

# J Community Development Committee Environment Committee

For the Metropolitan Council meeting of January 26, 2011

## ADVISORY INFORMATION

Date Prepared: January 19, 2011  
Subject: City of Willernie 2030 Comprehensive Plan Update  
Review File No. 20454-1  
Tier II Comprehensive Sewer Plan

### **Proposed Action:**

That the Metropolitan Council adopt the attached Advisory Comment and Review Record, and take the following actions:

1. Authorize the City of Willernie to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the revised forecasts for the City of Willernie as detailed in Table 1 of the Review Record.
3. Advise the City to:
  - a. Adopt a new resolution that adopts the 2010 Rice Creek Watershed District (RCWD) plan and its associated rules and designates the RCWD as its permitting authority for stormwater management and wetland rule compliance within the City. A copy of this resolution needs to be submitted to the Metropolitan Council for its records. In addition, the City needs to send to the Council documentation that the RCWD has approved this approach for meeting the requirement of having a new LSWMP, which would be required for the City in 2012.
  - b. Participate in the Council's activities to monitor redevelopment in Developed communities.
4. Approve the City of Willernie's Tier II Comprehensive Sewer Plan.

### **Summary of Committee Discussion / Questions:**

#### Community Development Committee

Local Planning Assistance staff member Freya Thamman presented the staff report and proposed actions to the Committee. Ms. Thamman requested Recommendation 3c be deleted because it did not apply to the City's Update and indicated that a typo on Page 3 had been corrected to show that the Update is consistent with Council Policy Requirements for Housing. A motion was made to adopt the Advisory Comments, Review Record, and Recommendations as presented. The Committee unanimously adopted the proposed actions.

#### Environment Committee

Councilmember Leppik asked for the reasoning behind the noted Inconsistency with Council Policy Requirements for Housing. Colvin indicated that this question may be best addressed and answered at the Community Development Committee meeting scheduled for next week. Councilmembers Wittsack and Leppik requested clarification as to what forecasts were being approved in the Update. Colvin indicated that the forecasts in Table 1 would be those approved under the recommended action. (As a result of the Environment Committee discussion, Community Development staff corrected the business item to reflect a consistency with Council policy requirements for housing, and presented the corrected item to the Community Development Committee for action.)

Motion to approve the city of Willernie's Tier II Comprehensive Sewer Plan was made, seconded, and passed unanimously.

**C** Community Development Committee  
Meeting date: January 18, 2011

**E** Environment Committee  
Meeting date: January 11, 2011

#### ADVISORY INFORMATION

<b>Subject:</b>	City of Willernie 2030 Comprehensive Plan Update Review File No. 20454-1 Tier II Comprehensive Sewer Plan
<b>District(s), Member(s):</b>	District 12, Council Member Sherry Broecker
<b>Policy/Legal Reference:</b>	Minnesota Statutes Section 473.175
<b>Staff Prepared/Presented:</b>	LisaBeth Barajas, Principal Reviewer, 651-602-1895 Phyllis Hanson, Local Planning Assistance Manager, 651-602-1566 Kyle Colvin, Engineering Services Asst. Manager, 651-602-1151
<b>Division/Department:</b>	Community Development / Planning & Growth Management Environmental Services / Engineering Services

#### Proposed Action

That the Metropolitan Council adopt the Advisory Comment and Review Record and take the following actions:

#### Recommendations of the Community Development Committee:

1. Authorize the City of Willernie to put its 2030 Comprehensive Plan Update into effect.
2. Adopt the revised forecasts for the City of Willernie as detailed in Table 1 of the Review Record.
3. Advise the City to:
  - a. Adopt a new resolution that adopts the 2010 Rice Creek Watershed District (RCWD) plan and its associated rules and designates the RCWD as its permitting authority for stormwater management and wetland rule compliance within the City. A copy of this resolution needs to be submitted to the Metropolitan Council for its records. In addition, the City needs to send to the Council documentation that the RCWD has approved this approach for meeting the requirement of having a new LSWMP, which would be required for the City in 2012.
  - b. Participate in the Council's activities to monitor redevelopment in Developed communities.
  - c. ~~Implement the advisory comments in the Review Record for Parks, Transportation, and Land Use.~~

