

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1993-55

No. 851

AN ORDINANCE IN AMENDMENT OF CHAPTER 564 OF THE ORDINANCES OF THE CITY OF PROVIDENCE, ENTITLED "THE CITY OF PROVIDENCE ZONING ORDINANCE" APPROVED OCTOBER 24, 1991 BY AMENDING PROVIDENCE ZONING DISTRICT MAP NUMBER 10 BY CHANGING THE ZONING DISTRICT DESIGNATION OF LOT 391 FROM OPEN SPACE DISTRICT ZONE (O.S.) TO "TWO FAMILY-DISTRICT ZONE" (R-2).

Approved December 27, 1993

Be it ordained by the City of Providence:

SECTION 1. Chapter 564 of the Ordinances of the City of Providence entitled "The City of Providence Zoning Ordinance" approved October 24, 1991 is amended by altering Providence Zoning District Map Number 10 of the official Zoning Map by changing the zoning district designation of Lot 391 from Open Space District Zone (O.S.) to "Two Family-District Zone" (R-2).

SECTION 2. This Ordinance shall take effect upon passage.

IN CITY COUNCIL

DEC 2 1993

FIRST READING
READ AND PASSED

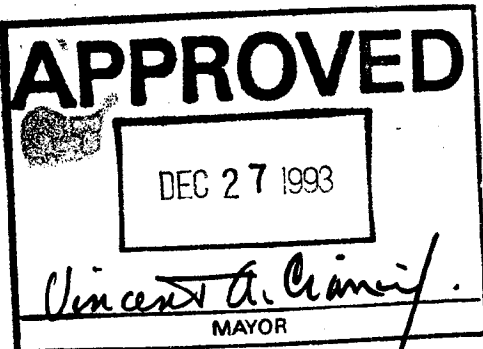
Michael L. Clement CLERK

IN CITY
COUNCIL

DEC 16 1993

FINAL READING
READ AND PASSED

Emeline V. Fargnoli
CITY PRESIDENT
Michael L. Clement CLERK



THE COMMITTEE ON

ORDINANCES

Recommends

Barbara A. Fairer
7/13/93 P.H. Clerk

THE COMMITTEE ON

ORDINANCES

Recommends

Barbara A. Fairer
8/11/93 Clerk
8/24/93
11/10/93

THE COMMITTEE ON

ORDINANCES

Approves Passage of
The Within Ordinance

Barbara A. Fairer
11/17/93 Clerk

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

1114C

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

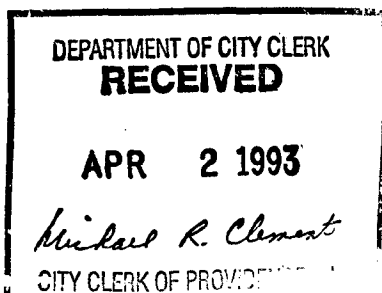
That the zoning ordinances of the City of Providence be amended and corrected to change Lot 391 on Assessors Plat 10 (4 Wheaton Street) from an "Open Space District Zone" (O.S.) to a "Two Family District Zone" (R-2).

As reasons therefore the undersigned submits that said parcel has been owned by the undersigned since 1973 during which time it was zoned as R-2 space. Said parcel was (inadvertently included among Parks Department Land (note, the parcel is adjacent to Parks Department Land but is privately owned) and reclassified as O.S. Space as part of a re-zoning of Parks Department owned land in the city during 1991.

The undersigned respectful requests that said parcel be reclassified from O.S. Space to R-2 Space and for such additional relief as the honorable city council shall deem just and reasonable.

Respectfully submitted

Andrew H. Davis, Jr., as
Co-Trustee of Linda R.
Jones Trust, Owner of
record of Lot 391,
Plat 10, 4 Wheaton
Street
by:



*Zoning Change - O.S. to R-2
Andrew W. Davis
CK # 20446
amt. \$150.00
Hospital Trust*

Andrew W. Davis
ANDREW W. DAVIS
as its attorney
Davis, Kilmarx, Swan &
Kohlenberg
1420 Hospital Trust Tower
Providence, RI 02903

