

Providence City Plan Commission

May 20, 2025



AGENDA ITEM 4 ■ 1107 WESTMINSTER STREET



View from Westminster Street



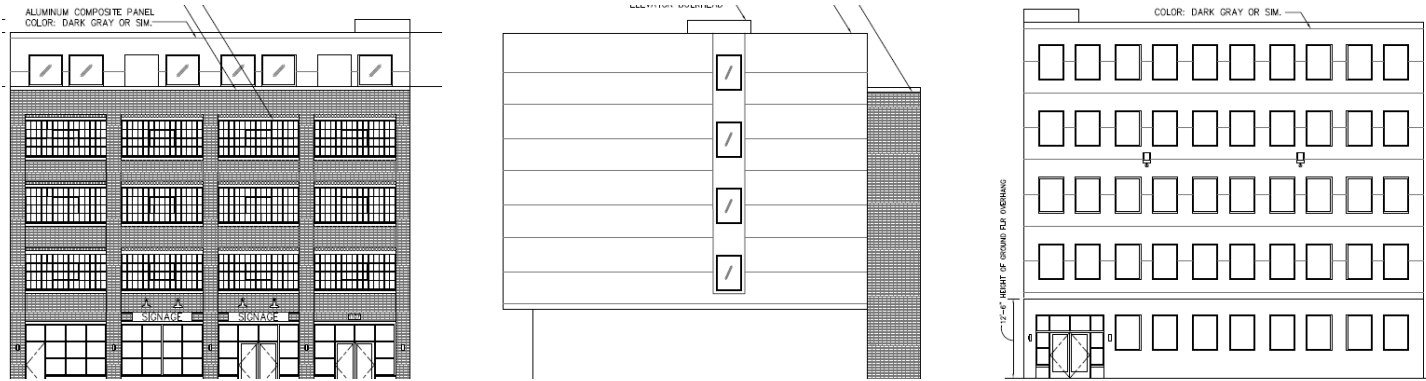
Aerial view of the site



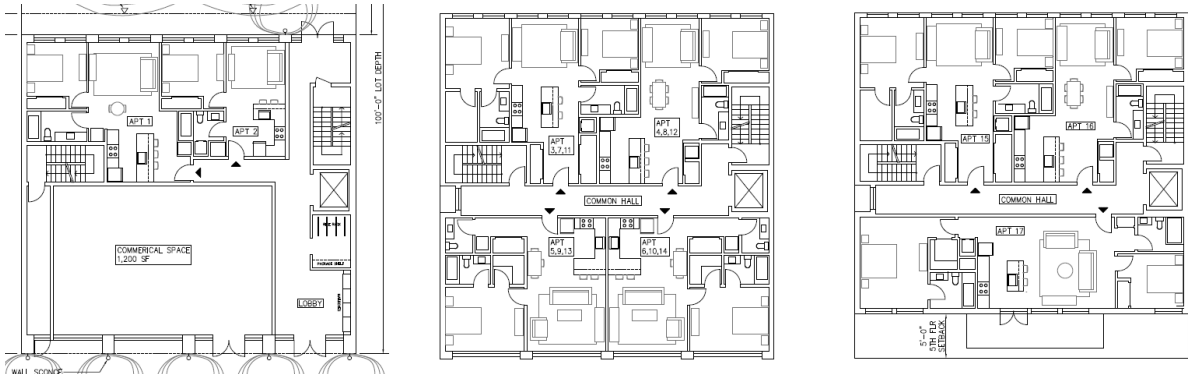
Rendering from Westminster Street

OVERVIEW

OWNER/ APPLICANT:	1107 Westminster LLC, Owner	PROJECT DESCRIPTION:	The applicant is proposing to construct a 56' tall, five story mixed use building with commercial on the ground floor and 17 residential units. A dimensional adjustment from the height limit is requested in addition to a design waiver for the dimensions of entrances.
CASE NO./ PROJECT TYPE:	25-019MIL—1107 Westminster Street Minor Land Development	RECOMMENDATION:	Approval of the preliminary plan with requested adjustments
PROJECT LOCATION:	1107 Westminster Street AP 32 Lot 50; C-2 zoning district	PROJECT PLANNER:	Choyon Manjrekar
NEIGHBORHOOD:	Federal Hill		



Building elevations



Floor plans

PROJECT OVERVIEW

The subject lot fronts on Westminster Street, measures approximately 6,332 SF and is vacant. The applicant is proposing to construct a 56’ tall, five story mixed use building with commercial space on the ground floor and 17 dwelling units. The applicant is requesting a dimensional adjustment from the 50’ four story height limit of the zone, and a design waiver from the width of building entrances.

ANALYSIS AND IDENTIFICATION OF POTENTIAL ISSUES

Use

The site is zoned C-2, where mixed use development consisting of commercial space and multifamily housing is permitted by right. The commercial space could be used for an office or retail use which are both permitted uses.

Dimensions and Site Design

The building will be oriented towards Westminster Street with the first floor set back five feet from the front lot line. Two entrances, one for the residential lobby and one for the commercial space, will provide direct street access. A design waiver from the width of the residential entrance is requested where a maximum width of 8’ is permitted but 12’10” is proposed. In addition to the commercial space, two residential units will be located on the first floor. Four units will be provided on floors two through four and three on the fifth floor. A dimensional adjustment for the building’s height has been requested. The fifth story will be set back from the facade to minimize the impact of the additional height from the street. Six parking spaces will be provided in the rear yard with the transformer and refuse collection area, in addition to rear yard access to the residential area.

The façade will be treated with modular brick and aluminum panels with over 50% of transparency provided on the ground floor and 25% on the upper stories. Three dimensional variety is provided by setting the first and fifth stories

back from the front lot line and cantilevering the rear of the building over the parking area.

