

CPC Minutes of April 12, 2011

A regular meeting of the City Plan Commission (CPC) was held on Tuesday, April 12, 2011 at 4:45 p.m. in the Department of the 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 4:48 p.m.

Members Present: Chairman Stephen Durkee, Vice Chairman Harrison Bilodeau, Meredyth Church, Ina Anderson, Luis Torrado and JoAnn Ryan

Members Absent: Andrew Cortes

Staff Present: Robert Azar, Melanie Army and Choyon Manjrekar.

Approval of meeting minutes from March 15, 2011: Mr. Bilodeau made a motion seconded by Ms. Church to approve the minutes. All voted in favor.

PROVIDENCE TOMORROW

1. Comprehensive Plan Update - Presentation of first group of proposed updates to Providence Tomorrow: The Interim Comprehensive Plan based on the results of neighborhood charrettes and public input – for discussion

Melanie Army presented the first set of Comprehensive Plan updates that included changes to the Introduction and “Chapter 2: Moving Forward,” “Chapter 3: Sustainability and the Built Environment” and “Chapter 4: Built Environment.” The text of the Introduction was edited. Changes to “Moving Forward” reflected shifts in the economy, elimination of the State Historic Tax Credit and collapse of the housing market. Changes to Chapter 3 reflect incorporated objectives from Greenprint Providence, neighborhood plans, revised documents like FEMA requirements, siting of wind turbines and recycling objectives. Language on depaving, community gardens and Urban Agriculture is also added. A discussion on the plan’s format ensued. Other added information included implementing LEED incentives, promoting overnight on street parking and stormwater management. Mr. Bilodeau asked what the Commission’s role would be if he disagreed with items like permitting overnight parking. Mr. Azar said the process would depend on meeting trial conditions that have been in place for pilot overnight parking programs. Mr. Torrado asked if the Commission would be voting on portions of the plan or the entire document. Mr. Azar said a completed document that considered the Commissioner’s recommendations and changes would be voted on after all the changes were presented. A discussion on the approval process ensued.

Ms. Army said Chapter 4 changes include information on elimination of the State Historic Tax Credit, updates on sustainable development like the “Box Office,” and status of the I-195 relocation. New objectives include sustainable design, addressing impacts of impermeable surfaces, promoting Transit Oriented Development (TOD) and creation of additional incentives for green building. Standards for the use of temporarily vacant lots have been added.

Ms. Army said she intended to present changes to chapters on Business and Jobs, Housing and Mobility at the next meeting.

2. Case No. 10-030MI – 1144 Chalkstone Avenue - Subdivision of a lot measuring 6,870 SF into two lots measuring 3,835 SF and 3,021 SF – for action

Mr. Azar said the DPD had received a written request from the applicant requesting a continuance. Mr. Bilodeau made a motion seconded by Ms. Church to continue the item to the May 17th meeting. All voted in favor.

3. Case No. 11-008MI – 432-436 Broadway and 5-7 Marshall Street - Subdivision of a nonconforming lot with two principal structures measuring 3,273 SF into two lots measuring 2,024 SF and 1,249 SF. Each lot will have one principal structure with an easement agreement for both lots - for action.

Ms. Church recused herself and left the room. Mr. Azar explained that the applicant wished to subdivide the lot, which has a house and a mixed use building on it, into separate lots with a building on each lot. As part of their review, the Commission would be recommending approval of dimensional relief to the Zoning Board. Mr. Mark Van Noppen presented the plan showing the existing site configuration and images of the immediate neighborhood. He said he wished to subdivide the lot to sell the residential building on Marshall Street as an owner occupied property. A proposed cross access easement was included in the application to use the area between the buildings. Ms. Ryan asked if the applicant wished to retain the three units in the house and how parking would be provided. Mr. Van Noppen said the residence would be maintained as a three family home. Parking would be provided through on street parking permits or arrangements to park in neighbor's yards. Ms. Anderson asked what would happen if permit parking wasn't available. Mr. Van Noppen said tenants could make arrangements with neighboring businesses or he would rent to tenants without cars. The residence is located in an R-P zone, which would permit a non-owner occupied business. Mr. Torrado asked about the distance between the commercial building on Broadway and the building behind it. Mr. Van Noppen said the gutter of the building encroached into his property and the distance between the subdivided structures would be larger than that between other surrounding buildings.

Mr. Azar read out the DPD's recommendations to the Commission to approve the subdivision, make a positive recommendation to the Zoning Board for the variances required, delegate approval of the final plan to DPD staff and to require the applicant to introduce some landscaping. Mr. Van Noppen said he could meet the tree canopy requirement.

Ms. Ryan made a motion seconded by Mr. Torrado to approve the subdivision subject to the findings of fact and recommendations made by staff. All voted in favor.

4. Major Change to Project 02-095MA – Rising Sun Mills - The applicant is proposing a major change to an approved project with the addition of 94 parking spaces in a mixed use development through addition of new parking area and restriping of existing spaces – for action.

At the written request of the applicant, Mr. Bilodeau made a motion to continue, seconded by Mr. Torrado. All voted in favor.