4/2/93

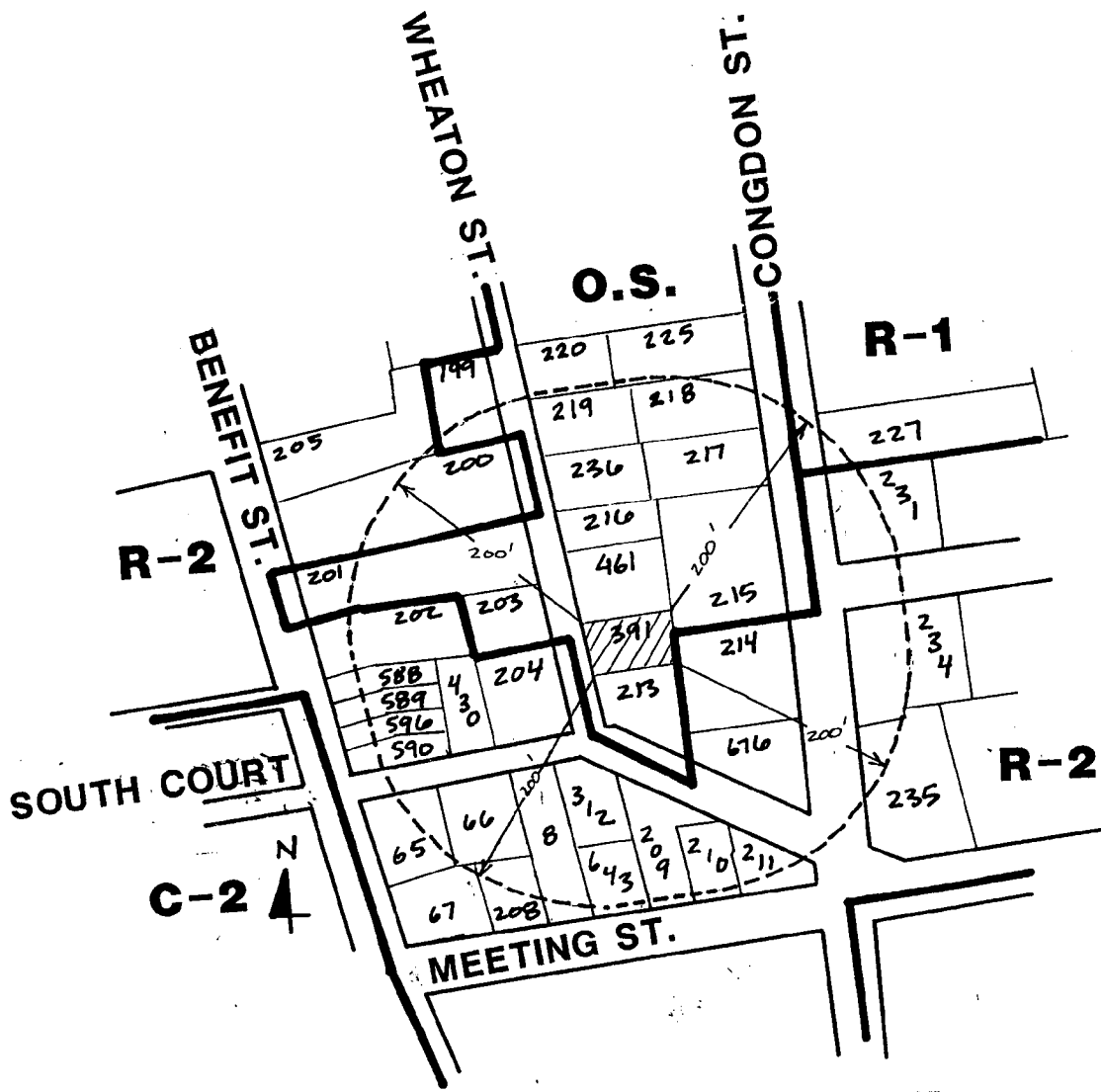
From the Clerk's Office

IN CITY COUNCIL
ADD 1st
FIRST READING
REFERRED TO COMMITTEE ON
ORDINANCES
Michael S. Stewart
CLERK

APR 2 9 32 AM '93
DEPT. OF PUBLIC WORKS
PROVIDENCE, R.I.

