33 Webb Street Cannabis Retail Dispensary

ANALYSIS OF REQUIRED FINDINGS FOR DIMENSIONAL VARIANCE

November 10, 2026

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Project Overview

This Expert Report is submitted on behalf of Serendipity Properties LLC (Applicant/Owner, Client: Jeffrey Wilson) in support of a Zoning Board of Review application for a Dimensional Variance and associated relief for the proposed cannabis retail dispensary located at 33 Webb Street, Cranston, Rhode Island (Plat 10, Lot 790). The subject property is an 18,750 square foot (0.43 acre) parcel situated entirely within an M-2 (General Industry) zoning district. The site is currently improved with a single-story, approximately 4,110 gross square foot industrial masonry building constructed in 1957, previously utilized as a job shop/industrial facility.

The Applicant proposes an adaptive reuse of the existing building for retail sales of cannabis with zero expansion of the physical building envelope. Pursuant to Section 17.24.050 of the City of Cranston Zoning Code, retail cannabis sales are permitted exclusively in M-1 and M-2 industrial zones. However, Section 17.24.050(C)(3) imposes a dimensional buffer requiring cannabis retail buildings to be separated by at least 400 feet from any residential zoning district or property with a residential use. Due to the historical land use pattern in this industrial corridor, five residential parcels and zoning boundaries lie within 400 feet of the subject property across surrounding rights-of-way.

Accordingly, the Applicant requests a dimensional variance from the 400-foot separation requirement under City Code § 17.24.050(C)(3) and R.I. Gen. Laws § 45-24-41.

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Summary of Relief and/or Required Approvals

Relief/Necessary Approvals	Specific Dimensions Presently Proposed	Applicable Statue, Regulation, Ordinance
Dimensional Variance - Cannabis Retail Buffer Distance	Relief from 400-foot distance separation requirement to residential zoning districts / residential uses	City of Cranston Zoning Code § 17.24.050(C)(3) & R.I. Gen. Laws § 45-24-41

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Dimensional Variance Standards

Pursuant to R.I. Gen. Laws § 45-24-41, the applicant must submit evidence meeting the following standards:

Hardship Due to Unique Characteristics	(d)(1) The hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant
No Prior Action	(d)(2) The hardship is not the result of any prior action of the applicant
Consistency with Neighborhood, Zoning & Comprehensive Plan	(d)(3) The granting of the relief requested will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based
Relief Minimal to Reasonable Enjoyment	(e)(2) The hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted

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Hardship Components - Unique Hardship

R.I. Gen. Laws § 45-24-41(d)(1) - the applicant must submit evidence of a "hardship relating to the unique characteristics of the land or structure"

Hardship: Pre-existing 4,110 SF industrial building on a 18,750 SF M-2 zoned lot where the Cranston Zoning Code restricts cannabis retail strictly to M-1/M-2 zones, creating an unavoidable 400-foot buffer overlap with nearby residential properties.
Evidence: Facts & Findings
• Subject property is uniquely situated in an M-2 General Industry zone containing a 4,110 SF masonry building built in 1957. • Under Cranston Zoning Code § 17.24.050, adult-use cannabis retail establishments are restricted exclusively to industrial zones (M-1 and M-2). • Historical development patterns cause M-2 industrial corridors to frequently abut older residential neighborhoods or contain legacy residential parcels. • Unique physical configuration of the 18,750 SF lot and existing building placement makes it impossible to establish the statutorily permitted retail cannabis use without encroaching into the 400-foot separation distance from nearby residential zones/uses located across Pettaconsett Avenue and Glen Road. • Hardship stems directly from the unique physical positioning of the existing building and zoning boundaries rather than any personal or financial circumstance of the applicant.

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Hardship Components - Not Related to General Characteristics

R.I. Gen. Laws § 45-24-41(d)(1) - the hardship is not related to the "general characteristics of the surrounding area"

General Characteristics: Heavy industrial M-2 corridor characterized by commercial, automotive, manufacturing, and job shop uses along Webb Street and Pettaconsett Avenue, with distinct physical separation from residential districts.
Evidence: Facts & Findings
• Surrounding M-2 district is predominantly characterized by heavy industrial, commercial, contractor, and auto repair facilities. • Subject property fronting is functionally and visually integrated into an industrial park environment. • Hardship experienced by 33 Webb Street is not shared by the general area.   ○ Subject lot is specifically restricted by the interplay between the industrial zoning mandate for cannabis and the 400-foot buffer radius.

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Hardship Components - Not Due to Physical or Economic Disability

R.I. Gen. Laws § 45-24-41(d)(1) - the hardship is not due to the "physical or economic disability of the applicant…"

Evidence: Facts & Findings
• Hardship is completely independent of any physical or economic disability of the Applicant or property owner, Serendipity Properties LLC.

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No Prior Action

R.I. Gen. Laws § 45-24-41(d)(2) - "the hardship is not the result of any prior action of the applicant"

Evidence: Facts & Findings
• Applicant acquired the property with the existing 4,110 SF building constructed in 1957. • Applicant has not altered lot boundaries, reduced parcel area, or constructed unauthorized additions that created or intensified the dimensional nonconformity. • Hardship is not self-created or the result of any prior action by the Applicant.

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Consistency with Zoning & Comprehensive Plan

R.I. Gen. Laws § 45-24-41(d)(3) - The granting of the relief requested will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based

Consistency w/ Neighborhood Character	Alter the general character of the surrounding neighborhood
Consistency w/ Intent of Zoning Ordinance	Impair the intent or purpose of the zoning ordinance; or
Consistency w/ Comprehensive Plan	Impair the intent or purpose of the comprehensive plan

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Consistency w/ Neighborhood Character

R.I. Gen. Laws § 45-24-41(d)(3) - The granting of the relief requested will not alter the general character of the surrounding area.

