

# City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## CHAPTER 2004-50

No. 585      **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 JUNE 27, 1994, AS AMENDED.

*Approved* December 7, 2004

*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 June 27, 1994, as amended, is further amended by changing the zoning district designation of Lot 24 on Zoning District Map 119 of the Official Zoning Maps from R-3 to C-2, as shown on the accompanying map.

Section 2: The following limitations on the use and development of Lot 24, Zoning District Map 119 shall be noted on the face of the Official Zoning Map and recorded in the property records:

- (a) The first floor of the building shall be limited to commercial uses.
- (b) The second floor of the building shall be limited to residential use.
- (c) Demolition of the existing building and any new construction must be approved by the City Plan Commission.

Section 3: This Ordinance shall take effect upon passage.

**IN CITY COUNCIL**  
NOV 18 2004  
**FIRST READING**  
**READ AND PASSED**

*Michael R. Clement*  
CLERK

**IN CITY COUNCIL**  
DEC 2 2004  
**FINAL READING**  
**READ AND PASSED**

*Michael R. Clement*  
PRESIDENT  
CLERK

**APPROVED**  
*[Signature]*  
MAYOR 12/7/04

**SAN JOSE CITY COUNCIL**  
**AUG 5 2004**  
**FIRST READING**  
**REFERRED TO COMMITTEE ON**  
**ORDINANCES**  
Michael R. Clement **CLERK**  
ms

**THE COMMITTEE ON**  
Ordinances  
**Recommends**  
Ann M. Steele **CLERK**  
9-21-04 - Schedule P. Hwy  
10-13-04 P. Hwy held  
10-13-04 - Reg Mtg Cm 7

**THE COMMITTEE ON**  
**ORDINANCES**  
**Approves Passage of**  
**The Within Ordinance**  
Ann M. Steele **Clerk**  
11-8-04

**READ AND PASSED**  
**ORDER TEST**  
**IN CITY COUNCIL**

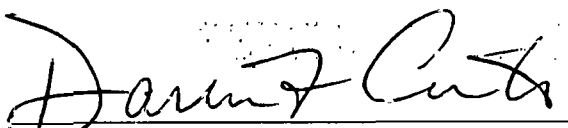
**CITY OF PROVIDENCE**  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**PETITION TO THE CITY COUNCIL**

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

*The undersigned respectfully petitions your honorable body*

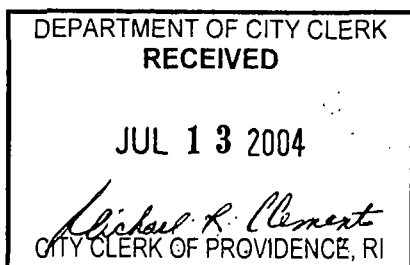
I, Vincent Masino, hereby petition the City Council to change the zoning district designation of Lot 24 on Zoning District Map 119 of the Official Zoning Maps from R-3 to C-2, as shown on the accompanying map.



Vincent Masino  
c/o Darren F. Corrente, Esq.  
226 South Main St.  
Providence, RI 02903  
(401) 331-7720

7/13/04

Date



Check Received \$150.00

IN CITY COUNCIL  
AUG 5 2004  
FIRST READING  
REFERRED TO COMMITTEE ON  
ORDINANCES

Michael R. Vincent CLERK

THE COMMITTEE ON

Ordinances

Ann M. Slater CLERK

9-21-04 - Schedule P. Hag  
10-13-04 - P. Hag held  
10-13-04 - Reg Mtg. Con 44

Michael R. Vincent  
Clerk

# Zoning Change R3 to C2

## Plat 119 Lot 24

### 412-414 Douglas Ave.





## Providence City Plan Commission

DAVID N. CICILLINE  
Mayor

August 31, 2004

Honorable Rita Williams, Chair  
Ordinance Committee  
Providence City Hall  
25 Dorrance Street  
Providence, RI 09203

Attn: Anna Stetson, Second Deputy City Clerk

Re: Petition to change zoning designation of 412-414 Douglas Avenue, Assessor's Plat 119, Lot 24, from Residential Three Family ("R-3") zoning district to a General Commercial ("C-2") zoning district.

