

**City of Fayetteville Staff Review Form**

**2017-0696**

**Legistar File ID**

**12/19/2017**

City Council Meeting Date - Agenda Item Only  
N/A for Non-Agenda Item

Andrew Garner

12/1/2017

City Planning /  
Development Services Department

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

VAC 17-5994: Vacation (1100 W. 15TH ST./PINNACLE FOODS, 561): Submitted by ENGINEERING SERVICES, INC. for property at 1100 W. 15TH ST. The property is zoned I-2, GENERAL INDUSTRIAL and contains approximately 46.57 acres. The request is to vacate a portion of a utility easement.

**Budget Impact:**

|  |   |
|--|---|
| Account Number                               | Fund  |
| Project Number                               | Project Title                               |
| <b>Budgeted Item?</b> <u>NA</u>              | Current Budget            \$            -   |
|  | Funds Obligated            \$            -  |
|  | Current Balance            \$            -  |
| <b>Does item have a cost?</b> <u>No</u>      | Item Cost                                   |
| <b>Budget Adjustment Attached?</b> <u>NA</u> | Budget Adjustment                           |
|  | Remaining Budget            \$            - |

V20140710

Previous Ordinance or Resolution # \_\_\_\_\_

Original Contract Number: \_\_\_\_\_

Approval Date: \_\_\_\_\_

Comments:



## CITY COUNCIL AGENDA MEMO

### MEETING OF DECEMBER 19, 2017

**TO:** Mayor and City Council

**THRU:** Andrew Garner, Planning Director

**FROM:** Quin Thompson, Current Planner

**DATE:** December 19, 2017

**SUBJECT:** **VAC 17-5994: Vacation (1100 W. 15<sup>TH</sup> ST./PINNACLE FOODS, 561):** Submitted by ENGINEERING SERVICES, INC. for property at 1100 W. 15<sup>TH</sup> ST. The property is zoned I-2, GENERAL INDUSTRIAL and contains approximately 46.57 acres. The request is to vacate a portion of a utility easement.

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### RECOMMENDATION:

Staff and the Planning Commission recommend approval of **VAC 17-5994** with the following condition of approval:

1. Any relocation of or damage to existing utilities or existing facilities shall be at the owner/developer's expense;

### BACKGROUND:

The subject property is at 1100 W. 15<sup>th</sup> Street and is developed with a manufacturing facility. A platted but apparently unused utility easement extends from the north property line for over 800 feet to the south, is 10-foot wide and contains 0.19 acres.

*Proposal:* The applicant proposes to vacate the entirety of this unused utility easement, as shown in the attached Exhibits 'A' and 'B', in order to prepare the site for additional development.

### DISCUSSION:

On November 27, 2017, the Planning Commission forwarded this item to the City Council with a recommendation for approval with a vote of 9-0-0.

### BUDGET/STAFF IMPACT:

N/A

### Attachments:

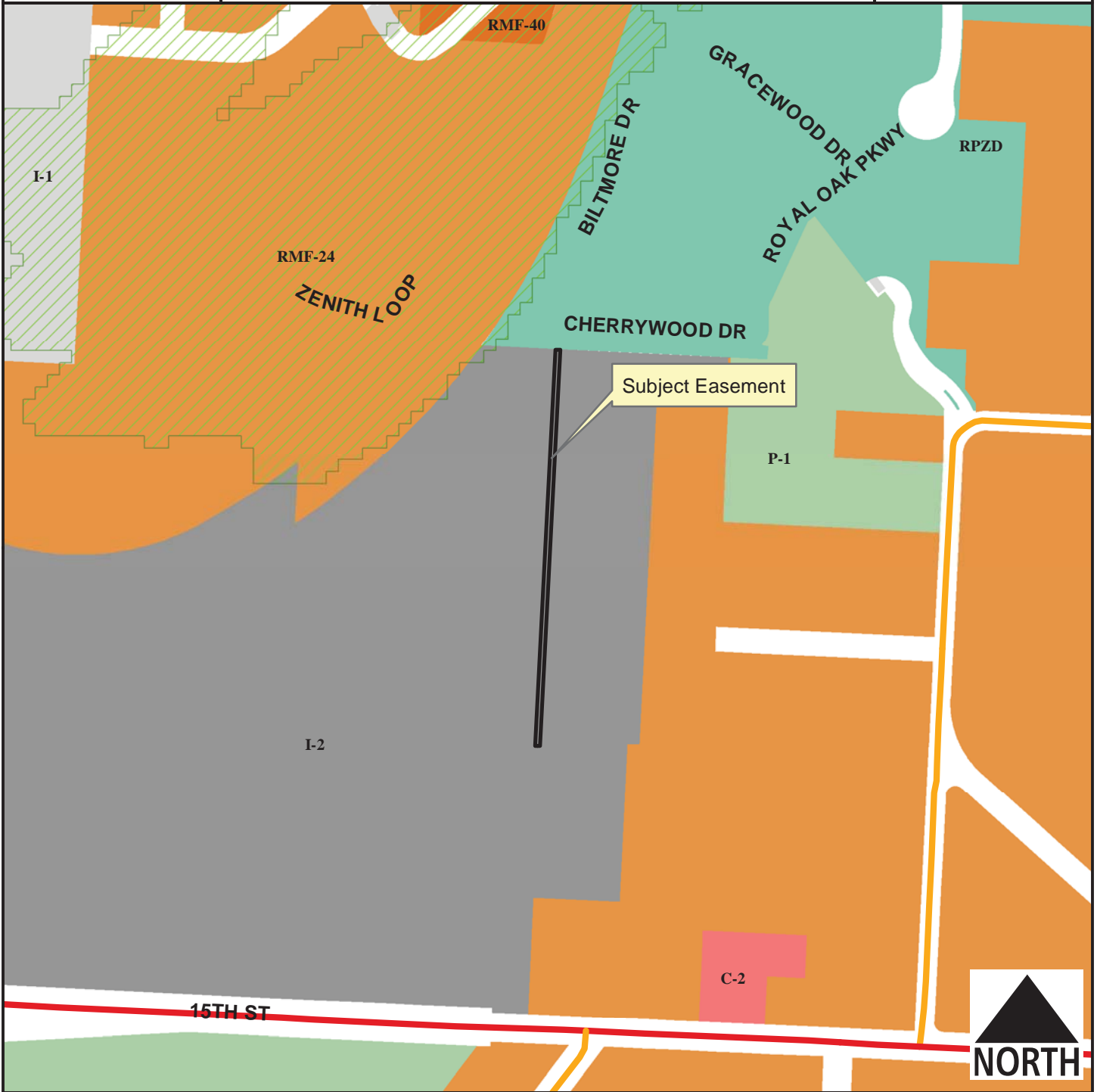
- Exhibit A
- Exhibit B
- Application
- Planning Commission Staff Report

