

CHAPTER 2023-44

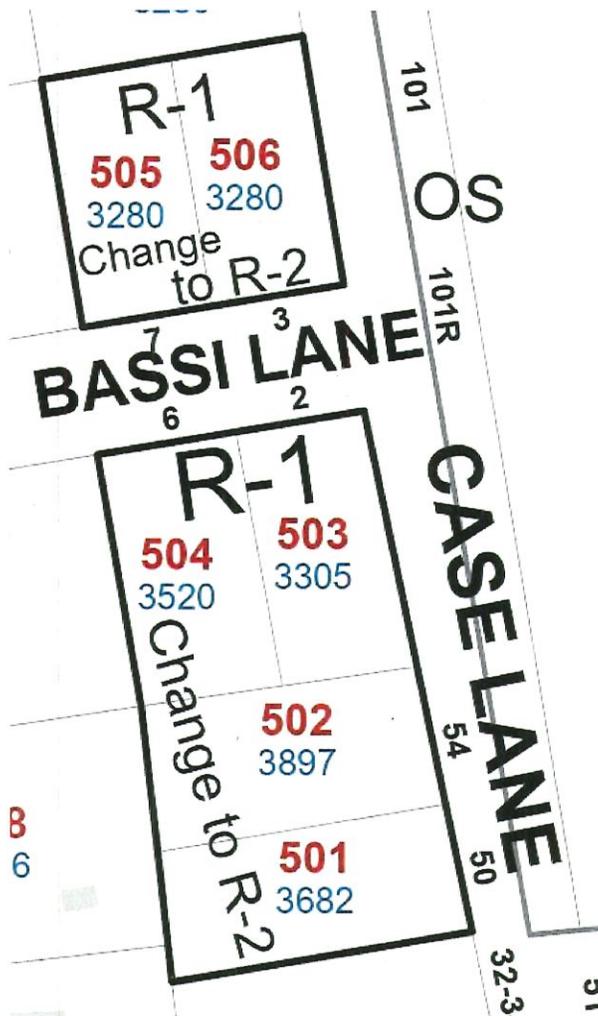
No. 490

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 PROPERTY LOCATED ON ASSESSOR'S PLAT 80, LOTS 501, 502, 503, 504, 505 AND 506, (50 & 54 CASE LANE AND 2,3,6 & 7 BASSI LANE), FROM R-1 TO R-2

Approved December 13, 2023

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 Property located on Assessor's Plat 80, Lots 501, 502, 503, 504, 505 and 506, (50 & 54 Case Lane and 2,3,6 & 7 Bassi Lane), from R-1 to R-2.



SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
NOV 16 2023
FIRST READING
READ AND PASSED

Jana L. Mastrosanni
CLERK

IN CITY COUNCIL
DEC 07 2023
FINAL READING
READ AND PASSED

Rachel M. Miller
RACHEL M. MILLER, PRESIDENT
Jana L. Mastrosanni
CLERK

I HEREBY APPROVE.

Butt P. Sin
Mayor

Date: 12/13/2023



CITY OF PROVIDENCE
MAYOR BRETT P. SMILEY

July 20, 2023

Councilman Pedro Espinal,
Chair, Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Tina Mastroianni, City Clerk

**Re: Referral 3550 – Petition to rezone 50 and 54 Case Lane and 2,3,6 and 7 Bassi Lane
(AP 80 Lots 501, 502, 503, 504, 505 and 506) from R-1 to R-3**

Petitioner: Francisco Cruz

Dear Chairman Espinal,

The petitioner appeared before the City Plan Commission (CPC) on July 18, 2023 requesting a rezoning of the subject lots from R-1 to R-3.

FINDINGS OF FACT

The petitioner is requesting a rezoning of the subject lots from R-1 to R-3 with uses restricted to one or two family dwellings. The subject lots are currently vacant and not served by a developed street. The lots are zoned R-1 and surrounded by similarly zoned lots with the exception of the open space zone to the east. The neighborhood's character appears to be defined by development characteristic of the R-1 zone and is mainly composed of single family dwellings. Given the neighborhood's character, the CPC found that the proposed rezoning could result in development that is out of character with the surroundings as the neighborhood is mostly composed of single family dwellings.

