

**RESOLUTION #15-06**  
**Xcel Energy Gas House – Highland Park Parkland Diversion**

**PROJECT DESCRIPTION:**

The City of Saint Paul Department of Parks and Recreation owns and manages parkland known as Highland Park, near the intersection of Lexington Parkway South, Montreal Ave. and W. 7<sup>th</sup> St. Xcel Energy is requesting a parkland diversion of approximately 5,250 square feet (0.12 Acres) for the purpose of installation of underground natural gas pipelines and an on grade gas house which will contain enclosed, above ground sections of the gas pipe that are accessed for occasional inspections. Pipeline inspections are carried out with the use of a robot that is fed into the pipe and then travels through the pipes to inspect them. The pipes will be extended from the main pipe in Lexington. Long sections of the gas main in Lexington and other streets from the north to south sides of the City are in the process of being replaced over a period of several years. The section in Lexington near the gas house has already been replaced. The Xcel Gas House has been designed to complement existing buildings in Highland Park, and will be set into the background and landscaped to blend unobtrusively into the park and neighborhood.

**STAFF COMMENTS:**

The Department of Parks and Recreation approves of this diversion of a small area of park land for the Xcel Gas House, which will be connected a gas main that serves much of the west half of Saint Paul. This project is not projected to impact park use, planning or construction. Parks staff have therefore determined that this park land may be disposed of for the purpose stated and recommends Commission support for the easement request. Xcel has agreed that they will restore any impacted facilities, and replace and maintain any impacted plantings until they are in a healthy state, and accepted by Parks staff.

**COMMISSION REQUEST:**

Staff recommends that the Saint Paul Parks and Recreation Commission concurs with the request to dispose of a small portion of City park land known as Highland Park, and in accordance with City Charter Section 13.01.1 recommends approval by the Saint Paul City Council.

**COMMUNITY CONCERNS:** None Known

Project Basics	
<p><b>Project Name</b> <i>Owner(s)</i> <i>Address</i> <i>Contact Information</i></p>	<p>Xcel Energy ParkLand Diversion for Gas Pipeline Building Xcel Energy Headquarters 414 Nicollet Mall Minneapolis, MN 55401</p> <p>Xcel Local Office &amp; Representatives John Marshall, Manager, Community Relations, 651-229-2230 Conrad Miller, Project Manager, 651-229-2564 Tony Wendland, Project Manager, 651-229-2488. Tony.J.Wendland@xcelenergy.com 825 Rice Street Saint Paul, MN 55117</p>
<p><b>Action being requested</b> <i>purchase, donation, encroachment, parkland dedication, diversion, street vacation, swap, other land transfer related</i></p>	<p>Parkland diversion to license or provide an easement on a small portion of Highland Park for a gas pipe building. The building will contain gas pipeline inspection robot entries. Pipes to the building will be offshoots of the main pipe.</p>
<p><b>Why is the action being requested?</b></p>	<p>Such a facility is necessary at that location for safe, unobtrusive inspections of the gas pipe approximately every 7 years, with occasional service between those times. This corner of Highland is the only realistic place to locate such a building, and the land is not used for, and is located away from, other park purposes. Landscaping will be included to help the building blend into the background.</p>
<p><b>Is the action proposed permanent or temporary?</b></p>	<p>Permanent. There will be a provision in the license agreement that either party may withdraw from and void the agreement, with all City and Park facilities restored to previous condition.</p>
<p><b>Property type</b> <i>neighborhood park, regional park, downtown park, plaza, trail, parkway, recreation center, private ownership/public usage, passive open space, bluff preservation</i></p>	<p>Community park.</p>
<p><b>Land area</b> <i>square feet &amp; acres</i></p>	<p>Approximately 75'x70', or about 5,250 sq. ft. Approx. 0.12 acres.</p>
<p><b>Land value &amp; basis</b></p>	<p>The parkland has been surveyed, and will be appraised if this diversion request is approved.</p>

