

CHAPTER 2018-71

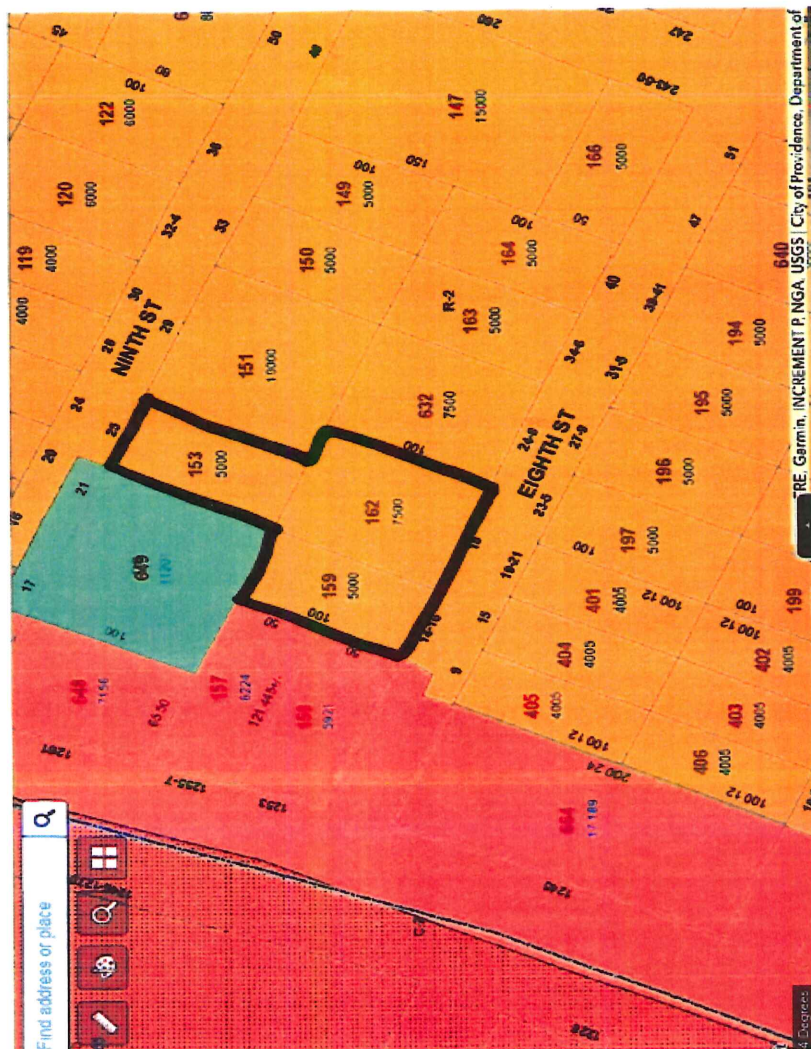
No. 548

AN ORDINANCE IN AMENDMENT OF CHAPTER 27 OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE, ENTITLED: "THE CITY OF PROVIDENCE ZONING ORDINANCE", APPROVED NOVEMBER 24, 2014, AS AMENDED, TO CHANGE THE ZONING DISTRICT ON THE OFFICIAL ZONING MAP FOR THE PROPERTIES LOCATED AT 14-16 AND 18 EIGHTH STREET AND 25 NINTH STREET, IDENTIFIED AS PLAT 91, LOTS 153, 159 AND 162 FROM R-2 TO C-2

Approved November 20, 2018

Be it ordained by the City of Providence:

SECTION 1. Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance", Approved November 24, 2014, As Amended, is hereby further amended by changing the Zoning District on the Official Zoning Map for the properties located at 14-16 and 18 Eighth Street and 25 Ninth Street, identified as Plat 91, Lots 153, 159 and 162, as shown on the accompanying map, from R-2 to C-2, provided the uses permitted on said property shall be restricted to either one family dwellings, two-family dwellings, three family dwellings or multi-family dwellings.



SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
NOV 01 2018
FIRST READING
READ AND PASSED
Low L. Hayes CLERK

IN CITY COUNCIL
NOV 15 2018
FINAL READING
READ AND PASSED
David A. Santol PRESIDENT
Low L. Hayes CLERK

I HEREBY APPROVE.

