

**Meeting Notice
City of Warwick
Planning Board**

Date: Wednesday, May 08, 2013

Time: 6:00 p.m.

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

Review and approval of the March 2013 meeting minutes.

Public Meeting

Minor Subdivision

Parker-Carson Avenue Plat-Preliminary

Location: 3 Carson Avenue & Pond View Drive

Applicant: Zarrella Development Corporation

Assessor's Plat: 266

Assessor's Lot(s): 516 & 531

Zoning District: A-10 Residential

Land Area: 19,214 sq ft

Surveyor: Alpha Associates, LTD

Ward: 7

The Applicant is requesting Preliminary Approval of a Minor Subdivision. The Applicant is proposing to subdivide (2) two abutting non-conforming merged lots to create (2) two new single family house lots; (1) one conforming lot fronting on Carson Avenue with an existing single family dwelling, and (1) one new conforming lot for the development of a single family house lot, fronting on Pond View Drive.

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 3 Carson Avenue and Pond View Drive and is identified as Assessor’s Plat: 266, Assessor’s Lots: 516 & 531.**

- 2. That the subject property consists of (2) two tax assessor’s lots totaling 19,214 square feet and is zoned Residential A-10.**

- 3. That the Applicant proposes to create (2) two conforming lots; (1) one new 9,080 square foot lot fronting on Carson Avenue with an**

existing single family dwelling, and (1) one new 10,134 square foot lot for the development of a single family house lot, fronting on Pond View Drive.

4. That in the A-10 Residential Zone in which public sewer and water is provided; the lot area, frontage and lot width of the resulting lot or lots may be reduced to not less than 80 percent of the zone.

5. That the subdivision, as proposed, is in compliance with the standards and provisions of the City's Zoning Ordinance, specifically 405.3 (b) Subdivision of Merged Lots.

6. That the property will be serviced by Kent County Water, and City of Warwick Sewer.

7. That the subdivision is generally consistent with the Comprehensive Community Plan.

8. That the subdivision 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.

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

Planning Department Recommendation

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

- 1. That Project Surveyor shall change the symbol designation for the existing granite bounds, so as not to cause confusion with the symbol designation for the existing catch basin, as noted on the Minor Subdivision, Parker-Carson Avenue Plat, last revision date April 18, 2013.**
- 2. That the Applicant shall utilize RI native plant materials in the rain garden plans and the driveway swale, as noted on the Minor Subdivision, Parker-Carson Avenue Plat, last revision date April 18, 2013.**
- 3. That the Applicant shall plant (2) new street trees on the lawn side of the sidewalk on Pond View Drive. The Applicant shall coordinate with the Planning Department regarding species.**
- 4. That the granite bounds, as proposed on the Minor Subdivision, Parker-Carson Avenue Plat, last revision date April 18, 2013, shall be installed prior to the recording of the "Final Record Plat", or the Applicant shall provide a performance bond.**

5. That the existing and proposed dwellings shall be connected to Municipal Sewers, prior to the issuance of the Certificate of Occupancy for the proposed new single family dwelling.

Public Meeting

Minor Subdivision

Aoife Plat-Preliminary

Location: 114 Green River Avenue

Applicant: Harrington Construction, Inc.

Assessor's Plat: 332

Assessor's Lot(s): 86, 87, & 88

Zoning District: A-7 Residential

Land Area: 16,200 sq ft

Surveyor: Peter V. Cipolla, Jr.

Ward: 4

The Applicant is requesting Preliminary Approval of a Minor Subdivision. The Applicant is proposing to subdivide (3) three abutting non-conforming merged lots to create (2) two new single family house lots; (1) one conforming lot with an existing single family dwelling and (1) one new conforming lot for the development of a single family dwelling.

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 114 Green River Avenue and is identified as Assessor’s Plat 332, Assessor’s Lots: 86, 87, & 88.**
- 2. That the subject property consists of (3) three tax assessor’s lots totaling 16,200 square feet and is zoned Residential A-7.**
- 3. That the Applicant proposes to create (2) two conforming lots; (1) one 8,100 square foot lot with an existing single family dwelling and (1) one new 8,100 square foot lot for the development of a single family dwelling; both lots fronting on Green River Avenue.**
- 4. That the A-7 Zoning District requires a minimum of 70 feet of frontage and lot width and a minimum area of 7,000 square feet per individual lot.**
- 5. That the subdivision, as proposed, is in compliance with the standards and provisions of the City’s Zoning Ordinance.**
- 6. That the subdivision is generally consistent with the Comprehensive Community Plan.**

- 7. That there will be no significant negative environmental impacts from the proposed development**
- 8. That the property will have access to public sewer and water**
- 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 a Preliminary Approval, with Final Approval to be through the Administrative Officer, upon compliance with the following stipulations:

- 1. That no additional stormwater runoff shall be directed toward the abutting properties or to the City's Right of Way.**
- 2. That the Final Plan shall show spot elevations, representing the height of the proposed foundation.**
- 3. That the Final Record Plat shall show a detail of the (2) two iron**

pins that are set 1' from the property corners, as shown on the Minor Subdivision, Aoife Plat, last revision date April 23, 2013.

