



# City of East Providence

## Department of Planning and Economic Development

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## Memorandum

**Date: March 18, 2024**

**To:** Raymond Lavey, Waterfront District Executive Director

**From:** East Providence Department of Planning and Economic Development

**Re:** Advisory Recommendation of the Metacomet Mixed-Use Waterfront District Development Proposal to the East Providence Waterfront Commission's Design Review Committee (DRC) - 500 Veteran's Memorial Parkway

Applicant: Marshall Properties, Inc.

Parcel: Assessor's Map 107, Block 15, Parcel 1

Zoning: Metacomet Sub-district

### I. INTRODUCTION

The City's role in this development review process is that of offering an advisory recommendation to the Design Review Committee (DRC) and the Waterfront District Commission as to whether the development is consistent with the purposes and intent of the City's Comprehensive Plan and the City's Land Development and Subdivision Review Regulations and to provide feedback from the various departments and divisions of the City on substantive issues associated with the development of the property from the perspective of municipal related elements that include public utilities, life safety, traffic and drainage concerns, neighborhood impacts and other internal and external factors that fall under the purview of the City.

### II. SPECIFICS OF THE DEVELOPMENT PROPOSAL

The Metacomet Sub-District, the specific sub-district where this development is proposed, defines within Section 19-481 the following general allowed uses within the sub-district: two family, three family and multi-family residential, artisan/live work space, a diversity of retail uses including grocery stores, restaurants, coffee shops, delicatessens, and ice cream parlors, with both indoor and/or outdoor seating, office uses, health services uses, personal service uses and recreational and cultural uses. These allowed uses, in addition to other uses not listed within this memorandum, are fully defined under Section 19-481 of the Zoning Ordinance.

## **Brief Site History and Existing Land Uses**

The site at 500 Veteran's Memorial Parkway was formerly the Metacomet Golf Club that operated as a private 18-hole golf country club from 1926 to its closing in 2019. The property was eventually acquired by Marshall Properties, Inc., who are proposing the development under this application. The property contained a clubhouse structure that was removed by the current owners in March, 2021. In addition, an existing golf course maintenance building remains on the property, but will eventually be demolished to accommodate the proposed development. A new golf course maintenance building is proposed to be built at the southeast corner of the property, with an access driveway to the building located on Fort Street.

## **Overall Site Design**

The following is a general overview of the project site design as described within the project narrative submitted by the applicant:

The project site is located at 500 Veterans Memorial Parkway (Assessor's Map 107, Block 15, Parcel 1). The site is bordered by Lyon Avenue to the northwest, which includes a mix of uses including commercial/residential buildings, professional office buildings and Pierce Memorial Field; by Fort Street to the northeast which includes residential properties; by various residential properties on 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 to the southwest. The total parcel size is 140.6 acres; however, based on the City's Zoning Ordinance requirements, the useable lot area calculated for the development is listed in the application narrative as 94.9 acres.

The development, as submitted, is proposed to contain 890 residential units, consisting of a mix of multifamily rental units (845 apartment units), 22 duplex units and 24 townhouse units. Approximately 163,000 square feet of commercial space is proposed. The applicant plans to create a town center within the development that will be anchored by an 85,000 square foot grocery store and will be surrounded with neighborhood retail and service uses of varying square footage. This commercial area will be located generally in the northwest corner of the parcel with frontage on the Veteran's Memorial Parkway and Lyon Avenue. Primary and secondary access to the property will be provided exclusively through three access points, one on Veteran's Memorial Parkway and two on Lyon Avenue. As required under Waterfront District regulations, ten percent (10%) of the proposed housing within the development will be set aside and designated as affordable inclusionary housing. Additional amenities within the development include a proposed promenade for pedestrian traffic, and an outdoor amphitheater. The applicant also is in the process of converting a portion of the property's former 18-hole golf layout into a 9-hole public golf course that will, according to the developer, be ready to open in the summer of 2024. This golf course will provide significant open-space acreage within the development and more importantly, will be managed as a public golf course facility. As a condition of approval of the development, the applicant will deed a 9.6 acre parcel located in the northeast corner of the property, to the City of East Providence. This parcel would be used by the City for open space, most likely as a passive recreation use.

Sidewalks, multi-use paths and bicycle parking infrastructure are proposed as features within the project. Access to the East Bay Bike Path, located directly opposite the site along Veteran's Memorial Parkway will require careful design that maximizes safety for bicyclists and pedestrians that may wish to visit the development from the path. Careful consideration of the interior pedestrian network will also be required to ensure that the property is proposing a safe and convenient network for bicyclists and pedestrians, who undoubtedly would be visiting the property from both the East Bay Bike Path and the surrounding neighborhood itself. The safety of the bicycle network that will access the property from the bike path will be difficult to ascertain until an approved design is finalized for the Veteran's Memorial Parkway by the Rhode Island Department of Transportation (RIDOT).

