



CITY OF WARWICK

FRANK J. PICOZZI, MAYOR

MEMORANDUM

1119 Division Street

TO: Stephen P. McAllister, Honorable Council President
Honorable Warwick City Council Members
Lynn D'Abrosca, City Clerk

FROM: Tom Kravitz, Planning Director/AO *TK*

DATE: May 25, 2022

SUBJECT: Planning Board Recommendation, Request for a Zone Change to allow for a Carwash (Use Code 420), within a General Business Zone with exemptions from Ordinance.
Assessor's Plat 215, Assessor's Lot 7

APPLICANT: 1119 Division Street, LLC
1140 Reservoir Avenue
Cranston, Rhode Island 02920

ZONING DISTRICT: General Business (GB)

PROPOSED ZONE: General Business, with authorization for Use Code 420. Carwash, with dimensional waivers from Warwick Zoning Ordinance, with exceptions from Section 301: Table 1 Use Regulations Footnote 7; Section 301 Table 2 B: exception from side-yard setback from abutting residential district; Section 505.1 Minimum Landscape Buffer: exception from required landscape buffer; Section 505.6(B) Parking Lot Interior Landscaping and Section 702: exception from Loading Requirements.

LAND AREA: 38,226sf

WARD: 9

PROJECT SUMMARY

The Applicant is requesting City Council approval for a modification to the existing zoning on the site (General Business), to allow Use Code 420. Carwash, and stated dimensional waivers from Warwick Zoning Ordinance.

The Applicant is proposing to develop the parcel with a 4,739± s.f. drive-through carwash. The parcel is zoned General Business (GB), with a total land area of 38,226 s.f. The development of the site will include parking improvements, landscaping, stormwater management, and associated utilities. The site improvements include one, new access curb cut at Division Street to the south, as well as two cross-access curb cuts to the abutting parcel located at 1149 Division Street. Proposed access/egress to/ from the site will be provided by: one, right-in only driveway from the westbound side of Division Street (Route 401) and one, shared (with abutting lot 8) full access curb-cut aligned with the signalized intersection that will allow vehicles to enter or exit the site eastbound or westbound to/from Division Street, or access the on-ramp to Route 4 southbound.

The parcel is currently zoned General Business. Use Code 420. Car Wash is allowed by Special Use Permit in a General Business Zone. The site abuts land owned by National Grid to the North and East which is used for Electrical substations and power lines, but zoned Residential (A40). Due to the residential zoning, dimensional waivers sought for the project exceed what is authorized by Ordinance to be granted by the Zoning Board and therefore the request is being made of the City Council.

The following municipal departments have reviewed the proposal project and have posed no objections: Public Works/Engineering, Sewer, Assessor, Building, Water, and Fire. The property is serviced by, and will require permitting from, both the Kent County Water Authority and the West Warwick Wastewater Treatment Facility in accordance with their respective standards and regulations.

FINDINGS OF THE BOARD

At the May 11, 2022 meeting of the Warwick Planning Board, this project and proposed zoning amendment was found to be generally consistent with RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statements* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60 as further detailed in the attached Conditional Master Plan Decision Letter (Recorded and posted May 16, 2022: Book 10137 Page 154).

The Planning Board also found the proposed zoning amendment to be generally consistent with the Comprehensive Plan of the City of Warwick and such finding is 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.

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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 quality in 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 the Motion of Ms. Cullion, seconded by Ms. Polselli, the Planning Board voted unanimously (Mr. Bergantino, Mr. Catalano, Ms. Cullion, Mr. Flynn, Ms. Polselli; all in favor, none abstained, none against) to both grant Conditional Master Plan Approval and to forward a favorable recommendation to the Warwick City Council for the requested zone change to allow a car wash (Use Code 420) with stated waivers from Ordinance. Should the City Council grant favorable action on this petition, the applicant will be required to return to the Planning Board for Preliminary and Final Approvals.



CITY OF WARWICK

DATE POSTED 5-16-2022

FRANK J. PICOZZI, MAYOR

May 16, 2022

1119 Division Site, LLC
 1140 Reservoir Avenue
 Cranston, RI 02920

RE: Assessor's Plat 215, Assessor's Lot 007
 1119 Division Street (Route 401)

Dear Applicant:

The following is the decision on your application for Master Plan Approval of a Major Land Development Project with zone change (Special Use Permit with exemptions greater than allowed by Ordinance) heard by the Warwick Planning Board at the regularly scheduled meeting held on May 11, 2022.

