

CPC Minutes of May 15, 2012

A regular meeting of the City Plan Commission (CPC) was held on Tuesday, May 15, 2012 at 4:45 p.m. in the Department of the Planning and Development (DPD) 1st Floor Meeting Room, 444 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, Meredyth Church, Ina Anderson, Harrison Bilodeau and Christine West

Members Absent: JoAnn Ryan and Andrew Cortes

Staff Present: Robert Azar and Choyon Manjrekar

Approval of meeting minutes from April 16th and April 24th, 2012: Mr. Bilodeau made a motion seconded by Ms. Church to approve the minutes of both meetings. All voted in favor.

Directors Report: Mr. Azar delivered the Director's report. He said the City Council had given first and second passage to the recently approved Downtown and I-195 zoning and the revised Comprehensive Plan, which the mayor would sign the next day.

Mr. Durkee said that items four through eight would be moved up and heard after the first item.

Minor Subdivision

1. Case No. 12-015MI – 157 Hope Street - The applicant is seeking preliminary plan approval to subdivide the existing vacant lot measuring 14,038 SF, into two lots measuring 7,015 SF and 7,023 SF. (College Hill AP 13 Lot 204, R-1) – for action

Mr. Azar introduced the project. He said the subdivision met the minimum lot size requirements for the R-1 zone. Mr. Kamal Hingorany described the project, which would have lots that fronted on Hope and Benevolent Street. Mr. Azar said the building footprints shown on the plan presented some issues. The parking area for the easterly lot maintained a depth that was less than the 18 feet required between parking areas and public rights of way. He said the footprint for the house fronting Hope Street did not meet the average front yard setback requirement. He said the Commission was not approving the building footprints, only the subdivision of the lot. He read from the staff report and requested that the CPC approve the preliminary plan, delegating final plan approval to DPD staff.

Ms. West made a motion seconded by Ms. Anderson to approve the plan. The motion passed 4-1 with Ms. Church voting against it.

MAJOR LAND DEVELOPMENT PROJECT

4. Case No. 12-014MA – Cedar Street Parking Structure

The applicant is seeking Master Plan Approval to construct a two level parking structure with a total of 317 parking spaces. The structure will occupy the area between Brayton Street and 50 Cedar Street. A portion of Cedar Street and Bond Street is proposed for abandonment to provide access to the parking area. The applicant has proposed Comprehensive Plan and Zoning Ordinance amendments to accommodate the development. (Federal Hill AP 26 Lots 67, 166, 167, 171, 176, 178, 182, R-G and D-2) – for action.

CITY COUNCIL REFERRAL

5. Referral 3349 – Abandonment of a portion of Bond Street

The applicant is seeking to abandon a portion of Bond Street approximately 100 feet in length, to provide access to a proposed parking lot. (Federal Hill) – for discussion

6. Referral 3350 – Abandonment of a portion of Cedar Street

The applicant is seeking to abandon a portion of Cedar Street approximately 660 feet in length, to provide access to a proposed parking structure. (Federal Hill) – for discussion

7. Referral 3351 – Petition to amend the Future Land Use Map of the Comprehensive Plan

The petitioner is requesting that Map 11.2 of the Comprehensive Plan entitled “Future Land Use” be amended so that the Downtown/Mixed Use designation and Jobs District overlay encompasses lots 67, 178, 166, 167, 171, 176 and 375 on Plat 26. (Federal Hill) – for discussion and scheduling of public hearing

8. Referral 3352 – Petition to amend the Zoning Ordinance

The petitioner is requesting that the zoning map be amended to change the zoning of lots 67, 166, 167, 171, 176, 178 and a portion of lot 375 on Plat 26 from R-G to D-2. (Federal Hill) – for discussion

Items 4-8 were heard out of order

A transcript of the item is available and incorporated into record

Mr. Azar introduced the project, the construction of a parking structure on Cedar Street, which required the abandonment of portions of Bond and Cedar Street and changes to the Zoning Map and Future Land Use map of the Comprehensive Plan.

Mr. Glen Whitehead introduced the project on behalf of the applicant. He said the parking structure would add to the parking base in Federal Hill and could be used by the City and restaurant users on Federal Hill. Mr. Dominic Shelzi of the Omni Group said the structure would provide parking for the 9 office buildings operated by his company between West Exchange and Cedar Street. He said abandonment of a portion of Bond Street was being sought to provide ingress and egress to the parking area. He said the lower level of the structure was intended for exclusive use by the company’s tenants and the upper level would be used by the public after working hours. He said an abandonment of Cedar Street was being requested as it was primarily used by tenants vehicles and would provide ingress and egress to the parking area.

Mr. Robert Melinowski described the parking structure and how it related to other development in the area. Mr. Bill DiStefano said landscaping would be added around the parking structure. Mr. Paul Bannon presented a traffic study that focused on the proposed street abandonments. He said approximately 80 percent of traffic on Bond and Cedar was generated from the site and the abandonments would not have a marked effect on traffic flow. Mr. Bilodeau said he was concerned about light from the lot affecting neighboring residences. Mr. Distefano said lights already existed on site and would ensure that it would be turned off. Mr. Bilodeau inquired about security on site. Mr. Distefano said there would be a security presence on site. Ms. Anderson asked about stormwater management and drainage. Mr. Distefano said that would be addressed at the preliminary plan stage. Ms. West asked about the need to abandon Cedar Street. Mr. Distefano said it would control access to the lower level and promote safety. A discussion ensued on traffic and use of property in the vicinity.

