

CHAPTER 2016-4

**No. 79 AN ORDINANCE APPROVING AND ADOPTING THE PORT
REDEVELOPMENT PLAN, DATED JULY 2015 AND AMENDING IN ITS
ENTIRETY THE PRIOR PORT OF PROVIDENCE REDEVELOPMENT
PLAN**

Approved March 8, 2016

Be it ordained by the City of Providence:

WHEREAS, The City Council of the City of Providence has designated Redevelopment Areas 1, 2, 3 and 4 within the City ("Redevelopment Areas") as redevelopment areas pursuant to Chapters 31-33 of title 45 of the Rhode Island General Laws, the Redevelopment Act of 1956, as amended (the "Redevelopment Act"); and

WHEREAS, The Providence Redevelopment Agency is authorized, within a redevelopment area, to purchase, lease, obtain an option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property, or any estate or interest in it, together with any improvements on it; to acquire by the exercise of the power of eminent domain any real property or any estate or interest in it, although temporarily not required to achieve the purposes of the Redevelopment Act; to clear, demolish, or remove any and all buildings, structures, or other improvements from any real property so acquired; to rehabilitate or otherwise improve any or all substandard buildings, structures, or other improvements; to insure or provide for the insurance of any real or personal property or operations of the agency against risk or hazard; and to rent, maintain, rehabilitate, improve, manage, operate, repair, and clear the property; and

WHEREAS, It is the purpose and intent of the City Council to facilitate redevelopment of such Redevelopment Areas to accommodate the City's redevelopment initiatives; and

WHEREAS, The City Council is required by the Redevelopment Act to make certain findings, determinations and declarations in connection with the adoption of a redevelopment plan and a project plan; and

WHEREAS, Port Redevelopment Project Area, (hereinafter the "Project Area"), as described in the Port Redevelopment Plan (hereinafter the "Redevelopment Plan"), are within the geographic boundaries of Redevelopment Area 4, as defined in the Providence Code of Ordinances, Chapter 20 "Redevelopment Areas," Section 20-2 and as reaffirmed by the City Council through Resolution 143, approved March 25, 2008; and

WHEREAS, The City Council desires to provide for the redevelopment of the Project Area in accordance with the Redevelopment Act; and

WHEREAS, The City Council of the City of Providence hereby makes the following findings, determinations and declarations with regard to the Redevelopment Plan, attached as Exhibit A, required by Sections 45-32-13 through 45-32-18 inclusive and Section 45-32-20 of the Rhode Island General Laws:

1. The Project Area (as herein more specifically described and delineated) evidence the following conditions as more specifically set forth in the Redevelopment Plan: Unsuitable soil conditions; the necessity of unduly expensive excavation and fill; the necessity of undertaking unduly expensive measures for the drainage of the area, prevention of flooding and to make the area appropriate for sound development; obsolete, inappropriate, or otherwise faulty platting or subdivision; deterioration of site improvements, inadequacy of utilities, diversity of ownership of plots; defective or inadequate street and lot layout; the existence of dilapidated, deteriorating and obsolete buildings and improvements; mixed character and deterioration of uses of buildings and improvements.
2. The existence of the aforesaid conditions fully supports a finding, which the City

Council of the City of Providence hereby makes, that the Project Area is an "arrested blighted area" as that term is defined in Section 45-31-8(2), and a "deteriorated blighted area" as that term is defined in Section 45-31-8(6).

3. The City Council of the City of Providence hereby finds that the Project Area is adversely impacted by the presence of hazardous materials, as defined in Section 23-19.14-2, which impairs the use, reuse or redevelopment of impacted sites, as more specifically set forth in the Redevelopment Plan.

4. The City Council of the City of Providence hereby finds that because the Project Area is an "arrested blighted area" and a "deteriorated blighted area" and because of the aforesaid impact of hazardous materials, the area is a "blighted and substandard area" as that term is defined in Section 45-31-8(3).

5. The City Council of the City of Providence hereby finds that the character of the Project Area as an "arrested blighted area", a "deteriorated blighted area" and a "blighted and substandard area" requires replanning, redevelopment, rehabilitation and improvement of the Project Area in order to arrest and reverse blight or decay in the Project Area.

6. The City Council hereby finds that the Redevelopment Plan is feasible and conforms to the comprehensive plan for the City of Providence and if carried out would accomplish the purposes and intent of the City Council in promoting the public health, safety, morals and welfare of the community, and effectuating the purposes of the Redevelopment Act.

7. The source of funds for carrying out the Redevelopment Plan shall be Economic Development Administration Grant funds in the estimated amount of \$3,000,000 and revenue bond funds issued through the Redevelopment Agency in the estimated amount of \$10,000,000, not to exceed the amount supported through lease and/or lease purchase revenue, and the Redevelopment Plan does not call for the additional expenditure of funds by the community.

8. The Redevelopment Plan results in changes to streets as indicated in the Redevelopment Plan and the City Council hereby authorizes these proceeding in conjunction with the adoption of the Redevelopment Plan.

9. The Redevelopment Plan contains adequate provisions for payment for property acquired by negotiation or by eminent domain as provided by law.

10. The Redevelopment Plan provides for financial aid from the federal government and the City Council of the City of Providence hereby finds that the provision of the federal funds is necessary to enable the land in the Project Area to be developed in accordance with the Redevelopment Plan, as without such funding there are not sufficient funds available to the City at this time to implement the initiatives detailed in the Redevelopment Plan.

11. The Redevelopment Plan provides for the retention of controls and the establishment of any restrictions or covenants which may run with the real property sold, leased, or otherwise disposed of for private or public use as are necessary to effectuate the purposes of the Redevelopment Act, as such controls and restrictions are more specifically set forth in the Redevelopment Plan.

WHEREAS, The Redevelopment Act of 1956 provides that blighted and substandard conditions prevent the provision of critically needed standard living and working accommodations, that the retardation of housing improvement and other essential community development is a direct and immediate result of blighted and substandard areas, and that redevelopment may include rehabilitation and improvement for residential, recreational, commercial, industrial, institutional, public and other purposes; and

WHEREAS, The Redevelopment Act of 1956 provides that it is the policy of this state to protect and promote the health, safety, morals, and general welfare of the people of the state, particularly in the communities in which blighted and substandard areas exist, by the elimination and prevention of these blighted and substandard areas, thereby encouraging in these areas through redevelopment the provision of healthful homes, a decent living environment and adequate places for employment; and

WHEREAS, The Redevelopment Act of 1956 provides that the use of eminent domain powers may be used to accomplish the purposes of the Redevelopment Act; and

WHEREAS, The Redevelopment Plan proposes to address blighted and substandard conditions in part through the limited use of eminent domain powers in the event that the properties in question are not acquired through consensual negotiation; and

WHEREAS, The Rhode Island Home and Business Protection Act of 2008, R.I. Gen. Laws 42-64.12-1 et seq. (the "Protection Act") places certain limitations on eminent domain takings for purposes of economic development; and

WHEREAS, The Protection Act defines "economic development" as "the mobilization of intellectual, human, capital, physical and natural resources to generate marketable goods and services for purposes including, but not limited to, creating jobs, economic and employment opportunities, tax base and wealth;" and

WHEREAS, The redevelopment activities proposed in the Redevelopment Plan to alleviate blighted and substandard conditions pertaining to the use of eminent domain may be seen as employing resources that would have the effect of creating economic and other opportunities which foster the generation of marketable goods and services; and

WHEREAS, The City Council, in all due caution, recognizes that the eminent domain proceedings detailed in the Redevelopment Plan may be seen as having a dual purpose of redevelopment and economic development and thus could fall under the purview of the Protection Act: and

WHEREAS, The City Council of the City of Providence hereby makes the following findings, determinations and declarations with regard to the Redevelopment Plan, attached as Exhibit A, and the Protection Act:

1. The Protection Act specifically exempts local redevelopment agencies from the provisions of the act, with the exception of subsection 42-64.12-17(c), which requires the approval of the City Council of any eminent domain proceedings for economic development purposes.
2. The Protection Act recognizes that a permissible use of eminent domain power is eliminating an identifiable public harm and/or correcting conditions adversely affecting public health, safety, morals, or welfare, including, but not limited to, the elimination and prevention of blighted and substandard areas as defined by chapter 45-31, and correcting conditions of environmental contamination that pose a significant risk to the public health.
3. The proposed exercise of eminent domain powers set forth in the Redevelopment Plan are for the purposes of addressing, alleviating, eliminating and preventing blighted and substandard conditions, as more specifically set forth in the Redevelopment Plan.
4. While the use of eminent domain power as set forth in the Redevelopment Plan may have incidental and indirect economic development benefits, such incidental and indirect benefits are recognized under the Redevelopment Act and are consistent with redevelopment activities engaged in under the Redevelopment Act.
5. The City Council concludes that approval of the proposed use of eminent domain power as set forth in the Redevelopment Plan is not required under the Protection Act because the proposed use of the eminent domain power is for purposes of redevelopment, not economic development.
6. To the extent approval of the City Council is determined to be required under the Protection Act for the use of such eminent domain power because of the incidental and indirect benefits to economic development which may arise from such eminent domain activity for redevelopment purposes, such approval is deemed given in the context of the Redevelopment Plan by the passage of this Ordinance.

WHEREAS, The American Recovery and Reinvestment Act of 2009, provides new financing mechanisms for local governments and allows for the establishment of Recovery Zones; and

WHEREAS, Said Recovery Zones may be created in any area designated as having significant poverty, unemployment, a high rate of home foreclosures or general distress; and

WHEREAS, The City Council of the City of Providence hereby finds that the Project Area and surrounding neighborhoods have significant poverty, unemployment, rate of home foreclosure and general distress pursuant to the requirements of the American Recovery and Reinvestment Act of 2009, as such conditions are more specifically detailed in the Redevelopment Plan.

NOW THEREFORE, be it ordained by the City of Providence:

Section 1. The City of Providence Port Redevelopment Plan, attached as Exhibit A, and incorporated herein by this reference, is adopted and approved as a redevelopment project plan of the City of Providence pursuant to chapters 31-33 of title 45 of the Rhode Island General Laws and the Redevelopment Act of 1956. The boundaries of the Port Project Area are described in the Plan as follows:

Starting at the center point of the intersection of Thurbers Avenue and I-95, thence continuing southwesterly along the center line of the I-95 right-of-way to Eddy Street, thence continuing southerly along the center line of Eddy Street to Ernest Street, thence turning easterly and continuing along the center line of Ernest Street to the center point of Allens Avenue; the boundary continues southerly along the center line of Allens Avenue and thence turning easterly and continuing along the southern boundary of Assessor's Plat 101 Lot 4 and continuing to the western boundary of Assessor's Plat 56 Lot 9, thence running southerly along the western boundaries of Assessor's Plat 56 Lots 9 and 64 to the southwestern corner of Plat 56 Lot 9, thence continuing to the northwest corner of Plat 56 Lot 275 and continuing to the southwest corner of Plat 56 Lot 275; thence turning easterly and running along the southern boundary of Plat 56 Lots 275 to the southwestern corner of Plat 56 Lot 326, then turning northerly and running to the northwestern corner of Plat 56 Lot 326 at New York Avenue; then continuing along the northern boundary of Plat 56 Lot 326 and easterly along New York Avenue to the northeast corner of Plat 56 Lot 326 thence continuing southerly along the eastern boundary of Plat 56 Lot 326 to a point in Shipyard Street thence running along the southern boundary of Plat 56 lot 329 to the western boundary of Plat 56 Lot 366; thence running southeasterly along the western boundaries of Plat 56 Lots 366, 367; 364 and 288 to southwestern corner of Plat 56 Lot 288, and thence turning and running along the southern border of Plat 56 Lots 288 and 332 to the Providence Harbor Line; thence turning and running northwesterly along said Harbor Line, thence turning westerly and continuing along the northern boundary of Plat 55 Lots 16 and 9 to the northwestern corner of Plat 55 Lot 9, and thence continuing across Allens Avenue to the point and place of beginning; exempting therefrom Service Road.

