

# J Community Development Committee Environment Committee

For the Metropolitan Council meeting of January 27, 2010

## ADVISORY INFORMATION

Subject: City of Excelsior *2008 Comprehensive Plan* Update  
Review File No. 20565-1  
Tier II Comprehensive Sewer Plan

### Proposed Action

That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the following:

### Recommendations of the Community Development Committee

1. Authorize the City of Excelsior to put its 2008 Comprehensive Plan Update into effect.
2. Adopt the advisory comments for transportation and surface water management presented in the review record.
3. Advise the City of Excelsior to participate in the Council's Redevelopment Monitoring program.
4. Accept the revised forecasts as shown in Table 1 of the attached review record.

### Recommendations of the Environment Committee:

Approve the City of Excelsior's Tier II Comprehensive Sewer Plan.

### Summary of Committee Discussion / Questions

#### Community Development Committee

Senior Planner LisaBeth Barajas presented the staff report and proposed actions to the Community Development Committee. Council member Broecker asked whether the City was aware of the advisory comments in the report. Barajas indicated that it was her understanding that the report has been sent to the City prior to the meeting and that the report would also be sent to the City with the letter detailing the Council's final action. The Committee did not have any further questions or discussion.

The Committee unanimously adopted the proposed actions.

#### Environment Committee

The Committee asked whether the City of Excelsior is making progress on infiltration/inflow (I/I) mitigation, and if the main source of I/I has been determined. Staff said progress is being made, and the city is focusing on the private sector, specifically sump pump foundation drains. Motion to approve the City of Excelsior's Tier II Comprehensive Sewer Plan was made, seconded, and approved unanimously.

**C** Community Development Committee  
Meeting date: January 19, 2010

**E** Environment Committee  
Meeting date: January 12, 2010

**ADVISORY INFORMATION**

<b>Subject:</b>	City of Excelsior <i>2008 Comprehensive Plan Update</i> Review File No. 20565-1 Tier II Comprehensive Sewer Plan
<b>District(s), Member(s):</b>	District 3, Councilmember Bob McFarlin
<b>Policy/Legal Reference:</b>	Minnesota Statute Section 473.175
<b>Staff</b>	James P. Uttley, Principal Reviewer, (651-602-1361)
<b>Prepared/Presented:</b>	Phyllis Hanson, Manager, Local Planning Assistance (651-602-1566) Kyle Colvin, Engineering Services Asst. Manager (651-602-1151)
<b>Division/Department:</b>	Community Development / Planning and Growth Management Environmental Services / Engineering Services

**Proposed Action**

That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the following:

**Recommendations of the Community Development Committee**

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**Recommendations of the Environment Committee:**

Approve the City of Excelsior's Tier II Comprehensive Sewer Plan.

## **ADVISORY COMMENTS**

### **City of Excelsior 2008 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan**

Review File No. 20565-1 - Council Business Item No. 2010-17

The following Advisory Comments are part of the Council action authorizing the City to implement its 2008 Comprehensive Plan Update ("Update") and approving the City's Tier II Comprehensive Sewer Plan:

#### **Community Development Committee**

1. The City is reminded that Minnesota Statutes 473.864 requires the City to:
  - (a) Formally adopt the Update within nine months following Council action
  - (b) Submit two copies to the Council, and
  - (c) Submit a copy of the City Council Resolution adopting the Update following final action to the Metropolitan Council.
2. Local governmental units must adopt official controls as described in their adopted comprehensive plans and must submit copies of the official controls to the Council within 30 days after official controls are adopted. (Minn. Stat. § 473.865, subd. 1).
3. Local governmental units cannot adopt any official controls or fiscal devices that conflict with their comprehensive plans or which permit activities in conflict with the Council's metropolitan system plans. (Minn. Stat. §§ 473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within nine months following amendments to comprehensive plans. (Minn. Stat. § 473.865, subd. 3).

#### **Environment Committee**

1. The Council-approved Tier II Comprehensive Sewer Plan becomes effective after the Update receives final approval by the City Council. After the Tier II Sewer Plan becomes effective, the City may alter, expand or improve its sewage disposal system consistent with the Council-approved Tier II Sewer Plan and the Update.
2. A copy of the City Council Resolution adopting its Update, including the Tier II Sewer Plan, must be submitted to the Council.

