

C Community Development Committee

Meeting date: May 02, 2011

ADVISORY INFORMATION

Date:	April 28, 2011
Subject:	City of Crystal – Comprehensive Plan Update Set a Public Hearing Date on A Proposed Plan Modification Metropolitan Council Review File No. 20598-1
District(s), Member(s):	District 6, Council Member James Brimeyer
Policy/Legal Reference:	Minnesota Statutes Section 473.175
Staff Prepared/Presented:	Connie Kozlak, Manager Transportation Systems Planning (651-602-1720) Phyllis Hanson, Manager Local Planning Assistance (651- 602-1566) Guy Peterson, Director Community Development Division (651-602-1418)
Division/Department:	Community Development / Local Planning Assistance

Proposed Action

That the Community Development Committee hold a public hearing on May 16, 2011 at 4:30 PM on a proposed plan modification for the 2008 – City of Crystal 2030 Comprehensive Plan Update as described in Documentation of Substantial Departure from 2030 Aviation System Plan and in *Attachment 1*.

Issue

Should the Metropolitan Council find that the City's 2030 Comprehensive Plan Update is more likely than not to contain a substantial departure from the regional aviation system plan?

Statutory Authority

As permitted by Minnesota Statutes section 473.175, subdivision 1, the Council may require a local governmental unit to modify its comprehensive plan or part thereof that is inconsistent with the metropolitan system plan if the Council concludes that the local plan is more likely than not to have either a substantial impact on, or to contain a substantial departure from, the Council's adopted policy plans and capital budgets for metropolitan transportation service.

Background

The city of Crystal submitted its Comprehensive Plan Update (CPU) on May 29, 2009. The CPU was initially found incomplete for review on June 16, 2010, (*Attachment 2*). Supplemental information was received by the Council on August 13, 2010, in which the city made some of the needed changes and provided a portion of the incomplete information. A second incomplete letter was sent to the City on September 3, 2010 (*Attachment 3*). Supplemental information was received on March 15, 2011, and the CPU was found complete for review on April 4, 2011 (*Attachment 4*). The Council has 120 days or until July 13, 2011 to complete its review of the CPU.

In the Council's completeness determination letters of June 16, 2009, September 3, 2010, and April 4, 2011, the City was also advised that the CPU was not in conformance

with the *2030 Transportation Policy Plan (TPP)* for the aviation system. The letters indicated that the CPU substantially departs from the Council's adopted metropolitan system plan for aviation. The April 4, 2011 letter also stated that Council staff will recommend that the Metropolitan Council: (1) find that the City's 2030 Comprehensive Plan Update is more likely than not to contain a substantial departure from the metropolitan aviation system plan contained in the *2030 Transportation Policy Plan* adopted in 2004, (which incorporates the 1996 Aviation Policy Plan), and (2) require the City to modify its 2030 Comprehensive Plan Update.

Council staff has met with city representatives to resolve outstanding issues. The city and the Council have not been able to come to agreement on these issues. For these reasons, consistent with the April 4, 2011 letter, Council staff recommends that the Metropolitan Council:

- 1) Find that the City's 2030 Comprehensive Plan Update is more likely than not to contain a substantial departure from the Metropolitan Aviation System Plan contained in the 2030 Transportation Policy Plan adopted in 2004, (which incorporates the 1996 Aviation Policy Plan); and
- 2) Require the city to modify its 2030 Comprehensive Plan Update.

Documentation of Substantial Departure from 2030 Aviation System Plan

There are three broad issues that the city must address in relation to the plan modification: 1) References to closure of the Crystal Airport; 2) Proposed City Land Use Requirements on Crystal Airport; and 3) Land Use Compatibility Guidelines for Aircraft Noise. These required modifications are addressed in *Attachment 1* and are discussed below.

References to Closure of the Crystal Airport

Crystal's 2030 CPU contains several references to closure and redevelopment of the Crystal airport, which are a substantial departure from the 2030 metropolitan aviation system plan contained in the TPP. Crystal airport is shown throughout the 2030 metropolitan aviation system plan in maps, tables and text as a minor airport in the Regional Airport System; the plan has no discussion of and gives no indication of closing the airport. (When the Region makes infrastructure improvements, whether they are roads, bridges, parks, sewer lines or airports, the presumption is that they will be in perpetuity.) Therefore, there is no basis for making any reference to closure or redevelopment of the Crystal Airport. In order to conform to the 2030 metropolitan aviation system plan, the city of Crystal needs to modify the language in Chapters H and M of its plan as shown in *Attachment 1*.

Crystal's 2030 Comprehensive Plan Update was prepared in response to the 2004 System Statement prepared for the city, which summarized the metropolitan aviation system plan contained in the *2030 Transportation Policy Plan (TPP)* adopted by the Metropolitan Council in 2004. The 2004 TPP defines the regional aviation system as one major airport, one intermediate airport, six minor airports and three special purpose airports. It contains a map of the Regional Airport System (Fig 2-15), which identifies Crystal airport as one of the minor airports. It includes a summary of facility characteristics and status for all of the airports in the regional system (Table 2-5), which also includes Crystal airport and its characteristics.

In addition, the 2004 plan states: "The 1996 Aviation Policy Plan remains in effect with the exception of the *Land Use Compatibility Guidelines*. These guidelines have been revised to reflect the MSP Part 150 Update for 2007 and are included in Appendix H." As noted here, this revision to the noise guidelines only affected MSP, not the Crystal Airport, so all portions of the 1996 metropolitan aviation system plan are also applicable to the Crystal Airport.

The 1996 Aviation Policy Plan shows Crystal airport as part of the Regional Airport System. Under the discussion of "The Reliever Airports" the Plan states that FAA has designated Crystal airport as a reliever airport for MSP. The 1996 Plan specifically discusses Crystal Airport as follows: "In a 1992 amendment to Crystal's long-term comprehensive plan, the city indicated a preference to put the airport land into nonairport use. This is not consistent with the Aviation Policy Plan, and the Council required the city to make a plan modification. The MAC has no plans to abandon Crystal Airport. Such a move would exert strong pressure on future development at Flying Cloud and Anoka County-Blaine Airports and increase the need to locate a new northwest metropolitan reliever airport. Development of a long-term comprehensive plan was recommended in 1993 to address the city's concerns with airport safety and land-use compatibility. Preparation of a plan was coordinated with the Tri-City Airport Commission (Crystal, Brooklyn Park, Brooklyn Center), and a public hearing was held in 1996. Council review is anticipated in early 1997." The LTCP referenced in the 1996 Plan was not completed.

An Updated Long Term Comprehensive Plan (LTCP) for the Crystal Airport was completed by MAC in 2008. It was reviewed by the Metropolitan Council on October 22, 2008 (Business Item 2008-282) and also included in the updated aviation system plan adopted by the Council as part of the 2030 TPP in November, 2010. The public hearing record from the TPP adoption shows 220 comments were received on the plan; none were received from the city of Crystal. The LTCP recommends that some runways be closed, but it does not recommend closure of the Crystal airport. Although the city of Crystal is not required to include such recent plan updates in its comprehensive plan update (the 2008 plans are not required to reflect anything newer than the 2004 system statement information), the city did include some information from the 2008 LTCP in its CPU.

