

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

**BOARD OF DIRECTORS COMMUNICATION
JUNE 17, 2014 AGENDA**

Subject:	Action Required:	Approved By:
<p>Alley – Right-of-Way Abandonment, located within Block 4, Clark’s Addition (block bounded by West 23rd, West 24th, Arch and Gaines Streets). (G-23-443)</p> <p>Submitted By:</p> <p>Planning & Development Department</p>	<p style="text-align: center;">√Ordinance Resolution Approval Information Report</p>	<p style="text-align: center;">Bruce T. Moore City Manager</p>
SYNOPSIS	<p>The adjacent property owners propose to abandon the twenty (20)-foot wide (north/south) alley right-of-way located within Block 4, Clark’s Addition.</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 1, 2014, meeting, there were no objectors present. All the adjacent property owners have signed off on the abandonment request. No other property owners are required to be notified of the abandonment request. The Downtown Neighborhood Association was notified of the abandonment request.</p> <p>The Commission voted, as part of the Consent Agenda, to recommend approval of the requested right-of-way abandonment. The vote was 10 ayes, 0 nays and 1 absent.</p>	

BACKGROUND

The adjacent property owners propose to abandon the twenty (20)-foot wide (north/south) alley right-of-way located within Block 4, Clark's Addition (block bounded by West 23rd, West 24th, Arch and Gaines Streets). The abandonment is proposed in order to construct a fence running perpendicular across the alley (at a point to be agreed to by the abutting property owners) to prohibit pedestrian traffic through the alley. Vehicular access to the rear of the lots will be maintained. The alley right-of-way will need to be retained as an access easement.

The alley right-of-way is paved and drivable. The pavement is deteriorating in a few spots. Several of the owners of the abutting properties utilize the alley right-of-way for vehicular access to the rear of the lots.

There are six (6) single-family residences within the west half of the block (five (5) abutting the alley right-of-way). There is a commercial building and four (4) single-family residences within the east half of the block.

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

1. Easement should be maintained within alley for storm water drainage areas.
2. No residential waste collection service will be provided on private streets or alleys unless the property owners association provides a waiver of damage claims for operations on private property.

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. According to an abstract company, there are no reversionary clauses for the subject alley right-of-way.

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.