

Name: Wellington Village Road – Right-of-Way Abandonment

Location: Southeast corner of Wellington Village Road and Wellington Hills Road

Owner/Applicant: Winrock Development Company, The Church at Wellington and 15400 Chenal, LLC/Joe White, White-Daters and Associates

Request: To abandon approximately 1.29 acres of excess Wellington Village Road right-of-way.

Purpose: To incorporate into the adjacent O-1 zoned property to the east (unrecorded Tract B, The Villages of Wellington) for the development of administrative offices for a church facility.

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STAFF REVIEW:

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

As noted in paragraph G., several of the utility companies request portions of the proposed area of abandonment be retained as utility easements. Public Works has reviewed the abandonment request and has no comments.

B. Master Street Plan:

The requested abandonment is for excess right-of-way at this intersection of Wellington Village Road and Wellington Hills Road. After abandonment, adequate right-of-way will exist to satisfy the City's Master Street Plan.

C. Characteristics of Right-of-Way Terrain:

The area of abandonment is currently undeveloped and tree covered. The property slopes generally downward from north to south and west to east. The adjacent property to the east (unrecorded Parcel B, The Villages of Wellington) is also undeveloped and tree covered.

D. Development Potential:

After abandonment, the area of abandonment will be incorporated into the Parcel B, The Villages of Wellington for development of administrative offices for a church facility.

E. Neighborhood and Land Use Effect:

Undeveloped O-1 zoned property is located immediately east of the area proposed for abandonment. A church facility is located to the north. Undeveloped O-3 zoned property is located to the south, with undeveloped C-1 zoned property to the west, across Wellington Hills Road. There is a mixture of commercial, multifamily and single-family uses in this general area.

F. Neighborhood Position:

All abutting property owners have signed-off on the abandonment request. The Villages of Wellington Neighborhood Association was notified of the abandonment request. Staff knows of no objectors to the abandonment request.

G. Effect on Public Services or Utilities:

Little Rock Water Reclamation Authority: A 20 foot wide sanitary sewer easement will be required, running north/south through the center of the proposed abandonment area. A 10 foot wide sanitary sewer easement will be required at the northwest corner of the proposed abandonment area.

Entergy: Approved as submitted.

Centerpoint Energy: "Centerpoint Energy owns and operates known natural gas facilities directly adjacent to the proposed abandoned ROW along Wellington Village Road. Centerpoint Energy requests a 10' (minimum) General Utility Easement be maintained parallel to Wellington Village & Wellington Hills Road in regards to the proposed abandonment."

AT&T: AT&T has a fiber cable on the east side of Wellington Hills that runs north and crosses Wellington Village Road

The applicant can either reimburse AT&T for moving the cable (if there is a suitable place to relocate), or he can grant an easement across the property to encompass the cable. White Daters can either dedicate the easement on its plat, or if the applicant prefers, AT&T can send him an AT&T easement to sign. If the applicant signs our easement, AT&T will need to be provided with a recordable easement description.

Central Arkansas Water: Central Arkansas Water approved as submitted.

H. Reversionary Rights:

According to an abstract company, the right-of-way was dedicated via an easement deed (89-19948) recorded on April 18, 1989 and a right-of-way deed (94-06676) recorded on October 1, 1993. Neither deed contains reversionary clauses.

I. Public Welfare and Safety Issues:

Abandoning this excess 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.

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SUBDIVISION COMMITTEE COMMENT:

(JULY 12, 2017)

Joe White was present, representing the application. Staff briefly described the proposed right-of-way abandonment. Staff noted that there were no outstanding issues associated with the request. After a brief 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 excess right-of-way for Wellington Village Road, subject to areas of the abandonment being retained as utility easements, as noted in paragraph G. of the staff report.

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PLANNING COMMISSION ACTION:

(AUGUST 3, 2017)

The applicant was present. There were no objectors present. Staff presented the application with a recommendation of approval.

The application was placed on the Consent Agenda for approval as recommended by staff. The vote was 9 ayes, 0 nays and 2 absent. The application was approved.