

CHAPTER 2024-20

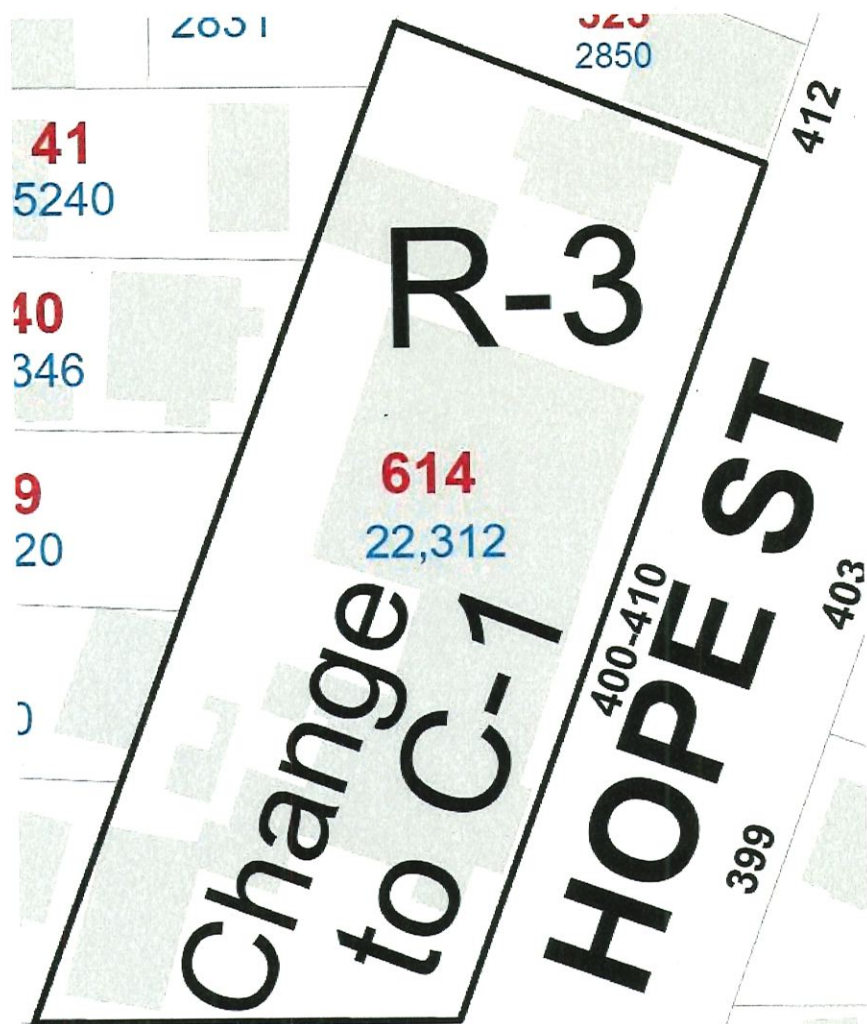
No. 223

AN ORDINANCE IN AMENDMENT OF CHAPTER 27 OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE, ENTITLED: "THE CITY OF PROVIDENCE ZONING ORDINANCE," APPROVED NOVEMBER 24, 2014, AS AMENDED, TO CHANGE THE ZONING DISTRICT ON THE OFFICIAL ZONING MAP FOR THE PROPERTY LOCATED ON ASSESSOR'S PLAT 9, LOT 614 (400-410 HOPE STREET), FROM R-3 TO C-1

Approved May 24, 2024

Be it ordained by the City of Providence:

SECTION 1. Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance," Approved November 24, 2014, As Amended, is hereby further amended by changing the Zoning District on the Official Zoning Map for the Property located on Assessor's Plat 9, Lot 614 (400-410 Hope Street), from R-3 to C-1, limited however to (i) those uses allowed by right or by special use permit in the R-3 zoning district under Table 12-1 of the Zoning Ordinance, and (ii) only the following uses by right or special use permit(s) in the in the C-1 zoning district: multifamily dwellings, animal care facility, art gallery, art studio, bed and breakfast, body modification establishment, community center, day care center (of any size), dwelling - accessory dwelling unit, dwelling-adaptive reuse, financial institution/bank, government office, healthcare institution(s), medical /dental office, office, park/playground, personal service establishment, research and development, residential care facility, restaurant - 3500 s.f. or less of GFA, retail goods establishment - 3500 s.f. or less of GFA, and specialty food service.



SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
MAY 02 2024
FIRST READING
READ AND PASSED
Jina L. Mastrosianni
CLERK

IN CITY COUNCIL
MAY 16 2024
FINAL READING
READ AND PASSED
Rachel M. Miller
RACHEL M. MILLER, PRESIDENT
Jina L. Mastrosianni
CLERK

I HEREBY APPROVE.

Brett P. Smith
Mayor

Date: 5/24/24

City of Providence
State of Rhode Island

AMENDED PETITION TO THE HONORABLE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

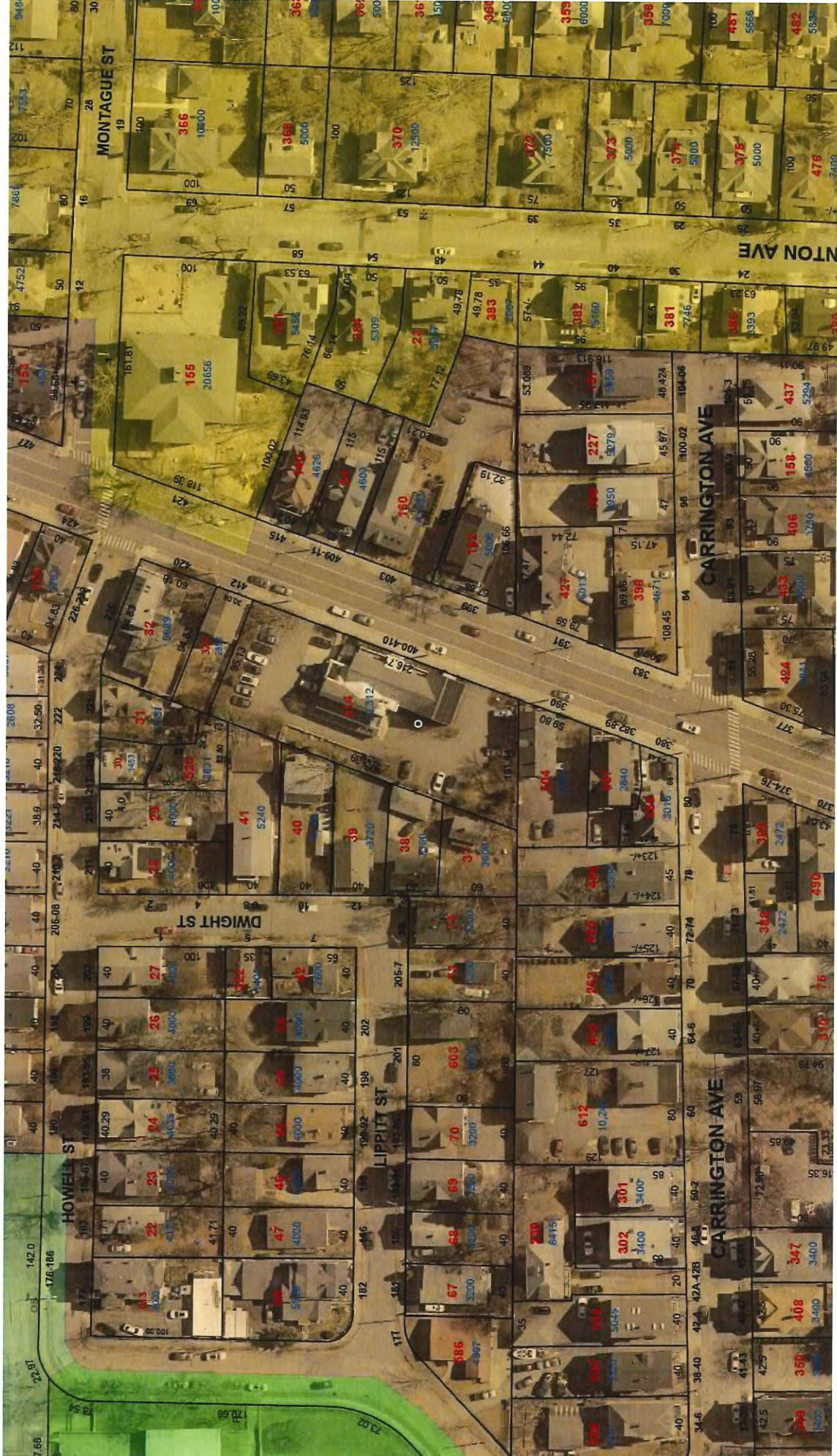
Meow Mix LLC hereby petitions the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district for the property located at 400-410 Hope Street in Providence, Rhode Island and identified as Plat 9, Lot 614 from R-3 to C-1, limited however to (i) those uses allowed by right or by special use permit in the R-3 zoning district under Table 12-1 of the Zoning Ordinance, and (ii) only the following uses by right or special use permit(s) in the in the C-1 zoning district: multifamily dwellings, animal care facility, art gallery, art studio, bed and breakfast, body modification establishment, community center, day care center (of any size), dwelling – accessory dwelling unit, dwelling-adaptive reuse, financial institution/bank, government office, healthcare institution (s)medical /dental office, office, park/playground, personal service establishment, research and development, residential care facility, restaurant – 3500 s.f. or less of GFA, retail goods establishment – 3500 s.f. or less of GFA, and specialty food service.

Meow Mix LLC
By Its Attorney:
John J. Garrahy (#3113)
John J. Garrahy Law, LLC
2088 Broad Street
Cranston, Rhode Island 02905

/s/ John J. Garrahy

John J. Garrahy, Esq.

April 24, 2024



This information is for informational purposes only.
It is not intended to be used for any other purpose.
Providence, Rhode Island, Planning and Development GIS Unit.
Integration of GIS and CAD data.
Data Source: Providence, Rhode Island, GIS Unit.
Providence, Rhode Island, GIS Unit.
Date: 10/20/2024



PROVIDENCE, RHODE ISLAND
PROVIDENCE THE CREATIVE CAPITAL
DEPARTMENT OF PLANNING AND DEVELOPMENT
JOSUE O. ELIO-DEA, MAYOR | EUGENE INCKERSCHAMP, DIRECTOR



CITY OF PROVIDENCE
MAYOR BRETT P. SMILEY

February 29, 2024

Councilman Pedro Espinal,
Chair, Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Tina Mastroianni, City Clerk

**Re: Referral 3570 – Petition to rezone 400 Hope Street
(AP 9 Lot 614) from R-3 to C-1**

Petitioner: Meow Mix LLC

Dear Councilman Espinal,

The petitioner appeared before the City Plan Commission (CPC) on February 20, 2024, requesting to rezone 400 Hope Street from R-3 to C-1.

FINDINGS OF FACT

The petitioner is requesting a rezoning of the subject lot from R-3 to C-1. The lot is occupied by a two story building that houses a veterinary practice and previously, a Montessori school, with both uses permitted through variances granted by the zoning board of review. This portion of Hope Street is mainly composed of residential development, however, there are some nonresidential and mixed use developments in the vicinity including a restaurant, daycare, recreational facility and a public school. Based on the proximate uses and current use of the site, the CPC found that rezoning the subject lot would be appropriate as it would allow flexibility for the subject uses, whose operation is currently restricted by variances. The rezoning would render the lot conforming and also allow for other neighborhood commercial uses. As the building has operated commercial uses for a number of years, the CPC found that a negative effect on neighborhood character is not expected.

