

## PETITION TO THE CITY COUNCIL

**TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:**

*The undersigned respectfully petitions your honorable body*

for a zoning reclassification of certain real property located at 301 Broadway, Providence, Rhode Island (hereinafter referred to as the "Parcel"), and in support thereof would show as follows:

1. The Parcel is presently owned by Petitioner and is presently zoned as a R-4 classification. Presently, there is located on the Parcel an abandoned gasoline service station.
2. Petitioner has entered into an agreement dated January 11, 1977, for the sale of the Parcel. Said agreement is contingent upon Petitioner obtaining a zoning reclassification from a R-4 to a C-2 classification.
3. Petitioner proposes to convert, renovate and maintain the Parcel for a permissible use in a C-2 zoning classification.
4. Petitioner affirmatively states that:
  - a. There will not be any devaluation or other detrimental effects on the surrounding parcels;
  - b. the rezoning of the Parcel to a C-2 classification is in accordance with the comprehensive plan;
  - c. such reclassification is consistent with the existing character of the neighborhood;
  - d. said reclassification would be consistent with the peculiar suitability of the Parcel for the intended and appropriate use of Petitioner;
  - e. said reclassification would not result in an arbitrary, capricious or otherwise unreasonable exercise of the zoning power conferred upon this honorable body; and
  - f. said reclassification is not contrary to the public interest.

WHEREFORE, Petitioner prays that the City Council reclassify the property located at 301 Broadway, Providence, Rhode Island, to a C-2 zoning classification.

**IN CITY COUNCIL  
SEP. 15 1977**

**READ AND NOT PASSED**

Respectfully submitted,

SHELL OIL COMPANY

By its Attorneys,

*Edward L. Maggiasco*  
EDWARD L. MAGGIACOMO, ESQ.

*Richard C. Deyoung*  
RICHARD C. DEYOUNG, III, ESQ.  
ADLER POLLOCK & SHEEHAN  
INCORPORATED

One Hospital Trust Plaza  
Providence, Rhode Island 02903  
February 28, 1977

**DEPARTMENT OF CITY CLERK  
RECEIVED**

**MAR 3 1977**

*Vincent Vespia*

CLERK OF PROVIDENCE, R.I.

Pd by ck # 79321

*Adler Pollock & Sheehan*

MAR 3 1977

FILED

MAR 3 11 55 AM '77  
DEPT. OF CITY CLERK  
PROVIDENCE, R.I.

RECEIVED  
SEP 7 9 2011  
CITY CLERK

IN CITY COUNCIL  
MAR 16 1977  
FIRST READING  
REFERRED TO COMMITTEE ON ORDINANCES  
Ernest Vespa  
CLERK

THE COMMITTEE ON 4-20-77  
ORDINANCES  
Recommends Be Continued  
Ernest Vespa  
Clerk

THE COMMITTEE ON  
ORDINANCES  
Recommends Be Denied  
Rose M. Mendonca  
Clerk  
Sept. 7, 1977

From the Clerks Desk

GRANTOR, for good and valuable consideration received, hereby remises, releases and quitclaims to Grantee all of Grantor's right, title and interest in and to the following described premises situated in Providence, County of Providence, State of Rhode Island:

Beginning at the Northeast corner of Broadway and Vinton Street, at the Southwest Corner of the herein described parcel thence running N.  $27^{\circ} 00'$  W on Vinton Street 69.66 feet to land now or formerly of Rose C. Carlotti and Virginia L. Hanley; thence turning an interior angle  $89^{\circ} 48'$  and running N  $63^{\circ} 12'$  E bounding Northwesterly on said land of Carlotti and Hanley 55.86 feet to land now or formerly of Broadway Apartments Inc; thence turning an interior angle  $84^{\circ} 53'$  and running S  $21^{\circ} 41'$  E bounding Northeasterly on land, of said Broadway Apartments, Inc. 12.52 feet; thence turning an interior angle  $269^{\circ} 52'$  and running N  $68^{\circ} 27'$  E bounding Northerly on land of said Broadway Apartments, Inc. 60.00 feet to other land of said Broadway Apartments, Inc; thence turning an interior angle  $90^{\circ} 08'$  and running S  $21^{\circ} 41'$  E bounding Northeasterly still on land of said Broadway Apartments, Inc. 61.94 feet to the Northwesterly line of Broadway; thence turning an interior angle  $89^{\circ} 52'$  and running S  $68^{\circ} 27'$  W bounding Southeasterly on Broadway 109.17 feet to the point and place of beginning. The last described line forms an interior angle of  $95^{\circ} 27'$  with the first described line. Containing an area of 7490 square feet more or less.


