



**SOUTH KINGSTOWN PLANNING DEPARTMENT
PROJECT REVIEW MEMO**

**Village at South County Commons – Buildings 26 & 28
Major Multi-Household Land Development – Comprehensive Permit
Preliminary Plan
March 25, 2025**

Project Type:	Major Multi-Household Land Development		
Review Stage:	Preliminary Plan		
Address:	2 Fairfield Way		
Plat:	50	Lot:	Lots 1, 14, 15, 18, 20, 21, 23, 24, 25, 26, and 27
Parcel Size:	20.52 Acres	Zoning District:	Rt 1 SMD
Applicant:	SCC Investments III, LLC c/o Sean Hayden	Owner:	Village Hotel Associates, LLC (Lot 14) SCC Investments III, LLC (Lot 15) SCC Investments II, LLC (Lot 21)

Project Summarized (as outlined in Narratives submitted with the application)

The project consists of two (2) new multi-family buildings within The Village at South County Commons. Each building provides fifty-two (52) units with a mixture of studio, one-bedroom, and two-bedroom units. Building 26 is located on the vacant, grassed land adjacent to existing Building 25 and was previously approved as an office building with a similar building footprint. Building 28 is a newly proposed building located in the existing overflow parking lot behind the Hampton Inn.

The design team has looked to provide key amenities to the future residents including an in-house fitness center, work-from-home workspaces, tenant storage space, outdoor passive/active recreation areas, and new pedestrian connections to the existing walking paths. The buildings will be professionally managed with onsite staff to serve the future residents.

Outdoor recreational areas are a key focus for the development and have been incorporated into the design. The applicant recognizes the importance of providing common areas (both indoor and outdoor) for the future residents to use. Potential outdoor recreation areas include:

- *New walking path connections to the existing paths to create an integrated pedestrian circulation system*
- *Outdoor grilling patio with seating/meeting area*
- *Pickleball court*
- *Outdoor pet area*
- *Outdoor seating/meeting area with firepit amenity*
- *Bike racks for use with the adjacent South County bike path*
- *Activation and integration of an underutilized area originally meant for recreation behind the Hampton Inn. The belief is that with the additional residents the critical mass necessary to have an active outdoor park area will be successful.*

The architecture of the buildings at South County Commons has been an important part of its success from the beginning. The intent has always been to use different architects, with different styles to create buildings that are not only compatible but complement the other buildings at South County Commons. In this case, Hans Strauch from Cambridge, MA has created 2 new buildings that the owners of South County Commons believe will be a great addition to the village. The new buildings are at or below the heights of the adjacent buildings, of similar form and materials, but varying in detail, colors, and focal points. The architects will be prepared at the appropriate time to discuss with the board and staff what their design inspirations were, and goals in creating the new buildings.

Proposed Density & Density Analysis

The applicant is proposing a total of 104 apartment units in total between the two (2) buildings. Although not clearly identified in the project submission materials, the applicant has indicated that there will be an even allocation of the proposed 1-bedroom, 2-bedroom, and studio apartment units being dedicated as deed-restricted affordable units. However, this statement has been presented verbally and is not reflected within submission materials nor have the deed-restricted affordable units been identified within the Plan Set. The proposed density of this project (based on the proposed unit count and parcel size identified by the applicant) represents approximately 5.06 dwelling units per acre.

The applicant recognizes that there may be discretion in how the town prefers the density to be calculated. There will be a subdivision plan submitted in the future to modify lot lines to create standalone lots that these 2 new residential buildings will be located on. The future lot lines are depicted on the submitted Preliminary Plans. It is likely that these will be the only 2 buildings located on the new lots. South County Commons was created with cross easements to permit parking and access throughout the village. No individual lot today stands alone from a parking, open space requirement, density, or zoning compliance. The parking will continue to be shared across lot lines for the new and existing buildings and uses. This area of the South County Commons development has already been modified several times. It was last modified when Building 25 was built.

The affiliated owners of South County Commons own 11 separate parcels totaling 65 acres with 1,027 parking spaces and no residential units. Three (3) lots that were originally part of South County Commons and not currently owned by this applicant and its affiliates have residential uses. Proposed Buildings 26 and 28 are affiliated with the owners of the 11 South County Commons mixed-use parcels, but not with the 3 residential parcels. The density in the Route 1 Special Management District (SMD) zoning for South County Commons has been calculated over the entire village property since 1999. If it is across the mixed use parcels that the applicant controls or is affiliated with today, it would be about 1.6 units per acre (104 units on 65 acres). If the density was to be taken across the future parcel that the units would be located on, it would be about 5.0 units per acre (104 units over 20.8 acres). Regardless of how the density is calculated, the applicant has determined that the density being proposed is the minimal number of units to be successful, feasible, and financeable without a significant additional financial subsidy. The applicant also believes that the size of the future buildings and the use are appropriate and beneficial to The Village at South County Commons.

