



# Bristol Yarn Mill Density Report

**Planning Board Draft Decision Claims an additional 69,431 square feet should be added to Brady Sullivan Plans without any public discussion.**

May 3, 2022

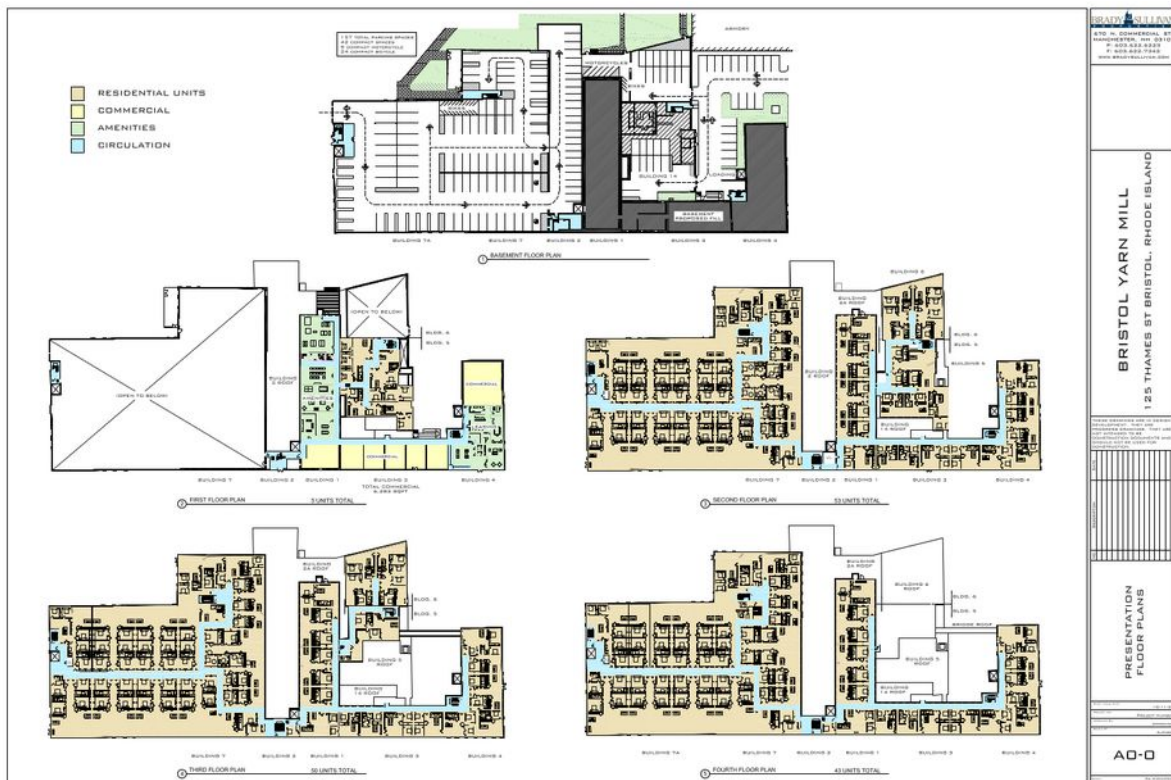
From the start, the Brady Sullivan proposal for Robin Rug has been clouded by confusion, sudden changes in course by the Planning Board and multiple emails back and forth from concerned citizens and the Town's Planning Department. Brady Sullivan's application was being considered on its own merits, but now it is being decided using unreliable tax data that are not warranted and do not reflect the use of interior areas of the building. The additional 69,431 square feet are nonexistent or exempt from GFA inclusion. If the Town is not basing its decision on the application, Brady



Sullivan’s Fuss & O’Neill 2021 existing conditions report, they cannot substitute their own speculation regarding the site. In their application, Brady Sullivan seeks zoning relief in density, listing 227,286 GFA. Brady seeks a variance to allow density increase to 130 units at 1,748 GFA in its most current change. Zoning Laws do not allow for any increase in density on Planned Unit Development/Land Use Development applications, except for Affordable Housing Units. That is limited to a 20% density bonus.

