

City Planning Department



Memo

To: Cranston City Plan Commission
From: Doug McLean, AICP - Principal Planner / Administrative Officer
Date: January 29, 2021
Re: **Special Use Permit Application for Medical Marijuana Dispensary; New Leaf LLC**

Owners: Dan Celani
Applicant: New Leaf Compassion Center Inc.
Location: 24 Stafford Court, AP 13, Lot 84
Zone: M-2 (General industry)
FLU: Industrial

SPECIAL USE PERMIT REQUEST:

To reuse an existing building for a Medical Marijuana Dispensary on a property located at 24 Stafford Court. Such a use is only allowed through a Special Use Permit process per Zoning Ordinance Sec. 17.24.040 – Medical Marijuana Dispensary (full language enclosed following this memo).

**AERIAL VIEW
(400 foot radius in black)**



AERIAL VIEW (close up)



ZONING MAP



FUTURE LAND USE MAP



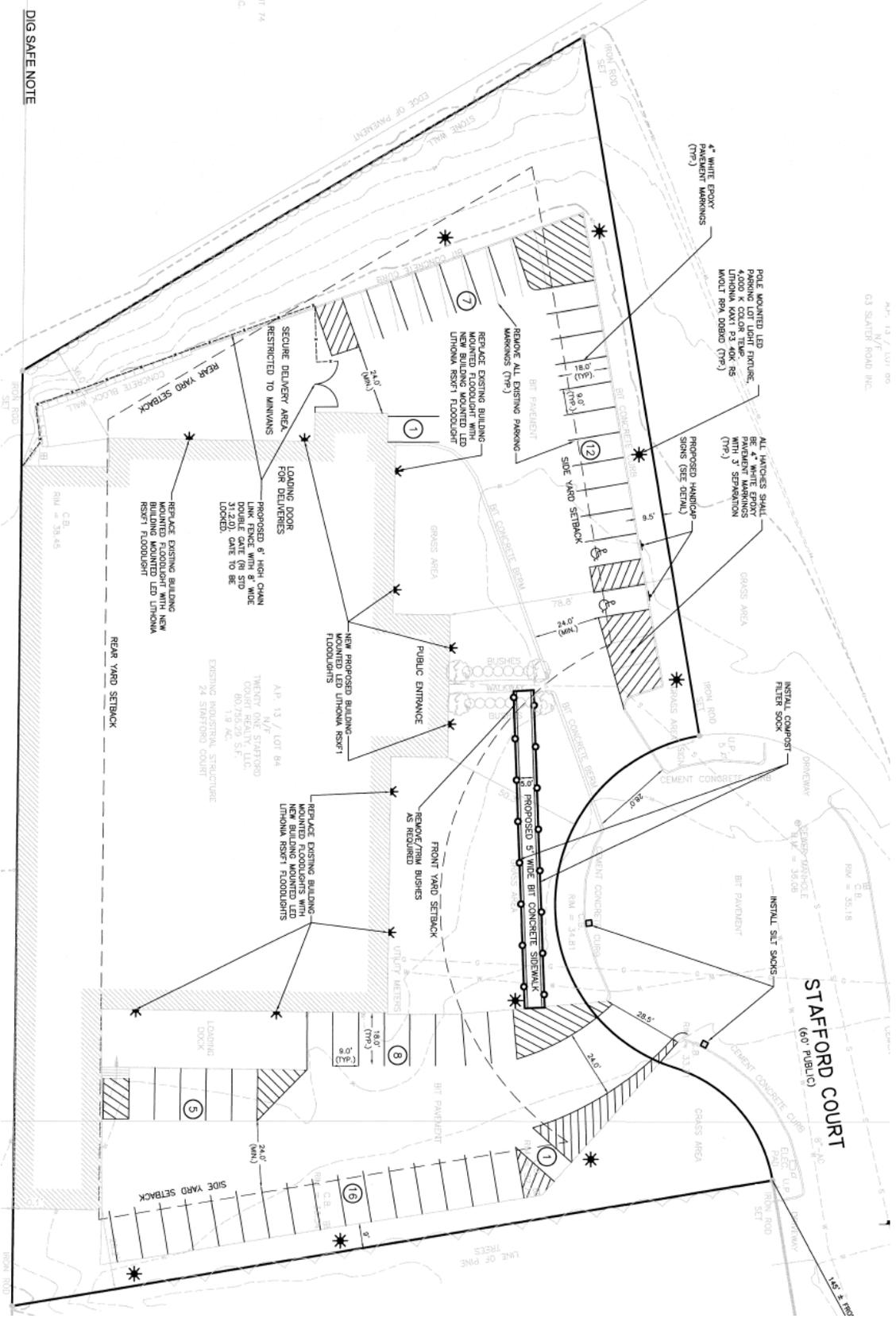
3-D AERIAL VIEW



STREET VIEW (from Stafford Court)



