

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2012-47

No. 507

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 JUNE 27, 1994, AS AMENDED, TO CREATE A NEW ZONING DISTRICT THAT WOULD SUPPORT HIGH DENSITY RESIDENTIAL AND LIMITED COMMERCIAL DEVELOPMENT AND TO MODIFY THE ZONING MAP FOR A NINE LOT AREA BOUNDED BY MEETING, BROOK, EUCLID AND THAYER STREETS

Approved August 6, 2012

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 June 27, 1994, as amended, is hereby further amended as follows. Additions to text are underlined; deletions as crossed out. Explanatory notes that would not be part of the adopted ordinance are in italics.

Section 101.1. – Residential Zoning Districts

Add a new R-M High Density – Multifamily Dwelling Mixed Use District, as follows:

R-M High Density - Multifamily Dwelling Mixed Use District - This zone is intended for the highest density residential mixed use combined with commercial and retail uses, with dwelling units located on lots with a minimum land area of 5,000 sq. ft. and a minimum land area of 300 sq. ft. per dwelling unit.

* * *

Section 303 - Use Regulations

1.0 RESIDENTIAL

Use Code	Use	<u>R-M High</u>
11	One Family Detached Dwelling	<u>Y</u>
11.1	Accessory Family Dwelling Unit	<u>N</u>
12	Two Family Detached Dwelling	<u>Y</u>
13	Three Family Detached Dwelling	<u>Y</u>
14	Multifamily Dwelling	<u>Y</u>
14.1	Residential Mixed Use	<u>Y</u>
14.2	Live-Work Space-Low Intensity	<u>Y</u>
14.3	Live-Work Space-High Intensity	<u>Y</u>
14.4	Apartment Dormitory	<u>N</u>
15	Lodging – Service Organization, 10 Rooming Units or less	<u>N</u>

Use Code	Use	R-M High
15.1	Lodging, 10 Rooming Units or less	<u>N</u>
15.2	Lodging, More Than 10 Rooming Units	<u>N</u>
15.3	Nursing Home and Congregate Care Facility	<u>N</u>
15.4	Orphanage	<u>N</u>
15.5	Religious Housing and Convent	<u>Y</u>
15.6	Community Residence	<u>Y</u>
15.7	Group Quarters, With No Medical Treatment, More than 8 Residents	<u>N</u>
15.8	Group Quarters, With Medical Treatment	<u>N</u>
15.9	Group Quarters/Halfway House	<u>N</u>
16	Temporary Lodging 10 Rooming Units or Less	<u>S</u>
16.1	Temporary Lodging, 11 to 30 Rooming Units	<u>S</u>
16.2	Temporary Lodging, More than 30 Rooming Units	<u>S</u>
16.3	Temporary Lodging, with supervision, 15 Residents or Less	<u>N</u>
16.4	Temporary Lodging with supervision, more than 15 Residents	<u>N</u>
16.5	Tourist Home/Bed and Breakfast – 5 rooming Units or Less	<u>Y</u>
17	Other Residential	<u>N</u>

2.0 INSTITUTIONAL AND GOVERNMENTAL SERVICES

Use Code	Use	R-M High
21	Educational Institution (Primary through Secondary Schools Grades 0 – 12) – Classroom, Office and Assembly Use	<u>N</u>
21.1	Higher Educational Institution (Grades 13 and up) – Classroom, Office and Assembly Use	<u>N</u>
22	Special Schools	<u>N</u>
23	Religious Service	<u>Y</u>
24	Health Care Institution	<u>N</u>
24.1	Health Care Institution – Maintenance Use	<u>N</u>
24.2	Health Care Institution –	<u>N</u>

Use Code	Use	<u>R-M</u> <u>High</u>
	Disposal Use	
24.3	Health Care Institution – Parking Use	<u>N</u>
24.4	Drug or Alcohol Rehabilitation	<u>N</u>
24.5	Medical or Dental Office	<u>N</u>
25	Local/State Government	<u>N</u>
25.1	Prison/Correctional Institution	<u>N</u>
25.2	Municipal Fire/Police Station	<u>S</u>
26	Day Care – Family Day Care Home	<u>N</u>
26.1	Day Care – Day Care Center, up to 8 people receiving day care	<u>Y</u>
26.2	Day Care – Day Care Center, 9 to 12 people receiving day care	<u>Y</u>
26.3	Day Care – Day Care C Center, more than 12 people receive day care	<u>Y</u>
27	Service Organization	<u>Y</u>
28	Cemetery	<u>N</u>

