

City of Cranston

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# City Plan Commission

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Allan Fung  
Mayor

Jason Pezzullo  
Planning Director



Michael Smith  
Chair

Frederick Vincent  
Vice-Chair

Robert Strom  
Ken Mason

Robert Coupe  
Kathleen Lanphear  
Anne Marie  
Maccarone

Joseph Morales  
Robert DiStefano

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September 1, 2020

# Replat Oaklawn Plat Lots 86, 87, 88, & 89

Minor Subdivision without Street Extension  
Preliminary Plan

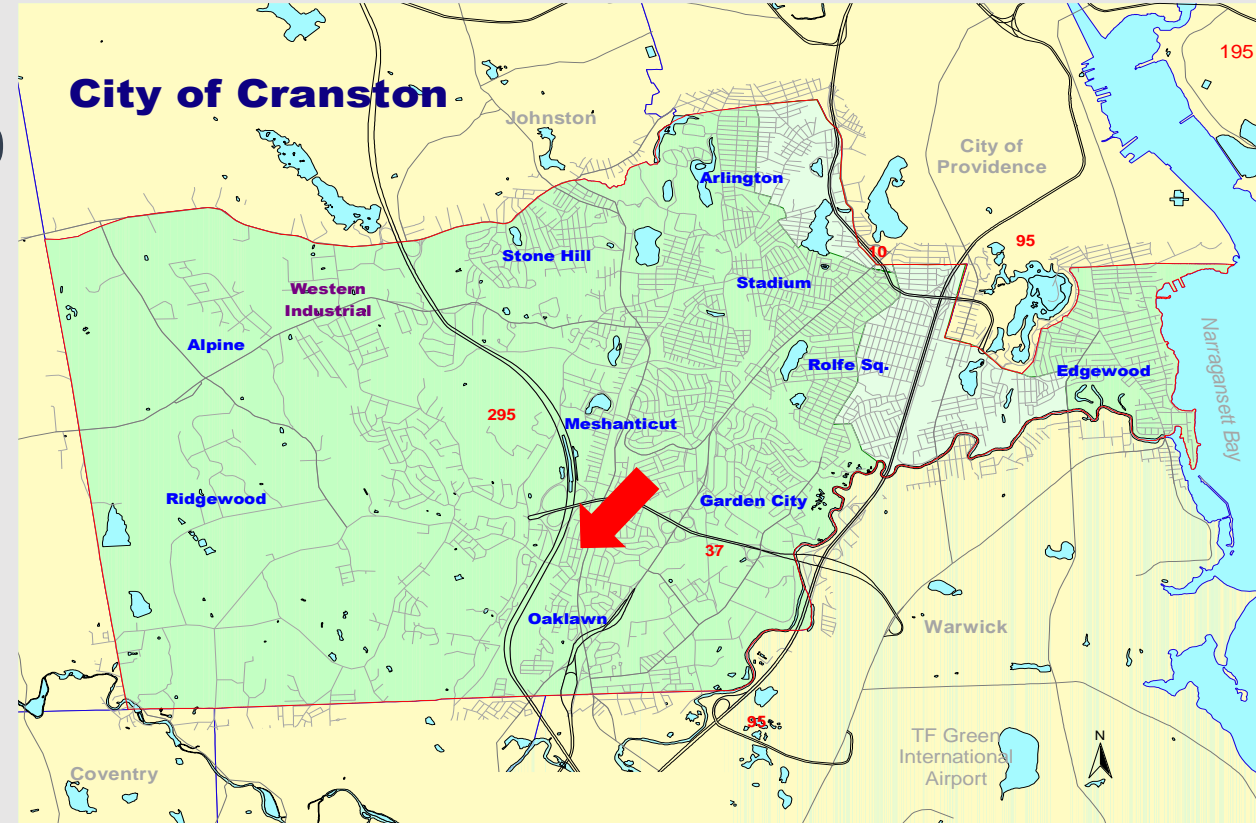
**Owner/** Richard Cardello/  
**Applicant:** Barbara Gaglione  
**Location:** 21 Turner Avenue  
**Plat & Lot:** AP 18-4 Lots 485, 486, 489, & 490  
**Area:** 20,000 ft<sup>2</sup>  
**Zone:** A-6 (single family dwellings)  
**FLU:** Residential 7.26 to 3.63 units per acre

## Proposal Summary:

The applicant proposes to subdivide the four existing lots into three conforming lots, resulting in two new buildable lots. Waivers are requested for the provision of sidewalks and curbing.

## Relief Requested:

To allow an existing single-family residence to encroach 3.7' into the required 8' side yard setback from a lot line proposed as part of the concurrent subdivision proposal.



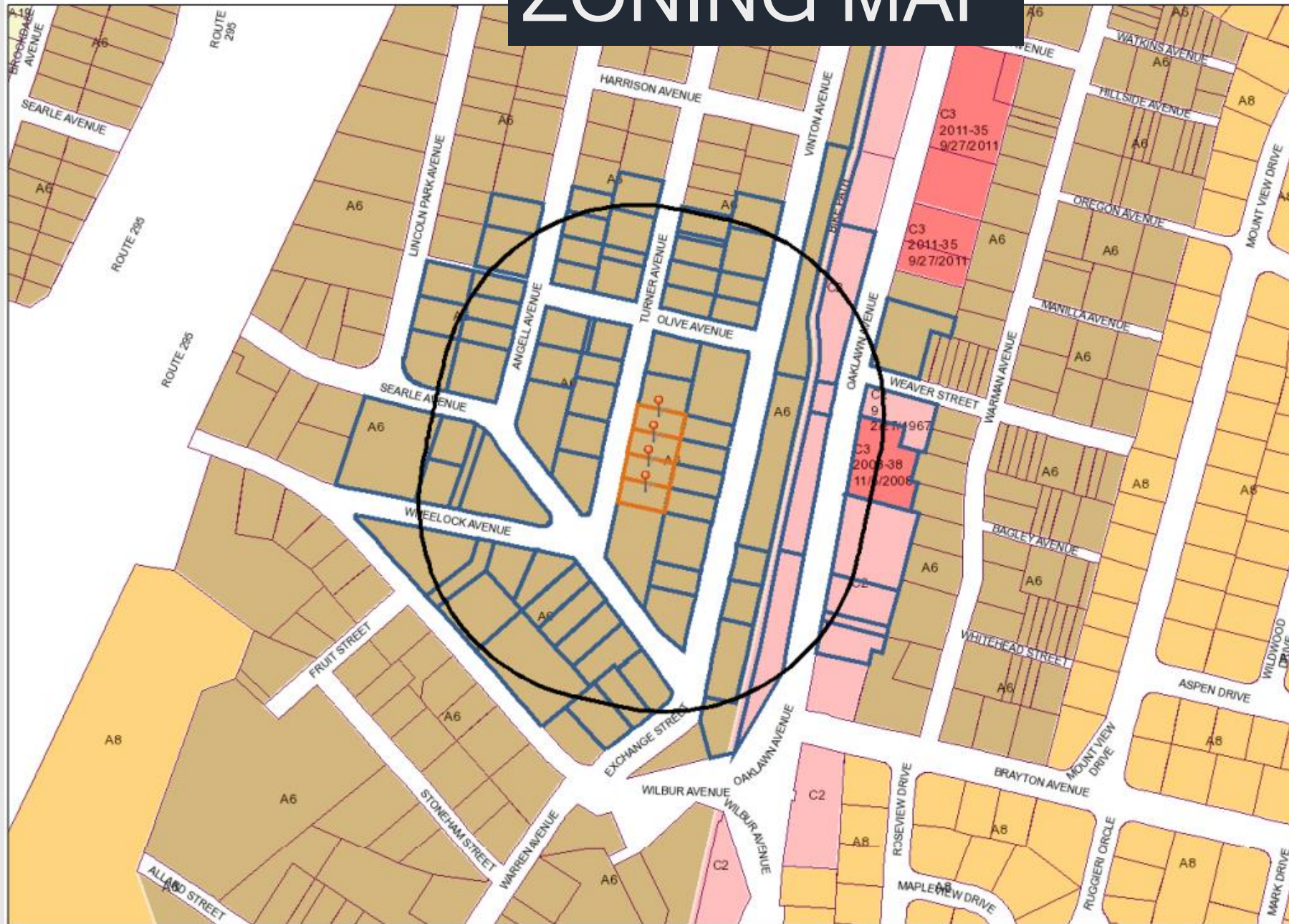
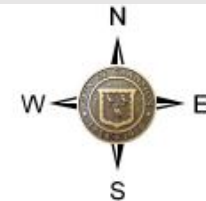
# Is This a New Application?

- A similar subdivision was approved by Plan Commission in Dec 2019, conditioned to relief for area and frontage - relief was denied by ZBR.
- City Code Section 17.116.030 *Limitations on Successive Petitions* prevents applicants from submitting the same application within two years of a denial.
- The subdivision application was never denied.
- Current variance request is different because relief request is different (setback *not* area & frontage) and it's for a different lot.

# Is This a New Application? YES

- A similar subdivision was approved by Plan Commission in Dec 2019, conditioned to relief for area and frontage - relief was denied by ZBR.
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- The subdivision application was never denied.
- Current variance request is different because relief request is different (setback *not* area & frontage) and it's for a different lot.

