

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

To the Honorable City Council of Warwick:

Respectfully represent: Bellecastle Realty, Inc.

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: Bellecastle Realty, Inc. (additional land condo owners Offices at the Crossings I LLC (unit 1) & South Office at the Crossings LLC (unit 2))  
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. 257 Lot(s) No. 10 & 13  
Street Greenwich Avenue Ward 8

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

3. Present Zoning Classification: Office ; PDR A-7 (as modified per Ordinances O-06-23; O-03-26; & O-98-23)  
4. Zoning Change Requested Underlying Office for whole parcel, PDR overlay on certain areas of parcel; Modification of conditions contained in O-06-23; O-03-26; & O-98-23  
5. Reasons for Proposed Change: \*see attached proposed ordinance  
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 O; PDR A-7 (as modified)  
to O; PDR (as newly modified)

Respectfully Submitted,

  
(Signature of Owner and Petitioner)

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

**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,  
BELLECASTLE REALTY, INC., 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 and specifically Ordinances O-98-23; O-03-26; and O-06-23 for property known as:

Lots 10 and 13 on Assessor's Plat 257 as said plat appeared in the Tax Assessor's office on December 31, 2005 and as set forth in the legal description attached hereto as **Exhibit A** and on the map attached hereto as **Exhibit B** (the "Parcels")

are hereby amended, replaced and/or superseded.

The Parcels are zoned Office and PDR overlay subject to the following stipulations and conditions:

1. The underlying zone for the entirety of the Parcels is Office, and the PDR overlay is applied only to the sections of the Parcels identified as "PDR" on **Exhibits A and B**.
2. The petitioner shall be relieved from the literal requirements of Sec. 302, dimensional regulations, of the Warwick Zoning Ordinance by allowing a maximum building height for residential structures of 65 feet.
3. The petitioner shall be relieved from the literal requirements of Sec. 302, dimensional regulations, of the Warwick Zoning Ordinance by allowing a maximum building height for office buildings of 70 feet.

4. The petitioner shall be relieved from the literal requirements of Sec. 304.5, general provisions, of the Warwick Zoning Ordinance by allowing multiple uses on the Parcels, with the exception that future development in the PDR overlay area of the Parcels is limited to a single category of uses (i.e., residential uses or office uses) and the area designated as Office is limited to the uses outlined in item 10.
5. The petitioner shall be relieved from the literal requirements of Sec. 701.7, off-street parking, of the Warwick Zoning Ordinance by reducing the number of required parking spaces at the within the office zoned use area of the Parcels to 1 space per 212 square feet for a medical office use.
6. The petitioner shall be relieved from the literal requirements of Sec. 803.5(b), signage, of the Warwick Zoning Ordinance by allowing the erection of a temporary sign abutting Greenwich Avenue to the west, at the entrance of the property relative to the prospective rental or sale of the property, said sign to be no larger than 8' by 8' and no higher than 14' and the erection of a temporary illuminated sign abutting Interstate 95 to the east, relative to the prospective rental or sale of the property, said sign to be no larger than 14' by 48' and no higher than 50' above Interstate 95 elevation. Each sign is to be removed after a period of 36 months following erection, respectively.
  - a. Petitioner shall submit a plan for approval by the planning Administrative Officer to the Planning Board, to include specific structure details and proposed location for approval;
  - b. Once the sign layout and location is approved by the Administrative Officer, the sign may be installed for a period of one (1) year. The sign may be permitted for up to three (3) years from the date of administrative approval provided that the sign is reviewed and approved annually by the Administrative Officer;
  - c. Sign shall be exterior illuminated only. The use of interior illumination or motion graphics or text is prohibited.
7. A fifty foot (50') buffer shall be maintained along the southern property line of the Parcels (the "Buffer"). No structures shall be erected within the Buffer except for a fence with steel posts erected approximately ten feet (10') north of the southern property line of the Parcels (the "Fence"). Evergreen trees between the Fence and the southern property line of the Parcels shall be maintained by individual abutting property owners. The petitioner shall be allowed to maintain paving and/or a detention pond within twenty-five feet (25') of the Buffer farthest from the southern property line of the Parcels.
8. No access to the Parcels is permitted from Northbridge Avenue.
9. Ancillary parking for Assessor's Plat 265, Lots 18 and 21 (the Crowne Plaza Hotel) is permitted on the Parcels.

10. All uses outlined under use code 300 "Office Uses" and 414.1 "Outdoor recreation limited to driving range, miniature golf, pitch & putt, batting cages and/or little league baseball facilities" are permitted by right in the Office zone with exception that use codes 308 and 309 are limited to non-industrial type activities. In addition, retail uses ancillary to the permitted use are allowed on the Parcels.
11. All existing development at the Parcels is in conformance with prior applicable zoning including O-98-23; O-03-26; and/or O-06-23.

Section II. Upon effective date of this Ordinance, Ordinances O-98-23; O-03-26; and O-06-23 are hereby repealed.

