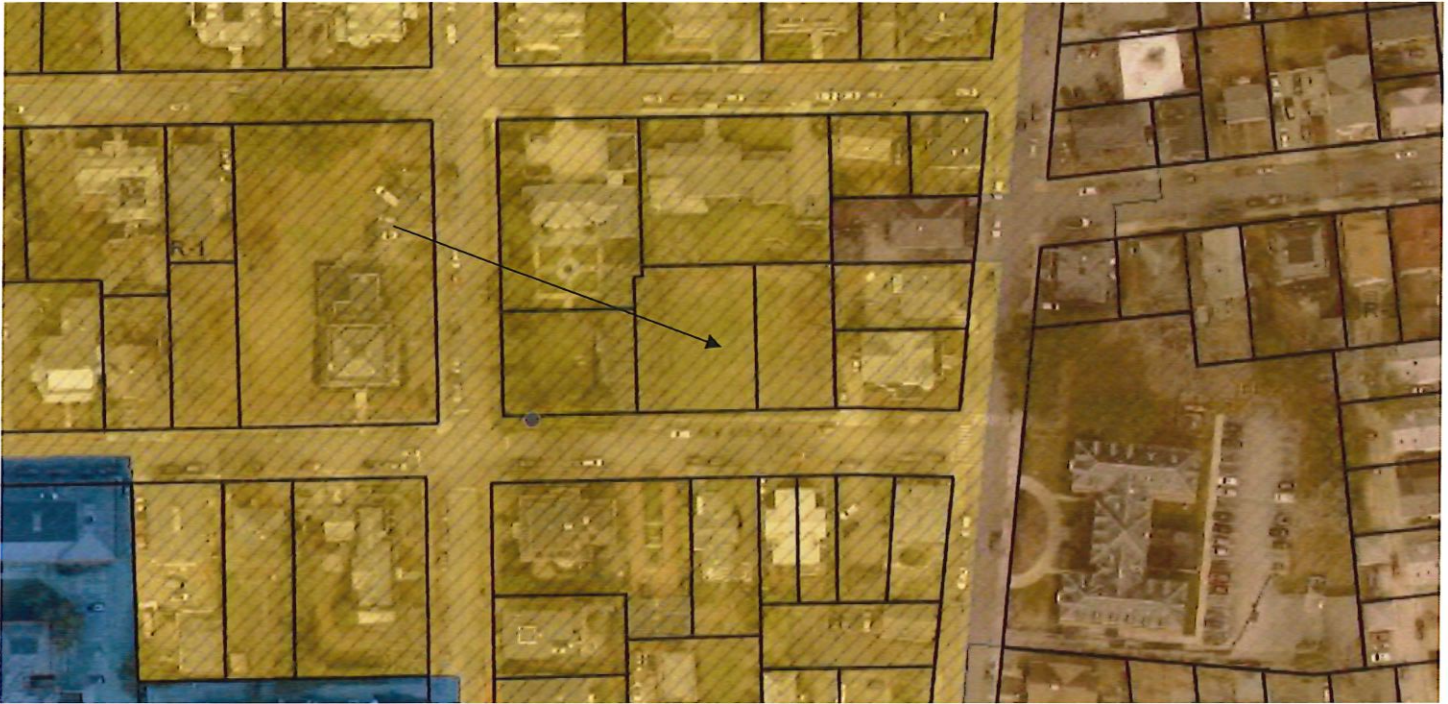


PROJECT REVIEW

CASE 24.079, 118-126 BENEVOLENT STREET, Vacant lot (POWER-COOKE)

Vacant lots within the College Hill NRHD.



Arrow indicates 118-126 Benevolent Street



Arrow indicates project location, looking north.

Applicant/Architect: KITE Architects, One Central Street, Providence, RI 02907

Owner: Cooke Twenty-Five Realty, 42 W 39th Street, New York, NY 10018

Proposal: The scope of work proposed consists of New Construction and includes:

- The applicant is requesting the new construction of three single-family residences with detached garages.

Issues: The following issues are relevant to this application:

- The existing properties 118-126 Benevolent St. are to be subdivided into three equal lots, each with $\geq 50'$ wide street frontage. Upon each lot will be a new three-story single-family residence (each with 1490sf footprint, 40' height) over full basements with detached garages (each with 620sf footprint, 20' height). Private driveway access for each property will extend from Benevolent St. to the north end of each site. Some regrading of the lots will be required;
- At the July 22nd meeting, the matter was continued by the Commission which had requested additional information be submitted showing massing studies of the proposed buildings in context with the immediate area, including streetscapes of the proposed construction for the north and south sides of Benevolent Street, between Cooke and Governor Streets;
- An Exhibit has been submitted showing the requested information;
- Since the July 22nd meeting information has been submitted to the Commission in the form of a letter from the Rhode Island Historical Society (RIHS, dated 08/07/24, Exhibit 1) stating that they have a restrictive covenant on the property (dated December 1974, Exhibit 2). In the letter the RIHS states that in 2013, in conjunction with the RI Historical Preservation & Heritage Commission, the Providence Revolving Fund and neighbors, they undertook an extensive planning process before selling the land where it was determined that three parcels was the appropriate division of land. These parcels were one larger parcel to the north along George Street and two equal sized parcels on Benevolent Street. It is appropriate and relevant for the Commission to consider this information in the formulation of any decision regarding the property.

Recommendations: The staff recommends the PHDC make the following findings of fact:

- a) 118-126 Benevolent Street are currently vacant parcels of approximately 16,427 sq. ft. in the R-1 zone within the Power-Cooke local historic district;
- b) The application for New Construction is considered complete for conceptual review; and,
- c) The work as proposed may be in accord with PHDC Standard 8 as follows: as the proposed new construction is appropriate having determined that the proposed construction is architecturally and historically compatible with the property and district having an appropriate size, scale and form that will not have an adverse effect on the property or district.

Staff recommends a motion be made stating that: The application is considered complete. 118-126 Benevolent Street are currently vacant parcels of approximately 16,427 sq. ft. in the R-1 zone within the Power-Cooke local historic district. The Commission grants Conceptual Approval of the new construction, citing Standard 8, having determined that the proposed construction is architecturally and historically compatible with the property and district having an appropriate size, scale and form that will not have an adverse effect on the property or district, citing and agreeing to the recommendations in the staff report, with the applicant to reappear at a subsequent meeting for Final Approval.

BENEVOLENT STREET HOMES
HDC CONCEPTUAL REVIEW #2



GENERAL STANDARDS

8. New additions, exterior alterations or new construction shall not destroy historic materials or general features that characterize the property. The new work may be differentiated from the old and shall be compatible with the massing, size, scale and architectural features of the property and the surrounding neighborhood, to protect the historic integrity of the property and the site.

