

CHAPTER 2022-37

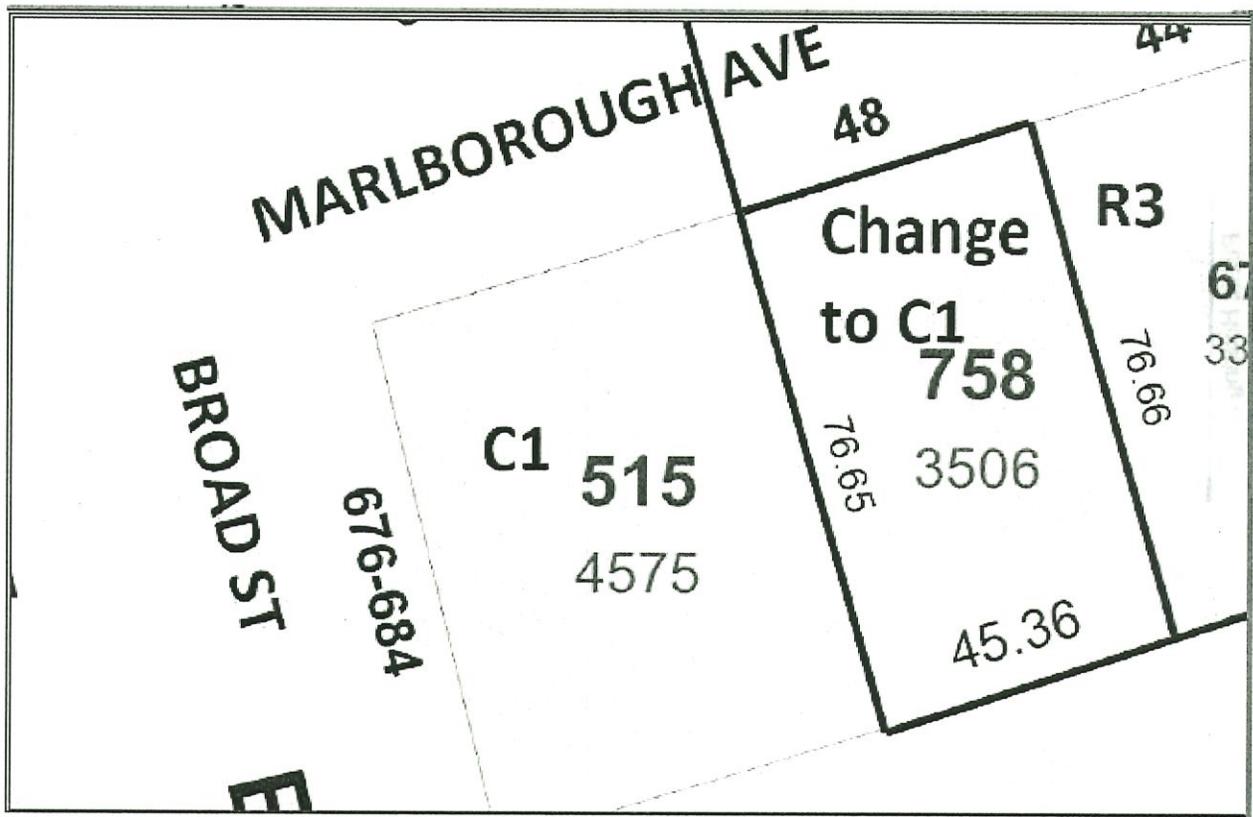
No. 303

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 THE PROPERTY LOCATED ON ASSESSOR'S PLAT 45, LOT 758 (48 MARLBOROUGH AVENUE), FROM R-3 TO C-1

Approved September 7, 2022

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 Zoning District on the Official Zoning Map for the Property located on Assessor's Plat 45, Lot 758 (48 Marlborough Avenue), from R-3 to C-1.



SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL  
JUL 21 2022  
FIRST READING  
READ AND PASSED

*Tina L. Mastrosianni* CLERK  
ACTING

IN CITY  
COUNCIL  
SEP 01 2022  
FINAL READING  
READ AND PASSED

*John J. Iglizzi* JOHN J. IGLIOZZI, PRESIDENT  
*Tina L. Mastrosianni* ACTING CLERK

I HEREBY APPROVE.

*[Signature]*  
\_\_\_\_\_  
Mayor  
Date: 9/7/22



City Plan Commission  
Jorge O. Elorza, Mayor

July 6, 2022

Councilman Nicholas Narducci  
Chair, Committee on Ordinances  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

Attn: Tina Mastroianni, Acting City Clerk

**Re: Referral 3519 – Petition to rezone 48 Marlborough Ave (AP 45 Lot 758) from R-3 to C-1**

**Petitioner: Jose Sanchez**

Dear Chairman Narducci,

The petitioner is requesting the rezoning of 48 Marlborough Ave, from R-3 to C-1. This lot is in common ownership with the adjacent lot AP 45 lot 515, at which the petitioner operates a retail business. The rezoning is being requested to expand the business, which would allow expansion into the rear yard without affecting the rear yard setback from lot 515. The lot is in proximity to the C-1 zone on Elmwood Ave, where retail development is permitted by right.

**FINDINGS OF FACT**

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 medium density residential uses are located in proximity. The plan describes areas for medium density residential as ones that are intended for residential use but where neighborhood businesses may also be appropriate. It is the CPC’s opinion that rezoning to C-1 is not expected to have a negative effect on neighborhood character or surrounding property as this is an area where commercial development is located adjacent to residential uses.