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

SPONSORED BY:

COMMITTEE:

# **Exhibit A**

**LEGAL DESCRIPTION  
PROPOSED PDR OVERLAY  
FOR A PORTION OF AP 257, LOT 10  
(Formerly AP 257, Lots 10 & 13  
2018-08-20 (rev. 2018-08-21)**

That certain tract or parcel of land with all buildings and improvements thereon situated on the westerly side of Greenwich Avenue 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 at a rebar found;

Thence proceeding south  $69^{\circ}52'06''$  west a distance of nine hundred twenty nine and  $18/100$  (929.18') feet to a point at the most southwesterly corner of the herein described parcel, bounded southerly in part by lands of others;

Thence proceeding north  $06^{\circ}35'48''$  east a distance of one hundred twenty and  $92/100$  (120.92') feet to a point;

Thence proceeding south  $62^{\circ}30'08''$  east a distance of ninety four and  $81/100$  (94.81') feet to a point;

Thence proceeding north  $85^{\circ}55'54''$  east a distance of fifty six and  $38/100$  (56.38') feet to a point;

Thence proceeding north  $64^{\circ}27'45''$  east a distance of forty five and  $23/100$  (45.23') feet to a point;

Thence proceeding north  $38^{\circ}08'49''$  east a distance of thirty nine and  $57/100$  (39.57') feet to a point;

Thence proceeding north  $31^{\circ}00'36''$  west a distance of one hundred twenty three and  $83/100$  (123.83') feet to a point;

Thence proceeding north  $67^{\circ}01'47''$  west a distance of two hundred ninety three and  $63/100$  (293.63') feet to a point;

Thence proceeding north  $58^{\circ}06'01''$  west a distance of two hundred forty four and  $54/100$  (244.54') feet to a point;

Thence proceeding south  $45^{\circ}31'01''$  west a distance of seventy five and  $91/100$  (75.91') feet to a point;

Thence proceeding south  $37^{\circ}06'40''$  east a distance of one hundred seventy one and  $23/100$  (171.23') feet to a point;

Thence proceeding south  $62^{\circ}23'11''$  west a distance of three hundred thirty nine and  $58/100$  (339.58') feet to a point, at the beginning of a curve;

Thence proceeding along the arc of a curve in a counter clock wise direction with a radius of one hundred seventy five and  $00/100$  (175.00') feet and a delta angle of  $49^{\circ}09'16''$  a distance of one hundred fifty and  $13/100$  (150.13') feet to a point at the end of said curve;

Thence proceeding north  $06^{\circ}29'43''$  east a distance of three hundred thirty one and  $95/100$  (331.95') feet to a point at the beginning of a curve;

Thence proceeding in a clock wise direction along the arc of said curve with a radius of fourteen and  $10/100$  (14.10') feet and a delta angle of  $20^{\circ}10'17''$  a distance of four and  $96/100$  (4.96') feet to a point at the end of said curve;

Thence proceeding south  $83^{\circ}21'34''$  east a distance of four and  $94/100$  (4.94') feet to a point at the beginning of a curve;

Thence proceeding along the arc of a curve in a clock wise direction with a radius of one hundred four and  $35/100$  (104.35') feet and a delta angle of  $17^{\circ}23'47''$  a distance of thirty one and  $68/100$  (31.68') feet to a point at the end of said curve;

Thence proceeding south  $65^{\circ}26'12''$  east a distance of thirty five and  $71/100$  (35.71') feet to a point at the beginning of a curve;

Thence proceeding along the arc of a curve in a counter clock wise direction with a radius of one hundred thirty nine and  $56/100$  (139.56') feet and a delta angle of  $18^{\circ}19'20''$  a distance of forty four and  $63/100$  (44.63') feet to the end of said curve;

Thence proceeding south  $83^{\circ}30'17''$  east a distance of thirty seven and  $00/100$  (37.00') feet to a point at the beginning of a curve;

Thence proceeding along the arc of a curve in a clock wise direction with a radius of ninety eight and  $73/100$  (98.73') feet and a delta angle of  $27^{\circ}59'45''$  a distance of forty eight and  $24/100$  (48.24') feet to a point at the end of said curve;

Thence proceeding south  $55^{\circ}47'08''$  east a distance of fifty and  $12/100$  (50.12') feet to a point;

Thence proceeding south  $55^{\circ}47'00''$  east a distance of sixty five and  $47/100$  (65.47') feet to a point at the beginning of a curve;

Thence proceeding along the arc of a curve in a counter clock wise direction with a radius of eighty seven and  $50/100$  (80.57') feet and a delta angle of  $46^{\circ}51'32''$  a distance of seventy one and  $56/100$  (71.56') feet to a point at the end of said curve;

Thence proceeding north  $77^{\circ}21'28''$  east a distance of thirteen and  $66/100$  (13.66') feet to a point;

Thence proceeding north  $06^{\circ}29'43''$  east a distance of six hundred eighty five and  $68/100$  (685.68') feet to a point;

Thence proceeding south  $71^{\circ}47'55''$  east a distance of one hundred sixty five and  $97/100$  (165.97') feet to a point at the beginning of a curve;

Thence proceeding in a counter clock wise direction along the arc of a curve with a radius of one hundred seventy five and  $00/100$  (175.00') feet and a delta angle of  $87^{\circ}34'44''$  a distance of two hundred sixty seven and  $49/100$  (267.49') feet to a point at the end of said curve;

Thence proceeding north  $20^{\circ}37'21''$  east a distance of one hundred twenty and  $20/100$  (120.20') feet to a point;

Thence proceeding south  $67^{\circ}41'52''$  east a distance of two hundred fourteen and  $64/100$  (214.64') feet to a point marked by a granite bound;

Thence proceeding south  $71^{\circ}23'16''$  west a distance of twenty five and  $41/100$  (25.41') feet to a point marked by a rebar;

Thence proceeding south  $01^{\circ}40'16''$  west a distance of one hundred and  $92/100$  (100.92') feet to a point marked by a granite bound;

Thence proceeding south  $02^{\circ}43'16''$  west a distance of five hundred sixty six and  $05/100$  (566.05') feet to a point marked by a rebar;

