



MEETING OF SEPTEMBER 5, 2023

TO: Mayor Jordan and City Council

THRU: Jonathan Curth, Development Services Director
Susan Norton, Chief of Staff

FROM: Jessica Masters, Development Review Manager

DATE:

SUBJECT: **VAC-2023-0003: Vacation (N. SHILOH DR/JUNCTION AT SHILOH, 363): Submitted by CRAFTON TULL for property located at N. SHILOH DR in WARD 4. The property is zoned CS, COMMUNITY SERVICES and RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 11.73 acres. The request is to vacate a 0.26-acre portion of a utility easement.**

RECOMMENDATION:

Staff recommends approval of VAC-2023-0003 as shown in the attached Exhibits 'A' and 'B', and with the following conditions of approval:

1. Any new easements required by AEP/SWEPCO are to be obtained with final easement plat of associated large-scale development.
2. Any damage or relocation of any existing facilities will be at the applicant's expense.

BACKGROUND:

The subject property is located south of W. Mount Comfort Road and west of I-49, where N. Shiloh Drive dead-ends. The property is split-zoned RMF-24, Residential Multi-Family, Twenty-Four Units Per Acre and CS, Community Services. A portion of the site totaling 9.11 acres was rezoned from I-1, Heavy Commercial and Light Industrial to CS by City Council on February 15, 2022, and a large-scale development for a multi-family residential development (LSD-2023-0004) was approved by Planning Commission on April 10, 2023. An appeal to deny the project was heard by City Council on May 16, 2023, but the approval was ultimately upheld.

Request: The applicant proposes to vacate a portion of an existing general utility easement as indicated in the attached exhibits and totaling approximately 0.26 acres. This easement is required to be vacated in order to continue with the associated approved large-scale development.

DISCUSSION:

The applicant submitted the required approvals with no objections, though with the added conditions from franchise utility providers as listed above. With submittal of the required vacation forms and utility consent, staff recommends approval.

BUDGET/STAFF IMPACT:

NONE

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov

ATTACHMENTS: SRF, EXHIBIT A, EXHIBIT B, Applicant Request Letter, Petition to Vacate, Survey



City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Legislation Text

File #: 2023-1020

VAC-2023-0003: Vacation (N. SHILOH DR/JUNCTION AT SHILOH, 363): Submitted by CRAFTON TULL for property located at N. SHILOH DR in WARD 4. The property is zoned CS, COMMUNITY SERVICES and RMF-24, RESIDENTIAL MULTI-FAMILY, 24 UNITS PER ACRE and contains approximately 11.73 acres. The request is to vacate a 0.26-acre portion of a utility easement.

AN ORDINANCE TO APPROVE VAC 23-0003 FOR PROPERTY LOCATED NEAR N. SHILOH DR. IN WARD 4 TO VACATE A PORTION OF UTILITY EASEMENT

WHEREAS, the City Council has the authority under A.C.A. § 14-54-104 to vacate public grounds or portions thereof which are not required for corporate purposes; and

WHEREAS, the City Council has determined that the following described portions of utility easement is not required for corporate purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby vacates the portion of utility easement as described in Exhibit A and B attached to the Planning Department's memo.

Section 2: A copy of this Ordinance duly certified by the City Clerk along with the map attached as Exhibit A to the Planning Department's memo shall be filed in the office of the Washington County Circuit Clerk.

Section 3: This vacation approval is subject to the following conditions:

1. Any new easements required by AEP/SWEPCO are to be obtained with the final easement plat of any associated large-scale development.
2. Any damage to or relocation of any existing facilities will be at the applicant's expense.



August 1, 2023

City of Fayetteville
125 W. Mountain Street
Fayetteville, AR 72701

RE: The Junction at Shiloh – Utility Easement Vacation
CTA Project #22101501

Planning Staff,

Please find attached our application for a Utility Easement Vacation located along the development site for the Junction at Shiloh in Fayetteville.

The legal description and exhibits of the easement to be vacated are included in this submittal. There were no existing utilities found within this easement and all utility departments and franchise utilities have signed off on the vacation of this easement.

Within the package you will find the legal description, parcel map, survey of the site, petition to vacate, and the utility departments' sign off forms. Please let us know if you need any additional information. We look forward to the review and response from the City of Fayetteville.

