



**City of Columbia**  
**Planning Department**  
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## Unimproved Street Sidewalk Design Adjustment Worksheet

For office use:

Case #: 18-181	Submission Date: 8-27-18	Planner Assigned: CS
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If a design adjustment is requested, the Director or Commission may recommend approval of the design adjustment if it determines that the following criteria have been met, and the Council shall consider these criteria in making a decision on the requested design adjustment<sup>1</sup>:

Please explain how the requested design adjustment complies with each of the below criteria:

1. The design adjustment is consistent with the City's adopted comprehensive Plan and with any policy guidance issued to the Department by Council; *yes, This sidewalk variance fits in with the City's concept of using common sense and reason that some sidewalks should be exempt from building.*
2. The design adjustment will not create significant adverse impacts on any lands abutting the proposed plat, or to the owners or occupants of those lands; *To our knowledge this adjustment will create no adverse impacts for anyone.*
3. The design adjustment will not make it significantly more difficult or dangerous for automobiles, bicycles, or pedestrians to circulate in and through the development than if the Subdivision Standards of Section 29-5.1 were met; *This adjustment will have no effect on any autos, bikes, or pedestrians. There is also no subdivision involved in the request.*
4. The design adjustment is being requested to address a unique feature of the site or to achieve a unique design character, and will not have the effect of decreasing or eliminating installation of improvements or site features required of other similarly situated developments; and *This design adjustment is requested to accommodate the unique features of the church property. This adjustment will have no effect on decreasing or eliminating this or other site developments.*
5. The design adjustment will not create adverse impacts on public health and safety. *There will be no effect on public health or safety we believe it will actually be safer not to have this sidewalk due to steep drainage ridge that would have to be crossed to access sidewalk.*

<sup>1</sup> Per Section 29-5.2 (b) Subdivision of Land Procedures General Provisions

Please answer the following questions for Unimproved Streets<sup>2</sup>:

1. What is the cost of constructing the sidewalk, relative to the cost of the proposed development?

Sidewalk \$40,000 to \$55,000  
 Driveway tearout and new construction for sidewalk \$15,000 to \$20,000  
 total sidewalk project \$55,000 to \$75,000 cost of building \$800,000.

2. Is the terrain such that sidewalks or walkways are physically feasible?

~~This~~ It would not be physically feasible to access this sidewalk <sup>from</sup> State Route PP / Ballinger Lane. Due to steep drainage ditches on road.

3. Would the sidewalk be located in a developed area, on a low traffic volume local street without sidewalks?

This sidewalk would not be connected to any other sidewalks on Route PP / Ballinger Lane on the 1.3 miles of roadway known as State Route PP / Ballinger Lane.

4. Are there any current or future parks, schools or other pedestrian generators near the development for which a sidewalk or walkway would provide access?

There is nothing that this sidewalk would connect to or provide access to now and/or the near or distant future.

If an alternative walkway is being proposed, please describe how the alternative would deviate from standard sidewalk requirements.

The City of Columbia is constructing 1.3 miles of shoulders on R.A. PP / Ballinger Lane for pedestrian walkways and bicycles to ride on. see attached letter City of Columbia.

If applicable, please attach a map showing the proposed alternative walkway alignment. marked #1

Additional comments:

- ① To build sidewalk a large amount of trees would have to be destroyed on frontage of church land. see trees pictured on locator map.
- ② Large portion of driveway entrance will have to be torn out and rebuilt as motor permit and design plan is non-comparable with City guidelines.
- ③ City of Columbia and motor <sup>and</sup> building walkways and bike paths on both sides of PP / Ballinger Lane for entire length 1.3 miles. It seems redundant and extra expense for church to build sidewalk that will never be used.

<sup>2</sup> Based on factors for determining sidewalk need, identified in Council Policy Resolution PR 48-06A



# 1

## CITY OF COLUMBIA, MISSOURI

PUBLIC WORKS DEPARTMENT

June 13, 2018

Victory Christian Church of Columbia, Incorporated,  
a Missouri non-profit corporation  
4807 Silver Cliff Drive  
Columbia, MO 65203

Re: 13.42 acres adjacent to Ballenger Lane - Written Notice of Intended Easement Acquisition, Ballenger Lane non-motorized improvement project

Victory Christian Church of Columbia:

The City of Columbia City Council has authorized the construction of the Ballenger Lane improvement project. The project includes constructing 6-ft. wide shoulders on each side of the road beginning near Ria Street to the south, and continuing north to the roundabout at Mexico Gravel Road; an approximate total length of 6800 ft. (1.3 miles). Non-motorized use of Ballenger Lane prompts the construction of shoulders on both sides of the road. Currently, pedestrians and bicyclists that live along the corridor have no place to walk or ride other than on the street or in the grass. The total cost estimate for the project is \$2,200,000 which includes design, easement acquisition, utility relocation and construction. MoDOT will contribute \$1,800,000 towards the project cost. The City will assume maintenance responsibility of the roadway. We are hopeful that because of the benefits derived from this project, we can reach an agreement with you for the Agreement for Temporary Construction Easement(s) needed from you to accomplish the construction of this project. The easement(s) and, easement diagram(s) are enclosed.

This letter represents the 60-Day Notice you are entitled to by Chapter 523 of the Revised Statutes of Missouri. Negotiations will begin shortly, and we are hopeful that a settlement will be reached. An independent certified real estate appraiser will be conducting a valuation of the enclosed easement areas. A monetary offer will be made based on that valuation, and a copy of that valuation will be included with the offer. The City regards condemnation as a last resort, but it can and sometimes does occur, but can not occur until 30 days after an offer is made. Your rights are important, under Missouri Law; you are entitled to the following:

- a. Seek legal counsel at your own expense;
- b. Make a counteroffer and engage in further negotiations;
- c. Obtain your own appraisal of just compensation at your own expense (Please be advised that should we be required to file a condemnation petition, this will not be done for at least 60 days from the date of this letter. Therefore, if you wish to submit your appraisal to us for review, please keep this timeframe in mind);
- d. Have just compensation determined preliminarily by court-appointed condemnation commissioners and, ultimately, by a jury;
- e. Seek assistance from the office of the ombudsman for property rights, as created under Section 523.277 RSMo, at:

Office of Public Counsel