



Community Development Committee

Meeting date: June 15, 2009

Business Item

Item: 2009-157



Environment Committee

Meeting date: June 9, 2009

ADVISORY INFORMATION

Subject:	City of Waconia (2009) Comprehensive Plan Update Review File No. 20423-1 Tier II Comprehensive Sewer Plan
District(s), Member(s):	District 4, Councilmember Craig Peterson (651-602-1474)
Policy/Legal Reference:	Minnesota Statute Section 473.175
Staff Prepared/Presented:	James P. Uttley, Principal Reviewer (651-602-1361) Phyllis Hanson, Manager, Local Planning Assistance (651-602-1566) Kyle Colvin, Engineering Services Asst. Manager (651-602-1151)
Division/Department:	Community Development / Planning and Growth Management Environmental Services / Engineering Services

Proposed Action

That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the following:

Recommendations of the Community Development Committee

1. Authorize the City of Waconia to put the portion of its Comprehensive Plan Update pertaining to areas within the City's boundaries as of April 16, 2009 and those portions of Laketown and Waconia Townships for which the City has existing Orderly Annexation Agreements (OAA) into effect.
2. Advise the City of Waconia that the Council has reviewed the remainder of the Update and has found no regional system conformance or policy consistency issues. Because the City does not have the legal authority to plan and zone those portions of Waconia Township that are not also covered by an OAA with the Township, the City may not put those portions of the Update into effect at this time. At such time as the City of Waconia acquires jurisdiction of the lands planned for future urbanization in Waconia Township either through an Orderly Annexation Agreement or annexation(s), the City will need to submit appropriate plan amendments to the Council for further review and action.

Recommendations of the Environment Committee:

Approve the City of Waconia's Tier II Comprehensive Sewer Plan.

ADVISORY COMMENTS

City of Waconia Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20423-1 - Council Business Item No. 2009-157

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 City is reminded that Minnesota Statutes 473.864 requires the City to:
 - (a) Formally adopt the Update within nine months following Council action
 - (b) Submit two copies to the Council, and
 - (c) Submit a copy of the City Council Resolution adopting the Update following final action to the Metropolitan Council.
2. Local governmental units must adopt official controls as described in their adopted comprehensive plans 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 plans 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).
4. The City needs to send to the Council: the dates that the County approves the LWMP, the date the City adopts the revised LWMP, and a copy of the final adopted LWMP.

Environment Committee

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

Background

The City of Waconia (City) is located in central Carver County, bounded by Laketown and Waconia Townships. Figure 1 shows the general location of Waconia, on the south side of Lake Waconia, and surrounding communities, and the City's 2030 *Regional Development Framework* (RDF) designation, which identifies Waconia as a "developing" community. Growth in developing communities should be consistent with regional forecasts at densities of 3 to 5 or more units per acre. Figure 2 shows existing and planned regional systems in Waconia and the surrounding area.

Waconia has an Orderly Annexation Agreements (OAA) with Laketown and Waconia Townships. The OAA with Laketown Township, which has been in place since the mid-1970s, applies to the western one-third of the township, and extends up the east side of Lake Waconia to Minnetrista, southerly to Dahlgren Township and easterly to what will eventually become the City of Victoria. The City's OAA with Waconia Township applies to only two areas of the township SE of the current city limits related to Waterford and Interlaken developments. Other areas of Waconia Township located south and west of the City and some existing "islands" of the Township surrounded by City land are not subject to an existing OAA. Absent an executed Orderly Annexation Agreement, annexation can still occur through the statutory processes managed by the State of Minnesota's Municipal Boundary Adjustment Office, a part of the Office of Administrative Hearings.

This review examines the Update, dated April 16, 2009, that was received by the Council to meet the Metropolitan Land Planning Act requirements (Minn. Stat. 473.175) and the Council's 2005 Systems Statement requirements. The entire plan has been reviewed for regional system conformity, consistency with regional policies and other applicable statutes, and compatibility with the plans of adjacent communities and special districts. The Council review of the Update evaluated the plan including areas not covered by an OAA with Waconia Township and no issues were identified.

While the entire plan was evaluated and found acceptable, the Council can only act to allow the City to put the Update into effect for those parts of the planning areas covered by the existing city boundaries and for those areas of Laketown and Waconia Townships covered by existing OAAs. At such time as an Orderly Annexation agreement is executed by the parties and accepted by the Municipal Boundary Adjustment Office for other parts of Waconia Township covered in this plan, the City can request that the Council re-examine and accept the Update for the expanded Orderly Annexation area. The City is required to submit plan amendments for annexations, before the proposed land use and services are extended to the annexed lands.

Rationale – Standard of Review & Findings

1. Does the proposed Plan conform to Regional Systems Plans?
2. Is the Plan consistent with Metropolitan Council policies?
3. Is the Plan compatible with plans of adjacent governmental units and plans of affected special districts and school districts?

Conformance with Regional Systems Plans:

- | | |
|---|-----|
| 1. Regional Parks | Yes |
| 2. Transportation including Aviation | Yes |
| 3. Water Resources Management
(Wastewater Services and Surface Water Management) | Yes |

Consistent with Council Policy Requirements:

- | | |
|---|-----|
| 1. Forecasts | Yes |
| 2. Housing | Yes |
| 3. 2030 Regional Development Framework and Land Use | Yes |
| 4. Individual Sewage Treatment Systems (ISTS) Program | Yes |
| 5. Water Supply | Yes |

Compatible with Plans of Adjacent Governmental Units and Plans of Affected Special Districts and School Districts

1. Compatible with other plans

Yes

Funding

None

Known Support / Opposition

There is no known opposition.

