

CHAPTER 2017-8

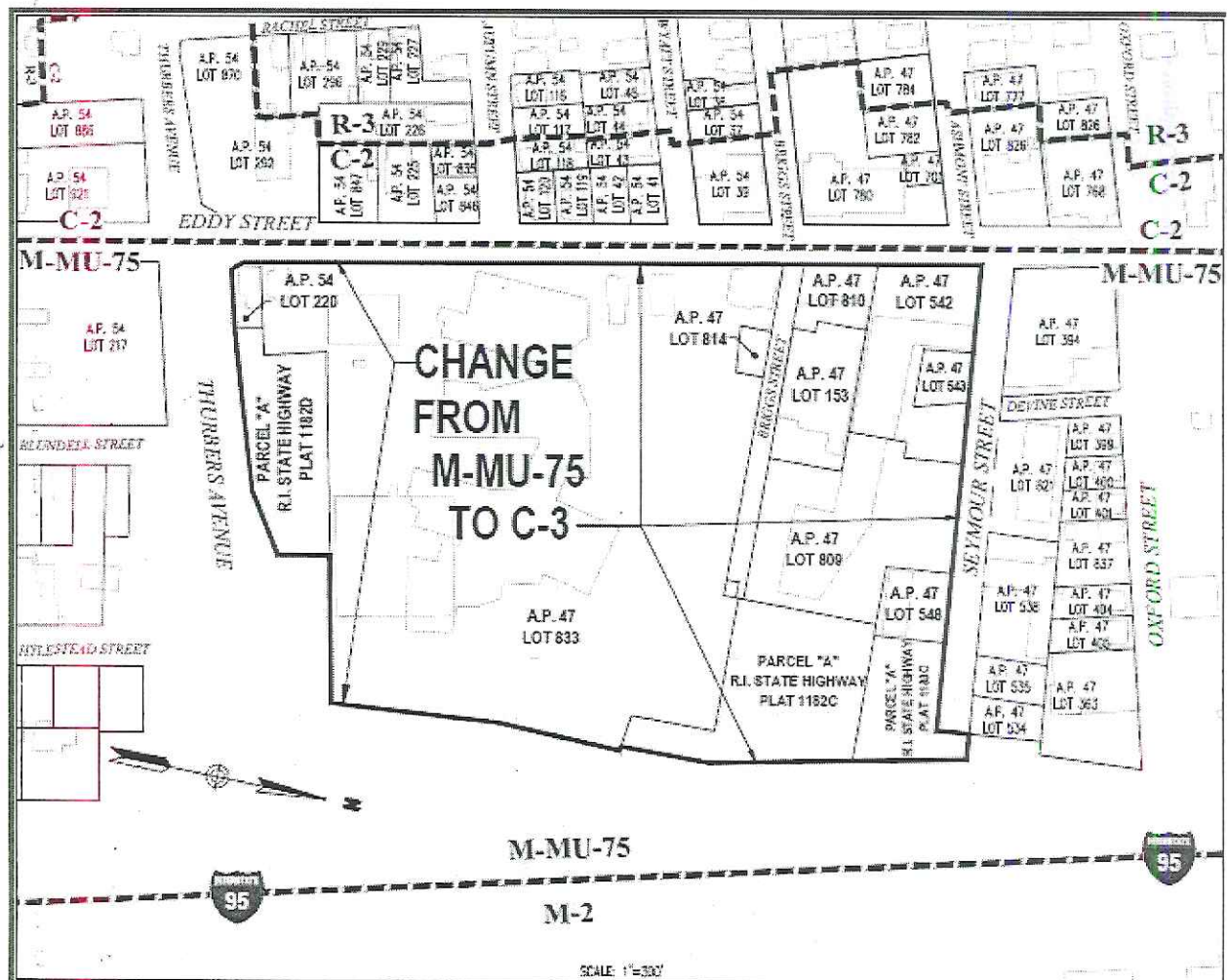
No. 165

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 PROPERTIES KNOWN AS ASSESSOR'S PLAT 47, LOT 833 (946 EDDY STREET), ASSESSOR'S PLAT 47, LOT 814 (78 BRIGGS STREET), ASSESSOR'S PLAT 47, LOT 153 (75 BRIGGS STREET), ASSESSOR'S PLAT 47, LOT 810 (944 EDDY STREET), ASSESSOR'S PLAT 47, LOT 809 (66 SEYMOUR STREET), ASSESSOR'S PLAT 47, LOT 542 (928 EDDY STREET), ASSESSOR'S PLAT 47, LOT 543 (80 SEYMOUR STREET) AND ASSESSOR'S PLAT 47, LOT 548 (58 SEYMOUR STREET), FROM M-MU-75 TO C3

Approved April 24, 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 the properties known as Assessor's Plat 47, Lot 833 (946 Eddy Street), Assessor's Plat 47, Lot 814 (78 Briggs Street), Assessor's Plat 47, Lot 153 (75 Briggs Street), Assessor's Plat 47, Lot 810 (944 Eddy Street), Assessor's Plat 47, Lot 809 (66 Seymour Street), Assessor's Plat 47, Lot 542 (928 Eddy Street), Assessor's Plat 47, Lot 543 (80 Seymour Street) and Assessor's Plat 47, Lot 548 (58 Seymour Street), as shown on the accompanying map from M-MU-75 to C-3.



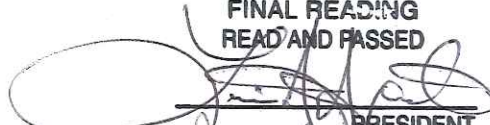
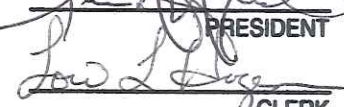
SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
APR 06 2017
FIRST READING
READ AND PASSED


 CLERK

IN CITY
COUNCIL

APR 20 2017
FINAL READING
READ AND PASSED

 PRESIDENT
 CLERK

I HEREBY APPROVE,



Mayor

Date: 4/24/17



Ursillo, Teitz & Ritch, Ltd.

Counsellors At Law

2 Williams Street
(at South Main Street)
Providence, Rhode Island 02903-2918

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Scott A. Ritch * †

