

A meeting of the Cranston Zoning Board of Review was called to order via a Zoom conference meeting by Chairperson Christopher E. Buonanno on **Wednesday March 10, 2021 at 6:30 pm**. Also present were Joy Montanaro, Paula McFarland, Dean Perdikakis, Carlos Zambrano, and 1st alternate Craig Norcliff..

### Zoom Meeting

<https://us02web.zoom.us/j/86541310914?pwd=RXZWSIA3bFlhZ3Mvb2F5ckFEaTNQZz09>

Meeting ID: 865 4131 0914

Passcode: 784433

Call In: 888 788 0099 (US Toll-free)

### OLD BUSINESS

**DAVID CELANI (OWN) and NEW LEAF COMPASSION CENTER, INC.** have filed an application for permission to establish a medical marijuana dispensary for the sale of same to be allowed at **24 Stafford Court**, A.P. 13, lot 84, area 80,755 s.f; zoned M2.

**LINDA B. MARCHETTI; TRUSTEE OF LINDA B. MARCHETTI REVOCABLE TRUST-2008 (OWN) and BRIAN COUTCHER (APP)** have filed an application to construct a new single family dwelling with restricted frontage and reduced lot size at **0 Laurel Hill Avenue**, A.P. 7, lot 1052, area 5,000 s.f; zoned B1.

**RENAISSANCE DEVELOPMENT CORPORATION (OWN) and B&F CONSTRUCTION (APP)** have filed an application to reduce the required vehicle stacking spaces for a proposed drive-in restaurant at **1155 Pontiac Avenue**, A.P. 10, lot 1502; area 43, 506 s.f. zoned C4.

### NEW BUSINESS

**JOSEPH CANNATA (OWN/APP)** has filed an application to construct a detached garage with a dwelling unit above adjacent to an existing three family residence at **27-29 Haven Avenue**, A.P. 8, lot 226; area 11,000 s.f; zoned B1

**ELIZABETH FLORIO (OWN) and CRAIG ARMSTRONG (APP)** have filed an application to convert an existing attached garage into living space for an in-law use with restricted side yard setbacks at **66 Leawood Drive**, A.P. 37, lot 239; area 8,956 s.f. zoned A8.

**SHON CAMPBELL (OWN/APP)** has filed an application to allow a Residence above first story business use at **132-134 Park Avenue** A.P. 2, lot 2646; area 7402 s.f.; zoned A6.

**LOMBARDI FAMILY, LLC (OWN) and CRANSTON COUNTRY CLUB (APP)** have filed an application to install a Minor Accessory Solar Energy System at **45 Burlingame Road**, A.P. 24, Lot 1; area 177.50 ac; zoned A80.

### OLD BUSINESS

#### Ward 6

**DAVID CELANI (OWN) and NEW LEAF COMPASSION CENTER, INC.** have filed an application for permission to establish a medical marijuana dispensary for the sale of same to be allowed at **24 Stafford Court**, A.P. 13, lot 84, area 80,755 s.f; zoned M2. Applicant seeks approval per 17.92.020 Special use permit; Sections 17.20.030 Schedule of Uses. Application filed 11/22/2020. Thomas Mirza, Esq.

On a motion made by Ms. McFarland, and seconded by Mr. Perdikakis, the **Special Use Permit** was unanimously **Approved** as presented by the applicant.

The Board made their decision based on the following findings of fact:

**FINDINGS OF FACT:**

1. The proposal is to reuse an existing building for a Medical Marijuana Dispensary at 24 Stafford Court located in M-2 zone.
2. The M-2 zone is one of two 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 .
4. The Plan Commission found 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 is required to 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. The Board 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.
8. The applicant has provided a Traffic Memo prepared by Pare Corporation. The Board 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.
9. The applicant provided a narrative of the project and also spoke about the different criteria of a special use permit and its compliance with those criteria
10. There was no testimony by members of the public either for or against the project.

In this case, applying the facts above to the standard for a Special Use Permit the Board further finds that the use will substantially conform to the scale and context of the surrounding area, shall be compatible with its surroundings; shall not be injurious, obnoxious or offensive to the neighborhood; shall not hinder the future development of the city; shall promote the general welfare of the city; and shall be in conformance with the purposes and intent of the comprehensive plan. In Granting the Special Use Permit the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 from Section 17.92.020 Special Use Permit.

