

# CITY PLANNING DEPARTMENT



## Memorandum – Unified Development Review

**To:** City Plan Commission  
**From:** Beth Ashman, AICP | Assistant Planning Director  
**Date:** November 27, 2024  
**RE:** 9 Colwell St  
**Application for Minor Subdivision with Dimensional Zoning Relief**

**Owner / Applicant:** Scott Aceto  
**Location:** 9 Colwell  
**Parcels:** Assessors Plat 12, Lot 97  
**Zoning:** B-1 – Residential single-family and two-family dwellings (8,000 sq. ft.)  
**FLUM Designation:** Single/ Two Family Residential Less than 10.89 Unit Per Acre

### I. Applicant | Property | Proposal

The subject property is in the Knightsville neighborhood, at 9 Colwell Street. It is identified Assessors Plat 12, Lot 97. There is a two-family residence built around 1924, located off-center on the lot 8' from the east lot line and 62.2' from the west lot line.

The Proposal is to subdivide the lot in half, resulting in the creation of two (2) 5,000 square foot lots with 50' of frontage. On the proposed newly-created lot, the project proposes the construction of a single-family home.

This project requires relief from dimensional requirements for a replat and residential development project in B-1 (two-family) zone (17.20.120 – Schedule of Intensity Regulations, 17.92.010 – Variances). The 2 Family Lot will have less than the required 8,000 sq. ft and the new single-family lot will have less than the required 6,000 sq. ft. Both lots will have 50' of frontage where 60' are required. The pre-existing non-conforming front setback of the 2-family home will remain unaltered.

#### Relief from 17.20.120 - Schedule of intensity regulations:

	Lot	Lot Area (sq. ft.)	Lot Width & Frontage (ft.)	Front (ft.)	Rear (ft.)	Side (ft.)
<b>B-1 (2-family) Required</b>		8,000	60	25	20	8
<b>B-1 (1-family) Required</b>		6,000	60	25	20	8
Existing 2 family		10,000	100	8.6	>20	8
Proposed 2 family		5,000	50	8.6	>20	8
Proposed 1 family		5,000	50	25	20	8

### II. Documents Submitted for This Application

1. Minor Subdivision Preliminary Plan Application and Checklist prepared and signed by Scott Aceto 10/29/2024.
2. Project Narrative signed by Meagan M. Bellamy on behalf of Scott Aceto 10/31/2024 including

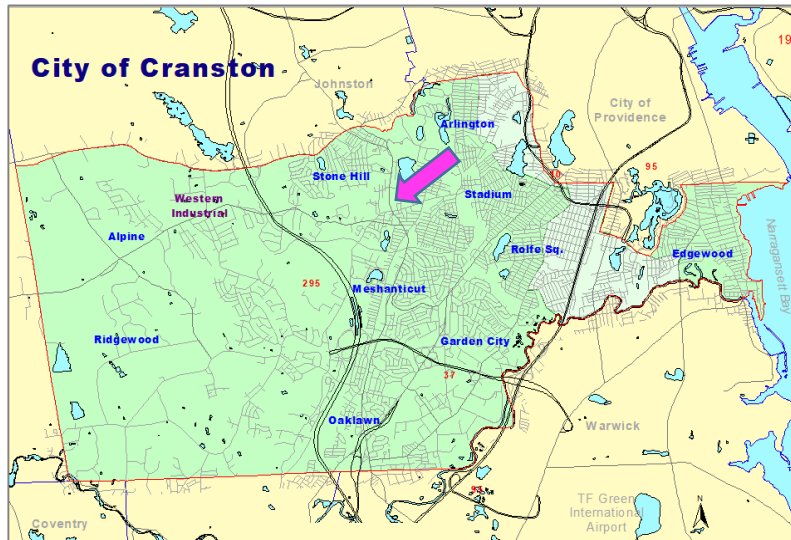
- neighborhood map and property information sheet.
3. Class 1 Boundary Survey and Subdivision Plan entitled “Minor Subdivision Plan: Location 9 Colwell Street.” prepared by Kirk D. Andrews, Registered Professional Land Surveyor; dated 7/25/2024.
    - a. Minor Subdivision Application Fee of \$400.00 for pre-application and preliminary plan; both dated November 14, 2024
    - b. Zoning fee of \$600 dated November 14, 2024.
  4. Municipal Lien certificate for issued October 29, 2024 and receipt from the City of Cranston for the balance due on 10/29/2024
  5. Water Availability Letter from Providence Water signed 11/6/2024.
  6. The sewer availability letter is outstanding
  7. Abutter Documentation
    - a. 400’ Abutters List printed 9/16/2024
    - b. 400’ Abutters Map printed 9/16/2024
    - c. Green cards certifying mailing of 400’ abutter notices; sent on November 22, 2024

