

Name: Rose Street – Right-of-Way Abandonment

Location: Between N. Lookout and Kenyon Streets

Owner/Applicant: Elizabeth Hufford, Charles Puddephatt, III, and Josephine Parent

Request: To abandon the undeveloped portion of the 44 foot wide Rose Street right-of-way located between N. Lookout Road and Kenyon Street (between 4301 and 4225 N. Lookout Road) (approximately 179.5 linear feet).

Purpose: The abandonment is proposed to incorporate the area of abandonment into the three (3) adjacent lots for yard space.

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. Several of the utilities request to retain all or part of the area of abandonment as utility easement. The Public Works Comment is as follows:

- Drainage easements should be maintained in the right-to-way to convey storm water from adjacent property. An access easement should be maintained in the right-of-way for access to the new constructed driveway on the east.

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 collector street or higher.

C. Characteristics of Right-of-Way Terrain:

The area of abandonment is undeveloped and covered with trees and undergrowth. The south portion of the area of abandonment contains some landscape improvements made by an adjacent property owner. The area of abandonment has a severe slope downward from south to north, and serves as a drainage way for the immediate area. There is a driveway within the upper,

south portion of the right-of-way which extends behind 4225 N. Lookout Street and provides access to the residence at 4221 N. Lookout Street.

D. Development Potential:

The abandonment of this portion of the Rose Street right-of-way is proposed in order to use the area as private yard space by the adjacent single family lot owners.

E. Neighborhood and Land Use Effect:

Single family residences are located on the adjacent properties to the east and west. Single family properties are also located to the south. Allsopp Park property is located across N. Lookout Road to the north.

F. Neighborhood Position:

All three (3) adjacent property owners have signed the petition to abandon. No other property owners are required to be notified of the abandonment request. Staff notified the Hillcrest Residents Association of the abandonment request. The owners of the property at 4221 N. Lookout submitted a letter supporting the abandonment request.

G. Effect on Public Services or Utilities:

Little Rock Wastewater: No objection to abandonment. Retain easement five (5) feet either side of existing sewer main located within right-of-way to be abandoned.

Entergy: No objection to abandonment as long as Entergy retains any existing easement for its existing lines and is able to access them for future maintenance and service.

Centerpoint Energy: No objection to abandonment. Retain as easement for existing facilities.

AT&T: No objection to abandonment.

Central Arkansas Water: No objection to abandonment. Retain area of abandonment as an easement for existing facilities.

H. Reversionary Rights:

According to an abstract company, there are no reversionary rights and ownership of the right-of-way will be split between the three (3) adjacent property owners.

I. Public Welfare and Safety Issues:

Abandoning this right-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.

STAFF RECOMMENDATION:

Staff recommends approval of the request to abandon the undeveloped 44 foot wide Rose Street right-of-way located between N. Lookout road and Kenyon Street (between Lot 1, Block 14 and Lot 14 and a portion of Lot 15, Block 16, Hillcrest Addition), subject to the following conditions:

1. The entire area of abandonment must be retained as a utility and drainage easement.
 2. An access easement must be retained within the south portion of the abandonment area for the existing access drive which serves 4221 N. Lookout.
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PLANNING COMMISSION ACTION:

(DECEMBER 17, 2015)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval. There was no further discussion. The item was placed on the consent agenda and approved. The vote was 10 ayes, 0 noes and 1 absent.