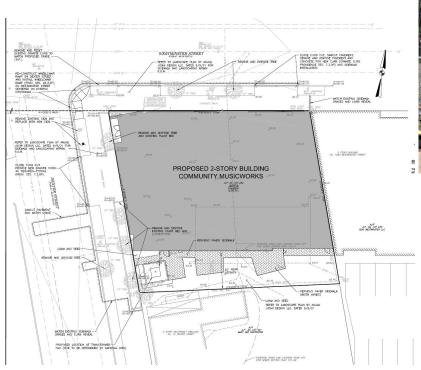
Providence City Plan Commission

September 28, 2021



AGENDA ITEM 4 - 1326 WESTMINSTER STREET





View of the site from Westminster Street



Aerial view of the site from Westminster Street

Site plan

OVERVIEW

PROJECT LOCATION:

NEIGHBORHOOD:

OWNER/APPLICANT: Community Music Works

PROJECT DESCRIPTION:

RECOMMENDATION:

The applicant is proposing to construct a two story mixed-use building for use as a vocational school specializing in music education with classrooms, performance and commercial space. The applicant is seeking preliminary plan approval and requesting a waiver from submission of all state approvals at the preliminary plan stage. The site is located in the C-2 zone under the historic district overlay.

CASE NO./ 19-027 MA
PROJECT TYPE: Preliminary Plan

Approval of the Preliminary Plan subject to the noted findings

1326 Westminster Street

AP 32 Lot 232

C-2 zoning district under Historic

District Overlay

Federal Hill

PROJECT PLANNER: Choyon Manjrekar



North elevation



West elevation

PROJECT OVERVIEW

The applicant is proposing to construct a new, approximately 22,000 SF, two-story building to be built in the C-2 zone under the Historic District Overlay at 1326 Westminster Street (AP32 Lot 232). The applicant is proposing to construct a mixed use building for use as a music education facility with classrooms, performance and commercial space. The applicant is seeking preliminary plan approval. The applicant is requesting a waiver from submission of all state approvals at the preliminary plan stage.

ANALYSIS AND IDENTIFICATION OF POTENTIAL ISSUES

<u>Use</u>

The applicant is proposing to construct a two story mixed-use building that will focus on music education and provide commercial space. Based on the DPD's analysis, the development may be classified as a

vocational facility or art gallery. As the school will provide general educational development and is a private facility that does not offer a complete educational curriculum, it is considered a vocational educational facility. The ordinance defines an art gallery as an establishment engaged in the sale and/or display of paintings, sculpture and other works of art. Both uses are permitted by right in the C-2 zone. Some restaurant and commercial space is also proposed, which are also uses allowed by right.

Dimensions and site design

A height of two stories and approximately 30'—which is within the zone's 50', four story height limit— is proposed for the building which will provide approximately 22,000 SF of gross floor area including the basement. Offices, storage space, rentable commercial space and a café will be provided on the first floor, which will be centered around an atrium for performances. Classrooms and instrument storage

space will be located on the second floor, with the center open to view the atrium below. Additional storage space will be provided in the basement. Conceptual renderings show that the building façade on Westminster and Dexter Streets will be composed of a concrete base with heat treated wood and glass with views into the building provided from both street frontages. The building will meet the design guidelines for the C-2 zone by incorporating permitted materials in the façade, direct pedestrian entry from the street, and providing appropriate transparency at ground level.

As the site is located under a historic district overlay, the building's design was reviewed by the Historic District Commission (HDC) who have granted full approval.

Landscaping

The lot measures 11,033 SF requiring approximately 1,725 SF of canopy coverage for the C-2 zone. The applicant has submitted a landscaping plan which would use a mix of small, medium and large trees around the perimeter of the site for a total of 6,400 SF of coverage, which would exceed the requirement. In addition, vegetation strips will be installed in the sidewalk to aid stormwater management. The plan shall be subject to the approval of the City Forester prior to final plan approval.

Lighting

The lighting plan shows that light fixtures will be placed on the building façade to illuminate the perimeter. There will be no light trespass onto neighboring property or streets.

Drainage and Erosion Control

The applicant is required to demonstrate that drainage from post-development conditions will not exceed existing conditions. Plans show that the total amount of onsite pervious surface will increase and the curve number—the measure of the relationship between retention and runoff—will be lower, representing an improvement in onsite drainage conditions.

An erosion control plan has been submitted to limit the movement of sediment off the site. Hay bales, sandbags, straw, fiber mulch protective covers and silt socks will be employed to control erosion off the site.

Parking

Section 1903 of the ordinance allows for the Director of Inspection and Standards to grant a 10 percent modification to any dimensional standard of the ordinance. With a lot size of 11,033 SF, the applicant requested and received a modification of approximately 1,103 SF to be considered a lot of less than 10,000 SF, which makes it exempt from providing parking in the C-2 zone.

A vocational facility and art gallery require one bicycle space per 2,500 SF of development. Six bicycle spaces are required for the 18,260 SF building. Capacity for 20 bicycle parking spaces will be provided, mainly along the Dexter Street frontage.

Waivers

The applicant has requested a waiver from submission of all state approvals at the preliminary plan stage. The applicant is seeking approvals from the Narragansett Bay Commission (NBC), and the Department of Environmental Management (DEM) for the soil management and remediation plans. The applications have been submitted and the applicant is awaiting approval. The CPC should grant the waiver finding that it would be in the interest of good planning practice as the approval periods from state bodies may vary. The waiver would allow the development process to proceed as the approvals are being processed.

Recommendation

The CPC should grant the waiver subject to the condition that the applicant submit all approvals at the final plan stage.

The applicant shall return to the CPC if any of the approvals results in a change to the plan. These conditions would ensure that granting of the waivers is consistent with the comprehensive plan and zoning ordinance.

FINDINGS

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 intends for Neighborhood Commercial/Mixed Use development. The plan describes this area as one intended to foster the development of business and commercial uses as well as neighborhood facilities. The development would conform to this description as it would provide a service that can be availed of by the community. A music school would conform to objective AC-2 of the plan, which encourages building neighborhood vitality through increased access and diversified cultural participation. A music school would also serve to fulfill objective AC-4 of the plan which aims to promote Providence as the state and regional center for culture and the arts.
- 2. Compliance with Zoning Ordinance—The proposed development is in compliance with the standards and provisions of the Zoning Ordinance.

Use: The proposed uses of a vocational school-educational facility and/or art gallery and commercial space are permitted by right in the C-2 zone.

