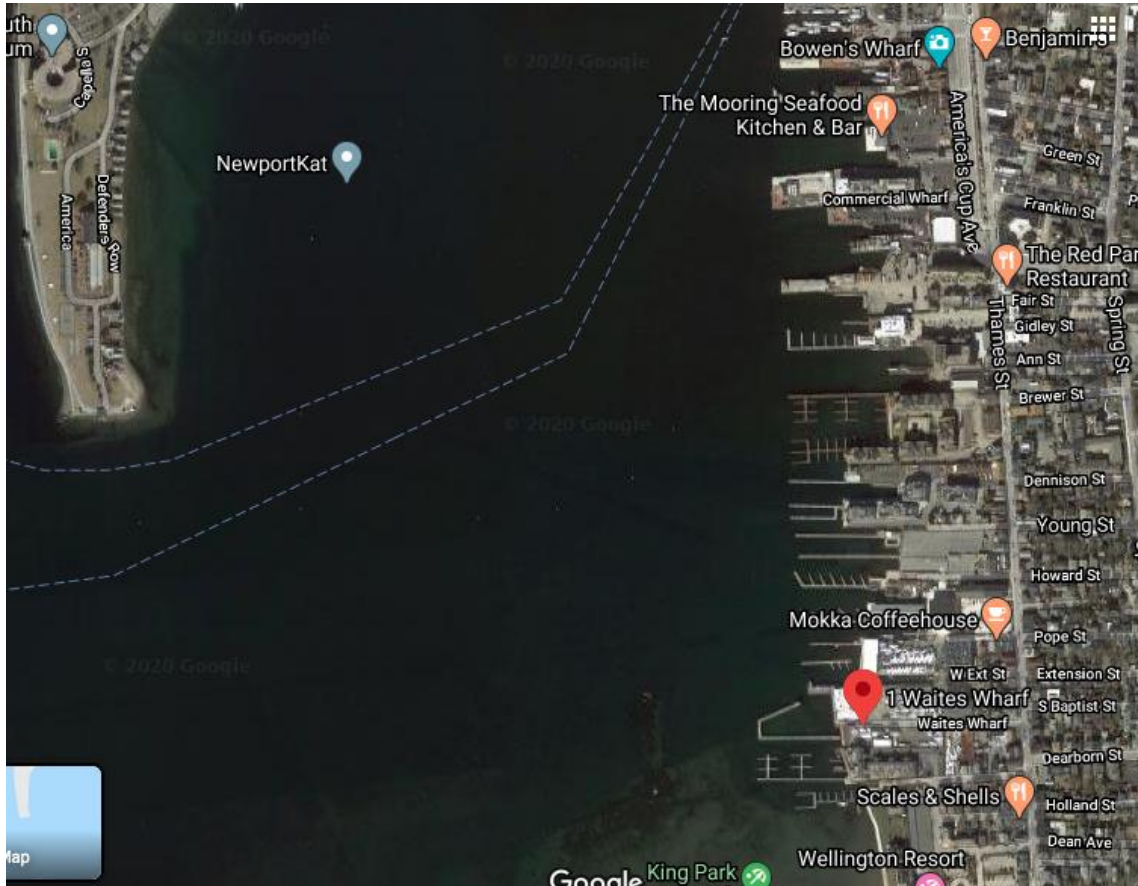


WAITES WHARF PROJECT – DEMOLITION PERMIT ANALYSIS

CITY OF NEWPORT



Completed February 14, 2020

Revised November 9, 2020

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INTRODUCTION:

This report addresses an analysis specific to a demolition permit request to be heard by the City of Newport's Planning Board. The properties being addressed include:

- 25 Waites Wharf – TAP 32, Lot 155;
- 20 West Extension Street – TAP 32, Lot 267;
- 1 Waites Wharf – TAP 32, Lot 268;
- 0 Waites Wharf – TAP 32, Lot 272;
- 16 Waites Wharf – TAP 32, Lot 248; and
- 23 Coddington Wharf – TAP 32, Lot 293.

This report provides professional planning opinion specific to the four established demolition permit criteria as established within the City of Newport's Zoning Ordinance. This report defers to the Applicant's structural engineer and other experts regarding the condition and structural integrity of the subject buildings. Additionally, this report defers to the Rhode Island State Historic Preservation Office letter dated March 27, 2020 and the reports of Ross Cann, RA, AIA, NCARB and Catherine W. Zipf, PhD, Architectural Historian, regarding historic property evaluations, demolition and preservation options.

