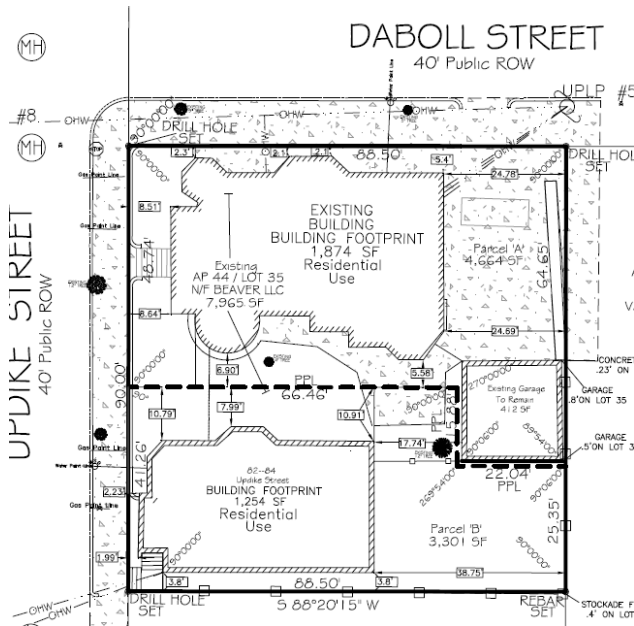


Providence City Plan Commission

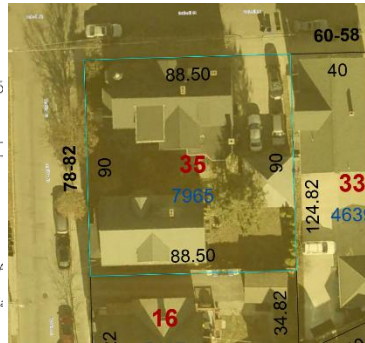
October 20, 2026



AGENDA ITEM 2 ■ 78 UPDIKE STREET



Proposed site plan



Aerial view of the site



View from Updike and Daboll Streets



OVERVIEW

Owner/applicant:	Beaver LLC	Project Description:	Subdivision of lot measuring 7,965 SF and occupied by two principal structures to locate each structure on a separate lot with dimensional relief requested.
Case no./Project type:	26-107UDR Preliminary Plan		
Project location:	78 Updike Street AP 44 Lot 35 R-3 zoning district	Recommendation:	Approval of the preliminary plan and dimensional relief as detailed
Neighborhood:	Elmwood	Project planner:	Choyon Manjrekar

Project Summary

The subject lot measures approximately 7,965 SF and is occupied by two two-family dwellings in the R-3 zone set to Updike Street. The applicant proposes to subdivide the lot into two lots, one of 4,664 SF and a second of 3,301 SF, with the intention of locating each building on a separate lot. The subdivision is requested pursuant to section 2003.D of the ordinance which allows for subdivision into nonconforming lots where it is documented in a plat book that the lot was maintained as two or more nonconforming lots. The applicant is requesting dimensional relief from the following pursuant to Unified Development Review (UDR):

Lot	Relief requested
Proposed Parcel A (two family)	❖ Building coverage of 49% proposed where 45% is permitted ❖ Rear yard impervious coverage where 91% is proposed and 50% is permitted ❖ Total maximum impervious coverage where 73% is required and 65% is permitted ❖ Minimum pervious coverage requirement where a minimum of 1,000 SF is required but 145 SF is permitted
Proposed Parcel B (two family)	❖ Front yard impervious coverage requirement where 33% is permitted and 75% is proposed

Dimensional Variance – Findings

Section 1902 of the zoning ordinance requires that the CPC find evidence of the following standards in order to grant a variance:

- i. *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 dwellings. The relief requested is related to the lot's character as any subdivision to separate the dwellings will require relief from the impervious coverage requirements based on how the lot is maintained due to its configuration. Portions of the lot are largely impervious and require relief from those conditions as it is occupied by buildings and paved surface. These conditions are not related to a physical or economic disability of the applicant.

- ii. *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 medium density residential development, characterized by one to three family dwellings on lots that measure between 3,200 to 5,000 SF. The zoning map indicates that the neighborhood is made up of a number of lots similar in size to the ones proposed. The subdivision would not affect a change in use or an increase in residential density beyond what

currently exists. The subdivision is not expected to alter the character of the surrounding area as it will result in two lots that would more closely conform to the intent of the comprehensive plan.

- iii. 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 of the lot and separation of the buildings onto different lots, which would amount to more than a mere inconvenience.

Dimensional Variance – Action

Based on the foregoing discussion, the DPD recommends that the requested relief be granted.

Minor Subdivision – Findings

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 medium density residential development. These areas are intended for residential uses characterized by one to three family dwellings in detached structures on separate lots ranging between 3,200 to 5,000 SF. The lots created through the subdivision would bring the site into closer conformance with the type of development envisioned by the plan and would be in character with the surrounding neighborhood and 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.*

New lots in the R-3 zone require a minimum lot size of 5,000 SF with 50' of lot width. The subdivision will conform to the ordinance pursuant to section 2003.D which allows for subdivision of lots into nonconforming lots where it is documented in a plat book that the lots previously existed. The applicant has submitted a plat map from 1875 indicating that the lot was maintained as separate lots. The subdivision will conform to the ordinance subject to the CPC granting the requested dimensional relief. Two parking spaces required to meet the parking requirement for parcel B will be provided in the driveway on parcel A. The applicant is required to file a lien deed giving two spaces on parcel A for the use of the house on parcel B. A dimensional table has been included on the plan indicating that the applicant will meet all applicable dimensional requirements subject to the CPC granting the requested relief.

It is the DPD's opinion that there are opportunities to reduce paving and introduce pervious coverage on the site to ameliorate the effects of the requested relief. The applicant can remove paving to the north and south of the house and adjacent to the garage to reduce the amount of impervious coverage and bring the site into closer conformance with the ordinance. In addition, the applicant could make plantings to the rear of the house on parcel B.

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 subdivision is not expected to pose a significant environmental impact as laid out on the final plan, as the applicant is required to comply with any 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 Updike and Daboll Streets.

Minor Subdivision— Action

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 and subject to the following conditions:

- The applicant shall file a lien dedicating two spaces on parcel A for the benefit of parcel B to meet the parking requirement.
- The applicant shall introduce pervious surface onto the site by removing paving around the building and garage and making plantings in the rear yard of parcel B. A zoning certificate for compliance (ZCFC) shall be provided with the final plan submission to document the changes.