

FILE NO.: G-23-472

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Name: Scenic Blvd. exclusive right-of-way and easement abandonment located at 55 Scenic Blvd.

Location: Located entirely within the applicant's property at 55 Scenic Blvd., at the end of the existing Scenic Blvd.

Owner: Scenic, LLC

Applicant: Michael Goswami, Rose Law Firm

Request: To abandon the right-of-way and easement rights for a 50 foot right-of-way located entirely within the property located at 55 Scenic Blvd., Pulaski County Tax Parcel ID 33L0120004600 to a point 25 ft. north of the south boundary of said tract.

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STAFF REVIEW:

A. Public Need for This Right-of-Way:

There is no public need for this right-of-way. The right-of-way was never developed. The area through which the right-of-way extends is proposed to be developed as a single home site. The right-of-way provides access to no other property.

B. Master Street Plan:

There are no Master Street Plan issues. The right-of-way is classified as a local street.

C. Characteristics of Right-of-Way Terrain:

The right-of-way was never developed as a street. A private drive, generally within the area of the right-of-way, serves the property.

D. Development Potential:

The applicant proposes to develop the entirety of the property through which the right-of-way extends as a single home site.

E. Neighborhood and Land Use Effect:

There will be no effect on the neighborhood or area land use. The right-of-way is not used by the public and provides access to no other property.

F. Neighborhood Position:

No position has been voiced. No other property owners are involved. Notice was sent to the Heights Residents Association and the two owners of properties that have a corner relationship to the proposed abandonment.

G. Effect on Public Services or Utilities:

All utilities and Public Works approve the exclusive right-of-way and easement abandonment. Entergy and Little Rock Water Reclamation Authority have requested the subsequent dedication of an easement for facilities they have within the parcel and which cross portions of the right-of-way proposed for abandonment.

H. Reversionary Rights:

The right-of-way was dedicated through the plat of Scenic Heights Addition filed for record in Pulaski County on November 28, 1950 and recorded on Plat Book 4, Page 235 of the Pulaski County Real Estate records on November 29, 1950. Reversionary rights are not specified but the right-of-way is located entirely within the applicant's property.

I. Public Welfare and Safety Issues:

The right-of-way does not contain a street and is not used for access to any properties other than that tract owned by the applicant.

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STAFF RECOMMENDATION:

Staff recommends approval of the exclusive abandonment of the undeveloped 50 foot Scenic Blvd. right-of-way located within the property located at 55 Scenic Blvd., Pulaski County Tax Parcel ID 33L0120004600 as recorded in Plat Book 4, Page 235 to a point 25 ft. north of the south boundary of said tract with no retention of any easement rights subject to the specific requested easements being granted to Entergy and Little Rock Water Reclamation Authority.

PLANNING COMMISSION ACTION:

(OCTOBER 24, 2019)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval as outlined in the “staff recommendation” above. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff, including all staff comments and conditions. The vote was 10 ayes, 0 noes and 1 absent.