Decision Deadline

This application was Certified Complete on February 6, 2025. The Planning Board has until **Wednesday, May 7, 2025** (90 days from date this application was certified as complete) to render a decision.

Regulatory Considerations

Regulatory Process

Following the typical review schedule for Major Land Development Projects, the permitting process for an application such as this includes the following four (4) permitting stages:

1. Pre-application Concept Review (completed);

2. Preliminary Plan (current);

3. Final Plan (to be completed following Preliminary Plan Review);

Per [RIGL § 45-23-32](#), Preliminary Plan is defined as follows:

(32) Preliminary plan. *A required stage of land development and subdivision review that generally requires detailed engineered drawings. See [§ 45-23-39](#).*

This project has been submitted as a Comprehensive Permit application under [RIGL § 45-53-4](#) which allows an applicant who is proposing at least 25% of the housing as low- or moderate-income housing to submit a single application to the review board (for South Kingstown, this is the Planning Board), in lieu of separate applications to the applicable Boards. This process is intended to allow for a streamlined permitting process that generally allows for greater densities in exchange for the production of a percentage of long-term affordable dwelling units. The procedure for application and review, and the required findings, are outlined in [RIGL § 45-53-4](#). The Planning Board is required to hold a public hearing for Comprehensive Permit applications at the Preliminary Plan stage of review.

The Planning Board has the authority to issue permits or approvals that any local board or official who would otherwise act with respect to the application, including but not limited to, the power to attach conditions and requirements with respect to height, site plan, size or shape, or building materials.

Zoning Ordinance

This project is considered a *Multi-Household Land Development Project* as it consists of multiple dwelling units in multiple buildings ([Zoning Ordinance, Appendix A, Use Code 12.1 – Multi-Household Land Development Project](#)). The standards for these types of developments are outlined within the Subdivision and Land Development Regulations ([Article IV – Special Requirements, Section H – Multi Household Dwellings](#)). It should be noted that *Multi-Household Land Development Projects* are limited to twelve (12) units in a single structure ([Zoning Ordinance, Article 3. – Use Regulations, Section 301 – Schedule of Use Regulations Table, Use Code 12.1 – Multi-Household Land Development Project](#)). This regulation also defines these types of projects located in *large-scale residential areas located only in RM Zoning Districts*. However, as a Comprehensive Permit (and as outlined within [RIGL § 45-53-4](#)), the Planning Board has the authority to grant or deny such project based on the findings listed in Section (a)(4)(v) and Section (a)(4)(vii) of [RIGL § 45-53-4](#).

This property is located within the Route 1 Special Management District (SMD) which is defined within [Section 101](#) of the Zoning Ordinance as follows:

This area is designated for new or expanded light industrial, commercial or mixed-use zoning to include lands on the west and east side of Route 1 as described in the comprehensive community plan. The area may be serviced by public water and sewer service.

While the Zoning Ordinance allows for residential density of up to 5 dwelling units per acre, it is not currently known what density the existing parcel(s) can support when considering other existing uses or previously approved (and not constructed) uses on the Site. A yield plan outlining this information was not included in the application.

Section 605.9.D.3 – Dimensional and density standards, Multi-household dwelling structures (two (2) bedrooms or less per unit):

<i>Minimum lot area:</i>	Eight thousand eight hundred (8,800) square feet.
<i>Lot width:</i>	Minimum of eighty (80) feet and maximum of one hundred fifteen (115) feet.
<i>Lot depth:</i>	Maximum of one hundred fifty (150) feet and minimum of one hundred ten (110) feet.
<i>Maximum residential density:</i>	Five (5) dwelling units per developable acre.
<i>Yard dimensions</i>	

<i>Build-to line:</i>	As established by the planning board.
<i>Front yard:</i>	Minimum of ten (10) feet and maximum of twenty (20) feet.
<i>Rear yard:</i>	Minimum of fifty-five (55) feet.
<i>Side yard:</i>	Minimum of ten (10) feet.
<i>Maximum lot building coverage:</i>	Sixty (60) percent.
<i>Minimum pervious area:</i>	Thirty (30) percent.
<i>Maximum building size:</i>	Eight (8) dwelling units in a building and ninety-five (95) feet in length.
<i>Minimum interior yards (separation between buildings on the same lot):</i>	Twenty (20) feet.
<i>Rear yard parking and service lane access are required.</i>	

Section 605.9.D.4 – Dimensional and density standards, Multi-household dwelling land development projects (two (2) bedrooms or less per unit):

