




## CITY OF WARWICK

JOSEPH J. SOLOMON, MAYOR

### MEMORANDUM

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

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

**DATE:** November 14, 2019

**SUBJECT:** Zone Change-Recommendation  
Library Lane Condominiums  
Assessor's Plat 350; Assessor's Lot: 585  
628 Sandy Lane

**APPLICANT:** Sundown Corporation

#### Project Scope

The Applicant is proposing an (8) eight-unit residential condominium complex/multi-family development on a 1.19 acre lot. The Applicant is requesting a recommendation to the City Council for a Zone Change from A-10 Residential to A-10 Planned District Residential (PDR), with less than required frontage and lot width, front-yard and side-yard setbacks, proposed units that have less than required setbacks between buildings, and parking within 10' of a building.

#### Planning Board Findings

At the September 11, 2019 regularly scheduled Planning Board Meeting, the majority of the Planning Board found the Zoning Amendment to be generally consistent with the City of Warwick Comprehensive Plan 2033, specifically, that the proposed development is generally consistent with the Comprehensive Community Plan criterion that it be consistent with the surrounding area. The proximate land uses found in the immediate vicinity are single-family, multi-family, office and public recreation. The majority of the Planning Board also found the proposed development to be consistent with: Chapter 12 of the City of Warwick Comprehensive Plan, specifically, the section entitled "Future Land Use, Zoning and Urban Design: Goals and Policies," which promotes developments "that are safe, attractive, well-maintained and stable... ones designed to "protect... and support...existing residential neighborhoods;"

- It further promotes... *“Public and private development that meet high standards of design by ensuring that proposed new residential development is compatible with the character and of the surrounding area;”*
- Chapter 7 of the City of Warwick Comprehensive Plan addresses Housing and Neighborhoods, specifically within its “Recommendations” section lists as Goal 1, the City should work to provide *“a wide range of quality housing choices to meet the diverse needs of households at all income levels and all stages of the life cycle, by supporting the addition of compact housing types such as townhouses, lofts, apartments, cottage developments...in suitable locations;”*

Additionally, the Planning Board found:

1. That the City’s Engineering Division, Sewer Authority, Water Division, Building Department, Fire Department, Police Department, Tax Collector, Tax Assessor, Conservation Commission, Harbor Management Commission, Historic District Commission, Cemetery Commission and Land Trust have reviewed the proposal and have no objection to the proposed zone change.

The majority of 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”, as follows:

- 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
  - 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
- 103.8 Promote a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe and sanitary housing, including opportunities for the establishment of low and moderate income housing.
- 103.10 Promote a high level of quality in design in the development of private and public facilities.

Mr. Catalano, seconded by Ms. Polselli and Mr. Hemond, having adopted the Planning Department's Master Plan Findings and Recommendations, (Decision Letter Attached) made a motion to forward a favorable recommendation to recommendation to the City Council for a Zone Change from A-10 Residential to A-10 Planned District Residential, with the following City Council exemptions, Section 308.2A, Design Standards: Rear of unit to side of unit 40' required, 30' provided; Section 308.2A, Design Standards: Side of unit to side of unit 30' required, 15' provided; Section 308.2E, Design Standards: Parking space to residential building 15' required, 10' provided; Section 308.3, Development Standards: Frontage/Lot Width 137.12' provided, 200' required; Section 308.3, Development Standards: Minimum front-yard setback 35' provided, 40' required; Section 308.3, Development Standards: Minimum side-yard setback 25' provided, 30' required; with the following stipulations:

1. That the Homeowner's Association Documents shall detail the long-term landscape and fencing maintenance schedule, which shall include at a minimum, but not be limited to:
  - A (10) ten wide staggered evergreen hedge along the western and southern property lines
  - A (6) six foot fence along the southern property line
  - Dumpster location and screening
2. That any deviation to the Approved Landscape Plan and/or the Long-Term Maintenance Schedule shall be approved by the Administrative Officer to the Planning Board.
3. That the Zone Change shall take effect upon the Applicant receiving Preliminary and Final Approval of the Land Development Plan by the Planning Board or its authorized designee.

