


## CITY OF WARWICK

JOSEPH J. SOLOMON, MAYOR

### MEMORANDUM 578 Greenwich Avenue

**TO:** Steve Merolla, Council President  
Honorable Warwick City Council Members  
Lynn D'Abrosca, Deputy City Clerk

**FROM:** William J. DePasquale, Jr. AICP, Administrative Officer   
Planning Director

**DATE:** May 22, 2019

**SUBJECT:** Planning Board Recommendation,  
Zone Change on Assessor's Plat 270, Assessor's Lot 001

**APPLICANTS:** Carpionato Group, LLC  
578 LLC

**ZONING DISTRICT:** General Business (GB) and Residential A-7

**PROPOSED ZONING:** General Business (GB), with waivers

**LAND AREA:** 61,160 square feet

**WARD:** 8

### BACKGROUND

The Applicant is seeking a recommendation for a zone change on a portion of Assessor's Plat 270, Assessor's Lot 001. The lot is currently zoned a combination of General Business and Residential A-7. The Applicant is proposing to rezone the entirety of the parcel to General Business, with authorization for:

- *Section 304.5 More than one nonresidential use or building on a lot*, for more than one actual use on a lot, and dimensional waivers for;
- *Section 701.3, Setbacks of parking spaces*, for less than required front and corner side parking setback along Naples Avenue;
- *Section 505.1 Minimum landscape buffer, subsection (A)*, for less than required landscape buffer along frontage of Naples Avenue and a small portion of Greenwich Avenue;
- *Section 505.1, subsection (B)*, for less than required landscape buffer from an abutting residential zone;

- *Section 505.6 (A) Parking lot buffers*, for less than required parking area setback.
- *Table 2B. Dimensional Regulations, footnote (2)*, for less than required commercial building or use setback from abutting residential zone;
- *Section 701.7 Off-street parking space requirements*, for less than required parking spaces, and;
- *Section 702.2 Number of required loading spaces*, for less than required loading space width;
- *Section 806.3 Sign area*, to increase the freestanding sign area from the maximum of 80 square feet per side (160 square feet total), to 100 square feet per side (200 square feet total).

### **FINDINGS OF THE BOARD**

After completion of the Public Informational Meeting held on May 8, 2019, 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 Informational Meeting, found the proposed Major Land Development Project 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 met the Standard Provisions of RIGL 45-23-60, and granted Master Plan approval. (copy attached).

At the May 8, 2019 meeting, the Planning Board also found the proposed zoning amendment to be generally consistent with Article 1 “Purposes and General Statements of the City’s *Development Review Regulations*, and:

1. That the following municipal Department Heads and City Commissions, or their designated staff, have reviewed the proposal and have no objections or stipulations: Public Works/Engineering, Sewer, Building, Water, Fire, Land Trust, Harbor Commission, Cemetery Commission, and Historic District Commission.
2. That the proposal is generally consistent with the Comprehensive Community Plan and consistent with *Chapter 12, Future Land Use, Zoning and Urban Design* which states as a Policy to “encourage new business and industries to locate in areas where adequate public facilities already exist” and ensure that proposed new commercial uses are compatible with the character and surrounding area.

The *Comprehensive Plan* also finds that land development in the future will increasingly involve redevelopment of previously used sites. Over 60 percent of Comprehensive Plan survey respondents indicated that improving the appearance of major roads and commercial corridors is “very important.”

That *Chapter 12*, 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.

3. That this site was formerly a general business use, Conte’s Restaurant. The existing building has been razed.

4. That on February 5, 2013 (meeting date November 13, 2012), this parcel received unanimous approval of a Special Use Permit, from the Zoning Board of Review, Petition #10021, to demolish the existing building and construct a kiosk and canopy for a fueling facility.

The Planning Board also found the proposed zoning amendment to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose."

- 103.1 Promote the public health, safety and general welfare of the City.
- 103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.
- 103.3 Provides for orderly growth and development, which recognizes:
  - A.) The goals and patterns of land use contained in the Comprehensive Plan of the City of Warwick.
  - E.) The availability and capacity of existing and planned public and/or private services and facilities;
  - F.) The use of innovative development regulations and techniques.
- 103.10 Promote a high level of design in the development of private and public facilities.
- 103.11 Promote the implementation of the Warwick Comprehensive community plan, as amended.