Proposed City Land Use Restrictions on Crystal Airport

The city's Comprehensive Plan Update (CPU) text and policies refer to the airport as being accommodated by an airport overlay that allows the airport to continue operating; prohibits expansion of runways; permits landside facilities only as low-density residential development (LDR) and requires City Council approval for other types of uses; applies safety criteria to address aircraft noise compatibility; and raises airport need, safety and redevelopment issues, which were addressed in the Metropolitan Airport Commission's (MAC) recent Long Term Comprehensive Plan (LTCP) for the Crystal Airport.

The city, in its CPU, needs to recognize that the MAC, designated in state law as an Airport Authority, has jurisdiction over its airport property and system operation that precludes city controls. In the land use section of the CPU, the land use categories for the 2030 planned land use map includes a definition of "Airport (LDR) as "Property owned by the MAC for the operation of the Crystal Airport. In the event that all or part of the airport is redeveloped for non-aviation uses, then the underlying guidance would be low-density residential until such time as a Comprehensive Plan Amendment is adopted which reclassifies all or part of the airport site for other uses."

The base zoning of the airport by the city is not within its purview. The MAC within its own legal parameters and federal and state requirements, determines appropriate on-site development.

Land Use Compatibility Guidelines for Airport Noise

The airport noise portion of the CPU is not in conformance with the Aviation System Plan. The city’s CPU states: “...the city does not intend to adopt ordinance revisions implementing the Land Use Compatibility Guidelines for Aircraft Noise”; and the city’s submittal states, “The city elects not to adopt or implement the Land Use Compatibility Guidelines for Aircraft Noise; neither the Transportation Policy Plan nor the enabling statute requires that the city do so.”

Appendix H of the 2004 Transportation Policy Plan does require that “Communities should assess their noise impact areas and include a noise program in their 2008 comprehensive plan,” and no other noise program has been included in lieu of the Land Use Compatibility Guidelines for Aircraft Noise.

The 1996 Aviation System Plan includes the following “Mandatory Elements” for local comprehensive plans:

Adopted land-use compatibility guidelines for aircraft noise:

- Map depicting aircraft noise zones of any adjacent airport(s) impacting the community.
- Identification of incompatible land use activities, recommended plan and strategy to remove incompatibility.
- Description of overlay zoning ordinance to be adopted for attenuation of aircraft noise.
- Description of local building codes as part of a strategy to implement noise attenuation of aircraft noise.

The city, in a letter from its attorney to Phyllis Hanson dated April 14, 2011, among other issues, maintains that noise attenuation cannot be required. As shown above, the Council has required this since 1996. Noise attenuation has been included in the Aviation System Plan, and local communities are required to be in conformance with system plans.

Plan Modification Process

The process for requiring and enforcing a comprehensive plan modification includes: (1) a public hearing, (2) the adoption of findings, and (3) a resolution. The proposed schedule for considering the City’s Comprehensive Plan Update is as follows:

May 11, 2011	Post public hearing notice
May 16, 2011	Hold public hearing at Community Development Committee at 4:30 PM
May 23, 2011	Close public hearing record at 4:30 PM
June 6, 2011	Review of hearing record by Community Development Committee with action forwarding recommendations to the Metropolitan Council
June 22, 2011	Formal action by the Metropolitan Council on the City’s proposed Plan Update

The public hearing will include a brief overview of the following issues and an opportunity for the City and interested parties to present comments.

- Does the Update follow the process described in the Metropolitan Land Planning Act?
- Does the Update represent a substantial departure from the regional aviation system plan?

Funding

Not applicable.

Known Support / Opposition

The city of Crystal has indicated a preference to redevelop the airport into non-aviation use since at least 1992 and has been previously required to modify its comprehensive plans, see "Background 1992-2004" (*Attachment 5*). The city's attorney sent a letter to Phyllis Hanson of the Council dated April 14, 2011, in which he claims that the city is in compliance with the Aviation System Plan, questions that the Council can require the city to adopt aircraft noise guidelines and requests that the Council "...reconsider statements and blanket pronouncements unsupported by facts or law in the letter...so we can avoid this unnecessary hearing."

Attachments

1. Table 1: Text Changes required to bring the 2030 Crystal Comprehensive Plan Update into conformance with the 2030 Transportation Policy Plan for the Aviation System
2. Incomplete Letter, dated June 16, 2009
3. Incomplete Letter, dated September 3, 2010
4. Complete Letter, dated April 4, 2011
5. Background 1992—2004

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Attachment 1

Table 1: Text Changes required to bring the 2030 Crystal Comprehensive Plan Update into conformance with the 2030 Transportation Policy Plan for the Aviation System

Reference No.	Text to be Modified	Chapter/Section	Page reference
	Text to be modified is in indicted in <i>Italics</i>. All text references are to the March 8, 2011 2030 Crystal Comprehensive Plan Update ‘marked changes’ version. Received by the Metropolitan Council on March 15, 2011.		
1.	Remove: <i>In the event that all or part of the airport is redeveloped for non-aviation uses, then the underlying guidance would be Low Density Residential until such time as a Comprehensive Plan Amendment is adopted which reclassifies all or part of the airport site for other uses.</i>	Land Use/ Land Use Categories	21 of 152; 4 th bullet from top
2.	Remove (under Descriptions of Specific Potential Redevelopment Areas): <i>Area # 2. The Crystal Airport is one of six ‘reliever airports’ owned and operated by the Metropolitan Airports Commission (“MAC”). Closure and redevelopment of the Crystal Airport site are preferred by the city under the current Comprehensive Plan, mainly due to safety concerns (hundreds of housing units in the safety zones) and little local benefit from the facility. MAC has adopted a Long Term Comprehensive Plan (LTCP) for the facility which would eliminate two of the four runways (one primary and one crosswind) and attempt to redevelop a small share of the site for as-yet-undetermined non- aviation purposes. MAC has not indicated they intend to close the facility, but the type of aviation using this airport is in decline, regionally and nationally. At any point in the future, it is conceivable that MAC may determine that the continued operation of the Crystal Airport is no longer warranted. The 436 acre airport site (336 in Crystal) offers the greatest opportunity in the northwest suburbs and along the Bottineau transit corridor for significant infill development including new employment centers and housing. For this reason the entire airport site remains a potential redevelopment area, though any such redevelopment would depend on future decisions by MAC regarding the continued operation of the Crystal airport and conversion of all or part of the property to non-aviation use. For the purposes of this plan, it is assumed that the Crystal Airport will still be in operation in 2030 and no non-aeronautical development will have occurred on the site.</i>	Redevelopment/ Descriptions of Potential Redevelopment Areas	49 of 152; Area #2 Airport
3.	Remove: <i>This chapter addresses the role of the Crystal Airport in the regional aviation system, describes the city’s policies for accommodating the continued operation of the facility by the Metropolitan Airports Commission, and reaffirms the city’s position favoring closure of the airport and redevelopment of the site.</i> OR Leave text in document and add qualifying sentence to the statement: <i>“The City recognizes that its position on closure of the airport does not conform to the adopted metropolitan aviation system plan adopted by the Metropolitan Council as part of its 2030 Transportation Policy Plan, nor is it consistent with MAC’s Long Term Comprehensive Plan (LTCP) for the airport.</i>	Aviation/ Overview	111 of 152
4.	Remove: <i>However, the City does not intend to adopt ordinance revisions implementing the Land Use Compatibility Guidelines for Aircraft Noise.</i> Add text adopting noise standards based upon the following requirement: Appendix H of the 2004 <i>Transportation Policy Plan</i> requires that “Communities should assess their noise impact areas and include a noise program in their 2008 comprehensive plan.” (No other noise program has been included in lieu of the Land Use Compatibility Guidelines for Aircraft Noise.)	Aviation/ Background	111 of 152
5.	Remove: <i>In Crystal, the airport is zoned R-1 Low Density Residential for future planning purposes with an Airport Overlay district recognizing the continued operation of the Crystal Airport.</i>	Aviation/ Background	111 (bottom) and 112 of 152
6.	Remove: <i>One of the goals of MAC’s LTCP is to allow some small parts of the airport to be used for non-aeronautical, revenue generating business property. Such use would require City Council approval in the form of an amendment to the city’s Comprehensive Plan, revisions to the Zoning Map and possibly a Conditional Use Permit depending on the specific use proposed.</i>	Aviation/ Background	112 of 152
7.	Remove: <i>However, the city recognizes that it does not have the authority to close the Crystal Airport. For this reason, the city’s aviation policies are as follows: c) If MAC proposes non-aeronautical uses on part of the airport site, the city will consider such Comprehensive Plan amendments, Zoning Map revisions and Conditional Use Permits in accordance with the city’s normal exercise of its land use authority for such uses.</i>	Aviation/ Policies	112-113 of 152; c)

