

Peter J. Casale
Code Consultant
401.617.6740
petercasale@ymail.com

December 16, 2019

Tina L. Mastroianni
First Deputy Clerk
City of Providence
25 Dorrance Street
Providence, RI 02903

759 POTTERS AVENUE

Dear Ms. Mastroianni,

Please be advised of the corrected Plat and Lot info. They should be referenced on the Petition as follows;

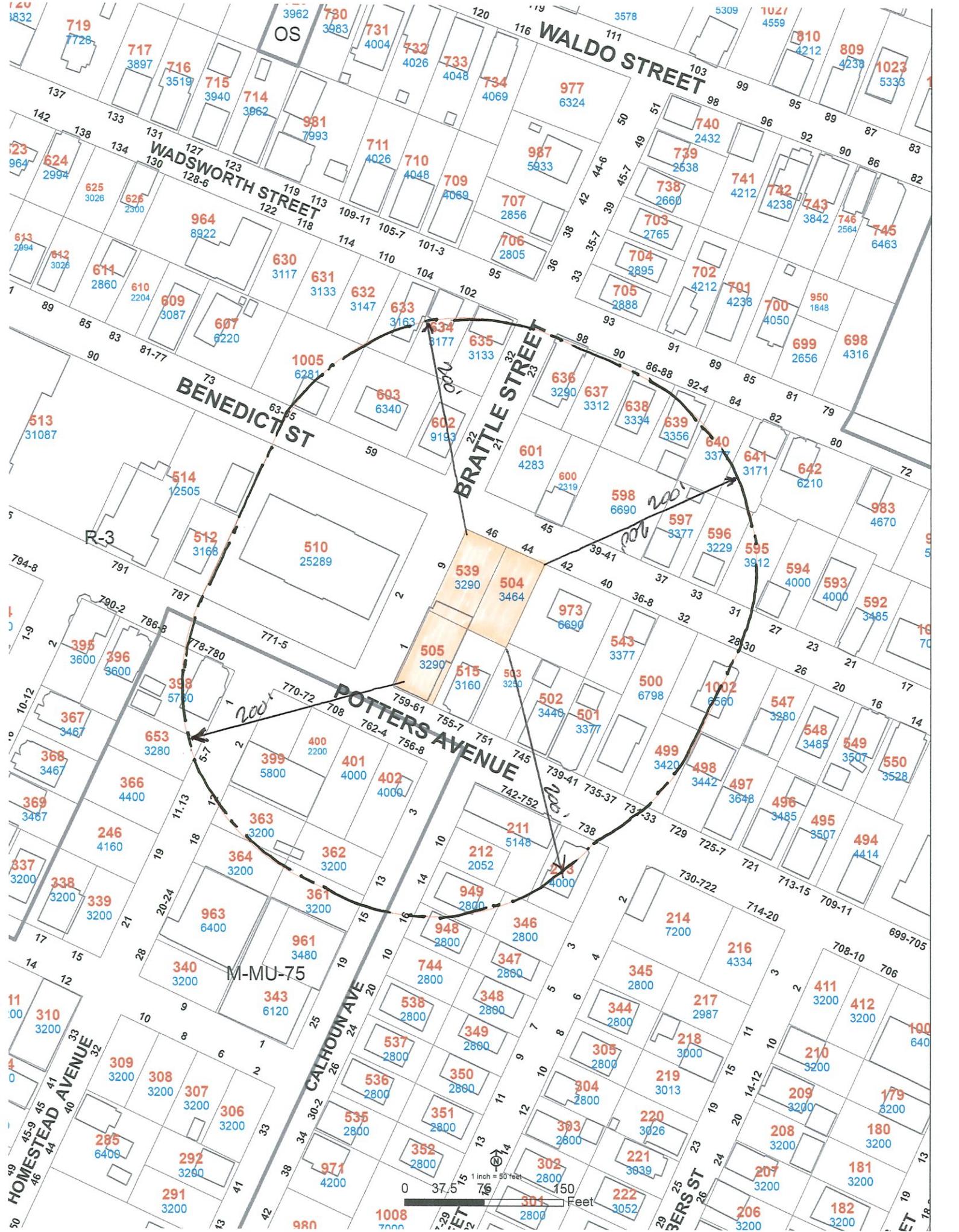
Assessor's Plat: 43
Lot Numbers: 505, 539 & 504

Please let me know if I can provide any additional information.

Thank you,

Best Regards,


Peter J. Casale





City Plan Commission
Jorge O. Elorza, Mayor

December 20, 2019

Councilwoman Jo-Ann Ryan
Chair, Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Shawn Selleck, City Clerk

Re: Referral 3466-Petition to rezone 759 Potters Ave, 44 and 46 Benedict Street from R-3 to C-1

Petitioner: Rithy Thay

Dear Chairwoman Ryan,

The City Plan Commission (CPC) reviewed the petition to rezone 759 Potters Ave, 44 and 46 Benedict Street (AP 43 Lots 505, 539 and 504) from R-3 to C-1. 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 759 Potters Ave (AP 43 Lot 505) and 44 and 46 Benedict Street (AP 43 Lots 504 and 539) from R-3 to C-1. The building at 759 Potters Ave is a mixed use building with a corner store on the ground floor and the lots on Benedict Street appear to be vacant. Although the building is zoned residential, the property has operated as a mixed use building for a number of years. This portion of Potters Ave is primarily residential but is located adjacent to the M-MU 75 zone in the west and South.

As the neighborhood exhibits a degree of mixed use with residential development adjacent to commercial uses, the CPC found that inclusion of these lots within the C-1 zone is not expected to have a negative effect on neighborhood character or neighboring property. The use of the building at 759 Potters Ave will be in compliance with the permitted uses in the C-2 zone. 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 business/commercial and residential uses are located in proximity to each other. The property is located in an area where business/mixed use is intended alongside medium density residential development. The plan says that

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

small scale retail like neighborhood commercial stores, similar to the operation run by the applicant are encouraged within this designation. The CPC found that a zone change to C-1 would be more appropriate than M-MU 75—which corresponds to the business/mixed use development land use designation—given the site’s proximity to other residences. The CPC found that the zone change to C-1 would restrict uses to an intensity that is suited to neighboring residential development. Therefore, the rezoning would be consistent with the in-tent of the comprehensive plan.

Rezoning this lot would be appropriate given the current use as it would be brought into conformance with the zoning ordinance. 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.

RECOMMENDATION

Based on the foregoing discussion, the CPC voted as follows to recommend that the City Council approve the proposed zone change:

M. Gazdacko AYE; N. Verdi AYE; C. West AYE; H. Bilodeau AYE; M. Quezada AYE

Sincerely,



Choyon Manjrekar
Administrative Officer