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CITY OF WARWICK
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**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday, May 14, 2014
Time: 6:00 p.m.
Location: City of Warwick
Lower Level Conference Room
3275 Post Road
Warwick, RI 02886

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

Review and approval of the February and March 2014 meeting minutes.

Public Informational Meeting
Major Subdivision
Master Plan
23 Belmont Road

Location: 23 Belmont Road
Berkeley Street
Beverley Road
Bay View Avenue
Assessor's Plat: 220
Assessor's Lot: 4, 6, & 7
Applicant/Owner: Mark H. Mainelli
Zoned: A-10 (Residential)
Land Area: 36,322 square feet
Ward: 9
Engineer: Commonwealth Engineers & Consultants, INC

Project Scope

The Applicant is proposing to reconfigure (3) three existing lots, to create (2) two new lots; (1) one new 22,285 square foot lot located along 23 Belmont Road and Berkeley Street with an existing dwelling and a shed having less than required rear yard setback and (1) one new 14,037 square foot lot for the development of a single family dwelling on a corner lot having less than required frontage and lot width on Bay View Avenue, meeting the required frontage and lot width along Beverly Road.

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 lots within the 200' radius that are existing nonconforming having less than required frontage and lot width.
2. That the subject property is located along Belmont Road, Berkeley Street (existing single family dwelling), and Beverley Road and Bay View Avenue (proposed single family dwelling); and is identified as Assessor's Plat: 220; Assessor's Lots: 4, 6, & 7.
3. That the subject property consists of (3) three Tax Assessor's lot totaling 36,322 square feet and is zoned Residential A-10.
4. That the Applicant proposes to create (2) two lots; (1) one Assessor's Lot with an existing single family dwelling; and (1) one new Assessor's Lot for the development of a single family dwelling.
5. That the original record plat, platted in 1925 as the "Spencer Heights Plat, Plat Card 331" platted this area as 7,200-7,500+/- square foot lots. During the 1940's-1950's the area was zoned Residential A-10 requiring 10,000 square feet of land area for development and 100' feet of frontage. In 1950, (3) three of the Spencer Heights Plat, record lots were merged into (1) one conforming 21,600 square foot assessor's lot, Assessor's Plat 220, Lot 7 for the development of a single family dwelling fronting on Belmont Road and Berkeley Street. In 1988, the City enacted a citywide zone change which included a provision that corner lots meet 80% of the frontage requirement on the secondary street, which is now 80' in an A-10 Residential district, (100' on the primary frontage/80' on the secondary frontage).
6. That the Applicant could develop Assessor's Plat: 220, Assessor's Lots: 4 & 6 as (1) one parcel under the City of Warwick Zoning Ordinance, Section 400 Non-Conformance of the Zoning Ordinance, specifically 405.4 Residential Use of Nonconforming Lots, (B) which states: *Where such lot or lots contain 7,000 square feet or more, and have a minimum frontage of at least 50 feet, a new dwelling may be constructed thereon without the approval from the Zoning Board of Review being necessary provided that such construction complies with the front and corner side yard, side yard and rear yard requirements of Table 2A, Dimensional Regulations, for the district in which such lot is located, by removing/moving an existing shed on lot 7, located along the property lines of Assessor's Plat: 220, Assessor's Lots 6 & 7.*

7. Being that the above-referenced shed has personal and sentimental value; the Applicant has asked to proceed to the Planning Board to allow the movement of the lot line between lots 6 and 7 to accommodate the shed. By moving this common lot line, the Applicant no longer can develop lots 4 and 6 under City of Warwick Zoning Ordinance, Section 400 Non-Conformance of the Zoning Ordinance, specifically 405.4 Residential Use of Nonconforming Lots (B) and requires Planning Board and Zoning Board Approval.
8. That the proposed development shall have less than required second street frontage and lot width (Bay View Avenue) on the lot proposed for a new single family dwelling AP. 220: Lots: 4 & 6 and the existing single family dwelling AP. 220: lot 7 shall have a shed with less than required rear yard setback.
9. That the lot contains a stone wall, which is a tangible link to the City's colonial agrarian past and, as such, holds a unique historic significance for the City.
10. That stone walls are continuously threatened by both private and public development and need to be protected.
11. That the parcel will be serviced by Kent County Water and RIDEM On-Site Wastewater Treatment System.
12. That there will be no significant negative environmental impacts from the proposed development.
13. 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.
14. 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 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.
2. That prior to Preliminary Approval, the Applicant shall receive Zoning Board of Review approval for a new parcel with less than required secondary frontage and lot width (Bay View Avenue) AP: 220 Lots: 4 & 6; and an existing parcel with an existing single family dwelling containing an existing shed having less than rear yard setback, AP 220, Lot: 7.

