

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday, October 21, 2015

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:

**Public Hearing
Major Land Development/Zone Change
West Shore Road Condominiums
Preliminary Plan**

Location: West Shore Road
Assessor's Plat: 352
Assessor's Lots: 50 & 61
Applicant: Sturbridge Home Builders
Zoned: A-10 (Residential)
Proposed Zone: A-10 (Planned District Residential-PDR)
Area: 6.2 Acres
Ward: 5
Engineer: DiPrete Engineering

Background

The Applicant is requesting Preliminary Approval of a Major Land Development Project. The Applicant is proposing to merge (2) two vacant lots to accommodate an (18) eighteen-unit condominium complex with less than required front-yard setback. The Applicant is proposing single-story, and story-and-a-half units to accommodate aging in place.

The Applicant has received first passage, at the regularly scheduled October 19, 2015 City Council Meeting, for a zone change from A-10 Residential to A-10 Planned District Residential (PDR), with City Council Zoning exemptions for less-than-required front-yard setbacks.

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 further finds:

1. That the proposed development is generally consistent with the Comprehensive Community Plan, being consistent with the existing neighborhood, having other multi-unit residences within the 200’ radius of the subject property.
2. That the subject property is located along West Shore Road; and is identified as Assessor’s Plat: 352; Assessor’s Lots: 50 & 61.
3. The Applicant is proposing to merge (2) two vacant lots to accommodate an (18) eighteen-unit condominium complex with less than required front-yard setback
4. That the subject property consists of (2) two Tax Assessor’s lots totaling 6.2 acres and is zoned Residential A-10.
5. That the Project, has received first passage at the October 19, 2015 regularly scheduled Council Meeting for a City Council Zone Change from A-10 Residential to A-10 Planned District Residential and exemptions for less-than-required front-yard setbacks.
6. That the A-10 Planning District Residential Zoning District requires a minimum of 200 feet of frontage and lot width and a minimum area of 55,000 square feet per individual lot, with a density of 9-units per acre.
7. That the Land Development/Subdivision, as proposed, is in compliance with the standards and provisions of the City’s Zoning Ordinance.
8. That the project received Master Plan Approval at the May 13, 2015 regularly scheduled Planning Board Meeting.
9. That the Project has received RI Department of Environmental Management Approval for Wetlands Permit No. 15-0195, UIC No. 001683, and RIPDES No. RIR 101320.
10. That the Project has received RI Department of Transportation-Physical Alteration Permit, Conceptual Approval, Permit No. 150904.
11. That, due to concerns presented by RI Historical Preservation and Heritage Commission (RIHPHC), the Applicant coordinated with Public Archeology Laboratory to perform a Machine Assisted Archaeological Investigation.

12. That based on the above-referenced investigation, the RI Historical Preservation and Heritage Commission (RIHPHC), determined that although there were prehistoric artifacts found on-site, the parcel did not comprise a significant archaeological site, and did not require further study.
13. That there is a historic cemetery located on the parcel and the Applicant received Historic Cemetery Commission Approval at the October 6, 2015 regularly scheduled meeting.
14. That the parcel will have access to Municipal Water and Sewer.
15. 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.
16. That the proposed development possesses adequate access to a public street.

Planning Department Recommendations

The Planning Department recommendation is to grant Preliminary Approval, with Final approval to be through the Administrative Officer, with the following stipulations:

1. That, prior to Final Approval, the Applicant shall receive Second Passage for the City Council Zone Change from A-10 Residential to A-10 Planned District Residential with exemptions for less-than-required front-yard setbacks.
2. That the Final Record Plan that 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 Development Review Regulations.
3. That the Applicant shall submit Final Plans that shall include, but are not limited to:
 - Note the Zone Change
 - Note any and all development plan stipulations and conditions
4. That, prior to Final Approval, the Applicant shall receive a finalized RI Department of Transportation-Physical Alteration Permit.
5. That, prior to the issuance of Certificate of Occupancy, the Design Engineer shall provide the City's Engineering Division and the Homeowner's Association with an Operations and Maintenance Manual and "as-built" plans, and certify that the construction has been completed in conformance with the approved plans.