## Background

The City of Excelsior (City) is located in central Hennepin County, bounded by Greenwood, and Shorewood. Figure 1 shows the general location of Excelsior and surrounding communities, and the City's 2008 Regional Development Framework (RDF) designation, which identifies Excelsior as a "developed" community. The RDF says that developed communities should "accommodate growth forecasts through reinvestment at appropriate densities (5 units plus in developed areas and target higher density in locations with convenient access to transportation corridors and with adequate sewer capacity)." Figure 2 shows existing and planned regional systems in Excelsior and the surrounding area.

## Rationale – Standard of Review & Findings

1. Does the proposed Plan conform to Regional Systems Plans?
2. Is the Plan consistent with Metropolitan Council policies?
3. Is the Plan compatible with plans of adjacent governmental units and plans of affected special districts and school districts?

### Conformance with Regional Systems Plans:

- |   |     |
|---|-----|
| 1. Regional Parks   | Yes |
| 2. Transportation including Aviation  | Yes |
| 3. Water Resources Management<br>(Wastewater Services and Surface Water Management) | Yes |

### Consistent with Council Policy Requirements:

- |   |     |
|---|-----|
| 1. Forecasts  | Yes |
| 2. Housing  | Yes |
| 3. 2008 Regional Development Framework and Land Use   | Yes |
| 4. Individual Sewage Treatment Systems (ISTS) Program | Yes |
| 5. Water Supply                                       | Yes |

### Compatible with Plans of Adjacent Governmental Units and Plans of Affected Special Districts and School Districts

- |                                |     |
|--------------------------------|-----|
| 1. Compatible with other plans | Yes |
|--------------------------------|-----|

## Funding

None

## Known Support / Opposition

There is no known opposition.

# REVIEW RECORD

## Review of the City of Excelsior 2008 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 2008 Regional Parks Policy Plan (RPPP). The Update acknowledges the Lake Minnetonka LRT Regional Trail and plans pedestrian and bicycling improvements throughout the City, including local connections to the regional trail.

#### Transportation

##### *Roads and Transit*

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

The Update is in conformance with the Council's Transportation Policy Plan (TPP) and addresses all the applicable transportation and transit requirements of a comprehensive plan. Highway 7 is the only principal arterial that directly impacts Excelsior. The road was improved through Excelsior in 2002. Excelsior is within the Metropolitan Transit Taxing District. Excelsior is within Market Area III. Service options for Market Area III include peak-only express, small vehicle circulators, midday circulators, special needs paratransit (ADA, seniors), and ridesharing.

##### Advisory Comments

- **TAZ-Allocation:** The TAZ map identifies the various TAZs in the legend, but not on the map itself. The final Update needs to show TAZs on the map.
- **Roadway Functional Classification:** The Update identifies a number of "Collectors" that are not on the TAB Functional Classification Map. To add these collectors to the TAB map, the city needs to request their inclusion through the TAC-Planning Committee, which is outside the Comprehensive Plan Update effort

## **Aviation**

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

The Update is in conformance with the TPP and consistent with Council aviation policy.

## **Water Resources Management**

### **Wastewater Service**

*Reviewer: Kyle Colvin, ES – Engineering Services, (651-602-1151)*

The Update is in conformance with the Water Resources Management Policy Plan (WRMPP). The Update summarizes the City's vision for the next 20 years or to year 2030. It includes growth forecasts that are consistent with the Council's recommended forecasts for population, households, and employment.

Current wastewater treatment services are provided to the City by the Metropolitan Council Environmental Services. Wastewater generated within the City is conveyed to and treated at the Council's Blue Lake Wastewater Treatment Plant located in Shakopee. The City's wastewater conveyance service is provided through Council Interceptor 7017. The City's Update projects it will have 1,270 sewerer households and 2,330 sewerer employees by 2030. The Metropolitan Disposal System with its scheduled improvements has or will have adequate capacity to serve the City's growth needs.

The Update provides sanitary flow projections in 10-year increments. The rationale, for the projections, is given in the Update and determined appropriate for planning for local services.

