



**EAST PROVIDENCE WATERFRONT  
SPECIAL DEVELOPMENT DISTRICT COMMISSION**

---

**M E M O R A N D U M**

To: Design Review Committee  
From: Pamela Sherrill, AICP, Executive Director  
Date: April 3, 2020

Re: Advisory Recommendation to the Waterfront Commission  
Applicant: Kettle Point Apartments, LLC  
Location: 38 Capt. John Jacobs Road  
Assessor's Map 209, Block 03, Lots 1.0 and 1.1  
Zoning: Kettle Point Sub-district

**INTRODUCTION**

The property is located within the East Providence Waterfront Special Development District (Kettle Point Sub-District). The East Providence Waterfront Special Development District Commission (“the Commission”) was created to oversee development review and approval for properties located within the East Providence Waterfront Special Development District. Development in the waterfront district is subject to the waterfront zoning amendments adopted by the City Council on March 2, 2004 and amended May 21, 2019. The Waterfront Zoning requires design review by the Design Review Committee (DRC) of the Waterfront Commission prior to final action by the Waterfront Commission.

On April 9, 2020 the DRC will review the application of Kettle Point Apartments, LLC to amend previously approved plans for a total of twelve townhomes in Buildings 6 and 7. This is the third and final phase of construction of 228 rental units at Kettle Point Apartments, as approved by the East Providence Waterfront Commission in 2015 and amended in 2017 and 2019. The applicant proposes to increase the number of approved units from four per building to six. The overall number of units will not increase as the East Providence Waterfront Commission previously approved a related decrease in the number of units in Building 5 (now under construction).

**Background:** Pre-application meetings were held December 20, 2018 and April 30, 2019, attended by Waterfront Commission staff, Glen Fontecchio, Commission architectural consultant and Diane Feather, Acting Planning Director. Discussions focused primarily on a “hybrid” configuration as a replacement for the proposed townhomes. Following direction at the April 30, 2019 meeting, the applicant dropped the “hybrid” configuration from further consideration and worked with the Waterfront Commission staff, Planning staff, and Glen Fontecchio to further revise townhome design at a teleconference held December 6, 2019 and through follow up emails.

An application for modification of previously approved development plans, including a request for additional units, was submitted to the Commission on March 13, 2020 and revised March 24, 2020 when a Certificate of Completeness was recorded in the East Providence Land Development and Decision Index (Bk 10, Page 145). Certified mailing was sent to abutters in the 200-foot notice area on March 25, 2020 and a legal notice was published in the March 25, 2020 *East Providence Post*, both indicating that hearings previously scheduled for April 2, 2020 were rescheduled to April 9, 2020 for the DRC and April 16, 2020 for the full Waterfront

Commission. Both April meetings are remote/virtual meetings held in accordance with Governor Gina Raimondo's EXECUTIVE ORDER 20-05, March 16, 2020, THIRD SUPPLEMENTAL EMERGENCY DECLARATION - PUBLIC MEETINGS AND PUBLIC RECORDS REQUESTS. Legal notice including the certified mailing was conducted in accordance with Sec. 19-477 of the East Providence Zoning Ordinance.

A meeting of the full Commission is required and will be held on April 16, 2020 to consider and vote on the advisory recommendation of the DRC. The Certificate of Completeness started a 40-day clock for vote by the Waterfront Commission, a statutory requirement under Sec. 19-476 of the zoning ordinance, and thereby the hearings are subject to Executive Order 20-05.

**Prior Kettle Point Apartments Approvals:** In 2012 the Waterfront Commission approved Churchill & Banks' application for 436 residential units at Kettle Point including 360 rental units in 12-unit apartment buildings and one corridor loaded multistory apartment building, and 76 for-sale residential units (recorded in the East Providence Land Development and Decision Index Bk 6/Pg 225+).

In 2013 Churchill & Banks approval was modified for 407 total units including 276 rental units and 131 for sale units (recorded in the East Providence Land Development and Decision Index Bk 6/Pg 325+).

