

Multi-Unit Commercial 'Carvel Plaza' Redevelopment Proposal
Major Land Development Project, Rezone with Special Exceptions
and Comprehensive Plan - Land Use Classification Amendment

1795 Post Road (Route 1)
Assessor's Plat 322 - Lot(s) 167, 168, 169, 170, 182, and 183

Prepared For: Premier Land Development, Inc.

Prepared By: Pimentel Consulting, Inc.

22 June 2022

INTRODUCTORY STATEMENT

Premier Land Development, Inc. (“Applicant”) has retained my professional land use planning and zoning consulting services (“Consultant”), in order to evaluate the proposed redevelopment of well under-utilized land acreage, to include a defunct restaurant operation. The referenced land resources are literally located at the mouth of Airport Road, physically along Post Road, being the visual and economic focal point of the immediate commercial corridor. Immediate commercial corridor redevelopment importance is evidenced by the imposition of the uniquely crafted Warwick Station Gateway District (“WSG District”), having already attracted redevelopment of the opposite intersection, referenced property being quite recently improved with a state-of-the-art ‘Neon Marketplace’ retail and fuel dispensing operation. The WSG District is recognized as the hub of economic mixed-use development, albeit presently failing to fulfill many of the anticipated aesthetic and physical design guidelines. The subject proposal entails a full redevelopment of the subject property; realizing a total razing and then construction of multi-commercial facilities, to include combination modernized retail and banking facility. Furthermore, given the heavy vehicular characteristics of both Post and Airport Roads, the banking facility will be improved with an accessory drive-through component to assist in expediting provision of services. The Applicant is well aware of the abutting residential neighborhood to the immediate west, and has therefore incorporated extensive measures to protect the integrity of said neighborhood. The Applicant has heeded the concerns expressed by regulatory officials and neighborhood residents alike; literally altering the development in several rather drastic ways. First of all, and perhaps one of the more admirable measures proposed to avert commercial intrusion, is maintenance of a regulatory compliant residential parcel along the entire southwesterly (rear) portion of the property, fronting Guilford Avenue. This too will realize upwards of 54 linear feet of natural vegetative buffer along the entire northwesterly (rear) portion of the property, fronting Pell Avenue. Secondly, is foregoing introduction of a secondary drive-through commercial entity, namely a fast-food restaurant, and replacing with a retail establishment. The Applicant has likewise combined the commercial entities into a singular establishment, concentrating development and permitting greater quantity of both setback and landscaping. Eliminating the fast-food component also realizes a vast reduction in drive-thru oriented-traffic; averting directing vehicles towards the West, in closer proximity to the rear residential neighborhood. It is a well known fact that fast-food establishment(s) derive the greater part of their profits from the respective drive-thru component.

Some of the encumbrances having impeded successful past redevelopment, include the presence of a split-zone and resulting minor dimensional deficiencies. The referenced encumbrances, with the assistance of the City of Warwick Planning Commission (“PC”) and City Council (“CC”), are readily correctable. In addition to necessitating Major Land Development Project (“Major LDP”) review and approval, the applicant will seek a rezoning with special exception(s) to address any outstanding dimensional deficiencies (special exceptions detailed at the end of this report) as well as corresponding land use classification amendment. The referenced redevelopment fosters economic development and improves neighborhood conditions, as well as furthers both the intent and purposes of the Zoning Ordinance and the goals and objectives of the Comprehensive Plan and WSGD.

In light of the subject redevelopment proposal this Consultant conducted a thorough analysis of all pertinent documents, to include the current application and site plan package, as well as all supporting documentation submitted by the Applicant. In addition, the following regulatory documents have been thoroughly reviewed:

- o City of Warwick Comprehensive Plan 2033 - City Council Approved 17 April 2014 (“Comprehensive Plan”);
- o City of Warwick Zoning Ordinance (“Ordinance”);

- o City of Warwick Development Review Regulations - Governing Subdivisions, Land Development Projects, and Development Plan Review - Adopted 1 January 1996 - Amended through 13 March 2001 (“LDP Regulations”);

- o Warwick Station Development District - Master Plan - January 2012 (“WSDD Master Plan”);

- o City Centre Warwick Design Manual - 10 May 2017 (“Design Manual”);

- o Reviewing pertinent Rhode Island General Law (“RIGL”) and case law.

In addition, a general analysis of the immediate neighborhood has been conducted, for purposes of evidencing neighborhood compatibility. The proposed regulatory changes will not only realize consistency with the Comprehensive Plan and WSDD Master Plan goals and objectives, but also revitalization of a commercial property that has been well under-utilized; contributing in a positive fashion to the overall success of the WSG District. This is in direct accord with the overall vision for the City of Warwick, as evidenced by the Comprehensive Plan [Page - Executive Summary].

