

C Community Development Committee

For the Metropolitan Council meeting of March 14, 2012

Item: 2012-92

ADVISORY INFORMATION

Subject: City of Golden Valley, Comprehensive Plan Amendment, General Land Use Map Amendment, Review File No. 20585-5

Proposed Action

That the Metropolitan Council:

1. Adopts the attached review record and allows the City of Golden Valley to put *The General Land Use Plan Amendment* comprehensive plan amendment (CPA) into effect.
2. Advise the City to implement the advisory comments for Transportation, Forecasts, Land Use and Housing.

Summary of Committee Discussion / Questions

The Community Development Committee first reviewed the proposed amendment at their regularly scheduled meeting on March 19, 2012. At that meeting, the Committee moved, seconded, and approved the amendment with three dissenting votes. At its March 28, 2012, meeting, the Metropolitan Council moved to refer the amendment back to the Community Development Committee for further discussion.

At its meeting on April 2, the Community Development Committee reviewed the item again. Legal counsel Dave Theisen presented an overview of the Council's statutory roles and responsibilities and well as the local roles and responsibilities as contained in the Metropolitan Land Planning Act. Theisen explained the standards set for determining a "substantial impact or departure" as contained in the Council's wastewater and parks policy plan. Committee member Elkins asked about what constitutes a substantial impact and about cumulative impacts. Local Planning Assistance Manager Phyllis Hanson discussed about staff's monitoring efforts to advise communities of their standing regarding consistency with Council's policies and potential for system impacts.

Planning Analyst LisaBeth Barajas presented the staff's cover memorandum on the item and explained the Council's review authority, reviewing items in the context of the community's comprehensive plan, and how the consistency standards were applied to the proposed amendment. Committee member Elkins asked about land available for multi-family housing available in a mixed use zone in the City, and assumptions regarding development potential in that area. Barajas explained that the I-394 redevelopment area was a separate area from the land guided for Medium-High Density Residential and being counted toward the City's affordable housing need. Committee members Elkins asked what would happen if the City Council regulated other high density land to single-family as well. Barajas reiterated the Council's practice of monitoring amendments that reduce land available for affordable housing and advising communities of where they stand regarding those standards.

Committee member Elkins asked whether other portions of the plan are considered in reviewing plan amendments. Barajas explained that the Council's review practice includes a thorough examination of the amendment in the context of the community's plan and the Council's plans. This practice includes technical reviewers from across the Council, including reviewers from transit.

The Committee discussed the importance of reviewing items within the Council's legal purview, and also keeping these questions in mind as the Council develops its housing policy plan and updates its regional development guide. The Committee also discussed the importance of keeping the Council's authorities in mind and working with our local partners, particularly when they are already exceeding the requirements of Council policies.

A motion to approve the proposed actions was made, seconded, and passed with two dissenting votes.

DATE: March 29, 2012
TO: Community Development Committee
FROM: LisaBeth Barajas, Planning Analyst
Guy Peterson, Community Development Director
SUBJECT: Golden Valley Comprehensive Plan Amendment
Additional Information for Discussion

At its March 28, 2012, meeting, the Metropolitan Council referred the Golden Valley Comprehensive Plan Amendment (Business Item 2012-92, Review File No. 2085-2) back to the Community Development Committee for further discussion. In light of guidance provided to staff, Council staff is providing additional information regarding the Council's roles and responsibilities in reviewing CPAs in general and in relationship to this particular amendment.

Statutory Authority

As discussed in the staff presentation to the Community Development Committee at its March 19, 2012, meeting, the Metropolitan Council's review authority over comprehensive plans and amendments thereto falls under three categories:

1. Conformity with regional systems
2. Consistency with Council policy, and
3. Compatibility with the plans of adjacent communities.

Minn. Stat. §473.175 grants the Council these review authorities and directs the Council to review the comprehensive plans and its amendments for "compatibility with each other" and "conformity with metropolitan system plans." Section 473.175, subd. 1 further directs the Council to "review and comment on the apparent consistency of the comprehensive plans with adopted plans of the Council."

In addition, the Council's may deny a comprehensive plan amendment or require that the local unit of government modify its plan under Section 473.175, subdivision 1, "if, upon the adoption of findings and 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."

