

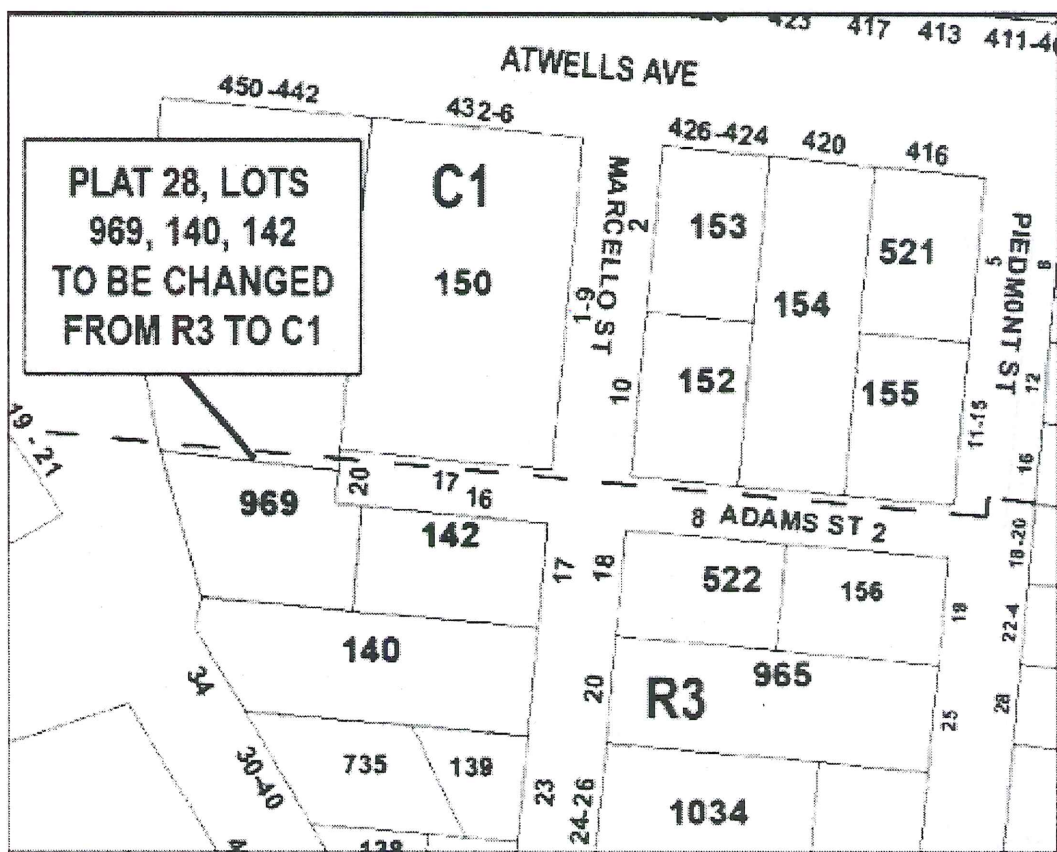
CHAPTER 2020-4

No. 68 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 28, LOTS 969 (21 ADAMS STREET), LOT 140 (34 KNIGHT STREET) AND LOT 142 (17 MARCELLO STREET), FROM R-3 TO C-1

Approved February 27, 2020

*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 28, Lots 969 (21 Adams Street), Lot 140 (34 Knight Street) and Lot 142 (17 Marcello Street), from R-3 to C-1, and to restrict the zoning change to two family, three family and multi-family dwellings.



Section 2. This ordinance shall take effect upon passage.

I HEREBY APPROVE.

IN CITY COUNCIL  
FEB 06 2020  
FIRST READING  
READ AND PASSED

*Sam Sallio* CLERK

IN CITY COUNCIL  
FEB 20 2020  
FINAL READING  
READ AND PASSED

*Sabrina Mats* PRESIDENT  
*Sam Sallio* CLERK

Date: *2/27/20*

*Joelle C. Rocha, Esq.*  
[jrocha@ksrplaw.com](mailto:jrocha@ksrplaw.com)

*Via Hand Delivery*

August 23, 2019

Mr. Shawn Selleck  
City Clerk  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