SITE PLAN



DIG SAFE NOTE

AP 13 / LOT B4
C3 SLATER ROAD INC.

STAFFORD COURT
(60' PUBLIC)

FINDINGS OF FACT:

1. The proposal is to reuse an existing building XXX for a Medical Marijuana Dispensary at 24 Stafford Court located in M-2 zone.
2. The application does not require dimensional relief, and any zoning standards relating to the existing conditions of the building or property do not trigger a variance.
3. The M-2 and M-1 zones are the only zoning districts in the Cranston Zoning Code in which a Medical Marijuana Dispensary use is allowed to be located. Such a use is only allowed via Special Use Permit which requires a decision from the Zoning Board of Review. Full language of Zoning Ordinance Sec. 17.24.040 entitled Medical Marijuana Dispensary is enclosed.
4. Staff finds that the application is consistent with all required standards of Zoning Ordinance Sec. 17.24.040.
5. The project received conditional preliminary plan approval from the Cranston Development Plan Review Committee on 11/18/20.
6. With regard to the Special Use Permit standards of review (Zoning Sec. 17.92.020), the applicant must demonstrate the proposal meets the following requirements:
 - a. It shall be compatible with its surroundings;
 - b. It shall not be injurious, obnoxious or offensive to the neighborhood;
 - c. It shall not hinder the future development of the city;
 - d. It shall promote the general welfare of the city; and
 - e. It shall be in conformance with the purposes and intent of the comprehensive plan.
7. The applicant has provided a letter prepared Tom Mirza on behalf of the applicant that addresses the issues of neighborhood compatibility, as well as addressing the other required criteria listed above. Staff has reviewed this report and finds it that it provides positive evidence in support of the proposal as it relates to the Special Use Permit criteria. Tom Mirza's letter is enclosed to this memo to provide details.
8. The applicant has provided a Traffic Memo prepared by Pare Corporation. Staff has reviewed this memo and finds it to be comprehensive and technically sound in terms of demonstrating that the site is capable of hosting a medical marijuana dispensary without detrimental traffic impacts to the surrounding street network.

PLANNING ANALYSIS:

This is the second application the City has received for the use of a Medical Marijuana Dispensary. It should be noted that every medical marijuana application is subject to a state lottery system in order to be awarded a license, and it is the City's understanding that only one (1) site will be awarded within the zone that includes the City of Cranston. Based on the City's regulatory framework, there are limited opportunities for such a use given that it is only permitted as a Special Use Permit in the M-1 or M-2 zones (industrial districts), in which there are many challenging conditions with non-conforming buildings and properties. Additionally, as codified in Zoning Sec 17.24.040 (Medical Marijuana Dispensary), a compassion center must be a minimum

distance from a list of sensitive land uses (e.g., residential, education, youth centers, etc.). Based on all of the above factors, locating a property that is both properly zoned and distanced appropriately can be a difficult task.

Staff is of the view that the subject application has met all required zoning standards. Further, in comparison to the existing use of the site, staff finds that the proposed Medical Marijuana Dispensary will generate greater tax revenue and secondary economic impacts. The economic and environmental factors provide positive findings for the subject application with regard to several policies within the City's Comprehensive Plan.

Staff finds that the subject application has provided a substantial level of detail within the submitted materials to demonstrate compliance with all related zoning code and regulatory issues.

RECOMMENDATION:

Due to the finding that the application is consistent with the Cranston Comprehensive Plan, and due to the finding that the applicant has demonstrated compliance with all required sections of zoning, including the Special Use Permit criteria, staff recommends the Plan Commission forward a **positive recommendation** to the Zoning Board of Review.