VAC17-5994

PINNACLE FOODS UTILITY EASEMENT

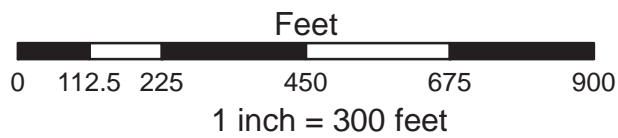
17-5994  
EXHIBIT 'A'

Close Up View



Legend

- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Building Footprint



- RMF-24
- RMF-40
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial
- C-2
- Commercial, Industrial, Residential
- P-1

**17-5995**  
**EXHIBIT 'B'**

**DESCRIPTION OF UTILITY EASEMENT TO BE VACATED:**

A UTILITY EASEMENT AS SHOWN ON PLAT OF ANDERSON'S 2<sup>ND</sup> ADDITION TO THE CITY OF FAYETTEVILLE ACCEPTED BY THE FAYETTEVILLE CITY COUNCIL AUGUST 24, 1959 AND FILED IN PLAT BOOK 1 AT PAGE 47 OF THE WASHINGTON COUNTY RECORDS, SAID ANDERSON'S 2<sup>ND</sup> ADDITION BEING A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 16 NORTH, RANGE 30 WEST, FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHWEST CORNER OF LOT 8 OF BLOCK 1 OF SAID ANDERSON'S 2<sup>ND</sup> ADDITION; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 8, ALSO BEING THE SOUTHERLY LINE OF SAID ANDERSON'S 2<sup>ND</sup> ADDITION, S85°52'00"W A DISTANCE OF 5.01 FEET; THENCE LEAVING SAID SOUTHERLY LINE AND PARALLEL TO THE WESTERLY LINE OF SAID BLOCK 1, N00°02'35"E A DISTANCE OF 819.74 FEET TO THE NORTHERLY LINE OF SAID ANDERSON'S 2<sup>ND</sup> ADDITION; THENCE ALONG SAID NORTHERLY LINE, S89°53'35"E A DISTANCE OF 5.00 FEET TO THE NORTHWEST CORNER OF LOT 14 OF SAID BLOCK 1; THENCE CONTINUING ALONG THE NORTHERLY LINE OF SAID ANDERSON'S 2<sup>ND</sup> ADDITION, S89°53'35"E A DISTANCE OF 5.00 FEET; THENCE LEAVING SAID NORTHERLY LINE AND PARALLEL TO THE WESTERLY LINE OF SAID BLOCK 1, S00°02'35"W A DISTANCE OF 819.00 FEET TO THE SOUTHERLY LINE OF SAID ANDERSON'S 2<sup>ND</sup> ADDITION; THENCE ALONG SAID SOUTHERLY LINE, S85°52'00"W A DISTANCE OF 5.01 FEET TO THE **POINT OF BEGINNING**, CONTAINING 0.19 ACRES (8,194 SQ.FT.), MORE OR LESS.

