

CHAPTER 2024-5

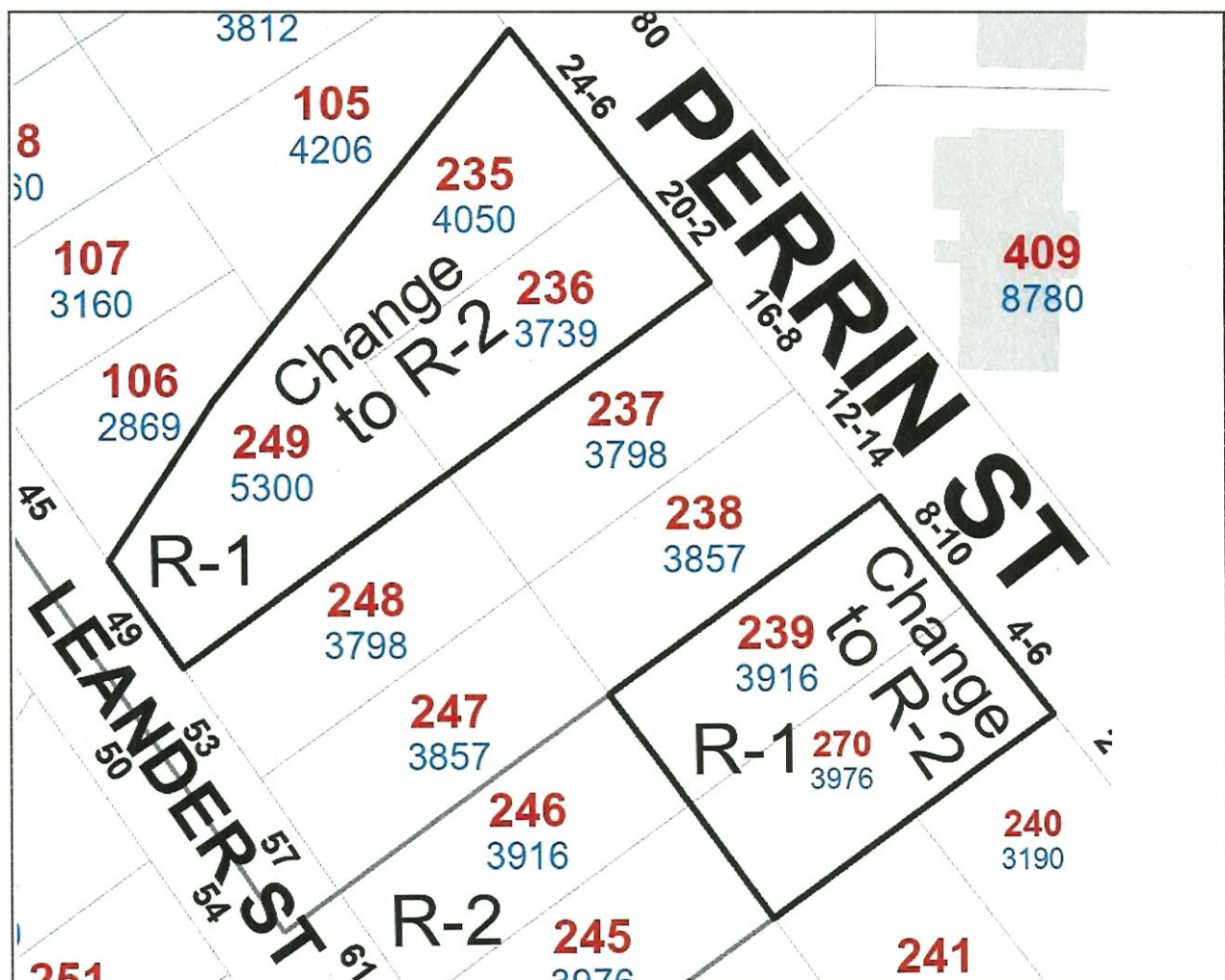
No. 96

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 34, LOTS 249, 235, 236, 239 AND 270 (49 LEANDER STREET AND 4, 8, 20 AND 24 PERRIN STREET), FROM R-1 TO R-2

Approved March 13, 2024

*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 34, Lots 249, 235, 236, 239 and 270 (49 Leander Street and 4, 8, 20 and 24 Perrin Street), from R-1 to R-2.



SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL  
FEB 15 2024  
FIRST READING  
READ AND PASSED

*Tina L. Mastrosanni*  
CLERK

IN CITY  
COUNCIL  
MAR 07 2024  
FINAL READING  
READ AND PASSED

*Rachel M. Miller*  
RACHEL M. MILLER, PRESIDENT  
*Tina L. Mastrosanni*  
CLERK

I HEREBY APPROVE.

*Brett P. Smith*  
Mayor

Date: *3/13/2024*

**City of Providence**  
STATE OF RHODE ISLAND

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE

*The undersigned respectfully petitions your honorable body*

I, **Dylan Conley**, Attorney on behalf of applicant landowner, hereby petition the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district designation for the property located at:

***49 Leander Street and 4, 8, 20, and 24 Perin Street, Providence, RI,  
Assessor's Plat 34, Lots 249, 235, 236, 239, and 270,***

and shown on the accompanying map attached hereto as Exhibit A, from ***R-1 to R-2***.

Petitioner, by and through their attorney:

/s/ Dylan Conley

Dylan Conley (R.I. Bar No. 8969)

Conley Law Associates

123 Dyer St., Ste 2b

Providence, R.I. 02903

(401) 415-9835

dconley@conleylawri.com



49 Leander Street and 4, 8, 20, and 24 Perin Street  
Providence, R.I.  
AP 34, Lots 249, 235, 236, 239, and 270



Current Zone: R-1  
Proposed Zone: R-2







CITY OF PROVIDENCE  
MAYOR BRETT P. SMILEY

November 15, 2023

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

Attn: Tina Mastroianni, City Clerk

**Re: Referral 3558 – Petition to rezone 49 Leander Street and 4, 8 and 24 Perrin Street  
(AP 34 Lots 235, 236, 239, 249 and 270) from R-1 to R-2**

**Petitioner: Maxton Investments LLC**

Dear Councilman Espinal,

The petitioner appeared before the City Plan Commission (CPC), requesting to rezone 49 Leander Street and 4,8,24 Perrin Street from R-1 to R-2.

**FINDINGS OF FACT**

The petitioner is requesting a rezoning of the subject lots from R-1 to R-2 to permit construction of two family dwellings on the subject lots. The lots are located on the eastern side of Leander Street and the western side of Perrin Street, which are zoned R-1 but undeveloped and vacant. The lots are directly adjacent to the R-2 zone to the west, which is mainly composed of two family dwellings, which define the neighborhood's character. Given this character, the CPC found that rezoning to R-2 would be appropriate as the change is not expected to have a negative effect on neighborhood character or surrounding property given the presence of two family dwellings and undeveloped vacant lots around the subject property.

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 for single family and low density residential development which includes one to two family dwellings on separate lots. The CPC found that the plan would conform to the development pattern suggested by the plan. The rezoning would be in conformance with objective H-2 of the comprehensive plan which encourages development of new housing. Rezoning the lots would be appropriate given the character of the surroundings and the proposed use as the plan would conform to the zoning requirements of the R-2 zone as proposed.

**DEPARTMENT OF PLANNING & DEVELOPMENT**

JOSEPH A. DOORLEY JR. MUNICIPAL BUILDING, 444 WESTMINSTER ST, PROVIDENCE RI 02903  
PHONE 401.680.8400 | [WWW.PROVIDENCERI.GOV/PLANNING](http://WWW.PROVIDENCERI.GOV/PLANNING)

The applicant had applied for a zone change to R-2 at 61-67 Leander Street (AP 34 lots 245 and 246) which directly abut subject lots 239 and 270, and is being reviewed by the Council. The CPC required that the zone change to lots 239 and 270 should only occur upon the rezoning of lots 245 and 246 being approved so that the lots aren't isolated R-2 lots within the R-1 zone and that the zoning pattern for the abutting lots on Leander and Perrin Street is consistent.

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**

On a motion by Commissioner Verdi, seconded by Commissioner Sherry, the CPC voted to recommend that the City Council rezone the lots to R-2 subject to the following condition:

The rezoning of lots 239 and 270 shall only occur upon the rezoning of lots 245 and 246 to R-2 being approved.

The CPC voted as follows:

Aye: N. Verdi, W. Sherry, C. Lipschitz, M. Gazdacko

Sincerely,

A handwritten signature in black ink, appearing to be 'Choyon Manjrekar', written over the printed name.

Choyon Manjrekar  
Administrative Officer