

## Metropolitan Parks and Open Space Commission

Meeting date: September 5, 2019

For the Community Development Committee meeting of September 16, 2019

For the Metropolitan Council meeting of September 25, 2019

**Subject:** Rush Creek Regional Trail Master Plan Amendment and Facility Exchange, Three Rivers Park District, Review File No. 20144-2

**MPOSC District, Member:** District A, Rick Theisen

**Council District, Member:** 2 – Reva Chamblis

**Policy/Legal Reference:** Minn. Stat. § 473.313; *2040 Regional Parks Policy Plan*, Chapter 6, System Protection, Strategy 2 Conversions, and Chapter 4 Siting and Acquisition

**Staff Prepared/Presented:** Tracey Kinney, Planner, 651-602-1029

**Division/Department:** Community Development / Regional Planning

### *Proposed Action*

That the Metropolitan Council:

1. Approve the Rush Creek Regional Trail Master Plan Amendment.
2. Approve the release of the restrictive covenant on 2.3-acres of land within Rush Creek Regional Trail as shown in Figure 5 in exchange for the investment of \$30,000 (the appraised value of the property) toward the development of the Rush Creek Regional Trail grade-separated crossing at Winnetka Avenue.
3. Inform Three Rivers Park District that \$30,000 toward the development of the Rush Creek Regional Trail grade-separated crossing at Winnetka Avenue are not grant eligible expenses.
4. Advise Three Rivers Park District to coordinate with Metropolitan Council Environmental Services on the location and construction of the proposed roadway that is on or near Metropolitan Council property prior to initiating this project.

### **Background**

The Rush Creek Regional Trail is an east/west existing and planned trail that is located in the northwest part of the Regional Parks System and northern Hennepin County (Figures 1 and 2). When complete, the 18-mile trail will connect the Mississippi River in the City of Brooklyn Park to the Crow River in the City of Hanover. The existing 7.2-mile trail segment extends west from Mississippi Gateway Regional Park through Elm Creek Park Reserve, and the 11.1-mile planned trail segment continues west to Crow-Hassan Park Reserve (Figure 2). The completed trail will connect to Lake Independence, Crow River, Medicine Lake, Crystal Lake, Shingle Creek, and West Mississippi River Regional Trails, as well as one regional trail search corridor in the Three Rivers Park District. The trail also extends to Anoka County's Coon Rapids Dam Regional Park and the Mississippi River and Coon Creek Regional Trails. Rush Creek Regional Trail has a 2008 Council-approved master plan.

Three Rivers Park District is requesting to remove 2.3-acres of regional trail land (and Council Agreement and Restrictive Covenant) in exchange for a \$30,000 credit (the appraised value of the land) towards a new grade-separated crossing for the Rush Creek Regional Trail at Winnetka Avenue (Figure 3). The parkland acreage is needed for a new TH 169/101st Avenue North interchange to update and improve access for anticipated development

and multi-modal needs. The grade-separated trail crossing, located in the same area, is a new safety feature responding to the anticipated increase in vehicle traffic.

## **Rationale**

The Rush Creek Regional Trail Master Plan Amendment and Facility Exchange is consistent with the requirements of the *2040 Regional Parks Policy Plan* including Chapter 2, System Protection, Strategy 2 Conversions; and the requirements in Chapter 4, Siting and Acquisition.

## **Thrive Lens Analysis**

The Rush Creek Regional Trail Master Plan Amendment and Facility Exchange advances the Thrive outcome of prosperity by planning for and investing in infrastructure, amenities, and quality of life needed for economic competitiveness. The amendment also advances the Thrive outcome of livability by investing in trail safety features that promote bicycling for recreation, transportation, and healthy lifestyles.

## **Funding**

Approval of this request would also allow Three Rivers Park District to release a Metropolitan Council Agreement and Restrictive Covenant from a portion of regional trail land and add a trail safety facility to the Rush Creek Regional Trail Master Plan.

### ***Metropolitan Council Agreement and Restrictive Covenant***

The 2.3-acres of regional trail land identified for removal was acquired with Metropolitan Council funds. When Metropolitan Council funds are used, an agreement and restrictive covenant is recorded on the purchased property that provides a higher level of protection to ensure regional recreational open space use in perpetuity. Approval of this amendment would remove the Council agreement and restrictive covenant on the identified land allowing Three Rivers Park District and the City of Brooklyn Park to commence an executed purchase agreement that includes transferring the property and constructing the interchange.

