

THE CITY OF WARWICK
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER ARTICLE

**AN ORDINANCE AMENDING THE WARWICK MUNICIPAL COMPREHENSIVE
PLAN**

Approved.....Mayor

Be it ordained by the City of Warwick:

Section I. The City of Warwick Comprehensive Plan 2013 – 2033 which was required under Chapter 45- 22.2-8 of the Rhode Island General Laws of the State of Rhode Island and enacted as Council Ordinance No. 0-14-7 is hereby amended by the following plan element change:

The Future Land Use Map (FLUM) is hereby amended to change the classification on Assessor’s Plat 244; Assessor’s lots 48 and 50 from Industrial to Residential-High.

Section II. This amendment to the Warwick Municipal Comprehensive Plan shall take effect upon its passage and publication as required by law for the purposes of conforming municipal land use decisions and is being transmitted to the director of administration for state review, but shall not become effective for the purposes of guiding state agency actions until it has been approved by the State of Rhode Island pursuant to the methods set forth in Chapter 22.2 of Title 45 of the Rhode Island General Laws.

SPONSORED BY: COUNCILMAN MCALLISTER

COMMITTEE: LAND USE

THE CITY OF WARWICK
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER ARTICLE

APPENDIX A
ZONING

No..... Date.....

Approved..... Mayor

AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF WARWICK, HARRINGTON REALTY, LLC, PETITIONER

Be it ordained by the City of Warwick:

Section I. The Zoning Map and the Record Book of Lot Classifications which are a part of the Zoning Ordinance of the City of Warwick are hereby amended by changing the classification of the following described premises from Light Industrial (LI) to Residential A-7 with waivers, restrictions, conditions and stipulations.

Lots 48 and 50 on Assessor's Plat 244 as said plat appeared in the Tax Assessor's office on December 31, 2017 is hereby changed from Light Industrial to Residential A-7 with the following waivers, restrictions, conditions and stipulations. The Lot is set forth in the legal description and on the map attached hereto as Exhibit A.

The change of zoning is subject to the following conditions, waivers and stipulations:

1. Relief from dimensional requirements for less than required dimensions to the extent shown on the plans approved by the Planning Board as follows:
 - Lot 50 (Proposed Lot 1): lot area, lot frontage, lot width.
 - Lot 48 (Proposed Lot 2): lot area, lot frontage, lot width and the existing front setback.
 - Lot 48 (Proposed Lot 3): lot area, lot frontage, lot width, front setback.
2. That the Applicant shall provide verbiage to be included on the recorded deeds for the newly created and rezoned parcels 1, 2 and 3, (formerly Assessor's Plat 244, Assessor's Lots 48 and 50) stating that said parcels were rezoned to residential from industrial and as such are subject to all of the nuisances associated with said abutting industrial district.

1 Section II. The Clerk of the Zoning Board of Review is hereby authorized and directed to cause said
2 changes to be made on the Zoning Map and the Record Book of Lot Classifications.

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4 Section III. This Ordinance shall take effect upon passage and publication as prescribed by law.
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SPONSORED BY: COUNCILMAN MCALLISTER

COMMITTEE: LAND USE

**PETITION REQUESTING AN AMENDMENT TO THE COMPREHENSIVE
PLAN OF THE CITY OF WARWICK**

To the Honorable City Council of Warwick:

Respectfully represent: Harrington Realty, LLC

who furnishes the following information in connection with (his-her) request for an
Amendment to the Comprehensive Plan.

Amendment to the Comp Plan:

1. Ownership of Premises: Harrington Realty, LLC
(Name)
7 Fifteenth Ave.
(Address)
Warwick, RI 02886

(Furnish name of title owner of property and address of owner)

2. Description of Premises: Plat No. 244 Lot (s) 48 and 50
Street Benefit Street
Ward 7

(Furnish Address, Assessor's Plat and Lot Numbers, and Ward number that property is
in)

3. Comp Plan Classification: Industrial
4. Comp Plan Requested Residential - High
5. Reasons for Proposed Amendment: To subdivide Plat 244 Lot 48 into 2 lots, one lot has
an existing family dwelling and one to provide for the construction of a new single family dwelling
and to construct a new single family dwelling on Plat 244 Lot 50

Respectfully submitted,


(Signature of Owner and Petitioner)

**PETITION REQUESTING AN AMENDMENT TO THE ZONING
ORDINANCE OF THE CITY OF WARWICK**

To the Honorable City Council of Warwick:

Respectfully represent: Harrington Realty, LLC

who furnishes the following information in connection with (his-her) request for an Amendment to the Zoning Law.

Amendment to the Zoning Law:

1. Ownership of Premises: Harrington Realty, LLC
(Name)
7 Fifteenth Ave.
(Address)
Warwick, RI 02886

(Furnish name of title owner of property and address of owner)

2. Description of Premises: Plat No. 244 Lot(s) No. 48 and 50
Street Benefit Street Ward 7

(Furnish Assessor's Plat and Lot numbers and Name of Street and Ward Number)

3. Present Zoning Classification: Light Industrial
4. Zoning Change Requested Residential A-7 with waivers
5. Reasons for Proposed Change: To subdivide Plat 244 Lot 48 into 2 lots, one lot has an existing family dwelling and one to provide for the construction of a new single family dwelling and to construct a new single family dwelling on Plat 244 Lot 50

WHEREFORE, it is respectfully requested that the Zoning Law be amended by changing the Zoning Classification of the above described premises from: Light Industrial (LI) to Residential, A-7 with waivers

Respectfully Submitted,


(Signature of Owner and Petitioner)

**FUTURE LAND USE
MAP AMENDMENT
2018 Amendment #1**
Benefit Street Zone Change
Assessor's Plat 244 Lots 48 & 50
**CITY OF WARWICK
RHODE ISLAND**
Comprehensive Plan 2013-2033

BENEFIT ST
BYE ST
GILBANE ST



*BENEFIT STREET SUBJECT PARCEL
LAND USE CHANGED FROM HIGH INDUSTRIAL
TO "RESIDENTIAL - HIGH" (CHANGE SHOWN)*

Residential land uses are categorized by average density measured as housing units per acre of residential land. The following thresholds apply:
Low = 0-1.1 hu/ac**
Medium = 1.2-6.1 hu/ac**
High = 6.2-14 hu/ac**
Mean residential density = 4.5 hu/ac
**Future buildout determined by Zoning

The Future Land Use Map is a generalized depiction of intended uses. It is not a legally recorded map or survey and is not intended to be used as such. Goody Clancy & Associates and the City of Warwick shall not be liable for any damages or claims that arise out of the user's access to, or use of this map.



**Map Legend
FUTURE LAND USE**

- RESIDENTIAL-LOW
0-1.1 hu/ac
- RESIDENTIAL-MEDIUM
1.2-6.1 hu/ac
- RESIDENTIAL-HIGH
6.2-14 hu/ac
- COMMERCIAL
- INDUSTRIAL
- TECHNOLOGY/LIGHT INDUSTRY
- MIXED USE
- MUNICIPAL
- AIRPORT PROPERTY
- CEMETERY
- PARKS, RECREATION AND OPEN SPACE
- PRIVATE RECREATION/OPEN SPACE*

- Water
- Roads
- Boundaries**
- Warwick
- RI Municipal
- Other States
- Refer to specific area master plan
- Subject to RIAC Land Acquisition Program funding and schedule

* See conservation intent map



This map is not the product of a Professional Land Survey. It was created by Goody Clancy & Associates for general reference, informational, planning or guidance use, and is not a legally authoritative source as to location of natural or manmade features. Proper interpretation of this map may require the assistance of appropriate professional services. Goody Clancy & Associates makes no warranty, express or implied, related to the spatial accuracy, reliability, completeness, or currentness of this map.

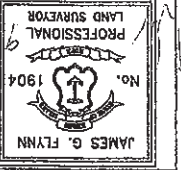


Amendment 2018 #1

WARWICK, RHODE ISLAND
 BENEFIT STREET
 LOTS 48 & 50
 ASSESSORS MAP 244
 SURVEY PLAN SHOWING

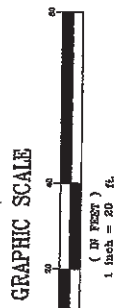
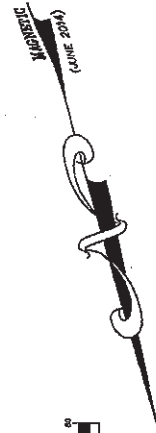
JOB NO. 1287
 DRAWING NO. 1287

CERTIFICATION
 THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN RECORDED IN ACCORDANCE WITH THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 25, 2015, AS FOLLOWS:
 COMPREHENSIVE BOUNDARY SURVEY
 TOPOGRAPHIC SURVEY ACCURACY
 VERTICAL ACCURACY STANDARD
 BY: JAMES G. FLYNN P.L.S. NO. 1904
 JAMES G. FLYNN P.L.S. NO. 1904



SCALE: 1" = 20'
 DATE: SEPTEMBER 27, 2017

SCALE: 1" = 20'
 LAND SURVEYING / MAPPING / SITE PLANNING
 FL YNN SURVEYS, INC.
 22 STANTON AVENUE
 NARRAGANSETT, R.I. 02882
 401-783-6290



STATEMENT OF PURPOSE:
 THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND THE PREPARATION OF THE PLAN IS AS FOLLOWS:
 SITE PLAN AND SET LOT CORNERS AS NEEDED

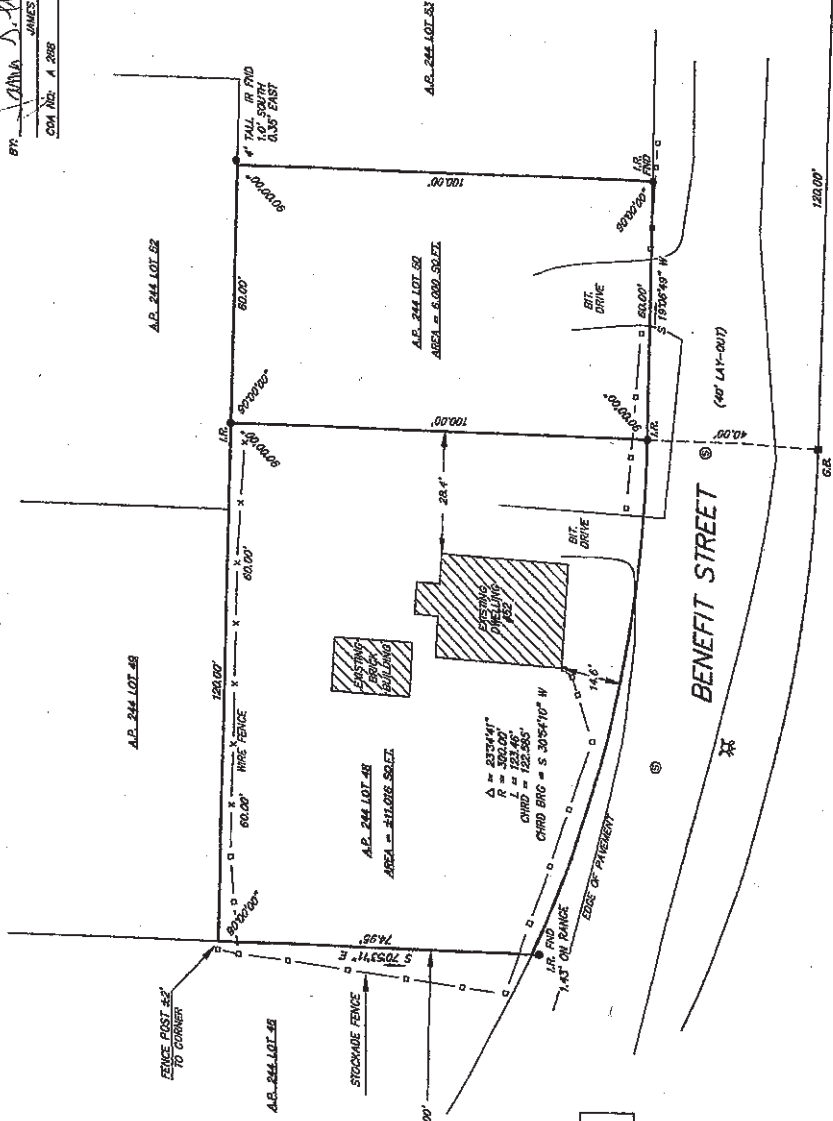
BY: *James G. Flynn*
 JAMES G. FLYNN, P.L.S.
 COM. NO. 1904

