

**THE CAPITAL CENTER SPECIAL
DEVELOPMENT DISTRICT**

Design and Development Regulations

**As Adopted By
The Capital Center Commission
On February 13, 2003**

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INTRODUCTION

1. INTRODUCTION

The Capital Center Plan was created in 1979, in response to the opportunity to relocate a railroad and redesign a series of proposed highway ramps and streets, in turn making possible a dramatic expansion of downtown Providence. The Providence Foundation, the City, the State, the Federal Railroad Administration, the Federal Highway Administration, the Providence and Worcester Railroad, and Amtrak brought together their considerable resources and forged a plan that is shaping the future of Providence for decades to come.

The implementation of the Plan was as carefully structured as the creation of the Plan itself. Because no plan can ever be built precisely as drawn, design and development criteria were prepared and adopted in October 1980, to guide the proposed Capital Center Commission in its long-term role of seeing the plan implemented. In 1981, state legislation authorizing the Capital Center District and the Capital Center Commission became law.

In 1984, a proposal was made to relocate the Woonasquatucket and Moshassuck Rivers within Capital Center, to enhance the presence of the rivers and to use them as active linkages through the downtown area. This necessitated a set of modifications to the design and development criteria, to provide both consistency with original design intent for Capital Center as well as opportunity to capitalize on the visual and environmental assets of river relocation. In 1987, design of the street system, river walks, and public open spaces had progressed to a point where certain modifications to the criteria were again prepared. These criteria, as revised, were embodied in the Design and Development Regulations.

In 1989, the Providence City Council amended the Ordinance designating the Capital Center Special Development District to extend the boundaries of Capital Center to include the University of Rhode Island site bounded by Park, Hayes and Francis Streets and the Woonasquatucket River (the "URI Site"). At the time, the Capital Center Commission addressed several development opportunities that could significantly affect and enhance the relationship between Capital Center and adjoining areas. The study of these opportunities led to modifications of the Regulations affecting Parcels 6, 10, and 11 as well as to the designation of the URI Site as Parcel 13.

In 1993, the Providence City Council amended the Ordinance designating the Capital Center Special Development District to extend the boundaries of Capital Center up to Smith Street to include those two blocks bounded by Park, Hayes, Francis and Smith Streets. Development on these blocks is significant because of two important landmarks, the Veterans Memorial Auditorium and the Masonic Temple, and the proximity of these blocks to the State House. This action led to the designation of Parcels 14 and 15.

In 2001, the Capital Center District Commission refined the Design and Development Regulations to recognize the lessons learned during the District's first two decades. In particular, these refinements focused three core concerns:

- Enriching the District's public realm;
- Recognizing that a series of subdistricts have formed over time within the Capital Center District, each of which contributes to the quality and character of the full District and downtown Providence in unique and important ways;
- Supporting the City's strong interest in building a growing, diverse, downtown residential population.

This Introduction is provided for background purposes only, to explain the setting of Capital Center. The Design and Development Regulations are presented in the following sections. The introduction has no regulatory effect.

2. OBJECTIVES

There are six objectives that have been inherent in the ongoing development of the Capital Center Special Development District:

- **To create marketable land for a new commercial sector of Providence**, one in which available development parcels will be large enough to attract major new tenants to the downtown area without the problems of land assembly that so frequently send prospective developers to the suburbs. The intention is not to compete with the historic business district but to support it, to attract development without destroying the intricate downtown plan and without razing historic structures to create new development sites.
- **To enhance access not only to the project area but also to other areas of downtown Providence.** Prior to the development of Capital Center, only a few tenuous traffic lanes threading beneath dark and aged railroad bridges afforded vehicular connections between the project area and downtown. The retail and financial districts suffered from a lack of clear and direct access. The Capital Center Plan integrated the relocation of the railroad, the construction of the Civic Center Interchange, and the extension of Route 6 to the former Memorial Square to remove these constraints to access and development.
- **To provide an ordered set of public open spaces**, to attract residents and employers to the Capital Center while at the same time establishing a level of quality and amenity to which private development will respond in kind. In any urban area, these open spaces are more successful when they are carefully planned and limited in extent.
- **To create a dense urban district** where contiguous structures define a diversity of open spaces, not a suburban setting where buildings sit discretely on largely unused, landscaped sites.

- **To create visual and physical linkages between downtown Providence and Smith Hill.** The Capital Center Project not only replaced parking lots with active uses but organized the entire project area to create radial views to the State House dome, to frame those views with consistent development edges, and thus to provide the formal and symmetrical relationships which important public monuments deserve.
- **To enrich Providence's livability and vitality, by capturing the potential of each subdistrict within the Capital Center as a special place in which to work, shop, live, enjoy community, and in other ways relish the diversity of urban experience.** Focusing on the unique opportunities offered by streets, public spaces, uses and architecture within different subdistricts, in a manner that supports the cohesive of the larger District, will strengthen connections to surrounding neighborhoods and to downtown, in turn making Capital Center a more integral and valued part of the larger city of Providence.

The Capital Center Commission will revisit these objectives over time to insure that the District continues to evolve as a vital urban environment that responds to new opportunities and challenges.

3. DEVELOPMENT PLAN

With these objectives in mind, the Capital Center Plan has been designed in response to a recurring question: how does a city evolve into the twenty-first century as a competitive place in which to work, live, shop, and enjoy community while remaining loyal to its enviable architectural past? At the start of the project, the Capital Center site consisted of a deteriorating railroad viaduct, amorphous parking lots, and two small rivers that reflected the excesses of the industrial revolution. Its setting, however, was and is another matter. College Hill to the east displays the legacy of colonial Providence and the Federalist city of merchant houses. To the south lies the tight commercial core, strongly infused with memories of Victorian vigor. The State House, a classic Beaux Arts monument, sits proudly to the north. Challenged by this context, the Plan had to relocate a railroad, screen a highway interchange, extend a downtown, create vistas to and from the State House, and safeguard continuity at the same time. The Plan had also to reconcile three disparate viewpoints: the city as history, the city as symbol of government, and the city as economic machine.

The thrust of the Plan is in the design of its public infrastructure: the public faces of buildings, streets, parks and waterways. These are organized into a sequence of axial and symmetrical relationships in tribute to the principles of visual order derived from a Neoclassic past. Three streets extend from the existing city on radial alignments with the State House dome. Future development will reinforce these corridors, making the streets important not only for the buildings they serve, but also for the views they frame. The new ground plane is tilted up toward the State House, leading the eye even more emphatically toward the dome, and allowing parking and the relocated railroad to be accommodated below. The Woonasquatucket River is widened into a water park,

recalling the cove that previously existed, although the new cove is hard-edged, artificial and a foil to the sweeping naturalism of the State House Lawn. The Woonasquatucket and the Moshassuck Rivers are both relocated and, in their new configuration, are lined with river walks that heighten the presence, awareness, and formative qualities of the river edges. The Union Station complex serves as a portal connecting the open space of Kennedy Plaza, Burnside Park and the Fleet Skating Rink to the open space of Waterplace Park, Station Park and the State House Lawn.

The Plan, and the companion Design and Development Regulations which govern its implementation, adhere to conventional distinctions of park, public street, and private building lot. At the same time, the Regulations strongly assert both the public and private value of maintaining public access, view corridors, and special use and design requirements for private development parcels to achieve the Capital Center Project's urban design goals. The Regulations mandate building to the street line, allow more flexible treatment of certain park frontages, and establish a range of building heights. They set forth land use and parking requirements and delineate paths of movement for pedestrians and service vehicles through the development parcels. Beyond these principles, however, the Plan is reticent about mandates to architectural expression. Because the build-out of this district may take place over several decades, it seems inappropriate to dictate taste or preordain conformity over that much territory and that much time.

The Plan grows out of a conviction that in the evolution of cities, design is not only a mirror of the present but an intricate and evolving reflection of all that the city has been.

4. DEVELOPMENT REGULATIONS

No development plan, however well conceived and handsomely presented, can be built precisely as drawn. Architectural styles, market conditions and constraints, and community preferences of today will all undergo change over the several years of planning, design, and construction. It is for this reason that these Design and Development Regulations have been prepared.

The Regulations comprise an essential companion document to the Development Plan. They establish the underlying design premises which are the essential ingredients of the Plan. They remove the unknown by acknowledging what can only be determined later. They embody a public commitment to a specified list of improvements to streets and open space. In return, they require of the landowners a concurrent commitment to a specified level and type of development, configured and controlled in the public interest.

The purpose of the Regulations is to provide the basis of coordination for incremental actions that will be undertaken over time by numerous public and private sector groups. The Regulations ensure that individual development actions for specific parts of the project will result in a cohesive whole.

The Regulations are directed to the four basic elements of the Plan:

- a series of subdistricts that collectively form the larger District,
- a set of public streets,
- a network of public open spaces, and
- a group of parcels for development.

The Regulations establish design parameters for each of these elements by defining required actions and by identifying development options. These requirements and options reflect a careful balance between safeguarding the salient features of the Plan and providing a level of flexibility in order to be responsive to future changes as development occurs over time.

The Design and Development Regulations created for the Plan constitute the basis of design and development review. The Regulations deal primarily with issues of urban design: the relationship between parts of the urban fabric, in this case the relationship of new development to what exists at the time the new development is proposed. If an element or quality has significant influence in the relationship between what is proposed and what exists and affects the spirit of the Capital Center Plan, it falls within the purview of design and development review.

The Design and Development Regulations are mandatory, acting as a checklist of those basic urban design regulations that are required improvements within the Capital Center Special District.

5. IMPLEMENTATION

The Capital Center Commission is responsible for the administration of the Regulations and for ensuring that development takes place in accordance with the provisions of the Regulations. The Commission has been empowered through state-enabling legislation to:

- Pursue the timely implementation of all the public and private sector elements which constitute the Capital Center Plan.
- Review and approve all proposals, plans, and designs for public streets, public open spaces, and development parcels to determine their conformance with the Regulations.
- Grant modifications to the provisions of the Regulations.
- Issue Certificates of Approval for all proposed public and private actions as indication that the proposed actions are considered to conform with the Regulations as set forth herein or as modified by the Commission. These certificates will be a necessary prerequisite to the construction of all projects within the Capital Center.
- Develop and adopt procedures for performance of the above tasks.

6. CONCLUSION

In very large measure, the success of the Capital Center Plan will depend upon the wisdom and discretion of the Capital Center Commission. The Regulations are carefully constructed and interwoven to ensure that each individual project complements and contributes to the design and development of the entire district. Therefore, each specific

element, each individual proposal, some of which may represent exciting deviations from the current vision, will be carefully viewed for its effects upon neighboring elements and activities. Only by continuous awareness of the whole can the coherence and balance so essential to the Plan be realized and its economic, social and aesthetic potential achieved.

1.0 GENERAL PROVISIONS

- A. TITLE:** These regulations are referred to as the "Design and Development Regulations."
- B. ENABLING STATUTE:** These regulations have been promulgated pursuant to and in accordance with Title 45, Chapter 24.4 of the General Laws of Rhode Island.
- C. PURPOSE:** The purpose of these regulations is to implement the "Capital Center Project Development Plan" for the "Capital Center Special Development District," as those terms are defined in this Section by regulating and restricting the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, and land within said Capital Center Special Development District, in furtherance of the purposes set forth in Title 45, Chapter 24.4 of the General Laws of Rhode Island.
- D. RULES OF CONSTRUCTION:** In the interpretation and construction of these regulations, the following rules shall be observed:
1. Words and phrases shall be read in context and construed according to the rules of grammar and common usage. Words and phrases that have been given a particular meaning shall be construed accordingly;
 2. The singular includes the plural, and the plural includes the singular;
 3. Words of one gender include the other genders;
 4. Words in the present tense include the future;
 5. The word "shall" is mandatory; and the words "may" and "should" are permissive, with "should" expressing design intent for purposes of guidance only;
 6. In computing a period of days, the first day is excluded and the last day is included. If the last day of any period is a Saturday, Sunday, or legal Rhode Island or federal holiday, the period is extended to include the next day which is not a Saturday, Sunday, or legal Rhode Island or federal holiday;
 7. A reference to any portion of these regulations or to any portion of a statute or ordinance applies to all reenactments, revisions, or amendments thereof;
 8. Unless another intent clearly appears to the contrary herein, these regulations shall be interpreted and construed to implement the "Capital Center Project Development Plan," as that term is defined in Section 1.F. To the extent these Design and Development Regulations are inconsistent with the Capital Center Project Development Plan, these Design and Development Regulations shall govern, and shall be deemed to amend the Capital Center Project Development Plan to conform to these Design and Development Regulations.

9. These Regulations set forth certain design objectives and design intent concerning the development of land, buildings, and structures within the Capital Center District. This design intent and these design objectives are intended to serve as guidance to developers and others seeking to use, erect, construct, reconstruct, alter, repair, or demolish land, buildings, or structures within the Capital Center District and as guidance to the Commission in reviewing such plans for development in the exercise of their design review function. Such design intent and design objectives are not of themselves Regulations governing development within the Capital Center District, although these statements of design intent and these design objectives have led to the promulgation of provisions of these Regulations establishing such mandatory requirements or prohibitions.

E. SEVERABILITY: If any one or more sections, clauses, sentences, or parts of these regulations shall for any reason be adjudged unconstitutional or otherwise invalid in any court, such judgment shall not affect, impair, or invalidate the remaining provisions hereof but shall be confined in its operation to the specific provisions so held unconstitutional or invalid and the inapplicability or invalidity of any section, clause, or provision of said regulation in any one or more instances or circumstances shall not be taken to affect or prejudice in any way its applicability or validity in any other instance.

F. GENERAL DEFINITIONS: The words and phrases set forth in this Section shall have the indicated meaning as used throughout these regulations, unless the context shall clearly indicate another or different meaning or intent. Other words and phrases are defined elsewhere in these regulations; and when so defined, they shall have the indicated meaning as used throughout these regulations, unless the context shall clearly indicate another or different meaning or intent. In those instances in which there is a conflict between these definitions and those contained within the City of Providence Zoning Ordinance, the definition setting the higher standard shall apply. In those instances in which a word may not be defined in these regulations, the definition contained within the City of Providence Zoning Ordinance shall apply.

1. “Commission” means the “Capital Center Commission” established as a public corporation and instrumentality of the State of Rhode Island by P.L. 1981, chapter 332, section 2 as amended and designated as a public agency of the City of Providence and as the Capital Center Special Development District Commission for the Capital Center Special Development District by Providence, Rhode Island Ordinance No. 493, chapter 1982-54 (September 10, 1982) as amended.

2. “District” means the “Capital Center Special Development District” an area of the City of Providence which has been designated a special development district by Ordinance No. 493, chapter 1982-54 (September 10, 1982) as amended,

3. “Plan” means the Capital Center Project Development Plan dated May 1, 1979, prepared for the Providence Foundation in association with the City of Providence

and the State of Rhode Island by Skidmore, Owings & Merrill, as adopted by the Commission on September 15, 1983, after public hearing and as subsequently amended.

4. "Airspace" means that space which extends upward above a specified plane over or on a designated tract of land. The Airspace owned by a surface owner or owners is that which lies within the vertical upward extension of such owner's surface boundaries. The definition of Airspace shall not include nor affect any rights pertaining to aviation, air operations, air commerce, air transportation, airport flight operations, Space flight or the exploration or use of outer space, and the public right of freedom of transit through the navigable airspace is expressly recognized. Airspace as defined herein is real property, and until title thereto or rights, interest or estate therein are separately transferred, Airspace is the property of the person or persons holding title to the land surface beneath it.
5. "Air Rights" means the right to occupy Airspace.
6. "Permitted Use" means a use permitted within the District, which may be developed without modification of these regulations.

"Permitted Use Group" means uses which, by virtue of their response to market conditions and City land use policy, may be provided on any parcel within the Development District, which are as follows: (a) commercial office; (b) residential; (c) hotel and meeting facilities; (d) support retail; and (e) parking, below-grade or in structures, except surface parking, which is specifically limited herein.

7. "Regulation" means the Design and Development Regulations.
8. "Building" means any structure having a roof supported by columns or walls for the housing or enclosure of persons or personal property. When any portion thereof is completely separated from every other portion thereof by a division wall without openings, each such portion will be deemed to be a separate building.
9. "Building Line" means the line which defines the placement of a building on a parcel. Building Lines are established by visual corridors and required setbacks at grade for open space and river walks. The phrase "building edge" shall be used interchangeably with "building line". On parcels without these requirements, the Building Line may, but need not necessarily, coincide with the Parcel Line.
10. "Build to line" means a building line or parcel line.
 - (a) "One Hundred Percent Build-to Line" means a building Line or parcel Line along which 100% of the exterior building wall must be coincident without setback above grade for the minimum height required on a parcel. Minor variations from the Build-to Line are permitted for such architectural features as

weather protection, window recesses, niches, ornamental projections, entrance bays, or other articulations of the facade. Along river walks with build-to lines, the exterior building wall at the river walk level may be recessed to provide an arcade directly adjacent to the river walk.

(b) "Seventy-five Percent Build-to Line" means a building line or parcel line along which 75% of the exterior building wall must be coincident without setback above grade for the minimum height required on a parcel. Minor deviations from the build-to line may be permitted for such architectural features as weather protection, window recesses, niches, ornamental projections, entrance bays, or other articulations of the facade. Along river walks with build-to lines, the exterior building wall at the river walk level may be recessed to provide an arcade directly adjacent to the river walk.

11. "Certificate of Approval" means the document issued by the Commission approving an application for construction, erection, alteration, demolition, or use of a structure or land within the District, and pursuant to which a building permit may be issued.
12. "Certificate of Rejection" means the document issued by the Commission rejecting an application for construction, erection, alteration, demolition, or use of a structure or land within the District.
13. "Department Stores and Other General Merchandise Establishments" means major retail stores of greater than 25,000 square feet which are provided together with related and adjoining specialty shops in order to serve as a regional shopping attraction as well as an expansion of the Downtown shopping core.
14. "Existing Uses" means the use of any land, building, or improvement within the District for any purpose to which such land, building, or improvement was lawfully devoted at the time of the original adoption of the Development Plan on September 15, 1983.
15. "Governmental Agency" means an agency of the United States, the State of Rhode Island, or any political subdivision of either the United States or the State of Rhode Island, including without limitation the City of Providence.
16. "Grade" means a reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line, or when the lot line is more than 6 feet from the building, between the building and a point 6' from the building.

17. "Height" means the vertical distance measured from grade to the top of the highest point of the roof structure (excluding mechanical penthouses , spires, and flagpoles).
18. "Height Zone" means an area within a parcel for which maximum and minimum heights are established. A parcel may have one or more Height Zones.
19. "Interim Use" means a use, other than an Existing Use, permitted within the District until such time as the site it occupies is required for public or private improvements in accordance with these regulations.
20. "Maximum Height" means the maximum building height permitted on a parcel or portion of a parcel.
21. "Minimum Height" means the minimum building height permitted on a parcel or portion of a parcel.
22. "Occupied Spaces" means building spaces located at the sidewalk level consisting of office, retail or residential spaces. Parking areas, garages, driveways, and service areas are specifically excluded from the definition of occupied spaces.
23. "Open Space" means a required setback which must be open and unobstructed to the sky, and which meets the requirements established in Section 4.0 of these Regulations.
24. "Optional Street" means a street which may be provided by the developer at his option and which meets the requirements of these Regulations.
25. "Parcel Line" means the boundaries of a parcel which delineate public and private property, typically the line established by the inner edge of a sidewalk along a street.
26. "Pedestrian Connection" means a pedestrian link, which extends through a parcel from one at grade entrance to another at-grade entrance. If a covered connection is provided, it shall be a minimum of 35 feet high.
24. "Pedestrian Level" refers to the ground plane of the building at which level a pedestrian comes into contact with the building.
25. "Permit" means a building permit issued by the City of Providence Director of the Department of Inspections and Standards.
26. "Person" means a natural person or any other legal entity, including but not limited to a corporation, firm, partnership, or trust.

27. "Preferred Use" means the recommended use for a parcel, based on overall project objectives and/or significant adjacent uses as stated in these Regulations.
28. "Project Boundaries and Parcel Plan" means a map of the District showing the parcels into which the District has been divided according to the Development Plan and these Regulations, a copy of which is attached hereto as **Figure 1**.
29. "Required Retail Frontage" means a parcel line along which a minimum of 50% of the linear frontage at or nearest grade must be devoted to retail uses in accordance with the Permitted Use Group, which uses shall have storefronts with displays and interior activities visible from the sidewalk or river walk and with direct access from the sidewalk or river walk at frequent intervals.
30. "Required Street" means a street which must be provided in accordance with these regulations. A Required Street must be accessible to the public at all times.
31. "River walk" means a setback at grade which must be open and unobstructed to the sky, and which meets the requirements established in these regulations.
32. "Street Line" means the line established by the curb along a street.
33. "Structure" means a building or anything that is constructed or erected and that requires location on the ground or attachment to something located on the ground.
34. "Support Retail" means specialty retail establishments and shall include those establishments identified as Retail Trade, Neighborhood Establishments; Eating and/or Drinking Establishments, and Retail Trade, Community-wide establishments in the Providence Zoning Ordinance. However, department stores and other general merchandise stores are specifically excluded from the definition of Support Retail.
35. "Surface Parking" means any parking area which is not contained within an enclosed structure, or is located adjacent to the first occupied level of a building and is uncovered.
36. "Transparency" means 50% of the area along an exterior wall of a building, consisting of clear or lightly-tinted glass, with a light transmittance of no less than 50% permitting site lines for a distance of 5 feet into the store.
37. "Visual Corridor" means a required fixed envelope of space which reflects the axial and radial organization determinants of the Development Plan, which must be unobstructed to the sky. No new building shall be located within a Visual Corridor.

G. ESTABLISHMENT OF DISTRICT BOUNDARIES AND DEVELOPMENT PARCELS:

District Boundaries are established by the city of Providence in Section 2-362 of the City Code of Ordinances, as amended.

Development Parcels: Fifteen development parcels are hereby created, as set forth in **Figure 1**, the Project Boundaries and Parcel Plan.

All parcels may be subdivided in accordance with RIGL 45-23 and these regulations. This may be accomplished by means of pedestrian alleys, party walls, or other such devices, provided that the resulting overall development complies with the Regulations for that parcel. Should a parcel be subdivided, the Regulations will apply to each subdivided parcel as they apply to the overall parcel. Calculations as to 50% to retail frontage and 75% build-to requirements will apply separately to each subdivided parcel.

Parcels 2, 6, and 10 may also be subdivided by means of optional streets. The configurations of these streets are indicated on **Figure 1**, except for Parcel 6, where access via Park Row West, Gaspee Street, and/or a bridge or bridges from Canal Street is to be designed in relationship to the overall parcel development.

H. LEGAL BASIS OF DEVELOPMENT REVIEW

The outline of a development review process for the District is provided within the state legislation which provided for the creation of the special development district and the Commission. The Commission is empowered to review development applications and to file with the building inspector a certificate of approval or rejection of the plans submitted. A building permit cannot be issued without a Certificate of Approval from the Commission. Unless an extension is mutually agreed upon by the applicant and the Commission, or there is a finding of fact for extension, the Commission must act within 45 days of the filing date of the application which is complete in form and substance. If an extension has been agreed upon, the Commission has up to an additional 45 days to act.

The Commission can grant deviations, variances, special exceptions, and waivers. Also, any person who is aggrieved by a decision of the Commission may appeal that decision to Superior Court according to the process outlined in RIGL 45-24.4. The state statute establishing the Commission provides that the Zoning Board of Review has concurrent jurisdiction within the special development district. The Regulations provide that amendments to the Regulations and variances, deviations, and special exceptions will be acted upon by the Commission in accordance with the Memorandum of Agreement dated March 27, 1981, among the Federal Railroad Administration, the Federal Highway Administration, the Advisory Council on Historic Preservation, and the Rhode Island State Historic Preservation Officer.

Specific operating procedures for the design and development review process can be obtained from the Commission.

I. EFFECT OF REGULATIONS

1. Effective Date : After September 15, 1983, no land, buildings, or structures within the District shall be used, erected, constructed, reconstructed, altered, repaired, or demolished except in conformance to these Regulations. This requirement applies to interim as well as to permanent uses, to publicly funded projects as well as to privately funded projects.

2. Design Review Function: The Commission exercises design review functions for all public and private improvements within the District. These improvements are reviewed in relation to the design intent and other standards set forth in these Design and Development Regulations. In exercising these design review functions, the Commission may utilize advisory committee(s) in accordance with the Commission's By-laws to the extent the Commission deems appropriate. The Commission's design and development review functions include, without limitation, review of the following elements in accordance with the design intent expressed in these Regulations and the Development Plan:
 - Use (including required retail and other specific use requirements related to street frontage);
 - Siting (including build-to lines, setbacks, and visual corridors);
 - Open space and landscaping (including mandatory spaces, required areas designed and programmed for active public use, and pedestrian connections);
 - Massing and height (including project's relationship to the massing and height of adjacent structures);
 - Materials and facade articulation;
 - Entry (how the building entry is recognized; how it relates to build-to lines and circulation requirements);
 - Circulation (vehicular, pedestrian, parking, and service);
 - Streetscape elements (including signs, lighting, paving, public art, outdoor seating, and elements that shape the use, character, and quality of the public realm);
 - Roofscape (including structures, signs, and mechanical equipment);
 - Building Signage;
 - Interim uses;
 - Phasing; and
 - Conformance with these Regulations.

3. Ordinary Maintenance: Nothing in these regulations shall prevent or shall be construed to prevent ordinary maintenance or repair of any structure within the District, nor shall anything in these regulations prevent or be construed to prevent the continuance of the use of any land, building, or improvement for any purpose to which such land, the use of any land, building, or improvement was lawfully devoted at the time of the adoption of the Development Plan, or to prevent or construed to prevent the erection, construction, alteration, repair or demolition of

any structure under a permit issued by the Director of Department of Inspections and Standards prior to the adoption of the Development Plan.

4. Zoning Ordinance Priority: Nothing in these Regulations shall be construed to restrict, amend, repeal, or otherwise supersede the jurisdiction of the City Zoning Ordinance and the Zoning Board of Review over the District.

J. SEQUENCE OF DEVELOPMENT: The Regulations allow development on an individual parcel to be phased over a reasonable period of time. However, each increment of development must conform to the Regulations for the entire parcel and each increment of development must be designed in a manner that will facilitate the achievement of ultimate compliance with all established requirements for that parcel.

K. PERMITTED USES: The permitted uses within the District are detailed in Section 4.B Parcel Specific Requirements.

2.0 REVIEW AND APPROVAL PROCESS

A. GENERAL PROVISIONS

Prior to the submission of a formal Application for the development and design of a parcel or parcels, Developers are encouraged to meet with the Executive Director on an informal basis to discuss submittal requirements, the Design and Development Regulations and the Commission's Internal Operating Procedures. Pre-application workshops are required.