Having recently undergone and completed the 2008 comprehensive plan update process, the plans of local units of governments have been thoroughly reviewed and analyzed for their conformity with regional systems, consistency with Council policies, and compatibility with the plans of adjacent jurisdictions. As part of this process, and before the Council took any action on these plans, the community's plan has to be determined "complete for review." This completeness determination was based on the requirements of a comprehensive plan as contained in Minn. Stat. §473.859, procedures adopted by the Council and detailed in the *Local Planning Handbook*, and in the context of having sufficient information in order to properly analyze the plan for conformity, consistency, and compatibility.

Because the local comprehensive plans have been reviewed as such, amendments to those plans are viewed in the context of the community's adopted plan. While an individual amendment may be inconsistent with a Council policy, the amendment is reviewed in the cumulative and in the context of the City's adopted plan and its amendments. For example, an individual amendment may be inconsistent with the Council's density policy for sewer residential development. That amendment is taken into consideration with the remaining

planned sewer residential areas in the city along the city's recorded densities of sewer residential development. Overall, if the city's plan with the proposed amendment remains consistent with the Council's density policy, the Council allows the amendment to be placed into effect, but advises the community of their overall lowered density and the potential for falling below the Council's density threshold. Subsequent amendments that worsen the situation may be denied.

This practice provides local communities with the discretion to balance the need to address regional concerns with local needs and concerns.

Administrative Review Procedures

The Council has adopted guidelines for administratively reviewing Comprehensive Plan Amendments. The Council authorized the Regional Administrator or designee to administratively review minor comprehensive plan amendments, and the Metropolitan Council Environmental Services (MCES) General Manager to administratively review local water management and water supply amendments, provided that they meet the criteria outlined below. This section is limited to minor comprehensive amendments, which must satisfy all of the following:

1. Meet the submittal requirements of the Metropolitan Land Planning Act for content or be determined to be complete for review by the Council.
2. Be consistent with local applicable controls or the jurisdictions supplies evidence that the local controls will be modified to be consistent with the proposed amendment.
3. Be within 5 percent of the Council's forecasts.
4. Conform to the regional systems plans.
5. Be consistent with the MUSA guidelines if residential units are proposed.
6. Be consistent with the Council's *2030 Regional Development Framework*.
7. Be consistent with the Council's housing policies.
8. Be compatible with the plans of adjacent jurisdictions.
9. If an adjacent jurisdiction is potentially impacted by the amendment, the Council has received documentation that the adjacent jurisdiction has been notified.
10. Propose a land use change of a size less than 80 acres, unless the land use change is for Agricultural Preserves enrollment.
11. Propose a land use change that will result in less than 100 housing units.
12. Or propose a land use change to guide land at no more than one unit per 40 acres to meet the requirements of the Agricultural Preserves Program (Minn. Stat. Ch. 473H)
13. Does not have the potential for a cumulative impact.

Review Findings

Council staff found the amendment to conform to regional system plans, be consistent with Council policies, and be compatible with the plans of adjacent and affected jurisdictions. The staff did not find that the proposed amendment would cause a "substantial system impact," the review standard for system conformance.

Taken alone, the proposed amendments appear to be inconsistent with Council policies for residential development densities and for accommodating forecasted growth and affordable housing. However, in the context of the entire City, the Comprehensive Plan is consistent with the Council's policies and conforms to regional system plans. The City has the discretion to

make local land use decisions so long as they do not substantially impact regional systems or make the entire City's plan inconsistent with Council policies. Local land use decisions that are guiding at lower densities are balanced with other areas in the City with guiding at higher densities.

Forecasts

- Local communities are required to provide sufficient land through guiding in their comprehensive plans to accommodate their forecasted growth.
- The City is forecasted to grow by 600 households from 2010 to 2030, with 200 new households between 2010 and 2020.
 - The 2030 Comprehensive Plan guides sufficient land overall to accommodate the City's forecasted household growth through 2030, with a capacity range of 3,120 to 20,452 total households.
 - The proposed amendment reduces the City's capacity by approximately 300 units, but still leaves the City with sufficient land to accommodate their forecasted growth, with a capacity range of 3,120 to 20,265 total households.
 - As amended, the 2030 Comprehensive Plan will still add enough new residential land guided land to accommodate the City's forecasted household growth through 2030, with a range of 722 to 1,290 new households.

