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Attorneys and Counselors at Law

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August 5, 2019

Mr. Guy Weston Zoning Officer City Hall - 43 Broadway Newport, RI 02840

RE: Petition to Rezone ARC HTNEWRI001, LLC 2 Kay Street, TAP: 21, Lot: 123

Dear Mr. Weston:

Please be advised that this firm represents ARC HTNEWRI001, LLC, the owner of property located at 2 Kay Street. Our client is petitioning the City Council pursuant to Section 17.120.010 of the Zoning Code to have its property rezoned and included within the adjacent General Business Zone. In support of the same, please find enclosed the following:

- 1) Petition to Rezone;
- Map from Northeast Engineers illustrating all properties within a 500 foot radius 2) of the subject parcel;
- Map from Northeast Engineers illustrating the existing Zoning Map designations 3) for the subject parcel and surrounding parcels, with the subject parcel also outlined in orange to designate the proposed change to General Business;
- A list of abutters within 200 feet of the subject parcel; 4)
- A list of abutters with 500 feet of the subject parcel; 5)

Let me know if anything further is required.

Sincerely. J. Russell Jackson, Esq.

Cc:

J. Boxer, Esq.

TO THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL OF THE CITY OF NEWPORT AUG - 6 2019

PETITION TO REZONE

WHEREAS, your Petitioner, ARC HTNEWRI001, LLC, Inc., owns real estate located at 2 Kay Street in the City of Newport and identified as Lot No. 123 on the City of Newport Tax Assessor's Plat 21, as presently constituted; and

WHEREAS, said Lot No. 123 is presently zoned as part of the R-10 Residential District, which is an area of medium density residential development; and

WHEREAS, said Lot No. 123 is located at the intersection of Kay Street, Touro Street and Bellevue Avenue; and

WHEREAS, said Lot No. 123 is adjacent and proximate to certain properties, including the Hotel Viking, which are along either side of Bellevue Avenue and are within the General Business District; and

WHEREAS, your Petitioner requests that said Lot No. 123 be reclassified and zoned as part of the General Business District (GB), as set forth in the accompanying Zoning Map attached hereto as Exhibit A; and

WHEREAS, your Petitioner currently operates the property as the Hilltop Inn, a five star Guest House; and

WHEREAS, in conjunction with the continued Guest House use, your Petitioner intends to operate a small standard restaurant, providing full service, Michelin rated fine dining; and

WHEREAS, such a reclassification will compliment other existing land uses in the general vicinity thereof, and, as hereinafter set forth, will be in keeping with the City of Newport's Comprehensive Land Use Plan; and

WHEREAS, for the foregoing reasons and for other good cause, your Petitioner respectfully requests that the said parcel of real estate located at 2 Kay Street and identified as Lot No. 123 on the City of Newport Tax Assessor's Plat 21 be reclassified as provided above, as said reclassification is in the general public interest and of benefit to the residents of the City of Newport for the foregoing reasons:

1. It is in keeping with the character of the district and will compliment other existing land uses in the general vicinity thereof;

2. It is and will be in keeping with the City of Newport's Comprehensive Land Use Plan and is consistent with reasonable and proper planning standards;

3. It will be consistent with the public health, safety and general welfare of the community; and

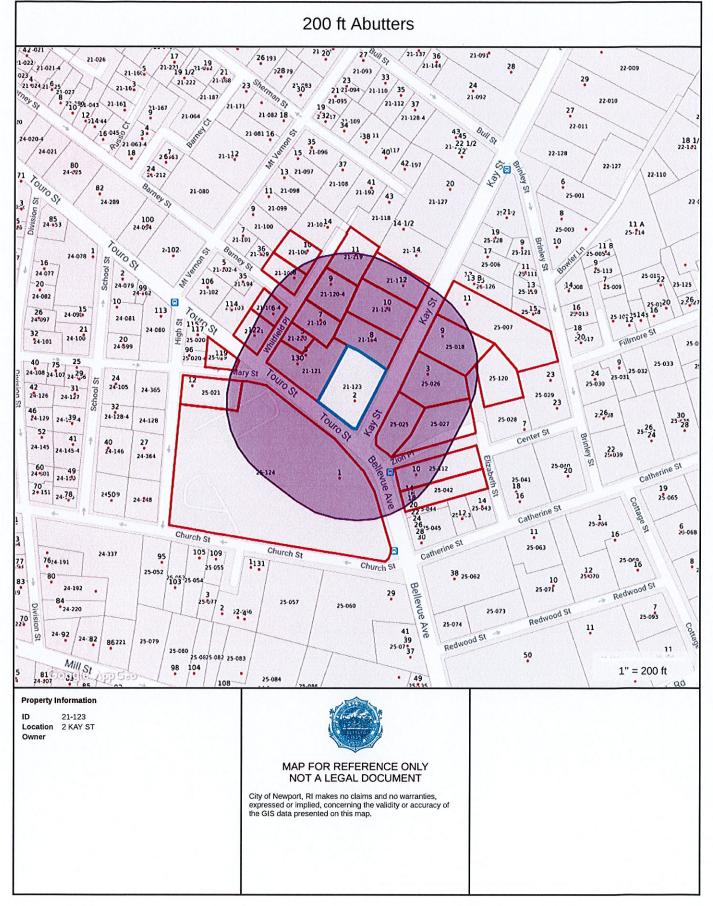
4. It will encourage an appropriate and beneficial use of said parcel.