6. That, the prior to Final Approval, the Applicant shall provide signed Homeowner's Association Documents-Restrictive Covenants and Deed Restriction, that shall include, at a minimum, the required maintenance of the Stormwater Mitigation System and Historic Cemetery No. 28.
7. That the Applicant shall use the existing stones on-site, as feasible, for the overall design of the new structures and hardscape.
8. That, prior to Final Approval, the Applicant shall coordinate with Planning Staff regarding "Historic Marker Signage" for the site, with a summary of the historic significance of the site, which shall be provided at the owner's expense.
9. That the "Historic Marker Signage" shall be installed prior to the issuance of a Certificate of Occupancy for the final unit.
10. That, prior to Final Approval, the Applicant shall coordinate with the City's Water Division.
11. That, prior to Final Approval, the Applicant shall coordinate with the City's Sewer Authority.
12. That all Monumentation shall be protected during all phases of construction. Any Monumentation that is disturbed or destroyed shall be replaced by the Applicant.
13. That the Property Owner shall have sole responsibility for the operation and maintenance of the Stormwater mitigation system.
14. That, prior to Final Approval, the Applicant's Licensed Landscape Architect shall coordinate with the Planning Department regarding the Final Landscape Plan.
15. That the Applicant shall provide a Performance Bond for the installation of Landscaping, prior to the recording of the "Final Record Plat".
16. That, prior to Final Approval, the Applicant shall note "Conservation Monumentation" along all lots that directly abut any portion of the proposed drainage and/or the existing drain. Specific locations and quantity to be determined by the Administrative Officer.

Public Hearing
Major Subdivision
Cowesett Road
Preliminary Plan

Location: Cowesett Road
Assessor's Plat: 231
Assessor's Lot: 4
Applicant: H. A. Fisher Homes
Property Owner: First Baptist Church
Existing Zone: A-40 Residential
Proposed Zoned: A-40 (Planned District Residential-PDR)
Land Area: 21.98 Acres
Ward: 9
Engineer: DiPrete Engineering

Project Scope

The Applicant is requesting Preliminary Approval of a cluster design subdivision on a 21.98 acre site. The Applicant proposes to create (8) eight new lots, (6) six new lots for the development of single family residential dwellings with the potential for attached accessory dwelling units and (2) two new Open Space lots, not for development. The site will be accessed via a new street with a sidewalk on one side only.

The Applicant has received first passage, at the regularly scheduled October 19, 2015 City Council Meeting, for a zone change from A-40 Residential to A-40 Planned District Residential, to allow for an innovative design concept of single family dwellings with the potential for attached accessory dwelling units, with separate access for a single level living design.

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 further finds:

1. That the proposed development is generally consistent with the Comprehensive Community Plan, specifically *Chapter 7, Housing and Neighborhoods* which details the demand for diverse housing types and the City's diverse housing needs; and *Chapter 12, Future Land Use Zoning and Urban Design*, which specifically calls for the preservation of environmentally sensitive lands, and park land and to connect them in a network when possible, and generally consistent with the existing neighborhood, having lots within the 400' radius that meet or exceed the requirements of the A-40 Zoning District and large tracts of Open Space recreational land.
2. That the subject property is located along Cowesett Road and the City owned Dawley Farm; and is identified as Assessor's Plat: 231; Assessor's Lot: 4.

