

**CHAPTER 2018-53**

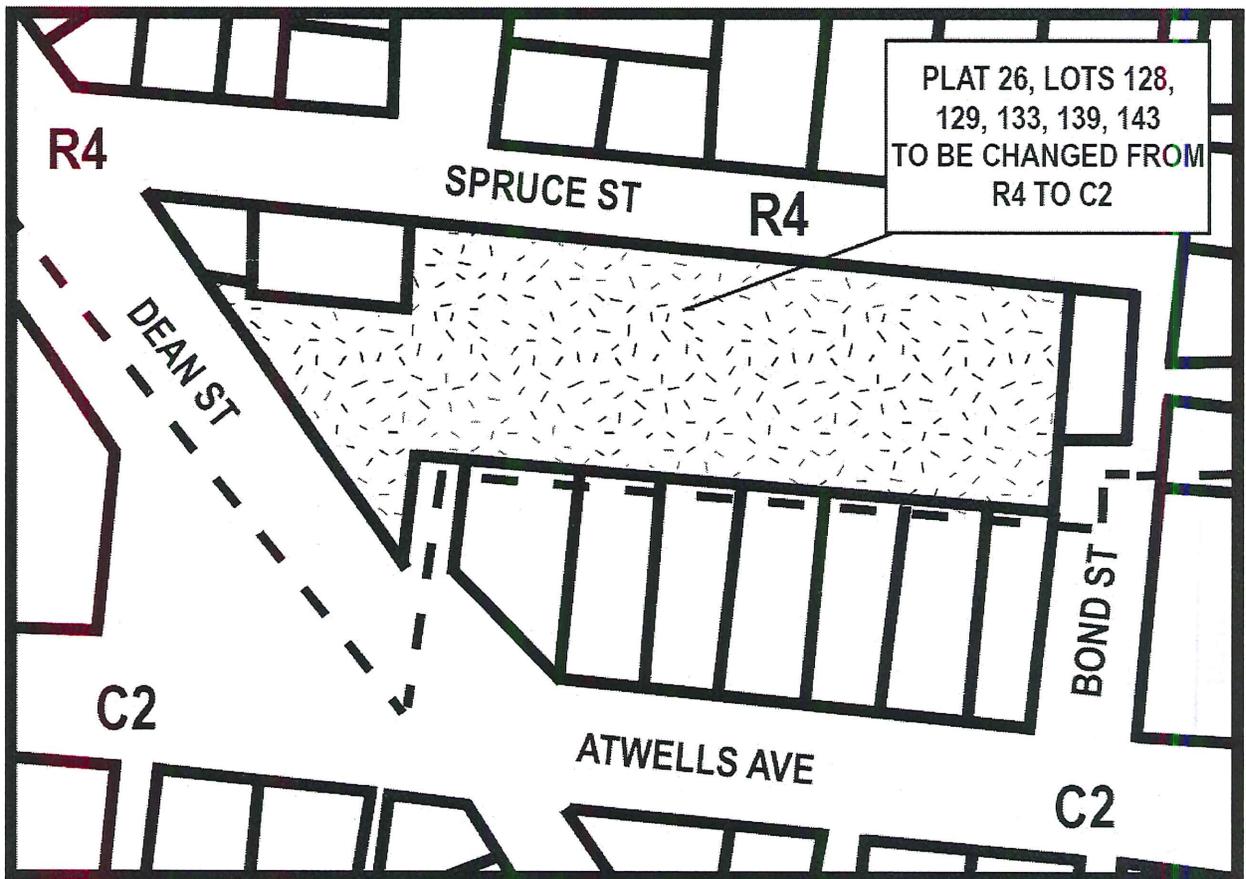
**No. 488**

**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 OF ASSESSOR'S PLAT 26, LOTS 128, 129, 133, 139 AND 143 FROM R-4 TO C-2**

Approved October 25, 2018

*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 of Assessor's Plat 26, Lots 128, 129, 133, 139 and 143 From R-4 to C-2, as shown on the attached map.



**SECTION 2.** This ordinance shall take effect upon passage.

IN CITY COUNCIL  
OCT 04 2018  
FIRST READING  
READ AND PASSED  
*Low L. Heger* CLERK

IN CITY COUNCIL  
OCT 18 2018  
FINAL READING  
READ AND PASSED  
*Mike Santilli* PRESIDENT  
*Low L. Heger* CLERK

I HEREBY APPROVE  
*[Signature]* Mayor  
Date: 10/25/18

**CITY OF PROVIDENCE**  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

I, William L. DiStefano, Jr., President of The Omni Group, hereby petition the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district designation for the following parcels (further illustrated on the accompanying Proposed Rezoning Map) from R-4 to C-2:

Plat/Lot	Address	Current Zone	Proposed Zone
26/128	6 Spruce Street	R-4	C-2
26/129	8 Spruce Street	R-4	C-2
26/133	12 Spruce Street	R-4	C-2
26/139	18 Spruce Street	R-4	C-2
26/143	110 Dean Street	R-4	C-2

