

**CHAPTER 2012-43**

**No. 501**

**AN ORDINANCE AMENDING PROVIDENCE TOMORROW: THE COMPREHENSIVE PLAN AS THE CITY'S OFFICIAL COMPREHENSIVE PLAN, BY CHANGING THE FUTURE LAND USE MAP FOR CERTAIN LOTS BOUNDING ON CEDAR STREET.**

*Approved July 31, 2012*

***Be it ordained by the City of Providence:***

**Section 1.** *Providence Tomorrow: The Comprehensive Plan*, adopted December 17, 2007, as amended, is hereby further amended, by extending the designations "Downtown/Mixed Use" and "Jobs District" on Map 11.2, which map is entitled "Future Land Use" so that it encompasses the entirety of lots 67, 166, 167, 171, 176, & 178 on tax assessor's plat 26.

In addition, the designations "Downtown/Mixed Use" and "Jobs District" shall be extended to include that portion of lot 375 fronting on Jones Street approximately fifty (50) feet in width by approximately seventy-one (71) feet in depth which portion was administratively subdivided into lot 375 by CPC Project #10-021A approved by the Providence Planning Dept. in August, 2010.

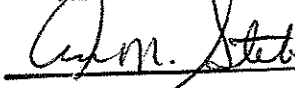
**Section 2.** This Ordinance shall take effect and become enforceable upon adoption by the City Council and approval by the Mayor. This Ordinance shall not become effective for purposes of guiding state agency actions until it is approved by the State of Rhode Island pursuant to the methods stated in Chapter 45-22.2 of the Rhode Island General laws, or pursuant to any rules and regulations adopted pursuant to such Chapter.

IN CITY COUNCIL

JUL 26 2012

FIRST READING

READ AND PASSED



 CLERK

IN CITY  
COUNCIL

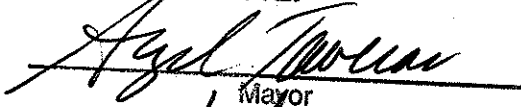
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FINAL READING

READ AND PASSED

 PRESIDENT  
 CLERK

I HEREBY APPROVE.

 Mayor

Date: 7/31/12

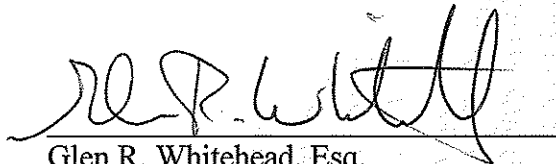
City of Providence  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

FIRST AMENDMENT TO  
PETITION TO THE HONORABLE CITY COUNCIL  
OF PROVIDENCE, RHODE ISLAND

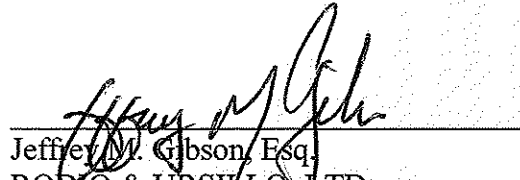
NOW COMES Omni Combined W.E., LLC and hereby respectfully requests an amendment to  
the Providence Tomorrow: The Interim Comprehensive Plan, as attached hereto.

Respectfully submitted,

Omni Combined W.E., LLC  
By Its Attorneys,



Glen R. Whitehead, Esq.  
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(401) 331 – 0436 (fax)

DATED: May 8, 2012



## City Plan Commission

Angel Taveras, Mayor

June 20, 2012

Councilman Seth Yurdin  
Chair, Committee on Ordinances  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

Attn: Anna Stetson, City Clerk

**Re: Referral 3352-Petition to rezone lots 67, 166, 167, 171, 176, 178 and a portion of lot 375 on Plat 26 from R-G to D-2.**

**Petitioner: Omni Combined, WE LLC**

Dear Councilman Yurdin:

At a regular meeting of the City Plan Commission (CPC) on June 19 2012, the CPC reviewed the proposed zoning change. The Commission 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 lots 167, 166, 171, 176 178, 67 and a portion of lot 375 on AP 26 from R-G to D-2.

A portion of lot 375 is the development site for a proposed office building. The easterly portion is occupied by a parking deck with the rest of the lots used to provide off street parking. The parking lots were created after houses on site were demolished to provide parking. Given the current use of the property, the CPC found the proposed rezoning to be appropriate as it would address the development needs and pattern of growth articulated in *Providence Tomorrow: The Comprehensive Plan*.

The Zoning Ordinance describes the D-2 zone as one intended to foster the expansion of Downtown uses into former manufacturing areas where commercial, retail, residential and office uses are being introduced. The CPC found that the area for the proposed rezoning fit this description as the parking lots currently support commercial development around the site. As the surrounding property is primarily commercial property zoned D-2 and the lots support uses in that zone, the CPC found the change to be appropriate.

DEPARTMENT OF PLANNING AND DEVELOPMENT  
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The CPC found that rezoning the lots to D-2 would permit a number of uses on site that are not permitted in the R-G zone that would be beneficial in supporting existing commercial development. Objective BJ-1 of the Comprehensive Plan attempts to expand economic opportunities by focusing efforts on retention and expansion of businesses. The CPC found that a change to D-2 would permit a number of uses that would satisfy this objective. Strategy E of objective BJ-2 of the Comprehensive Plan supports the development of effective transit and parking opportunities, which can be accommodated by the D-2 zone.

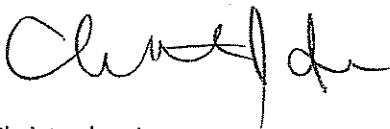
The CPC found that the change to D-2 would fulfill objective LU-2 of the Comprehensive Plan by directing growth toward areas best suited to provide access to jobs, housing and transit. Development intended for the D-2 designation would be similar to what exists in the vicinity. Extension of the D-2 zone would fulfill Objective BJ-4, which aims to create a business friendly environment to stimulate business growth. Extending the D-2 zone would allow for mixed use development and promote walking as it would be proximate to a large number of businesses and people. The CPC found that development that could potentially occur as a result of the expansion would be in fulfillment of Objective LU-4, which promotes the development of mixed use areas to improve the balance of jobs and housing.

The CPC found that rezoning this area would address needs for commercial expansion, job retention and transit development. Given the commercial, transit oriented use of this area, the CPC found the rezoning to be in conformance with the Comprehensive Plan and that it was not expected to negatively affect health, safety, welfare and the purposes of zoning in Section 100 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,



Christopher Ise  
Administrative Officer

cc: Anna Stetson, City Clerk  
William DiStefano  
Dominic Shelzi  
Glen Whitehead

DEPT OF CITY CLERK  
PROVIDENCE, R.I.  
2012 JUN 28 A 11: 08

FILED