

William DePasquale, Jr., AICP  
Planning Director



Scott Avedisian  
Mayor

## CITY OF WARWICK

Planning Department  
3275 Post Road, Annex; Warwick, RI 02886  
Tel. (401) 738-2009  
T.D.D. (401) 739-9150

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### Meeting Notice City of Warwick Planning Board

Date: Wednesday, March 8 2017  
Time: 6:00 p.m.  
Location: City of Warwick  
Lower Level Conference Room  
3275 Post Road  
Warwick, RI 02886

The following items will be heard by the City of Warwick Planning Board and a vote will be taken:

Review and approval of the February 2017 meeting minutes.

### Public Hearing Major Subdivision/Madison Estates/Phase 1 West Shore Road Final Approval

Location: 3222, 3238, 3246, & 3266 West Shore Road  
Applicant: West Shore Development, LLC  
Assessor's Plat: 364  
Assessor's Lot(s): 198, 200, 201, & 202  
Zoning District: A-7 Residential  
Land Area: 5.1 acres  
Surveyor: Joe Casali Engineering, Inc.  
Ward: 7

### Project Scope

The Applicant is requesting Final Approval of a portion (Phase 1) of the Madison Estates Major Subdivision located along West Shore Road. In October 2015, the Applicant received Preliminary Approval to subdivide (4) four lots totaling 5.1 acres to allow for the development of (15) fifteen new lots and a new street; (2) two new conforming lots with existing single-family

dwellings; and (13) thirteen new conforming lots for the development of single-family dwellings on a new street with less than required standard sidewalks.

The Preliminary approval included (15) fifteen lots. The Applicant is now requesting the Final Approval of (4) four lots, (Phase 1), along West Shore Road; (1) one lot with an existing single-family dwelling, 3246 West Shore Road; and (3) three new lots for the development of single-family dwellings.

### **Planning Department Findings**

1. That the proposed development is generally consistent with the Comprehensive Community Plan, and consistent with the existing neighborhood, having lots within the 200' radius containing single family dwellings that meet and exceed the A-7 Residential zoning requirements.
2. That the subject property is located along West Shore Road; and is identified as Assessor's Plat: 364; Assessor's Lot: 198, 200, 201, & 202.
3. That the subject property consists of (4) four Tax Assessor's Lots totaling 5.1 acres and is zoned Residential A-7.
4. That the A-7 Zoning District requires a minimum of 70 feet of frontage and lot width and a minimum area of 7,000 square feet per individual lot.
5. That the subdivision, as proposed, is in compliance of the standards and provisions of the City's Zoning Ordinance.
6. That the Applicant is requesting the Phase 1 Final Approval of (4) four lots, along West Shore Road; (1) one lot with an existing single-family dwelling, 3246 West Shore Road; and (3) three new lots for the development of single-family dwellings.
7. That the Project has received a Coastal Resources Management Council Approval, File No. 2015-05-041, Assent No. W2015-05-041.
8. That the Project has received RI Department of Transportation-Physical Alteration Permit No. 150512.
9. That Phase 1 of the Madison Estates Project will have access and frontage along West Shore Road.
10. That the Applicant is proposing two-story, single-family dwellings with full basements.
11. That the property consists of (4) four existing single-family dwellings; (3) three dwellings will be razed and (1) one single family dwelling will remain, 3246 West Shore Road.

12. That the Subdivision received Preliminary Approval at the March 21, 2015, regularly scheduled Planning Board meeting.
13. That the property will have access to Municipal Sewer and Water.
14. 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.
15. That the proposed Phase 1 development possesses adequate access to a public street, West Shore Road.

### **Planning Department Recommendation**

The Planning Department recommendation is to grant Final Approval for Phase 1 of the Madison Estates Major Subdivision, with the following stipulations:

- 1 That all plans submitted shall comply with Section 3.02C of the Procedural & Technical Standards for the Practice of Land Surveying in the State of Rhode Island and Providence Plantations, Effective April 1, 1994 and the City of Warwick's Development Review Regulations.
- 2 That, prior to recording the Final Record Plat the Applicant shall coordinate with Planning Staff regarding the submission of Final Development Plans/Record Plat, which shall clearly delineate the parameter of project phasing and proposed property lines.
- 3 That the Property Owner shall have sole responsibility for the operation and maintenance of the Stormwater mitigation system, with the exception of Sand Filter No. 1, which will be maintained by the City.
- 4 That, prior to the issuance of a Certificate of Occupancy, the Design Engineer shall provide the property owner with an Operations and Maintenance Manual and "as-built" plans with the location of said drywell and/or sand filter.
- 5 That, prior to the issuance of a Certificate of Occupancy for Phase 1 of the Madison Estates Project, the Applicant shall plant (1) one 2"-2.5" caliper deciduous shade tree for every 50 feet of lot frontage along West Shore Road.
- 6 That, prior to the issuance of a Certificate of Occupancy for Phase 1 of the Madison Estates Project, the Applicant shall install all monumentation, including, but not limited to conservation monumentation depicted on the Final Development Plans/Record Plat.
- 7 That, Phase II of the Madison Estates Project shall include all the stipulations noted in the October 2015 Preliminary Decision, Deed Book: 8491, Pg.: 129-132, which shall include, but not be limited to the following:

- a) That all plans submitted shall comply with Section 3.02C of the Procedural & Technical Standards for the Practice of Land Surveying in the State of Rhode Island and Providence Plantations, Effective April 1, 1994 and the City of Warwick's Development Review Regulations.
- b) That the Applicant shall close the curb-cut at 3266 West Shore Road and provide access to the existing house from the proposed new roadway.
- c) That the Applicant shall submit Final Development Plans that note all stipulations and conditions.
- d) That the Property Owner shall have sole responsibility for the operation and maintenance of the Stormwater mitigation system, with the exception of Sand Filter No. 1, which will be maintained by the City.
- e) That, prior to the issuance of a Certificate of Occupancy, the Design Engineer shall provide the property owner with an Operations and Maintenance Manual and "as-built" plans with the location of said drywell and/or sand filter.
- f) That, prior to Final Approval, the Applicant shall provide finalized-signed easements and deeds.
- g) That, prior to Final Approval, the Applicant shall coordinate with the City Sewer Authority regarding assessments and connection to Municipal Sewers.
- h) That, prior to Final Approval, the Applicant's Licensed Landscape Architect shall provide a landscape plan that shall include, but not be limited to:
  - Note the Preservation and Protection with silt fencing of the "root-zone" of the existing row of mature pine trees to remain that are outside of the 100' Riverbank Wetland area.
  - Note the Preservation and Protection of existing mature trees along West Shore Road that do not require removal for the new proposed roadway.
  - Note (1) one 2"-2.5" caliper deciduous shade tree for every 50 feet of lot frontage along West Shore Road and Kylie Jillian Court. This number may be reduced if there are existing mature trees in good condition that can be preserved and protected during construction.
  - Preservation of trees in close proximity to abutting lots.
  - The Developer's Arborist shall be responsible for removing invasive vines and invasive vegetation that is threatening the structural integrity of existing trees.
  - That, prior to Final Approval, the Applicant shall note "Conservation Monumentation" along all lots that directly abut any portion of the proposed drainage and along Wetland Buffers. Specific locations and quantity to be determined by the Administrative Officer.
- i) That all utilities shall be installed underground.

- j) That, prior to the recording of the Record Plat, the Applicant shall pay a Fee in Lieu of Open Space for (11) eleven lots.
- k) That, prior to the recording of the Record Plat, the Applicant shall provide a Performance Bond equal to the value of the cost of roadway construction, and the installation of utilities, landscaping, and Monumentation.

**Public Informational Meeting**  
**Major Land Development/Subdivision**  
**1555 Warwick Avenue**  
**Car Wash Master Plan**

Owner:	Russell M. Yates, Jr.
Applicants:	Personal Touch Carwash, and Russell M. Yates, Jr.
Location:	1555 Warwick Avenue
Assessor's Plat:	312
Assessor's Lots:	309, 310, 315, 390, 391
Zoning District:	General Business (GB), abuts a Residential A-7 zone
Zoning Relief:	Special Use Permit for <u>Use Code 420. Carwash</u> in a General Business (GB) zone, and dimensional relief for <u>Section 300, Table 2B</u> , for less-than-required buffer to an abutting residential zone, and the existing condition of less than required frontage; <u>Section 504</u> for the existing condition of less-than-required wetlands setback; <u>Section 304.6</u> for less-than-required public street access due to frontage dimension; <u>Table 1, Special Use Regulations</u> , for less-than-required frontage for the proposed carwash use; <u>Section 800</u> for signage to be located on an abutting lot.
Land Area:	174,651sf
Number of existing lots:	5
Number of proposed lots:	2
Engineer:	Crossman Engineering
Ward:	2

**Background**

The Applicant is requesting Master Plan Approval of a Major Land Development Project/Subdivision for the merger of five (5) existing lots, to create two (2) lots, one (1) for the development of a carwash, and one (1) for future development. The proposed carwash will have two (2) means of ingress/egress, one (1) provided via an easement, and one (1) with direct access to Warwick Avenue.