3. That the Applicant shall propose a single family dwelling that shall meet or exceeds the front and corner side yard and side yard setbacks for the Residential A-10 Zoning District.
4. That prior to Preliminary Approval, the Applicant shall coordinate with the Historic District Commission regarding any alteration to the existing stone wall.
5. That prior to Preliminary Approval, the Applicant shall receive approval from the Kent County Water Authority.
6. That prior to Preliminary approval, a Stormwater Management Plan, including but not limited to, a Drainage Plan and Calculations, shall be designed in accordance with Rhode Island Stormwater Design and Installation Standards Manual, dated December 2010, to demonstrate a zero-net runoff from the development. Per the RI Low Impact Development Site Planning Design Guidance Manual, the Design Engineer shall incorporate Low Impact Design (LID) as a first choice, if practicable. This plan shall be subject to approval by the City Engineering Division.
7. That prior to Preliminary Approval, the Applicant shall receive all required State and local permitting, including, but not limited to, RIDEM-OWTS for both the existing and proposed single family dwelling.
8. That prior to Final Approval the existing single family dwelling AP. 220 Lot 7 (23 Belmont Road, shall install said OWTS and shall abandon any existing cesspool/s as per RIDEM Regulations.
9. That the Preliminary Plan shall include a Plat Title (eg: Mainelli Plat) within the Title Block and that the proposed lots shall be designated as Parcel A/Parcel B or Record Lot 1/Record Lot 2.
10. That the Preliminary Plan shall including Landscaping and Details that shall include, but are not be limited to:
 - Tree preservation of the existing mature evergreen trees on Beverley Road, to the extent practicable.
 - The Applicant shall consider tree preservation when locating utilities, to the extent practicable.
 - The Plan shall note that prior to construction, dripline tree protection shall be installed to protect the root zones of existing property line plantings along abutting lots identified as, Assessor's Plat 220, Assessor's Lot 8 (75 Berkeley Road) and Assessor's Plat 220; Assessor's Lot 5 (110 Bay View Avenue) and along Beverly Road.
 - The Applicant shall install (2) two 2-2.5 caliper trees, (1) one located along Beverly Road and (1) one located along Bay View Avenue. These trees shall be planted on private property to avoid any conflicts with overhead utility lines. The Applicant shall coordinate with the Planning Department relative to species.

Public Informational Meeting
Major Subdivision
Master Plan
Cowesett Road

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

Project Scope

The Applicant is proposing a cluster design subdivision of a 21.98 acre site. The Applicant proposes to create (8) eight new lots; (6) six new single family residential dwellings with the potential for an additional accessory dwelling unit/in-law requiring Zoning Board of Review approval 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.

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 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 the City's Zoning Ordinance, requires a 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 Applicant is proposing a six (6) foot wide sidewalk located along one (1) side of the roadway and cul-de-sac.
7. That the subdivision, as proposed, is in compliance with the standards and provisions of the City's Zoning Ordinance, specifically, Section 501.4 (c) *District Regulations*.
8. That in 1995, the property received an approval for a (14) fourteen lot subdivision with related improvements known as Princeton Estates.
9. That in 2000 the property was sold to the First Baptist Church which subsequently received approval for a 400 seat auditorium, a school, an outdoor amphitheater and outdoor recreational facilities; along with parking for 250 vehicles.
10. 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.
11. That the Accessory Dwelling Units shall not be rental units, which shall be enforced by Homeowner's Association Document Restrictive Covenants and Deed Restriction.
12. That based on the Planning Department's request, the Applicant held a community outreach meeting at City Hall on March 26, 2014 to present the plan, as well as, to gain feedback from the community.
13. That the Applicant and the Project's Engineer held a pre-submission meeting with Planning Staff and City Departments to review the proposed development and that the Applicant has made revisions to the original plan based on departmental comments and community feedback.
14. That the Applicant and the Project's Engineer coordinated with RI Historical Preservation & Heritage Commission and made revisions to the original plan based on RIHPHC comments and feedback.
15. That the development as proposed includes 11.72 acres of Open Space, which will provide connectivity to the abutting City owned Dawley Farm.
16. That the parcel includes Historic Cemetery No. 130.

