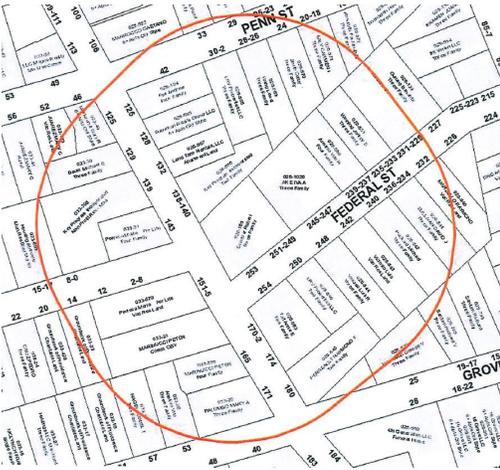


# Providence City Plan Commission

June 15, 2021



## AGENDA ITEM 4 ■ 253 FEDERAL STREET



Proposed rezoning map



Aerial view of the building



Aerial view of the site

### OVERVIEW

|                               |   |                             |  |
|-------------------------------|---|-----------------------------|--|
| <b>OWNER/APPLICANT:</b>       | Robert and Linh Combier                       | <b>PROJECT DESCRIPTION:</b> | The applicant is petitioning to rezone the subject lot at 253 Federal Street (AP 28 Lot 166) from R-3 to R-4 |
| <b>CASE NO./PROJECT TYPE:</b> | CPC Referral 3495<br>Rezoning from R-3 to R-4 | <b>RECOMMENDATION:</b>      | Recommend approval of proposed zone change   |
| <b>PROJECT LOCATION:</b>      | 253 Federal Street<br>AP 28 Lot 166           | <b>PROJECT PLANNER:</b>     | Choyon Manjrekar   |
| <b>NEIGHBORHOOD:</b>          | Federal Hill                                  |                             |  |

**Discussion**

The applicant is petitioning to rezone 253 Federal Street 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. The surrounding area is zoned R-3 and composed of a mix of two and three family dwellings, on lots that range between 4,000 SF to the size of the subject lot. The resultant density upon rezoning would be similar to what can be observed in the vicinity.

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, rezoning to allow for a multifamily building would be in conformance with the comprehensive plan.

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 rezoning is appropriate as the building's massing can support more than the three dwelling units permitted in the R-3 zone. Plans and images show the site to be heavily paved and appearing to exceed the allowable impervious limits. The petitioner should introduce more pervious surface to the site and meet the canopy coverage requirement to better integrate it into the neighborhood. The canopy coverage requirement may also be met offsite under the supervision of the City Forester. The DPD would not object to the zone change if these changes were to be implemented prior to passage of the ordinance.

Rezoning the lot would be appropriate given the character of the surroundings, the current zoning and the proposed use. It is the DPD's opinion 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**

Based on the foregoing discussion, the DPD recommends that the CPC should recommend that the City Council approve the proposed zone change to R-4 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.

REFERRAL  
34945



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 25, 2021

TO: Choyon Manjrekar, Principal Planner  
Department of Planning & Development

SUBJECT: **SEE ENCLOSED PETITIONS**

CONSIDERED BY: Tina L. Mastroianni, First Deputy City Clerk

DISPOSITION: Enclosed please find copies of petitions for a zoning changes filed in this office.

These requests were received in our office and copies of said Petitions are being sent to the City Plan Commission for placement on the next agenda, in accordance with Section 1100 of the Zoning Ordinance which states “.....immediately upon receipt of the proposal, the city clerk shall refer the proposal to the council and the commission for study and recommendation...”