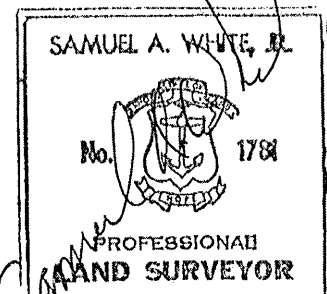
Thence proceeding north  $86^{\circ}49'16''$  east a distance of three hundred forty and  $32/100$  (340.32') feet to a point on the westerly highway line of said Greenwich Avenue the last four (4) courses bounded southeasterly, easterly and northerly by land now or formerly of MJE Reality LLC and land now or formerly of Harvey A. & Patricia J. Bennett;

Thence proceeding south  $09^{\circ}58'20''$  west along the westerly highway line of said Greenwich Avenue a distance of one hundred eighty one and  $27/100$  (181.27') feet to a point marked by a Rhode Island Highway Bound at Sta. 111+80.2 right forty five and  $00/100$  (45.00');

Thence proceeding along the arc of a curve in a clock wise direction with a radius of one thousand one hundred ninety four and  $01/100$  (1194.01') feet and a delta angle of  $02^{\circ}40'01''$  a distance of fifty five and  $58/100$  (55.58') feet to the point and place of beginning;

Said parcel contains 788,041 square feet or 18.09 acres more or less.

Said parcel is subject to easements of record.





**LEGAL DESCRIPTION**  
**AP 257, LOT 1**  
**(Formerly AP 257, Lots 10 & 13)**  
**2018-08-20 (rev. 2018-02-21)**

That certain tract or parcel of land with all buildings and improvements thereon situated on the westerly side of Greenwich Avenue 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 at a rebar found;

Thence proceeding south  $69^{\circ}52'06''$  west a distance of one thousand eight hundred sixty seven and  $87/100$  (1867.87') feet to a rebar at the most southwesterly corner of the herein described parcel, bounded southerly in part by lands of others;

Thence proceeding along the arc of a curve in a counter clock wise direction with a radius of seven thousand nine hundred seventy six and  $98/100$  (7976.98') feet and a delta angle of  $05^{\circ}37'38''$  a distance of seven hundred eighty three and  $45/100$  (783.45') feet to a point;

Thence proceeding north  $02^{\circ}47'45''$  east a distance of five hundred thirty four and  $28/100$  (534.28') feet to a point;

Thence proceeding north  $04^{\circ}42'56''$  east a distance of two hundred forty six and  $94/100$  (246.94') feet to a point;

Thence proceeding north  $14^{\circ}58'53''$  east a distance of eighty eight and  $26/100$  (88.26') feet to a point;

Thence proceeding north  $56^{\circ}27'19''$  east a distance of three hundred forty nine and  $93/100$  (349.93') feet to a point, said point being located south  $71^{\circ}49'44''$  east a distance of thirty six and  $21/100$  (36.21') feet from a Rhode Island Highway Bound, the last five (5) courses bounded easterly and northwesterly by land now or formerly of The City of Warwick;

Thence proceeding north  $43^{\circ}15'45''$  east a distance of one hundred twenty four and  $93/100$  (124.93') feet to a point, at or near a Rhode Island Highway Bound at Sta. 348+40.31;

Thence proceeding north  $21^{\circ}52'24''$  east a distance of twenty and  $00/100$  (20.00') feet to a point, the last two (2) courses bounded westerly by land now or formerly of the State of Rhode Island;

Thence proceeding south  $68^{\circ}07'36''$  east a distance of two hundred forty four and  $77/100$  (244.77') feet to a point;

Thence proceeding south  $02^{\circ}11'55''$  east a distance of sixty two and  $36/100$  (62.36') feet to a point;

Thence proceeding south  $68^{\circ}05'20''$  east a distance of ninety nine and  $33/100$  (99.33') feet to a point;

Thence proceeding north  $21^{\circ}54'40''$  east a distance of thirty six and  $99/100$  (36.99') feet to a point on the southerly side of Old East Avenue, the last four (4) courses bounded northerly northeasterly, northerly and westerly by land now or formerly of Warwick Hotel Associates II LP;

Thence proceeding south  $68^{\circ}07'36''$  east along the southerly street line of said Old East Avenue a distance of four hundred seventy six and  $80/100$  (476.80') feet to a point;

Thence proceeding south  $67^{\circ}41'52''$  east a distance of two hundred fourteen and  $64/100$  (214.64') feet to a point marked by a granite bound;

Thence proceeding south  $71^{\circ}23'16''$  west a distance of twenty five and  $41/100$  (25.41') feet to a point marked by a rebar;

Thence proceeding south  $01^{\circ}40'16''$  west a distance of one hundred and  $92/100$  (100.92') feet to a point marked by a granite bound;

Thence proceeding south  $02^{\circ}43'16''$  west a distance of five hundred sixty six and  $05/100$  (566.05') feet to a point marked by a rebar;

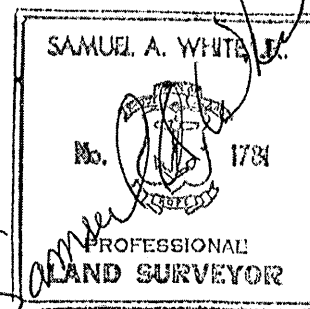
Thence proceeding north  $86^{\circ}49'16''$  east a distance of three hundred forty and  $32/100$  (340.32') feet to a point on the westerly highway line of said Greenwich Avenue the last four (4) courses bounded southeasterly, easterly and northerly by land now or formerly of MJE Reality LLC and land now or formerly of Harvey A. & Patricia J. Bennett;

Thence proceeding south  $09^{\circ}58'20''$  west along the westerly highway line of said Greenwich Avenue a distance of one hundred eighty one and  $27/100$  (181.27') feet to a point marked by a Rhode Island Highway Bound at Sta. 111+80.2 right forty five and  $00/100$  (45.00');

Thence proceeding along the arc of a curve in a clock wise direction with a radius of one thousand one hundred ninety four and  $01/100$  (1194.01') feet and a delta angle of  $02^{\circ}40'01''$  a distance of fifty five and  $58/100$  (55.58') feet to the point and place of beginning;

Said parcel contains 2,120,362 square feet or 48.68 acres more or less.

