

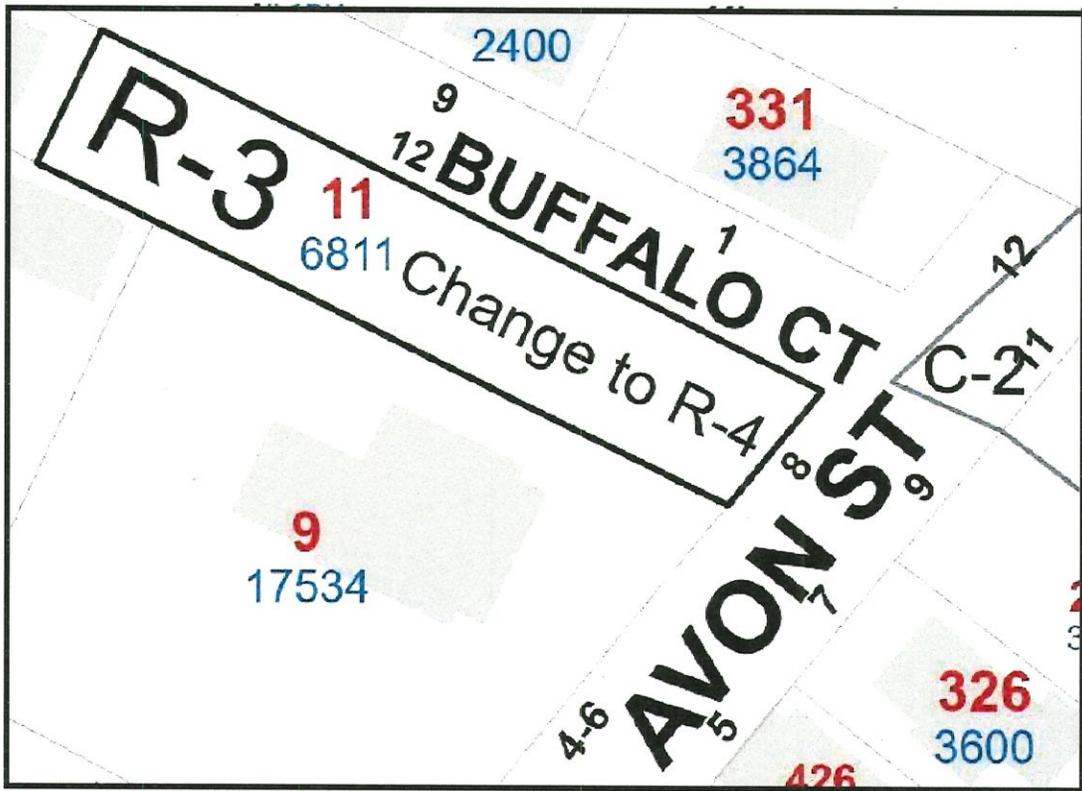
CHAPTER 2023-19

No. 327 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 42, LOT 11 (12 BUFFALO COURT), FROM R-3 TO R-4

Approved July 25, 2023

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 42, Lot 11 (12 Buffalo Court), from R-3 to R-4.



SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
JUL 06 2023
FIRST READING
READ AND PASSED

Jana L. Mastrosianni
CLERK

IN CITY COUNCIL
JUL 20 2023
FINAL READING
READ AND PASSED

Rachel M. Miller
RACHEL M. MILLER, PRESIDENT
Jana L. Mastrosianni
CLERK

I HEREBY APPROVE.

Butt P. Smith
Mayor

Date: *7/25/23*



CITY OF PROVIDENCE
MAYOR BRETT P. SMILEY

June 28, 2023

Councilman Pedro Espinal
Chair, Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Tina Mastroianni, City Clerk

Re: Referral 3546 – Petition to rezone 12 Buffalo Ct (AP 42 Lot 11) from R-3 to R-4
Petitioner: Francisco Cruz

Dear Chairman Espinal,

The petitioner appeared before the City Plan Commission (CPC) on June 20, 2023 requesting a rezoning of 12 Buffalo Ct from R-3 to R-4.

FINDINGS OF FACT

The petitioner requested a rezoning of the subject lot from R-3 to R-4 which is currently vacant and overgrown. The rezoning is being requested to allow for construction of two two-family dwellings. The lot is uniquely shaped, with a width of approximately 200' and length of approximately 36'. The applicant could construct a three family dwelling or a four unit rowhouse development by right under the current zoning. Per the petitioner, the topography and ledge on the site prevent development consistent with the R-3 zone, and requires the units to be located in separate buildings. A site plan indicating the location of the buildings has been submitted, and the development will be subject to staff level Development Plan Review.

