

CHAPTER 2023-48

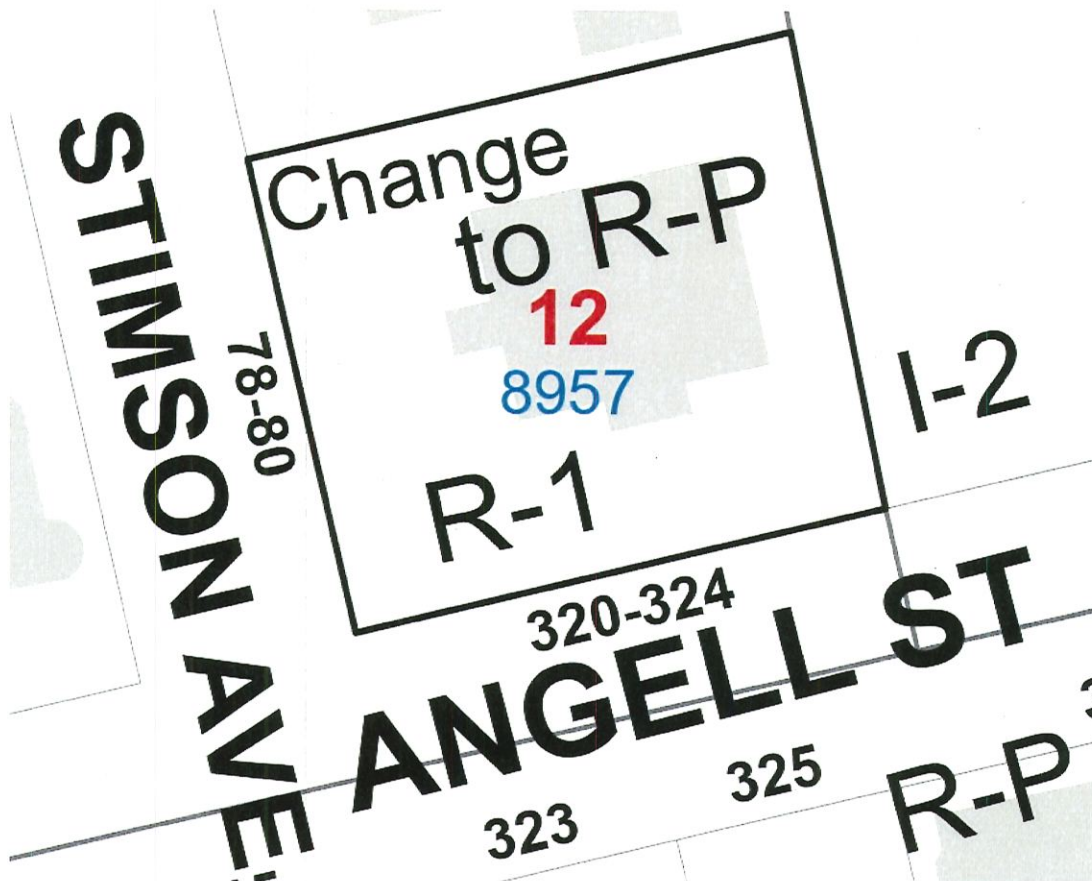
No. 494

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 11, LOT 12 (320 ANGELL STREET), FROM R-1 TO R-P

Approved December 13, 2023

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 11, Lot 12 (320 Angell Street), from R-1 to R-P.



SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
NOV 16 2023
FIRST READING
READ AND PASSED

Tina L. Masthoian
CLERK

IN CITY
COUNCIL
DEC 07 2023
FINAL READING
READ AND PASSED

Rachel M. Miller
RACHEL M. MILLER, PRESIDENT
Tina L. Masthoian
CLERK

I HEREBY APPROVE.

Butt A. Smith
Mayor

Date: 12/13/2023



CITY OF PROVIDENCE
MAYOR BRETT P. SMILEY

September 21, 2023

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

Attn: Tina Mastroianni, City Clerk

**Re: Referral 3554 – Petition to rezone 320 Angell Street
(AP 11 Lot 12) from R-1 to R-P**

Petitioner: Curtis Point Realty LLC

Dear Councilman Espinal,

The petitioner appeared before the City Plan Commission (CPC) on September 19, requesting to rezone 320 Angell Street from R-1 to R-P.

