

City Planning Department



Memo

To: Cranston City Plan Commission
From: Joshua Berry, AICP - Senior Planner
Date: July 11, 2022
Re: “661 Park Project” - Master Plan - Major Land Development

Owner/App: Legion Development, Inc.
Location: 661 Park Ave, AP 3, Lots 289, 291, 1695 & 1696
Zone: Existing: C-.3 (General Business) – Proposed: C-3 *with conditions*
FLU: Existing: Neighborhood Commercial/Services – Proposed: Mixed Plan Development

Link to application materials: <https://www.cranstonri.gov/city-plan-commission.7.12.22/>

I. Proposal

There are three separate applications for the 661 Park Project that all work in tandem. They are:

1. Major Land Development Master Plan

The applicant proposes to knock down the existing pub, bowling alley and house (being used as a business office) on the subject property and develop a mixed-use building with 69 residential units (10 two-bedroom and 59 one-bedroom or studio units) and commercial uses on the street-level facing Park Avenue. The residential units are to be comprised of studio, one and two-bedroom units.

2. Comprehensive Plan Amendment (Ordinance 4-22-04)

The applicant is requesting to amend the Comprehensive Plan Future Land Use Map designation of “Neighborhood Commercial/Services” to “Mixed Plan District.” There are also surgical amendments proposed to the Land Use Element to call out this site for redevelopment.

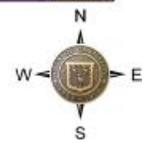
3. Change of Zone (4-22-05)

The proposal requires a change of zone from C-3 (General Business) to C-3 *with conditions* to regulate the permitted uses, require an affordable housing component, and to allow the proposed building height, density (75 maximum units), and reduced off-street parking requirements. The proposed ordinance would stipulate that 15% of the units must be affordable.

This memo is intended to cover the MLD Master Plan application only.

A separate staff memo will be issued to address the ordinances.