RE: Petition for Amendment to Zoning Map/Change of Zoning Designation  
Petitioners: John Caprio  
Parcel: A.P. 28, Lots 969 (21 Adams Street), Lot 140 (34 Knight Street) and  
Lot 142 (17 Marcello Street)

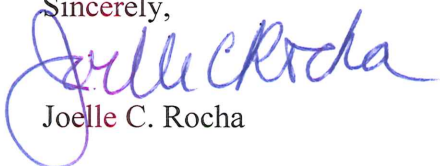
Dear Mr. Selleck,

Enclosed please find a Petition to the Honorable City Council for an Amendment to Zoning Map/Change of Zoning Designation relative to the above referenced property, from a zoning district designation of R3 to C1. Pursuant to R.I. Gen. Laws § 45-23-61, this Petition is submitted in connection with an Application for Minor Land Development for the construction of a 4 story multi-family apartment building with a full basement which has been submitted to the Planning Department. Said Application for Minor Land Development is the first approval stage for the proposed project, as required per R.I. Gen. Laws § 45-23-61.

Enclosed is a check in the sum of \$150.00, the required filing fee, as well as two sets of mailing labels with names and addresses of all property owners within a 200' radius of the subject property. We also enclosed a 200' radius map and a separate listing of those abutters. We will be submitting a Memorandum in Support of this Petition prior to the public hearing.

Please let us know whether you need any additional information for this Petition. Thank you for your assistance.

Sincerely,



Joelle C. Rocha

JCR:imd

Enclosures

Cc: Clients

# City of Providence

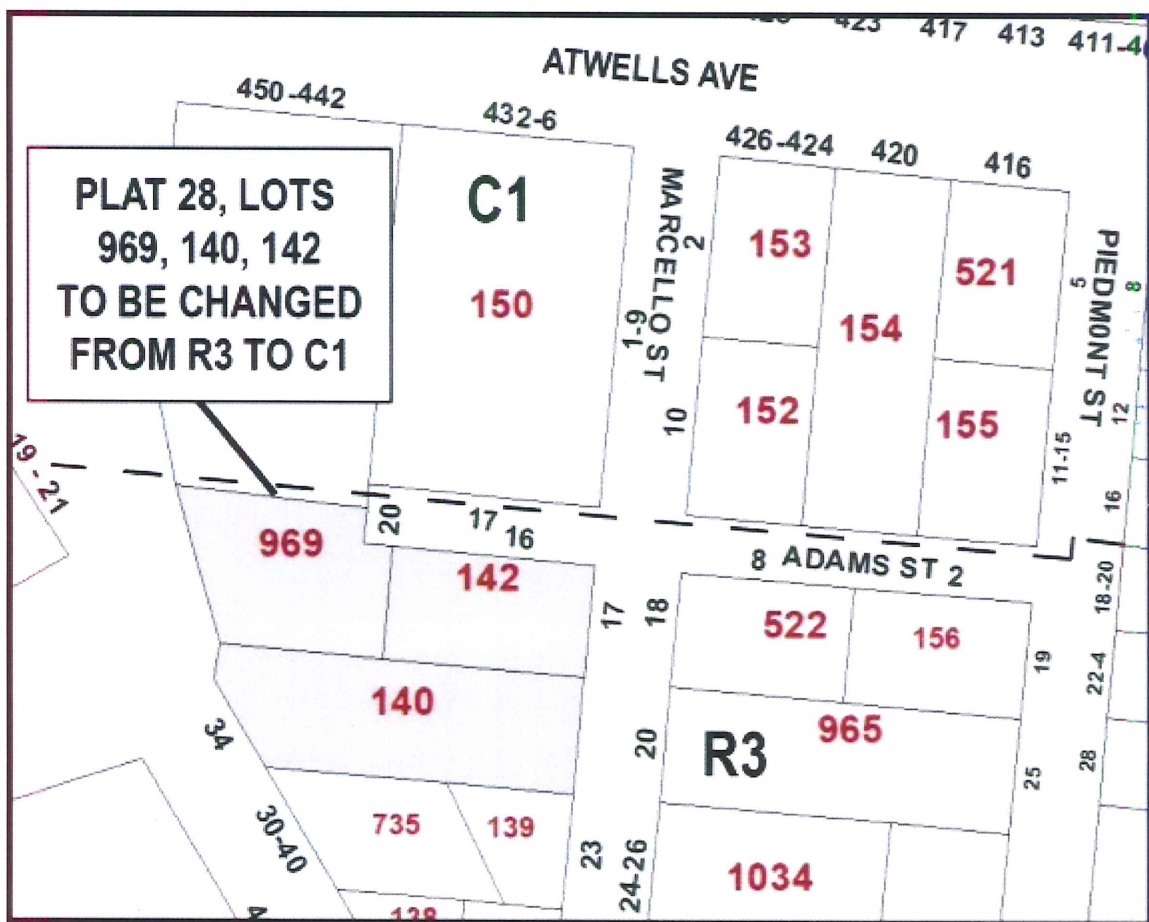
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## AMENDED PETITION TO THE HONORABLE CITY COUNCIL