FILED

APR 5 1993



CHANGE FROM O.S. R-2

201 to 204
12/11

ALL PLAT 10

CHANGE FROM O.S. FROM R2

Lots

~~198~~

✓ 199

✓ 205

✓ 200

✓ 201

✓ 202

✓ 203

✓ 204

220

225

219

Page 2

owner/addresses

~~Harry A. Schuit
125 Benefit St.
Providence, RI 02903~~

City of Providence

1 -- Bishnu J. & Nila Rauth
460 Ocean Road
Narragansett, RI 02882

✓ 2 -- Hani M. Zake
Osama E. Sarhan
129 Benefit Street
Providence, RI 02903

7 3 -- ~~Albert J. Beni
Theodore Weiswasser
32371 Dequindre Road
Madison Heights~~

129 Benefit St
Prov. RI 02903

✓ 4 -- Robert J. & Joanne Macmillan
51 Cove Side Ct.
Warwick, RI 02818

Timothy T. & Rebecca S. More
15 Westminster Street
Providence, RI 02903

City of Providence

1 -- One Forty Seven Benefit Assoc.
1500 Fleet Center
Providence, RI 02903

2, 3, A, B (same as above)

City of Providence
Parks Dept.

Sophie Mulligan
1200 Johnston Road
Dade County, FL

City of Providence, City Hall

City of Providence, City Hall

~~City of Providence, City Hall~~

-227

Harmon & Spence

218 ✓ City of Providence, City Hall

217 ✓ City of Providence, City Hall

236 ✓ City of Providence, City Hall

216 ✓ City of Providence, City Hall

215 City of Providence, City Hall

✓ 231 ✓ Rathbun Corp
2 Cushing Street
Providence, RI 02906

✓ 234 ✓ William S. and Lynn F. Berman
43 Congdon Street
Providence, RI 02906

✓ 235 ✓ R.I. Hospital Trust Bank
15 Westminster Street
Providence, RI 02903

✓ 213 ✓ City of Providence, City Hall

✓ 211 ✓ N & R Holding Co.
420 Broadway
Providence, RI 02909

✓ 210 ✓ Capital Center Assoc.
8 Westwood Lane
Barrington, RI 02806

209 ✓ (same as above)

✓ 461 ✓ City of Providence, City Hall

✓ 391 ✓ Van Liew Trust Co.
1420 Hospital Trust National Bank
Providence, RI 02903
(trustee -- Andrew H. Davis, Jr.)

✓ 676 ✓ Robert B & Susan Clendenen
348 Ocean Road
Narragansett, RI 02882

✓ 605 ~~Lorenzo Leasing Corp.~~
~~18 Banks Street~~
~~Cambridge, MA 02138~~

✓ 214 ✓ Barry Wald Fain
48 Congdon St.
Providence, RI 02906

✓ 600 Jean R. McDonough
37 Perry Lane
Barrington, RI 02806

✓ 368 Court Company Inc.
182 Gano Street
Providence, RI 02906

✓ 379 Hillside Realty Co.
185 Benefit Street
Providence, RI 02903

✓ 643 ✓ Capital Center Assoc.
8 Westwood Lane
Barrington, RI 02806

✓ 312 ✓ Andre C. Martins
40 Carrington Avenue
Providence, RI 02906

✓ 8 ✓ Benjamin Weiss
12 Silver Spring St.
Providence, RI 02904

✓ 208 ✓ Sixty Three Realty Co.
90 Lexington Avenue
Cranston, RI 02920

66 ✓ (same as above)

65 ✓ (same as above)

67 ✓ (same as above)

✓ 76 R/S D
Two College St.
Providence, RI 02903

✓ 80 State of RI DEPT OF Administration / Director
Providence Capital Hill

✓ 81 One Hundred Forty Four Benefit St.
SSOC
170 Brown Street
Providence, RI 02906

✓ 82 Eugene F. and Lucy Tortorasi
34 No. Lake Drive
Barrington, RI 02806

✓ 588 ✓

W Scott Corbett
149 Benefit Street
Providence, RI 02903

✓ 589 ✓

Thomas D. Mulligan
Sophie F. Clavette
151 Benefit St.
Providence, RI 02903

✓ 596 ✓

Harry M. and Eleanor A. Callahan
145 15th St., NE #42
Atlanta, GA 30361

✓ 590 ✓

Ronald A. Dwight
1200 Johnston Road #84
Dade County, FL

430 ✓

(same as above)

Section
1.

