

Committee Report

C Community Development Committee Metropolitan Council meeting of June 27, 2007

Item: 2007-7

ADVISORY INFORMATION

Date Prepared: June 19, 2007

Subject: City of Oak Grove Comprehensive Plan Amendment
Swan Lake Preserve, Review File No. 17096-23

Summary of Committee Discussion:

Tori Dupre presented the City of Oak Grove's comprehensive plan amendment (CPA) proposing to reguide 172 acres from Agriculture, at a density of one unit per ten acres, to Single-Family Residential, permitting a density of one dwelling unit per 2.5 acres. The Council's 120-day review deadline ends June 27, 2007.

Council Member Meeks reminded the committee that because the City's amendment substantially departs from the regional systems plans, the City needs to modify it. The Committee approved the following action.

PROPOSED ACTION

That the Metropolitan Council:

1. Find that the City's proposed Swan Lake Preserve CPA substantially departs from the Council's *2030 Water Resources Management Policy Plan* (pg. 65, 66) because the proposed amendment allows development at densities (one dwelling unit per 2.5 acres) that exceed Council policy (one unit per 10 acres) for diversified rural areas.
2. Notify the City of Oak Grove that it may not put the proposed Swan Lake Preserve CPA, regarding 172 acres from Agriculture (1/10) to Single-Family Residential (1/2.5), into effect because it is inconsistent with the *2030 Regional Development Framework* policies for a *Diversified Rural* community, inconsistent with the Council forecasts for the City, and does not conform with the *2030 Water Resources Management Policy Plan*.
3. Find that this proposed CPA and the cumulative effect of previous CPAs may have a substantial impact on regional systems, and ultimately affect how metropolitan wastewater and other regional systems are planned, constructed and operated.
4. Adopt Metropolitan Council **Resolution No. 2007-15** requiring the City to modify its CPA to ensure the proposed amendment conforms with the metropolitan system plans. The City should:
 - Modify the proposed CPA to ensure development occurs at densities of one unit per 10 acres, or cluster development at the same density.
 - Work with the Metropolitan Council's Environmental Services Division to plan for potential future wastewater treatment.

C	Community Development Committee	Item 2007-7
	Meeting date: June 18, 2007	

ADVISORY INFORMATION

Date	June 4, 2007
Subject	CDC Final Action City of Oak Grove Comprehensive Plan Amendment Swan Lake Preserve, Review File No. 17096-23
Districts, Members	Metropolitan Council District 9, Natalie Steffen (763-753-4298)
Prepared by	Tori Dupre, Principal Reviewer (651-602-1621) Phyllis Hanson, Manager Local Planning Assistance (651-602-1566) Mark Vander Schaaf, Planning & Growth Management Director (x1441)
Division/Department	Local Planning Assistance / Planning and Growth Management

BACKGROUND

- November 16, 2006 Metropolitan Council receives proposed comprehensive plan amendment (CPA)
- February 27, 2007 Metropolitan Council finds CPA complete for review
- April 16, 2007 CDC sets public hearing on the CPA
- May 21, 2007 CDC holds public hearing on the CPA
- June 18, 2007 CDC action (*review documents: staff report, hearing documents, hearing testimony and materials attached.*)
- June 27, 2007 scheduled Metropolitan Council action on the proposed CPA
- June 27, 2007 120-day review period ends

REVIEW UPDATE

On August 22, 2007, the Metropolitan Council is anticipated to adopt an amendment to the *2030 Water Resources Management Policy Plan* that identifies potential future sewer service areas within the City of Oak Grove, associated with the proposed East Bethel regional wastewater treatment facility.

PROPOSED ACTION

- That the Metropolitan Council:
4. Find that the City's proposed Swan Lake Preserve CPA substantially departs from the Council's *2030 Water Resources Management Policy Plan* (pg. 65, 66) because the proposed amendment allows development at densities (one dwelling unit per 2.5 acres) that exceed Council policy (one unit per 10 acres) for diversified rural areas.
 5. Notify the City of Oak Grove that it may not put the proposed Swan Lake Preserve CPA, regarding 172 acres from Agriculture (1/10) to Single-Family Residential (1/2.5), into effect

because it is inconsistent with the *2030 Regional Development Framework* policies for a *Diversified Rural* community, inconsistent with the Council forecasts for the City, and does not conform with the *2030 Water Resources Management Policy Plan*.

