

5. PRE-APPLICATION CONCEPT REVIEW, MAJOR LAND DEVELOPMENT PROJECT - Hillside Commons
Scot Hallberg, owner/applicant

Application Overview

Project Name:	Hillside Commons
Project Type:	Flexible Design Residential Project, Multi-Household Major Land Development
Review Stage:	Pre-Application Concept Review
Location:	AP 57-2, Lot 59
Address:	Kelley Way
Parcel Size:	2.95 acres
Zoning District(s):	Route 1 Special Management District
Development Proposal:	Nineteen (19) unit multi-household land development project, designed as a Flexible Design Residential Project (FDRP).
Parking:	2 spaces are required per unit, for a total of 38 spaces. Each unit is to be designed with two (2) spaces immediately adjacent, and there are seventeen (17) additional spaces proposed, for a total of 55 spaces.
Utilities:	The site is proposed to be serviced by public water and sewer, and will have access to natural gas. All utilities will be underground.
Existing Use/Conditions:	The parcel is currently vacant, and is primarily wooded.
Additional Information:	The site is within FEMA Flood Zone "X," which includes areas outside of the 0.2% annual chance of flooding. The site does not fall within the Town's Groundwater Protection or High Flood Danger overlay zones, nor is it within an RIDEM Groundwater Protection Area or Natural Heritage Area, or the area covered by any CRMC Special Area Management Plan.

Review Procedure and Decision Deadline

Pursuant to the Zoning Ordinance and Subdivision and Land Development Regulations, no decision is required for Pre-Application Concept Review.

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, and 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.

Route 1 Special Management District

Section 605 of the Zoning Ordinance sets forth the standards for review of projects within the Route 1 SMD. Section 605.5 states,

“Within the southern portion of the District, the Board may allow a greater percentage of buildable land (50 percent) to be devoted to low-impact residential development provided such development is found by the Board to be at a scale and density appropriate to the southern District setting, provides adequate buffers to existing land uses in the vicinity and is not visually intrusive from Route 1.”

Section 605.5 further sets forth the following standards, on which the Board must make positive findings of fact during the Conceptual Master Plan stage of review:

- “1. The proposed use will have no or very limited impact on those Town capacities that are critical in constraining the Town's current six-year capacity, as identified by the Town Council in determining that capacity as provided in Article 11, Section 1102.4.D of the Zoning Ordinance.
2. The applicant has demonstrated that the site planning methodology, standards and techniques utilized in the preparation of the site plan for the proposed land development project are consistent with the "South Kingstown Residential Design Manual", (South Kingstown Subdivision and Land Development Regulations, Article IV, A.4.a - e).
3. The design and scale of the project is found to preserve and enhance the Route 1 viewshed by providing buffers that are determined to be adequate, building yard setbacks that meet or exceed the requirements of any adjacent residentially zoned properties and open space that meets the requirements of Article 6, Section 605, without the inclusion of required highway buffer areas.
4. The density of the proposed development is found be appropriate to the southern district setting.”

Section 605.9 sets forth the dimensional and density standards for uses within the Route 1 SMD, establishing the following standards for Multi-household Land Development Projects, with two bedrooms or less per unit:

Minimum Lot Area: 20,000 sq. ft.

Maximum residential density: 5.0 dwelling units/developable acre

Build-to line: As established by the Planning Board

Front yard: Minimum of 10 feet, maximum of 20 feet

Rear yard: Minimum of 55 feet

Side yard: Minimum of 10 feet

Minimum separation between buildings: 30 feet for buildings containing 4 or fewer units

Maximum lot building coverage: 60%

Minimum pervious area: 30%

Rear yard parking and service lane access are required.

Section 605.15 sets forth the Open Space requirements within the Route 1 SMD. At least 15% of land suitable for development within the District shall be provided as open space. Of note, applicants may provide open space by designation of such upon the individual parcel proposed for development, designation of such in another part of the district, or payment of a fee-in-lieu of open space dedication. Prior to the approval of any development within the District, an overall conceptual open space use plan for the parcel being developed must be submitted.

