



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: April 15, 2024

Re: Partial Easement Vacation on Lot 2 of H.E. Johnson Subdivision (Case #104-2024)

Executive Summary

Approval of this request will authorize a partial vacation of an existing utility easement located along the boundary between Lot 2 of the H.E. Johnson Subdivision and Tract 2 of a Survey recorded in Book 333, Page 431. This request is being considered concurrently with the proposed rezoning of Tract 2 from M-OF (Mixed-use Office) to PD (Planned Development) and its incorporation into an updated development plan known that will be known as the "Phoenix House PD- Development Plan" (Case #105-2024). Additionally, a consolidation plat (Case #103-2024) involving Lot 2 of the H.E. Johnson Subdivision (existing Phoenix House) and Tract 2 is presented for Council consideration on April 15 agenda under separate cover. Approval of this requested vacation will allow for expansion of the residential component of the Phoenix House (operated by Burrell) and addition of a parking lot with street access to the expanded facility from Texas Avenue. This request is aligned with Burrell's request to receive City ARPA funds to provided supportive services to community members in need.

Discussion

Engineering Surveys & Services (agent), on behalf of Burrell, Inc. (owner), seek approval to vacate an 8-foot wide utility easement dedicated on Lot 2 of the H.E. Johnson Subdivision. This request will vacate 3,432 sq. ft. of existing utility easement in order to allow for additional vehicle parking associated with a planned building addition as shown on the revised PD Plan that is presented as part of Case #105-2024. The total future consolidated development site contains 4.93-acres, is located south of the intersection at Newton Drive & E Leslie Lane, and includes the addresses 90 E Leslie Lane and 107 Texas Avenue.

The northern property was rezoned to the C-P (Planned Commercial, now PD) in May 2004 (Ord. 018067) and was accompanied by the 'Phoenix House C-P Development Plan'. As a part of the approving ordinance, Exhibit A (Design Parameters) which served as the SOI were also approved. The subject site is presently used by the applicant for general and medical offices as well as a residential care facility. These uses are consistent with those authorized as part of the approved 2004 SOI and development plan. With the revised PD plan proposing access from Texas Avenue, staff finds that the request to vacate the utility easement abutting the common lot line between the development's platted (existing Phoenix House) and unplatted (Tract 2) lots is reasonable in order to permit future development on both lots.

The applicant has submitted concurrent requests for approval of a major PD Plan amendment (Case #105-2024) and a 1-lot consolidation plat (Case #103-2024) that includes both Lot 2 and Tract 2. Both of these cases were presented to the Planning and Zoning



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Commission and approved at their March 21, 2024 meeting. The details of these cases are fully presented under separate cover. The PD Plan amendment, also serving as a revised preliminary plat, and the consolidation plat precede this request on the Council's April 15 agenda. Given the consolidation plat will be approved prior to approval of the requested vacation, the existing utility easement has been shown in its entirety on the consolidation plat.

The utility easement sought to be vacated was dedicated when the final plat of H.E. Johnson Subdivision was approved in 1984. The easement is depicted as running along the perimeter of Lot 2 where it abuts Tract 2, except a section along the southwest portion of the lot near Texas Avenue. The 3,432 sq. ft. portion of the easement sought to be vacated will not impact the retained easement's functionality or the improvements presently located within it. The vacated area will be improved with a new parking lot and driveway sought by the property owner to increase the usability of that area and meeting Fire Code accessibility requirements.

The request has been reviewed by all applicable departments and found to be appropriate. Staff supports the vacation request.

Locator maps and vacation legal description/exhibit are attached.

Fiscal Impact

Short-Term Impact: None
Long-Term Impact: None

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Not Applicable, 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
05/03/2004	Approved Rezoning/Phoenix House C-P Development Plan (Ord. 018067)
04/02/1984	Approved H.E. Johnson Subdivision (Ord. 10135)

Suggested Council Action

Approve the requested partial easement vacation.