

**CITY OF EAST PROVIDENCE
PLANNING BOARD
MINUTES**

Date: April 8, 2024

Time: 7:00 PM

Place: City Hall, City Council Chambers

Present: Michael Robinson (Chair), Greg Miller, Eric Crook, Michelle Rockwell and Keith A. Brynes (staff)

Note: This meeting was unable to be livestreamed or recorded via video.

1. CALL TO ORDER

The meeting was called to order at 7:09 PM.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. APPROVAL OF PLANNING BOARD MINUTES

On a motion from Mr. Miller, seconded by Ms. Rockwell, the Board voted 4-0 to adopt the March 25, 2024 Planning Board minutes.

4. NEW BUSINESS

- A. Recommendation to the Waterfront Special Development District Commission and Waterfront Commission Design Review Committee regarding Comprehensive Plan consistency for Metacomet Property LLC's application for a proposed mixed-use development located on 500 Veterans Memorial Parkway, Assessor's Map 107, Block 15, Lot 1, and Map 107, Block 15, Lot 1-10.
Plans and supplemental material are available for review at <https://www.eastprovidencewaterfront.com/>

Mr. Brynes presented the Department of Planning's memorandum on the application's conformance with the City's Comprehensive Plan. The Planning Board's role is to offer an advisory recommendation to the Waterfront Commission, and the Waterfront Commission's Design Review Commission, as to whether the development is consistent with the purposes and intent of the City's Comprehensive Plan and the Subdivision and Land Development Review Regulations. Review of the Comprehensive Plan also includes the City's Waterfront Plan, adopted in 2003. The City Council voted to establish the Metacomet Subdistrict through a rezoning and Comprehensive Plan Amendment in 2021. The Planning Department's memorandum recommends that the Planning Board offer an advisory opinion to the Design

Review Commission and Waterfront Commission that the development, as proposed, is consistent with the purposes and intent of the City's 2010-2015 Comprehensive Plan based on recent Comprehensive Plan modifications approved by vote of the City Council, and further that the development is consistent with Section 1-2, General Purposes of the Subdivision and Land Development Review Regulations. Issues associated with the overall density of the development and its impacts on the transportation network, public utilities, environmental and archaeological resources will require a full review by the Design Review Commission and Waterfront Commission. Final review of these commissions will consider the applicant's responses related to comments from reviewers such as RIDOT, RIDEM, CRMC, the Scenic Highway Board and various City departments. As a result, the application may require a revisit to the Planning Board to determine if Comprehensive Plan consistency will be affected as a result of any substantial amendments to the application.

Joshua Berlinsky, attorney for Metacomet Property LLC, addressed the Board and described the status of the review process. Prior to the Zone Change in 2021, the Planning Board provided a recommendation that the development's conceptual plans conform to the Comprehensive Plan.

Susan Mara, AICP, planning consultant for the applicant, presented an analysis of the proposal's consistency with the Comprehensive Plan. The report concludes that the development is consistent with the Metacomet Subdistrict, as well as the future land use map and several of the goals and policies of the Comprehensive Plan.

Planning Board members discussed whether to wait for additional information on potential impacts before voting on Comprehensive Plan consistency. Mr. Berlinsky stated that if the Planning Board recommends approval, any subsequent significant changes to the plans would return to the Board.

Public comment:

Candy Seel stated that review of conformance with the Comprehensive Plan is premature and that the application is inconsistent with several items in the Comprehensive Plan and the Metacomet Design Guidelines.

Daniel Baudouin stated that traffic and noise impacts need to be better analyzed and that both of the applicant's traffic studies should be peer reviewed.

Steven Sullivan stressed that meeting participants should speak clearly into the microphones and meetings should be recorded.

Evelyn Audet stated that the City should weigh the project's tax benefits against disruption of the neighborhood.

Mr. Berlinsky stated that the fundamental issue has not changed since the Board's 2021 review. In that case the Board advised on Comprehensive Plan consistency before all issues were resolved.

On a motion by Mr. Crook, seconded by Ms. Rockwell, the Board voted to table the application for 60 days or as long as needed to bring additional outstanding material without prejudice. The motion was approved 3-1.

Roll call vote:

Mr. Robinson – approve

Mr. Crook – approve

Ms. Rockwell – approve

Mr. Miller – opposed

On a motion by Mr. Crook, seconded by Ms. Rockwell, the Board voted unanimously to accept the following documents into the record:

1. Department of Planning’s memorandum to the Planning Board dated 4/5/24 and supporting exhibits;
 2. Correspondence to the Planning Board and RIDOT from Keep Metacomet Green
- B. Recommendation to the City Council regarding proposed amendments to Chapter 19 Zoning, Article I, Section 19-1 (Definitions), Article IV, Section 19-284 (Off-street parking spaces required) and addition of new Section 19-360.4 related to restaurants and fast food restaurants offering outdoor dining. Changes include parking relief and creation of safety and other standards for the permitting of outdoor dining.

Mr. Brynes summarized the proposed changes which have been developed to continue to allow outdoor dining at local food service establishments now that the Governor’s COVID Executive Order regarding outdoor dining is expiring. That Executive Order temporarily offered relief from local parking regulations. Despite the pandemic no longer being a hardship to restaurants, these businesses are now struggling with the impacts of the partial closure of the Washington Bridge. Parking relief is proposed by exempting up to 20 outdoor seats from off-site parking requirements and allowing for up to 50% of an establishment’s required non-handicap, on-site spaces to be used for outdoor dining (up to a maximum of 4 spaces). Regulations also provide for a review procedure under the Development Plan Review process to include safety measures, such as fire safety and protection from vehicles.

These changes were originally included in a draft of comprehensive changes to the Zoning Ordinance that were approved in December of 2023. Upon review, the City Council decided to consider the outdoor dining language under a separate application.

On a motion by Mr. Crook, seconded by Mr. Miller, the Board voted unanimously to:

1. Enter the following into the record:
 - Planning Department’s memorandum dated 4/4/24.
 - Proposed amendments to Zoning Ordinance Draft dated 2/27/24.

2. Adopt Staff's findings of consistency with the Comprehensive Plan as spelled out in Staff's 4/4/24 memorandum.
3. Adopt Staff's findings of consistency with the General Purposes of Zoning as spelled out in Staff's 4/4/24 memorandum.
4. Recommend the proposed amendments to the Zoning Ordinance.

5. ANNOUNCEMENT

Chairman Robinson informed the Board that the next Planning Board meeting is scheduled for May 13, 2024.

6. ADJOURNMENT

On a motion by Mr. Crook, seconded by Ms. Rockwell, the Board voted 4-0 to adjourn the meeting at 9:00PM.

cc: Mayor Roberto DaSilva
Director of Public Works
City Engineer
City Solicitor
Fire Chief
Zoning Officer