17. That the parcel has (2) two access points onto Cowesett Road.
18. That (2) two of the proposed lots shall have a shared driveway within the Open Space.
19. That stone walls are tangible links to the City's colonial agrarian past and, as such, hold a unique historic significance for the City.
20. That stone walls are continuously threatened by both private and public development and need to be protected.
21. That the parcel will be serviced by Kent County Water and RIDEM On-Site Wastewater Treatment System. (OWTS)
22. 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.
23. 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 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.
2. That prior to Preliminary approval a Stormwater Management Plan, including but not limited to, a Drainage Plan and Calculations, shall be designed in accordance with Rhode Island Stormwater Design and Installation Standards Manual, dated December 2010, to demonstrate a zero-net runoff from the development. Per the RI Low Impact Development Site Planning Design Guidance Manual, the Design Engineer shall incorporate Low Impact Design (LID) as a first choice, if practicable. This plan shall be subject to approval by the City Engineering Division. Prior to submission to RIDEM or RIDOT, the City's Engineering Division shall review and approve the proposed drainage system design.
3. The Drainage area shall include access to and around the drainage area to ensure proper maintenance and repair. The Drainage area shall be subject to approval by the City's Engineering Division.
4. That prior to Preliminary Approval, the Project Engineer shall review and certify that the existing concrete culvert meets or exceeds the design standards, as set forth by the RIDOT.

5. 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.
6. That the Applicant shall provide concrete curbing along both sides of the roadway.
7. That prior to Preliminary Approval, the Applicant shall coordinate with property owners of Assessor' Plat: 231, Assessor's Lots: 5 & 10 regarding the feasibility of transfer a small portion of land existing between these two properties, to the aforementioned lots.
8. That the Preliminary Plan shall show all two way travel lanes on the new street (cul-de-sac) to have a minimum of 24 feet of unobstructed width, to allow for unimpeded access for fire apparatus.
9. That the Preliminary Plan shall show that all roadway corners are negotiable by vehicles having an outer tire turning radius of 50 feet left or right.
10. That the Preliminary Plan shall show an adequate number of fire hydrants spaced 300 ft. apart and providing a minimum of 1000 GMP. Buildings with sprinklers require a hydrant within 100 ft. of the Fire Department Connection.
11. That the Preliminary Plan shall depict the Drainage Area on its own separate lot, which shall be deeded to the City.
12. That prior to Preliminary Approval, the Applicant shall receive Zoning Board of Review Approval, for the requested innovative design concept of a single family dwelling with the potential of an attached accessory dwelling unit, with variances.
13. That prior to Preliminary Approval, the Applicant shall coordinate with the Historic Cemetery Commission for review and approval of the project, as it relates to Cemetery No. 130.
14. That prior to Preliminary Approval, the Applicant shall coordinate with the Historic District Commission regarding any alteration to the existing stone walls, if deemed necessary.
15. That the Applicant's Licensed Landscape Architect shall coordinate with the Planning Department, prior to the development of a landscape plan, that conforms to the *City of Warwick Development Review Regulations*, specifically, Appendix D, Sections D3.3 (a) through (g) entitled Landscaping and Trees.
16. That prior to Preliminary Approval, the Applicant shall receive approval from the Kent County Water Authority.
17. That the Preliminary Plan, shall include all easements of record.

18. That prior to Preliminary Approval, the Applicant shall receive all required State and local permitting, including, but not limited to, RIDEM-Wetlands, RIDEM-OWTS, RIDOT, and local Physical Alteration Permit.
19. That the RIDEM-OWTS design 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.
20. That the Preliminary plan shall note the dwelling and OWTS building envelope.
21. That all utilities shall be installed underground.
22. That prior to Preliminary Approval, the Applicant shall provide a *Trails Access and Management Plan*. The plan shall be subject to approval by the Administrative Officer.
23. That prior to Preliminary Approval, the Administrative Officer shall review the Homeowner Association Documents and Deeds which shall include but not be limited to, Restrictive Covenants regarding the accessory dwelling unit and a detail of the cost arrangement for the repair and maintenance of the shared driveway and Open Space access, which shall be the sole responsibility of the Homeowner's Association.
24. That any alteration to the Homeowner Association Document's Restrictive Covenants, relative to the accessory dwelling unit or the maintenance of the common driveway, shall be authorized by the Planning Board only.

