Community Development Committee Meeting date: March 15, 2010

Enviro

Environment Committee

Meeting date: March 9, 2010

ADVISORY INFORMATION	
Date:	February 12, 2010
Subject:	City of Eagan 2030 Comprehensive Plan Update Tier II Comprehensive Sewer Plan Review File No. 20606-1
District(s), Member(s):	District 15, Councilmember Dan Wolter
Policy/Legal Reference:	Minnesota Statutes Section 473.175
Staff Prepared/Presented:	Susan Hoyt, Principal Reviewer (651-602-1330) Phyllis Hanson, Local Planning Assistance Manager (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 adopts the attached Advisory Comments and Review Record, and the following:

Recommendation of the Community Development Committee:

- 1. Authorize the City of Eagan (City) to put its 2030 Comprehensive Plan Update into effect.
- 2. Accept the revised forecasts as shown in Table 1 of the attached Review Record.
- 3. Change the planning area designation to Developed in the Regional Development Framework.
- 4. Advise the City to:
 - a. participate in the redevelopment monitoring program;
 - b. implement the advisory comments under wastewater, water, and ISTS.

Recommendation of the Environment Committee:

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

ADVISORY COMMENTS

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

Review File No. 20606-1, Council Business Item No. 2010-91

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 plans within nine months after the Council's final action. If the Council has recommended changes, local governments should incorporate those recommended changes into the plan or respond to the Council before "final approval" of the comprehensive plan 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 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).
- 4. 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

- The Council-approved Tier II Comprehensive Sewer Plan becomes effective only after the Update also 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.

Background

The City of Eagan (City) is approximately 34 square miles and is located south of the Mississippi River in Dakota County. It is bordered by Mendota Heights and Sunfish Lake on the north, Inver Grove Heights on the east, Rosemount and Apple Valley on the south and Bloomington and Burnsville on the west (Figure 1).

The *2030 Regional Development Framework* (RDF), as adopted by the Metropolitan Council (Council) in January 2004, identified Eagan as within the Developing geographic planning area (Figure 2).

The City submitted its 2030 Comprehensive Plan (Update) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stat. 473.175) and the Council's 2005 Systems Statement requirements.

Rationale – Standard of Review & Findings

- 1. Does the proposed Update conform to Regional Systems Plans?
- 2. Is the Update consistent with Metropolitan Council policies?
- 3. Is the Update 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	Yes
(Wastewater Services and Surface Water Management)	
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

Compatible with other plans

Yes

Known Support / Opposition

There is no known opposition.

REVIEW RECORD City of Eagan 2030 Comprehensive Plan Update

STATUTORY AUTHORITY

The Metropolitan Land Planning Act (MLPA) requires local units of government to submit comprehensive 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 conforms to the *2030 Regional Parks Policy Plan*. The regional parks system facilities in the City include Lebanon Hills Regional Park, the proposed Minnesota River/Lebanon Hills Regional Trail, the extension of the Big Rivers Regional Trail to the border with Scott County, and the Dakota County North/South Regional Trail Search Area. The Update acknowledges and plans for these regional parks system facilities.

The Update includes a Lebanon Hills Special Area Plan, which facilitates long range planning for Lebanon Hills Regional Park by creating a special overlay for the seven privately-owned inholdings within its boundaries. The special area plan was developed to address consistency between the guiding and zoning of these properties as well as to avoid the inholdings from becoming a nonconforming use. Policies outlined in the special area plan acknowledge that the inholdings are a residential use that is transitional in nature, support eventual conversion to a park use, specify that subdivision of these properties is not supported, and indicate that these parcels will be rezoned as P, Park once acquired by Dakota County.

TRANSPORTATION

Roads and Transit

Reviewers: Elaine Koutsoukos (651-602-1717), Bob Paddock (651-602-1340), MTS – Systems Planning; Steve Mahowald – Metro Transit (612-349-7775)

The Update conforms to the 2030 Regional Transportation Policy Plan (TPP) and addresses all the applicable transportation and transit requirements.