Said parcel is subject to easements of record.

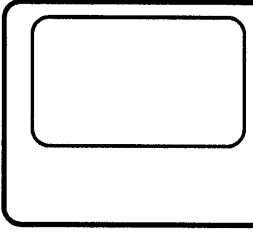


# **Exhibit B**



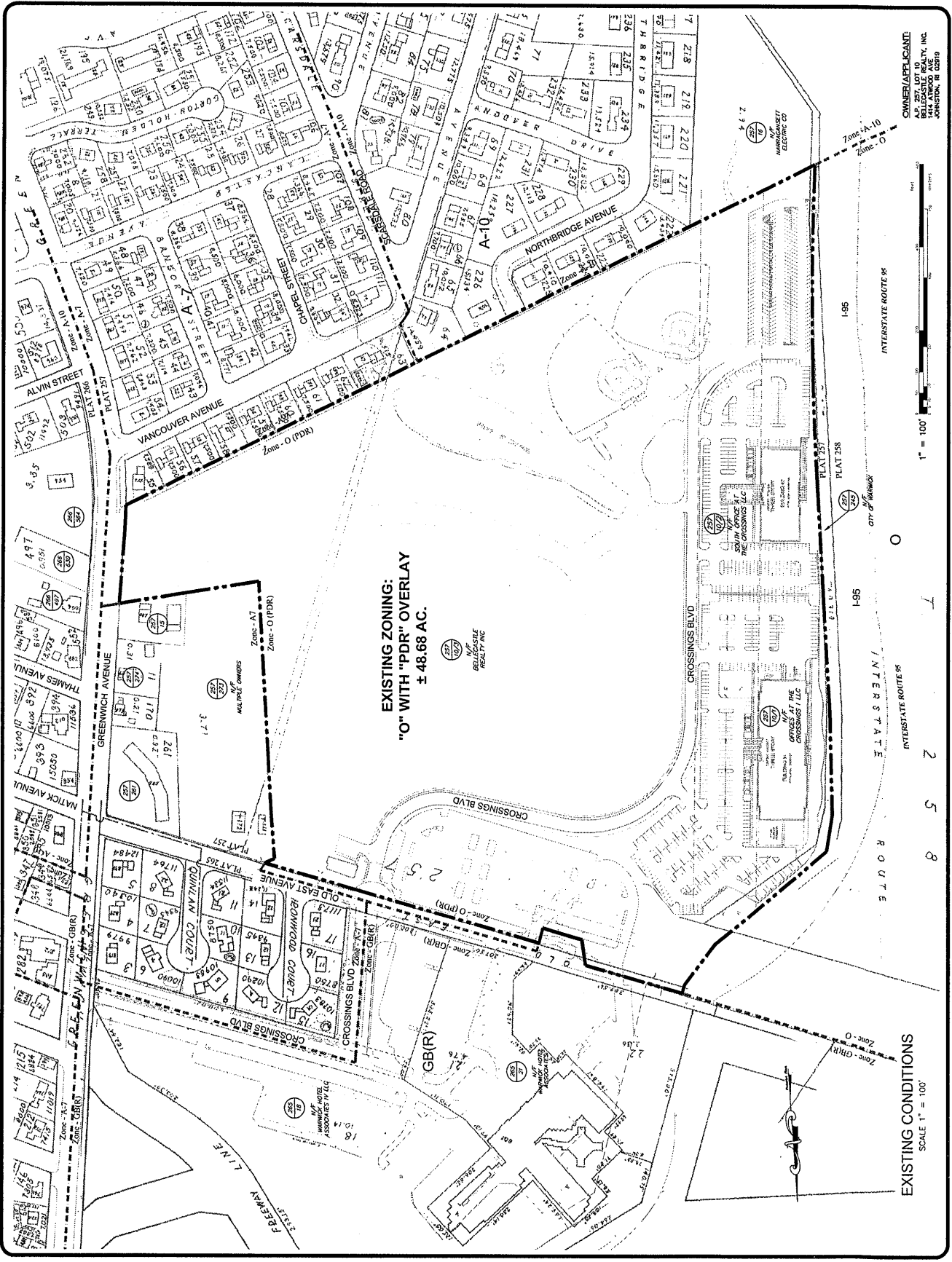
EXISTING ZONE CONDITIONS  
 FOR  
 ZONE CHANGE  
 BELLECASTLE REALTY, INC.  
 SITUATED ON  
 GREENWICH AVENUE  
 WARWICK, RHODE ISLAND  
 PREPARED FOR  
 BELLECASTLE REALTY, INC.  
 A.P. 257 LOT 10 (Formerly Lot 10 & 13)

NO.	REVISION	BY	DATE

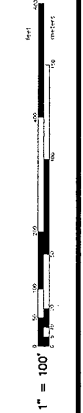


GAROFALO & ASSOCIATES, INC.  
 CIVIL & STRUCTURAL ENGINEERS/SURVEYORS  
 LAND PLANNERS/ENVIRONMENTAL SCIENTISTS  
 P.O. BOX 6145  
 PROVIDENCE, RI 02940  
 TEL. 401-273-6000

