

Providence City Plan Commission

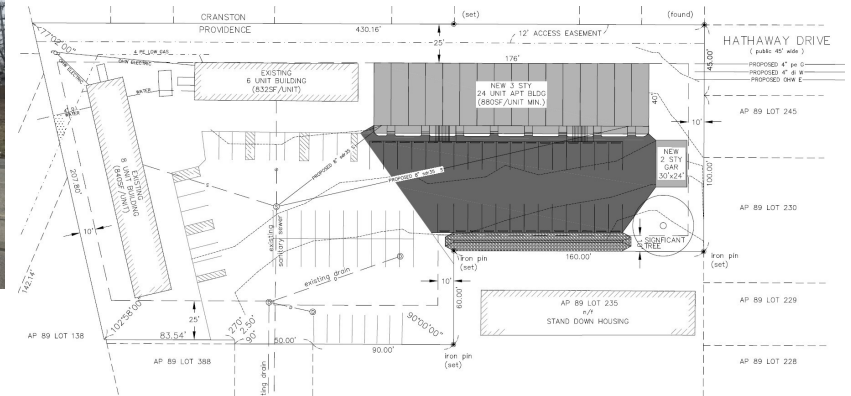
October 20, 2020



AGENDA ITEM 1 ■ 121 STAMFORD AVE



View of the development site



Proposed site plan



Aerial view of the site

OVERVIEW

OWNER/APPLICANT: John Massenzio, Owner
121 Stamford Avenue LLC, Applicant

PROJECT DESCRIPTION: The applicant is proposing to construct a three story, 23 unit apartment building on the subject lot, which is already occupied by two apartment buildings providing eight and six units. The site is zoned R-4. Pursuant to unified development review, the applicant is requesting zoning relief from the front yard setback requirement and from the maximum impervious surface coverage limit in the front yard. The preliminary plan and variances were approved by the CPC but have expired. The applicant is requesting to reinstate the preliminary plan approval and variances.

CASE NO./PROJECT TYPE: 19-054 UDR
Reinstatement of Preliminary Plan Approval and variances

PROJECT LOCATION: 121 Stamford Ave
AP 89 Lot 391

RECOMMENDATION: Reinstatement and approval of the Preliminary Plan subject to the noted findings and conditions

NEIGHBORHOOD: South Elmwood

PROJECT PLANNER: Choyon Manjrekar

PROJECT OVERVIEW

The CPC approved a plan with variances to construct a three story, 23 unit apartment building on the subject lot in January 2020. The CPC granted preliminary plan approval with zoning relief from the front yard setback requirement and from the maximum impervious surface coverage limit in the front yard.

The plan has since expired and the applicant is requesting to reinstate the approval, which may be granted by the CPC subject to fulfillment of certain conditions outlined in Section 807 of their Development Review Regulations. Following reinstatement, the CPC may vote to re-approve the preliminary plan and variances.

Discussion—Reinstatement

Section 807 requires that the CPC make the following findings to reinstate applications. Based on the analysis contained herein and subject to the conditions contained in this report, staff has prepared the following findings regarding the request for reinstatement:

1. The subdivision or development project is consistent with the Comprehensive Plan, and the Comprehensive Plan has not changed substantially since the time of the original application as it would apply to this subdivision or development project.

Based on the CPC's findings at the preliminary plan stage, the project is in conformance with the comprehensive plan which has not changed.

2. These Regulations, the Zoning Ordinance, and all applicable state and federal regulations are substantially the same as they were at the time of original application, as they would apply to this subdivision or development project.

The zoning ordinance, and any applicable state and federal regulations are the same as when preliminary plan approval was issued.

3. The Zoning Map designation for the subdivision or development project has not changed substantially since the time of original application.

The zoning designation of the lot has changed from R-2 to R-4 to accommodate the development. The CPC heard the petition for the zoning change with the initial application and granted preliminary plan approval subject to the zone change being approved.

4. No substantial change to the physical conditions of the subdivision or development project or the neighboring property has occurred since the time of original application.

No substantial changes to the physical conditions of the project or surroundings have occurred since the original application.

Recommendation—Reinstatement

Based on the foregoing discussion, the DPD recommends that the CPC reinstate the plan, finding it to be in conformance with the criteria for reinstatement.

PRELIMINARY PLAN

ANALYSIS AND IDENTIFICATION OF POTENTIAL ISSUES

Use

The subject property is zoned R-4 and occupied by two residential buildings providing eight and six units. Multifamily residential development is permitted by right in this zone.

Dimensions and site design

The lot measures 1.69 acres (73,810 SF) and is occupied by two buildings providing a total of 14 units. Development in the R-4 zone requires a lot area of 1,200 SF per dwelling unit. Approximately 44,400 SF of lot area will be required for the 37 total units, which the lot provides. The 37.1' height is within the 45' maximum height limit of the R-4 zone. Seven units and a utility and laundry room are located on the first floor with eight units on the second and third stories. All units will be accessed from a

common walkway. Based on elevations provided, the building will conform to the design regulations for multifamily development. The façade is composed of vinyl siding with all unit entrances providing direct access from the parking area. Fenestration exceeds 25 percent of the façade area. The common walkway and gabled roof provide a unifying architectural theme and dimensional elements to the façade.

