

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

No. 381 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, to Change the Zoning Designation of 380, 386, 388-390 Atwells Avenue also known as Lots 158, 159, 520 and 160 on Assessor's Plat 28.

Be it ordained by the City of Providence:

Plat 28 Lots 158, 159, 520, 160

[illegible]

Handwritten Signature CLERK
ACTING

READ AND PASSED
W. S. Mancini
 PRESIDENT
Ann M. Seab
 CLERK

MAYOR 12/9/10



City of Providence

City Plan Commission

400 Westminster Street
Providence, Rhode Island 02903

401 351 4300 OFFICE
401 351 9533 FAX

Stephen Durkee AIA
Chair

www.providenceri.com

Councilman Michael A. Solomon
Chair, Ordinance Committee
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Anna Stetson, City Clerk

July 22, 2010

Re: City Council Referral 3331: Petition to change the zoning designation of Lots 520, 159, 158, 539 and 540 (386, 388-390 Atwells Avenue and 4-10 Hewitt Street) on AP 28 which are currently zoned R-3, be rezoned to C-1.

Dear Councilman Solomon:

At a regular meeting of the City Plan Commission (CPC) on July 20, 2010, 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.

The subject lots are currently located adjacent to the C-1 zone to the west, the C-2 zone to the east and the R-3 zone to the south. The building on Lots 159 and 520 is currently used as a medical office. Given the commercial nature of the surrounding area and the current use of the building, the Commission found the proposed rezoning appropriate for some, but not all lots. In addition, the creation of small offices would also be in conformance with Objective BJ-5 of the Comprehensive Plan, which encourages the creation and growth of locally owned businesses that enhance the vitality and quality of life in the City.

PROVIDENCE THE CREATIVE CAPITAL

David N. Cicilline, Mayor

The CPC found the amendment to be in conformance with the objectives of Section 100 of the Zoning Ordinance as required by Section 1101(A)(2). Specifically, the zone change would conform to objective B by providing for a range of uses and intensities of use appropriate to the character of the City and objective L, promoting the implementation of the Comprehensive Plan.

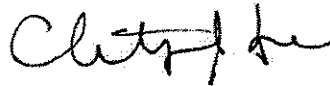
The medical office is located on Lots 159 and 520 with the parking lot that serves the building on Lot 158. Lots 539 and 540 are currently used for parking. The CPC recommended that only lots 159, 520 and 158 be rezoned to prevent the C-1 zone from intruding too far into the R-3 zone. Lots 539 and 540 would remain R-3 and can be used to provide parking as a grandfathered use or for any other uses permitted in the R-3 zone.

The CPC also included adjacent Lot 160 in the R-3 zone, which contains a restaurant, to be rezoned to C-1. The inclusion is intended to provide consistency by having commercial businesses along Atwells Avenue included in the C-1 zone.

Recommendation

The CPC recommends to the Committee on Ordinances that only Lots 159, 520 and 158 be rezoned to C-1. Lots 539 and 540 shall remain R-3. The CPC also recommends that Lot 160 be rezoned to C-1.