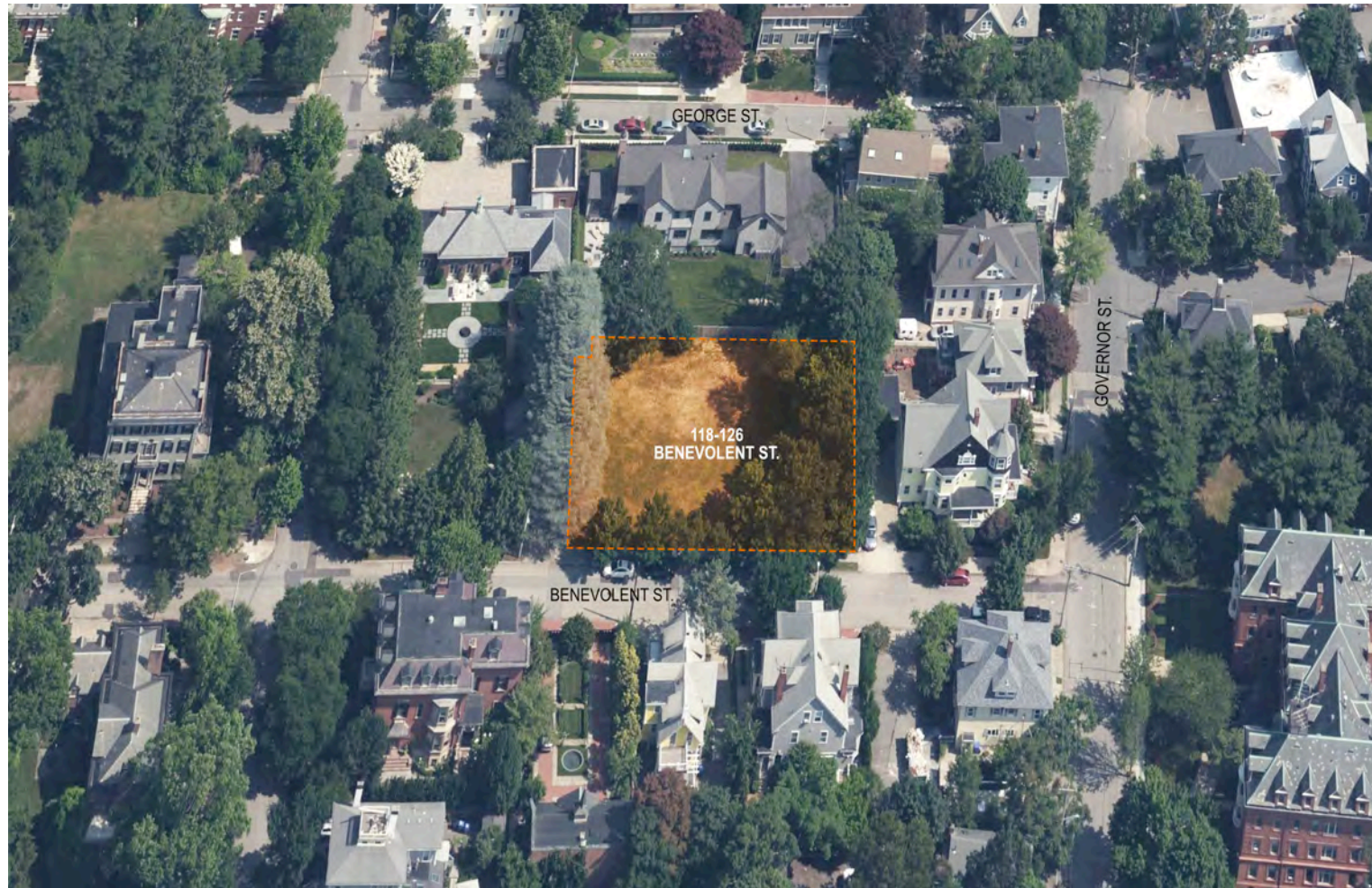
NEW CONSTRUCTION & ADDITIONS

DESIGN CRITERIA

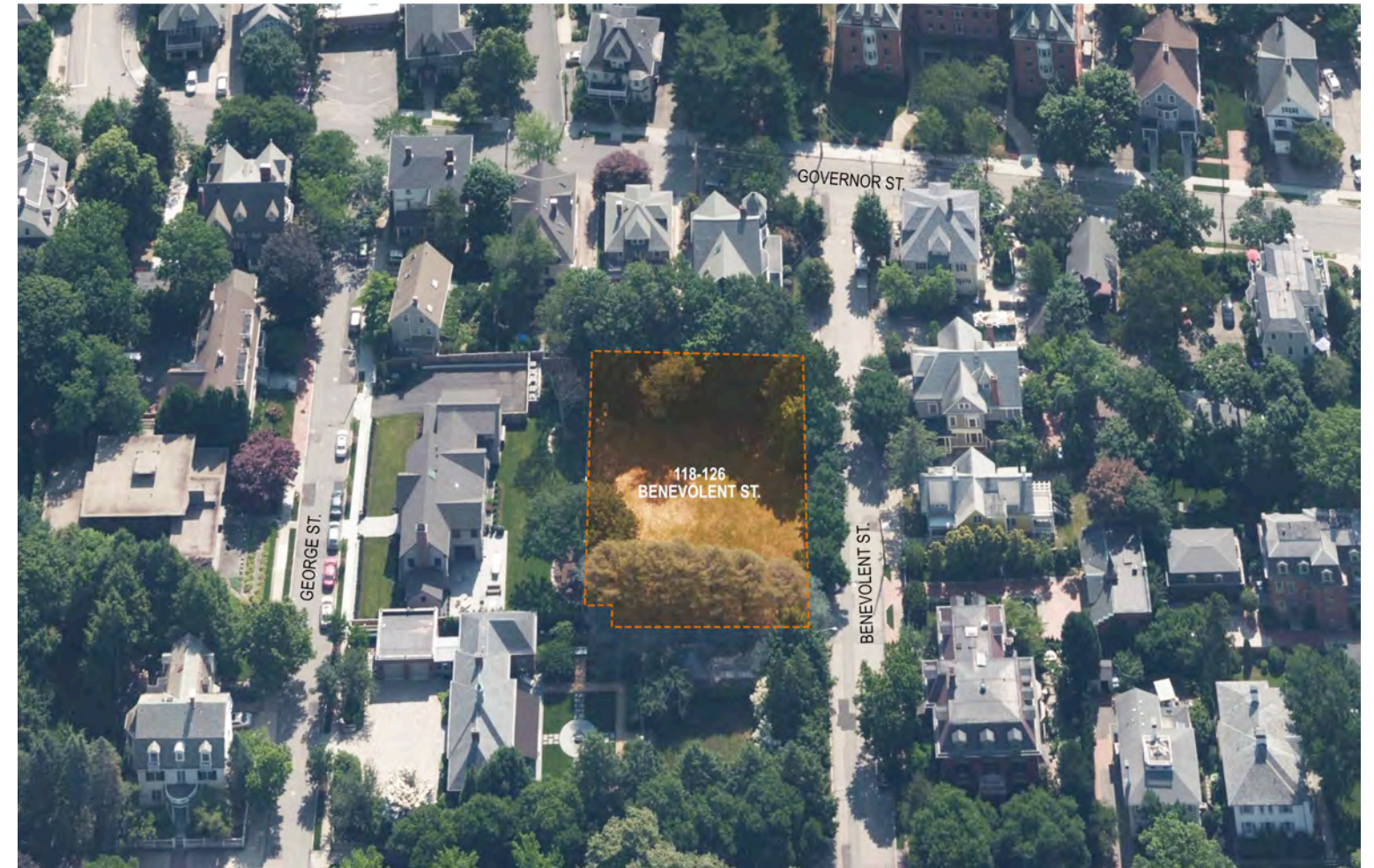
New construction should reflect the design trends and concepts of the period in which it is created, while recognizing that a new building or addition must fit into an existing framework of a variety of older buildings. New structures should harmonize with existing older structures, and at the same time be distinct from the old so that the evolution of the district can be interpreted correctly.