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Troy L. Costa †
Amy H. Goins * †
Christina M. Senno * † (Of Counsel)
Gina A. DiCenso * † (Of Counsel)
Admitted in RI*, MA†, NY‡

December 20, 2016

Via Hand Delivery

Lori L. Hagen, City Clerk
Providence City Hall
25 Dorrance St.
Providence, RI 02903

Re: Amended Petition to the City Council for Zone Change

Dear Ms. Hagen:

On behalf of my client, Meeting Street, enclosed please find a Petition to the City Council to change the Official Zoning Map for the City of Providence by changing the zoning district for several parcels of land from M-MU-75 to C3. This is an amendment to Meeting Street's zone change petition filed on December 6, 2016 which had originally sought a change to C-2, but after a Concept Plan Review meeting, staff from the Department of Planning and Development agreed that the C-3 Zone would be more appropriate.

Please advise of the hearing date. Thank you for your attention to this matter.

Sincerely,

URSILLO, TEITZ & RITCH, LTD.

Andrew M. Teitz, Esq., AICP

Enclosure

cc: John Kelly

Robert Azar, Deputy Director, Department of Planning & Development

Hon. Luis A. Aponte, City Council President

S:\ANDY\Meeting Street\Amended Zone Change Application\Ltr to City Council re Amended Zone Change Petition - Meeting St d2.docx

PROVIDENCE, RI
DEPT OF CITY CLERK

SOIP DEC 23 11: 11

FILED

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

I, Andrew M. Teitz, Attorney for Meeting Street, hereby petition the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district for the following parcels from M-MU-75 to C3:

Parcels Owned/Controlled by Meeting Street

Plat/Lot	Address	Current Zone	Proposed Zone
47/833	946 Eddy St.	M-MU-75	C-3
47/814	78 Briggs St.	M-MU-75	C-3
47/153	75 Briggs St.	M-MU-75	C-3
47/810	944 Eddy St.	M-MU-75	C-3
47/809	66 Seymour St.	M-MU-75	C-3
47/542	928 Eddy St.	M-MU-75	C-3
47/543	80 Seymour St.	M-MU-75	C-3
47/548	58 Seymour St.	M-MU-75	C-3

Meeting Street is requesting this zone change in connection with the recent acquisition of three parcels of land located at 66 Seymour Street, 80 Seymour Street, and 928 Eddy Street. This acquisition will enable Meeting Street to begin preparations for a planned campus expansion. The goal of this expansion is to design a campus, buildings, and spaces that celebrate inclusion, contribute to all children’s learning, and provide space for Meeting Street’s growth. In particular, the expansion will include the additions and renovations to Meeting Street’s main building, the construction of an accessible “challenger field,” the construction of a new Early Childhood building, and additional parking, among other improvements.

The Zoning Ordinance allows the use of ‘Day Care – Day Care Center, more than 12 people receiving day care’ by right in the C-3 Zone. This use is not permitted in the M-MU-75 zone. Meeting Street requests that the City re-zone its property to the C-3 zone so that its planned uses, including associated parking, will be permitted.

The Amendment will be in conformance with the Comprehensive Plan and compatible with the character of the neighborhood. Interstate 95 forms a natural barrier and buffer to the east, where the zone is M-2 on the far side of the highway. To the south is Eddy Street. Immediately across Eddy Street on the west, everything is zoned C-2. With the expanding educational use proposed by Meeting Street, it is consistent to change this zone from M-MU to C-3 which is more flexible for office and commercial uses. Also the C-3 will function as a transition zone between the M-2 and the C-2 zones on the east and west respectively. The C-3 Zone requires setbacks, buffering and site development controls to mitigate negative impacts on neighboring uses. (Meeting Street originally requested that its property be re-zoned to the C-2 Zone, but after a Concept Plan

CITY OF PROVIDENCE

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Review meeting, staff from the Department of Planning and Development agreed that the C-3 Zone would be more appropriate.)

An excerpt from the City's Official Zoning Map is attached. Thank you for your consideration of this request.

MEETING STREET

By its Attorney,



Andrew M. Teitz (#3503)
Ursillo, Teitz & Ritch, Ltd.
2 Williams St.
Providence, RI 02903

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City Plan Commission
Jorge O. Elorza, Mayor

January 19, 2017

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

Attn: Lori Hagen, City Clerk

Re: Referral 3410-Petition to rezone AP 47 Lots 153, 542, 543, 548, 809, 810, 814, 833 from R-1 to C-3

Petitioner: Meeting Street School

Dear Councilman Hassett:

The City Plan Commission (CPC) reviewed the proposed zoning change to rezone the subject lots from M-MU 75 to C-3 at a regular meeting on January 17, 2017. The lots are currently owned by the petitioner, Meeting Street School. The applicant is pursuing the zone change with the intention of expanding a daycare on the site, a use prohibited in the M-MU zone. The daycare is one phase of a multi-phase development plan for the site. The CPC voted as described below to make certain findings of fact and to recommend that the petition be approved.

FINDINGS OF FACT

This portion of Eddy Street is primarily composed of lots zoned M-MU 75 on the east and C-2 on the west. The CPC found that rezoning the lots to C-3 could have a positive effect on neighborhood character as it would retain the commercial character of the street, but enhance the utility offered by the school. A negative effect on neighborhood character is not expected should the zoning change to C-3 as the commercial nature of the lots would be retained.

The CPC found that rezoning these lots would be appropriate given the character of the surroundings. The CPC found that the school's development of a daycare would be in conformance with objective CS-1 of the comprehensive plan which aims to ensure that all children have the tools to take advantage of educational opportunities.

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.

