

METROPOLITAN COUNCIL
390 North Robert Street, St. Paul, Minnesota 55101

REGULAR MEETING OF THE COMMUNITY DEVELOPMENT COMMITTEE
April 6, 2009

Committee Members Present: Chair Tony Pistilli; Kris Sanda; Georgeanne Hilker; Tony Pistilli; Daniel Wolter; Richard Aguilar; Sherry Broecker; Polly Bowles

CALL TO ORDER

A quorum being present, Chair Pistilli called the regular meeting of the Council's Community Development Committee to order at 4:00 p.m. on Monday, April 6, 2009.

APPROVAL OF AGENDA AND MINUTES

It was moved by Broecker seconded by Wolter, to approve the agenda. The motion carried.

It was moved by Broecker, seconded by Bowles to approve the minutes of the March 16, 2009 regular meeting of the Community Development Committee. The motion carried.

BUSINESS

2009-32 City of Andover 2030 Comprehensive Plan Update Review File No. 20326-1
Susan Hoyt, Planning Analyst presented the staff report and recommendations to the committee.

Recommendation of the Community Development Committee:

1. Authorize the City of Andover to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City:
That a comprehensive plan amendment is required to be submitted to the Council prior to the City bringing any of the 860 acres of the Rural Reserve into the Municipal Urban Service Area, including the 430 acres scheduled for 2010 and 2020.

Recommendation of the Environment Committee:

Approve the City's Tier II Comprehensive Sewer Plan.

Bowles asked if a wastewater system portion of a Comprehensive plan is required before the committee can approve this plan. Ms. Hoyt explained the intent is to approve the Comprehensive Plan prior to the wastewater system discussions. Bryce Pickart from Environmental Services explained the city proposals for sewer development, ES suggested some long-term system alternatives, this is an item for further discussion; going through a formal process with analysis and a wastewater system plan amendment. Courtney Bednarz, City Planner for Andover, mentioned the city's appreciation for the recommendations and approval of the Community Development Committee; however by establishing a rural reserve, studies determined due the amount of flood plane and wetlands and other constraints in that area is not appropriate for urban development.

Sanda moved, seconded by Bowles that the Metropolitan Council adopt the attached Advisory Comments, Review Record, and recommendations. **The motion carried.**

2009-51 Stillwater Township Comprehensive Plan Update Review File No. 20431-1

Lisa Barajas, Senior Planner presented the report and recommendations to the Community Development committee:

1. Authorize Stillwater Township to put its 2030 Comprehensive Plan Update into effect;
2. Advise the Township to inform the Council of the dates when the Carnelian Marine St. Croix Watershed District and Browns Creek Watershed District approve the final version of the Local Surface Water Management Plan, the date that the Township adopts the plan, and to send a final copy of the plan.

Broecker moved, seconded by Wolter that the Metropolitan Council adopt the attached Advisory Comments and Review Record, and recommendations from the Community Development Committee. **The motion carried.**

2009-74 Forest Lake Comprehensive Plan Update Review File No. 20377-1

Lisa Barajas, Senior Planner presented the report and recommendations to the Community Development Committee.

Recommendations of the Community Development Committee:

1. Authorize the City of Forest Lake to put its 2030 Comprehensive Plan Update into effect.
2. Adopt the revised forecasts for the City as detailed in Table 1 of the attached Review Record, along with the revised share of the region's affordable housing need, which is 551 units as detailed in the Housing section of the Review Record.
3. Advise the City:
 - a. that the Rush Line corridor is currently under study and no mode or alignment has been selected and references to a completed commuter rail line in the Rush Line Corridor must be removed from the Update.
 - b. to follow the Council's Flexible Development Ordinance Guidelines for the Diversified Rural Area (August 2008) in updating development and cluster ordinances that apply to the area bounded by Ingersoll Avenue North, 200th Street, and the proposed MUSA boundary. The City needs to submit those ordinances to the Council for review to determine conformance in protecting the area for potential future provision of wastewater services.

Recommendations of the Environment Committee:

Approve the City's Tier II Comprehensive Sewer Plan.

ADVISORY COMMENTS

City of Forest Lake 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan
Review File 20377-1 - Council Business Item No. 2009-74

The following Advisory Comments are part of the Council action authorizing the City to implement its 2030 Comprehensive Plan Update (“Update”) and approving the City’s Tier II Comprehensive Sewer Plan:

Community Development Committee

1. The Council-adopted Local Planning Handbook states that the City must take the following steps:
 - (a) Adopt the Update in final form after considering the Council’s review recommendations; and
 - (b) Submit one electronic copy and one hard copy of the Update to the Council. The electronic copy must be organized as one unified document.

