

**CITY OF CRYSTAL
MINNESOTA**

RESOLUTION NO. 2016-39

**RESOLUTION REGARDING THE
METRO BLUE LINE EXTENSION**

WHEREAS, the Metropolitan Council, an agency of the State of Minnesota, is proposing to build the METRO Blue Line Extension (the “Project”), a light rail transit facility, through the City of Crystal (the “City”); and

WHEREAS, in accordance with Minnesota Statutes, section 473.3994 (the “Statute”), the Metropolitan Council submitted the preliminary design plans for the physical design component of the Project (the “Plans”) to the City on December 15, 2015 and the City is required to review and either approve or disapprove the Plans by no later than March 4, 2016 (“Municipal Consent”); and

WHEREAS, pursuant to the statute, the scope of the Municipal Consent is limited to the physical design component of the proposed light rail transit facility at a 15 percent level of design detail; and

WHEREAS, the City Council’s decision on Municipal Consent does not include or reflect the City Council’s opinion on whether such facility is in the best interests of the City or the Twin Cities metropolitan region, or its opinion on whether such a facility is an appropriate or cost effective method of public transit, as those determinations are, by statute, made by other units of government; and

WHEREAS, if the City adopts a resolution approving the Plans and granting Municipal Consent, the approval may not be conditional, but the resolution may include language describing elements or changes the City finds to be necessary for the success of the Project and which may be included by the Metropolitan Council in the Project scope and budget at a later stage in the process; and

WHEREAS, if the City adopts a resolution disapproving the Plans, the resolution must describe the specific changes to the Plans that would cause the City to withdraw its disapproval, and Metropolitan Council would then be required to hold a hearing and decide whether to make those changes to the Project; and

WHEREAS, if the City fails to adopt a resolution either approving or disapproving the Plans under the statute, they are automatically deemed approved; and

WHEREAS, the City Council has actively participated in the design process for the Project, including engagement with the Business and Community Advisory Committees and the Corridor Management Committee; and

WHEREAS, the City Council has provided multiple opportunities for public review and comment on the Project and Plans, culminating in the required public hearing the City held on February 16, 2016; and

WHEREAS, the City Council has considered the input it has received from the public regarding the Project and Plans prior to taking action on this Resolution; and

WHEREAS, the City Council has determined that it would be imprudent to adopt a resolution of approval in accordance with the Statute when such issues as a pedestrian bridge, noise walls and visual screening are unresolved; and

WHEREAS, the City Council has determined that it will not adopt a resolution of disapproval in accordance with the Statute because the City Council does not wish to add unnecessary delay or expense to the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Crystal City Council elects to take no action with respect to Municipal Consent and understands that this decision will result in the Plans being deemed approved under Minnesota Statutes, section 473.3994, subdivision 3, and directs the City Clerk to transmit this resolution to Metropolitan Council; and

BE IT FINALLY RESOLVED that the Crystal City Council is concerned about the impacts of the Project and finds as follows:

1. Consistent with the direction given by the Corridor Management Committee on February 11, 2016, a pedestrian bridge over Bottineau Boulevard (CSAH 81) on the south side of Bass Lake Road (CSAH 10) must be added to the Project scope and budget for the following reasons:
 - (a) CSAH 81 is a six lane, high volume, high speed roadway that is a real barrier for pedestrian access to the proposed Bass Lake Road station;
 - (b) This barrier is especially acute for youth, seniors and people who otherwise already face enough challenges just getting around. It is these very people who have the most to gain from the high frequency transit service the Blue Line Extension would bring to the City;
 - (c) For those who are able to drive, it is unreasonable to expect them to leave their cars at home if the Project does not provide a safe way for them to walk to the station;

