

**C**

**Community Development Committee**

Meeting date: March 15, 2010

**E**

**Environment Committee**

Meeting date: March 9, 2010

**ADVISORY INFORMATION**

**Subject:** City of Shorewood 2009 Comprehensive Plan Update  
Review File No. 20589-1  
Tier II Comprehensive Sewer Plan

**District(s), Member(s):** District 3, Councilmember Bob McFarlin

**Policy/Legal Reference:** Minnesota Statute Section 473.175

**Staff:** James P. Uttley, Principal Reviewer (651-602-1361)

**Prepared/Presented:** 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 Shorewood to put its 2009 Comprehensive Plan Update into effect.
2. Adopt the advisory comments for aviation, surface water management and land use presented in those sections of the review record.
3. Advise the City of Shorewood to participate in the Council's Redevelopment Monitoring program.

**Recommendations of the Environment Committee:**

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

## **ADVISORY COMMENTS**

### **City of Shorewood 2009 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan**

Review File No. 20589-1 - Council Business Item No. 2010-93

The following Advisory Comments are part of the Council action authorizing the City to implement its 2009 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).

#### **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 Shorewood (City) is located in central Hennepin County, bounded by the cities of Chanhassen, Deephaven, Eden Prairie, Excelsior, Greenwood, Minnetrista, Mound, Tonka Bay and Victoria. Figure 1 shows the general location of Shorewood and surrounding communities on the south side of Lake Minnetonka, and the City's designation as a "developed" community in the Council's *2030 Regional Development Framework* (RDF). The RDF says that developed communities should "accommodate growth forecasts through reinvestment at appropriate densities (5 units plus in developed areas and target higher density in locations with convenient access to transportation corridors and with adequate sewer capacity)." Figure 2 shows existing and planned regional systems in Shorewood 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 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<br>(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 Shorewood 2009 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 the Lake Minnetonka LRT Regional Trail.

#### 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. Shorewood is served by a segment of one principal arterial: TH 7, an expressway, which has had some improvements made over the past ten years. Shorewood is within the Metropolitan Transit Taxing District and lies within Market Area III. Service options for Market Area III include peak-only express, small vehicle circulators, midday circulators, special needs paratransit (ADA, senior), and ridesharing.

##### ***Aviation***

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

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

#### Advisory Comment

The last sentence in the aviation section of the Update does not apply to Shorewood and can be deleted.

## **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.

The Council 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 is provided wastewater conveyance service through interceptors 6-GW-649, 6-DH-645, 6-TB-661, 6-MT-647, 7017, and 8253-328. The Update projects that the City will have 2,960 sewered households and 1,180 sewered employees by 2030. The Metropolitan Disposal System with its planned scheduled improvements has or will have adequate capacity to serve the City's growth needs as identified in the Plan.

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.

Shorewood is not currently identified as a community impacted by wet weather occurrences. The Update includes a description of an I/I reduction plan, which includes televised inspection, repair, and maintenance of the sanitary sewer system. The City initiated a sump pump inspection program to identify and correct properties that previously pumped or drained storm water to the sanitary sewer.

### ***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 developing communities. 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 Metropolitan 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. Shorewood lies within the Minnehaha Creek and Riley Purgatory Bluff Creek watersheds. The Minnehaha Creek Watershed District's latest watershed management plan was approved by the Board of Water and Soil Resources (BWSR) in 2007. Riley Purgatory Bluff Creek Watershed District's watershed management plan was approved in 1997. Shorewood prepared a Surface Water Management Plan (SWMP) that was reviewed by Council staff under separate cover.

### **Advisory Comment**

The City needs to send the Council the date the Riley Purgatory Bluff Creek Watershed District approved the SWMP and the date the City adopted the final plan.

## CONSISTENCY WITH COUNCIL POLICY

### Forecasts

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

The Update is consistent with respect to forecasts for Shorewood, as shown in the table below.

**Table 1 - Metropolitan Council System Statement Forecasts for Shorewood**

	2000	2010	2020	2030
Population	7,400	7,850	8,000	8,100
Households	2,529	2,750	2,870	2,960
Employment	732	990	1,160	1,180

### 2030 Regional Development Framework and Land Use

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

The Update, with supplemental materials, is consistent with the *2030 Regional Development Framework* (RDF), which identifies the City as a “Developed” community. The RDF directs Developed communities to maintain current infrastructure; renew and improve infrastructure, buildings, and land to provide for additional growth, particularly at centers along transit corridors; and support developments that integrate land uses. In addition, Developed communities are expected to accommodate forecasted residential growth at densities of at least 5 units per acre.

