

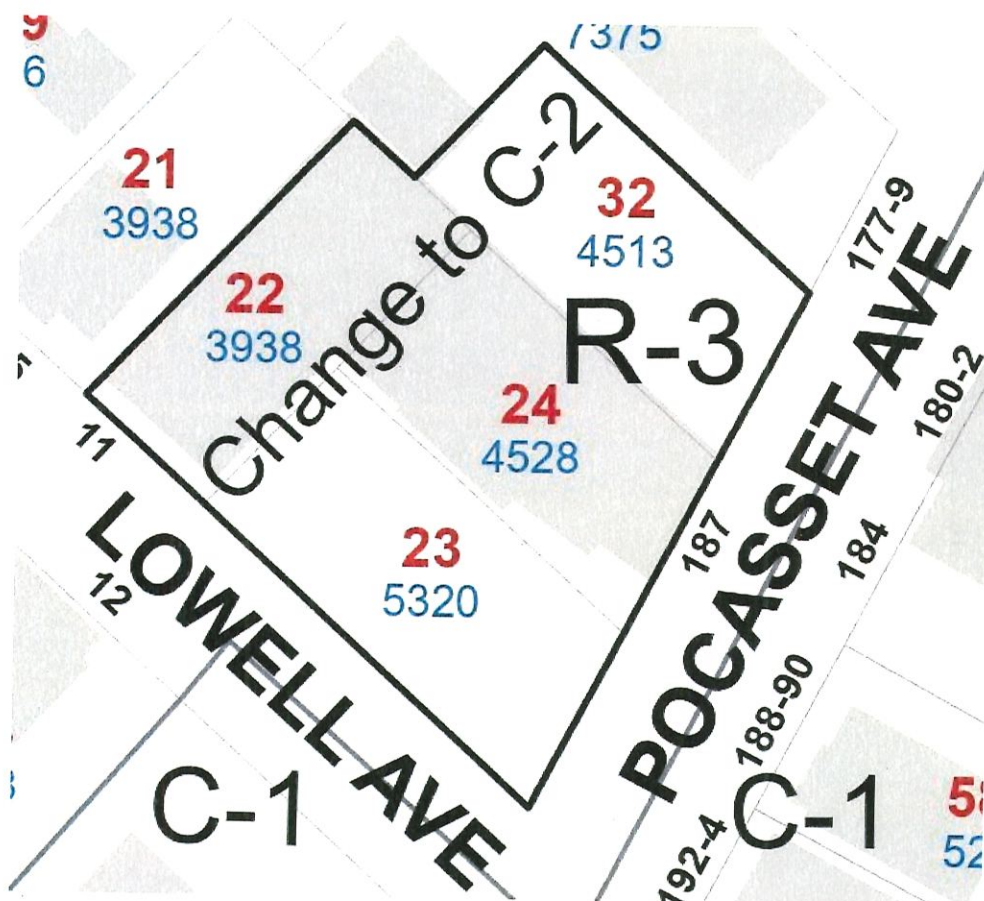
CHAPTER 2024-43

No. 348 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 108, LOT 32 (181 POCASSET AVENUE), ASSESSOR'S PLAT 108, LOT 24 (187 POCASSET AVENUE), ASSESSOR'S PLAT 108, LOT 23 (191 POCASSET AVENUE) AND ASSESSOR'S PLAT 108, LOT 22 (11 LOWELL AVENUE), FROM R-3 TO C-2

Approved July 23, 2024

*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 108, Lot 32 (181 Pocasset Avenue), Assessor's Plat 108, Lot 24 (187 Pocasset Avenue), Assessor's Plat 108, Lot 23 (191 Pocasset Avenue) and Assessor's Plat 108, Lot 22 (11 Lowell Avenue), from R-3 to C-2.



SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL  
JUL 11 2024  
FIRST READING  
READ AND PASSED

*Jina L. Mastrosanni*  
CLERK

IN CITY COUNCIL  
JUL 18 2024  
FINAL READING  
READ AND PASSED

*Rachel M. Miller*  
RACHEL M. MILLER, PRESIDENT  
*Jina L. Mastrosanni*  
CLERK

I HEREBY APPROVE.

