

COUNCIL ACTION FORM

**SUBJECT: REQUEST TO VACATE RIGHT-OF-WAY ON OLD AIRPORT ROAD
EAST OF UNIVERSITY AVENUE**

BACKGROUND:

The property owner of 2400 University Boulevard, Steve Burgason (Gateway Expresse), has extended an offer to the City Council to purchase a portion of the Right-of-Way (ROW) on old Airport Road, east of University Avenue. In the attached letter, Mr. Burgason indicated his interest to purchase the ROW in order to make improvements that would enhance the area, as well as to secure additional long-term parking for his business. In his letter to the Mayor and Council, he offered to purchase the ROW for \$7,000.

As shown in Attachment A, the ROW under consideration is on a dead-end street that does not connect to North Loop Drive, but currently provides access to the Gateway Expresse. However, an ISU Research Park tenant, Biova, also has an approved Site Plan that provides for an additional access to its facility from this ROW. The new Biova access is currently under construction, and is also shown in Attachment A. In his letter to the City Council, Mr. Burgason expressed interest in providing and maintaining the necessary access for the Biova entrance.

In accordance with the City Council's established policy for disposing of excess ROW, the adjacent property owner, the ISU Research Park, was approached to determine their interest in purchasing the half of the ROW adjoining the Park. The Research Park indicated that it has no interest in purchasing its respective half of the ROW.

Staff has determined that there is not a compelling reason to retain this land as ROW. However, because of the existence of numerous utility lines, there would need to be easements granted to the City to guarantee ongoing accessibility to those utilities.

The total value of the old Airport Road ROW is estimated to be \$52,389. In accordance with the City Council's policy, this value was determined by taking the average value of the adjacent properties, deducting 10 percent for a Quit Claim Deed, and deducting an additional 15 percent for easements to be established on the property for access to existing utilities. In addition, the cost of these easements and costs associated with any required survey should be borne by the purchasing property owner.

It should be noted that a limited amount of standard, on-street parking is already available in the proposed vacation area on the existing street.

ALTERNATIVES:

- 1) Agree to sell the property to Mr. Burgason, subject to his willingness to:
 - a. Pay the City's standard value for vacated property in the amount of \$52,389.
 - b. Execute a signed easement with the City that allows the existing public and private utilities in the area to remain in their current locations, and includes a provision for the property owner to be responsible for any site restoration if maintenance is needed on the utilities.
 - c. Execute a signed access easement with the ISU Research Park to ensure continued street access to Biova and the Research Park.

If the Council selects this option, action should be taken to set the date of public hearing as November 10, 2014, and to direct the City Clerk to publish notice of the intended sale in the amount of \$52,389.

- 2) Agree to sell the property to Mr. Burgason, subject to his willingness to:
 - a. Pay the \$7,000 he offered in his request to purchase the vacated property.
 - b. Execute a signed easement with the City that allows the existing public and private utilities in the area to remain in their current locations, and includes a provision for the property owner to be responsible for any site restoration if maintenance is needed on the utilities.
 - c. Execute a signed access easement with the ISU Research Park to ensure continued street access to Biova and the Research Park.

If the Council selects this option, action should be taken to set the date of public hearing as November 10, 2014, and to direct the City Clerk to publish notice of the intended sale in the amount of \$7,000.

- 3) Retain the land and deny Mr. Burgason's request to purchase the ROW of old Airport Road adjacent to his business.

