

Town of South Kingstown, Rhode Island, Planning Board

**Village at South County Commons - District 5 Apartments
Multi-Unit Residential - Comprehensive Permit Proposal**

**Fairfield Way
Assessor's Plat 50-4; Lot(s) 22 and 26**

Prepared for: Suffolk Realty, LLC

By: Pimentel Consulting, Inc.

29 October 2022

INTRODUCTORY STATEMENT

Suffolk Realty, LLC ("Applicant") has retained my professional land use planning and zoning consulting services ("Consultant"), in order to evaluate the proposed 70-unit residential apartment facility development. The referenced development, otherwise defined as a Major Land Development Project ("Major LDP"), is being pursued under the auspice of a Comprehensive Permit, thereby resulting in the provision of much-needed affordable housing. Upwards of 18-units, or 25% of the overall development, will be defined as affordable housing pursuant to Rhode Island Housing guidelines. This regulatory process is well recognized by the community, as evidenced by the Comprehensive Plan [Page 78] and Section 7A of the Zoning Ordinances

Comprehensive Permits - "Comprehensive permits have been the dominant strategy to develop affordable units in South Kingstown and the Town will continue to pursue this strategy to meet the demand...Such Comprehensive Permit applications are supported by the Town due to the way they combine "smart growth strategies" such as redevelopment and infill with the need to provide high percentages of affordable units to specific groups of residents." [Page 91]

Housing Policy 3.3: "Continue the use of regulatory techniques that support and increase affordable and LMI housing opportunities." [Page 104]

In light of the subject development proposal, this Consultant has thoroughly reviewed the associated application, site plan and related materials, as well as the following regulatory documents:

- o Town of South Kingstown Comprehensive Community Plan 2021 - Adopted Town Council 24 May 2021 ("Comprehensive Plan");
- o Town of South Kingstown Zoning Ordinance - with Amendments through 24 March 2022 ("Ordinance");
- o Subdivision and Land Development Regulations - with Amendments through 12 December 2012 ("LD Regulations");
- o United States Census;
- o 2022 Housing Fact Book - Housing Works RI at Roger Williams University ("Housing Fact Book"); and,
- o Pertinent Rhode Island General Law ("RIGL") and case law;

In addition, a thorough analysis of the immediate Tower Hill Road (US Route 1) neighborhood has been conducted for purposes of evidencing neighborhood character. The stated analysis entails a two-step process: (1) Determining Local Affordable Low and Moderate Income Housing Need; and, (2) Documenting the appropriateness of the specified site location. The proposed development, as will be evidenced throughout this report, is most appropriate because it

realizes much-needed affordable housing, while affirming neighborhood compatibility from a density perspective and furthering numerous goals, policies and actions of the quite recent Comprehensive Plan.

PRESENT PROPERTY CONDITIONS

The subject proposal is actually a portion of a three (3) pad-site development, consisting of two (2) restaurants and a multi-story hotel. The hotel, namely the Fairfield Inn, was constructed, however neither restaurant ever materialized. The entire property is situated off of Fairfield Way, further designated Assessor's Plat 50-4, Lot(s) 22 and 26, containing a total of approximately 13.8-acres. The pad-site in question, otherwise identified as Lot 26, contains in excess of eight-acres, of which approximately 4.5-acres is deemed suitably developable 'upland' land area ("Property"). The property and vast surrounding land resources are situated within the Route 1 Special Management District ("Route 1 SMD"), which encompasses the South County Commons Village ("SCC Village") overall development, in addition to other properties. The Route 1 SMD was purposefully introduced to realize a mixture of contained commercial and higher-density residential land uses, and as evidenced by the self-prepared 'Neighborhood Analysis' this has been a resounding success. The timing of the SCC Village development however appears to be just prior to the preparation of the affordable housing plan, which this Consultant believes would have clearly incorporated the SCC Village as a tool for realizing some reasonable quantity of affordable housing. Nevertheless, the small sampling of surrounding parcels analyzed evidences the presence of no fewer than 12 commercial properties (exclusive of hotels), improved with upwards of 16-entities, and containing a total gross floor area exceeding 250,000 square feet. Successful commercial development that likewise realizes a true 'self-contained pedestrian environment'; success being achieved by the proximate presence of a regular customer base.

Housing Element Goal 3: "A wide range of affordable and LMI Housing options will exist, developed through a combination of innovative regulatory mechanisms, public and private initiatives, and joint public and private partnerships to maintain residential diversity and to assure that local shops and offices will have a sufficient employment pool."
[Page 68]

Housing Action Plan Summary Policy 1.6: "Support appropriately scaled housing, in a variety of types and sizes and serving households with a variety of income levels." [Page 100]

Action 1-9: "Develop standards for reviewing the mix of residential uses into mixed use districts where appropriate in order to provide more sustainable housing choices and to support retail business." [Page 100]

"Small scale "cottage" housing and multi-family housing, whether market rate or Low-Moderate Income (LMI), are needed to attract and support our workforce. Further, concentrating such homes in our village centers will provide the lower-maintenance, walkable

*housing opportunities desired by many seniors and young adults alike. **More people living in our village centers also means more customers for local shops and services. All of South Kingstown's policies and actions in the Housing chapter are intimately linked with the health of the Town's economy.*** [Pages 118 - 119]

Action 1-6: ***“Actively engage local businesses and employers to better understand the housing needs of their employees, in order to gain evidence of the types and price points of housing most needed to support the local work force.”*** [Page 120]

It is for this reason why mixed-use development has been perhaps the foremost development tool within the last decade or two, and continues to be successfully pursued. In addition, it permits the introduction of much-needed affordable housing, because such developments are situated in areas that can accommodate greater residential density; a design element that is most important when discussing development in rural communities because of the limitation on 'high-density upland' resources.

The Property is both uniquely situated towards the rear of the Fairfield Inn Hotel, as well as having a vast downward sloping topography, literally being 10+-feet lower than the hotel parcel. The combination of the two (2), hotel screening and overall property stature, will greatly screen any proposed improvement. Furthermore, and as mandated by the Route 1 SMD mandatory design guidelines, the property is, and will continue to be, accessed from Tower Hill Road - US Route 1 (otherwise designated an 'Urban Freeway / Expressway' pursuant to Appendix 5 of the Comprehensive Plan) via an internal roadway network.