JOB NO. 1533-05 DWG. NO. 553P-05-Rev.04 SCALE: AS SHOWN	DRAWN BY K.Y.T.	CHECKED S.S.H.	APPROVED S.B.C.
	DATE: AUGUST 21, 2018		
	SHEET 1		
	1 OF 2 SHEET		



OWNER/APPLICANT:  
 A.P. 257 LOT 10  
 BELLECASTLE REALTY, INC.  
 1414 ANWOOD AVE.  
 JOHNSTON, RI 02819



EXISTING CONDITIONS  
 SCALE 1" = 100'

2

1 OF 1 SHEET

SHEET

DRAWN BY: K.Y.T.  
CHECKED: S.S.H.  
APPROVED: S.B.C.  
DATE: AUGUST 21, 2018  
SCALE: AS SHOWN

**GAROFALO**  
GAROFALO & ASSOCIATES, INC.  
CIVIL & STRUCTURAL ENGINEERS/SURVEYORS  
LAND PLANNERS/ENVIRONMENTAL SCIENTISTS  
P.O. BOX 6145  
PROVIDENCE, R.I. 02940  
TEL: 401-273-6990

PROPOSED ZONE CONDITIONS  
FOR  
ZONE CHANGE  
BELLECASTLE REALTY, INC.  
SITUATED ON  
GREENWICH AVENUE  
WARWICK, RHODE ISLAND  
PREPARED FOR  
BELLECASTLE REALTY, INC.

OWNER/APPLICANT:  
BELLECASTLE REALTY, INC.  
1444 ANWOOD AVE  
PROVIDENCE, RI 02909

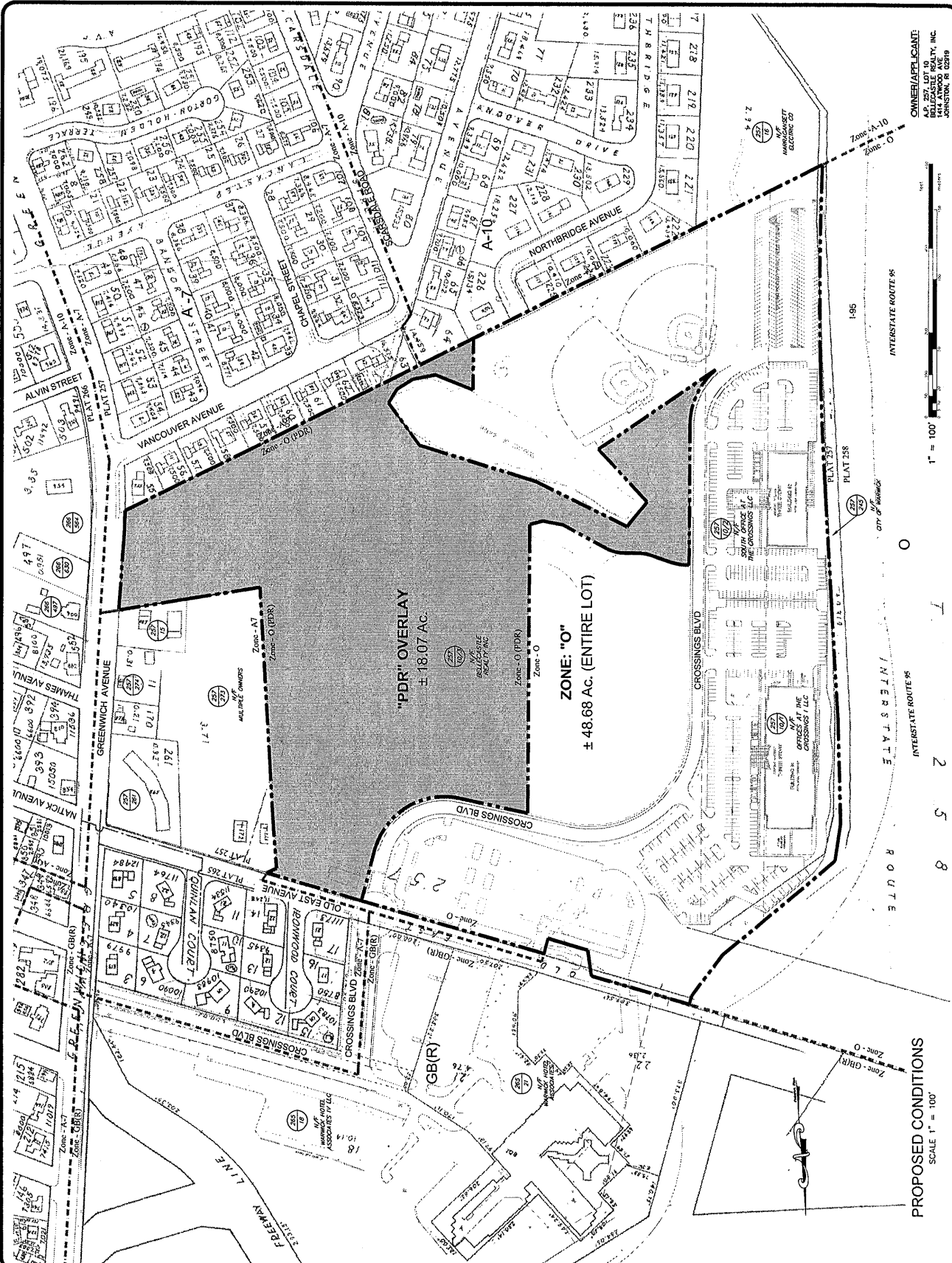
INTERSTATE ROUTE 95

INTERSTATE ROUTE 95

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PROPOSED CONDITIONS  
SCALE 1" = 100'