Chapter 564 of The Ordinances of The City of Providence entitled "The City of Providence Zoning Ordinance" approved October 24, 1991 is amended by altering Providence Zoning District Map Number 10 of The official Zoning Map ~~by~~ by changing The zoning district designation of ~~Zoning District~~ ~~designation of~~ Lot 391 from Open Space District Zone (O.S.) to "Two-Family District Zone (R-2)".

Section
2

Effective date

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

1114C

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

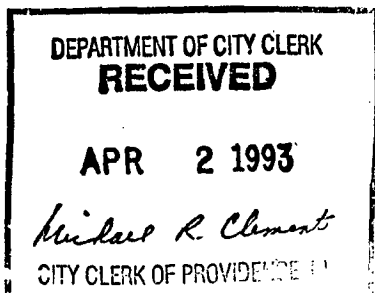
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Respectfully submitted

Andrew H. Davis, Jr., as
Co-Trustee of Linda R.
Jones Trust, Owner of
record of Lot 391,
Plat 10, 4 Wheaton
Street
by:



*Zoning Change - O.S. to R-2
Andrew W. Davis
CK # 20446
amt. \$150.00
Hospital Trust*

Andrew W. Davis
ANDREW W. DAVIS
as its attorney
Davis, Kilmarx, Swan &
Kohlenberg
1420 Hospital Trust Tower
Providence, RI 02903

4/2/93

In Amendment of
Chapter 524 of the Ordinances of the
City of Providence entitled "The City of
Providence Zoning Ordinance." App'd
October 24, 1991 by ~~amending said~~
~~Zoning Map by changing the Zoning~~
by amending Providence Zoning District
Map Number ~~4~~ 10 by changing the
Zoning District Designation of Lot 391
from Open Space District Zone (O.S.) to
Two Family - District Zone "(R-2.)"

✓
Plat?
= District
Zoning
Map
01
Zoning
District

✓
Don't
forget
maps for
all
entries

NANCY L. DERRIG
SUPERINTENDENT OF PARKS



VINCENT A. CIANCI, JR.
MAYOR

Department of Public Parks
"Building Pride In Providence"

July 12, 1993

The Honorable Members
City Council Committee on Ordinances
Office of the City Clerk
City Hall
Providence, Rhode Island 02903

RE: Proposed Amendment to Zoning Ordinance and
Zoning District Map #10/Proposed Change of
Zoning District designation of Lot 391 from
Open Space (OS) to Two-Family (R-2)

Honorable Members:

The Parks Department respectfully opposes the proposed
zoning change for Lot 391 from Open Space (OS) to Two-Family
(R-2).

This is a privately owned lot that is bordered on two
sides by land (Lot Nos. 461 and 213) which is owned by the
Parks Department. All three lots are directly below Prospect
Terrace and are zoned Open Space in order to preserve the
character of the Roger Williams Memorial located in Prospect
Terrace. If Lot 391 is re-zoned to R-2 and is developed for
residential purposes, it will permanently alter the character
of one of the most historic public spaces in Providence.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Nancy L. Derrig", is written over the typed name.

NANCY L. DERRIG
Superintendent of Parks

nld/RFM:rh

RATHBUN CORPORATION

Two Cushing Street
Providence, Rhode Island 02906

July 20, 1993

Councilman David V. Igliazzi, Chairman
Committee on Ordinances of the City Council
City Hall
Providence, Rhode Island 02903

Dear Councilman Igliazzi:

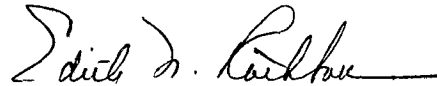
I am writing with further reference to the hearing and comments regarding the proposed amendment to Providence Zoning District Map Number 10 changing the designation of Lot 391 from Open Space(O.S.) to "Two Family District Zone" (R2). We would like to record our opposition to this change and reiterate our position of last February when similar redesignation was proposed for two city-owned lots on Wheaton Street. (Refer my letter of 2/16/93).

