

MAR 08 2021

CITY OF PROVIDENCE  
ZONING BOARD OF REVIEW

APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

Check Each Type Zoning Relief Sought:

Variance – Use \*  
Variance – Dimensional\*  
Special Use Permit \*\*

\* Attach Appendix A to apply for a Use or Dimensional Variances  
\*\* Attach Appendix B to apply for a Special Use Permit

**Applicant:** D.E. Foods, Inc.

Address 101 Accord Park, Ste 104, Norwell, MA  
Zip Code 02061

E-mail ngoodier@mancinicar.com  
Phone 401-343-7000  
*Home/Office*

\_\_\_\_\_  
*Mobile (Cell)*

**Owner:** Same as above.

Address \_\_\_\_\_  
Zip Code \_\_\_\_\_

E-mail \_\_\_\_\_  
Phone \_\_\_\_\_  
*Home/Office*

\_\_\_\_\_  
*Mobile (Cell)*

**Lessee:** \_\_\_\_\_

Address \_\_\_\_\_  
Zip Code \_\_\_\_\_

E-mail \_\_\_\_\_  
Phone: \_\_\_\_\_  
*Home/Office*

\_\_\_\_\_  
*Mobile (Cell)*

Does the proposal require review by any of the following (check each):

- \_\_\_\_\_ Downtown Design Review Committee
- \_\_\_\_\_ I-195 Redevelopment District Commission
- \_\_\_\_\_ Capital Center Commission
- \_\_\_\_\_ Historic District Commission

1. **Location of Property:** 418 Broad Street  
*Street Address*

C-2 General Business

2. **Zoning District(s):** \_\_\_\_\_  
**Special purpose or overlay district(s):** Transit Orientated Development Overlay District

3a. **Date owner purchased the Property:** 07/10/2015

3b. **Month/year of lessee's occupancy:** \_\_\_\_\_

3. Dimensions of each lot:

Lot # 988	Frontage 275' +/-	depth @ 250'	Total area 25,727	sq. ft.
Lot # _____	Frontage _____	depth _____	Total area _____	sq. ft.
Lot # _____	Frontage _____	depth _____	Total area _____	sq. ft.

4. Size of each structure located on the Property:

Principal Structure:	Total gross square footage	2,157 sq.ft.
Footprint @ 60' x 30'	Height 17'-4"	Floors 1

Accessory Structure:	Total gross square footage	_____
Footprint _____	Height _____	Floors _____

5. Size of proposed structure(s):	Total gross square footage:	2,132 sq. ft.
Footprint 5' x 5' to be removed	Height 17'-4"	Floors 1

6a. Existing Lot coverage: (include all buildings, decks, etc.) 16,207 sq. ft.

6b. Proposed Lot coverage: (include new construction) 14,605 sq. ft.

7a. Present Use of Property (each lot/structure):  
Quick service restaurant

7b. Legal Use of Property (each lot/structure) as recorded in Dept. of Inspection & Standards:  
Fast food chain

8. Proposed Use of Property (each lot/structure):  
Quick service restaurant

9. Number of Current Parking Spaces: 16 existing - 18 proposed

10. Describe the proposed construction or alterations (each lot/structure):  
The Applicant seeks to reconfigure the drive thru lane, in addition to making overall site layout improvements. The alterations will greatly improve circulation on the site and the efficiency of business operations.

11. Are there outstanding violations concerning the Property under any of the following:  
\_\_\_\_ Zoning Ordinance  
\_\_\_\_ RI State Building Code  
\_\_\_\_ Providence Housing Code

12. List all Sections of the Zoning Ordinance from which relief is sought and description of each section:  
Table 12.1 Special Use Permit for a Drive Thru Facility in a C-2 District

**13. Explain the changes proposed for the Property.**

The Project includes reconfiguration of the drive thru, for the purpose of modernization. In addition, the Applicant proposes other site layout improvements, such as reconfiguring the parking area and relocation of the dumpster enclosure. Collectively, the alterations will improve circulation on the site and the efficiency of business operations.

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*The undersigned acknowledge(s) and agree(s) that members of the Zoning Board of Review and its staff may enter upon the exterior of the Property in order to view the Property prior to any hearing on the application.*

*The undersigned further acknowledge(s) that the statements herein and in any attachments or appendices are true and accurate, and that providing a false statement in this application may be subject to criminal and/or civil penalties as provided by law, including prosecution under the State and Municipal False Claims Acts. Owner(s)/Applicant(s) are jointly responsible with their attorneys for any false statements.*

**Owner(s):**

**David E. Evans**

Type Name

Signature

Type Name

Signature

**Applicant(s):**

**Dan Whitney**

Type Name

Signature

Type Name

Signature

**All requirements listed and described in the Instruction Sheet must be met or this application will not be considered complete.**

## APPENDIX B

### APPLICATION(S) FOR SPECIAL USE PERMIT

1. Identify the section(s) of the Ordinance that provides for the special use permit.  
Table 12.1 indicates a Special Use Permit is required for Drive Thru Facilities in a C-2 District
2. State all facts that demonstrate that the proposed special use will not substantially injure the use and enjoyment of neighboring property.  
The existing business operation includes a drive thru. The proposed alterations will improve circulation on the site and the efficiency of business operations and, in turn, the neighborhood in general.
3. State all facts that demonstrate that the proposed special use will not significantly devalue neighboring property.  
The existing business operation includes a drive thru. The proposed alterations will improve and modernize the site, from an aesthetic perspective, and the efficiency of the business. Therefore, the Project will be an improvement, rather than detracting, to the neighborhood.
4. State all facts that demonstrate that the proposed special use will not be detrimental or injurious to the health or welfare of the community.  
The existing business operation includes a drive thru. The proposed alterations will improve and modernize the site, from an aesthetic perspective, and the efficiency of the business. The Project, then, will not have any health or welfare impacts to the community.

