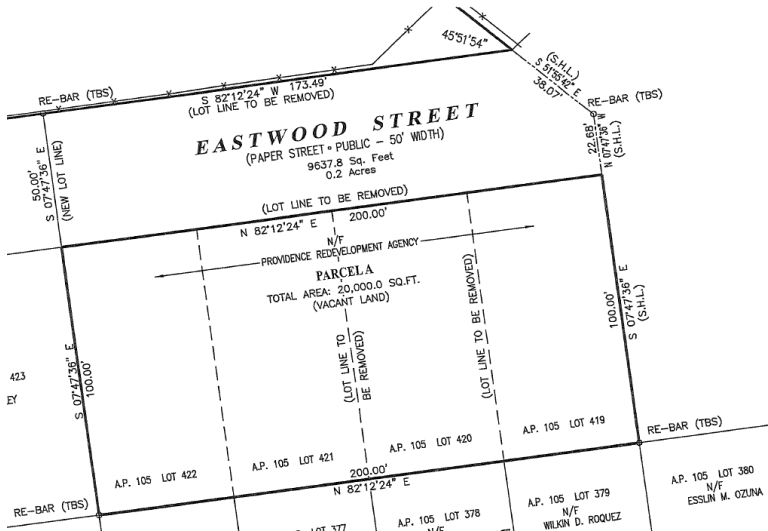


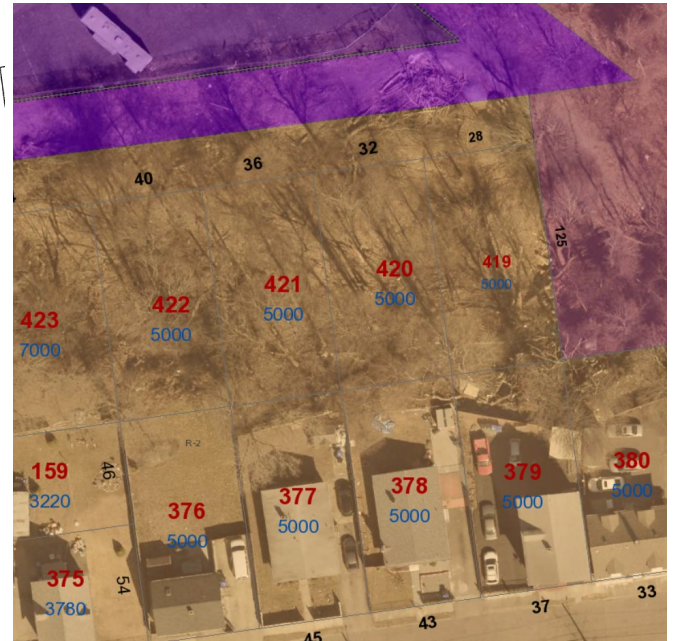
Providence City Plan Commission February 15, 2022



AGENDA ITEM 1 ■ ABANDONMENT OF EASTWOOD AVE



Proposed abandonment area



Aerial view of the site

OVERVIEW

PETITIONER:	Patriot State Storage LLC	PROJECT DESCRIPTION:	Abandonment of a portion of Eastwood Ave
CASE NO./PROJECT TYPE:	REFERRAL 3505 Right-of-way Abandonment		
PROJECT LOCATION:	Eastwood Ave abutting AP 105 lots 419, 420, 421, 422 and 386	RECOMMENDATION:	Recommendation of approval subject to the noted findings of fact
NEIGHBORHOOD:	Hartford	PROJECT PLANNER:	Choyon Manjrekar

OVERVIEW

The petitioner is requesting that the City abandon a portion of Eastwood Ave that is located between AP 105 lot 386 and lots 419, 420, 421 and 422. Eastwood Ave runs west to east from Heath Street and is mostly undeveloped, terminating in a dead end adjacent to state route 6. All the lots abutting the proposed abandonment area are owned by the petitioner. The petitioner intends to use the abandoned area and the adjacent lots to expand an existing storage space facility on lot 386.

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 portion of Eastwood Ave proposed for abandonment is undeveloped, terminates in a dead end, and all lots abutting it are owned by the petitioner. The DPD would not object to the abandonment as it would not have an adverse impact on the public interest and appears to only be useful for accessing property owned by the petitioner.