FINDINGS OF FACT

The petitioner is requesting to rezone 320 Angell Street, (AP 11 Lot 12) which is occupied by a five unit apartment building and a doctor's office from R-1 to R-P. The lot is zoned R-1 but operates as a mixed use building through a variance granted by the Zoning Board. The petitioner is requesting the rezoning to legalize the existing use and allow for more flexibility with the commercial space. This portion of Angell Street is composed of a mix of uses with the R-P zone and mixed use development located across the street and the I zone to the east of the subject lot.

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 intended for single family and medium density residential development adjacent to each other. The plan describes these areas as those intended for one to three family dwellings where mixed use is frequently observed. The CPC found that the character of the development would conform to this description upon rezoning as it would maintain the residential character of the building with an appropriately scaled commercial use. As the use has been in operation for a number of years, the CPC found that the rezoning would be consistent with the intent of the comprehensive plan.

DEPARTMENT OF PLANNING & DEVELOPMENT

JOSEPH A. DOORLEY JR. MUNICIPAL BUILDING, 444 WESTMINSTER ST, PROVIDENCE RI 02903
PHONE 401.680.8400 | WWW.PROVIDENCERI.GOV/PLANNING

Given the current use of the building, the zone change to R-P would be appropriate as it would allow for a continuation of the use by right. It is the CPC's opinion 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 Quezada, the CPC voted to make a positive recommendation to the City Council to rezone the lot to R-P.

The CPC voted as follows:

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

Sincerely,

A handwritten signature in dark ink, appearing to be 'C Manjrekar', written over a horizontal line.

Choyon Manjrekar
Administrative Officer

City of Providence

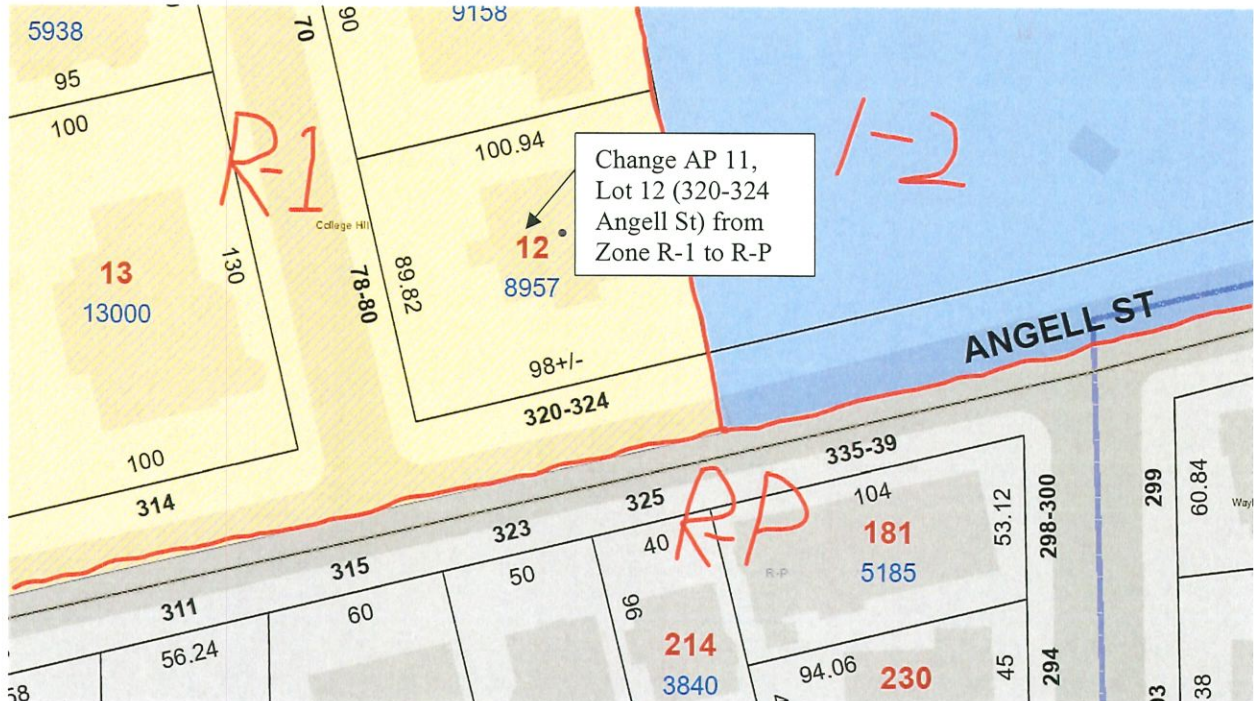
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE HONORABLE CITY COUNCIL