PLAN REFERENCES:
 LINDSEY'S ADDITION NO. 1 WARWICK, R.I. BY FRANK E. WATERMAN
 MAY 1922 PLAT CARD 153

GENERAL NOTES:
 1.) SITE LIES IN ZONE "X" PER FEMA FLOOD INSURANCE MAP COMMUNITY PANEL # 4903 C 01261, DATED 10/01/2015

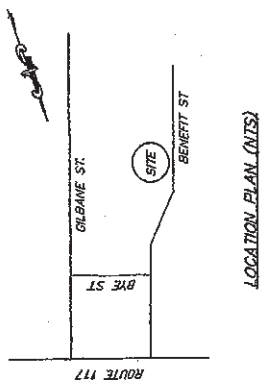
ZONING: LL (6,000 S.E.)
 MINIMUM LOT FRONTAGE - 60'
 FRONT YARDS - 25'
 SIDE YARDS - 15'
 REAR YARDS - 20'

- LEGEND
- A.P. ASSESSORS PLAT
 - H/P NOW OR FORMERLY
 - G.E. GRANITE BOUND FOUND
 - I.R. IRON ROD SET
 - M.G. MAG NAIL TO BE SET
 - P.N. IRON STAR PIN FOUND
 - F.N.D. FOUND
 - U.P. UTILITY POLE
 - S.M.H. SINKER MAN-HOLE
 - C.B. CATCH BASIN
 - W.S. WATER SERVICE
 - W.G. WATER GATE
 - F.H. FIRE HYDRANT
 - O.H.W. OVER-HANGING WIRES



EXISTING MAP

PROPOSED MAP

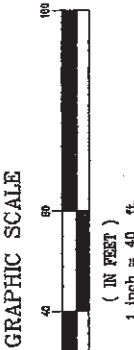


EXISTING ZONING: L1 (6,000 S.F.)
 MINIMUM LOT FRONTAGE - 60'
 YARDS:
 FRONT - 25'
 SIDE - 15'
 REAR - 20'

- LEGEND**
- A.P. ASSESSORS PLAT
 - N/F NOW OR FORMERLY
 - G.B. GRANITE BOUND FOUND
 - ▲ STK. WOODEN STAKE
 - I.R. IRON ROD SET
 - I.P. IRON PIPE
 - PIN IRON STARR PIN FOUND
 - FND FOUND
 - UTILITY POLE
 - 22/15 DEED BOOK AND PAGE
 - ⊙ SEWER MAN-HOLE
 - ⊕ EXISTING SEWER LATERAL
 - ⊕ FIRE HYDRANT
 - EXISTING CONTOUR
 - 25/2 ELEVATION SPOT SHOT

CURVE DATA	DELTA	RADIUS	LENGTH
C-1	12°02'28"	300.00'	63.00'
C-2	11°32'13"	300.00'	60.41'

- GENERAL NOTES:**
- 1.) SITE LIES IN ZONE "X" PER FEMA FLOOD INSURANCE MAP COMMUNITY PANEL # 44003 C 0126J DATED: 10/01/2015
 - 2.) LOTS 1-3 SHALL BE CONNECTED TO THE WARWICK SEWER SYSTEM.
 - 3.) THE PROPOSED NEW DRILLING BOTTOM FLOOR ELEVATION SHALL BE 3' ABOVE THE DETERMINED GROUND WATER TABLE ELEVATION
 - 4.) HAYBALE EROSION CHECK AND OR SILT FENCE SHALL BE INSTALLED AT ALL DOWN GRADIENT LIMITS OF DISTURBANCE PRIOR TO EARTH DISTURBING ACTIVITIES AND SHALL BE MAINTAINED UNTIL ALL DISTURBED AREAS ARE PERMANENTLY STABILIZED.
 - 5.) ALL WORK SHALL CONFORM TO ALL LOCAL AND STATE PERMITS AND REGULATIONS.
 - 6.) ALL PERMANENTLY DISTURBED AREAS SHALL BE STABILIZED WITH 4" LOAM AND SEED OR SOY.
 - 7.) SITE TO BE SERVICED BY MUNICIPAL SEWER AND WATER.
 - 8.) PROPERTY LINES, PROP. HOUSE AND LIMITS OF WORK SHALL BE ACCURATELY LOCATED AND SURVEY STAKED PRIOR TO COMMENCEMENT OF ANY WORK
 - 9.) ALL UTILITIES SHOWN FROM BEST AVAILABLE INFORMATION, THE CONTRACTOR SHALL VERIFY THE INFORMATION WITH THE APPROPRIATE UTILITY AUTHORITY AND OBTAIN PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
 - 10.) ELEVATION DATUM (ASSUMED)



LOTS DEPICTED ON THIS PLAT (OR PLAN) SHALL NOT BE ALTERED DIMENSIONALLY OR IN FORM, INCLUDING THE ENLARGEMENT OF LOTS OR DIMENSIONS OF ANY PART THEREOF FOR ANY PURPOSE WHATSOEVER, WITHOUT FIRST OBTAINING THE WRITTEN CONSENT OF THE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS OF WARWICK DEVELOPMENT REVIEW REGULATIONS OF DECEMBER 31, 1985 (AS AMENDED)

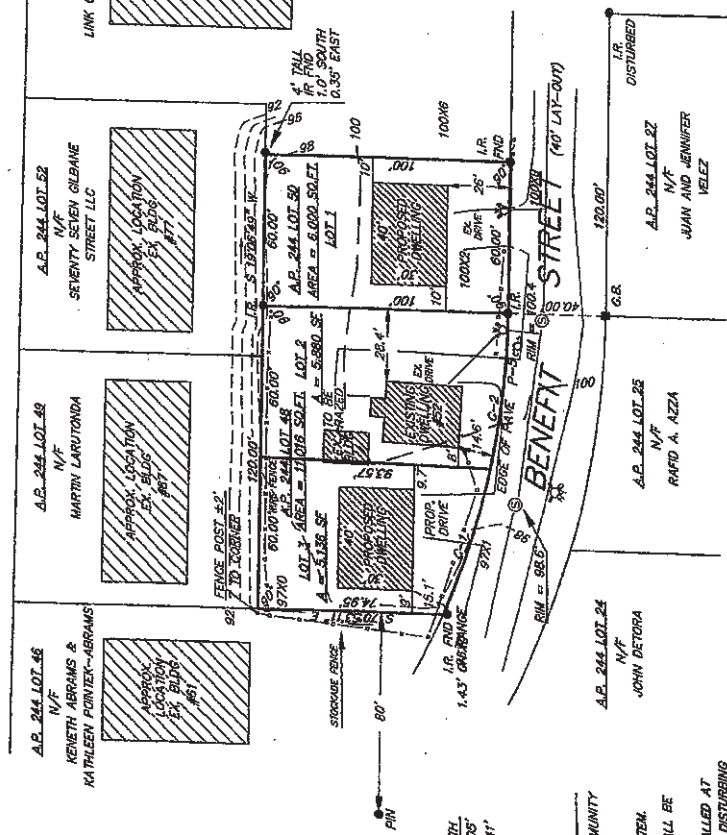
PLAN REFERENCES:
 LYNCH'S ADDITION NO. 1 WARWICK, R.I. BY FRANK E. WATERMAN
 MAY 1902 PLAT NO. 183

LOT AREA NOTE:
 TOTAL AREA = ±17,016 SQ.FT.

CURRENT DEED REFERENCE:
 DEED BOOK 8903 PAGE 127



GILBANE STREET (40' LAY-OUT)



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 25, 2015. AS FOLLOWS:
 CLASS 1
 COMPREHENSIVE BOUNDARY SURVEY
 TOPOGRAPHIC SURVEY ACCURACY 7-8
 VERTICAL ACCURACY STANDARD 1-2
 JAMES G. FLYNN P.L.S. NO. 1904

STATEMENT OF PURPOSE:
 THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND THE PREPARATION OF THE PLAN IS AS FOLLOWS:
 SUBDIVISION AND ZONE CHANGE

BY:
 JAMES G. FLYNN, SURV
 COA NO: A. 288

SURVEY STREET INDEX
 THIS PLAN SHALL BE FILED UNDER
 BENEFIT STREET

THIS SURVEY AND PLAN CONFORM TO A CLASS 1 STANDARD AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS. I HEREBY CERTIFY THAT THIS SURVEY WAS ACTUALLY MADE ON THE GROUND AS PER THE RECORD DESCRIPTION AND IS CORRECT. THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES EXCEPT AS SHOWN.

OWNER AND APPLICANT:
 HARRINGTON REALTY LLC
 7 FIFTEENTH AVE
 WARWICK, R.I. 02886

BY:
 JAMES G. FLYNN P.L.S. NO. 1904

FLYNN SURVEYS INC.
 22 STANTON AVENUE
 NARRAGANSETT, R.I. 02882
 401-783-6290
 LAND SURVEYING / MAPPING / SITE PLANNING



MAJOR SUBDIVISION / ZONE CHANGE PLAN
 "THE BENEFIT STREET PLAT"
 ASSESSOR'S MAP 244 LOTS 48 & 50
 BENEFIT STREET

JOB NO. 1987
 SHEET 1
 DRAWING NO. 1297

**RECOMMENDED DESCRIPTION
ASSESSORS PLAT 244 LOT 48
BENEFIT STREET
WARWICK, R.I.**

That certain tract or parcel of land with all the buildings and improvements thereon situated in the city of Warwick and County of Kent, and State of Rhode Island, more particularly bounded and described as follows:

Beginning at an iron rod at the southeasterly corner of the parcel on the easterly side of Benefit Street.

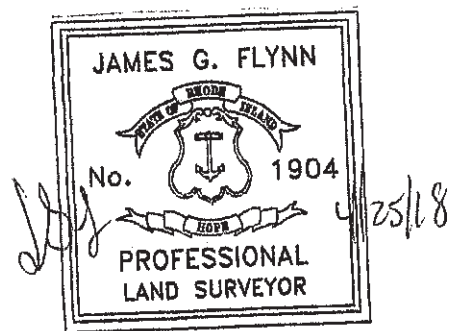
Thence easterly one hundred and 00/100 feet (100.00') with a bearing of S 70° 53' 11" E to an iron rod

Thence turning and interior angle of 90° 00' 00" and running northerly with a bearing of N 19° 06' 49" E one hundred twenty and 00/100 feet (120.00').

Thence turning and interior angle of 90° 00' 00" and running westerly with a bearing of N 70° 53' 11" W seventy-four and 95/100 feet (74.95') to a point on the easterly side of last mentioned Benefit Street.

Thence turning and running along a curve to the left with a radius of three hundred feet (300.00'), a central angle of 23° 34' 41", an arc length of one hundred twenty-three and 46/100 feet (123.46') and a chord bearing of S 30° 54' 10" W to the point and place of beginning,

The total area of this parcel = 11,016 square feet more or less



James G. Flynn

**RECOMMENDED DESCRIPTION
ASSESSORS PLAT 244 LOT 50
BENEFIT STREET
WARWICK, R.I.**

That certain tract or parcel of land with all the buildings and improvements thereon situated in the city of Warwick and County of Kent, and State of Rhode Island, more particularly bounded and described as follows:

Beginning at an iron rod at the southeasterly corner of the parcel on the easterly side of Benefit Street.

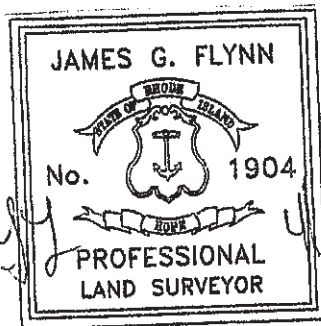
Thence easterly one hundred and 00/100 feet (100.00').

Thence turning and interior angle of 90° 00' 00" and running northerly sixty and 00/100 feet (60.00') to an iron rod.

