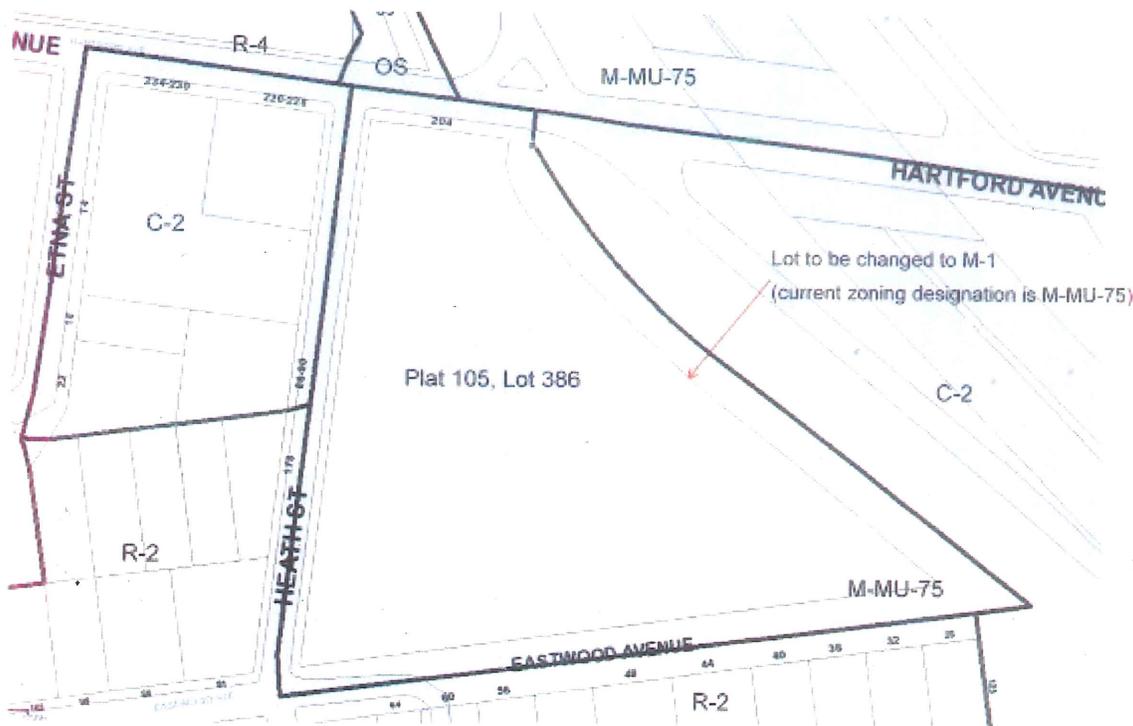


CHAPTER 2018-19

No. 307 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 204 HARTFORD AVENUE (ASSESSOR'S PLAT 105, LOT 386) FROM AN M-MU-75 TO M-1

Approved May 11, 2018
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, to change the Zoning District on the Official Zoning Map for 204 Hartford Avenue (Assessor's Plat 105, Lot 386) from an M-MU-75 to M-1. The zoning map shall include a notation that Adult Use and Compassion Center/Cultivation Center shall be prohibited on the subject lot.



NOTE: The subject Plat 105, Lot 386 is in a Historic Overlay District (HD)

SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
APR 19 2018
FIRST READING
READ AND PASSED
Low L. Hogg CLERK

IN CITY COUNCIL
MAY 03 2018
READ AND PASSED
Dante S. Sisti PRES.
Low L. Hogg CLERK

I HEREBY APPROVE.
[Signature]
Mayor
Date: 3/11/18



City Plan Commission
Jorge O. Elorza, Mayor

January 24, 2018

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

Attn: Lori Hagen, City Clerk

Re: Referral 3424-Petition to rezone 204 Hartford Ave (AP 105 Lot 286) from M-MU 75 to M-1

Petitioner: Mac Ritchie Storage LLC

Dear Mr. Hassett,

The City Plan Commission (CPC) reviewed the proposed zoning change to rezone the property at 204 Hartford Ave (AP 105 Lot 286) from M-MU 75 to M-1 at a regular meeting on January 16, 2018. The CPC voted as described below to make certain findings of fact and to recommend that the petition be approved subject to certain conditions.

FINDINGS OF FACT

The applicant is proposing to rezone 204 Hartford Ave (AP 105 Lot 286) from M-MU 75 to M-1 in order to operate a storage space facility which is prohibited in the M-MU 75 zone. The subject lot is located on Hartford Avenue, which is a busy commercial street. It is occupied by an industrial building that is used as a warehouse and for retail and has existed as a commercial structure for a number of years.