# ZONING MAP



- UserSelectedParcels
  - vParcels\_Buffer
  - ParcelsInBufferOutput
  - Parcels
  - Streets Names
  - Zoning Dimensions
- Zoning**
- none
  - A80
  - A20
  - A12
  - A8
  - A6
  - B1
  - B2
  - C1
  - C2
  - C3
  - C4
  - C5
  - M1
  - M2
  - EI
  - MPD
  - S1
  - Other
- Street Names

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0 0.055 0.11 0.165 mi

# FUTURE LAND USE MAP



- UserSelectedParcels
- vParcels\_Buffer
- ParcelsInBufferOutput
- Parcels
- Streets Names
- Future Village Centers
- Future Land Use**
  - Governmental/Institutional
  - Highway Commercial/Services
  - Industrial
  - Mixed Plan Development
  - Multifamily
  - Neighborhood Commercial/Services
  - Open Space
  - Residential Less Than 10.39 Units Per Acre
  - Right Of Way
  - Single Family Residential 3.63 To 1 Unit Per Acre
  - Single Family Residential 7.26 To 3.64 Unit Per Acre
  - Single Family Residential Less Than 1 Unit Per Acre
  - Single/Two Family Residential Less Than 10.89 Units Per Acre
  - Special Redevelopment Area
  - Water
- Street Names
  - Red: Red
  - Green: Green
  - Blue: Blue

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# AERIAL VIEW



AP 18-4  
Lot 485

AP 18-4  
Lot 486

VINTON AVE

# 3-D AERIAL VIEW





# STREET VIEW (SOUTH)



# STREET VIEW (NORTH)



# PREVIOUS SUBDIVISION PLAN

OT 1292

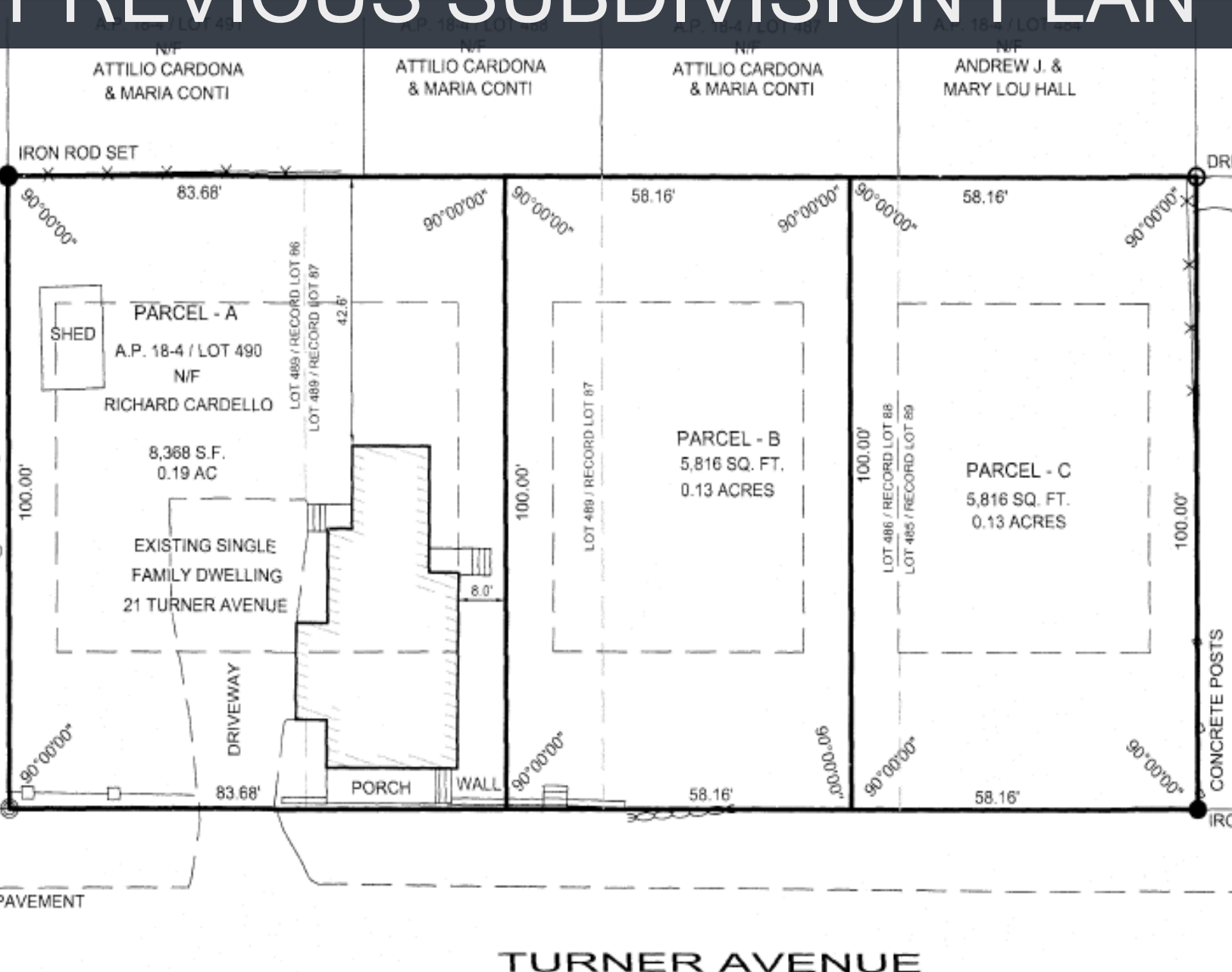
N MUNOZ-GELFUSO

OT 2060

EZ-RAMOS

IRON ROD FOUND

BM ELEV= 99.65  
SMH ○



A.P. 18-4 / LOT 483  
N/F  
VIRGINIA M. HALL

CHAIN LINK FENCE  
ENCROACHMENT

A.P. 18-4 / LOT  
N/F  
PAMELA J. & JOHN D

EDGE OF PAVEMENT

TURNER AVENUE

(50' PUBLIC)

REP

# PREVIOUS SUBDIVISION PLAN

OT 1292

N MUNOZ-GELFUSO

OT 2060

EZ-RAMOS

1.00'

A.P. 18-4 / LOT 483  
N/F  
VIRGINIA M. HALL

ATTILIO CARDONA  
& MARIA CONTI

ATTILIO CARDONA  
& MARIA CONTI

ATTILIO CARDONA  
& MARIA CONTI

ANDREW J. &  
MARY LOU HALL

IRON ROD SET

DRILL HOLE SET

90°00'00"

83.68'

90°00'00"

90°00'00"

58.16'

90°00'00"

90°00'00"

58.16'

90°00'00"

CHAIN LINK FENCE  
ENCROACHMENT

SHED

PARCEL - A

A.P. 18-4 / LOT 490

N/F  
RICHARD CARDELLO

8,368 S.F.  
0.19 AC

EXISTING SINGLE  
FAMILY DWELLING  
21 TURNER AVENUE

LOT 489 / RECORD LOT 86  
LOT 489 / RECORD LOT 87

42.6'

100.00'

LOT 489 / RECORD LOT 87

PARCEL - B  
5,816 SQ. FT.  
0.13 ACRES

PARCEL - C  
5,816 SQ. FT.  
0.13 ACRES

100.00'

LOT 486 / RECORD LOT 88  
LOT 485 / RECORD LOT 89

100.00'

A.P. 18-4 / LOT  
N/F  
PAMELA J. & JOHN D

8.0'

DRIVEWAY

PORCH

WALL

58.16'

58.16'

CONCRETE POSTS

IRON ROD SET

EDGE OF PAVEMENT

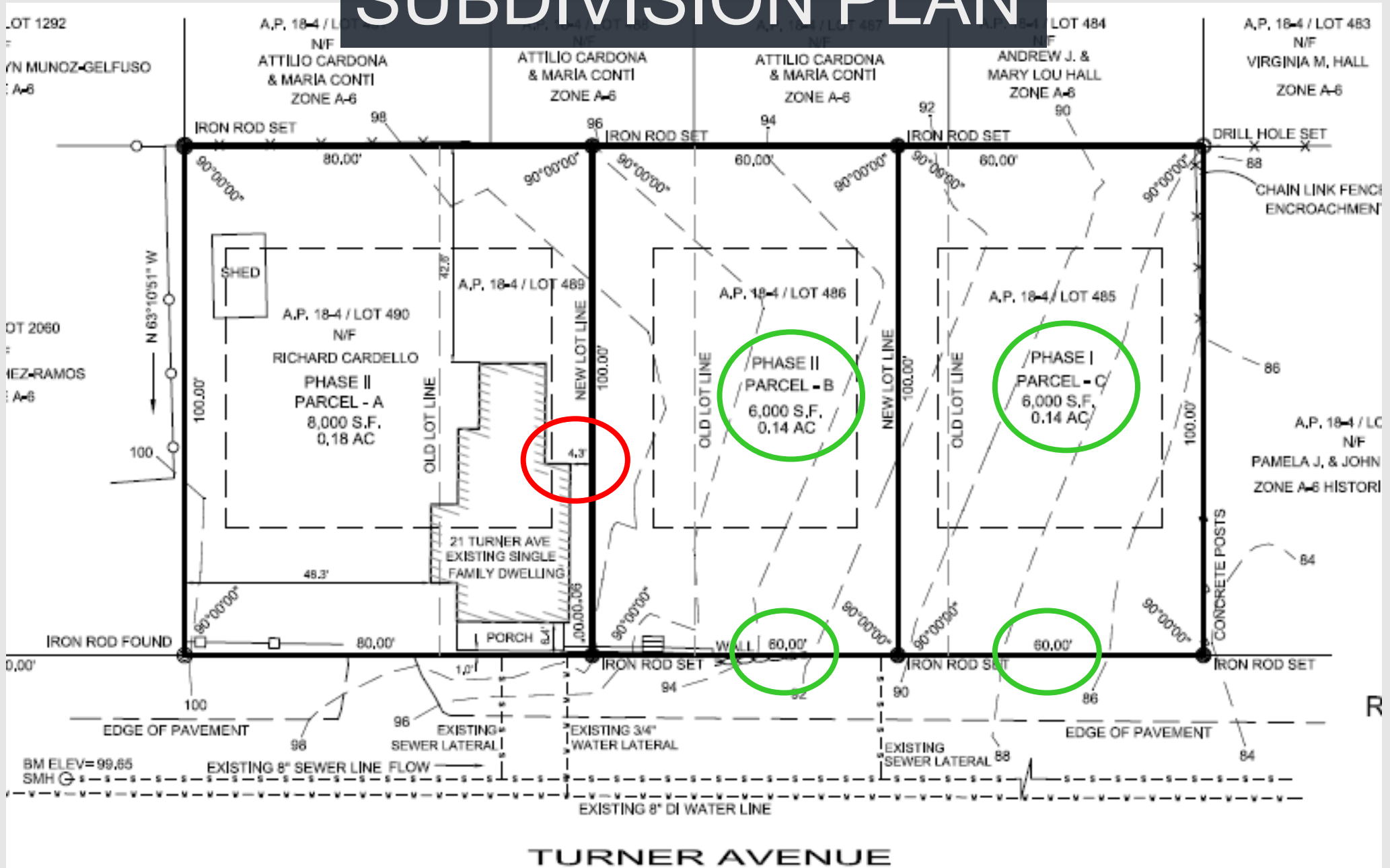
BM ELEV= 99.65  
SMH ○

TURNER AVENUE

(50' PUBLIC)