Rezoning the lot would be appropriate given the character of the surroundings, the current zoning and the proposed use, as the business has existed for a number of years without a negative effect on neighboring property. It is the CPC’s opinion 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.

**DEPARTMENT OF PLANNING AND DEVELOPMENT**  
444 Westminster Street, Providence, Rhode Island 02903  
401 680 8400 ph | 401 680 8492 fax  
[www.providenceri.com](http://www.providenceri.com)

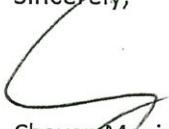
**RECOMMENDATION**

On a motion by Commissioner Cordero, seconded by Commissioner Potter, the CPC voted to recommend that the City Council approve the proposed zone change to C-1 finding it to be in conformance with the zoning ordinance and comprehensive plan.

The CPC voted as follows:

Aye: M. Cordero, C. Potter, H. Bilodeau, N. Sanchez, M. Gazdacko

Sincerely,



Choyon Manjrekar  
Administrative Officer

CITY OF PROVIDENCE

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF  
PROVIDENCE:

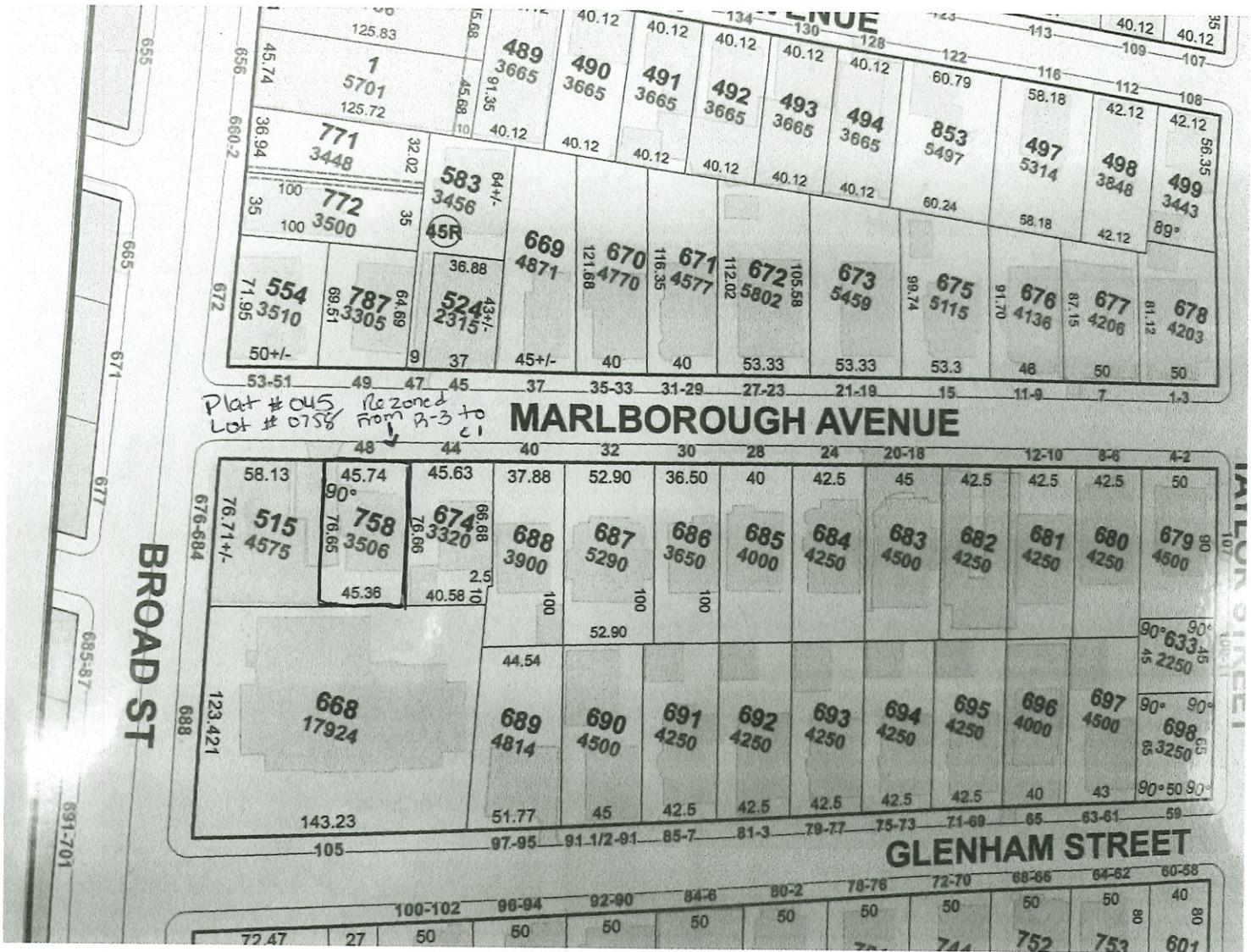
The undersigned respectfully petitions  
your honorable body

4/7/2022

I Jose Sanchez, 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 48 Marlborough Ave, Providence RI, 02902. Plat #045 Lot #0758, and shown on the accompanying map, from zoning R-3 to zoning C-1.

Sincerely,

Jose Sanchez



Plat # 045  
 Lot # 0758  
 Re zoned from  
 R-3 to C-1