The City of Warwick’s Vision for 2033

- **“The Warwick Station district, now known as City Centre Warwick, is a vibrant live-work-play growth hub with mixed-use, transit-oriented development.”**

- **“We are committed to a diversity in land use that promotes a strong, stable tax base...”**
- **“We are investing** to keep our regional retail destinations competitive, **to modernize and transform our neighborhood commercial districts,** to make the intermodal station district a new city center and hub of economic growth, and to attract new opportunities, such as advanced manufacturing.”

The Future City

Future Land Use, Zoning and Urban Design

- o **“Implement the City Centre Warwick Plan.”**

PRESENT PROPERTY CONDITIONS

The subject property is addressed 1795 Post Road (Route 1), further designated Assessor’s Plat 322, Lot(s) 167, 168, 169, 170, 182, and 183, and contains approximately 1.15-acres of total land area (“Property”). The combined lots are almost perfectly rectangularly configured, with a slight jog along the Northwest corner. The approximate dimensions are 200-feet in width by an average of 237-feet in depth. The Property is presently improved with a defunct commercial ‘restaurant’ operation; facility that is not only well under-utilized, but also aesthetically displeasing. This is a pertinent redevelopment point because besides the lack of being an economic contributor (tax generating), it is also located in such a manner as to be the visual and physical focal point of the immediate commercial corridor. The Property is uniquely situated at the mouth of Airport Road, where it intercedes with Post Road. The Property is uniquely defined as both a corner and through-lot, being surrounded by three (3) independent roadways: Post Road (Route 1) to the East; Pell Road to the North; and, Guilford Avenue to the South. The Property has approximately 201 linear feet of lot frontage along Post Road (Route 1), 219-feet along Pell Road, and 256-feet along Guilford Avenue. The sole shared property boundary is situated to the West, abutting several interior residences. The presence of such vast roadway frontage permits much improved vehicular access and general site design. It also greatly negates disturbance, by minimizing direct residential interaction; proposed redevelopment needing to solely concentrate on buffering the shared property boundary to the immediate West. This is a condition that will be appropriately addressed via maintenance of sufficient vegetative buffering, introduction of a crafted regulatory compliant residential parcel, and curtailing development to a singular drive-thru facility, namely a banking operation which generates minimal vehicular traffic.

With the exception of Post Road, access is almost unimpeded, with little to no curbing along either Pell Road or Guilford Avenue. This permits vehicular traffic to ingress and egress the Property in a free-for-all, unsafe fashion, and literally in the direct vicinity of the abutting residences. The same is true of existing ground conditions. The front portion of the Property is almost entirely devoid of vegetation, even as simple as lawn area. Regardless, site aesthetics are easily curable. Redevelopment need only concentrate on enhancing the Post Road corridor and a singular residentially shared property boundary to the immediate west.

The Property is also formally centered within the Gateway District North portion of the Warwick Station Development District. As this report will evidence, particular attention to the general neighborhood, and Property specific, has been detailed in various regulatory documents. Reinvestment is the over-riding objective, serving the needs of the immediate Airport in general, and more specifically needs of the public. The illustration(s) on the following pages, excerpted from Google Earth and the applicant’s submission package [Credit: DiPrete Engineering], respectively, detail present Property conditions.

View Looking West from Post Road



View Looking North from Guilford Avenue



View Looking South from Pell Road



As previously noted, the Property is presently improved with a dated, and somewhat odd configured, commercial 'restaurant' facility. The referenced facility was introduced in approximately 1970, having an approximate overall gross floor area of approximately 2,574 square feet. As detailed above, the facility is aligned with Post Road, situated mid-point of the Property, and surrounded by off-street parking. Although the Property is improved with a vast rear residential buffer, is it also well under-utilized, failing to realize full and beneficial land usage

as envisioned by the respective regulatory documents and the imposition of the uniquely crafted WSG District.

