



Community Development Committee

Business Item

Item: 2008 - 41

Meeting date: February 19, 2008

ADVISORY INFORMATION

Date:	February 7, 2008
Subject:	City of Minnetonka Beach, Amendment to the Park and Open Space Element Adding Regional Trail
District(s), Member(s):	District 3, Mary Hill Smith
Policy/Legal Reference:	Metropolitan Land Planning Act
Staff Prepared/Presented:	Freya Thamman, Principal Reviewer (651-602-1750)
Division/Department:	Community Development/Planning & Growth Management

Proposed Action

That the Metropolitan Council:

1. Allow the City of Minnetonka Beach to put the comprehensive plan amendment into effect.
2. Advise the City to:
 - a) include a description of its I/I program in the 2008 comprehensive plan update.
 - b) review their local surface water management plan against the policies and required elements of the Council's *Water Resources Management Policy Plan*.

Background

The city of Minnetonka Beach is located in Hennepin County and is surrounded by the city of Orono and the waters of Lake Minnetonka. The 2030 *Regional Development Framework* identifies Minnetonka Beach as a Developed community. The Council forecasts that Minnetonka Beach will grow from 215 to 240 households and from 614 to 660 people between 2000 and 2030. Employment is forecasted to stay the same at 210 jobs between 2000-2030.

The Minnetonka Beach 2020 comprehensive plan update (CPU) was acted on by the Metropolitan Council in December 2003. It was not in conformance with the Regional Recreation and Open Space Policy Plan because it did not include the proposed regional trail on the Dakota Rail right-of-way. The 2020 CPU did not present a substantial impact or substantial departure to the regional system because it preserved the transportation corridor and did not preclude a future regional trail; therefore, a plan modification was not required. The condition in the Council's review of the 2020 CPU was that if the railroad right-of-way was no longer used for rail purposes, the City would revise its CPU to conform with the metropolitan system plans, according to Minnesota Statutes Sections 473.175, 473.852, and 473.856.

Rationale

The proposed comprehensive plan amendment (CPA) is in conformance with regional system plans, consistent with Council policies and compatible with the plans of adjacent communities/jurisdictions.

Funding

Currently, there is no funding associated with the CPA to Minnetonka Beach. At the January 17, 2007 meeting, the Metropolitan Council approved a request to consider reimbursing Three Rivers Park District up to \$648,644 for final design development and construction plans for the Dakota Rail Regional Trail in a future regional parks capital improvement program. However, the Council does not under any circumstances represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

Known Support / Opposition

There is known support of this amendment from the Three Rivers Park district and adjacent communities and jurisdictions. The Metropolitan Council supports the regional trail as a component of the regional parks and trails system.

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Date	February 7, 2008
Subject	City of Minnetonka Beach, Amendment to the Park and Open Space Element Adding Regional Trail; Review File No. 18600-3
District(s), Member(s)	District 3, Mary Hill Smith
Prepared by	Freya Thamman, Principal Reviewer, (651-602-1750) Phyllis Hanson, Manager Local Planning Assistance, (651-602-1566) Guy Peterson, Community Development Division Director, (651-602-1418)

BACKGROUND

The city of Minnetonka Beach is located in Hennepin County and is surrounded by the City of Orono and the waters of Lake Minnetonka (see Figure 1). The *2030 Regional Development Framework* identifies Minnetonka Beach as a Developed community. The Council forecasts that Minnetonka Beach will grow from 215 to 240 households and from 614 to 660 people between 2000 and 2030. Employment is forecasted to stay the same at 210 jobs between 2000-2030.

REQUEST SUMMARY

The City of Minnetonka Beach submitted a comprehensive plan amendment (CPA) to the Park and Open Space Element of their comprehensive plan, which adds the Dakota Rail Regional Trail (see Figure 2).

PROPOSED ACTION

That the Metropolitan Council:

1. Allow the City of Minnetonka Beach to put the CPA into effect.
2. Advise the City to:
 - a) include a description of its I/I program in the 2008 comprehensive plan update.
 - b) review their local surface water management plan against the policies and required elements of the Council's *Water Resources Management Policy Plan*.