B. PROCESS

1. Design Review Workshops: Before any structure may be erected, constructed, altered, repaired, or demolished within the District, and prior to submitting an application, the person proposing such construction or other alteration shall meet with the Design Review Committee of the Commission in a series of design workshops to review and revise the project for conformance to these regulations. The Chairman of the Commission may also require an interim design presentation to the full Commission prior to the filing of a formal application.
2. Application: Before any structure may be erected, constructed, altered, repaired, or demolished within the District, and following the design workshops, the person proposing such construction or other alteration shall file with the Commission such application for permission to erect, construct, alter, repair, or demolish such structure, together with such plans and specifications as the Commission may specifically require and as detailed in the Commission Internal Operating Procedures, and as may be reasonably required by the Commission as a result of the design review process.

The application for a Permit shall be submitted in a format required by the Commission and containing such information, drawings, plans, and specifications as specifically requested and any additional information that as the Commission may request. Any person desiring to use any property within the District for an allowable interim use shall make application to the Commission on a form prescribed by the Commission, which shall describe the interim use and shall contain information as may be required by these Regulations and by the rules of the Commission. Each application shall specifically include a statement describing how the proposed site plan and building design meet the spirit and letter of the design intent and other planning and design guidelines for each parcel. All plans submitted as part of the application package shall be stamped by the appropriate licensed professional in accordance with state law.

If the Commission shall fail to act on an application, which is complete in form and substance, within forty-five (45) days from the date of filing of an application with the Commission, the application shall be deemed to constitute approval unless the Commission and the applicant shall mutually agree upon an

extension of time in which the Commission may make its decision, or unless the Commission shall make a finding of fact that circumstances require additional time for study, in either case up to a maximum of ninety (90) days. (See Rhode Island General Laws Section 45-24.4) Said mutual extension of time or said finding of fact shall be in writing and as to the extension of time signed by a designated representative of the Commission and by the party in interest, and as to the finding of fact approved by the Commission.

3. Public Hearings and Notice Requirements: Public hearings shall be held on the initial application and on requests for deviations, variances, special exceptions and waivers. The Commission shall also have the authority to call and conduct public hearings, in accordance with established procedures, on any matters which the Commission determines would benefit from a public hearing.

The Design Review Committee, the Hearing Panel, where required, and the Capital Center Commission shall hold a public hearing on any application for new development and for a deviation, variance, special exception, or waiver and shall give public notice and due notice thereof as follows:

The Commission shall first give notice of the public hearing by publication of notice in a newspaper of general circulation within the city once at least ten (10) days prior to the date of the hearing, at which hearing opportunity shall be given to all persons interested to be heard upon the matter of the proposed new development and deviation, variance, special exception, or waiver. The newspaper notice shall use a type size at least as large as the normal type size used by the newspaper in its new articles, and shall:

- a. Specify the place of the hearing and the date and time of its commencement;
- b. Indicate that an application for new development and/or for a deviation, variance, special exception, or waiver is under consideration;
- c. Contain a statement or summary describing the matter under consideration;
- d. Advise those interested where and when a copy of the matter under consideration may be obtained or examined and copied; and
- e. State that the proposals shown thereon may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the hearing.

Written notice of the date, time, and place of such public hearing, as well as the purpose thereof, shall be mailed, by the applicant by certified mail, return receipt requested, at least seven (7) days prior to the hearing and shall be sent to all owners of real property whose property is located within the District or

within not less than two hundred (200) of the perimeter of the District. The notice may be a copy of the newspaper notice. The applicant shall submit, to the Commission, two (2) lists of the names and mailing addresses (including zip codes) of the property owners that appear within the District or within not less than two hundred (200) of the perimeter of the District at least ten (10) days prior to the hearing. The list of property owners must be accordance with the latest listing available in the office of the City of Providence Tax Assessor, and such names and mailing addresses shall be listed by plat and lot numbers. At least two (2) days prior to the hearing date, the applicant shall file with the Commission a certification under oath that notice was mailed in accordance with this regulation. Within thirty (30) days of mailing of notice, the applicant shall file with the Commission all return receipts received for the certified mailing of the notice. Any notices which were not deliverable for any reason, shall also be filed with the Commission by the applicant. The costs associated with any notice and advertising required under this Section shall be borne by the applicant(s).

No defect in the form of any notice under this section shall render any ordinance or amendment invalid, unless the defect is found to be intentional or misleading.

At any such public hearing, any party may appear in person or by agent or attorney.

The hearing shall be conducted according to the rules of the Commission.

The Design Review Committee shall evaluate each application for conformance with the regulations and reviewing criteria and make recommendations to the Hearing Panel and/or to the Capital Center Commission for their action. It is the role of the Hearing Panel, if required, to summarize the facts brought out at the public hearings and submit its findings to the Capital Center Commission. At its public hearing, the Commission will receive such evidence as the parties may present and may approve, modify, or reject the recommendations of the Design Review Committee and the Hearing Panel. Decisions of the Commission shall be in writing and shall state the facts upon which the decision is based.

- 4 Issuance of Permits: Upon making a decision, the Commission shall file with the Director of Department of Inspections and Standards, or such other duly delegated authority, a Certificate of Approval or Certificate of Rejection of all plans submitted to it for review. No construction and/or demolition shall begin until a Certificate of Approval has been filed. In the event the Commission issues a Certificate of Rejection, such Certificate of Rejection shall be binding upon the Director of Department of Inspections and Standards or other duly delegated authority, and no Permit shall be issued in such case. (See Rhode Island General Laws Section 45-24.4-11.)

In the event that a Certificate of Approval is issued, the applicant must then file the Certificate of Approval with the Director of Department of Inspections and Standards when requesting a Permit. The applicant shall make no changes to the plans after issuance of a Certificate of Approval without the written consent of the Commission or a duly authorized Commission official, in accordance with written procedures established by the Commission and applicable in a uniform and nondiscriminatory manner to all applicants who have received Certificates of Approval for plans.

No Permit shall be granted by the City of Providence Director of the Department of Inspections and Standards until the Commission has acted thereon as is hereinafter provided, and no construction or alteration of a structure may be undertaken within the District without such permit.

5. Follow-Up Review: At the completion of design development and at such other times as the Commission may deem appropriate, the Developer shall submit additional design materials to the Commission for the purpose of determining whether the Developer is proceeding in accordance with the Design and Development Regulations and the Certificate of Approval. The Developer shall notify the Commission of any design changes subsequent to the date of the Certificate of Approval on a "Follow-up Review Form" provided by the Commission.

C. AMENDMENTS: These Regulations may be amended from time to time by the Commission after a public hearing in accordance with Rhode Island General Laws, Section 45-24.4-9. Any amendment to these Regulations will be acted upon by the Commission only in compliance with the provisions of that certain Memorandum of Agreement dated March 27, 30, and 31, 1981, between the Advisory Council on Historic Preservation and others, Appendix A.

D. DEVIATIONS, VARIATIONS, SPECIAL EXCEPTIONS AND WAIVERS

1. Authority: Pursuant to and in accordance with Rhode Island General Laws Section 45-24.4-13, the Commission may entertain applications for, and in its discretion, grant or deny, deviations, variances, and special exceptions from these Regulations. Pursuant to and in accordance with the Providence Zoning Ordinance Section 504, as amended, the Commission may grant waivers to certain zoning provisions.
2. Definitions: As provided herein, "deviations shall mean permission to deviate from those area and dimensional provisions of these regulations which regulate the manner in which a use permitted under the terms of these regulations may be implemented by the owner. As used herein, "variance" shall mean permission for the use of a property which varies from a use permitted under these regulations. As used herein, "special exception" shall mean a use permitted in these

regulations pursuant to and in accordance with the conditions and/or circumstances established in these Regulations.

3. Standards

- (a) **Deviations:** Deviations to the terms of these regulations may be granted by the Commission when the literal enforcement of the regulations relating to setbacks, build-to lines, and other area and dimensional restrictions would preclude the full enjoyment by the owner of a permitted use and would amount to more than a mere inconvenience.
 - (b) **Variance:** A variance to the terms of these regulations may be granted by the Commission where, owing to special conditions, a literal enforcement of these regulations would result in unnecessary hardship, where such variance will not be contrary to the public interest, and where the spirit of the Development Plan will be observed and substantial justice done. A mere showing of a more profitable use that would result in a financial hardship, if denied, does not satisfy the requirements of “unnecessary hardships”. Unnecessary hardship exists only when all beneficial use has been lost and the grant of a variance becomes necessary to avoid an indirect confiscation. The unnecessary hardship which the applicant seeks to avoid shall not have been imposed by any action of the applicant subsequent to the enactment of the Development Plan and these regulations. The grant of a variance by the Commission shall be the least variance required to relieve the undue hardship involved.
 - (c) **Special Exception:** Special exceptions to the terms of these regulations may be granted by the Commission in those cases where the regulations specify a conditional use, where the conditions provided are met, and where the use granted by special exception is reasonably necessary for the convenience and welfare of the public and does not substantially or permanently injure the value of neighboring property. The applicant must demonstrate to the satisfaction of the Board that neither the proposed use nor its location on the Site would have a detrimental effect upon public health, safety, welfare, or morals.
 - (d) **Waivers:** Section 504, as amended, of the City of Providence Zoning Ordinance permits the Commission to grant certain waivers to certain zoning restrictions such as height, signage and parking within the Capital Center Special Development District. The developer shall record any waiver granted in accordance with the Providence Zoning Ordinance and these regulations in the Land Evidence Records in the City of Providence.
4. **Special Conditions:** In granting a deviation, variance, special exception, or waiver, the Commission may impose such special conditions as are deemed necessary to maintain harmony with other parcels or subdivisions thereof within the District and to promote the objectives of these regulations and of the Development Plan.

5. Special Considerations: In reviewing any application for a special exception or variance on any site, the Commission may consider, among other factors, the following:
 - Protection of adjoining properties and other parcels in the District from any detrimental use on the site;
 - Convenience and safety of vehicular and pedestrian movement within the site in relation to adjacent streets, properties, improvements, and in conformance with express design intent;
 - Adequacy of the methods of disposal for sewage, refuse, and other wastes and of methods of drainage of surface water;
 - Provision for off-street loading and unloading of vehicles incidental to the servicing of the buildings and related uses on the site;
 - Adequacy of all other municipal facilities and services to meet the needs of the site; and
 - Achievement of overall design objectives of the Development Plan.
6. Application Procedure: Any person desiring a deviation, variance, special exception, or waiver shall make application to the Commission on a form prescribed by the Commission, which shall describe the relief sought and shall contain such information as may be required by these regulations and by the rules of the Commission.
7. Expiration of Relief: Any deviation, variance, special exception, or waiver granted by the Commission shall expire within one (1) year from the date of granting by the Commission unless the applicant exercises the permission granted, or receives a building permit to do so, or seeks an extension from the Commission, which extension may be granted for good cause shown. The applicant may petition the Commission for up to six-six month extensions. No additional extensions will be permitted and the Certificate will expire. However, at the expiration of all the extensions, the developer may choose to refile the existing, or a revised application. This refiled and/or revised application is subject to all the design review workshops, public hearing and notice requirements described above.
8. Memorandum of Agreement: Any deviation, variance, special exception, or waiver to or from the provisions to these Regulations will be acted upon by the Commission only in compliance with the provisions of that certain Memorandum of Agreement dated March 27, 30, and 31, 1981, among the Commission, the Advisory Council on Historic Preservation, and others, Appendix A.

E. CRITERIA FOR SELECTING DESIGN PROFESSIONALS:

The success of the Capital Center District's contribution to the quality of life in downtown Providence depends on the social and architectural quality of the district itself.

The Commission urges potential developers to consider the following criteria in selecting design professionals for projects in the District.

- Recognized success for projects that complement the built environment of historical/older cities;
- Well-known for creating contemporary solutions that honor historical language;
- Respected professionals who can articulate the rationale, goals, and solutions represented by their designs.

3.0 DESIGN OBJECTIVES FOR SUBDISTRICTS

This Section expresses the design objectives that in turn generate the requirements governing the individual parcels as set forth in Section 4.0 Development Regulations.

As the District (district) has developed over the past two decades, a series of subdistricts have evolved. The special character of each subdistrict responds to unique circumstances – the emergence of a retail corridor along Francis Street, the proximity and visual relationship of Parcel 6 to the Moshassuck River and the College Hill neighborhood, the strong visual character of Waterplace, and the old Union Station complex as it connects the historic downtown to the District. Each subdistrict contributes, in its own way, to the quality, character, and diversity of the larger district and of downtown Providence. By defining and distinguishing the subdistricts as special places that balance individual characters and the task of collectively shaping the District, the larger district will continue to achieve the vibrant diversity of experiences, activities, and design that characterize successful urban centers.

To achieve this vibrant diversity of experiences, a critical mass of housing, retail, office and hotel uses are important. At the street level, the pedestrian should interact with the ground level uses of projects throughout the District. In those instances in which street level retail uses are precluded, significant amounts of transparency will be important. In the spirit of creating a lively and active street level environment, all development in the District shall conform to the transparency requirements of Section 502.4 of the Providence Zoning Ordinance.

Development in the subdistricts must:

- Respond to the character and diversity of the district;
- Offer a variety and richness of experiences and activities in close proximity;
- Be situated on streets rather than within landscaped sites;
- Include street level uses to provide attractive pedestrian-oriented streets and paths;
and
- Include a mix of complementary uses within the project.

URBAN DESIGN GOALS FOR SUBDISTRICTS

Capital Center has a unique character and quality that stems from the District's interplay of uses, open spaces, views to the State House, architecture, and design of public infrastructure. This interplay has resulted in the emergence of a series of subdistricts. A range of opportunities and personalities has emerged in each subdistrict as a result of differing relationships to the two rivers, to downtown, to other adjacent areas, and to emerging use patterns. This section of the Regulations identifies, on a subdistrict basis, urban design intent, defining characteristics, and related urban design goals. These urban design goals are reflected in the guidelines for streets, open spaces, and parcels provided in subsequent sections. **Figure 2** identifies the specific subdistricts and the key urban design goals for each subdistrict.

To realize the potential of each subdistrict, it is essential to identify each subdistrict's defining characteristics and specific design intent while continuing to respect the overarching characteristics and urban design goals of the entire District.

The following elements are critical to realizing the full richness of each subdistrict:

- Preferred uses that most effectively achieve urban design intent and respect defining characteristics;
- Building edges, including uses, setbacks, and design, that support a lively pedestrian environment;
- Building heights and massings that convey the ensemble quality of buildings that form different subdistricts and differing relationships to adjacent neighborhoods and the downtown;
- Site and building configurations that reflect the unique opportunities and challenges found throughout the District;
- Public open spaces that interact integrally with adjacent uses, design features, and pedestrian patterns;
- Pedestrian circulation patterns, including sidewalks, open spaces, and circulation across parcels, that reflect the varying opportunities to be found across the larger District;
- Vehicular circulation patterns that provide improved access to the various subdistricts while not obstructing pedestrian circulation;
- Parking and servicing that supports a lively public realm;
- Signage and other streetscape elements that convey the nuance and range of personalities found across the District;
- Public art that allows an on-going display of the city's evolving arts and cultural scene;
- Additional special requirements which may be necessary from time to time for each subdistrict.

3.1 FRANCIS STREET SUBDISTRICT (Parcels 9, 10 and 13)

The Francis Street Subdistrict is a gateway into the District and the primary visual, pedestrian and vehicular corridor between the State House and the downtown. This Subdistrict includes Parcels 9, 10, and 13, which abut Francis Street from Memorial Boulevard to Gaspee Street. Views to the State House, Waterplace, the downtown skyline, the scale and vitality of Providence Place and the major urban amenities of State House Park (the largest open space in the District) and Waterplace Park, define the character of this Subdistrict.

3.1.A Design Intent

The Francis Street Subdistrict is the new retail center for Providence. Continuous active street frontage is critical in this subdistrict. Building edges should be at the lot line, setting back only to provide active public spaces. Street levels should be lined with extensive windows and frequent well-designed entrances to street level uses, permitting continuous public views and access in and out of buildings in order to create a lively street atmosphere.

Station Park and Waterplace Park are welcome open spaces. They provide beautiful public spaces and magnificent views. Activity in the parks, including public art, help animate Francis Street and forge a stronger connection between Francis Street and the parks, benefiting both the businesses and the parks by drawing in pedestrians.

Francis Street's role, as a retail center and as a vital public realm, is an appropriate location for public art, landscaping, and signage and other streetscape elements that enrich and enliven the pedestrian environment.

Further retail development along the river walk at Providence Place is encouraged. This development will help forge a stronger connection between the District and neighborhoods to the west. Buildings at Waterplace Park shall be designed to minimize the impact on the public spaces. Particular attention should be paid to building servicing and parking. It is anticipated that this area will become one of the major gateways into the District and downtown from the Promenade District.

3.1.B Preferred Uses:

While a variety of uses can be accommodated, retail will be the major use. Upper level office and/or residential uses are encouraged. Upper level parking may also be permitted so long as the parking is appropriately designed and integrated into the architecture of the building.

Ground Level and River Walk Uses: These uses must relate to the pedestrian along Memorial Boulevard and Francis Street. Ground level and river walk uses are prioritized as follows:

- **First priority will go to uses that will spill activity onto the street and river walk.** These uses will most directly engage the pedestrian (e.g. cafes, restaurants with outdoor seating.)
- **Second priority will go to uses that open to the street/river walk but do not necessarily engage the pedestrian directly.** (e.g. retail, entertainment, destination-type uses.)

Ground level uses that (1) are not lined with extensive windows and frequent, well-designed entrances to the street level, (2) do not permit street visual connections between the exterior and the interior, and (3) do not allow any pedestrian engagement are strongly discouraged. Where deemed necessary for parking entries, minimal obstruction may be permitted.

3.1.C Building Edges

Where appropriate, building edges within this subdistrict will: (1) frame the western edge of the District; (2) frame the views from downtown to the State House and from the State House to downtown; (3) define a gateway entrance into the city of Providence and to the District from the adjacent highways; and (4) define the backdrop to Waterplace Park and State House Park.

3.1.D Height and Massing

New development within the Francis Street Subdistrict should reinforce the view corridors along Francis Street from downtown to the State House. Development on Parcels 9 and 10 must recognize their role as a gateway into downtown Providence and the District.

3.1.E Parking and Service

Parking and building servicing shall be internal to the structure. Parking and servicing shall be accommodated below grade, or if above grade, shall not be visible from the street. No parking or building service should be accessible from Francis Street. Any above street level parking shall be screened from public view and architecturally integrated into the building.

3.1.F Pedestrian Circulation

Pedestrian circulation should be encouraged and enhanced along all streets, parks and the river walk. The streetscape should facilitate pedestrian movement and be designed for the pedestrian as primary user. The river walk should be continuous and unobstructed to allow the pedestrian to walk with relative ease from Waterplace to points west of Providence Place. Additional pedestrian pathways should be considered at State House Park to better activate this open space.

3.1.G Vehicular Circulation

Francis Street and Memorial Boulevard are the major vehicular access roads through the Capital Center and the Francis Street Subdistrict. On-street parking on these streets is prohibited. Park Row West is an important connector street within the subdistrict and provides critical access to the buildings on this street. Due to heavy parking demands generated by both visitors to Waterplace Park and to the restaurant located adjacent to Waterplace Park, the possibility of widening the westerly end of Park Row West to include additional parking should be explored.

3.1.H Open Space

State House Park and Waterplace Park are valuable urban amenities. A masterplan should be developed for this critical open space resource. Landscaping, additional pedestrian pathways, public art and programmed uses should be addressed in this plan.

3.1.J Public Art

On-going displays of public art will stand as a reminder of the city's changing arts and cultural scene. The existing public arts program should be expanded to include Francis Street.

3.2 DOWNTOWN EDGE SUBDISTRICT (Parcels 1, 11 and 12)

The Downtown Edge Subdistrict is the connection between the historic downtown and the District and creates the northernmost face of downtown visible from the District. This Subdistrict includes Parcels 1, 11 and 12. It is defined by the historic Union Station complex, Kennedy Plaza and the pedestrian connections from downtown to the District through Waterplace Park.

3.2.A Design Intent

This subdistrict is a gateway into the District and the downtown and a pedestrian destination. Public uses such as cafes, restaurants and entertainment will ring the Union Station Plaza and assure a lively and exciting urban experience. The plaza is a critical link along the pedestrian route between Kennedy Plaza and Waterplace. Visual prominence of this connection should be enhanced.

The historic Union Station complex provides an important part of the setting for Waterplace and downtown. Union Station and the annex buildings along with newer development along the Memorial Boulevard, define the southern edge of Waterplace and provide a “backdrop” for events taking place at the Park, while providing a varied and handsome face to downtown. The future development on Parcels 11 and 12 will further add to this distinct urban skyline. The varying scale, architectural style and character of existing buildings should be reflected in any new development.

Ground level uses, where required, should be lined with extensive windows permitting continuous views into and out of the buildings. Frequent, well-designed entrances are important to create a lively street atmosphere.

Memorial Boulevard, starting with the Westin Hotel’s north face, should be activated to announce entry to the city through the use of banners, lighting and signage. This decorative streetscape should be extended the length of Memorial Boulevard to create an active street edge.

3.2.B Preferred Uses

Office, hotel and residential are the preferred uses in this subdistrict. Active ground level uses, particularly retail and restaurants are strongly encouraged, particularly along Exchange Street. Parking is not permitted at the pedestrian level. Below grade or upper level parking may be permitted, so long as it is appropriately designed and integrated into the architecture of the building.

Required Ground Level Uses: At Union Station Plaza, Exchange Street, West Exchange Street and Steeple Street, ground level uses must relate to the pedestrian. Uses must either interact directly with the pedestrian or draw them into the use.

3.2.C Building Edges

Building edges will (1) form the gateway from the District into downtown; (2) define the border between the District and downtown; (3) frame the view along Francis Street and Exchange Street from downtown to the State House; and (4) define the edges of Union

Station Plaza.

3.2.D Height and Massing

New development within the subdistrict should be varied. New development within Parcel 1 should generally seek to highlight the historic Union Station complex. New development on parcels Parcel 11 and Parcel 12 should act as bookends to the Parcel 1 development and as a transition to downtown. Taller structures will be appropriate here as new additions to the Providence skyline.

3.2.E Parking and Service

Parking and building servicing shall be internal to the structure. Parking shall be accommodated below grade, or if above grade, parking and service shall not be visible from the street. No parking or building service should be accessible from Francis Street or Exchange Street. Any above street level parking shall be screened from public view and architecturally integrated into the building.

3.2.F Pedestrian Circulation

Pedestrian routes through the Subdistrict should be enhanced wherever possible through the use of paving, landscaping, lighting and signage. The major pedestrian connections include Exchange Street and the pedestrian concourse under Memorial Boulevard and Union Station. Exchange Street is the eastern connector between the downtown and the State House. The concourse area should be enhanced and well lit. Improved visibility and strategically located signage will help to guide pedestrians through the Subdistrict and better connect the various nodes of activity.

3.2.G Vehicular Circulation

Continuation of the existing vehicular circulation pattern is recommended.

3.2.H Open Space

The Subdistrict is the link between the open space of Kennedy Plaza and Waterplace Park. This link occurs through the pedestrian concourse under the Union Station complex and through the Union Station Plaza. This plaza must be a vibrant mixed-use environment of shops, cafes and public uses.

3.2.I Public Art

Public art should be used to help activate the Memorial Boulevard edge of the subdistrict as well as the Union Station Plaza. Temporary public art is encouraged on any undeveloped parcel.

3.3 MOSHASSUCK SUBDISTRICT (Parcels 2, 3, 4, 5, 6a, 6b, and 8)

The Moshassuck Subdistrict is a transition from the active commercial and open space uses of the Francis Street Subdistrict and downtown, to the more passive use of Roger Williams Memorial Park and the State House Lawn, and the College Hill neighborhood to the east. The Moshassuck Subdistrict is ideally situated with many of its parcels fronting on either the Moshassuck River or Woonasquatucket River and the river walk. The increased passenger traffic associated with the Amtrak Station will provide opportunities for increased residential and office development in this subdistrict. This Subdistrict includes Parcels 2, 3, 4, 5, 6a, 6b, and 8.

3.3.A Design Intent

The Moshassuck Subdistrict is to be a lively mixed-use urban neighborhood, which offers a diversity of experiences and activities with a continuous, lively street life. As a result, the Subdistrict will have a strong residential presence with related services that foster an active street life.

The river walks must be extended along the Moshassuck River to recapture the river as a public amenity. Pedestrian bridges will link the development within the District to the Roger Williams Memorial Park and College Hill.

The Moshassuck Subdistrict, and particularly Parcels 6a and 6b, will create the western edge and a backdrop to the Roger Williams Memorial Park. Within the Moshassuck Subdistrict there should be a residential emphasis to the east and north to address Roger Williams Memorial Park and its adjacent neighborhood. The commercial emphasis should be to the west and south to address the higher scale of downtown.

The Moshassuck River edge should be a more passive edge, complementing Roger Williams Memorial Park. Uses along this edge need not directly interact with the pedestrian.

Ground level and river walk uses, where required, should be lined with extensive windows permitting continuous views into and out of the buildings. Frequent, well-designed entrances are important to create a lively street atmosphere.

3.3.B Preferred Uses:

The Subdistrict is a mixed-use district. The parcels to the east and north should have more of a residential emphasis. Parcels to the west and south should have a commercial emphasis.

Ground Level and River Walk Uses: Ground level and river walk uses are required along the Woonasquatucket River Walk, Waterplace Park, and on the primary pedestrian routes through the subdistrict which are Stillman Street and its extension through Parcel 2, Exchange Street and Park Row West. Development plans for individual parcels may create additional primary pedestrian routes that must adhere to these standards.

Ground level and river walk uses must relate to the pedestrian. These uses must either interact directly with pedestrians or draw them into the use. Ground level and river walk uses are prioritized as follows:

- **First priority will go to uses that will spill activity out onto the street/river walk.** These uses will most directly engage the pedestrian (e.g. cafes, restaurants with outdoor seating).
- **Second priority will go to uses that open to the street but do not necessarily engage the pedestrian directly.** (e.g. retail, entertainment, destination-type uses).

Street level uses that (1) are not lined with extensive windows and frequent, well-designed entrances to the street level, (2) do not permit street visual connections between the exterior and the interior, and (3) do not allow any pedestrian engagement are strongly discouraged. Where deemed necessary for parking entries, minimal obstruction may be permitted.

3.3.C Building Edges

Building edges will (1) frame the views along Exchange Street from downtown to the State House; (2) frame the view of the State House building to College Hill; (3) define the public domain along the primary pedestrian routes and river walks; (4) create a backdrop to Waterplace Park.

Where there are public uses along the pedestrian level, building setbacks are encouraged at ground level to provide for a larger sidewalk.

3.3.D Height and Massing

In order to achieve appropriate massing, Parcels 2, 3, 4 and 6 should be further partitioned to create block sizes that are appropriate for residential and commercial development in an urban neighborhood. The resulting block sizes should be complementary in scale and configuration to the rest of downtown Providence.

