

CITY PLANNING DEPARTMENT



Memorandum – FINAL

To: City Plan Commission
From: Kenneth R. Kirkland MPA, MRP, AICP; Asst. City Planning Director
Date: November 7, 2023
RE: 5 Aborn Street – Assessors Plat 1/1, Lot 30
Application for Use & Dimensional Variances

Owner / Applicant: Bridge Group LLC
Location: 5 Aborn Street
Zoning: C3 – General Business
FLUM Designation: Neighborhood Commercial Services

Subject Property:

The subject property is located at 5 Aborn Street, identified as Plat 1/1, Lot 30, and has a total combined land area of 0.12± acres, (5,278± sq. ft.,) with frontage on Aborn and Springwood Streets. The property is currently used for storage.

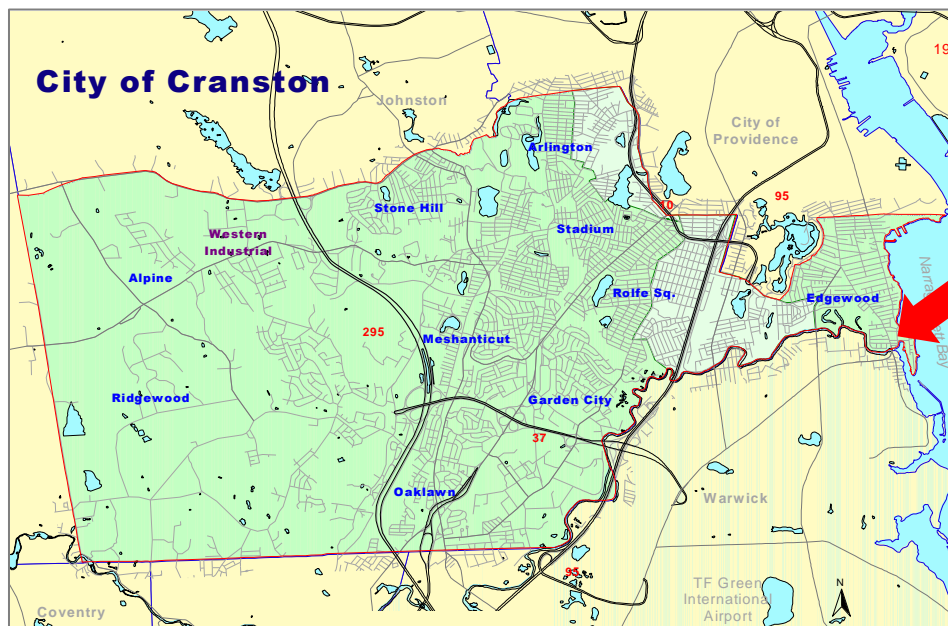
Use Variance Request:

- To allow the creation of a two-family (2-unit) dwelling unit where residential uses are prohibited in a C3 zone (17.20.30 – Schedule of Uses)

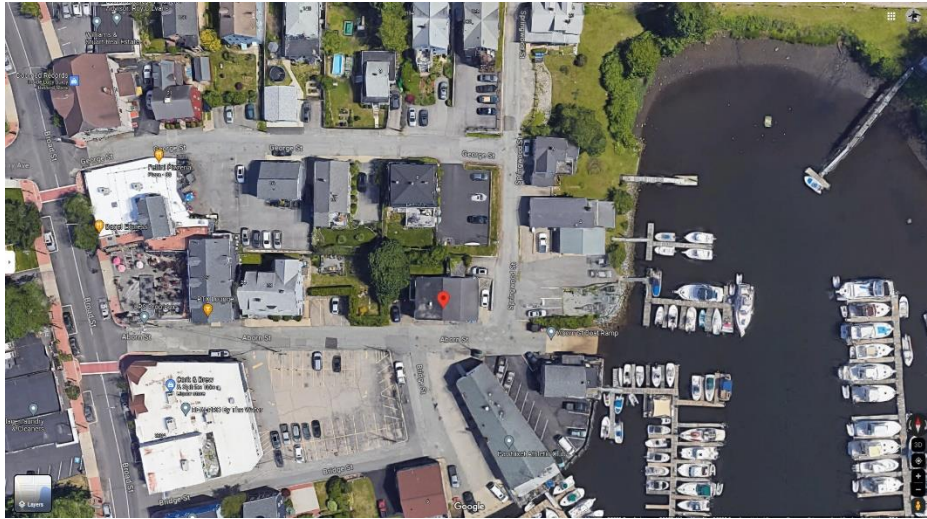
Dimensional Variance Request:

- To allow the creation of a two-family (2-unit) dwelling unit on 5,278 sq. ft., where 8,000 sq. ft. is required, (17.20.090(A) – Specific Requirements).

