

DATE ISSUED : November 12, 2003

REPORT NO: 03-228

ATTENTION: Honorable Mayor and City Council  
Docket of November 18, 2003

SUBJECT: Skyline Hills Library Site Acquisition/Condemnation

### SUMMARY

Issue - Should the City Council authorize a condemnation action with an Order of Immediate Possession and requisite use of funds to acquire property necessary for the construction of the new Skyline Hills Library?

Manager's Recommendation - Authorize the condemnation action, and associated use of funds to obtain the necessary property rights.

Other Recommendations – Do not proceed with the project.

Fiscal Impact - The estimated costs of condemnation include: Value of the property to be acquired: \$1,636,000; relocation, estimated contingencies and litigation expenses: \$364,000; total: \$2,000,000. Funds for the acquisition, litigation expenses, and relocation are available from CIP 35-107.0 (Skyline Hills Library).

### BACKGROUND

The Skyline Hills Branch Library is located at 480 South Meadowbrook Drive. The current facility was built in 1969 and is a 4,400 square foot building on a 19,600 square foot lot. The library is too small to adequately serve the Skyline Hills community which has a service area population of approximately 38,000 based on the 2000 census. A new 15,000 square foot facility is in design phase. This new facility will provide a computer lab, community meeting space, special areas designed for children and teens, and expanded general seating and collection space, with parking for 90-100 cars as required for a facility of this size.. The current site is not large enough for the new library as proposed. Other sites were considered throughout the community (Paradise Hills Community Park, Bell Junior High and Boone Park) but were rejected due to size or building constraints. This project is consistent with the Skyline/Paradise Hills Community Plan and the City's General Plan Guidelines. The size of the project necessitates the acquisition of a

new, larger site. A 3.2 acre vacant parcel immediately adjacent to the current library has been identified for the project. While the Real Estate Assets Department will continue negotiations with the owner, condemnation authorization is requested to insure timely possession, thereby allowing the project to proceed without undue delay.

Eminent Domain Law requires that any person subject to condemnation proceedings be given the opportunity to speak and be heard regarding the following questions to which the Council must address itself:

1. Does the public interest and necessity require the proposed project?

Yes. The existing Skyline Hills Branch Library is an undersized facility nearly 40 years old. It does not provide adequate space to serve the Skyline Hills community. This project will provide the service area community with a modern library facility that will provide community room space, a public computer lab and adequate dedicated parking.

2. Is the proposed project planned or located in the manner that will be most compatible with the greatest public good and the least private injury?

Yes. The 3.2 acre site identified as being a portion of Lot 1 of Highland Park Shopping Village Resubdivision can accommodate the new project and provide adequate dedicated parking for the community and for any expansions needed for future service needs. Numerous sites were investigated throughout the community, but were eliminated primarily for not being large enough to accommodate the proposed facility. This site is located directly adjacent to the existing facility where the community has long identified as location of library services.

3. Is the property sought to be acquired necessary for the proposed project?

Yes. The property sought is needed to accommodate the new library for the Skyline community to meet its library service needs now and in the future. The resultant project will be an asset to the community which it serves.

#### ALTERNATIVE

Do not authorize condemnation and require that the project be abandoned or redesigned.

Respectfully Submitted,

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Submitted by: WILLIAM T. GRIFFITH  
Real Estate Assets Director

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Approved: BRUCE A. HERRING  
Deputy City Manager