The Applicant is also requesting a recommendation to the Zoning Board of Review for a Special Use Permit for Use Code 420. Carwash in a General Business (GB) zone, and dimensional relief for Section 300, Table 2B, for less-than-required buffer to an abutting residential zone, and the existing condition of less-than-required frontage; Section 504 for the existing condition of less-than-required wetlands setback; Section 304.6 for less- than-required public street access due to

frontage dimension; Table 1, Special Use Regulations, for less-than-required frontage for the proposed carwash use; and Section 800 for signage to be located on an abutting lot.

The existing land uses in the immediate area of the parcel can be defined as generally commercial in nature, and include automotive and retail uses. The site is located at the westerly side of Warwick Avenue, it abuts Spring Green Pond to the north, a residential zone to the west, and commercial uses to the south.

The site is in close proximity to Hoxsie Four Corners, an area that has been identified in the City's Comprehensive Plan 2033, Chapter 12, Future Land Use, Strategic Priorities, to be developed as a Neighborhood Activity Center.

### **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 City of Warwick, Comprehensive Plan 2033, (Comprehensive Plan) which finds that land development in the future will increasingly involve redevelopment of previously used sites.

Over 60 percent of city residents who responded to a Comprehensive Plan survey indicated that improving the appearance of major roads and commercial corridors is "very important".

2. That Chapter 12 of the Comprehensive Plan, the Future Land Use, Zoning and Urban Design element, states as a Goal that Warwick has sufficient diversity of land uses to support a strong and stable tax base, and to continue to balance land uses, particularly between regional retail and non-retail commercial uses.
3. That the Future Land Use Map (FLUM), as contained in the Comprehensive Plan, shows this area as "mixed use." (Please note: The FLUM shows a portion of AP312, AL309 as "medium density residential use." This area should be shown as conservation/open space as it is a wetland buffer associated with Spring Green Pond.)
4. The site is in close proximity to Hoxsie Four Corners, an area that has been identified in Chapter 12 of the Comprehensive Plan, the Future Land Use, Zoning and Urban Design, Strategic Priorities, to be developed as a Neighborhood Activity Center, which would establish pedestrian-friendly neighborhood centers by locating buildings close to the street, encouraging two (2) to three (3) story mixed-use buildings, and screening parking areas from the street by locating them behind the buildings.
5. That, according to the City's Comprehensive Plan, Warwick Avenue is an intensely developed arterial characterized by commercial strip development and high traffic counts.

6. That the subject parcel consists of five (5) Assessor's Lots, and fronts on Warwick Avenue. It is identified as Assessor's Plat: 312 Assessor's Lots: 309, 310, 315, 390 and 391 and is zoned General Business (GB).
7. That the existing land uses in the immediate area of the parcel are a combination of commercial and residential in nature. The site is located at the westerly side of Warwick Avenue with Spring Green Pond to the north. The site was previously used as a dry-cleaner and a night club (Copperfield's).
8. That the proposal is not in compliance with the standards and provisions of the City's Zoning Ordinance, therefore requiring Zoning Board of Review approval of a Special Use Permit for Use Code 420. Carwash in a General Business (GB) zone, and dimensional relief for Section 300, Table 2B, for less-than-required buffer to an abutting residential zone, and the existing condition of less-than-required frontage; Section 504 for the existing condition of less-than-required wetlands setback; Section 304.6 for less-than-required public street access due to frontage dimension; Table 1, Special Use Regulations, for less-than-required frontage for the proposed carwash use; and Section 800 for signage to be located on an abutting lot.
9. That proposed Lot 2 (for carwash use) will be accessed via a shared access driveway to be constructed on proposed Lot 1, and an existing access on Warwick Avenue.
10. 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.
11. That there are no apparent significant negative environmental impacts from the proposed development; however, the site is the location of a former dry-cleaning business and the finding of no significant environmental impact for this site will be dependent on approval of a Remedial Action Work plan from the Rhode Island Department of Environmental Management (RI DEM).
12. That municipal sewer service is available to the site.
13. That water is available to the subject property, with existing services, which may or may not be utilized for the development.
14. That the following stipulations refer to the plan set entitled, Master Plan Submission for Proposed Car Wash, prepared by Crossman Engineering, and dated December 2016.

