

PROJECT REVIEW

- 1. CASE 24.079, 118-126 BENEVOLENT STREET, Vacant lot (POWER-COOKE)**
Vacant lots within the Hope-Power-Cooke Streets 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, PC Exhibit 1) stating that they have a restrictive covenant on the property (dated December 1974, PC 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 were the appropriate divisions 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;
- Additional information has been submitted to the Commission since the issuance of the staff report. The Commission has received a letter electronically Friday, August 23rd addressed to Cynthia Ragona, 253 George Street, from Samuel Daganhardt, City Forester. The Forester conducted a site visit to examine a 32" Sycamore Maple tree located at the southwest corner of the subject property, adjoining 118 Benevolent Street. Mr. Daganhardt has opined that the subject tree is significant, and as such the proposed development is required to adhere to both the critical root and tree protection zones. These areas extend onto the property of 118-126 Benevolent St and will impact the ability to develop certain structures. The tree protection zone (TPZ), where there is to be no stockpiling of construction material, no machinery parking and minimal grade changes would consist of a radius of 32' from the trunk of the tree. The critical root zone (CRZ) is considered to be 16' in radius from the trunk of the tree. This is an area where there should be no excavation or machinery operation in any form. There are currently structures being proposed to be built within the TPZ and CRZ. Further, the amount of additional canopy coverage that is going to be lost through this development will be a detriment to the ecology and environmental health of the neighborhood. These areas extend onto the property at 118 Benevolent Street and will impact the area to develop certain structures. It is recommended that the Commission request that the applicant provide documentation that shows that the development of the parcels as submitted will not adversely impact the significant tree, along with agreement to a tree mitigation plan. If compliance with the Forester's requirements is not possible, it is staff's recommendation that the application be withdrawn and a new zoning compliant application be submitted.

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 incomplete for conceptual review as the application is not in compliance with the City of Providence's Zoning Ordinance, Section 1503.B, Significant Tree Preservation; and,

- c) The Commission requests that the applicant provide documentation that shows that the development of the parcels as submitted will not adversely impact the significant tree, along with agreement to a tree mitigation plan. If compliance with the Zoning Ordinance is not possible, it is staff's recommendation that the application be withdrawn and a new zoning compliant application be submitted.

Staff recommends a motion be made stating that: The application is considered incomplete. 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 application for New Construction is considered incomplete for conceptual review as the application is not in compliance with the City of Providence's Zoning Ordinance, Section 1503.B, Significant Tree Preservation. The Commission requests that the applicant provide documentation that shows that the development of the parcels as submitted will not adversely impact the significant tree, along with agreement to a tree mitigation plan. If compliance with the Zoning Ordinance is not possible, the application shall be withdrawn and a new zoning compliant application be submitted.