

DEC 05 2022

CITY OF PROVIDENCE
ZONING BOARD OF REVIEW

APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

Check Each Type Zoning Relief Sought:

| |
|-------------------------------------|
| <input type="checkbox"/> |
| <input type="checkbox"/> |
| <input checked="" type="checkbox"/> |

Variance – Use *
Variance – Dimensional*
Special Use Permit **

* Attach Appendix A to apply for a Use or Dimensional Variances
** Attach Appendix B to apply for a Special Use Permit

Applicant: West End Learning Community L

Address 98 Harrison Street, Unit 1

Zip Code 02909

E-mail Molly.WELC@gmail.com

Phone 401-369-5775

Home/Office

401-369-5775

Mobile (Cell)

Owner: Mary Colannino

Address 98 Harrison Street

Zip Code 02909

E-mail mcolannino@gmail.com

Phone N/A

Home/Office

401-595-8056

Mobile (Cell)

Lessee: West End Learning Community L

Address 98 Harrison Street

Zip Code 02907

E-mail Molly.WELC@gmail.com

Phone: _____

Home/Office

Mobile (Cell)

Does the proposal require review by any of the following (check each):

- Downtown Design Review Committee
- I-195 Redevelopment District Commission
- Capital Center Commission
- Historic District Commission

1. **Location of Property:** 98 Harrison Street, Unit 1
Street Address

R-3

2. **Zoning District(s):** _____
Special purpose or overlay district(s): Historic Overlay District - Armory

3a. **Date owner purchased the Property:** 2021

3b. **Month/year of lessee's occupancy:** 08/2022

3. Dimensions of each lot:

| | | | | | | | | |
|-------|---------------|----------|----------------|-------|----------------|------------|---------------|---------|
| Lot # | <u>259</u> | Frontage | <u>50.125'</u> | depth | <u>110.27'</u> | Total area | <u>5,528</u> | sq. ft. |
| Lot # | <u> </u> | Frontage | <u> </u> | depth | <u> </u> | Total area | <u> </u> | sq. ft. |
| Lot # | <u> </u> | Frontage | <u> </u> | depth | <u> </u> | Total area | <u> </u> | sq. ft. |

4. Size of each structure located on the Property:

| | | |
|-----------------------------|----------------------------|--------------------------|
| Principal Structure: | Total gross square footage | <u>878 - Just Unit 1</u> |
| Footprint <u>2,791 SF</u> | Height <u> </u> | Floors <u>1</u> |

| | | |
|-----------------------------|----------------------------|----------------------|
| Accessory Structure: | Total gross square footage | <u> </u> |
| Footprint <u> </u> | Height <u> </u> | Floors <u> </u> |

| | | |
|------------------------------------------|-----------------------------|----------------------|
| 5. Size of proposed structure(s): | Total gross square footage: | <u> </u> |
| Footprint <u> </u> | Height <u> </u> | Floors <u> </u> |
| of entire building | | |

6a. Existing Lot coverage: (include all buildings, decks, etc.) 1,310 sq. ft

6b. Proposed Lot coverage: (include new construction) N/A

7a. Present Use of Property (each lot/structure):
Day Care Center, up to 8 people receiving day care

7b. Legal Use of Property (each lot/structure) as recorded in Dept. of Inspection & Standards:
Residential

8. Proposed Use of Property (each lot/structure):
Day Care Center

9. Number of Current Parking Spaces: 4

10. Describe the proposed construction or alterations (each lot/structure):
There is no construction or alteration proposed.

11. Are there outstanding violations concerning the Property under any of the following:

- Zoning Ordinance
- RI State Building Code
- Providence Housing Code

12. List all Sections of the Zoning Ordinance from which relief is sought and description of each section:

| | |
|---------------|--------------------------------------------------------------------|
| <u>1201</u> | <u>Table 12-1 - Day Care Center 9-12 people receiving day care</u> |
| <u> </u> | <u> </u> |
| <u> </u> | <u> </u> |

13. Explain the changes proposed for the Property.

Please see Exhibit A attached hereto.

The undersigned acknowledge(s) and agree(s) that members of the Zoning Board of Review and its staff may enter upon the exterior of the Property in order to view the Property prior to any hearing on the application.

The undersigned further acknowledge(s) that the statements herein and in any attachments or appendices are true and accurate, and that providing a false statement in this application may be subject to criminal and/or civil penalties as provided by law, including prosecution under the State and Municipal False Claims Acts. Owner(s)/Applicant(s) are jointly responsible with their attorneys for any false statements.

Owner(s):

Applicant(s):

Mary E Colaninno
Type Name

Molly Abernathy
Type Name

[Signature]
Signature

[Signature]
Signature

Type Name

Type Name

Signature

Signature

All requirements listed and described in the Instruction Sheet must be met or this application will not be considered complete.

