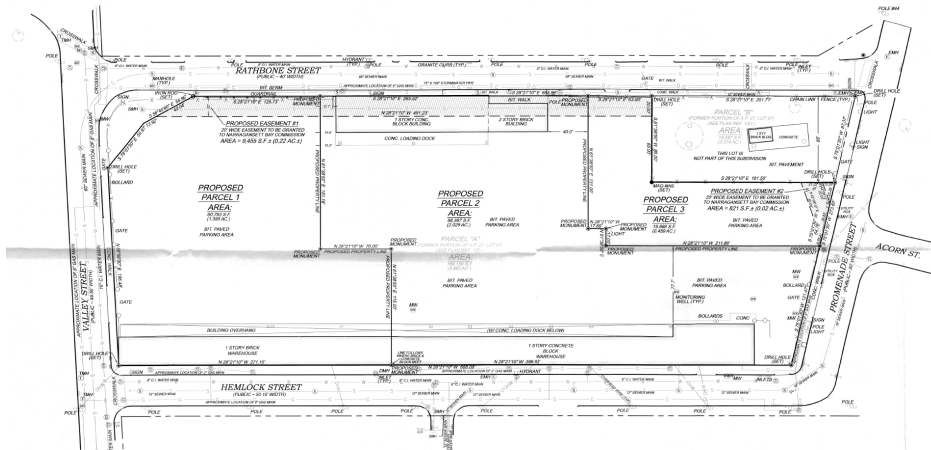


Providence City Plan Commission

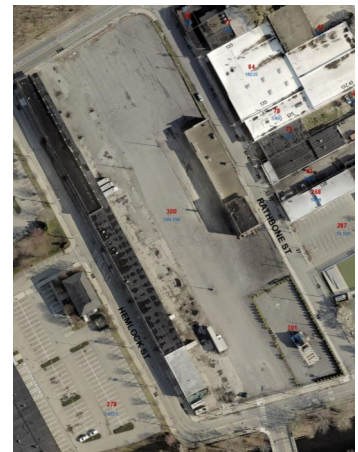
December 14, 2021



AGENDA ITEM 1 ■ 35 HEMLOCK STREET



Proposed subdivision



Aerial view of the site

OWNER/APPLICANT:	Providence Redevelopment Agency (PRA)	PROJECT DESCRIPTION:	Subdivision of a lot measuring 169,156 SF into three lots of 60,783 SF (Parcel 1), 88,387 SF (Parcel 2) and 19,986 SF (Parcel 3). Parcel 3 is proposed for use as a parking lot, for which a special use permit is being requested pursuant to Unified Development Review with preliminary plan approval.
CASE NO./PROJECT TYPE:	21-040 UDR—Unified Development Review		
	Minor subdivision with special use permit		
PROJECT LOCATION:	35 Hemlock Street AP 27 Lot 300; M-1 zone, ICBP overlay	RECOMMENDATION:	Approval of dimensional variances and special use permit.
NEIGHBORHOOD:	Valley	PROJECT PLANNER:	Choyon Manjrekar

OVERVIEW

The subject lot measures approximately 169,156 SF (3.8 acres), is zoned M-1, and is occupied by several buildings but otherwise largely vacant. The applicant is proposing to subdivide the lot into three lots of 60,783 SF (Parcel 1, 1.39 acres), 88,387 SF (Parcel 2, 2.029 acres) and 19,986 SF (Parcel 3, 0.45 acres). Parcel 3 is proposed for use as a parking lot, for which a special use permit is being requested pursuant to Unified Development Review. The applicant is seeking preliminary plan approval and a special use permit.

SPECIAL USE PERMIT

The applicant is requesting a Special Use Permit for operation of a principal use parking lot on parcel 3 of the proposed plan. This lot will be sold to the Paul Cuffee School across Hemlock Street.

Findings – Special Use Permit

To authorize a special use permit, the City Plan Commission, as part of unified development review, shall make specific findings of fact which demonstrate that:

1. The proposed special use permit is set forth specifically in this Ordinance and complies with any conditions set forth therein for the authorization of such special use permit, including those listed in Article 12.

The zoning ordinance permits principal use parking lots to operate in industrial zones with a special use permit.

2. Granting the proposed special use permit will not substantially injure the use and enjoyment of nor significantly devalue neighboring property.

The site has been used for accessory parking associated with the uses on site. Given the previous uses on the site, the subdivision and creation of a parking lot is not expected to change the use or intensity of the lot. Based on plans provided, the surrounding area is composed of a variety of uses that provide onsite parking. Therefore, the lot is not expected to affect the use or value of neighboring property.