Excelsior has been identified as a community impacted by wet weather occurrences. The City is currently on the Council's list of communities having an I/I reduction goal. The City has committed to mitigate excessive I/I at levels at least equal to the Council's Surcharge amount. At the request from the City, and as allowed under the Council's I/I Program, the City's surcharge is currently capped at a level equal to 25% of their annual Municipal Wastewater Charge. Remaining portions of the City's annual surcharge is not eliminated but deferred to later years thus extending the time period in which the City has to achieve their I/I reduction goal. The City's I/I mitigation plan completion date is currently December 31, 2015.

Each year the City submits a work plan to the MCES through the Regional I/I Mitigation Program. This work plan details specific projects the City will be undertaking to address I/I in the coming year. The Update includes a description of an I/I reduction plan which includes televised inspection and maintenance of the sanitary sewer system.

### **Tier II Comments**

*Reviewer: Kyle Colvin, ES – Engineering Services, (651-602-1151)*

The Tier II Sewer Element of the Update has been reviewed against the requirements for Tier II Comprehensive Sewer Plans for developed communities. 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: Judy Sventek, ES – Water Resources Assessment (651-602-1156)*

The Update is in conformance with the WRMPP for local surface water management. Excelsior lies within the Minnehaha Creek watershed. The Minnehaha Creek Watershed District's latest watershed management plan was approved by the Board of Water and Soil Resources (BWSR) in 2007.

Excelsior prepared a Local Water Management Plan (LWMP) in 2007 that was reviewed under separate cover. The 2007 LWMP was amended and resubmitted to the Council for review in January 2009. The revised LWMP was found to be consistent with Council policy and the Council's WRMPP.

Advisory Comment

The City needs to send the Council the dates the watershed district approved the LWMP and the date the City adopted the final LWMP.

**CONSISTENCY WITH COUNCIL POLICY**

**Forecasts**

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

The Update is consistent with Council's forecast expectations and consistent with regional policy. The Plan Update includes a City-requested revision of households, population and employment forecasts. Excelsior is fully developed and lacks remaining developable land. In December 2007, Council staff agreed to include the following forecast revisions in Council staff's report and Council's proposed action on the Update. In the Update, these forecasts are labeled "City's forecasts."

**Table 1 – Council's Original System Statement and Revised Forecasts**

	Census	Previous Council Forecasts			Revised Council Forecasts		
	2000	2010	2020	2030	2010	2020	2030
Population	2,393	2,500	2,700	2,800	2420	2480	2540
Households	1,199	1,250	1,330	1,400	1220	1240	1270
Employment	1,823	1,980	2,250	2,450	2000	2170	2330

The Council's forecast will be officially revised, *as shown above*, effective upon Council action on the Excelsior Update.

The revision of 2010-2020 growth results in a proportionate reduction to Excelsior's share of regional affordable housing need. Based on net growth of 20 households, the affordable housing need will be revised to 7 (seven) affordable housing units during 2011-2020.

**2008 Regional Development Framework and Land Use**

*Reviewer: Lisa Barajas, CD – Local Planning Assistance, (651-602-1895)*

The Update, with supplemental materials, is consistent with the *2030 Regional Development Framework (RDF)*, which identifies the City as a Developed community. The RDF directs Developed communities to maintain current infrastructure; renew and improve infrastructure, buildings, and land to provide for additional growth, particularly at centers along transit corridors; and support developments that integrate land uses. In addition, Developed communities are expected to accommodate forecasted residential growth at densities of at least 5 units per acre.

The Update contains policies to balance urban redevelopment and rehabilitation with natural resource protection, maintain a cohesive land use pattern, preserve and improve the existing variety of housing types, promote redevelopment that provides pedestrian and recreational connections, maintain and improve the community's commercial areas, and promote continued renovation, investment, and adaptive reuse in the Downtown area.

The City is about 555 acres. Water bodies, including portions of Lake Minnetonka, Galpin Lake, and other smaller water bodies within the community account for about 120 acres. With Highway 7 traveling through the community, highway right-of-way accounts for another 22% of the City's area. The predominant existing land use is low density residential, covering 26% of the City.

The City is fully developed with less than an acre of land classified as undeveloped. As a fully developed community, the land use pattern is established, and the City does not project any significant change from existing development. As such, the land use guiding is intended to maintain existing neighborhoods and uses.

