

*See Res # 730 11/10/2001*  
*#341 6/29/2001*

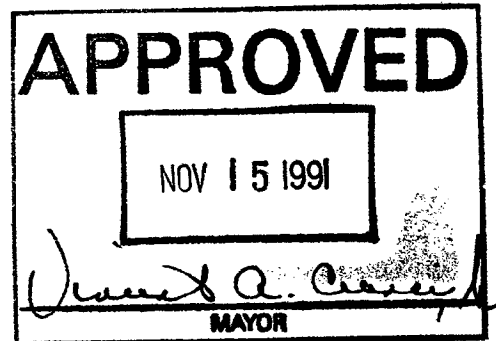
# RESOLUTION OF THE CITY COUNCIL

No. 597

*Approved* November 15, 1991

RESOLVED, that the Abandonment of a portion of  
Garnet Street, approved August 10, 1990 is hereby rescinded.

IN CITY COUNCIL  
NOV 7 1991  
READ AND PASSED  
*James J. Schiavone*  
PRES.  
*Michael R. Clement*  
CLERK



Clemens Clark

AVOIR  
[ ]  
[ ]

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 385

Approved August 10, 1990

RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, Rhode Island, Department of Public Works-Engineering Office, Street Line Section Plan No. 064485 dated March 13, 1990",

VIZ:

Garnet Street, (portion of) from Weybosset Street to Pine Street, shown as cross-hatched area on the accompanying plan and designated by the letters (A-B-C-D-A) having ceased to be useful to the public and the same is proposed to be abandoned as a Public Highway, provided that a full sewer easement is granted for the 12 inch sanitary sewer, an easement be granted to the Water Supply Board to provide unrestricted access over the full width of the street, and an easement be granted to the Providence Gas Company for its mains and the damage to the abutters is appraised at nothing and so awarded, and it is further

ORDERED, That the Traffic Engineer be, and he is hereby directed to cause a sign to be placed 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  
AUG 2 1990  
READ AND PASSED

*Richard W. E. [Signature]*  
PRES.

*Robert M. Mendonca [Signature]*  
CLERK

APPROVED

AUG 10 1990

*[Signature]*  
MAYOR

## GARNET STREET OVERVIEW

On Thursday, August 2, 1990, the City Council for the City of Providence, Rhode Island voted on two separate but nonetheless tied together resolutions. These resolutions, Numbers 17 and 41, were respectively: The acceptance of a payment from Johnson and Wales University of \$80,000 per year in lieu of taxes following the purchase of the Outlet site and the planned construction of a \$30 million campus; and the abandonment of Garnet Street between the Outlet site and the existing McNulty Hall dormitory for an apron (mini-campus) between the two sites.

The resolutions were interwoven together in private agreement within city hall and were outside the public forum. They were designed to reward Johnson and Wales the gift of Garnet Street for value received under separate resolution (\$80,000 per year payment to the city of Providence and a substantial campus in the heart of downtown).

Over 11th hour objections from members of the community, the council voted to pass the resolution abandoning Garnet Street. Bob Clarkin said that his vote was, "Committed," but that he would never again make such a commitment without direct input from his constituents.

On Saturday, October 20, 1990, the Providence Journal-Bulletin reported that J&W had abandoned its plans to purchase the former Outlet department store site. Thomas V. Moses, director of the Department of Planning and Development for the city said that the street abandonment would be rescinded and the payment in lieu of taxes would not take affect.

Now more than one year later, it seems that J&W still controls Garnet Street. They have moved to place signs on the street which say, "DO NO ENTER," and with these signs have effectively blocked traffic flow between Pine and Weybosset streets.

Councilman Robert M. Clarkin is mounting a campaign to force J&W to give back the street although I am not sure why he can't just introduce a resolution rescinding the original abandonment. When passed, let its validity be tested in court should J&W choose to pursue it. Councilman Clarkin needs our help to recover this crucial street at a time in our economy when the attitudes of consumers coming into downtown Providence is at an all time low and any traffic jam such as is caused when Pine Street is closed off to thru traffic for loading of shows at the Performing Arts Center might just cause them to say, "I'm not coming downtown anymore, its just not worth it." Todays news reports that

Governor Bruce Sundlun now sees the Rhode Island economy in "depression." We, the downtown merchants, need all the help we can get.

Who knows why J&W still wants Garnet Street--for an apron to McNulty Hall Dormitory; for private parking; to reduce their insurance liability for students entering and leaving the dorm? What matters is that J&W has not fulfilled its original commitment to build the planned campus and all agreements should be nullified. If it's right to abandon Garnet Street, then let it be pursued by the parties concerned on the basis of new arguments.

