

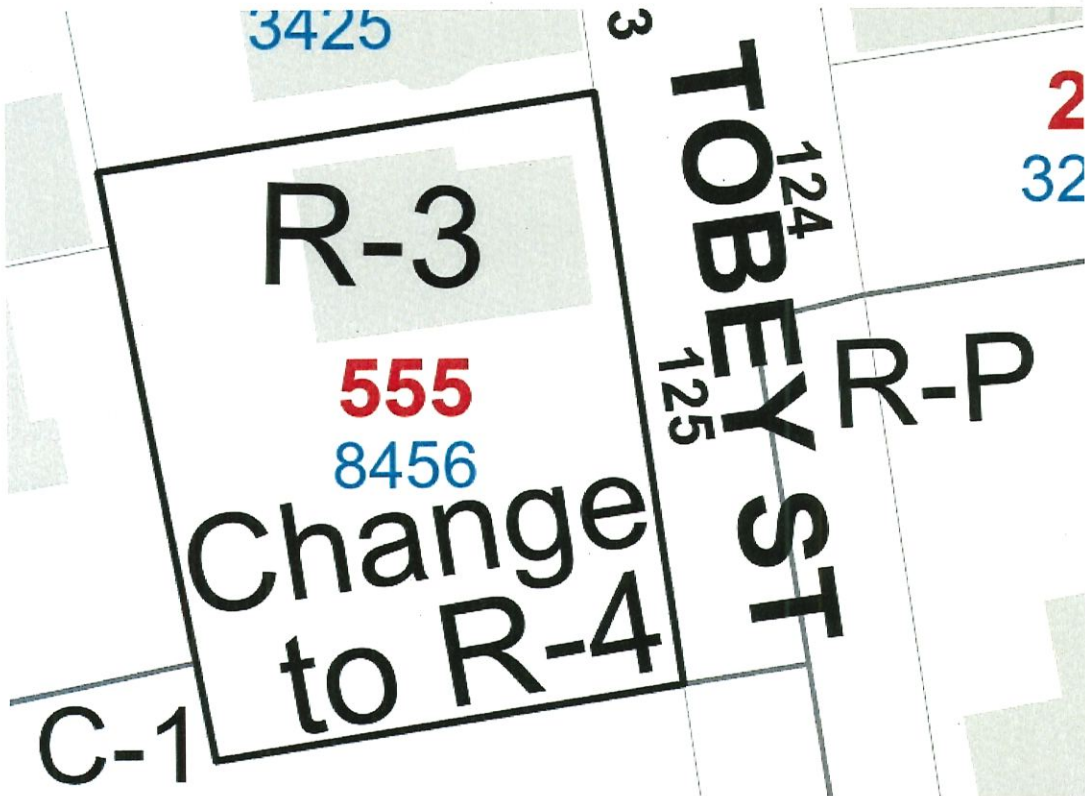
CHAPTER 2024-19

No. 222 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 35, LOT 555 (125 TOBEY STREET), FROM R-3 TO R-4

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 35, Lot 555 (125 Tobey 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
MAY 02 2024
FIRST READING
READ AND PASSED

Sina L. Mastourian
CLERK

IN CITY COUNCIL
MAY 16 2024
FINAL READING
READ AND PASSED

Rachel M. Miller
RACHEL M. MILLER, PRESIDENT
Sina L. Mastourian
CLERK

I HEREBY APPROVE.

Burt P. Smith
Mayor

Date: *5/24/24*

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:

***125 Tobey Street, Providence, Rhode Island, Assessor's
Plat 35, Lot 555,***

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

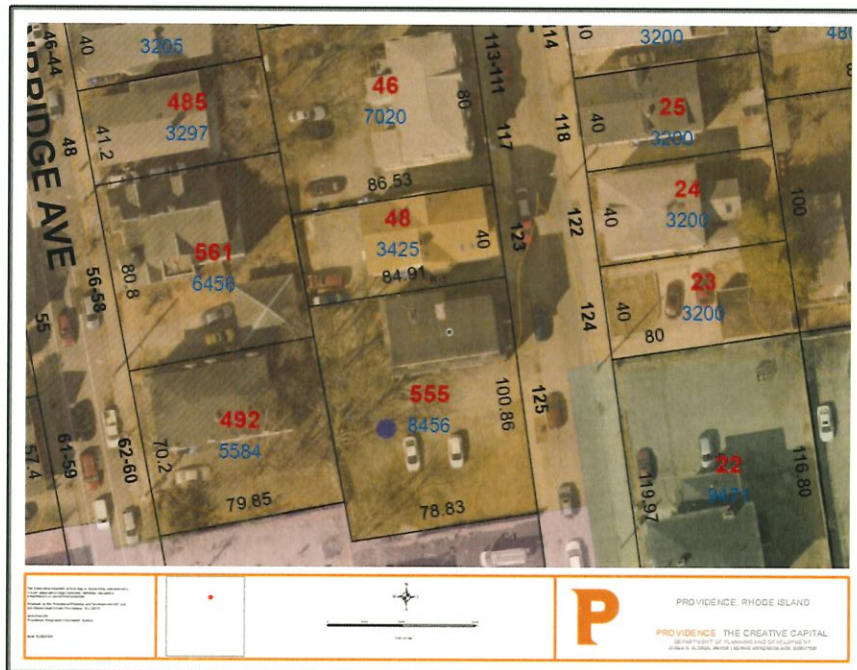
dconley@conleylawri.com

SEP 01 2019 10:03

ED

Exhibit A

125 Tobey Street,
Providence, Rhode Island
AP 035, Lot 555
Current Zone: R-3
Proposed Zone: R-4





The information depicted on this map is for planning purposes only. It is not intended for legal boundary definition, regulatory interpretation, or parcel-level analysis.

Produced by the Providence Planning and Development GIS Lab, 444 Westminster Street, Providence, R.I. 02903

2023 Edition
Providence Geographic Information System
Date: 10/20/2023



PROVIDENCE, RHODE ISLAND

PROVIDENCE THE CREATIVE CAPITAL
DEPARTMENT OF PLANNING AND DEVELOPMENT
JORDIE D. BLUMBAUM, MAYOR | BONNIE WICKERMAN, ASST. 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 3567 – Petition to rezone 125 Tobey Street (AP 35 Lot 555) from R-3 to R-4
Petitioner: Tobey Street 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 measures approximately 8,456 SF and is occupied by a two family dwelling. The zone change is being requested to allow for construction of a second building composed of three-stories and 14 dwelling units, which will be subject to administrative review if the zoning change is approved. The lot is located adjacent to the C-2 zone to the south and the R-P zone to the east.

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 and 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 area surrounding the lot and the proximity of the neighborhood commercial designation where multifamily development is encouraged, conforms to this description with similarly massed multifamily dwellings observed in the vicinity.

Given the neighborhood's character 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 Sanchez, seconded by Commissioner Sherry, the Commission 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: N. Sanchez, W. Sherry, C. Lipschitz, D. Caldwell, M. Quezada, M. Gazdacko

Sincerely,



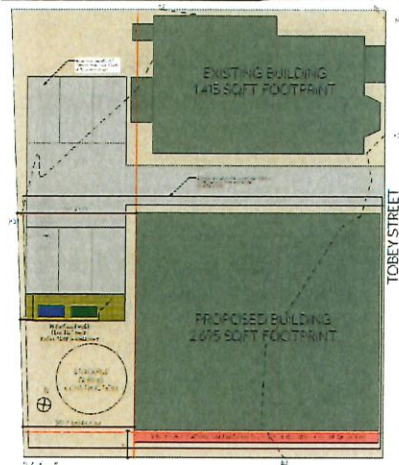
Choyon Manjrekar
Administrative Officer

Providence City Plan Commission

January 16, 2024



AGENDA ITEM 5 ■ 125 TOBEY STREET



Proposed rendering and site plan

View from Tobey Street and aerial view of lot to be rezoned

OVERVIEW

OWNER/ APPLICANT:	Tobey Street LLC	PROJECT DESCRIPTION:	The petitioner is requesting to rezone the subject lot from R-3 to R-4
CASE NO./ PROJECT TYPE:	CPC Referral 3567 Rezoning from R-3 to R-4		
PROJECT LOCATION:	125 Tobey Street AP 35 Lot 555 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 125 Tobey Street (AP 35 Lot 555) from R-3 to R-4. It is located adjacent to the C-2 zone to the south and the R-P zone to the east.