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. 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.*

No physical or legal access will be denied as the petitioner owns all land surrounding the abandonment area.

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 should the abandonment be approved.
2. The petitioner shall grant any necessary easements for access to property, utility access and maintenance.

City of Providence

REFERRAL
3505



Rhode Island
Department of City Clerk
MEMORANDUM

DATE: January 10, 2022

TO: Choyon Manjrekar, City Plan Commission

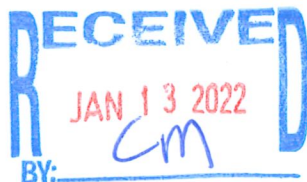
SUBJECT: **COMMITTEE ON PUBLIC WORKS**

CONSIDERED BY: Sheri A. Petronio, First Deputy City Clerk

DISPOSITION: I have been directed by Councilman Michael J. Correia, Chairman, Committee on Public Works to refer to you the accompanying petition for study, report and recommendation.

Please report back to this office as soon as possible in order that the committee can meet in a timely fashion relative to this matter.

Petition from John J. Garrahy, Esquire, John J. Garrahy, Law, LLC, 2088 Broad Street, Cranston, Rhode Island 02905, requesting to abandon a portion of Eastwood Street located on Assessor's Plat 105, Lots 419, 420, 421, 422 and 386.



Sheri A. Petronio
First Deputy City Clerk

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:

THAT, the undersigned respectfully petitions your honorable body for the abandonment pursuant to R.I.G.L. 24-6-1 of that 9637.8 sq. foot portion of Eastwood Street located in the City that is identified on Exhibit A and attached hereto and incorporated herein ("Street"). Said Street abuts the following lots on Assessor's Plat 105: 419, 420, 421, 422, and 386.

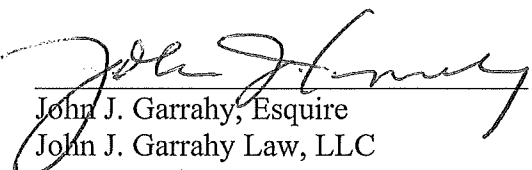
In support of this Petition, the undersigned respectfully represents to this Honorable City Council that the Street has ceased to be useful to the public as it has never been improved for travel and has its terminus on a non-accessible portion the Roberts Expressway -Route 6. In the event that there are any rights in the Street, other than those of the Petitioners herein, such rights shall be preserved by means of an easement on, over or across such Street,

In the event the undersigned acquires title to the Street as petitioned, the undersigned agrees to pay to the City as consideration for the abandonment the fair market value of the Street and agrees that the final calculation of the area of the Street from which said fair market value will be calculated shall be determined by means of a Class I survey that complies with the requirements of this honorable body and which shall be provided to this honorable body at the expense of the undersigned. However, if it is determined by this honorable body that fair market value of the Street exceeds an amount which, in the judgment of the Petitioners, exceeds the value of the Street that it is willing to pay, the undersigned reserves the right to withdraw this Petition prior to its final passage.

