

Providence City Plan Commission

May 17, 2022



AGENDA ITEM 4 ■ 35 MERINO STREET



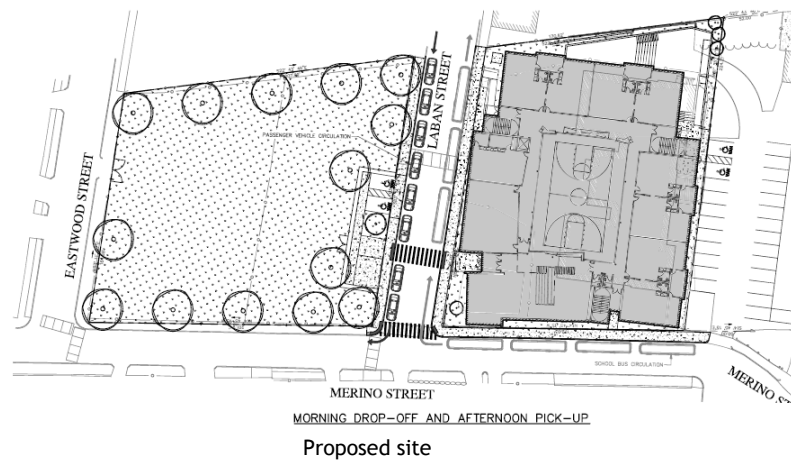
View of existing building with proposed parking area



Aerial view of the site

OVERVIEW

OWNER/ APPLICANT:	Providence Public Buildings Authority, Owner and Applicant	PROJECT DESCRIPTION:	The applicant is requesting master plan approval to construct an educational facility for grades pre-K-5 on the site of a former school annex building that is currently vacant. A height of three stories and 42' is proposed with the first floor located below grade. The applicant is seeking certain variances related to the building's siting, and parking pursuant to UDR.
CASE NO./ PROJECT TYPE:	22-022 UDR Master Plan and variances pursuant to Unified Development Review (UDR)		
PROJECT LOCATION:	35 Merino Street AP 107 Lot 595; R-2 zoning district	RECOMMENDATION:	Approval of the master plan, variances and dimensional adjustment as detailed
NEIGHBORHOOD:	Hartford	PROJECT PLANNER:	Choyon Manjrekar



Floor plans

PROJECT OVERVIEW

The lot measures approximately 35,665 SF and was occupied by a former school annex building in the R-2 zone. It has frontage on Merino and Laban Streets. The applicant is proposing to construct a new pre-K-5 school that will be three stories and 42' tall with the first floor located over 50% below grade. A total of 79,447 SF of gross floor area will be created within the building. The site will be developed in tandem with 249 Laban Street (AP 107 lot 111), north of the subject lot which will provide green space, bicycle parking and accessible parking. Pursuant to UDR, the applicant is seeking variances for parking, lot coverage and setbacks.

ANALYSIS AND IDENTIFICATION OF POTENTIAL ISSUES

Use

The subject lot is zoned R-2 where elementary educational facilities are permitted by right.

Dimensions and site design

The first floor of the building known as the garden level with storage space and a gymnasium will be located over 50% below grade and is therefore not counted as a story. Classrooms and office space will be provided in the three levels above the garden level, resulting in a height of 42' and three stories. The building will be set close to the front, rear and side lot lines, covering over 87% of the lot. Relief has been requested for exceeding the maximum building coverage and maximum impervious surface limits of 45% and 65% respectively. Setback relief from the interior-side, corner-side and rear yard setbacks is also requested.

Parking

Bus pickup and drop off areas will be located in front of the building on Laban Street and parking will be provided on adjacent lot 596 to the south which will be leased from the church located on the lot. A total of 26

parking spaces are needed to meet the requirement of one space per three employees with 78 employees expected. The applicant has requested relief from the onsite parking requirement with 26 leased spaces proposed on the neighboring lot of a church and two additional spaces at 249 Laban Street.

Three bicycle spaces are required per classroom, for a total of 84 spaces, but 42 will be provided on lot 111. A dimensional adjustment is requested for the 50% reduction in bike parking.

