

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1998-57

No. 676 AN ORDINANCE

IN AMENDMENT OF AND IN ADDITION TO CHAPTER 1977-5 OF THE ORDINANCES OF THE CITY OF PROVIDENCE APPROVED FEBRUARY 14, 1977 AND ENTITLED, "AN ORDINANCE APPROVING AND ADOPTING THE OFFICIAL REDEVELOPMENT PLAN FOR DOWNTOWN PROVIDENCE RENEWAL" FOR THE ACQUISITION OF ADDITIONAL PROPERTIES, AS AMENDED.

Approved December 14, 1998

Be it ordained by the City of Providence:

1. That Chapter 1977-5 of the Ordinances of the City of Providence, approved February 14, 1977 and entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for Downtown Providence Renewal" as amended by the following: Chapter 1978-44, approved November 24, 1978, Chapter 1981-26, approved May 21, 1981, Chapter 1981-50, approved October 23, 1981, Chapter 1983-7, approved February 18, 1983, Chapter 1983-14, approved April 22, 1983, Chapter 1993-26, approved September 13, 1993, Chapter 1994-33, approved October 14, 1994, Chapter 1997-14, approved February 26, 1997, and Chapter 1998 - 6, approved January 18, 1998, be and the same is hereby further amended as follows:

- A. "Downtown Renewal Plan Amendment for Acquisition of Parcels 9 and 15" is hereby adopted and made part of the Official Redevelopment Plan for Downtown Providence Renewal.
- B. The following properties are hereby added to the property acquisition list in Section 2., entitled "Proposed Acquisition" under Chapter E., entitled "Renewal Plan Proposals":

Plat	Lot	Address	Plat	Lot	Address
4	140	148 Smith St.	4	149	7 Brownell St.
4	143	154 Francis St.	4	150	87 Park St.
4	144	146 Francis St.	4	151	95 Park St.
4	145	148 Francis St.	4	153	155 Park St.
4	146	142 Francis St.	4	155	111 Park St.
4	147	140 Francis St.	4	159	89 Park St.
4	148	134 Francis St.	19	109	140 Francis St.

- C. Certain maps of the aforementioned Official Redevelopment Plan, herein after entitled "Map No. 3 Proposed Acquisition" and Map No. 7, Disposition Map shall be amended to include the Proposed Acquisition of the aforementioned lot.
2. That said Chapter 1977-5 of the Ordinance of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other aspects.
3. That this Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

No.

CHAPTER

AN ORDINANCE

IN CITY COUNCIL
NOV 19 1998
FIRST READING
READ AND PASSED

CLERK

Michael R. Clement

IN CITY
COUNCIL
DEC 3 1998
FINAL READING
READ AND PASSED

PRESIDENT

CLERK

Stephen J. Magnoli
Michael R. Clement

APPROVED

DEC 14 1998

MAYOR

Vincent A. Cianci

IN CITY COUNCIL
SEP 3 1998

FIRST READING
REFERRED TO COMMITTEE ON
URBAN REDEVELOPMENT
RENEWAL & PLANNING

CLERK

Michael R. Clement

THE COMMITTEE ON

U. R. R. P.

Recommends P.N.

Barbara A. Gaurier

Clerk

9/28/98 (check)

THE COMMITTEE ON
URBAN REDEVELOPMENT
RENEWAL & PLANNING
Approves Passage of
The Within Ordinance