OVERVIEW

Conformance with Regional Systems	The amendment conforms to the Regional System Policy Plans for: Transportation (including Aviation), Water Resources Management and Regional Parks – with no substantial impact or departure.
Consistency with Framework and Council Policies	The amendment is consistent with the <i>2030 Regional Development Framework</i> .
Consistency with System Statement Forecasts	The amendment is consistent with the City's System Statement.

Compatibility with Adjacent Community Plans

The amendment is compatible with the plans of adjacent communities/jurisdictions. Comments were received from Hennepin County, Minnehaha Creek Watershed District, and City of Orono. There were no comments against the amendment.

PREVIOUS COUNCIL ACTIONS

- **December 2003:** The Council acted on the City’s 2020 Comprehensive Plan Update (CPU)-(Revised Plan):
 - CPU was not in conformance with the Regional Recreation and Open Space Policy Plan because it did not include the proposed regional trail on the Dakota Rail right-of-way.
 - CPU did not present a substantial impact or substantial departure to the regional system because it preserved the transportation corridor and did not preclude a future regional trail. Therefore, a plan modification was not required.
 - The condition in the Council’s review was that if the railroad right-of-way was no longer used for rail purposes, the City would revise its CPU to conform with the metropolitan system plans, according to Minnesota Statutes Sections 473.175, 473.852, and 473.856.
- **February 2004:** Federal Transportation Board and Hennepin County Regional Rail Authority (HCRRA) took action officially abandoning the Dakota Railroad as an operating railroad. Rail America removed the ties and track in late 2004 and early 2005. Three Rivers Park District entered into an agreement with HCRRA to construct a Regional Trail within the HCRRA right-of-way.
- **June 2005:** Met Council sent letter asking the City to amend its CPU to conform with the metropolitan system plans and submit an amendment by September 30, 2005.
- **October 2005:** City Mayor indicated that an amendment would be submitted to the Metropolitan Council by March 2006.
- **June 2007:** Met Council requested the City identify a timetable to ensure the CPU is amended to show the railroad as “regional trail” to allow the Three Rivers Park District to begin work.
- **January 2008:** Local Planning Assistance received CPA to their Parks and Open Space element, which acknowledged the regional trail.

This is the first CPA the Council has reviewed for Minnetonka Beach since the 2020 CPU.

ISSUES

1. Does the amendment conform to the regional system plans?
2. Is the amendment consistent with the *Development Framework* and other Council policies?
3. Does the amendment change the City's forecasts?
4. Is the amendment compatible with adjacent local governmental units?

ISSUE ANALYSIS AND FINDINGS

I. Conformance with Regional System Plans

A. TRANSPORTATION SYSTEM: Ann Braden, (651-602- 1705)

The amendment is in conformance with the Council's *Transportation Policy Plan* for transit, roadways and aviation.

B. WATER SYSTEM

1. Wastewater: Roger Janzig, (651-602-1119)

The amendment is in conformance with the Council's *Water Resources Policy Plan* for wastewater.

Minnetonka Beach has been identified as a community with excessive peak hourly flow during wet weather occurrences. As such, the community has an identified Inflow and Infiltration (I/I) reduction goal that applies to a specific part of the community or to the community as a whole. The City will need to include a description of its I/I program in its 2008 comprehensive plan update.

2. Water Supply, Sara Bertelsen, (651-602-1035)

The amendment will not impact water supply.

3. Surface Water Management: James Larsen, (651-602-1159)

Watershed issues in the City are overseen by the Minnehaha Creek Watershed District (District). The District's 'second-generation' watershed plan was approved by the Board of Water and Soil Resources (BWSR) in 1997, and its 'third-generation' plan was approved by BWSR in June 2007. Minnetonka Beach updated its local surface water management plan in 2002. The City should be advised that they will need to review their current local surface water management plan against the policies and required elements of the Council's *Water Resources Management Policy Plan*. Recent updates to the *Policy Plan* will necessitate revisions to be made to the City's local surface water management plan in conjunction with the process of updating its overall comprehensive plan. Local surface water management plan content requirements can be viewed in Appendix B2-b of the *Water Resources Management Policy Plan*, at <http://www.metrocouncil.org/planning/environment/WRMPP/WRMPP2005.htm>

C. REGIONAL PARKS SYSTEM: Jan Youngquist, (651-602-1029)

With the plan's acknowledgment of the regional trail corridor, this amendment is in conformance to the Metropolitan Council's *2030 Regional Parks Policy Plan*. The trail corridor is referred to in the plan amendment as Three Rivers Park Regional Trail and HCRRRA corridor, and is known in the *2030 Regional Parks Policy Plan* as the Dakota Rail Regional Trail.