Eddy Street was abandoned years ago when the Outlet was thriving and Broadcast House was being built. Now it is the private parking lot for the Channel 10 TV station and the remains of a monument to the Sinclair family, founders of the Outlet Company. Strange how abandonments seem to make sense in the near term but in long term don't always benefit the public good. Don't the new owners of the Outlet property have a vested interest in half of Eddy Street?

Won't you join me in support of Councilman Clarkin's effort to recover Garnet Street to the people of the City of Providence. Streets are in the public trust and should be given up only when compelling evidence exists that such will be a greater benefit than their use as a means of public travel.

Please act now on the enclosed documents and be prepared to participate in person if need be. Bob Clarkin will speak actively on this issue at the Council meeting in City Hall on Thursday evening, November 7.

Please call Mayor Cianci's office at 421-7740 and tell him that you want Garnet Street back. Also, please give moral support to Bob Clarkin at 751-2603. The time is now to act decisively on this injustice.

Sincerely,



Charles C. Earle, III  
Director  
Uechi Karate School  
153 Weybosset Street  
Providence, RI 02903

November 6, 1991

Tel 274-1600

November 6, 1991

The Honorable Vincent "Buddy" Cianci  
Mayor of the City of Providence  
City Hall  
Providence, RI 02903

Dear Mayor Cianci,

I am outraged that the Garnet Street abandonment, Providence City Council Resolution #385, dated August 10, 1990, has not yet been rescinded. Johnson and Wales University should be forced to give it back otherwise the city should act to take it back. The street is needed for vehicular travel. Johnson and Wales University doesn't deserve the street for its private use. The previous administration should have corrected this error prior to leaving office.

I urge you to act without delay to correct this injustice.

Sincerely,

Name \_\_\_\_\_

Address \_\_\_\_\_

November 6, 1991

Councilman Robert M. Clarkin  
329 Ives Street  
Providence, RI 02906

Dear Bob,

I am outraged that the Garnet Street abandonment, Providence City Council Resolution #385, dated August 10, 1990, has not yet been rescinded. Johnson and Wales University should be forced to give it back otherwise the city should act to take it back. The street is needed for vehicular travel. Johnson and Wales University doesn't deserve the street for its private use.

You have my support for this effort and I urge you to act without delay to correct this injustice.

Sincerely,

Name \_\_\_\_\_

Address \_\_\_\_\_

THE PROVIDENCE JOURNAL-BULLETIN  
Saturday October 20, 1990

PAGE: A-01  
SECTION: NEWS  
EDITION: ALL  
LENGTH: 721

J&W drops Outlet site plan  
Sources say oil in rubble soured school on project  
By JOHN CASTELLUCCI  
Journal-Bulletin Staff Writer

PROVIDENCE

Plans by\*Johnson\*&\*Wales\*University to buy the former Outlet department store site and build a \$30 million campus on the property have been abandoned.

Even though the 2-acre site may meet the needs of "many, many other enterprises," it fails to meet\*Johnson\*&\*Wales'\*"unique" engineering standards and thus will not be bought by the university as planned,\*Johnson\*&\*Wales\*said in a statement yesterday.

The university continues to be interested in "several other sites within the city of Providence, and particularly in the downtown area," where the university already owns 11 buildings, school officials said.

But that came as no consolation to city officials, who had hoped the planned Weybosset\*Street\*campus would help revitalize downtown.

"We're very disappointed. As you know, we've been working long and hard to make this project come together," said Thomas V. Moses, director of the Department of Planning and Development.

\*Johnson\*&\*Wales\*officials declined to be interviewed about the breakdown of the Outlet deal, despite repeated requests over the last week.

But sources said the university canceled an agreement to pay \$6.1 million for the two acres after a study by Goldberg-Zoino & Associates, the engineering company it hired to inspect the land, indicated the presence of a small oil slick in the rubble used as fill.

\*Johnson\*&\*Wales\*refused to resume negotiations even after Michael Mulhare, supervising engineer of the Ground Water Division of the state Department of Environmental Management, wrote a letter Sept. 17 saying that, based on the Goldberg-Zoino report, "No significant contamination is present."  
.. ."

Mulhare said the oil slick came from a leak in demolition equipment used to tear down the remains of the fire-ravaged Outlet building.

The university demanded that CityPlace Associates, the partnership that owns the land, remove the rubble before it would resume negotiations.

Sheldon Gerber, managing partner of CityPlace, balked at the demand,



according to the sources, because it would cost an estimated \$125,000, and there was no assurance that\*Johnson\*&\*Wales\*would buy the land once the rubble was gone.

