

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday June 11, 2008

Time: 6:00 p.m.

Location: Warwick City Hall
Lower Level Conference Room
3275 Post Road
Warwick, RI 02886

Review and acceptance of May 2008 meeting minutes.

Public Meeting

Minor Subdivision

Oxford Properties – 69 Post Road

Applicant: James Turner and Mary Sharp
Location: 69 Post Road
Assessor's Plat: 291
Lot(s): 23
Zoning District: Office
Land Area: 44,279 square feet
Number of lots: 2
Engineer: Ocean State Planners, Inc.
Ward: 1

The applicant is requesting Preliminary approval to subdivide one lot with an existing dwelling to create two lots, one lot with an existing dwelling and one new lot for development in an Office 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.
- 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

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 any new construction shall be approved by the Warwick Historic District Commission, prior to the issuance of a building permit.
- 2) That the final development plan shall expand the limit of disturbance to prohibit any disturbance to the existing 12" drain line and to prohibit construction vehicles from driving over the existing drain line.
- 3) That applicant shall plant one new street tree, species and location to be approved by the City's Landscape Project Coordinator, prior to issuance of a Certificate of Occupancy.
- 4) That all proposed grading shall be contained within the limit of disturbance and that Note 7 shall be changed to reflect proposed grading on the final plan.
- 5) That the area tables shall be corrected to match area on parcels on the final plan.
- 6) That the final plan shall add station and offsets to the front property corners and note the RIDOT easement and geometry on a separate detail.

Public Hearing

Major Subdivision

Re-plat of Haswill Shore Plat

Applicant: Carol and Sabatino Ranucci
Location: Dan Street
Assessor's Plat: 361
Lots: 256, 257, 258 & 871
Zoning District: Residential A-40
Land Area: 33,118 square feet
Number of lots: 3
Engineer: Ocean State Planners, Inc.
Ward: 6

The applicant is requesting preliminary approval of a Major Subdivision to reconfigure four abutting nonconforming lots to create three lots; one lot with less than the required area, frontage and lot width with two residential structures having less than the required setbacks; two lots with less than the required area, frontage and lot width, each lot having a single family dwelling with less than the required setbacks, in a Residential A-40 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 # 9602) to have one lot with less than the required area, frontage and lot width with two residential structures having less than the required setbacks and two lots with less than the required area, frontage and lot width, each lot having a single family dwelling with less than the required setbacks.
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.

Public Hearing

Major Land Development Project

Balise of Warwick

Applicant: Advantage Construction/Balise
Location: 1400 Post Road
Assessor's Plat: 309
Lot(s): 062
Zoning District: Light Industrial
Proposed Zone: General Business, with variances
Land Area: 9.2 acres
Number of lots: 1
Engineer: Fuss & O'Neill
Ward: 3

The applicant is requesting Master Plan approval of a Major Land Development Project and a zone change recommendation for the construction a new 62,973 square foot building for an auto dealership and service center, with less than required wetlands setback, aisle distance from the proposed building, landscaping, size of parking spaces, number of loading spaces, greater than allowed driveway width and higher and larger than allowed signage on a lot currently zoned Light Industrial and proposed to be zoned General Business, with variances.

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 City Council approval for a zone change from Light Industrial to General Business, with variances for less than required wetlands setback, aisle distance from the proposed building, landscaping, size of parking spaces, number of loading spaces, greater than allowed driveway width and higher and larger than allowed signage.
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 approval from the City Council for a zone change from Light Industrial to General Business, with the requested variances.
2. That the project engineer shall be aware that Zero Net Runoff is considered a minimum and must make every effort to minimize storm water runoff and improve water quality. As a result, the project engineer shall infiltrate the runoff from the roof of the proposed building to reduce the peak flow rate and runoff volume.
3. That all state permits, including but not limited to, RI Department of Environmental Management (DEM) Wetlands and Department of Transportation (DOT) Physical Alteration Permit (PAP) are required prior to Preliminary Plan Submission to the Planning Board.
4. That the project engineer shall meet with the City Engineer to discuss drainage issues prior to developing the design.
5. The project engineer shall stamp and submit all projected flows to the Warwick Sewer Authority (WSA) and that the applicant shall pay an Inflow & Infiltration (I&I) fee to the WSA based on these flows.
6. That the applicant shall submit design calculations to the WSA on the proposed sewer pump along with the contact information on the maintenance company who will be responsible for maintenance of the pump.
7. That the applicant shall comply with all pretreatment requirements and submit to the WSA detailed plans for review and approval.
8. That the fire and domestic water services shall be separate taps off the existing twelve inch (12") line in Post Road.
9. 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.
10. That the applicant 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, as a condition of final approval.