**III. Surrounding Land Use & Context**

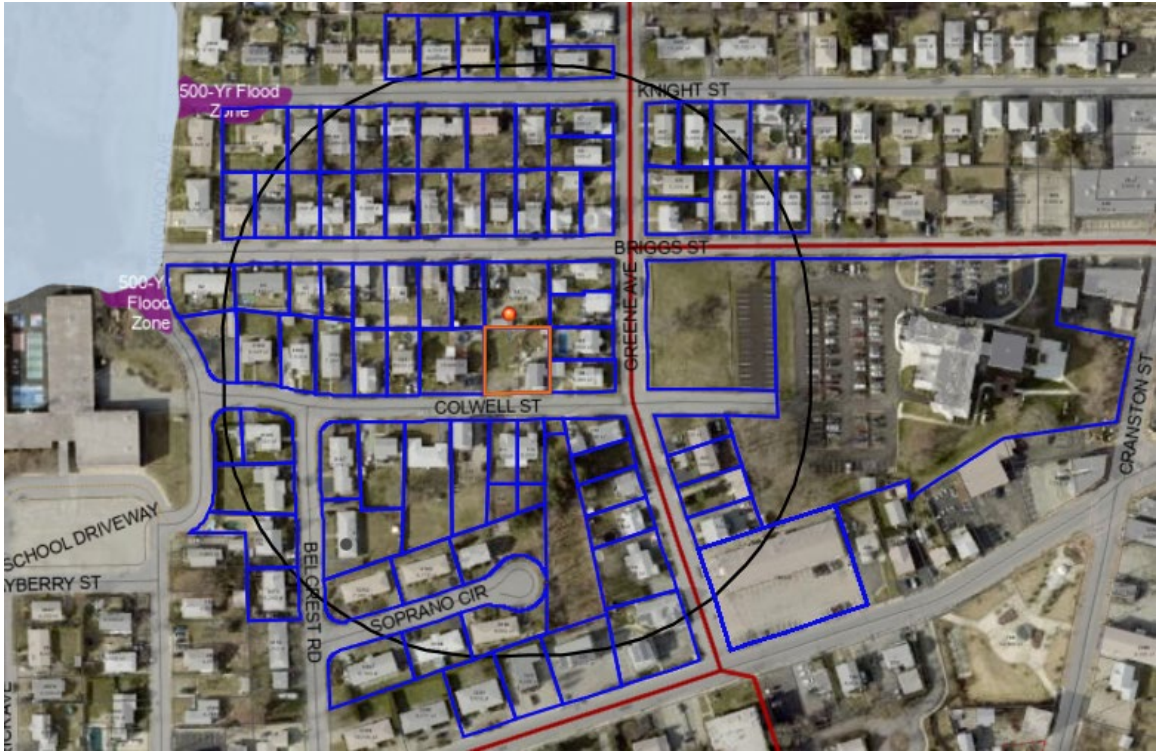
Analysis using the Cranston Geographic Information System and the FEMA Flood Map Service Center indicates that:

1. The subject property is located on the northly side of Colwell Street.
2. The surrounding area in Knightsville is zoned B-1.
3. The subject property is unique in having 10,000 sq ft lot and having the existing structure situated close to one of the lot lines, leaving an open space with frontage to locate a new home.
4. There are 30 two-family homes within 400’, half them are on 5000 sf lots.
5. The subject property is outside of any identified historic / cultural districts under jurisdiction of the Local Historic District Commission, State Historical Preservation Commission, State, or National Registers of Historic Places.
6. The subject property is identified as “Zone X – Area of Minimal Flood Hazard” on and outside of any regulated floodplain or flood hazard districts.

