

CHAPTER 2020-6

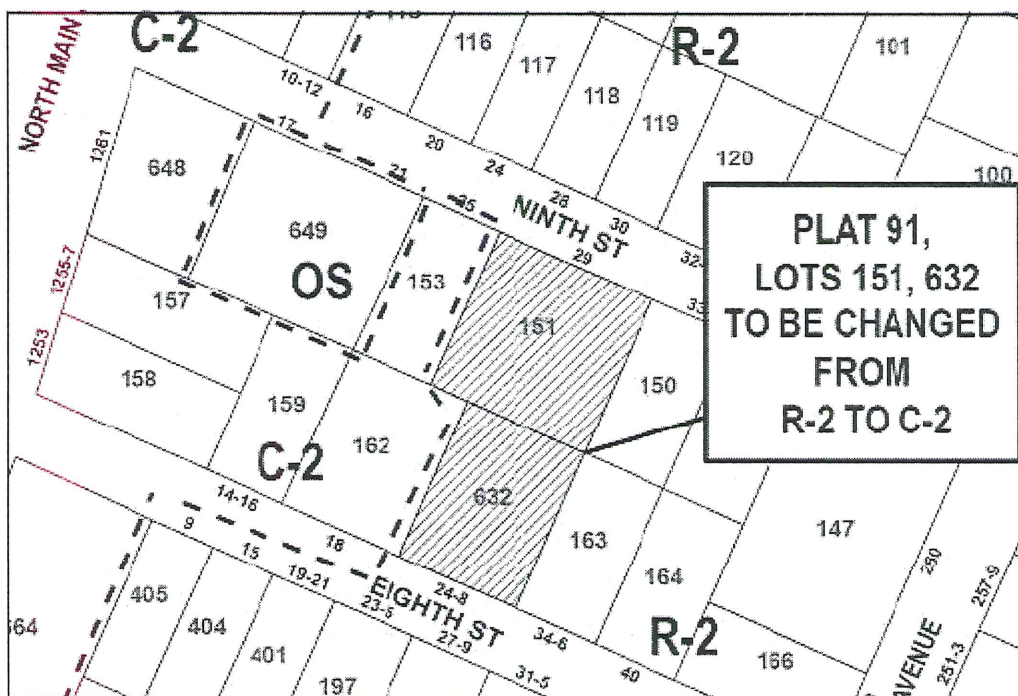
No. 70

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 24 EIGHTH STREET AND 29 NINTH STREET, LOCATED ON ASSESSOR'S PLAT 91, LOTS 151 AND 632 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

Approved February 27, 2020

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 24 Eighth Street and 29 Ninth Street, located on Assessor's Plat 91, Lots 151 and 632 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.

I HEREBY APPROVE.

IN CITY COUNCIL
FEB 06 2020
FIRST READING
READ AND PASSED


CLERK

IN CITY COUNCIL
FEB 20 2020
FINAL READING
READ AND PASSED


PRESIDENT

CLERK

Date:  2/27/20
Mayor

JOHN J. GARRAHY LAW, LLC
2088 BROAD STREET
CRANSTON, RHODE ISLAND 02905
(401) 383-3830
johngarrahy@verizon.net

September 4, 2019

City Clerk
City of Providence
25 Dorrance Street
Providence, Rhode Island 02914

Re: Petition to the City Council to Rezone Plat 91, Lots 151 and 632 from R-2 to C-2

Dear Madam Clerk:

Enclosed please find a Petition to Rezone the subject property from R-2 to C-2, as well as the \$050 filing fee. Also enclosed are two sets of labels for property owners within 200 feet of the property.

Please advise of any hearings with respect to this matter.

If you have any questions, please do not hesitate to contact me.

