



Town of South Kingstown, Rhode Island

PLANNING DEPARTMENT

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ATTACHMENT A

Draft Motion: “The South Kingstown Planning Board hereby grants Conceptual Master Plan approval to the Residences on Holley, a proposed twelve (12) unit multi-household land development project containing six (6) duplex structures for a total of twelve (12) with three (3) units being deed-restricted low and moderate-income housing units, located on Holley Street, Scot Hallberg, *applicant*, Southern Rhode Island Professional Center, LLC, *owner*. This approval is based upon plan set entitled: “*Proposed Conditions Plan*, Master Plan Submission for “The Residences on Holley”, AP 57-1 Lot 110, Holley Street in South Kingstown, Rhode Island, dated September 29, 2020 (with revisions through March 15, 2021) prepared by Principe Company, Inc., PO Box 298, Tiverton, RI 02878.

| <u>Sheet</u> | <u>Title</u> | <u>Prepared By</u> | <u>Date</u> | <u>Revision Date</u> |
|--------------|---|--------------------|--------------------|----------------------|
| 2 of 3 | Existing Conditions Plan | Principe | September 29, 2020 | -- |
| 3 of 4 | Proposed Conditions Plan | Principe | September 29, 2020 | March 15, 2021 |
| 4 of 4 | Prospective Building Plans & Renderings | Principe | September 29, 2020 | March 15, 2021 |

Findings of Fact

- A. This subdivision is consistent with the requirements of the Comprehensive Plan.
- B. This subdivision conforms to the standards and provisions of the South Kingstown Zoning Ordinance.
- C. No lot is designed and located in such a manner as to require relief from Article 5, Section 504.1 of the Zoning Ordinance, as amended.
- D. There will be no significant negative environmental impacts from the proposed development as shown on the plans, with the required conditions of approval.
- E. This subdivision, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on these lots according to pertinent regulations and building standards would be impracticable.
- F. All proposed lots have adequate and permanent physical access to a public street, namely Holley Street.
- G. With the required conditions of approval, this subdivision will provide for adequate surface water runoff, for suitable building sites and for the preservation of natural, historical, or cultural features that contribute to the attractiveness of the community.
- H. The design and location of building lots, utilities, drainage improvements, and other improvements in this subdivision minimize flooding and soil erosion.
- I. The applicant has included one (1) additional deed restricted affordable unit in excess of the two (2) units required in accordance with Section 502.6 (Inclusionary Zoning) and proposes to deed restrict this additional unit for ownership or rental up to 120% AMI.

Findings of Fact, Inclusionary Zoning & Affordable Units

- J. Pursuant to Article 5, Section 502.6 E. of the Zoning Ordinance, the Planning Board hereby accepts the plan presented by the applicant which demonstrates the ability of the development parcel to support a ‘basic maximum number’ of twelve (12) units.
- K. The applicant has proposed that three (3) of the twelve (12) units will be deed restricted affordable to ‘low and/or moderate income households’ as defined under Rhode Island General Laws §45-53 and the South Kingstown Zoning Ordinance.
- L. The Planning Board finds that the proposed affordable units (located in Building 1, Building 4, and Building 5) are integrated within the development and that the design of these units is consistent with the design of the market rate lots within the development. Based on this finding, the Planning Board has determined that the overall project design meets the intent of Article IV.I of the Town’s Subdivision and Land Development Regulations.
- M. These affordable units shall be built and available for occupancy simultaneously with the construction and availability for occupancy of the market rate units in each of any separate phases of development.
- N. Consistent with Section 502.6.J. of the Zoning Ordinance, the affordable units shall be exempt from the Town’s Pacing and Phasing requirements.
- O. The affordable units shall be eligible for an exemption from the payment of Fair Share Development Fees pursuant to Section 1101.D.1 of the Zoning Ordinance and Section II, Element 5, III of the Town’s Capital Improvement Program.

Findings of Fact, Requested Relief

In accordance with Article VIII, Section B(1) of the Subdivision and Land Development Regulations with regard to waivers, the Planning Board hereby grants the following waivers:

| <i>Section</i> | <i>Waiver</i> |
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| <u>Article IV, Section H(7)</u> Front yard setback | Waiver from the minimum 100’ front-yard setback from a public street for multi-household land development projects. |
| <u>Article IV, Section H(9)</u> Building Separation | Waiver from the required 50’ building separation requirement between two (2) buildings or any two (2) rows of buildings substantially parallel to each other. |

In doing so, the Planning Board finds that:

- P. The waivers or modifications are reasonable and within the general purposes and intent of these regulations; and that
- Q. Literal enforcement of the regulations is impracticable and will exact undue hardship because of the peculiar conditions pertaining to the land in question; or waiver or modification of the regulations is in the best interest of good planning practice or design (assuming conformance with conditions of approval) as evidenced by consistency with the Comprehensive Community Plan and the Zoning Ordinance.

