

PCD-14-19



MOSES RYAN LTD  
attorneys

*Kerin L. Browning*  
*kbrowning@marlawri.com*

May 13, 2019

Ms. Lynn D'Abrosca  
City Clerk  
Warwick City Hall  
3275 Post Road  
Warwick, Rhode Island 02886

**Re: 578 LLC Request for Zone Change for Property at 578 Greenwich Avenue**

Dear Ms. D'Abrosca:

Please accept this correspondence on behalf of 578 LLC (the "Applicant"). The Applicant is requesting a zone change for the property at 578 Greenwich Avenue, Warwick, Rhode Island (Assessor's Plat 270, Lot 1). A change of zone is requested from General Business (GB) and Residential A-7 to General Business (GB) for the entire parcel, with relief from several of the literal requirements of the Zoning Ordinance.

The Applicant received a positive recommendation on this petition from the Warwick Planning Board on May 8, 2019.

In support of the proposed zone change, enclosed are 11 copies of the following:

- Correspondence to City Council and Petition to City for Amendment to the Zoning Ordinance;
- Proposed ordinance including zoning relief;
- Certified legal description of the property;
- Existing map;
- Proposed map;
- 200' radius map;
- 200' abutters list; and
- Planning Report of Joseph D. Lombardo, AICP.

Also enclosed is a copy of our letter to the Council President requesting that this petition be granted under the Council's discretionary powers as defined under Camara v. City of Warwick, 116 R.I. 395, 358 A.2d 23 (RI Supreme Court (1976)) and as set forth by statute in RIGL § 45-24-50.

Please contact us when the fee for this application has been calculated and when a hearing date has been scheduled.

Ms. Lynn D'Abrosca  
City Clerk  
May 13, 2019  
Page 2

Thank you for your attention to this matter. If you have any questions or concerns, or if you should require any additional information, please contact our office.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kerin L. Browning". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Kerin L. Browning

Enclosures

cc: K. Joseph Shekarchi, Esquire (via electronic mail)  
Ms. Trish Reynolds (via electronic mail)



MOSES RYAN LTD  
attorneys

*Kerin L. Browning*  
*kbrowning@marlawri.com*

May 13, 2019

Mr. Steve Merolla, Council President  
c/o Ms. Lynn D'Abrosca, City Clerk's Office  
Warwick City Council  
3275 Post Road  
Warwick, Rhode Island 02886

**Re: 578 LLC Request for Zone Change for Property at 578 Greenwich Avenue**

Dear Council President Merolla:

This office represents 578 LLC. On our client's behalf, we have filed a zone change application with the City Clerk's office. As part of that zone change, we are requesting zoning exemptions for multiple uses on a lot, setbacks/buffers, parking, and signage requirements. We are making these requests under the Council discretionary powers, as defined under Camara v. City of Warwick, 116 R.I. 395, 358 A.2d 23 (RI Supreme Court (1976)) and as set forth by statute in RIGL § 45-24-50.

This zoning exception request is consistent with past zone change petitions that have been granted by the Warwick City Council. If you or any member of the Council have any questions or would like to meet with me or any member of the development team, please feel free to contact me.

Thank you for your consideration of this request.

Very truly yours,

Kerin L. Browning

*\\CARPIONATO\578 Greenwich Ave\Master Plan\Zone Change\Camara Zone Request 5.13.19.doc*

**PETITION REQUESTING AN AMENDMENT TO THE ZONING  
ORDINANCE OF THE CITY OF WARWICK**

To the Honorable City Council of Warwick:

Respectfully represent: Carpionato Group, LLC

who furnishes the following information in connection with (his-her) request for an Amendment to the Zoning Law.

Amendment to the Zoning Law:

1. Ownership of Premises: 578 LLC  
1414 Atwood Avenue (Name)  
Johnston, RI 02919 (Address)

(Furnish name of title owner of property and address of owner)

2. Description of Premises: Plat No. 270 Lot(s) No. 1  
Street 578 Greenwich Avenue Ward 8

(Furnish Assessor's Plat and Lot numbers and Name of Street and Ward Number)

3. Present Zoning Classification: GB & A7  
4. Zoning Change Requested GB with conditions; see attached proposed ordinance  
5. Reasons for Proposed Change: \_\_\_\_\_  
Development of currently vacant land  
\_\_\_\_\_  
\_\_\_\_\_

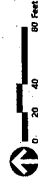
WHEREFORE, it is respectfully requested that the Zoning Law be amended by changing the Zoning Classification of the above described premises from GB & A7

to GB (with conditions)

Respectfully Submitted,

  
(Signature of Owner and Petitioner)

**Moses Ryan Ltd. as attorney for owner/petitioner**



**Proposed Commercial Development**

578 Greenwich Avenue  
 Pawtucket, Rhode Island

Plat	Lot	Area	Notes
Plat 270	Lot 364		
Plat 270	Lot 383		
Plat 270	Lot 382		
Plat 270	Lot 381		
Plat 270	Lot 380		
Plat 270	Lot 91		
Plat 270	Lot 89		
Plat 270	Lot 88		
Plat 270	Lot 87		
Plat 270	Lot 86		
Plat 270	Lot 85		
Plat 270	Lot 79		
Plat 270	Lot 81		
Plat 270	Lot 13		
Plat 270	Lot 135		
Plat 270	Lot 136		
Plat 270	Lot 21		
Plat 270	Lot 27		
Plat 270	Lot 37		
Plat 270	Lot 35		
Plat 270	Lot 31		
Plat 270	Lot 466		
Plat 270	Lot 465		
Plat 270	Lot 467		
Plat 270	Lot 468		
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Plat 270	Lot 492		
Plat 270	Lot 493		
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Plat 270	Lot 496		
Plat 270	Lot 497		
Plat 270	Lot 498		
Plat 270	Lot 499		
Plat 270	Lot 500		