In 2015 the Commission approved the request of Kettle Point LLC for amendment of 2013 approvals for 407 total units including 345 rental units and 62 units for sale (recorded in the East Providence Land Development and Decision Index Bk 7/Pg 219+). Phase 1 included three townhomes with 13 units, two 40-unit buildings, and three 45-unit buildings for a total of 228 units. Approvals included deviations for synthetic materials, sidewalks and curbcuts and approved 5% affordable housing units on site and 5% with in-lieu payment for rental units only. The DRC recommendation included: "The townhomes will be located along the perimeter of the condominium cluster. One is located along the entrance to the development and the other two are located on the bluff overlooking Squantum Woods, to provide additional "eyes" on the park and to create a pedestrian-oriented streetscape. All of the townhome units have rear access to individual garages."

In 2016 the Commission approved the application of Kettle Point LLP to amend approval for six townhomes (recorded in the East Providence Land Development and Decision Index Bk 8/Pg 38).

In April 2017 the Commission approved the application of AR Building Co. to eliminate five townhomes from the western edge, increase number of units of the units in the adjacent 40-unit apartment building by five (recorded in the East Providence Land Development and Decision Index Bk 8/Pg 94). Approved plans show two four-unit townhome buildings along Kettle Point Avenue to the east, across from Squantum Woods.

In October 2017 the Commission approved the request of AR Building Co. for no on-site affordable housing units with payment to an in-lieu fund for 10% of the approved 228 units (recorded in the East Providence Land Development and Decision Index Bk 8/Pg 145+).

In July 2019 the Commission approved the request for modification of Building 5 to reduce the number of units from 45 with 67 bedroom and 67 baths to 41 with 73 bedrooms and 65 baths (recorded in the East Providence Land Development and Decision Index Bk 9/Pg 262).

**Site layout and buildings:** As indicated in the attached 13-sheet plans titled “AR Building Kettle Point Approved Plan” dated 1-6-2020 © Rothschild Doyno Collaborative, the previously approved plans include four townhomes each in Buildings 6 and 7 along the southern loop of Kettle Point Avenue. These buildings have front doors on Kettle Point Avenue with garages to the rear.

The proposed layout includes six townhomes in each building. Two two-bedroom units with one car garages under and four three-bedroom units with two-car garages are proposed in each building, ranging in width from 15’-0” for the smaller unit to 21’-0” for the larger units. Porches are located along the Kettle Point Avenue frontage and along side units. The applicant has indicated tht building landscaping will be similar to landscaping around the clubhouse.

Waterfront Commission staff and Glen Fontecchio, the commission’s architectural consultant met with the applicant over 12 months to refine the plan from an original “hybrid” design which more closely reflected an apartment concept to the plan submitted. Significant improvements were made to more closely reflect the design of the approved townhomes with porches, separate entrances, articulated façade, with variable exterior material, charcoal roof, and more traditional New England fenestration and doors. See attached January 27, 2020 letter from Glen Fontecchio indicting “I feel the current design is consistent with the original approved design for these units in terms of massing, detailing and presence on the street-scape.”

### **Existing Site Conditions**

The project site is illustrated in the figures. The site for Bldg 6 is maintained lawn as indicated in Figure 1. Bldg 7 is the level area behind the Bldg 5 construction fencing. As indicated in Figure 2, Bldg 7 frontage along Kettle Point Avenue includes a sloped area which is currently vegetated with weeds. This slope extends around the southern boundary of the Kettle Point Apartment LLC parcel with the adjacent Long Rock Cove LLC parcels (condos). Although the applicant has planted shrubs along the top of the slope, the slope itself is poorly vegetated with weeds. According to survey markers at the site the parcel line is located beyond the toe of slope. At this time it appears that the slope is stabilized and that erosion is no longer the consideration it had been in the past years.