*The undersigned respectfully petitions your honorable body*

John Caprio, as owner of the subject lots, hereby petitions the City Council to:

Change the official Zoning Map of the City of Providence by changing the zoning designation for the property located at A.P. 28, Lots 969 (otherwise known as 21 Adams Street), A.P. 28, Lot 140 (otherwise known as 34 Knight Street) and A.P. 28, Lot 142, (otherwise known as 17 Marcello Street), and shown on the accompanying map, from R3 to C1.



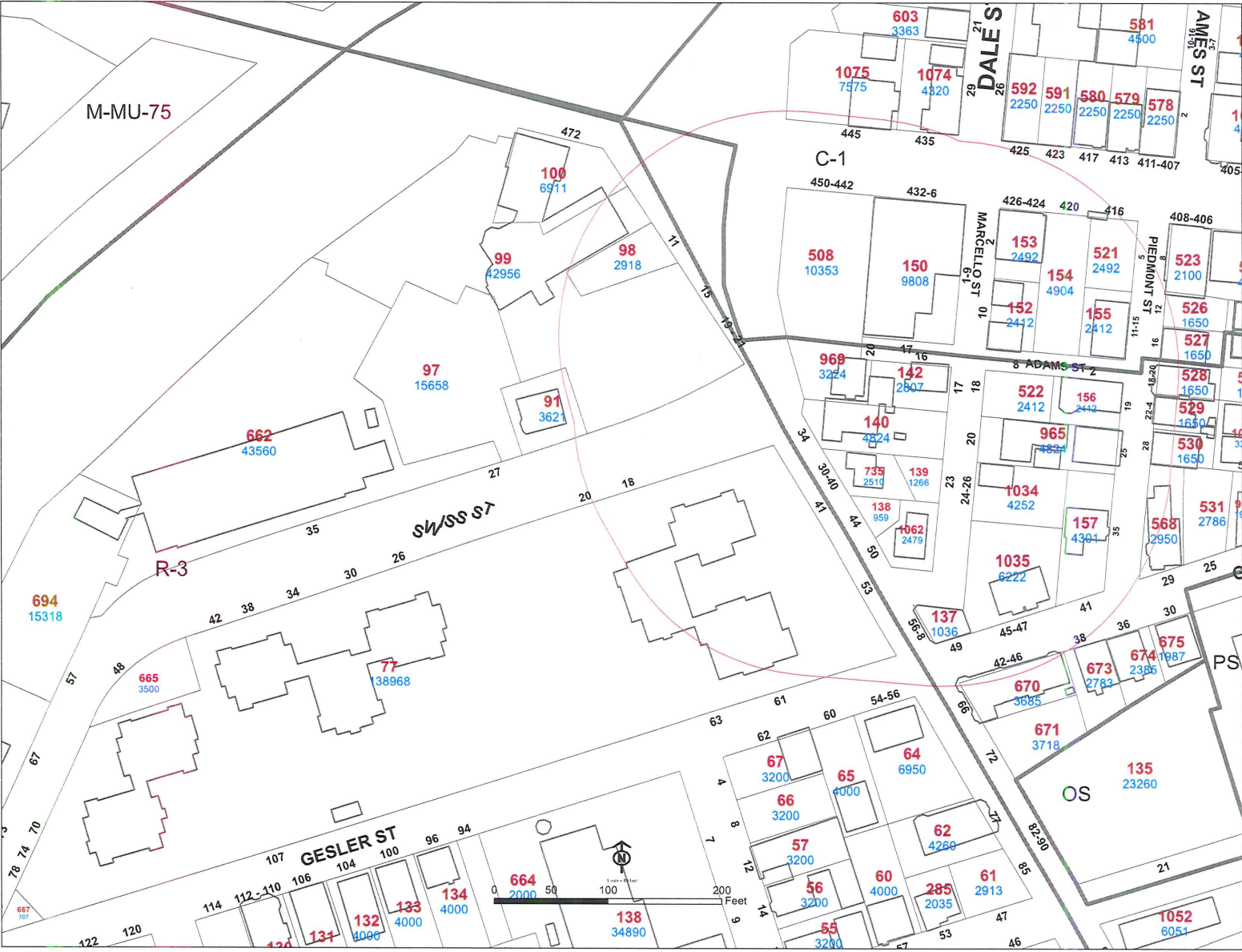
this proposed zoning map amendment is consistent with the City's Comprehensive Plan as well as the applicable purposes of zoning, as delineated in Section 101 of the City's Zoning Ordinance.