<p><i>assessed value, appraisals, comps</i></p>	<p>Appraised value may vary from figures below. Assessed values, or adjacent values for the diversion area of approximately 5,250 square feet follow:  Highland Park, PID No.: 15.28.23.42.0069  Address: 1820 Edgumbe Road  Acres: 62.59  Square feet: 2,726,420.40  Estimated Market Value (EMV) Year: 2014  2014 Assessed Value: \$21,811,400  EMV per sq. ft.: \$8.00  OFS Real Estate Div. estimated value: around \$15/SF.  <b>Total Estimated Value: \$42,000 to \$78,750 +/-.</b>  <b>Note, the actual appraised value may vary. If any parks or street facilities, or trees are damaged or removed, they will be either replaced, or appraised for reimbursement and replacement by Parks Forestry/Public Works staff or contractors.</b></p>
<p><b>Land characteristics/special features</b>  <i>proximity to significant natural feature, trail connections, water resources, natural areas, buildings, fields, play equipment, courts, other significant uses on/near property</i></p>	<p>Generally, grassed and treed, sloping upwards westerly from street curb level, to a steep sloped wooded area. Mostly large deciduous trees, with a few evergreens. Near the intersection of Lexington Parkway S., Montreal, and 7<sup>th</sup> Ave. W. Area also has electric underground utility. The Capitol Region Watershed District has also installed a drainage control channel adjacent to the north edge of this portion of the park to help address flooding issues in the area.</p>
<p><b>Adjacent land uses</b>  <i>commercial, industrial, residential, etc.</i></p>	<p>Land uses adjacent to the park in that area include residential to the north, commercial to the east and south, and school district across Lexington, in addition to private and public utilities. Most of the rest of Highland Park lies to the west, northwest and southwest.</p>
<p><b>Applicable laws, codes, policies, guidelines</b>  <i>City, state, county, watershed districts, etc.</i></p>	<p>City park, parkway, and parkland diversion related ordinances, possible watershed district, building codes for the gas pipe building.</p>
<p><b>Other department, agency involvement</b>  <b>Processes</b>  <i>parkland dedication, parkland diversion, community engagement</i></p>	<p>Attorney, Real Estate (OFS), Public Works, Safety Inspections  Parkland diversion process to include survey, appraisal and City staff coordination. Community engagement has included the Fort Road/ West 7<sup>th</sup> and Highland Park District Councils, as well as contacts to the Ward 2 Council Member Thune and Ward 3 Council Member Tolbert offices.</p>
<p><b>Legal issues</b> (if any)  <i>judgments, liens, deed restrictions, grant agreements</i></p>	<p>None known.</p>

<p><b>Public Purpose</b></p>	<p style="background-color: #92d050;"></p>
<p><b>How does the proposed action impact the affected park property and Saint Paul's park</b></p>	<p>Proposed facilities are below, at and above surface, however there are no foreseen impacts on park property, system or programs. This is an unprogrammed and undeveloped corner of the</p>

<p><b>system?</b></p>	<p>park. The building and associated landscaping and grounds are designed to blend with existing park architectural features, and were designed by the same architect that designed some of the other buildings. The gas line serves much of the western portion of the City of Saint Paul.</p>
<p><b>How does the proposed action fit with adopted plans/policies?</b>  <i>Comprehensive Plan, Parks and Recreation System Plan, Regional Parks Policy and System Plan, SCORP, Legacy Plan, watershed districts</i></p>	<p>No known effects on adopted plans of City or other jurisdictions.</p>
<p><b>Does the proposed action impact any other City initiatives/actions?</b>  <i>redevelopment, plan implementation</i></p>	<p>This is a small part of a much larger project to upgrade/replace a large underground gas pipe that runs through the center portion of the city, and feeds the west side primarily.</p>
<p><b>How has the community been engaged?</b>  <i>communications, public notices, meetings, District Councils, special interest groups, elected and appointed officials, web posting, outstanding issues, support</i></p>	<p>There are no known community concerns. The Parkland Diversion process will take the projects to a Parks and Recreation Commission meeting and a City Council public hearing for public oversight and consideration. Xcel stated the following in regards to public engagement: <b>“The Saint Paul parkland in question is located within the boundaries of both Ward 3 and Planning District 15/Highland District Council. Xcel Energy has provided verbal briefings to Ward 3 City Councilmember Chris Tolbert and his office and presented to the Highland District Council’s Community Development Committee who voted unanimously to support this parkland diversion (see attached letter). In addition, as a courtesy Xcel Energy attempted multiple times to present to the adjacent Planning District 9, but due to their other business and this diversion being lower priority for them Xcel Energy was never able to find room on their otherwise packed agendas 3 months in a row. In summary, stakeholder outreach has been more than sufficient resulting in zero community opposition and in the case of Planning District 15 unanimous support for this parkland diversion.”</b> “...in addition to our outreach to them I have spoken to both Councilmember Thune and his Legislative Aide. Again, zero issues or concerns were raised.”</p> <p>Nearby residents have also been contacted and informed of the gas line replacement throughout the entire construction phase, with minimal concerns. Xcel has made efforts to reduce noise and expedite the process to minimize hardship for City residents near the pipeline replacements. Xcel has also worked with City staff and kept them informed of progress, including invitations to, and minutes from, regular construction meetings.</p> <p>There are numerous, varying types of above ground, at grade and underground utilities in parkways and various types of streets, including gas pipelines, across the City.</p>
<p><b>Are there any precedents for the proposed action, and does the proposed action set any precedents for future decisions?</b></p>	<p>Any funds received will be deposited in the parkland replacement fund.</p>
<p><b>What are the budgetary impacts of the</b></p>	<p></p>



