

CHAPTER 2016-7

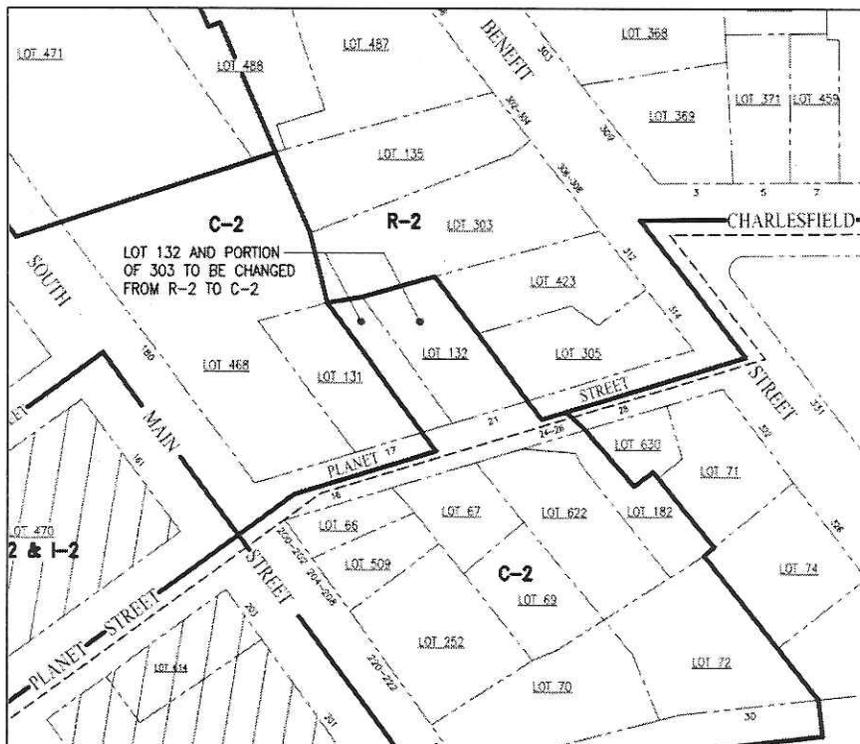
No. 82

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 19 AND 21 PLANET STREET (PLAT 12, LOT 132 AND A PORTION OF PLAT 12, LOT 303) FROM R-2 TO C-2

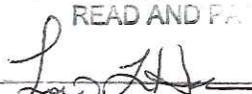
Approved March 8, 2016

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 19 and 21 Planet Street (Plat 12, Lot 132 and a Portion of Plat 12, Lot 303), as shown on the accompanying map, from R-2 to C-2.



SECTION 2: This ordinance shall take effect upon passage.

IN CITY COUNCIL
IN CITY COUNCIL
FEB 18 2016
FIRST READING
FIRST READING
READ AND PASSED

CLERK

IN CITY COUNCIL
COUNCIL
MAR 03 2016
FINAL READING
READ AND PASSED

PRESIDENT

CLERK

I HEREBY APPROVE


Mayor
Date: 3/8/16

Moses Afonso Ryan

LTD

❖ COUNSELORS AT LAW ❖

John J. Garrahy
jgarrahy@marlawri.com

October 1, 2015

Via Hand Delivery

City Clerk
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

Re: Petition to the City Council

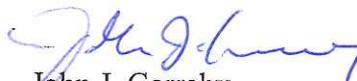
Dear Clerk:

Enclosed please find a Petition to the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district for the property located at 19 and 21 Planet Street (Plat 12, Lot 132 and a portion of Plat 12, Lot 303, as shown on the accompanying map) from R-2 to C-2. Also enclosed is a check in the amount of \$150 representing the filing fee.

Please advise of the hearing date.

Thank you for your attention to this matter.

