

DEPARTMENT OF CITY CLERK

CITY HALL

MAY 29, 1997

The Committee on Urban Redevelopment, Renewal & Planning meets this day in Committee Room "A", Department of City Clerk, at 5:00 o'clock p.m.

PRESENT: Chairwoman DiRuzzo, Vice Chairman Jackson, Councilman Igliazzi-3.

ABSENT: Councilman Rollins, Councilwoman Young-2.

(Subsequently arriving is Councilman Rollins)

Also present are Councilman DeLuca, Tom Deller, Deputy Director, Planning & Development, Sam Shamoon, Department of Planning & Development, Barbara A. Poirier, Second Deputy City Clerk and Anna M. Stetson, Assistant Clerk.

AN ORDINANCE AMENDING PROVIDENCE 2000: THE COMPREHENSIVE PLAN, CHAPTER 1994-52, NO 798, ADOPTED ON DECEMBER 27, 1997. (IMERA/RUSHMORE)

MR. DELLER: This is an amendment to the Comprehensive Plan 2000. What this does is amends the land use map for residential property by changing a large area that is shaded in gray on the map that is attached from low density residential to single family residential. This was a request, something that the Mayor's office asked us to look at and study and make a recommendation. We did that, we found that about 80 percent of the houses in this area were single family, that there were two family houses there, and it was recommended that the Comprehensive Plan be changed to permit a change in zoning.

CHAIRWOMAN DIRUZZO: Councilman DeLuca was here and he testified at the hearing. Part of the presentation was that he did not agree with the request, but since most of the constituents that were there were in favor of it, he naturally had to support them, but there was a developer, and the developer's attorney that were present there also.

COUNCILMAN DELUCA: This issue was initiated by the community through the Department of Planning and the Planning Board. When it came to my attention, I went and looked over the neighborhood, and found that in recent years there has been quite a rash of multi family developments, particularly right near Hillcrest Village, which is an elderly high-rise. As you approach that street, there are two duplexes built there, two across the street, two just before it, across from Triggs. None of these developers have been favorable in the community. I have

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had and continue to have serious complaints about these developments. As I heard the public comment at the public hearing, I was convinced they were 100 percent behind this development.

CHAIRWOMAN DIRUZZO: I have taken a ride through there and there has been a significant change in the area. I wish we could do this for all the neighborhoods. This is one way to save all the neighborhoods. When I mentioned transcripts, I simply mentioned that to the group that was there for Smith Street. I would like to see it done for the neighborhood and to save the neighborhood.

COUNCILMAN IGLIOZZI: Are you aware of who owns all these properties?

MR. DELLER: We know who owns some of it. We did send letters out to everyone to advise them. We didn't check ownership on each individual lot. We didn't check the circumstances under which they bought it. Most of the vacant land is on property on paper streets. Streets that haven't even been built yet. There are a few streets that have been built where these duplexes have been constructed. There are a number of property owners who have talked to us about doing sub divisions and trying to grandfather their rights before this ordinance changes, they certainly have that right, but because that street isn't built, the only way they can grandfather their right is to either build the road, or post a bond equal to the cost of building that road. That's a decision that they have to make. They have rights for that property as two family until the day the Mayor signs the ordinance, assuming the council adopts it.

COUNCILMAN IGLIOZZI: You have given them the opportunity. You have given them direct notice?

MR. DELLER: Every property owner within the area, that lives within 200 feet got a letter telling them that this petition was there. Anyone who has contacted us and said we own this property, and what does it mean, we have explained what it meant, and told them that their rights are there until the day the Mayor signs it into law.

COUNCILMAN IGLIOZZI: My understanding I would think, ...let's assume a developer went in there and bought 15 to 20 lots with the idea of doing that. That's happened. What I am concerned about, the only thing that I would say is that ...when we were doing the lot merger, for instance, back in 1991 or 1992, I sent a direct letter explaining what they could do to preserve the individual ...of the lot. I did that on my own. Let's assume somebody went in here and invested...I do think they are entitled to know about their grandfather rights.

MR. DELLER: They bought lots that are 3200 square feet. Most of these lots...they have the rights under zoning to build a single family house. If they want to build a two-family house, they have to merge two of those lots together. So, in effect, they are not losing any rights they have for each of those individual lots. They have a right to build a single-family house, and this will change it. The zoning law still states that they can build. There is the merger provision, which is 4,000, which will affect some of these lots.

