CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: August 20, 2018

ITEM: Resolution - Resolution approving the alignment and directing City staff regarding the acquisition of property and the establishment of just compensation for the construction of the Grand Avenue Trail – Jordan Creek to Fuller – Project No. 0510-045-2016. Continued from the August 6, 2018 City Council meeting.

FINANCIAL IMPACT: Approximately $650,000- $700,000, including estimated cost of property acquisition and construction.

SYNOPSIS: On June 11, 2018 the City Council received comments from property owners Ruth and Mark McCoy regarding the proposed acquisition of a portion of the McCoy property, 2285 Grand Avenue, necessary for the Grand Avenue Trail. The McCoys expressed their opposition to constructing the trail on the west side of Grand Avenue, in part because of the necessary property acquisition. After receiving input from the McCoys, and in order to obtain more information, the City Council continued the hearing to August 6, 2018, at which time it was again continued to this meeting.

Affected property owners were invited to a meeting with Councilmembers Hardman, Trimble and City staff on July 11, 2018 and again on July 30, 2018. At the second meeting three potential alignments of the trail were presented: west side of Grand Avenue (West Option), east side of Grand Avenue (East Option) or alignment along Fuller Road, avoiding Grand Avenue altogether (Fuller Road Option). A map is attached showing the three options and a summary outlining pros/cons for each option.

As expressed at the meetings, the McCoys remain opposed to the West Option, while property owners Michael and Beverly Goulden, 608 Grand Oaks Drive, and Dr. Christopher and Krystin Komanapalli, 604 Grand Oaks Drive, support this option. Ms. Komanapalli stated specific concern for the safety of pedestrians, children, runners and bicyclists if other than the West Option is chosen, while Michael Goulden referenced the attached written surveys provided by homeowners on Grand Oaks Drive who support the West Option.

Although the specific cost for property acquisition and construction of the trail for each option is not known, an estimated magnitude of costs were prepared for each option. The cost opinion summary is attached. It is estimated that the approximate cost of the project, no matter which option is chosen, will be in the range of $650,000-$700,000. The estimated construction cost for the West Option is greater than the East and Fuller Option, but it should be noted that additional design costs would need to be added to these options.

A secondary consequence of selecting a trail alignment is that it impacts the installation of a sidewalk on the west side of Grand Avenue. City Code requires the owner of a double frontage lot to install and maintain a sidewalk on any property adjacent to a City street. Accessibility from each property to the proposed Grand Avenue sidewalk is limited due to the size and topography of the Grand Oaks Drive properties. Since City policy requires the City, rather than the adjacent property owner, to maintain the City's multi-purpose trail, selection of the West Option would address this issue.

Selection of the East Option would complete the trail access on Grand Avenue between Fuller Road and Jordan Creek and avoid the necessity of acquiring the McCoy property. The East Option also would provide a trail on Grand Avenue, potentially reducing the necessity to also have a sidewalk on the west side of Grand Avenue. The Council could then consider waiving the requirement that a sidewalk be installed on the west side of Grand Avenue.

If the Fuller Road Option is chosen, or if Council decides not to approve construction of a trail at all in this area, the need for sidewalks along Grand Avenue still needs to be addressed as required by City Code.

Both Councilmembers Hardman and Trimble have viewed the location of each proposed alignment but have not made a recommendation.

RECOMMENDATION:

Although the original preference remains for the trail to be located on the west side (West Option), no formal recommendation is being made. The City Council is requested to approve one of the four options to allow staff to continue development of the trail plan. If the West Option is chosen, the Council is requested to authorize the acquisition of the McCoy property necessary to construct the Grand Avenue Trail, and to establish the fair market value of the property. If the East Option, Fuller Road Option or No Trail Option is chosen, the Council is also requested to determine if a waiver should be granted to the Grand Oaks Drive property owners regarding sidewalk installation.

Lead Staff Member: David Sadler, Superintendent of Park for Sally Ortgies, Director of P & R

STAFF REVIEWS

Department Director	Richard J. Scieszinski, City Attorney
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	
Letter sent to surrounding property owners	May 22, 2018

SUBCOMMITTEE REVIEW (if applicable)

Committee	Finance and Administration		
Date Reviewed	April 11, 2018		
Recommendation	Yes		

Prepared by: Greta Truman, Assistant City Attorney, PO Box 65320, West Des Moines, IA 50265-0320 (515) 222-3673
Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines IA 50265 (515) 222-3600

SPACE ABOVE THIS LINE FOR RECORDER

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE ACQUISITION AND ESTABLISHING JUST COMPENSATION FOR PROPERTY NECESSARY FOR THE CONSTRUCTION OF THE GRAND AVENUE TRAIL – JORDAN CREEK TO FULLER ROAD, PROJECT NO. 0510-045-2016

WHEREAS, the City Council of the City of West Des Moines previously approved the funding for the construction of the Grand Avenue Trail -Jordan Creek to Fuller Road, West Des Moines Project Number 0510-045-2016; and

WHEREAS, it is necessary to acquire property interests for the construction of the Trail; and

WHEREAS, acquisition of property interests by the City through gift, purchase or condemnation based upon fair market value of the property is necessary and appropriate; and

WHEREAS, notice of the intent by the City to acquire property necessary for construction of the Trail has been provided to the property owners pursuant to Iowa Code section 6B.2D; and

WHEREAS, the property owners have been provided the opportunity to voice objection to the proposed acquisition of property; and

WHEREAS, following consideration of the issues raised by the property owners, the City Council has determined that acquisition of the property is necessary and in the best interests of the City of West Des Moines.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. Pursuant to the property acquisition policy of the City of West Des Moines, the acquisition of all property interests necessary for the construction of the Grand Avenue Trail from Jordan Creek to Fuller Road, West Des Moines Project Number 0510-045-2016 as reflected on the attached draft plat of survey, or as such plat of survey is subsequently

amended, is approved.