The various driveways and associated parking lots are all inter-connected with internal on-site access drives. A series of pedestrian paths composed of pervious pavement/pavers are proposed throughout the site, with an area of open space provided central to the site and between the proposed buildings.

The applicant's narrative indicates that the layout of the development will respect the scenic nature of the Veteran's Memorial Parkway, with a 100' landscaped buffer along the full length of the property fronting on the Parkway. The development will keep all buildings at least 100 feet from the property line at Veteran's Memorial Parkway as required under Zoning. The applicant states that the site design of the property places proposed residential uses between residential abutters to the east and the proposed commercial areas located on the western side of the property.

The applicant indicates in their narrative that certain trees have been and will be removed in connection with the proposed development, but that over 600 new trees are proposed to be added. The total number of trees at the development including the retention of some of the most important trees in the development, will be approximately 700. The landscaping plan submitted as part of the application was prepared by a certified landscape architect. The applicant has indicated that they 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. Planning recommends that the developer provide a detailed description of the property's existing tree inventory and to work with the DRC and Waterfront Commission to develop the property, as much as possible, in a manner that preserves large "specimen" trees. A large and impressive American Elm tree (*Ulmus americana*) is one example, but there are other examples of several observed "specimen trees" on the property as well that should be considered for preservation.

Other than the golf course, the improved portion of the development is intended to be constructed in two (2) separate phases, as set forth in the engineering submission plans on Sheet EX-03 of the application.

### **Inclusionary Requirements for New Housing Units within the Project Area – Affordable Housing**

Developers of new residential market-rate multi-family developments located in the Waterfront District are required to provide affordable housing units for low and moderate income households equal to ten percent (10%) of the total new housing units located in the development. Based on this requirement, the developer will be responsible for the development of a sufficient number of residential units (whatever

that number may be), to meet this goal. The application narrative indicates that 10% of the residential units will be set aside as affordable.

### **Open Space**

A sizeable portion of this project’s acreage will consist of private and public open space. The development proposes to retain a significant portion of the property as a 9-hole public golf course. Additionally, portions of the commercial and residentially developed property will contain public gathering areas and “pocket parks” that will serve as additional open space areas to visitors and residents of the development. Also, nearly ten acres (9.6 acres) of the property will be deeded to the City at the northeast corner of the property. As stated previously within this memorandum, it is anticipated that this dedicated parcel will be utilized for passive recreation use by the City in the future.

### **Internal Circulation and Parking**

The development will be organized by an internal privately owned roadway network that proposes a primary connection at the Veteran's Memorial Parkway, located approximately 300 hundred feet south of the existing entrance to the property. Two additional entry and exit points will be located at Lyon Avenue, in the vicinity of the proposed 85,000 square foot retail grocery store. The roadway network will provide several branching driveways that will lead to the various uses and the associated surface parking lots located throughout the development.

The parking summary for the development is as follows:

**Total commercial and mixed use parking provided – 912 spaces**

**Total residential parking provided – 1,421 spaces**

**Total parking spaces provided - 2,333 spaces**

### **Transportation and Traffic Impact Studies (TIS)**

The Site's primary access point, which is proposed on the Veteran’s Memorial Parkway, a State right of way, will require the issuance of a Physical Alteration Permit (PAP) from RIDOT for all proposed changes within the state right of way. Since the roadway is designated as a scenic highway, an advisory opinion of the State Scenic Highway Board, will be a component of the PAP approval process by RIDOT. Additional discussion on the transportation impacts and review process are provided under the Planning Department’s narrative portion of this memorandum beginning on Page 8.

Two traffic impact studies have been prepared for this development, Vanasse and Associates, Inc. and Crossman Engineering. The applicant has asked that these two studies be reviewed as complementary documents. Therefore, these studies were reviewed in tandem as a comprehensive overview of the traffic conditions and the overall impacts that the development will have on the area and surrounding neighborhood. The Vanasse plan provides traffic data and several conclusions and recommendations based on data compiled by the firm. Field inventory data was collected in November 2020 and therefore, the study’s narrative indicates that an upward adjustment (10%) was made to account for the reduction

in traffic associated with the Covid pandemic. The findings of this report indicate among other things, that the development will generate approximately 11,000 new vehicle trips per day on the Parkway, a significant increase from existing traffic counts.

