

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1991--14

No. 203 **AN ORDINANCE** IN AMENDMENT OF CHAPTER 544 OF 1951 AND CHAPTER 1531 OF 1963, AS HERETOFORE AMENDED, BY CHANGING FROM AN R-4 MULTIPLE DWELLING ZONE TO A C-4 HEAVY COMMERCIAL ZONE THESE CERTAIN LOTS DESIGNATED AS LOTS 449 AND A PORTION OF LOTS 211 AND 443 ON ASSESSOR'S PLAT 8 AND A PORTION OF LOT NO. 540 ON ASSESSOR'S PLAT NO. 9 AS OUTLINED AND INDICATED ON THE ACCOMPANYING MAP.

Approved April 12, 1991

Be it ordained by the City of Providence:

SECTION 1: The Zoning Map, accompanying and made part of Chapter 544 of the Ordinance of the City of Providence, approved September 21, 1951, entitled: "An Ordinance Zoning the City of Providence and Establishing Use, Height and Area Regulations" and Chapter 1531, approved March 8, 1963 entitled "An Ordinance Amending Chapter 544 of 1951 by changing from a C-1 Limited Commercial Zone and an R-4 Multiple Dwelling Zone to a C-4 Heavy Commercial Zone and from a C-4 Heavy Commercial Zone and a C-2 General Commercial Zone to an R-4 Multiple Dwelling Zone and from a C-2 General Commercial Zone to an R-3 General Residence Zone, Those Certain Lots Shown as Outlined and Indicated on the Accompanying Map, Bounded Generally by Doyle Avenue, Olney Street, Captain J. Carleton Davis Memorial Boulevard and Hope Street", both as heretofore amended are further amended by changing from an R-4 Multiple Dwelling Zone to a C-4 Heavy Commercial Zone Lot 449 and a portion of Lots 211 and 443 on Assessor's Plat 8 and a portion of Lot No. 540 on Assessor's Plat 9 as bounded and described as follows:

BEGINNING at the Northwesterly corner of the herein described parcel, said point of beginning lying on the Easterly Line of Captain J. Carleton Davis Memorial Boulevard also known as North Main Street at a point of curvature, said point lying one hundred twenty six and 26/100 feet (126.26') southerly from a granite bound lying at the point of intersection of the Northerly line of Doyle Avenue and the Easterly line of Captain J. Carleton Memorial boulevard;

THENCE, Northerly and Easterly along the arc of a curve having a radius of eighty and 00/100 feet (80.00'), a delta angle of 78 08'32", a distance of one hundred nine and 11/100 feet (109.11') to the point of tangency of said curve, said point of tangency lying on the Southerly line of Doyle Avenue;

THENCE, Easterly along the Southerly line of Doyle Avenue a distance of two hundred thirty seven and 89/100 (237.89') for an angle turn;

THENCE, Easterly continuing along the Southerly line of Doyle Avenue turning an interior angle of 188 07'22" a distance of six and 26/100 feet (6.26') for a corner;

THENCE, Southerly turning an interior angle of 91 13'46" a distance of four hundred forty eight and 00/100 feet (448.00') for a corner;

No.

CHAPTER

AN ORDINANCE



THENCE, Westerly turning an interior angle of 90 00'00" a distance of twenty seven and 00/100 feet (27.00') for a corner;

THENCE, Southerly turning an interior angle of 270 00'00" a distance of three hundred seventeen and 00/100 feet (317.00') for a corner;

THENCE, Westerly turning an interior angle of 90 00'00" a distance of five hundred fifty two and 67/100 feet (552.67') to the Easterly line of Captain J. Carleton Davis Memorial Boulevard for a corner the last four (4) courses bounded Easterly, Southerly, Easterly, and Southerly by land now or formerly of University Heights Associates.

THENCE, Northeasterly along the Arc of a curve, said arc being the Easterly line of Captain J. Carleton Davis Memorial Boulevard and said arc having a radius of two thousand two hundred five and 95/100 feet (2,205.95') a delta angle of 04 37'46" a distance of one hundred seventy eight and 24/100 feet (178.24') to the point of tangency of said curve;

THENCE, Northeasterly continuing along the Easterly line of Captain J. Carleton Davis Memorial Boulevard a distance of five hundred seventy six and 05/100 feet (576.05') to an angle turn in said Captain J. Carleton Davis Memorial Boulevard;

THENCE, Northeasterly continuing along the Easterly line of Captain J. Carleton Davis Memorial Boulevard turning an interior angle of 177 36'40" a distance of forty and 44/100 feet (40.44') to the point and place of beginning.