A copy of the City Council resolution evidencing final approval of the Update should be submitted to the Council.

2. The Council’s Handbook also states that local governments must formally adopt their comprehensive plan within nine months after the Council’s final action. If the Council has recommended changes, local governments should incorporate those recommended changes into the Update or respond to the Council before “final approval” by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3).
3. Local governmental units must adopt official controls as described in their adopted comprehensive plan and must submit copies of the official controls to the Council within 30 days after official controls are adopted. (Minn. Stat. § 473.865, subd. 1).
4. Local governmental units cannot adopt any official controls or fiscal devices that conflict with their comprehensive plan or which permit activities in conflict with the Council’s metropolitan system plans. (Minn. Stat. § 473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within nine months following amendments to comprehensive plans. (Minn. Stat. § 473.865, subd. 3).

Environment Committee

1. The Council-approved Tier II Comprehensive Sewer Plan becomes effective only after the final Update is approved by the City’s governing body. After the final Update is approved by the City and the Tier II Sewer Plan becomes effective, the City may implement its Update to alter, expand or improve its sewage disposal system consistent with the Council-approved Tier II Sewer Plan.
2. A copy of the City Council Resolution adopting its Update, including the Tier II Sewer Plan, must be submitted to the Council.

Broecker moved, seconded by Sanda that the Metropolitan Council that the Metropolitan Council adopt the attached Advisory Comments, Review Record, and recommendations. **The motion carried.**

2009-95 City of Grant 2030 Comprehensive Plan Update Review File No. 20468-1
Susan Hoyt, Planning Analyst presented the report and the proposed actions to the Community Development Committee.

Recommendations of the Community Development Committee:

1. Authorize the City of Grant to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to :
 - a. Identify properties enrolled in the agricultural preserve program on the 2030 Future Land Use and Zoning Map as an agricultural land use district allowing a maximum of at one unit per forty acres.
 - b. Inform the Council of the dates when the Brown's Creek, Carnelian Marine St. Croix, Rice Creek and Valley Branch watershed districts approve the Surface Water Management Plan (SWMP), and of the date the City adopts the final plan; send the Council a copy of the final adopted SWMP.

ADVISORY COMMENTS

City of Grant 2030 Comprehensive Plan Update
Review File No. 20468-1 - Council Business Item No. 2009-95

The following Advisory Comments are part of the Council action authorizing the City of Grant to implement its 2030 Comprehensive Plan Update.

Community Development Committee

1. The Council-adopted Local Planning Handbook states that the City must take the following steps:
 - (a) Adopt the Update in final form after considering the Council's review recommendations; and
 - (b) Submit one electronic copy and one hard copy of the Update to the Council. The electronic copy must be organized as one unified document.

A copy of the City Council resolution evidencing final approval of the Update should be submitted to the Council.

2. The Council's Handbook also states that local governments must formally adopt their comprehensive plan within nine months after the Council's final action. If the Council has

recommended changes, local governments should incorporate those recommended changes into the comprehensive plan or respond to the Council before “final approval” by the governing body of the local governmental unit. (Minn. Stat. §473.858, subd. 3).

3. Local governmental units must adopt official controls as described in their adopted Comprehensive Plan Update and must submit copies of the official controls to the Council within 30 days after official controls are adopted. (Minn. Stat. §473.865, subd. 1).

4. Local governmental units cannot adopt any official controls or fiscal devices that conflict with their comprehensive plan or which permit activities in conflict with the Council’s metropolitan system plans. (Minn. Stat. §§473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within nine months following amendments to comprehensive plans. (Minn. Stat. §473.865, subd. 3).

Sherri Buss, planner for the City of Grant explained that the City were happy with their plans and thanked the Committee for its support.

Sanda moved, seconded by Hilker that the Metropolitan Council That the Metropolitan Council adopt the attached Advisory Comments, Review Record, recommendations. **The motion carried.**

2009-96 Dakota County Comprehensive Plan Update Review File No. 20455-1
Patrick Boylan, Senior Planner presented an overview of the staff review and recommendations to the Committee. Boylan explained that because the County had limited land use authority and did not provide sanitary sewer service, statutory requirements were different than a typical community in the metropolitan area.

Recommendation of the Community Development Committee:

Authorize Dakota County to put its 2030 Comprehensive Plan Update into effect.