3. Granting the proposed special use permit will not be detrimental or injurious to the general health or welfare of the community.

As the site has provided parking for a number of uses, and intensity of the parking use is not expected to exceed what previously existed, a negative effect on neighborhood character is not expected.

Recommendation

Based on the foregoing discussion, the CPC should approve the special use permit for parking.

FINDINGS—Minor Subdivision

Section 806 of the Commission's *Development Review Regulations* requires that the City Plan Commission make the following findings a part of their approval of all subdivision 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:

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 has designated for business/mixed use development. These areas are intended for expansion of business and industrial uses into former manufacturing areas. The lots created through the subdivision would allow for the type of development envisioned by the plan and would be in character with the surrounding neighborhood. Creation of new lots would allow for separation of the uses on the site.

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

The subdivision will meet the requirements of the M-1 zone and conform to the zoning ordinance as there are no minimum dimensional requirements for new lots.

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.*

It does not appear that the subdivision will pose a negative environmental impact as the applicant is required to comply 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 subdivision is not expected to pose any constraints to development as it will meet the dimensional requirements of the M-1 zone.

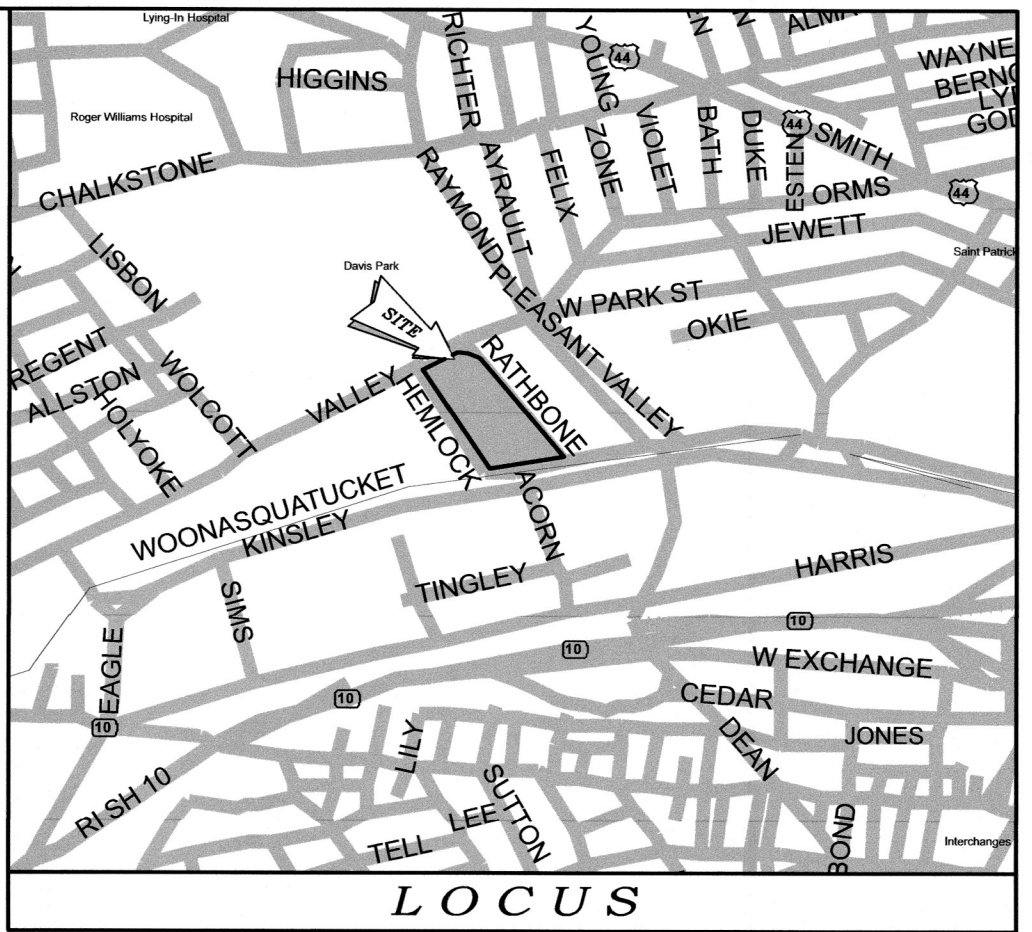
5. *Street Access—All proposed development projects and all subdivision lots shall have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered compliance with this requirement.*

Newly created lot 3 is adjacent to lot 301 which is owned by the Narragansett Bay Commission (NBC) and will be accessed from Promenade Street. Per the plan, the applicant will grant an easement to NBC to access their lot from parcel 3. Subject to the granting of this easement, all lots will have access from Promenade, Rathbone, Hemlock and Valley Streets.

