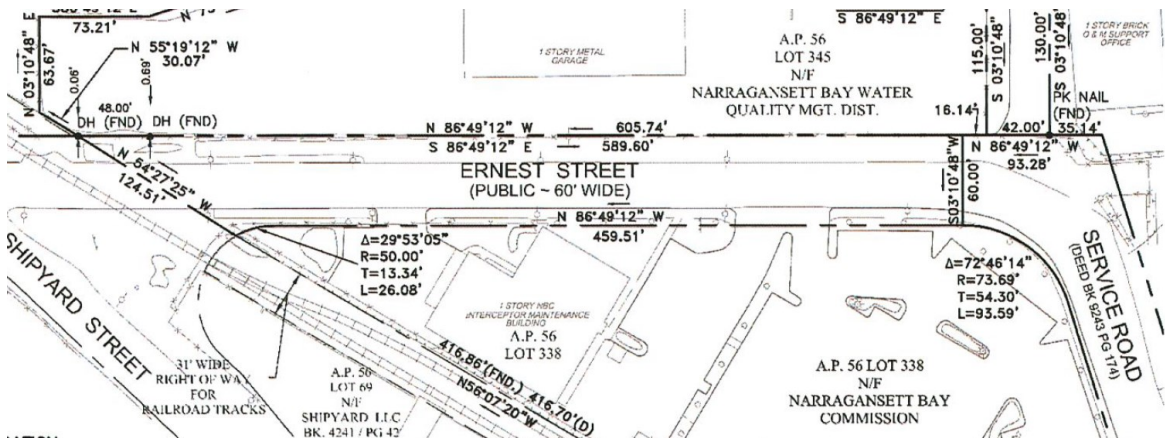


Providence City Plan Commission October 15, 2024



AGENDA ITEM 2 ■ ABANDONMENT OF ERNEST STREET



Proposed abandonment area



Aerial view of the site

OVERVIEW

PETITIONERS:	Narragansett Bay Commission	PROJECT DESCRIPTION:	Abandonment of a portion of Ernest Street
CASE NO./ PROJECT TYPE:	REFERRAL 3588 Right-of-way abandonment		
PROJECT LOCATION:	Ernest Street between Service Road and Shipyard Street	RECOMMENDATION:	Recommendation of approval subject to the noted findings of fact
NEIGHBORHOOD:	Washington Park	PROJECT PLANNER:	Choyon Manjrekar

OVERVIEW

The petitioner is requesting that the City abandon a portion of Ernest Street located between the Service Road to the East and Shipyard Street to the West.

FINDINGS OF FACT

The *City Plan Commission Handbook* Policy No. 1: “Criteria and Guidelines for Approval of Street, Highway and Rights-of-way Abandonment,” states that six standards should be met before the Commission recommends approval of an abandonment request. Below are the standards, including staff comments for each:

1. *A public interest has to be clearly demonstrated. A public interest is defined as one or more of the following: public health and safety, adequate provision of transportation, general improvement of traffic patterns and/or circulation, convenient access to properties, avoidance of a nuisance, significant economic development, preservation of a historical or cultural feature, and improvement of the general welfare of the community.*

The proposed abandonment area runs east to west and is located between Service Road and Shipyard Street that run north to south. The portion of Service Road south of the proposed abandonment area has been condemned by the petitioner. The petitioner owns the lots abutting both sides of the abandonment area as well as both sides of Service Road that turns into Ernest Street. The abandonment area only appears to be useful for accessing property that it abuts, and is owned by the petitioner. The DPD does not object to the abandonment as it would not have an adverse impact on the public interest.

2. *No negative impact is evident on existing land uses, future plans, zoning, safety, health or welfare of the community by the proposed abandonment.*

It is not apparent that the abandonment will negatively affect future plans for development or existing land use as the proposed abandonment area is only useful for accessing land that is owned by the abutting owner. No negative impact to the health and welfare of the surrounding community is expected as the street is not essential to provide access to other parts of the City.

3. *All abutting landowners agree to the proposed abandonment.*

The petitioner owns all the lots abutting the abandonment area.

4. *No physical or legal access will be denied to any land or property in surrounding areas by the proposed abandonment.*

Per the petitioner, vehicles traveling from New York Ave in the east will be able to use a southward extension of New York Ave that connects to Shipyard Street, which is expected to be operational in the near future. Vehicles can also use Terminal Road to access the port. If both of these routes are available, no physical or legal access will be denied as the street is only useful for providing access to lots that it abuts.

5. *No existing or future public services or facilities need to be protected, provided, or maintained within the right-of-way. An easement retention may be necessary to provide access to, maintain, or provide existing or future service or utility needs.*

It is unknown whether public services or facilities need to be protected, provided or maintained. The petitioner would need to grant any necessary easements.

6. *The proposed or intended use of the street and/or adjacent properties must be shown on a petition or plan, and such use shall be in conformance with existing zoning and Comprehensive Plan Objectives.*

A petition and plan have been provided.

RECOMMENDATION

Based on the foregoing discussion, the City Plan Commission should advise the Committee on Public Works that the proposed abandonment be approved subject to the following conditions:

1. The petitioner shall apply for an administrative subdivision to merge the abandoned street with respective property prior to appearing before the City Council.
2. The petitioners shall grant any necessary easements for access to property, utility access and maintenance.