



## CITY OF WARWICK

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**JOSEPH J. SOLOMON, MAYOR**

**MEMORANDUM  
2574 West Shore Road  
AP 362/ Lots 035, 560, & 594**

**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:** October 15, 2019

**SUBJECT:** Planning Board Recommendation,  
Zone Change on Assessor's Plat 362, Assessor's Lots 35, 560, &  
594

**APPLICANTS:** Carpionato Group, LLC  
a.k.a. CGRI West Shore, LLC.

**ZONING DISTRICT:** General Business (GB) and Residential A-10; and Residence A-40

**PROPOSED ZONING:** General Business (GB) and Open Space (OS), with waivers

**LAND AREA:** 16.9 Acres +/- (Lot 35 land Area Total)/ 6.1 Acres +/- Rezoned

**WARD:** 6

## BACKGROUND

The Applicant is seeking a recommendation for a zone change on a portion of Assessor's Plat 362, Assessor's Lots 035, 560 and 594. The lot is currently zoned a combination of General Business (GB), Residential A-10, and Residential A-40. The Applicant is proposing to rezone the entirety of the parcel to General Business (GB) and Open Space (OS), with the following zoning relief for the site including Lots 560 and 594 on Assessors Plat 362:

- *Section 304.5 More than one nonresidential use or building on a lot*, to allow for more than one actual use on a lot;
- *Section 505.1 Minimum landscape buffer, subsection (A)*, for less than required landscape buffer along frontage of West Shore Road from 10 feet to 6';
- *Section 806.3 Sign area*, to increase the maximum height of a freestanding sign from fifteen (15) feet to thirty (30) feet and increase the maximum area of a freestanding sign from of 80 square feet per side (160 square feet total), to 177 square feet per side (354 square feet total);
- *Section 603.1 Fences*, to allow for an increase in the height of fencing from six (6) feet to eight (8) feet in order to buffer adjacent residential properties;
- *Section 701.4 Parking Requirements*, to increase the maximum driveway width from thirty (30) feet to thirty six (36) feet;

In addition, the applicant is requesting that the existing access to Spring Grove Road at the south east portion of the site remain open as a condition of approval. However, if the proposed traffic signal onto West Shore Road is approved by the Rhode Island Department of Transportation (RIDOT) this access will be closed to vehicular traffic with pedestrian access only.

## FINDINGS OF THE BOARD

After completion of the Public Informational Meeting held on September 11, 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 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 granted Master Plan approval (copy attached).

At the September 11, 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 City's Engineering Division, Sewer Authority, Water Division, Fire Department, Conservation Commission, Historic District Commission, Cemetery Commission and

Land Trust have reviewed the proposal and have no objection to the proposed zone change.

2. That the proposal is generally consistent with the Comprehensive Community Plan (Comprehensive 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.

That Chapter 4, Natural Resources, states as a Goal, that Warwick’s natural resource systems, sensitive water resources and natural habitats are preserved and protected for future generations, with a companion policy to protect Warwick Pond, Buckeye Brook, and Tuscatucket Brook as well as Warwick’s critical wildlife and wildlife habitat.

That Chapter 9, Transportation and Circulation, seeks to reduce traffic congestion along east/west routes and major commercial corridors by consolidating and/or eliminating curb cuts.

3. That this is the site of the former retail use, Benny’s, and currently contains other retail and service uses.

The Planning Department 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.

- B.) The natural characteristics of the land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface water or ground water pollution;
  - C.) The values and dynamic nature of coastal and freshwater ponds, the shoreline, and freshwater and coastal wetlands;
  - D.) The values of unique or valuable natural resources and features;
  - E.) The availability and capacity of existing and planned public and/or private services and facilities;
- 103.4 Providing for the control, protection, and/or abatement of air, water, groundwater, and noise pollution, and soil erosion and sedimentation.
- 103.5 Provide for the protection of the natural, historic, cultural and scenic character of the city or areas therein.
- 103.6 Provide for the preservation and promotion of agricultural production, forest, silviculture, aquaculture, timber resources and open space.
- 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. Bataille, the Planning Board;

Ms. Bataille, Mr. Catalano, Mr. Gambardella, Mr. Hemond, Mr. Holmes, Mr. Slocum, voted in favor, with none opposed, with Ms. Gerlach and Ms. Polselli abstaining, 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 and Open Space for the entirety of the parcel, with relief from the following zoning requirements:

- *Section 304.5 More than one nonresidential use or building on a lot*, to allow for more than one actual use on a lot;
- *Section 505.1 Minimum landscape buffer, subsection (A)*, for less than required landscape buffer along frontage of West Shore Road from 10 feet to 6’;
- *Section 806.3 Sign area*, to increase the maximum height of a freestanding sign from fifteen (15) feet to thirty (30) feet and increase the maximum area of a freestanding sign from of 80 square feet per side (160 square feet total), to 177 square feet per side (354 square feet total);
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The Master Plan approval included the following stipulations by the Planning Board:

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

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, West Shore Road, with Spring Grove Avenue limited to local access, only.
3. That the site development shall include a Landscape Plan, prepared and stamped by a registered Rhode Island Landscape Architect. This plan shall include screening (fencing and/or landscaping) for the residentially zoned properties in project area. This plan shall be approved by the City's Landscape Architect.
4. 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 unless in use.
5. That if the Rhode Island Department of Transportation approves the installation of a traffic signal/ control light at the intersection of the proposed full access curb cut and West Shore Road, the existing access drive leading from the development site to Spring Grove Avenue will be closed. The existing drive may remain with a closed gate if deemed necessary by the Warwick Fire Department for occasional emergency access. If the WFD determines that emergency access is not required from Spring Grove Avenue, the existing access drive will be removed and the area designed to provide pedestrian only access from Spring Grove Avenue to the development with additional landscaping for visual screening to abutting residential properties.