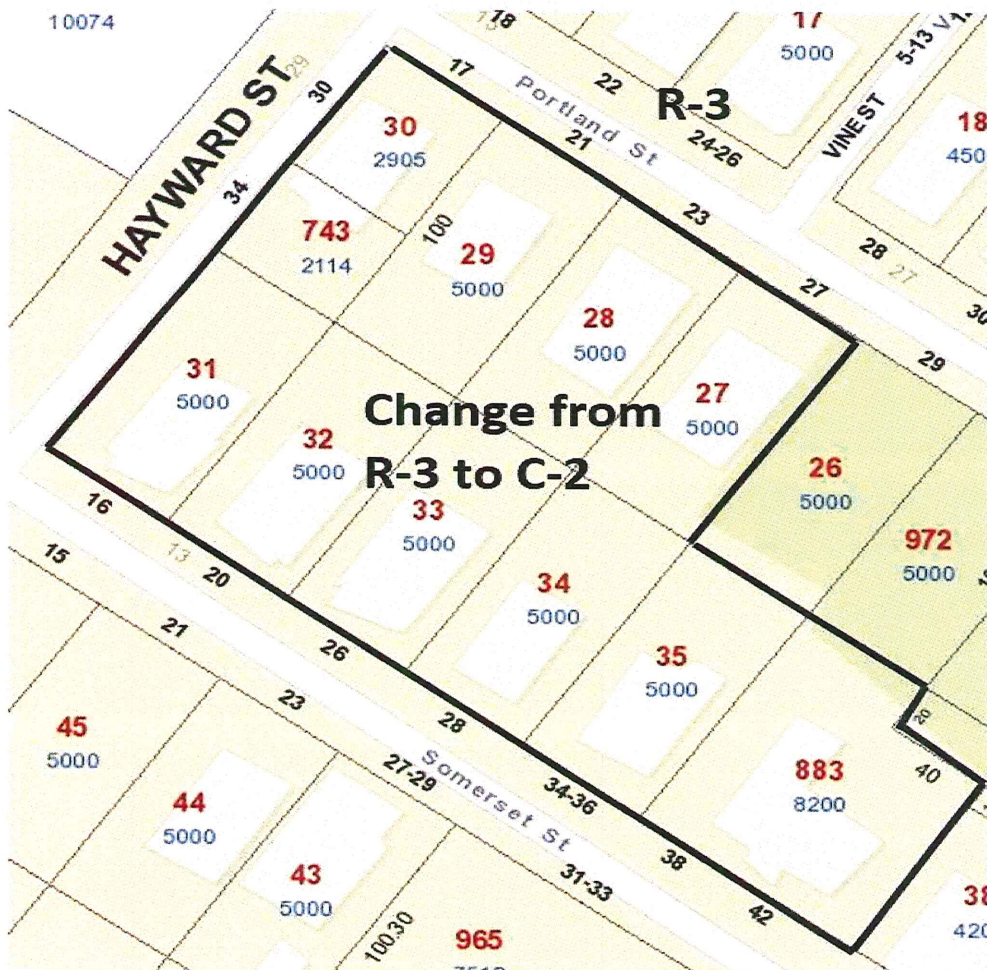


CHAPTER 2020-52

No. 391 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 23, LOTS 27-35, 743 AND 883 (16-42 SOMERSET STREET) ALSO INCLUDING (16-42 SOMERSET, 17-27 PORTLAND AND 34 HAYWARD), FROM R-3 TO C-2

Be it ordained by the City of Providence: Approved November 25, 2020

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 23, Lots 27-35, 743 and 883 (16-42 Somerset Street) also including (16-42 Somerset, 17-27 Portland and 34 Hayward), from R-3 to C-2, provided that the uses on the subject lots shall be limited to two family, three family and multifamily housing.