Thence turning and interior angle of 90° 00' 00" and running westerly one hundred and 00/100 feet (100.00') to an iron rod on the easterly side of last mentioned Benefit Street.

Thence turning and interior angle of 90° 00' 00" and running southerly along the easterly side of Benefit Street sixty and 00/100 feet (60.00') to the point and place of beginning, said last course forms an interior angle of 90° 00' 00" with the first described course.

The total area of this parcel = 6,000 square feet more or less



James G. Flynn

ABUTTERS

WITHIN A 200' RADIUS

244-0013-0023

Kevin Paul Klammer
Gina Marie Dagraca
23 Benefit St Bldg D Unit 3
Warwick, RI 02886

244-0013-0002

Dianna L. Damico
23 Benefit Street #24
Warwick, RI 02886

244-0053-0000

Carla S. Tanner
23 Benefit Street #20
Warwick, RI 02886

244-0057-0000

Koury Properties, LLC
93 Gilbane Street
Warwick, RI 02886

244-0013-0012

John P. Heron
71 Mourning Dove Drive
Saunderstown, RI 02874

244-0022-0000

Donald C. Winfield
Deborah S. Winfield
33 Benefit Street
Warwick, RI 02886

244-0013-0018

Sui Jim
23 Benefit St. Bldg C #5
Warwick, RI 02886

244-0013-0010

Anna E. Slaughter Life Estate
B. Guendolina Reyes
23 Benefit Street #16
Warwick, RI 02886

244-0212-0000/244-0240-0000

Scaff-Men Properties, LLC
80 Gilbane Street
Warwick, RI 02886

244-0013-0021

John P. Heron
Nancy A. Heron
23 Benefit Street # 2
Warwick, RI 02886

244-0013-0025

Marie R Lanni Life Estate
Christine M. Rubeis
23 Benefit St Unit 1
Warwick, RI 02886

244-0013-0004

Robert Campagnone, Jr.
23 Benefit Street #22
Warwick, RI 02886

244-0013-0007

Marie Clunan
23 Benefit Street #19
Warwick, RI 02886-6715

244-0025-0000

Rafid A. Azza
53 Benefit Street
Warwick, RI 02886-6701

244-0013-0013

Helen A. Kelly
c/o Jeanne M. Kelly
23 Benefit Street Unit 13
Warwick, RI 02886

244-0013-0016

Chris M. Difazio
23 Benefit Street #10
Warwick, RI 02886

244-0013-0019

Theodore R. Carr, Jr.
23 Benefit St. Unit 7
Warwick, RI 02886

244-0013-0011

James E. Callahan
PO Box 3567 Crescent Ave.
Plymouth, MA 02361

244-0198-0000/244-0044-0000

Trilogy WBO Realty LP
215 Arlington Avenue
Providence, RI 02906

244-0013-0022

David G. Gaudet
Carol Harris
23 Benefit Street #4
Warwick, RI 02886

244-0024-0000

John K. Detora
43 Benefit Street
Warwick, RI 02886

244-0013-0005

Martha M. Dellapenna
23 Benefit Street #21
Warwick, RI 02886

244-0053-0000

Link Commercial Properties, LLC
144 Metro Center Blvd. Unit F
Warwick, RI 02886

244-0027-0000

Juan Soto Velez
Jennifer Velez
63 Benefit Street
Warwick, RI 02886

244-0013-0014

Ihsan Cem Onur
6945 108th St. Apt. 9K
Forest Hills, NY 11375

244-0013-0017

Frank Luna
Helen V. Luna
23 Benefit St. Unit #9
Warwick, RI 02886

244-0013-0009

Christina Ruggieri
23 Benefit Street #17
Warwick, RI 02886

244-0211-0000

Gilbane Street Properties, LLC
120 Centerville Road
Warwick, RI 02886

244-0213-0000

Pasco Raimondo
Susan Raimondo
2 Campbell Street
West Warwick, RI 02893

244-0029-0000
Daniel K. Thurston
Del Ayer Long
83 Benefit Street
Warwick, RI 02886

244-0049-0000
Martin Larotonda
46 Juniper Road
Seekonk, MA 02771

244-0046-0000
Kenneth L. Abrams Trustee
Kathleen A. Pointek-Abrams Trustee
94 Elna Street
North Kingstown, RI 02852

244-0013-0003
Lori A. Cillino
23 Benefit Street #23
Warwick, RI 02886

244-0028-0000
Mark Gilbar
69 Benefit Street
Warwick, RI 02886

244-0048-0000/244-0050-0000
Harrington Realty, LLC
7 Fifteenth Ave.
Warwick, RI 02886

244-0210-0000
Florence H. Kaplan Trustee
Florence H. Kaplan Revocable Liv Trust
5706 Ainsley Ct.
Boynton Beach, FL 33437-1506

244-0013-0015
Steven Horowitz
6 Damian Ct.
North Providence, RI 02911

244-0013-0008
Elizabeth V. Eddy
23 Benefit Street Unit 18
Warwick, RI 02886

244-0013-0001
Antoine F. St Germain Etal
Rhode Island Housing & Mtg Finance
23 Benefit St #25
Warwick, RI 02886

244-0202-0000
Patricia K. Pontarelli Irrev Trust 2017
c/o Patricia Pontarelli
70 Drum Rock Avenue
Warwick, RI 02886

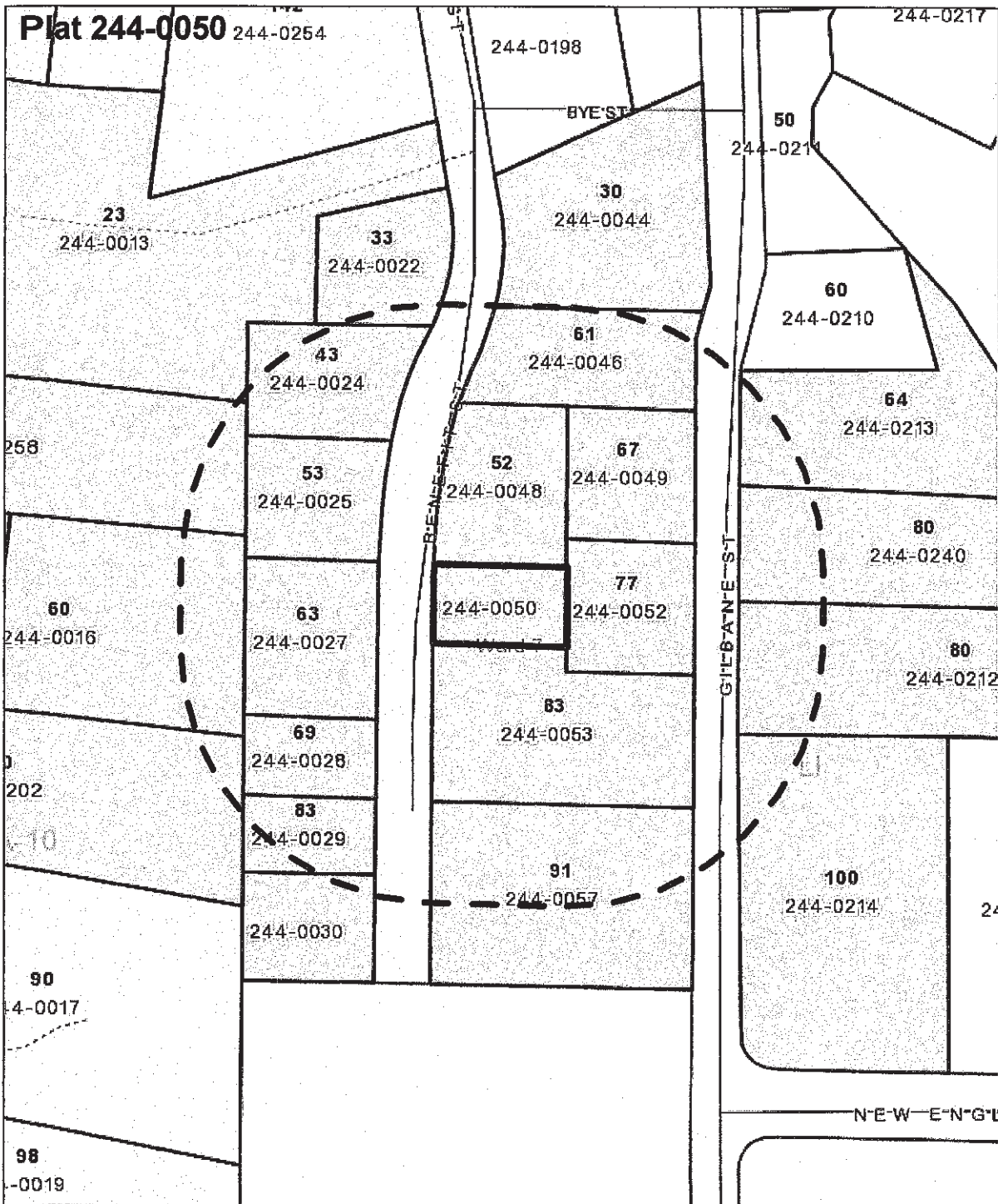
244-0013-0024
Nicole Diamonte
23 Benefit Street #2
Warwick, RI 02886

244-0214-0000
Helcar Inc.
PO Box 701
Greenville, RI 02828

244-0016-0000
Lynne A. Taylor
60 Drum Rock Ave.
Warwick, RI 02886

244-0052-0000
Seventy Seven Gilbane Street, LLC
77 Gilbane Street
Warwick, RI 02886

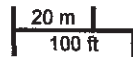
244-0013-0020
Linda M. Archer
23 Benefit Street # 6
Warwick, RI 02886



City of Warwick, Rhode Island

Selected Parcel: **BENEFIT ST ID: 244-0050**

Printed 4/22/2018 from <http://www.mainstreetmaps.com/ri/warwick/public.asp>



MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City of Warwick, Rhode Island and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.

William DePasquale, Jr., AICP
Planning Director




Scott Avedisian
Mayor

CITY OF WARWICK
Planning Department
3275 Post Road, Annex; Warwick, RI 02886
Tel. (401) 738-2009

MEMORANDUM
52 Benefit Street

TO: Joseph Solomon, Council President
Warwick City Council Members
Lyn Pagliarini, City Clerk

FROM: William J. DePasquale, Jr. AICP 
Administrative Officer
Planning Director

DATE: April 20, 2018

SUBJECT: Planning Board Recommendations
Comprehensive Plan, Amendment to the Future Land Use Map (FLUM)
And Zone Change, with waivers

APPLICANTS: Harrington Realty, LLC

LAND AREA: 17,016sf

WARD: 8

Future Land Use Map Amendment **AP244, ALs 48 and 50**

EXISTING CLASSIFICATION: Industrial

PROPOSED CLASSIFICATION: Residential - High

Proposed Zone Change **AP244, ALs 48 and 50**

EXISTING ZONING: Light Industrial

PROPOSED ZONING: Residential, A-7 with waivers

BACKGROUND

The Applicant is requesting an amendment to the Future Land Use Map (FLUM) as contained in the *City of Warwick Comprehensive Plan 2013-2033 "City of Livable Neighborhoods" (Comprehensive Plan)* as the first stage in a zone change process to correctly reflect the existing residential use on the parcel.

The Applicant is proposing to amend the FLUM, specifically for Assessor's Plat 244, Assessor's Lots 48 and 50. The FLUM classifies the intended use for these lots as "Industrial." The Applicant is seeking to revise the intended use to "Residential - High" to reflect the existing, long-standing residential use on the parcel.

If given a favorable recommendation, the Applicant will then seek a recommendation for a zone change for Assessor's Plat 244, Assessor's Lots 48 and 50, from Light Industrial (LI) to Residential A-7, with waivers, and approval of the Master Plan phase of a Major Subdivision, to subdivide Assessor's Plat 244, Assessor's Lot 48 into two (2) lots, one (1) lot with an existing single family dwelling, and one (1) lot to provide for the construction of a new single-family dwelling. The Applicant is also proposing to construct a new single-family dwelling on the undeveloped abutting lot, Assessor's Plat 244, Assessor's Lot 50, an existing lot to have less than required lot area, lot frontage and lot width in a Residential, A-7 zone.