Evidence: Facts & Findings
• Proposed adaptive reuse maintains the existing commercial/industrial building footprint without exterior expansion. • All retail, check-in, storage, and security operations will occur strictly indoors. • Site plan incorporates 15 off-street parking spaces and will have strict operating hours (10:00 a.m. to 7:00 p.m. per § 17.24.050(D)(9)). • Ensures commercial activity remains contained on site without generating adverse noise, odor, or visual impacts on surrounding properties. • No direct line of sight from residential district to proposed cannabis retailer

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Purpose & Intent of Zoning Ordinance

Pertinent Sections and Provisions of the Zoning Ordinance	Ordinance 101.A: Promoting the public health, safety, and general welfare.
	Ordinance 101.B: Providing for a range of uses and intensities of use appropriate to the character of the city and reflecting current and expected future needs.
	Ordinance 101.C: Providing for orderly growth and development which recognizes: 6. The need to shape and balance urban and rural development.
	Ordinance 101.H: 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.
	Ordinance 101.L: Promoting implementation of the Comprehensive Plan.

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Consistency w/ Intent of Zoning Ordinance

R.I. Gen. Laws § 45-24-41(d)(3) - The granting of the relief requested will not impair the intent or purpose of the zoning ordinance upon which the ordinance is based.

Evidence: Facts & Findings
• **Ordinance 101.A:** Enhances public safety by establishing a fully compliant, state-licensed adult-use retail dispensary with strict security, ID verification, indoor product storage, and odor control systems, protecting community health and welfare. • **Ordinance 101.B:** Repurposes an underutilized industrial building for an authorized commercial/retail use in harmony with the surrounding M-2 district, fulfilling modern consumer and economic needs. • **Ordinance 101.C:** Promotes orderly infill development by revitalizing existing commercial infrastructure without urban sprawl or encroachment onto undisturbed green space. • **Ordinance 101.H:** Respects surrounding residential neighborhoods by containing all commercial operations indoors, causing zero adverse impact on nearby housing stability. • **Ordinance 101.L:** Advances economic and land-use goals of the Cranston Comprehensive Plan 2024 by encouraging commercial investment and adaptive reuse of industrial properties.

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Purpose & Intent of Comprehensive Plan

Pertinent Sections and Provisions of the Comprehensive Plan	• Goal ED-1: Maintain and increase the quality of job opportunities available to Cranston residents. • Goal ED-2: Attract capital into the Cranston area and expand the City's economic base. • Policy ED-10: Continue the City's active role in seeking the redevelopment of major industrial and institutional sites for economic development. • Goal LU-2: Promote mixed use and commercial/industrial development that will focus on key redevelopment sites and improve the quality of new development.

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Consistency w/ Comprehensive Plan

R.I. Gen. Laws § 45-24-41(d)(3) - The granting of the relief requested will not impair the intent or purpose of the comprehensive plan upon which the ordinance is based.

Evidence: Facts & Findings
• **Goal ED-1 & ED-2:** Brings private capital investment to 33 Webb Street, converting a former job shop into a high-value commercial retail establishment that creates local employment opportunities and expands Cranston's tax base. • **Policy ED-10 & Goal LU-2:** Achieves adaptive reuse of an existing 1957 industrial structure within an M-2 zone, upgrading building systems, site accessibility, ADA facilities, and off-street parking while avoiding greenfield expansion.

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Hardship Standard - Permitted Use

R.I. Gen. Laws § 45-24-41(e)(2) - the property is being devoted to a permitted use.

Evidence: Facts & Findings
• Cannabis retail dispensaries (retail sales of cannabis) are specifically listed as a permitted principal use in M-1 and M-2 industrial zones pursuant to Cranston Zoning Code § 17.20.030 and § 17.24.050. • Applicant is seeking dimensional relief regarding the 400-foot buffer distance under § 17.24.050(C)(3) and parking relief under § 17.64.010, rather than a use variance. • Subject property will be devoted entirely to a legally permitted use under the City Zoning Ordinance.

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Hardship Standard - Mere Inconvenience

R.I. Gen. Laws § 45-24-41(e)(2) - the applicant has submitted evidence of a hardship that amounts to more than a mere inconvenience, meaning that the relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted.

Evidence: Facts & Findings
• Denial of the requested dimensional variance from the 400-foot separation distance would completely preclude the Applicant from establishing a state-licensed adult-use cannabis retail dispensary on the subject property, despite cannabis retail being a permitted use in the M-2 zone. • Because the existing building is permanently situated on an 18,750 SF lot, strict enforcement of the 400-foot rule deprives the owner of all beneficial, permitted retail use of the building. • Hardship goes far beyond a mere inconvenience and constitutes a complete bar to a legally permitted land use. • Relief sought is the minimum necessary to allow reasonable enjoyment of the property.

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Summary

Standard	Facts & Findings
Dimensional Variance - Hardship Due to Unique Characteristics	Meets
Dimensional Variance - Not Related to General Characteristics	Meets
Dimensional Variance - Not Due to Physical or Economic Disability	Meets
Dimensional Variance - No Prior Action	Meets
Dimensional Variance - Consistency w/ Neighborhood Character	Meets
Dimensional Variance - Consistency w/ Intent of Zoning Ordinance	Meets
Dimensional Variance - Consistency w/ Comprehensive Plan	Meets
Dimensional Variance - Hardship Standard - Permitted Use	Meets
Dimensional Variance - Hardship Standard - Mere Inconvenience	Meets

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