

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

**REGULAR MEETING OF THE COMMUNITY DEVELOPMENT COMMITTEE**  
Monday, May 7, 2012

Committee Members Present: **Gary Cunningham, Chair; Jon Commers, Vice-Chair; Steven T. Chávez, Steven Elkins, Richard Kramer, Jennifer Munt, Sandra Rummel, Roxanne Smith, Wendy Wulff**

**CALL TO ORDER**

A quorum being present, Chair Cunningham called the regular meeting of the Council's Community Development Committee to order at 4:30 p.m. on Monday, May 7, 2012.

**APPROVAL OF AGENDA AND MINUTES**

It was moved by Elkins seconded by Rummel, to approve the agenda. **The motion carried.**

It was moved by Rummel, seconded by Kramer to approve the minutes of the April 23, 2012 regular meeting of the Community Development Committee. **The motion carried.**

**BUSINESS**

**2012-150 City of Watertown 2011 System Statement Comprehensive Plan Amendment Review File No. 20436-3**

Chair Cunningham presented this consent item staff report and proposed actions to the Community Development Committee.

1. Elkins moved, seconded by Chávez that the Metropolitan Council Adopt the attached review record and allow the City of Watertown to put the 2011 System Statement comprehensive plan amendment (CPA) into effect.
2. Find that the proposed CPA does not change the City's forecasts.

**The motion carried.**

There was no discussion.

**2012-142 Establish Date for Public Hearing – 2013 Annual Public Housing Agency (PHA) Plan**

HRA Manager Terri Smith presented the staff report and proposed actions to the Community Development Committee.

Elkins moved, seconded by Chávez that the Metropolitan Council conduct a public hearing to discuss and receive comment on the 2013 Annual Public Housing Agency (PHA) Plan on August 20, 2012, at 4:30 p.m. in the Council Chambers.

**The motion carried.**

There was no discussion.

**2012-113 City of Mound Comprehensive Plan Amendment, Pedestrian Mixed Use, Review File No. 20438-2**

Local Planning Assistance Manager Phyllis Hanson presented the staff report and proposed actions to the Community Development Committee.

Elkins moved, seconded by Smith that the Metropolitan Council:

1. Adopt the attached review record and allow the City of Mound to put the Pedestrian Mixed Use comprehensive plan amendment (CPA) into effect.
2. Find that the proposed CPA does not change the City's forecasts.
3. Advise the City that it should make every effort to add the 15 affordable units lost, through this land use change, to its affordable housing need obligation between 2011 and 2020, meaning its share of the regional need would be a total of 83 units instead of 68.

**The motion carried.**

On April 16, 2012, Tom Caswell, senior planner, presented the Mound CPA. The Community Development Committee discussed how the amendment impacts the City's affordable housing goals set in its 2030 comprehensive plan. Council Member Elkins moved to continue the business item to the next meeting to receive additional staff analysis based on the zoning to demonstrate that the city has enough redevelopable land that is zoned for affordable housing to make the city's comprehensive plan realistic, and an examination of the degree to which the city's zoning is not in compliance to its comprehensive plan. The Committee approved the motion unanimously.

On May 7, 2012, Phyllis Hanson, LPA Manager, presented the Mound CPA, with the revised action #3: "Advise the City that it should make every effort to add the 15 affordable units lost, through this land use change, to its affordable housing need obligation between 2011 and 2020, meaning its share of the regional need would be a total of 83 units instead of 68."

Council Member Chávez asked staff to discuss the revised housing section of the staff report statement "even if all of the housing presently on this land, 122 units, were removed, and along with the 15 affordable units being removed by this CPA were to be added to its fair share housing need, this total of 205 units is less than the minimum number of units that can be developed on these 40 acres."

Member Chávez asked for the context for the 205-units and why is that number used in the sentence. Guy Peterson, CD Director, said that the 205 number is the total of 68 (the City's fair share need), 15 (the number being lost by the CPA) and 122, (the number of homes on the land guided for higher density redevelopment), and that if we removed all the existing homes and assumed they were all affordable, and we would ask the city to replace them, the number we would expect them to meet is 205. There is sufficient land guided in the comprehensive plan to accommodate more than 205 housing units.