ZONING MAP

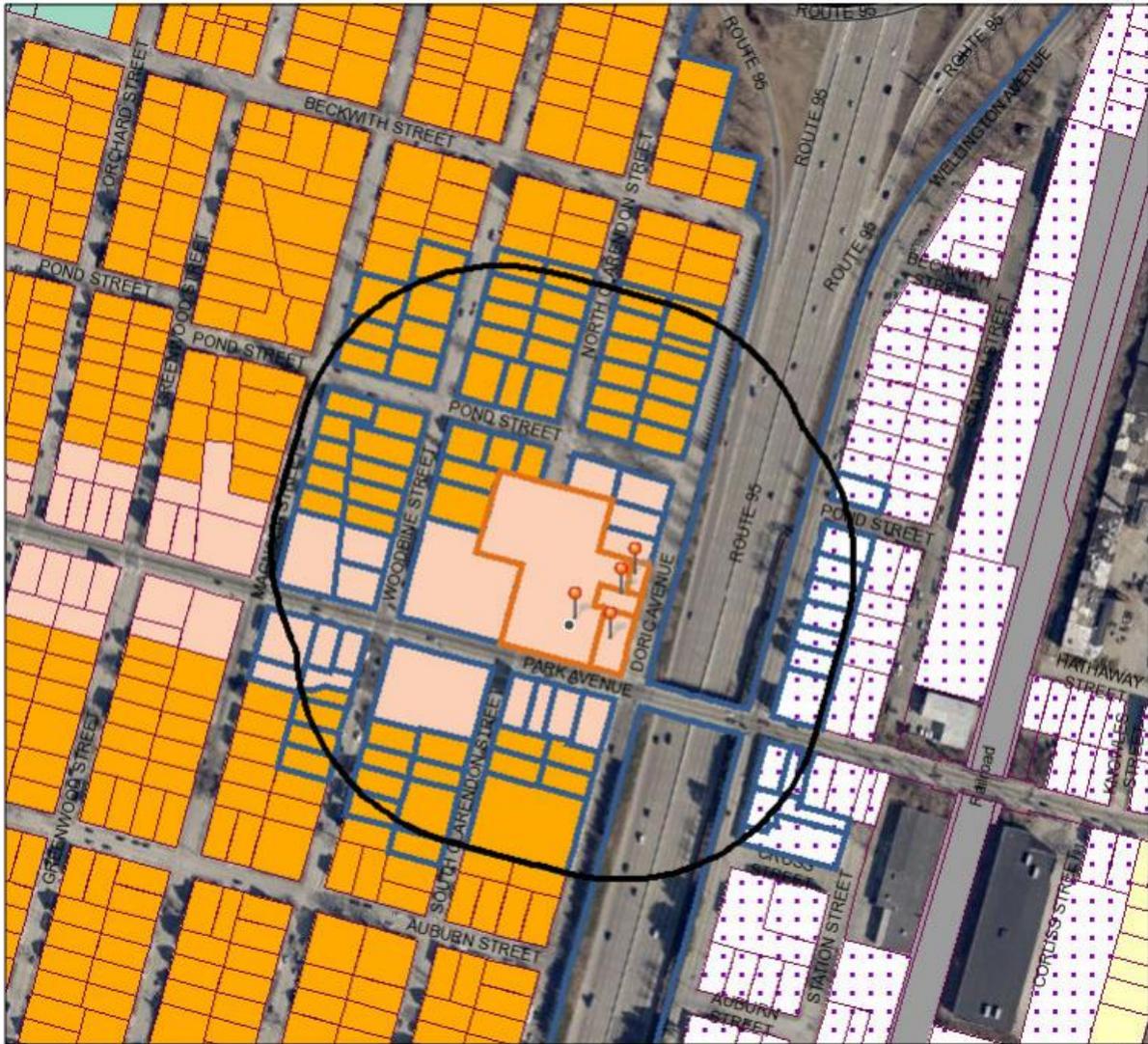


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FUTURE LAND USE MAP



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NEIGHBORHOOD AERIAL

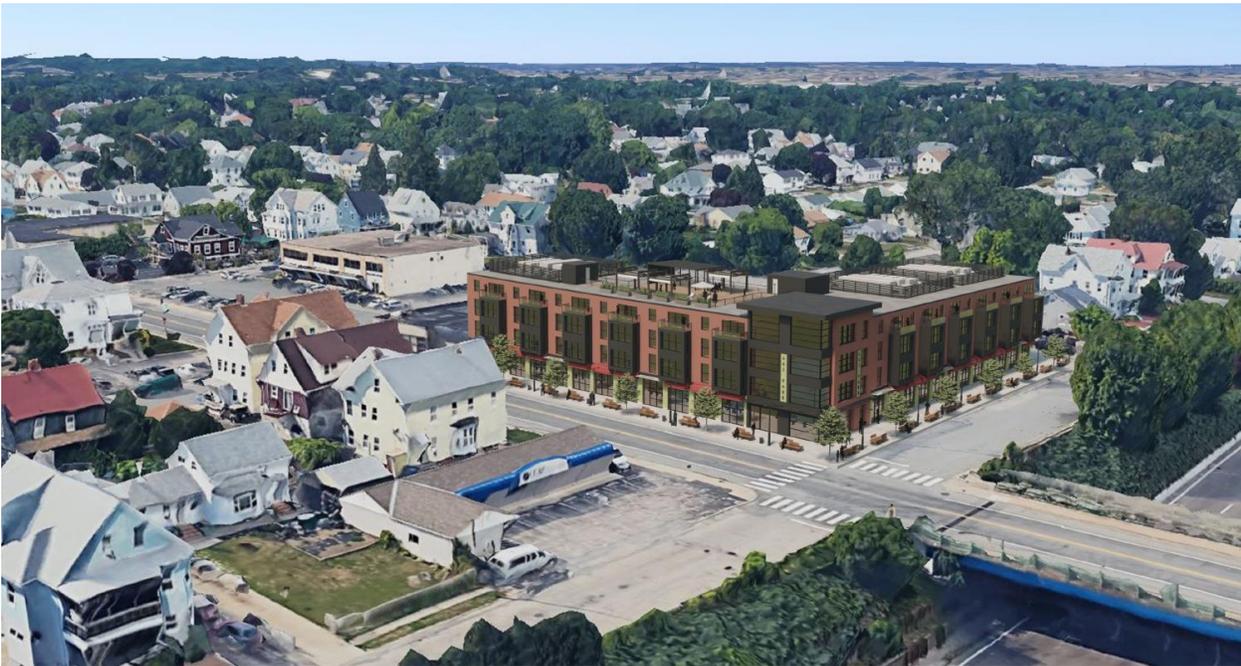
(400 ft. radius in black)



3-D AERIAL (facing northwest)



3-D AERIAL RENDERING (facing northwest)



ADDITIONAL RENDERINGS



STREET VIEW (Park Ave facing northeast)