Landscaping

With a lot area of 35,665 SF, approximately 10,700 SF of canopy coverage is required. The applicant will meet some, but not all of that requirement on the subject lot. According to the conceptual landscape plan, the canopy coverage will be met by making offsite plantings on lot 111, which can be approved by the City Forester. Lot 111 is currently paved but planned to be mostly covered with pervious surface and trees. It appears that the applicant will meet the canopy coverage requirement, but a detailed landscaping plan should be presented at the preliminary plan stage.

Dimensional Adjustment

The applicant is requesting a dimensional adjustment for a 50% reduction in bicycle parking where 84 spaces are required but 42 will be provided. Per the applicant the reduction is being requested as parking cannot be provided on site and students grade three and under are not expected to bike to school. It is the DPD's opinion that the adjustment should be granted as it is required due to the physical characteristics, location, size, type and use of the facility. Further, the applicant is eligible for the adjustment as open space on lot 111 will be set aside for public use.

Discussion—Dimensional Relief

The applicant is seeking dimensional relief from the following provisions of Table 4-1 of the ordinance:

- Maximum building coverage where 45% is permitted but 87% is proposed.
- Total maximum impervious surface coverage where 65% is permitted but 91% is proposed.
- Minimum interior side setback where six feet is required and 4.4 feet is proposed.
- Corner side setback where 5 feet is required by 1.1 feet is proposed
- Minimum rear setback where 25 feet are required by 2.9 feet is proposed.
- Parking for 26 spaces

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

The subject property is unique as it is zoned R-2, which is intended for two-family dwellings but it has been used as a school. Per the applicant, the building's layout and design are necessary to meet the programming needs outlined in State and City regulations. The relief requested is not influenced by the character of the surrounding area but by the unique character of the proposed building, which is intended for an educational use in a residential zone where the building will be located on lot 595 with lot 111 providing open space. Given the dimensional requirements of the use, relief from the parking requirement is requested as parking cannot be provided on the lot.

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.*

Based on plans provided, it appears that the hardship encountered by the applicant stems from the need to operate a school building that meets contemporary educational standards. As this is a public facility, the relief requested is not for 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 relief requested is required to operate a school, which is what the site has been used as in the past. Therefore, a negative effect on neighborhood character is not expected due to the proposed use. The building will exceed the allowable impervious coverage and building coverage limits. Per the applicant, the excess coverage is to allow for all programming within one building and allow for lot 111 to be used as green, open space. Provision of open space would have a positive effect on the neighborhood's character.

The proposed corner and interior side setbacks are not expected to affect neighboring property as the interior side lot line will be fenced from neighboring property and the corner side setback abuts a street. The rear yard setback maintained by the building abuts a parking area and not a building, which minimizes the effect on neighboring property. It is the DPD's opinion that the previous use of the site and the building's design will not result in a negative effect on the neighborhood's character or surrounding property.

Parking is proposed to be provided through spaces leased on lot 596 which is owned by a church, on an area that is already paved. As discussed, parking cannot be provided on lot 595 due to the building's programming requirements. The applicant could provide parking on lot 111, but that would necessitate additional paving which could have a negative effect on neighborhood character by adding parking close to residences.

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

Based on submitted plans, the relief requested is the least necessary to locate educational facilities within a single building and allow for green space on a separate lot.

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.*

Based on a review of plans, denial of the relief could result in more than a mere inconvenience as it would require the applicant to locate facilities in different buildings across the street and reduce the amount of greenspace on lot 111, which could have a negative effect on students and the surrounding neighborhood.

Recommendation—Dimensional Variance

Based on the foregoing discussion, the CPC should grant the requested dimensional relief for maximum building coverage, total maximum impervious coverage, parking and side and rear lot setback requirements.

Findings—Land Development Project

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 Master 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 low density residential development. The plan describes this area as one intended

for one to two family dwellings. As schools are permitted by right in residential zones, the development would conform to the comprehensive plan. The development would conform to objective CS-1 of the comprehensive plan which encourages development and provision of public educational facilities in the City.

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

Use: Elementary Educational facilities are permitted by right in the zone.

Dimension and design: The development largely complies with the dimensional and design requirements of the R-2 zone. Subject to the CPC granting relief for lot coverage and setbacks, the development is in conformance with the ordinance.