Recommendation to the City Council
COMPREHENSIVE PLAN
-FUTURE LAND USE MAP AMENDMENT
FINDINGS OF THE BOARD

At the April 11, 2018 meeting, the Planning Board made the following findings on the proposed Comprehensive Plan, Future Land Use Map amendment:

1. That the Applicant has provided an analysis, prepared by Edward Pimentel, entitled Rezone and Comprehensive Plan Amendment, 52 Benefit Street, and dated March 7, 2018, evaluating the proposed Comprehensive Plan amendment and rezoning of Assessor's Plat 244, Assessors Lots 48 and 50, which concludes:

"...this Planning Consultant professionally believes that the Planning Board should not have any reservation in forwarding a positive recommendation to the Warwick City Council in regard to the requested zone change/comprehensive plan amendment. The proposed changes are purely for the purpose of realizing retention of an appropriate land use, considering its long-standing presence. It will also afford neighborhood preservation and protection."
2. That the proposal is generally consistent with the City's Comprehensive Plan, specifically with Chapter 12, Future Land Use, Section E, General Principles to Guide Future Land Use, which calls for preserving existing, predominantly single-family neighborhoods, and limiting commercial intrusion into residential neighborhoods.

That Benefit Street is in close proximity to Apponaug Village, an area rezoned in 2011 to promote mixed use development, with areas of supportive residential uses. The recently completed RIDOT Circulator project provides safe pedestrian access from Benefit Street to Apponaug Village, consistent with the General Principal of Chapter 12, Future Land Use of the City's Comprehensive Plan, to promote land use configurations that increase connectivity and walkability, and consistent with the goals of the City Council approved Village Zoning (2011).

However, the proposal is not consistent with the Future Land Use Map (FLUM) of the City of Warwick, Comprehensive Plan 2033, therefore requiring City Council approval of a map amendment reclassifying the future land use from "Industrial" to "Residential-High."

3. That there are no apparent textual inconsistencies between the proposal and the Comprehensive Plan.
4. That the City's Comprehensive Plan was adopted in 2013. The Future Land Use Map (FLUM) reflects the preferred or acceptable pattern of land use.
5. That The FLUM classifies the future land use for these two (2) lots (Assessor's Plat 244; Assessor's lots 48 and 50), as "Industrial" reflecting the existing zoning on the parcel, and not the existing, long-standing residential use on Assessor's lot 48 or the residential use and zoning of the surrounding neighborhood.

6. That the existing zone line delineating the boundary between the Light Industrial (LI) zone and the Residential A-10 zone bisects Benefit Street, allowing for incompatible uses to be located on opposite sides of the same roadway.
7. That there is a Planned District Residential (PDR) zone within the 200' radius (Assessor's Plat 244, Assessor's Lot 13) of the proposal, with 5 buildings on one lot containing 25 multifamily units.
8. The existing single-family dwelling, Assessor's Plat 244, Assessor's lot 48, is listed in the Tax Assessor's records as an "old style," one and a half story, 1,440 sf foot building, constructed circa 1900. That as part of the proposal, the Applicant is proposing to restore this dwelling.
9. That the existing dwelling was constructed prior to the establishment of Warwick's first zoning ordinance in 1931.
10. That City zoning records indicate that in 1945, Assessor's Plat 244; Assessor's lots 48 and 50 were zoned Residential "B", a residential zoning designation.
11. That the proposed development parcel fronts on Benefit Street. That Benefit Street is predominantly residential in character. The residential structures on Benefit Street were constructed between 1900 and 1987. (See attached Exhibit A.)
12. That the travel-way width of Benefit Street is approximately 20 feet. The City's Development Review Regulations, Section D.2 Subdivision Design, Section D.2.1 Streets, states that industrial subdivisions shall not contain travel-way widths of less than 30 feet. The existing 20' travel-way width of Benefit Street is approximately 33 percent less than what is required for an industrial use. The roadway is improved to approximately 250' beyond the proposed development parcel.
13. That the existing dwelling, Assessor's Plat 244, Assessor's lot 48, is now located on a parcel rezoned "Light Industrial." Use Code 101. Detached single-family dwelling unit is listed in the Warwick Zoning Ordinance, TABLE 1. USE REGULATIONS as "NO, the use is prohibited within the district so designated."
14. The existing dwelling, Assessor's Plat 244, Assessor's lot 48, does not conform to the dimensional requirements of either a Light Industrial (LI) or Residential, A-7 zone, having less than required front setback.
15. That in the analysis prepared by Edward Pimentel, dated March 7, 2018 and entitled Rezone and Comprehensive Plan Amendment, 52 Benefit Street, he contends that the limited combined land area of Assessor's Plat 244, Assessor's lots 48 and 50, would not support the development components necessary to realize the successful introduction of most industrial land uses, to include building footprint and required setback, off-street parking and loading, dumpster and landscape buffers

16. The abutting industrial land uses are situated to the east of the proposed development area and are accessed by frontage on Gilbane Street and were primarily constructed in 1980's, with the earliest structure constructed circa 1965. (See Exhibit A.)
17. That there is a grade change of approximately 30' at the rear (easterly) property line of Assessor's Plat 244; Assessor's lots 48 and 50, providing a natural geographic separation between the industrial uses and the elevated residential uses on Benefit Street (See Exhibit B).
18. That the reclassification on the FLUM of Assessor's Plat 244, Assessor's lots 48 and 50 will not only reflect the existing use on the parcel and in the vicinity, but will also provide a transition of intensity from the existing industrial uses to the existing medium density residential area.

PLANNING BOARD RECOMMENDATION

On a motion made by Ms. Stenhouse and seconded by Mr. Catalano, the Planning Board voted seven (7) in favor, with none opposed, to forward a favorable recommendation to the Warwick City Council for the requested Comprehensive Plan, Future Land Use Map amendment, with the following stipulation:

1. That the Applicant shall include in the application to the City Council a proposed, revised Future Land Use Map (FLUM), clearly indicating the area (Assessor's Plat 244, Assessor's Lots 48 and 50) and change of classification from Industrial to Residential-High.
2. That, if the Comprehensive Plan Amendment is approved, the Applicant shall seek approval from the City Council for a zone change from Light Industrial to Residential, A-7, with waivers on Assessor's Plat 244, Assessor's lots 48 and 50.

Recommendation to the City Council
REQUEST FOR A ZONE CHANGE
FINDINGS OF THE BOARD

Applicant: Harrington Realty, LLC
Location: Benefit Street
Assessor's Plat: 244
Assessor's Lots: 48 and 50
Zoning District: Light Industrial
Proposed Zoning: Residential, A-7, with waivers

At the April 11, 2018 meeting, the Planning Board found this zone change proposal to be generally consistent with Article 1 "Purposes and General Statements of the City's Development Review Regulations, and,

1. That the proposal is generally consistent with the City's Comprehensive Plan, specifically with Chapter 12, Future Land Use, Section E., General Principles to Guide Future Land Use, which calls for preserving existing predominantly single-family neighborhoods, and limiting commercial intrusion into residential neighborhoods.

That Benefit Street is in close proximity to Apponaug Village, an area rezoned in 2011 to promote mixed use development, with areas of supportive residential uses. The recently completed RIDOT Circulator project provides safe pedestrian access from Benefit Street to Apponaug Village, consistent with the General Principal of Chapter 12, Future Land Use of the City's Comprehensive Plan, to promote land use configurations that increase connectivity and walkability and consistent with the goals of the City Council approved Village zoning.

However, the proposal is not consistent with the Future Land Use Map (FLUM) of the City of Warwick, Comprehensive Plan 2033, therefore requiring City Council approval of a map amendment changing the future land use classification from "Industrial" to "Residential, High Density."

2. That the existing zone line delineating the boundary between the Light Industrial zone and the Residential A-10 zone bisects Benefit Street, allowing for incompatible uses to be located on opposite sides of the same roadway.
3. That the existing land uses on Benefit Street are predominately residential in character. The residential structures were constructed between 1900 and 1987; the industrial structures were primarily constructed in the 1980's. Please see attached map for dates of construction, Exhibit A.
4. That there is a Planned District Residential (PDR) zone within the 200' radius of the proposal, with 5 buildings on the parcel (Assessor's Plat 244, Assessor's Lot 13) containing 25 multifamily units.

5. That the existing single-family dwelling, Assessor's Plat 244, Assessor's lot 48, is listed in the Tax Assessor's records as an "old style," one and a half story, 1,440 sf foot building, constructed circa 1900. That as part of the proposal, the Applicant is proposing to restore this dwelling.
6. That the existing dwelling was constructed prior to the establishment of Warwick's first zoning ordinance in 1931.
7. That City zoning records indicate that in 1945, Assessor's Plat 244; Assessor's lots 48 and 50 were zoned Residential "B", a residential zoning designation.
8. That the existing dwelling, Assessor's Plat 244, Assessor's lot 48 is on a parcel currently zoned "Light Industrial." Use Code 101. Detached single-family dwelling unit is listed in the Warwick Zoning Ordinance, TABLE 1. USE REGULATIONS as "NO, the use is prohibited within the district so designated."
9. The existing dwelling, Assessor's Plat 244, Assessor's lot 48, does not conform to the dimensional requirements of either a Light Industrial or Residential, A-7 zone, having less than required front setback.
10. That the travel-way width of Benefit Street is approximately 20 feet. The City's Development Review Regulations, Section D.2 Subdivision Design, Section D.2.1 Streets, states that industrial subdivisions shall not contain travel-way widths of less than 30 feet. The existing 20' travel way width of Benefit Street is approximately 33 percent less than what is required for an industrial use. The roadway is improved to approximately 250' beyond the proposed development parcel.
11. That the abutting industrial land uses are situated to the east of the proposed development area and are accessed by Gilbane Street.
12. That there is a grade change of approximately 30' at the rear (easterly) property line of Assessor's Plat 244; Assessor's lots 48 and 50, providing a natural geographic separation between the industrial uses and the elevated residential uses on Benefit Street (See Exhibit B).
13. That the limited land area of the parcel as it is currently zoned, in conjunction with the development requirements for most industrial uses, would prove to be impracticable for the development of Assessor's Plat 244, Assessor's lots 48 and 50 for many industrial uses.
14. That the rezoning of Assessor's Plat 244, Assessor's lots 48 and 50 will not only reflect the existing use on the parcel and existing uses in the vicinity, but will also provide a transition of intensity from the existing industrial uses to the area of medium density, Residential, A-10 zoning.

15. That the City's Engineering Division, Water Department, Conservation Commission, Historic District Commission, Cemetery Commission and Land Trust have reviewed the proposal and have no objection to the proposed zone change.

The Planning Board also found this proposal 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
- 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 house.
- 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 a motion made by Ms. Stenhouse and seconded by Mr. Bergantino, the Planning Board voted seven (7) in favor, with none opposed, to forward a favorable recommendation to the Warwick City Council for the requested zone change from Light Industrial to Residential, A-7, with waivers as indicated below, and with the following stipulations as integral to the zone change:

Less than required	AP244, AL50 (Proposed Lot 1)	AP244, AL 48 (Proposed Lot 2)	AP244, AL 48 (Proposed Lot 3)
Lot area	X	X	X
Lot frontage	X	X	X
Lot width	X	X	X
Front setback		X (existing)	X

And with the following stipulations:

1. That the Applicant shall provide verbiage to be included on the recorded deeds for the newly created and rezoned parcels 1, 2 and 3, (formerly Assessor's Plat 244, Assessor's Lots 48 and 50) stating that said parcels were rezoned to residential from industrial and as such are subject to all of the nuisances associated with said abutting industrial district.