Land use changes consist of limited amount of infill and redevelopment activities. The Update has identified a small amount of land for redevelopment, including 2.1 acres for Medium Density Residential (5 – 8 units per acre) and 1.0 acre of High Density Residential (8+ units per acre). The density established for these areas is consistent with the Council's policy of directing residential growth at densities of at least 5 units per acre, resulting in a net residential density of nearly 6 units per acre (see Table 2).

**Table 2 – Planned Residential Development Density**

Category	Density Range		Net Acres	Min Units	Max Units
	Min	Max			
Medium Density Residential	5	8	2.1	10.5	16.8
High Density Residential	8	8	1	8	8
TOTALS			3.1	18.5	24.8
<b>Overall Density</b>				<b>5.97</b>	<b>8.00</b>

Advisory Comments

The City is recommended to participate in the Council's Redevelopment Monitoring program for Developed communities.

**Housing**

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

The housing element fulfills the housing planning requirements of the Metropolitan Land Planning Act. The Update acknowledges the city's share of the region's affordable housing need for 2011-2020 which is 7 units. The Update states that the city is fully developed with very little vacant developable land available, so opportunities to meet that need will be addressed primarily through infill and redevelopment efforts. The Update indicates that approximately 2 acres of land will be available for medium residential development, at 5-8 units per acre, and one acre will be available for high density residential development, at 8+ units per acre. The Update provides the implementation tools and programs the city will use to promote opportunities to address its share of the region's housing need. The city will continue to partner with Hennepin County and other cities in the South Lake Minnetonka area to address lifecycle and affordable housing needs. The Update indicates with city will continue to work with local, state and federal agencies to facilitate affordable housing development. Excelsior is an active participant in the Local Housing Incentives program of the Livable Communities Act, and received a \$70,000 Opportunity Grant through the LCA program.

**Individual Sewage Treatment Systems (ISTS) Program**

*Reviewer: Jim Larsen, CD – Local Planning Assistance, (651-602-1159)*

The Update is consistent with the WRMP for ISTS. The City is fully served by a local wastewater collection system that ultimately flows through the MCES system to the Blue Lake facility in Shakopee for treatment. No ISTS remain in operation in Excelsior.

**Water Supply**

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

The Update is complete and the City's water supply plan (WSP) is consistent with the WRMP. The Council recommends the city continue to implement conservation programs targeted at reducing residential water use.



## Resource Protection

### **Historic Preservation**

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

The Update contains a section on Historic Preservation as required by the MLPA.

### **Solar Access Protection**

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

The Update addresses the subject of solar access protection as required by the MLPA.

### **Aggregate Resources Protection**

*Reviewer: Jim Larsen, CD – Local Planning Assistance, (651-602-1159)*

The Update indicates that there are no known deposits of viable aggregate resources within the community. Minnesota Geological Survey Information Circular 46 concurs with the City's determination. No further response is necessary from the City.

## 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 Yes
- Housing Implementation Program Yes

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

The City submitted the 2008 Comprehensive Plan Update to adjacent local units of government, school districts, counties and special districts for comment in October 2008. Excelsior received responses from the Three Rivers Park District, and acknowledgements from Greenwood and the Lake Minnetonka Conservation District. There do not appear to be any compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts.

## DOCUMENTS SUBMITTED FOR REVIEW:

The submittal is 531 pages and included:

- 2008 Comprehensive Plan Update Transmittal Form (4 pages)
- 2008 Excelsior Comprehensive Plan
  - Table of Contents
  - Introduction and Community Background
  - Social Inventory
  - Issues Identification
  - Mission Statements, Values and Community Goals
  - Land Use
  - Transportation
  - Community Facilities
  - Administration
  - Neighborhood Planning Districts
  - Implementation
  - Appendix
- Water Supply Plan
- Comprehensive Sewer Plan
- Storm Water Management Plan
- Master Parks, Trails and Walkways Plan 2009