Housing

- Through the comprehensive plan update process, the City provided the statutorily required components of a housing element for a comprehensive plan, along with guiding land uses sufficient to provide opportunities to accommodate the City's share of the region's affordable housing need.
- The City's share of the region's affordable housing need through the year 2020 is 104 affordable units.
- It is the Council's practice to count land guided at densities of at least 6 units per acre and higher toward providing sufficient land to accommodate a city's share of the affordable housing need.
- In the 2030 Comprehensive Plan, the City guided 60 acres of land for Medium-High Density residential development at 12-20 units per acre. This guiding allows for a range of 720 to 1,200 units to be accommodated.
 - With the proposed amendment, 8 acres of Medium-High Density will be reguided to Low Density, leaving 52 acres available for Medium-High Density. With 52 acres, the guiding allows a range of 624 to 1,040 units.
 - With the proposed amendment, the City still has sufficient land to accommodate its share of the affordable housing need.

Transit

- The *2030 Regional Development Framework* (RDF) directs Developed Communities to "provide for additional growth, particularly at centers along transit corridors" and to "plan land use patterns that support transit service and development."
- The RDF directs Developed communities to accommodate forecasted growth at an overall residential density of 5 units per acre and to target higher densities in locations with convenient access to transportation corridors and with adequate sewer capacity.
 - Neither the RDF nor the 2030 Transportation Policy Plan set specific standards for residential densities or development intensity along transportation corridors. In addition, neither one defines "center" or "transit corridor," leaving both terms and their application ambiguous.

Conclusions

As discussed above and provided in the staff report, the proposed amendment does not represent a substantial impact to the Council's regional systems and therefore conforms to the

Council's regional system plans. The proposed amendment is a relatively minor change in the context of the City's entire comprehensive plan and its total planned development. The City's Comprehensive Plan, with the proposed amendment, remains consistent with the Council's policies.

C Community Development Committee

For the Metropolitan Council meeting of March 28,
2012

Item: 2012-92

ADVISORY INFORMATION

Date Prepared: March 21, 2012

Subject: City of Golden Valley, Comprehensive Plan Amendment, *General Land Use Plan Map Amendment*, Review File No. 20585-2

Proposed Action:

That the Metropolitan Council:

1. Adopts the attached review record and allows the City of Golden Valley to put *The General Land Use Plan Amendment* comprehensive plan amendment (CPA) into effect.
2. Advise the City to implement the advisory comments for Transportation, Forecasts, Land Use and Housing.

Summary of Committee Discussion / Questions:

Council staff Denise Engen introduced the amendment, and presented a summary of the CPA and requested action. Council Member (CM) Smith expressed concerns about the potential effect of reducing housing density on the City's ability to meet its affordable housing goals, and asked whether the City would be able to do so after this amendment. Ms. Engen replied that the City has guided enough high-density land elsewhere in the City, particularly along the I-394 corridor, to meet these goals. CM Wulff expressed support for the amendment and commented that the City had little control over redevelopment of land unless there were willing sellers, and that the City was supporting the residents' desire to keep their neighborhood as it is now. CM Elkins asked about development proposals on the sites, and about the status of land ownership in the CPA areas. Golden Valley Community Development Director Mark Grimes explained that the City had received some inquiries about proposed senior housing, but that no plans were finalized, and that there was current interest by a developer to put in single-family homes on smaller, denser lots. Mr. Grimes explained that ownership varied from private individual homeowners, to a developer in Omaha, to developer and individual properties in foreclosure. CM Elkins expressed agreement with CM Smith about the decline in density and concern for providing higher density housing. CD Director Peterson explained that the City, in its comprehensive plan, had guided several times the amount of high-density land as needed to meet its affordable housing goals. Peterson commented that the effort to revise the Regional Development Framework provided opportunities to for the Council to explore linking density requirements to locations proximate to transit, and to explore providing incentives, requirements and enforcement tools. Committee members had no further questions.

A motion to approve the amendment was made and seconded. The Committee approved the amendment with three dissenting votes.