The Redevelopment Plan shall be identified as the Port Redevelopment Plan, City of Providence Redevelopment Project Number 40. The Redevelopment Plan is the official redevelopment project plan for the Project Area and amends in its entirety the prior Port of Providence Redevelopment Plan.

Section 2. Port Redevelopment Plan Area is hereby established as a Recovery Zone under the American Recovery and Reinvestment Act of 2009.

Section 3. The property presently owned by Johnson & Wales University and identified as Plat 56, Lot 326 shall be removed from the Port Redevelopment Plan.

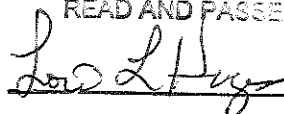
Section 4. The properties owned by the City and identified as Shipyard Street and Ernest Street shall remain City-owned property, and shall not be transferred to the PRA. However, the City will determine ownership of other City-owned streets and the appropriate steps may be taken to vest ownership in the PRA.

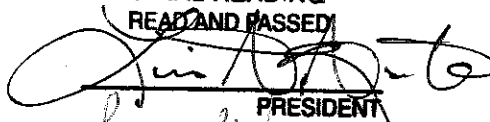

Section 5. The property owned by the Narragansett Bay Commission and identified as Service Road shall continue to be owned by the Narragansett Bay Commission.

Section 6. The Providence Redevelopment Agency is hereby authorized to investigate the ownership of the streets and right of ways as identified in the Redevelopment Plan and the Providence Redevelopment Agency and the Mayor are hereby authorized to take such steps as are necessary and to execute any and all documents necessary to vest ownership in the Providence Redevelopment Agency.

Section 7. The Providence Redevelopment Agency is authorized to hold property acquired through the Redevelopment Plan in tax-exempt status pursuant to 45-32-40, for a period of 20 years from the date of the issuance of the bonds or such time as the bonds for the acquisition costs have been paid in their entirety, whichever is lesser.

Section 8. This Ordinance shall take effect upon passage.

IN CITY COUNCIL
FEB 18 2016
FIRST READING
READ AND PASSED
 CLERK

IN CITY
COUNCIL
MAR 03 2016
FINAL READING
READ AND PASSED
 PRESIDENT
 CLERK

I HEREBY APPROVE

Mayor
Date: 3/8/16



Providence Redevelopment Agency
Jorge O. Elorza, Mayor | Don Gralnek, Executive Director

July 7, 2015

Lori L. Hagen, Second Deputy Clerk
Department of the City Clerk
Providence City Hall, Room 311
25 Dorrance Street
Providence, RI 02903

Dear Ms. Hagen:

The City Council approved and adopted the Port Redevelopment Plan on September 24, 2010. Enclosed please find the revised Port Redevelopment Plan ("Plan") containing the combined amendments from January 2015 and June 2015 ("Amended Plan") which have both been approved by the Providence Redevelopment Agency ("Agency"). I am requesting the Amended Plan be placed on the Council agenda for adoption.

The Agency received and adopted amendments in January 2015. After the adoption of the January amendments, Johnson & Wales University ("JWU") and Narragansett Bay Commission ("NBC") submitted additional comments in April 2015. The Providence City Plan Commission ("CPC") reviewed the January 2015 amendments on April 28, 2015 and recommended the City Council adopt these amendments to the Plan. On this day, the CPC also heard and reviewed comments from JWU and NBC proposing additional changes in the Plan. The CPC, at its meeting on April 28, 2015 and in the letter to City Council dated May 5, 2015, recommended the Council adopt the January 2015 amendments and recommended the comments from JWU and NBC be adopted in the Amended Plan if possible. These proposals were adopted by the Agency in June 2015 and are referred to as "June 2015 amendments." The Agency does not believe it is necessary, based on the circumstances described above, to submit the June 2015 amendments to the CPC as these amendments are reflective of the comments the CPC reviewed and recommended approval to Council in April. The Amended Plan currently before the Council reflects both the January and June 2015 amendments.

Thank you for your time and consideration on this matter.

Sincerely,

Donald Gralnek
Executive Director, Providence Redevelopment Agency

PROVIDENCE THE CREATIVE CAPITAL

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***PORT
REDEVELOPMENT PLAN***

*PROVIDENCE REDEVELOPMENT AGENCY
PROVIDENCE, RI*

As amended June, 2015

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INTRODUCTION

The purpose of the City of Providence Port Redevelopment Plan is to designate a redevelopment Project Area and establish objectives and procedures for its redevelopment for the area of the Port of Providence south of Thurbers Avenue (the "Port"). The plan's objective is to provide the Providence Redevelopment Agency (PRA) with the tools and authority to eliminate conditions of blight by providing needed public improvements, facilitating rehabilitation through the repair of deteriorated structures, facilitating land assembly and redevelopment and providing financing for certain public improvements. Redevelopment will provide revitalization of the area, increased employment opportunities and tax base expansion. Because the Port is dominated by heavy commercial and industrial uses, particularly those that are water dependent, the intent is to support these job markets by providing opportunities for growth of existing businesses and by attracting new businesses. Facilities and activities associated with the Port will be expanded through the acquisition of privately-owned, underutilized parcels in the Waterfront/Port area as identified in the city's comprehensive plan.

The parcels identified in the plan for redevelopment will serve as a catalyst for change and economic growth in the Project Area. The development of other underutilized parcels in conformance with the city's comprehensive plan will help to expand economic growth and develop jobs for Providence residents.

Previously, the Providence City Council adopted a Redevelopment Plan for the Port of Providence. This Redevelopment Plan amends in its entirety the prior Port of Providence Redevelopment Plan.

Definitions

Growth Districts: Areas within the City of Providence identified in *Providence Tomorrow: The Interim Comprehensive Plan* as areas intended for growth, where development and redevelopment would be beneficial. Growth districts are located in close proximity to commercial arterials, older industrial areas or large vacant areas.

Project Area: All or any portion of a redevelopment area. A project area may include lands, buildings, or improvements which of themselves are not detrimental or inimical to the public health, safety, morals, or welfare, but whose inclusion is necessary, with or without change in their conditions or ownership, for the effective redevelopment of the area of which they are a part (Rhode Island General Laws (RIGL) § 45-31-8 (11)) Project Area shall also have the meaning as set forth in RIGL § 45-33.2-3 (3).

Redevelopment Area: Any area of a community which its legislative body finds is a blighted and substandard area whose redevelopment is necessary to effectuate the public purposes declared in RIGL § 45-31-1 et seq.

Tax Increment Area: A tax increment area designated in a project plan adopted pursuant to § 45-33.2-4. The tax increment area may consist of one or more parcels or lots of land,

whether or not contiguous, or one or more buildings or structures, whether or not adjacent, or one or more parcels of land; provided, that upon adoption of the project plan the aggregate taxable valuation of the property within all tax increment areas within the city or town does not exceed twenty-five percent (25%) of the taxable valuation of all property subject to taxation within the city or town. (RIGL § 45-33.2-3 (7))

Redevelopment Plan: A plan for a redevelopment project, which:

- (i) Conforms to the general plan of the community as a whole; and
- (ii) Is sufficiently complete to indicate land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the project area, zoning and planning changes, if any, land uses, maximum densities, building improvements, and the plan's relationship to definite local objectives, respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

Arrested Blighted Area: Any area which, by means of the existence of physical conditions, including, but not by way of limitation, the existence of unsuitable soil conditions, the existence of dumping or other insanitary or unsafe conditions, the existence of ledge or rock, the necessity of unduly expensive excavation, fill or grading, or the necessity of undertaking unduly expensive measures for the drainage of the area or the prevention of flooding or for making the area appropriate for sound development, or by reason of obsolete, inappropriate, or otherwise faulty platting or subdivision, deterioration of site improvements, inadequacy of utilities, diversity of ownership of plots or tax delinquencies, or by reason of any combination of any of the foregoing conditions, is unduly costly to develop soundly through the ordinary operations of private enterprise and impairs the sound growth of the community. (RIGL §45-31-8)

Blighted and Substandard Area: Any area that is a "slum blighted area," a "deteriorated blighted area," or an "arrested blighted area," or any combination of these areas. Blighted and substandard area shall also include those areas where the presence of hazardous materials, as defined in RIGL § 23-19.14-2, impairs the use, reuse, or redevelopment of impacted sites. (RIGL Title 45 Section 31-8)

Deteriorated Blighted Area: Any area in which there exist buildings or improvements, either used or intended to be used for living, commercial, industrial, or other purposes, or any combination of these uses, which by reason of:

- Dilapidation, deterioration, age or obsolescence
- Inadequate provision for ventilation, light, sanitation, open spaces, and recreation facilities
- High density of population and overcrowding
- Defective design or unsanitary or unsafe character or conditions of physical construction
- Defective or inadequate street and lot layout

- Mixed character, shifting, or deterioration of uses to which they are put, or any combination of these factors and characteristics, are conducive to the further deterioration and decline of the area to the point where it may become a slum blighted area as defined herein, and are detrimental to the public health, safety, morals and welfare of the inhabitants of the community and of the state generally. A deteriorated blighted area need not be restricted to, or consist entirely of, lands, buildings or improvements which of themselves are detrimental or inimical to the public health, safety, morals, or welfare, but may consist of an area in which these conditions exist and injuriously affect the entire area. (RIGL Title 45 Section 31-8)

Slum Blighted Area: Any area in which there is a predominance of buildings or improvements, either used or intended to be used for living, commercial, industrial, or other purposes, or any combination of these uses, which by reason of: (i) dilapidation, deterioration, age, or obsolescence; (ii) inadequate provision for ventilation, light, sanitation, open spaces, and recreation facilities; (iii) high density of population and overcrowding; (iv) defective design or unsanitary or unsafe character or condition of physical construction; (v) defective or inadequate street and lot layout; and (vi) mixed character or shifting of uses to which they are put, or any combination of these factors and characteristics, are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; injuriously affect the entire area and constitute a menace to the public health, safety, morals, and welfare of the inhabitants of the community and of the state generally. A slum blighted area need not be restricted to, or consist entirely of, lands, buildings, or improvements which of themselves are detrimental or inimical to the public health, safety, morals, or welfare, but may consist of an area in which these conditions predominate and injuriously affect the entire area.

The definitions herein rely on RIGL § 45-31-8. Words used in this Redevelopment Plan as defined in RIGL § 45-31-8 shall have the meaning set forth in such statutory provision.