The undersigned respectfully petitions your honorable body

Curtis Point Realty, LLC, as owner of the subject lots, hereby petitions the City Council to:

Change the official Zoning Map of the City of Providence by changing the zoning designation for the property located at A.P 11, Lot 12 (otherwise known as 320 Angell Street) as shown on the accompanying map, from R-1 to R-P.



This proposed zoning map amendment is consistent with the City's Comprehensive Plan as well as the applicable purposes of zoning, as delineated in Section 101 of the City's Zoning Ordinance.

PETITIONER, Curtis Point Realty, LLC

By its Attorney,



Joelle C. Rocha, Esq.
Duffy & Sweeney, LTD
321 South Main Street, Suite 400
Providence, RI 02903
401-455-0700
jrocha@duffysweeney.com

Dated: June 12, 2023

**CITY COUNCIL
CTY OF PROVIDENCE**

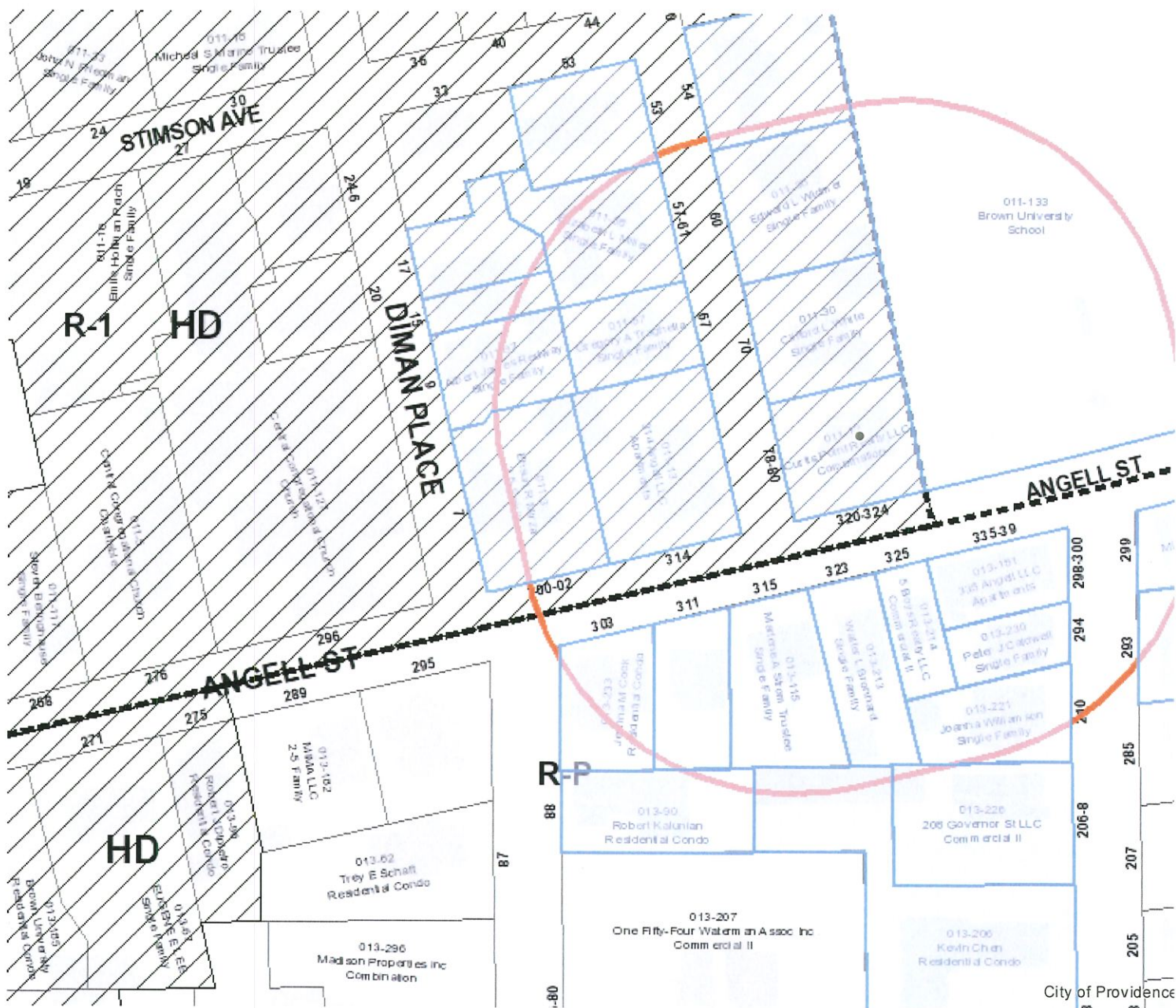
**IN RE: PETITION OF CURTIS POINT
REALTY, LLC** for a change to the zoning
map from R-1 to R-P for property located at
Assessors Plat 11 Lot 12, otherwise known
as 320 Angell Street.