Wherever possible the limited open space in the City must be preserved. It is particularly important in this instance where the lots are within the outlook from the recently improved Prospect Terrace and adjacent to the more recently landscaped Lower Prospect Terrace.

Long range planning should be directed toward consolidating and enhancing adjacent open space in this area with property already in "park" status for such time as funding becomes available.

Thank you for your consideration.

Sincerely yours,



Edith N. Rathbun
President

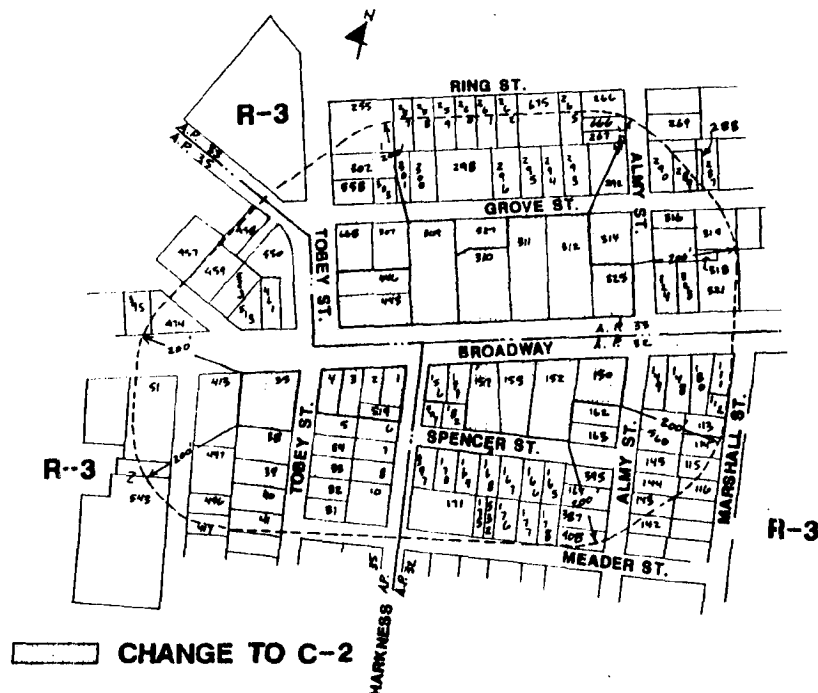
ENR:vh

cc: Mr. Barry W. Fain

CITY OF PROVIDENCE RHODE ISLAND Committee on Ordinances of the City Council **PUBLIC HEARING**

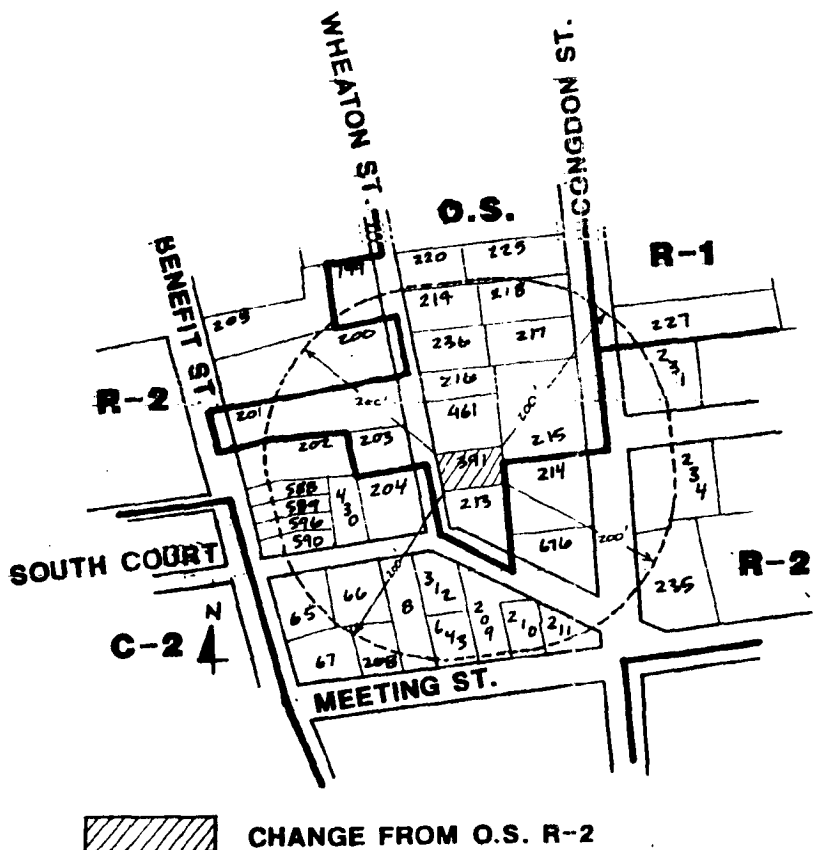
Notice is given pursuant to Rhode Island General Laws 45-24-53 that a Public Hearing will be held in the Chamber of the City Council, City Hall, 3rd Floor, Providence, R.I. on Tuesday, July 13, 1993 beginning at 6:00 o'clock P.M. The purpose of the Public Hearing is to consider the proposed Ordinances to amend the Zoning Ordinance and the Official Zoning Map, as summarized here, and, in those instances where required depicted on the maps shown below.