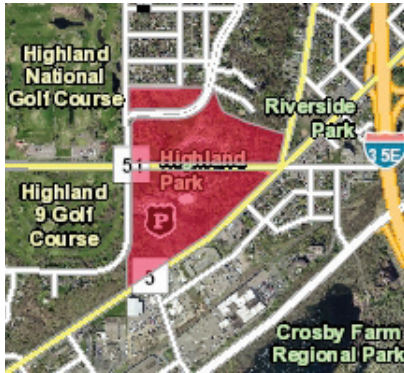
<b>proposed action?</b>	
<b>Are there any other issues or concerns?</b>	None known.
<b>STAFF RECOMMENDATION</b> <i>Include key points of recommendations</i>	Approval. This small area of parkland diversion will not jeopardize parklands, nor interfere with operations and maintenance. The gas house is a part of a much larger Xcel initiative to upgrade its pipes in the City to modern standards, and all facilities should be usable for decades.
<b>Attachments</b> <i>timeline, plans, designs, correspondence, purchase agreements, maps, appraisals, sketches, photos, codes, laws, policies</i>	Council Resolution, Project Description, Land Transaction summary form, aerial and street photos/maps of area, survey and plans by Xcel and consultants. Appraisal available for review upon request. A written license or easement agreement between the City and Xcel will be executed to formalize this land transaction.

Checklist for all land transactions/decisions

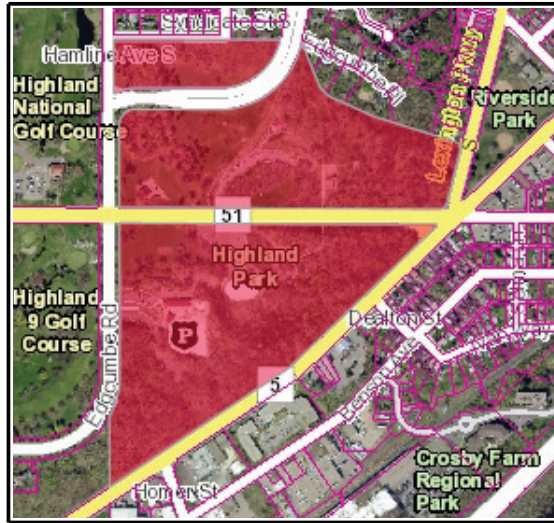
- X The land transaction/decision is consistent with the Parks and Recreation System Plan, Comprehensive Plan, and other relevant planning documents
- X The land transaction/decision would have a neutral or positive impact on meeting existing/future demand for parkland.
- If the decision has a budgetary impact, funding is available to cover the cost of the action and any ongoing maintenance needs
- The action would enhance the parks and recreation system
- X There is community and/or institutional support for the decision
- X There is a clear understanding of how the decision impacts the future of the parks and recreation system
- X The action is consistent with the applicable decision principles outlined in the Parks and Recreation Vision Plan:
  - Furthering Parks' role as the champion of health and wellness
  - ✓ Is a catalyst for private-sector investment
  - Exemplifying environmental leadership
  - ✓ Addressing lifecycle and operational costs
  - Helping connect people, parks, trails, and open spaces
  - Supporting a City-wide system of parks and recreational facilities

# Ramsey County Parcel Report

Report generated 12/9/2014 9:39:36 AM



Parcel location within Ramsey County



Taxlot highlighted in red

**Parcel ID:** 152823420069

**Owner(s):** City Of St Paul/cs/pr33068

**Site Address:** 1820 Edgumbe Rd, Saint Paul  
MN 55116-2406

[Link to Ramsey County Tax and Property Quick Info](#)

**Tax Payer(s):** City Of St Paul/cs/pr33068

**Homestead:** N

**Tax Address:** 25 4th St W Ste 1000, Saint Paul  
MN 55102-1692

**Use Type:** Sport/public Assesmbly Facility

**Dwelling Type:**

**Home Style:**

**Lot:**           **Block:**

**Living Area:**                   **Sq. Ft.**

**Plat Name:** SECTION 15 TOWN 28 RANGE 23

**Year Built:** 1975

**Area:** 62.59       **Acre(s)**

**Garage:**

2014 Pay 2015 EMV Land:                   21811400

**Garage Area:**                   **Sq. Ft.**

2014 Pay 2015 EMV Building:               4973700

**Heating Type:**

2014 Pay 2015 EMV Total:                   26785100

**Cooling Type:**

**Total Tax\* in 2014 :** 0

**School District:** 625

**Special Assessment in 2014 :**

**Watershed District:** Capital Region W/S

**Tax Exempt:** Y

**Green Acre:**

**Last Sale Date:**

**Open Space:** N

**Last Sale Price:**

**Agriculture Preserve:** N

*The user of this report acknowledges that the City/County shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City/County from any and all claims brought by the User, its employees or agents, or third parties which arise out of the User's access or use of data provided. \*Total Tax includes special assessment due if any.*



**GUIDELINES**  
**FOR THE DIVERSION OR DISPOSAL OF**  
**PARK LAND IN THE CITY OF SAINT PAUL**  
**January, 2006**

City park land is a highly valued public asset. To protect from the loss of park land, the City established a mechanism for replacing this land when it is sold or otherwise used for non-park purposes. Chapter 13.1.01 of the Saint Paul City Charter provides for the diversion or disposal of city park land by resolution of the City Council. Following are guidelines for initiating such diversion or disposal.