SOURCE DOCUMENT:
PROVIDENCE HISTORIC DISTRICT COMMISSION STANDARDS & GUIDELINES FOR THE ARMORY,
BROADWAY, COLLEGE HILL, NORTH ELMWOOD, PROVIDENCE LANDMARKS DISTRICT-
RESIDENTIAL, POWER-COOKE, SOUTH ELMWOOD AND STIMSON AVENUE DISTRICTS.



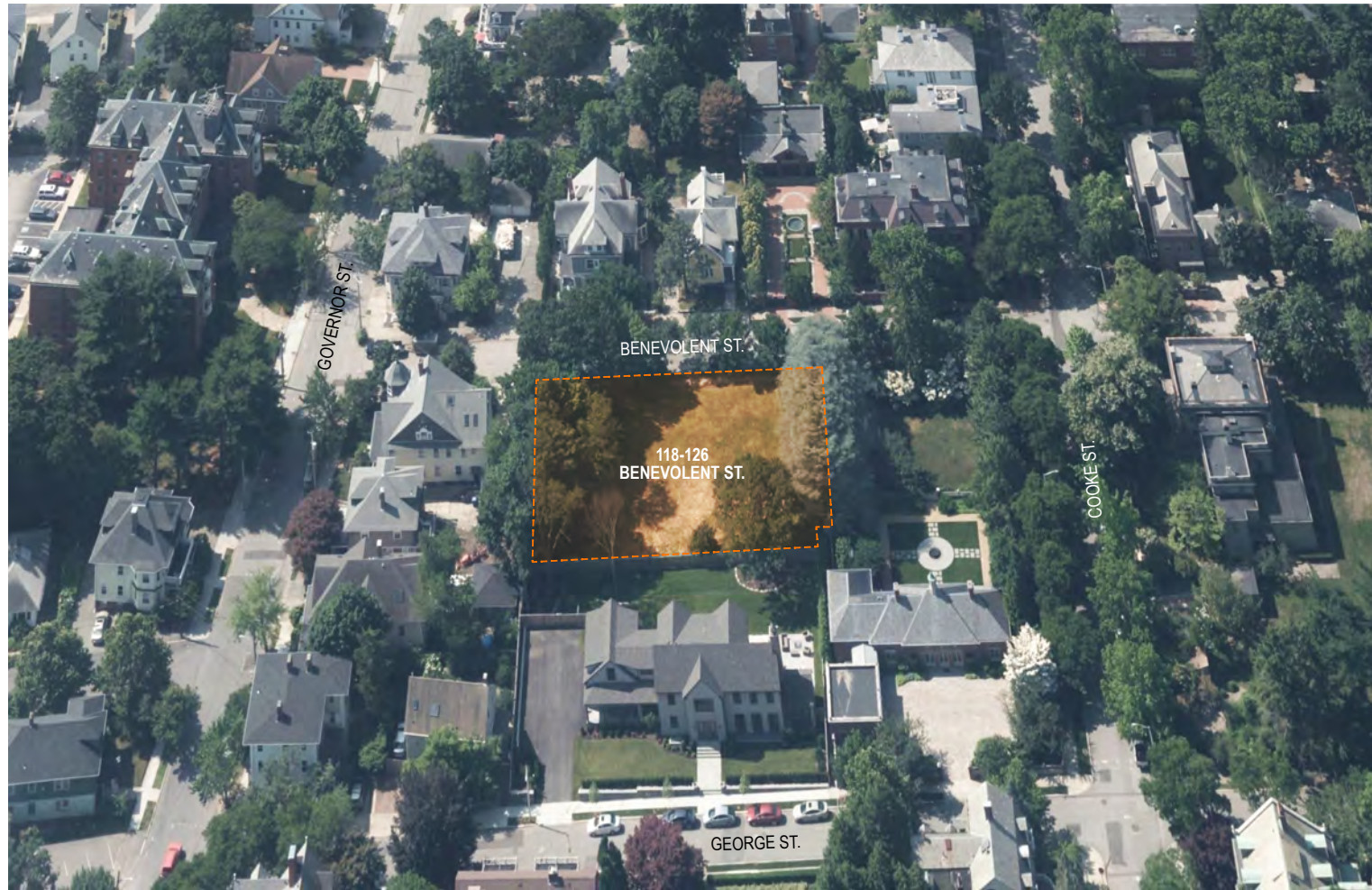


VIEW LOOKING NORTH



VIEW LOOKING EAST



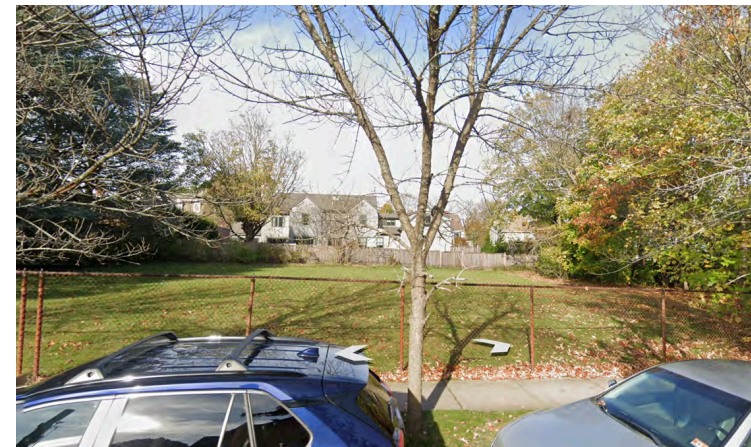
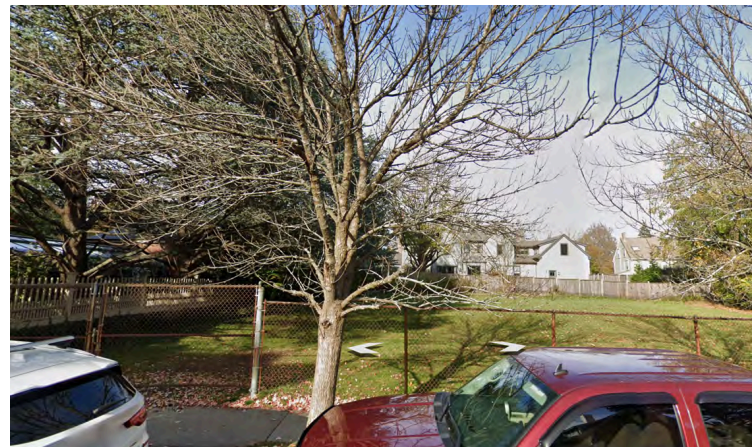
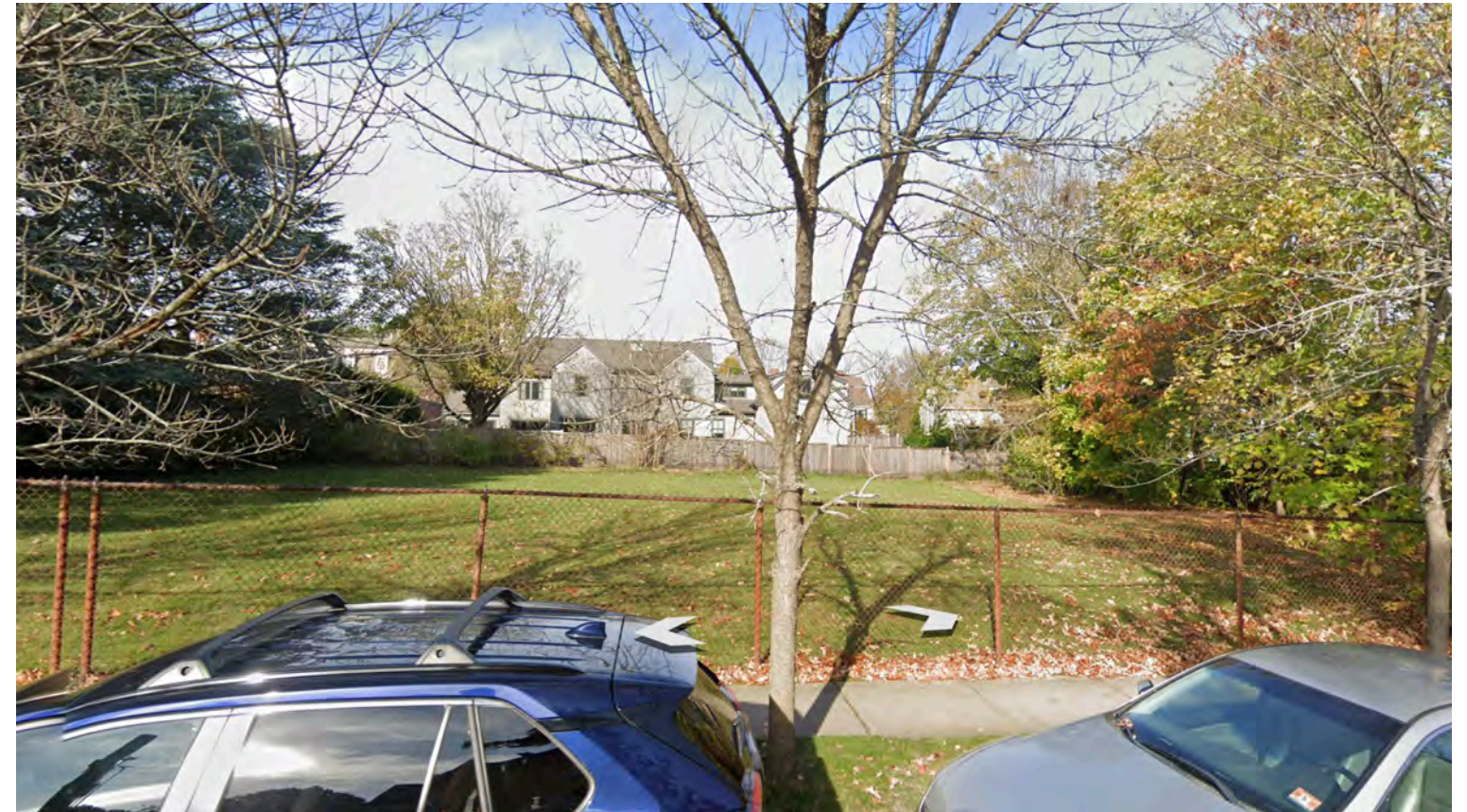


