

EAST PROVIDENCE WATERFRONT SPECIAL DEVELOPMENT DISTRICT

Waterfront District Application for a Permit

(File with the Waterfront Commission, c/o Executive Director) City Hall 145 Taunton Ave, East Providence, RI 02914

(Type and Print Clearly) Applicant(s)

Name: METACOMET PROPERTY LLC

Address: 950 Warren Avenue, Suite 401, East Providence, RI 02906

2. Owner(s) Name (list names of all holders of any equity interest in the applicant) METACOMET PROPERTY LLC

Address: John J. Marshall 2002 Trust and Lianne Marshall 2002 Trust

3. Land Surveyor's Name: Control Point Associates, Inc.

Address: 352 Turnpike Road, Southborough, Massachusetts 01722

4. Assessor's Map/Block/Parcel Number(s) Map 107, Block 15, Lot 1 and Map 107, Block 15, Lot 1-10

5. Street Address of Property: 500 Veterans Memorial Parkway

6a. Waterfront Zoning Sub-District: Metacomet

6b. Conditional Uses or Deviations Proposed See attached Narrative/Addendum

7. Any Covenants, Conditions, Restrictions on the land? No

8. Title Report and Tax Certification Required (Attach to this form)

Applicant's Signature Lianne Marshall Date 12-27-23

Witness Kiana Hartley

Owner Certification: "(I or we) do hereby certify that (I am or we are) the only owner(s) of record of the property under this application, and said property being described in deed(s) recorded in the East Providence Land Records at Book 4323 Page 46 request as this as (my or our) record plat for this property. (I or we) further certify that (I or we) submit to the jurisdiction of the East Providence Waterfront Special Development District and agree to pay all fees associated with submitting this application.

Owner Signature Lianne Marshall Date 12-27-23

Witness Kiana Hartley



WATERFRONT DISTRICT PERMIT APPLICATION
ACCOMPANYING NARRATIVE

I. GENERALLY

Metacomet Property LLC, an affiliate of Marshall Development (the “Applicant”), is proposing a dynamic mixed use development at the site of the former Metacome Golf Course, which will create much needed housing, for renters and buyers alike in the Greater Providence market, while simultaneously providing additional commercial space designed to address specific and identified needs for both the community within the proposed development as well as East Providence generally. Pursuant to Section 19-470 of the Waterfront Special Development District Ordinance, the purpose of waterfront development is to provide for appropriate mixed use development within the context of protecting the important scenic and recreational resources along the East Providence Waterfront. The proposed development advances land use policies and design practices that respect the uniqueness of both built and natural environments.

The project site is located at 500 Veterans Memorial Parkway (Assessor’s Map 107, Block 15, Lots 1 and 1-10). The site is bordered by Lyon Avenue to the northwest and includes mixed uses including commercial/residential buildings and Pierce Memorial Field; by Fort Street to the northeast and includes various residential properties; by various residential properties including Fisher Street and South Broadway to the east; by Metacomet Brook/Watchemoket Cove to the south which is a tributary to the Providence River to the west; and by Veterans Memorial Parkway (the “Parkway”) to the southwest. The total parcel size is 140.638 acres; however, based on the City Zoning Ordinance requirements, the Useable Lot Area calculated for this development is 94.9 acres.

The development (the “Development”) is proposed to contain approximately 890 residential units, a mix of multifamily rental units containing approximately 845 units, 22 duplexes and 24 townhouses, and approximately 153,000 of commercial space. Consistent with the City’s requirements, ten percent (10%) of the proposed housing will be set aside and designated as affordable inclusionary housing. The Applicant proposes to create a town center within the proposed development anchored by a grocery store and surrounded with neighborhood retail. The submission includes a color coded plan so the Commission can more easily identify which structures are allocated to which use. Amenities include a proposed promenade for pedestrian traffic, an outdoor amphitheater, and perhaps most significantly, the Applicant has spent a portion of 2023 restoring a portion of the property in furtherance of its plan to unveil and open a 9 hole public golf course in the summer of 2024. And this is all in addition to the over nine and one half acres which is to be deeded to the City of East Providence in connection with the 2021 Zone Change granted by the East Providence City Council to be maintained as open space.