The Comprehensive Plan states that small scale pedestrian-accessible, neighborhood commercial uses like the one operated by the applicant, and those in the vicinity, are appropriate in certain areas intended for medium density residential development. Given the mix of uses and the location of the lot, the CPC found that the rezoning would conform to the intent of the comprehensive plan.

DEPARTMENT OF PLANNING & DEVELOPMENT

JOSEPH A. DOORLEY JR. MUNICIPAL BUILDING, 444 WESTMINSTER ST, PROVIDENCE RI 02903
PHONE 401.680.8400 | WWW.PROVIDENCERI.GOV/PLANNING

It is the CPC's opinion that the rezoning would be appropriate and that it is not expected to negatively affect health, safety and welfare and is consistent with the purposes of zoning in Section 101 of the Zoning Ordinance.

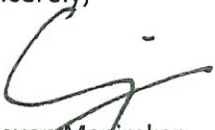
RECOMMENDATION

On a motion by Commissioner Verdi, seconded by Commissioner Lipschitz, the CPC voted to make a positive recommendation to the City Council to rezone the lot to C-1.

The CPC voted as follows:

Aye: N. Verdi, C. Lipschitz, D. Caldwell, M. Gazdacko

Sincerely,

A handwritten signature in black ink, appearing to read 'Choyon Marjrekar', with a stylized flourish at the end.

Choyon Marjrekar
Administrative Officer

3/28/24

Dear Chairman Espinal and committee members,

We are applying for a zoning change to C-1 use in order to expand an existing business across the first-floor hallway into an adjoining commercial space. Our feline veterinary practice, City Kitty, has outgrown its current space and needs more exam rooms and a larger treatment area to better serve our clientele.

There are no exterior modifications being proposed whatsoever—the scope of what we are planning involves strictly interior changes to the first floor that will allow an existing tenant (City Kitty) to expand into an adjoining space, which effectively will mean there will be one commercial tenant on the first floor instead of two.

Nothing else about the building, parking area or green space surrounding it will change.

When we purchased the site more than 10 years ago it was a foreclosed commercial florist, which had been in existence since the late 1800s, but had been operating as a non-conforming commercial use in a residential zone. We were told we needed a use variance to have a veterinary practice in that space and went through the process to obtain that; however, we recently learned that use variance only applied for the existing footprint of City Kitty, and did not allow us to expand into the adjoining commercial space.

The Planning Department recommended and supports the proposed zoning change that is required to enable City Kitty to expand into the adjacent unit. According to Planning, the C-1 zoning is the lightest commercial zoning that would allow the practice to expand and is appropriate for that area of Hope Street.

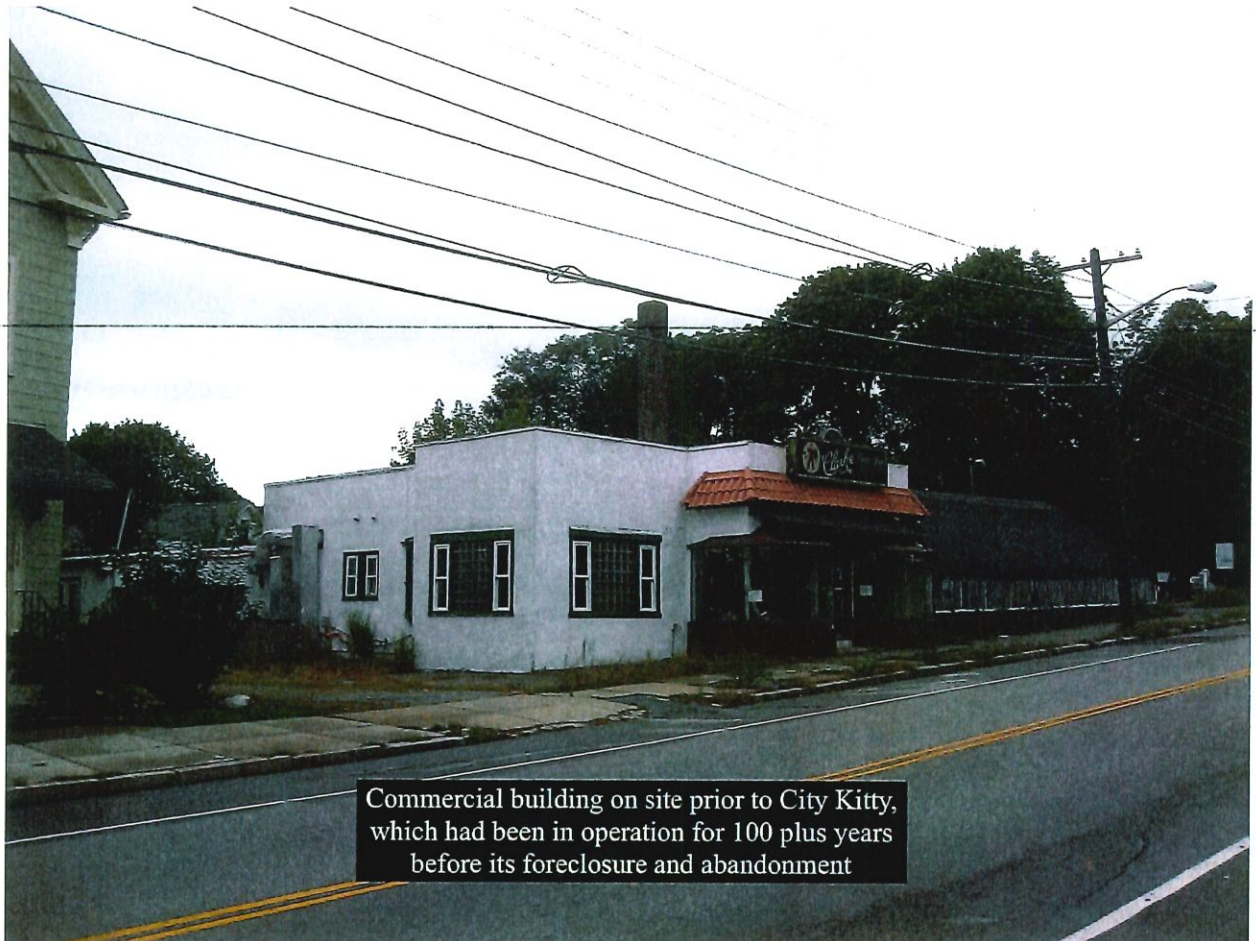
City Kitty is a thriving 25-year-old business that employs more than 20 people, and our building has stabilized a formerly blighted area of Hope Street. Its presence has raised the property values of adjoining buildings, provided well-cared-for green space, and our building design was a RI Monthly commercial use award winner.

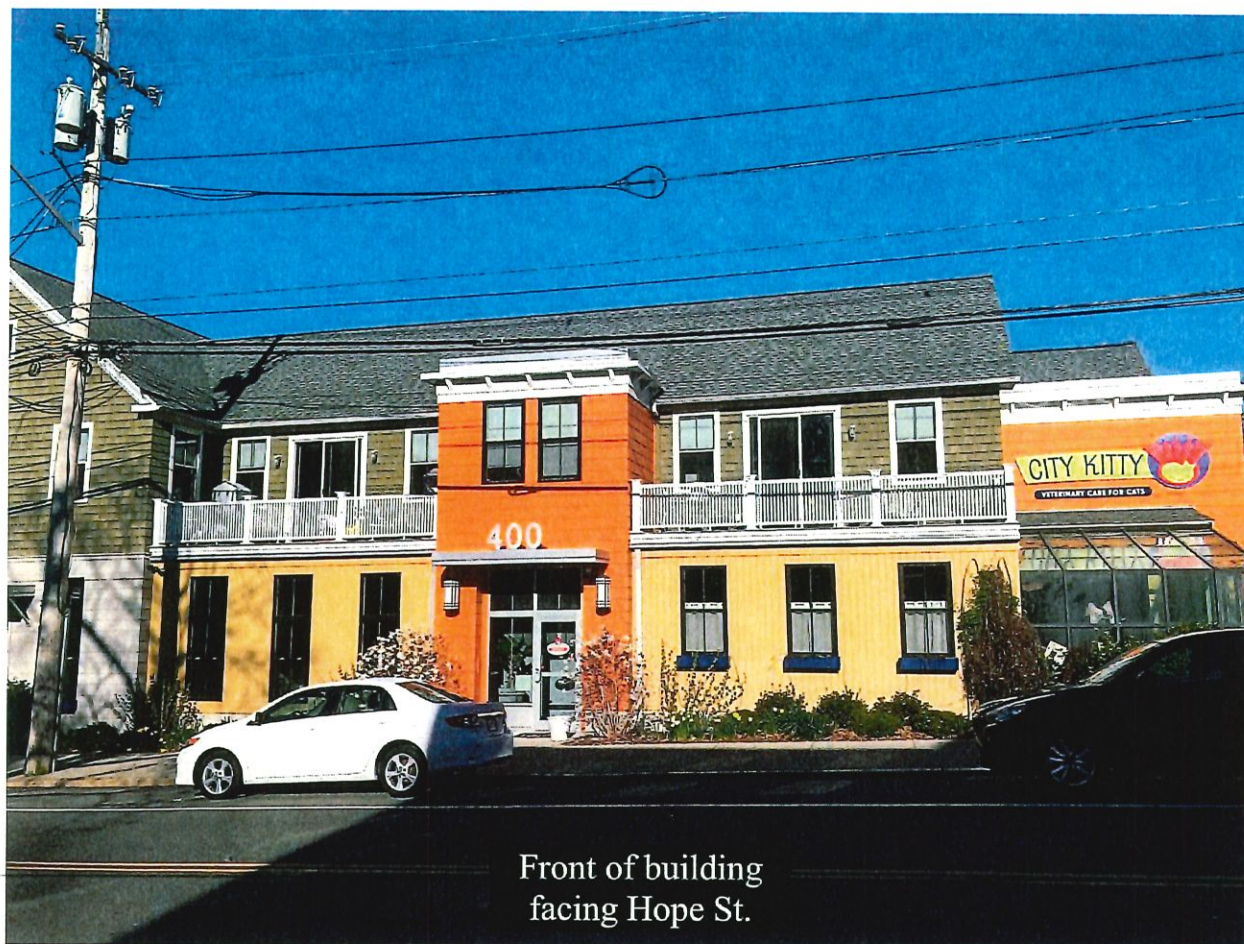
We are proud of our beautiful building and community-minded veterinary practice, and from the very first stages of relocating City Kitty to Hope Street from the Jewelry District, it was important to us that the building be designed in a thoughtful way that would be both in keeping with the area and architecturally striking. We are confident that we've been an asset to the neighborhood, along with providing a well-respected medical home for the cats of Rhode Island. We hear frequently from people in the surrounding area about how much they love the building and how welcoming it seems, and as long-term Providence residents, we remain deeply committed to continuing that investment in a city we adore.