4. That the Applicant, where practicable, shall preserve and protect, with dripline tree protection, the existing large mature shade trees and evergreen located on proposed Lot B, as shown on the Minor Subdivision, Aoife Plat, last revision date April 23, 2013. Dripline tree protection shall be installed prior to the issuance of a Building Permit.

5. That the Applicant shall install (1) one new street tree on Green River Avenue in front of proposed Lot B, as shown on the Minor Subdivision, Aoife Plat, last revision date April 23, 2013. The Applicant shall coordinate with the Planning Department regarding species.

6. That the existing and proposed dwellings shall be connected to Municipal Sewers, prior to the issuance of a Certificate of Occupancy for the new single family dwelling.

7. That the granite bounds, as proposed on the Minor Subdivision, Aoife Plat, last revision date April 23, 2013., shall be installed prior to the recording of the "Final Record Plat", or the Applicant shall provide a performance bond.

Public Meeting

Minor Subdivision

Hains-Preston Drive Plat-Preliminary

Location: 29 Ferncliff Avenue & Preston Drive

Applicant: Marie Lucie Hains

Assessor's Plat: 367

Assessor's Lot(s): 80, 81, 98, & 99

Zoning District: A-7 Residential

Land Area: 18,000 sq ft

Surveyor: Alpha Associates, LTD

Ward: 7

The Applicant is requesting Preliminary Approval of a Minor Subdivision. The Applicant is proposing to subdivide (4) four abutting non-conforming merged lots to create (2) two new single family house lots; (1) one conforming lot fronting on Ferncliff Avenue with an existing single family dwelling and (1) one conforming lot fronting on Preston Drive for the development of a new single family dwelling.

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 29 Ferncliff Avenue and Preston Drive and is identified as Assessor's Plat: 367; Assessor's Lots: 80, 81, 98, & 99.**
- 2. That the subject property consists of (4) four tax assessor's lots totaling 18,000 square feet and is zoned Residential A-7.**
- 3. That the Applicant proposes to create (2) two conforming lots; (1) one new 9,600 square foot lot with an existing single family dwelling fronting on Ferncliff Avenue and (1) one new 8,400 square foot lot for the development of a single family dwelling, fronting on Preston Drive.**
- 4. That the A-7 Zoning District requires a minimum of 70 feet of frontage and lot width and a minimum area of 7,000 square feet per individual lot.**
- 5. That the subdivision, as proposed, is in compliance with the standards and provisions of the City's Zoning Ordinance.**
- 6. That the subdivision is generally consistent with the Comprehensive Community Plan.**
- 7. That there will be no significant negative environmental impacts**

from the proposed development.

8. That the property will have access to public sewer and water.

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 Preliminary Approval, with Final Approval to be through the Administrative Officer, upon compliance with the following stipulations:

1. That the existing shed located on proposed Lot B, as noted on the Minor Subdivision, Hains-Preston Drive Plat, last revision dated April 16, 2013, shall be moved or removed to conform to the A-7 Residential Accessory Setbacks, prior to the recording of the Final Record Plat.

2. That the Applicant shall utilize RI native plant materials in the rain garden plantings and the driveway swale, as noted on the Minor

Subdivision, Hains-Preston Drive Plat, last revision dated April 16, 2013. That the Applicant shall plant (1) one new street tree on the Preston Drive. The Applicant shall coordinate with the Planning Department regarding species.

3. That the Applicant, where practicable, shall preserve and protect, with dripline tree protection, the existing large mature shade trees located on Proposed Lot B, as shown on the Minor Subdivision, Hains-Preston Drive Plat, last revision dated April 16, 2013. Dripline tree protection shall be installed prior to the issuance of a Building Permit.

4. That the granite bounds, as proposed on the Minor Subdivision, Hains-Preston Drive Plat, last revision dated April 16, 2013, shall be installed prior to the recording of the “Final Record Plat”, or the Applicant shall provide a performance bond.

5. That the existing and proposed dwellings shall be connected to Municipal Sewers, prior to the issuance of the Certificate of Occupancy for the proposed new single family dwelling.