II. Consistency with 2030 Regional Development Framework and Council policies

A. 2030 REGIONAL DEVELOPMENT FRAMEWORK, Freya Thamman, (651-602-1750)

The amendment is consistent with *2030 Development Framework* policies for Developed Area communities.

B. HOUSING: Linda Milashius, (651-602-1541)

The amendment is consistent with Metropolitan Council housing policy.

III. Consistency with System Statement Forecasts: Todd Graham, (651-602-1322)

The amendment is consistent with the Council's System Statement forecasts and does not change the City's adopted forecasts.

IV. Compatibility with Adjacent Governmental Units

The amendment was distributed to the adjacent communities/jurisdictions. Comments were received from Hennepin County, the Minnehaha Creek Watershed District, and City of Orono (See Attachment A). Hennepin County supports the amendment, but stated that while the County anticipates reviewing the need for proposed improvements related to the trail with the city in the future, no provisions have been made for these modifications in existing capital and finance plans of the County.

The Minnehaha Creek Watershed District (MCWD) supports the amendment, but commented that Minnetonka Beach has identified a number of goals as the existing rail line converts to a regional trail. One of these goals would require the trail to provide treatment of stormwater runoff (presumably to National Urban Runoff Program, NURP, standards) for impervious surfaces associated with the trail. MCWD appreciates this focus on water quality and a commitment to managing stormwater runoff. However, NURP standard exceed current MCWD Rule requirements which provide exceptions to linear trails less than 10 feet in width with five feet of pervious area on either side.

The City of Orono supports the amendment, but offered comments on the proposed pedestrian sidewalks, use of trail user controls as relates to trail usability, coordination with Three Rivers Park District, and consideration of the proposed pedestrian bridge over Shoreline Drive.

ATTACHMENTS

Figure 1. Location Map

Figure 2. Amendment to 1998 CPU, text and map identify regional trail

Attachment A: Correspondence from Hennepin County, Minnehaha Creek Watershed District, and City of Orono

