

# RESOLUTION OF THE CITY COUNCIL

No. 8

Approved January 16, 1998

IT IS HEREBY RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064599 dated November 3, 1997.

VIZ:

Kennedy Plaza, Francis Street Bus Loop, (portions of), shown as cross-hatched area on accompanying plan having ceased to be useful to the public and is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned precedent upon the following: (1) the City Plan Commission of the City of Providence shall indicate its approval of the within abandonment by letter to the Office of the City Clerk, City of Providence. (2) The petitioner shall negotiate with reference to existing utilities located in the above mentioned area. (3) The petitioner shall convey a full sewer easement acceptable to the Director of the Department of Public Works which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four access to said facilities.

ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be place on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

IN CITY COUNCIL  
JAN 8 1998  
READ AND PASSED  
*Evelyn V. Fargnoli*  
PRES.  
*Barbara A. Carico*  
Deputy CLERK



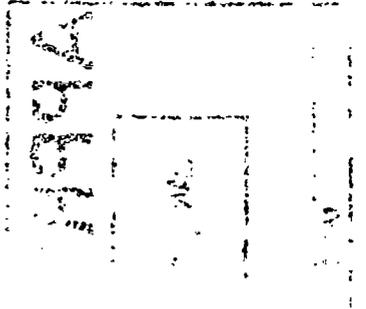
IN CITY COUNCIL  
Oct. 9, 1997  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS

Michael R. Clement CLERK

THE COMMITTEE ON  
Public Works  
Recommends J. H.  
Barber & Poines  
Clerk

12/2/97  
J. H. Barber

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
Barber & Poines  
12/2/97 Clerk