LOCATION MAP



AERIAL PHOTO



STREET VIEW



EXISTING PHOTOS

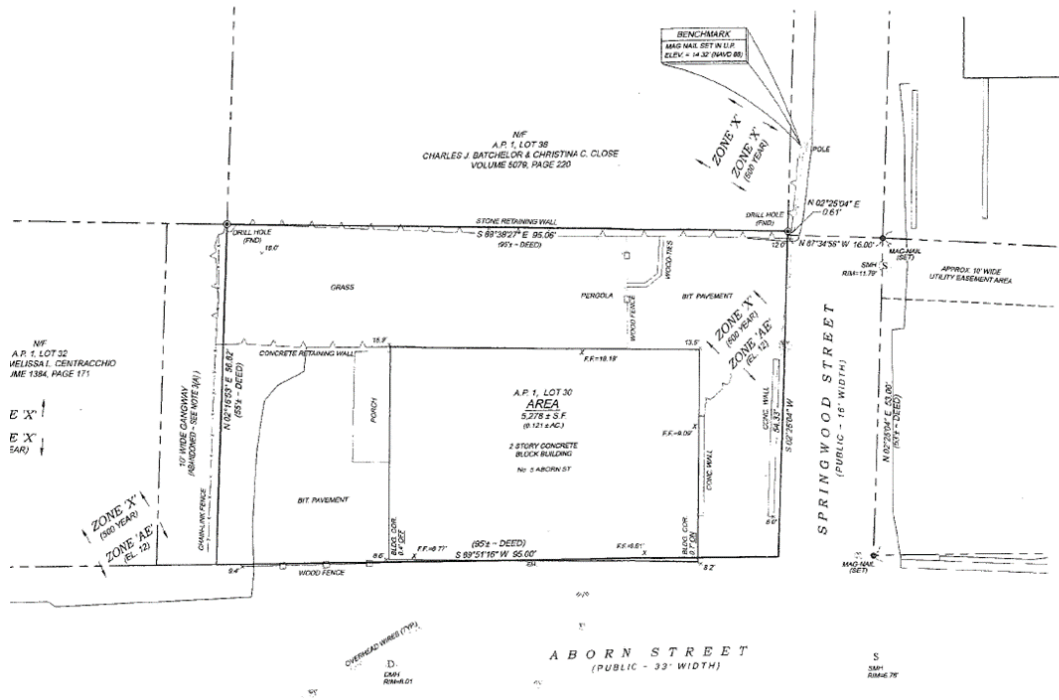




PROPOSED RENDERING



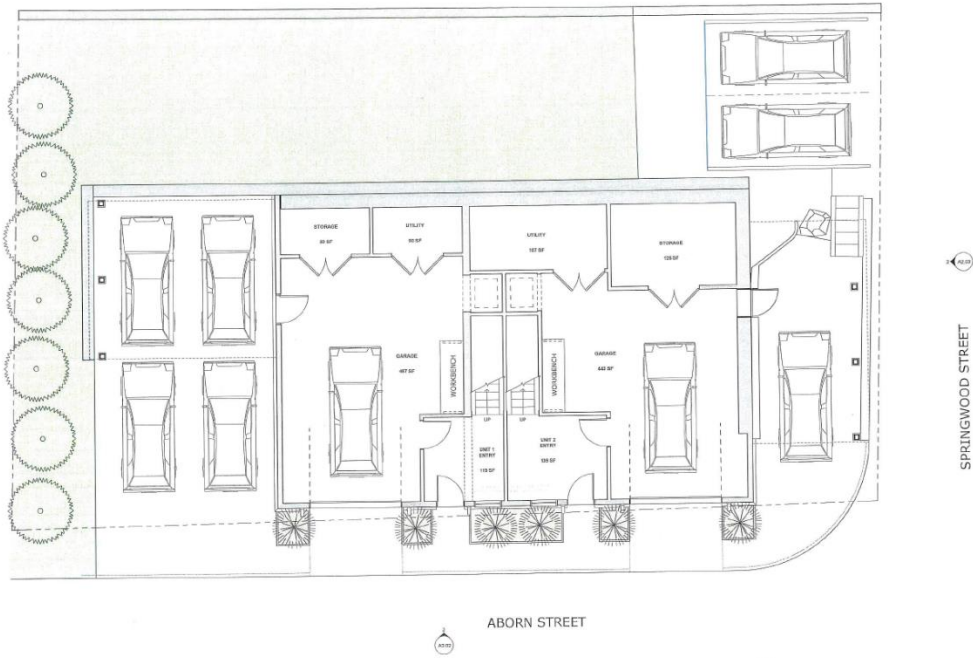
PLAN



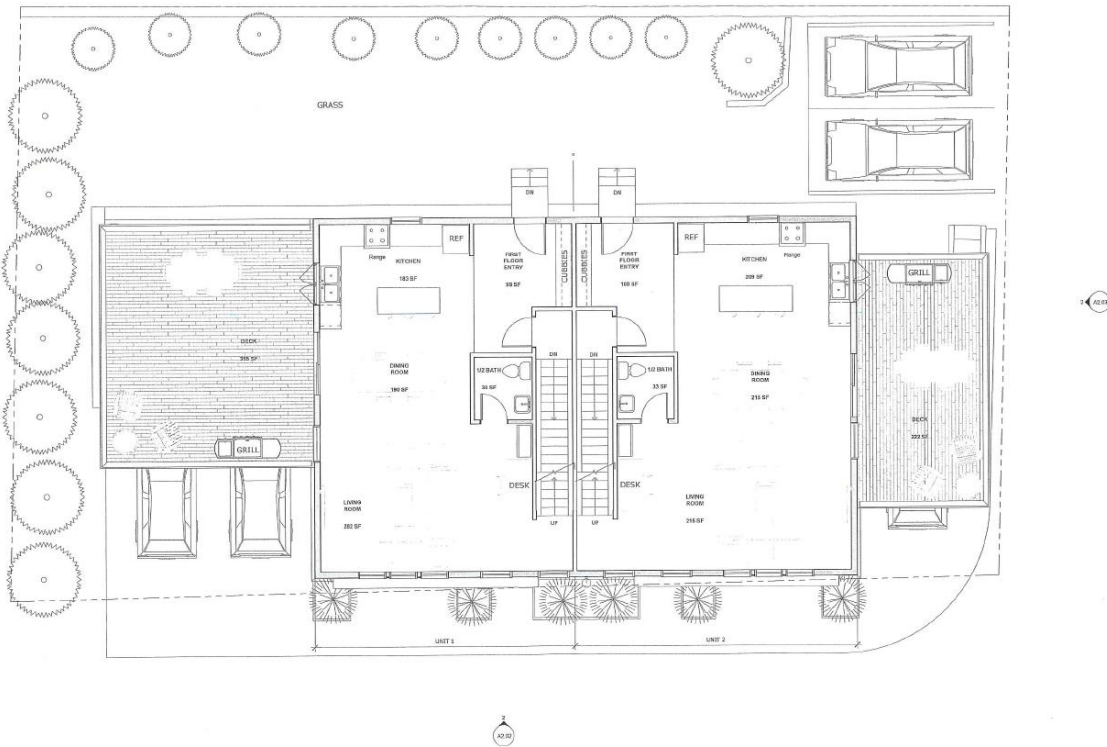
PROPOSED SITE PLAN



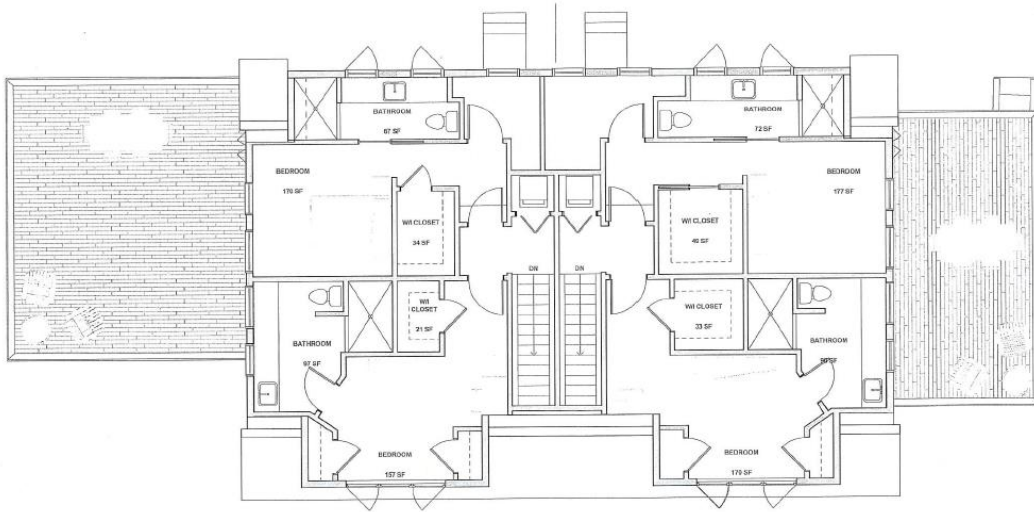
PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN



EXISTING & PROPOSED ELEVATIONS



Findings of Fact:

- The Applicant has requested specific relief in their Application, namely:
 - 17.92.010 – Variances (Use & Dimensional)
 - 17.20.030 – Schedule of Uses
 - 17.20.120 – Schedule of Intensity
- It should be noted that that this Application requires a use variance, which calls for a higher standard of review.
- In 2002 the Zoning Board of Review approved a variance application allowing the conversion of the previously existing industrial building to two (2) residential units, though it appears, and the application states, the conversion did not occur, and is currently used as storage space.
- The current zoning is C-3 (General Commercial) and the Future Land Use Map identifies the area as “Neighborhood Commercial Services.” Both maps have zoning “clustered” rather than following corridors. Thirty-three (33) other residential uses currently exist in the C-3 zone adjacent to the subject property, including two (2) four-family structures as direct abutters. Only 18 of the 50 parcels in the 400’ buffer that are zoned commercial are NOT used for residential purposes.