<i>Minimum lot area:</i>	Twenty thousand (20,000) square feet
<i>Maximum residential density:</i>	Less than two (2) bedrooms per dwelling unit or elderly: Five (5.0) dwelling units per developable acre; Two (2) bedrooms per dwelling unit: Five (5.0) dwelling units per developable acre
<i>Yard dimensions</i>	
<i>Build-to line:</i>	As established by the planning board.
<i>Front yard:</i>	Minimum of ten (10) feet and maximum of twenty (20) feet.
<i>Rear yard:</i>	Minimum of fifty-five (55) feet.
<i>Side yard:</i>	Minimum of ten (10) feet.
<i>Minimum separation between buildings:</i>	Thirty (30) feet for buildings containing four (4) units or fewer, fifty (50) for buildings containing five (5) residential units or more.
<i>Maximum lot building coverage:</i>	Sixty (60) percent.
<i>Minimum pervious area:</i>	Thirty (30) percent.
<i>Maximum building size:</i>	Thirty (30) dwelling units in a building and one hundred sixty (160) feet in length.
<i>Rear yard parking and service lane access are required.</i>	

Affordable Housing Units

As a Comprehensive Permit, this project is required to provide 25% of the total number of proposed dwelling units (26 units) as deed restricted to qualifying individuals or households for no less than thirty [30] years from initial occupancy. *Letter(s) of Eligibility* for this project were issued by Rhode Island Housing on August 28, 2024 (Lot 15) and September 20, 2024 (Lot 21).

Adjustments Requested

In support of the Comprehensive Permit application, the applicant is respectfully requesting the following adjustments to the local ordinances and regulations:

South Kingstown Zoning Ordinance

- Section 605.9.D.4. Multi-household Land Development Projects (two (2) bedrooms or less per unit):

- *Maximum residential density – Five (5) dwelling units per developable acre. Adjustment requested to allow the 104 dwelling units within the 65 acres owned by the applicant and its affiliates.*
- *Maximum building size – 30 dwelling units per building and 160 feet in length. Adjustment requested for fifty-two (52) dwelling units per building and 270 feet in length.*
- *Rear yard parking and service lane access are required. Adjustment requested (if necessary) for this requirement given the unique nature of the existing South County Commons development. Building 26 is situated on a previously approved pad site that has existing parking and access on 3 sides and there is parking in the rear. Building 28 is located behind the Hampton Inn in an area used for overflow parking. No new parking is being added as part of the application.*
- *Minimum separation between buildings: Minimum separation between buildings: Thirty (30) feet for buildings containing four (4) units or fewer, fifty (50) feet for buildings containing five (5) residential units or more. Adjustment requested (if necessary) to allow 18 feet separation between existing Building 25 and proposed Building 26. The distance that is being proposed is the same as was previously approved and is appropriate for this area of South County Commons.*
- Section 605.13. Building Height – buildings shall be limited to a maximum height of forty (40) feet. Buildings which at their nearest point to Route 1 are situated at a grade lower than Route 1 shall be permitted one (1) additional foot in height for each foot below Route 1, up to a maximum of forty-five (45) feet in height. No building over forty (40) feet in height can have a flat roof.
- **Adjustment (if necessary) requesting 50 feet if measured from proposed grade at the front of the proposed building. 52 feet if measured from the average grade as approved by the Planning Board in the previous submission and partially constructed. Building 26 height has been designed to complement the abutting Building 25 height and to match the aesthetics and external appearance. Building 26 height is less than or equal to the abutting Building 25. Building 28 has been designed to provide a height less than or equal to the adjacent Hampton Inn. The proposed heights are consistent with what has previously been approved for this district of South County Commons.**
- Section 605.14. Parking Standards and Section 711.A. Minimum Off-Street Parking Requirements – Residential:
 - *Apartments or multi-household dwellings – Minimum Parking Spaces of 2 for each dwelling unit. Adjustment requested (if necessary) for one (1) parking space per dwelling unit in conformance with RIGL 45-53-4.(b)(2) that states:*

“A municipality shall not require more than one off-street parking space per dwelling unit for units up to and including two (2) bedrooms in applications submitted under this chapter”.

The applicant also proposes to utilize the shared parking allowance per Zoning Ordinance Section 605.14.C. Shared Parking, which states:

“Common parking areas shall be encouraged for mixed-use developments which have different hours, days and/or seasons of peak parking demand. The board may, in approving development within the district, permit individual parking standards to be reduced for separate uses where it can be demonstrated that adequate parking may be made available on a shared basis. The board may require written easements or other assurances as may be required to enforce shared parking arrangements. Where reasonable and

practicable, the planning board shall require common driveways and interconnected parking lots in order to facilitate shared parking.”

