

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday, April 13, 2016

Time: 6:00 p.m.

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

Consideration, Review, and Approval of the August 2015, Planning Board Minutes

Consideration, Review, and Approval of the January 2016, Special Planning Board Minutes

Consideration, Review, and Approval of the January 2016, Planning Board Minutes

Consideration, Review, and Approval of the February 2016, Planning Board Minutes

Consideration, Review, and Approval of the March 2016, Planning Board Minutes

Public Informational Meeting

Major Subdivision

316 Love Lane

Preliminary Plan

Location: 316 Love Lane
Assessor's Plat: 222
Assessor's Lots: 156
Applicant: Andrew Catanzaro
Zoned: A-40 (Residential)
Area: 20.12+/-Acres
Ward: 9
Engineer: DiPrete Engineering

Project Scope

The Applicant is requesting Master Plan Approval of a Major Subdivision. The Applicant is proposing to subdivide (1) one conforming 20.12 +/- acre lot, with an existing single-family dwelling, to create (2) two new lots; (1) one new conforming 11.27 acre +/- lot with an existing single-family dwelling, and (1) one new non-conforming lot for the development of a single-family dwelling on a lot with less than required frontage and lot width.

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, which supports Low-Density Residential land uses of one to two dwelling units per acre in the Love Lane area of the City and is generally consistent with the existing neighborhood, containing other parcels of land within the 400’ radius that have less than required frontage and lot width, but maintain the minimum lot area requirements.
2. That the subject property is located along Love Lane, and is identified as Assessor’s Plat: 222; Assessor’s Lot 156.
3. The Applicant is proposing to subdivide (1) one conforming 20.12 +/- acre lot with an existing single-family dwelling, to create (2) two new lots; (1) one new conforming 11.27 acre +/- lot with an existing single-family dwelling, and (1) one new non-conforming lot for the development of a single-family dwelling on a lot with less than required frontage and lot width on a lot with 8.85 acres of land area.
4. That the subject property consists of (1) one Tax Assessor’s lots totaling 20.12 acres +/- and is zoned Residential A-40.
5. That the A-40 Residential Zoning District requires a minimum of 150 feet of frontage and lot width and a minimum area of 40,000 square feet of land area per individual lot.
6. That Record Lot 2, as depicted on the 316 Love Lane Record Plan, dated December 8, 2015, proposes a lot with 87’ feet of frontage and lot width creating a lot that is not in compliance with the standards and provisions of the City’s Zoning Ordinance, therefore requiring Zoning Board of Review Approval for a lot with less than required frontage and lot width.
7. That the Applicant is coordinating with RI Historical Preservation and Heritage Commission (RIHPHC), to determine the likelihood that cultural resources will be adversely impacted by construction activities associated with the proposed subdivision.

8. That the lot is surrounded by stone walls, which are a tangible link to the City's colonial agrarian past and, as such, holds a unique historic significance for the City.
9. That stone walls are continuously threatened by both private and public development and need to be protected and as such shall require Historic District Commission Approval for any proposed alterations to the stone walls.
10. That the Applicant has applied to Kent County Water and is coordinating with the RI Department of Environmental Management (RIDEM) regarding an On-Site Wastewater Treatment System (OWTS). Both Public Water and OWTS will be a requirement of the subdivision.
11. That the subdivision as proposed does not appear to 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.
12. That the proposed development possesses adequate access to public street Love Lane.
13. That the City of Warwick Comprehensive Plan 2033, (Plan) *Section 5, entitled "Parks, Open Space and Recreation" pgs. 5.13-5.16, specifically Subsection, E: Future Park and Recreation Needs*, details the Cowesett area as underserved in the area of playgrounds, playfields and recreation facilities. Additionally the Plan describes the Fee-in-lieu of dedication of land for public purposes in this case for Planning District 7 which depicts on Map 5 pgs. 5-12 the City's "Conservation Intent" for the remaining open space properties in Planning District 7 such as the Beagle Club. *Subsection, F, Recommendations Goal 1*, calls to "preserved and enhanced parks and open space system" by Integrating existing parks, open space and recreation. The Fee-in-lieu could be used to permanently preserve these "Conservation Intent" lands, as well as, improve trail access on open space lands in this planning district.

Planning Department Recommendations

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

1. That the Applicant shall submit a Preliminary 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; Amended November 25, 2015.
2. That the Applicant shall submit a Preliminary Plan that shall comply with Appendix C, Preliminary Application, of the Development Review Regulation governing Subdivisions, Land Development Projects, and Development Plan Review, Effective January 1, 1996; Amended January 01, 2000 and March 14, 2001.

3. That, the Preliminary Plan submittal, shall include a Landscape Plan prepared and stamped by a Rhode Island Licensed Landscape Architect. The aforementioned plan shall note the preservation and protection of existing mature trees that do not require removal for the new proposed development. (Including drip line tree protection details.)
4. That, the Preliminary Plan submittal, shall include a Storm Water Management Plan in accordance with Rhode Island Storm Water Design and Installation Standards Manual, dated December 2010.
5. That, prior to Preliminary Plan submittal, the Applicant shall receive written determination from the RI Historical Preservation and Heritage Commission (RIHPHC) that the construction of new dwelling will have no adverse effect on any significant cultural resources, above-ground or archaeological.
6. That, prior to Preliminary Approval, the Applicant shall receive Zoning Board of Review Approval for less than required frontage and lot width for Record Lot 2, as depicted on the 316 Love Lane Record Plan dated December 8, 2015.
7. That, prior to Preliminary Approval, the Applicant shall receive Historic District Commission Approval for any alteration to existing stone walls on-site.
8. That, prior to Preliminary Approval, the Applicant shall receive all required State and local permitting, including, but not limited to, RIDEM-OWTS.
9. That, prior to Preliminary Approval, the Applicant shall receive written approval from Kent County Water for public water service to the new proposed lot.
10. That, in accordance with Finding No. 13, the Applicant shall dedicate “Funds-In-Lieu of Open Space” equal to one lot to the City of Warwick for Recreational District 7, prior to the recording of the Final Record Plat.