3.0 CULTURAL, ENTERTAINMENT AND RECREATION SERVICES

Use Code	Use	<u>R-M</u> <u>High</u>
31	Non-Profit Library, Museum and Art Gallery	<u>Y</u>
32	Spectator Assembly	<u>N</u>
32.1	Race Track	<u>N</u>
32.2	Mini Cinema	<u>N</u>
33	Outdoor Recreation Facility	<u>N</u>
33.1	Golf Course, Tennis Court, Country Club	<u>N</u>
33.2	Marina, Recreational Craft only	<u>N</u>
33.3	Transient Amusement	<u>N</u>
33.4	Outdoor Entertainment	<u>N</u>
34	Indoor Sports Facility	<u>N</u>
35	Non-Profit Community Park, Playground	<u>Y</u>
35.1	Non-Profit Community Center	<u>Y</u>
36	Open Space	<u>Y</u>
36.1	Conservation Area	<u>Y</u>
37	Adult Entertainment	<u>N</u>

4.0 GENERAL SERVICES

Use Code	Use	R-M High
41	Finance, Insurance and Real Estate Service	<u>Y</u>
42	Personal Service	<u>Y</u>
43	Limited Business Service	<u>Y</u>
44	General Business Service	<u>N'</u>
45	Repair Service	<u>N</u>
46	Professional Service	<u>Y</u>
46.1	Animal Hospital	<u>N</u>
47	Contract Construction Service	<u>N</u>
48	Heavy Contract Construction Service	<u>N</u>
49	Research and Development	<u>N</u>

7. Catering service is permitted as an accessory use to Eating and/or Drinking Establishments.

5.0 TRADE

Use Code	Use	R-M High
51	Wholesale Trade Within Enclosed Structure	<u>N</u>
51.1	General Warehouse	<u>N</u>
52	Wholesale Trade and Outdoor Storage	<u>N</u>
53	Bulk Storage of Petroleum Products greater than 10,000 gallons	<u>N</u>
53.1	Retail Sale of Petroleum Products	<u>N</u>
53.2	Wholesale Storage of Petroleum Products 10,000 gallons or less	<u>N</u>
53.3	Bulk Storage of Liquefied Gas	<u>N</u>
54	Retail Trade Building and Related Material 2,500 GFA or Less	<u>Y</u>
55	Retail Trade Building and Related Material, More than 2,500 GFA	<u>Y</u>
56	Retail Trade Neighborhood Establishments, 2,500 GFA or Less	<u>Y</u>
56.1	Eating and/or Drinking Establishments excluding Entertainment, less than 2,500 sq. ft. GFA	<u>Y</u>
56.2	Drinking Establishment – Bar or Tavern	<u>N</u>
57	Retail Trade – Community Wide	<u>N</u>

Use Code	Use	R-M High
	Establishments, more than 2,500 sq. ft. GFA	
57.1	Eating and/or Drinking Establishments excluding Entertainment, more than 2,500 sq. ft. GFA	<u>S</u>
57.2	Drive In Establishment	<u>N</u>
58	Eating and/or Drinking Establishments, with Entertainment	<u>N</u>
59	Retail Trade – Automotive, Marine Craft, Aircraft and Accessories	<u>N</u>

