

CHAPTER 2021-34

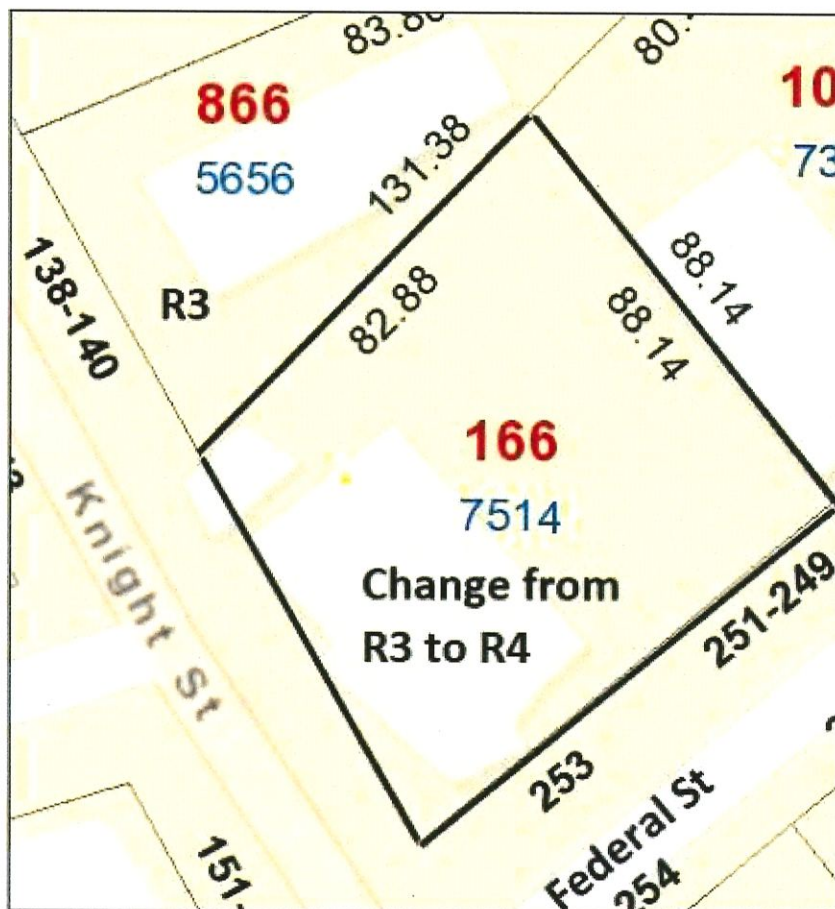
No. 352

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 166 (253 FEDERAL STREET), FROM R-3 TO R-4

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 28, Lot 166 (253 Federal Street), from R-3 to R-4.



I HEREBY APPROVE.

SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
JUL 15 2021
FIRST READING
READ AND PASSED