Barbara A. Gaurier

Clerk

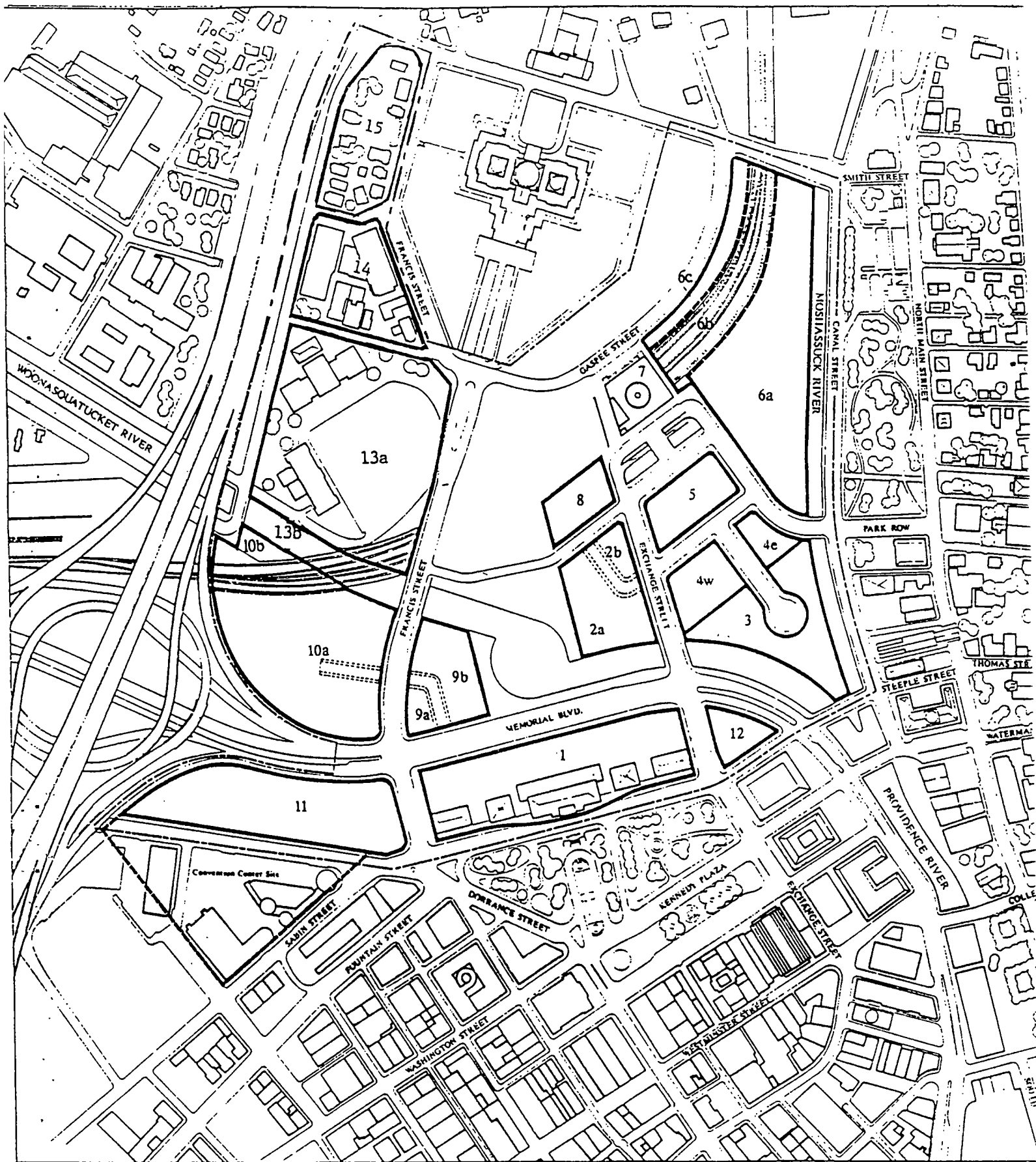
11/5/98

DEPT. OF CLERK
PROVIDENCE, R.I.

AUG 24 3 26 PM '98

FILED

Councilman Allen & Councilwoman Young (By request)



Prepared by Skidmore, Owings & Merrill

KEY

PARCEL BOUNDARY



CAPITAL CENTER
SPECIAL DEVELOPMENT DISTRICT



OPTIONAL STREET



N.B. All parcel descriptions are general in nature.
Precise parcel configurations must be obtained by survey.

PROJECT BOUNDARIES AND PARCEL PLAN

MEMORANDUM

TO : Michael Clement, City Clerk
FROM : Thomas E. Deller, AICP, Deputy Director
RE : Downtown Renewal Project
DATE : August 24, 1998

Attached is an original and twenty-two (22) copies of a proposed amendment to the Official Redevelopment Plan for the Downtown Renewal Project. Specifically, the amendment is for the proposed acquisition of Parcels 9 and 15 in Capital Center.

Yours The Ordinance is being sponsored by Councilman *Balbir A* ~~John H. Rollins~~ and Councilman Ronald W. Allen.

