

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday May 3, 2006

Time: 7:00 p.m.

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

Review and acceptance of April 2006 meeting minutes.

Public Meeting

Development Plan Minor Change

Lowe's Home Center

Applicant: Lowe's Home Center, Inc.
Location: 522 Quaker Lane
Assessor's Plat: 230
Lot(s): 41 & 42
Zoning District: General Business/Open Space
Land Area: 28 acres +/-
Number of lots: NA
Engineer: Cataldo Associates
Ward: 9

The applicant is requesting a minor change in site plan in accordance with Development Review Regulation Section 8.9 "Changes to Recorded Plats and Plans," to construct supplemental drainage improvements and to deposit additional fill material within an existing easement in a General Business/Open Space zoning district.

Planning Department Findings

The Planning Department finds the change does not substantially impact the proposed development or any of the neighboring property and that it meets all of the following criteria:

- 1) There is no increase in the number of lots or dwelling units.
- 2) There is no change to any dimension of the plan, including building envelopes,

exceeding twenty percent (20%).

- 3) There is no change in the type of street or driveway.
- 4) There is no change required to any public infrastructure.

Planning Department Recommendation

The Planning Department recommendation is to grant the requested minor change in site plan with the following stipulations:

- 1) That the applicant shall receive RIDEM approval for the proposed drainage improvements prior to the initiation of any work on the site.
- 2) That Lowe's Home Centers Inc. and/or its successors shall be responsible for maintenance of the existing drainage systems and the proposed improvements.

Public Hearing

Major Land Development Project

Rhode Island Family Shelter

Applicant: Rhode Island Family Shelter Inc.
Location: 165 Beach Avenue
Assessor's Plat: 331
Lot(s): 278
Zoning District: Residential A-7
Land Area: 18,000 square feet
Number of lots: NA
Engineer: Vision III Architects
Ward: 4

The applicant is requesting Master Plan approval to construct one additional living unit for a total of seven apartments and a homeless shelter in an existing building with less than required setbacks on a lot with less than the required parking and area 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:

- 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 Zoning Board of Review approval to have seven apartments and a homeless shelter in an existing building with less than the required setbacks on a lot with less than the required parking and land area.

- 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 Master Plan approval with the stipulation that the applicant shall receive Zoning Board of Review approval to have seven apartments and a homeless shelter in an existing building with less than the required setbacks on a lot with less than the required parking and land area in a Residential A-7 Zoning District.

Public Hearing

Major Land Development Project

Leal Two-Family

Applicant:	Terry Leal & Maisie Raftery
Location:	18 Kenway Avenue
Assessor's Plat:	376
Lot(s):	122
Zoning District:	Residential A-7
Land Area:	10,200 square feet
Number of lots:	NA
Engineer:	A.J. Desvoux P.E. PLS.
Ward:	6

The applicant is requesting Master Plan approval to construct a second story addition with less than the required side yard setback in order to convert a single family dwelling into a two-family dwelling on a lot with less than required land area 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 Zoning Board of Review approval to construct a second story addition with less than the required side yard setback and to convert a single family dwelling into a two-family dwelling on a lot with less than required land area in a Residential A-7 Zoning 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 Master Plan approval with the following stipulations:

- 1) That the applicant shall receive Zoning Board of Review approval to construct a second story addition with less than the required side yard setback and to convert a single family dwelling into a two-family dwelling on a lot with less than required land area in a Residential A-7 Zoning District.
- 2) That the preliminary plan shall depict the existing structure on abutting lot 125, shall depict all existing and proposed utilities, shall include flood information and shall include the interior angles of the subject lot.

