

**Meeting Notice  
City of Warwick  
Planning Board**

**Date:** Wednesday, March 14, 2007

**Time:** 6:00 p.m.

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

Review and acceptance of February 2007 meeting minutes.

**Public Meeting**

**Minor Subdivision**

**Beach Avenue and Maywood Avenue**

Applicant: James Johnston, Jr.  
Location: 245 Beach Avenue  
Assessor's Plat: 331  
Lot: 295  
Zoning District: Residential A-7  
Land Area: 23,721 square feet  
Number of lots: 2  
Surveyor: John W. Greene, PLS  
Ward: 4

The applicant is requesting preliminary approval to subdivide one lot with an existing dwelling to create two new lots, one lot with an existing dwelling and one new lot for development 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 Recommendation**

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

- 1) That the existing and proposed dwellings shall be connected to the Warwick Sewer System.
- 2) That the final sewer connection plan shall be approved by the Warwick Sewer Authority, prior to final approval.
- 3) That the bottom floor of the proposed dwelling shall be at least 3 feet above the seasonal high ground water.
- 4) That the existing garage and bituminous drive depicted on proposed "Parcel B" shall be removed prior to recording the subdivision.

### **Public Meeting**

### **Minor Subdivision**

### **Conimicut Trolley Plat (Section 3)**

<b>Applicant:</b>	Robert J. and Cynthia A. Henninger
<b>Location:</b>	200 Beach Avenue
<b>Assessor's Plat:</b>	332
<b>Lot(s):</b>	834
<b>Zoning District:</b>	Residential A-7
<b>Land Area:</b>	23,841 square feet
<b>Number of lots:</b>	2
<b>Surveyor:</b>	Flynn Surveys Inc.
<b>Ward:</b>	4

The applicant is requesting preliminary approval to subdivide one lot with an existing dwelling to create two new lots, one lot with an existing dwelling and one new lot for development 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) 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 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 existing and proposed dwellings shall be connected to the Warwick Sewer System.
- 2) That the applicant shall provide a development plan which shall include the proposed structure, driveway, utilities and grading to be approved by the City Engineer prior to final approval.
- 3) That the existing chain link fence and shed located within the June Avenue right-of-way adjacent to Proposed “Parcel A” shall be removed prior to recording the subdivision.
- 4) That the existing 36 inch oak tree adjacent to proposed “Parcel B” and within the City right-of-way along June Avenue shall be protected during construction; any access and utilities shall maintain a minimum of 15 foot setback from said oak tree.

## **Public Hearing**

### **Major Land Development Project**

Jefferson Boulevard Office Park

**Applicant:** Wilco Development LLC.  
**Location:** Jefferson Boulevard, Kansas Avenue, and Malbone Street  
**Assessor's Plat:** 282  
**Lot(s):** 78 (portion), 82-84, 87-90, 93, 96, 97, 100-102, 105-108  
**Zoning District:** GI and LI (General and Light Industrial)  
**Land Area:** 3.76 acres  
**Number of lots:** 18  
**Engineer:** DiPrete Engineering  
**Ward:** 3

The applicant is requesting preliminary approval of a Major Land Development Project to construct a new 75,000 square foot office building on a lot with less than required landscape buffer and off site 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 a variance, Petition #9389A and Petition #9389B for less than required landscape buffer and off-site 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.
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 merge all abutting lots by means of an Administrative Subdivision prior to final approval.

2. That an “As-built” drawing and Certification for Compliance of the storm drainage system must be submitted and approved by the City Engineer prior to issuance of a Certificate of Occupancy.
3. That the applicant shall install a double check detector check on the fire service and an RPA backflow device on the domestic service.
4. That the applicant shall meet with Warwick Sewer Authority to review the service connection policy, submit interior plumbing plans to Pretreatment for review and approval, and provide a sampling manhole.

### **Public Meeting**

### **Minor Land Development Project**

#### **The Verndale Plat**

Applicant:	North End Realty
Location:	100 Verndale Street
Assessor’s Plat:	339
Lot:	119 & 291
Zoning District:	Residential A-7
Land Area:	16,008 square feet
Number of lots:	NA
Surveyor:	Flynn Surveys Inc.
Ward:	5

The applicant is requesting preliminary approval of a Minor Land Development Project to merge two lots and to construct a two-family dwelling 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, however requiring a Special Use Permit 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.

## **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 applicant shall receive a Special Use Permit from the Zoning Board of Review authorizing the establishment on a two-family dwelling.
- 2) That the existing lots shall be merged by way of an Administrative Subdivision and that the existing lot line to be removed shall be clearly delineated on the plan.
- 3) That the proposed new two-family dwelling shall be connected to the Warwick Sewer System.
- 4) That the final plan shall include all existing and proposed utilities, existing and proposed contours, that the final contours shall be designed in such a manner that no stormwater runoff is directed toward Verndale Street and a notation that the contractor shall obtain a Physical Alteration Permit from the City of Warwick for any work within the Verndale Street right-of-way.