Public Informational Meeting
Major Land Development Project
Zone Change Recommendation
69 Fair Street

Applicant/Property Owner:	House of Hope Community Development Corporation, LLC
Location:	69 Fair Street
Assessor's Plat:	292
Assessor's Lot:	465
Zoning District:	A-7 Residential, Historic Overlay
Proposed Zoning:	Planned District Residential (PDR), A-7/Historic Overlay
Land Area:	35,660 square feet
Number lots:	1
Engineer:	SFM Engineering Associates
Ward:	1

Background

The Applicant is requesting Master Plan Approval for the development of ten (10) dwelling units for an affordable and a supportive housing use on the parcel; five (5) units will be located in the existing building, the historically significant "Fair House", and a new addition will be constructed for 5 additional units. The Applicant is also requesting a recommendation to the City Council for a zone change for the parcel from Residential A-7/Historic to Planned District Residential (PDR) A-7/Historic, with waivers for less than required lot area, parking, side yard setback to the building and dumpster, driveway width, location of parking within the required corner side-yard, and walkway within required landscape buffer. The site consists of 35,660 square feet, with an existing 4,100 square foot building. The proposed use of the property is for ten affordable and supportive dwelling units, with the resident population being similar to those living on the abutting parcel, 57 Fair Street (Assessor's Plat 292, Assessor's Lot 507), which is also owned by the Applicant.

The proposed development is located within historic Pawtuxet Village, which is listed on the National Register of Historic Places and is also subject to local Historic Overlay zoning. The existing building on the site is the historically significant Fair House. It was constructed in 1820 for use as an exhibition hall by the Rhode Island Society for the Encouragement of Domestic Industry, and converted to a single family residence by R. Rhodes after the last fair in 1848. The building is now vacant and has fallen into disrepair.

The project includes the complete restoration of the existing historic mansion for 5 dwelling units for affordable and supportive housing, and the construction of a 2,750 sf addition for 5 dwelling units for the same use, both done in accordance with the Secretary of the Interior's Standards for Rehabilitation.

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 recently approved Comprehensive Plan, specifically *Chapter 7, Housing and Neighborhoods*, which includes as a goal to have a wide range of housing choices to meet the diverse needs of households at all income levels and all stages of life, and a policy to continue efforts to provide scattered site affordable housing needs for families and, *Chapter 6, Historic and Cultural Resources*, which specifically calls for protection and preservation the City's historic resources, including structures, natural features and character areas, and to promote adaptive reuse of historic buildings.
2. That the subject property fronts on Fair Street and South Fair Street and is located in Pawtuxet Village.
3. Pawtuxet Village is a relatively densely developed area, listed on the National Register of Historic Places.

4. The parcel consists of 35,660 sf, is identified as Assessor's Plat:292 Assessor's Lot: 465; and zoned Residential, A-7 with an Historic Overlay zone.
5. The existing building, the Fair House, is a 2 ½ story, Greek Revival building listed on the National Register of Historic Places. It is an important historic resource that has been vacant for several years and is currently in a state of significant disrepair.
6. The proposal is not in compliance with the standards and provisions of the City's Zoning Ordinance therefore requiring City Council approval for a zone change from Residential A-7/Historic to Planned Development Residential (PDR) A-7/Historic, with dimensional waivers for less than required lot area, parking, side yard setback, driveway width, parking within corner side yard and location of walkway within landscape buffer. The existing building, the Fair House, is higher than allowed.
7. That the properties north and south of the subject parcel, and fronting on Fair Street are residential uses, with an existing multifamily located directly to the north at 57 Fair Street (Assessor's Plat 292, Assessor's Lot 507.)
8. That at the September 8, 2012 meeting, the Planning Board granted approval for the development of five residential units for the abutting parcel, 57 Fair Street, (AP 292, AL 507.)
9. That on August 17, 2010, the abutting parcel, 57 Fair Street, (AP292, AL507) received City Council approval for zone change PCO-12-10, changing the zoning from Residential A-7/Historic to Planned District Residential, A-7/Historic, with less than required parking, parking setback, lot area, building side setback, landscape buffer, and side setback for dumpster.
10. That based on the Planning Department's request, the Applicant held a community outreach meeting in Pawtuxet on April 2, 2014 to present the plan, as well as, to gain feedback from the community
11. That the resident population at the subject property (AP292, AL465) will be similar to those living in the abutting 57 Fair Street (AP292, AL507) building. This will be a supportive housing environment, in which the residents rarely own automobiles resulting in a very low need for parking spaces for residents.
12. That this proposal has been approved for state historic tax credits, and the proposed building and site improvements have been reviewed and approved by both the Rhode Island Historic Preservation and Heritage Commission and the Warwick Historic District Commission.

