

^{pedmall2}
RESOLUTION OF THE CITY COUNCIL

No. 456

Approved August 14, 1998

RECEIVED
CITY CLERK
AUG 14 1998

WHEREAS, the public interest and convenience requires the establishment of a pedestrian mall at or near certain portions of Fulton Street; and

WHEREAS, vehicular traffic will not be unduly inconvenienced by the establishment of such a pedestrian mall,

NOW, THEREFORE, BE IT RESOLVED THAT that portion of Fulton Street extending from Eddy Street to Union Street is proposed to be a pedestrian mall. The proposed pedestrian mall shall encompass the following intersections:

Union Street and Fulton Street and Eddy Street and Fulton Street and further shall encompass all or a portion of the following intersecting streets which are located on maps on file in the office of the Clerk of Council: None

BE IT FURTHER RESOLVED THAT the City Council proposes that an ordinance be adopted which will prohibit vehicular traffic on such pedestrian mall except for emergency vehicles, utility vehicles with business on or in establishments abutting the proposed mall.

BE IT FURTHER RESOLVED THAT the funding for payment of damages allowed or awarded to any property owner by reason of the establishment of said mall shall be made from the proceeds of assessments levied upon lands benefited by the establishment of the pedestrian mall. The lands which are benefited by the establishment of the mall lie in the downtown and are those parcels or portions of parcels which directly abut Fulton Street between Eddy and Union Streets.

BE IT FURTHER RESOLVED THAT the proposed mall shall contain three thousand four hundred (3,400) square feet of land +/- .

BE IT FURTHER RESOLVED THAT a hearing before the City Council Committee on Public Works shall be held on August 26, 1998 at 6:00 p.m. in the City Council chambers for the purpose of entertaining any protests or objections to the establishment of said mall and that all persons having any objection to the establishment of the proposed mall may file written protest with the Clerk of the City Council at any time not later than thirty (30) days from the conclusion of the aforementioned hearing.

IN CITY COUNCIL

Sept. 4 1997
FIRST READING
REFERRED TO COMMITTEE ON
CITY PROPERTY

Michael R. Glass CLERK

THE COMMITTEE ON

City Property
Recommends *to be referred to Public Works*
Barbara A. Cairns Clerk
Oct. 16, 1997

THE COMMITTEE ON

Public Works
Recommends *P.H.*
Barbara A. Cairns Clerk

1/21/98

6/16/98 Set up P.H.

7/23/98 Passed

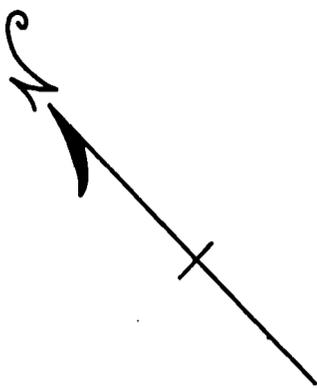
8/26/98 P.H. (held)

