



City of Fayetteville, Arkansas

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

Legislation Text

File #: 2024-98

N/A

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S INTENTION TO APPROVE AN EXTENSION OF WATER AND SEWER SERVICE TO A PROPOSED DEVELOPMENT OUTSIDE OF THE CITY LIMITS AT 1011 SOUTH MALLY WAGNON ROAD AT THE OWNER/DEVELOPER'S EXPENSE

WHEREAS, City staff was contacted by John McGowan about extending City of Fayetteville water and sewer services to a proposed development outside of the city at 1011 South Mally Wagnon Road; and

WHEREAS, § 51.112 **Water Service and Extension Policy** of the City Code provides that the Utilities Director may extend water service outside of the City upon the agreement of the property owner to comply with all city ordinances and requirements; and

WHEREAS, § 51.113 **Sewer Service and Extension Policy** of the City Code provides that sewer service may be extended outside the city only with the express approval of the City Council; and

WHEREAS, Utilities staff has determined that the City likely has sufficient capacity to provide sewer service but upsizing of a water main near the property will probably be required to ensure fire flow capacities; and

WHEREAS, City staff recommends that the property owner/developer provide documentation of the development's utility needs, the capacity of nearby water and sewer mains to serve the development, and the cost of any extension and upsizing necessary to provide utility services, and provide a proposed development agreement for the project.

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

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby expresses its intention to allow the property owner/developer, at its own expense, to extend water and sewer services to a proposed development outside the city at 1011 South Mally Wagnon Road.

Section 2: That the City Council of the City of Fayetteville, Arkansas shall require the developer/property owner provides studies, estimates, or other documentation sufficient to establish the actual water and sewer needs of the property, the capacity of the system and any upsizing necessary to serve the development, the costs associated with the extension of these utility services to the development; and shall provide a proposed development agreement for the project demonstrating how

the project will comply with the city's standards and requiring payment of all development impact fees.



MEETING OF MAY 21, 2024

TO: Mayor Jordan and City Council
THRU: Blake Pennington, Assistant City Attorney
FROM: Council Member Scott Berna
SUBJECT: N/A

RECOMMENDATION:

Council Member Berna is sponsoring a resolution to express the City Council's intention to approve an extension of water and sewer service to a proposed development outside city limits.

BACKGROUND:

§ 51.112 **Water Service and Extension Policy** of the City Code provides that the Utilities Director may extend water service outside of the City upon the agreement of the property owner to comply with all city ordinances and requirements. § 51.113 **Sewer Service and Extension Policy** of the City Code provides that sewer service may be extended outside the city only with the express approval of the City Council. City staff recommends that the property owner/developer provide documentation of the development's utility needs, the capacity of nearby water and sewer mains to serve the development, and the cost of any extension and upsizing necessary to provide utility services, and provide a proposed development agreement for the project.

DISCUSSION:

Staff recommends that the City Council require the developer/property owner provides studies, estimates, or other documentation sufficient to establish the actual water and sewer needs of the property, the capacity of the system and any upsizing necessary to serve the development, the costs associated with the extension of these utility services to the development; and provide a proposed development agreement for the project demonstrating how the project will comply with the city's standards and requiring payment of all development impact fees.

BUDGET/STAFF IMPACT:

N/A

ATTACHMENTS: Agenda Request - Berna (#3)