

**Mixed-Use Redevelopment Proposal**  
**Development Plan Review, Special Use Permit and**  
**Dimensional Variance(s) Application**

**29 Narragansett Avenue**  
**Assessor's Plat 9; Lot 631**

Prepared For: We Dig Investments, LLC

Prepared By: Pimentel Consulting, Inc.

8 January 2022

### **INTRODUCTORY STATEMENT**

We Dig Investments, LLC ("Applicant") has retained my professional land use planning and zoning consulting services ("Consultant"), in order to evaluate the appropriateness of redeveloping property located at 29 Narragansett Avenue (former Bank of America property) for mixed-use office and residential purposes, necessitating Development Plan Review ("DPR") approval. The present zoning designation permits a mixture of land uses by-right, albeit the individual uses are nevertheless regulated by Ordinance. Most perplexing is the need for a conditional special use permit ("SUP") to permit the residential component, when it is customary for residences to be incorporated into a mixed-use development. Nevertheless, as this report will evidence, it is well-supported by all respective regulatory documents. In addition, several dimensional variances are required to permit the redevelopment in the manner proposed. Once again, given regulatory redevelopment expectations, the referenced deviations are not only minor in scope, but also literally anticipated. The redevelopment proposal has already attained a positive recommendation in regard to both the DPR, as well as requisite SUP and dimensional variances. Otherwise, the redevelopment will be regulatory compliant with all regulations, not necessitating any development waivers.

In light of the stated redevelopment proposal, this Consultant has thoroughly reviewed the submitted application and site plan package as well as the following regulatory documents:

- o Town of Jamestown, Rhode Island, 2015 Comprehensive Community Plan - Amended 6 April 2015 ("Comprehensive Plan");
- o Town of Jamestown, Rhode Island, Zoning Ordinance ("Ordinance");
- o Town of Jamestown, Rhode Island, Land Development and Subdivision Regulations ("Development Regulations");
- o Jamestown Vision - Charette Report - October 15 thru October 19, 2007 ("Charette Report");
- o Jamestown Vision - Pattern Book & Design Guidelines for Building in the Village - 19 June 2008 ("Design Guidelines");
- o Pertinent state statutes and case law.

In addition, a very comprehensive analysis of all surrounding neighborhood blocks was personally prepared for the express purpose of evidencing neighborhood compatibility, in regard to both land usage and building massing / scale. The purpose for the subject report is two-fold: documenting the appropriateness of the proposed redevelopment in light of the requisite standards for the granting of the DPR and SUP and burdens associated with the requisite

variances; as well as rendering a professional opinion in regard to the consistency of the overall proposal with the Comprehensive Plan and related regulatory development documents.

The proposed redevelopment is most assuredly in accordance with the Charette Report, because it will replace a dated commercial asset that now fails to contribute to the 'Jamestown Village' envisioned by both the Report and Comprehensive Plan.

**"The study area for this work was confined to the commercial district along Narragansett Avenue and East Ferry, as well as the Commercial Limited, R-8 and R- 20 zoning districts immediately adjacent to the Village center. This extends roughly from Hamilton Avenue on the south to Arnold Avenue on the north. These areas were chosen because they are the logical areas where increased density could most easily be supported by existing services and where such density could be seamlessly integrated to enhance the character already present."** [Charette Report - Page 4]

#### IA.2 Zoning - Character - Discussion

- **"Surveys indicated that specific study sites should include Four Corners, the Fire Station, the Xtra Mart site, Bank of America, the waterfront and the Church Community Housing site on Conanicus Avenue."** [Charette Report - Page 12]

#### **EXISTING PROPERTY and NEIGHBORHOOD CONDITIONS**

The subject property is addressed 29 Narragansett Avenue, further designated Assessor's Plat 9, Lot 631, and containing upwards of approximately 10,258 square feet in overall lot area ("Property"). The Property has been improved with a commercial entity since minimally 1958, most recently a banking facility, albeit presently non-operational. The Property appears to have been well-underutilized for some period of time; an anomaly given the lack of commercial land resources, most notably along Narragansett Avenue. The mixed-use corridor in question is of great importance to the community, as evidenced by the special regulatory attention afforded the immediate area. Therefore, an opportunity to employ the newly established 'form-based' design guide-lines, altering the long-established and well-acknowledged inappropriate Euclidian regulatory style of development, must be carefully considered and supported. Otherwise, the blasé and cookie-cutter form of property development, resulting from the imposition of subjective dimensional criteria, will forever prevail. And, in the subject instance in which neighborhood character has been established by recognized historically significant development that has well-preceded said subjective criteria, all new construction must follow such historical patterns, even if it must be realized via respective Boards and/or Commissions. This is not merely personal opinion, but voiced by the most important of all stakeholders, namely community residents and municipal officials.

**"These facts have not gone unnoticed by the Town leaders and the development community. New development is regularly encouraged to respect the patterns and traditions**

**represented by the best parts of Narragansett and the best individual structures, even when achieving such traditionally designed buildings requires multiple variances. This has created a frustration among applicants and an inefficiency in the approval process. Being unable to rely on the current zoning as a predictable or realistic expression of what is possible and desired by the community, developers are forced to "test the waters" through the Development Review process (verify nomenclature) and undergo an expensive and unpredictable negotiation with an ever-changing group of individual commissioners.** [Charette Report - Page 9]