Attachment 2



June 16, 2009

John Sutter, Planner, Assistant Community Development Director
City of Crystal
4141 Douglas Drive North
Crystal, MN 55422

RE: **City of Crystal 2030 Comprehensive Plan Update
Incomplete for Review**
Metropolitan Council Review File No. 20598-1
Metropolitan Council District 6, Peggy Leppik

Dear Mr. Sutter:

Thank you for the submittal of the City of Crystal's 2030 Comprehensive Plan Update (Update) received on May 29, 2009. Council staff finds the City's Update incomplete for review. The Council's review will be suspended until the City submits the requested materials, and Council staff has an opportunity to evaluate them.

REQUIRED MATERIALS

Aviation (Chauncey Case, 651-602-1724)

The Update is incomplete for aviation. The City needs to clarify whether the "notification" to protect the region's general airspace resource is included in a local ordinance. While the Update (chapter M, item 1a) recognizes this need, it is not clear that the ordinance supports this.

The Update needs to include a figure and associated text concerning the aircraft noise contours and application of the *Land Use Compatibility Guidelines for Aircraft Noise* as defined in the *Transportation Policy Plan (TPP)*.

Advisory Comments:

The Update (item 1b) recognizes that the airspace and land use safety zones for the Crystal Airport, as developed by the joint airport/community zoning board in 1983, continue to need protection. The Council has approved the *Crystal Airport 2025 Long-Term Comprehensive Plan (LTCP)*. It is anticipated that the Metropolitan Airports Commission (MAC) and affected communities will review and update current ordinance to reflect the runway changes. Therefore, the Update needs to remove Figure M-2.

The Council staff finds that the Update is not in conformance with the *TPP's* Aviation system plan. The Update's policies reference the airport as being a non-conforming use, prohibit certain airside development, require conditional use permits for landside development, and require city council approvals for on-airport lands. The Update also indicates that the airport has a base zoning as low-density residential and identifies the airport as a redevelopment area. The Council may determine that the Update is, more likely than not, a substantial departure from the Aviation System Plan. The City needs to revise the policies to be in conformance with the aviation system plan.

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Forecasts (Todd Graham, 651-602-1322)

The Update is incomplete for forecasts review. While the City proposes population, household and employment forecasts that are lower than the Council's 2005 System Statement, the forecasts need to be consistent throughout the document.

The revised forecasts are based on the full development, limited land supply, and redevelopment constraints imposed by state law (eminent domain for redevelopment). The Council staff finds these reasonable and acceptable. Therefore, the Metropolitan Council's forecasts will be officially revised (shown below) effective on the Council's final action on the Update. The City needs to:

- Resolve inconsistency between the forecasts in Chapter E and Chapter "O." The Chapter "O" forecasts need to be replaced with the accepted forecasts shown below.
- Reflect these forecasts in the Transportation Analysis Zones table.
- Reflect the household forecast in the City's affordable housing needs calculation.

	POP 2010	POP 2020	POP 2030	HH 2010	HH 2020	HH 2030	EMP 2010	EMP 2020	EMP 2030
TOTAL	22,500	22,200	22,500	9,700	9,900	10,200	5,900	6,300	6,600
Metro System	22,500	22,200	22,500	9,700	9,900	10,200	5,900	6,300	6,600

Housing (Linda Milashius, 651-602-1541)

The Update is incomplete for housing review. The Update needs to acknowledge the City's share of the regional affordable housing need for 2011 to 2020 which is 87 units to reflect a lower household forecast. The Update needs to provide the allowable density ranges for residential land use categories, and clarify whether the additional 21 acres of high density residential development (Table F-2) includes the anticipated residential use in the redevelopment sites.

Please use the *Land Use table* discussed below in the Land Use comments to enable the Council to determine if the City will accommodate the affordable units at the appropriate densities.

Implementation (Tori Dupre, 651-602-1621)

The Update is incomplete for implementation. The Update needs to include the City's CIP, a zoning map and description of official controls.

Individual Sewage Treatment Systems (ISTS) (Jim Larsen, 651-602-1159)

The Update is incomplete for ISTS review. While the City's current (2000) comprehensive plan indicates that there was one ISTS in operation, the Update is silent on ISTS. The City needs to indicate whether the one remaining ISTS present in 2000 has been connected to the local sanitary sewer system, or continues to operate. If the ISTS is operational, the City needs to discuss its ISTS program criteria, and how it monitors ISTS operation and maintenance.

Land Use (Tori Dupre, 651-602-1621)

The Update is incomplete for land use. The Update needs to include the table entitled *Land Use in 5-Year Stages* available at <http://www.metrocouncil.org/planning/LPH/forms/LandUse5year.xls>.

The City needs to confirm that Table F-1, showing future land use categories and acreages based on the current version of the future land use map, is a substitute for the City's existing land use. The Update needs to include a description of existing and future land use categories shown on the maps, the gross and net acres, and the residential density range (minimum and maximum) for each residential land use.

Local Surface Water Management (Judy Sventek 651-602-1156)

The Update is incomplete for surface water management review. The City lies within the Bassett Creek and Shingle Creek watersheds. The latest watershed management plans prepared by the Bassett Creek and Shingle Creek Watershed Management Commissions were approved by the Board of Water and Soil Resources in 2004. Crystal was required to prepare a local surface water management plan (SWMP) update in 2006. The Update states that the SWMP is being prepared and will be submitted as a separate document to the Council for review. The SWMP was due in 2006, and the Update will be incomplete until the Council receives the SWMP.