Sincerely,



Christopher Ise
Administrative Officer

cc: Robert D'Amico II, Petitioner
Anna Stetson, City Clerk

200 Foot Radius Abutters Names List

<u>Plat</u>	<u>Lot</u>	<u>Owner</u>	<u>Owner Address</u>	<u>City</u>	<u>Property Address</u>
028	135	City of Providence	City Hall	Providence, RI 02903	82 Knight St
028	155	Broadway Apartments Inc	87 Health St	Riverside, RI 02915-4905	11 Piedmont St
028	156	William Ozga	19 Piedmont St	Providence, RI 02909-1045	19 Piedmont St
028	157	Anthony Simeone	20 Newburg St Unit 3	Roslindale, MA 02131	33 Piedmont St
028	158	Atwells Investments LLC	536 Atwells Ave	Providence, RI 02909	4 Hewitt
028	159	Atwells Investments LLC	536 Atwells Ave	Providence, RI 02909	388 Atwells Ave
028	160	Atigue M Mian	380 Atwells Ave	Providence, RI 02909	380 Atwells Ave
028	165	City Of Providence	25 Dorrance St	Providence, RI 02903-1738	47 Sutfon St
028	477	Times Realty Co Inc	361 Atwells Ave	Providence, RI 02903-1443	359 Atwells Ave
028	478	Frank L Bassi	123 Battey Meetinghouse Rd	Providence, RI 02857-1912	365 Atwells Ave
028	479	David R Christie	377 Atwells Ave	Providence, RI 02909-1026	371 Atwells Ave
028	480	David R Christie	377 Atwells Ave	Providence, RI 02909-1026	375 Atwells Ave
028	481	379 Atwells LLC	379 Atwells Ave	Providence, RI 02909	379 Atwells Ave
028	482	David R Christie	377 Atwells Ave	Providence, RI 02909-1026	3 Mcavoy St
028	483	David R Christie	377 Atwells Ave	Providence, RI 02909	5 Mcavoy St
028	486	Armando J Ricci	19 Lilly St	Providence, RI 02909-1037	188 Spruce St
028	494	City of Providence	City Hall	Providence, RI 02903	12 Lily St
028	520	Atwells Investments LLC	536 Atwells Ave	Providence, RI 02909	386 Atwells Ave
028	521	Anthony Mansolillo	5051 Castello Dr Unit 218	Naples, FL 34103-8982	414 Atwells Ave
028	523	Giovanni M Mattera	6 Piedmont St	Providence, RI 02909-1042	406 Atwells Ave
028	525	Problem Pregnancy of Providence	400 Atwells Ave	Providence, RI 02909-1013	400 Atwells Ave
028	526	Antonio Mattera	6 Piedmont St	Providence, RI 02909-1042	12 Piedmont St
028	527	Antonio Mattera	6 Piedmont St	Providence, RI 02909-1042	16 Piedmont St
028	528	Steven Meresi	57 Courland St	Providence, RI 02909-1321	18 Piedmont St
028	529	Giovanni Dorazio	6 Rowena Dr	Johnston, RI 02919-3414	24 Piedmont St
028	530	Giovanni Dorazio	6 Rowena Dr	Johnston, RI 02919-3414	28 Piedmont St
028	531	John M Mattera	6 Piedmont St	Providence, RI 02909-1042	25 Gesler St
028	532	Fedhill Realty LLC	21 Gesler St	Providence, RI 02909	17 Gesler St
028	535	Steven Meresi	11 Hewitt	Providence, RI 02909	11 Hewitt
028	536	Armando J Ricci	19 Lilly St	Providence, RI 02909-1037	184 Spruce St
028	539	Atwells Investments LLC	536 Atwells Ave	Providence, RI 02909	8 Hewitt
028	540	Atwells Investments LLC	536 Atwells Ave	Providence, RI 02909	10 Hewitt
028	541	Frank R Orabona Sr	149 Stony Ln	Exeter, RI 02822-2703	11 Vinton St
028	558	David R Christie	377 Atwells Ave	Providence, RI 02909	5R Mcavoy St
028	559	Armando J Ricci	19 Lilly St	Providence, RI 02909-1037	8 Lily St
028	560	John M Cicilline	119 High St	Bristol, RI 02809-2125	4 Lily St
028	561	John M Cicilline	119 High St	Bristol, RI 02809-2125	381 Atwells Ave
028	564	Armando J Ricci	19 Lilly St	Providence, RI 02909-1037	7 Lily St
028	565	Armando J Ricci	19 Lilly St	Providence, RI 02909-1037	15 Lily St
028	566	Armando J Ricci	19 Lilly St	Providence, RI 02909-1037	17 Lily St