The subject lot is accessible from south of the intersection of Bissell Street and Stamford Ave. The lot is approximately 500 feet wide but a 50 foot driveway between AP 89 Lots 388 and 235 provides the only access to the site. The existing buildings are located to the east and south of the lot with parking in front of each building. The rest of the site is unpaved. The proposed building will be located to the south of the lot, adjacent to the western lot line. The front yard setback is measured from Stamford Ave as it provides the only street access. It is difficult to determine the appropriate front yard setback as there are no other buildings adjacent to the site on the same side of the street. The applicant is requesting relief from the front yard setback requirement out of an abundance of caution. As parking will be provided in front of the building, the applicant is requesting relief from the maximum impervious surface coverage in the front yard.

Parking

The applicant will meet the parking requirement with 70 spaces provided for a total of 32 units.

Landscaping

The applicant will meet the canopy coverage requirement using a mix of small, medium and large trees as well as bushes and shrubs. The location of trees within the parking lot has been approved by the City Forester. Approximately 6,000 SF of canopy cover is required based on the area of disturbance. The applicant will meet this requirement, proposing 8,700 SF of new canopy coverage. A significant silver maple tree at the western corner of the lot will be preserved to add to the canopy coverage. The applicant will not exceed the allowable amount of impervious coverage for the site with the area behind the existing buildings proposed as pervious surface.

Environmental Management

The applicant has submitted an erosion control and drainage plan. Straw wattle and a swale installed at the northern portion of the lot will be used for drainage and erosion control. The applicant has submitted stormwater calculations which show that the runoff from the site will be reduced with implemented measures. The plan shall be subject to approval by the City Engineer prior to final plan approval. The City Engineer required that the plan outlining maintenance of the stormwater system be recorded against the title of the property.

Dimensional Variance—Discussion

The applicant is requesting dimensional variances from the front yard setback requirement and from the front yard impervious coverage limit.

Findings—Dimensional Variance

Section 1902 of the zoning ordinance requires that the CPC find evidence of the following standards in order to grant a variance:

1. *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 parking area. economic disability of the applicant, excepting those physical disabilities addressed in Rhode Island General Laws §45-24-30(16).*

As discussed, the subject property is uniquely shaped, with only 50 feet of street frontage provided on Stamford Street as opposed to approximately 500 feet of lot width. With parking in front of the buildings, and for the proposed building to align with existing development, it is necessary to set the building to the rear of the lot. As there are no buildings adjacent to the development, it is difficult to determine the appropriate front yard setback to be maintained. Out of an abundance of caution, the applicant is requesting relief from the front yard setback requirement. If the proposed location were to be established, the area in front of the building would be paved and used for parking. The applicant will require relief from the front yard impervious surface limit, as the amount of paving will exceed 50 percent of the front yard. The requests for relief arise due to the site's unique configuration. The requested relief is necessary to allow development on site as permitted by the existing constraints.

2. *That the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain.*

The lot measures 1.69 acres in the R-4 zone, which would allow for a total of 61 units, but only 37 are proposed. As the requested relief is due to the unique characteristics of the site—which is not the result of a prior action of the applicant—and the number of apartments is less than what is permitted, it does not appear that the relief requested is due to the desire to realize greater financial gain.

3. *That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of this Ordinance or the Comprehensive Plan.*

The site is currently occupied by two multifamily buildings and is located in proximity to other multifamily dwellings. As the character of the surroundings is determined by the presence of dense residential development, the proposed development is not expected to have a negative effect on neighborhood character.

4. *That the relief to be granted is the least relief necessary.*

It is the DPD’s opinion that based on the unique characteristics of the property, the relief requested is the least necessary for construction of a multifamily dwelling.

5. *In addition, the City Plan Commission, as part of unified development review, requires that evidence be entered into the record of the proceedings showing that in granting a dimensional variance, the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted will amount to more than a mere inconvenience.*

It appears that the relief is being requested due to the unique characteristics of the property in order to develop the site as allowed by the ordinance. Should the relief be denied, it would result in more than a mere inconvenience as it would preclude further development of the site.

RECOMMENDATION

Based on the foregoing discussion, the DPD recommends that the CPC grant the requested relief.

Findings—Preliminary Plan

Section 806 of the Commission’s *Development Review Regulations* requires that the City Plan Commission make the following findings as part of their approval of all land development project applications. Based on the analysis contained herein and subject to the conditions contained in this report, staff has prepared the following findings regarding the request for approval of the Preliminary Plan stage:

1. *Consistency—The proposed development is consistent with the Comprehensive Plan and/or has satisfactorily addressed the issues where there may be inconsistencies.*

The subject property is located in an area that the future land use map of *Providence Tomorrow: The Comprehensive Plan*—which is not intended for parcel level analysis—considers appropriate for a number of land uses including neighborhood commercial mixed use, low density residential and single family residential development. Housing is a use encouraged within all these designations.

Provision of housing would conform to objective H-2 of the plan which encourages creation of new housing in the City.

2. *Compliance with Zoning Ordinance—The proposed development is in compliance with the standards and provisions of the Zoning Ordinance.*

Use: The site is zoned R-4, which permits multifamily development by right.

Dimension: The development largely conforms to the dimensional and design requirements of the R-4 zone. Subject to the CPC granting relief from the front yard setback and front yard paving limit, the development will be in conformance with the zoning ordinance.

Parking: The applicant meets the parking requirement with 70 spaces provided for 32 units.

Landscaping: The submitted landscape plan will conform to the ordinance.

