1	ORDINANCE NO
2	
3	AN ORDINANCE AUTHORIZING AN ALLEY AND UNNAMED STREET
4	RIGHT-OF-WAY ABANDONMENT LOCATED WITHIN BLOCK 8,
5	JOSEPHINE PANKEY 3 RD ADDITION AND THE UNNAMED STREET
6	SOUTH OF BLOCK 8 (G-23-494) FOR THE PURPOSES OF
7	DEVELOPMENT OF RESTAURANTS; AND FOR OTHER PURPOSES.
8	DEVELOTIVE AT RESTRICK AT 15, AND TOK OTHER TOK OSES.
9	WHEREAS, Anchor Realty Investments, LLC, requests the abandonment of an alley within Block
10	8, Josephine Pankey 3 rd Addition and an unnamed street, south of Block 8 (G-23-494) within the
11	Highway 10 Design Overlay District and part of the River Mountain Planning District; and,
12	WHEREAS, the alley right-of-way proposed for abandonment is a ten (10) foot wide platted alley.
13	running north/south through Block 8, Josephine Pankey 3 rd Addition. The unnamed street is a forty (40)
14	foot wide right-of-way, running east/west along the south boundary of Block 8; and
15	WHEREAS, all of the properties abutting the proposed area of the abandonment are owned by the
16	same owner; and,
17	WHEREAS, the remaining properties of the overall abandonment are undeveloped; and,
18	WHEREAS, the majority of the alley and unnamed street are within the Highway 10 Design
19	Overlay District; and
20	WHEREAS, all owners of the property abutting the site and all neighborhood associations
21	registered with the City of Little Rock were notified of the public hearing; and
22	WHEREAS, none of the public utility companies object to the abandonment request; however, the
23	abandonment street right-of-way will need to be retained as an easement; and
24	WHEREAS, The Land Use Plan shows the Residential Low Density (RL) category provides for
25	single-family homes at densities not to exceed six (6) dwelling units per acre. Such residential
26	development is typically characterized by conventional single-family homes but may also include pation
27	or garden homes and cluster homes, provided that the density remains less than six (6) units per acre for
28	the requested area.; and
29	WHEREAS, Cantrell Road is a Principal Arterial on the Master Street Plan and a standard right-of-
30	way of one hundred ten (110) feet is required; and,
31	WHEREAS, sidewalks are required on both sides; and
32	WHEREAS, this street may require dedication of right-of-way and may require street
32	improvements: and

- WHEREAS, Cantrell Road is on the Master Bike Plan as a proposed Class I Bike Path. Class I
- 2 Bike Paths are routes designated for the sole use of bicycles that is physically separate from vehicular
- 3 lanes; and

13

14

15

16

17

18

19

20

21

27

28

29

32

- 4 **WHEREAS**, the area of proposed abandonment will be used to develop restaurants; and
- WHEREAS, all owners of property abutting the site and all neighborhood associations registered with the City of Little Rock were notified of the public hearing; and,
- WHEREAS, the Planning Commission approved such abandonment at a public hearing on December 12, 2024, where applicants were present and no person registered in opposition; and,
- 9 **WHEREAS**, all proper statutory procedures for such an abandonment have been met and the issue 10 is ripe for consideration by the Board of Directors.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

- **Section 1.** The Board of Directors hereby approves the abandonment and closing of the property described as that portion of Block 8, Josephine Pankey 3rd Addition and an unnamed street, within the Highway 10 Design Overlay District and part of the River Mountain Planning District G-23-494 for the applicant to develop restaurants.
- **Section 2.** The Fire Department maintains a fire hydrant and an apparatus access road; therefore, pursuant to the 2021 Arkansas Fire Prevention Code Volume 1, Section D103.1 the apparatus access road must be a minimum width of twenty-six (26) feet.
- **Section 3.** Pursuant to the 2021 Arkansas Fire Prevention Code Volume 1, Section D103.2; the apparatus access road shall not exceed ten percent (10%) in grade except as approved by the fire chief.
- Section 4. Pursuant to the 2021 Arkansas Fire Prevention Code Volume 1, Section D102.1, facilities, buildings and portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least Seventy-Five Thousand (75,000) pounds.
 - **Section 5.** Pursuant to the 2021 Arkansas Fire Prevention Code Volume 1, Section D103.4, deadend fire apparatus access roads in excess of One Hundred Fifty (150) feet shall be provided with width and turnaround provisions.
- Section 6. Pursuant to the 2021 Arkansas Fire Prevention Code Volume 1, Section D103.5, gates securing the fire apparatus access road(s) shall comply with all of the following criteria:
 - (1) Minimum gate width shall be twenty (20) feet;
- 33 (2) Gates shall be of swinging or sliding type;
- 34 (3) Construction of Gates shall be of material that allow manual operation by one person;

1 (4) Gate components shall be maintained in an operable condition at all times and replace or 2 repaired when defective; 3 (5) Electric gates shall be equipped with a means of opening the gate by fire department personnel 4 for emergency access. Emergency opening devices shall be approved by the fire code official; 5 (6) Manual opening gates shall not be locked with a padlock or chain and padlock unless they are 6 capable of being opened by means of forcible entry tools or when a key box containing the keys to the 7 lock is installed at the gate location; 8 (7) Locking device specifications shall be submitted for approval by the fire code official; 9 (8) Electric gate operators, where provided, shall be listed in accordance with UL 325; and 10 (9) Gates, intended for automatic operation, shall be designed, constructed and installed to comply 11 with the requirements of ASTM F 2200. 12 Section 7. The utility companies shall be provided with a ten (10) foot easement to maintain the 13 existing facilities. 14 Section 8. The Fire Department shall be provided an approved apparatus access road(s), grades 15 and gates as set out in the 2021 Arkansas Fire Prevention Code, Volume 1, Sections D103.1, D103.2, 16 D102.1, D103.4, and D103.5. 17 **Section 9.** The property will be closed except for the aforementioned utility easements and Fire 18 Department approved apparatus access road(s), grades, and grates. 19 **Section 10.** Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or 20 word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or 21 adjudication shall not affect the remaining portions of the resolution which shall remain in full force and 22 effect if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the 23 ordinance. 24 Section 11. Repealer. All laws, ordinances, resolutions, or parts of the same that are inconsistent 25 with the provisions of this resolution are hereby repealed to the extent of such inconsistency. 26 ADOPTED: February 18, 2025 27 **ATTEST: APPROVED:** 28 29 30 Allison Segars, City Clerk Frank Scott, Jr., Mayor 31 APPROVED AS TO LEGAL FORM: 32 33

34

Thomas M. Carpenter, City Attorney