**According to the Fuss & O’Neill survey for Brady Sullivan, there are 227,286 GFA in the building.**

Fuss & O’Neill did an Existing Conditions report in 2021 by measuring the building and including only what is allowed in their calculations. This number excludes any areas that will be used for parking and excludes some other areas as determined by the Federal Government. They listed their own “Existing Conditions Report” as a source and determined that there was 142,226 GFA on the site. They were seeking a variance to allow 151 units at 941 GSA. On April 24, 2022, Fuss & O’Neill amended the Brady Sullivan application. They now list a measurement of 227,286 GSA. They are now seeking a variance to allow 130 units at 1,748 GFA.



**The “Draft Master Plan Decision for Bristol Yarn Mill 4-27 w AMT edits” increases the GFA from the Fuss & O’Neill surveyed number of 227,286 GSA to 296,717 GFA and mistakenly claims no zoning change related to density is necessary.**

The “Draft Master Plan Decision for Bristol Yarn Mill 4-27 w AMT edits” was posted on the Planning Board’s website on 4/28/2022. Director of Community Development Diane Williamson and Town Solicitor Andy Teitz have suddenly determined, after over 6 months of talks with Brady, that Robin Rug/Bristol Yarn Mill contains 296,717, based on Tax Assessors records, with a disclaimer “Disclaimer: This information is for tax assessment purposes and is not warranted.” That is an increase of 69,431 sq. ft.

### **How is Gross Floor Area (GFA) calculated?**

When developers create a Master Plan for a site, they have an engineering or architectural firm survey the property’s land and buildings to determine GFA. They physically measure the space and use specific rules, that are determined by the Federal Government, to standardize the GFA calculations because zoning laws depend on GFA findings. This leads to an exact calculation in Gross Square Foot measurements that can then be divided by what is required by law to find the number of units allowed.

### **Gross Floor Area is not square feet of units inside the buildings.**

Although 2,250 sounds like a large unit, the calculation includes hallways, lobbies, atriums, storage, mechanical areas and shafts, stairwells, supporting systems like heat and air conditioning, hot water closets, etc, as well as the 25% of space that is required for commercial, retail and public use areas. The net per unit is much smaller than 2250. Fuss & O’Neill’s plans show units at much fewer sf. They have asked for “zoning relief” on additional requirements

### **Bristol’s Comprehensive Plan and Zoning Laws are required to be applied to new development, including Planned Unit Development or Land Development Projects as it is referred to in the Zoning Law.**

The Robin Rug site is a large project that is ready for developers. What is done there will have an enormous impact on the community. Friends of Historic Bristol believe that the Town must apply the law and the Comprehensive Plan. They have been carefully reviewed and adopted.

### **History of Density Changes at Robin Rug.**

In 2008, Town Council increased the number of units allowed by changing the law from 4000 Gross Foot Area (GFA) to 2,900 GFA by deed attached to the property in exchange for riparian rights adjacent to Robin Rug.

In 2010 the Town adopted a zoning change of 2250 GFA, increasing the density further, allowing 1 unit for every 2,250 gross floor area (GFA) in the building.

### **Conclusion:**

Through the Town Council, there is no way forward beyond the 101 units the zoning law allows, with one exception. The Town Council can allow up to a 20% density bonus if the additional units are included onsite for deeded Affordable Housing only for working families earning less than about \$70,000 per year. Otherwise, the increase in density question must go to the Zoning Board. The density cannot simply be changed on a whim.

### **Supporting documentation**

On October 15, 2021, Fuss& O’Neill posted in the “Complete Bristol Yarn Mill Master Plan Update Package 11/24/2021” stating that the number of units is 151 and asks for zoning relief for 941 square feet per dwelling unit – relief from the 2,900 SF that is required by special conditions set on the property in 2008. They correctly quote zoning requirements of 2,250 sf per dwelling unit. They use their own survey as shown in references on the Complete Bristol Yarn Mill Master Plan Update Package, #6. “Map entitled “Existing Conditions Plan, Bristol Yarn Mill, Plat 10 Lots 42,60,61,62,68,73,41,43,44,49,74 and 76, 125 Thames Street, Bristol Rhode Island:, Prepared by Fuss & O’Neill, Dated May 7, 2021. They use 142,226 SF gross floor area in buildings.