13. That the site has been designed in order to meet the requirements of both the local and state historic commissions. In accordance with preservation authority review, the large front lawn of the property is a character defining feature and shall be preserved; and the parking area shall be minimized in order to have the least visual impact on neighboring properties.
14. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
15. That there will be no significant negative environmental impacts from the proposed development.
16. That the proposed development possesses adequate access to a public street.
17. That the proposed development has access to public water and sewer.

Planning Department Recommendations

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

1. That the project shall receive City Council approval for a Zone Change from A-7/Historic to PDR/A-7/Historic, with waivers for less than required lot area, parking, side yard setback, driveway width, parking within the required corner side yard and walkways within the required landscape buffer. The existing building is higher than allowed
2. That 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.
3. A Stormwater Management Plan and an Operation and Maintenance Plan for the proposed system shall be included in the Preliminary submittal. The design for the stormwater collection system shall be 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.
4. That any and all necessary state permits shall be obtained prior to submission to the Planning Board for Preliminary Plan approval.
5. That the Preliminary Plan shall indicate the buildings on abutting properties, in particular AP 292, AL464.

6. That prior to Preliminary Plan submittal, the Project Engineer shall meet with the Warwick Fire Marshall regarding the proposed street location of the Fire Department Connection (FDC); this shall be approved by the Authority Having Jurisdiction (AHJ), and the water supply shall be in accordance with RIFC 18.3.
7. That any new water service shall be coordinated with the Warwick Division of Water.
8. That backflow preventers shall be installed during construction, and a standard sampling manhole installed for the building. This project shall be subject to Warwick Sewer Authority Inflow and Infiltration (I&I) regulations.
9. That the Preliminary submittal shall include a Landscape Plan, prepared by a Registered Rhode Island Landscape Architect. Said plan shall be subject to approval by the City Planning Department.
10. That any additional development or change of use from supportive housing, shall require a Development Plan Review to be approved by the Warwick Planning Board, in compliance with City of Warwick Development Review Regulations. The parking plan shall be reviewed with any change from supportive housing use, as the parking relief is specific to this type of supportive housing use.

**Request for a Zone Change
Recommendation**

Applicant:	House of Hope Community Development Corp.
Location:	69 Fair Street
Assessor's Plat:	292
Assessor's Lot:	465
Total area:	35,660 sf
Zoning District:	Residential A-7, Historic
Proposed Zoning:	Planned District Residential, Residential A-7, Historic, with dimensional relief requested.

Background

The Applicant is requesting a zone change recommendation for the parcel, which consists of one Assessor's Lot (465) and is currently zoned Residential A7, with a Historic Overlay zone. The Applicant is requesting a zone change to Planned District Residential (PDR)/A-7/Historic to allow for the development of 10 affordable dwelling units for supportive housing, 5 units located in the existing historic building and 5 dwelling units in a proposed addition, with the following conditions:

- The lot area is less than required in this district.
- Due to the nature of the use, the number of parking spaces is less than required in this district.
- The parking area setback from the corner side yard is less than required in this district
- The building side yard setback is less than required in this district
- The side setback for the dumpster enclosure is less than required in this district.
- The width of the driveway is less than required in this district
- The landscaping buffer is less than required in this district.

Description	Required	Proposed	Note
Minimum Lot area Subsection 308.3	40,000sf	35,660sf	
308.2E Number of parking spaces	25 spaces 2.5/unit	6 spaces	
Side yard setback Subsection 308.3	25 feet	13.8' to building (north) 20.7' to building (west) 10' to dumpster (west)	
701.4 Entrance and Exit Driveway width	24'	18'	As per Historic approval
308.2E Location of parking spaces	No parking space in corner side yard setback—25'	14'	
308.2E Landscape border	10' around entire perimeter	4' to walkway, ADA access	Walkway constructed in buffer

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. That the subject property is a corner lot which fronts on Fair Street to the east and is accessed from South Fair to the south; and is identified as Assessor’s Plat: 292 Assessor’s Lot 465, currently zoned Residential A-7, Historic
2. Not in compliance with the standards and provisions of the City’s Zoning Ordinance therefore requiring City Council approval for a zone change, from Residential A-7/Historic to Planned District Residential A-7/Historic, with waivers.
3. That the properties north, south, east and west of the subject parcel are residential uses, including single and multifamily dwellings.