NOW THEREFORE, your Petitioner respectfully requests that this Honorable City Council set a date for a public hearing on the proposed amendment to the Zoning Ordinance of the City of Newport; that the same be advertised for public hearing by newspaper publication; that prior written notice be given to all owners of property within two hundred (200') feet of the perimeter of the parcels hereinbefore described, certified mail, return receipt requested; and that notice be sent to the Associate Director of the Division of Planning of the Rhode Island Department of Administration, all in accordance with R.I.G.L. §45-24-53, as amended; and that at such public hearing, the proposed amendment to the Zoning Map attached hereto and made a part hereof as Exhibit "A" be considered by this Honorable City Council and adopted thereafter.

Respectfully Submitted, ARC HTNEWRI001, LLC By its Attorneys, Miller Scott Holbrook & Jackson

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J. Russell Jackson, Esq. Turner C. Scott, Esq. 122 Touro Street Newport, RI 02840 Tel: 401-847-7500 jrjackson@millerscott.com tscott@millerscott.com



TURNER C SCOTT REVOCABLE TRUST SCOTT TURNER C 122 TOURO ST NEWPORT, RI 02840

VELILLA REVOCABLE TRUST 2018

10 WHITFIELD PL NEWPORT, RI 02840

FISHER RICHARD M AND PATRICIA A

130 TOURO ST NEWPORT, RI 02840

YOUNG PHILIP A

8 KAY ST NEWPORT, RI 02840

MCVEY KEVIN M AND LYNNE A

5 EAST AVE APT 5H LARCHMONT, NY 10538

JAMES-BOWERS KATHERINE N TRUSTEE

11 KAY ST NEWPORT, RI 02840

PRIESTLEY JULIE A TRUST PRIESTLEY JULIE A TRUSTEE 1955 ILLINOIS AVENUE NE ST PETERSBURG, FL 33703

LSREF3 VIKING LLC C/O ALTUS GROUP 1 RAVINIA DR STE 1600 ATLANTA, GA 30346

LSREF3 VIKING LLC C/O ALTUS GROUP 1 RAVINIA DR STE 1600 ATLANTA, GA 30346 SPENTZOS NOULA & SPENTZOS DINO N 6 WHITFIELD PL NEWPORT, RI 02840

