

CHAPTER 2017-3

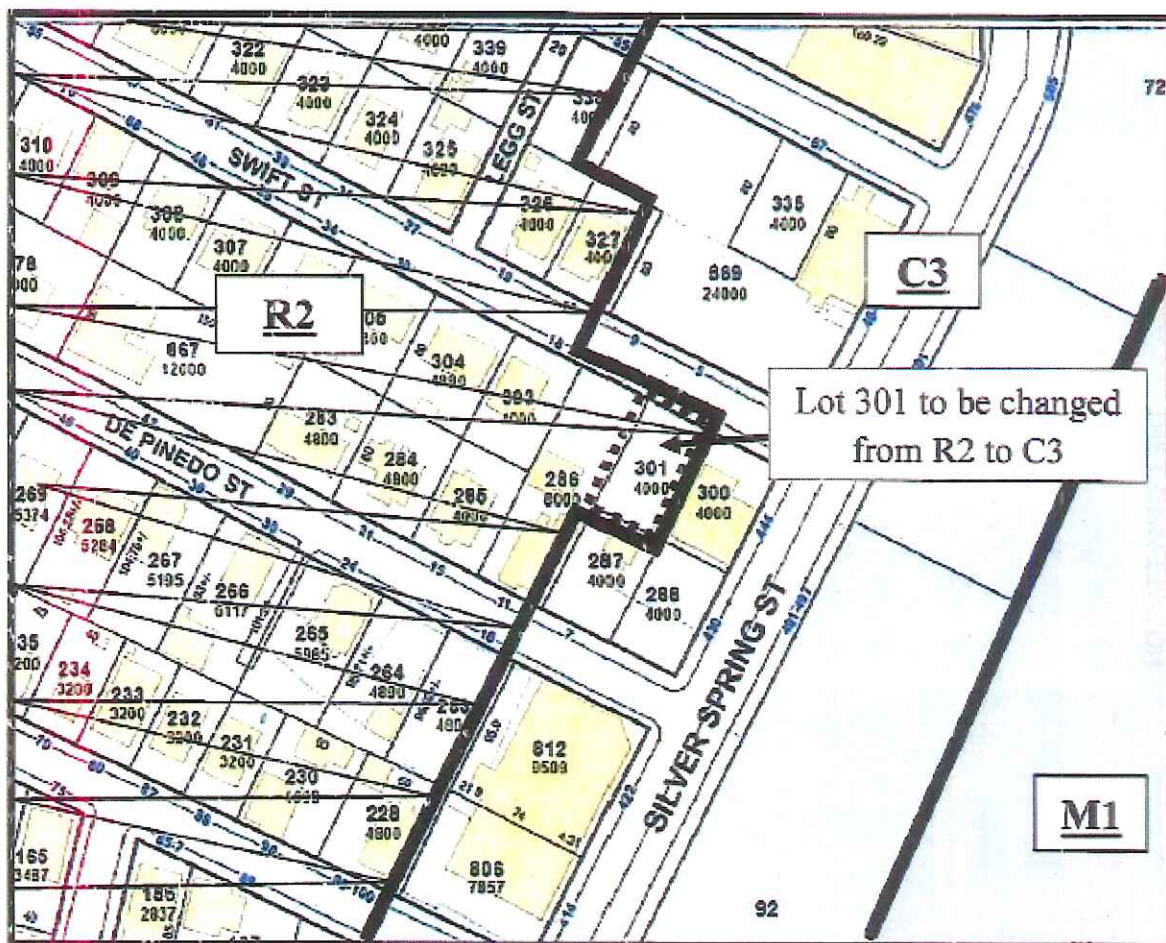
No. 57

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 10 SWIFT STREET (ASSESSOR'S PLAT 77, LOT 301) FROM R-2 TO C-3

Approved February 10, 2017

*Be it ordained by the City of Providence:*

**SECTION 1.** 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, is hereby further amended by changing the Zoning District on the Official Zoning Map for 10 Swift Street (Assessor's Plat 77, Lot 301), as shown on the accompanying map, from R-2 to C-3.



**SECTION 2.** This ordinance shall take effect upon passage.

IN CITY COUNCIL

JAN 19 2017

FIRST READING

READ AND PASSED

*[Signature]* CLERK

IN CITY  
COUNCIL

FEB 02 2017

FINAL READING  
READ AND PASSED

*[Signature]* PRESIDENT  
*[Signature]* CLERK

I HEREBY APPROVE

*[Signature]*  
Mayor  
Date: 2/10/17

**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 for a zoning change for the property commonly known as 10 Swift Street or more particularly described as Assessors Plat 77, Lots 301. Currently, said lot is zoned R2 and your Petitioners hereby request the classification be changed to C3.