PROJECT AREA DESCRIPTION

Location and Boundaries

Location

The Port Redevelopment Project Area is located in Providence, Rhode Island, along the Providence River, south of Thurbers Avenue. The Project Area is located in Redevelopment Area 4, as defined in the Providence Code of Ordinances, Chapter 20 "Redevelopment Areas," Section 20-2, and re-affirmed by Resolution 143 of the Providence City Council, approved on March 25, 2008.

Boundaries

The boundaries of the Port Redevelopment Project Area are:

Starting at the center point of the intersection of Thurbers Avenue and I-95, thence continuing southwesterly along the center line of the I-95 right-of-way to Eddy Street, thence continuing southerly along the center line of Eddy Street to Ernest Street, thence turning easterly and continuing along the center line of Ernest Street to the center point of Allens Avenue; the boundary continues southerly along the center line of Allens Avenue and thence turning easterly and continuing along the southern boundary of Assessor's Plat 101 Lot 4 and continuing to the western boundary of Assessor's Plat 56 Lot 9, thence running southerly along the western boundaries of Assessor's Plat 56 Lots 9 and 64 to the southwestern corner of Plat 56 Lot 9, thence continuing to the northwest corner of Plat 56 Lot 275 and continuing to the southwest corner of Plat 56 Lot 275; thence turning easterly and running along the southern boundary of Plat 56 Lots 275 to the southwestern corner of Plat 56 Lot 326, then turning northerly and running to the northwestern corner of Plat 56 Lot 326 at New York Avenue; then continuing along the northern boundary of Plat 56 Lot 326 and easterly along New York Avenue to the northeast corner of Plat 56 Lot 326 thence continuing southerly along the eastern boundary of Plat 56 Lot 326 to a point in Shipyard Street thence running along the southern boundary of Plat 56 lot 329 to the western boundary of Plat 56 Lot 366; thence running southeasterly along the western boundaries of Plat 56 Lots 366, 367; 364 and 288 to southwestern corner of Plat 56 Lot 288, and thence turning and running along the southern border of Plat 56 Lots 288 and 332 to the Providence Harbor Line; thence turning and running northwesterly along said Harbor Line, thence turning westerly and continuing along the northern boundary of Plat 55 Lots 16 and 9 to the northwestern corner of Plat 55 Lot 9, and thence continuing across Allens Avenue to the point and place of beginning; exempting therefrom Service Road.

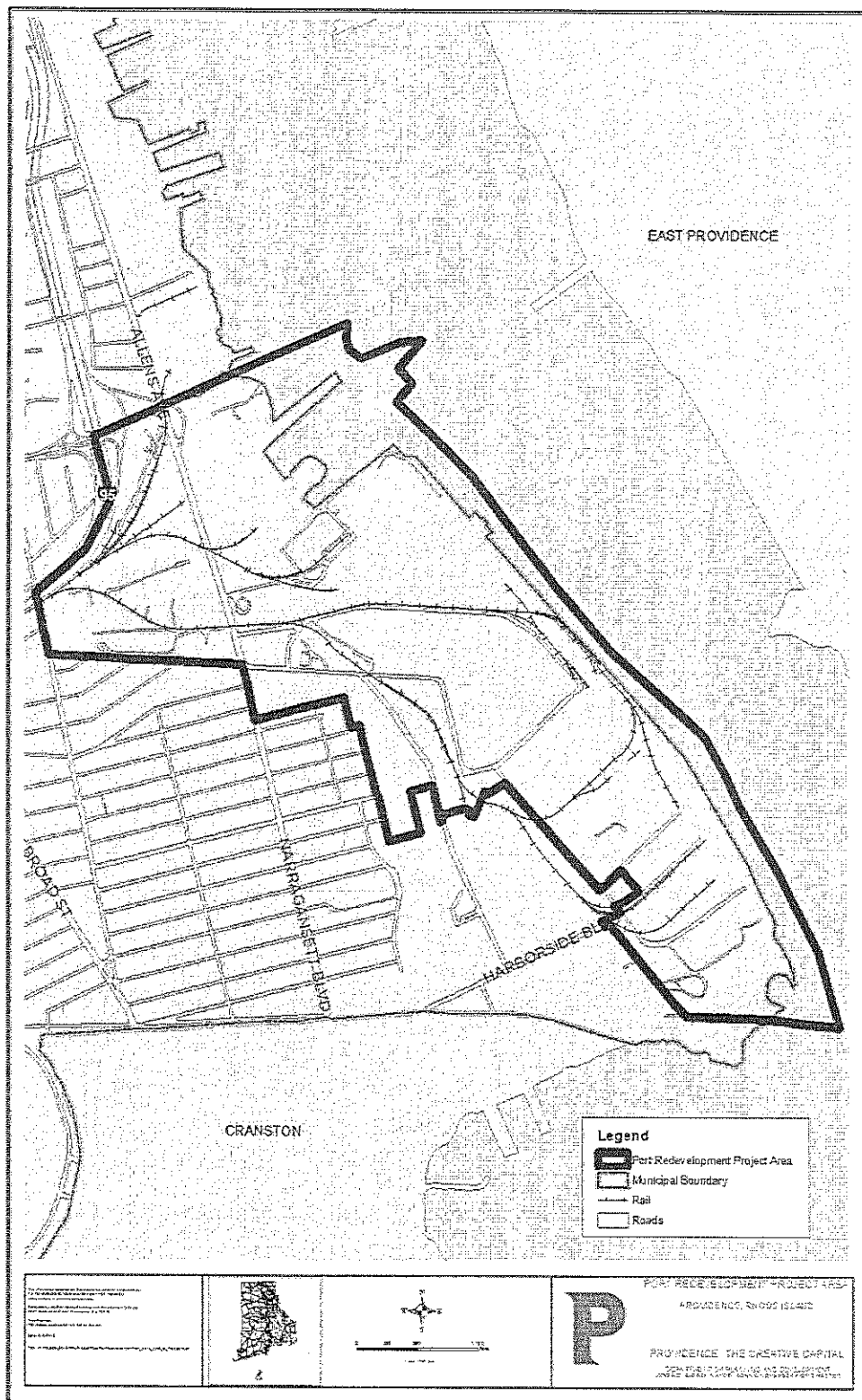


Figure 1. Redevelopment Project Area

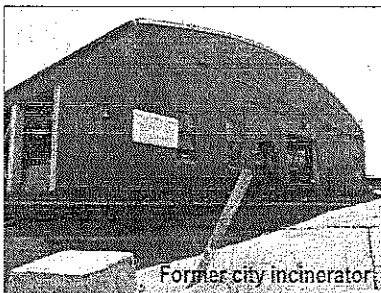
Existing Conditions

Land Uses

The Project Area encompasses those areas of uses that are supported by port operations. It includes parcels abutting the Providence River south of Thurbers Avenue that have water-dependent industries and other properties owned or operated and maintained by ProvPort, the managing entity of the Port of Providence. It is accessed from Terminal Road via a secured gate. All other access points via local roads have been blocked for homeland security reasons. Businesses within the Port handle the transport and storage of fuel products, including coal, gasoline, fuel oil, alcohol and liquefied natural gas. Port shipping also includes chemicals, concrete, asphalt, forest products, scrap metal, automobiles and other materials. Also included in the Project Area are those parcels where port products are stored and parcels west of Allens Avenue that contain storage tanks and distribution racks utilized by trucks and trains to transport products received via port shipping away from the port. Part of the Project Area (32 acres) is designated as a Foreign Trade Zone. Foreign Trade Zones are considered to be outside of U.S. Customs Territory for the purpose of customs duty payment. Therefore, goods entering Foreign Trade Zones are not subject to customs tariffs until the goods leave the zone and are formally entered into U.S. Customs Territory. Merchandise that is shipped to foreign countries from Foreign Trade Zones is exempt from duty payments. This provision is useful to firms that import components in order to manufacture finished products for export. The City's wastewater treatment plant, Field's Point Wastewater Treatment Facility, which is managed, owned, and operated by the Narragansett Bay Commission, is located in the Project Area. This area also includes the former municipal landfill and transfer station.

Buildings and Physical Conditions

Structures and buildings in the Project Area are associated with storage of products shipped through the port and distribution of petroleum products, asphalt and other materials that are shipping into and out of the port. There are some structures that are vacant and badly deteriorated, like the former city incinerator and transfer station, but most structures are otherwise in good condition. Along the westerly edge of the Project Area there is a long narrow warehouse that was constructed and occupied by the Inge Corporation in the 1980s.



Former city incinerator

Structures within the Project Area associated with specific activity areas include the Motiva and National Grid properties, where natural gas, alcohol, petroleum and petroleum products are stored and shipped. Most of the structures are storage tanks and/or loading racks for distribution of petroleum products and asphalt to trucks and trains and associated pipes and docks. There are also office buildings associated with the terminal facilities.

Demographics, Unemployment and Foreclosures

The Project Area includes a portion of two neighborhoods: Lower South Providence and Washington Park. However, there are no residential properties within the area addressed in this plan. The Project Area is dominated by industrial and commercial uses. Route I-95 separates the residential areas from the Project Area. South of Ernest Street, a significant grade difference separates the Washington Park neighborhood from the adjacent Project Area and the Port. The following provides a summary of demographics of these two neighborhoods.

The Lower South Providence Neighborhood is bounded by Public Street to the north, Broad Street to the west, I-95 and the railroad to the south and the Providence River to the east. The Project Area is in the eastern portion of the neighborhood, east of I-95. The residents of Lower South Providence are predominantly Hispanic (55%) and non-Hispanic Black or African American (31%). Three quarters of the households are families (77%). Most of the occupied housing units (91% of the total housing units) in the neighborhood are rented (72%). The median household income is about \$17,000 a year (\$20,000 median family income). Just over one third (40%) of the families and 41% of individuals in Lower South Providence were below the poverty level in 1999. The Lower South Providence Neighborhood include three census tracts; 4, 5 and 6. The rate of unemployment in 2008-2009 respectively is 18%, 15.6% and 30.5%. During the period from January 1, 2006 through May 31, 2009 there were 210 foreclosures in the Lower South Providence Neighborhood.

The Washington Park Neighborhood is bounded by I-95 and the railroad to the north, Roger Williams Park to the west, the City line to the south and the Providence River to the east. The Project Area is in the eastern portion of the neighborhood. The residents of Washington Park are predominantly non-Hispanic white (35%), Hispanic (30%), and non-Hispanic Black or African American (20%). Three quarters of the households are families (78%). About half of the occupied housing units (94% of the total housing units) in the neighborhood are rented (47%). The median household income is about \$32,000 a year (\$35,500 median family income). Less than one quarter (17%) of the families and 19% of individuals in Washington Park were below the poverty level in 1999. The Washington Park Neighborhood includes two census tracts; 101 and 102. The rate of unemployment in 2008-2009 respectively is 17.2%, and 9.9%. During the period from January 1, 2006 through May 31, 2009 there were 159 foreclosures in the Washington Park Neighborhood.