Present Property conditions, albeit overtly appropriate for more intensive commercialized development, renders full compliance with the anticipated WSDD Master Plan and Design Manual design guidelines somewhat difficult. For example, the referenced guidelines include averting placement of off-street parking between commercial facilities and a public right-of-way (roadway), preferring that all parking being visually screened. Clearly a situation that is problematic, if not altogether impractical, given the excessive number of lot frontages. Not only would it be impossible to accomplish given the presence of three (3) physical lot frontages, but would also necessitate situating the parking closer to the rear residences. Another impractical consideration is attempting to reestablish a pedestrian culture by fronting the commercial facilities and instituting other similar design guidelines. However, present roadway conditions clearly lend themselves to a more vehicular environment, as evidenced by the very recent successful redevelopment of the property literally located across the intersection for vehicular business purposes, stated property being improved with a ‘Neon Marketplace’ convenience retail and fuel dispensing operation. Regardless, there are a litany of design standards that can still be achieved, as evidenced by the significant architectural and site design features realized via development of the Neon Marketplace. The same is true of the subject redevelopment proposal; a site design that will continue the transformative changes initiated by development of the Neon Marketplace. The area has been commercially stagnant for a significant period of time, being visually and architecturally impaired. Redevelopment that realizes many of the goals and objectives envisioned by the community is difficult at best, necessitating the perfect alignment of market conditions. Therefore, cooperation between developer and all local regulatory agencies is of the utmost importance, if true change is to be realized. It is for this very reason why this Consultant professionally believes that the regulatory modifications proposed, to include addressing otherwise dimensional deficiencies via the imposition of special exceptions associated with the anticipated zone change and land use classification amendment, are most appropriate.

Perhaps no other site element(s) are referenced with more frequency in the Comprehensive Plan than improper vehicular control (e.g., excessive and inappropriate curb-cut placement) and site design (e.g., drainage and landscaping) measures.

A. Goals and Policies [Page 9.2]

Goal: *“An efficient road network that responds to existing and future development patterns while reducing auto congestion and improving circulation.”*

- “Ensure that roads are maintained to a high standard for long term use.”
- "Support roadway projects that reduce traffic congestion, particularly along east/west routes and major commercial corridors.”
- “Promote best practices to strengthen access management and improve traffic flow.”
- "Encourage the use of effective traffic-calming techniques in neighborhoods.”

Off-Street Parking Conditions [Page 9.18]

“Off-street parking conditions have remained largely unchanged since the last comprehensive plan update... Elsewhere, off-street parking conditions are very much intertwined with those for on-street parking; in the city’s villages and other areas where uses are nonconforming by parking or where demand exceeds the available off-street parking, this can result in both inconvenience for visitors and patrons and disruption to surrounding uses. The previous comprehensive plan recommended working with area merchants to identify land parcels that could potentially be developed into shared parking facilities, although to date this has been largely unrealized.”

Strategy B. “Reduce traffic congestion throughout Warwick, particularly along east/west routes and along major commercial corridors.” [Page 9.30]

Action 3. **“Limit multiple access points on the City’s major arterial roadways, and where possible, seek to consolidate and/or eliminate redundant accesses and curb cuts.**

- Strengthen and enforce existing access management regulations.”
- Minimize the potential for traffic impacts by efficiently integrating access to new developments into existing transportation networks.
- “Amend city ordinances pertaining to redevelopment to encourage the elimination or consolidation of accesses and discourage the creation of new accesses and curb cuts.”

Strategy B. “Require all new development and redevelopment projects to adhere to the applicable design, construction, and maintenance requirements set forth in the latest edition of the Rhode Island Stormwater Design and Installation Standards Manual.” [Page 10.29]

Action 1. **“Encourage proponents of new development and redevelopment projects to incorporate low-impact development (LID) techniques for the avoidance, reduction, and source management of potential stormwater impacts.”**

Furthermore, the present outdated and haphazardly placed commercialized land use and need for neighborhood revitalization is well recognized by the Comprehensive Plan and WSDD Master Plan.

C. “Communities of Place Meetings - Top Issues and Improvements Needed: Commercial Areas.” [Page 2.7]

- o **“Nicer commercial areas; existing areas are tired and unattractive.”**

Local Commercial Corridors. *Other commercial activities within the city are concentrated along major arterials such as Post Road, West Shore Road, Airport Road, and Warwick Avenue. In general, these commercial areas target local residents and contain a varied mix of local retailers, grocery stores, fast food, convenience and service establishments. The corridors lack a cohesive design aesthetic, are several decades old, and have numerous vacancies. As noted by many participants during public meetings, the commercial corridors throughout Warwick look tired and 'need a face-lift'.* [Page 3.14]

"Post Road offers a varied commercial environment. The stretch near the airport and Intermodal facility is home to numerous underutilized light industrial structures, hotels and other smaller retail uses, many of which, particularly hotels and restaurants cater to airport passengers, not to the typical Warwick resident. Retail and restaurant uses dominate the intersection of Airport Road, and further north, neighborhood-serving retailers, fast food restaurants, and a large Walmart are found. Office and industrial properties line the northeastern stretch, particularly as you approach Pawtuxet." [Pages 3.14 - 3.16]