Public Meeting
Minor Subdivision
Warwick Neck Avenue
Preliminary Plan

Location:	358 & 366 Warwick Neck Avenue Channing Street Young Avenue
Assessor's Plat:	379
Assessor's Lot:	336
Applicant:	St. Mary's Church Warwick
Existing Zone:	A-10 Residential
Proposed Zoned:	A-10 (Planned District Residential-PDR)
Land Area:	1.6 acres
Ward:	5
Engineer:	DiPrete Engineering

Project Scope

The Applicant is requesting Preliminary Approval of a Minor Subdivision. The Applicant is proposing to subdivide (1) one 1.6 +/- acre lot with (1) one existing single-family dwelling, (Church Parish), (2) two religious buildings (Church and Parish Hall) and related parking; and (1) one memorial burial ground of cremains (Memorial Garden); to create (3) three new lots; (1) one new 10,510 square foot lot with an existing single-family dwelling, (Church Parish); (1) one new 54,193 square foot lot with two existing religious buildings (Church and Parish Hall) and related parking; and (1) one new 4,023 square foot lot “not for development” with an existing burial ground of cremains (Memorial Garden), in an A-10 Residential 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 further finds:

1. That the proposed development is generally consistent with the Comprehensive Community Plan, which allows for varied housing types, additionally consistent City’s Zoning Ordinance, specifically Table 1, Use Regulations that allows religious uses by-right in residential zones.
2. That the subject property is located at 358 & 366 Warwick Neck Avenue, and is identified as Assessor’s Plat: 379, Assessor’s Lot: 336.
3. That the subject property consists of (1) one Tax Assessor’s lots totaling 1.6 acres +/- and is zoned A-10 Residential.
4. The Applicant is proposing to subdivide (1) one 1.6 +/- acre lot with (1) one existing single-family dwelling, (Church Parish), (2) two religious buildings (Church and Parish Hall) and related parking; and (1) one memorial burial ground of cremains (Memorial Garden); to create (3) three new lots; (1) one new 10,510 square foot lot with an existing single-family dwelling, (Church Parish) (1) one new 54,193 square foot lot with two existing religious buildings (Church and Parish Hall) and related parking; and (1) one new 4,023 square foot lot “not for development” with an existing burial ground of cremains (Memorial Garden), in a A-10 Residential District.
5. That the A-10 Residential Zoning District requires a minimum of 100 feet of frontage and lot width and a minimum area of 10,000 square feet per individual lot.
6. That the subdivision, as proposed, is in compliance with the standards and provisions of the City’s Zoning Ordinance for use and dimension, having (3) three pre-existing buildings with religious uses and associated parking on (1) one Assessor’s Lot; (1) one church building built in 1910, fronting on Warwick Neck Avenue and Channing Street; (1) one parish hall built in 1950, fronting on Channing Street and Young Avenue; and (1) one church parish built in 1950 fronting on Warwick Neck Avenue.

7. That the Applicant received Zoning Board of Review Strict Compliance Approval, Petition NO. 6999, dated May 19, 1992, for the creation of a memorial burial ground of cremains (Memorial Garden) on a lot with existing religious uses in an A-10 Residential Zoning District.
8. That the Applicant is proposing to create a separate lot "Not for Development", Record Lot 3, as depicted on the St. Mary's Minor Subdivision Site Plan, Sheet 4 of 4, last revision date March 28, 2016, for the existing Memorial Garden.
9. That the Applicant received Zoning Board of Review Approval, Petition No. 9592, dated December 11, 2007, for a 4'x6' freestanding ground sign in an A-10 Residential Zoning District. Additionally, the Tax Assessor's Office has authorized retention of Assessor's Lot 336 for Record Lot 1, as depicted on the St. Mary's Minor Subdivision Site Plan, Sheet 4 of 4, last revision date March 28, 2016.
10. That the subdivision will have access to Municipal Sewer and Water.
11. 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.
12. That there will be no significant negative environmental impacts from the proposed development.
13. That the proposed development possesses adequate access to the public streets, Warwick Neck Avenue, Channing Street and Young Avenue.

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 the Applicant shall submit a Final Development Plan and Record Plat 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; Amended November 25, 2015.
2. That the Applicant shall submit a Final Development Plan and a Record Plat that shall comply with Appendix B, Minor Subdivision/Land Development Application, of the Development Review Regulation governing Subdivisions, Land Development Projects, and Development Plan Review, Effective January 1, 1996; Amended January 01, 2000 and March 14, 2001, which shall include at a minimum, but not be limited to:
 - Record Plat Name
 - Monumentation
 - Meets and Bounds Descriptions/Deed Restriction

