

CITY PLANNING DEPARTMENT



Memorandum – Unified Development Review

To: City Plan Commission
From: Brianna Valcourt, M.Arch | Senior Planner
Date: July 29, 2026
RE: “30 Pomham Street” – Administrative Subdivision with Dimensional Variance (PLAN-26-25)

Recommendation: Approval of the proposed subdivision with the requested variance.

I. General Information

Owner/Applicant: Marc Spirito
Location: 30 Pomham Street – Assessor’s Plat 7, Lots 1264, 1263 & 1264
Zoning: B-1 – Single and Two-family Residential (6,000 SF and 8,000 SF)
Future Land Use Map: Single/Two-Family Residential Less Than 10.89 Units Per Acre
Neighborhood: Spectacle
Application Type: Administrative Subdivision with Dimensional Variance
Certified Complete: July 10, 2026
Decision Due: September 13, 2026 (65 days)

Proposal

The Proposal is to reconfigure the three (3) existing lots into two (2) lots, for the existing single-family dwelling to remain on "Parcel B" and construct a new single-family dwelling on "Parcel A". The proposal is to reconfigure a total of 9,600 sq. ft., for the existing dwelling to remain on 4,800 sq. ft. and the new dwelling to contain 4,800 sq. ft.

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|---|---|
| <ul style="list-style-type: none">• <u>Existing</u>• Lot 1262: 3,200 sq. ft.• Lot 1263: 3,200 sq. ft.• Lot 1264: 3,200 sq. ft. | <ul style="list-style-type: none">• <u>Proposed</u>• Parcel A: 4,800 sq. ft.• Parcel B: 4,800 sq. ft. |
|---|---|

Required relief includes relief from provisions of the Zoning Ordinance including §17.20.120 – *Schedule of Intensity Regulations*:

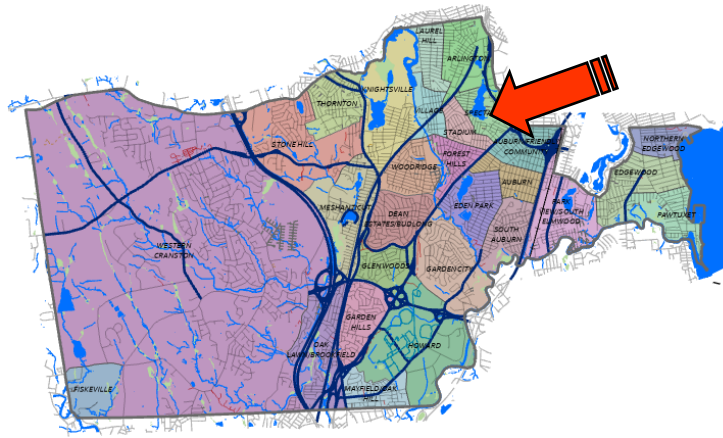
Parcel A: Proposed Dwelling

- Minimum Lot Size
 - Required: 6,000 sq. ft.
 - Proposed: 4,800 sq. ft.
 - **Relief Requested: 1,200 sq. ft.**

Parcel B: Existing Dwelling

- Minimum Lot Size
 - Required: 6,000 sq. ft.
 - Proposed: 4,800 sq. ft.
 - **Relief Requested: 1,200 sq. ft.**

II. Drawings, Images and Maps



ZONING MAP



FUTURE LAND USE DESIGNATION MAP



“30 Pomham Street”

