

C Community Development Committee
Meeting date: October 19, 2009

E Environment Committee
Meeting date: October 13, 2009

ADVISORY INFORMATION

Subject:	Cologne 2030 Comprehensive Plan Update Review File No. 20592-1 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	Jim Uttley, Principal Reviewer (651-602-1361)
Prepared/Presented:	Phyllis Hanson, Manager, Local Plng Assist. (651-602-1566) Kyle Colvin, Eng. 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 Cologne to put its 2030 Comprehensive Plan Update into effect for the areas within the existing city limits and for areas identified in the City's Orderly Annexation Agreement with Benton Township when those areas are annexed to the City.
2. Adopt the advisory comments for surface water management, transportation and land use as presented in those sections of the review record.

Recommendations of the Environment Committee:

1. Approve the City of Cologne's Tier II Comprehensive Sewer Plan for the areas within the existing city limits.
2. Advise the City that it must submit Amendments to its Tier II sewer plan as it either annexes property, or when it enters into Orderly Annexation agreements with Benton Township.

ADVISORY COMMENTS

City of Cologne 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20592-1 - Council Business Item No. 2009-341

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 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).

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 Cologne (City) is located in central Carver County, bounded by Benton Township. Figure 1 shows the general location of Cologne and the surrounding township and nearby communities, and the City's *2030 Regional Development Framework (RDF)* designation, which identifies Cologne as a "rural center." Rural centers are residential neighborhoods surrounding a center that provides basic consumer services and community activities. Growth in the rural centers needs to be consistent with regional forecasts, at densities of 3 to 5 units per acre. Figure 2 shows existing and planned regional systems in Cologne and the surrounding area.

Rationale – Standard of Review & Findings

1. Does the proposed Plan conform to Regional Systems Plans?
2. Is the Plan consistent with 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

The Council awarded Cologne a \$20,000 planning grant (SG2007-051) to help with the preparation of its plan. Fifty percent of the grant has been paid to date; the remainder awaits Council action on the Plan and City adoption of the plan following Council action.

Known Support / Opposition

There is no known opposition.

REVIEW RECORD

Review of the City of Cologne 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 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 the proposed Twin Cities and Western Regional Trail as identified in the *RPPP*.

Transportation

Roads and Transit

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

The Update is in conformance with the *Transportation Policy Plan (TPP)* adopted in 2004, and addresses all the applicable transportation and transit requirements of a comprehensive plan.

TH 212, a principal arterial, is being reconstructed as a four-lane freeway on approximately 12 miles of new alignment that runs southwesterly from Hennepin CSAH 4 in Eden Prairie to just west of CR 147 in Carver. There are no expansion plans before 2030 for the section of TH 212 located within Cologne. However, the City is participating in a TH 212 preliminary design study to determine how best to upgrade TH 212 from a two-lane roadway to a four lane expressway for the 15 mile corridor between Carver/Chaska and Norwood Young America. The purpose of this study is to identify a corridor for future construction and right of way preservation.

Cologne is outside of the Metropolitan Transit Taxing District. Therefore, there is no regular route transit service existing or planned in the City. Cologne is in Market Area IV. Service options for Market Area IV include dial-a-ride, volunteer driver programs, and ridesharing. Rural dial-a-ride service is provided by Carver Area Rural Transit.

Advisory Comment

Roadway functional classification: Figure 4 shows existing and future functional classification. Changes to the existing classification (shown as the future system) must be formally submitted to the TAC-Planning Committee for approval. This is a separate process outside the Comprehensive Plan Update effort.

Aviation

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

The Update is in conformance with the *TPP* and consistent with Council aviation policy.

Water Resources Management

Wastewater Service

Reviewer: Kyle Colvin, ES – Engineering Services (651-602-1151)

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.

Current wastewater treatment services are provided by the City at a wastewater treatment plant (WWTP) owned and operated by the City. At this time the City is not requesting the Council to acquire the WWTP. However, the Update indicates that when the City's wastewater treatment plant approaches its capacity they intend to initiate discussions with the Council to acquire their plant.

Cologne is currently identified as a Rural Center in the *RDF*. In order for the Council to consider acquisition of the City's WWTP, the City must first have its geographical planning designation changed from a Rural Center to a Rural Growth Center. This can be accomplished by the City submitting a comprehensive plan amendment requesting the change, meeting established criteria, and obtaining approval by the Council. Once identified as a Rural Growth Center, a formal request for acquisition may be made to the Council. The request needs to include information regarding the current wastewater flow, current capacity of the wastewater treatment plant, and potential cost effective options for future wastewater treatment plant expansions.