The CPC found that this portion of Hartford Avenue is composed of a mix of uses. Lots to the east and west of the subject lot are zoned C-2 and R-2. The lots to the north of the parcel are zoned M-MU 75 and R-4. The CPC found it conceivable that the proposed rezoning would not have a negative effect on adjacent property given the mixed nature of the immediate neighborhood. In fact, a self-storage facility may be less intense than other uses permitted in the M-1 zone and therefore better suited for this site. It would not be a significant departure from the building's current use.

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 neighborhood commercial, residential uses and business/mixed use are located in proximity to each other. Therefore, the CPC found that the rezoning would be consistent with the intent of the comprehensive plan.

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

The CPC found that the rezoning would be appropriate if uses like marijuana cultivation and adult entertainment which are permitted in the M-1 zone were to be prohibited, as they would be inappropriate for this location.

The CPC found that if certain uses were to be prohibited, the rezoning was not expected to negatively affect health, safety and welfare and would be 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 subject to the following condition:

The zoning map shall include a notation that adult entertainment and marijuana cultivation shall be prohibited on the subject lot.

Sincerely,



Choyon Manjrekar
Administrative Officer

CC: Rob Stolzman

JOHN J. IGLIOZZI, ESQ.
COUNCIL/CONCEJAL - WARD 7
MAJORITY LEADER
PROVIDENCE CITY HALL
25 DORRANCE STREET
PROVIDENCE, RI 02903
Office: 521-7477



19 LEGION MEMORIAL DRIVE
PROVIDENCE, RI 02909
RES.: 401-943-2468

City of Providence, Rhode Island

COMMITTEES

Finance
Chairman

Rules Committee
Vice - Chairman

BOARDS & COMMISSIONS

Providence Housing Authority

Board of Park Commissioners

Board of Contract and Supply

Board of Investment Commissioners

Retirement Board of the Employees'
Retirement System

March 19, 2018

Chairman Terrance Hassett
Committee on Ordinances
25 Dorrance Street
City Council - Room 310
Providence, RI 02903

RE: 204 Hartford Avenue
Plat 105, Lot 386

Dear Chairman Hassett and Honorable Members of the Committee:

This letter serves to express my support of the petition for a Zoning Change for Macritchie Storage, LLC, brought forth by Matthew E. Waters, Esq. of Adler, Pollack, and Sheehan.

Macritchie Storage will make an excellent addition to our neighborhood. It's a low-impact business that is putting an old industrial business to good use.

It's for these reasons that I respectfully ask the Committee on Ordinances to approve this petition.

Sincerely,

John J. Igliazzi, Majority Leader
Councilman - Ward 7

CC: Committee on Ordinances

December 28, 2017

VIA HAND DELIVERY

Department of City Clerk
City of Providence
25 Dorrance Street
Providence, RI 02903

Re: Petition to the City Council for Change to Official Zoning Map

Dear Sir/Madam:

On behalf of this law firm's client, Macritchie Storage LLC, enclosed please find a Petition to the City Council to amend the City of Providence Zoning Ordinance by changing the Zoning District on the Official Zoning Map for the property known as Plat 105, Lot 386 (204 Hartford Avenue) on the City Tax Assessor Map, from M-MU-75 to M-1.

The enclosed petition includes a map showing the proposed change to the subject lot, zoning district boundaries, and existing streets and roads with their names. Also enclosed is a check in the amount of \$150 representing the filing fee, and two (2) sets of mailing labels with the names and addresses of all property owners within 200 feet of the subject lot. In addition, a proposed form of ordinance has been included for your consideration.

Thank you for your attention to this matter.

Sincerely,



Matthew E. Waters, Esq.

Enclosures

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petition your honorable body

Macritchie Storage LLC, as Petitioner, and Business Surplus Realty LLC, as owner of that property found on the City Tax Assessor Map at Plat 105, Lot 386, hereby petition the City Council to change the Official Zoning Map of the City of Providence by changing the base zoning district designation for the property located at 204 Hartford Avenue, Providence, Rhode Island 02909, also referred to on the City Tax Assessor Map as Plat 105, Lot 386, from M-MU-75 to M-1.