REFERENCES:

1. THE TAX ASSESSOR'S MAP OF BRISTOL, BRISTOL COUNTY, MAP 10.
2. MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, BRISTOL COUNTY, RHODE ISLAND 9ALL JURISDICTIONS), PANEL 14 OF 18", MAP NUMBER 44001C0014H, MAP REVISED: JULY 7, 2014.
3. MAP ENTITLED "BOUNDARY SURVEY PLAN AP 10 - LOTS 60, 61, 62 & 73 THAMES STREET & CONSTITUTION STREET BRISTOL, RHODE ISLAND RUSS - RUSS REALTY CO. C/O ROBIN RUG COMPANY 125 THAMES STREET P.O. BOX 656 BRISTOL, RHODE ISLAND 02809", PREPARED BY: WATERMAN ENGINEERING CO., DATED: FEBRUARY 1, 2005, PROVIDED BY CLIENT.
4. MAP ENTITLED "BOUNDARY SURVEY PLAN A.P. 10, LOTS 43, 71, 74 & 76 HOPE STREET BRISTOL RHODE ISLAND KARIAN REALTY CO. P.O. BOX 656 BRISTOL, RHODE ISLAND", PREPARED BY: WATERMAN ENGINEERING CO., DATED: FEBRUARY 26, 2021, PROVIDED BY CLIENT.
5. MAP ENTITLED "PLAN OF LAND: THEODORE J. & HELEN T. ALIGLET, LOCATION: 12 BUTTERWORTH AVENUE BRISTOL, RHODE ISLAND", PREPARED BY: STEPHEN M. MURGO, DATED: JULY, 1992, PROVIDED BY CLIENT.
6. MAP ENTITLED "EXISTING CONDITIONS PLAN, BRISTOL YARN MILL, PLAT 10 LOTS 42, 60, 61, 62, 68, 73, 41, 43, 44, 49, 74 AND 76, 125 THAMES STREET, BRISTOL RHODE ISLAND", PREPARED BY FUSS & O'NEILL, DATED MAY 7, 2021
7. UNDERGROUND GAS MAPPING OF 125 THAMES STREET, PROVIDED BY NATIONAL GRID.
8. UNDERGROUND ELECTRIC MAPPING IN THE AREA PROVIDED BY NATIONAL GRID.
9. MAP ENTITLED "SURVEY OF LAND KARIAN REALTY, INC.", PREPARED BY: WATERMAN ENGINEERING CO., DATED: AUGUST 1990, ON FILE WITH THE TOWN OF BRISTOL PLANNING DEPARTMENT.
10. MAP ENTITLED "RUSS-RUSS REALTY CO. ROBIN RUG COMPLEX MASTER PLAN A.P. 10 / LOTS 41, 42, 44, 60, 61, 62, 68 & 73 125 THAMES STREET BRISTOL RHODE ISLAND", PREPARED BY: FUSS 7 O'NEILL, DATED: APRIL 18, 2008, PROVIDED BY CLIENT.
11. RECIPROCAL EASEMENT AGREEMENT, DATED MAY 6, 2010, AND RECORDED WITH THE BRISTOL COUNTY LAND RECORDS IN BOOK 1550, PAGE 39.

ZONING DIMENSION TABLE				
CRITERIA	REQUIRED PER ZONING DISTRICT			PROPOSED
	W	D	WPUD	(BUILDING SITE - LOTS 42,60,61,62,73)
MINIMUM LOT AREA	5,000 SF			142,226± SF (3.265 AC)
MINIMUM LOT AREA PER DWELLING UNIT	4,000 SF	2,500 SF	2,250 SF	941 SF (142,226 SF/151 UNITS)
MINIMUM FRONTAGE	50'			149.25' CONSTITUTION STREET (MIN.)
MINIMUM LOT WIDTH	50'			149.25' CONSTITUTION STREET (MIN.)
FRONT SETBACK	0'			-0.90'
SIDE SETBACK	0'			0.0'
REAR SETBACK	10'			30±' (TO APPROX. MEAN HIGH WATER)
MAX. BUILDING HEIGHT	35' (3 STORIES)			55' MAX.-4 STORIES (EXISTING)
MAX. LOT COVERAGE BY STRUCTURES	70%			83,153 S.F./142,226 S.F. = 58.5% (PROP.) 87,296 S.F./142,226 S.F. = 61.4% (EXIST.)
MAX. TOTAL COVERAGE	85%	95%	N/A	97,606 S.F./142,226 S.F. = 68.6%
MAX. FLOOR AREA RATIO	1.5	1.4	N/A	227,286 S.F./142,226 S.F. = 1.6±
IMPERVIOUS COVER	PARKING LOT SITE			51,237 S.F./66,327 S.F. = 77.2%