**I. WHO MAY REQUEST THE DIVERSION OR DISPOSAL OF CITY PARK LAND?**

Owners of property abutting city park land, or other interested parties wishing to acquire or use city park land, including parkway right-of-way, for non-park purposes may petition the City for a diversion or disposal.

**II. WHAT IS THE COST TO THE PETITIONER?**

- A. Appraisal – \$900 minimum if acquired by the City. (See Item III.E. for clarification)
- B. Land Value – fair market value as determined by an independent real estate appraisal

Payment for the appraised market value of the park land may be in cash, or by conveyance to the City of additional land determined by the Real Estate office to be of equivalent value to the existing park land being disposed of or diverted. The land provided by the petitioner also must be acceptable to Parks and Recreation.

- C. Administrative fee

Base Fee:	\$250
Percentage Fee:	10% of appraised value of park land diverted

Petitioners shall pay the greater of the Base Fee or Percentage Fee up to a maximum of \$1,000.

### **III. WHAT DOES THE DIVERSION/DISPOSAL PROCESS ENTAIL?**

- A. An initial inquiry is made to the Public Works Real Estate office to determine if diversion or disposal would apply. If a diversion applies, Real Estate asks Parks and Recreation to determine if the park land is appropriate and acceptable for diversion or disposal. If not appropriate, Real Estate informs the inquiring party and the matter ends.
- B. If Parks and Recreation determines the park land is appropriate for diversion or disposal, Real Estate sends the inquiring party the diversion process guidelines and petition form. The petition form is completed by the inquiring party (the petitioner) and submitted to the Real Estate office.
- C. Real Estate reviews the petition; prepares an estimate of the cost of the park land replacement process, including appraisal fee, value of land to be diverted or disposed of, and administrative fee; and communicates this information to the petitioner. If the petitioner wishes to proceed with the diversion process, Real Estate forwards the petition to Parks and Recreation for review. Staff from the Public Works permitting section and the License, Inspections and Environmental Protection (LIEP) office may also review the petition.
- D. If city staff determine that the petition may proceed, Parks and Recreation presents a resolution recommending approval of the diversion to the Parks and Recreation Commission, a citizen advisory body. The Commission's recommendation is then forwarded to the City Council.
- E. Real Estate obtains an independent appraisal of the value of park land to be diverted or disposed of, and communicates the value to the petitioner. The petitioner may also obtain an appraisal of the park land from a licensed real estate appraiser who meets the City's appraisal requirements. (Contact Real Estate for this information.)
- F. If the petitioner agrees to all terms and conditions of the diversion, including the value of the park land, a date for a public hearing before the City Council is scheduled and notification (at least two weeks prior to the hearing) is published in the Legal Ledger. The petitioner and other interested parties, including owners of properties that may be affected by the diversion or disposal, are notified and given an opportunity to voice their approval or objection at the hearing.
- G. The City Council conducts the public hearing at which it either: 1) approves the diversion or disposal as recommended; 2) approves the diversion or disposal with amendments (e.g., added conditions); 3) denies the diversion or disposal; or 4) lays the proposal over for a later hearing.
- H. If the resolution is approved by the City Council:

- 1) Real Estate sends the petitioner(s) an acceptance form, including the approved resolution and any terms and conditions that must be satisfied prior to finalizing the diversion or disposal of park land. Terms and conditions typically include payment of all costs and submission of any required documents (e.g., easements, deeds, licenses, agreements).
- 2) The petitioner signifies acceptance of the terms and conditions of the resolution by signing the acceptance form and returning it to the Real Estate office. The acceptance form must be received within 60 days following approval of the diversion resolution by the City Council.
- 3) When all terms and conditions have been met, Real Estate executes the applicable licenses, easements or deeds to the petitioner. Real Estate also accepts any documents conveyed by the petitioner to the City. The City then files all easements and deeds with the Ramsey County Registrar of Deeds.
- 4) Failure by the petitioner(s) to return the acceptance form within the 60-day time limit, pay the applicable fees and comply with all terms and conditions set forth in the resolution, may result in the resolution being declared null and void by the City Council via a subsequent resolution.

#### **IV. HOW LONG DOES THE PROCESS TAKE?**

The processing time for a petition will vary depending on complications that may arise, but petitioners should expect approximately 90 days from filing of the petition to the date of the public hearing, with an additional 30 to 90 days for completion of the compliance and recording of documents.