**IF THE APPLICANT IS AN EDUCATIONAL OR HEALTH CARE INSTITUTION,  
COMPLETE PAGES 10 AND 11 BELOW**

**TABLE OF ZONING REGULATIONS - PROVIDENCE, RI**

**ZONE: COMMERCIAL (C-2) & TRANSIT ORIENTED DEVELOPMENT OVERLAY DISTRICT (TOD)**

DESCRIPTION	REQUIRED	PROVIDED
MINIMUM LOT AREA	Sq. Ft. NONE	25,727 Sq.Ft.
MINIMUM LOT FRONTAGE	NONE	140'
MINIMUM FRONT YARD SETBACK	BUILD TO ZONE: 0'-5'	10' (EXISTING)
MINIMUM REAR YARD SETBACK	NONE (10' ABUTTING RESIDENTIAL)	30' (EXISTING)
MINIMUM SIDE YARD SETBACK	NONE (5' ABUTTING RESIDENTIAL)	13' (EXISTING)
PARKING SPACE DIMENSIONS	8.5'x18'	9'x18'
MINIMUM NUMBER PARKING SPACES	1 PARKING SPACE/500 SF GFA	18 SPACES
MAXIMUM BUILDING HEIGHT	45' (4 STORIES)	17'-4" EXISTING
MAXIMUM BUILDING COVERAGE	NONE	2,157 SF (8.4%)
MAXIMUM IMPERVIOUS COVERAGE	NONE	EXISTING: 16,207 SF (63.0%) PROPOSED: 14,605 SF (56.8%)