- (d) With elevators on both sides of the pedestrian bridge, the crossing time would only be 44% longer than at grade, which is a small enough time differential that it will provide a useful alternative to crossing at grade; and
 - (e) The proposed Bass Lake Road station is anticipated to primarily be a walk-up station which will dramatically increase the volume of pedestrian traffic at that intersection. Project staff has indicated that pedestrian crossings at the Bass Lake Road intersection are forecast to increase by a factor of four after the station opens.
2. Because the pedestrian bridge is an essential component for the success of the Bass Lake Road station, the construction, ownership and maintenance of the pedestrian bridge must be the responsibility of Metro Transit, not the City. The City will continue to work with Project staff to ensure an aesthetically acceptable design of the pedestrian bridge, the latest iteration of which is attached hereto as Exhibit A.
 3. In order to protect adjacent residences from noise impacts associated with the addition of light rail transit to the rail corridor, the Project must include a noise barrier along the east side of the rail corridor from 47th Avenue to West Broadway, and from West Broadway to Corvallis Avenue.
 4. In order to protect adjacent residences from visual impacts due to the Project's removal of existing vegetative screening on the west side of the rail corridor north of Bass Lake Road, the Project must include visual screening and the City will accommodate such construction, as needed, with consideration of conditional use permits and variances to allow fences in excess of 6 feet tall.
 5. In order to accommodate the connection of the existing Becker Park trail system to the sidewalk and rail crossing being constructed as part of the Project, during construction approximately one-tenth of an acre in the northeast corner of Becker Park will be disturbed by the Project as shown in Exhibit B. A temporary construction easement will be needed and after construction the Project shall restore the disturbed area to a condition that is as good or better than its current condition. Pursuant to federal environmental rules, the Final Environmental Impact Statement must include documentation of the need for and impact of this temporary construction easement. The City Council authorizes the City Manager to provide said documentation to the Project as needed for the Final Environmental Impact Statement.
 6. To help ensure the successful completion of subsequent phases of the Project design and construction, the Project must work with the City to resolve the specific design issues identified by City staff in the "RCSC Form" submitted to the Project office on January 21, 2016, including the Project staff responses received on February 18, 2016, attached hereto as Exhibit C.

Adopted by the Crystal City Council this 29th day of February 2016.


Jim Adams, Mayor

ATTEST:


Trudy Tassoni
Administrative Services Coordinator

EXHIBIT A

Current Pedestrian Bridge Design





DRAFT/NOT IN PROCESS



BLUE LINE LRT EXTENSION
 CITY OF CRYSTAL
 PEDESTRIAN OVERPASS AT BASS LAKE ROAD
 DUAL VERTICAL CIRCULATION OPTION

E

Rev 0
 01/25/2016

1
 PROPOSED



Kimley»Horn



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 ASSOCIATES



DRAFT WORK IN PROCESS



BLUE LINE LRT EXTENSION
 CITY OF CRYSTAL
 PEDESTRIAN OVERPASS AT BLISS LAKE ROAD
 DUAL VERTICAL CIRCULATION OPTION

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Rev 0
01/25/2016

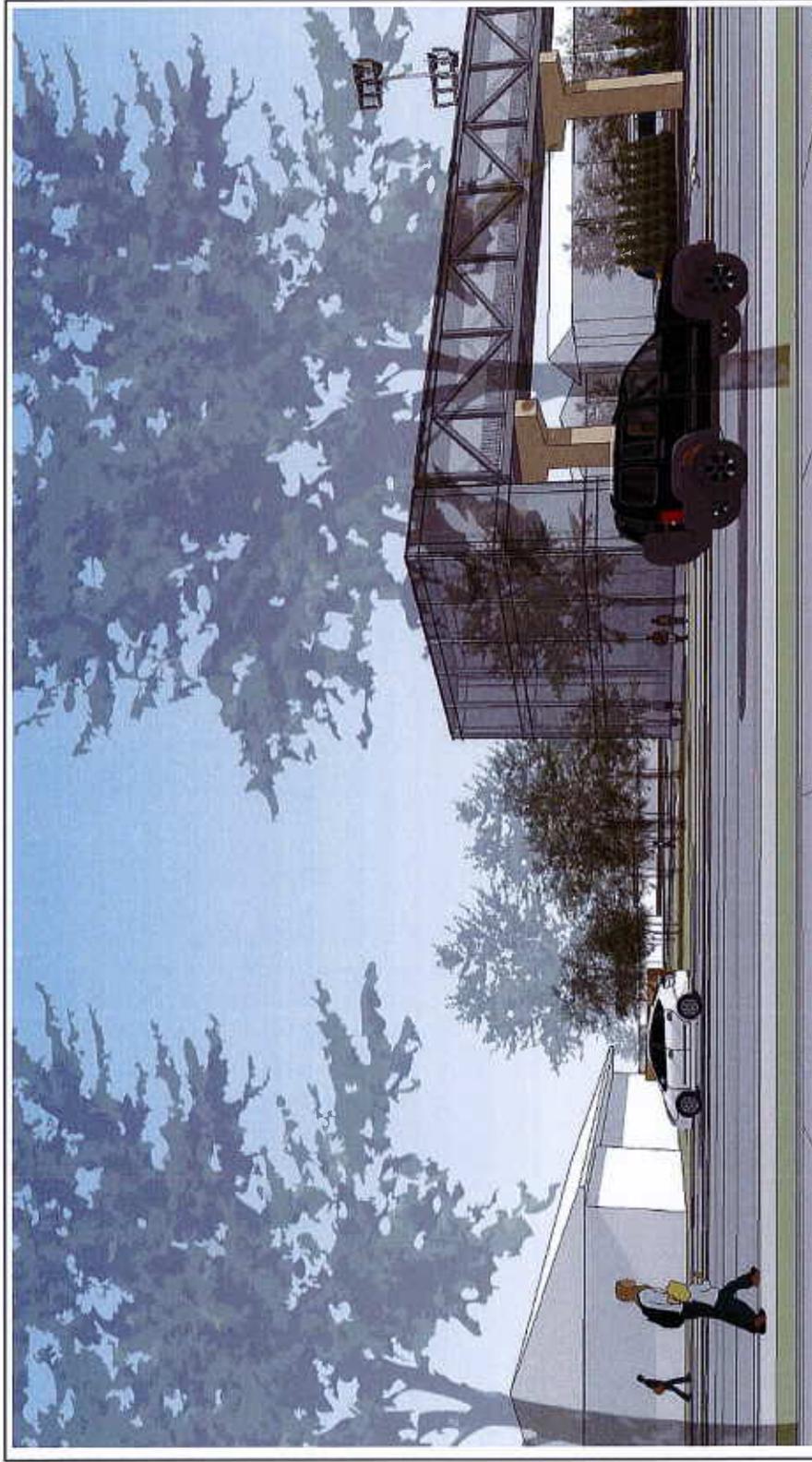
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PROPOSED



Kimley»Horn





DRAFT WORK IN PROGRESS



BLUE LINE LRT EXTENSION
 CITY OF CRYSTAL
 PEDESTRIAN OVERPASS AT BASS LAKE ROAD
 DUAL VERTICAL CIRCULATION OPTION

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PROPOSED



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 CONSULTANTS

John Sutter

From: Soler, Dan <Dan.Soler@metrotransit.org>
Sent: Thursday, February 11, 2016 3:52 PM
To: John Sutter
Cc: Anne Norris; Fuhrmann, Mark; Davies, David
Subject: CMC Resolution Language

John,

For your council meeting tonight. Here is the resolution as made, seconded and voted on and passed today:

“Direct staff to continue its efforts towards development of an at-grade crossing or bridge crossing at 63rd and a pedestrian bridge crossing at Bass Lake Road for the eventual inclusion in the scope of the project.”

Thanks for all your work. Let me know if you need anything else.

DAN

Daniel Soler, P.E.
Project Director
Blue Line Extension Project Office
5514 West Broadway Avenue
Suite 200
Crystal, Minnesota 55428
Phone: 612-373-5371
Cell: 651-900-9902

