

CPC Minutes of July 20, 2010

A regular meeting of the City Plan Commission (CPC) was held on Tuesday, July 20, 2010 at 4:45 p.m. in the Department of Planning and Development (DPD) 4th Floor Auditorium, 400 Westminster Street, Providence, Rhode Island.

OPENING SESSION

Call to Order: Chairman Durkee called the meeting to order at 4:50 p.m.

Members Present: Chairman Steve Durkee, Vice Chairman Harrison Bilodeau, Andrew Cortes, Bryan Principe, Meredyth Church, Samuel Limiadi

Members Absent: Drake Patten

Staff Present: Robert Azar and Choyon Manjrekar

Approval of meeting minutes from June 15th 2010: Mr. Bilodeau made a motion seconded by Mr. Cortes to approve the minutes. All voted in favor.

Referral 3330 – Petition to amend the Zoning Ordinance to permit outdoor seating in the D-1 Zone

Mr. Durkee recused himself. Vice Chairman Bilodeau took over as Chair. Mr. Azar explained that the Zoning Ordinance permits outdoor restaurant seating by right or if seating is provided indoors. It is the DPD's opinion that the ordinance permits outdoor seating in the D-1 zone regardless of seating provided indoors. Other city officials have disagreed. The amendment proposed by Councilman Wood intends to clear the confusion by permitting outdoor seating regardless of seating indoors. Mr. Bilodeau asked if there was a ratio to be maintained between indoor and outdoor seating. Mr. Azar said it was the case in some zones, but not others. The intent of the amendment is to allow restaurants to have outdoor seating without disturbing the sidewalk. Mr. Bilodeau said the amendment may be unfair for restaurants with indoor seating to compete with restaurants with outdoor seating. Mr. Azar said that all restaurants would be treated equally as it permits outdoor seating for all establishments in the D-1 zone. A discussion on the amendment ensued.

Mr. Cortes made a motion seconded by Mr. Principe to make a positive recommendation on the referral to the ordinance committee. Mr. Bilodeau asked if there was a measure with the amendment to ensure restaurant cleanliness. Mr. Azar said that restaurants were required to obtain and maintain appropriate licenses, which required cleanliness. All voted in favor.

Referral 3331 – Petition to rezone Lots 520, 159, 158, 539 and 540 on Assessor's Plat 28 from R-3 to C-1

Mr. Bilodeau yielded the chair back to Mr. Durkee as the previous item was completed. Mr. Durkee returned to chair the meeting. Mr. Azar said that the subject lots and Lot 160 between Hewitt and Vinton Street are zoned R-3. The subject building is commercial and the owner wishes the lots be rezoned to permit other commercial uses. Mr. Azar requested that Lot 160, which contains a restaurant, be included as part of the rezoning to make all lots facing Atwells Avenue commercial. Mr. Durkee said he did not see a reason for Lots 158, 539 and 540 to be rezoned as it would extend

the C-1 zone too far into the residential zone. A discussion ensued on the relation of the lots to the surrounding area. Mr. Azar said that Lot 158 could be included as part of the rezoning. Mr. Durkee agreed and said that Lots 539 and 540 should continue to be zoned residential as they could continue to provide parking as a grandfathered use. Mr. Cortes asked if merging lots would affect the zone they were located in. Mr. Azar said that the extent of a zone is unaffected by merging lots. A discussion ensued on the proposal. Mr. Cortes made a motion to amend the proposal to rezone only lots 520, 158 and 159 to C-1, to include lot 160 for rezoning to C-1 and to have lots 539 and 540 retain the R-3 zoning. He recommended making a positive approval to the Committee on Ordinances. Mr. Bilodeau seconded the motion. All voted in favor.

Adjournment

Mr. Principe made a motion to adjourn the meeting seconded by Mr. Bilodeau. All voted in favor.

The meeting adjourned at 5:15 pm.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to be 'C. Manjrekar', with a stylized flourish at the end.

Choyon Manjrekar,
Recording Secretary