**Ward 3**

**LINDA B. MARCHETTI; TRUSTEE OF LINDA B. MARCHETTI REVOCABLE TRUST-2008 (OWN) and BRIAN COUTCHER (APP)** have filed an application to construct a new single family dwelling with restricted frontage and reduced lot size at **0 Laurel Hill Avenue**, A.P. 7, lot 1052, area 5,000 s.f; zoned B1. Applicant seeks relief per 17.92.010 Variance, Sections 17.20.120 Schedule of Intensity Regulations, 17.88.010 Substandard Lots of Record. Application filed 1/11/2020. Alfred A. Russo, Esq.

Chairman Buonanno recused himself from this matter, Vice-chairwoman Montanaro conducted this hearing for the Board.

On a motion made by Ms. McFarland, and seconded by Mr. Perdikakis, the **Variance** was **Denied** on a 4-1 vote as presented by the applicant. Mr. Perdikakis solely voted yea.

The Board made their decision contrary to the Plan Commission's following findings of fact:

**FINDINGS OF FACT:**

1. The applicant proposes to build a single-family residence on a substandard lot of record AP 7, Lot 1052). The lot is substandard in area (5,000 ft<sup>2</sup> where 6,000 ft<sup>2</sup> is required) and lot width & frontage (50' where 60' is required).
2. The lot is currently undeveloped. It serves as a rear/side yard for the adjacent two-family residence under common ownership and has a shed which is to be removed.

3. The surrounding neighborhood (400-foot radius) is comprised completely of B-1 zoned parcels. The vast majority of uses within the radius are single and two-family homes. Other uses include Gladstone Elementary School the east of the subject site.
4. The applicant testified before the Board about the project but did not put forth any expert testimony concerning its conformance with the comprehensive plan or the other elements necessary to grant the zoning variance.
5. There was testimony by the direct abutting neighbor in opposition to the project. He testified that the side of his house was close to the property line and would be close to the new structure
6. In denying the application, the Board noted its concern with the current neighboring structure being close to the property line. Because the house was moved to be in line with the curb cut, The Board questioned the applicant about the structure on the other side of the lot and the applicant was unable to provide the necessary information concerning the placement of that structure. The proximity of all the current structures to the other structures was given as a reason for denial. Board members also stated and found that the hardship resulted primarily from the desire of the applicant to realize greater financial gain as a further reason for denial. Based upon the record and testimony, in its denial, the Board could not make the required positive findings on all the necessary elements to grant a variance and therefore voted to deny the application.

### **Ward 6**

**RENAISSANCE DEVELOPMENT CORPORATION (OWN) and B&F CONSTRUCTION (APP)** have filed an application to reduce the required vehicle stacking spaces for a proposed drive-in restaurant at **1155 Pontiac Avenue**, A.P. 10, lot 1502; area 43,506 s.f. zoned C4. Applicant seeks relief per 17.92.010 Variance, Section 17.28.010 (B), (8) Drive-in uses. Application filed 1/12/2021. Nicholas Goodier, Esq.

On a motion made by Ms. McFarland, and seconded by Mr. Zambrano, the **Variance** was unanimously **Approved** as presented by the applicant.

The Board made their decision based on the following findings of fact:

### **FINDINGS OF FACT:**

1. The applicant, B&F Construction, proposes to establish a Burger King branch location at 1155 Pontiac Avenue, the site of a former Webster Bank.
2. The overall redevelopment proposal will include the conversion of the existing bank building into a Burger King without changes to the building footprint. The Webster Bank building, which itself a former Krispy Kreme donut shop, has an existing drive-through lane leading to the rear of the building.
3. The proposal includes the following site plan changes:  
Adding a second drive-thru order point; Moving the 2 order points to new menu boards that are detached from the building; Minor adjustment to dumpster location; Changes to portico in back of building to facilitate drive-thru pick-up window,
4. The applicant is proposing to redevelop the site while also minimizing site disturbance to the greatest degree possible through utilizing the existing footprint of the building, existing parking area, existing landscaping, and existing site circulation pattern. The area of the property that is subject to any site disturbances (menu boards, drive-thru lanes, dumpster enclosure, and sidewalk) are shown with a dashed line around it on the site plan shown on page 7.
5. The lot is zoned C-4 (Highway business) and contains approximately 43,056 +/- square feet. The use of a drive-thru restaurant is allowed by-right in the C-4 zone.
6. The applicant received Development Plan Review Committee approval.
7. The applicant is seeking relief from Zoning Code Sec 17.28, as follows:  
*“Stacking Spaces. All drive-in uses shall provide stacking spaces for a minimum of six automobiles for each drive-in window. Stacking spaces shall be designed so as not to interfere with points of access to or from streets. Location of stacking spaces shall not interfere with entry to or exit from parking spaces. For automobile washing businesses, additional stacking spaces may be required at the exit of the auto wash structure.”*
8. For the purpose of this application, a “drive-in window” is interpreted to be equivalent to a menu order board. The applicant is providing 9 stacking spaces for the two order boards, whereas the code requires a combined 12 stacking spaces. Therefore, the applicant is seeking relief for falling short by a total of 3 stacking spaces.
9. The applicant put forth testimony that that adding a second order point is intended to make the drive-thru operation more efficient, so that the average customer is able to move through the drive thru operation quicker than if only 1 order point was provided. However, the City’s

zoning code assumes that every order point should have the same number of stacking spaces regardless of how many order points are provided. Based upon the testimony the Board 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.

10. The applicant has provided a traffic memo and supplemental information as part of the DPR review process that demonstrate, in general terms, the use will not result in a detrimental impact to the surrounding street network.
11. There was also testimony by a representative of Burger King about the streamlined operation in the newly remodeled facilities.

In this case, applying the facts above to the standard for a variance, the Board further finds that the application involves a hardship that is not due to a physical or economic disability of the applicant, that the hardship does not result primarily from the desire of the applicant to realize greater financial gain, will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan, and is the least relief necessary. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 from Section 17.28.010 (8) Drive-In Business; Stacking Spaces.

## **NEW BUSINESS**

### **Ward 5**

**JOSEPH CANNATA (OWN/APP)** has filed an application to construct a detached garage with a dwelling unit above adjacent to an existing three family residence at **27-29 Haven Avenue, A.P. 8, lot 226**; area 11,000 s.f; zoned B1. Applicant seeks relief per Section 17.92.010 Variance; Sections 17.20.070 More than one dwelling on a lot; 17.20.090 Specific Requirements; 17.20.120- Schedule of Intensity Regulations; 17.88.040 –Change of Use; Application filed 12/18/2020. Robert D. Murray, Esq.

On a motion made by Ms. McFarland, and seconded by Mr. Buonanno, the **Variance** was unanimously **Denied** as presented by the applicant.

The Board made their decision based on the following findings of fact:

### **FINDINGS OF FACT:**

1. The applicant proposes to build a detached garage with a 600 ft<sup>2</sup> +/- second story dwelling unit on an 11,000 ft<sup>2</sup> lot located in a B-1 zone on Haven Avenue (AP 8, Lot 226). There is an existing legal nonconforming three-family residence on the subject site that was built prior to the enactment of zoning.
2. The proposal requires five variances. Multifamily uses are not allowed in B-1 which only permits single and two-family residential uses. The Code prohibits the expansion of the existing nonconforming multifamily use from three to four units. Code Section 17.20.070 *More Than One Dwelling Structure on Any Lot Prohibited* requires relief to allow a second dwelling structure on one lot. Furthermore, there is insufficient lot area (11,000 ft<sup>2</sup>) as Code Section 17.20.090 *Specific Requirements* would require 18,000 ft<sup>2</sup> of lot area to allow four units. Lastly, the structure encroaches 10' into the required 20' rear yard setback.
3. The Board noted that the applicant could build the garage by-right, but not the residential unit above it, which alone triggers the four variances.
4. City Code Section 17.64(I).(13) *Off-Street Parking* requires 2 parking spaces for each multi-family unit for a total of eight spaces for the four units. The applicant meets this requirement with two inside the proposed garage and six spaces in the parking area. The Traffic Safety Division has reviewed the proposal and has no objections.
5. The subject lot is situated in a unique location in Cranston with a wide variety of land uses within a 400' radius including industrial uses (Cranston Printworks and R.I. Building & Wrecking), institutional uses (St. George Maronite Church and St. Mary's Catholic Church), open space uses (St. Ann Cemetery, Veterans of Foreign Wars), commercial uses (several offices, Loffredo's Monumental Décor), and a variety of residential uses (single-family, two-family and multi-family).
6. The subject lot is one of nine lots enclosed by Haven Avenue to the south, Cranston Street to the north and east and Church Street to the west. The subject lot abuts a single-family residence to the west (10,000 ft<sup>2</sup>), a four-family residence to the north west (11,111 ft<sup>2</sup>), a

