

# C Joint Report of the Community Development and Environment Committees

## E For the Metropolitan Council meeting of May 14, 2008

### ADVISORY INFORMATION

**Date Prepared:** April 25, 2008

**Subject:** City of Mayer *Comprehensive Plan* Update  
Review File No. 20094-1  
Tier II Comprehensive Sewer Plan

### Proposed Action:

That the Metropolitan Council adopts the attached Review Record and take the following actions:

1. Approves the City's Tier II Comprehensive Sewer Plan;
2. Authorizes the City of Mayer to put its *Comprehensive Plan* Update into effect without any plan modifications;
3. Requires that the City of Mayer participate in the Council's plat monitoring program beginning in 2008 and to submit annual reports to the Council as outlined on the Council's website:  
[www.metrocouncil.org/planning/assistance/resources.htm#plat](http://www.metrocouncil.org/planning/assistance/resources.htm#plat);
4. Advises the City that it may alter, expand or improve its sewage disposal system consistent with its approved Tier II Sewer Plan;
5. Advises the City that when the Orderly Annexation Agreements are implemented with surrounding townships, forecast revisions should be discussed with the Council if needed;
6. Reminds the City to submit a copy of the City Council Resolution adopting its Update to the Council for its records;
7. Reminds the City that Minnesota Statutes 473.864 require it to formally adopt the Comprehensive Plan, along with any required modifications, within nine months after the Council's final action and require the City to submit two copies of the adopted Plan to the Council in a timely manner;
8. Reminds the City that it is required to submit any updated ordinances and controls intended to help implement the Plan to the Council upon adoption; and,
9. Advises the City that, based on the minimum residential densities described in this report and in the text of the City's comprehensive plan, planned residential development is consistent with the Council policy of 3-5 units per acre.

### Summary of Committee Discussion / Questions:

Jim Uttley presented the item to the Committee. Chair Steffen asked whether Mayer is asking to have the Council acquire its wastewater treatment plant (WWTP) and whether the recommendation to require Mayer to participate in the plat monitoring program was related to possible acquisition. Uttley responded that Mayer is exploring possible acquisition of its WWTP but has not made a formal request. He said that the recommendation about plat monitoring is partially related to possible future acquisition but is also something that Uttley has discussed with most of the cities in Carver County.

Motion to accept proposed action numbers 1 and 4 was made, seconded, and passed unanimously by the Environment Committee.

## C Community Development Committee

Meeting date: April 21, 2008

## E Environment Committee

Meeting date: April 22, 2008

For the Metropolitan Council Meeting of May 14, 2008

### ADVISORY INFORMATION

<b>Date:</b>	April 9, 2008
<b>Subject:</b>	City of Mayer <i>Comprehensive Plan</i> Update Review File No. 20094-1 Tier II Comprehensive Sewer Plan
<b>District(s), Member(s):</b>	District 4, Councilmember Craig Peterson, 651-602-1474
<b>Policy/Legal Reference:</b>	Minnesota Statute Section 473.175
<b>Staff Prepared/Presented:</b>	James P. Uttley, Principal Reviewer, 651-602-1361 Kyle Colvin, Engineering Services Asst. Manager, 651-602-1151
<b>Division/Department:</b>	Community Development / Planning and Growth Management Environmental Services / Engineering Services

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### Background

The City of Mayer (City) is located in northwestern Carver County. It is bounded by four townships: Camden Township (southwest), Hollywood Township (northwest), Watertown Township (northeast) and Waconia Township (southeast). The closest neighboring city is New Germany, which is located about 2 miles to the west. (See Figure 1).

The *2030 Regional Development Framework (RDF)*, as adopted by the Metropolitan Council (Council) in January 2004, identified the City as a “Rural Center” located within a broad “Agricultural” geographic planning area of western Carver County. In 2006, the City requested the Council change its geographic planning area designation to “Rural Growth Center” and allow greater growth. On August 28, 2006, the Council agreed to higher forecasts and changed the planning area designation as requested. Figure 2 shows the revised designation and the regional systems.

