

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday, June 9, 2010

Time: 6:00 p.m.

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

Review and approval of April and May meeting minutes.

Public Hearing

Minor Subdivision with a Street Extension

Lufkin Court

Applicant: Sturbridge Home Builders
Location: Lufkin Court
Assessor's Plat: 296
Lot(s): 154
Zoning District: Residential A-7
Land Area: 5.06 Acres
Number of lots: 5
Engineer: DiPrete Engineering
Ward: 2

The applicant is requesting preliminary approval to subdivide one (1) lot to create five (5) lots, one lot with an existing church and four (4) new lots for development with a street extension. The applicant is also seeking waivers from the following sections of the City's Development Review Regulations: Section 2.1r *Utilities underground*, Section 2.2 *Sidewalks* and Section D.4 *Construction requirements* (elimination of concrete curbing) 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,
- 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 preliminary approval with the following stipulations:

- 1) That the Planning Board grant the requested waiver of the underground utilities.
- 2) That the Planning Board grant the requested waiver for the elimination of concrete sidewalks with the stipulation that the developer shall make a payment to the Fee-in-lieu of Open Space account for Recreation District 5 in an amount equal to the cost of 305 linear feet of concrete sidewalk to be determined by the City Engineering Office.
- 3) That the Planning Board denies the request for a waiver of Section D.4 *Construction requirements* (elimination of concrete curbing).
- 4) That the developer shall reclaim the pavement, loam and seed, match the existing curb treatment and extend the existing driveway for the area of the existing cul-de-sac located directly adjacent to #58 Lufkin Court. Proposed construction including grading shall be depicted on all subsequent submissions.
- 5) That the roadway width shall be a minimum of 26' from curb to curb as required in the Development Review Regulations Section D.2.1 h. *Right-of-Way and Travel Way Widths*.
- 6) That the existing portion of Lufkin Ct. shall be resurfaced from curb to curb starting at Sta. 0+00.
- 7) That the proposed spot grades shall be indicated on the new cul-de-sac to ensure that storm-water runoff will flow into the storm drain collection system; additional catch basins may be required.
- 8) That the proposed storm-water collection system and/or proposed grading on proposed lots 1 & 2 shall be redesigned to eliminate the need for the flared end and drainage easements on the property.

- 9) That all rooftop runoff shall be directed into individual infiltration systems.
- 10) That the drainage detention system shall be contained on its own lot not for development as required in Development Review Section D.2.7 b. *Storm-water Structures* and the proposed easement on lot 3 shall be kept clear of all structures, shall be fully accessible and the deed shall contain such language.
- 11) That the proposed fire hydrant shall be a Mueller Hydrant and it shall be moved to the end of the cul-de-sac to a location to be approved by the Warwick Water and Warwick Fire Departments
- 12) That note #12 on plan sheet 10 addressing the deed restriction for the proposed hydrant shall be removed.
- 13) All proposed water valves shall be “right on” valves as required by the Warwick Water Division.
- 14) That a formal landscape plan stamped and signed by a RI Registered Landscape architect which shall include preservation of large mature trees in proximity to the limit of work with drip-line tree protection details, shall be approved by the City’s Landscape Project Coordinator prior to final approval by the Warwick Planning Board.
- 15) That all proposed landscaping shall be installed in locations that will not infringe on any components of the drainage system.
- 16) That all plans submitted must comply with Section 3.02 C of the Procedural & Technical Standards for the Practice of Land Surveying in the State of RI and Providence Plantations – Effective April 1, 1994
- 17) That the Warwick Sewer Authority shall approve the final plan prior to approval by the Warwick Planning Board.
- 18) That all state permit approvals, including but not limited to the RI DEM Underground Injection Control Program, are required prior to final approval by the Planning Board.
- 19) That the Project Engineer must review all phases of construction and upon completion of the project, the Project Engineer must submit an as-built plan of the construction along with a Certificate of Conformance that states that the construction was performed in accordance with the approved plans.

Public Meeting

Request for a Zone Change

Shalom Housing Inc.

Applicant: Shalom Housing Inc.
Location: 1 Shalom Drive
Assessor's Plat: 271
Assessor's Lot(s): 192
Zoning District: Planned District Residential (PDR) A-7 Restricted (PCR 0-94-23)
Proposed Zoning: PDR A-7 Restricted to add a Wind Turbine higher than allowed.