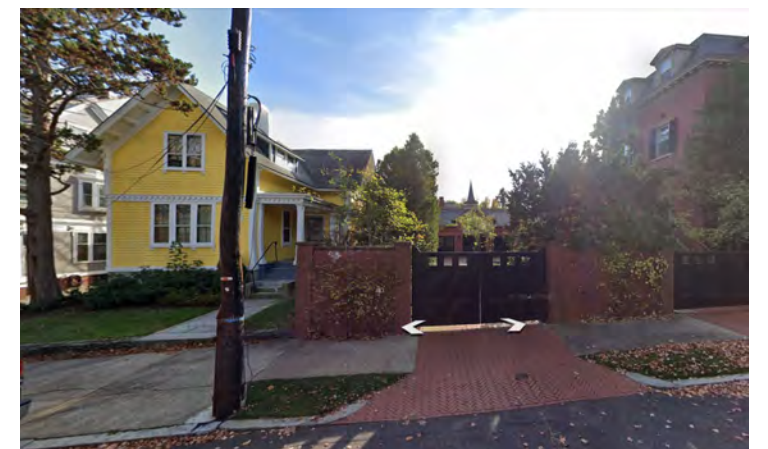
VIEW LOOKING SOUTH



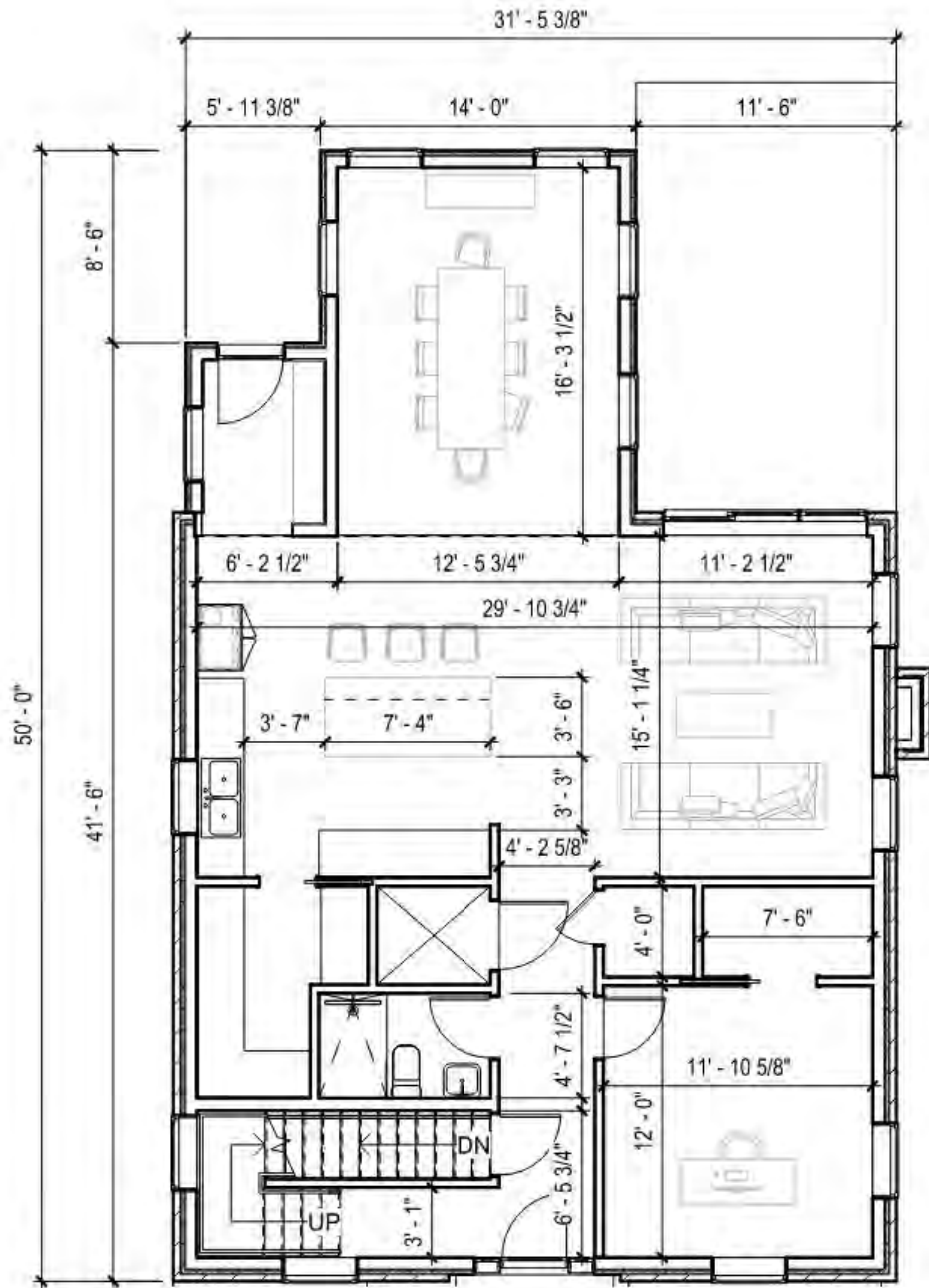
VIEW LOOKING WEST



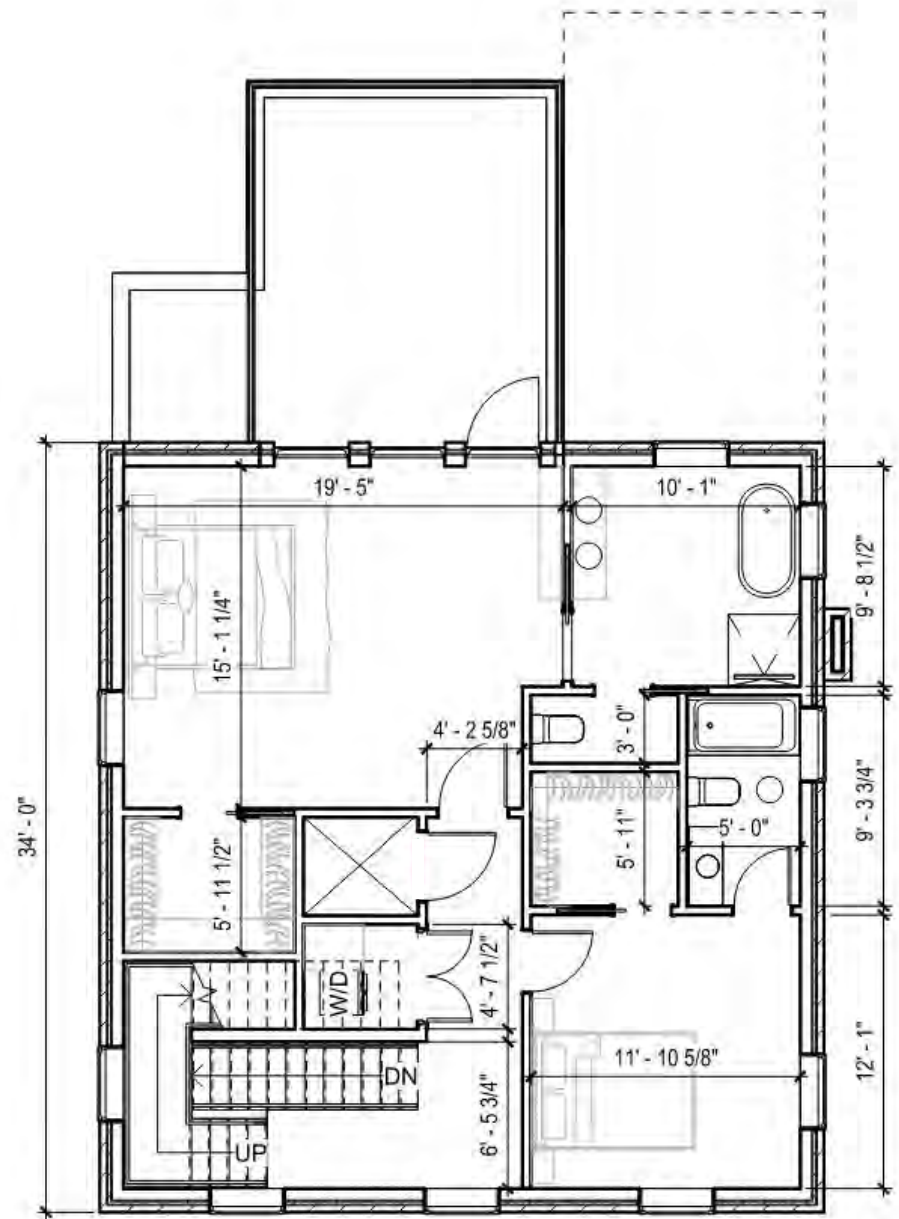




