

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday, September 13, 2006

Time: 6:00 p.m. **(Please Note Date, Time Change)**

Location: Warwick City Hall
City Council Chambers
3275 Post Road
Warwick, RI 02886

Review and acceptance of the May and June 2006 meeting minutes.

Major Subdivision

Kalunian Subdivision

Applicant: Karolyn G. Kalunian
Location: 111 Terrace Avenue
Assessor's Plat: 336
Lot(s): 305, 306 & 307
Zoning District: Residential A-40
Land Area: 18,908 square feet
Number of lots: 2
Engineer: A.J. Desvoyaux, PE.
Ward: 4

The applicant is requesting Master Plan approval to subdivide three abutting nonconforming lots to create two new nonconforming lots with less than the required area, frontage and lot width, one lot with an existing dwelling and one new lot for development in a Residential A-40 zoning district.

Planning Department Findings

The Planning Department recommendation is to continue the public informational meeting one month due to an error in the certified mail notification. The applicant notified property owners within a 200 foot radius and the required notification area is 400 feet.

Public Hearing

Major Subdivision

Wild-Subdivision

Applicant: Karen and Kenneth Wild
Location: 3372, 3376, & 3378 West Shore Road
Assessor's Plat: 364
Lot(s): 15 & 485
Zoning District: Residential A-10
Land Area: 1.29 acres
Number of lots: 3
Engineer: Alpha Associates, Ltd.
Ward: 7

The applicant is requesting a combined preliminary/final approval of a Major Subdivision to reconfigure two lots with three existing single family dwellings to allow for the creation of three lots, each lot with an existing single family dwelling, less than required frontage, lot width, and side yard setback in a Residential A-10 Zoning District.

Planning Department Findings

The Planning Department finds the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance having received Zoning Board of Review approval (Petition #9322) to have three lots, each lot with an existing single family dwelling, less than required frontage, lot width, and side yard setback.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
- 5) That the proposed development possesses adequate access to a public street.

Planning Department Recommendation

Planning Department recommendation is to grant a combined preliminary/final approval with the following stipulations:

- 1) That the applicant shall submit a utility easement protecting the existing sewer laterals to be approved by the Warwick Sewer Authority prior to recording the final plan.
- 2) That the outstanding sewer assessment of \$5,405.52 for Assessor's Plat: 364, Lot: 15 shall be paid in full prior to recording the final plan.

Public Hearing

Major Land Development Project

Dunkin' Donuts – Post Road

Applicant: Dan's Management Company
Location: 2700 Post Road
Assessor's Plat: 267
Lot(s): 302 & Portion of State Highway
Zoning District: General Business
Land Area: 2.09 acres
Number of lots: 1
Engineer: Crossman Engineering Incorporated
Ward: 7

The applicant is requesting preliminary plan approval to merge State of Rhode Island highway property with an existing lot to allow for the development of a 13,410 square foot commercial building for general business use including a restaurant and fast food with drive-thru, on a lot with less than required parking.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance having received Zoning Board of Review approval (Petition #9256) to construct a 13,410 square foot commercial building with less than the required parking.
- 3) That there will be no significant negative environmental impacts from the proposed

development.

- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:
- 5) That the proposed subdivision possesses adequate and permanent access to a public street.

Planning Department Recommendation

The Planning Department recommendation is to grant preliminary approval with final approval with the following stipulations:

- 1) That the applicant shall merge the two lots through an Administrative Subdivision.
- 2) That the building area dedicated to retail use as depicted on the approved site plan shall not be used for fast food or restaurant identified as use categories 501, 501.1, 502 and 503 within the City of Warwick Zoning Ordinance.
- 3) That all corners shall be negotiable by public safety vehicles (fire, rescue, hazmat, etc.) having an outside turning radius of 50 feet.
- 4) That the applicant shall provide sewer impact analysis to be approved by the Warwick Sewer Authority prior to final; approval.
- 5) That the applicant shall provide interior plumbing plans which shall include pretreatment and sampling manholes on all proposed units to be approved by the Warwick Sewer Authority prior to final approval.
- 6) That the final water connection plan shall be approved by the Warwick Water Division prior to final approval and shall include separate domestic water service and the fire service, fire hydrant meter and connection to building via 6" fire line and a double check detector installed with a 5/8" Neptune meter to be purchased from the Water Division.