Very truly yours,


John J. Garrahy

City of Providence
State of Rhode Island and Providence Plantations

PETITION TO THE HONORABLE CITY COUNCIL

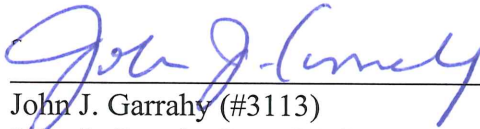
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Providence Center, Inc. and 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 24 Eighth Street and 29 Ninth Street and identified as Plat 91, Lots 151 and 632 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.

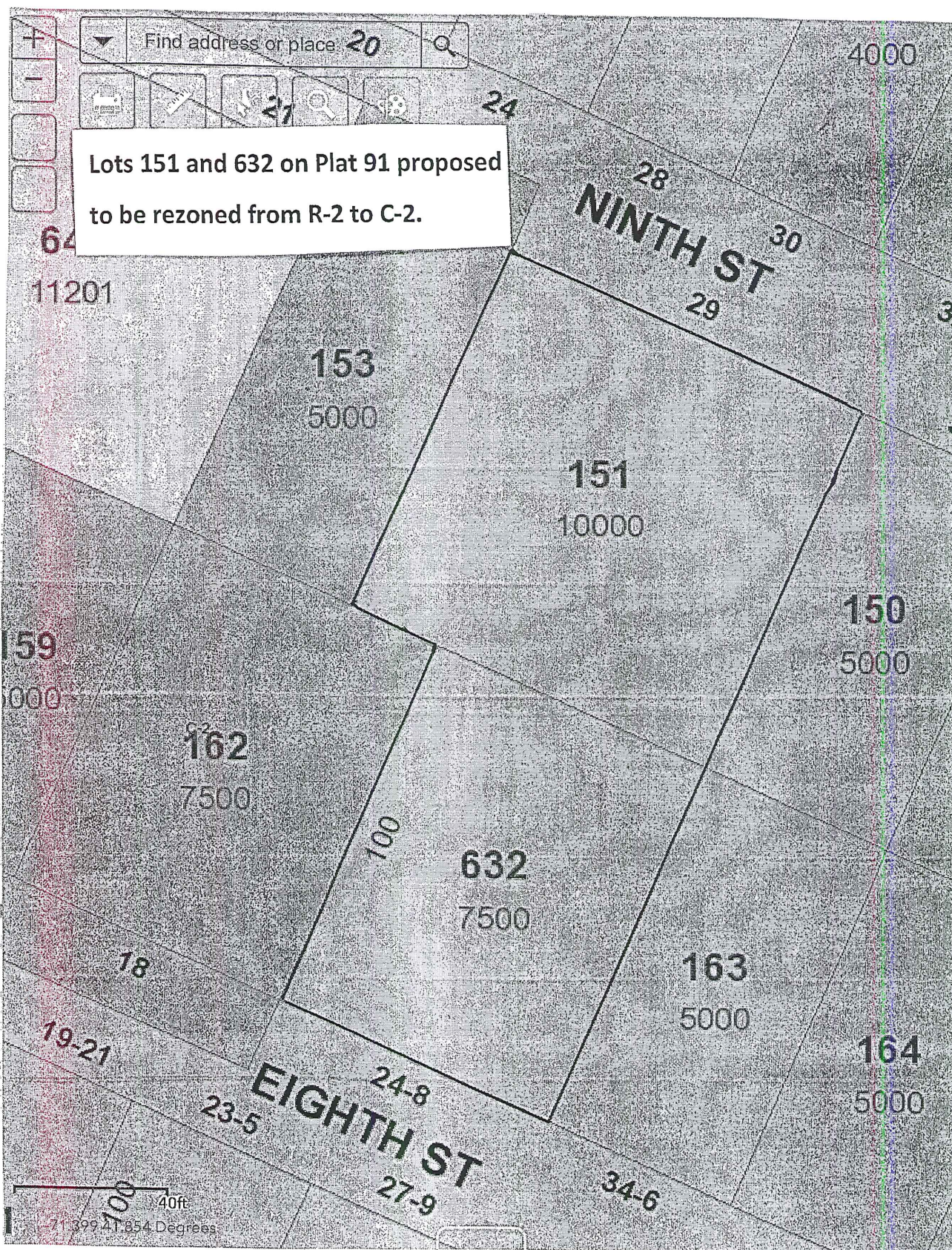
**Providence Center, Inc. and
8th Investment, LLC**