- two-family residence to the north (10,209 ft<sup>2</sup>), and a mixed use building (appears to be a dental office and a single-family residence) to the east (7,500 ft<sup>2</sup>).
7. The applicant provided a neighborhood analysis with an itemized breakdown of the number of land use within a 400' radius. There are 58 total properties in this radius comprised of thirteen different land use codes. The residential uses breakdown as follows: single-family (14) two-family (19), three-family (3), and four-family (1). The analysis states that the average lot area of residential or undeveloped properties is 6,228 ft<sup>2</sup>. The one other existing four-family residence that is on an 11,111 ft<sup>2</sup> lot.
  8. The Cranston Comprehensive Plan's Future Land Use Map designates the subject parcels as "Single/Two Family Residential Less than 10.89 units per acre". The proposed density of the project is 15.84 units/per acres and the Board finds the project is *inconsistent* with the Future Land Use Map.
  9. The applicant was questioned by the Board about adding an additional living unit to an already non-conforming property.
  10. The was testimony by abutters in opposition to the project.
  11. The Board accepted the negative recommendation by the Plan Commission against this project.
  12. In denying the application, the Board noted that this was an attempt to add an additional dwelling unit in the form of a garage; that the relief requested was primarily for financial gain and that a multi-dwelling use on an already non-conforming parcel was not in conformance with the comprehensive plan as its reasons for denial.

## **Ward 5**

**ELIZABETH FLORIO (OWN) and CRAIG ARMSTRONG (APP)** have filed an application to convert an existing attached garage into living space for an in-law use with restricted side yard setbacks at **66 Leawood Drive**, A.P. 37, lot 239; area 8,956 s.f. zoned A8. Applicant seeks relief per 17.92.010 Variance; Section 17.20.120 Schedule of Intensity Regulations. Application filed 1/26/2021.

On a motion made by Ms. McFarland, and seconded by Mr. Perdikakis, the **Variance** was unanimously **Approved** as presented by the applicant.

The Board made their decision based on the following findings of fact:

### **FINDINGS OF FACT:**

1. The applicant is proposing to convert a 1-car garage into a primary living space.
2. The applicant is not proposing to expand or change the building footprint.
3. The existing 1-car garage is 7.1 feet from the side property line, which meets code for an attached accessory structure (minimum 5' side setback per code). However, a primary living space must be at least 10 feet from the side property line in an A-8 zone. The act of converting the attached garage into a primary living space triggers a need for side setback relief.
4. Based on city tax assessor's records, the house is currently estimated to have 1,054 ft<sup>2</sup> of total living area on the first floor. The garage is estimated to have 378 ft<sup>2</sup> of total area. Therefore, the proposal will increase the total living area on the first floor to 1,432 ft<sup>2</sup>.
5. The parcel size is above the minimum lot size for the zone (8,956 ft<sup>2</sup> whereas 8,000 ft<sup>2</sup> is required). The structures on the property (single family dwelling and shed) are below the required maximum lot coverage percentage of 35%, and the dwelling is compliant with all other required setbacks and standards.
6. The required off-street parking for this single family dwelling (1 space) can be met with the existing driveway. The driveway is large enough to fit a total of 4 cars if necessary.
7. The applicant's testified that the purpose for making this improvement is that the Owner currently resides in basement bedroom. Stairs have become a nuisance in owner's advanced age and wishes to create living space in garage that is otherwise unused space."
8. The Cranston Comprehensive Plan's Future Land Use Map designates the subject parcels as "Single Family Residential 7.26 to 3.64 Units Per Acre". The proposed project is in conformance with the Future Land Use Map.
9. The Board finds that the proposal will not have a negative impact on the character of the surrounding neighborhood. Staff has no concerns with the interior conversion of this portion of the structure from a garage to a living space because such a conversion will

not result in additional nuisances to abutting properties.