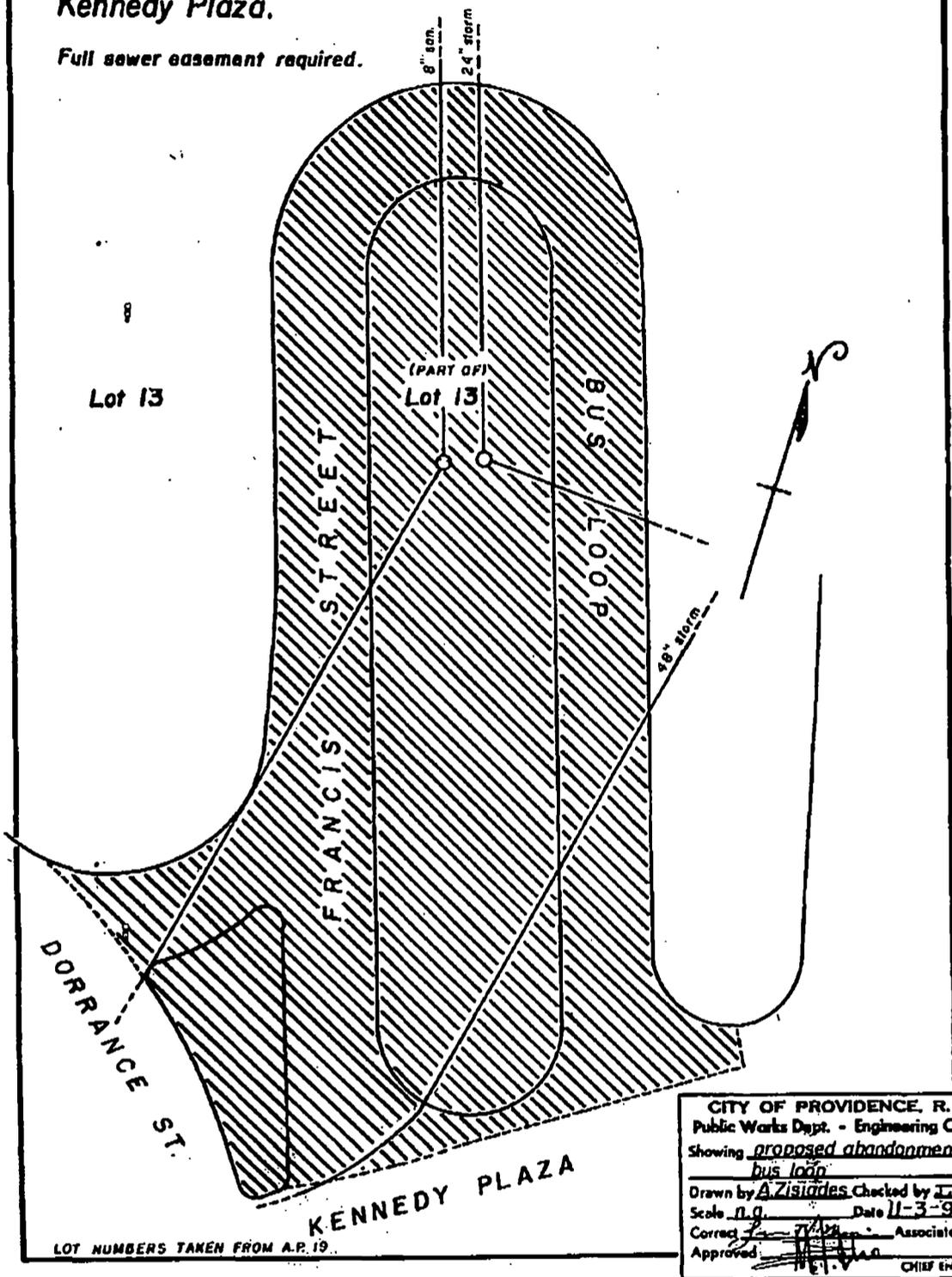


From the Clerk: Desk

NOTES: Cross-hatched area indicates proposed abandonment of bus loop, including granite pavers abutting Kennedy Plaza.

Full sewer easement required.

PROVIDENCE, R. I.  
P. W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064599  
Date Nov 3, 1997



CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
Showing proposed abandonment of bus loop  
Drawn by A. Zisiades Checked by J.L.P.  
Scale N.G. Date 11-3-97  
Correct [Signature] Associate En.  
Approved: [Signature] CHIEF ENGR.

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 29, 1997

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

Re: Abandonment of the Francis Street Bus Loop

Dear Chairman Clarkin,

After review of the proposal to abandon the Francis Street Bus Loop in Kennedy Plaza (see attached), the Fire Department has no objection.

If you have any questions, please call me at 421-8290.

A handwritten signature in black ink, appearing to read "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"*

November 4, 1997

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

Re: Proposed Abandonment of Bus Loop  
(Francis St. - in Kennedy Plaza)

Dear Councilman Clarkin:

This department has no objection to the proposed abandonment of the bus loop at Kennedy Plaza, as shown on the enclosed plan entitled, "Providence, R.I., P.W. Dept., Engineering Office, Street Line Section, Plan No. 064599, Date: 11/3/97".

Area to be abandoned is shown as cross-hatched area, designated as part of Lot 13, on City of Providence Assessor's Plat 19. The cross-hatched area indicates proposed abandonment of bus loop, including granite pavers abutting Kennedy Plaza. It is noted that a Full Sewer Easement will be required with reference to this proposed abandonment. Attached find notation of property owner of Lot 13/AP 19, as the City of Providence - Park Department.

If we can further assist you in regards to this proposed abandonment of the "bus loop", please advise.

