

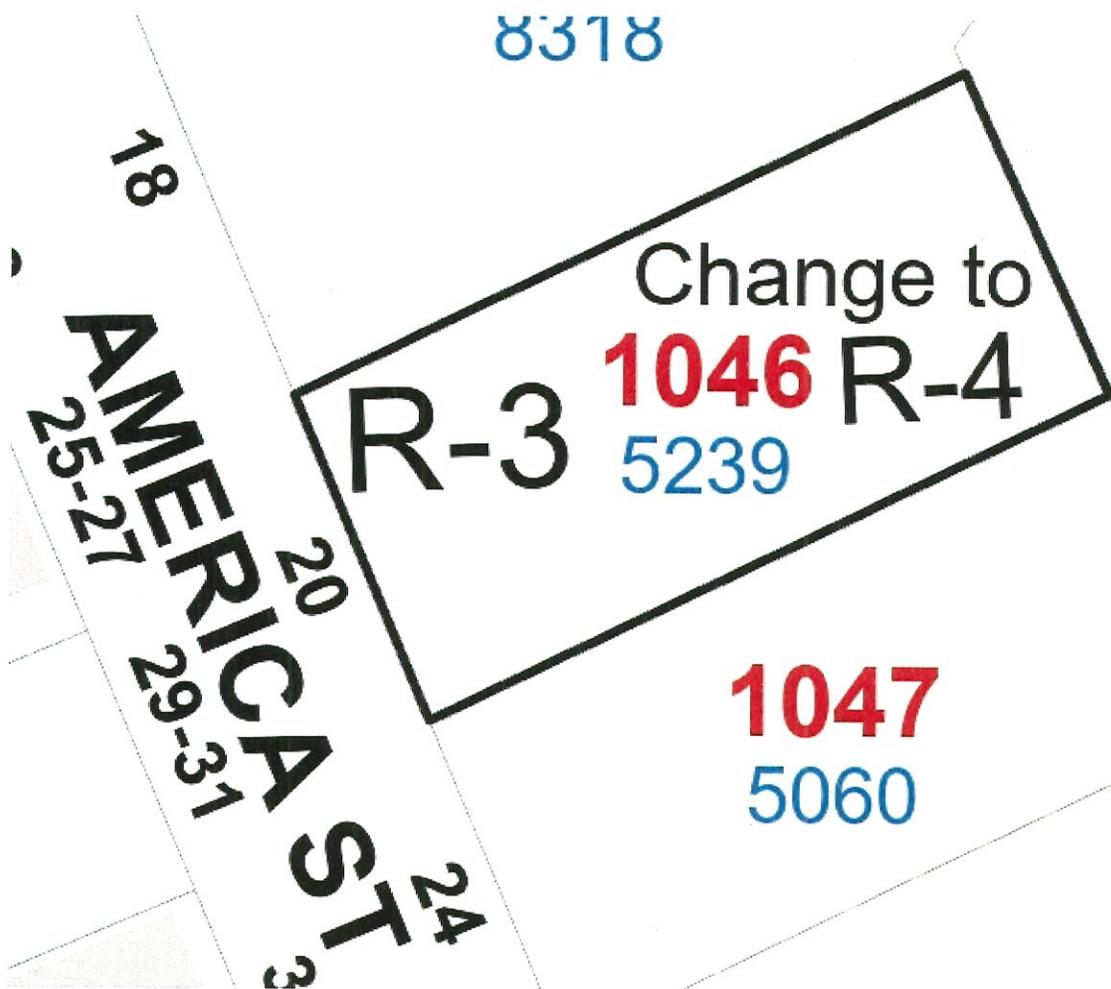
CHAPTER 2024-33

No. 286 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 28, LOT 1046 (20 AMERICA STREET), FROM R-3 TO R-4

Approved June 25, 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 28, Lot 1046 (20 America Street), from R-3 to R-4. A footnote shall be added to the map that states that short-term rentals shall be prohibited on this property.



SECTION 2. This ordinance shall take effect upon passage.