3. That, prior to Final Approval, the Applicant shall coordinate with the City's Building Official regarding the RI State Building Code (SBC-1-2013) specifically Section 705, fire-resistance rating of wall and allowable area of openings based on fire separation distance.
4. That, prior to Final Approval, the Applicant shall receive Zoning Board of Review Approval for the existing Memorial Garden on a separate lot "Not for Development", as depicted as Record Lot 3, on the St. Mary's Minor Subdivision Site Plan, Sheet 4 of 4, last revision date March 28, 2016.
5. That the Final Development Plan and Record Plat shall propose a 10' wide access easement to the existing Memorial Garden across Record Lot 1, as depicted on the St. Mary's Minor Subdivision Site Plan, Sheet 4 of 4, last revision date March 28, 2016; aforementioned access easement shall be parallel with the existing paved walkway that extends from across record lot 1 from Channing Street to the existing entrance of the Memorial Garden on record lot 3.
6. That the Applicant shall submit, for review and approval of the Planning Board Solicitor, a permanent deed restriction for the preservation of the "Lot Not for Development", depicted as Record Lot 3, on the St. Mary's Minor Subdivision Site Plan, Sheet 4 of 4, last revision date March 28, 2016, the aforementioned restriction shall be recorded as part of the Final Record Plat.
7. That, prior to Final Approval, the Applicant shall submit for review and approval, by the Administrative Officer, access and utility easement verbiage.

Street Abandonment

Portion of Colorado Avenue

Petitioner: JB LLC

Location: Abutting 200 Jefferson Boulevard
Assessors Plat: 282, Assessor's Lots 75, 162, and 196
(See Attached Plans)

Ward: 3

Reason: The Applicant is requesting an abandonment of a portion of Colorado Avenue to accommodate access, parking/isle, and landscaping encroachments across the paper street. The premises are of no use to the public as a highway or drift-way. Additionally, the Applicant is in the process of acquiring a portion of State property to incorporate into the existing parcel.

Recommendation: The City's Water Division, Fire Department, Police Department, Tax Assessor, Tax Collector, Conservation Commission, Historic District Commission, Land Trust, and the Historic Cemetery Commission have reviewed that abandonment/realignment and have no objection to the proposed abandonment.

The City's Engineering Division and Sewer Authority have no objection to the proposed abandonment with the stipulation that the City maintain the perpetual right to use any or all of the abandonment for the installation of utilities as may be needed in the future.

The Planning Department recommends the Planning Board forward a positive recommendation to the City Council for the requested abandonment of the requested portion of Colorado Avenue, with the following stipulations:

1. That the City shall maintain the perpetual right to use any or all of the abandonment for the installation of utilities as needed in the future.
2. That an Administrative Subdivision meeting the standards as set forth in the "*Development Review Regulations Governing Subdivisions Land Development Projects Development Plan Review*" must be completed by the Applicant and recorded for City Assessor's Plat 282, Assessor's Lots 75, 162, & 196 along with the portion of land acquired by the State of RI, if the abandonment is approved by the City Council.
3. Any proposed improvements shall require all applicable local or state permits.

Public Informational Meeting
Major Land Development/Subdivision
Crowne Plaza Hotel Expansion

Applicants: Warwick Hotel Associates
Warwick Hotel Associates IV, LLC
Property Owners: Warwick Hotel Associates
Warwick Hotel Associates IV, LLC
Location: Greenwich Avenue (Route 5) and East Avenue (Route 113)
Assessor's Plat: 265
Assessor's Lots: 18, 21, and an abutting parcel located southwest of the intersection of Greenwich Avenue (Route 5) and East Avenue (Route 113), with no designated lot number
Assessor's Plat: 257
Assessor's Lots: 10, 13
Zoning District: GB (R) and A-15
Land Area: 23.3 acres
Number of existing lots: 2, and 1 abutting parcel with no designated lot number
Number of proposed lots: 3
Engineer: Garofalo and Associates, Inc.
Ward: 8

The Applicant is requesting the following:

- Master Plan Approval of a Major Land Development/Subdivision from the Planning Board,
- A recommendation from the Planning Board to the City Council to amend the limitations and conditions of a previous City Council action, PCO No. 0-79-7, dated February 21, 1979, and,
- A recommendation from the Planning Board to the City Council on a zone change for a parcel of land that was formerly a part of the State right-of-way for Route 5 and Route 113 (corner). The excess right-of-way property was sold to the Applicant by the State of Rhode Island, and is currently being proposed to be integrated with the larger development, with its legacy Residential A-15 zoning being proposed to be changed to General Business (R), with waivers for less-than-required parking, shared parking and travel lanes, ancillary parking to be provided on an abutting lot, more than one (1) actual use (mixed use) on a lot, and less-than-required frontage landscaping.

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 - Background

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- **III. Recommendation to the City Council, Zone Change**

 - Background

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I. **Major Land Development/Subdivision**
Master Plan

Background

The Applicant is proposing the construction of a 100 room expansion of the existing hotel, for a total of 366 rooms, one (1) new free-standing, 35,000 square foot medical facility for medical tourism, and 86,000 square feet of office/retail (mixed) use, located in two (2) additional free-standing buildings, totaling three (3) new buildings and a 100- room expansion to the existing hotel.

The proposed development is sited on two (2) partially developed Assessor's Lots, known as Assessor's Plat 265, Assessor's Lots 18 and 21, as well as a 5.6 acre portion of the former Rhode Island Department of Transportation (RIDOT) right-of-way located at the southwest intersection of Greenwich Avenue (Route 5) and East Avenue (Route 113), purchased from the State of Rhode Island (with no designated lot number, herein referred to as the *undesignated lot*). In aggregate, the proposed development would be located on approximately 23.3 acres. The Applicant is proposing to rezone the undesignated lot to General Business (R), and incorporate it into the development area, as well as reconfigure the existing lots to create three (3) new lots, to provide for the development (herein referred to as the *development parcel*).