Tina L. Mastrosianni CLERK
ACTING

IN CITY COUNCIL
JUL 21 2021
FINAL READING
READ AND PASSED

John J. Igliozi PRESIDENT
Tina L. Mastrosianni CLERK
ACTING

Mayor

Date: 8/2/21

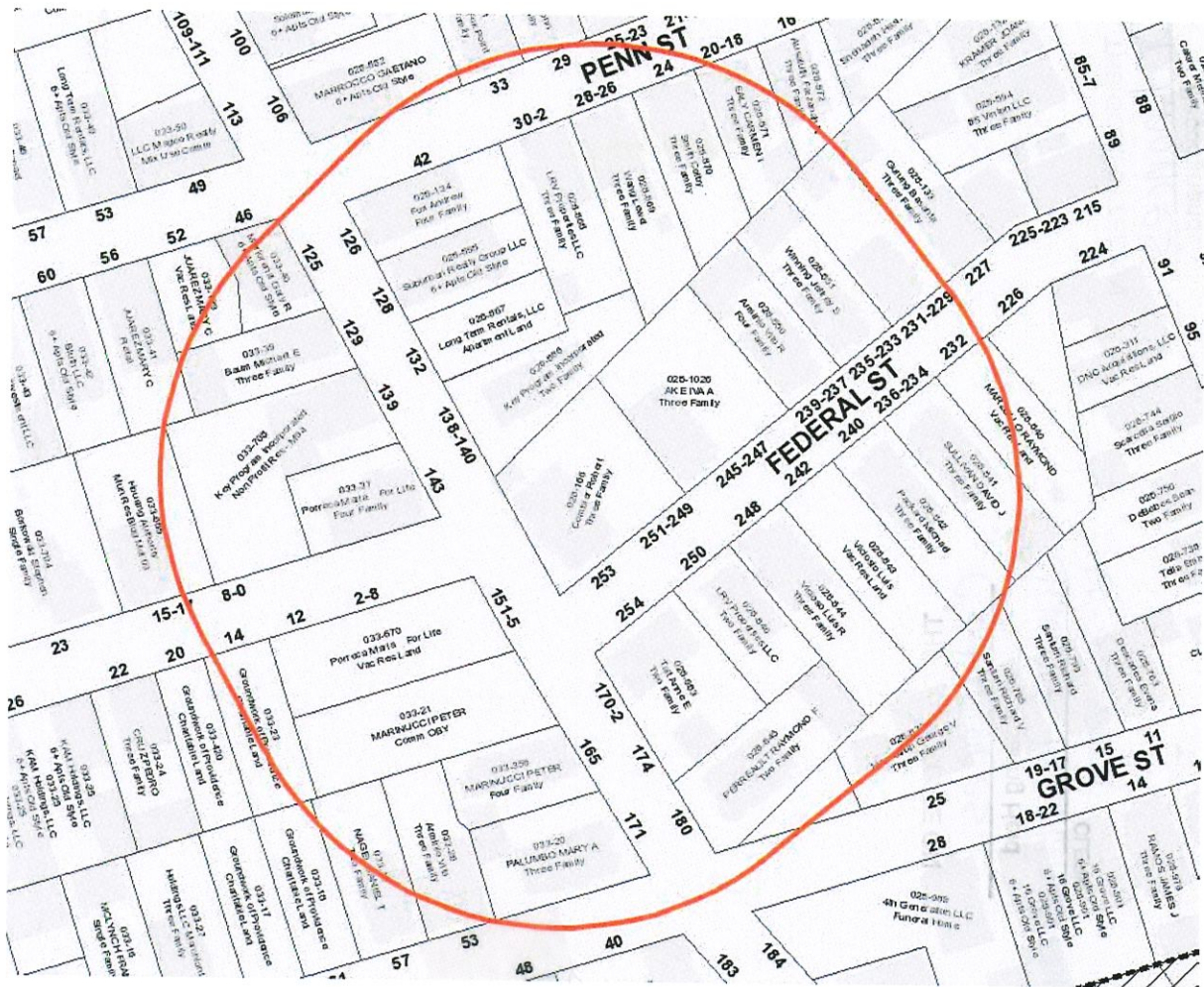
City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Robert Combier hereby petitions 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 253 Federal Street, Plat #28, Lot #166, and shown on the accompanying map attached, from R-3 to R-4 zone.



Robert Combier and Linh Combier

Signature: /s/ Dylan Conley

Name: Dylan Conley, Esq. #8969

Title: Attorney, on behalf of Robert Combier and Linh Combier, Owner, 253 Federal Street

Telephone No.: (401) 415-9835

Email Address: DConley@wjclaw.com



253 FEDERAL STREET

Proposal

LINH & ROBERT COMBIER
combier@gmail.com



ROBERT COMBIER - 404-374-3259

SUMMARY

Proposal

After purchasing our first investment house on the West Side, we were inspired by the State Housing forum of fall 2019 to restore the property to its original zoning as a 5 family home.

A great challenge in this neighborhood is the lack of well-maintained 1 and 2 bedroom housing at market rates. I have first-hand experience with this issue, as I personally rented a 1 bedroom apartment in Federal Hill on Almy street for almost 5 years.

I found and purchased a beautiful property just two blocks from my apartment in Federal Hill. It had been used as a 5 to 6 family home (with a mix of 1 and 2 bedroom units) for over a century, until 1990 when its owner chose to sell it after a fire. A development company (Future Development Partners) purchased it, repaired the fire damage, and, at least on paper, down-zoned it to a legal 3-family in 1991 ostensibly to minimize property taxes and ironically to avoid R-4 fire code requirements. If the reconfiguration actually took place, and it was used as such, it unfortunately placed the property at odds with both the city's tax revenue and the tenants as market rates for 4-bedroom apartments are much higher than 1 and 2 bedroom units.

However, shortly after, the development company flipped the house to an individual, who operated it as a 5 family rental home for several decades. To our knowledge, no documentation or other evidence exists showing that it was ever actually only three units, and the evidence to the contrary (present layout of the building, operation as a 5 unit both immediately before and immediately after the "three family" paper filing) suggest that the building has always operated with at least five (5) units.

At the time of my purchase in 2019, five families were living in the house, and they were sharing electric and gas meters by floor. We have since performed interior and exterior repairs, cosmetic updates, and prepared the building to return to its original zoning (with permitted upgrade to higher current electric service). To date, we have preserved the exterior shape and charm of the building, improved the exterior appearance and improved driver visibility at the corner of Knight and Federal street.

