

City of Cranston

City Plan Commission

Kenneth J. Hopkins
Mayor

Jason Pezzullo
Planning Director



Michael Smith
Chair

Frederick Vincent
Vice-Chair

Robert Strom
Ken Mason

Robert Coupe
Kathleen Lanphear

Joseph Morales
Robert DiStefano

Anne Marie
Maccarone

March 8, 2021

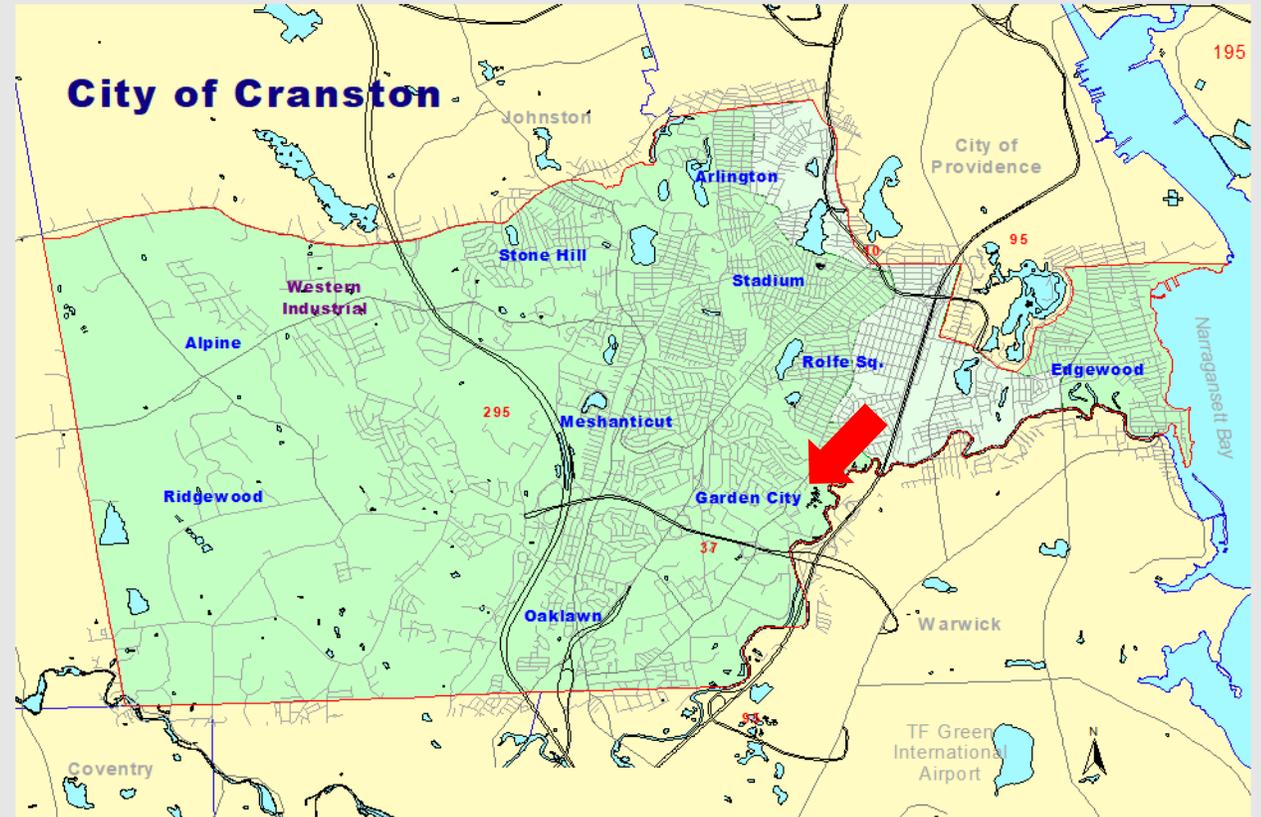
Special Use Permit Application NEW LEAF COMPASSION CENTER, INC. (APP)

Proposed Medical Marijuana Dispensary

Owner: Dan Celani
Applicant: NEW LEAF COMPASSION CENTER, INC.
Location: 24 Stafford Court, AP 13, Lot 84
Zone: M-2 (General industry)
FLU: Industrial

REQUEST:

To reuse an existing building for a Medical Marijuana Dispensary. 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 - neighborhood



AERIAL VIEW – parcel



3-D AERIAL VIEW



Professional Salon Services

24 Stafford Ct,
Cranston, RI 02920

Stafford Ct

STREET VIEW (from Stafford Court)

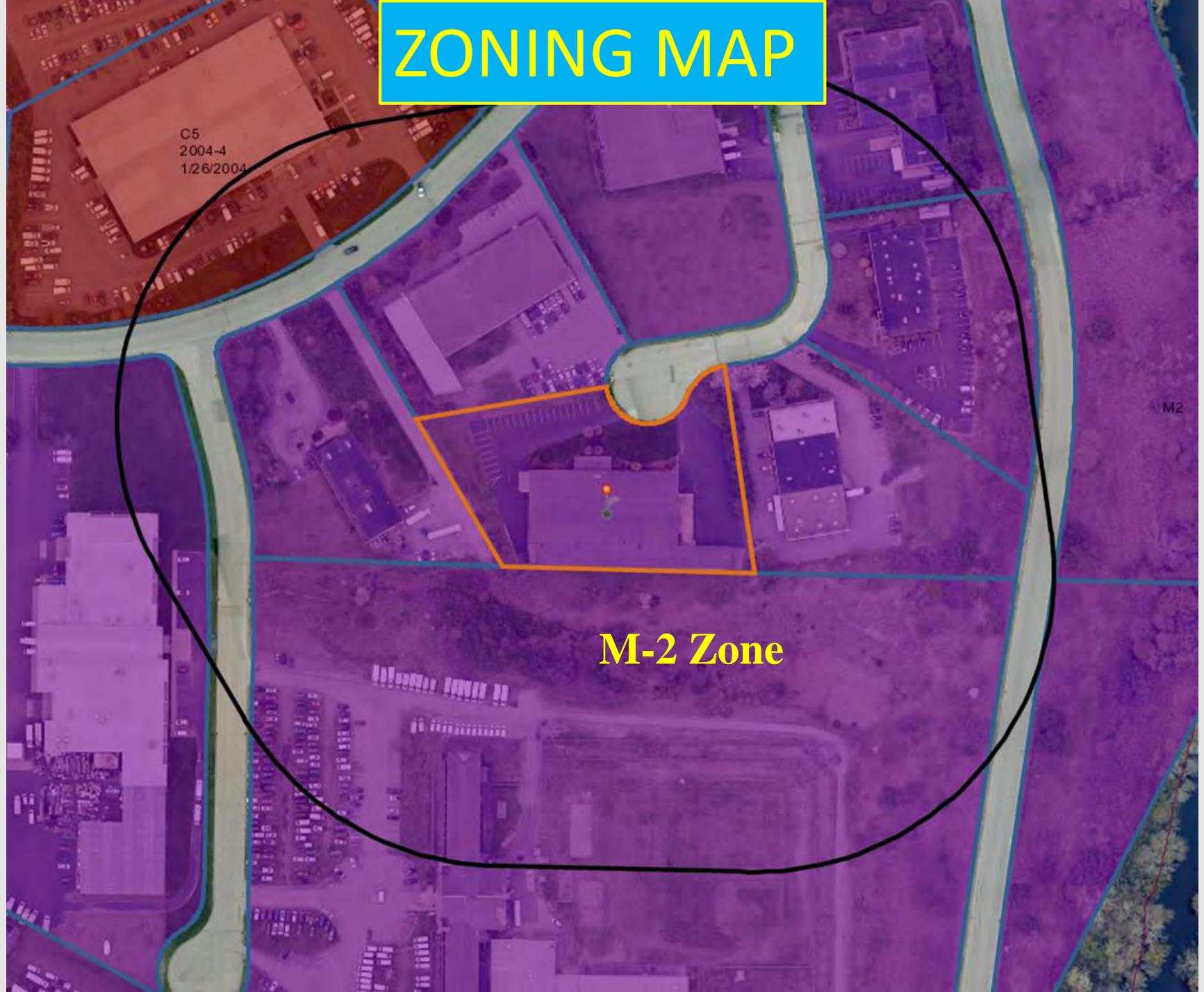


ZONING MAP

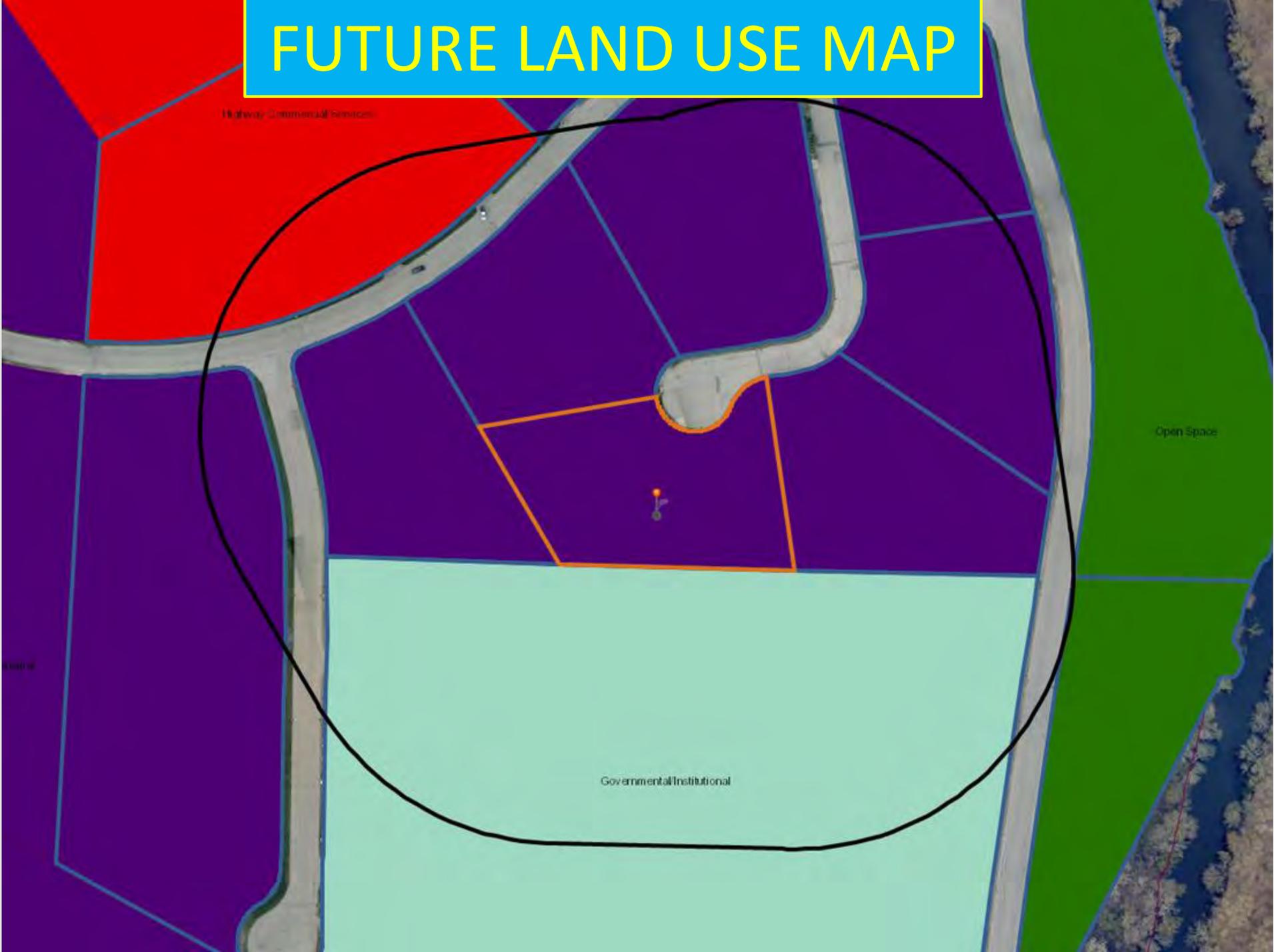
C5
2004-4
1/26/2004

M2

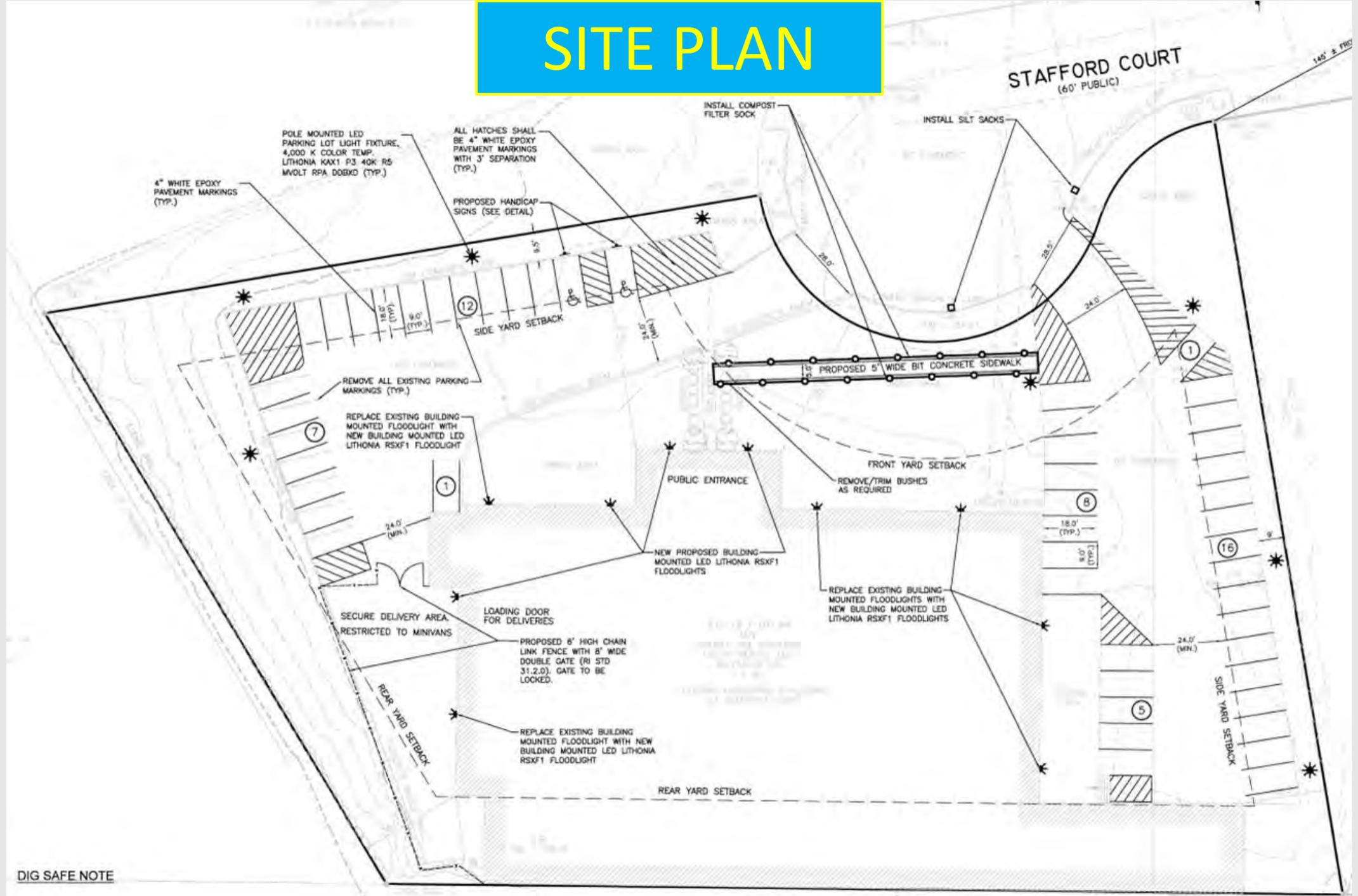
M-2 Zone



FUTURE LAND USE MAP



SITE PLAN



DIG SAFE NOTE

Staff Analysis

- This is the second application the City has received for the use of a Medical Marijuana Dispensary. It is staff's understanding that only one (1) site will be awarded within the City of Cranston based on the State's lottery system.
- Staff is of the view that the subject application has provided a substantial level of detail within the submitted materials to demonstrate compliance with all related regulatory and traffic issues.
- Staff is of the view that the application will not be a detriment to the surrounding area.
- The neighborhood compatibility and economic benefits of the application provide positive findings with regard to several policies within the City's Comprehensive Plan.