Public Hearing

Major Subdivision

Cormier Plat

Applicant: Edward and Debra Cormier
Location: 65 Palm Boulevard
Assessor's Plat: 288
Lot(s): 448
Zoning District: Residential A-7
Land Area: 19,555 square feet
Number of lots: 2
Engineer: Alpha Associates, Ltd.
Ward: 2

The applicant is requesting Master Plan to subdivide one lot to create two lots, one lot with an existing structure and one new lot for development with less than required wetland setback 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 Zoning Board of Review variance to construct a dwelling with less than the required wetland setback.
- 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 a Variance from the City's Zoning Board of Review to construct a dwelling with less than the required wetland setback.
- 2) That both structures shall be connected to the Warwick Sewer System.
- 3) That the preliminary plan shall include a notation that "The existing 18 inch maple tree located in front of proposed "Parcel B" shall be preserved and protected with drip-line tree protection which shall be inspected by the City's Landscape Project Coordinator, prior to the issuance of a building permit."
- 4) That the preliminary plan shall depict the existing structures on abutting lot 429, delineate the edge of existing vegetation/ground cover, shall include the existing 15" diameter drain pipe along the westerly edge of Palm Boulevard and shall provide soil erosion measures for the existing catch basins during construction.

Public Hearing

Major Land Development Project

Village at Pawtuxet

Applicant:	Village at Pawtuxet, LLC.
Location:	265 Post Road
Assessor's Plat:	291
Lot(s):	47 and the easterly portion of lot 19
Zoning District:	Planned District Residential A-7
Land Area:	1.96 acres
Number of lots:	2
Engineer:	Geisser Engineering, Corp.
Ward:	1

The applicant is requesting a combined preliminary/final approval to allow for the development of 23 unit residential condominium complex with less than the required side setback for an existing building in a Planned District Residential (PDR) 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 a City Council Zone Change PCO-64-05 to have a 23-unit residential condominium complex with less than the required side setback for an existing building in a Planned District Residential (PDR) A-7 Zoning 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, and:
- 5) That the proposed development 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 with the following stipulations:

- 1) That the applicant shall record an Administrative Subdivision merging the two existing Assessor's Lots prior to final approval.
- 2) That final plan shall include a water connection detail which shall include a double check to be installed on the fire line and an RPZ device after the domestic water meter.
- 3) That the final plan shall include a detail sheet sewer sampling manhole and sampling manholes (30" minimum) from every building and that the sewer lines must be cut and capped.
- 4) That the final plan shall include an additional Fire Hydrant installed in proximity to the Post Road driveway; final location to be determined by the City Fire Marshall's Office.

Public Informational Meeting

Major Land Development Project/Subdivision
Request for Zone Change

176 – 186 Toll Gate Road

Applicant: 176 Toll Gate Road Associates
Location: 176 – 186 Toll Gate Road
Assessor’s Plat: 246
Lot: 238, 239 & 259
Zoning District: Office/Residential A-10
Land Area: 1.75 acres
Number of lots: NA
Engineer: Ocean State Planners, Inc.
Ward: 8

The applicant is requesting master plan approval of a Major Land Development Project and a recommendation for a Zone Change on a portion of the property from Residential A-10 to Office in order to merge three lots with three office buildings, demolish two of the buildings and construct an addition to the remaining medical office building on a lot with less than required 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) Consistent with the Comprehensive Community Plan.
- 2) Not in compliance with the standards and provisions of the City’s Zoning Ordinance; therefore, requiring a City Council Zone Change for a portion of the property and a variance for less than the 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.
- 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 the required City Council Zone Change from residential A-10 to Office for the rear portion of the property along with the required zoning relief to have less than the required parking.
- 2) That the preliminary plan shall clarify, and if necessary extinguish, the right-of-way reflected in the deeds for lots 238, 239 and 259.
- 3) That the developer shall install a six foot stockade fence and landscape buffer between the proposed development and any abutting residential land use.
- 4) That the preliminary plan shall depict the structures on abutting properties, correct the north arrow, depict the northerly edge of Toll Gate Road and portray the relationship between the subject site drive and Gilbert Street.
- 5) That prior to preliminary approval the developer shall provide existing and projected sewer flows which shall be stamped by a Professional Engineer and approved by the Warwick Sewer Authority.
- 6) That the preliminary plan shall include sewer sampling manholes and other pretreatment requirements as required by the Warwick Sewer Authority.