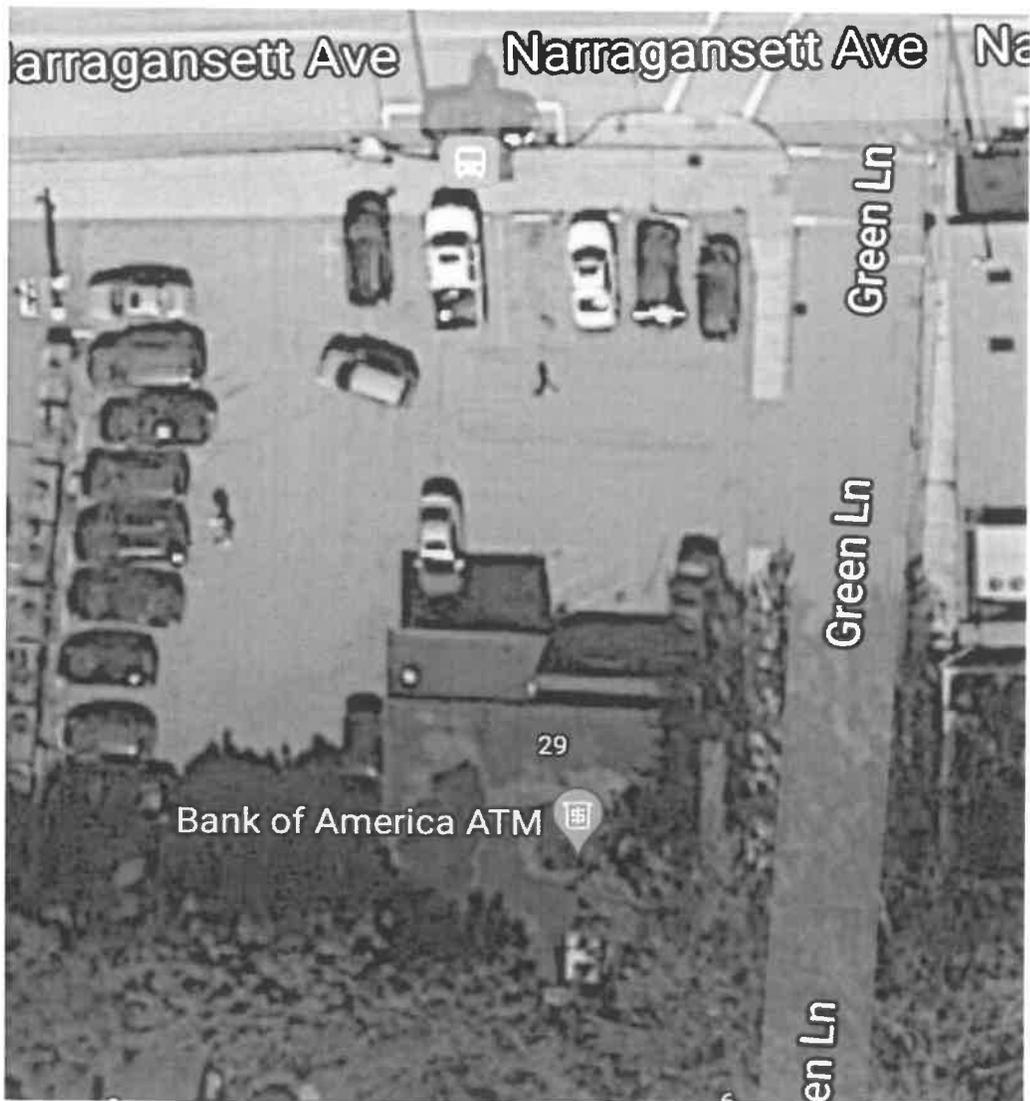
Realizing a mixture of residential and commercial land uses throughout the Narragansett Avenue corridor is difficult given limited redevelopment opportunities and the imposition of a minimum 20,000 square foot lot area requirement when introducing multiple residential units. This Consultant personally prepared an extensive neighborhood analysis (full results discussed below), analyzing upwards of 100-lots, and evidenced the mere presence of three (3) parcels with the potential for further development and meeting the rather excessive multifamily dwelling lot area requirement. Therefore, although present zoning regulations have been since devised to realize the very unique goals and objectives envisioned in the Charette Report, Design Guidelines, and Comprehensive Plan, the continued imposition of improbably dimensional criteria preclude in most instances by-right development.

The Property is already well-disturbed and improved in a manner that is contrary to preferred 'Village-Style' development. The Property is practically 100% impervious, with little to no green-space, being almost entirely improved with off-street parking and banking facility. The referenced off-street parking is entirely located forward of the banking facility, being situated between the facility proper and multiple roadways. The banking facility itself is situated towards the far Southerly property boundary, almost on top of the rear residential neighbor and literally as distanced from Narragansett Avenue as physically possible. And finally, the banking facility is architecturally insignificant and contrary to the historical village vision well-detailed throughout the Charette Report and Design Guidelines.

Narragansett Avenue is classified an 'Urban Minor Arterial' roadway, and defined pursuant to the Rhode Island Department of Transportation in the following manner:

**Minor Arterials** - "*Minor Arterials provide service for trips of moderate length, serve geographic areas that are smaller than their higher Arterial counterparts and offer connectivity to the higher Arterial system. In an urban context, they interconnect and augment the higher Arterial system, provide intra-community continuity and may carry local bus routes.*"

The illustration(s) on the following page, as excerpted from the Town's Geographic Information System ("GIS") and Google Earth, respectively, detail property conditions.



The Property is primed for redevelopment for all of the pre-existing reasons just identified, in addition to being non-productive. Furthermore, the Property is reasonably sized, being larger in overall area than the vast majority of the immediate neighborhood; larger than 76% of all surrounding parcels. The Property is also uniquely situated at the intersection of two (2) public roadways, thereby being defined as a corner-lot. The combination of larger lot size and being a corner-lot permits greater development and ability to accommodate multiple land uses.

The Property is presently zoned Commercial Downtown District ("CD District"), defined pursuant to Section 82-200 'Zoning Districts,' of the Ordinance, in the following manner:

**CD District** - *"Jamestown's central business district. This district should encourage business which generates pedestrians on a regular basis. Zoning requirements should encourage construction to the curb, and be retail-only at the street level."*

More importantly is the presence of the Jamestown Village Special Development Overlay District ("Village District"), crafted to spur mixed-use, pedestrian-oriented development. However, although land usage and site design standards were appropriately identified and guidance proffered the development community, it is unlike the truer 'form-based' code envisioned by both the Charette Report and Design Guidelines in which more relaxed dimensional criteria was anticipated.