Parks (Jan Youngquist, 651-602-1029)

The Update is incomplete for regional parks review. The *2030 Regional Parks Policy Plan* identifies two proposed regional trails in Crystal: the Crystal Lake Regional Trail and the Bassett Creek Regional Trail. The Update needs to revise the following:

- The regional trails are described in the Non-Motorized Transportation Chapter (Chapter K, page 76), but are referred to as multi-use paths instead of regional trails. The regional trails need to be described and referenced, with a notation that Three Rivers Park District will be the implementing agency for these trails. The regional trail described in the Non-Motorized Transportation Implementation Items section, Number 4, is known as the Crystal Lake Regional Trail. The regional trail described in Number 5 of that section is known as the Bassett Creek Regional Trail.
- The Update indicates that it is the policy of the City to consider a combined bike lane and sidewalk to be an acceptable substitute for a multi-use path. It refers to regional trails as multi-use paths. Since regional trails are typically a minimum 10 feet wide to safely accommodate multiple uses, the Update needs to make a distinction between a regional trail and a multi-use path.
- The proposed Crystal Lake Regional Trail needs to be labeled on the Non-Motorized Transportation Maps (Figures K-1 and K-2).
- The proposed Bassett Creek Regional Trail needs to be labeled on the Non-Motorized Transportation Maps (Figures K-3 and K-4).
- The proposed Crystal Lake Regional Trail and Bassett Creek Regional Trail need to be labeled on the Planned Ultimate Trails System Maps (Figures N-8, N-10, N-12 and N-14).

Three Rivers Park District will be working with affected jurisdictions to plan the alignment of the Bassett Creek Regional Trail. Since a master plan finalizing the alignment for the regional trail has not been completed and subsequently approved by the Metropolitan Council, the general alignment of the trail is shown in the Council's Parks Policy Plan. To be in conformance with the *2030 Regional*

Parks Policy Plan, the Update needs to acknowledge the general trail alignment, as shown in the Parks System Statement, generally following 32nd Avenue through Crystal.

It is understood that the City of Crystal prefers an alternate alignment for the trail and has been discussing the trail alignment with Three Rivers Park District. Council staff encourages the City and Three Rivers Park District to explore options for the regional trail alignment during the master planning process. A notation may be added to the Update that the City and Three Rivers Park District will work together to determine the final trail alignment. If the final alignment of the regional trail changes during the master planning process, the comprehensive plan will need to be amended.

Resource Protection (Tori Dupre, 651-602-1621)

The Update is incomplete for resource protection. The Update needs to address the protection of historic sites, solar access and aggregate deposits. The Local Planning Handbook provides resource protection assistance at <http://www.metrocouncil.org/planning/LPH/LPHSect3.pdf#page=10>.

Transportation (Ann Braden, 651-602-1705)

The Update is incomplete for transportation and transit. The Update needs to describe, designate and schedule the location, extent, function and capacity of facilities for all transportation modes within the municipality. To ensure the rational and economical development of the regional transportation system, the local transportation plan must include or address the following components:

- An allocation of 2030 socioeconomic forecasts by TAZ that total the forecasts agreed upon between the city and the Council's Research unit.
- Forecasted 2030 traffic volumes and a narrative explaining how the local forecasts were developed.
- Access Management Guidelines of MnDOT and/or Hennepin County.
- The statement that Crystal is in Transit Market Area II, which may include regular route locals, all day expresses, small vehicle circulators, special needs paratransit and ridesharing.
- A list of the non-fixed route providers serving Crystal, such as Metro Mobility, PRISM, and Five Cities Transportation.

Advisory Comments:

The Update includes non-motorized transportation policies and public transit policies, but provides no overall transportation policies. The Update's Roadway functional classification identifies Winnetka Avenue (north of Bass Lake Rd) as a "**minor collector**"; This segment is identified as a "**B-Minor Arterial**" in the TAB-adopted map. The Update identifies a number of "collector" roadways that are not identified on the TAB-adopted map. To include these "collectors" on the TAB map, the City needs to formally request that they be added through the TAC-Planning Committee, which is a separate process outside the Update review.

Transit:

- Metro Transit route changes were implemented on May 30, 2009. Route 715 no longer exists. New Route 705 and Route 717 now serve the City.

- The system statement from the Metropolitan Council indicates there is a park and ride at Praise Christian, but that facility closed a few years ago. The City is correct in not including it in their Plan.

Wastewater (Roger Janzig, 651-602-1119)

The Update is incomplete for wastewater and needs to include the map of an updated sanitary sewer map that shows the current and future trunk sewer system for the City. The map needs to be a readable size.

The City and the Metropolitan Council agreed to lower the growth projections for the City based on the numbers shown in the informal Plan submittal. Table O-1 in the sanitary sewer section of the plan is still based on the Council's original numbers. The City needs to revise the table to reflect the accepted lower growth projections and respective lower flow projections.

Water Supply (Sara Smith, 651-602-1035)

The Update is incomplete for water supply. The Update needs to reference the Joint Water Commission's (JWC) water supply plan. The City is a member of the (JWC), a partnership that includes the cities of Golden Valley and New Hope, which jointly own and operate the water supply that stores and transmits potable drinking water through the three-City service area. The JWC completed and submitted a single water supply plan that meets the Council's water supply plan requirements.

To expedite the Council staffs' review of supplemental materials submitted in response to incomplete items, please provide a cover memo that outlines how the City addresses these items in the new material. Send one hard copy and one electronic copy (PDF) on disc to Cheryl Olsen, Reviews Coordinator. Please contact Tori Dupre, Sector Representative, at 651-602-1621 or the technical review staff with questions.

Sincerely,



Phyllis Hanson, Manager
Local Planning Assistance

CC: Peggy Leppik, Metropolitan Council District 6
Tori Dupre, Principal Reviewer / Sector Representative
Cheryl Olsen, Reviews Coordinator

Attachment 3



September 3, 2010

Mr. John Sutter, Planner, Assistant Community Development Director
City of Crystal
4141 Douglas Drive North
Crystal, MN 55422

RE: **City of Crystal 2030 Comprehensive Plan Update – Incomplete for Review**
Metropolitan Council Review File No. 20598-1
Metropolitan Council District 6, Peggy Leppik

Dear Mr. Sutter:

Thank you for sending supplemental information regarding the City of Crystal's 2030 Comprehensive Plan Update (Update), which the Council received on August 13, 2010. Staff appreciated the very clear presentation of the revised materials.

The Metropolitan Council originally received the Update on May 29, 2009. On June 16, 2009, Council staff found the Update to be incomplete for review in the areas of *aviation, forecasts, housing, implementation, ISTS, land use, local surface water management, regional parks, resource protection, transportation, wastewater and water supply*. The supplemental information has allowed Council staff to find the Update complete for review for *aviation, forecasts, ISTS, local surface water management, resource protection, transportation, wastewater and water supply*. However, the Update remains incomplete for *housing, implementation, land use and regional parks*. For this reason, the Council has suspended formal review of the Update until it receives the additional material discussed below. Please note important advisory comments for *aviation* as well as comments for *forecasts* and *land use* that were identified in the evaluation.