The building's design conforms to the guidelines for multifamily development in section 1202.K of the ordinance as it employs consistent materials and provides dimensional variety.

Parking and site access

No vehicle parking is required as the lot measures less than 10,000 SF. However, the applicant will provide six vehicle parking spaces in the rear in addition to bicycle parking on the first floor.

Landscaping

Approximately 900 SF of canopy coverage is required to meet the 15% canopy coverage requirement. The applicant is proposing to plant two large street trees providing 2,000 SF of coverage which will exceed the requirement. The street tree planting shall be subject to the City Forester's approval and the applicant shall be responsible for their maintenance.

Lighting

The applicant has submitted a lighting plan that conforms to section 1301 of the ordinance as it employs downward facing light fixtures with no spillover onto neighboring property.

Drainage and erosion control

The applicant will install an underground stormwater management system which indicates that runoff from the site will be reduced for one to 100 year storm events. The erosion control plan will employ sediment traps and barriers with a soil maintenance schedule and a designated soil stockpile area.

Findings—Dimensional Adjustment

The applicant is seeking a dimensional adjustment for a height of 56' and five stories where 50' and four stories are permitted by right in the C-2 zone. The DPD makes the following findings in conformance with section 1005.B of the Development Review Regulations.

1. The application is eligible for a dimensional adjustment because it meets one or more of the eligibility criteria of Section 1904.E.1 of the Zoning Ordinance.

The applicant is eligible for the adjustment per section 1904.E.1.i of the ordinance through provision of mixed use development with over 50% dedicated to housing.

2. The requested or approved dimensional adjustment is within the allowable adjustments listed in Section 1904.E.2 of the Zoning Ordinance.

The CPC may grant a height adjustment per section 1904.E.2 of the ordinance. However, the judge in a recent Superior Court decision found that Providence's Zoning Ordinance is written to allow height adjustments in feet or stories but not both. An amendment has been proposed to clarify the rules for height adjustments which may be granted by the CPC. The requested adjustment is within the limit that may be granted by the CPC, but shall only become effective upon amendment of the ordinance or a decision of a court of competent jurisdiction finding that section 1904.E.2 of the ordinance allows for granting both numerical height and stories.

3. The extent of the dimensional adjustment is reasonably related to the condition that makes the project eligible for the dimensional adjustment.

The DPD finds that provision of mixed use development is reasonably related to the request for additional height and recommends that the CPC grant the requested adjustment.

Findings—Design Waiver

Ground floor building entrances are limited to a width of six feet and a depth of eight feet. The applicant is seeking a design waiver for the 12'10" width of the residential space from Westminster Street. The DPD makes positive findings with the criteria in section 1005.E of the Development Review Regulations (DRR):

1. *Literal enforcement of the provision for which a waiver is sought is impracticable.*

Based on plans provided, the width of the entrance appears to be a design decision for the residential entrance, which could allow for larger articles to be moved into the building.

2. *The design or development condition resulting from the waiver has no significant adverse impact on the surrounding natural environment, built environment, or pedestrian and traffic circulation.*

The waiver will not have any adverse impacts on the character of the surrounding neighborhood or on neighboring property as it only applies to the subject building.

3. *Granting of the waiver is in the best interest of good planning, urban design, and/or architecture practice, as evidenced by consistency with the Comprehensive Plan and Zoning Ordinance.*

Based on the foregoing discussion, the waiver appears to be in the interest of good planning practice and design given the building's design and its location.

Findings—Preliminary Plan

Section 1005 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.*

Per the future land use map of the Providence Comprehensive Plan, the lot is located under the neighborhood commercial land use designation, where mixed use development is encouraged. The development conforms to objective H-2 of the comprehensive plan, which encourages construction of new housing.

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

Use: Mixed use development consisting of multifamily residential and is permitted by right in the C-2 zone.

Dimension: The development will conform to the ordinance subject to the CPC granting the requested height adjustment and design waiver upon the ordinance being amended to clarify the extent of the adjustment that can be granted by the CPC.

Parking: The applicant will meet the bicycle parking requirement.

Landscaping: The applicant will meet the canopy coverage requirement. The planting of the street trees shall be subject to the City Forester's approval.

Lighting: The applicant will conform to the ordinance's regulations for lighting.

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 drainage control plan which shall be subject to the City Engineer's review, and an erosion control plan were included with the submission. 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.*

There are no physical constraints that impact development of this property, as the lot complies with the dimensional requirements of the C-2 zone. The applicant is required to obtain any encroachment permits at the permitting stage.

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 Westminster Street.

ACTION—Dimensional Adjustment

The CPC should vote to grant the dimensional adjustment, finding that the applicant meets the criteria for dimensional adjustments in 1904.E of the ordinance and having made positive findings in conformance with section 1005.B of the DRR subject to the following condition:

The adjustment shall become effective upon amendment of the ordinance or a court decision to clarify section 1904.E.1 of the ordinance to allow for granting height adjustments of both numerical height and stories.

ACTION—Design Waiver

The CPC should vote to grant the design waiver for the proposed width of the building entrance finding that it would be in the interest of good planning practice and design.

ACTION—Preliminary Plan

Based on the foregoing discussion, the CPC should vote to grant preliminary plan approval subject to the following conditions:

1. The stormwater management plan shall be subject to the City Engineer's approval.
2. The planting of the street trees to meet the canopy coverage requirement shall be subject to the City Forester's approval. The applicant shall be responsible for maintenance of all proposed street trees.
3. Any required encroachment permits shall be submitted at the permitting stage.
4. Final plan approval shall be delegated to DPD staff.