An Ordinance in amendment of Chapter 564 of the Ordinances of The City of Providence, entitled "The City of Providence Zoning Ordinance" approved October 24, 1991 by amending the Providence Official Zoning Map by changing the Zoning District designation of Zoning District Map Number 32, Lots 150, 152, 155, 157, 197 and 156; Zoning District Map Number 33 Lots 309, 310, 311, 312, 325, 445, and 446; and Zoning District Map 35 Lots 1, 2, 3, 4, and 35 from R-3 to C-2.



WLD

An Ordinance in amendment of Chapter 564 of the Ordinances of The City of Providence, entitled "The City of Providence Zoning Ordinance" approved October 24, 1991 by amending Providence Zoning District Map Number 10 by changing the Zoning District designation of Lot 391 from Open Space District Zone (O.S.) to "Two Family-District Zone" (R-2).

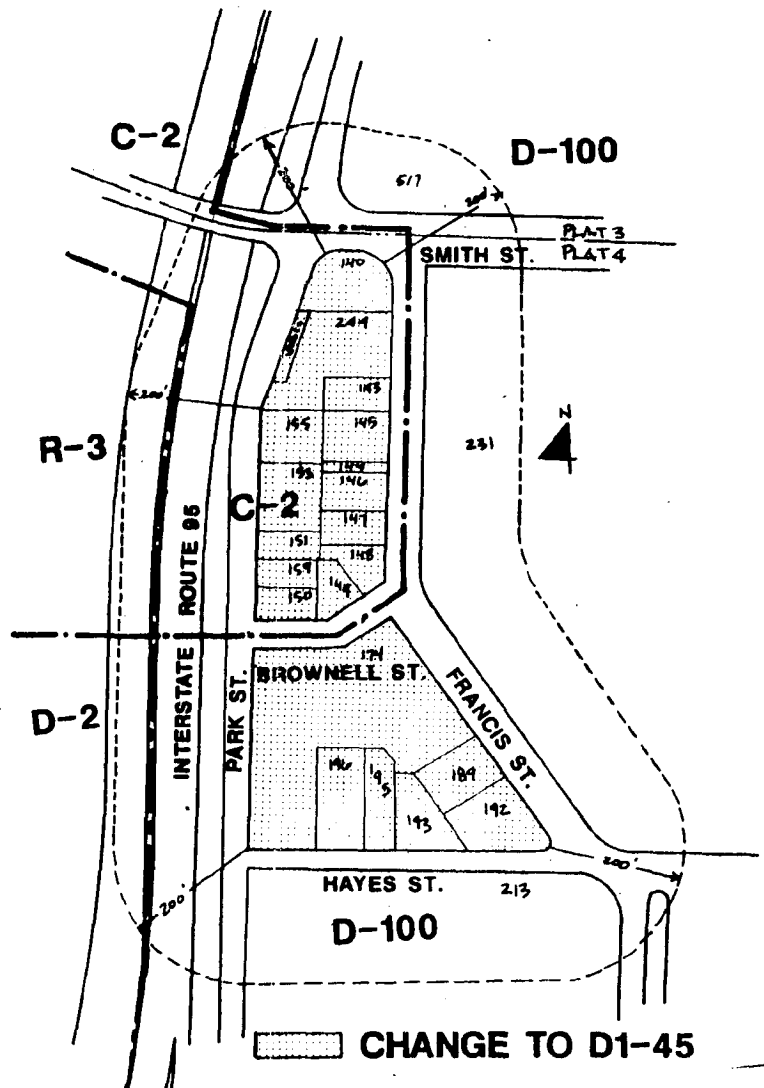


Complete copies of the proposed Ordinances, the City of Providence Zoning Ordinance, dated October 24, 1991 and the "Providence Zoning District Map," dated April 26, 1991 may be examined and copied, at cost in the Office of the City Clerk, City Hall, Providence, Rhode Island, on Mondays through Fridays from 8:30 o'clock A.M. to 4:00 o'clock P.M. The proposed Ordinances may be modified or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any modification or amendment will be presented for comment in the course of the hearing.

All persons interested in the above are respectfully requested to be present at that time and place to be heard thereon. Facilities are accessible to people with disabilities. If you are in need of interpreter services for the hearing impaired, please contact the Mayor's Citizens Assistance Office at 751-0203 (TDD) not less than 48 hours in advance of the hearing date.

PER ORDER THE COMMITTEE ON ORDINANCES
COUNCILMAN DAVID V. IGLIOZZI, CHAIRMAN
COUNCILWOMAN RITA M. WILLIAMS, VICE-CHAIRWOMAN
COUNCILMAN ROBERT M. CLARKIN
COUNCILWOMAN JOSEPHINE DIRUZZO
COUNCILMAN JOSHUA N. FENTON
MICHAEL R. CLEMENT, CITY CLERK