Dear Councilwoman Williams:

At a regular meeting of the City Plan Commission (CPC) on August 17, 2004, and pursuant to Section 1100 of the City of Providence Zoning Ordinance Chapter 1994-24, No. 365, as amended, the Commission reviewed a proposal for the above-captioned amendment to the Ordinance. The Commission voted unanimously as described below to make certain findings of fact and to recommend that the petition be approved.

### **Findings of Fact**

Article XI of the Zoning Ordinance requires that in order for the CPC to make a positive recommendation on amendments to the Ordinance, it must demonstrate consistency with the Comprehensive Plan and with the purposes of zoning as listed in Section 100 of the Ordinance.

1. The proposed Zoning Map amendment is consistent with the Comprehensive Plan, specifically the goal and policies contained under section 4.1.2 *Land Use: Goals and Policies*, Residential and Commercial Uses.
2. The proposed Zoning Map amendment is consistent with the purpose of the Zoning Ordinance as outlined in Section 100 of the Ordinance.

**Recommendation**

The CPC recommends to the Committee on Ordinances that the petition for rezoning be approved subject to the following conditions:

1. The first floor of the building shall be limited to Commercial uses.
2. The second floor shall be limited to residential use.
3. Demolition of the existing building and any new construction must be approved by the City Plan Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris J. Ise", with a stylized flourish at the end.

Christopher J. Ise  
Administrative Officer

cc: Vincent Masino, Petitioner

**200' ABUTTERS LIST**  
**For**  
**A.P. 119, LOT 24**

<u>Map</u>	<u>Lot</u>	<u>Current Owner</u>
119	24 (LOCUS)	Joseph & Mary C. Masino 400 Sharon Street Providence, RI 02908-2219
70	664	Berkshire Place Associates, L.P. 455 Douglas Avenue Providence, RI 02908-2542
70	688	Berkshire Place Associates, L.P. 455 Douglas Avenue Providence, RI 02908-2542
70	398	Stephanie Earnhardt & Claire Ploude 22 – 24 Donelson Street Providence, RI 02907
70	399	Albert & Seranouche Avedissian 20 Donelson Street Providence, RI 02908-2508
70	458	Rafi Joharjian 16 Donelson Street Providence, RI 02908-2508
70	634	Jace Development, LLC 167 Burnside Street Cranston, RI 02910
70	635	Robert L. & Raffaele Aiello 18 Barry Court North Providence, RI 02904-5103
70	586	Robert L. & Raffaele Aiello 18 Barry Court North Providence, RI 02904-5103
70	60	David G. Bazarsky 2572 East Main Road Portsmouth, RI 02871-4064



<u>Map</u>	<u>Lot</u>	<u>Current Owner</u>
70	402	Janet Henson Co., RIGP 122 Mount Pleasant Avenue Providence, RI 02908
70	403	Tayibatu Adediran 15 Donelson Street Providence, RI 02908-2507
119	167	Jennie C. & Nancy A. Palmisciano 665 Smith Street Providence, RI 02908-4352
119	168	Jennie C. & Nancy A. Palmisciano 665 Smith Street Providence, RI 02908-4352
119	175	Richard Paolo 34 Miller Avenue Milton, MA 02186-4759
119	174	Frances Conde 27-29 Eaton Street Providence, RI 02908
119	173	Robert T. McCann 10 Foster Way East Greenwich, RI 02818
119	172	Anthony P. Gemma & Julie A. Dimanni-Gemma 30 Lilac Street Cumberland, RI 02864-6404
119	171	Christopher J. Shackett & Daniel Houle 15 – 17 Easton Street Providence, RI 02908
119	23	Benjamin & LaJean McCaig 436 - 438 Douglas Avenue Providence, RI 02904
119	142	Ronald V. & Joanne E. Patalano 12 Woodbine Road Exeter, RI 02822-5239

<u>Map</u>	<u>Lot</u>	<u>Current Owner</u>
119	141	Linda C. Marsocci 10 Venice Street Providence, RI 02908-2910
119	143	Rodolfo & Lorraine D. Jimenez 37 Berkshire Street Apt. K Providence, RI 02908-2556
119	144	Oscar Rafael – Tirado 55 Fairmount Avenue Providence, RI 02905-5116
119	145	Marcos T. & John R. Engenheiro 420 Douglas Avenue Providence, RI 02908-2547
119	146	Lisa A. Natale 13 – 15 Liege Street Providence, RI 02904
119	147	James E. & Donna M. Scanlon 7 Preston Drive Barrington, RI 02806-5038
119	148	Edmund G. Taylor Francis V. Taylor 23 Liege Street Providence, RI 02908-2907
119	150	Vito L, Danatina F. & David Paul Ciniero 33 Liege Street Providence, RI 02908-2907
119	25	Roupen & Sarkis Terzian 408 Douglas Avenue Providence, RI 02908-2519
119	254	Nancy A. Palmisciano 665 Smith Street Providence, RI 02908-4352

