

# The City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## CHAPTER 1979-26

No. 581 **AN ORDINANCE** APPROVING AND ADOPTING THE OFFICIAL  
REDEVELOPMENT PLAN FOR THE WEST END PROJECT

*Approved* June 22, 1979

### *Be it ordained by the City of Providence:*

WHEREAS, the Providence Redevelopment Agency (hereinafter sometimes called "Local Public Agency") pursuant to the provisions of Title 45, Chapters 31-33 (inclusive) of the General Laws of Rhode Island, 1956, as amended, entitled "Redevelopment Act of 1956", has formulated and submitted to the City Council on May 3, 1979, for its consideration, as Urban Renewal Plan approved by the Local Public Agency, for an Urban Renewal Area, which said Urban Renewal Plan is entitled, "West End" and comprises a report consisting of 27 pages of text, 1 exhibit and 4 maps; and

WHEREAS, a general plan has been prepared by the City Plan Commission and is recognized and used as a guide for the general development of the City of Providence as a whole; and

WHEREAS, the said Urban Renewal Plan concerns itself with areas which have been designated Redevelopment Areas by the City Council of the City of Providence by Chapter 103 of the Ordinances of the City of Providence, approved July 6, 1948, as amended by Chapter 69-44 of the Ordinances of the City of Providence, approved November 28, 1969, in conformity with the provisions of Section 22 of Chapter 1802 of the Public Laws of Rhode Island 1946, as amended, and Title 45, Chapter 32, Section 4 of the General Laws of Rhode Island, 1956, as amended.

WHEREAS, a copy of said Urban Renewal Plan was transmitted to the City Plan Commission on \_\_\_\_\_.

WHEREAS, the City Plan Commission, which is the duly designated and acting official planning body for the City, has submitted to the City Council its report and recommendations respecting the Urban Renewal Plan for West End and has certified that said Urban Renewal Plan conforms to the said general plan for the City as a

No.

**CHAPTER**  
**AN ORDINANCE**

**THE COMMITTEE ON**  
**URBAN REDEVELOPMENT**  
**RENEWAL & PLANNING**  
**Approves Passage of**  
**The Within Ordinance**

*Rose M. Mendonca*  
Chairman

May 30, 1979

whole, and the City Council has duly considered said report, recommendation and certification of the planning body; and

WHEREAS, the plan as submitted contains a finding that the area included in the proposed Urban Renewal Plan qualified as a deteriorated blighted area within the meaning of the "Redevelopment Act of 1956" as amended to date, because there exist in the area buildings or improvements, used or intended to be used for living, commercial, industrial or other purposes, which by reason of (1) dilapidation, deterioration, age or obsolescence, (2) inadequate provisions for ventilation, light, sanitation, open spaces and recreation facilities, (3) defective design or unsanitary or unsafe character of condition or physical construction, (4) defective or inadequate street and lot layout, (5) mixed character, deterioration or shifting of uses to which they are put, or any combination of such factors and characteristics are conducive to the further deterioration and decline of the area and injuriously affect the entire area.

WHEREAS, a structural quality survey was conducted by the City of Providence, Department of Planning and Urban Development and the results of that survey as set forth in the Urban Renewal Plan indicated that

883 of the structures have deficiencies that included serious deterioration; serious overcrowding; lack of sanitary facilities; and serious inadequacies in lighting and ventilation.

The West End Area is not restricted to, nor does it consist entirely of lands, buildings, or improvements which of themselves are detrimental, but is an area in which such conditions exist, and injuriously affect the entire area.

WHEREAS, there has also been presented to the City Council information and data respecting Urban Renewal Plans for the Urban Renewal Areas in the City of Providence including the following: Capital Improvement Programs for 1950-1956, 1951-1957, 1952-1958, 1953-1959, 1954-1960, 1955-1961, 1956-1962, 1957-1963, 1958-1964, 1959-1965, 1960-1966, and 1961-1967, 1962-1968, 1963-1969, 1964-1970, 1965-1971, 1966-1972, 1967-1973, 1968-1974, and the Annual Reports of the Providence, Redevelopment Agency for 1948 through 1977 (inclusive); and