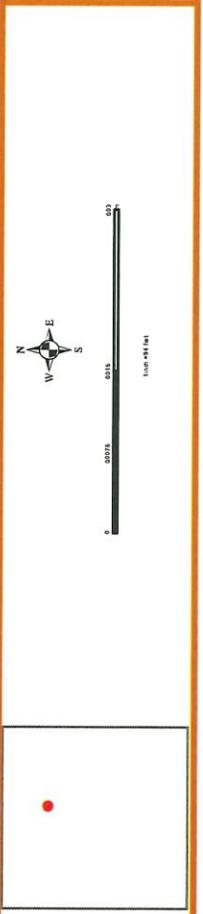
IN CITY COUNCIL
JUN 06 2024
FIRST READING
READ AND PASSED
Jina L. Mastrosanni
CLERK

IN CITY COUNCIL
JUN 20 2024
FINAL READING
READ AND PASSED
Rachel M. Miller
RACHEL M. MILLER, PRESIDENT
Jina L. Mastrosanni
CLERK

I HEREBY APPROVE.
Brett P. Smith
Mayor
Date: 6/25/24



PROVIDENCE THE CREATIVE CAPITAL
 DEPARTMENT OF PLANNING AND DEVELOPMENT
 JONICE O. BLORZA, MAYOR | BOBBIE NICKERSON A.D.P. DIRECTOR



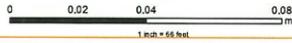
The information depicted on this map is for planning purposes only. It is not intended to be used for legal purposes, no warranty is made by the City of Providence for its use.
 Prepared by the Providence Planning and Development GIS Unit.
 444 Westminster Street, Providence, RI 02903
 Data Source: Geographic Information System
 Date: 10/09/2023



The information depicted on this map is for planning purposes only. It is not intended for legal boundary definition, regulatory interpretation, or development of records.

Produced by the Providence Planning and Development GIS Lab,
444 Waterman Street, Providence, RI, 02902

Data Sources:
Providence Geographic Information System
Date: 10/25/2023



PROVIDENCE, RHODE ISLAND

PROVIDENCE THE CREATIVE CAPITAL
DEPARTMENT OF PLANNING AND DEVELOPMENT
JUDGE D. BLUMENZ, TAYLOR J. BONNE, TRICKS & UNCLE DIRECTOR



CITY OF PROVIDENCE
MAYOR BRETT P. SMILEY

January 17, 2024

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

Attn: Tina Mastroianni, City Clerk

Re: Referral 3568 – Petition to rezone 20 America Street (AP 28 Lot 1046) from R-3 to R-4
Petitioner: PVD LLC

Dear Chairman Espinal,

The petitioner appeared before the City Plan Commission (CPC) on January 16, 2024 requesting a rezoning of the subject lot from R-3 to R-4.

FINDINGS OF FACT

The subject lot is vacant. It measures approximately 5,239 SF and is used as a parking lot. The petitioner is requesting the rezoning to allow for construction of a four-story, 24 unit building, which will be subject to administrative review should the change be approved. The C-2 zone fronting on Atwells Ave, which permits commercial uses and multifamily development, is less than 100' from the lot.

When reviewing requests for zone changes to R-4, the CPC reviews the appropriateness of the change based on a number of factors including conformance with the future land use map, the character of the surrounding neighborhood, proposed plans and the existing use of the property. Per the future land use map, which is not intended for parcel level analysis, the lot is located under the medium density residential land use designation which the plan describes as areas characterized by one to three family dwellings and multifamily dwellings. The CPC found that the character of the surrounding area conforms to this description with a number of multifamily dwellings observed in proximity.

Given the neighborhood's makeup and the future land use map, the CPC found that it would be appropriate to rezone the lot to R-4 as it would be in conformance with objective H-2 of the comprehensive plan which encourages development of new housing. The CPC reviewed conceptual

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

plans of the development and found that it would comply with the dimensional and design regulations of the R-4 zone. However, the CPC recommends that a footnote be added to the map to prohibit short term rentals on the lot to allow for more long term housing.