### ***Trail Safety Facility***

Approval of this request adds a trail safety facility to the Rush Creek Regional Trail Master Plan, thereby allowing Three Rivers Park District to request funding for the improvement in a future request.

Including the facility exchange funds, the remaining balance of the facility improvement cost estimate is \$399,970 if federal funding is not awarded; therefore, the total estimated cost to develop the Rush Creek Regional Trail would be \$7.5 million.

## **Known Support / Opposition**

Three Rivers Park District approved a resolution on December 20, 2019, and executed the purchase agreement dated January 28, 2019, to exchange the Rush Creek Regional Trail land for reduced financial obligation of a grade-separated crossing of Winnetka Avenue. The City of Brooklyn Park approved Resolution #2019-21 on January 28, 2019 to purchase the property.

As part of the TH 169/101st Avenue Interchange Study, five public open house meetings were held between 2013 and 2016. Meetings were held at Brooklyn Park City Hall and Grace Fellowship Church. More than 200 individuals attended the five public open house meetings. Future public engagement activities are anticipated during final design to communicate schedule, detour routes, and temporary access during construction.

## Analysis

System Protection Strategy 2, Conversion of Regional Parks System Lands to Other Uses of the *2040 Regional Parks Policy Plan* requires that lands in the Regional Parks System will only be converted to other uses if approved by the Metropolitan Council through an equally valuable land or facility exchange.

Three Rivers Park District and the City of Brooklyn Park conducted an exhaustive search for opportunities for an equally valuable land exchange, and agreed to a cost reduction for an equally valuable facility exchange (grade-separated regional trail crossing at Winnetka Avenue). The facility improvement was identified in a 2015 optimal long-range roadway and utility plan executed agreement between the two agencies.

The *2040 Regional Parks Policy Plan* (RPPP) defines an “equally valuable facility” as:

An exchange of land for facilities when recreational benefits and/or natural resource benefits are increased as a result of the exchange. For example, some land within a regional trail corridor may be exchanged to widen a highway if a highway department constructs a trail overpass or underpass of the widened road at no cost to the regional park implementing agency.

The Council considers conversion of regional park land to other uses only if the conversion will not harm the Regional Parks System. The following section evaluates the proposal against criteria outlined in the RPPP to determine whether regional parks system lands may be exchanged for other land or a facility

### *Issues with respect to the existing park system unit:*

#### **1. Whether the park system unit can continue to meet Council standards for sites and site attributes established for the particular type of park system unit (regional park, park reserve, trail greenway, or special recreation feature)**

According to the *2040 Regional Parks Policy Plan* Chapter 4 Siting and Acquisition, regional trails:

- Must serve a regional audience, based on visitor origin and service-area research on regional trails,
- Should not duplicate an existing trail,
- Should connect two or more units of the Regional Parks System, and/or
- Should connect state or federal recreational units

The Rush Creek Regional Trail will continue to serve a regional audience, avoid a duplicative trail, and connect from the Mississippi Gateway Regional Park to Elm Creek Park Reserve.

#### **2. Whether the park system unit will continue to function as originally planned**

The existing Rush Creek Regional Trail will continue to function as originally planned. There is no impact to the existing:

- Rush Creek Regional Trail’s pedestrian bridge that provides a grade-separated crossing over TH169
- Trail alignment
- Adjacent natural surface trail

Rush Creek Regional Trail includes a parkland corridor that spans up to 1,200-feet. The 2.3-acre trail corridor to be converted to highway right-of-way is south of the existing regional trail

and consists of grassland, woodland, and wetland. The parkland currently serves as a stormwater basin for the TH169/101 intersection and will continue to maintain similar drainage patterns.

**3. Whether environmental features (wildlife habitat, water quality) will be adversely affected and can be protected with the new use**

The Federal Highway Administration determined that the impact to the Rush Creek Regional Trail corridor is insignificant (de minimis) based on an environmental assessment worksheet for the TH 169/101st Avenue Interchange Project (Review File No. 21628-1) that included information on surface water, wetlands, and wildlife habitat.

Surface Water

The conversion parcel serves as a stormwater basin for the TH 169/101 intersection and will continue to maintain similar drainage patterns (Figure 6). The interchange project will increase the volume of surface water runoff to the parkland. Best management practices that meet West Mississippi Watershed Management Commission's requirements will be used to manage the water.

Wildlife Habitat

MnDOT's Office of Environmental Stewardship determined that the project may affect, but is not likely to adversely affect, the northern long-eared bat, a threatened species. Limited tree removal will be completed during the northern long-eared bat's inactive season and other measures will be taken to ensure a suitable habitat is maintained.