### **PLANNING BOARD RECOMMENDATION**

On a motion made by Mr. Catalano and seconded by Ms. Polselli, the Planning Board; Ms. Bataille, Mr. Bergantino, Mr. Catalano, Mr. Gambardella, Mr. Holmes, Ms. Polselli, Mr. Slocum, all voted in favor, with none opposed, to forward a favorable recommendation to the Warwick City Council for the requested Zone Change from a combination of General Business and Residential to General Business for the entirety of the parcel, with authorization for:

- *Section 304.5 More than one nonresidential use or building on a lot* for more than one actual use on a lot, and dimensional waivers for:
- *Section 701.3, Setbacks of parking spaces* for less than required front and corner side parking setback along Naples Avenue;
- *Section 505.1 Minimum landscape buffer, subsection (A)* for less than required landscape buffer along frontage of Naples Avenue and a small portion of Greenwich Avenue;
- *Section 505.1, subsection (B)*, for less than required landscape buffer from an abutting residential zone;
- *Section 505.6 (A) Parking lot buffers*, for less than required parking area setback.

- *Table 2B. Dimensional Regulations, footnote (2)*, for less than required commercial building or use setback from abutting residential zone;
- *Section 701.7 Off-street parking space requirements* for less than required parking spaces, and;
- *Section 702.2 Number of required loading spaces* for less than required loading space width;
- *Section 806.3 Sign area* to increase the freestanding sign area from the maximum of 80 square feet per side (160 square feet total), to 100 square feet per side (200 square feet total); with the following stipulations:
  1. That all exterior lighting and signage shall be designed and installed to minimize negative impacts on the neighboring residential properties. The lighting design shall be Dark Sky compliant, to the extent practicable. Glare from outdoor lights, signs, and from the movement of vehicles on site shall be shielded from the view of adjacent properties.
  2. That all truck delivery routes shall be limited to the major arterial roadway, Greenwich Avenue, with Naples Avenue used to access the site driveway, only.
  3. That there shall be no drive-thru over-flow queuing on Naples Avenue.
  4. That there shall be no temporary parking of passenger vehicles, commercial vehicles, or trailers on Naples Avenue for people accessing the commercial uses on the parcel.
  5. That the site development shall include a Landscape Plan, prepared and stamped by a registered Rhode Island Landscape Architect. This plan shall include screening and fencing for the abutting residential properties and a planting and maintenance plan for the area to be rezoned.
  6. That signage shall be installed at the Naples Avenue driveway regarding limited neighborhood access.
  7. That the dumpster(s) shall be located to mitigate potential negative effects on the abutting residential properties. The dumpster shall be screened with a tight evergreen hedge and/or fencing and the dumpster shall remain closed when not in use.
  8. That the Applicant shall work with the City's Department of Public Works to identify the causes of the existing flooding on Naples Avenue and work with the City DPW to rectify the issues, as necessary.