Before entering into the\*Johnson\*&\*Wales\*deal, Gerber had been planning to build a 300-car parking lot on the Outlet site. The Providence\*Off-Street\* Public Parking Authority issued \$2.1 million in tax-free bonds for the parking lot and for repairs to the former Outlet garage, which has a 400-car capacity.

The bond money is still available, according to city records, making it possible for Gerber to go ahead with the parking lot. It was unclear yesterday whether he would.

'Heavy loading'

If the rubble had been removed as\*Johnson\*&\*Wales\*had demanded, Gerber would have had to replace it before building the parking lot, explaining why he balked, according to the sources. Bentley Tobin, a lawyer representing Gerber, confirmed the sources' account.

The written statement issued by\*Johnson\*&\*Wales\*made no specific reference to the environmental issue. Instead, it referred to the "heavy loading" that would have been imposed by the high-rise buildings planned by the university and implied that the Outlet site would have been incapable of sustaining the load.

"In addition, we are required to seek financing from national banks and capital markets, often located outside of Rhode Island and New England," the statement continued. "These financial institutions have their own standards which they apply to site selection and make it more difficult for us to select a final site."

Before\*Johnson\*&\*Wales\*issued the statement, Tobin confirmed the breakdown in negotiations.

"To the best of my knowledge, as of today, the parties are no longer negotiating," he said Thursday.\*Johnson\*&\*Wales\*issued the statement after being informed of Tobin's remarks.

The Outlet deal was announced in May. John A. Yena, president of the university, said at the time that the university's plans called for a unified campus, including 500 dormitory rooms, 25,000 square feet of classroom space and a student union building featuring a library, cafeteria and health center. The campus was to be built by 1994.

The city agreed to abandon a section of\*Garnet\*Street,\*which runs immediately west of the Outlet site, so that McNulty Hall, a\*Johnson\*&\*Wales\* dormitory, could be included in the planned campus. The city also agreed to accept an \$80,000-a-year payment in lieu of property taxes from\*Johnson\*&\*Wales,\*which is tax-exempt.

Moses said the\*street\*abandonment, which was approved by the City Council last August, would be rescinded. The payment in lieu of taxes will not take effect.

KEYWORDS: redevelopment

\$MSJBASXB 0002

\*\*\*\*\*

# PETITION

TO: Councilman Robert M. Clarkin

FM: Constituents, Merchants, and Consumers of Ward 1, Providence

We the undersigned, petition the City Council of the City of Providence through the efforts of Councilman Robert M. Clarkin to rescind Resolution 385 dated August 10, 1990 which effectively abandoned Garnet Street between Pine and Weybosset Streets.

Johnson and Wales University has failed to live up to its side of the bargain concerning this abandonment. The street is an essential part of the intricate traffic flow pattern of downtown Providence. The economy is such that any further deterioration in the perceived condition of the downtown area is detrimental to its health. Johnson and Wales University's private use of a public street cannot be deemed any less than personal, selfish and not for the general public good.

We urge the City Council to act expeditiously in this matter to avoid any further public impression that a clandestine give-away has taken place. Take back Garnet Street without delay.

NO.	PRINTED NAME	BUSINESS	ADDRESS	SIGNATURE
-----	--------------	----------	---------	-----------

- |    |                  |                     |                          |                  |
|----|------------------|---------------------|--------------------------|------------------|
| 1. | CHARLES EARLE    | URCHI KARATE SCHOOL | 153 WEYBOSSET            | Charles Earle    |
| 2. | RON WOLFE        | EGG PRODUCTS        | 50 Weybosset             | Ron Wolfe        |
| 3. | ERWIN SMITH      | BONESTO             | 141 Weybosset            | Erwin Smith      |
| 4. | Virginia Macello | Kaplan              | 151 Weybosset            | Virginia Macello |
| 5. | David Brandy     | Metro               | 334 Westminster          | David Brandy     |
| 6. | B. JURIW         | B.H. Lockshop       | 126 Union Street         | B. Juriw         |
| 7. | Michael Lauro    | Bellini Travelers   | 186 Union St Prov        | Michael Lauro    |
| 8. | Thomas J. Sogale | Sabiz Pizzeria      | 199 Weybosset Prov. R.I. | Thomas J. Sogale |

