

THE CITY OF WARWICK
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER ARTICLE

APPENDIX A
ZONING

No..... Date.....

Approved.....Mayor

AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF WARWICK
M & M LAND COMPANY AND KEVIN MURPHY, PETITIONERS

Be it ordained by the City of Warwick:

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 Residential A-40 to Residential A-40 PDR.

Lots 97 and 98 on Assessor’s Plat 228 as said plat appeared in the Tax Assessor’s office on December 31, 2014 is hereby changed from Residential A-40 to Residential A-40 PDR. The Lots are set forth in the legal descriptions and on the map attached hereto as Exhibit A.

The change of zoning is subject to the following conditions and stipulations:

1. That the Applicant shall receive a City Council Zone Change from A-40 Residential to A-40 Planned District Residential with waivers for: *Parking within 15’ of a residence WZO Section 308.2 (e) design standards, No direct access to a major street or highway WZO Section 308.2 (f) design standards and less-than-required separation between buildings WZO Section 308.2 (f) design standard.*
2. That the Preliminary Plan shall include a survey plan conforming to Class 1 Standards as adopted by the *RI Board of Registrations for Professional Land Surveyors*. All plans 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.

- 1 3. That, prior to Preliminary Approval, the Applicant shall coordinate with the RI
2 Historical Preservation and Heritage Commission (RIHPHC) regarding Assessor's Plat
3 228; Assessor's lot 97 to provide an advisory opinion, if the proposal would have any
4 archeological impact.
5
- 6 4. That, prior to Preliminary Approval, a Storm Water Management Plan shall be
7 submitted in accordance with Rhode Island Storm Water Design and Installation
8 Standards Manual, dated December 2010, to demonstrate a zero-net rate increase runoff
9 from the development. The design of drainage facilities, including, but not limited to,
10 swales, gutters, storm sewers and the materials, grades, cross-sections, location,
11 velocities, and capacities of drainage facilities, shall conform to current standard State
12 and local specifications. Per the RI Low Impact Development Site Planning Design
13 Guidance Manual, the Design Site drainage shall be routed to a permanent surface or
14 subsurface outfall adequate to dispose of present and anticipated future runoff from the
15 site. The Engineer shall incorporate Low Impact Design (LID) as a first choice, if
16 practicable. Drainage shall be designed and constructed so as to not detrimentally affect
17 adjacent properties. Where storm drainage flow is concentrated, permanently
18 maintainable facilities shall be provided to prevent significant erosion, and/or flooding on
19 the site or on adjacent properties. The Design shall coordinate with the City's
20 Engineering Division and Planning Department, prior to designing the site-drainage; this
21 plan shall be subject to approval by the City Engineer, prior to submission to RIDEM.
22
- 23 5. That, prior to Preliminary Approval, the Applicant shall receive all required State and
24 local permitting, including, but not limited to, RIDEM and local Physical Alterations
25 Permit (PAP).
26
- 27 6. That pursuant to the City's Zoning Ordinance, Section 308.2 (c), entitled Relation to
28 Utilities and Public Facilities the Applicant/Developer shall extend the existing sewer
29 and water line from its current location on Major Potter Road to the subject parcel in
30 order to provide service for the (48) forty-eight proposed dwelling units. The
31 Applicant/Developer shall coordinate and receive authorization from the Warwick Sewer
32 Authority, West Warwick Sewer and Kent County Water, for the requested service of
33 (48) forty-eight dwelling units.
34
- 35 7. That prior to Preliminary Approval, the Administrative Officer and the City Engineer
36 shall review the Homeowner Association Documents and Deeds, which shall include, but
37 not be limited to, covenants regarding the maintenance and repair of the proposed
38 drainage systems, open space and private roadway, noted as Road A and Road B, of the
39 Stonebridge Crossing Master Plan, dated May 18, 2015, most recently revised July 29,
40 2015.
41
- 42 8. That, as part of the Preliminary Plan, the Applicant shall provide a Trails Access and
43 Management Plan, for the Open Space parcel noted on the Stonebridge Crossing Master
44 Plan, dated May 18, 2015, most recently revised July 29, 2015. The plan, at a minimum,
45 shall include locating and surfacing the walking trail with pervious material as well as

1 detailing any ancillary structures being proposed, subject to RI Department of
2 Environmental Management approval. The open space delineated on the plan shall not
3 be further developed for housing and is to be restricted in the association documents to
4 remain passive recreation in perpetuity. The open space area shall be maintained by the
5 Condominium Association. The Trails Access and Management Plan, covenants,
6 restrictions and language shall be subject to approval by the Administrative Officer.
7