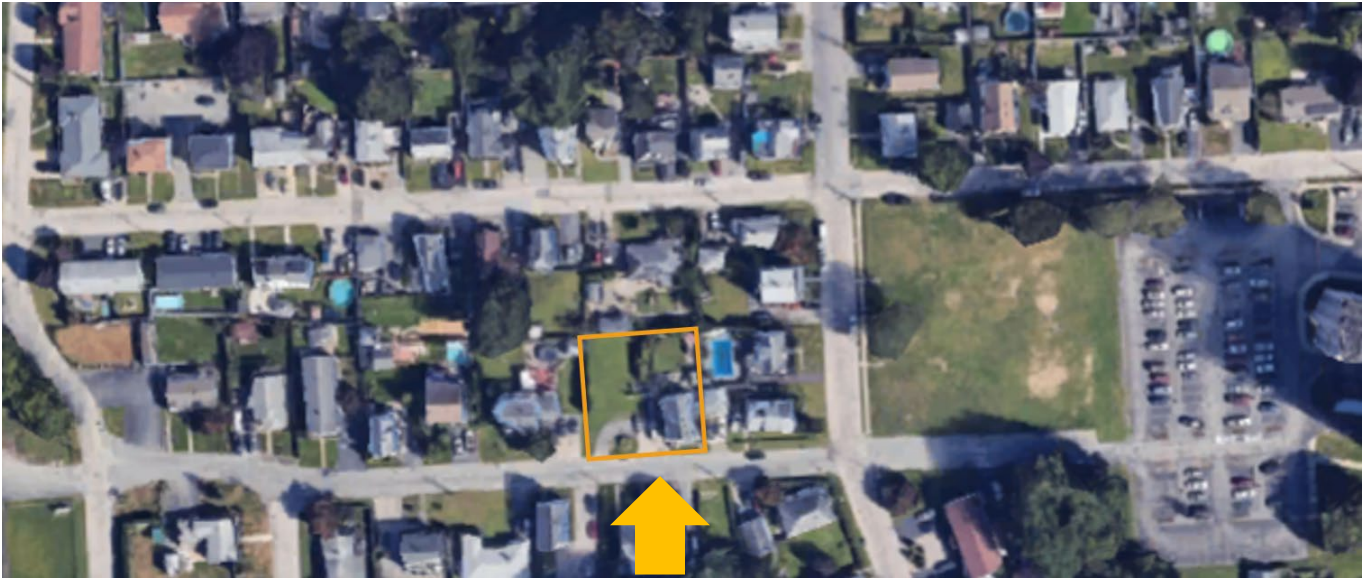
**LOCATION MAP**



**NEIGHBORHOOD CONTEXT MAP HIGHLIGHTING PARCELS WITHIN 400 FT**



**AERIAL PHOTO**



Source: Google Earth 11/15/2024

**OBLIQUE AERIAL PHOTO**



Source: Google Earth 11/15/2024

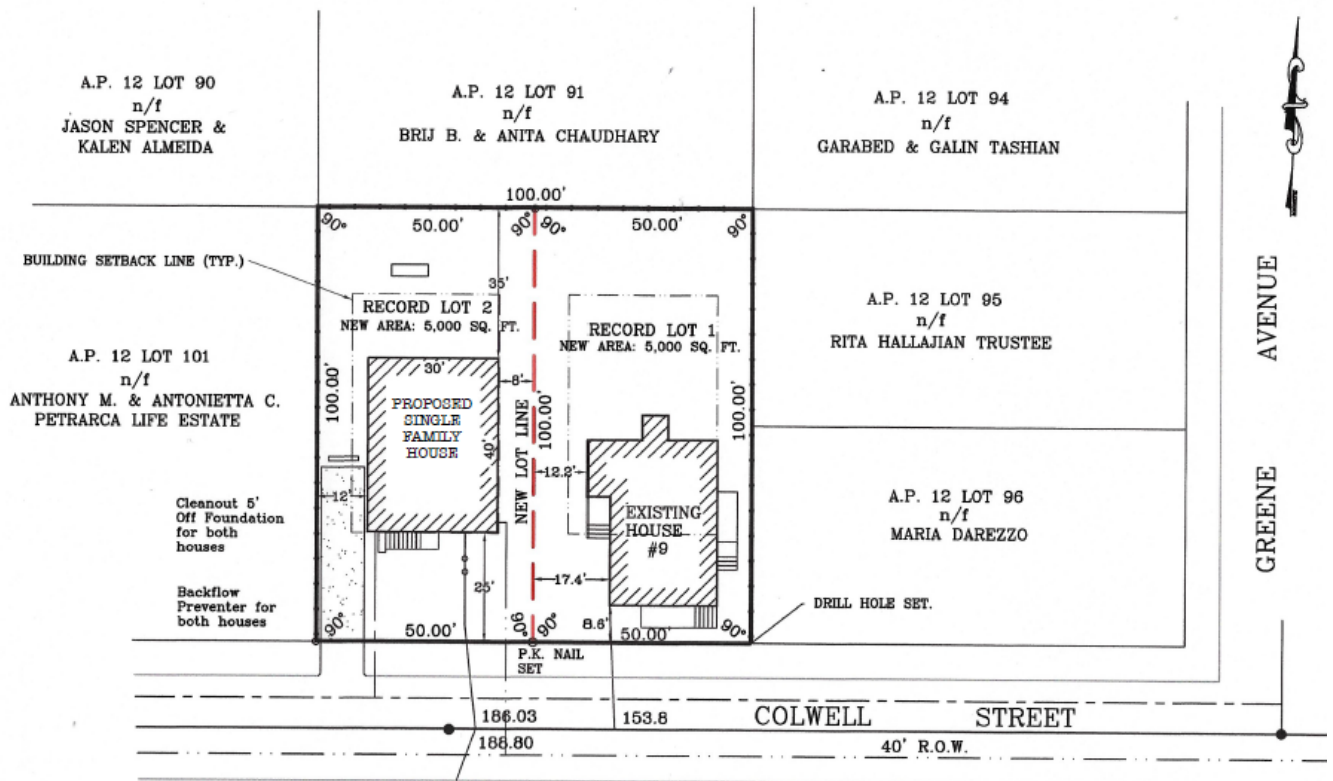
## STREET VIEW



*(View from Colwell St showing existing two-family home and location of proposed new home)*

## PROPOSAL

Existing two-family home and proposed single family home are shown on the site plan below.



**Street View Model of the new home provided by the applicant.**

The model below illustrates how a new home of equal size to 9 Colwell could fit into the street. The proposed site plan places the new home 25' feet back from the road in compliance with zoning rather than in line with the home at 9 Colwell as illustrated below.



**IV. Municipal Review**

Pursuant to RIGL §45-23-37, these Plans and submitted documents were distributed for comment to the following agencies and it was reviewed by the Technical Review Committee on November 11, 2024.

1. Department of Public Works
  - a. Engineering Division: no comments provided.
  - b. Traffic Safety Division: Mr. Steven Mulcahy inquired about adequate parking for the existing home. The applicant will demonstrate that the existing home will have adequate parking.
  - c. Sewer Division: no comments provided.
  - d. Veolia Water: no comments. Water is available, a service connection is required.
2. Department of Building Inspection & Zoning Enforcement
  - a. Mr. Stan Pikul, Alt. Building Official, no comments provided.
3. Fire Department: Mr. James Woyciechowski, Fire Marshal, no comments provided.

**V. Planning Analysis**

Consistency with the Comprehensive Plan

- The Future Land Use Map (FLUM) designates the subject property as Single/ Two Family Residential Less than 10.89 Unit Per Acre