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<u>Plat</u>	<u>Lot</u>	<u>Owner</u>	<u>Owner Address</u>	<u>City</u>	<u>Property Address</u>
028	568	Jeffrey A Morse	31 West Ave	Seekonk, MA 02771	29 Gesler St
028	576	Roy Ash	403 Atwells Ave	Providence, RI 02909-1028	401 Atwells Ave
028	577	Roy Ash	403 Atwells Ave	Providence, RI 02909-1028	403 Atwells Ave
028	578	Michael Shine	39 River Farms Dr	West Warwick, RI 02893-1934	407 Atwells Ave
028	579	Lisa G Miele	498 Broadway	Providence, RI 02909	413 Atwells Ave
028	581	E and B Realty LLC	PO BOX 6625	Providence, RI 02940	2 Ames St
028	637	Armando J Ricci	19 Lilly St	Providence, RI 02909-1037	16 Lilly St
028	668	Anthony Napolitano	15 Gesler St	Providence, RI 02909-1034	15 Gesler St
028	672	Daniel Tardieu	10 Primrose St	Providence, RI 02909-1111	27 Vinton St
028	674	Maria C DePalma	8 Meadow View Blvd	Providence, RI 02904-2904	36 Gesler St
028	675	James Doorley	30 Gesler St	Providence, RI 02909	30 Gesler St
028	676	City of Providence	City Hall	Providence, RI 02903	13 Tell St
028	682	Frank R Orabona Sr	149 Stony Ln	Exeter, RI 02822-2703	14 Vinton St
028	684	Master Realty LLC	380 Atwells Ave	Providence, RI 02909	10 Gesler St
028	688	Master Realty LLC	380 Atwells Ave	Providence, RI 02909	39 Vinton St
028	689	Master Realty LLC	380 Atwells Ave	Providence, RI 02909	33 Vinton St
028	690	Master Realty LLC	380 Atwells Ave	Providence, RI 02909	8 Gesler St
028	691	Rafaelina Gomez	28 Vinton St	Providence, RI 02909	28 Vinton St
028	707	Antonio Caprio Jr	1055 Oakland Ave	Cranston, RI 02920	16 Vinton St
028	712	Edward Howard	36 Vinton St	Providence, RI 02909	36 Vinton St
028	713	David N Hand	26 Vinton St	Providence, RI 02909	26 Vinton St
028	715	Atigue M Mian	380 Atwells Ave	Providence, RI 02909	34 Vinton St
028	716	Jason M Dvelis	20 Vinton St	Providence, RI 02909	20 Vinton St
028	727	Gary J Disarro	9 Gesler St	Providence, RI 02909-1034	9 Gesler St
028	728	Fort Realty LLC	PO Box 10186	Cranston, RI 02910	17 Vinton St
028	757	Fort Realty LLC	PO Box 10186	Cranston, RI 02910	13 Vinton St
028	951	Fedhill Realty LLC	21 Gesler St	Providence, RI 02909	21 Gesler St
028	965	Salvatore Vinci	25 Piedmont St	Providence, RI 02909-1045	25 Piedmont St
028	980	Antonio DiCioco Revocable Trust	311 Atwells Ave	Providence, RI 02903-1441	366 Atwells Ave
028	1028	John M Cicilline	119 High St	Bristol, RI 02809-2125	391 Atwells Ave
028	1067	17 Hewitt LLC	504 Broadway	Providence, RI 02903	15 Hewitt St
028	1068	Christopher A Morris Trustee	62 Depasquale Ave	Providence, RI 02905	5 Hewitt St
<u>Condominium</u>					
028	1061	Jose Garcia	3 Ames St Unit 1	Providence, RI 02909	3 Ames St Unit 1
028	1061	Bradford Parker	3 Ames St Unit 2	Providence, RI 02909	3 Ames St Unit 2
028	1061	Margarete F Horvath	3 Ames St Unit 3	Providence, RI 02909	3 Ames St Unit 3