Zoning and Regulatory Oversight

Existing Zoning

As shown in Figure 2, the Project Area is divided into four zoning districts: waterfront mixed use (W-2), waterfront port/maritime industrial (W-3), industrial (M-1) and heavy industrial (M-2). According to the City of Providence Zoning Code, the districts are described as follows:

Waterfront Mixed Use District (W-2): This zone is intended to promote a balance among appropriately scaled residential and commercial development; to enhance compatible development with adjacent areas and surrounding residential neighborhoods; to enhance and to create public access to the waterfront as a public resource.

- Waterfront Port/Maritime Industrial District (W-3): This zone is intended to promote maritime industrial and commercial uses within the areas of Providence's waterfront; to protect the waterfront as a resource for water-dependent industrial uses; and to facilitate the renewed use of a vital waterfront.
- Industrial District (M-1): This zone is intended for light industrial and office park uses that accommodate a variety of manufacturing, assembly, storage of durable goods and related activities provided that they do not pose toxic, explosive or environmental hazard in the city.
- General Industrial District (M-2): General Industrial District: This zone is intended to provide for areas for moderate and heavy intensity industrial uses, especially for those uses that are potentially hazardous, noxious or incompatible with the uses in other zones.

Regulatory Oversight

In addition to City authority, much of the Project Area is located within the jurisdiction of the Rhode Island Coastal Resources Management Council (CRMC). According to Rhode Island laws and regulations, CRMC has jurisdiction over all areas located within 200 feet of the inland edge of a coastal feature. The coastal feature in this Project Area generally is the top of riverbank or top edge of the wall adjacent to the Providence River at the head of Narragansett Bay. CRMC also has jurisdiction over energy-related activities, which are defined as "all operations and structures involved in power generation and petroleum processing, transfer and storage on a shoreline feature or its contiguous area or within tidal waters."

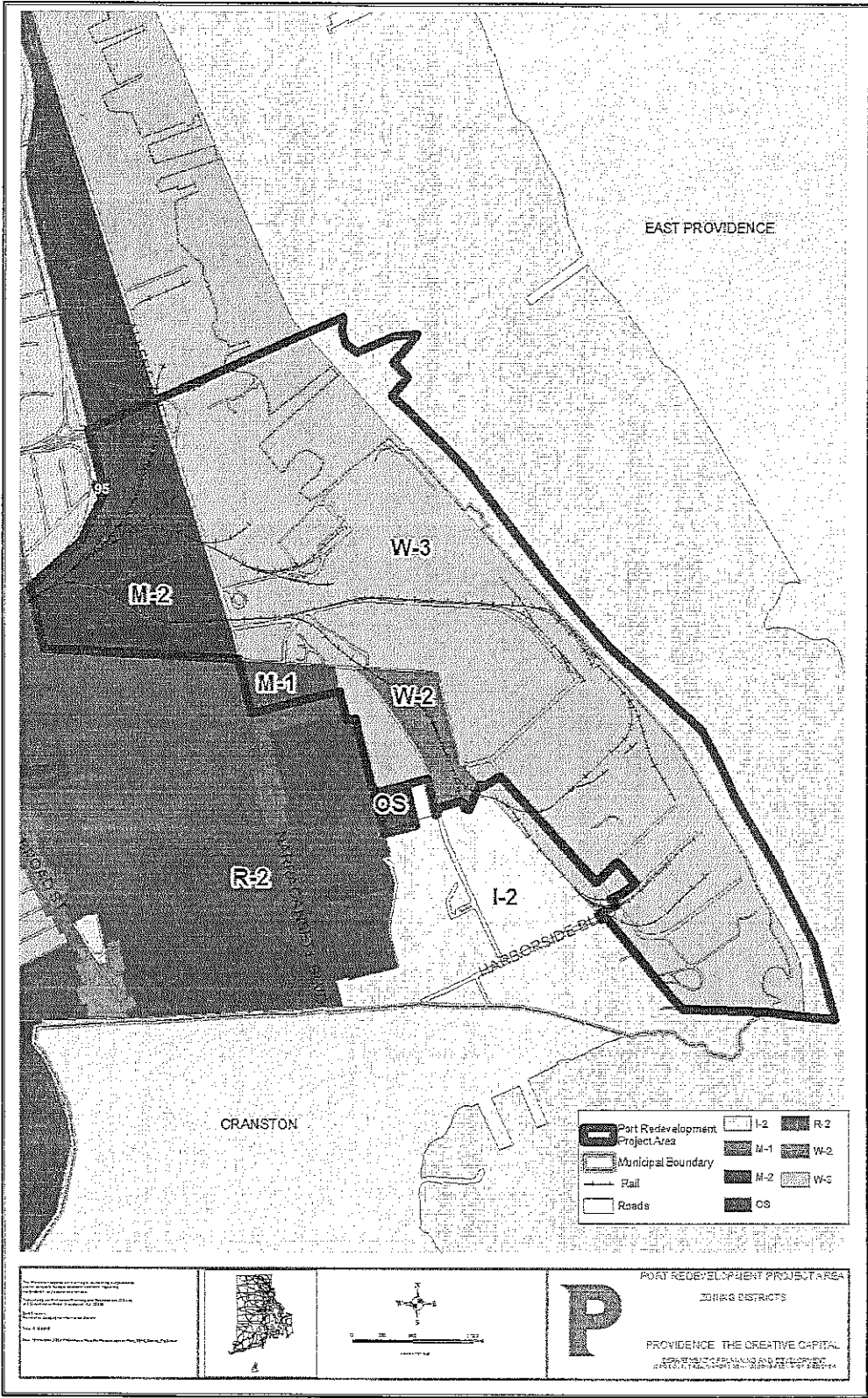


Figure 2. Zoning Districts

RIDEM also has regulatory jurisdiction within the area. The RIDEM Division of Waste Management has jurisdiction over contaminated properties and properties where there are Environmental Land Use Restrictions (ELURs) in place. The Division of Water Resources has jurisdiction over alterations to the storm drainage and sewer systems that may have the potential to affect water quality.

While the City owns and maintains the sewage collection system, the interceptor sewers that carry wastewater from the collection system to the Field's Point Wastewater Treatment Facility are managed, owned, and operated by the Narragansett Bay Commission. The Bay Commission regulates connections to the sewer system and is responsible for monitoring and maintenance of the combined sewer overflows.

Blighted and Substandard Areas

Redevelopment in the area is impeded by a number of other physical factors that cause the area to meet the definition of arrested blighted and deteriorated blighted thus meeting the definition of blighted and substandard area. These include contaminated properties, abandoned properties, underutilized properties, vacant land, location in the floodplain, awkward road and rail system through the Port, and inadequate lot sizes for port uses. These problems are further complicated by deferred maintenance and the graffiti and vandalism that often accompany underutilization of properties. These conditions have impacts on the social, economic and environmental vitality of the area by limiting investment and growth.

More existing conditions in the area include specifically, unsuitable soil conditions; the necessity of unduly expensive excavation and fill; the necessity of undertaking unduly expensive measures for the drainage of the area, prevention of flooding and to make the area appropriate for sound development; obsolete, inappropriate, or otherwise faulty platting or subdivision; deterioration of site improvements, inadequacy of utilities, diversity of ownership of plots; the existence of dilapidated, deteriorating and obsolete buildings and improvements; mixed character and deterioration of uses of buildings and improvements qualify the area as both an "arrested blighted area" and a "deteriorated blighted area", and combined with the presence of hazardous materials, qualify the area as a "blighted and substandard area".

The following briefly describes each of these factors in more detail as they apply to the area.

Contaminated Sites

The historic and current uses of properties within the Project Area indicate the potential for contamination of soils and groundwater with petroleum products and hazardous materials. An environmental records search was conducted through environmental databases regarding past releases of oil or hazardous materials within the Project Area. Specifically, the following federal databases were reviewed: US Environmental Protection Agency (USEPA) National Priorities List (NPL), USEPA Comprehensive

Environmental Response, Compensation, and Liability Information System (CERCLIS), USEPA Resource Conservation Recovery Information System (RCRIS), and Emergency Response Notification System (ERNS). Additionally, information contained in the Spills and Sites Databases and available general files from the Rhode Island Department of Environmental Management (RIDEM) are also included within the environmental database search.

A list was generated that identified State and Federally listed contaminated sites, properties with underground storage tanks (USTs), sites that had reported leaking USTs (LUSTs), sites with reported spills, sites that are listed on ERNS, and sites that produce hazardous materials or use hazardous materials in their activities (RCRA generators). While this list is not all inclusive, the result provides a basis to identify properties that are known to be contaminated and properties that have the potential to be contaminated. Figure 3 shows these properties. Those identified with "confirmed contamination" are state and federal sites that are either active or inactive, sites where spills have been reported, and LUSTs with no known remediation. "Potentially contaminated" sites are those where there were LUSTs and only soil removal was conducted (i.e. no groundwater investigations were done) and properties where USTs were abandoned with no record that permanent closure procedures were followed. Properties used to store petroleum products include fuel storage tank sites where there is a high potential for soil or groundwater contamination from petroleum shipping and storage. The final classification is properties where there is no evidence of contamination. These are not necessarily "clean" properties, but are properties where there is no record of contamination or the probability of contamination. The contamination is more specifically detailed in Figure 3.

Combined Sewers

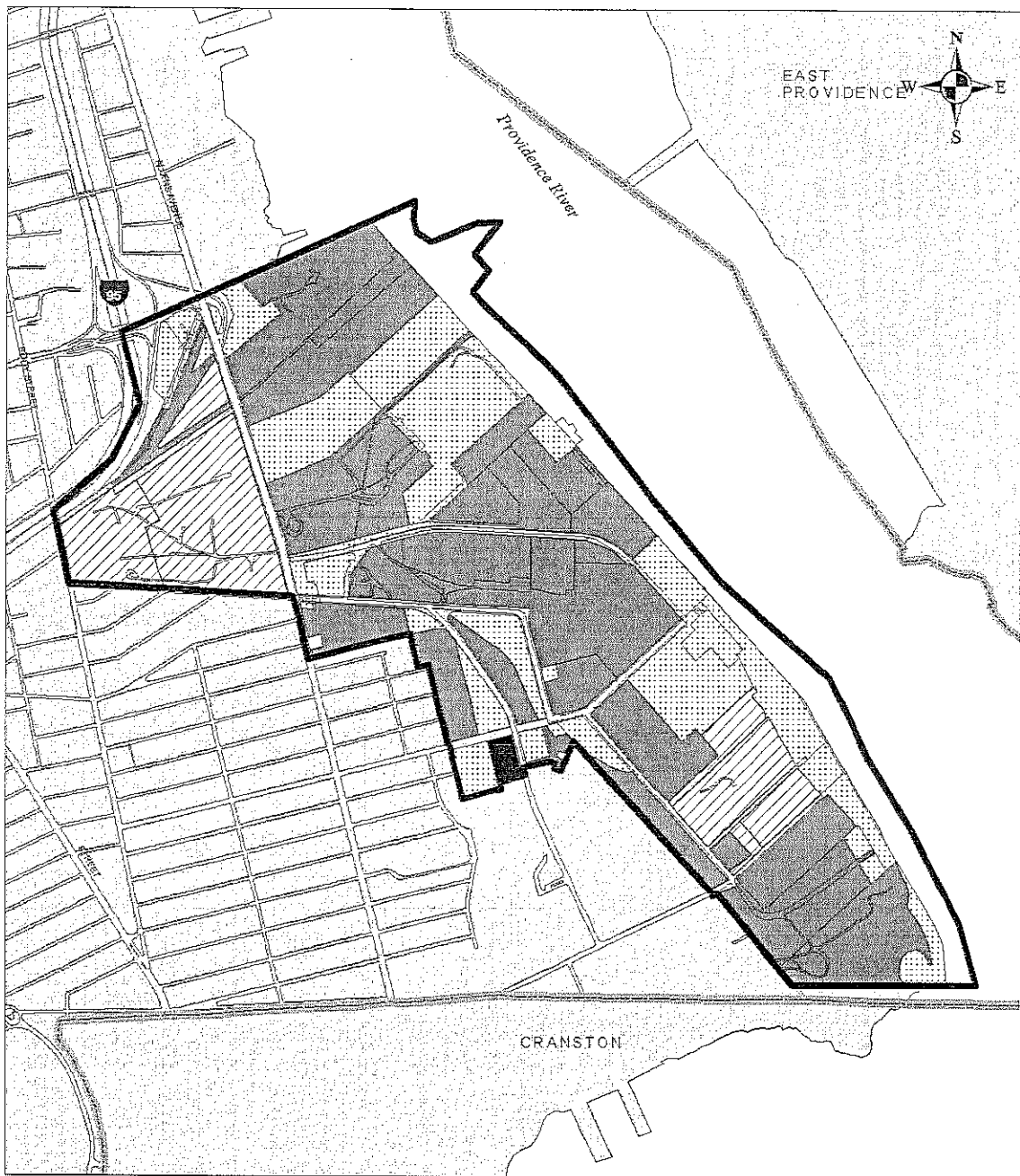
Recent improvements to the combined sewer systems operated by NBC in the plan area supplement city owned and operated storm water systems. A more detailed examination of the impacts of the two systems needs to be made.

