

CITY OF PROVIDENCE
ZONING BOARD OF REVIEW

APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

INSPECTION & STANDARDS
RECEIVED

FEB 10 2025

Check Each Type Zoning Relief Sought:

☐

Variance – Use*

☐

Variance – Dimensional*

☒

Special Use Permit**

* Attach APPENDIX A to apply for a Use or Dimensional Variance

** Attach APPENDIX B to apply for a Special Use Permit

If a section of the application is not applicable, please indicate this by using N/A in that field.

Applicant: Track 15 Operator LLC

Applicant Mailing Address

Email: chris@marsella.us

Street: 56 Exchange Terrace, Suite 100

Phone: _____

City, State, Zip: Providence, RI 02903

Owner: Track 15 Real Estate LLC

Owner Mailing Address

Email: See above.

Street: See above.

Phone: _____

City, State, Zip: _____

Lessee: _____

Lessee Mailing Address

Email: _____

Street: _____

Phone: _____

City, State, Zip: _____

Attorney: Nicholas J. Hemond, Esq.

Attorney Mailing Address

Email: nhemond@darroweverett.com

Street: One Turks Head Pl., Suite 1200

Phone: (401) 453-1200

City, State, Zip: Providence, RI 02903

Does the proposal require review by any of the following:

☐

Downtown Design Review Committee

☐

I-195 Redevelopment District Commission

☐

Capital Center Commission

☐

Historic District Commission

1. **Street Address of Subject Property:** 1 Union Station

Plat and Lot Numbers of Subject Property: 019, 129

2. Base Zoning District(s): D1
Overlay District(s): N/A
- 3a. Date owner purchased the Property: August 23, 2022
- 3b. Month/year of lessee's occupancy: _____
4. Dimensions of each lot:
- | | | | |
|------------------|---------------------|--------------------|----------------------------------|
| Lot # <u>129</u> | Width <u>239.31</u> | Depth <u>51.89</u> | Total area <u>25,354</u> sq. ft. |
| Lot # _____ | Width _____ | Depth _____ | Total area _____ sq. ft. |
| Lot # _____ | Width _____ | Depth _____ | Total area _____ sq. ft. |
| Lot # _____ | Width _____ | Depth _____ | Total area _____ sq. ft. |
- 5a. Size of existing structure(s) located on the Property:
- | | |
|---|-----------------------------|
| <u>Principal Structure:</u> | <u>Accessory Structure:</u> |
| Area of Footprint <u>16,000 sq. ft.</u> | Area of Footprint _____ |
| Overall Height _____ | Overall Height _____ |
| # of Stories _____ | # of Stories _____ |
- 5b. Size of proposed structure(s) located on the Property:
- | | |
|-----------------------------|-----------------------------|
| <u>Principal Structure:</u> | <u>Accessory Structure:</u> |
| Area of Footprint _____ | Area of Footprint _____ |
| Overall Height _____ | Overall Height _____ |
| # of Stories _____ | # of Stories _____ |
- 6a. Existing Lot Coverage:
- Building Coverage (area of all roofed structures) _____
- Total Impervious Coverage Area (area of all roofed structures and impervious surfaces) _____
- Rear Yard Impervious Coverage (area of structures and impervious surface in rear yard) _____
- Front Yard Impervious Coverage (area of structures and impervious surface in front yard) _____
- 6b. Proposed Lot Coverage:
- Building Coverage (area of all roofed structures) _____
- Total Impervious Coverage Area (area of all roofed structures and impervious surfaces) _____
- Rear Yard Impervious Coverage (area of structures and impervious surface in rear yard) _____
- Front Yard Impervious Coverage (area of structures and impervious surface in front yard) _____
- 7a. Present Zoning Use of the Property: Restaurant
- 7b. Legal Zoning Use of the Property as recorded in the Dept. of Inspection & Standards:
Restaurant, Office & Art Gallery
8. Proposed Zoning Use of the Property: Live Entertainment - Ancillary Use
9. Number of Parking Spaces:
- # of existing spaces N/A # of proposed spaces N/A
10. Are there outstanding violations concerning the Property under any of the following:
N/A Zoning Ordinance N/A RI State Building or Property Maintenance Code(s)

11a. List all Zoning Ordinance Sections from which a variance is sought:

Section Number **Section Title + Quantity of relief, if applicable (eg. 4' setback where 6' required)**

11b. Identify the section(s) of the Zoning Ordinance that provide for the special use permit, and list all section(s) which provide Use Standards for the proposed Special Use(s):

Section Number **Section Title**

12-1 Use Matrix

1202(Q) Live Entertainment - Ancillary Use, Live Performance Venue, or Nightclub

12. Summarize any changes proposed for the Property (use, construction/renovation, site alteration):

The Applicant proposes to have occasional live music and performances on the property, including solo musicians, small bands (3 musicians and singer), stand-up comedians, drag shows, and a DJ for background music.