6. Find that this proposed CPA and the cumulative effect of previous CPAs may have a substantial impact on regional systems, and ultimately affect how metropolitan wastewater and other regional systems are planned, constructed and operated.
4. Adopt Metropolitan Council Resolution No. 2007-15 requiring the City to modify its CPA to ensure the proposed amendment conforms with the metropolitan system plans. The City should:
 - Modify the proposed CPA to ensure development occurs at densities of one unit per 10 acres, or cluster development at the same density.
 - Work with the Metropolitan Council's Environmental Services Division to plan for potential future wastewater treatment.

ATTACHMENTS

- Resolution No. **2007-15**
- Item 2007-7 report for May 21, 2007 public hearing
- Public hearing comments

METROPOLITAN COUNCIL
390 Robert Street North, Saint Paul, Minnesota 55101

RESOLUTION NO. 2007-15

**FINDING THE OAK GROVE COMPREHENSIVE PLAN AMENDMENT HAS A
SUBSTANTIAL IMPACT ON AND CONTAINS A SUBSTANTIAL DEPARTURE FROM
METROPOLITAN SYSTEM PLANS AND REQUIRING PLAN MODIFICATIONS TO
ENSURE CONFORMITY WITH METROPOLITAN SYSTEM PLANS**

WHEREAS, Minnesota Statutes section 473.175 requires the Metropolitan Council (“Council”) to review comprehensive plans of local governmental units to determine their compatibility with each other and conformity with metropolitan system plans; and

WHEREAS, Minnesota Statutes section 473.175 authorizes the Council to require a local governmental unit to modify any comprehensive plan or part thereof if, upon the adoption of findings and a resolution, the Council concludes the plan is more likely than not to have a substantial impact on or contain a substantial departure from metropolitan system plans; and

WHEREAS, the City of Oak Grove (“City”) submitted to the Council for review a proposed comprehensive plan amendment identified as **Swan Lake Preserve**, Metropolitan Council Review File Review File No. 17096-23; and

WHEREAS, at the May 21, 2007 meeting of the Council’s Community Development Committee, the Council held a public hearing on the City’s comprehensive plan amendment, at which meeting staff presented a review report on the City’s proposed plan amendment; and

WHEREAS, based on its review and consideration of the City’s proposed comprehensive plan amendment and other planning documents, file documents, regional systems plans, Council staff report, public hearing comments and submissions, and other information in the record pertinent to the comprehensive plan amendment submitted by the City, the Council makes the following findings and conclusions:

FINDINGS

Statutory Background

1. Minnesota Statutes section 473.851 reflects the Legislature’s recognition that local governmental units within the metropolitan area are interdependent, that the growth and patterns of urbanization within the metropolitan area create the need for additional state, metropolitan and local public services and facilities and increase the danger of air and water pollution and water shortages, and that development in one local governmental unit may affect the provision of regional capital improvements for sewers, transportation, airports, water supply, and regional recreation open space.

2. Minnesota Statutes section 473.145 requires the Council to adopt a comprehensive development guide for the seven-county metropolitan area that must include policy statements,

goals, standards, programs, and maps prescribing guides for the orderly and economical development, public and private, of the metropolitan area.

3. Minnesota Statutes sections 473.146, 473.1465 and 473.147 require the Council to adopt long-range comprehensive policy plans for transportation, wastewater treatment and regional recreation open space.

4. Minnesota Statutes section 473.852 defines the policy plans and capital budgets for metropolitan wastewater service, transportation, and regional recreation open space as “metropolitan system plans.”

5. Minnesota Statutes section 473.852, subdivision 9 defines “official controls” or “controls” as “ordinances and rules which control the physical development of a city” that “implement the general objectives of the comprehensive plan,” including “ordinances establishing zoning, subdivision controls, site plan regulations, sanitary codes, building codes and official maps.”

6. Minnesota Statutes section 473.858, subdivision 1 requires metropolitan-area cities to prepare and adopt local comprehensive plans in accordance with the Metropolitan Land Planning Act. The Act prohibits cities from adopting any fiscal device or official control which conflicts with their local comprehensive plans or which permits activity in conflict with metropolitan system plans.