The development parcel is located southwest of the intersection of East Avenue and Greenwich Avenue, and is the site of the Crowne Plaza Hotel. The development parcel is zoned a combination of General Business (R) and Residential, A-15: AP265, ALs. 18 and 21, are zoned General Business (R), as per City Council zone change, PCO No. 0-79-7, dated February 21, 1979, and the undesignated lot is zoned Residential A-15.

The proposed development requires an amendment to the limitations and conditions of PCO No. 0-79-7, dated February 21, 1979, and a zone change from Residential, A-15 to General Business (R) for the undesignated lot, which shall be incorporated in the development parcel, and included in the terms and provisions of PCO No. 0-79-7, as amended. In addition, the Applicant is requesting waivers, integral to the zone change, for less-than-required parking on two (2) of the three (3) newly created parcels, shared parking and travel lanes, ancillary parking to be provided on an abutting lot, more than one (1) actual use (mixed use) on a lot, and less-than-required frontage landscaping.

For clarification of the request for less-than-required parking, the following information is provided. The development proposal provides in excess of the ***total parking spaces*** required for the combined uses on the development parcel. As calculated and provided by the Project Engineer, the total number of spaces required for the combined uses within the development parcel is 1,190, with a total number of parking spaces provided on the development parcel of 1,309; therefore, there is a total surplus of 119 spaces.

The Applicant is seeking parking relief due to the fact that the parking requirements are not satisfied within the confines of two (2) of three (3) newly proposed lot areas, (the newly reconfigured lot with the existing hotel, and the newly configured lot with the two (2) office/retail (mixed) use buildings), and parking will be provided on abutting lots, via recorded, shared parking and access agreements. The proposed lot for the medical facility/medical tourism use will provide in excess of the parking spaces required for that use.

In 2014, the Rhode Island General Assembly passed the Access to Medical Technology Innovation Act, supporting medical tourism as an opportunity to create jobs and boost the economy in many segments--medical, hotels, restaurants and tourism. Qualified healthcare facilities must certify that more fifty percent (50%) of their patients reside outside of the State. The 35,000 sf medical facility is slated to be used for medical tourism, and is projected to create roughly 375 jobs, with 50 to 60 jobs at the facility and additional, indirect jobs in hospitality generated by traveling patients and caregivers, medical and support services not provided by the facility, local vendors that supply goods and services to their facility, employment generated by employees spending salaries on goods and services, and other ripple effects as spending flows through the local economy. Based on the total development, the proposed mix of office, retail, medical office/medical tourism and hotel uses, the development is estimated to generate approximately 600 permanent full time and part time jobs, and annual tax revenue of \$1,455,264.

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, and finds “moderate” traffic volume along this section of Route 5 compared to other major arterials. Over 70 percent of Comprehensive Plan survey respondents indicated that local job growth was one of the most important issues in the City.
2. The Comprehensive Plan indicates strong industry growth opportunities for Warwick in tourism and ambulatory healthcare services. Industry growth is being driven by a shift in health care services from hospital to outpatient settings, and the aging of the population. To this end, the instant proposal is in harmony with the intent of the Comprehensive Plan to diversify land use into high-growth market sectors as a way to improve employment and income opportunities within the City.
3. 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.
4. That Chapter 8 of the Comprehensive Plan, the Economic Development element, lists the following Goals:

- Attract and retain business in key existing and emerging economic base industries.
- Increase access to high quality employment opportunities for Warwick residents.

Site evaluation findings:

1. That the subject parcel fronts on Greenwich Avenue (Route 5) and East Avenue (Route 113), is identified as Assessor's Plat 265, Assessor's Lots 18 and 21, zoned General Business (R), by PCO-0-79-7, dated February 21, 1979, and an abutting parcel located southwest of the intersection of East Avenue (Route 113) and Greenwich Avenue (Route 5), formerly held by the State of Rhode Island (the undesignated lot), and zoned Residential, A-15.
2. That the undesignated lot area was formerly part of the State roadway right-of-way, and maintains no future land use code on the Comprehensive Plan, Future Land Use Map.
3. That City Council approval of PCO No. 0-79-7, dated February 21, 1979, permitted the following uses on the parcel:

“Uses of the property described herein shall be restricted as follows:

 - (a) Hotel uses in the principal structure which shall not exceed eight stories (76 feet) in height; and shall not contain more than 450 rooms.*
 - (b) The total height of the structure containing the hotel and revolving roof-top restaurant shall not exceed one hundred ten (110') feet in height.*
 - (c) Retail uses ancillary and customarily related to hotel operations in an area not to exceed 30,000 square feet of floor space;*
 - (d) Office uses in two (2) buildings adjacent to the principal hotel building and as part of the same complex shall be permitted; provided, however, each building containing office uses shall not exceed six stories in height and 60,000 square feet of floor space.*
 - (e) The subject property shall not contain a convention center, so called, in a separate structure.”*
4. That the proposal is not in compliance with the standards and provisions of the City's Zoning Ordinance, PCO No. 0-79-7, dated February 21, 1979, and therefore requires City Council approval and waivers for a Special Use permit for more than one (1) actual use on a lot, less-than-required parking, shared parking and travel lanes, ancillary parking provided on abutting lots, and less-than- required landscaping along frontage of East Avenue (Route 113).
5. That the existing building, located on AP 265, AL 21, is a 266-room hotel use, the Crowne Plaza, with ancillary restaurant, meeting room, and ballroom uses located within the footprint of the building.
6. That the parcel is currently accessed by one (1), full-service, signalized drive known as Crossings Boulevard. The proposed new buildings will be accessed by the signalized drive as well as by a right-in entrance drive on the south side of East Avenue (Route 113), and a right-in/right-out drive on the east side of Greenwich Avenue (Route 5), approximately opposite Hillard Avenue.

