



**SOUTH KINGSTOWN PLANNING DEPARTMENT
PROJECT REVIEW MEMO**

Shepherd's Run

Major Land Development – Conceptual Master Plan Review

Public Informational Meeting

August 25, 2020

Project Type:	Major Land Development		
Review Stage:	Conceptual Master Plan		
Address:	4780A Tower Hill Road		
Plat:	50-4	Lot:	12
Parcel Size:	35.69 acres	Zoning District:	R-80
Applicant:	Morgan Schoen Hospitality, Inc. c/o Ryan Schoen 12 Grand Street Stonington, CT 06378	Owner:	Ocean Pastoral Center, Inc. 30 Mansell Court, Suite 103 Roswell, GA 30076-1580
Current Plan Set:	<i>Shepherd's Run, 4780A Tower Hill Road, South Kingstown, Rhode Island, Conceptual Master Plan, 2020-05-29, Sheets G0.00, G1.00, through G3.00, completed by Centerbrook Architects and Planners, LLP dated May 29, 2020; and Sheets G2.00 and Sheets 1 through 2, completed by DiPrete Engineering, Inc. dated May 26, 2020 and July 22, 2014, respectively.</i>		

Property Characteristics

The subject property is located to the east of Commodore Oliver Hazard Perry Highway (Route 1) directly behind The Prout School and immediately northeast of the State of Rhode Island Oliver Stedman Government Center. The parcel has frontage on Route 1 with vehicular access via an existing access easement. The parcel is zoned R-80 and the property survey indicates the parcel contains approximately 35.69 acres of land. The properties directly across Route 1 are zoned Route 1 Special Management District. The property is within the Suez Water District's service area, and partially within the Town's future sewer service area.

The parcel contains a large existing structure formerly operated as a religious institution and private boarding school, and a small cottage structure. The primary existing structure provides approximately 33,000 square feet of usable space, is not visible from Route 1, and has historic value although it does not appear to be listed on the National Register of Historic Places. An existing Onsite Wastewater Treatment System (OWTS), which has been somewhat underutilized since installation in 2003, is located to the rear of the building and was designed to accommodate 7,500 gallons of wastewater flow per day. Areas surrounding the existing buildings on the property consists of maintained grass areas and intermittent landscaping. The remainder of the site is wooded with a large wetland located on the eastern portion of the Site which extends towards the Narrow River located more than 1,000' to the east.

The parcel is located within the CRMC's Narrow River Special Area Management Plan (SAMP) which classifies this area as being located within "Lands of Critical Concern." The parcel abuts two (2) GI

zoned government and institutional uses (the Stedman Government Center and the Prout School) to the west and south, federally-owned conserved land to the east, and a large parcel zoned R-80, previously the site of a major subdivision application known as Castle Farm that was originally approved on October 25, 2000 and subsequently extended several times. The last action that appears to have been taken by the Planning Board on this subdivision was approval of a 1-year extension in July 2008 that extended the Final Approval to October 25, 2009. There does not appear to have been any further action on this subdivision since this last extension.

Project Description

The applicant proposes to redevelop the property and adaptively reuse the existing historic structure as the primary building on the site, primarily. The proposed uses include lodging, with hotel rooms and extended stay bungalows for rent, event space, a vineyard, a restaurant and a spa. The restaurant and spa are proposed to be open to the public, and not exclusively for the use of overnight guests. In addition to reuse of the existing structure, the applicant proposes to construct a number of small bungalow structures to provide additional/diversified lodging opportunities in a third and final phase of the project. More specifically the application proposes the following 'property highlights' of the redevelopment proposal:

- 33 hotel units
- Winery & Vineyard
- 3,500 square foot restaurant
- 400 person capacity outdoor event lawn
- Indoor event space & wedding hall
- Conference and meeting facilities
- Spa & fitness center
- 12 extended stay bungalows

The application proposes to utilize existing access and infrastructure to support development of this parcel. Access to the Site will remain as currently exists via the driveway and access easement across Lot 19 (The Prout School property). The existing parking areas will be utilized and expanded by repurposing the existing basketball courts on the southern portion of the site. Aside for the extended stay bungalows and associated improvements, there are no physical changes proposed that require the mitigation of increased stormwater flows. Any such mitigation that may be required associated with the bungalows (3rd phase of the project) will need to be accounted for at the time of Preliminary Plan consideration. The proposal also aims to utilize the existing OWTS and public water connections to accommodate the proposed use at the Site.