Floodplain

Redevelopment is also impeded by the presence of floodplain (Figure 4). Federal, State and local regulations require that the lowest occupied floor in a development be located above the 100 year flood elevation. Because some structures in the Project Area pre-date these regulations, many of them are constructed with the first floor below the flood elevation. The first floor of these existing buildings is subject to flooding, increasing the likelihood of flood related damages, reducing the potential reuse opportunities, and making it difficult or impossible to obtain insurance coverage. Raising the first floor above the flood elevation can be a complicated process for existing buildings and may depend on existing floor elevation, window and door sill heights and available ceiling height. Changing first floor elevations may also require access adjustments to ensure access for the handicapped and ensure compliance with the requirements of the Americans with Disabilities Act (ADA), increasing the costs of redevelopment when

compared to structures that are not located in floodplain.

This problem is exacerbated in flood zones classified as V or “Velocity” zones. V zones are areas where there is a high probability of flooding that is also accompanied by damage from moving water due to wave action. In V-zones, flood regulations require that the lowest occupied floor be above the flood elevation, but also require that the lowest structural member supporting the floor must also be above the flood elevation. Several parts of the Project Area are within V-zones, with flood elevations ranging from 15 to 19 feet above sea level (NGVD). Since ground elevations in most of these areas are in the range of 10 feet above sea level, this requires elevating structures above grade by 5 to 9 feet for redevelopment projects.



Municipal Boundary
 Port Redevelopment Project Area
 Road

Classification
 Confirmed contamination
 Potential contamination
 No evidence of contamination
 Storage of Petroleum Products

Port Redevelopment Project Area

Environmental Conditions



0 500 1,000 2,000 Feet

Figure 3 reflects the environmental conditions as of 2009. Please also note, the boundaries of the Port Redevelopment Project Area in Figure 3 reflect the project boundaries in 2009. Figure 3 could not be recreated or adjusted to reflect the 2015 boundaries for a variety of reasons and therefore this Figure may be inaccurate as it does not reflect new information developed since the Figure was prepared in 2009. Please see Figures 1, 2, 4, 5, and 6 which reflect the boundaries of the Port Redevelopment Project Area as of 2015.

Figure 3. Environmental Conditions

Roadway System

The roadway system in the Project Area contributes to its blighted condition by being discontinuous, dysfunctional and failing to provide needed access. Allens Avenue is a main north/south thoroughfare along the Providence waterfront (Figure 5). It provides an important arterial for port traffic and commerce and is used as an alternative route to Eddy Street, which also carries north/south traffic. Eddy Street is a narrower roadway and is more congested due to very high volumes of traffic generated by the hospitals and medical offices located to the north and west of the Redevelopment Project Area. However, Eddy Street connects to I-95 southbound via ramps at Thurbers Avenue while Allens Avenue does not. I-95 northbound can be accessed from Allens Avenue and Eddy Street.

Route I-95 is located between Allens Avenue and Eddy Street, separating the waterfront and Project Area from the business and residential areas to the west. Construction of Route I-95 cut off many of the local streets that formerly connected Allens Avenue and Eddy Street such as Bay, Sherburne, Swan, Sayles and Mutual Streets, creating a discontinuous street pattern. The streets that were cut off are now connected on the east side of I-95 by Poe Street. Poe is a narrow road that is poorly maintained limiting access to the businesses on the east side of I-95. Only Oxford, Public and O'Connell streets still connect Allens Avenue with Eddy Street, further limiting access to I-95 northbound from the Allens Avenue Area.

Streets in the Project Area are similarly dysfunctional. Local roadways in the Project Area were constructed to serve historic uses that have since changed. These roads were also constructed in an era when port security was not as significant a concern as it is today and an era when access was not monitored or controlled. Increased attention to homeland security on the national level has led to increased security in the Project Area that has taken the form of road closures, thereby reducing access to the Project Area. Access to ProvPort is currently limited to those vehicles moving materials into and out of ProvPort and those persons that work at the facilities. Identification is verified at ProvPort's entrance on Terminal Road. As a result, roads that once served traffic through and around ProvPort are now closed to through traffic, disrupting the local circulation pattern. The roads through ProvPort follow historic property lines, are discontinuous due to security requirements and are not advantageous to the current function of the Port.

Access to I-95 southbound from the Project Area is a complicated endeavor for larger trucks. Tanker trucks and other cargo trucks from the Port must use Ernest Street to access Eddy Street and the southbound exit ramp on Thurbers Avenue. The intersection of Eddy and Thurbers is two lanes in all directions with left-turn lanes. However, because of the wide turning radius of these cargo trucks, they need both lanes of Eddy Street to make the right turn onto Thurbers, sometimes riding up on the sidewalk or center-lane curbing on Thurbers Avenue. This truck traffic impacts an existing heavily-used intersection. It provides the main access to I-95 southbound from the hospital complex as well as access to I-95 north and south for the many businesses along Eddy Street, Thurbers Avenue and Allens Avenue. The continuous travel of trucks has

accelerated the deterioration of the local roads from their weight and maneuvering.