Request for an Amendment to the City's Zoning Ordinance

Combination Super Store

Applicant: Warwick City Council
Location: 3275 Post Road
Zoning District: Various Zoning Ordinance Sections including Section 200 Definitions, Table 1 Use Regulations, Section 302 footnote #7 and Section 605

The Warwick City Council desires to amend the City's Zoning Ordinance to address the review process governing the establishment of Combination Super Stores in excess of 100,000 square feet GFA.

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 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/or 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.

103.14 Provide for procedures for the administration of the Zoning Ordinance.

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

Revise page one to read as follows:

200.() Retail Trade – community wide establishment superstore. Any retail establishment which exceeds 100,000 square feet gross floor area and which may also devote more than ten percent (10%) of its gross floor area or combination of its gross floor area to groceries, food and drink items for consumption off site, fruits, vegetables and produce, delicatessen, meat and fish or any items sold at retail which are exempt from sales tax, other than clothing, newspapers, drugs and pharmaceuticals.

Zoning Districts	OS	A-40	A-15	A-10	A-7	O	WB	GB	LI	GI	Inter-modal	Gate-way
503.2 Retail Trade-community wide establishment, more than 2000 sq. ft. GFA, <u>but less than 100,000 sq. ft. GFA</u>	NO	NO	NO	NO	NO	NO	NO	Yes	NO	NO	Yes	Yes

Zoning Districts	OS	A-40	A-15	A-10	A-7	O	WB	GB	LI	GI	Inter-modal	Gate-way
509.1 Retail Trade-community wide establishment superstore <u>more than 100,000 sq. ft. GFA</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>S 17</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>

(17) See Section 502.4 for submission criteria for Retail Trade – community wide establishment superstore in GB district.

Revise Page two to read as follows:

(7) In GB zones, establishments defined as Retail Trade – community wide establishment superstore, more than 100,000 square feet GFA under Use Code 509.1, may cover a maximum of 150,000 sq. ft. GFA upon receiving a Development Plan Review from the Planning Board and once a Special Use Permit has been granted by the Zoning Board of Review. However, if an applicant proposes the placement of two (2) or more principal use buildings for retail trade on the same parcel of land or on adjacent parcels of land, which may result in any two (2) buildings lying within eight hundred (800) feet of each other then the maximum GFA of each building may not exceed 50,000 sq. ft. GFA total.

Renumber proposed new Section 605 to become Section 906.3 (E) under Special Use Permit. Also change the reference of “combination superstore” to “superstore” and change the first sentence to read as follows:

An application to the Zoning Board of Review for a Special Use Permit for the use Retail Trade – community wide establishment, more than 100,000 square feet GFA shall include ...

Add section 502.4 under the heading “Land Development Project” as follows:

502.4 Land Development Project - Retail Trade - community wide establishment superstore, more than 100,000 square feet GFA.

Any application to the Planning Board for Development Plan Review and the Zoning Board of Review for a Special Use Permit for the use Retail Trade – community wide establishment superstore, more than 100,000 sq. ft. GFA shall include an impact study which addresses the issues of, but not limited to, noise, illumination, fumes, odors, and physical activity of the proposed site as well as the possible traffic impact, parking, drainage and landscaping requirements and conformance with the City’s Comprehensive Plan.

Add section 502.5 the heading “Land Development Project” as follows:

502.5 Land Development Project - Nonresidential

Any nonresidential development or redevelopment authorized by right in Table 1 Use Regulations, authorized by Special Use Permit, or authorized by variance from the Zoning Board of Review which results in excess of 10,000 square feet GFA shall be considered a Land Development Project and shall be subject to Development Plan Review and approval according to the standards contained in the City of Warwick Development Review Regulations.