7. Minnesota Statutes section 473.856 requires governmental units to review its comprehensive plan and each affected school district shall review its capital improvement program to determine if an amendment is necessary to ensure continued conformity with metropolitan system plans. If an amendment is necessary, the governmental unit or school district shall prepare the amendment and submit it to the council for review pursuant to sections 462.355, subdivision 4, 473.175, and 473.851 to 473.871.

8. Minnesota Statutes section 473.854 requires the Council to “prepare and adopt guidelines and procedures relating to the requirements of sections 462.355, subdivision 4, 473.175, and [the Metropolitan Land Planning Act] which will provide assistance to local governmental units in accomplishing the provisions of sections 462.355, subdivision 4, 473.175, and [the Metropolitan Land Planning Act].” In 2005, the Council prepared and adopted a *Local Planning Handbook* that provides guidance to metropolitan-area cities on their planning obligations under the Metropolitan Land Planning Act.

Regional Policy

9. The Council’s *2030 Regional Development Framework* identifies the City as a Diversified Rural community. The Framework states that the community’s role is to accommodate growth not to exceed forecasts, to cluster development not to exceed 1 unit per 10 acres, to plan development patterns that will protect natural resources, and to preserve areas where post-2030 growth can be provided with cost-effective and efficient urban infrastructure.

10. The Council's *2005 Water Resources Management Policy Plan* includes a "Long-Term Service Areas" map, showing northwest Anoka County as an area having "potential sewered development with rapid infiltration". It also states that future wastewater treatment systems in northwest Anoka County will need to provide a high level of treatment followed by rapid infiltration to groundwater. For example, a new sewered community could be developed along Highway 65 in East Bethel, or along Highway 47 in Burns Township and Oak Grove.

11. On September 12, 2005, the Council provided the City a system statement to the City, initiating the City's obligations to review and, as necessary, amend the comprehensive plan within the next three years. The system statement forecast a household increase of 2,600 units by 2010, 2,800 units by 2020, and 3,000 units by 2030.

City Comprehensive Planning and Post-2000 Development

12. On January 26, 2000, the Council reviewed Oak Grove's 2020 comprehensive plan update, Review File No. 17096-1. The Council found the plan in conformity with the 1996 *Regional Blueprint* and the *Regional Growth Strategy*, and in conformity with the policy plans for Aviation, Recreation Open Space and Transportation.

13. Since 2000, the Metropolitan Council has reviewed approximately 15 Oak Grove comprehensive plan amendments regarding land from Agricultural, one unit per 10 acres to Single-Family Residential, one unit per 2.5 acres and affecting over 900 acres.

14. On March 20, 2006 the Council's Community Development Committee held a public hearing on three proposed comprehensive plan amendments regarding approximately 260 acres from Agricultural, one unit per 10 acres, to Single-Family Residential, one unit per 2.5 acres (Item 2006-48, Review files 17096- 16, 17096-17, 17096-18). The Council found that the proposed amendments did not conform to the 2005 Water Resources Management Policy Plan, and were 'more likely than not' representing a substantial departure from the regional wastewater system plan. On May 12, 2006, the City withdrew the three comprehensive plan amendments.

15. On June 9, 2006, the Council staff met with City staff to discuss the City's 2020 comprehensive plan, particularly the City's analysis of available residential land, and the potential residential units at a net, one per ten-acre density. The City staff agreed to identify the areas where these residential units be planned, ideally in areas contiguous to existing single-family residential development.

16. On December 13, 2006, the Metropolitan Council acted to advise the City that prior to submitting future comprehensive plan amendments for single-site residential development, the City must submit an amendment addressing the land use areas for the remaining 372 (residential) units based on the Metropolitan Council and the City staff meeting on June 9, 2006.

17. The Council received the City's proposed comprehensive plan amendment (Review File No. 17096-24) for review on November 16, 2006, and found the CPA complete for review on February 27, 2007.

Metropolitan System Plan Impacts and Departures

18. The Council's *2005 Water Resources Management Policy Plan* indicates that local comprehensive plans and plan amendments that have substantial impacts on, or contain

substantial departures from, the metropolitan wastewater system plan affect how the Council constructs, operates, and maintains the Metropolitan Disposal System (MDS) and can result in system inefficiencies if the nonconforming plans are permitted to occur. “A system departure occurs when a local governmental unit proposes densities in rural areas that exceed Council policy (i.e., one unit per 10 acres in diversified rural areas and one unit per 40 acres in agricultural areas). This may result in an under-utilization of the available or planned regional wastewater system capacity.” “A local governmental unit is planning to allow development that proposes densities in rural areas (i.e., areas not currently served by public sewers) that exceed Council policy, such as development on 2 1/2-acre lots that would preclude future economical sewer development.”