Parking: The applicant will meet the vehicle parking requirement subject to the CPC granting a variance for parking. The bicycle parking requirement will be met subject to a dimensional adjustment granted by the CPC.

Landscaping: Based on the conceptual landscaping plan, the applicant will be able to meet the landscaping and canopy coverage requirements by making offsite plantings at 249 Laban Street.

Lighting: A lighting plan is required at the preliminary plan stage, should external lighting be proposed.

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.*

No negative environmental impacts are expected as the applicant is expected to conform to all 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.

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.*

Physical access to the site is provided from Merino and Laban Streets.

Recommendation—Land Development Project

1. The CPC should grant the dimensional adjustment for bicycle parking.
2. The CPC should approve the master plan finding it to be in conformance with the zoning ordinance and comprehensive plan.

FRANK D. SPAZIANO ELEMENTARY SCHOOL

35 MERINO STREET · PLAT 107, LOT 595 · PROVIDENCE · RHODE ISLAND

MASTER PLAN

APRIL 19, 2022

PREPARED FOR
CITY OF PROVIDENCE
25 DORRANCE STREET
PROVIDENCE, RI 02903
401.680.5000



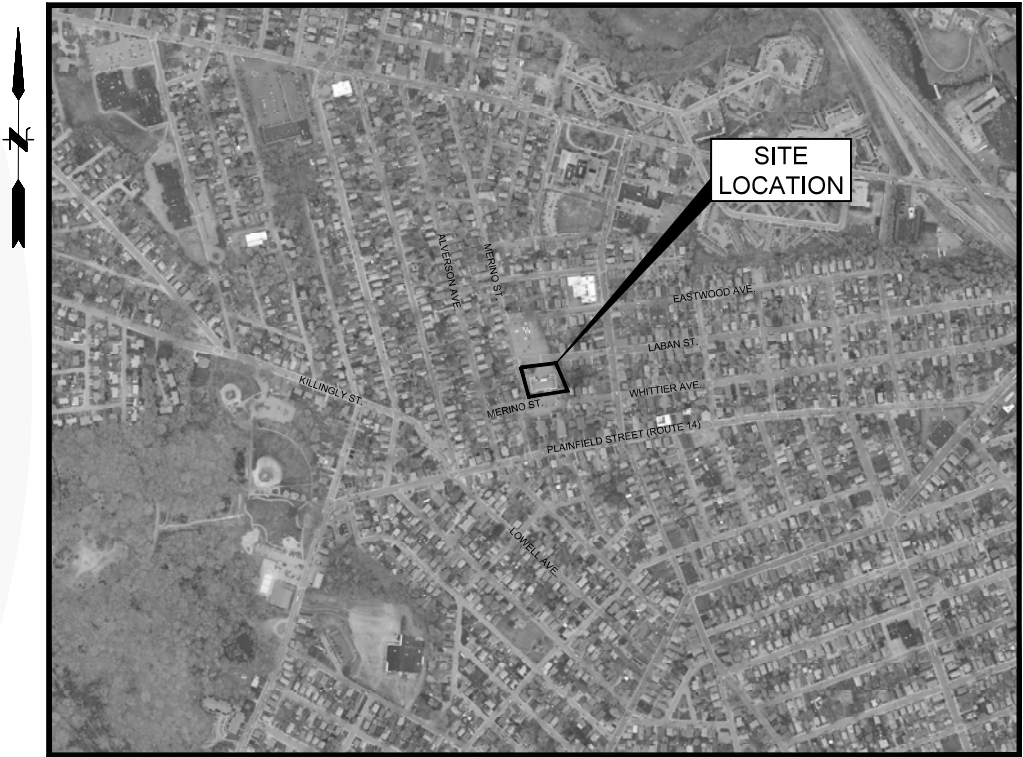
PREPARED BY
FUSS & O'NEILL
317 IRON HORSE WAY, SUITE 204
PROVIDENCE, RI 02908
401.861.3070
www.fando.com

SHEET INDEX

<u>SHEET No.</u>	<u>SHEET TITLE</u>
GI-001	COVER SHEET
GI-002	200' RADIUS MAP
C-1	EXISTING CONDITIONS PLAN
CS-102	SITE PLAN
CS-103	CIRCULATION PLAN