REQUIRED INFORMATION

Housing - Linda Milashius, (651-602-1541)

The Update is incomplete for Housing. The Update acknowledges the City's share of the region's affordable housing need for 2011-2020 (87 units), and cites the City's official controls and the implementation programs it will use to assist in the development of affordable housing. However, to complete the evaluation of the housing component, the Update needs to provide consistent mapped and tabular land use information and provide additional information on redevelopment areas (see the reviewer comments for land use).

Implementation - Denise Engen (651-602-1513)

The Update is incomplete for implementation. The Council's letter of June 16, 2009 requested information on the City's zoning ordinance, capital improvement program (CIP) and official controls. The supplemental materials included a copy of the City's zoning ordinance and CIP program as appendices. In addition, the main body of the Update needs to include a short section summarizing the city's controls and fiscal devices. Staff can provide you with examples of how other communities have presented this information.

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Land Use - Denise Engen (651-602-1513)

The Update is incomplete for land use. To complete its review of the City's land use plan, Council staff needs additional detail in the areas discussed following.

- *Consistency of mapped and tabular information.* The Update indicates that the City has guided land into 17 land use categories. The Update also indicates that these are described in the Chapter overview, mapped in Figures F-3(a) and F-3(b) and quantified in Table F-1, which is based upon the Council's Land Use Table in Five-Year Stages. However, the categories do not fully correspond between the description, figures and the table. (There are categories, such as "Other Undev (LDR)" which are described in the overview and mapped, but are not found in the table and vice versa.) The table should only use the categories from the City's Planned Land Use map; if there are categories "leftover" from the Council's example table that the City does not use, they should be deleted from the table. Please clarify what are the City's land use guiding categories and ensure that the categories are used consistently throughout the Update.
- *Assigning a minimum density to all residential land uses.* Currently, the Low Density Residential (LDR) category has a minimum allowed density of zero. Please assign a minimum density figure to LDR. The Council's review for regional land use policy requires numeric information be provided in the Update on the minimum and maximum units per net developable acre for each land use category that allows residential uses. These figures must be greater than zero. (In the urban area, a minimum density of 1 or 1.5 units per acre needs to be considered as the lowest of the Low Density Residential range.) If desired, a footnote may be added to the table if clarifying that the value is an assumption used for planning purposes.
- *Meeting the City's proposed forecasts.* The planned land use does not appear to accommodate the City's forecasted household growth of approximately 851 units, achieving approximately half the forecasted households even at the highest allowable densities. A further reduction of forecasts may be appropriate. For more information, please see the advisory comment section of this letter.
- *Redevelopment/Infill Development Information.* The Update gives a good description of redevelopment areas in Chapter H: Redevelopment. Some clarification is requested on how to apply that information in the Council's review.
 - Summary information included in Chapter F: Land Use indicated that, of the 23 potential redevelopment areas in the City, 20.8 acres would be mixed-use development, with a High-Density Residential (HDR) component. Are these 20.8 mixed-use acres that are developed with a partial HDR component (if so, what percent of the area is expected to be residential), or are the 20.8 acres all HDR at 100 percent residential? Staff notes that the Update does not have a mixed-use land use category.
 - Which redevelopment areas does the 20.8 acres draw from? Is any of the acreage from redevelopment area #2 - Crystal airport? If so, please provide information for redevelopment areas that does not include the airport. It would be helpful to provide a table with acreage by redevelopment area and the land use category of potential re-use. Staff can provide examples of how other communities have presented this information.
 - The information in Table F-2 would be better provided as discussed above. Staff recommends deleting Table F-2.

Regional Parks – Jan Youngquist, (651-602-1029)

The Update is incomplete for regional parks review. In order to be complete for review and conform to the *2030 Regional Parks Policy Plan*, the alignment of the proposed Bassett Creek Regional Trail, as depicted in the City's System Statement, needs to be shown on the Non-Motorized Transportation Map (Figure K-1(b)) and the Planned Ultimate Trails System Map (Figure N-8(a) South Half).

Three Rivers Park District will be working with affected jurisdictions to plan the alignment of the Bassett Creek Regional Trail. However, since a master plan finalizing the alignment for the regional trail has not been approved by the Metropolitan Council, the general alignment of the trail as shown in the Council's *2030 Regional Parks Policy Plan* and in the City's System Statement needs to be acknowledged in the Update.

Council staff acknowledges that the City of Crystal prefers an alternate alignment for the trail, which is shown on Figures K-1(b) and N-8(a) South Half. This proposed alignment may also be shown on these maps and labeled as the City's preferred alignment. Council staff encourages the City and Three Rivers Park District to explore options for the regional trail alignment during the master planning process. If the trail alignment changes based on the completion of a master plan, the Update may be amended.

ADVISORY INFORMATION

Aviation - Chauncey Case, (651-602-1724)

The Update is complete for aviation. However, Council staff finds that the Update is not in conformance with the *2030 Transportation Policy Plan (TPP)* for the Aviation system. The Update's text and policies refer to the airport as being accommodated by an airport overlay that allows the airport to continue operating; prohibits expansion of runways; permits landside facilities only as low-density residential development (LDR) and requires City Council approval for other types of uses; applies safety criteria to address aircraft noise compatibility; and raises airport need, safety and redevelopment issues, which were addressed in the Metropolitan Airport Commission's (MAC) recent Long Term Comprehensive Plan (LTCP) for the Crystal Airport.

The Update needs revisions to conform to the *TPP* for the Aviation system. If the required revisions are not submitted, Council staff will recommend that the Metropolitan Council: 1) find that the Update is more likely than not to have a substantial impact on or contain a substantial departure from the *TPP*; and 2) require the City to modify the Update to:

- Recognize that the MAC, designated in state law as an Airport Authority, has jurisdiction over its airport property and system operation that precludes City controls. For example:
 - In Chapter F: Land Use, the land use categories for the 2030 planned land use map includes a definition of "Airport (LDR)" as "Property owned by the MAC for the operation of the Crystal Airport. In the event that all or part of the airport is redeveloped for non-aviation uses, then the underlying guidance would be low density residential until such time as a Comprehensive Plan Amendment is adopted which reclassifies all or part of the airport site for other uses".

The Update correctly identifies boundaries of the airport property owned by the MAC and correctly guides it as "Airport". However, the base zoning of the airport by the City is not within its purview, the MAC, within its own legal parameters and federal and state requirements, determines appropriate on-site development.

- Remove references indicating that the airport is a potential redevelopment site. Chapter H: Redevelopment describes specific potential redevelopment areas. Area #2 – is described as “Crystal Airport”. A LTCP has been approved for this airport and for the next twenty years or longer the facility is not planned to be closed. The results of the LTCP are included in the current *TPP*.
- Revise/remove the Aviation policies city code section 515.69 and remove the “Established Residential Neighborhoods” safety criteria as a method of addressing aircraft noise.