# Right-of-Way, Easement or Alley VACATION

**FOR STAFF USE ONLY**

Date Application Submitted:  
Date Accepted as Complete:  
Project Number:  
Public Hearing Date:

FEE: \$200.00  
Sign Fee: \$5.00  
S-T-R:  
PP#:  
Zone:

Please fill out this form completely, supplying all necessary information and documentation to support your request.  
*Your application will not be placed on the Planning Commission agenda until this information is furnished.*

**Application:**

Indicate one contact person for this request: \_\_\_\_\_ Applicant  Representative

***Applicant (person making request):***

***Representative (engineer, surveyor, realtor, etc.):***

Name: Pinnacle Foods

Name: Engineering Services Inc.

Address: 1100 W 15<sup>th</sup> Street  
Fayetteville, AR 72701

Address: 1207 South Old Missouri Road  
P.O. Box 282  
Springdale, AR 72765-0282

Phone: ( 479 ) 443 - 3451

Phone: ( 479 ) 751 - 8733

Email:

Email: jappel@engineeringservice.com

Fax: ( )

Fax: ( 479 ) 751 - 8746

Site Address / Location: 1100 W 15<sup>th</sup> Street Fayetteville AR, 72701.

Legal description of area to be vacated (attach separate sheet if necessary):

Current Zoning District: I-2 General industrial

Assessors Parcel Number(s) for subject property: 765-14979-000

***FINANCIAL INTERESTS***

The following entities and / or people have financial interest in this project:

Pinnacle Foods



**APPLICANT / REPRESENTATIVE:** I certify under penalty of perjury that the foregoing statements and answers herein made all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions on approval.

Name (printed): Andrew Vachon Date: 10/11/17

Signature: 

**PROPERTY OWNER(S) / AUTHORIZED AGENT:** I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. (If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)

Owners (attach additional info if necessary):

Name (printed): BILL MEDLEY

Signature: 

Date: 10/11/17

Pinnacle Foods Group  
Address: 1100 W 15<sup>th</sup> Street

Fayetteville, AR 72701

Phone: (479) 287-3919

Name (printed): Andrew Vachon

Signature: 

Date: 10/11/17

Tipmann Group  
Address: 9009 Caldwell Rd

Fort Wayne, IN 46706

Phone: (260) 419-1715

**Vacation Checklist:**

Attach the following items to this application:

- (1) Payment in full of applicable fees for processing the application:  
\$200.00 application fee  
\$5.00 public notification sign fee
- (2) Metes and bounds legal description of the area to be vacated, not the entire property (this may be included on the survey plat).
- (3) Survey of the site depicting the perimeter property lines and area within the property to be vacated.
- (4) CD containing a copy of the legal description in MS Word and PDF copies of the signed application and all other items submitted with this project.
- (5) A surveyor should stake the area on the site to be vacated for utility company review on their site visit.
- (6) A letter addressed to the Planning Commission and City Council describing the scope, nature, and intent of the request.
- (7) Abstractor's Certificate of Ownership stating names of all owners of property adjacent to the street right-of-way, alley, or easement to be vacated (this document is obtained from a title company).
- (8) A copy of the county parcel map from the Washington County Assessor's office or from the Washington County website ([www.co.washington.ar.us](http://www.co.washington.ar.us)). The subject property and all adjacent parcels should be identified on this parcel map. The owner's name, official mailing address, and the parcel number for every adjacent property shall be shown on this map.

- (9) Petition to vacate street right-of-way, alley, or easement (sample petition is attached).
- (10) For applications to vacate an access easement, alley or right-of-way only: Written consent is required from all adjacent property owners and is required to be submitted with the application (example form is attached).
- (11) Comments from all utility companies concerning the street right-of-way, alley, or easement to be vacated and its relationship to existing or planned utilities with recommendations as to what action should be taken (an example comment form is attached) is required at application submittal.
- (12) The applicant is responsible for meeting the public notification requirements for a Vacation listed on the Notification Requirements pages in this application.

**Utility Representatives for a Vacation Request \***

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| Name                              | Company            | Telephone            | Email  |
|-----------------------------------|--------------------|----------------------|--|
| Jeff Hamilton                     | AT&T               | 442-1967             | jh5430@att.com                                   |
| Chad Hodge                        | Cox Communications | 871-0339             | Chad.Hodge@cox.com                               |
| John Le                           | AEP/SWPCO          | 973-2426             | tile@aep.com                                     |
| Scott Stokes                      | Black Hills Corp.  | 435-0229             | Scott.Stokes@blackhillscorp.com                  |
| Wes Mahaffey<br>Or<br>Mike Phipps | Ozarks Electric    | 684-4649<br>684-4696 | wmahaffey@ozarksecc.com<br>mphipps@ozarksecc.com |

**City Divisions:**

|              |                 |          |                             |
|--------------|-----------------|----------|-----------------------------|
| Mark Rogers  | Water and Sewer | 575-8392 | mrogers@fayetteville-ar.gov |
| Maury Nelson | Solid Waste     | 575-8397 | mnelson@fayetteville-ar.gov |
| Terry Gulley | Transportation  | 444-3491 | tgulley@fayetteville-ar.gov |

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**\*Solid Waste & Transportation sign off is required only when a ROW, Alley, or Drainage Easement Vacation is being requested.**



# PLANNING COMMISSION MEMO

**TO:** City of Fayetteville Planning Commission

**THRU:** Andrew Garner, City Planning Director

**FROM:** Quin Thompson, Planner

**MEETING DATE:** ~~November 27, 2017~~ **UPDATED 11-29-2017**

**SUBJECT:** **VAC 17-5994: Vacation (1100 W. 15<sup>th</sup> St. /Pinnacle Foods, 561):** Submitted by ENGINEERING SERVICES, INC. for property located at 1100 W. 15<sup>th</sup> st.. The property is zoned I-2, General Industrial and contains approximately 46.57 acres. The request is to vacate a portion of a utility easement.