The success of the Development will be due, in part, to ensuring that the transportation infrastructure affords sufficient capacity to accommodate access to planned mixed-use development and that impacts to the surrounding neighborhood are minimized. The planned approach to minimizing the impact of the Development on the transportation infrastructure starts with the mix of uses that will be located within the project site. This begins with including a mix of commercial uses that include amenities that are supportive of the surrounding neighborhood. Structuring the development in this way inherently produces less external traffic and the associated impacts on roadways and intersections. Additionally, providing a design that encourages the use of non-automobile dependent travel is also a central feature of the Development. Sidewalks, multi-use paths and ample secure bicycle parking are all central features of the project. The site has the benefit of the long-term planning that has been undertaken by the City, with access to the East Bay Bike Path provided directly opposite the site along Veterans Memorial Parkway. The project will include accommodations to support a safe connection between the site and the Bike Path across Veterans Memorial

Parkway as a focal point of the primary access to the project. The various driveways and associated parking lots are all inter-connected with on-site access drives, which will help reduce additional vehicle trips within the right-of-way, should motorists want to access more than one (1) of the buildings or uses while on-site. A series of pedestrian paths composed of pervious porous pavement/pavers are proposed throughout the site, with a large area of open space provided central to the site and between buildings. It's notable that the various existing resource areas are also preserved, with a large open space provided adjacent to the Coastal Pond (i.e. Metacomet Brook).

Landscaping and screening are of paramount importance to the Applicant. The layout of the development will respect the scenic nature of Veterans Memorial Parkway with a 100' landscaped buffer along the full length of the Parkway and will respect required setbacks in all cases. Additionally, the development has been carefully planned to keep all large buildings well away from the Parkway and to place residential uses between residential abutters and proposed commercial areas. Additionally, while certain trees have been and will be removed in connection with the proposed development, over 600 new trees are proposed to be added, well in excess of the number estimated to be removed, and the total number of trees at the development will be approximately 700. While the landscaping plan submitted as part of this Application was prepared by a certified landscape architect, the Applicant will also be working with an arborist throughout the course of development to ensure each planting is appropriate for its stated purposes such as screening, while maintaining the overall consistency in design.

Other than the golf course, which is anticipated to open to the public in June 2024 (subject to receipt of the requisite approvals), the improved portion of the Development is intended to be constructed in two (2) separate phases, as more particularly set forth in the engineering submission of the application.

II. REQUIRED STATE PERMITS.

With this particular project, permits and approvals from the Coastal Resources Management Council ("CRMC"), the Rhode Island Department of Environmental Management ("RIDEM") and the Rhode Island Department of Transportation ("RIDOT"), will be required.

A. CRMC. The state created the Coastal Resources Management Council (the "CRMC") under R.I. Gen. Laws Chapter 23 of Title 46 and has delegated the continued planning and management of the resources of the state's coastal region to the CRMC. The regulatory jurisdiction of the CRMC includes land that is within two hundred feet (200') inland from any coastal feature, and a survey of available maps confirms that the Property, as well as the Parkway, are both within CRMC jurisdiction. The CRMC has adopted regulations for its Coastal Management Program found at 650-RICR-20-00-1, which detail the permissible regulated activities in the coastal region. The property contains wetlands that are under CRMC jurisdiction, and we assume that the Development will alter the character of those wetlands, thus requiring a Council Assent under 650-RICR-20-00-1.1.3.A.5 and 1.1.3.B.4.

