

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2013-24

NO. 300

AN ORDINANCE IN AMENDMENT OF AND IN ADDITION TO CHAPTER 1977-5 OF THE ORDINANCES OF THE CITY OF PROVIDENCE APPROVED FEBRUARY 14, 1977 AND ENTITLED, "AN ORDINANCE APPROVING AND ADOPTING THE OFFICIAL REDEVELOPMENT PLAN FOR DOWNTOWN PROVIDENCE RENEWAL" FOR THE ACQUISITION OF ADDITIONAL PROPERTIES, AS AMENDED

Approved June 27, 2013

Be it ordained by the City of Providence:

1. That Chapter 1977-5 of the Ordinances of the City of Providence, approved February 14, 1977 and entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for Downtown Providence Renewal" as amended by the following: Chapter 1978-44, approved November 24, 1978, Chapter 1981-26, approved May 21, 1981, Chapter 1981-50, approved October 23, 1981, Chapter 1983-7, approved February 18, 1983, Chapter 1983-14, approved April 22, 1983, Chapter 1993-26, approved September 13, 1993, Chapter 1994-33, approved October 14, 1994, Chapter 1997-14, approved February 26, 1997, and Chapter 1998-6, approved January 18, 1998, Chapter 1998-57, approved December 14, 1998, be and the same is hereby further amended as follows:

- A. The "Downtown Providence Renewal Official Redevelopment Plan Amendment for the Acquisition of 94-110 Washington Street", attached here as Attachment 1, is hereby adopted and made part of the Downtown Providence Renewal Official Redevelopment Plan.
- B. The Downtown Providence Renewal Official Redevelopment Plan is further amended by the addition of the following property to the property acquisition list in Section 2, entitled "Proposed Acquisition" under Chapter E, entitled "Renewal Plan Proposals":

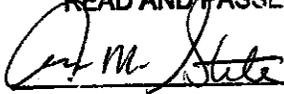
Plat	Lot	Address
25	354	94-110 Washington Street

The Downtown Providence Renewal Official Redevelopment Plan is further amended by the addition of the Map attached here as Attachment 2.

2. That said Chapter 1977-5 of the Ordinance of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other aspects.

3. That this Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

IN CITY COUNCIL
JUN 06 2013
FIRST READING
READ AND PASSED

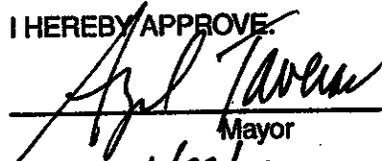
 CLERK

IN CITY
COUNCIL
JUN 20 2013
FINAL READING
READ AND PASSED


PRESIDENT

CLERK

I HEREBY APPROVE.


Mayor
Date: 6/27/13

Attachment 1

City of Providence
Providence Redevelopment Agency
Downtown Providence Renewal Official Redevelopment Plan
Amendment for the
Acquisition of 94-100-110 Washington Street

This document is appended, as an amendment to the Downtown Providence Renewal Official Redevelopment Plan

Proposal

The Providence Redevelopment Agency (hereinafter the “Agency”) proposes ~~to submit an Ordinance to the City Council in order to~~ acquire, through purchase or condemnation, the Property located at 94-100-110 Washington Street, (hereinafter “the Property”).

Background

The building at 94-110 Washington Street is known as the George C. Arnold Building, constructed in 1923. It is a three-story, brick-faced structure with mid-20th Century storefronts and seven-bay pier-and-spandrel system with Chicago windows and decorative metal spandrels. Only 12½-feet deep, this is the narrowest structure downtown. The property is listed on the National Register of Historic Places as a contributing structure within the Downtown Providence National Historic District (est. 1984). The property is also under the jurisdiction of the City’s Downtown Design Review Committee, a development plan review body. Washington Street is designated an “A” street, which is defined in the City’s Code of Ordinances as “Streets designated on the Official Zoning Map for the D-1 Zone. Building facades that front on these streets are subject to more stringent design and development regulations than building facades that front on B-Streets as detailed in this Ordinance. [Ord. 2004-41, 2012-25]”

The Property suffered a fire in 2009. Attempts to rehabilitate and sell the building by the current owner have been unsuccessful. Despite boarding, the building has continued to be exposed to the elements and further deterioration has occurred. In May, 2011, the Department of Inspection and Standards (“DIS”) cited the Property owner as the Property is in an unsafe condition. The Property owner was ordered to rectify the violations but did not comply and the violations are currently being prosecuted in the Providence Housing Court.