3. That the Applicant proposes to create a single family cluster development that consists of (8) eight lots; (6) six new conforming lots for single family dwelling development/with the potential for attached accessory dwelling units, on a new street (cul-de-sac); and (2) two new lots, for Open Space.
4. That the subject property consists of (1) one Tax Assessor's Lot totaling 21.98 acres and is Residential A-40.
5. That in an A-40-Cluster residential development, in which sewer service is NOT provided, to have a minimum lot area of 23,500 square feet and 100 feet of frontage and lot width, per individual lot.
6. That the A-40 Planned District Residential Zoning District requires a minimum of 300 feet of frontage and lot width and 160,000 square feet per individual lot, with a density of 3-units per acre.
7. The Applicant is proposing the A-40 Planned District Residential, within and A-40 Cluster Design Subdivision to preserve and protect Open Space.
8. That the Land Development/Subdivision, as proposed, is consistent with the guidelines of the City's Zoning Ordinance.
9. That the Project received Master Plan Approval at the August 20, 2014 regularly scheduled Planning Board Meeting.
10. That the Project has received first passage at the October 19, 2015 regularly scheduled Council Meeting for a City Council Zone Change from A-40 Residential to A-40 Planned District Residential.
11. That the Applicant is proposing a six (6) foot wide sidewalk located along one (1) side of the roadway and cul-de-sac.
12. That the Applicant is requesting an innovative design concept of single family dwellings with the potential for attached accessory dwelling units, with separate access for a single level living design.
13. That the development as proposed includes 11.72 acres of Open Space, which will provide connectivity to the abutting City-owned Dawley Farm.
14. That there is a historic cemetery on the parcel and the Applicant received Historic Cemetery Approval at the October 6, 2015 regularly scheduled meeting.
15. That the Applicant has received RI Department of Environmental Management Approval Wetlands Permit No. 14-0169 and RIPDES No. RIR 101202.

16. That (2) two of the proposed lots shall have a shared driveway and a Pedestrian Access within the Open Space.
17. That the parcel will be serviced by Kent County Water and RIDEM On-Site Wastewater Treatment Systems. (OWTS)
18. 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.
19. 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, with the following stipulations:

1. That, prior to Final Approval, the Applicant shall receive Second Passage for the City Council Zone Change from A-40 Residential to A-40 Planned District Residential for the requested innovative design concept of a single family dwelling with the potential of an attached accessory dwelling unit.
2. 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.
3. That the Applicant shall submit Final Development Plans that shall note the zone change and all stipulations and conditions.
4. That the Final Plans shall note the Pedestrian Open Space Access across the shared driveway.
5. That the crushed-stone turn-around, requested by the Fire Department, shall be moved in its entirety to the Open Space Access area and shall not encroach on private property, prior to Final Plan Approval.
6. That the Final Plans and the Record Plat shall note a 10' access easement to Historic Cemetery No. 130.
7. That prior to Final Approval, the Project Engineer shall review and certify that the existing concrete culvert meets or exceeds the design standards.
8. That as part of the installation of the new roadway, the Applicant shall provide driveway curb openings for Assessor's Plat: 231, Assessor's Lots: 3 & 12.
9. That the Applicant shall provide concrete curbing along both sides of the roadway.

10. That the Final Record Plat shall note Assessor's Plat: 231, Assessor's Lots: 5 & 10, as Record Lots that shall incorporate the small portion of land existing between these two properties, to the aforementioned lots.
11. That the Record Plat shall depict the Drainage Area on its own separate lot, which shall be deeded to the City.
12. That, prior to Final Approval, the Applicant shall provide signed Homeowner's Association Documents-Restrictive Covenants and Deed Restrictions that shall note that the Primary or Accessory Dwelling Units shall not be rental units, unless either the Primary or Accessory Unit is occupied by the property owner and shall detail the cost arrangement for the repair and maintenance of the shared driveway, Cemetery No. 130 access, and Open Space access, which shall be the sole responsibility of the Homeowner's Association.
13. That, prior to Final Approval, the Applicant's Licensed Landscape Architect shall coordinate with the Planning Department, regarding the Final Landscape Plan.
14. That, prior to Final Approval, the Applicant shall receive approval from the Kent County Water Authority.
15. That prior to Final Approval, the Applicant shall receive RIDEM-OWTS Approval which shall be restricted to a total of (4) bedrooms, with the single family house designs to be limited to either (3) bedrooms in the main house and (1) one bedroom in the accessory dwelling or (4) bedrooms in the main house without the option of an accessory dwelling unit. The Final Development plan shall note the dwelling and OWTS building envelope.
16. That all utilities shall be installed underground.
17. That prior to Final Approval, the Applicant shall provide a finalized-signed *Trails Access and Management Plan*. The plan shall be subject to approval by the Administrative Officer.
18. That any alteration to the Homeowner Association Document's Restrictive Covenants, relative to the accessory dwelling unit or the maintenance of the common driveway, Historic Cemetery No. 130 and the Pedestrian Open Space Access, shall be authorized by the Planning Board only.
19. 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.
20. That, prior to the recording of the Record Plat, the Applicant shall provide a Fee in Lieu of Open Space for (6) six lots.