6.0 TRANSPORTATION, COMMUNICATION AND UTILITIES

Use Code	Use	R-M High
61	Transportation Center	<u>N</u>
61.1	Motor Vehicle Rental Office	<u>Y</u>
61.2	Marine Passenger Terminal	<u>N</u>
61.3	Taxicab Terminal	<u>N</u>
61.4	Truck and Trailer Rental Office and Storage	<u>N</u>
62	Freight Terminal	<u>N</u>
63	Aircraft Transportation Including Maintenance	<u>N</u>
64	Parking Garage	<u>Y</u>
64.1	Parking lot, Principal Use	<u>N</u>
65	Communication and Utilities	<u>Y</u>
65.1	Wireless Transmitting And Receiving Antenna, Including Satellite Dish Type	<u>Y</u>
65.2	Broadcasting Studio-Radio and Television	<u>Y</u>
66	Power Plant	<u>N</u>
66.1	Incinerator and Waste Facility	<u>N</u>
67	Landfill and Garbage Dump including Offal Or Dead Animal	<u>N</u>
68	Outdoor Advertising - Billboards	<u>N</u>

7.0 - 8.0 MANUFACTURING

Use Code	Use	R-M High
70	Food and Kindred Products Manufacturing Including Canning And/or Packaging	<u>N</u>
70.1	Processing of	<u>N</u>

Use Code	Use	R-M High
	Sauerkraut, Vinegar or Yeast	
70.2	Rendering or Refining Of Fats or Oils	<u>N</u>
70.3	Stock Yard or Feeding Pen	<u>N</u>
70.4	Slaughter of Animals Not including the killing Of Fowl	<u>N</u>
70.5	Canning and Preserving Of Fish and Seafood	<u>N</u>
71	Textile Mill Products And Apparel Manufacturing	<u>N</u>
72	Lumber and Wood Products	<u>N</u>
72.1	Tobacco and Tobacco Products	<u>N</u>
73	Paper and Allied Products, Printing and Publishing	<u>N</u>
73.1	Pulp Mills and Paper Mills	<u>N</u>
74	Chemicals and Allied Products	<u>N</u>
74.1	Agricultural Chemicals Including Fertilizer	<u>N</u>
74.2	Leather and Fur Tanning and Finishing	<u>N</u>
74.3	Acid Manufacturing	<u>N</u>
74.4	Noxious or Toxic Gases And Chemicals	<u>N</u>
74.5	Creosote Manufacture Or Treatment	<u>N</u>
74.6	Glue Manufacture	<u>N</u>
74.7	Manufacture and Storage of Explosives	<u>N</u>
75	Petroleum Products and Related Industries	<u>N</u>
75.1	Petroleum Refining	<u>N</u>
76	Rubber and Miscellaneous Plastic Products Manufacturing	<u>N</u>
76.1	Rubber or Gutta Percha Manufacture or Treatment	<u>N</u>
76.2	Tire Manufacturing	<u>N</u>
77	Stone, Clay, and Glass Products Manufacturing	<u>N</u>
77.1	Abrasive, Asbestos and Miscellaneous Nonmetallic mineral Product manufacture	<u>N</u>
77.2	Cement, Lime, Gypsum Or Plaster of Paris Manufacture	<u>N</u>
77.3	Materials Processing Distribution and Storage	<u>N</u>

Use Code	Use	R-M High
77.4	Other Materials Processing Distribution And Storage	<u>N</u>
78	Primary Metal Industries	<u>N</u>
79	Fabricated Metal	<u>N</u>
79.1	Drop Forge Industries	<u>N</u>
80	Machinery/Machine Parts Manufacturing	<u>N</u>
81	Transportation Equipment Manufacturing	<u>N</u>
82	Ship and Boat Building And Repairing	<u>N</u>
83	Precision Instrument and Scientific Equipment Manufacturing	<u>N</u>
84	Jewelry, Silverware, Plated Ware, Costume Jewelry and Notions Manufacturing	<u>N</u>
84.1	Manual Assembly of Jewelry Parts	<u>N</u>
85	Arts and Crafts Manufacturing	<u>N</u>
86	Nuclear Industries Manufacturing	<u>N</u>

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Section 304 – Dimensional Regulations – Residential Districts: [Ord. 2009-39]