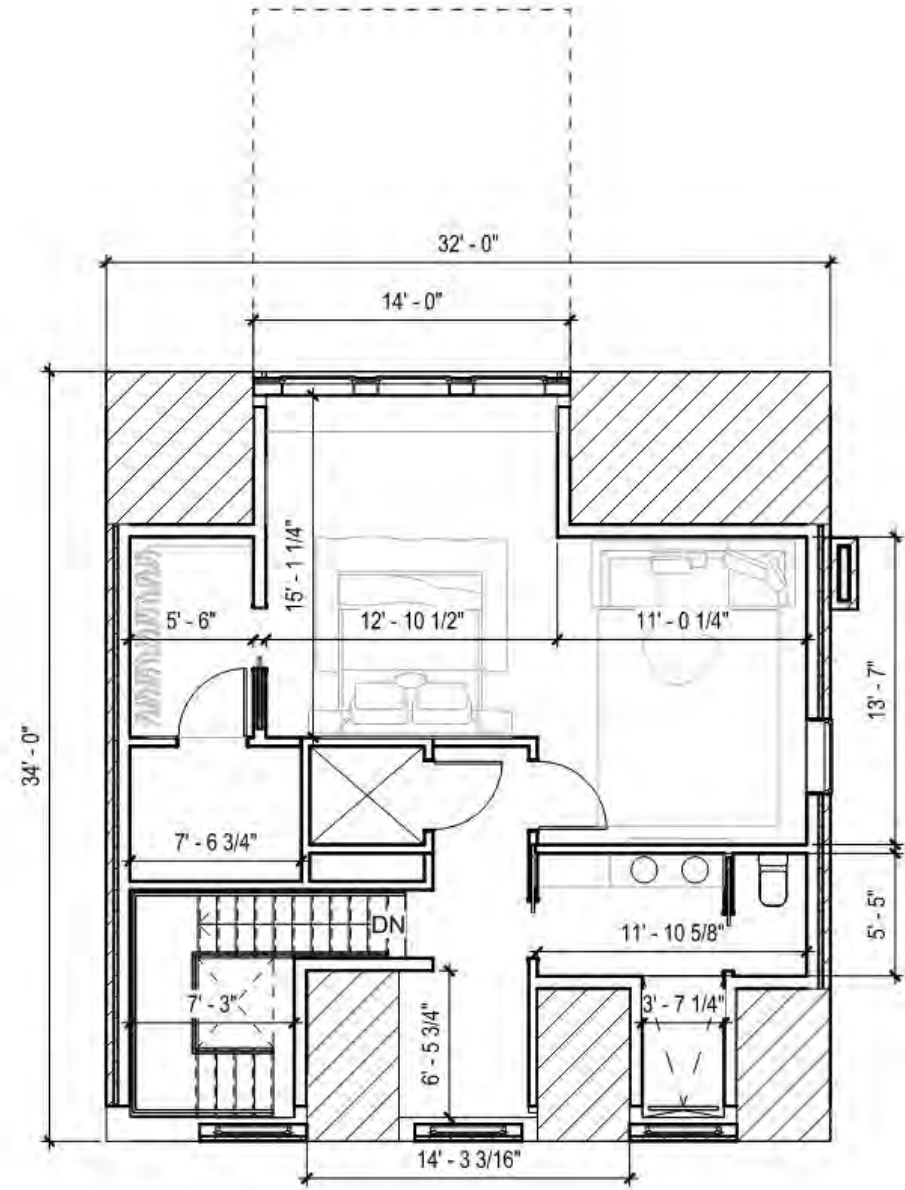




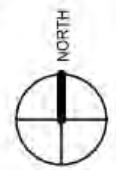
1 **FIRST FLOOR PLAN -**
1/8" = 1'-0"