Per the Future Land Use Map of Providence Tomorrow this area is intended for single family residential development characterized by one family dwellings in detached structures on separate lots. The land use pattern can be observed around the site. The CPC found that the zoning change would not conform to the plan's intent given the proposed density, the neighborhood's character, and the proposed uses. The map does not support the zoning change as there are no land uses of higher density in direct proximity to the lots to justify a zone change.

DEPARTMENT OF PLANNING & DEVELOPMENT

JOSEPH A. DOORLEY JR. MUNICIPAL BUILDING, 444 WESTMINSTER ST, PROVIDENCE RI 02903
PHONE 401.680.8400 | WWW.PROVIDENCERI.GOV/PLANNING

In discussing the zone change, the CPC acknowledges that there is a current housing crisis and that the lots are within two blocks of the R-2 zone.

It is the CPC's opinion that the rezoning could have a negative impact on the neighborhood's character relative to the intent of the plan, which would make it inconsistent with the purposes of zoning in Section 101 of the Zoning Ordinance.

RECOMMENDATION

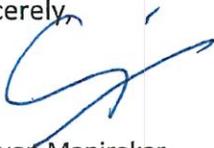
On a motion by Commissioner Sanchez, seconded by Commissioner Sherry, the Commission voted to recommend that the City Council deny the zone change based on their findings.

The CPC acknowledges that we are in the midst of a housing crisis and that the R-2 zone is located within two blocks of the subject lots.

The Commission voted as follows:

AYE: N. Sanchez, W. Sherry, M. Quezada, C. Lipschitz, N. Verdi

Sincerely,

A handwritten signature in blue ink, appearing to be 'C. Manjrekar', written over a faint horizontal line.

Choyon Manjrekar
Administrative Officer

City of Providence
State of Rhode Island and Providence Plantations

AMENDED PETITION TO THE HONORABLE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Francisco Cruz 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 50 and 54 Case Lane and 2,3,6 and 7 Bassi Lane and identified as Plat 80, Lots 501, 502, 503, 504, 505 and 506 from R-1 to R-~~2~~. ~~but limited to uses containing one or two family dwellings~~. The property sought to be rezoned is shown on the attached plan.

Francisco Cruz
By his Attorney,

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



City of Providence
State of Rhode Island and Providence Plantations

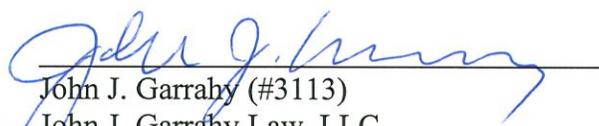
PETITION TO THE HONORABLE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Francisco Cruz 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 50 and 54 Case Lane and 2,3,6 and 7 Bassi Lane and identified as Plat 80, Lots 501, 502, 503, 504, 505 and 506 from R-1 to R-3 but limited to uses containing one or two family dwellings. The property sought to be rezoned is shown on the attached plan.

Francisco Cruz
By his Attorney,



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

JOHN J. GARRAHY LAW, LLC
2088 BROAD STREET
CRANSTON, RHODE ISLAND 02905
(401) 383-3830
jgarrahy@garrahyllaw.com

March 14, 2023

Ms. Tina L. Mastroianni
City Clerk
City of Providence
25 Dorrance Street
Providence, Rhode Island 02903

Re: Zone Change Petition for 50 & 54 Case Lane and 2,3,6 & 7 Bassi Lane from R1 to R3 (limited to one and two family dwellings)

Dear Tina:

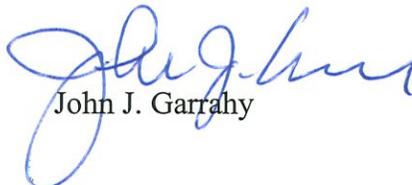
Enclosed please find the above referenced petition to the Providence City Council:

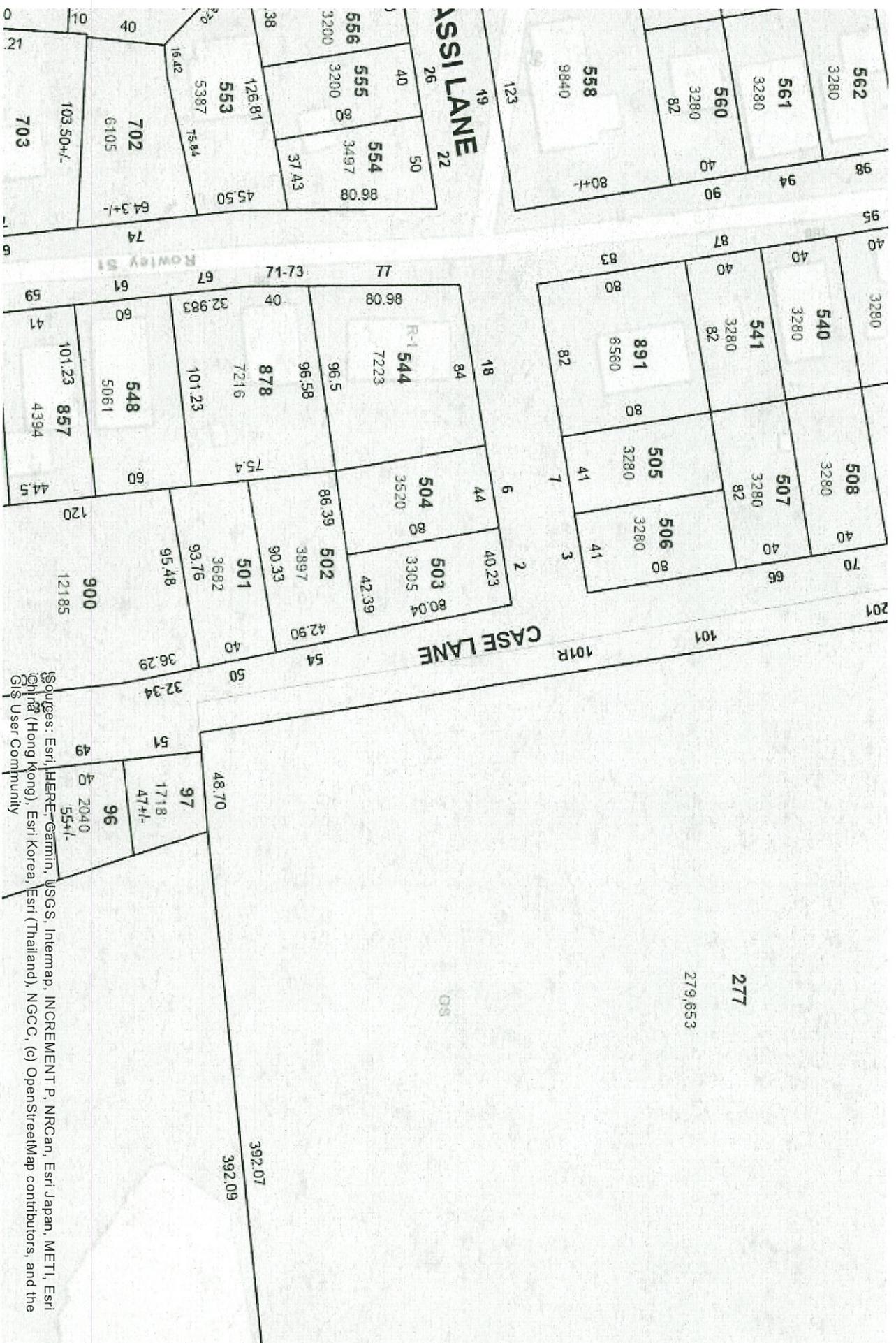
Also enclosed is a check in the amount of \$150 to cover the cost of the petition.