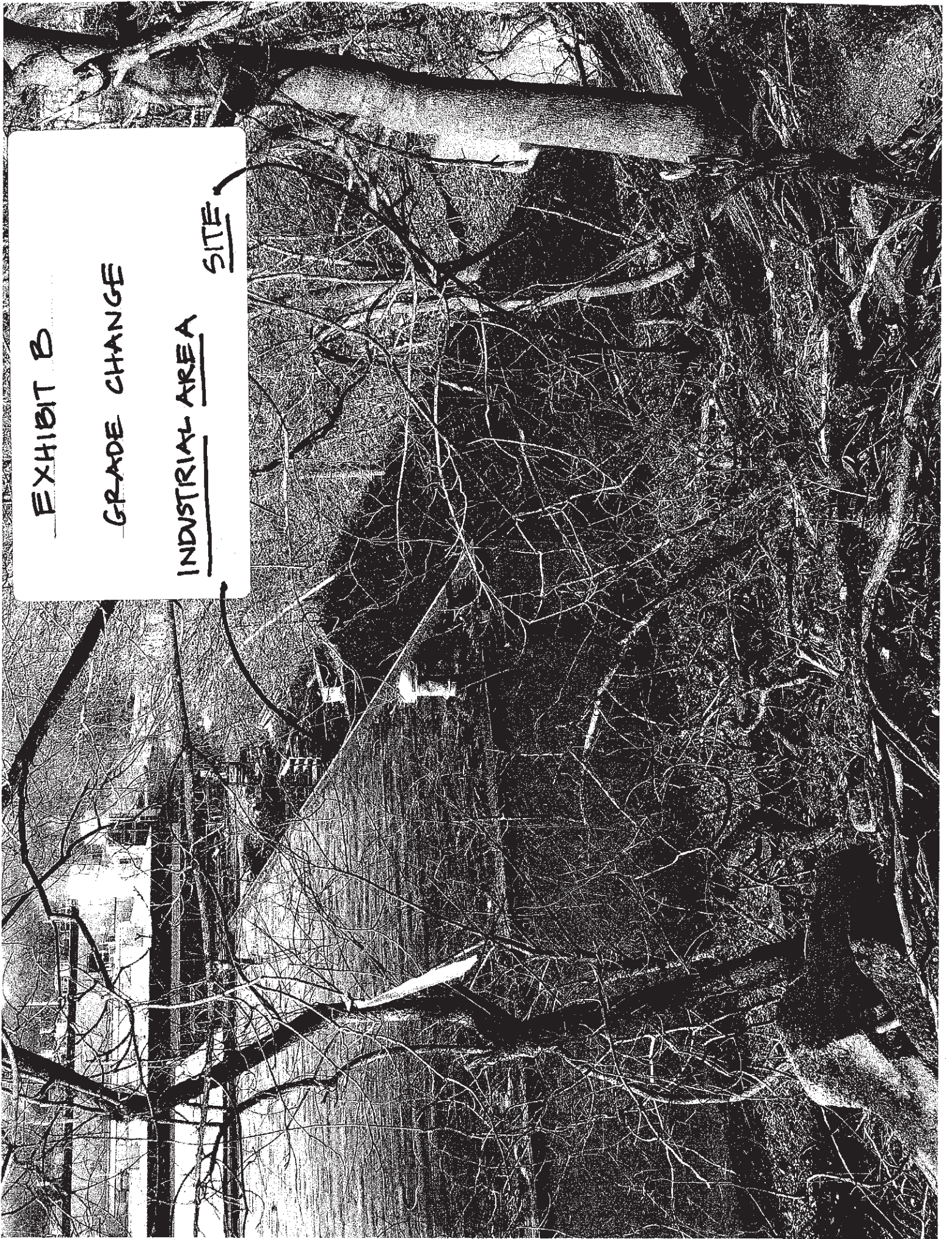
EXHIBIT A

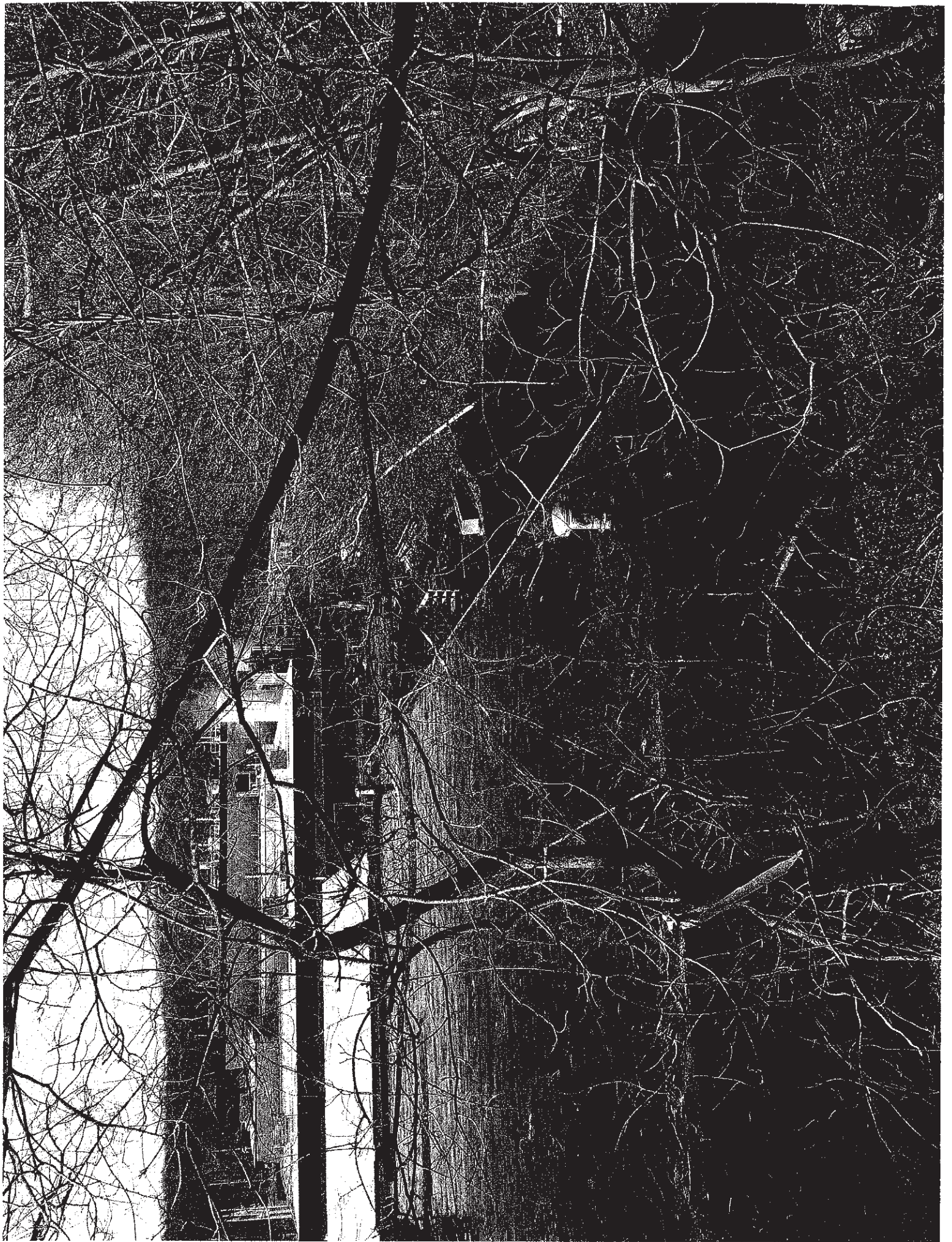
EXHIBIT B

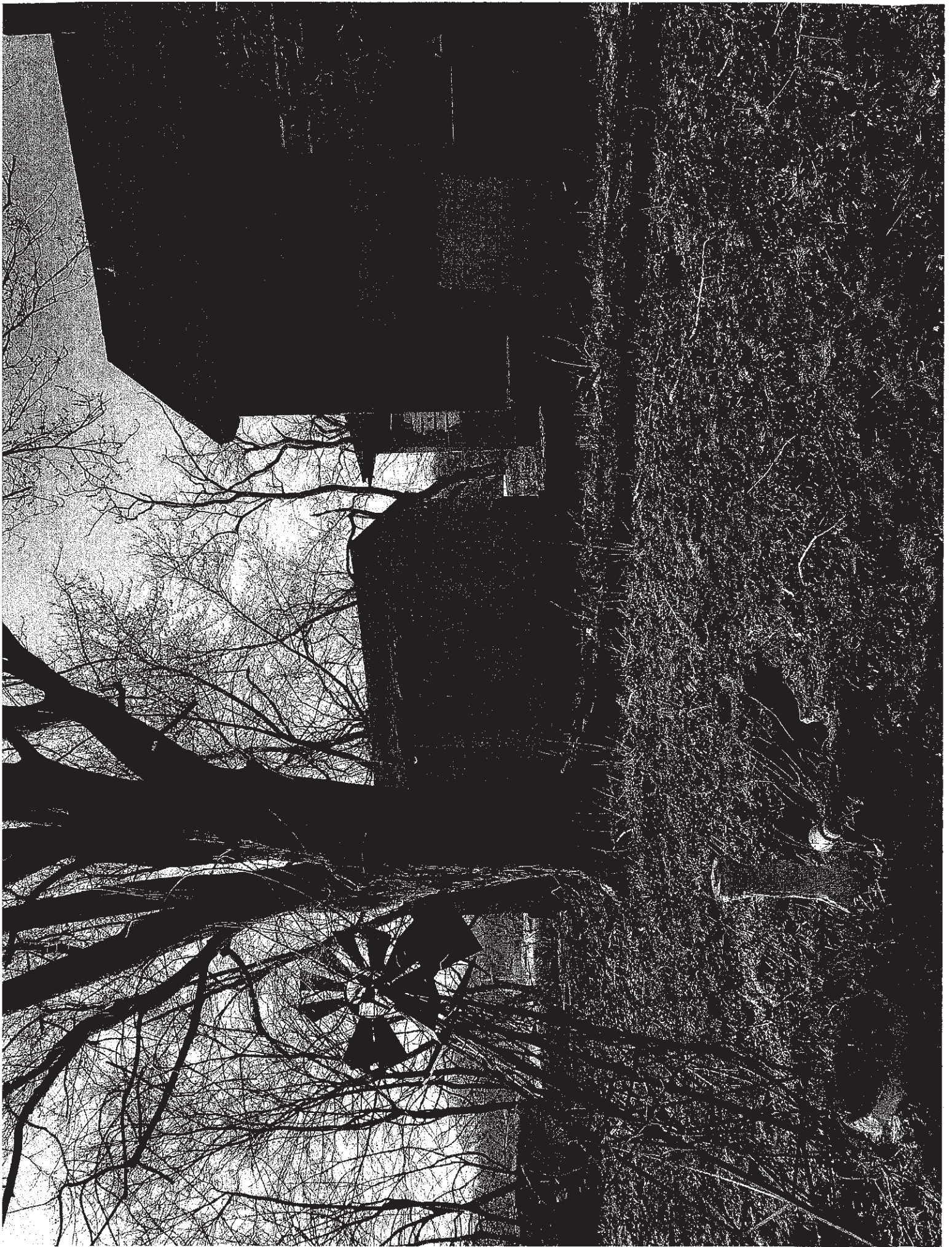
GRADE CHANGE

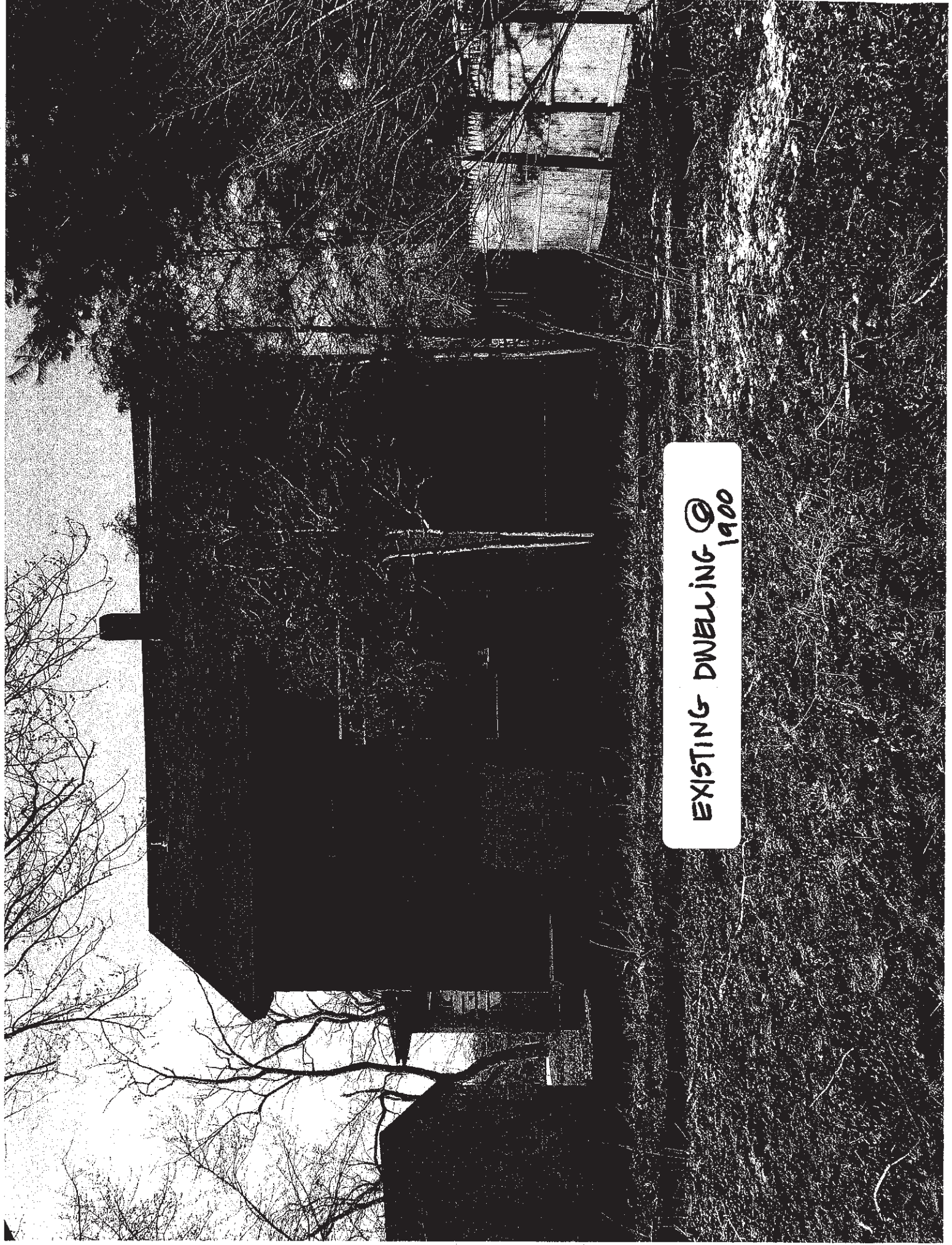
INDUSTRIAL AREA

SITE

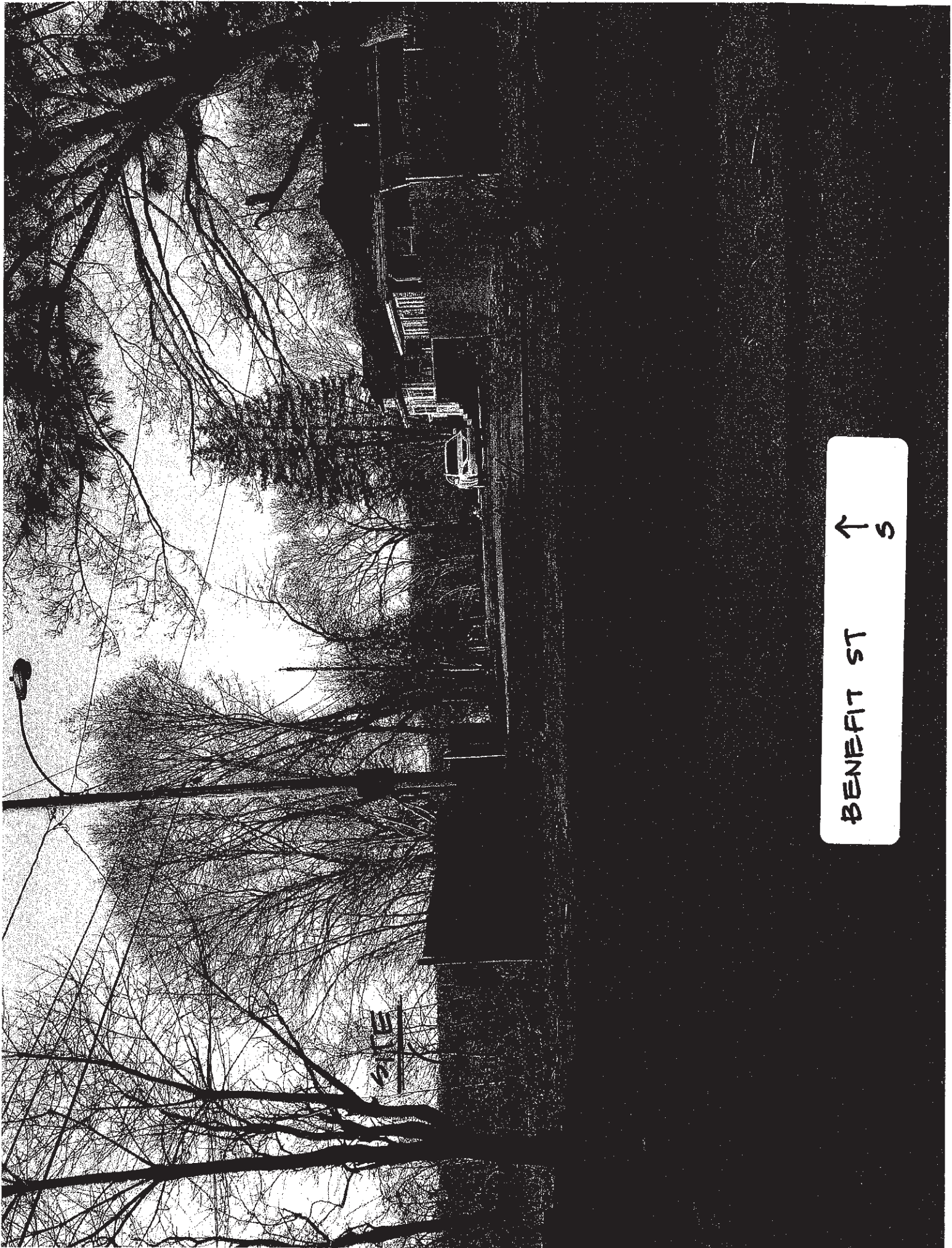








EXISTING DWELLING ©
1900



BENEFIT ST ↑ S

City of Warwick Planning Board
Rezone and Comprehensive Plan Amendment - Future Land Use Map
Benefit Street
Assessor's Plat 244; Lot(s) 48 and 50

Prepared for: Harrington Realty, LLC

By: Pimentel Consulting, Inc.

7 March 2018

INTRODUCTORY STATEMENT

Harrington Realty, LLC, (hereinafter 'Applicant'), has retained my professional land use planning and zoning consulting services, in order to evaluate the proposed rezoning of long-standing residential property from the present inappropriate and regulatory unsupportive 'Light Industrial District (hereinafter 'LI') to a more appropriate residential zoning designation. Although, the proposed rezoning will mirror the current usage of properties lining Benefit Street, it will nevertheless also fail to comport with future 'Industrial' land use classification. This will therefore likewise necessitate a Comprehensive Plan - Future Land Use map amendment - present land use classifications merely reflecting current zoning designations in the professional opinion of this land use consultant. The referenced land use change is from the present 'Industrial' to a more appropriate 'Residential - Medium' classification - reflecting approximate current residential densities. In light of the requested proposal, I have conducted a thorough analysis of all pertinent documents, including application and associated plans, as well as the following regulatory documents: City of Warwick Zoning Ordinance (hereinafter 'Ordinance'); City of Warwick Comprehensive Plan 2033 - 17 April 2014 (hereinafter 'Comprehensive Plan'); as well as conducting a thorough analysis of the immediate neighborhood, said analysis including several site inspections and reviewing Property Tax Data for land use assessment purposes. The proposed regulatory changes will not only realize consistency with the Comprehensive Plan and compliance with pertinent zoning regulations, but also permit more appropriate usage of the subject property, reflecting the residential character of the surrounding immediate neighborhood. This is in direct accord with the overall vision for the City of Warwick, as evidenced by the Comprehensive Plan.

Our Vision for 2033 - *"Vision statements focus attention on a community's values, sense of identity, and aspirations. They identify what citizens want to preserve and what they want to change, and articulate their desires and hopes for the future. This vision statement for Warwick provides a guiding image for the city as it faces choices and challenges over the next twenty years."* [Page 1.3]