7. That both the existing and proposed access drives will be evaluated by the State as part of the RIDOT Physical Alteration Permit (PAP) application.
8. That City Council PCO No. 0-98-23, dated June 19, 1998, allows ancillary parking for Assessor's Plat 265, Assessor's Lots 18, 21, and 22 (now Assessor's Lots 18 and 21) on the abutting parcel, Assessor's Plat 257, Assessor's Lots 10 and 13.
9. That with the abutting parcel, (AP 257, ALs 10,13), the proposal provides in excess of the parking spaces required for the combined uses on Assessor's Plat 265, Assessor's Lots 18, 22, and the undesignated lot. As calculated and provided by the *Project Engineer, Garofalo and Associates, Inc., entitled Master Plan Submission, signature dated February 15, 2016*, the total number of parking spaces required is 1,190, and the total number of parking spaces provided is 1,309.
10. That the number of parking spaces provided for the hotel use, and the two (2) office/retail (mixed) use buildings fronting on Greenwich Avenue, are not satisfied within the confines of the respective, proposed lot areas, and shall require access and parking easements to be recorded as part of the Final recording.
11. That the development parcel, AP265, ALs. 18, 21, and the undesignated lot, is located in close proximity, and with easy accessibility, to Interstates 95 and 295.
12. That the Applicant submitted a **Traffic Impact and Access Study**, *prepared by VHB, and dated February 2016, revision dated March 18, 2016*, indicating that the proposed development will have some impact on traffic operations on the surrounding roadway system that can be mitigated through optimization of existing traffic signal timings and restriping the existing site drive, Crossings Boulevard
13. That the Applicant has submitted an independent Planning Report, *prepared by JDL Enterprises, dated April, 2016*.
14. That the proposed development will not result in the creation of individual lots with such physical constraints that building on those lots according to pertinent regulations and building standards would be impracticable.
15. That with the site access agreements proposed herein, the proposed development possesses adequate access to a public street through the existing, signalized site driveway, Crossings Boulevard.
16. That public water and sewer are available for the proposed development.

Planning Department Recommendation

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

1. That prior to Preliminary approval, the Applicant shall receive approval from the Warwick City Council for the requested amendment to PCO No. 0-79-7, dated February 21, 1979, and approval of the companion zone change on the abutting parcel formerly owned by the State of Rhode Island, with waivers for a Special Use Permit for Section 304.5. More than one nonresidential use or building on a lot, less-than-required parking, ancillary parking provided on abutting lots, shared parking and travel lanes and less-than-required landscaping along the frontage of East Avenue (Route 113).
2. That a complete, updated parking plan with parking calculations for all uses and buildings on abutting parcel AP 257, ALs. 10 and 13 shall be submitted to the Administrative Officer to the Planning Board, and to the City Council to be included as part of the record for the zone change amendment. This plan shall clearly indicate the area of parking designated for the existing hotel use on abutting lot, Assessor's Plat 265, Assessor's Lot 21.
3. That, as part of the Final Recording, the Applicant shall record a subdivision for the three (3) proposed lots, that shall comply with The City of Warwick's Development Review Regulations Governing Subdivisions Land Development Projects and Development Plan Review, Effective January 1, 1996; Amended January 01, 2000 and March 14, 2001. The subdivision plan shall include a record (plat) name and record lot names, e.g. *Parcel A or Parcel 1*.
4. That the Applicant shall provide to the Administrative Officer, drafted easements for ingress/egress and shared parking for the three (3) proposed lots, prior to Preliminary approval.
5. 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, amended March 15, 2015.
6. That, as a result of the new development plan, a Stormwater Management plan for the entire site shall be submitted for Preliminary plan review. Existing conditions for the new design shall revert back to pre-existing conditions, before the Hotel was constructed, and the design shall be submitted in accordance with Rhode Island Stormwater 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.
7. That a twenty-four (24") inch outlet pipe that discharges to the RIDOT drainage system did not exist prior to the site work on AP265, AL18 completed in the Fall of 2014. This pipe shall only be considered in the new design as a proposed outlet.

8. That the Operation and Maintenance Plan for the proposed Stormwater collection system shall be included in the Preliminary submission to the Planning Board.
9. That all necessary State permits, including, but not limited to, Rhode Island Department of Environmental Management (RIDEM), and Rhode Island Department of Transportation (RIDOT) Physical Alteration Permit PAP, shall be obtained prior to submission to the Planning Board for Preliminary Plan review; the Project Engineer shall meet with City Engineering staff to review the proposed drainage system prior to any submittals to RIDEM or RIDOT.
10. That an analysis of the Stormwater conveyance system shall be submitted, prior to Preliminary approval.
11. That all existing utilities shall be indicated on the Preliminary site plan, including the size, material, location and depth (invert elevations).
12. That prior to Preliminary Approval, a conveyance deed for the State parcel (undesignated lot), from the State of Rhode Island to the Applicant, shall be submitted to the Administrative Officer to the Board.
13. That water is available to the proposed site through an existing water line servicing the Crowne Plaza Hotel, and/or an existing distribution line on Greenwich Avenue. The Project Engineer shall be advised that the existing water service for the Hotel is the last service at the end of the Warwick distribution system on Greenwich Avenue. The Project Engineer shall consider additional line valves on Greenwich Avenue to provide additional protection to the Hotel in the event of a water break on Greenwich Avenue, in proximity of the Hotel.
14. That there shall be an adequate number of fire hydrants spaced 300 feet apart and providing a minimum flow of 1,000 Gallons Per Minute (GPM). Sprinklered buildings require a hydrant within 100 feet of the Fire Department Connection (FDC).
15. That all two way travel lanes shall have a minimum of twenty four (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.
16. That dead-end roads longer than 150 feet shall provide turning capabilities for fire apparatus per NFPA1, 2003 edition.
17. That there shall be no architectural, landscaping or natural barriers to prevent easy access of fire apparatus.
18. 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, adequate screening of the abutting Residential zone.