From the Clerk: Best

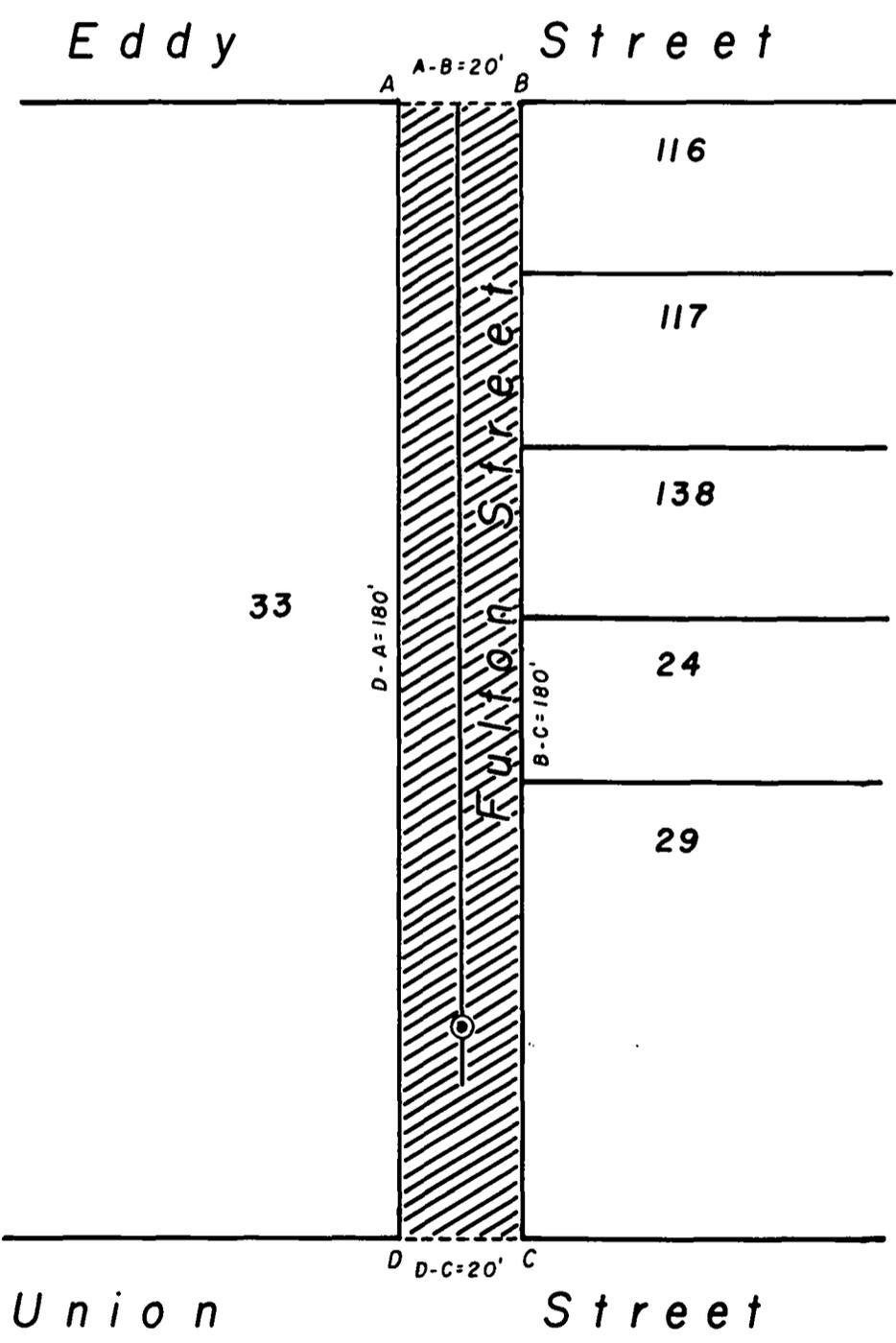
BE IT FURTHER RESOLVED THAT any person owning or having any legal or equitable interest in any real property which might suffer legal damage by reason of the establishment of the proposed pedestrian mall may file a written claim of damages with the city clerk at any time not later than the hour so fixed for hearing; that such written claim must describe the real property as to which the claim is made, must state the exact nature of the claimant's interest therein, must state the nature of the claimed damage thereto, and must state the amount of damages claimed.

IN CITY COUNCIL
AUG 6 1998
READ AND PASSED
Evelyn V. Fargnoli
PRES.
Richard J. Clement
CLERK

APPROVED
AUG 14 1998
Vincent A. Cianciolo
MAYOR



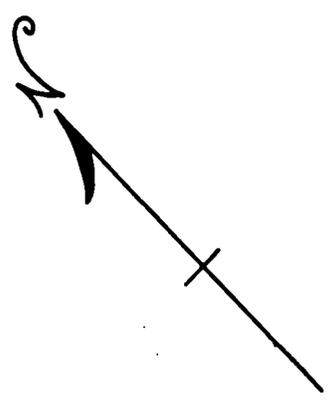
PROVIDENCE, R. I.
 P. W. DEPT. - ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 06 4597
 Date Oct. 1, 1997