APPENDIX B

APPLICATION(S) FOR SPECIAL USE PERMIT

1. Identify the section(s) of the Ordinance that provides for the special use permit.
Please see Exhibit A attached hereto.

2. State all facts that demonstrate that the proposed special use will not substantially injure the use and enjoyment of neighboring property.
Please see Exhibit A attached hereto.

3. State all facts that demonstrate that the proposed special use will not significantly devalue neighboring property.
Please see Exhibit A attached hereto.

4. State all facts that demonstrate that the proposed special use will not be detrimental or injurious to the health or welfare of the community.
Please see Exhibit A attached hereto.

**IF THE APPLICANT IS AN EDUCATIONAL OR HEALTH CARE INSTITUTION,
COMPLETE PAGES 10 AND 11 BELOW**

APPLICATION FOR SPECIAL USE PERMIT

EXHIBIT A TO APPENDIX B

13. Explain the changes proposed for the Property.

West End Learning Community LLC (“WELC”) is a day care center currently operating in the first-floor unit of the property located at 98 Harrison Street, Providence, Rhode Island (the “Property”). The Property is a multi-family structure with two units and is located within the R-3 zoning district. Pictures of the Property and WELC’s unit are included as part of WELC’s application.

WELC’s sole manager is Molly Abernathy. Molly was a pre-k and first grade teacher in the City of Providence for five (5) years and graduated from Rhode Island College with a degree in early-childhood education and Providence College with a Masters of Education in Urban Education. After it became apparent that there is a dire need for affordable day care services and early learning opportunities in Providence, WELC was formed. The mission of WELC is to provide children with opportunities to develop as confident, capable, and healthy individuals in a safe and nurturing learning environment. Through hands-on learning and unique educational pathways, each child is valued and empowered as both an individual and a community collaborator. WELC strives to create a diverse community where children are respected, honored, and advocated for to reach their full potential. Recognizing parents and caregivers as children’s first teachers, WELC considers them critical partners in building a child’s foundation for a lifelong love of learning.

Pursuant to Section 1201, Table 12-1 of the City of Providence Zoning Ordinance (the “Ordinance”) WELC is permitted by right in the R-3 zone to operate a day care center for up to eight (8) people receiving day care. A day care center for 9-12 people is also permitted by special use permit in the R-3 zone. As a result of the demand and support from the community, WELC is now seeking to provide its day care services to more families. Accordingly, WELC is submitting this application for a special use permit for a “day care center, 9-12 people receiving day care” pursuant to Section 1201, Table 12-1, of the Ordinance.

WELC received its licensure from the State of Rhode Island Department of Human Services (“DHS”) for a Licensed Family Care Home Provider in October of 2022. Additionally, DHS has conditionally approved WELC for a Group Family Child Care license to allow WELC to care for 9-12 children provided that WELC is granted a special use permit with the City of Providence. A letter from DHS is also enclosed in WELC’s application setting forth its conditioned approval.

Appendix B:

1. Identify the Section(s) of the Ordinance that provides for the special use permit.

WELC seeks a special use permit pursuant to Section 1201, Table 12-1 of the Ordinance for a day care use, 9-12 people receiving day care.

2. State all facts that demonstrate that the proposed special use will not substantially injure the use and enjoyment of neighboring property

The uses in surrounding neighborhood consists of mixed use residential and commercial. WELC has already been operating a day care at the Property with eight (8) children. The addition of four (4) children will not substantially injure the use and enjoyment of the neighboring property. Rather, WELC will be providing a needed service to residents of the area, many of whom have young children.

3. State all facts that demonstrate that the proposed special use will not significantly devalue neighboring property.

As set forth above, the neighboring properties consist of commercial and residential uses. As such, a day care use is in conformance with the uses of the surrounding area. The Ordinance contemplates this statement as a day care center for up to eight (8) people receiving day care is permitted by right in the R-3 zone. The addition of four (4) children will not devalue the neighboring properties as the increase is not substantial enough to interfere with or cause a negative impact on neighboring properties.

4. State all facts that demonstrate that the proposed special use will not be detrimental or injurious to the health or welfare of the community.

It is the applicant's position that the special use will enhance community well-being and health by providing more families with an opportunity to have an affordable day care service, which is a use in critical demand. The special use will be operated by a professional who has both the educational background and experience to run a responsible and safe day care for 9-12 children. Molly Abernathy also lives in the neighborhood and therefore continuing to be a good and considerate neighbor is a priority. As such, it is the applicant's position that the special use of a day care center with 9-12 children will not be detrimental or injurious to the health or welfare of the community.