REP

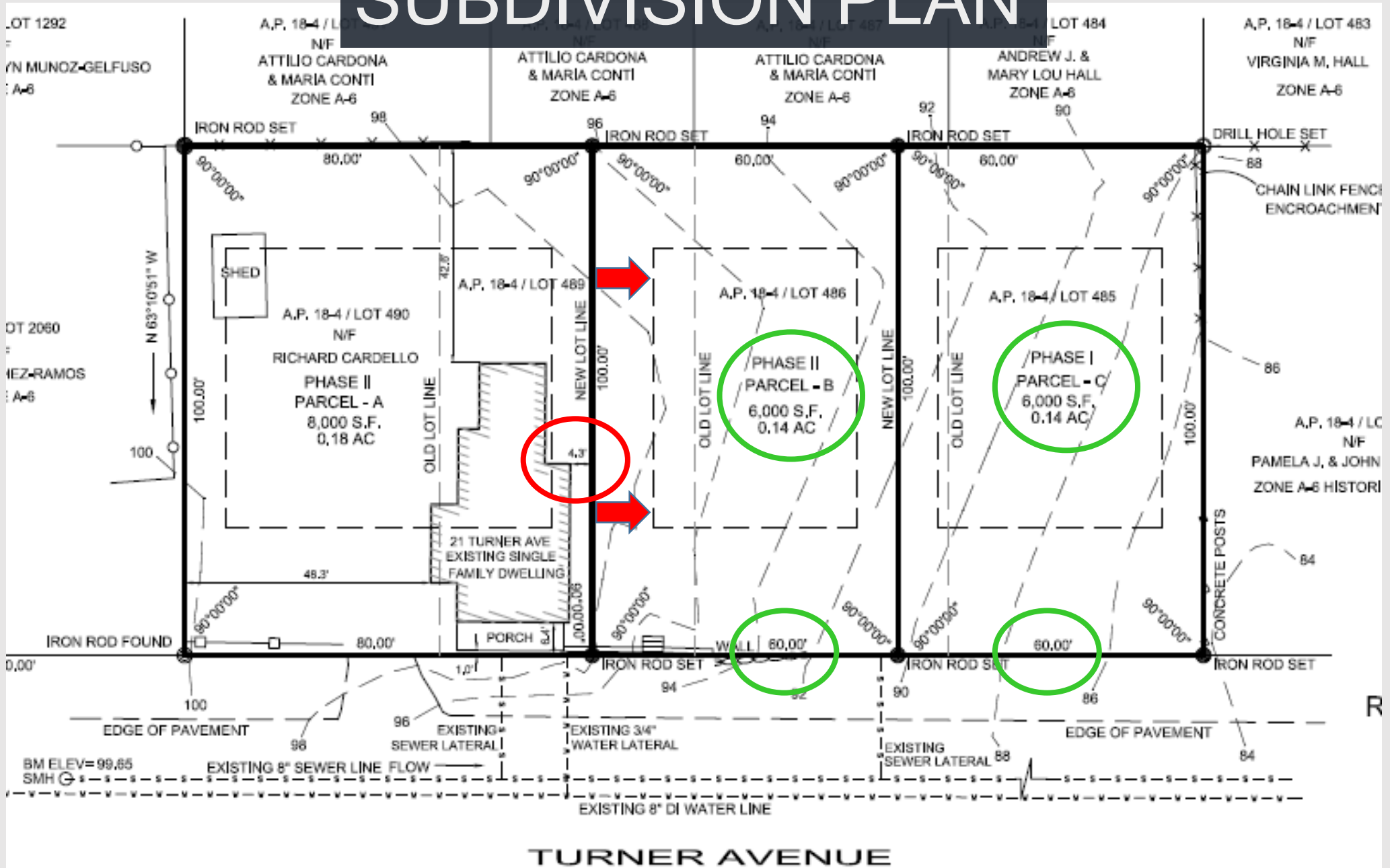
# SUBDIVISION PLAN



TURNER AVENUE

(50' PUBLIC)

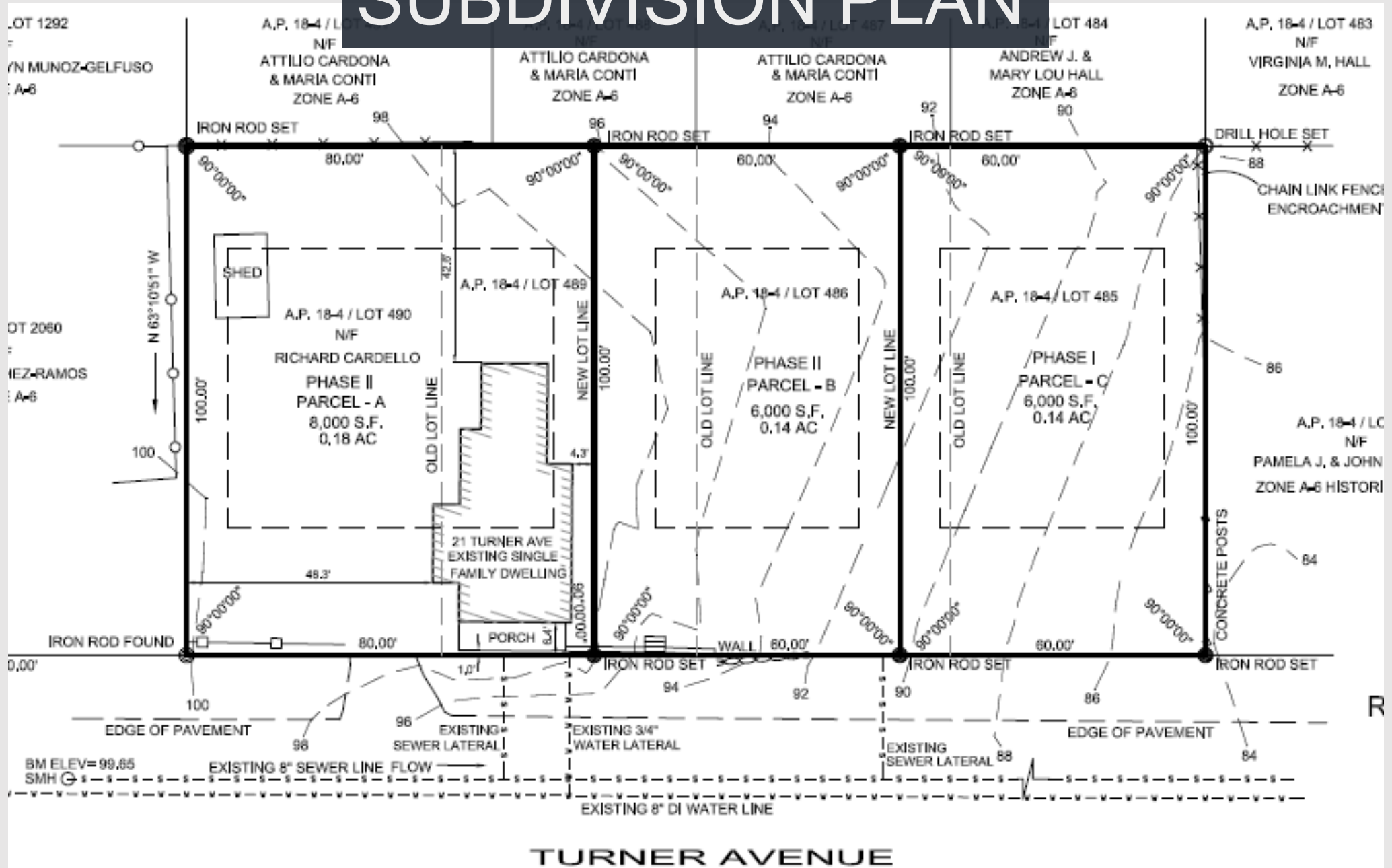
# SUBDIVISION PLAN



TURNER AVENUE

(50' PUBLIC)

# SUBDIVISION PLAN



TURNER AVENUE

(50' PUBLIC)

# Subdivision Analysis

- All of the proposed lots meet or exceed A-6 zoning requirements.
- The proposal is consistent with the FLUM allocation of Single Family Residential at 3.63 to 7.26 units/acre with a proposed density of 6.53 units/acre.
- The project site does not contain historic, cultural or natural features which would require preservation.
- None of the properties in the area have sidewalks or curbing, therefore staff supports waivers from the sidewalks & curbing requirements.



# Variance Analysis

- The subdivision does NOT rely on zoning relief – relief ONLY determines whether the house can remain or will be demolished & rebuilt.
- The applicant proposes to offset the encroachment on the adjacent lot.
- The relief requested is the minimum relief necessary to keep the residence.
- Relief is consistent with Comprehensive Plan Housing goal HG-5, “*Conserve housing resources, especially affordable housing units, to preserve the base housing stock, as the costs of locating and constructing new housing units are significant.*”
- Denial would amount to more than a mere inconvenience.
- Denial would be wasteful and inefficient in terms of resources.
- Denial may not mitigate concerns previously voiced by the neighbors.

# Subdivision Recommendation And Conditions

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 a waiver from the provision of sidewalks and curbing, subject to the conditions denoted below.

1. The applicant shall receive the necessary relief from the Zoning Board of Review for the encroachment of the existing residence into the side yard setback on Parcel A. Should relief be granted, the adjacent side yard setback for proposed Parcel B shall be 12 feet instead of 8' feet. If relief is denied, the existing residence must be demolished or relocated as to eliminate the encroachment into the side yard setback and the side yard setback for Parcel B will be 8'; and
2. The applicant shall pay the Eastern Cranston Capital Facilities Impact Fee in the amount of \$1,186.92 (\$593.46 per new buildable lot) at the time of Final Plan recording.