WHEREAS, at a public hearing held on Wednesday, May 30, 1979, following notice of the date, time, place and purpose of such hearing, the City Council Committee on Urban Redevelopment, Renewal and Planning duly considered the Urban Renewal Plan, and all evidence and testimony for and against the adoption of such

Plan, in accordance with the provisions of the "Redevelopment Act of 1956", and

WHEREAS, said Urban Renewal Plan for the Project Area prescribes certain land uses for the West End Area and will require, among other things, but not by way of limitation, property acquisition, clearance and demolition, rehabilitation, and reconstruction of certain streets, curbings and sidewalks, grading and other public facilities and other public actions; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PROVIDENCE:

1. The Project is hereby designated as "West End".

2. It is hereby found and determined that for the purpose of the Urban Renewal Plan, the West End comprises that certain tract of land situated in the City of Providence and State of Rhode Island, which is bounded as described in Exhibit A, which is attached hereto and made a part hereof as if more fully set forth herein.

3. It be and hereby is found and determined in relation to the West End on the basis of the facts set forth in the reports and documents mentioned in the Preamble of this Ordinance and upon the basis of evidence and testimony presented at the public hearing on said Plan:

(a) That within the West End Area 806 of the structures are substandard or seriously deficient or unsafe in that these structures contain serious deterioration, and

(b) Within the West End Area there exists the following environmental deficiencies:

- a. Defective of Inadequate Street and/or Lot Layout.
- b. Incompatible or Shifting Uses.
- c. Obsolete or Aged Buildings, Not Suitable for Improvement of Conversion.
- d. Inadquate Provision for Ventilation, Light Sanitation, Open Space and Recreation Facilities.
- e. Defective Design or Unsanitary or Unsafe Character or Condition of Physical Construction.

4. It be and hereby is found and determined that because of a predominance of conditions of dilapidation, deterioration, obsolescence, inadequate provision for light and sanitation, unsanitary and unsafe character and condition of physical construction, mixed character of uses which injuriously affect the entire Area and constitute a menace to the public health, safety and welfare of the inhabitants of the Area and of the community generally, said Urban Renewal Area is a deteriorated and blighted area within the meaning of Sections 2-8 inclusive

of Chapter 31 of the "Redevelopment Act of 1956", as amended, and that said West End is hereby determined to be a deteriorated blighted area.

5. It be and hereby is found that the West End Area requires clearance, replanning, redevelopment, and improvement and rehabilitation under the provisions of the "Redevelopment Act of 1956".

6. It be and hereby is declared to be the purpose and intent of this Body to eliminate the deteriorated and substandard conditions existing in the West End Area and the replacement of such conditions by a well-planned area in accordance with and by the means provided in the "Redevelopment Act of 1956".

7. It is hereby found, declared and determined that:

(a) The Urban Renewal Plan for the West End Area will redevelop said Urban Renewal Area in conformity with the provisions of the "Redevelopment Act of 1956"; will effectuate the purposes and policy of said Act; and will promote the public health, safety, morals and welfare of the City of Providence.

(b) The Urban Renewal Plan for said Urban Renewal Area conforms to the general or master plan for the City of Providence as a whole.

(c) The acquisition of the real property in accordance with the said Plan for the West End Area is in the public interest.

(d) Adequate provision for payment for property which may be acquired by the exercise of eminent domain has been made in the Urban Renewal Plan.

(e) The Urban Renewal Plan contains adequate safeguards to assure the carrying out of the work of redevelopment in accordance with the Urban Renewal Plan.

(f) The Urban Renewal Plan provides for the retention of controls and the establishment of restrictions and covenants which may run with the land.

8. The Providence Redevelopment Agency shall sell, lease or dispose of land in the Project Area only in accordance with the terms of the Redevelopment Plan and subject to the restrictions, covenants and conditions set forth therein and which are hereby found and declared to be necessary to effectuate the purposes of the "Redevelopment Act of 1956".

9. In enacting this Ordinance, the City Council intends to comply with the provisions of the "Redevelopment Act of 1956" which relate to adoption of an Urban Renewal Plan for an approved Urban Renewal Area so that the blighted and substandard conditions in this Urban Renewal Area can be eliminated and the Urban Renewal Area

can be redeveloped in accordance with the Urban Renewal Plan to attain the public purposes and policy of the "Redevelopment Act of 1956" and thereby to protect and promote and be in the interest of the public health, safety, morals and general welfare of the people in the State as a whole and particularly the people of this City.