STREET VIEW (Doric Ave facing west)



STREET VIEW (Park Ave facing northwest)



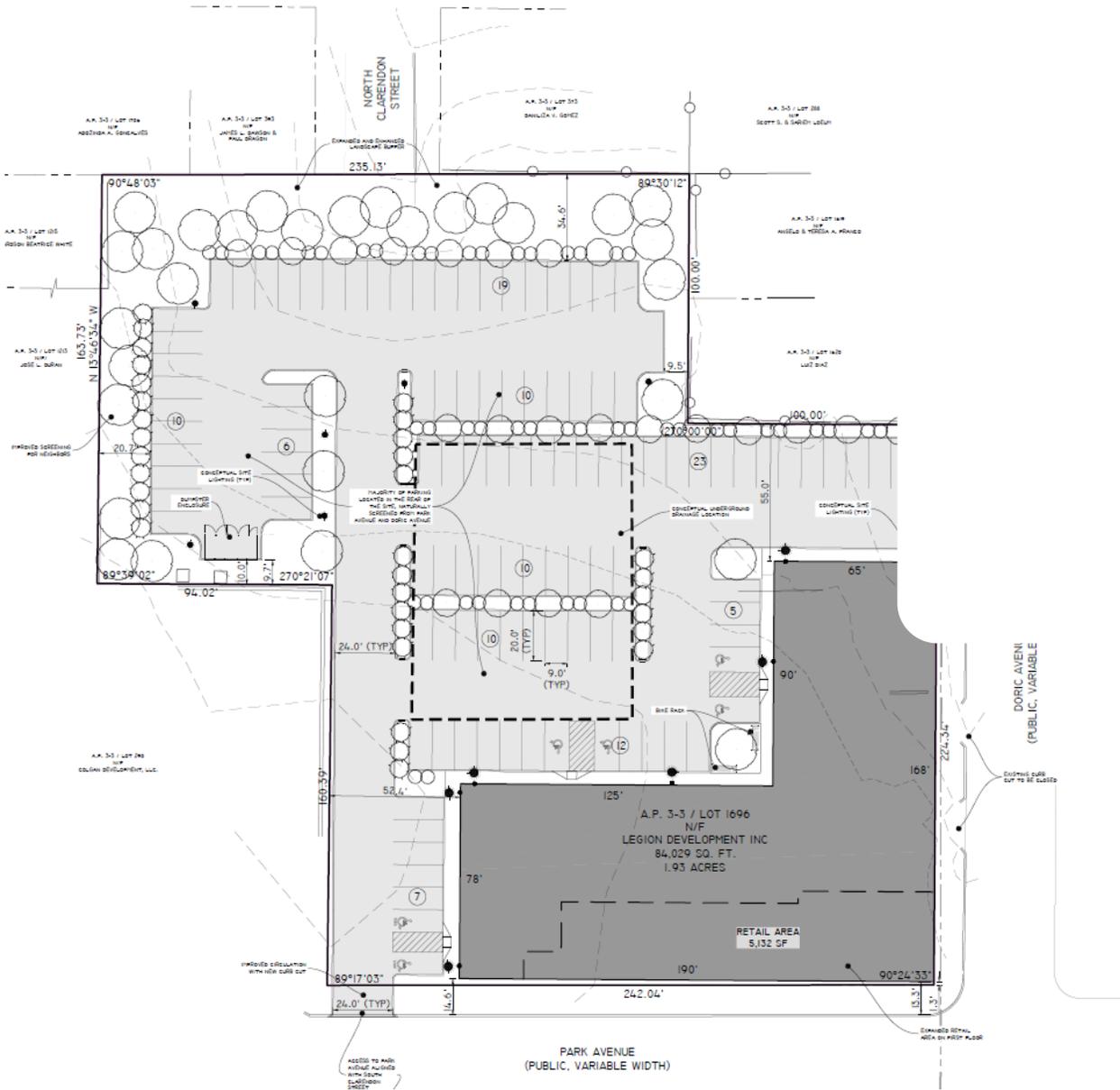
**SITE RENDERING
(Intersection of Park Ave and Doric Ave facing northwest)**



SITE PLAN



“ALTERNATE” SITE PLAN



Differences from original plan:

1. North Clarendon St. emergency access is closed and additional landscaping and parking is provided.
2. Parking spaces increased from 100 to 112 spaces by reducing the parking space widths from 10' to 9' and from change #1.