NO.	PRINTED NAME	BUSINESS	ADDRESS	SIGNATURE
	RAK W SONG	SONG'S Jly	203 Weybosset	<i>Rak W Song</i>
	MARJORIE SWIFT	RISD/CE 2 COLLEGE ST		<i>M. Swift</i>
	MICHAEL DANIELS	BCBS	# Weybosset	<i>Michael Daniels</i>
	Dave Hovey	L.M. Hovey & Son	33 Fuller	<i>Dave Hovey</i>
	Joe Giobbi	GPAC	Weybosset	<i>Joe Giobbi</i>
	John Santos		1630 Meridian St Fall River, Ma.	<i>John Santos</i>
	George Verrill	Beauty Works	151 Weybosset St	<i>George Verrill</i>
	John F. Howard	85 ALDEN WARRICK RI		<i>John F. Howard</i>
	Nathan Schatzky	103 Myrtle	Taunton	<i>Nathan Schatzky</i>
	Barbara Neville	Beauty Works	151 Weybosset St	<i>Barbara Neville</i>
	Robert A. Duval	ROBERT A. DUVAL	85 WHITE AVE RIVERSIDE	<i>Robert A. Duval</i>
	Michael Biggin	ARBALLA	175 PARAMOUNT DR.	<i>Michael Biggin</i>
	Roy Carver	ANNUAL INS	RAYNHAM MA. P.O. Box 1610 Providence, RI 02912	<i>Roy Carver</i>
	Steve Melillo		345 Stone Church Rd, Taunton, R.I.	<i>Steve Melillo</i>
	Bob Prosser		10 Benedict Rd. Warwick RI	<i>Bob Prosser</i>
	Nora Dulgarian	Dulgarian Bros	835 Westminster St. Cranston	<i>Nora Dulgarian</i>
	Merrill De Mello		9 GARDEN DRIVE EAST PROVIDENCE, R.I. 02915-3001	<i>Merrill De Mello</i>
	Isabel Brito		109 Eddy St	<i>Isabel Brito</i>
	Mae Paparella		109 Eddy St	<i>Mae Paparella</i>
	Dolores Silvers		135 Weybosset St. Prov. Rd.	<i>Dolores Silvers</i>

## GARNET STREET PETITION

PAGE \_\_\_\_\_

NO.	PRINTED NAME	BUSINESS	ADDRESS	SIGNATURE
	Sandra Oshes	Catalina	Alexand-Mesa	Weybosset St S.A.C.
	Joseph Savano		Alexand-Mesa	257 Weybosset St.
	<del>277</del>	<del>277</del>	<del>277</del>	<del>277</del> Weybosset St.
	Gabe Selen	MURRY PINE	256 Weybosset St	
	Paul Mungell	Arney Pines	256 Weybosset St.	
	<del>277</del>	<del>277</del>	<del>277</del>	<del>277</del> Weybosset St.
	Ch Barrett	Cut Ramon	216 Wey.	
	John K. K. K.	Cutorama	216 Weybosset	
	John K. K. K.	Cutorama	216 Weybosset	
	Jany Fealgi	Cutorama	216 Weybosset	
	Simona Zatureanskaya	Cutorama	216 Weybosset	
	Thomas Harrington		79 Sutton St. Prov. R.D.	
	Valerian Vanchak		20 Page St. Prov. R.D.	
	Michaela Mowrice		79 Sutton St Prov.	
	Paul Mowrice		79 Sutton St Prov.	
	Christopher Lombardi		16 Viola St. Prov.	
	Chris Gabore		9 Betsy Wms Circle Johnston RI	
	William O. Mowrice		206 Union St Kennedys.	
	Camille K. Wale		204 Union St Kennedys	
	Adel J. Mowrice		204 Union St Kennedys	