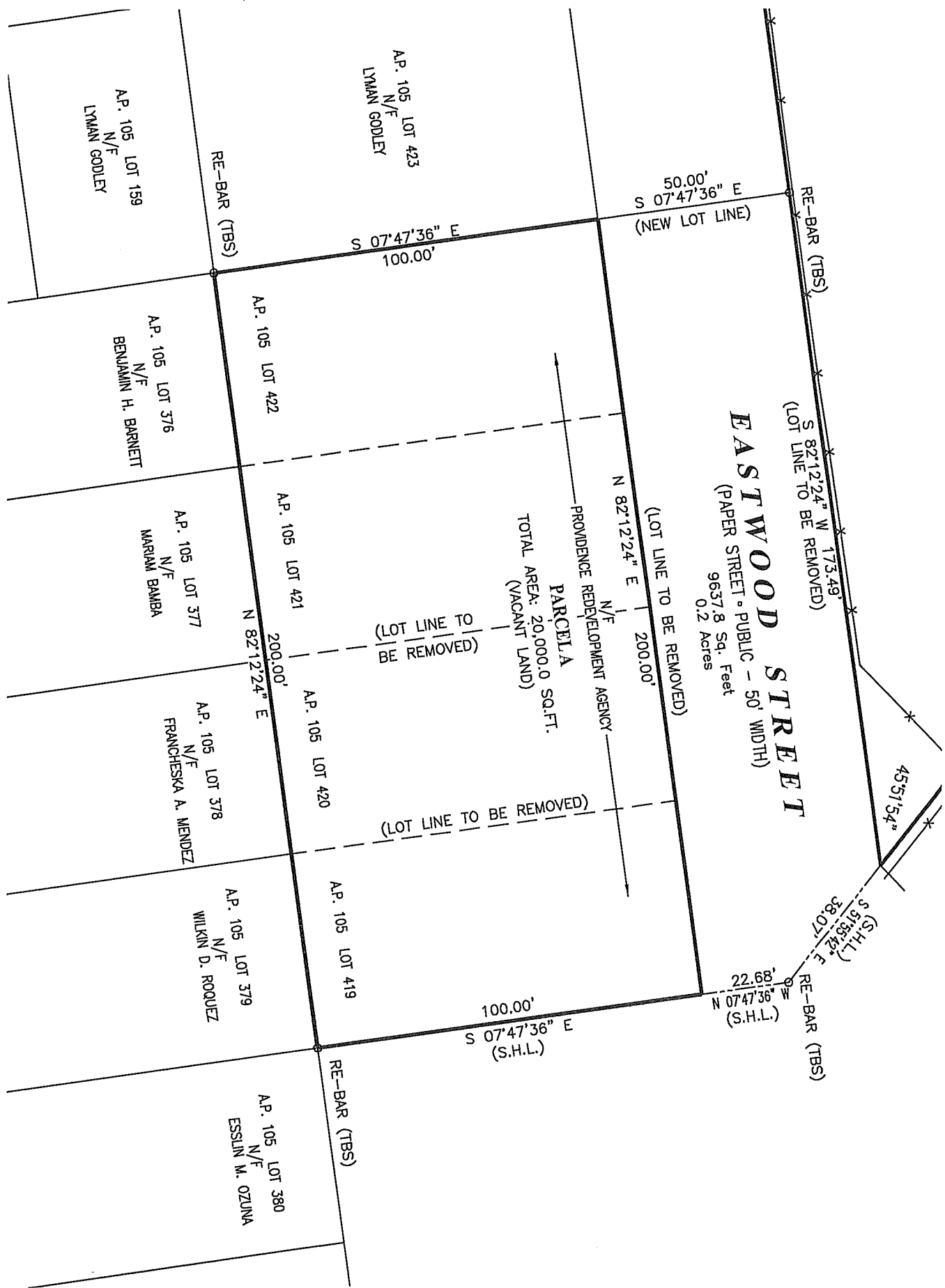
Respectfully Submitted,

Patriot State Storage, LLC

By:


John J. Garrahy, Esquire
John J. Garrahy Law, LLC
2088 Broad Street
Cranston, Rhode Island 02905

November 30, 2021



EASTWOOD STREET
(PAPER STREET - PUBLIC - 50' WIDTH)

9637.8 Sq. Feet
0.2 Acres

PROVIDENCE REDEVELOPMENT AGENCY
N/F
PARCELA
TOTAL AREA: 20,000.0 SQ.FT.
(VACANT LAND)

A.P. 105 LOT 159
N/F
LYMAN GODLEY

A.P. 105 LOT 376
N/F
BENJAMIN H. BARNETT

A.P. 105 LOT 377
N/F
MARIAM BAMBA

A.P. 105 LOT 378
N/F
FRANCESKA A. MENDEZ

A.P. 105 LOT 379
N/F
WILKIN D. RODRUEZ

A.P. 105 LOT 380
N/F
ESSLIN M. OZUNA

A.P. 105 LOT 423
N/F
LYMAN GODLEY

A.P. 105 LOT 422

A.P. 105 LOT 421

A.P. 105 LOT 420

A.P. 105 LOT 419

50.00'
S 07°47'36" E
(NEW LOT LINE)

100.00'
S 07°47'36" E

N 82°12'24" E 200.00'

200.00'
N 82°12'24" E

100.00'
S 07°47'36" E
(S.H.L.)

22.68'
N 07°47'36" E
(S.H.L.)

RE-BAR (TBS)

S 82°12'24" W 173.49'
(LOT LINE TO BE REMOVED)

45°51'54"

S 51°55'42" E 38.07'
(S.H.L.)

RE-BAR (TBS)

Exhibit A

