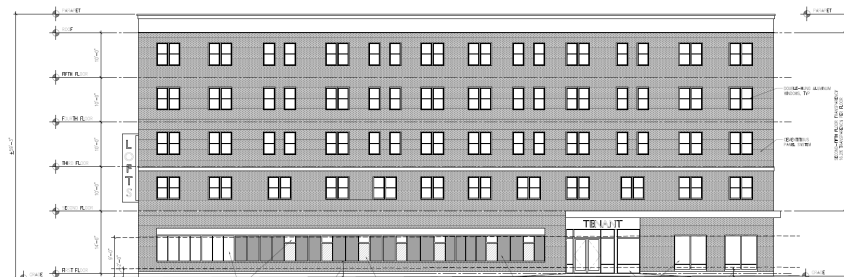


Providence City Plan Commission

November 15, 2022



AGENDA ITEM 2 ■ 228 BROAD STREET

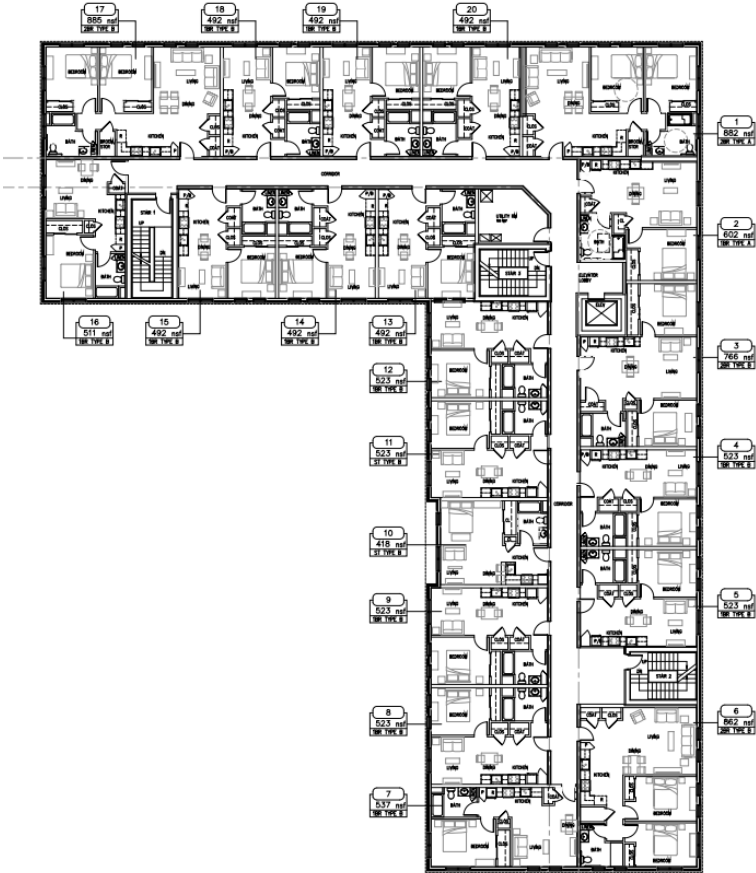


North building elevation

Aerial view of the site

OVERVIEW

OWNER/ APPLICANT:	Marathon Development LLC	PROJECT DESCRIPTION:	The applicant is requesting to combine master and preliminary plan approval to construct a five story mixed-use building with 80 dwelling units and commercial space on the ground floor. Design waivers from window sill height and ground floor transparency are requested. A waiver from submission of state approvals at the preliminary plan stage is also requested.
CASE NO./ PROJECT TYPE:	22-041 MA Preliminary Plan	RECOMMENDATION:	Approval of the Master and Preliminary Plan based on the noted findings
PROJECT LOCATION:	228 Broad Street AP 29 Lots 360, 361, 362, 413 C-2 under Transit Oriented Development (TOD) overlay		
NEIGHBORHOOD:	Upper South Providence	PROJECT PLANNER:	Choyon Manjrekar



Typical floor plan

PROJECT OVERVIEW

The lots collectively measure approximately 20,334 SF and are located in the C-2 zone under the TOD overlay. The applicant is requesting to combine master and preliminary plan approval to construct a five-story, approximately 58’ tall mixed use building on largely vacant lots. Landscaping and drainage improvements are also proposed. Commercial use will be located on the ground floor and all of the proposed 80 units will be affordable. The applicant is requesting design waivers from the ground floor window sill height where a height of no more than two feet from grade is permitted but approximately 4’ is proposed. A minimum of 50% of transparency is required on the ground floor in C-2 zones, but it is estimated that approximately 29% will be provided.

ANALYSIS AND IDENTIFICATION OF POTENTIAL ISSUES

Use

The lot is zoned C-2 under the TOD overlay where residential and commercial mixed-use development is permitted by right.

Dimensions and site design

The building will front on Broad Street and is located between Summer and Haskins Street. The building’s footprint will be set to the lot lines of Broad, Summer and Haskins Streets. The ground floor will provide commercial space, a lobby and structured parking. The layout would meet the C-2 zone’s design guideline that no residential space or parking be located within 20’ of a main street, which in this case is Broad Street. Pedestrian access to the commercial space will be provided from Broad Street and access to the residential units will be provided from Summer Street. Vehicular ingress and egress to the 13 space internal

parking area will be provided from Summer Street.

A height of five stories and 58' from grade is proposed which is within the 70' height limit of the TOD overlay. Floors two through five will each have 20 units with a mix of one and two bedroom units. A loading zone, generators and transformer will be located to the rear of the building in the service yard accessible on the Haskins Street side.

Based on provided plans, the building will conform to the design guidelines for multifamily and mixed-use development outlined in Section 1202 K of the ordinance. The façade will mainly employ brick and glass on the ground floor with fiber cement panels and brick on the upper stories, which are materials permitted by right in the C-1 zone. Recesses and projections are incorporated into the façade to add some dimensional variety.