PROJECT TEAM

TECTON ARCHITECTS, P.C.
34 SEQUASSEN STREET, SUITE 200
HARTFORD, CT 06106



LOCATION MAP
SCALE: 1" = 500'



CITY OF PROVIDENCE
200' RADIUS MAP
FRANK D. SPAZIANO ELEMENTARY SCHOOL
35 MERINO STREET PROVIDENCE, RHODE ISLAND

PROJ. No.: 20211274.A10
DATE: APRIL 19, 2022

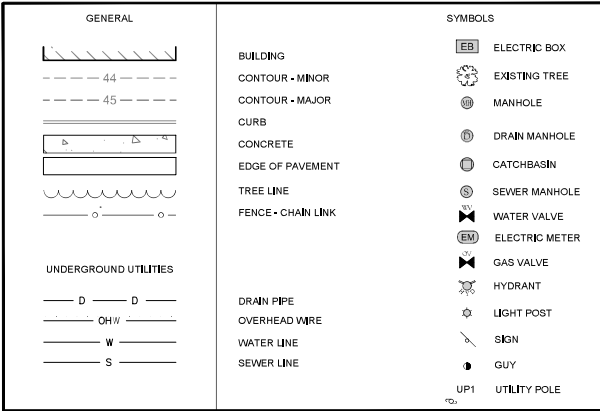
GI-002

FUSS & O'NEILL
317 IRON HORSE WAY, SUITE 204
PROVIDENCE, RI 02908
www.fussandoneill.com

SCALE: 1"=50'
HORIZ.: 1"=50'
VERT.: 1"=25'
DATUM: NAD83
HORIZ.: NAVD83
VERT.: NAVD83
GRAPHIC SCALE
50 25 0 25 50

No.	DATE	ISSUED FOR MASTER PLAN REVIEW	AFJ/KM	BK/SMM
1.	4/19/2022			
		DESIGNER		
		REVIEWER		

LEGEND:

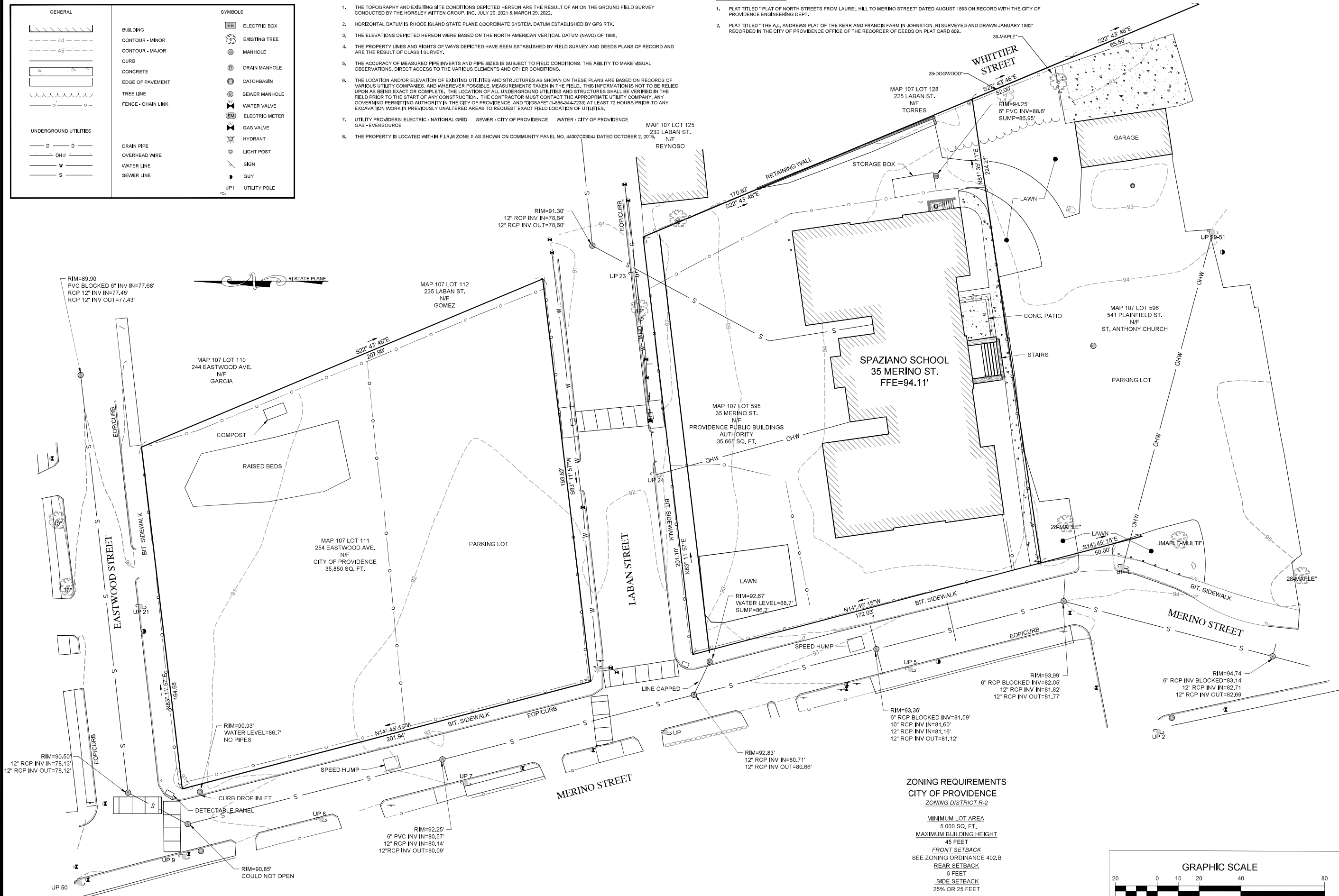


SURVEY NOTES

1. THE TOPOGRAPHY AND EXISTING SITE CONDITIONS DEPICTED HEREON ARE THE RESULT OF AN ON THE GROUND FIELD SURVEY CONDUCTED BY THE HORSLEY WITTEN GROUP, INC. JULY 20, 2001 AND MARCH 29, 2022.
2. HORIZONTAL DATUM IS RHODE ISLAND STATE PLANE COORDINATE SYSTEM, DATUM ESTABLISHED BY GPS RTK.
3. THE ELEVATIONS DEPICTED HEREON WERE BASED ON THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.
4. THE PROPERTY LINES AND RIGHTS OF WAY DEPICTED HAVE BEEN ESTABLISHED BY FIELD SURVEY AND DEEDS PLANS OF RECORD AND ARE THE RESULT OF CLASS I SURVEY.
5. THE ACCURACY OF MEASURED PIPE INVERTS AND PIPE SIZES IS SUBJECT TO FIELD CONDITIONS, THE ABILITY TO MAKE VISUAL OBSERVATIONS, DIRECT ACCESS TO THE VARIOUS ELEMENTS AND OTHER CONDITIONS.
6. THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AND STRUCTURES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF VARIOUS UTILITY COMPANIES, AND WHEREVER POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE LOCATION OF ALL UNDERGROUND UTILITIES AND STRUCTURES SHALL BE VERIFIED IN THE FIELD PRIOR TO THE START OF ANY CONSTRUCTION. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANY, ANY GOVERNING PERMITTING AUTHORITY IN THE CITY OF PROVIDENCE, AND "DISAFA" (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION WORK IN PREVIOUSLY UNALTERED AREAS TO REQUEST EXACT FIELD LOCATION OF UTILITIES.
7. UTILITY PROVIDERS: ELECTRIC - NATIONAL GRID SEWER - CITY OF PROVIDENCE WATER - CITY OF PROVIDENCE
GAS - EVER-SOURCE
8. THE PROPERTY IS LOCATED WITHIN F.I.R.M. ZONE X AS SHOWN ON COMMUNITY PANEL NO. 44007-0304/1 DATED OCTOBER 2, 2015.

