



# City of Fayetteville, Arkansas

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

## Legislation Text

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**File #:** 2024-62

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**VAC-2024-0007: Vacation (EAST OF 1074 E. SAIN ST/TRAILS ON THE CREEK, 174): Submitted by BLEW AND ASSOCIATES for property located EAST OF 1074 E. SAIN STREET in WARD 3. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 10.60 acres. The request is to vacate 0.076 acres of drainage easement.**

AN ORDINANCE TO APPROVE VAC-24-07 FOR PROPERTY LOCATED EAST OF 1074 EAST SAIN STREET IN WARD 3 TO VACATE A 0.076 ACRE PORTION OF DRAINAGE 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 drainage 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 drainage 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 condition that any damage to or relocation of any existing facilities will be at the property owner/developer's expense



**MEETING OF MAY 21, 2024**

**TO:** Mayor Jordan and City Council

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

**FROM:** Jessica Masters, Development Review Manager

**SUBJECT:** **VAC-2024-0007: Vacation (EAST OF 1074 E. SAIN ST/TRAILS ON THE CREEK, 174): Submitted by BLEW AND ASSOCIATES for property located EAST OF 1074 E. SAIN STREET in WARD 3. The property is zoned RPZD, RESIDENTIAL PLANNED ZONING DISTRICT and contains approximately 10.60 acres. The request is to vacate 0.076 acres of drainage easement.**

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**RECOMMENDATION:**

Staff recommends approval of VAC-2024-0007 as shown in the attached Exhibits 'A' and 'B', and with the following condition of approval:

1. Any damage or relocation of existing facilities will be at the property owner/developer's expense;

**BACKGROUND:**

The subject property is in north Fayetteville, south of Mud Creek, and west of Butterfield Trail Village. The eastern and southern portions of the main site are characterized by steep slopes down to Mud Creek and its floodplain to the north, and up to Brookhaven Estates and Christian Life Cathedral to the south. The property received its current zoning designation of RPZD on November 5, 2020 with the passage of Ordinance 6377 by City Council. An associated large-scale development for multi-family housing was approved by the Planning Commission on November 28, 2022 and is currently working its way through the permitting process. Previous easement and right-of-way vacation requests were heard and approved by City Council on February 21, 2023 (Ordinance 6645 and 6646, respectively).

Request: The applicant proposes to vacate a drainage easement that is currently within three separate segments and totaling 0.076 acres. These easements are required for vacation to continue moving forward with a multi-family large-scale development that received approval in November 2022.

**DISCUSSION:**

City of Fayetteville staff recommends in favor of the requested drainage easement vacation. The applicant submitted all the necessary approvals without objections. A new 20-foot wide drainage easement is planned to be dedicated to the east of this existing easement to align with the planned drainage system to be installed with the associated multi-family development.

**BUDGET/STAFF IMPACT:**

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Mailing address:

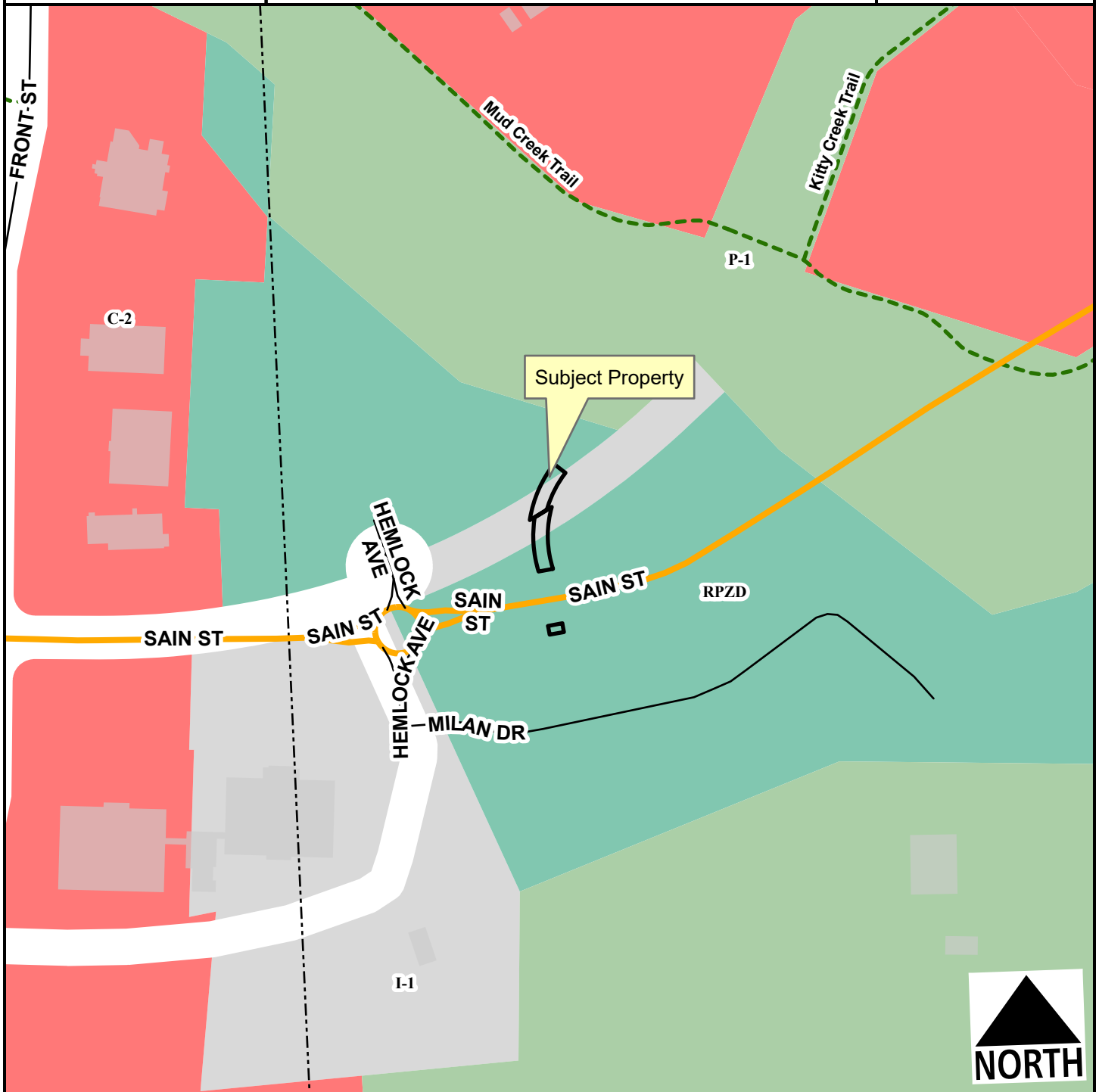
113 W. Mountain Street  
Fayetteville, AR 72701







[www.fayetteville-ar.gov](http://www.fayetteville-ar.gov)

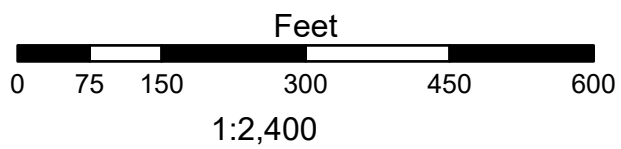
N/A






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

Close Up View



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



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