

CHAPTER 2021-33

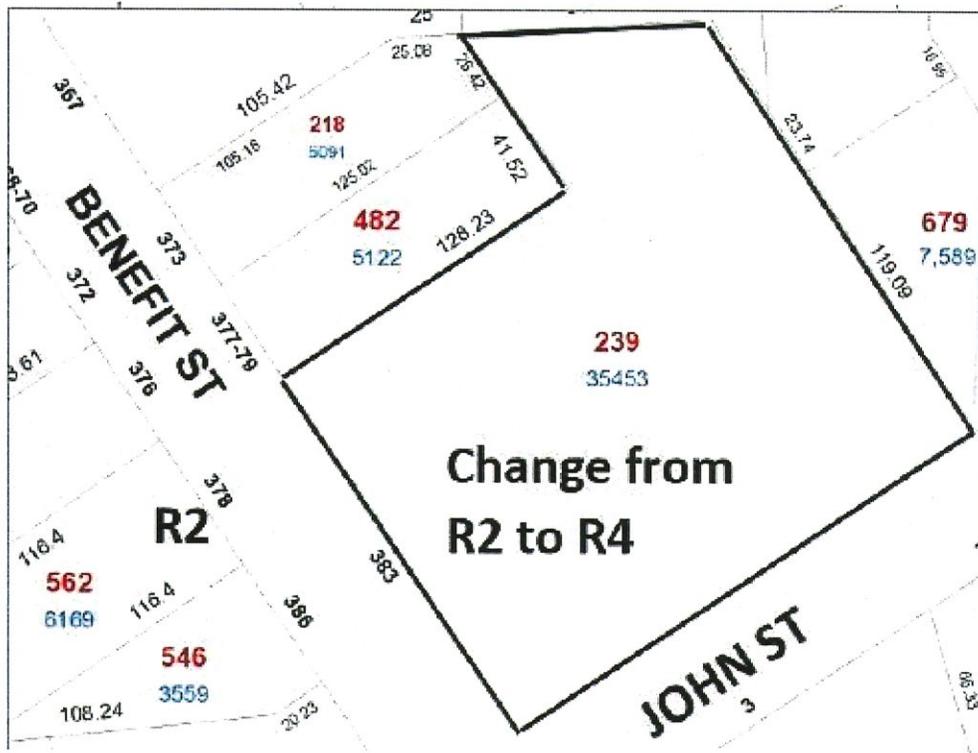
No. 351

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 16, LOT 239 (383 BENEFIT STREET), FROM R-2 TO R-4 WITH A FOOTNOTE THAT "USE ON SAID LOT SHALL BE LIMITED TO MULTI-FAMILY WITH NO MORE THAN EIGHT (8) DWELLING UNITS"

Approved August 2, 2021

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 16, Lot 239 (383 Benefit Street), from R-2 to R-4 with a footnote that states, "Use on said lot shall be limited to multi-family with no more than eight (8) dwelling units. College student rental housing shall be prohibited, except that college students may live in owner-occupied dwelling units."



SECTION 2. This ordinance shall take effect upon passage.

I HEREBY APPROVE.

IN CITY COUNCIL

JUL 15 2021
FIRST READING
READ AND PASSED

IN CITY COUNCIL

JUL 21 2021
FINAL READING
READ AND PASSED

Date:

Mayor

8/2/21

Tina L. Mastrosanni CLERK
ACTING

JOHN J. IGLIOZZI, PRESIDENT
Tina L. Mastrosanni CLERK
ACTING

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

To change the Official Zoning Map of the City of Providence by changing the zoning district designation for the property located at 383 Benefit Street (Plat 16/Lot 239) from R-2 to R-4 as shown on the accompanying map, with a footnote that "Use on said lot shall be limited to multi-family with no more than eight (8) dwelling units."

It is further requested that this zone change shall not become effective unless and until the undersigned Applicant purchases the property from Owner/Petitioner.