Goal 3: *“High standards of development will be required to preserve and enhance the quality of life, to encourage a sense of community, to support a healthy, walkable environment and to protect the natural resources of the Town.”* [Page 62]

Policy 3.4: *“Support a policy of improved “access management” for local and state roads to discourage the creation of multiple driveways along the frontage of existing public streets which may create traffic safety hazards and contribute to visual degradation of scenic roadside areas.”*

Ordinance Section 605.7 'Highway access and buffering' - *“No new building or use shall be provided with any new direct driveway access to US Route 1. All new uses constructed after the effective date of this section shall be provided with vehicular access to a common internal street(s) or frontage road(s) which shall intersect with US Route 1...”*

Perhaps no other issue than resulting density is more-so discussed when pursuing a Comprehensive Permit proposal; greater density being necessary to realize appropriate affordable housing provision in an economically feasible manner. However, in the subject instance the argument is somewhat muted considering the intent for the Route 1 SMD, and realized multi-unit residential and hotel developments to-date. Neighborhood compatibility, specifically in regard to both unit and bedroom density, are detailed below, thereby evidencing

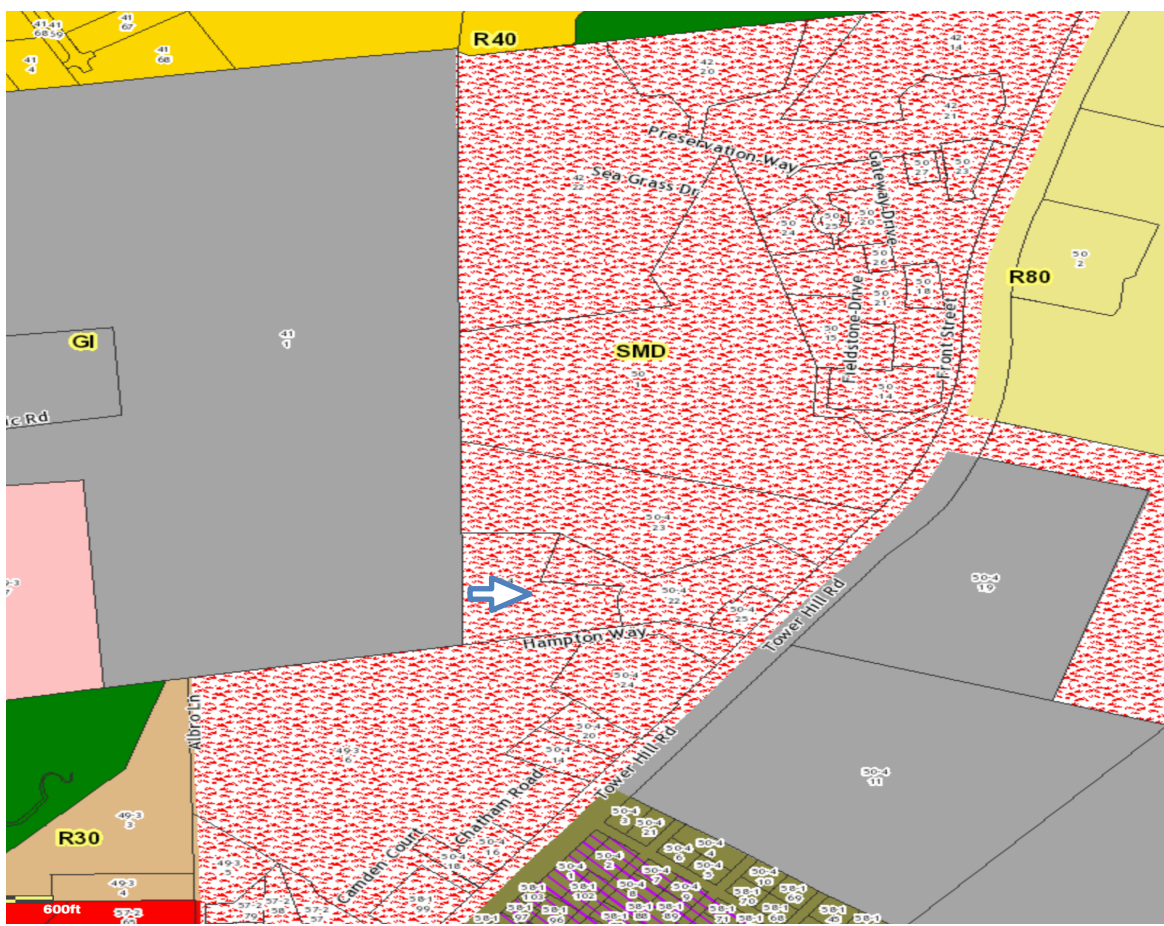
the appropriateness of the proposed development. And unlike past development, the subject proposal will realize much-needed affordable housing. It is therefore the professional opinion of this Consultant that the proposed development will be a win-win scenario, realizing much needed affordable housing without the typically anticipated 'excessive' market-rate offsetting density bonus.

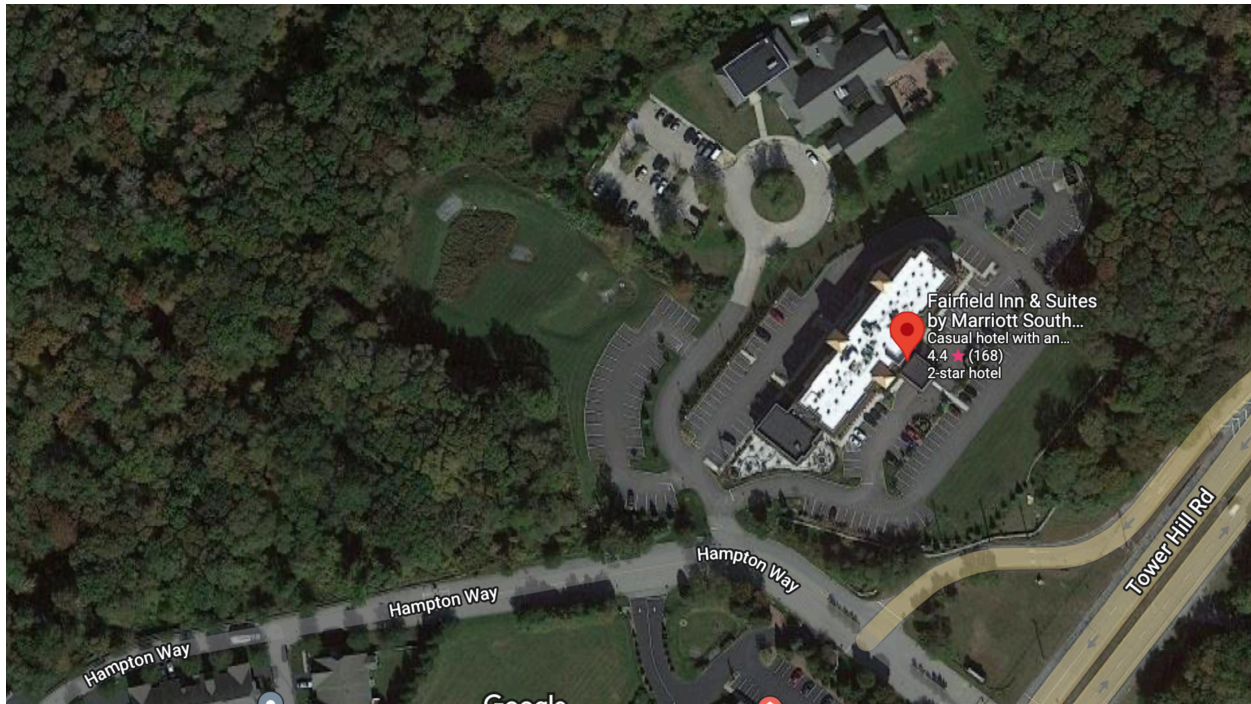
The property is zoned Route 1 SMD, as is a large pocket of surrounding parcels; not merely inclusive of the SCC Village. The Route 1 SMD is defined pursuant to Section 605.2 'Purpose' of the Ordinance, in the following manner:

*"The purpose of the Route 1 Special Management District is to provide an area for economic development in the community according to prescribed review and approval procedures, and according to design standards particular to the district. **The district is intended to provide for a diversity of compatible land uses and development densities, which may include a mixture of residential,** office, retail, light industrial, recreational, open space, and other miscellaneous uses."*

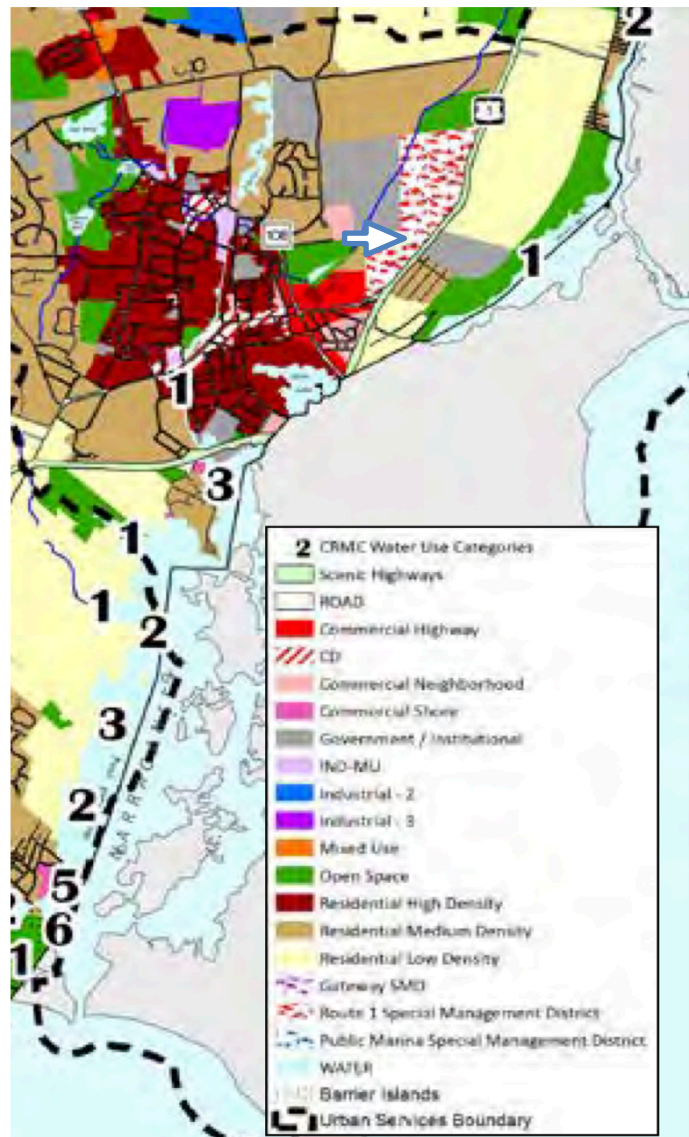
***"It is also the purpose of the Route 1 Special Management District to encourage development of residential uses** which have little impact on public school enrollments and which are within the capacities of the town to provide educational services; **and to permit residential densities and dwelling unit types that are compatible within a mixed-use environment but which may not be compatible with other residential areas of the town.**"*

The referenced property description and zoning designation are well illustrated below and on the following page, as excerpted from the Town's GIS and Google Earth, respectively.





The referenced zoning designation is corroborated by the Comprehensive Plan, specifically Map 4 'Future Land Use Map' [to the right], which illustrates that the Property and vast surrounding land resources are all classified 'Route 1 Special Management District.' In addition, there are vast land resources to the immediate South, classified in a 'Commercial Highway' manner. This is a vitally pertinent point, because it evidences the need for proximate residential (customer) base, as well as neighborhood compatibility. The referenced Route 1 SMD land use classification is defined on the following page, as excerpted from the Comprehensive Plan [Page 44]:



<u>Commercial</u>	<u>Description</u>
Zone & FLUM: "Route 1 Special Management District"	Purpose: "To allow for new or expanded light industrial, commercial, or mixed-use zoning on lands located on the west side of Route 1." Characteristics: " <u>The area has been developed into a mixed-use center that includes</u> a wide-variety of uses such as retail, commercial, office, hotel, theatre, and <u>dense residential condominium development.</u> <u>This district has been one of the most heavily developed areas in South Kingstown</u> in recent years and is nearly built out." Allowed Uses: "Mixed uses including commercial, residential and light industrial use are allowed in this district."

Residential zoning designations comprise the vast majority (73.76%) of the town, with the 'Rural' and 'Rural Very Low' density designations comprising almost one-half of all land resources. In addition, almost 19% of all land resources have been protected in perpetuity, having been designated 'Open Space, Conservation and Recreation.' This must be contrasted with those resources that would permit multi-unit residential development, to include the 'R-10 Medium High,' 'RM - Multi Household,' 'Mixed-Use,' 'Commercial Neighborhood,' 'Commercial Downtown,' and 'Route 1 SMD; stated resources approaching a mere four-percent. These minimal land resources are rendered even more scarce by the fact that the majority are already improved, and several are truly dedicated to realizing a stable tax base by attracting commercial entities. Therefore, in order to realize 10% affordable housing compliance, reasonable density increase(s) will be necessary, otherwise less appropriate land resources will impacted. It is for this reason why the Town is committed to a 'Village-Centric' approach, to include 'Special Management Districts; the Route 1 SMD being situated in close proximity to the Village of Wakefield, and having been purposefully designed to mirror the village concept.