5. Case No. 11-05MA - 50 Cedar Street - Construction of a new five story office building with internal parking on a site currently used as a parking lot – for action.

Ms. Church returned. Mr. Glenn Whitehead introduced the project, a six story commercial building with two levels of internal parking and four levels of commercial space. Bill DiStefano and Dominic Shelzi of the Omni Group and Architect Mr. Richard Hunt jointly presented the project. Mr. Distefano provided background on the neighborhood and surroundings. The new structure would be a logical extension of development in the West Exchange Center. He said the company was seeking project approval to attract tenants. Mr. Azar said that the Commission could authorize foundation and site improvement permits at the Master Plan Stage. Mr. Distefano said parking would be met on site. Mr. Azar said parking relief would not be required as parking requirements in the D-2 zone were half of what is required in commercial zones. A discussion on parking and site configuration ensued. Ms. Anderson asked if the Federal Hill/Reservoir/West End neighborhood plan mentioned this area. Mr. Azar said the plan discussed changing the zoning of residences along Jones Street from R-G to R-3, but no changes affecting the site. Mr. Torrado asked for more contextual information on the site. Mr. DiStefano presented aerial and radius maps and explained the project location. Mr. Azar said the zoning maps handed out by the applicant were helpful because they included building footprints. Mr. Torrado asked if the pocket park was a primary access point. Mr. DiStefano said it was meant to act as a buffer between residences, it is an egress point but not a primary access point. Mr. Hunt said the first floor of offices is about two feet above Jones Street and the park was being used to transition to grade. A discussion ensued on trash collection. Mr. Torrado asked for an explanation on handicapped access. Mr. Hunt said the building was accessible through the main entrance. Mr. Torrado asked about how handicapped visitors would access the building. Mr. Hunt said that the applicant would have to cross the sidewalk to get to the building. Mr. Torrado said the grade approaching the entrance appeared to be steep. Mr. Hunt said that wasn't the case and the building was ADA compliant. Ms. Anderson asked if construction would affect nearby residences. Mr. Durkee said that point would be addressed when taking public comment. Mr. Azar asked the applicant to speak

about the foundation being set back from Bradford and Jones Streets. The D-2 zone requires 0 foot setbacks but the Commission could grant the setback relief requested. Mr. Hunt said the setbacks prevented the development from encroaching into the public right of way when replacing the existing foundation. A discussion ensued on the building's dimensions and setbacks.

Mr. Durkee asked about the building materials to be used. Mr. Hunt said the building would be composed of precast panels, a brick veneer and efis paneling. He said there was a drainage system beneath the courtyard for rainwater without affecting the City system. Mr. Distefano said the drainage system had received approval from the Narragansett Bay Commission.

Mr. Paul Lupino asked about the allowable building height in the zone. Mr. Azar said that the height allowed in the D-2 zone is 90 feet, not to exceed seven stories. Mr. Hunt said the building would be approximately 61 feet. Mr. Lupino asked how the applicant would interact with neighbors, take care of snow removal and address concerns. Mr. DiStefano said he would develop the property in a manner that suited residents and address their concerns. Mr. Rick Conca asked what effect the buildings' tenants would have on traffic. Mr. Distefano said it would be a professional office use similar to others in the neighborhood. A discussion ensued on traffic. Mr. Conca asked if the applicant could set up a liaison to address construction issues. Mr. Distefano said his office could be contacted anytime. Mr. Domenic DeNando asked how far the building would be from his property to the west. Mr. Distefano said it would be adjacent to the dirt lot. Mr. DeNando asked if access to his driveway would be impeded. Mr. Hunt said access would be unaffected. Ms. Roberta Falocco said she was concerned about traffic, particularly fire truck access on Jones Street. She asked if parking lot access would be restricted or leased to restaurants. Mr. DiStefano said it would be restricted to building users only. He said he had spoken to the City engineer about the possibility of making Bradford Street one way. A discussion ensued on area traffic flow. Mr. Frank Caprio said he supported the project and commended the applicants on their redevelopment efforts in the neighborhood. Mr. Lupino asked if construction would require the street to be repaved and what would happen to the vehicles currently parked on site. Mr. DiStefano said there was an excess parking available. A discussion ensued on development in the area.

Mr. Azar read the DPD staff's report recommending Master Plan approval subject to the conditions that the CPC grant the requested setback relief, the applicant refine the landscaping plan under the supervision of the City Forester and that the applicant conduct a traffic study. Mr. Azar also recommended that the CPC allow the applicant to obtain foundation permits and demolish the existing structure. Mr. Torrado asked if the findings of the traffic study could affect the building foundation. Mr. Azar said the building is required to have street access and could not see a reason that could affect the foundation. Mr. Azar asked when the applicant would appear before the board for the preliminary plan stage. Mr. DiStefano said they could appear at the following meeting in May.

Mr. Bilodeau made a motion seconded by Ms. Church to approve the Master Plan subject to the findings of fact and recommendations in the staff report. All voted in favor.

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

The meeting adjourned at 6:54 pm.

Respectfully Submitted,



Choyon Manjrekar,
Recording Secretary