Request for a Zone Change

Applicant: Advantage Construction/Balise
Location: 1400 Post Road
Assessor's Plat: 309
Assessor's Lot(s): 062
Zoning District: Light Industrial
Proposed Zoning: General Business, with variances

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.

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

The Planning Department recommends favorable recommendation to the Warwick City Council for the requested zoning amendment with all of the Planning Department's recommended stipulations.

Request for a Zone Change

Applicant: Four Points Investments, LLC
Location: Post Road
Assessor's Plat: 220
Assessor's Lot: 161
Zoning District: Office
Proposed Zone: Planned District Residential (PDR) A-7, with variances

The applicant is requesting a zone change on the property from Office (O) to Planned District Residential (PDR) A-7 to allow for five residential units. The current use of the property is a pre-existing, non conforming building with four residential units and one office. The applicant is requesting to eliminate the office use and convert that unit to a low to moderate income residential unit for a total of five residential units with less than the required lot area, frontage, front, side and rear yard setbacks, landscaped open space, and greater than allowed density and dwelling units per acre, less than required off street parking and landscaping, vehicular and pedestrian access points and screening.

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 Housing 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:

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

103.8 Promote a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe, and sanitary housing, including opportunities for the establishment of low and moderate income housing.

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

The Planning Department recommends a favorable recommendation to the Warwick City Council for the requested zoning amendment with the stipulation that the new residential dwelling unit shall be restricted as a low to moderate income housing unit in compliance with RIGL 45-53.

Request for a Zone Change

Applicant:	JT Development Partners, LLC
Location:	1149 Division Street
Assessor's Plat:	215
Assessor's Lot:	008
Zoning District:	GB, with variances

The applicant is requesting to modify the existing General Business Restricted (GBR) zoning

- 1) with limited use as restaurant and lounge facilities,
- 2) not to be used for live entertainment,
- 3) with a dental laboratory facility in the basement of the premises no larger than 536 square feet,

to be modified to General Business, to include use as a restaurant and lounge facility with live entertainment, with parking of not less than 127 spaces and less than required landscape buffer from an abutting residential district.

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:

- C.) The goals and patterns of land use contained in the Comprehensive Plan of the City of Warwick.

- D.) The natural characteristics of the land, including its suitability for use based on the soil characteristics and topography.
- I.) The availability and capacity of existing and planned public and/or private services and facilities.
- J.) The need to shape and balance urban and suburban development.

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

The Planning Department recommends favorable recommendation to the Warwick City Council for the requested zoning amendment.

Street Abandonment

Portion of Horseneck Road

Petitioner: Merrick A. Cook III/Sandra Amado
Location: Assessor's Plat 360 between lots 330 and 333
Ward: 6

Reason for Abandonment: The petitioner is seeking to abandon this portion of Horseneck Road to incorporate it into his property for the purpose of maintenance. Petitioner has stated that there often is illegal dumping on the site and he would like to maintain it for aesthetic purposes. Co-petitioner Amado is not interested in obtaining additional land area and has agreed to deed her portion of the abandoned street to Mr. Cook. Mr. Cook is not seeking the additional land area for the purpose of a future subdivision.

Recommendation: The Planning Department recommends that the Planning Board forward a positive recommendation to the City Council for the requested street abandonment with the following stipulations:

- 1) That there shall be no future subdivision of land for the purpose of creating an additional lot for development.
- 2) That the City of Warwick shall retain a utility easement within the existing ROW,
- 3) That an Administrative Subdivision shall be recorded merging the abandoned portion of Horseneck Road street with the abutting lot.

Administrative Subdivision

Hilton Gardens

Plat: 278

Lots: 137 &138