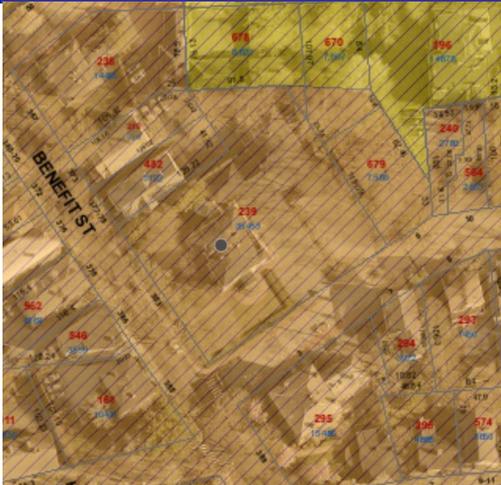


Providence City Plan Commission

June 15, 2021



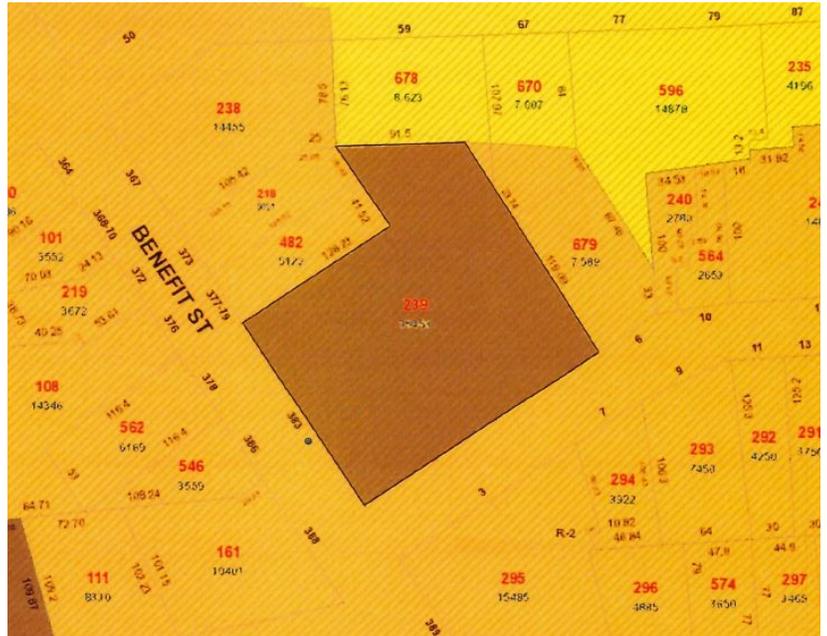
AGENDA ITEM 5 ■ 383 BENEFIT STREET



Aerial view of the site



View of the building



Proposed rezoning

OVERVIEW

OWNER/APPLICANT:	MH Massey and Co LLC, Petitioner Brown University, Co-petitioner, Owner	PROJECT DESCRIPTION:	The applicant is petitioning to rezone the subject lot at 383 Benefit Street (AP 16 Lot 239) from R-2 to R-4
CASE NO./ PROJECT TYPE:	CPC Referral 3496 Rezoning from R-2 to R-4		
PROJECT LOCATION:	383 Benefit Street AP 16 Lot 239 R-2 zone; Historic District (HD) overlay	RECOMMENDATION:	Recommend approval of proposed zone change
NEIGHBORHOOD:	College Hill	PROJECT PLANNER:	Choyon Manjrekar

Discussion

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. 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 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 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 limited non-residential uses. Based on conformance with these objectives, the rezoning is in conformance with the comprehensive plan.

It is the DPD's opinion that college student rental housing be prohibited to preserve the neighborhood's character. The DPD 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 DPD would have no objection to college students if units were owner-occupied.

Based on the foregoing discussion, rezoning the lot would be appropriate given the character of the surroundings and the dimensions and massing of the building. 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

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:

College student rental housing shall be prohibited. Students may live in units that are owner-occupied.

REFERRAL
3496

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."

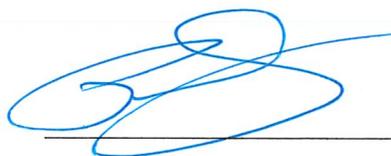
It is further requested that this zone change shall not become effective unless and until the undersigned Applicant purchases the property from Owner/Petitioner.