Building heights in the Moshassuck Subdistrict should be varied and recognize the scale of the adjacent development. The height of new development on Parcel 6 should transition from low to mid-rise residential along the Moshassuck River to a higher height on the southwest portion of the parcel. The height on parcels closer to downtown will be higher to complement the scale of other downtown development.

3.3.E Parking and Service

Parking and building servicing shall be internal to the structure. Parking shall be accommodated below grade, or, if above grade, parking and service shall not be visible from the street. Any above street level parking shall be screened from public view and architecturally integrated into the building.

3.3.F Pedestrian Circulation

Pedestrian circulation is encouraged along all streets in the Subdistrict. Street-level retail, along with a mix of upper-level residential and commercial uses, will assure continual

pedestrian movement throughout the urban neighborhood. Pedestrian links shall be encouraged between the Subdistrict and adjacent areas and neighborhoods. Stillman Street may be extended to Parcels 2 and 6 to provide increased pedestrian connections within the District.

3.3.G Vehicular Circulation

Stillman Street, between Parcels 4 and 5, may be extended to provide vehicular access to Parcels 2 and 6.

3.3.H Open Space

Development along the Moshassuck River should provide a connection eastward to the Park and to the College Hill neighborhood through one or more pedestrian bridges. Larger parcels within the Subdistrict are encouraged to include public open space within their designs.

3.3.I Public Art

Public art should be used to help enliven the Moshassuck River Walk and complement the public art displayed along the Woonasquatucket River and around Waterplace. Public art also should be used as accent pieces whenever possible throughout the Subdistrict.

3.4 STATE HOUSE SUBDISTRICT (Parcels 6c, 7, 14 and 15)

The State House Subdistrict is the gateway into the District from the north. It is a transitional link between the Francis Street Subdistrict, the Smith Hill residential neighborhood, and the government functions within Smith Hill. This Subdistrict includes Parcels 6c, 7, 14 and 15.

The State House is the most prominent defining characteristic of this Subdistrict, and of the entire District. The views of the State House along established view corridors, as well as the views from the State House to other areas of the city are important.

3.4.A Design Intent

Development within the State House Subdistrict should achieve the following:

- Developments must respect the State House in terms of architectural design, quality of materials, massing, height and view corridors;
- To the extent it is economically and physically practical, the Masonic Temple should be preserved;
- A critical mass of activity to better connect the Veterans Memorial Auditorium to the rest of the City should be created;
- A significant reserve of underground parking should be developed;
- Visual, vehicular and pedestrian linkages between the State House Subdistrict, adjacent neighborhoods and the rest of the District should be developed.

The objective of the State House Subdistrict is to create a setting for the State House. Future development should respect the notion that the State House will stand alone as the

grandest architectural structure in the Subdistrict. New development, particularly on Parcel 15, will respect the State House in terms of design, quality of materials, massing, height and view corridors. New development, particularly along Francis and Gaspee Streets should strive to create a strong street edge which will better define and provide an appropriate setting to the State House Park.

The setting for the State House should be a lively perimeter with active street edges. Francis Street connects the Smith Hill neighborhood and State House area to the District and the downtown for both vehicles and pedestrians. Gaspee Street serves as both a vehicular and pedestrian connection between Smith Street, the Amtrak Station and Francis Street.

Within the State House Subdistrict, the opportunity exists to forge visual and vehicular reconnections between the District and adjacent neighborhoods west of I-95, including the Smith Hill neighborhood and the Promenade District. Bridges may be constructed over the highway, creating a direct link between the District and these areas. Visual linkages should be provided between these areas and the State House Subdistrict.

The opportunity exists on Parcel 6C to provide a complementary edge to the State House Subdistrict. Any development here must form an appropriate and handsome edge to the State House Lawn.

3.4.B Preferred Uses

Preferred uses, which include office, hotel, civic, and residential, should reinforce the gateway concept and draw people into the District. On Parcel 6c, however, the potential exists to build in the air rights over the Amtrak catenaries. Parking may be permitted on Parcel 6c.

Required Ground Level Uses: Ground level uses on Francis Street must consist of occupied spaces that allow visual connections between the exterior and the interior. At least 70% of the building's wall area along Francis Street shall be transparent at the street level. Preferred uses here include offices, cafes, service retail, galleries and lobby areas.

Along Francis Street, prohibited ground level uses are those that do not allow pedestrian engagement or visual connection of any kind and include parking, and parking and service entries.

Along Hayes Street, ground level uses shall be active and, at a minimum, permit visual connections between the street and the interior spaces. Ground level uses shall support the civic uses of this block. Parking and service entries, properly designed, are permitted on Hayes Street.

Park Street functions primarily as a service street. While ground level uses here may include parking and service, they must be designed so that they are architecturally integrated into the rest of the building. Design of the Park Street façade of any

development must present an attractive view from the neighborhoods to the west.

Ground level uses along Avenue of the Arts should be civic in nature, supportive of the activities of the Veterans Memorial Auditorium, and help to create an active pedestrian environment. Parking and service entries are prohibited on Avenue of the Arts.

3.4.C Building Edges

Along Francis Street, the building edges for Parcels 14 and 15 will create a defined western edge to the State House lawn. Building setbacks here, as specifically defined within the Parcel-specific regulations, will reinforce the sense of Francis Street as a gateway into the District and downtown Providence and will permit a larger pedestrian realm.

Along Smith Street, building edges are defined to permit site lines to the State House, while holding the street edge to create a clearly defined urban setting. Creation of a defined edge at Smith Street is important in establishing the Francis/Smith Street intersection as a gateway into the District.

Along Park Street, the build-to-line shall be consistent with the property line.

Along Hayes Street, new development should maintain the building line of the Gloria Dei Church. Building lines shall honor the presence of the church and be articulated to meet that objective.

Development along Gaspee Street will also help define a gateway into the District. Development on Parcel 6C, to the extent it is possible, should form a definitive edge to the southeastern side of the State House lawn. If not developed as a building, this edge shall be highly landscaped to form a visual buffer between the railroad tracks and the State House.

Along Avenue of the Arts at Parcel 15, development should be set back to create a significant public gathering space in front of the Veterans Memorial Auditorium.

3.4.D Height and Massing

The height and massing of buildings within this Subdistrict shall be developed in such a way that view corridors, light and airspaces are protected. New development in the State House subdistrict should accommodate and enhance view corridors to the State House from the west and north. Variation in the massing and step-backs are encouraged to break up the massing of the undeveloped parcels. Massing and height in this area shall be respectful of the State House and of the Masonic Temple/Veterans Memorial Auditorium complex. Along Gaspee Street, the massing and height of development on Parcel 6c should form a respectful edge to the State House lawn.

3.4.E Parking and Service

Below grade parking should be provided whenever possible, but in any event, parking shall not occur at street level, except along Park Street. Any above street level parking shall be screened from public view and architecturally integrated into the building. On Parcel 15, due to grade changes, developers are encouraged to accommodate all parking below grade. Building servicing shall be off street and internal to the building. On other parcels, service entrances must be architecturally integrated into the building.

3.4.F Pedestrian Circulation

Pedestrian circulation shall be encouraged along the length of Francis Street, reinforcing the street's significance to the District. Sidewalks here shall be sufficiently sized so as to encourage pedestrian traffic between Smith Hill and downtown. One or more pedestrian bridges may also be created to link the District with neighborhoods west of I-95. Pedestrian activity shall be the primary function of Avenue of the Arts.

3.4.G Vehicular Circulation

The development of one or more bridges should be created to better link the District with the neighborhoods west of the highway. The vehicular use of Avenue of the Arts, except for servicing and patron drop-off is strongly discouraged.

3.4.H Open Space

Significant open space for the Sudistrict already exists in the State House lawn that surrounds the State House. The State House Lawn provides a grand and appropriate and magnificent setting for the architecturally significant State House building. The significance of this area should be preserved and maintained.

The renaming of Brownell Street to Avenue of the Arts reinforces the significance of this particular area as a cultural destination within Providence. A significantly sized public gathering space should be created in front of Veterans Memorial Auditorium between Parcels 14 and 15. This space will enhance pedestrian and vehicular circulation here as well as creating an appropriate setting to this critically important cultural institution. This gathering space will provide an opportunity for outdoor performances and encourage other outdoor cultural activities.

3.4.I Public Art

The use of public art is strongly encouraged and should be incorporated as an integral part in the design of any project.

4.0 DEVELOPMENT REGULATIONS

These regulations do not specify or recommend any particular architectural style. However, building facades shall be highly articulated; building materials shall be of the highest quality and may include brick, stone, steel and glass. Synthetic materials may be permitted only at the upper cornice levels.

4.A GENERAL REQUIREMENTS

4.A.1. Building Lines and Masses

The Plan is based upon visual and axial relationships generated by the State House, the historic Union Station complex, and the existing configuration of downtown Providence. In response to the physical settings of historic landmarks, four visual corridors are created: along Park Row East, along Exchange Street, along Francis Street, and through Waterplace and Station Park. These visual corridors are illustrated in **Figure 6 View Corridors**.

These corridors are the major ordering elements of the plan. They facilitate visual perception and understanding of the district, provide orientation to key landmarks and places, and create continuity within the City. They also establish the locations of primary pedestrian and vehicular routes. To ensure the integrity of the visual corridors, except where otherwise noted, these Regulations mandate that they remain fixed envelopes of open space unobstructed to the sky within which no new buildings may be located.

- a). **Building Edges:** These Regulations establish an arrangement of buildings by dictating the placement of exterior walls along specified building lines. These mandatory building lines reinforce the organizational framework of the project by defining the edges of visual corridors, streets and open spaces. This definition of edges is critical in order to achieve identity and a sense of enclosure. In urban contexts, the exterior building wall has a dual role, articulating not only the building shell, but also the walls of an exterior space. In this way, urban places obtain a sense of containment which is unfortunately missing from suburban counterparts where the street edge has been eroded to accommodate the automobile.

These Regulations establish a build-to-line requirement, (a 100 percent build-to line). Along selected primary edges, exterior building walls must be coincident with an established “building line”. Where build-to lines adjoin river walks, however, the building enclosure walls at the river walk level may be recessed to provide an arcade directly adjacent to the river walk.

These Regulations also establish a requirement for a 75 percent build-to line, which applies specifically to Parcel 3. The 75 percent factor is introduced to

allow (1) interruption between buildings on the parcel, and/or (2) the creations of a plaza space relating to the tapering configuration of the parcel at its eastern end.

These Regulations also allow the build-to lines along the rivers on Parcels 2 and 3, along Park Row on Parcel 4, and along Francis Street on Parcels 9 and 10 to either (1) follow the curved parcel line, or (2) follow the chord to the curved parcel line as further described in these Regulations.

At building lines where no build-to requirement is established, developers are free to determine the footprints of new buildings.

- b). Setbacks at Grade:** The regulations contain selective requirements for open space within certain development parcels, in order to complement the network of larger public open spaces and to contribute to the achievement of key design objectives for the entire project.

The Regulations establish open space within the individual parcels through required setbacks at grade. On Parcel 1, setbacks define the visual corridor, which extends from Union Station to the foot of the State House lawn. The resulting open space also serves as a unifying device for the existing station and new buildings on the parcel. On Parcel 11, a setback at the corner of Francis and West Exchange Streets defers to the large space of Kennedy Plaza and turns the building mass to align with Sabin Street. On Parcels 9 and 10, setbacks along Francis Street relate to the vista of the State House, and on Parcel 6c, a setback along Gaspee Street creates a landscaped edge for the Parcel 6b development. Finally, on Parcels 2,3, 6 and 9, setbacks have been established to ensure the continuity of the river walks, which are part of the overall open space network for the District. Also, in order to achieve active pedestrian ways, minimum sidewalk widths have been established along Francis Street and Exchange Street.

It should be noted that the District setback requirements might require a zoning variance or special use permit from the City of Providence, depending upon the extent of the setback.

These required setbacks are illustrated in **Figure 5 Open Space Plan**.

- c. Height and Massing:** To ensure consistency with the physical form and image illustrated in the Capital Center Plan, these Regulations are concerned with both the maximum and minimum height of new buildings on individual parcels.

Minimum and maximum heights have been established to ensure that the extent and magnitude of development is consistent with the urban character envisioned for the project. In conjunction with the build-to line and the limited requirements for open space on parcels, the minimum heights establish coverage requirements

for individual parcels and a positive relationship between the built and unbuilt areas.

Requirements for height zones are summarized in **Figure 4 Height Zone Plan.**

- d. Vehicular Circulation:** Vehicular circulation patterns which cross over sidewalks to access parking and/or service areas must respect the prominence of the pedestrian in these areas. Appropriate design, paving and signage will be critical in these areas.

4.B PARCEL SPECIFIC REQUIREMENTS

This section of the **Design and Development Regulations** sets forth, on a parcel-by-parcel basis, the design intent and requirements for development on each of the fifteen parcels within the District.. The location, approximate area, and configuration of each of the parcels are indicated on **Figure 1, the Project Boundaries and Parcel Plan**.

For each parcel, an emphasis should be placed on buildings that are of original design, highly articulated and constructed of quality materials. The street level experience of the pedestrian is of critical concern. Street level uses shall consist of visible, occupied spaces. Retail or public uses are the preferred street level uses. Sidewalks should be wide enough to accommodate increased pedestrian traffic and the level of landscaping and street furniture appropriate to the District.

4.B.1 PARCEL I (Downtown Edge Subdistrict)

4.B.1.a Design Intent

Parcel 1 is located within the Downtown Edge and is one of the most important parcels within the District. Development on this site will combine rehabilitation, restoration, and new construction to complete the neo-Palladian Union Station complex as a grand forecourt to, and centerpiece of, the Capital Center development. Union Station is a gateway, a real as well as symbolic link between the historic city and the new development, which will help assure the future vitality of the City as a whole. The connection of the site to Waterplace Park will require particular attention to ensure a rich pedestrian environment.

In keeping with the preeminence of Union Station, these Regulations establish a design intention for Parcel 1, which is more specific than that given for other parcels within the project area. Parcel 1 is bounded by critical streets on all sides: Exchange Terrace, Francis Street, Memorial Boulevard and Exchange Street. These streets serve as important vehicular and pedestrian ways in and around the city. As such, this parcel has no “back door”. Occupied street level and plaza level space is required in all future development of this parcel. Active, animated uses along the plaza are critical to maintaining the connection through the Union Station complex from downtown to Waterplace.

The pedestrian level of all buildings in Parcel 1 shall be devoted to pedestrian-oriented uses. Support retail, or the more “public” uses within a building, shall be located at grade and shall open to the plaza. Storefronts and fenestration at street-level should establish either visual or physical connections between interior spaces and the street and sidewalk. Creative storefront signage should be used to activate the plaza edges.

Improved pedestrian connections to Waterplace and Kennedy Plaza will reinforce the significance of Parcel 1 as the gateway to the Capital Center.

The development of the balance of this parcel must respond to a number of factors: the historic setting of the Union Station complex, the large civic nature of Memorial Boulevard; the relationship to Exchange Terrace and Kennedy Plaza. The buildout of the remaining portion of Parcel 1 shall reflect the macro symmetry of the development of the rest of the parcel. Future phases of development shall have increased articulation on Memorial Boulevard representative of its location as an entrance to the City. Occupied uses along Memorial Boulevard are very important. The building must place a high priority on design and respond to the larger civic scale of Memorial Boulevard and to the importance of the Memorial Boulevard/Exchange Street corner.

On the interior of the parcel, as the project faces Exchange Street, Exchange Terrace and the plaza, the scale shall be more intimate. The Exchange Terrace level of the complex shall have interesting and inviting entrances. The grounds shall be landscaped in such a way as to enhance the pedestrian experience along this main pedestrian route.

Union Station and the flanking symmetrical pavilions comprise a formal urban composition that is common in Europe, but rare in American cities. The symmetrical placement of matching buildings is a powerful, even theatrical device.

It is imperative that the developments on Parcel 1 honor and respect the symmetry of Union Station, while using it to its advantage.

4.B.1.b Preferred Uses

The Providence Union Station shall become a mixed-use development, through which a pedestrian connection shall be maintained to encourage pedestrian flow between Exchange Terrace and Memorial Boulevard and Waterplace. Preferred uses for Parcel I are a mix of specialty retail, entertainment, hotel, residential, and commercial office.

Required Ground Level Uses: At Union Station Plaza, Exchange Street, and Francis Street, ground level uses must relate to the pedestrian. Uses must either interact directly with the pedestrian or draw them into the use and occupied spaces are required at street level. Retail uses and/or public uses are encouraged at street level along Memorial Boulevard. At the plaza level, retail, restaurant or similar active public uses are required.

Entrances to either parking or service loading shall not inhibit pedestrian movement and shall not interfere with access to more public uses such as support retail.

There is a 70% transparency requirement along Francis Street, Exchange Street, and in the occupied spaces along Memorial Boulevard.

4.B.1.c Building Edges

Specific building configurations are mandated for this parcel as shown in the Building Edges Plan. No setbacks at grade or above grade are required or allowed on the 100 percent build-to lines, except at Exchange Street where the building edge shall align with the existing edge of the East Office Building, and at Francis Street where the building

edge shall align with the existing edge of the Commerce Building. However, the west building edge of the existing Marriott Courtyard Hotel, unless unforeseen circumstances result in the destruction of more than 50% of this building, is grandfathered under the regulations in place at the time this building was constructed.

4.B.1.d Height and Massing

The height of development on Parcel 1 is precisely established by the relationship of the new construction to the existing buildings. The height of any replacement buildings along Exchange Terrace shall not exceed the height of the cornice line of the building it replaces. The new structures on Memorial Boulevard shall have a height no greater than 100 feet and no lower than the elevation of the cornice of the main roof of the main station building.

Due to the historic character of the station, the configuration of new structures shall be controlled so that they do not dominate or detract from the older buildings. The new construction shall respect the symmetry of the existing complex. It shall be compatible with the complex in massing, height, and materials. These structures shall be built no closer to existing buildings than 50 feet at any point above the top of the foundation level.

The existing grand staircases flanking the main station building shall be maintained and provide critical pedestrian connections from Exchange Terrace to Union Station Plaza and the retail at the plaza grade.

4.B.1.e Parking and Service

The provision of below grade parking is encouraged. At grade parking is prohibited along Exchange Terrace, Francis Street, and Exchange Street. Along Memorial Boulevard, at grade parking is prohibited from the corner of Exchange Street west for a length of 30 feet. In no event shall there be parking at the ground level adjacent to a pedestrian way. Any above street level parking shall be screened from public view and architecturally integrated into the building. All building service and loading shall also be accommodated below grade and/or shall be internal to each building. Entrances to either parking or service loading should not inhibit pedestrian movement and should not interfere with access to public uses.

4.B.1.f Pedestrian Circulation

A pedestrian connection shall be established by way of a pedestrian tunnel from Kennedy Plaza, under Exchange Terrace and through the complex to the pedestrian plaza and the pedestrian concourse beneath Memorial Boulevard. Within Parcel 1, this connection shall have a minimum width of 20 feet, shall be maintained by the owner, and shall remain open to the public during all hours that the complex is in use. (As detailed in the letter agreement dated June 26, 1998 between the City of Providence Parks Department, the Federal Highway Administration, the State of Rhode Island and the Capital Center Commission.) Additionally, connections have been and shall continue be provided between the main station building and its two flanking buildings in order to provide a pedestrian connection from Exchange Terrace to the lower plaza level, ultimately connecting to Waterplace Park. Pedestrian connections shall also be

provided by means of the two grand staircases flanking the main terminal building. There shall be open pedestrian connections leading from these staircases to the plaza area.

This pedestrian connection is also subject to the agreement between the Federal Highway Administration and the City of Providence dated July 26, 1998.

4.B.1.g Vehicular Circulation

Vehicular circulation patterns which cross over sidewalks to access parking and/or service areas must respect the prominence of the pedestrian in these areas. Appropriate design, paving, lighting and signage will be critical in these areas.

4.B.1.h Open Space

Parcel 1 requires the development of a mandatory open space. This open space shall extend from the north building line of the main terminal building to the Memorial Boulevard underpass. There are four east-west dimensional requirements to this open space. First, at the existing plaza level, the open space shall have a minimum center width of 103 feet. The second dimensional requirement extends from the east face of the parking garage structure at the plaza level, east for a minimum width of 162.4 feet. The third dimension of 162.4 feet shall be replicated along Memorial Boulevard beginning at the east face of the existing parking garage. The fourth dimension requirement, defined as the area between east face of the West Pavilion Building and the west face of the main terminal building and as the area between the west face of the East Pavilion Building and the east face of the main terminal building, shall provide for unobstructed views toward Waterplace Park.

The design of the open space shall respect its symmetrical disposition across the axis from the station through the Waterplace to the State House Monument. The grounds shall be landscaped in a way as to enhance the pedestrian experience.

4.B.1.i Public Art

Public art should be used to help activate the Memorial Boulevard edge of this parcel. The use of public art is a critical component in activating the Union Station Plaza. Additional public art, in the form of historical information plaques are encouraged.

4.B.1.j Other Special Requirements

The developer of Parcel 1 shall provide a scheme which is sensitive in every respect to the historic station complex. All plans and specifications for development on this site shall be reviewed and approved by the Rhode Island State Historic Preservation Officer.

4.B.2 PARCEL 2 (Moshassuck Subdistrict)

4.B.2.a Design Intent

Parcel 2 is a key element within the Moshassuck Subdistrict. It will play an important role in creating a vital mixed-use area that supports significant new urban housing. Parcel 2 has as its outstanding advantage frontage on both Waterplace Park and on the Woonasquatucket River, along the river walk. These two faces are exposed to major public open spaces which create a natural and mandated location for street level, pedestrian friendly uses, such as cafes and galleries, to thrive. The other two faces of Parcel 2 are street-oriented and urban, with retail uses mandated on Exchange Street to reinforce the continuity with downtown. This parcel plays an important transitional role between the downtown core and the State House Subdistrict. Development here should contribute to a vital urban character along Exchange Street, while honoring the massing and scale of Waterplace Park.

Parcel 2 is a large parcel for downtown Providence. Although situated within the Moshassuck Subdistrict, it is a pivotal transition parcel between the Downtown Edge Subdistrict and the State House Subdistrict. As a transitional parcel, the design should introduce a variety of massing, height and façade treatments to reduce the apparent scale of the overall development and to emphasize its individual components. The parcel has been divided into four different height quadrants. In the southwest quadrant, the development needs to respond to the character and scale of the river walk and of Waterplace Park. In the northwest quadrant, the development also needs to respond to the character and scale of Waterplace while making the transition to the office development on Parcel 8 and the State House further north. At the southeast corner, the development should respond to the height, density and massing of the downtown area as well as that of the adjacent Parcel 3. The northeast corner of the project marks an important gateway into the District from the Amtrak station. Here, the project also needs to complement the development of the CenterPlace Apartments and create the transition from the downtown edge to the development on Parcel 8 and the State House. Within these four height quadrants, variations in height and massing are encouraged.

Parcel 2 contains within it the opportunity for surprising juxtapositions, dramatic changes of level, and pleasing contrasts. It should front Exchange Street with a formal reserve, shifting to an informal and more intimate scale on its water sides. Parcel 2 encompasses some of the opportunities that are exploited so effectively in San Antonio, where conventional street facades along one front mask an intricate collection of structures which recede to the river below.

Also, the extension of Stillman Street into Parcel 2 creates the opportunity to provide a critical visual and pedestrian linkage from Waterplace Park to other parcels in the Moshassuck Subdistrict.

Parcel 2 is one of the few parcels within the District that, due to its topography, is appropriate for underground parking, possibly in excess of the development needs of the individual parcel.

In addition, the development of Parcel 2 has an obligation to define and respect the three visual corridors: the actual open space between Union Station through Waterplace Park to the State House, the radial view along Exchange Street to the State House, and the view of the Moshassuck Subdistrict as defined along Stillman Street and its extension into Parcel 2.

4.B.2.b Preferred Uses

A mixed-use environment is preferred for Parcel 2. These uses should include residential, hotel, commercial office and other uses that would draw people to the District and add to the ambience of all of downtown Providence.

Required Ground Level and River Walk Uses: At the ground and river walk levels preferred uses include retail, restaurants, cafes and other active uses. Parking and other non-occupied spaces are not permitted facing Waterplace, the river walks, or along any public streets. Along Exchange Street a minimum of 50 percent of each of the built linear frontage at grade shall be devoted to retail uses. Along Waterplace and the river walk, 100% of the built frontage must be devoted to retail uses. Along Park Row West, there shall be occupied spaces at street level. Ground level and river walk uses are prioritized as follows:

- **First priority will go to uses that spill activity out onto the street/river walk.** These uses will most directly engage the pedestrian (e.g. cafes, restaurants with outdoor seating).
- **Second priority will go to uses that open to the street but do not necessarily engage the pedestrian directly.** (e.g. retail, entertainment, destination-type uses).

Street level uses that (1) are not lined with extensive windows and frequent, well-designed entrances to the street level, (2) do not permit street visual connections between the exterior and the interior, and (3) do not allow any pedestrian engagement are strongly discouraged. Where deemed necessary for parking entries, minimal obstruction may be permitted.

4.B.2.c Building Edges

All exterior building walls shall be coincident with the building line without setback for a minimum height of 40 feet except at the ground level where the building façade may be set back to create a usable and active public space.

Along the Woonasquatucket River, the developer shall meet the build-to requirement either (1) by following the property line as it curves or (2) by continuing the projected straight-line portion of the property line.

Along Park Row West, the building façade shall be a setback in order to provide a minimum sidewalk width ten (10) feet, as measured from the curb to the building line. This setback shall be to a minimum building height of 30 feet.

4.B.2.d Height and Massing

The parcel has been divided into four quadrants with the dividing line between the north and south being the centerline of the Stillman Street extension. The east/west dividing line is the midpoint of the parcel. The maximum and minimum height zones are as follows:

Quadrant	Minimum Height	Maximum Height
Southwest	75 feet	130 feet
Northwest	100 feet	150 feet
Northeast	100 feet	165 feet
Southeast	100 feet	200 feet

The design should introduce a variety of massing, height and façade treatments to reduce the apparent scale of the overall development and to emphasize its individual components.

4.B.2.e Parking and Service

One or more levels of parking shall be provided below grade. Vehicular access to off-street parking facilities and loading shall be from the Stillman Street extension; such access is prohibited from Exchange Street and the Memorial Boulevard. Parking is not permitted at grade or facing Waterplace Park. Any upper level parking shall be screened from public view and architecturally integrated into the building.

Access to off-street loading docks and underground parking shall be from the extended Stillman Street, but if not only from Stillman, then it will be from Park Row West.

4.B.2.f Pedestrian Circulation

A pedestrian connection shall extend from Exchange Street to Waterplace as a continuation of Stillman Street. This pedestrian connection may be covered, but must have a minimum open height of 35’ and have a minimum clearance width no less than the Stillman Street right of way. This pedestrian connection must include a handicapped accessible connection to Waterplace Park. This pedestrian connection may be included as part of the Vehicular Circulation, below.