The CPC found that a development that conforms to the R-4 zone is not expected to negatively affect health, safety and welfare and will be consistent with section 101 of the zoning ordinance.

RECOMMENDATION

On a motion by Commissioner Sherry, seconded by Commissioner Caldwell, the CPC voted to recommend that the City Council approve the zone change to R-4 based on their findings and subject to the following condition:

A footnote shall be added to the map to prohibit short term rentals on the lot.

The CPC voted as follows:

AYE: W. Sherry, D. Caldwell, N. Sanchez, C. Lipschitz, M. Quezada, M. Gazdacko

Sincerely,



Choyon Mahjrekar
Administrative Officer

5B

Mastroianni, Tina

From: Vanessa Crum <vecesq@gmail.com>
Sent: Monday, April 22, 2024 1:32 PM
To: Clerk, City
Subject: [EXTERNAL] RE:20 America Street /64 America Street. REZONE REQUESTS R3 to R4

Dear City Council members ,
I have Reviewed the section below from the City of Providence Zoning Ordinance regarding these requests for change of zoning.

E. R-4 Residential District

The R-4 Residential District accommodates a variety of residential structures: single-family, two-family and semi-detached, three-family, rowhouses, and multi-family housing. The R-4 District accommodates higher density residential development in areas that minimize negative impacts to lower density residential neighborhoods. Limited non-residential uses, which are compatible with surrounding residential neighborhoods, may be allowed.

I own 77 America St, Providence, RI 02903. I've lived here for 25 years. Federal hill has very limited parking.

The loss of a parking lots to build additional housing is laughable in this neighborhood and specifically on America Street.

20 America Street proposes 19 units. 64 America Street proposes 26 units. This lot already has 12 bedrooms.

Realistically there is not enough parking now. This would be a nightmare for current residents.

As a homeowner I would be very likely to sell. As it is, hosting anything at my home is a parking issue. To have 45 additional units and /or cars is of no benefit to the neighborhood. The only one benefiting is the developer that won't live or work on America Street.

Therefore please empathize with the residents of America Street. This request **MUST BE DENIED**. Clearly the code in this section E talks about" minimizing negative impacts to lower density residential neighborhoods." This will **MAXIMIZE** the negative impact on the residents of America Street.

I appreciate the council's due diligence and willingness to work for the residents of Providence.

Vanessa Crum
Owner
77 America St, Providence, RI 02903

Mastroianni, Tina

From: Joshua Pacheco <joshpacheco93@gmail.com>
Sent: Monday, April 22, 2024 2:49 PM
To: Clerk, City
Subject: [EXTERNAL] Re-zoning America St Providence

Hello City Clerk.

To whom this may concern over the re-zoning of America St. My name is Joshua Pacheco I am a condo owner at 58 America St and also the condo association President. I would like to send this email in saying that I disagree with the Re-zoning of America Street.

The street parking is already hard enough as it is, especially in the summer and adding all these units to the street without the correct number of parking spaces per unit seems extremely irresponsible, unnecessary and greedy. There are so many people parking on the street and surrounding streets to walk up Atwells ave that this rezoning makes zero logical sense. Also not only are 26 additional cars on the road but could possibly double with spouses and friends. We are looking at 52 Potential spots that simply don't exist.

Also these apartments are tiny and this is a complete money grab by the developer trying to squeeze every possible unit they can in the city of providence. I don't see how this would improve the street in any way shape or form.

A link below to a reminder of the developer you are voting on.

<https://www.providencejournal.com/story/news/local/2022/01/31/providence-tenants-faced-mold-leaks-chilly-temperatures-maddening/9210255002/>