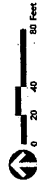
Zone Change March 07, 2019

Not Approved for Construction

Existing Zone  
 Conditions

1  
 No. 6817  
 3/7/19  
 73016.00





**Proposed Commercial  
 Development**

578 Greenwich Avenue  
 Warwick, Rhode Island

Zone Change

March 07, 2019

Not Approved for Construction

**Proposed Zone  
 Conditions**

Plat: Lot:

Plat: Lot:

Plat: Lot:

Plat: Lot:

Plat: Lot:

Plat: Lot:

Plat: Lot:

Plat: Lot:

Plat: Lot:

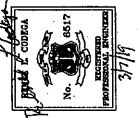
Plat: Lot:

Plat: Lot:

Plat: Lot:

Plat: Lot:

Plat: Lot:

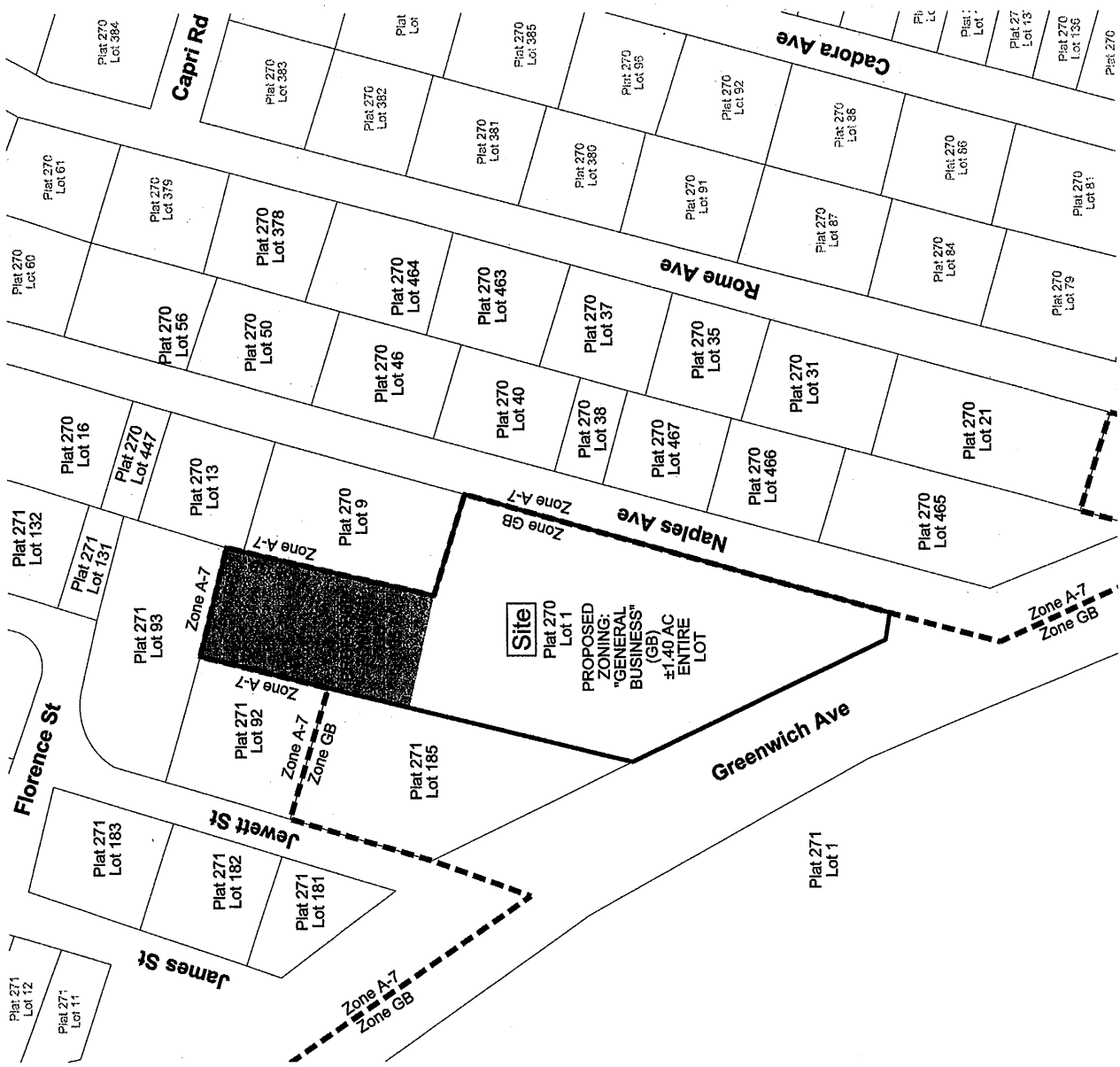


2

2

2

72016.00



200 foot abutters to Assessor's Plat 270, Lot 1 page 1 of 2  
Prepared on March 7, 2019