SAID parcel contains seven and 98/100 acres (7.98 acres) more or less.

SECTION 2: This Ordinance shall take effect upon passage.

IN CITY COUNCIL
MAR 21
FIRST READING
READ AND PASSED

Joel M. Menelouca CLERK

IN CITY COUNCIL
APR 4 1991
FIRST READING
READ AND PASSED
James J. Martinelli PRESIDENT
Joel M. Menelouca CLERK
APR 12 1991
James J. Martinelli MAYOR

IN CITY COUNCIL
JAN 3 1991
FIRST READING
REFERRED TO COMMITTEE ON

Rose M. Mendonca CLERK

ORDINANCES

THE COMMITTEE ON
ORDINANCES

Approves Passage of
The Within Ordinance

Rose M. Mendonca
Clerk **Chairman**
March 6, 1991

CONFER
MAY 1991

CLERK

Councilman Slavin (By Request)

EDWARDS & ANGELL

Counsellors at Law

2700 Hospital Trust Tower
Providence, RI 02903
(401) 274-9200
Telex 952001 "E A PVD"
Telecopier (401) 276-6611

January 3, 1991

Mr. Michael Clement
Deputy City Clerk
City Clerk's Office
City Hall
Providence, RI

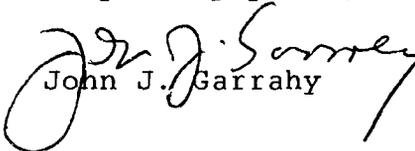
Re: University Heights

Dear Mike:

Pursuant to your request, I enclose herewith an original of an ordinance in amendment of Chapter 544 of 1951 and Chapter 1531 of 1963. I also enclose herewith an original survey of the University Heights Shopping Center which shows the area for which a zoning change is being requested.

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

Very truly yours,


John J. Garrahy

Enclosure

EDWARDS & ANGELL

Counsellors at Law

2700 Hospital Trust Tower
Providence, RI 02903
(401) 274-9200
Telex 952001 "E A PVD"
Telecopier (401) 276-6611

November 2, 1990

Councilman Thomas Glavin
c/o City Clerk's Office
City Hall
Providence, RI 02903

Dear Councilman:

This office represents University Heights Associates, the owner of the University Heights Shopping Center located off North Main Street in Providence. This property was re-zoned in 1963 to allow for the use of the property as a shopping center.

In connection with a revised survey of the property completed recently, it was determined that because of a typographical error in the 1963 ordinance, the zoning boundary line incorrectly cuts across the shopping center property.

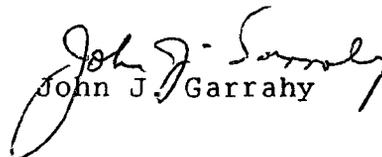
I have enclosed herewith a copy of a proposed ordinance to correct this error together with a letter from Mr. Anthony G. Stanzione, City Engineer, recognizing the error.

I write to request that you introduce the measure at our request. Ms. Rose Mendonca, the City Clerk, has a copy of the ordinance and if you agree to introduce the ordinance at our request, simply advise Ms. Mendonca and she will place on the ordinance on the council's agenda.

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

Warm regards.

Very truly yours,


John J. Garrahy

Enclosures

B. JAMES SUZMAN
DIRECTOR



JOSEPH R. PAOLINO, JR.
MAYOR

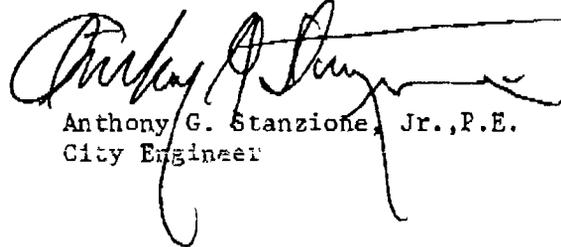
Department of Public Works
"Building Pride In Providence"

9/17/90

To Whom It May Concern:

Please be advised that after reviewing Providence City Ordinance No. 163, dated March 8, 1963, it has been brought to our attention that the legal written description does not agree with the plan prepared for the Zoning Office, and it further appears that the written description is incorrect.

