

C Community Development Committee
Meeting date: May 4, 2009

E Environment Committee
Meeting date: May 12, 2009

ADVISORY INFORMATION

Subject: City of Lakeville 2030 Comprehensive Plan Update
Review File No. 20445-1
Tier II Comprehensive Sewer Plan

District(s), Member(s): District 16, Wendy Wulff

Policy/Legal Reference: Minnesota Statutes Section 473.175

Staff Prepared/Presented: Patrick Boylan, Principal Reviewer (651-602-1438)
Phyllis Hanson, Local Planning Assistance Manager (651-602-1566)
Kyle Colvin, Engineering Services Asst. Manager (651-602-1151)

Division/Department: 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:

Recommendation of the Community Development Committee:

Authorize the City of Lakeville to put its 2030 Comprehensive Plan Update into effect.

Recommendation of the Environment Committee:

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

ADVISORY COMMENTS

City of Lakeville 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20445-1 - Council Business Item No. 2009-124

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.A copy of the City Council resolution evidencing final approval of the Update should be submitted to the Council.
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 by the City’s governing body. After the Update receives final approval by 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 the final Update, including reference to adopting the Tier II Sewer Plan, needs to be submitted to the Metropolitan Council.

Background

The City of Lakeville is located in Dakota County, surrounded by Burnsville, Apple Valley, Rosemount, Empire Township, Farmington, Eureka Township, New Market, and Credit River Township (see Figure 1).

The *2030 Regional Development Framework* (RDF), as amended in December 2006, identifies the City as located within the “Developing” community geographic planning area (see Figure 2).

The City submitted its *2030 Comprehensive Plan Update* (Update) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stat. 473.175) and the Council’s 2005 Systems Statement requirements.

Rationale – Standard of Review & Findings

1. Does the proposed Plan conform to Regional Systems Plans?
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 (Wastewater Services and Surface Water Management) | Yes |

Consistent with Council Policy Requirements:

- | | |
|---|-----|
| 1. Forecasts | Yes |
| 2. Housing | Yes |
| 3. 2030 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 |
|--------------------------------|-----|

Known Support / Opposition

No known opposition within the community. An affordable housing advocacy organization, the Housing Preservation Project, has questioned the adequacy of the City’s guidance of land for future medium and high density residential development.

REVIEW RECORD

Review of the City of Lakeville 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 Plan is more likely than not to have a substantial impact on or contain a substantial departure from metropolitan system plans (Minn. Stat. § 473.175, Subd. 1).

Each local government unit shall adopt a policy plan for the collection, treatment and disposal of sewage for which the local government unit is responsible, coordinated with the Metropolitan Council's plan, and may revise the same as often as it deems necessary. Each such plan shall be submitted to the Council for review and shall be subject to the approval of the Council as to those features affecting the Council's responsibilities as determined by the Council. Any such features disapproved by the Council shall be modified in accordance with the Council's recommendations (Minn. Stat. § 473.513).

CONFORMANCE WITH REGIONAL SYSTEMS

Regional Parks

Parks and Trails

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

The Update is in conformance with the *Regional Park's Policy Plan*. The Update acknowledges the Dakota County East-West Regional Trail Search Corridor. This proposed trail will connect Murphy Hanrehan Park Reserve to Vermillion Highlands (Empire Wetlands) Regional Park.

Transportation

Roads and Transit

Reviewer: Elaine Koutsoukos, MTS – Systems Planning, (651-602-1717)

The Update is in conformance with the *Transportation Policy Plan (TPP)* and addresses all the applicable transportation and transit requirements of a comprehensive plan.

The transportation chapter includes an extensive analysis of existing and future transportation deficiencies and recommends improvements to the minor arterial, major and minor collector and local roadway networks. For transit, Lakeville 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.

Aviation

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

The Update is in conformance with the *Aviation* policies in the TPP.

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 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 (MCES) provides wastewater treatment services to the City. The majority of wastewater generated within the City is conveyed by Council Interceptors 3-LV-610, 7203, 7409 and 7103 and treated at the Metropolitan Council's Empire Wastewater Treatment Plant in Empire Township. A smaller portion is conveyed by Council Interceptor 3-BV-39 and treated at the Seneca Wastewater Treatment Plant in Eagan.

The Update projects that the City will have 33,500 sewer households and 27,400 sewer employees by 2030. The Metropolitan Disposal System with its planned scheduled improvements has or will have adequate capacity to serve these needs. The Update provides sanitary flow projections in 5-year increments. The bases for the projections were given in the Update and were determined appropriate for planning for local services.