The undersigned acknowledge(s) and agree(s) that members of the Zoning Board of Review and its staff may enter upon the exterior of the Property in order to view the Property prior to any hearing on the application.

The undersigned further acknowledge(s) that the statements herein and in any attachments or appendices are true and accurate, and that providing a false statement in this application may be subject to criminal and/or civil penalties as provided by law, including prosecution under the State and Municipal False Claims Acts. Owner(s)/Applicant(s) are jointly responsible with their attorneys for any false statements. As indicated on the instructions page, this application may not be signed by an attorney on behalf of their client(s).

Owner(s):

Track 15 Real Estate LLC

Type Name



Signature

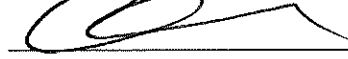
Type Name

Signature

Applicant(s):

Track 15 Operator LLC

Type Name



Signature

Type Name

Signature

All applicable requirements listed and described on the Instruction Sheet shall be met or this application will not be considered complete.

APPENDIX B

APPLICATION FOR SPECIAL USE PERMIT

In accordance with Rhode Island General Laws § 45-24-42(b), Section 1901 of the Zoning Ordinance requires that the Applicant for a special use permit demonstrate:

1. That the proposed special use is set forth in the ordinance and complies with the applicable use standards for the authorization of a special use permit;
2. That the proposed special use will not substantially injure the use and enjoyment of nor significantly devalue neighboring property; and
3. That the proposed special use will not be detrimental or injurious to the general health or welfare of the community.

Please provide the following information:

1. **Indicate the Ordinance section(s) which provide Use Standards for the proposed Special Use(s); and State all facts that demonstrate that the proposed special use will be in conformance with the Use Standards for the proposed Special Use(s):**

Please see attached.

2. **State all facts that demonstrate that the proposed special use will not substantially injure the use and enjoyment of neighboring property and will not significantly devalue neighboring property:**

Please see attached.

3. **State all facts that demonstrate that the proposed special use will not be detrimental or injurious to the health or welfare of the community:**

Please see attached.

***IF MORE ROOM IS NEEDED TO ANSWER ANY OF THE ABOVE QUESTIONS, PLEASE SUBMIT AN
ADDENDUM TO THIS APPENDIX WITH COMPLETE RESPONSES.***

Addendum to Special Use Permit Application

Applicant: Track 15 Operator LLC

Plat and Lot No.: 019, 129

Use: Live Entertainment – Ancillary Use

I. Indicate the Ordinance section(s) which provide Use Standards for the proposed Special Use(s); and State all facts that demonstrate that the proposed special use will be in conformance with the Use Standards for the proposed Special Use(s):

Section 1202(Q) provides Use Standards applicable to this request, all of which Applicant conforms with:

a. Noise abatement plan, including any plans for outdoor entertainment.

Applicant had a noise study prepared by Cavanaugh Tocci in connection with its proposed development of the property, which set forth recommendations for design of the space which Applicant has taken into consideration as it completes construction at the property. In addition, the base line conditions of the property, including fireproofing materials, already provide a strong barrier; further, all new windows and sealants at the property further protect from any sound transfer.

b. The security plan.

Applicant is in the process of finalizing its security plan for the property and is under contract for same. As it presently stands, for the first three (3) months of operation, Applicant will have on-site security for lunch (11:30 a.m. – 2:00 p.m.) and dinner (5:00 p.m. – 10:00 p.m.) Wednesday through Sunday. During this opening period, Applicant will adjust security needs as necessary. Security will be dressed in plainclothes and trained. Applicant also has a video security system on-site, with over fifty (50) security cameras.

- c. The size of the establishment and the size, location and configuration of the live entertainment area within the establishment.

Please refer to the plans provided with this Application which sets forth the size of the establishment as well as the configuration, size, and location of the live entertainment area. The use proposed is appropriate given the size of the establishment as well as the configuration of the live entertainment area.

- d. Maximum occupancy loads.

The maximum occupancy load is 500 people. The use proposed is appropriate for an establishment with an occupancy load of 500, especially when considering the minimal type of live entertainment proposed.

