

FILE NO.: G-23-476

NAME: Cottondale Lane – Partial Right-of-Way Abandonment

LOCATION: Immediately west of Riverfront Drive

DEVELOPER:

Fitzroy Riverdale, LLC
15315 Kanis Road
Little Rock, AR 72223

OWNER/AUTHORIZED AGENT:

Fitzroy Riverdale, LLC – Adjacent Owner
Joe White and Associates, Inc. – Agent

SURVEYOR/ENGINEER:

Joe White and Associates, Inc.
25 Rahling Circle, Suite A-2
Little Rock, AR 72223

AREA: 0.3894 acres NUMBER OF LOTS: N/A FT. NEW STREET: 0 LF

WARD: 3 PLANNING DISTRICT: 4 CENSUS TRACT: 15.02

CURRENT ZONING: C-3 (adjacent zoning)

Variance/Waivers: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant proposes to abandon the current Cottondale Lane right-of-way (cul-de-sac) located west of Riverfront Drive. The right-of-way is located entirely within Tract H-3 of the Riverdale Addition.

B. EXISTING CONDITIONS:

The right-of-way currently contains a paved street which is approximately 28 feet wide and 55 feet long, leading to a cul-de-sac which has a diameter of approximately 75 feet.

C. NEIGHBORHOOD COMMENTS:

All neighborhood associations registered with The City of Little Rock were notified of the public hearing. The applicant, Fitzroy Riverdale, LLC, is the only abutting property owner. Therefore, there are no other abutting property owners to notify.

D. ENGINEERING COMMENTS:

1. This abandonment appear to include abandoning a portion of the recently constructed River Trail improvements at this location. This work was done with federal grant money and the right-of-way for the trail should not be abandoned. Staff cannot support it as proposed. The abandonment could be supported if the abandonment legal description was re-done to exclude the trail and begin west of the trail crossing.

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

Little Rock Water Reclamation Authority: No objection to the abandonment.

Entergy: Entergy agrees to abandon the current right-of-way with the understanding that the existing Entergy facilities will be relocated at the owner's expense and a new easement provided with the new development.

CenterPoint Energy: No objections to abandonment. CenterPoint Energy asks that no structures be built above the existing gas main until it has been abandoned.

AT & T: AT&T approves request to abandon.

Central Arkansas Water: No objections from CAW. Provide easement for water line in abandoned ROW as indicated.

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.

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.

Gates

Maintain fire apparatus access road gates as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Minimum gate width shall be 20 feet.
2. Gates shall be of swinging or sliding type.
3. Construction of gates shall be of material that allow manual operation by one person.
4. Gate components shall be maintained in an operable condition at all times and replaces or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the keys to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the fire code official.
8. Electric gate operators, where provided, shall be listed in accordance with UL 325.

9. Gates, intended for automatic operation shall be designed, constructed and installed to comply with requirements of ASTM F 2200.

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 applicant proposes to abandon the current Cottondale Lane right-of-way located west of Riverfront Drive. The right-of-way is a cul-de-sac with a right-of-way width of 50 feet, with a 95 foot width for the cul-de-sac bulb. The entire right-of-way is approximately 145 feet long. The right-of-way is located entirely within Tract H-3, Riverdale Addition.

The right-of-way currently contains a paved street with a width of approximately 28 feet and a length of approximately 55 feet, leading to a cul-de-sac which has a diameter of approximately 75 feet. The entire length of the paved street is approximately 135 feet.

The right-of-way abandonment is requested based on the fact that the applicant wishes to develop Tract H-3 as a single development, and not further subdivide the tract into smaller lots which would take access from the cul-de-sac street.

There is a portion of the Arkansas River Trail located along the east property line of Tract H-3 and within the east portion of the Cottondale Lane right-of-way.

The Arkansas River Trail (“the Trail”) recently constructed along Riverfront Drive is a small portion of existing trail constructed over many years. This particular portion of the Trail was constructed in 2020 by the City of Little Rock at a cost of \$356,000 thru the federal Transportation Alternative Program (TAP) managed by the Arkansas Department of Transportations (ARDOT). This program provided funding for 80% of the cost and required construction in conformance with AASHTO Guidelines for Bike

and Pedestrian Transportation. ARDOT reviewed the potential relocation of the Trail crossing at Cottdale Lane and stipulated reimbursement of the grant funds would be required if the crossing was relocated closer to Riverfront Drive.

Public Works recommend approval of the Cottdale Lane right-of-way abandonment and any street modifications beginning on the west side of the existing Trail crossing. If the Cottdale Lane right-of-way is converted to future private access; striping, signage, and speed deterrents will be required to be installed prior to the issuance of the certificate of occupancy.

All of the public utility companies have reviewed and approved the requested right-of-way abandonment.

The applicant submitted a letter from an abstract company stating that there are no reversionary clauses attached to the right-of-way requested for abandonment.

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.

Abandoning this portion of right-of-way will have no adverse impact on the public welfare and safety.

I. STAFF RECOMMENDATION:

Staff recommends approval of the requested abandonment of the portion of Cottdale Lane right-of-way located west of Riverfront Drive, specifically west of the existing trail crossing, subject to compliance with the comments and conditions outlined in paragraphs D and E, and the staff analysis, in the agenda staff report.

PLANNING COMMISSION ACTION:

(MAY 13, 2021)

The applicant was present. There were no persons present registered in support or opposition. 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, including all staff comments and conditions. The vote was 10 ayes, 0 nays, 0 absent and 1 open position.