Applicant: M.H. Massey & Co., LLC

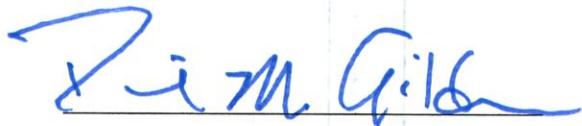
Owner/Petitioner: Brown University

By its attorney,

By its attorney,

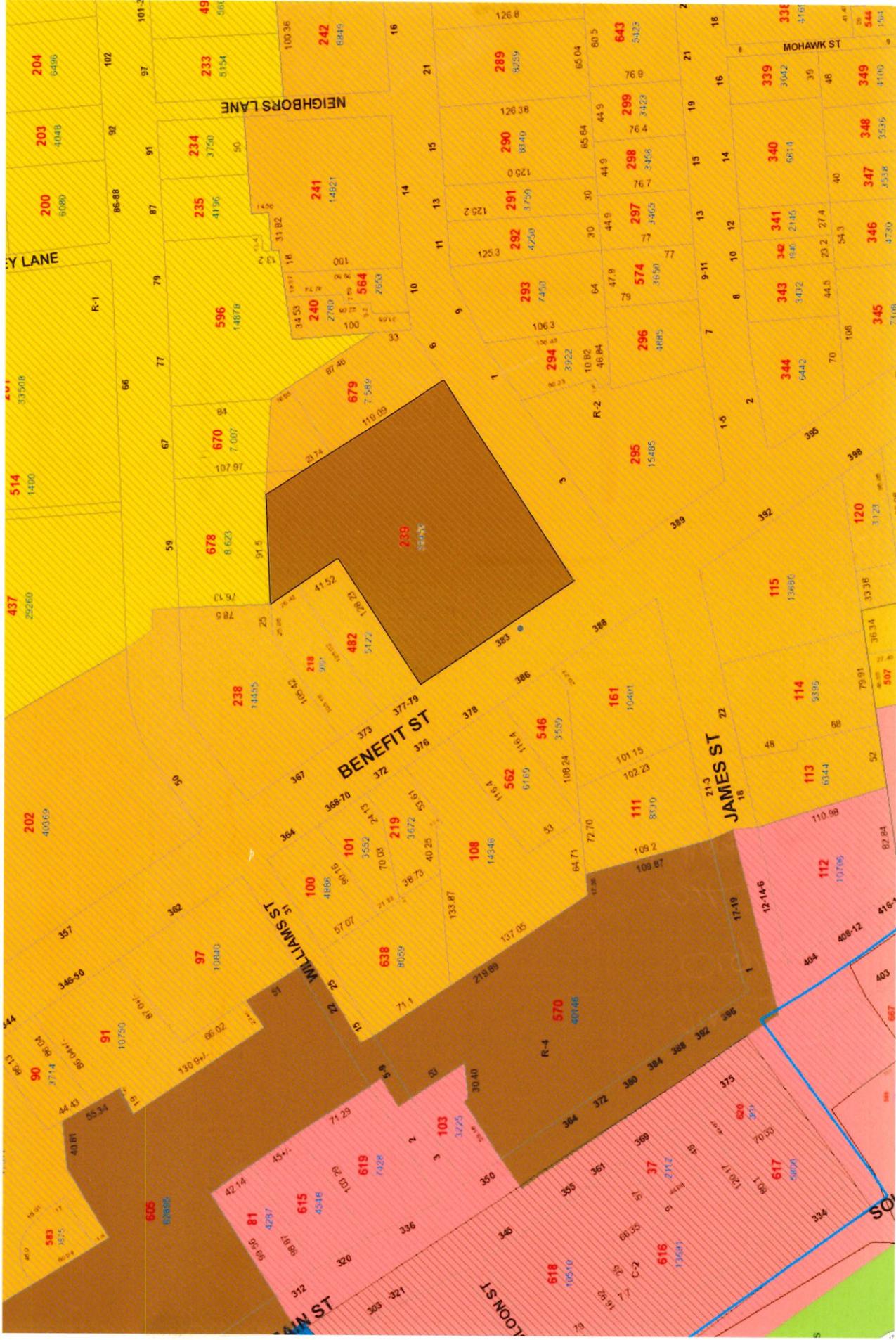


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PROPOSED ZONING AREAS



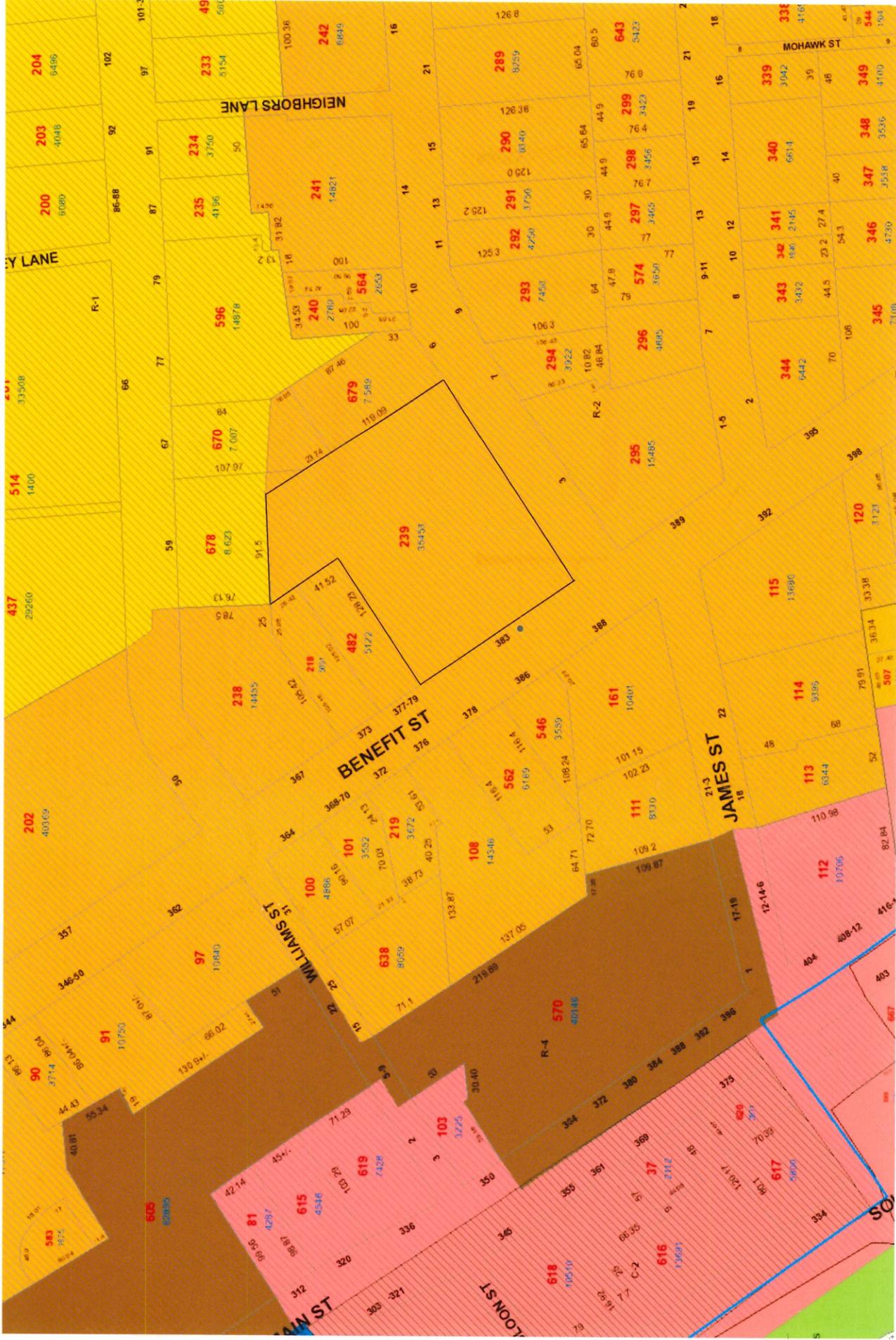
Base Zoning

- R-1
- R-1A
- R-2
- R-3
- R-4

Historic District - Local



EXISTING ZONING AREAS



Base Zoning

- R-1
- R-1A
- R-2
- R-3
- R-4

Historic District - Local





City Plan Commission
Jorge O. Elorza, Mayor

June 16, 2021

Councilman Nicholas Narducci
Chair, Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Shawn Selleck, City Clerk

Re: Referral 3496 – Petition to rezone 383 Benefit Street (AP 16 Lot 239) from R-2 to R-4

Petitioners: MH Massey and Co LLC; Brown University, Owner

Dear Chairman Narducci,

The applicant is petitioning to rezone 383 Benefit Street from R-2 to R-4 with the use limited to multifamily housing with no more than eight dwelling units. The property is a former university office building that the petitioner intends to purchase should the change be approved. The lot measures approximately 35,453 SF and is zoned R-2 under the HD overlay with the building providing 23,377 SF of gross floor area.

FINDINGS OF FACT

The lot size and building's massing are significantly larger than property observed in the R-2 zone which has a minimum lot size of 5,000 SF and restricts housing to two-family development. The CPC found that the change to R-4 with eight dwelling units seems appropriate as it would allow for the site to be used in a manner that is more consistent with its dimensions and massing.