Decision Deadline

This application was Certified Complete on June 26, 2020. The Planning Board has until **September 24, 2020** (90 days from date of completion) to render a decision.

Regulatory Considerations

The subject property is currently zoned R-80 (rural residential low density) and the proposed use is currently not allowed within the R-80 zoning designation. To address this, the applicant is proposing the following amendments to our local regulations that would be required in order to allow the project to be proceed to the Preliminary Plan stage of review and ultimately receive Final Plan approvals:

Zoning Ordinance – Map Amendment: The applicant is proposing to rezone the parcel from its current 'R-80' designation to be located within the 'Route 1 Special Management District' (SMD). The existing SMD is located on the western side of Route 1 directly across the highway from the subject property. In doing so, this zoning map change would allow for the proposed uses (as well as other use allowances not currently proposed). The applicant has opined that the proposed map amendment would be consistent with the Town's land use plan, as well as the goals and intent of the SMD.

Comprehensive Plan – Text & Map Amendment: With the proposed Zoning map amendment, the Comprehensive Plan text and maps will need to be amended to ensure consistency. In doing so, the existing language describing the location and boundaries of the SMD within the Introductory chapter will need to be amended to reflect the proposed designation of this parcel into the SMD. Several other tables that summarize and quantify *Land Use Plan Map Categories* (Table 2) and *Zoning Districts* (Table 3) will need to be revised to reflect the change from rural residential to SMD.

In conjunction with those text amendments, several map amendments to the Comprehensive Plan will also be required to reflect this zoning map change. The Land Use Plan Maps (Map 2.3 and Map 2.4) will need to be revised to document this change in zoning to SMD. The Zoning Map (Map 2.9) will also need to reflect the same. The applicant believes these amendments to be relatively minor and that these revisions will provide accurate descriptions of the SMD while providing consistency between written descriptions of the SMD and those shown on the associated land use maps.

Zoning Ordinance – Text Amendment: Accompanying the above mentioned amendments, the applicant is proposing to revise the following text within the Zoning Ordinance to allow for the project to proceed as designed:

Section 102 (Overlay and special management districts). Text revisions are proposed to Part E of this section to describe the inclusion of the subject property to be located within the SMD.

Section 605.5 (Route 1 Special Management District: Permitted Uses). Text revisions are proposed to this Section to allow for the operation of a restaurant serving alcohol (Use Code 56.1) and/or accessory entertainment to restaurant or bar (Use Code 56.3) to be a 'Use by Right' and not require a Special Use Permit, as currently required within the SMD. The revision to this Section also proposes that a liquor store use (Use Code 55.3) requires a Special Use Permit within the SMD.

Section 605.15 (Route 1 Special Management District: Open Space). Text revisions proposed within this Section seek to allow for 'Farm lands, gardens, and vineyards' to be allowable types of open space uses within the SMD.

Section 605.18 (Route 1 Special Management District: Utilities). Text revision proposed for this Section seeks to eliminate the requirement that the lot and its buildings be connected to sewer, at least during the life of the current OWTS.

Town of South Kingstown Wastewater Management, Sewer Connection Policy: Section 19-115 (Connection Policy) within Chapter 19, Article II (Utilities: Wastewater Management) of the South Kingstown Code of Ordinances outlines the Town policy relative to future connections to the Town's sewer system. In accordance with Part (1) of this policy:

"Any parcel of land located within the existing and/or future sewer service area as defined in figure 6.2 entitled "Sewer Service Areas," of the Town of South Kingstown Comprehensive Community Plan, may be required to connect to the sanitary sewer system."