"The village-centered pattern of development in South Kingstown, particularly in Wakefield, Peace Dale, and Kingston, has defined the historic pattern of development in the community (see Map 1: Villages). The Town has committed to preserving and reinforcing this pattern of development through its future sewer service area map (see Map 2: Sewer Service Areas), through the development of village specific plans, and through the designation of special management districts. Residential development within these villages is within walking distance of a variety of shops and services and the William C. O'Neil bike path connects to open space and community facilities. Commercial and residential infill within villages is encouraged to both protect outlying rural areas from development and to provide a range of goods and services within walking or biking distance of village residents. The importance of providing an appropriate density for residential development within the villages is critical to providing affordable housing for low and moderate incomes, including modest starter homes on small lots, cottage communities, two-family and multifamily housing with form-based green design. Efforts to preserve and protect natural

resources and outlying agricultural areas is supported through low density residential zoning and well-established conservation efforts.” [Pages 30 - 33]

Goal 4: “The integrity of the Town’s villages will be intact, and the village-centric approach to development, which recognizes each village’s unique objectives, will be strengthened.” [Page 63]

Policy 4.1: “Support control of urban sprawl and dispersion by concentrating population density and infill development within the villages, as appropriate, and by providing these areas with mixed-uses, services, and facilities including public transportation, pedestrian and bicycle amenities, civic buildings, recreational resources, infrastructure improvements, and housing opportunities.” [Page 63]

Action 4-3: “Review and revise regulations to ensure that there are opportunities to locate a range of housing types and sizes within the villages.” [Page 64]

GENERAL NEIGHBORHOOD DESCRIPTION

The property is literally surrounded by several rather dense developments, to include multi-unit residential (apartment and condos) as well as commercial hotels and an assisted / independent living facility. This Consultant conducted a comprehensive analysis of all properties lining the Westerly side of Route 1; properties similarly situated within the Route 1 SMD. The Easterly side was not considered because Route 1 is a physically segregated highway, the properties are not zoned in a similar special management district manner, and there is a neighborhood that has already been in part improved beyond its development capacity. The neighborhood in question is situated to the immediate Southeast and is intensively improved, however it does not reflect the goals and objectives of the community and was therefore averted.

In total, 34 separate parcels were analyzed, referenced neighborhood being contained by Tower Hill Road (US Route 1) to the East, intersection of Old Tower Hill Road to the South, Audubon Society property to the North, and Broadrock Middle School to the West.

The majority are commercially oriented, 12 properties in total, with a total gross floor area exceeding 255,000 square feet. In addition, there is a single assisted and independent living facility, two (2) hotels, and five (5) residential apartment and condominium complexes. It is the latter that was of particular importance, because they are similar in construct and therefore the means by which neighborhood compatibility is measured. Neighborhood compatibility is traditionally defined by unit density, and although still an important consideration, bedroom density is the true barometer. It is a well known fact that quantity of bedrooms has a direct impact on all of the development concerns expressed by the typical community, to include traffic, off-street parking, fiscal impact (i.e., school children), and environmental (impact on public services). The Route 1 SMD already limits number of bedrooms to two (2) per unit,

however further reducing to a combination of one (1) and two (2) bedrooms achieves the community's ultimate objective. Development appropriateness is further evidenced by neighborhood compatibility, thus the reason for the subject neighborhood analysis. The entire analysis is attached as an addendum to this report. There are two (2) excel spreadsheet analyses provided; the first detailing all properties based on total acreage, and the second on useable acreage for those properties in which such information was accurately available. This latter point is of the utmost importance, because there are certain residential developments that do not appear to have been fully exercised and whose constrained acreage is uncertain, for example the town-house condo development located on Assessor's Plat 42, Lot 22. Such developments have therefore been omitted below, because of the incomplete picture they portray. The following pertinent points solely incorporate those developments in which absolute accurate information was readily available.

The proposed development anticipates an approximate unit density of one-unit per 2,800 square feet. Furthermore, the proposed approximate bedroom density is one bedroom per 1,885 square feet. This needs to be compared to surrounding land uses, there results clearly evidencing neighborhood compatibility.

1. Assessor's Plat 42, Lot 20 - 58 Grand Brooke Circle - Multi-Unit Residential Development: Unit density of one-unit per 2,805 square feet, and bedroom density of one bedroom per 1,711 square feet.
2. Assessor's Plat 42, Lot 21 - 1 Grand Isle Drive - Multi-Unit Residential Development: Unit density of one-unit per 2,409 square feet, and bedroom density of one bedroom per 1,428 square feet.

General neighborhood development conditions of the Tower Hill Road (US Route 1) area, are reflected on the following page, as excerpted from the Applicant's submission package [Credit: DiPrete Engineering].

DEVELOPMENT PROPOSAL

The applicant proposes to develop the subject property for multi-unit residential rental purposes, both market and affordable-rate, combination one (1) and two (2) bedroom units. Smaller, affordable rental housing is in great demand, and the need continues to grow.

*"CHAS data indicate that approximately 56.3% of South Kingstown households have an income greater than the Area Median Income. Segregating the data into ownership and rental households, however, shows a different picture. **While only 4.9% of ownership households report an income at or below 30% AMI, equating to 375 households, 23% of rental households, or 630 households report the same income level.**" [Page 22]*



"Nevertheless, the town's population projections suggest an increase of approximately 7,500 people over the next 20 years (see Figure 1: South Kingstown Population - page 10). This expected steady increase in South Kingstown's population will continue to put pressure on housing opportunities—particularly affordable housing opportunities—within the Town. **Further, should the trend in shrinking household size continue, the types of housing most in demand will start to skew toward smaller homes and there will likely be a greater demand for more housing units in the aggregate.**" [Pages 77 - 78]

Housing Policy 1.7: "Consider changing demographic trends (i.e. reduction in household size, rental needs for family households, etc.) when enacting policies and regulations." [Page 100]

Development is being consolidated into a single facility, reflecting the architectural style of the proximate Fairfield Inn Hotel, in regard to both massing and scale. Consolidation reduces overall development costs, as well as averting typical blasé site design, as envisioned by the Comprehensive Plan.

