

Providence City Plan Commission May 25, 2021



AGENDA ITEM 3 ■ ABANDONMENT OF BAY STREET



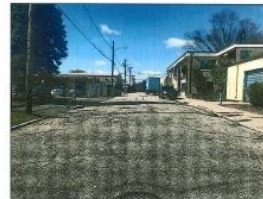
A
LEFT VIEW OF DEAD END



B
BAY STREET DEAD END



C
RIGHT VIEW OF DEAD END

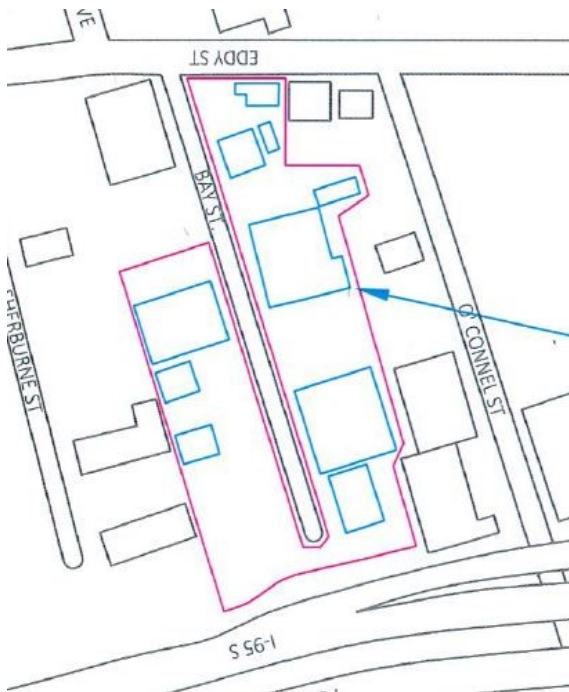


D
BAY STREET



E
AUDET EMPLOYEE PARKING 1

Views abutting the abandonment area



Proposed abandonment area

OVERVIEW

PETITIONER:	EW Audet and Sons	PROJECT DESCRIPTION:	Abandonment of Bay Street
CASE NO./ PROJECT TYPE:	REFERRAL 3491 Abandonment of Bay Street		
PROJECT LOCATION:	Bay Street abutting AP 46 lots 404, 403, 613, 614, 408, 412, 415 and AP 47 lots 661, 6, 665, 5, 663, 835	RECOMMENDATION:	Recommendation of approval subject to the noted findings of fact
NEIGHBORHOOD:	Lower South Providence	PROJECT PLANNER:	Choyon Manjrekar

OVERVIEW

The petitioner is requesting that the City abandon Bay Street, which runs west to east from Eddy Street and terminates in a dead end. It is located between AP 46 lots 404, 403, 613, 614, 408, 412, 415 and AP 47 lots 661, 6, 665, 5, 663, 835 which are lots owned by the petitioner.

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.*

Bay Street terminates in a dead end. It is conceivable that the street is only useful for accessing property owned by the petitioner, which abuts both sides of the street. As the abandonment area is used to access land owned by the petitioner, it is not essential to providing access to other parts of the City. Therefore, the abandonment would not have an adverse effect 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.*

No negative impacts are anticipated as the abandonment is not expected to affect future plans for development or existing land use. 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 property abutting the abandonment area except for AP 47 Lots 1, 2 and 7 which are owned by the Omni Development Corporation. According to the petition, the applicant has an agreement with the owner to share upkeep of the street. The DPD is unaware of any objections from Omni.

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

An automated gate is proposed beyond the property line of the lots owned by Omni. No physical or legal access will be denied as Omni will be able to access their lots and all other property abutting the abandonment area is owned by the petitioner.

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 their respective property.
2. The petitioners shall grant any necessary easements for utility access and maintenance.