2. City staff is authorized to acquire M.A.I. appraisals establishing the fair market value of the property necessary for the Project.

3. The fair market value established by the M.A.I. appraisals is hereby approved.

4. City staff is further authorized to acquire the property interests through gift or voluntary acquisition based upon the fair market value of each property interest.

5. Upon the inability of the City to acquire the property interests voluntarily or by gift, condemnation is hereby approved. The City Legal Department is authorized to initiate and complete condemnation proceedings.

PASSED AND ADOPTED this 20th day of August, 2018.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson, City Clerk

Prepared by: Greta Truman, Assistant City Attorney, PO Box 65320, West Des Moines, IA 50265-0320 (515) 222-3673
Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines IA 50265 (515) 222-3600

SPACE ABOVE THIS LINE FOR RECORDER

RESOLUTION NO. _____

RESOLUTION APPROVING THE ALIGNMENT OF THE GRAND AVENUE TRAIL - JORDAN CREEK TO FULLER ROAD, PROJECT NO. 0510-045-2016

WHEREAS, the City Council of the City of West Des Moines previously approved the alignment and authorized funding for the construction of the Grand Avenue Trail -Jordan Creek to Fuller Road, West Des Moines Project Number 0510-045-2016; and

WHEREAS, notice of the intent to acquire property necessary for construction of the Trail has been provided to affected property owners pursuant to Iowa Code section 6B.2D; and

WHEREAS, upon receiving comment, including hearing objection from the affected property owners, the City Council has determined that an alternative alignment of the Trail from the alignment previously approved is appropriate; and

WHEREAS, the alternative alignment will require notification to affected property owners regarding the City's intent to acquire property necessary for construction of the Trail; and

WHEREAS, notice shall be given to all affected property owners as required by Iowa Code section 6B.2D of the City's intent to acquire property necessary for construction of the Grand Avenue Trail on the alignment authorized and approved by the City Council on August 20, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. The alignment of the Grand Avenue Trail – Jordan Creek to Fuller Road, Project Number 0510-045-2016 as determined by the City Council of the City of West Des Moines on August 20, 2018 is hereby approved.

2. Pursuant to Iowa Code section 6B.2A, notice shall be provided to all owners of property affected by the alignment selected by the City Council on August 20, 2018.

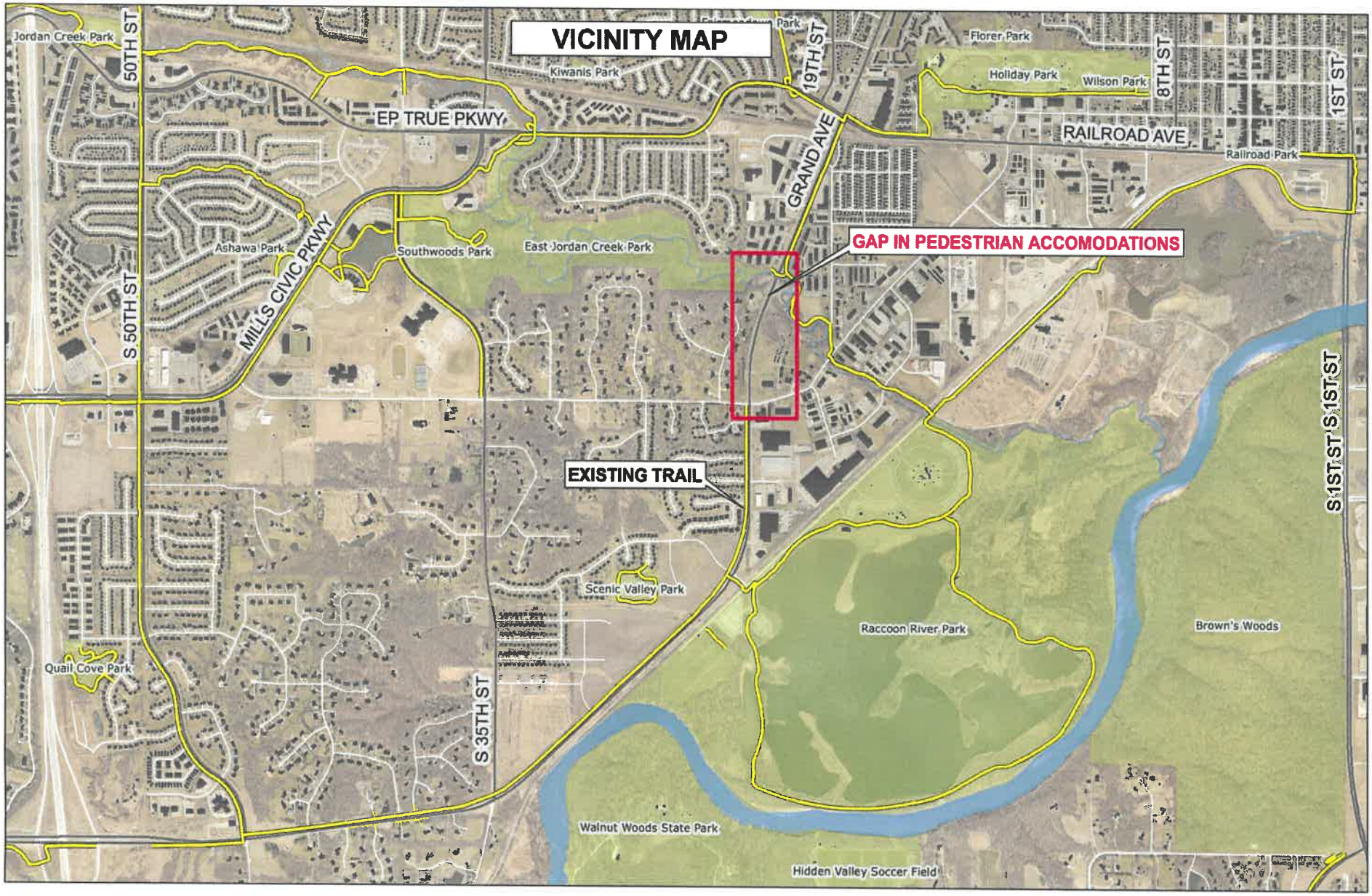
3. Upon notification as required by Iowa Code section 6B.2A, the City Council will receive input from the owners of property affected by construction of the Trail.