The lot is zoned R-3 but located in proximity to the C-1 zone and a highway. The resultant density of four units on the lot would be similar to what would be allowed by right in the R-3 zone. Given the proposed development, the location of the lot and its proposed characteristics, the CPC found that rezoning to R-4 would be appropriate as the proposed development would conform to the neighborhood's character. The change to R-4 is not expected to have a negative effect on neighborhood character or surrounding property given the neighborhood's composition.

DEPARTMENT OF PLANNING & DEVELOPMENT

JOSEPH A. DOORLEY JR. MUNICIPAL BUILDING, 444 WESTMINSTER ST, PROVIDENCE RI 02903
PHONE 401.680.8400 | WWW.PROVIDENCERI.GOV/PLANNING

Per the Future Land Use Map of Providence Tomorrow—which the comprehensive plan states is not intended for parcel level analysis—this area is one intended for medium density residential development. The CPC found that the development and resultant density would conform to what is encouraged under this designation. Therefore, rezoning to allow for the proposed development would be appropriate for this area.

The submitted plans conform to the development pattern suggested by the plan and the rezoning would be in conformance with objective H-2 of the comprehensive plan which encourages development of new housing. Rezoning the lot would be appropriate given the zoning and proposed use as the plan will conform to the R-4 zoning requirements. 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

On a motion by Commissioner Sanchez, seconded by Commissioner Sherry, the Commission voted to recommend that the City Council rezone the lot to R-4, based on the above findings.

The Commission voted as follows:

AYE: Gazdacko, Sanchez, Sherry, Quezada

NAY: None

Sincerely,



Robert E. Azar, AICP
Administrative Officer

City of Providence
State of Rhode Island and Providence Plantations

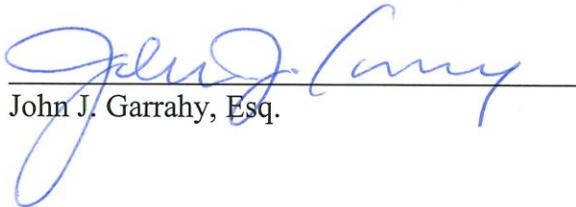
PETITION TO THE HONORABLE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Francisco R. Cruz hereby petition the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district for the properties located at and 12 Buffalo Court in Providence, Rhode Island and identified as Plat 42, Lot 11 from R-3 to R-4.

Francisco R. Cruz
By Their Attorney:
John J. Garrahy (#3113)
John J. Garrahy Law, LLC
2088 Broad Street
Cranston, Rhode Island 02905


John J. Garrahy, Esq.

March 17, 2023

RECEIVED
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CITY CLERK
MAR 17 2023

FILED

JOHN J. GARRAHY LAW, LLC
2088 BROAD STREET
CRANSTON, RHODE ISLAND 02905
(401) 383-3830
jjgarrahy@garrahyllaw.com

March 17, 2023

Ms. Tina L. Mastroianni
City Clerk
City of Providence
25 Dorrance Street
Providence, Rhode Island 02903

Re: Zone Change Petition for 12 Buffalo Court from R 3 to R 4

Dear Tina:

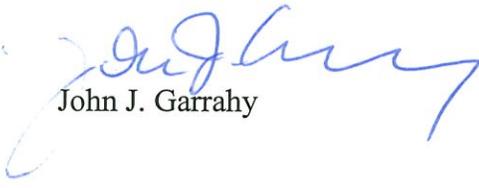
Enclosed please find the above referenced petition to the Providence City Council:

Also enclosed is a check in the amount of \$150 to cover the cost of the petition.

Please advise of any hearings with respect to this matter.

