

To: I-195 Redevelopment District Commissioners

From: Caroline Skuncik, Executive Director

Date: January 19, 2022

Re: Special Use Permit Applications- Live Entertainment as an Ancillary Use to the principal retail/restaurant/bar use for property located at 191 Dyer Street

Introduction

This memo outlines the special use permit application submitted by BAC CVP Providence Hotel LLC (applicant) to allow live entertainment as an ancillary use to the retail/restaurant/bar space within the building located at 191 Dyer Street (Lot 395, Assessor’s Plat 20).

Request for Relief

The applicant is requesting relief from Section 1201 of the Providence Zoning Ordinance- Special Use Permit for Live Entertain-Ancillary Use in the D-1 District for the retail/restaurant/bar space with the building on the property.

Section 1201 of the Providence Zoning Ordinance

Table 12-1 of Section 1201 identifies the principal and temporary uses allowed within each zoning district. Live entertainment as an ancillary use is permitted with a special use permit.

Table 12-1: Use Matrix																						
Key: P = Permitted // S = Special Use																						
Use	R-1A	R-1	R-2	R-3	R-4	RP	C-1	C-2	C-3	D-1	W-2	W-3	M-1	M-2	M-MU	I-1	I-2	PS	OS	CD	Use Standard	
Dwelling - Rowhouse				P	P	P	P	P	P	P					P	P	P					Sec. 1202.K
Dwelling - Semi-Detached			P	P	P	P										P	P					Sec. 1202.L
Dwelling - Single-Family	P	P	P	P	P	P				P						P	P					Sec. 1202.L
Dwelling - Three Family				P	P	P	P	P	P	P					P	P						Sec. 1202.L
Dwelling - Two-Family				P	P	P	P	P	P	P					P	P						Sec. 1202.L
Educational Facility - Primary or Secondary	P	P	P	P	P	P	P	P	P	P					P	P	P					Sec. 1202.M
Educational Facility - University or College							S	S	S	S					S	P						Sec. 1202.N
Educational Facility - Vocational							P	P	P	P	S	P	S	P	S	P						
Electric Vehicle Charging Station (Principal Use)								S	P		S	P	P	P	S		S					Sec. 1202.O
Financial Institution/Bank							P	P	P	P					P							
Fraternity/Sorority																	P					
Freight Terminal												P	P	P								
Funeral Home							S	S														
Gas Station							S	P			S	P	P	P	S							Sec. 1202.P
Golf Course/Driving Range	S	S	S	S	S										S			S	S			
Government Office							P	P	P	P	P	P	P	P	P							
Greenhouse/Nursery - Retail								S	P					P		P				P	P	
Group Quarters					S		P	P	P	P					S							
Healthcare Institution							S	S	P	S				P		P						Sec. 1202.N
Heavy Retail, Rental and Service									P					P	P	P						
Helipad							S	S	S		S	S	S			S	S	S	S			
Heliport											S	S	S			S						
Hotel/Motel							P	P	P	P	P				P	P	P					
Incinerator/Waste Facility											P			P								
Industrial - Artisan							S	P	P	S				P	P	P						
Industrial - General														P	P	P						
Industrial - Light									P					P	P	P						
Industrial Design							P	P	P	P	P	P	P	P	P							
Live Entertainment - Ancillary Use									S	S	S			P	P		P					Sec. 1202.Q
Live Performance Venue								S	S					S		S						Sec. 1202.Q
Lodge/Meeting Hall	S	S	S	S	S	P	P	P	P	P	P	P	P	P								Sec. 1202.R
Marina - Commercial											P	P	P	P				P	P			
Marina - Recreational															P			P	P			
Materials Processing												P	P	P								Sec. 1304 & 1202.S

The grant of a special use permit requires the following finds of fact:

1. Granting the proposed special use permit will not substantially injure the use and enjoyment of, nor significantly devalue, neighboring property; and
2. Granting the proposed special use permit will not be detrimental or injurious to the general health or welfare of the community.

### Application

The applicant provided the following statements in support of their application:

- “The proposed special use will not substantially injure the use and enjoyment of neighboring property because the proposed special use is intended to supplement the hotel use currently existing at the property, and will be compatible with the neighboring uses.”
- “The proposed special use will not significantly devalue neighboring property because the proposed special use is intended to supplement the hotel use currently existing at the property and will be compatible with the orderly growth and development of the City of Providence and the immediate downtown neighborhood.”
- “The proposed special use will not be detrimental or injurious to the health or welfare of the community because the proposed special use is intended to substantially serve public convenience and welfare, and will not result in or create conditions that will be inimical to the public health, safety, morals, and general welfare of the community.

### Recommendation

Based on the activities customarily associated with the operation of a hotel and given the area in which the hotel is located, the grant of a special use permit will be compatible with neighboring uses and will not create conditions inimical to public health, safety, morals and the general welfare of the community and it is recommended that the special use permit be granted.