The City submitted its *2030 Comprehensive Plan (Plan)* 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 Plan conform to Regional Systems Plans?

- Regional Parks Yes
- Transportation including Aviation Yes
- Water Resources Management Yes  
(Wastewater Services and Surface Water Management)

### 2. Is the Plan consistent with Metropolitan Council policies?

- Forecasts Yes
- Housing Yes
- 2030 Regional Development Framework and Land Use Yes
- Individual Sewage Treatment Systems (ISTS) Program Yes
- Water Supply Yes

### 3. Is the Plan compatible with plans of adjacent governmental units and plans of affected special districts and school districts?

Yes

## Funding

The Council awarded Mayer a \$20,000 planning grant to help with the preparation of its plan. Fifty percent of the grant has been paid to date; the remainder awaits Council action on the Plan and City adoption of the plan following Council action.

## Known Support / Opposition

Townships and county support the Update. There is no known opposition.

# **REVIEW RECORD**

## **Review of the City of Mayer 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 Regional Parks Policy Plan. The Update includes both the Dakota Rail Regional Trail and a generalized location of a future trail associated with the south fork of the Crow River.

#### **Transportation**

##### ***Roads and Transit***

*Reviewer: Ann Braden, MTS – Systems Planning, (651-602-1705)*

The Update is in conformity with the Transportation Policy Plan and addresses all the applicable transportation and transit requirements.

The nearest principal arterial (metropolitan highway), TH 7, is located approximately one mile north of the city. Only safety improvements are planned to TH 7. CSAH 30 and TH 25, respectively, provide the primary east-west and north-south routes through the city. The city plans for local road connections and extensions to serve future development both inside and outside its urban growth boundary.

Because Mayer lies outside the transit taxing district there is no regular route transit service existing or planned in the City. Rural dial-a-ride service is provided by Carver Area Rural Transit (CART), which is consistent with service options for a Market Area IV community.

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

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

The Update is in conformance with Council aviation policy. The City of Mayer is not within the influence area of any regional system airport; it is within the region's general airspace that is to be protected from potential obstructions to air navigation. The Mayer CPU includes a notification requirement to the FAA for proposed tall structures and also a local ordinance for control of airspace structures.

## **Water Resources Management**

### ***Wastewater Service***

*Reviewer: Roger Janzig, ES – Engineering Services, (651-602-1119)*

The Update is in conformance with the Water Resources Management Policy Plan.

The Update summarizes the City's vision for the next 20 years or to year 2030. The City's Update presents two forecast options. Option A is consistent with Council forecasts. Option B assumes more rapid growth during the first decade, then leveling off so that the forecasts agree with the Council 2030 forecasts.

Current wastewater treatment services are provided by the City at a wastewater treatment plant (WWTP) owned and operated by the City. At this time the City is not requesting the Council to acquire the WWTP. However, the Update says that the City may be open Council acquisition of the WWTP in the future.

In order for the Council to consider acquisition of the City's WWTP, the City would need to make a formal request for acquisition and would have to provide, at the time of the request, information regarding the current wastewater flow, the current capacity of the wastewater treatment plant, and potential cost effective options for future wastewater treatment plant expansions.

The Update indicates that the City's WWTP, with future improvements identified in the Plan completed and based on growth forecasts, has sufficient capacity to provide services through approximately 2010. These forecasts were developed prior to the current downturn in the housing market.

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

The City's Update outlines an I/I reduction program. The Update focuses on private property sources of inflow such as sump pump and passive drain connections for new connections. Other activities such as pipeline slip-lining also address infiltration sources. The City has also stated that additional studies will be pursued if warranted.

If, in the future, the Council acquires the City's WWTP, or phases it out and provides service to the City through the Metropolitan Disposal System (MDS), the City will be required to adhere to Council policies and regulations for Communities served by the MDS.

