

FILE NO.: A-329/Z-9188

NAME: 3M Company 3 Tracts Annexation

REQUEST: Accept 111.4 acres plus or minus in three areas to the City

LOCATION: Three areas: 1) Either side of I-440, west of Frazier Pike 53.36 AC;
2) East of State Highway 365, north of McGeorge rail spur 59.45 AC;
3) northwest of E 38th and West Line Street 1.59 AC

SOURCE: Margaret Johnston, Mitchell Williams Law, agent for 3M Company

GENERAL INFORMATION:

- The County Judge signed the annexation order on November 21, 2016.
- All the Tracts are undeveloped and proposed to be used for Mining or as buffers to Mining areas.
- There is one property owner.
- The sites are contiguous to the City of Little Rock along at least one boundary in each case.
- The annexation request is to obtain City services.
- Tract 1 is wooded with a Freeway and rail spur traversing it (generally the 3000-3200 blocks of Frazier Pike); Tract 2 is partial wooded bounded by a state highway, rail spurs and 3M mining operation (generally the 5600-5900 blocks of State Highway 365); Tract 3 is wooded and is between the 3M rock crushing facility and single family houses (west edge of College Station) (generally northwest of the intersection of East 38th and West Line Streets).
- Tract 1 is zoned R-3, Single Family; Tract 2 is not zoned; Tract 3 is zoned R-3, Single Family.

AGENCY COMMENTS:

Public Safety:

Fire: The Little Rock Fire Department has indicated they have no issues or concerns with the annexation.

Police: The Little Rock Police Department has indicated they have no concerns or issues with the annexation.

Infrastructure and Community Facilities:

Rock Region METRO Transit: Rock Region Metro notes that a portion of the annexation is along State Highway 365 which is a transit route. Thus, the annexation will impact the City's funding for Rock Region by adding 0.21 miles of route (i.e. increase annual funding based on the formula using miles of transit route within each jurisdiction).

Parks and Recreation: No Comment Received.

Public Works: Little Rock Solid Waste has no concerns or issues with the annexation. Public Works – Civil, has indicated they have no issues with the annexation request.

Pulaski County Planning: Pulaski County Planning and Development has indicated they have no issues or concerns with that annexation.

Arkansas Geographic Information Office: AGIO expressed no concerns with the annexation and noted the applicant had followed ARK CODE 14-40-101.

Utilities:

Central Arkansas Water: No Comment Received.

Entergy: Entergy Arkansas indicates there are overhead power lines which exist on all three Tracts that might require relocation depending on future development on the Tracts.

Reliant-Energy: No Comment Received.

Wastewater Utility: Indicates there is no sewer service available or in the vicinity of Tract 2. There is no sewer services to Tract 1. There is a sewer main running through Tract 3, which must remain in service.

AT&T: No Comment Received.

Schools:

Little Rock: The Little Rock School District has indicated they have no issues or concerns with the proposed annexation.
The annexation areas are not within the Little Rock School District.

Pulaski County Special: No Comment Received.
The annexation areas are within the Pulaski County Special School District.

ANALYSIS:

3-M Company annexed a large portion of their ownership into the City of Little Rock in 1990 including their mining operation off Arch Street Pike and crushing complex off 3-M Road. This was accomplished with Ordinance 15,984 and was to assure City Services to those facilities. 3-M Company is now requesting to add additional lands, which it owns, to the City close to some of the original 1990 annexation.

Three Tracts are included with the current request. 3-M Company intends to use this land for either additional Mining operations and/or as a buffer for their existing mining and related facilities. The three Tracts are located between the Granite Mountain section of Little Rock and the community of College Station. They are all undeveloped and wooded or are areas where former structures have been removed and the land is returning to a natural cover.

Tract 1 is south of Fourche Creek and west of Frazier Pike. It is wooded and zoned R-3, Single Family. This area was zoned as part of the College Station classification process in 1999 – Ordinance 18142. The City completed this classification of land as a pre-requisite to allowing the wastewater service in the area to be connected to the Little Rock wastewater system. There is an interstate highway (I-440) and rail spur that traverse this Tract. The city limits of Little Rock forms the north, south and west boundaries of the Tract.

