



CITY OF WARWICK

FRANK J. PICOZZI, MAYOR

May 2024

Premier Land Development, Inc/DNC Holdings
56 Pine Street, 3rd Floor
Providence, RI 02903

State of Rhode Island
Department of Transportation Relocations

RE: Assessor's Plat 322, Assessor's Lots 167-170, 182, 183
1795 Post Road

The following is the decision on your application for Preliminary Plan Approval of a Major Land Development Project with Subdivision and Zone Change, heard by the Warwick Planning Board at the regularly scheduled meeting held on May 8, 2024.

The applicant is proposing to create two-new lots to support a commercial building of 5,040 Square Feet with associated parking. The proposed use is to be a bank with drive-through and an additional retail tenant. There is a total of 26 proposed parking spaces on site. The main access is proposed from an upgraded signal with curb-cut at the Post Road and Airport Road intersection. An additional two-way access point is also proposed for Guilford Avenue. No access is proposed for Pell Avenue.

After completion of the Public Hearing, for which notice was served and a record was kept, the Warwick Planning Board taking into consideration its knowledge and expertise, and after considering all of the representations and presentations made at the Public Meeting, found this proposal to be generally consistent with RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statements* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*, as follows:

1. That the proposal is generally consistent with the *City of Warwick, Comprehensive Plan 2033*, or must satisfactorily address issues where there may be inconsistencies, as follows:
 - a. A stated land use issue/concern relating to traffic on Airport Road in *Chapter 12, Section J*, of the *Comprehensive Plan, Future Land Use, Zoning and Urban Design* element is the "potential traffic impacts of future development or redevelopment." Additionally *Chapter 9 Transportation and Circulation* (9.9 narrative) notes that the Airport Road/Post Road intersection have lane groups that operate at a Level of Service (LOS) E or F during the morning or evening peak hours. It also further identifies the intersection as one of the fifty-most dangerous in the State in 2011. Planning staff noted concerns about potential lane delays associated with the proposed development, and the resulting impact on the Airport Road and Post Road

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intersection. Additional concerns include traffic circulation impacts on Guilford Avenue where an existing curb cut is proposed to remain. The Applicant's Traffic Engineer (BETA) submitted an analysis that concluded that "*The low volume of driveway traffic will typically result in on to two vehicles being services during a phase call on the driveway, requiring minimal green time in the overall signal cycle and increases in overall intersection delay of only two and six seconds.*"

- b. The project involves the redevelopment of a highly-visible, vacant and dilapidated property that is in need of reinvestment. The applicant is proposing to completely renovate the site with substantial improvements to the overall site layout, landscaping, stormwater management, and signage. *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* element states that 60 percent of Comprehensive Plan survey respondents indicated that improving the appearance of major roads and commercial corridors is "very important." The project is consistent with this Comprehensive Plan element, provided the landscaping, signage, and building features conform to all current zoning requirements or required relief is granted.
- c. A stated policy in *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* element is to "ensure that proposed new residential, business and industrial uses are compatible with the character and surrounding area," and the *General Principles to Guide Future Land Use* includes a policy to "Limit commercial intrusion into residential neighborhoods" (12.15). The proposed project parcel is located along the heavily traveled Post Road commercial corridor and also directly abuts a densely-developed residential neighborhood. The project proposes a rezoning of several parcels of land from residential (A7) to a commercial zone (Gateway). Planning staff stated concerns about the visual impact of the building and its lighting; and traffic and circulation impacts from the project on the residential roadways. To address these concerns and to maintain consistency with the Comprehensive Plan, the applicant is proposing mitigation measures that include: a new curb cut at the signalized intersection; landscape screening and buffering; shielded lighting and protection of land for buffering. The project is therefore consistent with this element of the Comprehensive Plan provided that the landscape buffer is properly constructed and maintained for the life of the project.
- d. *The City Centre Warwick Master Plan (aka "Warwick Station Development District") Land Use Guidelines (p31)* states that "A balanced mix of land uses will be an important component of successful redevelopment of the area. Mixed-use development will help keep the area active and safe during evening as well as daytime hours, help it serve a wide variety of people, and allow development some flexibility to follow market opportunities." The proposed, mixed-use development is consistent this element of the Comprehensive Plan.
- e. The *City Centre Warwick Design Guidelines* identifies this parcel as being located in Character Area 2 which is defined as a "Perimeter Area" which is "an area that

promotes a range of uses that accommodate cars while still encouraging pedestrian activity and an area that allows more flexible building forms than the (Intermodal) Core” and finds that “one-story buildings are allowed in Perimeter areas” (p12). The CCW Design Manual further states that Gateway areas “are to be developed to respond to the character of the architecture they frame.” The proposed development is consistent with the Design Guidelines as the project has been designed to balance the need for redevelopment and commercial expansion with a suitable, one-story, mixed-use building that serves the neighborhood and functions as a properly located commercial use along the busy Post Road corridor.

