

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

No. 45

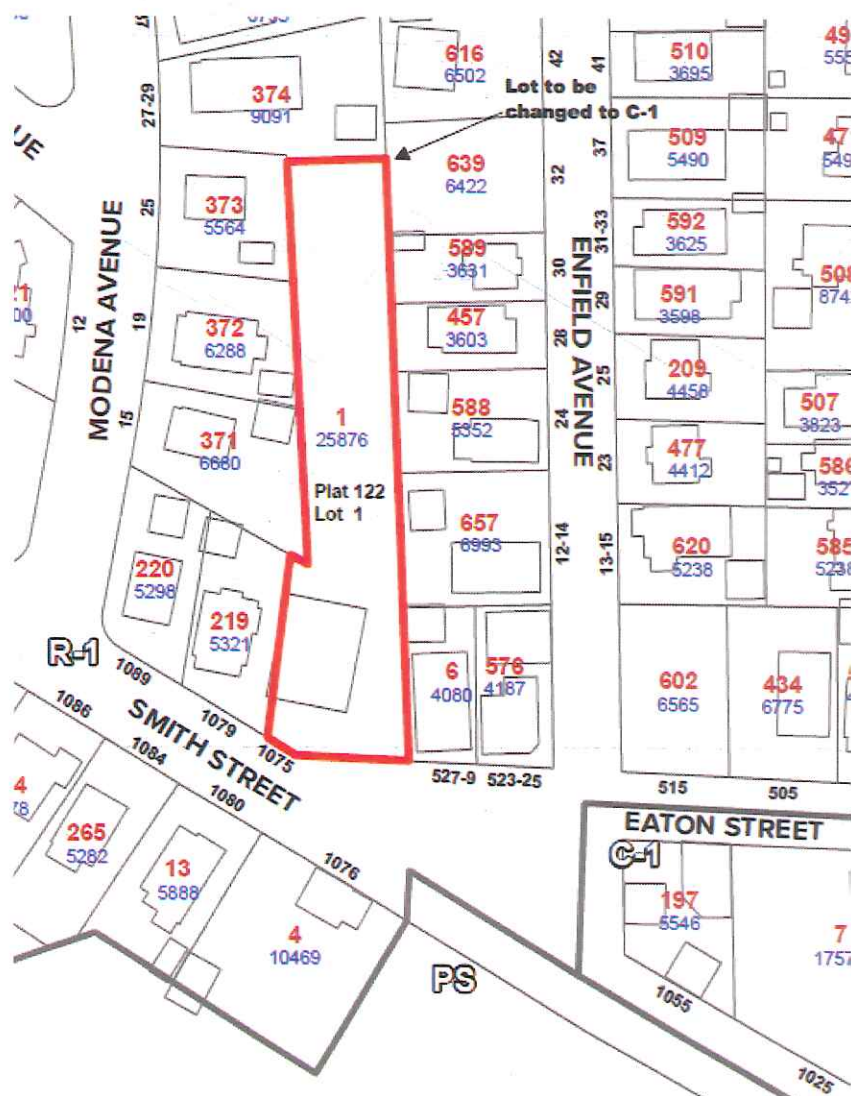
Denied January 18, 2018

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

I, **Jamie Oschefski**, hereby petition the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district designation for the property located at 1075 Smith Street (Assessor's Plat 122, Lot 1) and shown on the accompanying map, from R1 to C1.

Jamie Oschefski
7 Maloney Lane
Middletown, RI 02842
P# (401) 533-1927



IN CITY COUNCIL
JAN 18 2018

READ AND DENIED

[Signature]
CLERK



City Plan Commission
Jorge O. Elorza, Mayor

November 15, 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 3420-Petition to rezone 1075 Smith Street (AP 122 Lot 1) from R-1 to C-1

Petitioner: Jamie Ochefski

Dear Mr. Hassett,

The City Plan Commission (CPC) reviewed the proposed zoning change to rezone the property at 1075 Smith Street (AP 122 Lot 1) from R-1 to C-1 at a regular meeting on November 14, 2017. The CPC 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 1075 Smith Street (AP 122 Lot 1) from R-1 to C-1 for use as a personal services establishment. Although the building is zoned residential, the property has operated as a commercial building through a variance. The building is designed as a commercial structure rather than a residential building. This portion of Smith Street is primarily residential but abuts the C-1 zone to the east.

As the neighborhood exhibits a degree of mixed use with residential development abutting commercial uses, it is the CPC's opinion that inclusion of this lot within the C-1 zone is not expected to have a negative effect on neighborhood character or neighboring property. The building at 1075 Smith Street which has previously been used as a doctor's office has existed besides residential development for a number of years. The CPC found that the intensity of the use is not expected to change and a significant effect on neighborhood character is not expected.

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 commercial and residential uses are located in proximity to each other. The CPC found that the property is located in an area where

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neighborhood commercial development is intended alongside single family residential development. Therefore, the rezoning would be consistent with the intent of the comprehensive plan.

The CPC found that rezoning the lot would be appropriate given the proposed use as the lot would be brought into conformance with the zoning ordinance. Given the character of the surroundings and the proposed use, the CPC found that the rezoning was 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

Based on the foregoing discussion, the CPC voted unanimously to make a recommendation that the City Council approve the proposed Zone Change.

Sincerely,



Choyon Manjrekar
Administrative Officer

CC: Jamie Ochefski