**RECOMMENDATION:**

Staff recommends forwarding **VAC 17-5994** to City Council with a recommendation for approval with conditions.

**BACKGROUND:**

The subject property is at 1100 W. 15<sup>th</sup> Street and is developed with a manufacturing facility. A platted but apparently unused utility easement extends from the north property line for over 800 feet to the south, is 10-feet wide and contains 0.19 acres.

**Table 1  
Surrounding Zoning and Land Use**

| Direction | Land Use   | Zoning  |
|-----------|--|---|
| North     | Multi-family Residential/Undeveloped             | RMF-24, Residential Multi-family/R-PZD Hill Place                 |
| South     | Single-family Residential/Two-family Residential | RMF-24, Residential Multi-family/RSF-8, Residential Single-family |
| East      | UARK RV Park/Single-family Residential           | P-1, Institutional/RMF-24, Residential Multi-family               |
| West      | Railway  | I-2, General Industrial   |

*Proposal:* The applicant proposes to vacate the entirety of this unused utility easement, in order to prepare the site for additional development.

**DISCUSSION:**

*Vacation Approval:* The applicant has submitted the required vacation forms to the City utility departments, with the following responses:



Utility

Response

Cox Communications

No objections, provided that any damage to or relocation of existing facilities will be at the owner/developer's expense.

AEP/SWEPCO

No objections and no comment.

BlackHills Energy AR

No objections and no comment.

AT&T

No objections and no comment.

Ozarks Electric

No objections and no comment.

City of Fayetteville

Response

Water/Sewer

No objections and no comment.

Solid Waste & Recycling

N/A

Transportation

N/A

**Public Comment:**

No public comment has been received.

**RECOMMENDATION:** Staff recommends forwarding **VAC 17-5994** to the City Council with a recommendation for approval subject to the following conditions:

**Conditions of Approval:**

1. Any relocation of or damage to existing utilities or existing facilities shall be at the owner/developer's expense;

**Planning Commission Action:**  Forwarded  Tabled  Denied

**Meeting Date:** November 27, 2017

**Motion:** HOFFMAN, MOTION TO APPROVE AS RECOMMENDED BY STAFF.

**Second:** NIEDERMAN

**Vote:** 9-0-0

**BUDGET/STAFF IMPACT:**

None.

**Attachments:**

- Request Letter
- Petition to Vacate
- Utility Approvals
- Easement Vacation Exhibit
- One Mile Map
- Close-Up Map
- Current Land Use Map

October 10, 2017

Fayetteville Planning Division  
125 W. Mountain Street  
Fayetteville, Arkansas 72701

RE: Pinnacle Foods Corp. Utility Easement Vacation

To whom it may concern,

On behalf of our client, we are submitting application materials to vacate a portion of an existing ten-foot-wide utility easement along the Northwest side of Parcel 765-14979-000 in Fayetteville, Arkansas. The property is zoned I-2 General industrial. There is a ten-foot utility easement from Plat book 1-47 Anderson 2<sup>nd</sup> subdivision existing on site that my client is requesting to be vacated. Our client wishes to expand part of their business into this area within the current zoning, which necessitates the vacation of this easement. All required utility companies have been contacted for approval to vacate this portion of easement. The applicant is aware that this item will not be placed on planning commission agenda until all utility companies have approved of the vacation and the required approval forms will be submitted to the City of Fayetteville upon receipt of the proper forms. Please find the following application materials attached:

- Check to City of Fayetteville in the amount of \$930 (\$200 plus \$5 Sign Fee)
- Signed Utility Easement Vacation application form
- Vacation Exhibit
- Certified List of Adjacent Property Owners
- PDF copies of all application materials, including drawings, and a .doc file of the Legal Description on CD

Please contact me if you have any questions, or need additional information.

