

## **I-195 REDEVELOPMENT DISTRICT COMMISSION**

### **MEETING OF COMMISSION**

#### **PUBLIC SESSION**

**JANUARY 19, 2022**

The I-195 Redevelopment District (the “District”) Commission (the “Commission”) met on Wednesday, January 19, 2022, in Public Session, beginning at 5:00 P.M., via video conference pursuant to Executive Order 22-01 and a notice of the meeting to all Commissioners and public notice of the meeting, a copy of which is attached hereto, as required by applicable Rhode Island law.

The following Commissioners were present and participated throughout the meeting: Chairperson Robert Davis, Dr. Barrett Bready, Mr. Michael McNally, Ms. Sandra Smith, Mr. Marc Crisafulli, and ex-officio board members Ms. Bonnie Nickerson and Mr. Stefan Pryor.

Also, present were Ms. Caroline Skuncik, Executive Director, Ms. Amber Ilcisko, District Director of Operations, Mr. Peter Erhartic, District Director of Real Estate, Mr. Jacob Nathan, District Park Manager, and Mr. Charles F. Rogers of Locke Lord, LLP, legal counsel to the District.

#### **1. WELCOMING REMARKS BY CHAIRPERSON DAVIS.**

Chairperson Davis called the meeting to order at 5:03 P.M. and reviewed the agenda. He noted that there would be several opportunities for public comment during the meeting and stated guidelines for those public comment portions of the agenda. Mr. Davis explained the review process related to the proposed developments on Parcel 2, which include the selection of a preferred developer followed by two levels of design review with the design review panel and additional public comment. He also stated the District requested the design review panel take an unusual step and review the proposals for Parcel 2.

#### **2. REVIEW AND APPROVAL OF THE MINUTES OF THE COMMISSION MEETING HELD ON OCTOBER 20, 2021.**

Chairperson Davis noted that the minutes of the October 20, 2021, meeting had been distributed to the Commissioners and asked if there were any comments or corrections.

There being none, upon motion made by Mr. McNally and seconded by Dr. Bready, the following vote was adopted:

VOTED: To approve the minutes of the Public Session of the Commission meeting held on October 20, 2021.

Voting by roll call in favor of the foregoing were: Chairperson Davis, Mr. McNally, Ms. Smith, and Dr. Bready.

Voting against the foregoing were: None.

Mr. Crisafulli abstained.

**3. PRESENTATION BY DIAMOND + PARENT REAL ESTATE DEVELOPMENT AND URBAN SPACES, LLC REGARDING THEIR PROPOSED DEVELOPMENT ON PARCEL 2.**

Ms. Skuncik introduced Merrill Diamond and Ralph Parent of Diamond + Parent Real Estate Development and Jeffrey Hirsch of Urban Spaces, LLC who presented updates to their initial proposal for Parcel 2. Mr. Diamond introduced the development team, including Mr. Parent and Mr. Hirsch, Haril Pandya of NELSON Worldwide, and Courtney Goode of Goode Landscape Studio. Mr. Parent used a Power Point Presentation to discuss four reasons why they should be selected as the preferred developer for Parcel 2, which included diversity and inclusion. Mr. Hirsch presented home ownership as another reason and discussed the parking ratio in the proposed project. Mr. Pandya continued the presentation with the additional reasons including with an overview of design and resiliency and renderings of the proposed design before and proposed design updates, including the western façade and massing and ground-level view of the eastern façade of the previous design for the building. Mr. Pandya and Ms. Goode presented renderings of the proposed design before and proposed design updates which included an aerial of the building looking north, an aerial view looking up South Water Street across rain gardens, a ground level view of the dining terrace and retail shops and restaurants, and ground level renderings.

There was no further discussion.