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 and 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 area surrounding the lot and the proximity of the neighborhood commercial designation where multifamily development is encouraged, conforms to this description with similarly massed multifamily dwellings observed in the vicinity.

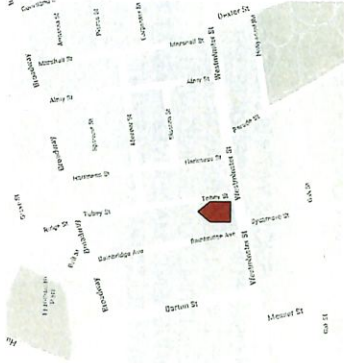
The subject lot measures approximately 8,456 SF and is occupied by a two family dwelling. The change is being requested to allow for construction of a second building composed of three-stories and 14 dwelling units, which will be subject to administrative review if the zoning change is approved. Given 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.

WORKFORCE HOUSING DEVELOPMENT
125 TOBEY STREET



SHEET INDEX		CPC 12/06/2023	
ISSUED/REISSUED WITH REVISION		<input checked="" type="checkbox"/>	
REISSUED WITHOUT REVISION		<input type="checkbox"/>	
GENERAL			
G-001 COVER SHEET			<input checked="" type="checkbox"/>
ARCHITECTURAL			
AS-001 ARCHITECTURAL SITE PLAN			<input checked="" type="checkbox"/>
A-101 PROPOSED FLOOR PLANS			<input checked="" type="checkbox"/>
A-201 EXTERIOR ELEVATIONS			<input checked="" type="checkbox"/>
A-202 EXTERIOR ELEVATIONS			<input checked="" type="checkbox"/>

PROPOSED BUILDING INFORMATION				
CELLAR				
UNIT NUMBER	BEDROOMS	BATHROOMS	SQUAREFOOTAGE	
1	2	2	848	
2	1	1	533	
3	STUDIO	1	390	
4	2	1	699	
LEVEL 1				
UNIT NUMBER	BEDROOMS	BATHROOMS	SQUAREFOOTAGE	
101	2	2	848	
102	3	2	1,149	
103	1	1	550	
LEVEL 2				
UNIT NUMBER	BEDROOMS	BATHROOMS	SQUAREFOOTAGE	
201	2	2	848	
202	1	1	533	
203	STUDIO	1	390	
204	2	1	699	
LEVEL 3				
UNIT NUMBER	BEDROOMS	BATHROOMS	SQUAREFOOTAGE	
301	STUDIO	1	372	
302	2	2	861	
303	1	1	582	
OVERALL BUILDING COUNT				
BEDROOMS	BATHROOMS	AVERAGE SQUAREFOOTAGE		QUANTITY
STUDIO	1	384		3
1	1	5495		4
2	1	699		2
2	2	851		4
3	2	1,149		1
OVERALL UNIT COUNT				14