3. *Environmental Impact—There will be no significant environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval.*

A stormwater management plan and erosion control plan have been submitted and approved by the City Engineer. No negative environmental impacts are expected as the applicant is expected to come into conformance with all applicable environmental regulations.

4. *Buildable Lot—The subdivision or development project, as proposed, 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.*

There are no physical constraints that impact development of this property as it will conform to the dimensional requirements of the zoning ordinance upon granting of the requested variances.

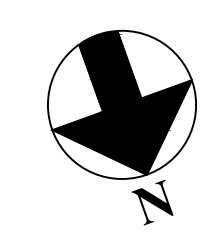
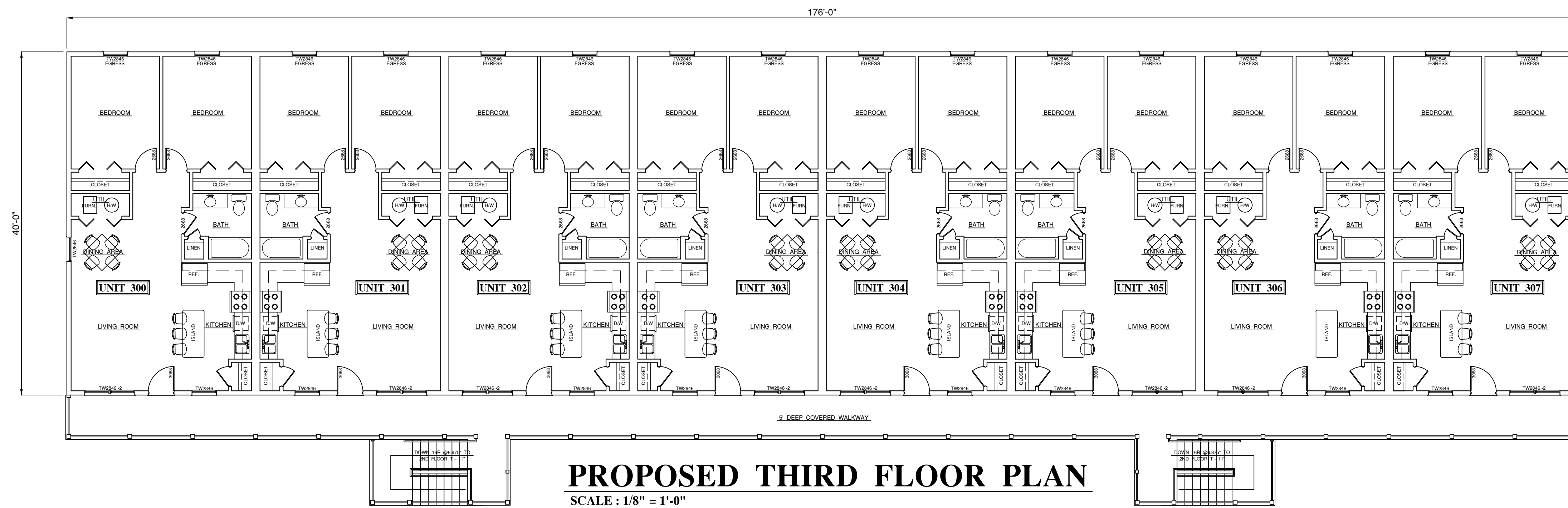
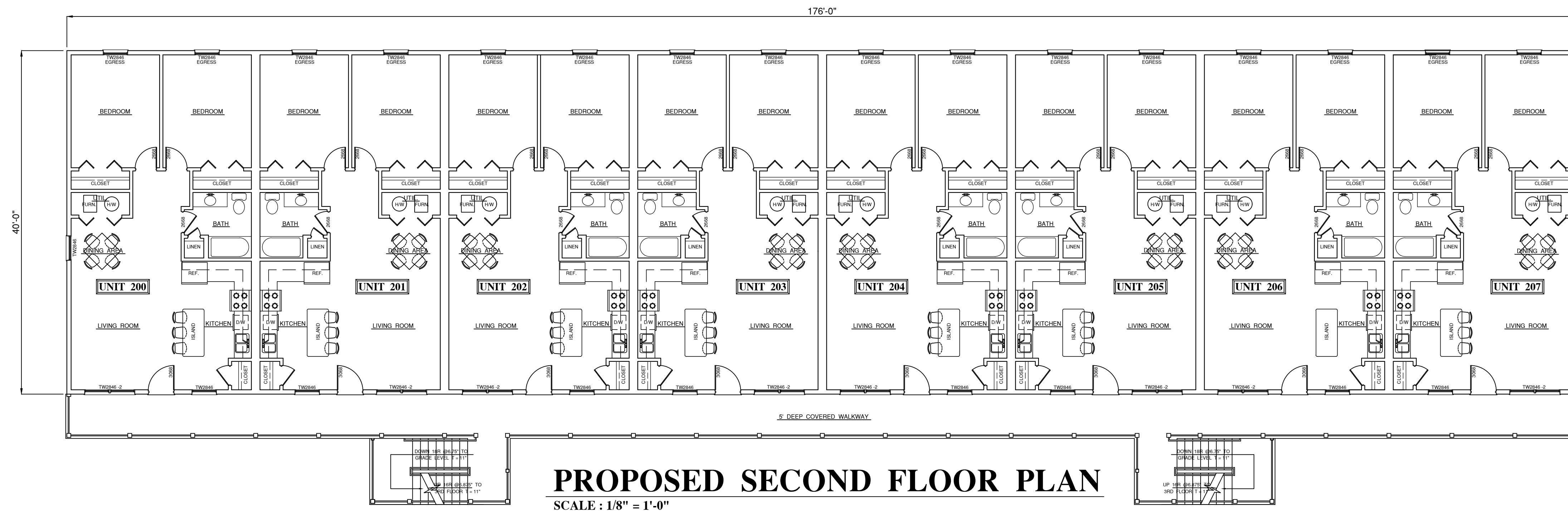
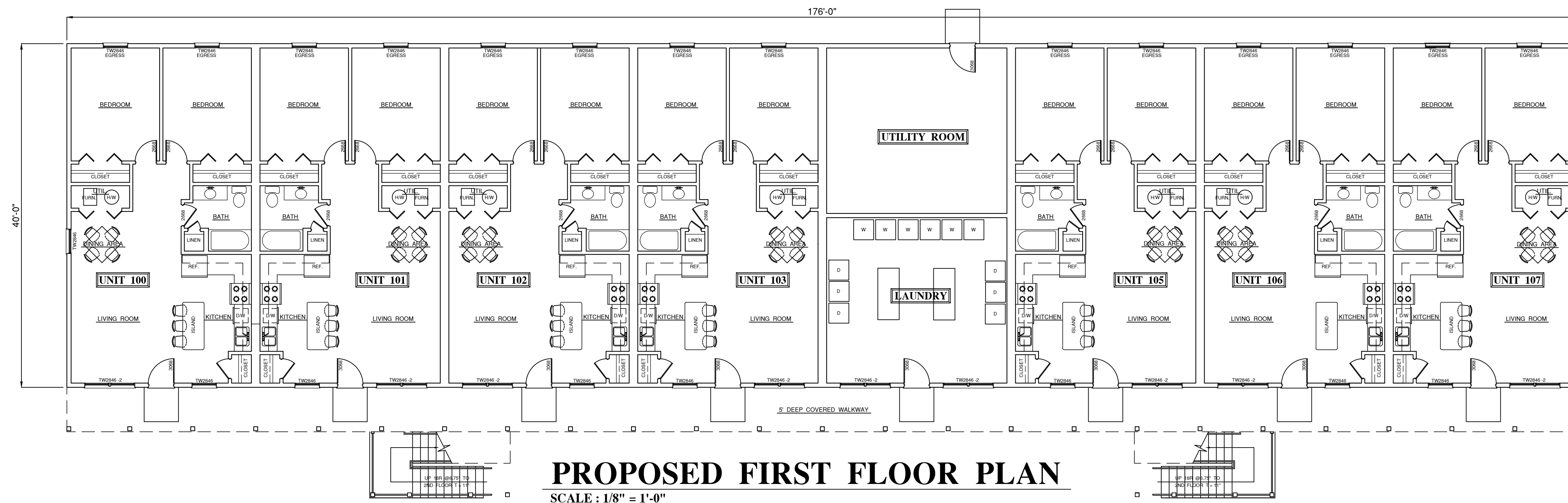
5. *Street Access—All proposed development projects and all subdivision lots shall have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered compliance with this requirement.*

