

Retail Commercial Development
DPR and SUP Application Analysis
1860 Kingstown Road
Assessor's Plat 40-1; Lot(s) 125 and 126

Prepared for: Garrett Homes, LLC

By: Pimentel Consulting, Inc.

17 March 2021

INTRODUCTORY STATEMENT

Garrett Homes, LLC (“Applicant”) has retained my professional land use planning and zoning consulting services (“Consultant”) in order to evaluate the proposed development of property located at 1860 Kingstown Road (Route 108), for purposes of introducing a ‘conditionally permissible’ retail operation in the Kingstown Road Special Management Overlay District (“Kingstown Overlay”). The proposed development necessitates both Development Plan Review (“DPR”) and a Special Use Permit (“SUP”), for the express purpose of introducing a commercial facility that meets certain Village-Style design guidelines. Village-Style design can only be realized through new development and redevelopment of properties that pre-dated such regulations. The entire development will be fully compliant with all Land Development and Zoning Ordinance regulations, neither requiring waivers nor variances. As this report will evidence, the referenced proposal will foster a new economic revenue stream and further numerous goals and objectives of the Town’s Comprehensive Plan, most notably averting dated and stagnant strip-commercial style development, while realizing an unusually significant architectural facility and site design.

In light of the referenced project, I have thoroughly reviewed the submitted development proposal and associated documentation, as well as the following regulatory documents:

- Town of South Kingstown, RI, Comprehensive Community Plan – 2014 Update – State Approved April 2014 (“Current Comprehensive Plan”);
- Town of South Kingstown, RI, Draft Comprehensive Community Plan - 2021 - Final Draft : 24 February 2021 (“Draft Comprehensive Plan”);
- Town of South Kingstown, RI, Zoning Ordinance (“Ordinance”);
- Subdivision & Land Development Regulations (“LD Regulations”);
- Pertinent state statutes and case law;

In addition, an analysis of the immediately surrounding neighborhood has been conducted for purposes of determining neighborhood land usage and general character. The purpose for the subject analysis is two-fold; document the appropriateness of the proposed commercial retail development in light of the requisite DPR and SUP, as well as render an opinion on the development’s consistency with the Comprehensive Plan (both Current and Draft) and related documents.

Although, the subject property is not technically located in one of the designated Villages, it is nevertheless a well-defined connector between the Villages of Peacedale / Wakefield and Kingston, functioning as a major commercial thoroughfare (Route 108). It not only serves the

general public, but also a great number of University of Rhode Island commuters. It is for this reason why there is a vast assortment of commercial entities, ranging from gas stations and restaurants, to smaller retail entities. However, many of the referenced businesses were introduced when development regulations were silent, and therefore constructed in a manner that are now at odds with present site design requirements and desires; thus the reasoning for the Kingstown Overlay. It is also the reason why this Consultant has nevertheless applied the requisite Village style design standards envisioned by the community, because a cohesive appearance throughout the Route 108 corridor will not only improve overall appearance, but also realize numerous Comprehensive Plan goals and objectives.

Current Comprehensive Plan

Guiding Principles - *"The purpose of land use planning is to balance the needs and aspirations of the community with the rights of private property owners."* [Pages 28 - 29]

- o *"South Kingstown's village character 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.)"*
- o *"The existing village areas are unique, each with its own identity and sense of place. The distinct characteristics must protected and enhanced when planning for appropriate growth."*

Draft Comprehensive Plan

Villages as a Model for Growth [Pages LU-6]

- o *"Strengthen and refine the "Village Model" approach to growth within all planning documents, and specifically within the Comprehensive Plan Update."*
- o *"Account for the unique identities and attributes of each village. No two villages are alike, thus each village should have different planning objectives."*

EXISTING PROPERTY and NEIGHBORHOOD CONDITIONS

The subject property, being addressed 1860 Kingstown Road (Route 108), otherwise designated Assessor's Plat 40-1, Lot(s) 125 and 126, and containing upwards of approximately 2.18-acres in overall land area, is presently unimproved ("Property"). There is a minor wetlands pocket situated towards the rear, or along the entire Westerly property boundary. Furthermore, there is a slight pavement encroachment associated with the adjacent automotive sales operation, stated encroachment being situated along the Northeast corner of the Property. Otherwise, the Property is unencumbered, the majority of the overall acreage being defined as suitable for development. The combined parcels are configured in a preferred rectangular manner, thereby being quite capable of accommodating a variety of land uses in a regulatory

compliant manner, the proposed retail operation being one such entity, being otherwise deemed 'conditionally permissible'.

Kingstown Road (Route 108) is both a state highway and classified a 'Principal Arterial' roadway, pursuant to both the Comprehensive Plan and Figure 4: Rhode Island Functional Classification System (Map Created on July 8, 2014). The referenced roadway classification(s) are defined pursuant to the Rhode Island Department of Transportation as follows:

Other Principal Arterials - "These roadways serve major centers of metropolitan areas, provide a high degree of mobility and can also provide mobility through rural areas.

Unlike their access-controlled counterparts, abutting land uses can be served directly. Forms of access for Other Principal Arterial roadways include driveways to specific parcels and at-grade intersections with other roadways. For the most part, roadways that fall into the top three functional classification categories (Interstate, Other Freeways & Expressways and Other Principal Arterials) provide similar service in both urban and rural areas..."

The referenced Property conditions are well reflected by the below illustration, excerpted from the Town's GIS.