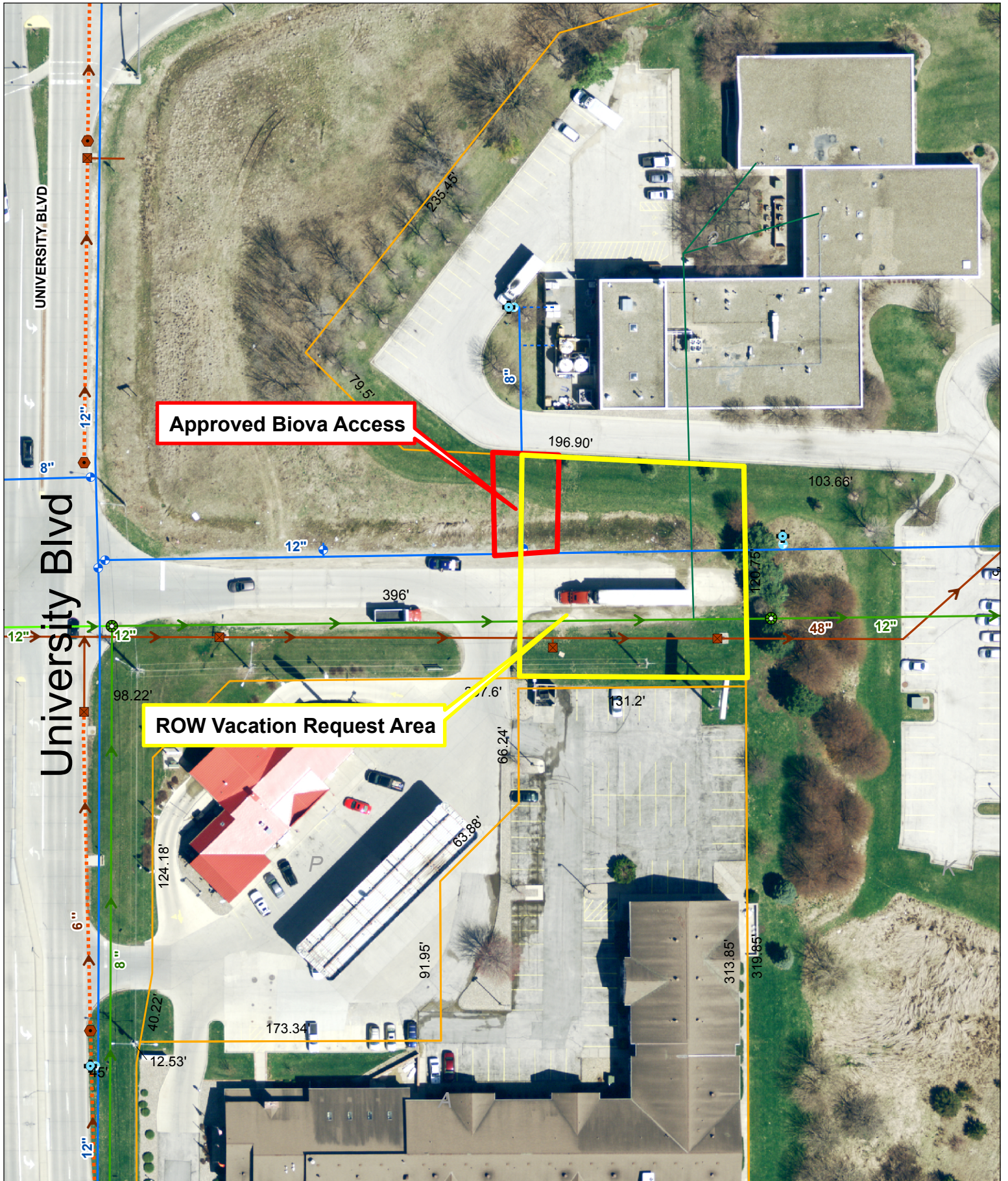
MANAGER'S RECOMMENDED ACTION:

Mr. Burgason has asked to purchase this right-of-way in order to make enhancements to improve the area and to allow the Gateway Expresse and Best Western parking lots to eventually be expanded. The value of this land as calculated through the City's standard valuation process is \$52,389. That amount is much higher than the amount offered for the land, which is \$7000.

Regardless of the price, should the City Council choose to move forward with this vacation and sale, the following three considerations and associated actions must be made:

- 1) Several municipal and private utilities exist in this corridor. Thus, a utility easement would need to be maintained over the area.
- 2) Should public or private utility repairs be required within that easement area, the property owner would be responsible for restoration of the area.
- 3) The construction of Biova's approved driveway in a portion of this area would necessitate the creation of an ingress/egress easement.

Should the City Council be willing to vacate and sell the requested right-of-way, and should Mr. Burgason agree to the amount established by the Council's established policy and the other noted terms, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.



Geographic Information System (GIS) Product Disclaimer: City of Ames GIS map does not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership and land use, nor does it replace field surveys of utilities or other features contained in the data. All features represented in this product should be field verified. This product is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, merchantability and fitness for the appropriateness for use rests solely on the user.



Proposed ROW Vacation Old Airport Road

— Water
 — Sanitary
 — Storm



Title: _____
 Scale: Not to Scale
 Date: 9/18/2014

PKTS. 7-18-14

July 15, 2014

To Mayor Campbell and members of the City Council of Ames
City of Ames
515 Clark Avenue
Ames, Iowa 50010

Dear Mayor Campbell and members of the City Council of Ames,

As owner of Gateway Expresse, 2400 University Blvd., Ames, I am interested in ways to improve the surrounding area aesthetically and possibly in the future secure more parking spaces for our business.

We would like to make an offer on the back half of the old Airport Road dead end stub in hopes that the City of Ames would be amiable to us taking over a portion of this property with the condition that we would make improvements that would enhance the area. I am envisioning a green space area that would be mowed with access to a bike or walking path into the ISU Research Park off of University Blvd and in the future possibly create some additional parking for Gateway Expresse and The Best Western University Park Inn and Suites.

Given the fact that the front half of "Parcel A" and "Parcel B" is already providing entrance into the C-Store and Hotel and could not be used for anything else, would the city consider selling to us the back half of "Parcels A and B".