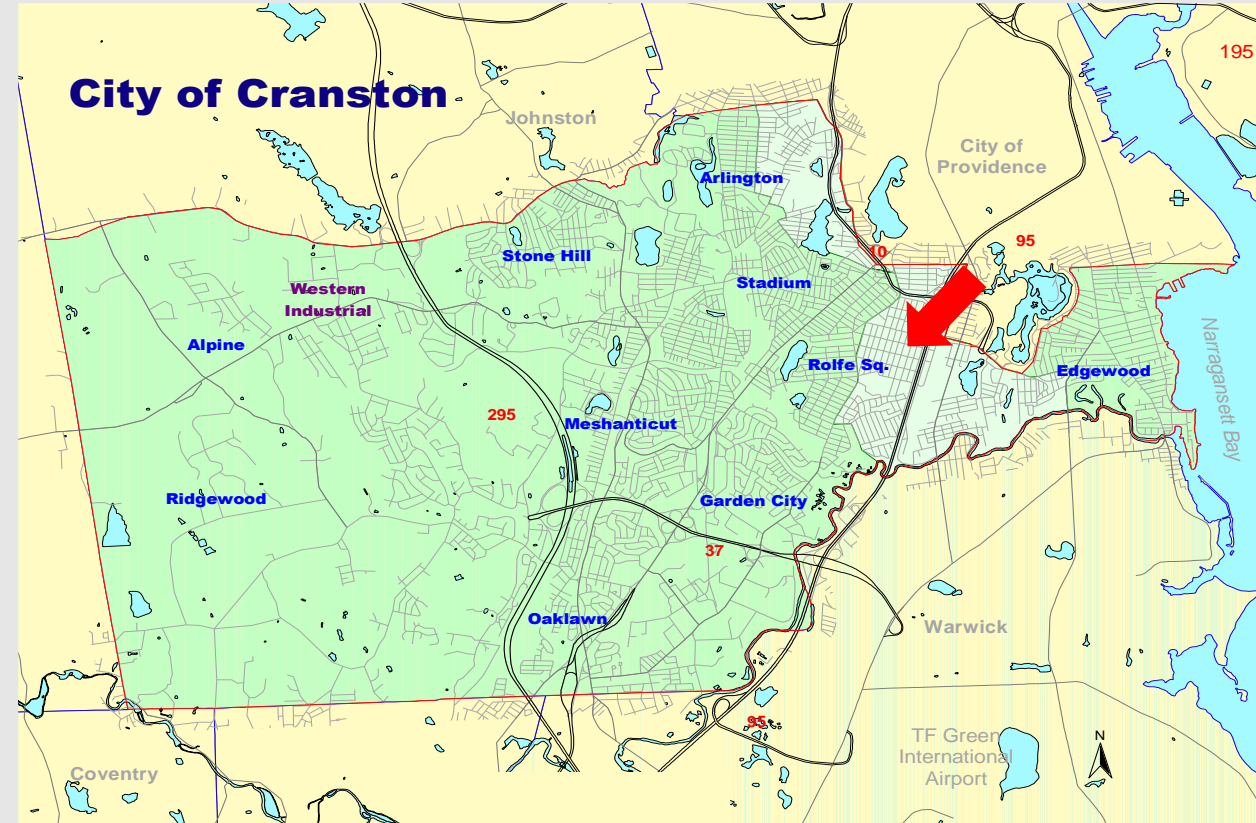
## Variance Recommendation

Considering that the increased setback on Parcel B would offset any negative impact, that the relief requested is the minimum relief necessary, that denial would not reduce the number of proposed homes and would amount to more than an inconvenience, and that the proposal is consistent with the Comprehensive Plan in terms of density and housing policy, staff recommends that the City Plan Commission forwards a *positive recommendation* on this application to the Zoning Board of Review.

# The Sintra Seven Plat

Minor Subdivision without Street Extension  
Preliminary Plan

- Owner/**  
**Applicant:** Sintra Seven, LLC  
**Location:** Intersection of Magnolia Street  
and Clarence Street  
**Plat & Lot:** AP 5, Lot 99  
**Area:** 10,000 ft<sup>2</sup>  
**Zone:** B-1 (single and two-family  
dwellings)  
**FLU:** Single/Two Family Residential  
Less Than 10.89 units per acre
- Proposal Summary:**  
The applicant proposes to subdivide a 10,000 ft<sup>2</sup>  
lot into 2 lots with 5,000 ft<sup>2</sup> of land each. The  
application requires relief for substandard lot size  
and frontage.