21. 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 Hearing
Major Subdivision
Madison Estates-West Shore Road
Preliminary Plan

Location: 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 Preliminary Approval of a Major Subdivision. The Applicant is proposing a new street with less than required standard sidewalks, and 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.

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 proposing a new street with less than required standard sidewalks and to subdivide (4) four lots totaling 5.1 acres to allow for the development of (15) fifteen new lots; (2) two new conforming lots with existing single-family dwellings; and (13) thirteen new conforming lots for the development of single-family dwellings.
7. That the Applicant has assisted the City in correcting a long-standing drainage problem on Dunbar Court by allowing the City to increase an existing drainage pipe along the southerly property line. Additionally, as part of the subdivision, the Applicant will be providing the City an easement for the existing drain for future maintenance and repairs.
8. That the Project has received a Coastal Resources Management Council Approval, File No. 2015-05-041, Assent No. W2015-05-041.
9. That the Project has received RI Department of Transportation-Physical Alteration Permit, Conditional Approval, Permit No. 150512.
10. That (10) ten of the proposed single family dwellings will be accessed via a new roadway, with sidewalks on both sides of the road for approximately 220 feet.
11. That the Applicant is proposing two-story, single-family dwellings with full basements.
12. That the property consists of (4) existing single-family dwellings; (2) dwellings will be razed and (2) two single family dwellings will remain.
13. That the Subdivision received Master Plan Approval at the March 11, 2015, regularly scheduled Planning Board meeting.
14. That the property will have access to Municipal Sewer and Water.
15. 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.
16. 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 through the Administrative Officer, 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 the Applicant shall close the curb-cut at 3266 West Shore Road and provide access to the existing house from the proposed new roadway.
- 3 That the Applicant shall submit Final Development Plans that note all stipulations and conditions.
- 4 That the Property Owner shall have sole responsibility for the operation and maintenance of the Stormwater mitigation system.
- 5 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.
- 6 That, prior to Final Approval, the Applicant shall receive a finalized RI Department of Transportation-Physical Alteration Permit.
- 7 That, prior to Final Approval, the Applicant shall provide finalized-signed easements and deeds.
- 8 That, prior to Final Approval, the Applicant shall coordinate with the City Sewer Authority regarding assessments and connection to Municipal Sewers.
- 9 That, prior to Final Approval, the Applicant’s Licensed Landscape Architect shall provide a revised 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.
- 10 That all utilities shall be installed underground.
- 11 That, prior to the recording of the Record Plat, the Applicant shall pay a Fee in Lieu of Open Space for (13) thirteen lots.

- 12 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
1291-1301 Warwick Avenue and Partition Street
Cumberland Farms and Yardworks
Master Plan

Applicant:	Cumberland Farms, Inc.
Property Owners:	V.S.H. Realty, YW Realty, Inc., and Fox Realty
Location:	1291-1301 Warwick Avenue and Partition Street
Assessor's Plat:	308
Assessor's Lots:	418, 419, and 548
Zoning District:	AP 418, General Business (GB) and Residential A-7 AP 419, General Business (GB) and Residential A-7 AP 548, General Business (GB) (abuts Residential A-7 PDR)
Land Area:	2.5 +/-acres
Number of existing lots:	3
Number of proposed lots:	1
Engineer:	Garofalo and Associates, Inc.
Ward:	2

Background

The Applicant is requesting Master Plan Approval of a Major Land Development Project/Subdivision for the construction of a one story, 4,250 square foot convenience store, and a 22' x 69' canopy with three (3) fueling pumps (six total fueling positions). The existing landscape/nursery business, Yardworks, will remain on site and undergo alterations as part of the proposal. The Applicant is also requesting approval from the Zoning Board of Review for a Special Use Permit for *Section 304.5 More than one nonresidential use or building on a lot*, and for *Use Code 421. Gas station (no repairs), with a convenience store*, and dimensional relief for less than required setback from an abutting residential zone, less than required landscape buffer from an abutting residential zone, less than required landscape buffer along the lot frontage, and less than required parking setback from a building.