Very truly yours,



Anthony G. Stanzione, Jr., P.E.
City Engineer

AGS

EDWARDS & ANGELL

Counsellors at Law

2700 Hospital Trust Tower
Providence, RI 02903
(401) 274-9200
Telex 952001 "E A PVD"
Telecopier (401) 276-6611

September 27, 1990

Ms. Rose Mendonca
City Clerk
City Hall
Providence, Rhode Island 02903

Re: University Heights

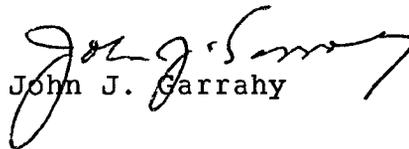
Dear Ms. Mendonca:

Pursuant to your request, I enclose herewith a proposed ordinance to be submitted to the City Council. The purpose of this ordinance is to correct a typographical error in the legal description contained in Chapter 1531 approved March 8, 1963. I also enclose a copy of a letter from Anthony G. Stanzione, Jr., city engineer addressing this issue.

I understand that you will forward the proposed ordinance to the public works department for preparation of a plan. I will contact a council person to sponsor the ordinance.

Please let me know of the hearing date for this proposal.

Very truly yours,


John J. Garrahy

Enclosure

B. JAMES SUZMAN
DIRECTOR



JOSEPH R. PAOLINO, JR.
MAYOR

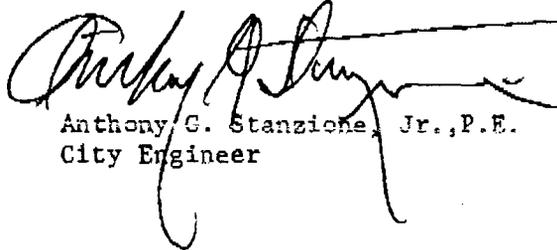
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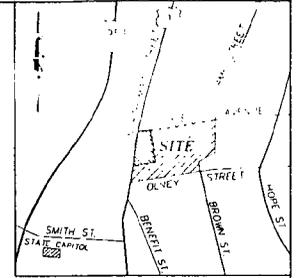
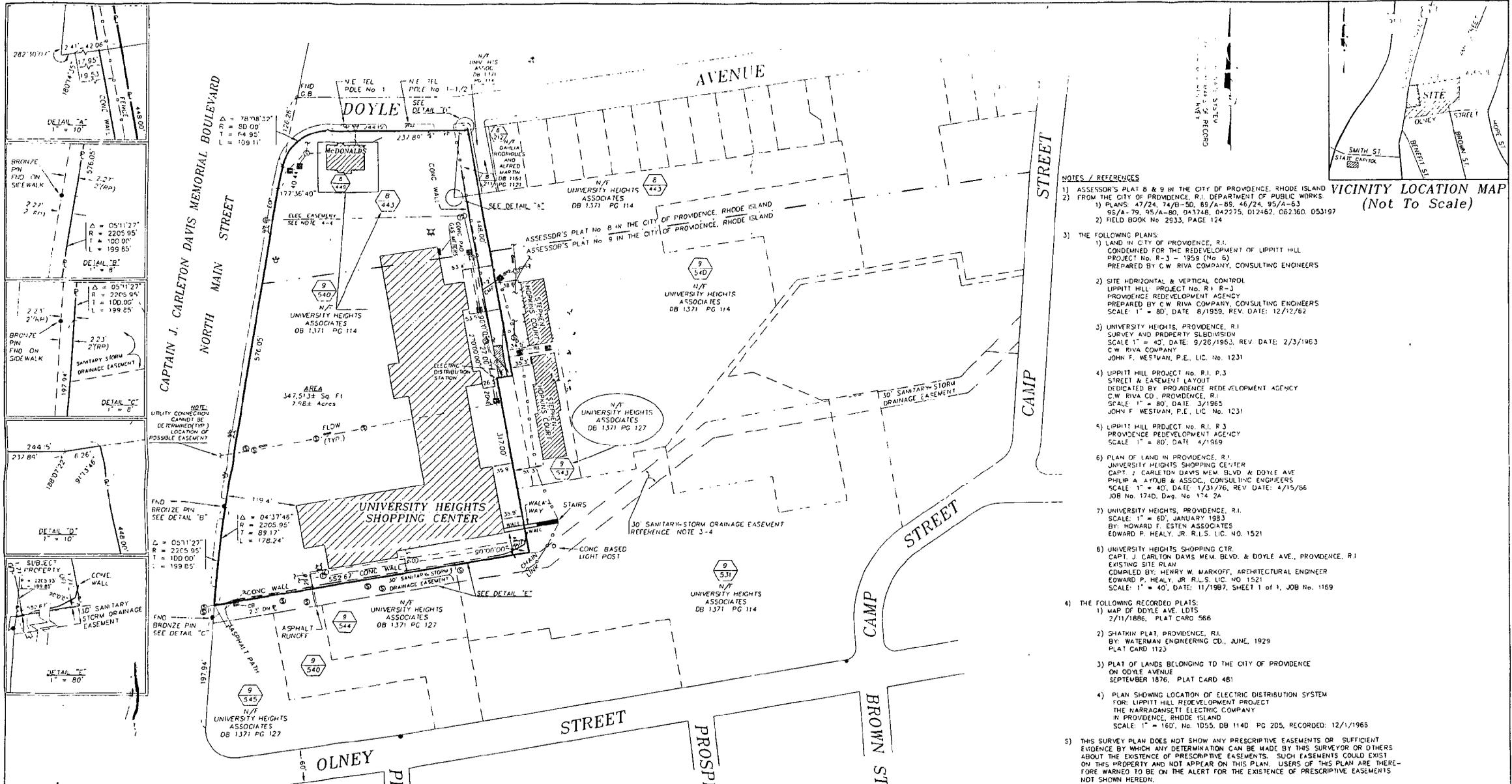
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Anthony G. Stanzione, Jr., P.E.
City Engineer