EXHIBIT B

Becker Park Trail Connection Temporary Construction Area

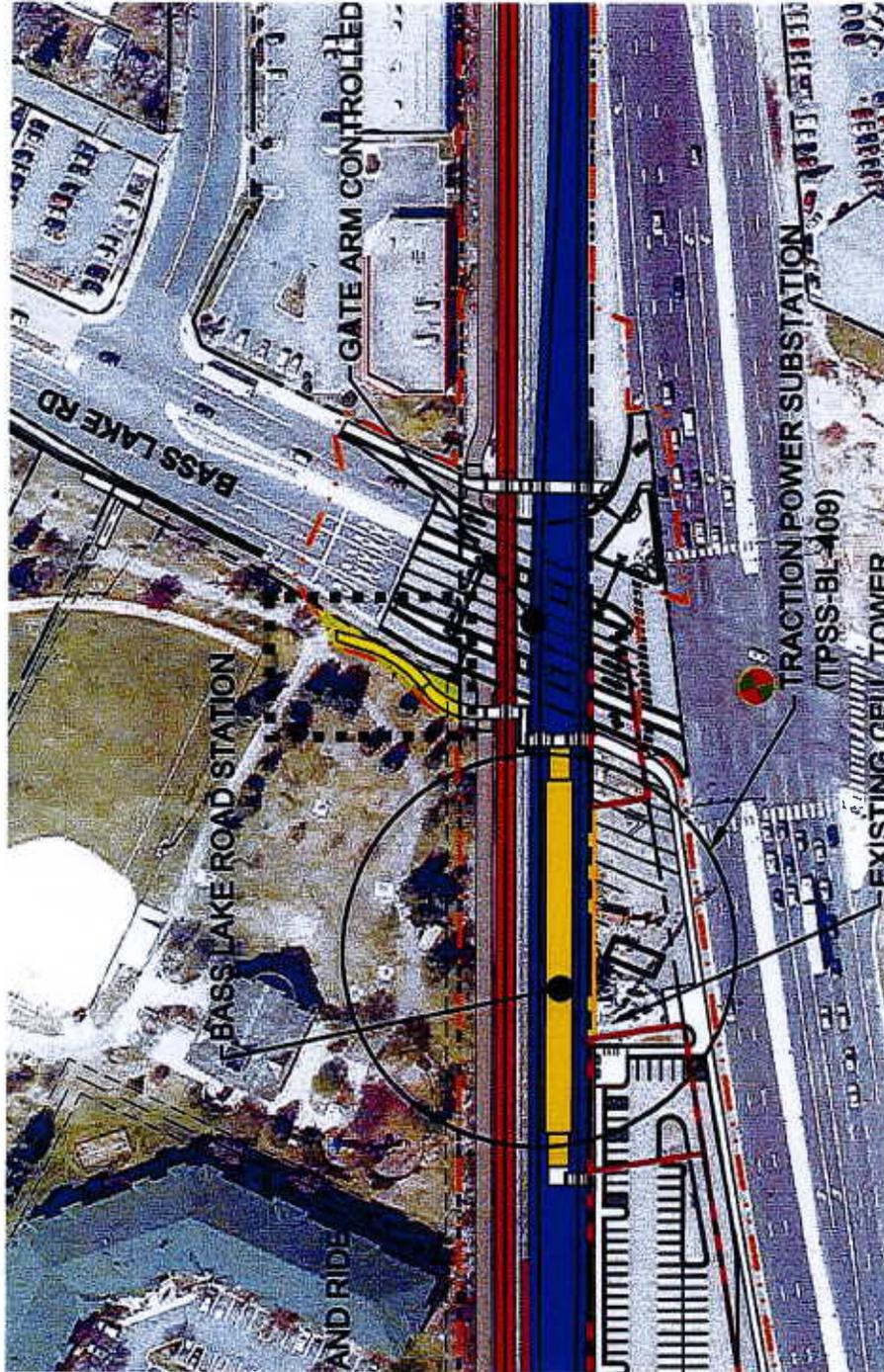


EXHIBIT C

RCSC Form and Responses

BLRT Plan / RCSC Form

Plan / Document Phase: Metro Blue Line Extension / Municipal Consent
 Reviewer(s): John Sutter, Community Development Director, Mark Ray, City Engineer/PW Director
 Review Coordinator: John Sutter
 Review Date: 1/21/2018
 Reviewer Organization: City of Crystal

BPO Comment Code	
1 -	Incorporate requested change in future phase of design (identify phase)
2 -	No change to the design is implemented at this time
3 -	SPO requests staff level discussion with reviewer
4 -	Comment identifies a Locally Requested Capital Investment (LRCI)
5 -	Requires policy level discussion