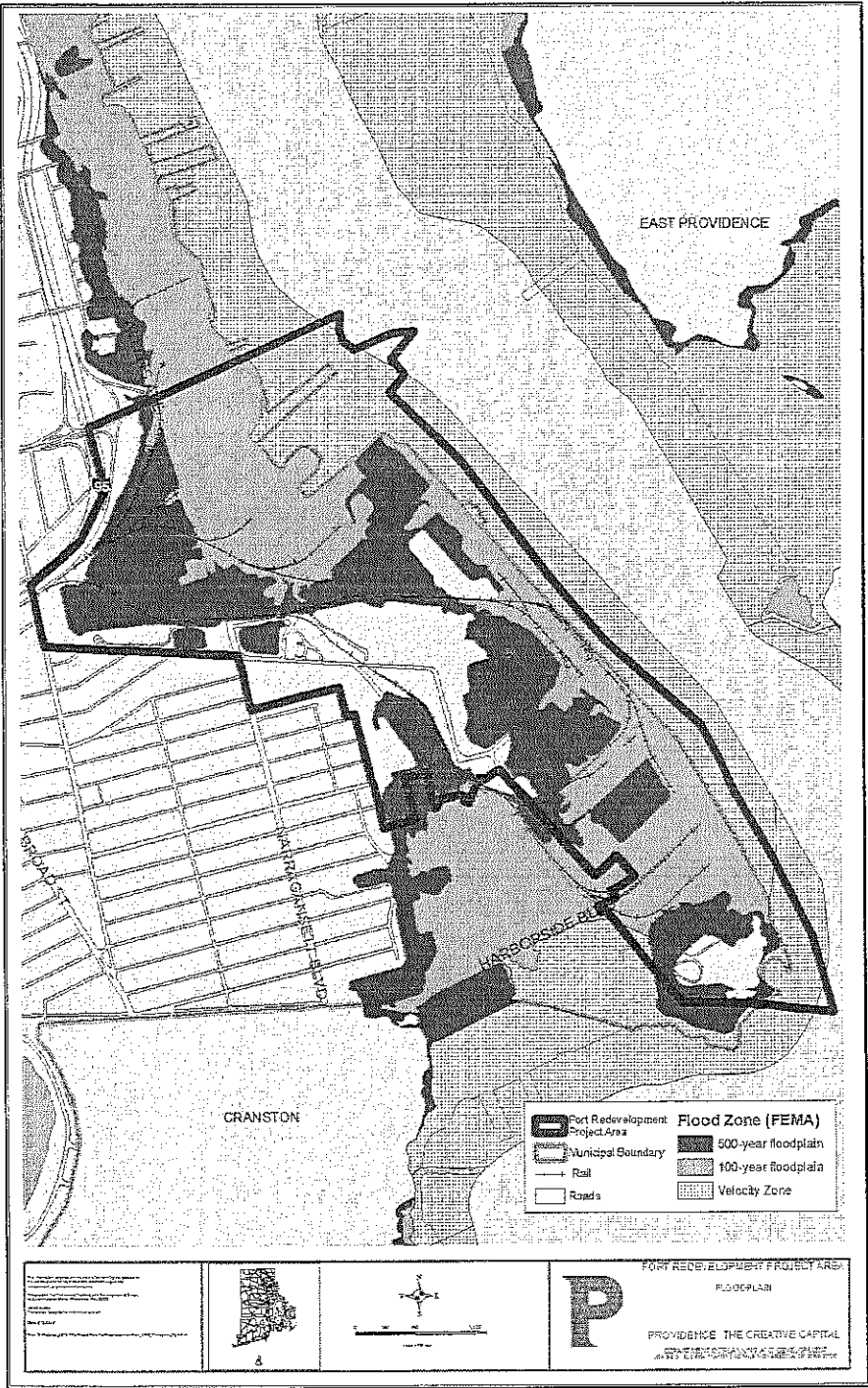


Figure 4. Floodplain

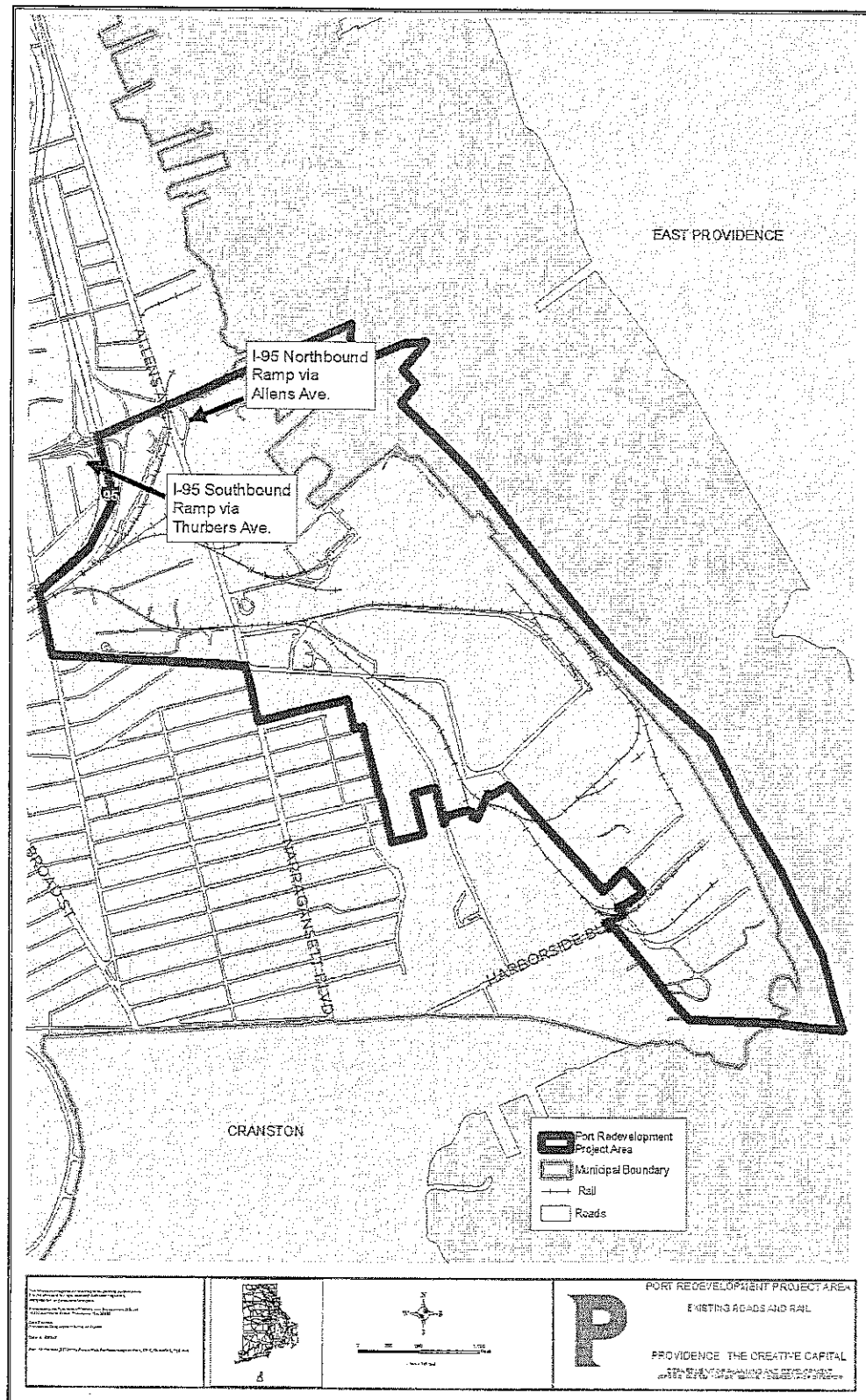


Figure 5. Roads and Rail Network

Railroad

Like the roads, the railroads in the Project Area were designed and constructed to serve historic uses that are no longer functioning. As a result, the rail system is also inefficient and discontinuous. Figure 5 also shows the rail layout in the Project Area.

Furthermore, there is inadequate rail within the ProvPort area where railroad access is needed. The rail service to ProvPort presently consists of a series of spurs terminating at the waterfront. These spurs are inefficient because they restrict the length of train that can be used to a maximum of approximately 15 cars. The spurs also necessitate excessive switching and delay to move trains through ProvPort. Finally, they block local roads within ProvPort, restricting truck traffic when trains are in use. In order to better meet the needs of modern shipping, the rail should loop through the Port, increasing the number of cars that can be accommodated and facilitating port access with a minimum of switching. However, a complete review of the railway system serving the port will need to be completed before any railway loop is constructed.

Other Factors

Throughout the Project Area, there are a number of other factors which contribute to the characterization of the area as blighted. Underutilized properties, vacant land and vacant buildings exist throughout the Project Area. These properties contribute heavily to the general perception of decline in the area and are a deterrent to development, reinvestment and stabilization of the Project Area.

INITIATIVES AND ACTIONS

The intent of the Redevelopment Plan is to rehabilitate deteriorated properties, visually enhance the area, provide needed infrastructure to support redevelopment, create employment opportunities and encourage excellence in design and construction techniques, all in a way that is in conformance with *Providence Tomorrow*, the City's interim comprehensive plan. The following outlines initiatives and actions the PRA intends to pursue to meeting the goals of the Redevelopment Plan, as well as the state requirements outlined in Title 45 Section 32.

ProvPort

The non-profit corporation, ProvPort was created in 1994 to hold the port assets and land in trust for the City of Providence. The trust agreement has allowed the Port to successfully operate and flourish, while allowing the City to retain its interest in this vital asset. At the end of the Trust Agreement, the property and all of the assets revert to the City of Providence.

Property Acquisitions

To accomplish the redevelopment plan it may be necessary for the PRA to acquire certain parcels within the Project area, as shown in Figure 6. The preferred method of acquisition is through negotiated purchase but the PRA is authorized to secure property ownership through eminent domain if necessary, in accordance with RIGL § 45-31-33. Properties to be acquired are described briefly below along with the reasons for their acquisition.



Figure 6. Map Depicts Change to Remove of Plat 56, Lot 326 and New Boundary Line Reflecting the Removal of Plat 56, Lot 367 and Plat 56, 322.

1) City Streets

Within the proposed increased ProvPort security area there are a number of city owned streets. In order to allow for better traffic and security control, the City will determine ownership of the streets and the appropriate step may be taken to vest ownership in the PRA, excluding Shipyard Street and Ernest Street, which shall remain City streets, and Service Road which is owned by the NBC. After transfer to the PRA, the former streets may be leased to ProvPort. This process, as limited above, may involve consensual acquisition, condemnation and/or abandonment, depending on the particular facts relating to each street.

The PRA reserves the right to exercise its powers pursuant to RIGL Section 45-32-5, including without limitation, to purchase, lease, obtain an option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property within the Redevelopment Project Area or for purposes of redevelopment, such acquisition to include the consensual negotiation with property owners for the acquisition of property. The properties acquired will be held in tax-exempt status, in accordance with RIGL 45-32-40 while under PRA ownership for a period of 20 years from the date of the issuance of the bonds or such time as the bonds for the acquisition costs have been paid in their entirety, whichever is lesser.

No property not identified in this plan as subject to acquisition by eminent domain may be taken by eminent domain by the Providence Redevelopment Agency unless the City Council shall amend this Redevelopment Plan to specifically designate additional property that may be subject to taking by eminent domain.

Redevelopment Initiatives

In addition to the acquisition and reuse of property discussed above, the PRA and the City will also undertake the following development initiatives:

- **Creation of a Loop Rail System within the Port:** ProvPort, Waterson and the Providence & Worcester Railroad will work together to expand the tracks within the Port and create a "loop" system to increase the capacity from 15 to 50 rail cars.
- **Refurbish Berth 6:** This critical portion of the Port was constructed to handle gantry cranes that presently are being utilized for the loading of scrap metal for export. Prior to the change in use the dock surface and the adjacent land will need extensive repairs. This project will remove the cranes from Berth 6, remove the rails carrying the cranes, upgrade the drainage system, resurface the dock, and restore the area under the storage bins.
- **Relocation of the Security Checkpoint:** To more effectively increase security for all ProvPort tenants and adjacent properties, the location of the checkpoint will need to be reviewed. If relocated, the checkpoint will need to be reconstructed and all

security cameras will need to be relocated. The required TWIC (Transportation Worker Identification Credential) systems will, if relocated, need to be installed and the utilities to the checkpoint will need to be extended. The Coast Guard is in favor of this location.

Roadway, Railway System and Utilities

The roadway system in the Project Area has the capacity to meet future demands. However, within ProvPort, public roads are not accessible as platted. These roads, except for Shipyard Street and Ernest Street which shall remain City streets, and Service Road which shall remain a private road owned by NBC, may be transferred from the City to the PRA. The internal road system within the Port can then be reconfigured to form a loop road that will improve security access and land management within the Port.

The existing rail system should be reconfigured to add rail at the Port to extend the rail loop through the Port as described above.

No changes are proposed for utilities in the Project Area as part of this Redevelopment Plan.

Future Land Uses

Future land uses for the Project Area shall conform to *Providence Tomorrow*, the City's comprehensive plan, as the same may be amended from time to time. The Comprehensive Plan describes the Project Area as combination of business/mixed use, port uses, waterfront/mixed use and public space. New land uses should focus on job development or supporting businesses in the Project Area.

Waterfront Mixed-Use/General areas are defined as areas intended to support business growth, including industrial, commercial and office uses. Medium to high density residential uses in former manufacturing areas and historic mill buildings are allowed; however a mix of businesses is the primary intent. Waterfront Mixed-Use/General use areas are:

- Area west of Allens Avenue, between I-95, Thurbers Avenue, Eddy Street and Ernest Street; area east of Allens Avenue and south of Ernest Street

Waterfront/Port Areas are intended for waterfront port and maritime businesses to promote the Port of Providence and related maritime industrial and commercial uses within the waterfront area. Priority goes to water-dependent industrial uses in this area. Waterfront/Port Areas are:

- East of Allens Avenue, south of Thurbers Avenue to Ernest Street and Fields Point Drive

Waterfront Mixed-Use/Neighborhood is intended for a variety of appropriately-scaled mixed use developments including waterfront, water view and water related residential

and business uses. Waterfront Mixed-Use/Neighborhood Areas are:

- Area to the south and west of Fields Point Drive to the municipal line

Public Spaces are open spaces and areas for public buildings and facilities publically owned for recreation and other public uses. Public Space Areas are:

- Urban Coastal Greenway – buffer required by the CRMC
- Coastal marshes and cove at the tip of Fields Point

Jobs Districts are intended for industrial, manufacturing, commercial and office uses to support job growth and expansion. It is stated that residential uses are not permitted in this district. Jobs Districts are:

- Area south of Thurbers Avenue

Institutional uses: Part of the Project Area is also designated for institutional uses, where institutional growth and development is permitted while controlling and limiting negative impacts on surrounding neighborhoods.

Land Coverage, Building Intensities and Population Density

Land coverage will increase as land is developed in the Project Area. Underutilized lands will be put into productive use, which will increase land coverage in a manner consistent with adjacent development. New development will reflect the existing height, massing and scale of the area, in accordance with zoning regulations, as amended from time to time. As the Project Area does not include any residential areas, population density will not be impacted.

Zoning

There are no proposed changes to the Zoning Ordinance as part of this Redevelopment Plan.