#### **For questions or more information, please contact:**

Department of Public Works  
Technical Services Division – **Real Estate Office**  
1000 City Hall Annex  
25 W. Fourth St.  
Saint Paul, MN 55102  
651-266-8850

Saint Paul Parks and Recreation  
300 City Hall Annex  
25 W. Fourth St.  
Saint Paul, MN 55102  
651-266-6400



**PETITION TO DIVERT OR DISPOSE OF CITY PARK LAND**

I (we), the undersigned, do hereby petition the Council of the City of Saint Paul to divert or dispose of its interests in the park land described as follows:

See attached detailed survey drawing of property.

(If available, include a legal description of the park land to be disposed of or diverted, or attach a detailed map to scale)

I (we) request this diversion or disposal for the following reason(s).

Xcel Energy is requesting this land in order to build an enclosure for a 20" steel natural gas line and facilities. If approved we would install a 20" steel gas main onto the property where we will install a valve set, regulator station and launcher/receiver for our pipeline. Those facilities will be enclosed by a building that has been designed by an architect and approved by the City of St. Paul Parks Department. The building footprint will be 35' X 35' and the total permanent easement for us to access the building site will be 75' X 70'.

(Indicate whether you will be building on the site)

I (we) have attached 2 copies of the site plans of any development intended for construction on the land to be diverted or disposed of.

**Petitioner(s)**

Name: Tony Wendland for Xcel Energy  
Address: 825 Rice Street  
Cy/St/Zp: St. Paul, MN 55117  
Phone: 651-229-2488

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Cy/St/Zp: \_\_\_\_\_  
Phone: \_\_\_\_\_

Please return the completed petition to:

Public Works/Technical Services – Real Estate  
1000 City Hall Annex  
25 W. Fourth St.  
Saint Paul, MN 55102      Attention: Park Land Replacement



Highland District Council  
1978 Ford Parkway Saint Paul, Minnesota 55116  
651-695-4005 Fax 651-695-4019  
Email: [hdc@visi.com](mailto:hdc@visi.com)

January 29, 2015

John Marshall  
Xcel Energy –Community Relations and Economic Development  
825 Rice St, 1<sup>st</sup> Floor,  
Saint Paul, MN 55117

Dear Mr. Marshall,

The Community Development Committee of the Highland District Council (HDC) would like to submit this letter of support for a Parkland Diversion for Xcel Energy to build a pipe enclosure building at Lexington and Montreal.

Xcel Energy met with the Community Development Committee of the HDC on January 20 and presented plans for a pipe enclosure building. The structure's design and use of materials were all consistent with buildings in the surrounding area of Highland Park. The structure will be set back to help discourage vandalism help with security.

The Community Development committee supports Xcel's project, and their request for a Parkland Diversion to construct a pipe enclosure building in Highland Park.