The Omni Group

By:   
William L. DiStefano, Jr., President  
P.O. Box 856  
East Greenwich RI, 02818

7/24/18



City Plan Commission  
Jorge O. Elorza, Mayor

August 22, 2018

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

Attn: Lori Hagen, City Clerk

Re: **Referral 3435-Petition to rezone 110 Dean Street, 6, 8-10, 12 and 18 Spruce Street (AP 26 Lots 128, 129, 133, 139, 143) from R-4 to C-2**

**Petitioner: Omni Group**

Dear Chairman Hassett,

The City Plan Commission (CPC) reviewed the proposed zoning change to rezone 110 Dean Street, 6, 8-10, 12 and 18 Spruce Street (AP 26 Lots 128, 129, 133, 139, 143) from R-4 to C-2. The CPC voted as described below to make certain findings of fact and to recommend that the petition be granted.

**FINDINGS OF FACT**

The applicant is proposing to rezone AP 26 Lots 128, 129, 133, 139, 143 from R-4 to C-2, which are located on Spruce and Dean Street. Lots 133 and 139 are occupied by a church under the Historic District Landmark District overlay and the rest are vacant. The petitioner is requesting the change to allow for the church building to be used for mixed use as well as new construction on the neighboring vacant lots. The subject lots are adjacent to the C-2 zone on Atwells Ave to the south, which is characterized by a mix of uses.

In addition to redeveloping the church, a garage and a portion of the building used as the rectory is proposed for demolition to be redeveloped for mixed use. Demolition of the accessory structure and redevelopment of the church is subject to review by the Historic District Commission (HDC).

This portion of Spruce Street is primarily composed of multifamily development, but is adjacent to Atwells Ave and Dean Street, which have a mix of uses including retail, restaurants and general commercial use. The CPC found it conceivable that commercial uses in the church would not have a negative effect on adjacent property given the mixed use character of the general neighborhood and

DEPARTMENT OF PLANNING AND DEVELOPMENT  
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due to the fact that these uses have existed in proximity to residences for a number of years without any apparent negative effects on surrounding property.

Per the Future Land Use Map of Providence Tomorrow—which the comprehensive plan states is not intended for parcel level analysis—the CPC found that this portion of Atwells Ave and the surrounding area, which includes Spruce Street, is intended to be one where neighborhood commercial and residential uses are located in proximity to each other. Therefore, the rezoning would be consistent with the intent of the comprehensive plan. Given the uses allowed in the C-2 zone and those proposed, the CPC found that the rezoning is not expected to result in a significant departure from the existing neighborhood character.

The CPC found that rezoning would be appropriate given the character of the surroundings and that it 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**

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 Comprehensive Plan and purposes of zoning.

Sincerely,



Choyon Manjrekar  
Administrative Officer

# CAPRIO & CAPRIO

ATTORNEYS AT LAW  
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\*also admitted in Massachusetts  
also admitted in Massachusetts & Florida

September 26, 2018

The City Of Providence  
Department of City Clerk  
Councilman Terrence Hassett, Chairman  
The Committee on Ordinances  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

**RE: Petition requesting a Zone Change for the properties located on  
Assessors Plat 26, Lots 128, 129, 133, 139 and 143 from R – 4 to C – 2.**

The purpose of this correspondence is to express my enthusiastic support with regard to the petition requesting a Zone Change for the properties located on Assessors Plat 26, Lots 128, 129, 133, 139 and 143 from R – 4 to C – 2. The petition has been submitted by William L. DiStefano, Jr., President., The Omni Group.

My family and I have been property owners in this area for over 50 years. The multiple projects that The Omni Group have undertaken have greatly improved the quality of life, safety, and appearance of the neighborhood, and of the city as a whole. Each project The Omni Group has undertaken has greatly improved the various properties from what they were prior to them purchasing it. The Omni group also takes great effort to maintain their properties in a first class manner. The actual structures, the parking areas, and the landscaping are consistently attended to and improved as needed.