Number	Segment	Sheet / Page Number	Discipline	Reviewer Comment Code	Comment	Comment Date	BPO Response	BPO Comment
1	C	4	Civil	M - Municipal Consent Requirement	The existing sanitary sewer line in the rail corridor from Byron to 49th Avenues must be relocated at project expense. The city will not agree to having sanitary sewer running parallel to and underneath the LRT tracks where it would be cost-prohibitive to replace should the need arise.	1/29/2016	2	Proposed utility plans are not included in the Municipal Consent Plans. Existing utilities that are impacted by LRT construction will be relocated as part of the project. Coordination on utility design will occur through PE and final design.
2	C	4	Civil	P - Preference of Reviewer	Watermain crossing the rail corridor must be protected to the satisfaction of the City Engineer.	1/29/2016	1	Public utilities that are constructed within the City of Crystal will be designed to meet city, project and BNSF Railway requirements. Coordination on the utility design will occur through PE and final design.
3	C	4	Civil	I - Inaccuracy / Omission	UG comm line on E side of West Broadway is shown as running through adjacent houses. Likely mis-located on the plan sheet. Please show its actual location.	1/29/2016	1	Will be corrected in the PE plans.
4	C	5	Civil	P - Preference of Reviewer	Sanitary sewer crossing the rail corridor must be protected to the satisfaction of the City Engineer.	1/29/2016	1	Public utilities that are constructed within the City of Crystal will be designed to meet city, project and BNSF Railway requirements. Coordination on the utility design will occur through PE and final design.
5	C	5-7	Civil	P - Preference of Reviewer	Existing fence is approx. 5 feet into ROW - adjacent owners probably think they own to the fence. How/when will BPO breach this impact with adjacent owners?	1/29/2016	2	Existing encroachments into the rail right-of-way will be reviewed and coordinated during PE.
6	C	5	Civil	P - Preference of Reviewer	Existing bituminous parking lot and building at 4903 West Broadway (Steve O's) encroaches into the rail corridor. When will BPO determine whether this property will be a total or partial release?	1/29/2016	2	Existing encroachments into the rail right-of-way will be reviewed and coordinated during PE.
7	C	6	Civil	P - Preference of Reviewer	Existing garages for homes at 4949 and 5013 Welcome appear to encroach into the rail corridor. How/when will BPO address this issue with those adjacent owners?	1/29/2016	2	Existing encroachments into the rail right-of-way will be reviewed and coordinated during PE.
8	C	7	Civil	P - Preference of Reviewer	Half of the existing trash enclosure for 5000 West Broadway (Doy's) appears to encroach into the rail corridor. How/when will BPO address this issue with that adjacent owner?	1/29/2016	2	Existing encroachments into the rail right-of-way will be reviewed and coordinated during PE.
9	C	7	Civil	P - Preference of Reviewer	Existing bituminous parking lot and driveway for 5617 Cornelia (Fun Services) encroaches into the rail corridor. If the parking/driveway are removed to the property line, then Fun Services will no longer be able to drive around west side of their building to get to their rear storage yard. How/when will BPO address these issues with that adjacent owner?	1/29/2016	2	Existing encroachments into the rail right-of-way will be reviewed and coordinated during PE.
10	C	7	Civil	P - Preference of Reviewer	If driveway around west side of building is removed (see item #9), then would Fun Services' west curb cut on Cornelia still serve any purpose? Removal would be preferred to reduce the chance for steering/turning eastbound vehicles causing backups in the driveway.	1/29/2016	1	Coordination with the City and Fun Services will be required during PE to determine if west driveway can be eliminated with proposed LRT construction. Will be a future DRT topic.
11	C	7	Civil	P - Preference of Reviewer	Water & sanitary sewer crossing the rail corridor must be protected to the satisfaction of the City Engineer.	1/29/2016	3	Public utilities that are constructed within the City of Crystal will be designed to meet city, project and BNSF Railway requirements. Coordination on the utility design will occur through PE and final design.
12	C	8	Civil	P - Preference of Reviewer	Storm sewer crossing the rail corridor must be protected to the satisfaction of the City Engineer.	1/29/2016	3	Public utilities that are constructed within the City of Crystal will be designed to meet city, project and BNSF Railway requirements. Coordination on the utility design will occur through PE and final design.