	R-1, OS & PS	R-2	R-3, R-G & R-P	R-M	R-M High
Maximum Height	2 stories ¹ 30 feet	2 stories ¹ 30 feet	2 stories ¹ 30 feet	6 stories 75 feet	4 stories 45 feet
Minimum Lot Area	6,000 sq. ft. ³	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.
Minimum Lot Area Per Dwelling Unit	N/A	2,500 sq. ft.	2,000 sq. ft.	1,200 sq. ft.	300 sq. ft.
Minimum Lot Area Per Rooming Unit	N/A	N/A	750 sq. ft.	500 sq. ft.	300 sq. ft.
Minimum Lot Width & Frontage	60 ft. ³	50 ft.	50 ft.	50 ft.	50 ft.
Front Yard Setback	See 304.1, Footnote 4				See 304.1, Footnote 8
Minimum Side Yard ^{1, 2, 5}	Total Yards Required=30% of Lot Width; Minimum of 6 ft. for each yard; Maximum total yards required= 30 Feet @ 2 stories				See 304.1, Footnote 8
Minimum Rear Yard	25% of Lot Depth Maximum 25 Feet			25% of Lot Depth	See 304.1, Footnote 8

				max. 35 ft.	Page
Maximum Lot Coverage	35% ^{6,7}	40% ^{6,7}	40% ^{6,7}	40% ^{6,7}	none

NOTE: See Article 4 for modifications to these requirements, and additional standards.

304.1 – Footnotes for Dimensional Regulations – Residential Districts

8. In the R–M High Density zones, building façades shall be built within a build-to zone of between zero and eight feet from the lot line. Such façades shall occupy this build-to zone for at least 50% of each lot frontage of the property.

* * *

Section 607 – Permitted Signs by Zone

607.3 – R-M High Density, C-1, C-2, and W-1 Zones: The maximum total area of all signs on any structure shall not exceed one and a half (1.5) square feet per one (1) foot of building frontage. Window signs shall not be included in this calculation. All signs may be illuminated externally or internally, except that internally illuminated signs are not permitted in HD overlay zones. [Ord. 1995-8] The maximum area of any individual sign shall be limited as follows:

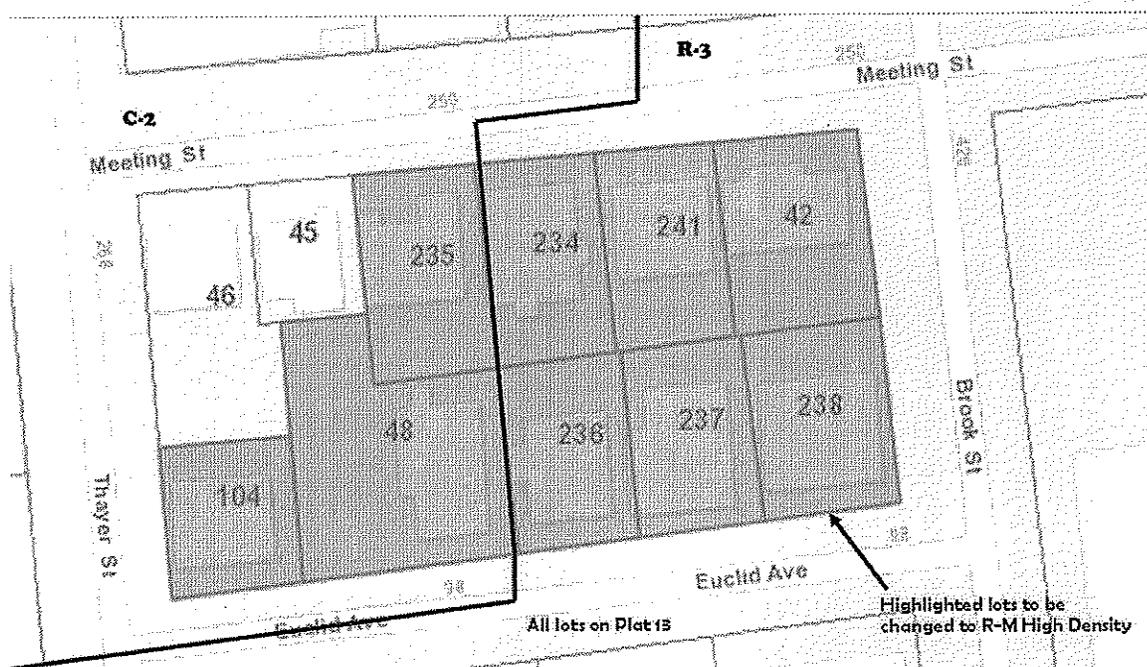
* * *

703.1 – Parking Requirements for D and R–M High Density Zones: In D and R–M High Density zones, the requirements set forth in Section 703.2 shall be reduced by fifty (50) percent, except for institutions that are required to file a master plan in accordance with Section 503 of this Ordinance. Parking requirements for eating and drinking establishments in a D Zone shall be zero (0). See Section 205.2 for parking requirements for a change of use in an existing building in a D zone.

* * *

708.3 – Size of Required Loading Spaces: Each off street loading space shall consist of the following dimensions: Length – 55 feet; Width – 12 feet; and Clearance – 14 feet. Notwithstanding these requirements, if loading can be accommodated entirely within a building, these required dimensions shall not apply.

Section 2. Chapter 27 of the Code of Ordinances of the City of Providence, entitled “The City of Providence Zoning Ordinance approved June 27, 1994, as amended, is hereby further amended, as shown on the map below, by changing the zoning designation in the area bounded by Meeting, Brook, Euclid and Thayer Streets and, more specifically, from R-3 to R–M High Density for the area encompassing Lots 234, 236, 237, 238, 241, and 42 on Assessor’s Plat 13 and from C-2 to R–M High Density for the area encompassing Lots 48, 104, 235:



Section 3. This Ordinance shall take effect upon passage.

IN CITY COUNCIL
JUL 30 2012

FIRST READING
READ AND PASSED

Carl M. Steh
CLERK

IN CITY
COUNCIL
AUG 01 2012

FINAL READING
READ AND PASSED

[Signature]
PRESIDENT
Carl M. Steh
CLERK

I HEREBY APPROVE.

Angel Tavelas
Mayor

Date: 8/6/12

City of Providence
State of Rhode Island and Providence Plantations

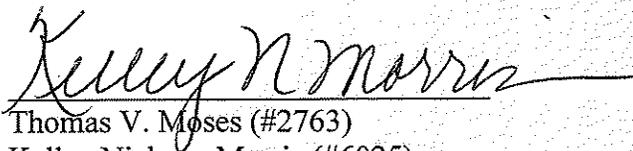
**PETITION TO THE HONORABLE CITY COUNCIL OF
PROVIDENCE, RHODE ISLAND**

NOW COMES Gilbane Development Company and hereby respectfully requests
amendments to the City of Providence Zoning Ordinance, as attached hereto.

Respectfully Submitted,

Gilbane Development Company

By its attorneys,



Thomas V. Moses (#2763)
Kelley Nickson Morris (#6025)
160 Westminster Street
Suite 400
Providence, Rhode Island 02903
(401) 453-3600

DATED: March 30, 2012

PROVIDENCE CITY
COUNCIL OF CITY OFFICERS
MAY 30 11 00 AM '12
MAILED

STATEMENT OF INTENT

Now comes Gilbane Development Company (or its nominee) ("Gilbane") and hereby states its intent as follows:

WHEREAS, Gilbane is the applicant for a development located at 257 Thayer Street, also designated as AP 13, Lots 42, 48, 104, 234, 235, 236, 237, 238, 241 (the "Property"); and

WHEREAS, the proposal is to construct a four story, 102 unit residential development with a small-scale supporting retail use (the "Project"); and

WHEREAS, the Project requires a change to the City's Comprehensive Plan's Future Land Use Map, a Zoning Map change, and Major Land Development Review by the City Plan Commission, building permits, and other necessary state and local approvals (the "Required Approvals"); and

WHEREAS, pursuant to R.I.G.L. 45-23-61, the Zoning Map change will be conditional on subsequent required approvals from the City Plan Commission; and

WHEREAS, Gilbane will be seeking a tax agreement from the City that will ensure the reasonableness and certainty of taxes ("Agreement").

