

RESOLUTION OF THE CITY COUNCIL

No. 73

Approved February 27, 2020

Resolution Authorizing and Adopting an Amendment and Addition to Chapter 1979-26 of the Ordinances of the City of Providence Approved June 22, 1979, Entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for the West End Project as amended by Chapters 1998-3, No. 3 and 2001-30 No. 516 of the Ordinances of the City of Providence"

1. That Chapter 1979-26 of the Ordinances of the City of Providence, approved June 22, 1979, entitled "An Ordinance Approving and Adopting the Official Redevelopment Plan for the West End Project, as amended by Chapters 1998-3, No. 3 and 2001-30 No. 516 of the Ordinances of the City of Providence," is hereby amended by incorporation of Exhibit A hereto and specifically as follows:

- A. The following property, as further described in Exhibit A, is hereby added to the Redevelopment Plan acquisition list:

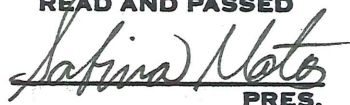
Plat	Lot	Street Number	Address
30	308	17	Fuller Street
30	344	212	Harrison Street
30	299	63	Warren Street
30	301	59	Warren Street
30	307	45	Warren Street
30	334	42	Warren Street
30	338	50	Warren Street
30	339	44	Warren Street
30	634	61R	Warren Street
30	355	49	Westfield Street
30	284	72	Wilson Street
30	285	78	Wilson Street
30	291	102	Wilson Street

- B. The expiration date of the Redevelopment Plan shall be June 22, 2059.
2. That said Chapter 1979-26 of the Ordinances of the City of Providence as adopted and as heretofore amended, is hereby ratified and affirmed in all other aspects.
 3. That this Resolution shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

IN CITY COUNCIL

FEB 20 2020

READ AND PASSED


PRES.


CLERK

I HEREBY APPROVE.

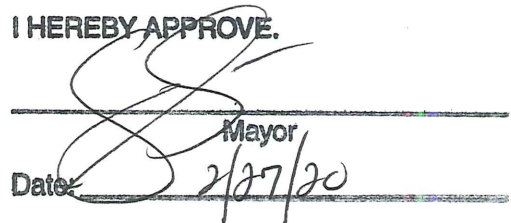

Mayor
Date: 2/27/20

EXHIBIT A

To the Resolution

[Redevelopment Plan Amendment]

City of Providence
Providence Redevelopment Agency
West End Redevelopment Plan, 1979
Amendment for
Acquisition of Klitzner Building Site

This document is appended as an amendment to the West End Redevelopment Plan, 1979

Proposal

The Providence Redevelopment Agency (hereinafter the “Agency”) proposes to submit an Ordinance to the City Council in order to acquire, through purchase, foreclosure, and/or condemnation, the Property known as the Klitzner Building Site, identified in the map attached hereto as Exhibit A, (hereinafter “the Property”).

Background

The Property consists of a multi-story, brick-faced structure with expansive windows facing the street. The property is set back from the public right-of-way and is surrounded by pavement. The paved areas of the lot are in a deteriorating condition, with weeds sprouting through cracks. The building itself is vacant, deteriorated, and in some places is covered in graffiti. Surrounding the lot is excessive amounts of debris including, but not limited to, broken motor vehicles and parts thereof. On the co-owned lots nearby to the structure are piles of debris and several more abandoned cars. It clearly meets the definition of deteriorated blight outlined in the Rhode Island General Laws 45-31-8 which defines a “deteriorated blighted area” as a property suffering from “dilapidation, deterioration, age, or obsolescence.”

Property Area Description

The Property is located at Tax assessor’s Plat 30 Lots 284, 285, 291, 299, 301, 307, 308, 334, 338, 339, 344, 355, and 634, and further described in Exhibit B.

Findings That the Property Is Located Within a Redevelopment Area, That The Property is Located Within a Redevelopment Project Area, and That The Property is Necessary for Redevelopment.

The Property is located within a redevelopment area and a redevelopment project area and is necessary for redevelopment pursuant to definitions provided by section 45-31-8 of the R. I. Gen. Laws:

1. The Property is located in a redevelopment area, as re-affirmed by Resolution of the Providence City Council and shall be included within the West End Redevelopment Plan Project Area; and
2. Redevelopment of the Property is necessary to eliminate and prevent the spread of blighted and substandard areas because the Property remains entirely unoccupied and in a state of abandonment, severe dilapidation, deterioration, and disrepair;
3. The Property is populated by abandoned and dilapidated vehicles and other forms of debris.

Statement of Redevelopment Objectives and Proposed Treatment

1. The redevelopment objective for the Acquisition of the Property is to eliminate a blighted and substandard area through the acquisition of the Property as described in the 'Property Area Description' above and to improve, and rehabilitate the lot and other such improvements located thereon.