Tract 2 is east of Highway 365 at King Road (Dulin Road). This land is returning to a natural state. The land being annexed is surrounded by rail spurs on the south and east, State Highway 365 on the west and the city limits of Little Rock on the north. This land is currently not zoned. The applicant has requested the City classify this land to 'M', Mining as part of the annexation. 3-M Company's land to the north, currently has the 'M', Mining classification and there is a mining operation on that land.

Tract 3 is primarily within the City currently. The portion within the City is currently zoned 'M', Mining with an OS, Open Space strip along the current City Limits. This was done with the annexation of this land in 1990. The portion currently outside the City Limits (1.59 Acres of the 16.61 acres in Tract 2) is zoned R-3, Single Family. This portion was zoned as part of the College Station classification process in 1999.

3-M Company would like annexation so that they would receive police and fire protection from the City of Little Rock, rather than the sheriff's office and volunteer fire departments. They also would like code enforcement, sanitation service and the right to extend to water and wastewater services. They are using a new part of state law (14-40-609) that allows a property owner to annex just their property to a City. This section of the annexation laws of Arkansas was added in the 2015 legislative session. The County has verified there is only one

owner and approved the request as called out in that statute. The areas requesting annexation are adjacent to the City Limits.

The Pulaski County Judge in his Annexation Order has included all public streets and right-of-way abutting or traversing the Tracts. The City's annexation ordinance will be in conformance with the Pulaski County Judge's Order and include adjacent street rights-of-way into the City of Little Rock. This would add Interstate 440 in Tract 1; State Highway 365 in Tract 2; and the right-of-ways for: East 38th Street from Little Rock Avenue to West Line Street, and West Line Street from 38th Street to 37th Street. The other right-of way adjacent to Tract 3 was annexed in with the 1990 3M annexation.

3M is not planning to construct any structures on the tracts that would require water and wastewater service. However there are water lines adjacent to all three tracts from which service could be connected by the applicant. There are also wastewater lines near both Tracts 1 and 3 to which the applicant could extend lines for service. The closest wastewater line to Tract 2 is over 2100 feet. If the applicant wishes service to their Tracts they would have to extend lines from the current locations to their site and coordinate this with the Little Rock Wastewater Utility.

Since 3M is a commercial use, solid waste removal is done by private contract and no additional demands would be made on the City solid waste section. The City would add approximately 800 to 900 linear feet of substandard local streets with Tract 3 (portions of 38th and West Line Streets). The other Tracts would add no maintenance costs since Highway 365 and I-440 are the maintenance responsibility of the State Highway Department. However, the annexation along State Highway 365 would add 0.202 miles of additional transit service route mileage to Little Rock's annual funding formula obligates to Rock Region Metro.

The closest fire station (Station 13) is located at 1105 East Roosevelt Road. From this station via existing streets is just over 1.5 miles to Tract 1, 2.5 miles to Tract 3 and 2.4 miles to Tract 2. Station 4, 7500 Lindsey Road, is the next closest station with runs of 3.1 miles to Tract 1, 2.9 miles to Tract 3 and 3.9 miles to Tract 2.

As a part of the annexation, Tract 2, along State highway 365 will be classified (Case file Z-9188). The other areas included with this annexation are already zoned. Tract 2 along the east side of State Highway 365 will be classified to 'M', Mining. The land to the north of this tract is already zoned 'M', Mining and 3M Company intends to use the property as either mining or as a buffer to their mining operations. In this general area there is mining and related uses to the north and west of the annexation Tract. As stated previously the land within this Tract is currently vacant and returning to a natural state. The Tract is generally in the 5600 through 5900 blocks of State Highway 365. It is bounded by the City to the north and rail spurs to the east and south, with state highway 365 to the

west. The City Land Use Plan for this area shows both Mining and Light Industrial uses in the vicinity.

Staff Recommendation:

Approval of the annexation as requested and the classification of Tract 2 to 'M', Mining.

PLANNING COMMISSION ACTION:

(JANUARY 5, 2017)

The item was placed on the consent agenda for approval. By a vote of 9 for, 0 against, 1 absent, and 1 vacant position the consent agenda was approved.