



Memo

To: Cranston City Plan Commission
From: Alexander Berardo – Planning Technician / Administrative Officer
Date: September 30, 2022
Re: **Minor Subdivision without street extension - Preliminary Plan**
“Wayside Drive Plat – Replat of A.P 10, Lot 1041”

Owner/App: Bruce D. & Mindy B. Lane
Location: 90 Wayside Drive, AP 10, Lot 1041
Zone: B-2 (Single-family dwellings on 6,000 ft² minimum lots; Two-family dwellings on 8,000 ft² minimum lots)
FLU: Residential less than 10.39 units/acre

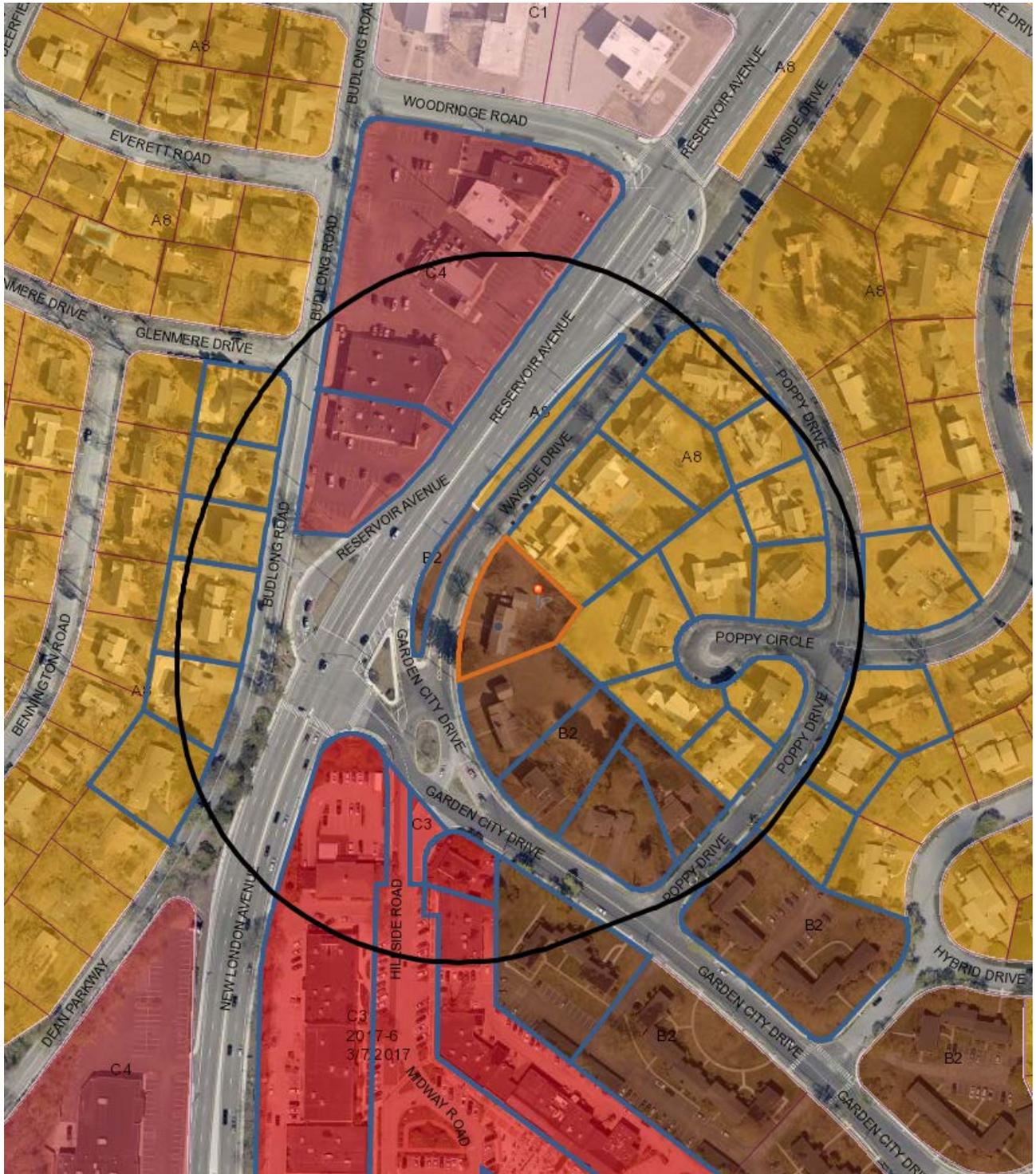
I. Proposal

The applicant proposes to subdivide the existing 19,158 ft² lot into two lots: Parcel A (11,155 ft²) and Parcel B (8,003 ft²). Both proposed lots would conform to all B-2 dimensional zoning requirements. The existing two-family dwelling would remain on proposed Parcel A. Proposed Parcel B will become a new buildable lot for one additional single- or two-family house. The new lot will be serviced by public water and sewer.

