

C Community Development Committee

Meeting date: October 19, 2009

Business Item

Item: 2009-375

E Environment Committee

Meeting date: October 13, 2009

ADVISORY INFORMATION

Subject:	City of Minnetrista 2030 Comprehensive Plan Update Review File No. 20533-1 Tier II Comprehensive Sewer Plan
District(s), Member(s):	District 4, Councilmember Craig Peterson (651-602-1474)
Policy/Legal Reference:	Minnesota Statute Section 473.175
Staff Prepared/Presented:	James P. Uttley, Principal Reviewer (651-602-1361) Phyllis Hanson, Manager, Local Planning Assistance (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:

Recommendations of the Community Development Committee

1. Authorize the City of Minnetrista to put its 2030 Comprehensive Plan Update into effect without any plan modifications.
2. Adopt the advisory comments for surface water management and land use as presented in those sections of the review record.
3. Advise the City to submit its Planned Unit Development ordinances and other controls that apply to the Diversified Rural Area and that permit residential densities that could exceed the Council's policy of one unit per 10 acres to the Council.

Recommendations of the Environment Committee:

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

ADVISORY COMMENTS

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

Review File No. 20533-1 - Council Business Item No. 2009-375

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 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 Minnetrista (City) is located in western Hennepin County, bounded by Independence, Mound, Orono, Shorewood, Victoria, Watertown and Laketown Townships and surrounding the city of St. Bonifacius. Figure 1 shows the general location of Minnetrista and the surrounding communities, and the City's *2030 Regional Development Framework* (RDF) designation, which identifies Minnetrista as a mix of "developing," "diversified rural," and "agricultural." Growth in the developing area should be consistent with regional forecasts at densities of 3 to 5 units per acre. Growth in diversified rural areas should be consistent with regional forecasts at densities of 1 unit per 10 acres. Growth in diversified rural areas should be consistent with regional forecasts at densities of 1 unit per 40 acres. Figure 2 shows existing and planned regional systems in Minnetrista 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
(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 |
|--------------------------------|-----|

Funding

None

Known Support / Opposition

There is no known opposition.

REVIEW RECORD

Review of the City of Minnetrista 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 *2030 Regional Parks Policy Plan (RPPP)*. The regional parks system facilities in Minnetrista include Gale Woods Farm Special Recreation Feature, Lake Minnetonka Regional Park, Carver Park Reserve and the Dakota Rail Regional Trail. A portion of the Luce Line State Trail, which is managed by the Minnesota Department of Natural Resources, is also located in Minnetrista. These regional parks system elements are acknowledged in the Update. The Update facilitates long term regional parks planning by guiding the future land use of inholding parcels at Carver Park Reserve as "Park and Open Space" and by identifying grade-separated crossings of Highway 7 to provide trail connectivity between the park reserve and Lake Minnetonka Regional Park.

Transportation

Roads and Transit

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

The Update is in conformance with the *2004 Transportation Policy Plan (TPP)* and addresses all the applicable transportation and transit requirements of a comprehensive plan.

Minnetrista is served by one principal arterial, TH 7, a two-lane expressway that runs through the southern part of the city. There are no plans to expand TH 7. The city's road network also includes a number of "A" Minor Arterial collectors.

Minnetrissa is outside the Metropolitan Transit Taxing District although it is in the area of potential transit service expansion. The eastern portion of the city is in Market Area III and the western portion is in Market Area IV. Service options for Market Area III include peak-only express, small vehicle circulators, midday circulators, special needs paratransit (ADA, seniors), and ridesharing. Service options for Market Area IV include dial-a-ride, volunteer driver programs, and ridesharing. Dial-a-ride service is provided by Westonka Rides.

Aviation

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

The Update is in conformance with the *TPP* and consistent with Council’s 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 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 Blue Lake Wastewater Treatment Plant in Shakopee. The City is provided wastewater conveyance service through interceptors 6-MO-647, 6-MO-650, 6-MO-651, 7020, and 7021. The Update projects that the City will have 4,200 sanitary sewered households and 1,330 sewered 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.

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.