REVIEW RECORD

Review of the City of Waconia 2030 Comprehensive Plan Update

STATUTORY AUTHORITY

The Metropolitan Land Planning Act (MLPA) requires local units of government to submit comprehensive plans (plans) and plan amendments to the Council for review and comment (Minn. Stat. § 473.864, Subd. 2). The Council reviews plans to determine:

- *Conformance with metropolitan system plans,*
- *Consistency with other adopted Plans of the Council, and*
- *Compatibility with the Plans of other local jurisdictions in the Metropolitan Area.*

The Council may require a local governmental unit to modify any plan or part thereof if, upon the adoption of findings and a resolution, the Council concludes that the Plan is more likely than not to have a substantial impact on or contain a substantial departure from metropolitan system plans (Minn. Stat. § 473.175, Subd. 1).

Each local government unit shall adopt a policy plan for the collection, treatment and disposal of sewage for which the local government unit is responsible, coordinated with the Metropolitan Council's plan, and may revise the same as often as it deems necessary. Each such plan shall be submitted to the Council for review and shall be subject to the approval of the Council as to those features affecting the Council's responsibilities as determined by the Council. Any such features disapproved by the Council shall be modified in accordance with the Council's recommendations (Minn. Stat. § 473.513).

CONFORMANCE WITH REGIONAL SYSTEMS

Regional Parks

Parks and Trails

Reviewer: Jan Youngquist, CD – Regional Parks System Planning, (651-602-1029)

The Update is in conformance with the 2030 Regional Parks Policy Plan (RPPP). The Update acknowledges Lake Waconia Regional Park and the Carver County North-South Regional Trail Search Corridor.

Transportation

Roads and Transit

Reviewer: Ann Braden, MTS – Systems Planning, (651-602-1705)

The transportation element of the Waconia 2030 Comprehensive Plan is in conformance with the Transportation Policy Plan and addresses all the applicable transportation and transit requirements of a comprehensive plan.

Although there are no principal arterials in Waconia, the city is served by several “A” Minor arterials. The transportation chapter of the Update includes an analysis of existing and future transportation deficiencies and has planned several new roads to accommodate the city’s future growth.

Because Waconia lies outside the Transit taxing District, there is no regular route transit service existing in the city. Waconia is in Market Area III and is in the area of potential of transit service expansion. Service options for Market Area III include peak-only express, small vehicle circulators, midday circulators, special needs paratransit (ADA, seniors), and ridesharing. Rural dial-a-ride service is provided by Carver Area Rural Transit.

Aviation

Reviewer: Chauncey Case, MTS – Systems Planning (651-602-1724)

The Update is in conformance with the Aviation System Plan and consistent with Council policy.

Water Resources Management

Wastewater Service (Waconia)

Reviewer: Roger Janzig, ES – Engineering Services, (651-602-1119)

The Update is in conformance with the *Water Resources Management Policy Plan (WRMPP)*. The Update summarizes the City's vision for the next 20 years or to year 2030. It includes growth forecasts that are consistent with the Council's forecasts for population, households, and employment.

The Metropolitan Council Environmental Services currently provides wastewater treatment services to the City. Wastewater generated within the City is conveyed to and treated at the Metropolitan Council's Blue Lake Wastewater Treatment Plant in Shakopee. The City of Waconia is served by interceptor 9204. The Update projects that the City will have 10,000 sewered households and 13,000 sewered employees by 2030. The Metropolitan Disposal System with its planned scheduled improvements has or will have adequate capacity to serve these needs.

The Update provides sanitary flow projections in 5-year increments. The rationale for the projections is given in the Update and determined appropriate for planning for local services.

The Council owns and operates a sanitary sewer lift station (L-70) that provides service to the City. This facility was designed for a firm peak pumping capacity of 4.5 mgd. The City is currently impacted by wet weather events and is identified as having an inflow/infiltration (I/I) reduction goal. The City must control the discharge of its wastewater flows to the lift station so as not to exceed the firm pumping capacity of L-70. The Council is currently designing future system improvements to its facilities to provide continued service for normal design flows, including the City's projected growth. The Council will only design and construct its facilities to provide for normal design flows. The City is responsible for reducing its excessive I/I to stay within the design capacity of L-70 and its force main both now and in the future.

Waconia has been identified as a community impacted by wet weather occurrences. The City is currently on the Council's list of communities having a clear water inflow and infiltration (I/I) reduction goal. The City is committed to mitigate excessive I/I at levels equal to the Council's Surcharge amount. The City's I/I reduction plan does not permit illegal sanitary sewer connections from businesses or residential properties such as roof runoff, sump pumps, footing tile or drain, swimming pool discharge, or surface water drainage. The City's I/I reduction plan also includes capital improvements aimed at removing sources of I/I through the implementation of an annual inspection program.

Tier II Comments

Council staff reviewed the Update's Tier II Sewer Element against the Council's requirements for Tier II Comprehensive Sewer Plans for developing communities, and found it complete and consistent with Council policies. The Council's approval of the Tier II Plan becomes effective upon the City's adoption of the Update. At that time, the City may alter, expand or improve its sewage disposal system consistent with the approved Tier II Sewer Plan. A copy of the City Council Resolution adopting the final Update needs to be submitted to the Metropolitan Council for its records.

