Minneapolis
Park & Recreation Board

Resolution 2021-300

Resolution Approving Encroachment Permit for Use of 106.00 Square Feet of Land in Front of the Subject Property at 2115 East Lake of the Isles Parkway, Encroaching Upon Parkland at Lake of the Isles Parkway Within the Minneapolis Chain of Lakes Regional Park, and the Collection of Appropriate Fees Associated with This Encroachment

Whereas, The Minneapolis Park and Recreation Board (MPRB) was created by the Minnesota Legislature in April 1883 and has the authority to manage and operate park facilities;

Whereas, The MPRB owns and operates East Lake of the Isles Parkway as part of Minneapolis Chain of Lakes Regional Park;

Whereas, MPR 2021 Trust (Owner) is listed as the owner of 2115 East Lake of the Isles Parkway (Property);

Whereas, The Property is situated in the City of Minneapolis and Hennepin County;

Whereas, The Property is currently a residential parcel that is improved with a single family home;

Whereas, On August 3, 2021, the Owner submitted to the MPRB an Encroachment Permit request for use of MPRB land to replace, rebuild and relocate the existing access walk in front of the Property;

Whereas, MPRB staff has reviewed the site and the encroachment and determined that the encroachment is not detrimental to the public's use or enjoyment of parkland, does not significantly impact park user safety, and minimizes any impact to parkland;

Whereas, MPRB staff has determined a fee related to the encroachment using methods as have been used with other encroachments onto parklands, and the Owner has reviewed the fee and does not object to payment of the fee; and

Whereas, This resolution is supported by the MPRB 2007-2020 Comprehensive Plan, which envisions "Dynamic parks that shape city character and meet diverse community needs;"

RESOLVED, That the Board of Commissioners approves the Encroachment Permit for use of 106.00 square feet of land in front of the subject property at 2115 East Lake of the Isles Parkway, encroaching upon parkland at Lake of the Isles Parkway within the Minneapolis Chain of Lakes Regional Park, and the collection of appropriate fees associated with this

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encroachment; and

RESOLVED, That the President of the Board and Secretary to the Board are authorized to take all necessary administrative actions to implement this resolution.

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TO: Planning Committee

FROM: Michael Schroeder,

DATE: September 29, 2021

SUBJECT: Resolution Approving Encroachment Permit for Use of 106.00 Square Feet of Land in Front of the Subject Property at 2115 East Lake of the Isles Parkway, Encroaching Upon Parkland at Lake of the Isles Parkway Within the Minneapolis Chain of Lakes Regional Park, and the Collection of Appropriate Fees Associated with This Encroachment

BACKGROUND

This action considers approval of an Encroachment Permit (*Attachment A*) for use of 106.00 square feet of land in front of the subject property at 2115 East Lake of the Isles Parkway, encroaching upon parkland at Lake of the Isles Parkway within the Minneapolis Chain of Lakes Regional Park, recording of the encroachment, and finally the collection of appropriate fees for processing. The Minneapolis Park & Recreation Board (MPRB) maintains authority for review of any request for encroachment onto parkland.

The request is to serve a currently improved residential lot at 2115 East Lake of the Isles Parkway (Property). MPR 2021 Trust FBO William (Owner) plans to replace, rebuild and relocate the access walk connecting the public sidewalk and parkway road to the house. The current access walk will be removed and the parkland restored. The Owner found that an Encroachment Permit had not been previously granted by MPRB for the current access walk.

MPRB staff has reviewed the site plan *(Attachment C)* and encroachment permit application *(Attachment B)* and believes the current proposal has limited impact on parklands and to the recreating public's safety and enjoyment.

The proposed encroachment permit (*Attachment A*) would allow for the replacement, rebuilding and relocating the access walk on MPRB park land located in front of the Property. The fee for the proposed encroachment permit is $9,899.34 (*Attachment D*). This fee covers the 106.00 square feet of encroachment that represents replacing the service sidewalk on MPRB park land. Additionally, there is an $800.00 administrative fee to cover staff time for reviewing the proposal and preparing documentation.

Legal Counsel has reviewed and approved the Encroachment Permit Agreement as to form and legality.

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RECOMMENDATION

Staff recommends that the Board of Commissioners approve the Encroachment Permit for use of 106.00 square feet of land in front of the Subject Property at 2115 East Lake of the Isles Parkway, encroaching upon parkland at Lake of the Isles Parkway within the Minneapolis Chain of Lakes Regional Park, and the collection of appropriate fees associated with this encroachment.

This action is supported by the following vision and goal statements in the MPRB 2007-2020 Comprehensive Plan:

Vision Theme 3: Dynamic parks that shape city character and meet diverse community needs.
Goal: Focused land management supports current and future generations

HISTORY:

09/01/21 Planning Committee ADOPTED

Approved on a Roll Call Vote.

ATTACHMENTS:

- **** Placeholder**** ATTACHMENT A - Encroachment Permit Agmt - 2115 E Lk of the Isles Pkwy - DRAFT 8.17.2021.docx (DOCX)
- ATTACHMENT B - Encroachment Permit Application - 2115 E Lake of Isles Parkway (PDF)
- ATTACHMENT C - Site Plan Survey - 2115 E Lake of Isles Parkway 2 (PDF)
- ATTACHMENT D - Encroachment Fee Calculation Sheet - 2115 E Lake of the Isles Pkwy (PDF)

Prepared By: Kelly Street,, Strategic Planning
Review:
Cindy Anderson Completed 08/17/2021 12:30 PM
Adam Arvidson Completed 08/20/2021 9:09 AM
Michael Schroeder Completed 08/20/2021 11:03 AM
Jennifer Ringold Completed 08/20/2021 3:34 PM
Al Bangoura Completed 08/23/2021 8:15 AM
Planning Committee Completed 09/01/2021 5:40 PM
Minneapolis Park and Recreation Board Pending 09/29/2021 6:00 PM