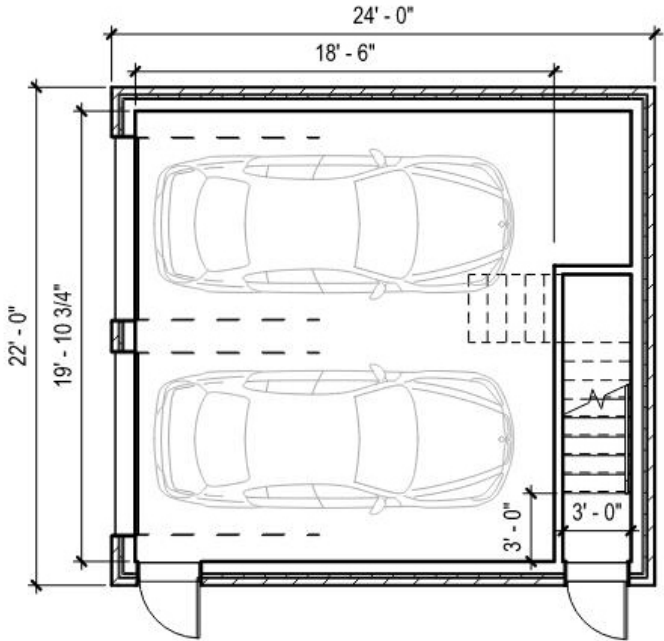


2 **SECOND FLOOR PLAN -**
1/8" = 1'-0"

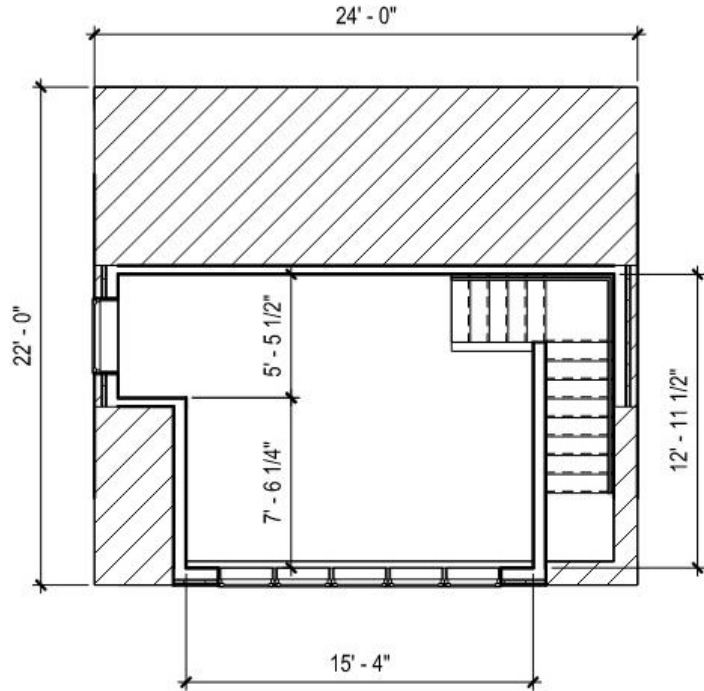


3 **THIRD FLOOR PLAN -**
1/8" = 1'-0"