The proposed construction site is located within three active construction areas including both duplex and townhouse condo construction on Kettle Point Avenue and construction of the 4-story Bldg 5 apartment building on Capt. John Jacob Road. According to the Waterfront Commission 2019 Annual Report, 42 of 62 of the condo units have been issued certificates of occupancy. Leasing of Kettle Point Apartments remains strong with Bldgs 1 through 4 now occupied or available.



*Figure 1: Bldg 6 site, view north from Capt. John Jacobs Rd along Kettle Point Ave*



*Figure 2: Bldg 7 site behind construction fencing, view north near Long Rock Cove LLC property line toward Bldg 5*



*Figure 3: view west along property line between Parcel 1.1 (Kettle Point Apartments LLC) and Parcel 1.4 (Long Rock Cove LLC)*

Figure 3 shows a row of planted shrubs and trees at the top of the slope and unlandscaped slope on Parcel 1.1. Construction is ongoing on Parcel 1.4. This slope serves as a transition between development of the condos on the lower slope and the apartments and townhomes (subject of this application on the upper slope).

**Consistency with the purposes, intent and performance standards of the *Waterfront District Zoning District Regulations*.** The overall number of units remains unchanged from 228 rental units approved by the commission in 2015. The traditional townhome design provides “eyes on the park” and creates a wrap or buffer from the more intense adjacent 4-story apartment buildings and Kettle Point Avenue. The design enhances the walkability of the entire development.

The proposal is consistent with East Providence Zoning Ordinance Article IX. Waterfront Special Development District Sec. 19-470 Purpose: “The purpose of this article is to provide for appropriate mixed use development within the context of protecting the important scenic and recreational resources along the East Providence Waterfront...The intent of the waterfront development district is to provide for a diverse mix of compatible land uses and densities that promote high quality development in a manner consistent with the intent of the 2003 East Providence Waterfront Special Development District Plan. The requested modification meets the medium density residential performance standards of Sec. 19-482 of the zoning ordinance for townhome setbacks, frontage and parking.

**Consistency with the Goals and Policies of the 2003 East Providence Waterfront Special Development District Plan.** The proposed modification is generally consistent with Goal 1.

General Land Use Goals to “Maintain scenic viewshed corridors by placing lower-scale buildings at the water’s edge and adjacent to established residential neighborhoods and its viewsheds” as the townhomes were originally approved as a buffer between the higher density four-story apartment buildings and adjacent Long Rock Cove LLC duplex and townhome condominium development. The townhomes also serve as a lower-scale transition to Squantum Woods city park.

## **DRC DRAFT RECOMMENDATION**

The following draft recommendation is based on staff and architectural consultant review and is subject to amendment based on testimony received at the April 9, 2020 hearing.

**Draft Motion:** The Design Review Committee votes to send a positive advisory opinion to the Waterfront Commission based on findings in the applicant’s March 24, 2020 application and 13-sheet architectural plan set dated 1-6-2020, applicant’s testimony, the executive director’s April 3, 2020 memo, Glen Fontecchio, Architect’s January 27, 2020 memo, and public comment that the project is in conformance with the reviewing criteria set forth in Section 19-477 of the East Providence Zoning Ordinance and the purposes of Article IX, “Waterfront Special Development Districts” regulations of the East Providence Zoning Ordinance subject to the following conditions:

- A. Applicant shall submit a landscape plan prepared by a registered landscape architect for review and approval by the Sara Bradford, the commission's consulting landscape architect and staff. The landscape plan shall include the immediate site and frontage to Kettle Point Ave (including the slope at the south end of the more southerly townhome) and the slope along the entire length of the westerly property line with Long Rock Cove LLC between Map 209/Block 3/Lots 1.1 and 1.4.

Encl:

- AR Building Kettle Point architectural plans, Rothschild Doyno Collaborative, 1-6-20 (13 sheets)
- Glen Fontecchio, Architect, January 27, 2020 memo

Copy:

- Waterfront Commission
- Glen Fontecchio, Architect
- Jason Kambitsis, AR Building
- Geoff Campbell, Rothschild Doyno Collaborative