The Stillman Street Extension, whether used for pedestrians, vehicular circulation, and/or both, is a critical linkage through Parcel 2 and between Waterplace Park and other areas of the District. This Stillman Street extension shall be designed in such a way as to reflect this important role.

4.B.2.g Vehicular Circulation

Development of the site must include an extension of Stillman Street as a publicly accessible vehicular and/or pedestrian way in order to enhance the linkage between Waterplace Park and the other parcels within the Moshassuck Subdistrict. The width of the Stillman Street extension must match that of the existing Stillman Street. Vehicular circulation patterns which cross over sidewalks to access parking and/or

service areas must respect the prominence of the pedestrian in these areas. Appropriate design, paving, lighting and signage will be critical in these areas.

4.C.2.h Open Space

A river walk along Parcel 2 has been publicly provided as part of the Plan. Parcel 2 is a large parcel which provides opportunities to develop additional public open spaces in the form of pedestrian plazas. The extension of Stillman Street creates the opportunity to develop a critical visual and pedestrian linkage from Waterplace Park to other parcels in the Moshassuck Subdistrict. The design of any open spaces developed within this parcel shall be integrated into the adjacent Waterplace Park.

4.C.2.i Public Art

Public art should be used to help activate open and pedestrian spaces, particularly along Waterplace Park and the Woonasquatucket River.

4.C.2.j Utility Corridor

The presence of a below-grade utility corridor adjoining Parcel 2 at its northeast corner will require special treatment of the Build-To Line. The build-to requirement may be met by following the chord rather than the arc linking the Exchange Street and Park Row West parcel lines or by including a concave arc linking the Exchange Street and Park Row West parcel lines.

4.B.3 PARCELS 3 and 4 (Moshassuck Subdistrict)

The development on Parcel 3S and the creation of Joslin Court in 1988, has changed the design orientation of the remaining parcels. Given the geographic orientation of each of the subparcels (3E, 3W, 3S, 4E and 4W), it is anticipated that design of the individual projects will be highly integrated and complementary.

4.B.3.a Design Intent: Parcels 3 and 4

Parcels 3 and 4 are part of the Moshassuck Subdistrict. These parcels enjoy a set of diverse frontages. The Exchange Street edge is an important segment in linking the downtown with the train station and in reinforcing the view corridor to the State House. This edge is a critical pedestrian link which must include adequate sidewalks, sufficient street landscaping and retail uses at grade. The Park Row West edge relates to Parcel 6 and the Roger Williams National Park to the northeast. This edge of the development is also important in contributing to the sense of gateway from the East Side to the District leading into the visual corridor from Park Row West to the State House. Parcels 3 and 4 include two very prominent, visible faces which line the two rivers that converge just east of the parcel. Building edges along these riverbanks are required to reinforce the special sense of place that the rivers create. In addition, development on Parcel 3 will enjoy tremendous prominence at the head of the Providence River. The massing of buildings on Parcels 3 and 4 should be highly responsive to their unique setting.

Intense development is anticipated, reflecting the prominence of the site. This development will be the end-piece to a remarkable collection of monumental architecture lining the Providence River corridor. It should, therefore, strive for solidity without massiveness, monumentality with height, in order to give to the north flank of the current Memorial Square area the visual edge that it has so long been lacking. Development of these parcels should be closely integrated to provide an interesting urban complex.

Parcels 3 and 4 are split by Joslin Court, which serves as a major entrance-way into the development project on 3S. However, Joslin Court also provides the major service access to developments on these parcels. Particular attention must be paid to the architectural treatment of facades along this street to create and maintain a front door appearance and to ensure that any service functions are architecturally integrated into the design of the project. Any parking structure developed here should have a highly articulated façade, which complements the surrounding development. Developers are encouraged to distribute the projects' service and entrance loads to other streets around the individual parcels. Landscaping and other streetscape improvements shall reflect this important role. With the proper character and well-designed facades together with access to the river walks, Joslin Court will emerge as a delightful urban court in the midst of the District.

High quality materials and design treatments will be critical to maintain a continuous pedestrian friendly river walk, lined with restaurant, cafés or similar uses. Sensitive treatment of Joslin Court will be critical and should include landscaped sidewalks and

street level occupied spaces. There shall be attractive pedestrian connections between Parcels 3 and 4. Buildings here need to be of sufficient height to establish a strong presence for the District and a bridge to downtown, while providing a high degree of relief from the massing of the building.

4.B.3.b Parcels 3 and 4: Preferred Uses

The uses preferred for Parcel 3 and 4 include upper residential and commercial office. Commercial parking is a permitted use on Parcel 4W.

Ground Level and River Walk Uses: Pedestrian-oriented uses are required along Exchange Street and the Woonasquatucket River. Along Exchange Street a minimum of 50 percent of each of the built linear frontage at grade shall be devoted to retail uses. Along Woonasquatucket River Walk, 100% of the built frontage must be devoted to retail restaurant or similar public uses. Occupied uses are required at ground level along Stillman Street, Park Row, Joslin Court and the Moshassuck River Walk. Along the Moshassuck River Walk, 50% of the built frontage must be devoted to retail, restaurant or similar public uses. Ground level and river walk uses are prioritized as follows:

- **First priority will go to uses that spill activity out onto the street/river walk. These uses will most directly engage the pedestrian** (e.g. cafes, restaurants with outdoor seating).
- **Second priority will go to uses that open to the street but do not necessarily engage the pedestrian directly.** (e.g. retail, entertainment, destination-type uses).

Street level uses that (1) are lined with extensive windows and frequent, well-designed entrances to the street level, (2) do permit street visual connections between the exterior and the interior, and (3) do allow any pedestrian engagement are strongly encouraged.. Where deemed necessary for parking entries, minimal obstruction may be permitted.

There is a 100% transparency requirement along the Woonasquatucket River Walk, a 70% minimum transparency requirement along the Moshassuck River Walk, a 70% transparency requirement along Exchange Street, a 70% transparency requirement along Stillman Street and a 70% transparency requirement on Joslin Court.

4.B.3.c Parcels 3 and 4: Building Edges

At building lines located along the Woonasquatucket and Moshassuck Rivers, exterior building walls shall be coincident with the building line without setback for a minimum height of 75 feet for at least 75 percent of the indicated length of the building lines. Along the Woonasquatucket and Moshassuck Rivers, the building line shall either (1) follow the curve of the parcel line, set back 20 feet for the river walk; or (2) follow a tangent or tangents to that curve, provided that the distance between the tangent line and the river walk does not exceed 10 feet. If option (2) is used, the developer shall be responsible for finishing the open space between the river walk and

the building edge, to match the river walk finishes. The purpose of this 75% factor is to allow (1) interruption between the buildings on the parcel and (2) creative design solutions to the tapering configuration of the parcel at its eastern end, allowing either gently or tightly curved building faces or a defined building plane perpendicular to the river alignment.

At building lines located along Exchange Street, Stillman Street and Park Row West, exterior building walls shall be coincident with the building line without setback for a minimum height of 40 feet. Where the building line curves, that line shall either (1) follow the curve of the building line; or (2) follow a tangent or tangents to that curve, provided that the distance between the tangent line and the build-to line does not exceed 10 feet.

4.B.3.d. Height and Massing

The maximum allowable height for Parcel 3 shall be 200 feet. The minimum allowable height shall be 150 feet. The maximum allowable height for Parcel 4e shall be 130 feet and the maximum allowable height for Parcel 4w shall be 150 feet. The minimum allowable heights for Parcels 4e and 4W shall be 100 feet.

Given the unbroken extent of developable parcels that includes Parcels 3e, 3w, 4e and 4w, it will be important to create a visible break between Parcels 3w and 4w and between Parcels 3e and 4e. This can be accomplished by creating an attractively landscaped and publicly dedicated pedestrian way connecting to the river walks. Additionally, the design should include some other significant breaks in the facades to avoid creating the perception of a large superblock, out of scale with the adjacent traditional downtown.

The parcel configuration for Parcel 4 includes radial (curved) corners to allow ample turning radii for adjoining streets. At these corners, the developer shall either (1) follow the property line with his building line, or (2) define a chord within the curve and use that chord as the building line.

4.B.3.e Parking and Service

There shall be no parking at grade, directly fronting adjacent to public streets or the river walks. Any above grade parking shall be screened from public view and architecturally integrated into the building.

For Parcel 3S, off-street loading docks shall be provided with access from Joslin Court and shall be internal to the building. For Parcel 3 and 4, developers are encouraged to distribute the projects' service and entrance loads to other streets around the individual parcels or to service routes internal to the parcel. All service shall be internal to the building. Should parcels 3W and 4W and 3e and 4e be developed under the same development plans, the access and service functions for the two parcels should be combined into a single service entry point, preferably not on Joslin Court.

Entrances to either parking or service loading should not inhibit pedestrian movement and should not interfere with access to public uses.

4.B.3.f Pedestrian Circulation

Pedestrian connections shall extend through Parcel 3 (1) from the Woonasquatucket River Walk to the Moshassuck River Walk at a location to be determined by the developer, and (2) into Parcel 3 along the internal street (Joslin Court), so as to intersect with the above-listed pedestrian connection between the rivers.

To compensate for the increased distance between Parcel 3 and adjacent city activities, two pedestrian bridges may be provided: one across the Woonasquatucket River and one across the Moshassuck River. The precise location of the Moshassuck River Bridge has been defined by the built bridge abutments and the Woonasquatucket River Bridge. If these bridges cannot be publicly funded, they may be provided at the option of the developer. Inclusion of a bridge across the Woonasquatucket River will also require physical constraint to prevent midblock crossings of Memorial Boulevard. Barriers within median planting should be considered for this purpose.

Pedestrian movement shall also be encouraged along Exchange Street, Stillman Street and Park Row West.

4.B.3.g Vehicular Circulation

Vehicular access to Parcel 3S is by means of Joslin Court. Developers are encouraged to consider Exchange, Stillman and Park Row West as alternative vehicular entry points to the individual projects.

4.B.3.h.1 Open Space

An open plaza shall be provided by the developer of Parcel 3 at Steeple Street as an extension of the park at the confluence of the rivers to the south of Steeple Street. Although developer-furnished, the design of this plaza shall be of a common treatment with the public park located to its south.

The Woonasquatucket River Walk shall be 20 feet wide.

The developer of Parcel 3 shall pave, light, and furnish the Moshassuck River Walk, which shall be 16 feet wide.

The publicly provided 20 foot wide river walk links the Woonasquatucket and Moshassuck River Walks. Its width extends from the Steeple Street right-of-way into Parcel 3.

4.B.3.i Public Art

Public art should be used to help enliven the Moshassuck River Walk and complement the public art displayed along the Woonasquatucket River and around Waterplace.

4.B.5 PARCEL 5

4.B.5.a Design Intent

Parcel 5 is a comparatively small parcel which more than compensates for its size by the advantages of its location. It sits at the apex of that sector of commercial development defined by Exchange Street and Park Row West, facing the new station and Station Place. It is also the only parcel, with the exception of Parcel 1, to be bounded by streets on all sides. Parcel 5, therefore, has maximum flexibility of orientation.

The design intent for Parcel 5 anticipates an era of increasing rail travel for businessmen, tourists, and daily commuters. For these travelers, the building on Parcel 5 will mark their entry and exit into Providence, the commercial city. As such, the parcel occupies an extremely sensitive place within the plan, akin to the role of buildings on the south face of Kennedy Plaza today. The building on Parcel 5 will be a gateway building, setting a quality and tone for all that follows beyond.

A pedestrian route is required through Parcel 5, extending from the station steps toward the river and downtown. The character of this pedestrian route is not fixed. As a secondary path through the interior of a building, it would experience its greatest volume of traffic in inclement weather. If the path were combined with larger skylit atrium spaces which back onto street-front retail, the development on Parcel 5 might generate a considerable amount of internal foot traffic all on its own.

4.B.5.b Preferred Uses

The uses preferred for Parcel 5 are commercial office and support retail.

Required Retail Frontage: A minimum of 50 percent of the linear frontage at grade along Exchange Street shall be devoted to support retail uses.

4.B.5.c Building Edges

At building lines located along Exchange Street, Station Place, and Park Row West, exterior building walls shall be coincident with the building line without setback for a minimum height of 40 feet.

4.B.5.d Height and Massing

The maximum allowable building height shall be 75 feet. The minimum allowable building height shall be 40 feet.

4.B.5.e Parking and Service

One level of parking shall be provided below grade. Vehicular access to off-street parking and loading facilities shall be from Stillman Street; such access is prohibited from Exchange Street, Station Place, and Park Row West.

Access to off-street loading docks shall be provided from Stillman Street; such access is prohibited from Exchange Street, Station Place, and Park Row West.

4.B.5.f Pedestrian Circulation

A pedestrian connection shall extend from Station Place through Parcel 5 to Stillman Street, along a line generally running down the centerline of the station steps.

4.B.5.g Vehicular Circulation

Not applicable to this parcel.

4.B.5.h Open Space

Not applicable to this parcel.

4.B.5.i Public Art

Public art is encouraged to be incorporated into the design of any building.

4.B.5.j Parcel Configuration

The parcel configuration for Parcel 5 includes radial (curved) corners to allow ample turning radii for adjoining streets. At these corners, the developer shall either (1) follow the property line with his building line or (2) define a chord within the curve and use that chord as a building line.

4.B.6 PARCEL 6 (Moshassuck and State House Subdistricts)

Parcel 6 is composed of three subparcels: Parcel 6a which includes the area between Canal Street and the railroad right-of-way; Parcel 6b which includes the railroad right-of-way as well as a 15-foot wide strip paralleling the right-of-way and measured from the backside face of the retaining wall; and Parcel 6c, the remaining land between Parcel 6b and the Gaspee Street right-of-way. Parcels 6a and 6b are part of the Moshassuck Subdistrict. Parcel 6c is part of the State House Subdistrict.

Amtrak has installed a catenary which is several feet above grade at Gaspee Street. This results in a poor visual experience along Gaspee Street and at the foot of the State House. It will present special challenges to the development opportunities on Parcels 6B and 6C.

4.B.6.a Design Intent

Development of Parcel 6 presents special challenges and opportunities. It sits between two important open spaces: the Roger Williams National Park and the State House Lawn. The parcel commands impressive views of the State House. Any development will need to screen the tracks that run along the northwest face of the site. The site also commands an impressive view to the east across the Moshassuck River and Canal Street to the national park and College Hill. The site provides a critical transition and connection between the District and the East Side. As such, it will be critical to enhance the pedestrian connections along Park Row West through the use of street trees, street level occupied spaces, the location of building entrances and a strong building edge.

The developer of this site is encouraged to create radial view corridors to reinforce the visual connections between the State House, this parcel and the East Side.

To provide access to the site, there will be one or more bridges from Canal Street, across the Moshassuck River, one of the site's assets for residential development. Stillman Street should be extended into the parcel so as to tie this parcel in with other development in the District. The optional extension of Stillman Street into Parcel 6 will create a number of opportunities. Should Stillman Street be extended, the intersection of Stillman and Park Row West will require special design treatment.

Parcel 6 will provide a sense of transition in scale, use and character from the mixed-use development of the District and the downtown to the historic, institutional, and residential character of the East Side, and from development on this site to the State House. Building height on Parcel 6 shall address both the scale of development within the District and the scale of development around the Roger Williams Memorial Park. The developer is encouraged to vary the height of buildings within the parcel height zones in order to reinforce this sense of transition and to better frame the visual connections.

Parcel 6c has a special responsibility, as it is located at the foot of the State House. As development of this parcel is likely restricted due to Amtrak's catenary system, this edge must be highly landscaped to form a visual buffer between the tracks and Gaspee Street. If development of this parcel is feasible, it must form an appropriate and handsome edge to the State House lawn, in accordance with the regulations established in this section.

Parcel 6 offers a special opportunity to include low to mid-rise residential development along the river, enhancing the mixed-use qualities of the District. The development of this parcel may be phased, however, a master plan for the full development of the parcel must be approved in advance of development of any portion of the parcel.

The perimeters of the site should be designed to reinforce the urban character and context of the District. The design should also give definition to the Moshassuck River and to Park Row West as it approaches the Amtrak Station. There should be a continuous edge of buildings along Park Row West, which would serve two main purposes: reinforcing the visual axis of Park Row West to the State House and accomplishing the transition of level from Park Row West down to the level of the Moshassuck River. Entrances to buildings along Park Row West should have the major building entrance facing the street. Development along the Moshassuck River edge should be appropriated scale and be comprised of low to mid-rise residential buildings. The Gaspee Street edge will respond to the State House, honor the train station to the south, and introduce a sense of rhythm and scale to provide relief in its potentially long building face.

Development of the Parcel 6b airspace, if incorporated, shall be used to enhance, not to change, the design intent for Parcel 6.

The opportunity exists to develop structured parking adjacent to the railroad tracks. If developed, it shall not be visible from the river walk, Park Row West and Smith Street. Any structured parking here must be highly articulated and will be held to a high design standard.

4.B.6.b Preferred Uses

The preferred uses for Parcel 6 are residential and support retail in order to enhance the overall mixed-use objectives of the District. Townhouse residential development, or housing of a similar scale, is strongly preferred along the river. In addition to housing, office development is appropriate on other areas of the parcel.

Parking is a permitted use on Parcels 6a, 6b, and 6c. A commercial parking structure is permitted on Parcel 6a, but only in that area immediately adjacent to the railroad tracks. However, surface parking is not permitted and any parking uses shall not front the river.

Ground Level and River Walk Uses: Along Park Row West, 100% of the ground level space must consist of occupied spaces. If Stillman Street is extended into Parcel 6, then 75% of the ground level space must consist of

occupied spaces. If residential is not developed along the Moshassuck River, then 100% of the ground level space must consist of occupied spaces; 50% must be accessible to the public. At grade parking is not permitted to face directly on the public street along Park Row West or the Moshassuck River.

4.B.6.c Building Edges

Regulations for building edges along Gaspee Street shall depend upon the subparcels that the developer chooses to use. Should Parcel 6c be developed, exterior building walls shall be coincident with the building line without setback for a minimum height of 20 feet. The effect of developing Parcel 6c shall be to line the air rights development with active use edges such as residential units and retail shops.

On Parcel 6a, at the building line located along Park Row West, exterior building walls shall be coincident with the building line without setback for a minimum height of 40 feet. As this building line extends across the tracks, exterior building walls shall be coincident with the building line. At the intersection of this building line with the Gaspee Street building line there may be a minor variation at the corner, in accordance with Section 1.F.10.

At the building line located along the Moshassuck River, exterior building walls shall be set back and articulated sufficiently to allow creation of a river walk with a minimum clear width of 20 feet, but with the proviso that, above the first story, the easterly facing facades of the buildings along the river should be articulated and organized in such a way as to achieve an architecturally rich and contextually varied composition. Protrusions into the river walk at ground level are prohibited. Variation in the building line beyond this minimum setback is encouraged, including the creation of one or more larger public spaces facing the river.

On Parcel 6b exterior building walls shall be coincident with or parallel to a building line 15 feet from and along the edge of the railroad right-of-way as defined by the southeastern exterior face of its retaining wall. This exterior wall shall have a minimum height without setback of 20 feet or two parking levels if the use is parking.

This facade shall be designed to complement its civic setting, including the State House and the Providence Station. For parking uses, the Gaspee Street facade shall be a predominantly solid enclosure wall of masonry materials, with stone bases and ornamental details, and resting on grade. Louvered, punched openings for minimum adequate ventilation of vehicle exhaust shall be allowed; these openings shall be coordinated with the overall design of the enclosure wall. Such devices as corbeling and other changes in plane as well as ornament and decorative lighting shall be used to enhance the wall's appearance and to reinforce the reading of individual bays at an average dimension approximately 30 feet. The parapet of the wall shall extend above the uppermost parking level to sufficient height to function as a railing and to screen cars from view for pedestrians on Gaspee Street.

Given the length of the Gaspee Street frontage, the building wall, whether located on Parcel 6b or 6c, shall be interrupted by a change in plane or by a space between building masses. These interruptions shall occur so that no uninterrupted building wall is longer than approximately 200 feet. Each interruption shall have a width of at least 20 feet.

4.B.6.d. Height and Massing

Development in Parcel 6 should be designed so that low to mid-rise buildings, comparable in character to residential townhouses, line the Moshassuck River. This edge should be organized into groupings that reflect the more traditional block organization characteristics of the East Side. Taller buildings should be located along Park Row West and the railroad corridor. Buildings facing the railroad right of way should present a handsome face that reflects the importance of this gateway to downtown and the District. Building height on Parcel 6 shall address both the scale of development within the District and the scale of development around the Roger Williams Memorial Park. Development on Parcel 6 has a unique responsibility to bridge the mix of heights and topography of the District with the lower-rise residential uses at the base of College Hill.

Parcel 6 should be further subdivided to create block sizes that are appropriate for residential and commercial development in an urban neighborhood. The developer shall mass development on Parcel 6 in such a way as to respect the views of the State House from Prospect Park.-

In order to address the many opportunities to visually integrate this parcel into the view shed between the State House and the East Side, the parcel has been divided into five height zones, with the east-west dividing line being measured as 100 feet from the western edge of the river walk . The eastern edges of subparcels 6A1, 6A2 and 6A3 are situated along the Moshassuck River Walk. Parcels 6A4, 6A5 are situated west of the aforementioned dividing line. The building height for all subparcels shall be measured from the base elevation of Parcel 6 which shall be defined as elevation 13. This base elevation is a point on the west Moshassuck River wall, halfway between Smith Street and Park Row West.

The eastern boundary of Subparcel 6A1 runs along the river walk for a distance of 400 feet, beginning at the south property line at the river walk. The depth of Subparcel 6A1 is 100 feet.

The eastern boundary of Subparcel 6A2 runs along the river walk for a distance of 450 feet, from the northern boundary of Subparcel 6A1. The depth of Subparcel 6A2 is 100 feet. The northern boundary of 6A2 is the range line running from the north face of the State House building, parallel to Smith Street.

The eastern boundary of Subparcel 6A3 runs along the river walk for a distance of 150 feet, from the range line of the north face of the State House building to Smith Street.

The depth of Subparcel 6A3 is to the western edge of the property along the railroad tracks.

The eastern boundary of Subparcel 6A4 is the western edge of Subparcels 6A1 and 6A2 for a length of 450 feet beginning at a point on the property at Park Row West, 100 feet west of the river walk, to a line running from the northeast corner of the Masonic Temple, parallel to the State House. This line is the north-south dividing line between Subparcels 6A4 and 6A5. The western boundary of Subparcel 6A4 is the western property line along Park Row West and the railroad tracks.

The eastern boundary of Subparcel 6A5 is the western boundary of Subparcel 6A4. The southern boundary of Subparcel 6A5 is defined by the range line running from the northeast corner of the Masonic Temple, parallel to the State House. The north-south dimension of the subparcel is 375 feet as measured from the southern boundary line to the range line of the north face of the State House building. The western boundary of Subparcel 6A5 is the property line along the railroad tracks.

A creative architectural design shall be utilized for the buildings on the subparcels in order to address the changes in height requirements between areas.

The maximum and minimum height zones are as follows:

Subparcel	Maximum Height	Minimum Height
6A1	75 feet	55 feet
6A2	45 feet	35 feet
6A3	75 feet	55 feet
6A4	170 feet	100 feet
6A5	75 feet	55 feet

The maximum height for parcel 6b shall be 75 feet and the minimum shall be 35 feet. The maximum height for Parcel 6c shall be 40 feet measured from Gaspee Street. The minimum height on Parcel 6c, if built upon, shall be 30 feet.

4.B.6.e Parking and Service

A commercial parking garage is permitted on Parcel 6a, only adjacent to the existing train tracks. Parking is not permitted facing the river or public streets. Surface parking is not permitted. Any parking included as a complementary use within a development project shall be architecturally integrated into the design of the building(s).

The upper deck of any parking structure shall be designed to respect the views from the State House, including the requirement that the parking be screened by roof or trellis treatment. Lighting for the upper parking deck shall be contained within that roof structure or trellis, as shall stair structures and mechanical equipment.

All ticketing and collection shall occur within the parking structure. No freestanding ancillary structures shall be allowed.

Service to Parcel 6 shall be internal to the parcel. Loading docks are prohibited along Park Row West. All servicing shall be internal to the structure. Any above street level parking should be screened from public view and architecturally integrated into the building(s).

4.B.6.f Pedestrian Circulation

The developer of Parcel 6 shall prepare a Pedestrian Plan for the parcel. This plan shall include several mandatory pedestrian connections in order to connect Parcel 6 and the District with adjacent neighborhoods. Mandatory pedestrian connections, constructed by the developer, shall include the following:

- A river walk along the Moshassuck River. This river walk shall be at least 20 feet wide. This area shall be landscaped with trees and other landscaping compatible with other portions of the river walk.
- A pedestrian connection linking the north end of the river walk to Smith Street.
- A pedestrian connection extending from Park Row through Parcel 6a, via an extension of Stillman Street
- A pedestrian connection from Stillman Street to the river walk and Roger Williams Memorial Park through one or more new developer-provided pedestrian bridges over the Moshassuck River.
- An open and unobstructed pedestrian connection from Station Place to Gaspee Street, through the required bridge across the railroad tracks.
- Pedestrian entrances to Parcels 6b and 6c from Gaspee Street. Additional Pedestrian Connections through the site, from Gaspee Street to the Moshassuck River, are encouraged.
- On Parcel 6b, a pedestrian bridge adjoining the existing bridge at the east side of the railroad station. This bridge shall extend from Station Place to Gaspee Street. It shall serve pedestrians and shall not be used for parking access. The design of this area shall be fully compatible in materials and details with the design of other public areas, surrounding the train station.

4.B.6.g Vehicular Circulation

Vehicular access to Parcel 6a may be from two optional access points: (1) the potential Stillman Street extension; and/or (2) the potential new bridge across Canal Street at the site of the existing bridge. Access to parking and service shall be designed so as to minimize any negative impacts on the open space and pedestrian circulation.

Vehicular access to Parcel 6b may be provided from Station Place, between Park Row West and the railroad right of way. Vehicular access to Parcel 6b may also be provided from Gaspee Street, however it shall be no further than 150' from the intersection with Smith Street.

Easy pedestrian access shall be provided from parking on Parcels 6a and 6b to the railroad station.

4.B.6.h Open Space

The landscape buffer at Parcel 6C along Gaspee Street shall be maintained so long as Parcel 6C remains undeveloped. Should Parcel 6b or 6c be developed, the sidewalk adjoining Gaspee Street shall be treated with a regular pattern of street trees (maximum 30-foot spacing) and a continuous paving pattern responsive both to its civic context and its use. Planting and paving of the Gaspee Street sidewalk shall be the responsibility of the developer.

Open spaces within the development parcels are encouraged and should be used to help break down the superblock nature of the parcel. All open spaces shall be well designed and landscaped to complement the development and enhance the pedestrian flow through the property to the river walk.