Plat: 271 Lot: 1  
Owner: FIVE-ONE THIRTEEN LLC  
Location: 555 GREENWICH AVE  
Mailing: 1414 Atwood Avenue, Johnston, RI 02919

Plat: 271 Lot: 185  
Owner: SALVATION ARMY OF R I INC  
Location: 560 GREENWICH AVE  
Mailing: 440 West Nyack Road, West Nyack, NY 10994

Plat 271 Lot: 181  
Owner: GREATREX CORP  
Location: GREENWICH AVE  
Mailing: PO Box 5055, Greene, RI 02827

Plat: 271 Lot: 92  
Owner: MART, ANTONY  
Location: 16 JEWETT ST  
Mailing: 16 Jewett Street, Warwick, RI 02886

Plat 271 Lot: 182  
Owner: SUWITYARAT, TARAHL  
Location: 15 Jewett Street  
Mailing: 15 Jewett Street, Warwick, RI 02886

Plat 271 Lot: 93  
Owner: BRAMBLE, WILLIAM S  
Location: 2 Jewett Street  
Mailing: 2 Jewett Street, Warwick, RI 02886

Plat 271 Lot: 183  
Owner: CARANO, JOSEPH A III  
Location: 9 JEWETT ST  
Mailing: 9 Jewett Street, Warwick, RI 02886

Plat: 271 Lot: 58  
Owner: WOOD, ASHELY N  
Location: 160 JAMES ST  
Mailing: 160 James Street, Warwick, RI 02886

Plat: 271 Lot: 95  
Owner: MEAS, HENG  
Location: 171 EDMAN ST  
Mailing: 171 Edman Street, Warwick, RI 02888

Plat: 271 Lot: 97  
Owner CHACE, ROBERT W JR  
Location 163 EDMAN ST  
Mailing: 163 Edman Street, Warwick, RI 02886

Plat: 271 Lot 132:  
Owner: BANNON, MICHAEL  
Location: 170 EDMAN ST  
Mailing: 170 Edman Street, Warwick, RI 02886

Plat: 271 Lot: 131  
Owner: BRAMBLE, WILLIAM  
Location: FLORENCE ST  
Mailing: 2 Jewett Street, Warwick, RI 02886

Plat: 270 Lot: 16  
Owner: TARIQ, QUDRAT  
Location: 89 NAPLES AVE  
Mailing: 89 Naples Avenue, Warwick, RI 02886

Plat: 270 Lot: 447  
Owner: BUCCI, ALEXANDER M & BOYD, COURTNEY E  
Location: NAPLES AVE  
Mailing: 99 Naples Avenue, Warwick, RI 02886

Plat: 270 Lot: 13  
Owner: BUCCI, ALEXANDER M & BOYD, COURTNEY E  
Location: 99 NAPLES AVE  
Mailing: 99 Naples Avenue, Warwick, RI 02886

Plat: 270 Lot: 9  
Owner: GROSSI, PETER L  
Location: 115 NAPLES AVE  
Mailing: 115 Naples Avenue, Warwick, RI 02886

Plat: 270 Lot: 56  
Owner: DRESS FAMILY TRUST 2017  
Location: 96 NAPLES AVE  
Mailing: 96 Naples Avenue, Warwick, RI 02886

Plat: 270 Lot: 50  
Owner: FORAND, GERALD R  
Location: 100 NAPLES AVE  
Mailing: 100 Naples Avenue, Warwick, RI 02886

Plat: 270 Lot: 378  
Owner: ROGERS, LESLIE TRUST  
Location: 95 ROME AVE  
Mailing: 95 Rome Avenue, Warwick, RI 02886

Plat: 270 Lot: 46  
Owner: MARTINEZ, MARIA ELORITA PASCO  
Location: 120 NAPLES AVE  
Mailing: 120 Naples Avenue, Warwick, RI 02886

Plat: 270 Lot: 464  
Owner: NELSON, JON  
Location: 105 ROME AVE  
Mailing: 105 Rome Avenue, Warwick, RI 02886

200 foot abutters to Assessor's Plat 270, Lot 1 page 2 of 2

Prepared on March 7, 2019

Plat: 270 Lot: 40  
Owner: CHIN, STEPHANIE  
Location: 130 NAPLES AVE  
Mailing: 130 Naples Avenue, Warwick, RI 02886

Plat: 270 Lot: 463  
Owner: COSKI, DANIEL  
Location: 115 ROME AVE  
Mailing: 115 Rome Avenue, Warwick, RI 02886

Plat: 270 Lot: 38  
Owner: CHIN, STEPHANIE  
Location: NAPLES AVE  
Mailing: 130 Naples Avenue, Warwick, RI 02886

Plat: 270 Lot: 37  
Owner: VALLETTA, VINCENT  
Location: 125 ROME AVE  
Mailing: 125 Rome Avenue, Warwick, RI 02886

Plat: 270 Lot: 467  
Owner: RAYMOND, DARLENE P  
Location: 144 NAPLES AVE  
Mailing: 144 Naples Avenue, Warwick, RI 02886

Plat: 270 Lot: 35  
Owner: EVANGELISTA, JOSEPH  
Location: 133 ROME AVE  
Mailing: 133 Rome Avenue, Warwick, RI 02886