Proposed Multi-Family Home
125 Tobey St.
Providence, Rhode Island 02909

Cover Sheet

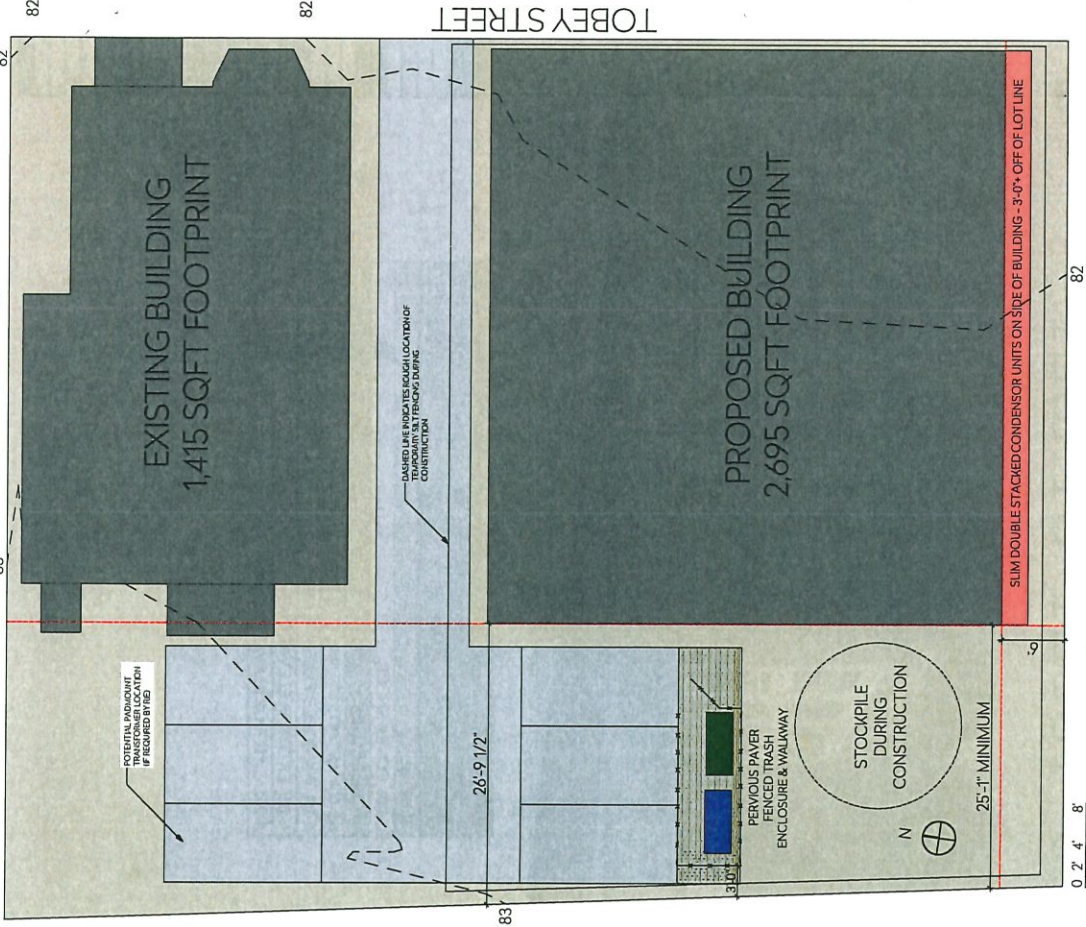
G-001

SHEET 1 OF 29

PROVIDENCE
ARCHITECTURE Co.

244 Weybosset Street
Providence, Rhode Island

NOT FOR
CONSTRUCTION
OR PERMIT
REVIEW

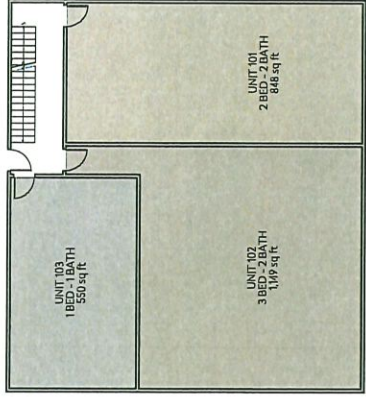


ZONING INFORMATION		
ZONING ITEM	REQUIRED	PROPOSED
LOT SIZE	3,500	8,335
MAXIMUM BUILDING HEIGHT	45'-0"	45'-0"
MAXIMUM BUILDING COVERAGE	55%	52%
MAXIMUM IMPERVIOUS REAR YARD	50%	43%
TOTAL MAXIMUM IMPERVIOUS	70%	70%
MINIMUM SIDE SETBACK	6'-0"	6'-0"
MINIMUM REAR SETBACK	25'-0"	25'-1"
PARKING SPOTS REQUIRED	0	6
BIKE PARKING SPOTS REQUIRED	4	4

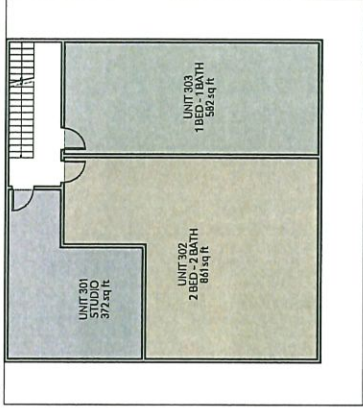
STORMWATER MANAGEMENT STATEMENT:
GUTTERS & DOWNSPOUTS TO BE INSTALLED AT PERIMETER OF STRUCTURE & DISCHARGED AT VEGETATIVE AREAS ON SITE. SITE TO BE GRADED TO RETAIN STORMWATER ON SITE TO AVOID RUNOFF.