### ***Tier II Comments***

The Tier II Sewer Element of the Update has been reviewed against the requirements for Tier II Comprehensive Sewer Plans for Rural Growth Centers. 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: Jim Larson, CD – Local Planning Assistance, 651-602-1159*

The City is located within the Carver County Watershed. The Carver County watershed management plan was approved by the Board of Water and Soil Resources in 2001. The Council reviewed and commented on Mayer's draft storm water management plan (SWMP) in April 2005. The City addressed the majority of the Council's concerns in its final draft, which was approved by the County in September 2006. The City's SWMP is consistent with the Council's 2030 Water Resources Management Policy Plan.

The City provided the Council with a copy of its adopted SWMP, dated September 2007, which will be kept in Council files. If the SWMP is amended or significantly changed in the future, it will need to be resubmitted to the Council for review and comment at the same time it is sent to the Carver County Watershed.

The following are advisory recommendations concerning the City's newly adopted SWMP.

- The City should change its wetland buffer standard system back to the type proposed in its draft SWMP, a system based on 'function and value' instead of a wetland 'type-based' system. The City's new system gives potentially arbitrary preference to preservation of wider buffers around 'open water' (Types 3, 4,

and 5) wetlands. Council staff recommends a system establishing minimum buffer widths based upon each wetland’s assessed function and value. Higher quality wetlands (regardless of ‘type’) having a greater plant diversity will typically benefit from a wider buffer to help deter the migration of invasive species and help diminish the degrading effects of physical disturbance impacts that take place near the wetland.

- The City should partner with Carver County and/or the University of Minnesota Extension as a means of bolstering its water resources management education plan.

## CONSISTENCY WITH COUNCIL POLICY

### Forecasts

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

The Update’s forecasts are consistent with Council’s forecasts as revised by Council action in August 2006. When Orderly Annexation Agreements (OAAs) are implemented with surrounding townships, forecast revisions should be discussed with the Council as needed.

**Table 1: Met Council Forecasts as Compared to the City’s Plan**

	2000		2010		2020		2030	
	Met Council	City	Met Council	City	Met Council	City	Met Council	City
<b>Population</b>	554	346	3900	3900	7000	7020	9600	9620
<b>Households</b>	199	199	1500	1500	2700	2700	3700	3700
<b>Employment</b>	92	74	250	210	370	300	400	400

\* These forecasts represent both total city forecasts and sewerred forecasts.

### 2030 Regional Development Framework and Land Use

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

The Update is consistent with the Council’s 2030 Regional Development Framework policies for land use. As a Rural Growth Center, Mayer is anticipated to grow more than it would have as a rural center. The forecasts above reflect a substantial growth for the community through 2030. Since 1998, the City increased its residential acreage from 62.5 in 1998 to 268.4 in 2005.

Rural Growth Centers are expected by the Council to provide a full range of services, generally around an established core commercial center rather than becoming “bedroom” communities with jobs, schools and services offered elsewhere. Mayer’s Update proposes 102 acres of commercial (C) and industrial (I) growth over the next 20 years. This may help to create a well-rounded, full service community in the longer term. The City has Order Annexation Agreements (OAAs) with its three of its four neighboring townships: Camden, Waconia and Watertown. The agreements allow the City to plan for expansion beyond the existing City limits.

A major development constraint is the south fork of the Crow River, which borders the City to the north and west. The Plan directs development to stay east and south of the river, and thus the City did not pursue an Order Annexation Agreement with Hollywood Township, which is located northwest of the river.

The Update indicates that an analysis of past development density in the City before 2000 averaged 2.1 units per acre (all single family). Since 2000, the City’s net density has increased to an average of 2.41 units per acre. Mayer’s updated Plan proposes a minimum density of not less than 3 units per net acre.

The Update includes an extensive analysis of existing vacant residential lots (58) and three major development projects that have received concept and preliminary plat approvals in the past for developments within the existing City limits (Coldwater Crossing, Hidden Creek, and Fieldstone). Together, the three large proposed projects will add 960 units on 268 net acres, a net density of 3.6 units per acre.