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

Owner/Petitioner: Brown University

By its attorney,

By its attorney,



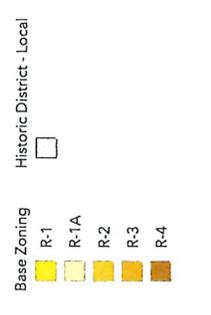
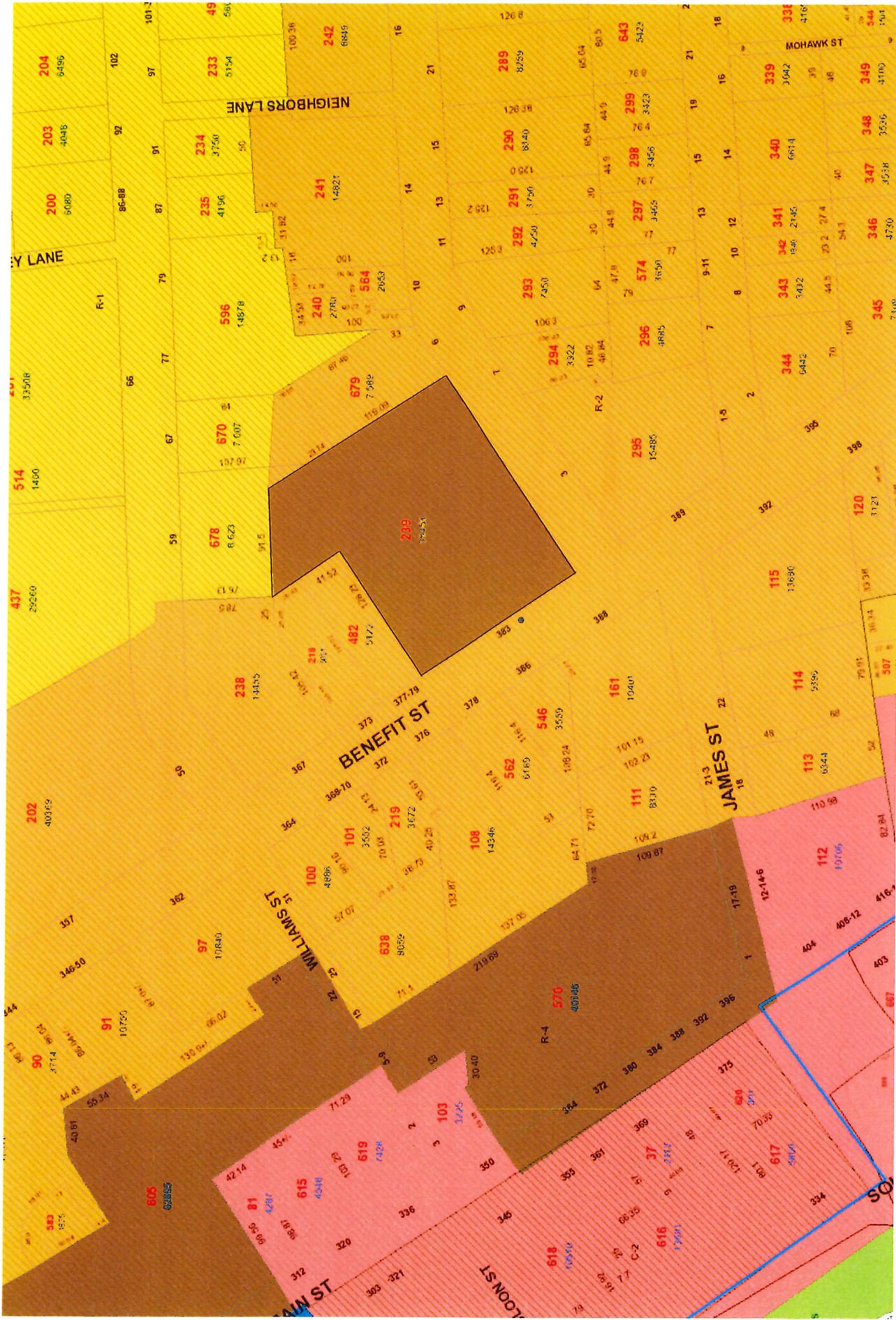
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pjdoughertylaw@verizon.net