The Update indicates that the City can not reach its 2030 growth projections without annexing portions of Benton Township. The City is currently negotiating an orderly annexation agreement with the Township. Once an agreement has been reached and executed, a copy needs to be submitted as an addendum to the City's Update. Until an orderly annexation agreement is reached, and the City's Update is amended to reflect the extension of services to those portions of the Township covered under the agreement, the Council will not recommend approval to the Minnesota Pollution Control Agency any sanitary sewer extension requests for areas currently within the Township.

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 Update outlines an I/I reduction program. Older parts of the City include sanitary sewer lines and manholes that could be more susceptible to Inflow and Infiltration (I/I). Cologne has not analyzed the sanitary system for potential I/I problems, but will authorize a feasibility study to identify potential sources of I/I and remedies to reduce I/I. Inflow from storm drains, sump pumps, and other storm water sources are prohibited by ordinance.

Advisory Comment

If, in the future, the Council acquires the City's WWTP, or phases it out and provides service to the City through the Metropolitan Disposal System (MDS), the City will be required to adhere to Council policies and regulations for communities served by the MDS.

Tier II Comments

Reviewer: Kyle Colvin, ES – Engineering Services (651-602-1151)

The Tier II Sewer Element of the Update has been reviewed against the requirements for Tier II Comprehensive Sewer Plans for Rural Centers. It was found to be complete and consistent with Council policies. Upon adoption of the Update by the City, the action of the Council to approve the Tier II Plan becomes effective. At that time, the City may implement its Update to alter, expand or improve its sewage disposal system consistent with the approved Tier II Sewer Plan. A copy of the City Council Resolution adopting its Plan needs to be submitted to the Council for its records.

Surface Water Management

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

The Update is in conformance with the *WRMPP* for local surface water management. Cologne lies within the Carver County Watershed Management Organization. The Carver County Watershed Management Organization’s watershed management plan was approved by the Board of Water and Soil Resources (BWSR) in 2001. The City updated its storm water management plan (SWMP) in 2009. The SWMP was reviewed under separate cover.

The SWMP was found to be generally consistent with Council policy and the *WRMPP*. The SWMP appears to adequately provide a framework for addressing surface water management in the City of Cologne.

Advisory Comment

The City needs to send to the Council the date the watershed approved the SWMP, the date the City adopted the final SWMP, and a copy of the final plan.

CONSISTENCY WITH COUNCIL POLICY

Forecasts

Reviewer: Dennis Farmer, CD - Research (651-602-1552)

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

Table 1 - Comparison of Council’s and the City of Cologne’s Forecasts

	Council	City	Council	City	Council	City
	2010	2010	2020	2020	2030	2030
Households	1,180	1,180	2,200	2,200	3,840	3,840
Population	3,060	3,060	5,500	5,500	9,440	9,440
Employment	300	300	400	400	450	450

2030 Regional Development Framework and Land Use

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

The Update is consistent with the 2030 Regional Development Framework (RDF), which designates the City as a Rural Center. Rural Centers are directed to accommodate growth in a flexible, connected, and efficient manner, and plan for sanitary sewer residential development at densities of at least 3 to 5 units per acre or higher, while retaining densities of one dwelling per 40 acres in surrounding Agricultural areas.

As a Rural Center, the City is forecasted to accommodate increased growth. In 2006, the City had 507 households and is expected to increase to 3,840 households by 2030, an increase of 3,333 households. To have areas to accommodate this growth as designated in the City’s Future Land Use Plan, the City is currently negotiating an orderly annexation

agreement (OAA) with Benton Township for all of the area outside of the City's present corporate boundaries. The Update has also identified a potential for development east of Market Avenue in Dahlgren Township, and will begin orderly annexation agreements with the Township when conditions warrant.

The Update indicates that the City will focus on directing development within the corporate boundaries to prevent scattered residential development in the townships and to protect existing agricultural uses. Agricultural uses within the city limits will be interim uses as the land transitions to sanitary sewered development.

