

RESOLUTION OF THE CITY COUNCIL

No. 121

Approved March 12, 2001

WHEREAS, Johnson & Wales University, (hereinafter "Petitioner"), has sought:

(a) to encroach into the air space above the public way on the Weybosset Street side (northern side) of premises located at 32 Page Street so as to construct a series of bay windows at that site;

WHEREAS, said bay window will encroach upon the public walkway; and

WHEREAS, after study of Petitioner's request, the City, acting through its appropriate authorities, has determined that the proposed encroachments are not adverse to the public interest,

NOW, THEREFORE, BE IT RESOLVED That the Petitioner is granted permission to encroach upon the air space over the public way for the purpose of constructing and maintaining said twelve (12) bay windows at that situs (and no other encroachment(s) for any purpose(s) is permitted), provided said grant is specifically conditioned upon the following:

1. All construction with relation to the said ramps is to be completed in accordance with plans and specifications submitted by the Petitioner to the city Department of Inspection & Standards as those plans may have been modified and/or approved by said department, the Department of Public Works, and the Council Committee on Public Works. (Copies of the subject plans are attached hereto as Exhibits "A" and "A-1").

2. The Petitioner shall supply and retain in effect a certificate of insurance in an amount of not less than one hundred thousand dollars (\$100,000.00) protecting the City of Providence and its successors and assigns, its agents, servants, officers and employees as additional-named insureds against claims for the construction, maintenance and/or existence of said ramp encroachment. Said insurance shall be from a company and in a form acceptable to the Department of Law.

3. The Petitioner shall execute an indemnification and hold harmless agreement satisfactory to the City Solicitor.

4. The Petitioner shall grant to the appropriate public utility(ies) and/or governmental agency(ies), by pertinent document, any easements, licenses, or the like, so as to maintain public services.

IN CITY COUNCIL
NOV 2 2000

FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael P. Clement
CLERK

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution

Claire Bestwick
Jan 23, 2001

From the Clerk's Desk

5. A certified copy of the within Resolution shall be recorded in the Office of Land Evidence of the City of Providence.

6. Any rights or obligations granted hereunder shall be deemed to run with the land and shall operate against any and all successors in interest and/or title .

7. Said encroachment shall extend into the public way not more than twenty four (24") inches.

8. Any rights or obligations granted hereunder shall remain in full force and effect for so long as the encroachment permitted hereby does not cease to be utilized for the purposes for which it was granted provided, however, Petitioner shall at its own expense remove said encroachment in the event the City notifies said Petitioner or any successor in interest thirty (30) days in advance of the intent of the City to utilize said realty for any purposes. By commencing any alteration pursuant to this grant, Petitioner specifically agrees to the conditions enumerated herein and waives any claim for damages it may have for such use.

9. Such other reasonable conditions as the Mayor and/or the Department of Law may impose hereunder.

IN CITY COUNCIL
MAR 1 2001
READ AND PASSED

PRES.

CLERK

APPROVED

MAR 1 2 2001

MAYOR

GAEBE & KEZIRIAN
ATTORNEYS AT LAW
128 DORRANCE STREET
PROVIDENCE, RHODE ISLAND 02903

(401) 331-0800

DANA H. GAEBE
WAYNE M. KEZIRIAN
ALLISON ROCK

FAX (401) 861-2260

October 19, 2000

HAND DELIVERED

Michael R. Clement, City Clerk
City of Providence
Providence City Hall
25 Dorrance Street
Providence, RI 02903

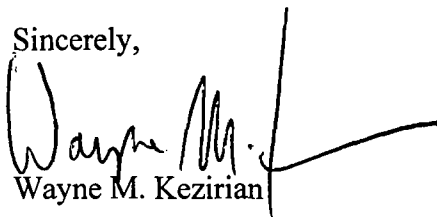
Re: Permission for Relief/Assessors Plat 20, Lot 375, Corner of Pine and Page
Street, Johnson & Wales University

Dear Mr. Clement:

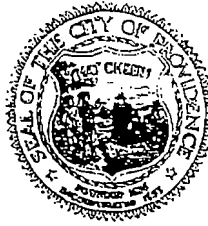
This firm represents Johnson & Wales University. I have enclosed with this letter a Petition requesting permission to allow my client to add bay windows to the north (Weybosset Street) face of its new seven (7) story dormitory at the corner of Page and Weybosset Street, which will encroach into City air space over Weybosset Street no less than 20' above street level by up to approximately 20". These overhanging bay windows have been designed to reflect the prior history of the site, specifically the bay windows which existed on the old Crown Hotel.