II. Documents which are part of the Major Land Development application

1. Master Plan application;
2. Application filing fees;
3. Master Plan checklist;
4. Certificate of Municipal Liens;
5. Radius map and list of abutters and affidavit of notice sent signed by John S. DiBona, attorney for the applicant, dated 5/24/22;
6. Master Plan Narrative letter addressed to Jason Pezzullo, Planning Director from Eric Prive, P.E of DiPrete Engineering dated 4/26/22.
7. Site Plan titled "661 Project," prepared by Eric M. Prive, PE, dated 4/27/22. Two versions of the plan were provided, one with and one without color and the underlying aerial image;
8. "Alternate" Site Plan titled "661 Project," prepared by Eric M. Prive, PE, dated 6/17/22.
9. Class I survey by Richard T. Bzdyra, P.L.S. of Ocean Stat Planners, Inc., dated 1/22/18.
10. Letter regarding sewer availability signed by Edward Tally, Environmental Program Manager of the City of Cranston, dated 4/28/22;
11. Letter from Providence Water regarding water availability dated 4/25/22;
12. Renderings (no author or date provided);
13. Traffic Impact Study by Richard A. Bernardo, P.E. and Paul J. Bannon of BETA Group, Inc. titled "Proposed Mixed-Use Redevelopment" dated November, 2021;
14. Response to traffic peer review memo by Herman C. Peralta, PE and Paul J. Bannon of BETA Group, Inc. dated 6/10/22;
15. Floor Plans by Smook Architecture & Urban Design, Inc., dated 3/4/22;
16. Planning consultant report titled "City of Cranston Comprehensive Plan 'Consistency Analysis' – Proposed Zone Change, Authored Ordinance(s), and Comprehensive Plan Amendment – 661 Park Avenue, 665 Park Avenue, and 271 Doric Avenue Assessor's Plat 3-3 – Lot(s) 289, 291, 1695, and 1696" by Pimentel Consulting, Inc., dated 3/17/22;
17. Letter waiving the 90-Day review period signed by John S. DiBona, attorney for the applicant, dated 6/7/2020 [sic];
18. Traffic Assessments for Cowesett Hills Apartments and 1850 Post Road Apartments intended as examples for multifamily parking demand.

III. Surrounding land use and context

Analysis using Geographic Information System (GIS) and other resources indicates that:

1. The subject parcel is located in Eastern Cranston abutting the western side of Route 95 and Doric Avenue on the northern side of Park Avenue.
2. The surrounding area has a land use pattern of commercial and residential uses along the Park Avenue corridor with residential neighborhoods behind. There are industrial and residential uses on the other (eastern) side of Route 95, roughly 400' from the subject site.

3. There are no wetlands or other significant natural features within the 400-foot radius of the subject property;
4. The project is free of any regulated floodplains or historic/cultural districts;
5. The 2018 Natural Heritage Map does not show any known rare species located on or near the site;
6. The site and surrounding area is relatively flat.

IV. Staff / Agency Comments

Pursuant to RIGL 45-23-41 A3, these plans were distributed for comment to the Public Works Department, Engineering Division, Bureau of Traffic Safety, Building and Inspections Department, Conservation Commission and the Fire Department.

Additionally, pursuant to the City of Cranston Subdivision Regulations Section III (C)(9) *Professional Review Fees*, the City required the applicant to pay for the City to hire a professional traffic consultant to review the traffic impacts presented by the project. The city hired Fuss & O'Neill, Inc. for this function. Discussion of the peer review can be found within the Planning Analysis section in the "Traffic Impacts" subsection.

The Bureau of Traffic Safety was intimately involved in the review of this application. Their involvement is discussed within the Planning Analysis section in the "Traffic Impacts" subsection of this memo.

The Fire Department offered the following comments via email on 5/20/22, *"I looked over the site plans for 661 Park Ave. and actually viewed the area in person. My concern are the hydrant locations. There are two hydrants, the first one located on Doric Ave. at Pond St. and the second hydrant located on Park Ave. at South Clarendon St. Because both of these hydrants are located across the street from 661 Park Ave., attaching the large diameter feeder hose (5") to these hydrants will completely block the street. With that said, I would not recommend closing off North Clarendon St. Limiting that access to emergency vehicles only, I am in agreement."* The Planning Department discussed these comments with the Fire Department and concluded that **emergency access through North Clarendon St. is preferred by the Fire Department, but is NOT required as they have two points of access, and that any issues with the hydrants is more appropriately handled at the preliminary plan phase.**

The Development Plan Review Committee heard this application as a pre-application on 5/18/22 (there are no public notice requirements for a pre-application). There are minutes of the meeting posted [here](#). Many items were discussed including but not limited to the traffic impacts, site circulation, sight lines, parking, zoning, land uses, loading areas, floor plans, closing the North Clarendon St. access point, affordable housing, signage, dumpsters, and drainage. No votes are taken on pre-applications, but these comments lead to the applicant submitting the "Alternate" Site Plan.