#### Recommendations of the Environment Committee:

- Approve the City of Willernie's Tier II Comprehensive Sewer Plan

## ADVISORY COMMENTS

### City of Willernie 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. [20454-1] – Council Business Item No. [2011-15]

The following Advisory Comments are part of the Council action authorizing the City to implement its 2030 Comprehensive Plan Update (“Update”) and approving the City’s Tier II Comprehensive Sewer Plan:

#### **Community Development Committee**

1. The Council-adopted *Local Planning Handbook* states that the City must take the following steps:
  - a. Adopt the Update in final form after considering the Council’s review recommendations; and
  - b. Submit one electronic copy and one hard copy of the Update to the Council. The electronic copy must be organized as one unified document.
  - c. Submit to the Council a copy of the City Council resolution evidencing final approval of the Update.
2. The Council’s *Handbook* also states that local governments must formally adopt their comprehensive plans within nine months after the Council’s final action. If the Council has recommended changes, local governments should incorporate those recommended changes into the plan or respond to the Council before “final approval” of the comprehensive plan by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3)
3. 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)
4. 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 only after the Update also receives final approval from the City’s governing body. After the Update receives final approval from the City and the Tier II Sewer Plan becomes effective, the City may implement its Update to alter, expand, or improve its sewage disposal system consistent with the Council-approved Tier II Sewer Plan.
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 Willernie is located in west central Washington County near the southeast corner of White Bear Lake. The City is completely surrounded by the City of Mahtomedi (see Figure 1).

The *2030 Regional Development Framework* (RDF) identifies the City as a Developed planning area (see Figure 2). The City submitted its City of Willernie Comprehensive Plan (Update) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stat. 473.175) and the Council's System Statement requirements.

## Rationale

1. Does the proposed Update conform to Regional Systems Plans?
2. Is the Update consistent with Metropolitan Council policies?
3. Is the Update compatible with the 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   | <del>No</del> Yes |
| 3. <i>2030 Regional Development Framework</i> and Land Use | Yes               |
| 4. Individual Sewage Treatment Systems (ISTS) Program      | Yes               |
| 5. Water Supply  | Yes               |

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

- |                             |     |
|-----------------------------|-----|
| Compatible with other plans | Yes |
|-----------------------------|-----|

## Funding

None.

## Known Support / Opposition

There is no known opposition.

## REVIEW RECORD

### Review of the City of Willernie 2030 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 Update 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**

*Reviewer: Jan Youngquist, CD – Regional Parks System Planning, (651-602-1029)*

The Update conforms to the *2030 Regional Parks Policy Plan*. There are no regional park facilities in the City.

##### **Transportation**

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

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

The transportation element of the Update conforms to the Transportation Policy Plan (TPP) adopted in 2004, and addresses all the applicable transportation and transit requirements of a comprehensive plan.

There are no principal arterials in the City. The City lies within the Metropolitan Transit Taxing District and 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.

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

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

The Update conforms to the TPP and is consistent with Council aviation policy.

##### **Water Resources Management**

###### ***Wastewater Service***

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

The Update conforms to the *2030 Water Resources Management Policy Plan (WRMPP)*.

The Update summarizes the City's vision for the next 20 years or to 2030. It includes growth forecasts that are consistent with the Council's recommended forecasts for population, households, and employment.

The Metropolitan Council Environmental Services currently provides wastewater treatment services to the City. Wastewater generated within the City is conveyed to and treated at the Metropolitan Council's Metropolitan Wastewater Treatment Plant located in St. Paul. The City's wastewater conveyance service is provided by Council Interceptor 1-MA-419. The Update projects that the City will have 230 sewer households and 150 sewer employees by 2030. The Metropolitan Disposal System with its planned scheduled improvements has, or will have, adequate capacity to serve the City's growth needs as identified in the Update.

The Update indicates no change in flow forecasts within the planning period. This is consistent with the plan projections of no increase in population or households, and only 10 additional employees.