There are five principal arterials within or adjacent to the City including I-35E, I-494, TH 55, TH 77, and CSAH 32. There are no expansion plans for the metropolitan highways located within the City. The Update includes an analysis of existing and future transportation deficiencies and recommends improvements to the minor arterial, major and minor collectors, and local roadway networks.

There is one transitway, Cedar Avenue Bus Rapid Transit (BRT), planned for the City. The City lies within Transit Market Area III. Service options for Market Area III include peak-only express, small vehicle circulators, midday circulators, special needs paratransit (ADA, seniors), and ridesharing. Regular route express and local transit service is provided by Minnesota Valley Transit Authority. General public dial-a-ride service and ADA paratransit service is provided by Dakota Area Resources and Transportation for Seniors (DARTS).

Aviation

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

The Update conforms to the Aviation policies of the *TPP* and is 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 *2030 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 recommended forecasts for population, households, and employment.

Current wastewater treatment services are provided to the City by the Metropolitan Council Environmental Services. Wastewater generated within the City is conveyed to and treated at the Metropolitan Council's Seneca Wastewater Treatment Plant located in Eagan. The City is provided wastewater conveyance service through interceptors 7033, 7032, and 3-ET-37. The City's Plan projects it will have 29,500 sewered households and 65,800 sewered employees by 2030. The Metropolitan Disposal System with its scheduled improvements has or will have adequate capacity to serve the City's growth needs.

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

Eagan has been identified as a community impacted by wet weather occurrences. The City is currently on the Council's list of communities having an I/I reduction goal. The City has committed to mitigate excessive I/I at levels equal to the Council's Surcharge amount. The Update includes a description of a reduction plan to identify and eliminate I/I from the sanitary sewer system. The City also has adopted an ordinance implementing a sump pump and service lateral inspection program, including a fee schedule for noncompliance.

Advisory comment:

The City recently submitted an Alternative Urban Area-wide Review (AUAR) for the Cedar Grove Redevelopment that proposes wastewater flow increases for the City. The AUAR was not included in the City's 2008 CPU. The Cedar Grove Redevelopment Area, therefore, will require a Comprehensive Plan and Tier II Sewer Plan Amendment to the 2008 CPU that includes the flow projection increase. The amendment will need to be approved by the Metropolitan Council, prior to construction of any sewer extensions or additions within the AUAR project area.

Tier II Comments

The Tier II Sewer Element of the Update has been reviewed against the requirements for Tier II Comprehensive Sewer Plans for developing and developed communities. It was found to be complete and consistent with Council polices. 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 Metropolitan Council for its records.

Surface Water Management

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

The Update conforms to the *2030 Water Resources Management Policy Plan (WRMPP)* for local surface water management. The City lies within the Black Dog, Gun Club and Lower Minnesota River watersheds. The Black Dog Watershed Management Organization's watershed management plan was approved by the Board of Water and Soil Resources (BWSR) in 2002. Gun Club Lake Watershed Management Organization's and Lower Minnesota River Watershed District's watershed management plans were approved by BWSR in 2005 and 1999, respectively.

Two documents serve as its local surface water management plan for the City: 1) the Stormwater Management Plan and 2) the Water Quality and Wetland Management Plan. The Council reviewed both plans in 2006. They were found to be consistent with Council policy and the *WRMPP* at that time. Together both plans fulfill the requirements for local water management plans.

CONSISTENCY WITH COUNCIL POLICY

FORECASTS

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

The Update's forecasts are consistent with Council staff's expectations, and, therefore, recommended to be consistent with regional policy.

The Update uses revised forecasts of population, households and employment, based on an accelerated staging of growth in the City. Council staff find that Eagan employers have already reached the Council's 2020 employment forecast in 2008 (twelve years ahead of forecast). Revised forecasts, discussed with staff, add two percent (2%) to the 2030 households' forecast and twenty- one per cent (21%) to the 2030 employment forecast, which was originally for 54,200 jobs in 2030 and is revised to 65,800 jobs.