Plat: 270 Lot: 466  
Owner: CATELLI, JOSEPH L  
Location: 152 NAPLES AVE  
Mailing: 612 Greenwich Avenue, Warwick, RI 02886

Plat: 270 Lot: 31  
Owner: ROYAL, DIANE  
Location: 141 ROME AVE  
Mailing: 141 Rome Avenue, Warwick, RI 02886

Plat: 270 Lot: 465  
Owner: OFFSHORE DEVELOPMENT LLC  
Location: 612 GREENWICH AVE  
Mailing: 612 Greenwich Avenue, Warwick, RI 02886

Plat: 270 Lot: 21  
Owner: PASTORE MARGARET M LIFE ESTATE  
Location: 161 ROME AVE  
Mailing: 161 Rome Avenue, Warwick, RI 02886

Plat: 270 Lot: 20  
Owner: PASTORE, MARGARET M LIFE EST  
Location: 622 GREENWICH AVE  
Mailing: 161 Rome Avenue, Warwick, RI 02886



**THE CITY OF WARWICK  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CHAPTER ARTICLE**

**APPENDIX A  
ZONING**

*No.* \_\_\_\_\_ *Date* \_\_\_\_\_

*Approved* \_\_\_\_\_ *Mayor*

**AN ORDINANCE AMENDING THE ZONING OF THE CITY OF WARWICK, 578 LLC,  
PETITIONER**

*Be it ordained by the City of Warwick:*

Section I. The Zoning Map and the Record Book of Lot Classifications which are a part of the Zoning Ordinance of the City of Warwick are hereby amended by changing the classification of the following described premises from General Business (GB) District and Residence A-7 (A-7) District to General Business (GB) District with conditions.

Lot 1 on Assessor's Plat 270 as said plat appeared in the Tax Assessor's office on December 31, 2016 (the "Parcel") is hereby changed from General Business (GB) District and Residence A-7 (A-7) District to General Business (GB) District with conditions. The Parcel is set forth in the legal description and on the map attached hereto as **Exhibit A**.

The change of zoning is subject to the following conditions:

1. The petitioner shall be relieved from the requirements of Section 304.5 of the Zoning Ordinance by permitting multiple nonresidential buildings with separate uses on a single lot in the General Business (GB) District.
2. The petitioner shall be relieved from the dimensional requirements of Table 2B of the Zoning Ordinance by reducing the minimum setback of a commercial building/use from a residential district from 40 feet to 32 feet.
3. The petitioner shall be relieved from the landscaping and screening requirements for nonresidential uses of Section 505.1 of the Zoning Ordinance by reducing the minimum landscape border along the frontage from 10 feet to 1 foot and by reducing the minimum landscape border along a residential district from 20 feet to 4 feet.

4. The petitioner shall be relieved from the landscaping and screening requirements for nonresidential uses of Section 505.6 of the Zoning Ordinance by reducing the minimum landscaped setback area between the street and the parking lot from 10 feet to 1 foot.
5. The petitioner shall be relieved from the parking requirements of Section 701.3 of the Zoning Ordinance by reducing the minimum front and corner side parking setback from 10 feet to 1 foot.
6. The petitioner shall be relieved from the parking requirements of Section 701.7 of the Zoning Ordinance by reducing the total required parking spaces from 52 parking spaces to 41 parking spaces.
7. The petitioner shall be relieved from the loading requirements of Section 702.2 of the Zoning Ordinance by reducing the loading space width from 14 feet to 12 feet.
8. The petitioner shall be relieved from the signage requirements of Section 806.3 of the Zoning Ordinance by increasing the freestanding sign maximum area from 80 square feet per side (160 square feet total) to 100 square feet per side (200 square feet total).

Section II. The Clerk of the Zoning Board of Review is hereby authorized and directed to cause said changes to be made on the Zoning Map and the Record Book of Lot Classifications.

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

SPONSORED BY:

COMMITTEE:

# **EXHIBIT A**

## LEGAL DESCRIPTION

AP: 270, Lot: 1

That certain tract or parcel of land with all buildings and improvements thereon situated on the northeasterly side of Greenwich Avenue (State Route 5) in the City of Warwick, County of Kent, State of Rhode Island is herein bounded and described:

Beginning at the most southeasterly corner of the herein described parcel said corner being located at the intersection of the westerly street line of Naples Avenue with the northerly highway line of said Greenwich Avenue, said corner is located at station 85+45.07 left forty four and 74/100 (44.74') feet as shown on State Highway Plate 1150;

Thence proceeding north 20 35' 58" west along the northerly highway line of Greenwich Avenue a distance of eleven and 83/100 (11.83') feet said point is located at station 85+33.48 left forty five and 30/100 (45.30') feet as shown on said highway plat;

Thence proceeding north 26 30' 18" west along the northerly highway line of Greenwich Avenue a distance of one hundred forty eight and 42/100 (148.42') feet said point is located at station 83+87.90 left forty two and 17/100 (42.17') feet as shown on said highway plat;

Thence proceeding north 29 42' 08" west along the northerly highway line of Greenwich Avenue a distance of thirty eight and 03/100 (38.03') feet to a point;

Thence proceeding north 13 03' 48" east a distance of two hundred forty six and 75/100 (246.75) feet to a point, bounded westerly by land now or formerly of Salvation Army of Rhode Island;