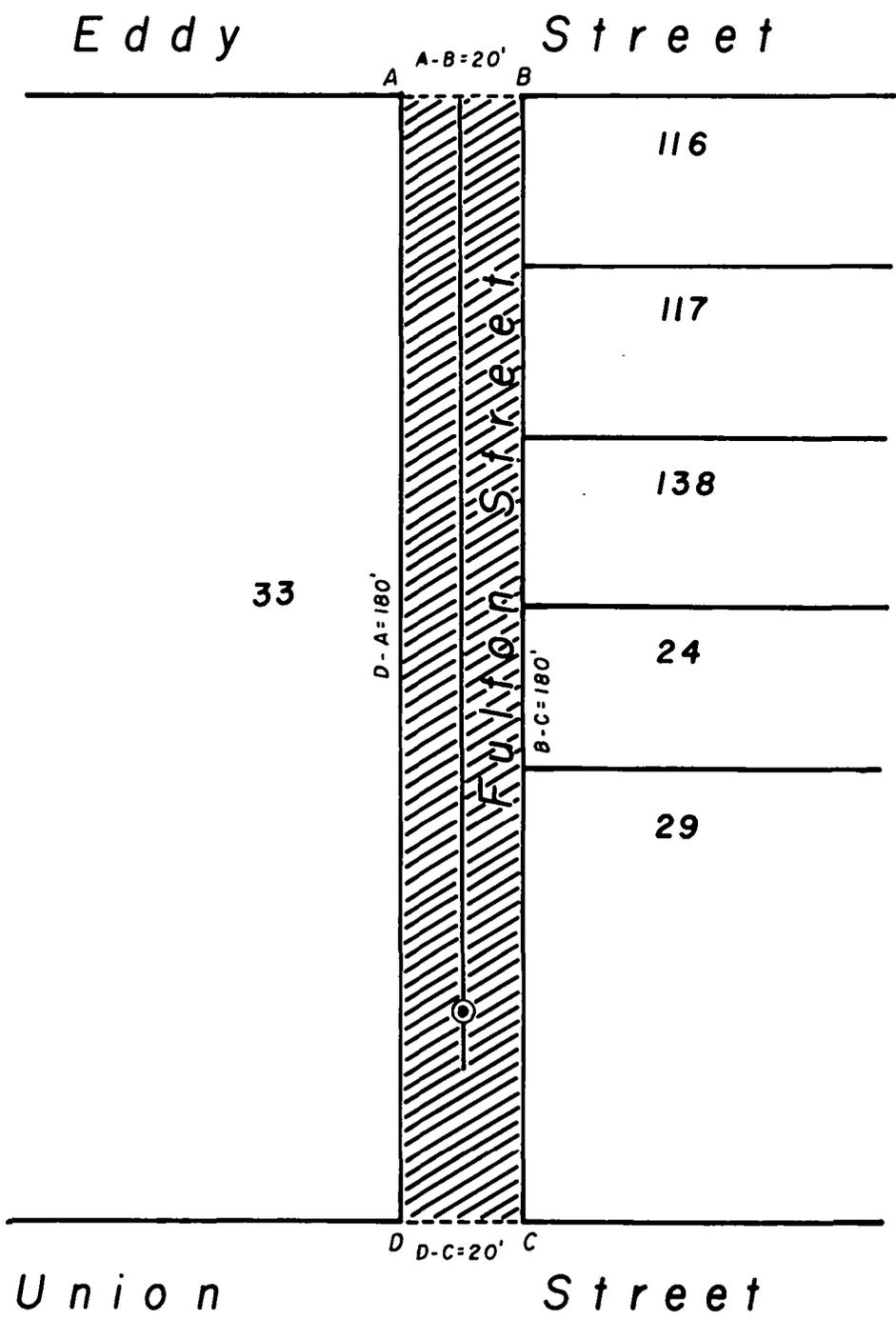
NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed pedestrian mall.
 Total square footage = 3,600.
 Full sewer easement required.
 Lot numbers taken from A.P. 20.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing Proposed Pedestrian Mall
 Drawn by A. Zisades Checked by J.A.M.
 Scale 1" = 10' Date Oct. 1, 1997
 Corrected by James J. Brown Associate Eng.
 Approved [Signature] CHIEF ENGINEER

Res. # 456 Approval: 8/14/98



PROVIDENCE, R. I.
P. W. DEPT. - ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064597
Date Oct. 1, 1997



NOTES: Cross-hatched area (A-B-C-D-A) indicates proposed pedestrian mall.
 Total square footage = 3,600.
 Full sewer easement required.
 Lot numbers taken from A.P. 20.

