

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday, August 13, 2008
Time: 6:00 p.m.
Location: Warwick City Hall
Lower Level Conference Room
3275 Post Road
Warwick, RI 02886

Review and acceptance of June 2008 meeting minutes.

Public Hearing

Major Subdivision

Watson Plat

Applicant: Donald E. Watson
Location: 126 Woodbine Avenue
Assessor's Plat: 373
Lot(s): 88, 90 & 92
Zoning District: Residential A-15
Land Area: 30,000 square feet
Number of lots: 2
Engineer: Caito Corporation
Ward: 6

The applicant is requesting Preliminary Approval to subdivide three lots with an existing single family dwelling to create two new lots; one conforming lot with an existing single family dwelling and one nonconforming lot with less than the required area in a Residential A-15 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.

- 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 #9611 to create an undersized lot for development.
- 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 Preliminary Approval with Final Approval to be through the Administrative Officer, with the following stipulations:

- 1) That the applicant shall record a deed restriction which prohibits the creation any additional lots from Lot 1, as a condition of the subdivision.
- 2) That the existing dwelling and the proposed new dwelling shall be connected to the Warwick Sewer System, prior to issuance of a Certificate of Occupancy (CO).

Public Hearing

Major Land Development Project

DeFelice Center, Multifamily and Office

Applicant: 3960 Post Road, LLC
Location: 3960 Post Road
Assessor's Plat: 235
Lot(s): 017
Zoning District: Office
Land Area: 1.41 acres
Number of lots: 1
Engineer: Hudson Place Associates
Ward: 9

| The applicant is requesting Preliminary Approval of a Major Land Development Project to construct a new six unit residential building on a lot with an existing four unit residential building and an office, for a total of ten residential units and one office.

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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~~Not compliance with the standards and provisions of the City’s Zoning Ordinance having received a ~~therefore~~Special Use Permit~~approval~~, Petition #9563, from the Zoning Board of Review.
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.

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Planning Department Recommendations

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

- 1) That the project engineer shall submit a revised site plan to show the parking layout in strict compliance with Zoning Board of Review approved Petition #9563, prior to final approval.
- 2) That the project engineer shall label parking area as “crushed stone” and indicate a bearing of one property line, on the final plan.
- 3) The project engineer shall indicate on the final plan a backflow preventer for all sewer connections and modify the sewer cover detail per WSA specifications.

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Public Hearing

Major Land Development Project

Roy Medical Office Building

Applicant: Joan and Louis Roy
Location: Centerville Road and Orchard Avenue
Assessor's Plat: 246
Lot(s): 237
Zoning District: Office, with variances
Land Area: 48,289 sf
Number of lots: 1
Engineer: Gregory J. Souza, PE
Ward: 8

The applicant is requesting Preliminary Approval of a Major Land Development Project for the construction a new 12,987 square foot medical office building with less than required building setback and less than required landscape buffer from an abutting residential district on a lot zoned Office.

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 a City Council Zone Change, PCO-44-07 Amended, from Residential A-10 and Office to Office, with less than required building setback and less than required landscape buffer from an abutting residential district.
- 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 Preliminary Approval with Final Approval to be through the Administrative Officer, upon compliance with the following stipulations:

- 1) That the applicant shall obtain an easement from the abutting property owner (AP 246, AL 259) for off-site grading.
- 2) That the project engineer shall indicate on the final plan the location of the existing 30” City of Warwick water main in the southerly travel lane of Toll Gate Road. Please note that the proposed development is serviced by Kent County Water Authority and applicant should be aware of the presence of an existing 36” transmission main prior to commencing any excavation.
- 3) That the applicant shall submit and Inflow & Infiltration (I&I) fee to the Warwick Sewer Authority, prior to obtaining a building permit.
- 4) That the applicant shall submit a revised landscape plan to be approved by the Warwick Landscape Project Coordinator, prior to Final Approval.

Public Meeting

Request for a Zone Change

Applicant:	Kensington Corporation
Location:	Atlantic Avenue and Warwick Avenue
Assessor’s Plat:	294
Assessor’s Lot(s):	155, 156, 157
Zoning District:	Residential A-7
Proposed Zoning:	General Business

The applicant is requesting a zone change from Residential, A-7 to General Business (GB) in order to combine the property with abutting General Business property (AP: 294, AL: 158 and 159, AP: 293, AL: 44) to establish a commercial use.

Planning Department Findings

The Planning Department finds the proposed zone change **NOT** in compliance with the City’s Comprehensive Plan, specifically the Land Use Element, Natural Resources Element, and the Economic Development Element. The proposal is requesting rezoning of a sensitive wetland area to General Business for the purpose of commercial development.

