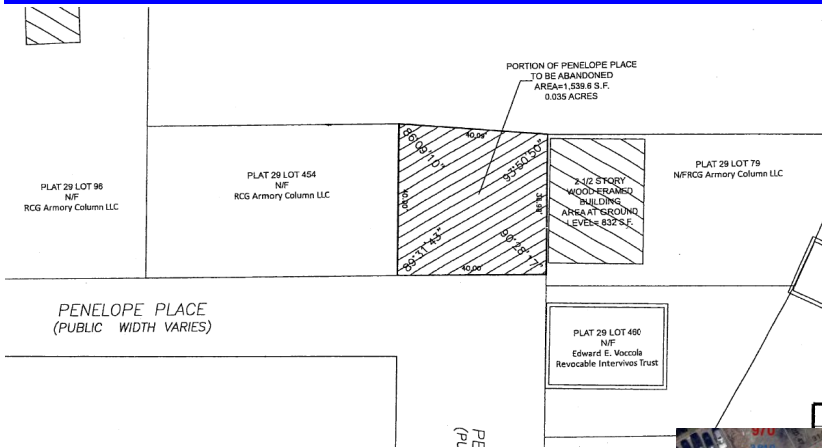


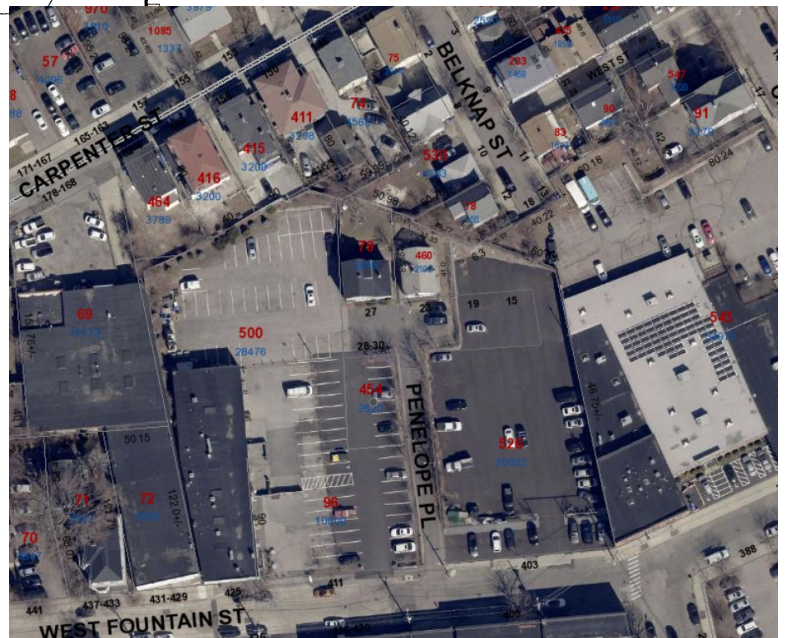
Providence City Plan Commission June 28, 2022



AGENDA ITEM 3 ■ ABANDONMENT OF PENELOPE PLACE



Proposed abandonment area



Aerial view of the site

OVERVIEW

PETITIONERS:	RCG Armory Column LLC	PROJECT DESCRIPTION:	Abandonment of a portion of Penelope Place
CASE NO./ PROJECT TYPE:	REFERRAL 3522 Right-of-way abandonment		
PROJECT LOCATION:	Penelope Pl abutting 28 Penelope Pl and 425 Fountain Street	RECOMMENDATION:	Recommendation of approval subject to the noted findings of fact
NEIGHBORHOOD:	Federal Hill	PROJECT PLANNER:	Choyon Manjrekar

OVERVIEW

The petitioner is requesting that the City abandon a vacant portion of Penelope Place that abuts 28 Penelope Place (AP 29 Lot 454) to the south and 425 Fountain Street (AP 29 Lot 500) to the west. Both lots are owned by the petitioner. Penelope Place runs south to north from its intersection with West Fountain Street.

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 Penelope Place proposed for abandonment is currently vacant and abuts lots that are owned by the applicant and is only useful for accessing property owned by the petitioners. 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 abandonment area is vacant and abuts land owned by the applicant. No negative impact to the health and welfare of the surrounding community is expected as this portion of 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 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 petitioners own 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 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.

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