The Property is presently zoned Mixed Use District ("MU District"), defined pursuant to Section 101.B 'Zoning Districts - Commercial,' of the Ordinance, in the following manner:

MU District - *"These are zoning districts established within the Kingstown Road Special Management District in order to provide a mixture of residential and limited commercial uses as provided in the comprehensive community plan."*

The Property is also situated with the Kingstown Overlay, defined pursuant to Section 102.D 'Overlay and special management districts,' of the Ordinance, in the following manner:

Section 102 'Overlay and special management districts' - *"These are districts that are superimposed on existing zoning district(s) or part of a district, and impose specified requirements in addition to, but not less than, those otherwise applicable for the underlying district(s)."*

Kingstown Overlay - *"The Kingstown Road Special Management District is located along Route 108, between Peace Dale and Kingston. Its purpose is to prevent the formation of a linear commercial strip in favor of mixed use development that permits limited commercial uses, service establishments and residential uses, as described in the comprehensive plan."*

It appears that there are in fact only 19 such parcels located within the entire Town of South Kingstown; referenced parcels being situated within the proximate area of the Property. A total of four (4) parcels, inclusive of the two (2) associated with the proposed development, are situated on the Westerly side of Kingstown Road, with the remaining 15-parcels situated to the Northeast, across Kingstown Road. Other than the Property, it appears that only one other such zoned parcel is presently unimproved. This indicates that those design aspirations anticipated by development of those few parcels situated within both the MU and Kingstown Overlay Districts, are basically limited to the Property and perhaps one other parcel, with the exception of future redevelopment.

The referenced zoning designations remain consistent with the character of the surrounding neighborhood, as evidenced by the fact that the Property and a number of properties lining Kingstown Road are neither singularly zoned, nor developed in a like manner. Variety in both zoning designations and land usage defines the present Route 108 corridor. However, what is a common ailment, all except for a few newer developments, such as the Public Safety Complex and the apartment facility located to the immediate south, are the lack of design considerations envisioned by the Comprehensive Plan and Ordinance. For example, the placement of off-street parking and almost non-presence of landscaping along the respective lot frontages, as well as excessively large curb-cut openings that permits unimpeded and unsafe traffic circulation. In addition, architecture that is dated, offering limited to no Village-Style appeal. And finally, unattractive signage that maintains the strip commercial appearance so unwanted by the community. The referenced neighborhood conditions are well detailed by the below illustrations, excerpted from Town's GIS and Google Earth, respectively.

[Aerial View, illustrating the Public Safety Complex to the South and Automotive Sales Operations and Gas Station to the North (Credit: Town's GIS)]



[Public Safety Complex (Credit: Google Earth)]



[Apartment Building (Credit: Google Earth)]



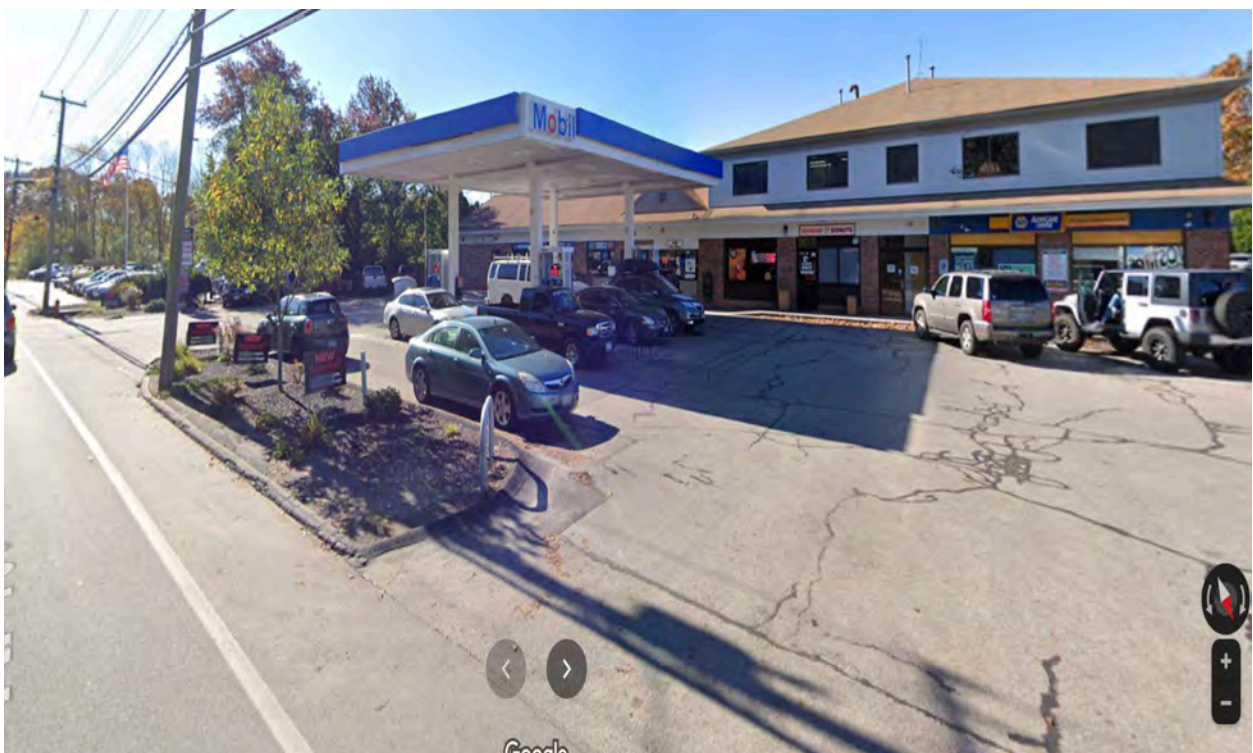
[Automotive Sales Operation (Credit: Google Earth)]