*"In 2009, the Town Council enacted the Jamestown Village Special Development District (JVSDD), which replaced the former Development Plan Review section in the Zoning Ordinance...The new JVSDD relies on "form-based" standards, utilizing the SmartCode model ordinance, as opposed to the traditional style of zoning. **As the name suggests, form-based coding seeks to regulate the form of the built environment.** In contrast, conventional zoning primarily seeks to control land use and density, but is largely silent on matters of form beyond the most basic height and setback limits for individual buildings." [Comprehensive Plan - Page 169]*

The referenced reports clearly acknowledged that appropriate site and architectural form should mirror historical development patterns, understanding that dimensional criteria is secondary in importance. And yet, several of the requisite dimensional standards remain rigid, such as maximum height, which fail to recognize the variety of historical styles situated throughout the Village. Form-based code is malleable in application, understanding that there is a range of appropriateness, thereby averting thoughtless indifferent development. The results of the personally prepared Neighborhood Analysis evidence the wide range of architectural styles and building form (massing and scale) encompassing the Narragansett Avenue mixed-use corridor. These are development conditions to be cherished and protected, enhanced via the introduction of new construction that blends while simultaneously remaining unique in style. Rigid dimensional standards preclude this outcome.

**Town Goals [Page 4]**

- *"Help to manage future growth in the Village."*
- **"Ensure new development is in character and scale with the existing Village."**
- *"Create tools such as zoning amendments and design guidelines to help implement and protect the Town's vision."*

**Outline of Recommendations** - *"Based on the input we received from the community and the professional expertise of our team members, we propose to the Town of Jamestown the following recommendations:"* [Charette Report - Page 6]

- *"Adopt a locally specific "form-based" zoning ordinance such as a custom calibrated "SmartCode" as an overlay or outright replacement to the Town's existing zoning ordinance to help **guide new development in a character consistent with existing patterns and residents' wishes.** (Jamestown SmartCode)"*
- *"Supplement the SmartCode with additional non-binding **design guidelines which would steer all new construction towards preferred siting, form, detail, and materials of new construction.** (Jamestown Design Guidelines)"*

**Current Zoning** - **"Jamestown's existing zoning ordinance is not well suited to preserve the existing character of the Village or to guide future development if and when it occurs.** Like most municipal zoning ordinances, the document represents a compilation of minimum standards and prohibitions. As such, it "describes" within its tables of allowable uses and dimensional restrictions what is NOT wanted, being largely silent regarding any positive vision of what is desired. For instance, a maximum height is established, but no minimum. Mandatory setbacks from property lines are described in terms of a minimum allowable dimension, with no corresponding maximum allowable dimension. **In many cases even these "defensive" standards put in place with the intention of preserving a certain scale and density of development run counter to that very goal...Current standards of parking, setback and height** and, equally important, the lack of standards on required frontage, percentage of glazing and maximum setback **create a situation where building according to traditional patterns is neither encouraged, nor even allowed.**" [Page 9]

Another pertinent consideration, emphasizing the importance of the subject redevelopment proposal, is detailing just how limited is appropriately zoned commercial land resources town-wide. And even more glaring, is how little remains that has any viable redevelopment opportunity. In total, approximately a mere one-percent of all town-wide land resources is zoned in some commercial manner, all of which is concentrated with the Village District. Furthermore, the CD District, which encompasses the heart of the Village along Narragansett Avenue constitutes a mere 23-acres, of which literally only one-percent remains undeveloped. There is so little opportunity to realize new construction, displacing tired and architecturally non-contributing commercial entities, that careful consideration must be fully afforded all such

proposals. It also emphasizes the importance of reviewing each development from the perspective of surrounding neighborhood conditions, thereby advancing the integrity of existing architecture and building form as envisioned by respective regulatory documents detailed in this report.

**Current Zoning - "...The current standards which govern new construction in the CD zone create a situation whereby, were the East end of Narragansett to be completely destroyed in a Katrina-like storm, it legally could not be rebuilt in its current form. Instead, it is more likely to be built in a form more akin to the Extra-Mart, a universally disliked structure, than the Jamestown hardware building, a universally loved structure. Current standards of parking, setback and height and, equally important, the lack of standards on required frontage, percentage of glazing and maximum setback create a situation where building according to traditional patterns is neither encouraged, nor even allowed."** [Charette Report - Page 9]

**Jamestown Hardware**  
**5 Narragansett Avenue**



Charette Report - Page 13



2.3 Typical "Patterns" of Narragansett's best existing structures. Buildings along Lower Narragansett Avenue have a large percentage of glazing on the first floor, a consistent cornice line above the ground floor and are more residential in character in the upper stories.

It is abundantly clear that there is a heavy reliance on residential property taxes too off-set municipal expenditures. Considering that in excess of 85% of all land resources are either dedicated to residential land uses and/or protected in some manner thereby being non-taxing, there is little land area remaining to maintain an economically balanced environment. In fact, pursuant to the Comprehensive Plan [Page 160], **'Commercial businesses accounted for 4% of the Town's tax base in 2010, down from just under 5% in 1999.'**

**GENERAL NEIGHBORHOOD DESCRIPTION**

A thorough analysis of the surrounding blocks was personally prepared for purposes of evidencing neighborhood compatibility. The referenced analysis included all properties lining Narragansett Avenue, between Conanicus Avenue and Southwest Avenue, as well as all surrounding interior blocks. In total, 92 properties were thoroughly reviewed. The ratio was approximately two-thirds residential to one-third commercial and mixed-use, with the latter being the predominant land use along Narragansett Avenue. The average commercial and mixed-use house lot had an approximate lot area of 10,787 square feet, or a mere five-percent larger than

the Property. The full analysis is attached as an addendum to this report. However, those results that are most pertinent, considering there are several required dimensional variances, are presented below.