The City is not currently identified as a community impacted by wet weather occurrences. The Update, however, does include a description of an I/I reduction plan, which includes televised inspection and repair of the sanitary sewer system by residents or commercial property owners.

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

The Tier II Sewer Element of the Update has been reviewed against the requirements for Tier II Comprehensive Sewer Plans for Developed communities. The Tier II Sewer Element 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 Update 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 City lies within the Rice Creek Watershed. The Rice Creek Watershed District's (RCWD) watershed management plan was approved by the Board of Water and Soil Resources in 1997. Willernie adopted the RCWD plan as their local surface water management plan (LSWMP) in 1999. This satisfies the requirement for a LSWMP for the 2008 Comprehensive Plan Update process.

### **Advisory Comments**

In 2010, the RCWD adopted a new watershed management plan. The Update indicates that the City will start using the 2010 RCWD as their LSWMP. The City needs to adopt a new resolution that adopts the 2010 RCWD plan and its associated rules and designates the RCWD as its permitting authority for stormwater management and wetland rule compliance within the City. A copy of this resolution needs to be submitted to the Metropolitan Council for its records. In addition, the City needs to send to the Council documentation that the RCWD has approved this approach for meeting the requirement of having a new LSWMP, which would be required for the City in 2012.

## **CONSISTENCY WITH COUNCIL POLICY**

### **Forecasts**

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

The Update, with its proposed forecast revision, is consistent with the Council’s expectations for forecast-related content. The City proposes slightly lower population and households forecasts through the 2030 planning period. The revised forecasts for the City are shown in Table 1 below with proposed changes shown in underlined text. For comparison, Table 2 shows the Council’s System Statement forecasts.

**Table 1. City of Willernie Revised Forecasts**

	2010	2020	2030
Population	<u>570</u>	<u>570</u>	<u>570</u>
Households	<u>230</u>	<u>230</u>	<u>230</u>
Employment	140	140	150

**Table 2. City of Willernie System Statement Forecasts**

	2010	2020	2030
Population	590	590	590
Households	250	260	260
Employment	140	140	150

Metropolitan Council’s forecasts will be officially revised as shown in Table 1, effective upon Council approval of the City’s Update.

**2030 Regional Development Framework and Land Use**

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

The Update is consistent with the *2030 Regional Development Framework* (RDF) for land use. The RDF designates the City as a Developed community, and 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 to support development that integrates land uses.

As shown in Table 3 below, the City is guided for primarily single-family residential uses, which represents the existing land use in the City. The remaining 27 acres in the community are divided among higher density and commercial land uses, natural features, roads, and public land. Because the City is not planning for additional growth, the City is expecting the existing land uses in the community to remain unchanged, with redevelopment occurring within the existing land use categories.

**Table 3. Planned Land Use Categories**

District	Acres
Single Family Residential (3.4 – 6.8 du/ac)	61
Multi-Family Residential (3.27 – 20 du/ac)	2
Commercial	8
Public/Institutional	4
Parks/Recreational	3
	<b>82</b>

*Information adapted from comprehensive plan text, the City’s Zoning Ordinance, and Metropolitan Council GIS*

The Update indicates that the City is essentially built out, with the remaining vacant land being encumbered by sensitive natural resources. Being only 88 acres in size, the City has limited opportunity for new development, as reflected in the lack of forecasted population growth within the 2030 planning period for the community.

However, the City does recognize the opportunity for redevelopment, particularly of aging structures and in the downtown area that is shared with the City of Mahtomedi. Located along Stillwater Road east of the intersection with State Highway 244, the shared downtown area is the historic downtown for both communities. The two communities have had ongoing joint efforts to enhance their shared downtown, including the preparation of a downtown plan and subsequent development and adoption of common ordinances for the downtown area. The common ordinances allow for mixed use developments that allow housing above commercial/office uses at densities of 10 to 20 units per acre. The City continues to work with Mahtomedi and other stakeholders to address land use and transportation issues in the shared downtown area.

## **Housing**

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

The housing element of the Update fulfills the affordable housing planning requirements of the Metropolitan Land Planning Act (MLPA). The Update acknowledges the City's share of the region's affordable housing need for 2011-2020, which is 2 units. The Update states that the City is fully developed with very little developable vacant land available, so opportunities to meet that need will be address primarily through infill and redevelopment efforts.