As this property is located within the Future Sewer Service Area as shown on Figure 6.2 of the Comprehensive Plan, the applicant is required to prepare a Sewer Feasibility Report for the Director of Utilities to review and provide a determination as to whether or not a sewer connection is mandatory. Said report is required to outline the following information for consideration by the Director:

- (i) Conformity to Town of South Kingstown Comprehensive Plan.

- (ii) Areas of existing ISDS problems or failures.
- (iii) Soil conditions not suitable for ISDS placement.
- (iv) Proximity to wetlands, coastal ponds, groundwater resources and other environmentally sensitive areas.
- (v) Existing and/or planned municipal potable waterline locations.
- (vi) Economic feasibility.
- (vii) Lot size.
- (viii) Impact on areas in the vicinity of the proposed main extension.
- (ix) Potential effect on private or municipal potable water groundwater wells within the future.

At this time, a complete Sewer Feasibility Report has not been submitted to the Director for review. The Town recognizes that while a public sewer line is not immediately available for connection to the subject property, there are two (2) private collection systems in close proximity which include:

1. The Stedman Government Center/Washington County Courthouse complex located on the east side of Route 1 adjacent to the subject property; and
2. The Wakefield Meadows commercial complex located on the west side Route 1, and across the highway from the subject property.

The ability of the applicant to connect to these private systems is currently unknown and the Director of Public Services has requested the applicant to provide correspondence from these private property owners as to their willingness to allow such connection to their respective private systems for the proposed resort facility.

It's important to note that the applicant has not proposed a public or private sewer connection and indicates that they plan on reutilizing the existing OWTS to service the proposed development. The existing OWTS, installed in 2004, was designed for the treatment of up to 7,500 gallons of wastewater per day and has been minimally utilized due to the limited use of the property since installation. If the Town agrees to allow for this development to not connect to sewers, the applicant will need to obtain a System Suitability Determination (SSD) from the RI Department of Environmental Management (RIDEM) on the adequacy of the existing system, as well as approval from the RI Coastal Resources Management Council (CRMC), and satisfy any other associated regulatory requirements in this regard from both of these State agencies.

CRMC Narrow River Special Area Management Plan (SAMP): The applicant has submitted to CRMC for a Preliminary Determination (PD) for the proposed project and the relevance of any SAMP and CRMC requirements. Staff contacted CRMC on July 14, 2020 and was advised that the PD review had not yet been completed, however CRMC Staff provided the following brief response in regard to the applicability of their regulations on the proposed project:

"The OWTS status and density questions per the SAMP will be main themes we are looking at as well as whether the first two Phases are out of jurisdiction (this depends on the [wetland] edge verification) as non-watershed activities landward of 200'."

Staff is uncertain, at this time, how this adaptive reuse proposal will fit with CRMC regulations. The first two (2) phases of this project include the reutilization of existing development and required limited disturbance and/or exterior improvements. As such, applicable CRMC regulations may largely be related to the density/intensity of the proposed use and wastewater treatment as it relates to the SAMP requirements.

Zoning Ordinance and Subdivision & Land Development Regulations: Unlike some types of projects, there is not a specific section of the Zoning Ordinance relative to this adaptive reuse project. The dimensional standards of Section 401, the parking standards of Article 7, and the signage standards (if signage is proposed) of Article 8 will all generally apply to the proposed redevelopment of the Site. Additionally, the redeveloped or modified portions of the site will be subject to the landscaping and physical improvement standards contained within the Subdivision and Land Development Regulations.