Best Wish,

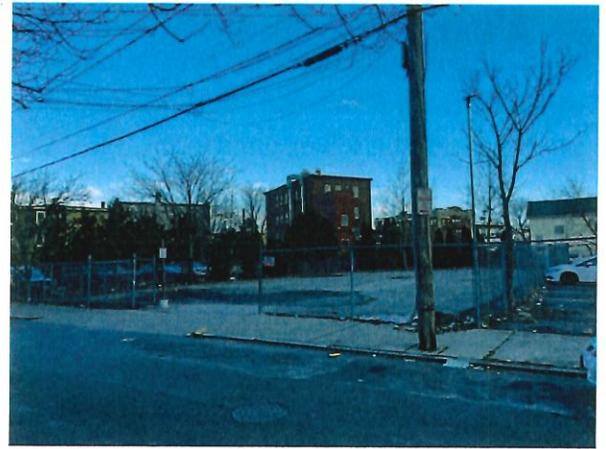
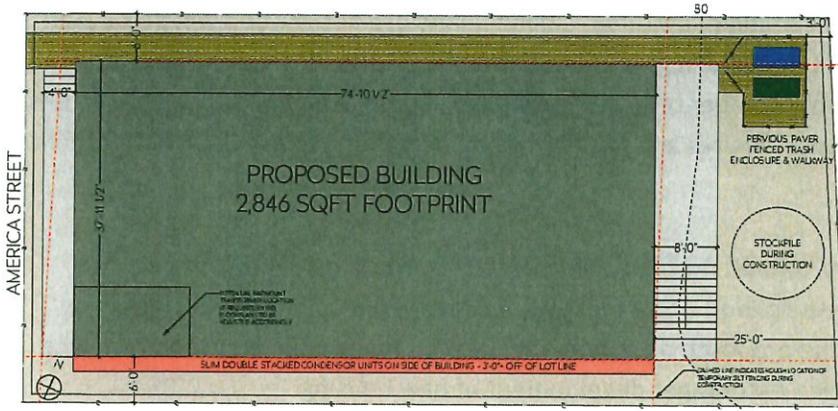
Joshua Pacheco

Providence City Plan Commission

January 16, 2024



AGENDA ITEM 6 ■ 20 AMERICA STREET



Proposed site plan and rendering

Aerial view of lot and view from America Street

OVERVIEW

**OWNER/
APPLICANT:**

PVD LLC

PROJECT DESCRIPTION: The petitioner is requesting to rezone the subject lot from R-3 to R-4

**CASE NO./
PROJECT TYPE:**

CPC Referral 3568

Rezoning from R-3 to R-4

**PROJECT
LOCATION:**

20 America Street

AP 28 Lot 1046

R-3 zoning district

RECOMMENDATION:

Advise City Council to approve the proposed zoning change

NEIGHBORHOOD:

Federal Hill

PROJECT PLANNER:

Choyon Manjrekar

Discussion

The petitioner is requesting a rezoning of 20 America Street (AP 28 Lot 1046) from R-3 to R-4. The lot is currently vacant and used as a parking lot.

When reviewing requests for zone changes to R-4, the DPD reviews the appropriateness of the change based on a number of factors including conformance with the future land use map, the character of the surrounding neighborhood, proposed plans and the existing use of the property. Per the future land use map, which is not intended for parcel level analysis, the lot is located under the medium density residential land use designation which the plan describes as areas characterized by one to three family dwellings and multifamily dwellings. The character of the surrounding area conforms to this description with a number of multifamily dwellings observed in proximity. The C-2 zone fronting on Atwells Ave, which permits commercial uses and multifamily development, is less than 100' from the lot.

The applicant has submitted plans for a four-story, 19 unit dwelling, which will be subject to administrative review should the change be approved. Given the neighborhood's makeup, it is the DPD's opinion that it would be appropriate to rezone the lot to R-4 to allow for the proposed development. The rezoning would be in conformance with objective H-2 of the comprehensive plan which encourages development of new housing.

The neighborhood's character and the future land use map support the proposed change. A development that conforms to the R-4 zone is not expected to negatively affect health, safety and welfare and would be consistent with section 101 of the zoning ordinance.