Goal 4: "The integrity of the Town's villages will be intact, and the village-centric approach to development, which recognizes each village's unique objectives, will be strengthened." [Page 63]

Policy 4.1: “Support control of urban sprawl and dispersion by concentrating population density and infill development within the villages, as appropriate, and by providing these areas with mixed-uses, services, and facilities including public transportation, pedestrian and bicycle amenities, civic buildings, recreational resources, infrastructure improvements, and housing opportunities.” [Page 63]

Action 4-3: “Review and revise regulations to ensure that there are opportunities to locate a range of housing types and sizes within the villages.” [Page 64]

Scale & Massing of Development - “As South Kingstown continues to promote infill development within existing village and developed areas, needs and opportunities exist to ensure that development is in keeping with the character of each village or neighborhood. South Kingstown sees an opportunity in the development of guidelines and regulatory tools to ensure future development is of a scale and physical mass appropriate for a proposed location. Efforts should be made to identify those areas where standards are most needed and develop appropriate guidance.” [Page 57]

The proposed 70-unit development will be exclusively rental, albeit not necessarily family oriented, given the regulatory limit on bedroom count; development being comprised of 36 one-bedroom units and 34 two-bedroom units. This not only assures a reduction in overall residential activity (e.g., reduced number of vehicles), but also averts any fiscal impact by realizing almost no children. Affordable rental-occupied housing is not only in short supply, but actually forever getting less and less affordable, as previously evidenced by the Comprehensive Plan.

Poverty

“The poverty rate in South Kingstown is estimated to have increased from 3.9% of all families in 2010, to 5.2% of all families in 2017.” [Page 22]

“South Kingstown’s population is aging, as demonstrated on the previous pages, and accordingly the number of families with householders over age 65 is increasing (from 1,251 in 2010 to 1,755 in 2017). Of note, the percentage of such families with incomes below the poverty level is also increasing, meaning that more families with older adults are experiencing poverty.” [Page 22]

Guiding Principles

o **“Appropriately scaled housing, in a variety of types and sizes and serving households with a variety of income levels, is critical to the long-term sustainability of South Kingstown.”** [Page 68]

o **“Low and moderate-income housing development proposals provide benefits to the community.”** [Page 68]

In total, 70-units are proposed, of which 18-units (25.71%) will be deemed affordable pursuant to Rhode Island Housing guidelines. The proposed development, otherwise identified as the ‘Village at South County Commons - District 5 Apartments’, will provide much-needed affordable

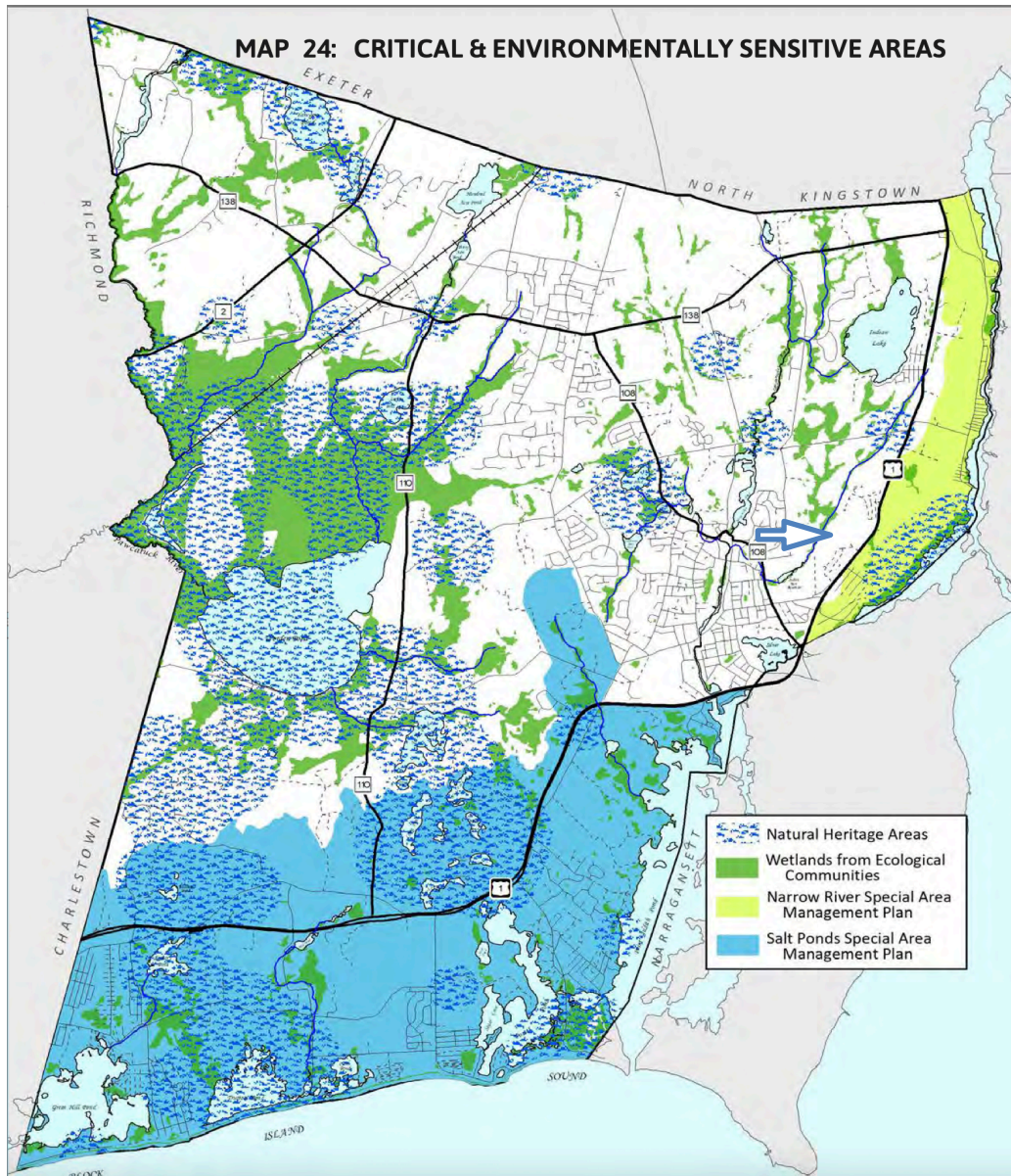
'rental-occupied' housing, thereby fulfilling many of the community's general housing need objectives. It should also be reemphasize, as evidenced by the Comprehensive Plan, that such smaller units almost generate no children, considering the average rental household size is a mere 2.1-persons [Comprehensive Plan - Page 78]

A total of 104 off-street parking spaces are proposed, furnished at a density of one (1) space per bedroom. This is a most appropriate density, because number of vehicles generated have a direct correlation to the number of bedrooms proposed. It is the understanding of this Consultant that the community believes otherwise, mandating a provision of two (2) spaces per unit. However, it is impractical to believe that regardless of bedroom count, two (2) spaces are always sufficient. Clearly, a four-bedroom single-family residence necessitates more parking than a one-bedroom apartment. The proposed development thus furnishes parking on the basis of bedroom density; provision of one-space per one-bedroom unit, and two-spaces per two-bedroom unit. Furthermore, it is the professional opinion of this Consultant, based upon professional and practical development experience, that provision of parking based upon bedroom density at a ratio of one-space per bedroom is more than sufficient. Finally, from a practical operational perspective, and in order to realize a successful development, the applicant will be renting the referenced units to tenants with the understanding that off-street parking is being furnished on a bedroom density basis.

