

FILE NO.: G-23-488

NAME: North Polk Street – Right-of-Way Abandonment

LOCATION: Adjacent to 5423 County Club Blvd.

DEVELOPER:

Ross Clinton and Sarah Nutt Davis
5423 Country Club Blvd.
Little Rock, AR 72207

OWNER/AUTHORIZED AGENT:

Clint Davis – Applicant

SURVEYOR/ENGINEER:

Brooks Surveying
20820 Arch Street Pike
Hensley, AR 72065

AREA: N/A NUMBER OF LOTS: N/A FT. NEW STREET: N/A

WARD: 3 PLANNING DISTRICT: 4 CENSUS TRACT: 16

CURRENT ZONING: R-2 (adjacent zoning)

VARIANCE/WAIVERS: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant requests to abandon the east 15 feet of the Polk Street right-of-way (15 feet by 140 feet) located adjacent to Lot 7, Block 20, Newton's Addition to the City of Little Rock (5423 Country Club Blvd.).

B. EXISTING CONDITIONS:

The area of abandonment is currently undeveloped and used as yard space for the residence at 5423 Country Club Blvd.

C. NEIGHBORHOOD NOTIFICATIONS:

All neighborhood associations registered with the City of Little Rock were notified of the public hearing.

D. ENGINEERING COMMENTS: No comments.

E. UTILITIES/FIRE DEPARTMENT/PARKS/COUNTY PLANNING:

Little Rock Water Reclamation Authority: No objection to abandonment. Retain south 10 feet of abandonment area for an easement.

Entergy: No objection to abandonment.

Summit Utilities: No objection to abandonment.

AT & T: No objection to abandonment.

Central Arkansas Water: NO OBJECTIONS; All Central Arkansas Water requirements in effect at the time of request for water service must be met.

Fire Department:

Maintain Access:

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.

Grade

Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D103.2 Grade.** **Fire apparatus access roads shall not exceed 10 percent in grade except as approved by the fire chief. If the grade exceeds 10 percent, approval will be denied and the applicant must submit request to be reviewed by Fire Chief for Approval.**

Loading

Maintain fire apparatus access road design as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 **Section D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus

access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

Dead Ends.

Maintain fire apparatus access roads at dead end locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4. Requirements for Dead-end fire apparatus access roads.

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 Fire Marshal Derek N. Ingram 501-918-3756 Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comments received.

County Planning: No comments received.

F. **BUILDING CODES/LANDSCAPE:**

Building Code: No comments received.

Landscape: No comments.

G. **TRANSPORTATION/PLANNING:**

Rock Region Metro: No comments received.

Planning Division: No comments.

H. **ANALYSIS:**

The owner of the residence located at 5423 Country Club Blvd. requests to abandon the east 15 feet of the Polk Street right-of-way (15 feet by 140 feet) located adjacent to Lot 7, Block 20, Newton's Addition to the City of Little Rock. The abandonment is requested in order to incorporate the area of abandonment into this single family residential lot for extra yard space.

The Polk Street right-of-way at this location is currently 80 feet wide. A 50 foot wide right-of-way is typically required in single family residential areas. The 15 foot wide portion of right-of-way proposed for abandonment is excess right-of-way.

The Polk Street right-of-way was dedicated with the original subdivision of Newton's Addition to the City of Little Rock. The reversionary rights will extend to the owner of Lot 7, Block 20, Newton's Addition for this portion of the east half of the right-of-way.

There are no Master Street Plan issues, as the right-of-way is not classified as a collector street or higher.

Abandoning this small portion of Polk Street right-of-way will have no adverse impact on the public welfare and safety. The Little Rock Fire Department has expressed no objection to the abandonment request.

I. STAFF RECOMMENDATION:

Staff recommends approval of the abandonment of the 15-foot by 140-foot portion of the Polk Street right-of-way located adjacent to Lot 7, Block 20, Newton's Addition, subject to retaining a 10 foot wide sewer easement running east/west across the south end of the abandonment area.

PLANNING COMMISSION ACTION:

(MAY 11, 2023)

The applicant was present. There were no persons registered in opposition. Staff presented the item and a recommendation of approval as outlined in the "staff recommendation" above. The item remained on the consent agenda for approval as recommended by staff, including all staff comments and conditions. The vote was 6 ayes, 0 nays, 4 absent and 1 open position.