The Update contains policies to promote transitions between different uses, programs and incentives for redevelopment, directing higher density housing to areas with adequate facilities and infrastructure, and supporting safe and convenient pedestrian access in commercial areas.

The City has a land area of 3,492 acres with another 1,888 acres of water bodies. The predominant existing land use is single family residential accounting for 65% of the City’s land area. As a Developed community, the City identifies vacant and underdeveloped parcels in the community to accommodate the City’s projected household growth. The Update indicates that the City has approximately 312 acres of undeveloped land, but substantial portions of this area are encumbered by wetlands. The remaining 85 acres of vacant land are mostly platted lots in existing low density neighborhoods and are capable of supporting an additional 65 to 70 housing units at the low density residential guiding.

The Update indicates that land considered “underdeveloped” is land that is capable of being further subdivided based on existing zoning regulations. These parcels also are located within existing low density residential neighborhoods and could accommodate between 155 and 170 new units.

The Update also discusses the potential for redevelopment of two sites within the City: a parcel currently owned by Xcel Energy located on the north end of County Road 19, and the northwest quadrant of Smithtown Crossing. The Update expects these two areas, totaling approximately 8 acres, to accommodate high density residential development or mixed use development at 10 units per acre. The Update does not provide future land use guiding for the redevelopment of these properties as no plans are solidified at this point. Residential density proposed for redevelopment is consistent with the Council’s policy for sewered residential development in Developed communities.

### Advisory Comments

Because the Update does not currently provide future land use designations for the Smithtown Crossing and Xcel properties to accommodate higher density or mixed use development, the City will need to amend the Update to provide land use designations consistent with the redevelopment proposals for those properties prior to development. At

that time, those amendments will need to be submitted to the Council for review.

The City is advised to participate in the Council's activities to monitor redevelopment in Developed communities.

### **Housing**

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

The Update's housing element fulfills the 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 53 units. The Update states that the City is fully developed with very little vacant developable land available, so opportunities to meet that need will be addressed primarily through infill and redevelopment efforts. The Update indicates that approximately 8 acres of land will be available for high density residential development at 10 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 City will continue to partner with Hennepin County and other cities in the South Lake Minnetonka area to address lifecycle and affordable housing needs. The Update indicates with City will continue to work with local, state and federal agencies to facilitate affordable housing development. The Update cites financial resources the city will consider using toward the production of affordable housing including CDBG, Section 202 funding, TIF and Essential Function Bonds which are issued by the HRA for public purposes.

### **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 only two ISTS remain in operation in the City. The rest of the community is served by the municipal sewer system. The City has delegated the responsibility of permitting, inspection, and maintenance management of the ISTS to Hennepin County.

### **Water Supply**

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

The Update is complete and consistent with the Council's Water Resources Management Policy Plan. The Council encourages the city to continue to implement conservation programs in an effort to promote the efficient use of water to its customers.

### **Resource Protection**

#### ***Historic Preservation***

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

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

#### ***Solar Access Protection***

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

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

#### ***Aggregate Resources Protection***

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

The submission indicates that there are no significant aggregate resource deposits in the community. This information is consistent with the Council's aggregate resources inventory, which indicates only trace deposits within the community and additionally, the community is fully developed.

## 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 2009 Comprehensive Plan Update to adjacent local units of government, school districts, counties and special districts for comment in November 2008. 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 over 1,044 pages

- Cover letter
- 2008 CPU Transmittal Form
- Shorewood 2008 Comprehensive Plan Update
  - Natural Resources chapter
  - Land Use chapter
  - Transportation chapter
  - Community Facilities/Services chapter
- Shorewood CIP 2008-2012
- Shorewood Water Supply Plan
- Shorewood Surface Water Management Plan, Nov 2008 prepared by WSB
- Cover letter from Brad Nielsen to Cheryl Olsen 12/2/09
  - Transportation replacement pages TR-22 > TR-36
  - Land Use chapter replacement pages LU-27 > LU-30
  - Community Facilities/Services chapter replacement pages CF-16 > CF-17
- Supplemental rec'd 12/7/09– Land Use replacement pages LU-20, LU-23, LU-26 > LU-30
- Supplemental rec'd 12/15/09 – 5-Year Land Use Staging Table
- Supplemental rec'd 1/8/10 – cover letter & LU-27, LU-28, Appendix A (2 pages)