*Butt P. Smith*  
Mayor

Date: *7/23/24*



## CITY OF PROVIDENCE

MAYOR BRETT P. SMILEY

January 18, 2024

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

Attn: Tina Mastroianni, City Clerk

**Re: Referral 3565 – Petition to rezone 181-191 Pocasset Ave and 11 Lowell Ave  
(AP 108 Lots 22,23, 24, 32) from R-3 to C-2**

**Petitioner: JAVC LLC c/o Richard Pacia**

Dear Councilman Espinal,

The petitioner appeared before the City Plan Commission (CPC) on November 14, 2023, requesting to rezone the subject lots from R-3 to C-2.

### **FINDINGS OF FACT**

The petitioner is requesting a rezoning of the subject lots from R-3 to C-2. Lots 24 and 22 are each occupied by a building used as a restaurant and an auto detailing business respectively. The rear of 11 Lowell Ave abuts the side of the building at 181 Pocasset, with little separation between them. Lots 32 and 23 are vacant and used for parking. The petitioner is requesting to rezone the subject lots to render the uses conforming. The lots are zoned residential, but the lots to the east and south are zoned C-1 and include a variety of commercial and mixed use developments. Given the character of the surrounding neighborhood, the CPC found that the zone change to C-2 is not expected to have a negative effect on neighborhood character as the commercial uses have existed for a number of years.

The CPC found that the change to C-2 would be appropriate as it would allow for expansion of the restaurant to over 3,500 SF and would be suited for the commercial building on lot 22. However, it would not legalize the use of the auto detailing business, which is not permitted in the C-2 zone. The CPC recommends that the petitioner change the use to one that is permitted in the zone. Further, the CPC recommends that all four lots be merged as the two buildings appear to operate as a single entity and the merger would render the parking accessory to the buildings.

### **DEPARTMENT OF PLANNING & DEVELOPMENT**

JOSEPH A. DOORLEY JR. MUNICIPAL BUILDING, 444 WESTMINSTER ST, PROVIDENCE RI 02903  
PHONE 401.680.8400 | [WWW.PROVIDENCERI.GOV/PLANNING](http://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 portion of Pocasset Ave is intended for neighborhood commercial/mixed use development in proximity to medium density residential development. The CPC found that the rezoning would be consistent with this description as it would conform to the commercial nature of the development. 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**

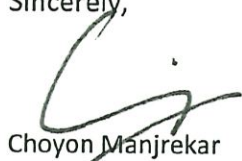
On a motion by Commissioner Lipschitz, seconded by Commissioner Quezada, the CPC voted to make a positive recommendation to the City Council to rezone the lot to C-2 subject to the following condition:

The applicant shall merge the subject lots.

The CPC voted as follows:

Aye: C. Lipschitz, M. Quezada, D. Caldwell, N. Sanchez, W. Sherry, M. Gazdacko

Sincerely,



Choyon Manjrekar  
Administrative Officer

**City of Providence  
State of Rhode Island**

**PETITION TO THE HONORABLE CITY COUNCIL**

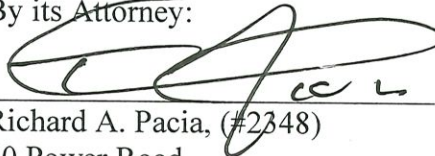
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

JAVC, LLC hereby petitions the Providence City Council to change the Official Zoning Map of the City of Providence by changing the zoning district for the property located at (1) **181 Pocasset Avenue, Providence, Rhode Island 02919** (also identified as Assessor's Plat 108 Lot 32); (2) **187 Pocasset Avenue, Providence, Rhode Island 02919** (also identified as Assessor's Plat 108 Lot 24), (3) **191 Pocasset Avenue, Providence, Rhode Island 02919** (also identified as Assessor's Plat 108 Lot 23) and (4) **11 Lowell Avenue, Providence, Rhode Island 02919** (also identified as Assessor's Plat 108 Lot 22) from R-3 to C-2.

