

## CAPITAL CENTER COMMISSION

### Meeting Minutes of Wednesday, April 14, 2010

A meeting of the Capital Center Commission (CCC) was held on Wednesday, April 14, 2010 in the First Floor Auditorium of the Commerce Center, 30 Exchange Terrace, Providence, RI 02903.

#### 1. Roll Call

Call to Order: Chairman Gardner called the meeting to order at 12:15 PM.

Members Present: Leslie Gardner, Wilfrid Gates, Seth Handy, Barry Fain, Duncan Johnson, Stanley Weiss Guy Abelson and Merlin DeConti,

Members Absent: Greg Benik, Josephine DiRuzzo, Christopher Thomas, Glenn Kumekawa and Luis Aponte

Staff Present: Robert Azar

Others Present: Rick Pierce

#### 2. Minutes

1) Approval of Commission meeting minutes of December 9, 2009. A motion was made by Mr. Fain, seconded by Mr. Gates, to approve the meeting minutes. All voted in favor.

2) Acceptance of Design Review Committee meeting minutes of July 21, 2009, August 4, 2009 and February 2, 2010. A motion was made by Mr. DeConti, seconded by Mr. Fain to approve the meeting minutes of both meetings. All voted in favor.

#### 3. Election of Officers

Chairman Gardner requested that this item be postponed to a subsequent meeting.

#### 4. New Business

Proposed amendment to Section 4.5 of the Internal Operating Procedures to include specific documentation requirements for modifications to approved projects.

Chairman Gardner requested that this item be put on hold.

#### 5. Parcel 1 - LUXE Restaurant: Proposal to install an awning on the east elevation of the building.

John Elkhay and Ted Newcomer appeared to discuss the project. Mr. Newcomer stated that the outdoor use will extend through the fringe months of winter and that the awning will protect customers and servers. Mr. Gates noted that the DRC reviewed the project and forwarded a recommendation to approve the awning to the Commission. Mr. Weiss inquired about snow load. Mr. Newcomer replied that the awning would be maintained. In response to a question by Mr. Fain regarding lighting, Mr. Elkhay replied that there would be soft ambient lighting. Mr. Elkhay noted that they would ultimately like to expand the restaurant. Mr. Elkhay, responding to a question by Mr. Weiss, explained that the awning will have side enclosures, which was approved by the DRC. Mr. DeConti confirmed the DRC approval. A discussion followed regarding signage. Mr. Newcomer would like a pylon sign. Chairman Gardner explained that any sign proposal should go to the DRC and asked if the sign would be permanent. Mr. Elkhay responded that it would be permanent. There was some concern regarding storms to which Mr. Elkhay responded noted that was considered. On a motion made by Mr. Fain, seconded by Mr. Weiss, the awning was approved. All voted in favor.

- 6. State House:** Proposal to conduct site improvements to the existing parking lot, which includes expansion of the paved area to the east within the State House Lawn.

Chairman Gardner gave a brief introduction, noting that the project will require a variance.

Marco Schiappa from the R.I. Dept. of Administration presented the proposed changes to the east parking lot at the R.I. State House. He said that the parking area needs to be reconstructed due to drainage problems, and it needs to be expanded due to parking demand. He stated that between 1931 and 1959 the lot was expanded to the east; between 1970 and 1975, it was expanded by 15' to the east; and this proposal would expand it by about 18' more to the east. He said there would be significant water quality improvements from this project. He added that the DOA has worked with the State Historic Preservation Officer on this matter.

Chairman Gardner noted that plan has changed since the last DRC meeting.

David Bray from Caputo and Wick verified that the net increase in pavement would be approximately 2,300 sq. ft., or 3.9% increase in pavement including the island in the parking lot. The net increase is 1,475 sq. ft. Mr. Fain asked about parking across the street. Mr. Schiappa replied that the legislative staff does park in the lot across the street. He added that there is a new gate and ID system in place. Mr. Schiappa noted that there is no need for lighting. In response to a question by Chairman Gardner, Mr. Schiappa confirmed that 20 parking meters on Smith Street have been removed.

Chairman Gardner read section 5.D.3 of the CCC's design regulations, which prohibits parking in the state house lawn area. She said that a variance would be necessary to approve this proposal.

Diane Soule presented the landscaping plan. Ms. Soule stated that the original proposal has 9 to 11 trees being removed. This plan calls for preserving all the trees. The applicant hired Bartlett tree experts to assess the health of the trees. Three of the trees will have tree wells. The plan also calls for a buffer from Smith Street in the northwest corner. For this buffer, she proposed removing one Hawthorne and replacing it with 3 multi-trunked trees, 15'-20' tall, and 8'-10' wide. Ms. Soule described the crosswalk at the curb cut on Smith Street to be made of "Imprint," an asphalt material that has a permanent coloring to it. She proposed replacing the privet hedge with a new hedge along Smith Street. She also proposed a Yew hedge to screen the view to the west from Gaspee Street. She described the plan to remove the scraggly pines on the south side of the lot, and replace them with 4' high junipers. It was noted that the new arborist report recommends the removal of northerly trees and proposed the move of a tree well and one oak in the northeast area and to replace in kind. In the northwest area, the Hawthorne is to be removed and replaced with three Magnolias. A brief discussion followed regarding yews and privets.

Mr. Gates gave a brief DRC report. Mr. Johnson stated that given the fact that a variance is required, would it be appropriate to include a statement that this should not set a precedent. Mr. Pierce made this statement in the past. He also commented that the application and request for variance needs a specific reason why this should be granted. Mr. Handy inquired about the variance criteria. Mr. Azar read from the Design and Development Regulations.

A public hearing was tentatively scheduled for May 12, 2010.

**7. Adjournment**

The meeting adjourned at 1:20 PM.

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Christopher Thomas  
Secretary/Treasurer