RECEIVED  
JUN 01 2021  
BY: *CM*

*Tina L. Mastroianni*  
First Deputy City Clerk

# City of Providence

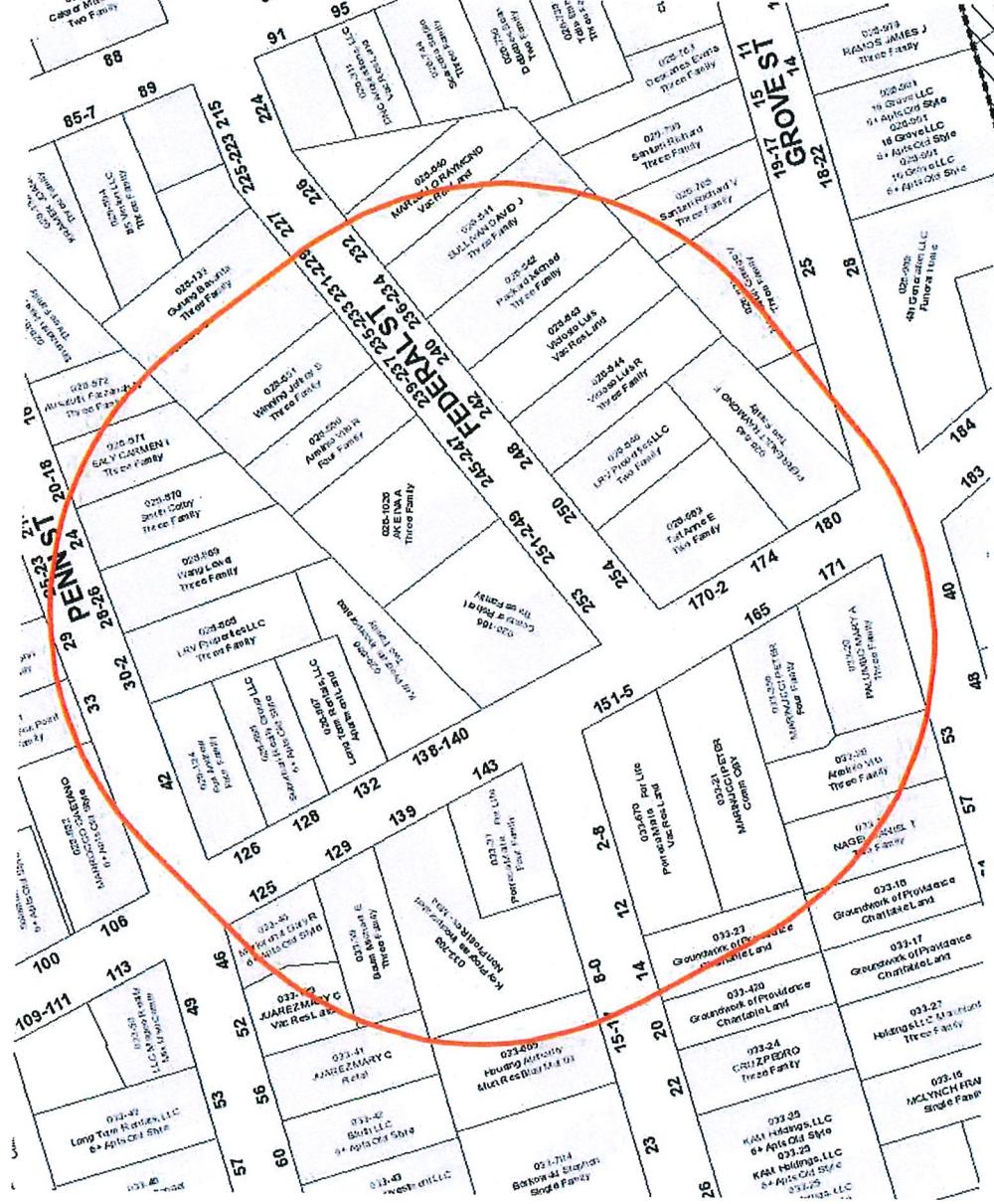
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## 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