<u>Map</u>	<u>Lot</u>	<u>Current Owner</u>
119	164	Jennie C. & Nancy A. Palmisciano 665 Smith Street Providence, RI 02908-4352
119	165	Jennie C. & Nancy A. Palmisciano 665 Smith Street Providence, RI 02908-4352
119	166	Jennie C. & Nancy A. Palmisciano 665 Smith Street Providence, RI 02908-4352



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DAVID N. CICILLINE  
Mayor

August 31, 2004

Honorable Rita Williams, Chair  
Ordinance Committee  
Providence City Hall  
25 Dorrance Street  
Providence, RI 09203

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### Findings of Fact

Article XI of the Zoning Ordinance requires that in order for the CPC to make a positive recommendation on amendments to the Ordinance, it must demonstrate consistency with the Comprehensive Plan and with the purposes of zoning as listed in Section 100 of the Ordinance.

1. The proposed Zoning Map amendment is consistent with the Comprehensive Plan, specifically the goal and policies contained under section 4.1.2 *Land Use: Goals and Policies*, Residential and Commercial Uses.
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**Recommendation**

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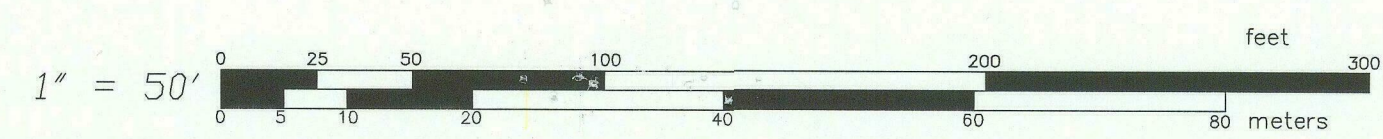
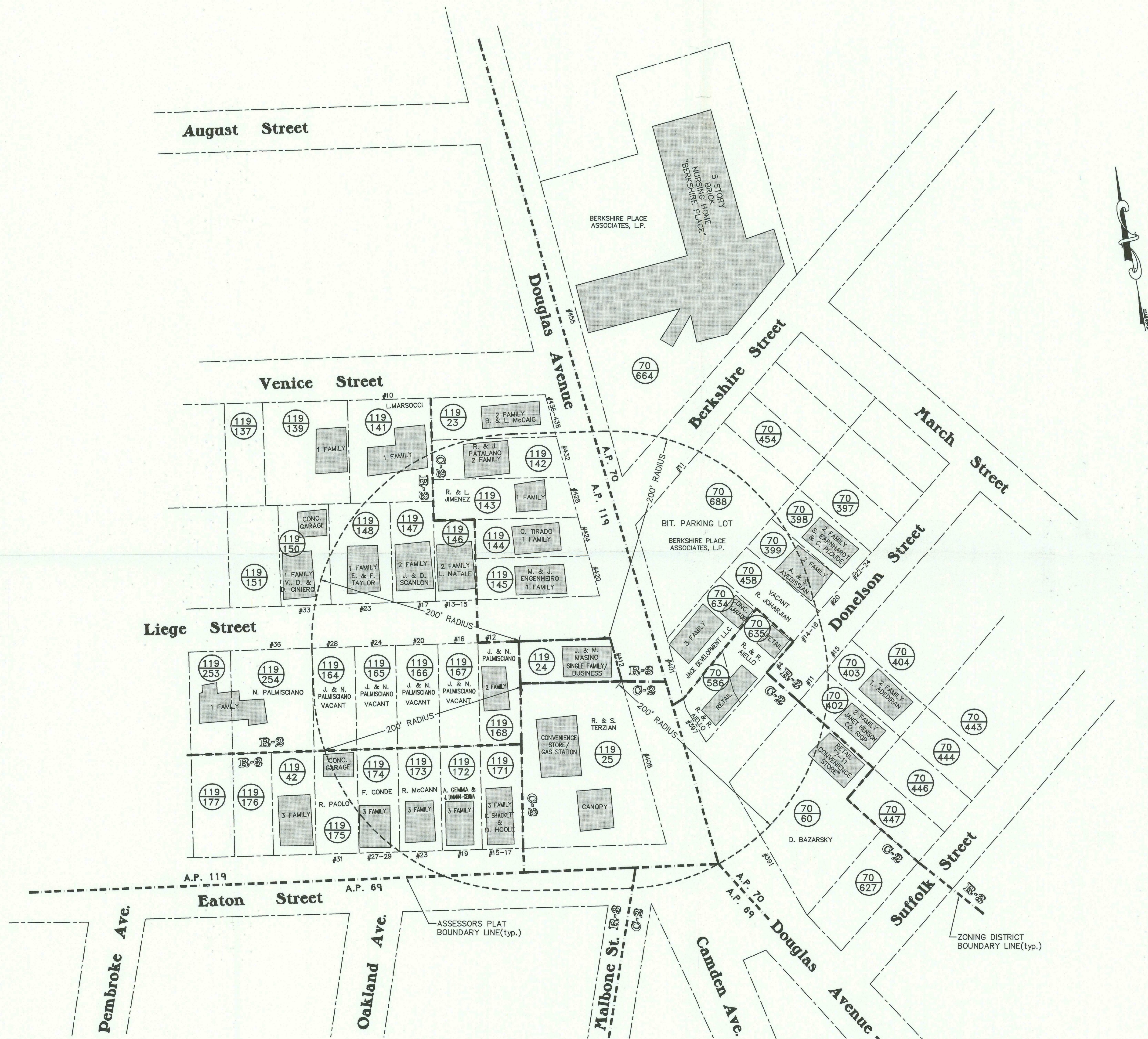
Sincerely,