The Crossman reported provides updated data counts that were compiled in 2023 and provides a detailed plan for the installation of a two lane roundabout at Lyon Avenue and a reconfiguration of the intersection of the Parkway at South Broadway. The Crossman study was prepared for submittal to the Rhode Island Department of Transportation (RIDOT) to request consideration and concurrence on the design proposals for the Parkway. As of this date, RIDOT has not responded in any official capacity as to their acceptance of the proposed changes.

A traffic study peer review analysis has been completed by Pare Corporation. The March 15, 2024 peer review study letter completed by Managing Engineer Derek Hug, PE, is attached to this memorandum. The study provides an extensive list of review comments and recommendations that will require additional analysis by City staff before providing a detailed response to the DRC and Waterfront Commission.

### **Fiscal Impact Study (FIS)**

As would be expected for a development of this size, the FIS for the proposed development is projected to have a net long term positive impact for the City in terms of revenue generation. A Fiscal Impact Executive Summary provides a general statement of the potential projected revenues associated with this project.

Based on the report findings, the expected annual tax revenue generation for the property after full development condition, will be approximately **\$5.3 million**.

Net of projected municipal service costs, the projected fiscal impact is estimated at approximately **\$4.9 million**. The report indicates this figure is exclusive of public school service costs.

**NOTE:** The City anticipates that the applicant will be applying for either a Tax Increment Financing Agreement or a Tax Stabilization Agreement (TSA) for the property. The tax stabilization process is described under Article V of Chapter 16 of the East Providence Ordinances Sections 16-61 through 16-68. If a tax stabilization agreement is approved, this will represent a reduction in tax revenue for the period that the stabilization is in place. This in turn would reduce the amount of tax revenue the City will receive from the development in the initial years of the project's completion.

This Fiscal Impact Study is currently being independently peer reviewed by RKG Associates, Inc., a firm specializing in economic planning and real estate consulting. It is expected that the peer review analysis by RKG will be available sometime in early April.

### **Stormwater Management and Remediation**

Due to the site's proximity to the tidally influenced Watchemoket Cove and several identified wetland areas on site, this property falls under the jurisdiction of both the Rhode Island Coastal Resource Management Council (CRMC) and The Rhode Island Department of Environmental Management

(RIDEM). This project requires a CRMC Category A Assent, a RIDEM Water Quality Certificate, and a Rhode Island Pollutant Discharge Elimination System (RIPDES) General Permit. Additionally, the site falls under the jurisdiction of the CRMC's Urban Coastal Greenway (UCG) Policy and statutes under Article IX of the City of East Providence Zoning Ordinances, Section 19, Waterfront District Zoning.

The application indicates that post development stormwater will be treated for water quality using Best Management Practices (BMP's) to manage the impacts of stormwater and prevent adverse impacts to water quality. The Site has been designed to meet the Rhode Island Storm water Design and Installation Standards Manual (RISDISM). A full review and approval of the site's stormwater management system will be required under RIDEM's permitting authority.

A drainage study peer review analysis has been completed by Pare Corporation. The March 15, 2024 peer review study letter completed by Managing Engineer, Robert Sykes, PE, is attached to this memorandum. Similar to the traffic peer review letter described above, this drainage study peer review letter provides a long list of review comments and recommendations that will require additional analysis by City staff before providing a detailed response to the DRC and Waterfront Commission.

### **Utilities**

The project will be serviced by both public water and public sewer utilities. A careful analysis of the sewer capacity for this development will need to be completed by the applicant to determine if there is sufficient capacity within the existing sewer system to accommodate the development, as proposed. Similarly, water utilities will require a thorough review by the City's Water Utility Division to ensure that an efficient system has been designed for the delivery of water utilities to the development. These issues are described further and in more detail within the Public Works Department's review comments provided on pages 7 and 8 within this recommendation.

### **Subdivision Requirements**

No new subdivision of land is proposed under the development proposal, as submitted. The 9.6 acre parcel that is projected to be eventually deeded to the City of East Providence, has already been subdivided away from the primary parcel and is currently under ownership by the applicant.

## **III. CITY STAFF REVIEW COMMENTS**

As part of this review process, the Planning Department requested review comments from several Departments and Divisions within the City. Review comments received from the Public Works Department and Fire Department are provided as follows:

### **Fire Department Review Comments**

Chief Michael Carey provided the following statement within his review memorandum for this development:

*"The site plans for the "Met" project on Veterans Memorial Parkway have been reviewed. Regrettably, we cannot approve, as there is not enough specific information provided. Please inform the developer that*

*site plans must include sufficient detailed information showing how they will meet all applicable requirements of the Rhode Island Fire Laws and Rules Annotated (2022 edition), NFPA 1, Fire Code (2018 edition), NFPA 101, Life Safety Code (2018 edition), and all codes and requirements referenced by these publications that also apply.”*

### **Public Works/Engineering/Water Division Review Comments**

The Public Works Department indicated that the submitted plans will require State permits/approvals including but not limited to RIDOT, CRMC & RIDEM. They further indicated that as the outcome of these permits are unknown, it is difficult to provide specific comments as the proposal may change considerably.