### **Public Hearing**

### **Major Subdivision**

### **Francis Estates**

**Applicant:** Allen Francis  
**Location:** 42 Oxford Avenue  
**Assessor's Plat:** 317  
**Lot(s):** 133, 134, 135 & 407  
**Zoning District:** Residential A-7  
**Land Area:** 17,625 square feet  
**Number of lots:** 2  
**Surveyor:** WP Skorupski, PLS.  
**Ward:** 4

The applicant is requesting preliminary approval to subdivide four abutting nonconforming lots to create two lots, one conforming 7,200 square foot lot with an existing dwelling and one new 10,425 square foot lot for development with less than the required frontage and lot width 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 #9371) to have a lot with less than the required frontage and lot width on an existing street.
- 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 existing shed on proposed “Parcel 2” shall be removed prior to the recording of the subdivision and that the existing garage may remain up to one year unless a building permit has been issued within said timeframe.
- 2) That the proposed new dwelling shall be connected to the Warwick Sewer System.

**Public Hearing**

**Major Land Development Project**

**Dunkin’ Donuts – Centerville Road**

<b>Applicant:</b>	Dan’s Management Company
<b>Location:</b>	1016 Centerville Road
<b>Assessor’s Plat:</b>	241
<b>Lot(s):</b>	5
<b>Zoning District:</b>	General Business
<b>Land Area:</b>	2.64 acres
<b>Number of lots:</b>	1
<b>Engineer:</b>	Crossman Engineering Incorporated
<b>Ward:</b>	8

The applicant is requesting preliminary approval to construct a 4,011 square foot commercial building for general business use and fast food with drive-thru, on a lot with less than required parking in a General Business 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 a City Council Zone Change (PCO-63-05) rezoning the property from Residential A-15 to General Business and a Zoning Board of Review Variance (Petition #9455) to allow the construction of a 4,011 square foot commercial building for general business use and fast food with drive-thru with less than 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 to be through the Administrative Officer upon compliance with the following stipulations:

- 1) That the applicant record an Administrative Subdivision deeding the proposed 15 foot strip to the northerly side of the property to the adjoining lot 18 prior to final approval.
- 2) That the final landscape plan shall be revised as follows, change the two Amelanchier canadensis along the easterly property line to large shade trees, either Quercus rubra, London Plane trees or Zelkova serrata, increase the number of Hemerocallis daylilies along Centerville Road to fifty and add 30 Sedum "Autumn Joy" and plant a minimum of eight low growing evergreen shrubs in the vicinity of the drive-up window.
- 3) That the final drainage plan shall revise the slope of the proposed overflow pipe to avoid erosion at the outlet of the flared end.
- 4) That the final utility plan shall include a fire hydrant within 100 feet of the Fire Department connection, exact location to be approved by the Fire Marshall prior to final approval.



## Public Hearing

### Major Land Development Project

#### **Home Loan Bank Office Building**

**Applicant:** Home Loan Bank  
**Location:** Altieri Way and Home Loan Plaza  
**Assessor's Plat:** 276  
**Lot(s):** 017  
**Zoning District:** General Industrial (GI)  
**Land Area:** 4.1 acres  
**Number of lots:** 1  
**Engineer:** Commonwealth Engineering  
**Ward:** 8

The applicant is requesting master plan approval of a Major Land Development Project to construct a new, four-story, 60,000 square foot general office building with less than required wetlands setback and relief from the zoning height requirements.

#### **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. Not compliance with the standards and provisions of the City's Zoning Ordinance; therefore, requiring approval from the Zoning Board of Review to have less than the required wetlands setback and a building higher than allowed.
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 Master Plan approval with the following stipulations:

1. That the applicant shall receive approval from the Zoning Board of Review for less than required wetlands setback and to have a building higher than allowed.
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 all state permits, including but not limited to RI Department of Environmental Management (DEM) wetland permit and DEM Underground Injection Control (UIC) permit shall be required prior to preliminary approval.
4. That the applicant shall prepare a Stormwater Management Plan, designed in accordance with the Rhode Island Stormwater Design and Installations Standards Manual which shall be approved by the City Engineer prior to preliminary approval.
5. That the applicant shall make accommodations to remove sediment from the existing detention basin and scarify the bottom of the basin.
6. That the location and number of fire hydrants shall be approved by the Warwick Fire Marshall, and any fire service required must be on a separate tap from the domestic water service.
7. That the applicant shall provide the Warwick Sewer Authority with a Sewer Impact Analysis stamped by a P.E which shall estimate projected flows and address the capacity at the Altieri pump station prior to preliminary approval.

### **Public Hearing**

### **Major Land Development Project**

Texas Roadhouse Restaurant

<b>Applicant:</b>	Texas Roadhouse Holdings, LLC
<b>Location:</b>	1200 Quaker Lane
<b>Assessor's Plat:</b>	215
<b>Lot(s):</b>	2 & 23
<b>Zoning District:</b>	GB, R (General Business, with Restrictions)
<b>Land Area:</b>	27 +/- acres
<b>Number of lots:</b>	2
<b>Engineer:</b>	WD Partners
<b>Ward:</b>	9

The applicant is requesting master plan approval of a Major Land Development Project and a zone change recommendation for the construction a new 7,135 square foot restaurant within the existing parking facilities at the Showcase Cinema.