4.B.6.i Public Art

Public art shall be used to help enliven the Moshassuck River Walk and as accent pieces wherever possible.

4.B.7 PARCEL 7

4.B.7a Design Intent

Parcel 7 is the site of the Providence Station. The station was constructed in accordance with the plans and descriptions contained in the Concept Design Report, December 1979. The station is a single-story, over-track masonry structure incorporating a metal-sheathed classical dome and a clock tower. Pedestrian bridges, providing direct access across the railroad right-of-way, were constructed on the east and west station elevations. To the south, a plaza known as Station Place was developed to allow drop-off and pick-up at the station's front door and to provide access to the two-level parking garage below.

4.B.7.b Preferred Uses

The established use for Parcel 7 is as the site of the railroad station and its ancillary improvements.

4.B.7.c Building Edges

The station building shall be configured to reinforce the Park Row West and Exchange Street visual corridors.

4.B.7.d Height and Massing

The maximum height of any station element shall be 75 feet.

4.B.7.e Parking and Service

Two levels of parking shall be provided below grade. Vehicular access to this parking facility shall be from Station Place. No vehicle or service parking is permitted on the plazas and walkways.

4.B.7.f Pedestrian Circulation

A Pedestrian Connection shall extend through the station on a radial alignment with the State House dome. This connection shall be open during normal operating hours and shall be maintained by the owner. In addition, pedestrian connections shall be provided across the bridges on the east and west elevations of the station. These connections shall be open at all hours and shall be maintained by the owner.

4.B.7.g Vehicular Circulation

Not applicable to this parcel.

4.B.7.i Public Art

Public art is encouraged to be incorporated into the design of any building.

4.B.8 Parcel 8

5.B.8.a Design Intent

Parcel 8 is a visual pivot between State House Park and the State House lawn. The parcel's north face will define the southern edge of the lawn. Its west face will define the beginning of a new axis of open space focused on the historic Union Station complex. These two faces toward the park will be rear elevations in terms of access, but ultimately the most prominent faces in terms of urban design.

Parcel 8 will also front on Park Row West and Station Place. The Station Place frontage will visually continue the west edge of the Exchange Street corridor across the tracks. The Park Row West frontage is suitable for major entry into the site.

The development of Parcel 8 should respond to the ceremonial character of the setting, surrounded as it is by the State House, the State House Monument, and the new station. The architecture should strive for compatibility rather than predominance.

5.B.8.b Preferred Uses

The use preferred for Parcel 8 is commercial office.

5.B.8.c Building Edges

Exterior building walls shall be coincident with all the building lines without a setback above grade for a minimum height of 25 feet.

5.B.8.d Height and Massing

The height of the development shall be a maximum of 40 feet. The minimum height shall be 25 feet.

5.B.8.e Parking and Service

A minimum of one level of parking shall be provided below grade. Vehicular access to off-street parking and loading facilities shall be from Park Row West.

5.B.8.f Pedestrian Circulation

Not applicable to this parcel.

5.B.8.g Vehicular Circulation

Not applicable to this parcel.

5.B.8.h Open Space

Parcel 8 abuts Station Park, an expansive green lawn which completes the open space link between Union Station and the State House.

5.B. 8.i Public Art

Public art is encouraged to be incorporated into the design of any building.

4.B.9 PARCEL 9

4.B.9.a Design Intent

Parcel 9 faces an intersection rather than a street. The angle formed by Francis Street and the Memorial Boulevard is a natural front door. One only has to recall the Flatiron Building in New York or the Wrigley Building in Chicago to discern the advantage that another era routinely extracted from such a site.

Parcel 9 also faces the low side of Waterplace. It is the less prominent but more accessible side, with far less slope and a greater expanse of level open space. If the northern half of Waterplace forms a natural amphitheater, the southern half forms a natural stage for which Parcel 9 can serve as backdrop and wings. More than any other commercial location in the District, Parcel 9 will be able to sustain activities that spill out of doors into adjacent open space in summertime.

The north face of Parcel 9, in conjunction with the north face of Parcel 10, will confront the State House across Francis Street. The formality of this configuration should be reflected in the facades of both sites. They will serve as sentry posts to the State House Precinct.

The relationship of site edges to development is complicated on Parcel 9. The west face of the parcel will climb with Francis Street. The north face of the parcel will follow the Woonasquatucket River at a much lower level. The view from the river walk through Parcel 9 will be of the high embankment of Park Row West across the river. This suggests an opportunity similar to the quays along the Seine, where a quiet corridor of space faces the river and excludes the city above.

Architecturally, the development on Parcel 9 will be important for the treatment of its corners as much as for the treatment of its edges. More than most development in the District, it will be able to program a contrast between the formality of its facades and informality in ground level uses, especially on its water sides.

Medium-rise office development is envisioned for Parcel 9. Because of its irregular configuration and its at-grade elevation, no below-grade parking is required; at grade parking will not be allowed.

4.B.9.b Preferred Uses

The uses preferred for Parcel 9 are commercial office and support retail.

Required Retail Frontage: Along Francis Street and Memorial Boulevard, a minimum of 75 percent of each linear frontage at grade shall be devoted to retail uses. Along Waterplace Park and the Woonasquatucket River, a minimum of 75 percent of the linear frontage facing the park shall be devoted to retail uses.

4.B.9.c Building Edges

Exterior building walls shall be coincident with all the building lines without setback for a minimum height of 40 feet. Where the building line curves, that line shall either (1) follow the curve of the build-to line; or (2) follow a chord, provided that the distance between chord and the build-to line does not exceed 10 feet.

4.B.9.d Height and Massing

The maximum allowable height shall be 100 feet. The minimum height shall be 75 feet.

4.B.9.e Parking and Service

Access to off-street parking and loading docks to serve Parcel 9 shall be provided from Memorial Boulevard; such access is prohibited from Francis Street. No left turn shall be permitted across Memorial Boulevard into or out of Parcel 9.

4.B.9.f Pedestrian Circulation

A pedestrian connection shall extend from Francis Street to Waterplace Park so that it meets the Park approximately at the midpoint of the eastern boundary. This connection may be through a building.

4.B.9.g Vehicular Circulation

Not applicable to this parcel.

4.B.9.h Open Space

A 10-foot setback at grade shall be required from the parcel line along Francis Street. This open space shall be landscaped in accordance with Section 5 of the Regulations.

The developer of Parcel 9 shall provide a river walk along the Woonasquatucket River.

4.B.9.i Public Art

Public art is encouraged to be incorporated into the design of any building.

4.B.10 PARCEL 10

4.B. 10.a Design Intent

Parcel 10, situated between the railroad, the Civic Center Interchange, and Francis Street, serves as the western anchor to the District. It lines the Francis Street approach to the State House and represents one of the most impressive addresses and “front doors” in Providence. Its design should honor this prestigious setting.

Parcel 10, together with Parcel 13, offers the opportunity to introduce significant retail activity to serve downtown Providence. Among the District’s parcels, these two parcels alone permit department stores and other general merchandise establishments, but only if such uses are introduced on both parcels. All other permitted uses in the District are allowed here. Should Parcels 13 and 10 be developed together, their design should introduce a variety of massing and facade treatments to reduce the apparent scale of the overall development and to emphasize its individual components.

Parcel 10 naturally turns its back on the interchange and railroad tracks to face Francis Street, defining the essential western edge of that formal State House axis. The site's northern face, along with the north face of Parcel 9, has a direct relationship to the State House, suggesting an architectural treatment that implies sentry posts marking entry to the State House precinct. The design must provide street wall continuity along Memorial Boulevard with a build-to line extending (excluding the area of the utility corridor if it is not built upon) to the south branch of the Woonasquatucket River, reinforcing the view corridor to the State House. The design should also address the river with building walls approximately parallel to the river channel.

The southeast portion of the parcel will be on axis with Francis Street as it approaches Memorial Boulevard from Emmett Square. In urban design terms, it is the east face of Parcel 10 development that will turn the eye northward to the State House for those who approach the Francis Street axis from downtown. The design should also encourage pedestrian activity along Francis Street and pedestrian connections to downtown Providence. The quality and location of pedestrian space is critical to the successful integration of Parcel 10 into the District’s plan.

Parking is a natural use for the western portions of Parcel 10, which should provide a substantial supply to serve the development and the nearby Civic Center. The design should respond to the visibility of the south and west edges of the parcel that adjoin the Civic Center interchange and Memorial Boulevard. Building facades should be compatible in material, color, and detail with the overall parcel design and should avoid the "back door" appearance often associated with parking garages and service entries. The design should relate to Parcel 11 so that these two parcels serve as a gateway to the approach to the Central Business District along Memorial Boulevard. Parcel 10 and 11 may be linked by an above grade bridge, for pedestrian circulation only, provided that the design of such a bridge enhances the sense of entry into the downtown for those arriving by car and does not negatively impact traffic flow or safety on the Boulevard. Such bridge is subject to the review of the Commission.

Development on Parcel 10 may be linked to that on Parcel 13a by a bridge or bridges extending through Parcel 13b, in the air space above the railroad bridge and or at the extreme western edge of the Parcel. Design regulations for this bridge or bridges are set forth in the section on Parcel 13. Each bridge should be designed to look like a bridge, to complement the Francis Street Bridge, and to allow views of the river and surroundings from within. Permission to construct a bridge does not constitute permission to extend the entire mass of development across the river.

Development on Parcel 10b -- air-rights over the tracks and to the northwest of the tracks -- shall be allowed, particularly to encourage connections to the north and west and to accommodate access and parking requirements.

4.B.10.b Preferred Uses

The preferred uses for Parcel 10 are commercial office; support retail to enliven Francis Street; parking; and department stores and general merchandising, only if also provided on Parcel 13. Should the amount of retail exceed 20,000 square feet of Gross Leasable Area (GLA), there shall be mandatory retail frontage and continuity along Francis Street. This shall require that 75% of built space along Francis Street be occupied by retail shops with shop windows and frequent direct entry from the street to a retail environment. Required columns and column enclosures between shopfronts and shop windows shall not be deducted in calculating conformance with this requirement.

4.B.10.c Building Edges

The requirements for building edges on Parcel 10 shall serve to reinforce the Francis Street view corridor and to enhance the visual presence of the Woonasquatucket River.

At the building line located along Francis Street, exterior building walls shall be coincident with the building line without setback for a minimum height of 40 feet. Where the building line curves, that line shall either (1) follow the curve of the build-to line; or (2) follow a tangent or tangents to that curve, provided that the distance between the tangent line and the build-to line does not exceed 10 feet. At the building line located parallel to and 20 feet back from the Woonasquatucket River, exterior building walls shall be coincident with the building line without setback. Should development extend across the railroad tracks, the build-to requirement above shall extend with it along the south bank of the Woonasquatucket River.

4.B.10.d Height and Massing

There are two height zones on Parcel 10a. The maximum allowable height shall be 200 feet in zones 10a.1 and 10a.2. The minimum allowable shall be 75 feet in zone 10a.1 and 0 feet in height zone 10a.2. Height zone 10a.1 shall extend into the parcel for a depth of 60 feet from the Francis Street property line.

The maximum height on Parcel 10b shall be 75 feet measured from Francis Street. The minimum height shall be 0 feet.

4.B.10.e Parking and Service

Development on Parcel 10 shall include a minimum of 1,000 structured parking spaces to serve development on this parcel and other parcels. These spaces may not be located next to the required frontage along Francis Street. The design shall take into account the fact that the parking structure will be highly visible from I-95, Memorial Boulevard, and adjoining properties. Building facades shall be compatible in material, color, and detail with the overall parcel design and shall avoid the "back door" appearance often associated with parking garages and service entries.

On-street loading docks are prohibited. Access to off-street loading docks to serve development on Parcel 10 shall be provided via a service entrance or street from Francis Street; such access is prohibited from the Memorial Boulevard. This service entrance *or* street also may provide access to parking and may be aligned with the optional street on Parcel 9.

4.B.10.f Pedestrian Circulation

Should the developer provide a bridge across the Woonasquatucket River, there shall be a Pedestrian Connection through the site between that bridge and the major Francis Street entries to the development.

4.B.10.g Vehicular Circulation

Vehicular access into Parcel 10a shall be from Francis Street. One vehicular access point may be provided approximately midway between Memorial Boulevard and the river. This access must be designed with high quality materials (such as stone, cast stone, and masonry) and detailed so as to present a uniform facade along Francis Street. Vehicular access into Parcel 10b shall be from Kinsley and Park Streets.

4.B.10.h Open Space

A 10-foot setback at grade shall be required from the parcel line along Francis Street, and a 20 foot setback shall be required along the south bank of the Woonasquatucket River. These open spaces shall be landscaped in accordance with Sections 3.0, 5.0, and 6.0 of the Regulations.

4.B.10.i Public Art

Public art is encouraged to be incorporated into the design of any building.

4.B.10.j Utility Corridor

A utility easement of approximately 40 feet in width exists within Parcel 10, along its southerly edge where it adjoins the access ramp to I-95. Development on this parcel may, but is not required to, build over this easement provided that utility requirements are met by access agreements and/or utility relocation. Should development not extend over the easement, the surface area above the easement shall be given a landscaped treatment consistent with the overall parcel design.

4.B.10.k Department Stores and Retail Development

Should department stores be introduced on Parcel 10, the following criteria shall apply:

- The mass of the store(s) shall either (1) be located internal to the parcel, to avoid a blank facade or an undifferentiated mass adjoining Francis Street or Memorial Boulevard, or (2) be articulated by use of materials and changes in plane to create scale and relief similar to that which windows would have provided. Along the Francis Street frontage, 75% of built space shall be occupied by retail shops with shop windows and frequent direct entry from the street to a retail environment. The objective is to create an open, articulated, inviting exterior treatment.
- The facade shall use high-quality finish materials, such as stone, cast stone, or masonry, compatible with the overall character and quality of the District. The pedestrian level and the top level of the facade shall receive special treatment, such as projecting cornice or other architectural embellishment, befitting this urban location.
- Where department stores are incorporated in a larger retail complex, they shall each be treated as a separate building for purposes of mechanical penthouse design (see Section 4.C.2).
- Associated parking shall be screened, and its design shall utilize materials and details compatible with the overall parcel design, to avoid a utilitarian "back door" appearance.
- The horizontal mass of the building shall be broken up as much as possible, to introduce a sense of the scale and rhythm of the District and downtown Providence commercial buildings and block patterns.
- Lighting and signage shall be discrete and fully compatible with the District's setting.

4.B.11 PARCEL 11 (Downtown Edge Subdistrict)

4.B.11a Design Intent

Parcel 11 is included in the Downtown Edge Subdistrict. It is a critical parcel forming the western and one of the southern edges of the District as it meets the historic downtown. With a location at one of the major highway gateways into Providence, development here must create an entranceway into the City and provide a critical transitional function between the downtown core and the District.

The line of the axial view from the State House to the Downtown extends into Parcel 11. Development on Parcel 11 should, therefore, develop a symmetrical disposition of mass at some level within the design for the parcel. For example, a tower may be symmetrically composed about this line, or an open space at grade may receive the axis as it enters the site.

The north and west edges of the Parcel, which adjoin the I-95 Interchange and Memorial Boulevard, offer excellent visibility for development on this parcel. It is important that building facades along these important approaches be compatible with overall parcel design and that facades adjoining I-95 and Memorial Boulevard be appropriately designed and finished. Landscaping along the edge is encouraged.

Parcel 11 shall be permanently linked to Parcel 10 by an above-grade pedestrian bridge.

Ground level uses should be lined with extensive windows permitting continuous views into and out of the buildings. Frequent, well-designed entrances are important to create a lively street atmosphere.

Parcel 11 shall be divided into two subparcels, Parcels 11w and 11e. Parcel 11w represents the existing built environment consisting of the Convention Center Parking Garage, the Westin Hotel and the office building at One West Exchange Street. This parcel shall maintain their public use. Any alterations to this built environment shall be reviewed in the context of the monumentality of the present uses.

Parcel 11e includes the presently unbuilt area of at the eastern side of Parcel 11. This parcel serves at the transition space between Kennedy Plaza and the gateway entrance to the District. It also acts as one of the anchors to the Parcel 1 development. Development on Parcel 11e shall be an extension of the signature quality of the Convention Center complex and echo its architecture. Development here will contribute to the emerging entry rotunda themes expressed in the surrounding buildings.

4.B.11.b Preferred Uses

The preferred uses for Parcel 11 are hotel and office uses.

Required Ground Level Uses: At West Exchange Street and Francis Streets, ground level uses must relate to the pedestrian. Uses must either interact directly with the pedestrian or draw them into the use. The design of street level uses must

include open windows which lighten and activate the pedestrian level uses. There is a 75% transparency requirement along Francis Street and West Exchange Street.

4.B.11.c Building Edges

At the building line located along Francis Street, exterior building walls shall be set back 10 feet from the property line in order to balance the sidewalk width with the upper portion of Francis Street. The building line may be exceeded to permit the development of a landmark characteristic. At Emmett Square, the intersection of Francis and West Exchange Streets, this building line shall deflect to meet the angle of Sabin Street, forming an Open Space responding to Emmett Square and Biltmore Park.

4.B.11.d Height and Massing

Development on Parcel 11e should act as an anchor to the Parcel 1 development and as a transition to downtown. The maximum height on Parcel 11 is 300 feet and the minimum height is 200 feet.

4.B.11.e Parking and Service

Vehicular access to off-street parking facilities shall be from West Exchange Street. A minimum of 900 spaces is required on Parcel 11. Parking shall be accommodated below grade, or if above grade, parking and service shall not be visible from the street. No parking or building service shall be accessible from Francis Street. Any above street level parking should be screened from public view and architecturally integrated into the building. Access to off-street loading docks shall be provided from the existing service road. There shall be no additional at-grade parking.

4.B.11.f Pedestrian Circulation

Pedestrian circulation shall be enhanced along Francis Street, Emmet Square and West Exchange Street.

4.B.11.g Vehicular Circulation

Not applicable to this parcel.

4.B.11.h Open Space

The building edge requirement facing Biltmore Park will create an Open Space as a result of the deflection.

4.B.11.i Public Art

Public art is encouraged to be incorporated into the design of any building.

4.B.12 PARCEL 12 (Downtown Edge Subdistrict)

4.B.12.a Design Intent

Parcel 12 is included in the Downtown Edge Subdistrict. It is a triangular shaped parcel, which, in conjunction with the Biltmore Hotel will allow development to frame Kennedy Plaza and link the District and downtown Providence. It forms the edge of the eastern gateway into the downtown. In order to achieve this linkage, it is important that development on Parcel 12 respect its historical and monumental neighbors.

Massing of development on Parcel 12 will reinforce the visual corridor through Exchange Street to the State House and through Steeple Street to the East Side. It will also line the Memorial Boulevard as it curves to meet the confluence of the rivers.

Parcel 12 occupies a very prominent site and will require a unique design solution. The design of any building here must reflect its urban context and its relationship to Memorial Boulevard, Kennedy Plaza and the East Side. Given the prominent location of this parcel, its adjacency to historic structures to the south and west, and its juxtaposition to the Citizens tower on Parcel 3S, particular attention must be devoted to relating the mass, scale, and textural quality of the new building to its neighbors. This may be achieved by:

- Responding to the prominent cornice and roof lines of adjacent historic buildings;
- Using materials that are compatible with those of adjacent historic buildings;
- Using height to mark a gateway from the traditional downtown to Exchange Street as it leads into the District.

The design of a building on Parcel 12 must respond appropriately to the three different faces of the project.

Memorial Boulevard is primarily a vehicular street. This façade of the project must be an attractively designed edge that responds to the surrounding environment.

The Steeple Street side of the building will be the primary circulation entrance for both pedestrians and vehicles. This façade will require special treatment, particularly at the street level to minimize the conflicts between the pedestrians and vehicles.

The Exchange Street façade is the primary pedestrian edge. The design of this façade must relate to the pedestrian experience.

4.B.12.b Preferred Uses

The preferred uses for Parcel 12 are office, hotel and residential.

Required Ground Level Uses: Along Exchange Street and Steeple Street, a minimum of 50 percent of the linear frontage at grade must be devoted to restaurant, café, retail uses, lobbies, or other uses which either interact directly with the pedestrians or draw them into the use. Additionally, there is a 75% transparency requirement along these two streets.

4.B.12.c Building Edges

Building edges shall coincide with the building line without setback for a minimum height of 50 feet. Along Steeple Street, the building edge may be set back to accommodate vehicular entrances into the building.

4.B.12.d Height and Massing

The maximum allowable building height shall be 200 feet. The minimum allowable building height shall be 150 feet.

4.B.12.e Parking and Service

Parking and building servicing shall be internal to the structure. Parking shall be accommodated below grade, or if above grade, parking and service shall not be visible from the Street. Parking and building service shall not be accessible from Memorial Boulevard. Any above street level parking shall be screened from public view and architecturally integrated into the building. Access for parking and servicing shall be from Steeple Street.

4.B.12.f Pedestrian Circulation

Exchange Street is the major pedestrian street for both this parcel and the Downtown Edge Subdistrict. It is the eastern connector between the downtown and the State House. Uses along this edge shall interact with the pedestrian. There shall be street trees and signage to direct pedestrians to the District and to downtown. Particular design consideration must be given to paving and landscaping on this edge. Steeple Street provides a highly articulated urban experience. This edge will require special design and paving treatment to minimize the conflicts between the pedestrians and the vehicles. Street trees are required along the three sides of the project.

4.B.12.g Vehicular Circulation

Vehicular access to the parcel is not permitted from Memorial Boulevard.

4.B.12.h Open Space

Not applicable to this parcel.

4.B.12.i Public Art

Public art is encouraged to be incorporated into the design of any building.

4.B.13 PARCEL 13

4.B.13.a Design Intent

Parcel 13 lines the Francis Street approach to the State House and represents one of the most impressive addresses and “front doors” in all of Providence. Its design should honor this prestigious setting and respect and respond to the State House and the State House Park which it will address.

Parcels 13 and 10, when linked by a bridge or bridges across the Woonasquatucket River, offer the opportunity to introduce significant retail activity to serve downtown Providence. Alone among the District’s parcels, these parcels permit department stores and other general merchandise establishments, but only if such uses are also introduced on both parcels. Should Parcels 13 and 10 be developed together, their design is to introduce a variety of massing and facade treatments to reduce the apparent scale of the overall development and to emphasize its individual components.

Development on Parcel 13 should address the State House respectfully, by honoring a special, deflected build-to line and by providing ceremonial, civic open space flanking Francis Street as it meets the State House lawn. To reinforce the approach to the State House, development on Parcel 13 is required to provide street wall continuity along Francis Street. The design is to honor and reinforce the formality of this important setting. The design is also to reflect the presence of the Woonasquatucket River by placing building walls approximately parallel to the river channel.

Development should respond to the visibility of the western edge of the parcel that adjoins the Interstate. Building facades should be compatible in material and detail with the overall parcel design and to avoid a "back door" appearance often associated with parking garages and service entries.

Development of Parcel 13 should encourage pedestrian activity along Francis Street and pedestrian connections to the north and west of the District. The quality and location of pedestrian space is critical to the successful integration of Parcel 13 into the District’s plan.

4.B.13.b Preferred Uses

The preferred uses for Parcel 13 are commercial office, institution, support retail to enliven Francis Street, parking, and department stores and general merchandising, only if department stores and general merchandising establishments are also provided on Parcel 10.

Should the amount of retail exceed 20,000 square feet of Gross Leasable Area (GLA), there shall be mandatory retail frontage and continuity along Francis Street. This shall require that 75% of built space along the Francis Street frontage be occupied by retail shops with shop windows and frequent direct entry from the street to a retail environment. Air-rights development over the tracks shall be allowed and encouraged.

4.B.13.c Building Edges

Building edges on Parcel 13 shall reinforce the Francis Street view corridor and the riverbed of the Woonasquatucket River. Along Francis Street, exterior building walls shall be coincident with the building line without setback for a minimum height of 40 feet. This building line shall deflect, at the northeast corner of the parcel facing the State House lawn, to honor the relationship to the State House. A building entrance shall be required at the midpoint of this building face.

The monumental, classical character of the existing Francis Street bridge shall be retained. Along Francis Street, in order to provide a direct relationship between the development and the street, the bridge railings between piers may be removed. The piers and lights shall, however, remain in place or be rebuilt as part of the required 10-foot wide open space between Francis Street and the development.

Along the Woonasquatucket River, exterior building walls shall be coincident with the building line, which is parallel to and set back 20 feet from the channel, without interruption.

4.B.13.d Height and Massing

Three height zones shall be established, the first adjoining Francis Street, the second covering the balance of the land, and the third including the area above the Woonasquatucket River.

In height zone 13.1, the maximum height shall be 75 feet and the minimum height shall be 40 feet. Height zone 13.1 shall extend into the parcel for a depth of 60 feet from the Francis Street property line.

In height zone 13.2, the maximum height shall be 75 feet and the minimum height shall be 0 feet.

In height zone 13.3, the height shall be 0 feet except for the area spanned by a bridge or bridges. The retail bridge may have as many levels as required for the direct connection of retail activities and shall cross the river in a single span. This bridge shall cover, at a maximum, the area of the river already covered by the railroad bridge.

4.B.13.e Parking and Service

Parking may be provided on site but shall not be located next to the required frontage along Francis Street or along Hayes Street within 100 feet of its intersection with Francis Street. The design of parking facilities shall respond to the visibility of the site along its western edge, and the use of material, color, and detail shall be compatible with the overall parcel design, avoiding the "back door" appearance often associated with parking garages and service entries.

On-street loading docks are prohibited. Access to off-street loading docks to serve development on Parcel 13 shall be provided from Park Street.

4.B.13.f Pedestrian Circulation

Pedestrian movement shall be encouraged along Francis Street.

There shall be two pedestrian connections through Parcel 13 to establish and strengthen connections between the heart of the District and areas to the north and west. One shall link the midpoint of the parcel at Francis Street with the midpoint of the parcel at Park Street. The second shall link the river walk (and bridge if provided) to the northeast corner of the parcel addressing the State House Lawn.

To the east of Francis Street, stairs shall be constructed south of Park Row, bringing pedestrians up to the Francis Street level. An at-grade crossing of Francis Street shall be provided. Entering Parcel 13, there shall be a mandatory pedestrian connection over the tracks (should the developer elect to build there), from which stairs will provide access down to an extended river walk leading to Park Street.

4.B.13.g Vehicular Circulation

Access for parking and service shall be permitted from Park Street and Hayes Street but shall be prohibited from Francis Street to avoid interruption of the pedestrian environment and stacking of cars on Francis Street.

4.B.13.h Open Space

A 10-foot setback at grade shall be required along Francis Street. This open space shall be landscaped in accordance with Sections 3.0, 5.0, and 6.0 of the Regulations.

The developer of Parcel 13 shall be required to fund a new civic open space at the base of the State House lawn. This open space shall consist of two halves, the first consisting of the area formed at the corner of the parcel by the mandatory deflection in the build-to line; the second, an equal area across Francis Street. The design of this open space shall be prepared separately from but in coordination with the design for Parcel 13.