Wetlands

A wetland analysis found that approximately 1.52 acres of wetland will be impacted. Per federal regulations, the wetlands will be replaced at a 2:1 ratio in a nearby location.

**3. Whether the loss of site or function will be made up through acquisition of a site with comparable characteristics adjacent to or in the immediate area of the current location**

Three Rivers Park District and the City of Brooklyn Park exhausted opportunities for additional land and agreed to a cost reduction of a trail safety facility (grade-separated regional trail crossing of Winnetka Avenue); therefore, an equally valuable facility exchange was provided.

**4. Whether the park system unit benefits from a facility in exchange for the parkland**

In exchange for 2.3-acres of regional trail property, a credit of \$30,000 (the appraised value of the removal land) will be applied towards Three Rivers Park District's share of the future Rush Creek Regional Trail/Winnetka Avenue grade-separation project.

Currently, the regional trail crosses Winnetka Avenue, a 2-lane road, at-grade. This location has been identified by Three Rivers Park District engineering staff for a grade-separation crossing to improve safety that is anticipated from high traffic speeds, limited sight lines, and projected increased average daily trips (ADTs) by vehicles. The design will be determined during preliminary engineering once the project is funded.

Brooklyn Park and the Three Rivers Park District executed an agreement in 2015 outlining agency responsibilities for implementing an optimal long-range roadway and utility plan for the undeveloped northwest portion. Included within the agreement, is the construction of the grade-separated crossing for the trail at Winnetka Avenue within 10 years. The estimated Year 2022 cost of this project is \$1.2 million. The Three Rivers Park District agreed upon a cost-share that would be one-third of the cost. Three Rivers Park District's share is estimated to be roughly \$80,000 with federal grant funding or \$400,000 without grant funding.

**5. Whether the need for the conversion, as in the instance of transportation improvements, is generated by the Regional Parks System unit**

The need for the conversion is not generated by the Rush Creek Regional Trail. The conversion is generated by a new highway interchange to serve anticipated development in the area.

*Issues with respect to the alternative use:*

**1. The land area needs of the proposed project**

The proposed project is a folded diamond interchange at the TH 169/101st intersection with northbound and southbound auxiliary lanes requires 2.3-acres of parkland from the Rush Creek Regional Trail and an additional 0.2-acre for temporary occupancy. The existing parkland consists of grassland, woodland, and wetland. This parcel serves as an existing stormwater holding area for the TH 169/101st intersection and will be improved according to the West Mississippi Watershed Management Commission standards to handle an increase in water runoff as part of the added pervious surfaces (Figure 6).

**2. Whether the specific site requirements for the proposed project are unique to the area proposed for conversion**

The TH 169/101st intersection was chosen as the best option that met MnDOT and Metropolitan Council transportation policies, as well as, improved access to the terminus of the future Blue Line Extension Light Rail Transit Station, the Blue Line Extension Light Rail Transit Operations and Maintenance Facility, and the future development of the northwest area of the City of Brooklyn Park.

The interchange was designed to avoid the Rush Creek Regional Trail bridge over TH 169. The interchange ramp was reduced from 230 feet to 190 feet to minimize the amount of parkland to be converted to transportation right-of-way.

101st Avenue would be constructed as a four-lane bridge over TH 169. Traffic signals and pedestrian crossings would be installed at the ramp terminal intersections. Multi-use trails would be constructed along 101st Avenue between Jefferson Highway and Xylon Avenue.

**3. Whether the proposed project is consistent with Council policies**

The Rush Creek Regional Trail Master Plan Amendment and Facility Exchange is consistent with the requirements of the *2040 Regional Parks Policy Plan* including Chapter 6, System Protection Strategy 2 Conversions, and Chapter 4, Siting and Acquisition requirements.

**4. Whether the proposed project is of greater benefit to the region than having the Regional Parks System unit remain in place**

The interchange project is of greater benefit to the region than having the Regional Parks System unit in place. This facility will:

- Connect western Brooklyn Park with eastern Maple Grove and Osseo.
- Provide additional access to the regional roadway system to allow the undeveloped parcels in this area to reach full development potential. Without the interchange, regional access to TH 169 and TH 610 in this area would be overwhelmed and congested.
- Allow multi-modal connections to and from these areas by providing trails along both sides of 101st Avenue and connecting to the future terminus of the Blue Line Light Rail Transit Station near 101st Ave – Oak Grove Parkway / West Broadway Avenue.