Airport-Generated Land Use - *"The success of T.F. Green has encouraged a range of uses to locate in the immediate area, including stores, hotels, and car rental businesses. Conventional auto-oriented retail development lines both sides of Post Road north and south of the airport in the Intermodal and Gateway districts. Development includes a number of service stations and restaurants, as well as banks, hotels, and small businesses. Hotels have been successful in the area, serving both the Providence-area market and business travel associated with the airport. The car rental facilities that occupied a large portion of land within the Intermodal District are now consolidated within the Warwick InterLink."* [WSDD Master Plan - Page 14]

"In establishing the Warwick Station Redevelopment District (WSRD) in 1998, the City of Warwick recognized the underutilized character of the land between the station and the airport and its potential for redevelopment to advance several public goals:" [WSDD Master Plan - Page 3]

- o "Create a place of identity and pride for Warwick and Rhode Island."
- o "Provide economic benefits for Warwick and the state."

The Comprehensive Plan also acknowledges that renewed 'general' and 'neighborhood' commercial-oriented developments are in-keeping with the respective goals and objectives of the community. An ever growing problem, and one that the City abhors, is the vast presence of underutilized and displeasing commercial enterprises along their vast commercial corridors.

1. General Principles for Land Use - **"One of the most important land use issues in Warwick is the condition of the city's arterial corridors. While a variety of viable neighborhoods of different vintages, housing types, and economic levels remain in Warwick, the majority of the non-residential development along the city's arterials is out of date, unattractive, functionally obsolete, and environmentally problematic. Ugly, auto-dominated, old-fashioned commercial development surrounded by wide expanses of parking and sometimes with "curb cuts" as wide as the entire lot is too common in Warwick. The land use issues identified in the discussion of Warwick's arterial corridors highlight over and over the need for a new set of design and development**

standards to be applied to new and redeveloped non-residential and multi-family development all over the city... [Page 12.16]

The Property is presently split-zoned, with the commercially improved front portion being physically located within the Warwick Station Development District (“WSDD”) and specifically zoned Warwick Station Gateway District (“WSG District”), and the rear parcels presently zoned in a Residential A-7 District (“A-7 District”) manner. The referenced districts are defined pursuant to Section 300 ‘Establishment and Classification of Districts’ of the Ordinance, in the following manner:

301.5. Residence A-7 district (A-7). *“Properties mapped in accordance with subsection 303 of this ordinance and used for high density residential use, comprising not more than one single-family dwelling unit per lot area measuring a minimum of 7,000 square feet.”*

301.11. Warwick Station Development District (WSDD). *“The Warwick Station Development District shall consist of that area presented in the Warwick Station Development District Master Plan and Warwick Comprehensive Community Plan. The Development District shall consist of two distinct zoning districts; the Intermodal District as defined in section 301.11A of this ordinance and the Gateway District as defined in subsection 301.11B of this ordinance, and as illustrated on the Warwick Zoning Ordinance Map. Warwick Planning Department and Planning Board are hereby authorized to carry out the purposes of the Warwick Station Development District.”*

301.11B. Warwick Station Gateway District (Gateway). *“Properties mapped in accordance with subsection 303 of this ordinance and which are **intended to serve as transitional areas** leading to the Intermodal District of the Warwick Station Development District from outlying areas, **including the Post Road and Airport Road general business districts. The Gateway District is intended to allow** limited commercial uses customarily associated with transportation facilities as well as **general commercial uses commonly allowed within general business districts. It is intended that this zone have a high quality of design associated with vehicular circulation and appropriate landscaping and architectural design intended to create a separate identity and a cohesive appearance distinguishable from the outlying areas.**”*

The referenced zoning districts are further substantiated by the Comprehensive Plan - Future Land Use map (“FLUM”), which illustrates that the front portion of the Property and all parcels lining Post Road are classified in a ‘Commercial’ land use manner and a small pocket of properties situated towards the interior, to include those comprising the rear portion of the Property in a ‘Residential - High’ land use manner. The ‘Commercial’ land use classification is described pursuant to the Comprehensive Plan [Page 12.19] as follows:

Commercial - *“**The Commercial land use category, which includes office uses, is located along Route 2; in specific lots along Post Road south of Centerville Road; in specific lots along Tollgate and Centerville Roads; and in scattered locations elsewhere in the city.**”*

This is corroborated by the WSDD Master Plan, as evidenced on the following page.



