





MARSHALL PROPERTIES, INC.

April 29, 2020

Via E-Mail and Hand Delivery

City of East Providence
Nicole Amaral, City Clerk
145 Taunton Ave.
East Providence, RI 02914

RE: *Petition to rezone 500 Veterans Memorial Parkway, East Providence, RI (AP 107, Block 15, Lot 001)*

Clerk Amaral,

Enclosed with this letter are the submission requirements specified under Article II, Division 4, Section 19-72 of the City of East Providence Zoning Ordinance for a petition to amend the City's Zoning Ordinance.

Specifically, the enclosed package includes the following items:

- (a) The section/or subject area that is the subject of the petition;
- (b) The intention of the proposed amendment/repeal;
- (c) The relation of the proposed action to the city comprehensive plan;
- (d) Filing fee of \$_____;
- (e) Eleven copies of an accurately drawn radius map; and
- (f) A listing of the names and addresses of all owners of real property located at or within a 200-foot radius of the perimeter of the property.

Thank you very much for your consideration of this matter. If you or any other member of the City's government have any questions related to the content of this petition, we can be reached as follows:

Petitioner:

Marshall Development LLC
700 Narragansett Park Drive
Pawtucket, RI 02861
Attn: John J. Marshall & Lianne Marshall
Lianne.Marshall@marshallpropertiesinc.com;
JJMarshall@marshallpropertiesinc.com

Petitioner's Attorneys:

DarrowEverett LLP
One Turks Head Place, 12th fl.
Providence, RI 02903
Attn: Zachary G. Darrow, Esq.
ZDarrow@darroverett.com

William J. Conley, Jr., Esq.
The Law Offices of William J. Conley, Jr.
123 Dyer Street
Providence, RI 02903
WConley@wjclaw.com

Sincerely,

Marshall Development LLC
Lianne Marshall, Manager

PETITION FOR ZONE CHANGE

REQUIRED INFORMATION

Petitioner: Marshall Development LLC
Property Address: 500 Veterans Memorial Parkway, East Providence, RI (the "Property")
Plat/Lot: Assessor's Map 107, Block 15, Lot 001
Current Zoning: O-1
Proposed Zoning: Waterfront District – New Metacomet Subdistrict

A. Section/or subject area that is the subject of the petition:

Please see enclosed plans prepared by Bohler Engineering MA, LLC identifying the subject property and surrounding area.

B. Intention of the proposed amendment:

The petitioner is respectfully requesting that the City Council amend the City's Zoning Ordinance to change the current zoning of the Property from O-1 to the Metacomet Subdistrict, a new zoning subdistrict in the Waterfront District. The Property is known as A.M. 107 – Block 15 – Lot 001, located along Veterans Memorial Parkway, Lyon Avenue and Fort Street. The Property is presently being used for the Metacomet Golf Club. With the zone change, any specific development plans would be reviewed by the East Providence Waterfront District Commission in accordance with the zoning Ordinance. The new Metacomet Subdistrict would permit uses similar to the uses permitted in the Phillipsdale Subdistrict, except that Continuing Care, Fast Food, Conference Center, Hotel, Pharmacies, and Recreation, outdoor uses would be permitted, in accordance with the proposed use table attached hereto. In addition, the zone and text change amendment would require an amendment to the Comprehensive Plan Future Land Use Map.

C. Relation of the proposed action to the City Comprehensive Plan

Future Land Use Map Amendment: Proposed Change A.M. 107 – Block 15 – Lot 001 to new "Metacomet" East Providence Waterfront Special Development District Sub-District from its current designation as "Open Space".

Several portions of the City of East Providence Comprehensive Plan are relevant to the proposed amendment, including the following:

LAND USE ELEMENT:

East Providence shall seek to make development and investment decisions that promote economic development and broaden the tax base of the City and provide employment opportunities for City residents, that enhance potential

downtown and village centers, that provide a range of housing choices, that maintain the density and character of existing neighborhoods, that provide recreation and open space, parks, playgrounds and linkages such as pedestrian paths and bikeways, that provide new opportunities for public access to the waterfront, and new places to work, live and recreate on the waterfront, that maintain infrastructure, that lessen our community's impact on the environment by becoming more sustainable and that look for opportunities to increase use of renewable energy, and decisions that retain the qualities that residents desire and cite as to why they choose to live in East Providence.

Land Use Goals and Objectives

- **Goal 1.0:** Ensure that remaining vacant land or redeveloped parcels in the City are used for their maximum benefit to the community, and are of high-quality design and in character with the adjoining parcels and neighborhood.
- **Objective 1.5** Rezone parcels, where appropriate, to provide opportunities for development, residential, commercial, or mixed use, that is compatible with surrounding land uses.
- **Objective 1.6** Target future land uses that will increase the tax base of East Providence as municipal costs increase and residential growth decreases.
- **Objective 1.7** Target future land uses that will create significant job opportunities in the community, in a manner compatible with surrounding land uses.
- **Objective 2.2:** Continue to assess the existing zoning ordinance and revise as necessary to promote flexibility in development, to maintain the scale and character of existing areas and preserve the densities of existing residential neighborhoods.
- **Objective 2.6:** Work with private land owners to prepare plans that meet the goals and objectives of the Plan and the developer.
- **Objective 2.7:** Link the approval of new development proposals, including infill proposals, to the existing capabilities of the infrastructure.
- **Objective 3.4:** Diversify the City's existing tax base to reduce the tax burden on residential properties.