Property Area Description

The Property is located at Tax Assessor's Plat 25, Lot 354, also known as 94-100-110 Washington Street, and more particularly described below:

Beginning at a point on the easterly side of Mathewson Street twelve and ninety five hundredths (12.95) feet southerly from the southeasterly corner of Mathewson and Washington streets thence running easterly in a straight line, to a point on Clemence Street twelve and fifty -six one hundredths (12.56) feet southerly from the southwesterly corner of Clemence and Washington Street, thence running northerly, bounding easterly on said Clemence Street to Washington Street thence running westerly, bounding northerly on Washington about one hundred twenty and seventeen one hundredths (120.17) feet to Mathewson Street: thence turning and running southerly, bounding westerly on Mathewson Street to the point of beginning.

Findings That the Property Is Located Within a Redevelopment Area, That The Property is Located Within a Redevelopment Project Area, and That Acquisition of The Property Will Be For The Purpose of Redevelopment

The Property is located within a redevelopment area and a redevelopment project area and- its acquisition -is necessary for redevelopment pursuant to definitions provided by section 45-31-8 of the R. I. Gen. Laws:

1. The Property is located in a redevelopment area, as re-affirmed by Resolution of the Providence City Council on March 22, 2008 and is included within the Downtown Providence Renewal Plan Project Area; and
2. Redevelopment of the Property is necessary to eliminate and prevent the spread of blighted and substandard areas because the Property remains entirely unoccupied and in a state of abandonment, severe dilapidation, deterioration, and disrepair;
3. The property was damaged by fire in 2009 and has remained unoccupied and unused since that time. The Property has had an open prosecution case file in the Providence Housing Court since May, 2011. The Property owner has failed to remediate the ongoing violations.

Statement of Redevelopment Objectives and Proposed Treatment

1. The D-1/Downcity District zoning promotes historical preservation, strictly regulates demolition and prohibits principal use parking lots.
- 1.2. The redevelopment objective for the Acquisition of the Property is to eliminate a blighted and substandard area through the acquisition of the Property as described in

the 'Property Area Description' above and to ~~improve, and rehabilitate~~secure, preserve, and rehabilitate the building and other such improvements located thereon.

Statement of Redevelopment Methods

1. *Property Acquisition* - The Agency will negotiate the purchase of the Property. If the Agency is unable to negotiate the purchase, the Agency will exercise its powers of eminent domain pursuant to ~~R. I. Gen. Laws 45-32-5 and R. I. Gen. Laws 45-32-24~~to acquire the Property.
2. *Funding* – The Agency will supply funding for acquisition or, if the property is acquired by eminent domain, will deposit in the Superior Court for Providence County a sum of money estimated by the Agency to be just compensation for the Property.
3. *Transfer of the Property* – After acquisition, the Agency will transfer title to the Property to a third party who will act immediately to secure, preserve and rehabilitate the building and other such improvements located thereon. ~~for no less than one hundred percent of the total cost expended by the Agency during acquisition of the Property.~~
4. *Redevelopment* – The party to whom the Property is transferred (hereinafter the "Purchaser") will, prior to or concurrent with the transfer of title, submit a redevelopment plan for the Property that complies with the Providence Zoning Ordinances, the City's Comprehensive Plan, and the purposes of chapters 31-33 of Title 45 of the Rhode Island General Laws.
5. *Design Review* – Any redevelopment plans for the Property shall be reviewed by the Agency and the ~~Providence Planning Commission (hereinafter the "Commission")~~Providence Downtown Design Review Committee. Approval of such proposals will be in accordance with the Redevelopment plan for Downtown Providence Renewal Project.