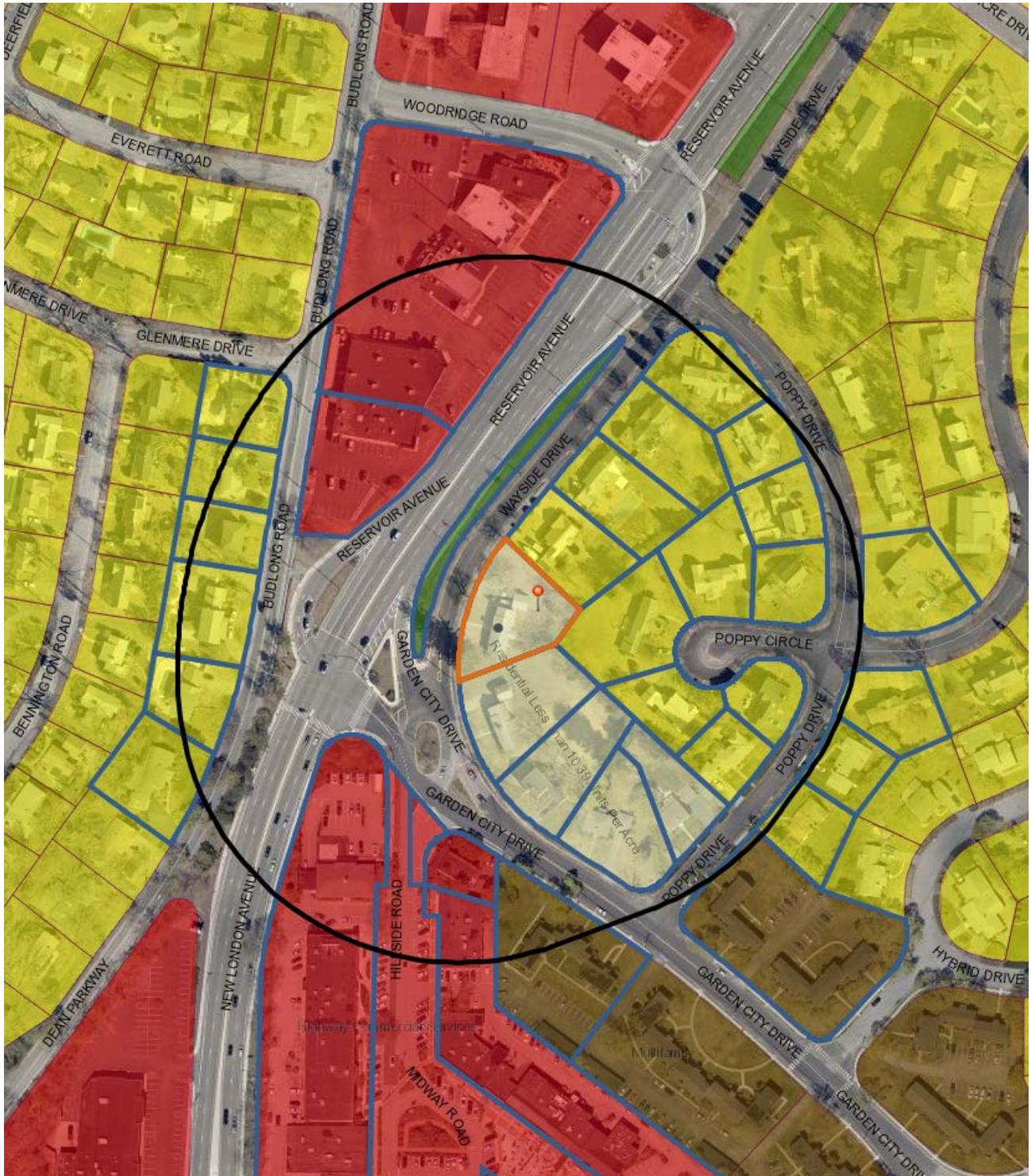
II. Documents which are part of the application

1. Application signed by Bruce D. & Mindy B. Lane, owners of 90 Wayside Drive;
2. Filing fees;
3. Subdivision plan entitled “Wayside Drive Plat,” dated 7/25/22 and prepared by Richard Bzdyra, P.L.S., of Ocean State Planners, Inc.;
4. 100’ radius map and list of abutters;
5. Affidavit of Notice Compliance dated 9/16/22;
6. Providence Water availability letter dated 8/10/22;
7. Sewer availability letter dated 8/3/22;
8. Certificates of Municipal Liens showing property taxes are in good standing;
9. Project narrative submitted by Ocean State Planners;
10. Legal descriptions of proposed Parcels A and B.

ZONING MAP



FUTURE LAND USE MAP



AERIAL VIEW



3-D AERIAL VIEW



STREET VIEW (Proposed Parcel A)



STREET VIEW (Proposed Parcel B)



III. Surrounding land use and context

Analysis using the City of Cranston Geographic Information System indicates that:

1. The subject parcel is located on the bend in Wayside Drive, near the intersection of Reservoir Avenue and Garden City Drive.
2. Within a 400-foot radius, we primarily find commercially-zoned parcels west of Reservoir Ave (C-4) and south of Garden City Drive (C-3), while residentially-zoned parcels are primarily located on the same block as the subject parcel (A-8 to the northeast; B-2 to the southeast).
3. The Future Land Use Map shows all commercial parcels within a 400-foot radius as having a Highway Commercial Services designation, while all but six of the residential parcels within that same radius are designated Single-Family Residential 7.26 to 3.64 units/acre. The subject parcel itself, along with the next four parcels proceeding southeast along Garden City Drive, are designated Residential less than 10.39 units/acre, while the sixth parcel (adjacent to Garden City Center) is designated Multifamily.
4. The project is free of wetlands and outside of any regulated floodplains or historic/cultural districts.
5. The 2018 Natural Heritage Map does not show any known rare species located on or near the site.