The Planning Board reviewed your proposal to develop the parcel with a 4,739± s.f. drive-through carwash. The parcel is zoned General Business (GB), with a total land area of 38,226 s.f. The development of the site will include parking improvements, landscaping, stormwater management, and associated utilities. The project also proposes a parking area with vacuum equipment for customer use. The site improvements include one, new access curb cut at Division Street to the south, as well as two cross-access curb cuts to the abutting parcel located at 1149 Division Street. Proposed access/egress to/ from the site will be provided by: one, right-in only driveway from the westbound side of Division Street (Route 401) and one, shared (with abutting lot 7) full access curb-cut aligned with the signalized intersection that will allow vehicles to enter or exit the site eastbound or westbound to/from Division Street, or access the on-ramp to Route 4 southbound.

The Planning Board was also asked to make a recommendation to the Warwick City Council for a Special Use Permit for Use Code 420. Carwash with exceptions from Section 301: Table 1 Use Regulations Footnote 7; Section 301 Table 2 B: exception from side-yard setback from abutting residential district; Section 505.1 Minimum Landscape Buffer: exception from required landscape buffer; Section 505.6(B) Parking Lot Interior Landscaping and Section 702: exception from Loading Requirements.

After completion of the Public 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 Meeting, found this proposal to be generally consistent with RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statements* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*, as follows:

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1. That the proposal is generally consistent with the *City of Warwick, Comprehensive Plan 2033*, or must satisfactorily address issues where there may be inconsistencies, as follows:
 - a. The project involves the redevelopment of a property that is currently vacant and unutilized, and proposes substantial landscaping along the public way. *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* states that 60 percent of Comprehensive Plan survey respondents indicated that improving the appearance of major roads and commercial corridors is "very important." The project is consistent with this Comprehensive Plan element, provided the landscaping, signage, and building features conform to all current zoning requirements or receives relief where needed.
 - b. Although the proposed project abuts a parcel to the west and north currently zoned residential (A40), the actual use on the abutting property is industrial in nature with an electric substation which is then bounded to the north and west by interstate 95 and Route 4. The project is therefore consistent with a stated policy in *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* element to "ensure that proposed new residential, business and industrial uses are compatible with the character and surrounding area." The Applicant will need to provide appropriate landscaping and site building features in order to maintain consistency with this component of the Comprehensive Plan.
 - c. A stated land use issue relating to Division Street in *Chapter 12, Section K*, of the *Comprehensive Plan, Future Land Use, Zoning and Urban Design* element is "potential impacts of nonresidential development on residential areas..." Although the proposed project abuts parcels to the north and east currently zoned residential (A40), the parcel contains an electric substation so the actual use is industrial/commercial in nature. The closest actual residential dwelling is more than a quarter mile from the site and across a major highway. The project is therefore consistent with this Comprehensive Plan element.
 - d. A stated land use issue relating to Division Street in *Chapter 12, Section K*, of the *Comprehensive Plan, Future Land Use, Zoning and Urban Design* element is "potential impacts of nonresidential development on ... environmentally sensitive areas." The parcel does not directly abut any areas of special environmental concern. However, the applicant must incorporate appropriate measures to mitigate stormwater runoff, provide pretreatment, and other best management practices (BMPs) in order to adhere to state and local stormwater management regulations and maintain consistency with the Comprehensive Plan.
 - e. *Chapter 9, of the Comprehensive Plan, Transportation and Circulation(9.30)* element states: "Warwick has an efficient road network that responds to existing and future development patterns while reducing auto congestion and improving circulation," with the corresponding Policy: "Reduce traffic congestion throughout

Warwick, particularly along east/west routes and along major commercial corridors," by (Action #3) "Limit multiple access points on the City's major arterial roadways, and where possible, seek to consolidate and/or eliminate redundant accesses and curb cuts." The applicant has proposed to maintain consistency with the Comprehensive Plan by sharing egress from the site with the adjacent parcel which affords both sites access to a traffic light on this busy roadway. The applicant will need to complete a traffic analysis to determine any potential impact the development may have on traffic at the Route 2/Route 401 intersection and propose appropriate mitigation measures as necessary. The traffic analysis must also analyze interior site circulation on the subject property, and as it relates to shared access across the adjoining parcel.