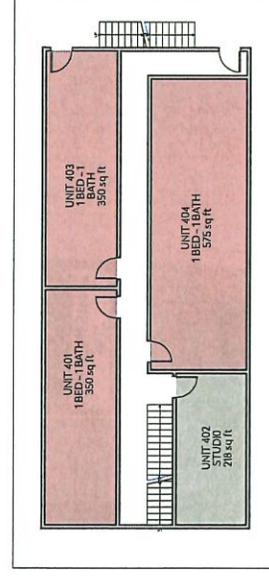
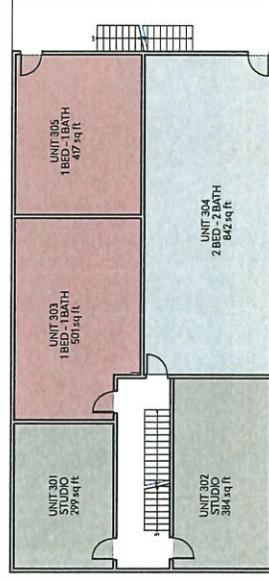
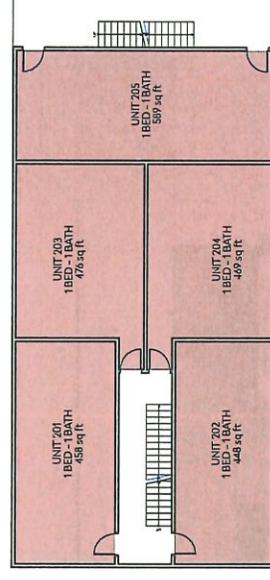
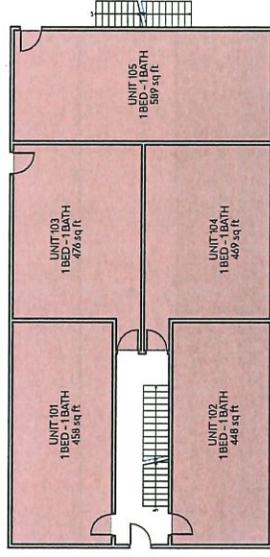
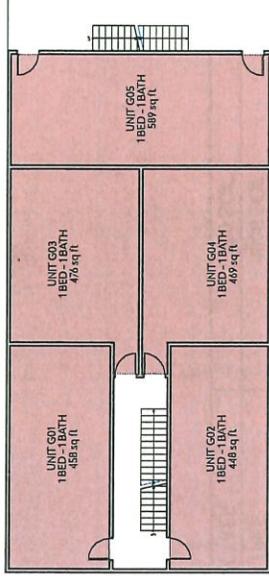
Recommendation

Based on the foregoing discussion, the DPD recommends that the CPC recommend approval of the proposed zone change to the City Council.



Landscaping & Lighting Plan
SCALE 3/16" = 1'-0"

LANDSCAPING		
REQUIRED CANOPY COVERAGE	30% OF LOT AREA COVERAGE	1582 SQFT
PROPOSED TREE	TYPE	CANOPY COVERAGE
SUGAR MAPLE	LARGE TREE	1000 SQFT
RED HORSECHESTNUT	MEDIUM TREE	700 SQFT

