

FILE NO.: G-23-480

NAME: Polk Street – Partial Right-of-Way Abandonment

LOCATION: Adjacent to 5424 Country Club Blvd.

DEVELOPER:

Gary Smith
2525 N. Fillmore Street
Little Rock, AR 72207

OWNER/AUTHORIZED AGENT:

Rebecca/Gary Smith Joint Trust – Owner
Gary Smith – Applicant

SURVEYOR/ENGINEER:

Cunningham Surveying, LLC
2105 Lorraine Drive
Little Rock, AR 72206

AREA: 0.048 acre NUMBER OF LOTS: N/A FT. NEW STREET: N/A

WARD: 3 PLANNING DISTRICT: 4 CENSUS TRACT: 16

CURRENT ZONING: R-2

Variance/Waivers: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant requests to abandon the east 15 feet of the Polk Street right-of-way (15 feet by 140 feet) located adjacent to Lot 8, Block 9, Newton's Addition to the City of Little Rock (5424 Country Club Blvd.).

B. EXISTING CONDITIONS:

The area of abandonment is currently undeveloped and used as yard space for the residence at 5424 Country Club Blvd.

C. NEIGHBORHOOD COMMENTS:

All owners of property abutting the right-of-way and all neighborhood associations registered with the City of Little Rock were notified of the public hearing.

D. ENGINEERING COMMENTS:

1. Provide the total right-of-way widths for Polk Street and Country Club on survey.
2. Provide the right-of-way width from center of street to proposed property line.

E. UTILITIES/FIRE DEPARTMENT/PARKS/COUNTY PLANNING:

Little Rock Water Reclamation Authority: No objection to abandonment. Retain a 10 foot wide sewer easement running east/west across the north end of the property, for existing 8-inch sewer main.

Entergy: No objection to abandonment.

CenterPoint Energy: No objection to abandonment.

AT & T: No objection to abandonment.

Central Arkansas Water: No objection to abandonment.

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.

One- or Two-Family Residential Developments.

As per Appendix D, Section D107.1 of the Arkansas Fire Prevention Code Vol. 1, One- or Two-Family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are **more than 30 dwelling units** on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved **automatic sprinkler system** in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the Arkansas Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Fire Hydrants

Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code. Section C101 – C105, in conjunction with Central Arkansas Water (Daniel Tull 501-377-1245) and the Little Rock Fire Marshal’s Office (Capt. Tony Rhodes 501-918-3757 or Capt. John Hogue 501-918-3754). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comments.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comment received.

Landscape: No comment.

G. **TRANSPORTATION/PLANNING:**

Rock Region Metro: No comment received.

Planning Division: No comment.

H. ANALYSIS:

The owner of the residence located at 5424 Country Club Blvd. requests to abandon the east 15 feet of the Polk Street right-of-way (15 feet by 140 feet) located adjacent to Lot 8, Block 9, Newton's Addition to the City of Little Rock. The abandonment is requested in order to incorporate the area of abandonment into this single family residential lot for extra yard space.

The Polk Street right-of-way at this location is currently 80 feet wide. A 50 foot wide right-of-way is typically required in single family residential areas. The 15 foot wide portion of right-of-way proposed for abandonment is excess right-of-way.

The Polk Street right-of-way was dedicated with the original subdivision of Newton's Addition to the City of Little Rock. The reversionary rights will extend to the owner of Lot 8, Block 9, Newton's Addition for this portion of the east half of the right-of-way.

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

Abandoning this small portion of Polk Street right-of-way will have no adverse impact on the public welfare and safety. The Little Rock Fire Department has expressed no objection to the abandonment request.

I. STAFF RECOMMENDATION:

Staff recommends approval of the abandonment of the 15-foot by 140-foot portion of the Polk Street right-of-way located adjacent to Lot 8, Block 9, Newton's Addition, subject to retaining a 10 foot wide sewer easement running east/west across the north end of the abandonment area, for an existing 8-inch sewer main.

PLANNING COMMISSION ACTION:

(OCTOBER 14, 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 10 ayes, 0 nays and 0 absent and 1 open position.