Minnetrissa is not currently identified by the Council as a community impacted by wet weather occurrences. The Update includes a description of an I/I reduction plan, which involves televised inspection and regular maintenance of the sanitary sewer system. The City prohibits the connection of sump pumps, rain leaders, and passive drain tiles to 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 developing communities having urban reserve, agricultural, and diversified rural areas. It was found to be complete and consistent with Council polices. 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. Minnetrista lies within the Minnehaha Creek and Pioneer Sarah Creek watersheds.

The Minnehaha Creek Watershed District’s latest watershed management plan was approved by the Board of Water and Soil Resources (BWSR) in 2007. Pioneer Sarah Creek Watershed Management Commission’s watershed management plan was approved by BWSR in 2004.

The Council reviewed the City’s local surface water management plan (LSWMP) in 2008 and again in 2009. The LSWMP provides an overall framework for the City to manage its water resources. Council staff found that the LSWMP was consistent with the *WRMPP*.

Advisory Comment

The City needs to send the Council the date the Minnehaha Creek Watershed District takes final action to approve the plan, the date the City adopts the final LSWMP, and a copy of the final adopted LSWMP.

CONSISTENCY WITH COUNCIL POLICY

Forecasts

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

The Update is consistent with Council forecasts and regional policy. The Council revised Minnetrista’s forecasts as part of a 2006 Plan Amendment. (2006 CPA) identified as Review File No. 18457-9, Business Item No. 2006-266.

Table 1 - Council Forecasts for the City of Minnetrista

CTU_NAME	Component	POP 2010	POP 2020	POP 2030	HH 2010	HH 2020	HH 2030	EMP 2010	EMP 2020	EMP 2030
Minnetrista	Unsewered	1600	2650	2800	500	1050	1100	0	0	0
Minnetrista	Metro System	5000	6750	10500	1950	2700	4200	820	1150	1330
Minnetrista	TOTAL	6600	9400	13300	2450	3750	5300	820	1150	1330

2030 Regional Development Framework and Land Use

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

The Update is consistent with the *RDF* for land use and density. The *RDF* designates the eastern portion of the City and area adjacent to the City of St. Bonifacius as “Developing,” the central and northern portion as “Diversified Rural,” and the western portion as an “Agricultural” geographic planning area (see attached Figure 1).

Agricultural Area Policies

The *RDF* directs Agricultural areas to maintain agricultural land uses through at least 2030, to preserve prime agricultural lands, and to preserve land for efficient expansion of post-2030 regional urban infrastructure. Residential densities in these areas are not to exceed one housing unit per 40 acres. The western portion of the City (4,122 acres) is guided as Permanent Agriculture at a density of 1 unit per 40 acres and is consistent with the Council density policy for this planning area.

Diversified Rural Community Policies

The *RDF* directs Diversified Rural Area communities to accommodate forecasted growth without requiring the provision of regional urban services. In addition, Diversified Rural areas are directed to protect natural resources, to prevent scattered rural residential development, and to adopt conservation subdivision, cluster, or other environmental protection provisions in their ordinances. The central and northern parts of the City are designated as Diversified Rural.

The Update establishes policies for maintaining the rural character of this area by directing higher density development to areas to the east within the Metropolitan Urban Service Area (MUSA). The City has guided this area as Rural with the intent of preserving land from urban development and allows a maximum residential density of one unit per 10 acres. This is consistent with the Council's density policy for Diversified Rural areas.

The Update has also guided three areas as Urban Reserve: one in the northeastern part of the City, one in the central part of the City south of Gale Woods Special Recreation Feature, and one on land adjacent to the northern boundary of the City of St. Bonifacius. The Update proposes to preserve these areas for future urban uses by using interim agricultural and residential uses at a density no greater than one unit per 10 acres. The Update indicates that development may occur through the planned unit development (PUD) process, but that it may not impeded the City's ability to develop this area at urban densities in the future.

Developing Community Policies

The *RDF* directs Developing communities to accommodate growth, support centers along corridors, encourage connected land use patterns, and encourage the development of communities where shopping, jobs, and a variety of housing choices co-exist by design. Developing communities are expected to accommodate sanitary sewer residential growth at a minimum net density of 3 to 5 units per acre.

