

CHAPTER 2018-53

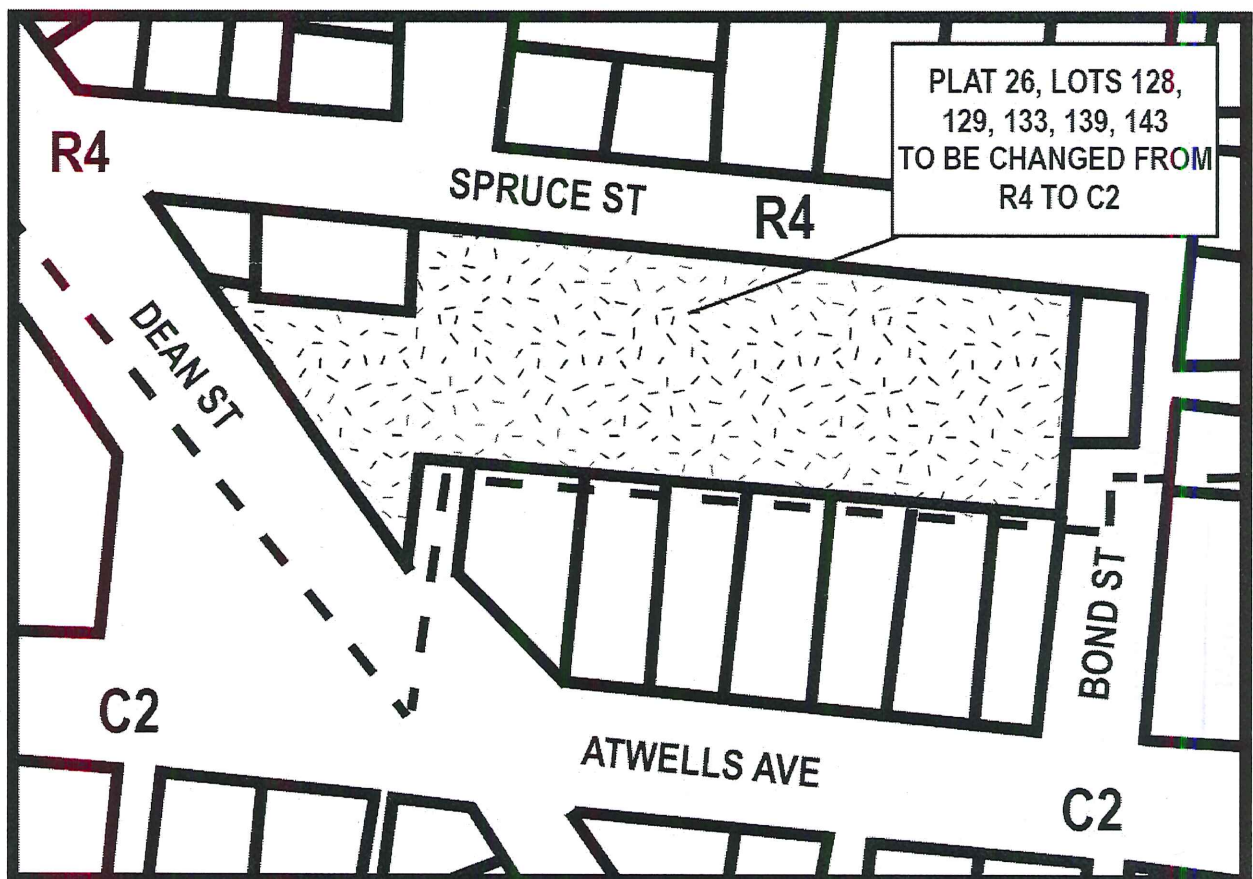
No. 488

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. Hays CLERK

IN CITY COUNCIL
COUNCIL

OCT 18 2018
FINAL READING
READ AND PASSED

Mike Sabatelli PRESIDENT
Low L. Hays 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

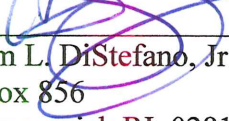
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

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
CAPRIO BUILDING
ONE CENTER PLACE
PROVIDENCE, RHODE ISLAND 02903

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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.**

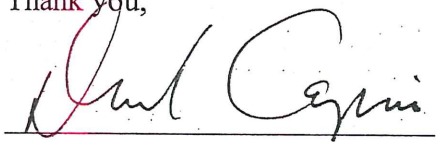
The purpose of this correspondence is to express my enthusiastic support with regard to the petition requesting a Zone Change for the properties located on Assessors Plat 26, Lots 128, 129, 133, 139 and 143 from R – 4 to C – 2. The petition has been submitted by William L. DiStefano, Jr., President.,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

