



CITY OF WARWICK

JOSEPH J. SOLOMON, MAYOR

April 19, 2019

Michael Kent
39 Nooseneck Hill Road
West Greenwich, RI 02817

RE: Assessor's Plat 241
Assessor's Lot 010
1009 Centerville Road

Dear Applicant:

The following is the decision on your application for Preliminary Approval of a Major Land Development Project/Subdivision, heard by the Warwick Planning Board at the regularly scheduled meeting held on April 10, 2019. The proposed development consists of the construction of a 2,596 square foot, 60 seat restaurant building, and associated site improvements. There will be with no drive through window with this use.

The proposed development is sited on one (1) Assessor's Lot, with an area of 16,971 square feet. The existing single family dwelling and accessory structures have been demolished. The site is located on the northerly side of Centerville Road (Route 117) and abuts a large, existing shopping center, which has a signalized access. Existing land uses in the immediate area of the parcel can be defined as generally commercial in nature, and include restaurant, fast food restaurant and retail uses.

After completion of the public hearing, for which 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 hearing, found this proposal to be generally consistent with RIGL 45-23-30, with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and that this proposal meets the Standard Provisions of RIGL 45-23-60, and made the following findings of facts:

1. That the proposal is generally consistent with the City of Warwick, Comprehensive Plan 2033, (Comprehensive Plan) which finds that land development in the future will increasingly involve redevelopment of previously used sites.

Over 60 percent of City residents who responded to a Comprehensive Plan survey indicated that improving the appearance of major roads and commercial corridors is “very important”.

That Chapter 12 of the Comprehensive Plan, the Future Land Use, Zoning and Urban Design element, states as a Goal, that Warwick has sufficient diversity of land uses to support a strong and stable tax base, and to continue to balance land uses, particularly between regional retail and non-retail commercial uses.

That the Future Land Use Map (FLUM) as contained in the Comprehensive Plan 2033, shows this area as commercial uses.

2. That the existing land uses in the immediate area of the parcel can be defined as generally commercial in nature. The site is located at the northerly side of Centerville Road (Route 117), and abuts a large, existing retail development (including TGI Fridays, Chick Fil-A, Michaels, LA Fitness). Across from the site, on the southerly side of Centerville Road (Route 117), is an existing retail development, which includes a fast food restaurant (Dunkin Donuts).
3. That the subject parcel is in compliance with the standards and provisions of the City’s Zoning Ordinance, having received City Council approval for a Zone Change, PCO-18-17, changing the zoning from Residential A-15, to General Business (GB), with waivers for less-than-required building front setback from both Centerville Road (Route 117) and Bald Hill Road (Route 2, no access), less-than-required interior landscape and landscape buffer, and less-than-required parking area setback from the roadway frontage.
4. That the development will be accessed by a single, un-signalized, full-service driveway located on Centerville Road (Route 117). The Applicant has received Rhode Island Department of Transportation (RI DOT) approval of Physical Alteration Permit Application No. 171213.
5. That a traffic report, prepared by RAB Professional Engineers, Inc., dated May 5, 2016, concludes that “...based upon the data collected on the servicing roadways, and the analysis completed as part of this study, it can be concluded that the proposed commercial redevelopment project has adequate and safe access to a public street, and will not have a detrimental effect on public safety and welfare in the study area.”
6. That the traffic report, prepared by RAB Professional Engineers, Inc., dated May 5, 2016, Table 3, Level of Service Summary indicates that the site driveway will be a LOS D for the afternoon peak hour, with typically one to two vehicles waiting to exit the site driveway at any one time due to the minor driveway volumes.

7. 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.
8. That the project will not result in a significant negative environmental impact provided that it complies with the most current version of Rhode Island Department of Environmental Management's *Stormwater Design and Installation Standards Manual*, and is designed to demonstrate zero-net runoff from the proposed development.
9. That there is no sewer service available to the site. The building shall be serviced by an On Site Wastewater Treatment System (OWTS), as approved by the Rhode Island Department of Environmental Management (RI DEM).
10. That water is available to the subject property, provided by the Kent County Water Authority (KCWA).

Based on the foregoing findings of fact, on a motion by Ms. Bataille, seconded by Mr. Catalano, the Warwick Planning Board voted seven (7) in favor to grant Preliminary approval, with Final approval to be through the Administrative Officer, upon compliance with the following stipulations:

1. That the Final Plan shall comply with Section 3.02C of the Procedural & Technical Standards for the Practice of Land Surveying in the State of Rhode Island and Providence Plantations, Effective November 25, 2015.
2. That a Soil Erosion and Sediment control Permit shall be obtained from the Building Department prior to the commencement of any work on-site; soil and sediment control measures shall be properly maintained throughout construction.
3. That the Project Engineer shall inspect the installation of the Stormwater Management System and submit a certification that the construction substantially conforms to the approved plans. In addition, the Project Engineer shall prepare an as-built plan of the system, highlighting any significant deviations from the approved plan. Changes from the approved design plan will require prior authorization from the Approving Authority.
4. That the Property Owners shall be provided with the as-built plan and the Operation and Maintenance Plan for the Stormwater Management System; the Property Owners shall be responsible for the long-term maintenance and operation of the Stormwater Management System and shall submit an annual report detailing all inspections and maintenance performed on the System to the Department of Public Works.
5. That the site lighting shall be Dark Sky compliant, to the extent practicable. All exterior lighting and signage shall be designed to minimize negative impacts on neighboring properties. Glare from outdoor lights, signs, and from the movement of vehicles on site shall be shielded from the view of adjacent properties.

6. That all signage shall conform to the standards of the Warwick Zoning Ordinance, Section 800. Please note that LED advertising message boards are prohibited.
7. That prior to the issuance of any permits for construction of the building, the Warwick Fire Department shall review the plans for compliance with all life safety codes and issues.
8. That, this project has an approved Landscape Plan, prepared and stamped by a registered Rhode Island Landscape Architect. Prior to Final recording, the Applicant shall provide a performance bond for the landscape installation.
9. That prior to the issuance of a Certificate of Occupancy (CO), a wooden guard rail or fencing shall be installed along the easterly property line of Assessor's Plat 241, Assessor's Lot 10, between the site and the abutting commercial development (TGI Friday's parking area).
10. That due to site constraints, there shall be no drive-thru use allowed at this site. This shall be clearly noted on the Final Plan.
11. That City Council approved zone change, PC0-18-17 is contingent upon an allowed General Business (GB) use which presents no impact on the early morning peak travel times on that section of Centerville Road (Route 117). If an otherwise allowed GB use is proposed that has hours of operation that include early morning peak travel times, than a revised traffic study shall be required to be submitted to the Administrative Officer and/or the Planning Board for review and approval of that use prior to any permitting. The Planning Department or Board reserves the right in this position to require the traffic study at the Applicant's expense.

Sincerely,



Phillip Slocum, Chair
Warwick Planning Board

RECORDED
Apr 22, 2019 01:25P
Lynn D'Abrosca
Deputy City Clerk
City of Warwick, RI