WHEREAS, there have been concerns raised by the Providence Preservation Society ("PPS") and the College Hill Neighborhood Association ("CHNA");

NOW THEREFORE, Gilbane intends to offer the following:

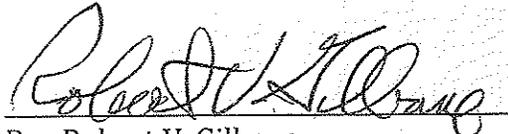
1. Gilbane will not seek a tax abatement for real estate property taxes that the property currently generates.
2. Prior to the full Council's vote, Gilbane will execute a deed restriction, which will require that real estate property taxes will be paid to the City in perpetuity by agreement (the "Deed Restriction").
3. The Deed Restriction will be held in escrow by the city solicitor's office until the time that all Required Approvals and the Agreement are granted, a building permit is issued, and all appeals have been resolved and/or all appeals periods have lapsed.
4. At that time, Gilbane will authorize the city solicitor, in writing, to record the deed restriction; such authorization will not be unreasonably withheld.
5. After the full Council's vote, Gilbane will offer a contribution of up to Two Hundred Thousand Dollars (\$200,000) in matching funds ("Matching Funds") to the Providence Preservation Society for the third party costs directly associated with the relocation of one or more home(s) from the Property with the following conditions:

- a. PPS will be responsible to raise matching funds of up to \$200,000 prior to January 1, 2013 and must show evidence of the funds to the reasonable satisfaction of Gilbane ("PPS Funds").
 - b. PPS will be responsible to acquire land sufficient by local and state ordinances and regulations to move the chosen number of home(s) prior to January 1, 2013 and must show evidence of the acquisition by producing certified, recorded deed(s) to Gilbane.
 - c. PPS will be responsible to have a binding contract in place for the construction of a sufficient foundation and for the removal of the chosen number of home(s) from the Property by January 1, 2013. The removal contractor must be bonded and insured for the benefit of Gilbane or its nominee.
 - d. The relocation must take place between June 1 and June 15, 2013, such that Gilbane can commence construction of the project. If the home(s) are not relocated by June 15, 2013 Gilbane shall be allowed to demolish the home(s).
 - e. Within 24 hours of delivery of PPS Funds to Moses Afonso Ryan Ltd. ("MAR"), Gilbane will deliver the Matching Funds to MAR, both to be held in escrow by MAR. Gilbane and PPS will enter into an escrow agreement prior to January 1, 2013, when the PPS Funds and Matching Funds may be accepted.
 - f. Should any of the above conditions not be met, Gilbane will not be required to contribute Matching Funds and/or will be refunded Matching Funds.
6. Gilbane has hired a local architect familiar with the character and built environment of the neighborhood. Additionally, Gilbane will provide a physical 3D design model that puts the proposed building in context with the surrounding structures, to be produced on or about October 15, 2012; such model to be donated to the City after Gilbane no longer requires use of the model for marketing purposes. Gilbane intends to continue meeting with the PPS/CHNA Steering Committee to review the design.
 7. Gilbane will immediately release its traffic study to the public.
 8. Gilbane will provide a completion bond for all public improvements associated with the development.
 9. Gilbane is committed to construction practices that cause the lowest impact possible to the surrounding community. Workers will be required to park off-site and will be shuttled to the site. As 257 Thayer will have a below grade

garage which is anticipated to be constructed during the summer of 2013, that area can be use as a staging area for materials/deliveries, thus minimizing the impact on the surrounding community.

10. Gilbane will include public amenities in the development plan such as benches, street trees, street lighting, the elimination of curb cuts and the replacement of sidewalks in all areas that are impacted by the construction of 257 Thayer.
11. Gilbane intends to participate in a study of the greater Thayer Street area.
12. Gilbane is prepared to invest in and participate in the Thayer Street District Management Authority.