C Community Development Committee
Meeting date: March 19, 2012
For the Council Meeting of March 28, 2012

ADVISORY INFORMATION

Date:	March 14, 2012
Subject:	City of Golden Valley, Comprehensive Plan Amendment, <i>General Land Use Plan Map Amendment</i> , Review File No. 20585-2
District(s), Member(s):	District 5, James Brimeyer
Policy/Legal Reference:	Minnesota Statutes Section 473.175
Staff Prepared/Presented:	Denise Engen, Principal Reviewer (651-602-1513) Phyllis Hanson, Manager, Local Planning Assistance (651-602-1566)
Division/Department:	Community Development/Planning & Growth Management

Proposed Action

That the Metropolitan Council:

1. Adopts the attached review record and allows the City of Golden Valley to put *The General Land Use Plan Amendment* comprehensive plan amendment (CPA) into effect.
2. Advise the City to implement the advisory comments for Transportation, Forecasts, Land Use and Housing

Background

The Metropolitan Council reviewed the City's 2030 Comprehensive Plan (Update), Review No. 20413-1, on May 26, 2010. This is the City's first CPA since this review.

The *2030 Regional Development Framework* identifies the City as a Developed Community. The CPA proposes to re-guide two areas located at near the intersection of Hwy 55 and Winnetka Avenue. The City proposes to re-guide *Area A*, (8 acres) from "Medium-High Density Residential" to "Low Density Residential." *Area B* (9.5 acres) is also proposed to be re-guided to "Low Density Residential" from "Medium Low Density Residential." The sites currently have 30 existing housing units.

Rationale

The proposed CPA conforms to regional system plans, is consistent with Council policies, and is compatible with the plans of other local communities and school districts.

Funding

None.

Known Support / Opposition

None known.

REVIEW RECORD

City of Golden Valley, Comprehensive Plan Amendment *General Land Use Plan Map Amendment*

Review File No. 20585-2, Council Business Item No. 2012-92

BACKGROUND

- The City of Golden Valley (City) is a first-ring suburban community of approximately 7,040 acres, or 11 square miles, located in Hennepin County. It bordered by the cities of New Hope, Crystal and Robbinsdale on the north, Minneapolis on the east, Saint Louis Park on the south and Plymouth on the west, (Figure 1).
- The *2030 Regional Development Framework* (RDF), as adopted by the Metropolitan Council (Council) in January 2004, identified Golden Valley as within the "Developed Community" geographic planning area.
- The Metropolitan Council reviewed the City's Update, Review No. 20585-2, on May 26, 2010. This is the City's first CPA since this review.

REQUEST SUMMARY

The CPA proposes to re-guide two areas located at near the intersection of Hwy 55 and Winnetka Avenue. Area A, (8 acres) is proposed to be re-guided from "Medium-High Density Residential" to "Low Density Residential." Area B (9.5 acres), is also proposed to be re-guided to "Low Density Residential" from "Medium Low Density Residential" (Figure 2). The sites currently have 30 existing housing units.

OVERVIEW

Conformity with Regional Systems

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

Consistency with Council Policy

The CPA is consistent with the Council's *2030 RDF*, with water resources management, and is consistent with Council forecasts.

Compatibility with Plans of Adjacent Communities

The CPA will not have an impact on adjacent communities, school districts, or watersheds.

PREVIOUS COUNCIL ACTIONS

- The Council acted on the City's 2030 Update on May 26, 2010.

ISSUES

- I. Does the amendment conform to the regional system plans?
- II. Is the amendment consistent with the *2030 RDF* and other Council policies?
- III. Does the amendment change the city's forecasts?
- IV. Is the amendment compatible with adjacent local governmental units?

ISSUE ANALYSIS AND FINDINGS

CONFORMANCE WITH REGIONAL SYSTEMS

REGIONAL PARKS

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

The CPA conforms to the *2030 Regional Parks Policy Plan*. The CPA area is within .5 mile of the Luce Line Regional Trail, although the amendment is not anticipated to affect the regional trail corridor.

TRANSPORTATION

Roads and Transit

Reviewers: Ann Braden – MTS (651-602-1705), Steve Mahowald – Metro Transit (612-349-7775)

The CPA conforms to the *2030 Transportation Policy Plan (TPP)*. Please note the following comment for transit.

- *Advisory Comment*

Area A is within ¼-mile walk of transit service for Routes 705 and 755. The re-guiding of Area A from Medium-High Density Residential to Low Density Residential is could reduce potential future transit use.

WATER RESOURCES MANAGEMENT

Wastewater Service

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

The CPA is in conformance with the *Water Resources Management Policy Plan (WRMPP)* for Wastewater. The Metropolitan Disposal System has adequate capacity to serve the project at this location.

Surface Water Management

Reviewer: James Larsen, CD, (651-602-1159)

The CPA is in conformance with the *WRMPP* for local surface water management.

