

Name: Alley – Right-of-Way Abandonment

Location: Block 30, Original City of Little Rock

Owner/Applicant: Texarkana Newspapers, Inc. and Junior League of Little Rock/Moses Tucker Real Estate, Inc.

Request: The applicant proposes to abandon the south 150 feet of the alley right-of-way located within Block 30, Original City of Little Rock. The block is bounded by E. 4<sup>th</sup> Street, E. Capitol Avenue, Scott Street and Cumberland Street.

Purpose: Continued use as paved parking lot with possible future redevelopment.

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STAFF REVIEW:

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

As noted in paragraph G., none of the public utility companies object to the abandonment request. Two (2) of the utilities request to retain the area of abandonment as a utility easement. The Public Works Comment is as follows:

1. A drainage and utility easement should be maintained following abandonment.

B. Master Street Plan:

There are no Master Street Plan issues associated with this abandonment request, as the right-of-way is not classified as a collector street or higher.

C. Characteristics of Right-of-Way Terrain:

The alley right-of-way area is currently part of a paved parking lot within the south half of this block.

D. Development Potential:

After abandonment, the area of right-of-way will continue to be used as paved parking, with the possibility of future redevelopment.

E. Neighborhood and Land Use Effect:

The Junior League of Little Rock building is located within the northwest quarter of the block, with the remaining portion of the block being paved parking area. The River City Travel Center is located within the block to the east. All other surrounding blocks are located by office/multi-use buildings and paved parking areas.

F. Neighborhood Position:

The Downtown and MacArthur Park Neighborhood Associations were notified of the abandonment request. As of this writing, staff knows of no objectors to the abandonment request.

G. Effect on Public Services or Utilities:

Little Rock Wastewater: No objection to abandonment. Retain 10 foot dedicated sewer easement.

Entergy: No objection to abandonment. Retain 24 hour access to Entergy facilities in this alley – specifically service to a pole and private area light currently located on the southeast corner of the existing building located on the northwest corner of the block. A service wire to the light pole extends from a pole in the center of the block along E. Capitol Avenue. Access is required for ongoing maintenance and restoration as periodically required. Vehicular access to the pole may be required from time-to-time. If some type of barrier is used to limit vehicular access to this location, then it should be removable so that Entergy's employees may move it when access is required.

Centerpoint Energy: No objection to abandonment.

AT&T: No objection to abandonment.

Central Arkansas Water: No objection to abandonment.

H. Reversionary Rights:

The alley right-of-way is located within the Original City of Little Rock. Information submitted by an abstract company notes that there were no reversionary clauses/rights found of record. Based on the fact that the alley right-of-way is within the Original City of Little Rock, the City will retain ownership of the area after abandonment. The applicant must follow the established procedure to purchase the property from the City after abandonment. The applicant has been provided a copy of the procedure.

I. Public Welfare and Safety Issues:

Abandoning these rights-of-way will have no adverse impact on the public welfare and safety. The Little Rock Fire Department has reviewed and approved the abandonment request, with the following comment:

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.

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SUBDIVISION COMMITTEE COMMENT: (FEBRUARY 4, 2015)

Jimmy Moses, Chris Moses and Emily Madden were present, representing the application. Staff briefly described the proposed abandonment, noting that there were no outstanding issues. The proposed abandonment was briefly discussed, with Public Works and Utility Comments noted.

After the discussion, the Committee forwarded the application to the full Commission for resolution.

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STAFF RECOMMENDATION:

Staff recommends approval of the request to abandon the south 150 feet of the 20 foot wide alley right-of-way located within Block 30, Original City of Little Rock, subject to the entire area of abandonment being retained as a utility and drainage easement.

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PLANNING COMMISSION ACTION: (FEBRUARY 26, 2015)

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 by a vote of 8 ayes, 0 noes, 1 absent. and 2 open positions.