Sincerely,

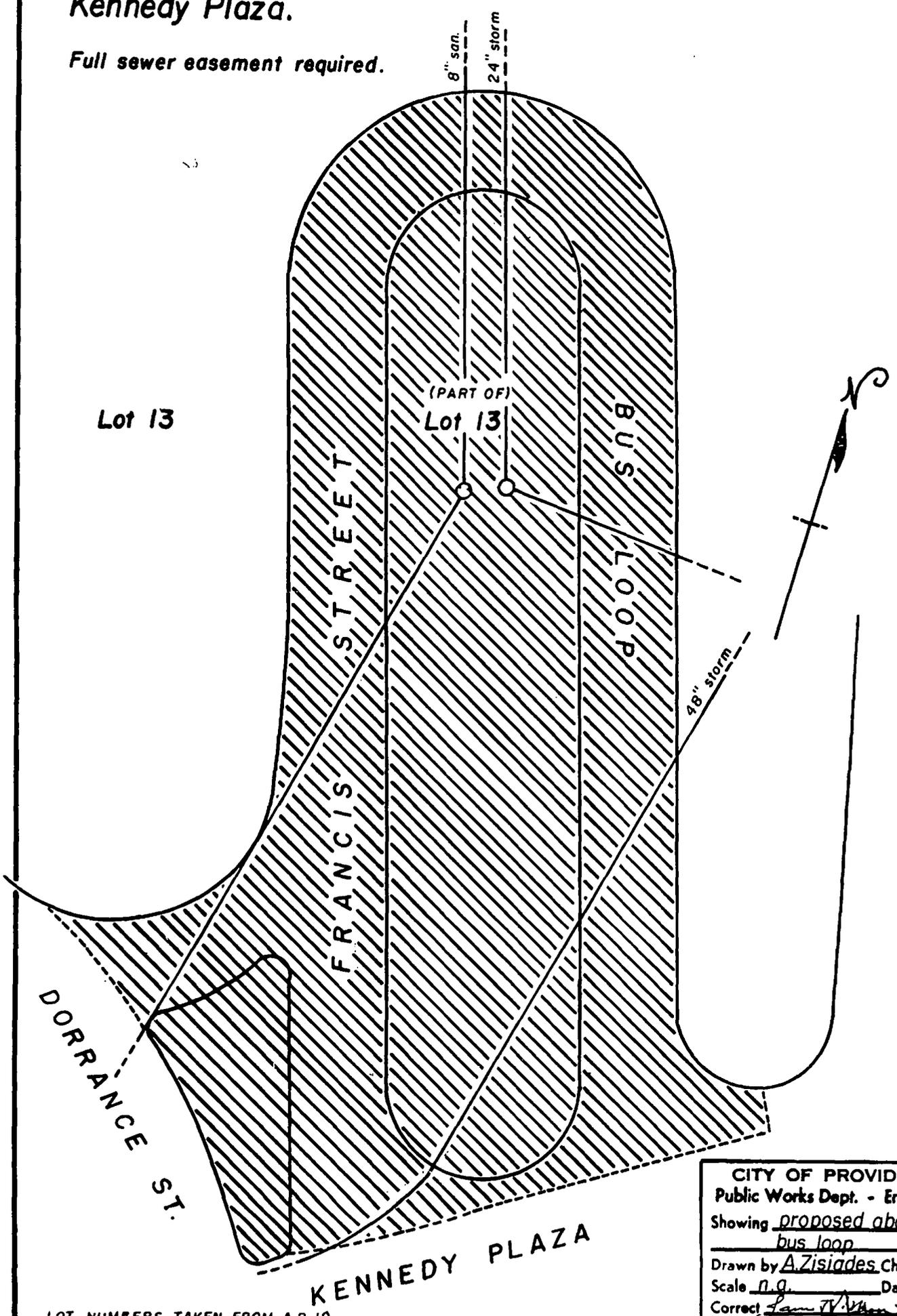
Ferdinand C. Ihenacho, P.E.  
Director

CC: John D'Amico, Esq.  
G. Florio, Ass't. Dir.  
M. Clement - City Clerk  
JTM  
JLC  
SZ

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064599  
 Date Nov. 3, 1997

NOTES: Cross-hatched area indicates proposed abandonment of bus loop, including granite pavers abutting Kennedy Plaza.

Full sewer easement required.



LOT NUMBERS TAKEN FROM A.P. 19

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing proposed abandonment of bus loop  
 Drawn by A. Zisiades Checked by J. J. M.  
 Scale n.g. Date 11-3-97  
 Correct Sam T. V. [Signature] Associate Engr.  
 Approved [Signature] CHIEF ENGINEER

PROPOSED ABANDONMENT  
FRANCIS ST. BUS LOOP

A.P. 19 LOT 13 CITY OF PROVIDENCE  
PARKS DEPARTMENT

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: October 16, 1997

TO: Ferdinand Ihenacho, Director of Public Works *FEI.*

SUBJECT: **PETITION TO ABANDON THE FRANCIS STREET BUS LOOP IN KENNEDY PLAZA.**

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman, Committee on Public Works.

DISPOSITION: The accompanying resolution is referred to you for study, report and recommendation and report back in writing to the above-named committee as soon as practical.

*Barbara Garrison*  
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 abandon the Francis Street bus loop in Kennedy Plaza, and to create a new lot in AP 19 which will be conveyed to the Department of Parks for \$0, to expand the public park and to create a skating rink.