- e. For live entertainment – ancillary use, the days and hours of operation for the establishment’s general operations as a standard restaurant or bar, and the anticipated days and hours of operation for the live entertainment component.

Live entertainment may occur during any of Applicant’s operating hours, which are 11:00 a.m. – 11:00 p.m. Sunday through Saturday.

- f. Loading areas.

There are no loading areas at the property.

2. State all facts that demonstrate that the proposed special use will not substantially injure the use and enjoyment of neighboring property and will not significantly devalue neighboring property:

The property is located within the D1 zoning district, the purpose of which is, in part, to encourage development which provides day and night time activities that relate to the pedestrian and promote the arts and entertainment. Applicant is proposing occasional live entertainment that is limited to occasional small bands, DJ’s for the purpose of providing background music, as well as stand-up comedians. This occasional use is appropriate in the D1 district and will not

substantially injure the use and enjoyment of neighboring property nor will it significantly devalue neighboring property.

3. State all facts that demonstrate that the proposed special use will not be detrimental or injurious to the health or welfare of the community:

The Applicant is proposing occasional, and minimal, live entertainment. As demonstrated above, this use is appropriate in the D1 zoning district and will not be detrimental or injurious to the health or welfare of the community.



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Job #: 21-197 Union Station Track 15 - Providence, RI
1 Union Station
Providence, Rhode Island 02903