Lakeville is not currently a community that has been identified as a community impacted by wet weather occurrences. The Update however does include an I/I reduction plan which includes flow monitoring to help isolate specific areas which may be contributing I/I to the system, and developing a program to reduce peak I/I flow rates.

Tier II Comments

The Tier II Sewer Element has been reviewed against the Council's requirements for Tier II Comprehensive Sewer Plans for developing communities, and found complete and consistent with Council policies. The Council's approval of the Tier II Plan becomes effective upon the City's adoption of the Update. At that time, the City may alter, expand, or improve its sewage disposal system consistent with the approved Tier II Sewer Plan. A copy of the City Council Resolution adopting the final Update, including reference to adopting the Tier II Sewer Plan, needs to be submitted to the Metropolitan Council.

Surface Water Management

Reviewer: Judy Syvtek, ES – Water Resources Assessment (651-602-1156)

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

Lakeville is located in the Vermillion River and the Black Dog watersheds. The Vermillion River Joint Power Board's watershed management plan was approved by the Board of Water and Soil Resources in 2005. The Black Dog Watershed Management Organization's watershed management plan was approved in 2002.

Lakeville submitted its Water Resources Management Plan (WRMP) in January 2008. The WRMP was reviewed under separate cover. The WRMP was found to be an excellent example of integrating the various local, state and federal water requirements into one document. The WRMP was also found to be consistent with the Council's WRMPP and fulfill the requirements for local water management plans.

CONSISTENCY WITH COUNCIL POLICY

Forecasts

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

The Update is consistent with Council's forecasts and consistent with regional policy. The City's planning uses revised, alternative forecasts of *employment*. Council staff agreed in January 2008 to

include this employment forecast revision in the Council staff report. The City has not requested any revision to households and population forecasts.

Metropolitan Council’s *employment* forecast will be officially revised, as shown below, effective upon Council approval of the Lakeville Comp Plan Update:

Table 1: Council Forecasts

| | 2010 | 2020 | 2030 |
|-------------------|--------|--------|--------|
| Population | 59,500 | 78,400 | 88,800 |
| Households | 20,200 | 28,400 | 33,500 |
| Employment | 18,500 | 22,900 | 27,400 |

Advisory: The Update states: “Unless major investments within the Metropolitan Area Transportation System are identified to address the increasing traffic... the City Council will evaluate strategies to reduce traffic generation... including, but not limited to, a decrease in the projected rate of development and/or a decrease in the density of development (Community Perspectives, page 8).”

If the City adopts a slower rate of development in the future, the City can, at that time, request that the Council revise its households and population forecasts through the plan amendment process.

2030 Regional Development Framework and Land Use

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

Regional Development Framework

The Update is consistent with the *Regional Development Framework* (RDF). The RDF designates Lakeville as “Developing” and sets an overall density minimum of 3 to 5 plus units per acre where urban service is located or planned.

Therefore, Lakeville will be expected to meet densities of at least three residential units per net developable acre.

Land Use

The City is approximately 25, 000 acres in area. Land use is comprised of 50% residential, almost 20% in public, water , parks and quasi-public use, 10% in agricultural land, 3% office/commercial and 2% industrial

Table 2: Existing Land Use

| City of Lakeville 2008 Existing Land Use | | |
|--|------------------|---------------|
| Land Use | Acres | Percent |
| Agriculture / Undeveloped | 6,624.27 | 27.1% |
| Rural Residential | 2,312.51 | 9.5% |
| Single Family Residential | 5,084.79 | 20.8% |
| Townhouse Residential | 535.78 | 2.2% |
| Multiple Family Residential | 32.08 | 0.1% |
| Manufactured Housing | 252.41 | 1.0% |
| Commercial | 488.54 | 2.0% |
| Office | 142.22 | 0.6% |
| Public and Quasi-Public | 954.78 | 3.9% |
| Industrial | 590.99 | 2.4% |
| Gravel Mining | 345.41 | 1.4% |
| Airport | 131.81 | 0.5% |
| Golf Course | 344.42 | 1.4% |
| Parks | 1,521.69 | 6.2% |
| Restricted Development | 797.55 | 3.3% |
| Water | 1,026.72 | 4.2% |
| Right-of-Way | 3,277.58 | 13.4% |
| TOTAL | 24,463.55 | 100.0% |
| Source: Northwest Associated Consultants, Inc. | | |

Future land use is planned around twelve planning districts. One planning district, which is 1,463 acres follows the Cedar Avenue Corridor. It anticipate the development of bus rapid transit along this route. This is the urban reserve area for post 2020 MUSA that is designated as a Special Plan Area with specific decisions on the land use along this corridor being deferred until the 2018 comprehensive plan.