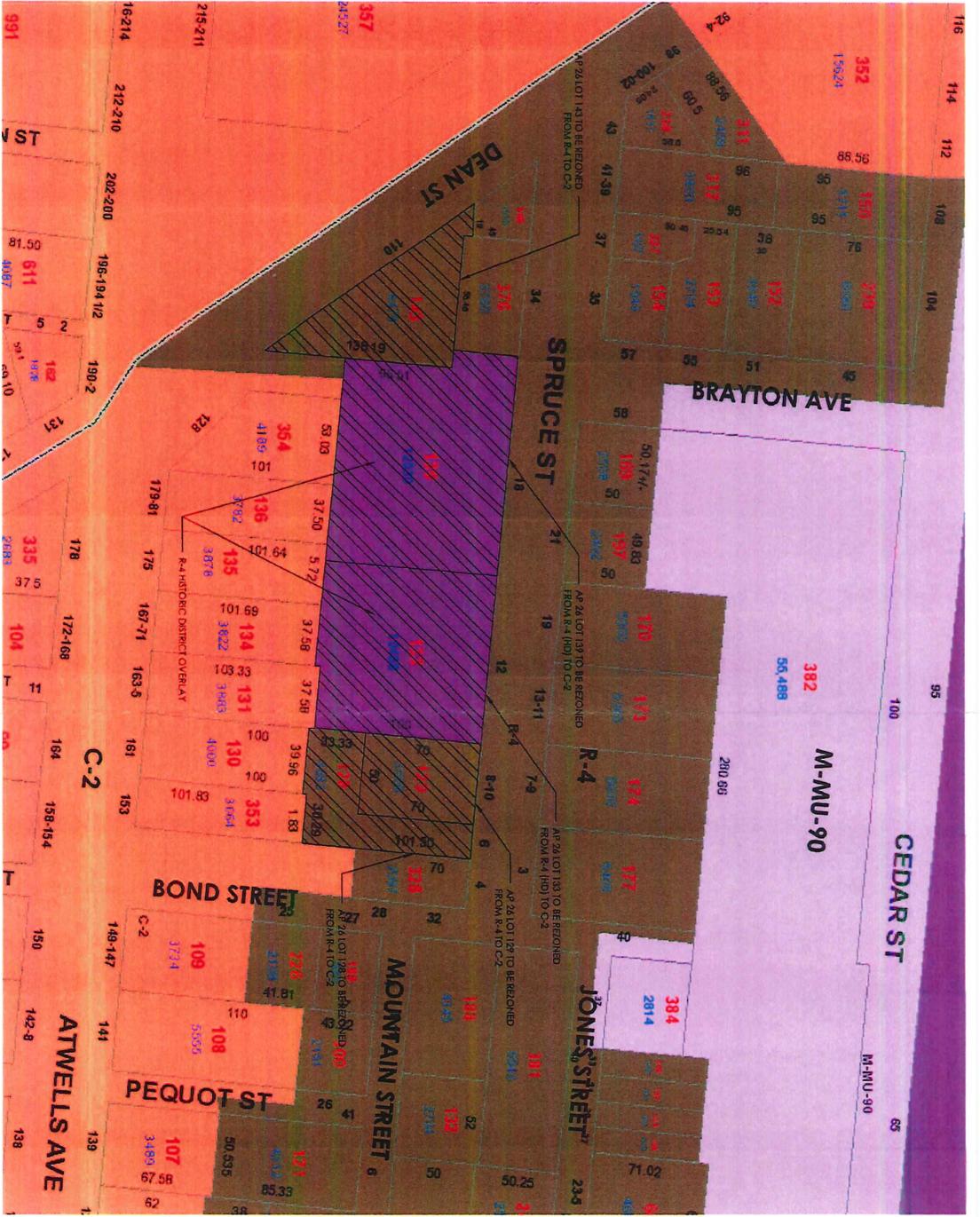
I am confident that The Omni Group will continue in this manner with their development and transformation of the Our Lady of Mount Caramel Church property.

Therefore, I enthusiastically support The Omni Groups petition and urge the Committee on Ordinances to grant the requested relief.

Thank you,



David Caprio,  
Co-owner 27,29,31,33 Jones Street  
Providence, RI



Rezoning Proposal			
Plat	Lot	Base Zoning	Proposed Zoning Change
		Overlay Zoning	District
26	143	R4	Residential District
26	139	R4	Historic Overlay District
26	133	R4	Historic Overlay District
26	129	R4	Residential District
26	128	R4	Residential District

1 | AP26 LOTS 128, 129, 133, 139 & 143 PROPOSED REZONING

ALL DIMENSIONS ARE APPROXIMATIONS ONLY. ACTUAL FIELD CONDITIONS MAY VARY.

THIS PLAN IS THE EXCLUSIVE PROPERTY OF THE OMNI GROUP AND MAY NOT BE DUPLICATED, ALTERED OR USED BY ANY THIRD PARTY WITHOUT THE WRITTEN CONSENT OF THE OMNI GROUP.



THE OMNI GROUP

INVESTMENT  
PROPOSED REZONING  
DATE: 07/17/2018  
SCALE:

A1.0

THE ENGINEER



M-MU-90

CEDAR ST

SPRUCE ST

PEQUOT ST

ATWELLS AVE

BRADFORD ST

MON ST

SENGER ST

99  
4 SF  
Family

398  
15 SF  
Family

318  
7519 SF  
Comm OBY

383  
22095 SF  
Vac Comm Lnd

121  
1312 SF  
Two Family

188  
4336 SF  
Four Family

P-4

359  
15276 SF  
Comm OBY

357  
24827 SF  
Bank

352  
15824 SF  
Restaurant

School