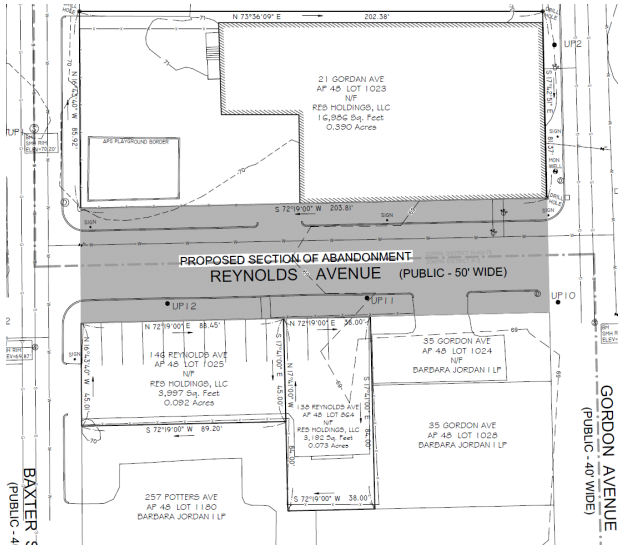


# Providence City Plan Commission March 21, 2023



## AGENDA ITEM 3 ■ ABANDONMENT OF REYNOLDS AVE



Proposed abandonment plan



Aerial view of the site

### OVERVIEW

<b>PETITIONER:</b>	RES Holdings LLC	<b>PROJECT DESCRIPTION:</b>	Abandonment of a portion of Reynolds Ave
<b>CASE NO./PROJECT TYPE:</b>	REFERRAL 3542 Right-of-way Abandonment		
<b>PROJECT LOCATION:</b>	Reynolds Ave abutting AP 48 lots 1023, 1025, 864 and 1024	<b>RECOMMENDATION:</b>	Recommendation of approval subject to the noted findings of fact
<b>NEIGHBORHOOD:</b>	Lower South Providence	<b>PROJECT PLANNER:</b>	Choyon Manjrekar

**OVERVIEW**

The petitioner is requesting that the City abandon a portion of Reynolds Ave that is located between AP 48 lot 1023 to the north and lots 1025, 864 and 1024 to the south. Reynolds Ave runs west to east, but the portion proposed for abandonment is aligned to the north of Reynolds Ave located to its west, and terminates at Gordon Ave. The building on lot 1023 is used as a school operated by the petitioner and except for lot 1024, all lots to the south of the abandonment area are owned by the petitioner. The petitioner intends to use the abandoned area and the adjacent lots to expand the school.

**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 Reynolds Ave proposed for abandonment is developed. However, it is aligned to the north of Reynolds Ave to the west and only appears to be useful for accessing property mostly owned by the applicant located to the north and south. As most of the abutting lots 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 that is mostly 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.*

The petitioner is requesting the abandonment to expand the school on lot 1023. 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 primarily used to access land owned by the applicant.

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

The petitioner owns all the lots abutting the abandonment area except for lot 1024, which is entitled to the midpoint of the abandonment area that abuts their lot. The petitioner is required to come to an agreement with the owners of lot 1024.

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

The applicant is required to come to an agreement with the owners of lot 1024 to ensure that no physical or legal access will be denied.

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. The petitioner shall apply for an administrative subdivision prior to the council taking action.

**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 come to an agreement with the owners of lot 1024 regarding who will own the portion of Reynolds Ave adjacent to that lot.
2. The petitioner shall apply for an administrative subdivision to merge the abandoned street with their respective property. The plan shall be provided prior to the council's action.
3. The petitioner shall grant any necessary easements for access to property, utility access and maintenance.