The Plan proposes that Mayer will add an additional 330 acres of land through annexation by 2030. Approximately 15 acres are planned for commercial development, 305 acres planned for low/medium density residential at an average density of 3.16 units per net acre, and 10 acres planned for high density residential at an average density of 16 units per net acre. These planned residential densities are consistent with Council policy.

## **Housing**

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

The Update is consistent with the Council's housing policy and meets the affordable housing planning requirements of the MLPA. The Update acknowledges the City's share of the region's affordable housing need for 2011-2020 of 174 units. To provide opportunities to meet this need, the Update indicates that approximately 65 acres of land will be available for medium density residential development, at 4-6 units per acre, and 10 acres designated for high density residential development at 16 units per acre.

In 2005, the City approved an orderly annexation agreement for approximately 280 acres from Watertown Township for a 533-acre development referred to as Fieldstone, which was also reviewed by the Council through the comprehensive plan amendment (CPA) process. The 2005 CPA, out of the 280 acres, 220 acres is guided for low/medium density residential development (3-6 units an acre), and 58 acres for high density residential development (12-16 units per acre). The proposed residential development will be phased in over a 10-year period. More recently, the City approved annexation of 126 acres of that development. The Update identifies the implementation tools, including maintaining zoning and subdivision regulations that allow for the construction of a variety of housing types and prices, utilizing the City's ordinances that allow for planned unit developments, and promoting the development of multifamily housing, the City will use to promote opportunities to address its share of the region's housing need. The Update lists the federal, state and local programs and resources the City will use to implement its housing goals.

The Update indicates the City is committed to continue working with the Carver County Community Development Agency to address low- and moderate-income housing needs. The City participated with the Carver County CDA in 2007 in the development of the 2007 Carver County Housing Study. The Plan also indicates the City will pursue opportunities with Minnesota Housing and other partners to maintain and advance housing affordability in the community and to accommodate additional new affordable units. Mayer 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 Council policy relative to ISTS. The Update indicates that there are currently seven ISTS remaining in service within the City. Responsibility for the proper operation and continued maintenance of these systems (until phase-out and connection to collective sanitary sewers) has been assumed by Carver County staff. The County's ISTS program is consistent with Council and Minnesota Pollution Control policies, requirements, and standards.

## **Water Supply**

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

The City's Water Supply Plan (WSP) is consistent with the policies of the Council's Water Resources Management Policy Plan. The City's WSP includes a 2030 projected water demand of 351.13 million gallons per year. In order to meet this projected demand, the City is planning a new well-field with a capacity of 800 gallons per minute (bringing firm capacity to 12 gallons per minute). The City calculated the average residential per capita demand over the past 5 years to be 77.84 gallons/day. The WSP indicates that the City has several conservation measures in place, including time-of-day watering restrictions, bill inserts, and media releases. The Council recommends the City continue to implement its existing conservation measures and to continue to assess other conservation opportunities.

## **Resource Protection**

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

***Historic Preservation***

The Update contains a section on Historic Preservation as required by the MLPA. It indicates that there are no sites either in the City that listed in the Register of National Historic Places. The Plan says that the City is committed to preserving the City’s downtown and its “small town atmosphere.” At the time the Plan was drafted, the County had not yet begun conducting a county-side survey of historic sites; which it is doing at the present time. The City is encouraged work with State and County Historical Societies to identify, publicize and preserve other historic sites in the greater Carver County community.

***Solar Access Protection***

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

***Aggregate Resources Protection***

The Update contains a section on Aggregate Resources Protection as required by the MLPA. It indicates that the City and surrounding area are devoid of aggregate resources.

**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 No, not applicable (handled by County)
- Housing Implementation Program Yes

The Update contains a 5-year CIP, a copy of the existing zoning districts and map, and a description of possible future changes. There are no specific changes in ordinances identified as needed to implement the Plan. The City is reminded that it must submit copies to the Council of any changes made to any of the above noted documents within 30 days of their adoption.