PASSED AND ADOPTED this 20th day of August, 2018.

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson, City Clerk

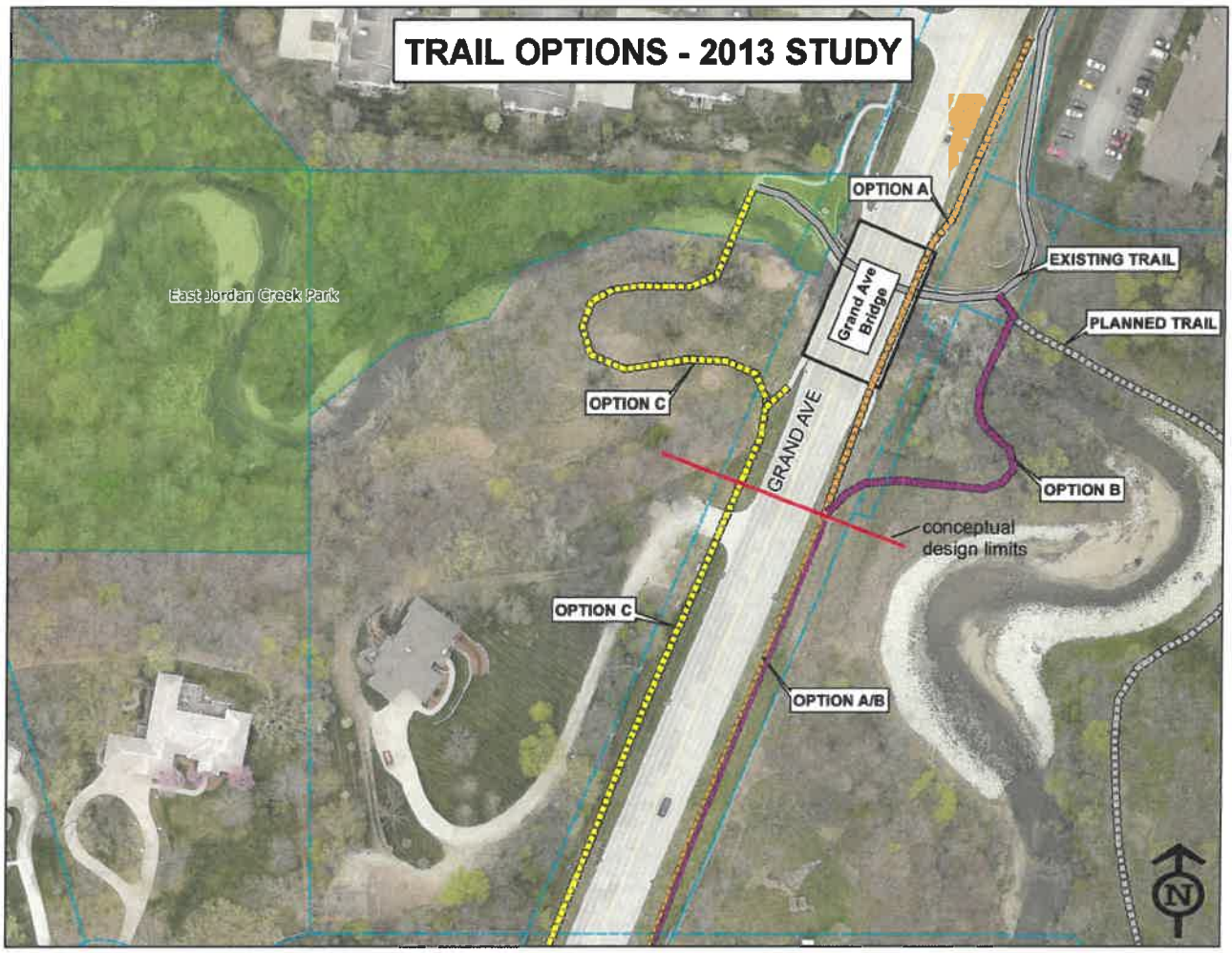