Statement of Redevelopment Methods

1. *Property Acquisition* - The Agency will negotiate the purchase of the Property. If the Agency is unable to negotiate the purchase, the Agency will exercise its powers of foreclosure or of eminent domain pursuant to R. I. Gen. Laws 45-32-5 and R. I. Gen. Laws 45-32-24
2. *Funding* – The Agency will supply funding for acquisition or, if the property is acquired by eminent domain, will deposit in the Superior Court for Providence County a sum of money estimated by the Agency to be just compensation for the Property.
3. *Transfer of Property* – After acquisition, the Agency will transfer title to the Property for no less than one hundred percent of the total cost expended by the Agency during acquisition of the Property.
4. *Redevelopment* – The party to whom the Property is transferred (hereinafter the "Purchaser") will, prior to or concurrent with the transfer of title, submit a redevelopment plan for the Property that complies with the purposes of chapters 31-33 of Title 45 of the Rhode Island General Laws.
5. *Development Review* – Any redevelopment plans for the Property shall be reviewed by the Agency and the Providence Department of Planning and Development. Approval of such proposals will be in accordance with the Providence Zoning Ordinance and the Redevelopment plan for the West End Project.

Provisions Necessary to Meet Local Objectives

1. *Conformance to Comprehensive Plan* – The proposed amendment fulfills a number of goals and conditions of the comprehensive plan.
 - A. Goal 2 in Section 4 aims to promote protection and preservation of high quality built environment. Blighted, abandoned structures run counter to this goal. The redevelopment plan would conform to the comprehensive plan by helping to achieve this goal.
 - B. Objective LU-1 of the Comprehensive Plan is intended to reinforce the stability, character and diversity of the City's neighborhoods by respecting valued development patterns and attributes. The improvement of blighted properties would achieve this objective by bringing stability to neighborhoods and improving areas that are declining due to blighted and abandoned properties.
2. *Covenants and Restrictions* - The Purchaser will be required to conform to the standards and controls or other provisions of the Official Redevelopment Plan as Contained in Section 3 entitled "Other Conditions, Covenants, Restrictions, and Provisions Controlling the Development and the Use of Acquired Land and Improvements" of Chapter G. entitled "Other Provisions necessary to Meet Local Objectives" in the Official Redevelopment Plan entitled "The West End Redevelopment Project."
3. *Miscellaneous Provisions* – Whenever the controls in this Plan restricting the use and development of areas acquired for redevelopment conflict with provision of the Zoning Ordinance or any other City Ordinances, the more restrictive standard shall govern.

EXHIBIT A

To the Redevelopment Plan Amendment

[Property Map]

EXHIBIT B

To the Redevelopment Plan Amendment

[Legal Description]

Klitzner Lots Property Descriptions

Those certain parcels or tracts of land together with all buildings and improvements thereon, situated on the easterly line of Harrison Street, the northerly line of Westfield Street, the northerly and southerly lines of Warren Street, the southerly line of Wilson Street and the easterly and westerly lines of Fuller Street, in the City and County of providence, State of Rhode Island, bounded and described as follows:

Said parcels are laid out and delineated as lots no. 103, 104, 106, 107, 108, 109, 110, 111, 112, 113, 114, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 91, 92, 54 and 98 on that plat entitled "PLOT OF AN ESTATE BELONGING TO DANIEL FIELD SURVEYED & PLOTTED SEPT. 26TH 1845 BY ATWATER & SCHUBARTH" which plat is recorded in the Office of the Recorder of Deeds in the City of Providence in Plat book 3, page 12 and on Plat Card 95. For reference purposes only: a/k/a Assessor's Plat 30, lots 344, 355, 339, 338, 334, 307, 308, 291 and 301.

TOGETHER WITH that certain parcel or tract of land together with all buildings and improvements thereon, situated at the southwest corner of Fuller and Wilson Streets, in the City and County of Providence, State of Rhode Island, bounded and described as follows:

Beginning at the Intersection of the westerly line of Fuller Street and the southerly line of Wilson Street, said point being the northeast corner of the herein described parcel;

Thence running westerly along the southerly line of Wilson Street 40.00 feet;

Thence turning an angle to the right of $89^{\circ} 54' 20''$ and running southerly 58.00 feet;

Thence turning an angle of the right of $270^{\circ} 05' 40''$ and running westerly 12.50 feet;

Thence turning an angle to the right of $89^{\circ} 54' 20''$ and running southerly 6.50 feet;

Thence turning an angle to the right of $270^{\circ} 05' 40''$ and running westerly 27.50 feet;

Thence turning an angle to the right of $89^{\circ} 54' 20''$ and running southerly 30.50 feet;

Thence turning an angle to the right of $90^{\circ} 05' 40''$ and running westerly 80.00 feet to the westerly line of Fuller Street;

Thence turning an angle to the right of $89^{\circ} 54' 20''$ and running northerly along the westerly line of Fuller Street 95.00 feet to the southerly line of Wilson Street to the point and place of beginning and forming an interior angle of $90^{\circ} 05' 40''$ with the first course, and containing 5,101 square feet of land, more or less. Meaning and intending to describe Lot No. 61 and a portion of the southerly part of Lot No. 60 on the above mentioned plan. For reference purposes only: a/k/a Assessor's Plat 30, lot 284.

