

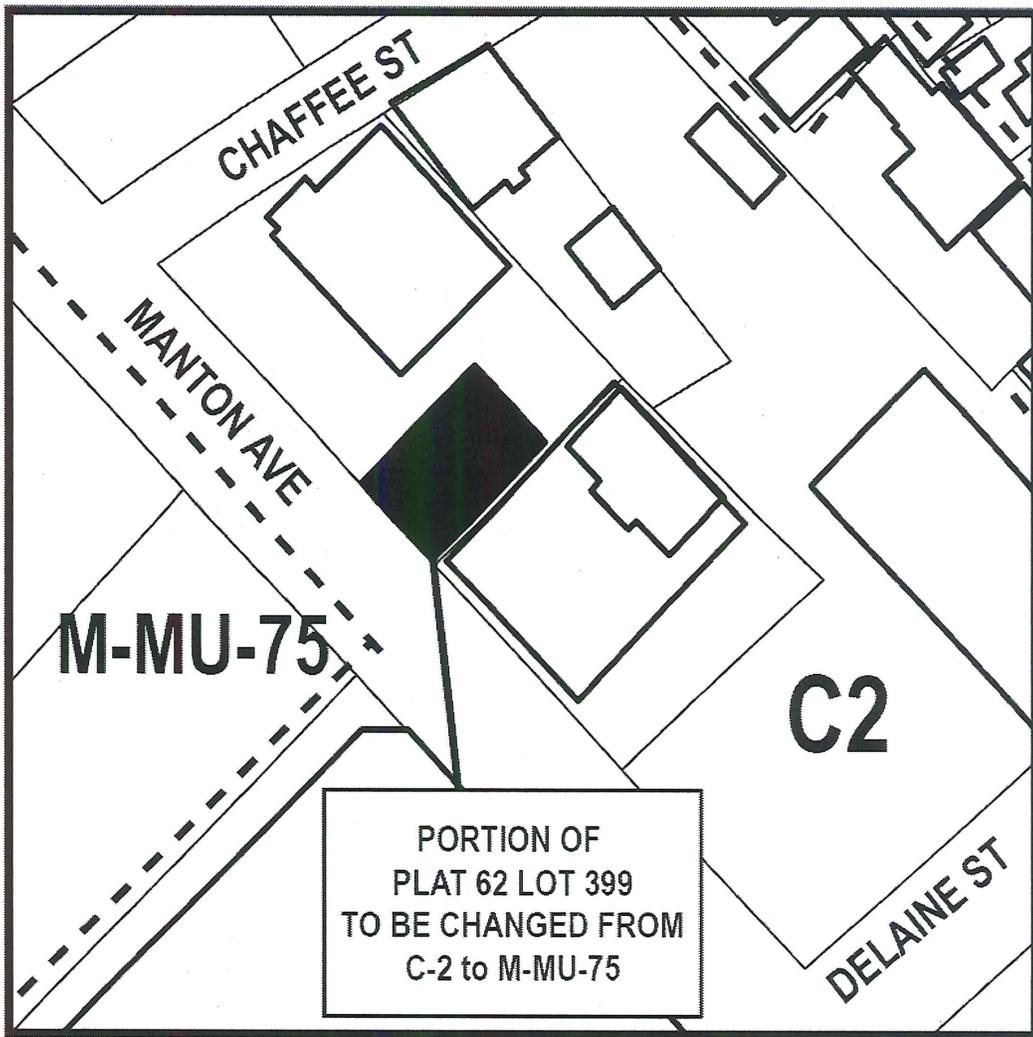
CHAPTER 2019-20

No. 298 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 OFFICIAL ZONING MAP FOR A PORTION OF PLAT 62, LOT 399, FROM C-2 TO M-MU-75

Approved May 30, 2019

Be it ordained by the City of Providence:

SECTION 1: 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 Official Zoning Map for a portion of plat 62, lot 399, from C-2 to M-MU-75, as shown on the accompanying map.



SECTION 2: This Ordinance shall take effect upon passage.

IN CITY COUNCIL
MAY 16 2019
FIRST READING
READ AND PASSED

Shawn Sallett CLERK

IN CITY
COUNCIL
MAY 23 2019
FINAL READING
READ AND PASSED

Sabrina Plato PRESIDENT
Jina L. Mastroianni ACTING CLERK

I HEREBY APPROVE.

[Signature]
Mayor
Date: *5/30/19*

Abutters Within 200' Radius from 93 Manton Avenue





City Plan Commission
Jorge O. Elorza, Mayor

April 26, 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 3445-Petition to rezone a portion of 93 Manton Ave (AP 62 Lot 399) from C-2 to M-MU 75

Petitioner: Michael Sears.

Dear Chairwoman Ryan,

The City Plan Commission (CPC) reviewed the petition to rezone 93 Manton Ave (AP 62 Lot 399) from C-2 to M-MU 75. The CPC voted as described below to make certain findings of fact and to recommend that the petition be granted.

FINDINGS OF FACT

The applicant is proposing to rezone a portion of 93 Manton Ave (AP 62 Lot 399) from C-2 to M-MU 75, which is the site of a retail store/restaurant. It shares the lot with another building used as a church, whose zoning will remain unchanged. The applicant is proposing the change to allow for provision of live entertainment within the restaurant, which is permitted by right in the M-MU 75 zone but not in the C-2 zone.

This portion of Manton Ave is primarily commercial with a diverse number of uses including large scale retail, restaurants and former industrial buildings. The eastern side of Manton Ave is zoned C-2 and the western side is zoned M-MU 75. The rezoning would draw the M-MU 75 zone eastward. As the C-2 zone is adjacent to the M-MU 75 zone, the CPC found that inclusion of the proposed portion of lot 399 within the M-MU 75 zone is not expected to have a negative effect on neighborhood character or surrounding property as the commercial nature of the surroundings are not expected to be affected.

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

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

Rezone AP 62 Lot 399
from C-2 to M-MU 75
Referral 3445
4/25/19

rezoning would conform with objective BJ-1 of the comprehensive plan which encourages the retention and expansion of local businesses.

Based on the foregoing discussion, the CPC found that rezoning the specified portion of lot 399 would be appropriate given the character of the surroundings and the proposed use. 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 found the proposed change to be in conformance with the comprehensive plan and purposes of zoning. The CPC unanimously voted as follows to recommend that the City Council approve the change to rezone a portion of AP 62 lot 399 from C-2 to M-MU 75.

N. Verdi AYE; C. West AYE; M. Gazdacko AYE; H. Bilodeau AYE; J. Opton-Himmel AYE; L. Torrado AYE;
J. Elliott AYE.

Sincerely,



Choyon Manjrekar
Administrative Officer