  - Per the Comprehensive Plan, the B-1 zoning district is an appropriate zoning classification for one and two-family residential units.
  - The proposed subdivision and new home would increase the density on the block from 10.2 to 10.5 units per acre, keeping within the range of the Future Land Use Map.
  - The proposed subdivision and new home would increase the density on B-1 zoned lots within 400' from 9.3 to 9.4 units per acre (excluding public housing lots, 85 Briggs St.)
  - 3 units on 10,000 sf yield a density of 13.06 units per acre for the individual lot.
  - Staff finds that the Application is consistent with the Future Land Use Map designation.

- The Comprehensive Plan outlines goals, policies, and action items pertaining to residential development which Staff find support the approval of this Application, specifically:
  - Housing Goal 4: Promote housing opportunity for a wide range of household types and income levels.
    - Housing Policy 4.1: Maintain a varied housing stock, with units of different age, size and type that are affordable to a wide range of incomes.
    - Housing Policy 5.2: Review zoning for existing residential neighborhoods to ensure the zoning matches, as closely as possible, the dimensions and unit types of what has already been built.
  
- Staff has reviewed this Application in consideration of the compatibility with the character of the surrounding area and the request does not impose undue nuisances and is not out of character beyond any other uses on this site or within the surrounding area.
  - The surrounding area in Knightsville consists of one- and two-family residences on separate lots as well as multi-family housing.
  - There are 30 two-family houses within 400' and half of them are on 5000 sq ft lots.
  - 50' of frontage is common for two-family homes in this neighborhood and is in line with the sliding scale established for substandard lots of record.

