

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday, August 10, 2011

Time: 6:00 p.m.

**Location: Warwick City Hall
Lower Level Conference Room
3275 Post Road
Warwick, RI 02886**

Review and approval of June 2011, meeting minutes.

Public Meeting

Minor Subdivision

Fairhaven Plat

Location: 35 Fairhaven Avenue

Applicant: Bruce Soscia

Assessor's Plat: 357

Lot(s): 108, 109, & 110

Zoning District: A-7 Residential

Land Area: 15,241 square feet

Surveyor: Boyer Associates

Ward: 5

The applicant is requesting Preliminary Approval of a Minor Subdivision to reconfigure three (3) abutting non-conforming lots to create two (2) lots; one (1) 7032 square foot lot with an existing residence and one (1) 8208 square foot lot for development.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1, “Purposes and General Statements” of the City’s Development Review Regulations, and:

- 1. That the subject property is located at 35 Fairhaven Avenue and is identified as Assessor’s Plat: 357, Assessor’s Lots: 108, 109, & 110.**
- 2. That the property consists of three (3) lots totaling 15,241 square feet and is currently zoned Residential A-7.**
- 3. That the applicant proposes to create two (2) lots; one (1) 7,032 square foot lot with an existing dwelling; and one (1) 8,208 square foot lot for development.**

- 4. That all lots as proposed will conform to the requirements of the Residential A-7 Zoning District.**
- 5. That the proposed development is generally consistent with the Comprehensive Community Plan.**
- 6. That the property will have access to public water and sewer.**
- 7. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.**
- 8. That the proposed development possesses adequate access to a public street.**

Planning Department Recommendation

The Planning Department's recommendation is to grant Preliminary Approval with Final Approval to be through the Administrative Officer, upon compliance with the following stipulations:

- 1. That the final "Record Plat" shall show the existing property lines of lots 108, 109, & 110, such lot lines shall be shaded or dashed and that the proposed lot lines shall be shown as solid lines.**

- 2. That prior to final approval the applicant shall coordinate with the Sewer Authority for connection to Municipal Sewers.**

- 3. That the existing and proposed properties shall be connected to Municipal Sewers, prior to the issuance of a Certificate of Occupancy (CO).**

- 4. That the proposed monumentation shall be installed at the locations as shown on the final plan, prior to the recording of the “Record Plat”.**

- 5. That the Applicant shall preserve and protect the existing mature trees, especially the 20” caliper shade tree that is noted on the Parcel 2, using RIDOT dripline tree protection. In the event that the aforementioned shade tree cannot be preserved, the applicant shall plant two (2) street trees, prior to the issuance of a CO. The applicant shall consult with the City’s Landscape Project Coordinator regarding species, size and location.**

- 6. That the Applicant shall address the fence encroachments noted on the survey plan.**

Public Meeting

Minor Subdivision

Melvin Plat

Location: 120 Sycamore Avenue

Applicant: Richard S. & Lucille N. Melvin

Assessor's Plat: 268

Lot(s): 107, 109-112

Zoning District: A-7 Residential

Land Area: 21,271 square feet

Surveyor: Boyer Associates

Ward: 8

The applicant is requesting Preliminary Approval of a Minor Subdivision to reconfigure five (5) abutting non-conforming lots to create two (2) lots; one (1) 10,674 square foot lot with an existing residence and one (1) 10,597 square foot lot for development.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1, "Purposes and General Statements" of the City's Development Review Regulations, and:

1. That the subject property is located at 120 Sycamore Avenue and is identified as Assessor's Plat: 268, Assessor's Lots: 107, 109-112.