An Ordinance in amendment of Chapter 564 of the Ordinances of The City of Providence, entitled "The City of Providence Zoning Ordinance" approved October 24, 1991 by amending Providence Zoning District Map Number 4 of the Official Zoning Map by changing the Zoning District Designation of Lots 140, 244, 143, 144, 145, 146, 147, 148, 149, 150, 159, 151, 153, 155 and 245 from C-2 to D-1 and other changes.



DAVIS, KILMARX, SWAN & KOHLENBERG

ONE HOSPITAL TRUST PLAZA
PROVIDENCE, RHODE ISLAND 02903

ERNEST A. JENCKES (1898-1982)
ANDREW H. DAVIS, JR.
ROBERT D. KILMARX
HENRY M. SWAN
A. MAX KOHLENBERG
ANDREW W. DAVIS

LAW OFFICES
INCORPORATED
FOURTEENTH FLOOR
TELEPHONE 401/273-9000
TELECOPIER 401/273-9724

July 22, 1993

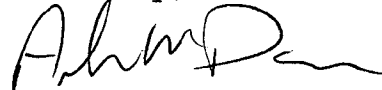
Mr. David V. Igliazzi
Councilman
Committee of Ordinances
Providence City Hall
Room 311
25 Dorrance Street
Providence, RI 02903

RE: PLAT 10 LOT 391-4 WHEATON STREET, PROVIDENCE, RI
OWNED BY LINDA R. JONES TRUST ("THE WHEATON STREET
PROPERTY")

Dear Mr. Igliazzi:

As you may recall we spoke some time ago regarding the above referenced lot and the inadvertant classification of of said lot as so-called "OS" space. I have been informed that a public hearing on the above referenced zoning petition was held on July 13 and that the petition is now in committee. We are presently negotiating for the sale of said property and it is imperative that the property be reclassified back to "R2" property. With this in mind I would ask if you would kindly take whatever steps you can, to expedite the requested zoning change. Thank you for your time and consideration to this matter. Please do not hesitate to contact me if you have any questions.

Sincerely,



Andrew W. Davis

AWD/mbs

RATHBUN CORPORATION

Two Cushing Street
Providence, Rhode Island 02906

July 20, 1993

Councilman David V. Igliazzi, Chairman
Committee on Ordinances of the City Council
City Hall
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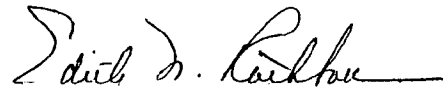
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Sincerely yours,



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President

ENR:vh

cc: Mr. Barry W. Fain