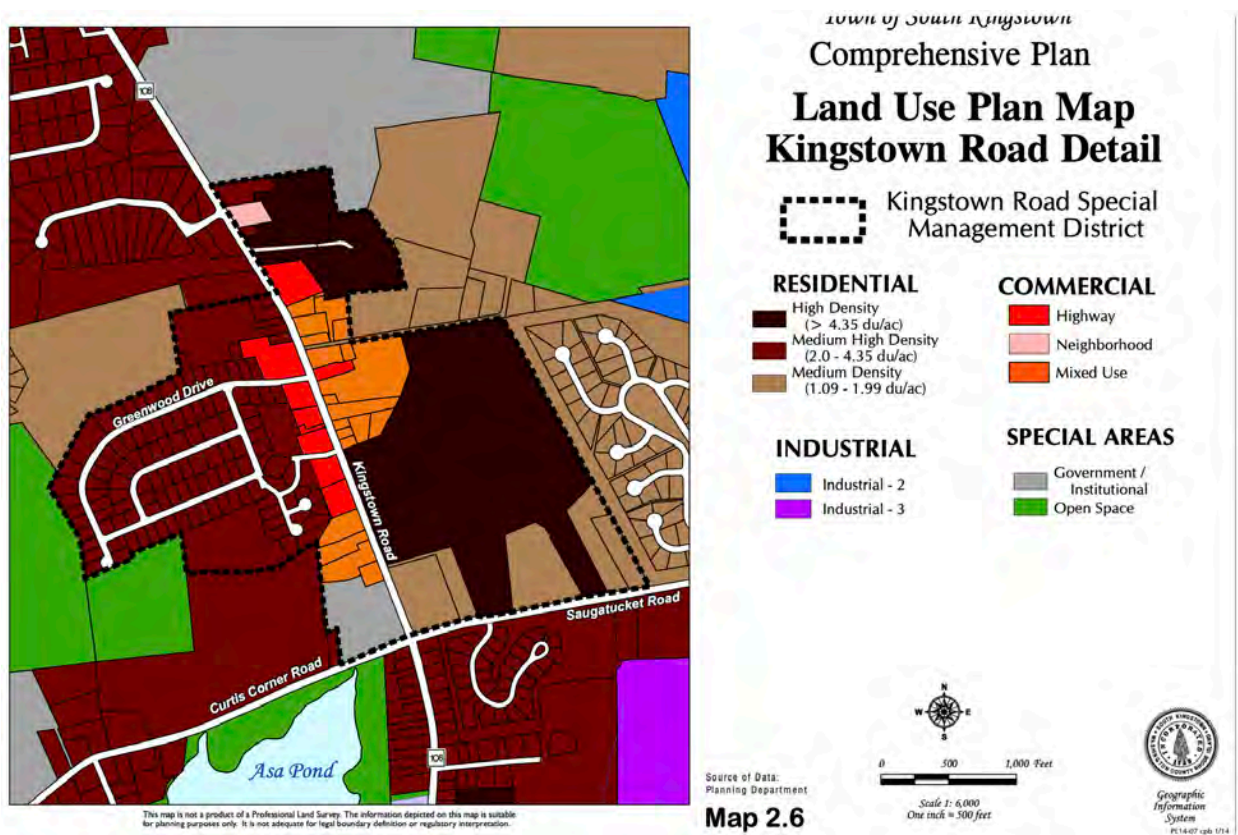
[Gas Dispensing Sales and Commercial Plaza -
View looking South from Allison's Avenue (Credit: Google Earth)]



[Gas Dispensing Sales and Commercial Plaza -
View looking West from Kingstown Road (Credit: Google Earth)]



As has been repeatedly acknowledged throughout this report, the Property is situated within the 'Kingstown Overlay,' pursuant to the Current Comprehensive Plan - Map 2.6 'Land Use Plan Map - Kingstown Road Detail'. The reason why this is of particular importance is due to the fact that there is limited commercially zoned town-wide resources, the vast majority of which are concentrated along the Route 108 corridor. Commercial availability is becoming ever scarce, and therefore opportunities to introduce new development that fulfills all of the community's noteworthy aspirations must be supported. This consultant would reference the Pawtucket Credit Union project, which altered a tired and stagnant property into one that is a prime example of the community's commercial development desires. The Kingstown Overlay, which is comprised of a variety of zoning designations, is illustrated below.



'Table 2 - Land Use Plan Map Categories (2012)', of the Current Comprehensive Plan [Page - Intro-10], details the great disparity between commercial and industrial and all other land resources. The following computations have been extrapolated from the referenced land use classification data.

All Commercial = 576.05-acres. 576.05-acres / 36,346.1-acres (Town wide acreage) = 0.0158 (1.58%).

All Industrial = 332.28-acres. 332.28-acres / 36,346.1-acres (Town wide acreage) = 0.0091 (0.91%).

All Residential = 23,128.19-acres. 23,128.19-acres / 36,346.1-acres (Town wide acreage) = 0.6363 (63.63%).

Open Space = 8,769.84-acres 8,769.84-acres / 36,346.1-acres (Town wide acreage) = 0.2413 (24.13%).

Total 'Residential' and 'Open Space' Acreage = 31,898.03 31,898.03-acres / 36,346.1-acres (Town wide acreage) = 0.8776 (87.76%).

Correlating land use classification to corresponding zoning designation is of the utmost importance, because a singular classification could very well encompass several distinctive zoning districts. Therefore, a follow-up assessment of the various zoning designations and their town-wide allocation is necessary, because land use permissibility is purely attached to the underlying zoning designation of a particular property. 'Table 3 - Zoning Districts (2012)' [Page Intro-11], of the Current Comprehensive Plan, details the respective zoning designations. The following computations, excerpted from the referenced table, not only detail the limited nature of the various commercial zoning designations, but also the specified 'MU District.'

All Commercial = 423-parcels = 0.0357 (3.57%); 520.09-acres = 0.0153 (1.53%)
[CH - Commercial Highway = 21-parcels = 0.0018 (0.18%) 17.85-acres = 0.0005 (0.05%)

All Industrial = 51-parcels = 0.0043 (0.43%); 306.21-acres = 0.0090 (0.90%)

All Residential = 11,082-parcels = 0.9357 (93.57%); 25,005.97-acres = 0.7378 (73.78%)

Total 'Residential', 'Open Space, Conservation and Recreation', and 'Government and Institutional' = 11,367-parcels (0.9598 or 95.98%); 33,057.52-acres (0.9754 or 97.54%)

It is abundantly clear that there is a heavy reliance on residential property taxes too off-set municipal expenditures. Considering that almost 88% of all land resources are either dedicated to residential land uses and/or protected by an 'Open Space' designation, and furthermore, upwards of approximately 97.5% are zoned residential or some non-taxing land usage, there is little land area remaining to maintain an economically balanced environment.