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.

Dimensional Variance Application

Linda B. Marchetti, Trustee of Linda B. Marchetti Revocable

Lot Area & Width/Frontage

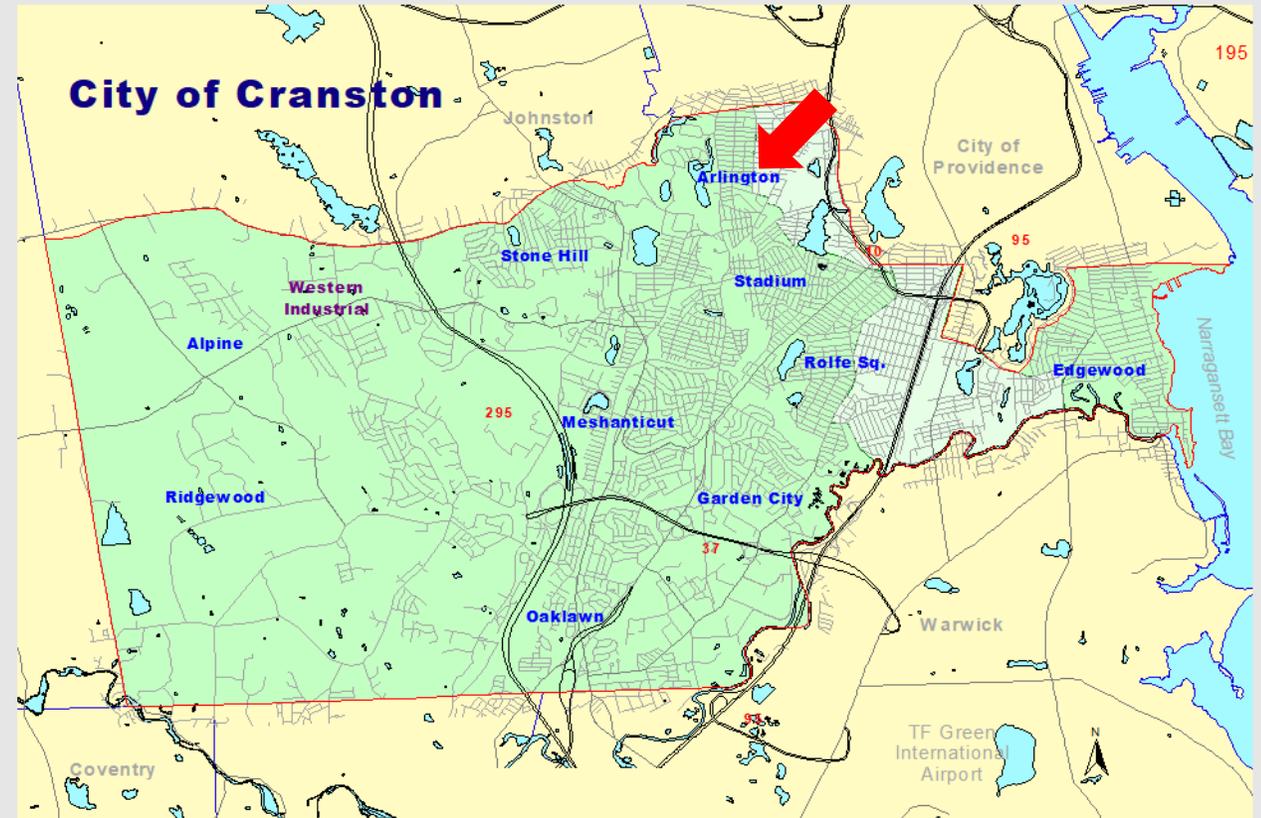
Owner: Linda B. Marchetti, Trustee of Linda B. Marchetti Revocable

Applicant: Brian Coutcher

Location: 0 Laurel Hill Avenue
AP 7 Lots 1052

Zone: B-1 (Single & Two-Family)

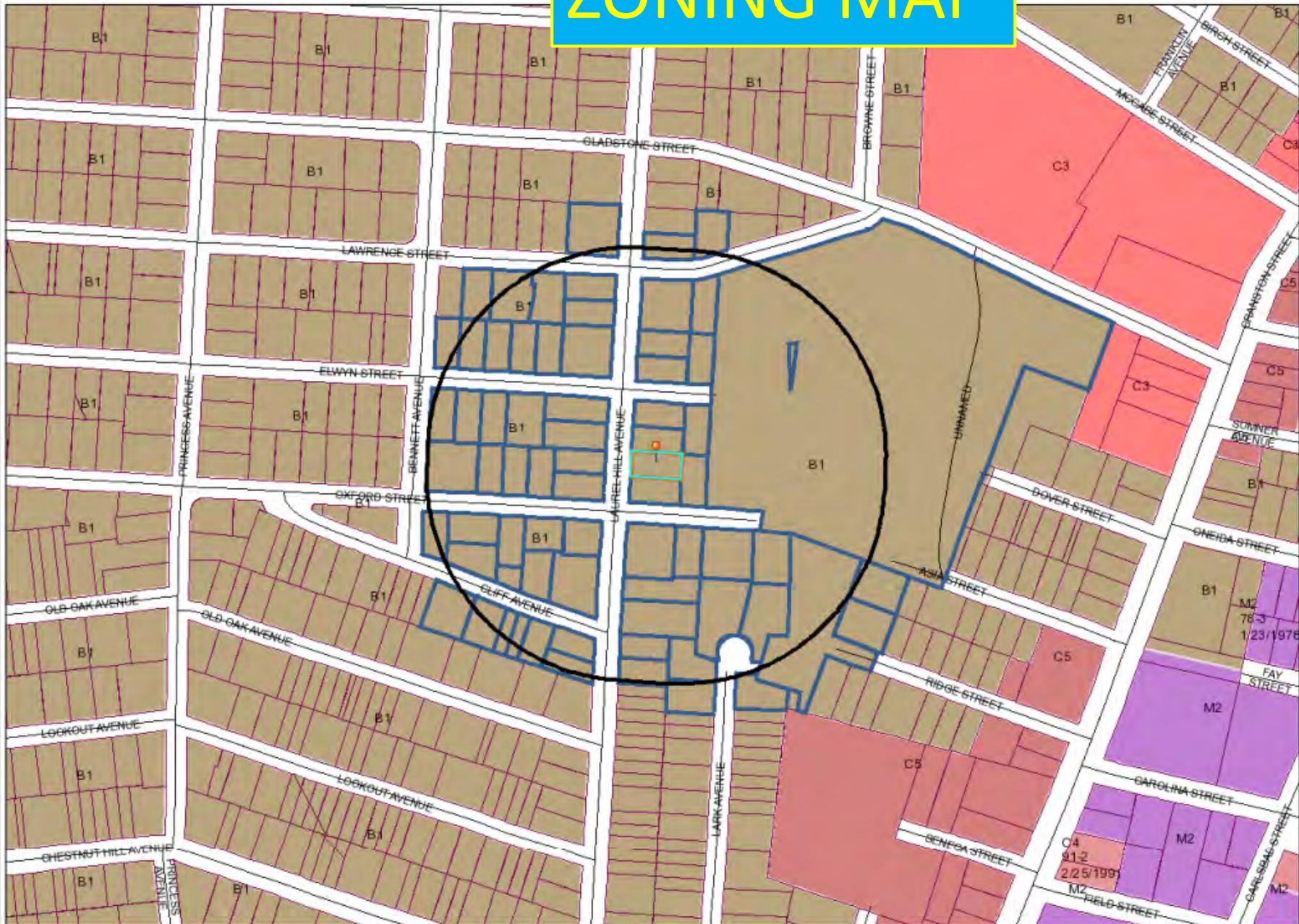
FLU: Single/Two Family Residential Less than 10.89 units/acre



Variance Requests

- To construct a single-family dwelling on a lot with 5,000 ft² of area where 6,000 ft² is required. [17.20.120 – Schedule of Intensity]
- To construct a single-family dwelling on a lot with 50' of frontage while 60' is required. [17.20.120 – Schedule of Intensity]

ZONING MAP

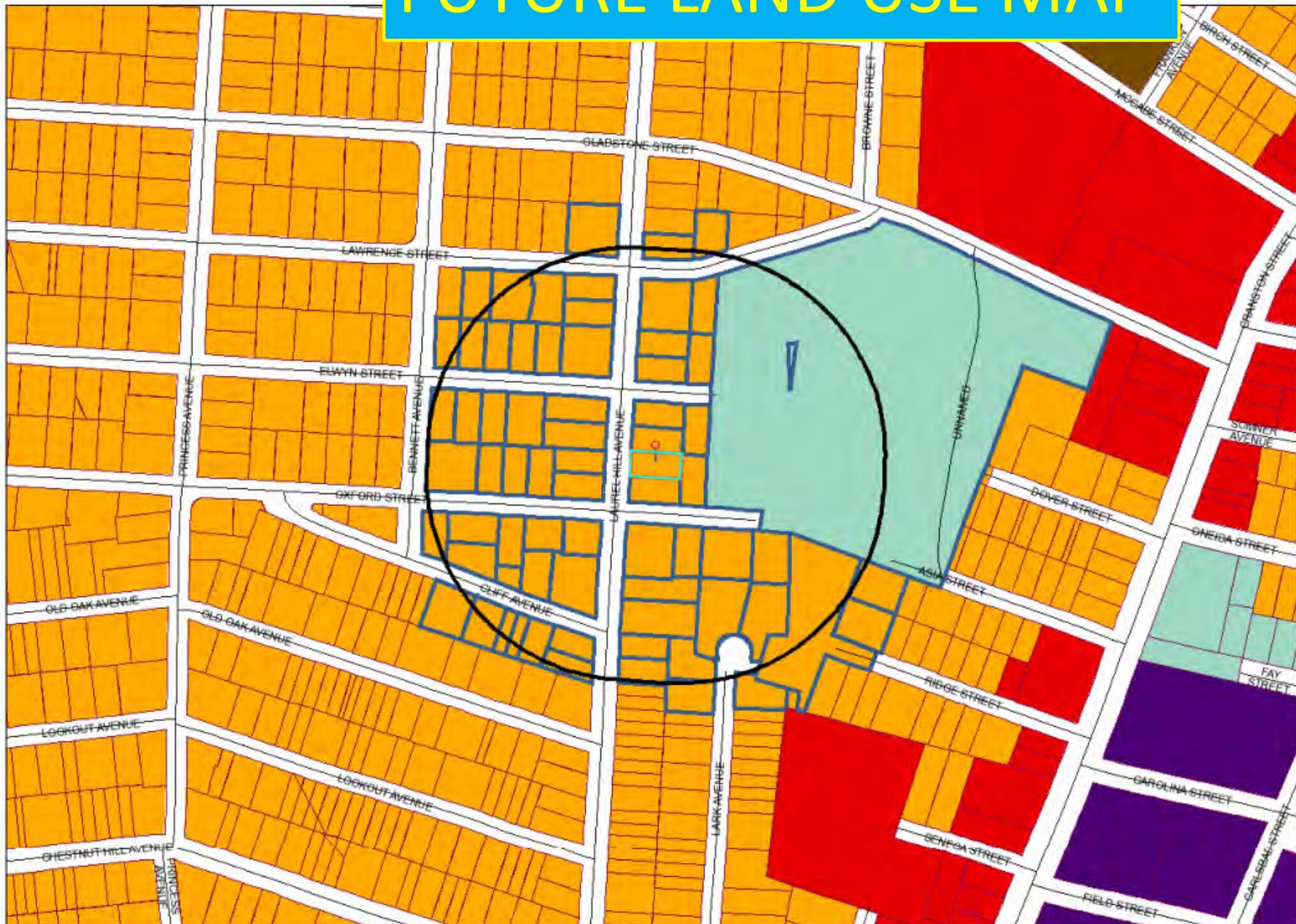


UserSelectedParcels	A20
vParcels_Buffer	A12
ParcelsIn BufferOutput	A8
Parcels	A6
Streets Names	B1
Streets	B2
City	C1
Driveway	C2
OutsideCity	C3
Paper	C4
Pastore Complex	C5
Private	M1
Railroad	M2
State	E1
Zoning Dimensions	MPD
Historic Overlay District	S1
none	Other
A80	Street Names

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FUTURE LAND USE MAP



- UserSelectedParcels
- vParcels_Buffer
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- Parcels
- Streets Names
- Streets**
- City
- Driveway
- OutsideCity
- Paper
- Pastore Complex
- Private
- Railroad
- State
- Future Village Centers
- Future Land Use**
- Governmental/Institutional
- Highway Commercial/Services
- Industrial
- Mixed Plan Development
- Multifamily
- Neighborhood Commercial/Services
- Open Space
- Residential Less Than 10.39 Units Per Acre
- Right Of Way
- Single Family Residential 3.63 To 1 Unit Per Acre
- Single Family Residential 7.26 To 3.64 Unit Per Acre
- Single Family Residential Less Than 1 Unit Per Acre
- Single/Two Family Residential Less Than 10.89 Units Per Acre**
- Special Redevelopment Area
- Water
- Street Names

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0 0.05 0.1 0.15 mi

AERIAL VIEW



AERIAL VIEW – (close up)



3-D AERIAL VIEW



STREET VIEW





"STREET VIEW"

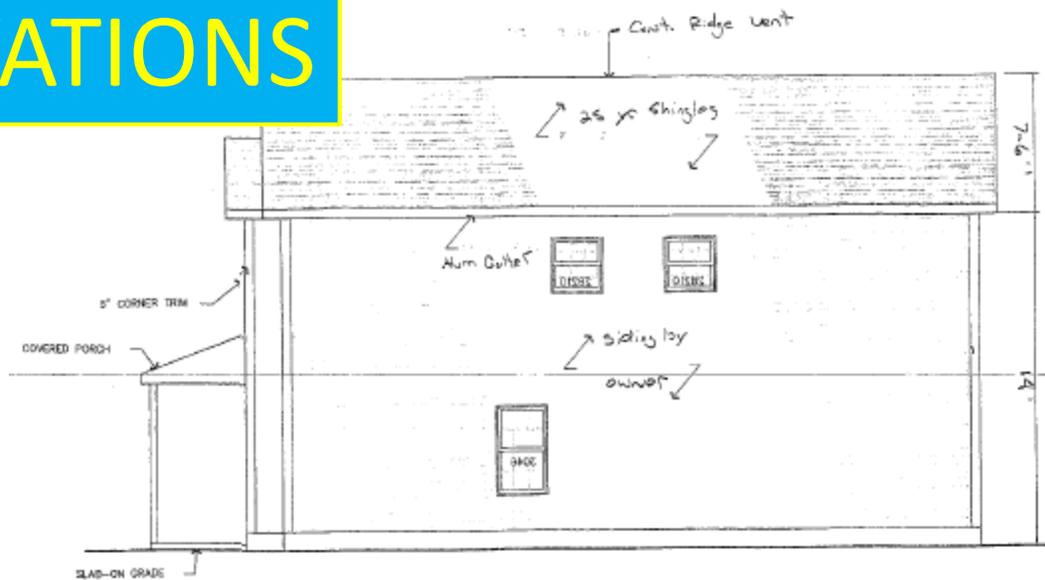


"REAR YARD VIEW"