The Department indicated that at a minimum, the following comments would need to be addressed:

- 1. The proposed potable water system shall meet all requirements for the intended uses. The existing distribution system may require upgrades including main extensions to accommodate the anticipated domestic and fire flow needs of the development. Larger mains are available on Lyon Avenue as well as Juniper Street. These upgrades as well as the restoration of roadways, etc., shall be the responsibility of the developer.*
- 2. Hydrant flow tests and associated fire flow and domestic demand calculations shall be provided to the Water Division for review.*
- 3. It is our understanding that this will remain a private development with private roadways. Therefore, it is anticipated that there will be hot boxes at each water main connection that are adequately sized for the meter and backflow prevention device.*
- 4. Water, both domestic and fire flows and sanitary sewer demands shall be provided for review. Sewer flows shall be used to determine whether the 10-inch PVC is adequate for the development.*
- 5. A description of how the existing sewer main size was determined shall be provided. If the existing main is re-used, it shall be CCTV inspected from the connection point from the City system back to the property to assure the integrity of the pipe.*
- 6. This development was not anticipated in the existing wastewater treatment plant facilities plan. The City is currently updating the flow section of the plan to determine the effects of this development on the treatment plant.*
- 7. Sidewalk improvements including curbing and sidewalks will be required along the development on both Lyon Avenue and Fort Street.*
- 8. The feasibility of providing a subsurface pedestrian/bike path crossing connection below Veteran’s Memorial Parkway/bike path should be evaluated and discussed with the westerly abutting property owner.*
- 9. The traffic report states that one-way travel lanes should be a minimum of 20-feet. The “Boulevard” lanes between the internal modern roundabout and Lyon Avenue and Veteran’s Memorial Parkway are 18-feet. It is unclear if these are considered one-way travel lanes.*

10. *The impact the development has on the queue distance and time should be looked at along Veteran's Memorial Parkway and the ramp onto I-195 during peak periods.*
11. *The traffic report estimates that 21% of the traffic will be added to Fort Street. This is 81 additional vehicles during the peak hour which almost doubles the existing counts. The future no-build estimates 51 VPH and the future build conditions estimates 141 VPR. That is almost 3 times as many cars being introduced to a residential neighborhood. As Fort Street is listed as a pedestrian route, sidewalks and curbing should extend to S Broadway from the development.*

### **Planning Department Review Comments**

One of the primary concerns associated with this development will be its impacts to the roadways and neighborhoods in the vicinity of the proposed development, and in particular, impacts to the Veteran's Memorial Parkway. East Providence's current Comprehensive Plan Circulation Element provides the following important narrative as it relates to the Veteran's Memorial Parkway:

*"In 1992, the State designated the Veteran's Memorial Parkway as a Scenic Roadway under the State's Scenic Roadway Program. The Roadway was designed by Olmstead Brothers in the early 20th Century and is eligible for listing on the National Register of Historic Places. The Veteran's Memorial Parkway represents a truly unique transportation experience in the urban/suburban core. This roadway, however, serves as a major north/south corridor, delivering thousands of automobiles from Riverside to the I-195 corridor daily. Recent design plans for the City's waterfront properties in the vicinity of the Parkway have proposed potential improvements to mitigate expanding traffic numbers, the potential for congestion delays and visual impacts to the Parkway. The City will continue to emphasize preservation of the Parkway's scenic character while recognizing that careful design options must be considered in order to maintain safety and transportation efficiency."*

Planning's most urgent concern at this time, is the overall impact of the development on the Parkway itself, along with impacts to the neighborhood surrounding the development. The transportation studies indicate that the development will add a significant number of vehicles to the Parkway (approximately 11,000 vehicles per day). This traffic count statistic must also be balanced against the fact that other large development parcels in the vicinity of the Metacomet project, most notably waterfront land associated with the former Chevron property, will undoubtedly be developed at some point in the future. RIDOT's approval of the concepts identified within the transportation plan, most notably the proposed two lane roundabout at Lyon Avenue and the re-designed access driveway into the development from the Parkway will be critical to the Waterfront Commission's decisions associated with the development. Without some form of written approval or concurrence from RIDOT on the acceptability of the proposed design concepts, it would be premature for the City to render a detailed advisory opinion on the proposed design until these important transportation modification requests are substantially resolved.