6. That the granite bounds, as proposed on the Minor Subdivision, Minor Subdivision, Hains-Preston Drive Plat, last revision dated April 16, 2013, shall be installed prior to the recording of the “Final Record Plat”, or the Applicant shall provide a performance bond.

Public Meeting

Minor Subdivision

RePlat of the Shawomet Avenue Plat-Preliminary

Location: 972 West Shore Road & Blake Street

Applicant: Michael & Steven Kent

Assessor's Plat: 333

Assessor's Lot(s): 315

Zoning District: Village

Land Area: 19,873 sq ft

Surveyor: NRC Associates

Ward: 4

The Applicant is requesting Preliminary Approval of a Minor Subdivision. The Applicant is proposing to subdivide (1) one existing lot to create (3) three new single family house lots; (1) one conforming lot fronting on Blake Street and (2) two new conforming lots fronting on West Shore Road.

This parcel is located within a Village zone, which allows increased density and requires architectural review of the proposed buildings. As such, new buildings shall reflect the scale, massing, rhythm, materials and siting of adjacent structures. In addition, new buildings shall be sided with wood shingles, clapboard, brick, stone, stucco, cementitious siding or premium vinyl siding applied with no visible

seams.

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 972 West Shore Road & Blake Street and is identified as Assessor’s Plat: 333, Assessor’s Lot: 315.

2. That the subject property consists of (1) one tax assessor’s lots totaling 19,873 square feet, zoned Village.

3. That the Applicant proposes to create (3) three new conforming lots for the development of single family dwellings; (1) one new 7,195 square foot lot fronting on West Shore Road, (1) one new 6,380 square foot lot fronting a on West Shore and Blake Street and (1) one new 6,298 square foot lot fronting on Blake Street.

4. That in order to revitalize the economic life and improve the appearance of properties within the area, the commercial center of Conimicut Village was rezoned to Village Zoning District.

5. That Village Zoning provides for mixed use development with dimensional regulations that address inherent conditions of the City's established villages and includes site and building performance standards that encourage a high quality of architectural and site design to create a unique identity that distinguishes it from other districts in the City and that create a sense of community center and are in scale with the adjacent neighborhoods.

6. That Village Zoning provides for residential units in the village center to meet a variety of housing needs, and provide a customer base to support local businesses.

7. That the Village Zoning requires a minimum of 40 feet of frontage and lot width and a minimum area of 6,000 square feet per individual lot.

8. That the subdivision, as proposed, is in compliance with the standards and provisions of the City's Zoning Ordinance, PCO-6-11, Village Zoning, as approved by the Warwick City Council on October 20, 2011.

9. That the property will have access to public water and sewer.

10. That the subdivision is generally consistent with the Comprehensive Community Plan.

11. 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.

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

13. That the proposed development will not be injurious to neighboring properties of the general welfare of the surrounding community.

14. That the proposed development will be compatible with and enhance the use or value of the existing properties within the Village.

15. That the proposed development will not result in unnecessary adverse impacts on access driveways, on-street parking, sidewalks, and promotes safe automotive and pedestrian access that is in harmony with the surrounding area.

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 Plan “Zoning Note” shall remove the A-7 Residential designation and replace with Village.

2. That sewer service shall be extended off of Blake Street for proposed Lot 2, as shown on the Minor Subdivision Replat Portion of Shawomet Ave Plat, last revision date April 18, 2013.

3. That the proposed 20’ sewer easement, as shown on the Minor Subdivision Replat Portion of Shawomet Ave Plat, last revision date April 18, 2013, shall be deed restricted to prohibit any permanent structure, including, but not limited to, fencing.

4. That the prior to the recording of the “Final Record Plat” the Sewer Authority shall approve the proposed 20’ sewer easement verbiage and deed restrictions.

5. That the sewer assessments shall be paid in full, prior to the recording of the “Record Plat”.

6. That the typographical error on Note #3 on the Minor Subdivision Replat Portion of Shawomet Ave Plat, last revision date April 18, 2013, shall be corrected, prior to Final Approval.

7. That any alteration to West Shore Road shall require a RI

Department of Transportation Physical Alteration Permit (RIDOT-PAP), prior to Final Approval.

8. That any alteration to Blake Street shall require a City of Warwick Physical Alteration Permit (PAP), prior to receiving a Building Permit.

9. That Proposed Lot 1 as shown on the Minor Subdivision Replat Portion of Shawomet Ave Plat, last revision date April 18, 2013, shall connect through an existing $\frac{3}{4}$ " water service.