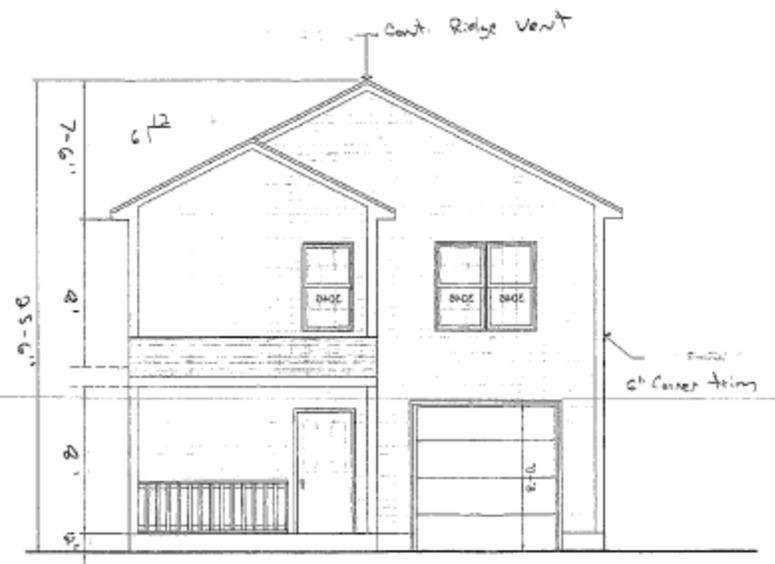


"FRONT YARD VIEW"

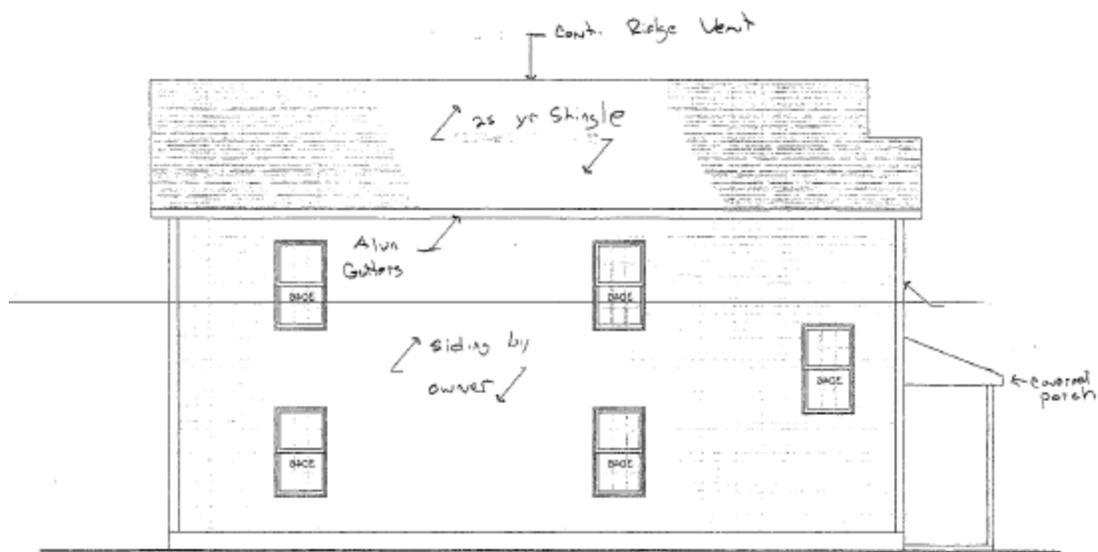
ELEVATIONS



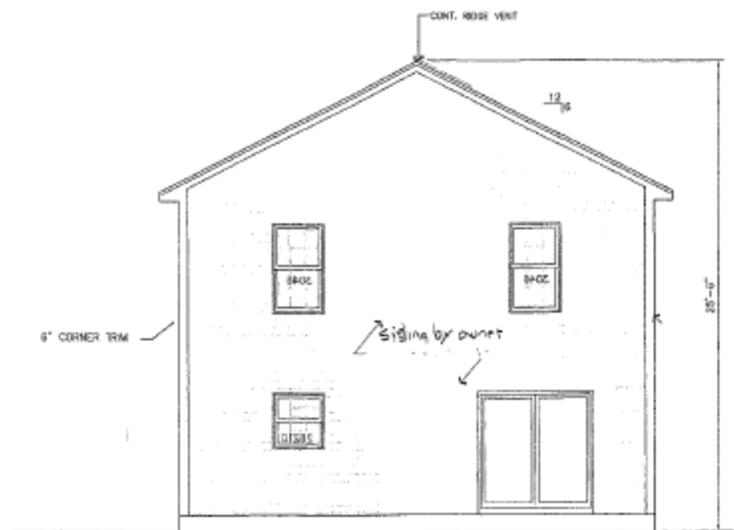
RIGHT SIDE ELEVATION
SCALE: 1/4"=1'-0"



FRONT ELEVATION
SCALE: 1/4"=1'-0"



LEFT SIDE ELEVATION
SCALE: 1/4"=1'-0"



REAR ELEVATION
SCALE: 1/4"=1'-0"

Key Facts

- The lot is a preexisting substandard lot of record, platted prior to the City enacting its zoning code in 1966;
- No other relief is required, only lot area and frontage;
- The lot is within a residential neighborhood with single-fam, two-fam and limited multifam uses in the area;
- Lots with 5,000 ft² and 50' of frontage are commonly found within the neighborhood;
- The proposal is consistent with the density allocation in the Comprehensive Plan Future Land Use Map.

Staff Analysis

- Relief would be consistent with the character of the area;
- Relief requested is the least relief necessary;
- The request is consistent with the Comp Plan Housing Element which encourages infill lots in Eastern Cranston;
- The request is consistent with the Comp Plan Land Use Plan Element which supports the development of lots with 5,000 ft² (p. 31).

Recommendation

Due to the fact that the application is consistent with the Cranston Comprehensive Plan, and due to the fact that the proposed lot size is consistent with the character of the surrounding neighborhood, staff recommends the Plan Commission forward a *positive recommendation* to the Zoning Board of Review.

Dimensional Variance Application

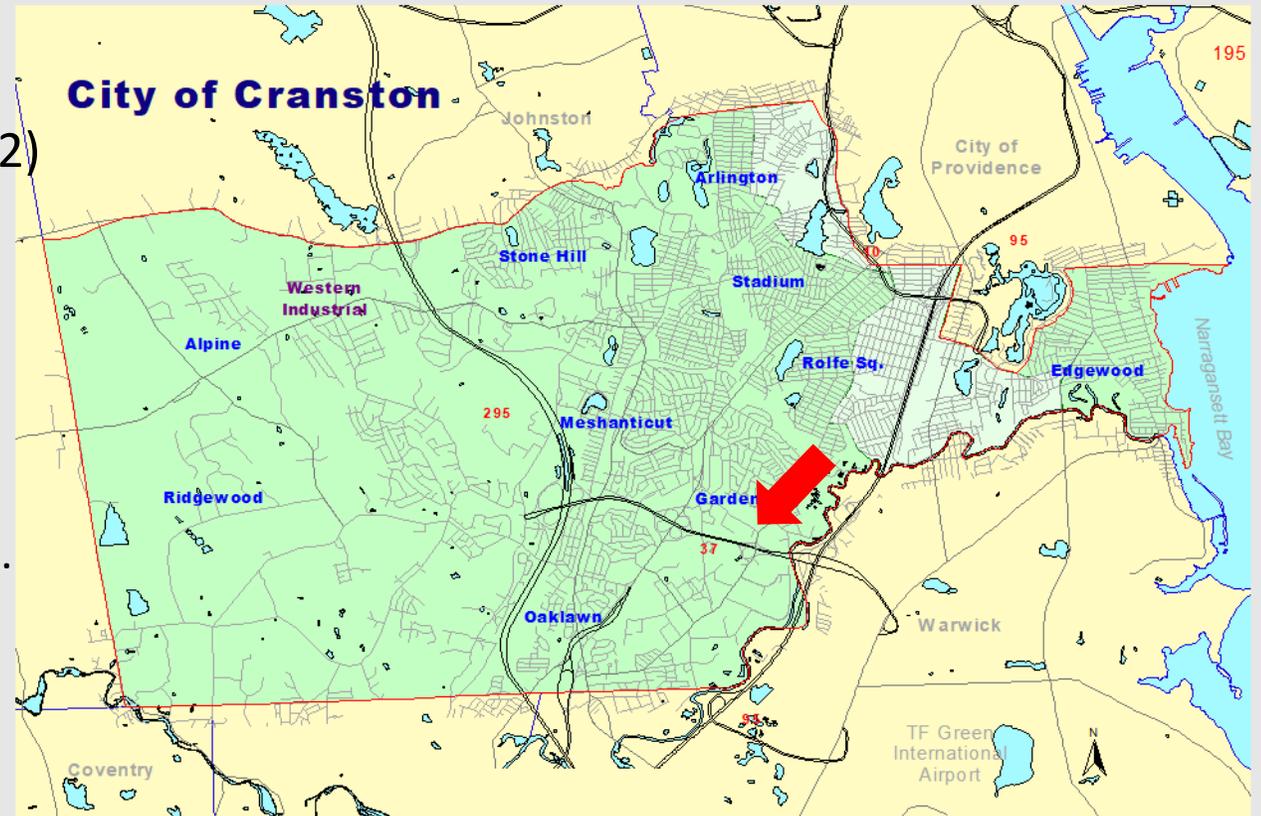
B&F CONSTRUCTION (APP)

Request Relief for Drive-thru Lane Stacking

Owner: Renaissance Development Corp.
Applicant: B&F CONSTRUCTION
Location: 1155 Pontiac Ave (AP 10-4, Lot 1502)
Zone: C-4 (Highway business)
FLU: Commercial/Highway Services

VARIANCE REQUEST:

To allow two (2) drive-in lanes that do not contain the required 6 stacking spaces each [17.28.010 - Drive-in Uses].



AERIAL VIEW - neighborhood



AERIAL VIEW – parcel



3-D AERIAL VIEW



Webster Bank

Pontiac Ave

STREET VIEW (from Pontiac Ave)



STREET VIEW

(north east entrance from Pontiac Ave)



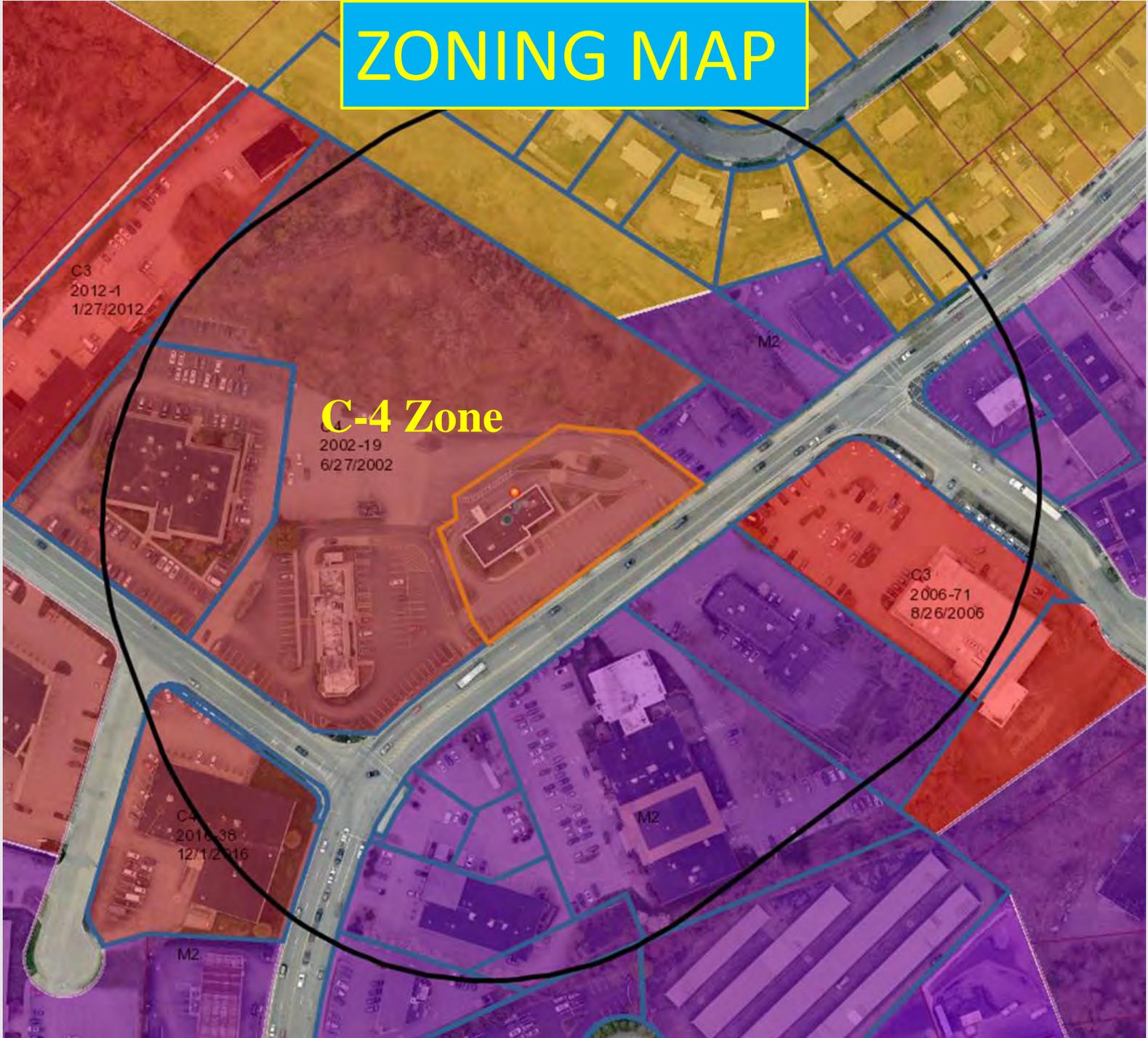
STREET VIEW (front of building)



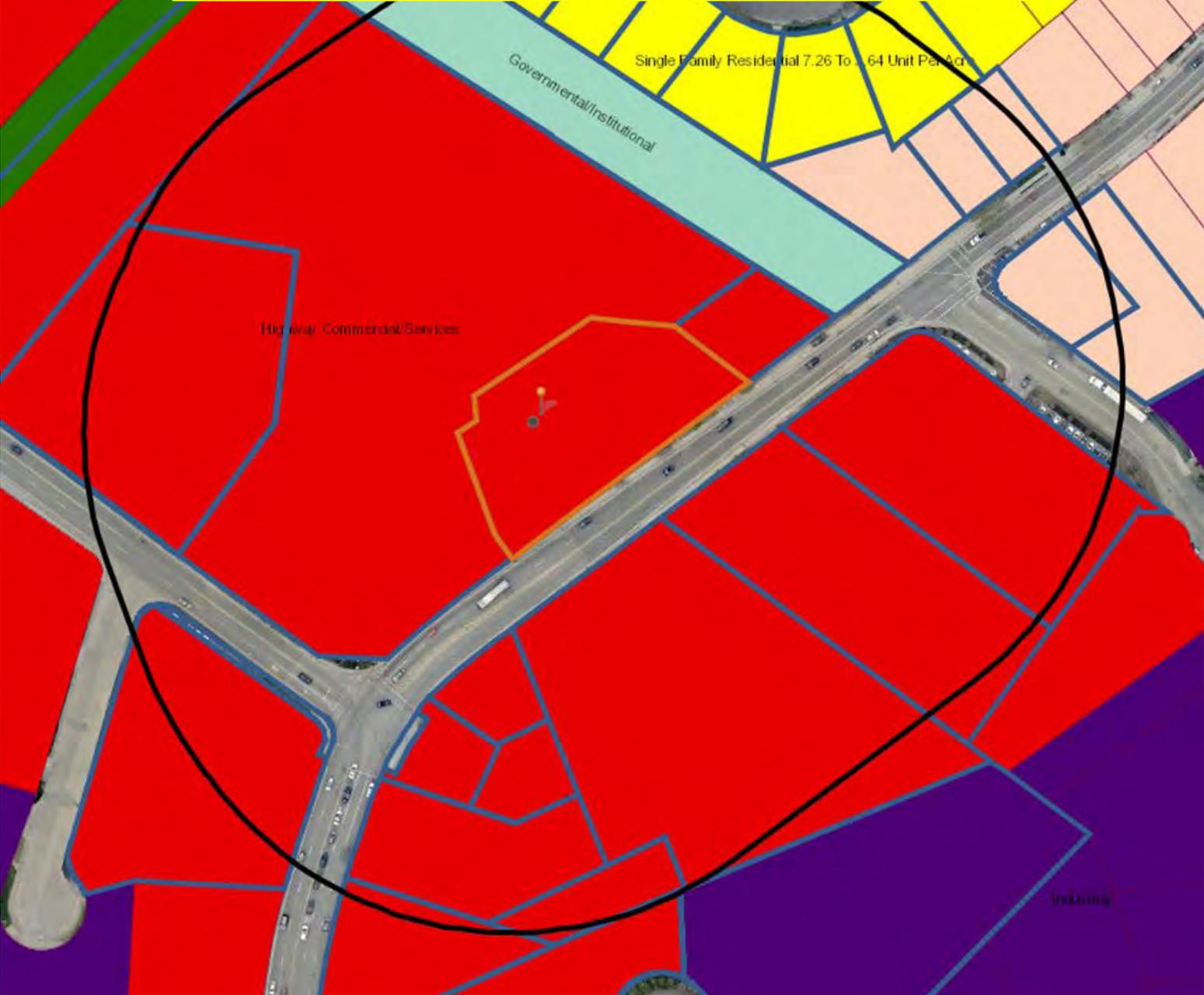
STREET VIEW (back of building)