The Update identifies policies to focus commercial and residential development in the core of the City, to allow an increase in residential densities in underdeveloped areas served with transportation and wastewater infrastructure, to maintain the integrity of existing neighborhoods, and to integrate land uses and ensure compatibility among land uses and open spaces.

The 2006 CPA regulated land within the community in an effort to increase residential densities. The 2006 CPA identified 12 properties and specific "expected levels of development" for each of those properties as a part of the effort to achieve the density of 2.2 units per net acre, as included in the Council's action on review of the City's 2020 Comprehensive Plan, Referral File No. 16035-7 (March 25, 1999) for these areas and meet the City's regional growth obligations.

The City participates in the Council's Plat Monitoring Program to ensure that these developments were approved at the minimum levels identified in the 2006 CPA. In the "Previously Planned Land Use" section of the Land Use Chapter, the Update continues to carry out the conditions detailed in the 2006 CPA, detailing developments that have been approved since the 2020 Comprehensive Plan and the Remaining Developable Land that is a part of the 2006 CPA. The Update uses the 2006 CPA as a starting point for future planning.

The Update identifies additional properties to accommodate forecasted growth (Figure 2-17 Future Land Use and MUSA Staging) and guides these areas at densities consistent with the Council's policy for sanitary sewer residential growth. The Update identifies 223 additional acres to be added to the MUSA through 2030 or re-guided to higher densities within the existing MUSA.

As shown in Table 2 below, the newly planned residential areas within the 2030 Metropolitan Urban Service Area result in a minimum net density of 4.1 housing units per acre. The parcel lettering in Table 2 corresponds to the parcels that are labeled in Figure 2-17 Future Land Use and MUSA Staging. Note that Parcel C, while guided for a minimum density of 2 units per acre, already contains existing development (8 dwellings) that the City plans to connect to regional wastewater services.

Table 2 - Density Calculation for Newly Planned Areas

Parcel - Land Use	Density Range		Net Acres	Min Units	Max Units
	Min	Max			
A - Low-Med	3	5	22	66	110
B - Medium	5	8	1	5	8
C - Low	2	3	17	8	8
D - High	8	10	51	408	510
E - Low	2	3	37	74	111
E - Medium	5	8	30	150	240
F - Low	2	3	45	90	135
G - Medium-High	6	8	10	60	80
H - Medium-High	6	8	10	60	80
	TOTALS		223	921	1282
			Density	4.13	5.75

Table 3 - Forecasted Sewered Household Growth Accommodation

Area	Units
Remaining Developable Land (2006 CPA)	1,166
Newly Planned Areas - Standard Calculation	921
TOTAL	2,087
Forecasted 2010-2030 Household Growth	2,250
Difference	-163

Advisory Comment

As shown in Table 3, the remaining developable land in the 2006 CPA has the ability to accommodate a minimum of 1,166 new units. At minimum densities, the newly planned areas identified in Table 2 above are able to accommodate 921 new units, for a total of 2,087 sanitary sewered households. At minimum densities, the land guided for future sewered residential growth is 163 units under the forecasted household growth. The Council will monitor implementation of the conditions of the 2006 CPA to assure that the City is achieving its forecasts for sanitary sewered residential growth.

Advise the City to submit its Planned Unit Development ordinances and other controls that apply to the Diversified Rural Area and that permit residential densities that could exceed the Council's policy of one unit per 10 acres to the Council.

Housing

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

The Update is consistent with the Council's housing policy and meets the affordable housing planning requirements of the MLPA. The Update acknowledges the City's share of the region's affordable housing need for 2011-2020 which is 209 units. To provide opportunities to meet these goals the Update indicates that approximately 51 acres will be guided for high density residential development, at 8-10 units per acre. The plan 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 supporting local, county, state and federal housing assistance, development and preservation programs. Fiscal devices include revenue bonds, TIF, tax abatement and CDBG. The Update indicates the City will consider utilizing programs such as fee waivers and/or adjustments to facilitate affordability, and may encourage and work with potential developers who plan to use federal low income housing tax credits to do affordable rental housing.

Individual Sewage Treatment Systems (ISTS) Program

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

The Update is consistent with Council policy relative to ISTS. The Update indicates that there are 550 ISTS in operation in the City and that the City has delegated the responsibility of ISTS inspections, operation and maintenance, information tracking, and homeowner notification to Hennepin County.