Council staff find the City-preferred forecasts reasonable and acceptable. The Council's forecast will be officially revised, as shown below, effective upon Council approval of the Update:

Table 1. Metropolitan council Forecast - Eagan							
	Census	Previous Council Forecasts			Revised	Council Fo	orecasts
	2000	2010 2020 2030			2010	2020	2030
Population	63,557	67,000	68,000	69,000	67,600	71,250	70,800
Households	23,773	26,500	28,000	29,000	26,000	28,500	29,500
Employment	42,750	48,300	52,000	54,200	52,000	59,000	65,800

Table 1.Metropolitan Council Forecast - Eagan

2030 REGIONAL DEVELOPMENT FRAMEWORK AND LAND USE

Reviewer: Susan Hoyt, CD – Local Planning Assistance, (651-602-1330)

Regional Development Framework

The Update is consistent with the *Regional Development Framework (RDF*) policies. The Update identifies the City as a "Developing" community. RDF policies anticipate that Developing communities will accommodate regional growth through sewered development at 3 to 5 units per net acre. The City has accommodated regional sewered development over the past five decades (Figure 3). It's population grew by over 50,000 people from 10,400 in 1970 to 67,100 in 2007. The City grew by 23,000 households between during the same five decades.

The City is now fully developed. The Update identifies 7% of the land that remains vacant either as unplatted vacant land or as underutilized land that remains for future development. Underutilized land is primarily vacant, unplatted property within established large lot neighborhoods, where the development pattern is well established so there is little flexibility on how to use this land. The Update's future land use policies focus on redevelopment are consistent with RDF policies that encourage densities of 5 plus units per acre with higher densities along major transportation corridors. Several of the proposed redevelopment areas plan for high density between 12 and 25 units per acre. Council staff recommends that the planning area designation be changed to "Developed".

Land Use

Existing Land Use

The City is approximately 34 square miles. It's land use is 35% residential, 20% park, 15% office- business park-commercial, and 7% vacant. The residential land use or housing is a mixture of low density residential (29%), medium density (4%), and high density (2%). The City is a major regional employer with 54,000 jobs that comprise 28% of Dakota County's total jobs. This job per household ratio is approximately 2.06 jobs per household. A 2005 residential survey of the City found that over 41% of residents worked in the community.

Table 2: 2007 Existing	g Land Use - Eagan			
Land Use	Acres	% of Total		
Low Density Residential	6,158	28.7%		
Medium Density Residential	896	4.2%		
High Density Residential	443	2.1%		
Retail Commercial	440	2.1%		
Office	903	4.2%		
Industrial/Business Park	1799	8.4%		
Quasi-Public/Institutional	808	3.8%		
Park	4341	20.2%		
Vacant	1449	6.8%		
Right of Way	4213	19.6%		
	21,450	100%		
Total				

Table 3: 2030 Future Land Use – Eagan							
Land Use	Acres	% of Total					
Low Density Residential	6306	29.4%					
Medium Density Residential	1002	4.7%					
High Density Residential	419	1.9%					
Office/Service	316	1.5%					
Retail Commercial	539	2.5%					
Major Office	1129	5.3%					
Business Park	475	2.2%					
Industrial	1823	8.5%					
Mixed Use	233	1.1%					
Park	4062	18.9%					
Quasi-Public/Institutional	690	3.2%					

281

3825

355

21,450

1.3%

17.8%

100%

1.7%

Table 3: 2030 Future Land Use – Eagan

Private Recreation

Right of Way

Water

Total

Future Land Use

The 2030 Future Land Use Plan does not represent a significant shift from the existing land use pattern. There is an anticipated 5% increase in categories that accommodate jobs including a major office category and a business park separate from industrial use. The population is expected to grow by 5%, but employment by nearly 27% (from 52,000 current jobs to 65,800 forecast jobs in 2030). The most significant planning feature in the Update is the use of seven special area plans to address future redevelopment, a planning approach that the City has used for many years. Two special area plans, along with the Lebanon Hills Special Area Plan (described under Parks) are highlighted to demonstrate the future vision of the City through these areas. (Figure 6):