Public Hearing

Major Subdivision

Aurore Plat

Applicant: Aurore Development, LLC.
Location: Ethan Street and Bucklin Avenue
Assessor's Plat: 309
Lot(s): 27 & 36
Zoning District: Residential A-7
Land Area: 35,237 square feet
Number of lots: 5
Engineer: Ocean State Planners, Inc.
Ward: 3

The applicant is requesting a preliminary approval to subdivide two lots to create five new lots, four conforming lots on a new street with less than the required cul-de-sac radius and one lot with less than the required land area on an existing street in a Residential A-7 Zoning District.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance; having received Zoning Board of Review approval (Petition #9324) to build on a lot with less than the required area.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:
- 5) That the proposed development possesses adequate and permanent access to a public street.

Planning Department Recommendation

The Planning Department recommendation is to grant preliminary approval with final approval to be through the Administrative Officer upon compliance with the stipulations:

- 1) That the Cape Cod berm along the northerly side of Ethan Street shall be extended to the west as far as feasible.
- 2) That the existing pavement to be replaced on Ethan Street shall be graded to direct storm-water runoff to the proposed catch basins.
- 3) That sheet 8 entitled "Road Plan and Profile" shall be revised to reflect 240 linear feet extension of 8" sewer main (as opposed to 6" as currently shown) on both the plan and profile.

Request for an Amendment to the City's Zoning Ordinance

Karmichael Realty, LLC. & Carol Bainum

Applicant: Karmichael Realty, LLC. & Carol Bainum
Location: West Shore Road
Assessors Plat: 347
Assessors Lots: 361 & 518
Zoning District: Residential A-7 to General Business.

The applicant desires to rezone two existing nonconforming land uses (a commercial bank and a beauty salon) from residential to General Business in order to bring the properties into conformance with the city's zoning ordinance.

Planning Department Findings

The Planning Department finds the proposed zone change to be in compliance with the City's Comprehensive Plan, including the Goals and Policies Statement, the Implementation Program, the Land Use Element and the Economic Development Element.

The Planning Department also finds the proposed zoning amendment to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100 "Title and Purpose":

- 103.1 Promote the public health, safety and general welfare of the City.
- 103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflects current and future needs.
- 103.3 Provides for orderly growth and development, which recognizes:

- A) The goals and patterns of land use contained in the Comprehensive Plan of the City of Warwick
- E) The availability and capacity of existing and planned public and/or private services and facilities.
- F) The need to shape and balance urban and suburban development.

103.11 Promotes implementation of the Warwick Comprehensive Community Plan, as amended.

The Planning Department recommends favorable recommendation to the Warwick City Council for the requested zoning amendment with the following stipulation that Lot 518 shall not be used for a fast food establishment identified as Use Category 503.

Public Meeting

Request for an Extension

Pontiac Mill Phase II

Applicant: Gillespie and Company Inc.
Location: 334 Knight Street
Assessor’s Plat: 274
Lot(s): 180, 182 and 204
Zoning District: Office Planned Unit Development (PUD)
Land Area: 17.35 Acres
Number of lots: NA
Engineer: Crossman Engineering, Inc.
Ward: 8

The applicant is requesting an extension of preliminary approval of Pontiac Mills Phase II granted on August 3, 2005 to establish a mixed use development which includes the rehabilitation of existing mill buildings for residential use, retail shops, restaurants and hospitality.

Planning Department Findings

The Planning Department finds the following:

- 1) The project is consistent with the Comprehensive Plan, and the Comprehensive Plan has not changed substantially since the time of the original application as it would apply to this project.

- 2) The Development Review Regulations, the Zoning Ordinance, and all applicable state and federal regulations are substantially the same as they were at the time of the original application, as they would apply to this project.
- 3) The Zoning Map designation for the subdivision has not changed since the time of the original application.
- 4) No substantial change to the physical conditions of the subdivision or the neighboring property has occurred since the time of the original application.

Planning Department Recommendation

The Planning Department recommendation is to grant the requested extension to expire on August 3, 2007.

Public Meeting

Request for a Reinstatement

West Shore Court

Applicant: Hugh Fisher
Location: 299 West Shore Road
Assessor's Plat: 319
Lot(s): 489, 490 & 495
Zoning District: Planned District Residential (PDR) A-7
Land Area: 2.13 Acres
Number of lots: NA
Engineer: DiPrete Engineering Associates, Inc.
Ward: 4

The applicant is requesting reinstatement of a Master Plan Approval granted on May 4, 2005 for a 23-unit residential condominium complex with less than required land area, setbacks between buildings, front yard setback, wetland setback, setbacks from parking and less than required landscape buffer.

