

Name: Alley – Right-of-Way Abandonment -- Block 7, Pfeifer's Addition

Location: Block bounded by West Markham, "A", Van Buren and Harrison Streets.

Owner/Applicant: Morris N. Harper, S & B Corporation, LLC and Weisman, LLC/Morris Harper

Request: To abandon the east 133 feet of the alley right-of-way located within Block 7, Pfeifer's Addition. The portion of the alley requested to be abandoned is adjacent to lots 6 through 11, Block 7, Pfeifer's Addition. The west portion of the alley was previously abandoned.

Purpose: To incorporate into adjacent lots for continued use as access or future redevelopment.

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STAFF REVIEW:

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

As noted in paragraph G., none of the public utility companies object to the abandonment request. Three (3) 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. Easements are required to be maintained for all storm water drainage areas.

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 portion of the alley right-of-way proposed for abandonment is partially paved and used as access to the adjacent businesses to the south.

D. Development Potential:

After abandonment, the area of right-of-way will be incorporated into the adjacent lots and continue to be used as access to adjacent businesses and possible future redevelopment.

E. Neighborhood and Land Use Effect:

Commercial uses (zoned C-3) are located along the south side of the alley right-of-way. A parking lot is located on the north side of the alley. A mixture of office and commercial uses is located within the blocks east and west along the north side of West Markham Street.

F. Neighborhood Position:

All of the abutting property owners have signed-off on the abandonment request. The Hillcrest Resident's Association was notified of the abandonment request.

G. Effect on Public Services or Utilities:

Little Rock Wastewater: Little Rock Wastewater has no objection to abandonment of the alley as described, provided that an easement must be retained for our existing sewer main which runs between manhole number 6G099 and manhole number 6G098. The property owner is now and shall remain responsible for all service lines servicing the properties.

Entergy: Entergy does not object to the abandonment of the alley as long as two conditions are met.

1. Entergy must retain an easement for its electrical facilities currently contained within the eastern portion of the this alley as it currently runs between lots 6, 7, and 8 on the north side of the alley and lots 9, 10, and 11 on the south. Entergy currently has three-phase electrical facilities in this alley feeding five different accounts. If redevelopment occurs on any of the lots using any of these facilities, Entergy will make every reasonable effort to consolidate and relocate its facilities so that they are entirely located on the north side of the alley.
2. Entergy must have 24 hour access to its facilities contained in this alley using bucket truck type equipment for on-going maintenance, restoration and improvement purposes. Vehicular access will be required periodically depending on the nature of the required work. Entergy will consider limiting such vehicular access to occur from parking areas on lots 5, 6, 7 and 8 on the north side of the alley as a suitable option after specific review of any redevelopment changes.

Centerpoint Energy: No objection to abandonment.

AT&T: No objection to abandonment. Retain as utility easement for existing buried facilities.

Central Arkansas Water: No objection to abandonment.

H. Reversionary Rights:

Information submitted by a licensed abstract company notes no reversionary rights found of record.

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.

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SUBDIVISION COMMITTEE COMMENT: (DECEMBER 23, 2014)

Morris Harper was present, representing the application. Staff briefly described the abandonment request, noting that there were no outstanding issues. The Public Works and Utility Comments were briefly discussed. After the 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 east 133 feet of the alley right-of-way located within Block 7, Pfeifer's Addition, subject to the entire area of abandonment being retained as a utility and drainage easement.

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PLANNING COMMISSION ACTION: (JANUARY 15, 2015)

The applicant was present. There were no objectors present. Staff presented the item and a recommendation of approval as outlined in the "staff recommendation" above. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 8 ayes, 0 noes and 3 absent.