

# Providence City Plan Commission

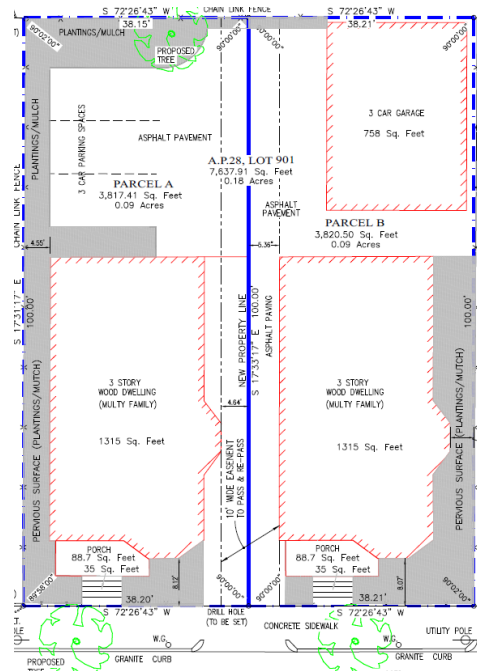
January 21, 2025



## AGENDA ITEM 3 ■ 16-22 GROVE STREET



Aerial view of the site



Proposed subdivision



View from Grove Street

**OWNER/APPLICANT:** 16 Grove LLC

### PROJECT DESCRIPTION:

The applicant is proposing to subdivide the lot which measures approximately 7,638 SF and is occupied by two three-family dwellings, into two lots of 3,820 SF and 3,817 SF with one building on each lot. Pursuant to unified development review, the applicant is seeking relief from the requirements for minimum lot size, minimum lot area, minimum lot width, maximum total, front and rear yard impervious surface coverage, side setback and maximum building coverage for proposed parcel B .

**CASE NO./** 24-067UDR—Minor Subdivision  
**PROJECT TYPE:** with Unified Development Review

**PROJECT LOCATION:** 16-22 Grove Street  
AP 28 Lot 901  
R-3 zoning district

### RECOMMENDATION:

Approval of preliminary plan and dimensional variances

**NEIGHBORHOOD:** Federal Hill

### PROJECT PLANNER:

Choyon Manjrekar

## **DISCUSSION—Dimensional Relief**

The subject lot measures approximately 7,638 SF and is occupied by two three-family dwellings in the R-3 zone. The applicant is proposing to subdivide the lot into two lots of 3,817 SF and 3,820 SF with widths of approximately 38.2'. New subdivisions in the R-3 zone require a minimum lot size of 5,000 SF and a width of 50'. Pursuant to Unified Development Review (UDR), the applicant is requesting relief from the following:

- Minimum lot area of 5,000 SF where areas of 3,817 SF and 3,820 SF are proposed for lots A and B.
- Minimum lot width of 50' where widths of 38.2' are provided for each lot.
- Front yard maximum impervious coverage: 48.4% proposed for parcel A and 46.3% proposed for parcel B where 33% is permitted.
- Rear yard maximum impervious coverage: 68.5% proposed for parcel A and 98.4% proposed for parcel B where 50% is permitted.
- Total maximum impervious surface coverage: 76.8% proposed for parcel A and 85.6% proposed for parcel B where 65% is permitted by right.
- Side yard setback: 4.6' proposed for parcel A and 4' proposed for parcel B where a minimum of 6' is required.
- Maximum building coverage for lot B where 45% is permitted and 56.6% 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).*

The subject property is unique as the lot is occupied by two three-family dwellings. Based on a site visit and plans provided, the relief requested is related to the lot's character as any subdivision to separate the dwellings would require relief from the minimum lot size and width requirements based on the lot's size. The lot is largely impervious and requires relief from those conditions as it is occupied by buildings and paved surfaces. These conditions are not related to a physical or economic disability of the applicant.

2. *That the hardship is not the result of any prior action of the applicant.*

Denial of the request would result in a hardship as it would prevent subdivision of the lot and separation of the buildings. As discussed, the subject lot cannot be subdivided without relief due to its unique character, which is not the result of the applicant's prior action.

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 future land use map of the comprehensive plan identifies this area as one intended for high density residential development, characterized by multifamily dwellings interspersed with one, two and three family dwellings. The subdivision would not affect an increase in residential density beyond what currently exists and would result in two lots that would more closely conform to the intent of the Comprehensive Plan. Similar sized lots with comparable areas and widths as those proposed can be observed in the vicinity, therefore, a negative effect on neighborhood character is not expected.

4. *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.*

Denial of the requested relief would prevent subdivision and separation of the buildings onto different lots, which would amount to more than a mere inconvenience.

#### **RECOMMENDATION—Dimensional Variance**

Based on the foregoing discussion, the DPD recommends that the CPC approve the requested relief.

#### **FINDINGS—Minor Subdivision**

Section 1005 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 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 the Providence Comprehensive Plan has designated for high density residential development. These areas are intended for multifamily uses interspersed with one to three family dwellings. The lots created through the subdivision would be in character with the surrounding neighborhood and bring the site into closer conformance with the land use pattern envisioned by the plan.

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

The subdivision will conform to the ordinance subject to the CPC granting the requested relief. The plan indicates the location of the parking areas, the boundaries of the pervious coverage and includes the impervious surface coverage calculations for both lots. The applicant has proposed to introduce pervious surface around the development and plant one tree in the rear yard, and two on Grove Street. This would meet the canopy coverage requirement and ameliorate the effects of excess paving.

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 significant 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 because it will result in two separate lots with no other impediments to development.

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 street access is provided from Grove Street through a shared driveway that will provide access to parking spaces in the rear of each building.

**RECOMMENDATION—Minor Subdivision**

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 condition:

Final plan approval should be delegated to DPD staff.