The 'Kingstown Overlay' is defined pursuant to the Draft Comprehensive Plan - 'Table 7: Comparison of Zoning Districts & Future Land Use Map (FLUM) Description [Page 47], in the following manner:

Purpose: "To establish land use development policies for the district; to provide the basis for regulations which will implement these policies; and to guide private land use decisions affecting future development in this corridor."

Characteristics: "The area of Kingstown Road (Route 108) located between Peace Dale and Kingston is seen as being both dynamic and subject to considerable change. Kingstown Road is a principal arterial highway of the State. This roadway also serves as a connecting link between the University of Rhode Island and the urbanized downtown areas of Peace Dale

*and Wakefield, as well as Narragansett and the south shore areas. **Due to its strategic location in the Town there is a need for specialized land use planning efforts. Such roads often develop into commercial strips which exacerbate traffic problems and create visual clutter.***

PROPOSED RETAIL OPERATION

The subject proposal entails developing the Property for retail purposes, otherwise defined as a 'conditionally permissible' land use, provided it does not exceed the 10,000 square foot gross floor area threshold. The proposed retail facility will be one-story in height and have an approximate 7,545 square feet of total gross floor area. In addition, regulatory standards mandate a minimum of 21-spaces, whereas 24-spaces are proposed. It appears that off-street parking has been a point of contention, whether seeking too little or too much, and therefore the applicant will be furnishing only that which is absolutely necessary. One thing is most certain, an overabundance of unnecessary parking is a typical development norm. However, this wasteful feature can be easily addressed while also averting an off-site parking dilemma, with the addition of reserve parking being furnished in a pervious grassed state. Such a technique averts unnecessary impervious surface, and is only pursued should need become evident.

The applicant has been actively pursuing development of the Property for some period of time, even having been denied on a prior occasion. The applicant's desire is to introduce a retail operation that addresses all of the community's desires, inclusive of those that are more esoteric than explicit. For example, the Town desires commercial development that does not contribute to strip-style commercialism and results in visually significant facilities, realizing more Village-Style architecture. Clearly, this is a more esoteric objective, because it would be virtually impossible to prescribe a detailed set of architectural guidelines. Regardless, there are some broad-based objectives that everyone can agree on, such as averting a boxy-style commercial facility. Village-style is averting the typical, dated and stagnant look of yesteryear; a commercial facility not needing to look like a typical store-front. The applicant has literally been to the proverbial drawing board and softened both the massing and scale, as well as overall commercial appearance; introducing architectural features that actually provides points of interest, rather than merely serving in some purely practical fashion.

Current Comprehensive Plan

Guiding Principles - *"The purpose of land use planning is to balance the needs and aspirations of the community with the rights of private property owners."* [Pages 28 - 29]

- o *"Appropriate development in the village areas is of a scale and mass, with architectural design and site planning, that creates visual interest, activates the streetscape, and encourages walking, biking, and transit use."*

Draft Comprehensive Plan

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 illustration on the following page is a pictorial representation of the proposed commercial facility [Credit: BKA Architects].



The same is true of the proposed site design, with consideration dedicated to aesthetics and safety rather than merely operational need.

Draft Comprehensive Plan

Villages as a Model for Growth [Pages LU-6]

- o *“Encourage mixed-use and commercial projects to include inviting, walkable environments with sidewalk amenities such as landscaping, street trees, benches, awnings, lighting, etc.”*

The following is but a sampling of the site design features given special consideration, and not necessarily in any order of significance:

1. Minimizing curb-cut openings to a singular point of ingress and egress, as mandated by the Comprehensive Plan. It should be reiterated that the Property is comprised of two (2) developable parcels, each of which could have been improved with minimally a singular curb-cut opening.

Policy 3.6 – *“The Town supports a policy of improved “access management” for local and state roads and discourages the creation of multiple driveways along the frontage of existing public streets in such a way as to create traffic safety hazards and contribute to visual degradation of scenic roadside areas.”* [Current Comprehensive Plan - Page LU-13]

Implementation

o *“The Town shall limit the creation of multiple, unnecessary driveways and curb-cuts during the development review process in order to support pedestrian activity.”* [Current Comprehensive Plan - Page LU-13]

2. Provision of off-street parking that meets both regulatory and operational requirements, averting unneeded parking that solely realizes excessive impervious lot coverage and reduced green space. In turn, reserved pervious parking will be introduced to assure appropriate on-site parking.

Policy 5.1 - *“The Town recognizes that high quality design and community character issues are an essential component of future development proposals in non-residential areas.”* [Current Comprehensive Plan - Page ED-11]

Implementation

o *“The Town shall revise the parking requirements in the Zoning Ordinance for commercial and industrial projects to avoid over-paving yet include appropriate parking ratios, to require buffering and landscaping of parking areas and to include provisions for street trees.”*

o *“The Town shall ensure that clear standards for parking, setbacks, use and other essential Zoning Ordinance elements will be adopted to address the unique purpose of each commercial and industrial district.”*

3. Provision of amenities serving the needs of pedestrians and bicyclists alike. Sidewalks will be introduced to continue safe passage of pedestrians along Kingstown Road, and from the roadside directly to the entrance of the facility. Furthermore, internal crosswalks will be incorporated across the parking lot, to assure safe passage between the proposed off-street parking and commercial facility. Finally, although there is no dedicated bicycle lane in the immediate area, many residents and students alike do bicycle, and therefore they too should be accommodated whenever possible. A bicycle rack will be provided to assure their equipment is afforded a safe and secure location.