Mr. Durkee said access from Bond Street seemed improbable. Mr. Distefano said vehicles currently used the street so it would not make a difference. A discussion on the parking structure ensued. Mr. Durkee asked if the structure was being designed as the base for a future building. Mr. Distefano said no building was intended. Mr. Shelzi said that he did not want commercial structures to intrude into the neighborhood. Mr. Durkee said the abandonment of

Cedar Street may not be necessary and the effects of traffic could be dealt with by using traffic engineering solutions. Mr. Bilodeau asked about the possibility of the structure being sold to a nonprofit entity. Mr. DiStefano said it was his intention that the structure remain commercial.

Ms. Rita Scorpio asked if the structure would be used by the applicant's tenants or restaurant visitors on weekends. Mr. Shelzi said there may be some tenant use during the weekends. Ms. Scorpio asked if the parking lot would operate for 24 hours. She said she was concerned about the lot affecting her property and disturbing her tenants. Mr. Shelzi said the structure would not be much higher than the grade level. Ms. Valerie Benedetti said the entrance to Bond Street would affect access to her property and the noise and waste from construction would disturb existing tenants. Ms. Verna Gauthier said she was concerned about the increased noise and traffic from the parking structure. Mr. Shelzi said an effort would be made to curb negative effects. Mr. John Governo said he had not received notice of the meeting. Mr. Distefano said he had used address from the City's tax rolls. Mr. Paul Lupino said he was concerned about traffic passing through the neighborhood. A discussion on the structure ensued. Ms. Roberta Falocco asked if the direction of traffic on Mountain Street would be changed and said she was concerned about traffic on Bond Street. A discussion on traffic ensued.

Councilman Bryan Principe said the parking structure could alleviate parking issues on Federal Hill, but there were issues that needed to be addressed. He said a greater discussion on protecting the integrity of the neighborhood was needed and said he would be available to facilitate the process. He suggested creation of a conservation district. Ms. Anderson asked for an explanation. Mr. Principe said it could be an area that preserved existing development. Mr. Lupino asked how many parking spaces would be lost if Cedar Street were to be vacated. Mr. Shelzi said there were about 20 spaces.

Mr. Azar read the staff report into the record. He said a public hearing needed to be scheduled for the change to the comprehensive plan at the following meeting. He said it would be appropriate to take action on the change to the Zoning Ordinance and Comprehensive Plan at the following meeting, but action could be taken on the Master Plan subject to the conditions in the staff report.

Mr. Durkee said the items should be continued to discuss pertinent issues.

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

CITY COUNCIL REFERRAL

2. Referral 3346 Petition to amend the Future Land Use Map of the Comprehensive Plan

PUBLIC HEARING

The petitioner is requesting that the Future Land Use Map of the Comprehensive Plan be amended so that the Neighborhood/Commercial land use designation is extended to encompass the area bounded by Cushing, Hope, Angell and Thayer Streets on Map 11.2 entitled "Future Land Use." (College Hill) – for discussion and action

3. Referral 3347 – Petition to amend the Zoning Ordinance

Review of proposed changes to the Zoning Ordinance including amending the zoning map to create the C-3 zone for mixed use transit oriented development, changes to dimensional and use regulations, signage and parking. The Commission will make a recommendation to the City Council – for discussion and action

A transcript of this item is available an incorporated into record

Items 2 and 3 were heard out of order

Ms. West recused herself and left the table.

Mr. Thomas Moses introduced the project and said he agreed with the recommendation in the staff report that the neighborhood commercial land use designation not go beyond Brook Street.

Ms. Harris said she opposed the project and was representing residents who opposed the project. Mr. Richard Youngken, a land use expert, presented a report detailing opposition to the project. He said the project would contribute to demolition of existing buildings and negatively affect the National Register Historic District.

Mr. Seth Kurn said he opposed the project and read from a letter he had submitted to the Commission. Ms. Allen said she opposed the project and demolition of houses as it would bring an intense use closer to the residential zone and would be more suitable for Downtown. Mr. David Kolsky said he opposed the project as he felt as it would not be in conformance with the Comprehensive Plan and the Neighborhood plan. Mr. Ed Bishop said he supported the project. Mr. William Touret said he opposed the project and felt that hiring experts was a burden for those who wished to speak at meetings. He said he felt it was inappropriate to change the zone and seek a change to the future land use map to accommodate the project. Mr. Durkee said he did not agree with Mr. Touret's comments. Mr. Ken Orenstein said he supported creation of a C-3 zone as it would spread out demand for student housing. Mr. Grant Dulgarian said he opposed the project as the proposed C-3 zone could bring commercial development into residential areas. He said the new zone should have been a residential zone instead of a commercial one. Mr. Art Sushansky said a zone change would cause parking problems and increase crowding on Thayer Street.

Mr. Azar said the CPC would be making a recommendation to the City Council. He read from the staff reports which recommended that the CPC recommend approval of the Comprehensive Plan and Zoning Ordinance changes to the City Council. Ms. Anderson asked why the changes weren't made earlier. She asked what precedent would be set in terms of changing the plan. Mr. Azar said the issue was debated during the neighborhood planning process and it was not considered to be appropriate at the time. He said the plan is changed based on circumstances and proposed projects. A discussion on the Comprehensive plan ensued.

Mr. Bilodeau made a motion seconded by Ms. Church to make a positive recommendation to the City Council to approve the proposed change to the Future Land Use Map with the condition that the neighborhood commercial land use designation not extend east of Brook Street. The motion passed 3-1 with Ms. Anderson voting against the motion.

Mr. Bilodeau made a motion seconded by Ms. Church to make a positive recommendation to the City Council to approve the creation of the C-3 zone. The motion passed 3-1 with Ms. Anderson voting against the motion.

Adjournment

Mr. Bilodeau made a motion seconded by Ms. Anderson to adjourn the meeting. All voted in favor. The meeting adjourned at 7:35 pm.

Respectfully Submitted,



Choyon Manjrekar,
Recording Secretary