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January 25, 2023

Dear I-195 Commission,

Providence Preservation Society continues to oppose the proposal by the Fane Organization to construct a tower on Parcel 42. Our concerns remain the same as they have for the five years we spent entrenched on this proposal, however, we understand that many of these issues can no longer be considered. We will focus on concerns that the Commission may use for an ultimate determination. They are as follows:

**Location:** Parcel 42 is located in the "Innovation District," due to its prior use for I-195, but before that it was carved out of the Jewelry District, and therefore lies on its boundary. The Jewelry District is known for its industrial and manufacturing history, and the buildings in the neighborhood reflect that heritage, whether they are part of the historic district or not. In October 2019, the Rhode Island Historic Preservation and Heritage Commission (RIHPHC) released a report stating that the project would not adversely affect historic resources. This finding is limited to buildings that have the privilege of being listed on the National Register, determined largely by luck of location in contiguous areas. This does not consider the many buildings of the same era, architecture, and historic significance that exist across the Jewelry District, of which Parcel 42 is within close distance. Considering the age and character of this neighborhood, it is no surprise that the parcel is located in a D-1 zone, or a "Downtown District." A D-1 zone is outlined with the following definition:

"The purpose of the D-1 District is to encourage and direct development in the downtown to ensure that new development is compatible with the existing historic building fabric and the historic character of downtown."

The zoning itself presumes that the fabric in the area is historic and expects new construction to defer to its character. PPS and all other interested parties are not inherently against the design of this building, but simply the location and its context; it does not suit the standards put forward by our government and expected by our citizens.

The new design had to appear before the RIHPHC on January 11, 2023 for discussion, and a response regarding its appropriateness is pending. Therefore, consideration of the proposal's context and impact on historic resources is still a relevant factor.

**Public Space:** The parcel abuts the Innovation District Park, which was one of the first parcels carved out and assigned a use. The parcels surrounding it were meant

to complement this public green space, of which there are few within the City. The original design already had diminished the quality of the park experience. The new design has exacerbated these concerns. Tim Love of Utile has already documented these concerns at length. The visitor experience of the park is vital to its success – if the Fane Tower is built, its adverse impacts on the park may prevent its use altogether. We also cannot forget that there are neighboring parcels, 14 and 15, that are still available. Once Fane Tower is built, future developers can argue that denial of larger buildings on those parcels is arbitrary. These developments leave the original intentions and spirit of the park at risk of failure.

Community Input: In all other cases, the I-195 Commission has seriously considered community input from invested citizens to abutting neighborhood associations. In a meeting last fall to determine the prevailing concept design for Parcel 9, it was stated that a demonstrated flexibility to work alongside the Commission and public feedback was a factor in choosing a developer. Developer Jason Fane has demonstrated that he has no desire to work alongside either party, only that his vision for his proposal on this parcel prevails.

Unprofessionalism: Fane has also not shown any flexibility or interest in working with the Commission itself. After achieving extraordinary allowances for his proposal, Fane has repeatedly requested extensions to file his Tax Stabilization Agreement, missed deadlines for fee deposits, revised terms several times, and left the project postponed indefinitely. Even considering the pandemic, this shows a serious level of disinterest in following through this project or a serious incapacity to finance this project. Either option fails to predict a successful or functional relationship with Fane moving forward. In the meantime, Parcel 42 remains empty and unavailable for other developers to claim.

Exceptionalism: Every step of this proposal has been exception after exception made for Fane Tower. There's been exceptions for height, use, zoning, planning, community input, extensions, deadlines, agreements, payments, financing. It ridicules the I-195 Commission's original spirit, intentions, and guidelines, and puts its commitment to the residents of Providence into question. It also sets a dangerous precedent for future development, a concern especially salient as Providence has recently begun community engagement measures for its upcoming Comprehensive Plan. How can such a process be taken seriously if so many extreme exceptions can occur on a single parcel? Developers and lawyers will claim that the process is arbitrary. This opens up parcels for development that is out of touch with the plans, values, and goals set in place for the City. Providence deserves a process that is transparent, reliable, and not subject to the whims of wealthy out-of-state developers.

Regards,

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Advocacy Manager  
Providence Preservation Society