

CHAPTER 2022-36

No. 302

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 66, LOT 106 (159 RIVER AVENUE), FROM R-3 TO C-1, WITH RESTRICTIONS

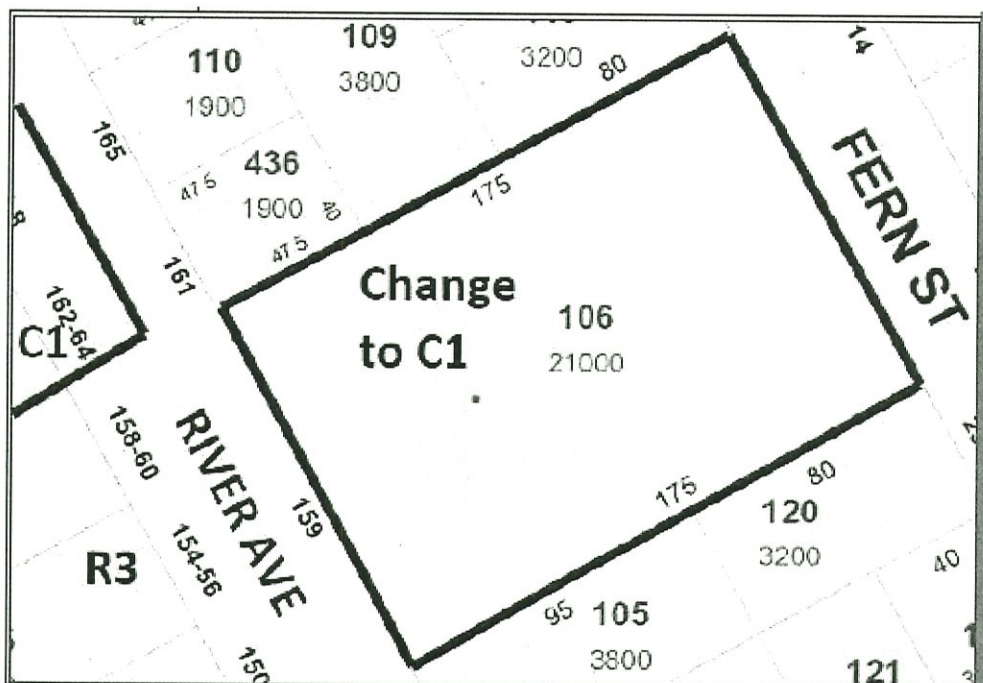
Approved September 7, 2022

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 66, Lot 106 (159 River Avenue), from R-3 to C-1, with restrictions as follows:

Residential uses only

Limited to two-family, three-family, or multi-family dwellings



SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
JUL 21 2022
FIRST READING
READ AND PASSED

Jina L. Mastrosian CLERK
ACTING

IN CITY COUNCIL
SEP 01 2022
FINAL READING
READ AND PASSED

John J. Gliozzi PRESIDENT
Jina L. Mastrosian ACTING CLERK

I HEREBY APPROVE.

[Signature] Mayor
Date: *9/7/22*



City Plan Commission
Jorge O. Elorza, Mayor

May 19, 2022

Councilman Nicholas Narducci
Chair, Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Tina Mastroianni, Acting City Clerk

Re: Referral 3513 – Petition to rezone 159 River Ave (AP 66 Lots 106) from R-3 to C-1

Petitioner: Brian Weinstein and Bass Realty Co LLC

Dear Chairman Narducci,

The applicant is petitioning to rezone 159 River Ave. from R-3 to C-1, with a restriction that the use of the property be limited to two-, three- or multi-family dwellings. The lot is occupied by large building containing 12 dwelling units, which is nonconforming for the current R-3 zone. The petitioner is proposing to add four units to the basement and eight to the attic, for a total of 24. The rezoning of the lots to C-1 will allow for the intensification of the use. The restriction proposed in the petition would ensure that the property is used just for residential purposes.

FINDINGS OF FACT

The property is located just south of the Chalkstone Ave. commercial corridor. The C-1 zone lies to the north and west 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 where business/mixed-use development, including medium- to high-density housing, is located in proximity to lower density residential uses. Therefore, the CPC found that the rezoning to allow for further development of the subject building would be consistent with the intent of the Future Land Use Map. The rezoning would also be in conformance with comprehensive plan objectives H-1, which promotes improving existing housing, and H-2, which encourages developing new housing options in the City.