DEMOLITION REQUEST:

The property owner requests to demolish structures on lots mentioned above. 0 Waites Wharf (TAP 32, Lot 272) does not hold a structure and is undeveloped. The Planning Board is required to address the following "General Standards for Review" a part of their decision-making process.

- The granting of a permit is not detrimental to the public health, safety, and general welfare of the community;
- The proposed demolition of the structure is consistent with the goals and policies of the Comprehensive Land Use Plan;
- The proposed demolition does not create land with constraints to development; and
- The proposed demolition does no harm to the character of the immediate neighborhood or area of the city.

WAITES WHARF AND SURROUNDINGS:

The subject property is located at the end of Waites Wharf and is also further bound by Coddington Wharf and West Extension Street. The Waites Wharf property directly abuts Newport Harbor and has maintained a water dependent business activity (marina and maritime uses). The property is not located within a City of Newport regulated historic zoning district.

The property is located within the Waterfront Business (WB) zoning district. This is a targeted business district specifically created to provide for retail and commercial service facilities to meet the needs of both tourists and residents. Additionally, a mix of land uses is encouraged in this area, with access to the water utilized by those activities that are dependent on such a location for their existence.

Previous economic analyses for Newport's harbor waterfront completed by FXM Associates, URI-Sea Grant, and the City of Newport have concluded that non-residential, water-dependent uses contribute the highest local tax revenue on a per acre basis in comparison to other land uses.

Photographs for the surrounding neighboring uses are attached to this report as **Appendix A**. The photos illustrate this waterfront location is surrounded by buildings of greater scale, intensity and massing than the structures proposed for demolition. The character of the immediate neighborhood is significantly different from the subject properties. The subject properties are predominantly non-residential, hold significant vacant land acreage, correlate directly to water-dependent uses, and are of smaller scale than most of the abutting redeveloped properties along Newport Harbor.

Photographs below illustrate the subject properties at the end of Waites Wharf.





Waites Wharf- Newport
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COMPREHENSIVE LAND USE PLAN:

Newport's CLUP offers the following Vision Statement (p. 1-6) valuing existing assets while promoting quality growth: *"The City of Newport is a vibrant, forward-looking and welcoming community built upon a strong sense of place and cultural heritage. Residents and visitors alike enjoy the city for its rich history, natural beauty, boating traditions, walkability, enticing downtown, community diversity, and overall quality of life. We are committed to charting a course for our future that embraces and encourages innovative growth and development, taking an active role in the stewardship of our architectural and natural resources, and an enhanced quality of life, all while we maintain our unique historic and cultural assets that are the foundation of our character."*

The CLUP must be viewed as a holistic document. The "Land Use" element integrates the vision and is the most significant, but other relevant elements to this proposal are Economic Development, Housing, Historical & Cultural Resources, and Natural Hazards/Climate Change.

Land Use Element:

Newport is "predominantly characterized as residential with 54% of the total land area dedicated to Low Density residential (28%), Medium Density Residential (25%), or High Density Residential (1%). (p. 3-2). "The City of Newport is 90% built out with only a small portion of land within the

community being vacant and available for development.” (p. 3-4) According to Table 3-1 addressing land use distribution, only 5% of Newport’s land area is classified as “Commercial” and only an additional 2% is classified as “Waterfront Business.” (p. 3-4). In essence, commercial development comprises only 7% of Newport’s land area. The other 93% is comprised of residential, institutional, utility, open space/recreation, public, federal and state land uses.

Map 3-1 (p. 3-3) defines this waterfront area and the entire length of the harbor as a “Waterfront Business” land use. The Comprehensive Land Use Plan further defines this as “Water-dependent and water-enhanced land uses exist between Thames Street and Newport Harbor. Residential, retail, office and food services are permitted in this land use category; however preference is given to water-dependent uses, especially on waterfront parcels.” (p. 3-5).

The following goal and policies from the Land Use Element pertain to this proposal.

Goal LU-1: To provide a balanced City consisting of residential, commercial, and employment uses consistent with the character, environmental resources and vision of the community.

Policy LU-1.4: The City shall encourage the use of the Floating Zone Overlay in the Waterfront Business, Traditional Maritime, or Commercial/Industrial zoning districts including the Innovation HUB area. This could including the use of alternative performance-oriented development standards, mixed uses, and other development and planning techniques that will support a vibrant and flexible economic opportunity area.

Policy LU-1.6: The City shall encourage upgrading, beautification, revitalization, and environmentally appropriate reuse of existing commercial areas.

Policy LU-1.7: The City shall protect the existing character of residential neighborhoods while encouraging local neighborhood business.

Economic Development Element:

The following goal and policies from the Economic Development Element pertain to this proposal.