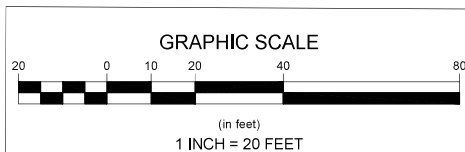
PLAN REFERENCES

1. PLAT TITLED " PLAT OF NORTH STREETS FROM LAUREL HILL TO MERINO STREET" DATED AUGUST 1893 ON RECORD WITH THE CITY OF PROVIDENCE ENGINEERING DEPT.
2. PLAT TITLED " THE A.L. ANDREWS PLAT OF THE KERR AND FRANCIS FARM IN JOHNSTON, RI SURVEYED AND DRAWN JANUARY 1882" RECORDED IN THE CITY OF PROVIDENCE OFFICE OF THE RECORDER OF DEEDS ON PLAT CARD 809.



ZONING REQUIREMENTS
CITY OF PROVIDENCE
ZONING DISTRICT R-2

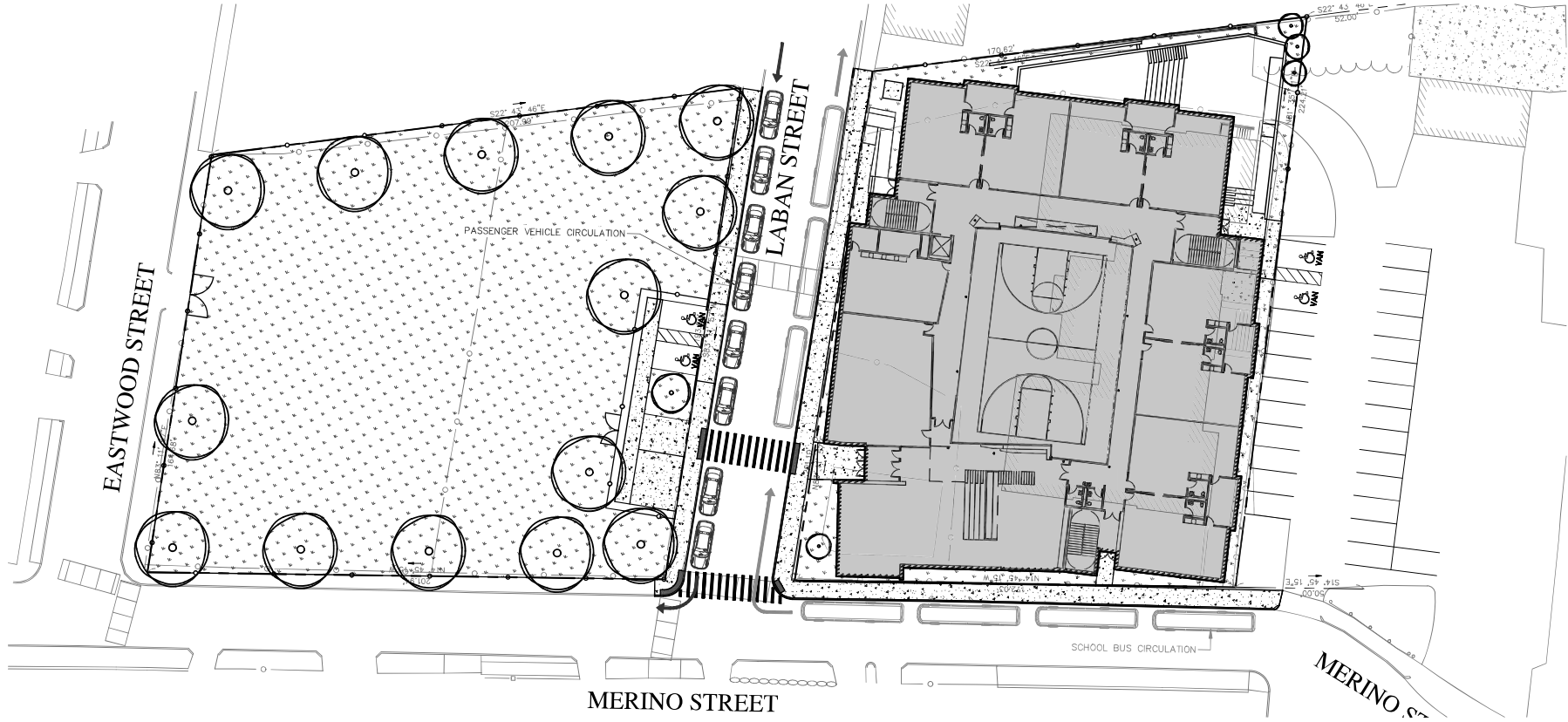
MINIMUM LOT AREA
5,000 SQ. FT.
MAXIMUM BUILDING HEIGHT
45 FEET
FRONT SETBACK
SEE ZONING ORDINANCE 402
REAR SETBACK
6 FEET
SIDE SETBACK
25% OR 25 FEET