TOGETHER WITH that certain parcel or tract of land together with all buildings and improvements thereon, situated at the southerly line Wilson Street, in the City and County of Providence, State of Rhode Island, bounded and described as follows:

Beginning at a point on the southerly line of Wilson Street 40.00 feet westerly from the westerly line of Fuller Street, said point being the northeast corner of the herein described parcel;

Thence running westerly along the southerly line of Wilson Street 40.00 feet;

Thence turning an angle to the right of $89^{\circ} 54' 20''$ and running southerly 64.50 feet;

Thence turning an interior angle of $90^{\circ} 05' 40''$ and running westerly 27.50 feet;

Thence turning an angle to the right of $89^{\circ} 54' 20''$ and running northerly 6.50 feet;

Thence turning an angle to the right of $270^{\circ} 05' 40''$ and running westerly 12.50 feet;

Thence turning an angle to the right of $89^{\circ} 54' 20''$ and running northerly 58.00 feet to the southerly line of Wilson Street to the point and place of beginning and forming an interior angle of $90^{\circ} 05' 40''$ with the first course, and containing 2,499 square feet of land, more or less.
Meaning and intending to describe the northerly portion of Lot No. 60 on the above mentioned plan. For reference purposes only: a/k/a Assessor's Plat 30, lot 285.

TOGETHER WITH that certain parcel or tract of land together with all buildings and improvements thereon, situated at the northerly line Warren Street, in the City and County of Providence, State of Rhode Island, bounded and described as follows:

Beginning at a point on the northerly line of Warren Street 367.78 feet westerly from the westerly line of Fuller Street, said point being the southeast corner of the herein described parcel; Thence running northerly 43.00 feet;

Thence turning an angle to the right of $145^{\circ} 34' 02''$ and running northwesterly 14.56 feet;

Thence turning an angle to the right of $214^{\circ} 23' 58''$ and running northerly 19.95 feet;

Thence turning an angle to the right of $90^{\circ} 00' 00''$ and running westerly 24.11 feet;

Thence turning an angle to the right of $89^{\circ} 54' 20''$ and running southerly 24.96 feet;

Thence turning an angle to the right of $270^{\circ} 05' 40''$ and running westerly 2.00 feet;

Thence turning an angle to the right of $89^{\circ} 54' 20''$ and running southerly 50.00 feet to the northerly line of Warren Street;

Thence turning an angle to the right of $90^{\circ} 05' 40''$ and running easterly along the northerly line of Warren Street 34.22 feet to the point and place of beginning and forming an interior angle of $90^{\circ} 00' 00''$ with the first course, and containing 2,306 square feet of land, more or less.

Meaning and intending to describe the southwesterly portion of Lot No. 100 and the easterly 2.00 feet of Lot No. 102 on the above mentioned plan.

For reference purposes only: a/k/a Assessor's Plat 30, lot 299.

TOGETHER WITH that certain parcel or tract of land together with all buildings and improvements thereon, situated northerly of the northerly line of Warren Street, in the City and County of Providence, State of Rhode Island, bounded and described as follows:

Starting at a point on the northerly line of Warren Street 320.00 feet westerly from the westerly line of Fuller Street;

Thence running northerly at an angle to the right of $89^{\circ} 54' 20''$ against the northerly line of Warren Street 50.52 feet to the point and place of beginning, said point being the southeast corner of the herein described parcel;

Thence turning an angle to the right of $180^{\circ} 00' 00''$ against the previous course and running northerly 44.48 feet;

Thence turning an angle to the right of $90^{\circ} 05' 40''$ and running westerly 80.00 feet;

Thence turning an angle to the right of $89^{\circ} 54' 20''$ and running southerly 20.04 feet;

Thence turning an angle to the right of $90^{\circ} 05' 40''$ and running easterly 24.11 feet;

Thence turning an angle to the right of $270^{\circ} 00' 00''$ and running southerly 19.95 feet;

Thence turning an angle to the right of $145^{\circ} 34' 02''$ and running southeasterly 4.09 feet;

Thence turning an angle to the right of $125^{\circ} 37' 29''$ and running easterly 53.63 feet to the point and place of beginning and forming an interior angle of $88^{\circ} 42' 49''$ with the first course, and containing 2,933 square feet of land, more or less.

Meaning and intending to describe a northerly portion of Lots No. 99 and 100 on the above mentioned plan. For reference purposes only: a/k/a Assessor's Plat 30, Lot 634.