ADVISORY COMMENTS

Dakota County 2030 Comprehensive Plan Update
Review File No. 20455-1 – Council Business Item No. 2009-96

The following Advisory Comments are part of the Council action authorizing the Dakota County to implement its 2030 Comprehensive Plan Update (“Update”)

Community Development Committee

1. The Council-adopted Local Planning Handbook states that Dakota County must take the following steps:

- (a) Adopt the Update in final form after considering the Council's review recommendations; and
- (b) Submit one electronic copy and one hard copy of the Update to the Council. The electronic copy must be organized as one unified document.

A copy of the County Board resolution evidencing final approval of the Update should be submitted to the Council.

1. The Council's Handbook also states that local governments must formally adopt their comprehensive plan within nine months after the Council's final action. If the Council has recommended changes, local governments should incorporate those recommended changes into the Update or respond to the Council before "final approval" by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3).

2. Local governmental units must adopt official controls as described in their adopted comprehensive plan and must submit copies of the official controls to the Council within 30 days after official controls are adopted. (Minn. Stat. § 473.865, subd. 1).

3. Local governmental units cannot adopt any official controls or fiscal devices that conflict with their comprehensive plan or which permit activities in conflict with the Council's metropolitan system plans. (Minn. Stat. §§ 473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within nine months following amendments to comprehensive plans. (Minn. Stat. § 473.865, subd. 3).

Wolter moved, seconded by Aguilar that the Metropolitan Council adopt the attached Advisory Comments and Review Record, and take the following recommended action. **The motion carried.**

2009-97 City of Falcon Heights 2030 Comprehensive Plan Update Review File No. 20398-1
Tori Dupre, Senior Planner presented the report and the recommendations to the committee.

Recommendations of the Community Development Committee

- 1. Authorize the City of Falcon Heights to put its 2030 Comprehensive Plan Update into effect without any plan modifications.
- 2. Inform the Council of the date when the Rice Creek Watershed District approved the City's Water Resources Management Plan, and forward to the Council a copy of the approved plan.

Recommendations of the Environment Committee:

Approve the City's Tier II Comprehensive Sewer Plan.

ADVISORY COMMENTS

City of Falcon Heights 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

The following Advisory Comments are part of the Council's action authorizing the City to implement its 2030 Comprehensive Plan Update ("Update") and approving the City's Tier II Comprehensive Sewer Plan:

Community Development Committee

1. The Council-adopted Local Planning Handbook states that the City must take the following steps:
 - (a) Adopt the Update in final form after considering the Council's review recommendations; and
 - (b) Submit one electronic copy and one hard copy of the Update to the Council. The electronic copy must be organized as one unified document.

A copy of the City Council resolution evidencing final approval of the Update should be submitted to the Council.

2. The Council's Handbook also states that local governments must formally adopt their comprehensive plan within nine months after the Council's final action. If the Council has recommended changes, local governments should incorporate those recommended changes into the comprehensive plan or respond to the Council before "final approval" by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3).
3. Local governmental units must adopt official controls as described in their adopted Comprehensive Plan Update and must submit copies of the official controls to the Council within 30 days after official controls are adopted. (Minn. Stat. § 473.865, subd. 1).
4. Local governmental units cannot adopt any official controls or fiscal devices that conflict with their comprehensive plan or which permit activities in conflict with the Council's metropolitan system plans. (Minn. Stat. §§ 473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within nine months following amendments to comprehensive plans. (Minn. Stat. § 473.865, subd. 3).

Environment Committee

1. The Council-approved Tier II Comprehensive Sewer Plan becomes effective only after the Update receives final approval by the City's governing body. After the Update receives final approval by the City and the Tier II Sewer Plan becomes effective, the City may implement its Update to alter, expand or improve its sewage disposal system consistent with the Council-approved Tier II Sewer Plan.
2. A copy of the City Council Resolution adopting its Update, including the Tier II Sewer Plan, must be submitted to the Council.

Sanda moved, seconded by Bowles that the Metropolitan Council adopts the attached Review Record and recommendations from each committee. **The motion carried.**

2009-101 City of Minneapolis Request to Reallocate Habitat for Humanity Foreclosure Remediation LHIA Project Grant SG008-121

Deb Jensen presented the report to the Community Development Committee regarding reallocating the Project Grant for St Paul and Minneapolis.

The Metropolitan Council awarded the City of Minneapolis a \$220,000 LHIA grant (#SG008-121) on December 10, 2008 in Business Item 2008-265 to work with Habitat for Humanity to acquire four foreclosed properties in the cities of Minneapolis and Saint Paul, rehabilitate them, and resell them to families with incomes between 30% and 50% of Area Median Income. The City of Minneapolis agreed to administer the grant for both municipalities. However, the Minneapolis City Attorney has since determined that the City does not have the legal standing to administer the grant for properties in Saint Paul.