The applicant is requesting a zone change from Planned District Residential (PDR) A-7 Restricted (PCR 0-94-23) to PDR A-7 Restricted to add a Wind Turbine higher than allowed to provide power to an existing elderly housing complex.

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 zone change 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.
- (B) The natural characteristics of land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface or groundwater pollution.
- (D) The values of unique or valuable natural resources and features.
- (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.
- (G) The use of innovative development regulations and techniques.

103.4 Providing for control, protection and/or abatement of air, water, groundwater and noise pollution, and soil erosion and sedimentation.

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.

103.15 Provide for reasonable accommodations in order to comply with the RI Fair Housing Practices Act, the US Fair Housing Amendments Act of 1998 (FHAA), the RI Civil Rights of Individuals with Handicaps Act and the American with Disabilities Act of 1990 (ADA).

The Planning Department recommends favorable recommendation to the Warwick City Council for the requested zone change with the following stipulations:

- 1) The wind turbine towers and blades shall be painted with an unobtrusive color with a non-reflective finish and shall not be artificially lighted unless required by the FAA.
- 2) No part of the wind turbine may be utilized for signage and/or advertisement.
- 3) The wind turbine shall not exceed sixty (60) dBA as measured at the closest property line.
- 4) Construction and foundation plans shall be completed by a RI Registered Structural Engineer.
- 5) The petitioner shall install a six-foot high fence that confines the base of the tower and base equipment.

Public Meeting

Request for a Zone Change

Rhode Island Airport Corporation

Applicant: Rhode Island Airport Corporation
Location: 2000 Post Road
Assessor's Plat: 327
Assessor's Lot(s): 4-15, 37-41, 59-70, 85-96 (see attached map)
Zoning District: Residential A-7
Proposed Zoning: Light Industrial

The applicant is requesting a zone change from Residential A-7 to Light Industrial for future airport purposes consistent with Light Industrial zoning.

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, the Transportation Element and the Economic Development Element.

The Planning Department also finds the proposed zone change 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.
- (B) The natural characteristics of land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface or groundwater pollution.
- (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.

103.7 Provide for the protection of public investment in transportation.

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

facilities.

103.12 Provide for coordination of land uses with contiguous municipalities, other municipalities, the state and other agencies.

The Planning Department recommends favorable recommendation to the Warwick City Council for the requested zone change with the following stipulations:

- 1) That all access to the property other than emergency access shall be restricted to adjacent airport property and/or direct access from Airport Road.
- 2) That any future development of the property shall maintain the minimum 100' setback from any adjacent residential or open space zoned property.
- 3) That any future development on the property shall meet or exceed all current zoning requirements.
- 4) That any future development shall be reviewed by the Planning Board as a major land development project.

Public Meeting

Request for an Amendment to the City's Zoning Ordinance

Section 308 "Planned District Residential (PDR)"

Section 502 "Land Development Project - Two family and multiple family dwelling approved by the Zoning Board of Review"

Applicant: City of Warwick
Location: 3275 Post Road
Zoning District: Zoning Ordinance amendment to Sections 308 PDR and 502 Two family and multiple family dwelling approved by the Zoning Board of Review.

The Warwick City Council desires to amend Zoning Ordinance Section 308 "Planned District Residential" and Section 502 "Two-family and multiple-family dwelling approved by the Zoning Board of Review." The purpose of the proposed amendment is to require that all Two-family and multi-family developments receive City Council approval. Currently only multi-family development in excess of ten (10) residential dwelling units require City Council approval; developments contain between two and ten dwelling units require a Special Use Permit through the Zoning Board of Review.

Planning Department Findings

The Planning Department finds 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 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 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.
- 103.8 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.
- 103.11 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
- 103.15 Provide for reasonable accommodations in order to comply with the RI Fair Housing Practices Act, the US Fair Housing Amendments Act of 1998 (FHAA), the RI Civil Rights of Individuals with Handicaps Act and the American with Disabilities Act of 1990 (ADA).

Planning Department Recommendation

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

Administrative Subdivision

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| Warwick Housing Plat | Plat: 332 | Lots: 360-362, 387-391 |
| Wilkenson Plat | Plat: 282 | Lots:21, 22 & 193 |