SCALE 1" = 100'



**LEGAL DESCRIPTION**  
**AP 257, LOT 1**  
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**2018-08-20 (rev. 2018-02-21)**

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Thence proceeding south  $69^{\circ}52'06''$  west a distance of one thousand eight hundred sixty seven and  $87/100$  (1867.87') feet to a rebar at the most southwesterly corner of the herein described parcel, bounded southerly in part by lands of others;

Thence proceeding along the arc of a curve in a counter clock wise direction with a radius of seven thousand nine hundred seventy six and  $98/100$  (7976.98') feet and a delta angle of  $05^{\circ}37'38''$  a distance of seven hundred eighty three and  $45/100$  (783.45') feet to a point;

Thence proceeding north  $02^{\circ}47'45''$  east a distance of five hundred thirty four and  $28/100$  (534.28') feet to a point;

Thence proceeding north  $04^{\circ}42'56''$  east a distance of two hundred forty six and  $94/100$  (246.94') feet to a point;

Thence proceeding north  $14^{\circ}58'53''$  east a distance of eighty eight and  $26/100$  (88.26') feet to a point;

Thence proceeding north  $56^{\circ}27'19''$  east a distance of three hundred forty nine and  $93/100$  (349.93') feet to a point, said point being located south  $71^{\circ}49'44''$  east a distance of thirty six and  $21/100$  (36.21') feet from a Rhode Island Highway Bound, the last five (5) courses bounded easterly and northwesterly by land now or formerly of The City of Warwick;

Thence proceeding north  $43^{\circ}15'45''$  east a distance of one hundred twenty four and  $93/100$  (124.93') feet to a point, at or near a Rhode Island Highway Bound at Sta. 348+40.31;

Thence proceeding north  $21^{\circ}52'24''$  east a distance of twenty and  $00/100$  (20.00') feet to a point, the last two (2) courses bounded westerly by land now or formerly of the State of Rhode Island;

Thence proceeding south  $68^{\circ}07'36''$  east a distance of two hundred forty four and  $77/100$  (244.77') feet to a point;

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Thence proceeding south  $68^{\circ}05'20''$  east a distance of ninety nine and  $33/100$  (99.33') feet to a point;

Thence proceeding north  $21^{\circ}54'40''$  east a distance of thirty six and  $99/100$  (36.99') feet to a point on the southerly side of Old East Avenue, the last four (4) courses bounded northerly northeasterly, northerly and westerly by land now or formerly of Warwick Hotel Associates II LP;

Thence proceeding south  $68^{\circ}07'36''$  east along the southerly street line of said Old East Avenue a distance of four hundred seventy six and  $80/100$  (476.80') feet to a point;

Thence proceeding south  $67^{\circ}41'52''$  east a distance of two hundred fourteen and  $64/100$  (214.64') feet to a point marked by a granite bound;

Thence proceeding south  $71^{\circ}23'16''$  west a distance of twenty five and  $41/100$  (25.41') feet to a point marked by a rebar;

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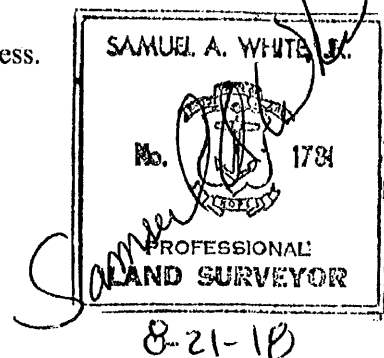
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Thence proceeding along the arc of a curve in a clock wise direction with a radius of one thousand one hundred ninety four and  $01/100$  (1194.01') feet and a delta angle of  $02^{\circ}40'01''$  a distance of fifty five and  $58/100$  (55.58') feet to the point and place of beginning;

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That certain tract or parcel of land with all buildings and improvements thereon situated on the westerly side of Greenwich Avenue 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 at a rebar found;

Thence proceeding south  $69^{\circ}52'06''$  west a distance of nine hundred twenty nine and  $18/100$  (929.18') feet to a point at the most southwesterly corner of the herein described parcel, bounded southerly in part by lands of others;

Thence proceeding north  $06^{\circ}35'48''$  east a distance of one hundred twenty and  $92/100$  (120.92') feet to a point;

Thence proceeding south  $62^{\circ}30'08''$  east a distance of ninety four and  $81/100$  (94.81') feet to a point;

Thence proceeding north  $85^{\circ}55'54''$  east a distance of fifty six and  $38/100$  (56.38') feet to a point;

Thence proceeding north  $64^{\circ}27'45''$  east a distance of forty five and  $23/100$  (45.23') feet to a point;

Thence proceeding north  $38^{\circ}08'49''$  east a distance of thirty nine and  $57/100$  (39.57') feet to a point;

Thence proceeding north  $31^{\circ}00'36''$  west a distance of one hundred twenty three and  $83/100$  (123.83') feet to a point;

Thence proceeding north  $67^{\circ}01'47''$  west a distance of two hundred ninety three and  $63/100$  (293.63') feet to a point;

Thence proceeding north  $58^{\circ}06'01''$  west a distance of two hundred forty four and  $54/100$  (244.54') feet to a point;

Thence proceeding south  $45^{\circ}31'01''$  west a distance of seventy five and  $91/100$  (75.91') feet to a point;

Thence proceeding south  $37^{\circ}06'40''$  east a distance of one hundred seventy one and  $23/100$  (171.23') feet to a point;

