



**SOUTH KINGSTOWN PLANNING DEPARTMENT
PROJECT REVIEW MEMO**

Health Concepts, Ltd.

Advisory Development Plan Review, Advisory to Zoning

September 28, 2021

Project Type:	Development Plan Review, Advisory to Zoning		
Review Stage:	N/A		
Address:	2115 South County Trail		
Plat:	9	Lot:	59
Parcel Size:	4.98 acres	Zoning District:	R80
Applicant:	Health Concepts, Ltd. c/o Andrew Piro 359 Broad Street Providence, RI 02907	Owner:	Same

Property Characteristics

The subject property is the location the South Kingstown Nursing & Rehabilitation Center, a 96-bed skilled nursing and rehabilitation center offering licensed rehabilitation and alzheimer's care, as well as long-term care for those in need of assistance with chronic illness or multiple activities of daily living. The facility is comprised of approximately 33,600 square feet of interior space supported by parking in the front and rear of the facility.

Project Description

The proposed improvement is a 961 square foot basement addition to locate a 12,000 gallon modular water tank with pump, a fuel tank, and storage room. The area above this addition will be utilized as an open air deck with egress for the existing southern corridor.

Parking

This improvement does not impact parking requirements or increase demand as it is related to utility improvements of the facility.

Landscaping

Limited landscaping improvements are proposed in the area immediately to the east of the addition and are internal to the site.

Utilities

No other modification to utilities serving the existing structure are required.

Drainage

A Stormtech Stormwater SC-740 chamber system will be installed to mitigate stormwater discharge from the proposed improvements.

Waivers Required

No waivers are required or have been proposed for this project.

Regulatory Considerations

Zoning Ordinance – Article 3, Sec. 301: Schedule of Use Regulations Table

Per Section 301 of the Zoning Ordinance, this project requires a Special Use Permit as a Residential Care and Assisted Living facility located in an R80 Zoning District. Since the Special Use Permit is required in addition to the Development Plan Review approval, the Planning Board is required to provide the Zoning Board with an advisory opinion in regard to the issuance of the Special Use Permit as part of the review of the Development Plan application.

<i>Use Code</i>	<i>Use</i>	<i>Allowance</i>
24.4	Residential Care and Assisted Living	S (Special Use Permit)

Zoning Ordinance – Article 9, Sec. 907: Variances and special use permits

Per Section 907.A.2 of the Zoning Ordinance, in granting a special use permit, the [Zoning] 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;
- b. That the special use meets all of the criteria set forth in the subsection of this Ordinance authorizing such special use; and
- 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:
 - (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;
 - (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;
 - (iii) Trash, storage and delivery areas with a particular reference to the items in (i) and (ii) above;
 - (iv) Utilities, with reference to locations, availability and compatibility;
 - (v) Screening and buffering with reference to type, dimensions and character;
 - (vi) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district;
 - (vii) Required yards and other open space;
 - (viii) General compatibility with lots in the same or abutting zoning districts.

Technical Review and Applicant's Response

This application was reviewed with the applicant at the Technical Review Committee meeting on September 8, 2021. Upon review and discussion with the applicant's project team the TRC granted **conditional approval** of the application with the following conditions subject to confirmation by the Planning Board:

1. The applicant shall receive a Special Use Permit from the Zoning Board for this care facility in an R80 residential zone;

2. Any lighting associated with egress improvements shall be dark sky compliant;
3. Required to be approved by the State Fire Marshall as a state regulated facility prior to issuance of a building permit; and
4. Stormwater features must be designed to meet the requirements for 25-year storm;

Decision Deadline

Pursuant to the Zoning Ordinance and Subdivision and Land Development Regulations, there is no deadline for Planning Board decisions on Development Plan Review applications.

Required Findings

In accordance with Article IV.F(3) of the Subdivision & Land Development Regulations, prior to granting Development Plan Review approval the Planning Board shall find that:

- a. The granting of approval will not result in conditions inimical to the public health, safety, and welfare;
- b. The granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district;
- c. The plans for such project comply with all the requirements of the Zoning Ordinance and the Subdivision & Land Development Regulations;
- d. The plans for such project are consistent with the Comprehensive Plan; and,
- e. Any conditions or restrictions that are necessary to ensure that these guidelines have been met have been incorporated into the written approval.

Draft Motion

The following motion with associated findings and conditions of approval is being offered for consideration by the Planning Board and should be amended accordingly if deemed appropriate or otherwise necessary.

“The South Kingstown Planning Board hereby grants advisory Development Plan approval to Health Concepts, Ltd. for the construction of a 960 square foot addition for fire pump and tank expansion and associated improvements on Assessor’s Plat 9, Lot 59 located at 2115 South County Trail, Health Concepts, Ltd., *applicant/owner*. Development Plan approval for this application is based upon plans entitled *Site Plans for South Kingstown Nursing & Rehabilitation Center Basement Addition*, A.P. 9, Lot 59, 2115 South County Trail, South Kingstown, Rhode Island, 02892, Sheets SP-1 & SP-2, and Sheets C-1 through C-4, dated August 2021, completed by Garofalo & Associates, Inc., Joe Casali Engineering, Inc., 85 Corliss Street, P.O. Box 6145, Providence, RI 02940.

This approval is based upon the following Findings of Fact and Conditions of Approval:

Findings of Fact

- a. The granting of approval will not result in conditions inimical to the public health, safety, and welfare.
- b. With the required Conditions of Approval, the granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district.
- c. With the required Conditions of Approval, the plans for the project comply with all the requirements of the Zoning Ordinance and the Subdivision and Land Development Regulations.
- d. The plans for the project are consistent with the Comprehensive Community Plan.

- e. Any conditions or restrictions that are necessary to ensure that these findings have been met have been incorporated into this approval.

In addition to the Development Plan Review standards listed above, the Planning Board further finds that:

- f. The requested use at the proposed location is sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area.
- g. The exterior appearance of the structure is consistent with the exterior appearance of existing structures within the immediate neighborhood, so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood.

Conditions of Approval

1. Approval is conditioned upon the applicant obtaining the required Special Use Permit from the Zoning Board of Review.
2. Any lighting associated with egress improvements shall be dark sky compliant;
3. This project shall be required to be approved by the State Fire Marshall as a state regulated facility prior to issuance of a building permit;
4. All stormwater features shall be designed to meet the requirements for 25-year storm;
5. Development of the site shall be in strict conformance with the approved site plan, unless amended by these conditions of approval.
6. The applicant shall obtain all required local and State permits prior to commencing any site improvements and obtaining a Certificate of Use or Occupancy.
7. **And any other conditions deemed necessary by the Planning Board in consideration of this application..."**