Council Member Elkins moved to substitute the current wording of the housing section of the report with alternative language, and also to strike the word “housing” under the sentence on consistency with Council policy. The Chair indicated that Council Member Elkins did not need to read the entire revised language into the record, and repeated the proposed motion. The motion was seconded. The Chair indicated the need for an overall housing policy discussion, as well as an understanding of connection between the Livable Communities Act and comprehensive plan. Don Mueiting, Chief Counsel addressed the Council’s legislative authority in housing and the LCA grant program.

The Chair called the question with Council Member substitute language that action failed. Council Member Wulff moved the item as written in the staff report, Rummel seconded. The Committee approved the CPA on a 5-4 vote.

### **2012-144 Rosemount Comprehensive Plan Amendment Review File No. 20584-4**

Senior Planner Patrick Boylan presented the staff report and proposed actions to the Community Development Committee.

Wulff moved, seconded by Chávez that the Metropolitan Council:

1. Adopt the attached review record and allow the City of Rosemount to put the Greystone Subdivision comprehensive plan amendment (CPA) into effect.
2. Find that the proposed CPA does not change the City’s forecasts.
3. Advise the City that, if its proposed amendment is adopted in its current form, the City’s comprehensive plan will not guide a sufficient amount land at densities that can: (a) ensure the City fulfills its obligations under the Metropolitan Land Planning Act to plan for and provide sufficient existing and new housing to meet the City’s share of the metropolitan area’s need for low- and moderate-income housing; and (b) ensure the City will meet its negotiated LCA goals for affordable and life-cycle housing through 2020.
4. Remind the City that Policy 3 of the *2030 Regional Development Framework* states that the Council gives funding priority to communities and community projects that increase the variety of housing types and costs, appropriately mix land uses, increase transportation choices and leverage private investment.

### **The motion carried.**

Elkins asked about lot widths and expressed concern about the loss of residential acres.

Rosemount Community Development Director Kim Lindquist spoke to the amendment by citing that the land use change is due to market forces and not a change of policy by the City. She also noted that new land use analysis for the UMore Park site was underway; the City expects to amend their Comprehensive Plan in the next 18 months to reflect new land uses which would include acres for higher density housing.

Wulff commented that affordable housing and multi-family housing projects the Council has

supported through Livable Communities in Dakota County have affected the market for Rosemount.

Wulff motioned to move Staff recommendation and to remove the final two paragraphs from the "Housing" section of the Staff Report.

**2012-145 Dakota County, Comprehensive Plan Amendment: Elko New Market Blakeley Bluffs Trail Search Corridor Review File No. 20455-3**

Senior Planner Patrick Boylan presented the staff report and proposed actions to the Community Development Committee.

Wulff moved, seconded by Rummel that the Metropolitan Council Adopt the attached review record and allow Dakota County to put the Elko New Market Blakeley Bluffs Trail Search Corridor plan into place.

**The motion carried.**

There was no discussion.

**2012-146 Dakota County, Comprehensive Plan Amendment 2030 Transportation Plan, Review File No. 20455-2**

Senior Planner Patrick Boylan presented the staff report and proposed actions to the Community Development Committee.

Wulff moved, seconded by ELkins that the Metropolitan Council Adopt the attached review record and allow Dakota County to put the *2030 Transportation Plan* Comprehensive Plan Amendment (CPA) into effect.

**The motion carried.**

There was no discussion.

**INFORMATION**

**Metropolitan Agricultural Preserves Program 2011 Status Report**

Minnesota Statutes (473H.06 subd. 5 maps, reports) directs the Metropolitan Council to prepare annual reports summarizing program enrollment and to maintain maps illustrating lands covenanted as agricultural preserves. The Council provides annual reports to the Commissioner of Employment and Economic Development, the Department of Agriculture, and other State agencies.

## **Transit-Oriented Development (TOD) Strategic Action Plan**

This information item describes the Metropolitan Council's upcoming Transit-Oriented Development (TOD) Strategic Action Plan. This plan will build upon the Council's existing programs and functions that promote TOD, recommending ways to strategically align and better coordinate them. Additionally, it will likely recommend new roles for the Council to support TOD throughout the region.