Dimension and Design: The building's dimensions and site design will conform to the requirements of the C-2 zone. The building's design has received final approval from the HDC.

Landscaping: The applicant will meet the landscaping requirement based on the submitted plan.

Parking: The applicant will meet the parking requirement based on receiving an administrative modification for lot size, which renders the development exempt from parking.

- Lighting: The lighting plan meets the requirements of 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.
 - The applicant has submitted drainage and erosion control plans which show that there will be no adverse impacts as a result of the development. No negative environmental impacts are expected as the applicant will come into conformance with 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.
 - The applicant is required to obtain encroachment permits for the building footings. There are no physical constraints that impact development of this property, as the development will comply with the dimensional requirements of the C-2 zone and there are no site impediments to development.
- 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, pedestrian and bicycle access is provided from Westminster and Dexter Streets.

RECOMMENDATION

The CPC should vote to approve the preliminary plan subject to the following conditions:

- 1. The landscaping plan shall be subject to the approval of the City Forester.
- 2. The applicant shall obtain encroachment permits for the building footings.
- 3. The applicant shall submit all required state approvals at the final plan stage and will be required to re-appear before the CPC if any of the approvals results in a change to the approved plan.
- 4. Final plan approval should be delegated to DPD staff.



CITY PLANNING COMMISSION MAJOR LAND DEVELOPMENT PROJECT

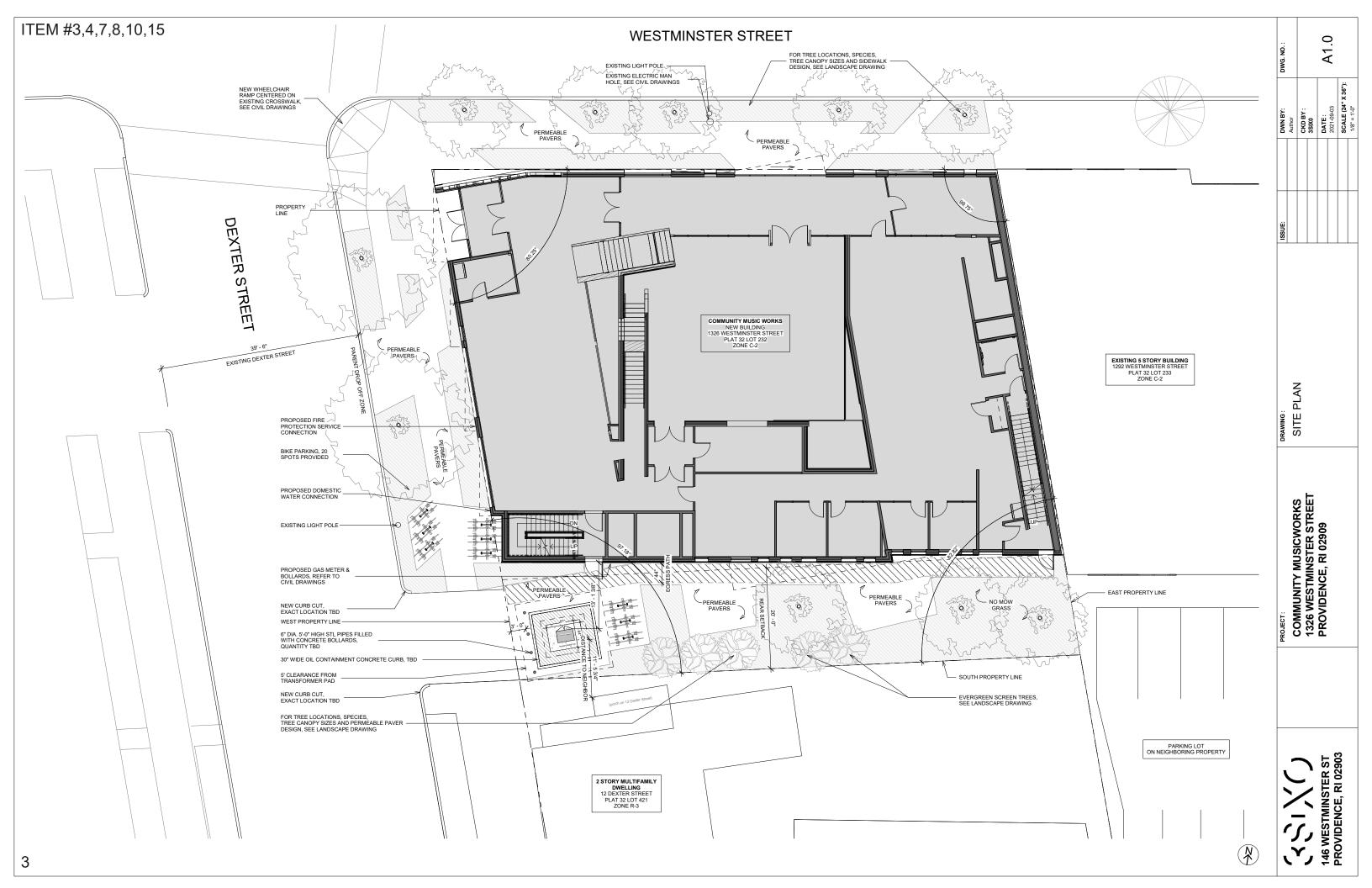


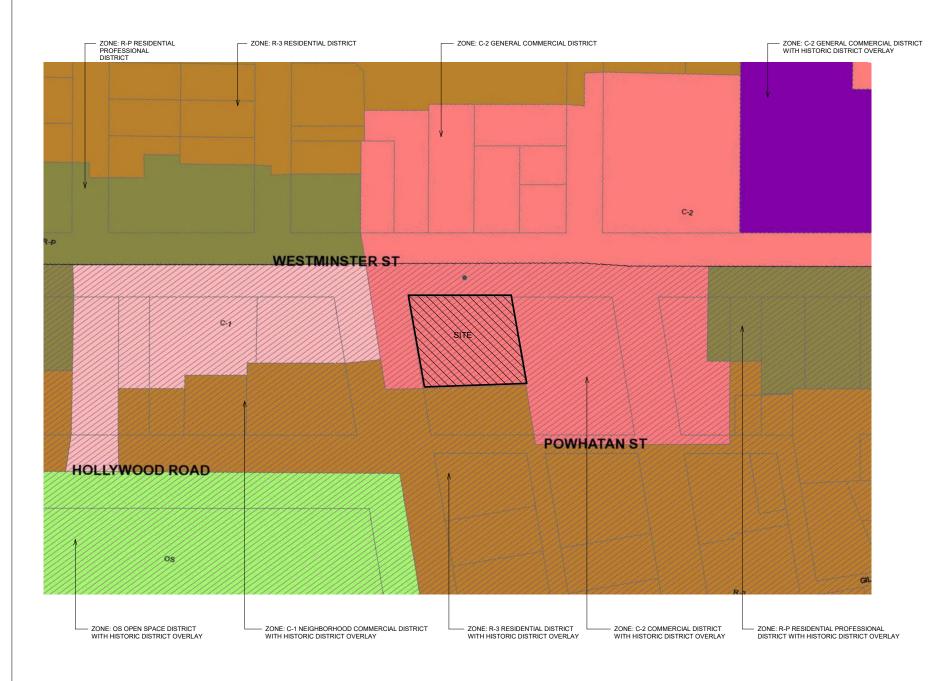
SEPTEMBER 28, 2021

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^{*}REGISTERED LAND SURVEY FORTHCOMING

^{*}FOR ITEMS # 11, 24, 27, 29, 33 SEE SEPARATE CIVIL DRAWINGS





PROVIDENCE ZONING REQUIREMENTS		
ZONING DISTRICT: C-2 GENERAL COMMERCIAL DISTRIC	СТ	
OVERLAY DISTRICT: HD HISTORIC DISTRICT		
PERMITTED USE: MIXED USE: EDUCATIONAL FACILITY	- VOCATIONAL, RESTAURANT, RETAIL	
	REQUIRED	PROVIDED
MINIMUM LOT REQUIREMENTS		
MINIMUM LOT AREA	NONE	11,030 sf
MINIMUM BUILDING HEIGHT	16'	30'-2"
MINIMUM FIRST STORY HEIGHT	11'	13'
MAXIMUM BUILDING HEIGHT	50' (4 STORIES)	38' (2 STORIES)
MAXIMUM BUILDING COVERAGE	NONE	79.8%
MAXIMUM IMPERVIOUS COVERAGE	NONE	8,235 sf
SETBACK REQUIREMENTS		
MINIMUM FRONT SETBACK	BUILT-TO* ZONE OF 0' TO 5'	0'
MINIMUM INTERIOR SIDE SETBACK	NONE	0'
MINIMUM CORNER SIDE SETBACK	BUILT-TO** ZONE OF 0' TO 5'	0'
MINIMUM REAR SETBACK	20' ***	20'
