

MEETING MINUTES

CAPITAL CENTER COMMISSION

Thursday, November 10, 2005

12:00 Noon

First Floor Theater

30 Exchange Terrace

Providence, RI

1. Roll Call

Chairman Gardner called the meeting to order at 12:08 PM. Members present included Leslie A. Gardner, Merlin DeConti, Steve Daniels, Steve Durkee, Barry Fain (arrived 12:35 PM), Phil Stone, Councilman Terrence Hassett (arrived 12:35 PM, left 12:50 PM), Barry Preston, Robert Reichley, Chris Thomas, Stanley Weiss and Councilwoman Rita Williams. Members absent included Wilfrid L. Gates, Jr., and V. Duncan Johnson.

Staff present included Deborah Melino-Wender, Executive Director.

Others present included Richard Galvin and Lee Burneson, Commonwealth Development; Jim Loyd, USAA; Robert Roth and Doug Weeks, Capitol Cove; Richard Seges, the Procaccianti Group; Charles Meyers, Metropark; Ron Chrzanowski, Capital Properties; Amy Vitale, Partridge, Snow & Hahn; and Greg Mancini, Build RI.

2. Minutes

2.1 Approval of Commission Minutes of September 8, 2005

The motion was duly made, seconded and unanimously passed to approve the minutes of the Capital Center Commission meeting of September 8, 2005.

2.2 Acceptance of Design Review Committee Minutes of August 30, 2005; October 18, 2005

The motion was duly made, seconded and unanimously passed to accept the minutes of the Design Review Committee meetings of August 30, 2005 and October 18, 2005.

3. Report of the Executive Director

- Parcel Status Update

The Executive Director provided an update on the construction status of the various parcels.

- APA Workshop and Other Professional Development Update

The Executive Director summarized the results of the two APA workshops which she attended in Washington, Zoning and New Urbanism. She also summarized for the Commission the PPS workshop on Waterfront Development, which panel included Alex Kreiger, former design consultant for the CCC, and the workshop recently held at Roger Williams University concerning two court decisions on eminent domain, the Kelo case in New London and the Palazzolo case in Westerly.

4. Parcel 6: Request for Extension of Certificate of Approval

Chairman Gardner stated that the certificate of approval and certificate of approval for deviations for the original Parcel 6 design was originally issued on November 13, 2003. This approval expires after one year if the developer has not received a building permit.

In April 2005, the Commission granted approval for a second six-month extension period. Mr. Roth is requesting an additional six-month extension to the original design.

Mr. Roth updated the Commission on the status of the project. He stated that the project is moving forward and that the intent is to break ground by the end of the year. He stated that the financing is in place. He said that the delay has been due to a change in the plans; as a result of increasing costs, the project will now be condominiums instead of apartments. There will be a total of 230 condo units instead of 260 rental units. More of the units will be two-bedroom. He stated that the intent is to keep the outside of the building as approved. He noted that the 2 bedroom units will range in size from 1,100 s.f. to 1,300 s.f. and the price range for these units will be high \$300's to \$450,000. A brief discussion followed.

The motion was duly made, seconded and unanimously passed to extend the Certificate of Approval and Certificate of Approval of Deviations for Parcel 6 for a six-month period, expiring on May 13, 2006.

5. Parcel 11: Westin Hotel Expansion: Request for Construction Signage

Presenters: Richard Seges

Chairman Gardner noted that the Westin Hotel is looking to install a construction sign for the project. The proposed signage was presented to the Design Review Committee at its meeting of October 18, 2005. The DRC approved the signage, as presented and it is before the Commission for action.

Mr. Seges made a brief presentation. He showed a picture of the proposed construction sign and stated that it will be located midway along Francis Street. The sign will be 4'x8.

The motion was duly made, seconded and unanimously passed to approve the construction signage for the Westin expansion project, as presented.

6. Parcel 9: GTECH: Request for Approval of Design Improvements and Signage Plan

Presenters: Richard Galvin; Al Spagnolo

Chairman Gardner explained that the Parcel 9 development team presented a number of design modifications to the Design Review Committee at its meeting of November 1, 2005. At that meeting, the Design Review Committee voted to recommend approval of the proposed design changes to (1) the base of the building, from precast to granite; (2) a new entrance canopy; (3) a change in paving at the Francis/Memorial corner; (4) a change in the loading dock door from frosted glass to metal; with the detailed design of these items to come back to the DRC for final review. A balcony on the north side of the building, a redesigned auto bridge and an overall signage concept were presented, but will be more fully reviewed by the DRC at a future meeting.

Mr. Galvin made a brief introduction. Mr. Spagnolo then presented the proposed changes to the project. Discussion followed. Mr. Durkee and Mr. Preston expressed concerns about the proposed change to a metal loading dock door. Mr. Durkee suggested adding windows along the top. Mr. Preston stated that it looked too much like a loading dock door and was moving in the wrong direction.