- <u>Central Commons</u> This 862 acres is located around the intersection of Pilot Knob Road and Yankee Doodle Road and Interstate 35-E. Since 1995 the area has served as a town center with retail and community services including a community center, transit center and Central Park. Now, almost fully developed, redevelopment will likely lead to some changes over time. The vision is for an active, mixed use, walkable destination for people of all ages.
- <u>Cliff Road Commons</u> This nearly 450 acres is located along Cliff Road between Highway 77 (Cedar Avenue) and Interstate 35-E. The special area plan is, in part, prepared with the expectation that two large parcels of land within this area may be redeveloped in the future. The existing land use is a mix of retail commercial and office as well as low, medium, and one high density residential neighborhood. A future Bus Rapid Transit (BRT) station is planned near the intersection of Cliff Road and Cedar Avenue. There is an existing park and ride lot on 35-E and Cliff Road. The plan's vision is to create a walkable, mixed use neighborhood that benefits from the nearby transit stop. The concept, which is always subject to change, includes 600 to 700 units of medium density housing at 13 to 15 units per acre as well as 200,000 to 250,000 square feet of mixed use office, retail and commercial uses.

Residential Density Analysis

The City meets the 3 units per net acre residential density policy for sewered development. With only 7% of the land remaining vacant or underutilized, the City's development patterns are well established and will not significantly change within the next 20 years except for redevelopment. The City's overall density for residential development between 1970 and the present is 3.4 units per net acre based upon its 25,536 housing units on 7,497 acres of existing residential land (2007 housing data). This same minimum density, 3.4 units per net acre, is calculated for the future development of vacant and underutilized land when combined with the already platted acres that are ready for development (Table 4A). The possible redevelopment scenarios for two redevelopment areas, planned for build out by 2025, range from 13 to 28 units per net acre (Table 4B). Other redevelopment. This density is consistent with Council policy for fully developed communities for development of 5 or more units per acre especially along major transportation corridors.

Table 4: Residential Density Analysis – Eagan

Land Use	Lowest Density	Vacan t acres	Under- utilized Acres (1)	Specia I Area Acres	Total Acres	Vacant Housin g Units	Under- utilized Housin g Units	Special Area Units	Total Housing Units	Planned future Density
LD	1 to 4	86	472	0	558	86	472	0	558	1.0
MD	4 to 12	16	16	0	32	64	64	0	128	4.0
HD	12 to 30	2	19	0	21	24	228	0	252	12.0
Mixed Use (2)	N/A			182		0	0	1605	1605	8.8
Total		104	507	182	793	174	764	1605	2543	3.2
Vacant Platted					135				610	4.5
Final Total					928				3153	3.4

Table 4A: Planned Residential Development

(1) vacant land primarily within established large lot subdivision

(2) Mixed Use Districts represent some planned units in redevelopment sites - 8.8 units/net acre

Table 4B: Densities for Possible Future Planned Residential Redevelopment

	Planned Residential Acres	Housing Unit Range	Units Per Net Acre
Cedar Grove	44	940 – 1,250 (1)	21.4 – 28.4
Cliff Commons	46	600 – 700	13.0 – 15.2

HOUSING

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

The Update fulfills the housing requirements of the Metropolitan Land Planning Act. The Update acknowledges the City's share of the region's affordable housing need for 2011-2020 of 884 units. To provide opportunities to meet this need the Update indicates that approximately 6 acres of land will be available for high density residential development, at 12+ units per acre, and within the mixed-use residential category there are 24 acres designated for high density residential development at 8 units per acre, 29 acres at 25 units per acre, and the identified Cedar Grove Redevelopment Area assumes an additional 400 high density units in its land use scenario. 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 will continue to work with the Dakota County Community Development Agency Development Agency (CDA) and other state and federal agencies to provide workforce and affordable housing opportunities. The CDA partners with local communities to offer a number of services to assist in the creation and preservation of affordable housing. The City will also promote housing practices that support aging in places (e.g. universal design, walkable streets, multiple

housing types available within neighborhoods, etc.). The City is a participant in the Local Housing Incentives 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. It indicates that there are 200 ISTS in operation in the City. Responsibility for maintenance management tracking and notification has been delegated to Dakota County. The City's program is consistent with MPCA Rules and Council policy requirements.

Advisory comment:

• The City will need to update its ISTS ordinance by February 2011 for consistency with recent MPCA Chapter 7080-7083 Rule revisions.