We've attached some images of the building, along with views looking to the neighbors, that should help underscore the efforts we've made with landscaping and fencing to keep the site contained and peaceful.

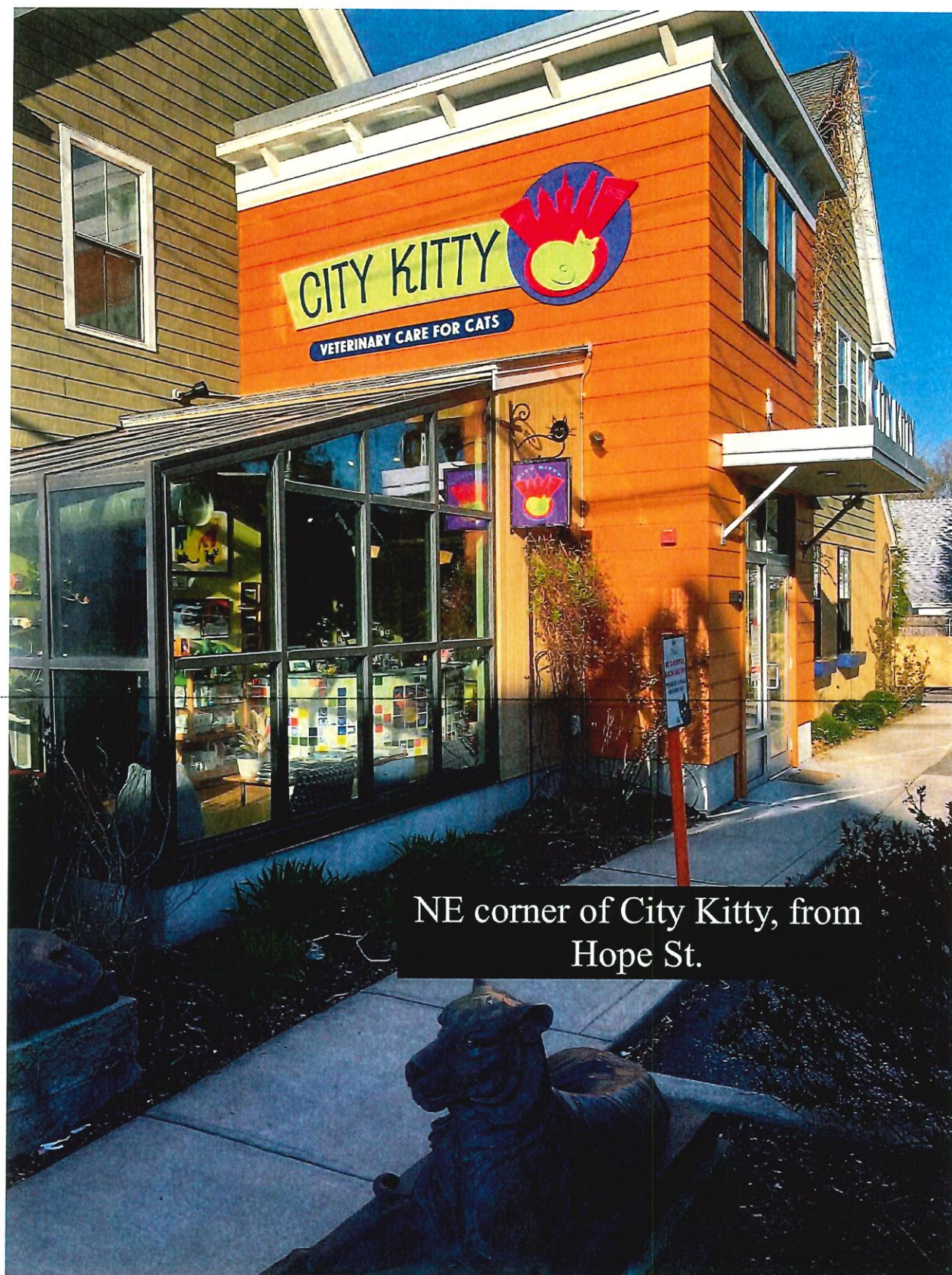
Sincerely,

Cathy Lund and Peter Karczmar
225 Adelaide Ave
Providence

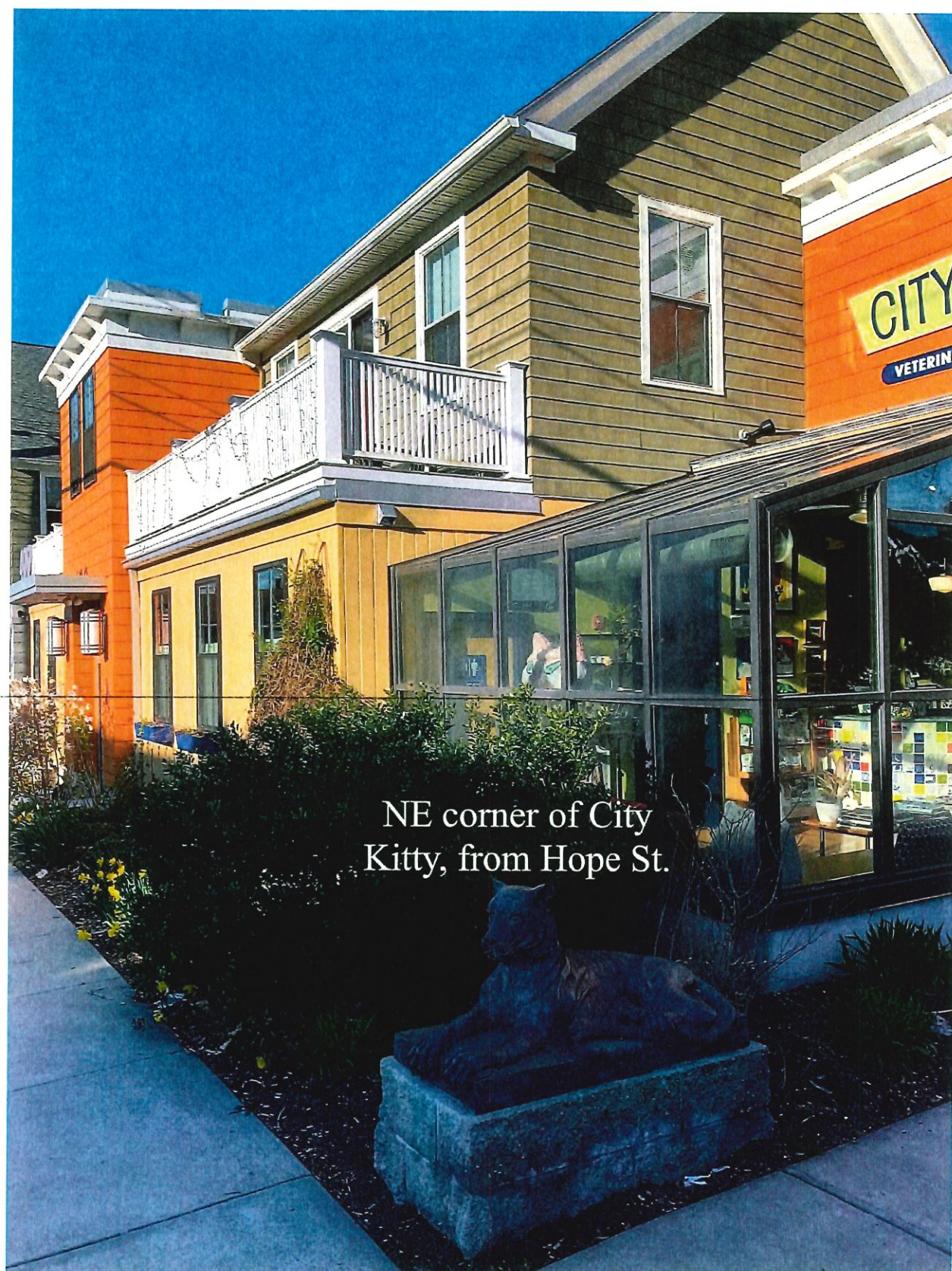




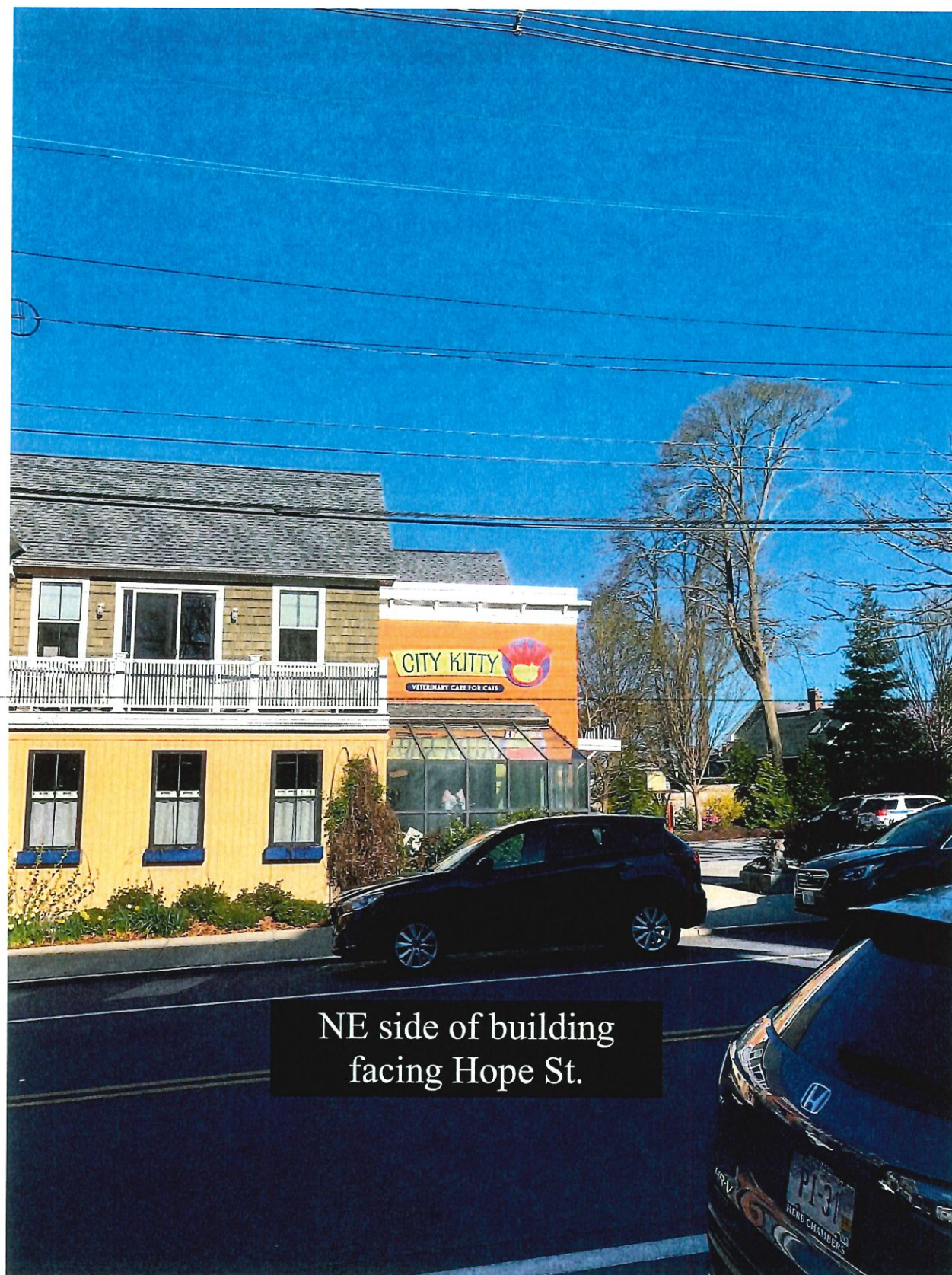
Front of building
facing Hope St.