RECOMMENDATION—Minor Subdivision

Based on the analysis and findings contained in this report, the CPC should approve the subdivision subject to granting the requested relief. The CPC should grant preliminary plan approval subject to the following conditions:

1. The applicant shall record the access easement for lot 302 with the final plan.
2. The validity of the approval should be extended to one year from the date of recording of the approval letter.
3. Final plan approval should be delegated to DPD staff.



NOTES / REFERENCES

- REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD:
 - PLAN ENTITLED "ALTA/ACSM LAND TITLE SURVEY PLAN A.P. 27, LOTS 262, 278 & 279, VALLEY STREET & HEMLOCK STREET, PROVIDENCE, RHODE ISLAND, HINCKLEY ALLEN, 50 KENNEDY PLAZA - SUITE 1500, PROVIDENCE, RHODE ISLAND 02903 PROJECT No. 05-034, SCALE: 1"=60', DATE: 10/15/13 BY WATERMAN ENGINEERING CO."
 - PLAN ENTITLED "ADMINISTRATIVE PLAN A.P. 27 / LOTS 256 & 270, 459 PROMENADE STREET, PROVIDENCE, R.I. 02908 SCALE: 1"=20', DATE: OCTOBER 4, 2011 PREPARED FOR: PAUL CUTFEE SCHOOL, PREPARED BY OCEAN STATE PLANNERS, INC."
 - PLAN ENTITLED "LAND BELONGING TO NANCY A. AND WILLIAM J. DYER, APRIL, 1913, SCALE: 80 FT. TO AN INCH, BY W.H.G. TEMPLE."
 - STREET LAYOUT PLANS AND BUILDINGS OFFSETS AS ON FILE AT THE CITY ENGINEER'S OFFICE AT THE CITY OF PROVIDENCE, STREET LINE SECTION.
 - PLAN ENTITLED "MINOR SUBDIVISION PLAN, A.P. 27, LOT 87, PROMENADE, RATHBONE, HEMLOCK & VALLEY STREETS, PROVIDENCE, RHODE ISLAND, NARRAGANSETT BAY COMMISSION, 1 SERVICE ROAD, PROVIDENCE, RHODE ISLAND 02905, PROJECT No. 18-025, SCALE: 1"=40', DATE: 05/09/18 BY WATERMAN ENGINEERING COMPANY."
- REFERENCE IS MADE TO THE FOLLOWING CITY OF PROVIDENCE LAND EVIDENCE RECORDS REGARDING RECORDED TITLE TO THE PREMISES SURVEYED:
 - A.P. 27, LOT 87 - PROVIDENCE REDEVELOPMENT AGENCY - VOLUME 13300, PAGE 39
- THESE PREMISES MAY BE SUBJECT TO THE FOLLOWING EASEMENTS, RIGHTS OF WAY OR AGREEMENTS OF RECORD:
 - NONE FOUND RECORDED
- THESE PREMISES ARE SITUATED IN AN "M-1 ZONE (LIGHT INDUSTRIAL DISTRICT)" & HISTORIC OVERLAY DISTRICT.

DIMENSIONAL REQUIREMENTS

MIN. LOT AREA	= NONE
MIN. S/B FRONT YARD	= NONE, UNLESS A RESIDENTIAL DISTRICT IS LOCATED ON THE OPPOSITE SIDE OF THE STREET, THEN 10'
MIN. S/B REAR YARD	= NONE, UNLESS A RESIDENTIAL DISTRICT IS LOCATED ON THE OPPOSITE SIDE OF THE STREET, THEN 20'
MIN. S/B INTERIOR SIDE YARD	= NONE UNLESS ABUTTING A RESIDENTIAL DISTRICT, THEN 20'
MIN. S/B CORNER SIDE YARD	= NONE UNLESS ABUTTING A RESIDENTIAL DISTRICT, THEN 20'
MAX. STRUCTURE HEIGHT	= 75 FT.

*THE SUBJECT PROPERTY FALLS WITHIN A HISTORIC OVERLAY DISTRICT AS DEFINED BY THE CITY OF PROVIDENCE ZONING ORDINANCE.

