



**SOUTH KINGSTOWN PLANNING DEPARTMENT**  
**PROJECT REVIEW MEMO**  
**Shepherd's Run**  
**Comprehensive Plan & Zoning Ordinance Amendment:**  
**Pre-Application Concept Review**

Project Type:	<b>Comprehensive Plan Amendment / Zoning Map Amendment</b>		
Review Stage:	<b>Pre-Application Concept Review</b>		
Address:	<b>4780A Tower Hill Road</b>		
Plat:	<b>50-4</b>	Lot:	<b>12</b>
Parcel Size:	<b>30.44 acres</b>	Zoning District:	<b>R-80 (Current)</b>
Applicant:	<b>Ryan Schoen, Morgan &amp; Shoen</b>	Owner:	<b>Legion of Christ (RI) Inc.</b>
Current Plan Set:	<b>N/A (<i>Application Packet Attached to Agenda</i>)</b>		

**Proposed Action**

---

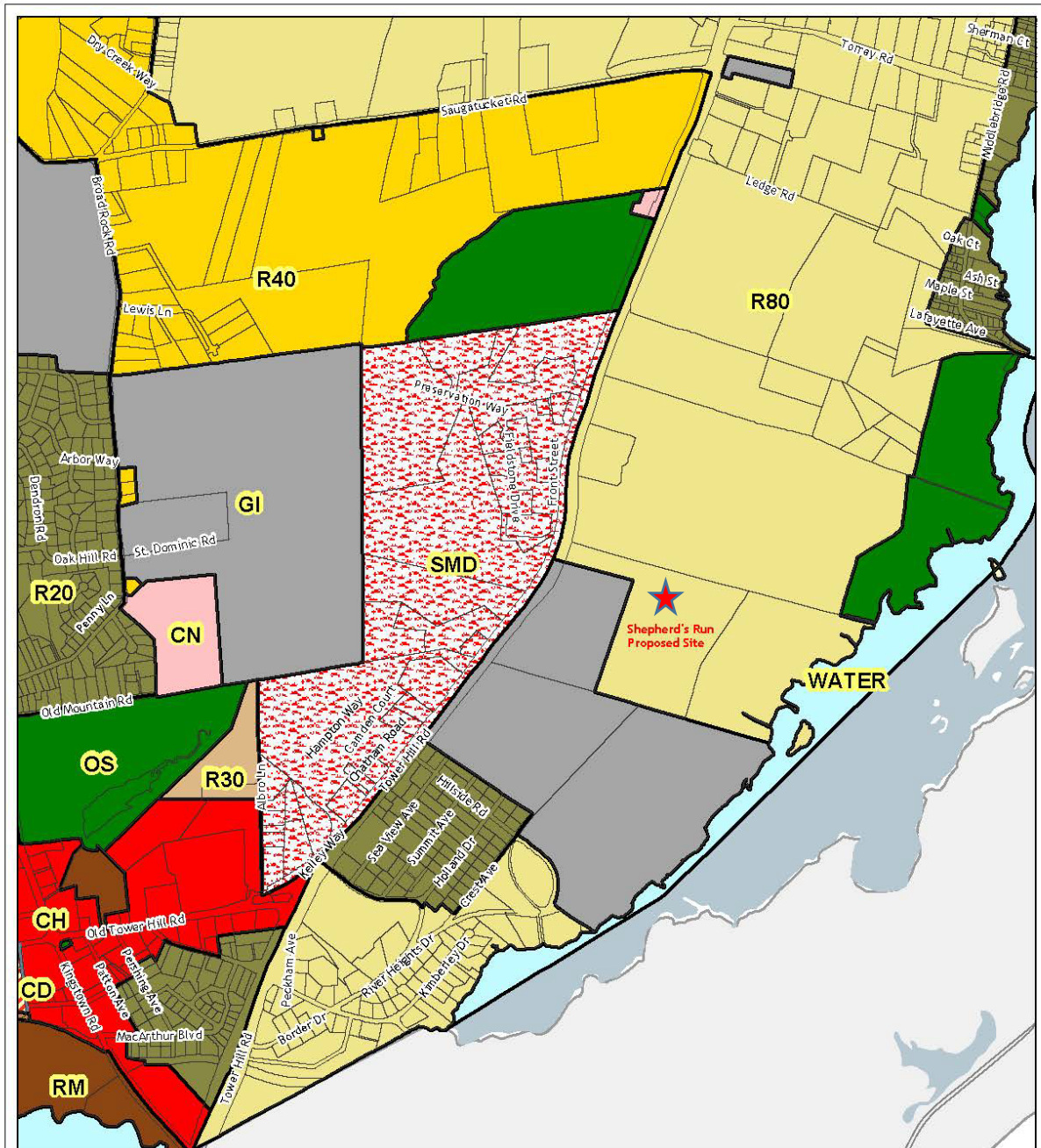
The applicant is seeking to rezone the parcel from R-80 to Special Management District in order to accommodate a mixed-use development proposal to include a hotel and extended stay bungalows, event/meeting space, a vineyard/winery, restaurant and spa. This zoning ordinance map amendment must be accompanied by an application for Comprehensive Plan amendment to change the Future Land Use Map (Map 2.3: Land Use Plan Map) of the adopted 2014 Comprehensive Plan for the parcel from 'Very Low Density' land use to 'Route 1 Special Management District' land use.

