

**Oscar A. Lemus**  
**190 Valley Street**  
**Providence, RI 02909**  
**(401) 261-5835**  
**Fax (401) 331-3173**

January 12, 2007

Attn: City Council  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

**RE: Petition**

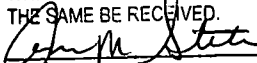
To Whom It May Concern:

Enclosed herein please find a copy of a Petition that was originally submitted on or about December 15, 2006. As a result of increased development in the areas of Valley and Olneyville we are respectfully requesting that said Petition be placed on the City Council's docket.

The Planning Department has been pursuing to change the zoning of areas that are considered Industrial to a Mixed Use. Those changes would allow more luxury apartments and office spaces that would create restrictions to businesses that would limit the businesses in a daily basis. (The escape of all fumes, odors, smoke, vibrations and loud sharp or penetrating noises which would be offensive or which would constitute a nuisance to surrounding activities or residential units near enough to be adversely affected by them). The existing Comprehensive Plan encourages the growth of industrial activities by preserving and expanding industrial land primarily for manufacturing purposes.

Pursuant to Ordinance Chapter 1994-24, No. 365, approved on July 17, 2001 Section 1 (g) Article III, Section 303, Table of Use and Regulations, Residential Use 1.0, footnote #8: Artist's studio/dwellings shall not be located where they may restrict or disrupt industrial activity and Ordinance Chapter 1994-24, No. 365, approved on July 17, 2001 Section 1 (h) Live Work Space: Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work. (See Attached Exhibit A)

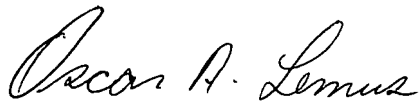
IN CITY COUNCIL  
JAN 25 2007

READ  
WHEREUPON IT IS ORDERED THAT  
THE SAME BE RECEIVED.  
 CLERK

Mayor Cicilline indicated that the update of the Comprehensive Plan was going to be clear and transparent. The process in which the Providence Department of Planning and Development attempts to update the Comprehensive Plan excludes the industrial community. It is apparent that the Providence Department of Planning and Development is not taking in consideration the harm that it would do to the businesses and their ability to grow and expand due to the diminishing land use for those purposes. On different occasions the Providence Department of Planning and Development attempted to change industrial area M1 to a mixed use area. Once in 2004 with *Land Use and Zoning Implementation Plan (draft)* introduced by the Woonasquatucket River Greenway Project and then again in 2005 with *Draft Zoning Ordinance* dated June 29, 2005. The reasons for those changes were to complement the mixed use mill developments but they are in contradiction to the Comprehensive Plan and the Ordinance which allows those projects.

The business owners in the areas of Valley and Olneyville are hard working people who are paying the highest taxes in the State of Rhode Island. We are respectfully requesting that the Department of Planning and Development maintain the industrial classification which already allows residential and not to restrict or change to another type of use. We are also requesting that those changes do not displace businesses and the workers in the above-mentioned areas. So many businesses have been forced to move due to the developments of the mills.

Thank you for your consideration,

A handwritten signature in cursive script, reading "Oscar A. Lemus". The signature is written in dark ink and is positioned above the printed name.

Oscar A. Lemus

Laurence K. Flynn  
*Executive Secretary*  
George T. Smith, Jr.  
*Clerk*



CITY OF PROVIDENCE BOARD OF CANVASSERS

DATE: December 27, 2006  
TO: Anna Stetson, City Clerk  
FROM: Laurence K. Flynn, Executive Secretary  
RE: Verification of Petition

DISPOSITION: The petition that was presented to this Board dated December 27, 2006 contains names and addresses of businesses within the Valley Street area. This Board can only verify the names and addresses of registered voters within the city. It is apparent that these people do not reside in these businesses; therefore we cannot verify these signatures. If you have another petition with names and addresses of voters that reside within the area we will be happy to verify those registered voters.