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminster Street, Providence, Rhode Island 02903
401 680 8400 ph | 401 680 8492 fax
www.providenceri.com

Recommendation of Approval for
zone change of lots at 940 Eddy Street
Referral 3410
1/19/17

2

RECOMMENDATION

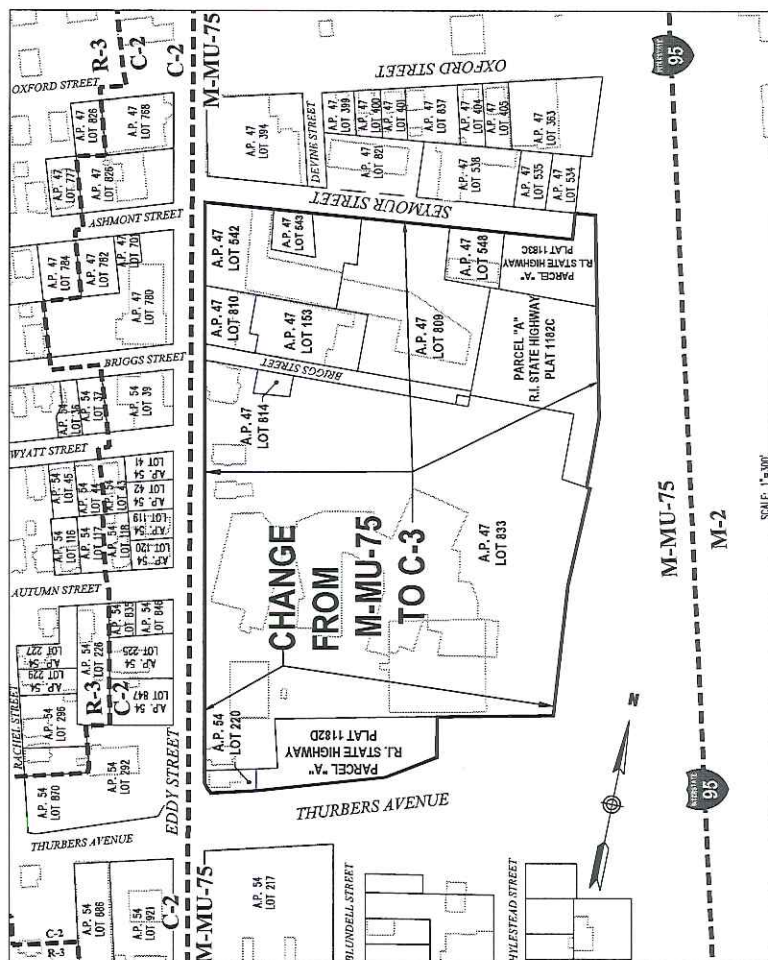
Based on the foregoing discussion, the CPC voted unanimously to make a recommendation that the City Council approve the proposed Zone Change finding it to be in conformance with the Comprehensive Plan and purposes of zoning.