# AERIAL VIEW



# AERIAL VIEW Close-up



# ZONING MAP



B-1 Zone

# FUTURE LAND USE MAP



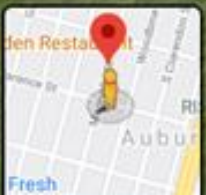


# 3-D AERIAL VIEW

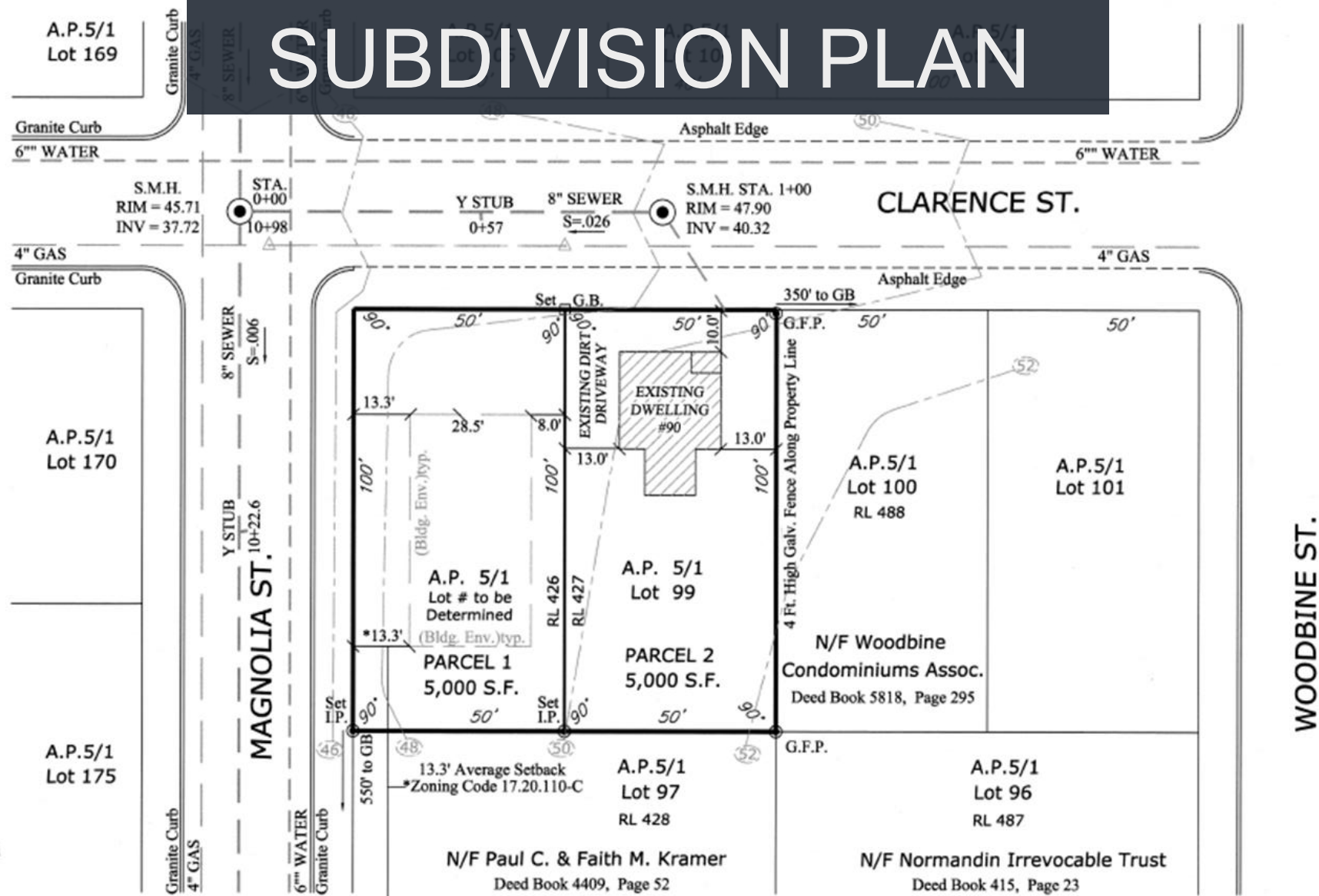


90 Clarence St  
Cranston, Rhode Island  
Google  
Street View

# STREET VIEW (SOUTH)

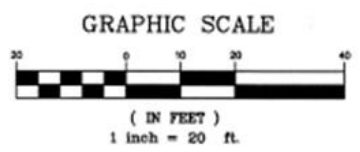


# SUBDIVISION PLAN



LEGEND:  
 CARD 68  
 D LOT # RL 428  
 Granite Bound  
 Iron Pin

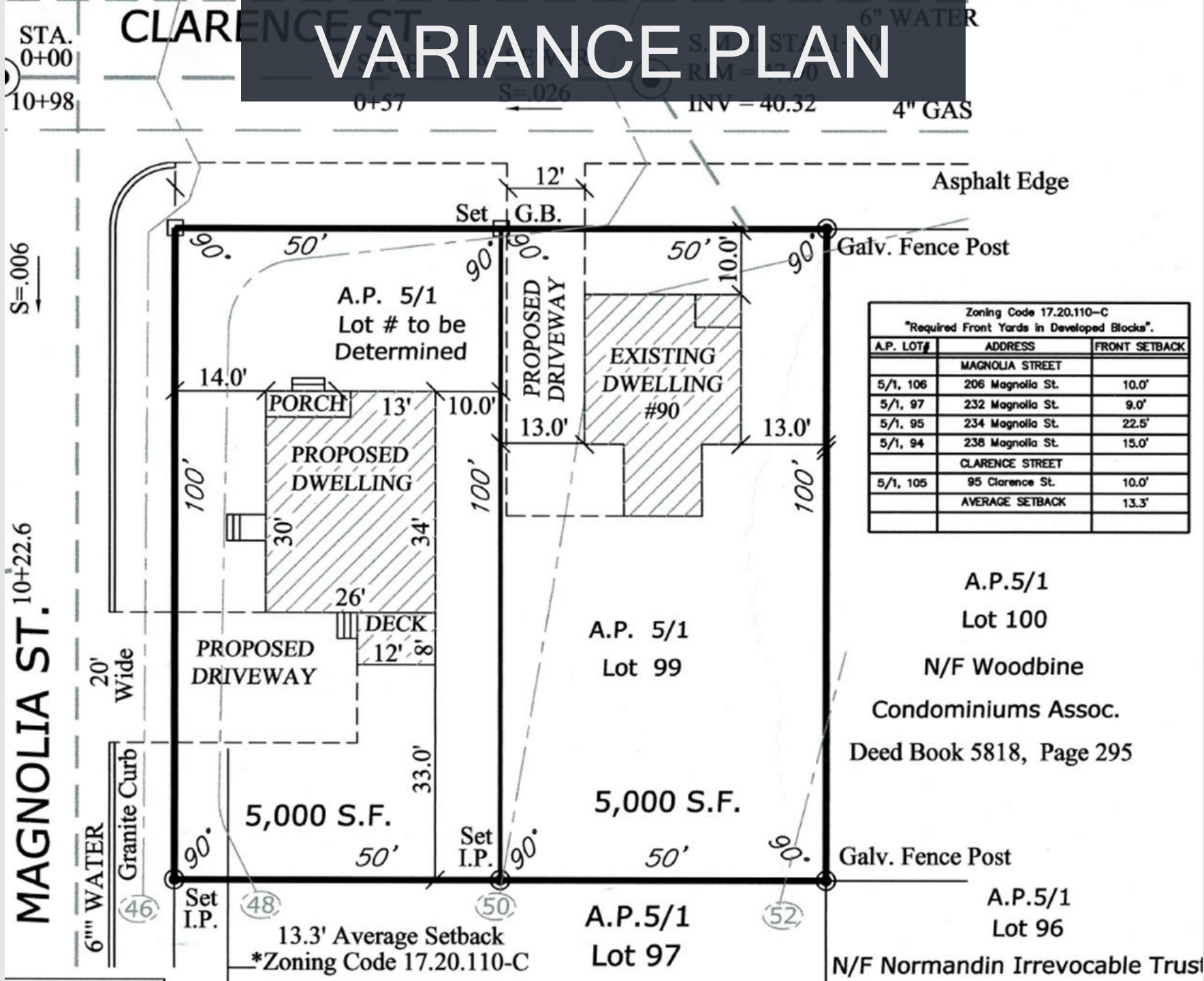
Zoning Code 17.20.110-C "Required Front Yards in Developed Blocks".		
A.P. LOT#	ADDRESS	FRONT SETBACK
MAGNOLIA STREET		
5/1, 106	206 Magnolia St.	10.0'
5/1, 97	232 Magnolia St.	9.0'
5/1, 98	234 Magnolia St.	22.5'
5/1, 94	238 Magnolia St.	15.0'
CLARENCE STREET		
5/1, 105	95 Clarence St.	10.0'
AVERAGE SETBACK		
		13.3'



STREET INDEX	
CLARENCE STREET	
MAGNOLIA STREET	
WOODBINE STREET	

PRELIMINARY PLAN

# VARIANCE PLAN



Zoning Code 17.20.110-C  
"Required Front Yards in Developed Blocks".

A.P. LOT#	ADDRESS	FRONT SETBACK
	MAGNOLIA STREET	
5/1, 106	206 Magnolia St.	10.0'
5/1, 97	232 Magnolia St.	9.0'
5/1, 95	234 Magnolia St.	22.5'
5/1, 94	238 Magnolia St.	15.0'
	CLARENCE STREET	
5/1, 105	95 Clarence St.	10.0'
	AVERAGE SETBACK	13.3'

## Subdivision Analysis

- Proposal is to subdivide a single 10,000 ft<sup>2</sup> lot with an existing single-family house into two 5,000 ft<sup>2</sup> lots, where 6,000 ft<sup>2</sup> is required.
- The lot with the remaining house (Parcel 2) will be substandard in frontage in which 50' is provided where 60' is required.
- The applicant has provided a neighborhood analysis that shows that 79 of the 101 lots within 400' are exactly 5,000 ft<sup>2</sup>.
- 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 so the project is consistent with the Comprehensive Plan.

# Variance Analysis

- If approved, the applicant intends to keep the existing single-family dwelling on 1 of the lots, and build a new single-family dwelling on the other lot.
- It should be noted this lot is a corner lot and subject to 2 front yard setback on each of abutting public rights-of-way. The proposed new dwelling is located 14' from Magnolia Street ROW, which is closer than standard front setback of 25', BUT is allowed by-right per the average alignment of abutting parcels per zoning code section 17.20.110(C).

# Subdivision Recommendation And Conditions

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.

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.

# Variance Recommendation

Due to the fact that the application is consistent with the Cranston Comprehensive Plan, and due to the fact that the proposed lot size and frontage is consistent with the character of the surrounding neighborhood, staff recommends the Plan Commission forward a **positive recommendation** on this application to the Zoning Board of Review.

*NOTE: The overall application to the Zoning Board of Review has been broken into 2 separate applications, representing 1 application for each of the proposed 2 substandard lots. As such, this recommendation is intended to be replicated for each of the 2 separate applications.*