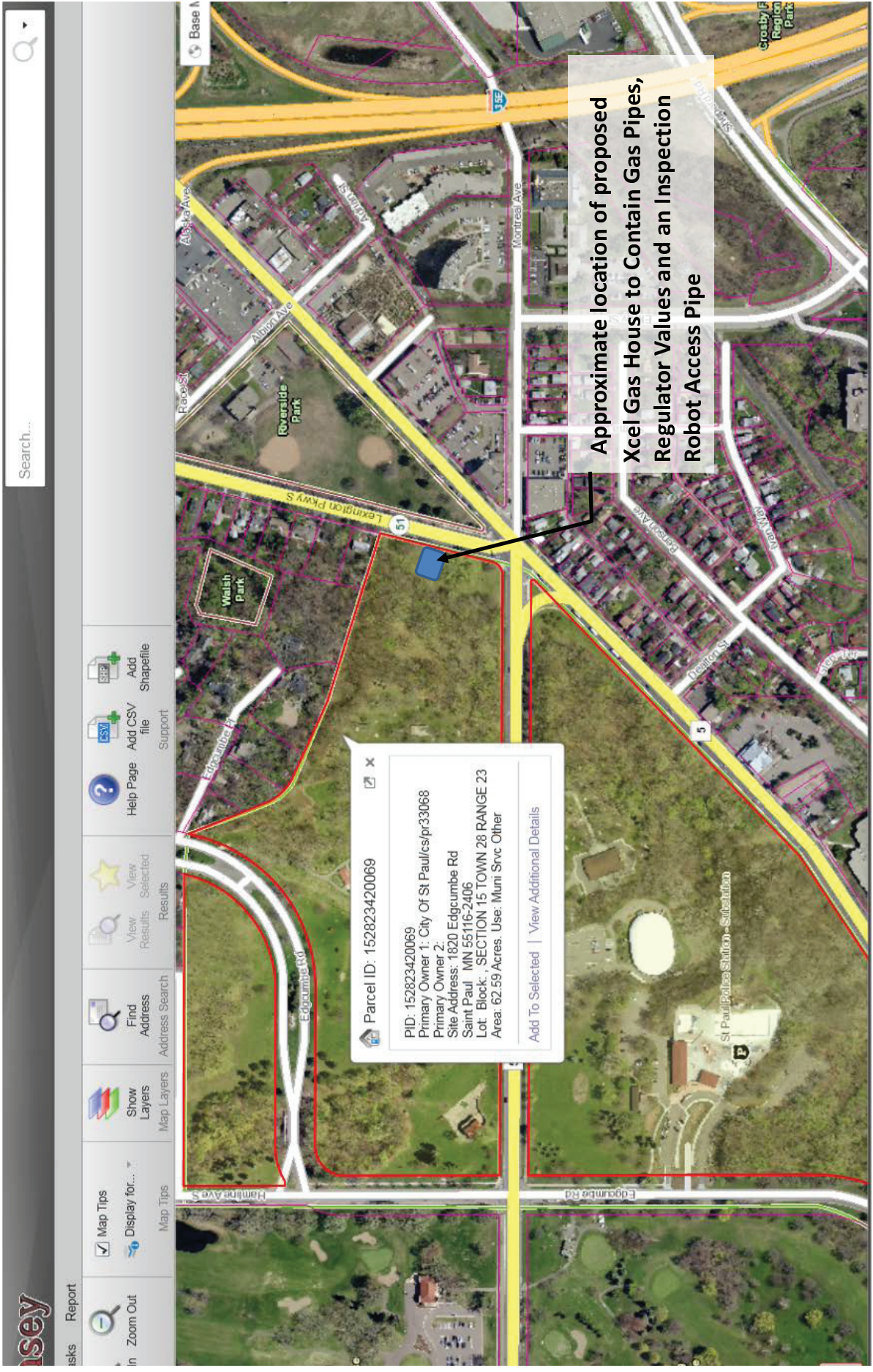
Thank you,

Kathy Carruth  
Executive Director

Resolution 2015 – 1D



# Xcel Energy Gas Line Replacement in Saint Paul – Highland Parkland Diversion for Gas House



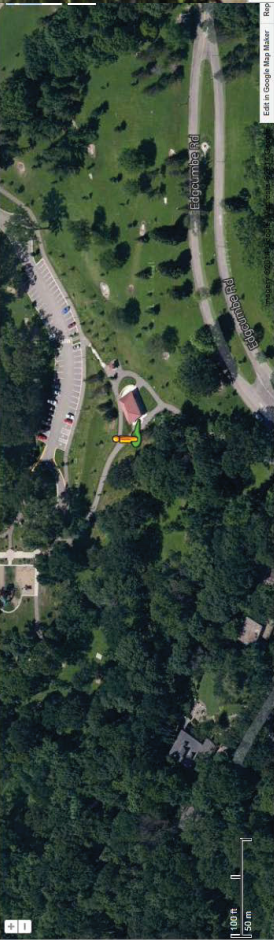
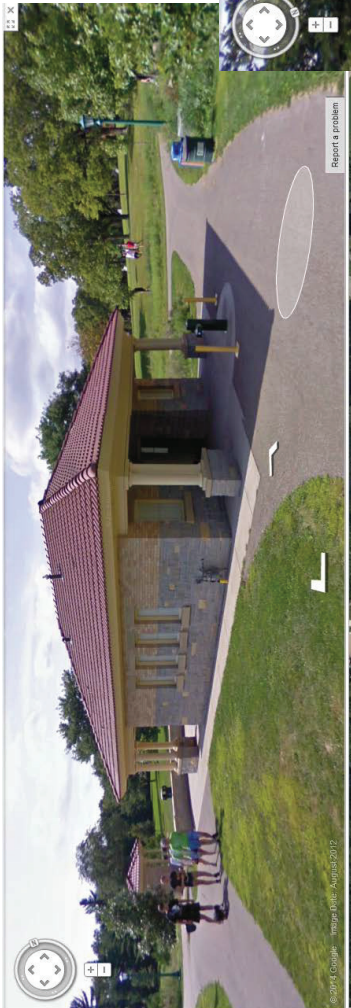