**4. PRESENTATION BY EDEN PROPERTIES REGARDING THEIR PROPOSED DEVELOPMENT ON PARCEL 2.**

Ms. Skuncik introduced Noah Maslan, David Chilinski, and Nidhi John. Mr. Maslan of Eden Properties used a Power Point Presentation to present updates on their initial proposal for Parcel 2. Their presentation included the following: a reintroduction to the team, including Mr. Chilinski and Ms. John of PCA, how the proposed development meets the District mission and a summary of changes of their proposed development for Parcel 2. Mr. Chilinski presented the site plan, the ground floor at grade, and great retail streets. Ms. John presented renderings of the previous and revised site plan, view along South Main Street, pocket park along South Main Street, previous design of the center plaza from pedestrian design and the revised design of the center plaza from the pedestrian design, and the sidewalk along South Water Street.

There was no further discussion.

**5. PRESENTATION BY URBANICA, INC. REGARDING THEIR PROPOSED DEVELOPMENT ON PARCEL 2.**

Ms. Skuncik introduced Stephen Chung, Kamran Zahedi, and Michelle Yin of Urbanica, Inc. Mr. Zahedi used a Power Point Presentation to present the updates on the project. He noted that

Urbanica's proposed project design was significantly different from that which had previously been posted on the District website. His presentation included Urbanica's responses on the financials/programs, the development program chart, other financial adjustments, responses on design comments, an aerial of the design from South Water Street, design of the ground floor plan, design of upper floor plans, design view of Dollar Street, design view of a gym patio on South Main Street, design view of the food hall on South Main Street, design of the food hall, a view of live/work on South Main Street, a view of an art mural on South Main Street, a view of the plaza with art and landscape, responses to neighborhood, and renderings of design that reduces height and breaks up massing.

## **6. PRESENTATION REGARDING UPDATES TO THE DEVELOPMENT PROPOSALS ON PARCEL 2.**

Tim Love of Utile, Inc. presented a design comparison and comments on the Parcel 2 developer revised proposals using a Power Point presentation. His presentation included a summary of the programmatic changes and a review of the revisions to the Eden Properties' proposal which included a ground floor comparison, urban form and architectural expression comparison, new ground level views, design review panel comments, and an overview of design revisions to their proposal. Mr. Love continued to present a review of the revisions of the Providence Partnership for Community Reinvestment, LLC's proposal which included urban form and architectural expression comparison, new ground level views, design review panel comments, and an overview of design revisions. Next, he presented a review of the revisions to Urbanica, Inc.'s proposal including a ground floor comparison, urban form and architectural expansion comparison, design review panel comments, new ground level views, a ground level view comparison, and an overview of design revisions.

Discussion continued on the design review process. It was noted that the three proposals had been posted on the District website

Ms. Skuncik then presented other proposal changes of each proposed development for Parcel 2 not related to the design, including acquisition prices and any program changes.

There was no further discussion.

## **7. PUBLIC COMMENT REGARDING THE UPDATES TO THE PROPOSED DEVELOPMENT FOR PARCEL 2.**

Chairperson Davis stated the District is going to commission a parking study to address the number of public comments expressing concerns about parking. He also noted that there would be additional opportunities for the public to comment during the design review process. He stated that written commentary from the public would be accepted through Wednesday, January 26.

Fifteen members of the public then spoke to offer their comments. Comments included concerns about the mass, elevations, and height of the proposed buildings, statements that the designs did not take into account the historical context of the site, concerns with views of the roof, proposed

parking ratios, a lack of acknowledgement of the Narragansett Indian Tribe, the amount of affordable housing units in the proposals, physical appearance of the projects on the South Main Street side, and the potential for an increase in transient residents the proposed developments would attract. Others spoke in support of the height, low parking ratios, the increased density of all of the projects and the massing and transparency of the Eden proposal. There was also a question clarifying when written public comment was due.

There was no further discussion.