**Figure 1. Location Map
City of Minnetonka Beach**

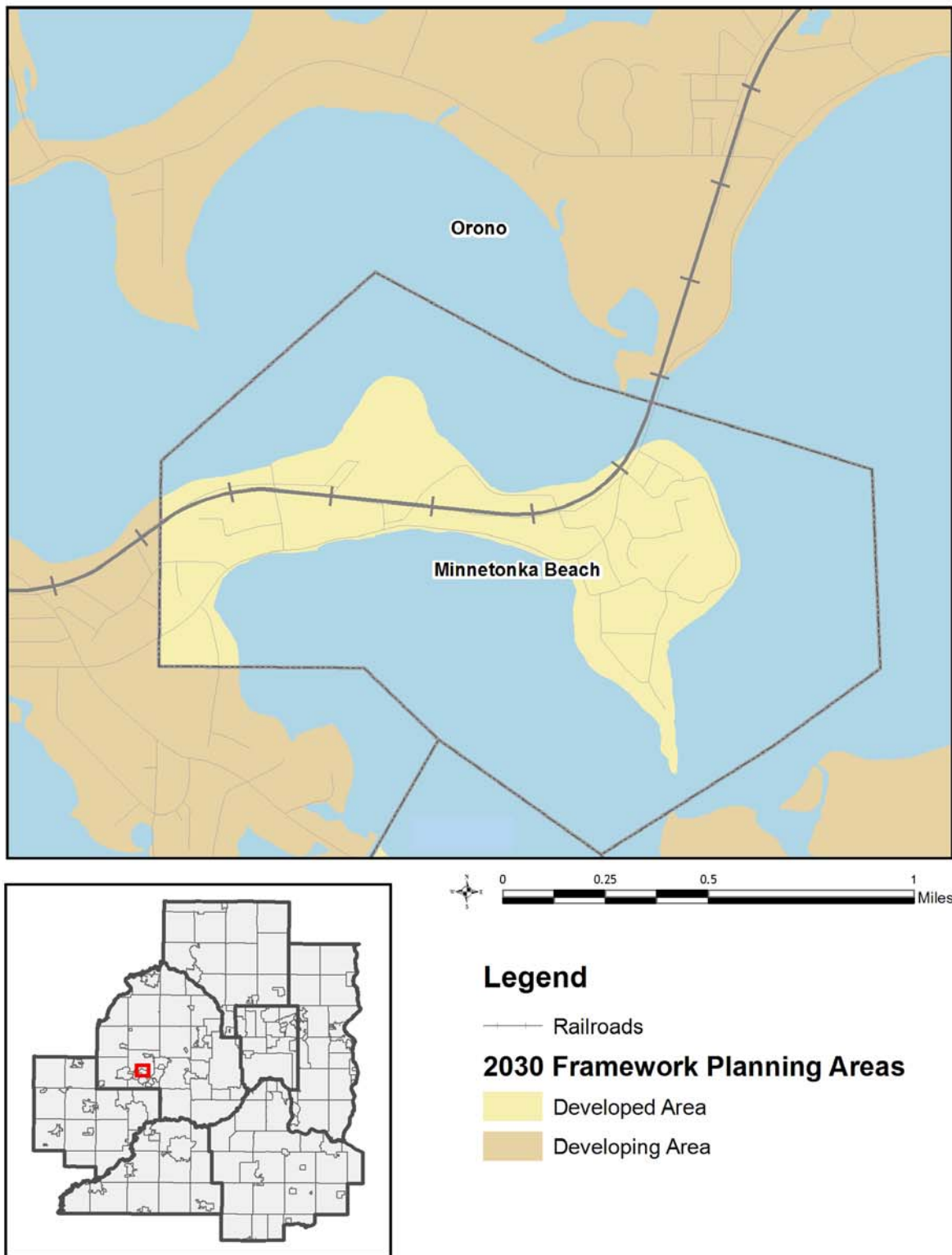
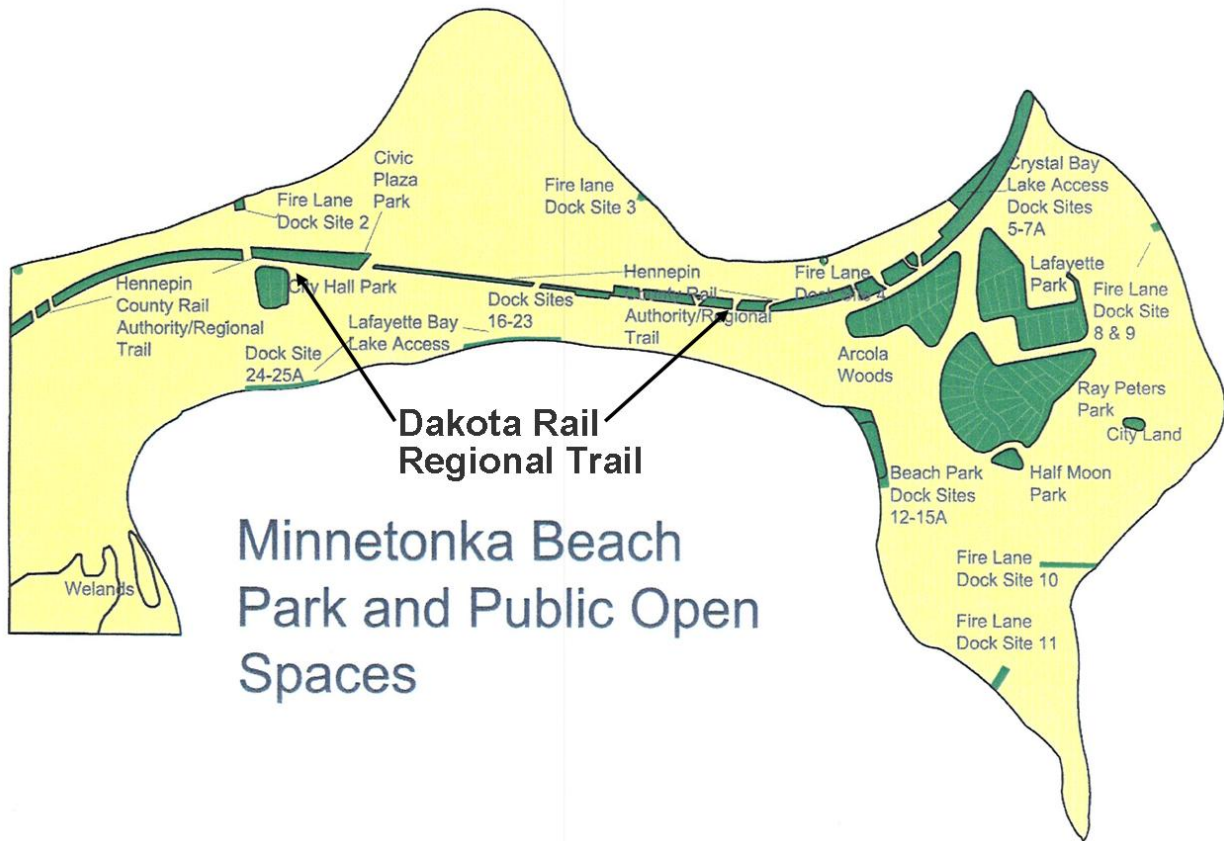