GILBANE DEVELOPMENT COMPANY



By: Robert V. Gilbane
Chairman & CEO

July 25, 2012



City Plan Commission
Angel Taveras, Mayor

May 29, 2012

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

Attn: Anna Stetson, City Clerk

Re: Referral 3347-Petition to create a new zoning district – C-3 – to support high density residential and commercial development and modify the zoning map to rezone lots 104, 48, 235, 234, 236, 241, 237, 42 and 238 on AP 13 from R-3 to C-3

Petitioner: Gilbane Development Company

Dear Councilman Yurdin:

At a regular meeting of the City Plan Commission (CPC) on May 15, 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 amend the zoning ordinance to create a new zone — C-3— intended for high density, mixed use development in areas that are accessible to pedestrians and public transit. The applicant intends to rezone lots 104, 48 and 235 from C-2 to C-3 and lots 234-238, 241 and 42 from R-3 to C-3. All lots are located on AP 13.

The proposed definition for the zone is:

C-3 – High Density Residential Mixed Use – This zone is intended for mixed use development in pedestrian and public transit oriented areas that support high density residential and neighborhood scale commercial uses.

Introduction of the new zone entails changes that include a new zone definition in Section 101 and changes to the use table in Section 303. The dimensional regulations of Section 305 applicable to the C-3 zone would require a minimum lot area of 300 SF for each dwelling and rooming unit. Height would be

DEPARTMENT OF PLANNING AND DEVELOPMENT
444 Westminster Street, Providence, Rhode Island 02903
401 680 8400 ph | 401 680 8492 fax
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limited to 45 feet, with no minimum lot area and no limit on maximum lot coverage. Development could occur within a build to zone between zero and eight feet of the lot line. The petition also includes a change to Section 708.3, size of required loading spaces, where the requirement for loading spaces would be waived if loading space can be provided within a building.

The CPC found that the newly created zone would address the development needs and pattern of growth articulated in *Providence Tomorrow: The Interim Comprehensive Plan*. The portion of Thayer Street that would be rezoned is a busy commercial corridor well-served by public transport, with a number of businesses that are accessible to pedestrians. The CPC found that by accommodating dense housing, the C-3 zone would fulfill the objectives of creating a diverse range of housing for individuals with varying needs as outlined in objectives H-2 and H-3.

The CPC found that the petition supported a number of objectives and strategies outlined in the Comprehensive Plan. Objective BE-3 encourages incorporation of the best urban design principles into development patterns to achieve a higher concentration and greater mix of housing, employment and transit options. To achieve this objective, strategies B and C identify developing regulations to create dense transit oriented development and creation of nodes of higher density along commercial corridors to promote use of transit. Objective M-7 aims to invest in transportation infrastructure to create connections between neighborhoods and to Downtown. The promotion of transit oriented development is identified as a strategy to achieve this objective.

The ordinance would apply a parking requirement similar to Downtown, which is half of the required parking, to this zone. The CPC found the reliance on reduced parking would promote the use of transit, walking, bicycles and alternatives to motor vehicles. The CPC found that the reduction in parking would contribute to implementing strategies B and G of objective M-6. These strategies are intended to explore opportunities for shared parking as a means to reduce parking and encourage the elimination of surface parking lots.

The CPC found that creation of the C-3 zone would fulfill the Comprehensive Plan's objectives of providing varied forms of dense mixed use development in strategically chosen locations that are accessible to pedestrians and served by transit in addition to reducing parking demand. Per the zoning map, the change would include active streets like Meeting Street, Euclid Avenue and Brook Street and a portion of Thayer Street that is zoned C-2 and is a busy area served by pedestrians and transit. The CPC found that the creation of this zone would address needs for dense housing options and transit in other parts of the City as well. The proposed development is consistent with the Comprehensive Plan's Future Land Use Map designation of Neighborhood Commercial. The current land use designation of the subject area is medium density residential and a petition to change the land use designation to neighborhood commercial has been filed. Given the commercial, transit oriented use of this area, the CPC found the petition 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 of Approval for
Rezoning of certain lots to C-3
Referral 3347
5/29/2012

3

RECOMMENDATION

Based on the foregoing discussion, the CPC made a recommendation that the City Council approve the proposed Zone Change.

Sincerely,



Christopher Ise
Administrative Officer

cc: Anna Stetson, City Clerk
Kelly Morris, Moses and Afonso
Russell Broderick, Gilbane Development Company