**Proposed Commercial Development**  
 578 Greenwich Avenue  
 Warwick, Rhode Island

March 07, 2019

Zone Change

Not Approved for Construction

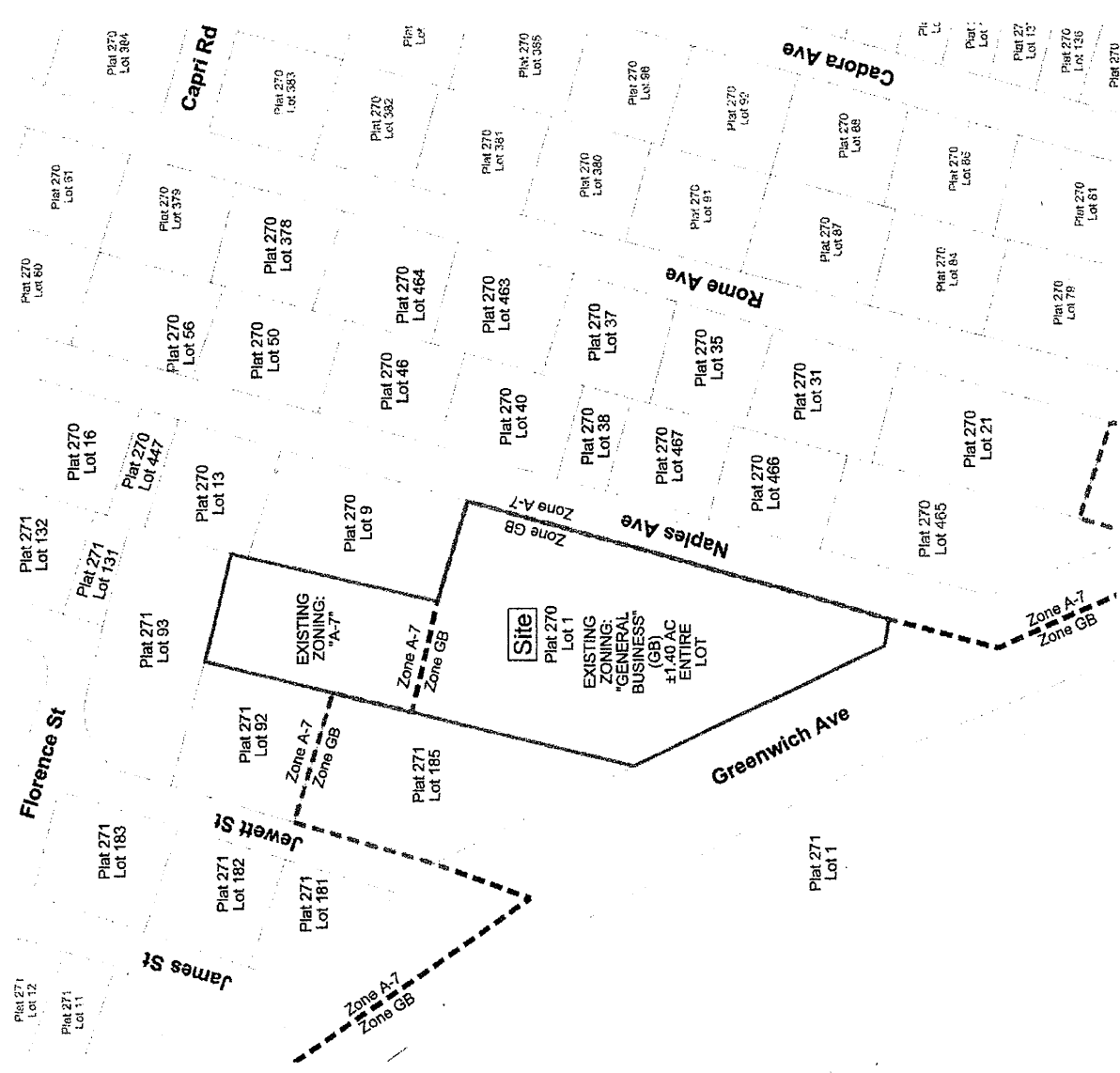
**EXISTING ZONE Conditions**

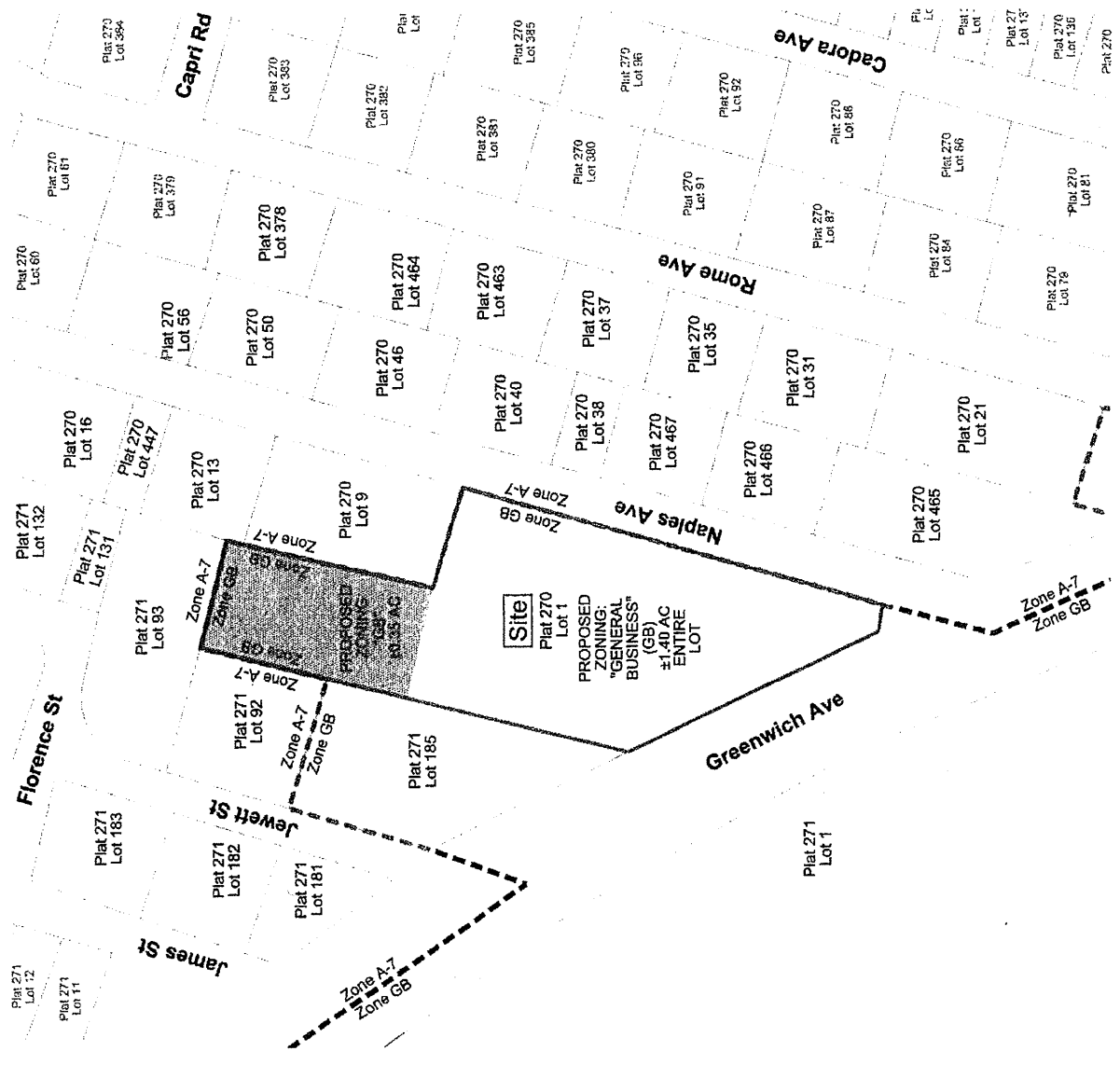
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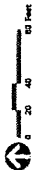
3/7/19

7905308





**Site**  
Plat 270  
Lot 1  
PROPOSED ZONING: "GENERAL BUSINESS" (GB)  
±1.40 AC  
ENTIRE LOT



**Proposed Commercial Development**  
576 Greenwich Avenue  
Weymouth, Rhode Island

Zone Change March 07, 2015

Proposed Zone Conditions

2  
2 2  
2



**CITY OF WARWICK**

**JOSEPH J. SOLOMON, MAYOR**

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May 20, 2019

Carpionato Group, LLC  
1414 Atwood Avenue  
Johnston, RI 02919

578 LLC  
1414 Atwood Avenue  
Johnston, RI 02919

RE: Assessor's Plat 270, Assessor's Lot 001  
578 Greenwich Avenue

To Whom it May Concern:

The following is the decision on your application for Master Plan Approval of a Major Land Development Project heard by the Warwick Planning Board at the regularly scheduled meeting held on May 8, 2019. The proposal is to construct on the parcel a new 2,200sf fast food restaurant and a new 1,500sf bank building, both with a drive-thru lane.

The Planning Board also considered and made a recommendation to the City Council for a zone change on a portion of the parcel, from a combination of General Business and Residential, to eliminate the Residential zone and rezone the entire parcel to General Business, and to include authorization of more than one actual use on a lot and dimensional waivers for less than required front and corner side parking setback, less than required landscape buffer along frontage, less the required parking lot setback, less than required landscape buffer and building setback from abutting residential zone, and less than required parking spaces and loading space width.

After completion of the Public Informational Meeting, 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 Informational Meeting, 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 fact:

1. That the proposal is generally consistent with the Comprehensive Community Plan and consistent with Chapter 12, Future Land Use, Zoning and Urban Design which states as a Policy to “encourage new business and industries to locate in areas where adequate public facilities already exist” and ensure that proposed new commercial uses are compatible with the character and surrounding area.

The Comprehensive Plan also finds that land development in the future will increasingly involve redevelopment of previously used sites. Over 60 percent of Comprehensive Plan survey respondents indicated that improving the appearance of major roads and commercial corridors is “very important.”