10. The Urban Renewal Plan for the West End, consisting of a booklet containing a table of contents, 27 pages of text, 1 exhibit and 4 maps, is hereby approved, adopted and designated as the Official Redevelopment Plan for the West End and is herein incorporated by reference, made a part hereof and designated as "Exhibit B".

11. The Providence Redevelopment Agency is hereby fully authorized to carry out this Official Redevelopment Plan, provided, however, that the Agency shall not enter into any contracts for disposition of property in the Urban Renewal Area until at least ten days after the City Council of the City of Providence has received at a regular or special meeting a report from the Providence Redevelopment Agency concerning the proposed sale or lease.

12. In order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved, it is found and determined that certain official action must be taken by this Body.

(a) Pledges its cooperation in helping to carry out said Official Urban Renewal Plan:

(b) Requests the various officials, departments, boards and agencies of the City of Providence having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with said Urban Renewal Plan;

(c) Declares that it will provide the cost of the redevelopment of the Urban Renewal Area, and hereby allocates a cash contribution of \$1,000,000.00 representing the estimated amount of the Project Cost;

(d) That the City Treasurer, acting under the direction of the Committee on Finance, be and hereby is authorized and directed to borrow from time to time, in such sums as may be necessary, not exceeding One Million Dollars (\$1,000,000.00) in accordance with the provisions of Title 45, Chapter 32, Section 42, and Title 45, Chapter 33, Sections 1, 2, 4 and 17 of the General Laws of Rhode Island 1956, entitled "Redevelopment Act of 1956", and to issue the City's notes therefor,

signed by him and countersigned by the Mayor and the Chairman of the Committee on Finance and to renew any such notes from time to time as the same become due. The money thus obtained shall be used exclusively for carrying out the Official Redevelopment Plan for West End Urban Renewal Project.

(e) Stands ready to consider and take appropriate action upon any other proposals and measures designed to effectuate said Urban Renewal Plan.

13. This Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy of this Ordinance to the Providence Redevelopment Agency.

IN CITY COUNCIL  
JUN 7 1979  
FIRST READING  
READ AND PASSED

*Rose M. Mendonca* CLERK

IN CITY  
COUNCIL  
JUN 18 1979

FINAL READING  
READ AND PASSED  
*Ralph Fignoli*  
PRESIDENT  
*Rose M. Mendonca*  
CLERK

APPROVED

MAYOR

*Vincent A. Cianci, Jr.*

JUN 22 1979

APR 30 11 12 AM '79  
DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

MAY 5 1979

MAYOR

APPROVED

MAY 18 1979

MAY 18 1979  
CITY CLERK

IN CITY COUNCIL  
MAY 3 1979

FIRST READING  
REFERRED TO COMMITTEE ON  
REDEVELOPMENT  
RENEWAL & PLANNING

*Rose M. Mendonca* CLERK

Councilman Xavier and Councilman Flynn (By Request)



EXHIBIT "A"

DESCRIPTION OF THE BOUNDARIES OF THE WEST END AREA

Beginning at a point, said point being the intersection of the southerly side of Cranston Street and the easterly side of Dexter Street;

thence running generally southeasterly along the easterly side of Dexter Street to its intersection with Cromwell Street;

thence, turning and running generally easterly, along said northerly side of Cromwell Street to its intersection with the easterly side of Elmwood Avenue;

thence turning and running generally southerly along said easterly side of Elmwood Avenue to its intersection with the southerly side of Earl Street;

thence turning and running generally westerly along said southerly side of Earl Street to its intersection with the easterly side of the Railroad Right-of-Way;

thence turning and running generally northwesterly and easterly along said easterly side of the Railroad Right-of-Way to its intersection with the northerly side of Huntington Avenue at Carter Street;

thence turning and running generally westerly along said northerly side of Huntington Avenue to its intersection with the easterly taking line of the Governor Dennis J. Roberts Expressway (Route 10);

thence turning and running northerly along said easterly taking line of the Governor Dennis J. Roberts Expressway (Route 10) to its intersection with the southerly line of Wood Street;

thence turning and running generally easterly along said southerly line of Wood Street to its intersection with the westerly side of Messer Street;

thence turning and running generally southerly and southeasterly along said southerly side of Messer Street to its intersection with the easterly side of Cranston Street;

thence turning and running generally northeasterly along said easterly line of Cranston Street to the point and place of beginning.