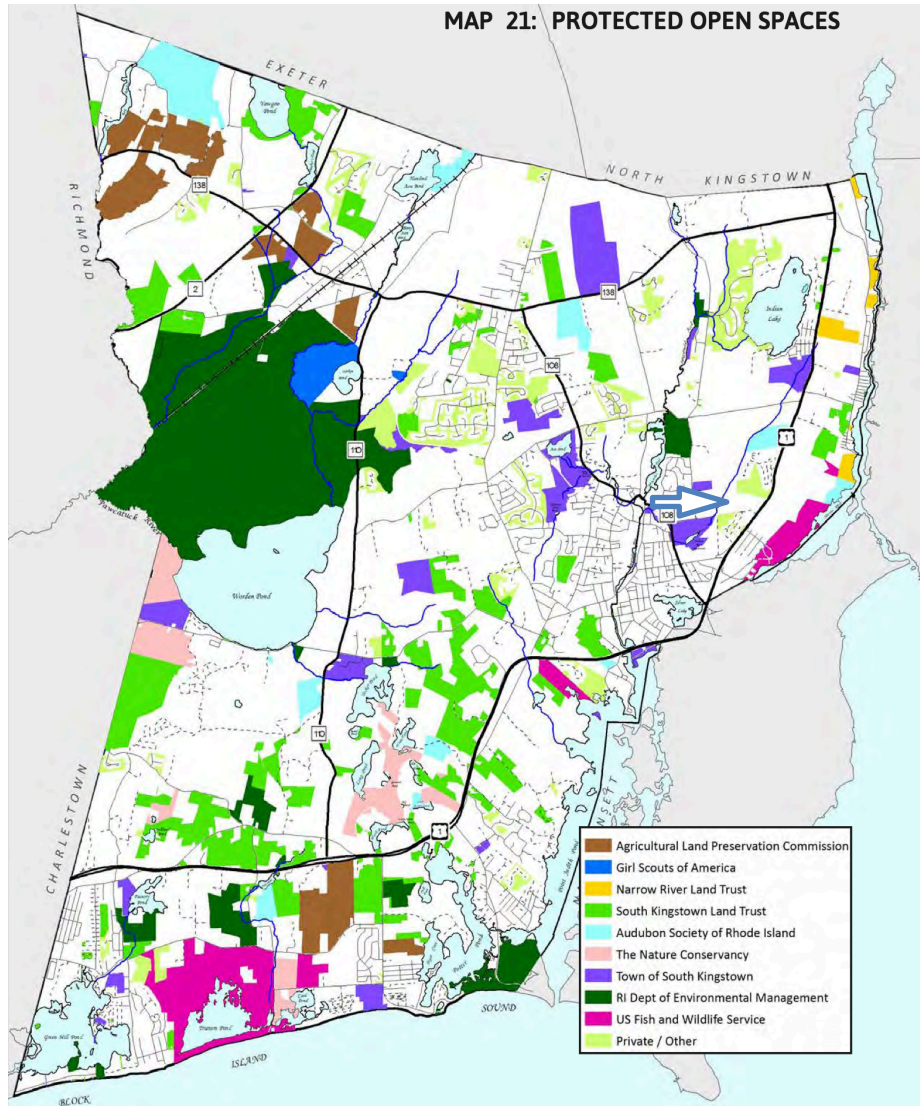
DEVELOPMENT DESCRIPTION

A sizable portion of the Property, approximately 4.5-acres, is deemed 'upland' area, being free of any constraints to development, thereby evidencing its suitability for multi-unit residential purposes. In addition, all requisite infrastructure is present, and will be accordingly connected. Finally, it is abundantly clear that the character and density of the surrounding neighborhood is not a deterrent to future high-density residential development, realizing neighborhood compatibility. The property is not encumbered on any large scale by otherwise limiting protected land resources, to include prime agricultural soils, water-bodies, groundwater resources, etc., as evidenced by the list of major areas identified pursuant to the Natural and Cultural Resource Element, all of which are located outside the perimeter of the subject property. However, most detailing is the two (2) maps illustrated on the following pages (as excerpted from the Comprehensive Plan), which not only evidence the great effort put forth by the local community in realizing preservation of vast land resources and those otherwise encumbered by some critical environmental and/or sensitive site feature, but also how limited is town-wide acreage capable of accommodating greater residential density. Pursuant to Table 24 'South Kingstown

Open Space Acreage (2018)' [Comprehensive Plan - Page 177], in excess of 31% of all town acreage has already been preserved in some manner. In addition, just speaking to wetlands, both coastal and freshwater (singular area of critical concern), accounts for another 29% of all town-wide land resources. Therefore, it is self-evident that the community needs to be supportive of all appropriately located denser residential development proposals.



Areas of Critical Concern - “Areas of critical concern are those areas which contain such important natural resources as habitat for rare and endangered species, groundwater reservoirs and recharge areas, barrier beaches, threatened agricultural lands, and wetlands in danger of destruction or which provide important ecological or pollution mitigation value. There are over 2,773 acres of land designated as Natural Heritage areas in South Kingstown.” [Page 174]



A conceptual design has been provided. The referenced design, as excerpted from the applicant's submission package, is illustrated below and on the following page [Credit: DiPrete Engineering].





This Consultant reemphasizes that the Comprehensive Plan seeks to densify the respective villages and special management districts, areas in which denser residential development has historically located and/or been purposefully welcomed. In so doing, land resources that are either constrained and/or of significant importance, in addition to non-disturbed rural portions of the community, may be better preserved.