Methodology

We presented this case to Bob Azar in Providence Planning, and he helped us develop a strategy:

- Petition City Council for a zoning map change from R-3 to R-4
- Meet Providence Building Inspectors and review the proposal
- Perform upgrades to fire safety and alarm systems once approved

Community and Tenant Benefits

- Increased supply of 1 and 2 bedroom units to meet market demands for workforce housing
- Rather than 3 units at \$3000+, offer 5 units from (\$1300-\$2200)
- Return to original and correct legal zoning without substantive changes
- Improved tenant safety with updated fire protection and mitigation systems
- Allow tenants to procure their own utilities without "sharing" service by floor
- 16 spaces of off-street parking (more than 1 space per bedroom)

ROBERT COMBIER - 404-374-3259

Permit Cards

Showing downzoning in 1991

1987

DEPARTMENT OF INSPECTION & STANDARDS

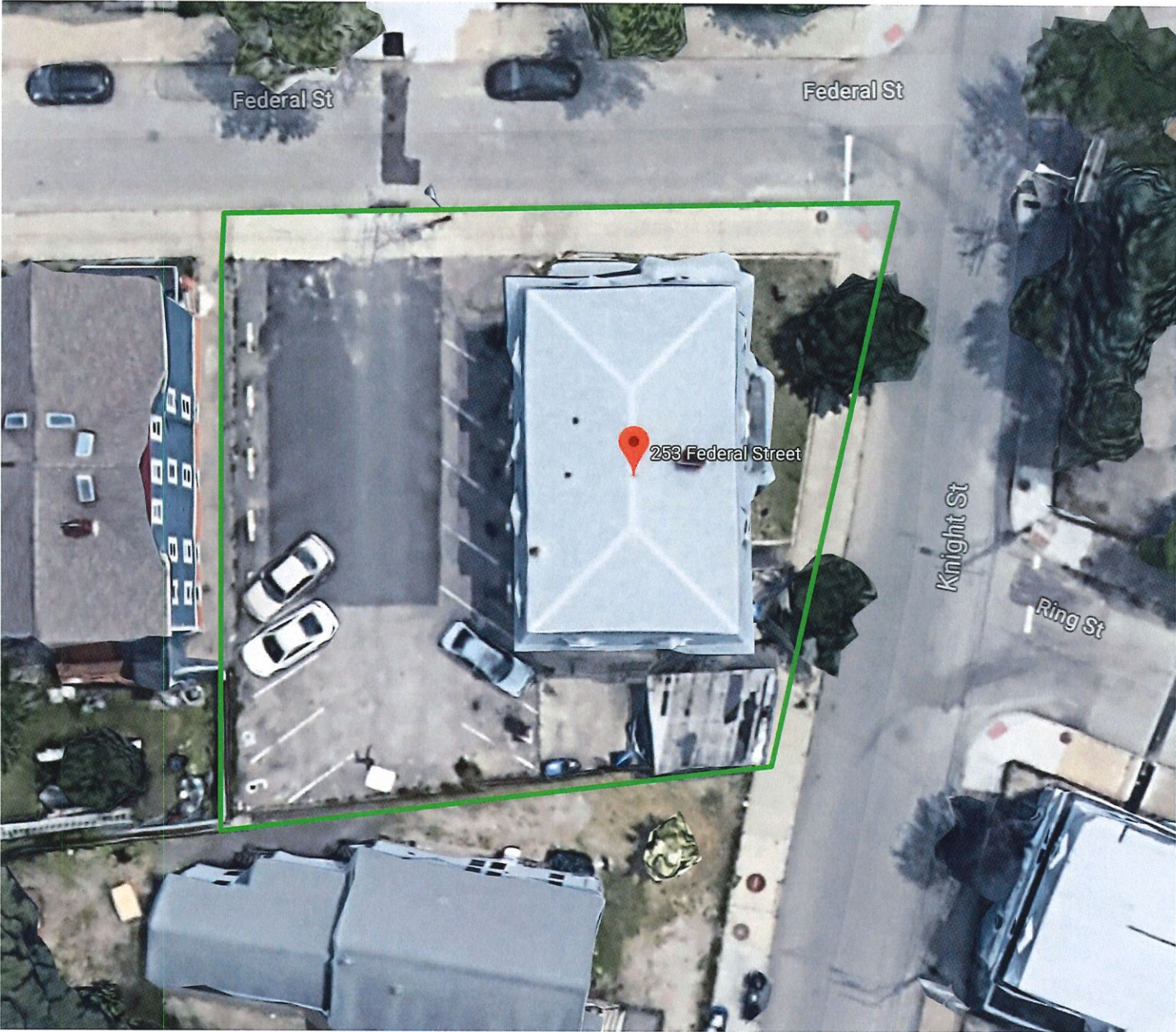
DATE	September 1, 1987	PERMIT NO.	282
LOCATION	255 Federal St.		
WARD	13	PLAT	28
		LOT	166
OWNER	Arthur Sadowski		
ARCHITECT			
BUILDER	Macchioni Bldrs.		
MATERIAL	5-B		
NATURE OF WORK	Interior renovations on all floors to make		
NO. OF BLDGS.	1	6 apts.	
NO. OF STORIES	3		
TO BE USED FOR	Apts.		
NO. OF FAMILIES	6		
FIRE DISTRICT	2	\$10,000	