A handwritten signature in black ink, appearing to read "Chris J. Ise", written in a cursive style.

Christopher J. Ise  
Administrative Officer

cc: Vincent Masino, Petitioner





200' RADIUS MAP  
FOR  
A.P. 119, LOT 24  
SITUATED AT THE INTERSECTION OF  
DOUGLAS AVENUE & LIEGE STREET  
PROVIDENCE, RHODE ISLAND  
PREPARED FOR  
CORRENTE LAW CORPORATION

NO.	REVISION	BY	DATE

**GAROFALO**  
GAROFALO & ASSOCIATES, INC.  
CIVIL & STRUCTURAL ENGINEERS \ SURVEYORS  
LAND PLANNERS \ ENVIRONMENTAL SCIENTISTS  
85 CORLISS STREET  
P.O. BOX 6145  
PROVIDENCE, R.I. 02940  
TEL. 401-273-6000

JOB NO. XXXX	DRAWN BY M.J.C.
DWG. NO. DOUGLAS-200-RADIUS.DWG	CHECKED S.A.W.
SCALE: 1"=50'	APPROVED S.A.W.
	DATE: APRIL 29, 2004

SHEET  
  
1  
  
OF 1 SHEETS



City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 13, 2004


TO: Councilman Peter S. Mancini

SUBJECT: Petition for Zoning Change for 412-414 Douglas Avenue

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: Enclosed please find a copy of a petition for a zoning change for 412-414 Douglas Avenue. This request was received in our office on this day and a copy of said petition has been sent to the City Plan Commission for placement on the next agenda, in accordance with Section 1100 of the Zoning Ordinance which states ".....immediately upon receipt of the proposal, the city clerk shall refer the proposal to the council and the commission for study and recommendation..."

Please note that this matter will be placed on the City Council meeting of August 5, 2004.

  
Second Deputy City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: July 13, 2004

TO: Christopher Ise, Department of Planning & Development

SUBJECT: **SEE ATTACHED PETITION**

CONSIDERED BY: Anna M. Stetson, Second Deputy City Clerk

DISPOSITION: I have enclosed a copy of a petition from Darren F. Corrente, Esquire for a zoning change for Vincent Masino for placement on the next agenda of the City Plan Commission. Once this matter is heard could you please forward a copy of the decision to my attention in order that we may place it on the agenda. Please contact me at 421-7740, extension 568 if you have any questions or need further information.

*Anna M. Stetson*  
Second Deputy City Clerk