**8. PRESENTATIONS REGARDING THE SPECIAL USE PERMIT APPLICATIONS SUBMITTED BY BAC CVP PROVIDENCE HOTEL LLC TO PERMIT LIVE ENTERTAINMENT AS AN ANCILLARY USE IN THE ALOFT HOTEL.**

Mr. Rogers explained that pursuant to the District's Development Plan projects in the District are subject to the City of Providence zoning upon completion, however the Commission continues to be the Zoning Board of Review with respect to completed projects. He stated the purposes of the hearings are to consider applications for special use permits for the entertainment as ancillary uses in the Aloft Hotel and for its retail tenant as required by the Providence Zoning Ordinance.

**9. PUBLIC HEARING REGARDING THE SPECIAL USE PERMIT APPLICATIONS SUBMITTED BY BAC CVP PROVIDENCE HOTEL LLC.**

Chairperson Davis began the public hearing at 7:19 P.M.; he noted there were two applications both filed by BAC CVP Providence LLC that relate to different parts of the hotel, but the same uses.

Ms. Skuncik introduced Bill Hoffman of CV Properties. Mr. Hoffman outlined the requests for the special use permits and introduced Michael Canini of Aloft Hotel and Tom Madonna, legal counsel to CV Properties. Mr. Canini provided an overview of the hotel brand and anticipated entertainment. Mr. Hoffman then discussed the entertainment in the retail space. He stated that there was not a definitive agreement with a tenant, but they are seeking a complimentary use and amenity to the hotel.

There was no further discussion.

Chairperson Davis then opened the hearing up to the public. Two members of the public spoke, one in favor of granting the permits and the other questioned the level of noise and locations of the live entertainment on the premises.

Mr. Hoffman stated they would take into consideration the abutting residences and hotel rooms when live entertainment is planned.

There was no further discussion.

**10. VOTE REGARDING THE SPECIAL USE PERMIT APPLICATIONS SUBMITTED BY BAC CVP PROVIDENCE HOTEL LLC.**

Chairperson Davis read the resolved language of the proposed resolution for the retail space located 191 Dorrance Street.

There being no further discussion, upon motion made by Ms. Smith and seconded by Dr. Bready, the following vote was adopted:

VOTED: That the resolution granting a special use permit for live entertainment as an ancillary use (a copy of which Resolution had been circulated to the members and is attached hereto as Exhibit A), be, and it hereby, is adopted and approved.

Voting by roll call in favor of the foregoing were: Chairperson Davis, Ms. Smith, Dr. Bready, Mr. Crisafulli, and Mr. McNally.

Voting against the foregoing were: None.

Chairperson Davis then read the resolved language of the proposed resolution for the hotel use for the development located 191 Dorrance Street.

There being no further discussion, upon motion made by Mr. Crisafulli and seconded by Mr. McNally, the following vote was adopted:

VOTED: That the resolution granting a special use permit for live entertainment as an ancillary use (a copy of which Resolution had been circulated to the members and is attached hereto as Exhibit B), be, and it hereby, is adopted and approved.

Voting by roll call in favor of the foregoing were: Chairperson Davis, Ms. Smith, Dr. Bready, Mr. Crisafulli, and Mr. McNally.

Voting against the foregoing were: None.

## **11. UPDATE AND DISCUSSION REGARDING THE DISTRICT PARK.**

Ms. Skuncik used a Power Point presentation to provide an update on the District park, which included an overview of 2021 activity, capital improvements coming in 2022, public art and programming, background on the food and beverage pavilion project, a timeline of the food and beverage pavilion project, an overview of the food and beverage pavilion project, and how to stay informed on the food and beverage pavilion project.

There was no further discussion.

## **12. PRESENTATION REGARDING THE TRANSFORMER YARD SCREENING IN THE PARK BY BROWN RICHARDSON AND ROWE.**

Ms. Skuncik introduced James Pfeiffer of Brown Richardson and Rowe. Mr. Pfeiffer provided a brief overview of the transformer yard screening project in the park. He continued his presentation

using a Power Point Presentation to present an illustrative plan diagram and discussed the strategy to use more mature trees to screen the transformer yard. He then showed the proposed locations of the additional trees throughout the park with and without the new trees. He concluded his presentation defining mature trees and a project timeline.

