



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: December 19, 2022

Re: Waco Road Right-of-Way Vacation (Case #44-2023) - Report

Executive Summary

A request has been received seeking the vacation of approximately 5,227 sq. ft. of excess public right of way dedicated for Waco Road, immediately southwest of the Waco Road and Brown Station Road intersection. Presently, Waco Road is partially built-out in a nearby alignment approximately 80-feet to the north.

If vacated, the applicant desires to consolidate the acquired right of way into the adjoining lots as part of a future replat. There are existing utilities within the right-of-way and any vacation ordinance would seek to retain those rights in perpetuity.

Discussion

A Civil Group (agent), on behalf of Dell Jones LLC (owner), is seeking approval to vacate the excess Waco Road right-of-way that extends westward from the intersection of Brown School Road and improved Waco Road. The right-of-way to be vacated is 860 feet long and 40 feet wide and contains approximately 0.37-acres. If vacated, underlying utility easements would remain and the City would no longer be responsible for right-of-way maintenance. There are several existing utilities in place along the subject right-of-way including a gas line.

The subject right-of-way for Waco Road was dedicated by plat, *Dell Jones Plat 2*, in 2005 to provide half-width right-of-way for a Minor Arterial shown on the CATSO Major Roadway Plan. Since its dedication, the final plat of *The Villages at Arbor Pointe Plat 3* was recorded in 2007 which granted right-of-way for Waco Road in a different alignment with the intent to avoid relocating existing utilities. The street was subsequently built within the newly aligned right-of-way to north.

The subject right-of-way (see vacation exhibit) is currently unimproved and is considered excess given Waco Road's construction to the north. The excess right-of-way is presently used as a gravel-surfaced, secondary point of access for Boone Construction Company located to the south. While considered excess, it should be noted that additional right-of-way for Waco Road in its constructed alignment is required. This additional right-of-way would be dedicated with any replat of property to the north.

If vacated, the applicant desires to utilize the acquired right of way by consolidating adjoining lots to remove interior lot lines and setbacks which would facilitate site improvements, potentially including parking areas and driveways as indicated in the applicant's attached correspondence. Given utility easements would remain, limited development would be possible in the vacated right-of-way.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

This report seeks Council authorization to proceed with the requested vacation as well as any possible direction on what specific terms, if any, may be desired to address the loss of the presently platted right of way. It should be noted that existing utility lines exist within the right-of-way and that any vacation ordinance would seek to retain those rights in perpetuity.

Application letter, locator map, and vacation graphic are attached.

Fiscal Impact

Short-Term Impact: None

Long-Term Impact: Public infrastructure maintenance for roads.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Mobility, Connectivity, and Accessibility, Tertiary Impact: Not Applicable

Legislative History

Date	Action
10/1/07	Approved final plat of <i>The Villages of Arbor Pointe Plat 3</i> (Ord. 19684)
2/7/05	Approved final plat of <i>Dell Jones Plat 2</i> (Ord. 18397)

Suggested Council Action

Provide direction to staff as to whether or not it should proceed with the preparation of a vacation ordinance and what, if any, conditions should be included within such ordinance.