- o Almost 50% of all commercial properties are presently mixed-use in composition, with slightly less than one-half of those properties being similar or much smaller than the Property in lot size. In fact, the average multi-unit lot size is approximately 17,095 square feet, to include some rather dense residential developments on extremely small parcels. Therefore, failing to comport with the minimum 20,000 square foot multifamily lot area requirement is neither unusual, nor inappropriate.

- o The present 'Land Use Map' pursuant to the Comprehensive Plan, clearly acknowledges that the entire span of Narragansett Avenue is classified in a mixed-use manner. Regardless, due to the need for a SUP to permit the introduction of a multifamily development (a necessary mixed-use component), the referenced neighborhood analysis has likewise assessed land usage. Multifamily developments comprise 15% of the entire neighborhood analyzed, approximately one-third of the Narragansett Avenue corridor, and approximately one-half of all commercially improved properties.

- o The average improvement along Narragansett Avenue is in excess of two-stories. Furthermore, there are several structures within proximate distance of the Property that range in 2.5 to 3-stories in overall height. The reason for assessing such a specific building form is due to the need for excessive height and number of stories variances. Once again being somewhat contrary to 'Form-Based' code, which should be driven by historical development patterns. The following is a sampling of the surrounding building mass and scale.

**23 Narragansett Avenue**  
**[Situated two properties to the immediate East]**



**5 Narragansett Avenue  
Jamestown Hardware  
[Situated several properties to the East]**



**10 Narragansett Avenue  
[Situated several properties to the Northeast]**



**35 Knowles Court**  
**[Situated diagonally across Narragansett Avenue, to the North]**



**53 Narragansett Avenue**  
**[Situated several properties to the East]**



### **PROPOSED 'MIXED-USE' REDEVELOPMENT PROJECT**

The applicant proposes to raze the existing commercial facility and entirely redevelop the property for mixed-use purposes, consisting of three (3) first-floor professional office tenancies and three (3) upper-story residential units. The proposed redevelopment, unlike existing conditions, will address all of the desired design standards detailed in the Charette Report, Design Guidelines, and Ordinance. A mixture of professional office and residential is well-supported by the community, as evidenced by the following:

#### **Discussion [Page 13]**

- ***"Predominant 2-1/2 story form."***
- ***"Retail or office at first floor."***
- ***"First floor facade: 50-70% glazing."***
- ***"Second floor and attic are more residential in character."***
- ***"Attic story is expressed primarily in dormers or gable windows."***

The proposed redevelopment will rectify all existing conditions, to include fronting new construction along the primary road frontage. However, in the subject instance, considering the Property is a corner-lot, new construction will be oriented towards both road frontages, staggered across the entire spans of Narragansett Avenue for purposes of being the primary visual focal point. Furthermore, unlike present unsightly conditions, all off-street parking will be relocated towards the rear of the facility, screened by the proposed construction. It should also be emphasized, considering this is a total raze and rebuild, that much-needed drainage and other missing requisite engineering design standards will be properly instituted. Finally, there will be true physical separation and visual screening of all improvements. This is most assuredly a major improvement from the perspective of the directly abutting residential neighbor to the South. Once again, this is in direct accord with the new design guidelines envisioned by 'Form-Based' code.

***"More recent development along Narragansett Avenue, allowed under the current zoning ordinance, has created sections of Narragansett Avenue that are less enjoyable for pedestrians. These sections that could use improvement are characterized by long stretches of parking lots in front of undistinguished buildings. The traditional setbacks are not maintained and the parking at the sidewalk's edge creates a chaotic and unpleasant space. The goal of the new zoning code is to define limitations for development that would prevent the creation of such spaces again."*** [Charette Report - Page 14]

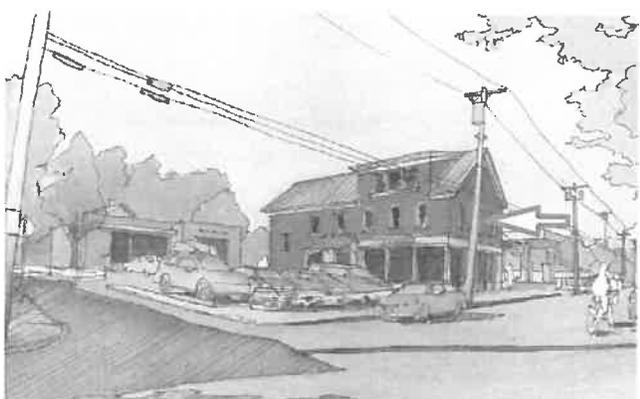
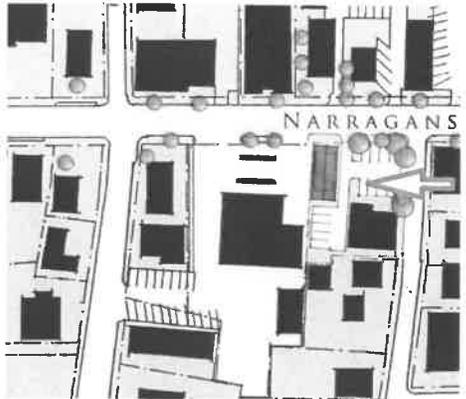
***"Jamestown's village should continue to be pedestrian friendly. The Downtown Improvement Project funded through the Rhode Island Department of Transportation's (RIDOT) Transportation Improvement Program successfully fostered this walkable village atmosphere. The historic development pattern of the downtown village provides for minimal off-street parking. Although many existing businesses are unable to meet the parking***

**requirements required in the Zoning Ordinance, development or conversion of future commercial buildings must attempt to meet the required standards.** [Comprehensive Plan - Page 30]

The proposed mixed-use facility is not only similar in architectural style to surrounding entities, but also purposely reflecting building mass and scale as well, as mandated by the newly imposed 'Form-based' code. This has been well evidenced throughout this report by means of the personally prepared Neighborhood Analysis, and assessment of individual proximate improvements. Therefore, any resulting minor dimensional deviation is not necessarily inappropriate, because the primary consideration is realizing neighborhood compatibility. The following illustrations are a comparison of the proposed development and that which has been proffered by the community via the Charette Report. The first illustration (below), excerpted from the Charette Report [Page 21], details the Property and adjacent land uses, as well as conceptual redevelopment. This should be compared to the applicant's redevelopment proposal (following page), which is perhaps the most purest means of affirming regulatory consistency and compliance.



