

<b>C</b>	<b>Community Development Committee</b>	<b>2007- 271</b>
	Meeting date: September 17, 2007 For the Metropolitan Council Meeting of September 26, 2007	<b>Consent</b>

**ADVISORY INFORMATION**

<b>Date</b>	August 30, 2007
<b>Subject</b>	City of Inver Grove Heights Twin City Marina Comprehensive Plan Amendment (CPA) Review File No. 18495-35
<b>Districts, Members</b>	District 15 - Daniel Wolter (651-485-3214)
<b>Prepared by</b>	Tori Dupre, Principal Reviewer (651-602-1621) Phyllis Hanson, Manager Local Planning Assistance (651-602-1566) Mark Vander Schaaf, Director Planning & Growth Management (651-602-1441)
<b>Division/Department</b>	Community Development/Local Planning Assistance

**BACKGROUND**

The City of Inver Grove Heights is located in Dakota County, located along the Mississippi River. Sunfish Lake is to the north, Eagan to the west and Rosemount to the south.

In 2000, the City had 29,751 residents, 11,257 households and 7,018 jobs. By 2030, the City is expected to have 44,200 residents, 18,000 households, and 12,100 jobs. The Council's *2030 Regional Development Framework* identifies the City as both *Developing* (north) and *Rural Residential* (south).

The Metropolitan Council reviewed the City's 2020 Comprehensive Plan (Review No. 16750-3) on March 25, 1999. Since then, the City has submitted more than 40 plan amendments to the Council for review.

**REQUEST SUMMARY**

The City proposes to amend the comprehensive plan land use designation of 0.48 acres from Park to Community Commercial. The proposed CPA is within the Mississippi River Critical Area, requiring an amendment to the City's Critical Area Plan.

The applicant proposes to construct a 4,800-square foot addition to an existing business (marina) to manufacture boats.

## PROPOSED ACTION

Staff recommends that the Metropolitan Council:

1. Allow the City to put the CPA into effect contingent upon the Minnesota Department of Natural Resources (MDNR) review and final approval.
2. Find that the proposed CPA is not inconsistent with Executive Order 79-19.
3. Forward the CPA information and the Metropolitan Council's findings and recommendations to the Minnesota Department of Natural Resources (MDNR) for approval.
4. Advise the City to include a copy of the final adopted local surface water management plan as a 2008 comprehensive plan component.
5. Not change the City's system statement forecasts.

## ISSUES

1. Is the proposed CPA consistent with regional objectives and the provisions of Executive Order 79-19?

## OVERVIEW

### Conformity with Regional Systems

The CPA conforms to the Regional System Plans for Parks, Transportation (including Aviation) and Water Resources Management, with no substantial impact on, or departure from these plans.

### Consistency with Council Policy

The CPA is consistent with the Council's *2030 Regional Development Framework*, forecasts and water resources management. This CPA does not change the City's 2010, 2020 or 2030 forecasts.

### Compatibility with Adjacent Community Plans

The amendment will have no impact on adjacent communities.

## ISSUE ANALYSIS AND FINDINGS

### REGIONAL SYSTEMS

#### **Parks** (*Jan Youngquist, 651-602-1029*)

The proposed CPA is in conformance with the *Regional Parks System*. The City's CPA information (*4/23/07 Planning Report, Case No 07-13CPAV, page 3*) indicates that the City prepared a plan for a future Heritage Village Park Master Plan, that identified the park's location west of Doffing Avenue, and proposed facilities.

The Metropolitan Council considers local parks to be an important complement to the regional park system. The Heritage Village park plan incorporates both local and regional elements into its design, and includes a park connection to the Dakota County Mississippi River Regional Trail.

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The park plan identified parcels east of Doffing, including the CPA site, as “potential future city-owned property.” However, the CPA site property is located east of Heritage Park, and the marina owners purchased the property in 2005 after consulting with City staff. The Planning Report stated that the proposed CPA and marina expansion would be consistent with the City’s plan for the future Heritage Park. The CPA site is currently used for parking and boat storage.