8 9. That the Applicant shall coordinate with the State Fire Marshall's Office and shall
9 adhere to all RI General Laws relative to Fire Safety and Blasting. As a courtesy, it is
10 encouraged that the Applicant/Developer work with the neighboring property owners on
11 notification of said blasting outside the minimum statutory requirement.
12

13 10. That the Applicant shall submit a Preliminary Plan, as approved by the Fire Marshall,
14 that shall include, but not be limited to:

- 15 • Note existing and proposed utilities.
- 16 • Adequate number of fire hydrants spaced 300 ft. apart and providing a minimum of
17 1000 GPM. Shrinklered buildings require a hydrant with 100 ft. of the Fire
18 Department Connection.
- 19 • All two-way travel lanes shall have a minimum of 24' of unobstructed width and an
20 unobstructed vertical clearance of 13'6" to allow for unimpeded access by fire
21 apparatus.
- 22 • All corners shall be negotiable by vehicles having an outer tire turning radius of 50',
23 left or right.
- 24 • Dead-end roads longer than 150' shall provide turning capabilities for fire apparatus
25 per NFPA 1 (RIFC), 2012 Edition.
- 26 • Water supply shall be approved in accordance with RIFC 18.3 through 18.5 to
27 comply with all life safety codes and issues.
- 28 • Note the sewer line ~~and water line~~ extension and water line upgrade.
- 29

30 11. That, consistent with the *City's Zoning Ordinance, specifically Section 308.2 (b, h)*,
31 and public testimony presented at the neighborhood meeting, it is imperative that the
32 development be designed to be harmonious with the surrounding community's
33 appearance and character. In considering these provisions, it is vital that the visual effect
34 of the entrance to this multifamily development not only identify the development but
35 also define the long-term consciousness of the area. An appropriately designed and
36 maintained entrance can project a sense of community and provide a unified and positive
37 image for the neighborhood. Considering the Applicant's request for significant
38 deviation (10'-30% deviation) from minimum building setbacks, design improvements
39 are warranted to diminish this visual impact of this very dense development. To offset the
40 visual massing the Applicant/Developer shall:

- 41 a) Design and install/rebuild a stone wall along Major Potter Road with stone entry,
42 wall monument sign, and landscaping. The design architecture shall be integrated
43 with the overall landscape design. The overall appearance, scale and composition of
44 the monument sign shall be subject to approval by the Administrative officer and
45 Warwick Historic District Commission for the stone wall.
- 46 b) Scale and character of the buildings shall be similar to the design rendering provided

1 to the Planning Department and community including exterior stone design
2 treatments and feature offsets in exterior walls, providing accent forms, and
3 variations in roof lines that create shadows and providing off-sets that enhance the
4 overall building design. Except for building with “walkouts” the buildings shall be
5 single story in height. Compliance shall be subject to approval by the Administrative
6 officer.

- 7 c) To mitigate conflict with the adjacent property owner’s loss of privacy the
8 developers/owner shall coordinate with the abutter and shall design and construct a
9 mutually agreed upon a visual buffer along the western property line from the front
10 property line to Unit No. 6, as noted on the Stonebridge Crossing Master Plan, dated
11 May 18, 2015, most recently revised July 29, 2015. The buffer shall be permanent
12 and included within the condominium documents. The buffer shall be designed and
13 installed to incorporate year round screening by and between properties. The design
14 may incorporate hardscape and landscaping that emphasizes screening but is also
15 visually attractive. The design shall be subject to approval by the Administrative
16 Officer.

- 17 12. That the Applicant’s RI Licensed Landscape Architect shall coordinate with Planning
18 Department Staff, prior to the development of a landscape plan, which shall include, but
19 not be limited to:

- 20 a) The Applicant/Developer shall install (1) one street tree for every 50 feet of interior
21 roadway, noted as Road A and Road B, of the Stonebridge Crossing Master Plan,
22 dated May 18, 2015, most recently revised July 29, 2015.
23 b) That subject to RIDEM approval, the Developer shall install drip line protection
24 fencing along the entire western side of the 100’ Riverbank Wetland perimeter to
25 protect existing trees from being damaged during construction.
26 c) Preserve and protect, with drip line tree protection, any large mature shade trees
27 within the front-yard and side-yard setback. Tree protection must be installed and
28 approved prior to the issuance of an erosion control permit.
29 d) An irrigation plan shall be provided by the Applicant.
30 e) The proposed development will not contain sidewalks and, as such, the developer
31 should consider installing street lighting which is intended to improve, safeguard,
32 facilitate, and encourage vehicular and pedestrian safety.
33 f) Above-grade structures, such as transformers, shall be screened and or enclosed with
34 appropriate screening, fencing or walls.
35 g) Coniferous trees shall be at least 6’ in height, at installation.