Flexible Design Residential Projects

Flexible Design Residential Projects (FDRPs) are governed by Section 502.5 of the Zoning Ordinance and Article IV, Section A, of the Town's Subdivision and Land Development Regulations.

The Subdivision and Land Development Regulations set forth a design process that is to be used when laying out the site. During the Conceptual Master Plan stage of review, applicants are to demonstrate that the design process was considered in determining the proposed layout. The design process relies heavily on understanding and evaluating the site, and designating open space before locating development areas.

Section 502.5 sets forth the maximum density for an FDP as "the number of lots (or dwellings) which could reasonably be expected to be developed upon the FDP site under a yield plan [...], plus any incentive dwelling units; provided, however, that the maximum number of permitted dwelling units in the FDP **shall not be increased by a factor of more than 1.3 above the basic maximum number [...].**"

The zoning ordinance allows the following density incentives:

1. The number of single household dwelling units having one or fewer bedrooms, including so-called "studio units" may be increased by a factor of 1.2 for the purpose of calculating the basic maximum number; and/or
2. The number of single household dwelling units having a maximum of two bedrooms, including so-called "studio units" may be increased by a factor of 1.1 for the purpose of calculating the basic maximum number; and/or

3. Where the Planning Board determines that occupancy of the dwelling unit in the FDRP is limited to adults 55 years of age or older, subject to the exceptions set forth in the Federal Fair Housing Act, the basic maximum number of permitted dwelling units in the development may be increased by a factor of 1.2; and/or

4. Where the Planning Board determines that the amount of open space area provided in the entire FDRP exceeds the minimum required amount as provided in the Subdivision and Land Development Regulations, the basic maximum number of permitted dwelling units in the development may be increased by a factor in accordance with the following table:

Amount of Open Space Provided	Permitted Increase in Density (Factor of)
5 to 10 percent more than minimum	1.05
Between 10 and 20 percent more than minimum	1.1
Between 20 and 50 percent more than minimum	1.2
More than 50 percent above minimum	1.3

This project will be subject to the Town’s inclusionary zoning provisions (Section 502.6 of the Zoning Ordinance), with a minimum of 20 percent of the basic maximum number of lots/units to be designated as low- and moderate-income (LMI) housing units. As such, the project will also be provided a zoning incentive increasing the basic maximum number of lots or dwelling units by a factor of 1.2 percent. This is included in the maximum increase of 1.3.

Review to Date

04/26/17 TRC review of Pre-Application Concept Plan

Identified/Outstanding Issues

TRC Review of Preliminary Plan

For a complete summary of the discussion held during the TRC meeting on April 26, 2017, please see the Meeting Summary. A summary of the identified issues from the TRC’s review is included in the table below.

Identified Issues

Item/Issue Discussed	Recommendation	Recommending Entity	Status
ADMINISTRATIVE ISSUES			
Elderly designation	Discuss with the Board whether they prefer elderly or family housing with	TRC	Unresolved

Item/Issue Discussed	Recommendation	Recommending Entity	Status
	the Planning Board		
Architectural design	Discuss the intended architectural design of the project with the Board, including variety in facades	TRC	Unresolved
Existing Resources and Site Analysis Map	Submit an Existing Resources and Site Analysis Map that meets the requirements of the Regulations	TRC	Unresolved
SITE DESIGN ISSUES			
10' southerly buffer	Discuss the need for the 10' buffer along the southern edge of the property with the Planning Board	TRC	Unresolved
Sidewalk design	Discuss design/materials of sidewalk with the Board	TRC	Unresolved
Traffic flow off-site	Discuss with the Board the appropriate amount of visitor parking	TRC	Unresolved
Visitor parking	Discuss with the Board the appropriate amount of visitor parking	TRC	Unresolved
LANDSCAPING ISSUES			
100' buffer plantings	Determine whether the existing vegetation within the buffer can be preserved, and whether it needs to be supplemented with evergreen materials	TRC	Unresolved