CONSISTENCY WITH COUNCIL POLICY

FORECASTS

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

The CPA is consistent with regional policy for forecasts. Please note the following.

- *Advisory Comment*

The CPA Submittal Form indicates that the City expects “no change in community-level forecasts.” Council Research staff finds that the change in land guidance could lower Golden Valley’s build-out capacity by -300 households, potentially affecting Golden Valley’s ability to reach the 2030 forecast of 9,600 households. Council Research staff agrees to leave the forecasts unchanged. Staff advises the City that in 2014 the Council expects to revise forecasts for all cities and towns.

2030 REGIONAL DEVELOPMENT FRAMEWORK AND LAND USE

Reviewer: Denise Engen, CD – Local Planning Assistance, (651-602-1513)

The City’s 2030 Comprehensive Plan Update (CPU) as reviewed in May 2010 is consistent with the *Regional Development Framework* (RDF) policies for developed communities.

The review record for the CPU noted that, “The RDF states that developed communities need to ‘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).’ Therefore, the City will be expected to meet densities of at least five units an acre through reinvestment, redevelopment, planning and zoning.”

The CPA re-guides parcels A and B to “Low-Density Residential”, which only allows development less than five units per acre (u/ac). The previous designation of “Medium-High Density Residential” in Parcel A allowed 12-19.99 u/ac; Parcel B was designated “Medium-Low Density Residential”, which allowed 5 to 11.9 u/ac. The CPA areas are located on Highway 55, a principal arterial.

The parcels reflect the current land use and the proposed Low-Density Residential land use designation is consistent with the City’s previous 2020 comprehensive plan (Figure 3).

- *Advisory Comment*

Where appropriate and when redevelopment opportunities occur, the City is encouraged and expected to meet densities of at least five units an acre through reinvestment, redevelopment, planning and zoning.

HOUSING

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

The CPA is consistent with regional policy for housing. CPA proposes a land use designation change on two parcels (17.5 acres) from Medium-High Density Residential and Medium Density Residential to Low Density Residential. While this is a reduction in the amount of higher density residential land that may be available for the development of affordable housing, this change does not pose any major impact to the City’s ability to address its 2011-2020 share of the region’s affordable housing need of 104 units. The City’s CPU guides 60 acres of land at higher densities, at 12-20+ units per acre, which provides sufficient opportunities through the designation of higher density residential land to address this need. Please note the following comment.

- *Advisory Comment*

The City is advised that future reductions in the supply of medium-high and high-density residential land could adversely affect the City’s ability to address its affordable and life-cycle housing goals.

WATER SUPPLY

Reviewer: Lanya Ross, ES – Water Supply Planning, (651-602-1803)

The CPA is consistent with the *WRMPP* for water supply. The City of Golden Valley has an updated water supply plan, which covers all cities served by the Joint Water Commission (Golden Valley, Crystal, and New Hope); the MN Department of Natural Resources approved this plan in 2009. The amendment will not change projected water use from the Joint Water Commission’s current water supply plan.

Both areas being reviewed are entirely within the City of Golden Valley’s Drinking Water Supply Management Area (DWSMA), which has been delineated as low to moderately vulnerable by the City and the Minnesota Department of Health. Planners and developers working in these areas should be aware of the City’s Wellhead Protection Plan.