No other comments have been received at this time.

V. Interests of Others

No written comments have been received at this time.

One citizen called and another came to the office to express their opposition to the proposal. They did not provide their names but shared their disdain for the size and nature of the proposal. The in-person commenter stated that he would support commercial development but not residential because the quality of the site and the people living in it would deteriorate after a few years (staff is paraphrasing to the best of its ability). No clear justification was given as to why.

No other comments to report at this time.

VI. Planning Analysis

The Major Land Development (MLD) Master Plan application is **NOT** a by-right proposal but requires a Comprehensive Plan Amendment and change of zone to be realized. As stated on the first page of this memo, a separate memo will be issued to address the Comprehensive Plan amendment and change of zone ordinances. This analysis will focus solely on the MLD master plan application.

Due to the complexity of the proposal, staff has organized its observations and analysis by category.

Land Uses & Zoning:

1. Zoning code section 17.20.030 *Schedule of Uses* designates "Residence above a first story business use" as a permitted use in C-3. It does not, however, allow "Multi-family dwelling" as a permitted use in C-3. The commercial uses at the street-level on Park Avenue satisfy the commercial component of the mixed-use allowance under city code, while the proposed change of zone requests that "Multi-family dwelling" be an allowed use because there are some first floor dwellings that are proposed that do not abut Park Avenue.
2. The commercial tenants are unknown at this time. Staff felt that some uses permitted under C-3 zoning would not be appropriate for this particular project and recommended that the allowed uses be modified as to only allow commercial uses that are compatible within a mixed-use development. The applicant was amenable to staff's recommendations and incorporated them into condition (b) of Ordinance 4-22-05. Staff is therefore supportive of the land use permissions afforded under proposed Ordinance 4-22-05 for this project.
3. Staff finds that mixed-use development is highly appropriate along the Park Ave corridor. There are existing residential, mixed use and commercial uses along Park Ave. Residential neighborhoods are located directly behind the commercial corridor. Particularly as the building is located right up onto Park Avenue with parking and landscaping in the rear, the project is appropriate for this location from a land use and zoning perspective.
4. The applicant has agreed to incorporate Ordinance 4-22-05 condition #3 which stipulates that "A minimum provision of fifteen percent (15%) of the overall residential units shall be deemed affordable according to Rhode Island Housing for 99 years." Staff believes that

this is a major benefit of the project, especially given the current housing inflation and lack of supply. It should be noted that the city has not been able to obtain ANY new construction affordable housing units for many years.

5. The applicant is requested that the Council approve an increased density allowance for the project via Ordinance 4-22-05 condition #2. The condition would allow 75 maximum units of which two-bedrooms may not exceed 25% of the total units. 69 units are currently proposed on the floor plan, but the ordinance was designed to allow a bit of flexibility as the market conditions fluctuate and the design details come to light. Part of the justification for the increased density is so that the project pencils out when incorporating the 15% affordability requirement. Density bonuses are a common tool for municipalities to get affordable units from private developers.
6. The applicant requests an increased height allowance to 4 stories and 55' via Ordinance 4-22-05 condition #5. The current building height maximum under zoning is 3 stories and 35'. Part of the justification for the increased height is so that the project can incorporate the 15% affordability requirement. Height bonuses are a common tool for municipalities to get affordable units from private developers.
7. Further analysis and discussion of the zoning issues related to Ordinance 4-22-05 can be found in the staff memo to be issued specifically for said ordinance. If the ordinance is approved by the City Council, the proposed MLD master plan will be in conformity zoning.