AGS

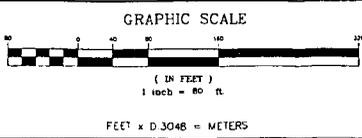


- NOTES / REFERENCES**
- ASSESSOR'S PLAT 8 & 9 IN THE CITY OF PROVIDENCE, RHODE ISLAND FROM THE CITY OF PROVIDENCE, R.I. DEPARTMENT OF PUBLIC WORKS.
 - PLANS: 47/24, 74/B-50, 88/A-85, 46/24, 95/4-83, 95/A-79, 95/A-80, 04/3748, 04/275, 012462, 062/80, 053197
 - FIELD BOOK No 2933, PAGE 124
 - THE FOLLOWING PLANS:
 - LAND IN CITY OF PROVIDENCE, R.I. CONDEMNED FOR THE REDEVELOPMENT OF LIPPITT HILL PROJECT No. R-3 - 1959 (No. 6) PREPARED BY C.W. RIVA COMPANY, CONSULTING ENGINEERS
 - SITE HORIZONTAL & VERTICAL CONTROL LIPPITT HILL PROJECT No. R-3 PROVIDENCE REDEVELOPMENT AGENCY PREPARED BY C.W. RIVA COMPANY, CONSULTING ENGINEERS SCALE: 1" = 80', DATE: 8/1959, REV. DATE: 12/12/62
 - UNIVERSITY HEIGHTS, PROVIDENCE, R.I. SURVEY AND PROPERTY SUBDIVISION SCALE: 1" = 40', DATE: 9/26/1963, REV. DATE: 2/3/1963 C.W. RIVA COMPANY JOHN F. WESTMAN, P.E., LIC. No. 1231
 - LIPPITT HILL PROJECT No. R.I. P.3 STREET & EASEMENT LAYOUT DEDICATED BY PROVIDENCE REDEVELOPMENT AGENCY C.W. RIVA CO., PROVIDENCE, R.I. SCALE: 1" = 80', DATE: 3/1965 JOHN F. WESTMAN, P.E., LIC. No. 1231
 - LIPPITT HILL PROJECT No. R.I. R.3 PROVIDENCE REDEVELOPMENT AGENCY SCALE: 1" = 80', DATE: 4/1969
 - PLAN OF LAND IN PROVIDENCE, R.I. UNIVERSITY HEIGHTS SHOPPING CENTER CAPT. J. CARLETON DAVIS MEM. BLVD. & DOYLE AVE. PHILIP A. AYUB & ASSOC., CONSULTING ENGINEERS SCALE: 1" = 40', DATE: 1/31/76, REV. DATE: 4/15/86 JOB No. 1740, Dwg. No. 174-2A
 - UNIVERSITY HEIGHTS, PROVIDENCE, R.I. SCALE: 1" = 60', JANUARY 1983 BY: HOWARD F. ESTEN ASSOCIATES EDWARD P. HEALY, JR. R.L.S. LIC. NO. 1521
 - UNIVERSITY HEIGHTS SHOPPING CTR. CAPT. J. CARLETON DAVIS MEM. BLVD. & DOYLE AVE., PROVIDENCE, R.I. EXISTING SITE PLAN COMPILED BY: HENRY W. MARKOFF, ARCHITECTURAL ENGINEER EDWARD P. HEALY, JR. R.L.S. LIC. NO. 1521 SCALE: 1" = 40', DATE: 11/1987, SHEET 1 of 1, JOB No. 1169