As grounds for the petition, your Petitioners assert a common ownership of four contiguous parcels located at 5 De Pinedo Street (AP 77 Lot 287), 430 Silver Spring Street (AP 77 Lot 288), 444 Silver Spring Street (AP 77 Lot 300) and the subject parcel at 10 Swift Street (AP 77 Lot 301). The four parcels each measure 4,000 sq. feet. Of the four parcels, Lots 287, 288, and 300 are currently zoned C3 and Lot 301 zoned R2. For many years, the lots have been used collectively as a single commercial parcel. Petitioners seek to merge the four lots into a single lot. Prior to merging, Petitioners seek a zone change for Lot 301 for the purpose of bringing uniformity and allowing the single merged parcel to maintain its historic commercial use with a C3 zone classification. All parcels fronting both sides of Silver Spring Street upon Assessors Plat 77 are currently zoned C3. Based on the common ownership, current area zoning and historic commercial use, the proposed change is requested.

**STREET VIEW**



444 Silver Spring



430 Silver Spring

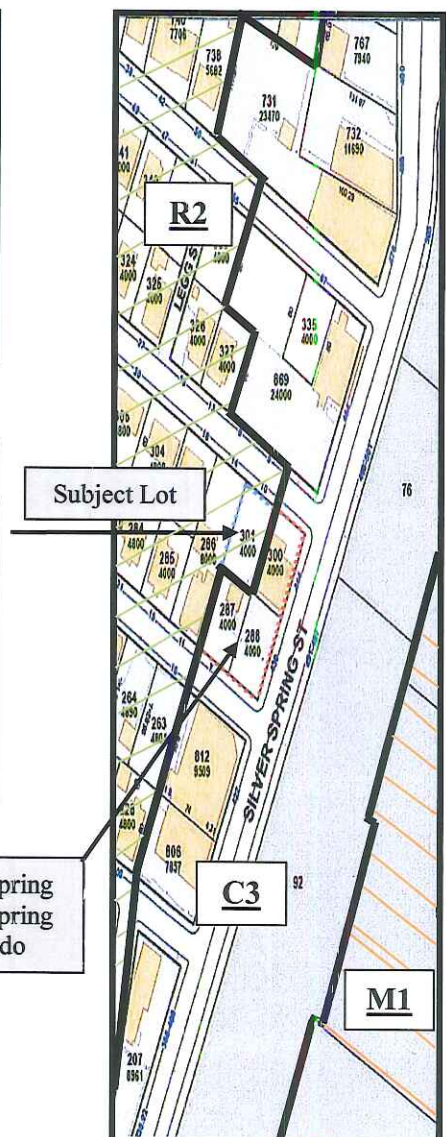


5 De Pinedo Street



10 Swift Street

**CURRENT ZONING**

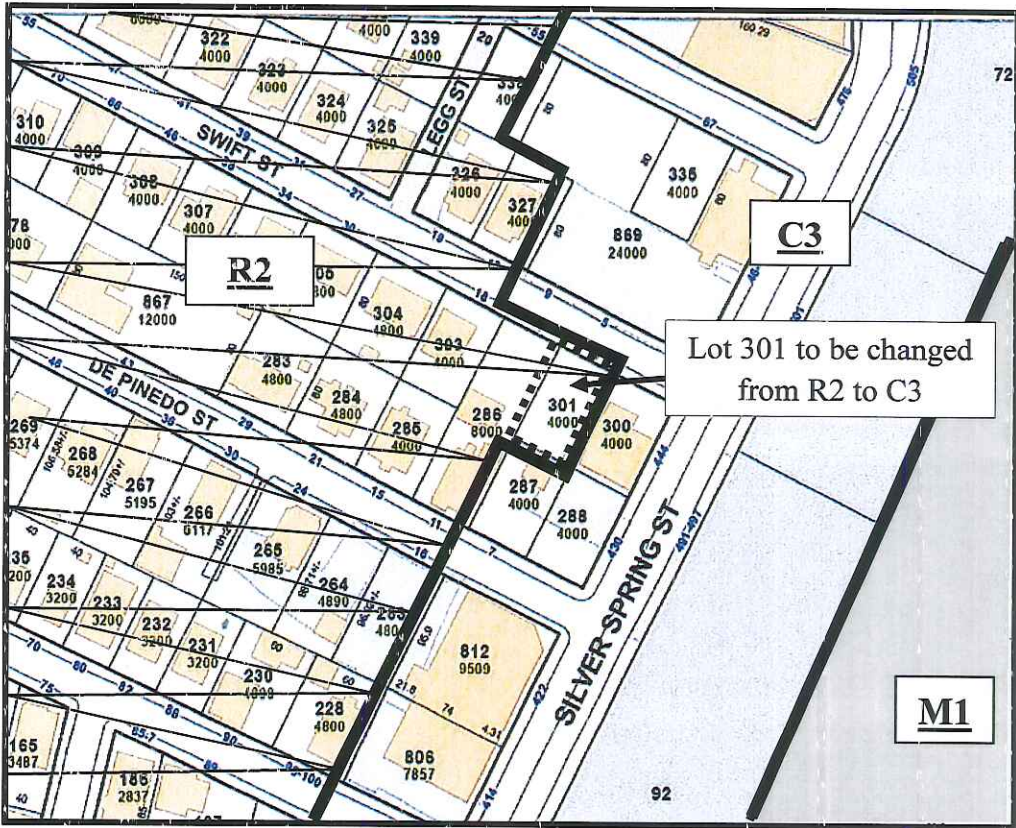


Respectfully submitted,  
Petitioners,  
Heirs of Anna Saccucci  
Frank Corrente  
Thelma Corrente