STANLEY P. BLACHER  
Chairman

JOHN RAO, JR.  
Vice Chairman

ROBERT J. BEVILACQUA

FREDRICK LIPPITT

~~MAYOR VINCENT A. CIANCI, JR.~~ Joseph Mollicone

EDWARD W. XAVIER

LAURENCE K. FLYNN

STANLEY BERNSTEIN  
Executive Director  
and Secretary

MAYOR VINCENT A. CIANCI, JR.  
Ex-Officio



PROVIDENCE REDEVELOPMENT AGENCY

April 27, 1979

Rose Mendonca, City Clerk  
City Hall  
Providence, Rhode Island

Dear Mrs. Mendonca:

Enclosed are thirty (30) copies of an Ordinance Approving and Adopting the Official Redevelopment Plan for the West End Project together with thirty (30) copies of the West End Plan.

The West End Plan has evolved as a result of numerous meetings with the West End Coalition commencing in January 1978, along with the technical advice of the staff of the Providence Redevelopment Agency. The West End Coalition is comprised of a group of individuals representing the various sections of the West End Project Area.


This plan contains the elements requested by the West End Coalition, specifically rehabilitation with a minimum of acquisition, relocation and demolition. Target areas and priorities have been established by the West End Coalition.

Funding for this \$1,000,000 project has been made available through the Providence Redevelopment Agency's Bonding Authority.

Since enabling legislation requires a public hearing concerning said plan, it is requested that the attached Notice of the Hearing be inserted in the Providence Journal and Evening Bulletin on May 7, 14, 21 and 28, 1979, with the Public Hearing scheduled for Wednesday, May 30, 1979 at 7:00 P.M.

It is respectfully requested that this matter be placed on the Docket for the May 3, 1979 City Council Meeting, so that it may be referred to the Committee on Urban Redevelopment, Renewal and Planning and the above schedule may be adhered to.

Sincerely yours,

  
Stanley Bernstein  
Executive Director

SB/rb

cc: Councilman E. Xavier  
Councilman L. Flynn & Councilman Dillon

CITY OF PROVIDENCE  
COMMITTEE  
ON  
URBAN REDEVELOPMENT,  
RENEWAL AND PLANNING  
WEST END RENEWAL PLAN

Pursuant to the requirements of Section 4 and 11 of Chapter 32, Title 45 of the General Laws of Rhode Island, 1956, as Amended (1970 Reenactment) entitled the "Redevelopment Act of 1956", the Committee on Urban Redevelopment, Renewal and Planning of the City Council of the City of Providence will conduct a Public Hearing in the Chamber of the City Council, City Hall, Providence, Rhode Island on Wednesday, May 30, 1979 at 7:00 P.M. This hearing will be concerned with the Urban Renewal for the West End Renewal Project as proposed by the Providence Redevelopment Agency in a report titled West End - Proposed Redevelopment Plan, 1979.

The project area is located to the southwest of downtown Providence and in general is bounded by the Central-Classical and West Broadway Projects to the north, Elmwood Avenue to the east, Huntington Avenue to the south, and the easterly taking line of the Governor Dennis J. Roberts Expressway to the west.

The purpose of this Hearing is to consider a proposal for the undertaking of a project under state and local law to acquire certain properties for rehabilitation or demolition, to undertake a rehabilitation program throughout the project area, to install or construct site improvements, and to make land available for redevelopment by private enterprise or public agencies as authorized by law.

All persons or agencies interested in the above listed project will have an opportunity to be heard and/or to submit communications in writing. Copies of the proposed redevelopment plan and information thereon may be obtained prior to said Hearing at the Providence Redevelopment Agency, 40 Fountain Street, Providence, Rhode Island between 8:30 AM and 4:30 P.M. on regular business days.