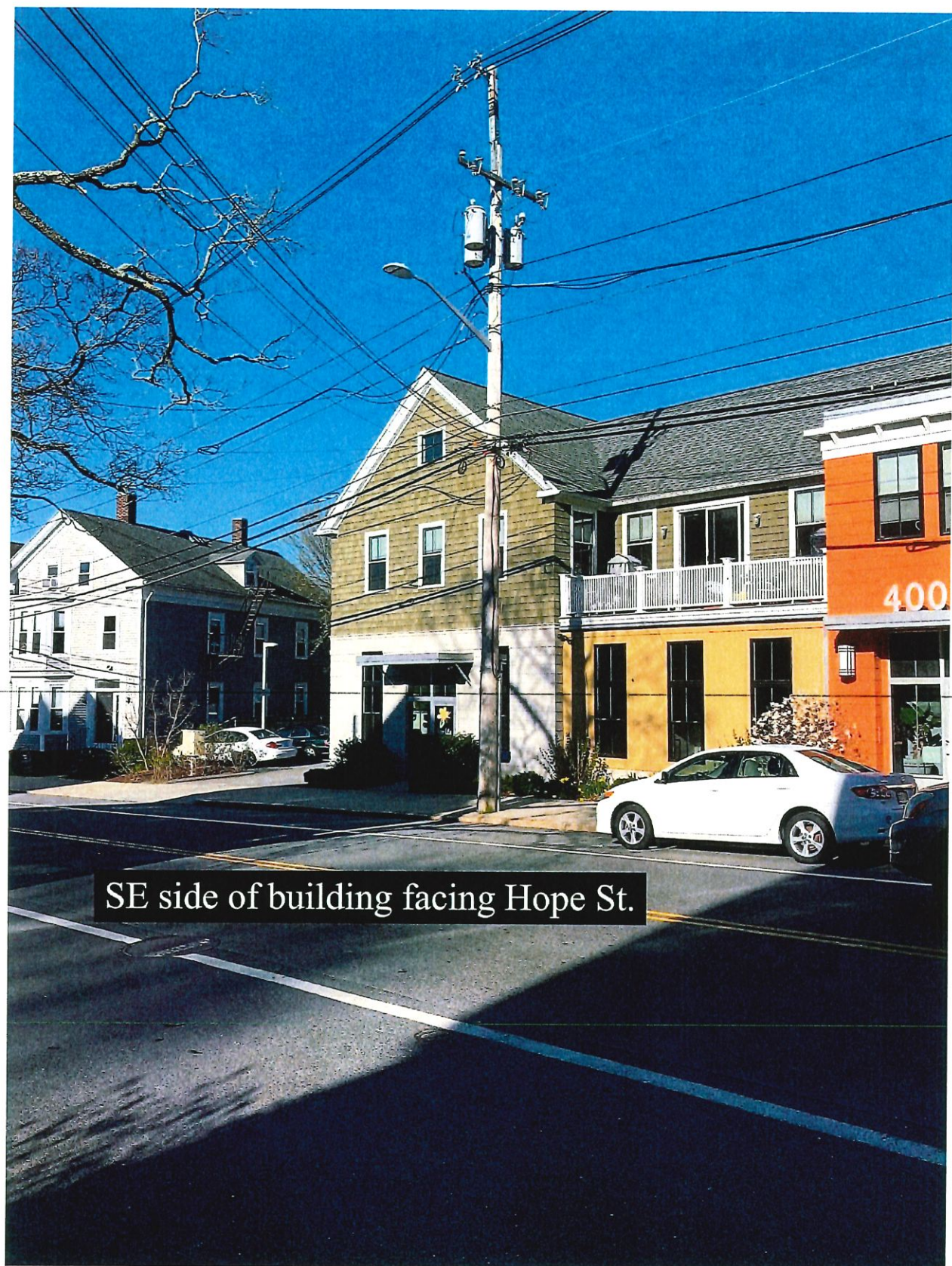
NE corner of City Kitty, from
Hope St.



NE corner of City
Kitty, from Hope St.



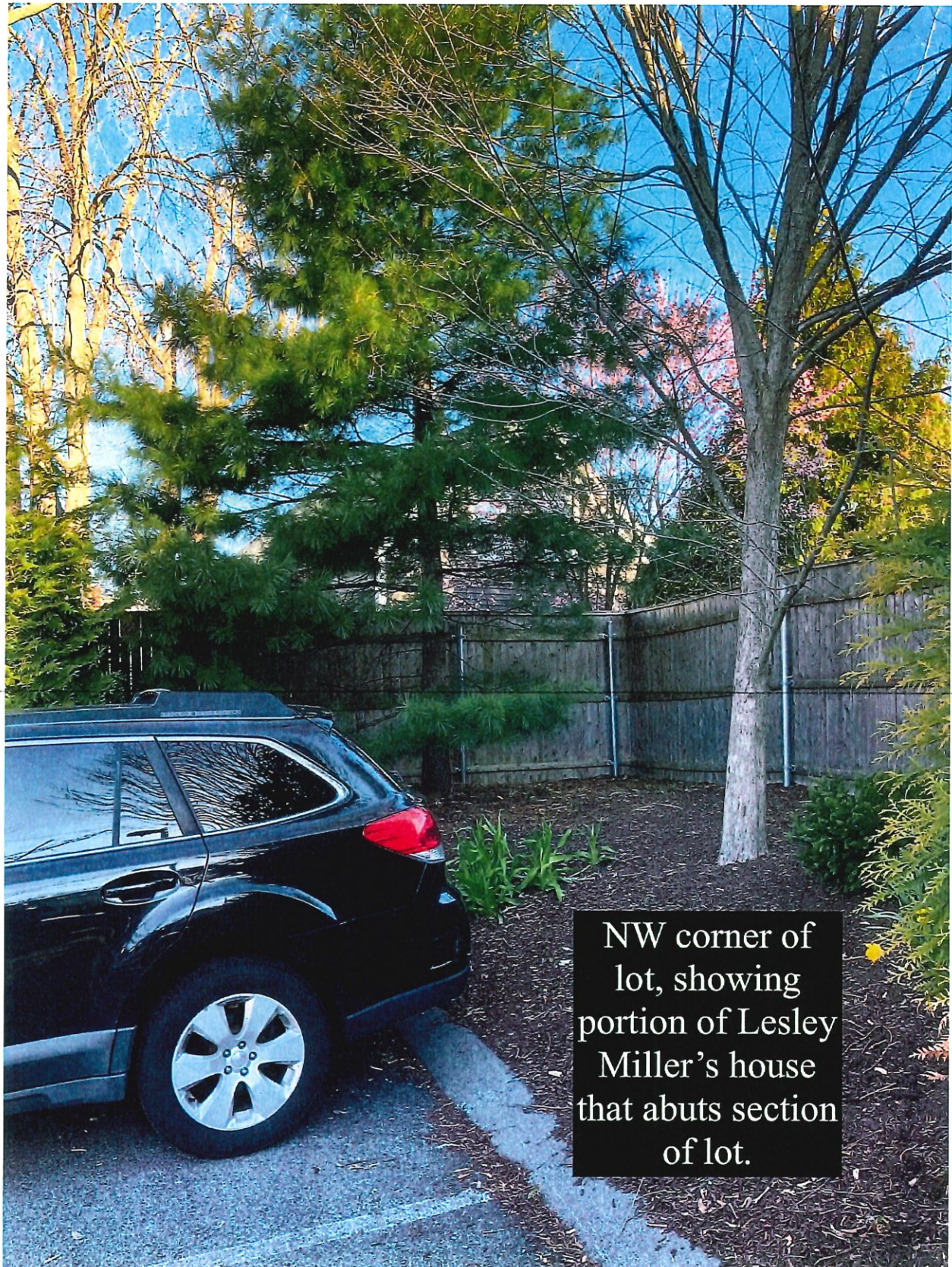
NE side of building
facing Hope St.



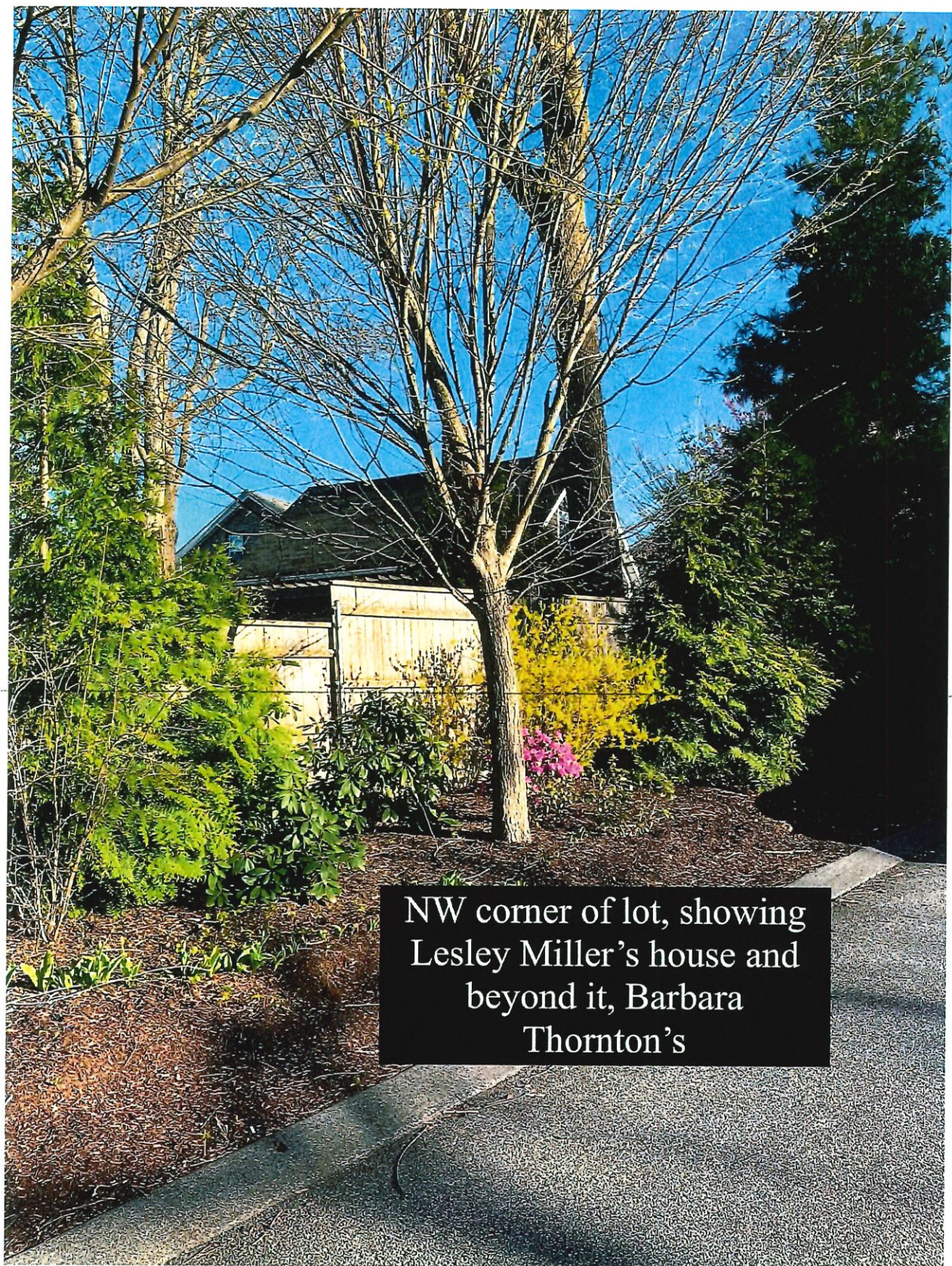
SE side of building facing Hope St.



