

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday, March 11, 2009

Time: 6:00 p.m.

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

Review and acceptance of February 2009 meeting minutes.

Public Hearing

Major Land Development Project

Orchard Avenue Medical Office Building

Applicant: North End Realty, LLC
Location: 281 Centerville Road
Assessor's Plat: 246
Lot(s): 243
Zoning District: Office
Land Area: 1.3 +/- acres
Number of lots: 1
Engineer: SFM Engineering Associates
Ward: 8

The applicant is requesting Preliminary approval of a Major Land Development Project for the construction of a new 10,800 square foot medical office building with less than required setback for parking spaces and less than required landscape buffer, 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 PCO-48-07, Amended.
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 remit full payment to the Warwick Sewer Authority for the new sewer service connection and grinder pump, prior to final recording.
2. That the final plan shall be reviewed and approved by the City Engineering Department, for compliance with Section 3.02C of the Procedural and Technical Standards for the Practice of Land Surveying, effective April 1, 1994.
3. That the applicant shall illustrate the project layout on the Class I survey plan.

Public Meeting

Request for a Zone Change

Applicant:	Kathleen Melbourne
Location:	50 Morris Street
Assessor's Plat:	332
Assessor's Lot(s):	312
Zoning District:	Open Space
Proposed Zoning:	Residential A-7
Ward	4

The applicant is requesting a recommendation for a zone change to rezone approximately 2,852 square feet of lot 312 from Open Space to Residential A-7 in order to construct an addition to an existing dwelling. The Assessor's Lot 332 consists of three record lots that were merged into one lot for development by a previous owner. The current owner was unaware that a portion of the lot was zoned Open Space when the property was purchased.

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:

- (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.

103.8 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.

The Planning Department recommends a favorable recommendation to the Warwick City Council for the requested zone change.

Public Meeting

Request for an Amendment to the City's Zoning Ordinance

Zoning Ordinance Table 1. Use Regulations

Applicant: Warwick City Council
Location: 3275 Post Road
Zoning District: Zoning Ordinance Table 1. Use Regulations

In accordance with Warwick City Council Resolution PCR-90-08, the City Council desires to amend Zoning Ordinance Table 1. Use Regulations for those uses which require a Special Use Permit in Light Industrial and General Zoning Districts.

Council Resolution PCR-90-08 formed a committee to review those uses requiring Special Use Permits in Light Industrial and General Industrial zones to determine whether there are any which no longer should be or need be granted by the issuance of a Special Use Permit. See attached resolution PCR-90-08, study committee meeting minutes and Table 1 Use Regulations with proposed changes.

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 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.
 - (F) The need to shape the urban and suburban development.
- 103.11 Promote 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.

Public Meeting

Request for an Extension

Barlow - Long Street Plat

Applicant: Edward Barlow
Location: Long Street
Assessor's Plat: 364
Lot(s): 18
Zoning District: Residential A-10
Land Area: 47,748 Square Feet
Number of lots: 2
Engineer: Alpha Associates
Ward: 5

This applicant is requesting an extension of a master plan/preliminary approval to subdivide one conforming lot with two existing dwellings to create two nonconforming lots; each lot having one dwelling, both lots with less than the required frontage and lot width in a Residential A-10 zoning district heard by the Planning Board on February 13, 2008.

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 March 12, 2010.

Public Meeting

Request for an Extension

Cowesett Farm

Applicant: Cowesett Farm, LLC
Location: Cowesett Road and Blue Ridge Road
Assessor's Plat: 239
Assessor's Lot(s): 8 & 11
Zoning District: Residential A-15
Land Area: 94.91 acres
Number of lots: 37
Engineer: DiPrete Engineers, Inc.
Ward: 8

The applicant is requesting the third extension of the master plan approval for the Cowesett Farm subdivision to allow for the creation of 36 single family house lots in an A-15 Zoning District, approved on April 19, 2006.

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 a final extension to expire on April 19, 2010.

**Special Use Permit Study Committee
Meeting Minutes
Thursday, February 26, 2009**

Members Present: John DelGiudice, Councilman
Mark Carruolo, Planning Director
Ted Sarno, Building Department Director

Members Absent: Steve Merolla, Councilman
Lincoln Lennon, Council Solicitor (non-voting member)
Peter Ruggiero, City Solicitor (non-voting member)

Councilman DelGiudice called the meeting to order at 11:15 A.M.