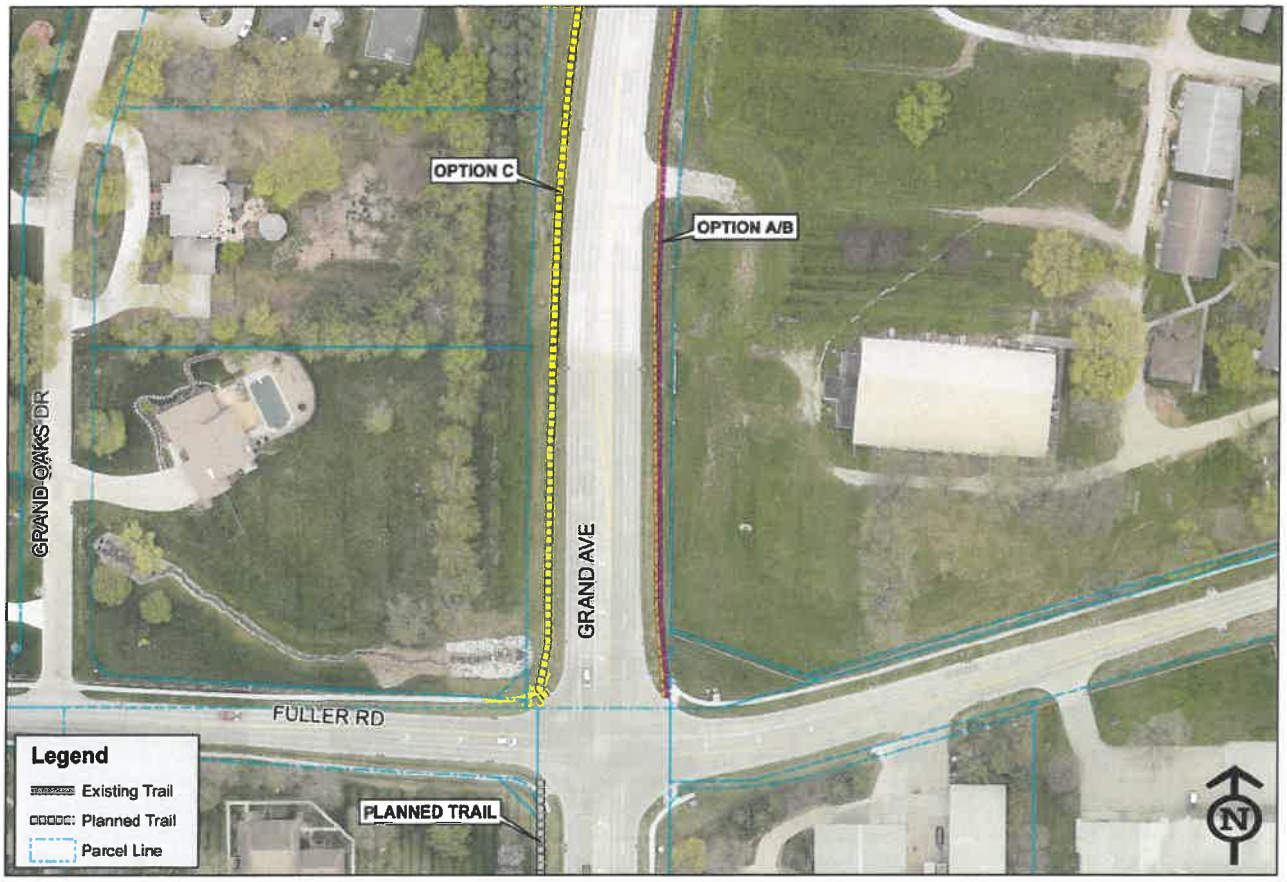
CITY OF WEST DES MOINES
4200 MILLS CIVIC PKWY
P.O. BOX 65310
WEST DES MOINES, IOWA 50265
(515) 222-3600