The Planning Department also finds the proposed zoning amendment **NOT** to be generally consistent with the following purposes of the City’s Zoning Ordinance, as presented in Section 100, “Title and Purpose.”

- 103.3 Does not provide for orderly growth and development, which recognizes:

- B.) The natural characteristics of the land, including its suitability for use based on the soil characteristics and topography, and susceptibility to surface or ground water pollution.
- C.) The values and dynamic nature of coastal and freshwater ponds, the shoreline, and freshwater and coastal wetlands;
- D.) The values of unique or valuable natural resources and features;

103.4 Does not provide for the control, protection, and/or abatement of air, water, groundwater, and noise pollution, and soil erosion and sedimentation.

103.5 Does not provide for the protection of the natural, historic, cultural, and scenic character of the city or areas therein.

The Planning Department recommends an unfavorable recommendation to the Warwick City Council for the requested zone change from Residential to General Business because the proposal is requesting rezoning of sensitive wetlands for commercial development.

Public Meeting

Request for a Zone Change

Applicant: Happy Mill LLC
Location: 334 Knight Street
Assessor’s Plat: 274
Assessor’s Lot(s): 180 and 204
Zoning District: Office, with PUD Overlay
Proposed Zoning: Modify existing zone change to include billboard signage use

The applicant is requesting a modification to an existing zone change, PCO-73-2000 Amended, to include billboard signage use.

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 reflect 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.

103.5 Provides for the protection of the natural, historic, cultural, and scenic character of the city or areas therein.

103.10 Promotes a high level of quality in design in the development of private and public facilities.

The Planning Department recommends a positive recommendation to the Warwick City Council for the requested zone change amendment to include billboard signage use.

Public Meeting

Request for an Amendment to the City's Zoning Ordinance

Section 605 "Special Use Permits and Variances"

Applicant: City of Warwick
Location: 3275 Post Road
Zoning District: Zoning Ordinance amendment to Section 605 "Special Use Permits and Variances"

The City of Warwick desires to amend Zoning Ordinance Section 605 "Special Use Permits and Variances" to allow an applicant to request a "Dimensional Variance" in combination with a "Special Use Permit."

SECTION I. Appendix A, Zoning of the Code of Ordinances of the City of Warwick, Section 600 is hereby amended by adding thereto the following section:

605. Special Use Permits and Variances.

All special use permits for uses authorized by Sections 904 and 906.3 (C) of this ordinance that are located in non-residential zoning districts and that do not abut or are contiguous with any residential land use or zoning district may be issued by the zoning board of review in conjunction with a dimensional variance authorized pursuant to Section 906.3 of this ordinance.

If the special use could not exist without the dimensional variance, the zoning board of review shall consider the special use permit and the dimensional variance together to determine if

granting the special use is appropriate based on both the special use criteria and the dimensional variance evidentiary standards provided that the dimensional relief shall not exceed a 50 percent deviation from the required dimensional standard.

SECTION II. This Ordinance shall take effect upon passage and publication as prescribed by law.

Currently the City of Warwick Zoning Ordinance does not include a provision for such combination relief. The proposed language will allow limited (not to exceed a 50 percent) dimensional relief to be granted simultaneously with a request for a Special Use Permit only for those properties that do not abut residential zoning districts.

Planning Department Findings

The Planning Department found the proposal 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 Provide 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.
 - (E) The availability and capacity of existing and planned public and private services and facilities
 - (F) The need to shape the urban and suburban development
 - (G) The use of innovative development regulations and techniques.
- 103.11 Promote implementation of the Warwick Comprehensive Community Plan, as amended.
- 103.13 Provide for efficient review of development proposals, to clarify and expedite the zoning approval process.
- 103.14 Provide for procedures for the administration of the zoning ordinance.

The Planning Department's recommendation is for a favorable recommendation to the Warwick City Council for the requested zoning amendment.

Bond Reduction

**Brookwood Estates Subdivision
Smile Court**

Current bond total	\$79,021.00
<u>Amount to be released</u>	<u>\$68,690.00</u>
Retain	\$10,331.00

Administrative Subdivisions

West Shore Court Plat: 319 Lots: 489, 490, 495

Correspondence

Airport Road LLC. v. Mark Carruolo, individually, and in his capacity as Planning Director of the City of Warwick: and the City of Warwick.

1 LoriAnn LLC. Assessors Plat: 277 Lot: 31 Requesting a workshop with the Planning Board for construction of a 60 unit residential condominium development in a Light Industrial Zoning District (Metro-Center).