Adequate vehicular and pedestrian access is provided from Stamford Street.

RECOMMENDATION

Based on the foregoing discussion and findings of fact, the CPC should vote to approve the preliminary plan subject to the following conditions:

1. Final plan approval should be delegated to DPD staff.
2. The validity of the preliminary plan shall be extended to one year from the date of recording of the approval letter.



Project : PROPOSED 3 - STORY, 23 - UNIT APARTMENT BUILDING 150 STAMFORD AVENUE PROVIDENCE, R.I.		Date : 11/18/19
Revision :		Scale : As Noted
Date :		Drawn by : GB
Drawing No. :		A.P. : 89 Lot No. : 391
		1
		1 OF 2 DWGS.



PROPOSED NORTH (FRONT) ELEVATION



PROPOSED SOUTH (REAR) ELEVATION



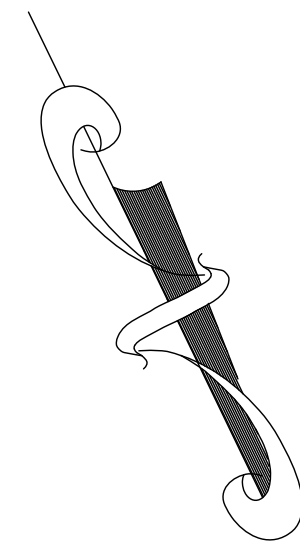
PROPOSED EAST (LEFT SIDE) ELEVATION



PROPOSED WEST (RIGHT SIDE) ELEVATION

Project : PROPOSED 3 - STORY, 23 - UNIT APARTMENT BUILDING 150 STAMFORD AVENUE PROVIDENCE, R.I.		Date : 11/18/19
Revision :		Scale : As Noted
Date :		Drawn by : GB
Drawing No. :		A.P. : 89 Lot No. : 391
		2
		2 OF 2 DWGS.

n/f
STATE OF
RHODE ISLAND



AP 3 LOT 1133 AP 3 LOT 1134 AP 3 LOT 1135 AP 3 LOT 1136 AP 3 LOT 1137 AP 3 LOT 1138 AP 3 LOT 1140 AP 3 LOT 1138

CRANSTON
PROVIDENCE

430.16'

(set)

25'

(found)

12' ACCESS EASEMENT

AP 3 LOT 1623

HATHAWAY DRIVE
(public 45' wide)

PROPOSED 4" pe G
PROPOSED 4" di W
PROPOSED OHW E

AP 89 LOT 245

AP 89 LOT 130

EXISTING
6 UNIT BUILDING
(832SF/UNIT)

NEW 3 STY
24 UNIT APT BLDG
(880SF/UNIT MIN.)