The proposed development is sited on three Assessor's lots, with a combined area of approximately 2.5 acres. The Applicant is proposing to merge the three (3) existing lots to create one (1) lot for the development of the combined uses. The site is located at the intersection of Warwick Avenue and Partition Street and the current uses on the parcel are a convenience store/gas station (Cumberland Farms), a landscape business (Yardworks), and a vacant concrete masonry building, formerly used as a drycleaner. The parcel is zoned a combination of General Business (GB) and Residential A-7, and abuts a parcel that contains a large multifamily unit and is zoned Residential A-7PDR, Planned District Residential. Landscape buffers have been included in the proposal to buffer adjacent residential uses.

The Applicant is proposing to consolidate the existing six (5 on Warwick Avenue, and 1 on Partition Street) curb cuts and provide access from three (3) new site driveways, two (2) full services driveways on Warwick Avenue and one (1) full service driveway on Partition Street. The intersection of Warwick Avenue and Partition Street is a signalized intersection.

The proposal is projected to create 12 to 14 new full and part-time jobs and generate tax revenue for the City of \$28,000 per year.

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 and, and consistent with the principles as proposed in the current Comprehensive Plan update, which finds that land development in the future will increasingly involve redevelopment of previously used sites. Over 60 percent of Comprehensive Plan survey respondents indicated that improving the appearance of major roads and commercial corridors is “very important.”
2. That the subject parcel fronts on Warwick Avenue and Partition Street, and is identified as Assessor’s Plat: 308 Assessor’s Lots: 418, 419, and 548. Lots 418 and 419 are split zones, with a combination of General Business and Residential A-7 zoning, and lot 548 is zoned General Business, and abuts a lot zoned Residential A-7, with a PDR overlay.
3. 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 for a Special Use Permit for Section 304.5 More than one nonresidential use or building on a lot, and for Use Code 421. Gas station (no repairs), with a convenience store, and dimensional relief for less than required setback from an abutting residential zone, less than required landscape buffer from an abutting residential zone, less than required landscape buffer along the lot frontage, and less than required parking setback from a building.
4. That the uses on this site are an existing convenience store/gas station, a landscape/nursery business, and a masonry building that was formerly used as a dry cleaner.
5. That a traffic report, prepared by McMahon Associates, and dated September 2014, concludes that *“With the predominately pass-by nature of the proposed Cumberland Farms convenience store and gasoline station, the project will not result in a significant impact on the overall traffic operations of the study area roadways....due to the nature of the convenience market with gas station sites, patrons will seek out the most efficient routes for entering and exiting a site. Based on the analysis results presented in this report, the proposed development of Cumberland Farms is expected to have a minimal impact on the operations of the study area roadways and the site access modifications will improve overall access and safety.”*

6. That the properties north and south of the subject parcel, and fronting on Warwick Avenue are general business uses.
7. 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.
8. 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 Preliminary Plan 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.
2. That the parcel shall receive Zoning Board of Review approval for a Special Use Permit for Section 304.5 More than one nonresidential use or building on a lot, and for Use Code 421. Gas station (no repairs), with a convenience store, and dimensional relief for less than required setback from an abutting residential zone, less than required landscape buffer from an abutting residential zone, less than required landscape buffer along the lot frontage, and less than required parking setback from a building.
3. That prior to Final Approval, the Property Owner shall merge Assessor's Plat 308, Assessor's Lots 418, 419 and 548, and record a subdivision as per The City of Warwick's Development Review Regulations.
4. 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. This plan shall be subject to approval by the City Engineer.
5. That the Operation and Maintenance Plan for the proposed stormwater collection system shall be included in the Preliminary submission.
6. That all necessary state permits, including but not limited to RIDEM, and RIDOT 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 RIDEM or RIDOT.