Discussion continued on the mortality rate of trees planted in the park. In response to a question, Mr. Pfeiffer said that the tree mortality in the park was not unusual.

### **13. DISCUSSION REGARDING THE 2022 MEETING CALENDAR.**

Chairperson Davis stated the proposed calendar had been circulated to the Commission and asked if there were any concerns. He noted the calendar is subject to change based on guidelines and regulations related to the ongoing pandemic.

There was no further discussion.

### **14. PUBLIC COMMENT SESSION.**

The public comment session was deferred until the next meeting.

### **15. CHAIRPERSON'S REPORT/AGENDA FOR NEXT MEETING ON WEDNESDAY, FEBRUARY 2, 2022, AT 5:00 P.M.**

Chairperson Davis did not have a report for the next meeting.

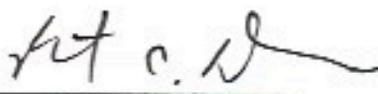
There being no further discussion, upon motion made by Mr. McNally and seconded by Ms. Smith, the following vote was adopted:

VOTED: That the meeting be adjourned.

Voting by roll call in favor of the foregoing were: Chairperson Davis, Ms. Smith, Dr. Bready, Mr. Crisafulli, and Mr. McNally.

Voting against the foregoing were: None.

The meeting was adjourned at 8:01 P.M.

  
Robert C. Davis, Chairperson

**EXHIBIT A**

**I-195 REDEVELOPMENT DISTRICT**

**Special Use Permit Resolution – Live Entertainment as an Ancillary Use**

January 19, 2022

- WHEREAS:** The I-195 Redevelopment District (the “District”) was created and exists as a public corporation, governmental agency and public instrumentality of the State of Rhode Island under Chapter 64.14 of Title 42 of the General Laws of Rhode Island (the “Act”); and
- WHEREAS:** The Act grants the District, acting through its commission (the “Commission”), the powers of the city planning board and the city zoning board; and
- WHEREAS:** Pursuant to the Rhode Island Special Economic Development District Enabling Act, the Commission has adopted the I-195 Redevelopment District Development Plan which provides, inter alia, that following completion of construction of projects located in the I-195 Redevelopment District, the subsequent use and alteration of such projects shall be subject to the provisions of the Providence Zoning Ordinance; and
- WHEREAS:** BAC CVP Providence Hotel LLC (the “Applicant”) has completed construction of a hotel with first floor retail/restaurant space at 191 Dorrance Street (Lot 401, Assessor’s Plat 20) (the “Project”); and
- WHEREAS:** The Commission has received an application from the Applicant for a special use permit for live entertainment at the Project as an ancillary use to the permitted retail/restaurant use (the “Application”); and
- WHEREAS:** The Commission has received a report from the Commission’s staff advising that live entertainment as an ancillary use to the retail/restaurant use is allowed under the Providence Zoning Ordinance by special use permit in the D-1 zone in which the Project is located and concluding that granting a special use permit (a) will not substantially injure the use and enjoyment of neighboring property nor significantly devalue neighboring property and (b) will not be detrimental or injurious to the general health or welfare of the community; and
- WHEREAS:** The Commission this date has heard a presentation from the Applicant regarding the Application and the proposed live entertainment and has heard testimony regarding the Application; and
- WHEREAS:** There were no objectors to the granting of a special use permit.

**NOW, THEREFORE**, acting by and through its Commissioners, the District hereby finds and resolves as follows:

1. That a special use permit for live entertainment as an ancillary use to a retail/restaurant use in the D-1 zone is permitted under the Providence Zoning Ordinance.
2. That the principal retail/restaurant use at the Project will be active and open to the public during hours when no performance is scheduled.
3. That granting a special use permit for live entertainment at the Project will not substantially injure the use and enjoyment of nor significantly devalue neighboring property.
4. That granting a special use permit for live entertainment at the Project will not be detrimental or injurious to the general health or welfare of the community.