4. That the proposal was reviewed by the following City Departments and Commissions: Public Works, Building, Water, Sewer, Fire, Land Trust, Conservation Commission and Historic District Commission, all expressing no comments or concerns.
5. That the resident population at the subject property (AP292, AL465) will be similar to those living in the abutting 57 Fair Street (AP292, AL507) building. This will be a supportive housing environment, in which the residents rarely own automobiles resulting in a very low need for parking spaces for residents.
6. That this proposal has been approved for state historic tax credits, and the proposed building and site improvements have been reviewed and approved by both the Rhode Island Historic Preservation and Heritage Commission and the Warwick Historic District Commission.
7. That the site has been designed in order to meet the requirements of both the local and state historic commissions. In accordance with preservation authority review, the large front lawn of the property is a character defining feature and shall be preserved; and the parking area shall be minimized in order to have the least visual impact on neighboring properties.

The Planning Department finds the proposed zone change to be in compliance with the City's Comprehensive Plan, including the Goals and Policies Statement, the Implementation Program, the Historic and Cultural Resources Element and the Housing and Neighborhoods Element, including, but not limited to the following:

- To make efficient use of available land and proper reuse and expansion of existing land uses.
- Provide a wide range of quality housing choices to meet the diverse needs of households at all income levels and all stages of the life cycle.
- Continue efforts to provide scattered site affordable housing for families.
- Protect and preserve the City's historic resources, including structures, natural features and character areas.
- To promote adaptive reuse of historic buildings.

The Planning Department also finds this proposal 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.
- 103.5 Provide for the protection of the natural, historic, cultural and scenic character of the city or areas therein.
- 103.8 Promote a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe and sanitary housing, including opportunities for the establishment of low and moderate income housing.
- 103.10 Promote a high level of quality in design in the development of private and public facilities.
- 103.15 Provide for reasonable accommodations in order to comply with the RI Fair Housing Practices Act, the US Fair Housing Amendments Act of 1988 (FHAA), the RI Civil rights of Individuals with Handicaps Act, and the Americans with Disabilities Act (ADA).

The Planning Department recommends a favorable recommendation to the Warwick City Council for the requested zone change for the parcel from Residential A-7/Historic to Planned Unit Development (PDR) A-7/Historic, with waivers for the following conditions and stipulations:

- The lot area is less than what is required in this district.
- The number of parking spaces is less than what is required in this district and for supportive housing use.
- The parking area setback from the corner side yard is less than required in this district
- The building side yard setback is less than required in this district.
- The side setback for the dumpster enclosure is less than required in this district.
- The width of the driveway is less than what is required in this district.
- The landscaping buffer is less than what is required in this district, due to the location of the walkway.

1. That any additional development or change of use from supportive housing on the property shall require a Development Plan Review to be approved by the Warwick Planning Board in compliance with City of Warwick Development Review Regulations, as well as, City Council review and potential amended zone change.

Staff Report

Appeal of Planning Board Decision Assessor's Plat 235, Assessor's Lots 11, 12, 13, 271 Brentwood Assisted Living

On April 8, 2014 the Zoning Board of Appeals heard an appeal of the Planning Board's decision for the Master Plan for the Major Land Development Project, Brentwood Assisted Living.

This project was heard at the March 12, 2014 meeting of the Warwick Planning Board. At the Planning Board meeting, the motion to approve the Master Plan for the project failed, with four yes votes and two abstentions.

This decision was appealed to the Zoning Board of Appeals, in accordance with **City of Warwick Zoning Ordinance, Section 906.4, Appeals to the zoning board.**

Under Section D. Decisions and records of the board. In exercising its powers in ruling, the board may, in conformity with the provisions of this ordinance, reverse or affirm wholly or partly and may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have the powers of the officer or agency from whom the appeal was taken.

The Zoning Board of Appeals voted to approve the Master Plan, with the Planning Department's recommendation and stipulations.

In accordance with the City of Warwick's Development Review Regulations, Section 8.11.7, Remand to the Planning Board. In the instance where the Board of Appeal overturns a decision of the Planning Board or Administrative Officer, the proposed application shall be remanded to the Planning Board or Administrative Officer, at the stage of processing from which the appeal was taken, for further proceedings before the Planning Board or Administrative Officer and/or for the final disposition, which shall be consistent with the Board of Appeal's decision.

A copy of the draft of the minutes from the Zoning Board of Appeals is included for your information.

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