Conditions of Approval

1. The use of the property shall be limited to Use Code 11 (two-household detached structure) for residential development as proposed unless further amended by the South Kingstown Planning Board during the Preliminary Plan stage of review.
2. This approval is limited to twelve (12) residential dwelling units in total.

3. This approval is further limited to nine (9) market rate units and three (3) affordable units for a total of twelve (12) units.
4. As part of the Preliminary Plan submittal, the applicant shall include architectural renderings/elevations from a licensed/registered architect familiar with Traditional Neighborhoods Design (TND) as well as massing principals for all of the proposed buildings. Such renderings/elevations shall demonstrate conformity with Article IV. H (7) and (9) of the South Kingstown Subdivision and Land Development Regulations to support the applicant's assertion that the development equates to good planning and is therefore subject to dimensional relief under the waiver provisions. The final design of the residential units shall incorporate elements that connect the units to Holly Street and create private and semi-private spaces along with pedestrian-friendly connections to the neighborhood to encourage people to walk and to interact with their neighbors that enhances both the community's identity and value. The design of the building fronting on Holly Street shall incorporate slight variations in architectural style and fenestration to break the monolithic appearance of one particular style or repetitive pattern. The incorporation of well-designed units with simple architectural features such as a heavy emphasis on "front porches" and the creation of larger transitional spaces from indoor to outdoor to encourage community interaction as a component of good planning. In order to incorporate additional architectural elements the Planning Board recognizes that the developer needs to request a waiver of the front yard setbacks to accommodate design elements at the preliminary plan phase.
5. The applicant shall submit a screening (hardscaping and/or landscaping) to diminish the effects of headlight glare on the residential properties located to the west of the proposed development.
6. Fair Share Development Fees as required in the Zoning Ordinance and as amended annually in the Capital Improvement Program shall be required for each of the nine (9) market rate units.
7. This residential land development project shall satisfy its affordable housing component requirement with the dedication of units (within Building 1, Building 4 and Building 5) available for ownership/occupancy by 'low/moderate-income households' as defined under Rhode Island General Laws §45-53 and the South Kingstown Zoning Ordinance.
8. The lease, sale or transfer of the three (3) deed-restricted units shall remain affordable to low or moderate income households for a period of ninety-nine (99) years.
9. The affordable units must meet the criteria for subsidy and deed restrictions such that the units count toward the low and moderate income housing stock within the Town.
10. Proposed LMI Housing units shall be integrated throughout the development, shall be compatible in scale and architectural style to the market rate units within the project, and they shall be built and offered for occupancy simultaneously with the construction and occupancy of the market rate units.
11. As part of the Preliminary Plan submittal, the applicant shall confirm which specific buildings will contain the LMI Housing units and shall propose the schedule by which the LMI Housing units will be constructed. Said schedule shall not exceed the construction of three (3) market-rate units for every one (1) LMI Housing unit.
12. As part of the Preliminary Plan submittal, the applicant shall include a Letter of Eligibility from Rhode Island Housing for the project as proposed.
13. As part of the Preliminary Plan submittal, the applicant shall provide drafts of a 'Monitoring Agreement' and a 'Deed Restriction' that will ensure that affordability

- guidelines will be met. Such documents shall be subject to the review and approval of the Town's Special Legal Counsel and the Planning Board.
14. As part of the Preliminary submittal, the applicant shall provide a traffic report detailing the anticipated traffic impacts from the proposed development and the adequacy of the existing and proposed roadways to safely accommodate existing and projected traffic.
 15. The preliminary project design shall include a detailed erosion and sedimentation control plan including any proposed stockpile containment. The plan shall clearly identify the proposed limits of disturbance and incorporate best management practices as outlined in the Rhode Island Soil Erosion and Sedimentation Control Handbook.
 16. Electric, telephone and cable services shall be installed underground.
 17. The applicant shall utilize low impact drainage methodologies in conformance with the Rhode Island Stormwater Design and Installation Standards Manual or other best management practices.
 18. The monitoring agent for the project shall be certified and qualified by the Rhode Island Housing and Mortgage Finance Corporation.