# CPC Minutes of February 15, 2011

A regular meeting of the City Plan Commission (CPC) was held on Tuesday, February 15, 2011 at 4:47 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 Steve Durkee, Vice Chairman Harrison Bilodeau, Andrew Cortes, Meredyth Church

Members Absent: Luis Torrado

Staff Present: Robert Azar and Choyon Manjrekar.

Approval of meeting minutes from December 14, 2010: Mr. Cortes made a motion seconded by Mr. Bilodeau to approve the minutes. All voted in favor.

Director's Report: Mr. Azar delivered the report on behalf of Mr. Thomas Deller. Mr. Azar said that the DPD had hired Perkins and Will as the consulting team for the knowledge district study. He said analysis had begun and public outreach would begin the following month. Mr. Azar said the Comprehensive Plan would be revised to reflect neighborhood charrettes, the arts and culture plan and other pertinent documents. The amendments would appear before the Commission in the following months.

Recognition of the service of Bryan Principe and Sam Limiadi: Mr. Azar said that the resolutions for both long serving former CPC members were in the process of being prepared. Mr. Cortes made a motion seconded by Ms. Church to formally recognize the service of both members to the CPC. All voted in favor.

Mr. Azar said that the Mayor had appointed architect Luis Torrado as his designee (who was unable to attend the meeting) to the Commission. Ms. Ina Anderson would replace Mr. Limiadi upon confirmation.

**CITY COUNCIL REFERRAL**

**1. Referral No. 3335 – Petition to rezone 16, 17, 18, 21 and 22 Harold and 58 Aurora Street from R-3 to M-1**

Mr. Azar introduced the petition to rezone a group of residentially zoned lots to industrial. Petitioner Ralph Salvatore said the residential lots on Harold Street opposite his auto business were abandoned and the only residential lots in the vicinity. Mr. Durkee said it was vital for the owner to prevent water runoff from the site. Mr. Cortes asked about the DPD's recommendation regarding water retention. Mr. Azar said the report did not specifically address water retention but recommended maintaining a certain amount of pervious surface and landscaping. A discussion on drainage ensued. Mr. Salvatore said he believed the house on Lot 693 at 12 Harold Street was abandoned based on a discussion with the owner. Mr. Durkee suggested that the Commission recommend approval to the City Council subject to submission of a professionally engineered drainage plan that would be reviewed by DPD staff with approval from the Narragansett Bay Commission.

Mr. Cortes made a motion seconded by Mr. Bilodeau to make a positive recommendation to the City Council subject to the findings of fact and recommendations in the staff report in addition to submission of an engineered drainage plan to be reviewed by DPD staff. All voted in favor.

**MINOR SUBDIVISION**

**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 (AP 64 Lot 643. Mt. Pleasant)**

Mr. John Garrahy on behalf of the applicant requested that the item be continued to the March 15th meeting, through written correspondence received by the DPD. Mr. Cortes made a motion seconded by Mr. Bilodeau to continue the item. All voted in favor.

**INSTITUTIONAL MASTER PLAN**

**3. Rhode Island School of Design Institutional Master Plan Amendment - Amendment to the Institutional Master Plan for the Rhode Island School of Design (RISD) – for action (College Hill,Fox Point, Mt. Hope, Downtown)**

Mr. Azar said the amendment updated the plan presented in 2003 by listing new projects, property acquisitions, sales, leases and future development. Mr. Jack Silva, Associate Vice President of Facilities and Safety at RISD presented the plan. He said a new IMP would be developed after the strategic master plan was approved by the board of trustees. The following highlights were noted:

RISD had acquired the Fletcher building at 212 Union Street and the Mason building at 169 Weybosset Street, which are employed for a mix of uses like the graduate center, a bar, retail and gallery space.

The largest acquisition was the old Hospital Trust Bank building at 15 Wetminster Street. The first two floors were donated by Fleet Bank and the upper floors were redeveloped for student housing and a library.

The property at 296 Benefit Street was sold, but the adjacent parking lot was retained and continues to be maintained by RISD.

The Chace Center was constructed in 2006 for multiple uses connected to the museum, classrooms, an auditorium and gallery space amongst others. The project also included renovation of the existing Radeke building at the museum at 224 Benefit Street, renovation of Memorial Hall and a pathway between Benefit and North Main Street. The Tap Room at Memorial Hall was improved with a fire egress.

RISD entered into a 10-year lease with Moshassuck Square in 2007 to provide 121 units of student housing and parking.

RISD has 383 parking spaces for faculty and staff, detailed in a parking map attached to the IMP. The bank building adjacent to the Chace Center and the Carhaus building underwent a renovation for fire alarms, sprinkler systems and egress stairways. RISD has taken over rental properties to operate the Jolly Roger Café at 345 South Main Street and the Artisan café at 349 South Water Street. The intention is to run both businesses as income producing properties.