Surface Water Management

Reviewer: Judy Sventek, ES – Water Resources Assessment (651-602-1156)

Waconia lies within the Carver County Watershed. The Carver County Watershed Management Organization's watershed management plan was approved by the Board of Water and Soil Resources in 2001. Waconia prepared a surface water management plan (SWMP) in response to the Carver County plan in 2005. The comprehensive plan update includes a new SWMP dated 2008.

Metropolitan Council staff reviewed the City of Waconia's SWMP dated September 2008 and found it generally to be consistent with the Council policy and the Council's *Water Resources Management Policy Plan*.

There are three main areas of change from the 2005 plan.

1. A section listing the impaired waters in the city that recognizes the need for the city to play a crucial role in implementing efforts as identified in the implementation plans for the TMDLs once they are finalized.
2. New language was provided on low impact development (LID) and how the city will implement LID techniques as development occurs.
3. New language throughout the plan that states that the city is looking to take on all review authority in the future. If the city is going to take over all permitting authority, they need to include all of the city's standards in the plan to ensure the standards are at least as restrictive as the County's. These standards should address requirements for developments less than one acre which are not covered by the County's regulations or the MPCA's.

Advisory Comment

The city needs to send the Council a copy of the final adopted SWMP as well as the date the County approves the plan and the date the city adopts the final plan.

CONSISTENCY WITH COUNCIL POLICY

Forecasts

Reviewer: Todd Graham, CD - Research, (651-602-1322)

The Update is consistent with Council's forecasts and consistent with regional policy in this respect.

Table 1: Council Forecasts as Compared to the City's Update

NAME	Component	POP 2010	POP 2020	POP 2030	HH 2010	HH 2020	HH 2030	EMP 2010	EMP 2020	EMP 2030
Waconia	Metro System	10600	20000	25000	4500	8000	10000	7000	9900	13000
Waconia	TOTAL	10600	20000	25000	4500	8000	10000	7000	9900	13000

2030 Regional Development Framework and Land Use

Reviewer: LisaBeth Barajas, CD – Local Planning Assistance, (651-602-1895)

The City of Waconia's Update is consistent with the Council's policies for "developing" communities as identified in the RDF. Developing communities are expected to accommodate growth, support centers along corridors, encourage connected land use patterns, and encourage the development of communities where shopping, jobs, and a variety of housing choices co-exist by design. Developing communities are also expected to accommodate sewered residential growth at a net density of 3 to 5 units per acre. The Update identifies policies to invest in established areas, carefully plan new neighborhoods, protect environmental resources, achieve efficient and cost-effect growth, and plan for redevelopment and compatible land uses along major road corridors.

The City has developed a staging plan (see Figure 5) to accommodate the forecasted growth through the year 2030. Using the Council's standard method of calculating minimum net density and the community's ability to accommodate forecasted growth, the City is planning for a minimum net sewered residential density of 2.79 units per acre.

Table 2. Net Sewered Residential Density					
	2010 – 2030 Land Use Change				
	Density Range		Total Net	Min Units	Max Units
Category	Min	Max			
Low Density Residential	2	4	1049	2098	4196
Medium Density Residential	4	10	330	1320	3300
High Density Residential	10	22	60	600	1320
	TOTALS		1439	4018	8816
	Overall Density			2.79	6.13

Following the Council’s Revised MUSA Implementation Guidelines adopted in September 2007 (Business Item 2007-14), participants in the Plat Monitoring Program may apply their development history from the year 2000 forward to their newly planned sewer residential areas. The City’s Plat Monitoring data includes development history from 2000 to 2007, for a total of 2,246 units on 603.1 net acres. Including this information in the City’s density calculation results in an overall minimum net density for sewer residential development of 3.07 units per acre (Table X2), consistent with the Council’s density policy of at least 3 units per acre.

Table 3. Minimum Net Sewered Residential Development			
Time Period	Units	Net Acres	Density
2010 - 2030 Planned	4018	1439	2.79
PMP Data - 2000-2007	2246	603.1	3.72
TOTALS	6264	2042.1	3.07

Housing

Reviewer: Linda Milashius, CD – Livable Communities, (651-602-1541)

The Update is consistent with the Council’s housing policy and meets the affordable housing planning requirements of the Metropolitan Land Planning Act. The Update acknowledges the city’s share of the region’s affordable housing need for 2011-2020 which is 706 units. To provide opportunities to meet this need the Update indicates that approximately 268 acres of land will be guided for medium density residential, at 4-10 units per acre, 49 acres guided for high density residential, at 8-22 units per acre, and 60 acres guides for mixed use residential at 8-25 units per acre.

The Update provides the implementation tools and programs the city will use to promote opportunities to address its share of the region’s housing need. The Update provides a list of the programs and resources the city has used and will use in addressing its affordable housing needs, including site redevelopment assistance through tax increment financing, local tax abatement or general obligation bonds; rent assistance through the Carver County HRA or Metro HRA; housing rehabilitation loans funded by local CDBG funds, the Carver County CDA, the Greater Metropolitan Housing Corporation and Minnesota Housing, as well as first-time homebuyer assistance and rental housing development programs. The city is a participant in the Livable Communities Local Housing Incentives Program.