By and through their Attorneys

Robert A. D'Amico II, Esq.  
D'Amico Burchfield, LLP

CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



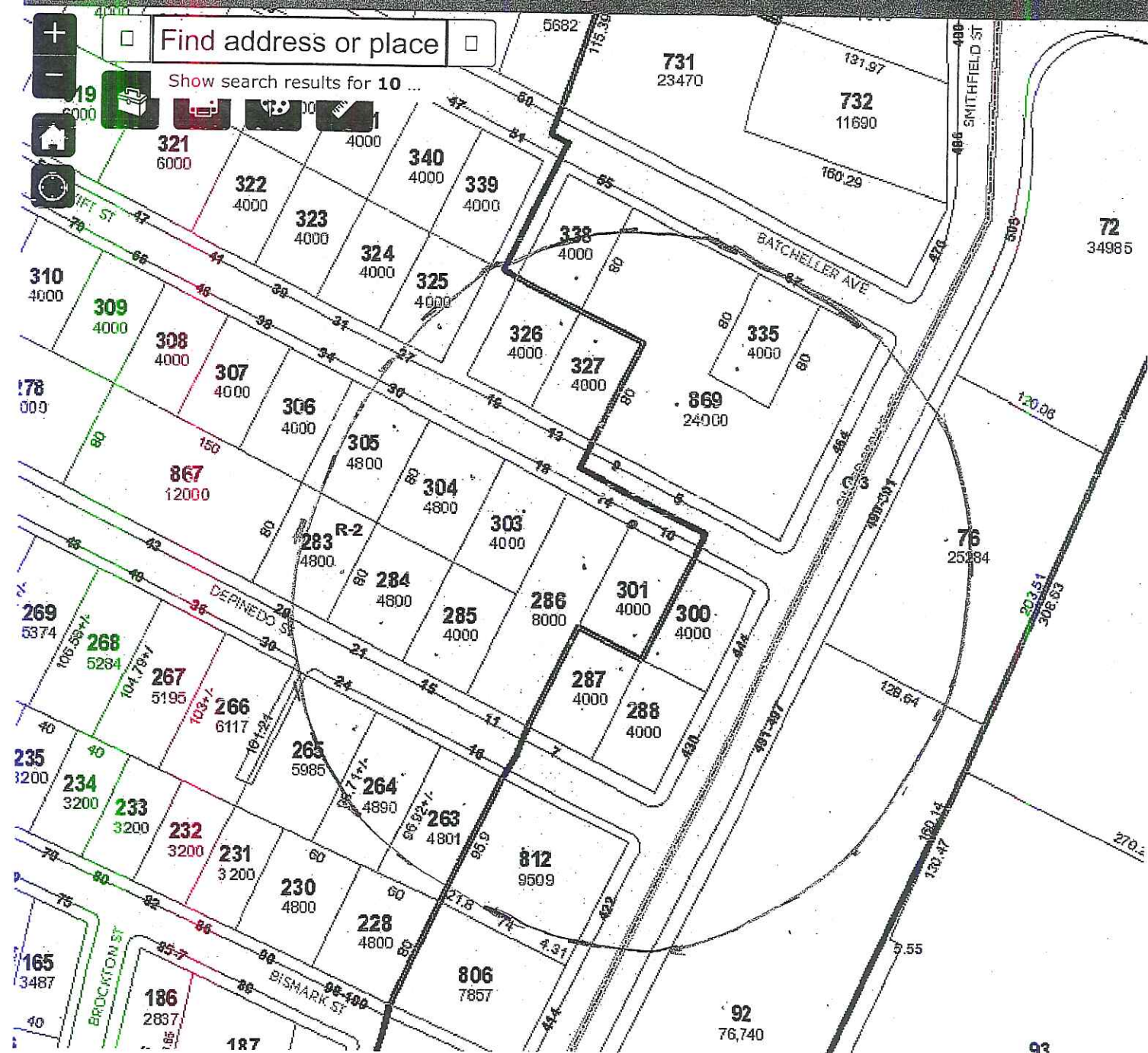


# Providence Parcels and Zoning

Providence GIS




Show search results for 10 ...



100ft

351,779.571 281,751.273 Feet

WARRANTY DEED

I, MARIO P. CORRENTE, of 139 Windmill Street, Providence, RI, for consideration paid, grant all my right, title, and interest in and to the following-described property as follows:

- 1/2 to my brother, FRANK E. CORRENTE, and his wife, THELMA CORRENTE, as tenants-by-the-entirety; and
- 1/2 to my sister ANNA M. SAUCCUCCI, and her husband, ANTHONY SAUCCUCCI, as tenants-by-the-entirety;

with a mailing address of c/o 1 Dean Ridge Boulevard, Cranston, RI 02926, WITH WARRANTY COVENANTS:

Those lots of land, with all the buildings and improvements thereon, situated in the City and County of Providence and State of Rhode Island, laid out and delineated as Lots Nos. 61 (sixty-one), 62 (sixty-two), 63 (sixty-three), and 64 (sixty-four) on that plat entitled, "Plat of the Shadrack Randall and Batchelder Land, Horton Grove, North Providence belonging to Samuel Heddy, surveyed & platted May, 1873, by R. Smith Mowry," which plat is recorded in the Office of the Recorder of Deeds in said City of Providence on Plat Card 379.

RECEIVED FOR RECORD  
JUN 21 P 2 28  
BANK OF AMERICA  
ACTING RECORDERS

*James H. Sherry*

*Mario P. Corrente*  
MARIO P. CORRENTE

*Flores*  
State of Rhode Island  
County of Providence  
*John D. Samakou*  
In Witness whereof on the 1<sup>st</sup> day of May, 2001, before me personally appeared the within-named MARIO P. CORRENTE, to me known and known by me to be the person executing the foregoing instrument, and he acknowledged said instrument, by him so executed, to be his free act and deed.

*Max D. Samakou*  
Notary Public  
*MAX D. SAMAKOU*  