PARKING REQUIREMENTS		
MINIMUM REQUIRED VEHICLE SPACES		
EDUCATIONAL FACILITY - VOCATIONAL		
1 PER 3 EMPLOYEES: 9 EMPLOYEES	3*****	2
RESTAURANT		
1 PER 500 SF: 1,357 SF	0******	0
MINIMUM REQUIRED BICYCLE SPACES:		
EDUCATIONAL FACILITY - VOCATIONAL		
OVER 10,000 SF: 1/2,500 SF: 22,100 SF	8	8****
RESTAURANT		
OVER 10,000 SF: 1/2,500 SF: 1,357 SF	2	2

*FRONT SETBACK: THE REQUIRED BUILD TO PERCENTAGE IS 60%

**CORNER SIDE SETBACK: THE REQUIRED BUILD TO PERCENTAGE IS 40%

***REAR SETBACK: NONE, OR 20' IF ABUTTING RESIDENTIAL

****CAN ACCOMMODATE UP TO 30 BICYCLE SPACES TOTAL

*****PER ARTICLE 19, SECTION 1903 OF THE ZONING ORDINANCE, THE DIRECTOR OF INSPECTION AND STANDARDS MAY GRANT A 10% MODIFICATION OF DIMENSIONAL STANDARDS, THIS MODIFICATION TO SECTION 1410.B 7 OF ZONING THE ORDINANCE HAS BEEN GRANTED AND QUALIFIES THE PARCEL FOR A PARKING EXEMPTION

*******THE FIRST 2,500 SQ.FT. OF COMMERCIAL SPACE ARE EXEMPT FROM PARKING REQUIREMENTS IN THE C-2 ZONE

BUILDING AREA	
BASEMENT	7,724 GSF
GROUND FLOOR	8,124 GSF
SECOND FLOOR	6,862 GSF
TOTAL	22,710 GSF

USE AREAS	
EDUCATIONAL - VOCATIONAL	22,100 GSF
RESTAURANT	1.357 GSF

PROVIDENCE ZONING REQUIREMENTS		
ZONING DISTRICT: C-2 GENERAL COMMERCIAL DISTRIC	T	
OVERLAY DISTRICT: HD HISTORIC DISTRICT		
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PARKING REQUIREMENTS		
MINIMUM REQUIRED VEHICLE SPACES		
EDUCATIONAL FACILITY - VOCATIONAL		
1 PER 3 EMPLOYEES: 9 EMPLOYEES	3****	2
RESTAURANT		
1 PER 500 SF: 1,357 SF	0******	0
MINIMUM REQUIRED BICYCLE SPACES:		
EDUCATIONAL FACILITY - VOCATIONAL		
OVER 10,000 SF: 1/2,500 SF: 22,100 SF	8	8****
RESTAURANT		
OVER 10,000 SF: 1/2,500 SF: 1,357 SF	2	2

COMMUNITY MUSICWORKS 1326 WESTMINSTER STREET PROVIDENCE, RI 02909

ZONING MAP

3 A0.

DRAFT PERMIT SET



20NING MAP

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WARRANTY DEED

WBNA, INC., a Rhode Island non-profit corporation of the City of Providence, County of Providence, State of Rhode Island, for consideration paid of Two Hundred Seventy-Five Thousand Dollars (\$275,000.00), grant to COMMUNITY MUSICWORKS, a Rhode Island nonprofit corporation, having an address of 1392 Westminster Street, Providence, Rhode Island 02909; with WARRANTY COVENANTS:

That certain lot or parcel of land, with all the buildings and improvements thereon, situated at the southeasterly corner of Westminster Street and Dexter Street, in the City and County of Providence and State of Rhode Island, bounded westerly on Dexter Street one hundred two and 56/100 (102.56) feet, northerly on Westminster Street one hundred eleven and 88/100 (111.88) feets easterly on land now or lately of Burton S. Himelfarb et al ninety-seven and 50/100 (97.50) feet and southerly on land now or lately of Rita G. Callaghan one hundred eleven and 19/100 (111.19) feet.