The Update indicates that the City and Mahtomedi share a common downtown area, as discussed in the Land Use section above. Both communities expect this area to provide future redevelopment opportunities and have partnered to develop a shared downtown plan and on developing and adopting common ordinances for the area. Within this area, high density residential development is allowed at 10-20 units per acre.

The Update provides the implementation tools and programs that the City will use to promote opportunities to address its share of the region's housing need. The City will continue to partner with Washington County HRA to address lifecycle and affordable housing needs, as well as with the City of Mahtomedi to more specifically address the housing needs of seniors. The Update indicates that the City will continue to work with local, state, and federal agencies to facilitate affordable housing development. The City is a participant in the Local Housing Incentives program of the Livable Communities Act.

## **Community and Individual Sewage Treatment Systems (ISTS)**

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

The Update indicates that the community is fully served by a local wastewater collection system that ultimately flows to the MCES system. There are not ISTS remaining in operation in the City.

## **Water Supply**

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

The Update is consistent with the WRMP for water supply. The City does not own and operate a water supply system; therefore, the Update does not need to include a water supply plan. The City relies on private wells and water supply from the City of Mahtomedi to meet water demand.

## **Resource Protection**

### ***Historic Preservation***

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

The Update addresses historic preservation in the community as required by the MLPA. The City does not have any state- or federally-listed historic properties, but will address



the preservation of historic resources if they are identified in the community.

**Solar Access Protection**

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

The Update appropriately addresses the protection of access to solar energy as required by the MLPA. The Update describes the City’s intent to protect access to direct sunlight for solar energy systems through review of site plans for new buildings or solar collectors.

**Aggregate Resources Protection**

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

The Update is consistent with Council policy for aggregate resources protection. The Update does not address the presence or absence of aggregate resources in the community. However, the Council’s aggregate resources inventory does not indicate the presence of aggregate resources available for mining. In addition, the City is nearly fully developed.

**PLAN IMPLEMENTATION**

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

The Update includes a description of and schedule for any necessary changes to:

- Capital Improvement Program Yes
- Zoning Code Yes
- Subdivision Code Yes
- ISTS Code Yes
- Housing Implementation Program Yes

The Update contains an Implementation Program, which describes the official controls and fiscal devices that the City will employ to implement the Update. Because the City is not anticipating much change within the 2030 planning period, the City intends to maintain the existing tools and ordinances.

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

The City submitted its Update to the adjacent communities, Washington County, affected school districts, affected watershed districts, and other special districts for comment June of 2008. There do not appear to be any conflicts with the plans of adjacent and affected jurisdictions.

