



SOUTH KINGSTOWN PLANNING DEPARTMENT
PROJECT REVIEW MEMO
Champagne Heights
Major Land Development, Comprehensive Permit
Pre-Application Concept Review

April 23, 2024

Project Type:	Major Land Development, Comprehensive Permit		
Review Stage:	Pre-Application Concept Plan		
Address:	364 Curtis Corner Road		
Plat:	48-1	Lot:	8
Parcel Size:	~10.5 acres	Zoning District:	GI
Applicant:	SKHA Services & Development Corporation	Owner:	Housing Authority of Town of South Kingstown

Property Characteristics & Project Description

The subject site is located on Curtis Corner Road, between South Road and Kingstown Road. The William C. O’Neil Bike Path intersects Curtis Corner Road east of the site. The proposed project is the first Phase in a two-phase design. The first phase is comprised of 40 new units. These units will mimic the existing units in number and size and will serve to relocate the existing population on the property. Phase two, not yet seeking review or approval, will demolish the existing housing and replace with additional housing similar to what is proposed in Phase 1.

The anticipated construction commencement is November 2025 pending approvals from all Authorities having Jurisdiction.

Regulatory Considerations

Purpose of the Pre-Application Review

Per the Regulations, Pre-Application meetings shall:

- Aim to encourage information sharing and discussion of project concepts among the participants;
- Include a review of the physical character of the land, any environmental or physical constraints to development; and
- Include a discussion initiated by the Planning Board regarding what form of land development may be appropriate to meet the goals and policies of the Comprehensive Plan with regard to preserving the character of the land, the natural environment and the ability of the Town to provide essential services.

Pre-application discussions are intended for the guidance of the applicant and shall not be considered approval of a project or of any of its elements. No formal action need be taken by the Planning Board at the pre-application meeting.

This project is also being designed and submitted as a Multi-Household Land Development Project, as outlined in Article IV, Section H, of the *Subdivision and Land Development Regulations*.

Subdivision and Land Development Regulations: Article IV, Section H - Multi Household Dwellings

1. *Intent*

It is the intent of this Section to regulate the location, design and density of multi-household dwellings in the Town of South Kingstown, and to outline administrative procedure for the establishment and planning of such dwellings. It is intended to create multi-household residential communities of long-term desirability by utilizing the potential advantage of the site, including suitable placement of the buildings and facilities in relation to the site and surrounding areas. It is further intended to require adequate open space, livability space, recreation areas and car parking space, to avoid overcrowding and to encourage good design practices. The establishment of multi-household dwellings appropriate to the character of the site and its location in the anticipated community pattern is encouraged herein, and it is further intended to avoid the overburdening of municipal services and facilities, and to ensure compatibility of multi-household dwellings with the natural environment.

2. *Two Multi-Household Types Created*

The provisions of this section shall apply to the following uses:

*Use Code 12 Multi-Household Detached Structure
up to 12 Units, LDP*

Use Code 12.1 Multi-Household Land Development Project

*Use Code 12.2 Multi-Household Detached Structure,
up to 12 Units – Elderly Only, LDP*

Use Code 12.3 Multi-Household Land Development Project – Elderly Only

Two distinct types of multi-household dwellings are created and defined herein, and are permitted in the Town of South Kingstown:

- a) Multi-Household Detached Structures are single structure multi-household residential buildings on a single lot, which are designed to provide multiple residential occupancy. Such structures shall contain only multi-household residential uses and uses accessory thereto in a single principal structure, not to exceed twelve (12) dwelling units per structure in zoning districts where permitted in the Zoning Ordinance. Only one principal residential structure on a single lot is permitted.*
- b) Multi-Household Land Development Projects are Land Development projects in which groups of two or more multi-household structures are located on the same lot, and which are planned, developed and managed as a unit, with required open spaces, recreation areas, off-street parking facilities and accessory uses, designed as a part of the entire project and primarily intended for the use of the occupants of the project. These are large-scale residential areas located only in RM Zoning Districts. The limitations on the number of dwelling units per multi-household structure set forth in subsection a) of this Section are not applicable in a Multi-Household Land Development Project. A single building which contains more than 12 dwelling units shall be considered to be a Multi-Household Land Development Project.*

3. Relation to Utilities and Public Facilities

Multi-Household Structures and Land Development Projects shall be located only in Zoning Districts where permitted in the Zoning Ordinance. Multi-Household Structures and Land Development Projects shall also be located on lots served by a public or private water system.

4. Relation to Transportation

Principal vehicular access to Multi-Household Structures and Land Development Projects shall be from major streets. Access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. Merging and turnout lanes as well as traffic dividers shall be provided where existing or anticipated heavy flows indicate need. In no case shall streets within a multi-household development connect to streets outside the development in such a way as to encourage use of minor streets in residential neighborhoods for through traffic.

5. Relation to Surrounding Property

Site planning for Multi-Household Structures and Land Development Projects shall provide protection from potentially adverse surrounding influences, and protection of surrounding areas from potentially adverse influences from within the development, as provided in subsections 6 & 7 below, or as necessary.