After a number of studies, it has been determined that the residence Farnum Hall should be demolished as the foundation cannot hold up the aging structure. The site will be used as open/green space. The ISB building on 55 Canal Walk will undergo renovations to provide fire egress stairs, an elevator, bathrooms and a single corridor loading and circulation pattern to improve internal efficiency.

Mr. Azar said the Farnum Hall demolition was approved by the Historic District Commission (HDC), but final approval on landscaping was pending. The ISB building was given conceptual approval by the Downcity Design Review Committee. Mr. Silva said he recognized the need to work with different bodies and gain a consensus on projects prior to submission. Mr. Azar said that the Rhode Island Historical Preservation and Heritage Commission were also asserting jurisdiction over the design of the ISB building.

Mr. Cortes asked why RISD was presenting an amendment instead of a new Master Plan. Mr. Azar said it was because building permits were required for capital improvements. He said Master plans could expire from their date of approval, but building permits cannot be issued for new development. Mr. Cortes said he preferred to see development in the context of a Master Plan rather than an amendment. Mr. Silva said RISD prefers to maximize the use of its buildings before expanding or buying new properties. Therefore, there are few changes made to the plan. He said that RISD would like to present a new IMP in the summer upon approval of its strategic plan.

Mr. Bilodeau asked what was required from the Commission in regards to Farnum Hall. Mr. Silva said it was necessary to document progress to the commission and how it would affect the master plan. Mr. Bilodeau said the overlap of jurisdictions confused him about the Commissions role. Mr. Azar said that although there were competing jurisdictions, the purpose of the IMP was to educate the public about proposed development and changes.

Mr. Cortes made a motion seconded by Mr. Bilodeau to approve the amendment to the IMP according to the findings of fact noted in the staff report. All voted in favor.

**MAJOR LAND DEVELOPMENT PROJECT**

**4. Case No. 10-025MA – Redevelopment of former Victory Finishing Technology site (Master Plan Approval) Redevelopment of former Victory Finishing Technology Site and proximate lots for a mixed use development for research and development, educational and residential uses.**

John Dorsey, attorney for the receiver, introduced the project. Mark Russo, also an attorney, said the proposed life sciences center would be suited to the new Knowledge District (KD) proposed by the city. He said the bank that held the property's mortgage was intent on foreclosing it, which would have led to multiple owners. He worked with the City to allow the receiver to obtain master plan approval to leverage the value of the project. He said the development could have potential similar to Worcester Park in Massachusetts, which touts proximity to medical and educational facilities as an asset. A buyer for the land was found through the receivership process, which requires obtaining Master Plan approval as a condition.

Mr. Dorsey presented a history of the Victory Square site, which was built in the 1950s. Although some reconstruction occurred in the 1990s, the site is primarily the same. Mr. Azar asked if the receiver owned all the property shown on the plan. Mr. Dorsey said that certain parcels are owned by the Rhode Island Department of Transportation (RIDOT) Right of Way on an area intended for a parking structure. Mr. Azar asked how the applicant could request approval for lots they did not own. Mr. Russo said the applicant met with the DOT and expected the parcels to be deeded over for the development of the area and it could be included in the Master Plan area. Mr. Azar said the parcels were probably owned by the DOT as part of the Interstate 195 relocation or because they were proximate to the highway. A discussion ensued on the limits of DOT owned land.

Mr. Jon Stabach delivered a zoning analysis of the property. He said one proposed 8 story building would exceed the D-2 zone's height limit of seven stories, requiring relief. The project requires approximately 700 parking spaces, but over 900 would be provided with the addition of a parking garage. The site is a brownfield, requiring hazardous chemicals and chemical baths to be tested, identified and cleaned. Mr. Dorsey said that snowfall had caused some portions of the roof to cave in, which would be addressed in the future. Mr. Stabach outlined the utilities supplied to the site.

Mr. Russo said he discussed turning radii that a proposed streetcar system would make around the corners of the site with the DPD. He said he could accommodate the streetcar, which would require property acquisition from the site. He said he was aware that demolition of building portions required Historic District Commission

(HDC) approval. Mr. Azar said the building was in the Industrial and Commercial Buildings District (ICBD), making demolition subject to the HDC. A discussion ensued on the site layout.

Nat Finley from Spagnuolo Architects explained the proposed floor design and how it would lend itself to commercial and research uses. The 8 story building height would provide approximately 240,000 SF in each building. Each floor would have 15 foot ceilings and a 25 foot penthouse. The plan showed the relocation of Marengo Street parallel to the proposed building to maximize available space. The buildings are organized in a campus like setting to provide a centralized gathering space. A discussion ensued on parking and the proximity of the parking structure to the interstate. Mr. Finley displayed elevations and plans outlining the massing of the structures and said they were intended to frame the southern boundary of the Knowledge District as they would be visible from the interstate and enhance the public realm. He said the development aimed to provide an alternative for businesses looking to relocate to cities like Boston or Worcester, MA. Mr. Dorsey said mixed use developments were successful in other cities and could serve as an alternative for companies looking to relocate to other locations.