WATER SUPPLY

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

The Update is complete and consistent with the WRMPP.

Advisory comment:

• The City is encouraged to continue to implement conservation programs in an effort to promote the efficient use of water to its customers.

RESOURCE PROTECTION

Historic Preservation

Reviewer: Susan Hoyt, CD – Local Planning Assistance, (651-602-1330

The Update contains a section on Historic Preservation as required by the MLPA.

Solar Access Protection

Reviewer: Susan Hoyt, CD – Local Planning Assistance, (651-602-1330)

The Update contains a section on Solar Access Protection as required by the MLPA.

Aggregate Resources Protection

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

The Update contains a section on aggregate resources protection as required by the MLPA. The Update acknowledges that aggregate resource deposits are plentiful in the City, but indicate that they are found in relatively scattered and mostly urbanized locations. This information is consistent with Minnesota Geological Survey Information Circular 46 data. The City believes it unlikely that any of the remaining resources will be mined because of the limited quantity that exists at any single location and because development pressure has rendered the land covering the resources more valuable for continued urban development purposes than for mining. The Update states that if any property or business owner in the future seeks to extract potentially available aggregate resources, that the City will consider the feasibility of extraction at that time.

PLAN IMPLEMENTATION

Reviewer: Susan Hoyt, CD – Local Planning Assistance, (651-602-1513)

The Update includes a description of:

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

The Update contains an implementation chapter as required by the MLPA. The Update summarizes the City's official controls and discusses a schedule for enacting measures to implement the Update. It also provides a zoning map and a brief explanation of the City's zoning and subdivision codes. A Capital Improvement Plan is also included.

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 on October 1, 2008. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were identified.

DOCUMENTS SUBMITTED FOR REVIEW:

- City of Eagan 2030 Comprehensive Plan Update, May 29, 2009
- Supplemental information, Sewer Flows, June 17, 2009
- Revised Update, November 20, 2009
- Supplemental information, Land Use and Transportation, February 2, 2010

ATTACHMENTS

- Figure 1: Location Map Showing Regional Systems
- Figure 2: 2030 Regional Development Framework Planning Areas
- Figure 3: Development Stages 1960 to Present
- Figure 4: Existing Land Use, 2009
- Figure 5 2030 Future Land Use Plan
- Figure 6: Special Planning Areas