GRAND AVE TRAIL
FULLER RD TO JORDAN CREEK
WEST DES MOINES, IOWA

TITLE	DATE	DRAWN:	REVIEWED:	PROJECT NO.
VICINITY MAP	8/1/2018	MAA	-	

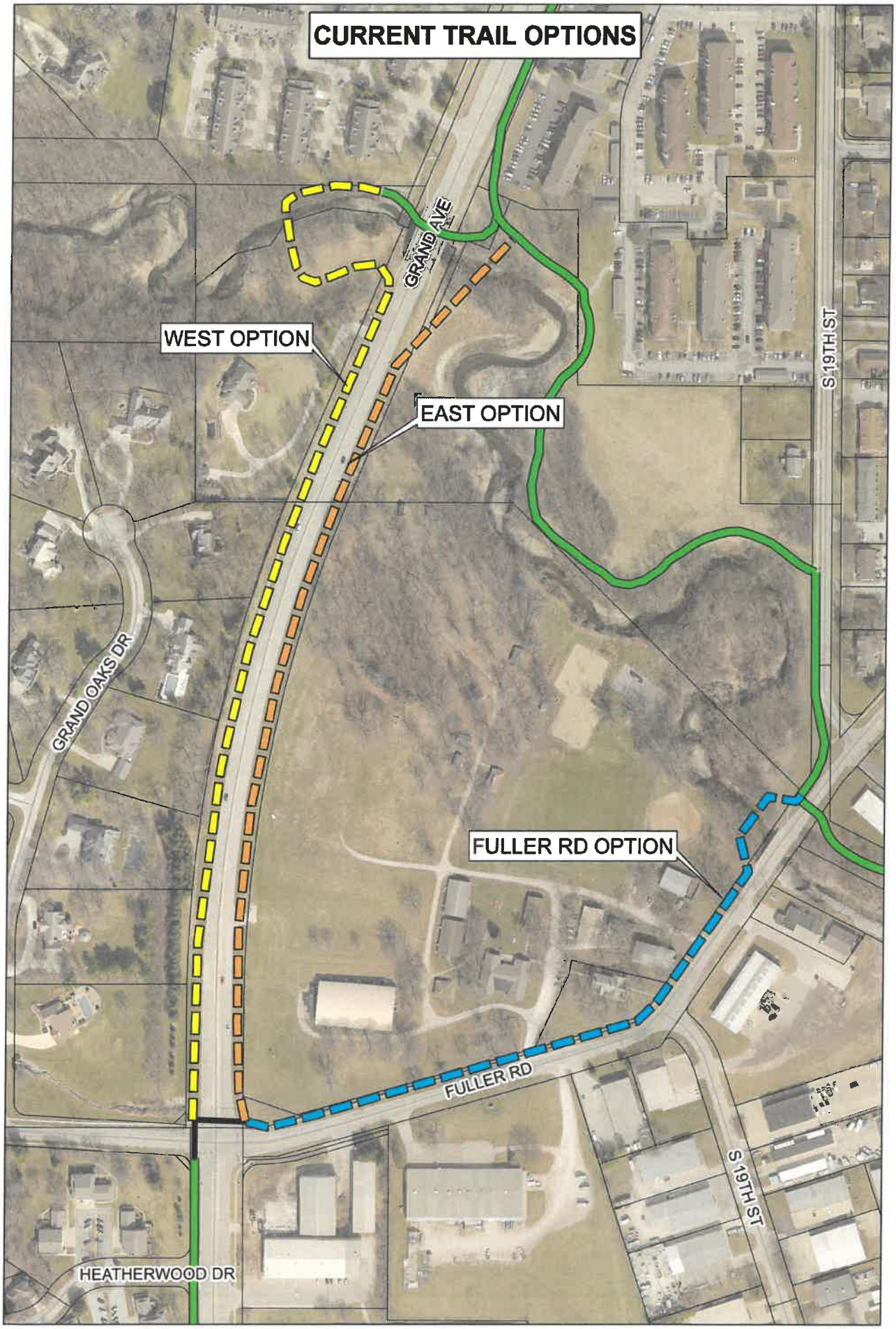
TRAIL OPTIONS - 2013 STUDY





THE CITY OF WEST DES MOINES	CITY OF WEST DES MOINES DEPARTMENT OF PARKS AND RECREATION PARKS DIVISION 4200 MILLS CIVIC PKWY (515) 222-3444 WEST DES MOINES, IOWA 50265 FAX. NO. (515) 223-3459	PROJECT: GRAND AVENUE TRAIL & JORDAN CREEK CROSSING		
		LOCATION: GRAND AVENUE & JORDAN CREEK		
		DRAWN BY: maa	DATE: 6/3/2013	SCALE: 1" = 100'	SHEET: 1 of 1

0 50 100 200 Feet



CITY OF WEST DES MOINES DEPARTMENT OF PARKS AND RECREATION PARKS DIVISION 6200 MILLS CIVIC PKWY (515) 222-3684 WEST DES MOINES, IOWA 50266 FAX NO. (515) 222-3699	TITLE: GRAND AVENUE TRAIL CONNECTION			
	LOCATION: CURRENT TRAIL OPTIONS			
	AUTHOR: mas	DATE: 8/1/2018	SCALE: -	SHEET: 1 of 1

0 100 200 Feet

Existing Trails

COST OPINION SUMMARY

GRAND AVENUE TRAIL - JORDAN CREEK TO FULLER ROAD

8/1/2018

WEST SIDE OF GRAND AVENUE OPTION

ITEM	PRICE	NOTES
Construction Cost Opinion	$ 600,404	Approx. 2600 LF of paved trail w/ 100 LF pedestrian bridge
Land Acquisition (approx 0.27 acres)	$ 38,000	Based on land appraisal completed on 3/6/18.
TOTAL	**$ 638,404**	

EAST SIDE OF GRAND AVENUE OPTION*

ITEM	PRICE	NOTES
Construction Cost Opinion	$ 579,600	Approx. 2100 LF of paved trail w/ 140 LF pedestrian bridge
Land Acquisition (approx 0.24 acres)	$ 20,000	Place-holder; assumes area of acquisition would be less than west option.
TOTAL	**$ 599,600**	

*Construction cost opinion based on conceptual design. Survey data and engineering would be required to further refine cost. Total does not include additional estimated design and appraisal costs of $40,000 to $50,000 on top of that already spent for design of the West Option.

