

FILE NO.: G-23-483

NAME: South Cedar Street and abutting streets and alleys – Right-of-Way Abandonments.

LOCATION: South of Plateau Street south to West 7th Street between Jack Stephens Drive and UAMS Boulevard (Pine Street).

DEVELOPER:

University of Arkansas for Medical Sciences
4301 West Markham Street, #575
Little Rock, AR 72205

OWNER/AUTHORIZED AGENT:

UAMS – Abutting Owner
Development Consultants – Agent

SURVEYOR/ENGINEER:

Development Consultants, Inc.
2200 N. Rodney Parham Road, Suite 220
Little Rock, AR 72212

AREA: N/A NUMBER OF LOTS: N/A FT. NEW STREET: 0 LF

WARD: 3 PLANNING DISTRICT: 9 CENSUS TRACT: 48

CURRENT ZONING: N/A

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant requests to abandon the portion of South Cedar Street, from the south right-of-way line of Plateau Street to the south right-of-way line of West 7th Street and all street and alley rights-of-ways east to west between Jack Stephens Drive right-of-way and UAMS Blvd. right-of-way.

B. EXISTING CONDITIONS:

Cedar Street is a paved right-of-way located within the UAMS campus. The right-of-way width for the street varies from approximately 40 feet to approximately 60 feet.

C. NEIGHBORHOOD NOTIFICATIONS:

UAMS is the only owner of property abutting the right-of-way to be abandoned. There are no other property owners to notify. All neighborhood associations registered with the City of Little Rock were notified of the public hearing.

D. ENGINEERING COMMENTS: No comments.

E. UTILITIES/FIRE DEPARTMENT/PARKS/COUNTY PLANNING

Little Rock Water Reclamation Authority: LRWRA is OK with abandoning the streets and alleys. Please do retain sewer easements for all existing sewer mains within the Capitol Avenue and 6th Street rights-of-way to be abandoned.

Entergy: No objection to requested abandonment. Retain easements to cover Entergy facilities.

CenterPoint Energy: Centerpoint Energy (CNP) has no facilities in conflict with the proposed abandonment and has no objection to the proposal, provided easements are retained where ROW is abandoned.

AT & T: AT&T agrees with the request of right-of-way abandonment along the Pine and Cedar corridor.

Central Arkansas Water: Central Arkansas Water approves with the understanding that utility easements with CAW be retained in the proposed ROW closures.

Fire Department:

Maintain Access:

Fire Hydrants.

Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.1 Access road width with a hydrant** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.

Parks and Recreation: No comments received.

County Planning: No comments.

F. BUILDING CODES/LANDSCAPE:

Building Code: No comments received.

Landscape: No comments.

G. TRANSPORTATION/PLANNING:

Rock Region Metro: No comments.

Planning Division: No comments.

H. ANALYSIS:

The applicant proposes to abandon the portion of Cedar Street, from the south right-of-way line of Plateau Street to the south right-of-way line of West 7th Street. Cedar Street is a paved right-of-way located within the UAMS Campus, with varying right-of-way widths. The right-of-way is generally between 40 and 60 feet wide.

The proposal includes the abandonment of these additional street and alley rights-of-ways located between Plateau Street south to West 7th Street and between Jack Stephens Drive and UAMS Boulevard (Pine Street) including:

- The existing paved alley right-of-way located from Plateau Street south to 4th Street in Block 6 Plateau Addition.
- The 50-foot-wide paved 4th Street right-of-way located from east to west between Jack Stephens Drive and UAMS Blvd. (Pine Street) adjacent to Blocks 5, 6, 11, and 12 Plateau Addition.
- The 16-foot-wide partial paved alley right-of-way located from Cedar Street right-of-way east to the UAMS Blvd. (Pine Street) right-of-way within Block 11 Plateau Addition.
- The 52-foot-wide paved Capitol Avenue right-of-way located from east to west between Jack Stephens Drive and UAMS Blvd. (Pine Street) adjacent to Blocks 11, and 12 Plateau Addition and Blocks 1 and 2 Reyburn and Wright Addition.
- The 44-foot-wide paved 6th Street right-of-way located from east to west between Jack Stephens Drive and UAMS Blvd. (Pine Street) adjacent to Blocks 1,2,3, and 4 Reyburn and Wright Addition.
- The 10-foot-wide undeveloped alley right-of-way located from east to west between the Cedar Street right-of-way and the UAMS Blvd. (Pine Street) right-of-way within Block 1 Reyburn and Wright Addition.

- The 12-foot-wide undeveloped alley right-of-way located from the 6th Street right-of-way north to the alley between Cedar Street and UAMS Blvd. (Pine Street) within Block 1 Reyburn and Wright Addition.
- The 12-foot-wide undeveloped alley right-of-way located north to south between the 6th street right-of-way south to the 7th street right-of-way within Block 4 Reyburn and Wright Addition.
- The 40-foot-wide paved 7th street right-of-way located east to west between the Cedar Street right-of-way and UAMS Blvd. (Pine Street) right-of-way adjacent to Blocks 3,4, and 5 Reyburn and Wright Addition.
- The area adjacent to the 7th street right-of-way south to the Interstate 630 right-of-way east to west between the Cedar Street right-of-way and the UAMS Blvd. (Pine Street) right-of-way with Block 5 Reyburn and Wright Addition.

The areas of abandonment will be incorporated into the UAMS Campus properties for expansion of campus facilities. The areas of abandonment are currently a mix of parking and undeveloped areas.

The applicant has made the following request to the proposed abandonment:

“The petitioner specifically requests that all street right-of-way areas to be vacated be retained as utility and drainage easements; and, that all alley areas to be vacated entirely with no residual easement rights.”

UAMS is the only property owner which abuts the area of right-of-way to be abandoned. Therefore, there were no other property owners to notify of the abandonment request.

A letter from Beach Abstract Company makes the following comments with respect to reversionary clause(s) for the right-of-way to be abandoned:

1. We find that the streets and alleys were dedicated to the Public in the **Dedication Plat and Bill of Assurance to the City of Little Rock, Arkansas**, which was filed for record **June 5, 1895**, in **Plat Book AB, Page 252** and that **THERE ARE NO REVERSIONARY CLASUES.**

Several of the public utility companies request that all or parts of the areas of street abandonment be retained as utility easements. Therefore, all areas of street abandonment will be retained as utility and drainage easements.

There are no Master Street Plan issues, as the area of abandonment is not classified as a collector street or higher.

Abandoning this right-of-way will have no adverse impact on the public welfare and safety. The Little Rock Fire Department submitted no negative comments to the proposed abandonment request.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested right-of-way abandonments, subject to the following conditions:

1. Compliance with the comments and conditions outlined in paragraph E of the staff analysis.
2. The entire areas of street abandonment must be retained as a utility and drainage easement.
3. All alley rights-of-way are to be abandoned with no easement rights retained.

PLANNING COMMISSION ACTION:

(APRIL 14, 2022)

The applicant was present. There were no persons present registered in support or opposition. 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 nays, 0 absent and 1 open position.