[Signature]
Mayor
Date: *11/20/18*

City of Providence
State of Rhode Island and Providence Plantations

PETITION TO THE HONORABLE CITY COUNCIL

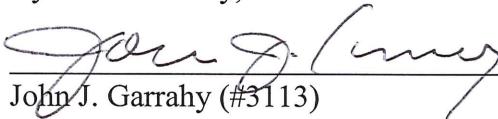
TO **THE** HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

8th **Investment**, LLC hereby petitions the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district for the properties located at 14-16 and 18 Eighth Street and 25 Ninth Street and identified as Plat 91 Lots 153, 159 and 162 from R-2 to C-2, **provided** the uses permitted on said property shall be restricted to either one family dwellings, two-family dwellings, three family dwellings or multi-family dwellings. See the attached plan.

8th Investment, LLC

By their Attorney,



John J. Garrahy (#3113)

John J. Garrahy Law, LLC

2088 Broad Street

Cranston, Rhode Island 02905

July **23**, 2018



City Plan Commission
Jorge O. Elorza, Mayor

September 24, 2018

Councilman Terrence M. Hassett
Chair, Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Lori Hagen, City Clerk

Re: **Referral 3436-Petition to rezone 14-18 Eighth Street and 25 Ninth Street (AP 91 Lots 153, 159, 162) from R-2 to C-2**

Petitioner: 8th Investment LLC

Dear Chairman Hassett,

The City Plan Commission (CPC) reviewed the petition to rezone 14-18 Eighth Street and 25 Ninth Street (AP 91 Lots 153, 159 and 162) from R-2 to C-2, with the use of the subject lots restricted to one, two and three family dwellings. The CPC voted as described below to make certain findings of fact and to recommend that the petition be granted.

FINDINGS OF FACT

The applicant is proposing to rezone 14-16 Eighth Street (AP 91 Lot 159), 18 Eighth Street (AP 91 Lot 162) and 25 Ninth Street (AP 91 Lot 153) from R-2 to C-2, with the restriction that uses be limited to one, two, three family and multi-family dwellings. Lot 159 is located between the C-2 zone to the west and lot 162 to the east. Lot 153 is located between public space to the west and a residential lot to the east. The focus of the rezoning is Lot 159, which is occupied by a former rectory that the applicant is proposing to redevelop for use as a multifamily dwelling, which is prohibited in the R-2 zone.

As the C-2 zone on North Main Street is adjacent to residential development, the CPC found that inclusion of the lots within the C-2 zone is not expected to have a negative effect on neighborhood character or surrounding property as the residential nature of the subject lots is not expected to change. The zone change would allow for reuse of the building on lot 159 as a multifamily based on the unique nature of the lot and massing of the existing structure. The CPC found that this would be appropriate as the building's massing and design leaves few options for one or two family developments, which are residential uses permitted by right in the R-2 zone.

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminster Street, Providence, Rhode Island 02903
401 680 8400 ph | 401 680 8492 fax
www.providenceri.com

Per the Future Land Use Map of Providence Tomorrow—which the comprehensive plan states is not intended for parcel level analysis—this area is intended to be one where commercial and residential uses are located in proximity to each other. The property is located in an area where neighborhood commercial development is intended alongside low density residential development. Therefore, the CPC found the rezoning to be consistent with the intent of the comprehensive plan. The rezoning would be in conformance with objectives H-1, H-2 and H-3 of the comprehensive plan which encourage developing a variety of housing options at varying prices.

Based on the foregoing discussion, the CPC found that rezoning these lots would be appropriate given the character of the surroundings. The CPC found that the rezoning is not expected to negatively affect health, safety and welfare and is consistent with the purposes of zoning in Section 101 of the Zoning Ordinance.

RECOMMENDATION

Based on the foregoing discussion, the CPC found the proposed change to be in conformance with the comprehensive plan and purposes of zoning. The CPC unanimously voted to recommend that the City Council approve the proposed zone change from R-2 to C-2, subject to the following condition:

The zoning map shall include a notation that use of the subject lots shall be restricted to one, two, three family and multi-family dwellings.