 - THE FOLLOWING RECORDED PLATS:
 - MAP OF DOYLE AVE. LOTS 2/11/1886, PLAT CARD 566
 - SHATKIN PLAT, PROVIDENCE, R.I. BY: WATERMAN ENGINEERING CO., JUNE, 1929 PLAT CARD 1123
 - PLAT OF LANDS BELONGING TO THE CITY OF PROVIDENCE ON DOYLE AVENUE SEPTEMBER 1876, PLAT CARD 481
 - PLAN SHOWING LOCATION OF ELECTRIC DISTRIBUTION SYSTEM FOR: LIPPITT HILL REDEVELOPMENT PROJECT THE NARRAGANSETT ELECTRIC COMPANY IN PROVIDENCE, RHODE ISLAND SCALE: 1" = 160', No. 1055, DB 1140 PG 205, RECORDED: 12/1/1966
 - THIS SURVEY PLAN DOES NOT SHOW ANY PRESCRIPTIVE EASEMENTS OR SUFFICIENT EVIDENCE BY WHICH ANY DETERMINATION CAN BE MADE BY THIS SURVEYOR OR OTHERS ABOUT THE EXISTENCE OF PRESCRIPTIVE EASEMENTS. SUCH EASEMENTS COULD EXIST ON THIS PROPERTY AND NOT APPEAR ON THIS PLAN. USERS OF THIS PLAN ARE THEREFORE WARNED TO BE ON THE ALERT FOR THE EXISTENCE OF PRESCRIPTIVE EASEMENTS NOT SHOWN HEREON.
 - ACCORDING TO FIRM INSURANCE RATE MAP No. 445406 0005E, PANEL 5 of 10, DATED 4/15/1986 SUBJECT PROPERTY IS LOCATED IN ZONE C.
 - ZONING DEMARCATION HAS NOT BEEN DETERMINED BY THIS SURVEYOR CAUTION IS ADVISED IN THE USE OF THIS MAP FOR SUCH PURPOSES
 - ALL SUBSURFACE UTILITIES MAY NOT BE FULLY DISCLOSED ON THIS SURVEY PLAN BECAUSE OF PHYSICAL RESTRICTIVE CONDITIONS. CAUTION IS ADVISED AS TO THE EXISTENCE OF IMPLIED EASEMENTS THEREOF.

I HEREBY ACKNOWLEDGE TO CHICAGO TITLE INSURANCE COMPANY THAT THIS PLAN WAS PREPARED FROM AN ACTUAL SURVEY OF THE PREMISES ON THE GROUND; THAT THE SAME SHOWS THE LOCATION OF THE BOUNDARIES, AND ALL IMPROVEMENTS THEREON; THAT THE DIMENSIONS AND THE LOCATION THEREOF WITH RESPECT TO THE BOUNDARIES ARE AS SHOWN; THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS APPURTENANT TO ADJOINING PREMISES UPON SUBJECT PREMISES, NOR FROM SUBJECT PREMISES UNLESS SHOWN HEREON; AND THAT ANY EASEMENTS APPARENT FROM A VISUAL INSPECTION ARE DELINEATED HEREON.

