



MEETING OF NOVEMBER 7, 2023

TO: Mayor Jordan and City Council

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

FROM: Jessica Masters, Development Review Manager

DATE:

SUBJECT: **VAC-2023-0012: Vacation (546 W. CENTER ST/CAMPBELL FAMILY TRUST, 484): Submitted by CLARK LAW FIRM PLLC for property located at 546 W. CENTER ST. in WARD 2. The property is zoned MSC, MAIN STREET CENTER and contains approximately 0.63 acres. The request is to vacate a general utility easement totaling approximately 0.04 acres.**

RECOMMENDATION:

Staff recommends approval of VAC-2023-0012 as shown in the attached Exhibits 'A' and 'B', and with the following conditions of approval:

1. Any damage or relocation of any existing facilities will be at the applicant's expense.
2. Any existing services and customers shall be disconnected per the existing customers, then AT&T will have no objections removing the existing aerial service lines in the alley.
3. Relocation of impacted water and sewer lines will be required. Detailed engineering plans must be reviewed and approved by the City of Fayetteville prior to construction.

BACKGROUND:

The subject property is in downtown Fayetteville and contains one parcel that is approximately 0.63 acres (765-01886-000). The site is developed with two Quonset hut structures that contain local businesses, and is adjacent to the Razorback Greenway on the east. The structures were built in 1935, according to County records.

Request: The applicant proposes to vacate a portion of an existing general utility easement as indicated in the attached exhibits and totaling approximately 0.04 acres. This easement is required to be vacated in order to continue with an associated proposed project for multi-family housing.

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:

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov

N/A

ATTACHMENTS: SRF (#3), Exhibit A (#4), Exhibit B (#5), Applicant Request Letter (#6), Petition to Vacate (#7), Survey (#8)



City of Fayetteville, Arkansas

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

Legislation Text

File #: 2023-1217

VAC-2023-0012: Vacation (546 W. CENTER ST/CAMPBELL FAMILY TRUST, 484): Submitted by CLARK LAW FIRM PLLC for property located at 546 W. CENTER ST. in WARD 2. The property is zoned MSC, MAIN STREET CENTER and contains approximately 0.63 acres. The request is to vacate a general utility easement totaling approximately 0.04 acres.

AN ORDINANCE TO APPROVE VAC 23-12 FOR PROPERTY LOCATED AT 546 WEST CENTER STREET IN WARD 2 TO VACATE A 0.04 ACRE 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 portion 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 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:

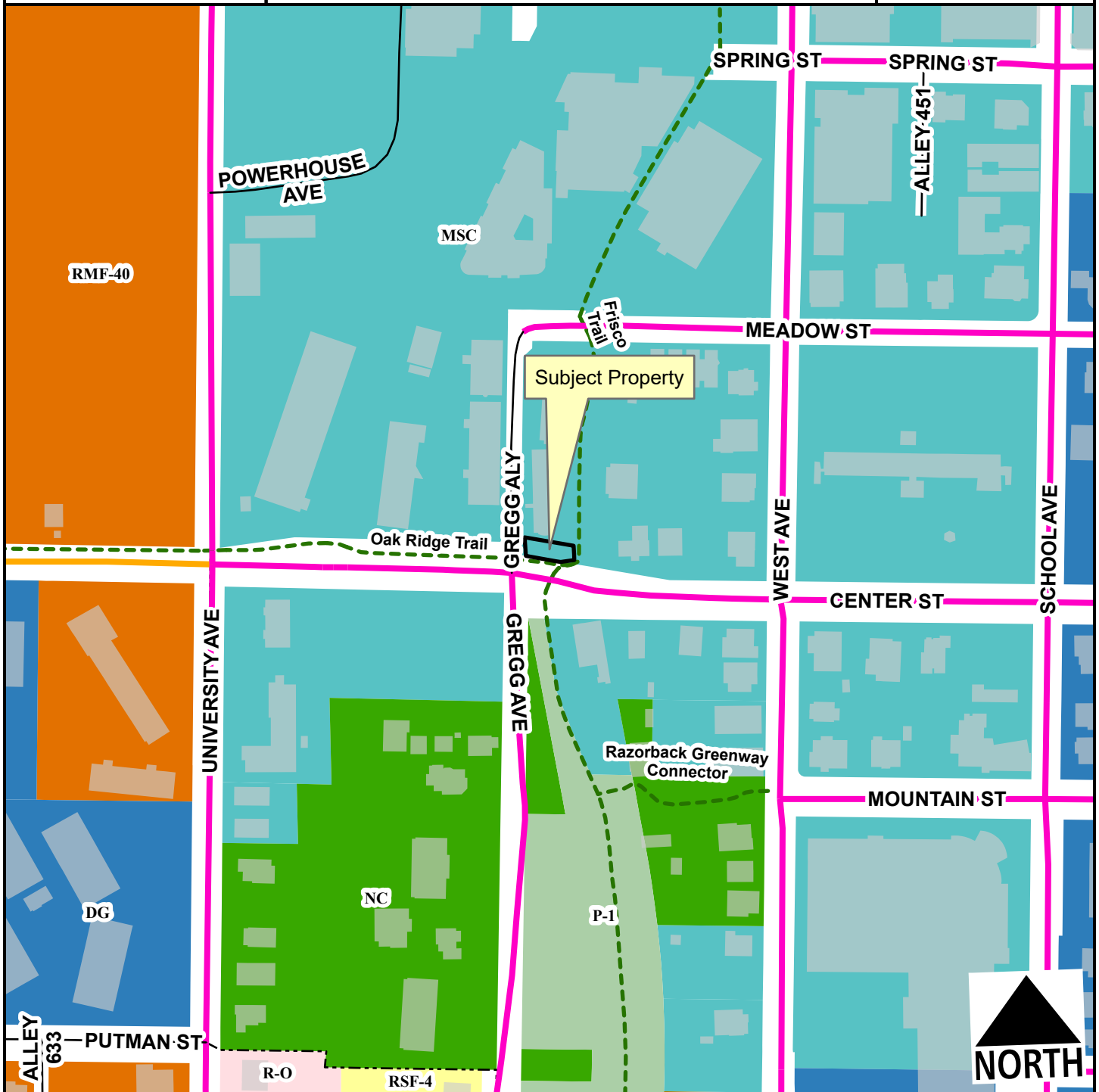
1. Any damage to or relocation of any existing facilities will be at the applicant's expense.
2. Any existing services and customers shall be disconnected per the existing customers, then AT&T will have no objections removing the existing aerial service lines in the alley.
3. All impacted water and sewer lines shall be relocated and detailed engineering plans must be reviewed and approved by the City of Fayetteville prior to construction.

VAC-2023-0012

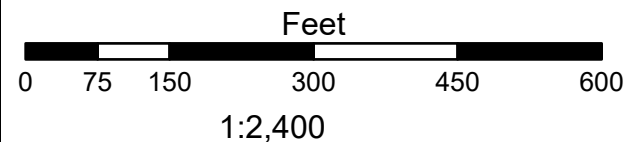
546 W. CENTER ST

VAC-2023-0012
EXHIBIT 'A'

Close Up View



- Neighborhood Link
- Urban Center
- Unclassified
- Alley
- Residential Link
- Planning Area
- Fayetteville City Limits
- Shared-Use Paved Trail
- Design Overlay District



- RSF-4
- RI-U
- RMF-40
- Residential-Office
- Main Street Center
- Downtown General
- Neighborhood Conservation
- P-1