# Xcel Energy Gas Line Replacement in Saint Paul – Highland Parkland Diversion for Gas House



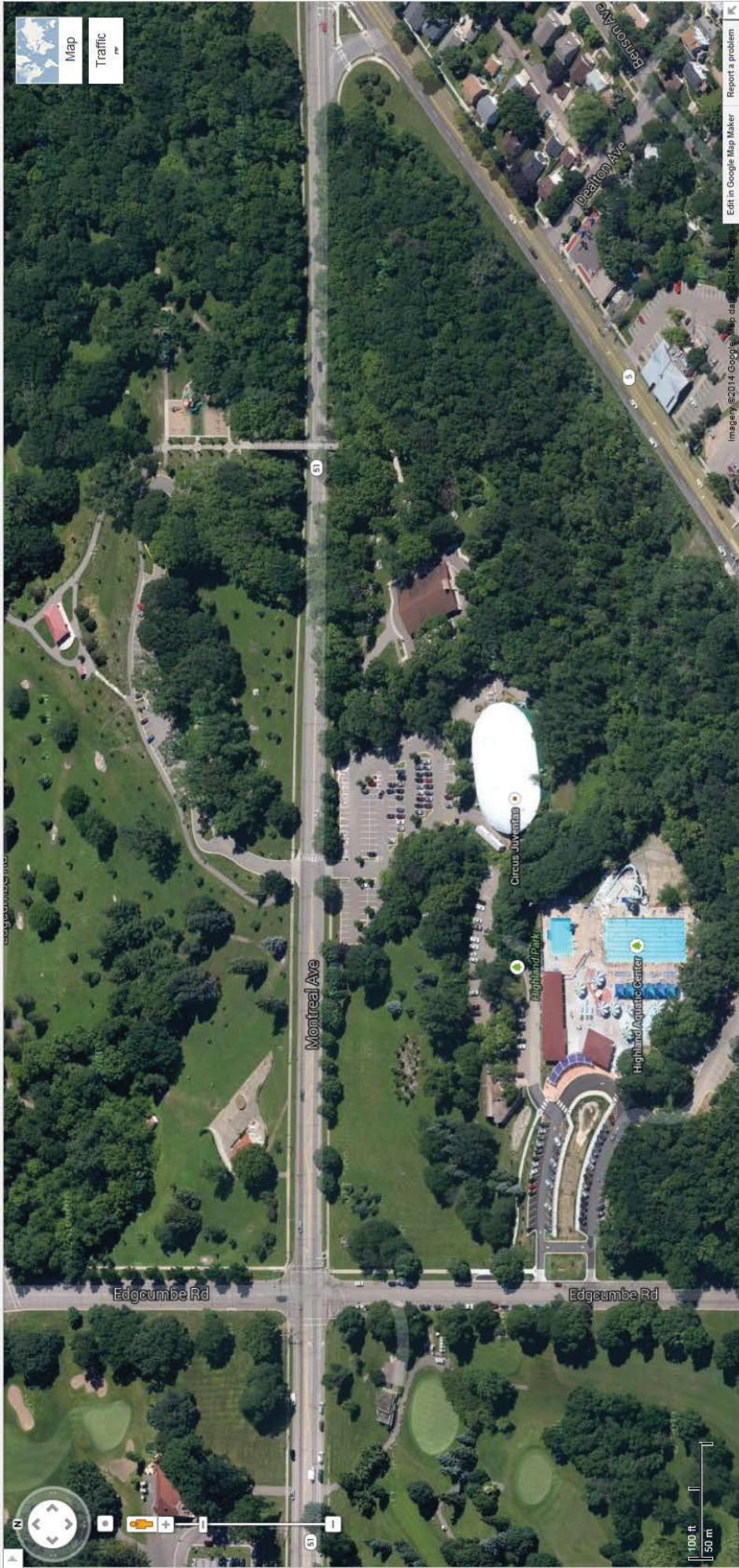


# Xcel Energy Gas Line Replacement in Saint Paul – Highland Parkland Diversion for Gas House





# Xcel Energy Gas Line Replacement in Saint Paul – Highland Parkland Diversion for Gas House



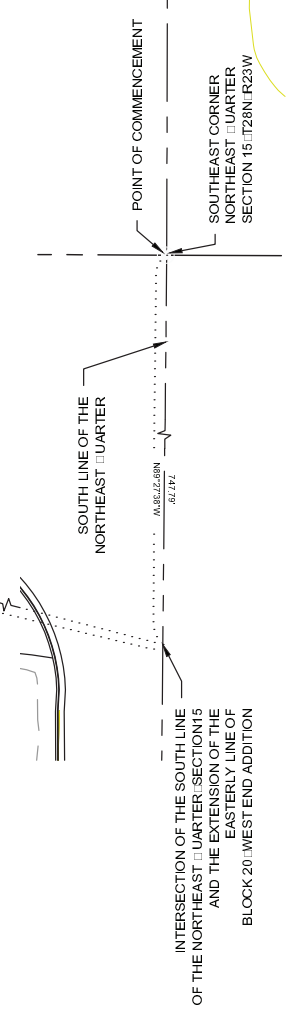




# CERTIFICATE OF SURVEY

## HIGHLAND PARK, ST. PAUL, MINNESOTA

THAT PART OF LOTS 14 AND 15, WEST END ADDITION, ST. PAUL, MINNESOTA



### LEGAL DESCRIPTIONS

Permanent Easement Description  
 That part of Lot 14 and 15, Block 20, West End Addition, St. Paul, Minnesota, containing the following described permanent easement:  
 A permanent easement for the use of a concrete sidewalk, 80 feet wide, along the north side of Pleasant Avenue, starting at the point of beginning permanent easement and extending eastward to the concrete sidewalk, 80 feet wide, along the north side of Pleasant Avenue, as shown on the attached plan.