Since the 1960s the Property has contained five apartments and a medical/dental office.



In 1966, by way of Zoning Board Resolutions 3191 and 3191-A, the previous owner obtained a special exception to be allowed 5 apartments and 1 medical office at the Property which was then zoned R-3.

Many of the surrounding residential properties are nonconforming to the current R-1 district in that they contain multi-family dwellings not allowed in the current zoning ordinance in the R-1 district. The area around the Property is mixed residential, commercial and abutted on one side by athletic fields/courts of Brown University. Across the street is the R-P zone (shown in gray) and abutting the property is the I-2 zone (shown in blue):



This information is provided on this map is for planning purposes only. It is not intended to represent any legal boundary, regulatory interpretation, or parcel level analysis.

Produced by the Providence Planning and Development GIS Lab
444 Westminster Street, Providence, RI 02903

Data Sources:
Providence Geographic Information System

Date: 7/1/2023



0 50 100 150 Feet

True North

P

PI

another Neighborhood Commercial Establishment which would compliment the existing five residential apartment uses and the uses in the area. The Residential Professional zone allows neighborhood commercial establishments as well as multi-family uses and is located just across Angell Street, making the proposed zoning and use of the property consistent with the area.

This Petition is consistent with the strategies listed in the Comprehensive Plan including:

1. allowing residential density at the same level as currently exists¹; and
2. allowing for limited non-residential uses while maintaining the character of the neighborhood.

It will also allow for the medical office to be converted into a small art space for local artists and university students which is consistent with the provisions of AC1, AC2, AC3 and AC4 in the Comprehensive Plan. *See* pages 163-164.

PETITIONER, Curtis Point Realty, LLC

By its Attorney,



Joelle C. Rocha, Esq.
Duffy & Sweeney, LTD
321 South Main Street, Suite 400
Providence, RI 02903
401-455-0700
jrocha@duffysweeney.com

¹ See page 22 of Comprehensive Plan

DUFFY & SWEENEY, LTD
BUSINESS LAW & LITIGATION

Joelle C. Rocha, Esq.
jrocha@duffysweeney.com

July 12, 2023

VIA EMAIL AND HAND DELIVERY

Ms. Tina Mastroianni
City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

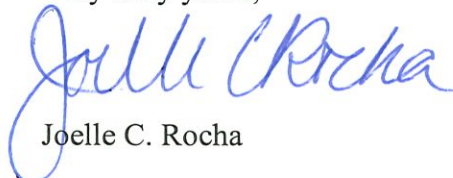
Re: Petition for Amendment to Zoning Map/Change of Zoning Designation
Petitioners: Curtis Point Realty, LLC
Parcel: A.P 11, Lot 12 (otherwise known as 320 Angell Street)

Enclosed please find a Petition to the Honorable City Council for an Amendment to Zoning Map/Change of Zoning Designation relative to the above-referenced property, from a zoning district designation of R-1 to R-P.

Enclosed is a check in the amount of \$150.00, the required filing fee, as well as two (2) sets of mailing labels with names and addresses of all property owners within a 200' radius of the subject property. We also enclose a 200' radius map and a separate listing (spreadsheet) of those abutters.

Please let us know whether you need any additional information for this Petition. Thank you for your assistance in this matter.

Very truly yours,



Joelle C. Rocha

JCR/jhd
Enclosures
cc: Client