**VI. Interests of Others**

None to report.

**VII. Additional Matters**

None to report.

**VIII. Waivers**

None to report.

**IX. Findings of Fact:**

An orderly, thorough, and expeditious staff review of this Preliminary Plan has been conducted. Property owners within a 400' radius have been notified via certified mail and the meeting agenda has been properly posted.

**A. Unified Development Review**

Staff has reviewed this Preliminary Plan application for conformance and consistency with the required Findings of Fact in accordance with RIGL §§ 45-23-50.1(b)(1), 45-24-41(d), 45-24-41(e)(2), and 45-24-46.4(f), as well as Section VII of the Subdivision & Land Development Regulations and finds as follows:

**The Applicant has submitted the following response to the required Findings of Fact in accordance with RIGL § 45-24-41:**

*The goal of the project is to increase housing availability in a desirable neighborhood in Cranston in a way that enhances the existing property and fits in with the surrounding area. The property has been in the owner/applicant's family for many decades and holds sentimental value. The unique characteristics of the subject land are such that the lot is well-positioned to be subdivided into two equal-sized 5,000 square foot lots, due to the position of the existing home at the corner of the lot. The existing home is set close to the street and the far side of the lot, which creates a layout ideal for increasing housing in an otherwise irregularly large side yard. The proposed subdivision would help center the existing house on its new lot, which is aesthetically ideal.*

*The hardship is not the result of any prior action of the applicant. The lot and existing home have existed in their current form for approximately 100 years, the lot has not been developed beyond the construction of the original, presently existing home.*

*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 codified in this title or the comprehensive plan upon which the ordinance is based. The subdivision will result in two lots that are of a similar size and width as those observed in the vicinity, therefore, the resulting lots would be consistent with the general character of the surrounding area. No negative effect on the neighborhood character will result. Significantly, the proposed new residence will be built to comply with all relevant setback requirements, so there will be no negative impact on neighboring properties. The relief sought is minimal to allow the addition of another home in the area. A single-family home on a subdivided lot will enhance the area by providing another opportunity for home ownership in a way that does not substantially increase density.*

**Staff has reviewed the requested dimensional relief for conformance and consistency with the required Findings of Fact in accordance with RIGL § 45-24-41 and finds 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);”*

- Staff note that the location of the two-family home off center on the lot is consistent with plans to add a second house at a future time.

*RIGL § 45-24-41. General provisions – variances. (d)(2) states, “That the hardship is not the result of any prior action of the applicant.”*

- There do not appear to be any prior actions by the applicant that would have resulted in hardship.

*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.”*

- This area of Knightsville is a walkable traditional neighborhood with a mix of housing types. The proposal for 9 Colwell is in keeping with the neighborhood density and character. The Application is consistent with the Future Land Use Map designation as the proposed use only moderately increases the density of the block 10.2 to 10.5 units per acre, keeping within the range “Single/ Two Family Residential Less than 10.89 Unit Per Acre. The addition of a new single-family home next to the 1924 two-family home is an example of incorporating a varied housing stock with units of different ages, sizes and types within a cohesive neighborhood area as called for in the Comprehensive Plan.

*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.”*

- Staff note that the variances and subdivision are required to allow an additional home to be built on the property.



## B. Subdivision & Land Development Review

Staff has reviewed this Preliminary Plan application for conformance and consistency with the required Findings of Fact in accordance with RIGL § 45-23-60 as well as the Subdivision & 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 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 (FLUM). The proposed resulting density of the block is within the FLUM’s designation of Single/ Two Family Residential Less than 10.89 Unit Per Acre

*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.”*

- Staff notes that this Proposal requires and seeks dimensional zoning relief for which if granted, will establish compliance with 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 preliminary plan, with all required conditions for approval.”*

- 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 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.”*

- All proposed lots have adequate permanent physical access to an improved public city street.
- The Proposal provides for safe and adequate local circulation for vehicular traffic.

## **X. Recommendation – Land Development Project**


Staff finds this Proposal generally consistent with the Comprehensive Plan, the Zoning Ordinance, and the standards for required Findings of Fact set forth in 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 Unified Development Review of this subdivision.

**XI. Recommended Conditions of Approval**

The applicant will demonstrate that the existing home will have adequate parking after the subdivision.

Respectfully Submitted,



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Beth Ashman, AICP  
Assistant Planning Director / Administrative Officer

**Cc:** City Planning Director  
File