# GARNET STREET PETITION

PAGE

NO.	PRINTED NAME	BUSINESS
1	ALBERT J. BROWN	DRUGGIST
2	JOHN W. BROWN	DRUGGIST
3	JOHN W. BROWN	DRUGGIST
4	JOHN W. BROWN	DRUGGIST
5	JOHN W. BROWN	DRUGGIST
6	JOHN W. BROWN	DRUGGIST
7	JOHN W. BROWN	DRUGGIST
8	JOHN W. BROWN	DRUGGIST
9	JOHN W. BROWN	DRUGGIST
10	JOHN W. BROWN	DRUGGIST
11	JOHN W. BROWN	DRUGGIST
12	JOHN W. BROWN	DRUGGIST
13	JOHN W. BROWN	DRUGGIST
14	JOHN W. BROWN	DRUGGIST
15	JOHN W. BROWN	DRUGGIST
16	JOHN W. BROWN	DRUGGIST
17	JOHN W. BROWN	DRUGGIST
18	JOHN W. BROWN	DRUGGIST
19	JOHN W. BROWN	DRUGGIST
20	JOHN W. BROWN	DRUGGIST
21	JOHN W. BROWN	DRUGGIST
22	JOHN W. BROWN	DRUGGIST
23	JOHN W. BROWN	DRUGGIST
24	JOHN W. BROWN	DRUGGIST
25	JOHN W. BROWN	DRUGGIST
26	JOHN W. BROWN	DRUGGIST
27	JOHN W. BROWN	DRUGGIST
28	JOHN W. BROWN	DRUGGIST
29	JOHN W. BROWN	DRUGGIST
30	JOHN W. BROWN	DRUGGIST
31	JOHN W. BROWN	DRUGGIST
32	JOHN W. BROWN	DRUGGIST
33	JOHN W. BROWN	DRUGGIST
34	JOHN W. BROWN	DRUGGIST
35	JOHN W. BROWN	DRUGGIST
36	JOHN W. BROWN	DRUGGIST
37	JOHN W. BROWN	DRUGGIST
38	JOHN W. BROWN	DRUGGIST
39	JOHN W. BROWN	DRUGGIST
40	JOHN W. BROWN	DRUGGIST
41	JOHN W. BROWN	DRUGGIST
42	JOHN W. BROWN	DRUGGIST
43	JOHN W. BROWN	DRUGGIST
44	JOHN W. BROWN	DRUGGIST
45	JOHN W. BROWN	DRUGGIST
46	JOHN W. BROWN	DRUGGIST
47	JOHN W. BROWN	DRUGGIST
48	JOHN W. BROWN	DRUGGIST
49	JOHN W. BROWN	DRUGGIST
50	JOHN W. BROWN	DRUGGIST
51	JOHN W. BROWN	DRUGGIST
52	JOHN W. BROWN	DRUGGIST
53	JOHN W. BROWN	DRUGGIST
54	JOHN W. BROWN	DRUGGIST
55	JOHN W. BROWN	DRUGGIST
56	JOHN W. BROWN	DRUGGIST
57	JOHN W. BROWN	DRUGGIST
58	JOHN W. BROWN	DRUGGIST
59	JOHN W. BROWN	DRUGGIST
60	JOHN W. BROWN	DRUGGIST
61	JOHN W. BROWN	DRUGGIST
62	JOHN W. BROWN	DRUGGIST
63	JOHN W. BROWN	DRUGGIST
64	JOHN W. BROWN	DRUGGIST
65	JOHN W. BROWN	DRUGGIST
66	JOHN W. BROWN	DRUGGIST
67	JOHN W. BROWN	DRUGGIST
68	JOHN W. BROWN	DRUGGIST
69	JOHN W. BROWN	DRUGGIST
70	JOHN W. BROWN	DRUGGIST
71	JOHN W. BROWN	DRUGGIST
72	JOHN W. BROWN	DRUGGIST
73	JOHN W. BROWN	DRUGGIST
74	JOHN W. BROWN	DRUGGIST
75	JOHN W. BROWN	DRUGGIST
76	JOHN W. BROWN	DRUGGIST
77	JOHN W. BROWN	DRUGGIST
78	JOHN W. BROWN	DRUGGIST
79	JOHN W. BROWN	DRUGGIST
80	JOHN W. BROWN	DRUGGIST
81	JOHN W. BROWN	DRUGGIST
82	JOHN W. BROWN	DRUGGIST
83	JOHN W. BROWN	DRUGGIST
84	JOHN W. BROWN	DRUGGIST
85	JOHN W. BROWN	DRUGGIST
86	JOHN W. BROWN	DRUGGIST
87	JOHN W. BROWN	DRUGGIST
88	JOHN W. BROWN	DRUGGIST
89	JOHN W. BROWN	DRUGGIST
90	JOHN W. BROWN	DRUGGIST
91	JOHN W. BROWN	DRUGGIST
92	JOHN W. BROWN	DRUGGIST
93	JOHN W. BROWN	DRUGGIST
94	JOHN W. BROWN	DRUGGIST
95	JOHN W. BROWN	DRUGGIST
96	JOHN W. BROWN	DRUGGIST
97	JOHN W. BROWN	DRUGGIST
98	JOHN W. BROWN	DRUGGIST
99	JOHN W. BROWN	DRUGGIST
100	JOHN W. BROWN	DRUGGIST

## ADDRESS

**SIGNATURE**

John Sepe Impulse 127 Weybosset St Providence  
Carmine Carrazza Inca Stone Car. Derrance & Weybosset St  
Kum Pally Georgia Factory 70 Weybosset St. K Pally  
John Pally 108 Weybosset St John Souza  
Darius Blouin 129 Weybosset St Prov, R.I. 029