Being the same premises conveyed to WBNA, Inc. by Deed of William D. Laorenza and Maria Paola Laorenza, dated November 8, 2012, and recorded November 9, 2012, in Book 10416 at page 295 in the office of the City Clerk of the City of Providence, Rhode Island.

Being Providence Tax Assessor's Plat 32 Lot 232, as presently constituted.

This conveyance is made subject to the following restrictions which shall run with the land:

Grantor approval in writing (which approval shall not be unreasonably withheld or delayed) of Grantee's conceptual design of the proposed structure and landscaping, which design shall be based upon the Providence Historic District Commission guidelines regarding new construction; provided, however, that once approved by Grantor, subsequent changes in conceptual design or structure shall not require Grantor approval unless they are: structural additions that add more than 25% of the gross floor area or any façade renovation that alters more than

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25% of the north or west facades.

Grantee agrees to consult with Grantor prior to modifying the use of the building to obtain Grantor's input with respect to the impact such changed use would have on neighborhood development plans.

Grantor has the right to repurchase the real estate at the original purchase price plus expenses incurred (both soft and hard costs) in construction if the project has not reached substantial completion within four years of closing.

WBNA, INC. hereby covenants that it is exempt from R.I.G.L. 44-30-71.3 withholding tax as it is a Rhode Island non-profit corporation as evidenced by affidavit.

IN WITNESS WHEREOF, the undersigned have caused these presents to be executed by its sole general partners this 20th day of December, 2017.

WBNA, INC., a Rhode Island non-profit corporation

Bv

KARI NET LANG, EXECUTIVE DIRECTOR

STATE OF RHODE ISLAND COUNTY OF PROVIDENCE

On this 20th day of December, 2017, before me, the undersigned notary public, personally appeared KARI NEL LANG, EXECUTIVE DIRECTOR of WBNA, INC., a Rhode Island non-profit corporation, proved to me through satisfactory evidence of identification, which was a <u>ill litting</u>, to

Doc No: 00188574 Book:11915 Pase:

be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose and the stated purpose of WBNA, INC.

Notary Public

My Commission Expires:

For reference purposes only, Property Address: 1326 Westminster Street Providence, RI 02909 MARK E. LIBERATI Notary Public, State of Rhode Island My Commission Expires June 18, 2021 Notary # 9047

RECEIVED:

Providence Received for Record Dec 21,2017 at 12:13P Document Num: 00188574 John A Murphy Recorder of Deeds

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Plat 32 Lot 47 The Guerra Family Rev Trust 72 Marshall Street Providence, RI 02909

Plat 32 Lot 62 SJC Holdings LLC Attn Jeff Corey/Siobhan Callahan 7 Gilbert Street Providence, RI 02909-1209

Plat 32 Lot 65 Yatar Kuyateh 181 Courtland Street Providence, RI 02909

Plat 32 Lot 66 Joes Meat Market Inc 1333 Westminster Street Providence, RI 02909-1412

Plat 32 Lot 67 Joes Meat Market Inc 1333 Westminster Street Providence, RI 02909-1412

Plat 32 Lot 68 West Side Partners LLC 1345 Westminster Street Providence, RI 02907

Plat 32 Lot 183 Daniel Hornby 106 Modena Avenue Providence, RI 02908

Plat 32 Lot 196 Cerberus LLC 1447 Westminster Street, Unit 1C Providence, RI 02909

Plat 32 Lot 198 Kristin Allard 11 Dexter Street Providence, RI 02907

Plat 32 Lot 229 Jack Anthony Gold 32 Dexter Street Providence, RI 02907

Plat 32 Lot 230 Rose Siegel Trustee 26 Dexter Street Providence, RI 02909

Plat 32 Lot 231 Grandview Realty Corporation 520 Hope Street Providence, RI 02906-2532

Plat 32 Lot 233 1290 Westminster LLC 1292 Westminster Street Providence. RI 02907

Plat 32 Lot 234 Pilgrim Lofts LLC 234 5th Avenue, Suite 319 New York, NY 10001 Plat 32 Lot 235 Syed Abdul Latif and Siddiquas Latif 58 Roberta Avenue Pawtucket, RI 02860-6142

Plat 32 Lot 291 Charles Runyon 9 Hollywood Road Providence, RI 02907

Plat 32 Lot 365 John Bergman 1268 Westminster Street, Unit 600 Providence. RI 02907

Plat 32 Lot 421 Mary Lee Partington 12 Dexter Street Providence, RI 02909-1204

Plat 32 Lot 448 Joes Meat Market Inc 1333 Westminster Street Providence, RI 02909-1412

Plat 32 Lot 460 Felice De Quattro and M Celeste De Quattro 175 Courtland Street Providence, RI 02909

Plat 32 Lot 462 Acquire Realty LLC 54 Seaview Avenue Cranston, RI 02920

Plat 32 Lot 495 Yatar Kuyateh 181 Courtland Street Providence, RI 02909

Plat 32 Lot 499 Daniel Hornby 106 Modena Avenue Providence, RI 02908

Plat 32 Lot 506 We LLC 211 Bellman Avenue Warwick, RI 02889

Plat 32 Lot 534 McDonough Meghan 1262 Westminster Street Providence, RI 02907

Plat 32 Lot 543 James Montford 1365 Westminster Street Providence, RI 02909

Plat 32 Lot 562 Nancy I Hart 24 Harrison Street, Unit 4 Providence, RI 02909-1217 SUE: DWN BY:

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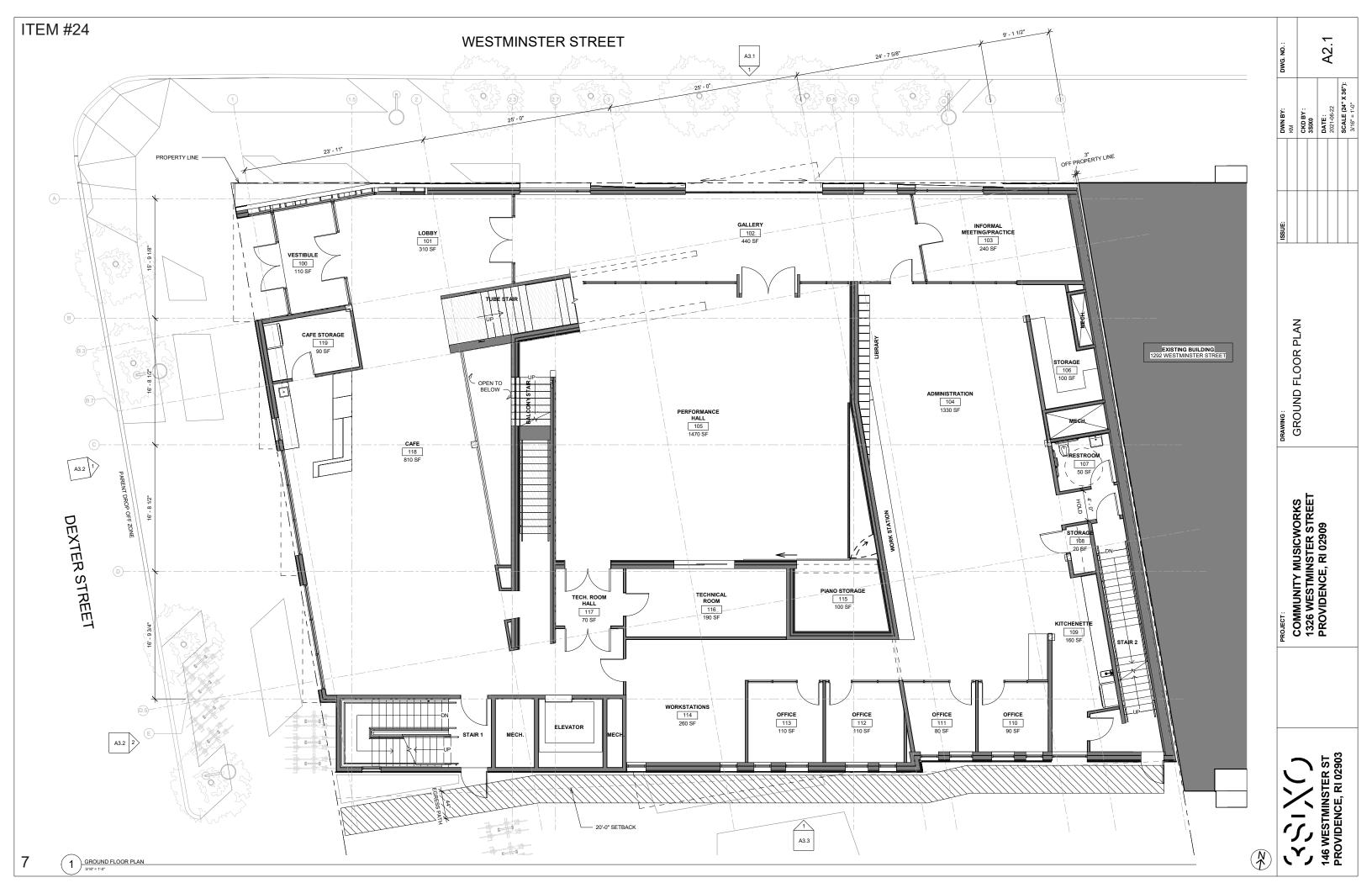
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PLOT PLAN - 200' RADIUS

