



Agenda Item:

018

## COUNCIL COMMUNICATION City Manager's Office

### GENERAL INFORMATION—

Agenda Date: 9/13/04  
04-440

Agenda Item Type: Resolution

Communication No.:

Roll Call No:

Submitted by: Jeb E. Brewer, P.E., City Engineer  
Donald M. Tripp, Park and Recreation Director

### SUBJECT—

Walnut Creek Trail, Phases IA and IB Property Acquisition

### SYNOPSIS—

Approval of authorization to begin acquiring the property necessary for the construction of the Walnut Creek Trail Segments, Phases 1A and 1B of the American Discovery Trail.

### FISCAL IMPACT—

Costs incurred for acquisition for this trail will be in the form of a fee simple purchase or obtaining a permanent easement. It is anticipated that condemnation will be necessary for one property. City funds for this property acquisition are included in the fiscal year 2004 Capital Improvement Program (CIP) Budget, CP040PKS990000PKS045.

### RECOMMENDATION—

Approval

### BACKGROUND—

The City Council approved trail alignment for Phase 1A and 1B of the Walnut Creek Trail which follows the east side of Walnut Creek starting at the end of Center Street. This alignment

includes placing the trail across the back of three private residences and two additional private properties without residences before crossing 63<sup>rd</sup> Street. The trail will cross under the 63<sup>rd</sup> Street bridge and continue along the east side of Walnut Creek. From 63<sup>rd</sup> Street to Grand Avenue, the trail will be constructed on existing publicly owned land. Two small bridges will be needed to cross one small creek and a small drainage ditch that flows into Walnut Creek between 63<sup>rd</sup> St and Grand Ave. Once the Trail reaches Grand Avenue, it will cross the railroad tracks with an at grade crossing and go under the Grand Avenue bridge to meet Phase II of the Walnut Creek Trail scheduled for construction in the spring of 2005.

The trail alignment and Supplemental Agreement #2 with Brian Clark and Associates (BCA), Brian Clark President, Homestead Building, 303 Locust Street, Suite #200, Des Moines, IA, was approved by the Des Moines City Council on May 3, 2004 by Roll Call No. 04-963. As part of the approval of the Roll Call, City Council asked that the following conditions be met:

- ◆ Frequent communications with property owners
- ◆ Status updates to Council
- ◆ Report on the Operations and Maintenance Budget for the project
- ◆ Answers to items IV a, b, & c on the handout from Mr. Russell and Janet's Woods Neighbors

To meet the conditions set by the City Council, City staff and BCA held a public meeting with the neighbors and impacted property owners on July 8, 2004 to explain the development schedule, introduce City and BCA contacts for the project, get future dates on the calendar, and open the meeting for general comments from those in attendance. The meeting was well attended and BCA also gave the Internet address of a web page that they created to host information, schedules and maps for the duration of the trail development process. This information can be found by going to the BCA's Website: [www.bcadesign.com/WalnutCreek.htm](http://www.bcadesign.com/WalnutCreek.htm). Information is regularly posted after meetings with the neighbors. The neighborhood representative for this project continues to be Mr. Matt Russell.

On Thursday, July 15, City Staff, BCA and Kirkham Michael Consulting Engineers (1102 Aurora Ave, Urbandale, IA 50322) walked and staked the trail alignment approximately every 100 feet to illustrate to the neighbors and property owners the approximate location of the trail. On August 12<sup>th</sup>, 2004, City Staff and BCA invited the neighbors and property owners out to walk the trail alignment and gave them the opportunity to view the trail alignment and make small changes where necessary. This walk was well attended, and approximately ten neighborhood people attended all or part of the walk along the trail alignment. The only part of the trail alignment that was not walked was the Myers property at 6554 Center Street. BCA was not able to acquire permission for the walk of the Myers property.

Starting August 20, 2004, Kirkham Michael has been surveying the trail alignment and surrounding areas. They will survey all properties along the trail alignment with the exception of the Myers property. BCA was unable to gain permission from the Myers for access to their property to survey it, so it will not be included with the survey. Once the survey is completed, BCA will start the design of the trail, and when that is completed, a public meeting will be held with the neighborhood to obtain input on the privacy screenings and amenities along the trail. It

is anticipated that this trail design will be completed near the end of September. The public meeting with the neighborhood will follow soon after the completed trail design.

Staff recommends that the City Council authorize the Real Estate Division to begin the necessary acquisition of property to allow construction of Phases 1A and 1B of the Walnut Creek Trail.