Policy 5.2 - *“The Town encourages the clustering/village concept and scale for commercial development to prevent commercial strip design and support a healthy, walkable environment.”* [Current Comprehensive Plan - Page ED-11]

Implementation

- o *"The Town shall amend regulations to require the installation of attractive bicycle parking facilities for any commercial development requiring development plan review."*

Policy 1.3 – *"The Town shall facilitate pedestrian improvements throughout the community to encourage walking as a healthier, more sustainable option to the single occupant vehicle."* [Current Comprehensive Plan - Page C-7]

Implementation

- o **"The Town shall continue to maintain existing sidewalks and to construct new sidewalks where needed."** *The Town shall encourage construction of sidewalks on collector type roads and within a half-mile radius of schools. The Town shall encourage the connection of sidewalks and/or bicycle paths within and between new subdivisions."*

- o **"The Town shall advocate for safe, human-scaled pedestrian connections between businesses on Old Tower Road and Kingstown Road."** *These connections should be attractively landscaped and properly maintained."*

4. Provision of site amenities that greatly improve a customer's experience and the overall appearance of the Property will likewise be introduced, to include decorative benching for sitting, decorative trash receptacles, and architecturally significant lighting.

Regulatory Improvements

- o **"Require the installation of pedestrian amenities along existing building frontage in village areas, such as attractive landscaping, building design, street furniture and other options as deemed necessary by the Planning Board."** [Current Comprehensive Plan - Page LU-7]

5. Signage is another pertinent site feature that has long-standing impact. Instead of the typical, strip-commercial style pylon signage, the applicant is prepared to introduce a monument sign. The referenced signage has a much-reduced stature, thereby averting being the Property's visual focal point. It will be properly introduced, assuring appropriate vehicular line-of-sights are maintained.

Policy 3.5 - *"The Town shall encourage quality design within its commercial development that provides an amenity to the area, supports a healthy, walkable environment, and avoids a strip highway commercial development patterns characterized by suburban-type shopping centers dominated by parking lots."* [Current Comprehensive Plan - Pages LU 12-13]

Implementation

- o **"The Town shall consider the development of a Signage Ordinance to regulate signs within its commercial districts with a focus on supporting a pedestrian-oriented environment."**

6. And finally, a thoughtful landscape program will be introduced. Proposed landscaping will soften the Property's frontage, buffer the development from surrounding land uses, and maintain

large portions of the Property in a previous green state. It will also address all on-site runoff in an appropriate and environmentally sound manner.

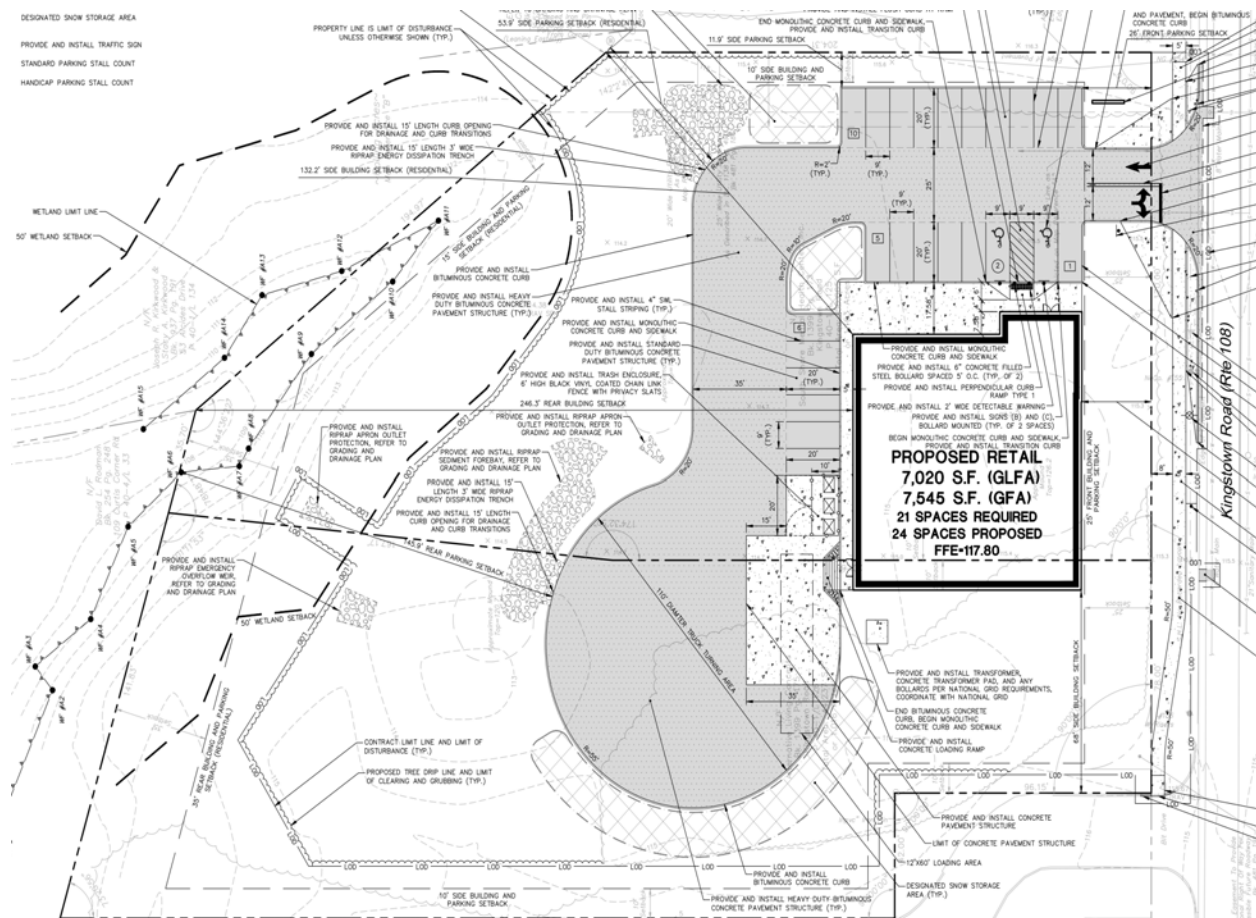
Policy 3.1 - "The Town recognizes that its rural, small-town character and natural resources must be protected and enhanced through appropriate land use regulations, design guidelines, environmental protection, site planning and landscaping regulations." [Current Comprehensive Plan - Page LU-11]

Implementation

o "The Town shall support a Low Impact Development (LID) approach to development and redevelopment by revising its regulations to provide innovative standards for resource protection and site design."