Waivers Requested

Included with this application was a statement from the developer that the proposed project does not require any waivers and/or modifications to the town's land development regulations that they are aware of. The applicant indicates that *"should elements of the proposal, namely the zoning amendments proposed, not be acceptable to the Planning Commission and/or Town Council then waivers or modifications may be requested in order to present a feasible project. These items may include waivers or special use permits for the restaurant serving alcohol and for accessory entertainment within the Site."*

Review to Date

Pre-Application Concept Review

May 12, 2020 - Planning Board Review of Pre-Application Concept Plan

Conceptual Master Plan Review

June 10, 2020 - TRC Review of the Conceptual Master Plan

The project was discussed with the TRC and the following discussions and recommendations were put forward:

Item Discussed & Recommendation	Status
<i>Wastewater Disposal</i>	
<p>The applicant's proposal to use existing OWTS capacity to support new uses in existing structures and to build new OWTS capacity to serve new bungalows is a significant issue for review given (i) the property's location in the future sewer service area, and (ii) the proposal to re-zone the parcel to SMD, which zone requires sewers for new uses. The request to re-zone makes the sewer issue one that needs to be evaluated at conceptual master plan, rather than waiting for preliminary. The Board is directed to review the map of the future sewer service area and existing public and private sewer mains in the area. Staff is unclear on the reason for all projects in the SMD being required to connect to sewers.</p> <p>Additional information on the design and capabilities of the existing OWTS would be helpful in evaluating what its impact will be on the surrounding environment.</p> <p>If the requirement to connect to sewers is deferred because the Board believes that sewers are not currently "available" to the property, then the Board should consider setting stipulations describing the conditions under which sewers will be deemed to be "available" and connection to sewers will be required.</p>	<p>To be discussed.</p>
<i>Setbacks</i>	

If the property is re-zoned to SMD, the bungalows must maintain a 50' setback to the residential R-80 lot to the north.	To be discussed.
<i>Alcohol Service</i>	
A site plan showing the alcohol service area is required for the Board to make a recommendation on a special use permit. If proposed amendments were to be approved, this requirement would not need to be met.	To be discussed.
<i>Entertainment</i>	
A narrative description of the proposed entertainment and a site plan of locations is required for the Board to make a recommendation on a special use permit. The Board must evaluate the prohibition on outdoor entertainment in the SMD zone.	To be discussed.
<i>Noise</i>	
The applicant needs to provide an analysis on anticipated noise at its property boundaries to demonstrate compliance with the Zoning Ordinance.	To be discussed.
<i>Parking</i>	
A parking layout plan is required showing compliance with the Zoning Ordinance.	To be discussed and potentially addressed at the Preliminary Plan review stage.

August 4, 2020 – Conservation Commission reviewed the Conceptual Master Plan and provided the following advisory opinion:

“The South Kingstown Conservation Commission is in agreement that the concept is attractive. We like the idea of this coming to fruition but, if going forward with the preliminary plan James and Ryan could include more detail on water runoff from viticulture, or any other agricultural endeavors on the property, wine production, and water usage [it would be helpful]. It appears that the applicant has spoken with Suez in regard to water availability but if we could get a little more detail on how reducing from 120 people to 33 rooms plus the bungalows on the northeast part of the property, what that water usage would look like, the restaurant run off would be with oil and grease [it would be helpful]. If we could just get greater detail on all of those aspects going forward to the preliminary plans, I think the Conservation Commission would be in position at the moment to acknowledge that we have looked at these plans and like the idea and with those greater details look forward to addressing it in the future. Included in this motion, is the request that the Conservation Commission be allowed to re-evaluate these plans once they come to the preliminary stage of review.”

Required Findings

In accordance with the ‘Procedure for Amendments to the Comprehensive Plan’ adopted by the South Kingstown Town Council on January 9, 1996, and later amended on February 23, 2009, “In its motion, whether for approval, approval with revisions, or denial, the Planning Board shall make findings in writing indicating consistency or inconsistency of the amendment with the goals, findings, intent, and other provisions of the Enabling Act.”