Table 3: 2030 Future Land Uses

| City of Lakeville 2030 Land Use Plan | | | | | | | | |
|---|------------------|---------------|------------------|---------------|------------------|---------------|------------------|---------------|
| Category | 2010 | | 2015 | | 2020 | | 2025/2030 | |
| | Acres | % | Acres | % | Acres | % | Acres | % |
| Rural Residential | 1,618.18 | 6.6% | 1,618.18 | 6.6% | 1,618.18 | 6.6% | 1,618.18 | 6.6% |
| LD Residential | 6,058.41 | 24.8% | 6,617.58 | 27.1% | 6,721.70 | 27.5% | 6,721.70 | 27.5% |
| Manufactured Homes | 197.29 | 0.8% | 197.29 | 0.8% | 197.29 | 0.8% | 197.29 | 0.8% |
| L/MD Residential | 615.33 | 2.5% | 1,148.64 | 4.7% | 1,247.84 | 4.8% | 1,257.00 | 5.1% |
| MD Residential | 1,099.71 | 4.5% | 1,231.00 | 5.0% | 1,251.05 | 5.1% | 1,251.05 | 5.1% |
| M/HD Residential | 291.63 | 1.2% | 339.07 | 1.4% | 488.48 | 1.9% | 534.57 | 2.2% |
| HD Residential | 119.08 | 0.5% | 154.08 | 0.6% | 154.08 | 0.6% | 185.27 | 0.8% |
| O/R Transition | 73.20 | 0.3% | 105.72 | 0.4% | 105.72 | 0.4% | 105.72 | 0.4% |
| Commercial | 1,049.52 | 4.3% | 1,074.45 | 4.4% | 1,156.15 | 4.7% | 1,156.15 | 4.7% |
| Office Park | 168.94 | 0.7% | 395.59 | 1.6% | 750.29 | 2.9% | 750.29 | 3.1% |
| Warehouse/ Light Industrial | 191.96 | 0.8% | 342.46 | 1.4% | 342.46 | 1.3% | 342.46 | 1.4% |
| Industrial | 745.53 | 3.0% | 745.53 | 3.0% | 745.53 | 2.9% | 745.53 | 3.0% |
| Public / Quasi Public | 1,086.59 | 4.4% | 1,086.59 | 4.4% | 1,086.59 | 4.2% | 1,086.59 | 4.4% |
| Parks | 1,521.69 | 6.2% | 1,521.69 | 6.2% | 1,521.69 | 5.9% | 1,521.69 | 6.2% |
| Restricted | 1,361.40 | 5.6% | 1,361.40 | 5.6% | 1,361.40 | 5.3% | 1,361.40 | 5.6% |
| Special Plan Area | 1,324.33 | 5.4% | 1,324.33 | 5.4% | 1,324.33 | 5.1% | 1,324.33 | 5.4% |
| Water | 1,026.72 | 4.2% | 1,026.72 | 4.2% | 1,026.72 | 4.0% | 1,026.72 | 4.2% |
| Right-of-way | 3,277.58 | 13.4% | 3,277.58 | 13.4% | 3,277.58 | 12.7% | 3,277.58 | 13.4% |
| Guided Urban/ Outside MUSA | 2,636.41 | 10.8% | 895.62 | 3.7% | 85.84 | 5.5% | 0.00 | 0.0% |
| TOTAL | 24,463.55 | 100.0% | 24,463.55 | 100.0% | 24,463.55 | 100.0% | 24,463.55 | 100.0% |

Source: Northwest Associated Consultants, Inc.

Residential Density

Lakeville participates in the Council’s Plat Monitoring program and has platted 1,718 acres of residential development since the year 2000 at a net density of 3.36 units per acre. The Update is consistent with the regional density policy of 3 residential units per net developable acre for the remaining undeveloped residential parcels in the City to the year 2030.

