

RESOLUTION 12-03
2165 Mailand Road Parkland Diversion

WHEREAS, the Saint Paul Parks and Recreation Commission (“Commission”) is an appointed body established to advise the Mayor and City Council on long-range and city-wide matters related to Parks and Recreation; and

WHEREAS, Section 13.01.1 of the City Charter requires that the Commission review all requests to divert or dispose of park property and to present a recommendation to the City Council; and

WHEREAS, the City of Saint Paul owns park land located at 2192 Londin Lane (“Park Property”) that abuts Mailand Road on its southernmost boundary. The Park Property is maintained by the Department of Parks and Recreation (“Department”) as the Highwood Hills Recreation Center, as shown on Attachment A; and

WHEREAS, Tong Pao Yang and Fu Lee, owners of 2165 Mailand Road, which adjoins the Park Property on its southwestern borders, recently purchased the property, which does not have a driveway, but uses an existing gravel road which parallels the entire 315 feet of their eastern property boundary, from the Mailand Road right-of-way to the northeast corner of their lot; and

WHEREAS, Yang and Lee have proposed the purchase of a non-exclusive driveway access easement which would follow the existing gravel road and this would be a disposal of an interest in parkland and therefore subject to the charter requirements; and

WHEREAS, it would be an extreme financial hardship to install a driveway on the owners’ parcel, due to existing constraints such as trees, steep topography, and potential wetlands; and

WHEREAS, the City only uses said easement area occasionally for maintenance purposes, because the fields are not programmed and are only used by the neighborhood for informal games; and

WHEREAS, the Department has determined that the granting of a non-exclusive driveway access easement for this purpose will not negatively impact the Park Property and recommends Commission support for the request;



NOW, THEREFORE BE IT RESOLVED, that the Saint Paul Parks and Recreation Commission concurs with the request to dispose of an interest in the said Park Property located adjacent to the eastern boundary of 2165 Mailand Road through a non-exclusive easement to Tong Pao Yang and Fu Lee, and in accordance with City Charter Section 13.01.1 recommends approval by the Saint Paul City Council.

Adopted by the Saint Paul Parks and Recreation Commission on April 11, 2012:

Approved:

Yeas	<u>7</u>
Nays	<u>0</u>
Absent:	<u>2</u>

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Attested to by:



Staff to the Parks and Recreation Commission



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