

## WORK SESSION

APRIL 9, 2026

At a WORK SESSION of the Town Council of the Town of South Kingstown, County of Washington, in the State of Rhode Island, held at the Town Hall, in and for said Town on the 9<sup>th</sup> day of April 2026 at 7:02 PM.

PRESENT: Rory H. McEntee, President  
Michael K. Marran, Vice President  
Patricia A. Alley  
Deborah D. Bergner  
Jay G. Wegimont

Also present: James Manni, Town Manager; Andrew Teitz, Town Solicitor; James Rabbitt, Planning Director; Brian Wagner, Deputy Planning Director; Tracey Owens, Principal Planner

1. A. The Pledge of Allegiance is given.
- B. The Land Acknowledgement Statement is read.
- C. James Manni, Town Manager introduces James Rabbitt, Planning Director.

The Planning Director introduces a presentation by Able City East and Daedalus Advisory Services regarding draft Zoning Amendments (i.e., Form-Based Code) associated with the Old Tower Hill Road Neighborhood Plan.

Jason King, Able City East Production Director, reviews an outline of the presentation. He presents milestones and a timeline of development of Form-Based Code in the Old Tower Hill Road Neighborhood, noting that the Rhode Island Chapter of the American Finance Association gave an Award of Excellence to the proposed plan last year and that the goal of the Zoning Amendments is to revitalize and upgrade the area. Form-Based Code has had success in other municipalities throughout New England, unlocking development potential by providing clear, predictable rules, increasing property and land value by improving walkability, supporting local business growth through creating mixed-use areas to support businesses, restaurants, and residential uses, improving the fiscal health of the areas where it has been implemented by increasing tax revenue per acre, and through its overall resiliency to market changes.

Mr. King reviews Transect Zones and the intention of each zone within the Old Tower Hill Road Neighborhood. He discusses Frontage Build-out, which requires each of the buildings to front the street, creating street walls and outdoor areas that help to shape the public realm. Sample street sections are provided, showing car and bicycle lanes, pedestrian walkways, and planting areas.

Three potential improvement sites are presented with development possibilities beyond the existing site conditions: 128 Old Tower Hill Road, 51 Main Street and Holley Street, and 32-36 Old Tower Hill Road. Form-Based Code will increase the building envelope at each of the sites, while introducing open space requirements, promoting attractive storefronts and interesting architectural design, and reducing parking in some cases. The Code intends to make properties more profitable and more likely to be redeveloped. Various architectural designs may be permitted including American Coastal, Colonial Revival, Victorian, or American Mercantile.

Shaun Bourgeois, Daedalus Advisory Services Growth Strategy Advisor, reviews development of pro-forma analysis. He reviews calculation of commercial real estate (CRE) income using gross potential rent (GPR) and effective gross income (EGI) to determine net operating income (NOI). He

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provides an overview of the residential for-sale market, residential rental market, and commercial market. The commercial market is sluggish, which suggests a need for new retail development.

Mr. Bourgeois presents probable revenue increases through the introduction of Form-Based Code at the previously discussed potential improvement sites, a consolidated economic impact statement, property tax increment analysis, and key takeaways of the presentation.

The Planning Director closes the presentation.

Discussion ensues relative to data sources used for the presentation, the average expansion of lot coverage percentage available through use of Form-Based Code, compliance requirements and enforcement, and the definition of substantial modifications to existing structures.

Mr. King explains incremental development and how Form-Based Code would support it.

Further discussion ensues relative to balancing the needs of existing businesses while updating design, long-term impacts, preserving the integrity of the Old Tower Hill Road Neighborhood, and the possibility of implementing optional Form-Based Code.

Mr. King responds, noting that optional Form-Based Code would slow the rate of growth and lead to piecemeal development, creating traffic and pedestrian safety concerns.

Discussion continues relative to parking accommodations, the distinction between mandatory and optional Form-Based Code, the timeline to expect results, adjustment of required style elements, and finding a middle ground between current Zoning and Form-Based Code.

Andrew Teitz, Town Solicitor, expresses the need for mandatory Form-Based Code to avoid haphazard development and to solicit confidence from property owners that all development will be in compliance.

## **2. PUBLIC COMMENTS**

Council President McEntee invites residents to come forward with comments.

Tom Routliffe comments on the need to support tax base growth and fine tune grandfathering of existing uses in the Old Tower Hill Road Neighborhood.

Susan Marcus comments in support of implementation of mandatory Form-Based Code.

Mike Gagag comments in support of implementation of mandatory Form-Based Code.

Robert Toth comments on the need for clarification of use codes to prevent existing businesses from becoming considered non-conforming and the importance of being cautious while implementing Form-Based Code.

Joe Viele comments on appropriate regulation of design standards and notes that Form-Based Code could be beneficial to the community.

Harold Thomas comments on non-conforming uses and ensuring that existing businesses continue to remain in compliance and in support of mandatory Form-Based Code.

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Susan Mittendorf comments in support of implementation of mandatory Form-Based Code.

Mackenzie McBurney, Esq. comments on behalf of Costanza Realty in opposition of the implementation of Form-Based Code.

Kirk Brown comments in support of implementation of mandatory Form-Based Code.

Marjory Stevens comments in support of implementation of mandatory Form-Based Code.

Council President McEntee thanks residents for their input and notes that further deliberation is required.

The Town Council directs the Planning Director and Jason King to make revisions to the proposed Form-Based Code and reaches consensus to continue discussion at a future meeting.

Adjourn at 9:29 PM

ADJOURNED,

Emily R. Houle  
Town Clerk