ZONING MAP



FUTURE LAND USE MAP



SITE PLAN

MAP 10, LOT 35
N/F LANDS OF
JAN CO. CENTRAL, INC.
1171 PONTIAC AVENUE

[PARCEL A]
(PER REF #3)

MAP 10, LOT 1502
N/F LANDS OF
RENAISSANCE DEVELOPMENT
CORPORATION
BK. 3966, PG. 327

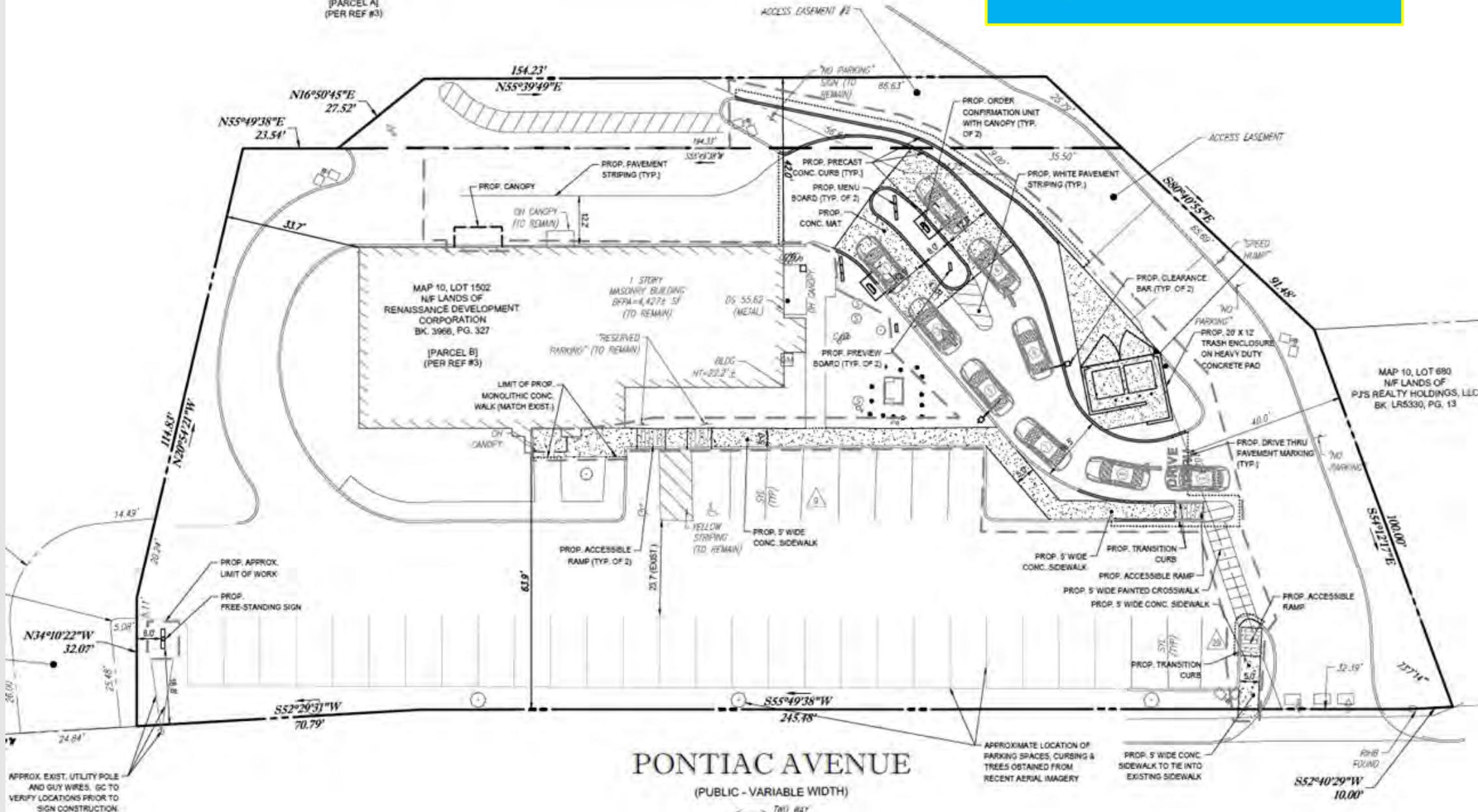
[PARCEL B]
(PER REF #3)

MAP 10, LOT 690
N/F LANDS OF
P/J'S REALTY HOLDINGS, LLC
BK. LRS330, PG. 13

PONTIAC AVENUE

(PUBLIC - VARIABLE WIDTH)

TWO WAY
TRAFFIC
(ASPHALT ROADWAY)



APPROX. EXIST. UTILITY POLE
AND GUY WIRES. GC TO
VERIFY LOCATIONS PRIOR TO
SIGN CONSTRUCTION.

APPROXIMATE LOCATION OF
PARKING SPACES, CURBING &
TREES OBTAINED FROM
RECENT AERIAL IMAGERY

PROP. 5' WIDE CONC.
SIDEWALK TO TIE INTO
EXISTING SIDEWALK

RIB
FOUND

Staff Analysis

- The applicant is proposing to redevelop the site (former Webster Bank) while also minimizing site disturbance to the greatest extent practical through utilizing the existing footprint of the building, existing parking area, existing landscaping, and existing site circulation pattern.
- The City's zoning code assumes that every order point should have the same number of stacking spaces. Staff finds that adding a second order point will not increase the number of customers at the site, and instead will lead to more efficient movement of existing customers through the drive-thru lanes.
- **The applicant has provided supplementary information as discussed in FINDING #11 of staff memo** therefore staff finds that the proposed design will not create an undue traffic nuisance to the surrounding neighborhood.
- Staff finds that this proposal is consistent with the general content of the Comprehensive Plan due to the Plan's support for efficient use of properties while minimizing negative impacts to the neighborhood.

Recommendation

Due to the finding that the application is consistent with the general content of the Comprehensive Plan, and due to the finding that the application will not create undue traffic impacts to the surrounding streets, staff recommends the Plan Commission forward a *positive recommendation* to the Zoning Board of Review.

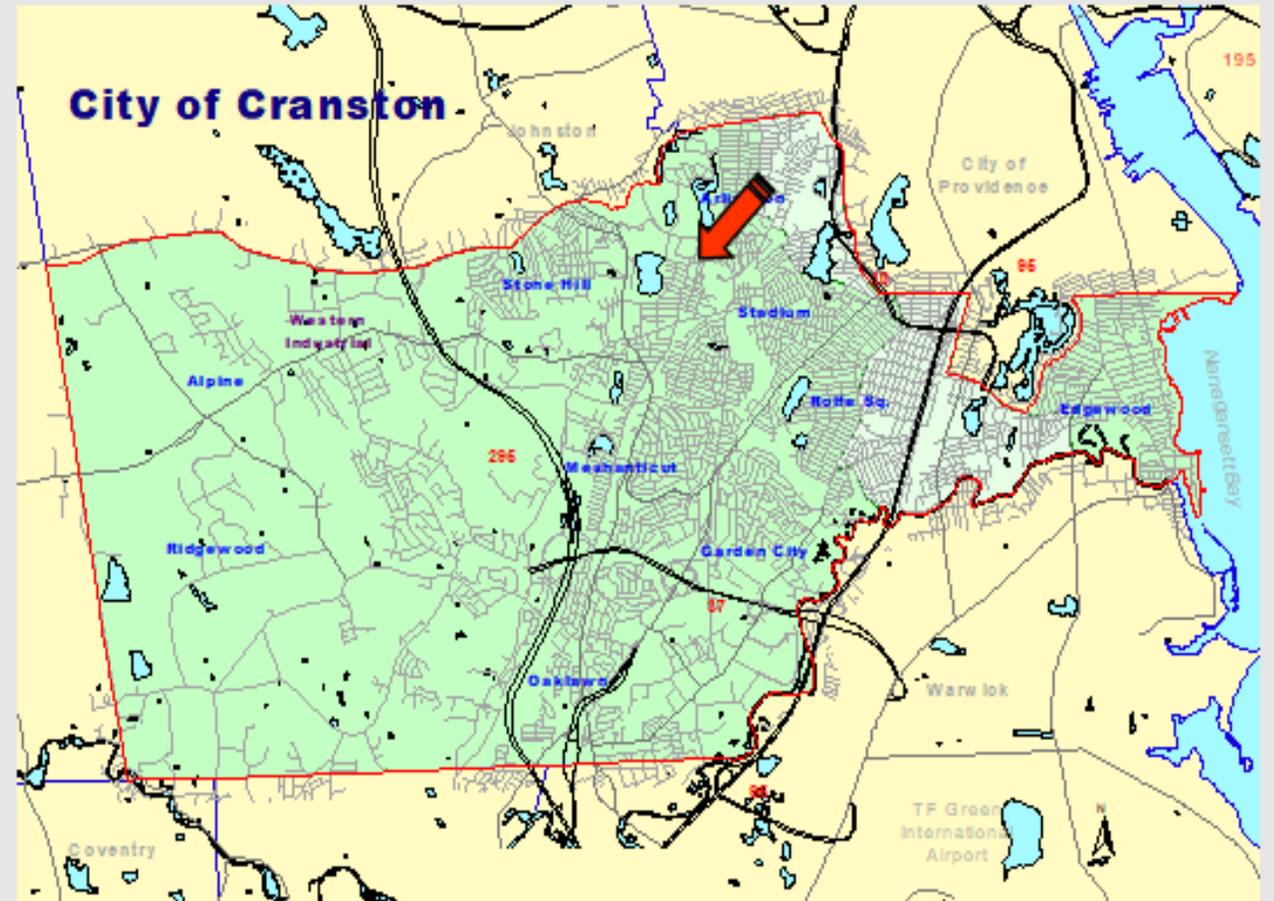
Use & Dimensional Variance Application

Joseph A. Cannata

Owner/app: Joseph A. Cannata
Location: 27-29 Haven Avenue
AP 8 Lot 226
Zone: B-1 (Single & Two-Family)
FLU: Single/Two Family Residential Less than 10.89 units/acre

VARIANCE REQUEST SUMMARY:

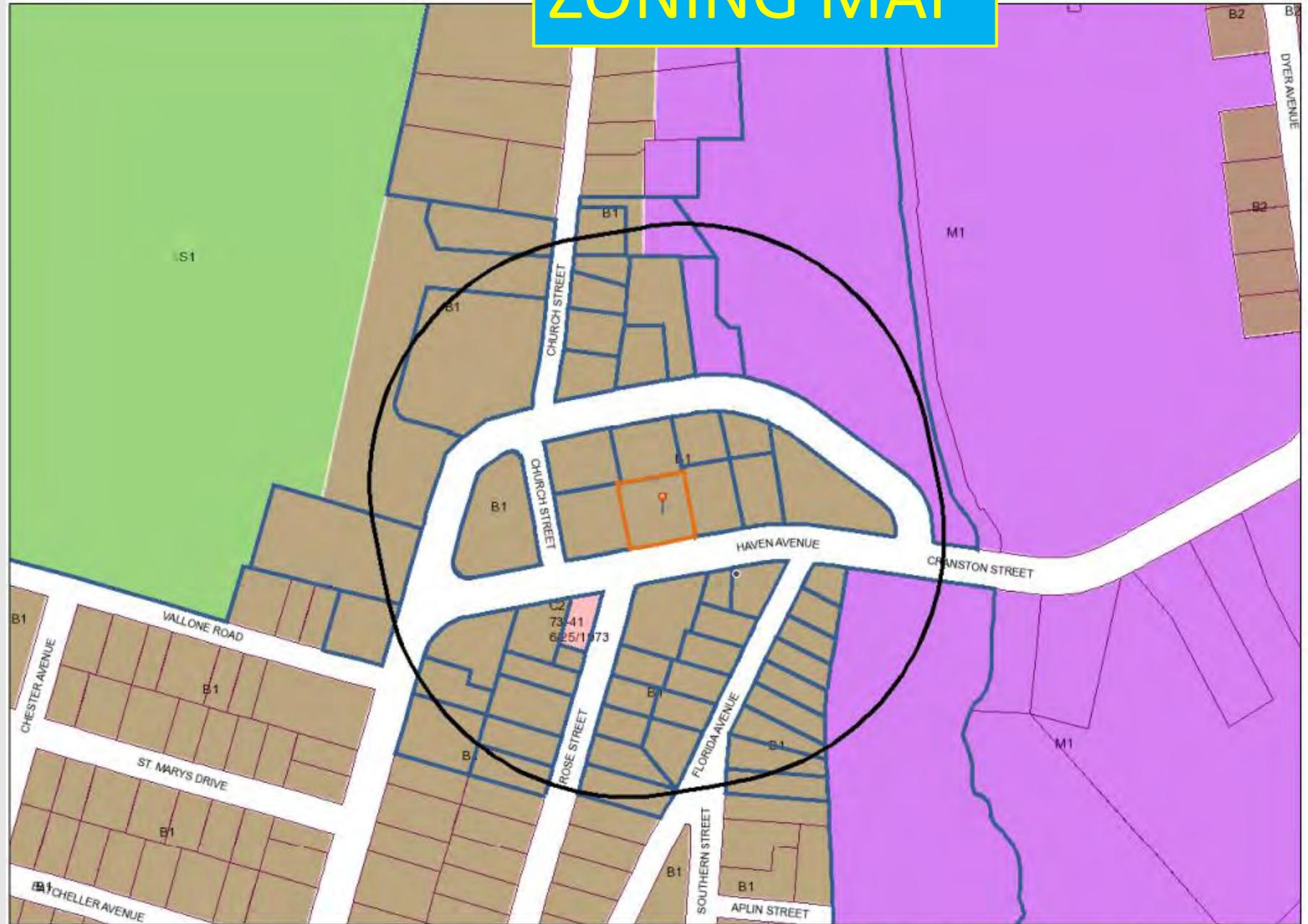
- To construct a detached garage with a second story dwelling unit encroaching into a rear yard setback on a property with an existing three-family in a B-1 zone.



Variance Request Itemized

1. To allow a fourth dwelling unit on a lot in a B-1 zone which does not allow Multifamily uses. [Section 17.20.030 – Schedule of Uses]
2. To allow a nonconforming use (multifamily – 3 units) to change to another nonconforming use (multi-family – 4 units). [Section 17.88.040 – Change of Use]
3. To allow the construction of a garage with a 2nd floor single-family dwelling on a lot where a dwelling structure already exists. [Section 17.20.090 – More Than One Dwelling Structure on Any Lot Prohibited]
4. To allow the construction of a garage with a 2nd floor single-family dwelling on a 11,000 ft² lot where 18.000 ft² would be required if Multifamily was an allowed use in the B-1 Zone. [17.20.090 – Specific Requirements]
5. To allow the construction of a garage with a 2nd floor single-family dwelling that encroaches 10' into the required 20' setback.