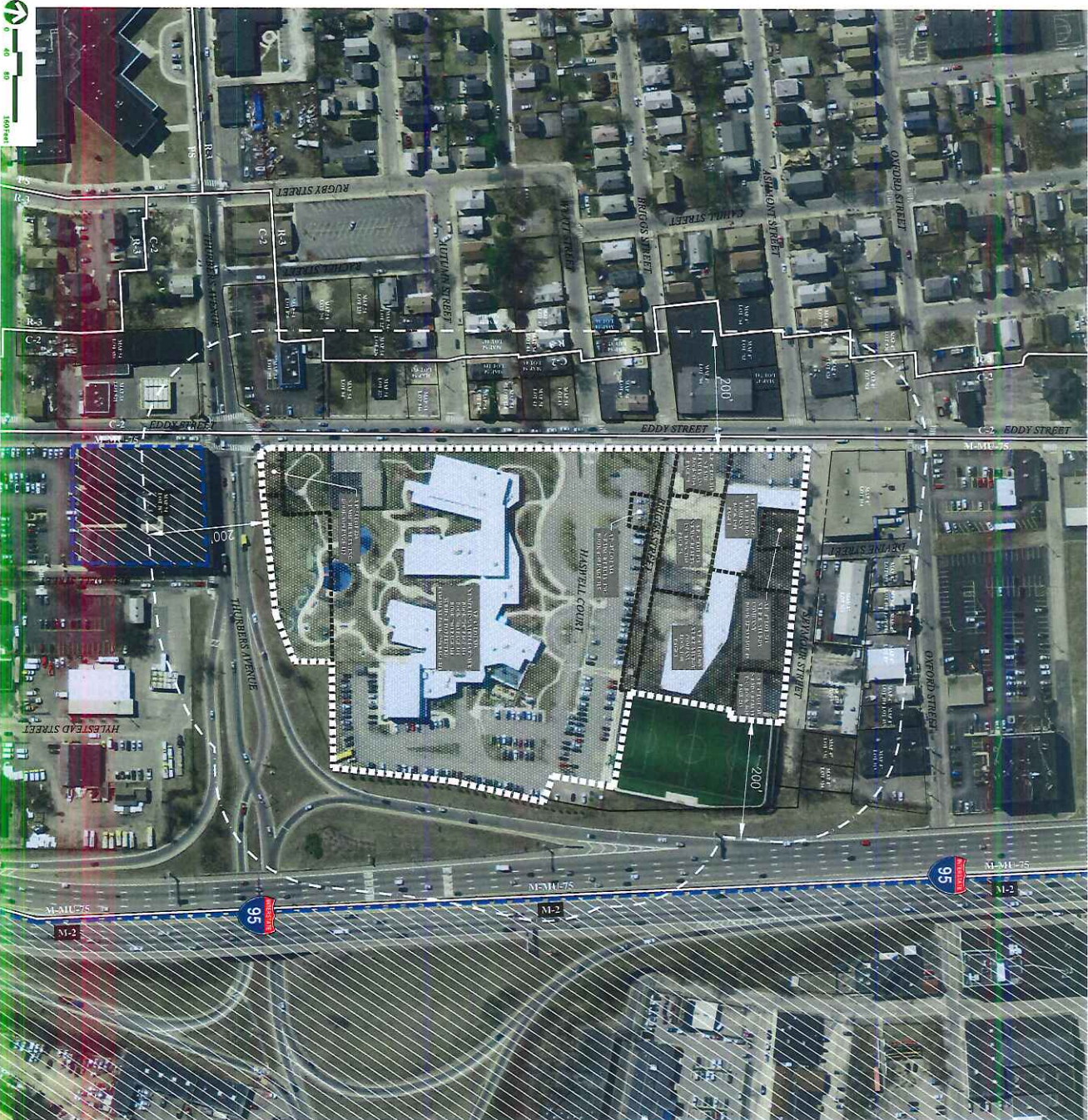
Sincerely,



Choyon Manjrekar
Administrative Officer

cc: John Kelly, President, Meeting Street School






vhb.com


1 Cedar Street
Suite 400
Providence, RI 02903
401.272.8100


Legend


AREA TO BE COVERED BY
200' RADIUS


HISTORIC ZONING DISTRICT 11
PROVIDENCE, RHODE ISLAND


APPROXIMATE BOUNDARY OF
APPROXIMATE BOUNDARY


200' RADIUS


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
Meeting Street School
1000 Eddy Street
Providence, Rhode Island