Goal ED-1: To develop a robust and diverse economy, providing suitable employment opportunities for residents, and a stable tax base.

Policy ED-1.5: The City shall build upon thriving sectors to develop a more substantial year-round tourism economy.

Goal ED-2: To protect and enhance the City’s maritime related businesses.

Policy ED-2.1: The City shall consider the impacts of plans, programs, investments, regulations and other factors influencing or potentially influencing the viability of its maritime businesses and will take appropriate actions to avoid or mitigate negative impacts.

Housing Element:

The following goal and policy from the Housing Element pertain to this proposal.

Goal H-1: To preserve and protect existing housing resources in the community.

Policy H-1.2: The City shall make a priority the enforcement of codes that relate to the protection of existing homes and neighborhoods.

Historical & Cultural Resources Element:

The following goal and policies from the Historical & Cultural Resources Element pertain to this proposal.

Goal HC-1: To identify, protect, and enhance the City's cultural and historical resources.

Policy HC - 1.3: The City shall advocate for appropriate private sector actions which protect and enhance the community's historic and cultural resources.

Policy HC – 1.10: The City shall utilize and capitalize on its architectural character and cultural heritage to promote economic growth.

Natural Hazards & Climate Change Element:

The following goal from the Natural Hazards & Climate Change Element pertain to this proposal.

Goal NHCC-1: To be a resilient community, protecting its citizens, property and economy from the evolving threat of climate change and its associated hazards.

ANALYSIS FINDINGS:

In reviewing the Waites Wharf buildings demolition request, the Comprehensive Land Use Plan, the Zoning Ordinance, and in completing site visits, the following are my professional findings:

- Commercial land uses comprise only 7% of Newport's total land area. The other 93% consist of residential, institutional, utility, open space/recreation, public, federal and state land uses. There are few locations for commercial activity in Newport relative to land area;
- This Waites Wharf property directly abuts Newport Harbor and it has maintained a water dependent business activity for decades;

- Previous economic analyses for Newport's harbor waterfront have concluded that non-residential, water-dependent uses contribute the highest local tax revenue on a per acre basis in comparison to other land uses;
- The subject properties are not located within the City of Newport's regulated historic zoning district;
- The subject properties are located in an intensive commercial area at the end of public roadways leading to harbor wharves;
- The proposed demolition of subject properties is not detrimental to the public health, safety, and general welfare of the community. This is because the proposed demolition will comply with all state requirements including CRMC, RIDOH, and RIDEM including the Remedial Action Work Plan. Additionally, the Waterfront Business (WB) zoning district is a targeted business district specifically created to provide for retail and commercial service facilities to meet the needs of both tourists and residents. A mix of land uses is encouraged in this zoning district, with access to the water utilized by those activities which are dependent on such a location for their existence;
- The goals and policies from the Comprehensive Land Use Plan (CLUP) are consistent with the demolition request. The CLUP classifies this as a "Waterfront Business" land use. It further states, "Water-dependent and water-enhanced land uses exist between Thames Street and Newport Harbor. Residential, retail, office and food services are permitted in this land use category; however preference is given to water-dependent uses, especially on waterfront parcels". Newport's Comprehensive Land Use Plan (CLUP) supports the development and redevelopment activities in areas designated for such activity such as the Waterfront Business (WB) area and does not discourage the appropriate redevelopment of properties especially outside of the historic district;
- The proposed demolition does not create land with constraints to development. Instead, the proposal reduces existing constraints to development. This is because the subject structures have been found to hold floodplain and structural integrity deficiencies and much of the property is vacant land;
- The proposed demolition does no harm to the character of the immediate neighborhood or area of the city. Buildings of greater scale, intensity and massing than the subject structures surround this waterfront location. The character of the immediate neighborhood is significantly different from the subject properties. The subject properties are predominantly non-residential, hold much vacant land acreage, correlate directly to water-dependent uses, and the structures are of smaller scale than most of the abutting properties along Newport Harbor that are already redeveloped. This is one of the last Waterfront Business properties along the harbor that has yet to be redeveloped.

RECOMMENDATION:

In conclusion, the proposed demolition for the subject properties has been evaluated, and in my professional planning opinion, it meets the “General Standards for Review” as stated in the City of Newport’s Zoning Ordinance including:

- The granting of a permit is not detrimental to the public health, safety, and general welfare of the community;
- The proposed demolition is consistent with the goals and policies of the Comprehensive Land Use Plan;
- The proposed demolition does not create land with constraints to development; and
- The proposed demolition does no harm to the character of the immediate neighborhood or area of the city.

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11/9/2020

Appendix A: Surrounding Area Photos