CONCLUSIONS

1. The Council staff finds that the proposed CPA is inconsistent with the *2030 Regional Development Framework* policies for the Diversified Rural policy area, allowing development at a density that exceeds the Council’s policies and growth forecasts.
2. The City has reguided approximately 900 acres for single family residential development since 2000, at the average density of one unit per 2.5 acres.
3. The Council staff finds that the cumulative effect of the City’s plan amendment history may have a substantial impact on regional systems, and ultimately affect how metropolitan wastewater and other regional systems area planned, constructed and operated.
4. The Council’s *2005 Water Resources Management Policy Plan* indicates that a local governmental unit that plans to allow development at densities in rural areas (i.e., areas not currently served by public sewers) that exceeds Council policy, such as development on 2 1/2-acre lots, would preclude future economical sewer development.”

NOW THEREFORE, BE IT RESOLVED that the Metropolitan Council:

1. Adopt the Metropolitan Council staff report dated May 15, 2007, Item 2007-7.
2. Adopt Metropolitan Council Resolution No. 2007-15 requiring the City to modify its CPA to ensure that it is in conformance with the metropolitan system plans.

Adopted this 18th day of June 2007.

Peter Bell, Chair

Pat Curtiss, Recording Secretary

C	Community Development Committee	Item 2007-7
	Meeting Date: May 21, 2007 Public Hearing	
ADVISORY INFORMATION		
Date	May 15, 2007	
Subject	City of Oak Grove Comprehensive Plan Amendment Swan Lake Preserve, Review File No. 17096-23	
Districts, Members	Metropolitan Council District 9, Natalie Steffen (763-753-4298)	
Prepared by	Tori Dupre, Principal Reviewer (651-602-1621) Phyllis Hanson, Manager Local Planning Assistance (651-602-1566) Mark Vander Schaaf, Planning & Growth Management Director (x1441)	
Division/Department	Local Planning Assistance / Planning and Growth Management	

BACKGROUND, PREVIOUS COUNCIL ACTIONS	
<p>Oak Grove is a rural community located in northern Anoka County, south of the City of St. Francis, east of Burns Township and west of the City of East Bethel. State Highway 65 is 1.5 miles east, parallel to the City's eastern border. The metropolitan wastewater system currently does not serve Oak Grove, although Appendix E (Regional Wastewater System Long-Term Service Areas map) of the Council's <i>2030 Water Resources Management Policy Plan</i> currently identifies Oak Grove as a potential area for regional sewer service using a wastewater treatment plant with rapid infiltration.</p> <p>Lake George Regional Park is located north of Lake George in Oak Grove, and a portion of the Rum River Central Regional Park is located in the southwest corner of the City. The 1996 <i>Water Resources Management Policy Plan</i> (pg. 14) identified Oak Grove as a rural area community for which the density "standard will be up to (a maximum of) one dwelling unit per 10 acres." The 2000 Census showed that the City had 6,903 people, 2,200 households, and 354 jobs. The Council forecasts the City to grow at a rate of 20 households per year from 2010 to 2030.</p> <p>The Metropolitan Council reviewed Oak Grove's 1998 comprehensive plan in January 2000 (Review No. 17096-1). Since 2000, the Metropolitan Council has reviewed approximately 15 comprehensive plan amendments (CPA) regarding land from Agricultural, one unit per 10 acres to Single-Family Residential, one unit per 2.5 acres and affecting over 900 acres. Two and one-half acre lots are four times denser than the standard for <i>Diversified Rural Areas</i>.</p> <p>On January 14, 2004 the Council adopted the <i>2030 Regional Development Framework</i> which designates Oak Grove as a <i>Diversified Rural</i> community. According to the <i>Development Framework</i> (pg. 32), communities in <i>Diversified Rural Areas</i> are expected to "[a]ccommodate growth not to exceed [Council] forecasts and clustered development not to exceed 1 unit per 10 acres." <i>Diversified Rural</i> communities also are expected to: "Preserve areas where post-2030 growth can be provided with cost-effective and efficient urban infrastructure and accommodate growth without requiring the provision of regional urban services." The <i>Development Framework</i> (pg. 13) also states:</p> <p style="text-align: center;"><i>Continuing the diversified rural land use pattern in the region saves the costs of extending infrastructure, protects the natural environment and provides groundwater aquifer recharge areas. Currently, lands in the Diversified Rural Communities are</i></p>	

not needed for urban development, but should be preserved for post-2030 development. Therefore, only limited growth is forecast for this planning area.

