



CITY OF PROVIDENCE
MAYOR BRETT P. SMILEY

City Plan Commission
Minutes of the September 19, 2023 meeting

A meeting of the City Plan Commission (CPC) was held on Tuesday, September 19, 2023 at 4:45 pm in the Joseph Doorley Municipal Building, 444 Westminster Street, 1st floor Meeting Room, Providence RI 02903

A video recording of the meeting is available at:

<https://www.youtube.com/@pvdcpc>

Opening Session

Call to order: Chair Michael Gazdacko called the meeting to order at 4:49 pm

Members Present: Michael Gazdacko Miguel Quezada, Noel Sanchez, Will Sherry, Charlotte Lipschitz, Nicole Verdi (left at 6:55 pm)

Members Absent:

Staff Present: Robert Azar, Deputy Director, Choyon Manjrekar, Principal Planner, Megan DiSanto, Senior Assistant City Solicitor

Approval of minutes from the August 15, 2023 meeting: Commissioner Quezada made a motion seconded by Commissioner Sanchez to approve the minutes. All voted in favor with Commissioners Lipschitz and Verdi abstaining.

Director's report: Mr. Azar said that he would deliver his comments as part of item 2.

REQUEST FOR EXTENSION

1. Case No. 19-051MA – 311 Knight

Applicant: K&S Development

The applicant is requesting a one year extension of the final plan approval – for vote (AP 32 Lot 610, Federal Hill)

Mr. Manjrekar said the applicant had requested an extension of the validity of the final plan to October 2024. On a motion by Commissioner Verdi, seconded by Commissioner Quezada, the CPC voted to grant the extension.

The CPC voted as follows:

Aye: N. Verdi, M. Quezada, W. Sherry, N. Sanchez, C. Lipschitz, M. Gazdacko

CITY COUNCIL REFERRAL

2. Referral No. 3555 – Changes to state law and Development Review Regulations

Proponent: Department of Planning and Development

Review and vote on zoning changes to implement new state laws, and discussion of changes to the development review regulations to implement new state laws – for vote

Mr. Azar introduced the item. He said the amendments to the ordinance were required because of changes to state law intended to spur development and housing. Changes to article two involved changes to definitions. Changes to article four involved the dimensional table for residential zones. The restriction on the number of dwelling units per lot had been removed for all zones. Setbacks and the amount of lot coverage would proportionally change based on the size of the lot. The minimum pervious surface coverage requirement would increase so as to not allow overdeveloped lots. Article six pertained to changes to the Downtown Design Review Committee (DDRC) and allowing for Development Plan Review. A discussion on the changes ensued.

Mr. Azar said that changes to article 12 would allow for a broadened ability to construct an accessory dwelling unit. In response to a section of state law which says that uses by special use permit (SUP) without conditions are permitted by right, conditions were added to uses allowed by SUP, permitted uses by right, or prohibited uses like principal use parking lots in residential zones. Regulations were added to allow for adaptive reuse of nonresidential uses to be used for housing. A discussion on the changes ensued.

Mr. Azar explained the duties of the administrative officer outlined in article 17. The DDRC would be considered a technical review committee with development plan review conducted by the committee. He spoke about changes to noticing procedure reflected in changes to state law. The standards for granting variances and administrative modifications were changed. Article 20 pertained to nonconformities and uses allowed by variance. He then spoke about the schedule for approval of the changes and hearings before the City Council.

Ms. Lily Bogosian asked where the changes could be accessed and asked for clarifications about the number of units on a lot and if changes the City disagreed with could be struck. Mr. Azar said the changes were available on the DPD's website and changes could not be made as they were part of enabling legislation. Mr. Tim More asked for a clarification on the criteria for a special use permit. A discussion on the changes ensued. Ms. Leslie Myers asked about the relation of the changes to the comprehensive plan. Mr. Azar said the City was required to comply with state law and could not adopt a comprehensive plan that contradicted state law. Mr. Woli Jenyo asked for a clarification on the changes to allowable development in relation to lot size. A discussion on the change ensued. Ms. Lipschitz asked about the vesting of projects. Mr. Azar said projects would be vested based on the ordinance in effect.