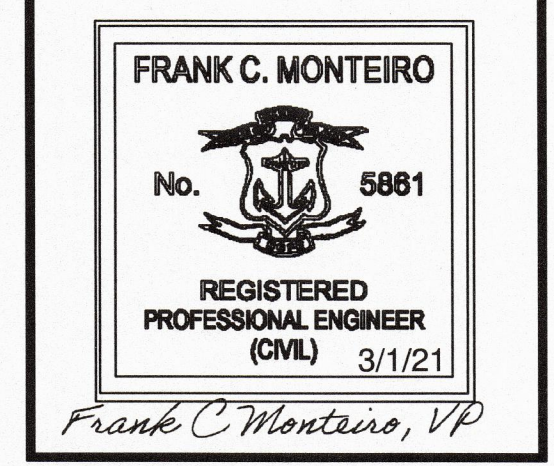


**LOCATION MAP**  
(NOT TO SCALE)



PREPARED FOR  
D.E. FOODS  
101 ACCORD PARK DRIVE  
SUITE 104  
NORWELL, MA 02061

**MAP 23 LOT 988**  
**418 BROAD STREET**  
**PROVIDENCE, RHODE ISLAND**



**REVISIONS**

NO.	REVISION	DATE

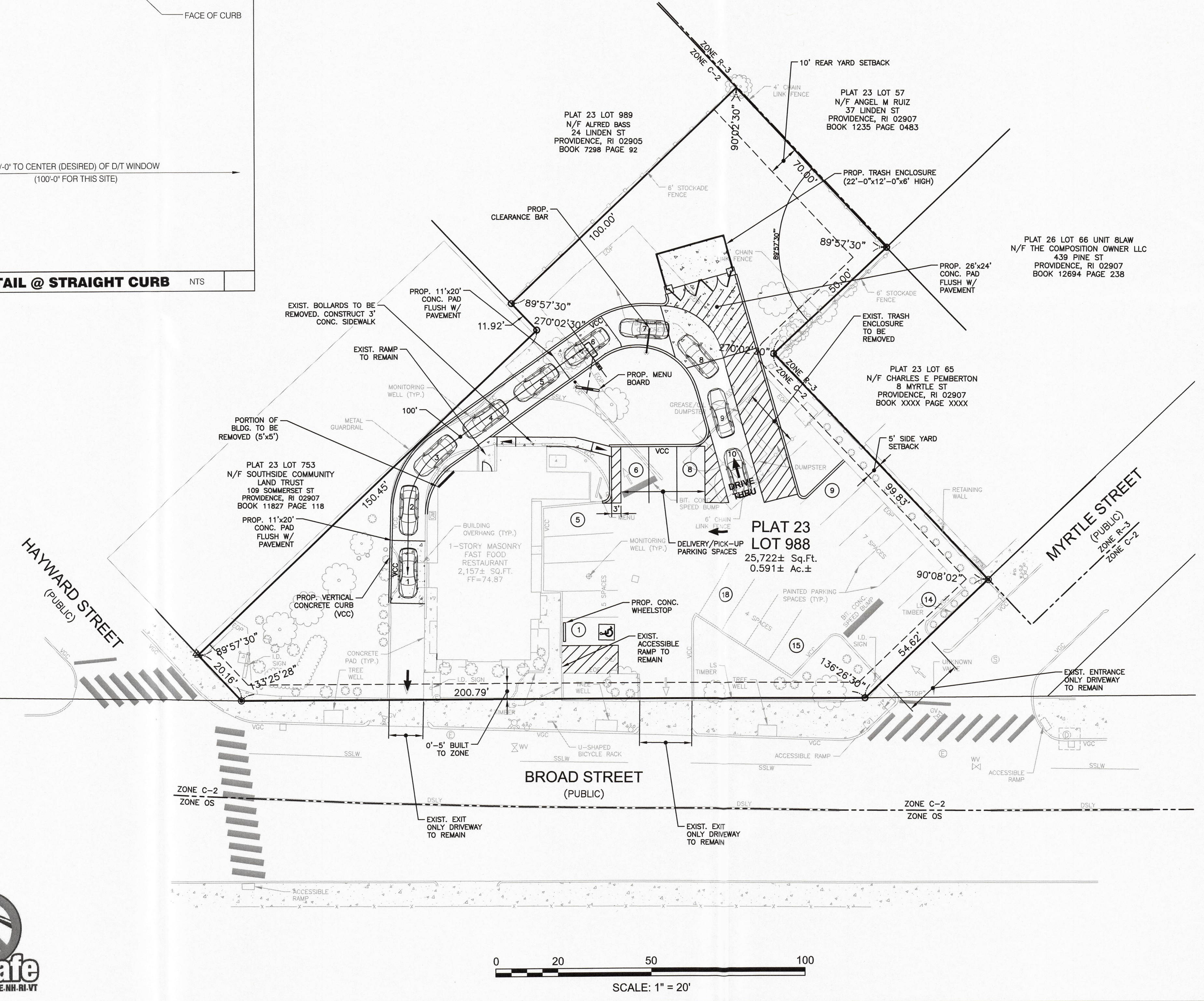
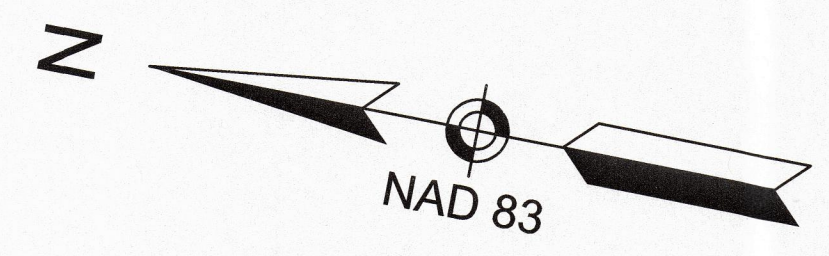
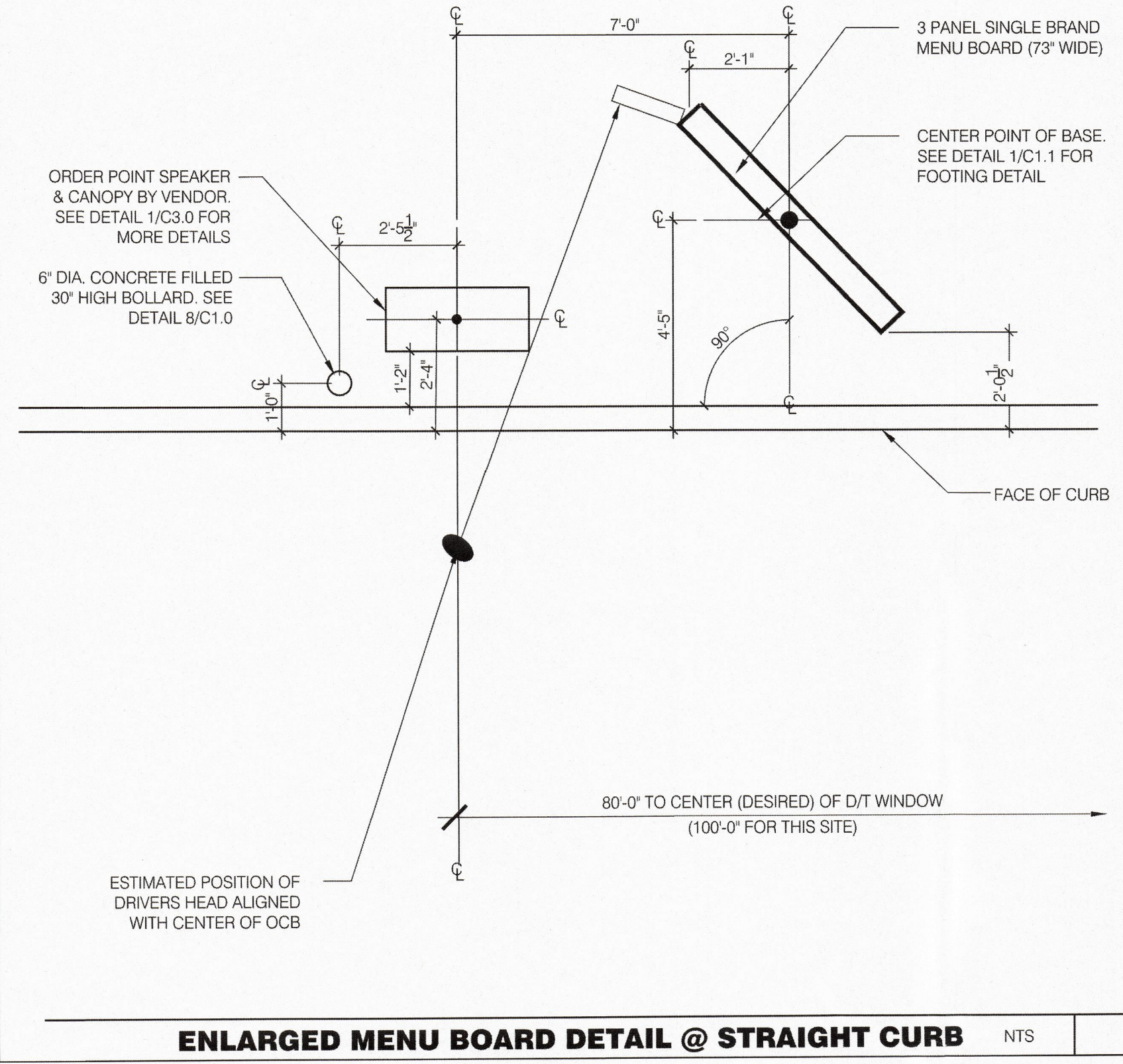
**PRELIMINARY**  
**SITE PLAN**

SCALE: 1"=20'

