

FILE NO.: G-23-471

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Name: Exclusive Right-of-Way and Easement Abandonment for an undeveloped 30 foot unnamed right-of-way located north of Kanis Road, east of Embassy Suites Drive.

Location: North of Kanis Road, east of Embassy Suites Drive

Owner: City of Little Rock

Applicant: Marion Scott Foster, Arkansas Surveying and Consulting

Request: To abandon the right-of-way and easement rights for a 30 foot undeveloped and unnamed right-of-way located north of Kanis Road, east of Embassy Suites Drive.

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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. Embassy Suites Drive is located just to the west.

B. Master Street Plan:

There are no Master Street Plan issues. Kanis Road is now being improved by the City.

C. Characteristics of Right-of-Way Terrain:

Portions of the right-of-way are lightly wooded. Other areas have until recently be used as a driveway to access the business that was located on the property adjacent to the east. That business has left the property which is now owned by the City.

D. Development Potential:

As a result of property acquisitions associated with the Kanis Improvement project, the City now owns the properties to the east and west of the right-of-way. Abandoning the right-of-way will allow for the joining and marketing of the overall property. A proposal to zone the overall property to C-3 is a separate item on this agenda.

E. Neighborhood and Land Use Effect:

Abandoning the right-of-way will have no effect on the neighborhood and area land use as the right-of-way was never developed or used.

F. Neighborhood Position:

No portion has been voiced. No other property owners are involved. Notice was sent to the John Barrow Neighborhood Association.

G. Effect on Public Services or Utilities:

All utilities and Public Works approve the exclusive right-of-way abandonment with no retention of easement rights.

H. Reversionary Rights:

The right-of-way was dedicated through the plat of West Highlands Subdivision recorded in Book 1, Page 273. Reversionary rights extend to the owner of the abutting properties, the City of Little Rock.

I. Public Welfare and Safety Issues:

The right-of-way does not contain a street and is not used for access to any properties. The abutting properties are accessed from Kanis Road and Embassy Suites Drive.

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STAFF RECOMMENDATION:

Staff recommends approval of the exclusive abandonment of the undeveloped, unnamed 30 foot right-of-way located between Lots 58 and 59, West Highlands Subdivision as recorded in Book 1, Page 273 with no retention of any easement rights.

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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.