Figure 1. Location Map Showing Regional Systems

Eagan

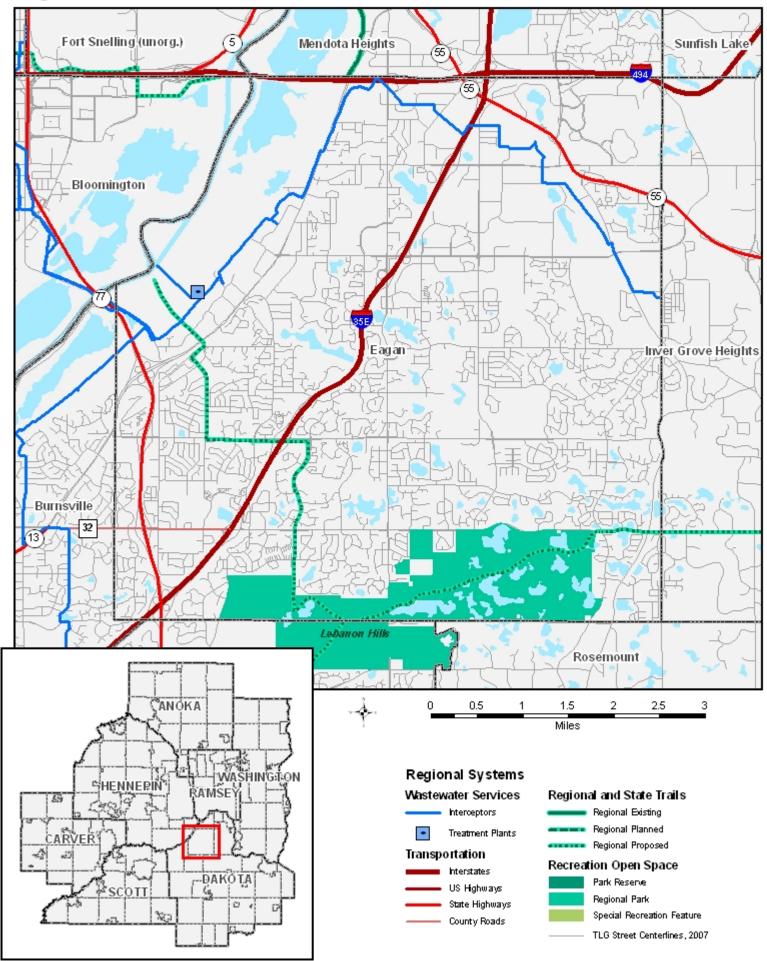


Figure 2. 2030 Regional Development Framework Planning Areas

Eagan

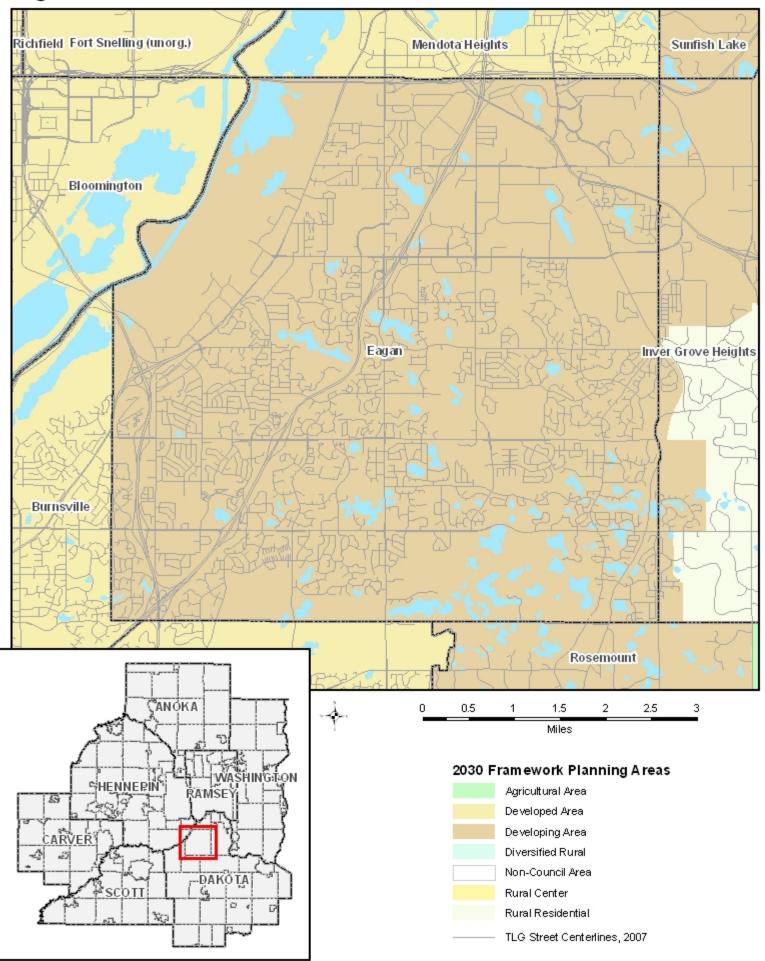
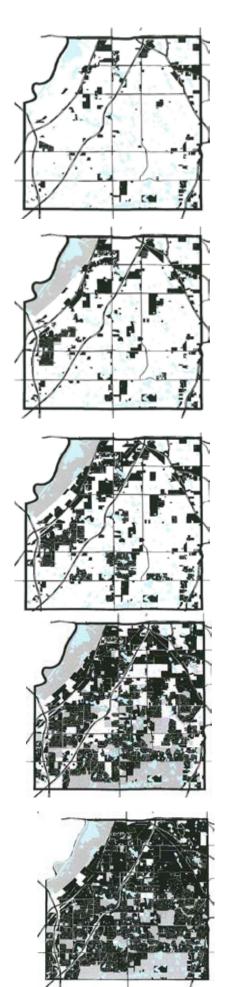