Saint Paul has agreed to accept \$110,000 and administer the grant for properties in St. Paul. Minneapolis agrees the grant funds should be reallocated.

Bowles asked if there are any timing issues with awarding the 2nd grant and could St Paul contract with a third party to administer the grant. Ms. Jensen responded that the grants are awarded to two separate counties, with no powers of agreement in place.

Sanda moved, seconded by Broecker that the Metropolitan Council approve the splitting of the Local Housing Incentives (LHIA) grant #SG008-121 award into two equal halves, naming the cities of Minneapolis and Saint Paul as separate grantees. The City of Minneapolis was the original grantee for this Habitat for Humanity Foreclosure Remediation grant. **The motion carried.**

INFORMATION

Livable Communities Act - Ownership and Rent Affordability Limits 2009

Linda Milashius, Senior Planner presented information regarding the Ownership and Rent Affordability Limits for 2009. The Council's definition of "affordable housing" represents the upper limit of monthly rental and ownership purchase price amounts for housing referred to in Framework policy as affordable to low- and moderate-income families. These income limits for determining affordability have been a part of the foundation for goals negotiations and monitoring of goals progress with Livable Communities Act (LCA) participating cities since 1995, and have been the basis for counting all new affordable units in the housing stock, i.e., all new publicly-assisted and market rate units affordable to low-and-moderate income households.

Area Median Income for a family of four, 2009 Minneapolis-St. Paul Metropolitan Statistical Area U.S. Department of Housing and Urban Development	
Area median income	\$83,900
80% of area median income	\$67,200 ¹
60% of area median income	\$50,340
50% of area median income	\$41,950

Applying an interest rate on a 30-year fixed-rate home loan of 5.25 percent for 2009 and other payment factors to the 80 percent of area median income amount adjusted for a family of four (\$67,120), yields an affordable purchase price of \$233,000 in 2009. Applying this same anticipated interest rate, the 2009 purchase price affordable to a household at 60 percent of area median income adjusted for a family of four (\$50,340) will be \$171,000.

To implement the Livable Communities Act in 2009, the Metropolitan Council will use as the upper limit of affordability for ownership purchase price and monthly rents, the following dollar amounts:

2009 HOMEOWNERSHIP	
Household Income Level:	Affordable Home Price
80% of area median income (\$67,200)	\$233,300
60% of area median income (\$50,340)	\$171,100

2009 RENTAL HOUSING	
Bedroom size:	*Monthly gross rent including tenant-paid utilities, affordable at 50 percent of area median income
Efficiency	\$ 733
1 bedroom	\$ 786
2 bedrooms	\$ 943
3 bedrooms	\$1,090
4 bedrooms	\$1,216

*The same rent figures are used for the federal low-income housing tax credit program in the seven-county metro area.

Committee members questioned with the current economic climate with rising unemployment and falling home values are these limits adjusted. Ms. Milashius confirmed the economical uncertainty, however in the past no adjustments were necessary, and the limits remain the same throughout the funding cycle.

¹ While 80 percent of \$83,900 would be \$67,120, Minnesota Housing rounds up to the next \$100 for the 80 percent of AMI limit for the Economic Development Housing Challenge Fund (Challenge). The Council will be consistent with Minnesota Housing.

Hiawatha Land Use Impact

Karen Lyons provided a PowerPoint presentation discussing the history and future of the Hiawatha LRT Corridor.

Ms. Lyons discussed the development (within ½ mile) near Hiawatha LRT stations from 2000 to 2008. Also discussed the tracking and how much of this development can be attributed to LRT (at least partially). She noted that it is very complex to determine, but felt downtown Minneapolis increased development has very little to do with LRT, whereas, in Minneapolis neighborhoods, the majority of development is due to LRT, evidenced by the clustering of development near neighborhood stations. She also discussed residential density and employment density and their correlation as it relates to transit service provided.

Ms. Lyons discussed the lessons learned/progress measured.

1. Market for transit oriented development
2. Prepare for the change as soon as possible begin planning.
3. Develop implementation tools and resources.

ADJOURNMENT

The next regularly scheduled CDC meeting will be held on Monday, April 20, 2009 at 4:00 p.m. in the Council Chambers.

Business completed Chair Pistilli adjourned the meeting at 5:30 p.m.

Respectfully submitted,

Michele Wenner
Recording Secretary