Please see Attachment A for additional information regarding the aviation concerns discussed above.

Land Use and Forecasts - Denise Engen (651-602-1513), Todd Graham (651-602-1322)

- *Meeting the City's proposed forecasts.* The planned land use does not appear to accommodate the City's forecasted household growth of approximately 851 units, even at the highest allowable densities. The Update contains a thorough discussion of redevelopment areas, but does fully not address how the City, as guided, will be able to grow from 9,349 households (the Council's 2009 estimate) to 10,200 households (the City proposed 2030 forecast). Council staff would like to discuss these concerns meet with City staff. A further reduction of forecasts may be appropriate at the City's request.

City of Crystal – Forecasts as Proposed in Update				
	2000	2010	2020	2030
Population	22,698	22,000	22,200	22,500
Households	9,389	9,700	9,900	10,200
Employment	5,638	5,900	6,300	6,600

Council staff is happy to work with you to resolve these issues. Once staff finds the information in the Update is sufficiently complete to determine its impact to regional systems and adjacent communities, the Council's formal review process will be restarted. To expedite Council staff's review of supplemental materials submitted in response to incomplete items, once again please provide a cover memo that outlines where and how the incomplete items are addressed in the new material. If you have any questions about the information requested in this letter or about the review process, you may either contact the listed technical reviewers directly or Denise Engen, Principal Reviewer (651-602-1513, denise.engen@state.mn.us), or Susan Hoyt (651-602-1330, susan.hoyt@metc.state.mn.us).

Sincerely,

Phyllis Hanson, Manager
Local Planning Assistance

cc: Peggy Leppik, Metropolitan Council District 6
Denise Engen, Sector Representative/Principal Reviewer
Susan Hoyt, Planning Analyst
Cheryl Olsen, Reviews Coordinator

Attachment A

Aviation Information

City of Crystal 2030 Comprehensive Plan Update – Review File No. 20598-1

Review Status:

The Metropolitan Council received the City of Crystal's 2030 comprehensive plan update (Update) submittal on May 29, 2009. Council staff reviewed the Update, and on June 16, 2009 found that that the plan was incomplete for review in a number of areas—including the aviation system. The Council's incomplete letter further indicated that the Council may determine that the Update is, more-likely-than-not, a substantial departure from the Aviation System Plan. The City responded to the Council's comments and resubmitted the Update for review on August 13, 2010. The Update is now complete for aviation review, but various issues remain. The following discussion indicates why a plan modification is being recommended.

Background:

In the review of the City's previous (2020) comprehensive plan in 2000, a number of continuing issues concerning the Crystal Airport (MIC) were raised by the Council. However, no plan modifications were required since the needed aviation information was to be prepared in an update to the MIC long-term comprehensive plan (LTCP), including an evaluation on closure of the facility as requested by the City. The Metropolitan Airports Commission (MAC) established a Reliever Airport Task Force for its airports, reviewed/ revised the rates-and-charges for these airports and initiated updates to the LTCP's. The City participated in the MIC update, which was adopted by the MAC in 2008.

Results of the 2025 Crystal Airport LTCP indicated that:

- An airport closure process was identified, but MIC would not be closed;
- Two runways would be removed;
- Remaining runways not to be extended;
- Portions of the facility are to be used for non-aeronautical* development, as a revenue enhancement measure.

**It should be noted that the term "non-aeronautical" development is somewhat a misnomer in that under the MAC request to FAA the proposed potential development parcels at its reliever airports are to be considered as "concurrent uses", meaning the property is not being released for sale, (which would require a Comprehensive Plan Amendment), but would be leased, and still part of the airport. The concurrent uses are considered to be complementary to aviation needs and support services; residential use is not allowed.*

Legal Authority:

Clarifying the roles and responsibilities of the various local governmental units can help resolve many related issues. The key area of confusion regarding legal authority concerning comprehensive community and airport plans, relates to perceptions and understandings regarding statutory authority/requirements. The Metropolitan Airports Commission enabling legislation gives overall authority to own, operate and control its properties and has primary authority over land use controls on its property (MS 473.608, Sd 17 and 473.655); this authority includes local zoning control.* In leases between MAC and airport tenants, MAC has required tenants at MIC and other Reliever Airports to obtain building permits from local municipalities, but the use allowed on airport property is a MAC decision.

**The Minnesota Attorney General's office has ruled in response to a request made by the City of Eden Prairie, that "...notwithstanding the impact which its acquisition of property for airport uses may have upon legitimate local*

interests, MAC would, nevertheless, be deemed exempt from local zoning and subdivision ordinances purporting to regulate such activities.”)

Therefore, the following Update text should be removed:

- “In Crystal, the airport is zoned R-1 low density residential.” (Pg. 111)
- “Crystal’s zoning ordinance has an Airport Overlay that allows the airport to continue operating”. (Pg. 111)
- “Expansion of runways is prohibited”. (Pg. 111)
- “Expansion of hangar areas or related landside facilities is permitted”. (Pg. 111)
- “Unless such new use would be low density residential, it would require City Council approval in the form of an amendment to the city’s Comprehensive Plan, revisions to the Zoning Map and possibly a Conditional Use permit depending on the specific use proposed”. (Pg. 112)
- “Allow airport facilities, buildings and uses in accordance with City Code Section 515.69 (Zoning-Airport Overlay”. (Pg. 113)
- “If MAC proposes non-aeronautical uses on part of the airport site, the city will consider such Comprehensive Plan amendments, Zoning Map revisions and Conditional Use Permits in accordance with the city’s normal exercise of its land use authority for such uses”. (Pg. 113)
- City policy number two. (Pg. 113)

LTCP Approval:

Since 2000, a number of actions have been taken to address the City’s concerns regarding MIC.

- The MAC Reliever Task Force prepared:
 - new rates and charges, which are now being applied at their reliever airports to improve funding;
 - a separate study to assess the process and costs of closing MIC;
 - new forecasts; and
 - an update to MIC’s LTCP, the *2025 Crystal Airport LTCP*.
- The Council approved the *2025 Crystal Airport LTCP* October 22, 2008. Changes affecting MIC were included in revisions to the Council’s *2030 Transportation Policy Plan (TPP)* by:
 - Retaining the Crystal Airport system role of “Minor” airport,
 - Eliminating General Aviation search area (A) (reflects system demand/capacity conditions)
 - Concurs with fulfillment of Crystal LTCP objectives.

These actions are consistent with the *TPP* aviation goals/principles and aviation Policy 26, which indicates public investments in air transportation facilities should respond to forecast needs and the region’s ability to support the investments over time. Policy Strategy 26a states “airport sponsors should maintain and enhance existing facilities to their maximum capability, consistent with the *Development Framework*, prior to investing in new facilities”. A major consideration in these lengthy and expensive efforts was to reduce system costs, improve capability to be more financially self-sufficient, and restore confidence that the facility would be supported through the 2030 planning horizon and beyond.