# PETITION

1/9

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Therefore we demand the following of the City Plan Commission, the City Council, the Mayor, and the Department of Planning & Development as they work towards writing the interim Providence Comprehensive Plan due to the State of Rhode Island by May:

1. The new Comprehensive Plan must include as a foundational principle that existing industrial and manufacturing buildings must be preserved FOR INDUSTRY, MANUFACTURING, AND TRADES and must be protected from conversion to other uses.
2. The Zoning Ordinances must be changed IMMEDIATELY to eliminate the Mixed Use designation. The current City Plan Commission claims that the Mixed Use designation has "tied their hands" and "forced them" to issue approvals for Major Land Development projects that have turned huge areas of formerly industrial properties into high-end residential, retail, and office space owned by a few influential developers. The new Comprehensive Plan must substitute a rational zoning ordinance that will protect existing industrial properties (regardless of their current zoning) AS INDUSTRIAL PROPERTIES. This new zoning should not preclude artist/musician live-work space, but it should include a rigorous approval process to prevent "regular" residential spaces being marketed as artist live-work space as a marketing scam.

Name: <i>Manoel Boddy</i>	Address: <i>380 Valley St</i>	Tel: <i>331-8431</i>
Business: <i>Stateauto Body</i>	<i>Providence</i>	E-Mail:
Name: <i>[Signature]</i>	Address: <i>422 Valley St</i>	Tel: <i>401-521-0224</i>
Business: <i>A.E. Lator A/B</i>		E-Mail:
Name: <i>Michael T Salustar</i>	Address: <i>380 Valley St</i>	Tel: <i>331-0525</i>
Business: <i>STATE Towing Service</i>		E-Mail:
Name: <i>FRANK IANNUCCI JR</i>	Address: <i>430 KINSLEY AVE</i>	Tel: <i>421-5105</i>
Business: <i>EAGLE POL CO</i>		E-Mail:
Name: <i>David Supina</i>	Address: <i>25 Turner St</i>	Tel: <i>426 8503</i>
Business: <i>Mil An Realty</i>		E-Mail:

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2/9

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Name: <i>Whelean G. Duran</i>	Address:	Tel: <i>401.831.3326</i>
Business: <i>Haya Bakery</i>	<i>113 Valley St.</i>	E-Mail:
Name: <i>Ted Angell</i>	Address:	Tel: <i>521-3800</i>
Business: <i>L. Sweet Zumba</i>	<i>709 Harris Ave.</i>	E-Mail:
Name: <i>Arthur Fidal</i>	Address:	Tel:
Business: <i>270 Valley St. SHR</i>		E-Mail:
Name: <i>Tom Vieira</i>	Address: <i>195 Valley St</i>	Tel: <i>521-3112</i>
Business: <i>RT Collision</i>		E-Mail: <i>tommyr1c.netzero.com</i>
Name: <i>Donald Payne</i>	Address: <i>43 TURNER ST.</i>	Tel: <i>401-331-1355</i>
Business: <i>RI WELDING &amp; FAB. CO.</i>	<i>PROV., RI</i>	E-Mail: <i>riweld@verizon.net</i>

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3/9

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Name: JOSEPH FOGARTY	Address: 2 ADDISON PLACE	Tel: 421-0475
Business: INTL Chromium Polishing		E-Mail:
Name: Peter P. Montaguila Sr	Address: 38 Pleasant Valley Prov RI 02908	Tel: 331-0101
Business: Finest Car Wash		E-Mail:
Name: Steve Dzadosz	Address: 233 HARRIS AVE PROVIDENCE	Tel: 401 331 5930
Business: TWIN CITY SUPPLY		E-Mail:
Name: DON'S AUTO ELEC	Address: 40 PLEASANT VALLEY PL	Tel: 401 273 1630
Business:		E-Mail:
Name: Lori Light	Address: 2 Amherst St Prov	Tel: 401 277-1002
Business: ROBT DOLEE		E-Mail:

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Name: FRANK Wasyluk	Address: 415 Valley St.	Tel: 331-7658
Business: ATLANTIC COAST		E-Mail:
Name: OSCAR LEMUS	Address: 190 VALLEY ST.	Tel: 261-5835
Business: LEMUS AUTO		E-Mail: O.lemus@hotmail.com
Name: Dominic Tudio	Address: 380 Valley ST.	Tel: 401-721-9889
Business:		E-Mail:
Name: BRUCE MARTIN	Address: 187 VALLEY ST.	Tel: 521-9186
Business: GEORGE'S TIRE Shop		E-Mail:
Name: Stephen Parker	Address: 48 Helme St	Tel: 351-2300
Business: Valley Electrical Equipment		E-Mail: valleyelectrical@cs.com