Canopies are proposed for the Broad and Summer Street entrances for which encroachment permits are required. Below-ground encroachment permits are also required for the building footings.

The ground floor frontage will have some glazing with a glass main entrance on the north elevation and windows on the front. However, some of the windows will be opaque, resulting in approximately 29% of transparency, less than the 50% required. The fenestration on the upper stories will exceed the 25% requirement. The ordinance requires that the bottom of the window frame shall not be located over two feet from grade, but a sill height of approximately 4' is proposed. The applicant is seeking design waivers from the transparency and sill height requirements.

Signage

According to plans, a projecting sign visible from the north elevation and identification for the business is proposed for signage. Signage dimensions have not been provided as the sign designs are not finalized. The DPD recommends that a conforming signage plan be submitted with the final plan submission.

Parking

The residential portion of the development is exempt from providing parking as there is no parking minimum for residential development under the TOD overlay. Four spaces are required to meet the parking requirement of one space per 500 SF for 6,800 SF of commercial space, 5,000 SF of which is exempt from the parking requirement. The applicant will exceed the parking requirement by providing 13 structured parking spaces on the ground floor which are intended for use by employees of the commercial space.

Landscaping

With the parcel measuring 20,334 SF, approximately 3,050 SF of canopy coverage is required. The applicant is proposing to meet this requirement by planting six trees and retaining six trees along the building's frontages. The landscaping plan shall be subject to the City Forester's approval.

Environmental Impact

Per the submitted stormwater management plan, the applicant will employ a subsurface infiltration consisting of two systems of five and four concrete galleys to treat stormwater from the northern and southern building rooftop respectively. Calculations show that the improvements will reduce total peak discharge rates in post-development conditions. An operation and maintenance plan for the stormwater system is also included, setting out a schedule for inspection and maintenance.

The applicant will employ the Rhode Island Small Residential Lot Soil Erosion and Sediment Control plan template to prevent erosion off the site during construction. The plans are subject to review by the City Engineer prior to final plan submission.

Design Waiver

The applicant is seeking two design waivers, from total transparency on the ground floor façade and from the window sill height. Per the applicant, these conditions are necessary due to the nature of the ground floor business, which is intended to be a medical office. The reduced transparency and sill height are being proposed to allow for a design that is sympathetic to the privacy requirements of the business. Based on the elevations, the design is not expected to detract from the character of the commercial corridor as it retains the appearance of a storefront, which is encouraged. The DPD would not object to granting these waivers as they are required for the operation of the medical office.

State Approvals

The applicant has requested a waiver from submission of state approvals at the preliminary plan stage, particularly from the Narragansett Bay Commission (NBC), and is requesting that they be submitted with the final plan. The applicant has applied for the approvals. It is the DPD's opinion that the CPC should grant the waiver finding that it is required and in the interest of good planning practice as the approval periods for state bodies may vary. Granting the waiver would allow the applicant to proceed with the development process. Submission of the approvals should be deferred to the final plan stage.

Public outreach

Per the applicant, community meetings informing the public of the development have been held prior to submission.

Combination of stages

The applicant is requesting to combine master and preliminary stages of approval. It is the DPD's opinion that the CPC should combine approval as the applicant has submitted the required items for review of both stages.

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 for traditional, pedestrian transit oriented uses that serve neighborhood needs and where multifamily development is encouraged. The development conforms to this land use designation and is also in conformance with objectives H-2 and H-3 of the plan which encourages building of new and affordable housing.

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

Use: Multifamily development is permitted by right in the C-2 zone.

Dimension: The development will conform to the dimensional and design requirements of the C-2 zone subject to the CPC granting the requested design waivers for transparency and sill height. A signage plan shall be provided with the final plan submission.

Parking: The applicant will meet the parking requirement of the TOD overlay.

Landscaping: The applicant will meet the canopy coverage requirement. The landscaping plan shall be subject to the Forester's approval prior to the final plan stage.

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 is expected to come into conformance with applicable environmental regulations and has submitted drainage and erosion control plans. No significant negative environmental impacts are expected as the applicant is expected to 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 should apply for an administrative subdivision to merge the lots prior to final plan submission. There are no physical constraints that will impact development of this property, as the lot will comply with the dimensional requirements of the C-2 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.*

Adequate access will be provided from Broad and Summer Streets.

RECOMMENDATION— Waiver from submission of state approvals

The CPC should grant a waiver from submission of state approvals at the preliminary plan stage finding that they are required and in the interest of planning practice. The waivers should be granted subject to the condition that the approvals be submitted with the final plan. The applicant shall return to the CPC should the waivers require any changes to the site plan.

RECOMMENDATION— Design Waivers

The CPC should grant the design waivers for transparency and sill height finding that the use of the first floor requires these waivers and that design of the building meets the intent of the ordinance.

RECOMMENDATION— Combination of Stages

Subject to granting the design waivers and waiver from submission of state approvals, the CPC should vote to combine master and preliminary plan approval finding that all items required for both stages have been submitted.

RECOMMENDATION— Master and Preliminary Plan

Based on the foregoing discussion and conditioned on the CPC approving the items above, the master and preliminary plans should be approved subject to the following conditions:

1. The applicant shall apply for an administrative subdivision to merge the lots prior to final plan approval.
2. A signage plan indicating the types and dimensions of the proposed signage shall be included with the final plan submission.
3. The landscaping plan shall be subject to the City Forester's approval.
4. The drainage calculations shall be subject to the City Engineer's approval.
5. The applicant shall obtain necessary encroachment permits prior to permit submission.
6. Final plan approval should be delegated to DPD staff.