## **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) Not in compliance with the standards and provisions of City’s Zoning Ordinance; therefore, requiring a modification to City Council Zone Change PCO-1-97 to allow for the construction a new 7,135 square foot restaurant within the existing parking facilities at the Showcase Cinema.
- 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 modification to existing PCO-1-97 to allow the construction of a new restaurant within the existing parking facility.
- 2) That the applicant shall obtain approval from both Kent County Water Authority and the West Warwick Sewer Authority.
- 3) That the existing manual traffic control be maintained as requested in a February 22, 2007 letter from the East Greenwich Town Manager.

## **Request for a Zone Change**

<b>Applicant:</b>	Texas Roadhouse Holdings, LLC and NAIRI, Inc.
<b>Location:</b>	1200 Quaker Lane
<b>Assessor’s Plat:</b>	215
<b>Assessor’s Lot(s):</b>	2 and 23
<b>Zoning District:</b>	GB (R) with the right to re-model and expand to twenty auditoriums to be revised to allow the construction of a new 7,135 square foot restaurant within the existing parking facilities.

## **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.
- B.) The natural characteristics of the land, including its suitability for use based on the soil characteristics and topography.
- 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.

103.12 Promote 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 zoning amendment with the following stipulations:

- 1.) That the future development of the property shall be subject to a formal Development Plan Review by the Warwick Planning Board as a Land Development Project.
- 2.) That the applicant shall maintain the existing manual traffic control as requested in a February 22, 2007 letter from the East Greenwich Town Manager.

## **Public Informational Meeting**

### **Major Subdivision**

#### **Faria Viewesta Road**

**Applicant:** Alberto Faria  
**Location:** 257 Nausauket Road and Viewesta Road  
**Assessor's Plat:** 367  
**Lot(s):** 550  
**Zoning District:** Residential A-7  
**Land Area:** 39,618 square feet  
**Number of lots:** 3  
**Engineer:** NRC Associates  
**Ward:** 7

The applicant is requesting master plan approval to subdivide one lot to create three lots, one conforming lot with an existing dwelling and two new lots for development with less than the required lot width on a new 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) Not in compliance with the standards and provisions of the City's Zoning Ordinance; therefore requiring a variance from the Zoning Board of Review to have two lots with less than the required lot width.
- 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 master plan approval with the following stipulations:

- 1) That the applicant shall receive a variance for the Zoning Board of Review to have two lots with less than the required lot width.

- 2) That the proposed rear lot lines shall be realigned to present a straight line dividing the property and that the existing garage shall be moved or removed to comply with the City's Zoning Regulations.
- 3) That the existing dwelling and the proposed new dwellings shall be connected to the Warwick Sewer System.
- 4) That the preliminary shall include all existing and proposed utilities, that lot 432 shall be incorporated into the proposed subdivision, that the proposed roadway shall maintain a minimum 26' travel width and include concrete curbing, sidewalks and street trees in accordance with the City's Development Review Regulations.
- 5) That the preliminary plan shall include a notation that "The contractor shall obtain a Physical Alteration Permit from the Department of Public Works prior to commencement of any work within the City right-of-way."
- 6) That the project engineer shall provide a stormwater management plan designed in accordance with the RI Stormwater Design and Installations Standards Manual to be approved by the City Engineer prior to preliminary approval.

### **Public Meeting**

### **Request for an Extension**

### **Lowe's/Stop & Shop**

<b>Applicant:</b>	5-113 LLC.
<b>Location:</b>	Greenwich Avenue
<b>Assessor's Plat:</b>	265 Lot(s): 20
<b>Assessor's Plat:</b>	271 Lot(s): 1 & 184
<b>Zoning District:</b>	General Business
<b>Land Area:</b>	13.1 acres
<b>Number of lots:</b>	NA
<b>Engineer:</b>	VHB Engineers.
<b>Ward:</b>	8

The applicant is requesting an extension of the preliminary approval for the "Stop & Shop" development to construct a 71,307 square foot supermarket and a 42,200 square foot retail building with less than the required parking and loading spaces recorded on April 21, 2006 extended to April 21, 2008.

The applicant is in the process of purchasing a City owned parcel contained within the development.

## **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 April 21, 2008.

### **Street Abandonment**

#### **Portion of Humes Aveune**

**Petitioner:** Warwick Housing Authority  
**Location:** Assessors Plat: 332 See attached map.  
**Ward:** 4

**Reason for Abandonment:** That portion of Humes Avenue has ceased to be useful to the public as a highway or drift way. The petitioner currently owns property on one side of the roadway and desires to expand its property which is to be developed as senior housing.

**Recommendation:** That the petition be continued and that the plan shall be revised to present an accurate representation of the abutting properties to the west (lots 385 and 378) and that all utilities including the existing catch basin and drain line shall be contained on the plan; also, that the abutter to the west (lots 385 and 378) shall be formally notified of the proposed abandonment.