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Name: THOMAS RAY JR	Address: 72 ALLSTON ST	Tel: 401-273-6739
Business: ALLSTON ST AUTO		E-Mail: TJR@COX.NET
Name: Larry Marshall	Address: 356 Valley St.	Tel: 401-421-2438
Business: BORTON MEAT ASSO.		E-Mail:
Name: Valley Flea Market Randy R. Marm	Address: 500 Valley St	Tel: 401-521-3532
Business:		E-Mail: 1107Dmonse@valhoo.com
Name: JOSEPH MOSCA	Address: 107 Prescott St	Tel: 401-275-5535
Business: J+M Auto Repair		E-Mail:
Name: YVES SIMONS	Address: 50 Sims Ave	Tel: 401-215-1724
Business: UMICORE		E-Mail: YVES.SIMONS@UMICORE.COM



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6/9

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Name: <i>Julio Melillo</i>	Address: <i>393 Harris Ave</i>	Tel: <i>401-421-5820</i>
Business: <i>B. Deltoro Donatone</i>	<i>Pro RI 02909</i>	E-Mail:
Name: <i>John Malden</i>	Address: <i>351 Harris Ave</i>	Tel: <i>401-383-3490</i>
Business: <i>Orter Painter</i>	<i>Pro. RI 02909</i>	E-Mail: <i>john@orterpainter.com</i>
Name: <i>Dwight E. Sym</i>	Address: <i>120 MANTON AVE</i>	Tel: <i>401-387-9000</i>
Business: <i>MANTON INDUSTRIES</i>	<i>Pro. RI 02909</i>	E-Mail: <i>HBOYNET@GAY.NET</i>
Name: <i>Chad K. Bort</i>	Address: <i>30 ACORN ST</i>	Tel: <i>401-738-4108</i>
Business: <i>CAPCO AUTOBODY</i>	<i>Pro. RI 02903</i>	E-Mail: <i>C.BORTER@CAPCO Corp.com</i>
Name: <i>Tom Bagley</i>	Address: <i>168 Carpenter St</i>	Tel: <i>331-4303</i>
Business: <i>King's Park</i>	<i>Pro. RI 02903</i>	E-Mail: <i>tom@action.com</i>

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Name: <i>John F. Wilhelm</i>	Address: <i>50 Sims Ave</i>	Tel: <i>215-1726</i>
Business: <i>UMICORE</i>		E-Mail:
Name: <i>Deane G. Poirier</i>	Address: <i>50 Sims Ave</i>	Tel: <i>215-1721</i>
Business: <i>umicore</i>		E-Mail:
Name: <i>James J. Fazio Jr.</i>	Address: <i>50 Sims Ave</i>	Tel: <i>215-1767</i>
Business: <i>Umicore</i>		E-Mail:
Name: <i>Ray Cate</i>	Address: <i>50 Sims Ave.</i>	Tel: <i>215-1764</i>
Business: <i>Umicore</i>		E-Mail:
Name: <i>John P. Garabedian</i>	Address: <i>50 Sims Ave.</i>	Tel: <i>215-1705</i>
Business: <i>Umicore</i>		E-Mail:

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Name: Anita McDermott	Address: 50 Sims Ave. Providence, RI 02909	Tel: 401-215-1717
Business: Umicore Indium Products		E-Mail: anita.mcdermott@umicore.com
Name: Su Kue	Address: 50 Sims Ave Providence RI 02909	Tel: 401-215-1718
Business: Umicore Indium Products		E-Mail: su.kue@umicore.com
Name: Lavelay Kizekai	Address: 50 Sims Ave Providence, RI 02909	Tel: 401-215-1762
Business: Umicore Indium Products		E-Mail: lavelay.kizekai@am.umicore.com
Name: Judy Loxsom	Address: 50 Sims Ave Prov. RI 02909	Tel: 401-215-1714
Business: Umicore Indium Products		E-Mail: judy.loxsom@am.umicore.com
Name: Neil Ahanez	Address: 50 Sims Ave. Prov RI 02909	Tel:
Business: Umicore Indium Products		E-Mail:

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Name: <i>Laura Massa</i>	Address: <i>50 Sims Ave.</i>	Tel: <i>215-1702</i>
Business: <i>UNICORE</i>	<i>Prov. RI 02909</i>	E-Mail:
Name: <i>Terrance McCormack</i>	Address: <i>50 Sims Ave.</i>	Tel:
Business: <i>Unicore</i>	<i>Prov. RI 02909</i>	E-Mail:
Name: <i>Chaffin</i>	Address: <i>50 Sims Ave.</i>	Tel:
Business: <i>Unicore Indium Products</i>	<i>Providence, RI 02909</i>	E-Mail:
Name: <i>Olga Yankov</i>	Address: <i>50 Sims Ave.</i>	Tel:
Business: <i>Unicore Indium Products</i>	<i>Providence RI 02909</i>	E-Mail:
Name: <i>Andrew H. Panothitis</i>	Address: <i>950 Broad St.</i>	Tel: <i>467-7227</i>
Business: <i>Prov. Cornice Inc.</i>	<i>Prov. RI 02905</i>	E-Mail:

*Andrew H. Panothitis*

CHAPTER 2001-24

No. 350 AN ORDINANCE AMENDING THE CITY OF  
PROVIDENCE ZONING ORDINANCE CHAPTER 1994-24, NO. 365,  
APPROVED JUNE 27, 1994, AS AMENDED.

Approved July 17, 2001

*Be it ordained by the City of Providence:*

Section 1: Chapter 564 of the Ordinances of the City of Providence, entitled "The City of Providence Zoning Ordinance" approved June 27, 1994, as amended, shall be further amended as follows:

- a) Article I, Section 101.4, Industrial Zoning Districts, add language in the "M-1 Industrial District," to read as follows:

"M-1 - This zone is intended for general industrial uses that accommodate a variety of manufacturing, assembly, storage of durable goods and related activities provided that they do not pose toxic, explosive or environmental hazard in the City; and to support live-work spaces only in those existing underutilized industrial and/or commercial structures that are included in Article, V, Section 501, Industrial and Commercial Individual Structure District."

- b) Article III, Section 303, Table of Use Regulations, Use Code 14, change the existing M-1 from "S" to "Y<sup>6,7</sup>".
- c) Article III, Section 303, Table of Use Regulations, Use Code 14.1, change the existing M-1 from "N" to "Y<sup>6,7</sup>".
- d) Article III, Section 303, Table of Use Regulations, Use Code 14.2, change the existing M-1 from "S" to "Y<sup>7,8</sup>".
- e) Article III, Section 303, Table of Use Regulations, Residential Use 1.0, add new footnote #6:

"6. Must have a minimum of 5,000 square feet Gross Floor Area required for new construction."

- f) Article III, Section 303, Table of Use Regulations, Residential Use 1.0, add new footnote #7:

"7. The owner(s) of a building seeking a conditional use for artist's studio/dwellings must sign and record a covenant and equitable servitude, on a form acceptable to the Director, that acknowledges that the owner(s) and occupants of the building accept the industrial character of the neighborhood and agree that existing or permitted industrial uses do not constitute a nuisance or other inappropriate or unlawful use of land. Such covenant and equitable servitude must state that it is binding on the

owner(s)' successors, heirs, and assigns, including any lessees of the artist's studio/dwellings."

- g) Article III, Section 303, Table of Use Regulations, Residential Use 1.0, add new footnote #8:

"8. Artist's studio/dwellings shall not be located where they may restrict or disrupt industrial activity."

- h) Article X, Definitions, add new definition 1000.93:

"1000.93 – Live-Work Space: Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

- i) Article X, Definitions, 1000.94, remove first sentence and new first sentence to read as follows:

"1000.94 – Loft, Commercial Artist: A dwelling unit established in an existing non-residential building used or designed to be used by artists or craftspeople to create works of art or crafts and which may also be used by such artists or craftspeople to reside in."

Section 2. Article X, Definitions, renumber all definitions from 1000.93 to 1000.153 to one number higher to reflect addition of new definition 1000.93, above.

Section 3: This Ordinance shall take effect upon passage.

IN CITY COUNCIL  
JUN 21 2001  
FIRST READING  
READ AND PASSED

*Clifford S. Clement*  
CLERK

IN CITY COUNCIL  
JUL 12 2001  
FINAL READING  
READ AND PASSED

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

APPROVED

JUL 17 2001

*Vernon A. Ginnip*  
MAYOR