## **ATTACHMENTS**

Table 3 - Existing and Planned Land Use Table in 5-year Stages

Figure 1 - Location Map with 2008 Regional Development Framework Planning Areas

Figure 2 - Regional Systems

Figure 3 - Existing Land Use Map

Figure 4 - Proposed Land Use Plan

**Table 2 - City of Excelsior**

LAND USE TABLE IN FIVE YEAR STAGES							
	Existing Acreage	Proposed Acreage					Change
Category	2008	2010	2015	2020	2025	2030	2008-2030
<b>Residential:</b>							
Low Density (1-5 units/acre)	145.1	142.0	140.9	139.9	139.9	139.9	- 5.2
Medium Density (5-8 units/acre)	3.4	4.4	5.5	5.5	5.5	5.5	+ 2.1
High Density (8+ units/acre)	29.9	29.9	30.9	30.9	30.9	30.9	+ 1.0
<b>Commercial:</b>							
Commercial	39.6	41.7	44.0	45.0	45.0	45.0	+ 5.4
Business/Warehousing	3.3	3.3	0	0	0	0	- 3.3
<b>Parks and Open Space:</b>							
Parks	26.1	26.1	26.1	26.1	26.1	26.1	0
Open Space/Wetlands	11.9	11.9	11.9	11.9	11.9	11.9	0
<b>Churches / Public:</b>							
Churches	21.0	21.0	21.0	21.0	21.0	21.0	0
Public/Semi-Public	29.8	29.8	29.8	29.8	29.8	29.8	0
<b>Other:</b>							
Undeveloped	0.2	0.2	0.2	0.2	0.2	0.2	0
Right-of-way without Highway 7	101.2	101.2	101.2	101.2	101.2	101.2	0
Right-of-way Highway 7	20.1	20.1	20.1	20.1	20.1	20.1	0
Unclassified Areas	3.2	3.2	3.2	3.2	3.2	3.2	0
Water Area	119.7	119.7	119.7	119.7	119.7	119.7	0
<b>GRAND TOTAL (Land &amp; Water)</b>	<b>554.5</b>	<b>554.5</b>	<b>554.5</b>	<b>554.5</b>	<b>554.5</b>	<b>554.5</b>	<b>0</b>
Source: Northwest Associated Consultants, Inc.							