10. There was no testimony in opposition to the project.

In this case, applying the facts above to the standard for a variance, the Board further finds that the application involves a hardship that is not due to a physical or economic disability of the applicant, that the hardship does not result primarily from the desire of the applicant to realize greater financial gain, will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan, and is the least relief necessary. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 from Section 17.20.120 Schedule of Intensity Regulations.

### Ward 1

**SHON CAMPBELL (OWN/APP)** has filed an application to allow a Residence above first story business use at **132-134 Park Avenue** A.P. 2, lot 2646; area 7402 s.f.; zoned A6. Applicant seeks relief per 17.92.010 Variance; Section 17.20.030 Schedule of Uses. Application filed 2/2/2021. Michael J. McCaffrey, Esq.

On a motion made by Ms. Montanaro and seconded by Mr. Perdikakis, the **Variance** was unanimously **Approved** as presented by the applicant to allow a professional office use on the first floor of the property.

The Board made their decision based on the following findings of fact:

### **FINDINGS OF FACT:**

1. The subject property (AP 2, Lot 2646) has an area of 7,402 ft<sup>2</sup> and is zoned A-6 (Single-Family Dwellings on lots of minimum areas of 6,000 ft<sup>2</sup>).
2. The applicant proposes to maintain the second floor residential use and change the first story business to a real estate office.
3. The subject property is located at the southeast corner of the meeting of Park Avenue and Sylvan Avenue, which is situated in the southeast corner of the intersection of Warwick Avenue and Park Avenue. The property has vehicular access to/from Park Avenue, but there is a curb around the edge of Sylvan Avenue, preventing it from connecting with Park Avenue or the subject property. Due to the lack of connectivity of Sylvan Avenue, and considering that the real estate office is anticipated to generate less vehicle trips than the barbershop especially as the real estate industry becomes increasingly virtual, there is no anticipated traffic impact to the residential neighborhoods. The Traffic Safety Division has reviewed the site plan and has no objections.
4. There are no proposed physical alterations to the outside of the building or property other than striping of the parking area as shown on the site plan. Therefore, granting relief would not have any negative visual impacts to the area.
5. The existing land uses found at the intersection at Park Avenue and Warwick Avenue are commercial and municipal, with residential uses behind and adjacent to the uses at the corners. The northeast corner of the intersection is zoned C-2 (Neighborhood Business) with a variety of vacant and commercial uses, the southwest corner is split by Cliffdale Avenue, with a C-2 use to the west (Quick Mart) and a parking area to the east, the northeast corner is zoned B-1 (single and two-family dwellings) but is occupied by a City fire station, and there is a law office utilizing the B-1 zoned parcel in the southeast corner of Warwick and Park Avenue which is west of Sylvan Avenue. The proposed use would be generally consistent with the mix of uses found at the intersection of Warwick Avenue and Park Avenue.
6. The Cranston Comprehensive Plan's Future Land Use Map designates the subject parcels as "Single Family Residential 7.26 to 3.64 Units Per Acre". The proposed density of the project is 5.88 units/per acre, so the project is **consistent** with the density allocation in the Future Land Use Map.
7. The applicant's letter dated January 27, 2021 holds that "the professional office would be far less intrusive than a salon and thus create no undue burden to the neighborhood."
8. The applicant testified about his business operation and his remodeling of the property.
- 9 There was no testimony in opposition to the application

In this case, applying the facts above to the standard for a variance, the Board further finds the Board further finds that the application involves a hardship that is not due to a physical or economic disability

of the applicant, that the hardship does not result primarily from the desire of the applicant to realize greater financial gain, will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan, and is the least relief necessary. In granting a variance the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 from Section 17.20.030 Schedule of Uses.

#### **Ward 4**

**LOMBARDI FAMILY, LLC (OWN) and CRANSTON COUNTRY CLUB (APP)** have filed an application to install a Minor Accessory Solar Energy System at **45 Burlingame Road, A.P. 24, Lot 1;** area 177.50 ac; zoned A80. Applicant seeks relief per 17.92.020 Special Use Permit; Sections 17.20.030 Schedule of Uses, 17.24.020 Solar Energy Systems. Application Filed 2/5/2021.. Robert D. Murray, Esq.

On a motion made by Mr. Perdikakis and seconded by Ms. Montanaro, the **Special Use Permit** was unanimously **Approved** as presented by the applicant.