- 2. That the property consists of five (5) lots totaling 21,271 square feet and is currently zoned Residential A-7.**

- 3. That the applicant proposes to create two (2) lots; one (1) 10,674 square foot lot with an existing dwelling; and one (1) 10,597 square foot lot for development.**

- 4. That all lots as proposed will conform to the requirements of the Residential A-7 Zoning District.**

- 5. That the proposed development is generally consistent with the Comprehensive Community Plan.**

- 6. That the property has access to public water.**

- 7. That the property does not have access to sewer service, however, there is a main sewer line within 300 feet of the development.**

- 8. That in 2010, the Sewer Authority did a cost analysis and determined that the cost of extending sewers to the property would be \$57,178.87 and that the cost of a conventional system would be between \$10,000 and \$15,000 per lot.**

- 9. That the applicant has an approved RI Department of Environmental Management On-Site Wastewater Treatment System (OWTS) for Parcel A and is in the process of acquiring (OWTS)**

approval for Parcel B, currently serviced by cesspool.

10. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.

11. That the proposed development possesses adequate access to a public street.

Planning Department Recommendation

The Planning Department's recommendation is to grant Preliminary Approval with Final Approval to be through the Administrative Officer, upon compliance with the following stipulations:

1. That the final "Record Plat" shall show the existing property lines of lots 107, 109-112; such lot lines shall be shaded or dashed and that the proposed lot lines shall be shown as solid lines.

2. That the Applicant shall receive an approved RIDEM (OWTS) for the existing house on Parcel B; currently serviced by a Cesspool, prior to Final Approval. In the event that the existing house on Parcel B, currently serviced by Cesspool, does not receive an approval for (OWTS) or in the event that the cost of (OWTS) becomes prohibitive and the Municipal Sewer Line is brought down to the properties, both

Parcel A and Parcel B shall connect to Municipal Sewers.

3. That the existing house on Parcel B shall have the new (OWTS) installed, prior to the issuance of a Certificate of Occupancy (CO) for Parcel A.

4. That the proposed monumentation shall be installed at the locations as shown on the final plan, prior to the recording of the “Record Plat”.

5. That the Applicant shall make every effort to preserve and protect as many existing mature trees as possible, using RIDOT dripline tree protection. In the event that the aforementioned mature shade trees cannot be preserved, the applicant shall plant two (2) street trees; one (1) on proposed Parcel A and one (1) on Parcel B, prior to the issuance of a CO. The applicant shall consult with the City’s Landscape Project Coordinator regarding species, size and location.

Public Meeting

Major Subdivision

Norwood Estates

Location: 247 Sargent Street & Cherry Street

Applicant: North End Realty, LLC

Assessor's Plat: 297

Lot(s): 232-234 & 290-296

Zoning District: A-7 Residential

Land Area: 67,995 square feet

Surveyor: SFM Engineering Assoc/Flynn Surveys, Inc.

Ward: 2

The applicant is requesting Final Approval to subdivide ten (10) lots to create six (6) new lots, one (1) lot with an existing dwelling and five (5) new lots for development in a Residential A-7 Zoning District.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

1) That the subject property is located along, Sargent Street & Cherry Street, and is identified as Assessor's Plat: 297; Assessor's Lot: 232, 233, 234, & 290 through 296.

2) That the property consists of ten (10) lots totaling 73,595 square feet and is currently zoned Residential A-7.

3) That the Applicant received a combined a Master Plan/Preliminary at the April 13, 2011, hearing to create six (6) lots; one (1) 7,616

square foot lot with an existing dwelling; and five (5) new lots for development.

4) That at the April 13, 2011 hearing several concerns were raised by the abutters regarding backflow and that the Planning Director submitted a memo to Janine Burke, Executive Director, Warwick Sewer Authority (Exhibit A) and has received a response (Exhibit B).

5) That all lots as proposed will conform to the requirements of the Residential A-7 Zoning District.

6) That the proposed development is generally consistent with the Comprehensive Community Plan.

7) That the proposed development is in compliance with the standards and provisions of the City's Zoning Ordinance.

8) That there will be no significant negative environmental impacts from the proposed development.

9) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.

10) That the proposed development possesses adequate access to a

public street.