5. Article IX Sec. 28-284(d)(2): Residential density for historical buildings greater than 100,000 square feet in the W zone. Contributing buildings on the National Historical Register located in the W zone that are in excess of 100,000 square feet of gross floor area shall have a minimum GFA/DU (gross floor area per dwelling unit) of 2,250 square feet per dwelling unit. **The proposed density is approximately 941 square feet per dwelling unit.** (This was set at 4,000 sf before 2010.)

On 4/14/22, Fuss & O’Neil posted the Master Plan Update, now stating that the proposed number of units is 130 and asks for zoning relief for 1,748 SF per unit where there is currently a deeded restriction to 2,900 per unit attached to Robin Rug in 2008 and a Zoning Ordinance Change in Bristol Municode, Chapter 28, Zoning in 2010 requiring 2,250 SF per dwelling unit. They use 227,286 sf gross floor area.

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MINIMUM LOT AREA	5,000 SF			142,226± SF (3.265 AC)
MINIMUM LOT AREA PER DWELLING UNIT	4,000 SF	2,500 SF	2,900 SF*	1,748 SF (227,286 SF/130 UNITS)
MINIMUM FRONTAGE	50'			149.25' CONSTITUTION STREET (MIN.)
MINIMUM LOT WIDTH	50'			149.25' CONSTITUTION STREET (MIN.)
FRONT SETBACK	0'			-0.90'
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MAX. BUILDING HEIGHT	35' (3 STORIES)			55' MAX.-4 STORIES (EXISTING)
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MAX. FLOOR AREA RATIO	1.5	1.4	N/A	227,286 S.F./142,226 S.F. = 1.6±
IMPERVIOUS COVER	PARKING LOT SITE			51,237 S.F./66,327 S.F. = 77.2%

\*TOWN COUNCIL ZONE CHANGE APPROVAL FROM JUNE 23, 2008 ALLOWED A DENSITY OF 98 UNITS BASED ON A GROSS FLOOR AREA TO UNIT RATIO OF 2,900 SQUARE FEET.

The accompanying Master Plan Update submitted by Fuss and O’Neil continues to seek Zoning Relief from 2,250 down to 1,748 sf per dwelling unit.

“5. Article IX Sec 28-284(d)(1)Residential density for historical buildings greater than 100,000 square feet in the W Zone. Contributing Buildings on the National Historical Register located in the W Zone that are in excess of 100,000 Square Feet of Gross Floor Area shall have a Minimum GFA/DU (Gross Floor Area per Dwelling Unit) of 2,250 square Feet per dwelling unit.”

In Fuss & O’Neill, most likely includes the building that is set to be demolished, in its “current gross square foot area” it would include it.

Of note: per RIGL there is no path to density relief beyond the 2,250 sq. ft./dwelling unit. The law does not allow it, at the state level and at the local level for Bristol.

On 4/28/2022, Director of Community Development and Town Solicitor Andy Teitz state, in the Draft Master Plan Decision for Bristol Yarn Mill 4-27 w AMT edits that the mill building contains 296,717 square feet of gross floor area, not the 227,286 sf listed by Fuss & O'Neill in their survey of the building. If there is 69,431 square feet of additional gross floor area, the project will not require any zoning relief on density.