1991

DEPARTMENT OF INSPECTION & STANDARDS

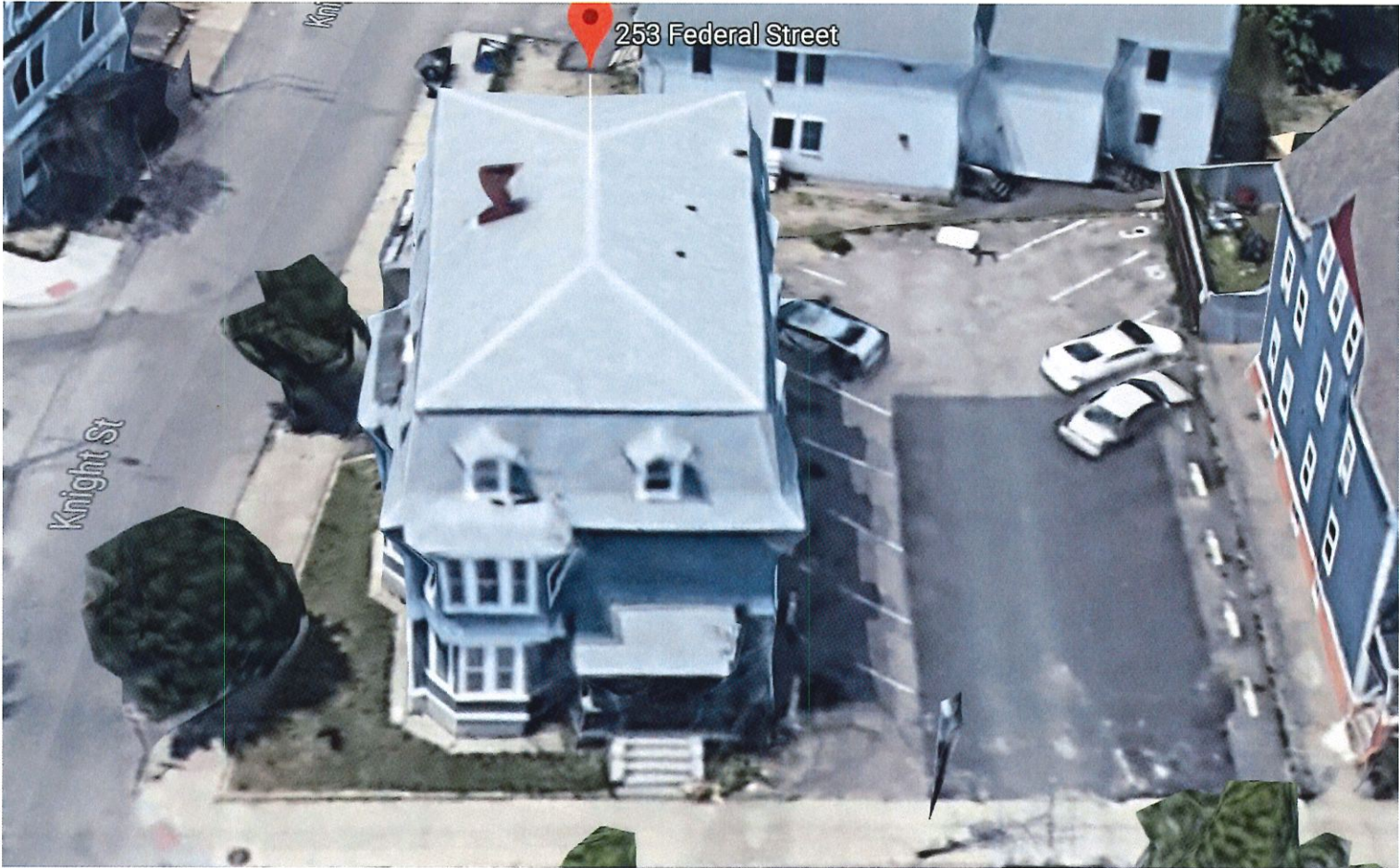
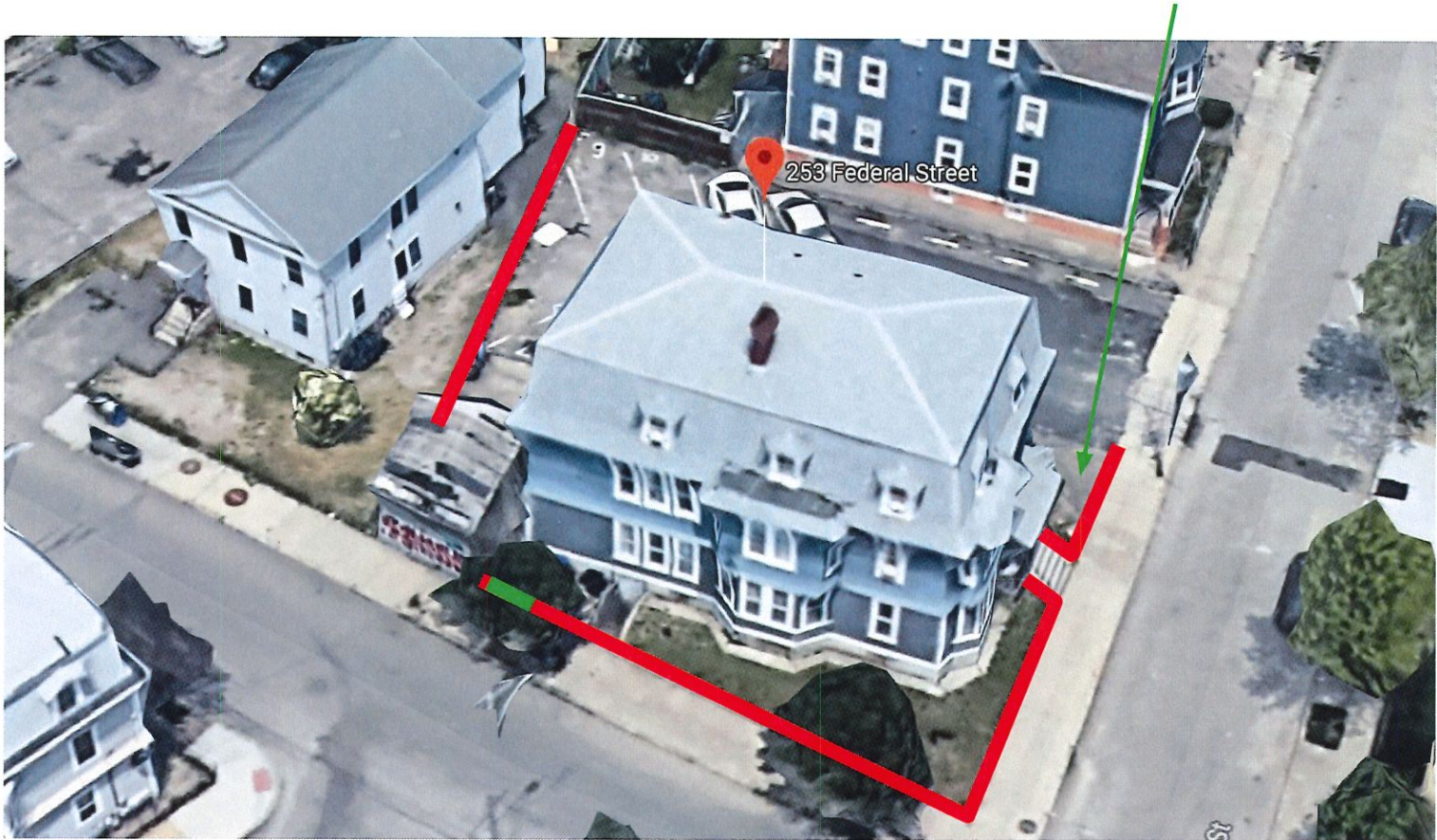
DATE	11/1/91	PERMIT NO.	612
LOCATION	253 Federal St		
WARD	13	PLAT	28
		LOT	166
OWNER	Future Development Partners		
ARCHITECT			
BUILDER	Owner		
MATERIAL	5B		
NATURE OF WORK	Interior renovations all floors, Change		
NO. OF BLDGS.	use from 6 family dwelling to a 3		
NO. OF STORIES	Three (3) // family dwelling, Under		
TO BE USED FOR	Three (3) family dwelling // Supervision BI		
NO. OF FAMILIES	Three (3)		
FIRE DISTRICT	2nd		
		15,000	