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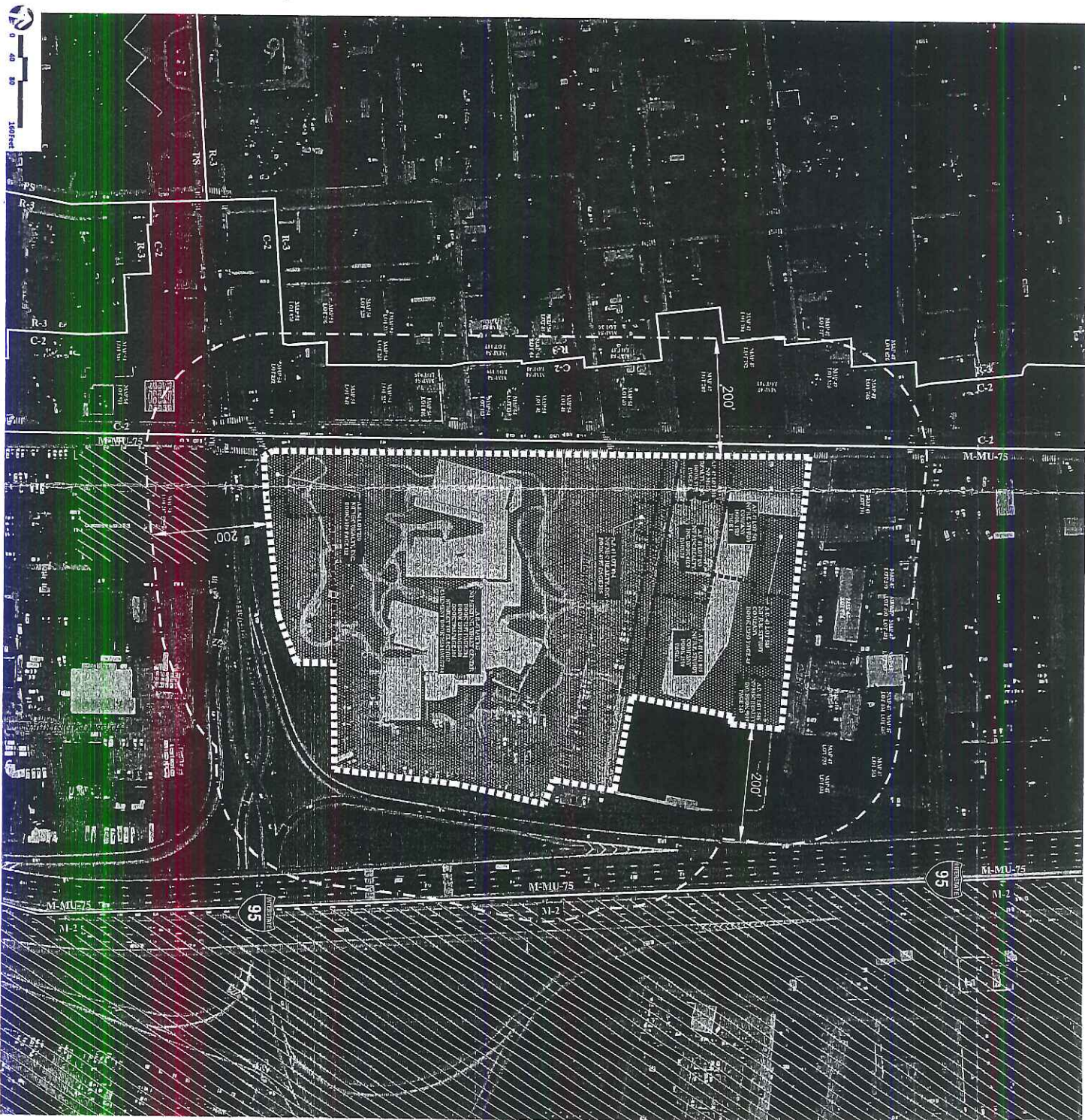
Not Approved for Construction
November 30, 2016

**East Parcels and Briggs
Briggs Street Rezoning
200 Foot Radius Map**


RAD-2


0 2 2


72785.00



vhb
vhb.com

1 Cedar Street
Suite 400
Providence, RI 02903
401.272.5100

Legend

LOT TO BE CHANGED TO
ZONING DISTRICT C-2

APPROPRIATE ZONING DISTRICTS
1. C-2
2. R-3
3. M-MU-75
4. PS
5. R-1

APPROPRIATE ZONING DISTRICTS
1. C-2
2. R-3
3. M-MU-75
4. PS
5. R-1

Meeting Street School

2000 Eddy Street	
Providence, Rhode Island	
Site	Area
1000	1000
2000	2000
3000	3000
4000	4000
5000	5000
6000	6000
7000	7000
8000	8000
9000	9000
10000	10000

Not Approved for Construction
East Parcels and Briggs
Briggs Street Rezoning
200 Foot Radius Map
November 20, 2016

RAD-2
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77755.00