- Remove the existing substandard right in/right out intersections along both southbound and northbound TH 169 at 101st Avenue. These locations are currently safety issues and expected to significantly worsen over time without improvements.
- Add a safety facility to improve the Rush Creek Regional Trail crossing at Winnetka Avenue.

## **Review by Other Council Divisions**

**Community Development – Environment and Surface Water Management** (Jim Larsen 651-602-1159) – No additional comments.

**Community Development – Forecasts** (Todd Graham 651-602-1322) – No additional comments.

**Community Development – Housing** (Tara Beard 651-602-1051) – No additional comments.

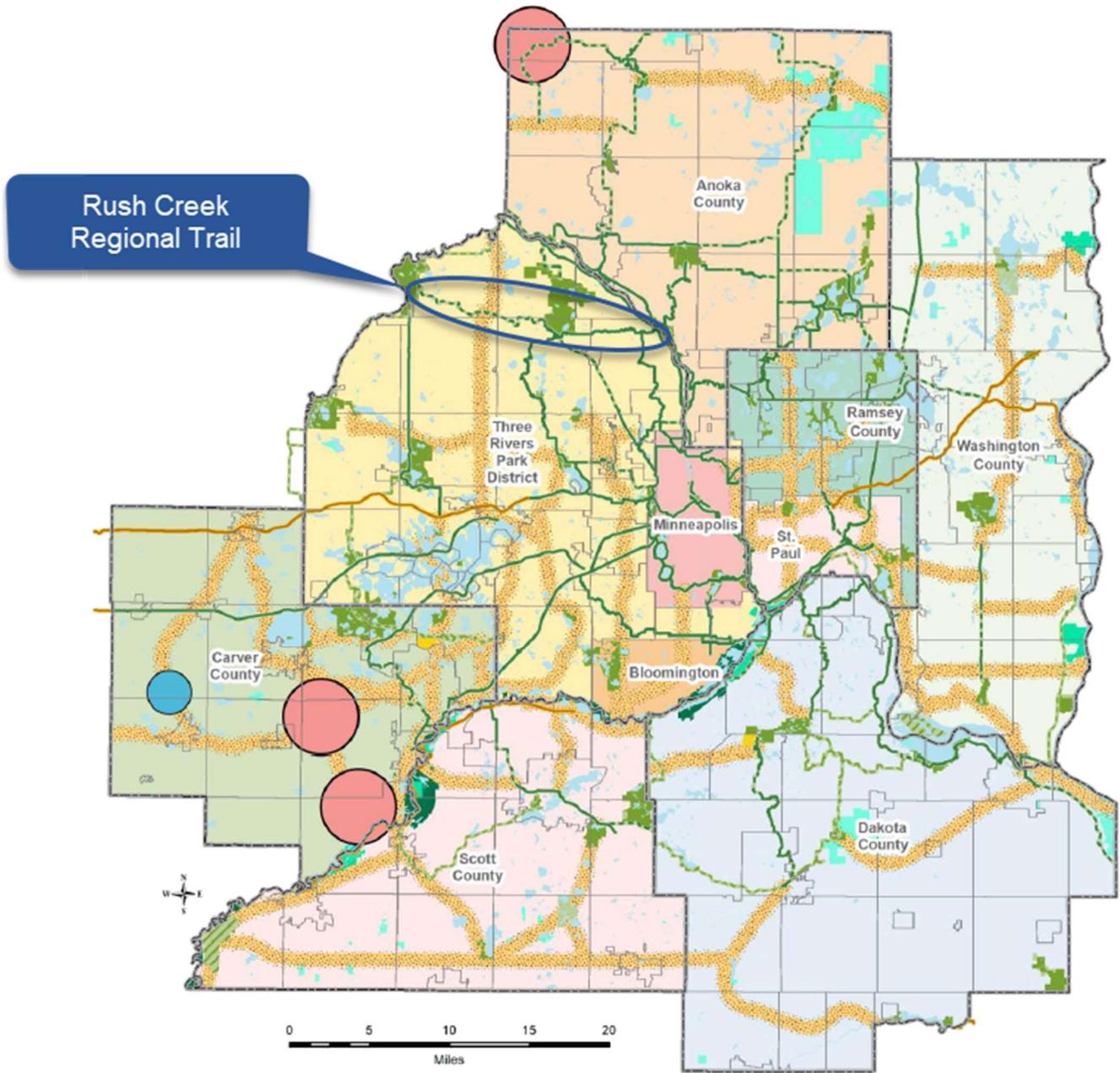
**Environmental Services – Sewer** (Roger Janzig 651-602-1119) – Metropolitan Council Interceptor (9004) is within 101st Avenue North right-of way. The interceptor was built in 1997 and is a 54-inch Reinforced Concrete Pipe/CIPP Lined at an approximate depth of 30 feet. The master plan amendment for this project reflects the construction of a road on or near Metropolitan Council property, which may require an encroachment agreement. To coordinate the location and construction of the proposed roadway on or near Metropolitan Council property and assess the potential impacts to our interceptor system; prior to initiating this project, contact Tim Wedin, Interceptor Engineering Assistant Manager (651-602-4571) at the Metropolitan Council Environmental Services.