<div>Plan Title:<div>EXISTING CONDITIONS PLAN</div></div>		<div>Plan Size:<div>SPAZIANO SCHOOL 254 EASTWOOD AVE PROVIDENCE, RHODE ISLAND</div></div>	
<div>Prepared For:<div>Tecton Architects 17 Railroad Ave. Westerly, RI 02891</div></div>		<div>Drawn By:<div>JDP</div></div>	
<div>Drawn By:<div>Horsley Witten Group 90 Route 6A Sandwich, MA 02563 Phone: (508) 833-4600 Fax: (508) 833-3150 Dated: March 28, 2022</div></div>		<div>Checked By:<div></div></div>	
<div>Registration:<div></div></div>		<div>Designated By:<div>-</div></div>	
<div>Project Number:<div>21079</div></div>		<div>Date:<div>April 5, 2022</div></div>	
<div>Sheet Number:<div>C - 1</div></div>		<div>Revisions:<div></div></div>	



MID-DAY DROP-OFF AND PICK-UP



MORNING DROP-OFF AND AFTERNOON PICK-UP

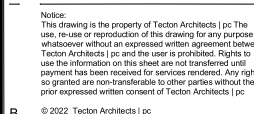
PROJ. No. 20211274.A10
DATE: APRIL 19, 2022

CITY OF PROVIDENCE
CIRCULATION PLAN
FRANK D. SPAZIANO ELEMENTARY SCHOOL
35 MERINO STREET PROVIDENCE, RHODE ISLAND

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317 IRON HORSE WAY, SUITE 204
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SCALE: 1"= 30'
HORIZ.: 1"= 30'
VERT.: 1"= 30'
DATUM: NAD83
HORIZ.: NAD83
VERT.: NAVD83
GRAPHIC SCALE
30 15 0 30

No.	DATE	ISSUED FOR MASTER PLAN REVIEW	AFJ/KM	BK/SNM
1.	4/19/2022	DESIGNER REVIEWER		



Client/ Contractor

**PROVIDENCE PUBLIC
SCHOOLS**

797 WESTMINSTER STREET
PROVIDENCE, RI 02903

Project

D SPAZIANO
ELEMENTARY SCHOOL

240 LABAN STREET
PROVIDENCE, RI 02909

GARDEN FLOOR LEVEL
AREA ~ 17,830



MAIN FLOOR LEVEL
AREA ~ 22,779



SECOND FLOOR LEVEL
AREA ~ 22,560



THIRD FLOOR LEVEL
AREA ~ 16,278



Seals

PROGRESS SET
NOT FOR CONSTRUCTION

	No.	Date	Description
H			
-			
J			

Drawing Title

— SCHEMATIC
DESIGN
FLOOR PLANS

Project Manager:	JH	Project No:	PRV01AR
Project Architect:	PA	Production Leader:	PL
Project Designer:	ID	Peer Reviewer:	PR

Drawing Number

SD.10

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Client/ Contractor
PROVIDENCE PUBLIC SCHOOLS
797 WESTMINSTER STREET
PROVIDENCE, RI 02903

