



CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **November 1, 2021**
Project: **Fantinel UE Vacate**
Planner: Nathan Crouch

AGENDA ITEM

PH-1

CC-11a

FANTINEL UE VACATE UTILITY EASEMENT VACATE REQUEST

Parcel #: 830-37867-000

SUMMARY: Fantinel Business Park Subdivision, Lot 5, is requesting to vacate the unused portion of the 100 ft utility easement along the back of the lot. The lot is for sale and this unused utility easement substantially decreases the buildable area of the lot.

CURRENT ZONING: C-2 – General Commercial

CITY WARD: 2 – Arthur Penzo, Larry Ardemagni

FLOODPLAIN: No, 05143C0065F

INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):

Water: Tontitown Water, existing 8" water main.

Electric: Ozarks Electric

Sewer: Tontitown Sewer, existing 8" sewer main.

Phone: AT&T

Natural Gas: Source Gas

Cable: Cox Communications

School District: Springdale

PROJECT SYNOPSIS:

The owner of Lot 5, Fantinel Business Park Subdivision, is requesting to vacate (remove) the existing 100 ft utility easement along the west property line, replacing it with an appropriately sized utility easement.

The existing utility easement is 100 ft wide, dedicated for sanitary sewer disposal. There is a sanitary sewer main located in that easement, but Tontitown's typical sewer easement is 20 ft, not 100 ft, so the seller is requesting to vacate the unused portion of the easement to make the property more marketable for sale.

TECHNICAL INFORMATION:

Utilities:

Water: There is an 8-inch water main crossing the property along the north property line running northwest and southeast. This utility easement will remain.

Electric: Ozarks Electric-No comments were received from OECC, however, additional coordination with the utility to place necessary utility easements should be coordinated prior

to construction plan approval.

Sewer: There is an 8 inch sewer main occupying the easement, running north-south. Tontitown's typical sewer easement is 20 ft, so if this 100 ft sewer easement is vacated it will be replaced with a 20 ft sewer easement.

When this property gets developed, it will connect to the City of Tontitown sewer system. This request to vacate was discussed with Tontitown's Director of Public Works. Mr. Clark commented that the appropriate utility easement should remain after vacating the additional 80 ft. Additionally, a 15 ft drainage and water easement on the north property line exist, and shall remain after the easement vacation.

Phone, Natural Gas, Cable: AT&T, Black Hills Energy, Cox Communications- No comments were received from ATT, Black Hills, or Cox, however, additional coordination with the utility to place necessary utility easements should happen prior to construction plan approval.

APPROVAL CRITERIA:

The application requires the following items to be submitted for review:

1. Fee- \$125 **paid**.
2. Utility Release Forms- **forms submitted, signed by Ozarks Electric, Black Hills Energy, Cox Communications, AT&T Arkansas, Tontitown Water & Sewer.**
3. Neighbor Notification Forms- **neighbors at Lots 4 and 6 were notified of this request and indicated they do not object.**
4. Certified List- **provided to the applicant by the Planning Official by using data available on the City Webmap and the County Assessor's parcel database.**
5. Vicinity Map- **the vicinity can be clearly analyzed on the City's webmap.**
6. Recorded Plat- **submitted.**
7. Legal Description- **to be coordinated after approval.**
8. Petition to vacate Form- **submitted.**

STAFF RECOMMENDATION: Staff recommends approval of this request to vacate the unused portion of the utility easement along the back property line of Lot 5, Fantinel Business Park Subdivision, with conditions.

CONDITIONS RECOMMENDED FOR APPROVAL:

1. 20 ft Sanitary Sewer utility easement shall remain along the west property line, centered on the sewer line.
2. 15 ft drainage and water easements shall remain on north property line.
3. Coordinate with Tontitown Director of Public Works on editing the legal description of the existing 100 ft sewer utility easement to be replaced with the minimum required 20 ft sewer utility easement.