Policy 3.2 - "The Town shall encourage landscape diversity that creates identity and a sense of place, fosters the creation of distinct neighborhoods and villages, and recognizes the natural, historic, and cultural features of the land and surrounding community." [Current Comprehensive Plan - Page LU-11]

The proposed development design is illustrated below, as prepared by the Applicant's Engineer 'BL Companies'.



COMPREHENSIVE PLAN (BOTH CURRENT and DRAFT) CONSISTENCY ANALYSIS

The Comprehensive Plan(s) not only document the community's support for the type of development proposed, but also the proximate location.

Policy 3.2 - **"The Town encourages the revitalization of its Central Core Villages of Wakefield and Peace Dale, as well as adjacent commercial areas, such as the Route 108 corridor, Dale Carlia Corner, and the Old Tower Hill Road corridor."** [Current Comprehensive Plan - Page ED-9]

Land Use Element - Introduction: *"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 2.1 Villages). **The Town has committed to preserving and reinforcing this pattern of development through its future sewer service area map, (see Map 6.1 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 small shops and services and bike paths connect open space and community facilities. **Commercial infill within villages is encouraged to both protect outlying rural areas from development and to provide the range of goods and services required within walking or biking distance of village residents...**"* [Current Comprehensive Plan - Page LU-1]

Pursuant to the Comprehensive Plan(s) 'Retail Trade' is the third largest contributing commercial industry town-wide, representing over 10% of all present operations, and just slightly under 10% of all employment, thereby evidencing its economic importance. It was previously evidenced, pursuant to the Current Comprehensive Plan, that there is quite limited commercially zoned resources, in particular MU District zoned resources. To reiterate, 88% of all land resources are either dedicated to residential land uses and/or protected by an 'Open Space' designation, and furthermore, upwards of approximately 97.5% are zoned residential or some non-taxing land usage. Therefore, with such a heavy reliance on property taxes, especially residential property, the community welcomes new commercial 'revenue' sources. The proposed project will provide a new revenue stream, and one that reflects Village-Style development.

Economic Development Element - Introduction: *"South Kingstown is recognized as a predominantly residential community with a limited commercial and industrial base..."* [Current Comprehensive Plan - Page ED-1]

Land Use Action Plan - *"To promote orderly growth patterns based upon the natural, cultural and historic character of the Town, the land's suitability for use, and the aspirations of its citizens."* [Current Comprehensive Plan - Page LU-8]

Goal 2: **"To maintain a sustainable rate of development which is consistent with the ability of the Town to provide essential services, to achieve a stable tax rate, to protect environmental, historic, and cultural resources, and to provide a healthy environment."** [Current Comprehensive Plan - Page LU-9]

Economic Development Vision - "The Town of South Kingstown will continue to value and support its business community as a source of jobs and as a means to provide the goods and services required by residents and tourists alike. The Town will continue to support shops and offices located in walkable village settings. These small businesses, many of which are locally owned, help reinforce the "small town" character of South Kingstown. The charm of the seaside villages of the community will be preserved while attracting development to create appropriately scaled tourism opportunities. The Town will support current businesses and properly sized expansion of commercial and light industrial development, while protecting the quality of the Town's finite natural and cultural resources. **This may relieve the current tax burden on residential land use while providing additional tax revenue for municipal services. Future commercial and industrial development must not overwhelm the unique character of the community.** Future development should take advantage of multi-modal transportation opportunities at Kingston Station while providing diverse job opportunities for local residents. **Opportunities for mill reuse and infill of commercial development through expansion of existing shops and stores (investment in place), construction of new, or renovation of existing out-of-date or inadequate structures, can foster sustainability of the central core while protecting outlying "greenfields" from development pressure.** Economic development initiatives intended to improve the economic quality of life for town residents must also protect our natural and cultural resources." [Current Comprehensive Plan - Page ED-6]

Goal 1: "To foster a local economy that provides opportunities for a diverse collection of business and industry." [Current Comprehensive Plan - Page ED-6]

Implementation

- o "The Town shall focus supportive efforts toward the local business community to reinforce existing investment and our traditional economy, employment opportunities and the provision of goods and services to our residents and visitors to the community." [Current Comprehensive Plan - Page ED-7]

ZONING ORDINANCE CONSISTENCY ANALYSIS

The proposed development will be fully dimensionally compliant. However, the proposed retail operation, otherwise identified as a 'General Business Service, up to 10,000 s.f. GLFA / Use' pursuant to the 'Schedule of Use Regulations,' is solely permitted by SUP within the MU and Kingstown Overlay Districts. Being situated within the Kingstown Overlay District incurs its own set of standards of approval, in addition to those generally required by all land uses deemed permitted by SUP. The requisite 'Standards' are individually addressed below.

1. Kingstown Overlay Standards of Approval - Section 604

Section 604 - Kingstown Road Special Management District: "Construction of any new use, or significant expansion of any existing use having direct lot frontage on Kingstown Road, Saugatucket Road or Curtis Corner Road within the Kingstown Road Special Management District shall be subject to development plan review, and shall also conform to the following standard."

A. Frontage Lots - "Creation of new lots having frontage and vehicular access on Kingstown Road, Saugatucket Road or Curtis Corner Road shall be avoided. If possible, new lots shall

front on internal streets. The use of common or shared driveways among adjacent lots or access through parcels abutting the frontage lot to the side or rear, and/or construction of private or public access roads shall be employed."

The proposed development does not result in a subdivision that would preclude introduction of a curb-cut opening. However, it needs to be reiterated that the Property is comprised of two (2) parcels that will be eventually merged via the Administrative Subdivision process; two parcels that could be distinctly improved and therefore entitled to individual points of ingress and egress.