7. That all exterior lighting and signage shall be contained on site and designed to minimize negative impacts on neighboring properties. Glare from outdoor lights and signs and from the movement of vehicles on site shall be shielded from the view of adjacent residential properties.
8. That all signage shall conform to the standards of the Warwick Zoning Ordinance, Section 800. LED signage may be utilized for gas/fuel price information only. LED advertising message boards are prohibited.
9. That the shared parking area/driveway shall include traffic calming measures to insure pedestrian safety. The Applicant shall include in the design a minimum of two raised crosswalks, constructed with decorative pavers, for the parking area. A detail shall be submitted to the Administrative Officer for review and approval,
10. That all two way travel lanes shall have a minimum of 24 feet of unobstructed width and an unobstructed vertical clearance of 13'6", and that all corners shall be negotiable by vehicles having an outer tire turning radius of 50' to allow for unimpeded access by fire apparatus.
11. That prior to the issuance of any permits for construction of buildings within the project, the Warwick Fire Department shall review all plans for compliance with all life safety codes and issues.
12. That the site access to Harkness Street shall remain closed and shall be for emergency vehicles only. This shall be noted on the plan, and appropriate site signage installed, prior to the issuance of a Certificate of Occupancy (CO) for the development.
13. That the existing wood stockade fence along the western property line (abutting Harkness Street) shall be replaced and approved by the Administrative Officer, prior to the issuance of a CO for the development.
14. That the Applicant shall work with the Administrative Officer to the Planning Board regarding the exterior elevations of the building and canopy in order to design a project that is compatible with, and complimentary to, the abutting residential neighborhood.
15. That the Preliminary 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, hardscape along Warwick Avenue and landscape screening for area residential properties.
16. That the Project Engineer shall coordinate with the Warwick Sewer Authority to install the proposed sewer tie in as depicted on the Site Utility Plan, submit projected flows to the Warwick Sewer Authority, and comply with all industrial pretreatment requirements. This project shall be subject to Warwick Sewer Authority Inspection Fees.

Public Informational Meeting
Major Land Development
2574 West Shore Road
Taco Bell/Benny's
Master Plan

Applicant:	Lockwood/McKinnon Company, Inc.
Property Owners:	Esmond Realty Corporation
Location:	2574 West Shore Road
Assessor's Plat:	362
Assessor's Lots:	35, 560
Zoning District:	General Business (GB)
Land Area:	17.8 acres
Number of existing lots:	2
Engineer:	MHF Design Consultants, Inc.
Ward:	6

Background

The Applicant is requesting Master Plan Approval of a Major Land Development Project for the construction of a one story, 2,060 square foot fast food restaurant, with a drive-thru window, to be located within the existing Benny's shopping plaza. The Applicant is also requesting, from the Zoning Board of Review, a Special Use Permit for Section 304.5 *More than one nonresidential use or building on a lot* (Assessor's lot 35), and Section 800. Signs, for off-site signage to be located on Assessor's Lot 560.

The proposed development is sited on two Assessor's lots, with a combined area of approximately 17.8 acres. The site is located east of the intersection of West Shore Road and Sandy Lane, and is currently occupied by one (1) retail use, Benny's. (Assessor's Plat 362, Assessor's Lot 35.) The parcel is zoned General Business (GB) and abuts a Residential A-10 zone to the east, and a Residential A-40 zone to the south. There are existing wetlands associated with the Tuscatucket Brook located on the southern portion of the parcel. The area utilized for the proposed development is located in the northeast portion of the parcel. The Applicant is proposing to utilize the existing driveways, and is not proposing any new curb cuts for the project.

The proposal is projected to create 40 new jobs, 15 full-time and 25 part-time, with an estimated construction cost of \$800,000, and \$100,000 generated for meal and sales tax annually.