Respectfully Submitted:

Owners:

Business Surplus Realty LLC

By:

Name:

Title:

Petitioner:

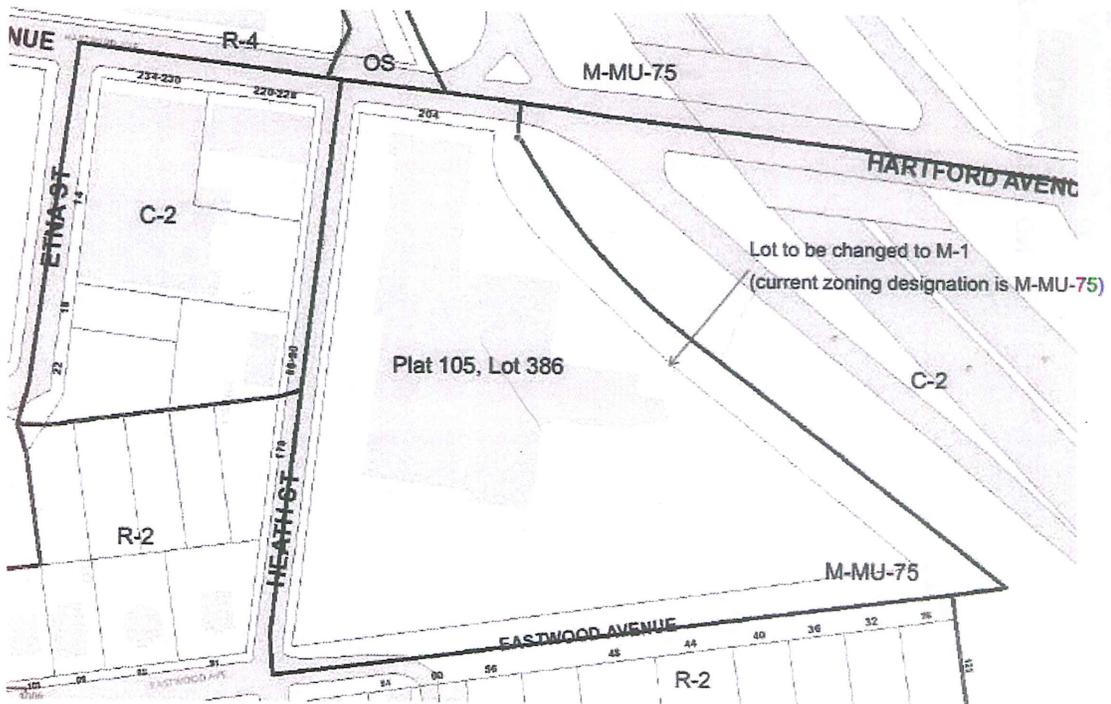
Macritchie Storage LLC

By:

Name:

Title:

*Will MATTHEW
Principal*



NOTE: The subject Plat 105, Lot 386 is in a Historic Overlay District (HD)

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

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Respectfully Submitted:

Owners:

Business Surplus Realty LLC

By: *Susanne DeFedele*

Name: *Susanne DeFedele*

Title: *Member*

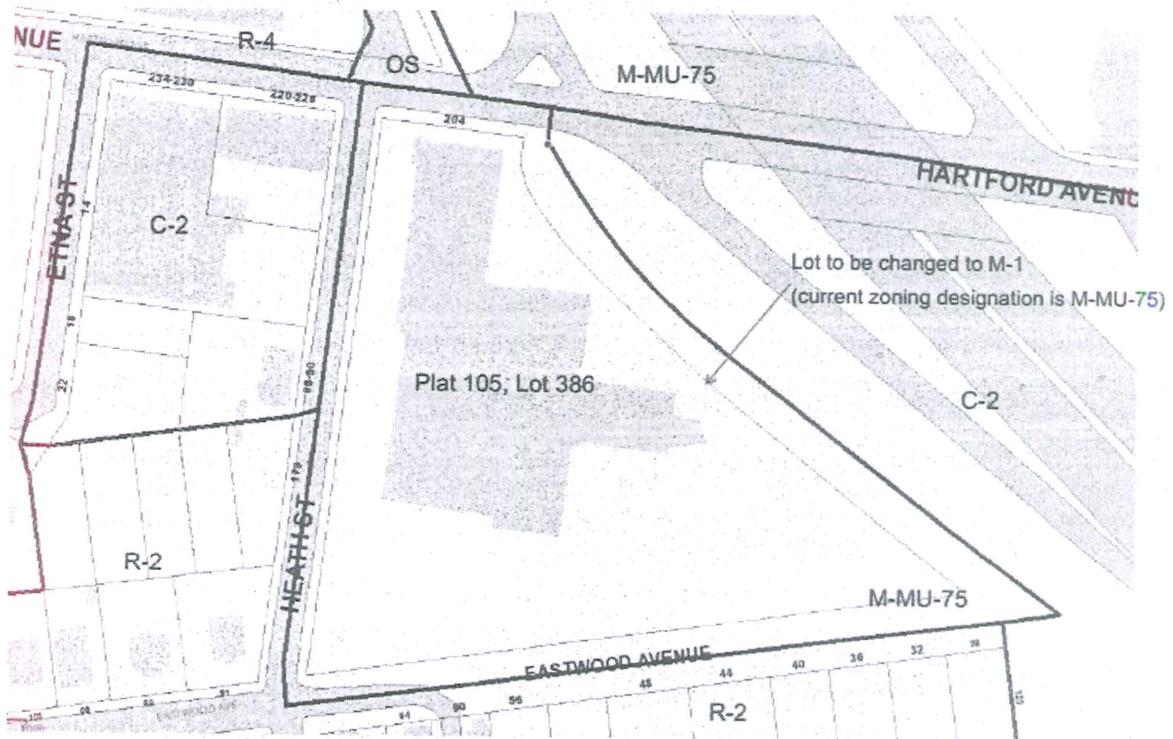
Petitioner:

Macritchie Storage LLC

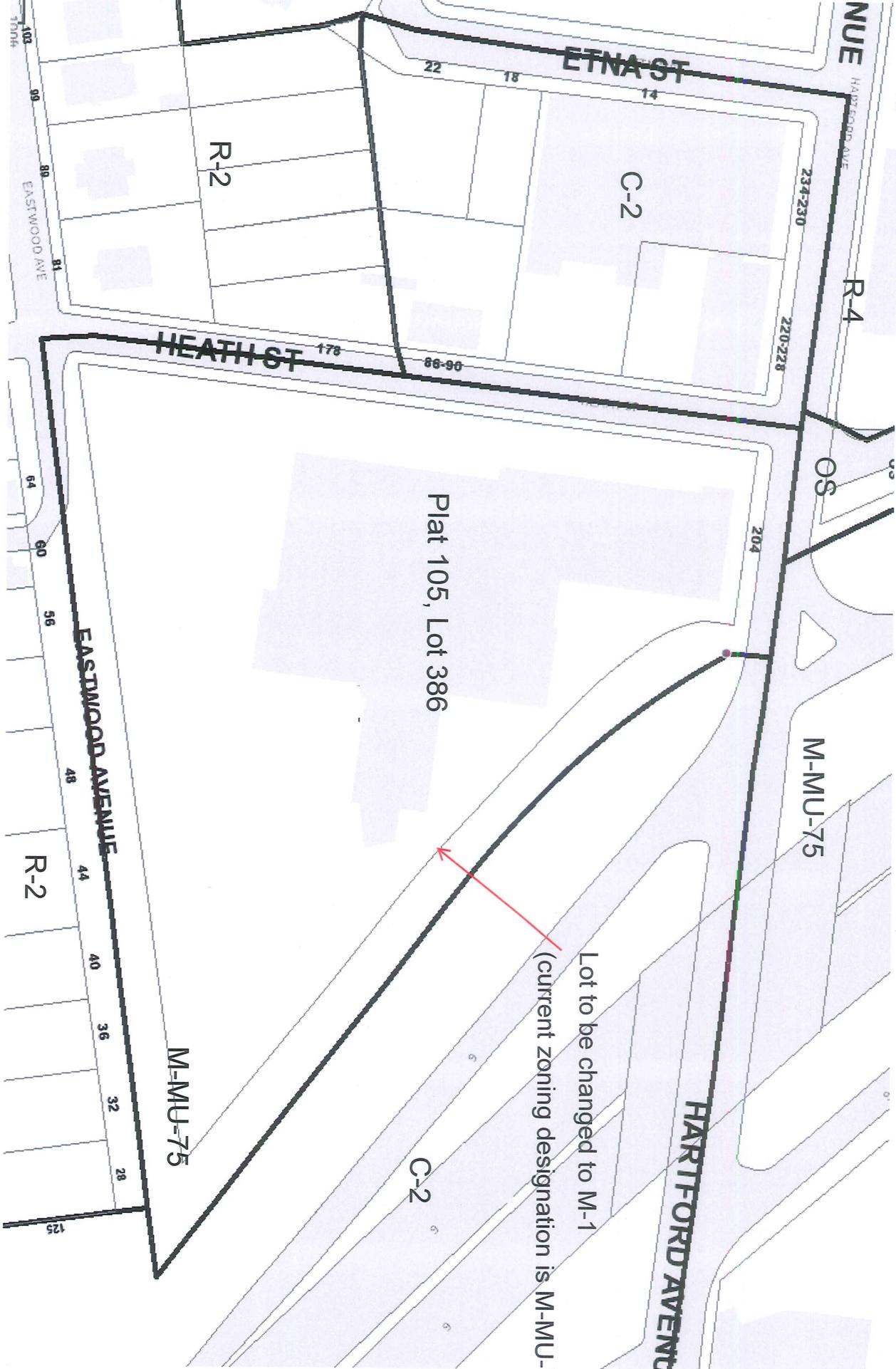
By:

Name:

Title:



NOTE: The subject Plat 105, Lot 386 is in a Historic Overlay District (HD)



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