Relocation

The PRA will assist in the relocation of businesses displaced from properties acquired by the PRA in the Project Area in accordance with State and Federal laws. As there are no residential properties in the Project Area, no family or individual will be displaced. The PRA will:

Make fair and reasonable relocation payments to displaced businesses for moving and related expenses, as outlined in RIGL § 45-31-26 et seq.

Covenants and other Restrictions for Disposal and Future Land Use and Buildings

New projects in the Project Area must conform to the purposes outlined in the redevelopment plan. This will be guaranteed through covenants and other restrictions imposed by the PRA and binding on respective properties and the owners thereof. These covenants and restrictions shall include conformance with the City’s Zoning Ordinance and Comprehensive Plan, special covenants governing development and use, relevant properties, including design construction and usage restrictions, timelines for development, and otherwise, and shall require property sold by the PRA to be subject to standard performance and reverter provisions commonly imposed by the PRA on properties to be developed or rehabilitated in a Redevelopment Project Area.

Costs and Financing

Financing new projects within the Project Area will be through the PRA. Under this Redevelopment Plan, the PRA shall have the authority to use public and private funding sources to implement action items that support redevelopment in the Project Area.

This project will be funded by a combination of Economic Development Administration (EDA) funds and through the issuance of bonds by the PRA. The PRA has applied, in collaboration with ProvPort, for a \$3,000,000 grant to finance the improvements in the port. As part of this plan, a Recovery Zone shall be established to coincide with the Redevelopment Plan boundaries in allow for the potential use of federal recovery bonds. The PRA will issue bonds in the estimated amount of \$10,000,000, not to exceed the amount supported through lease and/or lease purchase revenue, dependent upon the success of the EDA application.

The estimated costs of the Redevelopment Project are as follows:

Remediation and development of open storage yard along with extension of public access to the Providence River frontage	\$1,100,000
Creation of Looped Rail System	\$1,200,000
Movement of Security Checkpoint to expand security within the Port	\$240,000
Removal of Antiquated Cranes from Berth 6 and reconstruction of Berth 6 to handle bulk cargo	\$1,300,000
Property acquisition, remediation and development	\$9,000,000
Legal, appraisals, survey costs	\$100,000

Statement of Purpose

It is the public policy as stated in RIGL §45-31-6 to protect and promote the health, safety, morals and general welfare of the people of the state and particularly of the people of the communities of the state, in which blighted and substandard areas exist, by the elimination and prevention of these areas through the utilization of all means appropriate for that purpose, thereby encouraging the provision of healthful homes, a decent living environment and adequate places for employment of the people of this state and its communities in these areas through redevelopment.

Through the acquisition of underutilized and vacant properties, environmental remediation, redevelopment of parcels to expand employment opportunities in the area, improvements in the Port rail system, modernization of the loading berth and cranes, and improvements in Port Security, this plan carries out the purposes of RIGL §45-31 through §45-33.

Duration and Effective Date

The foregoing regulations and controls contained in this plan will be binding, effectively by deed or by contract containing restrictive covenants running with the land, upon all purchasers or contractors and their heirs and assigns of the land within the area of the City, covered by this Plan. The regulations and controls incorporated in this Plan will be effective from the date of approval of this Plan by the City Council for forty (40) years.

Conformance with the Comprehensive Plan

The Port Redevelopment Plan must be in conformation with the City's Comprehensive Plan. *Providence Tomorrow* identifies several future land uses for the Project Area: business/mixed use, port, waterfront, and public space. Overlying these land uses are areas designated for institutional uses and job districts. Land Uses in the Redevelopment Plan are consistent with the Comprehensive Plan.

The removal of blighted and substandard conditions in the Port Project Area will allow more opportunities to implement the vision of the comprehensive plan. The objectives, set forth in the Comprehensive Plan, are met by this redevelopment plan are as follows:

Sustainability and the Environment Objective SE 6: Promote neighborhood sustainability by mitigating the impacts of environmentally compromised lands such as brownfields.

Built Environment Objective BE 2: Adapt Providence's traditional urban design character to new needs, expectations and technologies.

Built Environment Objective BE 3: Incorporate the best urban design principles into new

development patters to achieve a higher concentration and greater mix of housing, employment and transit options in identified areas of the city.

Business and Jobs Objective BJ 1: Expand economic opportunity and the City's economic base by focusing efforts on retaining existing businesses and attracting new businesses.

Mobility Objective M 1: Provide residents, businesses, employees and visitors with a variety of transportation options that are safe and convenient.

Mobility Objective M 2: Encourage investment in existing modes of transit as well as new transit options, including the RIPTA system, commuter rail and other new modes to increase mobility of Providence residents, and improve air quality.

Mobility Objective M 4: Provide safe and convenient facilities to encourage bicycling for commuting, recreation and other trips.

Mobility Objective M 5: Manage the effectiveness of Providence's roadway network, including its street grid, by investing in operation and reconstruction improvements.

Land Use Objective LU 2: Encourage growth in areas best suited to provide access to jobs, housing and transit.

Land Use Objective LU 4: Promote the development of mix-use areas with different levels of intensity and use to improve the jobs/housing balance and encourage alternative modes of transportation.

Land Use Objective LU 5: Promote business retention and expansion in areas best suited for industrial and commercial development.

Land Use Objective LU 7: Permit institutional growth and expansion in institutional areas designated on Map 11.2 "Future Land Use" while limiting their encroachment and negative impacts on the neighborhoods in which they are located.

Land Use Objective LU 10: Promote job growth and retention through appropriate land use controls.

Land Use Objective LU 12: Promote the efficient use of land to promote transit, walking and biking though appropriate land use controls.

Appendix: Redevelopment Project Area Property Listing

Allens Avenue and Port Redevelopment Plan

Map	Lot	St. No.	Street	Owner	Zoning District	Land Use Code	Structure Type	Contamination Classification	UST	Spill Occurrence	LUST	RCRA Generator	State Sites	Brown field Site	ERNS	Federal C/EC
055	9	500	Allens Avenue	Motiva Enterprises LLC	W3	Industrial	office building - low rise	No evidence of contamination								
055	13	480	Allens Avenue	Motiva Enterprises LLC	M2	Vacant Commercial		Storage of Petroleum Products								
055	16	520	Allens Avenue	Motiva Enterprises LLC	M1	Industrial	office building - low rise	Confirmed contamination							9 fixed facilities; 4 Unknown ; 2 mobile; 2 pipeline	
055	17	544	Allens Avenue	Motiva Enterprises LLC	M1	Vacant Commercial		Confirmed contamination					Monitoring; Inactive			
055	18	570	Allens Avenue	Motiva Enterprises LLC	M1	Aux Vac Commercial		Confirmed contamination	3 Closed	10 spill records	Inactive	SGN				
055	25	477	Allens Avenue	Motiva Enterprises LLC	M2	Single Family		Storage of Petroleum Products								
055	26	489	Allens Avenue	John J Kerzner Rev Trust Agreement	M1	Commercial >100,000	restaurant	No evidence of contamination								
055	27	46	Thurbers Avenue	J. Broomfield and Sons Inc	M1	Industrial	manufacturing	No evidence of contamination								
055	136	471	Allens Avenue	City of Providence	M2	Municipal		Confirmed contamination								
055	196	610	Allens Avenue	Motiva Enterprises LLC	M1	Industrial	office building - low rise	No evidence of contamination								
055	425		Thurbers Avenue	J. Broomfield and Sons Inc	M2	Industrial	warehouse	No evidence of contamination								
055	426	15	Thurbers Avenue	Castle Properties	M1	Commercial >100,000	retail - single occupancy	No evidence of contamination								
055	427	481	Allens Avenue	J. Broomfield and Sons Inc	M1	Aux Vac Commercial		No evidence of contamination	Closed							
055	429		UNAVAILABLE													
055	430	481	Allens Avenue	J. Broomfield and Sons Inc	M2	Aux Vac Commercial		No evidence of contamination								

Allens Avenue and Port Redevelopment Plan

Map	Lot	St. No.	Street	Owner	Zon ing Dist. riat.	Land Use Code	Structure Type	Contaminatio n Classification	UST	Spill Occurre nce	LUST	RCRA Gener ator	State Sites	Brown field Site	ERNS	Federal C/EC
055	432	460	Avenue	Bowen Investments Inc	W3	Commercial >100,000	fast food	No evidence of contamination	---	---	---	---	---	---	---	---
056	1	68	Shipyard Street	Narragansett Bay Water Quality Mgt Dist	W2	Ex-Charter	manufacturing	No evidence of contamination	---	---	---	---	---	---	---	---
056	4	61	New York Avenue	Narragansett Electric Co	W2	Utilities	---	No evidence of contamination	---	---	---	---	---	---	---	---
056	5	195	Terminal Road	Narragansett Electric Co	W3	Utilities	manufacturing	Confirmed contamination	---	---	---	---	---	---	---	---
056	6	0	Fields Point Drive	Hudson Terminal Corp	W3	Industrial	office building - low rise	Confirmed contamination	2 Closed	---	Soil Removal Only	---	Inactive	ELUR, Active	2 Fixed; Unknown	ELUR
056	8	0	Terminal Road	Narragansett Bay Commission	W3	Municipal	---	Confirmed contamination	Closed	---	Inactive	SGN	Active	---	Pipeline; unknown	---
056	9	84	Fort Street	Russo Realty Company LLC	W2	Industrial	office warehouse	Confirmed contamination	Closed	---	Soil Removal Only	SGN	Active	ELUR, Active	---	ELUR
056	69	30	Shipyard Street	Shipyard LLC	W3	Industrial	warehouse	Confirmed contamination	---	---	---	SGN	---	---	---	---
056	70	5	Ernest Street	City of Providence	W2	Industrial	warehouse	No evidence of contamination	---	---	---	---	---	---	---	---
056	256	58	New York Avenue	Narragansett Bay Commission	W3	Municipal	office warehouse	No evidence of contamination	---	---	---	---	---	---	---	---
056	260	71	New York Avenue	60 Shipyard Realty LLC	W2	Industrial	warehouse	No evidence of contamination	---	---	---	---	---	---	---	---
056	271	0	Terminal Road	Glen Falls Cement Co	W3	Municipal	warehouse	No evidence of contamination	---	---	---	---	---	---	---	---
056	273	125	Terminal Road	Narragansett Electric Co	W3	Utilities	---	Confirmed contamination	Closed	---	---	SGN	Inactive	---	---	ELUR
056	275	91	New York Avenue	City of Providence	W3	Municipal	---	No evidence of contamination	---	---	---	---	---	---	---	---
056	283	140	Terminal Road	Narragansett Bay Commission	W3	Municipal	warehouse	Confirmed contamination	Closed	---	Inactive	SGN	Active	---	Pipeline; unknown	---
056	316	185	Terminal Road	Narragansett Electric Co	W3	Industrial	office building - low rise	No evidence of contamination	---	---	---	---	---	---	---	---