**Figure 1 - Location Map and 2008 Regional Development Framework Planning Area, City of Excelsior**

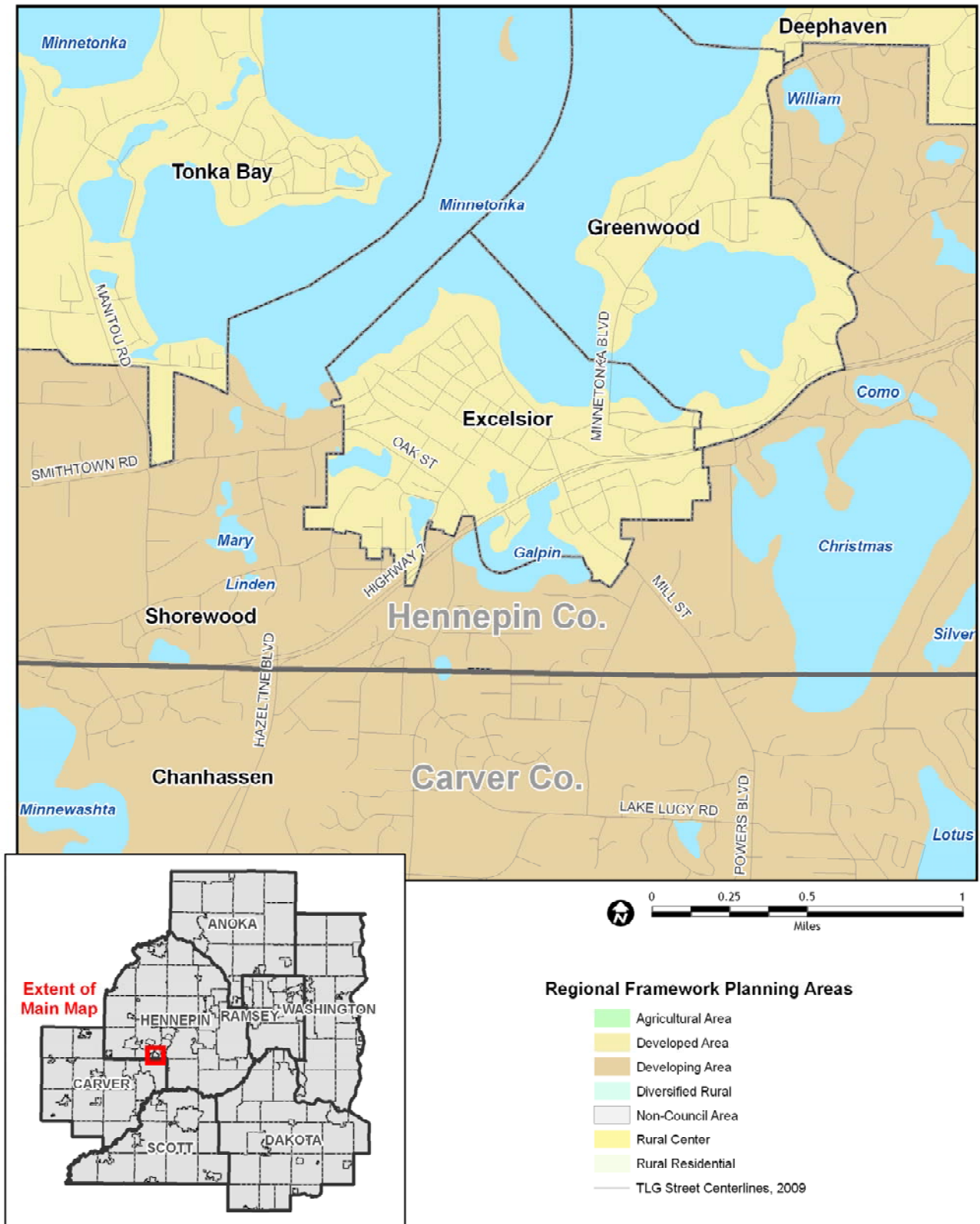