- The proposed density of the lot is 16.51 units/acre. The density of the neighboring residential lots is approximately 33 units/acre (both long pre-date the adoption of zoning).
- Other residential properties in the 400’ range were built from 1760-1930 and contain 2-6 units. Multifamily uses predate the adoption of zoning in all cases.
- Two-family uses in the 400’ range are a mix of preexisting nonconforming and variances granted within the last ten years.
- The Comprehensive Plan supports the preservation and improvement of existing nonconforming two and three-family dwellings as well as reduction of the burden zoning places on said properties, (HP-5.1).
- The Comprehensive Plan supports the review of existing zoning to match it as closely as possible to the existing neighborhood and the protection of existing neighborhoods by ensuring zoning matches the existing built environment (HP-5.2).

Planning Analysis

If the subject property were zoned for or designated on the Future Land Use Map as residential, it would be above the highest density permitted or planned for the City. However, even in use as a two-family structure, the subject property would be less dense than many portions of Pawtuxet Village, including several properties within the 400’ buffer on the maps, the majority of which are also zoned for/depicted as commercial. A majority of these parcels and structures predate the adoption of zoning, often by decades or even hundreds of years. With this in mind, the proposed development is very much in keeping with the overall character of the surrounding neighborhood.

The existing structure is a two-story building created in stages and featuring a mix of cinderblock and vinyl siding. The proposed redevelopment of the site will present a cohesive façade, greatly improving the aesthetics of the street and bringing this parcel into greater conformity with the general look and feel of Pawtuxet Village.

Upon review of the Comprehensive Plan, it is clear that the improvement of a residential property in an existing residential neighborhood, regardless of zoning, is a priority of the City. All references to such effect specifically mention that the City’s current zoning provisions do not reflect the existing built environment. This is a particularly challenging issue in a historic area like Pawtuxet Village

where the entire neighborhood itself predates the City's Zoning Code, thus requiring variances for most modifications of the use or structure.

Recommendation:

In accordance with RIGL §45-24-41(b), Staff finds this Application generally consistent with the goals and purposes of the Comprehensive Plan and is compatible with the general character of the surrounding neighborhood. Staff therefore recommends that the City Plan Commission adopt the Findings of Fact documented above and forward a **POSITIVE RECOMMENDATION** on the Application to the Zoning Board of Review.

Respectfully Submitted,

Kenneth R. Kirkland, MPA, MRP, AICP
Assistant City Planning Director

Cc: City Planning Director
Applicant Representative
File