3D AERIAL VIEWER



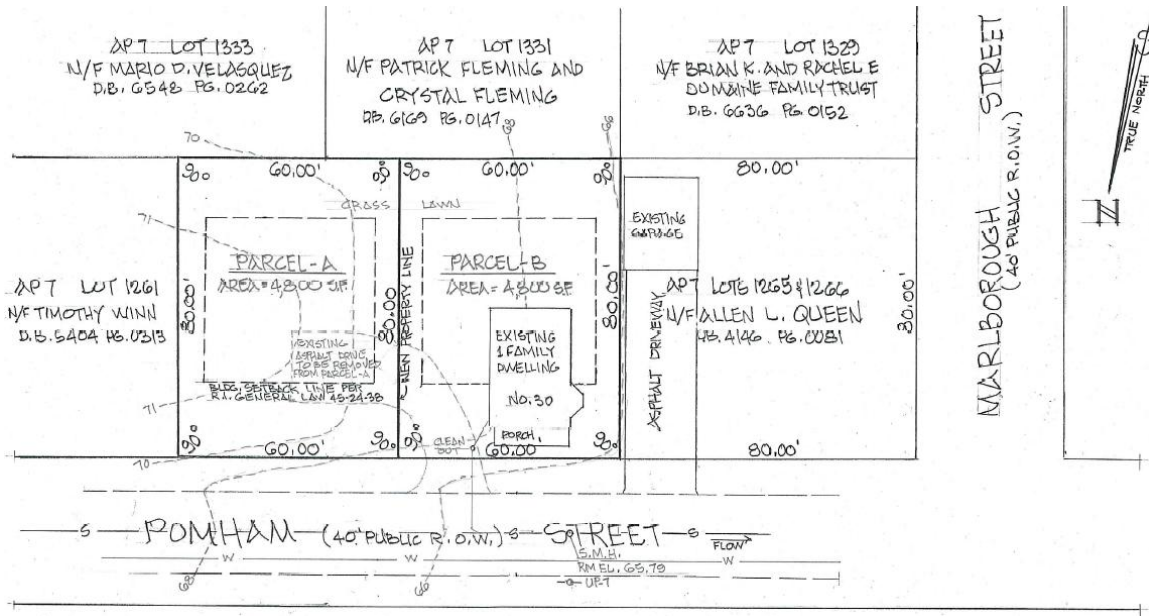
STREET VIEWS



Views from Pomham toward vacant lots (Google, 2025)

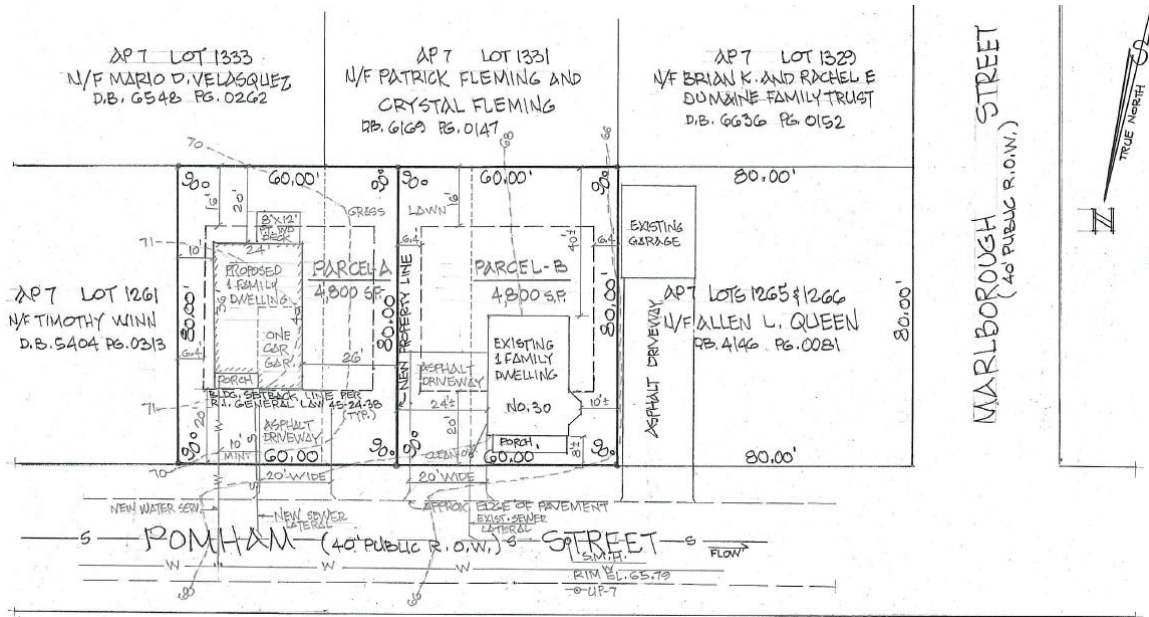
EXISTING CONDITIONS: SITE PLAN

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



PROPOSED CONDITIONS: SITE PLAN

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



"30 Pomham Street"