The Update identifies 1,810 gross acres of land within Benton Township for orderly annexation. The majority of this land will be designated as Low Density Residential at 2.2 to 3 dwelling units per acre. Medium Density Residential at 6 units per acre comprises about 14% of the OAA area, with the Industrial land use designation covering nearly 19% of the future OAA area. From 2008 through 2030, the City proposes to accommodate residential growth on 1,628 acres of land, both within the current City limits and within the proposed Benton Township OAA area.

Table 2 - Residential Density Calculation

Category	Density Range		Net Acres	Min Units	Max Units
	Min	Max			
Low Density Residential	2.2	3	1307.8	2877.2	3923.4
Medium Density Residential	6	6	321.03	1926.2	1926.2
TOTALS			1628.83	4803.3	5849.6
Overall Density				2.95	3.59

As shown in Table 2, at minimum densities, the Update guides more than sufficient land to accommodate the forecasted increase of 3,333 households by 2030. The resulting minimum overall density, however, is below the Council's density policy of at least 3 units per acre, being 2.95 units per acre. The Update contains policies that encourage higher density housing opportunities near business centers and transit-oriented development through the City's planned unit development (PUD) process. To ensure that the City achieves an overall density of 3 units per acre for sanitary sewered residential development, Council staff recommends that the City participate in the Council's Plat Monitoring Program and submit annual reports to the Council beginning in 2010.

Advisory Comment

The City shall participate in the Council's plat monitoring program and to submit annual reports to the Council beginning in 2010 as outlined on the Council's website:

<http://www.metrocouncil.org/planning/assistance/resources.htm#plat>.

Housing

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

The housing element of the Update fulfills the affordable housing planning requirements of the MLPA. The Update acknowledges the City's share of the region's affordable housing need for 2011-2020 which is 211 units. To provide opportunities to meet this need, the Update indicates that approximately 224 acres of land will be available for medium density residential development at 6 units per acre. In addition, the "Village at Cologne" PUD has been approved to include up to 200 future multiple-family units at a density of 28 units per acre. The City's R-3 Multiple-Family Residential District allows a maximum density of 16 units per acre, and the city will consider additional higher density housing opportunities near business centers and transportation-oriented development in these areas through the PUD process. 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

indicates the City is committed to continue working with the Carver County Community Development Agency to address affordable and lifecycle housing needs within the community. Cologne is a participant in the Local Housing Incentives Account program of the Livable Communities Act.

Individual Sewage Treatment Systems (ISTS) Program

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

The Update is consistent with the *WRMPP* for ISTS. The Update indicates that four ISTS remain in operation in the City, and that as the City expands, properties outside the City with ISTS may be annexed. ISTS both inside and outside City boundaries are regulated by Carver County. Carver County's ordinance and maintenance management programs are consistent with MPCA Rules and Council policy requirements.

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, consistent with *Minnesota Geological Survey Information Circular 46* that there are no known commercial grade aggregate resource deposits within the community.

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 June 2008. Cologne received responses from Carver County and the School District. 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 142 pages and includes the following:

- 2008 Comprehensive Plan Update Transmittal Form

- Responses from Adjacent Communities – 3 total
- Cologne 2008 Comprehensive Plan
 - Introduction
 - Background Conditions
 - Growth Management Plan
 - Regional Development Framework
 - Future Land Use
 - Parks Plan
 - Public Utility Plan
 - Transportation, Transit, Aviation Plan
 - Water Resources Management Plan
 - Implementation & CIP
 - Appendix A – Existing Watermain Distribution System & Existing Sanitary Sewer Collection System
 - Appendix B – Zoning Map & District Standards & PUD Ordinance
 - Appendix C – Land Use Staging & Density Table
 - Appendix D – Water Supply & Conservation Plan

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: Staging Map
- Table 3: Existing and Planned Land Use Table in 5-year Stages

Figure 1 - Location Map with 2030 Regional Development Framework Planning Areas, City of Cologne

