

**CITY COUNCIL  
COMMUNICATION:**

**ITEM \_\_\_\_\_**

**OFFICE OF THE CITY MANAGER  
CITY OF DES MOINES, IOWA**

**00-043**

**SYNOPSIS -**

**AGENDA:**  
  
FEBRUARY 7, 2000

On October 18, 1999, by Roll Call No. 99-3266, the City Council approved the sale of vacant Airport property located in the 3300 block of Stanton Avenue to Cooper Homes, Inc. which is not needed for future Airport purposes. The approval was subject to Federal Aviation Administration (FAA) approval of the sale along with other conditions.

**SUBJECT:**

SALE OF AIRPORT  
PROPERTY TO  
COOPER HOMES,  
INC. WITH  
ADDITIONAL  
CONDITIONS  
REQUIRED BY THE  
FEDERAL  
AVIATION  
ADMINISTRATION

**FISCAL IMPACT -**

There is no fiscal impact on the General Fund. If the sale is approved by Council and the property is sold for its current appraised value, the Airport Enterprise Fund will receive \$29,100. The fee simple purchase of the small parcel needed for the SW 34th Street relocation and the backslope easement for road construction will cost less than \$400.

**RECOMMENDATION -**

**TYPE:**

**Approval.**

**RESOLUTION**  
ORDINANCE  
RECEIVE/FILE

**BACKGROUND -**

**SUBMITTED BY:**

WILLIAM F.  
FLANNERY  
AVIATION  
DIRECTOR

On October 8, 1996, by Resolution No. A96-273, the Airport Board recommended to Council the purchase of the property in the 3300 block of Stanton Avenue in support of the Iowa Air National Guard's (IANG) Road Relocation Project. On October 21, 1996, by Roll Call No. 96-3543, Council approved the purchase of the property. The referenced property partially lies within the footprint of the IANG's proposed relocation of SW 34th Street. The remaining portion to the east of the proposed relocated roadway has not been designated for either IANG or future Airport use.

By letter dated November 5, 1999, (attached to the Roll Call) the FAA approved the sale subject to the City imposing the following conditions on the property:

1) The City reserves and excepts to itself, its successors and assigns, for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above the surface of the real property herein described, including the right to cause in such airspace any noise inherent in the operation of any aircraft used for navigation or flight through such airspace for landing at or taking off from or maneuvering in the vicinity of the Des Moines International Airport.

2) The City expressly agrees for itself, its successors and assigns, to prevent any use of the subject property which would interfere with landing or taking off of aircraft at the Des Moines International airport, or otherwise constitute an airport hazard.

3) The City expressly agrees for itself, its successors and assigns, to restrict the height of structures, objects of natural growth, and other obstructions to a height of not more than 1107 feet above mean sea level (AMSL) or other height as determined by an FAA airspace review under Federal Aviation Regulation (FAR) Part 77. FAA Form 7460-1, "Notice of Proposed Construction or Alteration" is to be submitted to the FAA and an unobjectionable determination received prior to commencement of construction.

On December 7, 1999, by Resolution No. A99-400, the Airport Board approved recommending the sale of the vacant Airport property to Cooper Homes for \$29,100, with the additional covenants as set by the FAA in their letter.

On December 20, 1999, by Roll Call No. A99-3778, the Council deferred action until the January 3, 2000, Council meeting.

On January 3, 2000, by Roll Call No. A00-051, the Council again deferred action until the February 7, 2000 Council meeting.