B. No-access easement - *"Where permanent vehicular access to the lot is provided from an internal circulation road, through adjacent land, or from any point other than from the roads listed above, the lot shall be restricted by means of an easement granted to the town prohibiting any future driveway or other vehicular access from the roads listed above."*

Not applicable.

C. Common Driveways - *"Where alternative access as provided in subsection A., above, is not possible, adjacent lots of record in the same ownership shall be required to share a common driveway so as to limit the total number of driveways with direct access to the roads listed above to the smallest possible number. Standards for common driveways shall be as provided in the subdivision and land development regulations of the Town of South Kingstown."*

Once again, the parcels will be eventually merged serving the needs of a singular commercial entity, and necessitating a singular point of ingress and egress .

D. Parking - *"Parking lots shall be located to the side or rear of the building away from major streets whenever possible. The area between the building and the street shall be devoted to a landscaped street yard."*

The proposed development realizes full compliance. The front-yard will be entirely landscaped, with the exception of the requisite driveway opening. In addition, all off-street parking will be situated towards the side and rear of the commercial facility

E. Landscaped street yards - *"Within any zoning district within the Kingstown Road Special Management District any lot having direct frontage on Kingstown Road, Saugatucket Road or Curtis Corner Road shall provide landscaping within the area between the street right-of-way line and the principal building. Landscaped street yards may contain only the following features:"*

The entire lot frontage will be entirely landscape, with the exception of the requisite driveway opening

1. *"Landscaping, as provided in the subdivision and land development regulations."*

Realizes full compliance, as evidenced by the submitted landscape plan.

2. *“Driveways, not to exceed twenty (20) feet in width for single-household and two-household residential uses, or thirty-five (35) feet in width for any other uses, with no parking permitted.”*

Proposed driveway will be approximately 24-feet in overall lot width.

3. *“Pedestrian walkways or bicycle paths.”*

Proposed pedestrian pathway from Kingstown Road to the facility will be introduced.

4. *“Permitted freestanding signs.”*

Monument sign proposed; appropriately situated to avert property disturbance and unsafe vehicular conditions.

5. *“Mailboxes customarily accessory to residential uses.”*

Not applicable.

6. *“Street signs or traffic control signs.”*

Only as absolutely needed.

7. *“Underground utilities.”*

Only as absolutely needed.

F. Location of buildings - *“In order to allow parking in the rear of the building in the Kingstown Road Special Management District, the front yard and corner side yard setbacks may be reduced to zero (0) by the planning board as a condition of approval of development plan review.”*

The proposed development will not only maintain all off-street parking outside of the requisite front-yard, but also maintain a substantial facility setback so that the front-yard can be well-landscaped.

G. Residential Uses - *“Single-household and two-household detached structures having direct lot frontage on Kingstown Road, Saugatucket Road or Curtis Corner Road within the Kingstown Road Special Management District shall be subject to development plan review, and shall also conform to the following standards.”*

Will address and fully comport with all requisite design standards prescribed by the DPR regulations.

1. *“Common driveways shall be employed for adjacent lots wherever possible.”*

Not applicable.

2. "A landscaped street yard shall be required."

Appropriately introduced, as detailed in both the LD Regulations and Ordinance.

3. "Any garages shall have doors facing to the side or rear of the house and away from the roads listed above."

Not applicable.

4. "Any off-street parking facility located on the side of the house or in any side yard shall be screened from the roads listed above."

Not applicable. Nevertheless, all off-street parking areas will be appropriately landscaped and buffered.

H. Drive-through-windows - "Notwithstanding the provisions of section 220, no drive-through window service of any kind accessed by motor vehicles for any use shall be permitted within the Kingstown Road Special Management District."

Not applicable.

I. Maximum building size - "Within the Kingstown Road Special Management District, no structure containing any use shall exceed seven thousand five hundred (7,500) square feet of gross leasable floor area (GLFA). The GLFA of a shopping center shall not exceed ten thousand (10,000) square feet. No single use within a shopping center, however, shall exceed seven thousand five hundred (7,500) square feet GLFA."

Proposed commercial facility will be improved with approximately 7,020 square feet of gross leasable floor area.

J. Driveway Openings - "The width of driveway openings (curb cuts) on Kingstown Road shall be no more than twenty-four (24) feet for any use, other than Automotive or Gasoline Service Stations (use code 45) and Public Safety Facilities (use code 25.2)."

Proposed driveway will be approximately 24-feet in overall lot width.

K. Prohibited Uses - "Any use in Use Code Category 10 - Marijuana-Related Uses shall be prohibited within the Kingstown Road Special Management District."

Not applicable.

2. SUP General Standards of Approval - Section 907.A.2

Section 907.A.2 Standards for Review - Special Use Permit: "In granting a special use permit, the Board shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings."

(a) "That the special use is specifically authorized by this Ordinance, and setting forth the exact subsection of this Ordinance containing the jurisdictional authorization."

Section 301 - Schedule of Use Regulations Table

Subsection 400 - General Services

Usecode 44 - "General Business Service, up to 10,000 s.f. GLFA / Use. Permitted by SUP within the MU District.

(b) *"That the special use meets all of the criteria set forth in the subsection of this Ordinance authorizing such special use."*

Compliant. Refer above, under the preceding section. Will also realize full dimensional compliance.

(c) *"That the granting of the special use permit will not alter the general character of the surrounding area or impair the intent or purpose of this Ordinance or the Comprehensive Plan of the Town. In so doing, the Board shall consider, whether or not satisfactory provisions and arrangements have been or will be made concerning, but not limited to the following matters, where applicable."*

The general 'Neighborhood' and extensive 'Ordinance' and 'Comprehensive Plan' analyses prepared by this Consultant, evidences the appropriateness of permitting a retail operation. In addition, the requisite 'matters' are individually addressed as follows:

(i) *"Ingress and egress to the lot and to existing or proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire, emergency or catastrophe."*

A singular dedicated ingress and egress point will be provided to maintain an orderly vehicular flow. Furthermore, internal travel patterns will be designed to ensure sufficient off-street parking and pedestrian safety.