Figure 2 - Regional Systems, City of Excelsior

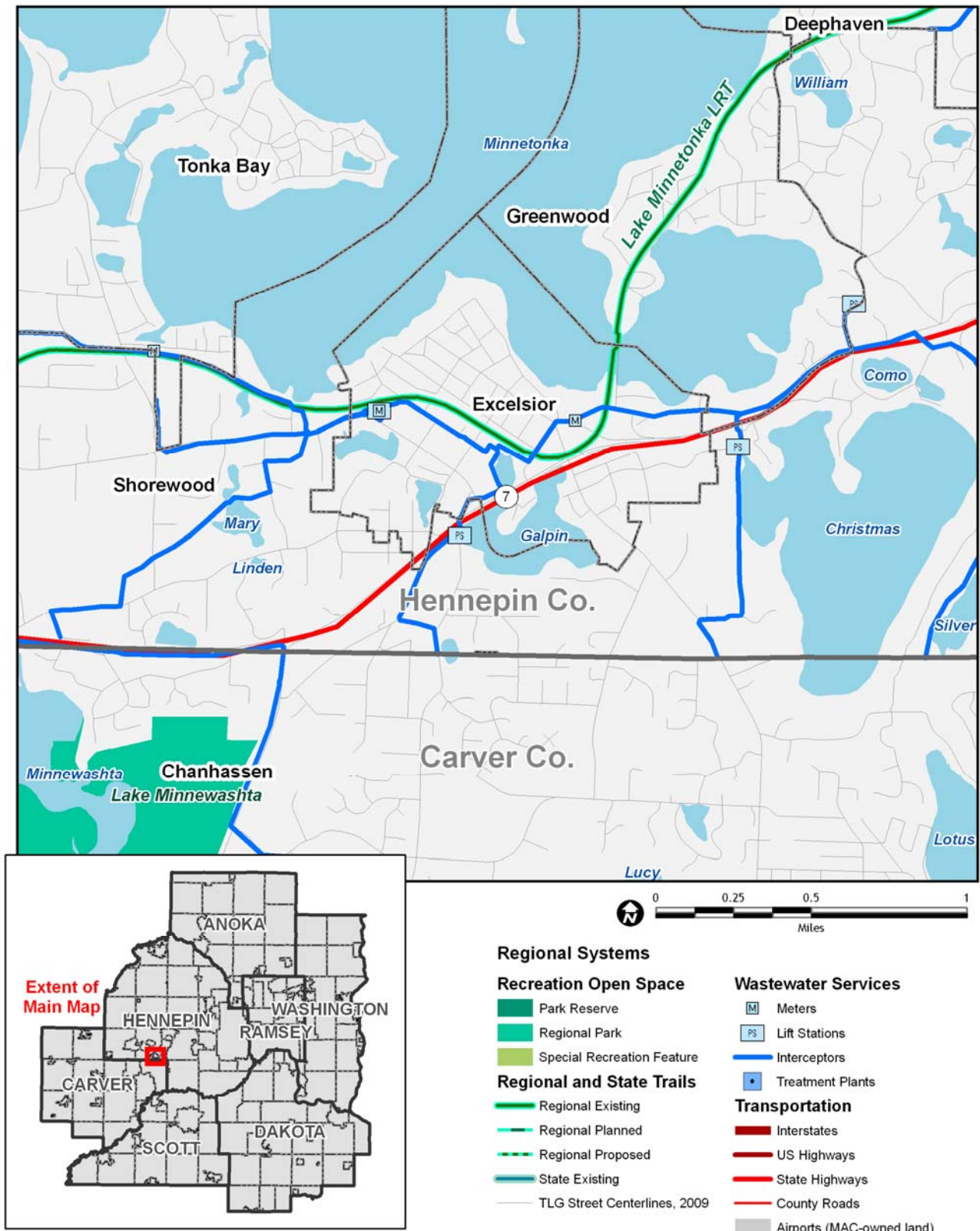
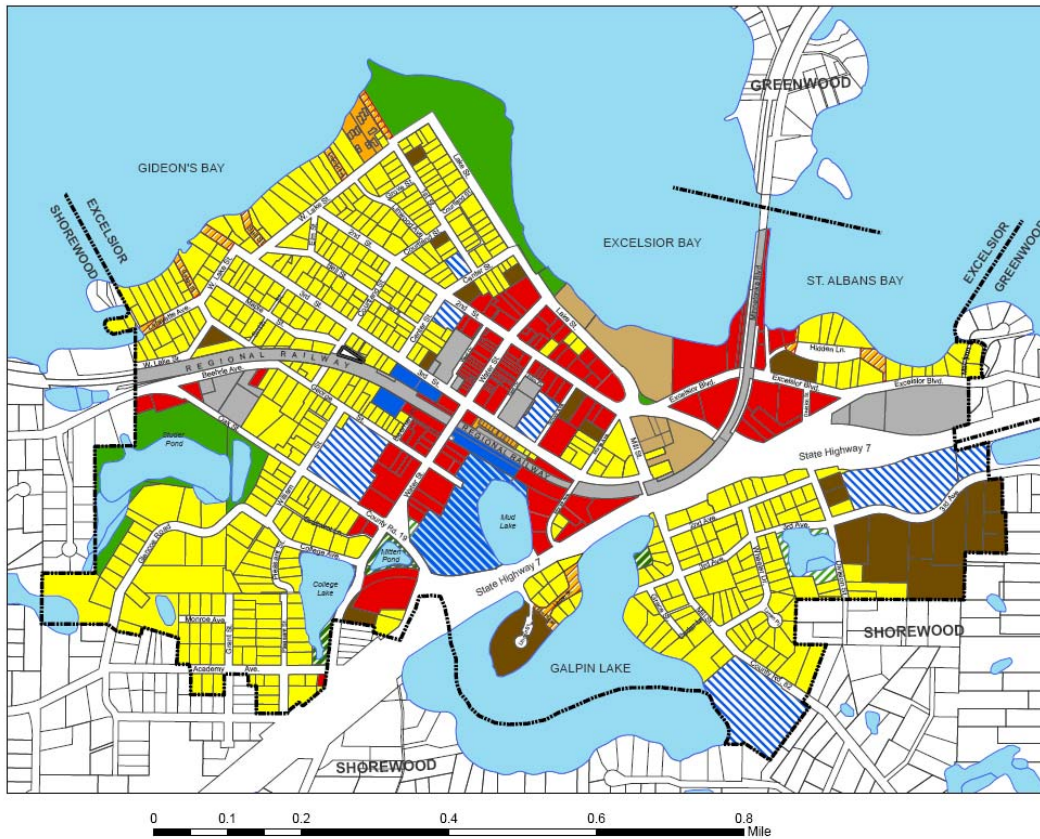