The decision on future status of a designated system airport involves a process with many partners. The airport is to remain in place for the foreseeable future. Until a decision is made to the contrary, the community’s comprehensive plan should not be distractive or uncooperative in development and compatibility efforts at the

Crystal Airport. The Update should remove text that talks about closure or redevelopment of MIC, a public facility, to encourage user reinvestment and be consistent with the *TPP*. The text (pg. 48) and the graphics (e.g. pg. 54), defining Crystal Airport as a potential redevelopment area should be removed from the Update.

Airport Safety Compatibility

TPP Aviation Policy 24 concerns the protection of the region's airspace resource and operational safety within both general airspace but also airport-specific airspace. Policy Strategy 24c, on Airport/Community Zoning, indicates that joint airport/community zoning boards should be established at each system airport to develop and adopt an airport safety zoning ordinance. According to MnDOT, a joint airport zoning board ordinance for MIC was approved in 1983. It appears that the current ordinance will have to be updated to reflect the 2025 LTCP plan that removes two existing runways. It is anticipated that a revised ordinance will result in fewer homes being within state and federal safety zones. The airport has an FAA air traffic control tower, adequate landing and navigational aids to fulfill its system role, and is currently operating in a safe manner. The safety zoning ordinance prevents potential obstructions to air navigation.

The Update states "Because the Crystal Airport is embedded in a predominantly residential area and there are hundreds of residences within the safety zones, there shall be no expansion of runways or other changes that would further increase the safety hazard" (pg. 113). This text should be removed since the City has no authority concerning runway expansion, and the approved LTCP includes changes that improve the safety level for what is already a safe airport.

Airport Noise Compatibility

TPP Policy 25 concerns Airports and Land Use Compatibility as regards aircraft noise. Policy Strategy 25e on Aircraft Noise Abatement and Mitigation indicates that communities and aviation interests should work together on noise abatement and mitigation. Local comprehensive plans and ordinances for communities affected by aircraft noise should incorporate the *Land Use Compatibility Guidelines for Aircraft Noise* (*TPP* Appendix M).

City policy states "The city will apply the Land Use Compatibility Guidelines for Aircraft Noise contained in the Council's Transportation Policy Plan, except that the city will not apply said guidelines to 1) additions to existing structures located within [established residential neighborhoods], or 2) scattered site redevelopment of individual parcels within established residential neighborhoods". (Pg. 113)

It should be clarified that "established residential neighborhoods" is a definition of single-family residential housing exempt from state safety zone application. Use of safety related criteria and zones concerning established residential neighborhoods is not germane to application of noise criteria. A home may be safe, but that does not mean it affords sufficient acoustic protection. The City's policy should be revised to reflect the text in the Guidelines and the Builders Guide as relates to items 1 and 2 discussed previously.

Attachment 4

Metropolitan Council

April 4, 2011

Mr. John Sutter
City Planner/Assistant Community Development Director
City of Crystal
4141 Douglas Drive North
Crystal, Minnesota 55422

RE: City of Crystal Comprehensive Plan Update – System Departure & Complete for Review
Metropolitan Council Review File No. 20598-1
Metropolitan Council District 6, James Brimeyer

Dear Mr. Sutter:

Thank you for the revised 2030 Comprehensive Plan Update (Update) which the Metropolitan Council (Council) received on March 15, 2011. The City's original Update was received on May 29, 2009 and on June 16, 2010 was found incomplete for review for aviation, forecasts, housing, implementation, ISTS, land use, local surface water management, regional parks, resource protection, transportation, wastewater and water supply. The Council received supplemental information from the City on August 13, 2010. Council staff found the Update incomplete for housing, implementation, land use and regional parks and provided advisory comments on aviation, forecasts and land use on September 3, 2011. The Council staff review of the supplemental information received on March 15, 2011 finds the Update complete for review.

However, the City should be aware of the following:

Aviation

The City's Update substantially departs from the Council's adopted metropolitan system plans for Aviation and, if implemented, will have a substantial impact on the regional Aviation System. Council staff, therefore, will recommend that the Metropolitan Council: (1) find that the City's 2030 Comprehensive Plan Update is more likely than not to contain a substantial departure from the Aviation System Plan contained in the 2030 Transportation Policy adopted in 2004 (which incorporates the 1996 Aviation Policy Plan) and (2) require the City to modify its 2030 Comprehensive Plan Update.

As permitted by Minnesota Statutes section 473.175, subdivision 1, the Council may require a local governmental unit to modify its comprehensive plan or part thereof that is inconsistent with the metropolitan system plan if the Council concludes that the local plan is more likely than not to have either a substantial impact on, or to contain a substantial departure from, the Council's adopted policy plans and capital budgets for metropolitan transportation service.

The Council staff finds that the Update is not in conformance with the regional 2030 Aviation System Plan, which shows Crystal airport to be a part of the regional aviation system through 2030. The Update identifies the airport land use as an overlay district with an underlying residential use. The Update also identifies the airport property as a future redevelopment site. To be in conformance with the regional Aviation System Plan the airport must be guided in the City's Update as an airport without any qualifications. In addition, the aircraft noise portion of the Update is not in conformance with the regional Aviation System Plan. The Update says, "the city does not intend to adopt ordinance revisions implementing the Land Use Compatibility Guidelines for Aircraft Noise"; and the City's submittal information states, "The city elects not to adopt or implement the Land Use

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Compatibility Guidelines for Aircraft Noise; neither the Transportation Policy Plan nor the enabling statute require that the city do so.” However, Appendix H of the 2004 Transportation Policy Plan does require that “Communities should assess their noise impact areas and include a noise program in their 2008 comprehensive plan,” and no other noise program has been included in lieu of the Land Use Compatibility Guidelines for Aircraft Noise.

The Council staff informed the City of this potential non-conformance to the Aviation System Plan in the two prior incomplete letters dated June 16, 2009 and September 3, 2010. (Attached)

In accordance with state law, the Council has 120 days to complete its formal review of the City’s Update which ends on July 13, 2011. The Update reviews go to the Council’s Community Development Committee (CDC) and then to the Council for action. Council staff will communicate with the City about any action being taken. The tentative schedule for a plan modification hearing and review is:

- April 18 CDC Presentation on the proposed Plan Modification
- May 2 CDC Request to schedule a public hearing on the plan modification
- May 16 CDC Holds public hearing .
- June 6 CDC Considers information and takes action
- June 22 Metropolitan Council considers and takes action

ADVISORY INFORMATION

Housing – Linda Milashius (651-602-1541)

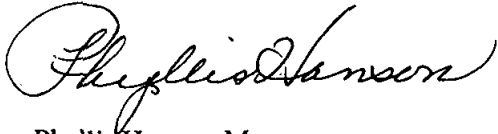
The Update is complete for housing. The Update cites the City’s official controls and the implementation programs it will use to assist in the development of affordable housing, and shows how the City is guiding land for residential development through 2030. The Update acknowledges the City’s share of the region’s affordable housing need for 2011-2020 (87 units). However, the Update does not guide a sufficient amount of residential land at higher densities to provide the opportunity for development to meet that need. Absent enough land guided at densities to facilitate affordable housing development, the Update is inconsistent with Council policy and the requirements of the Land Planning Act. This situation also raises concerns about the city’s ability to pursue its affordable and lifecycle housing goals as a Livable Communities Act participating community. Before final adoption, this comprehensive plan update should be amended to guide a sufficient amount of land that could be developed at higher residential densities to accommodate the city’s share of the region’s affordable housing need. For additional information, also see the reviewer comments for land use.