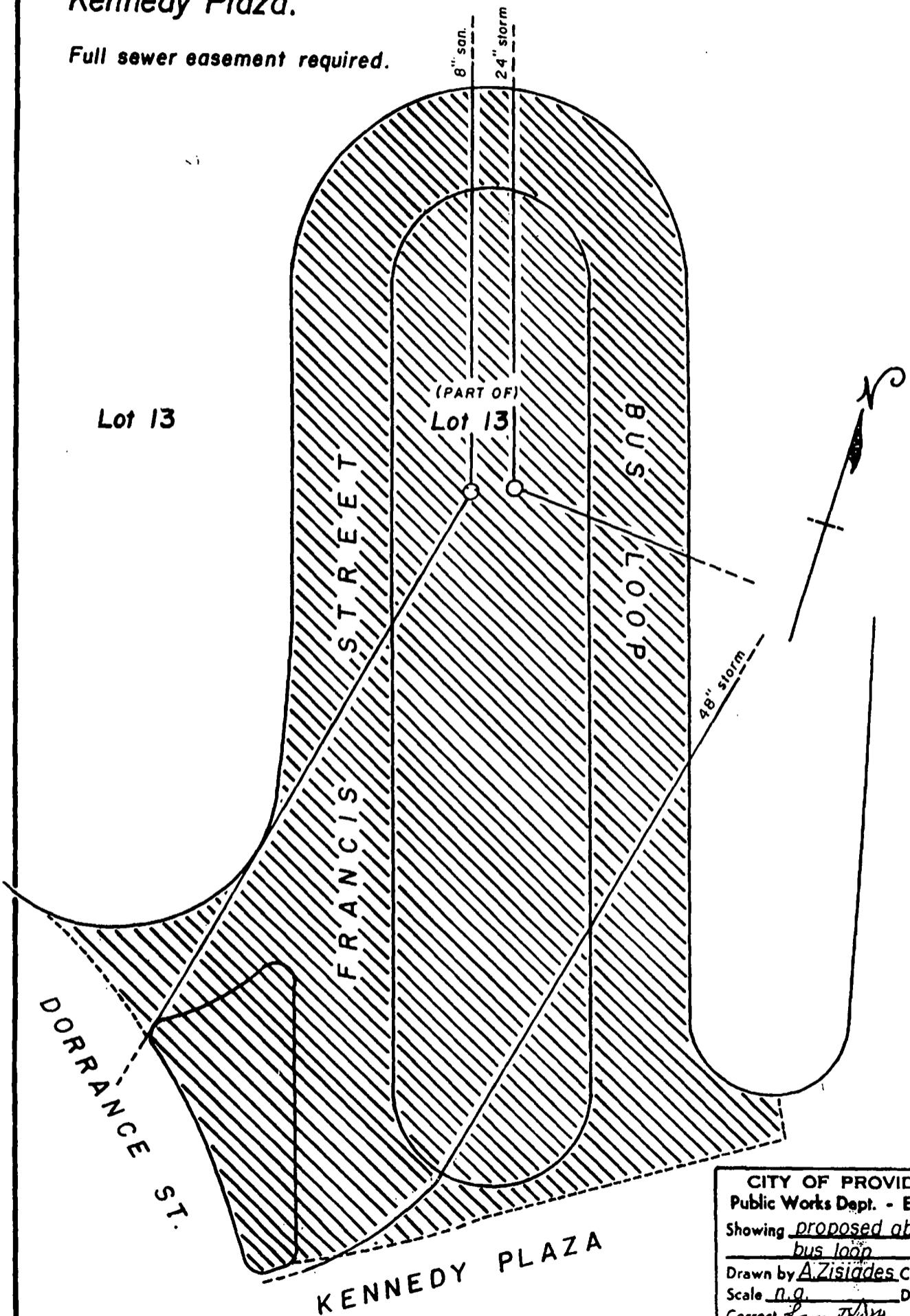
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John F. Palmieri  
Director  
Department of Planning and Development

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064599  
 Date Nov. 3, 1997

NOTES: Cross-hatched area indicates proposed abandonment of bus loop, including granite pavers abutting Kennedy Plaza.

Full sewer easement required.



Lot 13

FRANCIS STREET

BUS LOOP

DORRANCE ST.