### LEGEND

- PERMANENT EASEMENT LINE
- EXISTING LOT LINE
- EXISTING RIGHT-OF-WAY LINE
- SECTION LINE
- QUARTER LINE

### SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly Licensed Land Surveyor under the laws of the State of Minnesota, do hereby certify that the foregoing is a true and correct copy of the original record of this survey as the same appears in my field notes, and that the same was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.  
 Dated this 7th day of October, 2014.  
 J. M. B. P.S. Minnesota License No. 50843

### NOTES

1. COORDINATE SYSTEM: UTM NAD83 ZONE 15F
2. DATA OF SURVEY: 07/22/2014



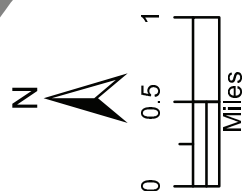
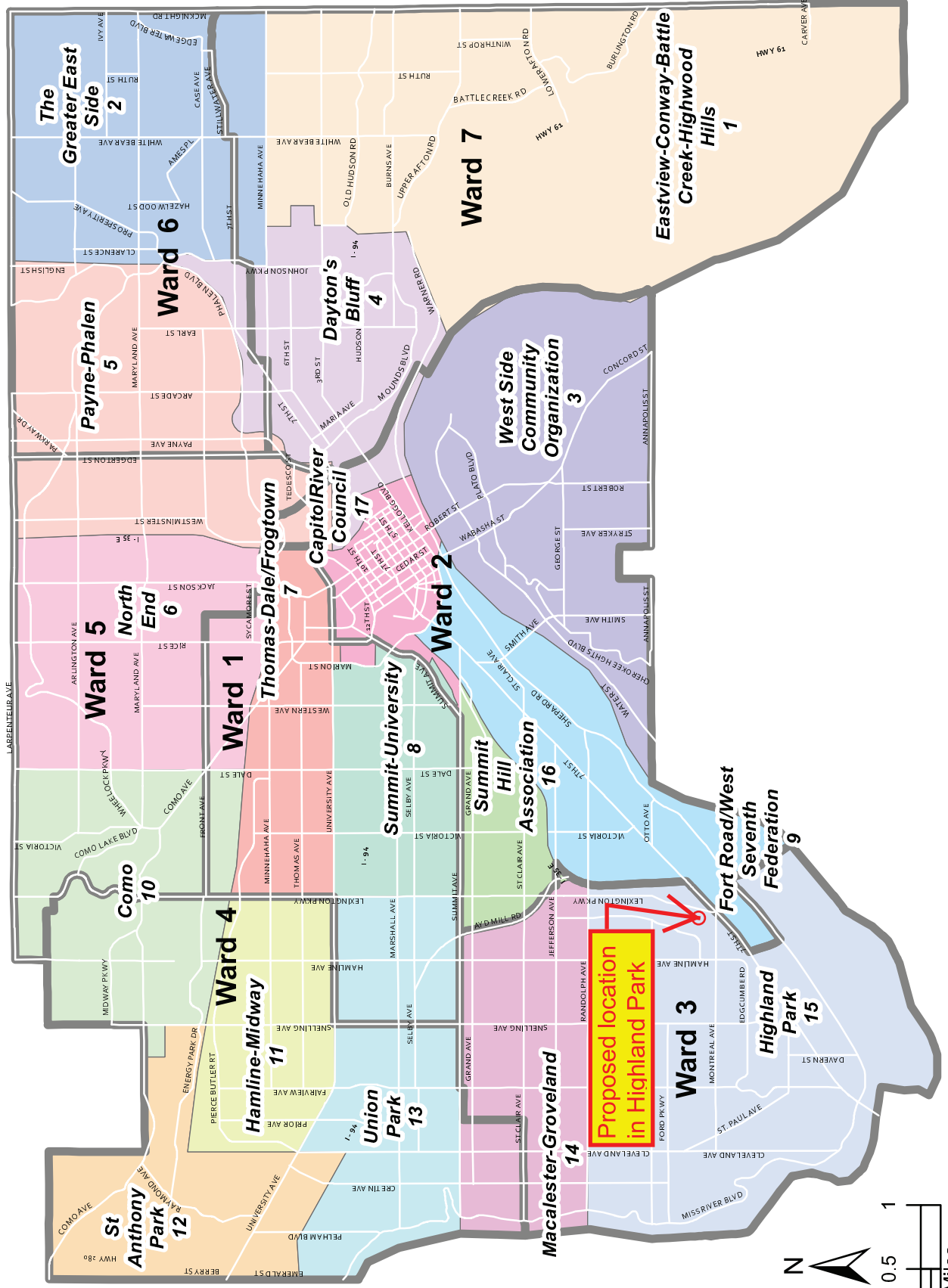


### Xcel Lexington Pipe Enclosure

- Buff Limestone Base
- Buff Brick Upper Band
- Dark Red Metal Roof



# City of Saint Paul Wards and District Councils



Source: City of Saint Paul