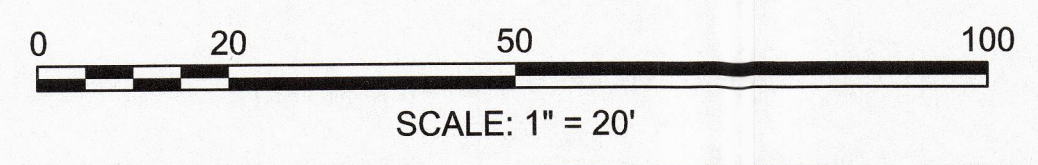
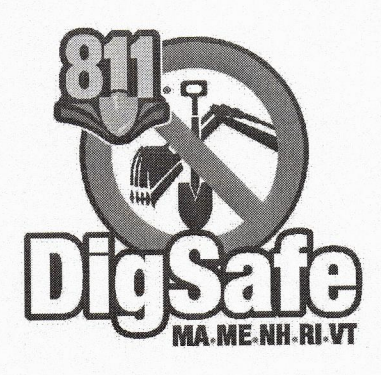
PROJECT NO.  
NEX-2020181

**1 OF 1**

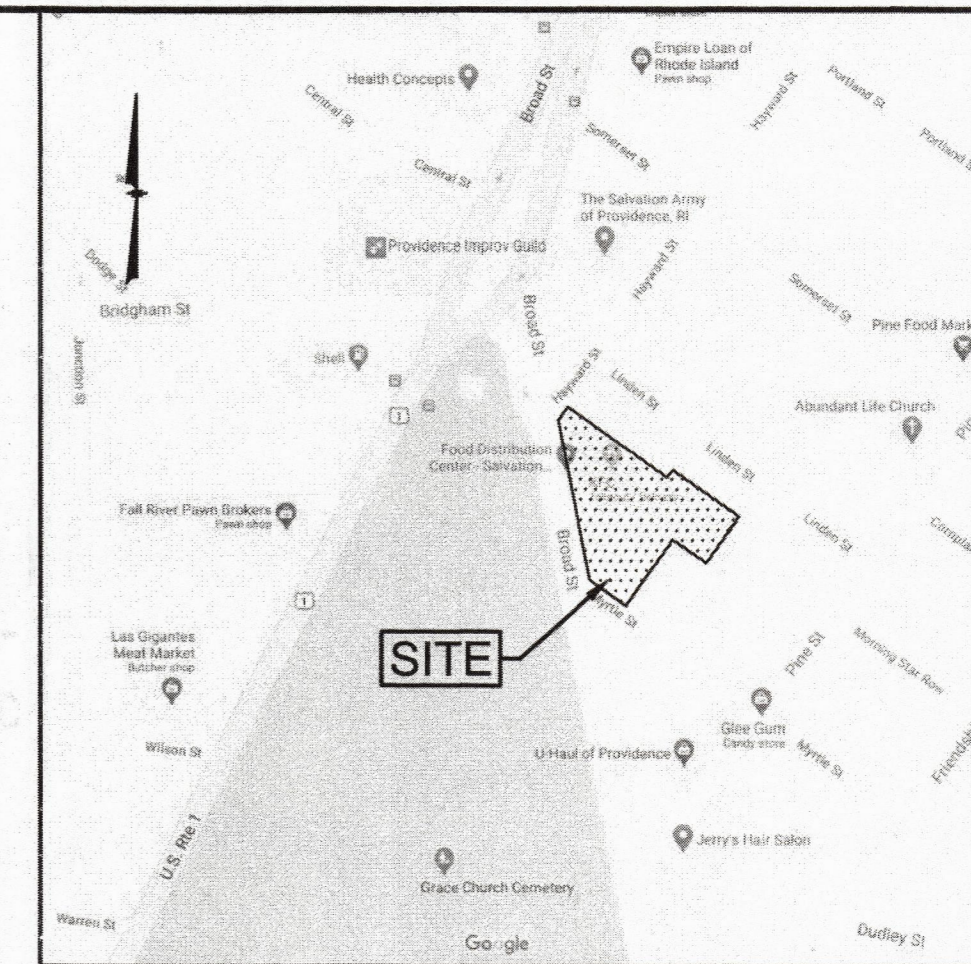
- NOTES**
- CENTERLINE OF CANOPY FOOTING MUST BE WITHIN 18" OF FACE OF CURB.
  - ALL AREAS OF THE MB MUST BE VISIBLE TO DRIVER LOCATED AT ORDER POINT SPEAKER & CANOPY. ASSUME DRIVERS LOCATION IS 24' FROM FACE OF CURB, CENTERED ON ORDER POINT SPEAKER & CANOPY.
  - CENTER OF MB TO BE 9'-0" TO 12'-0" FROM DRIVERS POINT OF VIEW.
  - PROVIDE CONDUITS FROM BUILDING TO ORDER POINT SPEAKER & CANOPY FOR LOW VOLTAGE WIRING. SEE ELECTRICAL DRAWINGS.



- LEGEND**
- VSG VERTICAL GRANITE CURB
  - VCC VERTICAL CONCRETE CURB
  - DSLY DOUBLE SOLID LINE YELLOW
  - SSLY SINGLE SOLID LINE WHITE
  - G GAS LINE
  - T UNDERGROUND TELEPHONE
  - W WATER LINE
  - E UNDERGROUND ELECTRIC
  - M METAL GUARDRAIL
  - CLF CHAIN LINK FENCE
  - SF STOCKADE FENCE
  - CO CONTOUR ELEVATION
  - TREE
  - UT UTILITY POLE
  - GW GUY WIRE
  - OW OVERHEAD WIRE
  - SN SIGN
  - SE SPOT ELEVATION
  - DM DRAIN MANHOLE
  - CB CATCH BASIN
  - RD ROOF DRAIN
  - SM SEWER MANHOLE
  - EM ELECTRIC MANHOLE
  - MN MANHOLE
  - GV GAS VALVE
  - GS GAS SHUT OFF
  - WV WATER VALVE
  - WS WATER SHUT OFF
  - FD FIRE HYDRANT
  - BOLLARD
  - GM GAS METER
  - MW MONITORING WELL
  - LP LIGHT POLE
  - PL PROPERTY LINE
  - APL ABUTTER PROPERTY LINE
  - ZL ZONE LINE
  - NP NUMBER OF PARKING SPACES



