

MEMORANDUM

To: Councilman Samuel D. Zurier

From: Samuel J. Shamoan AICP

Subject: 257 Thayer Street

Date: July 24, 2012

On Wednesday evening July 25, 2012, as you well know, the Ordinance Committee of the City Council will consider a motion to amend to the Comprehensive Plan and Zoning Ordinance to allow higher residential density in the nine lot area bounded by Thayer, Meeting, Brook Streets and Euclid Avenue. The core decision that each committee member will be asked to make seems clear-cut, namely to approve or reject these proposed amendments. As you also know, however, the issues and the real estate development project that have prompted these amendments are anything but simple. In fact, these issues are especially complicated for you, as the council representative for the neighborhood in which the new development will occur. Your decision must take into account the impacts of the project and the new higher densities upon the immediate neighborhood, upon your ward and upon the city as a whole. Thus, the right decision on the amendments should be based upon a clear understanding of the development project and its potential impacts.

With this situation in mind, I am submitting to you the following analysis of the development project, along with suggestions about how to maximize its benefits and minimize or eliminate its negative impacts.

First, let's be clear about the project and about some of its more obvious impacts. The developer, Gilbane Development Co. wants to build a four-story, 102-unit apartment building at 257 Thayer Street. The building would occupy a city block, with frontage at Thayer St., Euclid Ave., Brook St. and Meeting St., and the building would accommodate 277 residents, probably all of them Brown University students, due to its close proximity to the Brown campus. The building would also have a small amount of retail on the ground floor, a landscaped courtyard, and underground parking for 80 cars. Furthermore, to erect such a building, Gilbane must first clear the area of existing houses on 9 lots, houses that currently accommodate approximately 44 students, a Ben and Jerry's Ice Cream store and Squires Barber Shop.

This simple summary of the project points to several *possible* negative impacts, including: the building of a massive structure in a location where individual houses seem more in keeping with the character of the neighborhood, substantially increasing the number of residents in the area, some of whom will probably bring a car to already-congested streets, and the elimination of two popular businesses. I know that the neighbors are very concerned about these obvious impacts, and I am, too. In addition, the Providence Preservation Society (PPS) is concerned about the demolition of historic houses, the College Hill Neighborhood Association (CHNA) is wary about construction

that threatens to change the character of this long-established and valuable neighborhood, and many residents are concerned about the design of such a massive structure.

These possible impacts are of real concern and if I stopped my analysis at this point, I would be urging you to vote “No” to the proposed amendments. But each of those impacts is actually more complicated than they appear. Let’s take each in turn.

1. The building of a large structure in place of individual houses seems to be out of character with the neighborhood.

Response: While the proposed building will be large, it will not be unique to the neighborhood. It will be near other large buildings. The Brown Science Library and the Brown Bookstore already exceed the height of the proposed building. Brown has built other large buildings in this neighborhood. With these facts in mind, it seems to me that the problem is less the size of the building than it is a problem of design. Gilbane’s original design was one of unrelieved mass. This design was certainly *not* in keeping with the neighborhood. Our residents were right to criticize this design and in response, Gilbane has hired a local architect to redesign the building. The latest design is far better than the initial design, although further tweaks should be considered. Such design improvements might be possible, if the project moves to the CPC, and if concerned residents continue to participate in the design review and planning processes.

2. The demolition of historic houses and of existing, usable housing stock:

Response: I am a proponent of historic housing districts and of maintaining useable housing stock whenever possible. Let’s consider these particular buildings, however. The owners have not maintained these houses. Instead, they have paved over every available inch of green space, including any lawn or flowerbed, crammed student renters into every possible room, turned lawns into parking spaces, and let the buildings deteriorate to the point of their being labeled, “demolition by neglect.” It is not likely that any of these buildings will be improved as there are no economic incentives to do so. None of these buildings are protected by local historic zoning and can be demolished at any time. It is possible, therefore, that the new building with its proposed landscaped courtyard (which is now proposed to be open on the Brook Street frontage), and improved garbage facilities would actually be improved elements for this street. This would be true if Gilbane provides public amenities such as benches, street trees, street lighting, elimination of curb cuts and sidewalk repair for all areas impacted by the project.