As a side note. I had a conversation with Steve Carter, Director of the ISU Research Park Corporation, last year. He had indicated the ISU Research Park might be willing to let us buy their share of their part to this land, (if indeed the city were willing to sell it.) He had asked if we would be willing to provide access for an entrance/exit for Building #6 onto the "Old Airport Road" stub. We also discussed the merits of a possible bike pathway from University Blvd to the Research Park area. We would be open to all of this if we could gain access to this land.

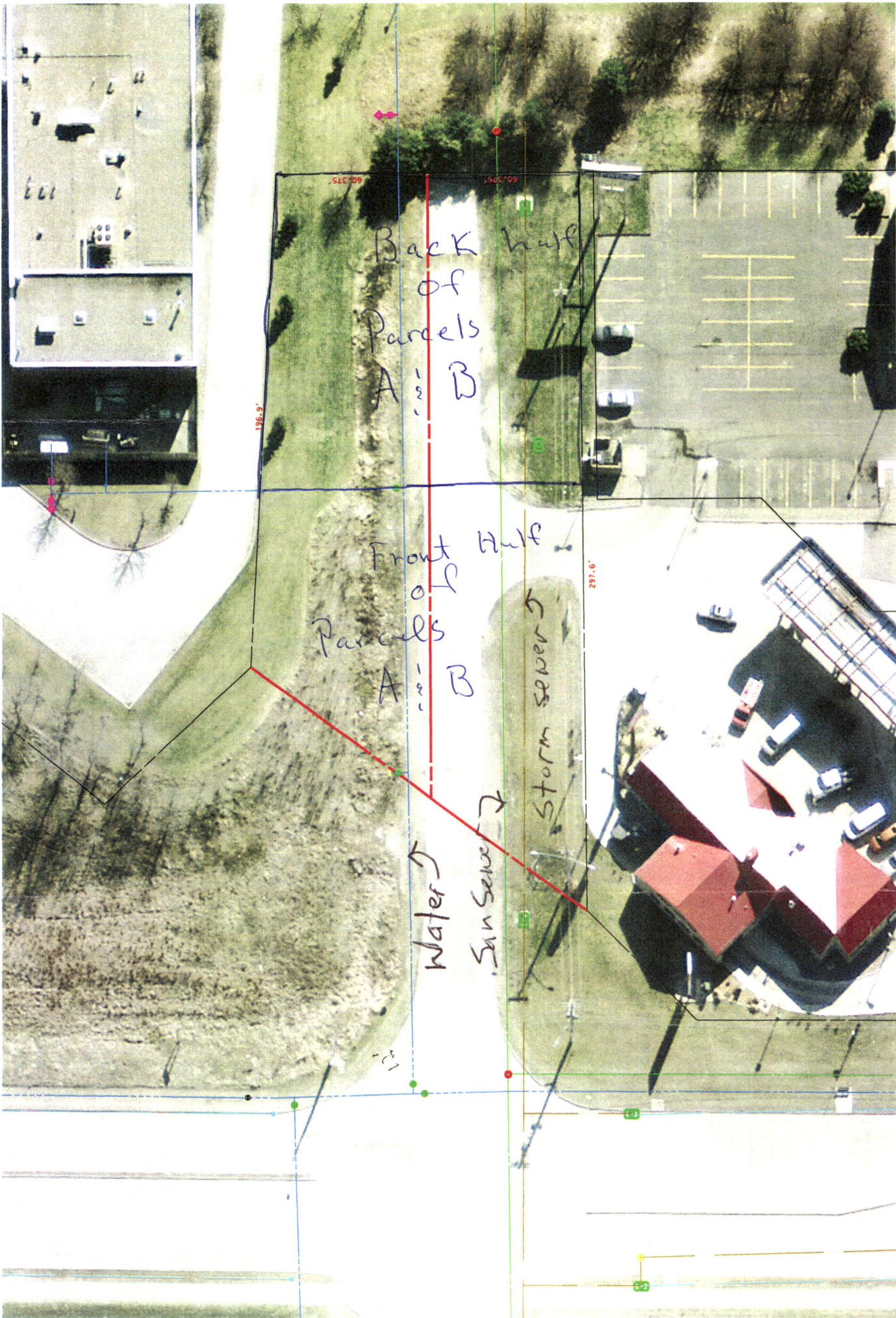
Given the limited use to this space would the city be willing to sell us this land for the greatly reduced price of \$7,000 in exchange for our development and maintenance of said property and willingness to provide the city access to a bike/walking trail.

We would like to offer \$7,000 for the back half of parcels A and B.

Respectfully,



Steve Burgason
Owner, Gateway Expresse
203.6159 (c)



Back half
of
Parcels
A & B

Front half
of
Parcels
A & B

Water →
San Sewer →

Storm sewer →

196.9'

297.6'

60.375'

60.375'

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