



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: April 3, 2017

Re: Arbor Falls Plat 3 - Easement Vacation (Case #17-83)

Executive Summary

Approval of this request would result in the vacation of two existing sixteen-foot wide utility easements created as part of Arbor Falls Plat 1. The easement between Lots 7 and 8 does not contain public utilities and was previously platted with Arbor Falls Plat 1 which consisted of a different lot configuration. The easement within Lot 15 contains a private sewer line which is not required to be within a public utility easement. The vacation of the public utility easements will not compromise the existing connection to a public sewer.

Discussion

The applicant, Crockett Engineering Consultants, is requesting, on behalf of GPD Arbor Falls, LLC (owner) the vacation of two existing sixteen-foot wide utility easements that lie on Lots 7 and 8, and within Lot 15 of Arbor Falls Plat 3. The easement lying on Lots 7 and 8 is adjacent to the eastern edge of the Ranger Drive and contains no public utilities. The easement on Lot 15 is adjacent to an existing building and contains a private sewer line for which a public utility easement is not required. The easement is to the south of Euliss Drive.

The easements were initially dedicated on Arbor Falls Plat 1, which was approved on December 4, 2006, and were consistent with the approved PUD plan for Arbor Falls. The easements were intended utility purposes and were located within access lanes to serve parking areas located to the rear of anticipated multi-family buildings.

The lot arrangement that was shown on Arbor Fall Plat 1 has subsequently been changed with the platting of Arbor Falls Plat 2 and Arbor Falls Plat 3. Based upon those changes the utility easements sought to be vacated were rendered unnecessary since the public utilities which serve the lots shown on Arbor Falls Plat 3 are located within public utility easements lying within Ranger Drive and along the southern boundary of the Arbor Falls property. Furthermore, along with the platting changes the concept of multi-family construction with parking to rear was abandoned in favor of duplex housing with attached garages.

Staff has reviewed the request vacation and identified no need to retain the existing easements since there are no public utilities located within them. Staff has further determined that vacation of the easements will not impact provision of utility services to the existing buildings on the site.

Staff supports the requested easement vacation. Locator maps and vacation graphic are attached for reference.



Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: None.

Vision & Strategic Plan Impact

Vision Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
6/3/2013	Council Bill # B140-13 – Approved Arbor Falls Plat 3, reconfiguring the easements
3/19/2007	Council Bill # B88-07 – Approved Arbor Falls Plat 2, maintaining the original easements
12/4/2006	Council Bill # B472-06 – Approved Arbor Falls Plat 1, replat of Lot 1, Old Hawthorne Plat 1 (8/21/2006)

Suggested Council Action

Approve the requested utility easement vacations.