Together with the right to pass and repass on foot or by animals and/or vehicles over a strip of said Broadway Apartments, Inc. land lying easterly of the property hereby conveyed, which said strip of land is bounded and described as follows:

Beginning at the Southeasterly corner of the foregoing premises and running Easterly bounding Southerly on Broadway ten (10) feet; thence Northerly in a line parallel with and ten (10) feet distant from the Easterly boundary line of the foregoing premises about sixty-one and  $94/100$  (61.94) feet to a point ten (10) feet distant from the Northeasterly corner of the foregoing premises; thence Westerly ten (10) feet to said Northeasterly corner; thence Southerly about sixty-one and  $94/100$  (61.94) feet to Broadway.

together with all rights, privileges and appurtenances thereto and all buildings and land improvements thereon;

GRANTEE covenants, as part of the consideration for this conveyance, that during the period of Twenty-Five (25) years after the date of this Deed, no petroleum products whatsoever shall be advertised, stored, sold or distributed on the premises hereby conveyed, or any part thereof. Grantor's waiver of any breach of this covenant shall not constitute a waiver of this covenant or of any subsequent breach hereof. This covenant shall run with the land, shall bind Grantee's heirs, administrators, executors, successors and assigns, and shall inure to the benefit of Grantor's successors and assigns.

EXHIBIT A

  
\_\_\_\_\_

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: March 17, 1977

TO: Director Bernstein

SUBJECT: PROPOSED ZONING AMENDMENT - 301 BROADWAY, PROVIDENCE

CONSIDERED BY: Committee on Ordinances

DISPOSITION: Attached is copy of Petition of Shell Oil Company for proposed change of zoning at the above location for study and report back, in writing, to the said Committee.

*Ernest Cooper*

City Clerk

STANLEY P. BLACHER  
Chairman

JOHN RAO, JR.  
Vice Chairman

ROBERT J. BEVILACQUA

RAYMOND E. GRIMES

EDWARD A. SHAPIRA

EDWARD W. XAVIER

ANTHONY C. MEROLA

VINCENT PALLOZZI  
Secretary

STANLEY BERNSTEIN  
Executive Director



PROVIDENCE REDEVELOPMENT AGENCY

MAYOR VINCENT A. CIANCI, JR.  
Ex-Officio

March 4, 1977

Mr. Vincent Vespia  
City Clerk  
City Hall  
Providence, RI 02903

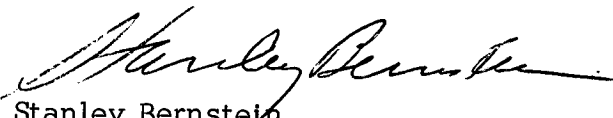
Dear Mr. Vespia:

I was informed by Councilman Merola that the vacant gas station property at the northeasterly corner of Vinton Street and Broadway was being considered for reuse and rezoning.

Your attention is directed to the proposed Federal Hill East Official Redevelopment Plan, which is being advertised for a public hearing on April 4, 1977. Contained therein is the proposed acquisition and demolition of the aforesaid property, the reuse of which will maintain the existing R-4 zoning.

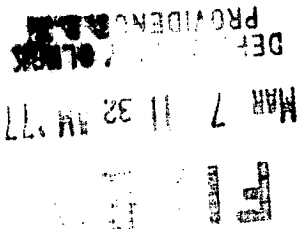
Please contact me if further information is required.

Sincerely yours,

  
Stanley Bernstein  
Executive Director

CC: Councilman Merola

SB:MJD



40 FOUNTAIN ST. • PROVIDENCE • RHODE ISLAND • 02903 • TELEPHONE 401-831-6550

in a R-4 zone.

Inspection revealed that the area is being used as a parking lot for the adjoining commercial uses. The immediate neighborhood is predominately residential in use in fair to good exterior condition.