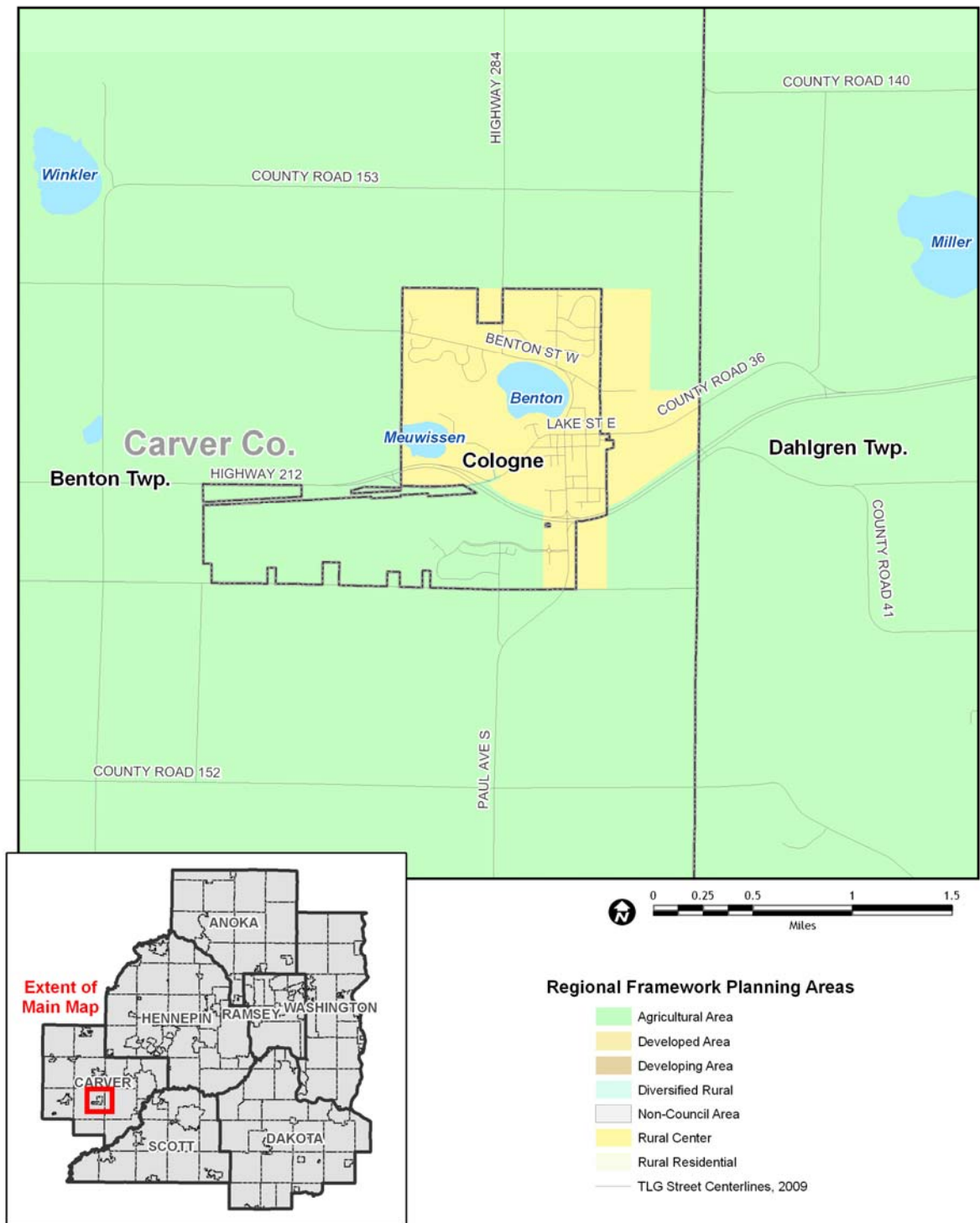


Figure 2 - Regional Systems, City of Cologne

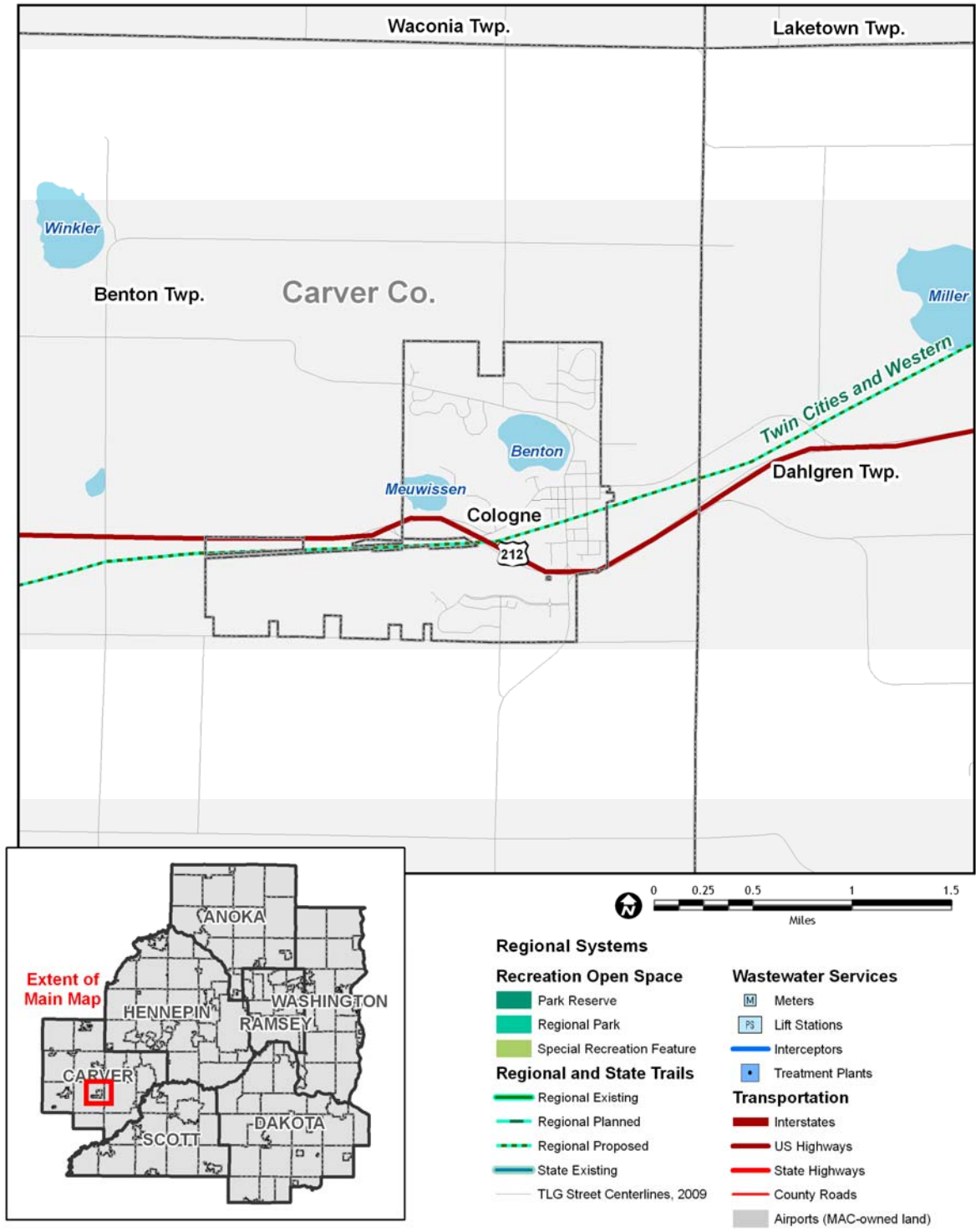


Figure 3 - Existing Land Use, City of Cologne

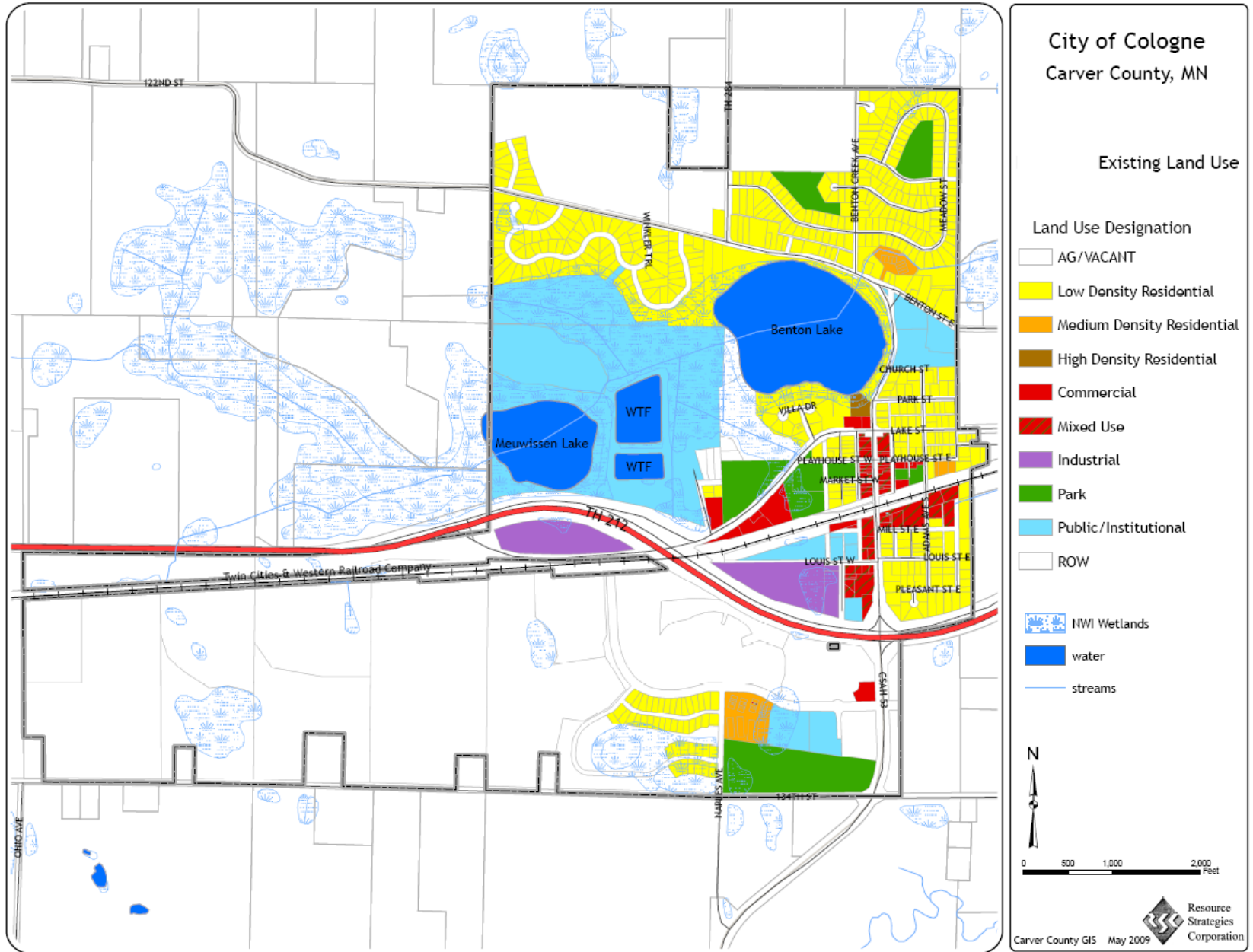


Figure 5 - 2030 Staging Plan, City of Cologne

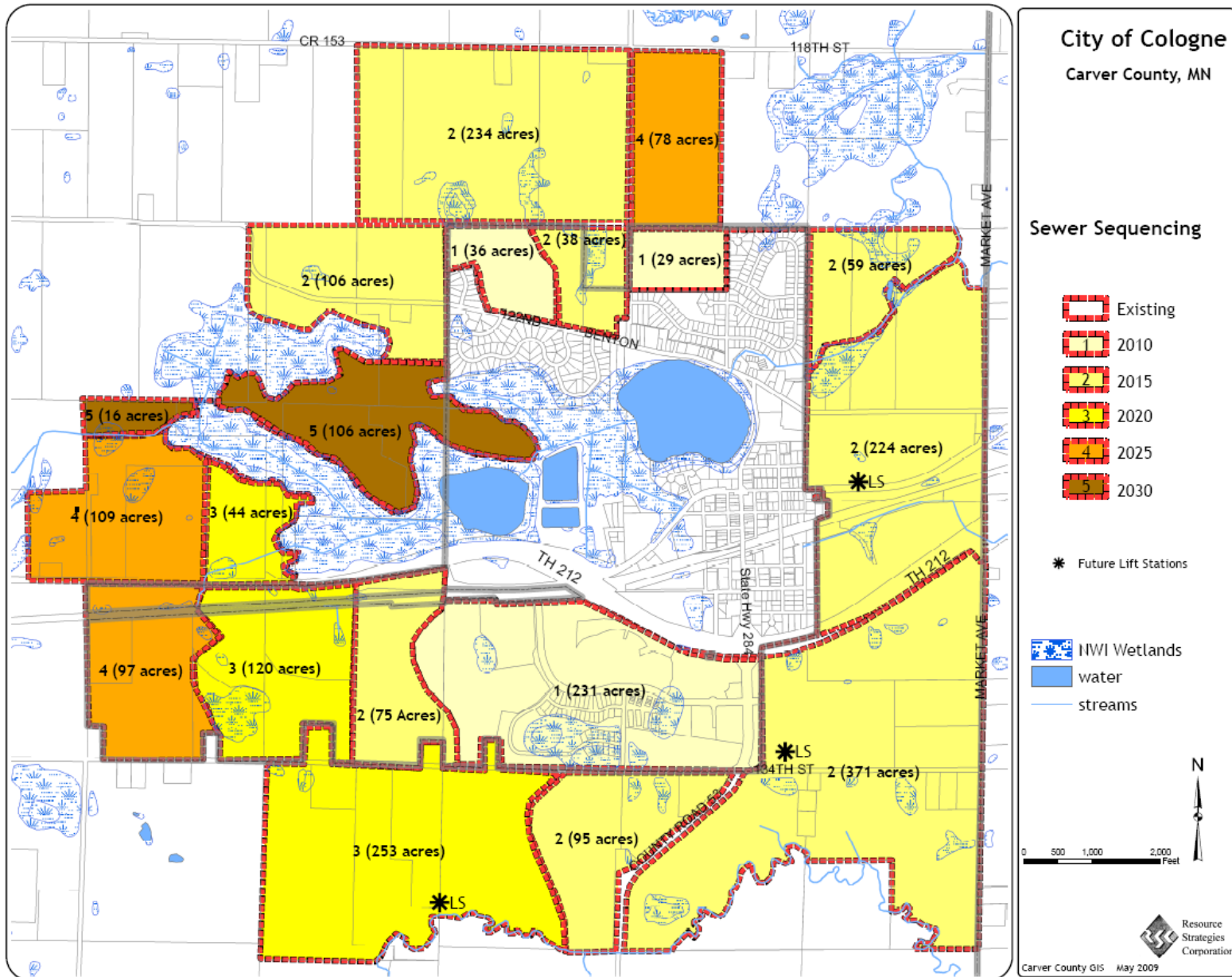


Table 3 - City of Cologne

Existing and Planned Land Use Table in 5 Year Stages)

Within Urban Service Area	Allowed Density Range Housing Units/Acre		Existing (2000)	2010	2015	2020	2025	2030	Change 2000-2030
