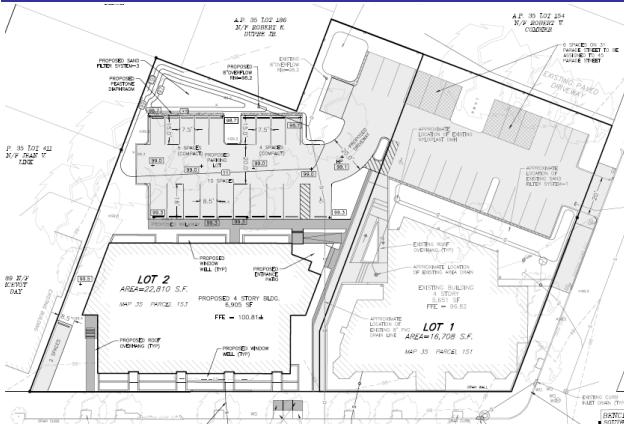


Providence City Plan Commission

October 17, 2023



AGENDA ITEM 6 ■ 45 PARADE STREET



Site plan



Current view of the site from Parade Street



An aerial view of the site

OVERVIEW

OWNER/ APPLICANT:	45 Parade LLC, Applicant	PROJECT DESCRIPTION:	The applicant is proposing to construct a new four story, 43' tall building with 26 apartments and associated site improvements. Pursuant to Unified Development Review (UDR) the applicant is requesting relief from the parking requirement, maximum impervious coverage requirement, relief from the limit on compact spaces and drive aisle width.
CASE NO./ PROJECT TYPE:	23-050 UDR Preliminary Plan—Unified Development Review	RECOMMENDATION:	Approval of the Preliminary Plan and associated variances subject to the noted findings.
PROJECT LOCATION:	45 Parade Street AP 35 Lot 596 R-4; HD Overlay	PROJECT PLANNER:	Choyon Manjrekar
NEIGHBORHOOD:	West End		



Building elevation from Parade Street

PROJECT OVERVIEW

The subject lot is currently vacant and measures approximately 22,810 SF. The applicant is proposing to construct a four story, approximately 43’ tall building with 26 dwelling units and associated site improvements including landscaping and 22 parking spaces. Pursuant to UDR, the applicant is seeking relief for the following provisions of the ordinance:

- Relief from the total maximum impervious coverage-rear yard limit where 50% is permitted but 65% is proposed.
- Total maximum impervious surface coverage where 70% is permitted but approximately 72% is proposed.
- Offstreet parking requirements where 26 spaces

are required but 22 will be provided.

- Drive aisle width where 22 feet are required and 20’ will be provided
- Compact parking space limit where 10% of parking may be compact spaces but approximately 40% is proposed.

ANALYSIS AND IDENTIFICATION OF POTENTIAL ISSUES

Use

The subject property fronts on Parade Street and is zoned R-4 where multifamily development is permitted by right. The development has received conceptual approval from the Historic District Commission (HDC).

Dimensions and site design

Twenty six proposed units are allowed by right as the R-4 zone does not limit the number of dwelling units by lot area. The units will be a mix of one, two and three bedrooms units with studios. The building will be set to Parade Street with access to the ground floor units and the building provided from the street. The parking lot will be located to the rear from where the building will also be accessible. A height of four stories and approximately 43' is proposed which is within the 45' height limit of the zone.

The east elevation on Parade Street will be composed of a brick surface with four columns of triangular bay windows from the second to the fourth stories. The west elevation will be primarily composed of fiber cement paneling. It will also incorporate projections that will provide a dimensional element to the façade. Solar panels and condensers will be located on the roof, which will feature a cornice with parapet walls at two levels. The use of consistent materials and the projecting bay windows with ample fenestration that greatly exceeds 10% on the upper stories is in conformance with the ordinance's design requirements for multifamily dwellings. The development has received conceptual approval from the Historic District Commission (HDC).

Parking

Twenty six spaces are required for 26 units. The applicant is seeking relief from the parking requirement to provide 22 spaces. The parking area will be located in the rear of the building and relief has been requested for exceeding the rear yard and total impervious coverage limits of 50% and 70% respectively. Relief to maintain rear yard coverage of 65% and total impervious coverage of 72% is requested.

Vehicles will enter the parking area from Oak Street through the neighboring development at 31 Parade Street which is also owned by the applicant, for which an easement agreement has been enacted. The rows of parking will be separated from each other through a 20' drive aisle. Relief is requested as a minimum length of 22' is required. Relief is requested for the number of compact spaces as the ordinance allows 10% of spaces to be compact but approximately 40% of compact parking is proposed. Compact spaces measure 7.5' x 15' where a standard space is 8.5' x 18'.

The applicant will meet the bicycle parking requirement, by providing 10 internal spaces in the basement.

Landscaping

The development measures 22,810 SF, requiring approximately 6,900 SF of canopy coverage. A conceptual landscaping plan has been submitted indicating that coverage will be provided using a combination of street trees and interior plantings. It appears that the applicant will meet the coverage requirement, however, the plan is required to be updated with the tree species, which will be determined in conjunction with the City Forester who will approve the final landscaping plan.