Progress Photos 1/27/25

Description

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Upload Date

01/31/2025 at 09:17 am

Uploaded By

Ryan Shaw

File Name

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Ryan Shaw

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Progress Photos 1/27/25

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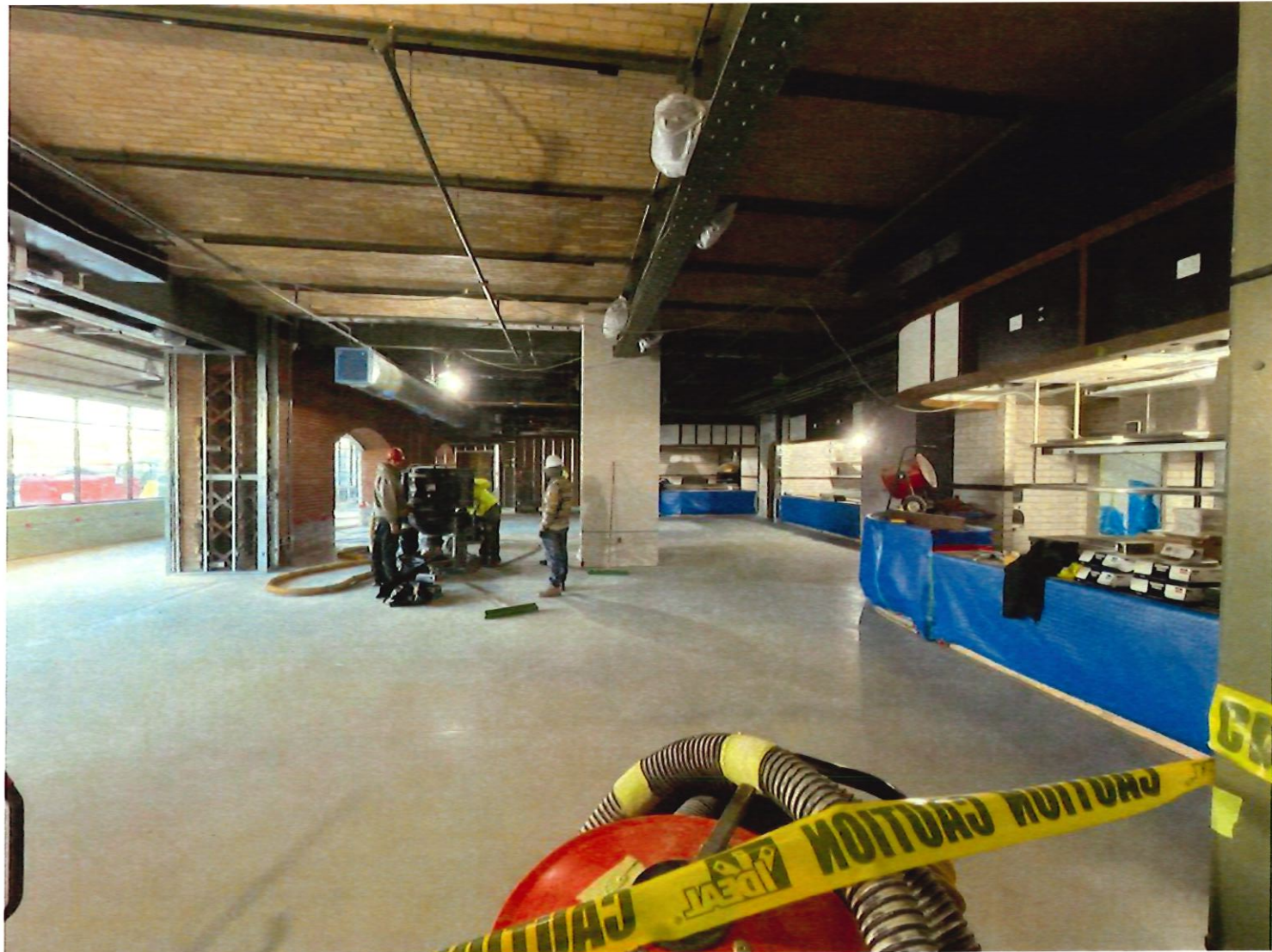