A river walk extension shall be provided to allow pedestrians from Waterplace Park to continue their walk along the Woonasquatucket River. This shall include steps to the east of Francis Street, a 20-foot minimum-width passage over the railroad tracks (if air rights are developed), and a 20-foot river walk at the river's edge from the tracks to Park Street. Stair and/or elevator connections between the passage over the tracks and the river walk shall be provided.

4.B.13.i Public Art

Public Art is encouraged to be incorporated into the design of any building.

4.B.13.j Department Stores and Retail Development

Should department stores be introduced on Parcel 13, the following criteria shall apply:

- The mass of the store(s) shall be located internal to the parcel, to avoid a blank facade or an undifferentiated mass adjoining Francis Street or Memorial

Boulevard. Alternatively, the mass of the department store shall be articulated by use of materials and change in plane to create scale and relief similar to that windows would have provided. Along the Francis street frontage, 75% of built space shall be occupied by retail shops with shop windows and frequent direct entry from the street to a retail environment. The objective is to create an open, animated, inviting exterior treatment.

- The facade shall use high-quality finish materials, such as stone, cast stone, and masonry, compatible with the overall character and quality of the District. The pedestrian level and the top level of the facade shall receive special treatment, such as projecting cornice lines or other architectural embellishment, befitting this urban location.
- Where department stores are incorporated in a larger retail complex, they shall each be treated as a separate building for purposes of mechanical penthouse design (see section 5.14).
- Associated parking shall be screened, and its design shall utilize materials and details compatible with the overall parcel design, to avoid a utilitarian "back door" appearance.
- The horizontal mass of the building shall be broken up as much as possible, to introduce a sense of the scale and rhythm of the District and downtown Providence commercial buildings and block patterns.
- Lighting and signage shall be discrete and fully compatible with the District's setting.

4.B.13.k Bridges

Development on Parcel 13 may be linked to that on Parcel 10 by a bridge or bridges extending through Parcel 13B approximately within the air-space above the railroad bridge and/or at the extreme western edge of the parcel, adjoining Park Street. Each bridge shall be designed to look like a bridge (with its structural and/or architectural bays expressed), to complement the Francis Street bridge (which it will flank), to be of maximum width as described in this section, and to allow views of the river and surroundings from within. The bridge over the railroad structure may include both circulation and shops and shall be a maximum of 75 feet wide; pedestrian circulation within the bridge shall be visible from Francis Street. The bridge adjoining Park Street may include vehicular circulation linking Parcels 10 and 13; it shall be a maximum of 24 feet wide. Walls enclosing the bridge shall not be completely opaque or unarticulated. Permission to construct a bridge linking two masses does not constitute permission to extend the entire mass of development across the river.

4.B.14 Parcel 14 (State House Subdistrict)

4.B.14.a Design Intent

Parcel 14 is located within the State House Subdistrict and is adjacent to the Providence Place Mall. Parcel 14 contains four buildings which are listed on the National Historic Register, the Gloria Dei Church, the Rhode Island Medical Society, the Veterans Memorial Auditorium and the Masonic Temple Building. These buildings and their mixture of uses determine the essential character of the parcel. This character should be respected and preservation of the historic integrity of the Masonic Temple, the Veterans Memorial Auditorium and the Gloria Dei Church should guide development and related design proposals. If the Masonic Temple is demolished, new development shall acknowledge the importance of this pivotal corner of Francis Street and Avenue of the Arts. New development here shall respect the State House and create a strong pedestrian edge along Francis Street.

The majority of this block has been developed. However there are areas which will provide opportunities for appropriate infill development. Additionally, the area between the Veterans Memorial Auditorium and the Masonic Temple provides a unique opportunity for either an addition to one of these buildings or for a well designed urban plaza area. New construction shall be in a scale compatible with the existing architectural context of the block and shall reinforce the civic importance of the Veterans Memorial Auditorium and respect the setting and character of the Gloria Dei Church. Any redevelopment of the existing buildings will require a combination of preservation, re-use, repair, and proper maintenance rather than replacement. The unique character of the Gloria Dei Church requires special protection and consideration from any adjacent development.

The areas of the block requiring substantial improvement include the Masonic Temple and its site, and the overall streetscape of the block. A program of sidewalk improvements, tree planting, and other landscape amenities and proper maintenance of the public areas would substantially enhance the perceived qualities of this block.

Any future development of the Veterans Memorial Auditorium should consider use of the air rights over Park Street.

4.B.14.b Preferred Uses

Governmental, institutional, cultural, or educational uses are the preferred uses. However, office, hotel, and residential are also appropriate. At least some portion of the parcel, including the street level adjacent to the Veterans Memorial Auditorium, should include active uses that support continued use of the Auditorium for large audience events.

Required Ground Level Uses: Ground level retail uses are not required in the reuse of any of the existing buildings. However, the inclusion of retail activities or other uses to which the public is invited is desirable on the ground floors, particularly along Francis Street. In the case of any new development along Francis Street, the project shall include a minimum of 75% transparency on Francis Street and along Avenue of

the Arts at the street level. For new structures, retail or other active uses are strongly encouraged at street level adjacent to the Auditorium and along Francis Street. The transparency requirement is not applicable to any existing structures.

4.B.14.c Building Edges

New construction along Hayes Street and Park Street shall respect the street edge established by the adjacent buildings. Along Francis Street, the façade of any new development shall be set back at the ground level from the curb line for a minimum width of 15 feet in order to provide a sidewalk width of at least ten (10) feet and a landscaped area of at least five (5) feet. This setback shall be to a minimum building height of 30 feet. The street facades of the existing buildings shall respect the alignment of additions or alterations to these buildings. New construction along Hayes Street, Park, and Francis Street shall respect the street edge established by the adjacent buildings.

4.B.14.d Height and Massing

The height of any infill construction or additions to existing buildings on Hayes Street, on Park Street from Hayes Street to the south face of the Veterans Memorial Auditorium, and on Francis Street from Hayes Street to the south face of the Masonic Temple shall not exceed forty-five (45) feet. The height of any additions to the Veterans Memorial Auditorium shall not exceed the cornice height of the Veterans Memorial Auditorium. The height of any additions to the Masonic Temple shall not exceed the cornice height of the Masonic Temple. The minimum height shall be thirty-five (35) feet. Should the Masonic Temple be demolished, the height of any new building on this site shall not exceed 115 feet, as measured from Brownell Street. The minimum height for the Masonic Temple site shall be 75 feet.

The existing buildings define the character of Parcel 14. Infill buildings shall respect the scale and massing presently in place. The rooflines and building profiles shall be varied. Additions to buildings fronting Park Street are strongly encouraged to take advantage of any air rights over Park Street.

4.B.14.e Parking and Service

Parking and service included in any future development shall be architecturally integrated into the building.

The topography of Parcel 14 provides the opportunity to use Hayes Street for service and parking access to new development on Parcel 14.

There shall be no service and loading from Avenue of the Arts.

4.b.14.f Pedestrian Circulation

Pedestrian movement should generally follow the present configuration of the public sidewalks. A mid-block pedestrian connection from Avenue of the Arts to Hayes Street between the Veterans Memorial Auditorium and the Masonic Temple site would be desirable. Streetscape improvements along Avenue of the Arts will complement the

development of a pedestrian plaza on Parcel 15 and will enhance this street's focus as a primary pedestrian route.

4.B.14.g Vehicular Circulation

Vehicular circulation around this parcel, particularly along Avenue of the Arts should be studied to address patron drop-off and related circulation during events at the Veterans Memorial Auditorium.

4.B.14.h Required Open Space

The creation of an urban plaza on Avenue of the Arts at the northern edge of Parcel 14 and the southern edge of Parcel 15 is strongly encouraged. This plaza should be incorporated into the future development of the Masonic Temple site as well as the future development of Parcel 15. The design of this plaza should be simple, yet lively and address pedestrian and vehicular use of the area.

4.B.14.i Public Art

Streetscape public art is required to enliven the area, particularly along Avenue of the Arts.

4.B.14.j Signage

All signage must be consistent with the architectural quality of the particular building and mindful and respectful of its setting within the State House Subdistrict.

The Park Street facade of the Veterans Memorial Auditorium, given its visibility from Route I-95, lends itself to large-scale artistic treatment and/or graphics. Any signage along this facade is also subject to review by the RI Department of Transportation to minimize distractions to highway traffic.

4.B.15 Parcel 15 (State House Subdistrict)

4.B.15.a Design Intent

Parcel 15 is located within the State House Subdistrict. This Subdistrict includes some very prominent and historically significant buildings including the Masonic Temple and the Veterans Auditorium. Although primarily vacant at present, this parcel is prominent from several approaches, including Interstate Route 1-95 and the neighborhood to the west. It represents a very important gateway both to the State House, its immediate environs and to the District.

The prominence of this block, as a gateway into the District and as a transition between the Smith Hill neighborhood and the State House, warrants a distinguished response to each of the four distinct frontages.

- Along Francis Street the massing should reinforce the western edge of the State House and its grounds. This façade should serve as a fitting background to the State House.
- Along Smith Street and at the intersection of Smith and Park Streets, the massing should symbolically act as a gateway to the District, accommodating and enhancing view corridors to the State House from the west and north.
- Along Park Street, the massing should reinforce the sense of urban edge to I-95, while considering views from the western neighborhood.
- Along Avenue of the Arts, the massing and facades shall respond to the dignity and scale of the Veterans Memorial Auditorium and the Masonic Temple, and shall be set back to create a generous public space or plaza in front of these historic buildings.

Publicly accessible street level uses will be critical in this very public-oriented area. Ground level uses should be lined with extensive windows permitting continuous views into and out of the buildings. The use of high quality and durable materials shall be used to enhance the setting of the State House.

Any reuse of the existing structures on this parcel shall respect the character and integrity of the existing building.

4.B.15.b Preferred Uses

The preferred uses are public or government-related functions and commercial offices along with support retail. Institutional, cultural, educational, hotel and/or residential uses are also be appropriate.

Ground Level Uses: Along Smith Street, Francis Street, and Avenue of the Arts, the ground level uses shall be public in nature. Along these streets, new structures shall provide areas of transparency equal to 75% of the wall area. Along Avenue of the Arts, the ground level uses shall complement the civic nature of the Veterans Memorial Auditorium, the Masonic Temple and the public plaza. Ground level uses along Park Street may be more service-oriented and include entrances to

service and parking. The transparency requirements shall not apply to the reuse of any of the existing structures.

4.B.15.c Building Edges

Along Francis Street, the building edges shall be set back at the ground level from the curb line for a minimum width of 15 feet in order to provide a sidewalk width of at least ten (10) feet and a landscaped area of at least 5 feet.

Along Smith Street, the buildings shall be designed to incorporate a view corridor to the State House as it is approached along Smith Street from the west. Building edges shall be set back at least 25 feet.

Along Avenue of the Arts, the build-to line shall be a line formed by a 90 degree angle with the northeast corner of Francis Street and Avenue of the Arts, following a line parallel to the Veterans Memorial Auditorium and continuing westward to the intersection of Parks Street and Avenue of the Arts. The intent is to create an appropriate plaza fronting on the Veterans Memorial Auditorium and the Masonic Temple site.

No setback is required along Park Street.

4.B.15.d Height and Massing

The height on this parcel should step down from a high point on the southern edge of the parcel to a lower height as the development approaches Smith Street. To reflect the required step-down in height, the parcel has been divided into four height zones.

Parcel 15A: Bounded on the north by Smith Street and on the south by a line parallel to and fifty (50) feet south of Smith Street. The east and west boundaries of this subparcel are Francis and Park Streets.

Parcel 15B: South from Parcel 15A to the range line running from the south face of the main block of the State House.

Parcel 15C-1: South from Parcel 15B to Avenue of the Arts, ten feet deep westerly from Francis Street.

Parcel 15C-2: South from Parcel 15B to Avenue of the Arts, starting ten feet westerly from Francis Street and running to Park Street.

A creative architectural design shall be utilized for the buildings on the subparcels in order to address the changes in height requirements.

The maximum and minimum height zones are as follows:

<u>Subparcel</u>	<u>Maximum Height</u>	<u>Minimum Height</u>
15A	45'	45'
15B	75'	45'
15C-1	80'	45'
15C-2	115'	45'

4.B.15.e Parking and Service

Any parking shall be located underground with access and egress curb-cuts located on Park Street. Any new loading and service areas shall be off-street and shall be accessible only from Park Street. Parking and service entrances are not permitted on Smith Street, Francis Street or on Avenue of the Arts.

4.B.15.f Pedestrian Circulation

Pedestrian movement should generally follow the alignment of the public sidewalks. Any development shall allow for a minimum sidewalk width of 10 feet along all streets, except along Francis Street, where the minimum sidewalk width shall be 15 feet, inclusive of the landscaped area.

4.B.15.g Vehicular Circulation

No change is proposed for the vehicular circulation in the area. The design of the public space on Avenue of the Arts shall accommodate appropriate and well-designed vehicular access to provide for pick-up and drop-off at contiguous venues.

4.B.15.h Required Open Space

The setbacks detailed in building edges will require the development of an urban plaza on Avenue of the Arts. This open space shall be designed as an integral part of the project and will reinforce its relationship to Avenue of the Arts. The design of this plaza shall be complementary to the State House area and the developments on Parcels 14 and 15.

4.B.15.i Public Art

Public art is important in the development of this important site and it shall be incorporated as a critical component in the initial design of any project here. Public art shall be incorporated in the development of an active and vital plazas on Avenue of the Arts and Smith Street.

4.B.15.j Signage

All signage must be consistent with the architectural quality of the particular building and mindful and respectful of its setting within the State House Subdistrict.

Any signage along Park Street is also subject to review by the RI Department of Transportation to minimize distractions to highway traffic.

4.C. REQUIREMENTS FOR ALL PARCELS

This section provides a brief outline of the requirements for all parcels including use, signage, roofscape, signage, lighting, parking and service, streets and public art. Further design studies will be required in close association with the landscape and open space requirements.

4.C.1 Uses

Preferred Uses for each parcel are detailed within each parcel specific requirement. The use restrictions applicable to “A” and “B” Streets, as referenced in the Providence City Zoning Ordinance shall apply within the District. However, office buildings in the District are not permitted to have in-house employee-provided cafeterias unless these are located at street level, accessible from the street and open to the public.

Street Level Uses: Development along “A” Streets, as referenced in the Providence City Zoning Ordinance, shall provide areas of transparency equal to 70% of the wall area, between the height of 2 and 8 feet from the ground, or each exterior wall. Areas of transparency of at least 3 feet in width shall separate blank walls. Loading areas are not permitted on “A” Streets in the District.

4.C.1.a Interim Uses: Because of the location of the District and because its parcels may be developed over time, surface parking, landscaped open space and temporary signage shall be the only allowable interim use of parcels. However, demolition of structures, excepting conditions of public safety, shall not be allowed for the purpose of creating an interim use.

Interim Parking Areas: Interim parking areas shall be asphalt paved. Lighting standards shall be related in appearance to those of the Capital Center street system. All wiring to lighting standards shall be underground. Landscaping shall be provided to screen the parking at its perimeter and shall reflect the design intent and materials of other public landscaped areas within the District. No structures shall be allowed except for the housing of cash and/or ticket collection functions. Signs and landscaping shall be in conformance with the City ordinance.

Landscaped Open Spaces: Interim open spaces shall be landscaped in accordance with Sections 3.0, 5.0 and 6.0 of these regulations and in accordance with any specific open space guidelines outlined for the specific parcel in which the interim use is proposed.

Temporary Signage: Temporary signage shall be restricted to the identification and/or promotion of the use of a parcel and shall be located only within the boundaries of the parcel to which the temporary signage relates. It can be of a form and material that is attached to a building, or something located on the ground, or

freestanding. Proposed temporary signage will be reviewed by the Commission for size, placement, and appropriateness and will be subject to the Commission's approval.

4.C.2 Roofscape

Because of the visibility of the area and the varying heights of buildings within the District, the treatment of roof area will be of tremendous importance to the overall visual impression of the District. The roof area will be subject to design review and shall be architecturally integrated into the design of the building.

All mechanical equipment, except fans and vents that are lower than the building parapet, must be enclosed in a single penthouse. The penthouse enclosure shall be given an architectural treatment that is compatible in material and quality with other exterior building finishes. The penthouse shall be massed and located in a manner that complements the overall building design. Special requirements for Parcel 6b, should it be used for a parking structure or structures, are set forth in Section 4.B.6. All roof elements are subject to Article 4 of the Zoning Ordinance of the City of Providence.

4.C.3 Ancillary Site Structures/Appurtenances

To prevent the appearance of ancillary site structures that may detract from the overall project, no exterior garbage, utility or other structures will be allowed. Any requirements for building services must be provided completely within the major development structures. All appurtenances must be architecturally integrated into the design of the project and shall not be located at the exterior ground level.

4.C.4 Signage

Signage, which is proposed as part of the development of any of the parcels in the District, will be subject to the approval of the Commission. Signage subject to review and approval will include exterior signs and interior illuminated signs, which are clearly intended to be read from the street. Proposed signage systems will be reviewed for quality, quantity, size, placement, appropriateness and compatibility with the District's overall objectives, and with signage already in place.

Temporary signage shall be restricted to the identification and/or promotion of the use of the parcel and shall be located only within the boundaries of the parcel to which the temporary signage relates. It can be of a form and material that is attached to a building or something located on the ground, or free standing, to the extent permitted by zoning. Proposed temporary signage will be reviewed by the Commission for size, placement, and appropriateness and will be subject to Commission approval.

All signs shall be in conformance with the Zoning Ordinance of the City of Providence. Roof signs shall not be permitted.

4.C.5 Lighting

Lighting is an essential part of the design of a building. All lighting plans are subject to the review and approval of the Commission.

4.C.6 Parking and Service

4.C.7. a Parking: On all parcels, surface parking and parking at the street level is prohibited. Parking and building servicing shall be internal to the structure. Parking and servicing shall be accommodated below grade as permitted by the geology of the site. If parking is located above grade, it shall not be visible from the street. Any above street level parking shall be screened from public view and architecturally integrated into the building.

Required Parking: All development shall conform to the downtown parking regulations detailed in the City of Providence Zoning Ordinance. However, the Commission reserves the right to revisit these requirements at a later time. The Commission may, in cooperation with landowners and developers, develop and implement a mechanism to coordinate the construction of parking facilities so as to permit the compliance of individual development proposals with the overall parking requirements of the plan.

Surface Parking Areas: The objectives of the Plan will be significantly negatively affected by the prolonged use of developable land within the District as surface parking. Therefore, surface parking is specifically excluded as an allowable use, except on a pre-existing interim basis. The development of any permitted surface parking areas shall be in accordance with the requirements for interim parking areas as detailed in Section 4.C.1.a.

Structured Parking: Parking structures may be included within the development of a parcel. All parking structures must be highly articulated and architecturally integrated into the building design. The design of any parking structure is to be considered as important as that of any other building within the District. On certain parcels, as detailed within Section 4.B, parking structures may be a permitted use. Developers must creatively screen or cover the upper level of any structured parking. Lighting for the upper level of any structured parking shall be contained within the roof structure, as shall stairs and mechanical equipment. All ticketing and collections shall occur within the parking structure.

4.C.6.b Service: Development shall conform to the off street loading requirements of the Providence Zoning Ordinance. Any reduction of off-street loading, below that required by the Providence Zoning Ordinance, must be approved by the Commission, the City Traffic Engineer, and the Providence Zoning Board of Review. All building service and loading shall also be accommodated below grade and/or shall be internal to each building. Entrances to either parking or service loading should not inhibit pedestrian movement and should not interfere with access to public uses.

4.C.7 Optional Internal Streets

Standards for Optional Streets

Classification: These optional streets are service and/or access roads introduced for the purpose of subdividing a parcel, providing parking and/or service access, providing pedestrian access, or all of the above. These optional streets are the responsibility of the developer or developers. They are subject to review by the City Department of Public Works as well as approval by the Commission.

On Parcels 2,6, and 10, vehicular streets through the parcel may be provided by the developer, at his option, to improve access and to establish parcel sizes compatible with current market opportunities. The character and sense of these optional streets shall be distinct from major streets, reflecting the overall hierarchy of streets in the District. The streets shall serve as an open space amenity and a place for pedestrian as well as vehicular movement.

Optional streets shall be in accordance with the configuration and alignment shown on the Project Boundaries and Parcel Plan, Figure 1, where applicable, and shall be accessible to the public at all times.

Cross Section: The cross section of optional streets shall be no greater than 38 feet wide with no greater than 22 feet of pavement and two sidewalks measuring 8 feet each. Optional streets may be widened beyond a point 20 feet inside the parcel line in order to accommodate special turning, servicing, parking, or drop-off requirements.

Profile: The slope of the optional streets should be constant. The public streets will not be changed in profile to intersect with the private service roads, although some warping may be necessary.

Alignment : Some of the optional streets will have interior changes of alignment. Road curvature should be minimal, with the transitions in alignment well defined and as pronounced as practical recognizing the turning characteristics of large vehicles such as delivery vehicles and fire trucks.

Operation: The optional street on Parcel 2 shall be one way south and eastbound from Park Row West to Exchange Street.

Curb Cuts: There are no restrictions on driveways off the service roads except that they must occur at least 20 feet in from an intersection with a public right-of-way.

Streetlights: Streetlights on optional streets shall be of the same family of lights as those used on publicly funded streets.

Pedestrian crossings: Pedestrian crossings are to be enhanced through the use of special paving, signaling devices, or other mechanisms designed to protect and

facilitate pedestrian movement within the District and between the District and its surrounding areas.

Ownership: Ownership of the optional streets shall remain private. With the permission of the Commission, a private property owner may seek to dedicate a developer-provided street to the City of Providence.

4.C.8 Public Art

Public Art is an important element in the urban landscape. Public Art is encouraged in urban plazas and along pedestrian ways, wherever possible. Public art should be included as an integral part of any project design.

SECTION 5: THE PUBLIC REALM

The Capital Center Development Plan requires the creation of a specified network of open spaces that not only enhances adjoining development but also organizes the District and provides strong visual linkages among important public monuments. This network of open spaces provides an exciting sequence that draws pedestrians between the downtown and the State House thus animating the Union Station complex and the District's area. In addition, the open space plan fulfills a long-standing community objective, since it has as its setpiece and focal point a major public square which includes the re-creation of the Cove area originally so important to the City's commerce.

Implementation of the open space element of the District requires a working partnership between public agencies and private landowners and developers. The four major open spaces of the plan, as described in Section 5D, were publicly funded, as were certain river walk segments. However, certain remaining open spaces, as well as certain river walk segments and pedestrian connections which link the open spaces, are to be provided by the developers. These privately funded improvements are discussed in Section 5C.

The purpose of the Regulations, as they pertain to open space elements, is to identify the extent and character of each open space within the District. The Regulations fix the location and approximate configuration of each open space, and describe the relationship of that open space to the District as a whole. However, just as individual architects will prepare design concepts for the individual parcels, so too the open spaces require a conceptual design to refine the design intentions set forth here. These design concepts shall be subject to the review and approval of the Commission.

5.A. General Provisions

All open spaces shall be open and unobstructed to the sky except as otherwise noted. No new buildings shall be located within an open space and open spaces shall be located at grade (as set by the new street network) unless otherwise specified. Parking shall not be permitted on any of the public open spaces.

There are four major Open Spaces required in the District. These are Waterplace Park, State House Park, the State House Lawn, and River Park each of which will be publicly-funded, and several other smaller open spaces on various parcels, including certain river walk segments and the Pedestrian Connections. Sidewalks and park paths will also interconnect the Open Spaces and the parcels. The Open Spaces are shown on the **Open Spaces Plan, Figure 5.**

With permission of the Commission, private property owners may seek to dedicate developer-provided open spaces and pedestrian connections to the City of Providence.

5.B. Open Space and Pedestrian Movement

A network of major public open spaces is the nucleus of the District. The pedestrian circulation through and between these open spaces is illustrated in Figure 7.

These major open spaces reinforce the physical setting of key landmarks such as the State House and Union Station, provide a sense of sequence and progression to movement through the District, and as public gardens sustain a sense of amenity for the surrounding urban context. In addition, public investment in these open spaces enhances the value of private property on adjoining parcels. As a resource for the entire project area, the public open spaces also obviate the need for small plazas on most parcels. Since the major open spaces and pedestrian circulation elements are a critical component for all, universal accessibility should be considered in the design of all pedestrian spaces, including sidewalks, park paths, river walks and street crossing areas.

The design for the District also includes an extensive network of pedestrian circulation elements, which will interconnect the individual open spaces, and the development parcels of the District. In addition to sidewalks and park paths, these elements include the river walks, which will line the Woonasquatucket and Moshassuck Rivers, as well as the mandatory pedestrian connections, which will provide linkages through private development parcels.

All open spaces and pedestrian areas, whether publicly or privately developed, shall be designed to incorporate accommodation for universal accessibility in accordance with ADA.

These elements are described below.

5.B.1 Sidewalks: The District is an urban place. Sidewalks will line each of the new streets being constructed. These sidewalks will vary in width from 5 to 25 feet, depending on the character of the street and the level of pedestrian use.

Privately funded streets shall also include sidewalks in accordance with these regulations. Given the experience of the build-out of the District, future consideration should be given to widen the sidewalks to enhance the pedestrian experience.

5.B.2 Park Paths: Paths through the major public open spaces of the District enrich the pedestrian circulation. Included among these are the brick-patterned walk that leads axially from Francis Street up the hill to the State House; the paths through State House Park, linking Waterplace and the State House Lawn; and the dramatic stepped paths that lead from the Woonasquatucket water basin up to the elevation of State House Park.

5.B.3 River Walks and Bridges: The purpose of the District's river walks is to:

- provide pedestrian linkages between river-related locations in the District and along the Providence River as it leads through the Downtown to the Waterfront;
- reinforce the visual importance of the rivers to the District and the City; and
- include and relate to adjacent areas where such activities as sitting, eating, and strolling can occur.

The relocation of the Woonasquatucket and the Moshassuck Rivers and the uncovering of the Providence River as it flows southeast from the District have expanded the river walk system originally proposed for the District, allowing it to extend along the Providence River. More dramatically, river relocation has moved the confluence of the Woonasquatucket and the Moshassuck Rivers to a far more prominent location that is easily reached from adjacent streets and development parcels; this has created a major focal point for the District.

To take advantage of the potential of river relocation and to meet the intentions for the District, an extensive set of public and private improvements has been proposed for the river edges. In order to provide lively activity, to relate to intersecting sidewalks and ground floor shops and cafes, and to support a major, permanent investment in lighting, paving, and furnishings, the river walks shall be located at a level approximately 8 feet above Mean High Water (except as otherwise noted).

Changes in grade have been provided to tie the river walks to Steeple and Exchange Streets, to Park Row West and to Waterplace. At selected locations, lower landings have been incorporated, using up to 10 feet of the river walk width.