In accordance with Section 1001.B (Adoption, Amendment and Maintenance of the Zoning Ordinance, Referral to the Planning Board - *Planning Board findings and recommendations*), "Among its findings and recommendations to the Town Council with respect to a proposal for adoption, amendment, or repeal of the Zoning Ordinance or Zoning Map, the Planning Board shall:

1. Include a statement on the general consistency of the proposal with the comprehensive plan of the Town, including the goals and policies statement, the implementation program, and all other applicable elements of the comprehensive plan; and
2. Include a demonstration of recognition and consideration of each of the applicable purposes of zoning, as presented in the Preamble of this Ordinance and of the General Laws of Rhode Island, Section 45-24-30, as amended."

Upon review of this Conceptual Master Plan submittal for a Major Land Development Project, the Planning Board must make positive findings on the following standard provisions, as part of the proposed project's record prior to approval:

- 1) The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies;
- 2) The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance;
- 3) There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval;
- 4) The subdivision, 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
- 5) 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.

Additionally, the approving authority must address each of the following general purposes of zoning:

- 1) Providing for the orderly, thorough and expeditious review and approval of land developments and subdivisions;
- 2) Promoting high quality and appropriate design and construction of land developments and subdivisions;
- 3) 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;
- 4) 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;
- 5) 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;

- 6) Promoting thorough technical review of all proposed land developments and subdivisions by appropriate local officials;
- 7) 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
- 8) Encouraging the establishment and consistent application of procedures for local record-keeping on all matters of land development and subdivision review, approval and construction.

Draft Motions

The following motions with associated findings and conditions of approval are being offered for consideration by the Planning Board during and should be amended accordingly if deemed appropriate or otherwise necessary:

Motion 1: Comprehensive Plan Amendment

"In accordance with the 'Procedure for Amendments to the Comprehensive Plan' adopted by the South Kingstown Town Council on January 9, 1996, and later amended on February 23, 2009, the South Kingstown Planning Board hereby approves the application of Morgan Schoen Hospitality, Inc. to amend the Comprehensive Plan Land Use Plan Map 2.3 (Land Use Plan Map), Map 2.4 (Land Use Plan Map – Wakefield Detail), and Map 2.9 (Zoning) by changing the map designation of AP 50-4, Lot 12 from 'Residential Very Low Density' to 'Route 1 Special Management District', as well as the proposed text revisions to the description of the Route 1 Special Management District on page 19 of the Introduction, as well as Table 2 (Land Use Plan Map Categories) and Table 3 (Zoning Districts), to reflect the same. The purpose of this Comprehensive Plan amendment is to permit an application to amend the Town's Zoning Map designation of AP 50-4, Lot 12 from 'R80 - Rural Residential Low Density District' to 'Route 1 Special Management District' to proceed for consideration by the Town Council. The Planning Board's decision to approve the proposed Comprehensive Plan amendment is based on the following Findings of Fact:

Findings of Fact

- A. The subject properties occupy the land northerly of Oliver Stedman Government Center and the land easterly of The Prout School.
- B. The subject property is zoned R80, bordered to the north and east by land zoned R80, to the south by land zoned Government Institutional (GI), and to the east by land zoned Route 1 Special Management District (SMD) on the western side of US Route 1.
- C. This amendment to the Comprehensive Community Plan is consistent with the 'Overall Goal of the Land Use Element' of the Plan 'To promote orderly growth patterns based upon the natural, cultural and historic character of the Town, the lands suitability for use and the aspirations of its citizens.'
- D. The Planning Board finds that the proposed amendment to the Town's Comprehensive Community Plan is consistent with the following goals of the Rhode Island Comprehensive Planning and Land Use Act (RIGL 45-22.2-3.c):
 - (1) To promote orderly growth and development that recognizes the natural characteristics of the land, its suitability for use, and the availability of existing and proposed public and/or private services and facilities.
 - (2) To promote an economic climate which increases quality job opportunities and overall economic well-being of each municipality and the state.
 - (4) To promote the protection of the natural, historic and cultural resources of each municipality and the state.