Mr. Catalano, Mr. Gambardella, Ms. Gerlach, Mr. Hemond, Mr. Holmes, Ms. Polselli, and Mr. Slocum voted in favor, with Mr. Bergantino being absent. Ms. Bataille voted against the proposal stating that the project was NOT consistent with the City's Comprehensive Plan, specifically Chapter 12 Goals and Policy No. 6, which notes support and protection of existing residential neighborhoods; noting concerns that the parcel would be overdeveloped, additionally, Ms. Bataille believed that the Applicant should reduce the number of units to reduce the number of exemptions required. Motion Passed.



## CITY OF WARWICK

JOSEPH J. SOLOMON, MAYOR

September 26, 2019

Sundown Corporation  
55 Friendship Street  
East Greenwich, RI 02818

To Whom It May Concern:

The following is the decision on your application for Master Plan Approval of a Major Land Development Project, located along Sandy Lane; further identified as Assessor's Plat: 350; Assessor's Lot: 585, heard by the Warwick Planning Board on September 11, 2019, for Master Plan Approval. The Applicant is proposing an (8) eight-unit residential condominium complex/multi-family development on a 1.19 acre lot, with less than required frontage and lot width, front-yard and side-yard setbacks, and proposed units that have less than required setbacks between buildings, and parking within 10' of a building. The Applicant is also requesting a recommendation to the City Council for a Zone Change from A-10 Residential to A-10 Planned District Residential (PDR), with exemptions from the City's Zoning Ordinance.

After completion of the public informational meeting for which notice was served and a record 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, makes the following finding, that the subdivision, as proposed, is 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 Statement* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure - Required Findings*, as follows:

1. That the proposed development is generally consistent with the Comprehensive Community Plan criterion that it be consistent with the surrounding area. The proximate land uses found in the immediate vicinity are single-family, multi-family, office and public recreation. The Planning Department also finds the proposed development to be consistent with: Chapter 12 of the City of Warwick Comprehensive Plan, specifically, the section entitled "Future Land Use, Zoning and Urban Design: Goals and Policies," which promotes developments "*that are safe, attractive, well-maintained and stable... ones designed to "protect... and support...existing residential neighborhoods;"*"
  - It further promotes... "*Public and private development that meet high standards of design by ensuring that proposed new residential development is compatible with the character and of the surrounding area;"*"

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PLANNING DEPARTMENT • WILLIAM DEPASQUALE, JR. AICP, DIRECTOR  
3275 POST ROAD • WARWICK, RI 02886 • 401-738-2009

- Chapter 7 of the City of Warwick Comprehensive Plan addresses Housing and Neighborhoods, specifically within its "Recommendations" section lists as Goal 1, the City should work to provide "a wide range of quality housing choices to meet the diverse needs of households at all income levels and all stages of the life cycle, by supporting the addition of compact housing types such as townhouses, lofts, apartments, cottage developments...in suitable locations;"
2. That the Project, as proposed, is *not in compliance* with the standards and provisions of the City's Zoning Ordinance and therefore requires a City Council Zone change from A-10 Residential to A-10 Planned District Residential (PDR) with the following exemptions from the City Council:
    - Section 308.2A, Design Standards: Rear of unit to side of unit 40' required, 30' provided
    - Section 308.2A, Design Standards: Side of unit to side of unit 30' required, 15' provided
    - Section 308.2E, Design Standards: Parking space to residential building 15' required, 10' provided
    - Section 308.3, Development Standards: Frontage/Lot Width 137.12' provided, 200' required
    - Section 308.3, Development Standards: Minimum front-yard setback 35' provided, 40' required
    - Section 308.3, Development Standards: Minimum side-yard setback 25' provided, 30' required
  3. That, at the Master Plan Phase, it does not appear that there will be significant negative environmental impacts from the proposed development. The project will require State approval, prior to Preliminary Approval.
  4. That, at the Master Plan Phase, the development, as proposed, does not appear to 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. The Project will require all State Approval prior to the Preliminary Approval.
  5. That the proposed Project possesses adequate access along Sandy Lane.
  6. That the development, as proposed, will have access to Municipal Water and Sewer.