**DOCUMENTS SUBMITTED FOR REVIEW**

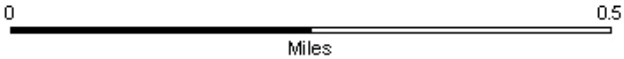
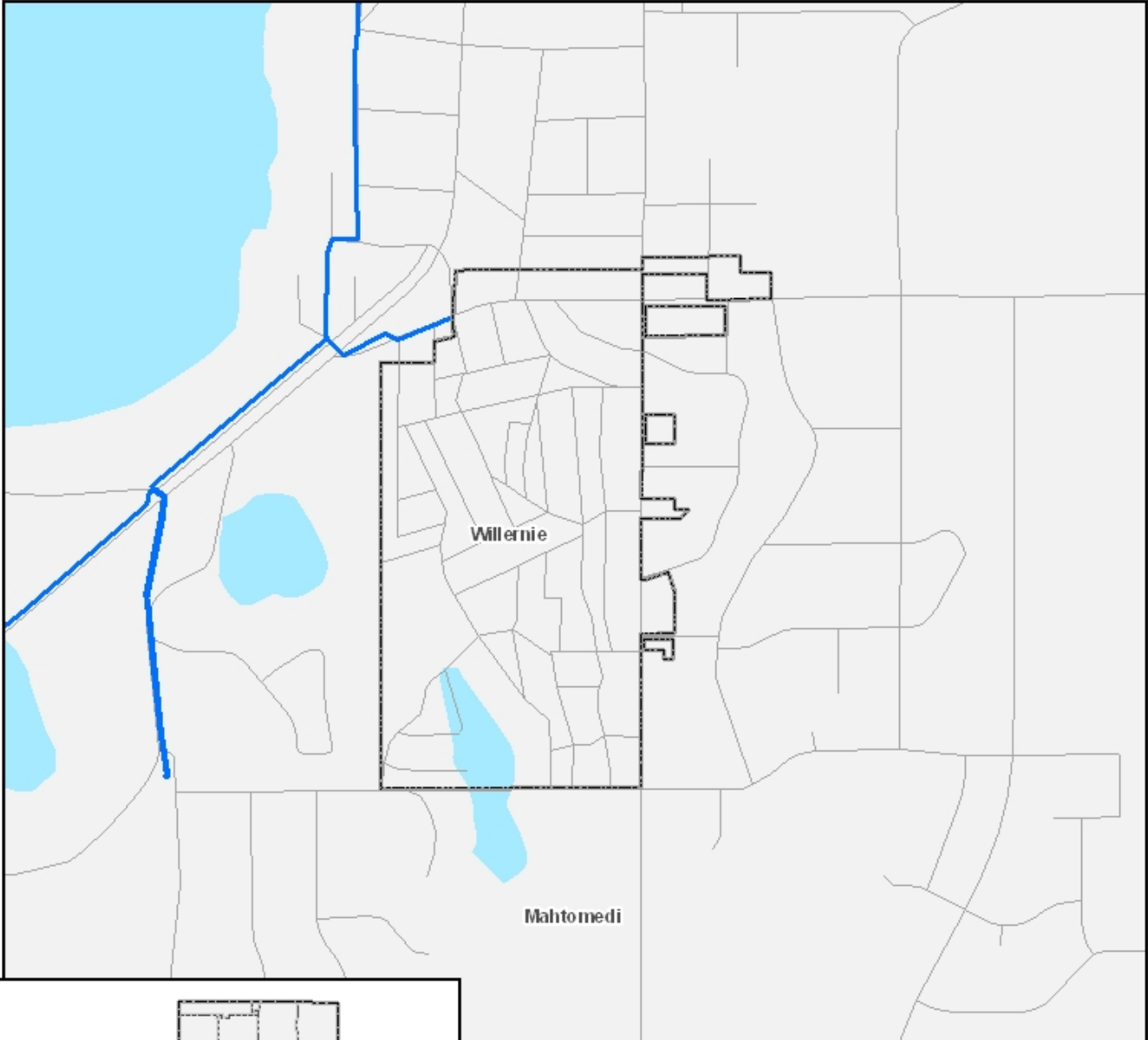
- City of Willernie Comprehensive Plan (December 31, 2008)
- Supplemental zoning information (January 14, 2009)
- Revisions to water supply and surface water management (January 5, 2010)
- Revisions to surface water management (November 10, 2010)

**ATTACHMENTS**

- Figure 1: Location Map with Regional Systems
- Figure 2: 2030 Regional Development Framework Planning Areas
- Figure 3: 2030 Land Use
- Figure 4: Existing and Future Land Use Tables
- Figure 5: Existing Land Use