PER ORDER:

Committee on Urban Redevelopment, Renewal and Planning

Councilman Thomas F. O'Connor, Jr., Chairman  
Councilman Joseph R. Paolino, Jr., Vice-Chairman  
Councilman Thomas C. Boyle  
Councilman David G. Dillon  
Councilman Nicholas W. Easton  
Councilman William J. Moise  
Councilman Anthony P. Pennine

Rose Mendonca, City Clerk

City of Providence



Rhode Island

Department of City Clerk

**MEMORANDUM**

DATE: May 31, 1979

TO: City Solicitor, Ronald H. Glantz

SUBJECT: WEST END PROJECT

CONSIDERED BY: Councilman Thomas F. O'Connor, Jr., Chairman, Committee on Urban Redevelopment, Renewal and Planning.

DISPOSITION:

I have been directed by Councilman Thomas F. O'Connor, Jr., Chairman of the Committee on Urban, Redevelopment, Renewal and Planning, to request from you in writing a legal opinion, as to whether or not the Committee can add an additional Parcel of land to the Official Redevelopment Plan for the West End Project which is not included in the original plan as presented to said Committee. It is also requested that the Committee receive your opinion prior to June 4, 1979, in order to have the Ordinance placed on that docket.

*Rose M. Mendonca*  
City Clerk

CITY SOLICITOR  
RONALD H. GLANTZ



MAYOR  
VINCENT A. CIANCI, JR.

LAW DEPARTMENT

JUNE 4, 1979

MEMORANDUM

TO: ROSE MENDONCA, CITY CLERK

FROM: RONALD H. GLANTZ, CITY SOLICITOR

SUBJECT: WEST END PROJECT--COUNCILMAN THOMAS F. O'CONNOR, JR.'S  
REQUEST FOR OPINION

Please be advised that it is the opinion of this Department that no parcel of land may be added to nor deleted from an officially adopted Redevelopment Plan, more specifically for the West End Project, without the necessary public hearings held by the Department of Planning and Urban Development and the Committee on Urban Redevelopment Renewal and Planning.

An opinion in more detail will be forthcoming from the Department of Urban Development attorneys.

RAF

FILED

JUN 4 9 02 AM '79

DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

MEMORANDUM

Date : June 4, 1979

To : Stanley Bernstein, Director

From : Raymond Mannarelli, Assistant Chief Counsel

Re : Modification of Redevelopment Plan by the Council  
Committee

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Section 45-32-11 of the General Laws of the State of Rhode Island, as amended, reads as follows:

"NOTICE OF HEARING ON PLAN.--Upon submission to the legislative body of a redevelopment plan the legislative body or the committee thereof to which the plan has been referred shall set a time and fix a place for a public hearing on the adoption of such a plan. The time of hearing shall be not more than sixty (60) days after receipt by the legislative body of the redevelopment plan from the agency. Notice of said hearing shall be given by publication in a newspaper in the same manner and to the same extent as provided for publication of notice in 45-32-4."

Section 45-32-12 of the General Laws of the State of Rhode Island, as amended, reads as follows:

"CONDUCT OF HEARING.-- At the hearing the legislative body or the committee thereof to which the plan has been referred shall consider the plan and report, if any, of the planning commission, and any recommendations the agency may make, and shall take such other evidence and testimony as may be presented concerning the matters under consideration."

Section 45-32-13 of the General Laws of the State of Rhode Island, as amended, reads as follows:

"ADOPTION OF PLAN.--If the legislative body determines that the redevelopment plan is feasible and conforms to the general plan for the community, and that if carried out would promote the public health, safety, morals and welfare of the community and would effectuate the purposes of Chapters 31 to 33, inclusive, of this title, then the legislative body may adopt the plan by ordinance."

It is therefore my opinion that the legislative committee can not delete or add any properties which are not part of the plan submitted by the

Agency. The legislative Committees function is to either reject or adopt said plan. The function of the legislative committee following a public hearing is only to make recommendations to the Agency as to any additions or deletions.

If the legislation body wishes to recommend such additions or deletions and the Agency wishes to accept these changes, then the Agency must resubmit a new plan with these additions or deletions and a new public hearing on these changes must be held.