Section 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
NOV 05 2020
FIRST READING
READ AND PASSED
Kean Sellick CLERK

IN CITY COUNCIL
NOV 19 2020
FINAL READING
READ AND PASSED
Sabina Mats PRESIDENT
Kean Sellick CLERK

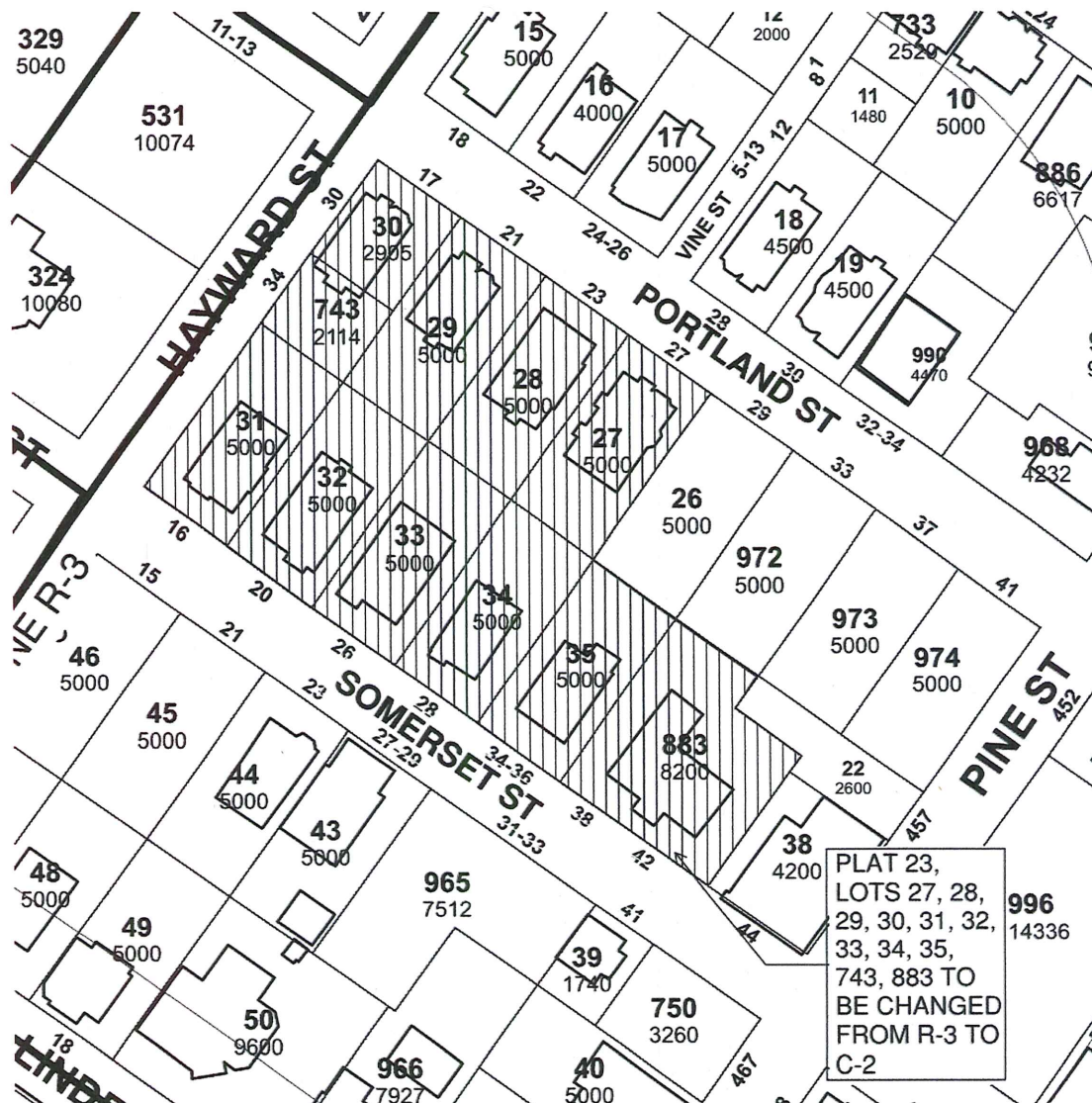
I HEREBY APPROVE.
[Signature] Mayor
Date: *11/25/20*