Figure 3 - Existing Land Use, City of Excelsior



**City of Excelsior**

**2008  
Comprehensive  
Plan Update**

**Existing Land Use**

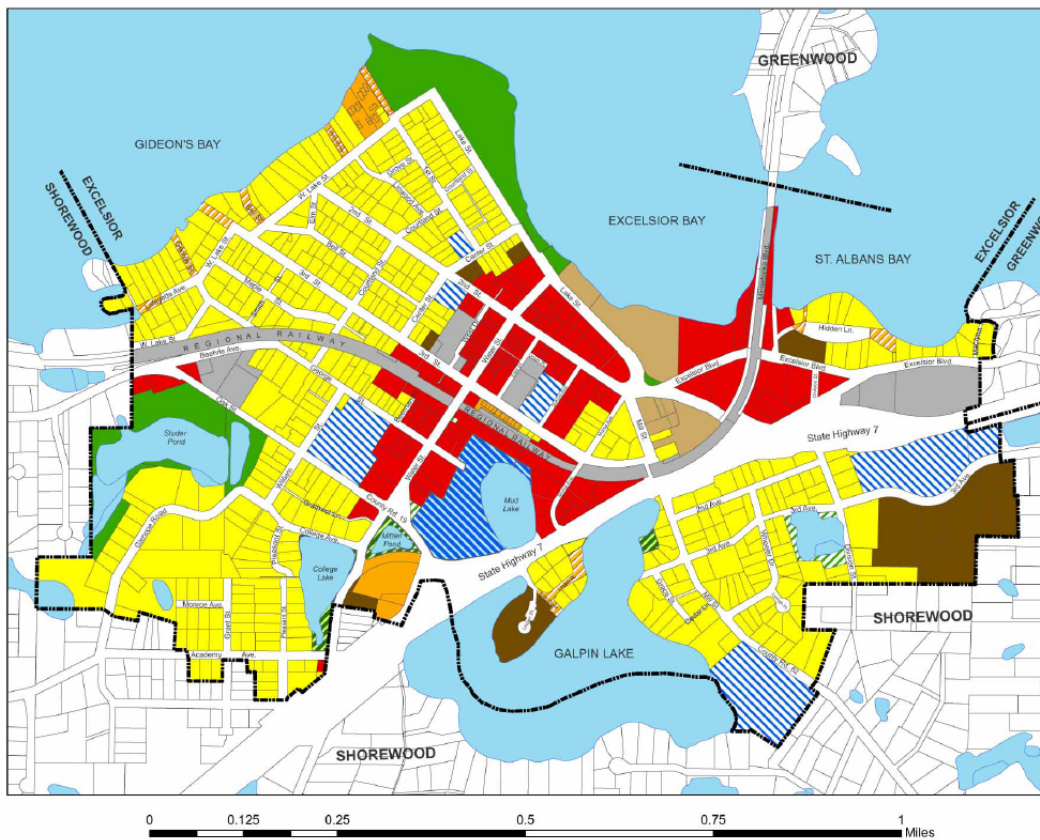
- Low Density Residential (Single & Two Family)
- Medium Density Residential (Townhouses)
- High Density Residential (Apartments)
- High Density Residential (Condominiums)
- Commercial
- Business/Warehousing
- Parks
- Open Space/Wetland - Private
- Open Space/Wetland - Public
- Fire Lanes - Public
- Churches
- Schools
- Public/Semi-Public
- Undeveloped
- City Limits
- Water

11 March 2009  
Source: Northwest Associated Consultants, Inc. & WSB

**NAC NORTHWEST ASSOCIATED CONSULTANTS, INC.**

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Figure 4 - Proposed Land Use Plan, City of Excelsior



**City of Excelsior**

**2008  
Comprehensive  
Plan Update**

**Proposed Land Use**

- Low Density Residential (Single & Two Family)
- Medium Density Residential (Townhouses)
- High Density Residential (Apartments)
- High Density Residential (Condominiums)
- Commercial
- Parks
- Open Space/Wetland - Private
- Open Space/Wetland - Public
- Open Space/Fire Lanes - Public
- Churches
- Schools
- Public/Semi-Public
- Undeveloped
- City Limits
- Water

4 September 2008  
Source: Northwest Associated Consultants, Inc. & WSB

**NAC NORTHWEST ASSOCIATED CONSULTANTS, INC.**

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