Councilman DelGiudice inquired whether Councilman Merolla, Peter Ruggiero and Lincoln Lennon were expected to attend the meeting.

Mr. Carruolo informed the committee members that he had not heard from Councilman Merolla but that Peter Ruggiero and Lincoln Lennon were attending a meeting at City Hall and would be available by telephone should there be any questions.

Councilman DelGiudice determined that there was sufficient attendance (3 of the 4 voting members) to consider a recommendation to the Planning Board and City Council for the proposed zoning amendment.

Following a brief discussion Mr. Sarno made the motion that the study committee forward a recommendation to approve the proposed zoning amendment for Special Use Permits in Light Industrial and General Industrial Zoning Districts as presented. The motion was seconded by Mr. Carruolo and passed unanimously.

Mr. Carruolo made a motion to formally dissolve the study committee as it has completed its task as defined in PCR-90-08, as amended. The motion was seconded by Mr. Sarno and passed unanimously.

Being no further business the meeting was adjourned at 11:35 A.M.

THE CITY OF WARWICK
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. R-08-70..... Date 5/13/08
Approved: [Signature] Mayor

**RESOLUTION ESTABLISHING A STUDY COMMITTEE TO EXAMINE
SPECIAL USE PERMITS IN INDUSTRIAL DISTRICTS**

RESOLVED, that

WHEREAS, under the Warwick Zoning Ordinance, there is a Light Industrial District (LI) and a General Industrial District (GI) where certain industrial uses may take place; and

WHEREAS, there are many uses categorized under the Warwick Zoning Ordinance which are allowed in either of the industrial districts only by the granting of a special use permit by the Zoning Board of Review; and

WHEREAS, the City Council wishes to establish a committee to examine these uses to determine whether there are any which no longer should be, or need be granted by the issuance of a special use permit; and

WHEREAS, this is a matter of importance to the health, safety and welfare of the citizens of the City of Warwick.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Warwick hereby establishes a committee to study the uses which are allowed by the granting of a special use permit in either the Light Industrial (LI) or General Industrial (GI) district under the Warwick Zoning Ordinance and to report its findings and recommendations to the City Council within 60 days, said study committee to be comprised of one member of the City Council to be appointed by the City Council President, the Director of the Planning Department, or his designee, the Director of the Building Department, or his designee, the City Solicitor, or his designee, the Chairman of the City Council Land Use Committee, or his designee, and the City Council Solicitor.

The City Clerk is hereby directed to forward a copy of this Resolution to the Director of the Planning Department, to the Director of the Building Department, and to the City Solicitor.

This Resolution shall take effect upon passage.

SPONSORED BY: COUNCILMAN DELGIUDICE

COMMITTEE: LAND USE

Zoning Districts		LI	GI
100	Residential Uses:		
	101 Detached single-family dwelling unit	No	No
	102 A two-family, three-family or four-family dwelling in a development containing four or less dwelling units	No	No
	102.1 A multifamily dwelling in a development containing between five and ten dwelling units	No	No
	103 Two-family and multiple-family dwelling in a development containing more than ten dwelling units	No	No
	104 Congregate elderly housing containing between two and ten dwelling units	No	No
	105 Congregate elderly housing containing more than ten dwelling units	No	No
	106 Roominghouse	No	No
	107 Room for less than three boarders	No	No
	107.1. Bed and breakfast for up to four guests	No	No
	108 Mobile home, mobile home park, or trailer park	No	No
	109 Community residence	No	No
200	Agricultural uses:		
	201 Raising of crops (commercial and noncommercial)	Yes	Yes
	202 Commercial greenhouse	Yes	Yes
	203 Sales place for flowers, garden supplies, agricultural produce conducted partly or wholly outdoors	Yes	Yes
	204 Raising and keeping of animals and livestock	S(5)	S(5)
300	Office uses:		
	301 Medical offices, excluding clinic	Yes	Yes
	302 Clinic	Yes	Yes