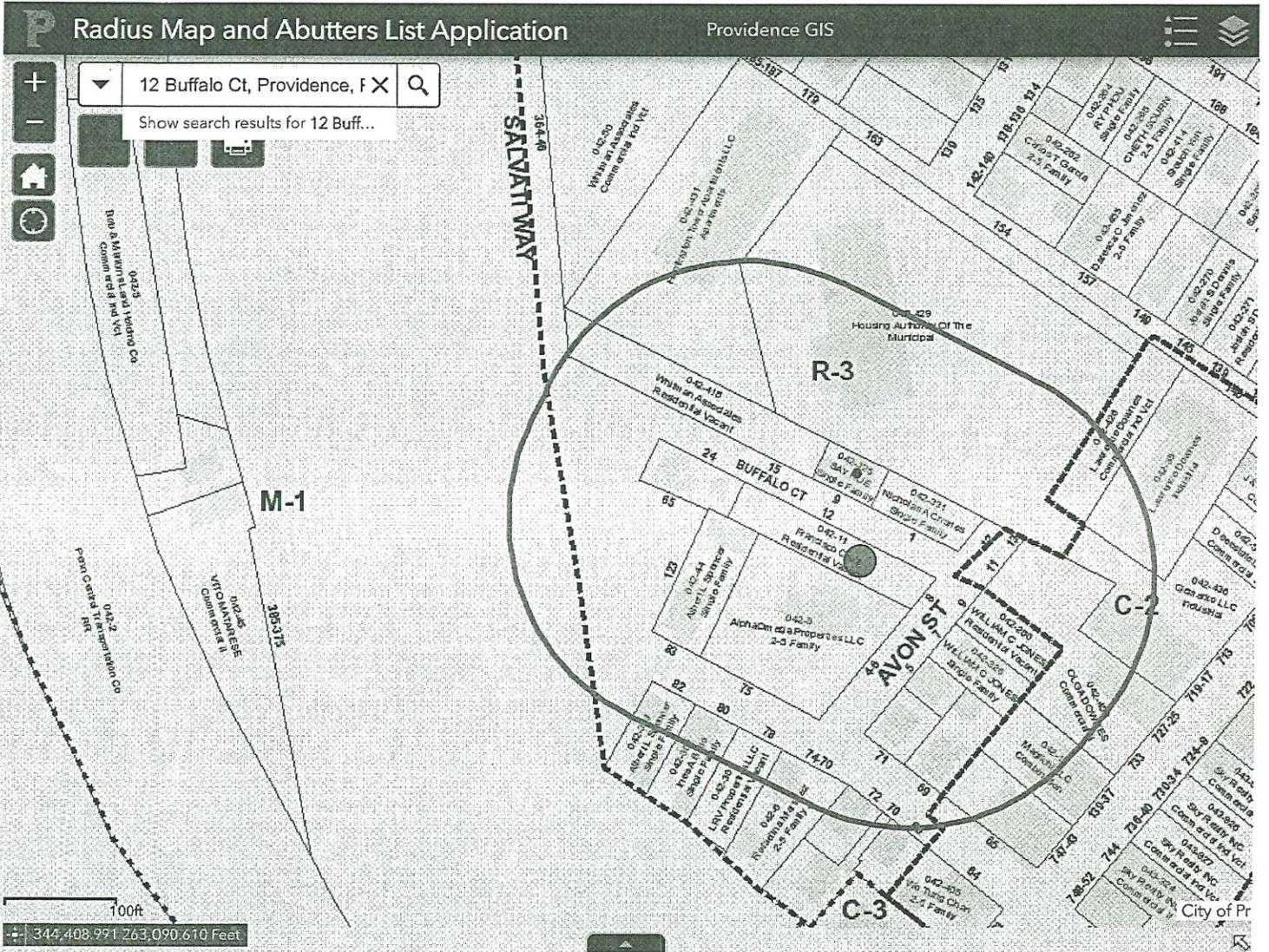
If you have any questions, please do not hesitate to contact me.

Very truly yours,


John J. Garrahy

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MAR 20 2023
5:10 PM

FILED



Whitman Associates
33 Glen Hills Drive
Cranston, Rhode Island 02920

Housing Authority of the
City of Providence
100 Broad Street
Providence, RI 02903-4167

Angel G. Martinez
69 Anthony Avenue
Providence, Rhode Island 02909-2301

Aaron L. Viana
71 Anthony Avenue
Providence, Rhode Island 02909

William C. & Lindalee Jones
79 Avon Street
Providence, Rhode Island 02909-2304

AlphaOmega Properties LLC
751 Academy Avenue
Providence, Rhode Island 02908

Gemarko LLC
281 Great Western Road
South Dennis, MA 02660

Albert L. & Louise Spencer
82 Anthony Avenue
Providence, Rhode Island 02909-2302

Lawrence & Olga Downes
651 Narragansett Pkwy.
Warwick, Rhode Island 02888

Nicholas A. Charles
1 Buffalo Ct.
Providence, Rhode Island 02909

Say & Iay Kue
12 Buffalo Ct.
Providence, Rhode Island 02909-2309

Travis F. & Barbara L. Fisher
24 Buffalo Ct.
Providence, Rhode Island 02909

Huntington Tower Apartments LLC
86 Route 59 East
Spring Valley, NY 10977

Twenty Twelve II LLC
6 Main Street
Plymouth, MA 02361