NOTE - ZONING INFORMATION IS FROM CURRENT ZONING AND MAY NOT REFLECT THE CONDITIONS AT THE TIME OF CONSTRUCTION OR ANY VARIANCES GRANTED.
- PORTIONS OF THESE PREMISES ARE SITUATED IN A ZONE "X" (SHADED - AREAS OF 0.2% ANNUAL CHANCE FLOOD,) AND ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DESIGNATED ON THE "NATIONAL FLOOD INSURANCE PROGRAM, FIRM FLOOD INSURANCE RATE MAP PROVIDENCE COUNTY, RHODE ISLAND (ALL JURISDICTIONS) PANEL 308 OF 451 CITY OF PROVIDENCE MAP NUMBER 4400703038) MAP REVISED, OCTOBER 2, 2015, FEDERAL EMERGENCY MANAGEMENT AGENCY".
- ANY UTILITIES SHOWN ON THIS PLAN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING PLANS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH OR ABANDONED. THE SURVEYOR DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM ALL AVAILABLE INFORMATION. PLEASE CONTACT DIG SAFE 72 HOURS PRIOR TO CONSTRUCTION AT PHONE NO. 1-888-DIG-SAFE AND/OR ALL LOCAL UTILITY COMPANIES.
- EXISTING NUMBER OF LOTS: 1
PROPOSED NUMBER OF LOTS: 3

** SIGNATURES MUST BE IN BLUE INK TO CONSTITUTE AN ORIGINAL PLAN

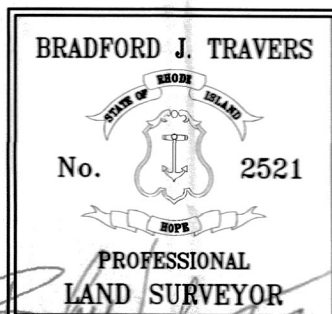
CERTIFICATION

THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO 435-RICR-00-00-1.9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON APRIL 28, 2018, AS FOLLOWS:

TYPE OF BOUNDARY SURVEY: MEASUREMENT / ACCURACY SPECIFICATION:
COMPREHENSIVE BOUNDARY SURVEY I

OTHER TYPE OF SURVEY: DATA ACCUMULATION III

THE PURPOSE FOR CONDUCTING THIS SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS:
MINOR SUBDIVISION PLAN TO SUBDIVIDE THE PARCEL INTO THREE LOTS AS SHOWN.

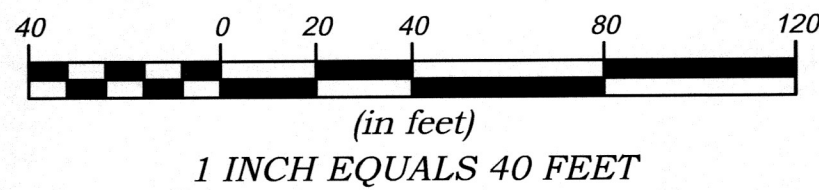


BY: *Bradford J. Travers* 2521 11/15/2021
BRADFORD J. TRAVERS, P.L.S. REG. NO. DATE
WATERMAN ENGINEERING COMPANY (COA No. LS.0004483)

LEGEND & ABBREVIATIONS

NF	- NOW OR FORMERLY	---	- PROPERTY LINE
A.P.	- ASSESSORS PLAT	---	- ZONING SETBACK LINE
S.F.	- SQUARE FEET	---	- EXISTING CONTOUR
AC.	- ACRES	---	- NEW CONTOUR
±	- PLUS OR MINUS	---	- STONE WALL
STY	- STORY	X	- FENCE
WF	- WOOD FRAMED	S	- SEWER LINE
SHP	- STATE HIGHWAY PLAT	D	- DRAIN LINE
RET.	- RETAINING WALL	W	- WATER LINE
PED.	- PEDESTRIAN	G	- GAS LINE
(FND.)	- FOUND	E	- ELECTRIC LINE
RHB	- RI HIGHWAY BOUND	S	- SANITARY SEWER MANHOLE
PK NAIL	- MASONRY NAIL	⊗	- CATCH BASIN
FE	- FLARED END	⊗	- STORM DRAIN MANHOLE
RCP	- REINFORCED CONCRETE PIPE	⊗	- WATER GATE
CLF	- CHAIN LINK FENCE	⊗	- GAS VALVE
INV.	- INVERT	⊗	- ELECTRIC MANHOLE
X 10.80	- EXISTING SPOT GRADE	⊗	- GRANITE BOUND
X 10.25	- NEW SPOT GRADE	⊗	- DRILL HOLE
		⊗	- IRON PIPE

GRAPHIC SCALE



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WATERMAN ENGINEERING CO.
CIVIL ENGINEERS & SURVEYORS
44 SUTTON AVENUE
EAST PROVIDENCE, RI 02914-2006