C. Land Use Trends - *"Land use" is the general term referring to the actual uses or activities that occur on a parcel of land at any given time, be they residential, commercial, industrial, recreational or another use. Land use is not permanent and can change over time. For example, much of the land that holds residential uses in Warwick today was farmland a century ago. It is important to note that land use is not the same as zoning. Zoning is the tool a municipality uses to regulate what can be built on a parcel of land and how should it be developed or redeveloped. Land uses can be "nonconforming," meaning that they do not conform with the zoning because they were in existence when the land was zoned for another use. The nonconforming uses were "grandfathered." Like land use, zoning can change over time. For example, parcels that are currently zoned to allow only commercial uses today may one day be changed to allow for a mix of uses, including residential."* [Page 3.9]

EXISTING PROPERTY CONDITIONS

The property that is the focus of the subject rezone analysis is addressed 52 Benefit Street, otherwise designated Assessor's Plat 244, Lot(s) 48 and 50, and containing a total of 17,016 square feet (hereinafter 'Property'). Although, the present proposal merely entertains changes to the Property, followed by the subsequent merging and subdivision of said Property into three (3) residential parcels, an analysis of the immediate Benefit Street residential neighborhood was conducted for purposes of documenting consistency and appropriateness.

Although, there is the presence of light industrial / commercial within proximate distance of the Property, all of the referenced land uses are situated to the east, along Gilbane Street. The roadway in question, namely Benefit Street, in particular the subject block, is entirely residential in character. Furthermore, Benefit Street is a dead-end roadway, that extends a mere few properties beyond the subject property and is similarly improved with residential land uses. The



The subject property is presently improved with a single-family residence, said residence to be rehabilitated and two (2) additional dwellings introduced. The property is presently zoned an inexplicable LI, defined pursuant to Section 301.9, of the Ordinance, in the following manner:

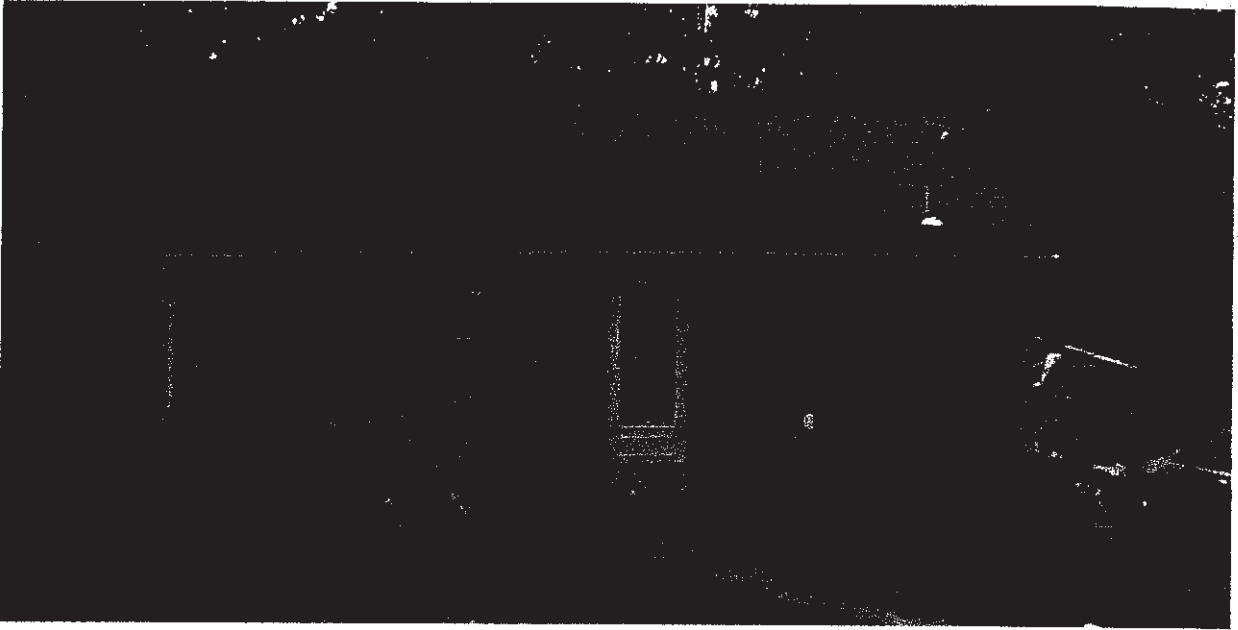
Section 301.9 - Light industrial district (LI): *"Properties mapped in accordance with subsection 303 of this ordinance and used for limited or light industrial purposes generally of a less intensive nature than those allowed in the general industrial district."*

Assessor's Plat 244; Lot(s) 48 and 50

Even more, perplexing, is the present land use classification of the subject neighborhood for industrial purposes. It is more typical to classify established neighborhoods in the manner that they have historically been improved, unless there is some real expectation of change in the future. Given the overwhelming residential character of the subject stretch of Benefit Street, and limited land area necessary to realize reasonably successful industrial development, this land use consultant would have anticipated a residential land use classification, similar to what is imposed upon the entire land area to the west of the subject property. The referenced dwelling, and residential character of the immediate neighborhood, are reflected below [excerpted from Google Earth].



