



# City of Fayetteville, Arkansas

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

## Legislation Text

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**File #:** 2024-214

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**VAC-2024-0013: Vacation (653 W. 15TH ST./WASHINGTON COUNTY PARTNERS LLC, 600): Submitted by DEVELOPMENT CONSULTANTS INC for property located at 653 W. 15TH ST. in WARD 1. The property is zoned CS, COMMUNITY SERVICES and contains approximately 3.16 acres. The request is to vacate 0.09 acres of sewer easement.**

AN ORDINANCE TO APPROVE VAC-24-13 FOR PROPERTY LOCATED AT 653 WEST 15TH STREET IN WARD 1 TO VACATE A 0.09 ACRE PORTION OF SEWER 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 sewer 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 sewer 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 utility relocation associated with this easement vacation must be approved and completed as required by the City of Fayetteville.



**MEETING OF JULY 2, 2024**

**TO:** Mayor Jordan and City Council

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

**FROM:** Gretchen Harrison, Senior Planner

**SUBJECT:** **VAC-2024-0013: Vacation (653 W. 15TH ST./WASHINGTON COUNTY PARTNERS LLC, 600): Submitted by DEVELOPMENT CONSULTANTS INC for property located at 653 W. 15TH ST. in WARD 1. The property is zoned CS, COMMUNITY SERVICES and contains approximately 3.16 acres. The request is to vacate 0.09 acres of sewer easement.**

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**RECOMMENDATION:**

Staff recommends approval of **VAC-2024-0013** as shown in the attached Exhibits 'A' and 'B' and with the following condition of approval:

1. Any utility relocation associated with this easement vacation must be approved and completed as required by the City of Fayetteville.

**BACKGROUND:**

The subject property is located on the south side of 15th Street about a quarter of a mile west of the street's intersection with School Avenue. The property includes one parcel totaling 3.16 acres which is currently undeveloped and zoned CS, Community Services. A large site improvement plan, which would allow the property to be developed with a 152-unit multi-family residential development, was approved by staff in January 2024 (LSIP-2023-0003).

*Request:* The applicant is requesting to vacate 0.09 acres of an existing sewer easement which runs diagonally across the north side of the property. The applicant has indicated that this vacation is necessary since the sewer main in the easement is being abandoned and rerouted. A new sewer main and manholes have been constructed and a new sewer easement is being dedicated to replace the portion of the easement that they are requesting to vacate.

**DISCUSSION:**

The applicant submitted the required approvals with no objections, though the City's Water and Sewer Division has requested that a condition be added as shown in staff's recommendation above. With submittal of the required vacation forms and utility consent, staff recommends approval.

**BUDGET/STAFF IMPACT:**

N/A

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Mailing address:

113 W. Mountain Street  
Fayetteville, AR 72701

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

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

**Written request to accompany the Sewer Easement Vacation located in part of Lot 1 of  
The Sanctuary Addition Lots 1 & 2, City of Fayetteville, Arkansas.  
Landowner: "Washington County Partners, LLC"**

To: The Fayetteville City Planning Commission and  
The Fayetteville City Council

On behalf of the landowners, I am petitioning the Fayetteville City Planning Commission and the Fayetteville City Council to vacate and abandon a portion of a 20' Sewer Easement in the area described below:

Vacation of a portion of a 20.00 feet wide Sewer Easement in part of Lot 1, The Sanctuary Addition - Lots 1 & 2 (File #024A-513), City of Fayetteville, Washington County, Arkansas, being more particularly described as follows:

Commencing at a found 5/8" rebar (PLS #1441) at the NW corner of said Lot 1; Thence S 02°44'33" W along the Westerly line of said Lot 1, a distance of 32.00 feet; Thence S 86°41'12" E, a distance of 110.89 feet to a point on the Southerly line of afore said 20.00 feet wide Sewer Easement and the Point of Beginning; Thence continuing S 86°41'12" E, a distance of 41.69 feet to the Northerly line of said 20.00 feet wide Sewer Easement; Thence S 58°01'02" E along the Northerly line of said 20.00 feet wide Sewer Easement, a distance of 173.63 feet; Thence S 02°43'25" W, a distance of 22.92 feet to the Southerly line of said 20.00 feet wide Sewer Easement; Thence N 58°01'02" W along the Southerly line of said 20.00 feet wide Sewer Easement, a distance of 221.41 feet to the Point of Beginning, containing 0.09 Acres more or less.

Washington County Partners, LLC is the only abutting landowner to the 20' wide Sewer Easement sought to be vacated and abandoned. By granting this vacation request, the current owners would benefit, and no other landowner would be adversely affected.

A new sewer main and manholes have been constructed to re-route the sewer and a new sewer easement is being dedicated to replace the portion sought to be vacated.