The Board made their decision based on the following findings of fact:

#### **FINDINGS OF FACT:**

1. The proposal is to develop a ground-mounted Minor Accessory Solar Energy System (SES) on a portion of the Cranston Country Club (CCC). The energy generated by the proposed solar panels will be used to offset the energy used by the country club (121.80 KW DC).
2. The property is zoned A-80 which allows for single family residential with at least 80,000 ft<sup>2</sup> lot size. The use of a golf course/country club is allowed in an A-80 zone with a special use permit and is a legally permitted use at this property.
3. The A-80 and the S-1 zones are the only zones in which a ground-mounted Minor Accessory SES is required to receive a Special Use Permit. In other zones, included all other residential zones, such a use is allowed by-right.
4. The specific solar energy system being proposed is a dual axis "AllEarth Solar Tracker" which are designed to rotate to orient themselves for optimal exposure to the sun. This design requires less panels to produce the same amount of energy as compared to larger roof-mounted and other ground-mounted systems.
5. The applicant testified that they have determined that a roof mounted system on their property is not practical based on structural issues and due to the orientation of the buildings.
6. The application complies with all standards of the zoning code, including the specific standards for a Minor Accessory SES within Sec. 17.24.020.
7. Burlingame Road requires a minimum setback of 60 feet for any improvements from the public right-of-way. This is larger than the setback required for other A-80 lots based on underlying zoning standards. The increased setback on Burlingame Road is due to this roadway having been historically identified by the City as a potential location for roadway expansion. This proposal complies with that 60 foot setback requirement and staff has confirmed with the Department of Public Works that there is no imminent or anticipated roadway expansion for Burlingame Road.
8. The applicant testified that CCC has proposed approximately 40 new arborvitas to be added where there are gaps between existing trees. This approach to augmenting the existing vegetation is intended to provide a visual screen between the solar panels and the Burlingame Road ROW. The application includes a statement that the CCC is committed to monitoring the plantings and supplementing the identified areas.
9. With regard to project interconnection, 3-phase electric service is needed for the proposed solar panels. The service line is available today in the area of the CCC parking lot. National Grid will continue the service down Burlingame Road to the project areas. This upgrade will not require new poles areas, tree removal, or significant tree trimming. The 3-phase service will connect to an existing pole near the proposed installation and then be connected underground to the proposed solar installation.
10. 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.
11. The Comprehensive Plan Land Use Element includes the following language regarding Renewable Energy Production and Consumption (as recently amended):  
“Cranston should actively encourage the availability and implementation of energy infrastructure on rooftops, parking lots and industrial sites throughout the City. The Zoning Ordinance permit the development of renewable energy production facilities in M-1 and M-2 Zoning districts, and should promote the development of multiple renewable energy production facilities within the City. Such developments further the City’s green development objectives by improving air quality and reducing reliance on traditional energy sources.”  
The Board finds that the proposed project as this scale of solar development (minor accessory) is allowed by SUP in an A-80 zone. This project will provide renewable energy to an existing business in the community and will not result in undue negative impacts to surrounding neighborhood.
12. The Comprehensive Plan Future Land Use Map designation for this property is “Special Redevelopment Area”. This designation suggest that this property may be appropriate for a wide mix of uses and scales of development as one of the major parcels in the City identified for having unique redevelopment potential. Given the wide range of uses and scales of development that are supported by the Comprehensive Plan for this property, the Board finds that the proposed project for a Minor Accessory SES is consistent with the Comprehensive Plan Future Land Use Map.
13. There applicant testified that they met with residents to address any concerns and was no testimony in opposition to the proposal at the hearing
14. The applicant put forth testimony from its expert concerning its compliance with the criteria for the granting of a special use permit.

In this case, applying the facts above to the standard for a Special Use Permit the Board further finds that the use will substantially conform to the scale and context of the surrounding area, shall be compatible with its surroundings; shall not be injurious, obnoxious or offensive to the neighborhood; shall not hinder the future development of the city; shall promote the general welfare of the city; and shall be in conformance with the purposes and intent of the comprehensive plan. In Granting the Special Use Permit the Applicant met the requirements of the Zoning Code and relief per Section 17.92.010 from Section 17.92.020 Special Use Permit.

**Stanley Pikul**  
**Secretary, Zoning & Platting Boards**

**The meeting was adjourned at 10:30 PM**

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