Update information indicates that the City is aware that Hennepin County's ISTS inspection and enforcement program elements are not currently adequate to insure that all ISTS are being properly maintained as required by MPCA Rules and Council policy requirements. At present the County is preparing revisions to its ordinance. Council staff will follow up with the County on this element of their Comprehensive Plan Update.

Water Supply

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

The City's water supply plan (WSP) is consistent with the policies of the *WRMPP*. 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 addresses Historic Preservation as required by the *MLPA*.

Solar Access Protection

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

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

Aggregate Resources Protection

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

The Update contains a section on aggregate resources protection as required by the *MLPA*. The Update indicates that small aggregate resource areas are present in the City, but that to date; they have been determined either not to meet current industry standards, or not be viable for mining. *Minnesota Geological Survey Information Circular 46* does not indicate the presence of viable aggregate resources (meeting current industry standards) within the City. The City currently requires a conditional use permit prior to any mining activity within the City. Mining activity is addressed in Section 525 of the City Code.

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 2030 Comprehensive Plan Update to adjacent local units of government, school districts, counties and special districts for comment in July 2008. Minnetrista received responses from Three Rivers Park District, the Minnesota Department of Transportation, Mound, Orono and Saint Bonifacius. There do not

appear to be any unresolved compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts.

DOCUMENTS SUBMITTED FOR REVIEW:

The submittal was 634 pages and includes the following:

- March 27 2009 Letter from Nate Sparks, NAC to Phyllis Hanson Re: Minnetrista Comprehensive Plan Informal Comments
- 2008 Comprehensive Plan Update Transmittal Form
- Received Correspondence Regarding the City of Minnetrista's 2030 Comprehensive Plan Update, Six Month Review Period (July 24, 2008-January 24, 2009)
 - Three Rivers, May 15 2008
 - Mound, October 14, 2008
 - Three Rivers, May 15 2008
 - MnDOT Metro Division, January 14, 2009
 - St. Bonifacius, January 21, 2009
 - Orono, January 30, 2009
- City of Minnetrista 2030 Comprehensive Plan Review Draft March 2009
 - Cover Page
 - Table of Contents
 - Chapter 1 – Background
 - Chapter 2 – Land Use Plan (2-1 to 2-37, AE 53-89)
 - Chapter 3 – Transportation Plan (3-1 to 3-15, AE 90-104)
 - Chapter 4 – Water Resources Plan (4-1 to 4-67, AE 105-171)
 - Chapter 5 – Parks and Open Space (5-1 to 5-6, AE 172-177)
 - Chapter 6 – Implementation (6-1 to 6-7, AW 178-184)
- City of Minnetrista 2030 Comprehensive Plan Supplemental Materials received on April 6, July 24, August 5 & 7, September 23 & 29, October 1, 2009.

ATTACHMENTS

Figure 1: Location Map with 2030 Regional Development Framework Planning Areas

Figure 2: Regional Systems Map

Figure 3: Existing Land Use Map

Figure 4: 2030 Land Use Plan Map

Table 4: Minnetrista Future Land in 5-Year Stages, 2010-2030

Table 4 – Minnetrista Future Land in 5-Year Stages, 2010-2030

Future Land Use	Acres				
	2010	2015	2020	2025	2030
Permanent Agriculture	4,169	4,169	4,169	4,169	4,169
Rural	7,062	7,062	7,062	7,062	7,062
Urban Reserve	1,262	1,262	1,262	1,151	1,077
Residential Low	1,673	1,673	1,673	1,713	1,787
Residential Low-Medium	184	184	184	184	184
Residential Medium	56	56	56	86	86
Residential Medium-High	183	183	183	224	265
Residential High	93	93	93	93	93
Retail-Commercial	62	62	62	62	62
Restricted Industrial	48	48	48	48	48
Park, Public, Semi Public	1,265	1,265	1,265	1,265	1,265
Right-of-Way	853	853	853	853	853
Lakes	2,906	2,906	2,906	2,906	2,906
Total	19,816	19,816	19,816	19,816	19,816