Traffic Impacts:

1. Please see the [this link](#) for the traffic related documents including the traffic study provided by BETA Group, LLC, as well as all comments by the peer reviewer and responses thereto.
2. The *City Plan Commission Policy for Traffic section IV Traffic Study* states that all projects that will generate **50** or more new trips during any peak hour requires a traffic study. The project is estimated to generate **42 weekday AM peak hour trips** and **43 weekday PM peak hour trips**. This is the mathematical equivalent of inserting 0.7 cars per minute to the road network. Therefore, this project did not meet the threshold for requiring a traffic study. However, in an effort to have all of the possible information available to address potential concerns, staff not only recommended that the applicant provide a traffic study but also that the study be peer reviewed at the expense of the applicant.
3. The traffic impact study concludes:

*The results of the operational analysis determined that the estimated minor increase in traffic during the peak periods resulting from the proposed mixed-use development project will have a negligible effect on overall traffic operations along the servicing roadways, particularly during the daily morning and afternoon peak hours when the site would generate its highest daily traffic volumes. Therefore, based upon the data collected on the servicing roadways, the analysis completed as part of this study, it can be concluded that **the future traffic conditions resulting from the proposed mixed-use development with the recommended mitigation, will provide for adequate and safe access to a public street, and***

will not have a detrimental effect on public safety and welfare in the study area. (page 19)

4. The traffic peer reviewer provided a memo on 5/26/22. BETA provide a response to said comments dated June 10, 2022. Staff finds the responses to be satisfactory. **Fuss & O'Neill verbally conveyed that they were was also satisfied with the responses with the understanding that any potential issues and mitigative efforts can be further evaluated during the preliminary plan phase and confirmed that the project would not have a detrimental impact to traffic congestion or safety within the study area.**
5. The Bureau of Traffic Safety conveyed the following comments on 5/31/22:
 - The peer review references the Park/Doric intersection as a high number of angle crashes. This seems inconsistent with the provided study that shows Park/Wellington intersection with the high number of crashes...please clarity. [sic]
 - As for Trip Generation; Future Traffic Volumes; and Operational Analysis comments provided in the peer review, let's await responses from Beta as discussed.

After receipt of BETA's response to the peer review, the Bureau of Traffic Safety conveyed that they were satisfied with the responses and have no additional concerns with the understanding that specific mitigation measures can be further discussed in future phases of the review process.

6. Bike racks have been added to the site plan to encourage alternative modes of transport and reduce vehicular parking demand.

Off-Street Parking:

1. There are 100 spaces proposed on the site plan and 112 spaces proposed on the "Alternate" site plan. City code would require 2 spaces per multifamily unit, for a total of 138 spaces. The number of spaces required for the commercial uses is unknown at this time as off-street parking requirements vary based on the type of commercial use.
2. Proposed Ordinance 04-22-05 condition #4 would change the project's off-street parking requirement to 1.25 spaces per unit and would not require additional parking for the commercial uses, for a total parking requirement of 87 spaces. The 100-space plan is equal to a parking ratio of 1.45 spaces per unit. The 112 -space plan is equal to a parking ratio of 1.62 spaces per unit.
3. The justification to request that the commercial spaces not require additional parking is that the parking needs of the commercial units would generally be the opposite time of the residents. Staff finds this rationale to be sound *IF* the commercial uses maintain normal 8-5 business hours.
4. The justification to reduce the multifamily off-street parking requirement to 1.25 spaces per unit is based on current assessment of parking need based on assessment of multifamily parking needs. The applicant's planning and traffic consultants have argued during the pre-application meeting and DPR pre-application meeting that 1.25 spaces per unit is more than adequate for the project. The applicant provided traffic impact assessments from 1850 Post Road Apartments and Cowesett Hills Apartments in order to corroborate their statements on local multifamily project parking demand. Please know that these

materials were received on 7/8/22 and staff has not had time to review the documents.

5. American Planning Association policy guides consistently identify off-street parking requirements as a barrier to much-needed multifamily housing development and recommend removing or reducing them to incentivize housing development.
6. It is noteworthy that the Traffic Peer Reviewer's memo dated 5/26/22 included a comment on parking. Item #5 states "*It is recommended that the proponent consider reducing the number of parking spaces on site to better align with the trip generation estimate or consider deferred parking of about 20 spaces in the northwest corner. In the case of deferred parking, the proponent could be responsible for expanding parking into that area, in agreement with the city, if more parking is needed after one year of use.*" The traffic experts are arguing that the site is *overparked*. The neighbor's concerns during the pre-application meeting were that the site was *under-parked*. Staff believes that adequate parking has been provided, and that if the Plan Commission is concerned about under-parking, then it should approve the "Alternate" Site Plan with the additional parking.