Figure 3: City of Eagan Development Evolution



1960

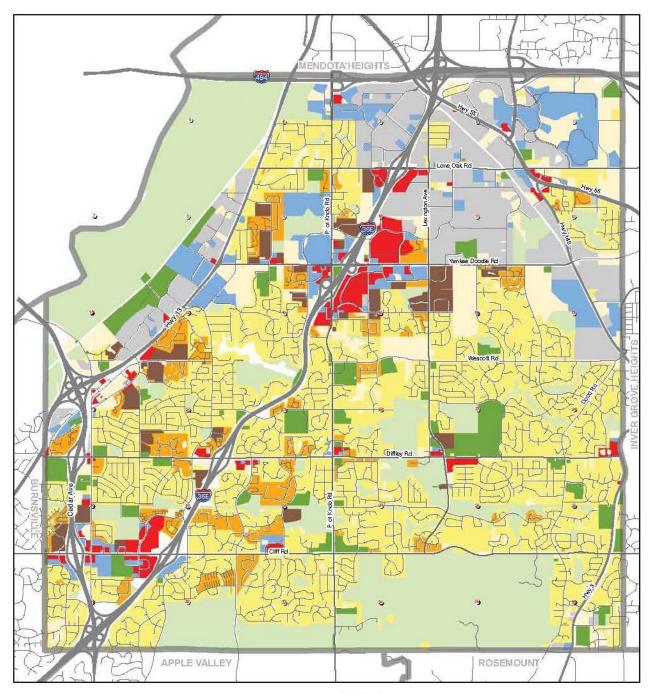
1970

1980

1990

PRESENT

Figure 4: Existing Land Use 2007 City of Eagan



Legend

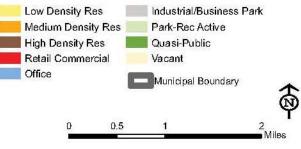


Figure 5 2030 Future Land Use City of Eagan



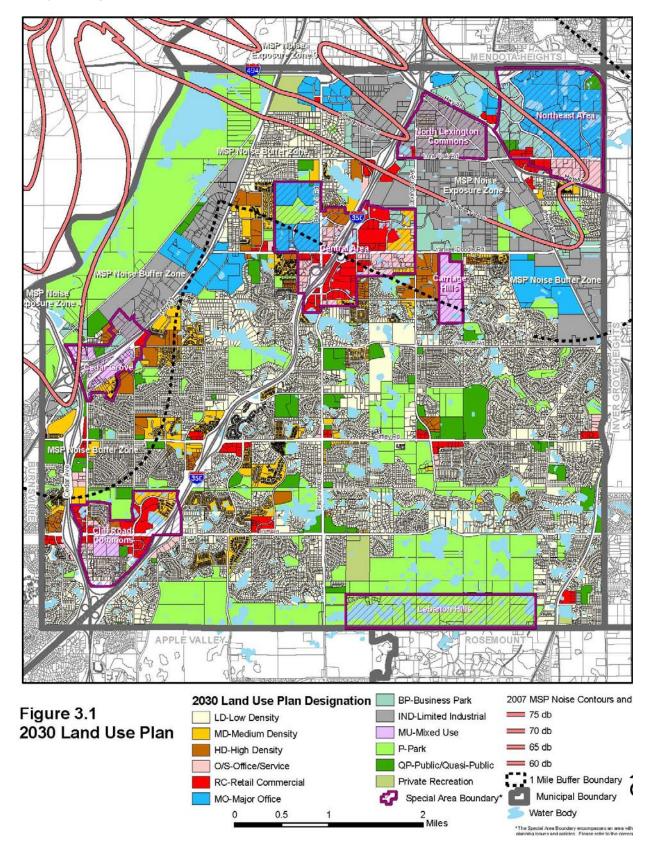


Figure 6: Special Area Plans **City of Eagan**

- Northeast 1
- North Lexington Commons 2
- Central Commons 3
- Carriage Hills 4
- Cedar Grove Commons Cliff Road Commons 5
- 6
- Lebanon Hills 7