5.4 Existing Site Plan of area along Narragansett Avenue that needs improvement. Buildings are set far off of the street and parking lots and automobile access dominate the properties.



5.4 First phase of "healing" development. A new building fronting the street can help to improve the pedestrian experience along this block of Narragansett Avenue. Such a small change can make a large impact on the street.



Redevelopment the furthers the 'Neighborhood Concept,' is directly in accord with the Charette Report and Comprehensive Plan.

#### Calibrating the SmartCode for Jamestown

*"The team measured those most-loved existing conditions for each Transect Zone, including height, setback ranges, lot width ranges, and sidewalk widths. Those metrics were then recorded into the code for future development standards." [Charette Report - Page 19]*

**"As often happens in towns that evolved before separated- use zoning, it turned out that the metrics of Jamestown's best urbanism are not the metrics that are in the existing ordinance. If the Village were wiped out by a hurricane, it could not be rebuilt by-right under the current ordinance. The strongest mandate from Jamestowners was "Don't change our essential character." But in order to protect that character, the code must be changed."** [Charette Report - Page 19]

**Jamestown Village Special Development District - "The standards found in this Article encourage traditional neighborhood patterns such as exist in Jamestown Village today. This district is intended to protect and complete these patterns while encouraging housing that is diverse and affordable for all Jamestowners, so that all new development will be harmonious and compatible with existing Village character..."** [Comprehensive Plan - Page 26]

*"The 2007 "Jamestown Vision" Village Charrette, based on comments throughout the workshops, recommended increasing the density of the Four Corners area near the post office and reducing the density from the Town Hall to Howland Avenue in an attempt to encourage redevelopment of the Four Corners area and preserve the "eclectic character" that now exists in the Howland Avenue to Town Hall area. That recommendation met with some resistance at the Planning Commission level during the re-write of the Zoning Ordinance in the years to follow and it was decided to further query residents on the issue through the Community Survey as well as additional workshops. The survey results show some ambivalence and even uncertainty about whether Jamestown has enough or too much commercial area and whether to support the concept of increased density at the Four*

Corners. *What was clear is that 79-to-82% of respondents do not support increasing the height limit to 4 stories in the commercial downtown for any reason, even for affordable housing.* [Comprehensive Plan - Page 161]

### **ZONING ORDINANCE ANALYSIS**

The proposed redevelopment necessitates both a SUP to permit the multifamily component, as well as several minor dimensional variances to fully realize neighborhood compatibility as envisioned by the recommended 'Form-Based' zoning code.

#### **Special Use Permit**

The requisite 'Standards' for the granting of the SUP are individually addressed as follows:

**Section 82-600 'Considerations of the Zoning Board':** *"In granting any special use permit or variance, the zoning board shall consider whether or not satisfactory provisions and arrangements have been or will be made concerning, but not limited to, the following matters, where applicable: of the following standards be entered into the record of the proceedings:"*

**A.** *"Ingress and egress to the lot and to existing or proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire, emergency, or other catastrophe."*

The proposed redevelopment will in fact realize greater regulatory compliance by relocating requisite off-street parking to the rear of the property. Curb-cuts (driveway openings) will similarly be appropriately relocated. In addition, by fronting the facility along Narragansett Avenue, emergency and fire personnel will have full access. Such a design feature will also prompt greater pedestrianism, by permitting direct and safe access from the public right-of-way (sidewalk), averting interaction with vehicular travel.

**B.** *"Off-street parking and loading areas where required, with particular attention to the items in (A) [subsection A. of this section] above, and the economic, noise, glare or odor effects of the special use on adjoining lots."*

The proposed mixed-use development, being comprised of professional offices and residential units, will not generate any glare or odor, nor excessive noise. More than sufficient off-street parking will be provided. However, unlike existing conditions, excessive parking will be averted, thereby permitting appropriate placement, drainage design, and introduction of much-needed green space. Given the nature of the land uses proposed, permanent off-street loading is unnecessary.

**C. "Trash, storage, and delivery areas with particular reference to the items in (A) and (B) [subsections A. and B. of this section] above."**

Appropriately screened trash storage accommodations will be introduced. Considering the proposed land uses are purely office and residential, no official delivery area is necessary.

**D. "Utilities and surface water drainage with reference to locations, availability and suitability."**

All requisite utilities are present and will be accordingly connected. In addition, much-needed requisite site improvements will be realized, such as surface drainage, averting uncontrolled runoff.

**E. "Screening and buffering with reference to type, dimensions and character."**

The proposed raze and rebuild will realize much-needed site improvements, such as relocating the building away from the respective rear property boundary and immediate residential neighbor. Unlike present conditions, actual vegetative screening and buffering will be introduced, thereby improving overall Property and neighborhood character.

**F. "Signs, if any, and exterior lighting with reference to glare, traffic safety, economic effect on and compatibility and harmony with lots in the zoning district."**

Signage will be kept to a minimum, and as regulated by the Ordinance. The same is true of site lighting; decorative in design and only as needed to ensure the safety of residents, employees and customers alike.

**G. "Required yards and other open spaces."**

Realize full compliance.

**H. "General compatibility with lots in the same or abutting zoning districts."**

As has been repeatedly detailed throughout this report, the primary reason for evidencing redevelopment appropriateness is affirming neighborhood compatibility.

**I. "Environmental compatibility and safeguards to protect the natural environment."**

Proposed land usage will in no way impair the Property nor surrounding neighborhood from an environmental perspective. In fact, unlike present conditions that lack any site controls, the proposed redevelopment will realize improved drainage and introduction of much-needed landscaping.

J. *"Electrical, electronic or noise interference.*

Not applicable.

K. *"Water saving devices and/or ISDS inspection or servicing."*

With the exception of improved water and sewer service connection, the proposed standard is not applicable.