**Metro Transit** (Steve Mahowald 612-349-7775) – Winnetka Avenue is identified as a corridor that may significantly increase in activity as a result of the METRO Blue Line extension and potential development occurring east of TH 169. The Rush Creek Regional Trail grade-separated crossing would benefit trail users as traffic volumes increase along Winnetka Ave. Metro Transit is also considering expanding service to Winnetka Avenue, predicated on new development and/or the implementation of the METRO Blue Line extension. While there are no definitive plans for new service, the facility exchange should consider the possibility of added transit service along Winnetka Ave.

**Transportation Planning** (Russ Owen 651-602-1724) – No additional comments.

**Local Planning Assistance – Land Use** (Eric Wojchik 651-602-1330) – The City’s draft 2040 Comprehensive Plan (Plan) identifies this portion of the Rush Creek Regional Trail in several figures in the Plan, on pages 7-2, 7-9, and 7-11. The Plan identifies the TH 169/101st Ave. N. interchange project within the Transportation Chapter and CIP of the Plan. The Plan is currently in draft stages and has not been acted upon by the Council’s governing body. If the status of the Plan is unchanged following review and determination of the Master Plan Amendment and Facility Exchange, the Plan should be updated with the boundary revisions. Alternatively, the City may revise the boundary of the Rush Creek Regional Trail as part of a future Comprehensive Plan Amendment to the City’s 2040 Plan.

Figure 1. Rush Creek Regional Trail within the Regional Parks System



**Regional Park Search Areas and Regional Trail Search Corridors**

- Regional Parks (Open to the Public)
- Regional Parks (Not Open to the Public)
- Planned Parks (Not Open to the Public)
- Regional Trails (Open to the Public)
- Regional Trails (Not Open to the Public)
- Planned Regional Trails (Not Open to the Public)
- Regional Trail Search Corridors
- Existing State Trails
- Park Boundary Adjustments
- Park Search Areas