Rhode Island Department of Human Services

Office of Child Care

October 24, 2022

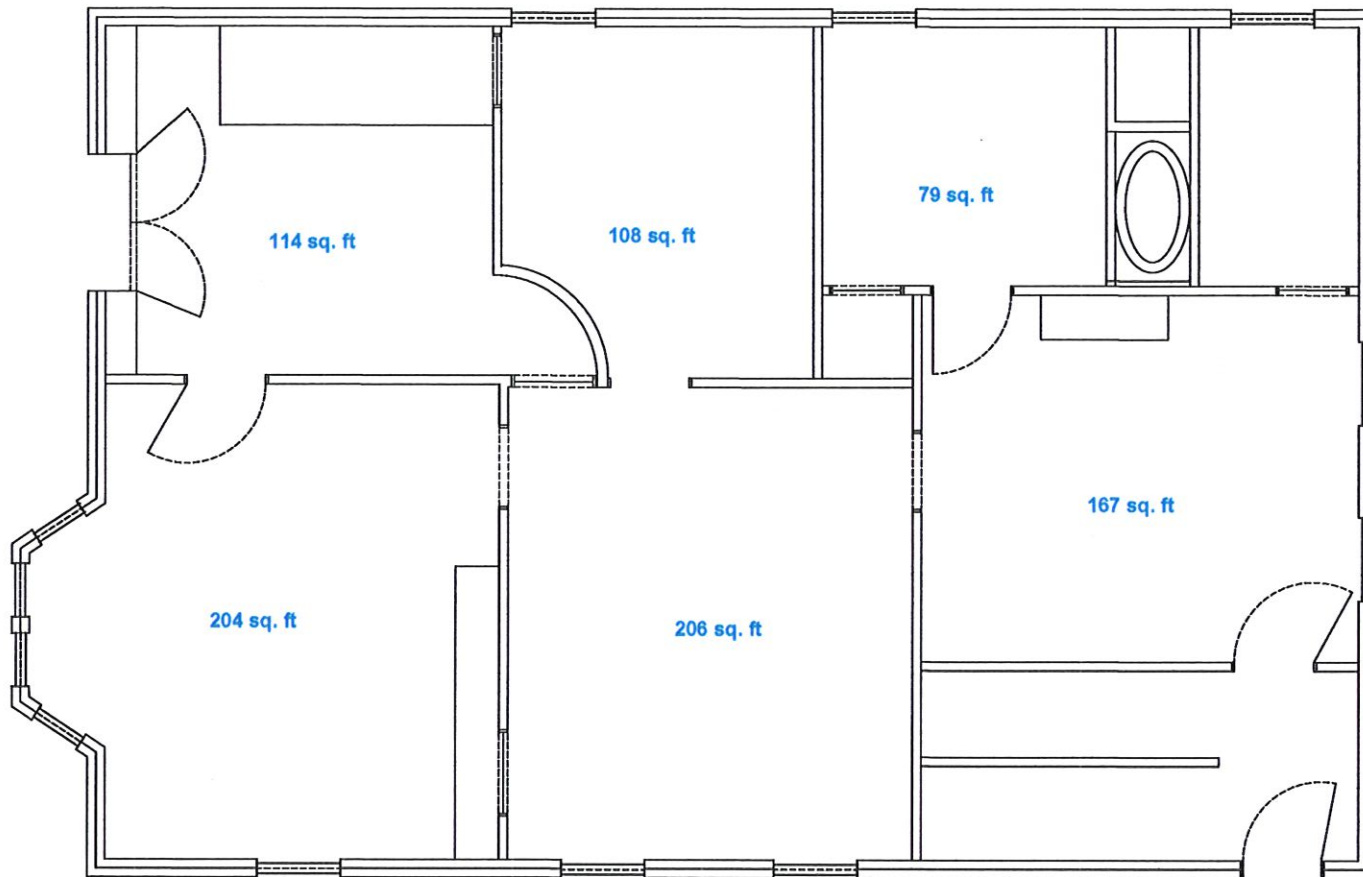
To whom it may concern,

Molly Abernathy, resident of 98 Harrison Street in Providence Rhode Island, received license to operate a family child care home in her residence effective October 1, 2022. Ms. Abernathy was originally approved to care for eight children due to the zoning regulations in Providence currently prohibiting group family child care homes (a maximum capacity of twelve (12) children. Should Ms. Abernathy be granted a special use permit, she will be eligible to increase her license to twelve, as she meets all other licensing regulations for this capacity. Please contact us if we can be of any further assistance.

Respectfully,

A handwritten signature in blue ink that reads "Nicole Chiello".

Nicole Chiello
Assistant Director of Child Care
Department of Human Services
dhs.childcarelicensing@dhs.ri.gov



Lot 259 - 5528 sq. ft.