Planning Department Recommendation

The Planning Department's recommendation is to grant Final Approval, with the following stipulations:

- 1. That the Applicant shall provide a bond, in the amount of \$3,000, for the connection of the existing dwelling (Record Lot 3) to sewers, prior to the recording of the Final Record Plat. Alternatively, the Applicant may connect the existing dwelling (RL3) to sewers, prior to the recording of the Final Record Plat.**
- 2. That the proposed dwellings shall be connected to sewers, prior to the issuance of a CO.**
- 3. That the Applicant shall install (13) thirteen 2-2½ inch caliper trees, Cleveland Select Flowering Pear (Pyrus Calleryanna), within the City right of way, one for every 50 feet of frontage. The Applicant shall loam and seed the remaining areas within the City Right-of-Way. All plantings shall comply with the American Nurseryman and Landscape Association Standards (ANSI Z60.1-2004).**
- 4. That the Applicant shall provide a Performance Bond, in the amount of \$71,704, for the roadway improvements.**

5. That the Applicant shall dedicate a “fee-in-lieu of open space”, in the amount of \$20,625.00 equal to five (5) lots to the City of Warwick for Recreational District 5, as presented in the Warwick Comprehensive Plan Recreation Element, prior to recording the Final Record Plat.

Public Hearing

Major Land Development Project

North Street/PDR-L

Location: 20-22 North Street

Applicant: Robert & Cherine Spagnolo

Assessor's Plat: 274

Lot(s): 109

Zoning District: A-7 with PDR-L Overlay, within an existing Historic Overlay District

Land Area: 20,045 square feet

Surveyor: Robert Spagnolo

Ward: 8

The Applicant is requesting Preliminary Approval of a Major Land Development Project to allow for the conversion of an existing 2-unit dwelling to a 3-unit dwelling, on a lot with less than required frontage and lot width and less than required front and side yard setback.

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1, “Purposes and General Statements” of the City’s Development Review Regulations, and:

- 1. That the existing 2-unit dwelling has been determined to be a legal use as established by the 1954 Tax Assessor’s record.**
- 2. That the proposal is to convert the existing storage area, above the attached garage, to living space.**
- 3. That the proposal is consistent with the surrounding area, 61% of the properties within the 200’ radius are multifamily, consisting of (18) single family residences, (7) 2-unit residences, (3) 3-unit residences, and (1) 5-unit residence.**
- 4. That the proposal received a City Council Zone Change, PCO 14-11, to A-7 with a PDR-L Overlay, within an existing Historic Overlay District with variances for less than required frontage and lot width and less than required front and side yard setback from the existing structure.**
- 5. That the proposal is consistent with the lot area and density requirements contained within the City of Warwick Zoning Ordinance;**

Subsection 308.3A, “Development Standards for Planning District Residential-Limited (PDR-L).”

6. That the Applicant received Historic District Commission approval in April 2007 to demolish the existing garage/outbuilding and to construct an attached (3) bay garage with storage space above.

7. That public sewer and water are available to the property.

8. That the proposed development is generally consistent with the Comprehensive Community Plan.

9. That there will be no significant negative environmental impacts from the proposed development.

10. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.

11. That the proposed development possesses adequate access to a public street.

Planning Department Recommendations

The Planning Department recommendation is to grant Preliminary Approval with Final Approval to be through the Administrative

Officer, with the following stipulations:

- 1. That the Applicant shall install a six foot stockade fence along the easterly property line to buffer the parking area from the abutting property.**
- 2. That the Applicant shall install (1) one 2-2.5 inch caliper tree. Tree location and species shall be noted on the Final Plan**
- 3. That the off-street parking area and driveway shall be surfaced with bituminous surface with appropriate drainage; or as an alternative, a $\frac{3}{4}$ inch crushed stone surface having a minimum depth of 4" to 6" inches.**
- 4. That the off-street parking area surfaced by crushed stone or bituminous surface shall include the area dedicated to (6) six, 9'x 18' parking stalls; as well as the driveway and back-up area behind the parking stalls, which shall extend a minimum depth of 20' behind the said stalls.**
- 5. That the Applicant shall install bumper guards as wheel barriers at each parking stall to define the parking area at each parking stall and to prevent projection of vehicles onto the adjacent properties.**
- 6. That the property owner shall have the existing unregistered vehicles removed and prevent any future storage of unregistered,**

junked, or inoperable vehicles at the property.

