

# C Community Development Committee Environment Committee

For the Metropolitan Council meeting of December 10, 2008

## ADVISORY INFORMATION

**Date Prepared:** November 24, 2008

**Subject:** City of Chaska Comprehensive Plan Update Extension Request

### Proposed Actions:

The Metropolitan Council extends City of Chaska's comprehensive plan update submission deadline from December 31, 2008 to August 31, 2009.

### Summary of Committee Discussion / Questions:

Council staff presented an overview of the requests received from communities for extension of the deadline for submitting comprehensive plan updates. The Committee focused on two distinct groups of cities making requests; 1) those without local planning assistance grants from the Council; and 2) those that have been given local planning assistance grants. The committee adopted the proposed action for four cities - Chaska, Minnetonka Beach, Orono, and Vadnais Heights, as requested by the cities, without Committee discussion.

Motion to approve the recommendation shown above was made, seconded and approved unanimously.



# Community Development Committee

Meeting date: November 17, 2008

Business Item

Item: 2008-328

## ADVISORY INFORMATION

<b>Subject:</b>	City of Chaska 2030 Comprehensive Plan Extension Request
<b>District(s), Member(s):</b>	District 4, Craig Peterson
<b>Policy/Legal Reference:</b>	Metropolitan Land Planning Act (Minn. Stat. § 473.175)
<b>Staff Prepared/Presented:</b>	James P. Uttley, Principal Reviewer, (651-602-1361) Phyllis Hanson, Manager, LPA (651-602-1566)
<b>Division/Department:</b>	Community Development / Planning and Growth Management

### Proposed Action

That the Metropolitan Council extends City of Chaska’s comprehensive plan update submission deadline from December 31, 2008 to August 31, 2009.

### Background

Minnesota Statutes section 473.864 requires all local governments in the seven-county metropolitan area to review and update their local comprehensive plans submit those updates to the Metropolitan Council for review and comment by December 31, 2008. Section 473.864 authorizes the Council to grant extensions to local government units if they need additional time to complete their comprehensive plan review and revisions. According to statute, any extensions granted by the Council “must include a timetable for completion of the review.” The Metropolitan Land Planning Act requires the Council to establish guidelines and procedures to which local government units must conform when preparing, adopting, and submitting their plans. In June, the Council adopted guidelines and procedures for communities to follow when requesting extensions to the comprehensive plan update submission deadline.

Pursuant to the guidelines adopted by the Metropolitan Council on June 25, 2008, the City of Chaska has submitted the required materials to request an extension to the statutory submission date for comprehensive plan updates. The City has requested that their submission date be extended from December 31, 2008, to August 31, 2009.

In the request materials, the City explains that comprehensive plan update has been delayed primarily because the City was awaiting a decision by MnDOT as to the location of the proposed new TH41 bridge. The new bridge is not expected to be built before 2030. It is expected to be 4-lane bridge replacing the current 2-lane TH41 bridge that is located on the south side of downtown Chaska. MnDOT has analyzed several alternative locations, all of which will have the potential for significant impacts in Chaska with respect to transportation, land use, and open space elements of the City’s plan, and which may also impact sewer and water and other plan elements. That decision has still not been made and the City has decided that it will have to revisit the plan once the decision is made. The City indicates that the draft of the comprehensive plan will be complete in early December 2008, with the adjacent community and affected jurisdiction review being initiated by December 10, 2008. The 6-month review period would then be complete in mid-June, allowing the community time to make any necessary changes and the City Council to take action to submit the plan to the Council by August 31, 2009.

### Rationale

Anticipating that some communities may encounter issues in completing and submitting their plans by the statutory December 31, 2008 submission date, the Council adopted a process and guidelines that allow for the extension of the submission date. Requests for extensions up to May 29, 2009 may be administratively reviewed and granted, while requests for extensions to a date beyond May 29, 2009 require Community Development Committee and Council action.

The City's request for an extension to August 31, 2009 is three months beyond that which could be administratively reviewed to accommodate a full six-month adjacent review period. It has been Council staff's experience that many communities have been able to obtain comments from the affected jurisdictions prior to the termination of the full six months.

### **Funding**

No Metropolitan Council funding involved. The City did not receive a comprehensive planning grant or loan.

### **Known Support / Opposition**

There is no known opposition.



## City of Chaska

October 27, 2008

Metropolitan Council  
Community Development Committee  
390 Robert Street North  
St. Paul, MN 55101

Re: Extension Request for the City of Chaska's Comprehensive Plan Update

Dear Councilmembers:

The Metropolitan Land Planning Act requires that all local governmental units have their 2030 Comprehensive Plan updates submitted to the Metropolitan Council by December 31, 2008. The City of Chaska will have its plan updated and approved by the local community by that date. However, state law requires a six-month adjacent community and special district review prior to formal submittal of the plan to the Metropolitan Council. Therefore, the City needs to request and extension to allow for that six-month adjacent community review and for the City to consider and act on any comments received during that process.

The reason for the extension request stems from a decision the City expected to receive from the Minnesota Department of Transportation (MnDOT). MnDOT was to select a location for a new river crossing of Trunk Highway 41 over the Minnesota River in December of 2007. All of the alternates for the new river crossing greatly impact the future land use decisions within the City of Chaska. MnDOT has yet to select this river crossing, which caused a large delay in the commencement of the update effort. Therefore the City had no other choice but to proceed with its Comprehensive Plan update without this important decision informing the future land use choices in this update.

