


COUNCIL COMMUNICATION

	Number:	22-296	Meeting:	June 27, 2022
	Agenda Item:	75	Roll Call:	22-1089
	Submitted by:	Erin Olson-Douglas, Development Services Department Director; Benjamin R. Page, Park and Recreation Director; Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Authorization to proceed with acquisition of the necessary property interests from Norfolk Southern Railway Company for the Market District Redevelopment Project by gift, negotiation, or eminent domain.

SYNOPSIS:

Recommend authorization to proceed with acquisition of the necessary property interests from Norfolk Southern Railway Company for the Market District Redevelopment Project by gift, negotiation, or eminent domain. This action is required by Iowa law before the City can initiate the property acquisition process under eminent domain. The property to be purchased consists of an abandoned railroad corridor located south of E. Court Avenue between E. 1st Street and E. 6th Street and will help connect the Principal Riverwalk to the State Capitol grounds. The property is being acquired for purposes of adding a landscaped public greenway and other public recreational amenities that will be identified through additional planning work and will be designed and constructed at a later date.

FISCAL IMPACT:

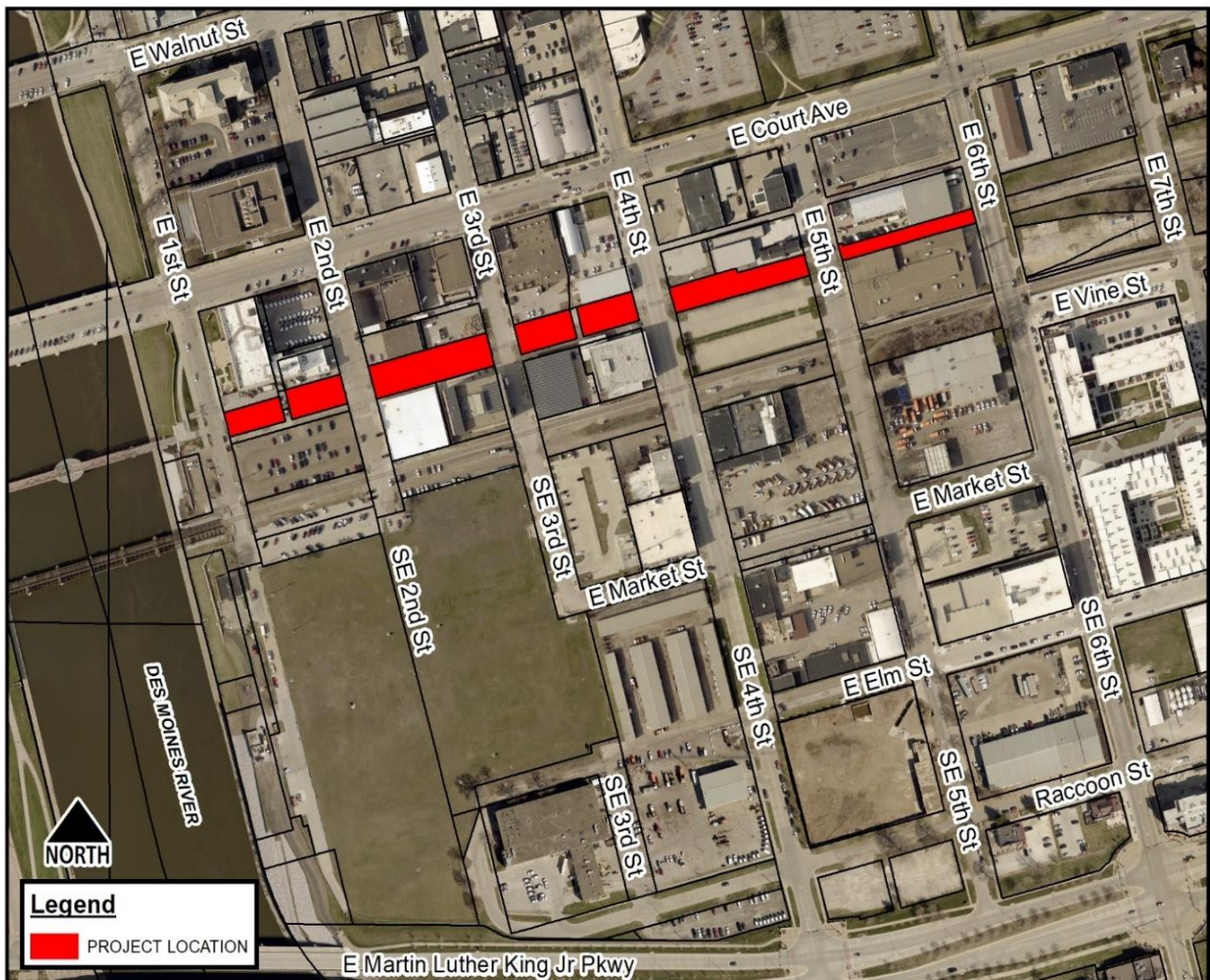
Amount: \$1,500,000 estimated acquisition cost, subject to an independent appraisal yet to be completed.

Funding Source: 2022-23 CIP, Page 137 – Market District Infrastructure Improvements, ST282, TIF Bonds.

ADDITIONAL INFORMATION:

- Under provisions of 6B.2D of the Iowa Code, notice of the proposed resolution authorizing acquisition of private property by eminent domain for a public improvement project was sent by regular mail to Norfolk Southern Railway Company on June 10, 2022, and to their tenant, C&C Realty, LLC on June 13, 2022.
- Norfolk Southern Railway Company and C&C Realty, LLC, have the right to attend the City Council meeting on June 27, 2022, to voice any objections to the proposed acquisition of their property.

- At this time, there are seven (7) abandoned railroad parcels owned by Norfolk Southern Railway Company that are needed for this project. The property is currently being leased on a short-term basis to C&C Realty, LLC for a monthly parking operation and relocation assistance will be required for relocation of the tenant’s personal property.
- On November 4, 2019, by Roll Call No. 19-1761, the City Council approved the Market District of the East Village Master Plan, which contemplates the significant redevelopment of the area that is proximate to the downtown riverfront and the East Village Neighborhood. This master plan contemplated a landscaped “greenway” to link the Union Pedestrian Bridge and Principal Riverwalk to the State Capitol Complex and included other programmed recreational amenities along the abandoned railroad corridor. The acquisition of this property for future public use is in conformance with the approved master plan.
- On October 18, 2021, by Roll Call No. 21-1538, the City Council approved a Professional Services Agreement (PSA) with Veenstra & Kimm, Inc. for design services for Market District Stormwater Improvements. Veenstra & Kimm has hired SmithGroup, Inc. as a subconsultant for additional planning work related to the future construction of park-like features in the proposed Market District Stormwater Basin and for the subject abandoned railroad property. Additional planning on future programming along the greenway corridor will also be a component of this study.



PREVIOUS COUNCIL ACTION(S):

Date: November 4, 2019

Roll Call Number: [19-1761](#)

Action: [Market](#) District of the East Village Master Plan as an element of the PlanDSM: Creating Our Tomorrow Plan. ([Council Communication No. 19-481](#)) Moved by Gatto to approve. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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