Planning Department Findings

The Planning Department finds the following:

- 1) The project is consistent with the Comprehensive Plan, and the Comprehensive Plan has not changed substantially since the time of the original application as it would apply to this project.

- 2) The Development Review Regulations, the Zoning Ordinance, and all applicable state and federal regulations are substantially the same as they were at the time of the original application, as they would apply to this project.
- 3) The Zoning Map designation for the subdivision has not changed since the time of the original application.
- 4) No substantial change to the physical conditions of the subdivision or the neighboring property has occurred since the time of the original application.

Planning Department Recommendation

The Planning Department recommendation is to grant the requested reinstatement of the Master Plan approval.

Public Hearing

Major Land Development Project

Byfield, Hickory and Plum Streets

Applicant:	Barbara and Ronald Goldsmith.
Location:	Byfield Street, Hickory Street and Plum Street
Assessor's Plat:	285
Lot(s):	201 to 207
Zoning District:	GI (General Industrial)
Land Area:	42,790 square feet
Number of lots:	7
Engineer:	Garofalo and Associates, Inc.
Ward:	2

The applicant is requesting Master Plan approval of a Major Land Development Project to construct a new 9,600 square foot commercial building on a lot with a street extension requiring a waiver from Development Review Regulations, Section D.2.1-K, to have less than required cul-de-sac radius and Section D.2.1-G to eliminate the sidewalk. The proposed development also requires a zoning variance to have less than required landscape buffer and less than required aisle setback from building.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations,

1. Generally consistent with the Comprehensive Community Plan.
2. Not in compliance with the standards and provisions of the City's Zoning Ordinance; therefore, requiring a variance for less than required landscape buffer and less than

required aisle setback from building. Not in compliance with the City's Development Review Regulations, Section D.2.1-K and Section D.2.1-G, therefore, requiring a waiver from the development standards.

3. That there will be no significant negative environmental impacts from the proposed development.
4. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
5. That the proposed development possesses adequate access to a public street.

Planning Department Recommendation

Planning Department recommendation is to grant Master Plan approval with the following stipulations:

1. That the applicant shall receive a variance from the City's Zoning Board of Review to have a lot with less than required landscape buffer and less than required aisle distance from the building.
2. That the preliminary plan shall include a landscape plan designed and stamped by a Rhode Island Registered Landscape Architect and approved by the Warwick Landscape Project Coordinator.
3. That the Applicant shall merge all abutting lots by an Administrative Subdivision.
4. That the Applicant shall deed a portion of Assessors Plat 285, lot 204 to the City of Warwick as depicted on the site plan as part of the roadway cul-de-sac.
5. That the location and number of hydrants shall be approved by the Warwick Fire Department. All sprinklered buildings require a hydrant within 100 feet of the Fire Department Connection.
6. That the newly extended roadway shall have a valve installed at the end of the existing line and that the contractor must coordinate the installation of the water line services and shut down with the Warwick Water Division. If a fire service is required, a separate line must be provided.
7. That the Applicant shall remove and properly dispose of all existing debris on site.

Public Hearing

Major Land Development Project

Inskip/Mini Cooper Car Dealership

Applicant: Inskip Management Co., Inc.
Location: 1515 Bald Hill Road
Assessor's Plat: 249
Lot(s): 003
Zoning District: GB, General Business
Land Area: 889,189 square feet
Number of lots: 1
Engineer: Pare Engineering
Ward: 8

The applicant is requesting Preliminary Approval of a Major Land Development Project to construct a new 8,830 square foot auto dealership within the existing auto dealership complex and to increase the size of an existing car wash facility on a lot with less than required off-street parking, less than required landscaping and less than the required loading spaces.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations,

1. Generally consistent with the Comprehensive Community Plan.
2. In compliance with the standards and provisions of the City's Zoning Ordinance having received a Zoning Board of Review variance (Petition #9262) to have a lot with less than required parking, loading spaces, landscaping and landscape buffer.
3. That there will be no significant negative environmental impacts from the proposed development.
4. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
5. That the proposed development possesses adequate access to a public street.