Thank you,

Jason Appel

Enclosures





**PETITION TO VACATE A UTILITY EASEMENT LOCATED IN PLAT 1-47 ANDERSON 2<sup>ND</sup> SUBDIVISION TO THE CITY OF FAYETTEVILLE ARKANSAS**

TO: The City of Fayetteville Planning Commission and  
The Fayetteville City Council

We, the undersigned, being all the owners of the real estate abutting the utility easement hereinafter sought to be abandoned and vacated, lying in Plat 1-47 Anderson 2<sup>nd</sup> Subdivision, City of Fayetteville, Arkansas, a municipal corporation, petition to vacate a utility easement which is described as follows:

**DESCRIPTION OF UTILITY EASEMENT TO BE VACATED:**

A UTILITY EASEMENT AS SHOWN ON PLAT OF ANDERSON'S 2<sup>ND</sup> ADDITION TO THE CITY OF FAYETTEVILLE ACCEPTED BY THE FAYETTEVILLE CITY COUNCIL AUGUST 24, 1959 AND FILED IN PLAT BOOK 1 AT PAGE 47 OF THE WASHINGTON COUNTY RECORDS, SAID ANDERSON'S 2<sup>ND</sup> ADDITION BEING A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 16 NORTH, RANGE 30 WEST, FAYETTEVILLE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHWEST CORNER OF LOT 8 OF BLOCK 1 OF SAID ANDERSON'S 2<sup>ND</sup> ADDITION; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 8, ALSO BEING THE SOUTHERLY LINE OF SAID ANDERSON'S 2<sup>ND</sup> ADDITION, S85°52'00"W A DISTANCE OF 5.01 FEET; THENCE LEAVING SAID SOUTHERLY LINE AND PARALLEL TO THE WESTERLY LINE OF SAID BLOCK 1, N00°02'35"E A DISTANCE OF 819.74 FEET TO THE NORTHERLY LINE OF SAID ANDERSON'S 2<sup>ND</sup> ADDITION; THENCE ALONG SAID NORTHERLY LINE, S89°53'35"E A DISTANCE OF 5.00 FEET TO THE NORTHWEST CORNER OF LOT 14 OF SAID BLOCK 1; THENCE CONTINUING ALONG THE NORTHERLY LINE OF SAID ANDERSON'S 2<sup>ND</sup> ADDITION, S89°53'35"E A DISTANCE OF 5.00 FEET; THENCE LEAVING SAID NORTHERLY LINE AND PARALLEL TO THE WESTERLY LINE OF SAID BLOCK 1, S00°02'35"W A DISTANCE OF 819.00 FEET TO THE SOUTHERLY LINE OF SAID ANDERSON'S 2<sup>ND</sup> ADDITION; THENCE ALONG SAID SOUTHERLY LINE, S85°52'00"W A DISTANCE OF 5.01 FEET TO THE **POINT OF BEGINNING**, CONTAINING 0.19 ACRES (8,194 SQ.FT.), MORE OR LESS.

That the abutting real estate affected by said abandonment of the easement in Plat 1-47 Anderson 2<sup>nd</sup> Subdivision to the City of Fayetteville used by the public for a period of many years, and that the public interest and welfare would not be adversely affected by the abandonment of the portion of the above described utility easement.

The petitioners pray the above described real estate be vested in the abutting property owners as provided by law.

WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Fayetteville, Arkansas, abandon and vacate the above described utility easement, and that the owners of the above described real estate be free from the easement for the public use of said easement.

Dated this 10 day of October 2017.

Bill Medley  
Printed name

Andrew Vachon  
Printed name

Bill Medley  
Signature

[Signature]  
Signature

**UTILITY APPROVAL FORM**  
**FOR RIGHT- OF- WAY, ALLEY, AND**  
**UTILITY EASEMENT VACATIONS**

DATE: 10/16/2017

UTILITY COMPANY: AT&T

APPLICANT NAME: Pinnacle Foods APPLICANT PHONE: (479)-751-8733  
(Jason Appel – ESI)

REQUESTED VACATION (*applicant must check all that apply*):

- Utility Easement
- Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- Alley
- Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

**General location / Address** See attached

(**ATTACH legal description and graphic representation of what is being vacated-SURVEY**)

UTILITY COMPANY COMMENTS:

- No objections to the vacation(s) described above, and no comments.
- No objections to the vacation(s) described above, provided following described easements are retained.  
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

**JEFF HAMILTON**

Signature of Utility Company Representative

Digitally signed by JEFF HAMILTON  
DN: cn=JEFF HAMILTON, o=AT&T, ou=CONSTRUCTION/ ENGINEERING,  
email=jh5430@att.com, c=US  
Date: 2017.10.16 12:18:07 -05'00'

**MGR OSP PLNG & ENGR DESIGN**

Title

**UTILITY APPROVAL FORM**  
**FOR RIGHT- OF- WAY, ALLEY, AND**  
**UTILITY EASEMENT VACATIONS**

DATE: 10/16/2017

UTILITY COMPANY: BlackHills Energy

APPLICANT NAME: Pinnacle Foods APPLICANT PHONE: (479)-751-8733  
(Jason Appel – ESI)

REQUESTED VACATION (*applicant must check all that apply*):

- Utility Easement
- Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- Alley
- Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:

General location / Address See attached

(*ATTACH legal description and graphic representation of what is being vacated-SURVEY*)

UTILITY COMPANY COMMENTS:

- No objections to the vacation(s) described above, and no comments.
- No objections to the vacation(s) described above, provided following described easements are retained.  
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