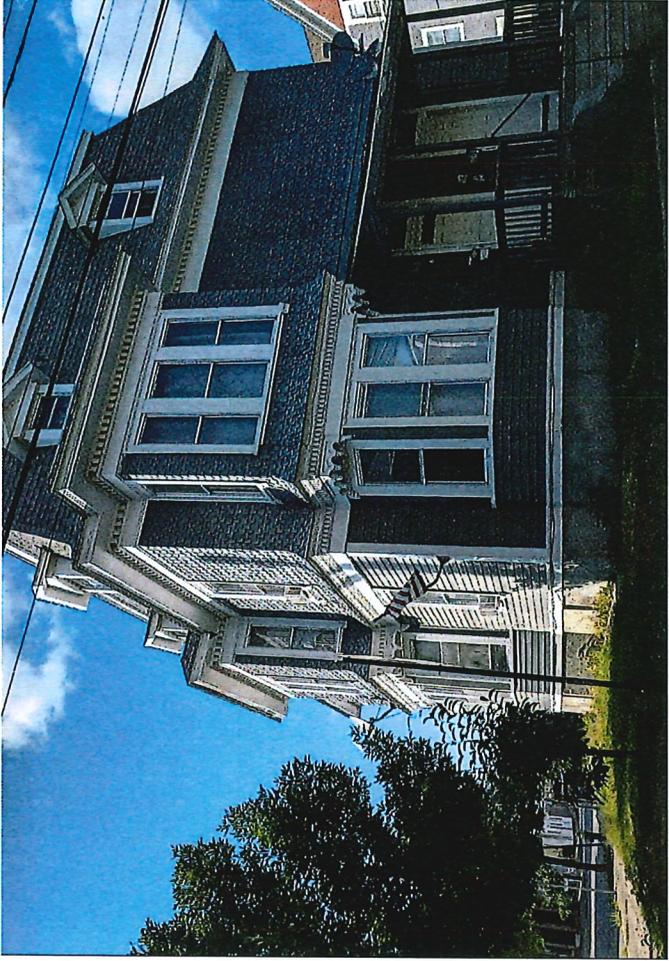
Signature: /s/ Dylan Conley

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](mailto:DConley@wjclaw.com)



# 253 FEDERAL STREET

Proposal

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LINH & ROBERT COMBIER  
[combier@gmail.com](mailto: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