**COMPATIBILITY WITH PLANS OF ADJACENT GOVERNMENTAL UNITS AND PLANS OF AFFECTED SPECIAL DISTRICTS AND SCHOOL DISTRICTS**

The City submitted its *Comprehensive Plan* Update to adjacent local units of government, school district, county and special districts for comment in October 2006. Mayer received responses from three of four townships and school district indicating that they had no comments on the Update. The fourth township did not respond within the six month review period.

Carver County, which also serves as the watershed management organization for most of the County, provided a four-page letter of comments on February 12, 2007. The City addressed suggested changes or responded to County questions. The Update reflects changes to the draft Update that the County reviewed.

**DOCUMENTS SUBMITTED FOR REVIEW:**

City of Mayer *Comprehensive Plan*, dated August 2007

**ATTACHMENTS**

- Figure 1: Location Map with Regional Systems
- Figure 2: 2030 Regional Development Framework Planning Areas
- Figure 3: Future Guided Land Use, 2010-2030
- Figure 4: Existing and Planned Land Use Table in 5-year Stages



FIGURE 1: LOCATION MAP WITH REGIONAL SYSTEMS  
City of Mayer

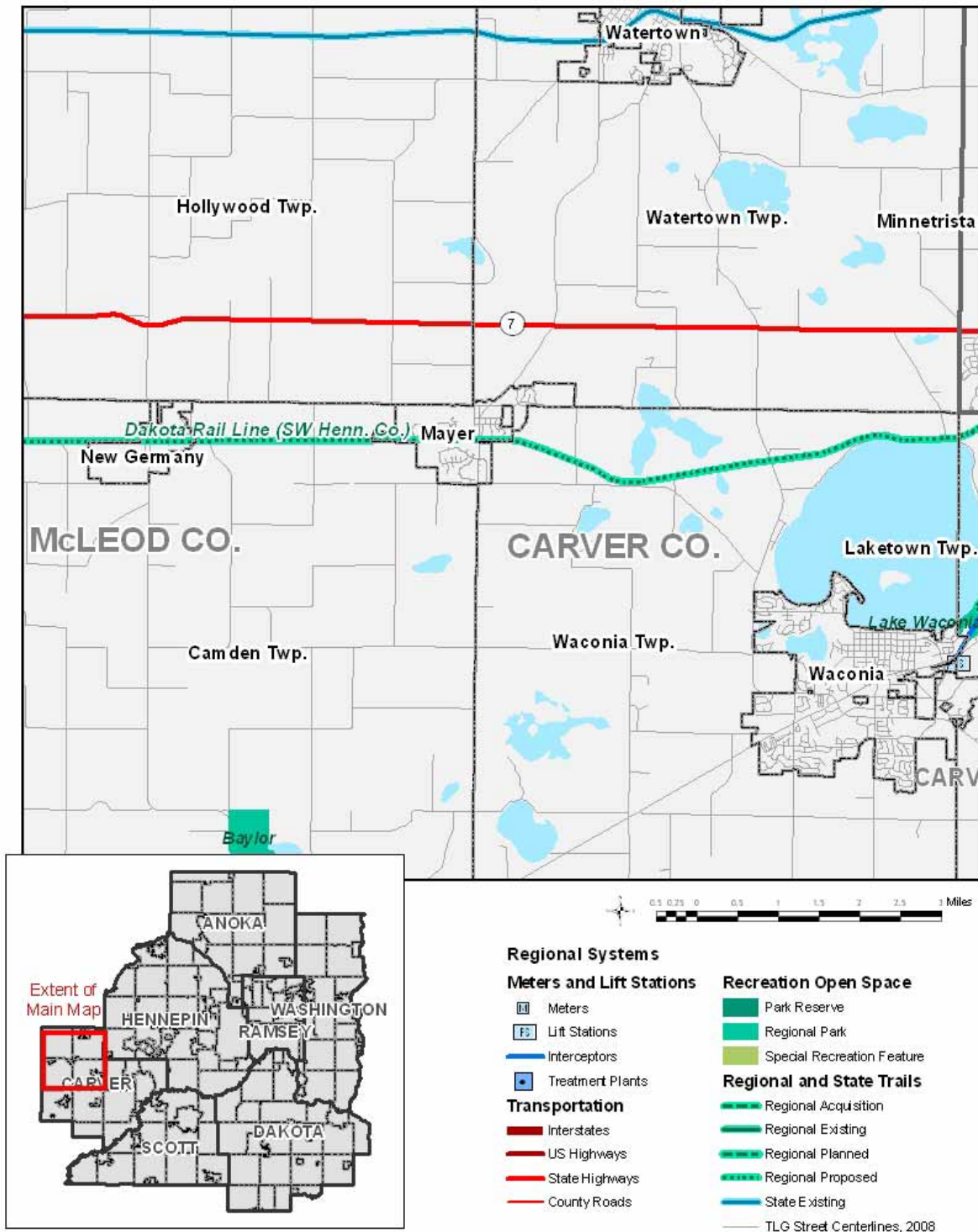
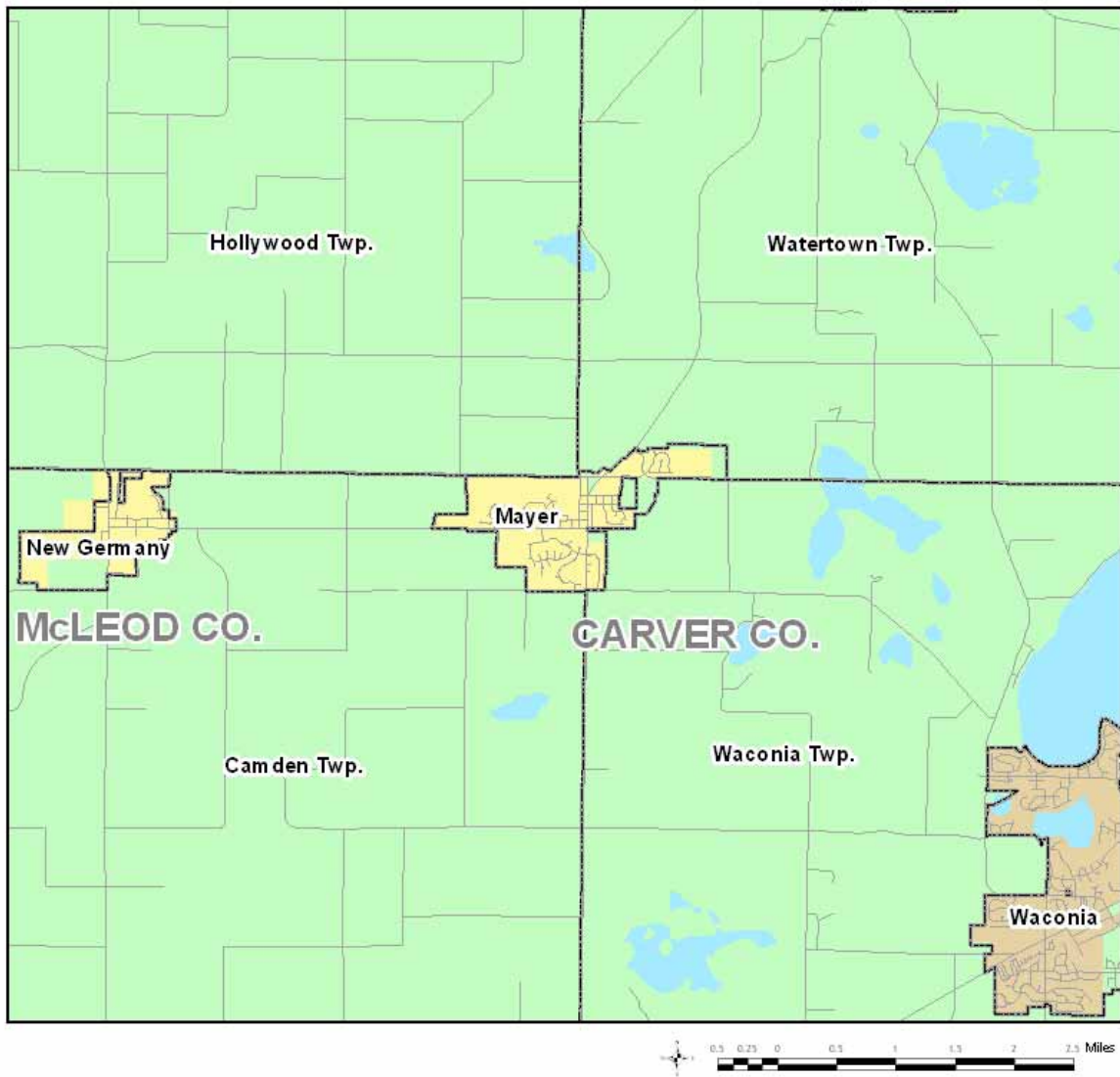