The motion was duly made, seconded and unanimously passed to approve the proposed design changes to (1) the base of the building, from precast to granite; (2) a new entrance canopy; and (3) a change in paving at the Francis/Memorial corner, with the detailed design of these items to come back to the DRC for final review.

The motion was made by Mr. Daniels and seconded by Mr. Weiss to approve a change in the loading dock door from frosted glass to metal, as presented, with the detailed design of these items to come back to the DRC for final review. Those voting in favor of the motion were Leslie Gardner, Merlin DeConti, Steve Daniels, Barry Fain, Phil Stone, Robert Reichley, Chris Thomas, Stanley Weiss and Councilwoman Rita Williams. Those voting in opposition were Steve Durkee and Barry Preston.

7. Parcel 1: Intercontinental Development: Sales Office: Proposed Change in Awning Color

The Executive Director explained that in September the Commission approved signage and a blue awning for the Intercontinental Sales Office to be located at the end of the Union Station complex on Exchange Street. She noted that the approved awning manufacturer was not on the Fire Department's approved list for fire ratings and that the blue color for the accepted manufacturers clashed with the other marketing materials. The Executive Director presented a tan awning sample from Pease Awning Company, as provided by the developer, as a substitute awning color.

The motion was duly made, seconded and unanimously passed to approve the tan awning color from Pease Awning, as presented.

8. 2006 Meeting Schedule

Chairman Gardner presented the proposed 2006 Capital Center Commission meeting schedule.

The motion was duly made, seconded and unanimously passed to approve the 2006 Capital Center Commission meeting schedule.

9. By-Laws: Request for Approval of Updated By-Laws

The Chairman noted that the Executive Director has been working to draft an update to the Commission's Internal Operating Procedures, which were last revised in 1987. The draft was first presented to the Commission in September's packet. At the request of the Commission, the Executive Director has developed a redline copy detailing the changes from the original By-laws. These By-Laws have been reviewed and approved by the Commission's legal counsel. The agenda packet includes this redlined copy, the original by-

laws, and a clean copy of the proposed new by-laws. The Executive Director reviewed the proposed revisions to the by-laws.

There was discussion on two items: (1) Article IV on page 9, Mr. DeConti asked if the Commission could give the Executive Director more powers so that she could approve items such as minor signage, temporary signage and/or other minor modifications without requiring the applicant to go before both the DRC and the CCC. There was discussion as to whether this should be included in the By-Laws or in the Internal Operating Procedures. The Executive Director will review this with legal counsel. (2) Article VI, p. 11 Additional Committees: Mr. DeConti asked if the Commission could give more authority to the DRC. Some members of the Committee expressed concern about this. The Executive Director stated that she would also have legal counsel look at this as well.

This item will come back to the next meeting of the Commission.

10. 2004-05 Audit

Chairman Gardner noted that a copy of the 2004-05 Audit was included in the agenda packet. A brief discussion followed.

The motion was duly made, seconded and unanimously passed to accept the 2004-05 audit.

11. FY-06 Budget

Chairman Gardner stated that the proposed budget was briefly reviewed at September's meeting. The Executive reviewed some of the corrections made to the budget and reviewed the operating results from the most recent fiscal year and the proposed budget for 2005-06.

It was the consensus of the Commission to return to the budget discussion following a review of the performance of the Executive Director.

12. Executive Session

(Pursuant to Par (1) Section 42-56-5 of the General Laws of the State of RI, if required)

12.1 Personnel

At 1:20 PM the motion was made by Mr. Daniels and seconded by Mr. Weiss to go into executive session pursuant to Par (1) Section 42-56-5 of the General Laws of the State of RI, Personnel, to review the performance of the Executive Director. Those voting in favor of the motion were Leslie Gardner, Merlin DeConti, Steve Daniels, Steve Durkee, Barry Fain, Phil Stone, Barry Preston, Robert Reichley, Chris Thomas, Stanley Weiss and Councilwoman Rita Williams. The Commission members reviewed the performance of the Executive Director.

At 1:40 PM the motion was made by Mr. Reichley and seconded by Mr. DeConti to return to open session. Those voting in favor of the motion were Leslie Gardner, Merlin DeConti, Steve Daniels, Steve Durkee, Barry Fain, Phil Stone, Barry Preston, Robert Reichley, Chris Thomas, Stanley Weiss and Councilwoman Rita Williams.

The motion was duly made, seconded and unanimously passed to approve the 2005-06 budget, in the amount of \$157,258 as presented.

11. New Business

Chairman Gardner noted that per an article in the Providence Journal on the previous day, that there is a proposal before the State Properties Committee for polo on Station Park. She noted that the Commission has been working with the Department of Administration to secure a DOT enhancement grant to improve this area. She also stated that the project would need to be approved by the Commission and that we would monitor this closely. A brief discussion followed.

13. Adjournment

The meeting was adjourned at 1:50 PM.

Robert Reichley
Secretary