The Planning Board shall institute applicable mitigating measures necessary to insure protection or single household residential areas from potentially adverse influences of Multi-Household Structures and Land Development Projects.

6. Screening

Fences, walls, earthen berms or vegetative screening shall be provided along the perimeter of a Multi-Household Structure and Land Development Project where needed to provide a physical barrier and visual screen between the Multi-Household Dwelling Structure or Project and adjacent properties. Parking or rubbish disposal pens shall not be permitted within the vegetative screen or earthen berm area.

Specific landscape and screening requirements shall be determined by the Planning Board during Development Plan Review. The Planning Board shall require adequate buffering to insure sufficient screening between the Multi-Household Structure or Land Development Project and adjacent properties. Such requirements shall include compliance with those landscape design provisions set forth for Mixed Use (MU) Districts.

The following uses and areas within a Multi-Household Structure or Land Development Project shall be screened from adjacent single household residential districts or public streets:

- a. *Off-street parking areas.*
- b. *Service areas for loading and unloading vehicles other than passenger, and for storage and collection of trash, garbage, materials intended for recycling and other refuse.*
- c. *Utility areas such as pumping stations, electric utility substations, HVAC systems and the like.*
- d. *Exterior lighting structures.*

7. Front Yard Setbacks for Multi-Household Land Development Projects

Multi-Household Land Development Projects {Use Codes 12.1 & 12.3}, when located along any public street, shall provide a minimum front yard setback of 100 feet along said public street. No building, accessory building, parking lot or utility area shall be located in any such front yard. In addition, a landscaped or natural buffer zone of 50-foot width, shall be maintained along said public street and may be used for any required yard, open space or recreation space, for access driveways (no parking allowed) or for other necessary entrance and exit facilities.

8. Density Requirements

Dwelling units in a Multi-Household Land Development Project (Use Codes 12.1 & 12.3) shall be limited in number to total density in accordance with the following table:

	<i>Maximum Density units/developable acre</i>
<i>1- 2 bedrooms / unit</i>	<i>7.71</i>
<i>3 bedrooms or more / unit</i>	<i>4.36</i>

In calculating permitted density, land unsuitable for development, as defined herein, shall first be deducted from the tract proposed for development of any Multi-Household Land Development Project.

9. Supplementary Standards

The following supplementary standards shall be required for Multi-Household Land Development Projects and Structures, in addition to land use density requirements and other standards otherwise imposed by this Ordinance:

Permitted Uses - *Uses permitted in a Multi-Household Land Development Project or Structure are limited only to residential uses and uses customarily accessory thereto, such as laundry and drying facilities, refuse collection, recreation facilities, lounges, rental offices, etc., which are primarily intended for the residents thereof.*

Walkways - *Pedestrian walkways shall be provided for all Multi-Household Land Development Projects and Structures where necessary, to provide safe and convenient access to and from such developments. Pedestrian crossings at edges of the development shall be safely located, marked and controlled.*

Parking Lots - Setback from Buildings - *No parking area, driveway or utility area shall be located within fifteen (15) feet of any wall of a principal building (except a garage) used for residential purposes along which is located an entrance or exit generally intended for use by residents thereof, or along which are located residential windows less than ten (10) feet above ground level.*

Distance Between Buildings on Same Lot - *In any Multi-Household Land Development Project, the minimum distance between two (2) buildings or any two (2) rows of buildings, substantially parallel to each other, shall be fifty (50) feet. The minimum distance between two (2) abutting ends of buildings in the same general plane or row, shall be twenty-five (25) feet, if such walls contain no windows serving habitable rooms or shall otherwise be fifty (50) feet.*

Rubbish Disposal - *Each building in a Multi-Household Land Development Project or Structure shall be provided with an enclosed waste pen of sufficient size to accommodate all trash and waste stored on the premises. The waste pen and all utility areas shall be properly screened and buffered from all buildings and property lines.*

Floor Area of Accessory Uses - *Permitted floor area for allowable accessory uses in Multi-Household Land Development Projects shall not exceed 2 1/2 percent of the floor area for residential use as defined herein. Accessory uses in Multi-Household Structures shall not exceed 800 sq. ft. in any district where permitted.*

Open Space - *Open space shall be provided for residents of multi-household dwellings as appropriate to the type of occupant (i.e., elderly, adults, families with children, etc.).*

For dwellings proposed for occupancy by other than elderly residents, at least 10 percent of the developable land area of the development shall be dedicated to open space use. Such open space may be devoted to any of the following types of uses:

- *Private open space, such as private rear yards or semi-private front yards*
- *Public open space, such as pedestrian parks, plazas, Town green, village commons, etc.*
- *Active recreation areas, such as playgrounds, play fields, tennis courts, etc.*

For dwellings proposed for occupancy by elderly residents only (Use Codes 12.2 & 12.3) at least 100 sq. ft. of outdoor area per dwelling unit shall be provided, which shall be suitably designed and landscaped to meet the specific needs of the elderly and/or handicapped residents of the development.

The type, location and design of all open space areas shall be subject to the approval of the Planning Board.