On May 25, 2005 the Council adopted the *2030 Water Resources Management Policy Plan*, and “Long-Term Service Areas” map, showing northwest Anoka County, including the City of Oak Grove, as an area having “potential sewered development with rapid infiltration.”

The *2030 Water Resources Management Policy Plan* (pg. 65) identifies the types of local land uses that may have substantial impacts on, or contain substantial departures from, the metropolitan system plans.

A system departure occurs . . . when a local governmental unit proposes densities in rural areas that exceed Council policy (i.e., one unit per 10 acres in diversified rural areas and one unit per 40 acres in agricultural areas). This may result in underutilization of the available or planned regional wastewater system capacity.

The *Policy Plan* (pg. 66) also states that a substantial departure may occur when:

A local governmental unit is planning to allow development that proposes densities in rural areas (i.e., areas not currently served by public sewers) that exceed Council policy, such as development on 2 1/2 -acre lots that would preclude future economical sewered development.

Since 2005, the Council has reviewed five Oak Grove CPAs regarding Agriculture to Single Family Residential. When considered in the aggregate, those CPAs represent, more likely than not, a substantial departure from the *2030 Water Resources Management Policy Plan* because those five CPAs affected over 900 acres, and created a development pattern four times greater than one unit per ten acres.

On December 13, 2006, the Metropolitan Council reviewed another CPA (DeLong Family Resubmitted, 17096-22) and recommended that the City, prior to submitting future CPA's for single-site residential development, submit a CPA addressing the land use areas for the remaining 372 residential units based on discussions at a June 9, 2006 meeting between Metropolitan Council and the City staff. On June 9, the staff discussed the method to determine the potential number of units community-wide at a one per ten acre density, the opportunity to guide this area for single-family residential development, and locating this land use adjacent to similar existing development. As of this date, the City of Oak Grove has not submitted a CPA responding to this request.

REQUEST SUMMARY

The Metropolitan Council received the Swan Lake Preserve comprehensive plan amendment on November 16, 2006. The CPA proposes to reguide 172 acres from Agriculture (one unit per ten acres) to Single-Family Residential, permitting a density of one dwelling unit per 2.5 acres. The Council's 120-day review ends June 27, 2007.

PROPOSED ACTION

On May 21, 2007 the Community Development Committee will hold a public hearing on the proposed CPA. The Committee is scheduled to act on June 4, forwarding a recommendation to the

Metropolitan Council for action on June 13, 2007.

The Community Development Committee will consider the following recommendations:

That the Metropolitan Council:

7. Find that the City's proposed Swan Lake Preserve CPA substantially departs from the Council's *2030 Water Resources Management Policy Plan* (pg. 65, 66) because the proposed amendment allows development at densities (one dwelling unit per 2.5 acres) that exceed Council policy (one unit per 10 acres) for diversified rural areas.
8. Notify the City of Oak Grove that it may not put the proposed Swan Lake Preserve CPA, regarding 172 acres from Agriculture (1/10) to Single-Family Residential (1/2.5), into effect because it is inconsistent with the *2030 Regional Development Framework* policies for a *Diversified Rural* community, inconsistent with the Council forecasts for the City, and does not conform with the *2030 Water Resources Management Policy Plan*.
9. Find that this proposed CPA and the cumulative effect of previous CPAs may have a substantial impact on regional systems, and ultimately affect how metropolitan wastewater and other regional systems are planned, constructed and operated.
4. Adopt Metropolitan Council Resolution No. 2007-15 requiring the City to modify its CPA to ensure the proposed amendment conforms with the metropolitan system plans. The City should:
 - Modify the proposed CPA to ensure development occurs at densities of one unit per 10 acres, or cluster development at the same density.
 - Work with the Metropolitan Council's Environmental Services Division to plan for potential future wastewater treatment.