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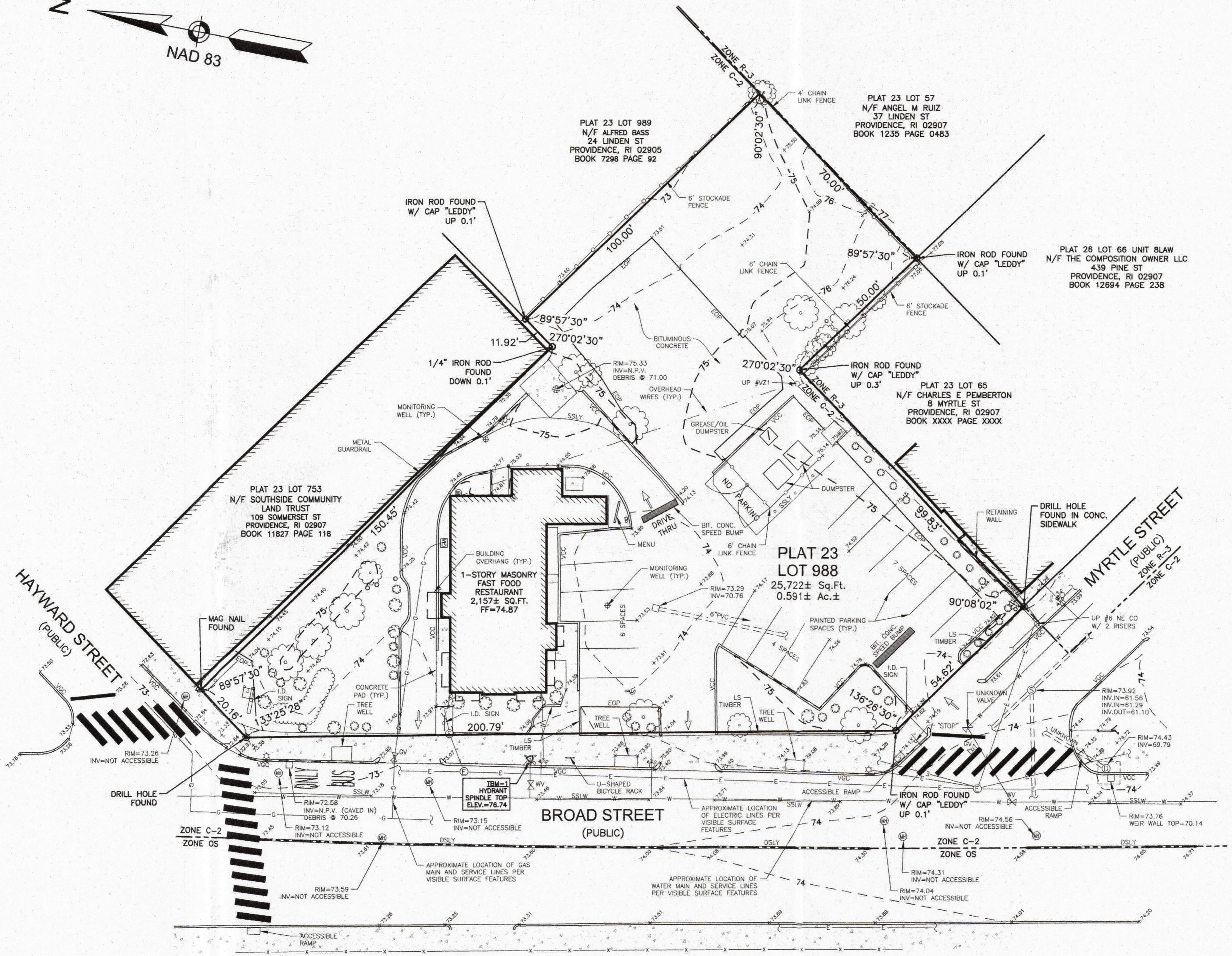


LOCATION MAP  
(NOT TO SCALE)



**LEGEND**

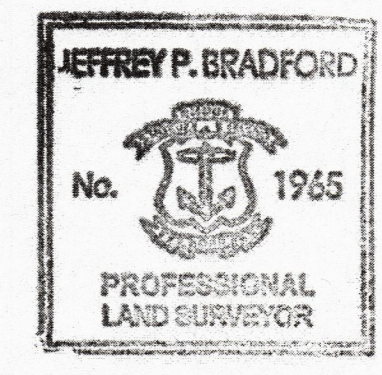
- VGC — VERTICAL GRANITE CURB
- VCC — VERTICAL CONCRETE CURB
- DSYL — DOUBLE SOLID LINE YELLOW
- SSLW — SINGLE SOLID LINE WHITE
- G — GAS LINE
- T — UNDERGROUND TELEPHONE
- W — WATER LINE
- E — UNDERGROUND ELECTRIC
- M — METAL GUARDRAIL
- S — STOCKADE FENCE
- 90 — CONTOUR ELEVATION
- TREE
- UTILITY POLE
- GUY WIRE
- OVERHEAD WIRE
- SIGN
- SPOT ELEVATION
- DRAIN MANHOLE
- CATCH BASIN
- ROOF DRAIN
- SEWER MANHOLE
- ELECTRIC MANHOLE
- MANHOLE
- GAS VALVE
- GAS SHUT OFF
- WATER VALVE
- WATER SHUT OFF
- FIRE HYDRANT
- BOLLARD
- GAS METER
- MONITORING WELL
- LIGHT POLE
- PROPERTY LINE
- ABUTTER PROPERTY LINE
- ZONE LINE