ZONING MAP

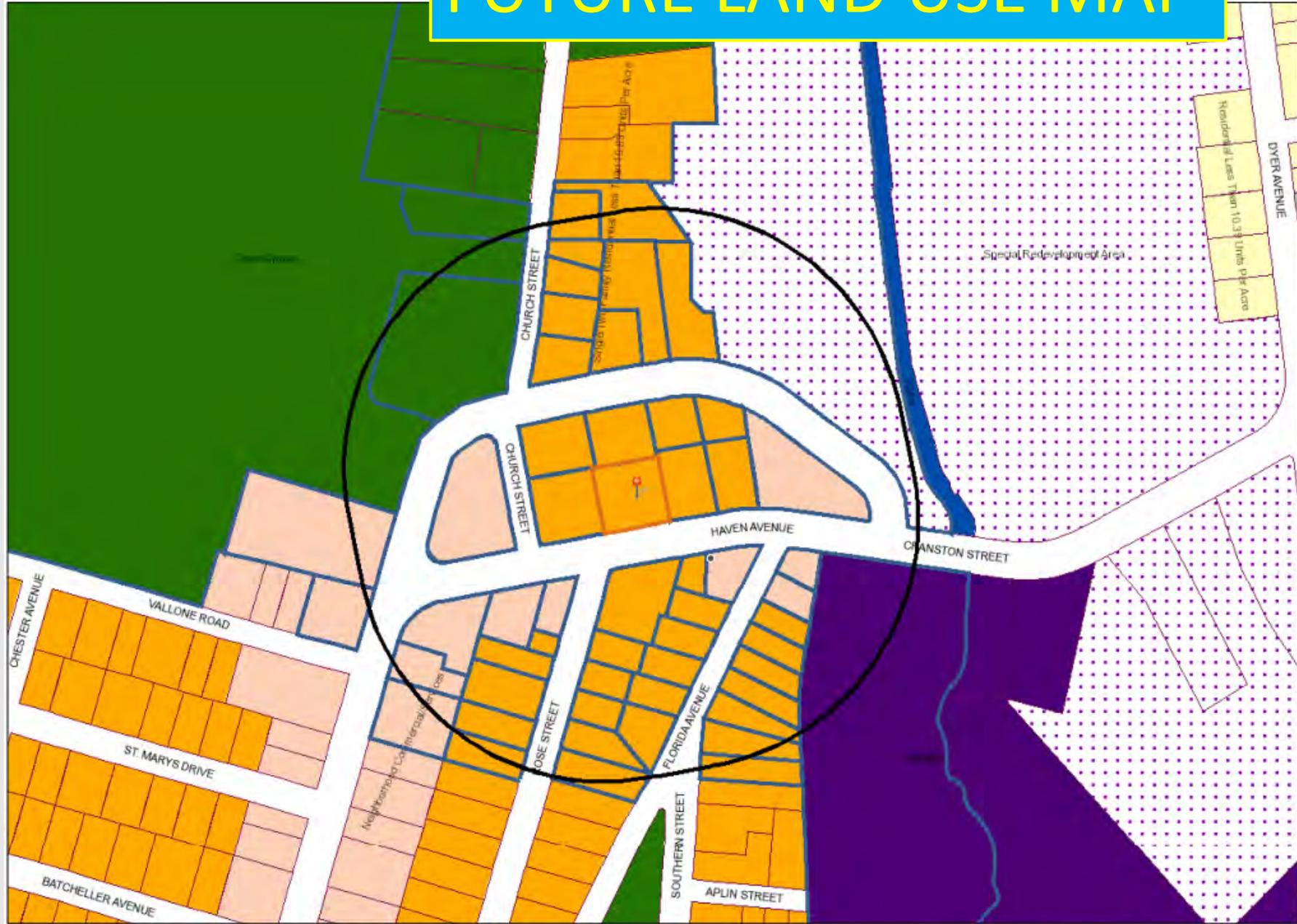


- UserSelectedParcels
- vParcels_Buffer
- ParcelsInBufferOutput
- Parcels
- Streets Names
- Zoning Dimensions
- Historic Overlay District
- Zoning**
- none
- A80
- A20
- A12
- A8
- A6
- B1
- B2
- C1
- C2
- C3
- C4
- C5
- M1
- M2
- E1
- MPD
- S1
- Other
- Street Names

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FUTURE LAND USE MAP



- UserSelectedParcels
- Parcels_Buffer
- ParcelsBufferOutput
- Parcels
- Streets Names
- Future Village Centers
- Future Land Use**
- Governmental/Institutional
- Highway Commercial/Services
- Industrial
- Mixed Plan Development
- Multifamily
- Neighborhood Commercial/Services
- Open Space
- Residential Less Than 10.39 Units Per Acre
- Right Of Way
- Single Family Residential 3.63 To 1 Unit Per Acre
- Single Family Residential 7.26 To 3.64 Unit Per Acre
- Single Family Residential Less Than 1 Unit Per Acre
- Single/Two Family Residential Less Than 10.89 Units Per Acre
- Special Redevelopment Area
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AERIAL VIEW - neighborhood



AERIAL VIEW – close up



3-D AERIAL VIEW



STREET VIEW



SITE PLAN

A.P. 8-1 / LOT 228
N/F
ZACHARY T. AMATO

IRON ROD SET

S 88°43'11" E

110.00'

IRON ROD SET

MAGNETIC 11-04-20

90°00'00"

22.1'

WALK 12.2'

28'
PROPOSED
GARAGE &
APARTMENT
ABOVE
2 PARKING SPACES

90°00'00"

10.0'

100.00'

A.P. 8-1 / LOT 227
N/F
PEDRO ROMAN

EXISTING 3 FAMILY
DWELLING
27 HAVEN AVENUE

A.P. 8-1 / LOT 226
N/F
JOSEPH A. CANNATA
11,000 S.F.
0.25 AC

A.P. 8-1 / LOT 224
N/F

JOSEPH V. & BEATRICE R. MORETTI

LP

4

3

100.00'

6

2

5

1

PARKING AREA
PARKING SPACE 9'x18' (typ)

WALL & FENCE
ENCROACHMENT

15.5'

DRIVEWAY

FLAG

90°00'00"

E BOUND FOUND

100.00'

DRILL HOLE SET

STAIR & WALL ENCROACHMENT

110.00'

DRILL HOLE SET

HAVEN AVENUE

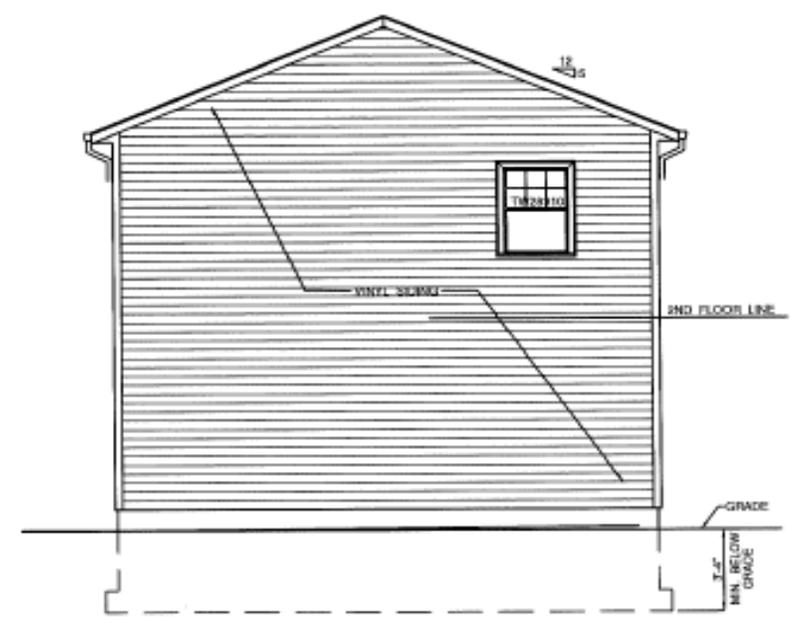
(60' PUBLIC)

RICHARD T. (22) 1/14

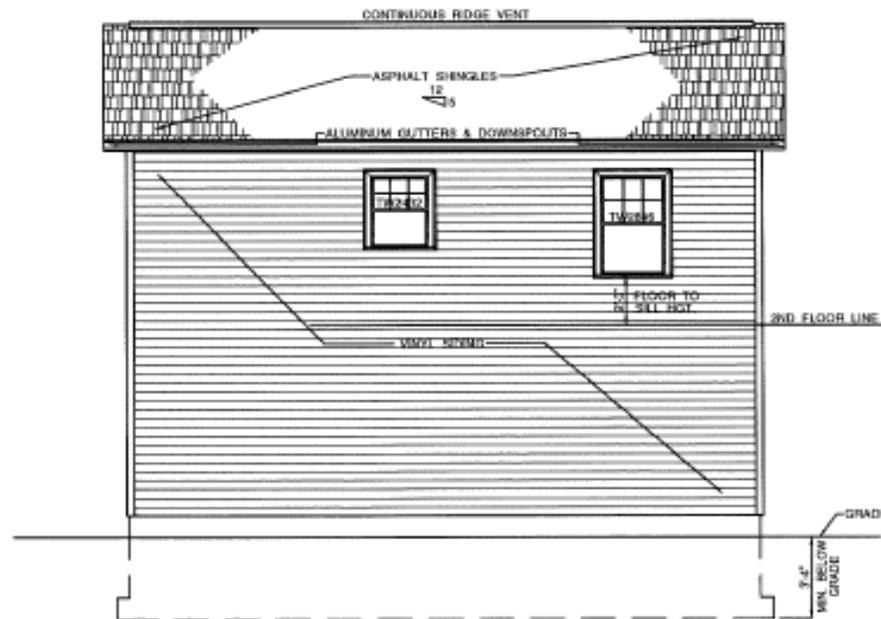
ELEVATIONS



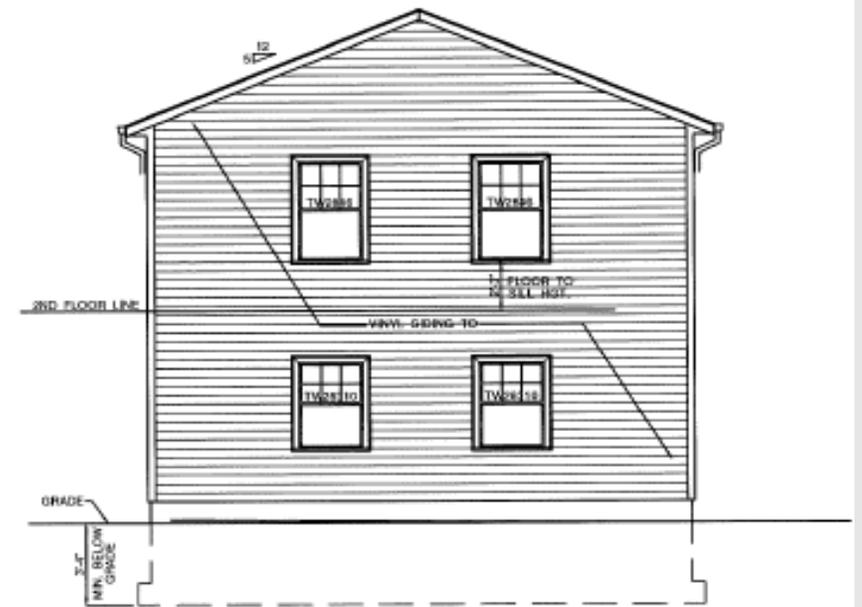
PROPOSED SOUTH (FRONT) ELEVATION
(FACING HAVEN AVENUE)
SCALE : 1/8" = 1'-0"



PROPOSED EAST (RIGHT SIDE) ELEVATION
SCALE : 1/8" = 1'-0"



PROPOSED NORTH (REAR) ELEVATION
SCALE : 1/8" = 1'-0"



PROPOSED WEST (LEFT SIDE) ELEVATION
SCALE : 1/8" = 1'-0"







Key Facts

- The property has a legal-nonconforming three-family on 11,000 ft² in a B-1 zone;
- All 5 variances are triggered by the 600 ft² +/- dwelling unit, not the garage;
- Within a 400' radius there are industrial, commercial, institutional, open space, and a variety of residential uses;
- The off-street parking requirements are met and the Traffic Safety Division has no objection to the site plan;
- The average area of residential uses within 400' is 6,228 ft², the only 4-family is 11,111 ft².

Staff Analysis

- Relief would ***not*** negatively impact the diverse character of the area;
- The Comp Plan generally supports expanding City housing stock/options;
- The request is ***inconsistent*** with the Comp Plan Future Land Use Map in terms of both its ***use*** and ***density***:
 - FLUM - only single / two-fam uses less than 10.89 units/acre
 - Proposed – Four-fam at 15.84 units/acre; and
- Staff cannot make the required findings in Sec 17.92.010 *Variances*.

Recommendation

Due to the finding that granting the relief is inconsistent with the Comprehensive Plan, staff recommends the Plan Commission forward a *negative recommendation* on this application to the Zoning Board of Review. It should be noted that there are no outstanding concerns with the proposal and relief is not anticipated to result in negative impacts.

Dimensional Variance Application

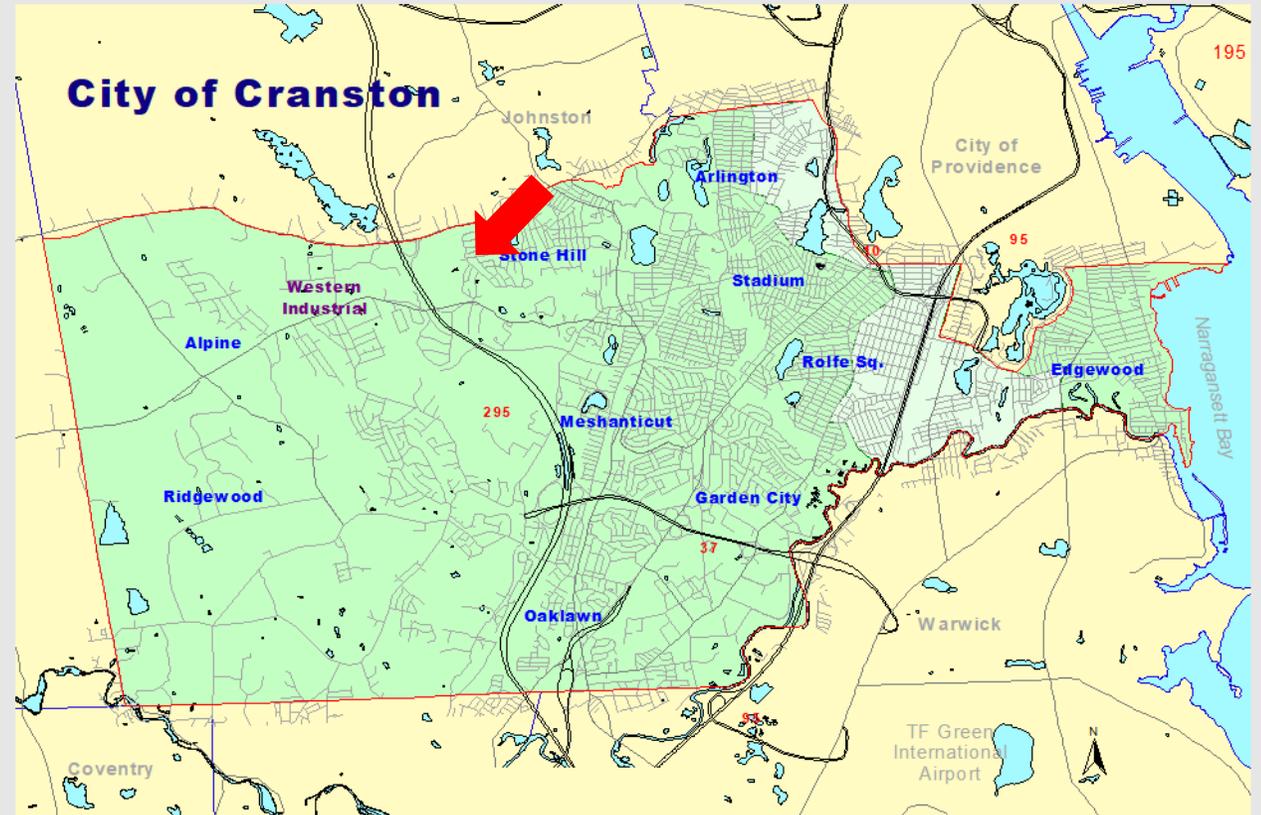
ELIZABETH FLORIO (OWN) and CRAIG ARMSTRONG (APP)