ISSUES

1. Does the proposed CPA follow the process described in the Metropolitan Land Planning Act?
2. Is the proposed CPA consistent with the Metropolitan Council's *2030 Regional Development Framework* policies and growth forecasts?
3. Does the proposed CPA conform with the *2030 Water Resources Management Policy Plan* and the policies addressing potential future wastewater treatment systems in northwest Anoka County?
4. Does the proposed CPA represent a substantial departure from, or have a substantial impact on, the regional wastewater system plan?

ISSUES ANALYSIS

1. Does the proposed CPA follow the process described in the Metropolitan Land Planning Act?

Sections 473.858, 473.859 and 473.864 of the Metropolitan Land Planning Act (MLPA) require metropolitan-area municipalities to adopt comprehensive plans that conform to the metropolitan system plans. Minnesota Statutes section 473.175 requires the Council to review comprehensive plans and amendments for conformance to the metropolitan system plans, consistency with regional policies and compatibility with adjacent jurisdictions.

The City of Oak Grove followed the MLPA process in reviewing the proposed CPA. The Oak Grove Planning Commission acted on October 19, 2006, and the City Council acted on October 30, 2006, to approve the Swan Lake Preserve CPA for Metropolitan Council review.

2. Is the proposed CPA consistent with the Metropolitan Council's 2030 Regional Development Framework policies and growth forecasts?

The Council's 2005 system statement for Oak Grove forecasts an average growth rate of 20 households per year from 2010 to 2030.

	2010	2020	2030
<i>Population</i>	7,400	7,600	8,100
<i>Households</i>	2,600	2,800	3,000
<i>Employment</i>	430	530	640

The proposed Swan Lake Preserve CPA is approximately 172 acres located in the City's southeast corner. The landowner intends to record a conservation easement on 134 acres of the site's wetland, water and floodplain areas. Therefore, the CPA proposes 13 residential units on the site's 38 developable acres, at a one-unit per 2.5-acre density.

The City's building permit history over the past twenty years shows that the City issued at least 50 building permits per year. The City responded to its system statement in a letter that explained the City's reasons to find that the Council's forecasts for population and households are unrealistically low. The City did not officially request a hearing to change the system statement.

3. Does the proposed CPA conform with the 2030 Water Resources Management Policy Plan and the policies addressing potential future wastewater treatment systems in northwest Anoka County?

The Council staff finds that the proposed CPA is inconsistent with the 2030 Regional Development Framework policies for the Diversified Rural policy area because the proposed CPA would allow development at a density that significantly exceeds the Council's growth forecasts and would permit development at density levels that are four times greater than the Council's one unit per 10 acres in Diversified Rural policy areas. The proposed CPA does not conform with the 2030 Water Resources Management Policy Plan, and the current CPA is more likely than not to have a substantial impact on regional systems (especially when considering the cumulative effect of the previous five CPAs) because, if implemented, the CPA ultimately would affect how metropolitan wastewater and other regional systems are planned, constructed and operated.

4. Does the proposed CPA represent a substantial departure from, or have a substantial impact on, the regional wastewater system plan?

The WRMPP (pg. 30) states:

The Metropolitan Council will use the wastewater system plan to support the orderly and economic development of the metropolitan area, including the long-term service area of communities. The long-term service area will be generally defined by a community or watershed boundary. A community's comprehensive plan and plan amendments are expected to meet the forecasts and densities

specified in the Council's 2030 Regional Development Framework. Inconsistencies would provide the Council with grounds for finding that the community's plan is more likely than not to have a substantial impact on, or contain a substantial departure from, the metropolitan system plan, thus requiring modifications to the local comprehensive plan.

The proposed CPA substantially departs from the *2030 Water Resources Management Policy Plan* and is more likely than not to have a substantial impact on the regional wastewater system plan. The proposed CPA continues a development pattern that may preclude future urbanization at densities that can be efficiently and economically served by regional sewer service. Therefore, this development may directly affect how the metropolitan wastewater treatment system will be constructed, operated and maintained.

FINDINGS AND CONCLUSIONS

Conformity with Regional Systems

The proposed CPA does not conform with the *2030 Water Resources Management Policy Plan*, and "more likely than not" represents a substantial departure from the regional wastewater system plan.