Provisions Necessary to Meet Local Objectives

1. *Conformance to Comprehensive Plan* – The proposed amendment is in conformance with the Comprehensive plan. The report issued by the Providence City Plan Commission is attached here as **Attachment 3**.
2. *Covenants and Restrictions* - The Purchaser will be required to conform to the standards and controls or other provisions of the Official Redevelopment Plan as Contained in Section 3 entitled “Other Conditions, Covenants, Restrictions, and Provisions Controlling the Development and the Use of Acquired Land and Improvements’ of Chapter G. entitled “Other Provisions necessary to Meet Local Objectives” in the Official Redevelopment Plan entitled “The Downtown Providence Renewal Project.”
3. *Miscellaneous Provisions* – Whenever the controls in this Plan restricting the use and development of areas acquired for redevelopment conflict with provision of the Zoning Ordinance or any other City Ordinances, the more restrictive standard shall govern.

Attachment 2

Attachment 3



City Plan Commission
Angel Taveras, Mayor

May 28, 2013

Anna Stetson, City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Councilman Seth Yurdin, Chair, Ordinance Committee

Re: Referral 3363 - Amendment to the Official Redevelopment Plan for Downtown Providence Renewal

Dear Ms. Stetson:

At a regular meeting of the City Plan Commission on May 21, 2013 the City Plan Commission (CPC) reviewed the above-referenced amendment for a recommendation to the City Council as referred by the City Clerk's Office.

The amendment under consideration primarily deals with the Providence Redevelopment Agency's (PRA) acquisition and rehabilitation of the fire damaged building at 94 Washington Street. The plan will be amended to indicate that the property located on lot 354 on Plat 25 will be added to the property acquisition list in Section 2, entitled "Proposed Acquisition" under Chapter E, entitled "Renewal Plan Proposals"

Findings

The CPC found the plan to be consistent with the City's Comprehensive Plan and recommended that the City Council Committee on Ordinances approve the plan subject to certain conditions. The CPC found that the plan conformed to the following objectives of the comprehensive plan:

- The CPC found that the redevelopment would be in conformance with the comprehensive plan's future land use map designation of Downtown/Mixed Use development, which is intended to revitalize and restore the historic business district and accommodate expansion of the Downtown area.
- The CPC found that the proposed redevelopment would conform to the development strategies of objective SE4 of the plan, which encourages environmentally sustainable design and development. The reuse of existing buildings and energy efficient rehabilitation, as proposed for the subject property, are some of the strategies discussed to achieve this objective.

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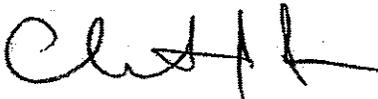
- The CPC found that preservation of the building will be in conformance with Objectives BE-5 and BE-7 of the plan, which identify preservation as a sustainable means to save buildings that contribute to the city's character. The subject property is known for its contribution to the Downtown streetscape. The comprehensive plan states that building preservation is important to maintaining the City's urban fabric.
- The CPC found that the amendment would be in conformance with strategy six of objective LU-1 of the plan, which lists the acquisition and redevelopment of vacant and blighted properties as a means to protect and enhance neighborhoods.
- The CPC found that use of the building for a business would be in conformance with Objective BJ-5, which supports the creation of neighborhood based businesses that enhance neighborhoods.
- The CPC found that if the restored building were to be used for housing, it would conform to objectives H-1, H-2 and H-3, which call for improving and expanding existing housing options for all.

Recommendation

The CPC voted to recommend that the amendment be approved subject to the following conditions:

1. Approval of the amendment should be subject to adding language to the redevelopment plan stating that the D-1/Downcity District zoning promotes historical preservation, strictly regulates demolition and prohibits principal use parking lots.
2. In finding consistency with the Comprehensive Plan, the CPC recommended that the redevelopment plan stress that the building be secured, preserved and rehabilitated.

Sincerely,



Christopher J. Ise
Administrative Officer

Cc: Don Gralnek, E.D., PRA