FIGURE 2: 2030 REGIONAL DEVELOPMENT FRAMEWORK PLANNING AREAS  
City of Mayer

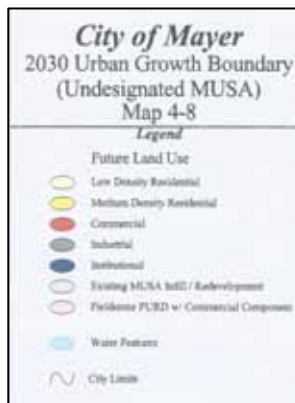
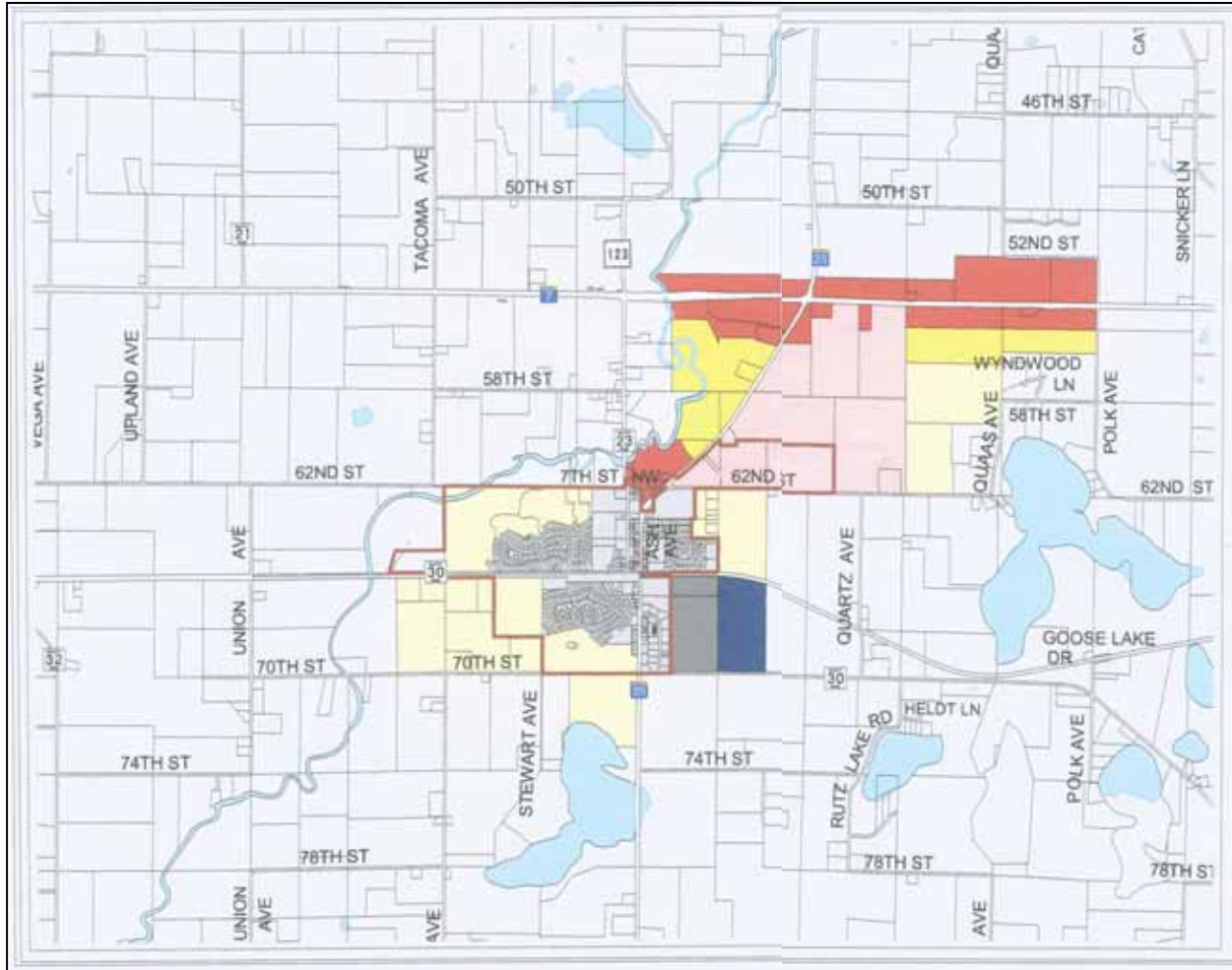