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

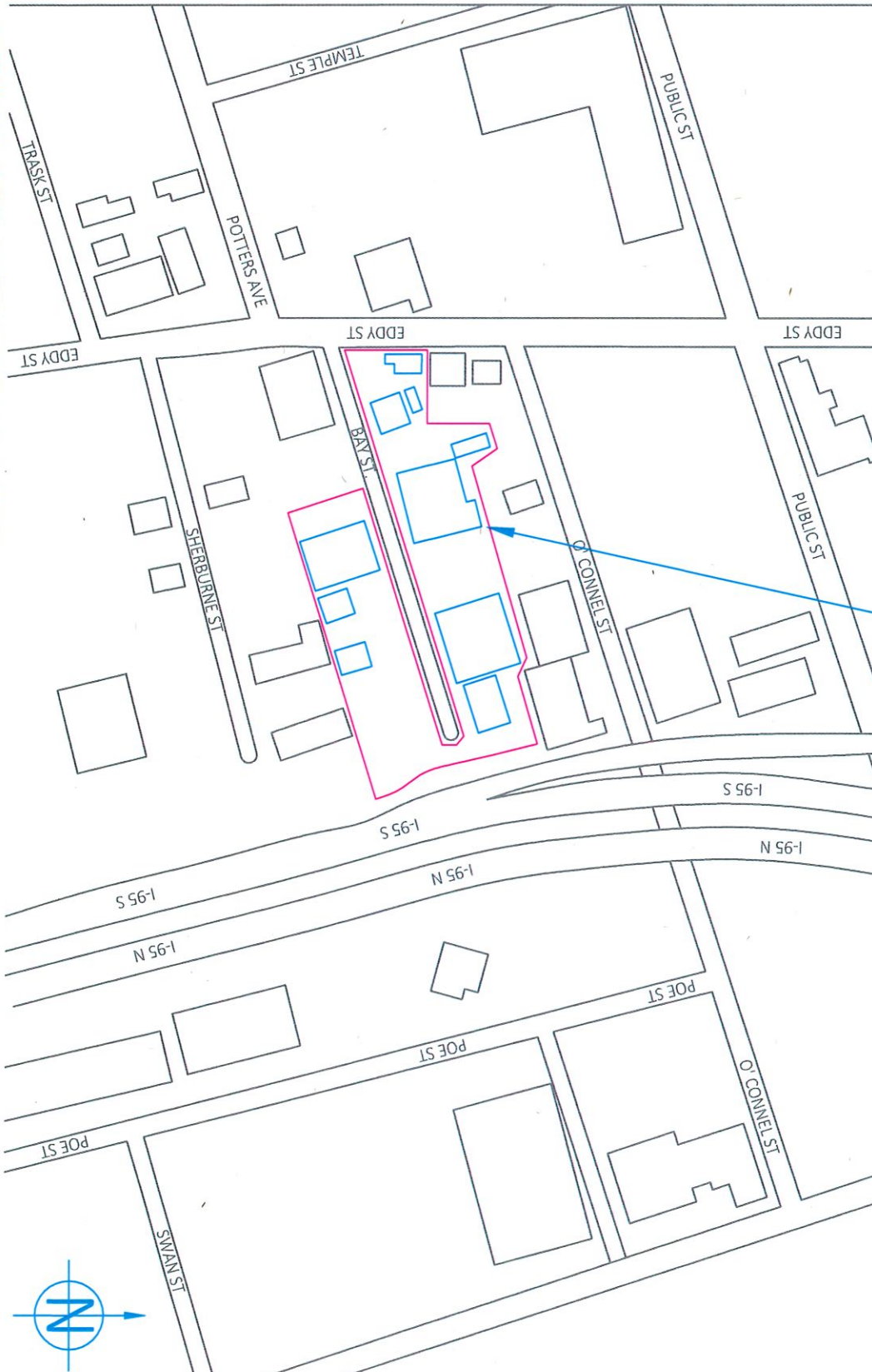
E.W. Audet & Sons, Inc. hereby petitions the City Council to abandon the entirety of Bay Street as shown on the accompanying map.

E.W. Audet & Sons, Inc. submits that Bay Street has ceased to be useful to the public as it is a dead end with no waterfront or residential access. The majority of the property surrounding Bay Street that is being petitioned for abandonment is privately owned by E.W. Audet & Sons, Inc. and is used for the expressed purposes of continued company activities.

