



**SOUTH KINGSTOWN PLANNING DEPARTMENT  
PROJECT REVIEW MEMO**

**Westerly Community Credit Union – Parking Lot  
Major Land Development – Pre-Application Concept Review**

November 24, 2020

Project Type:	<b>Major Land Development</b>		
Review Stage:	<b>Pre-Application Concept Plan</b>		
Address:	<b>108 Kelley Way</b>		
Plat:	<b>57-2</b>	Lot:	<b>57</b>
Parcel Size:	<b>~3.15 acres</b>	Zoning District:	<b>Rt. 1 SMD</b>
Applicant:	Westerly Community Credit Union c/o Andrew Rogers 4979 Tower Hill Road Wakefield, RI 02879	Owner:	Susan M. & Philip L. Greene 45 Prospect Avenue Wakefield, RI 02879
Current Plan Set:	<i>Pre-Application Submission for #108 Kelley Way, AP 57-2, Lot 57 in South Kingstown, Rhode Island, Sheets 1 of 3, dated September 22, 2020 with revisions through October 20, 2020, completed by Principe Company, Inc., P.O. Box 298, Tiverton, RI 02878.</i>		

**Property Characteristics**

The subject property is an undeveloped parcel approximately 3.15 acres in size and is located in the Route 1 Special Management District (SMD) Zoning District. The parcel is located off the north-western side of Kelley Way opposite the newly constructed Westerly Community Credit Union building. The subject Site does have a deteriorated structure located along the center front boundary line of the property that will be razed. The surrounding area is comprised of residentially developed property and soon-to-be-developed residential property with the Westerly Community Credit Union located diagonally across the street.

The site contains soil type Broadbrook silt loam, 3 to 8 percent slopes (BrB), and Rainbow silt loam (RaB), 3 to 8 percent slopes according to the USDA Soil Survey and contains gentle natural slopes with some mild hills that slope up towards Kelley Way. In addition, there are no wetlands, watercourses, or coastal features located within the subject property. The site is also not located in a Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA) or 'Flood Zone' and there are no existing or proposed wells within 200 feet of the proposed project.

**Project Description**

The applicant is proposing to construct a stand-alone small private overflow parking lot to service employees and guests of the Westerly Community Credit Union building located diagonally across Kelley Way. The parking lot will include parking for thirty (30) vehicles as well as drainage and perimeter landscape plantings. A walkway is proposed to provide pedestrian access from the parking lot, across Kelley Way, to the Westerly Community Credit Union building. Access to the parking lot will be controlled with a gate located at the driveway entrance along Kelley Way. Since this project is located with the SMD, the project is required to proceed as a Major Land Development Project and must also include the requisite open space dedication in accordance with [Section 605 – Route 1 Special Management District](#) of the Zoning Ordinance.

## **Regulatory Considerations**

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### ***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, 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.

Pre-application discussions are intended for the guidance of the applicant and shall not be considered approval of a project or of any of its elements. No formal action need be taken by the Planning Board at the pre-application meeting.

### ***Zoning Ordinance: Section 605 – Route 1 Special Management District***

In accordance with Section 605.5 (Route 1 Special Management District: Permitted Uses) of the Zoning Ordinance, the Planning Board shall, in reviewing applications for development within the District, apply such controls and restrictions as may be necessary to achieve the provisions of the Comprehensive Plan with regard to the proportion of buildable land which is devoted to different uses. The Board shall require that at least 50 percent of the buildable land in the entire District be used for office, institutional, light industrial or similar nonretail business use. 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.

In making this determination the Planning Board shall make affirmative findings relative to each of the following during the Conceptual Master Plan review of a proposed land development project:

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.

At least 15 percent of the buildable land area in the entire District shall be set aside for open space as provided in subsection 605.15., Open Space, below.

