

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2004-51

No. 586 **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 JUNE 27, 1994, AS AMENDED.

Approved December 7, 2004

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 June 27, 1994, as amended, is further amended by changing the zoning district designation of Lot 4 on Zoning District Map 89 of the Official Zoning Maps from R-2 to C-1, as shown on the accompanying map.

Section 2: The following limitations on the use and development of Lot 4, Zoning District Map 89 shall be noted on the face of the Official Zoning Map and recorded in the official property records:

- (a) Commercial uses shall be limited to the first floor of the building; the second floor shall be limited to residential or administrative office to support the first floor commercial business.
- (b) Prior to receiving a building permit to convert the first floor of the building to commercial use, the applicant shall execute an agreement with the city agreeing not to object to any future rezoning of the property provided such rezoning allows commercial uses on the first floor of the building.
- (c) Demolition of the building and any new development shall require City Plan Commission approval to ensure consistency with the residential character/scale of the area.

Section 3: This Ordinance shall take effect upon passage.

IN CITY COUNCIL
NOV 18 2004
FIRST READING
READ AND PASSED

Michael R. Clement
CLERK

IN CITY COUNCIL
DEC 2 2004
FINAL READING
READ AND PASSED

Michael R. Clement
PRESIDENT
Michael R. Clement
CLERK

APPROVED

[Signature]
MAYOR

12/7/04

CITY COUNCIL
MAY 12 2004
FIRST READING
REFERRED TO COMMITTEE ON
ORDINANCES
Michael Clement
CLERK
ams

THE COMMITTEE ON
Ordinances
Recommends
Ann M. Steen
CLERK
226-04 Schedule P. Hwy
9-20-04. P. Hwy held
10-13-04 CA 4

THE COMMITTEE ON
ORDINANCES
Approves Passage of
The Within Ordinance
Ann M. Steen
11-8-04
Clark

CLERK

CLERK

CLERK

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

IN CITY OF PROVIDENCE

OFFICE OF THE
CITY CLERK
CITY OF PROVIDENCE

OFFICE

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Miguelina E. Liberato of 355 Potters Avenue, Providence, Rhode Island and owner of 1263 Elmwood Avenue, Providence, Rhode Island, hereby Petitions you for an amendment to the City of Providence Zoning Ordinance Chapter 1994-24, No. 365 approved June 27, 1994, as amended, by changing the zoning district designation of Zoning Map 89, Lot 4 (1263 Elmwood Avenue) from an R-2 to a C-1.



Miguelina E. Liberato
355 Potters Avenue
Providence, RI 02907
(Owner of 1263 Elmwood Avenue
Providence, RI 02907)

FILED

MAY 12 12 37 PM '09

DEPT. OF CLERK
PROVIDENCE, R. I.