Accordingly, it is hereby:

**RESOLVED:** That the November 30, 2021, application of BAC CVP Providence Hotel LLC for a special use permit to allow live entertainment as an ancillary use to the retail/restaurant use at 191 Dorrance Street (Lot 401, Assessor's Plat 20) be, and it hereby is, granted, subject to the condition that all applicable licenses are obtained from the City of Providence; and

**RESOLVED:** That the Commission, acting by and through the Executive Director, be and it hereby is, authorized to issue a written decision consistent with the requirements of applicable law confirming the grant of the requested special use permit and including the condition set forth in the foregoing Resolution.

**EXHIBIT B**

**I-195 REDEVELOPMENT DISTRICT**

**Special Use Permit Resolution – Live Entertainment as an Ancillary Use**

January 19, 2022

- WHEREAS:** The I-195 Redevelopment District (the “District”) was created and exists as a public corporation, governmental agency and public instrumentality of the State of Rhode Island under Chapter 64.14 of Title 42 of the General Laws of Rhode Island (the “Act”); and
- WHEREAS:** The Act grants the District, acting through its commission (the “Commission”), the powers of the city planning board and the city zoning board; and
- WHEREAS:** Pursuant to the Rhode Island Special Economic Development District Enabling Act, the Commission has adopted the I-195 Redevelopment District Development Plan which provides, inter alia, that following completion of construction of projects located in the I-195 Redevelopment District, the subsequent use and alteration of such projects shall be subject to the provisions of the Providence Zoning Ordinance; and
- WHEREAS:** BAC CVP Providence Hotel LLC (the “Applicant”) has completed construction of a hotel with first floor retail/restaurant space at 191 Dorrance Street (Lot 401, Assessor’s Plat 20) (the “Project”); and
- WHEREAS:** The Commission has received an application from the Applicant for a special use permit for live entertainment at the Project as an ancillary use to the permitted hotel use (the “Application”); and
- WHEREAS:** The Commission has received a report from the Commission’s staff advising that live entertainment as an ancillary use to a hotel use is allowed under the Providence Zoning Ordinance by special use permit in the D-1 zone in which the Project is located and concluding that granting a special use permit (a) will not substantially injure the use and enjoyment of neighboring property nor significantly devalue neighboring property and (b) will not be detrimental or injurious to the general health or welfare of the community; and
- WHEREAS:** The Commission this date has heard a presentation from the Applicant regarding the Application and the proposed live entertainment and has heard testimony regarding the Application; and
- WHEREAS:** There were no objectors to the granting of a special use permit.

**NOW, THEREFORE**, acting by and through its Commissioners, the District hereby finds and resolves as follows:

1. That a special use permit for live entertainment as an ancillary use to a hotel use in the D-1 zone is permitted under the Providence Zoning Ordinance.
2. That the principal hotel use at the Project will be active and open to the public during hours when no performance is scheduled.
3. That granting a special use permit for live entertainment at the Project will not substantially injure the use and enjoyment of nor significantly devalue neighboring property.
4. That granting a special use permit for live entertainment at the Project will not be detrimental or injurious to the general health or welfare of the community.

Accordingly, it is hereby:

**RESOLVED:** That the November 30, 2021, application of BAC CVP Providence Hotel LLC for a special use permit to allow live entertainment as an ancillary use to the hotel use at 191 Dorrance Street (Lot 401, Assessor's Plat 20) be, and it hereby is, granted, subject to the condition that all applicable licenses are obtained from the City of Providence; and

**RESOLVED:** That the Commission, acting by and through the Executive Director, be and it hereby is, authorized to issue a written decision consistent with the requirements of applicable law confirming the grant of the requested special use permit and including the condition set forth in the foregoing Resolution.