Village-Centered Development - *“Land use in Town is focused on walkable communities, protection of rural areas, access to goods and services, more mixed-use, better transit connections, and infill development.”* [Page 3]

Land Use Goals

Goal 1: *“Land use policies will be consistent with “Land Use 2025: Rhode Island’s Land Use Policies and Plan”, and to maintain continuity with the 1992 South Kingstown Comprehensive Plan and previous Plan updates.”* [Page 28]

Goal 3: “High standards of development will be required to preserve and enhance the quality of life, to encourage a sense of community, to support a healthy, walkable environment and to protect the natural resources of the Town.” [Page 28]

Goal 4: “The integrity of the Town’s villages will be intact, and the village-centric approach to development, which recognizes each village’s unique objectives, will be strengthened.” [Page 28]

o “South Kingstown’s rural areas and natural resources must be protected and enhanced. (This can be done through land use regulations, design guidelines, and environmental protection, site planning and landscaping regulations.)” [Page 29]

The Town is regulated to ensuring that ten-percent of its anticipated residential build-out is otherwise deemed affordable. Given the many constraints to development, most notably being limited remaining high-density residential land resources, appropriately situated projects should not be dissuaded. Development of the Property is such a project, as further corroborated by the results of immediate neighborhood analysis, evidencing neighborhood compatibility.

Challenges - “It is also important to acknowledge the Town of South Kingstown’s commitment to ‘truly integrate’ affordable housing throughout the community, not solely based on hard numbers (achieving the 10% goal), but also in consideration of blending development with carrying capacity (efficient use of land, existing infrastructure, municipal services) and quality of life.” [Pages 93 - 94]

OVERVIEW ANALYSIS – DENSITY and SITE APPROPRIATENESS

It is not unusual for the typical affordable housing development proposal to be sought pursuant to a Comprehensive Permit, because it is usually the only viable method of acquiring market-rate density bonuses to offset the cost of realizing affordable housing.

Action 2-9: “Establish standards for granting density bonuses relative to comprehensive permit applications that are directly related to suitability of the land to support development without adverse environmental impacts (ensure high quality development with safe water supply, reliable wastewater treatment, and proper stormwater management).” [Page 103]

It is the understanding of this Consultant that during the initial inception of the Route 1 SMD regulations, a density of approximately 10 to 12-units per usable acre was permissible. Although it is true that the present regulations have been reduced to five-units or ten-bedrooms per acre, and the Property was originally approved for commercial purposes, it nevertheless evidences the community’s understanding that the area is appropriate for denser residential development. Furthermore, as previously argued, density should be based on bedroom, rather than unit count. Application of the initial density would have permitted upwards of 64 to 78-units, or 128 to 156 bedrooms. The results of the personally prepared neighborhood analysis, not only evidence neighborhood compatibility, but also densities that reflect the prior regulations;

several present multi residential developments reflecting densities approaching 15-units per acre. Therefore, the present proposal at a density of 11-units, or 16 bedrooms, per acre, is most appropriate

The proposed development is being pursued via the Comprehensive Permit process, in accordance with R.I.G.L. §45-53-1, thereby realizing much needed affordable rental-occupied housing; twenty-five (25%) percent of the overall units to be introduced, or 18-units. Quite recent amendments to the affordable housing statute renders denial of a Comprehensive Permit that much more difficult; denial necessitating evidencing on the record that substantial progress has been achieved in accordance with a community's housing plan. This Consultant is not advocating that the Town of South Kingstown is adverse to affordable housing, however due to all of the reasons detailed throughout this report, it would be difficult to argue that 'substantial progress' has been achieved. In fact, the Comprehensive Plan acknowledges this very point.

"Given these constraints, the Town of South Kingstown has had modest but steady successes in promoting and achieving affordable housing in the community. In 2004, the affordable unit inventory stood at 485 units or 5.07%. In 2012, it rose to 589, comprising 5.39% of the year-round units in the Town. As of 2016, the number is up to 612 or 5.61%. Housing units "in the pipeline" (Table 14) show the potential for an additional 31 units of affordable housing. Much remains to be done and the Town has worked diligently in this area. The Affordable Housing Collaborative has consistently promoted and advocated for affordable housing in the Town and will continue to do so." [Page 91]

Challenges - "While many of the tools of the 2005 Plan were implemented and have resulted in an increase in workforce housing in the community, economic conditions since 2005 have severely limited opportunities to further increase the number of affordable homes in South Kingstown..." [Page 93]

The next section of this report will detail just how difficult it will be in achieving regulatory compliance, unless all development opportunities are reasonably considered and awarded approval when warranted.

EVIDENCING NEED

When contrasting overall need for more housing units with the statutory requirement of 10% total housing stock affordability, the great difficulty in achieving regulatory compliance is self-evident. This Consultant relied on both the Town's Comprehensive Plan and Housing Fact Book to conclude need and eventual compliance. There is a discrepancy between the two (2) documents, and therefore in order to avoid any argument regarding skewed results, both have been documented in this report.

The Housing Fact Book details a current 2022 provision of affordable housing approaching 5.57%, whereas the Comprehensive Plan notes that as of 2016, the provision was 5.61%. The

discrepancy could very well be associated with actual housing unit count, 2010 versus 2020 census data. Therefore, the Housing Fact Book is probably a more accurate assessment. Nevertheless, this Consultant has acknowledged both sets of data. The Housing Fact Book provides numerical data that is one half-decade newer, and has therefore been used to detail the long-term consequences of failing to seriously consider the subject proposal.

Once again, pursuant to the '2022 Housing Fact Book,' the community has an approximate total of 607-units of affordable housing. Therefore, the estimated affordable housing contribution is presently 5.57%, or one-half of one-percent increase in almost 20-years, as evidenced by the Comprehensive Plan which details that the affordable housing count was approximately 5.07% in 2004. The prior Housing Plan spoke to achieving 10% affordable housing compliance by 2025, whereas the Comprehensive Plan extends it to 2030, and acknowledges that circumstances may derail this objective, necessitating a 20-year schedule. Therefore, it could very well take upwards of several decades before compliance is realized. It is rather self-evident that considerable progress is required to realize affordable housing compliance, if even achievable.

The present percentage of affordable housing is approximately 5.57% (2022 Housing Fact Book), consisting of approximately 346-elderly units, 175-family units and 91-special needs units. Furthermore, pursuant to the Comprehensive Plan, it is anticipated that by 2040 there will be a total year-round housing count of approximately 14,277-units, necessitating 1,428-units to achieve affordable housing compliance. This translates to present shortfall of 821-units to meet the minimum 10% threshold. In other words, the Town of South Kingstown has achieved garnering 607-units in 30-years, if considering the initial affordable housing statute, which translates to an average of 20-units each and every year. If the amended 2004 statute is considered, this translate to an average of 34-units each and every year. It is therefore difficult to believe, given the need for an additional 821-units by approximately 2040, that success will be achievable unless every reasonable development option is well received. The great difficulty in procuring affordable housing is further evidenced in Table 15 'Projected LMI Housing Production Through 2030' [Page 96]; careful attention to the Comprehensive Permit strategy, which was the sole successful method of attracting affordable housing up through 2010. The referenced table (on the following page) clearly acknowledges that there is great reliance on the Comprehensive Permit strategy to achieve regulatory compliance.