The proposed rezoning of Lots 779 and 777 from R-4 to C-2 zone is not in accordance with the City's Master Plan which delineates the subject area for medium density residential land use. Additionally, the Providence Redevelopment Agency has proposed that the approved lots be acquired and the structure be demolished as part of the Federal Hill East Urban Renewal Plan, which is being presented by the City Council Committee on Urban Redevelopment, Renewal and Planning at a Public Hearing on April 4, 1977 within the City Council

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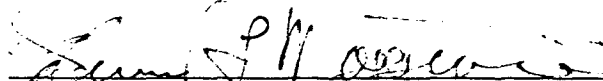
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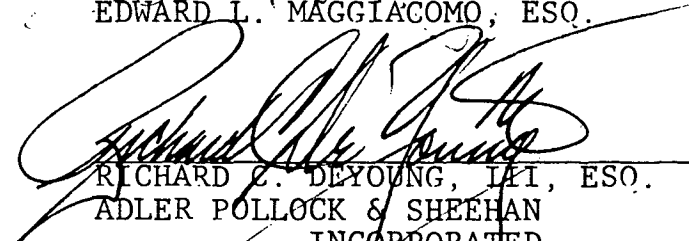
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Respectfully submitted,

SHELL OIL COMPANY

By its Attorneys,

  
EDWARD L. MAGGIACOMO, ESQ.

  
RICHARD C. DEYOUNG, III, ESQ.  
ADLER POLLOCK & SHEEHAN  
INCORPORATED

One Hospital Trust Plaza  
Providence, Rhode Island 02903  
February 28, 1977

City of Providence



Rhode Island

Department of City Clerk

**MEMORANDUM**

DATE: July 18, 1977

TO: Director Daniel E. Healy

SUBJECT: ABUTTING OWNERS

CONSIDERED BY: Committee on Ordinances

DISPOSITION: Attached is copy of subject Petition for  
change of Zoning of Shell Oil Company.

Will you kindly submit to the subject  
Committee a list of Abutting Owners and maps.

A handwritten signature in cursive script, appearing to read "Vincent Lopez".

City Clerk

ZONING CHANGES FROM (R-4) TO A (C-2)

301 BROADWAY

PLAT 28

LOT 779

Shell Oil Co., Inc.

P.O. Box 2237

Princeton, N.J.

LOT 777

Shell Oil Co., Inc.

LOT 195

Broadway Apartments, Inc.

235 Broadway

Providence, R.I.

LOT 193

Michael Lonardo

159 Sutton

Providence, R.I.

LOT 192

Domenic J. Giusti

~~498 Unit Street~~ 153 Sutton St

Prov., R.I.

LOT 497

"

"

"

LOT 191

City of Providence

ZONING CHANGE FROM (R-4) TO A (C-2)

301 BROADWAY

PLAT 28

LOT 189 Frederick C. Luth & Edward J. Luth  
143 Sutton St  
Prov, R.I.

LOT 201 Joseph H. Procopio & wf. Lydia R. Jr  
148 Sutton St  
Prov, R.I.

LOT 200 Michelina De Conti  
150 Sutton St  
Prov, R.I.

LOT 196 Aurora Civic Association  
289 Broadway  
Prov, R.I.

LOT 115 Daniel A. Lapolla & wf. Viola  
53 Vernon St  
Prov, R.I.

LOT 116 Westcove Realty Co.  
228 Broadway  
Prov, R.I.

LOT 117 John Turcone & wf. Amelia  
1585 Smith St  
North Prov, R.I.

ZONING CHANGE FROM (R-4) TO A (C-2)  
301 BROADWAY

PAGE 28

LOT 118 Vincent Iozzi & wf. Angelina  
33 Lucia Dr.  
Prov. R.I.

LOT 625 Albert F. Scungio & wf. Susan  
52 Miller Ave  
Prov. R.I.

LOT 624 Harriet & Muriel Pagin, Harriet R. Brady  
29 Primrose St  
Prov. R.I.

LOT 652 Frank Torti  
43 Tarnum Ave  
North Prov. R.I.

LOT 831 Angelo Di Carlo & wf. Tomi  
153 Vinton Street  
Prov. R.I.

LOT 659 Louis Iero & wf. Mary E. Jt.  
411 Mt. Pleasant Ave  
Prov. R.I.

LOT 664 Loran Realty Co.  
322 Broadway  
Prov. R.I.

ZONING CHANGE FROM (R-4) TO A (C-2)

301 BROADWAY

PLAT 28

LOT 538 Jeta Realty Co.  
334 Broadway  
Prov. R.I.

