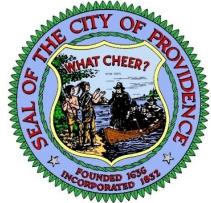


Providence City Plan Commission

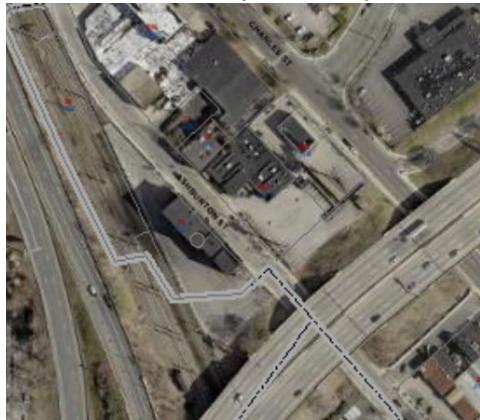
October 20, 2020



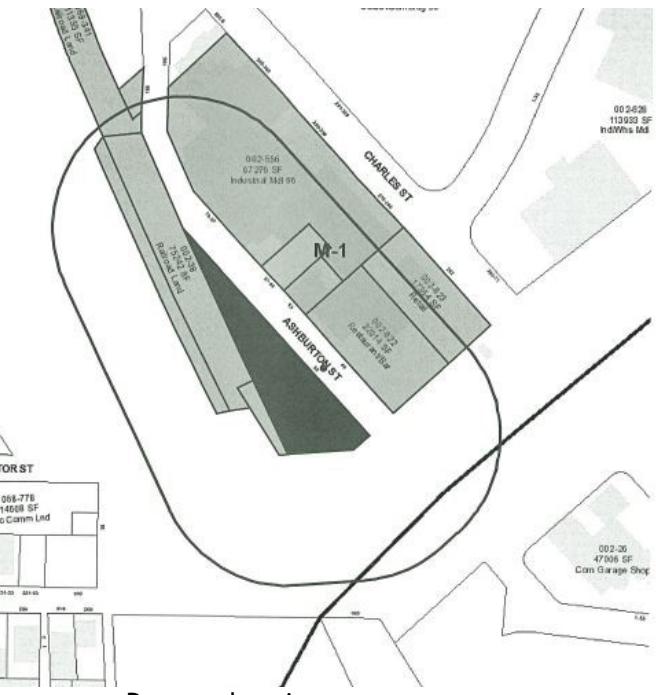
AGENDA ITEM 8 ■ 50 ASHBURTON



Future land use map with subject lots under jobs district



Aerial view of the site



Proposed zoning map

OVERVIEW

OWNER/APPLICANT: Goulding properties and EJS Investments Inc

PROJECT DESCRIPTION: The applicant is petitioning to rezone 50 Ashburton Street (AP 2 Lot 15) from M-1 to M-MU 75

CASE NO./ CPC Referral 3479

PROJECT TYPE: Rezoning from M-1 to M-MU 75

PROJECT LOCATION: 50 Ashburton Street
AP 2 Lot 15

RECOMMENDATION: Recommend approval of proposed zone change

NEIGHBORHOOD: Smith Hill

PROJECT PLANNER: Choyon Manjrekar

Discussion

The applicant is proposing to rezone 50 Ashburton Street from M-1 to M-MU 75. The lot is currently occupied by a four story building that the applicant is proposing to convert to a multifamily dwelling.

The subject lot is located within an area of the City intended for industrial and heavy commercial use, with the surrounding lots zoned M-1, with the C-3 zone to the east. Multifamily dwellings are not permitted in the M-1 zone but are allowed by right in the C-3 and M-MU 75 zones. Per the Future Land Use Map of Providence Tomorrow—which is not intended for parcel level analysis—this area is one where business/mixed use development is located adjacent to general commercial mixed use. The plan envisions this area as one where industrial and heavy commercial uses are located in proximity to commercial uses like shopping complexes, hotels and mixed use development that includes residential. Some uses that can be observed around the site include a restaurant, retail and hotel. Given the diverse uses around the site, it would appear that the rezoning is consistent with the intent of the comprehensive plan and zoning ordinance. However, the site is located under the future land use map's jobs district, which are areas where residential uses are prohibited in order to allow for business expansion and reduce conflicts between businesses and residences.

A comprehensive plan change is required to remove the property from the jobs district for the change to be in conformance with the comprehensive plan. The DPD would not object to the change, provided the comprehensive plan is changed. Rezoning the lot to M-MU 75 to allow for a use that is permitted by right in the adjacent C-3 zone is not expected to have a negative effect on neighborhood character or surrounding property as the use will be similar to what is already permitted in proximity to the M-1 zone. The rezoning would be in conformance with objective H-2 of the comprehensive plan which encourages developing new housing in the City.

Based on the foregoing discussion, rezoning the lot would be appropriate given the character of the surroundings and the proposed use. It is the DPDs 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.

Recommendation

Based on the foregoing discussion, the DPD recommends that the CPC should recommend that the City Council approve the proposed zone change to M-MU 75 subject to the following condition:

The comprehensive plan should be changed to remove the property from the jobs district. The change shall only become effective upon the comprehensive plan change being approved.

City of Providence
State of Rhode Island

PETITION TO THE HONORABLE CITY COUNCIL

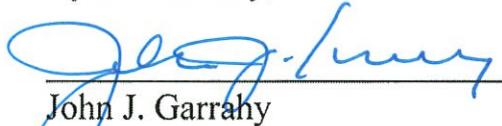
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

Goulding Properties LLC and EJS Investments, Inc. hereby petition the City Council to change the Official Zoning Map of the City of Providence by changing the zoning district for the properties located at 50 Ashburton Street and identified as Plat 2, Lot 15 from M-1 to M-MU-75. See the attached plan.

EJS Investments, Inc.

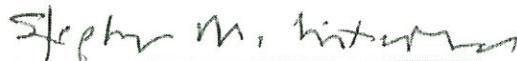
By its Attorney,


John J. Garrahy

2088 Broad Street
Cranston, Rhode Island 02905

Goulding Properties, LLC

By its Attorney,



Stephen M. Litwin
116 Orange Street
Providence, Rhode Island 02903

August
July 24, 2020

JOHN J. GARRAHY LAW, LLC
2088 BROAD STREET
CRANSTON, RHODE ISLAND 02905
(401) 383-3830
jgarrahy@garrahylaw.com

August 24, 2020,

Ms. Tina L. Mastroianni
First Deputy City Clerk
City of Providence
25 Dorrance Street
Providence, Rhode Island 02914

*Re: Petition to the City Council to Rezone 50 Ashburton Street -
Plat 2, Lot 15 from M-1 to M-MU-75*

Dear Madam Clerk:

Enclosed please find a Petition to Rezone the subject property from M-1 to M-MU-75, as well as the \$150 filing fee. Also enclosed are two sets of labels for property owners within 200 feet of the property.

Please advise of any hearings with respect to this matter.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



John J. Garrahy

Enclosures

P Providence Radius Map and Abutters List App

Providence GI