CITY OF PROVIDENCE
PROVIDENCE REDEVELOPMENT AGENCY
DOWNTOWN RENEWAL PLAN
AMENDMENT FOR
ACQUISITION OF PARCELS 9 and 15 - CAPITAL CENTER

August 17, 1998

This document is appended, as an amendment to the Downtown Providence Renewal Plan.

Proposal

The Providence Redevelopment Agency proposes to submit an Ordinance to the City Council in order to acquire (through purchase or condemnation, if necessary, Parcel 9 and a portion of Parcel 15 in the Capital Center District.

Background

The Capital Center Project was created in 1979 as an opportunity to develop the land between what was then parking lots and railroad switching yards in the area bounded by the State House lawn to the north and the former Union Station to the south. Through the early 1980s, the relocation of railroad tracks, construction of the Civic Center Interchange at I-95, Memorial Boulevard and connecting roads transformed this part of the city. With the relocation of the Woonasquatucket and Moshasuck Rivers and the installation of Waterplace Park and associated river walks and linear parks, the transformation was dramatic. The combined projects to relocate railroad tracks, two rivers, a major highway interchange and associated roads turned out to be among the largest and most ambitious economic projects in the city of Providence and State of Rhode Island. It is a 72+ acre northerly expansion of downtown Providence to the foot of the State House.

In October 1980, the *Design and Development Regulations for the Capital Center Project* was prepared and adopted to guide the Capital Center Commission in its role of overseeing the Plan implementation. The Regulations control use, height, building coverage, parking, and service. Pedestrian and traffic circulation controls were also established to assure the movement of people and vehicles through the Capital Center Project.

The Capital Center Commission, a public corporation and agency of the State and a public body of the City of Providence, was created in 1981 when state legislation authorizing the Capital Center District and the Capital Center Commission were adopted. The Commission administers the public and private improvements within Capital Center through

Design and Development Regulations, which were, in 1981, more restrictive than the City's Zoning. The City's newest Zoning Ordinance, adopted in 1994 and amended in 1995, is now more restrictive than the Capital Center guidelines in many respects.

The Capital Center Project is also an element of the Downtown Providence Renewal Project, which served as the means through which the Providence Redevelopment Agency funded the local share of the project. The Project was amended to include the Capital Center Area in 1981. In 1989, the City Council amended the Ordinance designating the Capital Center Special Development District to extend the boundaries of Capital Center to include the University of Rhode Island site bounded by Park, Hayes and Francis Streets and the Woonasquatucket River, to make way for the Providence Place Mall. In 1993, the boundaries were again amended to include the area bounded by Hayes Street, Francis Street, Smith Street, and Park Street.

The Capital Center district is divided into 15 parcels designated for private development. The first parcel to be developed was the new Amtrak Train Station in 1983. Since then, the remaining parcels are in various stages of completion.

The following is the status of each parcel, as of August, 1998.

Status of Development Parcels

Parcel 1	The 150,000 sq. ft. restoration of the former Union Station into offices and restaurants have been completed. Also approved is the development of a Marriott Courtyard hotel, not yet constructed.
Parcel 2A, B	A ten story 260 room Suites Hotel has been approved for 2B and 90 residential condominiums are projected for 2A. Not yet constructed.
Parcel 3E	Presently used as interim parking for 90 cars with the projected use of a 250,000 sq. ft. office building. No plans approved.
Parcel 3S	Citizens Plaza. Complete.
Parcel 3W	Presently used as interim parking for 90 cars. The projected use is for a 350,000 sq. ft. office building.
Parcel 4E	Presently used as interim parking for 70 cars. Plans have been approved for the development of a 90,000 sq. ft. office building by First Quebec Corporation. Not yet constructed.
Parcel 4W	Presently used for interim parking for 70 cars with a projected use for a 140,000 sq. ft. office building
Parcel 5	Center Place - complete.