FULLER ROAD OPTION*

ITEM	PRICE	NOTES
Construction Cost Opinion	$ 507,725	Approx. 1500 LF of paved trail w/ 110 LF pedestrian bridge
Land Acquisition (approx 0.50 acres)	$ 20,000	Place-holder; assumes land acquistion for pedestrian bridge crossing and trail from two property owners
TOTAL	**$ 527,725**	

*Construction cost opinion based on conceptual design. Survey data and engineering would be required to refine cost. Total does not include additional estimated design and appraisal costs of $40,000 to $50,000 on top of that already spent for design of the West Option.

SUMMARY OF OPTIONS

GRAND AVENUE TRAIL – JORDAN CREEK TO FULLER ROAD

8/15/18

WEST SIDE OF GRAND AVENUE

PROS

- Meets AASHTO and SUDAS preferred slope guidelines for a Shared-use Path (less than 5% slope). Meets ADA requirements.
- Places the trail bridge upstream of the roadway bridge, which may have advantages with flood hydraulics and permitting.
- Utilizes existing trail underpass under Grand Ave Bridge which takes advantage of existing infrastructure to provide a safe crossing of Grand Ave. By utilizing the underpass, an at-grade crossing of Grand Avenue at Fuller Road is not necessary, eliminating potential conflicts between trail users and vehicles.
- More direct route for those trail users continuing west on the trail with no intention of going to Raccoon River Park with one less at-grade crossing of Grand Avenue.
- Design work is 80% complete. Additional cost for design would be incurred for East and Fuller options.
- Smaller bridge span required than East Option (100' vs 140').
- Addresses issue of future sidewalk installation and maintenance for residential properties along west side of Grand Ave. City would be covering all installation costs and maintenance including snow removal.

CONS

- Requires more ROW acquisition than East or Fuller options. Adjacent property owner has indicated that they are not interested in selling property needed for the trail.
- Curves meet guidelines, but would require signage warning bicyclists of slower speeds around curves.
- Requires more grading and paving than East or Fuller options.
- More expensive than East or Fuller options based upon very preliminary estimates for those options.

EAST SIDE OF GRAND AVENUE

PROS

- Direct path to proposed pedestrian bridge crossing eliminates need for curves.
- Less overall grading and paving than West option, but more than Fuller option.
- Smaller amount of ROW acquisition needed. Walnut Creek Community Church has not yet been approached, but may be more amenable to sale of property than west side property owner based upon their past sale of an easement for the trail along Jordan Creek.
- Less expensive than West option but more expensive than Fuller option based upon very preliminary estimate for this option.

continued

SUMMARY OF OPTIONS

CONS

- Meets AASHTO and SUDAS acceptable slope guidelines for a Shared-use Path (less than 8% slope) but some users may find steeper grade more difficult to navigate. Trail users with mobility issues may have to use sidewalk on Grand Avenue roadway bridge to cross Jordan Creek with signage needed to provide direction.
- Conceptual design only. Requires more survey data and engineering to confirm site conditions. Additional design and appraisal cost is estimated at $40,000 to $50,000.
- Underpass will remain unused as part of trail system, but will still be available for pedestrians using sidewalks. Requires at-grade crossing of Grand Avenue at signalized intersection in order to continue on a trail. Potential increase in conflicts between trail users and vehicles.
- Counter to original recommendation by Public Works Council Committee and Finance & Administration Council Committee, and Bicycle Master Plan approved by Parks & Recreation Advisory Board and Bicycle Advisory Commission which includes trail on west side of Grand Ave.
- Does not address issue of future sidewalk installation and maintenance for residential properties along west side of Grand Ave. All installation costs and maintenance would be covered by the adjacent property owners per City policy.

FULLER ROAD (NORTH SIDE)

PROS

- Meets AASHTO and SUDAS preferred slope guidelines for a Shared-use Path (less than 5% slope). Meets requirements of ADA.
- Less overall grading and paving than West or East option.
- Less expensive than West or East option.