	303	Law office, accountant, architect or other nonmedical professional person	Yes	Yes
Zoning Districts			LI	GI
	304	Real estate, insurance, travel agency, advertising or similar agency office	Yes	Yes
	305	General office use	Yes	Yes
	306	Bank, trust company or similar financial institution with drive-in window	Yes	Yes
	307	Bank or other financial institution without drive-in window	Yes	Yes
	308	Research and development laboratory, testing facility for environmental or medical purposes, or facility excluding radioactive and chemical or biological processes	Yes	Yes
	309	Biological technologies, including rDNA (recombinant deoxyribonucleic acid), cell fusion, and novel bioprocessing techniques; including related research into processes that promote health diagnostics and therapeutics, agricultural biology including plant genetics for food purposes, environmental remediation techniques, and manufacture of instruments that assist in biological research	S-Yes	S-Yes
400 Service uses:				
	401	Barbershop, beauty salon	No	No
	402	Laundry and dry cleaning, pickup, self-service cleaners, and laundromat	No	No
	403	Shoe repair, tailoring shop, or other similar establishment	No	No

	404	Television, radio, or other household appliance repair (no sales)	S Yes	S Yes
	405	Instant copy and printing shops, photographer's studio, and photo processor shops	S Yes	S Yes
Zoning Districts			LI	GI
	406	Arts or crafts studio (no classes or sales)	S Yes	S Yes
	407	Veterinary establishment and kennel	S Yes	S Yes
	408	Mortuary, undertaking or funeral home establishment	No	No
	409	Locksmith	S Yes	S Yes
	410	Caterer	S Yes	S Yes
	411	Hotel or motel	S	S
	412	Public gathering hall, theater, and auditorium	S	S
	413	Indoor commercial recreation facility including health club and private club	S Yes	S Yes
	414	Outdoor commercial recreation facility, including amusement park, and sports center not elsewhere classified, driving range, pitch & putt, miniature golf, or similar activity	No Yes	No Yes
	414.1.	Outdoor recreation limited to driving range, miniature golf, pitch & putt, batting cages and/or little league baseball facilities	S	S
	415	Golf course (excluding driving range, pitch & putt, miniature golf, or similar establishment)	No	No
	416	Coin-operated amusement establishment	No	No
	417	Massage establishment	No	No
	418	Marina, yacht club	No	No
	419	Vehicle rental agency	S (7) Yes (7)	S (7) Yes (7)
	420	Carwash	S (7) Yes (7)	S (7) Yes (7)

421	Gas station (no repairs), may include convenience and/or grocery retail	S(7)	S(7)
422	Service station (with repairs)	S(7)	S(7)
422.1.	Auto body repair shop	No S (7)	S(7)
423	Boat repairs, painting or storage	S(7)	S(7)

Zoning Districts

LI GI

424	Building trades contractor, oil and fuel service, or similar establishment	Yes	Yes
424.1.	Landscaping and tree service	Yes	Yes
425	Cesspool company	S	S
425[.1].	Other service establishment	S	S

500 Retail uses:

501	Restaurant (with liquor license)	S	S
501.1.	Nightclub	S	S
502	Restaurant (without liquor license)	S	S
503	Fast food restaurant	No	No
503.1.	Retail trade--neighborhood establishment, 2,000 square feet GFA or less	No	No
503.2.	Retail trade--community-wide establishment, more than 2,000 square feet GFA	Yes No	No
505	New or used vehicle sales, with service or outdoor display (excluding boats)	S(7)	S(7)
507	New or used boat sales, with service or outdoor display	S(7)	S(7)
508	Marine equipment, fishing and tackle store, bait shop	No	No
509	Open air market or outdoor sales and display, mobile or otherwise	No	No
50X	Adult entertainment	No	S(12)