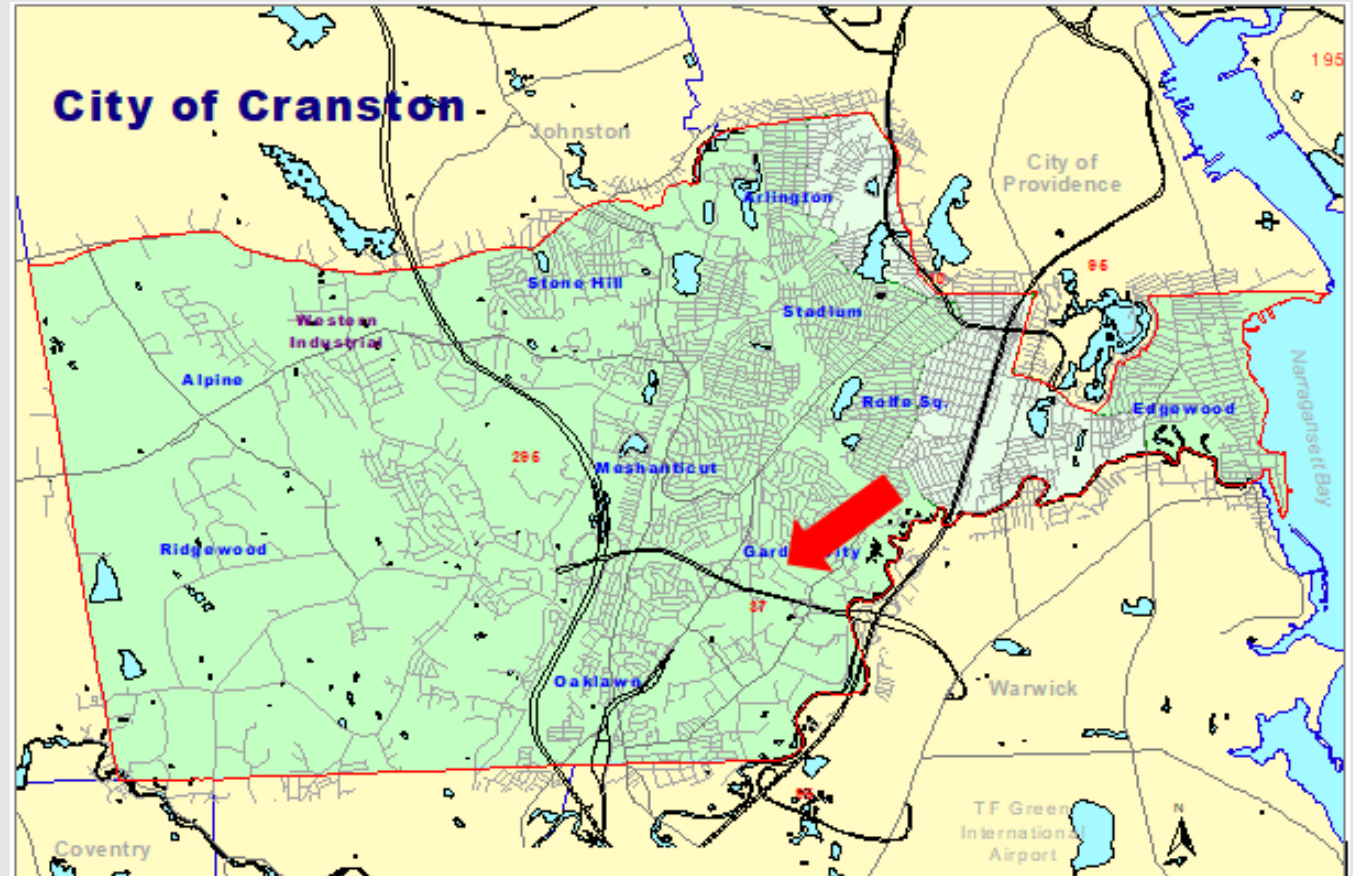


# Marcia B. Smith & Marvin M. Smith (OWNER), WINES AND MORE of RI, INC (APPLICANT)

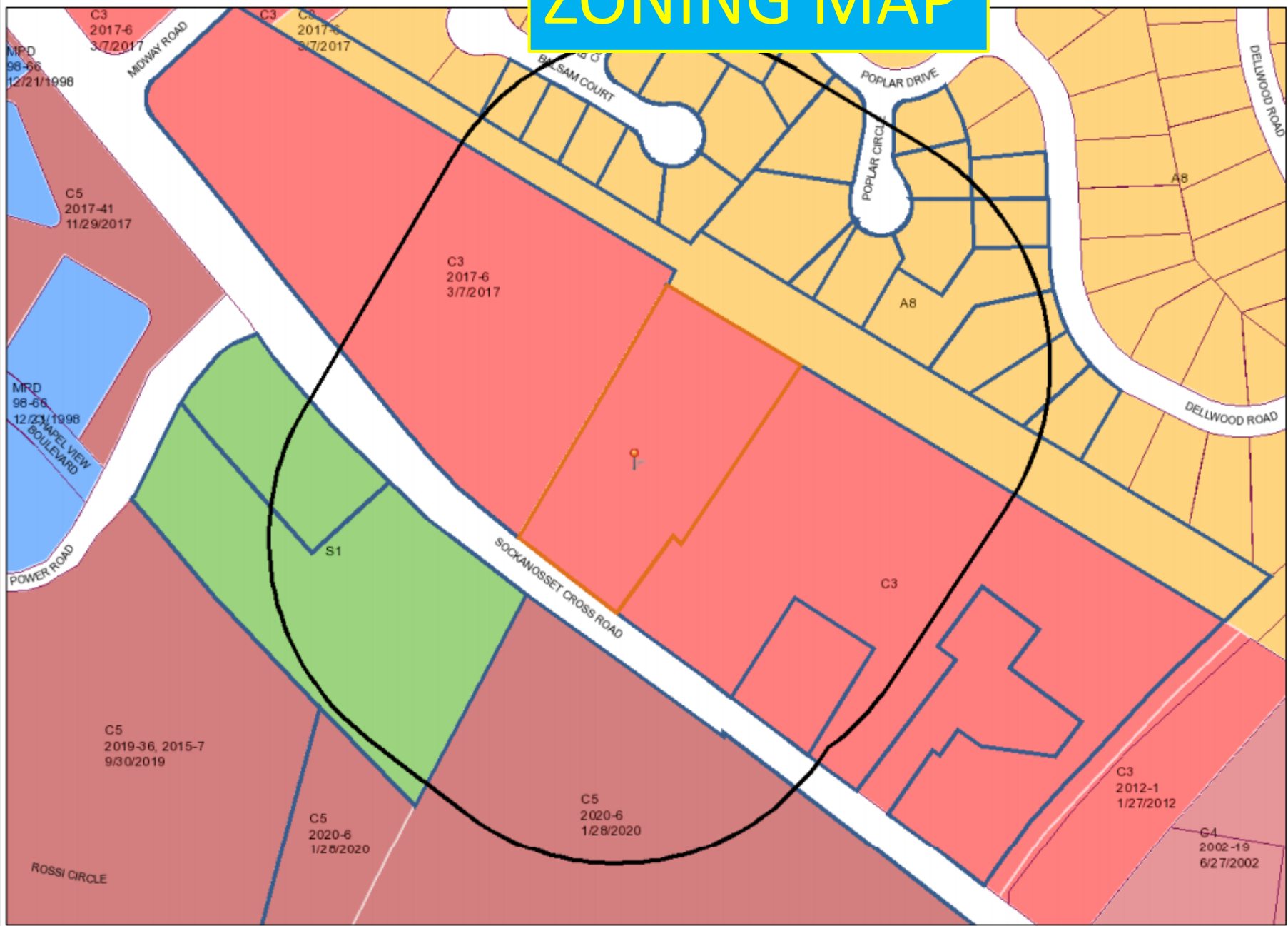
125 Sockanosset Crossroads , AP 10, Lot 1489. Zone: C-3

## Variance Requests:

1. To allow an animated sign to replace the changeable copy portion of an existing free standing sign where LED/digital/animated signs are not allowed in any zone.



# ZONING MAP



- UserSelectedParcels
- vParcels\_Buffer
- ParcelsInBufferOutput
- Parcels
- Streets Names
- Zoning Dimensions
- Historic Overlay District
- Zoning**
  - none
  - A80
  - A20
  - A12
  - A8
  - A6
  - B1
  - B2
  - C1
  - C2
  - C3
  - C4
  - C5
  - M1
  - M2
  - EI
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  - S1
  - Other
- Street Names

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0 0.04 0.08 0.12 mi

# AERIAL VIEW



# 3-D AERIAL VIEW

125 Sockanosset  
Cross Road

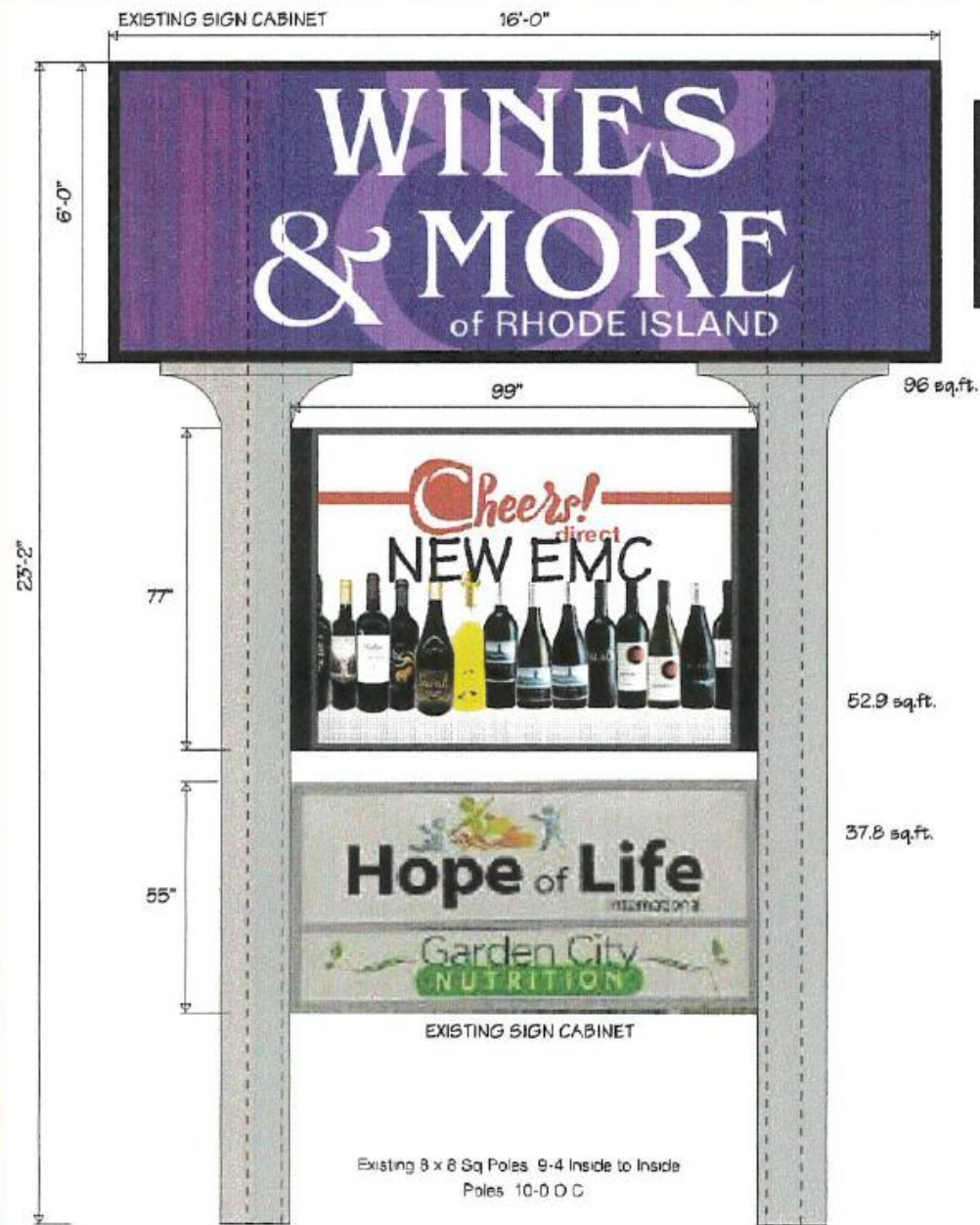
Wines & More of RI  
Delivery

USCIS Application  
Support Center

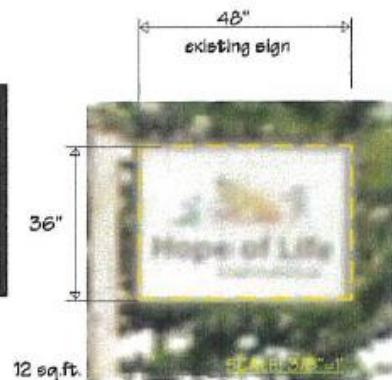


# STREET VIEW





<b>PYLON SIGNAGE:</b>	<b>BUILDING SIGNAGE:</b>
WINES & MORE: 96 sq.ft.	WINES & MORE: 144.5 sq.ft.
EMC: 52.9 sq.ft.	GARDEN CITY: 25 sq.ft.
HOPE OF LIFE: 37.8 sq.ft.	HOPE OF LIFE: 12 sq.ft.
<b>TOTAL: 186.7 sq.ft.</b>	<b>TOTAL: 181.5 sq.ft.</b>



SCALE: 3/8"=1'

**NATIONAL SIGN CORPORATION**  
www.nationalsign.com

**CONNECTICUT**  
780 Four Rod Rd.,  
Berlin, CT 06037  
Ph: (860) 829-9090

**MASSACHUSETTS**  
21 Larsen Way  
North Attleboro, Ma  
Ph: (508) 809-4638

CLIENT / PROJECT LOCATION:

**WINES & MORE**  
of RHODE ISLAND

ADDRESS:

125 Sockanosset Cross Road  
Cranston, RI

FILE LOCATION:

pflwines&spirits.retail/cranston/sockanosset

DRAWING NO:

66073-02

DRAWING DATE:

06/06/20

PROJECT MANAGER:

RH

DRAWN BY:

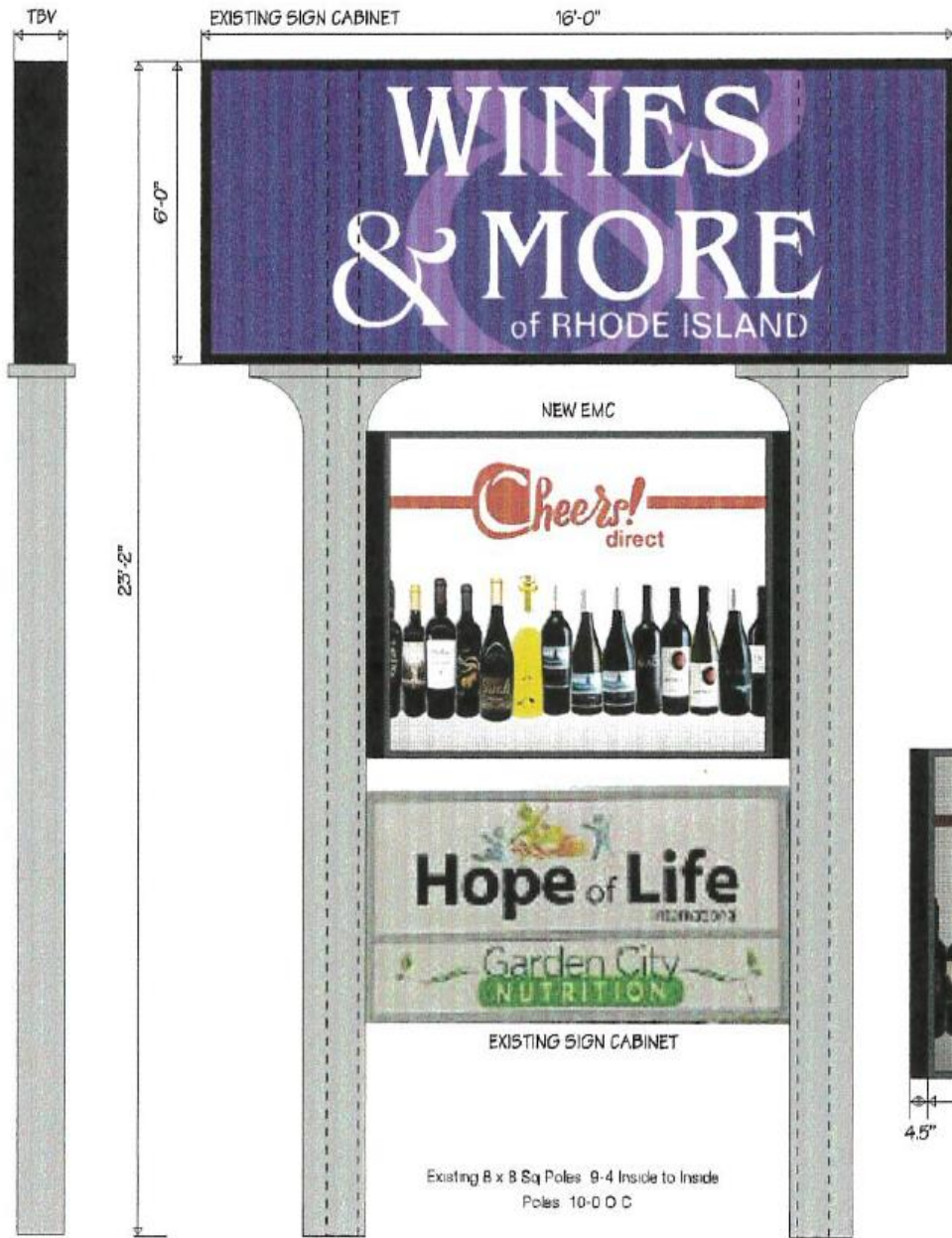
DDD

REVISIONS/NOTES:

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 400 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

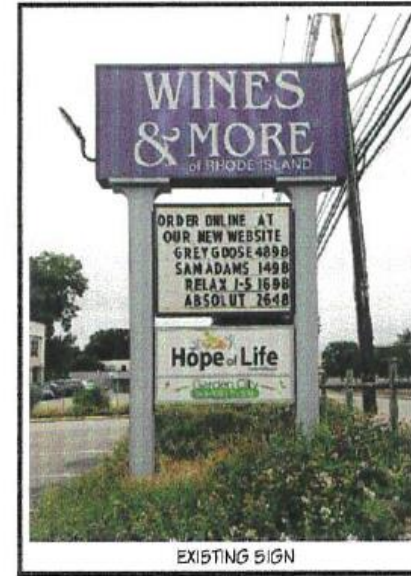


E164024

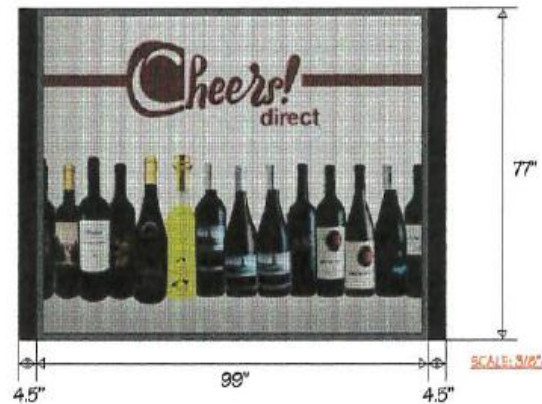


Existing 8 x 8 Sq Poles 9-4 Inside to Inside  
Poles 10-0 O C

SCALE: 3/8"=1'



EXISTING SIGN



77"

SCALE: 3/8"=1'

- (Qty: 2) New 8'-3" x W6'-5"H, 10mm, full color, face vent EMCs secured to existing 8" x 8" square steel poles in field with 2" x 2" x 3/16" steel angle runners
- 2" x 2" x 3/16" x 5"L steel angle clips mechanically fastened to 8" steel poles in field as required
- Existing reader board to be replaced  
\* exact same size as existing
- Primary electrical connection by others

# Staff Analysis

- The proposal does not increase the height or area of existing signage on the site, which the ZBR granted relief for in 2009.
- There are at least 3 other examples of animated signs on Sockanosset Crossroad alone, so relief would not be out of character with the area.
- Regarding animation and timing of images on the message board, the applicant clarified that *“the petitioner is requesting that a variance be granted to permit the digital sign to change every twenty (20) seconds to delineate products and items for sale at the establishment.”*
- Regarding brightness of the sign, the applicant has corresponded that *“the electronic message centers have automatic dimming capabilities and Watchfire Electronic message centers are equipped with a photocell that detects ambient light and adjusts brightness levels accordingly.”*
- Staff holds that if the City chooses to allow changeable copy signs, that allowing them to be upgraded to animated signs (with restrictions) would be reasonable.
- Relief, if granted, would not undermine the intent of zoning or the Comprehensive Plan.



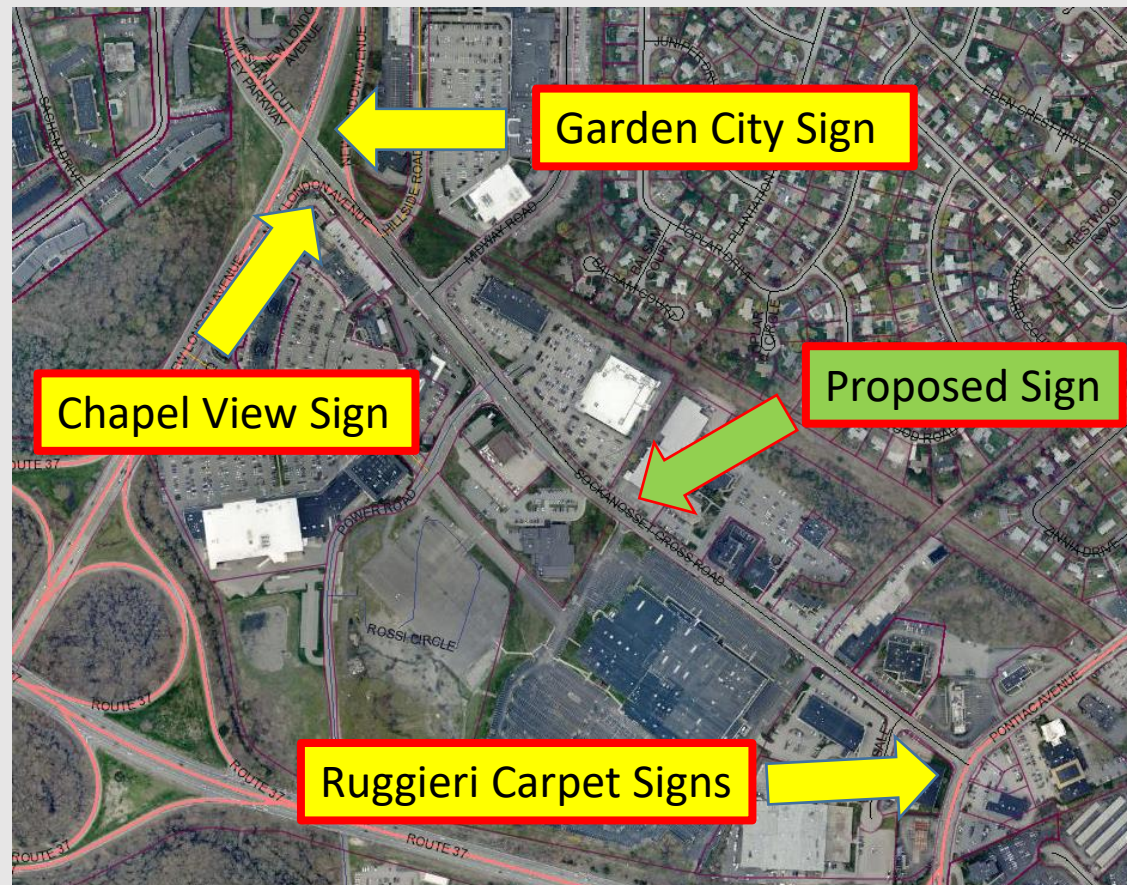
# New Information Since July Mtg (1/3)

Staff holds that the sign would not be a traffic safety issue.

- The National Highway Traffic Safety Administration asserts that driving “hazards” are conditions that causes a 2 second or more distraction.
- Reputable Federal Highway Administration study found “glances greater than 1 second were rare events”
- Traffic hazards, such as texting, are studied, identified, and addressed. Staff could not find reputable evidence to prove animated signs are hazards.