Analysis of plat monitoring data and future land use guiding from 2010 to 2020 and 2020 to 2030 indicates that residential areas will develop at 3.53 units per net developable acre as shown in table 2 below. (See Figure 5 : Staging of Residential Development 2010 to 2030)

Table 4: Residential Land Use Density

| | Net Acres | Units | Units per acre |
|--|--------------|---------------|----------------|
| 2010 - 2020 | 2,629.21 | 9,302 | 3.54 |
| 2020 - 2030 | 86.44 | 585 | 6.77 |
| Plat Monitoring (2000 – 2008) | 1,718.6 | 5,779 | 3.36 |
| Overall (Plat Monitoring + CPU) | 4,434 | 15,666 | 3.53 |

Housing

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

The Update is consistent with the Council’s policies on housing. The housing element fulfills the affordable 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 2,260 units.

To provide opportunities to meet this need the Update indicates that approximately 905 acres of land will be guided for medium density residential development (at 5-7 units per acre), 326 acres guided for medium/high density residential development (at 6-9 units per acre), and 103 acres guided for high density residential development (at 9+ units per acre). In addition, the Update identifies 50 acres designated as an office/residence transition district which provides for the transition in land use from business to high density residential development, and allows for an intermixing of these uses.

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. These include the provision of a PUD District and possible establishment of a new zoning district allowing for high density residential uses with building heights greater than four stories. The Update indicates the city will continue to collaborate with the Dakota County Community Development Agency (CDA) as its primary means to implement its housing goals and policies. Efforts to address the city's housing needs in coordination with the Dakota County CDA or through City efforts include: housing rehabilitation loans, developing subsidized/affordable housing projects, the Dakota County CDA senior housing program, and conducting market studies to evaluate the housing needs in the community.

The city will continue to make available and encourage development of new affordable housing units by providing opportunity for density and/or regulatory flexibilities in both its conventional zoning districts and the use of PUD Districts, and will work with the Dakota County CDA and Metropolitan Council to pursue Land Acquisition for Affordable New Development initiative funding. The city is a participant in the Local Housing Incentives Account program.

Individual Sewage Treatment Systems (ISTS) Program

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

The Update is consistent with the *Water Resources Management Policy Plan* for ISTS. There are currently 406 ISTS in operation in the City. City Code 7-5 has adopted the Dakota County On-Site Sewage Treatment System Ordinance 113, as amended, by reference. The City tracks system design information as well as operation and maintenance status. Dakota County administers the homeowner notification program through Joint Powers Agreement to inform owners of their need to provide system maintenance. The City's program is consistent with MPCA Rules and Council policy requirements.

Water Supply

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

The City's water supply plan (WSP) is consistent with the policies of the Council's Water Resources Management Policy Plan.

Advisory comment:

- The Council recommends the city continue to implement conservation programs targeted at reducing residential water use. For more information on water conservation, see the Council's toolbox at <http://www.metrocouncil.org/environment/WaterSupply/conservationtoolbox.htm>.

Resource Protection

Agricultural Preserves

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

The City has 252 acres enrolled in the Agricultural Preserves program. The parcels are located in the "Special Area Plan" on the 2030 Land Use Map. Text indicates that residential density is held at 1 unit per 40 acres in the Special Area Plan, which is consistent with Council policy for preserving land within the Council's long-term sewer area.

Historic Preservation

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

The Update is consistent with Historic Preservation elements as required by the MLPA.

Solar Access Protection

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

The Update is consistent with Solar Access Protection elements as required by the MLPA.

Aggregate Resources Protection

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

The Update is consistent with requirements for aggregate resources. The Update contains a section on aggregate resources protection as required by the MLPA. Information in the Update confirms the presence of viable aggregate resources in the City, consistent with *Minnesota Geological Survey Information Circular 46* data. The City regulates aggregate mining through its ‘Extraction and Mining Ordinance’ in City Code Title 7, Chapter 4, available on the City’s website. The City considers mining to be an ongoing interim land use within undeveloped areas of the City. The Update’s ‘Existing Land Use’ map and ‘Aggregate Resources’ figure identify known aggregate deposits within the City.

PLAN IMPLEMENTATION

Reviewer: Patrick Boylan, CD – Local Planning Assistance, (651-602-1438)

The Update includes a description of:

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

The Update includes a 5-year CIP, a copy of the existing zoning districts and map, and a description of possible future changes. The City is reminded that it must submit copies to the Council of any changes made to any of the above noted documents within 30 days of their adoption.

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

The City submitted the 2030 Comprehensive Plan Update to adjacent local units of government, school districts, counties and special districts for comment in May 2008. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were indicated.

