

THE CITY OF NEWPORT

**RESOLUTION
OF THE
COUNCIL**

No. 2024-130

WHEREAS: in 2019, Salve Regina University submitted applications to the Newport Historic District Commission ("HDC") and Zoning Board seeking to construct two dormitory buildings on its properties. The decisions of the HDC and Zoning Board were appealed to the Rhode Island Superior Court with the cases captioned "*Whitty's Way, LLC, et al v. Alan Cervasio, et al*" (CA#NC2020-0246) "*The Alliance for Arts and Architecture, LLC et al v. SRU Holdings, LLC et al*" (CA# NC2021-0061), "*Whitty's Way, LLC et al. v. SRU Holdings, LLC et al.*" (CA#NC2021-0057), and "*The Alliance for Arts and Architecture, LLC et al. v. City of Newport Zoning Board of Review et als*" (CA# 2023-0248) ("Salve Dorm Zoning Appeals"); and

WHEREAS: Salve and objecting neighbors have agreed to a settlement of the litigation whereby Salve will be allowed to build one dormitory and be restricted in its ability to build a second dormitory in the future. Salve has agreed to construct a sidewalk on the north side of Victoria Avenue at no cost to the City, which will be turned over to the City; and

WHEREAS: Settlement Agreements are being drafted for review and approval by the City Solicitor's Office in consultation with the appropriate City departments; NOW THEREFORE, BE IT

RESOLVED: the City Council approves the settlement proposal as full and final settlement of the litigation aforescribed, subject to further minor revisions that may be made as the result of Solicitor and City review of the same; and BE IT FURTHER

RESOLVED: that the Mayor is authorized to sign said Settlement Agreement on behalf of the City, upon further review and approval by the City Solicitor.

IN COUNCIL
READ AND PASSED
NOVEMBER 13, 2024



LAURA C. SWISTAK, CMC
CITY CLERK