**Regional Development Framework**

**2030 Framework Planning Areas**

- Agricultural Area
- Developed Area
- Developing Area
- Diversified Rural
- Non-Council Area
- Rural Growth Center
- Rural Residential

FIGURE 3: FUTURE GUIDED LAND USE, 2010-2030  
City of Mayer



**FIGURE 4: EXISTING AND PLANNED LAND USE TABLE IN 5-YEAR STAGES**  
**CITY OF MAYER**  
**Existing and Planned Land Use Table (in acres)**

Within Urban Service Area	Allowed Density Range Housing Units/Acre		Existing (2005)	2010	2015	2020	2025	2030	Change 2005-2030
	Minimum	Maximum							
<b>Residential Land Uses</b>									
Low Density Residential	3	3.9	140.6	290.6	314.6	474.6	607.6	740.6	600
Medium Density Residential	4	6	0	31	46	61	74	87	87
High Density Residential	12	16	1.3	4.3	6.3	8.3	9.3	10.3	9
Mixed Use Primarily Residential*	5.608	5.608	126	309	445	445	445	445	319
<b>C/I Land Uses</b>									
	Est. Employees/Acre								
Commercial	3		10.8	31.8	52.8	55.8	58.8	61.8	51
Industrial	2.067		20	41	62	65	68	71	51
Office	3		15.4	15.4	15.4	15.4	15.4	15.4	0
Mixed Use Primarily C/I*	3		0	0	0	0	0	0	0
Extractive	NA		0	0	0	0	0	0	0
<b>Public/Semi Public Land Uses</b>									
Institutional			55	131	131	131	131	131	76
Parks and Recreation			25	68	68	68	68	68	43
Open Space					Included	in parks			
Roadway Rights of Way			45	139	270	420	576	762	717
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>			439.1	1061.1	1411.1	1744.1	2053.1	2392.1	1953
<b>Outside Urban Service Area</b>									
	Minimum lot size	Maximum lot size	Existing (2000)	2010	2015	2020	2025	2030	Change 2000-2030
Rural Residential 2.5 acres or less	Not Allowed		0	0	0	0	0	0	0
Rural Residential 2.5 -10 acres	Not Allowed		0	0	0	0	0	0	0
Rural Residential 10-40 acres	Not Allowed		16.8	0	0	0	0	0	-16.8
Agricultural 40+ acres	1 acre	None	0	0	0	0	0	0	0
<b>Subtotal Unsewered</b>			16.8	0	0	0	0	0	-16.8
<b>Undeveloped</b>									
Wetlands			85.4	155.4	203.4	264.4	288.4	315.4	230
Open Water, Rivers and Streams			0	0	0	0	0	0	0
<b>Total</b>			541.3	1216.5	1614.5	2008.5	2341.5	2707.5	2166.2

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