Figure 2- Amendment to the 2020 Comp Plan, text and map identify Regional Trail



**Minnetonka Beach
Park and Public Open
Spaces**

ATTACHMENT A

HENNEPIN COUNTY

-----Original Message-----

From: Phil.Eckhart@co.hennepin.mn.us [mailto:Phil.Eckhart@co.hennepin.mn.us]

Sent: Thursday, January 24, 2008 9:39 AM

To: Thamman, Freya

Cc: James.Grube@co.hennepin.mn.us; Robert.Byers@co.hennepin.mn.us; Marcia.Wilda@co.hennepin.mn.us;

Marthand.Nookala@co.hennepin.mn.us; Richard.P.Johnson@co.hennepin.mn.us

Subject: Comments on Minnetonka Beach Com Plan Amendment

Freya, this is in response to your request for Hennepin County comments on the Minnetonka Beach Comprehensive Plan Amendment that incorporates the Dakota Trail to be developed and operated by the Three Rivers Park District into the city's parks and open space element. It is my understanding that the Council is seeking to expedite approval so that the Park District can begin construction of the trail through Minnetonka Beach this spring.

County staff have reviewed the proposed plan amendment with regard to the trail and find it consistent with the County Board's and the Regional Railroad Authority's support for development and operation of the Dakota Trail through Minnetonka Beach and adjacent communities. The details of the design are consistent with the permit for the trail's development and operation that was issued to Three Rivers Park District. We appreciate the Council's interest in timely approval of the plan amendment and would support prompt action so that trail construction can begin this spring.

The city's amendment also notes in response to item #14 of the Transportation section, that future improvements that are expected include "sidewalks along Shoreline Drive, pedestrian bridge over Shoreline Drive and improvements to Arcola Bridge" and that Hennepin County is expected to finance these improvements. While the County anticipates reviewing the need for these proposed improvements with the city in the future, no provisions have been made for these modifications in existing capital and finance plans of the County.

I hope this is responsive to your request. Please contact me if you have questions or would like additional information.

Phil

MINNEHAHA CREEK WATERSHED DISTRICT

From: Mike Wyatt [mailto:mwyatt@minnehahacreek.org]

Sent: Tuesday, January 15, 2008 11:10 AM

To: Thamman, Freya

Cc: 'Richard Krier'; 'Eric Evenson'; 'James Wisker'

Subject: Minnetonka Beach CPA- Regional Trail

Ms Thamman,

Thank you for the opportunity to comment on the City of Minnetonka Beach Comprehensive Plan Amendment. It is the understanding of MCWD that the relevant issue related to the Plan Amendment is the change in designated land use from "Parks and Open Space" to "Regional Trail" for those lands within the City under ownership by the Hennepin County Regional Rail Authority. While this change in land use will not directly affect MCWD programmatic or project-related activities in the area, it is worthwhile to note that the City of Minnetonka Beach has identified a number of goals for this area as the existing rail line converts to a regional trail. One of these goals would require the trail to provide treatment of stormwater runoff (presumably to NURP standards) for impervious surfaces associated with the trail. MCWD appreciates this focus on water quality and a commitment to managing stormwater runoff, however, please note that this standard exceeds current MCWD Rule requirements which provide exceptions to linear trails less than 10 feet in width with five feet of pervious area on either side. A more restrictive City Ordinance would therefore need to be enacted in order to meet the stated goal in the Comprehensive Plan Amendment.