The applicant currently manages and is knowledgeable of the existing and future parking requirements of South County Commons and believes that:

- 1) There is an abundance and an excess in the amount of existing parking available in the southern districts of the village.
- 2) The shared parking design from 1999 has worked well at South County Commons and with the new residential buildings being an off-peak of the predominate office use in the southern districts, the shared parking will continue to work well.
- 3) The residential buildings have over half of the units proposed as studios and 1 bedroom units which will not have a significant parking demand.
- 4) South County Commons continues to evolve, and the parking demand has been declining. The hotel now sees guests arrive via ride sharing. The theatre has been renovated and gone from 1,256 seats to 475 seats. The offices are no longer full 5 days per week.

Previous South County Commons Master Plan Approval

- Adjustment requested to permit the construction of two (2) new 52-unit multi-family residential buildings on the proposed lots in District 4 of South County Commons. The previous applications did not propose residential uses within District 4.
- Adjustment requested to permit the construction of new Building 28 as a 52-unit multifamily residential building that was not previously proposed on the Master Plan.
- The applicant requests adjustments (if necessary) to the various Route 1 Special Management District (SMD) design guidance and regulations and Land Development Regulations such as Build-to-Line, yard setbacks, parking location, architectural standards (if required) and other requirements and guidance of the Route 1 SMD, zoning, and land development regulations to permit the design as shown on the submitted Site Plans.

Review to Date

Pre-Application Concept Review

October 22, 2024 - Planning Board Review of Pre-Application Concept Plan.

Conceptual Master Plan Review

Not applicable. Application was submitted after new legislation went into effect that removed the Conceptual Master Plan review from Comprehensive Permit review procedures.

Conceptual Master Plan Review

February 12, 2025 - TRC Review of the Preliminary Plan

The project was reviewed by the Technical Review Committee and determined the following items need to be addressed with the Planning Board:

1. Clearly identify where parking spaces are and how they are dedicated to this site vs. other uses within the facility, and if there is an intent to share, identify what is being shared.
2. Clearly identify what the uses for passive and active recreation are.
3. Address TRC concerns about having 360-degree access around the building as it relates to fire as well as storm drainage maintenance over time.
4. Clearly identify how you are dealing with water quality.
5. Clearly articulate the use of the parking garage as it relates to dimensional functionality and its effect on the parking count.

6. **Submit exterior architecture plans.**
7. **Define outdoor space and access to it.**
8. **Clearly show all traffic control measures proposed.**
9. **Clearly evaluate crosswalks at intersections, and any possible conflicts.**
10. **Clarify storm water designs, easements and maintenance proposed.**
11. **Clearly identify the affordable units between the two buildings.**
12. **Detail existing volumes vs. proposed volumes, and any potential downstream effects.**

Required Findings

Per [RIGL § 45-53-4\(d\)\(2\)\(iii\)\(E\)](#):

(E) **Required findings for approval.** In approving an application, the local review board shall make positive findings, supported by legally competent evidence on the record that discloses the nature and character of the observations upon which the fact finders acted, on each of the following standard provisions, where applicable:

(I) 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.

(II) The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance and subdivision regulations, and/or where adjustments are requested by the applicant, that local concerns that have been affected by the relief granted do not outweigh the state and local need for low- and moderate-income housing.

(III) 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.

(IV) 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.

(V) 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(a)(5).

(VI) 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.

(F) **Required findings for denial.** In reviewing the comprehensive permit request, the local review board may deny the request for any of the following reasons: (I) 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; provided that, the local review board also finds that the municipality has made significant progress in implementing that housing plan; (II) 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; (III) The proposal is not in conformance with the comprehensive plan; (IV) 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(5)(i) being low- and moderate-income

housing; provided that, the local review board also finds that the community has achieved or has made significant progress towards meeting the goals required by this section; or (V) Concerns for the environment and the health and safety of current residents have not been adequately addressed.

Draft Motion

For some conventional subdivision/land development applications, where there is potentially less room for disagreement on whether the applications meet the applicable standards for approval, staff has previously provided draft motions for the Board's consideration so that, if the Board finds the application acceptable, the application can be approved with minimal delay. However, for comprehensive permit applications, going forward, staff will not be providing draft motions for the Board's consideration until at least the second meeting at which the project is discussed. This is because proposed comprehensive permit developments often contain significant departures from what is permitted under the Zoning Ordinance/Regulations, and, therefore, it may take the Board some time to determine whether the proposed comprehensive permit development meets the special standards for approval (or, conversely, for denial) set forth above. Based on the Board's discussion and direction at this first meeting, staff will be prepared to offer a draft motion at the next meeting.