- 36
37 13. That, prior to Preliminary Approval, the Applicant shall receive approval from the
38 Warwick Historic District Commission for alterations to the existing stone wall.

- 39
40 14. That all structures shall be no less than 20’ from another structure and no structure
41 shall be less than 20’ from the edge of private roadway noted as Road A and Road B, on
42 the Stonebridge Crossing Master Plan, dated May 18, 2015, most recently revised July
43 29, 2015.

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45 15. That the Project shall be serviced by Municipal Sewer and Kent Count Water.
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Section II. The Clerk of the Zoning Board of Review is hereby authorized and directed to cause said changes to be made on the Zoning Map and the Record Book of Lot Classifications.

Section III. This Ordinance shall take effect upon passage and publication as prescribed by law.

SPONSORED BY: COUNCILMAN MEROLLA

COMMITTEE: LAND USE

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2
3 **EXHIBIT A**
4

5 **Metes and Bounds Description**
6 **Lots 97 & 98**
7 **Warwick, Rhode Island**
8

9 That track of land comprised of two parcels of land currently know as Assessor's Plat 228 Lots
10 97 & 98, situated northerly of Major Potter Road in the City of Warwick, Kent County, the State
11 of Rhode Island and Providence Plantations and being more particularly described as follows:
12 Beginning at an Drill Hole found at the intersection of two stone walls, on the northerly street
13 line of Major Potter Road, said Drill Hole being the southeasterly most corner of land now or
14 formerly of Laura Booth Angell (AP 228, Lot 76), also being the southwesterly most corner of
15 the track of land herein described;

16
17 Thence the following three (3) courses bounded in a general westerly direction by said land of
18 Angell (AP 228, Lot 76):

- 19 1. N 01° 09' 26" W, along a stone wall, a distance of 81.33 feet to an angle point in the stone
20 wall;
21 2. N 04° 13' 43" W, continuing along the stone wall, a distance of 228.31 feet to an angle
22 point in the stone wall;
23 3. N 03° 18' 05" W, continuing along the stone wall, a distance of 200.56 feet to the
24 intersection of two stonewalls at land now or formerly of Carl E. Tauber (AP 228, Lot 1)

25 Thence the following ten (10) courses bounded in a general northerly and westerly direction by
26 said land of Tauber (AP 228, Lot 1):

- 27 1. N 89° 02' 53" E, along a stone wall, a distance of 67.45 feet to an angle point in the stone
28 wall;
29 2. N 83° 47' 12" E, continuing along the stone wall, a distance of 86.55 feet to the end of the
30 stone wall;
31 3. N 05° 28' 34" W, in part along a stone wall, a distance of 200.03 feet to an angle point in
32 the stone wall;
33 4. N 01° 53' 38" W, continuing along the stone wall, a distance of 332.37 feet to a bend in
34 the stone wall;
35 5. N 87° 49' 25" E, continuing along the stone wall, a distance of 39.15 feet;
36 6. N 84° 28' 46" E, in part along a stone wall, a distance of 218.56 feet;
37 7. N 89° 56' 06" E, in part along a stone wall, a distance of 109.94 feet to a bend in the stone
38 wall;
39 8. N 16° 01' 08" E, a distance of 235.84 feet to a bend in a stone wall;
40 9. N 80° 53' 36" E, along the stone wall, a distance of 305.32 feet to the end of the stone
41 wall;
42 10. S 67° 06' 36" E for a distance of 355.50 feet to an iron rod found at the northwesterly
43 corner of land now or formerly of Haralambos Dafoulas & Venetia Kanellos (AP 228, Lot
44 87)
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1 Thence, S 30° 50' 25" W, bounded easterly by said land of Dafoulas & Kanellos (AP 228, Lot
2 87), a distance of 1410.71 feet to a stone wall on the northerly street line of said Major Potter
3 Road;

4 Thence the following four (4) courses along said northerly street line:

- 5 1. S 88° 06' 49" W, in part along a stone wall, a distance of 133.71 feet;
- 6 2. S 89° 05' 10" W, in part along a stone wall, a distance of 46.30 feet;
- 7 3. S 89° 05' 26" W, in part along a stone wall, a distance of 37.53 feet;
- 8 4. N 88° 13' 53" W, in part along a stone wall, a distance of 213.52 feet to the point of
9 beginning.

10 Said parcel contains 899,373 square feet of land, more or less.

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