Master Plan context

PROPOSED REDEVELOPMENT

The Applicant proposes an entire raze and rebuild of the Property, realizing its full development potential, while instituting long missing site design elements (e.g., true drainage design) and in a manner that maintains neighborhood integrity. Two (2) district commercial facilities will be introduced. However, in response to concerns expressed by regulatory officials and neighborhood residents alike, and desire to develop the Property in a cooperative manner, the proposed development has evolved into a singular commercial facility with singular drive-thru component. The prior proposal entertained two (2) distinct commercial entities, both of whom would be serviced by a drive-thru window; one of which was dependent on a great deal of vehicular traffic, namely a fast-food restaurant. The present proposal posits a singular commercial facility, containing a retail entity (non drive-thru oriented) and banking operation. Although the banking facility will be improved in the customary fashion with a drive-thru feature, it is well-recognized that unlike all other commercial entities serviced by a drive-in window, a banking facility is limited in usage as further evidenced by hours-of-operation.

Off-street parking will continue to be maintained along the Post Road street frontage, however in a much enhanced coordinated manner; vehicular movement being directed towards new curb-openings situated away from the interior residential neighborhood.

Facade Design - “Locate major entrances on primary streets such as Imera Avenue, Fullerton Road, and Coronado Road, and at or near corners wherever possible. Strengthen all four corners of intersections by encouraging buildings to “wrap” around the corner, with primary façades facing both streets. Locate loading areas on side streets or service alleys and away from residential entrances.” [WSDD Master Plan - Page 37]

The revised development, unlike prior proposals, will now be fully compliant with respective off-street parking regulatory standards. Furthermore, and perhaps one of the most admirable measures proposed, is maintenance of a regulatory compliant residential parcel (measuring approximately 7,795 square feet); referenced parcel being situated along the entire southwesterly (rear) portion of the property, fronting Guilford Avenue. Furthermore, upwards of 54 linear feet of natural vegetative buffer will be maintained along the entire northwesterly (rear) portion of the property, fronting Pell Avenue. Finally, and equally important, considering the development will realize a greater quantity of land usage, is the dedication to green-space. The redevelopment proposal will maintain a dedicated landscape buffer and is committed to retaining in excess of approximately 52% of the Property in a naturally vegetated state, inclusive of the proposed residential parcel. Even without inclusion of the residential parcel, considering solely the commercial lot, the proposed green-space will still approach upwards of 43% of overall land area. The following illustration, excerpted from the Applicant’s submitted site plan package, details the subject revised redevelopment proposal [Credit: DiPrete Engineering].



It should also be emphasized that the Applicant has agreed to removing the rather dated and displeasing free-standing sign and replace it with a more tasteful and regulatory compliant monument sign, as anticipated by both the WSDD Master Plan and Design Guidelines.

Redevelopment and reuse, rather than exhausting what little green resources remain, is the preferred choice, as evidenced by the Comprehensive Plan.

3. Population and Land Use Trends - History, Growth and Development: “Today, with little land available for greenfield development, and changing demographics, the city faces different land use challenges..As an established community with little remaining greenfield development opportunities, Warwick, like many older suburbs, has entered the era when new investment and improvements must come through redevelopment.”
[Page 3.3]

From now on, it’s all about redevelopment - *“Warwick is a mature community with little undeveloped land. Improvements must come through redevelopment of previously developed land and through upgrading and redesign of public infrastructure and amenities for new residents and new businesses.”* [Executive Summary]

COMPREHENSIVE PLAN and WSDD MASTER PLAN - CONSISTENCY ANALYSIS

The Comprehensive Plan clearly evidences textual consistency; expressing support for both the general type of anticipated businesses, as well as proximate location.

2. Commercial and Industrial Uses - *“Commercial and industrial land in Warwick has expanded significantly over the years. As noted earlier, Warwick’s development pattern since World War II has been suburban in nature, leading to commercial development that accommodates, and relies on visibility from, automobile drivers along the city’s major thoroughfares. This shift has significantly affected the commercial landscape of the city. Although commercial uses were once centered in the traditional village centers, they now sprawl along major arterials throughout the city, with the largest commercial concentrations located in central and western portions of the city that are easily accessible from I-95 and I-295.”* [Page 3.13]

It can also be evidenced that during the Comprehensive Plan amendment public outreach process, there was general support for the redevelopment of commercial nodes, such as the property in question. This support was offered with the understanding that albeit alternate forms of transportation should be pursued, the City of Warwick is nevertheless reliant on the automobile.

B. Public Opinion Survey - Table [Page 2.3] ‘How important are these issues...?’

- o Job growth within the city - 73% indicated very important**
- o The level of taxes - 71% indicated very important**
- o Improving the appearance of major roads and commercial corridors - 61% indicated very important**

When asked to identify three of the most desirable characteristics or amenities in their neighborhood, nearly two-thirds of respondents included "location and conveniences to goods, services, and shopping," and half of respondents included "low crime rate." Other characteristics with strong support included "parks, recreation and open space," "good schools," and "sense of community." [Page 2.3]

B. Findings and Challenges

Findings [Page 12.3]

- o **"With few exceptions, development patterns in Warwick are auto-oriented."**

It should also be emphasized that the community seeks to enhance its commercial and industrial tax base. This assists in off-setting the disconcerting heavy reliance on residential property taxes. Redevelopment of an already improved commercial property, thereby averting disturbing whatever green resources remain, is a win-win for all parties, inclusive of the abutting residences.