JVAC, LLC

By its Attorney:



Richard A. Pacia, (#2348)

50 Power Road

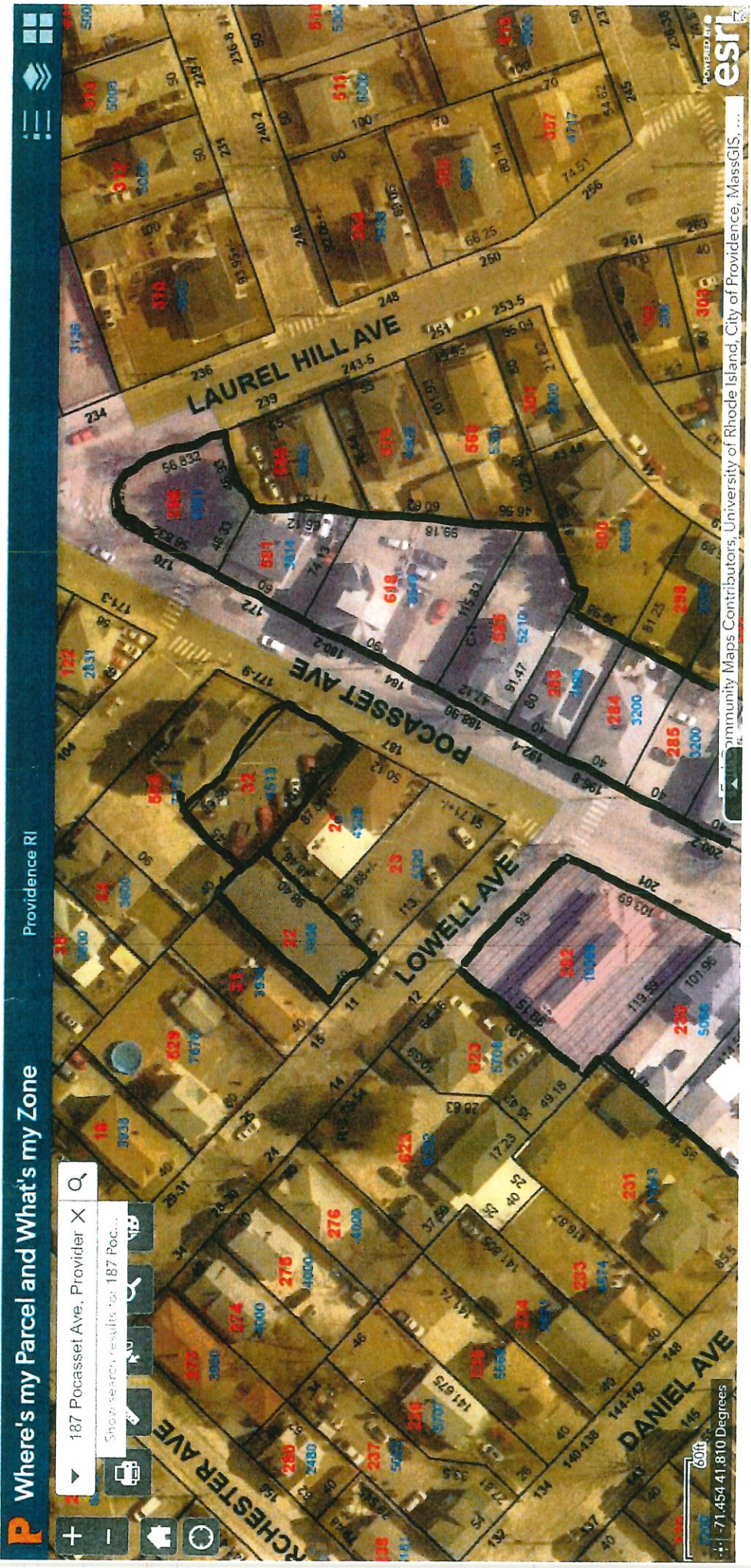
Pawtucket, RI 02860

Tel: (401) 781-1492

Email: rpatialaw@gmail.com

Dated: November 21, 2023





LOTS SHADED IN PURPLE ARE IN A C-1 ZONE