Lot Frontage: 50.125'

Lot Depth: 110.27'

Building Coverage: 1310 sq. ft - 24%

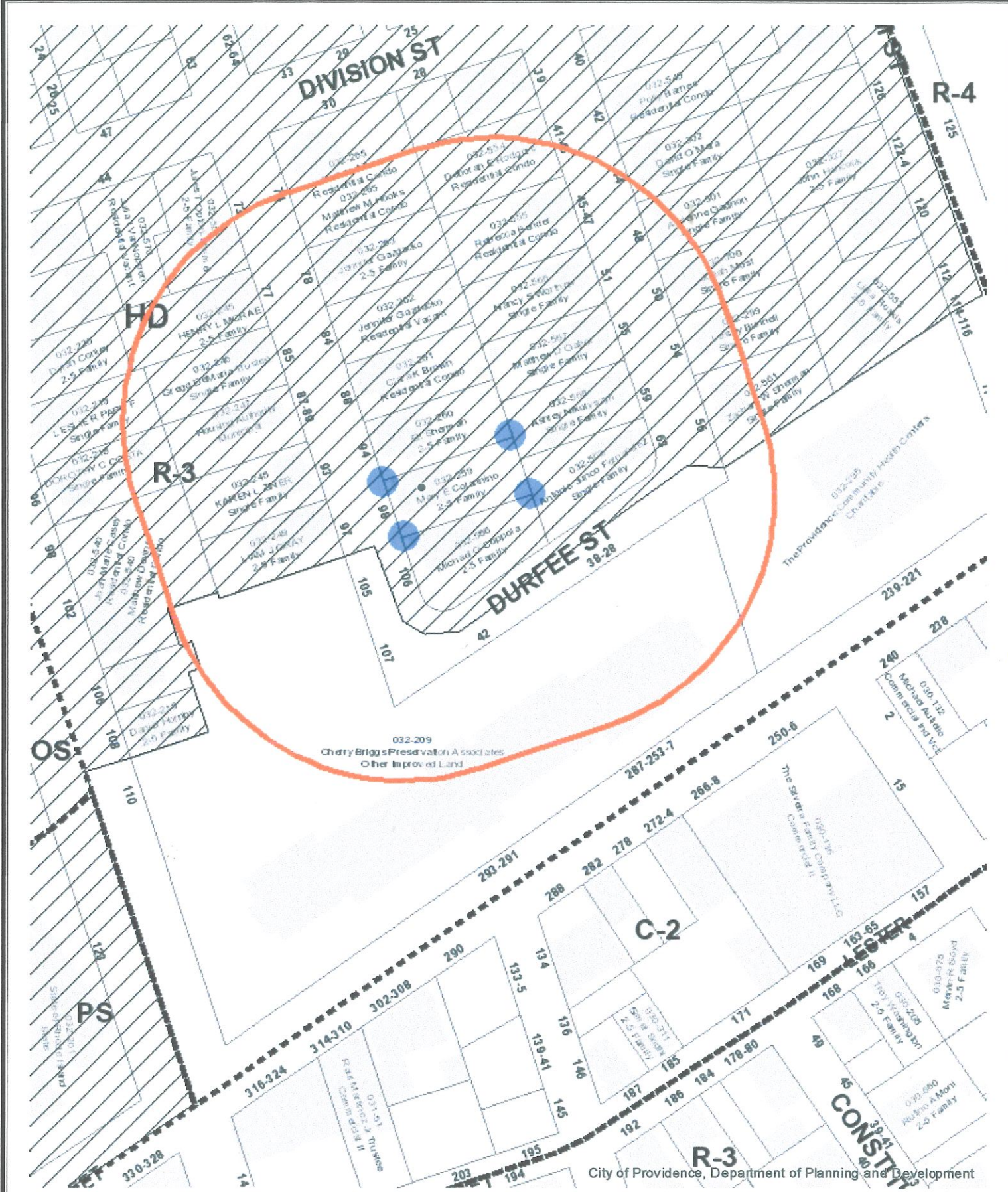
West End Learning Community

98 Harrison Street First Floor

Phone: (401)-369-5775

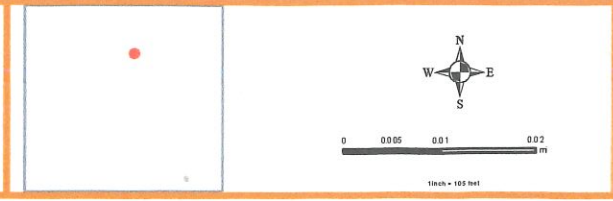
Scale: 1/4" = 1'-0"

Total Square Footage of Usable Space: 878 sq. ft.



City of Providence, Department of Planning and Development

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P PROVIDENCE, RHODE ISLAND

PROVIDENCE THE CREATIVE CAPITAL

DEPARTMENT OF PLANNING AND DEVELOPMENT
 JORGE O. BLORZA, MAYOR | BONNIE NICKERSON-CAV, DIRECTOR