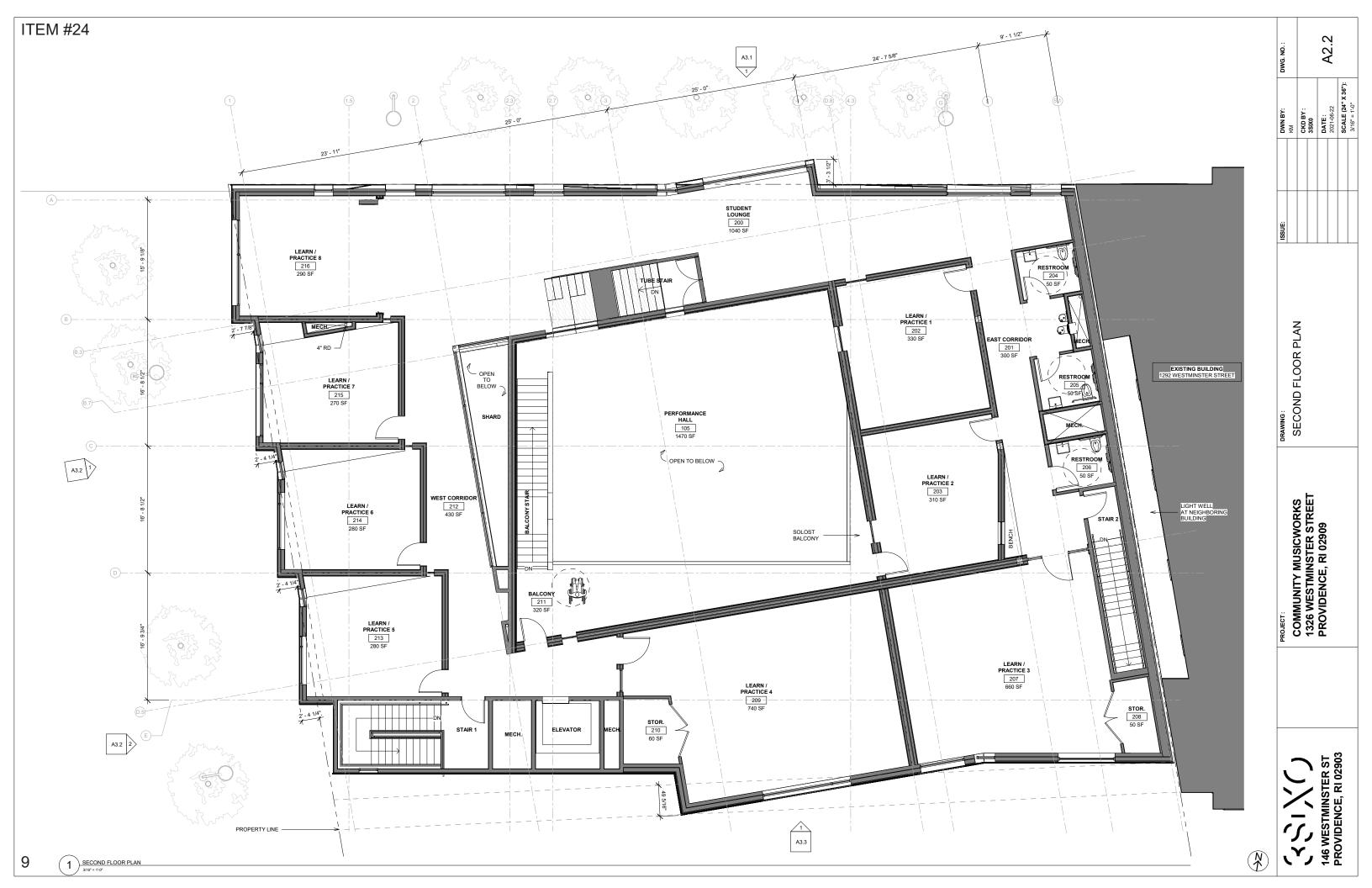
COMMUNITY MUSICWORKS 1326 WESTMINSTER STREET PROVIDENCE, RI 02909