Figure 1 - Location Map with 2030 Regional Development Framework Planning Areas, City of Minnetrista

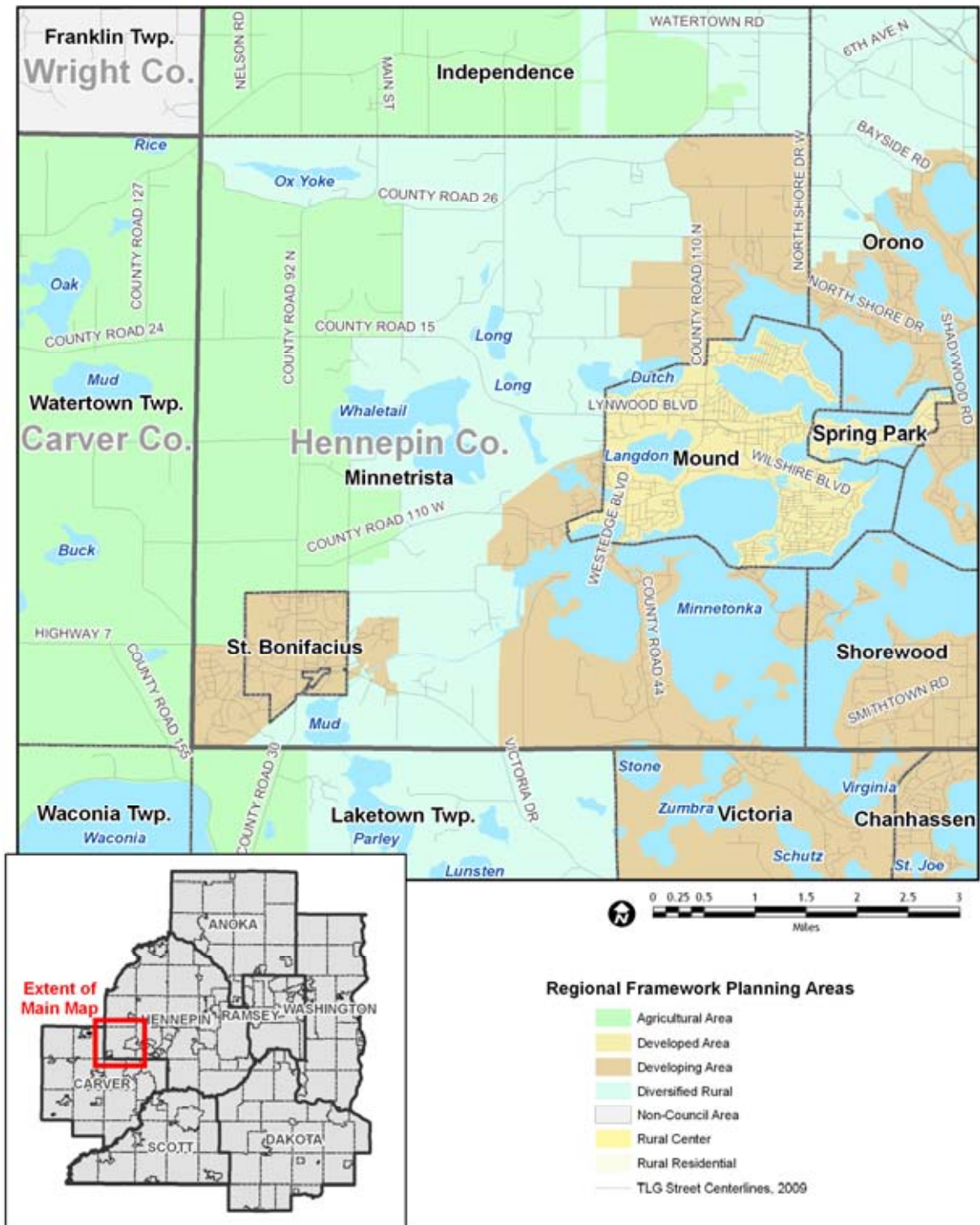


Figure 2 - Regional Systems, City of Minnetrista

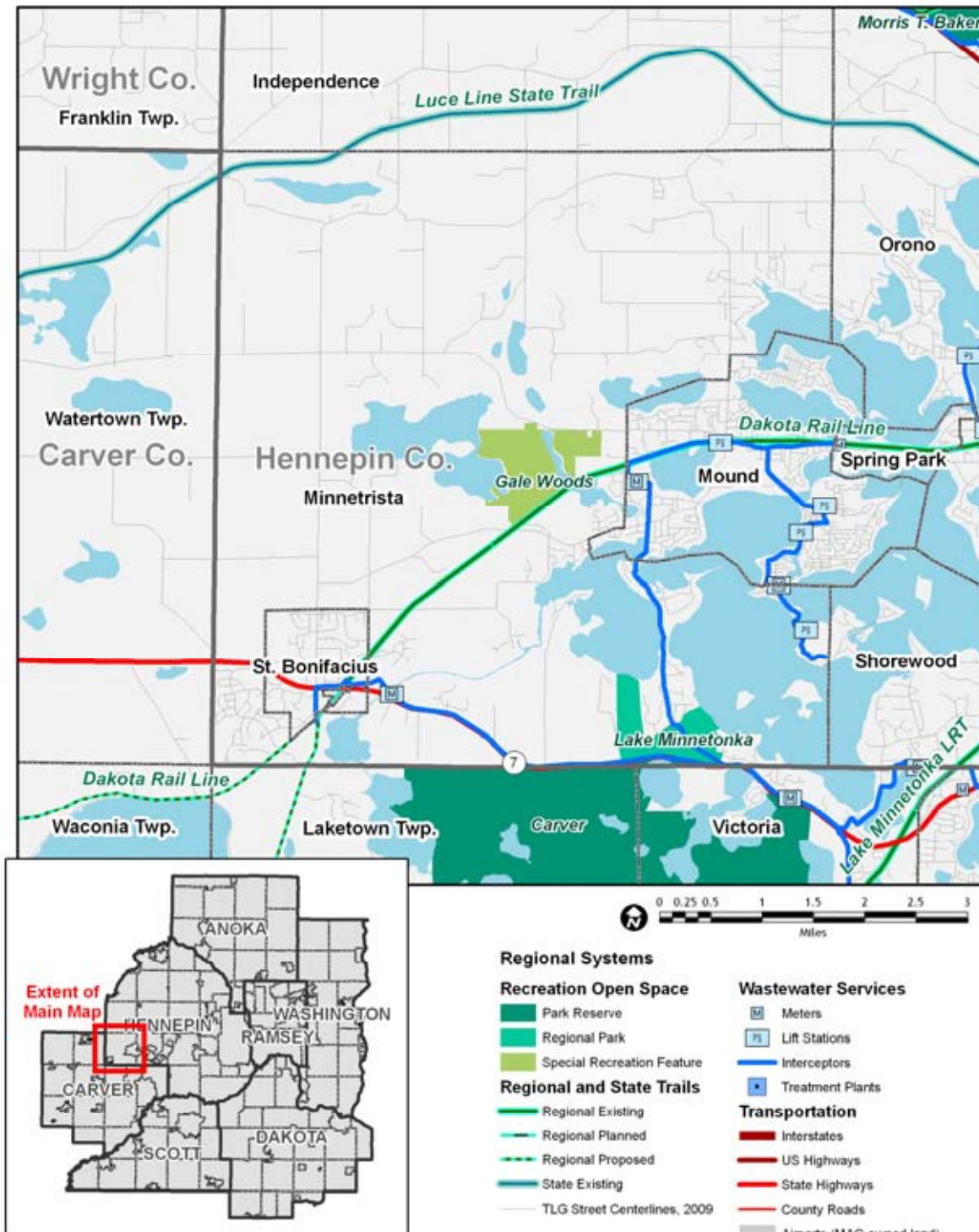
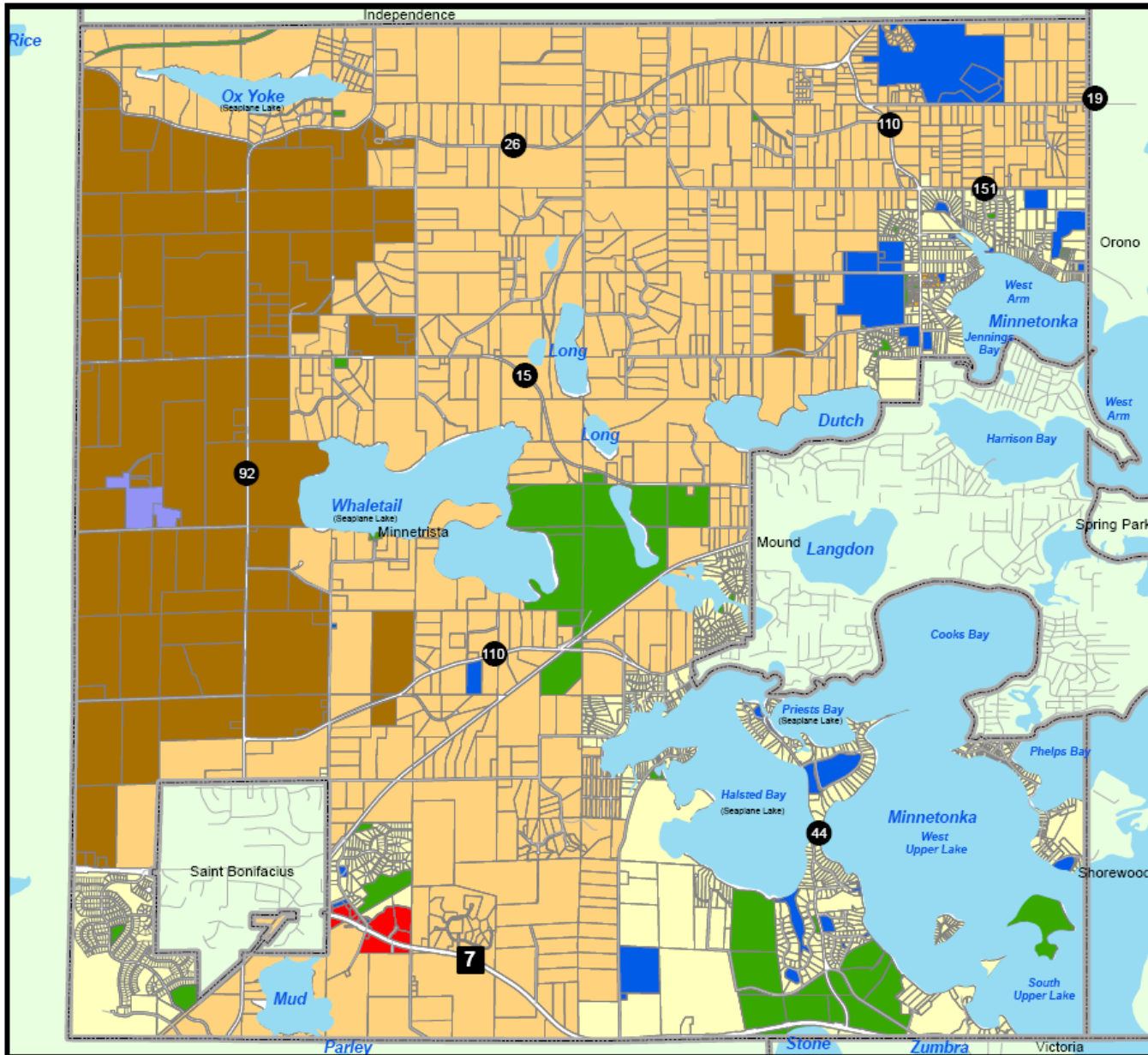


Figure 3 - Existing Land Use, City of Minnetrista



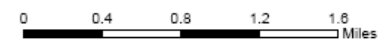
**2030
Comprehensive Plan
Existing Land Use**

- Existing Land Use**
- Permanent Agriculture
 - Rural
 - Single Family Residential
 - Multi-Family Residential
 - Commercial
 - Industrial
 - Public & Semi-public
 - Park & Open Space
 - Lakes



Sources: MN DNR, MnDOT, and Northwest Associated Consultants, Inc.

Map Date: Revised September 30, 2009 per Met Council comments.



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Figure 4 - 2030 Land Use Plan, City of Minnetrista