2. That the proposal is not compliant with the standards and provisions of the City's Zoning Ordinance, and as the relief sought exceeds the authority of the Zoning Board (906.3C.2), an exception to Ordinance must be sought through the Warwick City Council in consideration of the following:
 - a. The project requires A Special Use Permit (SUP) pursuant to *TABLE 1. USE REGULATIONS, Use Code 420. Carwash.*
 - b. The project requires exceptions to Ordinance for the following:
 - o Section 301 Table 1 Use Regulations, Footnote 7: The existing parcel has a frontage and minimum lot width of 98.73'; the Ordinance requirement is 100'.
 - o Section 301 Table 2B Dimensional Regulations, Footnote 2. A commercial building or use shall be set back a minimum of 40' from an abutting residence district.
 - o Section 505.1 Minimum Landscape Buffer: A 20' minimum landscape buffer is required along any property line that abuts a residence district. The project provides a 5.4' landscape buffer. (Note the ZB is limited to granting a maximum of 50% of relief under the provisions of 906.3.C.2).
 - o Section 505.6(B) Parking Lot Interior Landscaping: 5% minimum interior landscaping is required for parking areas. The parking area does not include any interior landscaping require relief from Section 505.6(B).
 - o Section Loading Requirements: No loading space is shown on the parcel requiring relief from Section 702.
3. That there will be no significant negative environmental impact from the proposed development provided the applicant conforms to all conditions of approval and proposes appropriate mitigation measures in order to maintain consistency with the Comprehensive Plan in future review phases.
4. That the development, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable in consideration of the following:

- a. The development, as proposed, is contained solely on a single lot (AP 215/Lot 007) with shared egress from adjacent Lot 8, and the Applicant has sufficiently demonstrated that the lot can appropriately support development while remaining in conformance with pertinent regulations and building standards, provided a Special Use Permit and exceptions to Ordinance are granted by the City Council.
5. That the proposed development possesses adequate and permanent access to a public street (Division Street/Route 401) provided:
 - a. The Applicant provides a trip generation/traffic impact study and assessment of signalized intersection at the full access curb cut, Division Street (Route 401), and the Route 4 on ramp/off ramp.
 - b. An analysis of the internal circulation between the car wash and adjacent gas station (Lot 7), is provided and mitigation measures are proposed such as pavement markings and signage for proper ingress to the site, and to mitigate any internal vehicular conflicts; analysis to include the shared egress.
 - c. An assessment of the potential impact of additional traffic flow to/from the site on the Quaker Lane (Route 2)/Division Street (Route 401, East Greenwich town line) intersection is provided.
 - d. Appropriate mitigation measures are provided to minimize disruption to the existing traffic flow as required by the Rhode Island Department of Transportation (RIDOT).
 - e. RIDOT finds that the project meets design requirements and authorizes the issuance of a Physical Alteration Permit for the project upon compliance with bonding, insurance and inspection requirements.

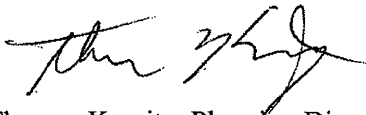
Based on the foregoing findings of fact, the Warwick Planning Board voted unanimously to both grant Conditional Master Plan approval and provide favorable recommendation to the Warwick City Council to grant a special use permit and dimensional variances as outlined herein, with the following stipulations:

1. That all Plans shall comply with "Rules and Regulations for Professional Land Surveying in the State of Rhode Island," effective date November 25, 2015.
2. That the Applicant shall submit a Preliminary Land Development Plan that complies with Appendix C, Final Application, of the City's Development Review Regulations Governing Subdivisions, Land Development Projects, and Development Plan Review, last amendment dated March 14, 2001.
3. That a Storm Water Management Plan shall be submitted in accordance with the Rhode Island Storm Water Design and Installation Standards Manual, dated December 2010, that is designed to demonstrate a net zero rate of runoff from the proposed development.
4. That the design Engineer must meet with the City of Warwick Department of Public Works (DPW) engineering staff to review the proposed drainage system prior to submission to the RI Department of Environmental Management (RIDEM) or RIDOT.