Mr. Azar asked what stage the parking garage would be built in and how parking would occur in earlier phases. Mr. Finley said the development would feature surface parking in the initial phases and have structured parking in later phases depending on funding. Mr. Russo said he estimated that structured parking would occur in the second phase. A discussion on parking ensued.

Mr. Azar asked when the purchaser would buy the property. Mr. Russo said the court order that approved the sale required master plan concept approval before the closing of the sale. Mr. Azar asked if Master Plan approval was important to the sale of property. Mr. Russo said the value of the property lay in developing it in conjunction with the KD concept, which affected the bid for the property. Ms. Church asked if the property sale was contingent on the tax treaty and asked where the applicant was in that process. Mr. Russo said a first reading of the treaty would occur in February before being forwarded to the City Council finance committee. He said there were some meetings to draft a sample treaty. He said there was a tax stabilization element in similar New England developments. The purchase was not contingent on the tax treaty, but important for developers and attracting industries.

Mr. Durkee asked what commitment was received for the project. Mr. Russo said he had received an advance for environmental cleanup. The tax treaty ordinance – if approved - would become null and void if development did not occur. It would be impossible to know the result of the plan. Mr. Durkee asked if commitment was the equivalent of paying certain fees and environmental cleanup. Mr. Russo said the sum was substantial, which rendered it a commitment. Mr. Durkee asked where the process stood. Mr. Stabach said hazardous material has been collected and packaged to be shipped to a disposal facility. The chemical baths are being tested for salvageable valuable materials, which will be packaged and shipped off. Mr. Azar asked if there would be soil remediation. Mr. Stabach said there will be no remediation, but there would be a land use restriction that would prohibit residential development. Mr. Russo said he would cooperate with the City to develop the site.

Mr. Cortes said he felt there were a lot of contingencies to the first phase of development with no guarantees for future stages. Mr. Russo said it would be possible to design around the DOT parcels if they could not be acquired. The timetable for matters like tax stabilization would be clearer at further phases. Ms. Church asked if back taxes for the property would be paid at sale. Mr. Russo said they would be paid at the sale. Mr. Bilodeau said he found the project encouraging. Mr. Russo said he felt there was a public/private partnership to make the project possible. Mr. Durkee said the project was ambitious and looked forward to seeing the project progress.

Arthur Salisbury, president of the Jewelry District Association invited the applicant to make a presentation before the Association. He asked if the land for Topps Electric and Collettas was part of the development. Mr. Russo said it was not. Mr. Salisbury asked how many parking spaces the parking structure would hold. Mr.

Stabach said there would be 990 spaces with 720 required. Mr. Salisbury said he was concerned about street activity on Point Street. Mr. Durkee said the role of the HDC was fairly important in the approval process. Mr. Azar said that Master Plan approval would get the project vested, but demolition approval from the HDC was vital in moving the project forward. Mr. Durkee said there could be issues with the project being located close to the DOTs right of way and a letter from the DOT voicing no objections to the project would be helpful. Mr. Azar said zoning compliance details like height needed to be addressed through obtaining zoning relief. More information on potential uses is needed to determine zoning compliance. Mr. Azar said the DPD would support variance requests for uses like research. Although it couldn't be predicted, he said research on downtown zoning could render the applicant's uses allowable without need for a variance in the future.

Mr. Azar read out the findings of fact from the staff report, which found the development to be in conformance with the Comprehensive Plan. Compliance with the zoning ordinance may require relief as discussed. He said evidence of progress on site remediation was necessary at future stages. The preliminary plan should specifically deal with design phases outlining the massing of structures, approval from the historic district commission, interim landscaping between development phases, a traffic study and approval or an indication of progress on environmental remediation. The applicant should also detail any agreement made with the DOT regarding the ownership of parcels or any conditions that may be imposed from proximity of the land to Interstate.

Peter McClure said he was in favor of the project and asked when public input would be taken. He also said a large project would depreciate the speed at which other Jewelry District parcels could be developed. Mr. Azar said the master plan hearing is the venue for public participation. The public can also make comments on the preliminary plan stage and at the HDC hearing.

Mr. Cortes made a motion seconded by Ms. Church to approve the project subject to the findings of fact in the staff report and the conditions stated by Mr. Azar. All voted in favor.

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

The meeting adjourned at 6:30 pm.

Respectfully Submitted,

Choyon Manjrekar,
Recording Secretary