NEW
2 STY
GAR
30'x24'

EXISTING
8 UNIT BUILDING
(840SF/UNIT)

AP 89 LOT 230

Owner:
121
STAMFORD
LLC
NORTH KINGSTOWN, RI

AP 89 LOT 138

AP 89 LOT 388

AP 89 LOT 235
n/f
STAND DOWN HOUSING

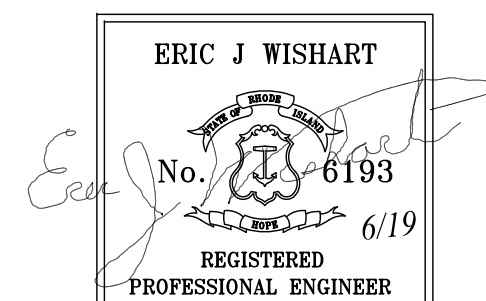
AP 89 LOT 229

AP 89 LOT 228

gran. bound
(found)

STAMFORD STREET
(public 50' wide)

BISSELL STREET



CIVIL CADD SERVICES, INC
150 Higginson Avenue
Lincoln, RI 02865

Consultants:
Civil Engineer
CIVIL CADD SERVICES, INC
150 Higginson Avenue
Lincoln, RI 02865
Eric J. Wishart, PE
Surveyor
Peter Cipolla Jr, PLS
Cranston, RI

ZONE CHANGE w/AMENDMENTS

Project Name:
121
STAMFORD
LLC
NORTH KINGSTOWN, RI

Revisions:

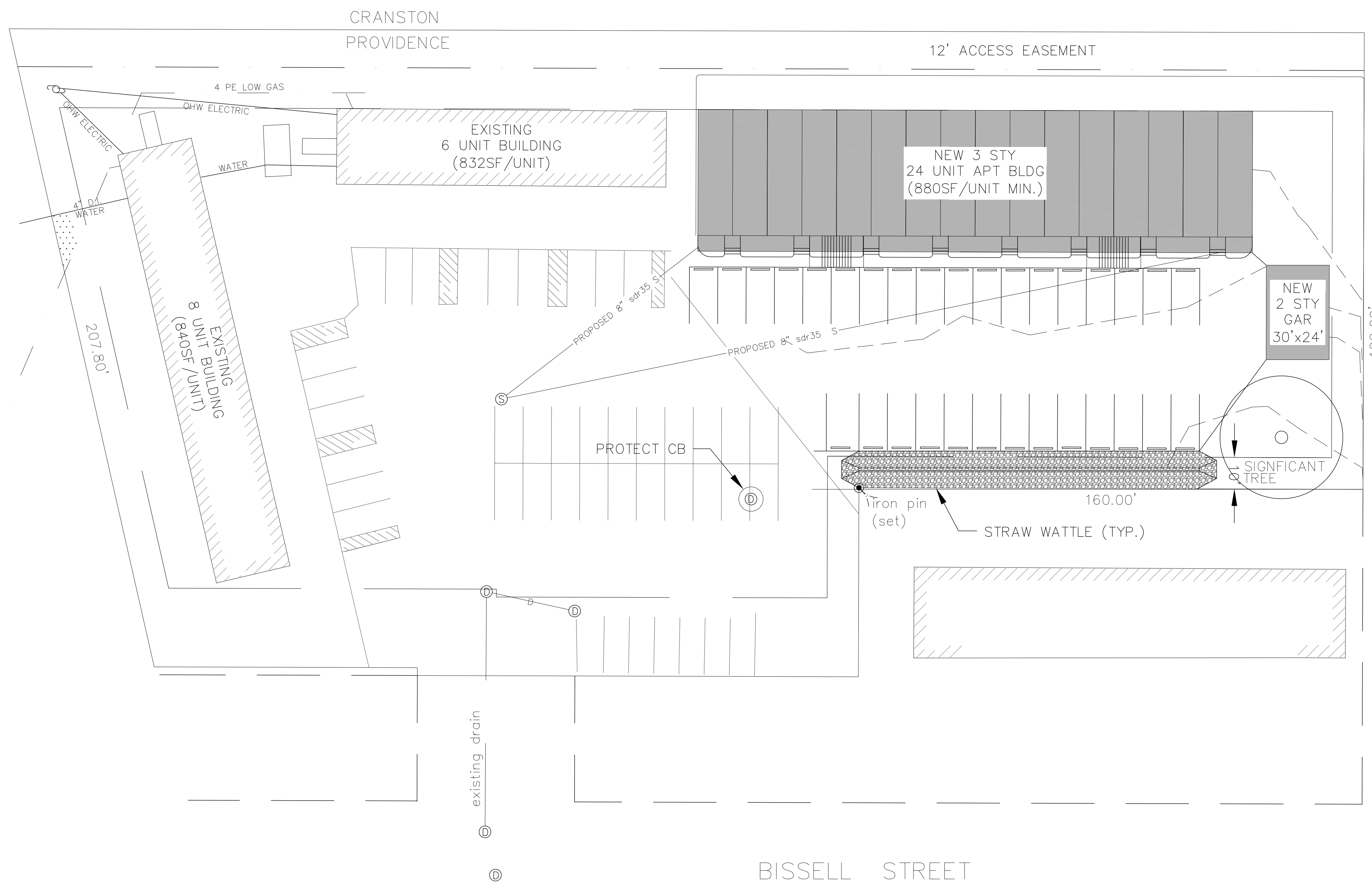
Number	Date	Description
1	11/12/19	BLDG & PARKING CHANGE