That Chapter 12, 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.

2. That on February 5, 2013 (meeting date November 13, 2012), this parcel received unanimous approval of a Special Use Permit ,from the Zoning Board of Review, Petition #10021, to demolish the existing building and construct a kiosk and canopy for a fueling facility.
3. That the current proposal is not in compliance with the standards and provisions of the City’s Zoning Ordinance therefore requiring City Council approval of a zone change on a portion of the development parcel from a combination of General Business and Residential A-7, to General Business (GB) for the entirety of the parcel, with authorization for *Section 304.5 More than one nonresidential use or building on a lot.* for more than one actual use on a lot, and dimensional waivers for:
  - Section 701.3, Setbacks of parking spaces* for less than required front and corner side parking setback along Naples Avenue;
  - Section 505.1 Minimum landscape buffer, subsection (A)* for less than required landscape buffer along frontage of Naples Avenue and a small portion of Greenwich Avenue;
  - Section 505.1, subsection (B)*, for less than required landscape buffer from an abutting residential zone;
  - Section 505.6 (A) Parking lot buffers*, for less than required parking area setback.
  - Table 2B. Dimensional Regulations, footnote (2)*, for less than required commercial building or use setback from abutting residential zone;
  - Section 701.7 Off-street parking space requirements* for less than required parking spaces, and;
  - Section 702.2 Number of required loading spaces* for less than required loading space width; and
  - Section 806.3 Sign area* to increase the freestanding sign area from the maximum of 80 square feet per side (160 square feet total), to 100 square feet per side (200 square feet total.)
4. 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.

5. 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.
6. That the development possesses access to two (2) public streets; Greenwich Avenue (Route 5) and Naples Avenue. The intersection of Naples Avenue and Greenwich Avenue is a signalized intersection. This proposal requires review and approval of a Physical Alteration Permit (PAP) from the Rhode Island Department of Transportation (DOT) and review and approval from the City's Engineering Division.
7. That public water service and sewer service are available to the parcel.

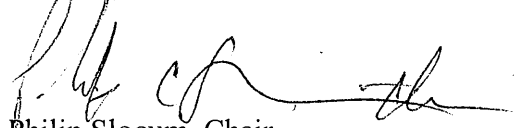
Based on the foregoing findings of fact, on a motion by Mr. Gambardella, seconded by Ms. Polselli, the Warwick Planning Board voted six (6) in favor (with Ms. Bataille voting in opposition citing concerns with public safety issues and a negative impact to the surrounding community), to grant Master Plan approval, with the following stipulations:

1. That the 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 Preliminary Land Development Plan that complies with Appendix C, Preliminary Application, of the City's Development Review Regulations governing Subdivisions, Land Development Projects, and Development Plan Review, last amendment dated March 14, 2001.
3. That the parcel shall receive City Council approval of a zone change on a portion of the development parcel from a combination of General Business and Residential A-7, to General Business (GB), with authorization of more than one actual use on a lot and dimensional waivers.
4. That all necessary state permits shall be obtained prior to submission to the Planning Board for Preliminary approval.
5. That the design for the Stormwater Collection system shall meet the requirements of the Rhode Island Stormwater Design and Installation Standards Manual, dated December 2010. The project engineer shall meet with the City of Warwick DPW Engineering Staff to review the proposed drainage system prior to submission to Rhode Island DEM or DOT.
6. That the Operation and Maintenance Plan for the proposed Stormwater collection system shall be included in the Preliminary submission to the Planning Board.