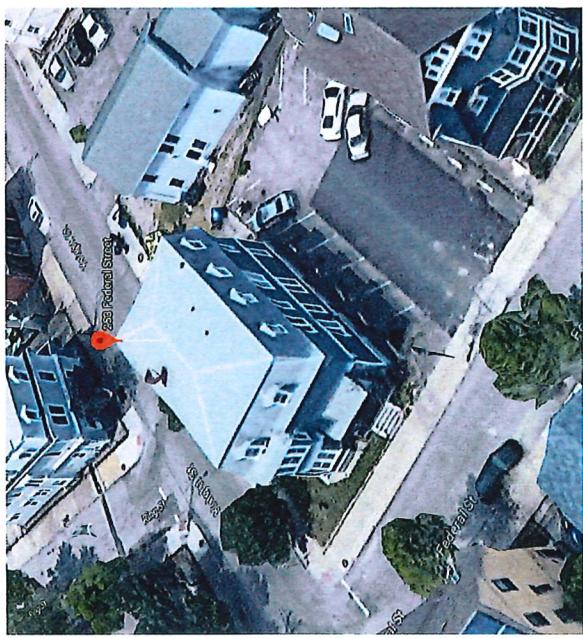
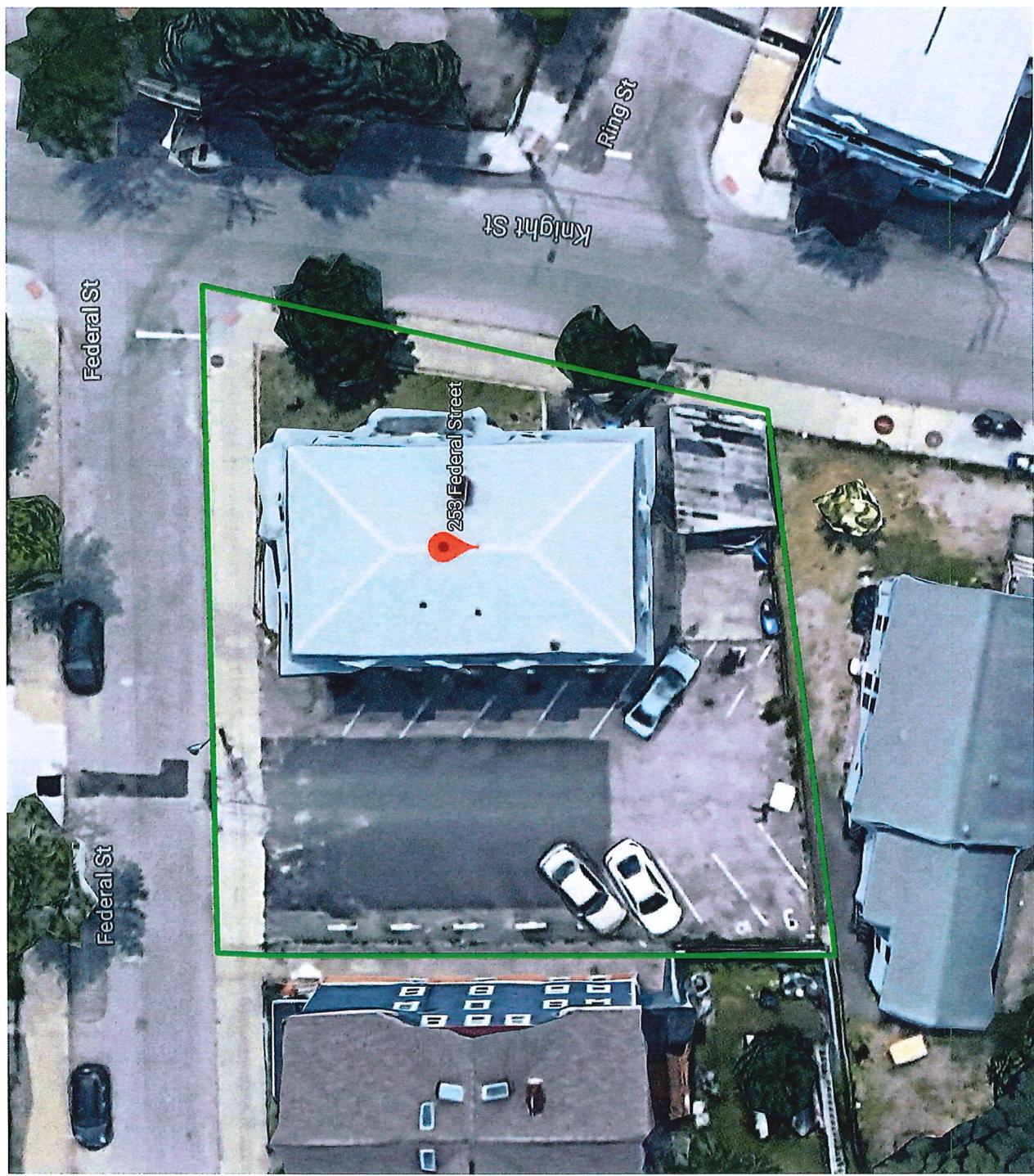
|                 |  |            |          |
|-----------------|--|------------|----------|
| DATE            | September 1, 1987                          | PERMIT NO. | 282      |
| LOCATION        | 255 Federal St.                            | LOT        | 166      |
| WARD            | 13   | PLAT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

