



701 East Broadway, Columbia, Missouri 65201

Council Memo

Department Source: Community Development

To: City Council

From: City Manager & Staff

Council Meeting Date: August 3, 2026

Re: Trail, Public Utility, and Drainage Easement Vacation & Rededication of Public Utility and Drainage Easement – Lots 227, 228, 237, and 238 Old Hawthorne North Plat 1 (Case 184-2026)
Impacted Ward: Ward 3

Executive Summary

If this request is approved, the existing obligation to construct a trail across four properties between Walton Heath Drive and Ash Down Drive (lots 227, 228, 237 and 238) in the Old Hawthorne North subdivision would be eliminated by vacation of the drainage, utility, and trail easement as required by note No. 21 of the preliminary plat (approved by Ord. 024791) and depicted and dedicated on the face of the final plat (approved by Ord. 025133). The remaining trail easements as shown on the final plat would be unaffected by this vacation. A new easement rededicating installed public utilities and drainage is to be recorded within the same easement description immediately following the vacation to ensure continuity of public access to installed facilities.

This request has been precipitated by the adjacent property owners given the desire to eliminate the trail easement as it was not disclosed to them prior to purchase of their homes on Lots 227 and 228; however, was shown on all approved plot plats associated with the construction of the homes on said lots. No construction has occurred on Lots 237 or 238.

Discussion

On September 18, 2021, City Council approved a preliminary plat to allow a new 168-lot single-family residential development to be known as "Old Hawthorne North", as well as several design adjustments relating to block length, residential driveway access to a collector roadway, and longer cul-de-sac lengths (Ord. 024791). The preliminary plat noted that as a condition of approved longer block lengths, several midblock trails would be constructed to accommodate pedestrian travel through those blocks. These trails were to be built within trail easements located between lots generally near the center of the block.

This memo specifically pertains to a request by the property owners of Lots 227, 228, 237 and 238 of Old Hawthorne North Plat 1 (final plat, page 5) seeking to waive the requirement that a pedestrian trail be installed between their lots. The relief requested, if approved, would eliminate the requirement for a trail to be constructed between Walton Heath Drive (formerly Portrush Drive) and Ash Down Drive. The block in question received a waiver to exceed 600-foot maximum block length required by the UDC, but with the requirement that a 12-foot wide "pedestrian trail" be constructed between the subject lots. The block in question is approximately 750 feet in length.

This request has been precipitated by the dissatisfaction that the required pedestrian trail easement was not disclosed to the now owners of the dwellings on Lots 227 and 228 (see attached correspondence), despite the easement being shown on the preliminary and final plats, and on the city-approved plot plans associated with construction of the homes on each lot. The plot plans were issued to the builder of the homes, making them aware of the obligation that the trail improvements were to be installed prior to the issuance of a "Certificate of Occupancy" of the first home adjacent to the trail easement.

Review of the permitting records for the home built on Lot 227 (208 Walton Heath Drive) indicates that the "Certificate of Occupancy" (CO) was issued prematurely by the City, prior to the trail improvements being fully completed. This was attributed to a staffing disruption that resulted in different staff being assigned to the area that was unfamiliar with the unique trail requirement. It should be noted that a midblock crossing is not a standard improvement that is typically required.

The home on Lot 227 was, according to the owner's correspondence, purchased several months after the "Certificate of Occupancy" was issued and no disclosure regarding the trail was made. In the intervening months after the sale of the home on Lot 227, construction commenced on Lot 228, with that builder being informed that the missing trail improvements would be required to be installed prior to any future issuance of a CO.

If the applicant's request were to be granted, the requirement for a mid-block connection between Walton Heath Drive and Ash Down Drive would be eliminated. This connection was originally allowed such that pedestrians could cross between these two streets at a more convenient location instead of traveling the full length of the block, which was allowed to exceed the standard 600-foot length. Elimination of the midblock connection as requested would not have a significantly negative impact on pedestrian movement around the block, and may enhance the quality of life for the current residents of Lots 227 and 228, as well as those on Lots 237 and 238 in the future.

The use of midblock trails as a strategy to mitigate the maximum block length requirements is fairly new and still in need of greater refinement. Staff does believe that midblock crossings do provide a benefit in development in that they ultimately address connectivity issues at lower costs, and may reduce the overall street infrastructure requirements for developers, and future maintenance costs for the City.

While deployment in this specific instance has not been as successful as desired, given several unique factors, the elimination of the midblock crossing in this instance may rather be a practical solution to an unfortunate situation that was not foreseen. It should be noted that staff has evaluated the circumstances that contributed to the situation, and appropriate steps have been taken to address it.

Also worth noting is that two other midblock trail easements were required as conditions of approval of the final plat. One has been constructed between lots 210,211, 214, and 215. The other one is shown between lots 126-129. This request would pertain only to the trail easement on the lots identified in this request - Lots 227, 228, 237 and 238 as shown on the final plat recorded for Old Hawthorne North Plat 1 (Ord. 025133).

Locator maps, applicant correspondence, vacation legal and exhibit, rededication of public utility and drainage easement and exhibit, approved preliminary plat inclusive of the "design adjustments" and Ordinance 024791 and final plat for Old Hawthorne North Plat 1 are attached for review.

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: Mobility, Connectivity, and Accessibility, Secondary Impact: Livable & Sustainable Communities, Tertiary Impact: Not Applicable

Legislative History

Date	Action
9/19/22	Approved final plat for "Old Hawthorne North Plat 1" (Ord. 025133)
10/18/21	Approved preliminary plat, design adjustments, and development agreement for "Old Hawthorne North" (Ord. 024791)

Suggested Council Action

Based upon the facts provided above, the City Council may choose to:

- A. **Eliminate** the requirement to construct a trail between Lots 227,228, 237 and 238 as shown on the final plat of Old Hawthorne North Plat 1; or
- B. **Uphold** the requirement that the trail between Lots 227, 228, 237 and 239 be constructed as depicted on the final plat of Old Hawthorne North Plat 1.