Planning Department Recommendation

The Planning Department recommendation is to grant Preliminary approval with Final Approval to be through the Administrative Officer with the following stipulations:

1. That the final plan shall include a landscape plan designed and stamped by a Rhode Island Registered Landscape Architect and approved by the Warwick Landscape Project Coordinator.
2. That striping shall be installed at the approach to Inskip Way at Bald Hill Road to improve vehicle flow as recommended in the traffic impact statement prepared by Pare Engineering Corporation, dated February 24, 2006, prior to issuance of Certificate of Occupancy.
3. That the applicant shall receive final approval from Kent County Water Authority.
4. That the applicant shall receive final approval from West Warwick Sewer Authority.
5. That all previous stipulations, restrictions and conditions imposed by the Planning Board and Zoning Board of Review shall remain in effect on the property including:
 - a) That the developer shall contribute a fee-in-lieu of landscaping to be determined by the City's Landscape Project Coordinator for the City of Warwick Tree Planting Program to remediate the elimination of trees on the interior of the parking lot, prior to the issuance of a Certificate of Occupancy.
 - b) That the developer shall locate overhead doors and direct lighting away from the western most property line.
 - c) That the owner or its agents shall be prohibited from utilizing an outdoor loud speaker system.
 - d) That the owner or its agents shall be prohibited from repairing and/or detailing vehicles outside.
 - e) That there shall be no unloading of vehicles to the westerly side of the so called Infinity building.

Public Meeting

Request for a Reinstatement

Wilkinson Plat

Applicant: Brian Wilkinson
Location: 1860 & 1863 West Shore Road
Assessor's Plat: 352
Lot(s): 13
Zoning District: Residential A-10
Land Area: 31,054 Square Feet
Number of lots: NA
Engineer: Peter Cipolla, PLS
Ward: 5

The applicant is requesting reinstatement of a Master Plan Approval granted on September 1, 2004 to construct a second two-family dwelling on a 31,054 square foot lot with less than the required land area, lot frontage, lot width and side yard setback in a Residential A-10 Zoning District.

Planning Department Findings

The Planning Department finds the following:

- 1) The project is consistent with the Comprehensive Plan, and the Comprehensive Plan has not changed substantially since the time of the original application as it would apply to this project.
- 2) The Development Review Regulations, the Zoning Ordinance, and all applicable state and federal regulations are substantially the same as they were at the time of the original application, as they would apply to this project.
- 3) The Zoning Map designation for the subdivision has not changed since the time of the original application.
- 4) No substantial change to the physical conditions of the subdivision or the neighboring property has occurred since the time of the original application.

Planning Department Recommendation

The Planning Department recommendation is to grant the requested reinstatement of the Master Plan approval.

Public Hearing

Major Land Development Project

Brinker, On the Border Restaurant

Applicant: Brinker Rhode Island, Inc.
Location: 650 Bald Hill Road, RI Mall
Assessor's Plat: 264
Lot(s): 001
Zoning District: GB, General Business
Land Area: 20.3 +/- acres
Number of lots: 1
Engineer: Bohler Engineering
Ward: 8

The applicant is requesting combined Preliminary/Final approval of a Major Land Development Project to construct a new 6,032 square foot restaurant within the existing parking facilities at the Rhode Island Mall Shopping Center on a lot with less than required parking and landscaping.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations,

1. Generally consistent with the Comprehensive Community Plan.
2. In compliance with the standards and provisions of the City's Zoning Ordinance having received a Zoning Board of Review Variance (Petition #9317) for less than required parking and landscaping.
3. That there will be no significant negative environmental impacts from the proposed development.
4. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
5. That the proposed development possesses adequate access to a public street.

Planning Department Recommendations

Planning Department recommendation is to grant combined Preliminary/Final approval.

Bond Reduction

Buckpell Estates

Current bond total	\$45,660.00
<u>Amount to be released</u>	<u>\$36,330.91</u>
Amount to be retained	\$9330.00

Administrative Subdivisions

Re-plat of Jewel Park	Assessor's Plat: 332	Lots: 506 & 507
Cuy Plat	Assessor's Plat: 239	Lots: 3 & 22
Nelson Plat	Assessor's Plat: 266	Lots: 6 & 8
Kyle Plat	Assessor's Plat: 349	Lots: 283 & 285
Tiffany Avenue	Assessor's Plat: 379	Lots: 285, 287 & 289
Re-plat of Potowomut Plat	Assessor's Plat: 201	Lots: 91 & 93
Alliance Energy Corp.	Assessor's Plat: 323	Lots: 399 & 400
St. Peter's Plat	Assessor's Plat: 292	Lots: 1 & 2
Re-plat of Dryden Heights	Assessor's Plat: 290	Lots 95 & 392