## ATTACHMENTS

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

Figure 1 - Location Map with 2030 Regional Development Framework Planning Areas

Figure 2 - Regional Systems

Figure 3 - Existing Land Use Map

Figure 4 - Proposed Land Use Plan



Table 2 - City of Shorewood

**LAND USE TABLE IN 5-YEAR STAGES**

**Existing and Planned Land Use Table (in acres)**

Within Urban Service Area	Allowed Density Range Housing Units/Acre		Existing (2008)	2010	2015	2020	2025	2030	Change 2008-2030
	Minimum	Maximum							
<b>Residential</b>									
Minimum Density Residential	.1	1	1074	1074	1092	1120	1120	1120	46
Low Density Residential	1	2	933	933	953	975	975	975	42
Low to Medium Density Residential	2	3	293	293	293	293	293	293	0
Medium Density Residential	3	6	34	34	34	34	34	34	0
<b>C/I Land Uses</b>	Est. Employees/Acre								
Commercial/Office	15.5		64	64	64	59	59	59	(5)
Industrial	n/a		n/a	n/a	n/a	n/a	n/a	n/a	n/a
Mixed Use Primarily C/I*	n/a		n/a	n/a	n/a	n/a	n/a	n/a	n/a
Extractive	n/a		n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>Public/Semi Public Land Uses</b>									
Institutional			159	159	159	159	159	159	0
Parks and Recreation			100	100	100	100	100	100	0
Open Space			72	72	72	72	72	72	0
Roadway Rights of Way			341	341	343	343	343	343	2
Utility			0	0	0	0	0	0	0
Railroad			0	0	0	0	0	0	0
Airport			0	0	0	0	0	0	0
<b>Subtotal Sewered</b>			3070	3070	3110	3155	3155	3155	85
<b>Undeveloped</b>									
Vacant			85	85	45	0	0	0	(85)
Wetlands	--	--	337	337	337	337	337	337	0
Open Water, Rivers and Streams	--	--	1886	1886	1886	1886	1886	1886	0
<b>Total</b>			5378	5378	5378	5378	5378	5378	

\* For Mixed Use categories include information regarding the estimated minimum and maximum housing density ranges and acres/percentage of residential use.

Figure 1 - Location Map and 2030 Regional Development Framework Planning Area, City of Shorewood