Land Use – Denise Engen (651-602-1513)

The Update is complete for land use. The revised submittal provides additional information on how the City is guiding land for residential development through 2030. However, staff notes that the future land use as shown in the Update (Figure F-1(a), Figure F-1(b) and Table F-1) is not sufficient to accommodate the 10,000 new households forecasted for the City by 2030. This forecast may be accommodated if an additional 13.5 acres of land are guided for High Density Residential (HDR) land use in the future, as indicated in Table F-2, “2030 Land Use Map + Additional Redevelopment.” However, this capacity will not be realized until such time as the Update is amended to guide more land for HDR.

If you have any questions about this review, please contact me at 651-602-1566.

Sincerely,



Phyllis Hanson, Manager
Local Planning Assistance

cc: Susan Haigh, Chair, Metropolitan Council
James Brimeyer, Metropolitan Council District 6
Roxanne Smith, Metropolitan Council District 1
Lona Schreiber, Metropolitan Council District 2
Jennifer Munt, Metropolitan Council District 3
Gary Van Eyll, Metropolitan Council District 4
Steven Elkins, Metropolitan Council District 5
Gary Cunningham, Metropolitan Council District 7
Adam Duininck, Metropolitan Council District 8
Edward Reynoso, Metropolitan Council District 9
John Doan, Metropolitan Council District 10
Sandra Rummel, Metropolitan Council District 11
Harry Melander, Metropolitan Council District 12
Richard Kramer, Metropolitan Council District 13
Jon Commers, Metropolitan Council District 14
Steven T. Chávez, Metropolitan Council District 15
Wendy Wulff, Metropolitan Council District 16
Dennis Probst, Metropolitan Airports Commission
Bridget Reif, Metropolitan Airports Commission
Patrick Born, Regional Administrator
Guy Peterson, Director, Community Development Division
Connie Kozlak, MTS
Phyllis Hanson, Manager, Local Planning Assistance
Susan Hoyt, Sector Representative
Denise Engen, Principal Reviewer
Cheryl Olsen Reviews Coordinator

Attachment 5

Background 1992-2004

Summary

6/1/1992: The City of Crystal submitted an amendment (CPA) to their existing comprehensive plan.

1/14/1993: Council acted on the proposed CPA, requiring a plan modification.

2/23/1993: The City of Crystal response indicating that the City would not modify the CPA regarding the Crystal airport.

10/12/1993: The City of Crystal submitted a modified comprehensive plan.

1/6/1994: The Council acted to inform the city that it had not made all the plan modifications previously recommended.

11/19/1999: The City submitted its 1998 Comprehensive plan to address the 1996 *Regional Blueprint* and 1997 System Statements.

7/26/2000: The Metropolitan Council allowed the city to place its plan into effect with the understanding that potential impacts could not be determined until a long term plan for the airport is prepared by MAC and approved by the Council. (The Long Term Management Plan (LTMP) for the Crystal airport was adopted by the Metropolitan Council on October 22, 2008.)

1993 Plan Modification

On June 1, 1992, the City of Crystal submitted a Comprehensive Plan Amendment (CPA) to the Council that included amending several elements of the city's plan including the Crystal airport area. The Council took action on the CPA at its January 1/14/1993 meeting and required the City of Crystal to modify the CPA. Part of the required plan modifications concerning the Crystal Airport were as follows:

That the Metropolitan Council:

1. Adopt the staff report and findings as described in the staff report as part of these recommendations.
2. Inform the city of Crystal that pursuant to the Metropolitan Land Planning Act (Minnesota Statutes sec. 473.175.Subd. 1). The city may not place its plan amendment into effect until it has been modified in the following manner:
 - a. incorporate as part of its comprehensive plan the aviation system development priorities as found in the Council's Aviation Development Guide...
 - b. remove all references opposing long-term and land use compatibility planning activities associated with Crystal Airport;
 - c. remove all references to rezoning the Crystal Airport site and all references to designating the site a legal nonconforming use;

1993 City Response

In a letter to the Council from the city dated February 23, 1993 the City indicated that Crystal agreed with the all of the requested modifications except those specifically regarding Crystal Airport. The City's concern centered on the MAC being responsible for preparing the long term comp plan for the airport and as such would only look at two alternatives-maintenance or expansion of the airport and that consideration of closure of the airport would not be given appropriate consideration.

On October 12, 1993, The City of Crystal submitted a modified plan. As stated in the submittal letter "All modifications, with the exception of those relating to the Crystal Airport, were completed as requested by the Metropolitan Council."

1993 Comp Plan Amendment Plan Modification/1994 Council action

On January 6, 1994 the Metropolitan Council acted on the Crystal Comprehensive Plan Amendment. This amendment and review was to determine if the required modifications to the Crystal plan had been made. Excerpts from the report including findings and recommendations are as follows:

Analysis

Of the eight required modifications, five have been met: The city has satisfactorily modified its 'aviation policies related to structural height restrictions; aircraft flight paths; regulation of seaplane surface water activities; has removed references to rezoning the airport site and designating it a legal nonconforming use, and has removed references to Light Rail Transit (LRT).....

In addition to the modifications, the Council also made a recommendation regarding preparation of a long-term comprehensive plan for the airport. The city and the MAC have agreed to prepare a long-term plan for Crystal airport as a means to address safety and land-use compatibility issues. The study is progressing according to schedule.

Recommendations

That the Metropolitan Council adopt the attached staff report with the following recommendations:

- 1. Inform the city of Crystal that it may not adopt the amended community comprehensive plan until all the plan modifications, as previously recommended by the Council are made.*
- 2. Recommend the city continue to work with the Metropolitan Airports Commission and the Metropolitan Council on a long-term comprehensive plan for the Crystal airport.*
- 3. Inform the city, that as part of its next comprehensive plan amendment, it must verify its adoption of the Council's Interim Strategy to Reduce Nonpoint Source Pollution to All Metropolitan Waters'.*

The city of Crystal did not submit an amendment to its CPU for the 1994 Council action.

1998 CPU

The Council adopted the 1996 Regional Blueprint and released system statements in January 1997. The City of Crystal submitted its CPU for review on November 19, 1999. The Council's July 26, 2000 review included the following:

Findings and Conclusions

"The potential impacts and mitigation measures concerning issues related to relocating the Crystal Airport cannot be established until a long-term comprehensive airport plan is prepared/submitted by the MAC and approved by the Council. The Council will prepare an issues paper addressing the airport plan and community issues as part of the year 2000 Aviation Policy/System Plan Update."

Recommendations

That the Metropolitan Council adopt the Executive Summary and Review Record with the following recommendations:

- 1. That the city of Crystal may place its 2020 Comprehensive Plan into effect with no plan modifications.*
- 2. That the plan meets all of the Metropolitan Land Planning Act requirements for 1998 plan updates.*