ECONOMIC DEVELOPMENT ELEMENT

The vision of economic development in East Providence includes the development of a diverse job base predicated on attracting new high quality industry to the City, as well as maintaining the wide variety of existing businesses within the community. New industry should respect existing neighborhoods, maximize the use of existing infrastructure and positively contribute to the City's tax base. The City should also develop a comprehensive program of support services to encourage the consolidation and expansion of existing businesses through targeted assistance and public infrastructure improvements and should be consistent with the goals and policies identified within the Land Use Element of the Comprehensive Plan.

- **GOAL 1: Foster a positive business environment for the existing business community within East Providence.**
- **GOAL 2: Facilitate economic development of appropriate vacant or underutilized parcels of land within the City to broaden the tax base and create local and regional job opportunities.**
- **GOAL 3: Diversify the economic base of the City of East Providence through a combined effort to market the City in general as a "good place to do business" and pursue targeted economic development opportunities matched to the City's assets.**
- **Objective 4.5 Maintain existing industrial and commercially zoned districts in support of economic investment and expansion. Outside of the Waterfront Special Development District, discourage the rezoning of industrial and commercially zoned properties to residential zones.**

PROPOSED USE TABLE

Sec. 19-481. - Schedule of use regulations.

	Southern Waterfront Districts
Use	Metacomet Subdistrict
RESIDENTIAL AND RELATED USES	
One-family	C
Two-family	Y
Three-family	Y
Apartment/condominium	Y
Community residences	Y
Artisan live/work	Y
Continuing care	Y
RETAIL BUSINESS	
Apparel and accessory stores	Y
Art galleries	Y
Café	Y
Cigar Lounge	Y
Funeral home, mortuary	C
Furniture, home furnishings and appliances	Y
Gasoline dispensing facilities	C

General merchandise	Y
Grocery stores	Y
Microbrewery/distillery	Y
Office supplies and equipment	Y
Printing or publishing	Y
Package liquor stores	Y
Specialty stores	Y
EATING AND DRINKING ESTABLISHMENTS	
Restaurants, coffee shops, delicatessens, and ice cream parlors, with indoor and/or outdoor seating	Y
Fast food restaurants	Y
Taverns, bars, lounges, pubs and similar establishments	Y
Entertainment/clubs	Y
LODGING	
Bed and breakfast	C
Conference center	Y
Hotel	Y
Motel	N
OFFICE USES	
Banks	Y
Business offices	Y

Corporate headquarters	Y
Call-in center	Y
Government offices	Y
Post offices	Y
HEALTH SERVICES	
Medical offices, outpatient services	Y
Medical research, engineering or testing laboratory	Y
Nursing, congregate care, assisted living and convalescence homes	Y
Veterinary offices/clinics	Y
PERSONAL SERVICES	
Child day care centers, nursery schools	Y
Dry cleaners	Y
Family child care homes	Y
Hair salon/barber shop	Y
Laundromats	Y
Massage therapy and/or massage therapy establishment	C
Personal services	Y
Pharmacies	Y
RECREATION AND CULTURE	

Auditoriums and places of assembly	Y
Boat and yacht clubs	Y
Bowling alley	Y
Business and trade schools	Y
Dance studio, yoga, martial arts	Y
Farmers market	C
Film Studio	Y
Health fitness centers	Y
Libraries	Y
Marinas/boat launching facilities	Y
Municipal facility	Y
Museums	Y
Non-profit clubs; civic, social or fraternal	Y
Park, playground or playfield	Y
Photography Studio	
Places of worship	Y
Public or private elementary, junior high or high school	Y
Recreation, indoor	Y
Recreation, outdoor	Y
Theater, indoor	Y

Watershed protection or supply	Y
LIGHT INDUSTRIAL/FLEX TECH USES	
Accessory retail industry	C
Agriculture and aquiculture, indoor (excluding plants with THC)	C
Artisan design and fabrication	Y
Business accelerator, incubator	Y
Distribution center	N
Flex tech, less than 20,000 sf	Y
Flex tech, 20,000 sf or greater	C
Industrial or manufacturing related office	Y
Light manufacturing	Y
Open storage	N
Printing and publishing, bulk	Y
Research and development	Y
Sale of business and/or industrial equipment and supplies	Y
Software design and advanced manufacturing	Y
Storage, interior only (excluding mini/self storage units with separate exterior accesses)	Y
Warehouse	C

Wholesale showroom with storage and repair facilities	C
OTHER USES	
Parking structure	Y
Marine transport	C
Transit shelters	Y
UTILITIES	
Communication services and broadcasting offices	C
Public utilities not otherwise mentioned	C
Radio, television or wireless telecommunication antennas	C
ACCESSORY USES AND STRUCTURES	
Bank ATM machines	Y
Boat, kayak, canoe rental	C
Commercial satellite dishes	C
Construction trailer	C
Home occupation	C
Fences and walls	Y
Indoor rack boat storage	Y
Off-street parking areas	Y