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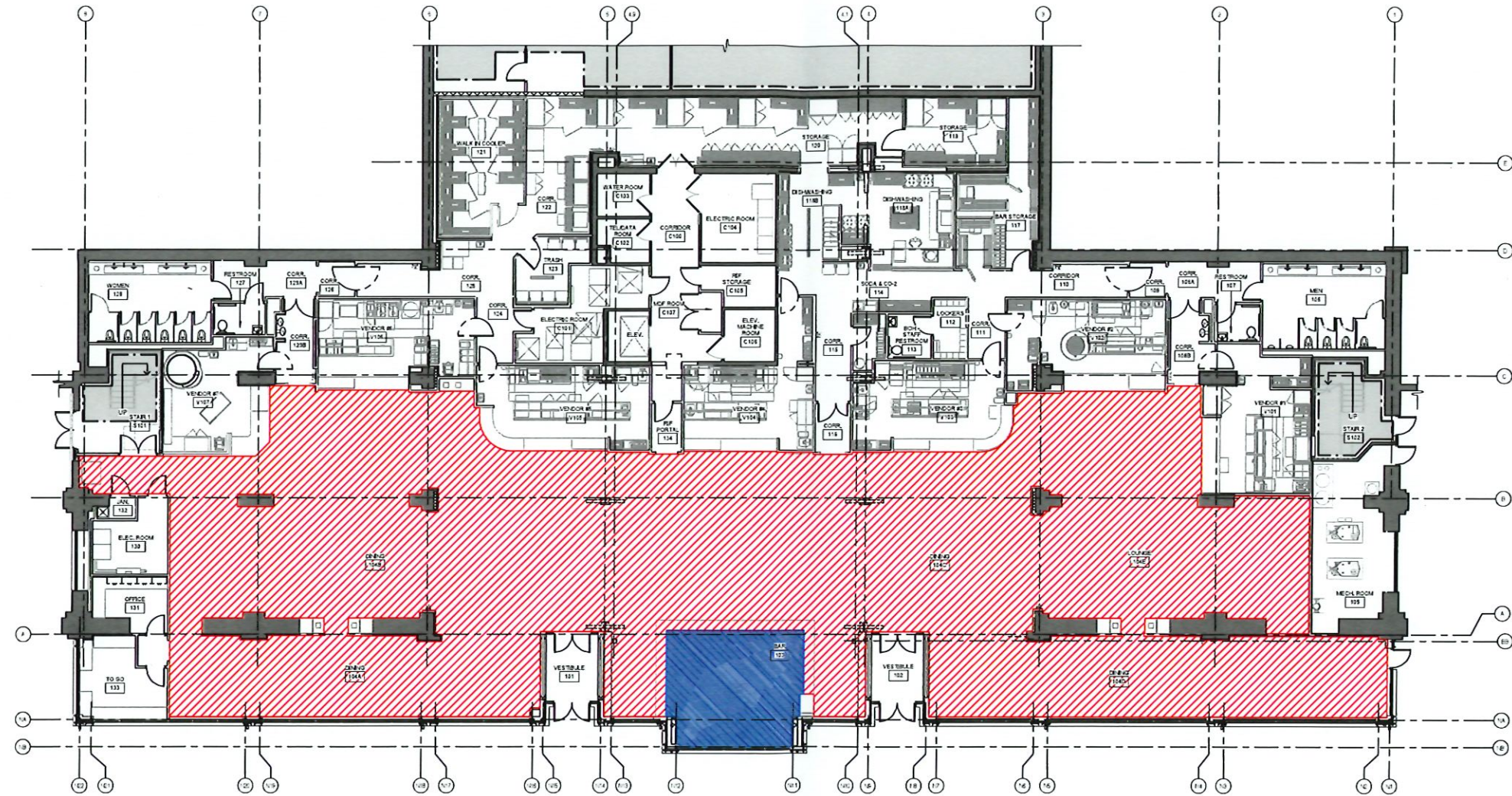
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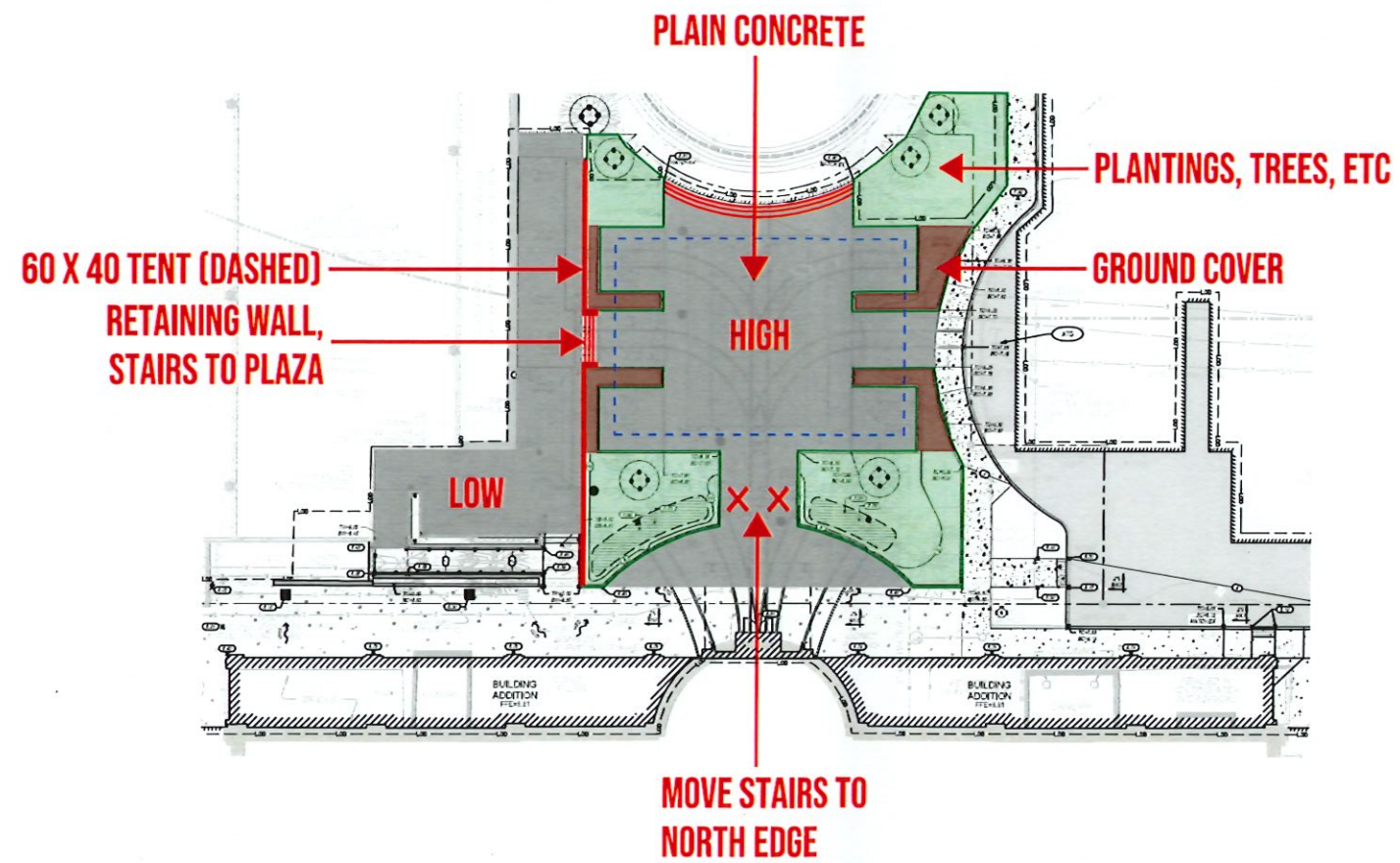
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1 OVERALL FIRST FLOOR PLAN
 1/8" = 1'-0"
 TRUE NORTH PROJECT NORTH