Individual Sewage Treatment Systems (ISTS) Program

Reviewer: Jim Larsen, CD – Local Planning Assistance, (651-602-1159)

The Update is consistent with Council policy relative to ISTS. The Update indicates that there are no ISTS within current community boundaries. The community is fully served by a local wastewater collection system that ultimately flows to the MCES system. All new development, redevelopment, and surrounding areas that are annexed are required to be connected to the local collection system.

Water Supply

Reviewer: Sara Bertelsen, ES – Water Supply Planning, (651-602-1035)

The City's water supply plan (WSP) is consistent with the policies of the Council's Water Resources Management Policy Plan. The Council recommends the City continue to implement conservation programs targeted at reducing residential water use.

Resource Protection

Historic Preservation

Reviewer: Jim Uttley, CD – Local Planning Assistance, (651-602-1319)

The Update addresses Historic Preservation as required by the MLPA.

Solar Access Protection

Reviewer: Jim Uttley, CD – Local Planning Assistance, (651-602-1319)

The Update addresses solar access protection as required by the MLPA.

Aggregate Resources Protection

Reviewer: Jim Larsen, CD – Local Planning Assistance, (651-602-1159)

The Update indicates that there are no known deposits of viable aggregate resources within the community or in its Orderly Annexation Area. *Minnesota Geological Survey Information Circular 46* concurs with the City's determination. No further response is necessary from the City.

PLAN IMPLEMENTATION

Reviewer: Jim Uttley, CD – Local Planning Assistance, (651-602-1361)

The Update includes a description of:

- | | |
|----------------------------------|-----|
| • Capital Improvement Program | Yes |
| • Zoning Code | Yes |
| • Subdivision Code | Yes |
| • ISTS Codes | Yes |
| • Housing Implementation Program | Yes |

COMPATIBILITY WITH PLANS OF ADJACENT GOVERNMENTAL UNITS AND PLANS OF AFFECTED SPECIAL DISTRICTS AND SCHOOL DISTRICTS

The City submitted the 2030 Comprehensive Plan Update to adjacent local units of government, school districts, counties and special districts for comment in May 2008. Waconia received no responses from adjacent communities, the county or other special districts during the 6 month adjacent community review period.. There do not appear to be any compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts.

DOCUMENTS SUBMITTED FOR REVIEW:

The submittal is a total of 621 pages and includes the following:

- 2008 Comprehensive Guide Plan Update, December 16 2008 version (351 pages), which contains:
 - Cover (1 page, Apx 1)
 - Acknowledgements (1 page, Apx 2))
 - Table of Contents (6 pages, 1 blank; Apx 3-8)
 - Introduction and Summary (18 pages, Apx 9-28)
 - Community Profile (18 pages, Apx 29-48)
 - Land Use Analysis and Plan (60 pages, Apx 49-108)
 - Transportation Analysis and Plan (29 pages, Apx 109-138)
 - Parks & Trails Analysis and Plan (33 pages, Apx 139-172)
 - Water Resources Analysis and Plan (60 pages, Apx 173-108)

- Sanitary Sewer (8 pages, Apx 175-182)
 - Water Supply (5 pages, Apx 183-188)
 - Surface Water Management (4 pages, Apx 189-192)
- Housing Analysis and Plan (27 pages, Apx 193-220)
- Plan Implementation Program (13 pages, Apx 221-234)
- Surface Water Management Plan, Sept 2008 by Bolton & Menk (75 pages, Apx 236-311)
- Water [Supply] Emergency and Conservation Plan (22 pages, Apx 312-234)
- 2008 Comprehensive Plan Update Transmittal Form (4 pages)
- City Council resolution, 2008-166, approving submittal of Update to Met Council
- Waconia cover letter of December 19, 2008 for submittal of Update (1 page)
- Draft minutes and written comments from Waconia public hearing (30 pages)

SUPPLEMENTAL MATERIALS RECEIVED

- 2008 Comprehensive Guide Plan Update, February 6, 1009 version (234 pages)
- 2008 Comprehensive Guide Plan Update, April 16, 1009 version (236 pages)

ATTACHMENTS

- Figure 1: Location Map with 2030 Regional Development Framework Planning Areas
- Figure 2: Regional Systems Map
- Figure 3: Existing Land Use Map
- Figure 4: 2030 Land Use Plan Map
- Figure 5: Development Staging Plan Map
- Table 2: Existing and Planned Land Use Table in 5-year Stages

Figure 1. Location Map with 2030 Regional Development Framework Planning Areas, City of Waconia