10. That Proposed Lot 2 as shown on the Minor Subdivision Replat Portion of Shawomet Ave Plat, last revision date April 18, 2013, shall connect to water service via Blake Street.

11. That Proposed Lot 3, as shown on the Minor Subdivision Replat Portion of Shawomet Ave Plat, last revision date April 18, 2013, shall connect to water service through the existing curb cut on West Shore Rd.

12. That all water service shall be coordinated through Warwick Water.

13. That the (2) two existing Star Magnolias adjacent to Proposed Lot 3, and the (2) two existing Saucer Magnolia's adjacent to Proposed Lot 1 appear to be in the State of RI Right-of Way (West Shore Road). These Magnolias shall be preserved and protected with dripline tree

protection, prior to any additional construction activity. If the Magnolias cannot be preserved, the Applicant shall receive permission from RI Department of Transportation for removal and installation of new mature large shade trees and shall coordinate with the Planning Department regarding species.

14. That the first large mature tree on Blake Street, closest to West Shore Road, shall be preserved and protected with dripline tree protection. The two other trees on Blake Street shall be removed and replaced with (2) two new large mature shade trees and the Applicant shall coordinate with the Planning Department regarding species.

15. That, to the maximum extent practicable, the Applicant shall propose LID site planning and design strategies, to reduce the stormwater run-off.

16. That the "Final Record Plat" shall be 16"x22".

17. That the granite bounds, as proposed on the Minor Subdivision Replat Portion of Shawomet Ave Plat, last revision date April 18, 2013, shall be installed prior to the recording of the "Final Record Plat".

18. That the Applicant shall revise the 30'x24' shotgun colonial (Design B) as shown on the DLR Dimensions, Inc. Plan, dated February 20, 2013, Proposed Lot 1 to address the Blake Street elevation. This revision shall be reviewed and approved by the

Planning Department, prior to Final Approval.

19. That the Applicant shall construct the 34'x20' shotgun colonial (Design A) as shown on DLR Dimensions, Inc. Plan, dated February 22, 2013 on both Proposed Lot 3 and Proposed Lot 2, in order to provide a varied streetscape.

20. That the Applicant shall submit a materials list and a window and door schedule for review and approval by the Planning Department, prior to Final Approval. The project shall be in compliance with the City of Warwick Zoning Ordinance, Section 508.1, Site and Performance Standards for the Village Zone.

21. That the Applicant shall maintain strict compliance with the Final Building Plans, as approved by the Administrative Officer. Compliance shall be verified prior to the issuance of a Certificate of Occupancy.

Public Meeting

Recommendation

Request for an Amendment to the City's Zoning Ordinance

Applicant: CarWar, LLC

Location: Bald Hill Road

Assessor's Plat: 249

Assessor's Lot 003

Ward: 8

Present Zoning Classification: General Business

Zoning Change Requested: City Wide Text Amendment

Background

The Applicant is requesting an amendment to the City's Zoning ordinance, Section 300, Table 1. Use Regulations, Subsection 505. New and used vehicle sales, with service or outdoor display (excluding boats), to allow auto body repair as an ancillary use to a new or used vehicle sales establishment located in a General Business zoning district. The Applicant is proposing the addition of footnote (26) in the General Business zoning district, which reads as follows:

“(26) Auto body repair allowed as an accessory use of a new or used vehicle sales development, provided the parcel is at least 3.75 acres in area with frontage on a state road or highway. The auto body repair facility shall be set back a minimum of 100 feet from all

residential zoning districts. This use is prohibited as a principal use.”

The Warwick Zoning ordinance defines “use” as “the purpose or activity for which land or buildings are designed, arranged or intended, or for which land or buildings are occupied and maintained.” (Section 200.143) The use regulations for the City of Warwick Section, 300, Table 1. speak of a use as being either permitted, prohibited, or allowed by special permit. According to Table 1. Use Regulations of the Warwick Zoning Ordinance, Section 505. “new or used vehicle sales, with service or outdoor display,” is permitted by special permit in General Business, Light Industrial and General Industrial zoning districts, and prohibited in all other zoning districts.

The Zoning Ordinance defines auto body repair shop as follows, Section 200. Definitions, 200.1. Auto Body Shop A building or portion of a building in which repairs, including body repair, painting or priming, are performed on automobile, truck or motorcycle bodies or chassis.

The Applicant is requesting to amend Section 300. Table 1, Use Regulations, subsection 505. of the Zoning Ordinance of the City of Warwick, to add footnote (26) to the General Business zoning district.

This footnote will be added to the existing “S (7)” indicating the use requires a special use permit, and will allow new and used vehicle

sales developments the ability to include auto body repair, with the limitations specified.