At its October 6, 2008, meeting, the Chaska City Council adopted a resolution, finding it appropriate to request from the Metropolitan Council an extension so the City can have additional time to complete and submit to the Metropolitan Council for review an updated comprehensive plan and amend its fiscal devices and official controls.

The City anticipates that the Comprehensive Plan update will be completed by the City and available for review by December 31, 2008, but the six-month adjacent community review and City review and action on any comments would push the ultimate submittal date to August 31, 2009.

Thank you kindly for your time and consideration.

Sincerely,

Matt Podhradsky  
Acting City Administrator

**REQUEST FOR EXTENSION OF PLANNING PERIOD**

Completed request form and accompanying Resolution must be received at the Metropolitan Council offices by **November 1, 2008**. Your responses to the following questions will provide the Metropolitan Council with information needed to help ensure plan completion.

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Community Name City of Chaska Request Date October 24, 2008  
 Community Contact Person Kevin Ringwald Phone 952-227-7526  
 Email Address kringwald@chaskamn.com Fax 952-448-9300

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**PLANNING PROCESS TIMELINE:** Please provide the target dates for each step of the planning process identified below.

<b>Process Step</b>	<b>Target Date</b>
Completion of draft plan text and mapping	12-10-08
Initiation of 6-month review/comment period by adjacent jurisdictions, affected special districts, and school districts	12-10-08
Public hearing date	12-10-08
City Council / Town Board / County Board action	12-15-08
Date of plan submission to Metropolitan Council	8-31-09
Completion of fiscal devises and official controls review/amendment	8-1-10 (pending comments)

Please note that a target date for plan submission to the Metropolitan Council after May 29, 2009 will require a presentation to and formal action by the Metropolitan Council. If the Target Date for plan submission is prior to May 29, 2009, the extension may be administratively granted by the designated Metropolitan Council staff.

**PLANNING ISSUES:** Please place a checkmark (✓) next to the issue(s) identified below that are contributing to the need for the requested extension.

- Staff workload
- Contract planner delays
- Issues affecting adjacent communities
- Data/mapping/GIS
- MUSA expansion issues
- Area development or redevelopment plan(s) in process
- Planning Commission/City Council/Board member concerns
- Population, household, employment forecast issues
- Sewer flow forecast issues
- Growth staging plan
- Public participation process
- Metropolitan Council density policy issues

- Development of plan components:
  - Existing land use
  - Future land use
  - Housing
  - Surface water management
  - Transportation
  - Sewer Plan
  - Park/Open Space Plan
  - Water Supply Plan
  - Historic Preservation Plan
  - Implementation Plan
  - Critical Areas/MNRRRA
  - Other MnDOT TH41 Bridge

**CITY OF CHASKA  
CARVER COUNTY, MINNESOTA**

RESOLUTION

DATE October 6, 2008 RESOLUTION NO. 08-77

MOTION BY COUNCILMEMBER \_\_\_\_\_ SECOND BY COUNCILMEMBER \_\_\_\_\_

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A Resolution Requesting Additional Time Within Which To Complete the Comprehensive Plan

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WHEREAS, Minnesota Statutes section 473.864 requires local governmental units to review and, if necessary, amend their entire comprehensive plans and their fiscal devices and official controls at least once every ten years to ensure comprehensive plans conform with metropolitan system plans and ensure fiscal devices and official controls do not conflict with comprehensive plans or permit activities that conflict with metropolitan system plans; and

WHEREAS, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their "decennial" reviews by December 31, 2008; and

WHEREAS, Minnesota Statutes section 473.864 authorizes the Metropolitan Council to grant extensions to local governmental units to allow local governmental units additional time within which to complete the "decennial" review and amendments; and

WHEREAS, any extensions granted by the Metropolitan Council must include a timetable and plan for completing the review and amendment; and

WHEREAS, the City of Chaska will not be able to complete its "decennial" review by December 31, 2008, for the following reasons: The State of Minnesota – Department of Transportation (MnDOT) was to select a location for a new river crossing of Trunk Highway 41 over the Minnesota River in December of 2007 and all of the alternates for the new river crossing greatly impact the future land use decisions within the City of Chaska; and

WHEREAS, MnDOT, as of this date, has yet to select this river crossing, which caused a large delay in the commencement of the update effort and the City had no other choice but to proceed with its Comprehensive Plan update without this important decision informing the future land use choices in this update; and

WHEREAS, the City Council finds it is appropriate to request from the Metropolitan Council an extension so the City can have additional time to complete and submit to the Metropolitan Council for review an updated comprehensive plan and amend its fiscal devices and official controls; and

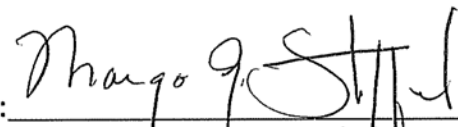
WHEREAS, the City anticipates that the Comprehensive Plan update will be completed by the City and available for review by December 31, 2008, but the six-month adjacent community review and City review and action on any comments would push the ultimate adoption past May 29, 2009; and

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Chaska, Minnesota, hereby adopts Resolution #08-69, as follows:

1. The City Administrator is directed to submit to the Metropolitan Council no later than November 1, 2008, an application requesting an extension to August 31, 2009.
2. The City Administrator shall include with the request a reasonably detailed timetable and plan for completing: (a) the review and amendment by August 31, 2009; and (b) the review and amendment of the City's fiscal devices and official controls.

Passed and adopted by the City Council of the City of Chaska, Minnesota, this 6<sup>th</sup> day of October, 2008.

  
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Gary F. Van Eyll, Mayor

Attest:   
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Chaska Deputy Clerk