CITY OF PROVIDENCE, R. I.
 Public Works Dept. - Engineering Office
 Showing Proposed Pedestrian Mall
 Drawn by A. Zisiades Checked by L.A.M.
 Scale 1" = 10' Date Oct. 1, 1997
 Corrected by James A. Davis Associate Eng.
 Approved [Signature] CHIEF ENGINEER

COLONEL URBANO
PRIGNANO Jr.

Chief of Police



VINCENT A. CIANCI, JR.

Mayor

**PROVIDENCE POLICE DEPARTMENT
TRAFFIC BUREAU**

Lieutenant Kenneth M. Cohen, Commanding

October 6, 1997

TO: Colonel Urbano Prignano, Jr. Chief of Police

FROM: Lieutenant Kenneth M. Cohen, Traffic Bureau

SUBJECT: Petition for Fulton Street

Sir:

I have reviewed the City Council request regarding the transformation of Fulton Street between Union Street and Eddy Street into a pedestrian only area. The only affected properties are those who are requesting this change. Therefore, I have no objections to this change as proposed, as it impacts only those who have requested it.

Respectfully,

A handwritten signature in black ink, appearing to read "K. M. Cohen", written over a horizontal line.

Lieutenant Kenneth M. Cohen
Commander, Traffic Bureau

Vincent A. Cianci Jr.
Mayor
John J. Partington
Commissioner

James F. Rattigan
Chief of Department
David D. Costa
Fire Marshal



PROVIDENCE FIRE PREVENTION DIVISION
"Smoke Detectors Save Lives"

October 10, 1997

Chairman Robert M. Clarkin
Committee on Public Works
City Hall
Providence, R.I. 02903

Chairman Clarkin,

After review of the proposal to transform a section of Fulton Street into a pedestrian mall (see attached), the Fire Department has no objection provided the following conditions are met:

- 1) Access for emergency vehicles is maintained.
- 2) No barriers or permanent fixtures shall be placed along Fulton Street that would impede emergency vehicle access.

Yours truly,

A handwritten signature in black ink that reads "David D. Costa".

David D. Costa
Fire Marshal

Ferdinand C. Ihenacho, P.E.

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

October 2, 1997

Hon. Robert M. Clarkin
Chairman of the Public Works Committee
Providence City Council
City Hall - Prov., R.I. 02903

Re: Re: Proposed Pedestrian Mall
Fulton St.
v (From Eddy to Union)

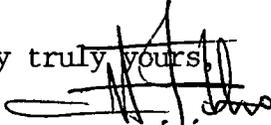
Dear Councilman Clarkin:

This office has reviewed the request for the Proposed Pedestrian Mall on Fulton St. from Eddy Street to Union Street, as shown on the accompanying plan entitled, "Providence, R.I. - P.W. Dept. - Engineering Office, Plan No. 064597, Date: 10/1/97", and has no objection to said proposal.

Area of Fulton Street for Proposed Pedestrian Mall, is shown as cross-hatched area on the accompanying plan, noted as A-B-C-D-A. A full sewer easement is required relative to this Proposed Pedestrian Mall. Total square footage related to this proposal is 3600. Lot numbers were taken from City of Providence Assessor's Plat 20.

It is noted that this request for Proposed Pedestrian Mall was submitted by owners of the Smith Bldg., Inc. and the Peerless Bldg., Inc. If we can further assist you in this regard, please advise.

Very truly yours,


Ferdinand C. Ihenacho, P.E.
Director

CC: M. Clement - City Clerk
J. D'Amico, Esq.
G. Florio
JTM, JLC, SZ _ Eng.

700 Allens Avenue ● Providence, Rhode Island 02905

(401) 467-7950 (Voice) ● 751-0203 (TDD) ● 941-2567 (Facsimile)

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

ROBERT J. KILDUFF, P.E., ESQ.
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor

BOYCE SPINELLI
Ex-Officio



VINCENT A. CIANCI, JR.
Mayor

RICHARD O. RAFANOVIC, P.E.
General Manager/Chief Engineer

JOSEPHINE DIRUZZO
City Councilwoman

EVELYN V. FARGNOLI
City Council President

MARY A. NOCERA
Member

JOSEPH D. CATALDI
Member

October 20, 1997

Ms. Barbara A. Poirier
City Clerk's Office
25 Dorrance Street
Providence, RI 02903

SUBJECT: Petition to Restrict Street Access to Pedestrian Traffic
Fulton Street (P/O), Providence, Rhode Island

Dear Ms. Poirier:

We have reviewed the Petition to Restrict Access to Pedestrian Traffic along a Portion of Fulton Street for potential impact on the Providence Water Supply Board (PWSB) system. Our records indicate that this portion of Fulton Street - between Union and Eddy Streets - has in place a PWSB 6-inch water main. Several water services are attached to this portion of the main. Accordingly, this main must remain as situated in the event the Petition is approved.