The lot size is 21,000 sf, and has a large parking lot to the east of the building, with at least 24 parking spaces. The property has abundant landscaping, consistent with the residential nature of properties

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminster Street, Providence, Rhode Island 02903
401 680 8400 ph | 401 680 8492 fax
www.providenceri.com

in the vicinity. Given the existing conditions and the proposed development plan, the CPC found the rezoning to be appropriate. It is the CPC's opinion that the rezoning is not expected to have a negative effect on neighborhood character or surrounding property, nor is it expected to negatively affect health, safety and welfare of the community. It is therefore consistent with the purposes of zoning in Section 101 of the Zoning Ordinance.

RECOMMENDATION

On a motion by Commissioner Quezada, seconded by Commissioner Potter, the CPC voted to recommend that the City Council approve the proposed zone change to C-1 finding it to be in conformance with the zoning ordinance and comprehensive plan subject to the following condition:

The use of the property shall be limited to two-, three- or multi-family dwellings.

The CPC voted as follows:

Aye: M. Quezada, C. Potter, H. Bilodeau, N. Sanchez, N. Verdi

Sincerely,



Choyon Manjrekar
Administrative Officer

Mastroianni, Tina

From: Therese Shea <irese3@yahoo.com>
Sent: Tuesday, July 5, 2022 1:22 PM
To: Mastroianni, Tina
Subject: 159 River Ave.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greetings, I'm writing in opposition to a zoning change for 159 River Ave. This property was once kept up fairly well, but over the last 10 years or so it has been littered in the front and in the back without consideration for neighbors and our neighborhood. One of my neighbors actually paid her tenant to clean up the backside of 159 River Ave. because the garbage was out of control. I am concerned about the current owners trying to transfer the property to a store front. Currently in our neighborhood we have several properties on Chalkstone Avenue that are store fronts that are uninhabited. There seems to be no shortage of store fronts being available for rental, so why is this necessary? This neighborhood is meant for homes, a place where people live. There's plenty of accessibility to shopping on Chalkstone Avenue. Since the current owners don't seem to have any regard for our neighborhood in terms of keeping their property clean, I doubt they would become better stewards of our environment with a storefront rental. As a resident of the neighborhood for 36 years I'm strongly opposed to this zoning change. I do my best to keep my property clean and encourage my neighbors to do the same. This rental group that owns 159 River Ave. has proven to have no regard for keeping our neighborhood clean. Allowing them to expand their footprint in our neighborhood brings all of us down. This is a challenging neighborhood, I have long been committed to trying to make this a better place to live. I ask your consideration in helping me to improve the neighborhood instead of destroying our neighborhood. Please deny the application for a zoning change for 159 River Ave.

Thank you for your consideration,
Therese M. Shea
48 Berkley St.
Providence, RI 02908

Sent from my iPhone

Mastroianni, Tina

From: jordanrowe6 <jordanrowe6@aol.com>
Sent: Friday, July 8, 2022 8:34 AM
To: Mastroianni, Tina
Subject: 159 River Ave

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello I'm writing to oppose the zoning change to 159 River Ave. We have enough stores in the area and don't need another convenient store. This is supposed to be a residential area. My home is on Berkley and the owners of the property on River Ave don't keep the area clean. I believe this will only get worse with more storefront property we don't need.

Sent from my Verizon, Samsung Galaxy smartphone

Mastroianni, Tina

From: Jawara Mahadeo <jawaramahadeo278@gmail.com>
Sent: Wednesday, July 6, 2022 8:15 PM
To: Mastroianni, Tina

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I own my 44 house and are opposed to having a store at 159 river ave. I've lived with here for 35 years and it just doesn't make sense to put a business in this residential area please don't allow it.

159 River Avenue



Table of Contents

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- ※ Existing Conditions
- ※ Additional Units Proposed Within Basement and Level 4
- ※ Renderings

Unit Count

Existing:

(12) One Bed - One Bath Units

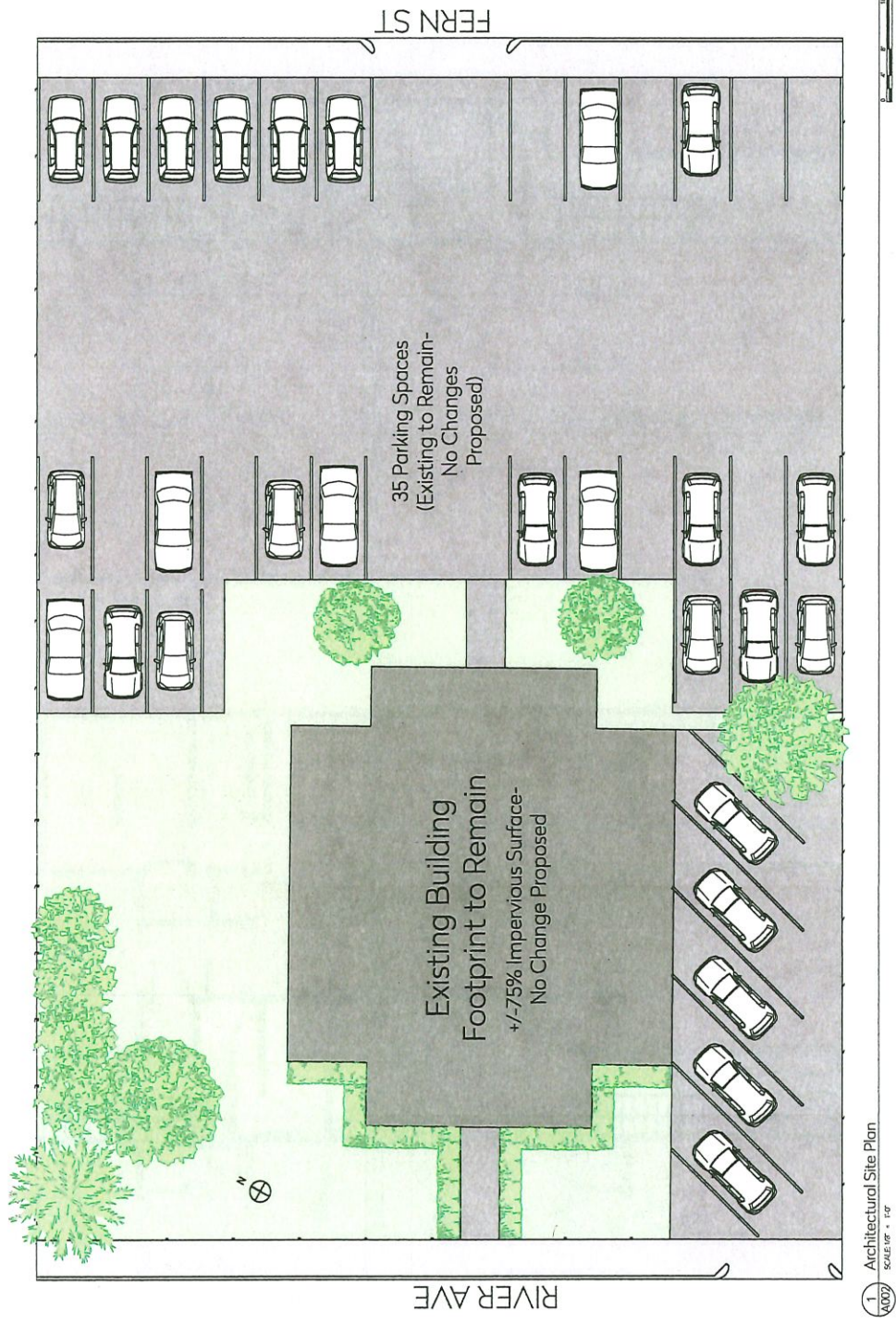
Proposed:

(4) Studios

(6) One Bed - One Bath Units

(2) Two Bed - Two Bath Units

Combined Total:
24 Units

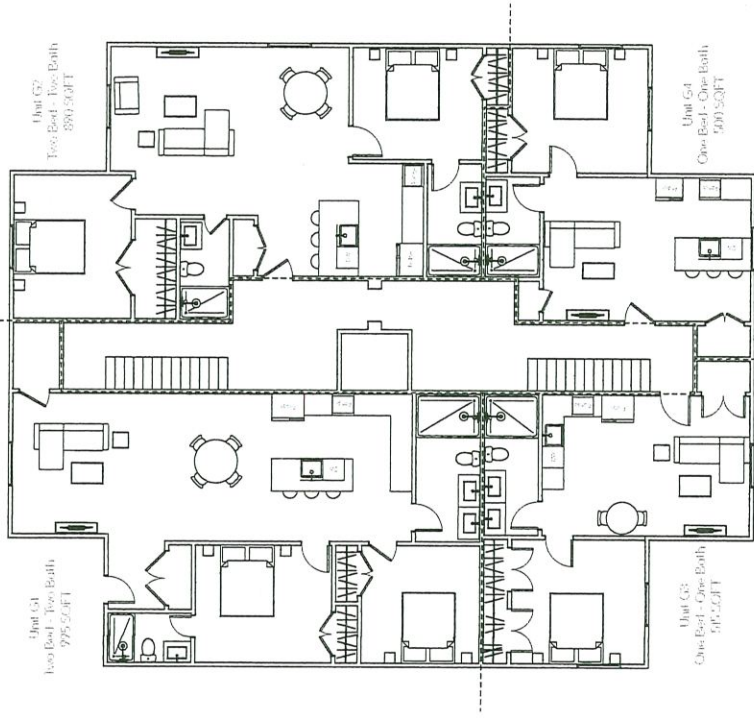


PROVIDENCE
ARCHITECTURE Co.

159 River Avenue

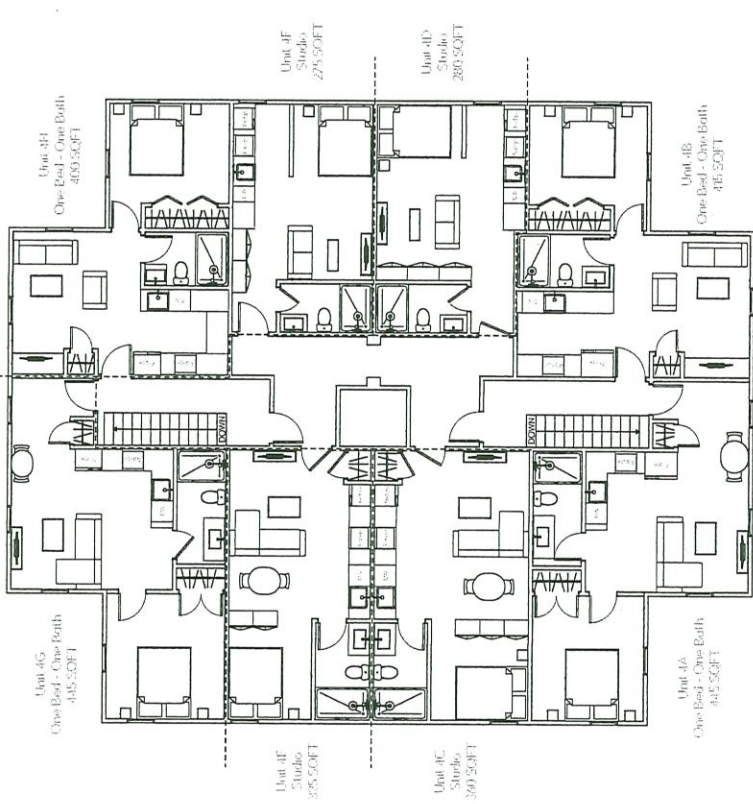
Site Plan

Four Units Proposed in the Basement



1
A109
Basement Plan
SCALE: 3/8" = 1'-0"

Eight Units Proposed in the Attic



2
A109
Fourth Floor Plan
SCALE: 3/8" = 1'-0"



PROVIDENCE
ARCHITECTURE Co.

159 River Avenue

Renderings



PROVIDENCE
ARCHITECTURE Co.

159 River Avenue

Renderings

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, **Dylan Conley**, by and through and with the permission of **Brian Weinstein and Bass Realty Co LLC**, hereby petition the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district designation for the property located at:

159 River Ave
Plat 66, Lot 106

and shown on the accompanying map¹ **Attached below as Exhibit 1**, from **[R-3]** to **[C-1* with restrictions]**
as follows:

- **Residential uses only**
- **Limited to two-family, three-family, or multi-family dwellings**

Further attached hereto is **Exhibit 2**: are two (2) sets of mailing labels with the names and addresses of all property owners within two hundred feet (200') of the property.

Signature: /s/ Dylan Conley

Name: Dylan Conley, Esq. #8969

Title: Attorney, on behalf of **Petitioner**

Telephone No.: (401) 415-9835

Email Address: DConley@wjclaw.com

¹ The Map includes:

- a) Existing and proposed boundaries
- b) Zoning district boundaries
- c) Existing streets, roads, and their names
- d) City and Town Boundaries where visible

Exhibit 1