River walks are to be provided on Parcels 2,3, 6, and 9. These river walks shall be an open and unobstructed to the sky. Along Parcel 6, the setback for the river walk shall be to a minimum width of 20 feet. At the height of 20 feet, the developer is permitted to project out over the river walk back to the property line. All river walks shall be a minimum width of 20 feet except along Parcel 3 as it adjoins the Moshassuck River. Here the river walk shall be a minimum of 16 feet wide. No new building shall be located within a required river walk. At selected locations, lower landings may be incorporated, using up to approximately 10 feet of the river walk width, as the Commission shall determine.

At Waterplace, a two-level river walk has been provided; its lower level will be 2 to 3 feet above Mean High Water, and higher levels have been provided to connect to adjoining uses and river walks. Two bridges across the Woonasquatucket River are proposed.

River walks will extend to the west of Waterplace along both banks of the Woonasquatucket River. On the north bank, stairs linking to Park Row West have been provided as part of the Waterplace improvements; north side improvements will be publicly funded. On the south bank, a 20-foot wide river walk will be privately funded. Paving, lighting and landscaping for the river walk on Parcel 9 are to be privately provided.

To the east of Waterplace and on the south of the Woonasquatucket River, a 25-foot wide, two-level river walk has been publicly provided. This walk includes an upper level 5 feet wide at approximately 12 feet above Mean High Water and a lower level at 2 to 3 feet above Mean High Water. The upper level of the walk ties in to the crossing sidewalks at Exchange and Steeple Streets. The lower level passes below

Exchange Street and will ramp back up to join the upper level at Steeple Street. From Steeple Street, the river walk will continue southward.

The north bank of the Woonasquatucket River adjoins Parcels 2 and 3. On these parcels, relocated river walls and fill to a level of approximately 8' above Mean High Water as well as paving, lighting, and landscaping are provided as part of the river relocation project. Ramped and/or stepped connections to Waterplace, Exchange Street, and Steeple Street are also included with river relocation. Developers of Parcels 2 and 3 will have the option of raising or lowering the finished elevation of the river walks at their own cost, in accordance with other provisions of the Regulations.

The Woonasquatucket River Walk along Parcels 2 and 3 shall be 20' wide. At Steeple Street it shall turn eastward and, retaining its 20' width, shall link with the Moshassuck River Walk.

Along the Moshassuck River, the east-side river walk leading from Steeple Street to Smith Street will be publicly provided, at approximately the level of the existing sidewalk. Along Parcel 3, river walls and fill to approximately 8 feet above Mean High Water were constructed as part of river relocation. This river walk will be 16 feet wide. Its paving, furnishings, and lighting will be developer-provided in accordance with river walk regulation. To mitigate loss of access to Parcel 3 because of river relocation, it is recommended that pedestrian bridges be provided across the Woonasquatucket and the Moshassuck Rivers.

Along Parcel 6, the river walk will be 20 feet wide; its paving, furnishings and lighting will be developer-provided. A vehicular and pedestrian bridge (or bridges) will be required for access to Parcel 6. These shall be developer provided.

Along Parcel 10 there will be a 20-foot wide setback along the banks of the Woonasquatucket River. At Parcel 13, there shall be a river walk extension to allow pedestrians from Waterplace to continue their walk along the Woonasquatucket River. This shall include a 20-foot minimum passage over the railroad tracks and a 20-foot river walk at the river's edge from the tracks to Park Street.

Maintenance of river walks within the development parcels will be an obligation of the owners.

5.B.4 Mandatory Pedestrian Connections: The streets and major public open spaces in the Plan establish the primary locations for pedestrian movement. To expand choice and provide diversity within the District, the Regulations also require pedestrian connections through Parcels 1, 2, 3, 5, 6, 7, 9, 10 and 13. Additionally, pedestrian connections are recommended through Parcels 14 and 15. These connections are alternative pedestrian routes, which link key places. Smaller in scale and more intimate in character than the axial streets, they are the shortcuts that provide a sense of discovery. The pedestrian connections may be incorporated into

building designs and provide protection from inclement weather similar to the enclosed through-block arcades currently found in Providence. Alternatively, they may be open spaces exposed to the sky similar to the river walks, or the connections may be part of developer-provided streets as discussed below. On Parcel 6b and c, however, the pedestrian connection across the railroad tracks shall be open and unobstructed to the sky.

All pedestrian connections shall be a minimum of 20 feet wide, open to the public during normal business hours, and maintained by the owner. If a pedestrian connection is covered, it shall be a minimum of 35 feet high.

With permission of the Commission, private property owners may seek to dedicate mandatory pedestrian connections to the City of Providence.

5.B.5 Primary View Corridors: The primary view corridors help organize the District and provide strong visual linkages among important public monuments. These view corridors are established along public streets and across private parcels through various setback requirements that are detailed in Section 4B within the individual parcel requirements. These primary view corridors are illustrated in **Figure 6 View Corridors** and include the following:

- The view corridor along Francis Street from downtown to the State House;
- The view corridor along Exchange Street from downtown to the State House;
- The view corridor along Park Row, past the train station to the State House;
- The view corridor on either side of Union Station across Waterplace Park and State House Park to the State House;
- The view corridor from the State House to the East Side that is generally bound by the line running from the northeast corner of the Masonic Temple, parallel to the State House and the range line of the north face of the State House building, as viewed from Prospect Park.

5.C. Developer Provided Open Spaces

To complement the publicly provided open spaces and to facilitate pedestrian access to them, open spaces are to be provided by the developer on a parcel-by-parcel basis as follows:

- a landscaped terrace at the Main Level of Union Station on Parcel 1;
- pedestrian connections on Parcels 1,2,3,5,6,7,9 and 13; and
- landscaped areas created by mandatory building setbacks on Parcels 6c, 9, 10, 11, 13 and 15.

River walks on Parcels 3 (Moshassuck River side), 6, and 9 will also be developer-provided as previously described.

These open space requirements are further described in Section 4B within the specific requirements for each parcel. They shall be designed, constructed and landscaped in

accordance with the general requirements established in Section 6, so as to contribute to a unified image for the District, and shall be the responsibility of the developers.

5.D. Publicly Provided Open Spaces

5.D.1 Waterplace: The area bounded by Parcel 2, the Memorial Boulevard, Parcel 9, and Park Row West has been designated as Waterplace. It is the major public square within the District and is the symbolic restoration of the Providence Cove. Its width (east to west) is approximately 320 feet, which is determined by projecting the building edges of the pavilions flanking Union Station northwesterly on straight lines perpendicular to Exchange Terrace and the Memorial Boulevard. The north-south dimension of the site is fixed by the alignments of the adjoining streets. It also includes the segment of land between the Woonasquatucket River and Park Row West, adjoining Francis Street. The east and west edges of Waterplace have been designed to maximize the opportunity for multiple points of pedestrian access into Parcels 2 and 9.

Waterplace is an extension of State House Park. It links the public open space network within the District, from the State House to Kennedy Plaza. Waterplace is designed to enhance the experience of the Woonasquatucket River. The design of Waterplace is formal, to emphasize the contrast to the more informal design required of the State House Park. The design intent is to respect the symmetry implied around the axis from Union Station through Waterplace to the State House.

5.D.2 State House Park: State House Park is generally bounded by Park Row West on the south, Francis Street on the west, relocated Gaspee Street on the north, and Parcel 8 and the railroad station on the east.

State House Park shall be an expansive green lawn which covers the railroad and completes the open space link between Union Station and the State House. It includes a deck which spans and covers the railroad right-of-way from Francis Street to the pedestrian bridge at the railroad station.

State House Park is envisioned as an informal, yet critical open space garden for the District. It is an important link in the open space chain, which extends from the State House Lawn, to Waterplace Park and Kennedy Plaza. Pedestrian paths shall be provided between Park Row West and the intersection of Francis and Gaspee Streets. Plantings and paths shall be organized so as to reinforce the axis between the State House and the historic Union Station as well as to retain the view along that axis. State House Park shall be a public open space and shall not be used as a development site or to accommodate any off-street parking.

5.D.3 The State House Lawn: One of the major objectives of the Capital Center Plan is to create a cityscape, which gives appropriate prominence to the monumental State House designed by McKim, Mead and White. This is accomplished in part by the use of a radial street plan and, in particular, by the

creation of an axial street, Francis Street, which responds directly to the strong ordering principles of the building. In addition, the original Capital Center Plan required certain modifications to the State House Lawn which further enhanced the setting and prominence of the State House. The lawn area shall not be used to accommodate off-street parking.

5.D.4 River Park: River Park is the triangular piece of land along which the Woonasquatucket and Moshassuck Rivers merge to form the Providence River.

River Park reasserts the importance of the waterways of Providence to the past and the future of the city and from the confluence of Narragansett Bay. It shall be landscaped according to the Regulations for river walks and shall be publicly funded.

5.E. Blackstone Canal/Moshassuck River

The Blackstone Canal/Moshassuck River is an historic property whose preservation is important to the District. The existing vertical masonry walls of the Canal should be preserved. Existing Canal walls which are concrete may be repaired to conform to their existing appearance. Any new Canal walls should be vertical masonry walls which generally conform to the appearance of the existing stone walls. Any plans to alter the Canal's structure, construct new Canal walls, or demolish structures in or above the Canal will be submitted to the Rhode Island SHPO for his review and comment in accordance with Stipulations 6 and 9 of the Memorandum of Agreement.

5.F. Streets

5.F.1 Design Objectives: The streets, above and beyond its traffic function, are important public spaces. The streets define axis of view as they set up corridors of movement. The streets create a scale for abutting buildings as they establish the accessibility for those abutting buildings. Lastly, the streets induce a pace, which rises out of the mix and speed of traffic upon it. That pace can knit, divide, nurture, or erase various activities that might occur.

Traffic, speed, architecture, and land use all combine to establish the character of the streets. The street system should be assigned only those transportation demands, which it has been designed to handle. The scale of the streets should be safeguarded, for that scale will determine whether the street adds to or detracts from the buildings around it. Lastly, the appropriateness of a land use should be weighed against the general design intent for the street.

5.F.2 General Requirements: The design and construction of all streets within the District shall be governed by these regulations.

Pedestrian crossings are to be enhanced through the use of special paving, signaling devices, or other mechanisms designed to protect and facilitate pedestrian movement within the District and between the District and its surrounding areas.

5.F.3 Memorial Boulevard: Memorial Boulevard has become the “through road” through the City of Providence, connecting the East Side and various parts of the City with the interstate highway system. It acts as a vertical separation between the Downtown Edge Subdistrict and the rest of the District.

The landscaping along both sides of Memorial Boulevard is critical to creating and maintaining the Boulevard atmosphere of this area. Adequately sized and frequently placed trees and adequate street lighting is a critical component to the development of any parcels along this area.

Specific details on the classification, cross section, profile, alignment, operation, street planting, curb cuts, and cross walks are detailed in the Appendix.

5.F.4 Exchange Street: Exchange Street is a critical connection between the historic downtown and the District. The continued increased commuter and visitor traffic through the Amtrak Station and the development of the adjacent parcels 1, 2, 3, 4 and 12 will only increase pedestrian and vehicular traffic along this spine. Active street level uses in buildings that front this street are critical and must contribute to the overall pedestrian experience along this street. Street trees are required. Placement of trees in raised planters shall be prohibited.

5.F.5 Francis Street: Francis Street is an important vehicular and pedestrian connection between Smith Hill, the State House and Downcity. Plantings along Francis Street shall enhance this connection and shall highlight and direct views toward the State House and the State House dome. The installation and maintenance of street plantings adjacent to privately owned parcels shall be the responsibility of the developers of those parcels. Planting within the mandatory 10’ open space along the edges of Parcels 9 and 10 shall be uniform, as set forth in Section 4, to reinforce the continuity of the street.

5.F.6 Park Row West (from Canal Street to Station Place): This segment of Park Row is a local Street of urban character. It marks the entrance into the District from the East Side. This section of Park Row West is likely to serve both residential and commercial uses. It should evolve a character similar to South Main Street with steady, lower-key activity throughout the daytime and evening hours. Street trees are required. Placement of trees in raised planters shall be prohibited.

5.F.7 Park Row West (from Station Place to Francis Street): Park Row West is a local street along State House Park between Station Place and Francis Street. It will sustain a low level of traffic activity except for commuting hours. However, it is an essential element of the vehicular circulation network of the District, providing a second means of access to the southeast side of the train station, which will be particularly important during periods of heavy traffic. It is also an important element in the open space system, defining State House Park and Waterplace and providing access to them. It shall be treated foremost as an element in the park landscape. In

the future, if traffic demand increases, consideration should be given to modifying the width of this street to adequately address parking and traffic needs.

5.F.8 Gaspee Street: Gaspee Street is a local street with the character of a park road through the State House Subdistrict. It separates the State House from State House Park and the other uses in the District. Should Parcel 6 be developed, street trees will be added to the sidewalk area to soften the development edge.

5.F.9 Stillman Street: Stillman Street is a local street having the character of a downtown side street. Stillman Street, between Parcels 4 and 5, and the Stillman Street connection through Parcel 2, will become a major east-west pedestrian connection between Waterplace Park and the East Side. Appropriate sidewalk widths and street tree plantings will be critical to reinforce this pedestrian corridor.

5.F.10 Joslin Court: Joslin Court is a local street having the character of a downtown side street. Development along this street must provide an appropriate complement to the “front door” of Parcel 3S, while also integrating the service access points, where required, for Parcels 3E, 3W, 4E and 4W.

5.G Signage, Lighting, Street Furnishing and Landscaping

Many aspects of the District make it special: the domination of a radial street plan, the modulation of building massing, and the connections of the river walks and the pedestrian ways. These characteristics will establish a singular image and identity for the District. To maintain this strong sense of place, it is paramount that a high standard of quality and consistency be established for the features of the street and the landscape. These include signing, furnishings, planting, and paving.

5.G.1 Signage

Signage is an essential and highly visible element that is meant to inform, to identify and to direct the users of the District. Therefore, the need to develop an integrated signage system that is compatible with the intentions of the Plan is crucial. All signage will be subject to the approval of the Commission. Proposed signage systems will be reviewed for size, placement, appropriateness and compatibility with overall District objectives, and with signage already in place in the District.

5.G.2 Lighting: Illumination is to satisfy three basic needs for both pedestrians and vehicles: safety, security, and visibility. In addition, lighting should provide an aesthetic accent to the parks, Waterplace, and the river walks.

Types and Sizes of Lighting Standards: The type of lighting standard and luminaire for the District reflect a functional design consistency in size and form. It is to also reflect in scale and detail the historic character of the district. It is to provide a proper transition from the Beaux-Arts character of the State House.

Lighting standards and luminaries along the river walks shall be of a design clearly related to that of the street system for the District. However, smaller sized elements may be desirable for these pedestrian-scaled paths. All street and river walk lighting shall be the standard as specified in the RIDOT plans for the District. All lighting shall be metal halide white light.

5.G.3. Street and Site Furnishings: Consistency in the form and quality of street and site furniture is essential to the ambiance of the District. A standard design to be used throughout the area should be developed, although variations and additions should be considered for river walk areas. It is also essential that a program of regular care and maintenance be provided.

Bollards, trash containers, benches, and drinking fountains are envisioned as the street and site furniture. They should be developed in simple shapes.

The placement of these objects is also a concern as they create a rhythm in much the same way as the spacing of street trees. They must be carefully located so as not to obstruct the movement of pedestrians.

5.G.4. Plantings: The State House Lawn has a formal character, while the State House Park should be planted in a way to complement it with informal planting. The Boulevard, the river walks, and certain streets within the District are thoroughfares which demand a more regular planting. The nature of planting for other open spaces such as Waterplace and River Park can only be determined in the context of specific designs for these areas. Nonetheless, the identity and character of the District will be significantly enhanced by the selection of a list of species to be used in various applications through the project area. Standards to be developed for planting should also address appropriate spacing and planting details. Such standards are particularly important for the river walks and other frontages which will be developed over time by different developers.

5.G.5 Paving: The floorscape of the District provides the potential medium for establishing an aesthetic character, a physical unity, and a user territory. The color and texture of paving materials, such as brick or cobbles, can provide instant symbolic identification within the District. The sequence of similarly paved walks will provide the definition to the District's edge. Paving changes can also be used to demark pedestrian territory versus vehicular territory. Paving design shall incorporate accommodation for universal accessibility in accordance with ADA

The following paving requirements establish the urban design goals of the project:

- Lower river walks shall signal (announce) a different urban experience by being paved with recycled granite paving stones or constructed of granite stone sand.
- Upper river walks solve the problem of an aesthetic link between the old and new by requiring the use of "Boston City Hall" brick pavers which provide the color

and texture which is practically timeless in its appeal. The paving patterns may vary to add interest and scale.

- The roadway sidewalks shall be concrete but may have designated changes of paving in brick or granite to announce places where historic markers and plaques are displayed.

6.0 APPENDIX

A. PLAN EVOLUTION

1. The 1979 Plan

The Plan described above was first presented in **the Capital Center Project Development Plan**, prepared for the City of Providence and the State of Rhode Island in May 1979. The design objectives are most concisely summarized in the **Development Plan**.

2. Subsequent Modifications

The Capital Center Project Development Plan and the Design and Development Regulations were adopted by the Commission on September 15, 1983, after public hearing. Certain changes in the May 1979 Development Plan were made prior to and subsequent to such adoption. These changes included the following:

- The relocated railroad station design was revised to reflect that which was approved by the Federal Railroad Administration and Amtrak;
- The height of development on several parcels was revised;
- Potential subdivision was introduced to provide for smaller development parcels and to create a more intimate scale of development blocks;
- Memorial Boulevard was shifted approximately 60 feet toward the current railroad station, and the configuration of Francis Street was modified in order to meet regulations for finished elevation and maximum slope on these streets;
- The alignment of Gaspee Street between Francis and Smith Streets was shifted eastward to reduce its impact on the State House Lawn; Gaspee Street was realigned to accommodate two lanes of moving traffic, one parking lane on the north side, and a north sidewalk;
- The alignment of Park Row and Exchange Streets was slightly adjusted to improve geometric relationships and parcel configurations;
- The Park Street ramp was eliminated because the commitment to construct Francis Street as an early element of the Plan made it unnecessary;
- The Park Street Bridge was enlarged to replace the previously proposed modifications to Kinsley Avenue and Promenade Street;
- The Tefft Freight House, damaged by fire and demolished, was eliminated from the Plan;

- Parking requirements for buildings over 75' in height were modified; and
- Changes to the illustrative representation of parcel developments were included in response to the changes listed above.

3. River Relocation

Late in 1984, the Capital Center Commission reached agreement with the City and the State that the plan for the District would be revised to reflect the proposed relocation of the Woonasquatucket and Moshassuck Rivers, subject to commitment by all parties to providing the necessary funds for river relocation. The relocation plan used as the basis for revision was that set forth as Alternative E in the Environmental Assessment for River Relocation, June, 1984. Additional subsequent plans for Waterplace, River Park, and the river walks, prepared independently for the State of Rhode Island, were also taken into consideration.

The main objective of river relocation is to reclaim the Woonasquatucket and Moshassuck Rivers, currently covered-over, silted-in, and all too often junk-filled, as important urban elements. In their relocated configuration these rivers will not only recall Providence's water-related past, but will also provide visual and functional linkages between the District and downtown and between downtown and the waterfront. Active use of the rivers and the adjoining river walks is envisioned.

In response to river relocation and as shown in Figure 2A, the revised **Illustrative Site Plan (1985)**, the following changes were made to the Capital Center Plan:

- Parcels 2, 3, and 4 were reconfigured to reflect the revised river alignments;
- A new Parcel 12 was created in an area that will be reclaimed when the rivers are relocated;
- Access to Parcel 3 was provided by making the optional "alley" between Parcels 4 and 5 a mandatory public street and by adding a street through Parcel 4 to Parcel 3;
- Retail uses were mandated along the Woonasquatucket River Walk on Parcels 2, 3, and 9;
- A below-grade parking requirement was added to Parcel 3, whose size and shape now make such parking easier to accommodate;
- River walks were revised to follow the realigned rivers; a lower-level walk was included at Waterplace and on the southern side of the Woonasquatucket River, and on the northern side of the Woonasquatucket River from Steeple Street to Waterplace;

- Optional pedestrian bridges were added across the relocated rivers to mitigate loss of direct accessibility from Canal Street and Memorial Boulevard; and
- The allowable height was reduced on Parcel 3, but more than one building in excess of 75' in height was allowed.

4. Subsequent Revisions

The ongoing design of the District's street system and public open spaces resulted in several modifications to the previously approved plans. Because these affected the adjoining development parcels, the Regulations were again amended. The following modifications were included:

- Parcels 2, 4, and 5 were reconfigured at their corners to allow for utility easements and turning radii;
- Regulations regarding interim uses were added;
- Build-to requirements for Parcels 2, 3, 4, 9, and 10 were modified to allow tangent as well as coincident configurations;
- Optional property extensions for Parcels 2 and 9 were deleted;
- River walk widths and heights were clarified; arcades were allowed along the river walks; public funding of river walks along relocated rivers was included;
- Street widths and elevations were adjusted for consistency with engineered designs; and
- Memorial Boulevard was reconfigured to allow a below-grade concourse linking Parcel 1 and Waterplace.

The resulting site plan is presented in Figure 2B, **Illustrative Plan, 1987**.

5. Extension of Capital Center to URI Site

As part of the extension of the District's boundary and the study of development opportunities affecting Parcels 6, 10, and 11, and the URI Site, the following changes were made:

- A new Parcel 13 was created in the area bounded by Francis, Hayes, and Park Streets and the Woonasquatucket River;
- Parcel 6 was extended across the railroad right-of-way and subdivided into Parcels 6a, 6b, and 6c;
- Parcel 10 was extended across the railroad right-of-way and subdivided into Parcels 10a and 10b;

- Certain modifications were made to Parcel 11 to encourage and accommodate use of the parcel as part of the site for the proposed new Convention Center; and
- Department stores and general merchandise establishments were added to the allowable uses for Parcels 10 and 13, but only if such uses are included on both parcels, together with specialty retail, and if both parcels are developed as part of a single development project.

The resulting site plan is presented in Figure 3, **Illustrative Plan, 1989**.

6. Subsequent Revisions to Parcels 10 and 13 (December 13, 1990)

To provide design criteria and development controls for the allowable use of department stores and general merchandise establishments on Parcels 10 and 13, further amendments to the Regulations were made, including the following changes;

- Height controls were established for Parcels 10b, 13a and 13b;
- One hundred percent build-to lines were created along the Woonasquatucket River and Francis Street;
- Pedestrian connections were established through Parcels 10 and 13;
- Provision was made for allowable Bridge crossings over the Woonasquatucket River; and,
- Parking and service entrances were amended for Parcel 10 and established for Parcel 13.

The resulting site plan is presented in Figure 3A, **Illustrative Site Plan, 1990**.

7. Subsequent Revisions to Parcel 12, Interim uses, and Signage (October 10, 1991)

- To establish height controls for Parcel 12
- To establish sign controls for development parcels
- To establish landscaped areas as an allowable interim use

8. Subsequent Revision to Interim Uses to Establish Landscape Areas and Temporary Signage as Allowable Interim Uses. (October 10, 1991 and September 9, 1993)

9. Extension of Capital Center to Smith Street (December 16, 1993)

As part of the extension of the Capital Center Boundary, Design and Development Regulations ~~are~~ were established for Parcels 14 and 15 to encourage and regulate the restoration and construction of buildings within this prominent area adjacent to the State House.

- A new parcel 14 was created bounded by Francis, Hayes, Park and Brownell Streets.

- A new parcel 15 was created bounded by Francis, Brownell, Park and Smith Streets.
- Development and design regulations were established to encourage and regulate the restoration and construction of buildings within this prominent area adjacent to the State House.

B. PLAN IMPLEMENTATION

Implementation of the Capital Center Project required close coordination and related actions by a number of entities.

- The Federal Railroad Administration, the City of Providence, the Providence Redevelopment Agency, the National Railroad Passenger Corporation (Amtrak), the Providence and Worcester Railroad, and the Rhode Island Department of Transportation -- through the Providence Rail Relocation Cooperative Agreement, effective January 27, 1982, which establishes the funding contributions of all parties;
- The State Legislature -- through its enactment of legislation authorizing the creation of a special development districts and establishing the Capital Center Commission;
- The City Council -- through its establishment of the Capital Center Special Development District;
- The landowners -- through their participation in the preparation of the Plan and their support for its implementation;
- The Capital Center Commission -- through its adoption of the Development Plan and Design and Development Regulations.

C. REQUIREMENTS FOR STREETS

6.C.1 MEMORIAL BOULEVARD (ROUTE 6 EXTENSION)

6.C. 1a Classification

Memorial Boulevard is an urban arterial serving as eastern access to the Civic Center Interchange from Francis Street and the current Memorial Square area. The boulevard will serve as the northern leg of the distributor loop around Downtown, connecting with Sabin and Fountain Streets on the west and with Canal Street-Washington Row on the east. Memorial Boulevard, in terms of image, also has a formal Gateway function for the Downtown. It is a parkway as much as it is an arterial.

Between Francis and Exchange Streets, Memorial Boulevard will be configured to rise approximately 3 feet and to be supported by a bridge approximately 43 feet in length. This bridge, with its centerpoint coincident with the axis of Union Station and Waterplace, will allow a pedestrian concourse, approximately 9 to 11 feet in height, to connect the Parcel 1 plaza and Waterplace beneath Memorial Boulevard. The sides of this bridge will be important design elements for both the Parcel 1 plaza and Waterplace and will require special treatment such as that given to the Francis Street bridge.

6.C.1b Cross Section

Memorial Boulevard shall have 112 feet of right-of-way (measured at Francis Street), consisting of two sidewalks; two roadways, each 30 feet in width; and a central median 20 feet in width. The roadways are dimensioned to be consistent with the character of Route 6 west of Francis Street Between Francis Street and Waterplace, the north sidewalk shall be 16 feet in width; on the portion adjoining Waterplace and linking to Exchange Street, it shall be 6 feet wide, in order to allow maximum width at the river edge below. The south sidewalk shall be 16 feet in width; in the length adjoining the Parcel 1 plaza, a minimum of 8 feet will be for continuous sidewalk, allowing up to 8 feet for steps descending from the Memorial Boulevard level to plaza level.

6.C.1c Profile

Memorial Boulevard shall intersect both Francis Street and Exchange Street at an elevation of approximately 12 feet. It shall rise to a high point of approximately 15 feet at its midpoint between Francis and Exchange Streets. It shall slope down to an approximate elevation of 9.2 feet at Steeple Street West of Francis Street, the profile shall be determined by the requirements of the Civic Center Interchange. The sidewalk shall follow the profile of the road.

6.C.1d Alignment

Memorial Boulevard shall have a substantially straight alignment between Francis Street and Exchange Street with minimal transitional curves into the road segments on the far sides of those two intersections.