**Property Characteristics**

---

Lot 12 is located to the east of Commodore Oliver Hazard Perry Highway (Route 1), the parcel has direct access onto Route 1 via an existing access easement. The parcel is zoned R-80 and the tax assessor's records indicate the parcel contains approximately 30.44 acres of land. The parcel contains a large existing structure formerly operated as a religious institution and private boarding school, and a small cottage structure. The larger 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 ([click here to see the RI Historic Preservation and Heritage Commission listings](#)). The parcel is located within the CRMC's Narrow River Special Area Management Plan boundary and is classified as "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. The properties 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. See figure 1 below for the zoning information, and figures 2 & 3 for an aerial images.

Figure 1: WebGIS Aerial Image



Washington County, Rhode Island

Horizontal Datum is Rhode Island State Plane Feet, NAD83.

1 inch = 1,333 feet

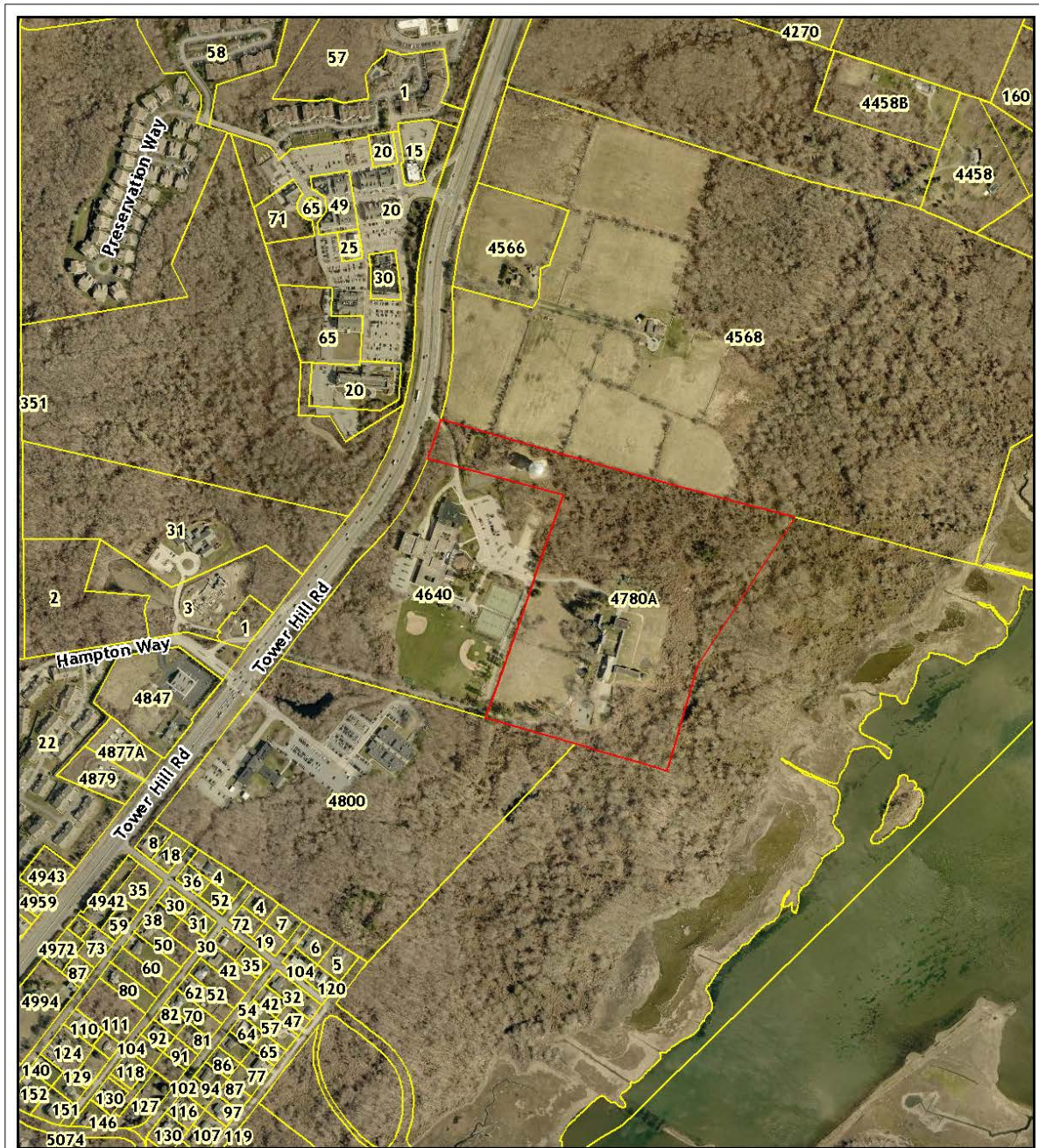
0 600 1,200 2,400 Feet

Parcel Boundaries not legally binding for title or zoning purposes.

The Town of South Kingstown makes no warranty as to the accuracy, reliability, or completeness of the information and is not responsible for any errors or omissions for results obtained from the use of the information.

Town of South Kingstown Web GIS

Figure 2: Aerial Image



Washington County, Rhode Island

Horizontal Datum is Rhode Island State Plane Feet, NAD83.

1 inch = 667 feet

0 305 610 1,220 Feet

Town of South Kingstown Web GIS

Shepherd's Run - Image

Parcel Boundaries not legally binding for title or zoning purposes.

The Town of South Kingstown makes no warranty as to the accuracy, reliability, or completeness of the information and is not responsible for any errors or omissions for results obtained from the use of the information.

**Figure 3**



---

### **Project Description**

The applicant proposes to redevelop the property utilizing the existing historic structure as the primary building on the site. The proposed uses include lodging, with hotel rooms and extended stay bungalow's 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 provided additional/diversified lodging opportunities. 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

---

### **Decision Deadline**

There is no decision deadline for a pre-application concept review of a proposed Zoning Ordinance/Map change.

---

---

## **Comprehensive Planning & Regulatory Considerations**

---