PARTIAL PLAZA PLAN

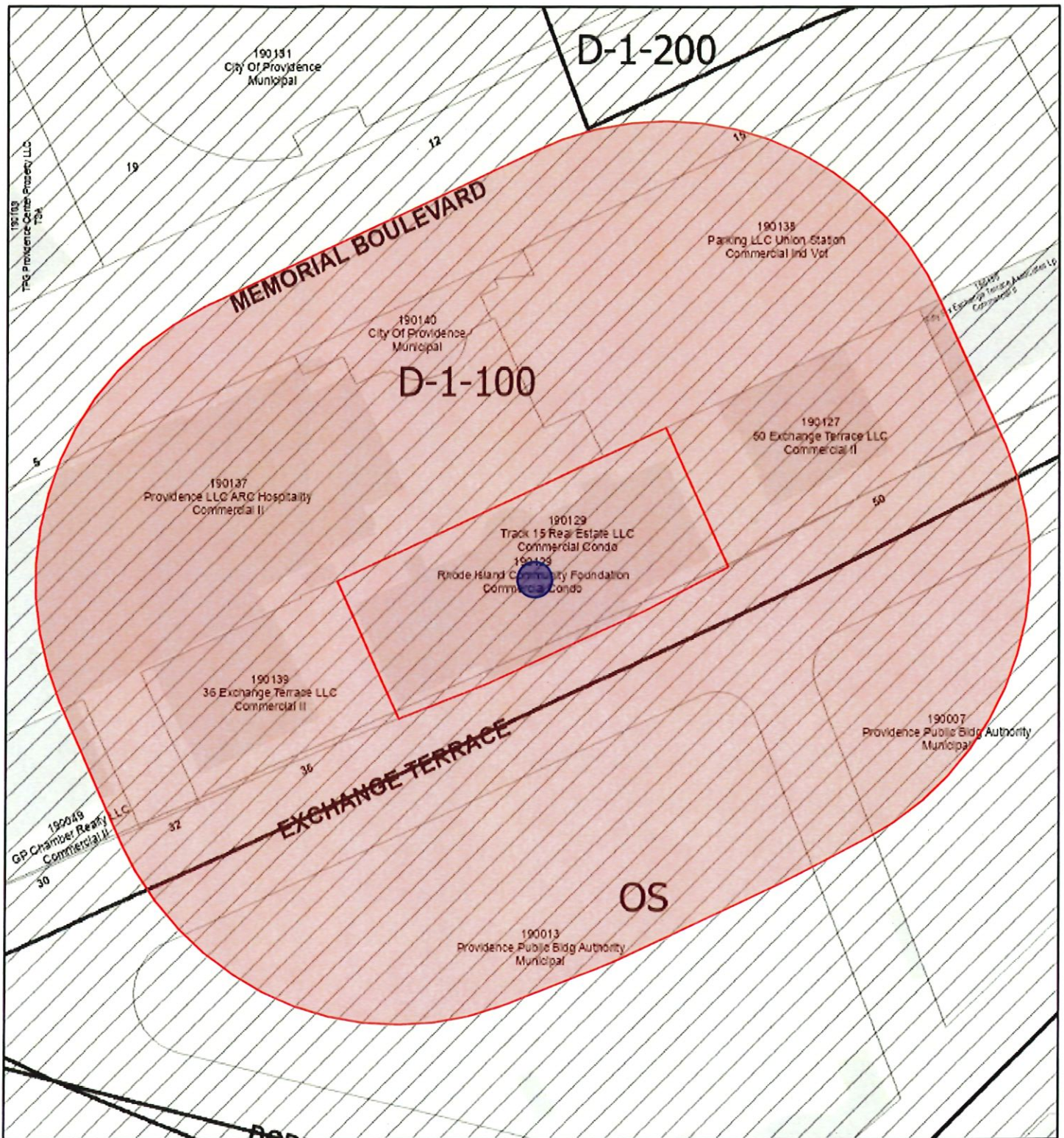
1/32" = 1'-0"

UNION STATION PLAZA
PROVIDENCE, RI

Status: PRELIMINARY
Project No.: 21011A
Date: October 11, 2024

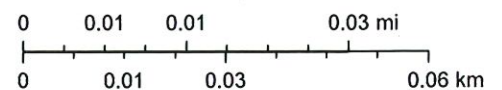
VISION 3
ARCHITECTS

Radius Map



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