Brian A. Dopot  
Signature of Utility Company Representative

Supervisor - Gas Operations  
Title



UTILITY APPROVAL FORM

FOR RIGHT- OF- WAY, ALLEY, AND  
UTILITY EASEMENT VACATIONS

DATE: 10/18/17

UTILITY COMPANY: CITY OF FAYETTEVILLE WATER & SEWER

APPLICANT NAME: Pinnacle Foods APPLICANT PHONE: (479)-751-8733  
(Jason Appel – ESI)

REQUESTED VACATION (*applicant must check all that apply*):

- Utility Easement
- Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- Alley
- Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:


General location / Address See attached

(*ATTACH legal description and graphic representation of what is being vacated-SURVEY*)

UTILITY COMPANY COMMENTS:

- No objections to the vacation(s) described above, and no comments.
- No objections to the vacation(s) described above, provided following described easements are retained.  
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

  
Signature of Utility Company Representative

W & S OPERATIONS MANAGER  
Title



**UTILITY APPROVAL FORM**  
**FOR RIGHT- OF- WAY, ALLEY, AND**  
**UTILITY EASEMENT VACATIONS**

DATE: 10/17/2017

UTILITY COMPANY: Cox Communications

APPLICANT NAME: Pinnacle Foods APPLICANT PHONE: (479)-751-8733  
(Jason Appel – ESI)

REQUESTED VACATION (*applicant must check all that apply*):

- Utility Easement
- Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- Alley
- Street right-of-way

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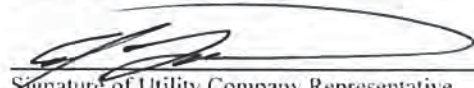
General location / Address See attached

(*ATTACH legal description and graphic representation of what is being vacated-SURVEY*)

UTILITY COMPANY COMMENTS:

- No objections to the vacation(s) described above, and no comments.
- No objections to the vacation(s) described above, provided following described easements are retained.  
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:  
Any damage to or relocation of existing facilities will be at the owners/developers  
expense.

  
\_\_\_\_\_  
Signature of Utility Company Representative

Construction & Planning Manager  
\_\_\_\_\_  
Title

**UTILITY APPROVAL FORM**  
**FOR RIGHT- OF- WAY, ALLEY, AND**  
**UTILITY EASEMENT VACATIONS**

DATE: 10-18-17

UTILITY COMPANY: Ozarks Electric

APPLICANT NAME: Pinnacle Foods APPLICANT PHONE: (479)-751-8733  
(Jason Appel – ESI)

REQUESTED VACATION (*applicant must check all that apply*):

- Utility Easement
- Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- Alley
- Street right-of-way

I have been notified of the petition to vacate the following (*alley, easement, right-of-way*), described as follows:


General location / Address See attached

(*ATTACH legal description and graphic representation of what is being vacated-SURVEY*)

UTILITY COMPANY COMMENTS:

- No objections to the vacation(s) described above, and no comments.
- No objections to the vacation(s) described above, provided following described easements are retained.  
(State the location, dimensions, and purpose below.)

No objections provided the following conditions are met:

  
Signature of Utility Company Representative

Stakine Tech III  
Title

**UTILITY APPROVAL FORM**  
**FOR RIGHT- OF- WAY, ALLEY, AND**  
**UTILITY EASEMENT VACATIONS**

DATE: 10-18-17

UTILITY COMPANY: AEP SWEPCO

APPLICANT NAME: Pinnacle Foods APPLICANT PHONE: (479)-751-8733  
(Jason Appel – ESI)

REQUESTED VACATION (*applicant must check all that apply*):

- Utility Easement
- Right-of-way for alley or streets and all utility easements located within the vacated right- of- way.
- Alley
- Street right-of-way

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(State the location, dimensions, and purpose below.)

- No objections provided the following conditions are met:

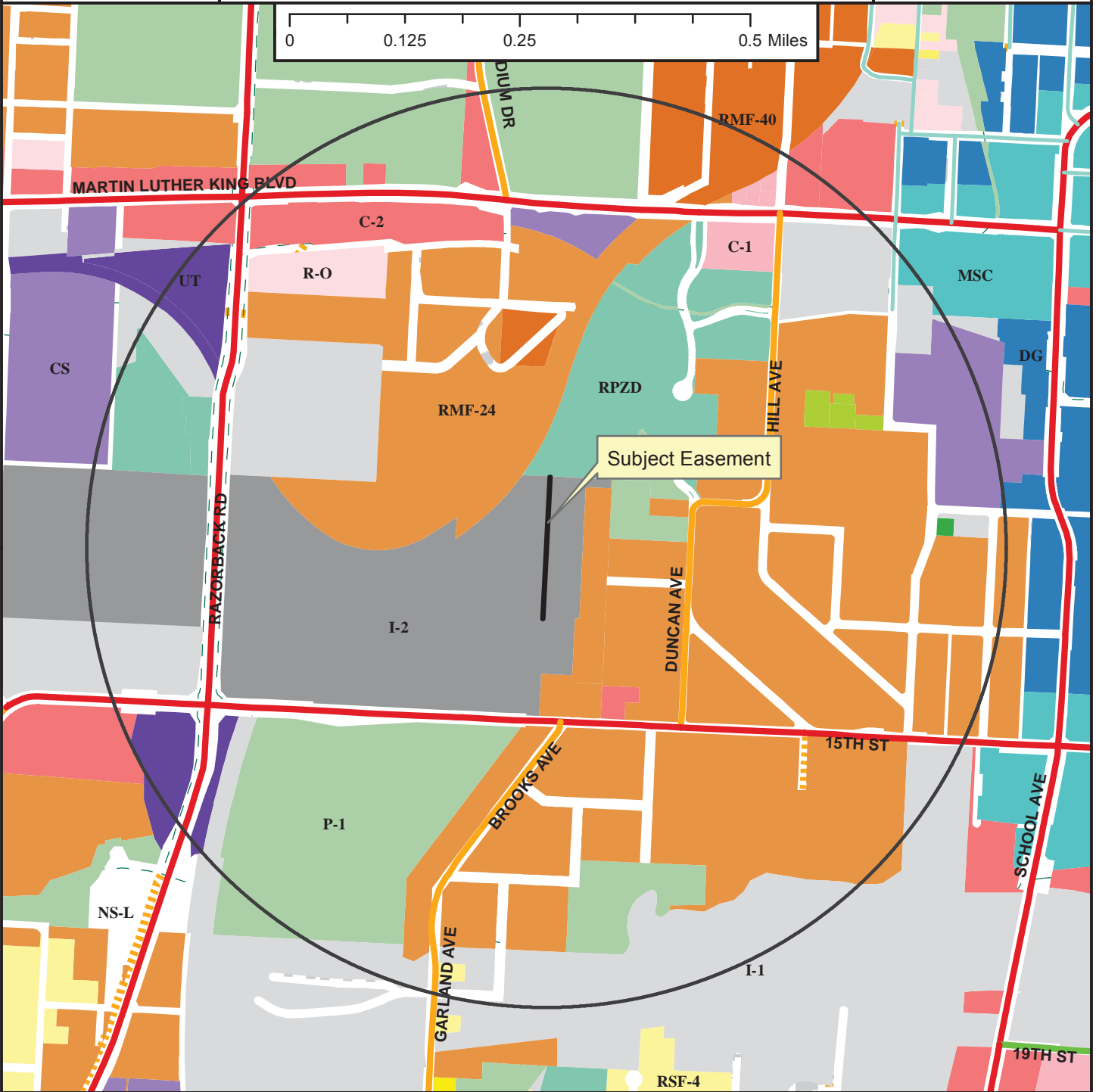
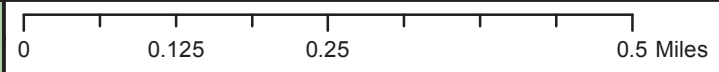
  
Signature of Utility Company Representative

DISTRIBUTION ENGINEER  
Title

VAC17-5994

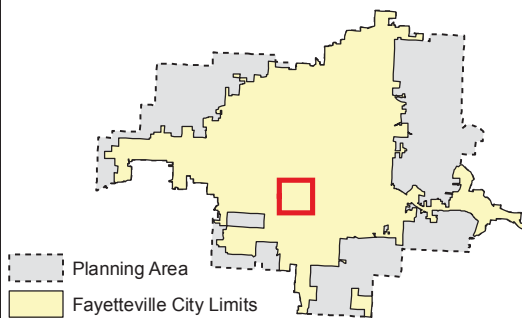
# PINNACLE FOODS UTIL

One Mile View



## Legend

- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Trail (Proposed)
- Building Footprint