New and used vehicle sales is an important source of employment and an economic driver in the City of Warwick. A fundamental part of the new direction of the industry is that dealerships are providing a one stop customer experience, including unconventional amenities. Today's forward thinking, larger dealerships offer a freshly brewed cup of gourmet coffee, WiFi access, a play area for the kids and even a place to have your nails done while you wait in comfort. This alternative marketing strategy includes the customer's expectation that a modern dealership offers not only standard sales, but also service and auto body repair. These new "dealership mall" facilities are typically located on major arterials, providing convenient and easy access for customers, a large part of the overall quality of the sales or service experience. As the industry changes, it is understood that allowing these services and amenities is an important part of supporting the City's economic development.

In consideration of the proposed zoning amendment, the following is a compilation of typical auto dealerships currently operating within the City. In reviewing the data, the information diverged into two categories, with new and used vehicle dealerships on larger parcels of three (3) acres or greater; and smaller used-car only dealerships located on parcels of approximately two (2) acres or less. Generally, the facilities located on parcels of 3.75 acres or larger are the facilities selling both new and used vehicles and providing not only

sales and service, but also targeting the overall, one stop customer experience.

New and Used Auto Dealerships, 3.0 acres or larger

Owner Address Plat/Lot Zoning Area

Jake Kaplan 1346 Bald

Hill Road AP 255,

ALs 32, 33 General

Business 4.06

acres

Balise 5400 Post AP 309,

ALs 39, 41, 47, 48

49, 50, 62, 274 General

Business 20

acres

Bald Hill Dodge Bald Hill Road AP 260,

AL 10 General

Business 7.36

acres

Inskip Bald Hill Road AP 249

AL 3 General

Business 20.41

acres

Herb Chambers 1441 Bald Hill Road AP 254

ALs 19, 20 General

Business 3.8

acres

New and Used Auto Dealerships, less than 3.0 acres

Thrifty 2381 Post Road AP 344

AL 062 General

Business 2.12 acres

Shannon Motors 1669 Warwick

Avenue AP 320

AL 169 General

Business 31,499 sf

Prestige Motors

(A1 Tire) Warwick

Avenue AP307

ALs 136, 414 General

Business 83,693 sf

Stevie D's Warwick Avenue AP 351

ALs 231, 266 General Business 24,125 sf

Stevie D's 2500 Oakland Beach Ave AP 352

AL 006 General

Business 21,700 sf

International

Motors Post Road AP 220

ALs 78, 216 General

Business 30,897 sf

Planning Department Findings

The Planning Department finds the proposed zoning amendment to be in compliance with the City's Comprehensive Plan and the principles as proposed in the Comprehensive Plan update, including the Goals and Policies Statement, the Implementation Program, the Land Use Element, and the Economic Development Element, including, but not limited to, the following:

- Promote an economic climate which increases quality job opportunities and overall economic well being of each municipality and the state.**
- Encourage commercial and industrial development in Warwick that emphasizes business retention and expansion.**

- **Assist in forming an economic base capable of providing a desirable standard of living, creating job opportunities, and fulfilling reasonable government tax needs.**
- **To make efficient use of available land and proper reuse and expansion of existing land uses.**

- **Provide sites suitable for various commercial and industrial activities in relation to projected needs within Warwick's land use planning program.**

- **Rationally accommodate new industrial, commercial, residential and other development.**

- **Foster commercial development that is balanced, well integrated and provides a benefit to the community.**

The Planning Department also finds 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.

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.

G.) 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.

103.13 Provide for efficient review of development proposals, to clarify and expedite the zoning approval process.

The Planning Department recommends a favorable recommendation to the Warwick City Council for the requested zoning amendment, with the following amendment to the footnote:

“(26) Auto body repair allowed as a component of a new or used

vehicle sales development, provided the parcel is at least 3.75 acres in area with frontage on a state road or highway. If the parcel consists of multiple lots, all lots must be dedicated to actual Use Code 505. New or Used Vehicle Sales. The auto body repair facility shall be set back a minimum of 100 feet from all residential or open space zoning districts and shall consist of no more than twenty (20) percent of the total gross floor area of all the buildings on the parcel dedicated to use 505. This use is prohibited as a principal use.”

Actions by the Administrative Officer

Administrative Subdivision

Name Assessor's Plat: Assessor's Lot/s

RePlat of "Bay Ridge" 203 35, 331 & 332

Corrective Wilkinson Plat 282 203

Warwick Station Development District

**Colea Enterprises, LLC 2025 Post Road Building/Canopy/Sign Fascia
Replacement**