

Name: Unnamed Street – Right-of-Way Abandonment

Location: West of S. University Avenue, south of Midtown Avenue

Owner/Applicant: Little Rock Midtown Limited Partnership/Robert Brown, Development Consultants, Inc.

Request: The request is to abandon the 50 foot wide (50 feet by 294 feet) unnamed street right-of-way running south from Midtown Avenue, approximately 639 feet west of S. University Avenue.

Purpose: To be incorporated into adjacent property for future development.

STAFF REVIEW:

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

As noted in paragraph G., none of the utility companies object to the abandonment request. None of the utilities request to retain the area of abandonment as an easement. Public Works for reviewed and approved the abandonment request, with no portion of the area of abandonment being retained as a drainage easement.

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 a collector street or higher.

C. Characteristics of Right-of-Way Terrain:

The area of right-of-way is currently undeveloped, and was never developed as a public street. It was previously used as a driveway and parking for the Doctors Hospital which was removed from the property.

D. Development Potential:

After abandonment, the area of abandonment will be incorporated into the adjacent property to the east and west for future development of professional office/commercial.

E. Neighborhood and Land Use Effect:

The general area contains a mixture of commercial, office and residential uses. A mixed use development is located north of Midtown Avenue. The Doctors Building and parking deck are located to the east. Another clinical use is located to the west, with single family and multifamily uses further west. The old Sears development is located across West 6th Street to the south.

F. Neighborhood Position:

The sole abutting property owner has signed-off on the abandonment request. The Briarwood Neighborhood Association was notified of the abandonment request.

G. Effect on Public Services or Utilities:

Little Rock Water Reclamation Authority: No facilities in the affected area and therefore no objection.

Entergy: No objections to the proposed right-of-way abandonment and easement rights. Entergy feeds the area electrically from an underground line running along 6th Street to the south of the property/easement in question.

Centerpoint Energy: Approve the abandonment request.

AT&T: Approve the request to abandon right-of-way.

Central Arkansas Water: Approve with no comments.

H. Reversionary Rights:

The right-of-way was dedicated and filed for record on July 25, 1958 in Book 669, Page 363.

The dedication document contains no reversionary clause. After abandonment, the area right-of-way will revert to Little Rock Midtown Limited Partnership, owner of the abutting property along all sides of the right-of-way.

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. The Fire Department made the following comments which apply to redevelopment of the overall site:

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.

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.

SUBDIVISION COMMITTEE COMMENT:

(JANUARY 3, 2018)

Robert Brown was present, representing the application. Staff described the proposed abandonment request. Vince Floriani, of Public Works, noted that the area of abandonment would not need to be retained as a drainage easement. Staff noted that all utility companies approve of the abandonment request, and that none requested easements being retained. Staff noted that the abandonment would be exclusive, with no portion being retained as an easement. After the brief discussion, the Committee forwarded the application to the full Commission for resolution.

STAFF RECOMMENDATION:

Staff recommends approval of the request to abandon the 50 foot wide unnamed street right-of-way running south of Midtown Avenue, approximately 639 feet west of S. University Avenue. No portion of the area of right-of-way will be retained as an easement.

PLANNING COMMISSION ACTION:

(JANUARY 25, 2018)

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 10 ayes, 0 nays and 1 absent. The application was approved.