Thence proceeding south  $62^{\circ}23'11''$  west a distance of three hundred thirty nine and 58/100 (339.58') feet to a point, at the beginning of a curve;

Thence proceeding along the arc of a curve in a counter clock wise direction with a radius of one hundred seventy five and 00/100 (175.00') feet and a delta angle of  $49^{\circ}09'16''$  a distance of one hundred fifty and 13/100 (150.13') feet to a point at the end of said curve;

Thence proceeding north  $06^{\circ}29'43''$  east a distance of three hundred thirty one and 95/100 (331.95') feet to a point at the beginning of a curve;

Thence proceeding in a clock wise direction along the arc of said curve with a radius of fourteen and 10/100 (14.10') feet and a delta angle of  $20^{\circ}10'17''$  a distance of four and 96/100 (4.96') feet to a point at the end of said curve;

Thence proceeding south  $83^{\circ}21'34''$  east a distance of four and 94/100 (4.94') feet to a point at the beginning of a curve;

Thence proceeding along the arc of a curve in a clock wise direction with a radius of one hundred four and 35/100 (104.35') feet and a delta angle of  $17^{\circ}23'47''$  a distance of thirty one and 68/100 (31.68') feet to a point at the end of said curve;

Thence proceeding south  $65^{\circ}26'12''$  east a distance of thirty five and 71/100 (35.71') feet to a point at the beginning of a curve;

Thence proceeding along the arc of a curve in a counter clock wise direction with a radius of one hundred thirty nine and 56/100 (139.56') feet and a delta angle of  $18^{\circ}19'20''$  a distance of forty four and 63/100 (44.63') feet to the end of said curve;

Thence proceeding south  $83^{\circ}30'17''$  east a distance of thirty seven and 00/100 (37.00') feet to a point at the beginning of a curve;

Thence proceeding along the arc of a curve in a clock wise direction with a radius of ninety eight and 73/100 (98.73') feet and a delta angle of  $27^{\circ}59'45''$  a distance of forty eight and 24/100 (48.24') feet to a point at the end of said curve;

Thence proceeding south  $55^{\circ}47'08''$  east a distance of fifty and 12/100 (50.12') feet to a point;

Thence proceeding south  $55^{\circ}47'00''$  east a distance of sixty five and 47/100 (65.47') feet to a point at the beginning of a curve;

Thence proceeding along the arc of a curve in a counter clock wise direction with a radius of eighty seven and 50/100 (80.57') feet and a delta angle of  $46^{\circ}51'32''$  a distance of seventy one and 56/100 (71.56') feet to a point at the end of said curve;

Thence proceeding north  $77^{\circ}21'28''$  east a distance of thirteen and 66/100 (13.66') feet to a point;

Thence proceeding north 06°29'43" east a distance of six hundred eighty five and 68/100 (685.68') feet to a point;

Thence proceeding south 71°47'55" east a distance of one hundred sixty five and 97/100 (165.97') feet to a point at the beginning of a curve;

Thence proceeding in a counter clock wise direction along the arc of a curve with a radius of one hundred seventy five and 00/100 (175.00') feet and a delta angle of 87°34'44" a distance of two hundred sixty seven and 49/100 (267.49') feet to a point at the end of said curve;

Thence proceeding north 20°37'21" east a distance of one hundred twenty and 20/100 (120.20') feet to a point;

Thence proceeding south 67°41'52" east a distance of two hundred fourteen and 64/100 (214.64') feet to a point marked by a granite bound;

Thence proceeding south 71°23'16" west a distance of twenty five and 41/100 (25.41') feet to a point marked by a rebar;

Thence proceeding south 01°40'16" west a distance of one hundred and 92/100 (100.92') feet to a point marked by a granite bound;

Thence proceeding south 02°43'16" west a distance of five hundred sixty six and 05/100 (566.05') feet to a point marked by a rebar;

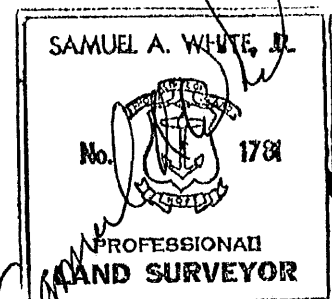
Thence proceeding north 86°49'16" east a distance of three hundred forty and 32/100 (340.32') feet to a point on the westerly highway line of said Greenwich Avenue the last four (4) courses bounded southeasterly, easterly and northerly by land now or formerly of MJE Reality LLC and land now or formerly of Harvey A. & Patricia J. Bennett;

Thence proceeding south 09°58'20" west along the westerly highway line of said Greenwich Avenue a distance of one hundred eighty one and 27/100 (181.27') feet to a point marked by a Rhode Island Highway Bound at Sta. 111+80.2 right forty five and 00/100 (45.00');

Thence proceeding along the arc of a curve in a clock wise direction with a radius of one thousand one hundred ninety four and 01/100 (1194.01') feet and a delta angle of 02°40'01" a distance of fifty five and 58/100 (55.58') feet to the point and place of beginning;

Said parcel contains 788,041 square feet or 18.09 acres more or less.

Said parcel is subject to easements of record.