To facilitate the action planning process, the Council accepted proposals from consultants via a Request for Proposals (RFP). The deadline for proposals was April 19<sup>th</sup> and evaluation of proposals is currently underway. Work on the project will begin as soon as possible. The attached scope of work outlines the work that the consultant, the Council, and partners will undertake in this plan.

## **Comprehensive Plan Amendment (CPA) Administrative Review Guidelines-Information**

Since 1987, the Council has had in place a formal administrative review process for "Minor Amendments" that do not impact Regional Systems. This process was created to expedite the Council and city requirements of the MLPA for these Minor CPAs. Minor CPAs may include mapping errors, language edits to a Comprehensive Plan Update, small land use changes, updated area plans, environmental documents, and housekeeping amendments.

From 1990-2000 the guidelines implemented for "waiving" full review of minor CPAs were amendments that were 40 acres or less with no impact on or substantial departure from Regional Systems. The first administratively reviewed, or waived, CPA was in July 1991 from the city of Lakeville. *Attachment A* provides excerpts from the Metropolitan Council's Publication No. 640-90-037 explaining the CPA review process that was in place for how minor amendments were defined and processed during the 1990's.

As the number of Council reviews and demands on cities for CPA's increased due to the robust land development market and additional government requirements, the Council revisited these minor amendment guidelines. This revisit also aligned with the Council's ongoing review of the 1998 Comprehensive Plans, the cities needs to adopt their 1998 Council reviewed plans and subsequent update of their implementation devices. With input from Metro Cities, then called Association of Metropolitan Municipalities (AMM), the result was the May 2000 adoption of updated guidelines, seen in *Attachment B*.

In 2005 the Council again revised the "waiver" policies. These 2005 guidelines which were also a part of the Council adopted *Local Planning Handbook* were in response to input from cities, AMM, the Builders Association Twin Cities, and other Council departments. They were also to keep the process timely as the Regional Development Framework, System Plans, and the next round of Comprehensive Plans were being prepared. The 2005 Guidelines look at the type of CPA's being submitted, was more specific to what the CPA needed to address to be able to be waived, and further advanced the timeliness and streamlining of the process. The Land Use Advisory Committee was also included in the review of the revised guidelines.

The guidelines were again updated in September 2007. These guidelines, shown in *Attachment C*, are in effect today. They include additional provisions to allow environmental documents, including water supply plans and local water management plans, to be waived after staff review. Proposed amendments meeting the listed criteria would be eligible for administrative review and, therefore, could be approved without being taken through the additional steps of Community Development Committee or Council review.

The table below shows the number of CPA's submitted, waived, and total reviews received from 2001-2011. The CPA numbers do NOT include the Comprehensive Plans and Comprehensive Plan Updates that made up the majority of staff reviews during the early 2000 years and again from 2009-2010. Including those reviews would add approximately another 390 reviews to the list.

<b>Number of CPA's Submitted and Administratively Reviewed 2001-2011</b>			
<b>Year</b>	<b>CPA Reviews: Waived/Submitted</b>	<b>Percent CPAs Waived</b>	<b>Total Reviews Submitted</b>
2001	17/30	57%	343
2002	90/118	76%	345
2003	88/128	69%	402
2004	57/92	62%	466
Subtotal 2001-2004	252/333	68%	1,556
2005	51/128	60%	442
2006	95/142	66%	450
2007	29/63	46%	323
2008	36/43	84%	385
2009	14/14	100% (Note: first year of CPU reviews)	271
2010	44/52	85%	200
2011	65/74	87%	217
<b>TOTAL 2001-2011</b>	<b>586/884</b>	<b>66%</b>	<b>3,459</b>
2012	NA	NA	78 (to date)

## **ADJOURNMENT**

The next regularly scheduled CDC meeting will be held on May 21 at 4:30 p.m. in the Council Chambers.

Business completed Chair Cunningham adjourned the meeting at 6:40 p.m.

Respectfully submitted,

Michele Wenner  
Recording Secretary