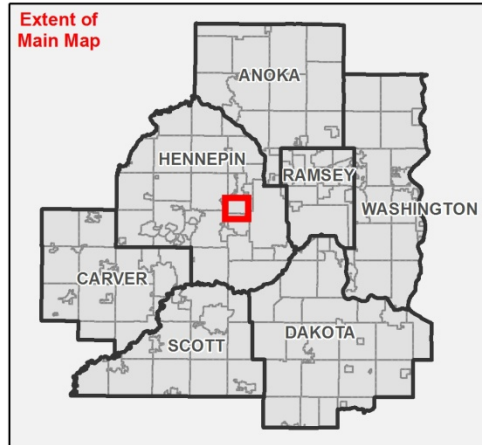
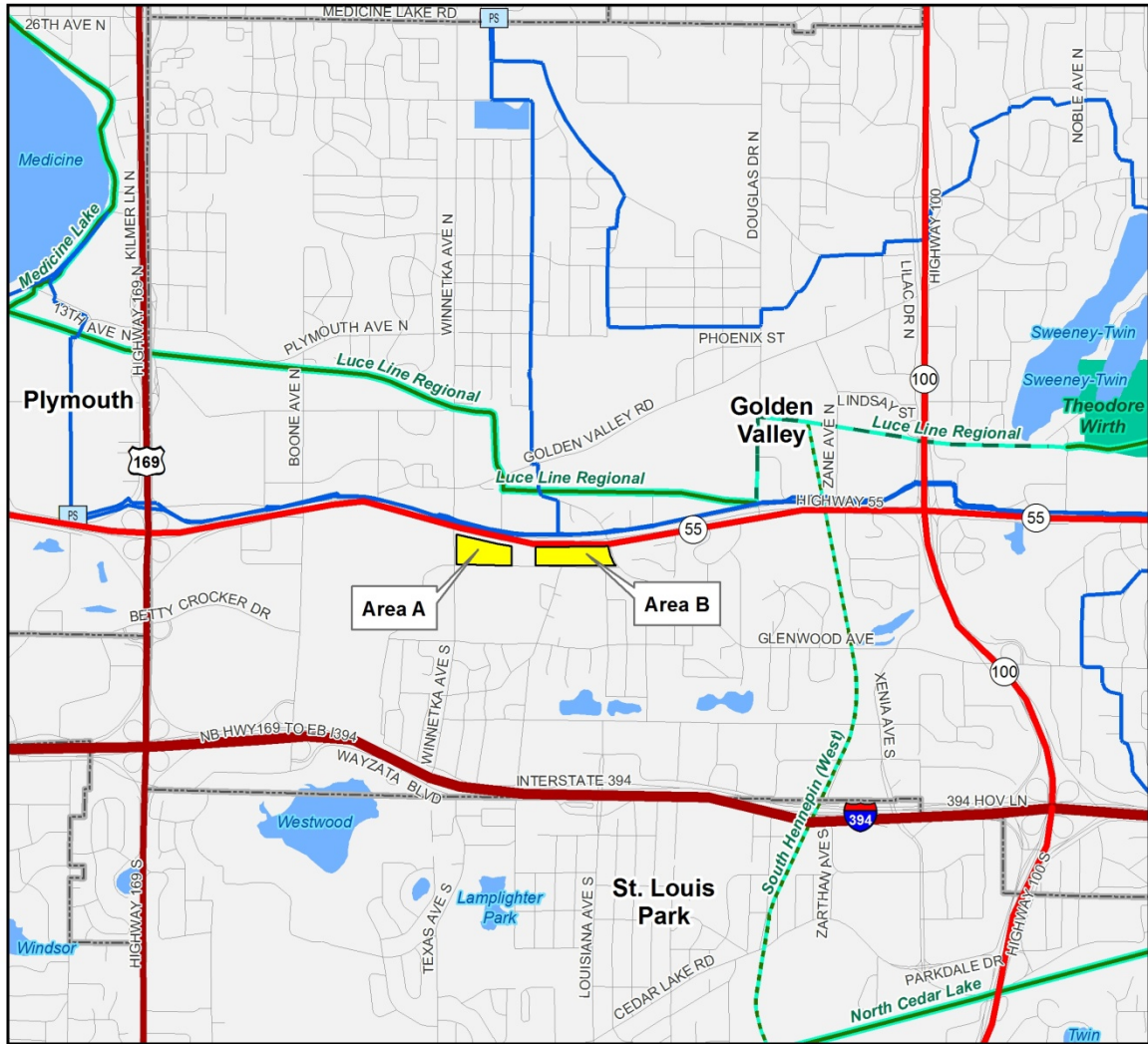
The Council encourages the City to continue to implement water conservation programs and measures in an effort to promote the efficient use of water. Re-development always presents opportunities to implement new water conservation as part of construction and site landscaping.

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

The CPA is compatible with plans of adjacent jurisdictions. The City sent the proposed amendment to adjacent local governments, school districts, and other jurisdictions on November 17, 2011. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were identified.