Therefore, the PWSB has no objection to the proposed Petition, provided that the water main in Fulton Street remains accessible to the PWSB for maintenance, construction, repair, etc.

If you have any questions, please feel free to contact me at 521-6300, extension 182.

Respectfully,
PROVIDENCE WATER SUPPLY BOARD
Richard O. Rafanovic, PE
General Manager and Chief Engineer

A handwritten signature in black ink, appearing to read "Peter D. McLaughlin".

By: Peter D. McLaughlin
Regulatory Services Program Manager

cc: P. Gadoury, PE
S. Pauley, PE
R. Kilduff, PE
File

NANCY L. DERRIG
Superintendent of Parks



VINCENT A. CIANCI, JR.
Mayor

Department of Public Parks

"Building Pride In Providence"

October 6, 1997

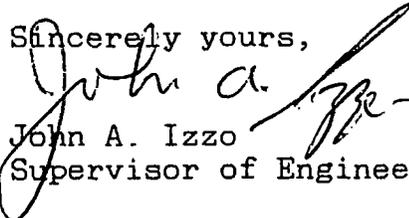
Mr. Michael Clement
City Clerk
City Hall
Providence, R.I., 02903

RE: Abandonment of portion of Fulton Street

Dear Mr. Clement:

Upon review of all Department of Public Parks plans, and records. It is the conclusion of the Parks Department that the abandonment of a portion of Fulton Street, will in no way effect any Parks Department existing facility, and or future plans for that area.

Sincerely yours,


John A. Izzo
Supervisor of Engineering & Planning

SUBURA
Traffic Engineer
IRENE J. TESTA
Director



VINCENT A. CIANCI, JR.
Mayor

Department of Traffic Engineering
"Building Pride In Providence"

MEMORANDUM

DATE: 1/20/98

TO: Councilman Robert Clarkin, Chairman
Committee on Public Works

FROM: Irene J. Testa, Director *Irene J. Testa*

SUBJECT: PENDING MATTER

REQUEST: To transform the section of Fulton Street running from Union Street to Eddy Street into a pedestrian mall by prohibiting all vehicular access to said section, except for emergency vehicle access. The Smith and Peerless buildings front the entire length of said street and there are no other property owners other than the undersigned on such section of Fulton Street.

DISPOSITION: No objection.



PROVIDENCE CITY PLAN COMMISSION

"Planning the Future of Providence"

November 5, 1997

Councilman Robert M. Clarkin, Chairman
Committee on Public Works
City Hall
Providence, Rhode Island 02903

CPC REFERRAL NO. 3116 - TRANSFORM THE SECTION OF FULTON STREET FROM EDDY STREET TO UNION STREET INTO A PEDESTRIAN MALL.

Attention: Michael R. Clement, City Clerk

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on October 21, 1997, reviewed and evaluated the request from the Committee on City Property on the proposed transformation of the section of Fulton Street located between Union Street and Eddy Street into a pedestrian mall. A pedestrian mall would encourage pedestrian traffic yet prohibit vehicular access, except for emergency vehicles.

The petitioners are Smith/Keen Partners for Smith Building, Inc. and Peerless/Keen Partners for Peerless Building, Inc. The abutting properties consist of Lots 33, 116, 117, 138, 24 and 29 located on Assessor's Plat 20. Lot 33 is owned by Cornish Associates, LP, Lots 116, 138 and 24 are owned by Kolb Properties, Inc., Lot 117 by W.K. Realty, Inc. and Lot 25 by Pierre L. Deburgknecht.