13	C	10	Civil	P - Preference of Reviewer	Sanitary sewer crossing the rail corridor must be protected to the satisfaction of the City Engineer.	1/29/2016	3	Public utilities that are constructed within the City of Crystal will be designed to meet city, project and BNSF Railway requirements. Coordination on the utility design will occur through PE and final design.
14	C	10-11	Civil	P - Preference of Reviewer	Existing gravel parking lot and driveway for 5455 Lakeland (J-Haul) encroaches into rail corridor. How/when will BPO address this issue with that adjacent owner?	1/29/2016	2	Existing encroachments into the rail right-of-way will be reviewed and coordinated during PE.
15	C	12	Civil	P - Preference of Reviewer	Water, sanitary & storm sewer crossing the rail corridor must be protected to the satisfaction of the City Engineer.	1/29/2016	3	Public utilities that are constructed within the City of Crystal will be designed to meet city, project and BNSF Railway requirements. Coordination on the utility design will occur through PE and final design.
16	C	14	Civil	P - Preference of Reviewer	Watermain crossing the rail corridor must be protected to the satisfaction of the City Engineer.	1/29/2016	3	Public utilities that are constructed within the City of Crystal will be designed to meet city, project and BNSF Railway requirements. Coordination on the utility design will occur through PE and final design.
17	C	15	Civil	P - Preference of Reviewer	Storm sewer crossing the rail corridor must be protected to the satisfaction of the City Engineer.	1/29/2016	3	Public utilities that are constructed within the City of Crystal will be designed to meet city, project and BNSF Railway requirements. Coordination on the utility design will occur through PE and final design.
18	C	23	Civil	I - Inaccuracy / Omission	At West Broadway, westbound Cornelia has a separate right turn lane and a thru/left turn lane (west SB has 3 lanes).	1/29/2016	1	Will be corrected in the PE plans.
19	C	26	Civil	I - Inaccuracy / Omission	Storm sewer at southwest corner of Wishire Blvd & Botineau Blvd intersection seems to dead-end - where does it go? Also, storm sewer in Lakeland & Wishire Blvd intersection seems to dead-end - where does it go? And, where are the water mains serving the businesses on the west side of Lakeland?	1/29/2016	3	Existing utilities at the Wishire Blvd and Botineau Blvd will be identified in the PE plans. Utilities that are affected by the proposed design will be identified and incorporated into the PE plans. It is anticipated that the work planned at this location will have minimal effect on existing utilities.
20	C	27 & 33	Civil	P - Preference of Reviewer	How is the corridor protection which designed to handle releases or spills, especially in regards to the BNSF freight rail?	1/29/2016	3	Will be a future DRT topic.
21	C	27-29, 31-33	Civil	P - Preference of Reviewer	Will there be any cleaning & inspection process/access for the perforated drain tile under the LRT tracks? And where does the drain tile drain to?	1/29/2016	3	Will be a future DRT topic.
22	C	28	Civil	P - Preference of Reviewer	What happens to runoff when it reaches the corridor protection wall? Will there be catch basins there?	1/29/2016	3	Will be a future DRT topic.
23	C	28	Civil	P - Preference of Reviewer	It appears that the retaining wall could be as little as 1 foot or as much as 13 feet from the adjacent residential property lines between West Broadway and Cornelia. This is a sensitive area due to proximity of homes and structures. Can BPO provide a more specific distance?	1/29/2016	1	Additional detail on the retaining heights and horizontal separation from adjacent properties will be included in the PE plans.
24	C	30	Civil	P - Preference of Reviewer	City would like to know how Metro Transit will gain maintenance access to the bridge piers re: graffiti in near-term, bridge structure in longer-term. Does BPO know how Metro Transit will use the maintenance vehicles & equipment on that area?	1/29/2016	3	Will be a future DRT topic.
25	C	35-49	Civil	I - Inaccuracy / Omission	Please add the existing freight rail to the profiles - it provides an important reference point for designing the new profiles relative to what's out there today.	1/29/2016	1	Will be incorporated into the PE plans.
26	C	37	Civil	I - Inaccuracy / Omission	Please indicate which side of the retaining wall is high vs. low.	1/29/2016	1	Additional detail on the retaining heights and horizontal separation from adjacent properties will be included in the PE plans.