KENNEDY PLAZA

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing proposed abandonment of bus loop  
 Drawn by A. Zisigades Checked by J. J. W.  
 Scale N.G. Date 11-3-97  
 Correct [Signature] Associate Eng.  
 Approved: [Signature] CHIEF ENGINEER

LOT NUMBERS TAKEN FROM A.P. 19

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

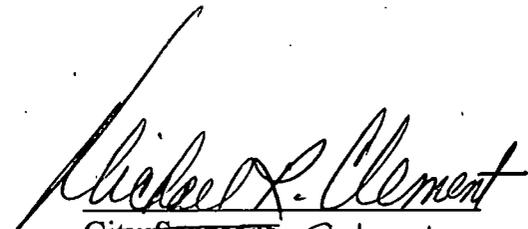
**THIS IS TO CERTIFY**, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

**PETITION TO ABANDON THE FRANCIS STREET BUS LOOP.**

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
19	13	City of Providence Parks Department

**PETITIONER**

Mr. John F. Palmieri  
Department of Planning & Development  
400 Westminster Street  
Providence, RI 02903

  
City ~~Sergeant~~ Clerk

\_\_\_\_\_  
Councilman Terrence M. Hassett  
Ward 12  
Councilman John J. Lombardi  
Ward 13

Ferdinand C. Ihenacho, P.E.

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

*"Building Pride In Providence"*

November 4, 1997

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

Re: Proposed Abandonment of Bus Loop  
(Francis St. - in Kennedy Plaza)

Dear Councilman Clarkin:

This department has no objection to the proposed abandonment of the bus loop at Kennedy Plaza, as shown on the enclosed plan entitled, "Providence, R.I., P.W. Dept., Engineering Office, Street Line Section, Plan No. 064599, Date: 11/3/97".

Area to be abandoned is shown as cross-hatched area, designated as part of Lot 13, on City of Providence Assessor's Plat 19. The cross-hatched area indicates proposed abandonment of bus loop, including granite pavers abutting Kennedy Plaza. It is noted that a Full Sewer Easement will be required with reference to this proposed abandonment. Attached find notation of property owner of Lot 13/AP 19, as the City of Providence - Park Department.

If we can further assist you in regards to this proposed abandonment of the "bus loop", please advise.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Ihenacho".

Ferdinand C. Ihenacho, P.E.  
Director

CC: John D'Amico, Esq.  
G. Florio, Ass't. Dir.  
M. Clement - City Clerk  
JTM  
JLC  
SZ

700 Allens Avenue ● Providence, Rhode Island 02905

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

PROPOSED ABANDONMENT  
FRANCIS ST. BUS LOOP

A.P. 19 LOT 13 CITY OF PROVIDENCE  
PARKS DEPARTMENT

ARMANDO PARILLO  
*Chairman*

JOEL D. LANDRY, II, ESQ.  
*Vice Chairman*

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

FERNANDO S. CUNHA, ESQ.  
*Legal Advisor*

BOYCE SPINELLI  
*Ex-Officio*



VINCENT A. CIANCI, JR.  
*Mayor*

RICHARD O. RAFANOVIC, P.E.  
*General Mgr./Chief Engr.*

JOSEPHINE DIRUZZO  
*City Councilwomen*

EVELYN V. FARGNOLI  
*City Councilwoman*

MARY A. NOCERA  
*Member*

JOSEPH D. CATALDI  
*Member*

November 6, 1997

Councilman Robert M. Clarkin, Chairman  
Committee On Public Works  
25 Dorrance Street  
Providence, R.I. 02903

SUBJECT: Petition for Street Abandonment  
Francis Street Bus Loop in Kennedy Plaza  
Providence, R.I.

Dear Councilman Clarkin:

We have reviewed the referenced Petition for impact on the Providence Water Supply Board system. Our records indicate that PWSB owns and maintains a 8" water main with a 6" tee within the limits of the proposed abandonment.

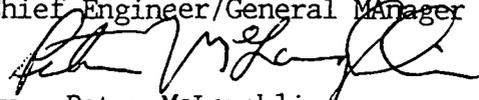
These lines must be relocated to an area accessible to PWSB for maintenance and repair.

The PWSB has no objection to the proposed street abandonment, provided that the Petitioner relocates existing mains to an area accessible to the PWSB to maintain, construct, repair, etc.

If you have any questions, please feel free to contact me at (401)521-6300 X 182

Respectfully:

Providence Water Supply Board  
Richard O. Rafanovic, P.E.  
Chief Engineer/General Manager

  
By: Peter McLaughlin  
Regulatory Services Program Manager

cc: P. Gadoury  
Syl Pauley  
M. Clement, City Clerk  
File

NANCY L. DERRIG  
Superintendent of Parks



VINCENT A. CIANCI, JR.  
Mayor

## Department of Public Parks

*"Building Pride In Providence"*

October 20, 1997

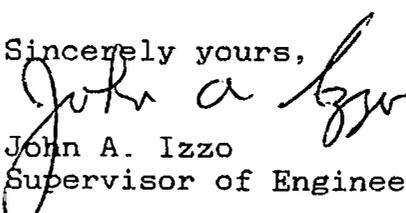
Mr. Michael Clement  
City Clerk  
City Hall  
Providence, R.I., 02903

RE: Abandonment of Francis Street Bus Loop in Kennedy Plaza

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 the Francis Street Bus Loop in Kennedy Plaza, will benefit the Parks Department since this parcel of land is being transferred to the Department of Public Parks.