IN CITY COUNCIL

MAY 20 2004

FIRST READING

REFERRED TO COMMITTEE ON
SERVICES

Richard A. Went
CLERK

THE COMMITTEE ON

Ordinances

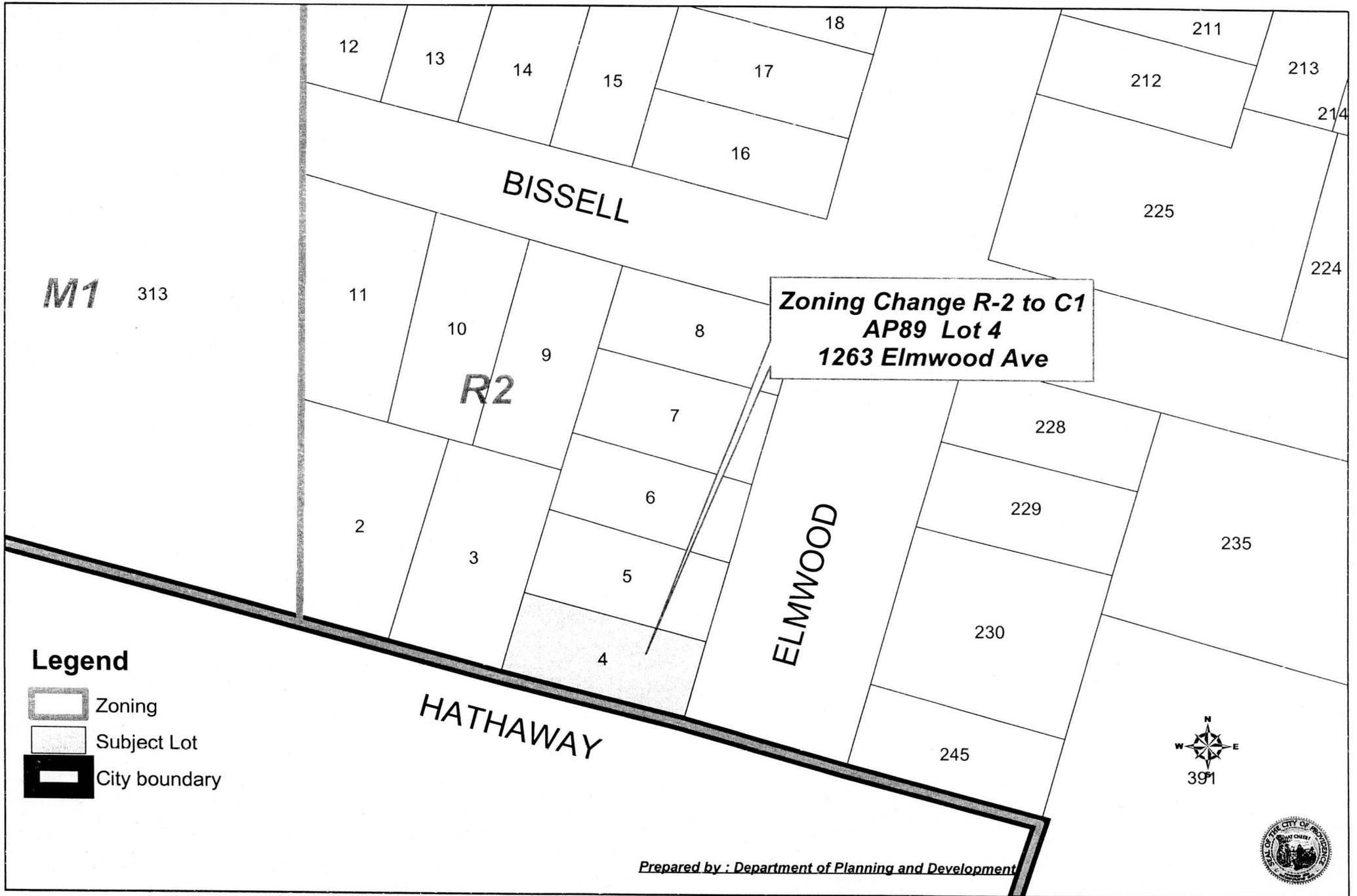
Recommends

Ann M. Steen
CLERK

8-26-04. Schedule P. Hwy
9-20-04 P. Hwy held
10-13-04 - Cm 7

FROM THE CLERK'S DESK

City of Providence Zoning Ordinance Amendment of Chapter 27 - Official Zoning Map 89



M1

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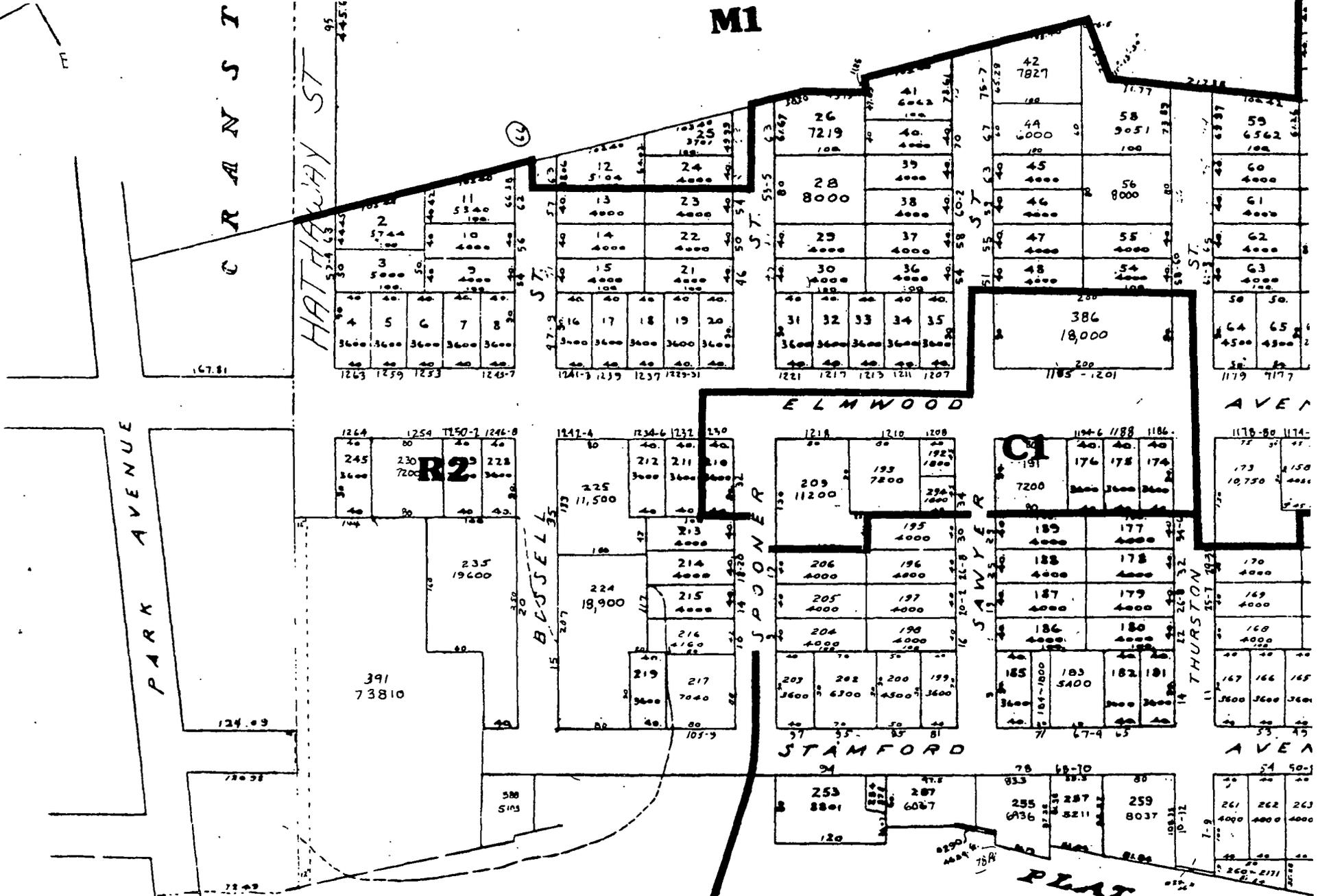
S T A M F O R D