Under 650-RICR 20-00-1.2.3.A.4., the CRMC is also required to solicit recommendations from the Rhode Island Historic Preservation and Heritage Commission regarding any potential adverse impact on properties "on or adjacent to properties eligible for inclusion (but not actually listed in the National Register of Historic Places)...". Because Veterans Memorial Parkway has been designated as eligible for inclusion on the National Register of Historic Places, permitting for activities to both the Parkway and the Property will likely require that CRMC undergo that consultation process.

B. RIDEM. As it relates to RIDEM, is likely that the Development will also be required to obtain coverage under the RIPDES General Permit for Stormwater Discharge Associated with Construction Activity (the "CGP"). In general, under the federal Clean Water Act, approval is needed to discharge stormwater if construction activity is expected to disturb one or more acres of land or, in Rhode Island,

would result in the creation of 10,000 sq. ft. or more of impervious area in a location that is subject to CRMC jurisdiction. We presume the Development will trigger this threshold.

Veterans Memorial Parkway was established by the Metropolitan Parks Commission around 1910, and pursuant to R.I.G.L. § 32-1-1 et seq., authority for the establishment, maintenance and development of all state parks is held by RIDEM. RIGL § 32-2-4 empowers RIDEM to adopt regulations governing the use of the Parkway, and any alterations to the Parkway may need to be approved by RIDEM as a result.

C. RIDOT. Finally, the RIDOT has adopted regulations controlling alterations to State-maintained roads and highways. Under those regulations (290-RICR-20-00-4) a physical alteration permit is required prior to, among other things, altering any curbs, signals, or installing any driveway access on a State-maintained Road or highway. The Parkway qualifies as a State-maintained Road, and as such, we believe it is likely a Physical Alteration Permit will be required for this Development.

Because the Parkway is also designated as a Scenic Roadway and the Development contemplates construction on and alteration to the Parkway, the Scenic Roadways Board must also review the application prior to the issuance of the Physical Alteration Permit.

Finally, we note that through the process of obtaining approvals from RIDEM and RIDOT, approval from the State Properties Committee will also be required.

III. Requested Variances

Any application to the Waterfront Commission must identify as a threshold matter any requested variances from the dimensional requirements in order for same to be approved by both the Design Review Committee as well as the Waterfront Commission proper. The Applicant has identified the following three elements for which it is requesting relief:

1. Requesting Monument Signage on Veterans Memorial Parkway

**“Regulation: East Providence Zoning
Sec. 19-483. - Site development criteria.
(i) Signage Standards.**

(9) Pole signs and monuments are not permitted in the waterfront district. Signage for multiple uses in a single building or complex should be incorporated into decorative wall signs mounted onto the building or incorporated into decorative screening elements or walls to screen parking areas.”

The Applicant proposes a monument sign to be placed at one of the entrances to the Development on Veterans Memorial Parkway. Dimensions of and proposed material(s) comprising the monument sign are included in the Application.

2. Parking Ratios.

**“Regulation: East Providence Zoning
Sec. 19-482. - Performance standards.**

5. Developments containing a residential component ... -- 1. There shall be two parking spaces per unit of residential and artisan live/work uses.”

For the residential component of the proposed development, the Applicant proposes constructing 1.5 spaces per unit of residential vs. the 2 space per unit for residential otherwise required. Of the 1,780 spaces required under the 2 spaces per unit construct, the Applicant is proposing 1,421 spaces allocated to residential use. It is important to note however, that of the 2,345 parking spaces required for the entirety of the Development

under the East Providence Zoning Ordinance, the Applicant proposes 2,333 spaces total, for an overall deviation of just 12 twelve spaces from what is otherwise required.

3. Fenestration Percentage.

“Regulation: Metacomet Design Guidelines

Section: Building Design

5. ... Side and rear elevations shall be articulated in a similar manner to the front, with a minimum average 25% fenestration of all wall surfaces and a minimum 10% fenestration on any individual wall surface in excess of 250 square feet.”

The Development complies with 25% minimum on all primary retail frontages but seeks a waiver for 25% fenestration for certain side and rear elevations, all as more particularly set forth in the Application.