I would appreciate it if, in addition to notifying my client of the date of the hearing on this Petition, you would notify me as well. Please also notify John D'Amico, Esq. at the City Solicitor's office. I have been working with him in conjunction with this project. Thank you.

Sincerely,


Wayne M. Kezirian

WMK/kjp
Enclosure



DOWNCITY DESIGN REVIEW COMMITTEE

"Revitalizing Downcity"

February 15, 2000

RECEIVED

FEB 18 2000

APPLICANT/OWNER

Mr. Merlin A. DeConti for
Johnson & Wales University
8 Abbott Park Place
Providence, RI 02903

THE PROVIDENCE PARTNERSHIP

Resolution 00-3
Application 98.43

WHEREAS, the applicant, Mr. Merlin A. DeConti for Johnson & Wales University, applied to the Downcity District Design Review Committee for a Certificate of Design Approval for the construction of a new residence hall (built in two phases) located at Gaebe Commons, 32 Page Street, Plat 20, Lot 375; and

WHEREAS, the Committee held a meeting on the matter on November 9, 1998, a special meeting on October 25, 1999 (as directed by the RI Supreme Court), and on February 14, 2000 at which time testimony was heard from Mr. Merlin A. DeConti, applicant, Mr. Steven Kile and Mr. Randall Imai, project architects, and other interested parties; and

WHEREAS, the Committee members individually viewed the site which is the subject of the application; and

WHEREAS, based upon the evidence presented, the Committee makes the following findings of fact:

1. The project area is a portion of an open lot, within the Gaebe Commons campus of Johnson & Wales University, and in and of itself has no architectural or historic significance.
2. The work proposed consists of the construction of the Phase II portion of the residence hall.
3. The Phase II portion of the building was approved in concept at the DRC meetings of 11/9/98 and 10/25/99.
4. The construction of the Phase II portion of the building is in accord with DRC Standard 9 in the following way:

- a) The new construction will be compatible with the massing, size, scale and architectural features of the Phase I portion of the building and the surrounding district.

Based on the above findings of fact, the Committee approves the application for a Certificate of Design Approval with the following conditions:

- i. Any changes to the project are to be submitted for review before the work begins.

A copy of the documentation submitted for the execution of the work described herein is hereby made a part of this resolution.

The final project plans for Phase II portion of the building have been submitted to be stamped and signed (one goes to the applicant, one to the Building Inspector and one to the DRC files). The Certificate and a stamped copy of accompanying documentation has been forwarded to the applicant. The approval is valid for six months from the date of the Resolution.

Guy Abelson
Mr. Guy Abelson, Chair

cc: Mr. Ramzi Loqa, Dept. of Inspection & Standards
Ms. Patricia McLaughlin, Law Department
Mr. Steven Kile, Providence Partnership



PLEASE POST THIS CARD ON THE PROPERTY SO THAT IT IS VISIBLE FROM THE STREET

CERTIFICATE OF DESIGN APPROVAL

DOWNCITY DESIGN REVIEW COMMITTEE

Dept. of Planning and Development, 400 Westminster Street, Providence, RI 02903. (401) 351-4300.

APPLICANT: Merlin A. DeConti

OWNER: Johnson & Wales University

PROPERTY ADDRESS: 32 Page Street

PLAT/LOT: 20/375 DRC APPLICATION NO.: 98.43

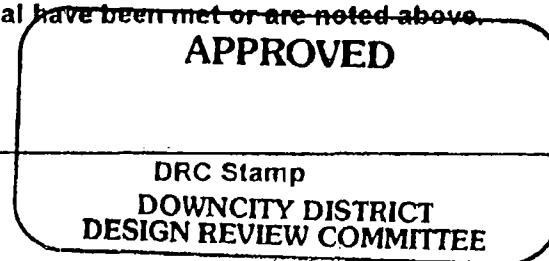
SCOPE OF WORK: Construct Phase II of residence hall as per plans
dated 1/28/00 and approved on 2/14/00.