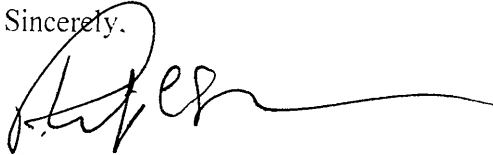
Based on the foregoing findings of fact, the Warwick Planning Board voted to grant Master Plan Approval, with the following stipulations:

1. That the Applicant shall submit a Preliminary Development Plan that shall comply with the Rules and Regulations for Professional Land Surveyors, Effective November 25, 2015.

2. That the Applicant shall submit a Preliminary Plan that shall comply with Appendix C, Major Subdivision/Land Development Application, of the Development Review Regulation governing Subdivisions, Land Development Projects, and Development Plan Review, Effective January 1, 1996; Amended January 01, 2000 and March 14, 2001, which shall include, but not be limited to:
  - All Survey Points along Sandy Lane shall be identified with station and offset
  - Deed Book and Page References
  - Note Sewer backflow prevention and clean-out
  - Note all proposed utility lines
3. That, prior to the Design of the Stormwater Management System, the Applicant's Engineer shall meet with the City's Engineering Division. Please Note: The Applicant/Project Engineer shall utilize underground infiltration to mitigate stormwater issues and concerns.
4. That, prior to Preliminary Approval, the Applicant shall submit a Stormwater Management Plan in accordance to RI Stormwater Design and Installation Standards Manual, DTD. December 2010, designed to demonstrate a zero-net runoff from the proposed development. That the Design Professional shall coordinate with the City of Warwick Engineering Division, prior to submission for State Approval.
5. That, prior to Preliminary Approval, the Applicant shall provide an Operations and Maintenance Plan for the proposed Stormwater System.
6. That, prior to Preliminary Approval, the Applicant shall receive all State Permits, including, but not limited to RIDEM.
7. That, prior to Preliminary Submission, the Applicant shall coordinate with the City's Water Division regarding domestic water connection.
8. That, prior to Preliminary Submission, the Applicant shall coordinate with the City's Sewer Authority regarding connection.
9. That, prior to Preliminary Submission, the Applicant's Registered Landscape Architect shall coordinate with the City's Landscape Architect, prior to the finalization of the Landscape Plan. The Landscape Plan shall note at a minimum, but not be limited to:
  - A (10) ten wide staggered evergreen hedge along the western and southern property lines
  - A new (6) six foot fence along the southern property line
  - Note the dumpster location and screening
  - Provide species and size details
  - Lighting Plan

10. That as part of the Preliminary Submission, the Applicant shall provide Homeowner's Association Documents that shall detail a long-term landscape and fencing maintenance schedule, for review and Approval by the Administrative Officer.
11. That prior to the City Council Zone Change Submission, the Applicant shall provide a Traffic Study for review by the Administrative Officer.

Sincerely,



Philip Slocum, Chairman  
Warwick Planning Board

RECORDED  
Sep 26 2019 09:34A  
Lynn O'Abrosca  
Acting City Clerk  
City of Warwick, RI

**CERTIFICATION:**  
 THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 28, 2016, AS FOLLOWS:

COMPREHENSIVE BOUNDARY SURVEY CLASS I  
 DATA ACCUMULATION SURVEY CLASS III  
 THIS PLAN HAS BEEN PREPARED FOR THE PURPOSE OF THE CREATION OF A DEVELOPMENT REVIEW PLAN.

LOTS DEPICTED ON THIS PLAT SHALL NOT BE ALTERED DIMENSIONALLY OR IN FORM, INCLUDING THE ENLARGEMENT OR REDUCTION OF ANY LOT, OR THE ADJUSTMENT OF ANY BOUNDARY LINE, WITHOUT FIRST OBTAINING THE NEW SUBDIVISION APPLICATION IN ACCORDANCE WITH THE CITY OF WARWICK DEVELOPMENT REVIEW REGULATIONS OF DECEMBER 31, 1988 (AS AMENDED).