Environmental Impacts:

1. The site is free of significant vegetation and will not result in tree loss or habitat disturbance.
2. No significant grading is anticipated.
3. There are no wetlands on the property.
4. The site currently does not capture or treat its stormwater. The project will result in much improved conditions in terms of stormwater and drainage as it will be treated for water quality improvement and mitigated to pre-development levels for up to the 100-year storm event.

Landscaping & Buffering:

1. The applicant has incorporated conceptual landscape features into the site plan. The plan demonstrates that the future build condition will be a vast improvement from the existing condition as there are virtually no plantings on the subject site.
2. The plan proposes a landscape buffers from abutting residential properties. They range in depth from 34.6' along the northmost property, to 5' between the Doric Ave access drive aisle and AP 3 lot 1620. It should be noted that even the 5' buffer strip is an improvement to the existing condition.
3. Details and specifics of the landscape/buffering plan shall be worked out during the Preliminary Plan phase of development.
4. If the Plan Commission finds it necessary, they may invoke City of Cranston Subdivision Regulations Section III (C)(9) *Professional Review Fees* and require the applicant pay for a Professional Landscape Architect to peer review the Preliminary Plan Landscape Plan.

Economic Impacts:

1. Because the commercial tenants are not known at this time, the amount of jobs and tax revenue from these potential commercial units is also unknown at this time.
2. The additional residential units will help support local businesses in Cranston and are also likely to have positive impacts for prospective businesses looking to move to the area.

Energy/Sustainability:

1. The city has recently amended its policies regarding solar energy and in doing so has articulated that it strongly supports rooftop and carport solar energy systems. **Staff recommends that the applicant strongly consider rooftop solar and/or solar carports for the parking area.** This does not need to be addressed at the Master Plan Phase and but should be revisited during the Preliminary Plan phase, as applicable;
2. **Staff recommends that the applicant strongly consider installing Electric Vehicle (EV) charging stations.** This does not need to be addressed at the Master Plan Phase and but should be revisited during the Preliminary Plan phase, as applicable. General Note #5 on the Site Plan states “Electric vehicle (EV) charging stations may be considered with the project. Additional details will be provided at preliminary plan stage.”

Noise:

1. It is not anticipated that the development would have any significant noise impact to the abutting properties. There is existing ambient noise in the area generated by Route 95. If staff or the Plan Commission finds that the potential utilization of the rooftop raises concern, a noise study could be required at the preliminary plan phase.

School Impacts:

1. The proposed 69 units are comprised of 10 two-bedroom and 59 one-bedroom or studio units. These units are not anticipated to have nearly as much impact on school population as single-family residential development in terms of a per unit impact. The city needs to balance its well-documented housing demand with it’s school capacity. Staff finds that multifamily development with predominantly one-bedroom and studio apartments is the best way to do so.

Comprehensive Plan Consistency:

1. The Major Land Development proposal is accompanied by a proposed amendment to the Comprehensive Plan, Ordinance #4-22-04. Should the City Council approve the Ordinance, the proposed development will then be consistent with the Comprehensive Plan, as amended.
2. Staff finds that the proposal is consistent with the following Comprehensive Plan goals and policies:

LUG-2 – Promote mixed use (commercial, industrial, and residential) development that will:

- Focus on a few key redevelopment sites;
- Improve the quality of new development;
- Incorporate ‘smart growth’ principles.

HA-1 – Enact inclusionary zoning: Increase affordable housing in new subdivisions and development projects as appropriate through incentives and bonuses.

HA-3 – Encourage Housing that is mixed into commercial projects.

HA-10 – Provide density bonuses for developments that incorporate a specified proportion of affordable housing.

HG -3 – Achieve a balance between economic development and housing in the City.

HP-3.1 – Provide housing resources to support the range of jobs that reflects the City’s economic base, and encourage the development of housing at levels that are consistent with household purchasing power.

HP-3.2 – Maintain the stability of established neighborhoods in connection with continued economic development and revitalization: in particular, protect neighborhoods abutting the City’s major commercial corridors from adverse impacts arising from incompatible uses.

HG-4 – Promote housing opportunity for a wide range of household types and income levels.

HP-4.1 – Maintain a varied housing stock, with units of different age, size and type that are affordable to a wide range of incomes.

HP-4.2 – Identify potential sites for redevelopment options for future residential use, and mixed use.

HP-4.3 – Promote regulations that facilitate the development of affordable housing.

HP-4.7 – Promote the development of special housing alternatives for the elderly and handicapped.