CONS

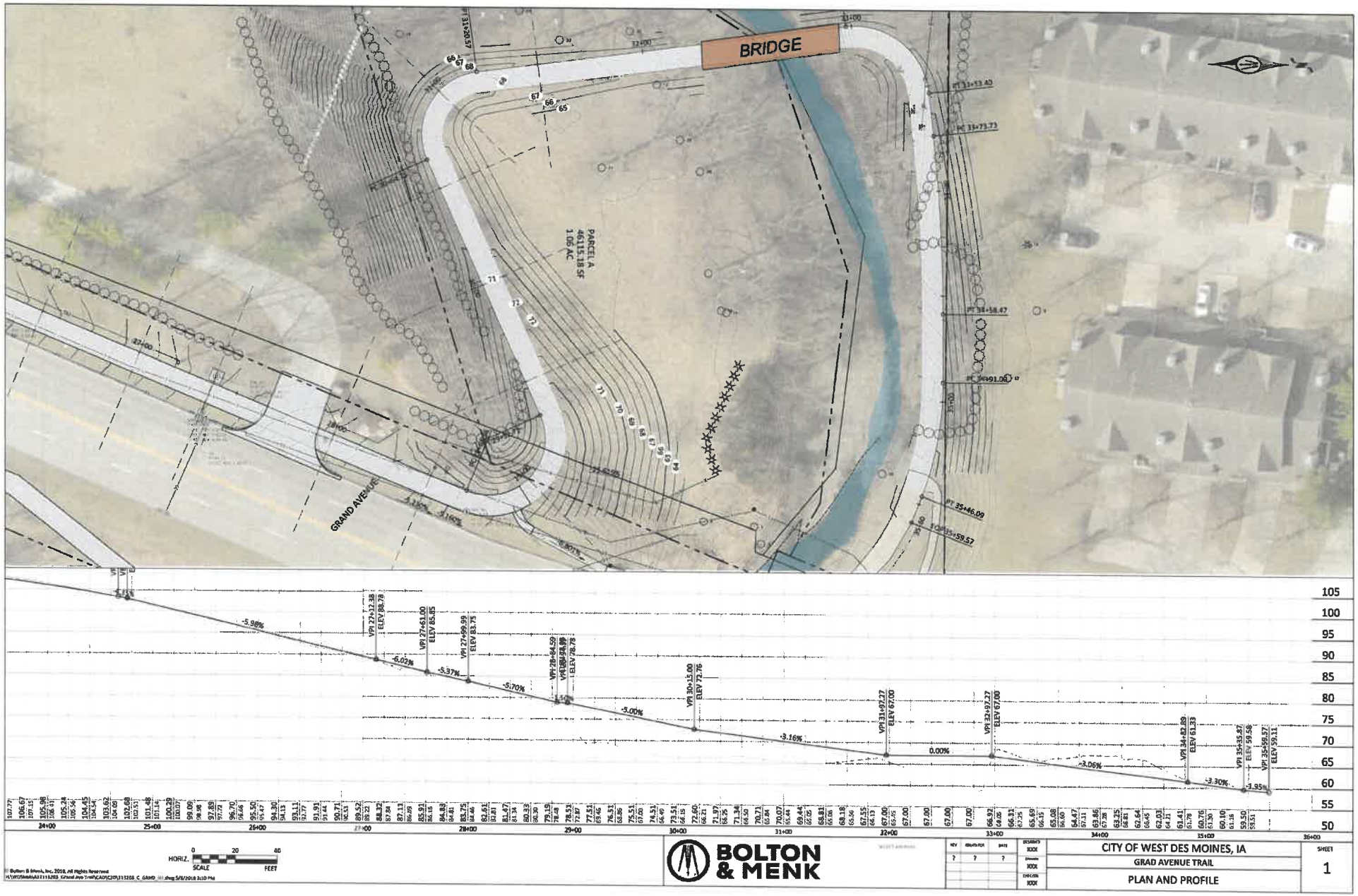
- Fuller Road currently not fully built out; will require further engineering to determine ultimate horizontal/vertical alignment of trail. For purposes of this study, trail is located primarily within existing ROW. If Fuller Road is widened in the future, the trail may need to be removed and replaced.
- Requires additional ROW at curve in Fuller Road and for bridge crossing. Total amount needed TBD.
- Trail may negatively impact a portion of the front yard of the Jordan House, including possible fence relocation.
- Trail may impact or create potential disturbance under one large oak tree.
- Conceptual design only. Requires more survey data and engineering to confirm site conditions. Additional design cost is estimated at $40,000 to $50,000.

continued

SUMMARY OF OPTIONS

- Underpass will remain unused as part of trail system, but will still be available for pedestrians using sidewalks. Requires at-grade crossing of Grand Avenue and Fuller Road at signalized intersections in order to continue on a trail. Potential increase in conflicts between trail users and vehicles.
- Does not address issue of future sidewalk installation and maintenance for residential properties along west side of Grand Ave. All installation costs and maintenance would be covered by the adjacent property owners per City policy.
- Counter to original recommendation by Public Works Council Committee and Finance & Administration Council Committee, and Bicycle Master Plan approved by Parks & Recreation Advisory Board and Bicycle Advisory Commission which includes trail on west side of Grand Ave.

TRAIL LOCATION ON MCCOY PROPERTY



To the West Des Moines City Council

Date: July 16, 2018

Property Owner Name: Allen and Cindy Sabbag
Address: 508 Grand Oaks Dr.

Please consider my position as expressed below in the matter of sidewalks and/or hiking trails along Grand Ave as it pertains to my property.

Option One – 10' wide Hiking trail on west side of Grand to be installed and maintained at the sole expense and responsibility of WDM with a 4' sidewalk on east side of Grand to be installed at some later date.

- ✘ Strongly Support
- o Support
- o No Opinion
- o Oppose
- o Strongly Oppose

Option Two – 10' wide Hiking trail on east side of Grand to be installed and maintained at the sole expense and responsibility of WDM with a 4' sidewalk on west side of Grand to be installed and maintained at the sole expense and responsibility of the property owners involved.