(Print Name)

My Commission Expires: 7-14-2001



121 X 60  
1.20

AP 77/288



City Plan Commission  
Jorge O. Elorza, Mayor

September 21, 2016

Councilman Terrence M. Hassett  
Chair, Committee on Ordinances  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

Attn: Lori Hagen, City Clerk

Re: Referral 3407-Petition to rezone AP 77 Lot 301 (10 Swift Street) from R-2 to C-3

Petitioner: Heirs of Anna Sacucci

Dear Mr. Hassett,

The City Plan Commission (CPC) reviewed the proposed zoning change to rezone the property at 10 Swift Street (AP 77 Lot 301) from R-2 to C-3 at a regular meeting on September 20, 2016. The CPC voted as described below to make certain findings of fact and to recommend that the petition be approved.

**FINDINGS OF FACT**

The applicant is proposing to rezone 10 Swift Street (AP 77 Lot 301), from R-2 to C-3. It is adjacent to AP 77 lots 287, 288 and 300, which are zoned C-3 and owned by the applicant. The applicant is requesting to rezone 10 Swift Street so that the lots can be merged and share common zoning. The C-3 zone is located at the North, East and South of the lots owned by the applicant.

The applicant has indicated that the change is being requested to allow for a shared commercial use on the property. The site is used for an air and gas refueling station. It is the applicant's intention to include lot 301 into the C-3 zone to permit the existing use. The CPC found that the existing commercial lots (287, 288 and 300) have existed without having a negative effect on adjacent residential development for a number of years. It is conceivable that the proposed rezoning would not have a negative effect on adjacent property given the commercial nature of the surroundings. The CPC found that inclusion of the lot within the C-3 zone may have a positive effect on neighborhood character as all the lots in this block would be consistently zoned.