E.W. Audet & Sons, Inc. has reached an agreement with Omni Development Corporation, whose business property resides on the portion of Bay Street not owned by E.W. Audet & Sons Inc., regarding upkeep of the street. Pending the City Council's approval of the abandonment of Bay Street an automated gate will be installed behind the Omni Development Corporation property line. The cost of installation and maintenance of said gate will be the sole responsibility of E.W. Audet & Sons, Inc. who will also provide keyed access to the Providence Fire Department and any other necessary City departments as directed by the Council.



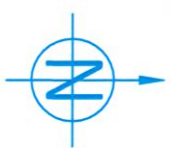
Jeffrey M. Audet
E.W. Audet & Sons, Inc.
Vice President / Owner
jaudet@ewaudet.com
169 Bay Street
Providence, RI 02905
Tel: 401-467-3510
Fax: 401-781-8822




AREA OUTLINE DESCRIBES LAND & PROPERTY OWNED BY E.W. AUDET & SONS, SURROUNDING BAY ST.

OVERALL AREA SURROUNDING BAY ST

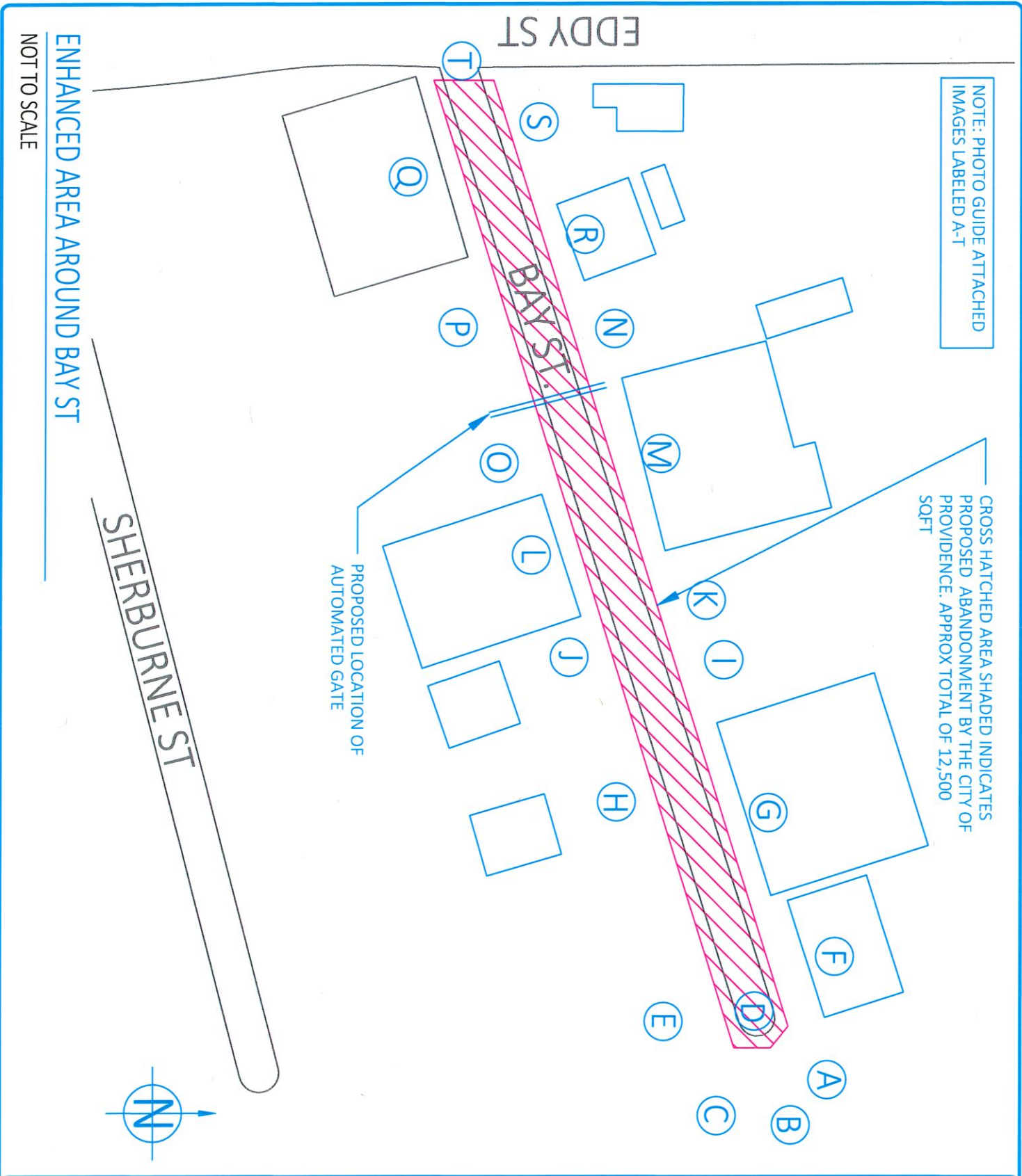
NOT TO SCALE



SK-01 Sheet:	Scale: N.T.S.	Sheet Title: MAP AREA OF BAY ST. & ASSOCIATED LOCALE SKETCH	Project: CITY COUNCIL PETITION REQUEST	 E.W. Audet & Sons, Inc. 169 Bay Street Providence, RI 02905 Tel: 401.467.3310 Fax: 401.781.8820
	Drawn By: M.M. Checked By: R.H. Job: N/A Date: 03.25.2020			