2. That the proposal is in compliance with the standards and provisions of the City’s Zoning Ordinance in consideration of the following:
 - a. The applicant received a zone change for a portion of the property from the Warwick City Council (**PCO-20-22; O-22-20** November 23, 2022) from A-7 residential to City Centre Warwick Gateway (G) with variances for landscaping and setback from an abutting residential district. (10’/20’).
3. That there will be no significant negative environmental impact from the proposed development on the final plan provided the project complies with all conditions of approval contained in the *Rhode Island Department of Environmental Management Office of Water Resources (RIDEM OWR)* and the *RIDEM Groundwater Discharge/Underground Injection Control Permit Numbers WQC/STW File No. 22-254; UIC File No. 002159* dated January 25, 2023.
4. That the development, as proposed, 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 in consideration of the following:
 - a. The applicant is proposing to create 2 new lots; one lot for the proposed development and an additional lot not for development.
5. That the proposed development possesses adequate and permanent access to a public street in consideration of the following:
 - a. While Department staff expressed concerns relative to the impact on the intersection in terms of increased delays at the signalized intersection; the Applicant has presented a Traffic Impact Study by a professional traffic engineer (Beta) that included a review of recent developments that would impact the intersection. “*The findings of the operational analysis determined that the estimated increase in traffic during the peak periods resulting from the proposed commercial redevelopment project will result in increased delays on the Post Road and Airport Road approaches for some movements, though will remain at acceptable LOS of D or better during the daily peak hours with the recommended driveway and phasing/timing modifications. The low volume of driveway traffic will typically result in one to two vehicles being serviced during a phase call on the driveway,*

requiring minimal green time in the overall signal cycle and increases in overall intersection delay of only two and six seconds.”

- b. The *Rhode Island Department of Transportation* (RIDOT) has found the project to meet the design regulations of the State of Rhode Island by authorizing the issuance of a *Physical Alteration Permit* subject to bonding and insurance. RIDOT Physical Alteration Permit Application (PAPA) **No. 23-70** dated March 8, 2024.

Conditions of Approval:

1. That all Plans shall comply with "Rules and Regulations for Professional Land Surveying in the State of Rhode Island", effective date November 25, 2015.
2. That the Applicant shall submit a Final Land Development Plan that complies with Appendix C, Final Application, of the City's *Development Review Regulations Governing Subdivisions, Land Development Projects, and Development Plan Review*, last amendment dated March 14, 2001.
3. All work must be in accordance with all conditions of approval from the City Council zone change, the Rhode Island Department of Environmental Management (RI DEM) and the Rhode Island Department of Transportation (RI DOT).
4. A Soil Erosion and Sediment Control permit must be obtained from the City of Warwick Building Department prior to the commencement of any construction activities, including vegetation clearing and earthwork.
5. Soil erosion and sediment control measures must be properly maintained throughout construction.
6. The Design Engineer must inspect the installation of the Stormwater Management System and submit a certification that the construction substantially conforms to the approved plans prior to the Certificate of Occupancy. In addition, the Design Engineer must prepare an as-built plan of the System; highlighting any significant deviations from the approved plan. Deviations from the approved design plan will require prior authorization from the Approving Authority.
7. The Property Owner must be provided with the as-built plan and the Operation and Maintenance Plan for the Stormwater Management System. The Property Owner shall be responsible for the operation and maintenance of all proposed stormwater mitigation measures.
8. Protect all RI Highway Bounds and permanent survey markers throughout the completion of the project. Should any monuments be disturbed, the property owner shall be responsible to have a qualified professional reinstall the monuments.

9. There shall be no architectural, landscaping or natural barriers to prevent easy access of fire apparatus.
10. That an adequate number of fire hydrants be provided throughout the development spaced 300 Ft. apart and providing a minimum of 1000 GPM. Sprinklered buildings require a hydrant within 100 Ft. of the Fire Department Connection (FDC). In addition, the Fire Department shall review all plans for compliance with all life safety codes and issues.
11. That the Applicant shall comply with all of applicable requirements of the Warwick Sewer Authority (WSA), including the Collection, Industrial/Commercial Pretreatment and Billing Departments. Prior to demolition of the existing building the developer shall obtain a WSA Demolition Permit and have an inspector present at the cutting and capping of the line. Prior to reconnection, a WSA Connection Permit is required and an inspector shall be present to witness the connection.
12. Any current water or fire service not to be reused, must be cutoff at the water main. Any services that will be utilized again in the future must be cut and whip installed at the curb stop before the Water Division will authorize a demolition permit.
13. The Final landscape plan shall require review and approval by the City Landscape Project Coordinator. All landscaping must be maintained throughout the entire life of the project and any plant material that dies within this time period shall be replaced by the owner. The lot "not for development" shall be continuously maintained by the property owner.

Sincerely,

Philip Slocum, Chair
Warwick Planning Board