5. That an Operation and Maintenance Plan for the proposed stormwater collection system be included with the Preliminary Plan submission to the Planning Department.
6. That sewer service be reviewed and approved by the West Warwick Regional Wastewater Treatment Facility under the inter-municipal agreement for sewer service. Prior to Preliminary application, the applicant shall obtain the required wastewater approvals and permits.
7. That the Applicant shall obtain all necessary permits from the Kent County Water Authority for water service to the site.
8. That the Applicant provide the following items related to traffic with their Preliminary Plan application:
 - a. An updated trip generation/traffic impact study and assessment of signalized intersection at the full access curb cut, Division Street (Route 401), and the Route 4 on ramp/off ramp.
 - b. An analysis of the internal circulation between the car wash and adjacent gas station (Lot 7), is provided and mitigation measures are proposed such as pavement markings and signage for proper ingress to the site, and to mitigate any internal vehicular conflicts; analysis to include the shared egress.
 - c. An assessment of the potential impact of additional traffic flow to/from the site on the Quaker Lane (Route 2)/Division Street (Route 401, East Greenwich town line) intersection.
 - d. A letter from RIDOT stating that a Physical Alteration Permit (PAP) will be granted for the project provided necessary bonding, insurance, and any other requirements are met.
9. That the development have an adequate number of fire hydrants spaced 300 Ft. apart and providing a minimum of 1000 GPM. Sprinklered buildings require a hydrant within 100 Ft. of the Fire Department Connection (FDC).
10. That there shall be no architectural, landscaping, or natural barriers proposed on the plan that prevent easy access of fire apparatus.
11. That the site design for the Preliminary Plan phase site plan include areas adequate for snow storage and/or develops a practical method of removal and disposal of snow.
12. That the Preliminary Plan phase submission include a landscape plan prepared by a registered landscape architect, approved by the City's Landscape Coordinator, that meets all requirements under Section 505 of the City's Zoning Ordinance, and includes the following:

- a. Plantings, as practicable, within and around any stormwater management basins and swales. Plantings shall include native grasses, perennials, and shrubs that will assist in the control of erosion, uptake and treatment of stormwater, and reduction of any fertilizers or nutrient supplements.
 - b. Enhanced landscaping in all planting beds within 20' of the right-of-way area (Division Street/ Route 401). Enhanced landscape areas shall include stone walls or similar hardscape elements; ornamental perennials, shrubs and trees; LED lighting; and/or similar elements that serve to enhance the overall aesthetic of this highly visible thoroughfare.
 - c. The integration of signage with hardscape and softscape landscape elements (i.e. stone sign base, integration of signage into a wall, and/or accentuating plantings).
 - d. Screening of the Dumpster with a tight evergreen hedge on sides abutting adjacent parcels.
13. That the Preliminary Plan submittal include a photometric site plan, and specifications for all exterior lighting. Site lighting shall be Dark Sky compliant, to the extent practicable. All exterior lighting and signage shall be designed to minimize negative impacts on neighboring properties. Glare from outdoor lights, signs, and from the movement of vehicles on site shall be shielded from the view of adjacent properties.
14. That the Preliminary Plan submittal shall include location, details, and color elevations of all proposed signage. All signage shall be subject to approval by the Administrative Officer to the Planning Board and conform to the standards of the Warwick Zoning Ordinance, Section 800.
15. That the Preliminary Plan submittal include color elevations of the proposed building façade.
16. That the Preliminary Plan submittal include a document that summarizes general business operations, to include hours of operation, shift changes, timing of typical peak traffic flow, and any other relevant operations information for consideration by the Board.

Sincerely,



Thomas Kravitz, Planning Director/Administrative Officer
Warwick Planning Board

Cc: Connor Bailey, Bohler Engineering
K. Joseph Shekarchi, Esq., Shekarchi Law

RECORDED
May 16, 2022 10:21A
Lynn D'Abrosca
City Clerk
City of Warwick, RI