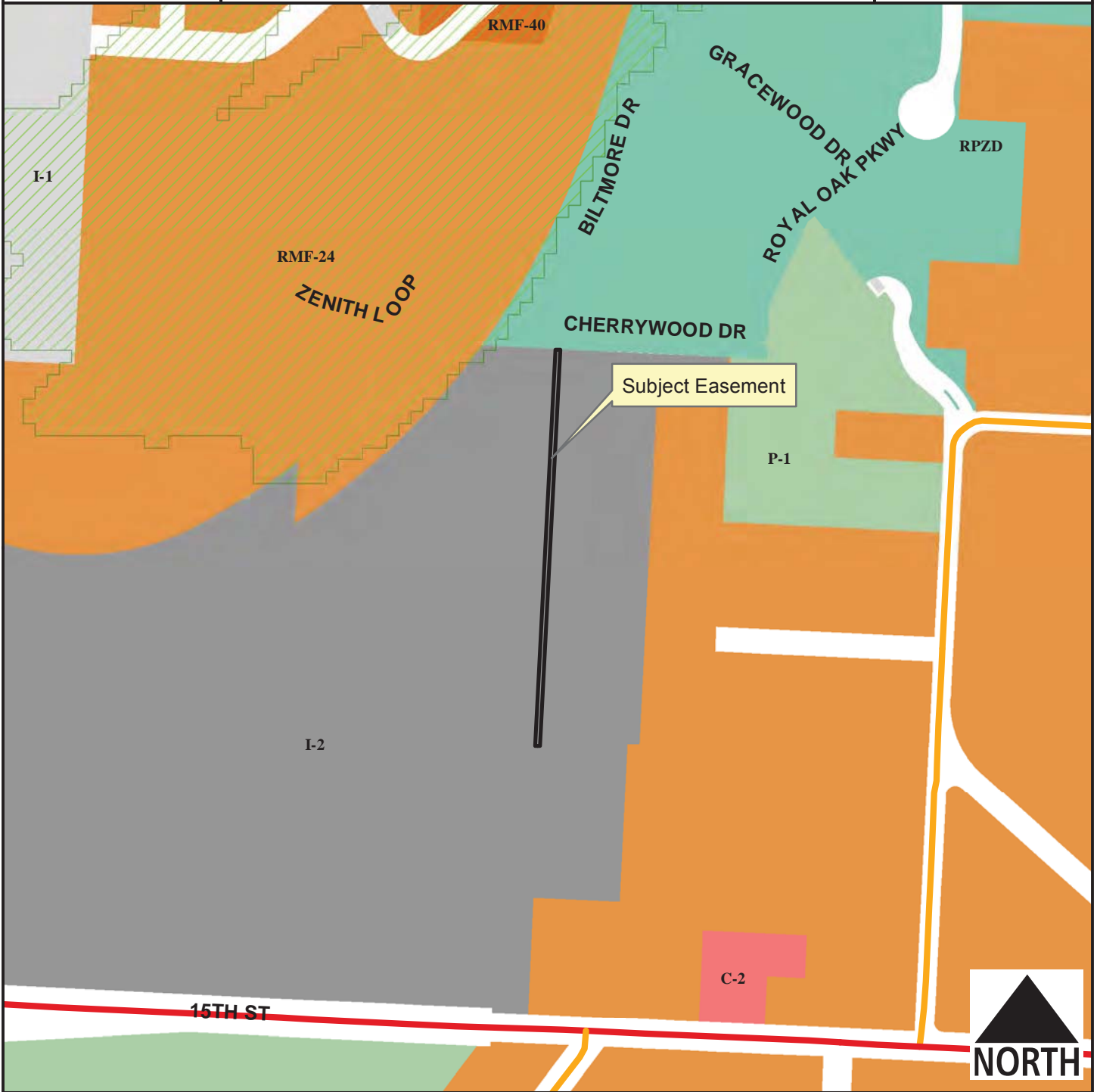
- Zoning**
- RESIDENTIAL SINGLE-FAMILY**
  - Residential-Agricultural
  - RSF-5
  - RSF-1
  - RSF-2
  - RSF-4
  - RSF-7
  - RSF-8
  - RSF-18
- RESIDENTIAL MULTI-FAMILY**
  - RT-12 Residential Two and Three-family
  - RMF-6
  - RMF-12
  - RMF-18
  - RMF-24
  - RMF-40
- INDUSTRIAL**
  - I-1 Heavy Commercial and Light Industrial
  - I-2 General Industrial
- EXTRACTION**
  - E-1
- COMMERCIAL**
  - Residential-Office
  - C-1
  - C-2
  - C-3
- FORM BASED DISTRICTS**
  - Downtown Core
  - Urban Thoroughfare
  - Main Street Center
  - Downtown General
  - Community Services
  - Neighborhood Services
  - Neighborhood Conservation
- PLANNED ZONING DISTRICTS**
  - Commercial, Industrial, Residential
  - P-1
- INSTITUTIONAL**
  - Planning Commission



VAC17-5994

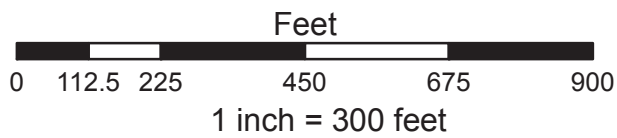
# PINNACLE FOODS UTIL

Close Up View



### Legend

- Hillside-Hilltop Overlay District
- Planning Area
- Fayetteville City Limits
- Shared Use Paved Trail
- Building Footprint



- RMF-24
- RMF-40
- I-1 Heavy Commercial and Light Industrial
- I-2 General Industrial
- C-2
- Commercial, Industrial, Residential
- P-1





Planning Commission  
November 27, 2017

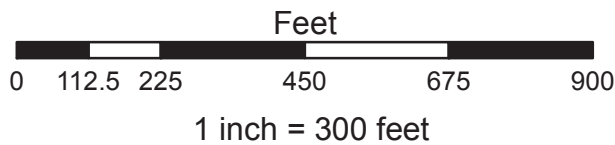
VAC17-5994

# PINNACLE FOODS UTIL EASEMENT

Current Land Use



- Streets Existing**  
MSP Class
-  COLLECTOR
  -  PRINCIPAL ARTERIAL
  -  Planning Area
  -  Fayetteville City Limits



- FEMA Flood Hazard Data**
-  100-Year Floodplain
  -  Floodway