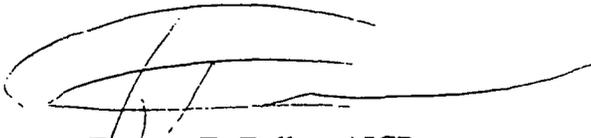
A field inspection revealed that aforesaid portion of Fulton Street is 20 feet wide, paved public right-of-way providing access to the abutting buildings on said street. A few individual automobiles were parked there at the time of inspection.

The Commission notes that the petitioner does not request a right-of-way street abandonment. Instead the right-of-way will be maintained so that the subject portion of Fulton Street will only be closed to vehicular traffic, except for emergency vehicles.

The Commission has reviewed and evaluated the request for consistency with the City's Comprehensive Plan. The Commission finds that portion of right-of-way will retain its usefulness to the general public and the proposed transformation is consistent with *Providence 2000: The Comprehensive Plan*.

Therefore, the City Plan Commission voted to recommend that the City Council approve the transformation of that portion of Fulton Street into a pedestrian mall.

Regards,

A handwritten signature in black ink, appearing to read 'Thomas E. Deller', is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

Thomas E. Deller, AICP
Deputy Director

cc: G. Calcagni, Chair

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

SAM
October
CPC meeting
[Signature]

DATE: September 23, 1997

TO: Mr. Thomas Deller, Deputy Director, Planning and Development

SUBJECT: SEE ATTACHED PETITION

CONSIDERED BY: Barbara A. Poirier, Second Deputy City Clerk

DISPOSITION: I have been requested by Councilman Kevin Jackson, Chairman of the Committee on City Property, to forward the enclosed petition for your review and recommendation. Please forward any responses to the above named Committee as soon as practical. Thank you.

RECEIVED
SEP 23 1997
PLANNING DIVISION

RECEIVED
SEP 24 1997

Barbara A. Poirier
Second Dep. City Clerk

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

To transform the section of Fulton Street running from Union Street to Eddy Street into a pedestrian mall by prohibiting all vehicular access to said section, except for emergency vehicle access. The Smith and Peerless buildings front the entire length of said street and there are no other property owners other than the undersigned on such section of Fulton Street.

Smith/Keen Partners

By Smith Building, Inc.

By: *Tim Kelly*
Asst. Treasurer

Peerless/Keen Partners

By Peerless Building, Inc.

By: *Tim Kelly*
Asst. Treasurer

RECEIVED
SEP 2 1997
PLANNING DIVISION

EDDY STREET (PUBLIC - VARIABLE WIDTH)

FULTON STREET (PUBLIC - 20.08' WIDE)

(37)
N/F
RHODE ISLAND HOUSING
DEVELOPMENT CORPORATION
BK 3028 PG 115
PLAT CARO 398

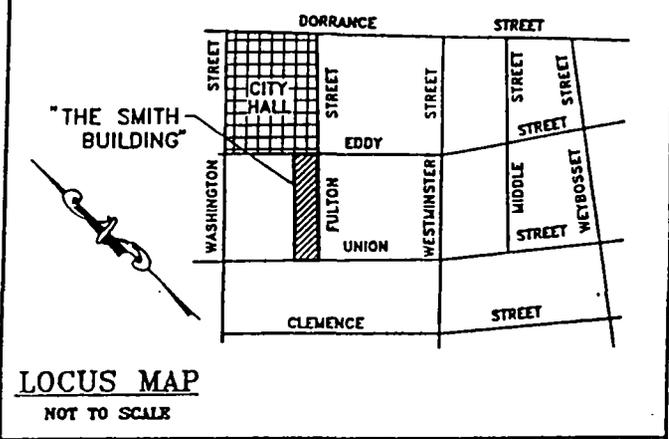
NOTE:
LOCATION OF PARTY WALLS
WERE NOT VERIFIED IN FIELD.