#### **Planning Department Recommendation**

Planning Department recommendation is to grant Master Plan approval, with the following stipulations:

1. That the project shall be phased; the Applicant shall return to the Planning Board for Preliminary/Final approval for the development of proposed Lot 1. The development of Lot 1 shall be consistent with the goals and objectives of the City's Comprehensive Plan, specifically conforming to the intent and design of a Neighborhood Activity Center.
2. That all plans submitted must comply with "Rules and Regulations for Professional Land Surveying in the State of Rhode Island". All survey monumentation must be set prior to recording of the Final Subdivision Plan.
3. That, as part of the Final Approval, the Property Owner shall record a subdivision as per The City of Warwick's Development Review Regulations. This plan shall include a Record Plat name and Record Lot designations.
4. That the proposal shall receive Zoning Board approval of a Special Use Permit for Use Code 420. Carwash in a General Business (GB) zone, and dimensional relief for Section 300, Table 2B, for less-than-required buffer to an abutting residential zone, and the existing condition of less-than-required frontage; Section 504 for the existing condition of less-than-required wetlands setback; Section 304.6 for less-than-required public street access due to frontage dimension; Table 1, Special Use Regulations, for less-than-required frontage for the proposed carwash use; and Section 800 for signage to be located on an abutting lot.
5. That a Storm Water Management Plan shall be submitted in accordance with Rhode Island Storm Water Design and Installation Standards Manual, dated December 2010, and designed to demonstrate a zero-net runoff from the proposed development.
6. That the Operation and Maintenance Plan for the proposed stormwater collection system shall be included in the Preliminary submission to the Planning Board.
7. That all necessary state permits, including, but not limited, RI DEM and a Rhode Island Department of Transportation (RI DOT) Physical Alteration Permit, shall be obtained prior to submission to the Planning Board for Preliminary Plan approval; the Project Engineer shall meet with City Engineering staff to review the proposed drainage system prior to any submittals to RI DEM or RI DOT. The Applicant shall submit all relevant information and approvals regarding the remediation of the site.
8. That since Warwick Avenue is subject to high traffic counts, the Applicant shall submit a traffic report as part of the Preliminary submittal.
9. That due to the proximity of the southerly driveway to the intersection of Warwick Avenue/West Shore Road/Airport Road, the driveway shall be restricted to right turn in/right turn out movements.
10. That to comply with the Goal of Chapter 12, Future Land Use of respecting environment and open space networks, and the companion policy of supporting development that enhances networks of recreational and environmentally sensitive areas, the property



owner/applicant shall provide a minimum of three (3) parking spaces dedicated for public parking to provide access to Spring Green Pond.

11. That the property owner shall submit an interim plan for Lot 1 that addresses the location of the proposed paved and landscaped areas, and the location of the public parking spaces for access to Spring Green Pond.
12. That the property owner shall submit a time-line for the demolition of the existing building on proposed Lot 1.
13. That the property owner/applicant shall record an easement relative to the driveway access for Lot 2, across Lot 1, and for signage for the use on Lot 2, to be located on Lot 1. All other signage shall conform to the standards of the Warwick Zoning Ordinance, Section 800, and the sign designs shall be included in the Preliminary Plan submittal. Please note that LED advertising message boards are prohibited.
14. That, prior to the issuance of any permits for construction, the Warwick Fire Department shall review the plans for compliance with all life safety codes and issues.
15. That the Preliminary Plan submittal shall include a photometric site plan, and specifications for all exterior lighting; the site lighting shall be Dark Sky compliant, to the extent practicable.
16. That the exterior lighting and signage shall be designed to minimize negative impacts on neighboring properties. Glare from outdoor lights, signs, and from the movement of vehicles on site shall be shielded from the view of adjacent residential properties. The applicant shall also protect the neighboring properties from the noise nuisance generated from the central vacuum system by locating the system away from the residential zone line to the extent practicable.
17. That the Preliminary Plan submittal shall include a Landscape Plan, prepared and stamped by a registered Rhode Island Landscape Architect. The Landscape Architect shall contact the Planning Department prior to beginning the design process. Said plan shall be subject to approval by the Administrative Officer and provide, at a minimum, a fully developed, ten foot (10') minimum landscaped area along the Warwick Avenue frontage, and a fence/screening for the abutting residential area.

Any party, person(s) or entity interested in registering for electronic notice for proposed zoning amendments and/or amendments to the City's Zoning Ordinance and the City's Development Review Regulations governing Subdivision, Land Development and Development Plan Review should contact the City's Planning Department at 401-738-2000, extension 6289.