Figure 2. Rush Creek Regional Trail within the Three Rivers Park District System

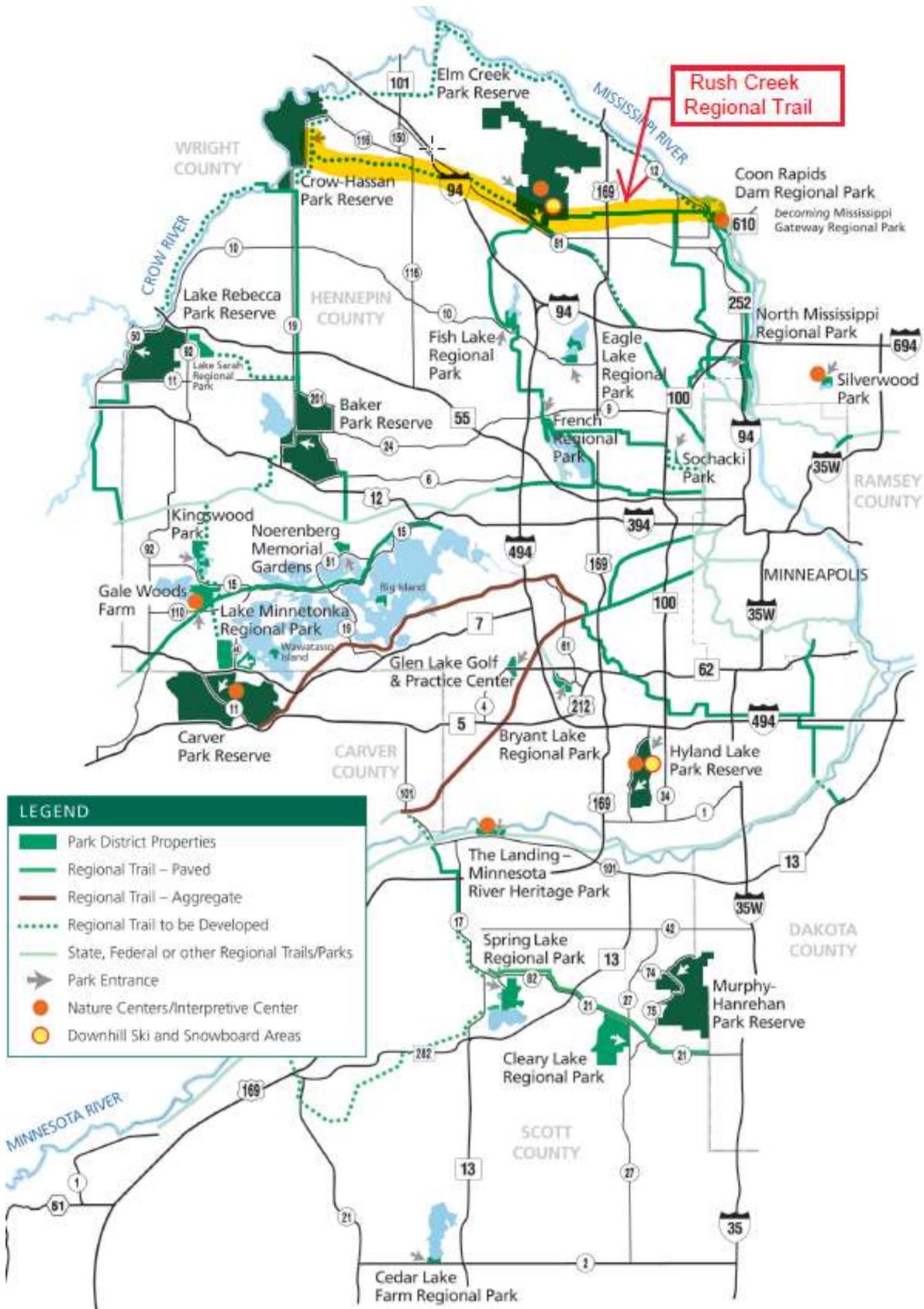


Figure 3. Project Location in Relation