### ***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 must be taken by the Planning Board at the pre-application meeting.

### ***Comprehensive Plan – (Future Land Use Map Amendment)***

The Town's Comprehensive Plan provides a framework for the development of land within the South Kingstown designed to foster and direct the community's goals for conservation and development, within a set number of elements including: land uses, economic development, natural resources, cultural resources, and services and facilities. The Plan must be consistent with statewide land use policies and planning documents. Applications to amend the Comprehensive Plan must be harmonious with the overall framework provided in the plan, and with any applicable state guide plans and policies. Below is an initial list of goals, policies and actions from the Plan staff finds relevant to the application.

#### Adopted (2014) Comprehensive Plan:

The 2014 Comprehensive Plan includes the following Goals, Policies and Actions, which may aid in consideration of the request:

*Land Use Action Plan, "Goal 6 – To protect and preserve a diversity of landscapes within the Town – See Natural and Cultural Resources Element."*

*Land Use Action Plan, "Implementation – The Town shall expand the measures available for protecting cultural resources to provide maximum protection to South Kingstown's historic and prehistoric resources."*

*Natural & Cultural Resources Action Plan, "Policy 2.2 - The Town recognizes that the irreplaceable coastal resources need comprehensive protection. The Town will take a regional watershed approach, critical to preserving these fragile resources, to address land use, stormwater runoff, and all point and non-point source pollution. The Town will pursue management strategies consistent with the CRMC's Special Area Management Plan for the Salt Ponds (1999) and the Special Area Management Plan for the Narrow River (1999)."*

*Natural & Cultural Resources Action Plan, "Goal 3 - To protect and preserve agricultural land within the Town."*

*Natural & Cultural Resources Action Plan, "Implementation - The Town shall utilize a combination of regulatory techniques and amendments (zoning), public and private funding resources (e.g., land trusts, easements, purchase of development rights), and economic strategies (e.g., providing opportunities to sell/purchase locally grown products) to achieve the necessary protection of farmland and encouragement of farming activities."*

*Natural & Cultural Resources Action Plan, "Policy 5.6 - The Town supports educating residents, as well as visitors, to the importance of preserving cultural resources and of the intrinsic value of historic buildings and sites in South Kingstown."*