- Parcel 6 (A, B, & C). Presently used as interim surface parking. A proposal is being developed for a townhouse/apartment complex, with a parking garage and possibly limited retail. Plans have not been submitted to the Capital Center Commission.
- Parcel 7 Amtrak Railroad Station; 360-car underground parking garage - complete.
- Parcel 8 First Data Corporation; 4 story, 110,000-sq. ft. office building and 150 car underground garage.
- Parcel 9 A 275,000-sq. ft. office is projected for this site. The parcel is not used at this time and there are no proposals to develop this site.
- Parcels 10 & 13 Providence Place Mall - Under Construction.
- Parcel 11 Portion of the Convention Center Complex. Structured parking for 1,700 cars; 363 room Westin Hotel and office complex. Also projected is a 19 story, 256,000-sq. ft. office building or a twin tower for the Westin.
- Parcel 12 Proposed development of the Churchill Hotel. Not approved in final form.
- Parcel 14 This site is presently used by the state-owned Veterans Memorial Auditorium, the Gloria Dei Church, offices of the Medical Association and the vacant Masonic Temple. Plans are underway for the restoration and reuse of the Masonic Temple as a hotel.
- Parcel 15 Office space with ground level support retail. The only approved use to date is the remodeling of the Credit Union. The remainder of the site is either unused or underutilized.

Project Boundaries

Parcels 9 and 15 are located within the Capital Center District of downtown Providence.

Parcels 9 (located on Assessors Plat No. 19, Lot 109, and whose street address is 140 Francis Street) is a single parcel that is bounded by Memorial Boulevard, to its south; Francis Street to the west; and the Woonasquatucket River to its north and east. The significant feature on the river is Waterplace Park, a city-owned park that is the "jewel in the crown" of the Capital Center Project.

Parcel 15 is made up of fifteen lots, of which thirteen are proposed to be acquired. The two lots that make up the Rhode Island State Employees Credit Union will not be ac-

quired. The parcels to be acquired are identified by the following Assessor's Plat and Lot numbers and street address:

AP	Lot #	Address
4	140	148 Smith St.
4	143	154 Francis St.
4	144	146 Francis St.
4	145	148 Francis St.
4	146	142 Francis St.
4	147	140 Francis St.
4	148	134 Francis St.
4	149	7 Brownell St.
4	150	87 Park St.
4	151	95 Park St.
4	153	155 Park St.
4	155	111 Park St.
4	159	89 Park St.

Parcel Description

Parcel 9 is approximately 71,902 square feet. This vacant parcel is located on the westerly side of Waterplace Park. Despite the recent interest in the area, and the private development recently undertaken or proposed, the full development potential of the area has yet to be realized. Furthermore, Parcel 9 lack of development hinders access into Waterplace Park. One condition that the PRA proposes to impose on this site is to provide access from Parcel 9 into the Waterplace Park.

Parcel 15 is characterized by a high percentage of vacant land. The area is approximately 72,215 square feet. The area is not restricted to, nor does it consist entirely of lands and buildings, which are blighted or sub-standard, but is in an area in which such conditions exist. The area contains the State Employees Credit Union, which is not proposed for acquisition.

Project Justification

Both parcels are also part of the *Downtown Providence Renewal Project*, which is an Official Redevelopment Plan in accordance with RIGL Sec. 45-31-1 et seq. The Redevelopment Plan was used to finance the City's share of the public costs associated with the Capital Center Project. Other funding sources included the Federal Railway Administration (FRA), the Federal Highway Administration (FHWA) and the State of Rhode Island. The PRA also used the Downtown Providence Renewal for other projects, such as Kennedy Plaza Transit Mall (City share, with federal UMTA dollars) and Westminster Street. Most recently several properties, including the Packard Building, have been acquired to assist in the development of the arts and entertainment in the Downtown Area.

One of the purposes of a redevelopment plan is to accelerate development opportunities in markets that are stagnant (arrested development) or in situations where vacant sites contribute to blighting factors. The PRA has the power to condemn properties and sell them at below-cost to private parties with the means to develop the sites. The so-called "write-down" of property selling price is a powerful incentive to move projects that may otherwise not have the financial backing for development. Moreover, the PRA has the power to impose restrictions in addition to those found in the Capital Center Regulations or city zoning.

All of the Capital Center parcels have been available since 1983, as roads were extended to give access. Some parcels have been successfully developed, while others have languished, even though the City is the beneficiary of a strong market. When the Capital Center guidelines were first written, the parcels were pretty much restricted to office use. Since the mid 1980s, the guidelines were revised to allow residential, hotel, and retail, in addition to the office uses. Therefore, it is surprising that parcels 9 and 15 have not been developed. Most of the other parcels are in various stages of completion, construction or firm proposals for development.