**Figure 1. Location Map with Regional Systems**

City of Willernie



**Regional Systems**

**Wastewater Services**

- Interceptors
- Treatment Plants

**Transportation**

- Interstates
- US Highways
- State Highways
- County Roads

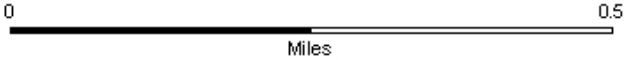
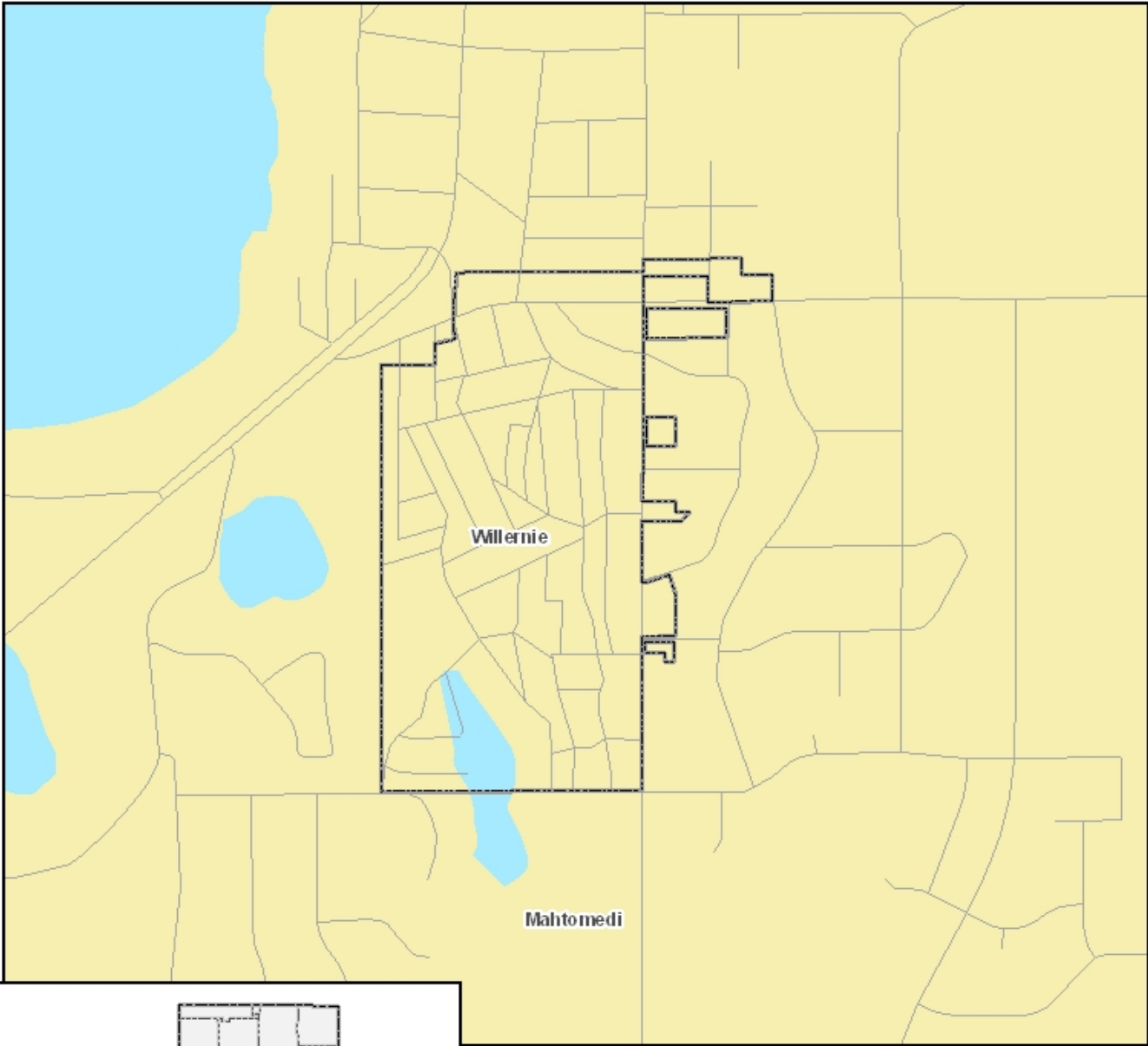
**Regional and State Trails**

- Regional Existing
- - - Regional Planned
- · - · - Regional Proposed

**Recreation Open Space**

- Park Reserve
- Regional Park
- Special Recreation Feature
- TLG Street Centerlines, 2007

**Figure 2. 2030 Regional Development Framework Planning Areas**  
 City of Willernie



**2030 Framework Planning Areas**

- Agricultural Area
- Developed Area
- Developing Area
- Diversified Rural
- Non-Council Area
- Rural Center
- Rural Residential
- TLG Street Centerlines, 2007