Sincerely yours,

  
John A. Izzo  
Supervisor of Engineering & Planning



Narragansett Electric  
A NEES company

November 6, 1997

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

**Re: Petition To Abandon the Francis Street Bus Loop in Kennedy Plaza**

Dear Councilman Clarkin:

The Narragansett Electric Company (NECo) presently has underground facilities situated in the area proposed for abandonment, known as the Francis Street bus loop in Kennedy Plaza. NECo has no objection to the proposed abandonment provided that in the event the street is abandoned an easement acceptable to NECo 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



November 10, 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 FRANCIS STREET BUS LOOP IN  
KENNEDY PLAZA.

Bell Atlantic presently has underground facilities in said area.

These facilities include a conduit and manhole system that provides service to the surrounding area.

Bell Atlantic 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, 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,

A handwritten signature in cursive script, appearing to read "Mary C. Hanley".

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



November 10, 1997

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

RE: Petition to Abandon the Francis St. Bus Loop in Kennedy Plaza

Dear Councilman Clarkin:

The Providence Gas Company does own and operate underground facilities within a small portion of the Francis St. Bus Loop. We have no objection to the proposed abandonment provided that we are granted an easement which allows us to operate, maintain, and access our facilities.

Sincerely,

Thomas P. Gavula  
Director of Engineering



ARMANDO PARILLO  
*Chairman*

JOEL D. LANDRY, II, ESQ.  
*Vice Chairman*

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

FERNANDO S. CUNHA, ESQ.  
*Legal Advisor*

BOYCE SPINELLI  
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VINCENT A. CIANCI, JR.  
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MARY A. NOCERA  
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JOSEPH D. CATALDI  
*Member*

November 6, 1997

Councilman Robert M. Clarkin, Chairman  
Committee On Public Works  
25 Dorrance Street  
Providence, R.I. 02903

SUBJECT: Petition for Street Abandonment  
Francis Street Bus Loop in Kennedy Plaza  
Providence, R.I.

Dear Councilman Clarkin:

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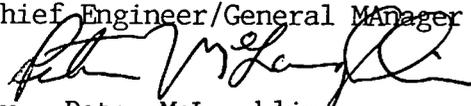
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The PWSB has no objection to the proposed street abandonment, provided that the Petitioner relocates existing mains to an area accessible to the PWSB to maintain, construct, repair, etc.

If you have any questions, please feel free to contact me at (401)521-6300 X 182

Respectfully:

Providence Water Supply Board  
Richard O. Rafanovic, P.E.  
Chief Engineer/General Manager

  
By: Peter McLaughlin  
Regulatory Services Program Manager

cc: P. Gadoury  
Syl Pauley  
M. Clement, City Clerk  
File

Section 1. The Providence Zoning Ordinance Chapter 1994-24 No. 365, approved June 27, 1994, as amended shall be further amended as follows:

A. Amend Appendix A, by adding a new Use Code Number and Use Code as follows:

33.5 Outdoor Skating Rink, Public ownership

Outdoor Skating Rink, Public ownership (but may be privately operated); with accessory structures for sale/rental of skating related equipment, changing and shower facilities, function room for skating events, and including restaurant for sale of food and beverages in support of skating events.

B. Amend Section 303, Table of Use Regulations, by inserting the following new use code and use between Use Code 33.4 and 34:

Use Code	Use	R-1	R-2	R-3	R-G	R-M	C-1	C-2	C-4	D-1	D-2
33.5	Outdoor Skating Rink, Public ownership <sup>3</sup>	N	N	N	N	N	N	N	S	Y	Y

Use Code	Use	W-1	W-2	W-3	M-1	M-2	I-1	I-2	I-3	RP	PS	OS
33.5	Outdoor Skating Rink, Public ownership <sup>3</sup>	S	Y	Y	N	N	S	S	S	N	Y	Y

C. Amend Article III, Section 303 - Use Regulations, by adding the following Footnote # 3 attached to proposed new Use Code 33.5:

3. Subject to Section 502 of this Ordinance for any use located within the Downcity Overlay District.

Section 2. This Ordinance shall take effect upon passage.