**NOTES:**

- 1) ZONE: GENERAL COMMERCIAL DISTRICT (C-2)  
TRANSIT-ORIENTED DEVELOPMENT OVERLAY DISTRICT  
MIN. LOT SIZE: NONE  
MIN. LOT FRONTAGE: N/A  
SETBACKS:  
FRONT 0-5 Ft.  
SIDE 0 Ft. (10 Ft. IF ABUTTING RESIDENTIAL DISTRICT)  
REAR 0 Ft. (20 Ft. IF ABUTTING RESIDENTIAL DISTRICT)
- 2) THIS PLAN IS THE RESULT OF AN ON-THE-GROUND FIELD SURVEY PERFORMED BY THIS OFFICE ON AUGUST 11, 2020.
- 3) NO WETLAND DELINEATION FLAGS WERE OBSERVED IN CONDUCTING THIS SURVEY.
- 4) PLAN ORIENTATION IS BASED ON NAD83 PER GPS OBSERVATIONS PERFORMED BY THIS OFFICE ON AUGUST 11, 2020.
- 5) ELEVATIONS SHOWN HEREON ARE BASED ON NAVD88 PER GPS OBSERVATIONS PERFORMED BY THIS OFFICE ON AUGUST 11, 2020.
- 6) LOCATION OF UNDERGROUND UTILITIES IS APPROXIMATE ONLY. ADDITIONAL UNDERGROUND UTILITIES OTHER THAN THOSE SHOWN MAY BE ENCOUNTERED. INVERTS ARE LISTED IN A CLOCKWISE DIRECTION ENDING WITH THE INVERT OUT (UNLESS OTHERWISE NOTED).
- 7) THE SURVEY TRACT IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA (100 YEAR FLOOD) PER FLOOD INSURANCE RATE MAP NUMBER 44007C0316G, WITH AN EFFECTIVE DATE OF MARCH 3, 2009.
- 8) A TOTAL OF 17 (16 REGULAR, 1 ACCESSIBLE) CLEARLY IDENTIFIABLE PARKING SPACES WERE OBSERVED IN CONDUCTING THIS SURVEY.

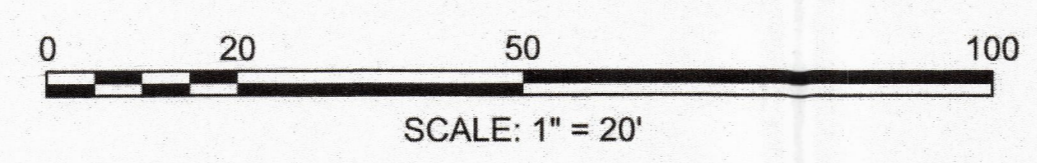
THIS SURVEY AND PLAN CONFORM TO A CLASS 1 STANDARD AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION OF PROFESSIONAL LAND SURVEYORS



BY: *Jeffrey P. Bradford*  
REGISTERED PROFESSIONAL LAND SURVEYOR DATE: 3/1/2021

**PLAN REFERENCES:**  
PROVIDENCE LAND RECORDS OFFICE

- 1) "SURVEY PLAN SHOWING EXISTING CONDITIONS IN PROVIDENCE, RI," PREPARED FOR DE FOODS, INC.; PREPARED BY LEDDY LAND SURVEYING COMPANY; SCALE: 1"=20'; DATED: MARCH 2016 PROVIDED TO THIS OFFICE BY THE CLIENT.