to the Rush Creek Regional Trail

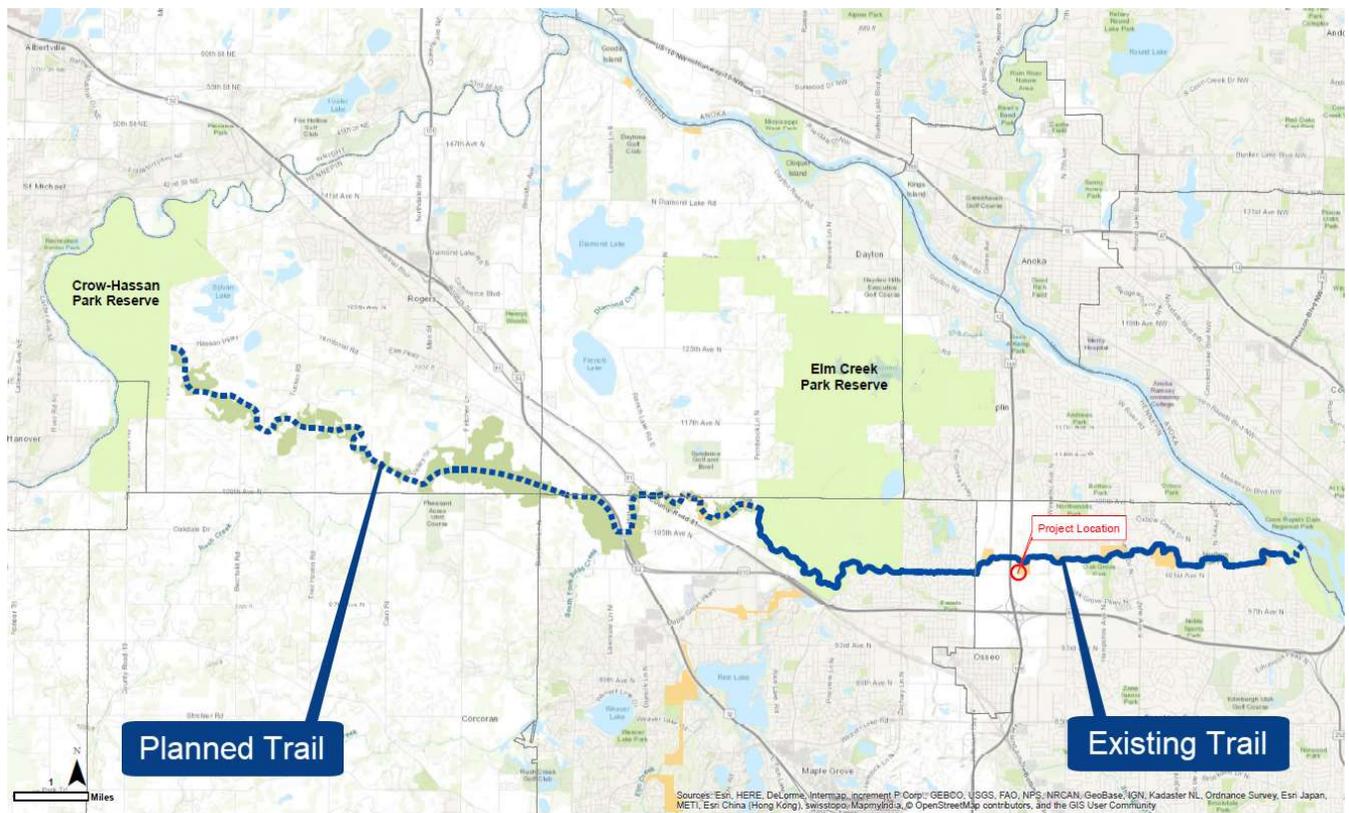


Figure 4. Equally Valuable Facility Exchange

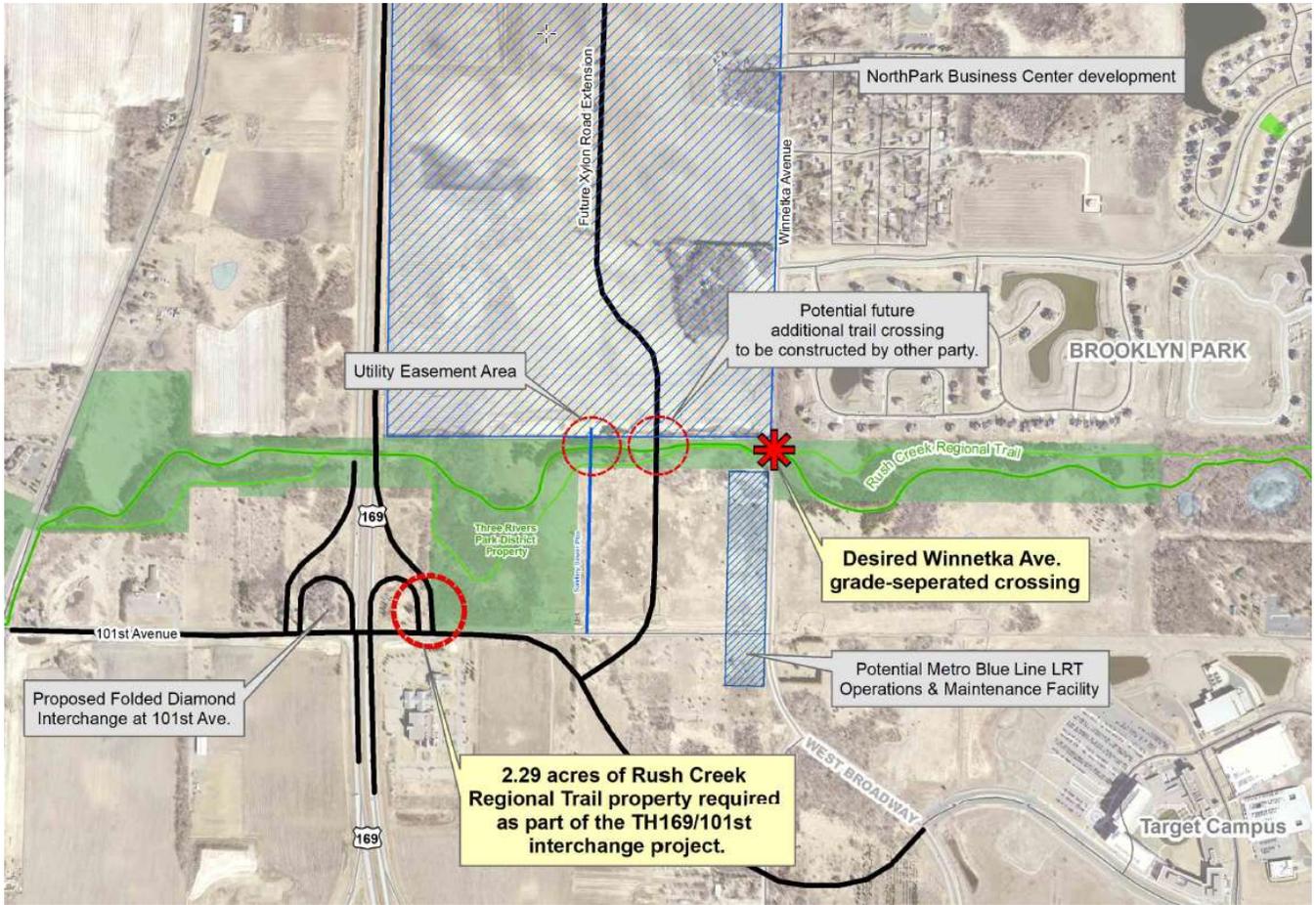