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 single-family and low-density residential uses are located in proximity. The plan describes these areas as ones where one and two family dwellings are located on lots measuring 5,000 SF or more. Eight units on the site of the subject lot would provide approximately 4,431 SF of lot area per dwelling unit which the CPC found would be far less dense than the surrounding R-2 zone which requires about 2,500 SF of lot area per dwelling unit. Objective LU-3.B of the comprehensive plan encourages adaptive reuse of historic non-residential buildings in residential areas by allowing for increased residential density or

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limited non-residential uses. Based on conformance with these objectives, the CPC found the rezoning to be in conformance with the comprehensive plan.

The CPC required that college student rental housing be prohibited to preserve the neighborhood's character. The CPC has conducted research and held public meetings which found that college student housing results in a more intense use of residential property than what is typically seen in lower density zones and can sometimes result in negative effects on neighboring property. The CPC does not object to college students if units will be owner-occupied.

Based on the foregoing discussion, the CPC found that rezoning the lot would be appropriate given the character of the surroundings and the dimensions and massing of the building as propagation of incompatible uses like student rental housing would be restricted. 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

On a motion by Commissioner Quezada, seconded by Commissioner Bilodeau, the CPC voted to recommend that the City Council approve the proposed zone change to R-4 finding it to be in conformance with the zoning ordinance and comprehensive plan. In accordance with their action, the CPC recommends that the zone change be approved subject to the following condition:

College student rental housing shall be prohibited, except that college students may live in owner-occupied dwelling units.

The CPC voted as follows:

Aye: M. Quezada, H. Bilodeau, L. Torrado, M. Gazdacko

Sincerely,



Choyon Manjrekar
Administrative Officer

City of Providence Planning Commission

Rezone Action - R-2 District to R-4 District

**383 Benefit Street
Assessor's Plat 16; Lot 239**

Prepared for: M. H. Massey, LLC

By: Pimentel Consulting, Inc.

15 June 2021

This document was exported from Numbers. Each table was converted to an Excel worksheet. All other objects on each Numbers sheet were placed on separate worksheets. Please be aware that formula calculations may differ in Excel.

Numbers Sheet Name	Numbers Table Name	Excel Worksheet Name
Sheet1 - Table 1 - Table 1 - Ta	Table 1	Sheet1 - Table 1 - Table 1 - Ta
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Sheet3 - Table 1 - Table 1 - Ta	Table 1	Sheet3 - Table 1 - Table 1 - Ta

NEIGHBORHOOD ANALYSIS

**383 Benefit Street
Assessor's Plat 16 - Lot 239
R-2 Zoning District**

Plat/Lot	Lot Area (Sq. Ft.)	Address	Dwelling Style	No. of		No. of	Foot Print (sf)	Building Coverage	Useable Gross Floor Area (sf)	Year Built
				Units	Beds					
16 - 239 SP	35,453	383 Benefit Street	College Office Commercial	0	0	3	7,163 Pavement = 8,500 sf	20.20%	16,423	1855
16 - 482	5,122	377 - 379 Benefit Street	Multi-Unit Residential	4	9	3.25	2,178 Garage = 200 sf [Included in Building Coverage]	46.43%	5,350	1911
16 - 218	5,091	373 Benefit Street	Multi-Unit Residential	3	12	2.75	1,662 Garage = 200 sf [Included in Building Coverage]	36.57%	3,860	1920
16 - 238	14,455	367 Benefit Street	Multi-Unit Residential	8	11	2.5	3,760	26.01%	8,125	1841
16 - 665	25,449	59 Williams Street 6 John Street	Single-Family	1	2	1.25	911 Garage = 1,104 sf [Included in Building Coverage]	7.92%	1,149	1850
16 - 240, 564, and 596	20,311	77 - 79 Williams Street 10 John Street	Multi-Unit Residential	5	15	3.25	5,875 Garage = 644 sf [Included in Building Coverage] Porch = 286 sf [Included in Building Coverage] Pavement = 3,116 sf	33.50%	12,632	1920
16 - 235	4,196	87 Williams Street	Single-Family	1	4	2.25	2,027	48.31%	4,377	1798
16 - 234	3,750	91 Williams Street	Single-Family	1	4	2.75	1,260	33.60%	3,528	1800
16 - 241	14,821	14 John Street	Single-Family Single-Family	1 1	6 2	3 2	3,583 1,533 Porch = 100 sf [Included in Building Coverage]	35.19%	7,745 1,808	1813 1813