**Section 82-602 'Burden on the applicant':** *"Before any special use permit shall be granted, the applicant shall show to the satisfaction of the zoning board."*

A. *"That the granting of the special use permit will not result in conditions inimical to the public health, safety, morals and welfare."*

Unlike present conditions, the proposed redevelopment will in fact realize much-improved conditions to the public health, safety, morals and welfare. There are literally no site controls, such as drainage mitigation. Furthermore, the Property is presently unsightly, failing to contribute in any meaningful way, either from an economic or visual perspective. Finally, it fails to further any of the respective Village design guidelines so desired by the community.

B. *"That the granting of such special use permit will not substantially or permanently injure the appropriate use of the property in the surrounding area or district."*

As has been repeatedly detailed throughout this report, the primary reason for evidencing redevelopment appropriateness is affirming neighborhood compatibility. The Charette Report and Comprehensive Plan, alike, anticipate and fully welcome mixed-use development. There are also a litany of 'Form-Based' design standards that are highly desired, and yet little redevelopment opportunity to realize them. Therefore, it can be categorically concluded that the proposed redevelopment will enhance, and not impair, both Property and neighborhood conditions.

### **Dimensional Variances**

In addition, the proposed redevelopment requires several minor dimensional variances, all of which are necessary to realize a neighborhood compatible project that furthers much-desired 'Form-Based' design standards. The respective dimensional variance burdens are individually addressed below.

**Section 82-606 'Conditions for granting a variance':** *"In granting a variance, the zoning board of review shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings."*

1. "That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant."

The hardship is most assuredly emanating from the unique characteristics of both property and structure. Present site conditions are woefully deficient and entirely contrary to the design standards so desired by the community. The Property is literally 100% impervious, failing to be improved with any pertinent site controls, most notably site drainage. In addition, the Property is improved with a non-contributing commercial facility that is improperly located. The same is true of the present excessive off-street parking, likewise improperly situated between the commercial facility and public right-of-way. It is inconceivable how appropriate redevelopment that furthers respective design guidelines and in a manner that is economically feasible, can be achieved while comporting with rigid non form-based dimensional criteria. The most pertinent standard is introduction of a design that maintains neighborhood compatibility, in both architectural style and form (massing and scale). This is not mere speculation, but fully understood by the community as documented in the Charette Report.

*"These facts have not gone unnoticed by the Town leaders and the development community. **New development is regularly encouraged to respect the patterns and traditions represented by the best parts of Narragansett and the best individual structures, even when achieving such traditionally designed buildings requires multiple variances.** This has created a frustration among applicants and an inefficiency in the approval process. **Being unable to rely on the current zoning as a predictable or realistic expression of what is possible and desired by the community, developers are forced to "test the waters" through the Development Review process (verify nomenclature) and undergo an expensive and unpredictable negotiation with an ever-changing group of individual commissioners.**" [Charette Report - Page 9]*

**Current Zoning - "Jamestown's existing zoning ordinance is not well suited to preserve the existing character of the Village or to guide future development if and when it occurs.** Like most municipal zoning ordinances, the document represents a compilation of minimum standards and prohibitions. As such, it "describes" within its tables of allowable uses and dimensional restrictions what is NOT wanted, being largely silent regarding any positive vision of what is desired. For instance, a maximum height is established, but no minimum. Mandatory setbacks from property lines are described in terms of a minimum allowable dimension, with no corresponding maximum allowable dimension. **In many cases even these "defensive" standards put in place with the intention of preserving a certain scale and density of development run counter to that very goal...Current standards of parking, setback and height** and, equally important, the lack of standards on required frontage, percentage of glazing and maximum setback **create a situation where building according to traditional patterns is neither encouraged, nor even allowed.**" [Page 9]

2. "That the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain."

The presence of hardship has already been appropriately documented. The referenced hardship having been present since the inception of the subject lot, in addition to its commercial

development upwards of 70-years ago, well prior to the ownership of the applicant. It is impossible to cure the deficient lot area deviation, albeit multifamily mixed-use development is highly desired with the full understanding that there are few parcels even remotely compliant. Therefore, the referenced regulations fail to properly support the community's aspirations. The subject proposal is in direct accord with all detailed Village design guidelines, unlike present site conditions, thereby evidencing the applicant's 'primary desire,' namely to achieve an economically feasible development that mirrors the immediate neighborhood's architectural form.

3. *"That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the ordinance [this chapter] or the comprehensive plan upon which the ordinance [this chapter] is based."*

The proposed redevelopment will in fact realize true neighborhood compatibility, unlike present conditions, failing to even remotely contribute to the desired Village character so highly desired. This is not only detailed in the Charette Report and Design Guidelines, but likewise in the Comprehensive Plan, thereby evidencing absolute 'consistency.'

4. *"That the relief to be granted is the least relief necessary."*

The applicant merely necessitates three (3) dimensional variances, albeit present conditions are woefully deficient, especially in regard to the 'Form-Based' design standards so greatly desired. The lot area deficiency is incurable and quite honestly impractical. The majority of present multifamily developments situated throughout the immediate neighborhood fail to comply with the requisite minimum lot area requirement, several of which are one-half or even smaller than the Property. In regard to excessive number of stories and overall height, which are rather synonymous, this too is in accordance with existing neighborhood building form (massing and scale) as recommended by the Charette Report. Therefore, the referenced relief, which is not entirely in agreement with the 'Form-Based' code envisioned by all respective regulatory documents, is most appropriate because it will realize neighborhood compatibility. It can therefore be concluded that all of the requisite dimensional relief is the least relief necessary.