SEDIMENT CONTROL PLAN:
THROUGHOUT CONSTRUCTION, APPROPRIATE MEASURES WILL BE TAKEN TO AVOID EROSION & PREVENT SEDIMENT FROM LEAVING THE SITE. MEASURES SHALL INCLUDE TEMPORARY SILT FENCING AT THE PERIMETER OF THE SITE AT ALL LOT LINES, ADDITIONALLY, HIGH-FLOW INLET PROTECTION FILTERS, SUCH AS GUTTERBUDDIES, WILL BE INSTALLED WHERE THE SITE MEETS THE CURB/ROW TO PREVENT SEDIMENT FROM FLOWING INTO THE CITY'S STORMWATER SYSTEM DURING CONSTRUCTION.

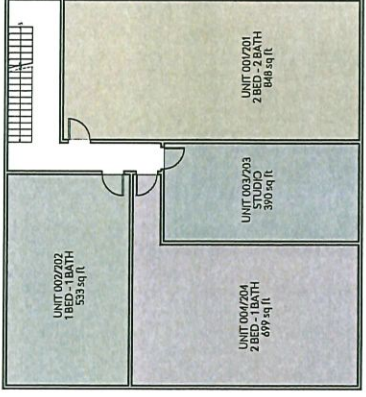
TRANSFORMER:
BASED ON RECENT DISCUSSIONS WITH RI ENERGY & THE SIZE OF THE PROPOSED BUILDING, ADEQUATE 3PH ELECTRICAL SERVICE WILL LIKELY BE AVAILABLE OVERHEAD FROM EXISTING POWER LINES WITH NECESSARY IMPROVEMENTS MADE OVER-HEAD/AT THE POLE RATHER THAN REQUIRING A PAD-MOUNT TRANSFORMER



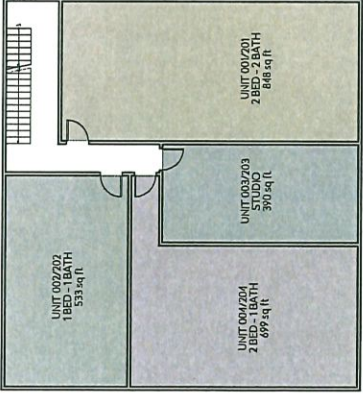
1 LEVEL 1
SCALE 1/8" = 1'-0"



2 LEVEL 2
SCALE 1/8" = 1'-0"



3 LEVEL 3
SCALE 1/8" = 1'-0"



4 LEVEL 4
SCALE 1/8" = 1'-0"

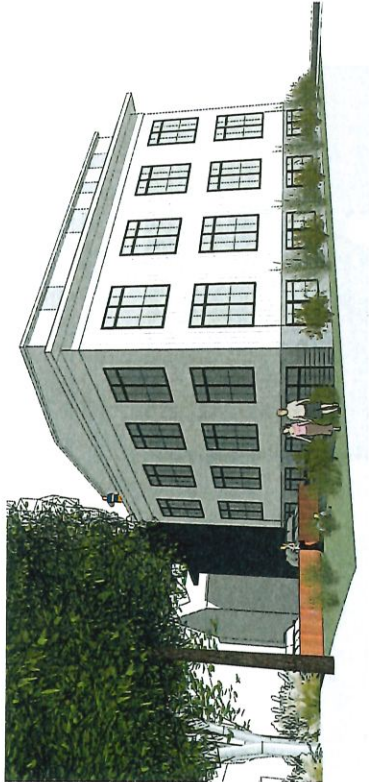
Proposed Multi-Family Home

125 Tobey St
Providence, Rhode Island 02909

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PROVIDENCE
ARCHITECTURE Co.

244 Weybosset Street
Providence, Rhode Island



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Proposed Multi-Family Home
125 Tobey St.
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Exterior Elevations

A-202

SHEET 13 OF 29

