

**OFFICE OF THE CITY MANAGER
LITTLE ROCK, ARKANSAS**

**BOARD OF DIRECTORS COMMUNICATION
JULY 21, 2015 AGENDA**

Subject:	Action Required:	Approved By:
<p>Alley – Right-of-Way Abandonment, located within Block 40, Original City of Little Rock, Arkansas. (G-23-457)</p>	<p>√ Ordinance Resolution Approval Information Report</p>	<p>Bruce T. Moore City Manager</p>
<p>Submitted By: Planning & Development Department</p>		
SYNOPSIS	<p>The adjacent property owners propose to abandon the north 239 feet of the alley right-of-way located within Block 40, Original City of Little Rock, Arkansas. The block is bounded by East 6th Street, East Capitol Avenue, Rock Street and Cumberland Street.</p>	
FISCAL IMPACT	<p>None.</p>	
RECOMMENDATION	<p>Approval of the ordinance.</p>	
CITIZEN PARTICIPATION	<p>The Planning Commission reviewed this issue at its May 21, 2015, meeting, and there were no objectors present. The two (2) abutting property owners have signed-off on the abandonment request. The owner of the small grocery store property at the south end of the alley was notified of the abandonment request. The Downtown and MacArthur Park Neighborhood Associations were notified of the public hearing. As of this writing, staff knows of no objectors to the abandonment request. The Commission voted, as part of the Consent Agenda, to recommend approval of the requested right-of-way abandonment. The vote was 9 ayes, 0 nays and 2 absent.</p>	
BACKGROUND	<p>The adjacent property owners propose to abandon the north 239 feet of the twenty (20)-foot wide alley right-of-way located within Block 40, Original City of Little Rock, Arkansas.</p>	

BACKGROUND

The block is bounded by East Capitol Avenue, East 6th Street, Rock Street and Cumberland Street. On April 23, 2015, the Planning Commission approved a subdivision site plan review for the entire east half of the block, except the small grocery store building and the apartment building. The approved site plan includes a multiple building apartment development with retail space. It also includes fencing and gating the north 239 feet of the alley right-of-way, for controlled access to the new development.

Two (2) existing buildings (American Legion and apartments) are located within the northeast quarter of the overall block. Paved parking for the buildings is located within the southeast quarter of the block. A Central Arkansas Water office building and Little Rock Police Downtown Patrol sub-station are located within the northwest quarter of the block. Paved parking for Central Arkansas Water is located within the block's southwest quarter. A small grocery store building is also located within the southeast quarter of the block. The surrounding blocks contain a mixture of residential, office and commercial uses, including paved parking lots.

The alley right-of-way is currently paved its entire length between East Capitol Avenue and East 6th Street. Paved parking lots on the east and west sides of the alley right-of-way utilize the alley for access and circulation.

As noted in paragraph G., of the attached staff report, none of the public utility companies object to the abandonment request. Several of the utilities request to retain the area of abandonment as a utility easement. The Public Works Comment is as follows:

1. Drainage easements should be maintained in the right-of-way to convey storm water from adjacent property.
2. Show proposed location of call box. A franchise permit is required to be obtained for all private encroachments within the right-of-way.

There are no Master Street Plan issues associated with this abandonment request, as none of the right-of-way is not classified as a collector street or higher.

**BACKGROUND
CONTINUED**

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.

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.