

Providence City Plan Commission December 17, 2024



AGENDA ITEM 1 ■ ABANDONMENT OF FALMOUTH STREET



View from Brightwood Ave



Aerial view of the site with abandonment area

OVERVIEW

PETITIONERS:	Dalila Veiga and Christopher Armstrong, JoAnn Kassabian, Annabelle Suero and Matthew Rivera	PROJECT DESCRIPTION:	Abandonment of Falmouth Street
CASE NO./PROJECT TYPE:	REFERRAL 3589 Right-of-way abandonment		
PROJECT LOCATION:	Falmouth Street between AP 122 lot 33 and lots 35 and 40	RECOMMENDATION:	Recommendation of approval subject to the noted findings of fact
NEIGHBORHOOD:	Elmhurst	PROJECT PLANNER:	Choyon Manjrekar

OVERVIEW

The petitioners are requesting that the City abandon Falmouth Street, which is undeveloped and located between AP 122 lot 33 (45 Audobon Ave) and AP 122 lots 35 and 40 (37 Audobon Ave and 70 Brightwood Ave). The petitioners own the lots abutting Falmouth Street, which runs east to west between Brightwood Ave and Audobon Ave into North Providence.

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.*

Falmouth Street proposed is undeveloped and only appears to be useful for accessing property that it abuts. Lots 33 and 35 can be accessed from Audobon Ave. The DPD would 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 abutting properties, which can also be accessed from Audobon Ave and Brightside Ave. No negative impact to the health and welfare of the surrounding community is expected as the street is not essential to providing access to other parts of the City.

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

The petitioners own 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.*

As discussed, no physical or legal access is expected to be denied as the street is only useful for providing access to lots that it abuts and the lots abutting the abandonment area can be accessed from other streets.

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 petitioners 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. The petitioners are required to apply for an administrative subdivision and provide a survey depicting how the abandoned area will be allocated to the abutting properties prior to appearing before the City Council.

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. All abutters shall come to an agreement on a plan for abandonment prior to final approval.
2. The petitioners shall apply for an administrative subdivision and provide a survey to merge the abandoned street with their respective properties prior to appearing before the City Council.
3. The petitioners shall grant any necessary easements for access to property, utility access and maintenance.