Mr. Azar read out the DPD's staff report and recommended that the CPC make a positive recommendation to the City Council.

On a motion by Commissioner Verdi, seconded by Commissioner Quezada, the CPC voted to recommend that the City Council approve the changes to the ordinance finding the changes to be in conformance with the zoning ordinance and comprehensive plan. The CPC voted as follows:

Aye: N. Verdi, M. Quezada, W. Sherry, N. Sanchez, C. Lipschitz, M. Gazdacko

CITY COUNCIL REFERRAL

3. Referral No. 3554 – Rezoning of 320 Angell Street

Petitioner: Curtis Point Realty LLC

The petitioner is requesting a rezoning of the subject lot from R-1 to R-P – for vote
(AP 11 Lot 12, College Hill)

Mr. Manjrekar introduced the item, a request to rezone the subject property, which is a mixed use development consisting of medical offices and residences operating through a variance, from R-1 to R-P. Attorney Joelle Rocha represented the petitioner and said the change was being requested to allow for more flexibility of use within the building. Mr. Manjrekar read out the DPD's staff report which found the change to be in conformance with the comprehensive plan and said the DPD had received a letter of support from a neighbor. Mr. Christopher Tompkins said no notice had been sent out for the item. Mr. Gazdacko said the change would be reviewed by the City Council who would hold a public hearing and the CPC was only providing a recommendation. Mr. John Gallagher asked if the property was in a Historic District (HD). Mr. Gazdacko said it was located in a HD.

On a motion by Commissioner Verdi, seconded by Commissioner Quezada, the CPC voted to make a positive recommendation to the City Council to rezone the lot to R-P.

The CPC voted as follows:

Aye: N. Verdi, M. Quezada, N. Sanchez, C. Lipschitz, W. Sherry, M. Gazdacko

MAJOR LAND DEVELOPMENT PROJECT

PUBLIC INFORMATIONAL MEETING

4. Case no. 23-030MA – 108 – 110 Waterman Street

Applicant: Walter Bronhard

The applicant is proposing to construct a five story 60' tall mixed use building with retail on the ground floor and 26 dwelling units, in the C-2 zone under the I-3E overlay. The applicant is seeking a dimensional adjustment for height as the building exceeds the four story, 50' height limit of the C-2 zone – for action (AP 12 Lots 183 and 184, College Hill) – continued from the July 18 CPC meeting – **A transcript of the item is available on request and has been made part of the record**

Mr. Azar introduced the item and said it had been continued to allow the DPD to study the effect of the loss of the demolished building on the build environment. He said the analysis found that the building was not significant enough to prevent demolition and that the plan could be considered. Attorney John Garrahy and architect Oscar Ramirez presented on behalf of the applicant. A discussion on the item ensued with the CPC hearing from the applicant and their representatives and taking public comment. Mr. Azar read out the CPC's staff report.

Upon a motion by Commissioner Verdi, seconded by Commissioner Sherry, the CPC voted to grant the requested dimensional adjustment for 60' of height and an additional story, finding that the applicant is eligible for the adjustment as vertical mixed use development will be provided, of which at least 50% will be residential use.

The CPC voted as follows:

Aye: N. Verdi, W. Sherry, N. Sanchez, M. Quezada, C. Lipschitz, M. Gazdacko

Upon a motion by Commissioner Verdi, seconded by Commissioner Sanchez, the CPC voted to approve the master plan, finding it to be in conformance with the zoning ordinance and comprehensive plan based on their findings and subject to the following conditions:

1. The applicant shall document the building's interior and exterior prior to demolition as described in the DPD's memo, and present an archival package to the RIHPHC and the DPD.
2. The roof deck shall be eliminated from the preliminary plan.
3. The applicant shall move the parking space for the property at 134 Waterman Street to 112 Waterman Street as required by the CPC.
4. The applicant shall apply for an administrative subdivision to configure the lots as depicted on the plan.
5. The applicant shall work with the City Forester to determine appropriate planting locations.