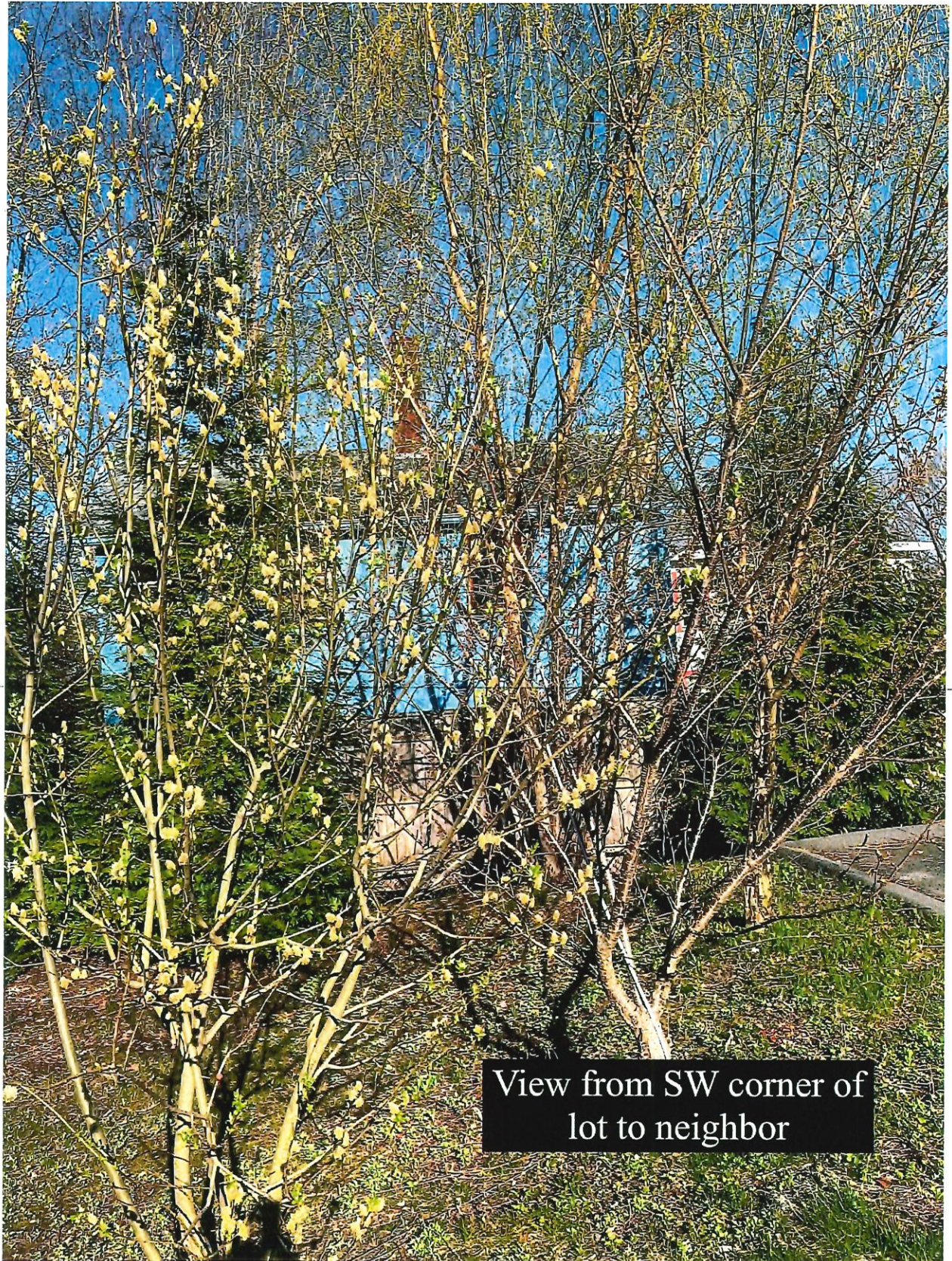
NW corner of lot,
showing Lesley Miller's
house



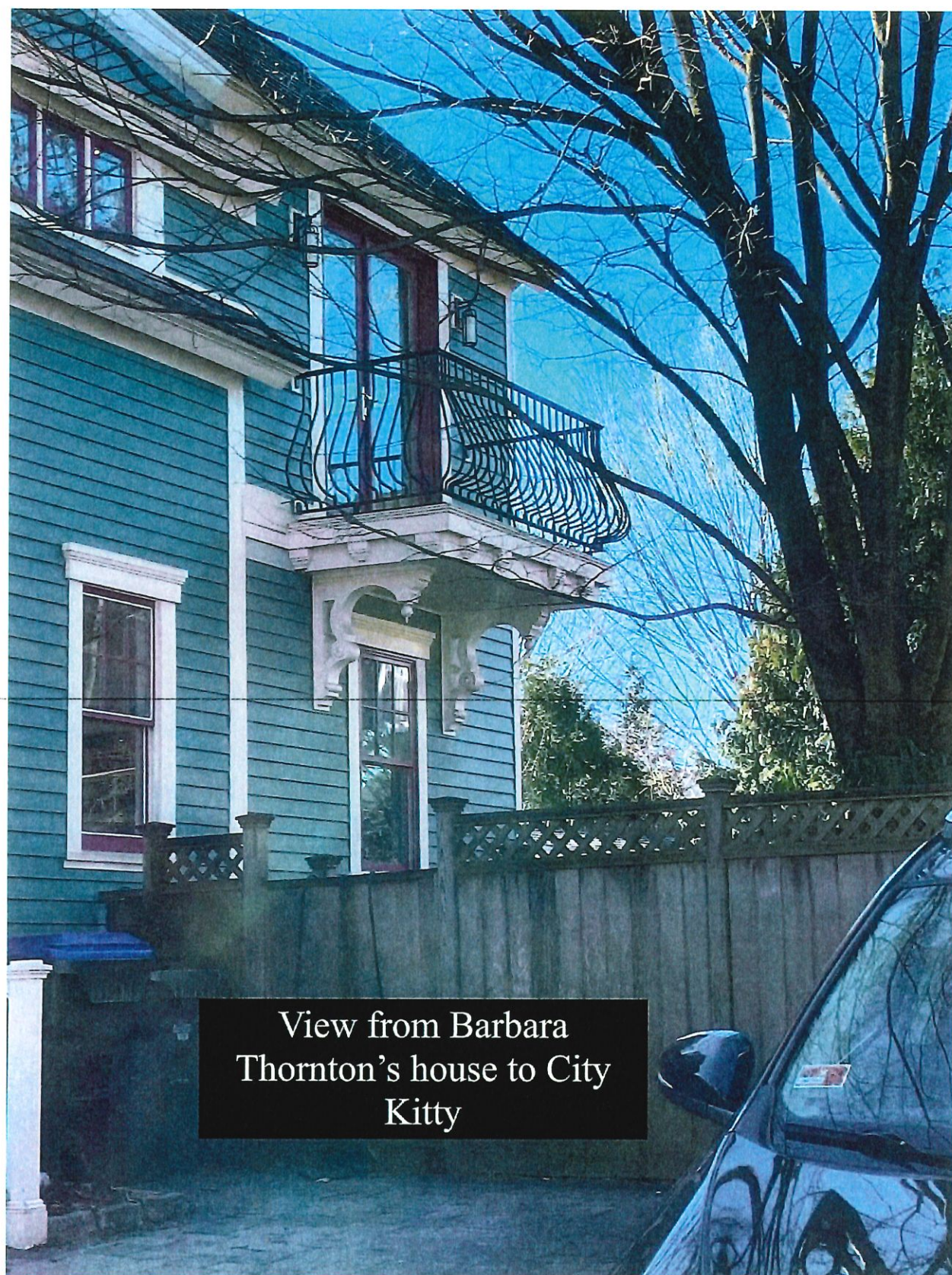
NW corner of
lot, showing
portion of Lesley
Miller's house
that abuts section
of lot.



NW corner of lot, showing
Lesley Miller's house and
beyond it, Barbara
Thornton's



View from SW corner of
lot to neighbor



View from Barbara
Thornton's house to City
Kitty

9B Opposition

Mastroianni, Tina

From: Jill Tobak <mrstobak@gmail.com>
Sent: Sunday, April 21, 2024 1:08 PM
To: Clerk, City
Cc: Sue Anderbois City Council Ward 3; bjthornton221@gmail.com; Sara Dorsch & Omar Galarraga
Subject: [EXTERNAL] CONCERN RE: City Kitty, 400 Hope St from R-3 to C-1

To: Bob Azar, Head of Planning, City of Providence, RI
RE: Planning Meeting on 4/24/24

Although my husband and I adamantly oppose the City Planning Commission's recommendation to change the zoning for 400 Hope Street (currently City Kitty) from R-3 to C-1, we understand that this may already be a "*fait accompli*." If accurate we would at the least want restrictions on the usage that compromise an already burdened neighborhood with a zoning change that could create excessive traffic, noise pollution, street parking, population density, and other detriments to a neighborhood already on the verge of losing its mixed usage character (residential with some commercial).

This recommended zoning change could open the door to anyone of a number commercial uses that could quite easily tilt the neighborhood balance to commercially dominant. We hope that the present zoning of R-3 remains in place however if the City chooses to accept the recommended change there are a number of restrictions that would at least limit the potential irreparable harm to the neighborhood. Among many of those proposed at a recent neighborhood meeting are the following:

- * Businesses that are open early or late - bedrooms are within feet of the property line. That would also interfere with any successful mixed use residential above the business.
- * Restaurants, food service, lodges / meeting halls or stores that generate food waste - we have a rat problem already!
- * Apartment buildings too dense for the area, like what is being proposed elsewhere in Mt. Hope.
- * Indoor amusement facilities or large retail that would increase traffic in this area.
- * Please note that we seem to be just in the sweet spot between Hope High School and Martin Luther King Elementary Schools that would allow a liquor license. We don't want to give prospective developers any hope.

Providence has shown that it can attract residential buyers from Massachusetts and other states and zoning changes such as the one proposed serve to detract from our City's desirability.

Sincerely,

Proud Providence Lifetime Resident (Elsie Jill Fox Tobak) and Equally Proud Resident of over Forty Years (Jim Tobak).