Goal 1. *"Attract and retain business in key existing and emerging economic base industries."* [Page 8.17]

Policies

- o **"Implement land use policies that support a diversity of industries and promote a strong, stable tax base."**
- o *"Work to retain traditional industries that remain economically viable and have played an important role in the city's historical development."*
- o *"Invest in public infrastructure to catalyze private development."*

Goal: *"Public and private development meets high standards of design."* [Page 12.2]

- o *"Promote infill and redevelopment of outmoded/blighted commercial or industrial properties."*
- o *"Ensure that proposed new residential, business and industrial uses are compatible with the character and surrounding area."*

B. Findings and Challenges [Page 12.3]

Findings - *"Warwick is close to built-out and older non-residential areas will need to be redeveloped to meet the city's goals."*

Challenges - *"Supporting economic development without adverse impacts on residential neighborhoods and traffic."*

The WSDD Master Plan similarly corroborates the improvements to be realized, in particular the vast site enhancements and attention to architectural details.

Master Plan Highlights - *“The Master Plan provides a guiding framework for development of office, hotel, residential, and complementary retail and restaurant uses. It describes standards for establishing a high-quality public environment, including pedestrian-oriented streets and public spaces centered-around the InterLink, that will help create an environment to attract private development investment and establish a memorable, high-quality gateway to Warwick and Rhode Island. The overall configuration of uses, streets and buildings will create an environment that attracts new economic activity to the site and enhances quality of life for area residents and workers.”* [WSDD Master Plan - Page 22]

Master Plan Benefits - *“Implementing the Master Plan will bring major design and fiscal advantages to Warwick as compared to present land use and development patterns. Major benefits include.”* [WSDD Master Plan - Page 22]

- *“Regional job growth and economic development with potential for new on-site jobs.”*
- *“An increase in tax revenue on redeveloped property. A portion of this increase may be used to fund public infrastructure investments supporting redevelopment. The ultimate fiscal benefits depend on variables in financing, market conditions, and economic cycles.”*

Planning Principles -*“The following six planning principles represent the key redevelopment strategies that will most effectively achieve the three objectives in the Vision.”* [WSDD Master Plan - Page 24]

2. Create a flexible framework for accommodating development.

4. Design redevelopment to have a positive impact upon its neighbors.

Facade Design [WSDD Master Plan - Page 37]

“The building façade is perhaps the most influential element in creating an image of a place and defining its character. Buildings should have a clearly expressed base, middle, and top in order to relate to the pedestrian and to traditional mixed-use building types. This may be achieved through changes in material, fenestration, architectural detailing, or other methods.”

“To enhance the relationship between the interior and exterior of a building, employ transparent materials and interior lighting to maximize the visibility of street-level uses. Ground-floor façades of retail, office, and hotel buildings should be at least 50 percent transparent and allow a clear view from the sidewalk to the interior space of the building, where appropriate. Limit use of security grates to those types that are housed on the interior of a door or window system. Avoid blank walls along any street or pedestrian walkway.”

ZONE CHANGE: A.P. 322; LOT(S): Portion of Lot 167, and Entirety of Lots 168, 169, 182, and 183

From: 'RESIDENTIAL A-7 DISTRICT' To: 'WARWICK STATION GATEWAY DISTRICT

MAINTAIN: A.P. 322; Vast majority of Lot 167 (Approximately 70-feet by 111-feet, or 7,795 square feet) in its current 'RESIDENTIAL A-7 DISTRICT' zoning designation manner

A zone change is absolutely mandatory in order to realize successful development of the Property for appropriate commercial purposes. The results of the Comprehensive Plan and WSDD Master Plan analysis clearly acknowledges support for development of the Property and protection of the directly abutting residential neighborhood. The applicant thus seeks a zone change of the vast majority of the Property (as detailed above) from the present '**A-7 District**' designation to the '**Warwick Station Gateway District**' designation, reflecting existing A.P. 322, Lot 170, and proximate Post Road conditions, as well as fulfilling numerous Comprehensive Plan and WSDD Master Plan goals and objectives. The referenced zone change will ensure neighborhood character consistency. Furthermore, and as expressly permitted by Rhode Island Supreme Court case law, resulting dimensional deficiencies will be treated as special exceptions in conjunction with the detailed zone change. The referenced special exceptions are individually identified below.