- (6) To provide for the use of performance-based standards for development and to encourage the use of innovative development regulations and techniques that promote the development of land suitable for development while protecting our natural, cultural, historical, and recreational resources, and achieving a balanced pattern of land uses.”

Motion 2: Advisory to the Town Council on Zoning Map & Text Amendments

“The South Kingstown Planning Board hereby recommends that the Town Council approve an amendment to the Town of South Kingstown Zoning Map to change the Zoning Map designation of AP 50-4, Lot 12 from ‘R80 - Rural Residential Low Density District’ to ‘Route 1 Special Management District (SMD)’ and to change the Zoning Text amendments as proposed. These Zoning Text amendments seek to amend: Section 102.E (Overlay and special management districts: Route 1 Special Management District) to include the subject property within the Route 1 SMD zoning district; Section 605.5 (Route 1 Special Management District: Permitted Uses) to allow for the operation of a restaurant serving alcohol (Use Code 56.1) and/or accessory entertainment to restaurant or bar (Use Code 56.3) to be a ‘Use by Right’ and not require a Special Use Permit and to allow for a liquor store (Use Code 55.3) to require a Special Use Permit within the SMD; Section 605.15 (Route 1 Special Management District: Open Space) to allow for ‘Farm lands, gardens, and vineyards’ to be allowable types of open space uses within the SMD; and Section 102.E (Overlay and special management districts: Route 1 Special Management Districts), as well as Section 605.18 (Route 1 Special Management District: Utilities) to eliminate the requirement that the lot and its building be connected to sewer, at least during the life of the current OWTS. This recommendation is based on the following Findings of Fact and Findings of Consistency with the Purposes of Zoning:

Findings of Fact

- A. The subject properties occupy the land northerly of Oliver Stedman Government Center and the land easterly of The Prout School.
- B. The subject property is zoned R80, bordered to the north and east by land zoned R80, to the south by land zoned Government Institutional (GI), and to the east by land zoned Route 1 Special Management District (SMD) on the western side of US Route 1.
- C. This amendment to the Comprehensive Community Plan is consistent with the ‘Overall Goal of the Land Use Element’ of the Plan ‘To promote orderly growth patterns based upon the natural, cultural and historic character of the Town, the lands suitability for use and the aspirations of its citizens.’
- D. The Planning Board finds that the proposed amendment to the Town’s Comprehensive Community Plan is consistent with the following goals of the Rhode Island Comprehensive Planning and Land Use Act (RIGL 45-22.2-3.c):
 - (1) To promote orderly growth and development that recognizes the natural characteristics of the land, its suitability for use, and the availability of existing and proposed public and/or private services and facilities.
 - (2) To promote an economic climate which increases quality job opportunities and overall economic well-being of each municipality and the state.
 - (4) To promote the protection of the natural, historic and cultural resources of each municipality and the state.
 - (6) To provide for the use of performance-based standards for development and to encourage the use of innovative development regulations and techniques that promote the development of land suitable for development while protecting our natural, cultural, historical, and recreational resources, and achieving a balanced pattern of land uses.”

Findings of Consistency with the Purposes of Zoning

This recommendation is based upon the following Findings of Consistency with the General Purposes of Zoning Ordinances as identified in the Rhode Island Zoning Enabling Act (RIGL 45-24-30).

- E. Promoting the public health, safety and welfare.
- F. Providing for a range of uses and intensities of use appropriate to the character of the city or town and reflecting current and expected future needs.
- G. Providing for orderly growth and development which recognizes:
 - (i) The goals and patterns of land use contained in the comprehensive plan of the city or town adopted pursuant to Chapter 22.2 of this title.
 - (ii) The natural characteristics of the land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface or groundwater pollution.
- H. Providing for the protection of the natural, historic, cultural, and scenic character of the city or town or areas in the municipality.
- I. Promoting a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe and sanitary housing."