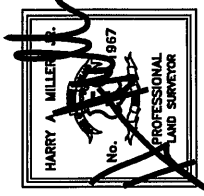
THE READER IS ADVISED THAT THIS SURVEY WAS ACTUALLY MADE ON THE GROUND AND VERIFIED BY MEASUREMENTS AND CALCULATIONS. THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES EXCEPT AS SHOWN.

By: *[Signature]*  
 HARRY A. MILLER, JR. P.L.S. No. 1987  
 RI COM 15-4101  
**SOCIAL DRIVE**

- LEGEND**
- EXISTING PAVEMENT
  - ▣ EXISTING GRANITE BOUND
  - EXISTING IRON ROD
  - EXISTING FENCE POST
  - EXISTING CONCRETE CURBING
  - EXISTING EDGE OF PAVEMENT
  - - - ZONING SETBACK LINE



LOCUS NO SCALE



ASSESSORS PLAT 350, LOT 710  
 N/F  
 CINDY PIREZ  
 L.E. 6781, PG. 197

No. 92

133.84'  
 598.22' ±

EXISTING ZONE A-10

ASPHALT DRIVE ASSESSORS PLAT 350, LOT 586  
 N/F  
 CITY OF WARWICK

396.07'  
 100' ± 21.26' W

373.81'  
 504' ± 9.00' E

ASSESSORS PLAT 350, LOT 605  
 N/F  
 NORMAN J. &  
 KATHY A. CARREIRO  
 L.E. 8380, PG. 168

No. 18

ASSESSORS PLAT 350, LOT 604  
 N/F  
 PHILIP R. &  
 HEATHER E. BONIN  
 L.E. 8689, PG. 338

No. 4

ASSESSORS PLAT 350, LOT 606  
 N/F  
 BARBARA A. HICKEY  
 LIFE ESTATE  
 L.E. 4788, PG. 172

No. 28

**MAJOR DEVELOPMENT PLAN  
 LIBRARY CONDOMINIUMS  
 EXISTING CONDITIONS**  
 ASSESSORS PLAT 350, LOT 585  
 WARWICK, RHODE ISLAND  
 PREPARED FOR: SUNDOWN CORPORATION  
 PREPARED BY: ALPHA ASSOCIATES, L.T.D.  
 35 ROCKY HOLLOW ROAD  
 EAST GREENWICH, RI 02818  
 SCALE: 1"=30' OCTOBER, 2019 SHEET 1 OF 1



SCALE IN FEET  
 FLOOD NOTE:  
 ENTIRE PARCEL FALLS WITH ZONE 'X' (SHADED) PER FEMA  
 MAP NUMBER 44002C0154H, EFFECTIVE 9/18/13.

**PARCEL ZONING**  
 ZONE A10 (EXISTING)

| MIN AREA    | REQUIRED | PROVIDED    |
|-------------|----------|-------------|
| 10,000 S.F. | 100'     | 51,925 S.F. |
| 100'        | 29'      | 137'        |
| FRONT YARD  | 15'      | 36'         |
| SIDE YARD   | 15'      | 25'         |
| REAR YARD   | 20'      | 80'         |

PARCEL OWNER / APPLICANT  
 MICHAEL PRINEAU / SUNDOWN CORPORATION  
 55 FRIENDSHIP STREET  
 EAST GREENWICH, RI 02818  
 T-401-241-2030

PROJECT SURVEYOR  
 HARRY MILLER  
 ALPHA ASSOCIATES, L.T.D.  
 35 ROCKY HOLLOW ROAD  
 EAST GREENWICH, RI 02818  
 T-401-884-8006 / F-401-884-7747  
 ALPHASURVY@GMAIL.COM

**SANDY LANE**  
 60' PUBLIC WIDTH  
 SHL 1256

WARD 6

WARD 3

WARD 5

WARD 4

ZONE A-7

ZONE A-10

ZONE A-7

ZONE A-10