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 general commercial and

DEPARTMENT OF PLANNING AND DEVELOPMENT  
444 Westminster Street, Providence, Rhode Island 02903  
401 680 8400 ph | 401 680 8492 fax  
[www.providencert.com](http://www.providencert.com)

residential uses are located in proximity to each other. Therefore, the CPC found that the rezoning would be consistent with the intent of the comprehensive plan.

The CPC found that rezoning these lots would be appropriate given the character of the surroundings and that rezoning was 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 voted unanimously to make a recommendation that the City Council approve the proposed Zone Change.

Sincerely,



Choyon Manjrekar  
Administrative Officer

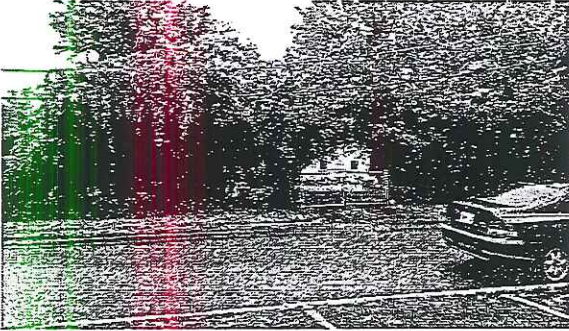
CC: Robert D'Amico

# Providence City Plan Commission

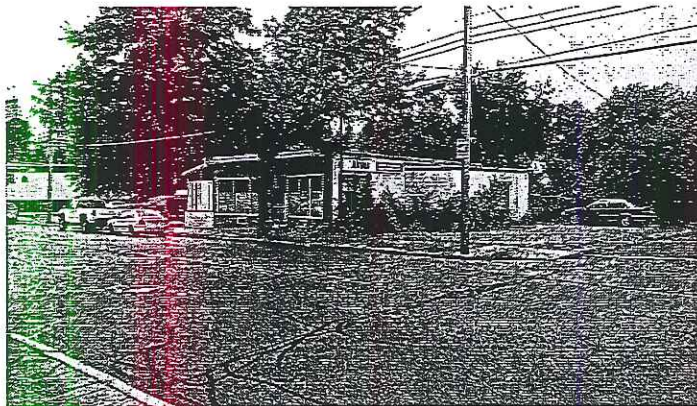
August 16, 2016



## AGENDA ITEM 2 - ZONING CHANGE AT 10 SWIFT STREET



A view of the subject lot from Swift Street



A view of the adjoining lots from Silver Spring Ave



A map showing the lots to be rezoned

### OVERVIEW

**OWNER/APPLICANT:** Heirs of Anna Sacucci, Frank Corrente, Thelma Corrente

**PROJECT DESCRIPTION:** The applicant is petitioning to rezone AP 77 Lot 301 from R-2 to C-3

**CASE NO./** CPC Referral 3407

**PROJECT TYPE:** Rezoning from R-2 to C-4

**PROJECT LOCATION:** 10 Swift Street  
AP 77 Lot 301

**RECOMMENDATION:** Recommend approval of proposed zone change

**NEIGHBORHOOD:** Charles

**PROJECT PLANNER:** Choyon Manjrekar

**Discussion**

The applicant is proposing to rezone 10 Swift Street (AP 77 Lot 301), from R-2 to C-3. It is adjacent to AP 77 lots 287, 288 and 300, which are zoned C-3 and owned by the applicant. The applicant is requesting to rezone 10 Swift Street so that the lots can be merged and share common zoning. The C-3 zone is located at the North, East and South of the lots owned by the applicant. The subject lot is the only lot that is not zoned C-3 within the intersection of Silver Spring Ave and Swift Street. Based on a review of the zoning map, this area is intended for C-3 development.

The applicant has indicated that the change is being requested to allow for a shared commercial use on the property. Based on a site visit, it appears that the existing commercial lots (287, 288 and 300) have existed without having a negative effect on adjacent residential development. It is conceivable that the proposed rezoning would not have a negative effect on adjacent property given the commercial nature of the surroundings. It is the DPDs opinion that inclusion of the lot within the C-3 zone may have a positive effect on neighborhood character as all the lots in this block would be consistently zoned.

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 general commercial and residential uses are located in proximity to each other. Therefore, the rezoning would be consistent with the intent of the comprehensive plan.

Rezoning these lots would be appropriate given the character of the surroundings. 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 DPD recommends that the CPC should recommend that the City Council approve the proposed zone change.