19. That the Preliminary submittal shall include a photometric site plan, indicating provisions to protect the neighboring residential properties from any light emissions from the proposed development. The lighting design shall be Dark Sky compliant, to the extent practicable.
20. That all signage shall conform to the standards of the Warwick Zoning Ordinance, Section 800.
21. That the Project Engineer shall submit a complete set of plans to the Warwick Sewer Authority (WSA) for review and approval. These plans shall comply with all WSA construction standards and Industrial Pretreatment Regulations.
22. That the **Traffic Impact and Access Study**, prepared by VHB, and dated February 2016, revision dated March 18, 2016, indicated a requirement for a new stack/turn lane at the access drive, Crossings Boulevard. Accordingly, The Project Engineer shall submit a callout view of the redesigned access drive, Crossings Boulevard, and integrate with the Landscape Plan. This shall be prepared and stamped by a registered Rhode Island Landscape Architect and professional Engineer. Said Plan shall be sufficient to mitigate the traffic concerns and be subject to approval by the Administrative Officer.
23. That, the Planning Department has reviewed the proposal and is concerned with the location of the proposed site entrance on Greenwich Avenue (Route 5), north of Crossings Boulevard. In particular, the Department is concerned that the proposed location is too close to the East Avenue (Route 113)/Greenwich Avenue (Route 5) intersection, and may pose a potential vehicular and pedestrian safety issue. Consideration shall be given to the elimination of the proposed Greenwich Avenue (Route 5), right-turn-in, right-turn-out driveway, during the RIDOT PAP review process.
24. That the Project Engineer shall include provisions for safe and attractive pedestrian access throughout the development area. This shall be indicated on the Preliminary Plan submittal.
25. That the Applicant shall site the three (3) free-standing buildings closer to Route 5 and Route 113, respectively, to create a solid street edge, and relocate the parking area to behind the buildings, as supported by the City's Comprehensive Plan. The design shall be subject to approval by the Administrative Officer. The number of parking spaces shall remain as proposed herein.

II. Recommendation to the City Council

Amendments to the Limitations and Conditions of PCO No. 0-79-7, dated February 21, 1979

Applicants:	Warwick Hotel Associates Warwick Hotel Associates IV, LLC
Property Owners:	Warwick Hotel Associates Warwick Hotel Associates IV, LLC
Location:	Greenwich Avenue (Route 5) and East Avenue (Route 113)
Assessor's Plat:	265
Assessor's Lots:	18 and 21, and an abutting parcel located southwest of the intersection of Greenwich Avenue (Route 5) and East Avenue (Route 113), with no designated lot number.
Total area:	23.3 acres
Zoning Districts:	General Business (GB)(R), and Residential A-15
Proposed Zoning:	General Business (GB)(R),
Waivers:	With waivers to be incorporated as integral to the Zone change as part of the consideration of the companion Zone Change request, herein. (Less- than-required parking, shared parking and travel lanes ancillary parking to be provided on an abutting lot, more than one (1) actual use (mixed use) on a lot, and less-than-required frontage landscaping.)

Background

The Applicant is proposing development activities to include the construction of a 100- room expansion of the existing hotel use, for a total of 366 rooms, one (1) new free-standing, 35,000 square-foot medical facility/office, and 86,000 square feet of office/retail (mixed) use, with a prohibition on drive-throughs of any type, in two additional buildings, for a total of 121,000 square feet of mixed use located in three (3) separate buildings with an expansion of the existing hotel.

In the 37 years since the approval of Zone Change PCO 0-79-7, dated February 21, 1979, on the 17.6 +/- acre parcel, Assessor's Plat 265, Assessor's Lot 18 (currently 18 and 21), which authorized a hotel use with 450 rooms, and two (2) free-standing buildings with a total of 120,000 square feet of office use, the Applicant has constructed a 266-room hotel building, the Crowne Plaza, with ancillary uses located within the building footprint. The Applicant has recently acquired an abutting, additional 5.6 +/- acre parcel, for a total development area of 23.3 acres, and is proposing to modify the existing zone change PCO 0-79-7 to allow for a change in the overall development of the site. The Applicant is proposing one (1) additional building, the addition of mixed use, and 1,000 square feet of additional office/retail (mixed) use.

	<u>City Council Approved</u> PCO 0-79-7, 2/21/1979	<u>Proposed</u>
	Land Area: 17.6+/- acres	Land Area: 23.3 acres
Number of Hotel Rooms	450 Rooms	366 Rooms
Number of Buildings on site	2 Buildings, Office Use	3 Buildings, mixed Office/Retail Use
Total Square Footage of Office use	120,000 square feet	121,000 square feet of mixed, Office/Retail use (no drive thru)

Zone change information:

The City Council Zone Change on parcel AP 265, ALs 18 (currently 18 and 21), PCO No. 0-79-7, dated February 21, 1979, allows for restricted uses on the parcel, excerpted, and reads as follows:

SECTION I: The zoning Map and the Record Book of Lot Classifications which are a part of the Zoning Ordinance of the City of Warwick are hereby amended by changing the classification of the following described premises from Residence A-15 to General Business.