P L A T

90.

PLAT 89

PROVIDENCE, R.I.



167.81

1263 1259 1253 1243-7

1241-3 1239 1237 1229-51

1221 1217 1215 1211 1207

1185-1201

1179 1177

1264 1254 1250-7 1246-8

1241-4 1234-6 1232 1230

1218 1210 1208

1194-6 1188 1186

1176-80 1174

391
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224
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253
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120

287
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255
6336

259
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261 262 263
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FILED

MAY 12 12 37 PM '04

DEPT. OF SOLICITORS
PROVIDENCE, R. I.



Providence City Plan Commission

DAVID N. CICILLINE
Mayor

August 31, 2004

Honorable Rita Williams, Chair
Ordinance Committee
Providence City Hall
25 Dorrance Street
Providence, RI 09203

Attn: Anna Stetson, Second Deputy City Clerk

Re: Petition to change zoning designation of 1263 Elmwood Avenue, Assessor's Plat 89, Lot 4, from Residential Two Family ("R-2") zoning district to a Limited Commercial ("C-1") zoning district.

Dear Councilwoman Williams:

At a regular meeting of the City Plan Commission (CPC) on August 17, 2004, and pursuant to Section 1100 of the City of Providence Zoning Ordinance Chapter 1994-24, No. 365, as amended, the Commission reviewed a proposal for the above-captioned amendment to the Ordinance. The Commission voted unanimously as described below to make certain findings of fact and to recommend that the petition be approved.

Findings of Fact

Article XI of the Zoning Ordinance requires that in order for the CPC to make a positive recommendation on amendments to the Ordinance, it must demonstrate consistency with the Comprehensive Plan and with the purposes of zoning as listed in Section 100 of the Ordinance.

1. The proposed Zoning Map amendment is consistent with the Comprehensive Plan.
2. The proposed Zoning Map amendment is consistent with the purpose of the Zoning Ordinance as outlined in Section 100 of the Ordinance.

Recommendation

The CPC recommends to the Committee on Ordinances that the petition for rezoning be approved subject to the following conditions:

1. An amendment to the Comprehensive Plan to designate the property as Limited Commercial shall be adopted concurrent with the zoning map amendment.
2. Commercial uses shall be limited to the first floor of the building; the second floor shall be limited to residential or administrative office use to support the first floor commercial business.
3. The applicant shall execute an agreement with the city agreeing not to object to any future rezoning of the property provided such rezoning allows commercial uses on the first floor of the building.
4. Demolition of the building and any new development shall require City Plan Commission approval to ensure consistency with the residential character/scale of the area.
5. The above listed conditions shall be recorded in the official property records and noted on the face of the Official Zoning Map.

Sincerely,



Christopher J. Ise
Administrative Officer

cc: Miguelina E. Liberato, Petitioner
Angel Taveras, Brown Rudnick Berlack Israels LLP