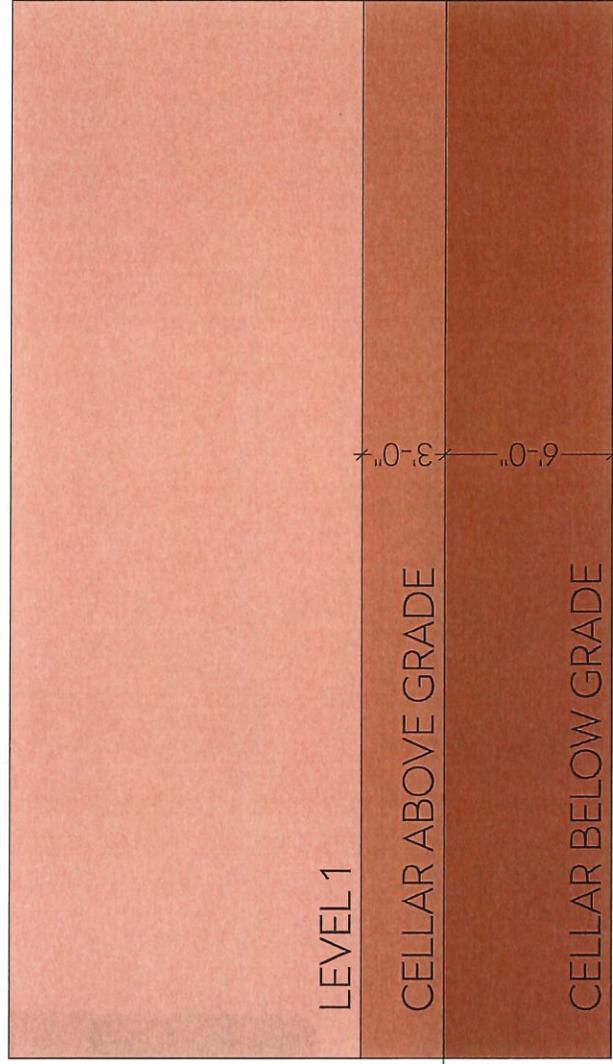


NOT FOR
CONSTRUCTION
OR PERMIT
REVIEW

Proposed Multi-Family Home
20 America St.
Providence, Rhode Island 02903

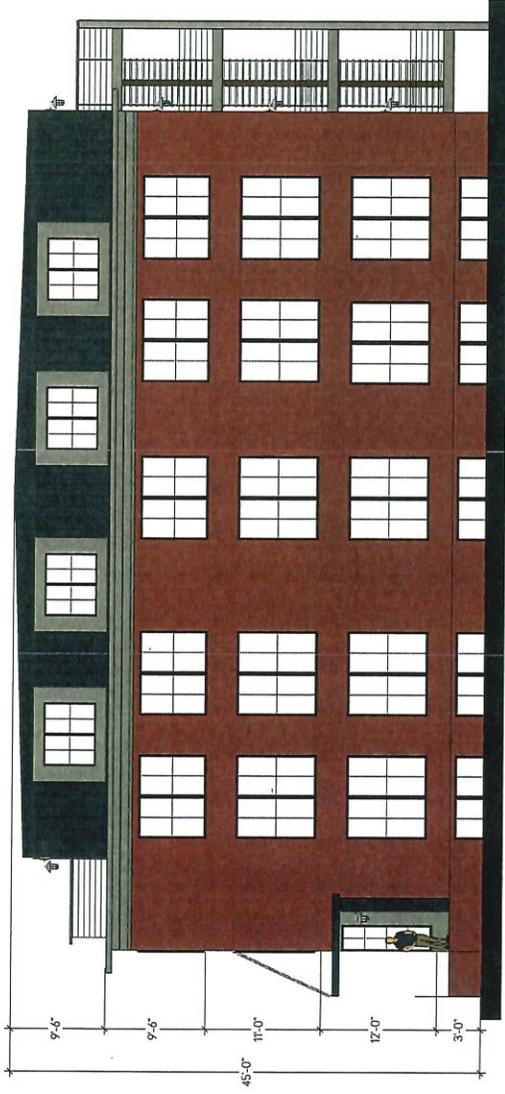
Cellar Calculations

A-102
SHEET 6
OF 30



AVERAGE GRADE
66% OF CELLAR
BELOW

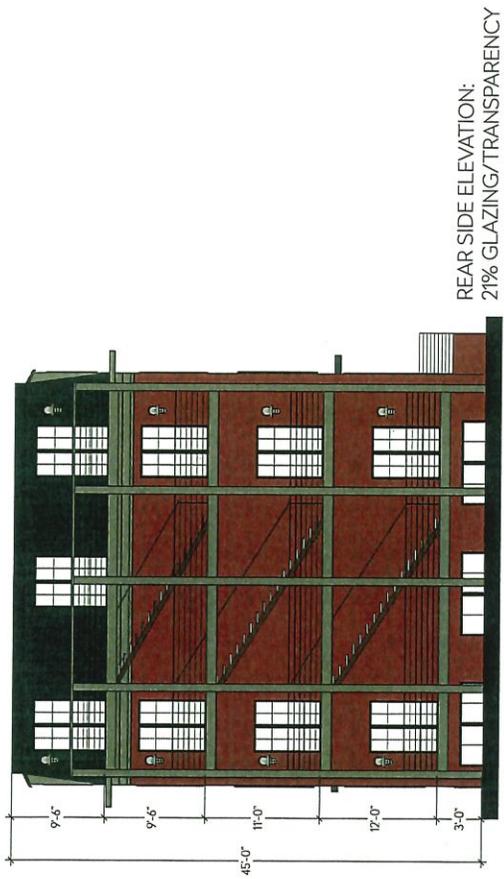
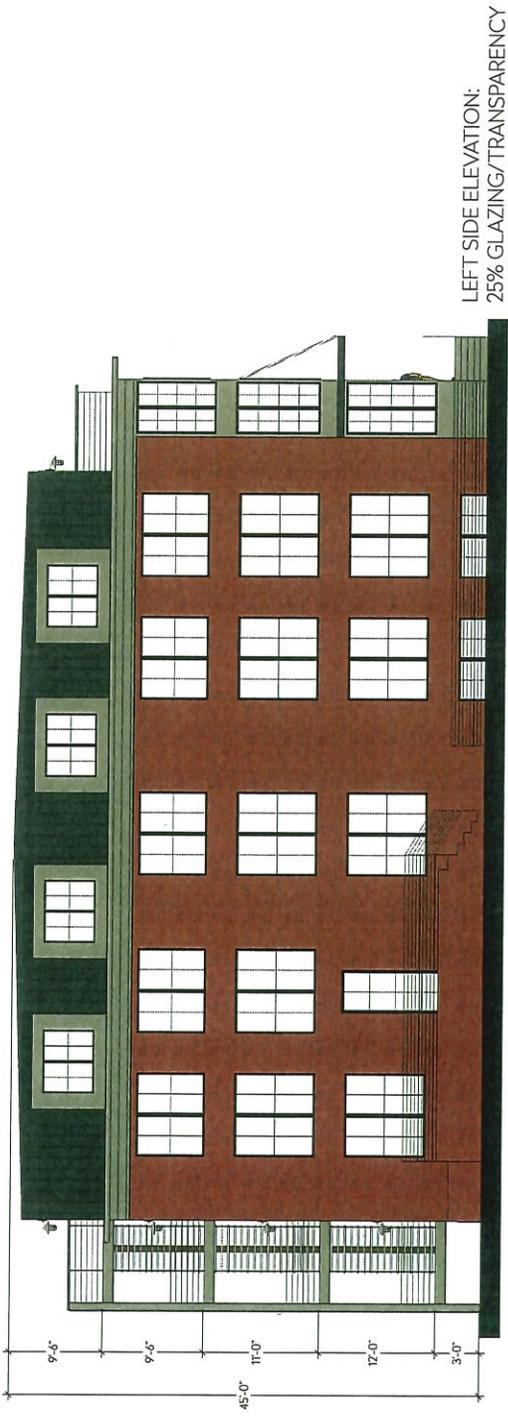
1 Cellar Calculation Diagram
SCALE 1/2" = 1'-0"



1 Right Side
A-201 SCALE: 3/16" = 1'-0"



2 Front Side
A-201 SCALE: 3/16" = 1'-0"



City of Providence

STATE OF RHODE ISLAND

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE

The undersigned respectfully petitions your honorable body

I, **Dylan Conley**, Attorney on behalf of applicant landowner, hereby petition the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district designation for the property located at:

***20 America Street, Providence, Rhode Island, Assessor's
Plat 028, Lot 1046,***

and shown on the accompanying map attached hereto as Exhibit A, from **R-3 to R-4**.

Petitioner, by and through their attorney:

/s/ Dylan Conley

Dylan Conley (R.I. Bar No. 8969)

Conley Law Associates

123 Dyer St., Ste 2b

Providence, R.I. 02903

(401) 415-9835

dconley@conleylawri.com

Exhibit A

20 America Street,
Providence, Rhode Island
AP 028, Lot 1046
Current Zone: R-3
Proposed Zone: R-4