1 FIRST FLOOR GARAGE PLAN
1/8" = 1'-0"

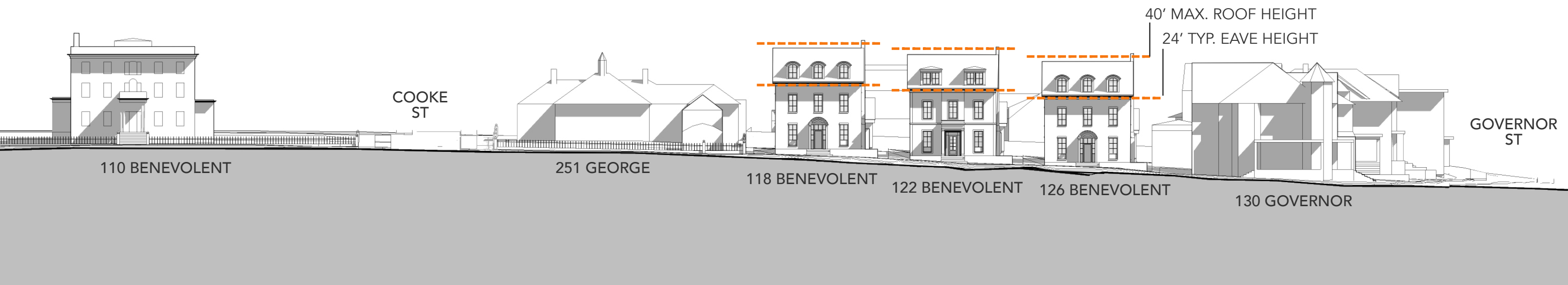


2 SECOND FLOOR GARAGE PLAN
1/8" = 1'-0"



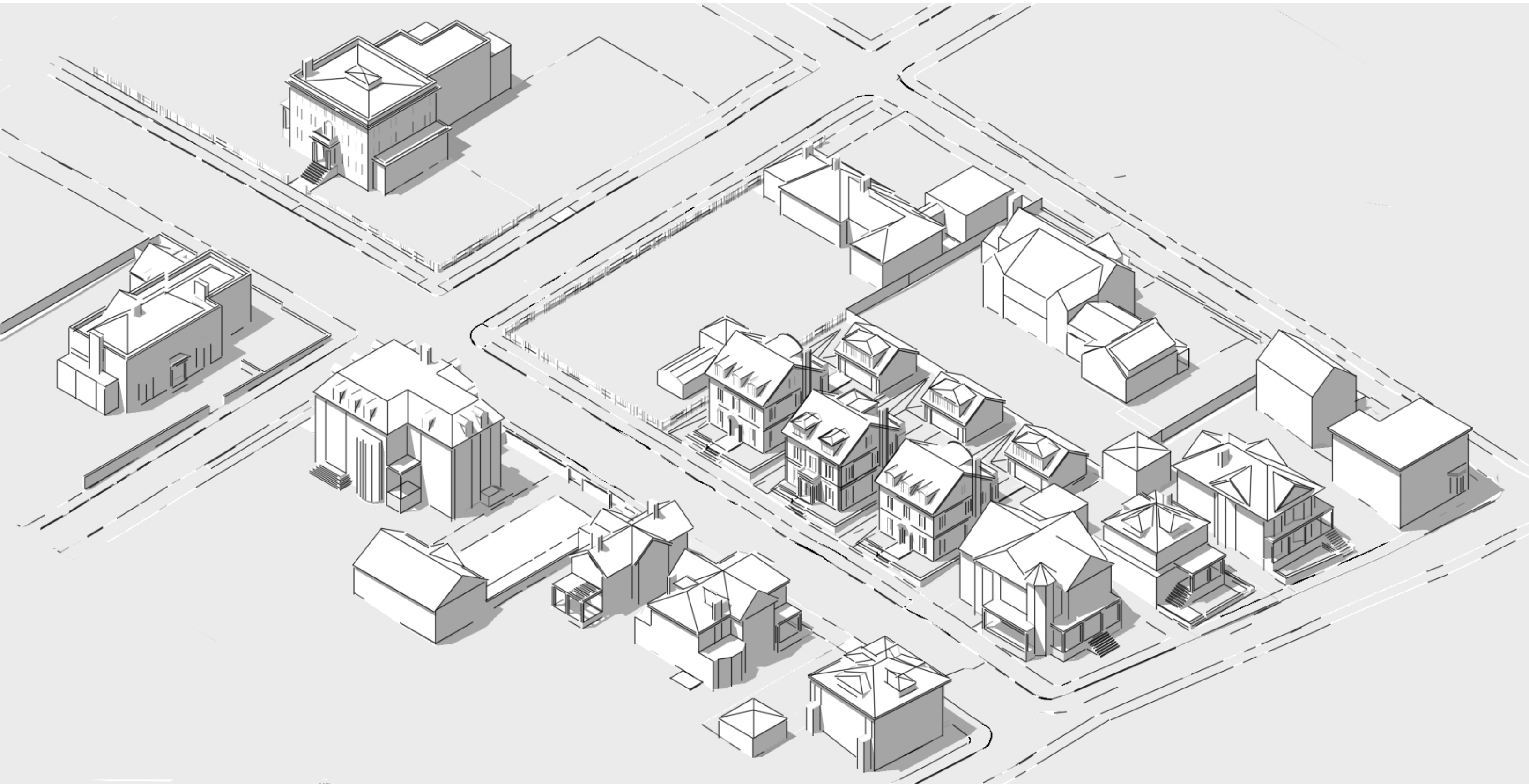


BENEVOLENT STREET ELEVATION LOOKING SOUTH



BENEVOLENT STREET ELEVATION LOOKING NORTH







MAP KEY

LOT SIZE (SQ. FT)

BUILDING FOOTPRINT (SQ. FT)

POWER-COOKE DISTRICT BOUNDARY

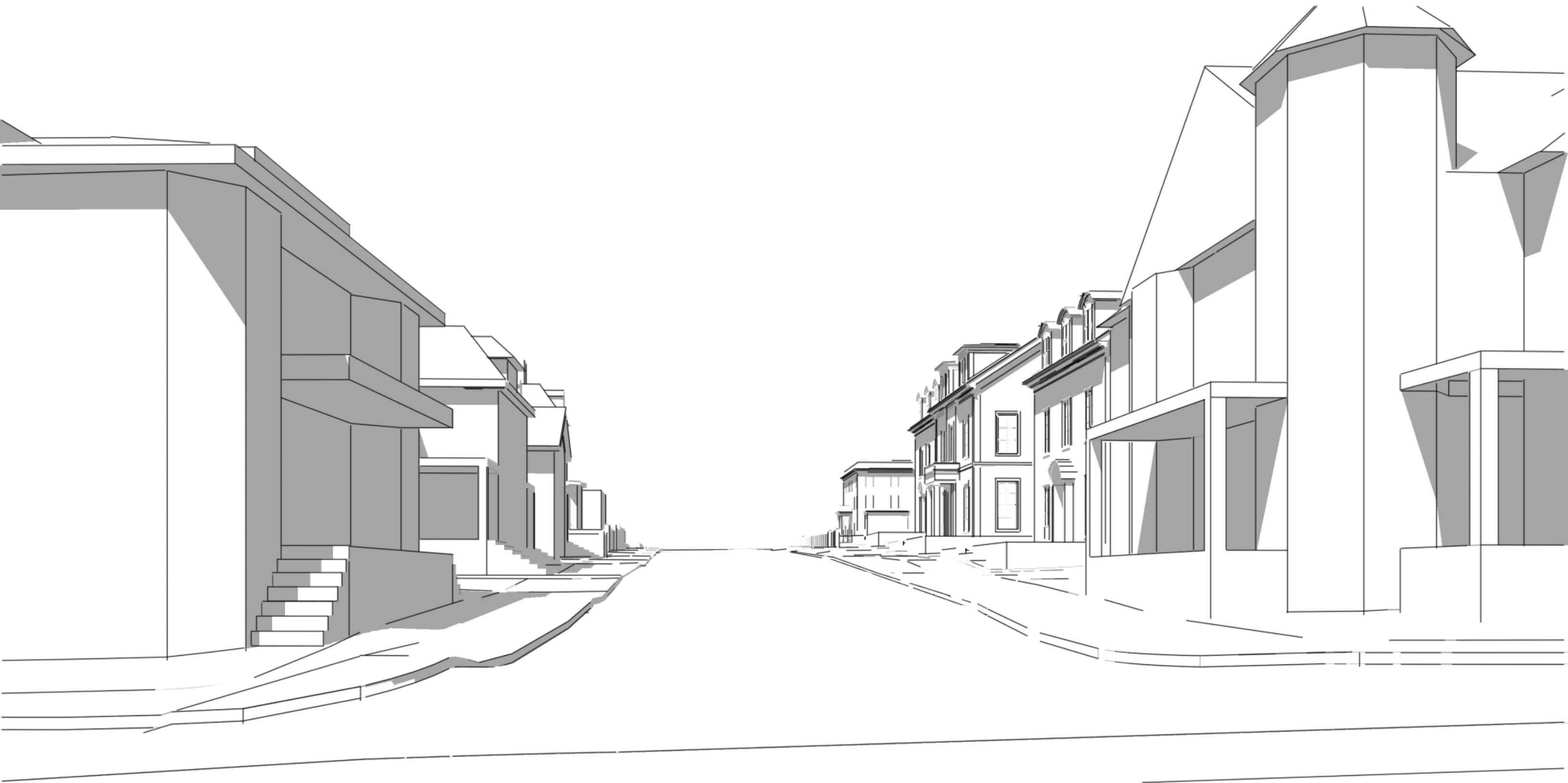
LOCAL PRECEDENT (EX. 9F) ●







EXHIBIT 9E - MASSING PERSPECTIVES
STREET VIEW - BENEVOLENT & GOVERNOR LOOKING WEST





110 BENEVOLENT STREET
TOBEY HOUSE, ALDRICH HOUSE



26 COOKE STREET
BENJAMIN B. ADAMS HOUSE





236 GEORGE STREET



37 COOKE STREET
C.H. MERRIMAN HOUSE











KITE ARCHITECTS INC.
One Central Street, Providence RI 02907



August 7, 2024

Providence Historic District Commission
25 Dorrance Street
Providence, RI 02903

Dear Members and Staff of the Providence HDC,

It is my understanding that on Monday, July 22, 2024 the Providence HDC heard the first information presented related to the proposed subdivision and development of the parcels of land referred to as 118-126 Benevolent Street. I was out of the state on that day and only received notification via mail the day of the meeting—it was waiting for me upon my return to the office. Therefore, I was not able to provide this information before the first meeting. I am happy for the opportunity to do so now.

As the Commission may know, the Rhode Island Historical Society was given this property by the Aldrich family in 1974 and sold it a decade later. However, the property came to the RIHS with restrictions and those carried forward to the subsequent owners. We added more restrictions, as well as clarifying language, in the deeds to subsequent owners. As such, for decades, the RIHS was part of conversations related to the land's potential subdivision, sale, and development.