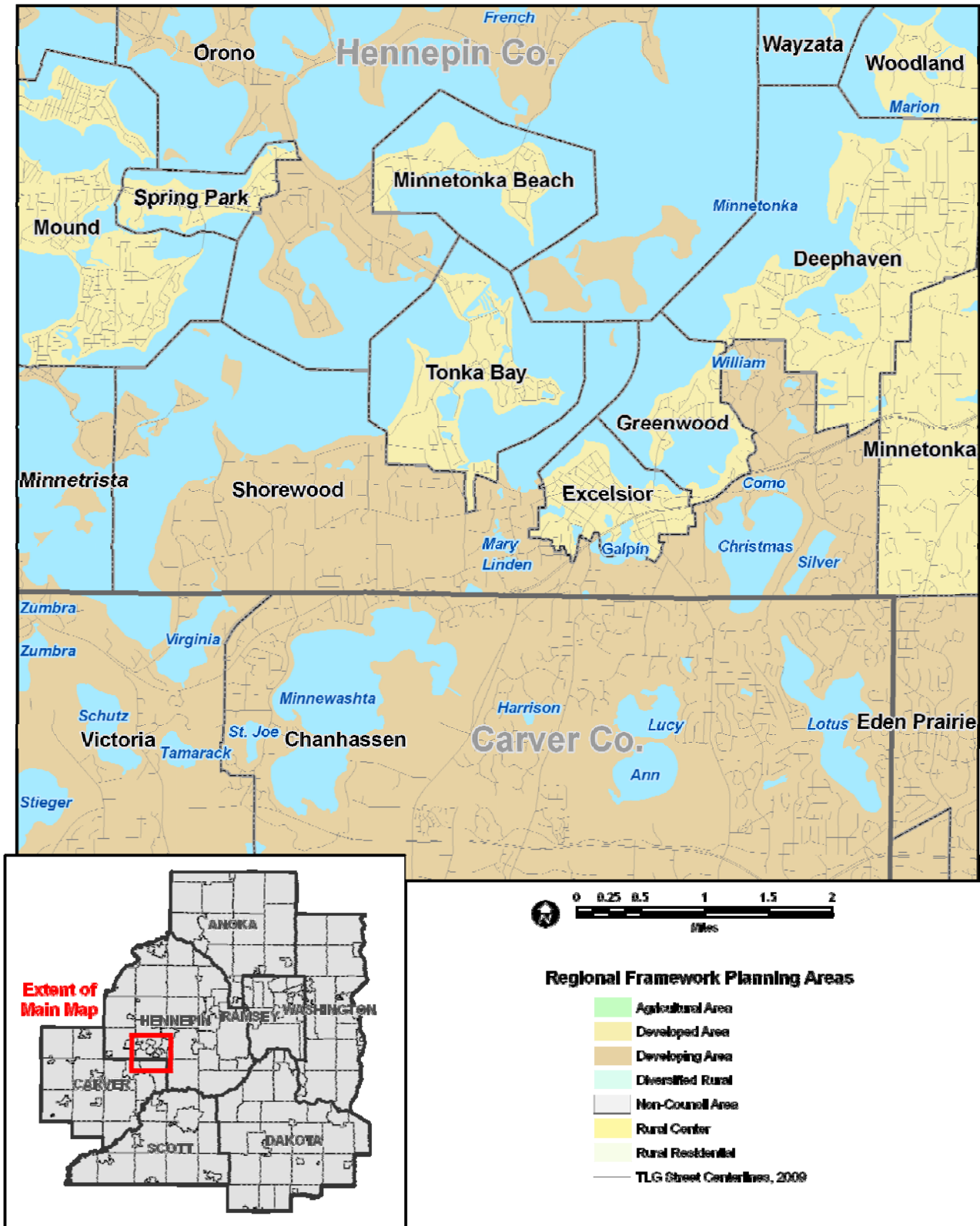


Figure 2 - Regional Systems, City of Shorewood