Lighting and Signage

No external lighting sources are proposed.

Drainage and Stormwater management

A stormwater management plan has been submitted. It will employ a stormwater system located in the parking area. It will be composed of pea-stone diaphragms that will provide pre-treatment of the stormwater and direct it toward sand filters. The system is expected to accommodate one to 25 year storm events. The plan shall be subject to the City Engineer's approval.

DISCUSSION—Dimensional Relief

Pursuant to Unified Development Review, the applicant is requesting zoning relief from the following:

- Total maximum impervious coverage-rear yard limit where 50% is permitted but 65% is proposed.
- Total maximum impervious surface coverage where 70% is permitted but approximately 72% is proposed.
- Offstreet parking requirements where 26 spaces are required but 22 will be provided.
- Drive aisle width where 22 feet are required and 20' will be provided
- Compact parking space limit where 10% of parking may be compact spaces but approximately 40% is proposed.

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).*

Based on a site visit and plans provided, it appears that the relief is necessary due to the unique characteristics of the subject property, which is large enough to permit the number of dwelling units proposed but not sufficient to provide the number of parking spaces proposed without exceeding the rear-yard impervious coverage limit. The parking area will be accessed from the adjoining lot due to the lot's configuration.

Despite the additional impervious surface in the rear yard, the entire lot is in close conformance with the total impervious surface coverage limit. In fact, submitted plans show the total impervious coverage for the lot to be 69.7%, which is within the 70% limit of the zone. The applicant can reduce the amount of impervious coverage by using permeable pavers on walkways and other areas not required for parking. However, the relief is being requested to allow for some flexibility when designing the site. The number of spaces provided would be the most that can be provided without significantly increasing the total amount of impervious coverage on the lot.

With respect to the drive aisle width and the number of compact spaces requested, it appears that the relief can also be attributed to the site's unique configuration as the size of the lot limits the size of vehicles and drive aisle width.

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.*

As discussed, the hardship suffered by the applicant appears to be due to the unique character of the lot,

which is irregularly shaped, and not large enough to accommodate the amount of parking needed for the type of development intended for the R-4 zone without zoning relief. This condition is not the result of a prior action of the applicant. The relief requested does not appear to be primarily for financial gain but intended to develop the site in a manner that reflects the base zoning.

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.*

According to the future land use map of the comprehensive plan, the neighborhood is intended for medium density residential development characterized by one to three family and multifamily dwellings on lots that measure between 3,200 to 5,000 SF. The resultant density reflects this description. The relief requested is not significant enough to negatively affect neighborhood character and the development would conform to the neighborhood's character as described in the plan. Bicycle parking and the proximity of businesses within walking distance reduces the need for additional vehicle parking.

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

As discussed, the relief requested for excess pervious surface and drive aisle width appears to be the least relief necessary to come into closer conformance with the requirements of the ordinance. Requests for relief from the reduced drive aisle width and the size of compact spaces appear to be related to an intent to come into closer conformance with the ordinance given the lot's limitations. The applicant could have added more units to the building and asked for a greater magnitude of parking relief as the R-4 zone does not have a limit on the number of dwelling units per lot. Therefore the relief requested appears to be the least necessary.

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.*

It is the DPDs opinion that denial of the requested dimensional variance would be more than a mere inconvenience as the applicant would not be able to provide adequate parking and develop the site in conformance with the zoning ordinance without the requested relief.

RECOMMENDATION—Dimensional Variance

Based on the foregoing discussion, the DPD recommends that the CPC approve the request for relief from impervious surface coverage rear yard, parking, drive aisle width and the percentage of compact parking spaces. With regard to the total maximum impervious coverage limit, we encourage compliance via installation of permeable surfaces for walkways and other surfaces not used for parking.

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/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 medium density residential development. The plan describes this area as one characterized by one to three family dwellings and multi family dwellings on separate lots. The proposed development would conform to this description. The surrounding neighborhood conforms to this description as it is a mix of one, two, three and multifamily developments. The development would conform to objective H-2 of the comprehensive plan which seeks to create new housing in the City.

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

Use: The site is zoned R-4 which permits multifamily development by right.

Dimension: The development largely conforms to the dimensional requirements of the R-4 zone. Subject to the CPC granting relief from the parking and impervious coverage requirements and drive aisle width, the project will conform to the ordinance.

Landscaping: The landscaping plan conforms to the requirements of the zoning ordinance and shall be subject to the City Forester's approval.

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.*

A memo detailing stormwater management has been submitted and shall be subject to the City Engineer's review.

No negative environmental impacts are expected as the applicant is required 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.*

There are no physical constraints that impact development of this property, as the site will comply with the dimensional requirements of the R-4 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 vehicular and pedestrian access is provided from Parade Street and Oak Street.

RECOMMENDATION—Minor Land Development Project

Based on the analysis and findings contained in this report, the CPC should vote to approve the preliminary plan pursuant to dimensional relief being granted through unified development review. The plan should be approved subject to the following conditions:

1. The landscaping plan shall be subject to the City Forester's approval.
2. The drainage calculations shall be subject to the City Engineer's approval.
3. Final plan approval should be delegated to DPD staff.