



CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd.
479-361-2700
planning@tontitownar.gov

Meeting: **June 30, 2026**
Project: **SW 1st St. and W.
Washington Ave
ROW Vacation Request**
Planner: Brad Spurlock

AGENDA ITEM

PC 1

ROW VACATION

Entire SW 1st and the remaining local section W. Washington Ave.

SUMMARY: The applicant is requesting approval to vacate an existing public right-of-way located at the subject property. The purpose of the request is to eliminate a used public right-of-way that no longer serves a public transportation purpose and to incorporate the vacated area into the adjoining property.

CURRENT ZONING: C-2, (General Commercial)

PROPOSED USE: C-2, (General Commercial)

CITY WARD: 3 – Aldermen Tim Burress and Mike Woshkowiak

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

Water: Tontitown Water

Sewer: Tontitown Sewer

Electric: Ozarks Electric

Cable: Cox Communications

Phone: AT&T

Natural Gas: Black Hills Energy

School District: Springdale

PROJECT SYNOPSIS:

The subject property is owned by Pam Transportation, Inc. and was originally dedicated as part of the Tontitown Master Street Plan. Staff have determined that the right-of-way is presently being utilized for public roadway purposes and the applicant would like to have this portion removed. It also not anticipated to be required for future public transportation needs.

REVIEW:

Staff have reviewed the requests and find the following:

- The right-of-way is currently listed as a public street as part of the Tontitown MSP.
- The proposed vacation will not adversely affect traffic circulation or public access.
- Utility providers have been contacted regarding the existence of public utilities within the right-of-way. Any existing utility easements of facilities shall remain protected or be addressed prior to recording of vacation, if necessary.
- The vacation will not negatively impact emergency services or future public infrastructure planning.
- The request is consistent with the City's Comprehensive Plan by allowing more efficient use of private property while eliminating unnecessary public right-of-way.

FINDINGS OF FACT:

Staff find that:



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1. The right of way is no longer necessary for public street purposes.
2. Vacating the right of way will not deprive surrounding properties of legal access.
3. The request will not create adverse impacts to adjacent properties.
4. Existing public utilities, if any, will be protected through retained utility easements or relocation agreements as required.
5. The proposed vacation serves the public interest by removing unnecessary public right of way while allowing more efficient use of the adjoining property.

STAFF RECOMMENDATION

Staff recommend approval of the requested right-of-way vacation subject to the following conditions:

1. Any required utility easements shall be retained or established prior to recording the vacation.
2. All necessary approvals from utility providers shall be obtained before the vacation becomes effective.
3. The applicant shall prepare and record all documents required to complete vacation with the Washington County Circuit Clerk.
4. The applicant shall be responsible for all costs associated with surveying, legal descriptions, recording fees and other expenses related to vacation.
5. Approval shall not relieve the applicant from obtaining additional permits or approvals required by the City of Tontitown or other governmental agencies.



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Figure 1: Vicinity Map