[52 Benefit Street]



[53 Benefit Street - Directly across the street to the west]



[63 Benefit Street - Diagonally across the street to the southwest]



[43 Benefit Street - Diagonally across the street to the northwest]

In addition, to the immediately illustrated homes, there are several more that front along Benefit Street. And yet, the subject property is both zoned and classified 'industrial'. This land use consultant would contend that not only would introduction of a light industrial land use be most inappropriate (failing to be neighborhood compatible), but in all likelihood improbable. When one considers all of the requisite development components necessary to realize successful introduction of an industrialized and/or commercialized land use, to include physical footprint, off-street parking and loading, trash storage, landscaping and buffering, etc., such minimal land area would be insufficient. Therefore, more appropriate zoning and land use classification would be residential, reflecting both present on-site and surrounding neighborhood characteristics.

One final point is in regard to neighborhood consistency. Several of the previously identified residentially improved lots are somewhat similarly lot sized, and therefore there will be no resulting negative impact.

PROPOSED PROPERTY DEVELOPMENT

The Applicant seeks permission to both rezone and reclassify the property to substantiate present property conditions, and then permit the merging and re-subdivision of the property into three (3) respective parcels. One of the referenced parcels will maintain the present residential dwelling, albeit said dwelling will be substantially rehabbed, and the remaining two (2) parcels improved with new residences. The act of rezoning the property to an A-7 Zoning District designation will

Assessor's Plat 244; Lot(s) 48 and 50

realize neighborhood compatibility, however it will nevertheless fail to comport with respective lot dimensional criteria. Furthermore, certain pre-existing setback conditions associated with the present residence will remain. Regardless, these are all pre-existing. The respective deficient dimensional criteria can be deemed minor in scope, considering the alternative, namely introduction of inappropriate, albeit permissible, industrialized and/or commercialized land usage. Usage that would in all likelihood necessitate much greater quantity of dimensional relief. Therefore, the subject proposal is not only appropriate, but argumentatively more-so in accordance with respective zoning objectives. The proposed A-7 District is defined pursuant to the Ordinance, in the following manner:

Section 301.5. Residence A-7 district (hereinafter 'A-7 District') - *"Properties mapped in accordance with subsection 303 of this ordinance and used for high density residential use, comprising not more than one single-family dwelling unit per lot area measuring a minimum of 7,000 square feet."*

COMPREHENSIVE PLAN CONSISTENCY ANALYSIS

A primary Comprehensive Plan criterion is assuring that existing entities are balanced, or in harmony, with adjacent land uses, most notably being residential neighborhoods. Although, the subject property appears to have been zoned and classified in an industrialized manner for some period of time, it has nevertheless been residentially improved, similar to the vast majority of land uses lining Benefit Street, for numerous decades.

Future Land Use, Zoning and Urban Design

- *"Retain diverse land uses to support a strong and stable tax base."*

A. Goals and Policies [Page 12.2]

Goal - *"Warwick's neighborhoods are safe, attractive, well-maintained, and stable."*

- **"Protect and support existing residential neighborhoods."**

Goal - *"Public and private development meets high standards of design."*

- **"Ensure that proposed new residential, business and industrial uses are compatible with the character and surrounding area."**

B. Findings and Challenges [Page 12.3]

Challenges

"Directing commercial, industrial, and office development to appropriate areas of the city to promote implementation of the Comprehensive Plan and City Centre Master Plan."

Goal No. 4: *'Warwick's neighborhoods are attractive, well maintained and stable.'* [Page 12.29]

Policy: *'Protect and support existing residential neighborhoods.'*

Strategy A: *'Protect the character and quality of existing residential neighborhoods as houses are modified and redeveloped to mitigate flooding or for other reasons.'*

ZONE CHANGE: LI DISTRICT to A-7 DISTRICT

A zone change is absolutely mandatory in order to realize successful retention of a long-standing residential land use. The results of the Comprehensive Plan analysis clearly acknowledges support for retention and protection of long-established and stable residential land uses, especially when in character with surrounding land uses. The applicant thus seeks a zone change of the subject property from the present 'LI District' designation to the 'A-7 District' designation, to reflect existing residential conditions. The referenced zone change will ensure neighborhood character consistency. Once again, it is the professional opinion of this land use consultant that rezoning the subject property is consistent with the general goals and objectives of the Comprehensive Plan [Page 12.15].

General Principles to Guide Future Land Use

- o *"Preserve existing predominantly single-family residential neighborhoods."*
- o *'Limit commercial intrusion into residential neighborhoods.'*

COMPREHENSIVE PLAN - FUTURE LAND USE MAP CONSISTENCY

The applicant is required by law to evidence consistency with the Comprehensive Plan, and more importantly the "Future Land Use" map. R.I.G.L. 45-24-50 – "Consistency with Comprehensive Plan", specifically grants local communities the authority to amend their Ordinances, when it is done so for the purpose of promoting the public health, safety, morals and general welfare. An Ordinance amendment, including change to the official zoning map, must first evidence consistency with the Comprehensive Plan. Textual consistency has already been affirmed, however there must also be agreement between the Future Land Use Map and the proposed zone change. Consistency with the 'Future Land Use' map, which reflects, "...the preferred or

Assessor's Plat 244; Lot(s) 48 and 50

acceptable patterns of land use..." is legally mandatory. Evidence of this consistency must be satisfied, otherwise RIGL mandates a Comprehensive Plan amendment. It is the professional opinion of this land use consultant that although the subject property is presently classified '**Industrial**', given the long-standing residential presence (likewise reflecting the character of the immediate neighborhood), reclassification to '**Residential - Medium**' is appropriate. This opinion is corroborated by the Comprehensive Plan [Page 12.16], as evidenced by the following:

1. General Principles for Land Use: *"The "General Principles to Guide Future Land Use" provide a set of policy principles to guide decision making about land use changes and associated zoning amendments. These principles are based on community discussions during the planning process, the land use patterns necessary to support other goals (such as transportation, connectivity and environmental goals), and economic development considerations."*

"The Principles to Guide Future Land Use focus on preserving single family neighborhoods; environmentally sensitive resources and open space; increasing connectivity and walkability wherever possible...Keeping these principles in mind when making regulatory changes will create a framework for redevelopment and new development that, over time, will transform the tired commercial corridors and attract new development to compact, walkable, mixed-used centers."

"Any land use map for the future is inevitably based on the existing uses. Some land uses are less susceptible to change once they have been established. For example, occupied single-family neighborhoods tend to stay in place over long periods, with limited change or encroachment from other uses..."

CONCLUSION

In summary, this planning consultant professionally believes that the Planning Board should not have any reservation in forwarding a positive recommendation to the Warwick City Council in regard to the requested zone change / comprehensive plan amendment. The proposed changes are purely for the purpose of realizing retention of an appropriate land use, considering its long-standing presence. It will also afford neighborhood preservation and protection.

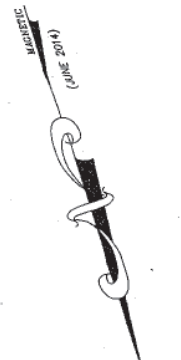


FLYNN SURVEYS, INC.
22 STANTON AVENUE
NARRAGANSETT, R.I. 02882
401-783-6290
LAND SURVEYING / MAPPING / SITE PLANNING



MAJOR SUBDIVISION / ZONE CHANGE PLAN
"THE BENEFIT STREET PLAT"
ASSESSOR'S MAP 244 LOTS 48 & 50
BENEFIT STREET
WARWICK, RHODE ISLAND
DATE: JANUARY 29, 2018
SCALE: 1" = 40'

SHEET # 1 OF 1
JOB NO. 1297
DRAWING NO. 1297-1



LOT AREA NOTE:
TOTAL AREA = ±17,016 SQ.FT. LOTS 48 & 50
LOT 48 AREA = ±11,016 SQ.FT.
LOT 50 AREA = ±6,000 SQ.FT.

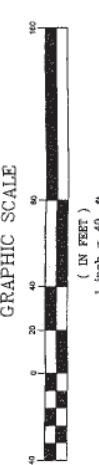
PLANNING BOARD APPROVED
DATE: APRIL 11, 2018
CURRENT DEED REFERENCE:
DEED BOOK 88 PAGE 127

CERTIFICATION
THIS PLAN HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 8 OF THE RHOISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 25, 2015, AS FOLLOWS:
COMPREHENSIVE BOUNDARY SURVEY CLASS 1
TOPOGRAPHIC SURVEY ACCURACY T-2
VERTICAL ACCURACY STANDARD V-2
JAMES G. FLYNN P.L.S. NO. 1904

STATEMENT OF PURPOSE:
THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND THE PREPARATION OF THIS PLAN IS AS FOLLOWS:
SUBDIVISION AND ZONE CHANGE
BY:
JAMES G. FLYNN SURV
COA NO. 1, 288

SURVEY STREET INDEX
THIS PLAN SHALL BE FILED UNDER
BENEFIT STREET

OWNER AND APPLICANT:
HARRINGTON REALTY LLC
7 FIFTEENTH AVE
WARWICK, R.I. 02886

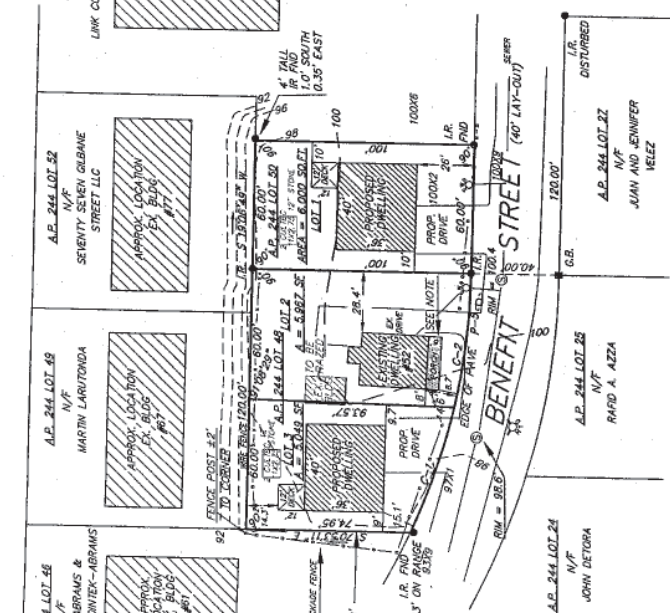


LOTS DEPICTED ON THIS PLAN (OR PLAN) SHALL NOT BE ALTERED IN ANY MANNER IN THE FOLLOWING ENLARGEMENT OF LOTS OR MOVING OF ANY LOT LINE FOR ANY REASON WITHOUT FIRST FILING A NEW SUBDIVISION APPLICATION IN ACCORDANCE WITH THE CITY OF WARWICK DEVELOPMENT REVIEW REGULATIONS OF DECEMBER 31, 1995 (AS AMENDED)

PLAN REFERENCES:
LYNCH'S ADDITION NO. 1, WARWICK, R.I. BY FRANK E. WATERMAN
MAY 1902 PLAT CARD 153

PORCH NOTE:
6" COVERED PORCH TO BE REPLACED IN KIND

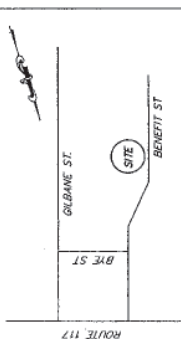
GILBANE STREET (40' LAY-OUT)



AP. 244 LOT 48 N/F KENNETH ABRAMS & KATHLEEN POINTEK-ABRAMS
AP. 244 LOT 49 N/F MARTIN LARUTONDA
AP. 244 LOT 50 N/F SEVENTY SEVEN GILBANE STREET LLC
AP. 244 LOT 24 N/F JOHN DETORA
AP. 244 LOT 25 N/F RAFO A. AZZA
AP. 244 LOT 26 N/F JOAN AND JENNIFER VELEZ

THIS SURVEY AND PLAN CONFORM TO A CLASS 1 STANDARD AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS. I HEREBY CERTIFY THAT THIS SURVEY WAS ACTUALLY MADE ON THE GROUND AS PER THE RECORD DESCRIPTION AND IS CORRECT. THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES EXCEPT AS SHOWN.