Public Hearing

**Major Change to a
Major Land Development Project**

577 and 615 Greenwich Avenue

Applicant: 5-113, LLC

Location: 555 Greenwich Ave (Lowe's)

575 Greenwich Ave (Stop and Shop)

577 Greenwich Ave (6,750sf retail space abutting Stop and Shop)

615 Greenwich Ave (44,200sf free standing retail building)

Assessor's Plat: 271

Lot(s): 001

Zoning District: General Business

Land Area: 28.7 acres

Number of lots: 1

Engineer: VHB, Inc.

Ward: 8

The applicant is requesting Preliminary Approval of a major change to a previously approved Major Land Development Project. The applicant is proposing to amend a stipulation of the Planning Board's Final Approval for the project which restricts the use of the property

to retail, to allow for mixed use development of two existing buildings on the site.

Background

The applicant received Final Approval from the Planning Board for Phase II of a Major Land Development project to construct a 58,400 square foot supermarket (Stop and Shop, to be referred to as 575 Greenwich Avenue) with an attached 6,750 square foot retail space (to be referred to as 577 Greenwich Avenue) and a free standing 44,200 square foot retail building (to be referred to as 615 Greenwich Avenue). The Final Approval was granted with the following stipulation:

1) That the use shall be limited to retail use only; no restaurant use shall be permitted without additional review.

As part of the approval process, the applicant also received City Council Zone change PCO-35-05 allowing a reduction in the minimum parking spaces required to 1087. In constructing the parking field, the applicant provided 1,148 parking spaces, providing a surplus of 61 parking spaces.

The applicant is requesting to remove the Planning Board's stipulation limiting the use of 577 and 615 Greenwich Avenue to retail to allow for mixed use development. All of the proposed uses are

allowed in a General Business zone, but will have an effect on the overall parking on the site.

Parking Calculations

Approved by the Warwick Planning Board

615 Greenwich Avenue

44,200 sf retail space 1 space/200 gsf 221 spaces

577 Greenwich Avenue

6,750 sf retail space 1 space/200 gsf 34 spaces

Total Spaces Required

255 spaces

Proposed-615 Greenwich Avenue

***Hair Salon 1 space/250 sf 1,200sf 5 spaces**

***Nail Salon 1 space/250 sf 1,500sf 6 spaces**

***Medical Office 1 space/200 sf 3,560sf 18 spaces**

***General Office 1 space/300 sf 1,500sf 5 spaces**

Fast Food 1 space/50sf 1,200 sf 24 spaces

Retail 1 space/200sf 35,240sf 177 spaces

Total Required 44,200 sf 235 spaces

(221 spaces approved)

***Existing, unapproved use in building**

Proposed-577 Greenwich Avenue

Fitness Center 1 space/250 sf 2,000 sf 8 spaces

General Office 1 space/300 sf 3,000 sf 10 spaces

Retail 1 space/200 sf 1,750 sf 9 spaces

Total Required 6.750 sf 27 spaces

(34 spaces approved)

Comparison of Approved and Proposed Parking Calculations

Total parking requirements

615 and 577 Greenwich Ave

as per Planning Board approval

255 spaces

Total parking requirements

615 and 577 Greenwich Ave

as per current proposal for mixed use

262 spaces

7 additional spaces required

Summary

Total parking as per City Council zone change PCO-35-05 1,087 spaces

Additional spaces proved by Applicant at time of construction 61 spaces

Total available parking 1,148 spaces

Revised surplus of parking

54 spaces

(61 spaces minus 7 spaces)

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1 “Purposes and General Statements” of the City’s Development Review Regulations, and

- 1. Generally consistent with the Comprehensive Community Plan.**
- 2. In compliance with the standards and provisions of the City’s Zoning Ordinance having received City Council zone change PCO-35-05, Amended, with relief for less than required parking allowing a reduction in the minimum required spaces to 1087 spaces.**
- 3. The proposed major change to the Major Land Development Project will not exceed the minimum parking requirement of 1,087**

spaces specified by City Council zone change PCO-35-05, Amended.