8-21-10

**PLANNING REPORT ON:**

**AMENDMENTS TO CITY OF WARWICK, RI –  
ZONING MAP, TEXT and CONDITIONS**

**ORTHO RI AT THE CROSSINGS PROJECT**

**PREPARED FOR:**

**BELLECASTLE REALTY, INC.**

**PREPARED BY:**

**JDL ENTERPRISES  
JOSEPH D. LOMBARDI, AICP, PRESIDENT  
August 2018**

## **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 Amendments by Bellecastle Realty, Inc. This report includes a review of the City's Comprehensive Community Plan, and Zoning Ordinance. In addition, this report provides a 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 ~**

Bellecastle Realty, Inc. proposes to amend the City's Zoning Map, Text with Conditions by requesting specific text changes regarding A.P. 257 – Lots 10 & 13, The subject parcels are located directly off Greenwich Avenue and Crossings Boulevard. There is a specific number of additional permitted uses specified in the proposed new ordinance.

The project includes:

Residential units – four 18-unit buildings and three 48-unit buildings = 216 total units

Medical Office space – 60,000 SF +/- Phase 1, 40,000 SF +/- Phase 2 (3 story buildings)

Thus, the purpose for the zone text amendments requested which will amend, replace and supersede previously enacted ordinances affecting the subject property, specifically Ordinances O-98-23; O-03-26; and O-06-23.

## **DESCRIPTION OF ZONING DISTRICT ~**

The following Zoning District descriptions are appropriate to this application:

### ***CURRENT ZONE DISTRICT ~***

PDR – Planned district residential A-7	
O - Office	

The Parcels are zoned Office and PDR overlay subject to twelve stipulations and conditions as specified in the application and draft ordinance that include height, parking signage, buffer requirements, access, and permitted uses.

## 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 text amendments requested by Bellecastle Realty, Inc.:

- **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.

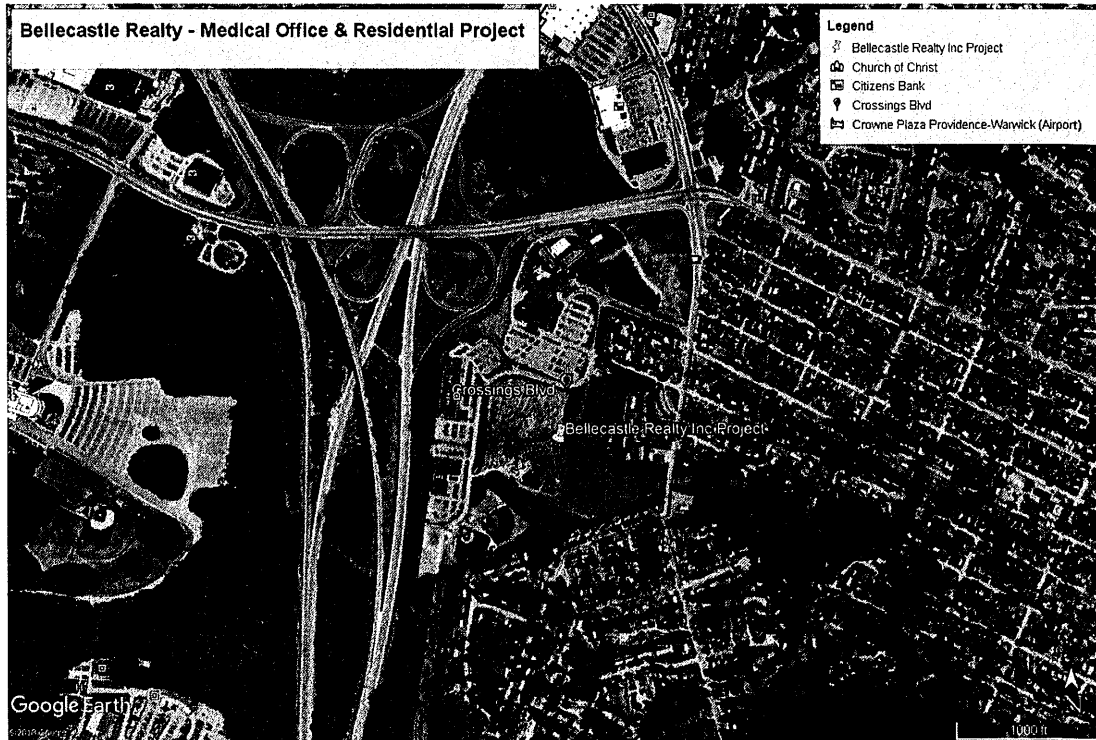
- **GOAL 6. Public and private development meets high standards of urban design.**
- **POLICY • Ensure that proposed new residential, business and industrial uses are compatible with the character and surrounding area.**
- **ACTION ITEM: With guidance from the future land use map, maintain appropriate 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.**

## RI ORTHOPEDICS PROJECT DEVELOPMENT SITE AND SURROUNDING AREA



The project site consists of both an existing Crown Plaza hotel development to the north, and existing office building development to the west. Across the street to the east on Greenwich Avenue is an existing residential neighborhood area, as well as residential to the south of the subject site. These land uses can be seen on an aerial view, such as available from Google Earth. The proposed Zoning Map, Text and conditions for the subject property and the designed Maser Plan which includes high value and specialized medical office space, along with the 216 residential units in multiple buildings is clearly a desirable extension of the existing land use pattern in this portion of the City of Warwick.



## **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 Bellecastle Realty, Inc.:

### **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 Garofalo & Associates 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.*

## **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 Bellecastle Realty, Inc. for a change to the Warwick Zoning Map. Text and with Conditions. This report described the nature of the request by Bellecastle Realty, Inc. to the City and the description of the Zoning Districts as they exist and the specific proposed text amendments. 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 amendments by Bellecastle Realty, Inc.

Further, the Purposes of the Zoning Ordinance, which were deemed applicable to this application by Bellecastle Realty, Inc., 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**

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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 Text Amendments requested by Bellecastle Realty, Inc. 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: August 2018