Submission Type:
MASTER PLAN
SUBMISSION

Project Type:
ZONE
CHANGE
w/AMENDMENTS

Sheet Name:
General
Plan

Drawing Scale:
1" = 20'
Project Number:
C1
Date Issued:
6-19



NOTE
 BEST MANAGEMENT PRACTICES TO BE FOLLOWED, PER THE 2015 RIDEM
 STORMWATER MANAGEMENT MANUAL TO CONTROL RUNOFF AND SOIL
 EROSION DURING CONSTRUCTION ACTIVITIES.

ERIC J WISHART
 No. 6193
 REGISTERED
 PROFESSIONAL ENGINEER
 6/19

CIVIL CADD SERVICES, INC
 150 Higginson Avenue
 Lincoln, RI 02865

Consultants:
Civil Engineer
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 150 Higginson Avenue
 Lincoln, RI 02865
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Surveyor
 Peter Cipolla Jr, PLS
 Cranston, RI

ZONE CHANGE w/AMENDMENTS

Owner:
121 STAMFORD LLC
 NORTH KINGSTOWN, RI

Revisions:

Number	Date	Description

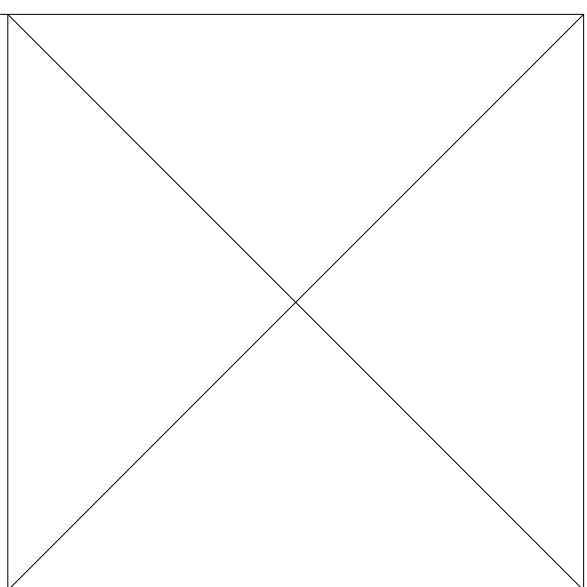
Project Name:
APARTMENT COMPLEX EXPANSION