AERIAL VIEWS



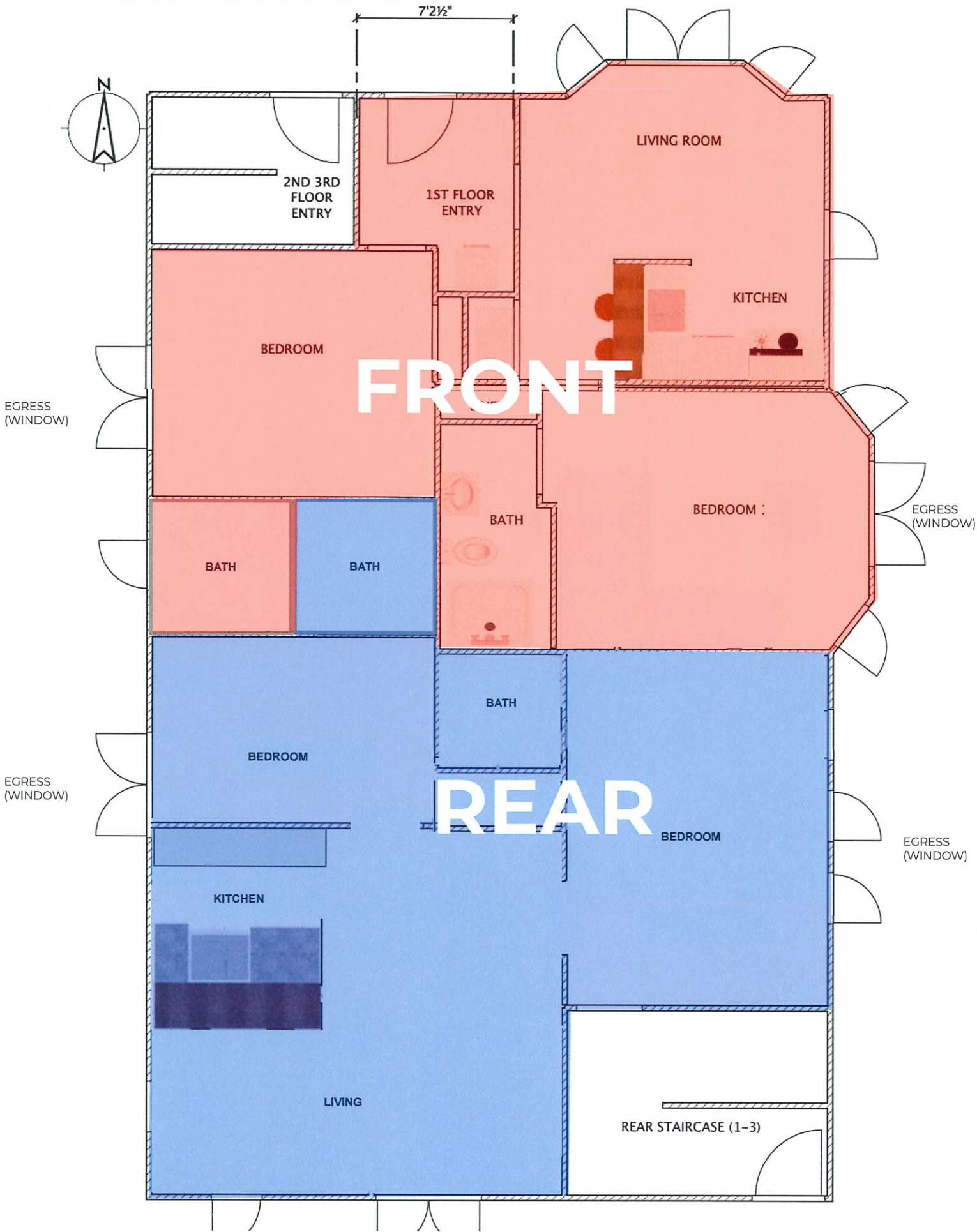
ROBERT COMBIER - 404-574-3259

AERIAL VIEWS 2

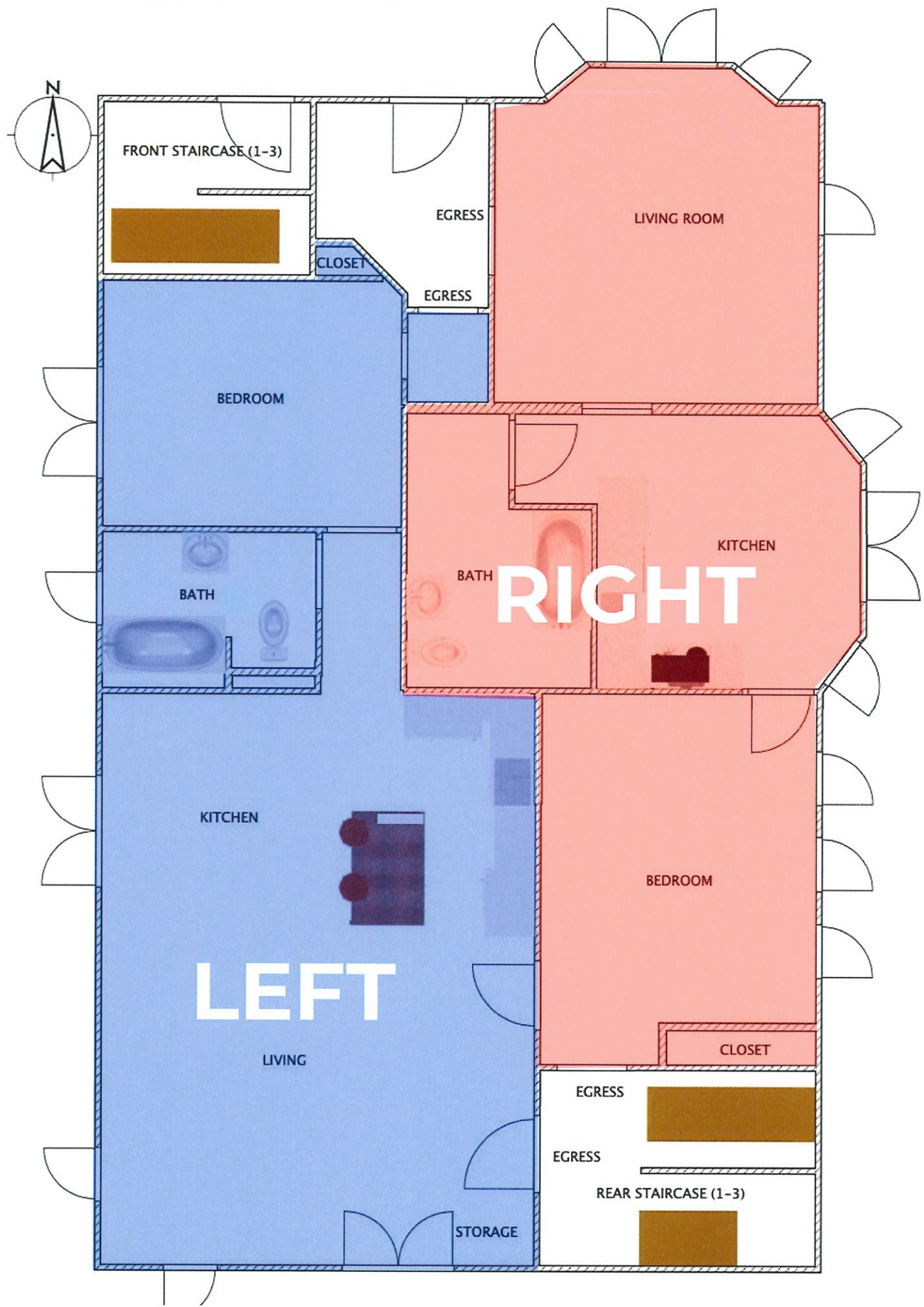


ROBERT COMBIER - 404-374-3259

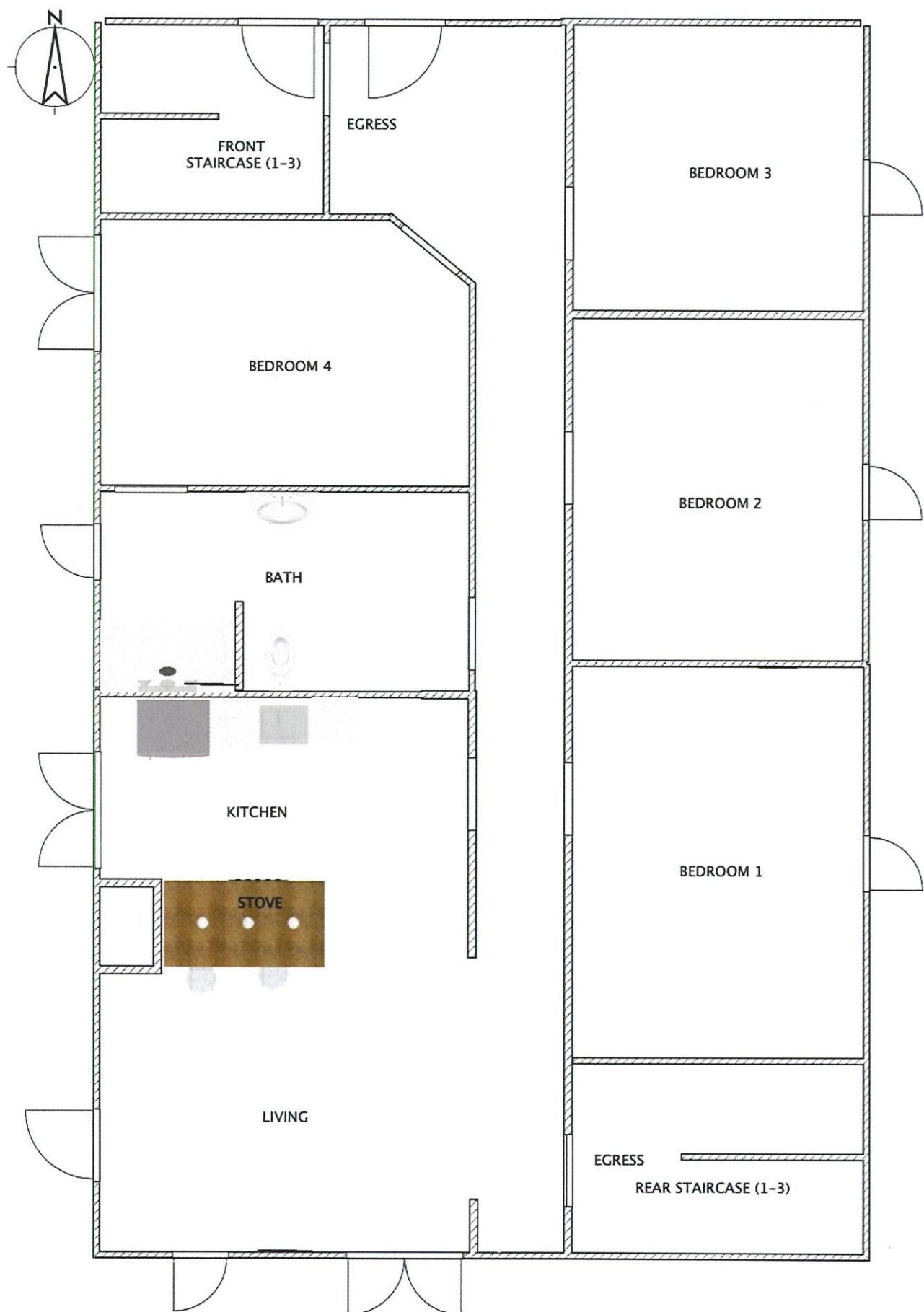
1ST FLOOR PLAN



2ND FLOOR PLAN



3RD FLOOR PLAN





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 3495 – Petition to rezone 253 Federal Street Street (AP 28 Lot 166) from R-3 to R-4

Petitioner: Robert and Linh Combier

Dear Chairman Narducci,

The City Plan Commission (CPC) reviewed the petition to rezone 253 Federal Street (AP 28 Lot 166) from R-3 to R-4. The property is listed as a three family dwelling but has been used as a six-unit in the past. The petitioner is requesting the zone change to allow for five units within the building. The lot measures approximately 7,500 SF, which would meet the R-4 zone's density requirement of one unit per 1,200 SF of lot area.

FINDINGS OF FACT

