

Agenda Item: 4
Meeting Date: 8/19/20
Report Date: 8/13/20

STAFF REPORT

TO: PLANNING BOARD
FROM: Lisa Bourbonnais, Planning Director
RE: Comprehensive Permit for a 418-unit Major Residential Land Development on Division Road

Applicant/Owner: Ned Capozzi, Modern Industries, Inc.

Requested Action: Pre-application review of this major project, submitted as a Comprehensive Permit. No formal decision is rendered at the pre-application stage. Board members are asked to respond to and comment on the proposal and provide guidance to inform a future Master Plan submission.

Location: Assessor's Map 67, Plat 13, Lots 35 and 53, being the north side of Division Road at the West Greenwich town line. Property lies in the vicinity of Westfield Drive and Moosehorn Road.

Parcel Size and Frontage: The total land area involved is just over 80 acres. "Lot 53" is a 65.8 acre parcel with over 780 feet of frontage on Division Road. This frontage is split into two segments of about 450 feet at the easternmost end of the property and another 331 feet at the westernmost end. "Lot 35" is considered a land-locked parcel that faces the I-95 corridor but it lacks any meaningful frontage for access purposes. It is 14.4 acres in size and would likely be merged or reconfigured with Lot 53 as part of this project.

Existing Land Use: Existing parcels are undeveloped.

Surrounding Land Use: Division Road in East Greenwich, west of the New England Tech campus, is marked predominantly by single family homes on moderate to large lots. There are some commercial uses nearby and just

west of the subject site, in West Greenwich, is a high density residential condominium project.

Existing/Surrounding Zoning: Both sides of Division Road in this vicinity (from Shippeetown Road westward to the town line) are zoned F-2 which is a single family residential and farm zone with a two acre lot size minimum. It is the Town's lowest density zone.

Comprehensive Plan Consistency: The Future Land Use Map of the Comprehensive Plan (Map 11C) shows this site as appropriate for residential mixed-use development which is defined as "Multiple uses on one parcel – especially high density housing, including affordable housing, with associated commercial enterprises." (High Density in East Greenwich includes all residential densities above 5 units per acre).

The site is also addressed by the Housing Chapter of the Plan which specifically shows the property (on Map 6A) as targeted for "Re-Zoning to Residential Mixed-Use" with the goal of accommodating affordable units. Increased density allowances often provide an incentive for affordable unit production since it can bring down the per unit and per acre costs. This site is called out in the Plan as appropriate for such development because of higher densities nearby and the availability of services like transit and amenities like public water and sewers (available on adjacent property to the west) which make high unit counts feasible.

In addition to the referenced maps, the text of the Plan also supports the proposed project. On Page 76, it is noted that the inclusionary zoning strategy alone, which would yield 20 percent of all new units as Affordable, will never get the Town to its State-mandated 10% of total housing stock goal. By accepting the minimum threshold in approved projects, the Town could face a shortfall of 166 units. Comprehensive Permits like this one, that propose higher percentages of deed restricted units thus become important to our ability to meet the mandate. Further, the Planned Development zoning designations are called out in the Comprehensive Plan – on Page 73 – as having the most potential for yielding higher Affordable unit counts. Unlike other conventional residential zones, these areas are the only zones where a density of up to 20 units per acre is contemplated. As such, these zoning overlays could accommodate a very high percentage of the Town's

deed restricted units over time. The current proposal is thus well supported by the Plan in several ways. A link to the Comp Plan via the Town's webpage is provided here:

<http://www.eastgreenwichri.com/DocumentCenter/View/1208/East-Greenwich-Comprehensive-Plan-PDF>