**Transportation** (*Ann Braden, 651-602-1705*)

The proposed CPA is in conformance with the *Regional Transportation System*.

**Water Resources Management**

**Sewers** (*Roger Janzig, 651-602-1119*)

The proposed CPA is in conformance with the *Water Resources Management Policy Plan*, and will not substantially impact the regional wastewater system, which has capacity to serve this property and its use.

The City’s 2008 Comprehensive Plan Update should include plans and activities to identify and reduce sources excessive stormwater inflow and infiltration in the metropolitan wastewater system.

**Surface Water Management** (*Jim Larsen, 651-602-1159*)

Surface water management issues in the City are overseen by the Gun Club Lake and Lower Mississippi River Watershed Management Organizations (WMO). Both WMOs have completed “second-generation” watershed management plan updates.

The Council reviewed and commented on the City’s local surface water management plan in October of 2006. The City will need to include a copy of their final adopted local surface water management plan as a component of its 2008 comprehensive plan update.

Based upon the City’s April 23, 2007 Planning Report (Case No. 07-CAPV), the proposed use will require variances and a conditional use permit to allow construction of the proposed marina expansion within the Mississippi River floodplain.

**Mississippi River Critical Area Plan**

While the Council’s 2030 *Regional Development Framework* does not address the Mississippi River Critical Area, Minnesota Statutes 116G.07 require the Metropolitan Council to review critical area plans (and amendments) to determine their consistency with regional objectives, and the provisions of Executive Order 79-19. The Council forwards critical area plan review findings and recommendations to the MDNR for consideration, and agency approval.

The proposed CPA site is located within the Mississippi River Critical Area’s *Urban Developed District*. The City has a Critical Area Plan, which the Metropolitan Council reviewed (Review No. 16750-2) on February 25, 1999. Therefore, the Council must review the City’s proposed Critical Area Plan amendment in the same manner as its review of the City’s Critical Area Plan.

The Critical Area Plan policies for the *urban developed district*, and the CPA site, recommend converting “almost 90 acres to “sports fields, parks and open space,” as a step toward removing industry that conflicts with adjacent land uses, stabilizes the surrounding neighborhood, and provides opportunities for residents to access the river. The Plan’s general policies for the entire corridor:

- Ensure consistency with all applicable federal, state and local regulations for shorelands, floodplain and wetlands (update local codes as necessary to reflect changes to laws that affect the river corridor), and
- Identify land uses that are inconsistent with adopted land use plans and zoning ordinance and plan for their replacement or amortization.

As background, Executive Order 79-19 specifies that local critical area plans should manage the river corridor as a multiple-purpose resource by providing continued development of a variety of urban uses, among other conservation strategies. It also states that within the *Urban Developed District*, the lands and waters... “shall be maintained largely as residential areas. The expansion of existing and development of new industrial, commercial, and other non-residential or non-recreational uses shall be limited to preserve and enhance the residential character of this district.” As a result, the policy is not prohibitive for the CPAs proposed use.

The City’s CPA submittal form indicates that marinas are permitted uses within the Critical Area. The City’s April 23, 2007 Planning Report (Case No 07-CAPV) indicates that the proposed site is within the Mississippi River’s Floodplain and Shoreland zoning districts, and will require a number of variances from these ordinances to allow the proposed use. The planning report recommends city council approval, but with conditions to meet floodplain and shoreland ordinance restrictions.