Submission Type:
 MASTER PLAN SUBMISSION

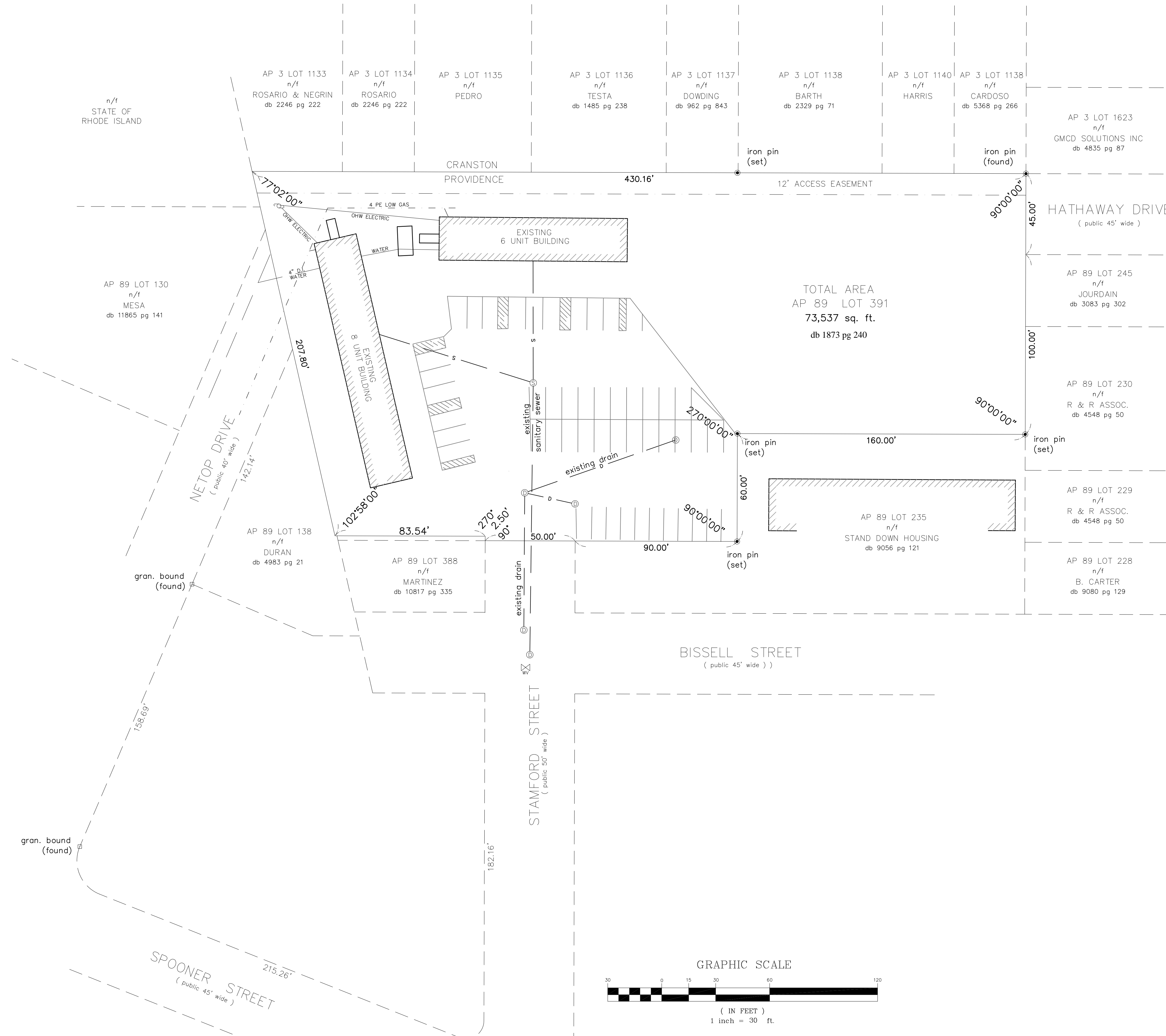
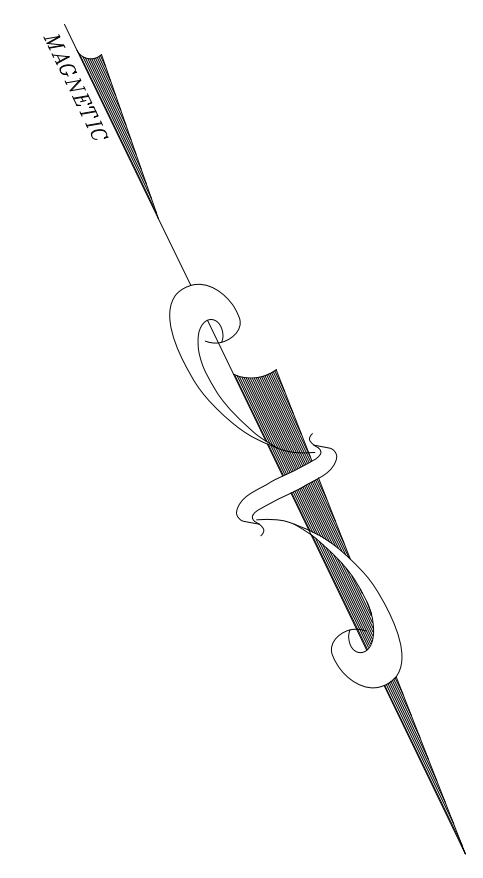
Project Type:
 ZONE CHANGE w/AMENDMENTS

Sheet Name:
BMP Plan

Drawing Scale:
 1" = 20'
 Project Number:
C2
 Date Issued:
 6-19



LOCATION MAP



- REFERENCES :**
- 1.) PROVIDENCE ASSESSORS PLAT 89
 - 2.) CRANSTON ASSESSORS PLAT 3
 - 3.) PROVIDENCE STREET LINE PLANS OF NETOP, BISSELL AND NETOP STREETS
 - 4.) PROVIDENCE DEED BOOK / PAGES SHOWN
 - 5.) "REPLAT OF THE AUBURNDALE PLAT, ADJOINING ROGER WILLIAMS PARK" CRANSTON, R.I. BY J. A. LATHAM, APRIL, 1802

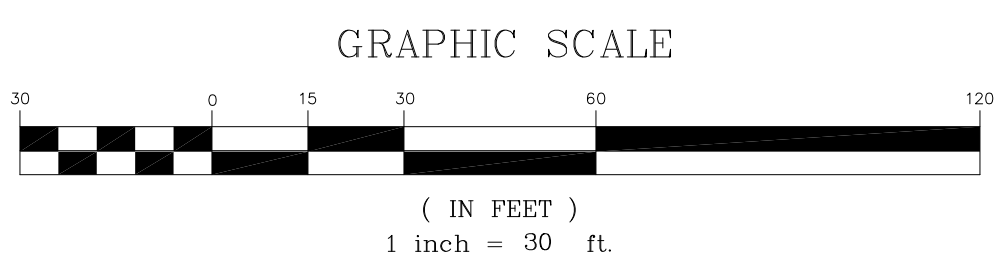
FLOOD DATA :
 ENTIRE PARCEL IS LOCATED OUTSIDE
 ANY DESIGNATED FLOOD ZONE ON
 FEMA FLOOD MAP 44007C0318H EFF. 10-02-2015

ZONING :
 CLASSIFICATION : R-2

OWNERS / APPLICANTS:
 121 STAMFORD AVENUE LLC
 214 ALLEGRA LANE
 NORTH KINGSTOWN, R.I.
 02852

SURVEY CERTIFICATION:
 THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOV. 25, 2015, AS FOLLOWS:
 TYPE OF SURVEY: _____ MEASUREMENT SPECIFICATION _____
 COMPREHENSIVE BOUNDARY SURVEY CLASS I
 DATA ACCUMULATION - PLANIMETRIC CLASS II
 THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS:
 PERFORM A PROPERTY SURVEY AND PREPARE PLAN OF SAME

PETER V. CIPOLLA, JR.
 No. 1680
 PROFESSIONAL LAND SURVEYOR
 BY: _____
 PETER V. CIPOLLA, JR. - RIPLS # 1680
 COA # LS-A64



PLAN OF PROPERTY SURVEY
 OF
 AP 89 LOT 391
 PROVIDENCE, R.I.
 1"=30' APRIL 12, 2019
 PETER V. CIPOLLA, JR
 registered land surveyor
 P. O. BOX 8662
 CRANSTON, R.I. - 02920

CRANSTON LINE

PROVIDENCE

12' ACCESS EASEMENT

HATHWAY DRIVE

NETOP STREET

(17) ITEA VIRGINICA "HENRY'S GARNET" 3 GAL.