LOT 662 Jeta Realty Co.  
" "  
" "

LOT 864 Angelo Viticone & wf. Mary L. Jt.

LOT 517 Joseph N. Corsello & wf. Anna S. Jt.  
171 High Service Ave  
North Prov. R.I.

LOT 130 John P. De Pasquale & wf. Joan Ann,  
275 Tanglewood Dr.  
East Greenwich, R.I.

LOT 615 " " " "

LOT 800 Anthony N. Paolantonio & wf. Lena M., &  
Jessie A. Paolantonio  
10 Grove St  
Prov. R.I.

ZONING CHANGE FROM (R-4) TO A (C-2)

301 BROADWAY

PLAT 28

LOT 505 John P. De Pasquale & wf. Joan Ann  
275 Tanglewood Dr.  
East Greenwich, R.I.

LOT 504 Louis Cedroni & wf. Antonetta, Jr.  
123 Vinton St  
Prov, R.I.

LOT 167 Aldo Treda, Inez Treda & alba Treda, Jr.  
115 Vinton St  
Prov, R.I.

LOT 718 Pasquale Valente  
116 Vinton St  
Prov, R.I.

LOT 723 Amelia Bennett  
120 Vinton St.  
Prov, R.I.

LOT 695 Jerry J. Verde, Evelyn A. Spirito &  
Emily R. Squitieri Jr.  
33 Bennington Rd.  
Cranston, R.I.

LOT 708 Joseph Rendine  
10 Centredale Ave  
North Prov, R.I.

ZONING CHANGE FROM (R-4) TO A (C-2)

301 BROADWAY

PAT 28

LOT 645      Rose C. Carlotti & Virginia L. Hanley  
111 Valentine Circle  
Warwick, R.I

STANLEY P. BLACHER  
Chairman

JOHN RAO, JR.  
Vice Chairman

ROBERT J. BEVILACQUA

RAYMOND E. GRIMES

MURRAY A. COHEN

EDWARD W. XAVIER

ANTHONY C. MEROLA

STANLEY BERNSTEIN  
Executive Director  
and Secretary



PROVIDENCE REDEVELOPMENT AGENCY

August 15, 1977

MAYOR VINCENT A. CIANCI, JR.  
Ex-Officio

Committee on Ordinances  
c/o City Clerk's Office  
City Hall  
Providence, RI 02903

Re: Proposed Zone Change

Gentlemen:

On August 9, 1977, the Providence Redevelopment Agency was apprised that a public hearing was scheduled for August 17th relative to a proposed zone change from R-4 to C-2 for that property located at 301-303 and 315 Broadway.

The aforesaid property is proposed for acquisition and clearance for reuse for residential - professional purposes and is so designated in the Official Redevelopment Plan for Federal Hill East approved by City Council Ordinance No. 267 dated April 28, 1977.

The Agency has determined that the proposed spot rezoning is in conflict with the aforesaid Federal Hill East Official Redevelopment Plan and has requested that I notify you of its opposition to the proposed zone change.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Stanley Bernstein", is written over a printed name and title.  
Stanley Bernstein  
Executive Director

SB:MJD



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

HISTORICAL PRESERVATION COMMISSION

Old State House  
150 Benefit Street  
Providence, R. I. 02903  
(401) 277-2678

August 15, 1977

Mr. Vincent Cirelli, Chairman  
Committee on Ordinances  
City Hall  
Providence, Rhode Island

RE: Proposed Zone Change at  
301 Broadway, Providence

Dear Mr. Cirelli:

Mr. and Mrs. Salvatore Matteras, owners of 299 Broadway, have asked the Rhode Island Historical Preservation Commission to state its opinion on the proposal to rezone lots 779 and 777 on Assessor's Plat 28 at 301-303 and 315 Broadway from R-4 to C-2.

The area in question is located in the Broadway-Armory historic district, which has been entered on the National Register of Historic Places. The house at 299 Broadway was built for J. B. Barnaby in 1876 and is an architectural landmark in the area. Renovation work on the building will begin shortly. Other important houses are located in the adjacent blocks.

The Commission concurs with the Providence Department of Planning and Urban Developments conclusion that the petition for rezoning should be denied. In addition to the reasons offered by the Planning Department, we believe that the more intensive, commercial use proposed would further erode the residential character of this historic district.

Yours very truly,

*Antoinette F. Downing*

Mrs. George E. Downing  
Chairman

aab