1991

DEPARTMENT OF INSPECTION & STANDARDS

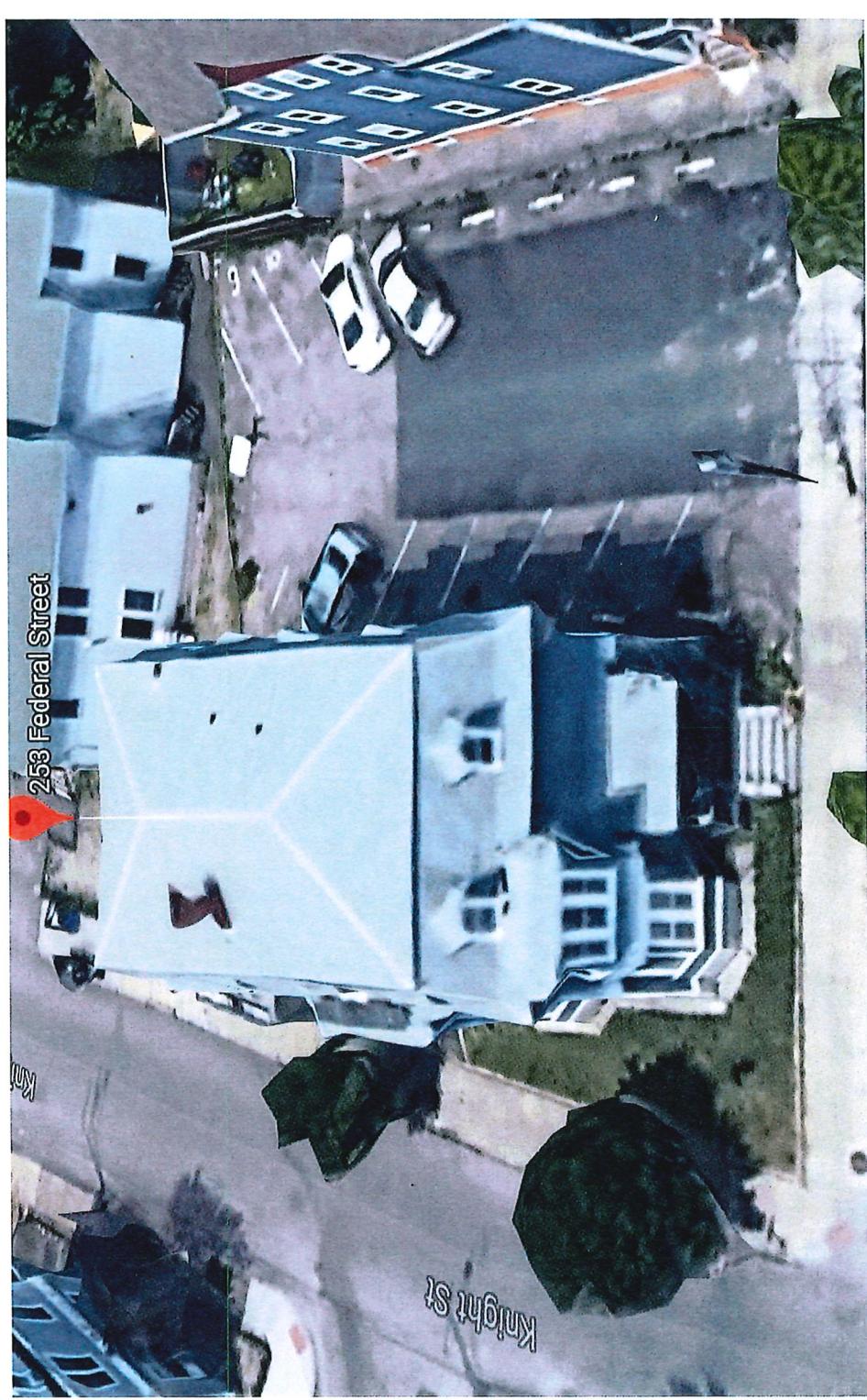
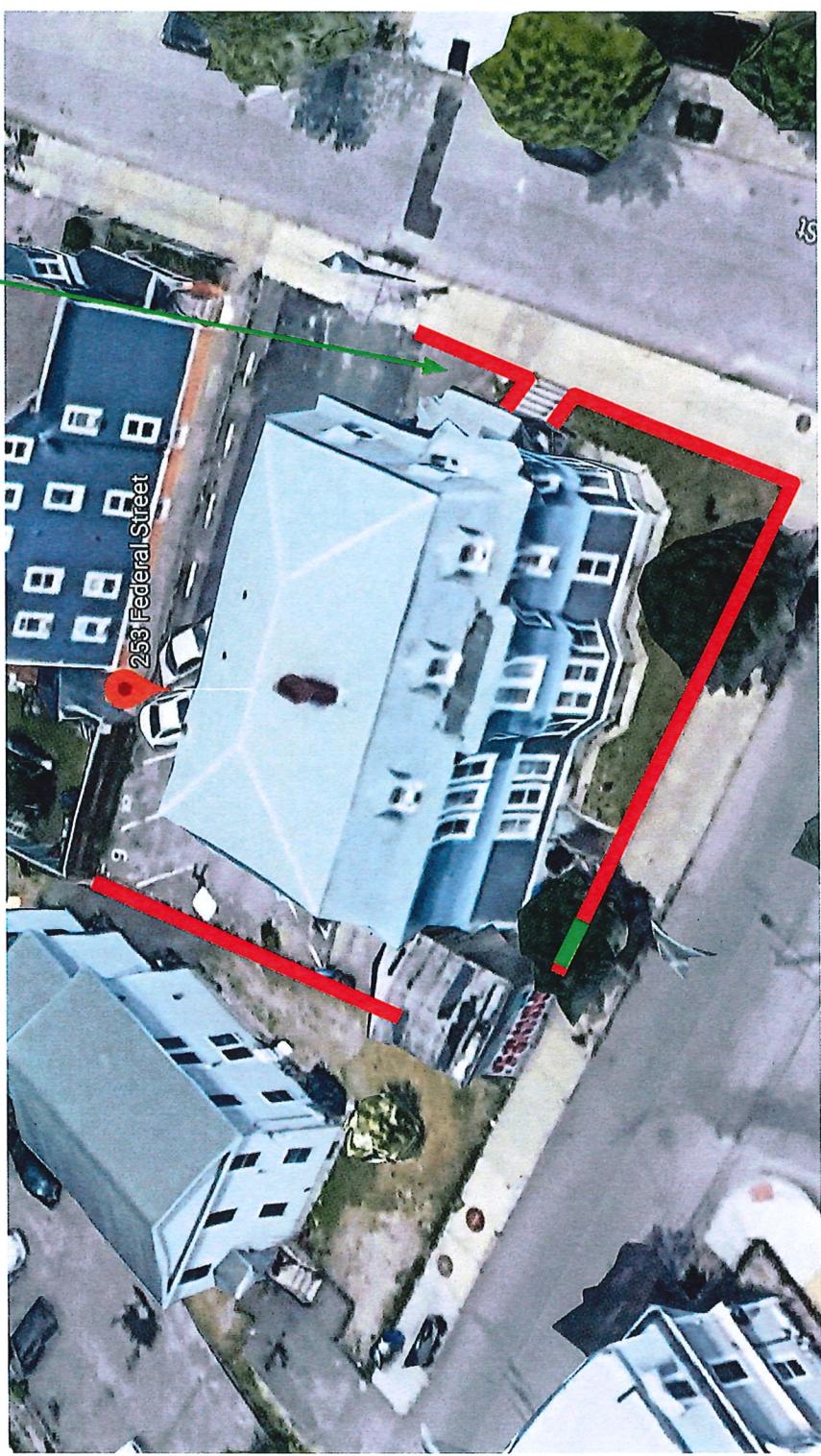
|                 |   |                                   |        |
|-----------------|---|-----------------------------------|--------|
| DATE            | 11/1/91                                 | PERMIT NO.                        | 612    |
| LOCATION        | 253 Federal St                     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