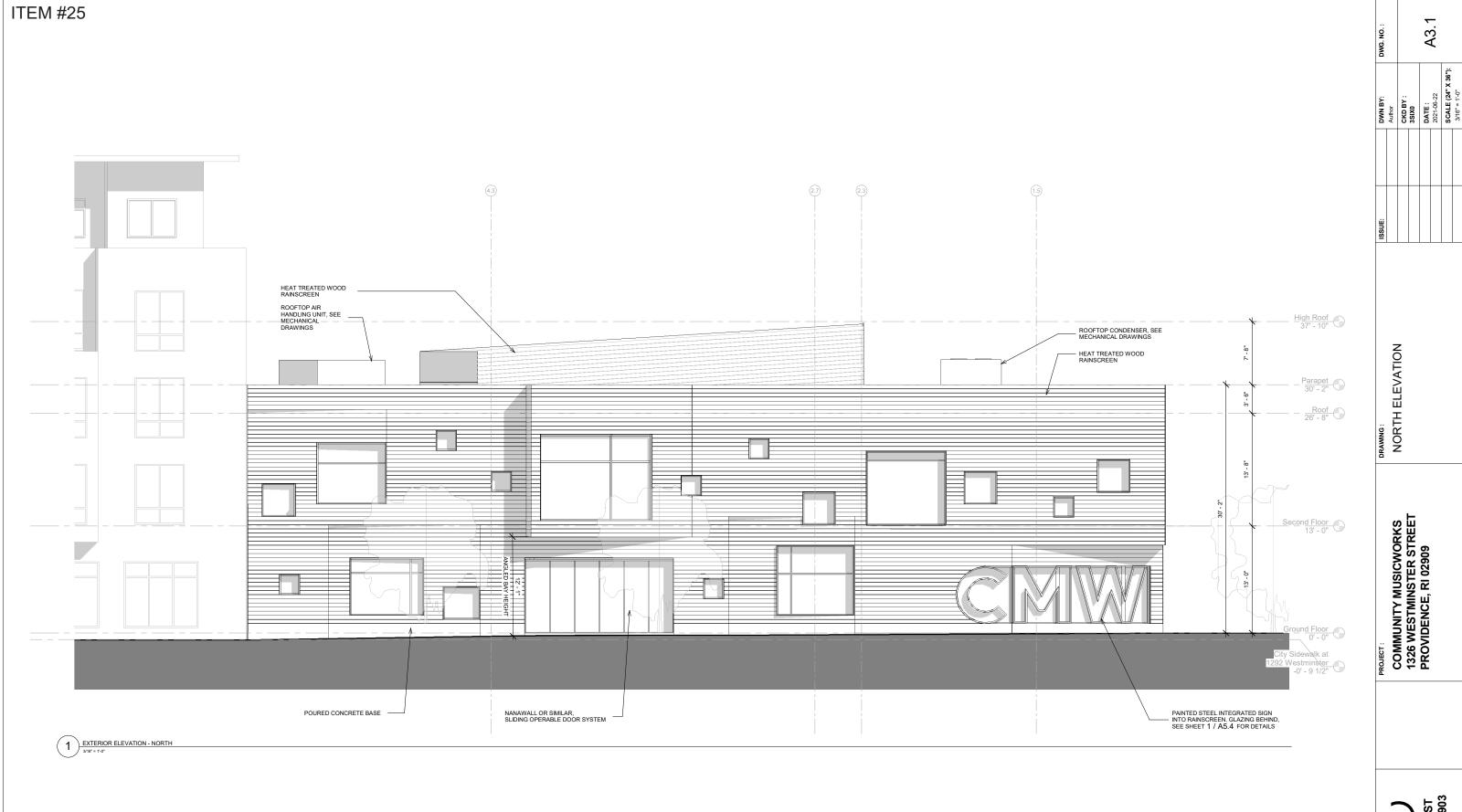
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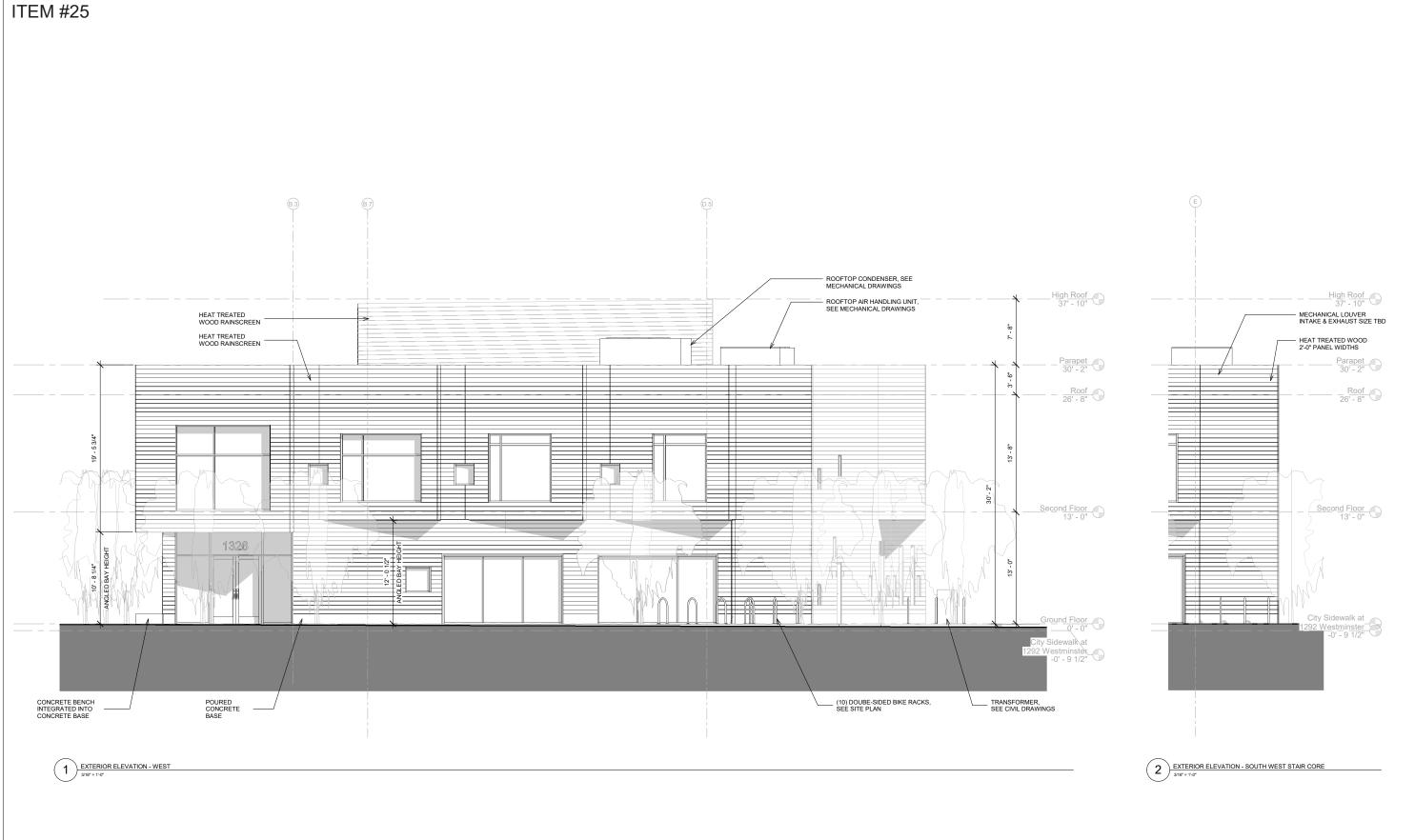