1. Section 505.1(B) - "A 20-foot wide landscaped border shall be provided along any property line that abuts a residence district, PDR overlay district, residential PUD overlay district, or an open space district where such lot contains at least 5,000 square feet including any coastal or freshwater wetlands, as defined in Section 200."

Once again, maintenance of a regulatory compliant residential parcel (measuring approximately 7,795 square feet), is proposed along the entire southwesterly (rear) portion of the property, fronting Guilford Avenue. As a mere technicality, the respective Residential A-7 District boundary line extends further to the East along Guilford Drive, albeit not shared with any respective residences. A 20-foot landscaped buffer is not being provided along Guilford Drive, because there is literally no dissimilar land use necessitating buffering and/or screening. Nevertheless, out of an abundance of caution, a special exception is being pursued. The provided landscape buffer is ten-feet, incurring a ten-foot special exception.

2. Section 505.1(B) - "A 20-foot wide landscaped border shall be provided along any property line that abuts a residence district, PDR overlay district, residential PUD overlay district, or an open space district where such lot contains at least 5,000 square feet including any coastal or freshwater wetlands, as defined in Section 200."

Upwards of 54 linear feet of natural vegetative buffer will be maintained along the entire northwesterly (rear) portion of the property, fronting Pell Avenue. Once again, as a mere technicality, the respective Residential A-7 District boundary line extends further to the East

along Pell Avenue, albeit not shared with any respective residences. A 20-foot landscaped buffer is not being provided along Pell Avenue, because there is literally no dissimilar land use necessitating buffering and/or screening. Nevertheless, out of an abundance of caution, a special exception is being pursued. The provided landscape buffer is ten-feet, incurring a ten-foot special exception.

COMPREHENSIVE PLAN - FLUM CONSISTENCY - LAND USE RECLASSIFICATION:
A.P. 322; LOT(S): Portion of Lot 167, and Entirety of Lots 168, 169, 182, and 183
From: 'RESIDENTIAL - HIGH' To: 'COMMERCIAL'

MAINTAIN: A.P. 322; Vast majority of Lot 167 (Approximately 70-feet by 111-feet, or 7,795 square feet) in its current 'RESIDENTIAL - HIGH' land use classification manner

The applicant is required by law to evidence consistency with the Comprehensive Plan, and more importantly the FLUM. R.I.G.L. 45-24-50 – “Consistency with Comprehensive Plan,” specifically grants local communities the authority to amend their Ordinances, when it is done so for the purpose of promoting the public health, safety, morals and general welfare. An Ordinance amendment, including change to the official zoning map, must first evidence consistency with the Comprehensive Plan. Textual consistency has already been affirmed, however there must also be agreement between the FLUM and the proposed zone change. Consistency with the FLUM, which reflects, “...*the preferred or acceptable patterns of land use...*” is legally mandatory. Evidence of this consistency must be satisfied, otherwise RIGL mandates a Comprehensive Plan amendment. It is the professional opinion of this land use consultant that although A.P. 322, portion of Lot 167, and entirety of Lot(s) 168, 169, 182, and 183, are classified in '**Residential - High**' land use manner, given the numerous goals and objectives to be realized and resulting neighborhood compatibility, reclassification to '**Commercial**' is appropriate. This opinion is corroborated by the Comprehensive Plan [Page 12.16], as evidenced by the following:

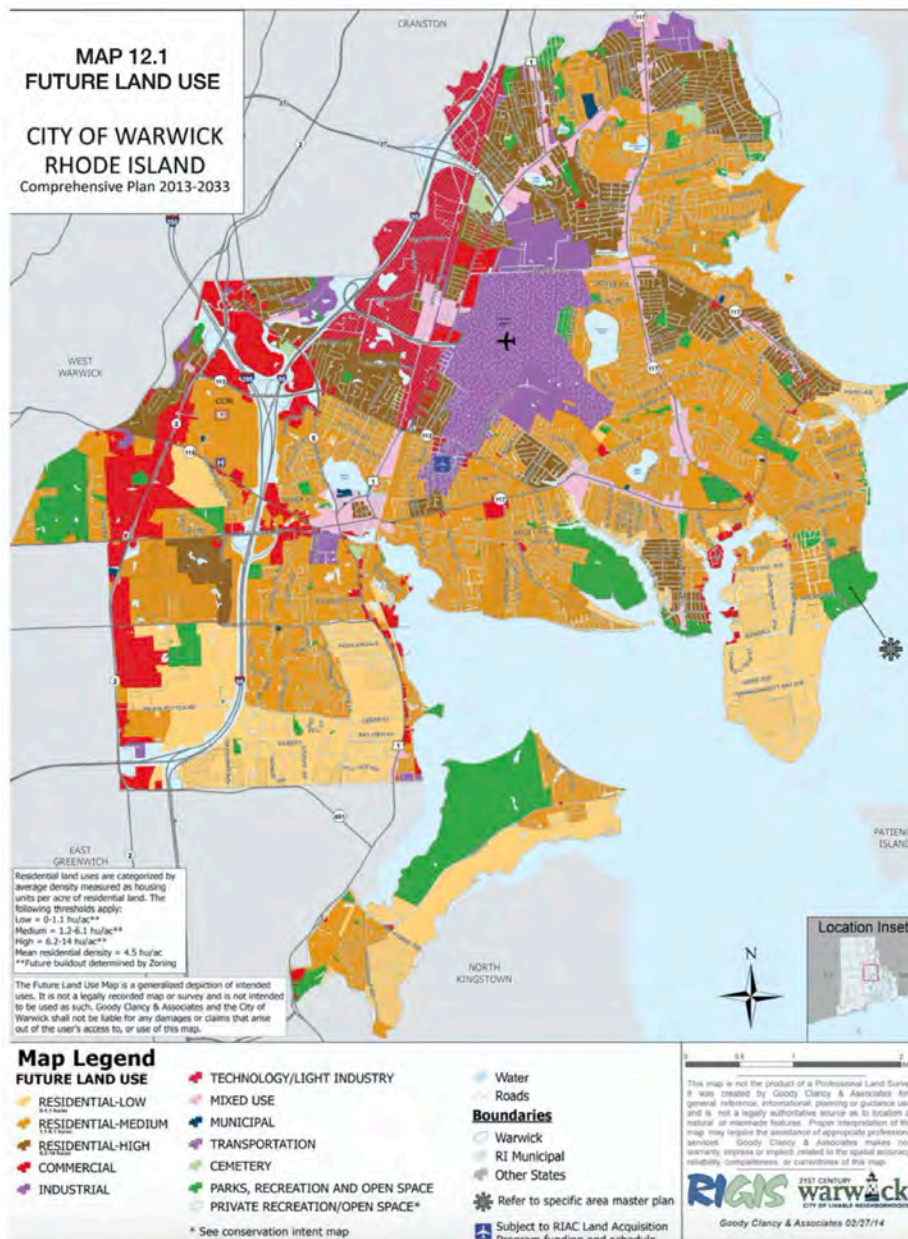
1. General Principles for Land Use: *“The “General Principles to Guide Future Land Use” provide a set of policy principles to guide decision making about land use changes and associated zoning amendments. These principles are based on community discussions during the planning process, the land use patterns necessary to support other goals (such as transportation, connectivity and environmental goals), and economic development considerations.”*

“One of the most important land use issues in Warwick is the condition of the city's arterial corridors. While a variety of viable neighborhoods of different vintages, housing types, and economic levels remain in Warwick, the majority of the non-residential development along the city's arterials is out of date, unattractive, functionally obsolete, and environmentally problematic. Ugly, auto-dominated, old-fashioned commercial development surrounded by wide expanses of parking and sometimes with “curb cuts” as

wide as the entire lot is too common in Warwick. The land use issues identified in the discussion of Warwick’s arterial corridors highlight over and over the need for a new set of design and development standards to be applied to new and redeveloped non-residential and multi-family development all over the city. In addition, many of these corridors currently have “General Business” zoning that encourage sprawling, low-density commercial development with the accompanying multiplication of curb cuts and traffic congestion. Many of the corridors continue to have residential segments, and preservation of those segments is desirable, in order to promote consolidation of commercial uses in walkable environments or the city’s regional commercial center.”

“Any land use map for the future is inevitably based on the existing uses. Some land uses are less susceptible to change once they have been established...”

The FLUM is provided below to affirm the presence of a variety of land uses, and most importantly the proximate ‘Commercial’ presence, thereby averting any potential argument regarding ‘improper spot zoning.’



CONCLUSION

In summary, this planning consultant professionally believes that the Planning Board should not have any reservation in granting Master LDP approval and forwarding a positive recommendation to the Warwick City Council in regard to the requested zone change / comprehensive plan amendment, with special exceptions. The proposed changes are purely for the purpose of realizing appropriate Gateway Commercial development. It will also afford proximate neighborhood preservation and protection.

My professional opinion is based upon the manner in which the proposed redevelopment can be well incorporated into the overall fabric of the surrounding heavily commercialized Post Road neighborhood, while recognizing the unique goals and objectives of the Comprehensive Plan and WSDD Master Plan.