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

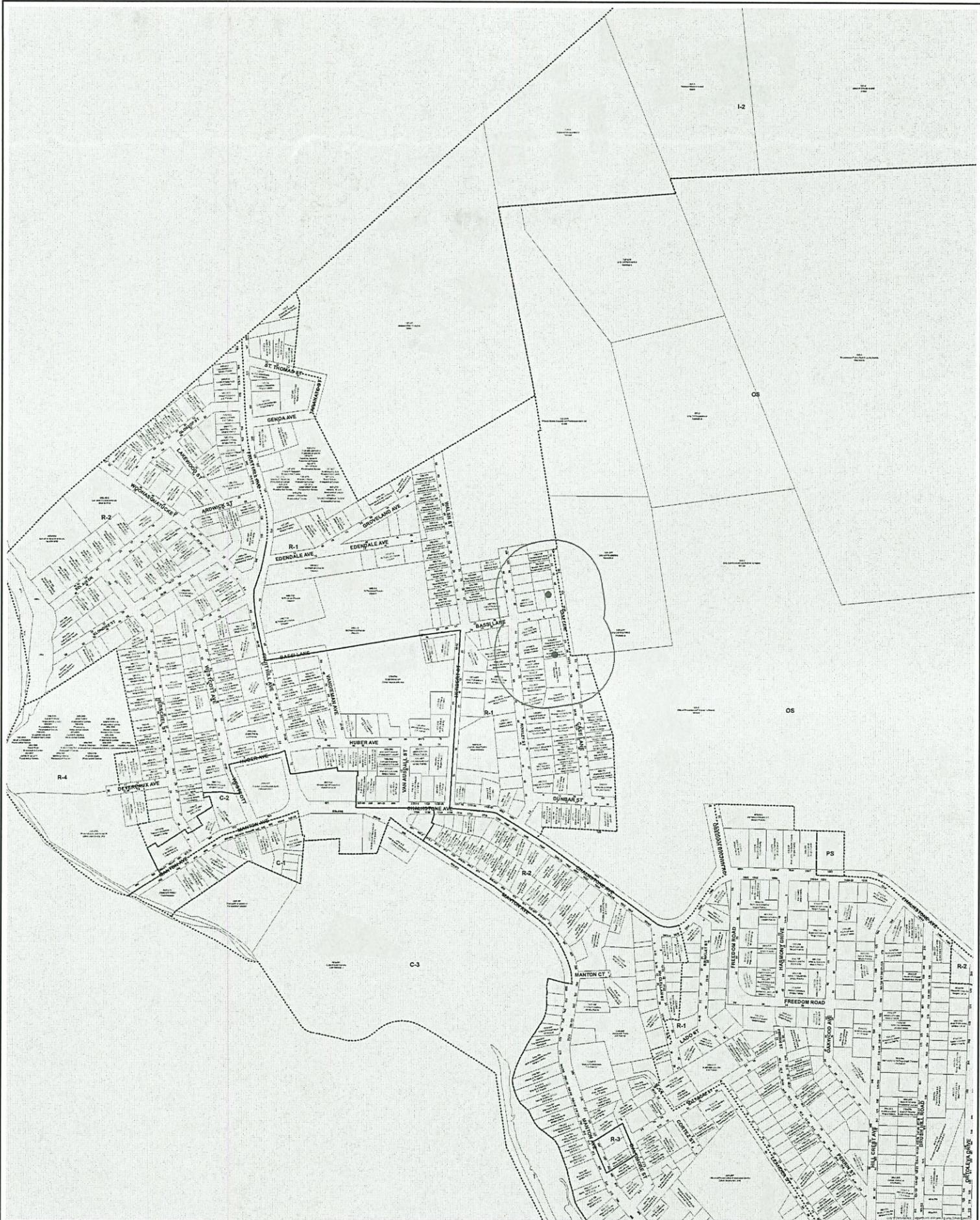


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

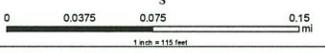
This information is provided for informational purposes only. It is not intended to be used for legal or financial purposes. The information is provided as is, without warranty of any kind, express or implied. The user assumes all responsibility for any use of this information. Providence Planning and Development Department, 101 N. Main Street, Providence, RI 02903. Date: 3/10/23



PROVIDENCE, RHODE ISLAND
 PROVIDENCE THE CREATIVE CAPITAL
 DEPARTMENT OF PLANNING AND DEVELOPMENT
 JOYCE O. BLONZA, MAYOR | BRENNE INCRENSON AIGR, DIRECTOR



The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analysis.
 Produced by the Providence Planning and Development GIS Lab, 444 Westminster Street, Providence, R.I. 02903
 Data Source: Providence Geographic Information System
 Date: 01/14/2023



PROVIDENCE, RHODE ISLAND

PROVIDENCE THE CREATIVE CAPITAL
 DEPARTMENT OF PLANNING AND DEVELOPMENT
 JORGE O. ELORZA, MAYOR | BONNIE NICKERS BORN AICP, DIRECTOR