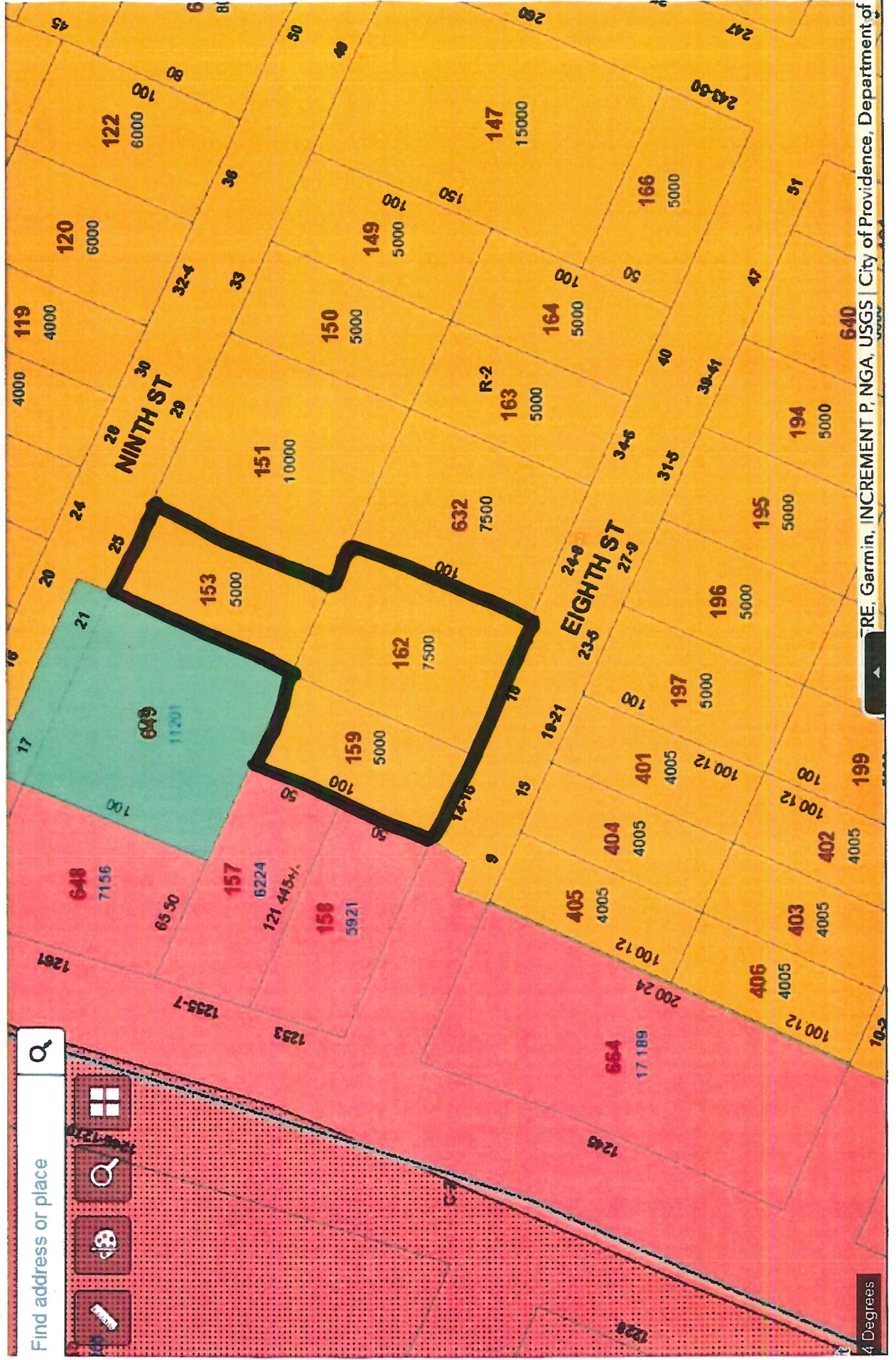
Sincerely,



Choyon Manjrekar
Administrative Officer

PROVIDENCE CITY
SEAL OF THE CITY OF PROVIDENCE
2018 SEP 20 AM 11:30

FILED





I-1-75

City of Providence, MassGIS, Esri Canada, Esri HERE, Garmin, INCREMENT P, USGS, EPA, USDA, City of Providence

Find address or place	Q