The Downcity Design Review Committee hereby certifies, pursuant to Section 502 of the Providence Zoning Ordinance (Chapter 1994-24, No. 365, dated June 27, 1994), that the work described herein has been approved. Any conditions of approval ~~have been met or are noted above.~~

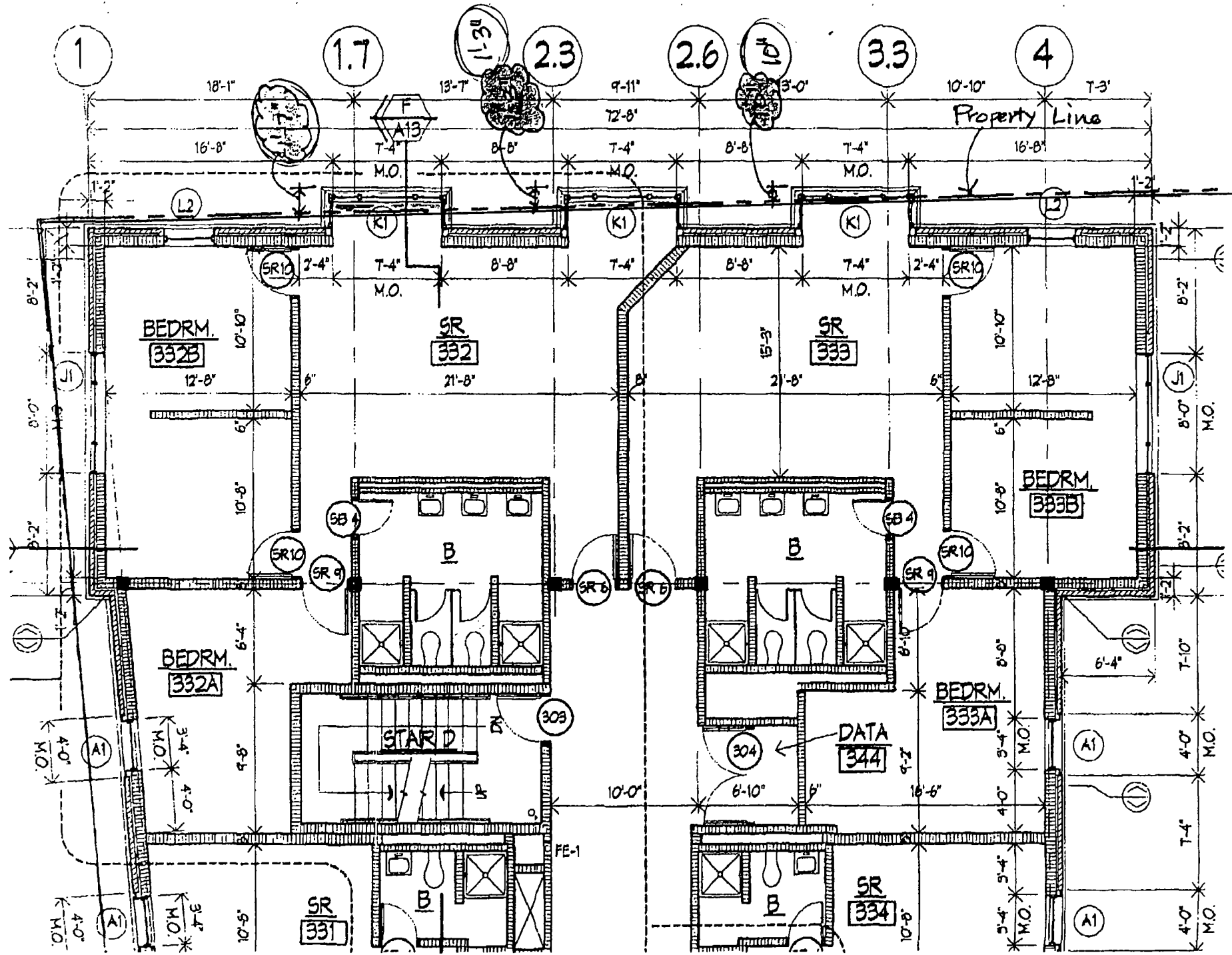
Chae
Signature of DRC Chair or Staff

RECEIVED
FEB 18 2000
THE PROVIDENCE PARTNERSHIP

2/15/00
Date of Issue



ALL WORK SHALL BE CARRIED OUT AS SHOWN ON THE APPROVED DRAWINGS AND SPECIFICATIONS ON FILE WITH THE DRC. THIS CERTIFICATE, ALONG WITH ANY DRAWINGS STAMPED APPROVED BY THE DRC, MUST BE PRESENTED TO THE DEPT. OF INSPECTION AND STANDARDS (190 DYER STREET, PROVIDENCE) TO OBTAIN A BUILDING PERMIT. CHANGES TO APPROVED PROJECTS AND ANY ADDITIONAL WORK NOT SPECIFICALLY APPROVED HEREIN, MUST BE REVIEWED AND APPROVED BY THE DRC. THIS CERTIFICATE IS VALID FOR SIX (6) MONTHS FROM DATE OF ISSUE.