# AERIAL VIEWS



ROBERT COMBIER - 404-574-3259

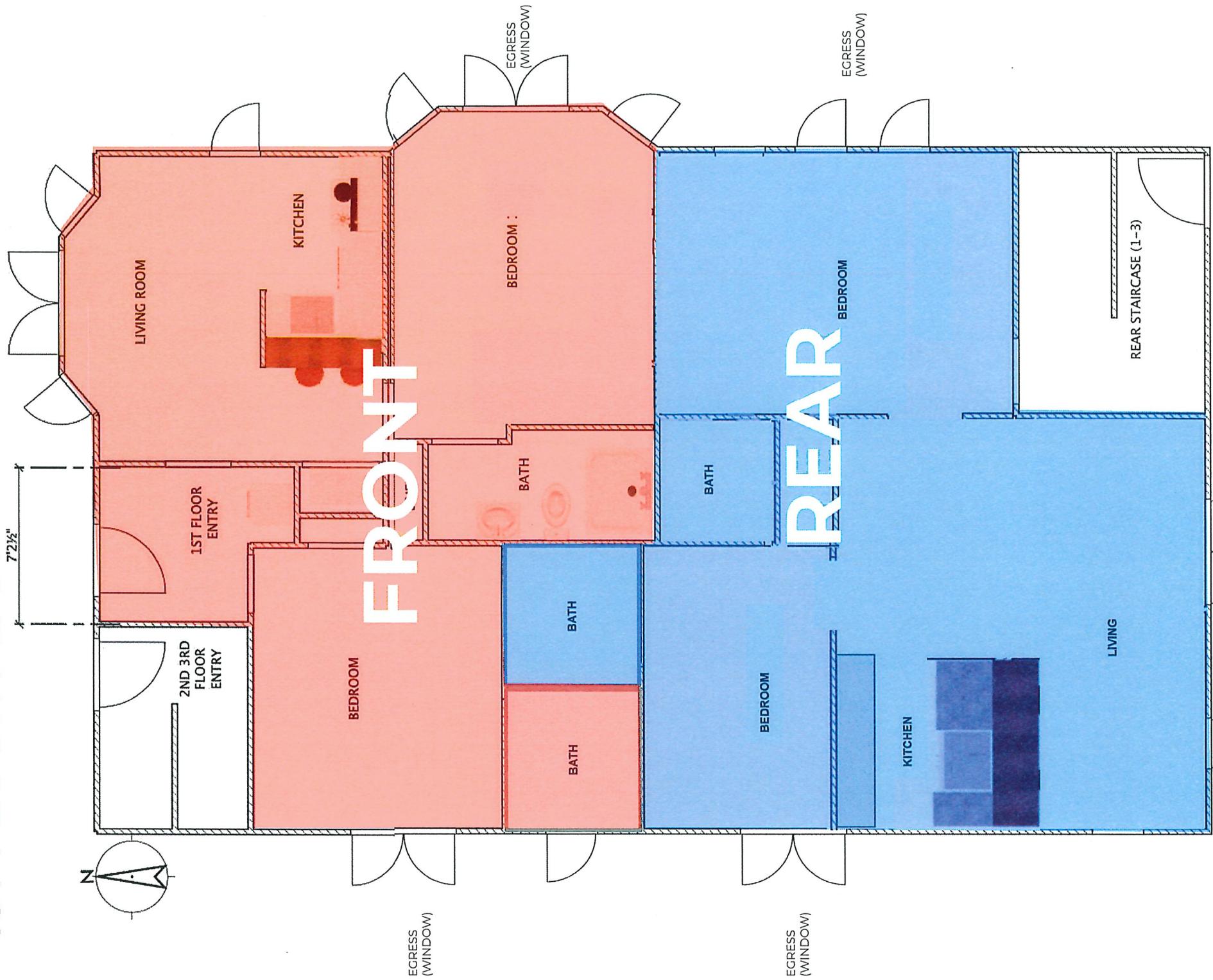
# AERIAL VIEWS 2