Consistency with Council Policy

The proposed CPA is inconsistent with the *2030 Regional Development Framework* policies for the Diversified Rural policy area because the CPA allows development at a density that is inconsistent with the Council's policies and exceeds the Council's growth forecasts. The cumulative effect of the proposed CPA and the City's past plan amendments are more likely than not to have a substantial impact on regional systems

Compatibility with Adjacent Community Plans

The amendments are compatible with comprehensive plans of adjacent communities.

ATTACHMENTS

- Figure 1: Regional Policy Areas, Regional Systems and CPA location

Figure 1. Location Map, Showing Regional Systems and the Swan Lake Preserve CPA Area, City of Oak Grove

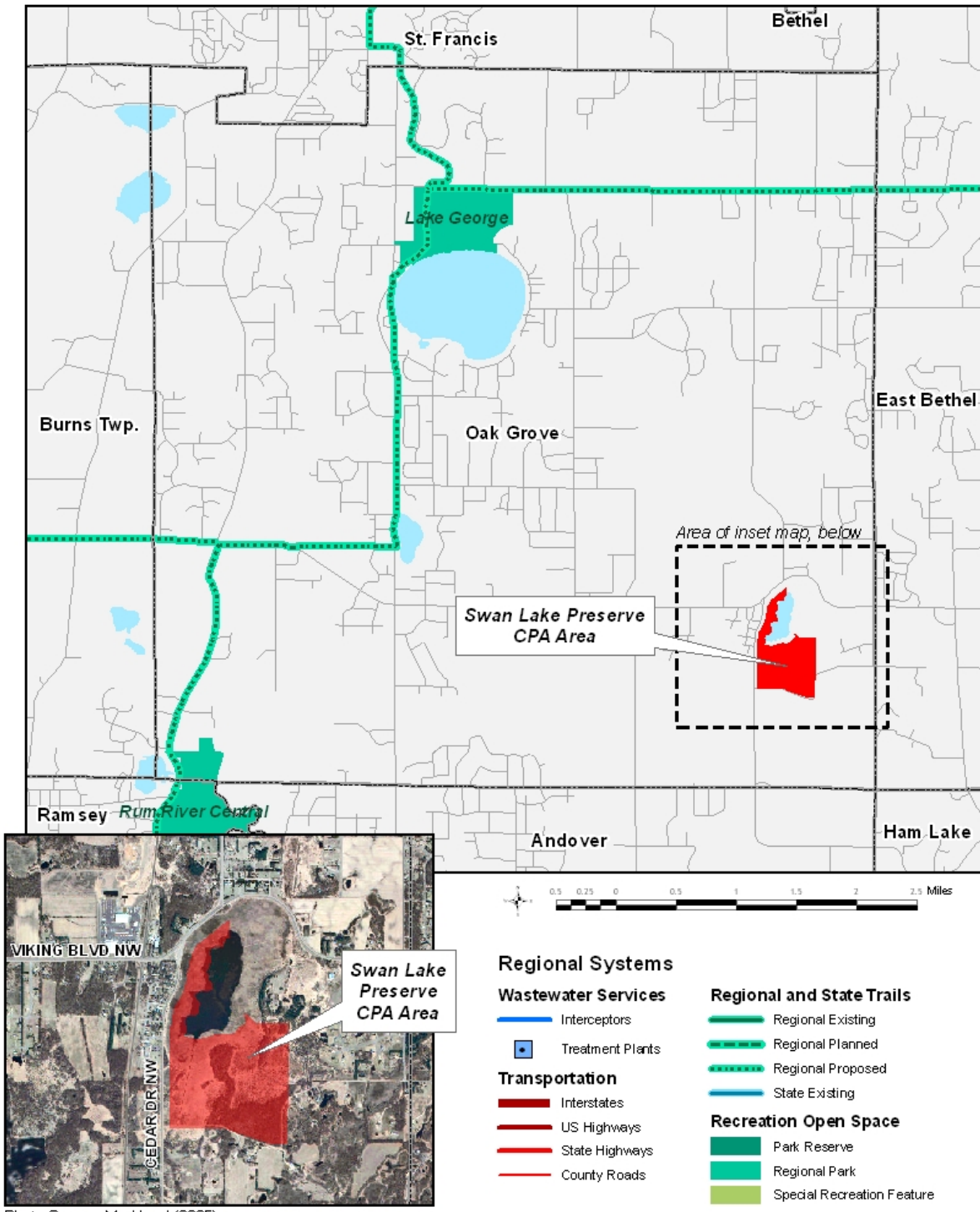


Photo Source: Markhurd (2005)