SCHAEFER CHARLES J & JUDY B

PO BOX 545 NEWPORT, RI 02840

THOMAS JENNIFER E

10 KAY ST NEWPORT, RI 02840

DUMLER PIERRE A & YOLANDE A LIFE ESTATE ALLEN CAMILLE A &

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FORGIONE WILLIAM & FORGIONE SUSAN 9 KAY ST NEWPORT, RI 02840

JEWISH CEMETERY

KAY STREET NEWPORT, RI 02840

DIFANTE GINO M JR

30 BELLEVUE AVE NEWPORT, RI 02840

LSREF3 VIKING LLC C/O ALTUS GROUP 1 RAVINIA DR STE 1600 ATLANTA, GA 30346 CHATTY ANNALEE

8 WHITFIELD PL NEWPORT, RI 02840

BOHAN J STEPHEN & MARIE D

7 WHITFIELD PLACE NEWPORT, RI 02840

COUSSA PATRICIA & DOLOHANTY,MARY BETH 12 KAY ST NEWPORT, RI 02840

ALLEN CAMILLE A & ALLEN ALFRED L 425 LAPHAM FARM RD PASCOAG, RI 02859

JAMES GREGORY & MARKOWITZ ALANA

9 WHITFIELD PL 5 NEWPORT, RI 02840

NEWPORT CITY OF

CITY HALL NEWPORT, RI 02840

DELGUERCIO PAUL

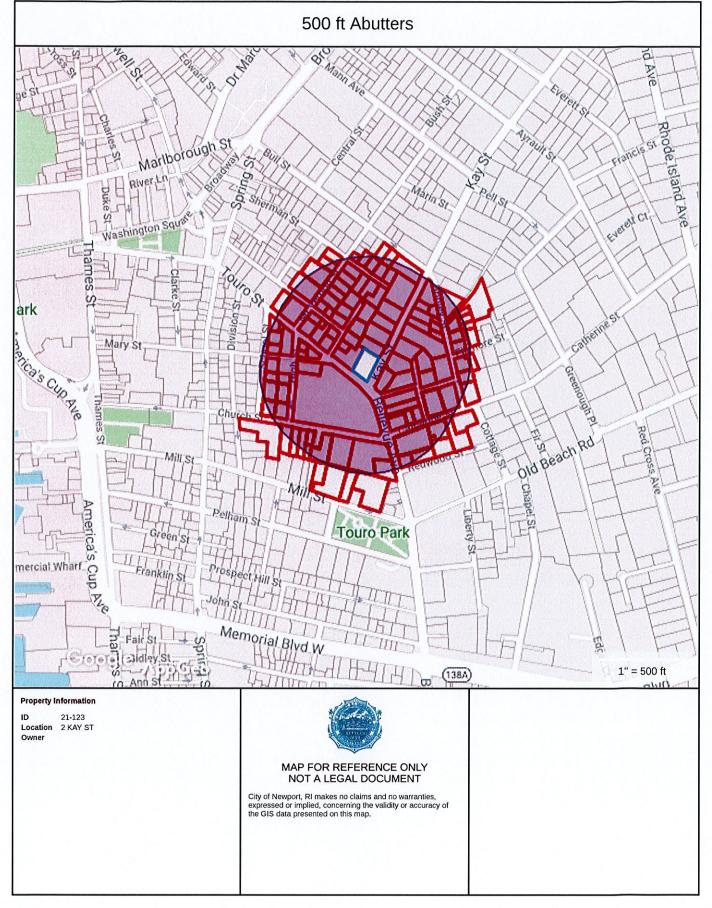
3 KAY STREET NEWPORT, RI 02840

BELLEVUE MANOR LLC

30 BELLEVUE AVE NEWPORT, RI 02840

DURAND STEPHEN P & CHRISTA F

5 WHITFIELD PL NEWPORT, RI 02840



DEY PHILIP S II

12 FILLMORE ST NEWPORT, RI 02840

CONOVER KATHLEEN M

18 MT VERNON ST NEWPORT, RI 02840

OSTRANDER KATHARINE TRUSTEE

13 MOUNT VERNON ST NEWPORT, RI 02840

7 MT VERNON LLC

36 BARNEY ST NEWPORT, RI 02840

NEWPORT COUNTY WOMENS RESOURCE CENTER,INC 114 TOURO ST NEWPORT, RI 02840

CHATTY ANNALEE

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HALL JANET DECLARATION OF TRUST HALL JANET TRUSTEE 14 WHITFIELD PL NEWPORT, RI 02840

DEERFIELD PROPERTY LLC

128 LELAND DR MANCHESTER, CT 06040

CRIMMINS JOHN T

43 SHERMAN ST NEWPORT, RI 02840

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STALEY PROPERTIES LLC

PO BOX 2616 NEWPORT, RI 02840 BAYBERRY INN NEWPORT LLC

C/O PREMIER COMMERCIAL 6284 RUCKER RD SUITE M INDIANAPOLIS, IN 46220

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GOSSET RONALD GOSSET MELISSA 42 SHERMAN ST NEWPORT, RI 02840

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NEWPORT COMMUNITY CHURCH INCORPORATED

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CHRISTIES LANDING NEWPORT, RI 02840

SALTY DAY LLC

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LHEUREUX DIANE M

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AQUIDNECK PROPERTIES LLC

50 SCHOOL ST NEWPORT, RI 02840 BRENNAN MARK J AND GINA M

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BLUE MOON LLC

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BOYS CLUBS OF NEWPORT COUNTY

CHURCH ST NEWPORT, RI 02840 JAILHOUSE INN INC

CHRISTIES LANDING NEWPORT, RI 02840

JKP PROPERTIES LLC

21 LADDS WAY SCITUATE, MA 02066

JAMES-BOWERS KATHERINE N TRUSTEE

11 KAY ST NEWPORT, RI 02840

DEY PHILIP \$ II

14 FILLMORE ST NEWPORT, RI 02840

SASSO JOHN A

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24 BRINLEY STREET LLC

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LACHI DAVID T & LACHI ALICIA C 20 CATHERINE ST NEWPORT, RI 02840

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3 SUMMER ST NEWPORT, RI 02840 WOODWORTH GAIL S & DRESSER THOMAS L 32 FOSTER CIRCLE ANDOVER, MA 01810

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12 CAMDEN WAY SOUTH EASTON, MA 02375

NEWPORT READING ROOM THE

29 BELLEVUE AVE NEWPORT, RI 02840

COMPANY OF THE REDWOOD THE LIBRARY AND ANTHENAEUM 50 BELLEUE AVE NEWPORT, RI 02840

37 BELLEVUE LLC

33-43 BELLEVUE AVE NEWPORT, RI 02840

RAY DAVID W

118 MILL ST NEWPORT, RI 02840

BELLEVUE MANOR LLC

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DEROSIER EDWARD & DEROSIER RENEE 32 GREEN MEADOW LN CUMBERLAND, RI 02864