SIGNED LOUIS FEDERICI, R.L.S. DATE: 2/21/1990
LIC No 1645

LEGEND		ASSASSOR'S PLAT No.		TEST PIT		GAS GATE	
▲ STAKE SET	N/T NOW OR FORMERLY	○ ASSASSOR'S PLAT No.	○ ASSASSOR'S LIC No.	○ WETLANDS FLAG	○ WATER SHUT OFF	○ TELEPHONE M.H.	○ HYDRANT
■ EXISTING BOUND	○ SEWER MANHOLE	○ EXISTING CONTOURS	○ PROPOSED CONTOURS	○ EDGE OF WETLANDS	○ TELEPHONE M.H.	○ TELEPHONE M.H.	○ ELECTRIC M.H.
○ DRILL HOLE	○ CATCH BASIN	○ PROPOSED CONTOURS	○ W/FINISHED GRADE	○ EXISTING BRONZE PIN	○ TELEPHONE M.H.	○ TELEPHONE M.H.	○ ELECTRIC M.H.
○ IRON PIPE	○ CHAIN LINK FNC.	○ FND. FOUND	○ OEDD DIMENSION				
○ IRON ROD OR NAIL	○ STOCKADE FNC.	○ (C) CALCULATED DIMENSION	○ (RP) RECORDED PLAT DIMENSION				
○ UTILITY POLE	○ BARBED WIRE FNC.						
○ FENCE POST	○ STREAM						



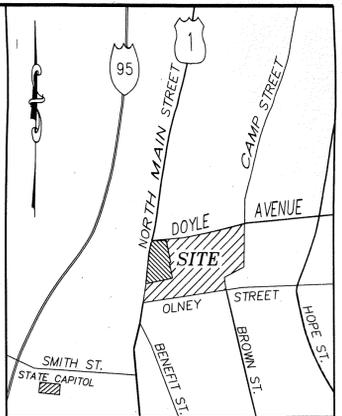
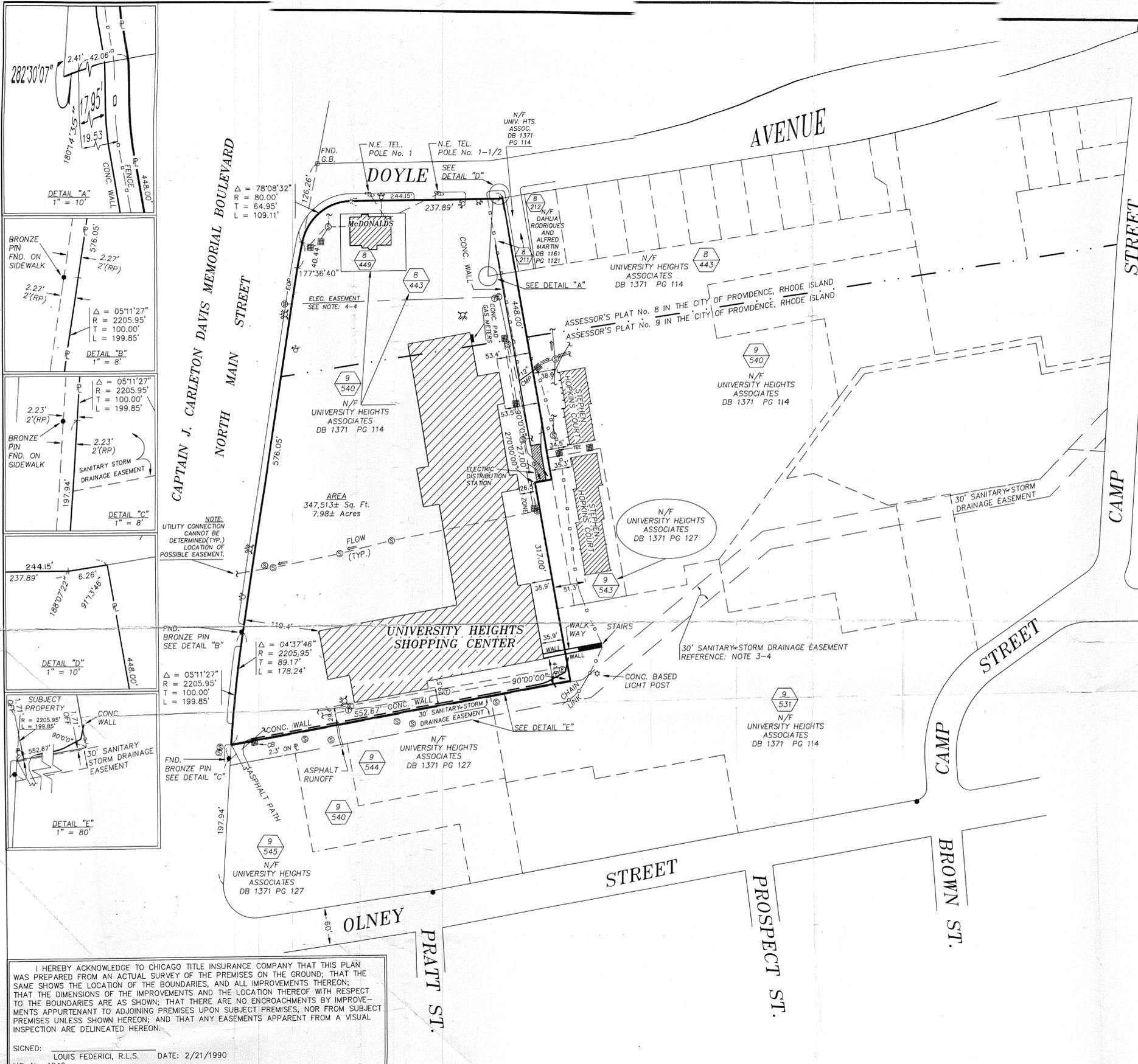
THIS SURVEY AND PLAN CONFORM TO A CLASS "A" STANDARD AS ADOPTED BY THE RHODE ISLAND SOCIETY OF PROFESSIONAL LAND SURVEYORS.