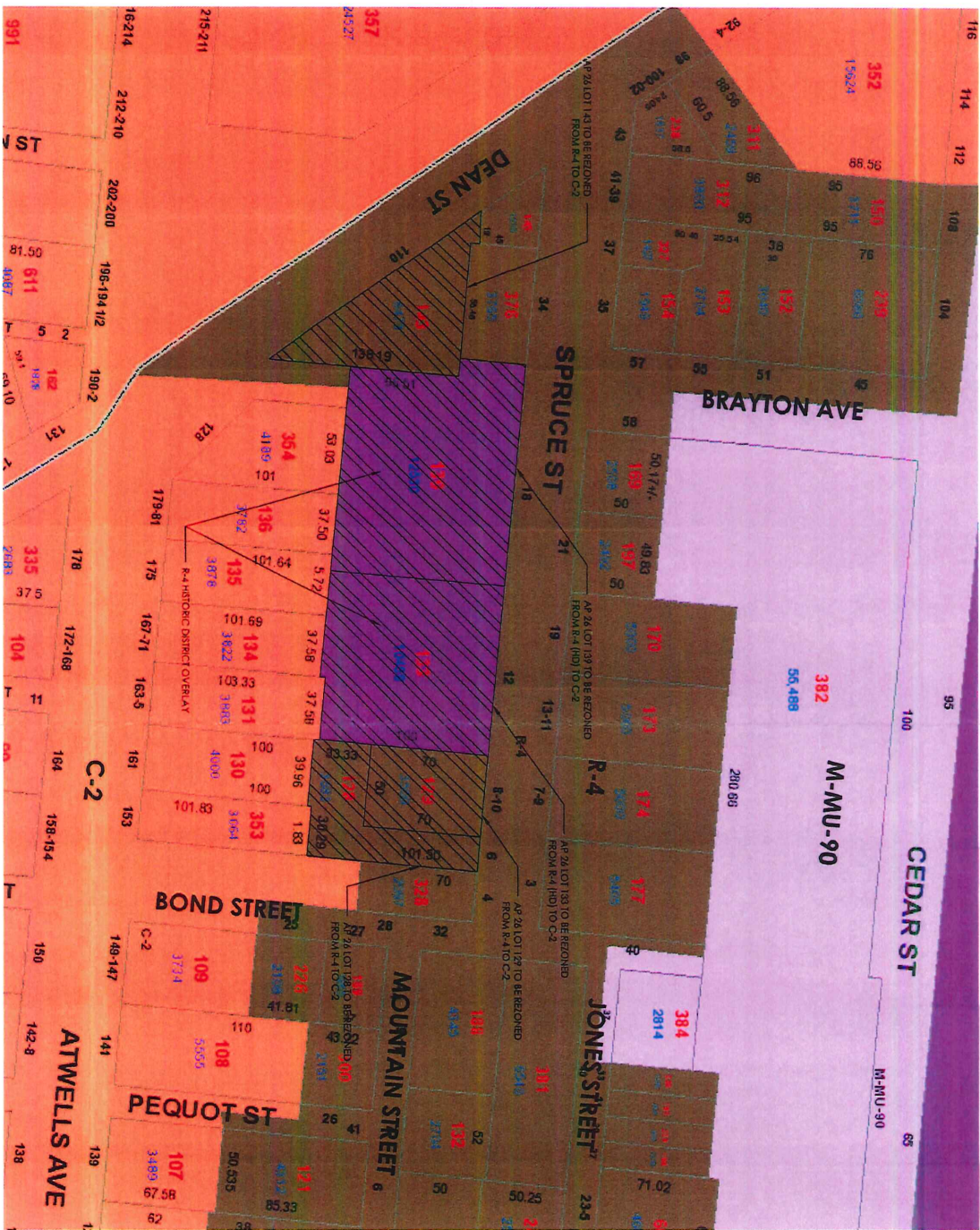
I am confident that The Omni Group will continue in this manner with their development and transformation of the Our Lady of Mount Caramel Church property.

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	Overlay Zoning
26	143	R4	R4
26	139	R4	R4
26	133	R4	HD
26	129	R4	HD
26	128	R4	R4

District	Address	Proposed Zoning Change
Residential District	110 Dean Street	C2
Historic Overlay District	18 Spruce Street	C2
Historic Overlay District	12 Spruce Street	C2
Residential District	8 Spruce Street	C2
Residential District	6 Spruce Street	C2

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