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In accordance with Section 605.7 (Route 1 Special Management District: Highway access and buffering), no new building or use shall be provided with any new direct driveway access to US Route 1. All new uses constructed after the effective date of this Section shall be provided with vehicular access to a common internal street(s) or frontage road(s) which shall intersect with US Route 1 at a location(s) approved by the Planning Board. Subject to the approval of the Board, new uses may also have vehicular access from Kelley Way or Albro Lane. In reviewing applications for new or expanded existing uses having existing driveway access to US Route 1, the Board shall determine if such access to the proposed new use would be safe, attractive and otherwise consistent with the intent and purpose of this District and shall make their findings in writing. Based on these findings, the Board may permit new use(s) to utilize existing access, may require improvements to such access or may deny such access.

No new principal building shall be located within 100 feet of the State Highway Line of US Route 1 or Kelley Way (or any highway access easement granted to the Rhode Island Department of Transportation). No parking area or access drive, except required principal access streets or driveways, if allowed, shall be located within this 100-foot setback unless the Planning Board finds that such parking area or access drive can be totally hidden from view by motorists on US Route 1 or Kelley Way. Such screening shall be accomplished by lowering the elevation of such parking area or drive by a significant amount below the grade of US Route 1 or Kelley Way, which, in combination with grading, landscaping, stone or masonry walls, or a combination thereof, will have the effect of completely preventing views of such facilities from US Route 1 or Kelley Way.

The area within the required 100-foot setback shall be devoted to a landscaped or natural buffer zone, the purpose of which is to provide an audio and visual screen of development within the District from US Route 1. Provided, however that the buffer zone adjacent to any driveway or access road may be cleared of vegetation which may impede sight distances to vehicles entering or exiting the District, but shall be suitably landscaped in a manner consistent with the purposes of this Ordinance and the Comprehensive Plan. The Planning Board shall require a landscape plan prepared by a landscape architect of all portions of this buffer zone to be submitted for review and approval.

In accordance with 605.8 (Route 1 Special Management District: Buffering from adjacent residential uses), the buffering of uses proposed to be developed within the District shall be governed by the applicable provisions of the Subdivision and Land Development Regulations. Provided, however that in reviewing any new use proposed to be developed within the District adjacent to existing residential uses, the Planning Board may require additional screening, landscaping or buffering, including, but not limited to, the construction of fences, walls or other architectural barriers the purpose of which is to mitigate any adverse impacts upon adjacent residential property.

In accordance with Section 605.14 (Route 1 Special Management District: Parking standards), the following standards apply:

- A. *Ratios*. Parking ratios for all uses within the District shall be as provided in Article 7.
- B. *Landscaping*. Parking lot landscaping for all uses within the District shall be as provided in Subdivision and Land Development Regulations. To the extent practicable, existing trees shall be retained and used to satisfy the provisions of this section. The Planning Board may require the preparation of a plan showing the location of significant trees on property proposed for development in order to maximize the preservation of such trees and/or to incorporate them into the proposed development plan.
- C. *Shared parking*. 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.

- D. *Location.* To the greatest extent possible, off-street parking lots and loading facilities shall be located to one side or behind commercial, industrial and multi-household buildings in order to screen such facilities from adjacent streets. Parking and garages for all single- and two-household dwellings shall be prohibited in front yard setback areas.

The Planning Board shall review the proposed location of parking facilities and may require relocation, modification or additional screening as required in order to protect views from adjacent public and private streets. Provided however, that the Planning Board shall require that all off-street parking and loading facilities shall be located so that they are not visible from US Route 1.

- E. *On-Street Parking.* On-street parking may be permitted by the Planning Board for any development within the District. In permitting on-street parking, the Board may require roadway construction standards, including pavement width, which may be reasonably necessary to accommodate on-street parking. If permitted, the number of on-street spaces may be added to the number of off-street spaces for the purpose of calculating minimum parking requirements. The Board may impose conditions required in order to guarantee that on-street parking spaces remain available for parking in the future.
- F. *Required loading and service areas.* When required, loading and other service areas such as trash dumpsters shall be placed to the rear or side of buildings in visually unobtrusive locations. Screening and landscaping shall prevent direct views of the loading areas and their driveways from adjacent properties or from public or private streets used by the general public. Screening and buffering shall be achieved through walls, fences and landscaping, shall be a minimum of five feet tall, and shall be visually impervious.