As to the question of the historic value of existing houses, it seems to me that while old buildings may be historic because they were built during in an earlier period, some buildings are more unique or more representative of their eras than are others. The buildings currently on the site are surely of much less historic import than others in this same neighborhood. Nonetheless, I endorse the position that one or more of the existing buildings on this site might be moved to an appropriate nearby site and to preserve a portion of that housing stock. Gilbane

has offered to pay for a portion of the cost of moving and restoring one or more of the buildings, up to \$200,000 in a dollar for dollar match. I find such a proposal encouraging.

3. The increase in the number of residents in the area.

Response: Increased residential density is of concern to me. Bringing many more people into one square block could possibly change a neighborhood. But, again, let's look closely. Rather than its just being a matter of numbers, the negative impact of increased density is sometimes a product of too many residents for a specific residence. If a building that was designed for a single family house is crammed with a lot of unrelated co-habiting renters, then the overcrowding and the wear-and-tear on the facility will change the character of the neighborhood very quickly and not in a positive manner. However, if a building is appropriately designed to function as a properly managed rental property for a specific number of residents, that increase could, in fact, be less negative than feared.

Furthermore, while the residents are focused on the increased density involved in this project, the whole Brown, RISD, College Hill neighborhoods area are constantly under pressure for increased density, generally, and I am not convinced that we know or are prepared for the best density and density-managed facilities in these areas. What we need is an overall study of density, design and impacts from the planning department.

Finally, while I am still concerned about the increase in the number of residents, I am more concerned that the amendments give a blanket increase in density to any project that may occur at this site. I am convinced that Gilbane's design adequately accommodates the proposed number of residents in a manner that will not turn the neighborhood into a slum, but suppose Gilbane does not complete this project? Or what if he doesn't get all his permits in a timely fashion? Can some other developer buy the property, gain the density rights and put up any kind of building? I urge you and your colleagues on the City Council as responsible representatives of our city, to do whatever is necessary to make sure that the density limits granted in these amendments are not precedent setting for other builders on this lot or elsewhere.

4. The increase in traffic.

Response: The traffic in the Thayer St. neighborhood is already tangled and slow. A lot of people come to Thayer St. to shop, to visit, to eat at one of its restaurants, to see a movie, and to go to classes at Brown. These factors will not change with the project. Furthermore, part of the traffic problem has to do with parking. Customers and students crawl along Thayer St. looking for parking. Parking and traffic flow are of concern. While the project will provide parking for 80 cars, the reality is that residents will walk to class and other activities on campus, and we will likely see less in and out traffic. In fact, I would propose to Gilbane that he

do more to discourage residents from bringing their cars. Providing free bicycle use and encouraging zip-car use are steps in the right direction.

5. The elimination of two popular businesses.

Response: There will be retail space in the new project. The provision of such space is in keeping with the neighborhood's mix of residential and commercial uses.

Now, in addition to these impacts, I want to add three other issues that, you should consider.

1. Sufficient input of residents and interested organizations.

I have spent much of my time during these last several months thinking about the project, analyzing it and speaking to many people about it. I have found that residents in our ward love this city and want to see it improve. Many of them are not sure of the value of this project to our city and to our neighborhood, but they are sure that good projects, well-designed new housing and responsible developers need to be encouraged in order to sustain our city into the future. I am also aware that some residents are against this project and their issues should not be ignored. And some of residents are in favor of this project. *All* of these voices deserve to be heard. I hope we make sure that if these amendments pass and if the project moves forward, their voices and concerns are integral to every step and decision point along the way.

2. Tax yields.

In the past, the City has granted tax relief to developers and companies to locate and build in Providence. This may have worked in the past to attract business, but we cannot afford such deals today with our economy and our budget in its current condition. We need every business, every resident and every institution to share the burden of maintaining Providence as a livable city into the future. I hope we make sure that if the amendments pass, the current owner and any future owners meet all tax obligations.