Allens Avenue and Port Redevelopment Plan

Map	Lot	St. No.	Street	Owner	Zoning District	Land Use Code	Structure Type	Contamination Classification	UST	Spill Occurrence	LUST	RCRA Generator	State Sites	Brown field Site	ERNS	Federal C/E/C
056	317	181	Terminal Road	Narragansett Electric Co	W3	Aux Vac Commercial	--	No evidence of contamination	--	--	--	--	--	--	--	--
056	318	44	New York Avenue	Narragansett Bay Water Quality Mgt Dist	W3	Ex-Charter Commercial II >100,000	--	Confirmed contamination	Closed	--	Inactive Soil Removal Only	SGN	Active		Pipeline; unknown	--
056	322	1	Fields Point Drive	AER Realty LLC	W3	Commercial II >100,000	warehouse	Confirmed contamination	Closed	Asphalt Emulsion		SGN	Active; Inactive	ELUR, Active		--
056	323	34	New York Avenue	Narragansett Bay Water Quality Mgt Dist	W3	Ex-Charter	warehouse	Confirmed contamination	Closed	--	Inactive Soil Removal Only	SGN	Active		Pipeline; unknown	--
056	327	175	Terminal Road	GMCO Acquisition Inc	W3	Industrial	office warehouse	Confirmed contamination	Closed	Petroleum Chemical		SGN	Active	--	2 Fixed Facilities	--
056	329	250	Shipyard Street	Narragansett Bay Water Quality Mgt Dist	W3	Ex-Charter	--	Confirmed contamination	--	--		--	Active	ELUR, Active		EPA Brownfield
056	331	105	Terminal Road	City of Providence	W3	Municipal	--	No evidence of contamination	--	--		--	--	--		--
056	332	140	Terminal Road	City of Providence	W3	Municipal	--	No evidence of contamination	--	--		--	--	--		--
056	334	125	Terminal Road	City of Providence	W3	Municipal	--	No evidence of contamination	--	--		--	--	--		--
056	338	4	Ernest Street	Narragansett Bay Commission	W3	Ex-Charter	office warehouse	No evidence of contamination	--	--		SGN	--	--		--
056	339	85	Terminal Road	Provport Inc.	W3	Municipal	office warehouse	Confirmed contamination	Closed	--	Active	--	Active	Active	Unknown	--
056	366	20	Fields Point Drive	Narragansett Bay Water Quality Mgt Dist	W3	Ex-Charter	--	No evidence of contamination	--	--		LGN	--	--		--
056	367	30	Fields Point Drive	PLJ Development LLC	W3	Ex-Charter	warehouse	Confirmed contamination	--	--	--	--	Active	Active		--
056	346	75	Terminal Road	Narragansett Bay Commission	W3	State	--	Confirmed contamination	Closed	--	Inactive	SGN	Active	--	Unknown	--
056	348		Terminal Road	Provport Inc.	W3		--	Confirmed contamination	In Use; Closed	300 gals liquid asphalt	Inactive; not complete	SGN	Active	--	2 fixed; 3 unknown	--

Map	Lot	St. No.	Street	Owner	Zon Ing Dist rict	Land Use Code	Structure Type	Contamatio n Classification	UST	Spill Occuren ce	LUST	RCRA Gener ator	State Sites	Brown field Site	ERNS	Federal C/IEC
056	349	35	Terminal Road	Provport Inc.	W3	Municipal	--	Confirmed contamination	Closed	42,000 barrels	Investigati on/remedi ation required; inactive	SGN	Active		3	Unknown
056	350	4	New York Avenue	Provport Inc.	W3	Municipal	office warehouse	No evidence of contamination								
056	351		UNAVAIL ABLE													
056	352		New York Avenue	Provport Inc.	W3	Municipal	office	No evidence of contamination								
056	354	0	Fields Point Drive	Provport Inc.	W3			Storage of Petroleum Products								
056	355	2	Seaview Drive	Provport Inc.	W3	Municipal		No evidence of contamination								
056	356	25	Fields Point Drive	TE Products Pipeline Company LP	W3	Industrial	office warehouse	Storage of Petroleum Products				SGN				
056	357	1	Seaview Drive	Provport Inc.	W3	Municipal		No evidence of contamination								
056	358	0	Seaview Drive	Provport Inc.	W3			Storage of Petroleum Products				TSD; LGN				
056	359	0	Fields Point Drive	Provport Inc.	W3			Storage of Petroleum Products								
056	360		Harborside Boulevard	Univar USA Inc.	W3			Confirmed contamination	Closed	6,600 sodium hydroxide in dike	Active		Active			
056	361		Fields Point Drive	Provport Inc.	W3			No evidence of contamination								
056	362		Harborside Boulevard	ProvPort Inc.	W3			No evidence of contamination								
056	363		Harborside Boulevard	ProvPort Inc.	W3			No evidence of contamination								
056	364		Harborside Boulevard	ProvPort Inc.	W3			Confirmed contamination		Coal tar			Active			CERLIS
056	365		Shipyard Street	Provport Inc.	W3			No evidence of contamination								

Map	Lot	St. No.	Street	Owner	Zoning District	Land Use Code	Structure Type	Contamination Classification	UST	Spill Occurrence	RCRA Generator	State Sites	Brown Field Site	ERIS	Federal IC/EC
057	294	1116	Eddy Street	Motiva Enterprises LLC	R3	Industrial	office warehouse	Storage of Petroleum Products	---	---	---	---	---	---	---
057	301	0	Eddy Street	City of Providence	R3	Municipal	---	No evidence of contamination	---	---	---	---	---	---	---
101	1	640	Allens Avenue	Narragansett Electric Co	R2	Utilities	office warehouse	Confirmed contamination	Closed	Oil/water; petroleum; PCB oil	LGN	Active; inactive	---	Unknown	---
101	3	60	Ernest Street	City of Providence	R2	Municipal	---	No evidence of contamination	---	---	---	---	---	---	---
101	4	40	Ernest Street	City of Providence	R2	Municipal	office warehouse	Confirmed contamination	In Use	---	SGN	Inactive	---	---	---
101	493	655	Allens Avenue	Motiva Enterprises LLC	M2	Aux Vac Commercial	---	Storage of Petroleum Products	---	---	---	---	---	---	---
101	497	700	Allens Avenue	City of Providence	R2	Municipal	office building - low rise	No evidence of contamination	In Use	---	---	---	---	---	---

Sources: City of Providence Online Assessor Database, obtained August 1, 2008; FirstSerach Technology Corporation *Environmental FirstSearch Report* prepared for Maguire Group Inc., July 15, 2008.

Notes:

Contamination Classification: Those identified with "confirmed contamination" are state and federal sites that are either active or inactive, sites where spills have been reported and LUSTs with no known remediation. "Potentially contaminated" sites are those where there were LUSTs and only soil removal was conducted (i.e. no groundwater investigations were done) and properties where USTs were abandoned with no record that permanent closure procedures were followed. Properties used to store petroleum products include fuel storage tank sites where there is a high potential for soil or groundwater contamination from petroleum shipping and storage. The final classification is properties where there is no evidence of contamination. These are not necessarily "clean" properties, but are properties where there is no record of contamination or the probability of contamination.

RCRA Generator: Resource Conservation and Recovery Information System: LGN (large quantity generator), SGN (small quantity generator); VGN (very small quantity generator); TSD (treatment, storage and disposal)

State Sites: State known or potential hazardous waste sites; active or inactive

Brownfield Site: Active, ELUR (environmental land use restriction)

ERIS: Emergency Response Notification System

Federal IC/EC: **Institutional controls/Engineering Controls;** CERLIS (Comprehensive Environmental Response Compensation and Liability Information System)

NFRAP: No Further Removal Action Planned



City Plan Commission
Jorge O. Elorza, Mayor

May 5, 2015

Lori Hagen, City Clerk
Office of the City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Councilman Terrence Hassett, Chair, Ordinance Committee

Re: An ordinance to amend the Providence Port Redevelopment Plan
Proponent: Providence Redevelopment Agency

Dear Ms. Hagen:

At a regular meeting of the City Plan Commission (CPC) on April 28, 2015 the CPC reviewed the above-referenced amendment to the Providence Port Redevelopment Plan for a recommendation to the City Council as referred by the City Clerk's Office.

The proposal under consideration would amend the plan and the redevelopment area to remove AP 56 lots 367 and 322 from the list of proposed acquisitions. The plan will be amended to reflect the change. The plan provides the Providence Redevelopment Agency (PRA) with the tools and authority to eliminate conditions of blight by providing needed public improvements, encouraging rehabilitation and repair of deteriorated structures, facilitating land assembly and redevelopment and acquiring blighted properties.

Findings

The CPC reviewed the redevelopment plan and proposed amendment for consistency with the Comprehensive Plan and took comments from the public. The CPC found the plan to be consistent with the City's Comprehensive Plan and recommended that the City Council approve the plan subject to certain conditions. The CPC found that the plan conformed to the following objectives of the comprehensive plan:

- Sustainability and the Environment Objective SE 6: Promote neighborhood sustainability by mitigating the impacts of environmentally compromised lands such as brownfields.
- Built Environment Objective BE 2: Adapt Providence's traditional urban design character to new needs, expectations and technologies.
- Built Environment Objective BE 3: Incorporate the best urban design principles into new development patterns to achieve a higher concentration and greater mix of housing, employment and transit options in identified areas of the city.
- Business and Jobs Objective BJ 1: Expand economic opportunity and the City's economic base by focusing efforts on retaining existing businesses and attracting new businesses.

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- Mobility Objective M 1: Provide residents, businesses, employees and visitors with a variety of transportation options that are safe and convenient.
- Mobility Objective M 2: Encourage investment in existing modes of transit as well as new transit options, including the RIPTA system, commuter rail and other new modes to increase mobility of Providence residents, and improve air quality.
- Mobility Objective M 4: Provide safe and convenient facilities to encourage bicycling for commuting, recreation and other trips.
- Mobility Objective M 5: Manage the effectiveness of Providence's roadway network, including its street grid, by investing in operation and reconstruction improvements.
- Land Use Objective LU 2: Encourage growth in areas best suited to provide access to jobs, housing and transit.
- Land Use Objective LU 4: Promote the development of mix-use areas with different Providence Redevelopment Agency - 28 -
- levels of intensity and use to improve the jobs/housing balance and encourage alternative modes of transportation.
- Land Use Objective LU 5: Promote business retention and expansion in areas best suited for industrial and commercial development.
- Land Use Objective LU 7: Permit institutional growth and expansion in institutional areas designated on Map 11.2 "Future Land Use" while limiting their encroachment and negative impacts on the neighborhoods in which they are located.
- Land Use Objective LU 10: Promote job growth and retention through appropriate land use controls.
- Land Use Objective LU 12: Promote the efficient use of land to promote transit, walking and biking through appropriate land use controls.

CPC ACTION

Based on a review of the plan, the CPC found the amendment to the Port Redevelopment Plan to conform to the objectives of the comprehensive plan and voted to recommend that it be approved by the City Council subject to the following conditions:

1. When reviewing the amendment, the City Council should give due consideration to preserving access to non-port parcels along Shipyard and Earnest Street.
2. When reviewing the amendment, the City Council should consider the concerns of Johnson and Wales University, owner of Lot 326, with regard to inclusion within the redevelopment plan project area.

Sincerely,



Choyon Manjrekar
Administrative Officer

Cc: Don Gralnek, E.D., PRA