(ii) *"Off-street parking and loading areas where required, with particular attention to the items in subsection A.1., above, and the noise, glare or odor effects of the special use permit on adjoining lots."*

The proposed retail operation will not generate any unusual noise or odor, or any other nuisance-like effect. Off-street loading has been furnished. Finally, sufficient off-street parking will be provided, and in a manner that averts unsafe interaction with pedestrians.

(iii) *"Trash, storage and delivery areas with a particular reference to the items in (i) and (ii) above."*

Once again, no unusual deliveries nor storage requirements are anticipated, and therefore storage and delivery areas have been provided that correspond to operational needs. Trash will be properly disposed of in an appropriately screened dumpster to be located towards the rear of the Property.

(iv) *“Utilities, with reference to locations, availability and compatibility.”*

All utilities, to include public sewer and water, are available, and will be accordingly connected.

(v) *“Screening and buffering with reference to type, dimensions and character.”*

Considerable vegetative screening will be maintained throughout to soften the proposed commercial operation, and screen proximate land uses.

(vi) *“Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district.”*

All signage and lighting will comply with the respective ‘Dark Sky’ performance standards. Signage will also be minimized, only that necessary to advertise the proposed commercial entity. A monument sign is proposed to avert strip-commercial style development.

(vii) *“Required yards and other open space.”*

Will realize full dimensional compliance.

(viii) *“General compatibility with lots in the same or abutting zoning districts.”*

The personally prepared general neighborhood analysis evidences appropriate neighborhood compatibility. Furthermore, facility positioning and proposed landscaping, will basically screen the operation from immediate land uses.

CONCLUSION

It is this Consultant's professional opinion that the proposed development will be consistent with the goals and objectives of the Comprehensive Plan, specifically the Land Use and Economic Development Elements, and can therefore be fully supported and approved by the Town of South Kingstown Planning Board and Zoning Board of Review. My professional opinion is based upon the manner in which the proposed retail operation can be well incorporated into the overall fabric of the surrounding neighborhood, realizing much-desired Village-Style development.

PIMENTEL CONSULTING, INC.
Edward Pimentel, AICP
26 Avon Road
Cranston, Rhode Island 02905

(401) 529-0647 – Cellular
Tax ID No. 56-2331684
on-line: edaicp@yahoo.com

SUMMARY of QUALIFICATIONS

Forward-thinking, pragmatic urban planning professional with twenty (20+) years of practical experience. Skilled in a variety of neighborhood and commercial planning and zoning activities, frequently in a supervisory or managerial capacity. Solid track records with proven effectiveness in, but not limited to, the following areas:

- ⇒ **Zoning Boards of Review**
- ⇒ **Community Planning and Consulting**
- ⇒ **Planning Boards / Commissions**
- ⇒ **Subdivision Review and Planning**
- ⇒ **City / Town Councils**
- ⇒ **Superior Court**
- ⇒ **Code Enforcement**
- ⇒ **Residential, Commercial and Industrial Development**

SELECTED EXAMPLES of ACCOMPLISHMENT

- Testified before numerous boards, commissions and councils on matters of residential, commercial, and industrial development, as well as changes / amendments to Zoning Ordinances and Comprehensive Plans.
- Testified before Municipal and Superior Court on matters of code enforcement and general land use planning.
- Authored various documents including Cost of Community Services Study, Revitalization Plans, Zoning Ordinances, Comprehensive Plan Amendments and the first Telecommunications Ordinance in the State of Rhode Island.
- Responsible for reviewing all development associated with the Quonset Point / Davisville Industrial Park, an approximately 3,500 acre industrial park, site of the former Sea Bee Navy Base, numerous mill rehabilitation projects, including Pocasset Mill, Johnston, RI (Comprehensive Plan Amendments).
- Responsible for reviewing numerous residential subdivisions, especially expert in the field of Comprehensive Permits (Affordable Housing). Work product cited by the Rhode Island Supreme Court.
- Represented clients before numerous Zoning Boards of Review throughout the State of Rhode Island, on a variety of variance and special use permit petitions, with a greater than 90% success rate.
- Extensive energy and renewable energy projects, including solar, wind and gas-fired eccentric generating assets.

EDUCATION

MASTERS OF COMMUNITY PLANNING AND DEVELOPMENT
University of Rhode Island - Masters Received 1994

University of Florida - Studied City Planning - 1991 / 1992

BACHELOR OF ARTS – URBAN AFFAIRS; MINORS IN MATHEMATICS AND PHILOSOPHY
University of Rhode Island - BA Received 1990

ACCREDITATION: AMERICAN INSTITUTE of CERTIFIED PLANNERS – May 1996

PROFESSIONAL EXPERIENCE

Land Use Consultant
East Providence, Rhode Island

PIMENTEL CONSULTING, INC.

Zoning Officer
East Providence, Rhode Island

CITY OF EAST PROVIDENCE

Consulting Town Planner
Barrington, Rhode Island

TOWN OF BARRINGTON

Town Planner
Wayland, Massachusetts

TOWN OF WAYLAND

Principal Planner
North Kingstown, Rhode Island

TOWN OF NORTH KINGSTOWN

Assistant Planner
East Providence, Rhode Island

CITY OF EAST PROVIDENCE

Planning Consultant
Newport, Rhode Island

NEWPORT COLLABORATIVE

Planning Intern
Orange City, Florida

CITY OF ORANGE CITY

RHODE ISLAND AIR NATIONAL GUARD

Plans and Implementation Communications Specialist
Rhode Island Air National Guard 1995 – Retired 2013

Security Police Officer
Rhode Island Air National Guard 1987 – 1990

CIVIC

WGBH – Community Advisory Board Member
Cambridge, Massachusetts 2000 - 2003

SPECIAL SKILLS AND TRAINING

- Fluent in Portuguese