On page 69 of the Comprehensive Plan, a specific vision for the subject site is spelled out in Housing Policy #1 - "Create a new Zoning District: The Town will amend the Zoning Ordinance and map to create a new zoning district in the northwest quadrant (Shippeetown area: west of Shippeetown Road, south of Crompton Road, and north of Division Road) by changing the current zoning from Commercial (CH) and Farming (F2) to a Residential Mixed Use (MUPD) Zoning District. 7 The new District will allow mixed-use development, thereby helping to arrest the strip-style suburban development that has begun to emerge near that area. The dimensional requirements will allow commercial structures and will also require upper-story residential use, which will require at least 20% LMI (Low and Moderate Income, *definition added*) units, and commercial development at the street level. These zoning measures are intended to implement policies and recommendations of the Comprehensive Plan's Land Use Element relative to retaining and enhancing the Town's villages as vital centers, for curbing sprawl outside the village centers, and for ensuring that the character of new development is consistent with the traditional development patterns of the Town. All new subdivisions on vacant acreage will also be required to have at least 20% LMI units. Attached single family units will be allowed as-of-right in the District. The intent is to promote walkable communities and concentrated areas of public space. The new District will permit a density bonus, appropriate to the carrying capacity of the land, for a density ranging from 12, 16 and 20 units per acre, in areas that are currently zoned CH and F2, for developments that provide at least 20% of units to be affordable for 30 to 99 years to households \leq 80% AMI. The Town will encourage developers to make affordable units permanently affordable by working with the EGHA. *Multi-family will be allowed by right in projects utilizing the density bonus (emphasis added).*"

The Board will note key areas where there are differences between the current proposal and the Plan narrative, namely in the absence of any proposed commercial uses or other ancillary activities. The intent of the

mixed-use provision was to create an enclave or cohesive neighborhood in this part of East Greenwich and the applicants feel their residential proposal still meets this goal.

Applicable Regulations: The current Zoning on the subject property, despite the Comprehensive Plan maps and text as adopted, is Farm, F-2, the Town's lowest density zone. The proposed residential density is not allowed.

Many other provisions of the Town's Ordinances and Regulations will also need to be considered as the proposal evolves. Article VIII of the Zoning Code (Sections 260-33 through 260-38 of the Town Code) addresses the "Planned Development" and "Mixed Use Planned Development" zoning designations in detail. Land uses permitted, dimensional requirements including overall density, and other specific regulations like the Common Open Space Requirement are addressed therein. Other parts of the zoning code are also relevant – like Article VI, Parking Ordinance, and Article XVII, Affordable Housing.

In terms of the Land Development and Subdivision Review Regulations, the following sections are applicable: Section 8 "General Provisions for All Developments;" Section 15 which outlines review stages and requirements for major projects; Section 9 of the Regulations deals with the Pre-Application level of review for major projects. Section 23 - the physical design requirements and Section 24 pertaining to public improvements also apply.

In addition to ordinary zoning code and land development regulation provisions, Comprehensive Permits are subject to other standards and findings burdens that other project reviews are not bound to contemplate. We must call the Board's attention to Chapter 63 of the Town Code pertaining to Comprehensive Permits. {The language therein mirrors/replicates the language in the Rhode Island General Laws at Chapter 45-53 pertaining to low and moderate income housing, known as "The Rhode Island Low and Moderate Income Housing Act" found here: <http://webserver.rilin.state.ri.us/Statutes/TITLE45/45-53/INDEX.HTM>}

Issues and Analysis: The Town professional staff conducted a thorough review of the pre-application in a meeting on July 28, 2020. The minutes of that meeting are being provided separately. They provide an accurate and concise summary of major considerations at this early stage of review.

Required Relief/Waivers: A complete list of relief and waivers will be required at Master Plan submission.

Discussion: RI Housing Works publishes an annual report called the *Housing Fact Book* each year and the 2019 Fact Book was recently released. It is our official source for housing affordability information. The report uses a baseline of 5,342 housing units in town of which **4.7%** are Affordable by the State's definition. Based on those numbers, the addition of roughly 100 affordable units (in the context of a 418-unit new development) to our current affordable housing stock (253 units) would raise our official inventory of affordable units to **6.13%**. As the Board is well aware, many other affordable units are currently under review or under construction and the Town is moving methodically toward meeting its affordable housing goal.

Town residents along Division Road, especially in the Westfield Drive area, have expressed interest in this development and are particularly concerned about traffic impacts. The presentation of a traffic impact analysis at Master Plan will be important. Residents are also concerned about fiscal impacts, especially with some Town services, particularly the School System, already being over-burdened. As the development concept comes more acutely into view, the Town will need to fully understand the total bedroom count here and whether or not any units will be age-restricted so that we can better assess fiscal impacts. The Town will work to refine and clarify the extent of public improvements to infrastructure and utilities, both off-site and on-site that will occur as a result of this development. Examples might include roadway, intersection and signalization work, stormwater management system upgrades, etc. The developer's willingness to provide on-site public amenities like park space or recreation facilities will also be part of that consideration.