Exterior Lighting - All exterior lighting shall be directed toward the interior of the multi-household structure or land development project site. Exterior lighting shall be so shaded, shielded, directed or shall be maintained at a sufficiently low level of intensity and brightness that it shall not adversely affect neighboring premises. No exterior lighting shall shine on or into residential structures and/or properties to an extent that would adversely affect the residents therein.

10. Procedure for Multi-Household Land Development Project Approval

No part of the construction of a Multi-Household Land Development Structure or Project shall be commenced until the plans for such project shall have been submitted to the Planning Board or TRC for review, hearing and action as follows:

- a) Multi-Household Detached Structures up to 12 units in a single building (Use Codes 12 & 12.2) shall follow the same procedures as set forth for minor subdivisions in these Regulations.*
- b) Multi-Household Land Development Projects (Use Codes 12.1 and 12.3) shall follow the same procedures as set forth for major subdivisions in these Regulations.*

All Multi-Household Land Development Projects shall comply with all regulations applicable to such projects set forth in the Zoning Ordinance, and these Regulations. Where the proposed project involves the subdivision of land, as defined in Title 45, Chapter 23 of the General Laws of Rhode Island, as amended, such project shall also comply with all regulations relating to the subdivision of land.

11. Site Plan Submission

A site plan for a proposed Multi-Household Structure (Use Codes 12 & 12.2) shall contain the information indicated on the applicable subdivision checklist for minor land developments and minor subdivisions.

Plans for Multi-Household Land Development Projects (Use Codes 12.1 and 12.3) shall contain the information indicated on the applicable subdivision checklist for major land developments and major subdivisions.

In addition, the following information shall also be indicated on the plans:

- a) Location, arrangement and dimensions of automobile parking spaces, width of aisles, width of bays, angle of parking;*
- b) Location and dimensions of vehicular drives, entrances, exits, acceleration and deceleration lanes; location and dimensions of pedestrian entrances, exits, walks and walkways;*
- c) Drainage system and sanitary sewer;*

- d) *Location, height and material of walls, fences and plantings;*
 - e) *Location and type of lighting;*
 - f) *Ground cover, finished grades, slopes, banks and ditches;*
 - g) *Schematic architectural drawings of proposed buildings, including location and general exterior dimensions and types of material of principal and accessory buildings;*
 - h) *Location and description or proposed signs;*
 - i) *The phases, if any, to be followed in the construction of the development;*
 - j) *Location of all required or proposed recreation areas, open space areas or other proposed features.*
- I. *Design Standards for Inclusionary Dwelling Units in Major Subdivisions and Major Land Development Projects*

1. *Intent*

It is the intent of this Section to establish general design and procedural standards for the siting and construction of affordable dwelling units (inclusionary units) in major land developments and major subdivisions. By the application of these standards and procedural requirements it is intended to create subdivision neighborhoods and land developments projects that have long-term desirability, provide for housing opportunities for a broad range of households with varying incomes and housing needs and are compatible with the surrounding community.

- a) *Inclusionary Dwelling Unit Design Considerations - required inclusionary dwelling units per Section 502.6 of the South Kingstown Zoning Ordinance shall be similar in exterior design and construction methodology and materials to other dwellings or units with the subdivision or land development project. The Planning Board may permit such units to be smaller in size (bulk or footprint) or contain fewer bedrooms and baths than market rates units within the development. The interior design of required inclusionary dwelling units as well as the materials, finishes and fixtures utilized shall not be subject to the requirements of this Section. For conventional subdivisions or Flexible Design Residential Projects (FDRP's) such units may be designed as single-household units, duplexes, triplexes or in a quadraplex configuration. The Planning Board may also permit accessory apartments per Section 503.2 to be counted as inclusionary units within a development. In addition to the General Requirements set forth in Article III of the Subdivision and Land Development Regulations, in approving the overall design of the subdivision or land development project the Planning Board shall make affirmative Findings of Fact that the design of the units is consistent with the market rate unit in the overall project and that the project design meets the intent of this Section.*
- b) *Lot Configuration - The Planning Board may permit inclusionary dwelling units to be sited on smaller lots (in a subdivision setting) than the base-zoning district of the development parcel or otherwise modify lot requirements for such inclusionary units/lots in accord with Article IV, A.5 of these Regulations. Such modifications shall be considered a municipal government subsidy under these regulations.*

Required Findings

Per [RIGL § 45-53-4](#):

In approving a Comprehensive Permit application, the 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:

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

The Planning Board may deny the request for a Comprehensive Permit for any of the following reasons:

- (A) If the city or town has an approved affordable housing plan and is meeting housing needs, and the proposal is inconsistent with the affordable housing plan;
- (B) The proposal is not consistent with local needs, including, but not limited to, the needs identified in an approved comprehensive plan, and/or local zoning ordinances and procedures promulgated in conformance with the comprehensive plan;
- (C) The proposal is not in conformance with the comprehensive plan;
- (D) The community has met or has plans to meet the goal of ten percent (10%) of the year-round units or, in the case of an urban town or city, fifteen percent (15%) of the occupied rental housing units as defined in § 45-53-3(2)(i) being low and moderate income housing;
or
- (E) Concerns for the environment and the health and safety of current residents have not been adequately addressed.