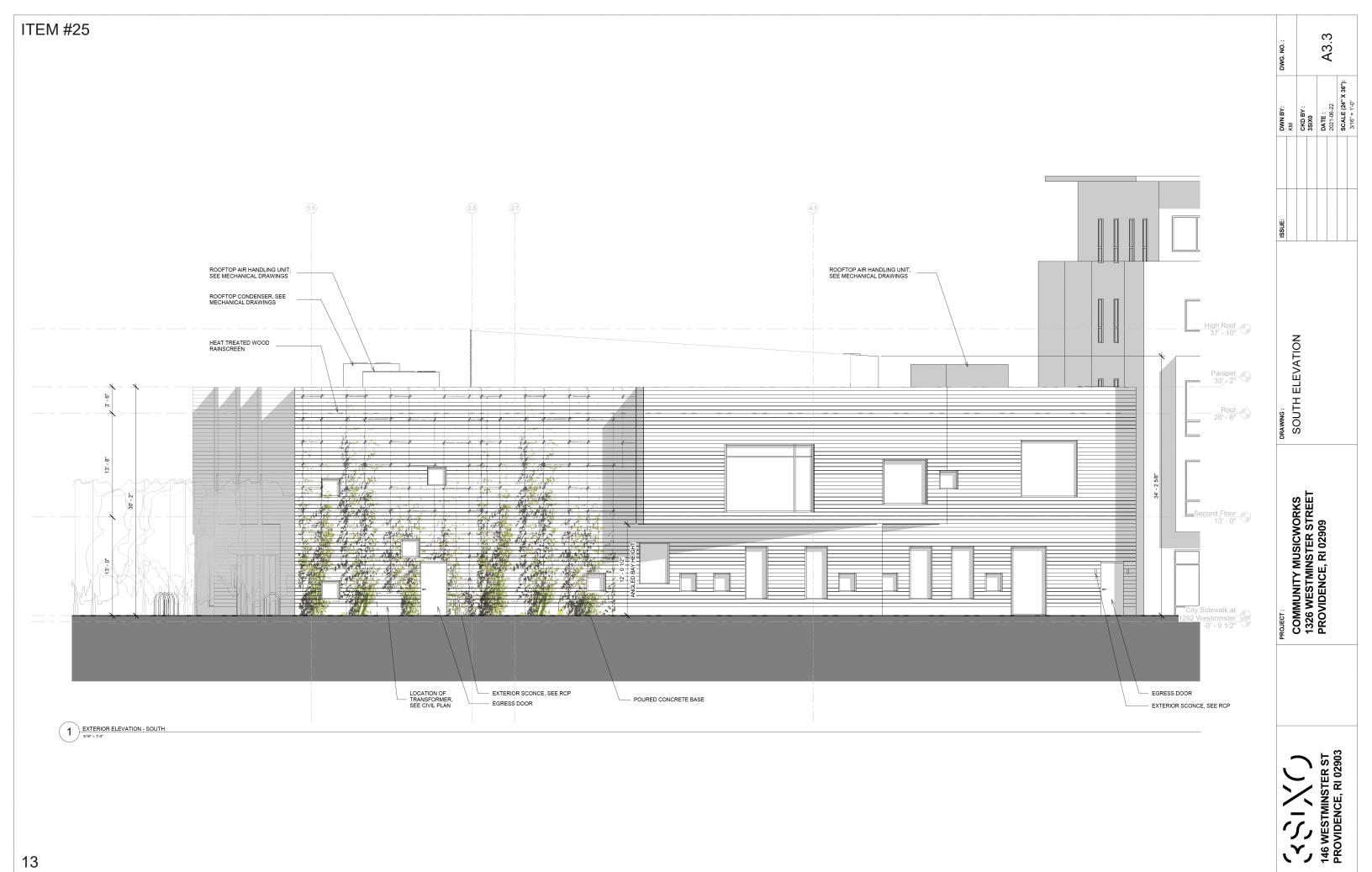


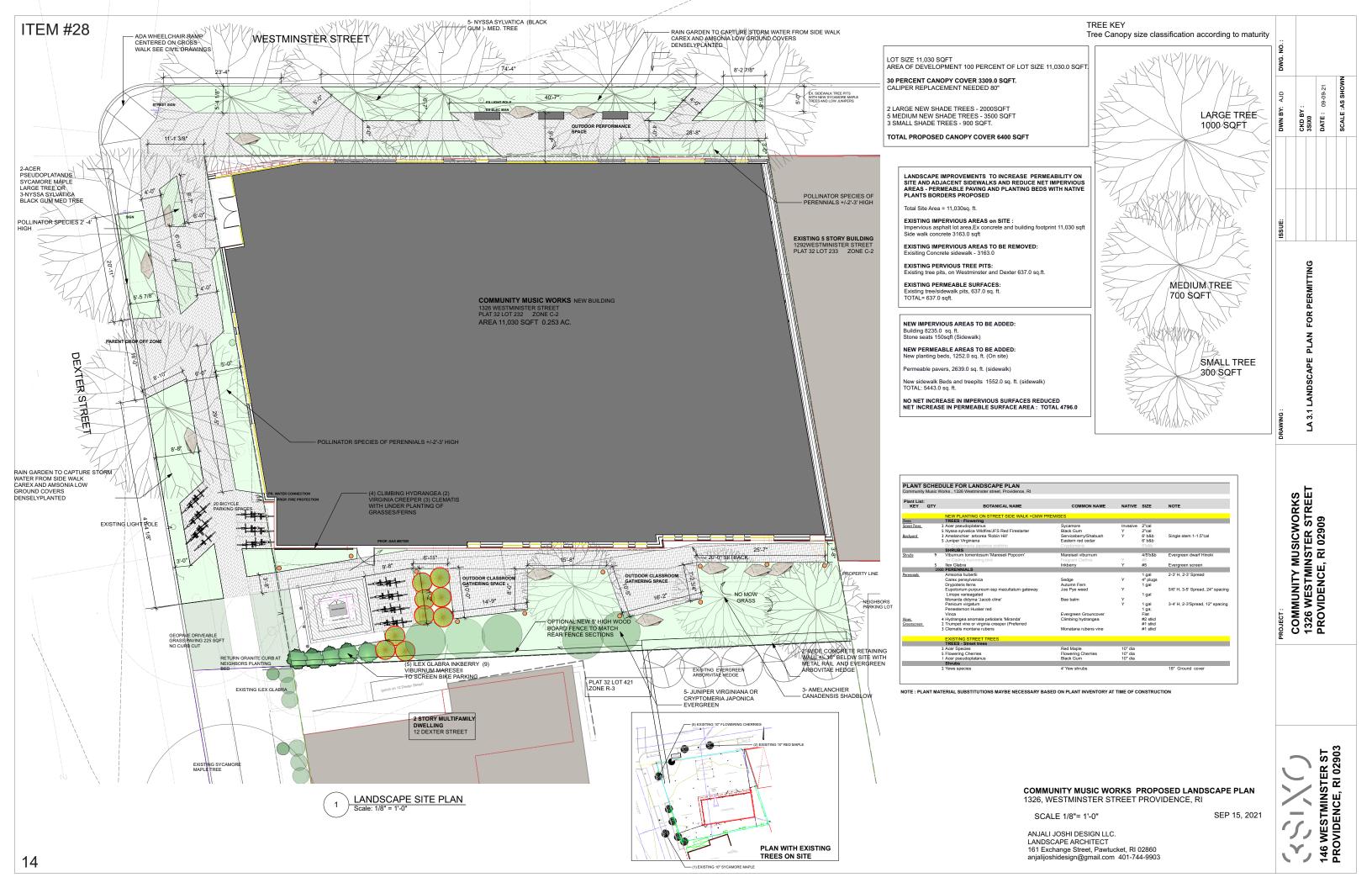


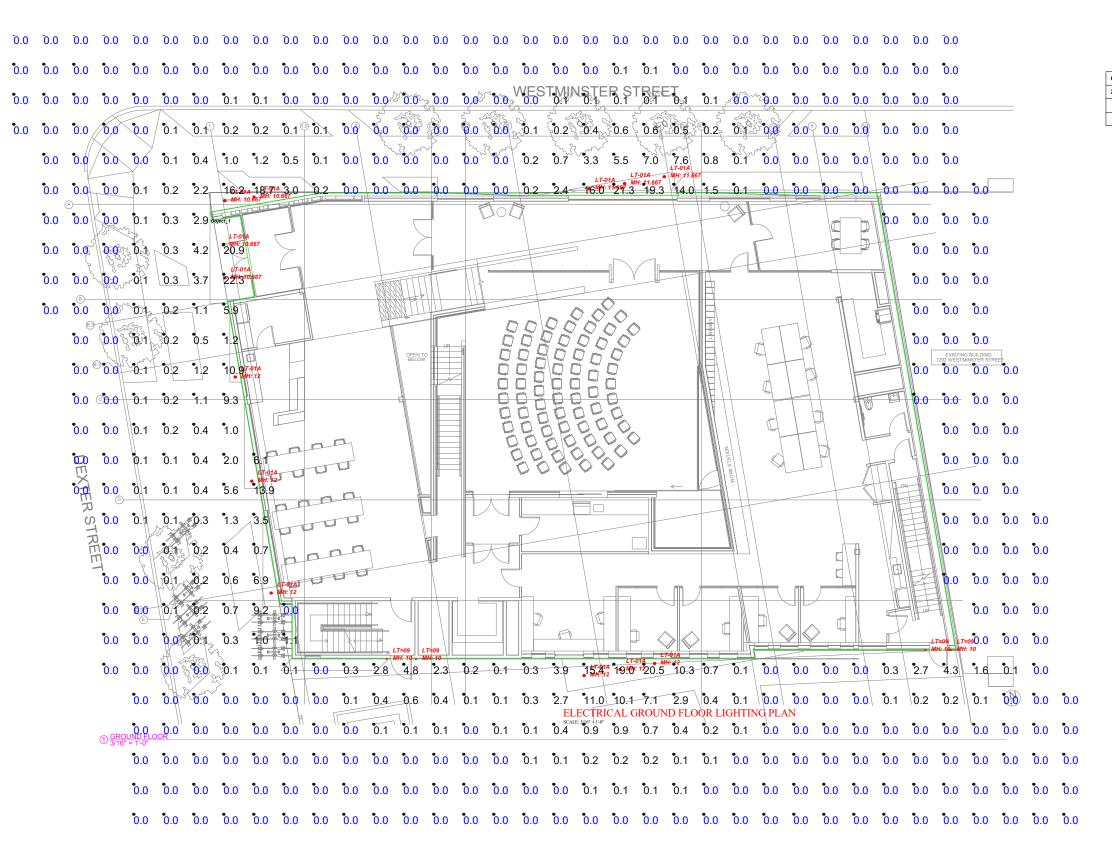


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