*Economic Development Action Plan, "Goal 1 – To foster a local economy that provides opportunities for a diverse collection of business and industry."*

*Economic Development Action Plan, "Implementation - The Town shall focus supportive efforts toward the local business community to reinforce existing investment and our traditional economy, employment opportunities and the provision of goods and services to our residents and visitors to the community."*

*Economic Development Action Plan, "Goal 2 – To identify constraints to economic development that must be considered by local boards and commissions, the local business community and/or future investors."*

*Economic Development Action Plan, "Policy 2.2 – The Town recognizes the relationship between adequate infrastructure and economic development potential in the community."*

*Economic Development Action Plan, "Policy 2.4 - The Town supports balancing economic development with the need to protect natural, cultural, historic, and recreational resources throughout the community."*

CRMC Narrow River SAMP:

The proposal to amend the future land use designation of the parcel from 'Very Low Density Residential' to 'Route 1 Special Management District' can be guided by the following section of the Comprehensive Plan, and the CRMC Narrow River Special Area Management Plan (SAMP).

The parcel is located within the Narrow River SAMP ([accessed in full by clicking here](#)). The parcel is included in the land use classification 'Lands of Critical Concern,' defined as follows:

"Lands of critical concern" means lands that are presently undeveloped or developed at densities of one residential unit per 120,000 square feet. These lands may be adjacent to or include one or more of the following: a) sensitive areas of the salt ponds that are particularly susceptible to eutrophication and bacterial contamination; b) overlie wellhead protection zones or aquifer recharge areas for existing or potential water supply wells; c) areas designated as historic/archaeologic sites; d) open space; e) areas where there is high erosion and runoff potential; f) habitat for flora and fauna as identified through the RI Natural Heritage Program, large emergent wetland complexes, and U.S. Fish & Wildlife lands; and g) fisheries habitat. (Definitions, Narrow River SAMP)

The Narrow Rive SAMP describes the “Land Use Classification for Watershed Protection” relative to “Lands of Critical Concern” in Section 4.4.3 of the SAMP as follows:

1. Policies and Regulations

a. Subdivisions as defined in § 1.1.2 of this Subchapter shall not exceed an average density of one residential unit per 120,000 square feet for Lands of Critical Concern. The allowable number of units in conformance with this standard shall be calculated on the basis of available land suitable for development as defined in § 4.3 of this Part. The division of a tract, lot or parcel not subject to municipal regulation under the provisions of R.I. Gen. Laws Chapter 45-23 et seq., for the reasons set forth therein, shall remain subject to the jurisdiction of the requirements of R.I. Gen. Laws § 46-23 et seq. and Parts 1 and 4 of this Subchapter.

b. The number of allowable units in a cluster shall be calculated on the basis of lands suitable for development as defined in § 4.3 of this Part within the subdivision and in accordance with all local ordinances.

c. Any major land development project or any major subdivision of land as defined in R.I. Gen. Laws § 45-23-25 et seq. within Lands of Critical Concern, occurring after April 12, 1999, must meet the minimum density requirement of one residential unit per 120,000 square feet. Relief from this regulation requires a special exception as defined in § 1.1.8 of this Subchapter. Lands which were subdivided prior to April 12, 1999, and do not meet the CRMC density requirement as defined in § 4.4.3(B)(1)(a) require a variance as defined in § 1.1.7 of this Subchapter.

d. Nitrogen reducing technologies as defined in § 4.3 of this Part are required for any lands subdivided after April 12, 1999 that do not meet the CRMC density requirement for Lands of Critical Concern (120,000 square feet) for activities within 200 feet of a coastal feature and all watershed activities as defined in §§ 4.4(B)(3) and 4.4(B)(4) of this Part. Relief from this regulation requires a special exception as defined in § 1.1.6 of this Subchapter unless the lands were subdivided prior to April 12, 1999 and cannot accommodate the requirement. A nitrogen reducing technology cannot be used as mitigation to increase dwelling densities on parcels which can support the density requirement.

e. Lands of Critical Concern which are also zoned for 80,000 square feet by municipal zoning regulations may be developed at densities of one residential unit per 80,000 square feet only if a nitrogen reducing technology is used as the method of sewage removal. [In the event that a property has frontage on a sewer line then hooking up to the sewer will be mandatory].

f. A minimum 225-foot setback from the Narrow River, its tributaries, and coastal wetlands, including tributary wetlands, is required for OWTS in Lands of Critical Concern for activities within 200 feet of a coastal feature and all watershed activities as defined in