III. Site Description

1. The subject property is located along the southerly side of Pomham Street.
2. The surrounding area is majorly B-1 residential lots; adjacent to a large strip of open space on the northly side of Pomham Street that separates the residential neighborhood from the large commercial development (Brewery Parkade) off Garfield Avenue.
3. Development in the area consists of a mix of Two-Family Residential and Single-Family Residential dwellings.
4. The B-1 development in the Spectacle neighborhood has a high presence of residential dwellings on undersized lots.
5. The subject property is unique in having one vacant buildable lot, AP 7, Lot 1262, on 3,200 sq. ft.
6. Public utilities including water and sewer are available at this proposed development.
7. The subject property is outside of any regulated resource areas under jurisdiction of the Rhode Island Department of Environmental Management, (RIDEM).
8. 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.
9. 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.

IV. Additional Matters

The following matter pertains to **Building Permit**, which follows the approval of final plan:

- Any new development must comply with the following regulations:
 - The Code of The City of Cranston:
 - § 12.04.120 Discharges to city streets: No private property owner within the city shall discharge water onto a public roadway, directly and/or indirectly so as to create a health safety and/or welfare concern, including but not limited to a road hazard for motorists and persons utilizing the roadway and/or causes damage to the roadway and/or adjoining fixtures. Person(s) violating any of the provisions of this section must correct said violation(s) or provide a suitable plan of action for remediation subject to the approval of the public works director within five days of receiving notice from the director of public works or his or her designee. Failure to comply with said notice will result in a seventy-five dollar (\$75.00) fine each day the violation(s) remains uncorrected. In addition, the director of public works may, at any time use whatever means is necessary to stop said discharge of water when he or she deems it necessary for the public health, safety and welfare. The director of public works may also charge the property owner for any damages to the infrastructure and for any costs incurred by the department to address safety issues created by the discharge. (Ord. 04-42 § 1; Ord. 06-24 § 1)
 - New developments can mitigate the existing flooding by providing on-site stormwater management that deters additional water runoff.
 - New developments are encouraged to control stormwater on-site to prevent increase in net runoff from before construction to after construction. On-site stormwater management could be accomplished with underground infiltration techniques, as an example. It's important to note that during flash flooding events any onsite mitigation will likely become overwhelmed, and the subsequent overflow will contribute stormwater to the public roadway.

V. Requested Waivers

None.

VI. Public Comments

None to Report.

VII. 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: Pre-cast concrete curbing & compliant on-site parking is required for existing and proposed parcels.
 - c. Sewer Division: Sewer availability and possible sewer extension to be determined. Applicant must coordinate with Veolia Water.
 - Providence Water Authority: Review has not been completed. The existing house is connected to a public water main located on Pomham Street.
 - Veolia Water: Review has not been completed. The existing house is connected to a public sewer main located on Pomham Street.
2. Department of Building Inspection & Zoning Enforcement: Mr. Stanley Pikul, Building Official: Review completed with no comments.
3. Fire Department: Mr. Armand Niquette: Review completed with no comments

VIII. Planning Analysis

Consistency with the Zoning Ordinance and Subdivision & Land Development Regulations

Staff find that the Application is **generally consistent** with the Zoning Ordinance and Subdivision Regulations.

- There is already a buildable vacant lot on the subject property. The proposal to reconfigure three existing residential lots to result in two *more conforming* residential lots in the B-1 zone will not impair the general purposes listed in §17.04.010 of the Zoning Ordinance [RIGL § 45-24-41(d)(3)].
 - The proposal meets all but one intensity regulations to conform with the “B-1” standards in 17.104.020 of the Zoning Ordinance.
 - The proposed use (single-family residential) is conforming with the Zoning Ordinance.

Consistency with the Surrounding Area

- The proposal does not impose undue nuisances and is not out of character beyond any other uses on this site or within the surrounding area.
 - The Neighborhood Density by Zone, which includes all B-1 zoned lots in the Spectacle neighborhood, have a density (8.33 U/a) which is generally consistent with the proposed development.