**OWNER OF RECORD:**  
PLAT 23 LOT 988  
D.E. FOODS, INC  
170 OLD FORGE ROAD  
HANOVER, MA 02339  
BOOK 11166 PAGE 271

**MAP 23 LOT 988  
418 BROAD STREET  
PROVIDENCE, RHODE ISLAND**

**REVISIONS**

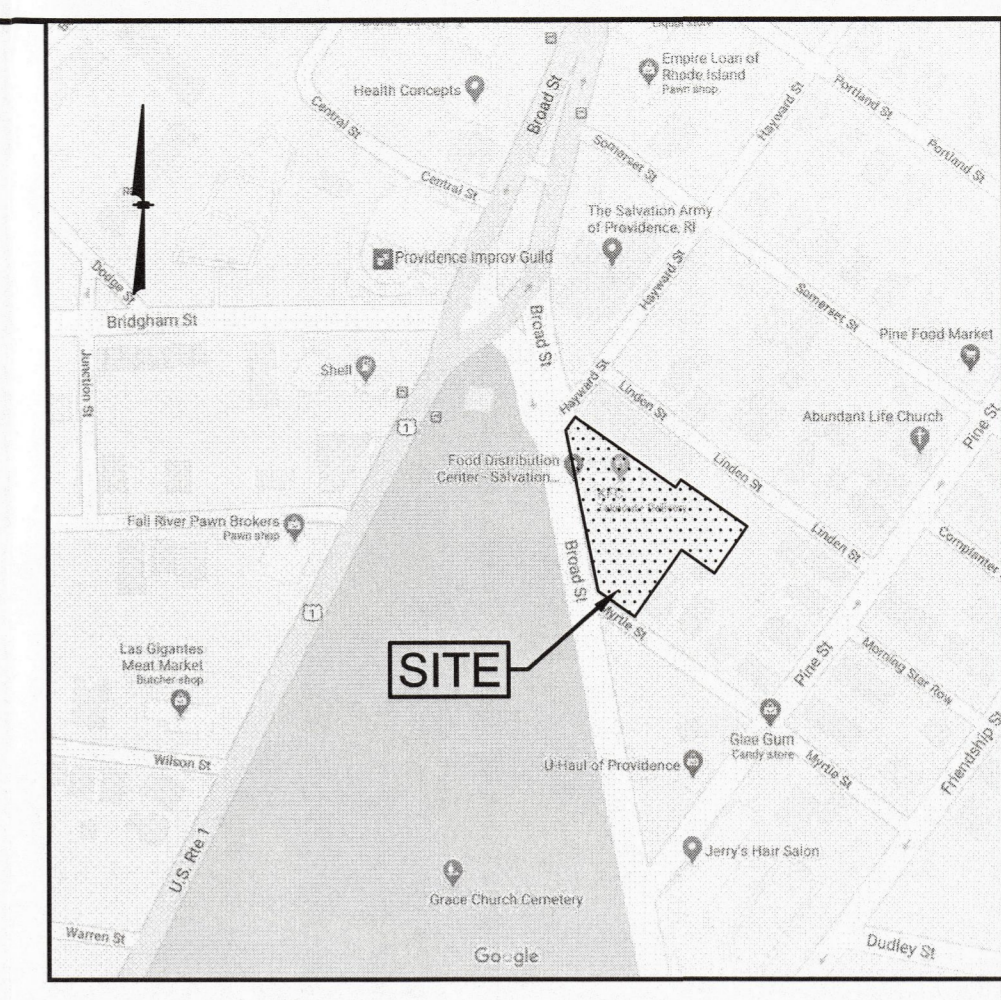
NO.	REVISION	DATE


**EXISTING  
CONDITIONS  
PLAN**

SCALE: 1"=20'  
NEX-2020181

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PREPARED FOR  
D.E. FOODS  
101 ACCORD PARK DRIVE  
SUITE 104  
NORWELL, MA 02061



**LOCATION MAP**  
(NOT TO SCALE)

**PLAT 23 LOT 988  
418 BROAD STREET  
PROVIDENCE, RI 02907**

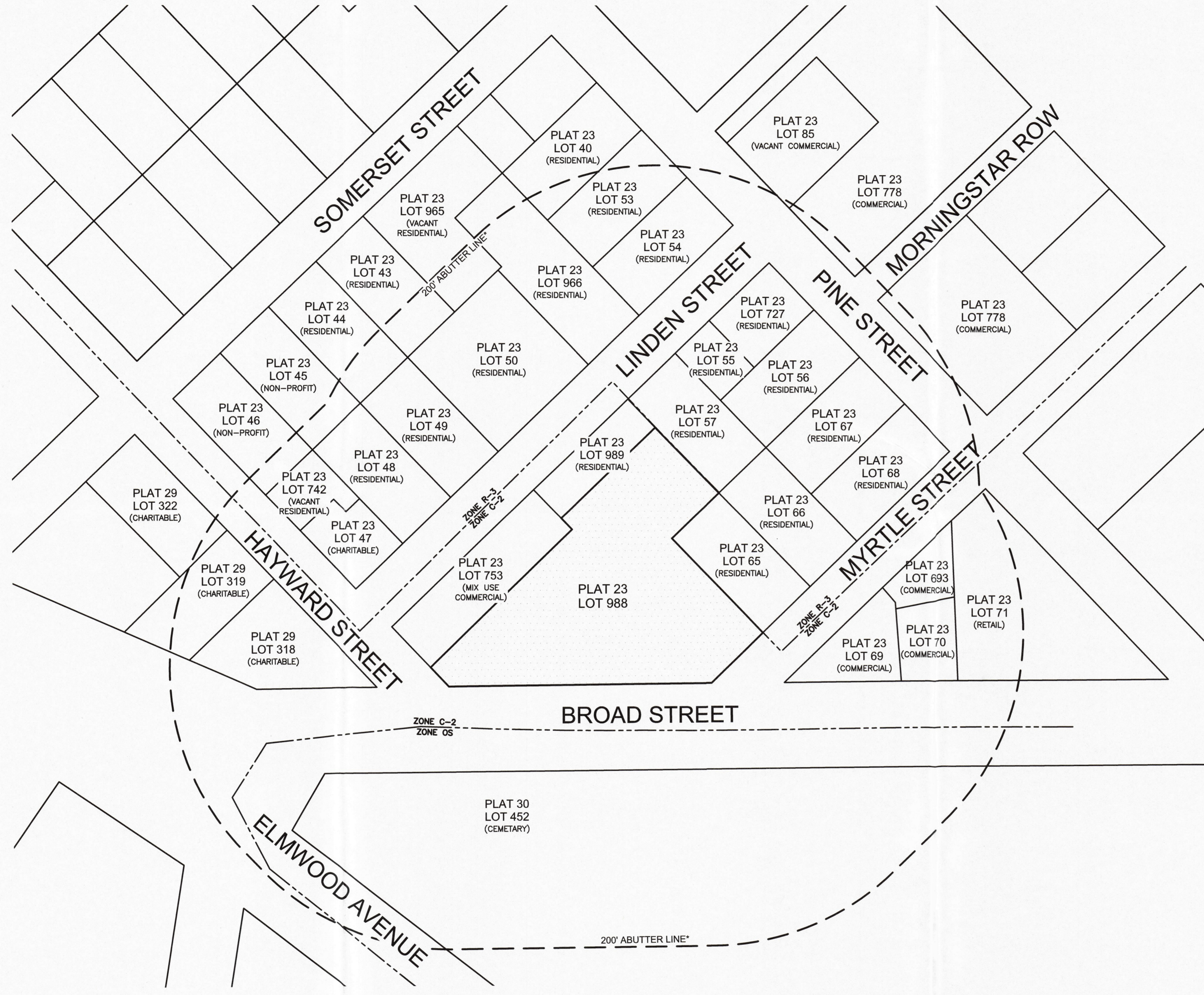
REVISIONS		
NO.	REVISION	DATE

**200' RADIUS PLAN**

SCALE: 1" = 50'