(34)
N/F
WALTER L. BRONHARD
BK 2992 PG 319
P.C. 1065

"THE SMITH BUILDING"
7 STORY
BRICK BUILDING
ON S.L.
BASEMENT ELEV.=-0.4
1ST FL. ELEV.=8.7
2ND FL. ELEV.=26.7
3RD FL. ELEV.=40.2
4TH FL. ELEV.=51.7
5TH FL. ELEV.=63.3
6TH FL. ELEV.=74.8
7TH FL. ELEV.=86.2

UNION STREET (PUBLIC - VARIABLE WIDTH)

FULTON STREET



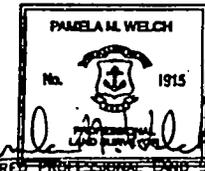
LOCUS MAP
NOT TO SCALE

BENCHMARK:
WESTERLY EXTREME END LOWEST GRANITE STEP AT THE
ENTRANCE TO CITY HALL ON THE WASHINGTON STREET SIDE
ELEVATION=8.28(CITY OF PROVIDENCE BASE)

NOTES:

1. CIRCLED LOT NUMBERS REFER TO CITY OF PROVIDENCE ASSESSOR'S PLAT NUMBER 20.
2. "ON S.L." DENOTES THAT BUILDING FALLS DIRECTLY ON THE STREET LINE.
3. "OFF" DENOTES "OFF STREET LINE".
4. "ON" DENOTES "ON STREET LINE".
5. "BK" DENOTES "BACK FROM PROPERTY LINE".
6. "OV" DENOTES "OVER PROPERTY LINE".

THIS SURVEY AND PLAN CONFORM TO A CLASS 1 STANDARD AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS.



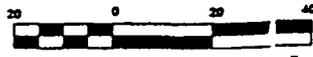
BY: *Pamela M. Welch* 9-14-95
REGISTERED PROFESSIONAL LAND SURVEYOR DATE

DATA
LOT 33
OWNER: ASSOCIATES LP
REFERENCE: Page 304
REFERENCE: INE
EA: S.F.

WELCH ASSOCIATES
LAND SURVEYORS
445-R West Center Street
West Bridgewater, MA 02370
(508) 580-4696 FAX (508) 580-4962

BOUNDARY RETRACEMENT SURVEY
"THE SMITH BUILDING"
UNION & EDDY STREETS
PROVIDENCE, RHODE ISLAND
ASSESSOR'S PLAT 20 LOT 33

Prepared for
CORNISH ASSOCIATES



SCALE: 1"=20'

ACAD FILE: P930801A DATE: SEPTEMBER 14, 1995



Narragansett Electric
A NEES company

October 6, 1997

Ms. Barbara A. Poirier
Department of City Clerk
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

Re: **Petition To The City Council For A Street Abandonment**
Fulton Street from Union Street to Eddy Street

Dear Barbara:

The Narragansett Electric Company (NEC) presently has underground facilities situated in the area proposed for abandonment. NEC has no objection to the abandonment of this area provided that in the event the street is abandoned, an easement acceptable to NEC will permit the retention of our facilities in their existing locations.

If you have any questions feel free to call me at 401-784-7209.

Sincerely,

Michael D. DiNezza
Senior Real Estate Representative

280 Melrose Street
P.O. Box 1438
Providence, RI 02901-1438
Telephone: 401-784-7000



August 30, 1997

Providence City Council
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

Attn: Mr. Robert Clarkin

RE: PETITION TO ABANDON A PORTION OF FULTON STREET.

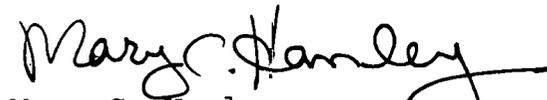
Bell Atlantic formally Nynex presently has underground facilities in said street.

These facilities include underground cable that provides service to the surrounding area.

Bell Atlantic formally Nynex will not object to the granting of said petition, provided that in the event the petition is granted, the petitioner will convey an easement acceptable to Bell Atlantic formally Nynex, which will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities.

If it is decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation.

Very truly yours,


Mary C. Hanley
E/P Manager - Right of Way



November 25, 1997

Councilman Robert M. Clarkin
Chairman, Committee on Public Works
City of Providence
City Hall
Providence, RI 02903

RE: Transformation of Fulton Street into a Pedestrian Mall

Dear Councilman Clarkin:

Providence Gas operates underground gas facilities in Fulton Street between Union Street and Eddy Street. We have no objection to the conversion of this area into a pedestrian mall provided that it in no way prevents or hinders the operation and maintenance of our facilities nor the access to those facilities.

Should the City abandon Fulton Street and cease to own the property, the Providence Gas Company will require an easement.

Sincerely,

Thomas P. Gavula
Director of Engineering