Figure 5. Existing and Proposed Park Boundary

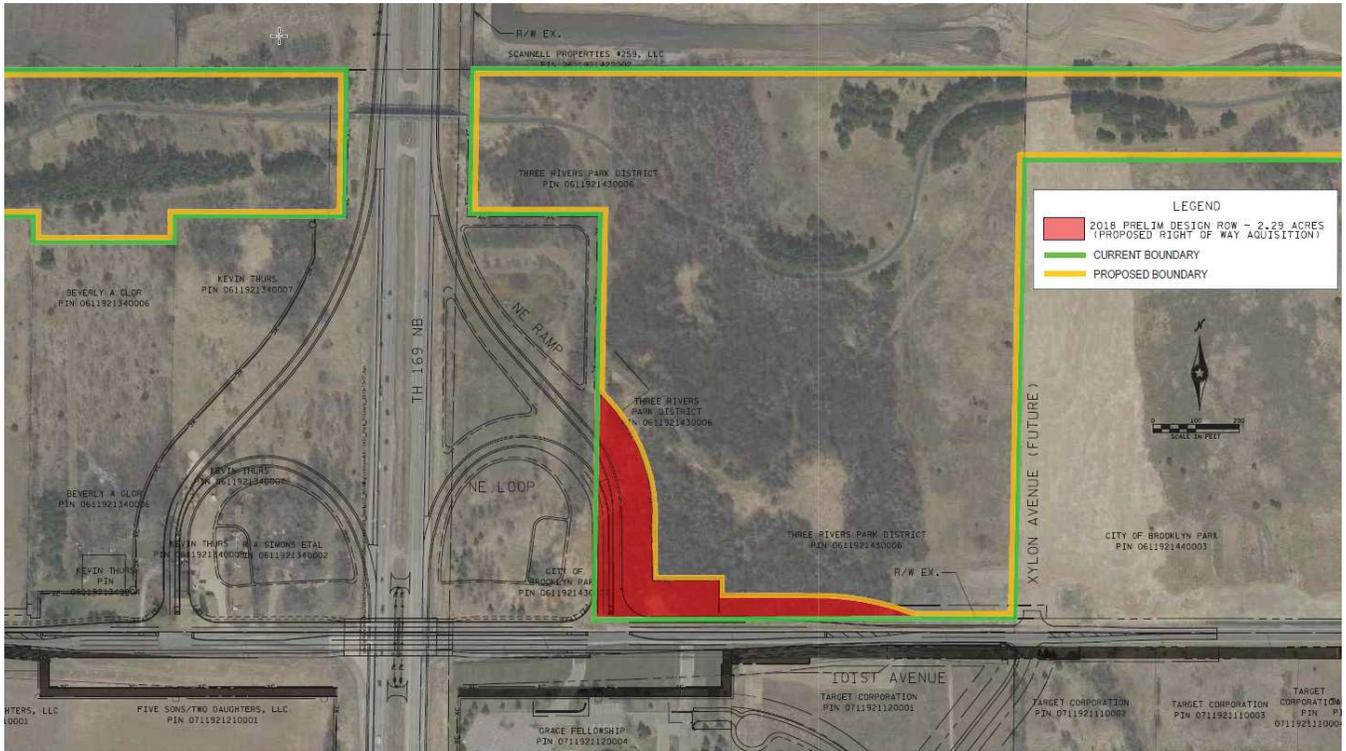


Figure 6. Proposed Transportation Improvements and Water Basin Changes