(12) SYRINGA PATULA MS KIM LILAC 3 GAL.

(6) ILEX CRENATA HELLERII HELLEERS HOLLY 3 GAL.

(4) AMELANCHIER ARBOREA "ROBIN HILL" (SHADBUSH) - SMALL TREE 1"-1.5" CAL. OR PRUNUS CERASIFERA "NIGRA" CHERRY.

EXISTING 8 UNIT BUILDING

EXISTING 6 UNIT BUILDING

NEW APARTMENTS 24 UNITS
3 STYD . 880 SQFT /UNIT MIN

NEW WALKWAYS
565.876 SQFT.

NEW GARAGE
30'X24'
2 STY

(5) AMELANCHIER ARBOREA "ROBIN HILL" (SHADBUSH) - SMALL TREE 1"-1.5" CAL. OR PRUNUS CERASIFERA "NIGRA" CHERRY

EXISTING ASPHALT PARKING TO REMAIN IN PLACE 19,075.75 SQFT
40 PARKING SPACES

2- NYSSA SYLVATICA (BLACK GUM) - MED. TREE

NEW ASPHALT PARKING LOT
8329.35 SQFT.
GRADE TO EX.ASPHALT PARKING
30 PARKING SPACES

PROTECT TREE AND DRIP LINE AROUND TREE FROM EQUIPMENT AND DAMAGE DURING CONSTRUCTION. NO STOCK PILING WITHIN DRIP LINE.

6'X5' SILVER MAPLE SIGNIFICANT TREE

9 PARKING SPACES
78'-0 1/8"

9 PARKING SPACES
78'-0 1/8"

9 PARKING SPACES
78'-0 1/8"

(3) ACER RUBRUM (RED MAPLE) - LG TREE

7 PARKING SPACES

CAREX AND AMSONIA BLUE ICE PLUGS FOR GROUND COVER OR LAWN

(3) ACER RUBRUM (RED MAPLE) - LG TREE

7 PARKING SPACES

7 PARKING SPACES

7 PARKING SPACES

7 PARKING SPACES

7 PARKING SPACES

7 PARKING SPACES

7 PARKING SPACES

7 PARKING SPACES

7 PARKING SPACES

7 PARKING SPACES

7 PARKING SPACES

7 PARKING SPACES

7 PARKING SPACES

TREE KEY
Tree Canopy size classification according to maturity

LARGE TREE
1000 SQFT

MEDIUM TREE
700 SQFT

SMALL TREE
300 SQFT

STAMFORD STREET

BISSELL STREET

PLANT SCHEDULE

Plant List:

KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE	NOTES
Trees					
Trees Backyard - Seasonal interest and future screening					
Large	3 Acer Rubrum 'October Sky' OR Quercus Palustris	Red Maple Pin Oak		1-1.5" cal	Red Fall Color
Medium	4 Nyssa sylvatica Wildfire/JFS Red Firestarter	Black Gum		1-1.5" cal	Oval, Purple scarlet fall color
Small	12 Amelanchier arborea 'Robin Hill' OR Prunus cerasifera 'Nigra'	Shabush Black Cherry Plum		1-1.5" cal	Oval Spring flowers/Fall color Oval Spring flowers
Shrubs					
	17 Itea Henry's Garnet			3/4' b&b	Fall color/Summer blooming salt tolerant
	12 Syringa patula Ms Kim			#3gal	Ms Kim Lilac
	15 Ilex crenata hellerii			#3 gal	White flowering shade tolerant
	Hydrangea Arborescens Annabelle	Annabelle Hydrangea			
Perennials					
	600 Amsonia Blue ice	Blue Ice Amsonia		4" Plugs	
	Carex Pensylvanica	Pensylvania Sedge - 1300 sqft		4" pots	ground cover/ivy

LOT SIZE 73,533.515 SQFT
AREA OF DEVELOPMENT 27 PERCENT OF LOT SIZE 19,854.05

30 PERCENT CANOPY COVER 5,956.214

SIGNIFICANT TREE CANOPY 2375.82 SQFT
3 LARGE NEW SHADE TREES - 3000 SQFT
4 MEDIUM NEW SHADE TREES - 2100 SQFT
12 SMALL SHADE TREES - 1500 SQFT.

TOTAL PROPOSED CANOPY COVER 6,600 SQFT.

121 STAMFORD STREET NEW
MUTIFAMILY HOUSING LANDSCAPE PLAN
121, STAMFORD AVENUE PROVIDENCE, RI

SCALE 1"=20'

NOVEMBER 18, 2019

ANJALI JOSHI DESIGN LLC
LANDSCAPE ARCHITECT

130 ABBOTT RUN VALLEY ROAD
CUMBERLAND RI 02864
anjali.joshi.design@gmail.com