*Lot No. 18 on Assessor's Plat No. 265
as said plat appeared in the Tax Assessor's
Office on December 31, 1977, from Residence A-15
to General Business.*

Subject to the following uses, limitations and conditions:

1. Uses of the property described herein shall be restricted as follows:

- a) Hotel uses in the principal structure which shall not exceed eight stories (76 feet) in height; and shall not contain more than 450 rooms.*
- b) The total height of the structure containing the hotel and revolving roof-top restaurant shall not exceed one hundred ten (110') feet in height.*
- c) Retail uses ancillary and customarily related to hotel operations in an area not to exceed 30,000 square feet of floor space;*
- d) Office uses in two (2) buildings adjacent to the principal hotel building and as part of the same complex shall be permitted; provided, however, each building containing office uses shall not exceed six stories in height and 60,000 square feet of floor space.*
- e) The subject property shall not contain a convention center, so called, in a separate structure.*

With the instant development proposal, the Applicant is requesting a modification to the existing zone change, PCO 0-79-7, dated February 21, 1979, as follows:

SECTION I: The zoning Map and the Record Book of Lot Classifications which are a part of the Zoning Ordinance of the City of Warwick are hereby amended by changing the classification of the following described premises from Residence A-15 to General Business. *GB (R)*.

Lot No. 18, 21, and (undesignated lot) on Assessor's Plat No. 265 as said plat appeared in the Tax Assessor's Office on ~~December 31, 1977~~, March 13, 2016, from General Business and Residence A-15 to General Business (R).

Uses of the property, described herein shall be restricted as follows:

(d) Office uses in ~~two (2) buildings~~ one (1) free-standing building fronting on Route 113 adjacent to the principal hotel building, and as part of the same complex, and mixed office/retail uses in two (2) free-standing buildings fronting on Greenwich Avenue (Route 5) as part of the same complex, shall be permitted; provided, however, ~~each building containing office uses that the three (3) free-standing buildings~~ shall not exceed six (6) stories in height and ~~60,000 square feet of floor space~~ a total of 121,000 square feet. Mixed Uses are allowed, provided the use is permitted by right in the Warwick Zoning Ordinance, TABLE 1. USE REGULATIONS, in a General Business (GB) zone under Section 300. Office Uses and Section 500. Retail Uses, with the exception of 503. Fast Food and drive-through facilities of any type, which shall be strictly prohibited. All proposed uses with a parking requirement greater than one (1) space per 200 square feet of gross floor area (1/200), shall require Plan Review by the Administrative Officer of the site parking plan for zoning conformance.

Planning Department Findings

The Planning Department finds the proposed amendments to City Council PCO 0-79-7 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, which finds that land development in the future, will increasingly involve redevelopment of previously used sites, and finds "moderate" traffic volume along this section of Route 5 compared to other major arterials. Over 70 percent of Comprehensive Plan survey respondents indicated that local job growth was one of the most important issues in the City. The Comprehensive Plan indicates strong industry growth opportunities for Warwick in tourism and ambulatory healthcare services. Industry growth is being driven by a shift in health care services from hospital to outpatient settings, and the aging of the population. To this end the instant proposal is in harmony with the intent of the Comprehensive Plan to diversify land use into high growth market sectors as a way to improve employment and income opportunities within the City.
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 Chapter 8 of the Comprehensive Plan, the Economic Development element, lists the following Goals:

- Attract and retain business in key existing and emerging economic base industries.
 - Increase access to high quality employment opportunities for Warwick residents.
4. That City Council PCO No. 0-98-23, dated June 19, 1998, allows ancillary parking for Assessor's Plat 265, Assessor's Lots 18, 21, and 22 (now Assessor's Lots 18 and 21) on the abutting parcel, Assessor's Plat 257, Assessor's Lots 10 and 13.
 5. That with the purchase of the abutting parcel (the undesignated lot), the Applicant has increased the size of the development area over 30 percent, from 17.6 acres to 23.3 acres.
 6. That the undesignated lot area, as a former part of the State roadway right-of-way, maintains no land use designation within the Future Land Use Map contained within the Comprehensive Plan. To this end, the rezoning of this area to General Business, as a component of the development proposal, is compatible with the intent of the Comprehensive Plan, Future Land Use Map, as the undesignated lot shall carry the abutting, existing areas' designation on the Future Land Use Map, as a commercial use.
 7. That the proposed development has increased the amount of building square footage by less than (1) percent from the original approval, while adding approximately 5.6 acres of property to the development approved by City Council PCO 0-79-7.

Planning Department Recommendation

The Planning Department recommends a favorable action to the Warwick City Council for the requested amendments to PCO 0-79-7, dated February 21, 1979, to include the **following changes: three (3) free-standing buildings allowed, with a total square footage of 121,000 square feet of medical office and "by right" office/retail mixed uses, with the exception of Fast Food and drive-through uses of any type which shall be strictly prohibited, the project requiring waivers for less-than-required parking, shared parking and travel lanes, ancillary parking to be provided on an abutting lot, more than one (1) actual use (mixed use) on a lot, and less-than-required frontage landscaping** with the following stipulations:

1. That the Administrative Officer to the Planning Board shall be authorized to make minor revisions and insignificant edits as necessary prior to submission to the City Council.
2. That the Applicant shall merge the abutting "undesignated parcel," located southwest of the intersection of East Avenue (Route 113) and Greenwich Avenue (Route 5), and formerly held by the State of Rhode Island as part of the roadway right-of-way, into a new lot within the development area, and it shall be included in the provisions of zone change PCO 0-79-7, as amended.