ORIGINAL EMBOSSED SEAL "WILL NOT DUPLICATE"

Louis Federici & Associates
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235 PROMENADE ST., PROVIDENCE, R.I. Tel. (401)331-1520

SURVEY OF LAND
IN THE CITY OF PROVIDENCE, RHODE ISLAND
DESIGNATED AS ASSESSOR'S PLAT 8, LOT No. 448, PORTION OF 443, & 211
DESIGNATED AS ASSESSOR'S PLAT No. 8, PORTION OF LOT No. 540
for: UNIVERSITY HEIGHTS ASSOCIATES

DATE	BY	NO.
2/19/1990	J.M.W.	1
1	J.M.W.	
1	J.F.	
1	L.F.	
2/19/1990	J.M.W.	1
1	J.M.W.	
1	J.F.	
1	L.F.	
900205-01		



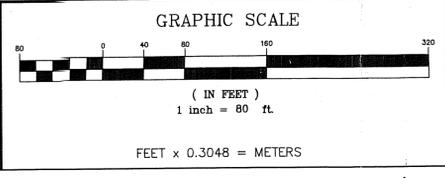
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SIGNED: LOUIS FEDERICI, R.L.S. DATE: 2/21/1990
 LIC. No. 1646

LEGEND	
△ STAKE SET	N/F NOW OR FORMERLY
□ EXISTING BOUND	SEWER MANHOLE
■ PROPOSED BOUND	○ CATCH BASIN
● DRILL HOLE	— STONE WALL
○ IRON PIPE	○ CHAIN LINK FNC.
○ IRON ROD OR NAIL	○ STOCKADE FNC.
○ UTILITY POLE	○ BARBED WIRE FNC.
○ WELL	○ STREAM
○ FENCE POST	
○ ASSESSOR'S PLAT No.	○ TEST PIT
○ ASSESSOR'S LOT No.	○ WETLANDS FLAG
○ EXISTING CONTOURS	○ EDGE OF WETLANDS
○ PROPOSED CONTOURS	○ TELEPHONE M.H.
○ W/FINISHED GRADE	○ ELECTRIC M.H.
○ FND. FOUND	○ EXISTING BRONZE PIN
○ DEED DIMENSION	
○ CALCULATED DIMENSION	
○ RECORDED PLAT DIMENSION	



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 235 PROMENADE ST., PROVIDENCE, R.I. Tel. (401)331-1570

SURVEY OF LAND
 IN THE CITY OF PROVIDENCE, RHODE ISLAND
 DESIGNATED AS ASSESSOR'S PLAT 8, LOT No. 449, PORTION OF 443 & 211
 DESIGNATED AS ASSESSOR'S PLAT No. 9, PORTION OF LOT No. 540
 for: UNIVERSITY HEIGHTS ASSOCIATES

DIST.	8149JMM	1
REVISIONS	DATE BY NO.	
DRAWN BY:	J.M.W.	
CHECKED BY:	R.F.	
APPROVED BY:	L.F.	
DATE:	2/19/1990	
SCALE:	1" = 80'	
SHEET	1 of 1	
DWG. NO.	900205-01	