In accordance with Section 605.15 (Route 1 Special Management District: Open Space), at least 15 percent of the land suitable for development in the District shall be designated as open space. In order to achieve this requirement, the developer of any parcel proposed for development within the Route 1 SMD shall provide open space by means of any of the following options, subject to the approval of the Planning Board:

- Designation of open space upon the individual parcel proposed for development; or
- Designation of open space in another part of the District; or
- Payment of a fee-in-lieu of open space dedication to the Town may be required by the Planning Board as provided in the Subdivision and Land Development Regulations. Such funds shall be kept in restricted accounts by the Town and shall only be spent on purchase of open space land within the District; or
- Any combination of the above options.

The designation of land in the District shall be encouraged by the Board as a preferable alternative to the payment of fees-in-lieu of open space. Payment of fees shall be restricted to situations only where the Board finds that designation of land is impractical.

Open space within the District may include the following:

- Uses permitted in Open Space in a Residential Cluster Development in Section 304.A.4 of the Zoning Ordinance.

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- Highway buffer areas
- Pedestrian parks, plazas, Town green, village commons, etc.
- Water features (fountains, pools, etc.).
- Bicycle or foot paths, but excluding sidewalks.
- Lawns, landscaped or wooded areas larger than 5,000 square ft.

Prior to the approval of any development within the district, the Planning Board shall require the submission of an overall conceptual open space use plan for the parcel(s) being developed for review and approval. This conceptual open space use plan shall indicate the general patterns and type of open space proposed to be created or reserved on the parcel(s). The Planning Board shall review this plan for consistency with the Comprehensive Plan and shall encourage the development of a comprehensive system of open space throughout the District. This open space plan shall coordinate the individual reservation or creation of open spaces upon individual parcels in order to create a system of open space for the whole District. This plan may be amended and refined by approval of the Planning Board as individual portions of the District are developed over time. Required open space dedications on individual parcels may be combined with open space dedicated from other parcels to a common open space area(s) within the District. Such open space dedication shall be consistent with an approved open space use plan as provided above. Open space shall be protected against further development and unauthorized alteration in perpetuity by appropriate deed restrictions and by the grant of a conservation or preservation restriction to the Town of South Kingstown as provided in the Subdivision and Land Development Regulations. No more than 25 percent of the minimum required open space in the District may be devoted to impervious surfaces. Wetlands may be devoted to open space but shall not be counted towards the minimum open space requirements as set forth in this section. Parking areas or access drives located within the 100-foot wide highway buffer required in subsection 605.7, above shall not be counted as open space for the purpose of fulfilling the minimum open space requirements of this subsection. No more than 25 percent of the required highway buffer shall be devoted to parking areas or access drives.

The Planning Board may allow incentives as provided below, within the District in order to encourage a comprehensive system of open space throughout the District, on adjacent parcels, or on single parcels. In granting such incentives, the Board shall find that the incentive so granted will promote the objectives and purposes of the Comprehensive Community Plan and the Zoning Ordinance. Incentives so authorized may include the following:

1. Adjustments from the literal dimensional requirements of the Zoning Ordinance in the instance of the construction, alteration, or structural modification of a structure or lot of record up to a maximum of 25 percent of the requirements of this section.
2. Increases in permitted residential density up to a maximum of five percent of the requirements of this section.

In accordance with Section 605.21 (Route 1 Special Management District: Lighting), streets, parking areas, pedestrian areas and other actively used development in the District shall be provided with adequate lighting while minimizing adverse impacts, such as glare and overhead sky glow, on adjacent properties and public rights-of-way. Street lights shall be decorative and blend with the architectural style of buildings in the District.