3. Need for a “good neighbor.”

When a developer builds a major structure in our neighborhoods, that structure will probably be there for a long time. It will make some sort of impact, and the most positive impact comes from those owners and developers who are committed to the neighborhood as well as to their building. I hope we do whatever we can to involve Gilbane (and subsequent owners) in the near and long term development and preservation of this wonderful neighborhood. We need good neighbors.

Recommendation: In light of this analysis of the project, I conclude that the project could be worth endorsing and the amendments should approved—*if* the issues of building design, historic preservation, planning, taxes and similar issues are also addressed. These issues could be addressed if Gilbane enters into an eight point agreement with the City

(as noted below) and if the Council gives specific directions to the City Plan Commission (CPC) and the Department of Planning and Development (DPD) to study and take action on these issues as follows.

CONDITIONS

1. Gilbane (Applicant) commits to enter into a deed restriction with the City of Providence that will keep the property at 257 Thayer Street on the city property tax rolls in perpetuity. The restriction should be binding upon all heirs and successors of the Applicant including any private, public or nonprofit institutional potential owners.
2. The Applicant commits to preparing and submitting to the City (Council, Planning Department, and City Plan Commission) a scale model of the project no later than November 1, 2012. The model should include the immediate vicinity of the project. The model should be available for public viewing including the CHNA and PPS. Based on the model and other contextual drawings and digital images, the Applicant is committed to modifying the exterior façades, including further fragmentation of massing and more careful visual integration with the historic properties in the project's immediate environs.
3. The Applicant commits to dedicating \$200,000 towards the preservation of one or more of the existing nine houses to appropriate sites nearby. If the Applicant dedicates this sum as a matching grant, others, including the City, Brown University, PPS, and CHNA should undertake fundraising efforts to make this happen.
4. The Applicant agrees to submit a completion bond for all improvements associated with the project.
5. The Applicant agrees to low impact construction so as to minimize construction activities on College Hill and the immediate neighborhood.
6. The Applicant commits to providing public amenities such as benches, street trees, street lighting, elimination of curb cuts and sidewalk repair for all areas impacted by the project.
7. The Applicant agrees to participate in the planning study that will be initiated by the Planning Dept.
8. The Applicant agrees to invest in and participate in the Thayer Street District Management Authority.

DIRECTIONS to the City Plan Commission (CPC) and the Department of Planning and Development (DPD), not part of the ordinances under consideration, but by separate Council resolution. These are suggestions for the agencies to take under consideration:

1. The CPC should consider requiring the Applicant to resubmit the Master Plan phase of the review process. The Master Plan that was approved in May has changed so substantially that a new process ought to be initiated, including taking of testimony from the public. The review should be transparent and include peer review of

submitted material by the Applicant. For example, the traffic study should be subjected to an independent traffic engineer for verification of assumptions, conditions and conclusions.

2. The CPC should require that the model and accompanying drawings and digital images as submitted by the Applicant be scrutinized by its staff, as well as by their gathering input from PPS and CHNA. The purpose is to improve the proposed structure with variations in the massing and visual integration with nearby properties.
3. The DPD should take the lead in initiating a planning study. The study should include (but not necessarily be limited to):
 - a. Inventory of every parcel within the study area, with current land use (compare with current zoning and density), occupied or vacant, owner, viability of the current use, and potential changes in use.
 - b. Inventory of every structure that is older than 50 years, and its historical and/or architectural significance.
 - c. Expert, data-based studies of existing conditions, relevant planning documents for currently planned changes, and best practices for comparable districts.
 - d. Address the entire Thayer Street area, including the existing institutional zone parcels, the Thayer Street District Management Authority, and the adjacent College Hill Historic District.
 - e. Examination of boundaries and abutters, including institutions, commercial enterprises and residential edges.
 - f. Existing historic resources, density, use, design, transportation, open space, infrastructure, and other relevant urban planning elements.
 - g. Forces driving economic development for the area and the city (property taxes; non-profit tax exemptions).
 - h. Current zoning and comprehensive plan guidelines.