ATTACHMENTS

- Figure 1: Location Map Showing Regional Systems
- Figure 2: Future Land Use Map: Location Map and Existing Guiding
- Figure 3: 2020 General Land Use Plan



- Regional Systems**
- Transportation**
 - Interstates
 - US Highways
 - State Highways
 - County Roads
 - Wastewater Services**
 - Meters
 - Lift Stations
 - Interceptors
 - Treatment Plants
 - Recreation Open Space**
 - Park Reserve
 - Regional Park
 - Special Recreation Feature
 - Regional and State Trails**
 - Regional Existing
 - Regional Planned
 - Regional Proposed
 - State Existing
 - Ncompass Street Centerlines, 2012

Figure 2: Future Land Use Map, Location Map and Existing Guiding City of Golden Valley CPA: General Land Use Map Amendment

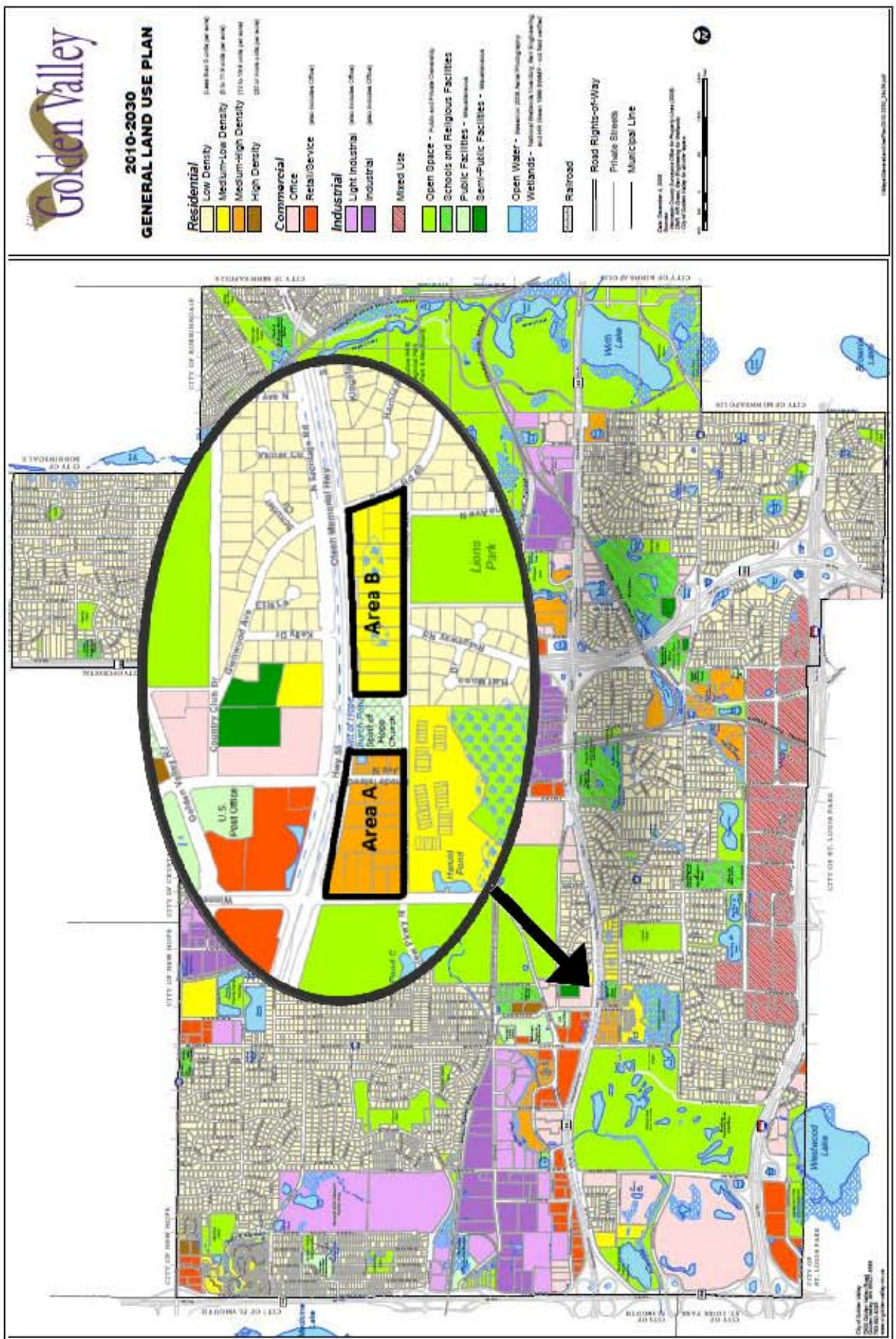


Figure 3: 2020 General Land Use Plan
 City of Golden Valley CPA: General Land Use Map Amendment