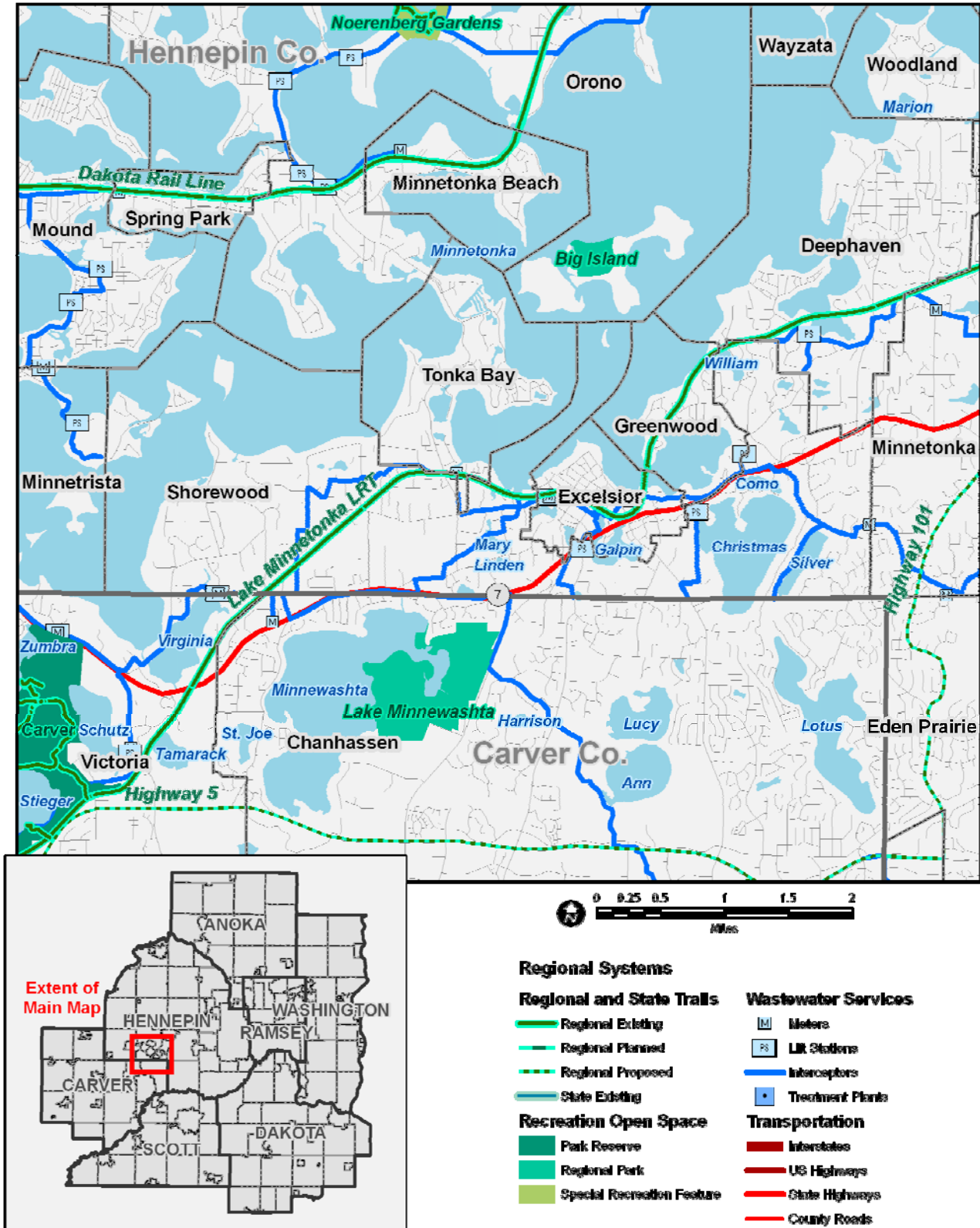
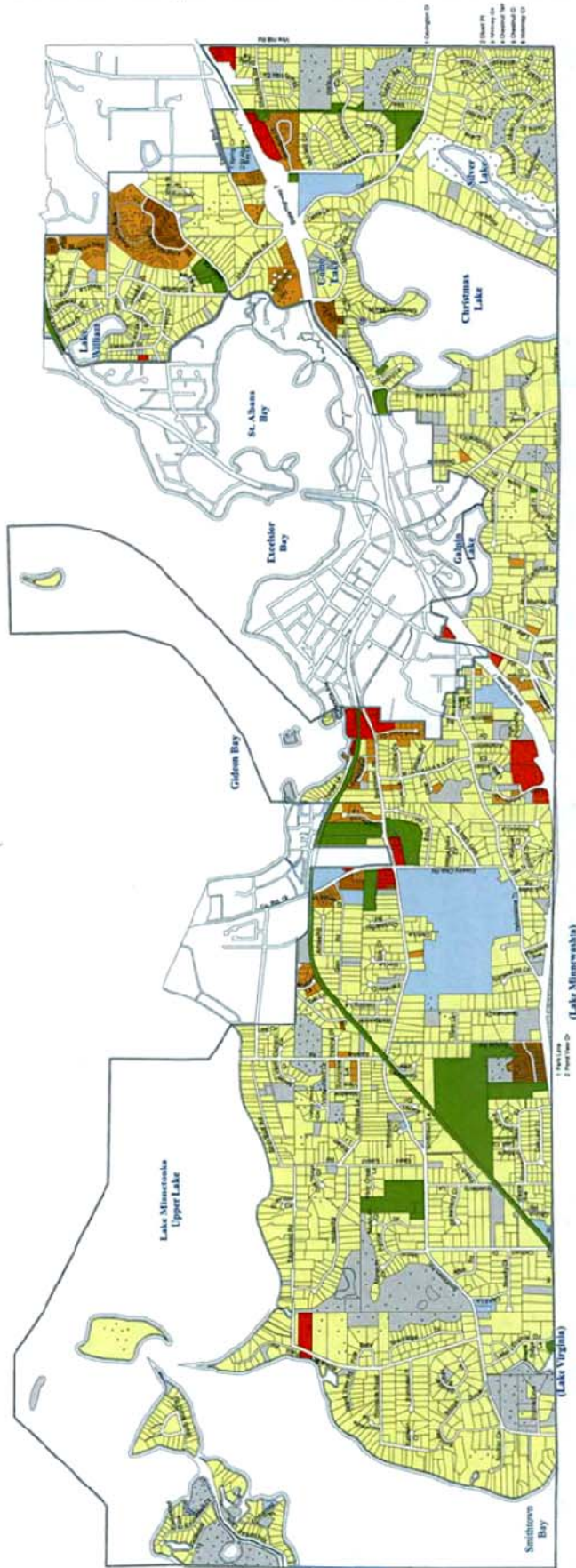