Elsie Jill Tobak and James W. Tobak
40 Brenton Ave
Providence RI 02906

Mastroianni, Tina

From: Pamela Cruze1 <pamdcruze@gmail.com>
Sent: Sunday, April 21, 2024 2:14 PM
To: Clerk, City
Subject: [EXTERNAL] 400 Hope St rezoning

I am concerned about the zoning change proposed for 400 Hope St, 02906. I live at 7 Dwight St on the corner of Dwight and Lippitt behind City Kitty. I have lived here for more than thirty years and love my neighborhood. City Kitty has been a good neighbor and I have no objection to their presence on Hope Street and I have no objection to the expansion of City Kitty to occupy the full first floor of their building. Why does that require a zoning change? This makes no sense to me. I do strongly object to rezoning the site from R-3 to C-1. The proposed zoning change would open this location to future commercialization and uses that would alter the character of our neighborhood.

Yes to City Kitty expanding to occupy the entire first floor of 400 Hope St.

No to unrestricted C-1 zoning.

Please help us maintain our neighborhood.

Thank you, pamela cruze

Mastroianni, Tina

From: Patrick Laundry <pjlaundry@gmail.com>
Sent: Sunday, April 21, 2024 6:04 PM
To: Clerk, City
Cc: bjthornton221@gmail.com
Subject: [EXTERNAL] Zoning Change - 400 Hope Street - R3 to C1

To the City Clerk-

As residents of Providence, residing on Howell Street, we are writing in regard to the proposed Zoning change at 400 Hope Street from R-3 to C-1.

First of all, we would like to voice out support for City Kitty, their expansion and our fondness for Dr. Lund. City Kitty has been our vet of choice for more than 22 years and she and her staff have cared for 4 of our cats. We are excited that City Kitty is performing well enough to necessitate an expansion into the remainder of the building at 400 Hope Street. We hope that City Kitty will be around for years to come.

That said, we would also like to indicate our full throated support for the proposed comprise that would permit the conversion of the zoning from R-3 to C-1, while limiting certain business types in the future. As we understand, the proposed comprise would limit businesses that are open early or late; restaurants, food service, lodges, meeting halls or stores that generate food waste; apartment buildings of larger scale; indoor amusement facilities; large retail or liquor stores. We support and encourage the city to accept the proposed comprise that would keep these types of businesses from the space in the event that City Kitty were to vacate the location in the future.

Thank you for your consideration.

Respectfully submitted,

Patrick Laundry
Melissa Laundry
196 Howell Street

Mastroianni, Tina

From: Charlene Collibee <charlene.collibee@gmail.com>
Sent: Sunday, April 21, 2024 7:34 PM
To: Clerk, City
Subject: [EXTERNAL] Fwd: 400 Hope St. rezoning

Good afternoon,

I own my home at 424 Hope St, Providence RI 02906. I am writing to express my opposition to city kity becoming a C1. I understand the expansion of city kity but do not want them to then be able to then sell to any commercial business.

Warmly,
Charlene Collibee

--
Charlene Collibee, PhD
Assistant Professor
Department of Psychology
Providence College
Pronouns: she/her/hers

--
Charlene Collibee, PhD
Assistant Professor
Department of Psychology
Providence College
Pronouns: she/her/hers

Mastroianni, Tina

From: Lora Spalt <lspalt@gmail.com>
Sent: Sunday, April 21, 2024 7:43 PM
To: Clerk, City
Subject: [EXTERNAL] 400 Hope St. Rezoning

To Whom It May Concern:

As a neighbor on Howell St. I am not pleased that the zoning is changing at 400 Hope St. Providence, as City Kitty is looking to expand their business. I support the zoning to remain at R-3.
If the vote leans towards a C-1 zoning, I propose only with restrictions. I object and wish to avoid this property being used for Restaurants, apartment buildings, large retail, or stores that generate food waste.
My letter is with the effort to protect the neighborhood, while making it possible for City Kitty to expand their much needed business.

Sincerely,
Lora Spalt
190 Howell St.
Providence, RI 02906

Mastroianni, Tina

From: Marcy Stefura <marcy@stefura.com>
Sent: Sunday, April 21, 2024 8:17 PM
To: Clerk, City
Subject: [EXTERNAL] City Kitty Rezoning

Good morning.

I am writing in support of restrictions on the C-1 zoning for the City Kitty building. As a concerned neighbor and taxpayer, I support limiting the use of this building to the following:

- Animal care
- Business or government office
- Medical office
- Bank (no drive-through)
- Small retail, open during normal business hours
- Childcare
- Educational facilities
- Small scale residential use
- Places of worship

I do not support having this property developed for businesses that are open very early or late; food services (as the City cannot get the rat population under control); establishments holding liquor licenses; amusement facilities; large-scale retail or a multi-unit apartment building.

I regret that I am unable to attend Wednesday’s hearing, as I will be traveling on that day.

Thank you.
Marcia Stefura

 **STEFURA ASSOCIATES**
Marcy Stefura IIDA
Stefura Associates Inc
77 North Washington Street
Boston, Massachusetts 02114
www.stefura.com
617 723 5164

Mastroianni, Tina

From: Dana Falk <danagfalk@gmail.com>
Sent: Sunday, April 21, 2024 8:22 PM
To: Clerk, City
Cc: Barbara Thornton
Subject: [EXTERNAL] 400 Hope Street Zoning

To whom it may concern,

As a resident of Providence in close proximity to 400 Hope Street, I would like to add my voice to that of many of my neighbors as being opposed to unrestricted C-1 zoning at 400 Hope Street.

Being so close to residences and also to a busy intersection requires, I believe, some careful consideration of what businesses will be an asset and what would be a detriment in this location. I am strongly against a restaurant or liquor store in this space for so many practical reasons. Any establishment that would be open late will be detrimental to the quality of life for residents. Automobile congestion has to be considered in this busy area, and the proximity of certain businesses to the surrounding schools should be thought through very carefully.

Thank you for hearing my concerns regarding restricted c-1 zoning at 400 Hope Street.

Dana and Eric Falk

Mastroianni, Tina

From: Peter THORNTON <pjthornton1@cox.net>
Sent: Monday, April 22, 2024 6:41 AM
To: Clerk, City
Subject: [EXTERNAL] City Kitty rezoning, 400 Hope St.

Dear Ordinance Committee,

I am a voting abutting neighbor of the City Kitty property on Hope St. on the East Side of Providence. While I feel City Kitty has been a great neighbor and I have no problem with them expanding their operations into the space formerly occupied by the Montessori School, I strongly object to an unrestricted C-1 rezoning of this property. In addition to bordering a residential neighborhood on all sides I fear that this would open the door for more commercial development on this section of Hope St. This area has a large family/child presence including a YMCA, a childcare center, an elementary school, 3 high schools, 4 churches and the Providence Center all within one mile of this site. One only needs to walk a few short blocks south to Thayer St., north to the Rochambeau strip or west to University Heights to find all the commerce anyone could need. I do support the RESTRICTED use of this site proposed by our council person Sue AnderBois to any entity that has a similar use profile to City Kitty. This, to me, seems a reasonable compromise. Thank you for your time and thoughtful attention.

Best,
Peter J. Thornton
221 Howell St. Providence

Mastroianni, Tina

From: barbara thornton <bjthornton221@gmail.com>
Sent: Monday, April 22, 2024 7:02 AM
To: Clerk, City; Sue AnderBois; Barbara J. Thornton; Sara Dorsch
Subject: [EXTERNAL] 400 Hope St. Rezoning

Dear Ordinance Committee,

As a voting, abutting homeowner for 37 years at the corner of the lot containing City Kitty, I write to voice concerns regarding the proposed change to C-1 from R-3. I love living here, and consider our little 4 block area an example for how Providence neighbors can support each other. We are a rich cross-section of Providence - varied by race, culture, gender identity, housing type, philosophy, and working class. I appeal to you to help us protect our residential quality of life.

I am glad that City Kitty is at 400-410 Hope St. and do not want to prevent their expansion. However, C-1 would allow all sorts of uses that the neighborhood fought so hard against just 10 years ago. C-1 also reduces setbacks, increases lot coverage, reduces off-street parking requirements, and removes neighborhood oversight that we enjoyed when it remained R-3. I believe it will raise the taxable value of the site's land, an impact Cathy Lund may not have anticipated. We understand the City's need for healthy tax revenue, but we do not want to see City Kitty forced out in favor of a more lucrative, denser use on this site.

As a compromise, since the City seems determined to put commercial zoning here, I would support C-1 with restrictions to the following uses:

- Animal Care
- Business, professional or medical offices
- Banks without drive-thrus
- Small retail open normal daytime business hours
- Daycare of all sizes
- Residential uses of all types except hotel/motel
- Schools and churches (no meeting halls/lodges)

This would create the same type of use profile we had with Clarke Florist and with City Kitty. Please help us keep our area quiet during sleeping hours, hold traffic to a safe level by omitting large business/retail, and keep rats away by not allowing food establishments.

Thank you for your consideration. You are hearing from us only now since the neighborhood is not sent notices of City Plan hearings. The notice for your hearing was our first indication that a change was planned. Please help us amend the City Planning recommendation that I am sure was issued in good faith, but was done without this neighborhood input.

Respectfully submitted,
Barbara J. Thornton
221 Howell St.

Mastroianni, Tina

From: Marybeth Dempsey <mbdempsey@verizon.net>
Sent: Monday, April 22, 2024 7:43 AM
To: Clerk, City
Cc: bjthornton221@gmail.com
Subject: [EXTERNAL] Citty Kitty restrictions

Hello -

I am writing in support of adding restriction's to City Kitty's zoning change request. The restrictions I would like to see in place:

- NO businesses that are open late -restaurants, bars or anything serving food. Dumpsters attract rats and we already have a rat problem
- NO drive-thru businesses - coffee cafes, banks
- NO over-populated apartment buildings
- anything that would increase the traffic flow. There is a day care across the street which already causes a bit of traffic at drop off and pick up.

Please listen to the abutters and neighbors of City Kitty. We should have a voice!!

Thank you for your time and consideration.

Marybeth Dempsey
219 Howell Street

Mastroianni, Tina

From: Jamie Pilkington <jamiep55@gmail.com>
Sent: Monday, April 22, 2024 9:10 AM
To: Clerk, City
Subject: [EXTERNAL] Planned Zoning Changes

To all those it may concern,

I support Barbara and Peter Thornton's efforts to obtain a compromise and impose use restrictions in the new C-1 zoning district in which City Kitty is located.

"1. Don't let it happen. Would open the door to more commercial here. Would create even more traffic! Amend the Use Variance as the least relief necessary to allow the expansion . . ." - quote from letter to Boylston Avenue listserv from one of Barbara Thornton's letters to the Boylston Avenue listserv.

The traffic issue is a primary concern. Road congestion has increased as a result of "road calming" measures involving speed and traffic light cameras. This is never acknowledged by the New Urbanists clamoring for their new Vision Zero initiative(which I strongly oppose). Increasing traffic will increase pollution which must already be higher in our neighborhood than it was before the "road calming" measures. Was there ever a control study done to determine air quality before the "road calming" measures were imposed? I believe there was no will to do real fact finding, and the reason for that is because out of state venture capitalists demanded return on investment in a technology they spent a fortune on but had limited application. Nestor Inc., locally run by a Nobel awarded physicist from Brown for years, tried to find applications for their neuron systems artificial intelligence technology. The only use they could find for it was reading Japanese language characters on bank checks until some genius realized if they appealed to overfunded law enforcement they could get anything they asked for and that their useless technology could be used for eye in the sky traffic light cameras.