PETITIONER, John Caprio

By his Attorney,

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Joelle C. Rocha, Esq.  
Kelly, Souza, Rocha, Parmenter, PC  
128 Dorrance Street, Suite 300  
Providence, RI 02903  
401-490-7334  
[jrocha@ksrplaw.com](mailto:jrocha@ksrplaw.com)





City Plan Commission  
Jorge O. Elorza, Mayor

September 18, 2019

Councilwoman Jo-Ann Ryan, Chair  
Committee on Ordinances  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

Attn: Shawn Selleck, City Clerk

**Re: Referral 3456-Petition to rezone 17 Marcello Street, 34 Knight Street and 21 Adams Street from R-3 to C-1 (AP 28 Lots 142, 140 and 969) from R-3 to C-1**

**Petitioner: John Caprio**

Dear Chairwoman Ryan,

The applicant is proposing to rezone 21 Adams Street (AP 28 Lot 969), 34 Knight Street (AP 28 Lot 140) and 17 Marcello Street (AP 28 Lot 142) from R-3 to C-1. The lots are currently vacant and the applicant intends to merge them for construction of a multifamily dwelling.

**FINDINGS OF FACT**

The C-1 zone lies to the north of the subject lots. As the C-1 zone on Atwells Ave is adjacent to residential development, the CPC found that inclusion of the lots within the C-1 zone to permit multifamily housing is not expected to have a negative effect on neighborhood character or surrounding property as the intended residential nature of the subject lots 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 density residential development. Therefore, the rezoning would be consistent with the intent of the comprehensive plan. The CPC also noted the presence of multifamily development in the R-3 zone in proximity to the development, which indicated that the proposed development would conform to neighborhood character. The CPC found that the rezoning would be in conformance with objectives H-1, H-2 and H-3 of the comprehensive plan which encourage developing a variety of housing options at varying prices.

DEPARTMENT OF PLANNING AND DEVELOPMENT  
444 Westminster Street, Providence, Rhode Island 02903  
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[www.providenceri.com](http://www.providenceri.com)

The CPC found that housing is an appropriate use for this site, but was concerned that rezoning to C-1 would allow commercial uses that may not be compatible with neighboring residences. The CPC recommends that the change to C-1 should limit the uses on the subject lots to two family, three family and multifamily dwellings.

The CPC noted that there is an undeveloped street known as Adams Street running to the north of the development. The CPC recommends that the City Council address access from Adams Street through an easement, explore abandonment or other measures to make it compatible with the proposed development.

Based on the foregoing discussion, the CPC found that rezoning the lots would be appropriate given the character of the surroundings and the proposed use. It is the DPDs opinion 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 found the proposed change to be in conformance with the comprehensive plan and purposes of zoning. Upon a motion by Commissioner Gazdacko, seconded by Commissioner Bilodeau, the CPC voted as follows to make a positive recommendation to the City Council to approve the change:

M. Gazdacko AYE; H. Bilodeau AYE; C. West AYE; N. Verdi AYE

In accordance with the CPC's action, the plan should be approved subject to the following conditions:

1. The permitted uses on the lots shall be limited to two family, three family and multifamily dwellings.
2. The City Council should explore means to make Adams Street more compatible with the development through easement, abandonment or other measures.

Sincerely,



Choyon Manjrekar  
Administrative Officer