BY: JAMES G. FLYNN
JAMES G. FLYNN P.L.S. NO. 1904



EXISTING ZONING: L1 (6,000 S.F.)
MINIMUM LOT FRONTAGE - 60'
YARDS:
FRONT - 25'
SIDE - 15'
REAR - 20'

- LEGEND
- AP. ASSESSORS PLAT
 - N/F NOW OR FORMERLY
 - G.B. GRANITE BOUND FOUND
 - ▲ STK WOODEN STAKE
 - I.R. IRON ROD SET
 - I.P. IRON PIPE
 - P.W. IRON STARR PIN FOUND
 - P.W. FOUND
 - UTILITY POLE
 - 22/15 DEED BOOK AND PAGE
 - ⊕ SEWER MAN-HOLE
 - ⊕ EXISTING SEWER LATERAL
 - ⊕ FIRE HYDRANT
 - EXISTING CONTOUR
 - 25 ELEVATION SPOT SHOT

CURVE DATA	DELTA	RADIUS	LENGTH	CHORD BRG
C-1	11°40'40"	300.00'	61.14'	S 36°31'17" W
C-2	11°54'02"	300.00'	62.31'	S 29°03'50" W

- GENERAL NOTES:
- 1.) SITE LIES IN ZONE "X" PER FEMA FLOOD INSURANCE MAP COMMUNITY PANEL # 44003 C 0184 DATED: 10/01/2015
 - 2.) LOTS 1-3 SHALL BE CONNECTED TO THE WARWICK SEWER SYSTEM.
 - 3.) THE PROPOSED NEW DWELLING BOTTOM FLOOR ELEVATION SHALL BE 3" ABOVE THE DETERMINED GROUND WATER TABLE ELEVATION
 - 4.) HAS-BE-EROSION CHECK AND OR SILT FENCE SHALL BE INSTALLED AT ALL DOWN GRADUAL SLOPES OF DISTURBANCE PRIOR TO EARTH DISTURBING ACTIVITIES. ALL DISTURBED AREAS SHALL BE PERMANENTLY STABILIZED.
 - 5.) ALL WORK SHALL CONFORM TO ALL LOCAL AND STATE PERMITS AND REGULATIONS.
 - 6.) ALL PERMANENTLY DISTURBED AREAS SHALL BE STABILIZED WITH 4" LOAM AND SEED OR SOG.
 - 7.) SITE TO BE SERVICED BY MUNICIPAL SEWER AND WATER.
 - 8.) PROPERTY LINES, PROP. HOUSE AND LIMITS OF WORK SHALL BE ACCURATELY LOCATED AND SURVEY STAKED PRIOR TO COMMENCEMENT OF ANY WORK
 - 9.) ALL UTILITIES SHOWN FROM BEST AVAILABLE INFORMATION. THE CONTRACTOR SHALL VERIFY ALL INFORMATION WITH THE APPROPRIATE UTILITY AUTHORITY AND DIG-SAFE PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
 - 10.) ELEVATION DATUM (ASSUMED)

William DePasquale, Jr., AICP
Planning Director



Scott Avedisian
Mayor

CITY OF WARWICK
Planning Department
3275 Post Road, Annex; Warwick, RI 02886
Tel. (401) 738-2009

Commission Review

PROPOSED COMPREHENSIVE PLAN AMENDMENT and ZONE CHANGE

TO: Warwick Land Trust
Warwick Cemetery Commission
Conservation Commission
Historic District Commission

FROM: Trish Reynolds, Principal Planner
Planning Department

DATE: February 7, 2018

SUBJECT: Zone Change, Assessor's Plat 244, Assessor's Lot 48 & 50
APPLICANT: Harrington Realty LLC

PROPOSED ZONE CHANGE:

From Light Industrial (LI) to Residential A-7, with waivers

The Applicant is requesting a Comprehensive Plan Amendment and a Zone Change recommendation to rezone the existing lots from Light Industrial (LI) to Residential A-7 (A-7) to provide for the development of two (2) new single family dwellings.

The proposed zone change includes the request for following waivers:

- Less than required lot area, for all 3 lots
- Less than required frontage for all 3 lots
- Less than required lot width for all 3 lots

- Less than required front set back as an existing condition on proposed Lot 2
- Less than existing rear yard setback for the proposed dwelling on Proposed Lot 3

Attached you will find a plan of the proposal.

Date: 2/9/18

Signature: Susan Baker

This area is not within a historic District.
No Comments.

William DePasquale, Jr., AICP
Planning Director



Scott Avedisian
Mayor

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- Less than existing rear yard setback for the proposed dwelling on Proposed Lot 3

Attached you will find a plan of the proposal.

Date: 2/8/17 Signature: Suley Cabeceiras

:

RICHARD J. CRENCA
DIRECTOR OF PUBLIC WORKS



SCOTT AVEDISIAN
MAYOR

CITY OF WARWICK
DEPARTMENT OF PUBLIC WORKS
925 SANDY LANE • WARWICK, RHODE ISLAND 02889
TEL (401) 738-2003 • FAX (401) 732-5208

TO: Trish Reynolds, Principal Planner
FROM: Eric Hindinger - DPW Engineering
DATE: 23 February 2018
RE: The Benefit Street Plat (WDPW No. 18-007)
Benefit Street
Master Plan - Major Subdivision
AP 244 / Lots 48 & 50

This office has reviewed the Master Plan submission for the Major Subdivision of the referenced project and finds that the submission substantially conforms to the DPW's requirements. However, the following comments/recommendations must be incorporated into future submissions:

1. The lowest floor elevation of all buildings (including the basements) must be at least 3-feet above the maximum high ground water elevation to help prevent the intrusion of groundwater.
2. If accurate, add a notation to the plan that there are no wetlands within 200-feet of the subject property.
3. The plan must delineate existing and proposed utilities.
4. Water service shall be coordinated with the Kent County Water Authority.
5. Sanitary sewer service shall be coordinated with the Warwick Sewer Authority.
6. The far side of the roadway edge must be indicated on the site plans.
7. The proposed top of foundation elevation should be indicated on the site plans.
8. Drainage calculations demonstrating that the proposed drywells are sufficient to mitigate additional runoff create by the development. No additional runoff shall be directed to abutting properties or to the City rights-of-way.
9. Proposed monumentation must be in accordance with the City of Warwick Development Review Regulations. All property corners must be marked by a permanent monumentation (granite bound, iron pin, iron pipe, etc.). At least one corner of each proposed lot must be identified with a granite bound.
10. The Owner/Applicant shall be responsible for the final restoration of the roadways.

Please call me @ 738-2003 if you have any questions regarding this memorandum.

Note that these comments are from the Engineering Division of the Department of Public Works. Other City Departments may have comments referring to this submission. Please check with the necessary agencies to ensure that all required elements have been satisfied prior to proceeding further. The DPW reserves the right to revise or revoke our comments or opinions in the event that subsequent examination reveals any data indicated on any plan, form, sketch, etc. to be incorrect or additional information is introduced that necessitates revisions.

CC: Eric Earls, City Engineer
Marcus Channell, City Surveyor

PLANNING DEPARTMENT
JOHN GREENE SCHOOL
51 Draper Avenue

MEMORANDUM

To: Eric Earls, Engineering
Michael Matteson, Fire Marshall
Dan O'Rourke, Water Division
Al DeCorte, Building Department

*Served by
KCCWA*

From: Trish Reynolds, Principal Planner

*Don O'Rourke
Water*

Date: February 8, 2018

Subject: Major Land Development Project
Master Plan Approval, Major Subdivision;
Recommendation to the City Council for a Comp Plan Amendment and
companion Zone Change to Residential A-7

Project: Assessor's Plat 244, Lots 48 and 50, Benefit Street

The Applicant is proposing to subdivide one (1) lot to create two (2) new lots, one (1) lot with an existing single family dwelling and one (1) lot to provide for the development of one (1) new single family dwelling.

The lot is approximately 11,016sf and is currently zoned Light Industrial (LI). This Light Industrial zone abuts a Residential zone to the West, with the zone line bisecting Benefit Street. The Applicant is seeking to change the existing zoning on the two (2) proposed lots as well as the abutting lot, AP244, AL 50, from LI, to A-7, with waivers and to amend the Comprehensive Plan accordingly.

The proposal requires the following waivers:

Less than Required	AP244, AL50	Proposed Lot 2	Proposed Lot 3
Lot area	X	X	X
Lot frontage	X	X	X
Lot width	X	X	X
Front setback		X (existing)	X

Please review and comment on the attached plans and **return your comments to this office no later than February 23, 2018** in order to be able to schedule this project for the Planning Board. Your comments are required so that the Planning Board may consider this development project for Master Plan approval, and make a recommendation to the City Council. Should you have no comment on the attached plan, local regulations still require that your office sign off on the project.



CITY OF WARWICK
OFFICE OF THE CITY CLERK
3275 POST ROAD
WARWICK, RHODE ISLAND 02886
TEL. (401) 738-2006
FAX (401) 732-7640

SCOTT AVEDISIAN
MAYOR

LYN PAGLIARINI
CITY CLERK

TO: Al DeCorte - Building Official
Kyla Jones - Tax Collector
Chief McLaughlin - Fire Department

Janine Burke - Sewer
Neal Dupuis - Tax Assessor
Col. Stephen McCartney - Police

FROM: Lyn Pagliarini - City Clerk

Date: April 25, 2018

Subject: Comprehensive Plan Amendment and Zone Change Application

Name of Applicant: Harrington Realty, LLC

Plat: 244
Lots: 48 and 50
Address: Benefit Street

Please review and comment on the attached application and return to the Clerk's office no later than **April 27, 2018**. Your comments are required so that the City Council may consider this application on **May 21, 2018**. Should you have "no comment" on the attached plan, you are still required to sign off on this memo with a notation that your department does not have any concerns with the application.

Comments:

NO OBJECTIONS TO THIS ZONE CHANGE FROM THE WSA.

Date:

4/25/2018

Director's signature:

Janine Burke-Wells

For use by Tax Assessor/Collector and Planning Director only (if applicable):

Assessed value of property: _____ Annual taxes: _____

Appraised value of property: _____



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SCOTT AVEDISIAN
MAYOR

LYN PAGLIARINI
CITY CLERK

TO: Al DeCorte-Building Official
Kyla Jones - Tax Collector
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Comments:

No comments at this time regarding the change of zone, but reserve the right to make future comments if the petition is approved.

Date:

4-25-18

Director's signature:

For use by Tax Assessor/Collector and Planning Director only (if applicable):

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Comments: NONE

Date:

4/26/18

Director's signature:

Neal Dupuis

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Comments: Lot 48 past due water 66.32
Lot 48 sewer assessment 641.52
Lot 50 sewer assessment 319.37

Date: 4/27/2018

Director's signature:  For Kyla Jones

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TO: Al DeCorte-Building Official
Kyla Jones - Tax Collector
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Comments:

NO COMMENT.

Date:

4/25/2018

Director's signature:

Col. Stephen M. McCartney

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Comments:

Date:

Director's signature:

A/c Edward Hannan

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