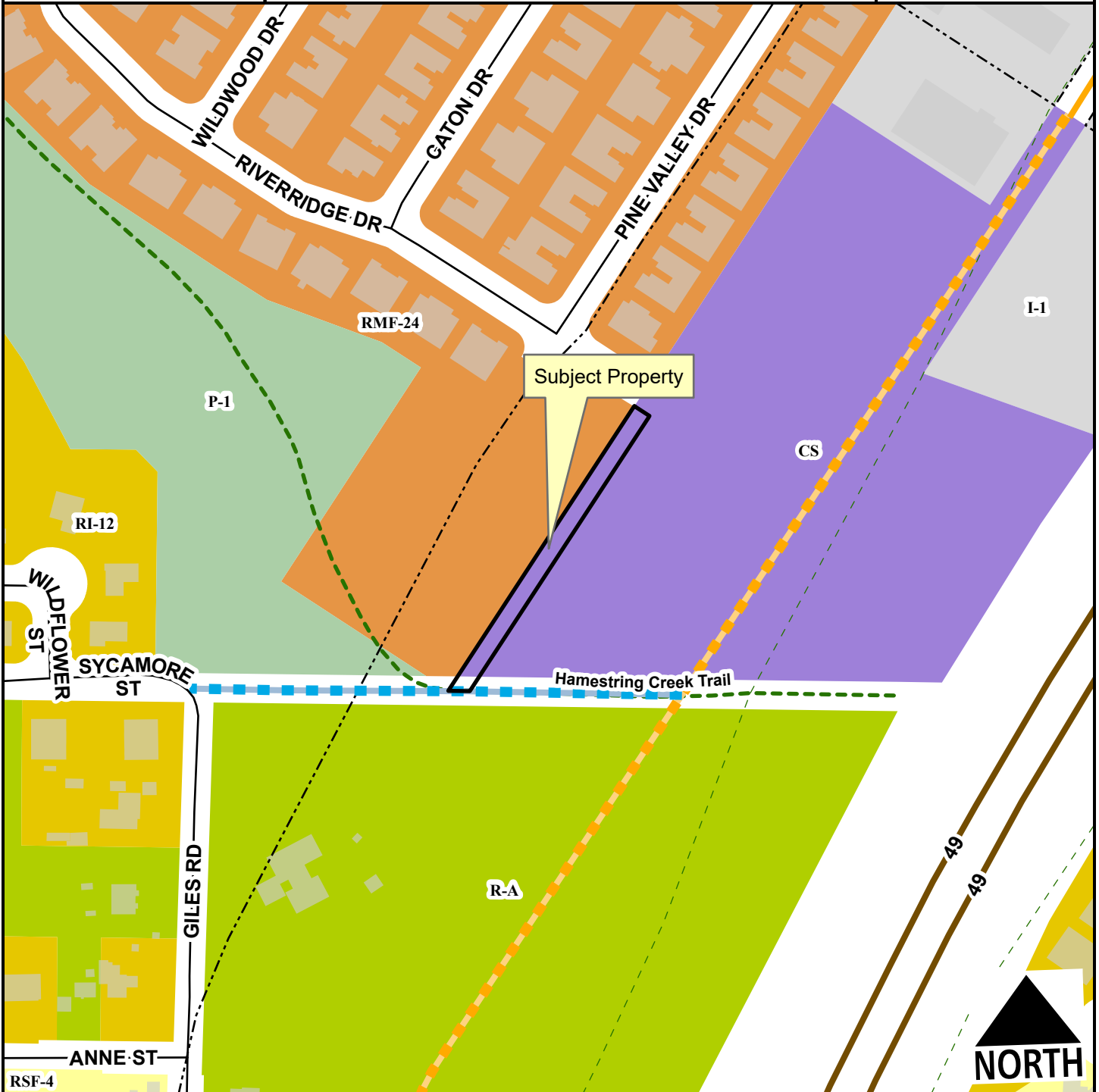
Sincerely,

Elizabeth Topping, E.I.
Project Engineer

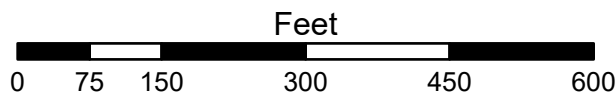
VAC-2023-0003

N. SHILOH DR

Close Up View



- Neighborhood Link
- Freeway/Expressway
- Residential Link
- Planned Neighborhood Link
- Planned Residential Link
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail
- Trail (Proposed)
- Design Overlay District



1:2,400

- Residential-Agricultural
- RSF-4
- RI-12
- RMF-24
- I-1 Heavy Commercial and Light Industrial
- Community Services
- P-1