

FILE NO.: G-23-481

NAME: Jack Stephens Drive – Right-of-Way Abandonment

LOCATION: South of Plateau Street to West 6th 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 Jack Stephens Drive, from the south right-of-way line of Plateau Street to the south right-of-way line of West 6th Street.

B. EXISTING CONDITIONS:

Jack Stephens Drive 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 COMMENTS:

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: No objection to abandonment. Retain area of right-of-way as a utility easement.

Entergy: No objection to abandonment. Provide easements for existing facilities and have adequate rights of access to those facilities.

CenterPoint Energy: No objection to abandonment. Retain areas as utility easement.

AT & T: No objection to abandonment.

Central Arkansas Water: Central Arkansas Water has water lines in the proposed abandonment areas. Locate the water lines and provide easements for the lines.

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.

Grade

Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade except as approved by the fire chief. If the grade exceeds 10 percent, approval will be denied and the applicant must submit request to be reviewed by Fire Chief for Approval.**

Loading

Maintain fire apparatus access road design as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus

access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

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 Jack Stephens Drive, from the south right-of-way line of Plateau Street to the south right-of-way line of West 6th Street. Jack Stephens Drive 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. A small portion of the right-of-way (approximately 100 feet in length) was previously abandoned by Ordinance No. 17,852. This portion is located between West 4th Street and West Capitol Street.

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

“All abandoned right-of-way areas will be retained as utility and drainage easements as there are many lines existing there today. The abandonment will facilitate UAMS in taking ownership of several duct banks, presently owned by Entergy, as well as their continued improvements in this part of the campus.”

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 E½ of Elm Street was 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 the **THERE ARE NO REVERSIONARY CLASUES.**
2. We find that the E½ of Elm Street was dedicated to the Public in the **Dedication Plat and Bill of Assurance to the City of Little Rock, Arkansas**, which was filed for record **July 20, 1906**, in **Plat Book 1, Page 25** and the **THERE ARE NO REVERSIONARY CLASUES.**
3. *According to the City of Little Rock the W½ of Elm Street was most likely never dedicated because it was always owned by the State of Arkansas and it was not required for them to dedicate. So therefore, we cannot state whether there is a Reversionary clause.*

Several of the public utility companies request that all or parts of the area of abandonment be retained as a utility easement. Therefore, the entire area of abandonment will be retained as a utility and drainage easement.

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 abandonment, subject to the following conditions:

1. Compliance with the comments and conditional outlined in paragraph E of the staff analysis.
2. The entire area of abandonment must be retained as a utility and drainage easement.

PLANNING COMMISSION ACTION:

(DECEMBER 9, 2021)

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 9 ayes, 0 nays and 2 absent.