7. That there is an existing 2" curb stop, which supplied water to the former structure. If this is not utilized, it must be cut off at the main.
8. That the Preliminary Plan submittal shall include a signage plan, to include sign location, size and lighting specifications. This shall be subject to approval by the Administrative Officer to the Planning board. Please note that LED advertising message boards are prohibited.
9. That the Preliminary Plan submittal shall include a photometric site plan, and specifications for all exterior lighting; 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 residential properties. Glare from outdoor lights, signs, and from the movement of vehicles on site shall be shielded from the view of adjacent properties.
10. That before issuance of any permits, the Fire Department shall review all plans for compliance with all life safety codes and issues. The following minimum requirements shall be provided:
  - a. An adequate number of fire hydrants, spaced 200 ft apart and providing a minimum of 1000GPM. Sprinklered buildings require a hydrant within 100 feet of the Fire Department (FDC).
  - b. All two way travel lanes to have a minimum of 24 feet of unobstructed width and an unobstructed vertical clearance of 13'6" to allow for unimpeded access by fire apparatus.
  - c. All corners shall be negotiable by vehicles having an outer tire turning radius of 50', left or right.
  - d. Dead-end roads longer than 150' shall provide turning capabilities for fire apparatus as per NFPA 1 (RIFC), 2012 Edition.
  - e. There shall be no architectural, landscape or natural barriers to prevent easy access of fire apparatus.
11. That the Preliminary submittal shall include a Landscape Plan, prepared and stamped by a registered Rhode Island Landscape Architect. The Landscape Architect shall contact the Planning Department prior to revising the design. This plan shall include screening and fencing for the abutting residential properties and a planting and maintenance plan for the area to be rezoned.
12. That the Applicant shall work with effected neighboring property owners to install fencing and landscaping to screen the residential uses. This shall be installed at the Applicant's expense.
13. That the Applicant shall work with the City's Department of Public Works to identify the causes of the existing flooding on Naples Avenue and work with the City DPW to rectify the issues, as necessary.

14. That prior to Preliminary submittal, the Applicant shall submit a traffic study that includes the area streets to determine if there is an existing problem with cut-through traffic from Metro Center to Route 5. If it is determined to be an issue, the Applicant shall propose mitigation measures to the Planning Board, as part of the Preliminary submittal.
15. That the Preliminary submittal shall address concerns raised by the area residents and the Board at the Public Informational Meeting regarding the site driveway access onto Naples Avenue and the potential impacts to the neighborhood.
16. That signage shall be installed at the Naples Avenue driveway regarding limited neighborhood access.

Sincerely,



Philip Slocum, Chair  
Warwick Planning Board

RECORDED  
May 20, 2019 02:17P  
Lynn D'Abrosca  
Deputy City Clerk  
City of Warwick, RI

# Site Plans

Issued for Master Plan  
Date Issued March 07, 2019  
Latest Issue May 02, 2019

## Proposed Commercial Development

578 Greenwich Avenue  
Warwick, Rhode Island



### Owner

578 LLC  
1414 Atwood Avenue  
Johnston, Rhode Island

### Applicant

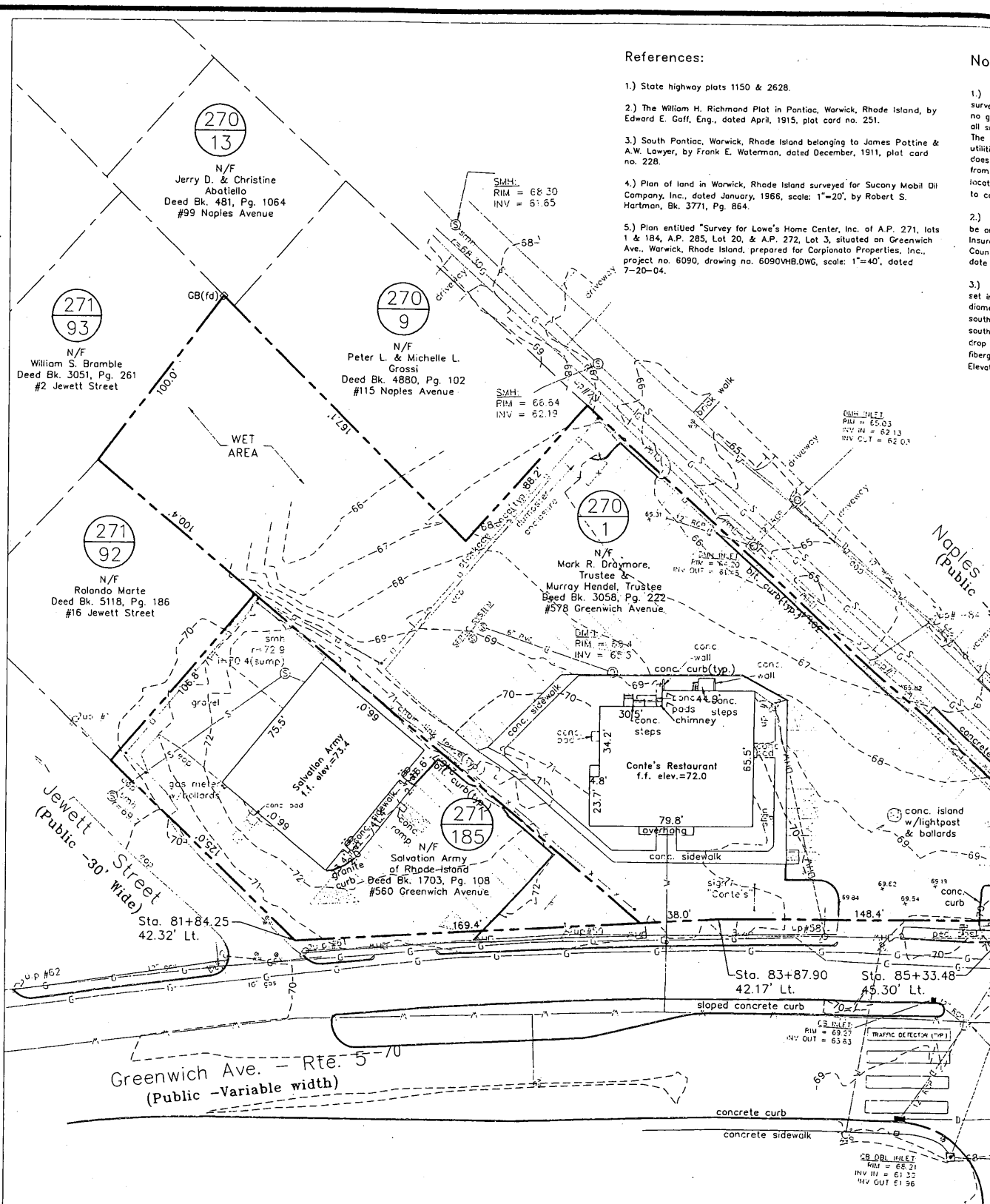
Carpionato Group, LLC  
1414 Atwood Avenue  
Johnston, Rhode Island