HG-6 – Use public resources to support and build new housing to meet the state affordability criteria.

HP-6.1 – Encourage inclusion of affordable housing in projects that meet the Smart Growth goals of this Comprehensive Plan and the State Affordable Housing goals.

HP-9.1 – Enact inclusionary housing regulations that require a proportion of affordable housing.

EDP-11.3 – Promote leisure and/or entertainment-related businesses to compliment the Park Theater redevelopment in Rolfe Square.

3. Staff also finds that the proposal realizes the potential of the Mixed-Use Plan Development – High Intensity FLUM designation. The description fits the proposed project and is supported by the Economic Development Element (p. 84), and the Land Use Element (p. 36).

VII. Findings of Fact

An orderly, thorough and expeditious technical review of this Master Plan has been conducted. Property owners within a 100' radius have been notified via first class mail, a display ad was published in the Cranston Herald and the meeting agenda has been properly posted.

Staff has reviewed this Master Plan application for conformance with required standards set forth in RIGL Section 45-23-60, as well as the City of Cranston's Subdivision and Land Development Regulations and finds as follows:

RIGL § 45-23-60. Procedure – Required findings. (a)(1) states, “The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies.”

1. The Major Land Development proposal is accompanied by a proposed amendment to the Comprehensive Plan, Ordinance #4-21-04. Should the City Council approve the Ordinance, the proposed development will then be consistent with the Comprehensive Plan, as amended.
2. With consideration of the conditions of approval incorporated for the approval, the proposal is consistent with the goals and policies of the Comprehensive Plan that are not impacted by the amendment, including but not limited to LUG-2, HA-1, HA-3, HA-10, HG-3, HP-3.1, HP-3.2, HG-4, HP4.1, HP-4.2, HP-4.7, HG-6, HP-6.1, HP-9.1, and EDP-11.

RIGL § 45-23-60. Procedure – Required findings. (a)(2) states, “The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance.”

3. The Major Land Development proposal is accompanied by a proposed zone change (Ordinance #4-22-05) from C-3 to C-3 *with conditions* for land uses, density, affordability, height, and parking. Should the City Council approve the Ordinance, the proposed development will then be consistent with the zoning ordinance, as amended. The proposal is consistent with the content of the zoning ordinance that is not impacted by the amendment.

*RIGL § 45-23-60. Procedure – Required findings. (a)(3) states, “There will be no significant negative environmental impacts from the proposed development as shown on the **final** plan, with all required conditions for approval.” (emphasis added)*

4. The site is free of significant vegetation and will not result in tree loss or habitat disturbance.
5. No significant grading is anticipated.
6. There are no wetlands on the property.

7. The site currently does not capture or treat its stormwater. The project will result in much improved conditions in terms of stormwater and drainage as it will be treated for water quality improvement and mitigated to pre-development levels for up to the 100-year storm event.

RIGL § 45-23-60. Procedure – Required findings. (a)(4) states, “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.”

8. The proposed Major Land Development does not propose any new lots or subdivision. It combines lots for zoning purposes under a single development plan.

RIGL § 45-23-60. Procedure – Required findings. (a)(5) states, “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.”

9. The subject property has adequate and permanent physical access to a public right-of-way through conforming lot frontage on Park Ave and Doric Ave. The proposed access points have been reviewed by the city’s traffic peer reviewer and the City of Cranston Bureau of Traffic Safety and will be reviewed in further detail at the Preliminary Plan phase.

VIII. Recommendation

Staff finds this proposal consistent with the standards for required Findings of Fact set forth in RIGL Section 45-23-60, the Comprehensive Plan as it proposed to be amended by Ordinance #4-22-04, as well as with the City of Cranston’s Subdivision and Land Development Regulations. Therefore, staff recommend that the City Plan Commission adopt the Findings of Fact documented above and **approve** the Master Plan submittal, subject to the following conditions:

IX. Conditions of Approval

1. Prior to submittal of the Preliminary Plan application, the applicant shall obtain approval from the City Council for the zone change and Comprehensive Plan Amendment, Ordinances #04-22-04 and #04-22-05.
2. The applicant shall explore the feasibility of incorporating solar energy systems on the roofs of the proposed building and parking area. The applicant shall address this issue in the narrative for the Preliminary Plan submittal.
3. The applicant shall explore the feasibility of incorporating electric vehicle charging stations on site. The applicant shall incorporate their findings into the narrative as part of the Preliminary Plan submittal during the preliminary plan phase.