

CHAPTER 2018-4

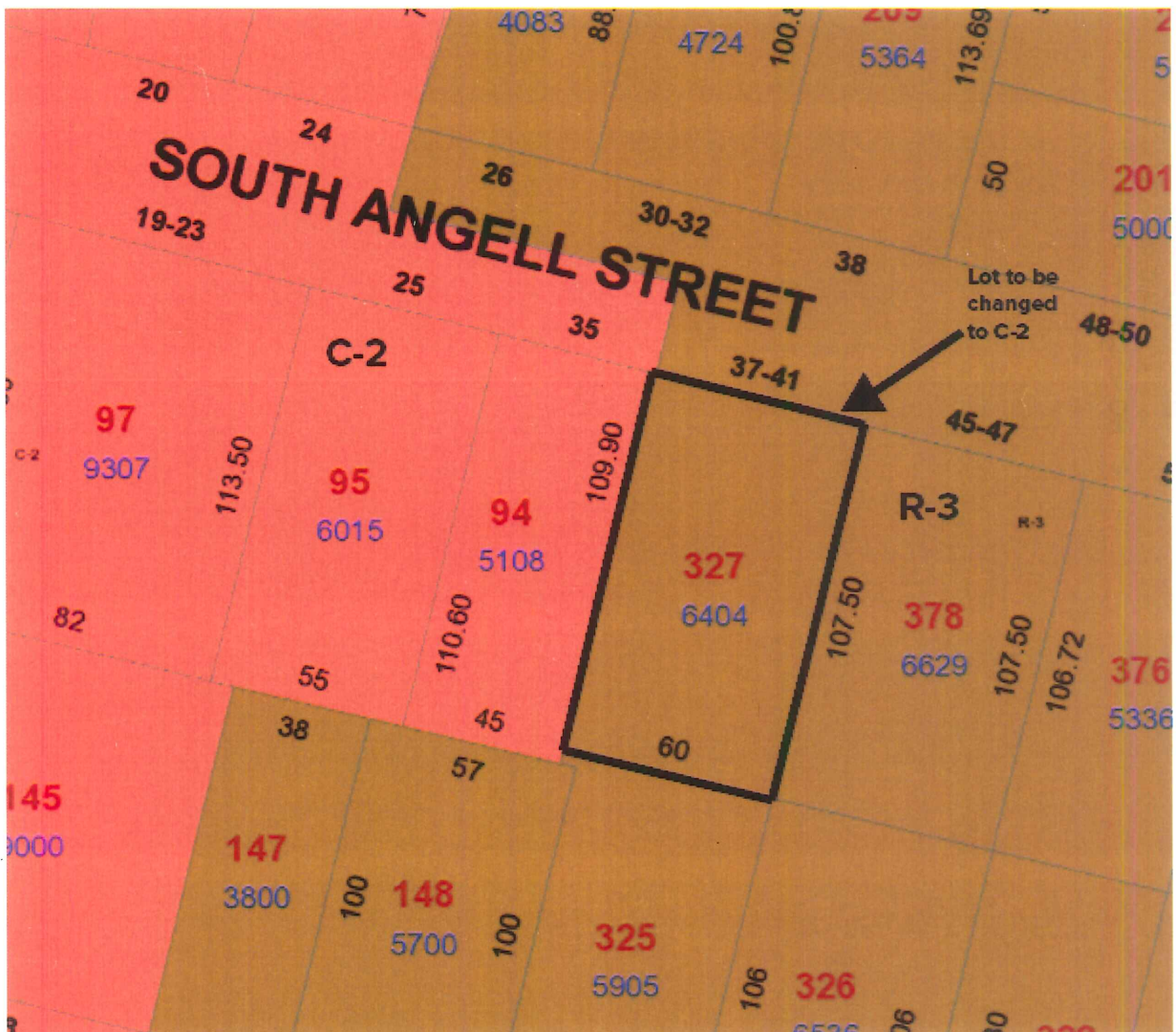
No. 57

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 37 SOUTH ANGELL STREET (ASSESSOR'S PLAT 15, LOT 327) FROM R-3 TO C-2

Approved February 9, 2018

Be it ordained by the City of Providence:

SECTION 1. 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, is hereby further amended by changing the Zoning District on the Official Zoning Map for 37 South Angell Street (Assessor's Plat 15, Lot 327), as shown on the accompanying map, from R-3 to C-2, provided the uses permitted on said property shall be restricted to either a one family dwelling, a two-family dwelling, a three family dwelling or a multi-family dwelling and provided further that there be no more than fourteen (14) dwelling units in a multifamily dwelling on said property.



SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
JAN 18 2018
FIRST READING
READ AND PASSED
Lou L. Hagan CLERK
FEB 01 2018
READ AND PASSED
Daniel A. Santolucito PRES.
Lou L. Hagan

I HEREBY APPROVE.