Assessor's Map: 270  
Lot: 1

### Sheet Index

No.	Drawing Title	L
C-1	Vicinity Map	
C-2	Master Plan	
L-1	Conceptual Landscape Plan	





References:

- 1.) State highway plots 1150 & 2628.
- 2.) The William H. Richmond Plat in Pontiac, Warwick, Rhode Island, by Edward E. Goff, Eng., dated April, 1915, plat card no. 251.
- 3.) South Pontiac, Warwick, Rhode Island belonging to James Pattine & A.W. Loyer, by Frank E. Waterman, dated December, 1911, plat card no. 228.
- 4.) Plan of land in Warwick, Rhode Island surveyed for Sucony Mobil Oil Company, Inc., dated January, 1966, scale: 1"=20', by Robert S. Hartman, Bk. 3771, Pg. 864.
- 5.) Plan entitled "Survey for Lowe's Home Center, Inc. of A.P. 271, lots 1 & 184, A.P. 285, Lot 20, & A.P. 272, Lot 3, situated on Greenwich Ave., Warwick, Rhode Island, prepared for Corpionate Properties, Inc., project no. 6090, drawing no. 6090VH8.DWG, scale: 1"=40', dated 7-20-04.

Note

- 1.) The survey no guar all such The Sur utilities does ce from in located to cons
- 2.) Pro be out Insurance County, date of
- 3.) Ber set into diamete southwe drop inli fiberglass Elevator

Certification:

This Survey and Plan conforms to the following class standard as adopted by the Rhode Island Board of Registration for Professional Land Surveyors.

I hereby certify that this survey was actually made on the ground as per record description and is correct. There are no encroachments either way across property lines except as shown.

Boundary Survey - Class I  
Topographic Survey - Class III

By: Samuel A. White, Jr. 1781 10/22/12  
Professional Land Surveyor Reg. No. Date

To: xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

This is to certify that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes Items 1,2,3,4,5,7a,8,9,10,11a, & 13 of Table A thereof, Pursuant to the Accuracy Standards as adopted by ALTA, NSPS, and ACSM and in effect on the date of this certification, undersigned further certifies that the survey measurements were made in accordance with the "Minimum Angle, Distance, and Closure Requirements for Survey Measurements Which Control Land Boundaries for ALTA/ACSM Land Title Surveys."

Date: 10/22/12  
Registration No. 1781