Request for side setback relief

Owner: ELIZABETH FLORIO
Applicant: CRAIG ARMSTRONG
Location: 66 Leawood Drive (A.P. 37, lot 239)
Zone: A-8 (Single-family dwellings on lots of minimum areas of eight thousand (8,000) square feet.)
FLU: Single Family Residential 7.26 to 3.64 Units Per Acre

VARIANCE REQUEST:

To allow an attached garage (accessory structure) to be converted into an **accessory dwelling unit**, triggering a need for a side setback variance. 17.20.120- Schedule of Intensity Regulations]



AERIAL VIEW - neighborhood



AERIAL VIEW – parcel



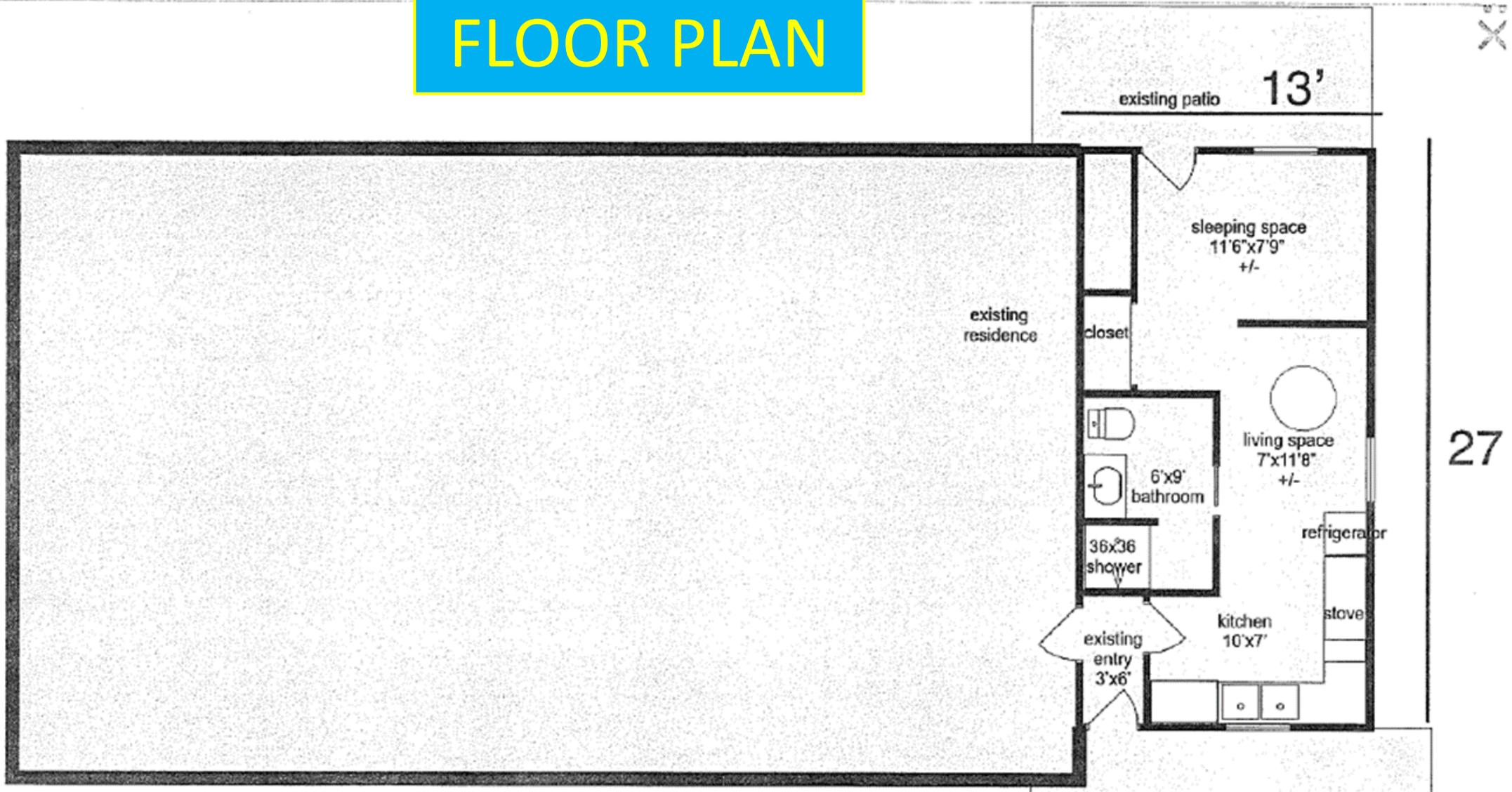
STREET VIEW



ZONING MAP



FLOOR PLAN



Garage door opening framed in for 36"x36" kitchen window

Staff Analysis

- The applicant is proposing to convert a 1-car garage into **an accessory dwelling unit, which is allowed by-right in this zone.**
- The applicant is not proposing to expand or change the building footprint.
- The existing garage is 7.1 feet from the side property line. The act of converting the attached garage into primary living space triggers a need for side setback relief.
- The off-street parking requirement for a single family dwelling **with an accessory dwelling unit is 2 spaces** - which can be met with the existing driveway. The driveway is large enough to fit a total of 4 cars if necessary.
- Staff finds that the proposal meets the **standards for an accessory dwelling unit,** and will maintain the aesthetic of the neighborhood.
- Staff views this application as being consistent with the policies of the Comprehensive Plan.

Recommendation

Due to the finding that the application is consistent with the Comprehensive Plan, and due to the finding that the application will not negatively impact the character of the surrounding neighborhood, staff recommends the Plan Commission forward a *positive recommendation* to the Zoning Board of Review.

Use Variance Application Shon Campbell

Owner/app: Shon Campbell

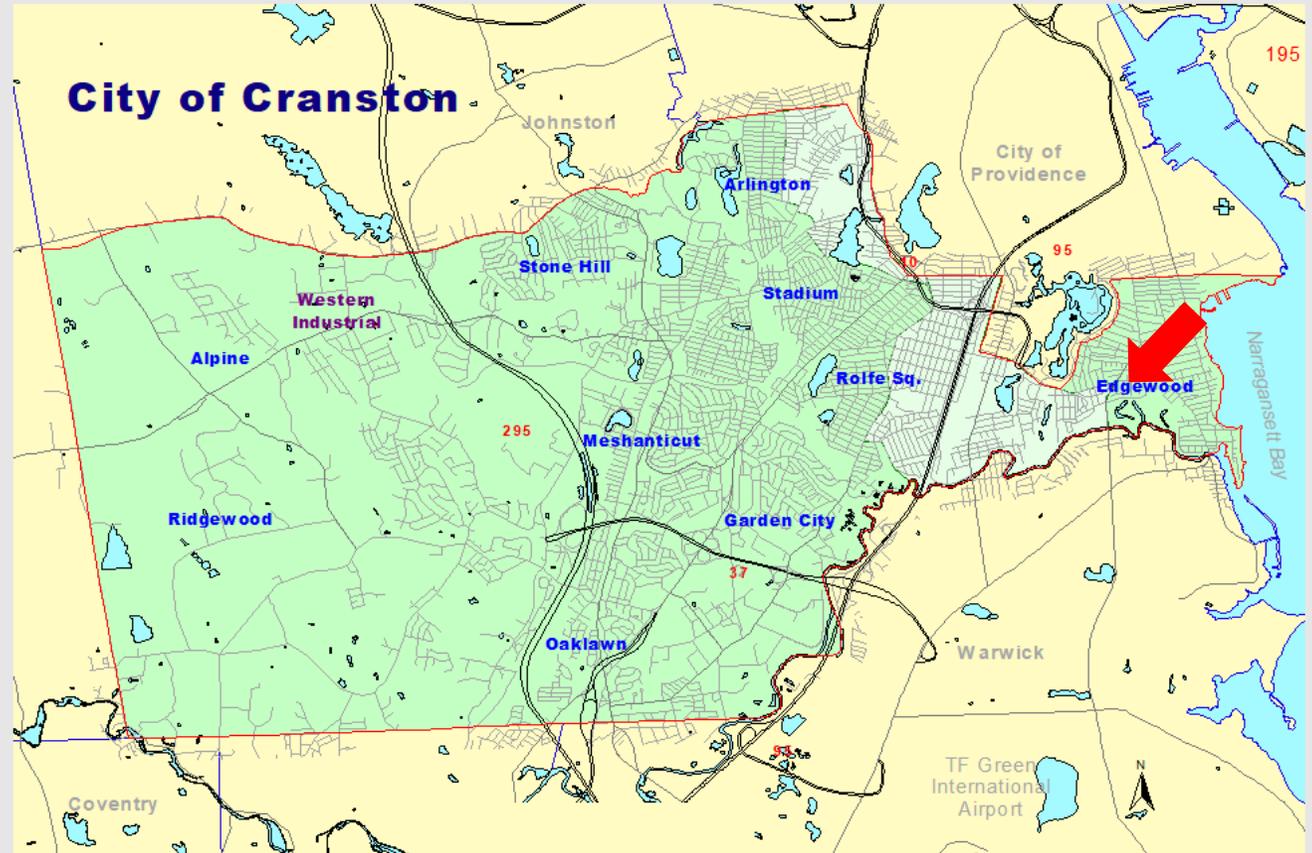
Location: 132-134 Park Avenue
AP 2 Lot 2646

Zone: A-6 (Single-fam min 6,000 ft²)

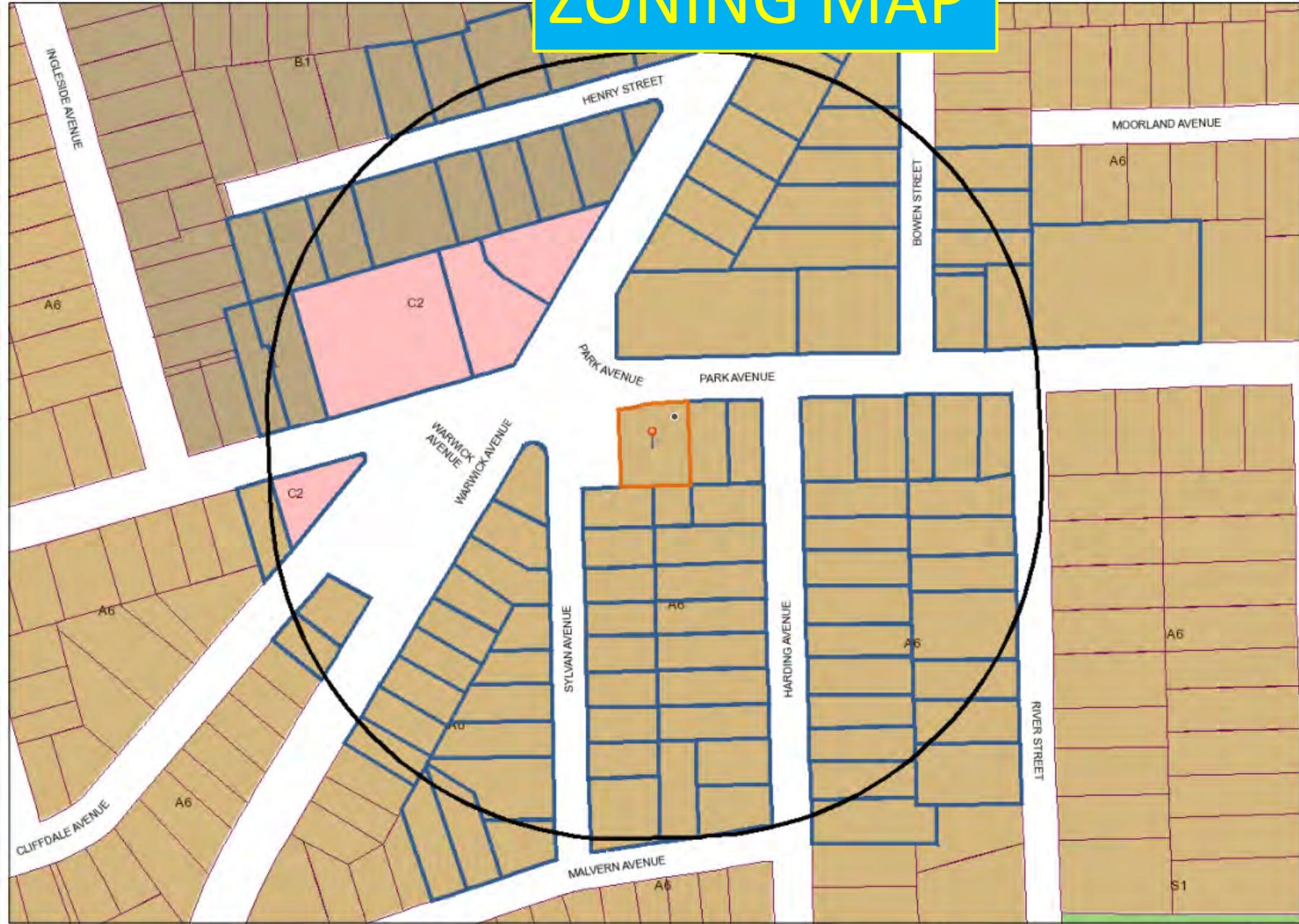
FLU: Single Family Residential 7.26
to 3.64 units/acre

VARIANCE REQUEST SUMMARY:

To allow a “residence above a first floor business use” (professional office) in an A-6 zone where it is not an allowed use. [Section 17.20.030 – Schedule of Uses]



ZONING MAP

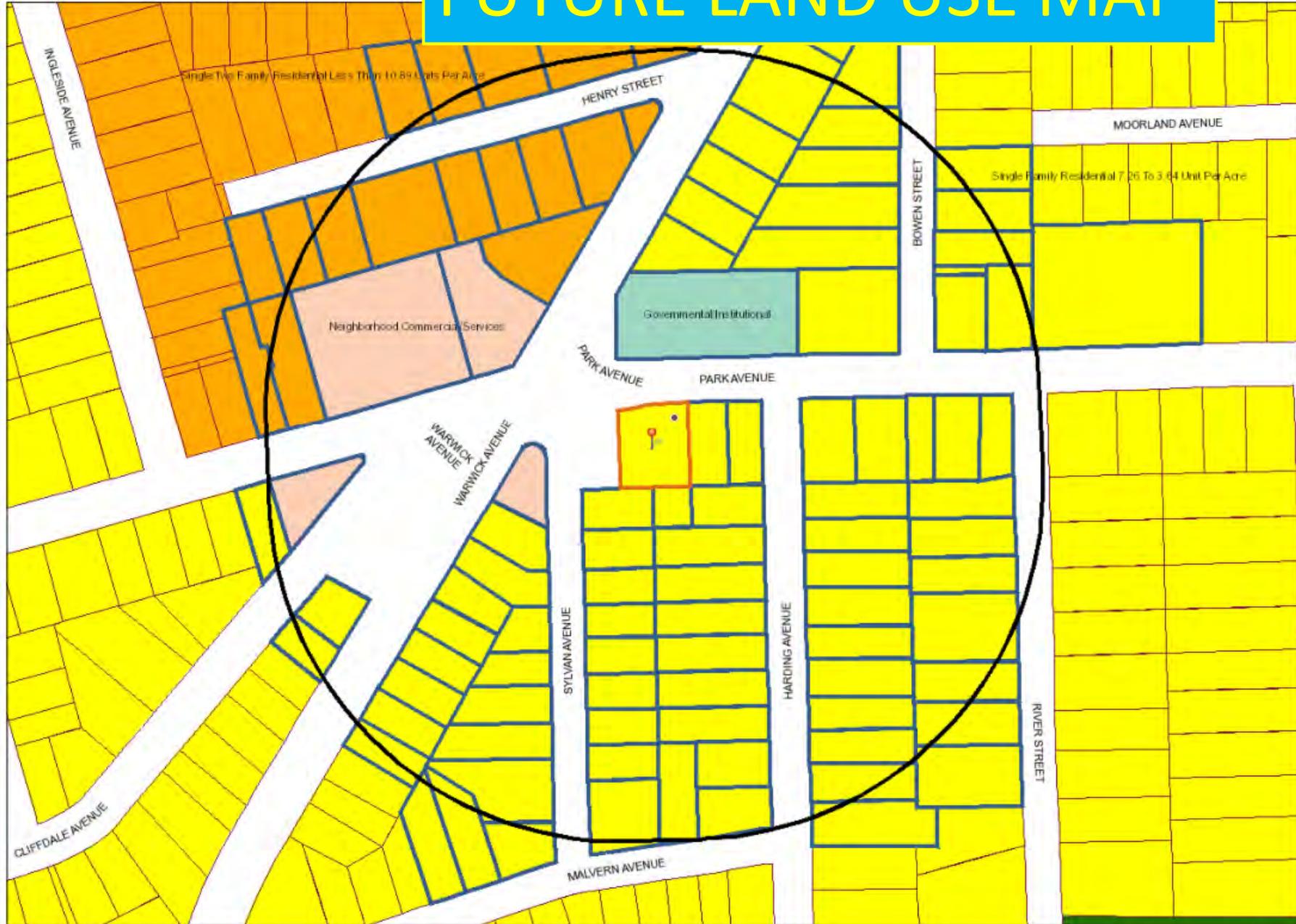


- UserSelectedParcels
 - vParcels_Buffer
 - ParcelsInBufferOutput
 - Parcels
 - Streets Names
 - Zoning Dimensions
 - Historic Overlay District
- Zoning**
- none
 - A80
 - A20
 - A12
 - A8
 - A6
 - B1
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 - C3
 - C4
 - C5
 - M1
 - M2
 - EI
 - MPD
 - S1
 - Other
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0 0.03 0.06 0.09 mi