Project
SPAZIANO ELEMENTARY SCHOOL
240 LABAN STREET
PROVIDENCE, RI 02909

Seals
PROGRESS SET
NOT FOR CONSTRUCTION

Issues / Revisions	
No.	Description
05/06/2022	MASTER PLAN SUBMISSION

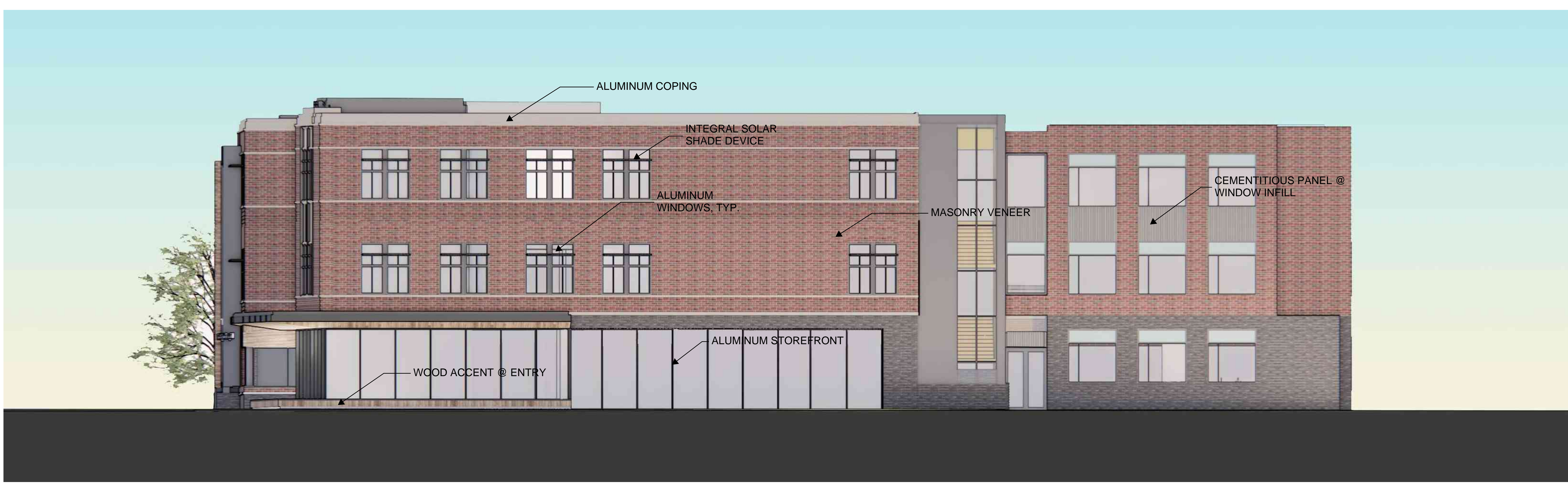
Drawing Title
EXTERIOR ELEVATIONS

Project Manager:	JH	Project No:	PRV01AR
Project Architect:	PA	Production Leader:	PL
Project Designer:	ID	Peer Reviewer:	PR

Drawing Number
SD.20



2 EXTERIOR ELEVATION - LABAN STREET (NORTH)



1 EXTERIOR ELEVATION - MERINO STREET (WEST)



2 EXTERIOR VIEW - CORNER OF MERINO AND LABAN STREETS



1 EXTERIOR VIEW - FACING SOUTH

Client/ Contractor

PROVIDENCE PUBLIC SCHOOLS

797 WESTMINSTER STREET
PROVIDENCE, RI 02903

Project

**SPAZIANO
ELEMENTARY SCHOOL**

240 LABAN STREET
PROVIDENCE, RI 02909

Seals

PROGRESS SET
NOT FOR CONSTRUCTION

Issues / Revisions

No. Date Description

05/06/2022 MASTER PLAN SUBMISSION

Drawing Title

**EXTERIOR
RENDERINGS**

Project Manager: JH Project No: PRV01AR

Project Architect: PA Production Leader: PL

Project Designer: ID Peer Reviewer: PR

Drawing Number

SD.30

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Client/ Contractor

**PROVIDENCE PUBLIC
SCHOOLS**

797 WESTMINSTER STREET
PROVIDENCE, RI 02903

Project

**SPAZIANO
ELEMENTARY SCHOOL**

240 LABAN STREET
PROVIDENCE, RI 02909

Seal:

PROGRESS SET
NOT FOR CONSTRUCTION

Issues / Revision

No.	Date	Description
	05/09/2020	MASTED PLAN SUBMISSION

05/06/2022	MASTER PLAN SUBMISSION

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Drawing Title

CONCEPTUAL

CONCEPTUAL

EXTERIOR

MASCIANO

MASSING

Project Manager:	JH	Project No: PRV01AR
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Project Architect:	PA	Production Leader:	P
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Project Designer:	ID	Peer Reviewer:	PI
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Drawing Number

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