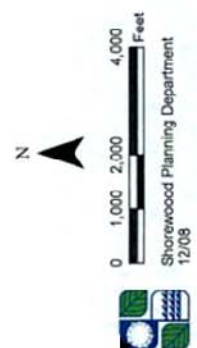


Figure 3 - Existing Land Use, City of Shorewood

# CITY OF SHOREWOOD



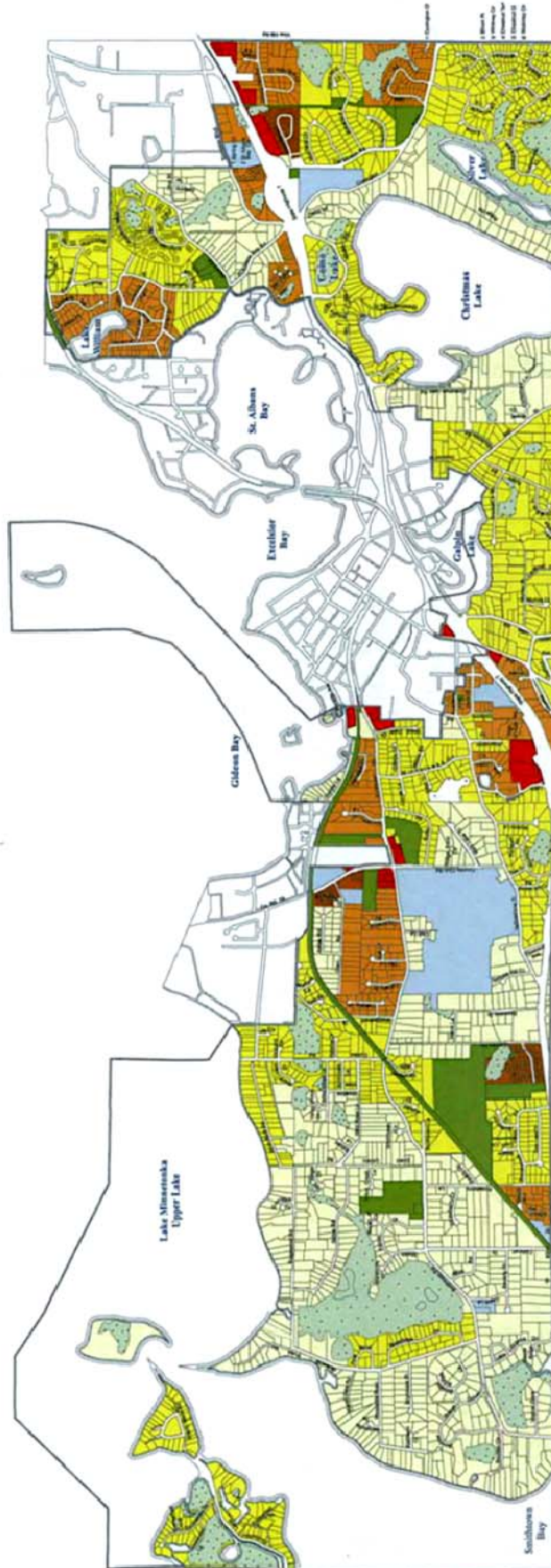
## Existing Land Use 2008



LU-21

Figure 4 - Proposed Land Use Plan, City of Shorewood

# CITY OF SHOREWOOD



## Proposed Land Use Plan



Shorewood Planning Department  
01/09

LU-23