Again, MCWD appreciates this opportunity to review and comment. Please let us know if you have any further questions or concerns.

Sincerely,

Michael Wyatt

MCWD Planner/Program Manager



CITY of ORONO

Municipal Offices

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2750 Kelley Parkway
Orono, MN 55356

Mailing Address:
P.O. Box 66
Crystal Bay, MN 55323-0066

February 12, 2008

Richard Krier, Planning & Zoning Administrator
City of the Village of Minnetonka Beach
2945 Westwood Road, P.O. Box 146
Minnetonka Beach, MN 55361

Re: Comments on Park & Open Space Element of Comprehensive Plan

Dear Mr. Krier:

Thank you for the opportunity to comment on the Parks & Public Open Space Element of the Minnetonka Beach Comprehensive Plan. The City of Orono generally views the Plan as not inconsistent with Orono's Community Management Plan. However, we do have a few concerns to which we would draw your attention:

- 1) Identification of the undeveloped boulevard right-of-way of Shoreline Drive as a proposed location for pedestrian sidewalks raises a number of questions. The traffic volumes and speed along County Road 15 are obvious safety concerns, given the narrow useful width of much of that corridor, and the likely close proximity of sidewalks to the traveled roadway. Orono shares the same topographic and right-of-way constrictions as does Minnetonka Beach. As Shoreline Drive meanders along Lake Minnetonka's northern shore, there are significant stretches where the roadway is tucked in between the lake on one side and steep slopes on the other.

We question whether such sidewalks are necessary or prudent given the parallel pedestrian trail corridor a few hundred feet away provided by the regional trail. Orono's Comprehensive Trail Plan purposely does not designate any future trail or pedestrian way along the CR 15 corridor from Navarre to our eastern border with Wayzata, specifically for the above noted reasons, but instead designates the regional trail corridor as the preferred route for pedestrian connectivity.

- 2) The language regarding design requirements for trails, such as the design standard stating "Park and open space designs must be oriented to people rather than success as to how it meets the needs of machines" is not inconsistent with Orono's philosophy, but the degree to which this is proposed to be implemented along the regional trail does raise some questions regarding the impact on the

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usability of the Dakota Rail Trail. As Orono is not an expert in trail design and usability, these are questions for the Metropolitan Council trails staff and/or the Three Rivers Park District staff to review. We would urge careful consideration of what seems to be a high level of trail user control (stop signs, painted signs on the trail surface, colored and stamped bituminous) at all private driveway crossings, and the potential for speed humps. We heartily agree with the intent to have a trail that is safe, both for the users and for the residents adjacent to the trail. Again, we would defer to those with greater expertise in these issues to determine necessary design requirements.

- 3) There are a variety of strategies proposed in the Plan that require the cooperation of Three Rivers Park District such as community-oriented signage, maintenance of transition zones to protect residents and provide a buffer between recreational and non-recreational uses, landscaping establishment and maintenance, etc. We support the concept of joint management of the regional trail corridor as long as Three Rivers Park District supports these strategies, and believes it can effectively operate the trail within these parameters.
- 4) The proposed pedestrian bridge over Shoreline Drive to be required "as part of any improvement to this County Road" will require careful consideration. While we don't disagree with the potential safety benefits of such a facility, its design could have significant impacts on certain road users. For instance, because County Road 15 is a route that is devoid of overhead bridges, the trailering of large boats is unhindered, and any new bridge should be designed to accommodate such continued use.

Again, thank you for the opportunity to comment on your Plan.

Sincerely,



Ron Moorse
City Administrator

cc: Metropolitan Council
Three Rivers Park District