III. Recommendation to the City Council
Request for a Zone Change

State Land right-of-way (Undesignated Lot)

Applicants/ Owners:	Warwick Hotel Associates Warwick Hotel Associates IV, LLC
Location:	Southwest corner of the intersection of East Avenue (Route 113) and Greenwich Avenue (Route 5)
Assessor's Plat:	265
Assessor's Lots:	Land formerly held by the State of Rhode Island (<i>part of RIDOT right of way for Route 5 and Route 113</i>) No designated Lot number.
Zoning District:	Residential A-15
Proposed Zoning:	General Business (R), to be included in the provisions of PCO No. 0-79-7, as amended.
Waivers:	Less-than-required parking, shared parking and travel lanes, ancillary parking to be provided on an abutting lot, more than one (1) actual use (mixed use) on a lot, and less-than-required frontage landscaping.

Background

The Applicant is requesting a Planning Board recommendation to the City Council for a zone change on Assessor's Plat 265, for a portion of land located in the southwest corner of the intersection of East Avenue (Route 113) and Greenwich Avenue (Route 5), formerly held by the State of Rhode Island as part of the roadway right-of-way, with no designated lot number, from Residential A-15 to General Business (R). In combination with the abutting lots, Assessor's Plat 265, Assessor's Lots 18 and 21, and zoned General Business (R), this area is proposed to support the total development project of a 100-room hotel expansion, a 35,000 square-foot medical facility/medical tourism use, and 86,000 square feet of office/retail (mixed) uses. The area in consideration fronts on both Greenwich Avenue and East Avenue, and is comprised of approximately 5.7 acres.

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, which finds that land development in the future will increasingly involve redevelopment of previously used sites, and finds "moderate" traffic volume along this section of Route 5 compared to other major arterials. Over 70 percent of Comprehensive Plan survey respondents indicated that local job growth was one of the most important issues in the City.

The Comprehensive Plan indicates strong industry growth opportunities for Warwick in tourism and ambulatory healthcare services. Industry growth is being driven by a shift in healthcare services from hospital to outpatient settings, and the aging of the population. To this end the instant proposal is in harmony with the intent of the Comprehensive Plan to diversify land use into high-growth market sectors as a way to improve employment and income opportunities in the City.

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 Chapter 8 of the Comprehensive Plan, the Economic Development element, lists the following Goals:
 - Attract and retain business in key existing and emerging economic base industries.
 - Increase access to high quality employment opportunities for Warwick residents.
4. That the undesignated lot area, as a former part of the State roadway right-of-way, maintains no designation within the Future Land Use Map (FLUM) of the City's Comprehensive Plan. To this end, the rezoning of this undesignated lot to General Business along with a change in the Future Land Use Map to "commercial" from "undesignated" to match the neighboring development will improve compatibility with the intent and purpose of the City of Warwick Comprehensive Plan and Future Land Use Map.
5. That City Council PCO No. 0-98-23, dated June 19, 1998, allows ancillary parking for Assessor's Plat 265, Assessor's Lots 18, 21, and 22 (now Assessor's Lots 18 and 21) on the abutting parcel, Assessor's Plat 257, Assessor's Lots 10 and 13.
6. That the following municipal Department Heads and City Commissions have reviewed the proposal and have no objections or stipulations: the Police Chief, the Fire Chief, Tax Assessor, Conservation Commission, Harbor Commission, Cemetery Commission and Historic District Commission.

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.
 - 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;
 - G.) The use of innovative development regulations and techniques.
- 103.10 Promote a high level of quality in design in the development of private and public facilities.
- 103.11 Promote the implementation of the Warwick Comprehensive community plan, as amended.
- 103.12 Provide for coordination of land uses with contiguous municipalities, other municipalities, the State, and other agencies

Planning Department Recommendation

The Planning Department recommends a favorable recommendation to the Warwick City Council for the requested zone change on the parcel (the undesignated lot) from Residential A-15 to General Business (R), and for the parcel, (the undesignated lot) to be incorporated within the provisions of City Council zone change, PCO 0-79-7, as amended, and with the following waivers: a Special Use Permit for Section 304.5. More than one nonresidential use or building on a lot, less-than-required parking, ancillary parking provided on abutting lots, shared parking and driveways, and less-than-required landscaping along the frontage of East Avenue (Route 113), with the following stipulations:

1. That the Applicant shall record a subdivision merging the undesignated lot parcel with Assessor's Plat 265, Assessor's Lots 18 and 21, as part of the Land Development Project reviewed and approved by the Planning Board, and in conformance with the City's Development Review Regulations.
2. That Mixed Uses are allowed, provided the use is *permitted by right* in the Warwick Zoning Ordinance, TABLE 1. USE REGULATIONS, in a General Business (GB) zone under Section 300. Office Uses and Section 500. Retail Uses, with the exception of 503. Fast Food and drive-through facilities of any type, which shall be strictly prohibited. All proposed uses with a parking requirement greater than one (1) space per 200 square feet of gross floor area (1/200), shall require Plan Review by the Administrative Officer of the site parking plan for zoning conformance.
3. That the Applicant shall record access and parking easements for the development.
4. That the Administrative Officer to the Planning Board shall be authorized to make minor revision and insignificant edits as necessary before submission to the City Council.