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, and consistent with the principles as proposed in the current Comprehensive Plan update, which finds that land development in the future will increasingly involve redevelopment of previously used sites. Over 60 percent of Comprehensive Plan survey respondents indicated that improving the appearance of major roads and commercial corridors is “very important.”
- 2 That the subject parcel fronts on West Shore Road, and is identified as Assessor’s Plat: 362 Assessor’s Lots: 35 and 560, is zoned General Business, and abuts a Residential A-10 zone to the east, and a Residential A-40 zone to the south. The southern portion of the parcel contains a sensitive environmental wetland area known as the Tuscatucket Brook Watershed.
- 3 That the impairments to Tuscatucket Brook are largely attributed to non-point source pollution from the moderately high level use of impervious surfaces throughout the watershed.
- 4 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 for a Special Use Permit for Warwick Zoning Ordinance, Section 304.5 *More than one nonresidential use or building on a lot* (Assessor’s lot 35), and Section 800. Signs, for off-site signage to be located on Assessor’s Lot 560.
- 5 That there is one (1) existing retail use on this parcel.
- 6 That a traffic impact study, prepared by RAB Professional Engineers, Inc., and dated August, 2015, concludes that “...*based upon a review of the data collected and the analysis completed as part of this study, it can be concluded that the proposed commercial expansion project has adequate and safe access to a public street, and will not have a detrimental effect on public safety and welfare in the study area.*”
- 7 That the properties east, west and north of the subject parcel, and fronting on West Shore Road, are general business uses.
- 8 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.
- 9 That the proposed development possesses adequate access to a public street.
- 10 That sewers are available for the development, located on Spring Grove Avenue, and there are outstanding assessments for the parcel.
- 11 That there is an existing 12” cast iron water line which may be utilized for a separate fire and/or domestic service.

Planning Department Recommendations

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

1. That the parcel shall receive Zoning Board of Review approval for a Special Use permit for Warwick Zoning Ordinance, Section 304.5 More than one nonresidential use or building on a lot (Assessor's lot 35), and Section 800. Signs, for off-site signage to be located on Assessor's Lot 560.
2. That the Preliminary Plan 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.
3. 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. This plan shall be subject to approval by the City Engineer.
4. That the Operation and Maintenance Plan for the proposed stormwater collection system shall be included in the Preliminary submission to the Planning Board.
5. That all necessary state permits, including but not limited to RI DEM and 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.
6. That due to the sensitive environmental nature of the parcel, and in a continuing effort to improve the water quality entering Brush Neck Cove and Greenwich Bay, the Applicant shall implement best management practices (BMPs), to the maximum extent possible, to help restore a more natural hydrologic cycle and to address pathogen inputs to Tuscatucket Brook.
7. That the exterior lighting, signage and the drive-thru lane, shall be designed to minimize negative impacts on neighboring properties. Glare from outdoor lights and signs and from the movement of vehicles on site shall be shielded from the view of adjacent residential properties.
8. That all signage shall conform to the standards of the Warwick Zoning Ordinance, Section 800.
9. That the access to Spring Grove Avenue on the south east portion of Assessor's Plat 362, Assessor's Lot 35, shall remain closed and used for emergency access only. This shall be noted on the Preliminary plan.

10. That all two way travel lanes shall have a minimum of 24 feet of unobstructed width and an unobstructed vertical clearance of 13'6", and that all corners shall be negotiable by vehicles having an outer tire turning radius of 50' to allow for unimpeded access by fire apparatus.
11. That the Preliminary 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.
12. That any further development of the parcel shall be reviewed by the Board in accordance with the City's Development Regulations, and shall include improvements to the site driveways and West Shore Road as detailed in the Conclusions and Recommendations of the Traffic Impact Study, prepared by RAB Professional Engineers, Inc., and dated August, 2015.

Actions by the Administrative Officer

Administrative Subdivisions

<u>Plat</u>	<u>Lot</u>	<u>Plat Title</u>
266	497 & 564	Greenwich Avenue Plat
222	154 & 155	RePlat of the RePlat of H.S. Allen Reed
307	16 & 17	Peplat of Spring Green Acres
356	175 & 175	Replat of Bayside Lots 411 & 408
360	418, 419, & 421	Zarrella-Orms Plat
203	93, 94, & 95	Galagan Plat
359	140 & 141	Ship's Wheel Plat
267	216, 390, 391, & 407	Atlantic Inland Plat

Final Approval

<u>Plat</u>	<u>Lot</u>	<u>Plat Title</u>
332	855	Hart Plat