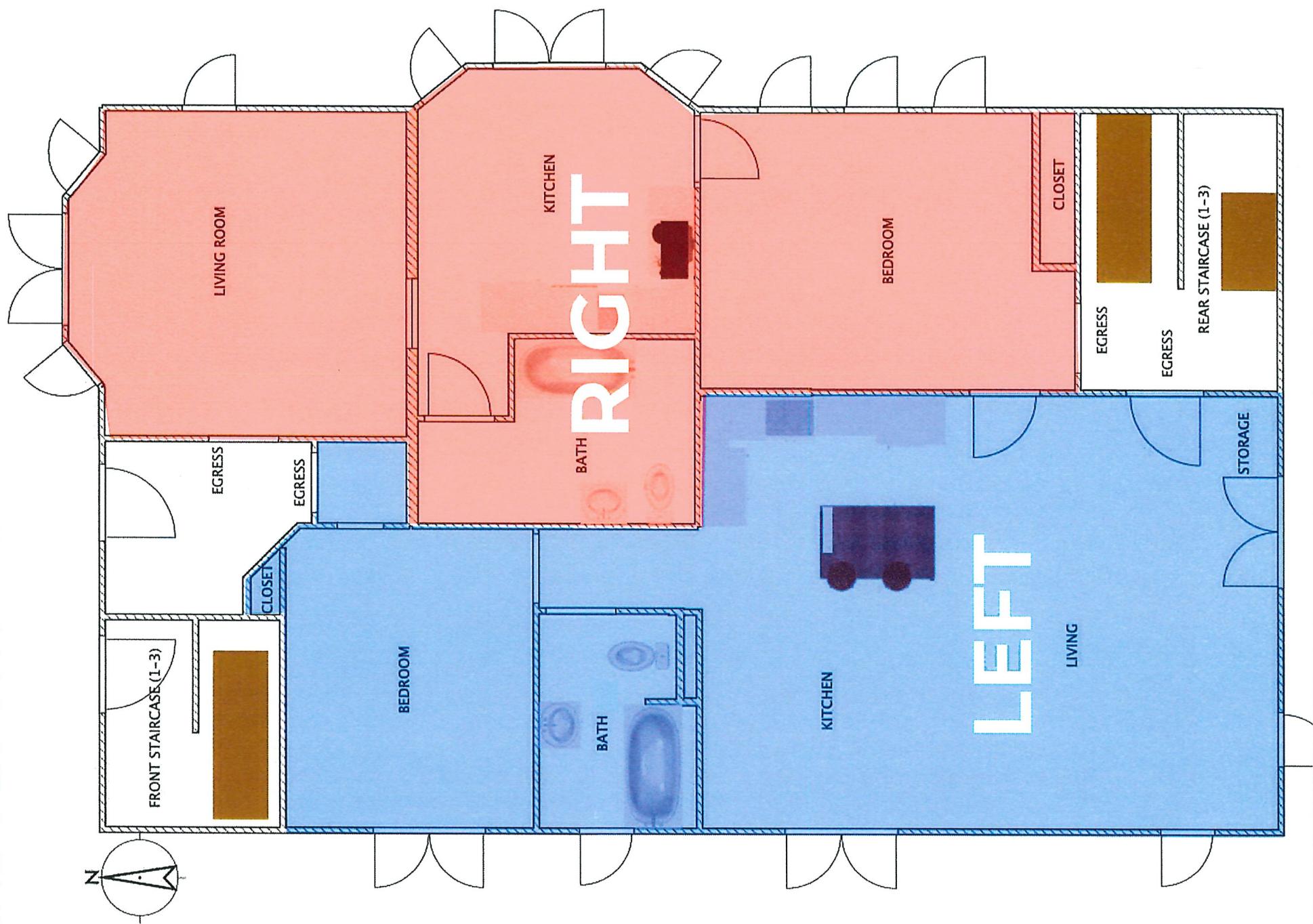
ROBERT COMBIER - 404-374-3259

# 1ST FLOOR PLAN

7'2 1/2"



# 2ND FLOOR PLAN



# 3RD FLOOR PLAN