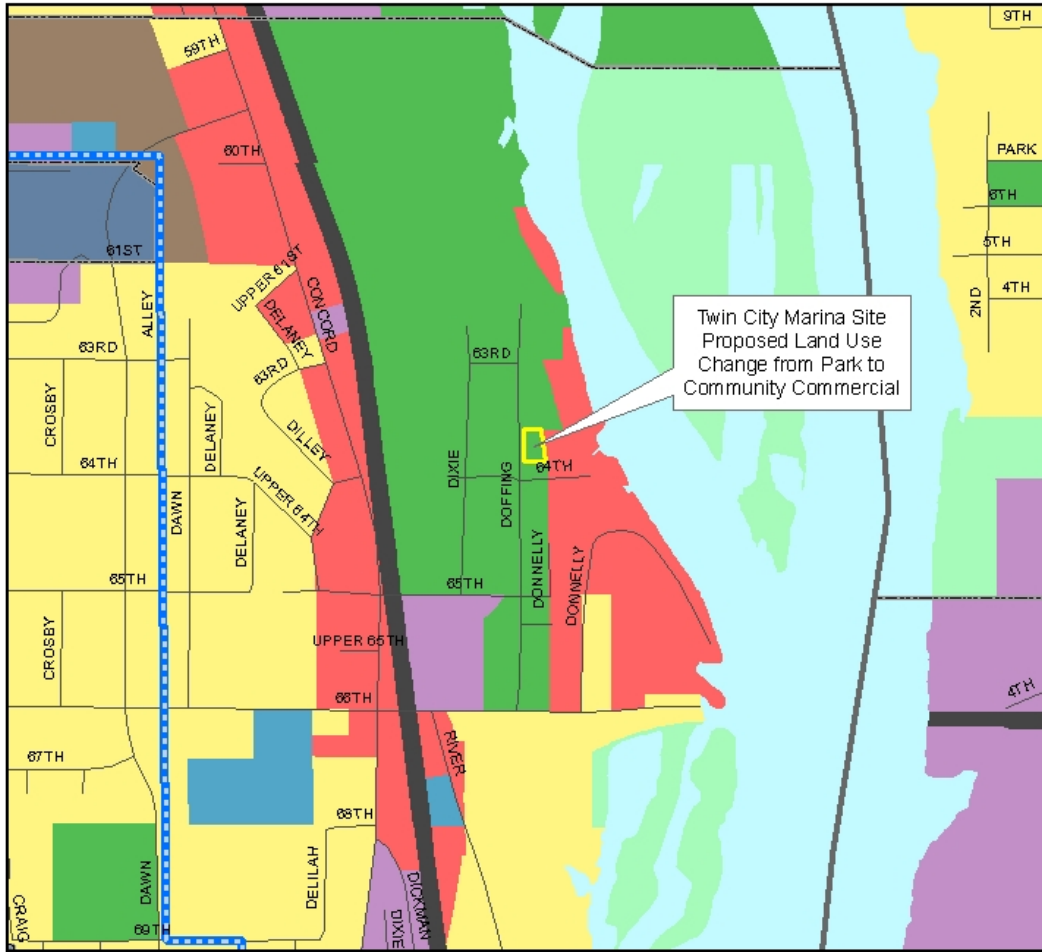
The proposed CPA from park to a non-residential use is inconsistent with Executive Order 79-19’s direction to preserve and enhance the District’s residential character. However, the land use change is consistent with State’s floodplain management program. The MDNR has used flood mitigation funding to purchase homes within the floodplain to reduce the number of homes having flood potential.

The Council finds that the proposed CPA is not inconsistent with the purposes of Executive Order 79-19, policies for the *Urban Developed District*.

## **ATTACHMENTS**

Figure 1 – Location Map Showing 2020 Land Use Plan and Proposed CPA Site

**Figure 1. Location Map, City of Inver Grove Heights,  
Showing 2020 Planned Land Use and the Twin City Marina CPA Site**



- 2020 Planned Land Use Generalized**
- Agricultural
  - Rural and Large-Lot Residential
  - Single Family Residential
  - Multifamily Residential
  - Commercial
  - Industrial
  - Institutional
  - Mixed Use - Single Unit
  - Multiple Use - Multiple Units
  - Park and Recreation
  - Open Space or Restrictive Use
  - Rights-of-Way (i.e., Roads)
  - Railway (inc. LRT)
  - Airport
  - Vacant or Unknown
  - Open Water
  - Twin Cities Marina Site
  - Miss. River Critical Area Boundary
  - TLG Street Centerlines, 2007