TOP
E.L.

TOP
E.L.

TOP OF CURB & R.O.C.
E.L. 77'-10"

SIXTH FLOOR
E.L. 65'-6"

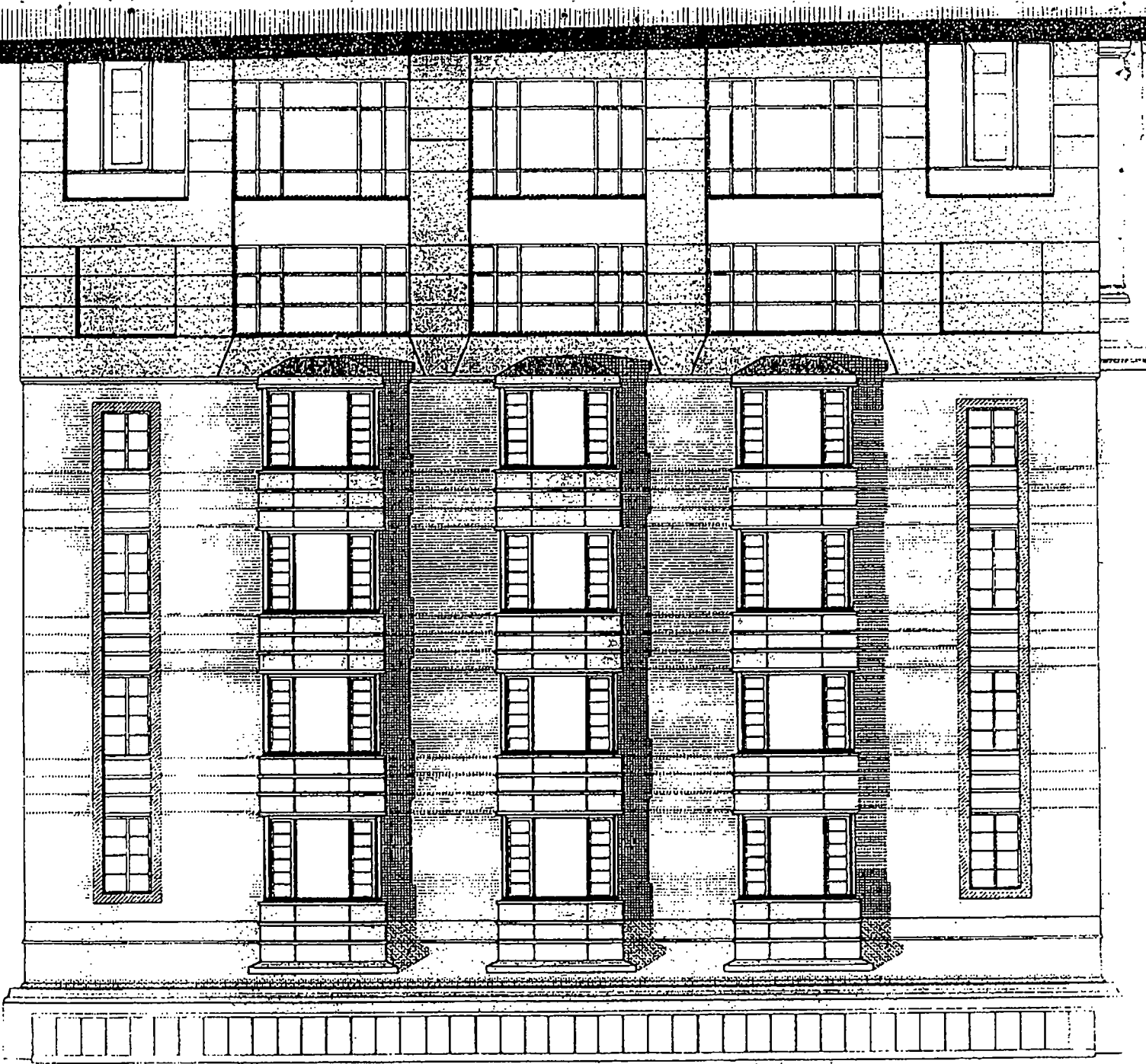
FIFTH FLOOR
E.L. 55'-0"