FUTURE LAND USE MAP



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0 0.03 0.06 0.09 mi

AERIAL VIEW - neighborhood



AERIAL VIEW – close up



3-D AERIAL VIEW

 132 Park Ave,
Cranston, RI 02905



STREET VIEW – Park Ave



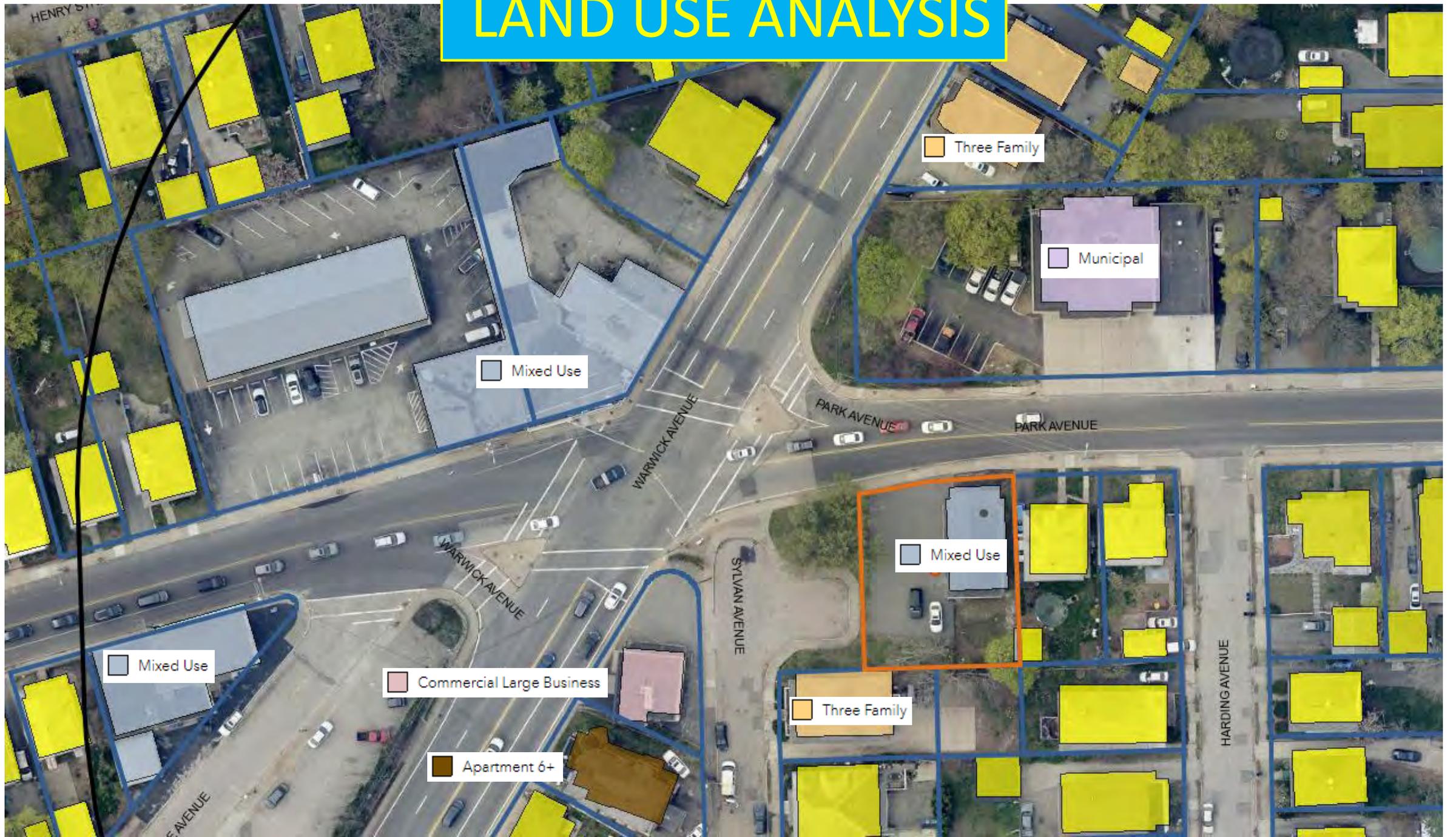
STREET VIEW – Sylvan Ave



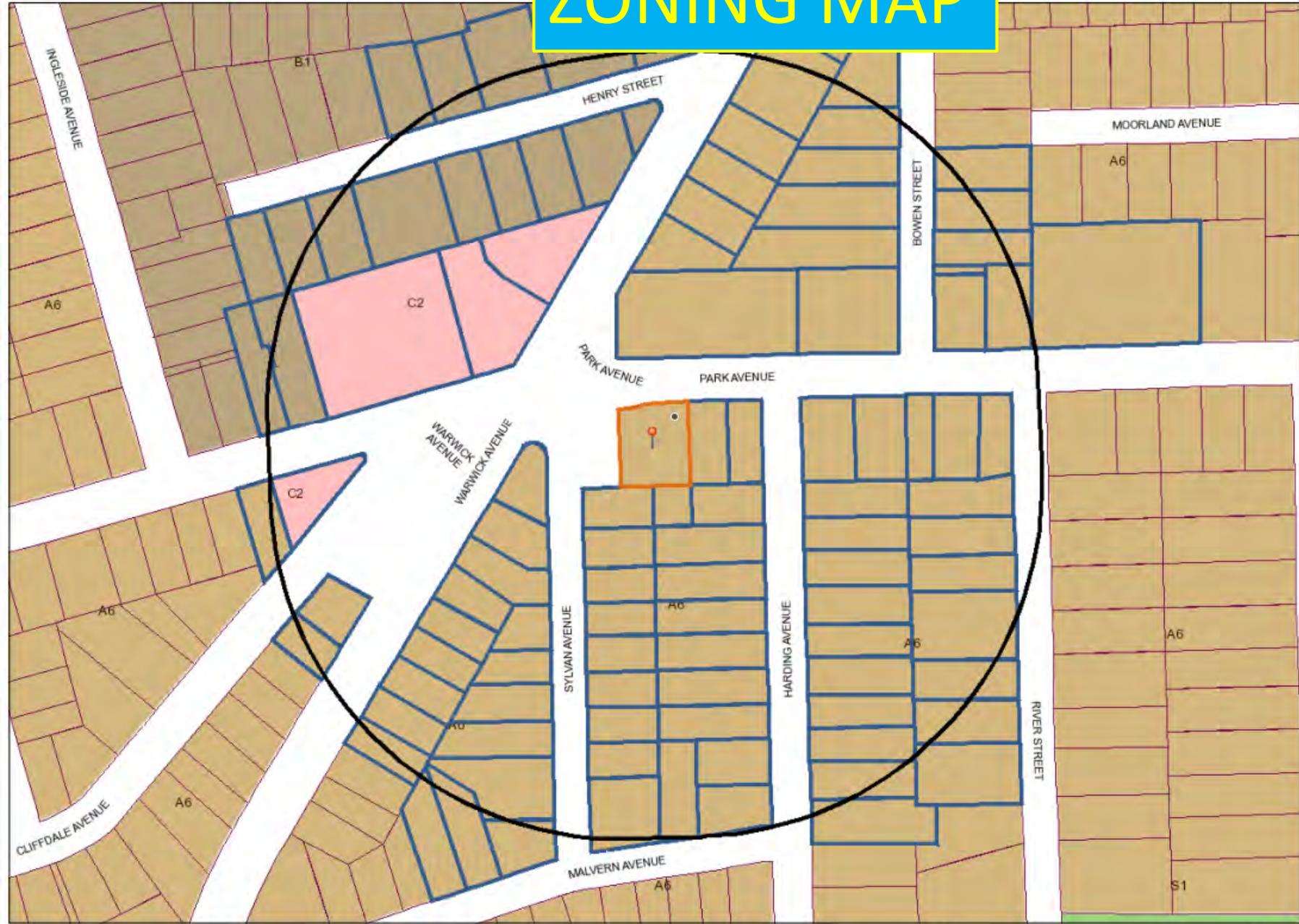
Key Facts

- The 7,402 ft² property has been a legal-nonconforming residence above a first story business (barber shop/salon) established prior to the enactment of zoning in 1966;
- The residential unit is to remain. The change of the commercial aspect of the mixed use to a real estate office triggers the need for relief;
- There are no proposed physical alterations to the building;
- The only proposed alterations to the site are the parking improvements which have been reviewed and comply with City regulations;
- There is no vehicular access to Sylvan Ave, only Park Ave.

LAND USE ANALYSIS



ZONING MAP

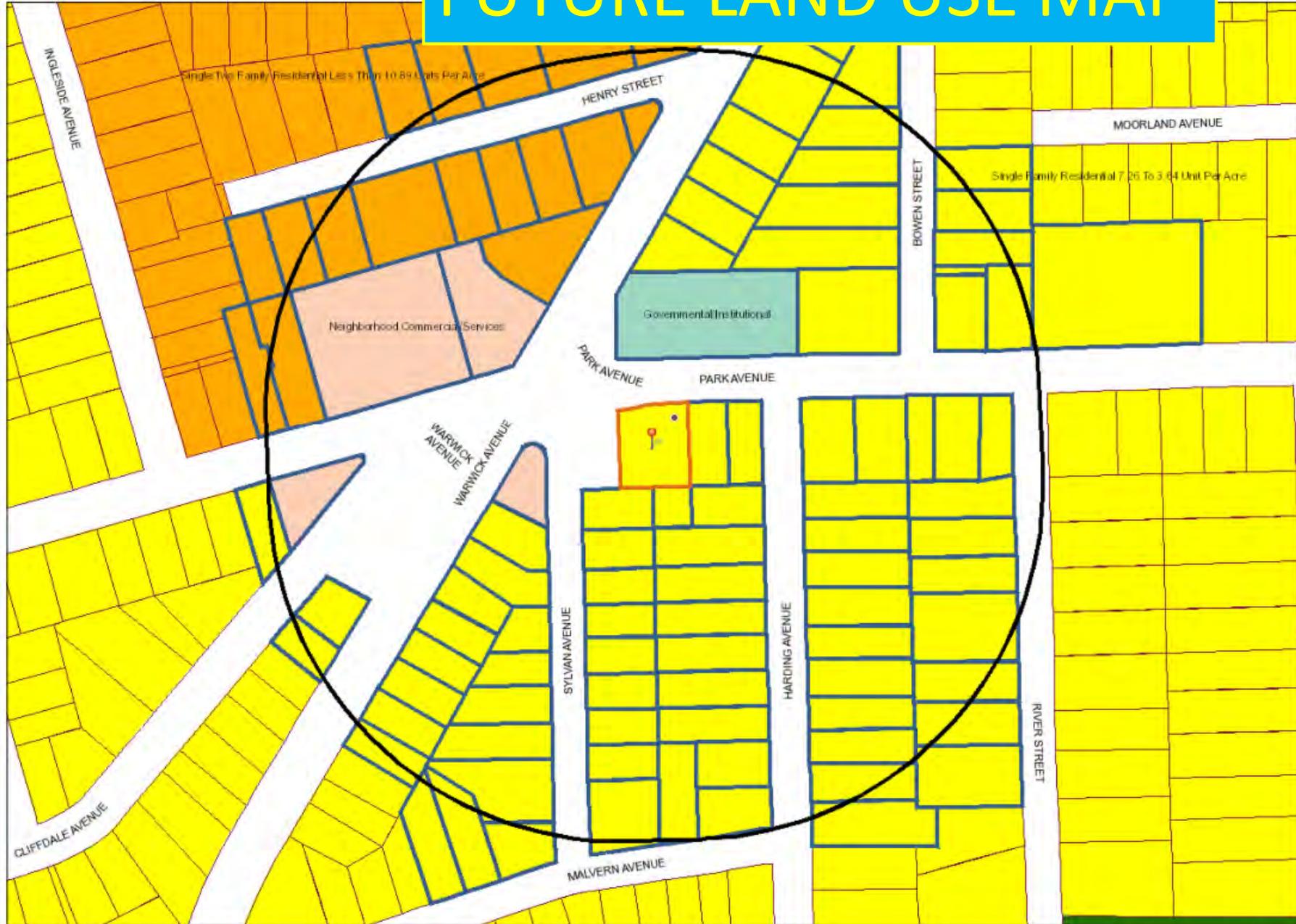


- UserSelectedParcels
- vParcels_Buffer
- ParcelsInBufferOutput
- Parcels
- Streets Names
- Zoning Dimensions
- Historic Overlay District
- Zoning**
- none
- A80
- A20
- A12
- A8
- A6
- B1
- B2
- C1
- C2
- C3
- C4
- C5
- M1
- M2
- EI
- MPD
- S1
- Other
- Street Names

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0 0.03 0.06 0.09 mi

FUTURE LAND USE MAP



- UserSelectedParcels
- vParcels_Buffer
- ParcelsInBufferOutput
- Parcels
- Streets Names
- Future Village Centers
- Future Land Use**
- Governmental/Institutional
- Highway Commercial/Services
- Industrial
- Mixed Plan Development
- Multifamily
- Neighborhood Commercial/Services
- Open Space
- Residential Less Than 10.39 Units Per Acre
- Right Of Way
- Single Family Residential 3.63 To 1 Unit Per Acre
- Single Family Residential 7.26 To 3.64 Unit Per Acre
- Single Family Residential Less Than 1 Unit Per Acre
- Single/Two Family Residential Less Than 10.89 Units Per Acre
- Special Redevelopment Area
- Water
- Street Names

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0 0.03 0.06 0.09 mi

Staff Analysis

- Relief would **not** negatively impact the character of the area
 - The use is less intense than the existing; and
 - There are only commercial uses at this intersection;
- The Comp Plan generally supports matching zoning with the legally established existing uses;
- The request is **inconsistent** with the Comp Plan Future Land Use Map in terms of its **use**;
- Staff cannot make the required findings in Sec 17.92.010 *Variances*.

Recommendation

Due to the finding that granting the relief is inconsistent with the Comprehensive Plan, staff recommends the Plan Commission forward a *negative recommendation* on this application to the Zoning Board of Review. It should be noted that there are no outstanding concerns with the proposed use and relief is not anticipated to result in negative impacts.