Similarly, since this development has not yet obtained permit approvals from the Rhode Island Department of Environmental Management (RIDEM), it is unknown at this time, whether the proposed drainage system, as designed, will be approved in whole or in part by RIDEM. The drainage study indicates that the system will have no negative impacts to neighboring property owners, but a RIDEM approval of the design is critical to certifying that the design is adequate and will indeed have no

negative impacts to the surrounding neighborhood or the coastal features on and adjacent to the property.

Based on the current status of State permitting and a variety of unanswered concerns related to sewer and water utility issues, Planning is of the opinion that a full analysis and recommendation for the vertical portion of the development as proposed, is premature. As the Public Works Department (DPW) has indicated, several additional sewer and water utility studies will need to be completed and submitted to allow for a fully informed analysis and recommendation by DPW. Similarly, additional information as requested by the Fire Department will be required in order for them to render an informed recommendation for the development in terms of their ability to adequately access and service the development for life safety issues. Since there are a number of permitting matters that are unanswered as of the date of this memorandum, it is difficult to provide a final advisory recommendation to the DRC at this time.

### **Golf Course Portion of the Development**

The applicant has indicated that renovations of the 9-hole golf course have been completed and that the course is now in the grow-in phase. Grow-in refers to the maturation of the turfgrass to a point that allows play to commence without causing undue damage to occur to the new growth. The applicant has indicated that the course could be ready for play as early as June, 2024 depending on observed course conditions. To that end, Planning does not object to the DRC recommending to the Waterfront Commission that the golf course portion of the development be authorized to operate at its earliest readiness. The necessity for temporary facilities to manage the processing of greens fees and for the incidental sale of golf equipment should be addressed through further information from the applicant including a plan that spells out the location of the temporary “clubhouse” facility, the location and method of storage of any golf carts, and the parking plan that will be in place to safely accommodate golfer’s vehicles. Planning also recommends that any retail operations within this temporary facility be reserved only to the sale of limited golf equipment such as golf balls, tees, golf related sportswear, and other basic equipment needed to play the game. A restaurant use should be prohibited at this time and the serving of food in the facility should be limited to light snacks and drinks (non-alcoholic) only.

## **IV. CONSISTENCY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMNET AND SUBDIVISION REVIEW REGULATIONS**

As noted above, planned land uses for the development of the Metacomet Sub-district, include the redevelopment of a portion of the subject land as a residential community with a proposed 890 residential units consisting of several four and five story apartment buildings (845 units in total), three story townhouse units (24 in total) and duplex units (22 in total) situated on the upland portion of the parcel, primarily in the northeasterly quadrant of the property. Approximately 163,000 square feet of commercial space is also planned. The applicant proposes to create a town center within the development that will be anchored by an 85,000 square foot grocery store and will be surrounded with neighborhood retail and service uses.

The proposed land uses, as described within the application narrative and plans, are in general compliance with the identified uses referenced in the Metacomet Sub-district's Use Schedule within Chapter 19, Zoning (Sec. 19-481 - Schedule of use regulations). The Planning Department is preparing a memorandum for submittal to the Planning Board in April that will fully address the project's consistency with the City's current Comprehensive Plan and Land Development and Subdivision Review Regulations. A follow-up recommendation from the Planning Board to the DRC will be submitted after the Board has rendered a decision at its scheduled April meeting.

## **V. RECOMMENDATION**

Since there are several major unresolved issues associated with this development, Planning is of the opinion that it is premature at this time to provide a detailed recommendation on the proposed vertical development portion of the development and its potential impacts to the community. Planning harbors some concern as it relates to the proposed scale of the development and its potential to negatively impact the public health, safety and welfare of the community under the planned density, but reserves judgment on these major issues until the additional information identified within this memorandum are finalized through State permitting authorities (both RIDOT and RIDEM), and after the completion of critical utility impact studies at the local level. It is recommended that no action be taken at this time on this portion of the development.

As stated above, Planning does not object to the DRC recommending to the Waterfront Commission that the 9-hole golf course facility be allowed to open immediately, or as early as possible, subject to the conditions described within the golf course narrative provided on page 9 within this memorandum.

KAB/JFM/jfm

Attachments – Pare Corporation's peer reviews of the traffic impact studies and the Drainage Plan Study

Cc. Waterfront Commission  
Daniel Borges, Public Works Director  
Chief Michael Carey, Fire Department  
Attorney Amy Goins, Waterfront Commission Legal Consultant  
Mayor Roberto L. DaSilva