**Section 82-607 'Variances - Additional Restrictions':** *"The zoning board of review shall, in addition to the above standards, require that evidence be entered into the record of the proceedings showing that:"*

2. *"In granting a dimensional variance, the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief."*

It cannot be emphasized enough how incongruent present site conditions are to highly desired Village style design standards. The present property is not only economically non-contributing, but also visually displeasing with a disinteresting one-story commercial facility fronted by a vast sea of off-street parking. Finally, there is little greenery, and absolutely no site controls (e.g., drainage system). Therefore, failure to approve a most neighborhood compatible development that furthers numerous design standards, as envisioned by the Charette Report, Design Guidelines, and Comprehensive Plan, will most assuredly result in hardship amounting to more than a mere inconvenience. A denial will render the development economically infeasible, thereby maintaining the status quo.

### **CONCLUSION**

It is this Consultant's professional opinion that the subject redevelopment proposal will be consistent with the goals and objectives of the Charette report, Design Guidelines, and Comprehensive Plan, specifically the Land Use and Economic Development Elements. The redevelopment proposal can therefore be fully supported and approved by the Town of Jamestown Zoning Board of Review. My professional opinion is based upon the manner in which the proposed mixed-use multifamily development can be well incorporated into the overall fabric of the surrounding village. It is the professional opinion of this Consultant that the following excerpted Charette Report [Pages 19 - 20] recommendations clearly corroborate the conclusions detailed in this report, as well as evidencing the appropriateness of granting the requisite dimensional relief.

#### **Jamestown Vision**

##### **IA.4 Zoning - SmartCode - Regulating Plan - Discussion**

- **"Dimensional regulations in the Town's current zoning ordinance are not reflective of the actual dimensions of the Village's best neighborhoods. i.e., New construction is forced by the ordinance to be different from the historic pattern."**

##### **Recommendations:**

- ***"Use customized SmartCode and Design Guidelines to enable new construction to reference the dimensions of the existing Village neighborhoods."***

##### **IA.5 Zoning - SmartCode in Application - Discussion**

- **"Current Zoning is not structured to replicate existing building patterns / scale."** [Page 20]

This document was exported from Numbers. Each table was converted to an Excel worksheet. All other objects on each Numbers sheet were placed on separate worksheets. Please be aware that formula calculations may differ in Excel.

Numbers Sheet Name	Numbers Table Name	Excel Worksheet Name
Sheet1 - Table 1 - Table 1 - Ta	Table 1	Sheet1 - Table 1 - Table 1 - Ta
Sheet1 - Table 1 - Table 1 - Ta	Table 1	Sheet1 - Table 1 - Table 1 - Ta
Sheet2 - Table 1 - Table 1 - Ta	Table 1	Sheet2 - Table 1 - Table 1 - Ta
Sheet3 - Table 1 - Table 1 - Ta	Table 1	Sheet3 - Table 1 - Table 1 - Ta

**NEIGHBORHOOD ANALYSIS**

29 Narragansett Avenue

Assessor's Plat 9 - Lot 631

Commercial Downtown ("CD") District

Plat/Lot	Lot Area (Sq. Ft.)	Address / Owner	Land Use	No. of Stories	Footprint (sf)	Bldg Coverage	Gross Area (sf)	Year Built	Zone
9 - 631 SP	10,258	29 Narragansett Avenue	Commercial	1	1,864 Pavement =	18.17% 5,000	1,816	1958	CD
9 - 246	30,000	35 Narragansett Avenue	Mixed-Use Retail / Residential [Seven-Units]	1	3,660	16.20%	3,900	1950	CD
			Service Garage	1	1,200 Shed = 96 sf Pavement =	18,200	1,104	1986	CD
9 - 211	4,059	41 Narragansett Avenue	Two-Units	1.5	1,318	32.47%	1,476	1880	CD
9 - 867	6,151	5 Clinton Avenue	Office	2	2,081	33.83%	2,882	2009	CD
9 - 212	8,260	7 - 11 Clinton Avenue	Office Condos	2	3,180	38.50%	4,884	-1984 1987	CD
9 - 213	16,553	13 Clinton Avenue	Single-Family	2	1,453 Shed = 64 sf	8.78%	1,998	1891	R-8
9 - 215	8,030	19 Clinton Avenue	Single-Family	1.75	1,488 Garage = 400 sf	18.53%	1,530	1891	R-8
9 - 216	8,050	23 Clinton Avenue	Single-Family	1.75	1,944	24.15%	2,737	1920	R-8
9 - 241	21,344	26 Green Lane	Single-Family	2	2,520 Shed = 192 sf	11.81%	1,896	1880	R-8



9 - 253	3,725	10 Union Street	Single-Family	2	2,458	65.99%	3,112	1880	CD
9 - 254	5,725	12 Union Street	Two-Units	2.75	2,304 Garage = 240 sf	40.24%	3,048	1899	CD
9 - 700	3,725	14 Union Street	B&B / Inn [Four Units]	2.5	1,943	52.16%	2,859	1880	CD
9 - 255	7,175	16 Union Street	Single-Family	2	2,111 Garage = 240 sf	29.42%	2,770	1890	CD
9 - 256	3,750	20 Union Street	Single-Family	2	1,304 Garage = 400 sf	34.77%	1,760	1900	CD
9 - 257	3,095	22 Union Street	Single-Family	2.25	1,568	50.66%	3,134	1896	CD
9 - 570	6,268	7 Green Lane	Two-Units	2	1,843	29.40%	1,898	1880	CD
9 - 249	3,124	5 Green Lane	Single-Family	1.5	1,318	42.19%	1,136	1940	CD
8 - 472	1,650	42 Narragansett Avenue	Retail	1	954	57.82%	894	1925	CD
8 - 471	2,811	40 Narragansett Avenue	Mixed-Use Retail / Residential [Five Units]	2	1,920	68.30%	3,840	1928	CD
8 - 391	8,890	38 Narragansett Avenue	Mixed-Use Retail / Residential [Five Units]	2.75	1,425 Pavement =	16.03% 6,000	3,564	1930	CD
8 - 453	8,712	34 Narragansett Avenue	Retail / Office [Nine Units]	1	5,800	66.57%	5,736	1948	CD
8 - 164	7,604	32 Narragansett Avenue	Retail / Residential [Three Units]	2.5	2,629	44.46%	3,296	1954	CD