Special Use Permit Application

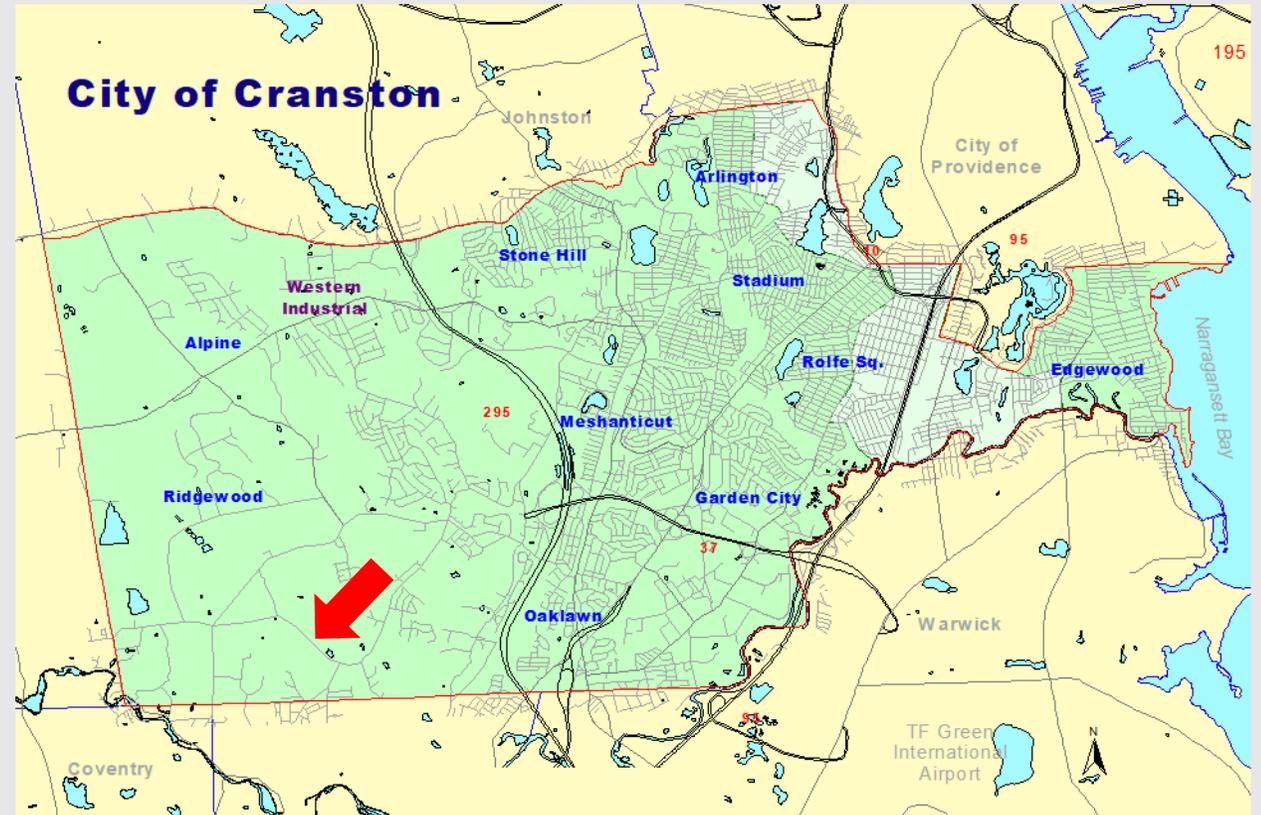
Lombardi Family LLC (OWN) & Cranston Country Club (APP)

Proposed Minor Accessory Solar Energy System

Owner: Lombardi Family LLC
Applicant: Cranston Country Club
Location: Burlingame Road, AP 24, Lot 1
Zone: A-80 (single family residential with at least 80,000 ft² lot size)
FLU: Special Redevelopment Area

REQUEST:

To develop a ground-mounted Minor Accessory Solar Energy System as an accessory use to a golf course facility. Such a use is allowed through a Special Use Permit process per Zoning Ordinance Sec. 17.24.020.



AERIAL VIEW - neighborhood



AERIAL VIEW – parcel



3-D AERIAL VIEW

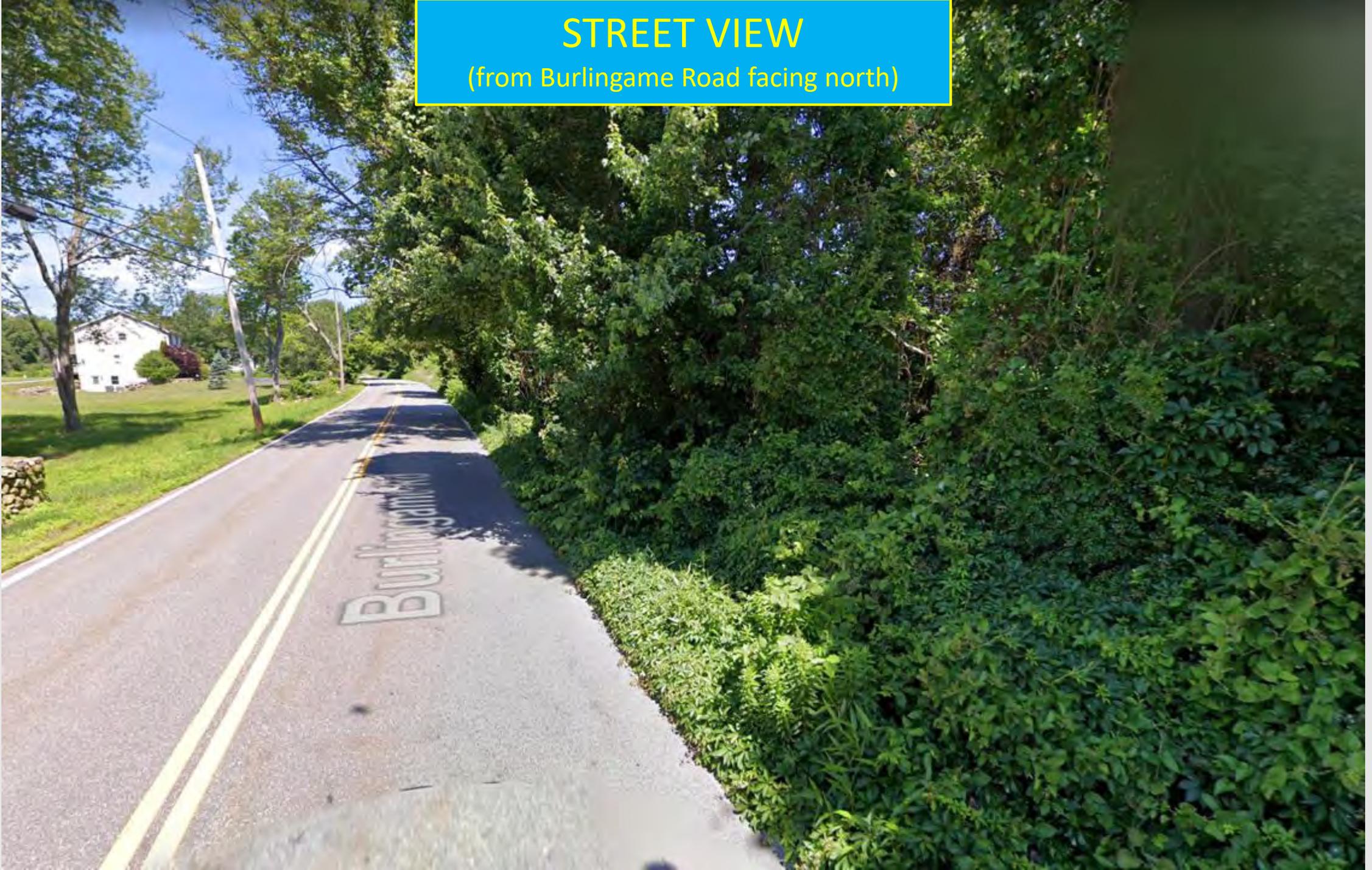


3-D AERIAL VIEW



STREET VIEW

(from Burlingame Road facing north)

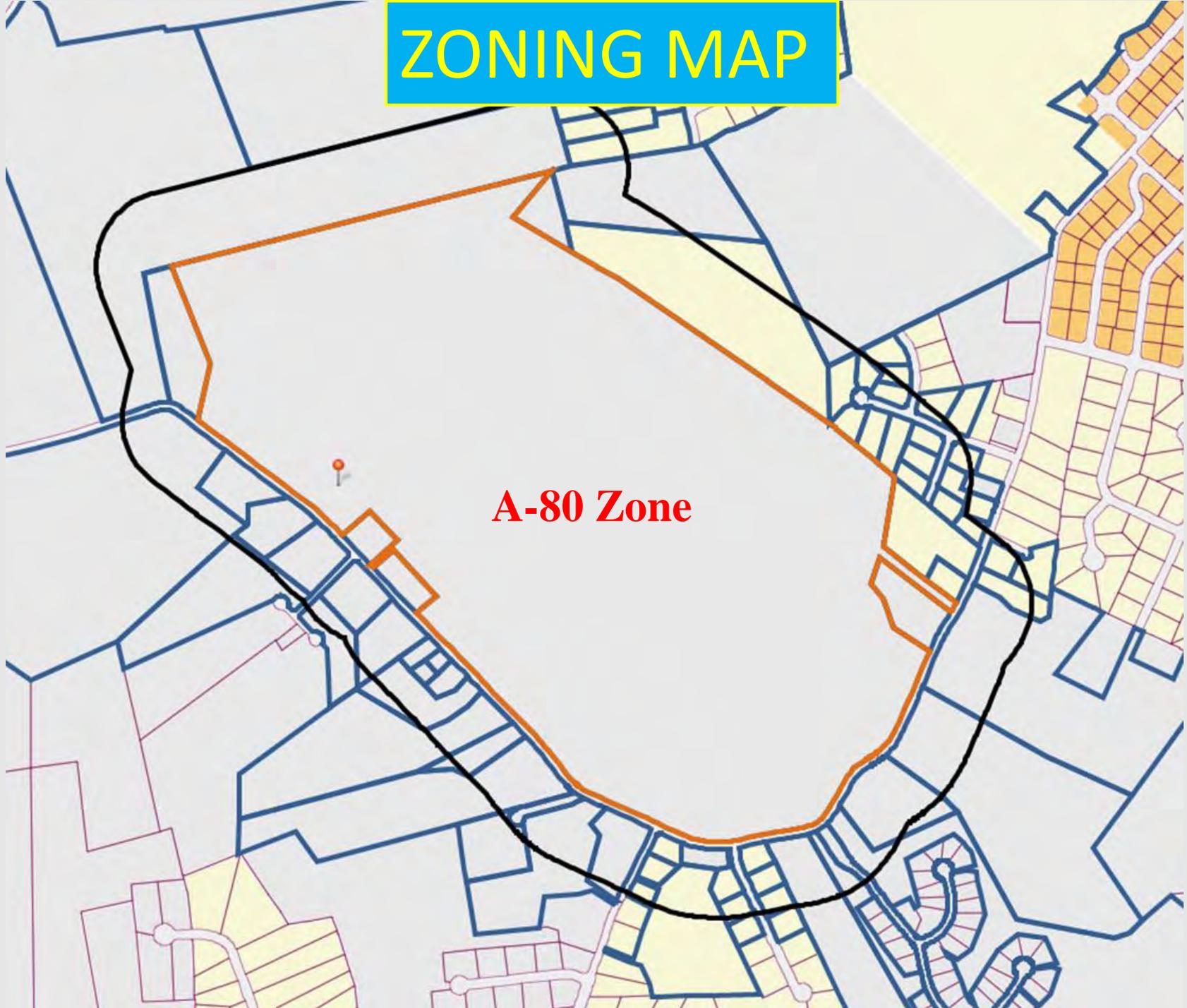


STREET VIEW

(from Burlingame Road facing south)

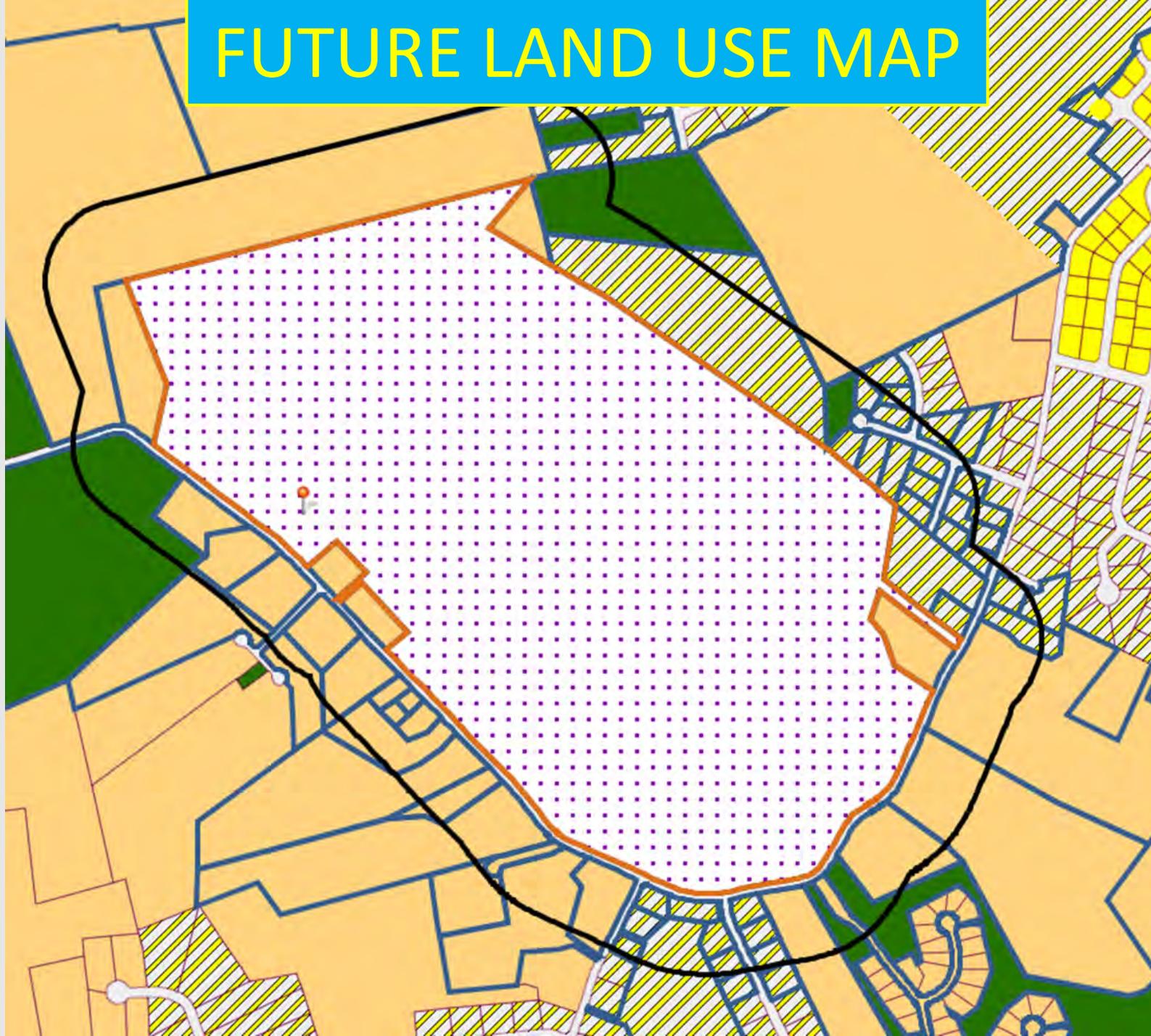


ZONING MAP



A-80 Zone

FUTURE LAND USE MAP



Staff Analysis

- The energy generated by the proposed solar panels will be used to offset the energy used by the country club (121.80 KW DC).
- Roof mounted panels are not practical at this site based on structural issues and orientation of the buildings.
- The A-80 and the S-1 zones are the only zones in which a ground-mounted Minor Accessory Solar Energy System (SES) is required to receive a Special Use Permit.
- The panels being proposed is a dual axis “AllEarth Solar Tracker” which are designed to rotate to orient themselves for the optimal exposure to the sun.
- The project interconnection will occur through existing pole locations on Burlingame Road. No new poles areas, tree removal, or significant tree trimming are anticipated for interconnection.

Staff Analysis (cont.)

- Staff is of the view that the subject application has provided a substantial level of detail within the submitted materials to demonstrate compliance with all related regulatory issues.
- Staff finds that the application is consistent with the Comprehensive Plan – both the recently adopted language on renewable energy systems and the property’s designation as a “Special Redevelopment Area.”
- A Minor Accessory SES is exempt from the recently adopted zoning standards on visual screening/buffering. There is existing vegetation between the proposed solar installation and the Burlingame Road ROW.
- On a voluntary basis, CCC has proposed approximately 40 new arborvitae to be added where there are gaps between existing trees.

Recommendation

Due to the fact that the application is consistent with the Cranston Comprehensive Plan, and due to the fact 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.