COUNCILMAN IGLIOZZI: How many owners are there?

MR. DELLER: There are about 900. But how many own vacant property. There are about 4 major vacant property owners, and one of them has been in our office.....

SAM SHAMOON: There is a person who came in several times. He got one approved, which is an administrative sub-division, and he wanted to take out permits for two-family houses. He has another one on Rushmore Avenue, but there was no street. We told him we were talking to Fred Ihenacho. If he puts in a street, or he can post a bond. He is going to come in tomorrow to tell me if he wants to post a bond. We are working them to allow them to grandfather. This person has been a problem person in the neighborhood. He is putting in two family houses all over the place.

COUNCILMAN IGLIOZZI; I am just saying that there should be adequate notification.

MR. SHAMOON: A lot of the owners were notified by certified mail.

CHAIRWOMAN DIRUZZO: I got the impression from that attorney that was present for that property owner will probably challenge this.

MR. SHAMOON: It is the same developer that came in to grandfather his lots.

MR. DELLER: This was within the rights of the city to hold public hearings to solicit input and to make a decision, and the sentiment of the people was in this regard. The property owners received notice and have every right until such time as this becomes law to go ahead and grandfather their two-family units.

COUNCILMAN IGLIOZZI: If I had the transcript, I would feel more comfortable, but what the Chairwoman wants.

On motion of Councilman Jackson, seconded by Councilman Rollins, it is voted to approve the foregoing Ordinance.

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**AN ORDINANCE AMENDING PROVIDENCE 2000: THE
COMPREHENSIVE PLAN, CHAPTER 1995-52, NO. 798, ADOPTED
ON DECEMBER 27, 1997 (BROAD/POTTERS)]**

MR. DELLER: I had some discussion with Councilman Rollins after the last public hearing, and he has requested that we do is delete the amendment on his side of Broad Street, so that we can have further discussion, and so that he can introduce it, if he so feels that it is what he wants. Basically what this is is amending the land use map residential by deleting the medium density residential on both sides of Broad Street from Potters Avenue to Oxford Street and amending the proposal on this map, non-residential, and what I would recommend to the council is that this be amended so that the language reads from Potters to Oxford and on the west side of Broad Street from Potters Avenue to Oxford, and both of those amendments. That way we can work with Councilman Rollins, and if he so desires to make this amendment.

On motion of Councilman Rollins, seconded by Councilman Jackson, it is voted to amend the foregoing Ordinance.

COUNCILMAN ROLLINS: The other side of Broad Street, do we have to do something?

MR. DELLER: We might want to meet with the property owners that are in your ward, let them know what's happening. We are going to introduce an ordinance.

COUNCILMAN ROLLINS: That was not done previously?

CHAIRWOMAN DIRUZZO: It was included.

COUNCILMAN ROLLINS: It was included, but they didn't meet with the property owners in my ward.

MR. DELLER: The problem is this, when we looked at the zoning map versus the comprehensive plan, the property on your side of Broad Street was zoned commercial. The Comprehensive Plan said residential. We recognized that as an error in the Comprehensive Plan, so we amended the Comprehensive Plan in this Ordinance so that the two are consistent as the State law requires. I must have to assume that the property owners, when we did the commercial zone, back in 1991, but we didn't talk to them about this Comprehensive Plan thing, because we just viewed it as an error. So we can prepare a resolution. We can get it in tomorrow if you can sponsor this. So Barbara you will be getting two Ordinances from me tomorrow. One that Councilman Rollins will be introducing and a revised one.

AN ORDINANCE AMENDING PROVIDENCE 2000: THE COMPREHENSIVE PLAN, CHAPTER 1994-52, NO. 798, ADOPTED ON DECEMBER 27, 1994.

MR. DELLER: I would like to continue this at this point. I had a discussion with Barbara this afternoon, and she has a letter from Councilwoman Young that is different than my original discussion. This is the Comprehensive Plan amendment that goes along with the zoning amendment, and I would prefer not acting on this until we had a chance to talk to Councilwoman Young.

What happened is she is writing about the Ordinance and this is the Comprehensive Plan. I am confused, because we talked to Councilwoman Young and she said that she supported this, then the letter came in today saying that she is opposing this. I don't know what happened, and I would rather take no action until I have a chance to speak with her.