	Minimum	Maximum							
Residential Land Uses									
Low Density Residential	3	3	160.79	292.77	1015.2	1327.32	1466.66	1468.59	1307.8
Medium Density Residential	6	6	4	68.69	198.74	227.87	242.27	325.03	321.03
Mixed Use Primarily Residential*			6.17	6.17	6.17	6.17	6.17	6.17	0
C/I Land Uses									
Commercial			7.53	27.31	122.94	122.94	122.94	122.94	115.41
Industrial			17.25	17.25	143.29	189.54	259.36	274.61	257.36
Mixed Use Primarily C/I*			6.16	6.16	6.16	6.16	6.16	6.16	0
Public/Semi Public Land Uses									
Institutional			33.16	38.62	44.08	44.08	85.48	94.52	61.36
Parks and Recreation			21.02	37.42	53.82	53.82	53.82	53.82	32.8
Roadway Rights of Way			163.84	163.84	163.84	163.84	163.84	163.84	0
Subtotal-developed			419.92	658.23	1754.24	2141.74	2406.7	2515.68	2095.76
Undeveloped (City of Cologne)			522.14	283.83	196.94	99.69	0	0	-522.14
Subtotal Sewered			942.06	942.06	1951.18	2241.43	2406.7	2515.68	1573.62
Outside Urban Service Area (Unsewered)	Minimum lot size	Maximum lot size	Existing (2000)	2010	2015	2020	2025	2030	Change 2000-2030
Agricultural 40+ acres (Benton Twp OAA)			1593.92	1593.92	584.8	294.55	129.28	20.3	-1573.62
Protected Areas (Cologne and Benton Twp OAA)									
Wetlands	--	--	399.16	399.16	399.16	399.16	399.16	399.16	0
Open Water, Rivers and Streams	--	--	83.17	83.17	83.17	83.17	83.17	83.17	0
Subtotal Protected			482.33	482.33	482.33	482.33	482.33	482.33	0
Grand Total			3018.31	3018.31	3018.31	3018.31	3018.31	3018.31	

* Note: above figures reflect future land use, not existing land use.