



City of Fayetteville, Arkansas

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

Legislation Text

File #: 2024-1727

VAC-2024-0001: Vacation (N. BOB YOUNKIN DR. & W. DRAKE ST./LEGACY VENTURES NWA, 251): Submitted by LEGACY VENTURES, LLC for property located at N. BOB YOUNKIN DR. & W. DRAKE ST. in WARD 3. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY-FOUR UNITS PER ACRE and contains three parcels with a total of 3.37 acres. The request is to vacate a total of 0.108 acres of general utility easements.

AN ORDINANCE TO APPROVE VAC 24-01 FOR PROPERTY LOCATED AT NORTH BOB YOUNKIN DRIVE AND WEST DRAKE STREET IN WARD 3 TO VACATE FIVE GENERAL UTILITY EASEMENTS TOTALING 0.108 ACRES

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 general utility easements are 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 general utility easements 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 or relocation of any existing facilities will be at the applicant's expense;
2. New easements must be granted to SWEPCO/AEP following utility routes and equipment layouts with easement plat;
3. The northernmost utility easement 23A-195 must retain at least 10 feet south of the existing sewer line based on the actual survey of that line. Utility easement will be verified with submittal of the easement plat; and
4. Duct paths must be provided from the street right-of-way of Bob Younkin to the individual units for AT&T.



MEETING OF MARCH 5, 2024

TO: Mayor Jordan and City Council

THRU: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director
Jessica Masters, Development Review Manager

FROM: Donna Wonsower, Planner

SUBJECT: **VAC-2024-0001: Vacation (N. BOB YOUNKIN DR. & W. DRAKE ST./LEGACY VENTURES NWA, 251): Submitted by LEGACY VENTURES, LLC for property located at N. BOB YOUNKIN DR. & W. DRAKE ST. in WARD 3. The property is zoned RMF-24, RESIDENTIAL MULTI-FAMILY, TWENTY-FOUR UNITS PER ACRE and contains three parcels with a total of 3.37 acres. The request is to vacate a total of 0.108 acres of general utility easements.**

RECOMMENDATION:

Staff recommends approval of **VAC-2024-0001** 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. New easements must be granted to SWEPCO/AEP following utility routes and equipment layouts with easement plat.
3. The northernmost utility easement 23A-195 must retain at least 10 feet south of the existing sewer line based on the actual survey of that line. Utility easement will be verified with submittal of the easement plat.
4. As described in discussions with developers, duct paths must be provided from the street right-of-way of Bob Younklin to the individual units for AT&T.

BACKGROUND:

The subject property is in north Fayetteville and contains three parcels (765-24866-000, 765-24865-000, and 765-24864-000) that are approximately 1.16, 1.15, and 1.06 acres. A property line adjustment has been approved to combine all three parcels into a total of 3.37 acres but has not yet been recorded. The site is currently undeveloped. A large-scale development (LSD-2023-0009) was approved in September 2023 for the subject property including thirty-two residential structures totaling sixty-four dwelling units. A separate ROW vacation request will be heard at a later date.

Request: The applicant proposes to vacate four existing 20' x 40' existing general utility easements generally aligning with the existing parcel boundaries and a 9' portion of a general utility easement along N. Bishop Dr. These easements are required to be vacated in order to continue with the associated large-scale development project.

DISCUSSION:

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

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov

recommends approval.

BUDGET/STAFF IMPACT:

NA

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

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

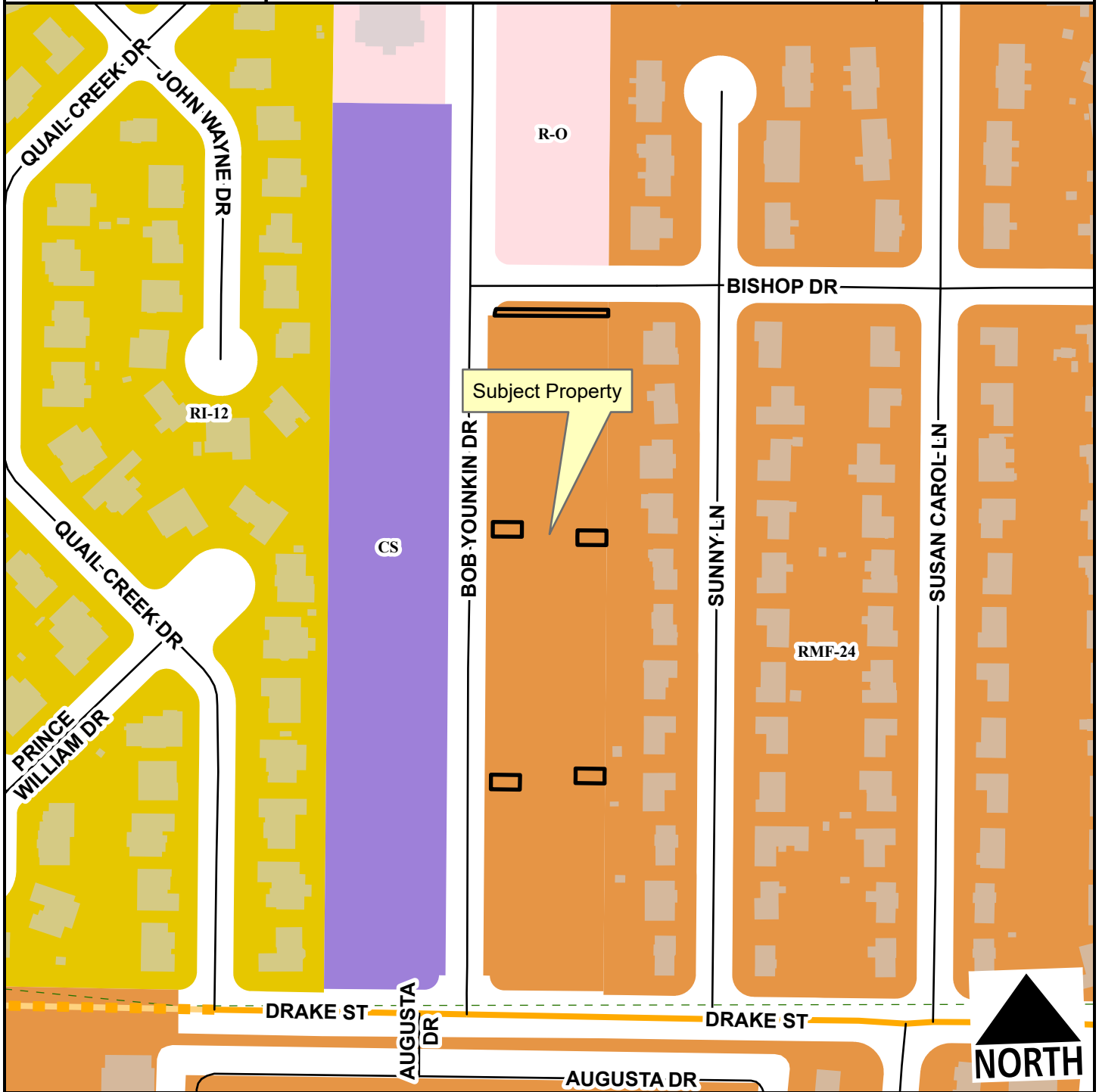
www.fayetteville-ar.gov

VAC-2024-0001

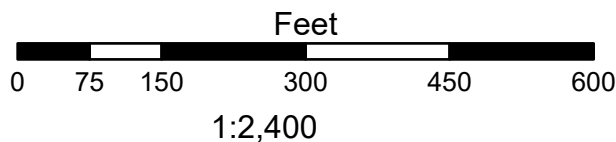
N. BOB YOUNKIN DR & W. DRAKE ST

VAC-2024-0001
EXHIBIT 'A'

Close Up View



- Neighborhood Link
- Unclassified
- Residential Link
- Planned Neighborhood Link
- Planning Area
- Fayetteville City Limits
- Trail (Proposed)



- RI-12
- RMF-24
- Residential-Office
- Community Services