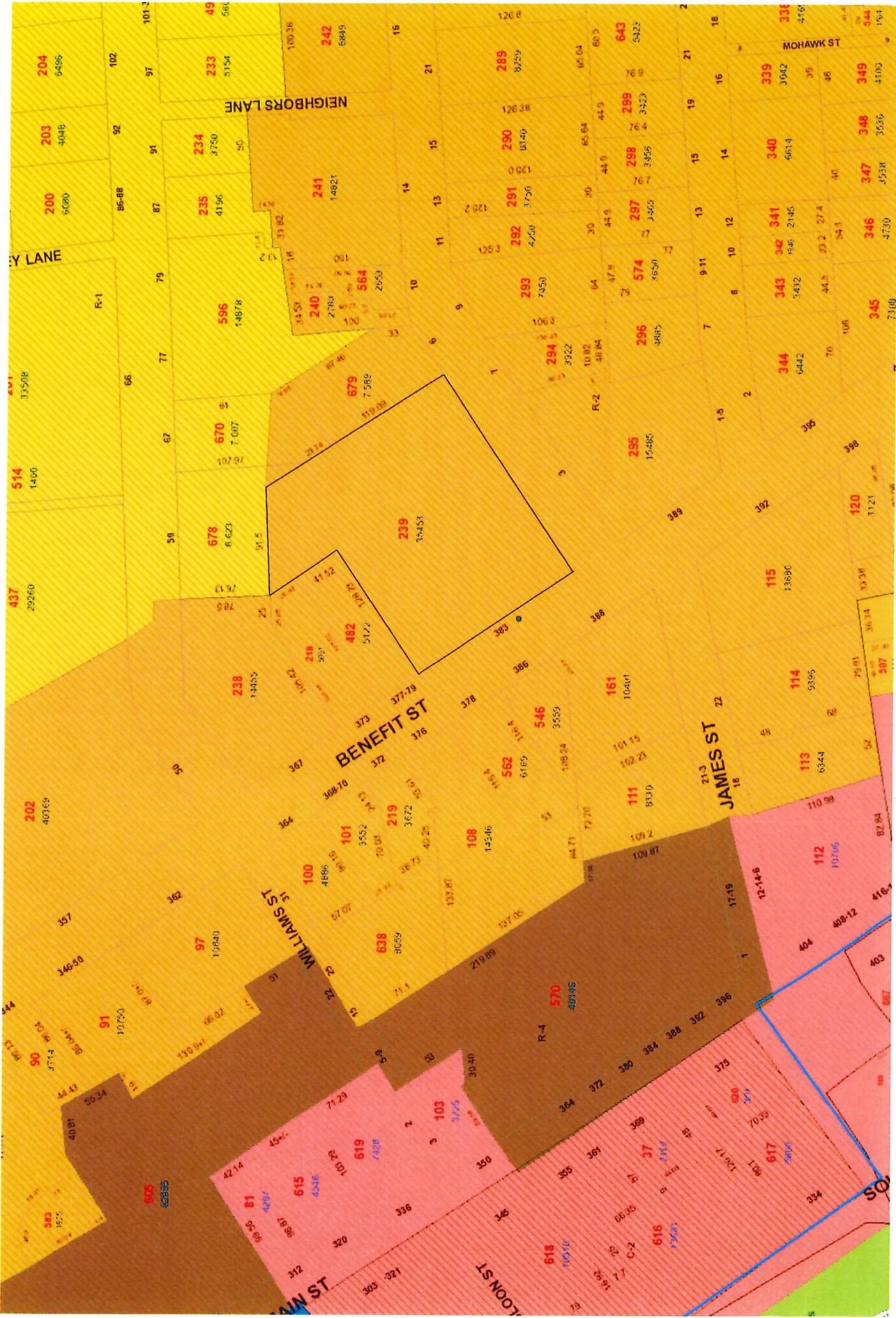
David M. Gilden, Esquire
Partridge, Snow & Hahn LLP
40 Westminster Street, Suite 1100
Providence, RI 02903
dgilden@psh.com



PROPOSED ZONING AREAS



EXISTING ZONING AREAS



Base Zoning

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

Historic District - Local