Thence proceeding north 13 03' 48" east a distance of one hundred and 43/100 (100.43) feet to a point, bounded westerly by land now or formerly of Roland Marte;

Thence proceeding south 79 00' 02" east a distance of one hundred and 03/100 (100.03') feet to a granite bounded found, bounded northerly by land now or formerly of William S. Bramble;

Thence proceeding south 17 52' 18" west a distance of one hundred sixty seven and 13/100 (167.13) feet to a point;

Thence proceeding south 74 36' 17" east a distance of eighty eight and 20/100 (88.20') feet to appoint on the westerly street line of said Naples Avenue, the last two (2) courses bounded easterly and northerly by land now or formerly of Peter L, and Michelle L. Grossi;

Thence proceeding south 15 23 '43" east along the westerly street line of said Naples Avenue a distance of three hundred one and 41/100 (301.41') feet to a point, said point is located at station 85+40.32 left ninety one and 61/100 (91.61') feet as shown on said highway plat;

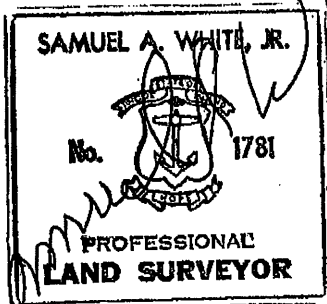
Thence proceeding south 46 04' 13" west along the westerly street line of said Naples Avenue a distance of thirty one and 64/100 (31.64') feet to a point, said point is located at station 85+51.19 left sixty two and 03/100 (62.03') feet as shown on said highway plat;

Thence proceeding south 86 50' 47" west along the westerly street line of said Naples Avenue a distance of eighteen and 39/100 (18.39') feet to the point and place of beginning.

Said parcel contains 61,168 square feet or 1.40 acres more or less.

Said parcel is subject to permanent Guy and Aerial Easements of record see State Highway Plat 2628.

Meaning and intending to describe the premises described in that certain quitclaim deed from Alfred Carpionato to Alfred Carpionato as Trustee of the 1992 Alfred Carpionato Trust Agreement – CA dated August 20, 2018 and recorded on September 10, 2018 in book 9128, page 161 of the Land Evidence Records of the City of Warwick, Rhode Island.



3-6-19



**PLANNING REPORT ON:**

**AMENDMENT TO CITY OF WARWICK, RI –  
ZONING MAP**

**GREENWICH AVENUE COMMERCIAL PROJECT**

**PREPARED FOR:**

**CARPIONATO PROPERTIES, INC. D/B/A 578, LLC**

**PREPARED BY:**

**JDL ENTERPRISES  
JOSEPH D. LOMBARDO, AICP, PRESIDENT  
April 2019**

## **PURPOSE OF REPORT ~**

The purpose of this report is to complete a Planning Report to the City of Warwick with regard to the proposed Zoning Map Amendment by Carpionato Properties, Inc. D/B/A 578, LLC. This report includes a review of the City's Comprehensive Community Plan, and Zoning Ordinance. In addition, this report provides recognition and consideration of the applicable purposes of the Zoning Ordinance. It is the express purpose of this Planning Report to provide a Summary and Conclusions with respect to the consistency with the Comprehensive Community Plan, and Zoning Ordinance Purpose Statements.

## **PROPOSED ZONING MAP AMENDMENT ~**

Carpionato Properties, Inc. D/B/A 578, LLC proposes to amend the City's Zoning Map by requesting a change of the classification of the following described premises from General Business (GB) District and Residence A-7 (A-7) District to General Business (GB) District with relief from the several of the literal requirements of the Zoning Ordinance to accommodate the project.

Lot 1 on Assessor's Plat 270 as said plat appeared in the Tax Assessor's office on December 31, 2016 (the "Parcel") is hereby proposed to be changed from General Business (GB) District and Residence A-7 (A-7) District to General Business (GB) District with relief from the several of the literal requirements of the Zoning Ordinance to accommodate the project.

The change of zoning is subject to the relief outlined in the attached proposed ordinance.

The change of zoning is subject to the following relief:

1. The petitioner shall be relieved from the requirements of Section 304.5 of the Zoning Ordinance by permitting multiple nonresidential buildings with separate uses on a single lot in the General Business (GB) District.
2. The petitioner shall be relieved from the dimensional requirements of Table 2B of the Zoning Ordinance by reducing the minimum setback of a commercial building/use from a residential district from 40 feet to 32 feet.
3. The petitioner shall be relieved from the landscaping and screening requirements for nonresidential uses of Section 505.1 of the Zoning Ordinance by reducing the minimum landscape border along the frontage from 10 feet to 1 foot and by reducing the minimum landscape border along a residential district from 20 feet to 4 feet.