Another question: About the bike lanes - how much pressure from Silicon Valley venture capitalists was there to get the bike lane infrastructure built so obviously for e-bikes and e-scooters, mostly used by college age riders and only on nice days? Does it not seem far worse than ironic that we will probably now have to pay half for badly needed repairs of heaved sidewalks or not have them fixed at all while we're subsidizing and providing infrastructure for Silicon Valley venture capitalists? It's Silicon Valley V Cs who are behind just about all the "micro mobility" companies. Almost all are from the Bay area around San Francisco. They're promoting a culture of irresponsibility. We have e-scooters capable of going over the speed limit down the sidewalks private homeowners will have to pay for blasting through intersections in the opposite direction as the traffic, many times unseen because they are obscured by hedges and other obstructions, passing on the right, hanging in your blindspot on your rear quarter while trying to make a right hand turn, putting the motorist at jeopardy for a long jail sentence resulting from a collision, even if the motorist isn't the one at fault. Then there are the militant car hating pedestrians who run down the sidewalk in order to jump onto a crosswalk after making a quick right angle turn in order to stop the one car rolling down the road they could easily wait for to pass, just to make a point. Encouraging this kind of behavior is so dangerous.

We live at 15 Boylston Avenue. We have been victims of zoning variance encroachment. A much heralded "net zero" house was given variances that were cynically taken advantage of so that the required setbacks could be encroached upon. A roof was raised, a black roof, so close to our house and so high that it not only obscures the view from our second story bedroom window, it raises the air temperature outside the bedroom window as much as 13 degrees greater than the ground temperature in the summertime. We used to depend on the north side windows for ventilation. We don't have that option anymore. We will probably have to increase our "carbon footprint" by putting in a mini-split system in order to make their net zero carbon footprint possible. Are we supposed to be grateful for that?! To make matters worse they put solar panels on the roof which I am concerned will raise the temperature even more. We're also

now dealing with the fact that in a 4" snow storm as much as 18" snow will now slide off the panels into our alleyway. If one extrapolates that 4" to a not uncommon 12" of snow, the 18" becomes six feet!! We have had to spend 10,000 dollars so far, and we're still counting, to get a law firm to motivate our net zero neighbors to move a stormwater discharge location on our property that is flowing onto our property, which is five feet away from theirs. The stormwater has infiltrated our basement and caused serious mold problems which yet have to be rectified.

I don't want to be as conciliatory as Barbara, who I have never met. In my opinion the city council and the planning apparatus in this city have been hell bent on giving away the store to venture capitalists and developers. What is happening is access restrictions to the city center in order to provide for elite young people with enough capital to fork over almost a hundred thousand a year to go to school here and expropriate the city to make it their sprawling tax free campuses. These people have no real ties to what used to be "our" city.

Before I finish here, I want to say that the Olney St, Morris Avenue, Boylston avenue area has become the perfect example of a "parking crater" the New Urbanists seem to be so concerned about in other areas of the city. We have had our driveway blocked several times over the last few years by Moses Brown students who have effectively expropriated our streets as their new parking lot. That school pays no taxes to maintain these streets but the residents have to, don't they? What are the planners doing about that? Where is the "parking crater" outrage when it comes to the common people? Moses Brown pays no taxes to maintain their new "parking crater" but we have to.

Basically, what is happening is a neoliberal push to enclose the commons, restrict access to the city center for commoners, and, essentially, subsidize billionaires. It's a tragedy . . . it's the real tragedy of the commons but the thievery is so much more high class than that of what Cianci represented. We're being gentrified and colonized. Providence has lost its soul.

Edith Pilkington

Mastroianni, Tina

From: barbara klein <bawk25@hotmail.com>
Sent: Monday, April 22, 2024 11:06 AM
To: Clerk, City
Cc: AnderBois.Ward3@gmail.com; shague@jewishallianceri.org
Subject: [EXTERNAL] Petition for Zone Change 400-410 Hope Street
Attachments: Opposition To Proposed Zoning Change 400-410 Hope Street.odt

First, I would like to point out that scheduling a hearing regarding changing the zoning of 400-410 Hope Street on the second day of the Passover holiday, is hardly an example of inclusiveness. This is an area with the highest population of Jews in the state. In fact, a Chabad House (Jewish Orthodox house of study and worship) is literally down the block . For future reference, Jewish holidays end about an hour after sundown. In this case, the holiday ends at 8:20 PM on April 24th. As an Orthodox Jew, I do not drive a car or ride in a car, use the telephone, or use a computer.

I oppose changing the zoning for 400-410 Hope Street, 02906. My reasons are below.

1. This section of Hope Street is almost entirely residential. Furthermore, the following schools are in the area:
- YMCA Day Care – across the street
 - Hope High School – 0.1 (one-tenth) mile
 - Martin Luther King Elementary School – 0.2 (two-tenths) mile
 - Moses Brown School Elementary through High School – 0.2 (two-tenths) mile
 - Jewish Community Day School of RI Elementary School – 0.4 (four-tenths) mile
 - Wheeler School -- 0.5 (five-tenths) mile
 - Nathan Bishop Middle School – 0.5 (five-tenths) mile

The proximity of that many schools with students walking in the area is much higher than in the commercial (Hope Village) section of Hope Street. The property is in the middle of the block and has 2 driveways. In Hope Village, there are very few businesses with any driveway and only 1 has 2 driveways actually on Hope Street.

2. The Chabad House is often accessed by walking. The safety of worshipers attending evening services could be seriously affected depending on the type and hours of a commercial establishment.

3. I am concerned that this is a “back door “ way of allowing Brewed Awakenings or some other coffee shop to establish itself. Brewed Awakenings has already been opposed once by the neighborhood. A coffee shop or convenience store would most likely operate from early morning until later in the evening. This would mean increased traffic at a time when students are walking to and from school. I know that high school students are not supposed to leave campus, but a coffee shop would be a temptation for students to leave and attendance at public schools is not good anyway.

4. Furthermore, coffee shops and convenience stores require supplies which may mean early morning deliveries. I can tell you that in the more than 20 years I have lived here, the sound of trucks carries to side streets. Currently, renters on Hope Street who are not directly in front of my property have had parties at night and I have heard the music from at least 3 doors down and across the backyards even though my double-paned windows were closed. Also dumpster and trash pick-ups are very noisy. It is not right to subject working people and people who may have babies to that level of noise on a daily basis.

5. Since the property is in the middle of the block, a convenience store may present an attractive nuisance to students. Do you think they will walk to either corner to cross to a store? I don't. In the winter when it gets dark earlier, it will be more dangerous for people crossing the street. Last year, I witnessed an accident on Randall Street just west of North Main Street. A little girl ran out in the middle of the street before her mother could stop her and was hit by a car. She was in the middle of the block and wearing dark clothing. The driver was not speeding. I don't want that to happen on Hope Street.

6. I seriously doubt a coffee shop or convenience store in that location will get as much foot traffic as it will car traffic. I doubt many people are going to want to walk home lugging a gallon of milk weighing 8 pounds. The traffic from teachers going to the various schools and from parents dropping off children at day care or schools would mostly be by car. People in the neighborhood can get coffee 0.3 miles away on Camp Street as well as at the Starbucks or Whole Foods 0.5 miles away in University Plaza or at several coffee shops on Thayer Street.

7. That brings up the issue of the 2 driveways. For a high-traffic business such as a coffee shop, convenience store, or restaurant, would the driveways be right turn only? Are you planning to install a traffic light? Speed bumps just route the traffic to residential side streets.

8. If you walk or drive down Hope Street from Olney to Rochambeau, it is clear that most commercial establishments not in the Hope Village area are accountants, podiatrists, chiropractors, and other low volume, low traffic businesses.

For the reasons stated above, I oppose changing the zoning of 400-410 Hope Street to commercial. I prefer dealing with proposed variances as the situation arises.

Sincerely,

Barbara Willner-Klein, MBA, MHA
58 Brenton Avenue

Mastroianni, Tina

From: Julie Summersquash <jsummersquash@gmail.com>
Sent: Monday, April 22, 2024 11:24 AM
To: Clerk, City
Subject: [EXTERNAL] Rezoning hearing Wednesday April 24 re petition #9 400 Hope Street

To whom it may concern,

Since I am unable to attend Wednesday's hearing, I am writing to express my support for the proposed zoning change, to rezone the site at 400 Hope Street from R-3 to unrestricted C-1 to allow City Kitty to expand into the full first floor.

I am an abutter of the City Kitty property and agree with my concerned neighbors who would support the change to C-1 with restrictions to limit potential use of the property to

- Animal Care
- Business or Governmental Offices
- Medical Offices
- Banks
- Small retail open during normal business hours
- Residential uses of all types except hotel/motel
- Daycare of all sizes
- Schools, churches, etc.

Thank you so much for your time and consideration.

Julie Summersquash
14 1/2 Dwight St, Providence, RI 02906

"We have art so that we shall not die of reality."
Friedrich Nietzsche
Pronouns She, her

Mastroianni, Tina

From: Lesley Miller <lesleym6369@gmail.com>
Sent: Monday, April 22, 2024 12:57 PM
To: Clerk, City
Subject: [EXTERNAL] 400 Hope Street Rezoning



Letter to Zoning Board

April 22, 2024

City of Providence Zoning Board,

I oppose the rezoning of the City Kitty parcel at 400 Hope Street from R-3 to C-1 and urge you to deny the application for the following reasons:

1. Denying the commercial zoning request and instead amending the R-3 use variance would be the least relief necessary to allow Cathy Lund to expand her practice to occupy the entire first floor. When I asked Sue Anderbois to find out why the City isn't simply granting Cathy Lund another use variance, she received the following reply; "The Zoning Board is not currently entertaining the idea for this type of variance," which is the kind of carefully crafted non-answer that bothers me. It doesn't say a use variance isn't an option, nor does it explain why it isn't the most appropriate option for the residentially zoned property in question. I spoke with Cathy Lund who assured me and the other owners of abutting properties that she simply wants to expand her practice within the existing building footprint. The abutting residents did not oppose the original use variance, and they would not oppose an amended use variance that allows her to expand the veterinary practice.
2. Apparently, 400 Hope Street met the requirements for an R-3 use variance when Cathy Lund applied for the original use variance that allowed her to open her veterinary practice in the first place. If she did not meet the requirements when she applied for the original use variance, it was granted in violation of City ordinance. Therefore, if the current zoning is lawful, she should meet the requirements for a use variance now. The 400 Hope Street property is surrounded on all sides by residential properties. One benefit of amending the current use variance in our residential zone is to safeguard the character of our low-income East Side neighborhood and maintain the current quality of life for its residents, as well as give residents a voice in deciding what establishments might inhabit that space in the future should the property change hands. I cannot think of a more appropriate application of a use variance than in a case where all abutting properties are residential. A C-1 re-zone will limit the surrounding residents' ability to act in the best interests of their neighborhood going forward and open the door to allowing uses that are unacceptable to the abutting residents.
3. If Cathy Lund's application for commercial re-zoning is approved, it would likely become the largest commercially zoned property on the Hope Street corridor in direct opposition to the City's own comprehensive plan. Yet, I learned that the City Planning Commission voted to endorse the commercial re-zoning of 400 Hope Street even though it doesn't align with the zoning they outlined in their own comprehensive plan. I have been told by both Bob Azar and Sue Anderbois that re-zoning the City Kitty parcel to C-1 with restrictions in place is functionally the same as the current residential zoning, and I should go along with it. I would argue that commercial and residential zoning are fundamentally very different and the whole reason for maintaining a clear distinction between the two. The City seems interested in blurring those lines. I'm opposing the rezoning, not Cathy's expansion of her practice.