Consistency with the Comprehensive Plan

- Per the Comprehensive Plan, the B-1 zoning district is an appropriate zoning classification for the proposed use of single-family residential units.
- The proposed density is consistent with the Future Land Use Map (FLUM) designation of Single/Two Family Residential Less Than 10.89 Units Per Acre.
 - The subject lots’ existing density (4.53 U/a) is within the density prescription of the FLUM.
 - The subject lots’ proposed density (9.07 U/a) is within the density prescription of the FLUM.
- The proposal is consistent with the following goals and policies of 2024 Comprehensive Plan.
 - **Goal LU-6**: Protect and stabilize existing residential neighborhoods.
 - **Policy LU-18**: Preserve the existing density of established neighborhoods.
 - **Goal H-2**: Permit a variety of residential development types to achieve multiple community objectives.

- **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.
- **Policy H-9:** Promote the development of new housing that is affordable to average first-time buyers living in the City.

Parking and Traffic Circulation

No changes to existing circulation are proposed beyond formalizing a driveway along an existing public access road, Pomham Street. The proposed lot "Parcel A" has adequate frontage and width to provide driveway access to the proposed single-family development. A new curb and curb cut would need to be built to create access to the roadway.

IX. Findings of Fact:

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

A. Unified Development Review

Staff has reviewed this Administrative Subdivision Plan application for 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.C of the Subdivision & Land Development Regulations 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);"

- 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 because:
 - While the proposed lot areas do not conform to the minimum area requirement, reconfiguring the property into two 4,800-square-foot lots creates a more balanced and substantially more conforming lot pattern. The lots are unique that they are shorter than a lot of other platted development in the City with only 80 feet of lot depth, thereby having conforming frontage as proposed does not create a lot conforming in area.
 - This proposal aligns with the character of development in the Spectacle neighborhood.
 - The subject lot is unique in having adequate frontage and setbacks for a subdivision conforming with the B-1 zone.

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 proposed single-family use and 9.07 U/a density are consistent with the Future Land Use Map designation and will not impair the Zoning Ordinance or the Comprehensive Plan. The proposal is consistent with the following goals and policies of 2024 Comprehensive Plan

○ Goal LU-6	○ Policy H-3
○ Policy LU-18	○ Policy H-6
○ Goal H-2	○ Policy H-9

- o The proposed single-family use and conforming density and frontage matches the existing development pattern of the surrounding 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.”

- By seeking this variance, the proposal requests closer conformity with the schedule of intensities of the B-1 zone. Of the three subject lots, two of the lots are considered merged for zoning purposes for the existing single-family home and one of the lots is vacant residential buildable lot. The buildable lot is 3,200 SF, but this proposal seeks to make the developable lot more conforming by increasing its land area to 4,800 SF and its frontage 60 ft.

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. (d)(1) states, “That the application does not create additional lots.”

- The current buildable lot is 3,200 SF and this proposal seeks to make the vacant developable lot more conforming by increasing its land area to 4,800 SF and its frontage 60 ft.

RIGL § 45-23-60. Procedure – Required findings. (d)(2) states, “Unless otherwise allowed by an approved modification or variance, that the moving of lot lines does not increase any pre-existing dimensional nonconformity or create a new nonconformity.”

- The proposal creates a new nonconformity on proposed Parcel B in order to create an overall closer conformity that mirrors the existing uses, density, and character of development in the Spectacle neighborhood.
- The Proposal requires and seeks dimensional zoning relief for which if granted, will establish compliance with the Zoning Ordinance and consistency with this finding.

RIGL § 45-23-60. Procedure – Required findings. (d)(3) states, “That the application does not remove any pre-existing adequate physical or permanent access to a street, without sufficient replacement.”

- The proposed lots will have adequate permanent physical access to an improved public city street, Pomham Street.
- The existing house does not lose street access.
- All subject lots will allow for safe and adequate local circulation for vehicular traffic.

X. Recommendations – Administrative Subdivision with Variances

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 Unified Development Review of this subdivision with the following variances.

Approval of the variance(s) shall be conditioned on approval of the Administrative Subdivision as required by RIGL § 45-23-50.1.

1. **"Parcel A"**, proposed for development, will be granted zoning relief to have a minimum lot area of 4,800 sq. ft. where 6,000 sq. ft. is required.
2. **"Parcel B"**, with the existing single-family house, will be granted zoning relief to have a minimum lot area of 4,800 sq. ft. where 6,000 sq. ft. is required.

Respectfully Submitted,

Brianna L. Valcourt

Brianna Valcourt, M'Arch
Senior Planner / Administrative Officer

Cc: City Planning Director
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