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

Omni Development Corporation (“Omni”) and the Wingate Companies (“Wingate”) have formed a joint venture to redevelop the property referenced below. The Omni and Wingate joint venture, along with the Rhode Island Housing Development Corporation, as owner of the below-referenced plat and lots, hereby petitions the City Council to:

Change the Official Zoning Map of the City of Providence by changing the zoning designation for the property located at A.P. 23, Lots 27-35, 743, 883 (otherwise known as 16-42 Somerset Street), and shown on the accompanying map (attached hereto), from R-3 to C-2, provided that the uses permitted on said property shall be restricted to multi-family, row house, two family or three family dwellings.



All properties shown on this map are located in the R-3 Zone.

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

RHODE ISLAND HOUSING DEVELOPMENT CORPORATION

By: 

Carol A. Ventura, Executive Director
44 Washington Street
Providence, RI 02903
DATE: August 27, 2020

THE OMNI DEVELOPMENT CORPORATION & THE WINGATE COMPANIES

By: 

Bret W. Jedele, Esq. (#6053)
Chace Ruttenberg & Freedman, LLP
One Park Row, Suite 300
Providence, RI 02903
401-865-6237 (phone)
401-453-6411 (fax)
bjedele@crflp.com


John J. Garrahy, Esq.

John J. Garrahy Law, LLC
2088 Broad Street
Cranston, Rhode Island 02905
401-383-3830 (phone)
401-941-7501 (fax)
jgarrahy@garrahyllaw.com

DATE: August 27, 2020

RECEIVED
CITY OF PROVIDENCE
PLANTATIONS
AUG 27 2020
CITY CLERK

Nathan W. Chace
Andre S. Digou*
Douglas J. Emanuel**
Robert D. Fine*
Carl I. Freedman
Macrina G. Hjerpe**
Bret W. Jedele
Drew P. Kaplan
Richard J. Land*
Matthew L. Mercer†
Allan M. Shine*
Don E. Wineberg*

Andrew W. Sbordone*
Zachary H. Valentine*

Bruce R. Ruttenberg, retired

* Also admitted in Massachusetts
† Also admitted in Connecticut
** Also admitted in New York
* Also admitted in Washington, D.C.

August 27, 2020

Ms. Tina L. Mastroianni
First Deputy City Clerk
City of Providence
25 Dorrance Street
Providence, RI 02903

Re: Petition for Amendment to Zoning Map/Change of Zoning Designation

Petitioners: The Rhode Island Housing Development Corporation and The Omni Development Corporation/Wingate Companies Joint Venture

Parcel: A.P. 23, Lots 27-35, 743, 883 (otherwise known as 16-42 Somerset Street)

Dear Madam Clerk:

In June of 2019, Rhode Island Housing ("RIH") issued a Request for Proposals ("RFP") for the designation of a developer for the Barbara Jordan II Apartments, including the property referenced above. In response to the RFP, RIH received six (6) proposals. In June of 2020, RIH awarded The Omni Development Corporation and The Wingate Companies, a joint venture formed to develop the Barbara Jordan II Apartments, the designation as developer for the subject property.

On behalf of the Petitioners, I enclose a Petition to the City Council for an Amendment to the Zoning Map/Change of Zoning Designation relative to the above-referenced property. The Applicants seek to change the zoning district designation for this property from R-3 to C-2. Pursuant to R.I. Gen. Laws § 45-23-61(b), this Petition is submitted in connection with an *Application for Minor Land Development* for the construction of a 54-unit affordable housing complex, which application will be submitted to the City Planning Commission.