Very truly yours,



John J. Garrahy

JJG/amp
Enclosures

cc: Mr. Walter Bronhard (by electronic mail)
Mr. Robert Azar (by electronic mail)

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City of Providence
State of Rhode Island and Providence Plantations

PETITION TO THE HONORABLE CITY COUNCIL

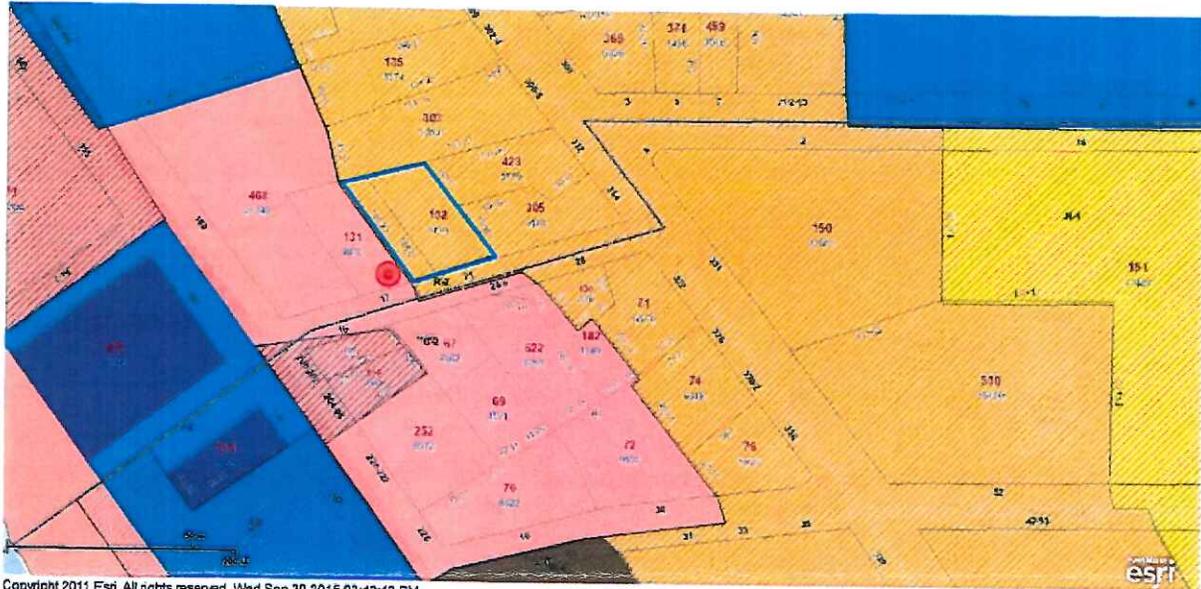
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

I, Walter Bronhard, hereby petition the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district for the property located at 19 and 21 Planet Street (Plat 12, Lot 32 and a portion of Plat 12, Lot 303, as shown on the accompanying map) from R-2 to C-2.

Plat 12 Lot 132 and portion of Plat 12 Lot 303

Area to be rezoned from R2 to C2



WALTER BRONHARD

By his Attorney,

John J. Garrahy (#3113)
160 Westminster Street, Suite 400
Providence, Rhode Island 02903



City Plan Commission
Jorge O. Elorza, Mayor

October 28, 2015

Councilman Terrence M. Hassett
Chair, Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Lori Hagen, City Clerk

Re: Referral 3400-Petition to rezone AP 12 Lots 132 and 303 (19-21 Planet Street) from R-2 to C-2

Petitioner: Walter Bronhard

Dear Councilman Hassett:

At a regular meeting on October 20, 2015, the City Plan Commission (CPC) reviewed the proposed zoning change to rezone the property at 21 Planet Street and a portion of 19 Planet Street from R-2 to C-2. The applicant is proposing to rezone the lots to increase the amount of allowable density. 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 AP 12 Lot 132 and a portion of AP 12 Lot 303 at 19 and 21 Planet Street. Both lots have frontage on Planet Street but lot 303 is irregularly shaped with narrow frontage on Planet Street that provides access to the rear of the lot which then fronts Benefit Street. The applicant is proposing to rezone lot 132 and the portion of lot 303 fronting Planet Street from R-2 to C-2. The property would be used for residential use and allow the applicant to provide more dwelling unit density than what is permitted in the R-2 zone.

As the C-2 zone is directly adjacent to residential development, 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 applicant will continue to maintain the residential nature of both lots.

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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found that rezoning would be consistent with the intent of the comprehensive plan. The CPC found that 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 CPC found that the rezoning was not expected to negatively affect health, safety and welfare and found it to be consistent with the purposes of zoning in Section 101 of the Zoning Ordinance.

RECOMMENDATION

Based on the foregoing discussion, the CPC voted unanimously to make a recommendation that the City Council approve the proposed Zone Change, finding it to be in conformance with the zoning ordinance and comprehensive plan.

Sincerely,



Choyen Manjrekar
Administrative Officer

cc: John Garrahy