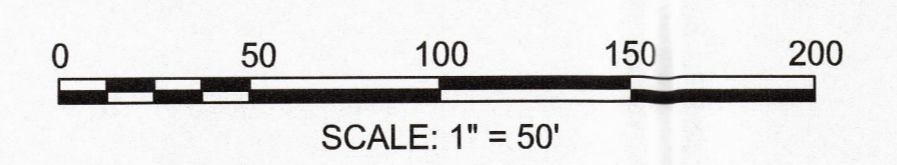
NEX-2020181

1 OF 1



- 200' ABUTTER LIST \***
- PLAT 23 LOT 40**  
 N/F ONU STEVENS  
 489 PINE ST  
 PROVIDENCE, RI 02907-1346
  - PLAT 23 LOT 43**  
 N/F AGRIPINO ENCARNACION  
 P.O. BOX 6142  
 PROVIDENCE, RI 02940
  - PLAT 23 LOT 44**  
 N/F RHODE ISLAND HOUSING  
 DEVELOPMENT CORP  
 44 WASHINGTON STREET  
 PROVIDENCE, RI 02903
  - PLAT 23 LOT 45**  
 N/F SOUTHSIDE COMMUNITY LAND  
 TRUST  
 109 SOMERSET STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 46**  
 N/F SOUTHSIDE COMMUNITY LAND  
 TRUST  
 109 SOMERSET STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 47**  
 N/F SALVATION ARMY OF RHODE  
 ISLAND  
 386 BROAD STREET  
 PROVIDENCE, RI 02907-2240
  - PLAT 23 LOT 48**  
 N/F RHODE ISLAND HOUSING  
 DEVELOPMENT CORP  
 44 WASHINGTON STREET  
 PROVIDENCE, RI 02903
  - PLAT 23 LOT 49**  
 N/F COREY J. GIRARD  
 18 LINDEN STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 50**  
 N/F ALFRED M. BASS JR  
 24 LINDEN STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 53**  
 N/F THE COMPOSITION OWNER LLC  
 439 PINE STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 54**  
 N/F AMOS HOUSE INCORPORATED  
 415 FRIENDSHIP STREET  
 PROVIDENCE, RI 02907-1110
  - PLAT 23 LOT 55**  
 N/F ANGEL M RUIZ  
 37 LINDEN STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 56**  
 N/F HILARIO SERGIO  
 485 PINE STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 57**  
 N/F ANGEL M RUIZ  
 37 LINDEN STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 65**  
 N/F CHARLES E. & KATHLEEN  
 PEMBERTON  
 8 MYRTLE STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 66**  
 N/F THE COMPOSITION OWNER LLC  
 439 PINE STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 67**  
 N/F THE COMPOSITION OWNER LLC  
 439 PINE STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 68**  
 N/F THE COMPOSITION OWNER LLC  
 439 PINE STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 69**  
 N/F U-HAUL REAL ESTATE COMPANY  
 P.O. BOX 29046  
 PHOENIX, AZ 85038
  - PLAT 23 LOT 70**  
 N/F U-HAUL REAL ESTATE COMPANY  
 P.O. BOX 29046  
 PHOENIX, AZ 85038
  - PLAT 23 LOT 71**  
 N/F U-HAUL REAL ESTATE COMPANY  
 P.O. BOX 29046  
 PHOENIX, AZ 85038
  - PLAT 23 LOT 778**  
 (COMMERCIAL)
  - PLAT 23 LOT 785**  
 (VACANT COMMERCIAL)
  - PLAT 23 LOT 793**  
 N/F U-HAUL REAL ESTATE  
 COMPANY  
 P.O. BOX 29046  
 PHOENIX, AZ 85038
  - PLAT 23 LOT 727**  
 N/F PINE SUMMER LLC  
 24 LINDEN STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 742**  
 N/F SOUTHSIDE COMMUNITY  
 LAND TRUST  
 109 SOMERSET STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 753**  
 N/F SOUTHSIDE COMMUNITY  
 LAND TRUST  
 109 SOMERSET STREET  
 PROVIDENCE, RI 02907
  - PLAT 23 LOT 778**  
 (COMMERCIAL)
  - PLAT 23 LOT 785**  
 (VACANT COMMERCIAL)
  - PLAT 23 LOT 793**  
 N/F U-HAUL REAL ESTATE  
 COMPANY  
 P.O. BOX 29046  
 PHOENIX, AZ 85038
  - PLAT 29 LOT 318**  
 N/F SALVATION ARMY OF RI  
 201 PITMAN STREET  
 PROVIDENCE, RI 02906
  - PLAT 29 LOT 319**  
 N/F SALVATION ARMY OF RI  
 201 PITMAN STREET  
 PROVIDENCE, RI 02906
  - PLAT 29 LOT 322**  
 N/F SALVATION ARMY OF RI  
 201 PITMAN STREET  
 PROVIDENCE, RI 02906
  - PLAT 29 LOT 322**  
 (CHARITABLE)
  - PLAT 29 LOT 319**  
 (CHARITABLE)
  - PLAT 29 LOT 318**  
 (CHARITABLE)
  - PLAT 29 LOT 322**  
 (CHARITABLE)
  - PLAT 29 LOT 319**  
 (CHARITABLE)
  - PLAT 29 LOT 318**  
 (CHARITABLE)
  - PLAT 23 LOT 988**  
 (MIX USE COMMERCIAL)
  - PLAT 30 LOT 452**  
 (CEMETARY)

\*NOTE: 200' ABUTTERS LIST GENERATED PER CITY OF PROVIDENCE GIS AND VERIFIED BY CITY OF PROVIDENCE CARTOGRAPHER ON FEBRUARY 17, 2021. LOT LINES AND 200' OFFSET LINES ON PLAN ARE GRAPHICAL AND APPROXIMATE.



**LOCUS PARCEL:**  
 PLAT 23 LOT 988  
 D.E. FOODS, INC  
 101 ACCORD PARK DRIVE  
 SUITE 104  
 NORWELL, MA 02061











KFC

34  
ALL DAY LONG

MADE BY HAND

ORDER HERE