The CPC voted as follows:

Aye: N. Verdi, N. Sanchez, W. Sherry, M. Quezada, C. Lipschitz, M. Gazdacko

MINOR SUBDIVISION – UNIFIED DEVELOPMENT REVIEW PUBLIC HEARING

5. Case No. 23-048UDR – 70 Job Street

Applicant: Linda Monello

Subdivision of a lot measuring approximately 10,567 SF into two lots of 5,215 SF and 5,352 SF in the R-1 zone. Pursuant to Unified Development Review (UDR), the applicant is seeking a dimensional variance from the lot width requirement where widths of 41.17' and 41.18' will be provided where 50' are required – for vote (AP 77 Lot 253) – **a transcript of the item is available on request and has been made part of the record**

Mr. Azar introduced the item. Attorney John Garrahy and land use consultant Michael McHugh presented the plan on behalf of the applicant. A discussion on the item ensued with the CPC hearing from the applicant and their representatives and taking public comment. Mr. Manjrekar read out the DPD's staff report.

Upon a motion by Commissioner Quezada, seconded by Commissioner Lipschitz, the CPC voted to approve the dimensional relief from the minimum lot width requirement of 50 feet.

The CPC voted as follows:

AYE: M. Quezada, C. Lipschitz, N. Verdi, W. Sherry, N. Sanchez, M. Gazdacko

Upon a motion by Commissioner Sanchez seconded by Commissioner Quezada, the CPC voted to approve the preliminary subdivision plan finding it to be in conformance with the zoning ordinance and comprehensive plan. The plan was approved subject to the following conditions:

1. The validity of the preliminary plan was extended to one year from the date of recording of the approval letter based on a written request from the applicant.
2. The applicant shall demolish the existing structure prior to final plan approval.
3. Final plan approval was delegated to DPD staff.

The CPC voted as follows:

AYE: N. Sanchez, M. Quezada, C. Lipschitz, N. Verdi, W. Sherry, M. Gazdacko

INSTITUTIONAL MASTER PLAN

6. BROWN UNIVERSITY INSTITUTIONAL MASTER PLAN

Presentation of Brown University's five year Institutional Master Plan (IMP) -- for vote

Mr. Azar left the meeting. Ms. Lipschitz recused herself and left the meeting. Mr. Manjrekar introduced the item. Attorney Andrew Teitz and Russell Carey of Brown University presented the item on behalf of the applicant. Mr. Carey used a powerpoint to present the plan, focusing on the Life Sciences Building (LSB) and the indoor practice facility at the Erickson athletic center expansion. Architect Noah Biklen presented plans and renderings to explain the design of the LSB in the Jewelry District. Mr. Carey spoke about the design of the practice facility and said it was not expected to increase traffic or have a negative effect on the surroundings.

Mr. Gazdacko asked if the plan reflected discussions on the Payment in Lieu of Taxes (PILOT) program that the applicant was discussing with the City. Mr. Carey said that there could be changes that require City Council approval and the applicant would appear before the CPC for approval. Mr. Manjrekar read out the DPD's staff report and recommended that the CPC approve the plan finding that it conformed to the requirements of the ordinance. Mr. Grant Dulgarian said he was in support of the plan. Ms. Sharon Steele, president of the Jewelry District Association, said she was in favor of the plan.

Upon a motion by Commissioner Sanchez, seconded by Commissioner Quezada, the CPC voted to approve the IMP:

The CPC voted as follows:

Aye: N. Sanchez, M. Quezada, W. Sherry, M. Gazdacko

Adjournment

Upon a motion by Commissioner Quezada seconded by Commissioner Sherry, the CPC voted to adjourn the meeting at 7:55 pm. All voted in favor.

Respectfully Submitted,



Noel Sanchez

Secretary, City Plan Commission

Prepared by Choyon Manjrekar, Recording Secretary