



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: October 21, 2024

Re: Merideth Drive– Right of Way Vacation (Case # 201-2024)

Executive Summary

Approval of this request would vacate an approximate 25-foot wide x 305-foot long portion of Merideth Drive right of way lying between relocated Scott Boulevard and adjacent to property platted as lots 1-4 of Atkinson Woods Plat 1 subdivision. The applicant plans to combine the vacated right of way, via a replat, into the adjacent Atkinson Woods Plat 1 subdivision to facilitate a new residential development containing eight single-family attached homes and two duplexes. A concurrent request for acceptance of a 25-foot public utility easement will appear as a separate business item on the Council's October 21, 2024 agenda. Acceptance of the new public utility easement is a prerequisite to the partial vacation of Merideth Drive.

Discussion

A Civil Group (agent), on behalf of Starr Property Investments LLC (owner), is seeking approval to vacate an approximately 25-foot wide x 305-foot long portion of Merideth Drive east of relocated Scott Boulevard and west of lots 1-4 of the Atkinson Woods Plat 1 subdivision (see vacation exhibit). The approximately 1.74-acre tract is located immediately north of the Daniel Boone Little League baseball/softball complex northwest of the intersection of Chapel Hill Road and Scott Boulevard.

The applicant seeks to vacate part of Merideth Drive to facilitate development of the vacant property to the west with eight attached single-family lots and two duplex lots. A report to Council on August 5, 2024 received authorization to prepare an ordinance to vacate the requested 25-feet of right of way. Following a staff presentation, Council directed staff to proceed with formal review of the request and preparation of an ordinance.

The existing right of way of Merideth Drive, the former alignment of Scott Boulevard, is believed to be excessive in its present width (85-feet) given its current classification as a residential street which requires only a 50-feet of right of way. Merideth Drive provides access to 12 residentially zoned lots inclusive of the undeveloped land adjoining the right of way corridor which is owned by the applicant.

Merideth Drive lies west of the western right of way line of relocated Scott Boulevard and is not in the center of its corridor (see attached "annotated vacation graphic"). The centerline of Merideth Drive is approximately 35-feet from the western right of way line of relocated Scott Boulevard with the remaining "improved" corridor being 30-feet west of the road's centerline. It should be noted that 20 feet of the overall 85-foot right of way corridor



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was acquired with the final platting of the Atkinson Woods Plat 1 subdivision in anticipation that Scott Boulevard would be expanded. Expansion of Scott Boulevard did not occur as anticipated and the 20-feet of additional right of way remains undeveloped today.

The requested vacation of western 25-feet of the Merideth Drive corridor would result in a fully compliant public street containing 60-feet of right of way, which is 10 feet greater than required for its residential classification. Furthermore, if the requested vacation is approved it would enhance the developability of the lots abutting Merideth Drive by extending the developable area eastward by ten feet given an adjustment in where the front yard setback would be measured from.

In the course of evaluating this request, staff determined that the right of way to be vacated contained existing city utilities. To ensure that these improvements remain accessible to the Utilities Department, a concurrent request to accept a 25-foot public utility easement covering the same width as the right of way to be vacated has been prepared. This easement acceptance appears concurrently on the Council's October 21 agenda for consideration. Acceptance of the easement dedication is necessary prior to approval of the requested right of way vacation.

It should be further noted, if this request is approved, the vacated right of way, encumbered by the 25-foot public utility easement and the existing 15-foot utility easement west of the additional right of way dedication would effectively result in a 40-foot front yard setback impacting any future development on the applicant's undeveloped property. While this area cannot be used for habitable building construction, it would serve to separate any future construction from potential negative impacts of Scott Boulevard traffic and would accommodate necessary on-site parking.

The requested vacation has been reviewed by both internal and external agencies. Staff supports the vacation on the condition that the applicant dedicate the 25-foot public utility easement.

Locator maps, annotated vacation graphic, and the easement legal description and exhibit are attached for review.

Fiscal Impact

Short-Term Impact: None. Any relocation of existing utilities resulting from development of the former right of way would be borne by the applicant.

Long-Term Impact: Potentially revenue positive given current land status does not generate property taxes. Maintenance costs of existing public infrastructure within the right of way corridor are neutral.



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Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Reliable and Sustainable Infrastructure, Secondary Impact: Resilient Economy, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Livable & Sustainable Communities, Tertiary Impact: Not Applicable

Legislative History

Date	Action
8/5/2024	Merideth Drive Right of Way Vacation (REP 49-24)

Suggested Council Action

Approve the requested vacation of the western 25-foot wide x 305-foot long portion of Merideth Drive abutting lots 1-4 of Atkinson Woods Plat 1 subdivision.