6.C.1e Operation

Memorial Boulevard shall operate with two lanes in each direction. There shall be exclusive left-turn median lanes at Francis and Exchange Streets. Parking is prohibited on Memorial Boulevard.

6.C.1f Street Planting

The median shall be of constant width, except where it narrows for left-turn lanes and as it approaches Steeple Street. The median shall be landscaped with ample provision for pedestrian crosswalks. Trees in the median are required except where the Boulevard intersects the view corridor between Union Station and Waterplace. Trees and planting will offer an important visual continuity as the Boulevard changes in character from expressway to grand avenue. If permitted by FHWA regulations, the trees in the median strip should extend at least one hundred feet westward from the Francis Street intersection as a signal to eastbound drivers that the character and context of the roadway are about to change.

6.C.1g Curb Cuts

There shall be no driveways or curb cuts off the Boulevard with the one exception of Parcel 9 which may require service access or an optional vehicular street. No left turn shall be permitted across Memorial Boulevard into or out of Parcel 9.

6.C.1h Crosswalks and Pedestrian Concourse

The block front along Parcel 1 is 890 feet long and includes a mid-block pedestrian crossing in the form of a pedestrian concourse (beneath the Memorial Boulevard). This concourse shall remain open and accessible to the public 24 hours a day. Design of the bridge shall be carefully pursued to provide compatibility with the prominent historic landmarks and to respect the symmetrical design requirements for Parcel 1 and Waterplace. Like Francis Street, its elevations and railing shall be designed in keeping with its important civic setting.

6.C.2 FRANCIS STREET AND THE FRANCIS STREET FLYOVER

6.C.2a Classification

Francis Street is a collector street which connects the State House precinct with the Downtown and with the Civic Center Interchange. The Flyover is intended as a bridge of monumental character consonant with the architecture of the State House. The side elevations and railings of the Flyover will establish its architectural quality. The Charles River in Boston probably offers the most extensive collection of bridges which are also architecture; the Memorial Bridge in Washington is another elegant example. Francis Street, as vestibule to the State House, is to reopen the era of bridges as public monuments.

6.C.2b Cross Section

Francis Street shall have a standard cross section of 70 feet, with sidewalks 9 feet wide and a four-lane roadway 52 feet wide. This cross section should be extended south of the boulevard as far as Emmett Square, and it is recommended that this vestige of Gaspee Street be renamed Francis Street to reflect its new continuity. At the north end, where Francis Street approaches the State House lawn on axis with the dome, it shall widen to include a median 30 feet wide and at least 120 feet long, not including nosing.

6.C.2c Profile

Francis Street shall rise from the south end of the State House lawn, cross the relocated tracks at an elevation of approximately 36 to 37 feet, and descend to the Memorial Boulevard at a maximum grade of 8 percent.

6.C.2d Alignment

That portion of Francis Street between the State House Lawn and a point 105 feet beyond the south bank of the Woonasquatucket River shall be on axis with the State House dome. Francis Street shall curve southeastward into the alignment of the existing Gaspee Street.

6.C.2e Operation

Francis Street shall consist of two lanes in each direction. The intersection with the Memorial Boulevard shall be signalized. The north end shall function as a signalized T-intersection with a full stop for northbound traffic approaching the State House lawn. Traffic approaching the intersection from the north shall have a full stop at Hayes Street.

6.C.2f Street Planting

The island median shall serve as the site for a future monument or fountain. All planting should be for the purpose of highlighting views of that monument and the State House dome. Planting within the mandatory 10' open space along the edges of Parcels 9 and 10 shall be uniform, as set forth in Sections 5 and 6, to reinforce the continuity of the street; this planting will be the responsibility of the developers of these parcels.

6.C.2g Curb Cuts

One driveway or intersection shall be allowed on each side of Francis Street south of the Flyover, for access to parcels 9 and 10. These driveways must be located to minimize adverse effect on the operations of the Memorial Boulevard intersection.

6.C.2h Crosswalks

Crosswalks shall be provided at Memorial Boulevard, at Park Row, and at the intersection with Gaspee Street.

6.C.3 EXCHANGE STREET

6.C.3a Classification

Exchange Street is a local street of urban character connecting to the downtown street system at Exchange Terrace on the south and with Park Row and the new Station Place on the north. Exchange Street will extend the dense, active atmosphere of the financial district to the new railroad station and to the edge of the State House Lawn.

6.C.3b Cross Section

The street shall have 72 feet of right-of-way with 52 feet of pavement and two sidewalks measuring 10 feet each.

6.C.3c Profile

Exchange Street shall run from its southern end by the U. S. Post Office at approximately elevation 11 to its intersection with the Memorial Boulevard at an elevation of approximately 12. It shall then rise to its intersection with Park Row at approximately elevation 28.

6.C.3d Alignment

Exchange Street between the Boulevard and Station Place shall have its centerline on axis with the State House dome. Between the Boulevard and its southern end it shall be at approximately 90 degrees to the centerline of the Boulevard as it passes Union Station.

6.C.3e Operation

Exchange Street shall be two way with two lanes in each direction. Parallel parking at curb should be permitted in the off-peak hours.

6.C.3f Street Planting

Street trees are required. Placement of trees in raised planters shall be prohibited.

6.C.3g Curb Cuts

No driveways, parking garage entrances, or service access shall be allowed along the length of Exchange Street, except in the segment between Exchange Terrace and Memorial Boulevard. The optional street through Parcel 2 may connect into Exchange Street.

6.C.3h Crosswalks

Crosswalks shall be provided at all intersections with required streets.

6.C.4 PARK ROW (FROM CANAL STREET TO STATION PLACE)

6.C.4a Classification

This segment of Park Row is a local street of urban character. It is likely to serve both residential and commercial uses. As a mixed-use street, Park Row should evolve a character similar to South Main Street with steady, lower-keyed activity throughout the daytime and evening hours.

6.C.4b Cross Section

The street shall have 72 feet of right-of-way with 44 feet of pavement and two sidewalks measuring 14 feet each.

6.C.4c Profile

Park Row shall rise from its intersection with Canal Street at approximately elevation 7 to its intersection with Park Row at approximately elevation 28.

6.C.4d Alignment

Park Row shall begin at Canal Street on alignment with the existing Park Row and curve immediately to the northwest so that its centerline is on axis with the State House dome and at a 90 degree angle to Station Place.

6.C.4e Operation

Park Row shall be two way with one moving lane and one parking lane in each direction. Parallel parking at curbs should be permitted, at least in the offpeak hours. Existing Park Row between North Main and Canal Streets must convert from its present left-hand operation to conventional right-hand operation.

6.C.4f Street Planting

Street trees are required. Placement of trees in raised planters shall be prohibited.

6.C.4g Curb Cuts

No driveways, parking garage entrances, or service access shall be allowed along the western curb of Park Row between Canal Street and Station Place. Along the eastern curb, up to two curb cuts will be allowed to serve parking on Parcel 6, provided they are located between the point at which Park Row turns to the west at Station Place and the railroad right-of-way.

6.C.4h Crosswalks

Crosswalks shall be provided at intersections with Canal Street, with the street between Parcels 4 and 5 (Stillman Street), and at Station Place.

6.C.5 PARK ROW WEST (FROM STATION PLACE TO FRANCIS STREET)

6.C.5a Classification

This segment of Park Row is a local street along the State House Park between Station Place and Francis Street. It will sustain a low level of traffic activity except for commuting hours. However, it is an essential element of the vehicular circulation network of the Capital Center, providing a second means of access to the southeast side of the station, which will be particularly important during periods of heavy traffic. It is also an important element in the open space system, defining State House Park and Waterplace and providing access to them. It shall be treated foremost as an element in the park landscape.

6.C.5b Cross Section

The pavement shall be 28 feet wide with sidewalks generally 6 feet wide between Francis Street and Exchange Street; however, at Parcel 8 the sidewalk shall be 10 feet wide. The cross-section along Station Place shall be a pavement of 40 feet with two sidewalks of 9 feet each.

6.C.5c Profile

Park Row intersects with Francis Street at approximately elevation 37. It shall decline to elevation 35 at the point where the street begins turning northeastward. It shall then be maintained approximately level until it turns again towards the northeast, from where it shall decline to approximately elevation 28 at Exchange Street.

6.C.5d Alignment

Park Row connects with Exchange Street and then extends 230 feet westward along the north edge of Parcel 2. It then swings northwestward to an alignment parallel with Memorial Boulevard for approximately 220 feet. This leg defines the north edge of the Waterplace. The third and final leg of Park Row is again to the northwest for approximately 75 feet, parallel to the Woonasquatucket River Bank perpendicular to Francis Street.

The role of Park Row in reinforcing the symmetrical disposition of elements along the axis between Union Station and the State House Monument must be retained.

6.C.5e Operation

Park Row shall be two way. Between Francis Street and Exchange Street it shall include two lanes. Along Station Place, it shall have two 12-foot lanes and two 8-foot shoulders.

6.C.5f Street Planting

Between Francis Street and Exchange Street there should be no special planting associated with the street, since the landscaping of the surrounding park land will determine the planting.

6.C.5g Curb Cuts

Entrances to parking are permissible along the frontage of Parcels 2, 6, and 8. Optional roads connecting into Park Row are permitted on Parcels 2 and 6. If an optional road is adopted, no additional curb cuts for that parcel should be allowed along Park Row.

6.C.5h Crosswalks

Crosswalks shall be provided at all intersections with required streets, at Waterplace, and midblock at Station Place in alignment with the pedestrian connection through Parcel 5.

6.C.6 GASPEE STREET

6.C.6a Classification

Gaspee Street is a local street with the character of a park road through the State House precinct.

6.C.6b Cross Section

Gaspee Street shall be of sufficient width to accommodate two lanes of moving traffic and one parking lane which shall be on the north side. The north sidewalk shall be 11 feet in width. The south sidewalk shall be 11 feet wide and may be separated by a planting strip 11 feet wide from the south curb. In the vicinity of the station the planting strip shall be replaced by a pull-off lane for station drop-off and pick-up. This pull-off lane shall be confined to the width of the station frontage with bracketing pedestrian ways.

6.C.6c Profile

Relocated Gaspee Street shall climb from its intersection with Francis Street at elevation 33 to its intersection with Smith Street at elevation 40. The street shall remain approximately level for about 400 feet in front of the station. The street should then be inclined at the necessary grade for the rest of its route to Smith Street.

6.C.6d Alignment

Gaspee Street shall intersect Francis Street at a right angle in front of the State House. At the Smith Street end it should parallel the curve of the tracks, remaining at a relatively constant distance from the railroad right-of-way. The midsection in front of the station should be parallel to the station facade and the alignment of Station Place.

6.C.6e Operation

The street shall be two way. It should be signed to allow parking along the north side only.

6.C.6f Street Planting

Should Parcel 6a alone be developed, there shall be no special planting associated with the street since the landscaping of the surrounding park land will determine the planting. Should Parcel 6b be developed, there will be an open space setback at grade, with landscape treatment to enhance the wall of the parking structure. Should Parcel 6c be developed, street trees will be added to the sidewalk area to soften the development edge.

6.C.6g Curb Cuts

The only curb interruptions allowed are the station pull-off lane, the power plant access road, and an entry and egress for Parcel 6b to be located within 150 feet of the intersection at Smith Street.

6.C.6h Crosswalks

Crosswalks shall be provided at the intersections with Francis Street and Smith Street and on axis with the pedestrian overpasses which bracket the station and cross the railroad tracks.

6.C.6i Access to the State House Power Plant

The power plant access road shall intersect Gaspee Street on a centerline approximately 40 feet south of the curb of Smith Street.

6.C.7 STILLMAN STREET (LOCAL STREET BETWEEN PARCELS 4 AND 5); JOSLIN COURT (STREET TO PARCEL 3)

6.C.7a Classification

These streets are local streets having the character of downtown side streets.

6.C.7b Cross Section

These streets shall have 46 feet of right-of-way with 28 feet of pavement and sidewalks each measuring 9 feet.

6.C.7c Profile

The street between Parcel 4 and 5 shall intersect Exchange Street at approximately elevation 21. It shall intersect Park Row East at elevation 17. It shall have a constant slope of approximately 1 percent. The street to Parcel 3 shall descend toward Parcel 3.

6.C.7d Alignment

The street between Parcels 4 and 5 shall be laid out at 90 degrees to the centerline of Park Row. The street to Parcel 3 shall be laid out at 90 degrees to the centerline of the street between Parcels 4 and 5. The intersection of these two streets should be located

so that the centerline of the street to Parcel 3 will be coincident with the centerline of a building located on the tip of Parcel 3.

6.C.7e Operation

The street between Parcels 4 and 5 shall be two way with a stop condition but no turning restrictions at either end. The street to Parcel 3 shall be two way. There shall be no parking at curb.

6.C.7f Curb Cuts

Curb cuts for driveways, entrances to parking garages, and service roads are permitted.

6.C.7g Crosswalks

Crosswalks shall be provided at the Park Row and Exchange Street intersections and mid-block, on alignment with the street to Parcel 3, if traffic conditions allow.

D. MEMORANDUM OF AGREEMENT

Whereas, the Federal Railroad Administration (FRA) and the Federal Highway Administration (FHWA), Department of Transportation, propose to undertake Railroad and Highway Improvements in Providence, Rhode Island; and,

Whereas, FRA and FHWA, in consultation with the Rhode Island State Historic Preservation Officer (SHPO), have determined that, as proposed this undertaking and the development it will induce will have an adverse effect on Union Station, Rhode Island Statehouse, Blackstone Canal, College Hill Historic District, and Roger Williams National Memorial, properties included in the National Register of Historic Places; Downtown Providence Historic District, a property eligible for the National Register; and various archeological sites that may be eligible for the National Register; and,

Whereas, pursuant to Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. Sec. 470f, as amended, 90 Stat. 1320) and Section 800.4(d) of the regulations of the Advisory Council on Historic Preservation (Council), Protection of Historic and Cultural Properties" (36 CFR Part 800), FRA and FHWA have requested the comments of the Council; and,

Whereas, pursuant to Section 800.6 of the Council's regulations, representatives of the Council, FRA, FHWA, and the Rhode island SHPO have consulted and reviewed the undertaking to consider feasible and prudent alternatives to avoid or satisfactorily mitigate the adverse effects; and,

Whereas, the State of Rhode Island (State), the City of Providence (City), the Capital Center Commission, and the Rhode Island Department of Transportation (RIDOT) were invited and participated in the consultation process;

Now, therefore, it is mutually agreed that implementation of the undertaking in accordance with the following stipulations will satisfactorily mitigate adverse effects on the above-mentioned properties.

Stipulations

FRA and FHWA will insure that the following stipulations are carried out and incorporated into all cooperative agreements or contracts for the project.

1. Prior to any alteration of Union Station, Rhode Island Statehouse, and Union Station railroad viaduct, Gaspee Street Bridge, Francis Street Bridge, Promenade Street Bridge, Providence Interlocking Tower, and East Bay Tunnel Portal included in the College Hill and Downtown Providence Historic Districts:
 - A. These properties will be recorded so that there will be a permanent record of their present appearance. The National Architectural and Engineering (NAER) (National Park Service, William J. Green Federal Building, Room 9310, 600

Arch Street, Philadelphia, PA 19106 will be contacted to determine what documentation is required. All documentation must be accepted in writing by NAER, and the Council notified of its acceptance, prior to the alteration, copies of this documentation will be provided to the Rhode island SHPO.

- B. Within 60 days after alteration of their properties is completed, the Keeper of the Register will be notified in order that appropriate modification can be made to the National Register nomination forms.
2. Plans for the rehabilitation of Union Station will include the following measures:
 - A. Prior to abandonment of railroad functions from Union Station, FRA will require that RIDOT assure that:
 1. A professional structural survey will be undertaken, in consultation with the Rhode Island SHPO, to determine the condition of the structures;
 2. A maintenance plan, developed in consultation with and approved by the Rhode Island SHPO, that includes measures to remove debris and seal the structures to make them watertight and prevent deterioration will be developed; and
 3. The approved maintenance plan will be implemented upon abandonment of the structures by AMTRAK.
 - B. As part of the rehabilitation and redevelopment of Parcel 1 of the Capital Center Project development district defined in "Design and Development Criteria" (published October 1980, as amended February 1981), FRA will require that the City and RIDOT assure that:
 1. Rehabilitation and redevelopment is in accordance with the Approved Guidelines adopted pursuant to Stipulation 9, below;
 2. Rehabilitation and redevelopment will be in accordance with the approved approaches in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings, as revised in January 1980 (Attachment A); and
 3. All properties transferred will have the restrictive covenants and lease conditions regarding their preservation, maintenance, and appropriate redevelopment as set forth in Attachment A.
 3. The adverse effects of increased demand for automobile parking will be addressed in the following manner:
 - A. Within 90 days after ratification of this Agreement, FRA will require that the City begin preparation of a report that identifies and coordinates actions to

address the adverse effects of parking space displacement within the Capital Center development district on the Downtown Providence Historic District. The City will be required to consult with FHWA, Capital Center Commission, Rhode Island Public Transit Authority, Rhode Island SHPO, and RIDOT in preparation of the report. The report will be completed within 9 months after ratification of this Agreement and will include recommendations for implementation of this Agreement, the City will be required to prepare and publish a schedule for the implementation of the report's recommendations. The report and the implementation schedule will be submitted to the Council and the other signatories to this Agreement.

- B. Approved Guidelines for the Capital Center development district, adopted pursuant to Stipulation 9, below, will contain requirements for provided parking space adequate to meet the demand generated by the development and rehabilitation of the Capital Center redevelopment district.
 - C. RIDOT, in consultation with the Rhode Island SHPO and the City, will be required to commit itself to a program to replace parking spaces eliminated by the undertaking, as provided under the statutes and regulations of FHWA.
- 4. FA will prepare design plans and specifications for the new Providence Station, the railroad realignment, and associated improvements in consultation with the Rhode Island SHPO. These design plans and specifications must be approved by the Rhode Island SHPO to assure that adverse effects to Union Station, Rhode Island Statehouse, Blackstone Canal, and Roger Williams National Memorial are avoided or minimized.
 - 5. The adverse effects of the new railroad alignment on the Rhode Island Statehouse without the deck element of the proposed Statehouse Park will be addressed in the following manner, since non-federal matching funds for the deck element will not be identified at the time of ratification of this Agreement:
 - A. FA will require that the new rail alignment be designed and constructed so as to permit future construction of the deck element of the proposed Statehouse Park, as depicted in the Capital Center Project Development Plan of May 1979.
 - B. Between the dates of ratification of this Agreement and the completion of the railroad relocation, FA will make available the matching funds for construction of the deck element, for which the State, the City, and other local agencies, in cooperation with the Capital Center Commission, will actively seek matching funds.
 - 6. The adverse effects of the induced development on Blackstone Canal will be avoided in the following manner:

- A. The Approved Guidelines, adopted pursuant to Stipulation 9, below, will include provisions for the preservation of the Canal's structural integrity, and for the Rhode Island SHPO to approve any proposed alterations to the structure or appearance of the Canal.
 - B. Development adjacent to the Blackstone Canal will be in accordance with to the Approved Guidelines and amendments.
7. Design plans and specifications for new development in the East Bay right-of-way within the College Hill Historic District will be developed in consultation with and approved by the Rhode Island SHPO to assure that such development will not adversely affect the College Hill Historic District.
8. Archeological resources within the project area will be treated in the following manner:
- A. Within 120 days after the date of ratification of this Agreement, an identification and evaluation program will be developed in consultation with the Rhode Island SHPO and the Council for archeological resources in all areas to be directly affected by the rail relocation, new highway construction, and areas of new development included in the Capital Center development project. This program will include, at a minimum, the following elements:
 - 1. A detailed background study of the landform and land use history of the rail relocation and Capital Center development areas in order to predict whether significant historic or prehistoric archeological remains may exist; it.
 - 2. Field reconnaissance survey and subsurface testing, by mechanical or other appropriate means, in order to test predictions derived from the background research; and
 - 3. Evaluation and determination of eligibility for inclusion in the National Register in accordance with 36 CFR Part 63 of any archeological remains, either as individually significant resources or as elements contributing to the elucidation of important research questions such as those related to an understanding of the social and economic development of Providence.

All identification will be conducted in accordance with 36 CFR Part 66, Appendix B. "Guidelines for the Location and Identification of Historic Properties Containing Scientific, Prehistoric, Historical or Archeological Data" (Attachment B) and carried out in consultation with the Rhode Island SHPO.
 - B. Based on the results of the identification and evaluation program, a plan for the avoidance, protection, and/or recovery of National Register or National

Register eligible archeological remains in the development area will be developed and implemented in accordance with the Council's Handbook, "Treatment of Archeological Properties" (Attachment C) and consistent with Part III, Recommendations for Archeological Data Recovery". The plan will provide for:

1. In-place preservation of archeological remains where feasible;
 2. Methods for minimizing impacts of construction on archeological resources;
 3. Recovery of data from those archeological remains that cannot be left in place, analysis of information, curation of recovered materials, and dissemination of reports;
 4. Possible incorporation of archeological remains in project plans in order to interpret the historical development of Providence to the public; and
 5. Provision for monitoring federal or federally funded subsurface activities related to construction and provision for halting work and allowing time, personnel, and funds for data recovery if National Register and National Register eligible archeological resources are discovered during construction.
- C. In accordance with Part III, Sec. VIII of the Council's Handbook, every effort will be made to minimize the cost of the data recovery plan referred to in Stipulation 8.B. If it appears that data recovery costs may need to exceed 1% of the federal contribution, FA, FHWA, the Rhode Island SHPO, and the Council will meet to consider alternative courses of action. Such courses of action may include, but need not be limited to, the following:
1. Use of supervised volunteers and trainees;
 2. Cooperative arrangements with local institutions or other agencies to help reduce costs;
 3. Revision of the plan for data recovery; and
 4. Providing or seeking additional funding, in accordance with Section 208 of the National Historic Preservation Act Amendments of 1980, P.L. 96-515.
- D. All actions required in Stipulations 8, A, and B. above, will be conducted under the direct supervision of qualified personnel meeting, at a minimum, the professional qualifications set forth in 36 CFR Part 66, Appendix C, "Professional Qualifications," and who have substantial experience in the

historical archeology of urban areas and the prehistoric archeology of the Northeastern United States.

- E. The Rhode Island SHPO must approve all studies, surveys, project development plans, personnel qualifications, Requests for Proposals, and Scopes of Work for archeological and related research.
9. The adverse effects of development induced by the undertaking will be avoided in the following manner.
- A. The Capital Center Commission will be required to adopt and administer development guidelines (the Approved Guidelines) consistent with the development criteria contained in the study entitled "Design and Development Criteria" (published October 1980, as amended, February 1981) prepared for the City and the State by Skidmore, Owings & Merrill, and approved by the Rhode Island SHPO.
 - B. In event that the Capital Center Commission should wish to make amendments, alterations, or variances to the Approved Guidelines, within 15 days after the change is proposed it will be required to forward adequate documentation of the change to the Rhode Island SHPO for his review to determine whether the proposed changes will adversely affect National Register or National Register eligible properties. Adequate documentation will be a written request for approval of the change, a description specifying in reasonable detail the proposed project for which it is sought, and a statement specifying the manner in which the proposed project would not be in conformance with the Approved Guidelines. If the Rhode Island SHPO does not respond within 30 days of receipt of adequate documentation, it will be considered to be approved. If the Rhode Island SHPO determines that the change will have an adverse effect, he will so advise the Capital Center Commission and the Capital Center Commission will consult with the Rhode Island SHPO to consider and agree upon alternatives to avoid the adverse effect.

If the Capital Center Commission and the Rhode Island SHPO fail to agree on an acceptable course of action within 30 days of the Rhode Island SHPO's notification of an adverse effect, the Commission and the SHPO will immediately refer the matter to FA or FHWA, which will immediately request the comments of the Council in accordance with Council regulations, 36 CFR Part 800, and promptly forward to the Executive Director of the Council the written text of the proposed change, a statement by the Rhode Island SHPO supporting the determination of adverse effect, and a statement by the Capital Center Commission supporting its reasons for the proposed change. If the matter still cannot be resolved, the Executive Director of the Council will, in accordance with the Council regulations, notify the Chairman of the Council of the failure to agree within 15 days with a recommendation whether or not

the matter should be scheduled for consideration. If the Chairman determines that the matter should be scheduled for consideration by the Council at the next regularly Scheduled Council meeting or by a panel of its members, FA or FHWA and the Rhode Island SHPO will prepare the required reports in accordance with 36 CFR Sec. 800.13. In accordance with Council regulations, within 15 days after the matter has been considered, the Council or the panel will comment on the matter and transmit its comments to the FA or FHWA and Rhode Island SHPO. Upon receipt of the comments, FA or FHWA, in consultation with the Capital Center Commission, will take these comments into account in reaching a final decision with regard to the adoption of the proposed change. When a final decision is reached, FA or FHWA will report the final decision in writing to the Rhode Island SHPO and the Council.

- C. The Capital Center Commission will be required to enforce the approved guidelines in accordance with the mechanism granted in the State enabling legislation. If the Capital Center Commission is not legally constituted by the legislature of the State, or if it is not empowered to enforce the Approved Guidelines, or is unable to enforce the Approved Guidelines, FA, FHWA, the Council and the Rhode Island SHPO, in consultation with the State and the City, will seek to develop an alternate method to avoid adverse effects of development caused by the railroad relocation and highway improvements on National Register and National Register eligible properties.
10. Within 45 days after receipt of adequate documentation, the Rhode Island SHPO will provide the approval required in Stipulations 2, 4, 6, 7, and 8, or, if he disapproves, he will state his objection and initiate a resolution of the matter. If documentation is not adequate, the Rhode Island SHPO will so notify the party that provided the documentation with 15 days after its receipt, and request whatever additional documentation is necessary.
 11. Failure to carry out the terms of this Agreement requires that FA and FHWA again request the Council's comments in accordance with 36 CFR Part 800. If FA and FHWA cannot carry out the terms of the Agreement, it will not take or sanction any action or make any irreversible comment that would result in an adverse effect with respect to National Register or eligible properties covered by the Agreement or would foreclose the Council's consideration of modifications or alternatives to the Railroad and Highway Improvements that could avoid or mitigate the adverse effect until the commenting process has been completed.
 12. If any of the signatories to this Agreement determine that the terms of the Agreement cannot be met or believes a change is necessary, that signatory will immediately request the consulting parties to consider an amendment or addendum to the Agreement. Such an amendment or addendum will be executed in accordance with Section 800.6 of the Council regulations "Protection of Historic and Cultural Properties" (36 CFR Part 800).

13. Within 90 days after carrying out the terms of each Stipulation of this Agreement, FA will provide a written report to all signatories to the Agreement on the actions taken to fulfill the terms of the Agreement.

Executive Director
Advisory Council on Historic Preservation

Associate Administrator for Intercity
Programs
Federal Railroad Administration

Division Administrator
Federal Highway Administration

Rhode Island State Historic Preservation
Officer

Chairman
Advisory Council on Historic Preservation