## PROVIDENCE CITY PLAN COMMISSION

*"Planning the Future of Providence"*

November 7, 1997

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

ATTENTION: Mr. Michael R. Clement, City Clerk

CPC REFERRAL NO. 3119 - Abandonment of the Francis Street bus loop in Kennedy Plaza, and to create a new lot to expand the public park and to create a skating rink.

Dear Councilman Clarkin:

The City Plan Commission at its regular meeting on October 21, 1997, reviewed and evaluated the request from the Parks Department for a proposed outdoor skating rink in the Francis Street bus loop in Kennedy Plaza.

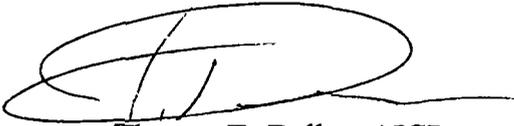
The new facility will contain a year-round outdoor rink, with an accessory building at its south end, housing skate rental, food vending, and special event activities. (Skate storage and maintenance equipment will be in the Exchange Terrace underpass.)

The Francis Street bus loop is presently a public right-of-way. To construct the skating rink and its associated structures, the rights-of-way that form the bus loop will have to be abandoned, and a new buildable lot will have to be created.

The Commission has reviewed and evaluated the request for consistency with the City's Comprehensive Plan. The Commission finds that portion of the right-of-way is still useful to the general public, movement through the right of way to the Exchange Terrace underpass should be maintained and the proposed abandonment is consistent with *Providence 2000: The Comprehensive Plan*. The abandonment is approved on condition that the public access for pedestrians to the Exchange Terrace underpass is maintained. Such easement may preserve the intent of the original rights-of-way, and make the concept of abandoning them more acceptable.

Therefore, the City Plan Commission voted to recommend that the City Council approve the abandonment of that portion of Francis Street in Kennedy Plaza that forms the existing RIPTA bus loop, with the condition that public access for pedestrians be maintained through the future skating rink site to the Exchange Terrace underpass.

Regards,

A handwritten signature in black ink, appearing to read 'T. Deller', enclosed within a large, loopy oval shape.

Thomas E. Deller, AICP  
Deputy Director

cc: G. Calcagni, Chair  
N. Derrig, Director, Parks Department

IRENE J. TESTA  
Traffic Engineer

JOSEPH W. CAPRIO  
Deputy Director



VINCENT A. CIANCI, JR.  
Mayor

Department of Traffic Engineering  
"Building Pride In Providence"

# MEMORANDUM

TO: COUNCILMAN ROBERT CLARKIN, CHAIRMAN  
COMMITTEE ON PUBLIC WORKS

FROM: IRENE J. TESTA *Irene Testa*

DATE: NOVEMBER 12, 1997

RE: PROPOSED ABANDONMENT

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REQUEST: To abandon the Francis Street Bus Loop in  
Kennedy Plaza.

DISPOSITION: This department offers no objection to said  
abandonment.

# RESOLUTION OF THE CITY COUNCIL

No. 8

Approved January 16, 1998

IT IS HEREBY RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064599 dated November 3, 1997.

VIZ:

Kennedy Plaza, Francis Street Bus Loop, (portions of), shown as cross-hatched area on accompanying plan having ceased to be useful to the public and is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned precedent upon the following: (1) the City Plan Commission of the City of Providence shall indicate its approval of the within abandonment by letter to the Office of the City Clerk, City of Providence. (2) The petitioner shall negotiate with reference to existing utilities located in the above mentioned area. (3) The petitioner shall convey a full sewer easement acceptable to the Director of the Department of Public Works which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four access to said facilities.

ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be place on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.