§§ 4.4(B)(3) and (4) of this Part. Relief from this regulation requires a special exception as defined in § 1.1.6 of this Subchapter, unless the lands were subdivided prior to April 12, 1999 and cannot accommodate the requirement.

g. A 200-foot buffer zone from the Narrow River, its tributaries, and coastal wetlands, including tributary wetlands, is required for all development activities within 200 feet of a coastal feature and all watershed activities as defined in §§ 4.4(B)(3) and 4.4(B)(4) of this Part in Lands of Critical Concern. Relief from this regulation requires a special exception as defined in § 1.1.8 of this Subchapter, unless the lands were subdivided prior to April 12, 1999 and cannot accommodate the requirement.

h. New individual or community docks are prohibited.

i. The installation of sewers is prohibited, unless all of the following conditions are met:

- (1) the property meets the RIDEM regulatory requirements for the installation of a conventional OWTS,
- (2) the proposal is agreeable to both the town and the CRMC,
- (3) a deed restriction is attached to the property ensuring no further subdivision; and
- (4) the properties to be sewerred are within 500 feet of an existing sewer line or are within a subdivision which abuts the sewer easement.

j. The Council recognizes that in areas abutting the Narrow River, its tributaries and other critical resource areas, existing nitrogen reducing technologies may not be sufficient to reduce groundwater nitrogen concentrations to levels which will prevent further eutrophication in the Narrow River. If new technology improves the nitrogen removal capability of these systems and new research indicates the need for further nitrogen removal, CRMC will reevaluate the need for increased nitrogen removal.

## 2. Municipal policies

a. Some lands, as presently zoned by the towns, may not meet the density requirements for Lands of Critical Concern (120,000 square feet). In such cases the CRMC strongly encourages the towns to amend zoning in these areas to meet the density requirements.

b. The Council recommends the use of cluster development as a means to preserve open space, agricultural lands and aesthetic qualities, reduce impervious surfaces and the costs of development, and minimize the environmental impacts of development.

c. Lands of Critical Concern should be priority areas for additional measures to minimize pollution loadings from development through municipal, state or federal acquisition for open space and conservation easements and/or tax relief and aquifer protection ordinances.

d. For activities outside CRMC jurisdiction but within the SAMP boundaries, CRMC strongly recommends that the towns adopt CRMC regulations for OWTS setbacks and nitrogen reducing technologies as identified in Table 1 of § 4.4.2(E) of this Part.

### ***Zoning Ordinance – (Zoning Map Amendment)***

The purpose of the Special Management District as described in Section 605.2 of the Zoning Ordinance reads as follows:

605.2. Purpose. The purpose of the Route 1 Special Management District is to provide an area for economic development in the community according to prescribed review and approval procedures, and according to design standards particular to the District. The District is intended to provide for a diversity of compatible land uses and development densities, which may include a mixture of residential, office, retail, light industrial, recreational, open space, and other miscellaneous uses.

The District is also designed to preserve, create or enhance the scenic roadside view from US Route 1 and adjacent properties, and to encourage traditional architecture and historical village settlement patterns which are well integrated into the existing community, while avoiding the creation of large scale shopping centers, business or industrial parks having little or no relation to each other or to the surrounding community.

It is also the purpose of the Route 1 Special Management District to encourage development of residential uses which have little impact on public school enrollments and which are within the capacities of the Town to provide educational services; and to permit residential densities and dwelling unit types that are compatible within a mixed-use environment but which may not be compatible with other residential areas of the Town.

The full text of Section 605 of the ordinance is provided in hard copy in Planning Board packets ([full text also available by clicking here](#)).

### **Necessary Approvals & Review Procedure**

---

The overall review procedure for the proposed development is governed by the precedence of approvals statute from the Development Review Act (RIGL 45-23-61), which is summarized as follows:

- Step 1: Pre-application review with the Planning Board (Includes a proposal of the development, some level of conceptual site plan, and information, alongside a written proposal for the rezoning, and amendment to the future land use map designation in comprehensive plan)
- Step 2: Present the master plan application, and receive an advisory recommendation from the Planning Board to the on the Plan and zoning ordinance amendment.
- Step 3: The Town Council holds a public hearing on the comp plan amendment, and a public hearing on the zoning ordinance amendment, which they can do within the same meeting.
- Step 4: The application will then return to the Planning Board to continue the development review process, including preliminary plan and final plan review stages.
- *As applicable: the business will additionally need to receive a special use permit for the sale of alcohol, and a liquor license from the Town Council before operations commence.*