Conditions of Approval

- 1. The use of this property shall be strictly limited to only the following use codes requested by the applicant:
 - Use Code 01 (Crop Farm [vineyard]);
 - Use Code 40.1 (Motel, hotel, inn or resort or bed and breakfast with over 20 rooms);
 - Accessory Uses to Use Code 40.1 (associated with the hotel use) limited to indoor events and wedding hall, outdoor lawn events, spa and fitness center, and conference/meeting facilities.
 - Use Code 56.1 (Restaurant with alcohol service);
 - Use Code 56.3 (Accessory Entertainment to Restaurant);
 - Use Code 71 (Food Products Manufacturing [winery]);

Motion 3: Conceptual Master Plan

"The South Kingstown Planning Board hereby grants Conceptual Master Plan approval to the Shepherd's Run Major Land Development Project, an adaptive reuse proposal to convert the existing historic property to a destination resort and winery including boutique hotel, winery and vineyard, restaurant, indoor and outdoor events, spa & fitness center, and extended stay bungalows located on AP 50-4, Lot 12 with a physical address of 4780 Tower Hill Road, Morgan Schoen Hospitality, Inc., *applicant*, Ocean Pastoral Center, Inc., *owner*. This approval is based upon plan set entitled: *Shepherd's Run, 4780A Tower Hill Road, South Kingstown, Rhode Island, Conceptual Master Plan, 2020-05-29*, Sheets G0.00, G1.00, through G3.00, completed by Centerbrook Architects and Planners, LLP dated May 29, 2020; and Sheets G2.00 and Sheets 1 through 2, completed by DiPrete Engineering, Inc. dated May 26, 2020 and July 22, 2014, respectively. This approval is based on the following Findings of Fact and Conditions of Approval:

Findings of Fact

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

- C. There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval;
- D. 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; and
- E. The development has adequate and permanent physical access to a public street, namely Tower Hill Road (Route 1).

Conditions of Approval

1. This decision is contingent upon the approval of the associated Comprehensive Plan and Zoning Map & Text amendments seeking to rezone the property from 'R-80' to 'Route 1 Special Management District (SMD)' by the South Kingstown Town Council. This project may not advance to the Preliminary Plan stage of review, as proposed, without Town Council approval of these amendments.
2. The use of the property shall be limited to Use Code 40.1 (Motel, hotel, inn or resort or bed and breakfast with over 20 rooms), Use Code 56.1 (Restaurant with alcohol service, Use Code 56.3 (Accessory Entertainment to Restaurant), Use Code 71 (Food Products Manufacturing [for the winery]), and Accessory Uses (indoor events and wedding hall, outdoor lawn events, spa and fitness center, and conference/meeting facilities) to Use Code 40.1 (associated with the hotel use), as proposed unless further amended by the Town Council or Planning Board during the Preliminary Plan stage of review.
3. The applicant shall satisfy the requirements of Section 19-115 of the South Kingstown Town Code in regard to the Town's sewer connection policy prior to Preliminary Plan submission.
4. Should the project be approved to reutilize the existing Onsite Wastewater Treatment System (OWTS), the applicant shall submit a System Suitability Determination (SSD) from the RI Department of Environmental Management (RIDEM) with the Preliminary Plan submission confirming the suitability of the existing OWTS to support the proposed development.
5. As part of the Preliminary submittal, the applicant shall submit a completed Preliminary Determination from the RI Coastal Resources Management Council (CRMC).
6. As part of the Preliminary submittal, the applicant shall provide a traffic report detailing the anticipated traffic impacts from the proposed development and the adequacy of the existing and proposed roadways to safely accommodate existing and projected traffic.
7. If the Zoning Text Amendment allowing for the operation of a restaurant serving alcohol (Use Code 56.1) and/or accessory entertainment to restaurant or bar (Use Code 56.3) to be a 'Use by Right' and not require a Special Use Permit (as currently required within the SMD), is not approved by the Town Council, the applicant shall secure a Special Use Permit from the Zoning Board of Review for said uses prior to submission of the Preliminary Plan application.