The public interest and welfare would not be adversely affected by granting this vacation request.

  
Allen Jay Young, Development Consultants, Inc.

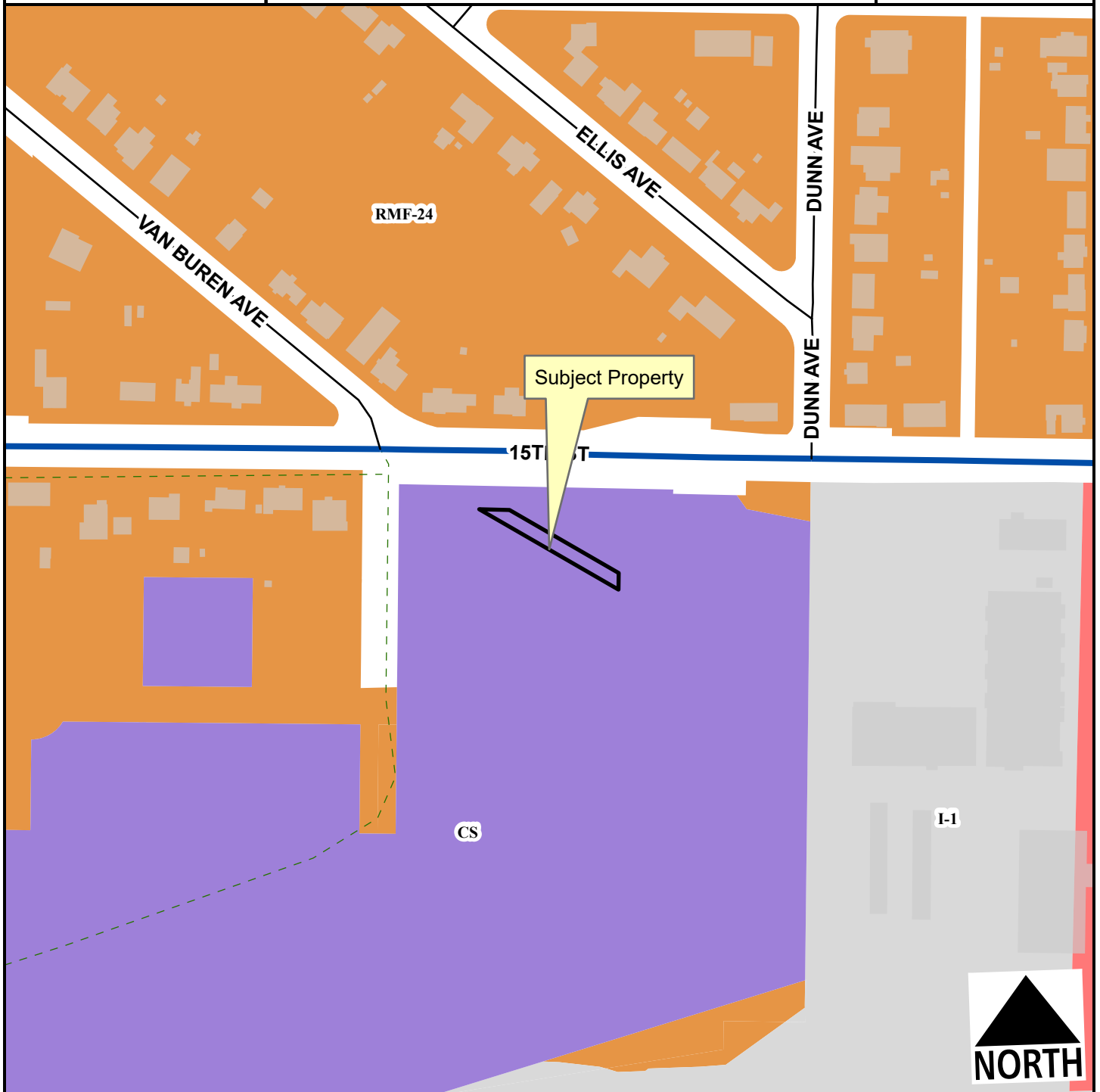
VAC-2024-0013






# 653 W. 15TH ST

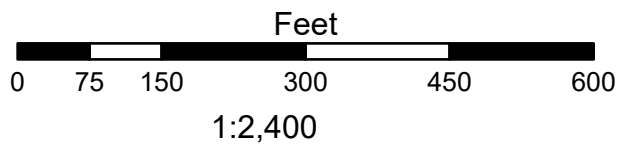
VAC-2024-0013


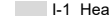


EXHIBIT 'A'

Close Up View



-  Regional Link - High Activity
-  Residential Link
-  Planning Area
-  Fayetteville City Limits
-  Trail (Proposed)



-  RMF-24
-  I-1 Heavy Commercial and Light Industrial
-  C-2
-  Community Services