	510	Other retail establishment	No	No
	600	Transportation, communication and utility uses:		
	601	Airport or heliport	No	No
	602	Bus or railroad passenger station	S Yes	S Yes
	603	Automobile parking lot or parking garage for private passenger cars (as a principal use)	Yes	Yes
Zoning Districts			LI	GI
	604	Truck, bus, taxi, or other commercial vehicle terminal yard or building for storage and servicing of such	Yes	Yes
	605	Radio and television transmission station including towers	S(13) Yes(13)	S(13) Yes(13)
	606	Radio or television studio	Yes	Yes
	607	Electrical transformer station and substation, gas regulator station, water and sewer pumping station, and telephone exchange station as a principal use and not elsewhere classified in this table	S Yes	Yes
	608	Electric power plant	No	S
	609	Nuclear power plant	No	No
	610	Other utility, utility station, receiving or transmitting device or tower, or satellite dish antenna as a principal use and not elsewhere classified in this table	S(8)	S(8)
	611	Telecommunications facility, including towers(15)	A(8), (14a)	A(8), (14a)
	700	Institutional uses:		
	701	Religious place of worship, including rectory, parsonage, convent and monastery	Yes	Yes
	702	Social community or recreation center	No	No
	703	Other use with religious purposes	No	No

	Hospital, including hospital for mental, drug, or alcohol treatment but excluding animal hospital	S Yes	S Yes
704	Family day care home, as defined	No	No
704.1.	Day care facility, as defined	Yes	Yes
704.2.	Extended care, convalescent, rest, or nursing home	S	S
705	Preschool and kindergarten	S	S
706		LI	GI
Zoning Districts			
707	Primary or grammar and junior high school or middle school, public, parochial or private school providing compulsory education, including uses listed in 706 when located in the same facility	S	S
708	High school, including preparatory school or academy, public, parochial or private school providing compulsory education	S	S
709	Junior college, college or university, including public or private institutions of higher learning	S	S
710	Vocational, business or other schools	S Yes	S Yes
711	Resident dormitory, fraternity, or sorority	S	S
712	Government administrative offices	Yes	Yes
713	Police, fire, other public safety facility or other government facility not elsewhere classified in this table	Yes	Yes
714	Library or museum	Yes	Yes
715	Public park, playground or public recreation building	No S	No S
716	Community water supply, wells or conservation area	Yes	Yes
717	Cemetery	No	No
718	Crematory	No	No

	719	Prison		No	No
800		Light industry:			
	801	Assembling and packaging of articles		Yes	Yes
	802	Manufacturing, welding, fabricating, processing, assembling or packaging of:			
			1	No	Yes
			2	No	Yes
			3	No	Yes
			4	No	Yes
Zoning Districts				LI	GI
			5	No	Yes
			6	No	Yes
			7	No	Yes
			8	No	Yes
			9	No	Yes
			10	No	Yes
			11	No	Yes
			12	No	Yes
			13	No	Yes
			14	No	Yes
			15	No	Yes
			16	No	Yes
	803	Bottling of beverages		Yes	Yes
		Distribution center, parcel delivery center, delivery warehouse			
	804	warehouse		Yes	Yes
	805	Laundry, dry cleaning plant		Yes	Yes
	806	Printing, binding, publishing and related arts and trades		Yes	Yes

807	Ministorage and miniwarehouse facility	S	S-Yes
808	Processing and packaging of fish or fish products	Yes	Yes
809	Wholesale business and storage in roofed structure or outdoors, but not including wholesale storage of flammable liquids, gas or explosives	Yes(11)	Yes(11)
810	Storage warehouse, cold storage plant, storage building, but not including storage of junk, scrap metal, rags, waste paper and similar materials	Yes	Yes
811	Open-lot storage of new building materials, machinery, and metals, but not junk, scrap and wastes	Yes	Yes
812	Open-lot storage of coal, sand, or other similar material	S	Yes

900 General industry:

		LI	GI
901	Dismantling or wrecking of used motor vehicles and storage or sale of dismantled, inoperative or wrecked vehicles or their parts	No	S
902	Stone cutting, shaping, and finishing, in completely enclosed buildings	S	Yes
903	Textile mill	S	Yes
904	Plaster of Paris or ceramic products manufacture	S	Yes
905	Asphalt or concrete plant	S	S
906	Sand and gravel operation	S	S
907	Manufacturing, welding, fabricating, processing, assembling or packaging or other industrial operation, but the following are expressly prohibited:	S-Yes	Yes

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- 2
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908	Open-lot storage of secondhand lumber or other used building material	No	S
909	Open-lot storage of junk, scrap, paper, rags or other salvage articles	No	S
910	Hazardous waste management facility(14)	S	S