- o Strongly Support
- o Support
- o No Opinion
- o Oppose
- o Strongly Oppose

Comments:

Signed: Allen Sabbag

Mailing Address: PO Box 65320, West Des Moines, Iowa 50265-0320
City Hall is located at 4200 Mills Civic Pwky and is open M-F 8 a.m. to 5 p.m.
Sally Ortgies, PLA, Director of Parks & Recreation, 515-222-3447, Sally.Ortgies@wdm.iowa.gov

To the West Des Moines City Council

Date: July 16, 2018

Property Owner Name: Angela Collins
Address: 512 Grand Oaks Dr.

Please consider my position as expressed below in the matter of sidewalks and/or hiking trails along Grand Ave as it pertains to my property.

Option One – 10' wide Hiking trail on west side of Grand to be installed and maintained at the sole expense and responsibility of WDM with a 4' sidewalk on east side of Grand to be installed at some later date.

- X Strongly Support
- o Support
- o No Opinion
- o Oppose
- o Strongly Oppose

Option Two – 10' wide Hiking trail on east side of Grand to be installed and maintained at the sole expense and responsibility of WDM with a 4' sidewalk on west side of Grand to be installed and maintained at the sole expense and responsibility of the property owners involved.

- o Strongly Support
- o Support
- o No Opinion
- o Oppose
- X Strongly Oppose

Comments: I Completely concur with my neighbor, Mike Goulden's, argument against Option #2. Maintaining a sidewalk behind my property would be an undue burden.

Signed: Angela Collins

Mailing Address: PO Box 65320, West Des Moines, Iowa 50265-0320
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Sally Ortgies, PLA, Director of Parks & Recreation, 515-222-3447, Sally.Ortgies@wdm.iowa.gov

To the West Des Moines City Council

Date: 7/16/18

Property Owner Name: PAT Rolfes

Address: 600 Grand Oaks Dr

Please consider my position as expressed below in the matter of sidewalks and/or hiking trails along Grand Ave as it pertains to my property.

Option One – 10' wide Hiking trail on west side of Grand to be installed and maintained at the sole expense and responsibility of WDM with a 4' sidewalk on east side of Grand to be installed at some later date.

- X Strongly Support
- o Support
- o No Opinion
- o Oppose
- o Strongly Oppose

Option Two – 10' wide Hiking trail on east side of Grand to be installed and maintained at the sole expense and responsibility of WDM with a 4' sidewalk on west side of Grand to be installed and maintained at the sole expense and responsibility of the property owners involved.

- o Strongly Support
- o Support
- o No Opinion
- o Oppose
- X Strongly Oppose

Comments:

Option one ties into the current system perfectly.

Signed: [illegible]

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Sally Ortgies, PLA, Director of Parks & Recreation, 515-222-3447, Sally.Ortgies@wdm.iowa.gov

To the West Des Moines City Council

Date: 7/24/18

Property Owner Name: Chris & Krystin Komarovsall

Address: 6024 Grand Oaks Dr.
WDM, IA, 50265

Please consider my position as expressed below in the matter of sidewalks and/or hiking trails along Grand Ave as it pertains to my property.

Option One – 10' wide Hiking trail on west side of Grand to be installed and maintained at the sole expense and responsibility of WDM with a 4' sidewalk on east side of Grand to be installed at some later date.

- [x] Strongly Support
- o Support
- o No Opinion
- o Oppose
- o Strongly Oppose

Option Two – 10' wide Hiking trail on east side of Grand to be installed and maintained at the sole expense and responsibility of WDM with a 4' sidewalk on west side of Grand to be installed and maintained at the sole expense and responsibility of the property owners involved.

- o Strongly Support
- o Support
- o No Opinion
- o Oppose
- [x] Strongly Oppose

Comments: The Industrial area on the East Side of Grand Ave would be hazardous for hikers / bikers with all the trucks entering / leaving that area.

Signed: [signature]

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Sally Ortgies, PLA, Director of Parks & Recreation, 515-222-3447, Sally.Ortgies@wdm.iowa.gov

To the West Des Moines City Council

Date: 7-16-18

Property Owner Name: Michael + Beverly Gouldner

Address: 608 Grand Oaks dr. - WDM, IA 50265

Please consider my position as expressed below in the matter of sidewalks and/or hiking trails along Grand Ave as it pertains to my property.

Option One – 10' wide Hiking trail on west side of Grand to be installed and maintained at the sole expense and responsibility of WDM with a 4' sidewalk on east side of Grand to be installed at some later date.

- X Strongly Support
- o Support
- o No Opinion
- o Oppose
- o Strongly Oppose

Option Two – 10' wide Hiking trail on east side of Grand to be installed and maintained at the sole expense and responsibility of WDM with a 4' sidewalk on west side of Grand to be installed and maintained at the sole expense and responsibility of the property owners involved.

- o Strongly Support
- o Support
- o No Opinion
- o Oppose
- X Strongly Oppose

Comments:

Signed: Mike Gouldner 7/16/18

Mailing Address: PO Box 65320, West Des Moines, Iowa 50265-0320
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