[Signature]
Mayor
Date: 2/9/18



City Plan Commission
Jorge O. Elorza, Mayor

November 15, 2017

Councilman Terrence M. Hassett
Chair, Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Lori Hagen, City Clerk

Re: Referral 3421-Petition to rezone 37 South Angell Street (AP 15 Lot 327) from R-3 to C-2

Petitioner: Daou Property Management

Dear Mr. Hassett,

The City Plan Commission (CPC) reviewed the proposed zoning change to rezone the property at 37 South Angell Street (AP 15 Lot 327) from R-1 to C-1 at a regular meeting on November 14, 2017. The CPC voted as described below to make certain findings of fact and to recommend that the petition be approved.

FINDINGS OF FACT

The applicant is proposing to rezone AP 15 Lot 327 at 37 South Angell Street from R-3 to C-2. The property is an existing nonconforming multifamily with 12 dwelling units. The proposed rezoning would render the lot conforming as multifamily dwellings are permitted by right in the C-2 zone. The subject lot is adjacent to the C-2 zone. This portion of South Angell Street is composed of a mix of uses with the R-4 and R-3 zones to the east of the C-2 zone.

As the neighborhood is a mix of residential and commercial development, it is the CPC's opinion that inclusion of the lot within the C-2 zone is not expected to have a negative effect on neighborhood character or neighboring property. The multifamily has existed besides dense residential and commercial development for a number of years and its use is not expected to change.

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 commercial and residential uses are located in proximity to each other. The property is located in an area where neighborhood commercial development is intended alongside medium and high density residential development.

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

Therefore, the CPC found that the rezoning would be consistent with the intent of the comprehensive plan.

During a site visit, the DPD observed vehicles parked at a 90 degree angle, which appeared to have jumped the curb to access the parking area. The parking area appears to be designed to allow cars to park parallel to the sidewalk. The CPC required that the applicant ensure that vehicles do not jump the curb, and that they park parallel to the street as intended by the lot's design. To prevent jumping the curb, the CPC required that the applicant plant a tree in the planting area at the western portion of the lot. The presence of a tree would prevent vehicles from accessing the lot from the curb and enhance the character of the development.

The CPC found that rezoning this area would be appropriate given the use on the site as it would bring the property into conformance with the zoning ordinance. The CPC found 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

Based on the foregoing discussion, the CPC voted unanimously to make a recommendation that the City Council approve the proposed Zone Change subject to the following condition:

The applicant shall plant a tree in the planting area in the western portion of the lot.

Sincerely,



Choyon Manjrekar
Administrative Officer

CC: John Garrahy

City of Providence
State of Rhode Island and Providence Plantations

AMENDED PETITION TO THE HONORABLE CITY COUNCIL

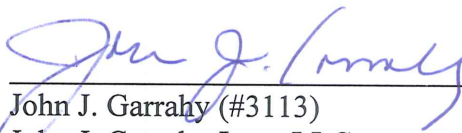
TO **THE** HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Daou Property Management, hereby petitions the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district for the property located at 37 South Angell Street and identified as Plat 15, Lot 327 from R-3 to C-2, provided the uses permitted on said property shall be restricted to either a one family dwelling, a two-family dwelling, a three family dwelling or a multi-family dwelling and provided further that there be no more than fourteen (14) dwelling units in a multifamily dwelling on said property. The property sought to be rezoned is shown on the attached plan.

DAOU PROPERTY MANAGEMENT

By its Attorney,



John J. Garrahy (#3113)
John J. Garrahy Law, LLC
2088 Broad Street
Cranston, Rhode Island 02905

SOUTH ANGELL STREET

19-23

20

24

26

30-32

38

50

C-2

R-3

R-3

Lot to be
changed
to C-2

45-47

48-50

9307

95

6015

5108

82

55

38

57

145

147

100

148

5700

100

325

113.50

110.60

109.90

107.50

107.50

106.72

327
6404

378
6629

376
5336

60

6000

John J. Garrahy Law, LLC
2088 Broad Street
Cranston, Rhode Island 02905
(401) 383-3830
jgarrahy@garrahyllaw.com

October 25, 2017

Ms. Lori Hagen
City Clerk
City of Providence
25 Dorrance Street
Providence, Rhode Island 02903

**Re: *Petition for Zone Change for property of Daou Property Management to
Rezone Lot 327 on Assessor's Plat 5 from R-3 to C-2***

Dear Clerk:

Enclosed please find a Petition to the Honorable City Council for a request for zone change for property located on 37-41 South Angell Street. Also enclosed is the filing fee in the amount of \$150.

Kindly inform of hearing date.

Please contact me with any questions or concerns. Thank you for your attention to this matter.

Very truly yours,


John J. Garrahy

cc: Mr. Peter Casale
 Mr. Georges H. Daou

30 OCT 2017 10:12