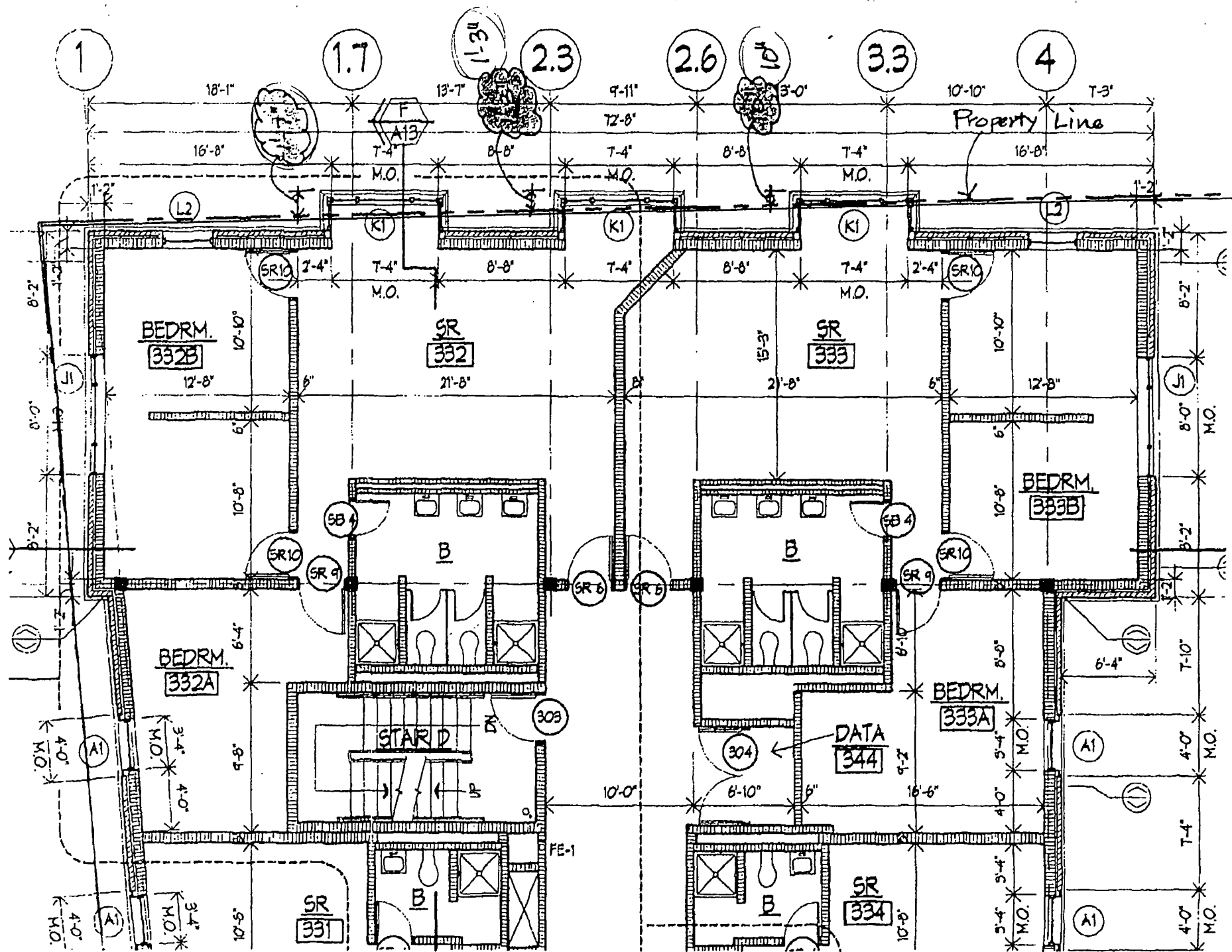
FOURTH FLOOR
E.L. 44'-6"

THIRD FLOOR
E.L. 34'-0"

SECOND FLOOR
E.L. 24'-6"

FIRST FLOOR
E.L. 14'-6"





TOP
EL. 11'

TOP OF POP & ROOF
EL. 11'-10"

TOP
EL. 11'

SIXTH FLOOR
EL. 65'-6"

FIFTH FLOOR
EL. 55'-0"

FOURTH FLOOR
EL. 44'-6"

THIRD FLOOR
EL. 34'-0"

SECOND FLOOR
EL. 24'-6"

FIRST FLOOR
EL. 1'-6"