CR & F

One Park Row ▪ Suite 300 ▪ Providence ▪ Rhode Island ▪ 02903 ▪ Tel. 401.453.6400 ▪ Fax 401.453.6411
15 Franklin Street ▪ Westerly ▪ Rhode Island ▪ 02891 ▪ Tel. 401.315.2702 ▪ Fax 401.315.2703
▪ crflp.com ▪

August 27, 2020

- 2 -

I also enclose a check in the sum of \$150.00 (the filing fee), as well as two sets of mailing labels with the names and addresses of all property owners within a 200-foot radius of the subject property. I also enclose a 200-foot radius map and a separate list of those abutters.

Please let us know if you have any questions or if you need any additional information for this Petition. I thank you in advance for your assistance.

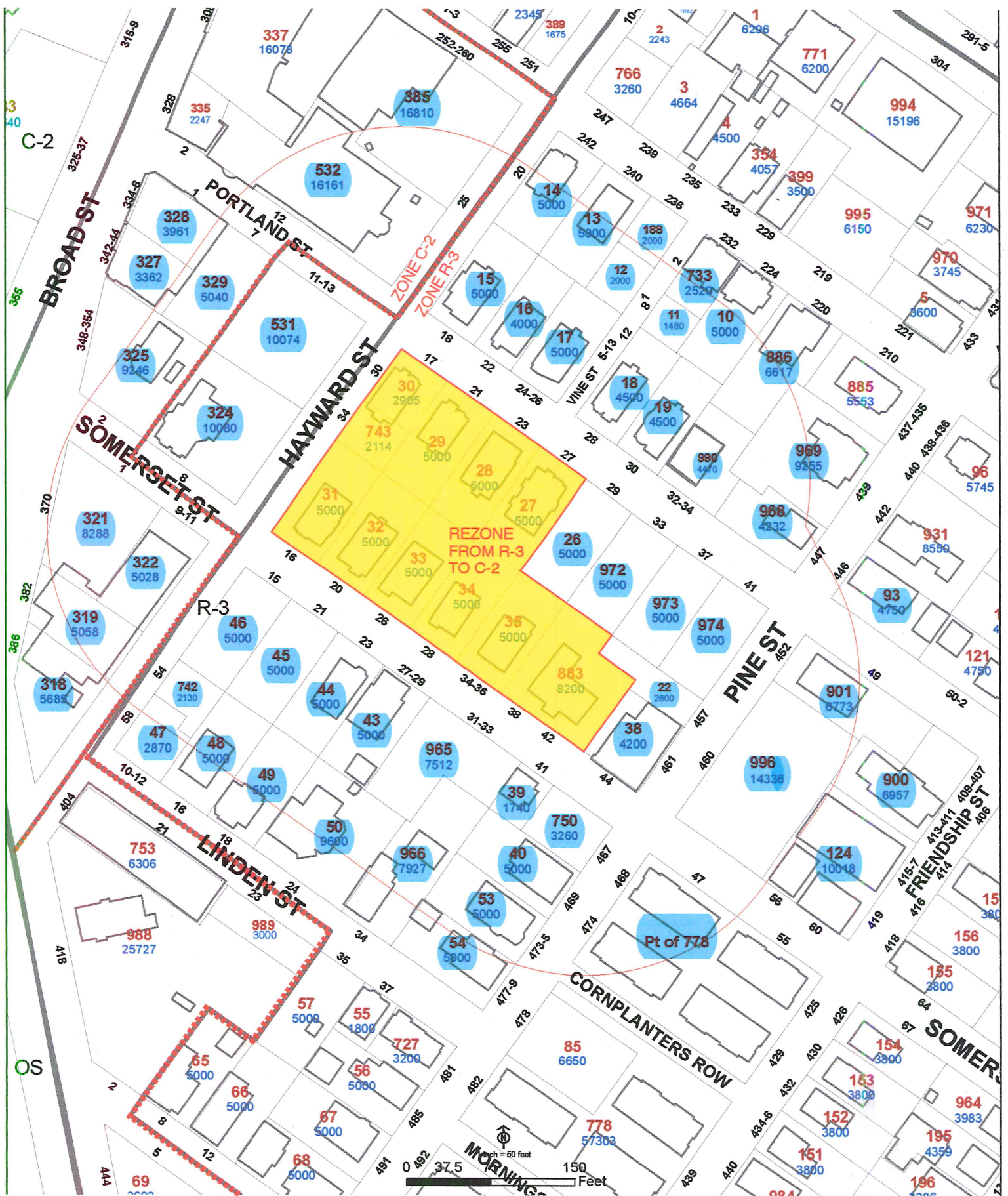
Very truly yours,


Bret W. Jedele

Enclosures

cc: Carol A. Venture, Executive Director, RIHousing
Sharon Morris, Executive Director, Omni Development Corporation
Elizabeth Schuster, Asst. Vice President of Acquisitions, Wingate Companies

CR & F



BARBARA JORDAN II

Radius Map

DBVW
ARCHITECTS



City Plan Commission
Jorge O. Elorza, Mayor

October 22, 2020

Councilwoman Jo-Ann Ryan
Chair, Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Shawn Selleck, City Clerk

**Re: Referral 3480 – Petition to rezone 16-42 Somerset Street, 17-27 Portland Street and 34 Hayward Street from R-3 to C-2
(AP 23 Lots 27, 28, 29, 30, 31, 32, 33, 34, 35, 743 and 883)**

Petitioners: Omni Development Corporation/The Wingate Companies

Dear Chairwoman Ryan,

The City Plan Commission (CPC) reviewed the above referenced zone change at a regular virtual meeting on October 20, 2020 and voted to recommend that the City Council approve the amendment based on their findings described below.

FINDINGS OF FACT

The applicant is proposing to rezone the lots at 16-42 Somerset Street, 17-27 Portland Street and 34 Hayward Street (AP 23 Lots 27-35, 743 and 883) from R-3 to C-2 to allow for construction of a multifamily dwelling.

The C-2 zone under the Transit Oriented Development (TOD) overlay lies to the west of the subject lots in the R-3 zone. The TOD overlay is intended to encourage the development of multifamily housing in proximity to transit. As the C-2 zone and TOD overlay on Broad Street are adjacent to the subject lots, the CPC found that their inclusion within the C-2 zone to permit multifamily housing is not expected to have a negative effect on neighborhood character or surrounding property as the intended residential nature of the subject lots is not expected to change.