DOCUMENTS SUBMITTED FOR REVIEW:

- City of Lakeville *Comprehensive Land Use Plan, 2008*
- Comprehensive Plan Update Transmittal form
- Zoning Map
- 2008-2012 Capital Improvement Program
- Supplemental Information for land use, received February 26, 2009

ATTACHMENTS

- Figure 1: Location Map with Regional Systems
- Figure 2: 2030 Regional Development Framework Planning Areas
- Figure 3: Existing Land Use, City of Lakeville
- Figure 4: Future Land Use, City of Lakeville
- Figure 5: Staging of Residential Development 2010 to 2030

Figure 1. Location Map Showing Regional Systems

Lakeville

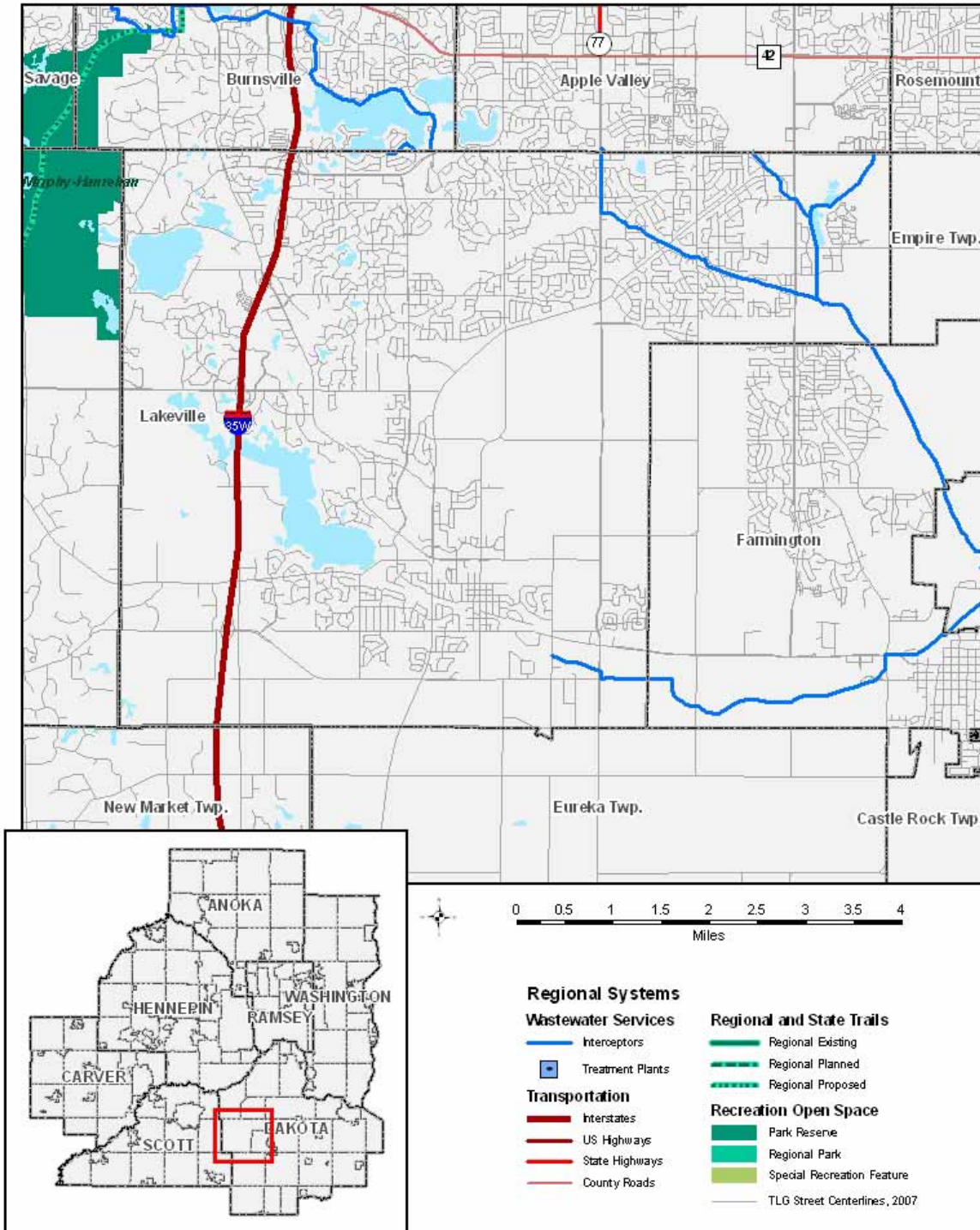


Figure 2. 2030 Regional Development Framework Planning Areas

Lakeville

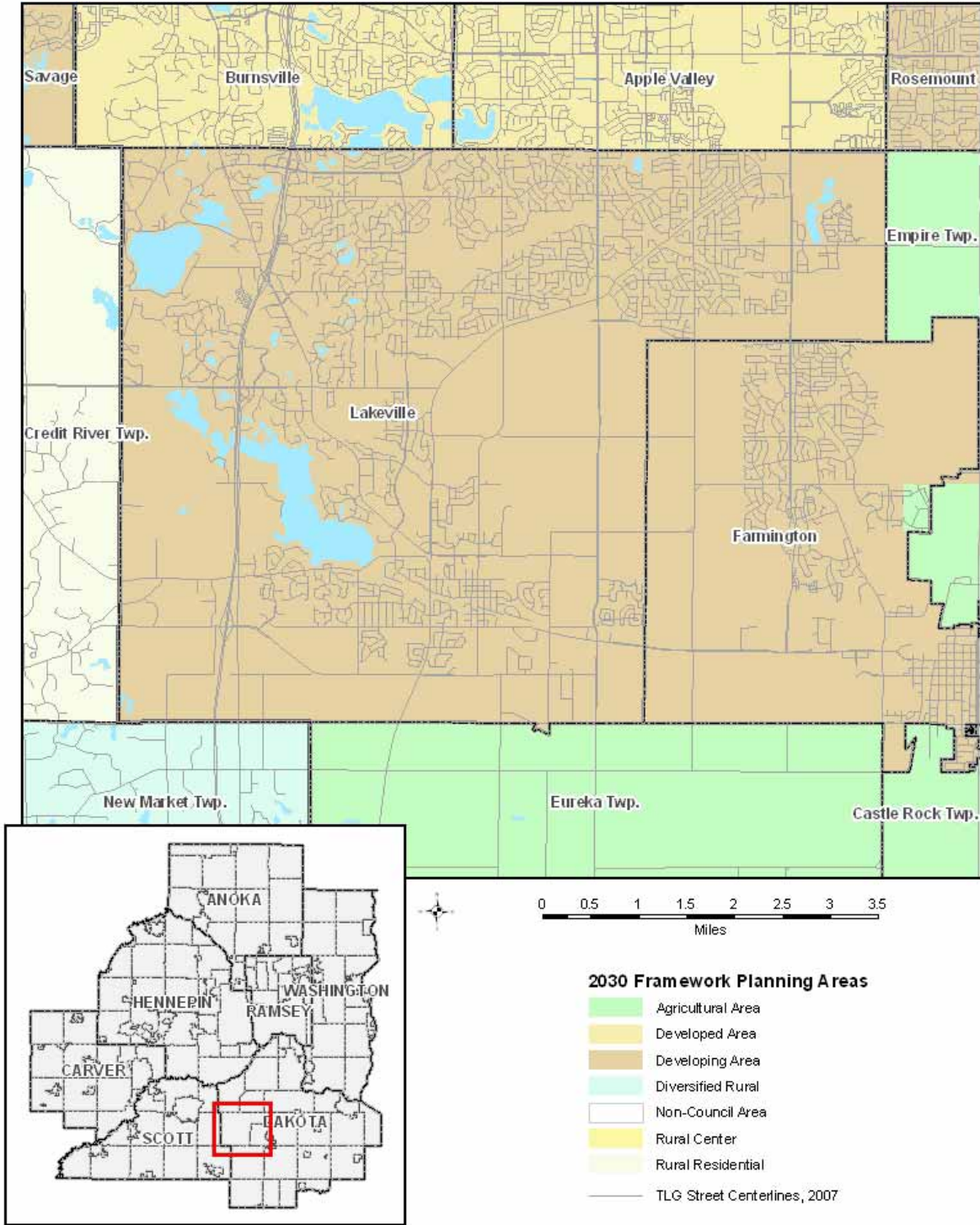


Figure 3. Existing Land Use, City of Lakeville

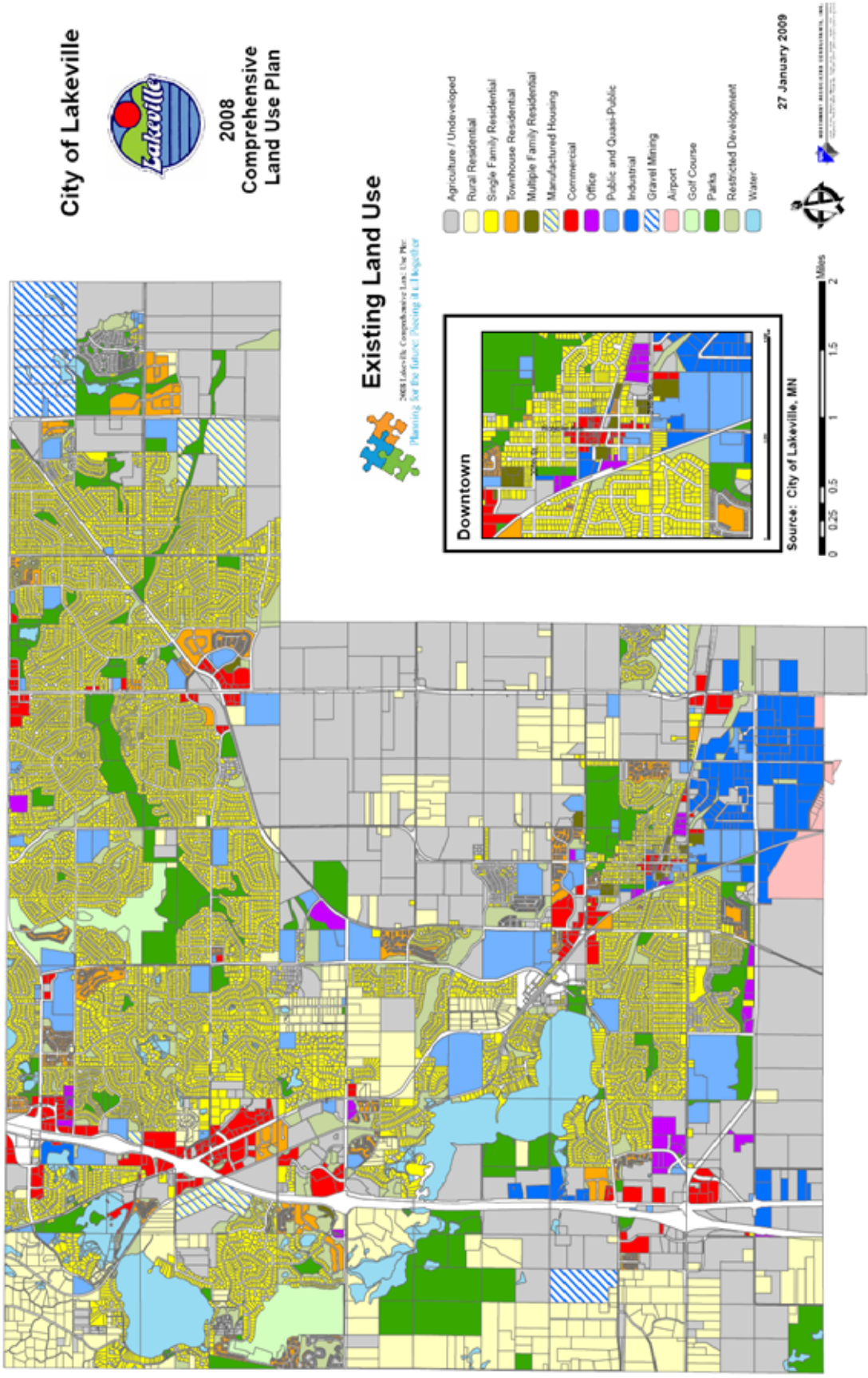


Figure 4. Future Land Use, City of Lakeville

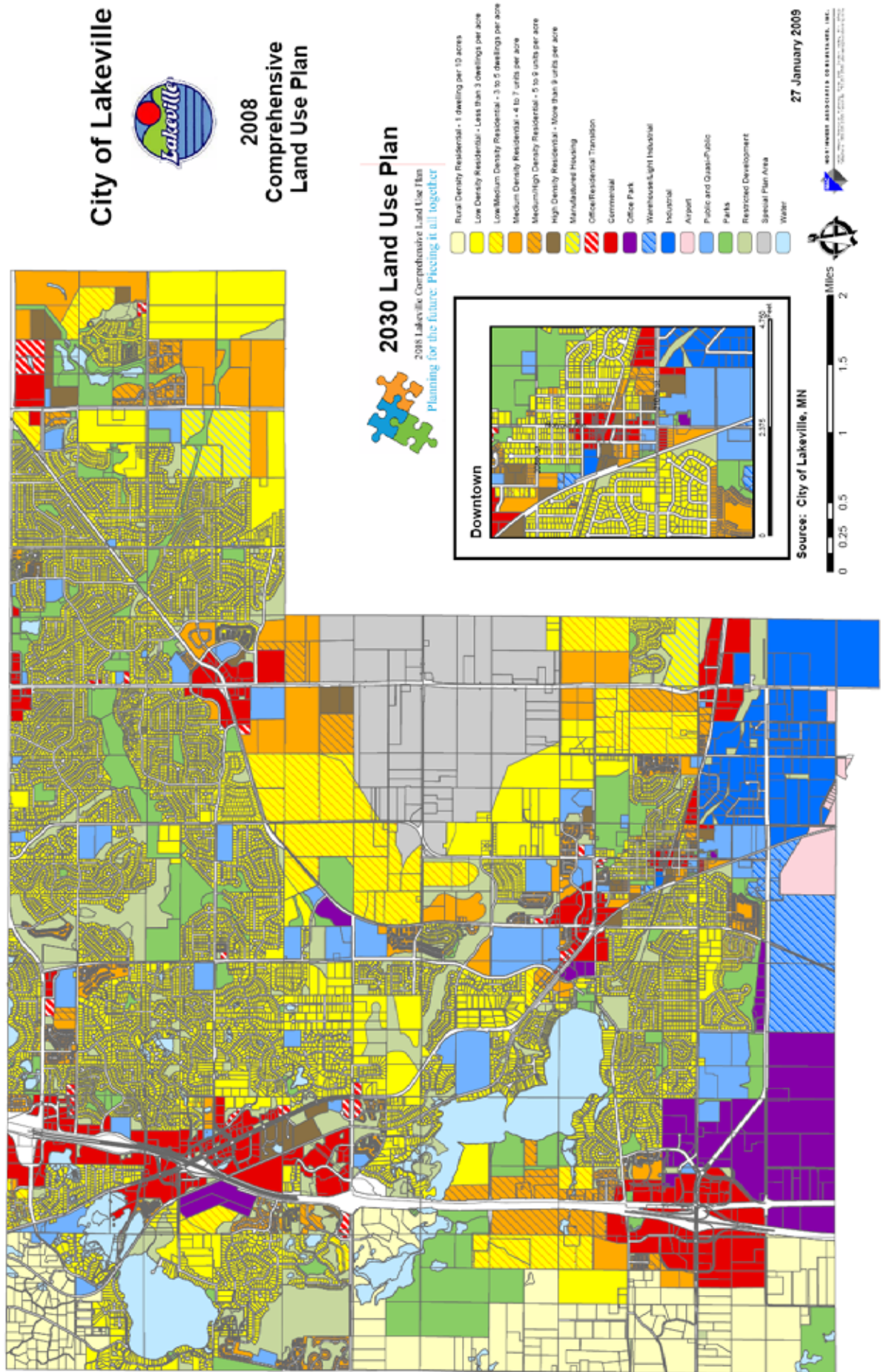


Figure 5. Residential Density Calculation 2010 to 2030

| Land Use | Density Range Units/acre | | 2010 to 2020 Residential Units | | | 2020 to 2030 Residential Units | | |
|--------------------------|-----------------------------|-----|-----------------------------------|-----------------------|---------------|-----------------------------------|----------------------|---------------|
| | Min | Max | Acres | Min* Units | Max* Units | Acres | Min* Units | Max* Units |
| Low Density | 0 | 3 | 663.29 | 0 | 1990 | 0 | 0 | 0 |
| Low -Medium Density | 3 | 5 | 632.51 | 1898 | 3163 | 9.16 | 27 | 46 |
| Medium Density | 5 | 7 | 904.75 | 4524 | 6333 | 0 | 0 | 0 |
| Medium – High Density | 6 | 9 | 325.58 | 1953 | 2930 | 46.09 | 277 | 415 |
| High density | > 9 | > 9 | 103.08 | 928 | 928 | 31.19 | 281 | 281 |
| TOTALS | | | 2,629.21 | 9,304 | 15,344 | 86.44 | 585 | 741 |
| | | | | Density / Acre | | | Density /Acre | |
| | | | | Min | Max | | Min | Max |
| Overall Density | | | | 3.54 | 5.84 | | 6.76 | 8.58 |

* Unit data rounded to nearest unit