By their Attorney,



John J. Garrahy (#3113)
John J. Garrahy Law, LLC
2088 Broad Street
Cranston, Rhode Island 02905

September 4, 2019,





City Plan Commission
Jorge O. Elorza, Mayor

November 1, 2019

Councilwoman Jo-Ann Ryan
Chair, Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Shawn Selleck, City Clerk

Re: Referral 3461-Petition to rezone 24 8th and 29 9th Street (AP 91 Lots 151 and 632) from R-2 to C-2

Petitioner: 8th Investment LLC

Dear Chairwoman Ryan,

The City Plan Commission (CPC) reviewed the petition to rezone 24 Eighth Street (AP 91 Lot 632) and 29 Ninth Street (AP 91 Lot 151) from R-2 to C-2. The CPC voted as described below to make certain findings of fact and to recommend that the petition be approved.

FINDINGS OF FACT

The applicant is proposing to rezone 24 Eighth Street (AP 91 Lot 632) and 29 Ninth Street (AP 91 Lot 151) from R-2 to C-2, with the restriction that uses be limited to two, three family or multi-family dwellings. The C-2 zone is located to the east of both lots. Lot 151 is occupied by a former boarding house that the applicant is proposing to redevelop for 3 dwelling units with residential amenities. A 22 unit building that will be connected to the existing building on lot 151 is proposed for lot 632 pending the rezoning.

As the C-2 zone is adjacent to both lots, 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. Based on the unique nature of the lot and massing of the existing structure on lot 151, the zone change would allow for reuse of the building. The CPC found that this would be appropriate as the building's massing and design leaves few options for one or two family development, which are residential uses permitted by right in the R-2 zone.

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

DEPARTMENT OF PLANNING AND DEVELOPMENT
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www.providenceri.com

found that the rezoning would 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.

The petitioner proposed that the amendment be subject to the restriction that the change should limit use of the rezoned lots to two family, three family and multifamily housing. The CPC recommends that the Council include this condition should they approve the zone change as it would retain the residential character of the lots.

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

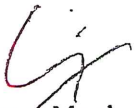
Based on the foregoing discussion, the CPC voted as follows to recommend that the City Council approve the proposed zone change:

M. Gazdacko AYE; N. Verdi AYE; C. West AYE; H. Bilodeau AYE; L.Torrado AYE; C.Potter AYE;
M. Quezada AYE

In accordance with the CPC's action, the change should be granted subject to the following condition:

The uses on the lots shall be restricted to two family, three family and multifamily dwellings.

Sincerely,

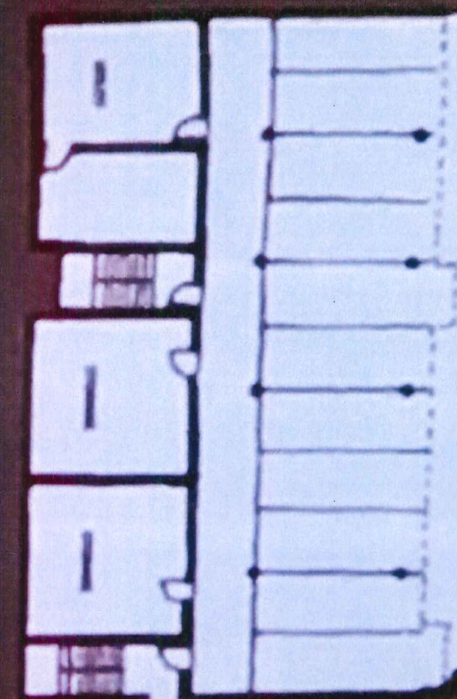


Choyon Manjrekar
Administrative Officer



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PROPERTY OF THE CITY



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