TABLE 15: PROJECTED LMI HOUSING PRODUCTION THROUGH 2030

STRATEGY	PROJECTED BY 2010	ACTUAL BY 2010	2010-2015	2015-2020	2020-2025	2025-2030	TOTAL NEW UNITS
Inclusionary Zoning	112	0	42	99	99	98	338
Duplexes in Core Area	12	0	0	0	0	0	0
Accessory Dwelling Units	15	0	3	8	10	15	36
Scattered Rehabilitation	12	0	8	9	10	10	37
Comprehensive Permits	150	88	79	85	93	85	342
PROJECTED TOTAL UNITS	301	88	132	201	212	208	753

R.I.G.L 45-53-4 – REQUIRED FINDINGS
and

Section 509 ‘Low and Moderate Income Housing’ of the Zoning Ordinance

In accordance with R.I.G.L 45-53-4 and Section 509 of the Ordinance, the applicant is obligated to address the requisite standard provisions. R.I.G.L 45-53-4(4)(v) expresses the following required findings:

R.I.G.L 45-53-4(4)(v) Required Findings: In approving an application, the local review board shall make positive findings, supported by legally competent evidence on the record which discloses the nature and character of the observations upon which the fact finders acted, on each of the following standard provisions, where applicable:

(A) *“The proposed development is consistent with local needs as identified in the local comprehensive community plan with particular emphasis on the community’s affordable housing plan and/or has satisfactorily addressed the issues where there may be inconsistencies.”*

The table on the following page details appropriate housing locations, to include the villages and scattered housing sites. The subject property is literally outside the Village of Wakefield, and within a Specialized Management Area, areas identified as being appropriate for more dense residential development. Therefore, a development proposal that will realize 18-units of newly secured affordable renter-occupied housing in one such area, should be well-supported.

TABLE 16: POTENTIAL LOCATION SUMMARY CHART

APPROACH	# of Low- and Moderate-Income Units
Inclusionary Zoning through Single-Family and Multi-Family	
Peace Dale	30
Wakefield	35
Kingston	20
West Kingston	20
Rural Areas	233
Subtotal	338
Scattered Rehabilitation & Comprehensive Permits	
Peace Dale	87
Wakefield	91
Kingston	49
West Kingston	49
Rural Areas	103
Subtotal	379
Accessory Dwelling Units	36
TOTAL AFFORDABLE UNITS	753
REMAINING GAP	63

(B) *“The proposed development is in compliance with the standards and provisions of the municipality’s zoning ordinance and subdivision regulations, and/or where expressly varied or waived local concerns that have been affected by the relief granted do not outweigh the state and local need for low and moderate income housing.”*

Several waivers and variances will be sought from the Planning Board (said listing to be provided by DiPrete Engineering). The referenced waivers and variances are well supported by the Comprehensive Plan, as evidenced by the following recommendations:

Housing Action Plan Summary

Goal 1: *“The valued sense of place and community represented in South Kingstown’s existing housing stock and traditional village development patterns will be enhanced.”* [Page 99]

Policy 1.2: *“Discourage future residential growth which contributes to monotonous suburban-style subdivisions and encourages a high quality of design in the creation of new neighborhoods. The process of growth must be directed towards the creation of communities and directed away from urban sprawl.”* [Page 99]

Policy 1.6: “Support appropriately scaled housing, in a variety of types and sizes and serving households with a variety of income levels.” [Page 100]

Policy 1.7: “Consider changing demographic trends (i.e. reduction in household size, rental needs for family households, etc.) when enacting policies and regulations.” [Page 100]

Goal 2: “LMI Housing development will occur throughout the community in a manner that is reflective of South Kingstown residents’ physical, social, and financial limitations and resources, with the goal of achieving 10% of the year-round housing stock as deed-restricted for low- and moderate-income households.” [Page 101]

Policy 2.1: “Identify opportunities to integrate LMI Housing into existing neighborhoods.” [Page 101]

Policy 2.2: “Develop a range of LMI home ownership and rental opportunities throughout the Town of South Kingstown.” [Page 101]

(C) “All low and moderate income housing units proposed are integrated throughout the development; are compatible in scale and architectural style to the market rate units within the project; and will be built and occupied prior to, or simultaneous with the construction and occupancy of any market rate units.”

The affordable units will be constructed of like materials and maintain the architectural integrity of the market-rate units. All affordable units will be dispersed throughout the facility; evenly integrated with the market-rate units.

(D) “There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval.”

(E) “There will be no significant negative impacts on the health and safety of current or future residents of the community, in areas including, but not limited to, safe circulation of pedestrian and vehicular traffic, provision of emergency services, sewerage disposal, availability of potable water, adequate surface water run-off, and the preservation of natural, historical or cultural features that contribute to the attractiveness of the community.”

(G) “The proposed development will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, unless created only as permanent open space or permanently reserved for a public purpose on the approved, recorded plans.”

All requisite infrastructure, most notably public sewer and water, is available and will be accordingly connected. There is upwards of 4.5-acres of upland area, more than sufficient to accommodate the proposed multi-unit facility and ancillary services (e.g. off-street parking). The proposed density is therefore not excessive, as further corroborated by the results of the Neighborhood Analysis.. Requisite testimony from respective professions will evidence development appropriateness.

(F) *"All proposed land developments and all subdivisions lots will have adequate and permanent physical access to a public street in accordance with the requirements of § 45-23-60(5)."*

The property will have direct and permanent physical access from an interior roadway network, as mandated by Ordinance and Comprehensive Plan, respectively.

CONCLUSION

It is this Land Use Planning and Zoning Consultant's professional opinion that the proposed development is consistent with the Comprehensive Plan and sets forth respective goals and policies, and may therefore be fully supported by the Town of South Kingstown Planning Board. My professional opinion is based upon the manner in which the development can be incorporated into the overall fabric of the general Route 1 SMD neighborhood. The Planning Board should carefully consider the many benefits posed by the applicant's development, not the least of which is the provision of 18-units of affordable renter-occupied housing.