Per the Future Land Use Map of Providence Tomorrow—which the comprehensive plan states is not intended for parcel level analysis—this area is intended to be one where commercial and high density residential uses are located in proximity to each other. The property is located in an area where neighborhood commercial development—which includes high density residential development—is intended alongside medium density residential development. Therefore, the CPC found that the

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminster Street, Providence, Rhode Island 02903
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rezoning would be consistent with the intent of the comprehensive plan. The CPC found that the rezoning would be in conformance with objectives H-2 and H-3 of the comprehensive plan which encourage developing a variety of housing options at varying prices.

Per the petition, the change would limit uses on the site to two family, three family, and multifamily housing, which would prevent development of incompatible commercial uses.

Based on the foregoing discussion, the CPC found that rezoning the lot would be appropriate given the character of the surroundings, the current zoning and the proposed use. The multifamily development would enhance the utility of the TOD overlay by locating dense housing in proximity to transit. The CPC found that the rezoning 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

Upon a motion by Commissioner Verdi, seconded by Commissioner Potter, the CPC unanimously voted to recommend that the City Council approve the proposed zone change based on the above findings. In accordance with their action, the CPC recommends that the zone change be approved subject to the following condition:

The uses on the subject lots shall be limited to two family, three family and multifamily housing.

The CPC voted as follows:

AYE: N. Verdi, C. Potter, C. West, M. Gazdacko

Sincerely,



Choyon Manjrekar
Administrative Officer