In order to continue with the growth of the Downtown Area, it is necessary that the Providence Redevelopment Agency to acquire through purchase or eminent domain Parcel 9 and a portion of Parcel 15. By this action, the PRA will accelerate the process that, but for the proposed plan amendment would not likely occur within the next ten years.

Statement of Development Objectives and Proposed Treatment

- To provide development opportunities on specific parcels that are currently underutilized (arrested development) or certain structures that are substandard or whose uses are not compatible with plan's overall objective.
- To provide site improvements to include traffic improvements at designated sites but not excluding any future improvements.

Findings as to Dangers from Arrested Development

Pursuant to RIGL Sec. 45-31-3, it is hereby established that the properties proposed to be acquired within both Parcels 9 and 15 are found to be arrested and that the vacant lots contribute to the substandard conditions in the area.

Parcel 9 is in a more precarious position than any other parcel in Capital Center. Its location is the gateway to Downtown; it is positioned at the crossroads of Memorial Boulevard, I-95 and Francis Street. Its lack of development proposals is surprising, given that this premier site will command views of Waterplace Park, the State House, College Hill and Downtown. A vacant parcel in such close proximity to Waterplace Park hinders access to the Park and retards further development around Waterplace Park.

Parcel 15 has remained in a substandard state despite favorable market conditions resulting from the recently constructed State office building at One Capitol Hill, across the street on Smith Street. There have been attempts to develop some of the lots but for the most part these have been used for surface parking, in violation of city zoning. Moreover, surface parking is a marginal use that does not contribute to neighborhood stability. The proximity of the State House, government offices and the potential spin-off development that may result after completion of the Providence Place Mall, this site has only seen proposals for surface parking and a fast-food restaurant. Surely, market conditions are favorable for host of permitted uses in the area.

Declaration as to Redevelopment Methods

1. *Property Acquisition* - The Providence Redevelopment Agency will negotiate the purchase of the properties within Parcels 9 and 15 with the respective property owners. If the Agency is unable to negotiate a price in the first two months after a proposal is proffered; the Agency will exercise its powers of eminent domain.
2. *Property Consolidation* - Following the acquisition of Parcel 15, the Agency will prepare and file an Administrative Subdivision with the City Plan Commission to merge all the lots on the southern end of the parcel. The Credit Union will remain a separate lot, as will the northern lot (AP 19, Lot 109).
3. *Right of Way* - Parcel 9 will provide for direct access to Waterplace Park.
4. *Design Review* - Any development proposal shall be reviewed by Capital Center Commission, in accordance with its Regulations and by the Providence Redevelopment Agency. Approval of such proposals will be in accordance with the Redevelopment Plan for Downtown Providence Renewal Project.

Other Provisions Necessary To Meet Local Objectives

1. *Conformity to Comprehensive Plan* - This proposal is intended to accelerate the rate of development in the Capital Center District. The overall plan of development in capital Center is in conformance with *Providence 2000 - The Comprehensive Plan*. Proposed development in the Capital Center is intended to implement local planning and development objectives of the City.
2. *Method of Relocation* - There are several occupied structures with in the Proposed Project Area. The Agency, through the Department of Planning and Development, will provide services to assist in the relocation of any and all of the individuals and businesses concerned. Relocation payments and costs will be in compliance with the State Uniform Relocation Guidelines.

3. *Covenants and Restrictions* - The developers will be required to conform to the standards and controls or other provisions of the Official Redevelopment Plan as contained in Section 3 entitled "Other Conditions, Covenants, Restrictions and Provisions Controlling the Development and the Use of Acquired Land and Improvements" of Chapter G. entitled "Other Provisions Necessary to Meet Local Objectives" in the Official Redevelopment Plan entitled "The Downtown Providence Renewal Project."
4. *Miscellaneous Provisions* - Whenever the controls in this Plan restricting the use and development of areas acquired for redevelopment conflict with provisions of the Zoning Ordinance, the Capital Center Overlay District requirements or any other City Ordinances, the higher (more restrictive) standards of this Plan or of the Zoning Ordinance shall govern.
5. *Estimated Cost of Redevelopment and Proposed Method of Financing* - The funds shall be provided from the sale of long term general obligation bonds issued by the Providence Redevelopment Agency.