4. The petitioner shall be relieved from the landscaping and screening requirements for nonresidential uses of Section 505.6 of the Zoning Ordinance by reducing the minimum landscaped setback area between the street and the parking lot from 10 feet to 1 foot.
5. The petitioner shall be relieved from the parking requirements of Section 701.3 of the Zoning Ordinance by reducing the minimum front and corner side parking setback from 10 feet to 1 foot.
6. The petitioner shall be relieved from the parking requirements of Section 701.5 of the Zoning Ordinance by permitting shared parking among uses at the Parcel.
7. The petitioner shall be relieved from the parking requirements of Section 701.7 of the Zoning Ordinance by reducing the total required parking spaces from 52 parking spaces to 41 parking spaces.
8. The petitioner shall be relieved from the loading requirements of Section 702.2 of the Zoning Ordinance by reducing the loading space width from 14 feet to 12 feet.
9. The petitioner shall be relieved from the signage requirements of Section 806.3 of the Zoning Ordinance by reducing the freestanding sign minimum setback from 10 feet to 0 feet; by increasing the freestanding sign maximum height from 15 feet to 20 feet; and by increasing the freestanding sign maximum area from 80 square feet per side (160 square feet total) to 100 square feet per side (200 square feet total).

The project includes:

- The construction of a new 2,200± square foot fast food restaurant
- The construction of a new 1,500± square foot bank
- Associated drive-throughs, landscaping, stormwater infrastructure and utilities, and a 41-stall parking lot.
- Access and egress to the site will be provided by one full movement curb cut on Naples Avenue and one right-in right-out curb cut on Greenwich Avenue. The northern curb cut on Naples Avenue will be closed.

Thus, the purpose for the zone map amendment requested affecting the subject property.

**DESCRIPTION OF ZONING DISTRICT ~**

The following Zoning District descriptions are appropriate to this application:

***CURRENT ZONE DISTRICTS ~***

A-7 Residential	
GB – General Business	

***PROPOSED ZONE DISTRICT ~***

GB – General Business	

**CONSISTENCY AND COMPLIANCE WITH THE COMPREHENSIVE PLAN**

The following Recommendations are taken from the Comprehensive Community Plan and are deemed applicable and germane to the proposed Zoning map amendment requested by Carpinato Properties, Inc. D/B/A 578, LLC:

**Vision for 2033 - We are committed to a diversity in land use that promotes a strong, stable tax base, including preserving industrially zoned land for non-retail uses.**

**LAND USE ELEMENT ~**

**GOAL:** Warwick has sufficient diversity of land uses to support a strong and stable tax base.

- Continue to balance land uses, particularly between regional retail and non-retail commercial uses.

The Future Land Use Map for the most part shows general, consolidated land uses. The consolidated land uses on the map take two forms: a) consolidation under one category of land uses with similar impacts, for example, a “Commercial” designation for areas where retail, service and office uses already exist or where they would be appropriate.

**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.

Changes to Commercial land uses. There is less General Commercial land use on the Future Land Use Map than shown on the Existing Land Use Map, because major corridors and commercial intersections are shown as mixed-use areas. Airport acquisitions and the Main Avenue realignment have created future locations for commercial uses east and west of the airport's Runway Protection Zone. Residential uses will not be permitted in those areas.

Considerations for future zoning of commercial land uses. The Commercial land use category can include a variety of commercial land use types, such as regional retail, office, neighborhood commercial, commercial water-dependent uses (such as marinas), and so on. The type of commercial use permitted in areas designated with the Commercial land use category will be controlled by the zoning, not the broader land use category. For example, within the Commercial land use areas designated on the Future Land Use Map, the city may zone certain areas for office uses, limiting or denying other types of commercial land use.

**GOAL 6. Public and private development meets high standards of urban design.**

**POLICY • Ensure that proposed new residential, business and industrial uses are compatible with the character and surrounding area.**

**ACTION ITEM: With guidance from the future land use map, maintain appropriate transitional uses and buffering between commercial and residential districts.**

**ACTION ITEM: Increase access to high-quality employment opportunities for Warwick residents**

### **Economic Development Element ~**

**GOAL #1: Attract and retain business in key existing and emerging economic base industries**

**GOAL #4: Increase access to high-quality employment opportunities for Warwick residents**

## THE SUITABILITY QUESTION ~

Again, to reiterate one of the central themes to the Warwick Comprehensive Plan:  
Vision for 2033 - We are committed to a diversity in land use that promotes a strong, stable tax base, including preserving industrially zoned land for non-retail uses.

### GREENWICH AVENUE COMMERCIAL PROJECT DEVELOPMENT SITE AND SURROUNDING AREA



According to the Applicant's narrative, the project site consists of approximately 1.4-acres located at 578 Greenwich Avenue in Warwick, Rhode Island. The Site is Lot 270 as shown on Assessor's Plat 1, primarily zoned as General Business (GB), with a small portion at the very rear of the lot within the Residential A-7 district. Approximately 70% of the 1.4-acre site is developed, being the former location of Conte's Restaurant (the restaurant building was demolished in or around 2015) with associated paved parking, landscaping, and utility infrastructure. The remainder of the Site (situated to the north and currently within the Residential A-7 district) is undeveloped wooded area. On the eastern side of Greenwich Avenue is an existing residential neighborhood area, as well as residential to the south of the subject site. Across the street to the west of Greenwich Avenue is Lowes and Stop and Shop. These land uses can be seen on an aerial view, such as available from Google Earth. The proposed Zoning Map Amendment for the subject property and the designed Master Plan which includes the two new commercial buildings is clearly a desirable extension of the existing commercial land use pattern in this portion of the City of Warwick.