16 - 295	15,485	389 Benefit Street	Multi-Unit Residential	9	15	3	4,100	26.48%	11,288	1853
16 - 294	3,922	7 John Street	Single-Family	1	4	2.25	1,448	36.92%	3,017	1854
							Patios = 408 sf			
16 - 293	7,450	9 John Street	Single-Family	1	3	2.5	1,382	25.07%	2,634	1849
							Garage = 486 sf [Included in Building Coverage]			
16 - 292	4,250	11 John Street	Two-Units	2	5	2	1,800	42.35%	3,048	1820
16 - 291	3,750	13 John Street	Single-Family	1	4	2.25	805	21.47%	1,852	1811
							Patio = 177 sf			
16 - 290	8,340	15 John Street	Single-Family	1	4	2	2,070	25.40%	3,208	1999
							Shed = 48 sf [Included in Building Coverage]			
16 - 289	8,259	21 John Street	Single-Family	1	4	2	1,676	20.29%	3,176	1798
							Patios = 700 sf			
16 - 288	7,614	23 John Street	Two-Units	2	4	2	1,995	26.20%	4,332	1795
							Patios = 700 sf			
16 - 302	2,632	25 Arnold Street	Two-Units	2	5	2.5	1,488	56.53%	2,755	1829
							Patios = 700 sf			
16 - 643	5,423	21 Arnold Street	Single-Family	1	5	2.25	1,085	27.38%	2,496	1798
							Garage = 400 sf [Included in Building Coverage]			
							Patio = 300 sf			
16 - 299	3,423	19 Arnold Street	Multi-Unit Residential	3	9	3.25	1,852	54.10%	5,261	1880
16 - 298	3,456	15 Arnold Street	Single-Family	1	4	2	1,316	38.08%	2,632	1792

16 - 180	6,265	106 Williams Street	Multi-Unit Residential	3	9	2.5	3,244	51.78%	7,059	1842
16 - 204	6,496	102 Williams Street	Single-Family	1	7	3	2,290	35.25%	4,462	1841
16 - 203	4,048	92 Williams Street	Single-Family	1	6	2	1,551	38.32%	3,215	1824
16 - 200	6,080	88 Williams Street	Single-Family	1	4	2.25	1,606	32.93%	3,501	1824
							Garage = 360 sf [Included in Building Coverage]			
							Shed = 36 sf [Included in Building Coverage]			
							Patos = 452 sf			
16 - 242	8,849	16 John Street	Single-Family	1	6	2.25	2,354	26.60%	4,157	1844
							Patio = 312 sf			
16 - 233	5,154	97 Williams Street	Two-Units	2	6	3	2,633	51.09%	6,240	1799
16 - 491	5,600	101 - 103 Williams Street	Two-Units	2	8	3	2,624	51.73%	5,514	1851
							Garage = 273 sf [Included in Building Coverage]			
Total:	507,383			149	358	124	115,964		240,207	
Average:	9,949			3	7	2.54	2,416	27.07%	5,004	
Residentially Improved										
Total:	428,336									
Average:	8,924									
Percentage:	94.12%									
Lot Density:	2,875	Bedroom Density:	1,196							

EDUCATION

MASTERS OF COMMUNITY PLANNING AND DEVELOPMENT
University of Rhode Island - Masters Received 1994

University of Florida - Studied City Planning - 1991 / 1992

BACHELOR OF ARTS – URBAN AFFAIRS; MINORS IN MATHEMATICS AND PHILOSOPHY
University of Rhode Island - BA Received 1990

ACCREDITATION: AMERICAN INSTITUTE of CERTIFIED PLANNERS – May 1996

PROFESSIONAL EXPERIENCE

Land Use Consultant PIMENTEL CONSULTING, INC.
East Providence, Rhode Island

Zoning Officer CITY OF EAST PROVIDENCE
East Providence, Rhode Island

Consulting Town Planner TOWN OF BARRINGTON
Barrington, Rhode Island

Town Planner TOWN OF WAYLAND
Wayland, Massachusetts

Principal Planner TOWN OF NORTH KINGSTOWN
North Kingstown, Rhode Island

Assistant Planner CITY OF EAST PROVIDENCE
East Providence, Rhode Island

Planning Consultant NEWPORT COLLABORATIVE
Newport, Rhode Island

Planning Intern CITY OF ORANGE CITY
Orange City, Florida

RHODE ISLAND AIR NATIONAL GUARD

Plans and Implementation Communications Specialist
Rhode Island Air National Guard 1995 – Retired 2013

Security Police Officer
Rhode Island Air National Guard 1987 – 1990

CIVIC

WGBH – Community Advisory Board Member
Cambridge, Massachusetts 2000 - 2003

SPECIAL SKILLS AND TRAINING

- Fluent in Portuguese