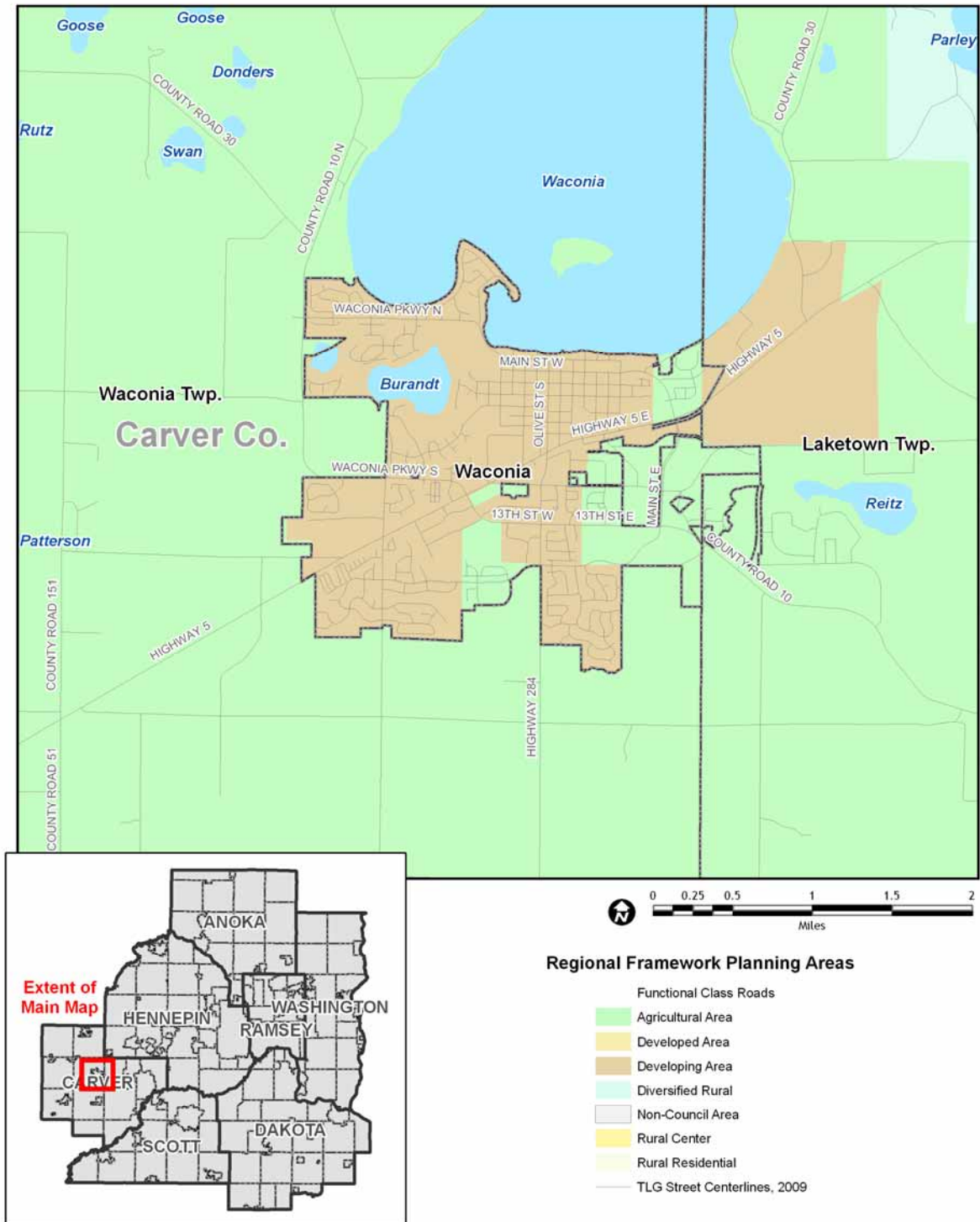


Figure 2. Regional Systems, City of Waconia

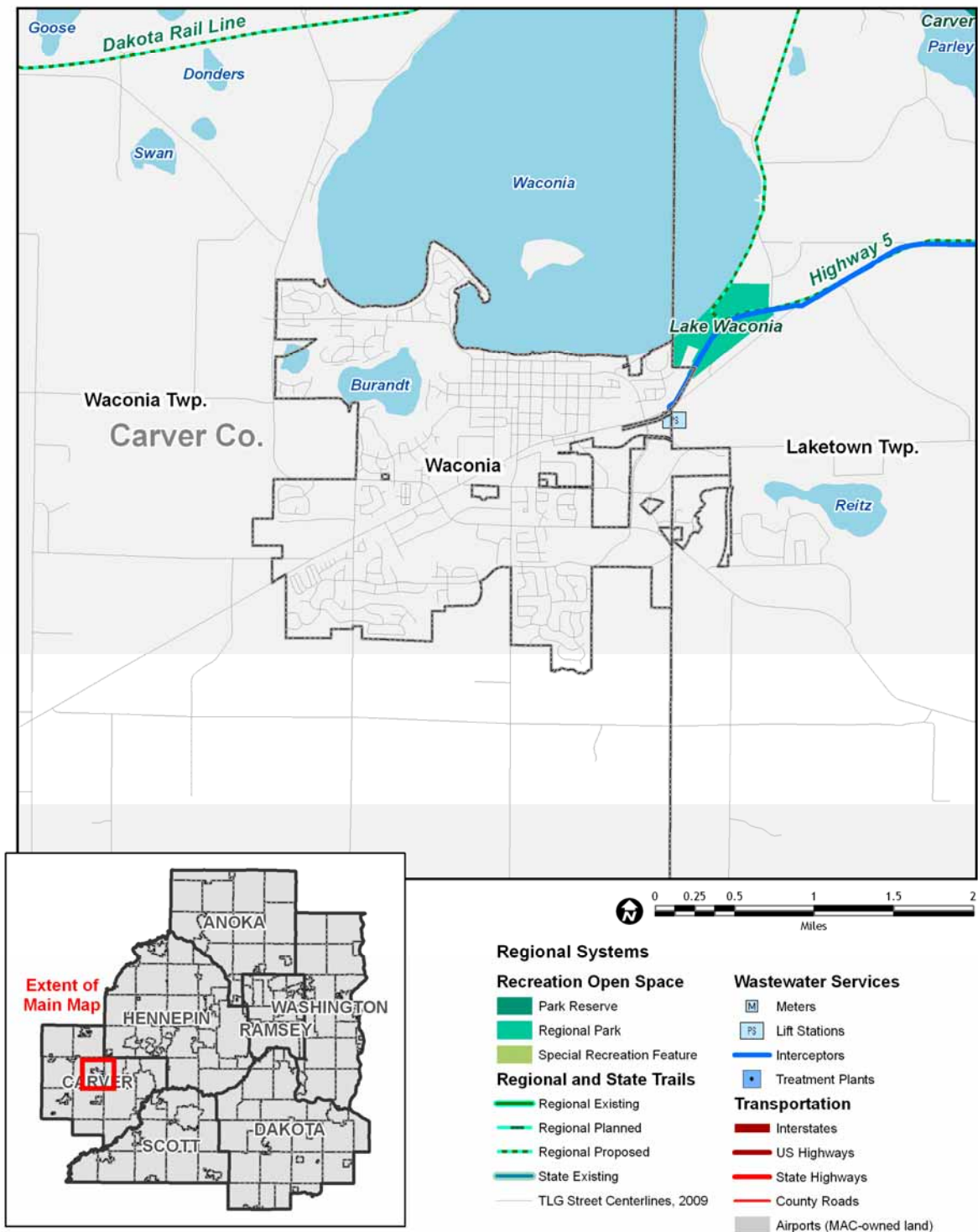


Figure 3. Existing Land Use, City of Waconia

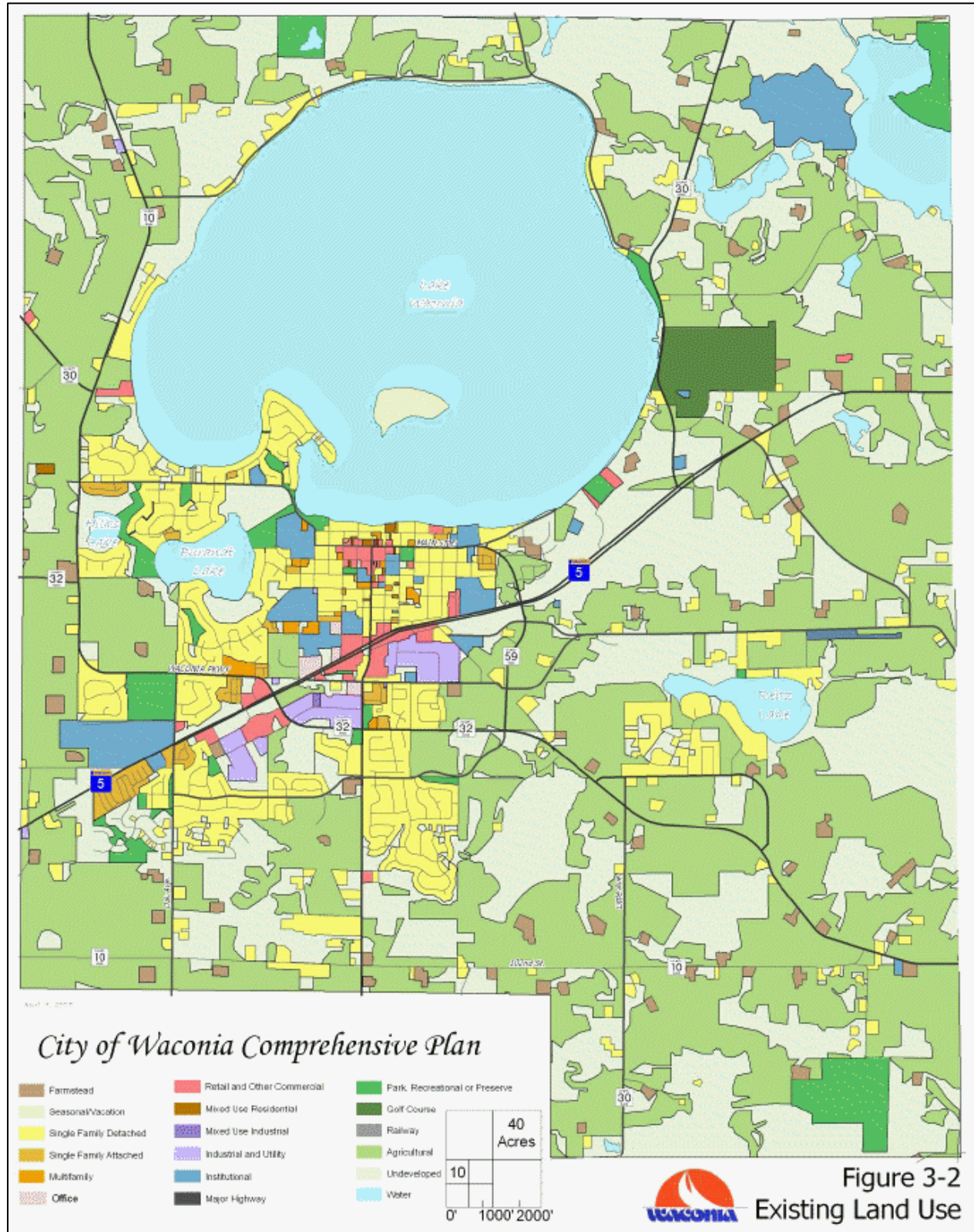


Figure 4. 2030 Land Use Plan, City of Waconia

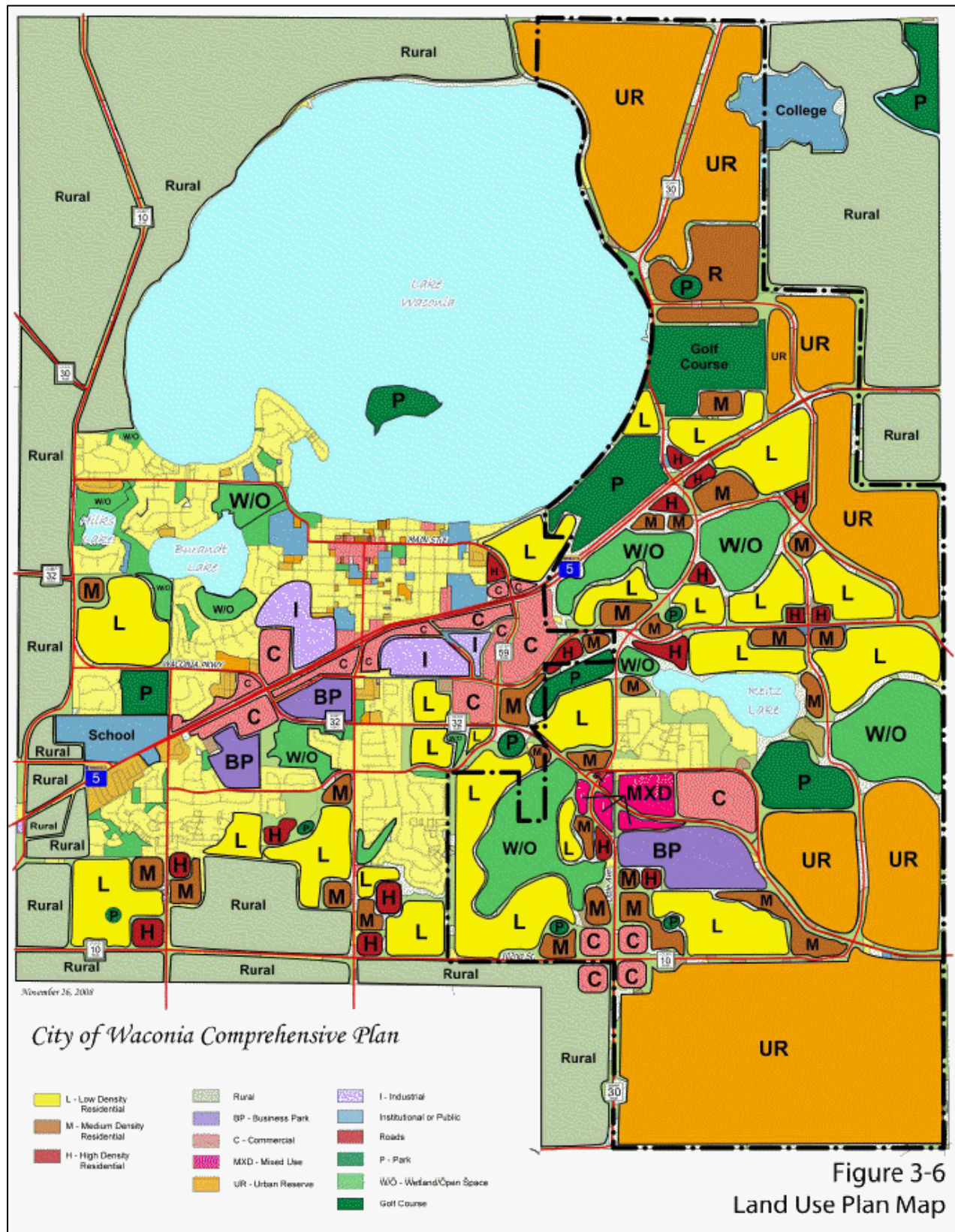


Figure 3-6
Land Use Plan Map

Figure 5. Development Staging Plan, City of Waconia

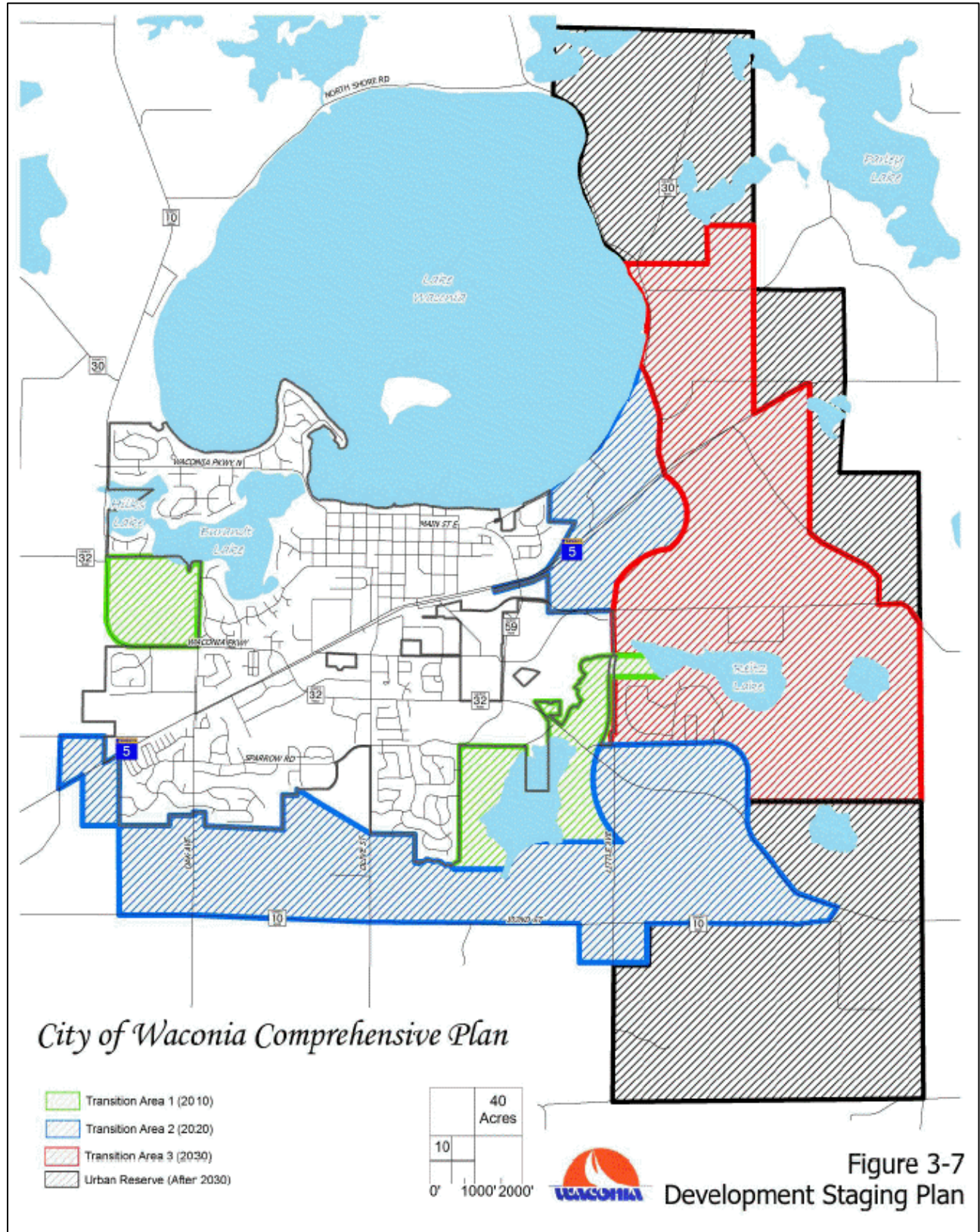


Table 2 Existing and Planned Land Use Table in 5-year Stages

Current and Forecast Land Use Acreage, 2006 to 2030

	Housing		2006	2010	2015	2020	2025	2030	Increase						
