

## I-195 REDEVELOPMENT DISTRICT

### Special Use Permit Resolution – Live Entertainment as an Ancillary Use

January 19, 2022

- WHEREAS:** The I-195 Redevelopment District (the “District”) was created and exists as a public corporation, governmental agency and public instrumentality of the State of Rhode Island under Chapter 64.14 of Title 42 of the General Laws of Rhode Island (the “Act”); and
- WHEREAS:** The Act grants the District, acting through its commission (the “Commission”), the powers of the city planning board and the city zoning board; and
- WHEREAS:** Pursuant to the Rhode Island Special Economic Development District Enabling Act, the Commission has adopted the I-195 Redevelopment District Development Plan which provides, inter alia, that following completion of construction of projects located in the I-195 Redevelopment District, the subsequent use and alteration of such projects shall be subject to the provisions of the Providence Zoning Ordinance; and
- WHEREAS:** BAC CVP Providence Hotel LLC (the “Applicant”) has completed construction of a hotel with first floor retail/restaurant space at 191 Dorrance Street (Lot 395, Assessor’s Plat 20) (the “Project”); and
- WHEREAS:** The Commission has received an application from the Applicant for a special use permit for live entertainment at the Project as an ancillary use to the permitted retail/restaurant use (the “Application”); and
- WHEREAS:** The Commission has received a report from the Commission’s staff advising that live entertainment as an ancillary use to the retail/restaurant use is allowed under the Providence Zoning Ordinance by special use permit in the D-1 zone in which the Project is located and concluding that granting a special use permit (a) will not substantially injure the use and enjoyment of neighboring property nor significantly devalue neighboring property and (b) will not be detrimental or injurious to the general health or welfare of the community; and
- WHEREAS:** The Commission this date has heard a presentation from the Applicant regarding the Application and the proposed live entertainment and has heard testimony regarding the Application; and
- WHEREAS:** [There were no objectors to the granting of a special use permit].

**NOW, THEREFORE,** acting by and through its Commissioners, the District hereby finds and resolves as follows:

1. That a special use permit for live entertainment as an ancillary use to a retail/restaurant use in the D-1 zone is permitted under the Providence Zoning Ordinance.
2. That the principal retail/restaurant use at the Project will be active and open to the public during hours when no performance is scheduled.
3. That granting a special use permit for live entertainment at the Project will not substantially injure the use and enjoyment of nor significantly devalue neighboring property.
4. That granting a special use permit for live entertainment at the Project will not be detrimental or injurious to the general health or welfare of the community.

Accordingly, it is hereby:

**RESOLVED:** That the November 30, 2021 application of BAC CVP Providence Hotel LLC for a special use permit to allow live entertainment as an ancillary use to the retail/restaurant use at 191 Dyer Street (Lot 395, Assessor's Plat 20) be, and it hereby is, granted, subject to the following conditions and limitations:

- (a) That all applicable licenses are obtained from the City of Providence;  
and
- (b) [ ]

**RESOLVED:** That the Commission, acting by and through the Executive Director, be and it hereby is, authorized to issue a written decision consistent with the requirements of applicable law confirming the grant of the requested special use permit and including the conditions and limitations set forth in the foregoing Resolution.