# New Information Since July Mtg (2/3)

- Staff holds that the sign would not be out of character with the area, as it is located in the arguable “commercial center” of Cranston, with three animated signs already approved within a ¼ mile radius.



# New Information Since July Mtg (3/3)

- The 2009 variance application DID include the building signage. The Plan Commission recommended approval conditioned to a reduction in area and height which were NOT incorporated into the decision.
- The finding on consistency with the Comp Plan is a subjective determination based on limited language addressing signage. The application does not undermine the intent of the Comp Plan, is consistent with the FLU uses, and arguably “improve(s) the attractiveness and quality of the business(es),” consistent with language on p.34.

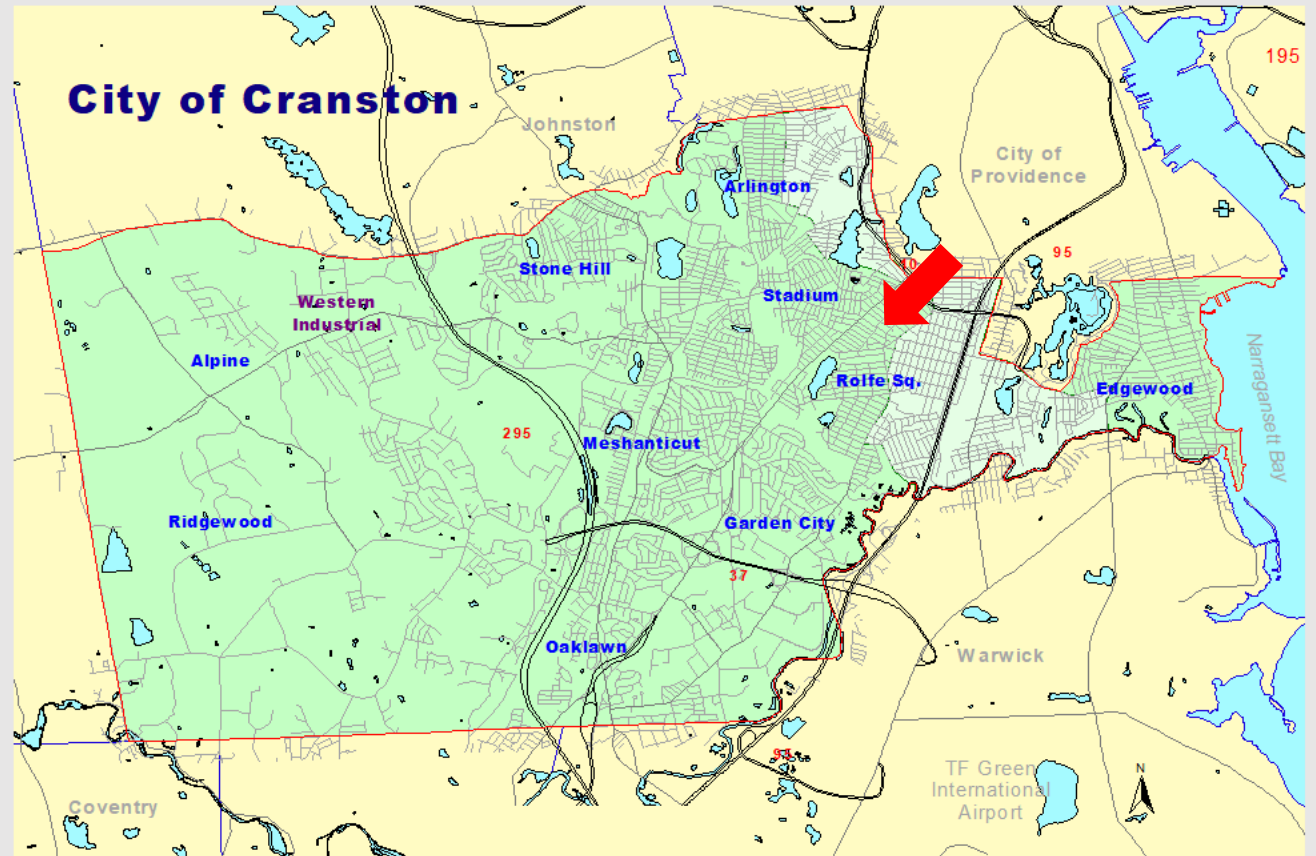
# Recommendation

Due to the findings that the proposal is consistent with the Comprehensive Plan and the character of the commercial area, and due to the assertion that businesses should be allowed to replace changeable copy signs with animated signs (with restrictions), the Planning Department recommends that the Plan Commission forward a *positive recommendation* on this application to the Zoning Board of review, with restrictions to the sign's luminescence, animation, and frame change timing.

# Albert Baccari and Virginia A. Baccari (OWNER/APP)

880 Park Avenue, AP 9, Lot 169. Zone: C-3

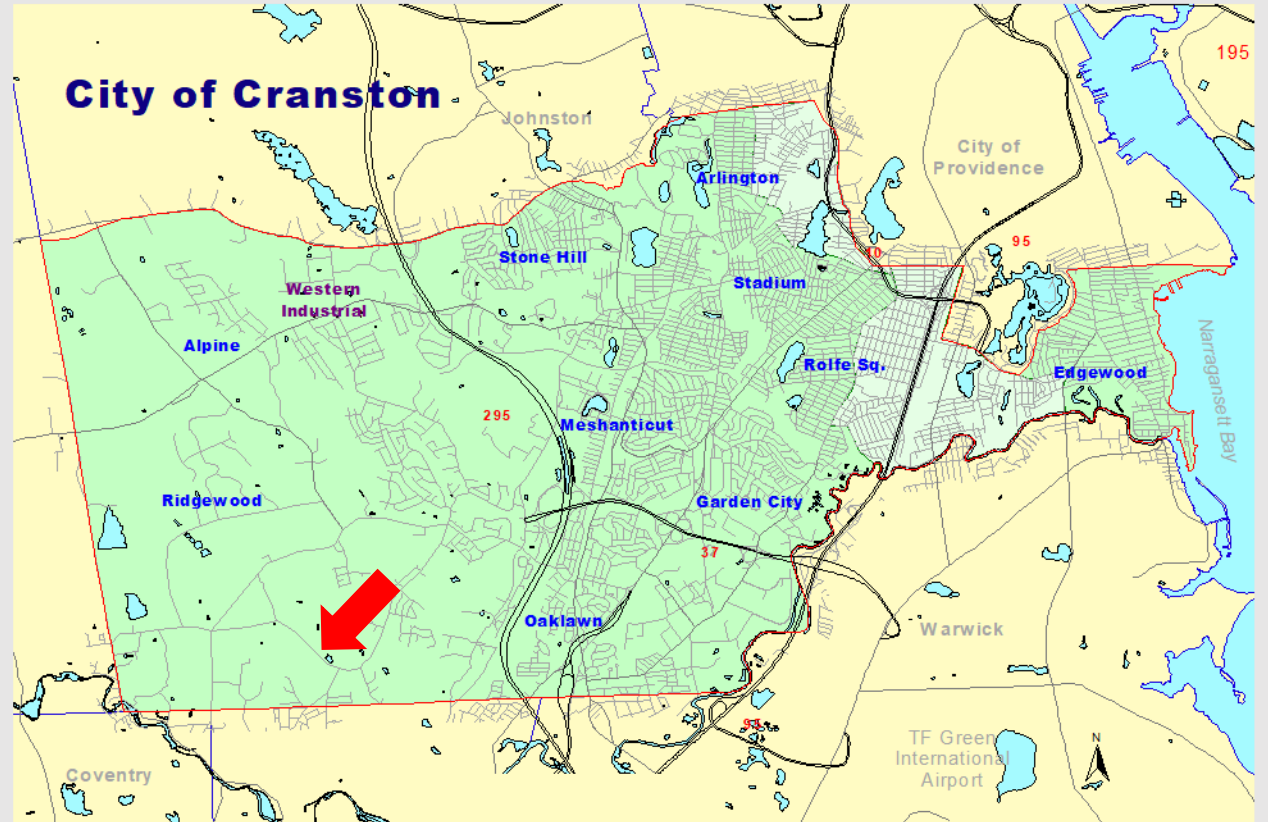
**THE APPLICANT HAS REQUESTED A SECOND CONTINUANCE TO THE OCTOBER 7<sup>th</sup> MEETING TO HAVE TIME TO ADDRESS CITY CONCERNS.**



# Lombardi Family, LLC (OWNER/APP)

45 Burlingame Road, AP 24, Lot 1. Zone: A-80

**THE APPLICANT HAS REQUESTED A  
CONTINUANCE TO THE OCTOBER 6<sup>th</sup>  
MEETING.**



# Application Checklists

- Haven't been updated in 20+ years
- Increase transparency & clarify expectations in the review process
  - What is a complete application?
- Improve consistency with the Subdivision Regulations
- Reduce paper & waste, improve electronic file keeping

# Application Checklists

1. Administrative Subdivision
2. Minor Subdv. – Preliminary Plan
3. Minor Subdv. – Final Plan
4. Major Subdv. & MLD – Master Plan
5. Major Subdv. & MLD – Preliminary Plan
6. Major Subdv. & MLD – Final Plan



# Changes Made Since Last Discussion

- Providence Water supply board changed to Water Supply board
- Line added to check the Natural Heritage Survey for endangered plants/animals
- Line added to add areas of proposed tree removal
- Lines added to show existing improvements & encroachments
- Redundant items removed or compiled
- Miscellaneous clerical and grammatical corrections

# Discussion Items

- “Has proof of registration for the Land Surveyor and Engineer from a State Board of Registration been provided?” [Minor Sub required app docs (g)]
- Class IV survey acceptable for lot mergers
- Discretion on applicability
- Authority to make minor revisions to checklists

# Recommendation

Staff recommends that the Plan Commission, with amendments as discussed, **vote to accept the checklists as official Plan Commission policy** for applicable submissions.

Administrative Officers to the Plan Commission shall retain the ability to make minor adjustments to the checklists as needed.