	Units / Net Acre								Total Net Acres						2006 -
	Min.	Max.													2030
Within Urban Service Area															
Residential Land Uses															
Low-Density Residential	2	4	1,405	1,589	1,923	2,257	2,448	2,638	1,233						
Mid-Density Residential	4	10	96	154	259	364	424	484	388						
High-Density Residential	8	22	29	40	59	78	89	100	71						
Comm and Industrial Land Uses	Emp. / Net Acre								-						
Commercial	15	50	170	209	279	350	390	430	260						
Mixed-Use (primarily commercial)	15	50	7	27	47	67	87	107	100						
Industrial	20	44	108	113	118	123	128	133	25						
Business Park	20	50	-	-	50	100	150	200	200						
Public / Semi-Public Land Uses															
Institutional or Public	10	50	272	274	276	278	280	282	10						
Parks			256	275	311	346	366	386	130						
Golf Course			143	143	143	143	143	143	-						
Subtotal Sewered			2,486	2,824	3,465	4,106	4,506	4,905	2,419						
Undeveloped			124	-	-	-	-	-	(124)						
Protection Open Space															
Wetlands and Streams			257	257	257	257	257	257	-						
Open Water			123	123	123	123	123	123	-						
Subtotal Protection Open Space			380	380	380	380	380	380	-						
Total within Urban Service Area			2,990	3,204	3,845	4,486	4,886	5,285	2,295						
Outside Urban Service Area	Min. Lot	Max Lot													
Rural Residential (2.5 ac or less)	1.0	-	95	95	95	95	95	95	-						
Urban Reserve or Rural	2.0	-	4,525	4,311	3,670	3,029	2,629	2,230	(2,295)						
Subtotal Unsewered			4,620	4,406	3,765	3,124	2,724	2,325	(2,295)						
Protection Open Space															
Wetland and Streams			2,150	2,150	2,150	2,150	2,150	2,150	-						
Open Water			154	154	154	154	154	154	-						
Subtotal Protection Open Space			2,304	2,304	2,304	2,304	2,304	2,304	-						
Total Outside Urban Service Area			6,924	6,710	6,069	5,428	5,028	4,629	(2,295)						
Total			9,914	9,914	9,914	9,914	9,914	9,914	-						