IV. Interests of Others

Staff has received no written comments from neighbors relating to the proposed subdivision.

V. Staff / Agency Comments

Pursuant to RIGL 45-23-41 A3, these plans were distributed for comment to the Public Works Department / Engineering Division, the Traffic & Safety Bureau, the Building and Inspections Department, the Fire Department and the Conservation Commission. Comments are as follows:

- DPW – Engineering: Chief Engineer Justin Mateus, P.E., reviewed the plans with Staff on September 15th. He said that the existing sewer lateral will need to be relocated because in its current layout, it can only service Proposed Parcel A by cutting across Proposed Parcel B. He added that Wayside Drive was paved in 2020, so any sewer work will necessitate a curb-to-curb pavement replacement, extending five feet past the utility trench on each side, with joints sealed using an infrared patch. Mr. Mateus also cautioned that the applicant's proposed driveway configuration (which would increase the number of curb cuts on the parcel from one to four) was not prohibited by code, but could enable increased amounts of stormwater runoff to spill onto the property, given the direction of flow. Finally, Mr. Mateus asked that the site plan be updated to show 1) the extension of the curb to the proposed shared lot line between Proposed Parcels A and B; 2) the new curb cut to be created for the southernmost proposed driveway; 3) add a "Pavement to be Removed" label over the portion of the existing driveway to be eliminated near the proposed shared lot line; and 4) to show and label the 10' Sewer Easement on the parcel.
- DPW – Sewer: Environmental Engineer and Veolia Water liaison Ed Tally contacted Staff on September 20th to recommend that the applicant establish an independent sewer lateral for

Proposed Parcel A that avoids the need for a sewer easement across Proposed Parcel B, consistent with the City's standard practice.

- Fire: Fire Marshal James Woyciechowski contacted Staff on September 19th to advise that Fire had no concerns regarding the proposal.
- Zoning: Alternate Building/Zoning Official Stan Pikul called Staff on or around September 20th to advise that Building and Zoning has no concerns regarding the proposal.

VI. Planning Analysis

This proposal is a by-right two-lot subdivision. Both proposed lots would conform to the dimensional standards of the B-2 zone, and the proposal is consistent with the Future Land Use Map designation for the zone. Public water and sewer service the existing house and would be available to service a structure on the new lot.

Staff has no concerns with the application and the resulting density on the site, which would be approximately 9.08 units/acre. This application provides an opportunity for infill development in a manner that fits with the surrounding neighborhood, which is consistent with the Comprehensive Plan's Land Use and Housing policies.

Finally, Staff notes that it is not concerned with the slight jog in the proposed shared lot line, as this would be properly delineated with a granite monument and does not create any issues that impact setbacks, buildable envelopes, etc.

VII. Waivers

No waivers have been requested in conjunction with this application.

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 first class mail prior to the public meeting, 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 proposal is consistent with all dimensional standards of the B-2 zone as well as with the uses allowed under the parcel's Future Land Use (Residential less than 10.39 units/acre).
2. This application provides an opportunity for infill development in a manner that fits with the surrounding neighborhood, which is consistent with the Comprehensive Plan land use and housing policies.
3. 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.”

4. The proposal 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.”

5. The site for the new single- or two-family development is clear of wetlands, steep slopes, forest, or other elements of environmental concern. No negative environmental impacts are anticipated.
6. 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.”

7. 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.”

8. The properties in question will have adequate permanent physical access on public roadways within the City of Cranston. Both Proposed Parcels A and B will have frontage on Wayside Drive.

IX. 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, subject to the conditions denoted below.

X. Conditions of approval

1. The applicant shall explore the possibility of providing only one driveway per parcel and

submit a site plan showing this alternative for Planning Staff's consideration along with other required materials in its Final Plan submission.

2. The applicant shall update the site plan to reflect the proposed curb cut, curb extension, pavement removal, and sewer easement as described by Mr. Mateus for Final Plan submission.
3. Prior to Final Plan recording, DPW and Veolia Water shall review and approve the final utility plan showing the location of an independent sewer lateral serving Proposed Parcel A and the removal of the portion of the existing lateral on Proposed Parcel B that extends beyond the proposed shared lot line onto Parcel A on the Final Plan.
4. Applicant shall submit updated easement documentation for review by DPW and Veolia Water as part of the Final Plan application.
5. Payment of the Eastern Cranston Capital Facilities impact fee in the amount of \$1,186.92 (2 new units at the rate of \$593.46 per unit, as shown on the site plan) must be submitted at the time of final plat recording.