May 24, 2007

Phyllis Hanson, Manager
Local Planning Assistance
Met Council
390 Robert Street North
St. Paul, MN 55101-1855

SUBMITTED VIA E-MAIL

Dear Ms. Hanson:

I am writing in support of the Swan Lake Preserve Comprehensive Plan Amendment request by the City of Oak Grove. As you know, we are in the process of working on our 2008 plan update, have retained a consultant, and they have done extensive background research. We still have approximately 372 units from the 1998 Comprehensive Plan that we can develop. The location of these lots has not been identified, but the fact that those units are there to develop should not interfere with applications in process.

Our concern, addressed in the enclosed Resolution 06-55, is that instead of diverting Met Council staff time and city staff time to find potential location for these, we think it might be a more constructive use of everyone's time and long range planning to look at where we might locate potential future urbanization instead.

The city is asking that you look at this application based on its own merits and recommend approval. With the adoption and approval of Resolution 06-55, the City of Oak Grove will not submit any more comprehensive plan amendments.

Thank you for the opportunity to comment on this item. Please contact me if you wish to discuss further any of the comments raised in this letter.

Sincerely,

Sam Lucast, AICP
City Planner

Enclosure: Resolution 06-55

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RESOLUTION 06-55

**CITY OF OAK GROVE
COUNTY OF ANOKA
STATE OF MINNESOTA**

**A RESOLUTION OUTLINING THE CITY OF OAK GROVE'S PROPOSAL REGARDING
COMPREHENSIVE PLAN AMENDMENTS EFFECTIVE
UNTIL THE 2008 PLAN IS ADOPTED**

WHEREAS, The City of Oak Grove (Oak Grove) is a developing City located within the seven county metropolitan area and therefore required to complete Comprehensive Land Use Plans reviewed by the regional planning agency called Metropolitan Council (Met Council); and

WHEREAS, Oak Grove has in the past requested and received authority to amend its Comprehensive Plan on a parcel by parcel basis to allow development of land primarily for residential purposes; and

WHEREAS, Met Council Staff raised concerns about Oak Grove's development approach because it may adversely affect the "System Plans" of Met Council as they relate to orderly development and possible service by municipal wastewater treatment services through Rapid Infiltration Basins (RIB); and

WHEREAS, Oak Grove is only served in two separate areas by municipal services (city water and sewer), but not on a large scale; and

WHEREAS, Met Council identified northern Anoka County generally and Oak Grove specifically in the 2030 Water Resources Management Policy Plan as an area that may receive sewer service through RIB; and

WHEREAS, the Met Council's proposed amendments to "System Plans" will likely generate public discussion during the City's upcoming Comprehensive Plan Update process; and

WHEREAS, continued development through Comprehensive Plan Amendments (CPA) could be construed as counter productive to the planning process as Oak Grove begins work on the mandatory 2008 Comprehensive Plan Update; and

WHEREAS, Met Council proposed a remedy to the parcel by parcel CPAs, which would require Oak Grove to designate enough acres to support the approximately 370 single family residential lots, at 2.5-acres per unit, remaining from the approved 1994 Comprehensive Plan; and

WHEREAS, designating such a large amount of acreage when beginning a Comprehensive Planning process seems even more counter productive than parcel by parcel CPAs; and

WHEREAS, Oak Grove has two CPAs (Gardas and Harrington) in process, totaling 15 lots, which should be addressed on their own merits and affect on the overall development of Oak Grove and affect to Met Council "System Plans"; and

WHEREAS, Oak Grove recognizes the potential negative effect continued CPAs may have on the planning process and would therefore, through adoption of this resolution, not support future CPAs ; and

NOW, THEREFORE, BE IT RESOLVED, The City Council of the City of Oak Grove will not refer new Comprehensive Plan Amendments to the Metropolitan Council until after completion of the 2008 Comprehensive Plan Update.

Passed and adopted this 9th day of October, 2006.

Oscar A. Olson, Mayor

ATTEST:

Edward M. Treska, City Administrator

(Seal)