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## CONSISTENCY AND COMPLIANCE WITH THE ZONING ORDINANCE ~

The zoning ordinance and all amendments thereto, shall be consistent with the city's comprehensive plan, as described in Rhode Island General Laws Section 22-2 and shall provide for the implementation of the city's comprehensive plan.

• 1007.2. *Review by planning board.* Among its findings and recommendations to the amendment or repeal of this ordinance or zoning map, the planning board shall:

(A) Include a statement on the general consistency of the proposal with the comprehensive plan of the city, including the goals and policies statement, the implementation program, and all other applicable elements of the comprehensive plan; and

(B) Include a demonstration of recognition and consideration of each of the applicable purposes of zoning as presented in section 100 of this ordinance.

The following purposes are taken from the Zoning Ordinance – Section 100 – Title and Purpose and are deemed applicable and germane to the proposed Zoning Map Amendment by Carpionato Properties, Inc. D/B/A 578, LLC:

### 103. - Purpose.

This ordinance is designed to:

103.1. Promote the public health, safety, and general welfare of the city.

103.2. Provide for a range of uses and intensities of use appropriate to the character of the city and reflect current and expected future needs.

103.3. Provide for orderly growth and development which recognizes:

(A) The goals and patterns of land use contained in the comprehensive plan of the city adopted pursuant to G.L. 1956, § 45-22.2-1 et seq. (as amended);

(B) The natural characteristics of the land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface [water] or groundwater pollution;

(E) The availability and capacity of existing and planned public and/or private services and facilities;

(F) The need to shape and balance urban and suburban development; and

103.7. Provide for the protection of public investment in transportation, water, stormwater management systems, sewage treatment and disposal, solid waste treatment and disposal, schools, recreation, public facilities, open space, and other public requirements.

103.10. Promote a high level of quality in design in the development of private and public facilities.

103.11. Promote implementation of the Warwick comprehensive community plan, as amended.

***Opinion:*** *I have reviewed the concept plans prepared by VHB for this project and find that at the concept Master Plan stage of site design, for those items above that apply, either the applicant has already made design provisions to comply, or there is adequate land area to accomplish these requirements at subsequent future stages of design and approval by the City of the Zoning Map Amendment, with the requested relief from literal requirements of the Zoning Ordinance, in place.*

## **SUMMARY AND CONCLUSION ~**

It was stated that the express purpose of this Planning Report is to provide a Summary and Conclusion with respect to the Application by Carpionato Properties, Inc. D/B/A 578, LLC for a change to the Warwick Zoning Map. This report described the nature of the request by Carpionato Properties, Inc. D/B/A 578, LLC to the City and the description of the Zoning Districts as they exist and the specific proposed map amendment and requested relief. The report then outlined those Goals, Policies and Action items of the Land Use and Economic Development Elements of the Comprehensive Plan that were deemed to be germane to the proposed amendment by Carpionato Properties, Inc. D/B/A 578, LLC

Further, the Purposes of the Zoning Ordinance, which were deemed applicable to this application by Carpionato Properties, Inc. D/B/A 578, LLC, were presented in this report. These purposes of Zoning mirror those in the Zoning Enabling Act – RIGL – Chapter 45-22.2. A discussion regarding suitability was presented to highlight that the proposed uses allowed on the property would be in keeping with the current land use pattern of the area.

Approval and development of this project will go towards these Objectives of the Comprehensive Community Plan to:

**Ensure that proposed new residential, business and industrial uses are compatible with the character and surrounding area.**

**and,**

**Increase access to high-quality employment opportunities for Warwick residents**

**and,**

**Public and private development meets high standards of urban design.**



Based on all that has been presented in this written report, it is the professional opinion of Joseph D. Lombardo, AICP, President of JDL ENTERPRISES that the proposed Zoning Map Amendment requested by Carpionato Properties, Inc. D/B/A 578, LLC are

**CONSISTENT WITH, AND IN COMPLIANCE WITH THE  
ZONING ORDINANCE**

**AND,**

**CONSISTENT WITH, AND IN COMPLIANCE WITH THE  
COMPREHENSIVE COMMUNITY PLAN OF  
THE CITY OF WARWICK.**

Submitted by,

*Joseph D. Lombardo, AICP*

Joseph D. Lombardo, AICP

Date: April 2019



**THE CITY OF WARWICK  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CHAPTER ARTICLE**

**APPENDIX A  
ZONING**

*No.* \_\_\_\_\_ *Date* \_\_\_\_\_

*Approved* \_\_\_\_\_ *Mayor*

**AN ORDINANCE AMENDING THE ZONING OF THE CITY OF WARWICK, 578 LLC,  
PETITIONER**

*Be it ordained by the City of Warwick:*

Section I. The Zoning Map and the Record Book of Lot Classifications which are a part of the Zoning Ordinance of the City of Warwick are hereby amended by changing the classification of the following described premises from General Business (GB) District and Residence A-7 (A-7) District to General Business (GB) District with conditions.

Lot 1 on Assessor's Plat 270 as said plat appeared in the Tax Assessor's office on December 31, 2016 (the "Parcel") is hereby changed from General Business (GB) District and Residence A-7 (A-7) District to General Business (GB) District with conditions. The Parcel is set forth in the legal description and on the map attached hereto as **Exhibit A**.