As of 2023 we understand that the restrictions that required both our written consent for subdivision and our right of first refusal have expired (these were among those added to the deeds by the RIHS). However, this does not mean that we are uninterested in the development of this land. In fact, we have invested considerable time, thought, and energy into this property, and those around it, for decades. Also, just for your information, the other restrictions carried over to each landowner still remain:

- Parcels 3, 4, 5, 6 (which includes the land in question) may be sold or leased subject to restrictions to insure compatibility with the structure located on Parcel 1 (Aldrich House) and conformation to present neighborhood uses, including but without limiting the generality of the foregoing, restrictions as to building dimensions, location of any structure on such parcel or parcels, architectural design, landscaping, contemplated use and the like....
- The restrictive covenants contained herein shall attach to and run with the land, and shall be binding upon The Society, its successors and assigns.
- No waiver of failure to enforce any of the restrictive covenants herein shall be construed to be a waiver of any breach of the same or other restrictive covenant.

Our thinking and guidance to owners has been consistent over the years and I believe it might be helpful to share that information with the Commission to help the group in making its determinations.

In the summer of 2013, we engaged in extensive conversation with former owner Herbert Sackett when he sought to subdivide the vacant land that then stretched from Benevolent to George Street. At the time it

Remember Interpret Honor Share

consisted of two inconsistently shaped lots (one small square and one larger L-shaped lot). He wished to change the lot lines and make four equal-sized lots, after having first proposed three lots.

The RIHS did not approve the subdivision of Lots 269 and 168 into four (4) equal lots. After consultation with both the head of the Rhode Island Historical Preservation and Heritage Commission and the Providence Revolving Fund, as well as neighborhood residents, it was clear that the creation of four lots was considered inappropriate and untenable. However, we agreed that the original proposal of the creation of three (3) lots, two of equal size facing Benevolent Street and a third, larger lot (on which a now-demolished garage sat) facing George Street, was acceptable because of the character of the houses immediately adjacent and across from said lots.

Sackett sought an administrative subdivision, which did not require any notification of neighbors, and the city granted it. He created two, large lots, one facing Benevolent Street and the other facing George. Ultimately, Sackett sold the lot facing George Street to the Ragona family, who subsequently built a single-family home on the lot and engaged in conversation with the RIHS throughout the process. The other large parcel was sold to a private entity as a single property.

In the summer of 2023 the owner of the vacant lot, Whisper Investments, LLC, was looking to sell the property and had buyers who wanted to subdivide it into two parcels to build two single family homes for two family residences, one for themselves and another for their parents. This was in keeping with the sentiments we shared with Sackett in 2013 and we sought legal advice to understand the current state of the restrictions and what our authority was. As mentioned before, this legal opinion stated that our consent to subdivision was no longer needed. However, with full credit to the seller, they wished to engage the RIHS and support the historical character of the neighborhood and recognized that the other restrictions regarding conforming to the neighborhood were still in place.

Looking back, again, to our 2013 conversations with Sackett, we were asked to define how we, acting with the original land donor's intent at the fore, understood the words in the restrictions. We submitted the following:

In terms of clearer language related to “compatibility” and “conformation,” we suggest using a combination of language found in the NPS’s *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, *Design Guidelines for New Construction in Historic Districts* (a publication of the Preservation Alliance for Greater Philadelphia), and Oregon City’s *Design Guidelines for New Construction in Historic Districts*:

- a. *Style Compatibility*: New Construction shall compliment one of the existing historic styles to support the historic context and be compatible with adjacent properties, the block and the neighborhood.
- b. *Citing*: Residential buildings are to be set back from the lot lines and spaced from one another similar to the immediate neighborhood (within one block).
- c. *Building Form*: The building form needs to relate to the buildings in the immediate neighborhood and to take into account both similarities and changes on the block. The new building form shall reference the principles, proportions and scale of an historically appropriate style, while not creating a false sense of historic development.
- d. *Design Composition*: Design composition principles relate to the detailed design of the exterior, and include historically appropriate materials, finishes, and unobtrusive integration of new technology.

e. *Impact*: New construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

We also shared the type of questions we would be asking when we reviewed a project and we suggested the buyer/architect to consider these when designing new structures:

- a. *History*: Does the proposed design appropriately incorporate or respond to any historical assets or would it destroy or compromise such assets?
- b. *Continuity*: Would the proposed development maintain or strengthen the existing street edge or would it create an interruption to urban continuity?
- c. *Building Character*:
 - *Height*: Would the height and form of the building have a positive relationship with the street and surrounding buildings as viewed from both near and far?
 - *Massing*: Would the massing of the building be an appropriate response to the context?
 - *Architectural vocabulary*: Does the architectural vocabulary relate to the existing context or create a meaningful juxtaposition?
- d. *Composition*: Would the building materials be attractive and appropriate to the surroundings?

When the Aldriches donated this land to the Rhode Island Historical Society, the neighborhood did not have the protection of being in a historic district. With the expansion of the College Hill Historic District, we hoped that any change to our oversight role would be taken up by the Commission, thus keeping the character of the district at the forefront of the conversation. We contend, as we have in the past, that the development of two lots would be in keeping with the character of the neighborhood, but that the current proposal of three is out of character and scale. We hope that the HDC shares this view.

My hope is that this letter gives some context to our thinking in the past and present about new construction in the area.

Thank you for your time and consideration.

Sincerely,



C. Morgan Grefe, Ph.D.
Executive Director

From: [Martin, Jason](#)
To: ["Lauren Allister"](#)
Cc: [Joshua Kennedy](#)
Subject: RE: [EXTERNAL] New Benevolent Street Development Proposal
Date: Thursday, August 22, 2024 8:50:03 AM

Hi Lauren and Joshua -

Thank you for your comments. Written public comment received before the hearing is distributed to members as part of their meeting package.

When the Commission hears public comment, it will be entered into the record.

Respectfully,

J



Jason Martin

Preservation Planner
Department of Planning and Development
Joseph A. Doorley Municipal Building
444 Westminster Street
Providence, RI 02903
jmartin@providenceri.gov
(401) 680-8517
Fax: (401) 680-8492
Call to Connect | [PVD311](#)
TTY Relay: via 711

From: Lauren Allister
Sent: Wednesday, August 21, 2024 6:35 PM
To: Martin, Jason <jmartin@providenceri.gov>
Cc: Joshua Kennedy
Subject: [EXTERNAL] New Benevolent Street Development Proposal

Mr. Martin,

I hope this email finds you well. My name is Lauren Allister, and I am writing on behalf of myself and my husband, Joshua Kennedy. We are residents of 5 Cooke Street and have been part of the Historic District since 2017.

I am writing upon hearing about the proposed development on the land between 118 and 126 Benevolent Street. I understand that the HDC has the authority to state that the proposed development is too dense for our neighborhood, as it would likely be an active detriment to both the area's historical significance and livability.

We share the Commission's deep love of our neighborhood and desire to maintain its prosperity and natural beauty. This is why we ask the HDC to strongly consider opposing this proposal as it stands now. While we support development in the name of progress and

amplifying the community's existing value, we believe that the developers who have bought this land seek to build these homes without regard for the historical importance of the land beneath them and the surrounding community. We would like the HDC to consider its responsibility in preserving the nature, beauty, and importance of Benevolent Street and the Historic District when hearing this proposal.

A collection of 3 40-foot homes, in both height and density would drastically alter the appearance of our neighborhood. Additionally, the construction of so many new buildings could kill many of the existing trees and plant life on and around the bought land, leaving a large number of wildlife vulnerable and without a natural habitat.

When this land is developed, we hope that it is done so in a respectful and deliberate manner that will welcome new residents who love their home and neighborhood as much as we do.

With deep gratitude,

Lauren Allister and Joshua Kennedy
5 Cooke Street