A true copy,  
Attest:

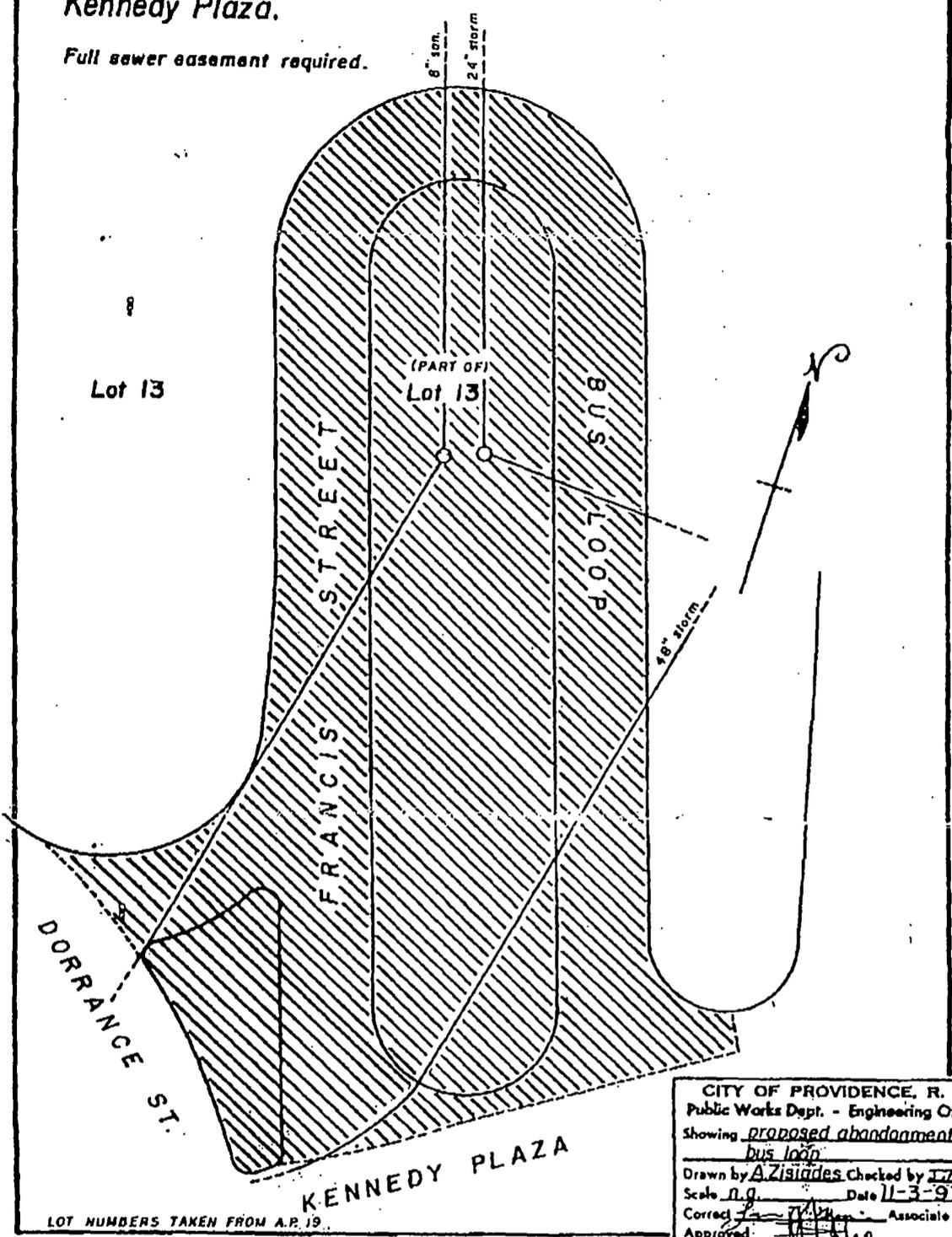
*Michael R. Clement*  
Michael R. Clement  
City Clerk

K 3732 P 6079

NOTES: Cross-hatched area indicates proposed abandonment of bus loop, including granite pavers abutting Kennedy Plaza.

Full sewer easement required.

PROVIDENCE, R. I.  
P. W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064599  
Date Nov 3, 1997



CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
Showing proposed abandonment of bus loop  
Drawn by A. Zisades Checked by J.T.H.  
Scale 1/4" = 1'-0" Date 11-3-97  
Corrected [Signature] Associate Engr  
Approved [Signature] CHIEF ENGR

788 N-1

Received for Record at 9:27 AM in  
Robert Z. Ricci  
FEB - 6 1998

3732/78-79

4601

FILED

MAR 2 11 50 AM '98

DEPT. OF CLERK  
PROVIDENCE, R.I.

RECEIVED FOR DEPT. OF CLERK  
9 27

Robert Z. Ricci  
Recorder of Deeds