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 for medium density residential development, which the plan describes as areas where the lot sizes vary from 3,200 SF to 5,000 SF and are occupied by one to multi-family buildings. Therefore, the CPC found rezoning to allow for a multifamily building would be in conformance with the comprehensive plan.

Per the radius map, the surrounding area is zoned R-3 and composed of a mix of two and three family dwellings, on lots ranging between 4,000 SF to the size of the subject lot. The CPC found that the resultant density upon rezoning would be similar to what can be observed in the vicinity.

Plans provided show that the applicant is proposing to provide two units each on the first and second floors and a three bedroom unit on the third floor. The CPC found the rezoning to be appropriate as the building's massing can support more than the three dwelling units permitted in the R-3 zone.

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminster Street, Providence, Rhode Island 02903
401 680 8400 ph | 401 680 8492 fax
www.providenceri.com

Plans and images show the site to be heavily paved and appearing to exceed the allowable impervious coverage limits. The CPC required that the petitioner introduce more pervious surface to the site and meet the canopy coverage requirement to better integrate it into the neighborhood prior to the passage of the ordinance. The canopy coverage requirement may also be met offsite under the supervision of the City Forester.

Rezoning the lot would be appropriate given the character of the surroundings, the current zoning and the proposed use. 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

On a motion by Commissioner Quezada, seconded by Commissioner Gazdacko, 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:

The applicant shall bring the site into conformance with the impervious surface limits and meet the canopy coverage requirement under the supervision of the City Forester. The changes shall be implemented prior to passage of the ordinance.

The CPC voted as follows:

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

Sincerely,



Choyon Manjrekar
Administrative Officer