4. There are three schools, a YMCA, and a day care center all on the same block or within a block or two of the City Kitty property. A C-1 rezoning of 400 Hope Street could potentially exacerbate the current traffic back-ups and decrease the safety for pedestrians, many of whom are children. As Sue Anderbois explained in our meeting, there is a traffic study underway to try to find solutions to the traffic back-ups and safety concerns, yet the City wants to expand commercial use on that same block?
5. My property did not abut the florist's property when Cathy Lund bought it. I lived next to two-story, residential house with a yard and mature trees built in the early 1900s, that renovated, would likely be worth half a million dollars today if Cathy Lund had not torn it down to expand her parking lot. Her argument that the florist was, in essence, a commercial property and the abutters will, therefore, not be impacted in any significant way by this proposal certainly does not apply to my situation.

Again, if Cathy Lund's application for commercial zoning is approved it would be one of the largest, if not the largest commercially zoned property on the Hope Street corridor in direct opposition to the City's own comprehensive plan. No one is attempting to deny Cathy Lund appropriate use of her property. Commercially rezoning 400 Hope Street would open the door to allowing motels, large restaurants, and liquor stores, that could dramatically change the character of our residential neighborhood.

Thank you for your consideration,

Lesley Miller
217 Howell St.
Providence, RI 02906

April 22, 2024

City of Providence Zoning Board,

I oppose the rezoning of the City Kitty parcel at 400 Hope Street from R-3 to C-1 and urge you to deny the application for the following reasons:

- 1) Denying the commercial zoning request and instead amending the R-3 use variance would be the least relief necessary to allow Cathy Lund to expand her practice to occupy the entire first floor. When I asked Sue Anderbois to find out why the City isn't simply granting Cathy Lund another use variance, she received the following reply; "The Zoning Board is not currently entertaining the idea for this type of variance," which is the kind of carefully crafted non-answer that bothers me. It doesn't say a use variance isn't an option, nor does it explain why it isn't the most appropriate option for the residentially zoned property in question. I spoke with Cathy Lund who assured me and the other owners of abutting properties that she simply wants to expand her practice within the existing building footprint. The abutting residents did not oppose the original use variance, and they would not oppose an amended use variance that allows her to expand the veterinary practice.
- 2) Apparently, 400 Hope Street met the requirements for an R-3 use variance when Cathy Lund applied for the original use variance that allowed her to open her veterinary practice in the first place. If she did not meet the requirements when she applied for the original use variance, it was granted in violation of City ordinance. Therefore, if the current zoning is lawful, she should meet the requirements for a use variance now. The 400 Hope Street property is surrounded on all sides by residential properties. One benefit of amending the current use variance in our residential zone is to safeguard the character of our low-income East Side neighborhood and maintain the current quality of life for its residents, as well as give residents a voice in deciding what establishments might inhabit that space in the future should the property change hands. I cannot think of a more appropriate application of a use variance than in a case where all abutting properties are residential. A C-1 re-zone will limit the surrounding residents' ability to act in the best interests of their neighborhood going forward and open the door to allowing uses that are unacceptable to the abutting residents.
- 3) If Cathy Lund's application for commercial re-zoning is approved, it would likely become the largest commercially zoned property on the Hope Street corridor in direct opposition to the City's own comprehensive plan. Yet, I learned that the City Planning Commission voted to endorse the commercial re-zoning of 400 Hope Street even though it doesn't align with the zoning they outlined in their own comprehensive plan. I have been told by both Bob Azar and Sue Anderbois that re-zoning the City Kitty parcel to C-1 with restrictions in place is functionally the same as the current residential zoning, and I should go along with it. However, I was also told that we probably won't get all of the restrictions we are asking for, if any, so it will not be functionally the same by a long shot. I would argue that commercial and residential zoning are fundamentally very different

and the whole reason for maintaining a clear distinction between the two. The City seems interested in blurring those lines. I'm opposing the rezoning, not Cathy's expansion of her practice.

- 4) There are three schools, a YMCA, and a day care center all on the same block or within a block or two of the City Kitty property. A C-1 rezoning of 400 Hope Street could potentially exacerbate the current traffic back-ups and decrease the safety for pedestrians, many of whom are children. As Sue Anderbois explained in our meeting, there is a traffic study underway to try to find solutions to the traffic back-ups and safety concerns, yet the City wants to expand commercial use on that same block?
- 5) My property did not abut the florist's property when Cathy Lund bought it. I lived next to two-story, residential house with a yard and mature trees built in the early 1900s, that renovated, would likely be worth half a million dollars today if Cathy Lund had not torn it down to expand her parking lot. Her argument that the florist was, in essence, a commercial property and the abutters will, therefore, not be impacted in any significant way by this proposal certainly does not apply to my situation.

Again, if Cathy Lund's application for commercial zoning is approved it would be one of the largest, if not the largest commercially zoned property on the Hope Street corridor in direct opposition to the City's own comprehensive plan. No one is attempting to deny Cathy Lund appropriate use of her property. Commercially rezoning 400 Hope Street would open the door to allowing motels, large restaurants, and liquor stores, that could dramatically change the character of our residential neighborhood.

Thank you for your consideration,

Lesley Miller
217 Howell St.
Providence, RI 02906

Mastroianni, Tina

From: Glenn Knapik <knapik.glenn@gmail.com>
Sent: Monday, April 22, 2024 12:57 PM
To: Clerk, City
Cc: Glenn Knapik
Subject: [EXTERNAL] 400 Hope St Rezoning

Hello:
As an abutter to City Kitty, I am opposed to changing the zoning in the neighborhood and feel that it would diminish my property value and add commercial uses that are not desirable. I would support adding C-1 uses which include:
Animal Care
Business or Government Offices
Medical Offices
Banks
Small retail open during normal business hours
Residential uses (excluding hotels/motels)
Daycare centers
Schools, churches

I am OPPOSED to business that are open very early or very late, Restaurants, food service, lodges or meeting halls, Large Scale apartment buildings and indoor amusement facilities.

I would like to make my comments known at the meeting as I will not be able to attend.
Thank you,

--
Kind Regards,

Glenn
508-308-7686
<https://www.facebook.com/sandysideflipper>

Mastroianni, Tina

From: turner zimmermann <turner.zimmermann@gmail.com>
Sent: Monday, April 22, 2024 2:58 PM
To: Clerk, City
Subject: [EXTERNAL] 400 Hope St. Rezoning - Request for Restrictions

Dear Ordinance Committee,

As a resident living in close proximity to City Kitty (400-410 Hope St.) I write to voice concerns regarding the proposed change to C-1 from R-3.

Please know that I am **thoroughly opposed to this rezoning**, and ask that this city restructure the current system in place as pertains to Rezoning in Providence. *Residents of the entire ward deserve to be fully informed* about attempts to have commercial zoning encroach on our precious residential areas. You are only hearing from me now as the neighborhood does not sent notices of City Plan hearings *I care very much about my residential area and want to be involved.* I hope you will **support constituents like myself who want to be informed and to participate.**

As this **City seems determined to put commercial zoning at City Kitty (400-410 Hope St.)**, I **appeal that this C-1 zoning have restrictions** to the following uses:

- Animal Care
- Medical offices
- Small retail open normal daytime business hours
- Daycare of all sizes
- Residential uses of all types except hotel/motel
- Schools and churches (no meeting halls/lodges)

Please help us **amend the City Planning recommendation.**

Thank you for your consideration.

turner zimmermann (They/Them)
Carrington Ave.
Providence, RI 02906

Mastroianni, Tina

From: Ellen Cynar <ellen.cynar@gmail.com>
Sent: Monday, April 22, 2024 3:33 PM
To: Clerk, City
Cc: Sue AnderBois
Subject: [EXTERNAL] 400 Hope St Rezoning

To Whom It May Concern:

This email is regarding the proposed rezoning of 400 Hope Street in Providence, RI. I am writing as a neighbor and a parent that has been a member of the YMCA daycare on Hope Street for many years.

Traffic Safety: My primary reason for writing is related to traffic around the proposed rezoning location. Specifically, the intersection of Howell Street, Montague Street, and Hope Street is in front of the YMCA daycare and near 400 Hope Street is a dangerous crossing for families and neighbors. The YMCA daycare supports Providence’s youngest residents (Infant through Pre-K). We’ve been a family of this daycare and the YMCA branch for many years. Unlike grade schools with clear start and stop times, childcare facilities have wide drop off and pick up windows. This means families juggling small kids, car seats, strollers, gear bags, and toddler meltdowns are trying to cross Hope Street throughout the day with no clear protection at the crosswalk. This is also the intersection used by daycare staff, neighbors, and kids going to the YMCA for extracurricular activities.

Despite crosswalk signage and attempts at calming measures, the traffic at this intersection is fast and dangerous. Cars driving both south and north on Hope Street do not stop for families crossing at this intersection. Unfortunately, I’ve experienced these traffic issues as both a parent doing drop/off pick-ups as well as a resident in the neighborhood. My concern is that any additional car-based commercial activity at 400 Hope Street will increase traffic at this intersection, furthering the safety issues that already exist.

Pest Management: My secondary concern is related to pest management. Our neighborhood already has pest management issues, particularly rodents. Many neighbors work very hard to reduce pest activity in the area. Despite these efforts, there is still an active rodent issue. Food-based businesses will most likely increase this activity, impacting both neighbors and the daycare.

Thank you for your consideration of these concerns. I hope that you can prioritize the health and safety of families in this neighborhood.

Sincerely,

Ellen + Family
~~~~~  
Ellen Cynar  
48 Brenton Ave.  
Providence, RI 02906



## Mastroianni, Tina

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**From:** Barbara Nathan <barbaranathan@comcast.net>  
**Sent:** Tuesday, April 23, 2024 5:57 AM  
**To:** Clerk, City  
**Subject:** [EXTERNAL] 400 Hope Street rezoning

To whom it may concern,

We'd like to add our support in efforts to minimize traffic and restrict commercial growth at this end of Hope Street. With the child care at Montague and Hope and YMCA, not to mention Hope High, there's critical mass of existing vulnerable populations nearby that increased traffic would endanger. Also—creating more retail or restaurants in this area would cannibalize the already challenged business district that exists between the Rochambeau library and Lippett Park.

To make our neighborhoods sustainable, walkable and safe, we need to retain a balance with as little additional impact to this already busy corridor.

Best,  
Barbara Nathan  
Chris Royer  
19 Boylston Ave.  
Providence, RI  
02906

Sent from my iPhone. Please excuse typos.