COE DOUGLAS B AND LYNN SHANNON

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170 ATLANTIC ST WARWICK, RI 02888

PLATZ THEODORE A III

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16 BUTTERNUT KNOLL MIDDLETOWN, CT 06457

GIEGERICH SCOTT M & JOANNE A

14 CRICKET COURT OLD SAYBROOK, CT 06475

JOSLIN ANNE DUBOSE

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RYAN AMANDA COLLEEN

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MANWARE JENNIFER D

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HALE MARY J

3 FAMILY CIRCLE WINDHAM, ME 04062

JUTCAWITZ RANDALL L & KOPEC JUTCAWITZ SUSAN MARIE P.O BOX 181 ANSONIA, CT 06401

ELEVEN CATHERINE STREET LLC C/O DIAMOND STAR PROPERTY MANAGEMENT PO BOX 8397 CRANSTON, RI 02920

GOBBI-PETERSON LLC

107 SW 51 ST CAPE CORAL, FL 33914 SULLIVAN MARY SUSAN

32 SCHOOL ST CONDO 2 NEWPORT, RI 02840

IRISH KATHLENE

39 WHIPPORWILL LANE BEDFORD, NH 03110

PRELL PETER N

26 BRINLEY ST UNIT 3 NEWPORT, RI 02840

INN ON BELLEVUE LLC

30 BELLEVUE AVE NEWPORT, RI 02840

MILINAIRE CATERINE

66 OCEAN AVE NEWPORT, RI 02840

LYNCH DARCY M JANNITTO MARK E 15 HENDRICKS ST WAKEFIELD, RI 02915

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NEWMAN MARY E

16-18 CATHERINE ST UNIT 3 NEWPORT, RI 02840 MCGLINN WILLIAM J MCGLINN KATHLEEN D 371 SELOY DR SAINT AUGUSTINE, FL 32084

CROWLEY BERNARD

26 BRINLEY ST UNIT 1 NEWPORT, RI 02840

PARISH HOUSE LLC

PO BOX 684 NEWPORT, RI 02840

MALVEY KIM M

109 CHURCH ST 3 NEWPORT, RI 02840

HAMEL PAUL & HAMEL DAVID 14 BRINLEY ST UNIT 3 NEWPORT, RI 02840

OCONNOR JEFFREY P & DINEEN DANIEL V 1617 LONGMEADOW ST LONGMEADOW, MA 01106

SEAWELL KIM-SOO J

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RYBICKI ANNETTE-TRUSTEE

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MARGONIS MICHAEL P JR & READ MARGARET

77 SHEA AVENUE MILFORD, CT 06460 HILLERY/MURTY LIVING TRUST AGREEMENT THE

19 RHODE ISLAND AVE NEWPORT, RI 02840

115-117 TOURO & 2 HIGH STREET NEWPORT, RI 02840

PARISH HOUSE LLC

PO BOX 684 NEWPORT, RI 02840

AQUIDNECK PROPERTIES LLC

50 SCHOOL ST 3 NEWPORT, RI 02840

CARI L HARKNESS GREENWOOD REVOCABLE TRUST OF 2009 50 SCHOOL ST UNIT 6 NEWPORT, RI 02840

PARISH HOUSE LLC

NEWPORT, RI 02840

PO BOX 684

PARISH HOUSE LLC

50 SCHOOL ST 7

NEWPORT, RI 02840

PO BOX 684 NEWPORT, RI 02840

PARISH HOUSE LLLC

PO BOX 684 NEWPORT, RI 02840 PARISH HOUSE LLC

PO BOX 684 NEWPORT, RI 02840 DIFANTE GINO M JR

16-18 CATHERINE ST NEWPORT, RI 02840

RICCIUTI JEAN

121 PRESIDENTS LN QUINCY, MA 02169

AQUIDNECK PROPERRTIES LLC

50 SCHOOL ST 2 NEWPORT, RI 02840

AQUIDNECK PROPERTIES LLC

50 SCHOOL ST 5 NEWPORT, RI 02840

AQUIDNECK PROPERTIES LLC

50 SCHOOL ST 8 NEWPORT, RI 02840

PARISH HOUSE LLC

PO BOX 684 NEWPORT, RI 02840

PARISH HOUSE LLC

PO BOX 684 NEWPORT, RI 02840

CYKERT JACOB & CYNTHIA

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AQUIDNECK PROPERTIES

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NEWPORT, RI 02840

DEBORAH L HARKNESS CURRY REVOCABLE TRUST OF 2009 50 SCHOOL ST UNIT 4

AQUIDNECK PROPERTIES LLC

MCCAULEY SANDRA J