4. That there will be no significant negative environmental impacts from the proposed development.

5. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.

6. That the proposed development possesses adequate access to a public street.

The Planning Department also finds this proposal to be generally consistent with the following Goals as presented in the Economic Element of the City's Comprehensive Plan:

a. Ensure the retention and expansion of existing businesses in Warwick.

b. Assist in forming an economic base capable of providing a desirable standard of living creating job opportunities, and fulfilling reasonable government tax needs.

c. Maximize employment opportunities for Warwick residents

including: disadvantaged minority groups, the unemployed and under-employed.

d. Encourage commercial and industrial development in Warwick that emphasizes business retention and expansion.

Planning Department Recommendation

The Planning Department's recommendation is to grant Preliminary Approval with Final Approval to be through the Administrative Officer, with the following stipulations:

1. That the applicant shall receive approval from the Warwick Zoning Board for relief from the Warwick Zoning Ordinance, Section 304.5 More than one nonresidential use or building on a lot authorizing more than one actual use on Assessor's Plat 271, Assessor's Lot 001, specifically for the buildings located at 577 and 615 Greenwich Avenue. The applicant shall prepare a use and occupancy layout listing the specific, actual use code from Warwick Zoning Ordinance, Table 1. Use Regulations for all of the existing and proposed uses for 577 and 615 Greenwich Avenue which shall be restricted to those uses allowed in a General Business zone.

2. That for any future uses proposed for the buildings located at 577 and 615 Greenwich Avenue which exceed the retail parking requirement of 1 space/200 sf gross floor area, the applicant shall

submit a revised use and occupancy layout and associated parking calculations to the Planning Director for review and approval.

3. That any additional parking required for the uses in buildings 577 and 615 Greenwich Avenue, in combination with the existing uses at 555 Greenwich Avenue (Lowe's) and 575 Greenwich Avenue (Stop and Shop), shall not exceed the total number of available parking spaces of 1,148 spaces. This number of 1,148 spaces is derived from the total of 1,087 spaces authorized by the City Council and the 61 additional spaces provided by the Applicant.

4. If the total parking required for all of the uses on the lot exceeds the available 1,148 spaces, the Applicant shall receive approval from the Warwick City Council for a modification to the existing zone change.

5. That the project engineer shall submit an "As Built" parking plan for Assessor's Plat 271, lot 001 to be used as a baseline for any future development of the parcel. This plan shall indicate the total number of spaces in each parking row and shall include a table indicating the total number of parking spaces constructed on the parcel.

6. That any additional development on the property shall require a Development Plan Review (DPR) to be approved by the Warwick Planning Board in compliance with City of Warwick Development Review Regulations

Bond Release

Faria Plat

Viewesta Court

Current bond total \$35,000.00

Amount to be released \$35,000.00

Retain \$ 0.00

Administrative Subdivisions

Plat Name Plat No. Lot No.

BAR RI LLC Plat 282 76, 77, 150, & 200

Wendy's Plat 323 447-450 & 453

Goldsmith Re-Plat 285 160 & 308

Shaw-Budlong Plat 369 56 & 112

TD Bank/Burger King Plat 349 184-186 & 200

Warwick Neck Re-Plat 378 121 & 175

Joyal Plat 378 157 & 158

SKJR-Morse Plat 344 234 & 235

PI Associates Plat A 286 85+

PI Associates Plat B 286 132-140

Bloor-Toth Plat 306 274 & 275

Callahan Plat 329 8 & 523

Re-Plat Ridgeway Terrace Ext 329 432 & 433