The change of zoning is subject to the following conditions:

1. The petitioner shall be relieved from the requirements of Section 304.5 of the Zoning Ordinance by permitting multiple nonresidential buildings with separate uses on a single lot in the General Business (GB) District.
2. The petitioner shall be relieved from the dimensional requirements of Table 2B of the Zoning Ordinance by reducing the minimum setback of a commercial building/use from a residential district from 40 feet to 32 feet.
3. The petitioner shall be relieved from the landscaping and screening requirements for nonresidential uses of Section 505.1 of the Zoning Ordinance by reducing the minimum landscape border along the frontage from 10 feet to 1 foot and by reducing the minimum landscape border along a residential district from 20 feet to 4 feet.

4. The petitioner shall be relieved from the landscaping and screening requirements for nonresidential uses of Section 505.6 of the Zoning Ordinance by reducing the minimum landscaped setback area between the street and the parking lot from 10 feet to 1 foot.
5. The petitioner shall be relieved from the parking requirements of Section 701.3 of the Zoning Ordinance by reducing the minimum front and corner side parking setback from 10 feet to 1 foot.
6. The petitioner shall be relieved from the parking requirements of Section 701.5 of the Zoning Ordinance by permitting shared parking among uses at the Parcel.
7. The petitioner shall be relieved from the parking requirements of Section 701.7 of the Zoning Ordinance by reducing the total required parking spaces from 52 parking spaces to 41 parking spaces.
8. The petitioner shall be relieved from the loading requirements of Section 702.2 of the Zoning Ordinance by reducing the loading space width from 14 feet to 12 feet.
9. The petitioner shall be relieved from the signage requirements of Section 806.3 of the Zoning Ordinance by reducing the freestanding sign minimum setback from 10 feet to 0 feet; by increasing the freestanding sign maximum height from 15 feet to 20 feet; and by increasing the freestanding sign maximum area from 80 square feet per side (160 square feet total) to 100 square feet per side (200 square feet total).

Section II. The Clerk of the Zoning Board of Review is hereby authorized and directed to cause said changes to be made on the Zoning Map and the Record Book of Lot Classifications.

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

SPONSORED BY:

COMMITTEE:

**LEGAL DESCRIPTION**  
**AP: 270, Lot: 1**

That certain tract or parcel of land with all buildings and improvements thereon situated on the northeasterly side of Greenwich Avenue (State Route 5) in the City of Warwick, County of Kent, State of Rhode Island is herein bounded and described:

Beginning at the most southeasterly corner of the herein described parcel said corner being located at the intersection of the westerly street line of Naples Avenue with the northerly highway line of said Greenwich Avenue, said corner is located at station 85+45.07 left forty four and 74/100 (44.74') feet as shown on State Highway Plate 1150;

Thence proceeding north 20 35' 58" west along the northerly highway line of Greenwich Avenue a distance of eleven and 83/100 (11.83') feet said point is located at station 85+33.48 left forty five and 30/100 (45.30') feet as shown on said highway plat;

Thence proceeding north 26 30' 18" west along the northerly highway line of Greenwich Avenue a distance of one hundred forty eight and 42/100 (148.42') feet said point is located at station 83+87.90 left forty two and 17/100 (42.17') feet as shown on said highway plat;

Thence proceeding north 29 42' 08" west along the northerly highway line of Greenwich Avenue a distance of thirty eight and 03/100 (38.03') feet to a point;

Thence proceeding north 13 03' 48" east a distance of two hundred forty six and 75/100 (246.75) feet to a point, bounded westerly by land now or formerly of Salvation Army of Rhode Island;

Thence proceeding north 13 03' 48" east a distance of one hundred and 43/100 (100.43) feet to a point, bounded westerly by land now or formerly of Roland Marte;

Thence proceeding south 79 00' 02" east a distance of one hundred and 03/100 (100.03') feet to a granite bounded found, bounded northerly by land now or formerly of William S. Bramble;

Thence proceeding south 17 52' 18" west a distance of one hundred sixty seven and 13/100 (167.13) feet to a point;

Thence proceeding south 74 36' 17" east a distance of eighty eight and 20/100 (88.20') feet to appoint on the westerly street line of said Naples Avenue, the last two (2) courses bounded easterly and northerly by land now or formerly of Peter L. and Michelle L. Grossi;

Thence proceeding south 15 23 '43" east along the westerly street line of said Naples Avenue a distance of three hundred one and 41/100 (301.41') feet to a point, said point is located at station 85+40.32 left ninety one and 61/100 (91.61') feet as shown on said highway plat;

Thence proceeding south 46 04' 13" west along the westerly street line of said Naples Avenue a distance of thirty one and 64/100 (31.64') feet to a point, said point is located at station 85+51.19 left sixty two and 03/100 (62.03') feet as shown on said highway plat;

Thence proceeding south 86 50' 47" west along the westerly street line of said Naples Avenue a distance of eighteen and 39/100 (18.39') feet to the point and place of beginning.

Said parcel contains 61,168 square feet or 1.40 acres more or less.

Said parcel is subject to permanent Guy and Aerial Easements of record see State Highway Plat 2628.

Meaning and intending to describe the premises described in that certain quitclaim deed from Alfred Carpionato to Alfred Carpionato as Trustee of the 1992 Alfred Carpionato Trust Agreement - CA dated August 20, 2018 and recorded on September 10, 2018 in book 9128, page 161 of the Land Evidence Records of the City of Warwick, Rhode Island.