*“In 2008, the Town Council approved a conditional Change of Zoning Map to apply the Waterfront – Urban Rehab Land Development “Urban Rehab Land Development” (a/k/a Waterfront Planned Unit Development) zone to the mill property at 125 Thames Street, Plat 10, Lots 42, 60, 61, and 62. Along with the Change of Zoning Map in 2008, the Town Council revised the Zoning Ordinance (Section 28-284 (d)(2) to provide a mix of residential and commercial uses with a residential density of 1 unit per 2,250 square feet of gross floor area. According to the Town of Bristol Tax Assessor’s records, the subject mill building contains 296,717 square feet of gross floor area (not including the basement and the concrete building being demolished) which allows a residential density of 131 dwelling units. However, when the Town Council applied the Zone to the property, they conditioned the approval on a maximum density of 98 units, along with eight (8) other development conditions relative to public access to the waterfront, affordable housing, commercial space, water-related uses, traffic study, infrastructure mitigation, off-site parking, and existing historic buildings.”*

***Draft Master Plan Decision for Bristol Yarn Mill 4-27 w AMT edits***

Here is the data from the tax records. Note the disclaimer: This information is for tax assessing purposes and is not warranted.

<https://data.nereval.com/PropertyRecordCard.aspx?town=Bristol&accountnumber=579&card=1>

NORTHEAST REVALUATION GROUP LLC		<b>Bristol</b> (Summary Data - may not be Complete Representation of Property)					NORTHEAST REVALUATION GROUP LLC	
<b>Parcel:</b> 10 60		<b>Location:</b> 125 THAMES ST		<b>Owner:</b> RUSS-RUSS REALTY CO				
<b>Account:</b> 579		<b>User Acct:</b>		<b>LUC:</b> 07 - Industrial		<b>Zoning:</b> WPUD		
<b>Parcel Values</b>								
<b>Total:</b> \$4,006,500		<b>Land:</b> \$1,602,000		<b>Land Area:</b> 0.773 AC		<b>Building:</b> \$2,404,500		
<b>Assessed:</b> \$4,006,500								
<b>Sales Information</b>								
<b>Book and Page</b>		<b>Instrument Type</b>		<b>Date</b>		<b>Price</b>		
1550-39				08/16/2010		\$0		
1549-268		Quit Claim		08/12/2010		\$0		
<b>Building Type:</b> Mfg		<b>Year Built:</b> 1900		<b>Grade:</b> Q4		<b>Condition:</b> FR		
<b>Heat Fuel:</b> Oil		<b>Heat Type:</b> Space Heater		<b>% Air Conditioned:</b> 0.00		<b>Fireplaces:</b> 0		
<b>Exterior Wall:</b> Comm Brk		<b>Bsmnt Garage:</b> 0		<b>Roof Cover:</b> Tar & Gravel		<b># of Units:</b> 1		
<b># of Rooms:</b> 0		<b># of Bedrooms:</b> 0		<b>Full Bath:</b> 0		<b>1/2 Baths:</b> 0		
<b>Yard Item(s)</b>								
<b>Description</b>		<b>Quantity</b>		<b>Size</b>		<b>Year</b>		
						<b>Condition</b>		
						<b>Quality</b>		
						<b>Value</b>		
<b>Building Areas</b>								
<b>Area</b>		<b>Net Area</b>		<b>Finished Area</b>				
1st FLOOR		85,257 SF		85,257 SF				
2nd FLOOR		71,688 SF		71,688 SF				
3rd FLOOR		72,508 SF		72,508 SF				
4th FLOOR		71,008 SF		71,008 SF				
BASEMENT		81,513 SF		0 SF				
<p><b>Disclaimer: This information is for tax assessing purposes and is not warranted</b></p>								

Screenshot

continued to next page



**BUILDING AREAS:**

**AREA PER FLOOR:**

<b>LOWER:</b>	<b>65,460 SQFT</b>
<b>FIRST:</b>	<b>27,054 SQFT</b>
<b>SECOND:</b>	<b>71,365 SQFT</b>
<b>THIRD:</b>	<b>68,054 SQFT</b>
<b>FOURTH:</b>	<b>60,813 SQFT</b>

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**TOTAL AREA: 292,746 SQFT  
(GROSS)**

*Bristol Yarn Mill Master Plan, prepared by Fuss & O'Neill, October 15, 2021,  
revised November 19, 2021, p. AO-1*

Fuss & O'Neill actual physical measurements. Total includes basement to be used for parking. In removing the basement because it cannot be counted, the GFA is 227,286 sq. ft., as they reported.