NOTE: PHOTO GUIDE ATTACHED
IMAGES LABELED A-T

CROSS HATCHED AREA SHADED INDICATES
PROPOSED ABANDONMENT BY THE CITY OF
PROVIDENCE. APPROX TOTAL OF 12,500
SQFT



**E.W. Audet
& Sons, Inc.**
169 Bay Street
Providence, RI 02905
Tel: 401.467.3510
Fax: 401.781.8820

Project:
**CITY COUNCIL
PETITION
REQUEST**

Sheet Title:
**ENHANCED MAP
AREA OF BAY ST. &
ASSOCIATED LOCALE
SKETCH**

Scale:
N.T.S.
Drawn By:
M.M.
Checked By:
R.H.
Job:
N/A
Date:
03.25.2020

Sheet:
SK-02



A
LEFT VIEW OF DEAD END



B
BAY STREET DEAD END



C
RIGHT VIEW OF DEAD END



D
BAY STREET



E
AUDET EMPLOYEE PARKING 1

PHOTO GUIDE



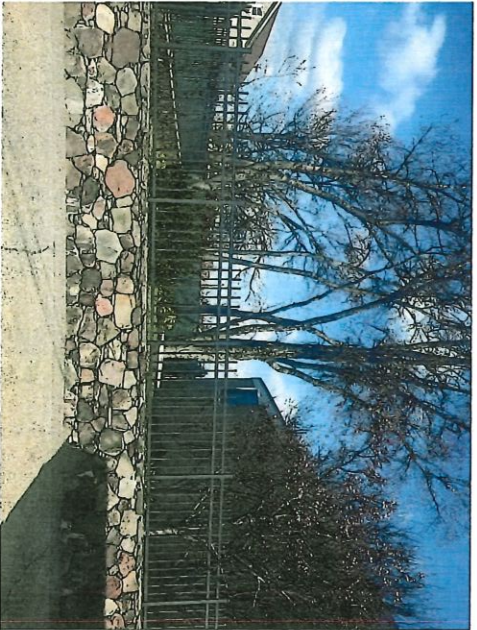
F
AUDET WAREHOUSE 1



G
AUDET MAIN BUILDING



H
AUDET YARD 1

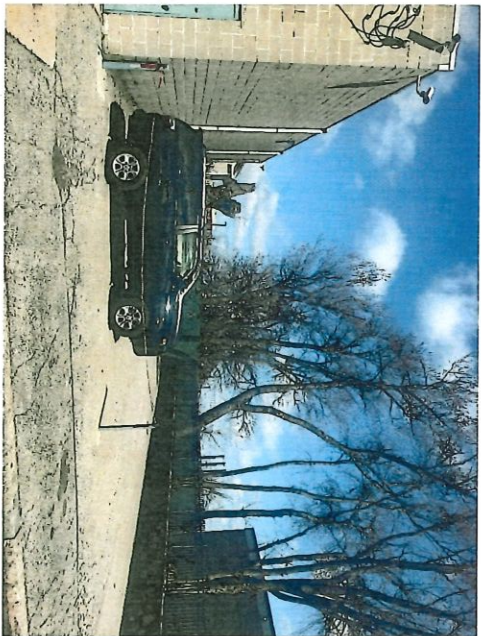


I
AUDET YARD 2

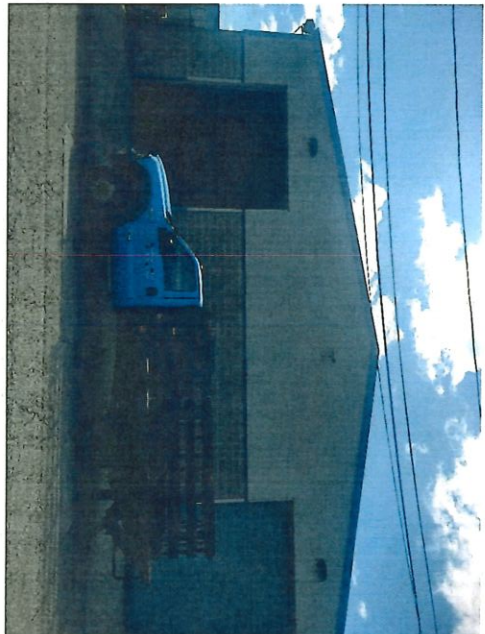


J
AUDET YARD 3

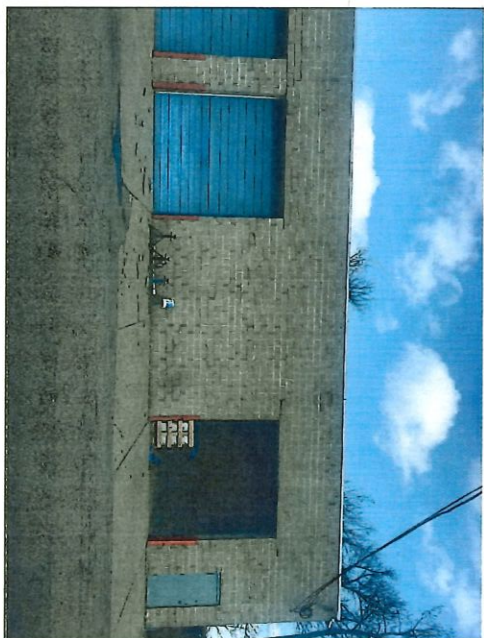
PHOTO GUIDE



AUDET EMPLOYEE PARKING 2



AUDET WAREHOUSE 2



AUDET WAREHOUSE 3



AUDET YARD 4



AUDET YARD 5

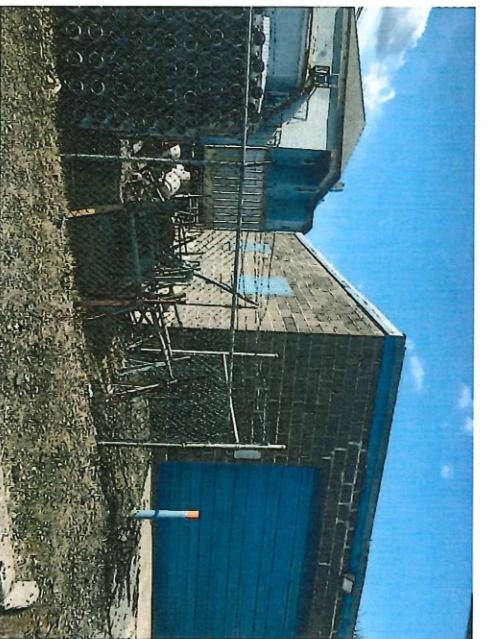
PHOTO GUIDE



P
OMNI PARKING LOT



Q
OMNI BUILDING



R
AUDET WAREHOUSE 4



S
AUDET YARD 6



T
BAY STREET

PHOTO GUIDE