8 - 165	4,253	30 Narragansett Avenue	Commercial	1.75	752	612	1954	CD
8 - 573	6,240	0 Narragansett Avenue Town of Jamestown	Office	1.25	1,044 Pavement =	1,272	1940	CD
8 - 604	3,959	24 Narragansett Avenue	Unimproved					CD
8 - 339	3,968	22 Narragansett Avenue	Mixed-Use Retail / Residential	1.75	1,364 Pavement =	1,869	1930	CD
8 - 167	5,000	16 Narragansett Avenue	Restaurant	2	1,386 Pavement =	2,110	1900	CD
8 - 168	5,000	14 Narragansett Avenue	Retail / Office [Six Units]	2	2,732 Pavement =	2,552	1800	CD
8 - 169	10,165	10 Narragansett Avenue	Restaurant	2	2,036	2,818	1840	CD
8 - 170	36,000	53 Conanicus Avenue	Apartment House [Ten-Units]	2.75	2,678 Pavement =	6,320	1885	CD
8 - 173	13,309	11 Knowles Court	Residential Condos [36-Units]	7	17,500	56,282	1988	DC
8 - 174	8,830	17 Knowles Court	Service Garage Town of Jamestown	1	2,560 Pavement =	2,290	1974	P
8 - 166	18,032	20 Narragansett Avenue	Single-Family	1.5	1,768	2,457	1890	R-20
8 - 460	6,347	25 Knowles Court	Retail	2	7,918	8,464	1910	CD
8 - 488	38,600	35 Knowles Court	Single-Family	1	1,296	1,144	1928	R-20
			Residential Condos	3	9,520	20,400	2004	CD
						30.88%		





9 - 36	27,670	87 Narragansett Avenue	Church	2	8,945 Pavement =	32.33% 15,000	13,192	1968	CD
9 - 34	21,522	93 Narragansett Avenue	Municipal Facility Town of Jamestown	2	6,512 Pavement =	30.26% 6,000	10,304	1880	CL
9 - 32	10,890	99 Narragansett Avenue	Church	2.5	5,138	47.18%	7,202	1900	CL
9 - 33	12,197	28 West Street	Single-Family	1	2,667 Shed = 112	21.87%	1,613	2003	R-8
9 - 697	5,282	26 West Street	Single-Family	2	1,619	30.65%	1,976	2004	R-8
8 - 285	40,473	92 Narragansett Avenue	Municipal Facility Town of Jamestown	1	1,044	2.58%	924	1760	CL
8 - 433	12,998	90 Narragansett Avenue	Single-Family	2	1,638 Shed = 144	12.70%	1,807	1920	R-20
8 - 438	20,292	86 Narragansett Avenue	Single-Family	2	2,013 Garages = 984	9.92%	2,071	1775	R-20
8 - 313	5,940	82 Narragansett Avenue	Single-Family	1.5	1,589 Carport = 252	26.75%	1,316	1900	R-20
8 - 455	7,822	11 Swineburne Street	Single-Family	1	1,750	22.37%	1,182	1935	R-20
8 - 120	44,829	78 Narragansett Avenue	Single-Family	2	2,747 Barn = 560	6.13%	3,000	1890	CD
8 - 121	5,000	70 Narragansett Avenue	Single-Family	1	604 Garage = 324	12.08%	840	1760	CD
8 - 123	6,649	15 Elm Street	Single-Family	2	2,008	30.20%	2,964	2008	R-8

8 - 366	6,610	11 Elm Street	Single-Family	2	2,060	31.16%	2,872	2008	R-8
8 - 122	5,750	68 Narragansett Avenue	Unimproved						CD
8 - 124	47,045	60 Narragansett Avenue	Church	2.5	7,068 Pavement =	19.07% 12,000	10,645	1960	CD
			Single-Family	2	1,902 Garage = 300 Shed = 120		2,747	1900	R-8
8 - 292	8,975	20 Grinnell Street	Single-Family	1.5	1,081	12.04%	980	1910	R-8
8 - 327	11,609	14 Grinnell Street	Single-Family	1.5	1,263 Garage = 240	10.88%	1,007	1923	R-8
8 - 160	9,640	8 Grinnell Street	Single-Family	1.5	2,856	29.63%	2,223	2006	R-8
8 - 161	19,724	50 Narragansett Avenue	Municipal Facility Town of Jamestown	2	8,738 Pavement =	44.30% 5,000	15,929	1920	CD
8 - 479	6,600	46 Narragansett Avenue	Jamestown Fire Department	1.75	1,612	24.42%	2,634	1900	CD
8 - 162	9,700	9 Coronado Street	Single-Family	1	1,392	21.36%	984	1920	R-8
			Single-Family	2	680		680	1920	R-8
8 - 411	6,600	13 Coronado Street	Single-Family	1.5	1,710	25.91%	1,548	2001	R-8
8 - 159	14,946	19 Coronado Street	Single-Family	2	1,552 Shed = 240	29.61%	2,073	1890	R-8
<b>Total:</b>	<b>1,037,698</b>		<b>Total:</b>	<b>181</b>	<b>255,711</b>	<b>24.64%</b>	<b>372,982</b>		

<b>Average:</b>	11,279	<b>Average:</b>	1.87	2,873	4,191
<b>Commercial</b>					
<b>/ Mixed-Use</b>					
<b>Total:</b>	323,623	<b>Comm / Mixed-Use</b>			
<b>Average:</b>	10,787	<b>Total:</b>	67	103,542	141,640
		<b>Average:</b>	1.96	3,451	4,721
<b>Narr. Ave.</b>		<b>Narragansett Ave</b>			
<b>Total:</b>	636,962	<b>Total:</b>	100	161,827	265,279
<b>Average:</b>	12,999	<b>Average:</b>	2.04	3,303	5,414
<b>Impervious</b>					
<b>Lot</b>					
<b>Total:</b>	134,838				
		<b>Impervious</b>			
		<b>Total:</b>			93,355
		<b>Average:</b>			69.23%