.00 FT</td>  | 5.00 FT  |
| MINIMUM REAR YARD SETBACK <td>5.00 FT</td>   | 5.00 FT  |
| MINIMUM CORNER SETBACK <td>5.00 FT</td>      | 5.00 FT  |
| MINIMUM DRIVEWAY SETBACK <td>5.00 FT</td>    | 5.00 FT  |
| MINIMUM DRIVEWAY WIDTH <td>10.00 FT</td>     | 10.00 FT |
| MINIMUM DRIVEWAY CLEARANCE <td>13.00 FT</td> | 13.00 FT |
| MINIMUM DRIVEWAY GRADE <td>AS SHOWN</td>     | AS SHOWN |
- Dimensional Regulations**
- | Category                     | Value        |
|------------------------------|--------------|
| MINIMUM LOT AREA             | 10,000 SQ FT |
| MINIMUM LOT WIDTH            | 100 FT       |
| MINIMUM LOT DEPTH            | 100 FT       |
| MINIMUM LOT FRONTAGE         | 100 FT       |
| MINIMUM LOT AREA PER LOT     | 10,000 SQ FT |
| MINIMUM LOT WIDTH PER LOT    | 100 FT       |
| MINIMUM LOT DEPTH PER LOT    | 100 FT       |
| MINIMUM LOT FRONTAGE PER LOT | 100 FT       |

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

Analysis using Geographic Information System indicates that:

1. The subject parcel is located in Western Cranston near the intersection of Scituate Avenue and Pippin Orchard Road.
2. The subject parcel and the entire abutting neighborhood is zoned A-80. Many of the surrounding properties are developed as single family houses.
3. The site and abutting neighborhood are all designated as Single Family Residential Less Than 1 Unit/acre on the Future Land Use Map.
4. There are several wetland areas and a brook that runs through the subject property. This brook has a 100' riverbank wetland buffer that runs through the subject site. Some of the wetlands on the site require associated buffers but some of the wetlands are too small to trigger a wetland buffer.
5. The project site has recently been studied for historic/archeological resources. It is anticipated there are no historic or archeological resources on the property that will be impacted by this project. The results of a study to this end are anticipated to be included in a preliminary plan submission of this subdivision.
6. The 2018 Natural Heritage Map does not show any known rare species located on or near the site.

### **IV. 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. DPW has provided a letter regarding public sewer availability. No concerns from City staff have been expressed at this time.

### **V. Interests of Others**

None to report at this time.

### **VI. Planning Analysis**

The applicant proposes to subdivide an existing 19.89 +/- acre lot into eight (8) individual parcels as a Residential Planned District (RPD). A yield plan was submitted as part of the overall plan set to qualify the 8 lots that would be allowed under a conventional subdivision consistent with the A-80 zoning designation.

Staff views the use of the RPD regulations (colloquially known as a "cluster" subdivision) as a beneficial tool for achieving the City's open space goals. These regulations allow for compact

development and open space preservation without increasing the overall density allowed on the project site. The results of compact development are that it creates an opportunity for deed restricted permanent open space, it minimizing onsite disturbances, it reduces impervious surface coverage, and it maximizes potential wildlife habitat areas. Staff views this immediate application as an excellent use of the RPD regulations due to the irregular shape of the lot and the presence of several different wetland areas that warrant careful consideration of siting the development areas. Additionally, this subdivision is dedicating approximately 60% of the site as open space when the regulations only require a minimum of 25%. This subdivision will result in approximately 12 acres of forested land in western Cranston being permanently deed restricted as open space.

The subdivision is less dense than the Comprehensive Plan Future Land Use Map allocation of Single Family Residential Less Than 1 Unit Per Acre with a proposed density of 0.4 units per acre. The proposed use (single-family residential) and density are both consistent with the Comprehensive Plan. Additionally, there are several goals and policies listed within Natural Resources and the Open Space and Recreation Elements of the Cranston Comprehensive Plan that are supportive of the proposed subdivision due to the percentage of open space being preserved and the additional buffers being provided to wetland resources.

The wetlands located on-site and the 100' riverbank buffer for the brook identified are important considerations for this proposal. The wetland edge has been identified and delineated by Christian Sutter, PWS, Environmental Scientist for DiPrete Engineering. A RIDEM Freshwater Wetlands Insignificant Alteration Permit must be obtained by the applicant prior to submittal of a Preliminary Plan application.

This is a by-right subdivision with no requested variances. All eight of the proposed lots meet the minimum required dimensional standards for an RPD in the A-80 zone. As Plan Commission members know, the master plan stage of review is generally limited in scope to whether the proposed land use and concept are appropriate at this location and are consistent with the Zoning Ordinance the Comprehensive Plan. It should be noted that there may be archeological resources on the subject property and the applicant is in the process of engagement with a qualified historic preservation consultant to further identify such resources with oversight from state agencies. Further details relating to drainage, engineering, and wetlands permitting will be addressed as part of the Preliminary Plan stage of review. As a final note, the subdivision is proposed to be built in multiple phases with additional details to be provided as part of the Preliminary Plan.

## **VII. Findings of Fact**

An orderly, thorough and expeditious technical review of this Master 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 6/24/21 and the meeting agenda has been properly posted.

Staff has reviewed this Master 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 proposed subdivision is consistent with the City of Cranston Comprehensive Plan Future Land Use Map (FLUM). The proposed resulting density of approximately 0.4 units per acre is less dense than and thereby consistent with the FLUM’s designation of the subject parcel as “Single Family Residential Less Than 1 unit per acre.”
2. There are several goals and policies listed within Natural Resources and the Open Space and Recreation Elements of the Cranston Comprehensive Plan that are supportive of the proposed subdivision due to the percentage of open space being preserved and the additional buffers being provided to wetland resources.
3. Significant cultural, historic or natural features that contribute to the attractiveness of the community are being identified and the development footprint is being located to avoid disturbance with these features.

*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.”*

4. The proposal is in compliance with all zoning standards and 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.” (emphasis added)*

5. This finding pertains specifically to the final plan, however, no significant environmental impacts are anticipated.
6. The project will be subject to all state and local regulations pertaining to environmental impacts and wetlands.
7. 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.”*

8. 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.
9. The design and location of building lots, utilities, drainage and other improvements will conform to local regulations for mitigation of flooding and soil erosion, details of which will be reviewed during the Preliminary Plan phase of the application.

*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.”*

10. The properties in question will have adequate permanent physical access to a public city street through the creation of a new roadway being proposed on the subject property that will connect to Pippin Orchard Road.
11. The proposed subdivision provides for safe and adequate local circulation for vehicular traffic.

### **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 Master Plan application, subject to the conditions denoted below.

### **IX. Condition of approval**

1. Prior to submittal of the Preliminary Plan application, the applicant shall obtain all necessary state permits and approvals for this proposed subdivision.