Along all commercial or mixed use streets, parking areas, sidewalks, walkways, courtyards, community greens, and interior open spaces, 12-foot high decorative lamp posts shall be provided at regular intervals. Posts shall be spaced at no greater than 80 feet on center on both sides of a commercial main street. Lighting on residential streets should be confined to street intersections and corners. Lighting standards shall be consistent throughout the District. In parking lots, post heights may be extended to a maximum of 16 feet.

Use of minimum wattage metal halide or color corrected sodium light sources is encouraged. Non-color corrected low pressure sodium and mercury vapor lights are prohibited, except in light industrial areas where access by the public is restricted.

Porch light and yard post lighting shall be required in residential areas, and shall be incorporated into the street lighting design.

In accordance with Section 605.22 (Route 1 Special Management District: Pedestrian and bicycle circulation), as part of its review of development within the District, the Planning Board shall require that adequate, safe and attractive pedestrian and/or bicycle circulation be provided. A sidewalk network shall be provided throughout the District that interconnects all dwelling units with other dwelling units, non-residential uses, common open spaces, and with major activity centers adjacent to the District. The Board may require construction of on-site or off-site sidewalks, footpaths or bicycle paths. In particular, pedestrian access shall be provided in residential and retail commercial areas, but pedestrian access for light industrial and institutional development shall be required only if the Planning Board finds that such access is reasonable and necessary for reasons of public safety. Access to off-site areas is required, particularly to permit pedestrian and/or bicycle access to the existing retail areas on Old Tower Hill Road or to public, semi-public and/or recreational facilities on Broad Rock Road.

### **Waivers Requested**

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The applicant has not indicated that any waivers are being requested at this time.

### **Required Findings**

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In relation to the SMD requirements listed in Section 605 of the Zoning Ordinance in relation to consistency with the Comprehensive Plan, the Board must make the following positive findings to approve this project:

- 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.

In approving this land development request, the Board must make positive findings on the following standard provisions:

- 5) The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies;
- 6) The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance;

- 7) There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval;
- 8) The development, as proposed, 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. (See definition of Buildable lot). Lots with physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans; and
- 9) All proposed land developments and all subdivision lots have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered in compliance with this requirement.

The approving authority must also find that the project complies with each of the following general purposes of zoning:

- 10) Providing for the orderly, thorough and expeditious review and approval of land developments and subdivisions;
- 11) Promoting high quality and appropriate design and construction of land developments and subdivisions;
- 12) Promoting the protection of the existing natural and built environment and the mitigation of all significant negative impacts of any proposed development on the existing environment;
- 13) Promoting design of land developments and subdivisions which are well-integrated with the surrounding neighborhoods with regard to natural and built features, and which concentrate development in areas which can best support intensive use by reason of natural characteristics and existing infrastructure;
- 14) Encouraging local design and improvement standards to reflect the intent of the community comprehensive plans with regard to the physical character of the various neighborhoods and districts of the municipality;
- 15) Promoting thorough technical review of all proposed land developments and subdivisions by appropriate local officials;
- 16) Encouraging local requirements for dedications of public land, impact mitigation, and payment-in-lieu thereof, to be based on clear documentation of needs and to be fairly applied and administered; and
- 17) Encouraging the establishment and consistent application of procedures for local record-keeping on all matters of land development and subdivision review, approval and construction.

#### **Request to Combine Conceptual Master Plan & Preliminary Plan Review**

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In conjunction with this Pre-Application Concept application, the applicant has requested to combine the later Conceptual Master Plan & Preliminary Plan stages of review. If deemed appropriate, the following motion could be used in support of said request:

**Motion:** "The South Kingstown Planning Board hereby grants the request of the applicant, Westerly Community Credit Union, to combine the Conceptual Master Plan and Preliminary Plan stages of review for this project located at 108 Kelley Way, Assessor's Plat 57-2, Lot 57. The applicant shall be required to meet the application requirements for both the Conceptual Master Plan and Preliminary Plan stages of review prior to scheduling the required public hearing."