On motion of Councilman Rollins, seconded by Councilman Jackson, it is voted to continue the foregoing matter.

MR. DELLER: There is a parallel ordinance.

COUNCILMAN IGLIOZZI: We will do that at that time. Just so we know that we had this discussion based upon the zoning change, if the Comprehensive Plan is not amended, the zoning ordinance cannot be amended, by State law. If it dies here, by obligation of law, it has to die in the other committee.

AN ORDINANCE APPROVING AND ADOPTING THE OFFICIAL REDEVELOPMENT PLAN AND THE ATTACHED RESTRICTIONS FOR THE GORHAM REDEVELOPMENT PROJECT.

MR. DELLER: This is the redevelopment plan. The committee can take no action on this except for one minor change. This has to go out to public hearing, and the committee has not seen it before. Even though the Chair and I have spoken about having a public hearing, we can keep this process going. There are two different ones, and I don't want to postpone the wrong one. What happened is we introduced the redevelopment plan for Gorham to talk about the Gorham site, and working with Amtrak and DOT, we had to amend the redevelopment plan to include the Roger Williams Bridge, so there were two separate ordinances over here. This is the one that would allow us to re-do the Roger Williams Bridge. This is not the one to continue indefinitely. It's the other one. What I would like to do is get the other postponed indefinitely to get it off the calendar.

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CHAIRWOMAN DIRUZZO: The other one is not on the agenda.

COUNCILMAN IGLIOZZI: We do not have pending matters.

BARBARA POIRIER: They both have the same title.

MR. DELLER: We had agreed on a public hearing, and this is the one that I want to live because this is the one that talks about Roger Williams Bridge. This is being advertised. There is one minor change to the redevelopment plan that will be made and introduced at the hearing, but I wanted to bring a map for the council. The bridge is in here. What happened is the ongoing design isn't happening on the bridge. We have to come up with a way to deal with utilities. When we put this ordinance in there was one way we were going to deal with utilities. I have to submit that the redevelopment plan will be amended by adding the requirement for easements on lot 109 and lot 157. Lot 159 is already identified in the redevelopment plan. I just want to let you know Lot 159 is already in the redevelopment plan. Those are additional lots where we will need to obtain an easement for telephone, electric and gas. I wanted to bring this to the table because that will be presented at the public hearing.

The two titles are exactly the same, but if you turn the page it's different.

Both of them went to the Council with the same title. We have two Ordinances with the same title. This one should be sub(b).

COUNCILMAN IGLIOZZI: In this agenda, you have both of them before us.

MR. DELLER: Is it possible for us to label them as (a) and (b), and table (a) indefinitely.

On motion of Councilman Igliazzi, seconded by Councilman Jackson, it is voted to continue the first Ordinance presented as (a), and the one we just finished discussing with Tom Deller as (b).

On motion of Councilman Igliazzi, seconded by Councilman Jackson, it is voted to continue indefinitely Ordinance (a).

MR. DELLER: Then sub (b) will be on for a public hearing on June 18.

**RESOLUTION REQUESTING THE SUPERINTENDENT OF
SCHOOLS TO DEDICATE THE NEW WING LOCATED AT THE
ROBERT F. KENNEDY SCHOOL AS THE "LUCY E. LOPATOSKY
MEMORIAL WING"**

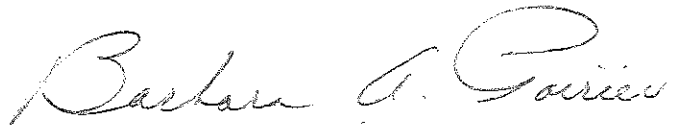
CHAIRWOMAN DIRUZZO: Dr. Zarella is not here, so I am going to suggest that continue this matter.

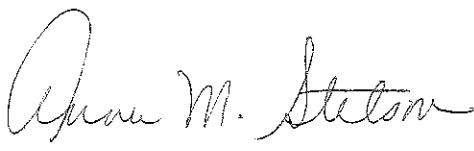
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On motion of Councilman Igliazzi, seconded by Councilman Jackson, it is voted to continue the foregoing matter.

ADJOURNMENT: On motion of Councilman Rollins, seconded by Councilman Jackson, it is voted to adjourn the meeting at 5:40 o'clock p.m.


SECOND DEPUTY CITY CLERK


ASSISTANT CLERK

