

C Community Development Committee
Meeting date: December 7, 2009

E Environment Committee
Meeting date: December 8, 2009

ADVISORY INFORMATION

Subject:	City of Brooklyn Center 2030 Comprehensive Plan Update Tier II Comprehensive Sewer Plan Review File No. 20616-1
District(s), Member(s):	District 2, Councilmember Tony Pistilli
Policy/Legal Reference:	Minnesota Statutes Section 473.175
Staff Prepared/Presented:	Tori Dupre, Principal Reviewer (651-602-1621) Phyllis Hanson, Local Planning Assistance Manager (651-602-1566) Kyle Colvin, Engineering Services Assistant Manager (651-602-1151)
Division/Department:	Community Development / Planning and Growth Management Environmental Services/ Engineering Services

Proposed Action

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

Recommendations of the Community Development Committee

1. Authorize the City of Brooklyn Center to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to:
 - a) Participate in Council activities to monitor redevelopment and infill in Developed communities.
 - b) Address the advisory comments in the Review Record addressing transportation, water supply and implementation.

Recommendations of the Environment Committee

- Approve the City of Brooklyn Center’s Tier II Comprehensive Sewer Plan.

ADVISORY COMMENTS

City of Brooklyn Center 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20616-1 – Council Business Item No. 2009- 439

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 Tier II Sewer Plan must be submitted to the Council.

Background

The City of Brooklyn Center (City) is located in Hennepin County surrounded by Brooklyn Park to the north and west, Robbinsdale and Minneapolis to the south, Fridley and the Mississippi River to the east (Figure 1).

The *2030 Regional Development Framework (RDF)*, as adopted by the Metropolitan Council (Council) in January 2004, identified the City as within the "Developed" geographic planning area. Figure 2 shows the designation and regional systems serving the City and surrounding area.

The City submitted its 2030 Comprehensive Plan (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 Update conform to Regional Systems Plans?
2. Is the Update consistent with Metropolitan Council policies?
3. Is the Update 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; Surface Water Management) | Yes |

Consistent with Council Policy Requirements:

- | | |
|--|-----|
| 1. Forecasts | Yes |
| 2. Housing | Yes |
| 3. 2030 Regional Development Framework; Land Use | Yes |
| 4. Individual Sewage Treatment Systems Program | NA |
| 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:

The City did not receive funding for preparation of the Update.

Known Support / Opposition:

There is no known opposition.

REVIEW RECORD

Review of the City of Brooklyn Center 2030 Comprehensive Plan Update

STATUTORY AUTHORITY

The Metropolitan Land Planning Act (MLPA) requires local units of government to submit comprehensive 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 Park's Policy Plan (RPPP)*. It acknowledges the regional parks system facilities that include the North Mississippi Regional Park, Shingle Creek Regional Trail and Twin Lakes Regional Trail, and plans for the extension of the Twin Lakes Regional Trail to North Mississippi Regional Park.

Transportation

Roads and Transit

Reviewer: Ann Braden, MTS – Systems Planning (651-602-1705), Scott Thompson – Metro Transit (612-349-7774)

The Update is in conformance with the *2030 Transportation Policy Plan (TPP)* adopted in 2004, and addresses all the applicable transportation and transit requirements.

The City is served by segments of four principal arterials: I-94, I-694, TH 100 and TH 252 as well as two "A" Minor Arterials and several collectors. The City is within the Metropolitan Transit Taxing District in Market Area II. Service options for Market Area II include regular-route locals, all-day expresses, small vehicle circulators, special needs paratransit (ADA, seniors), and ridesharing.

Advisory Comments:

Highway expansion:

- The segment of TH 252 in the City was identified as an expansion project in the 2004 TPP. However, the TPP indicates that the region will not have sufficient financial resources to build the project by 2030. The TPP will reassess this segment of TH 252 as one of 12 highway projects in 2010.

Transit:

- The Update identifies the Bottineau transitway as BRT, bus rapid transit. However, this mode has not yet been determined.
- The Update refers to the construction of a full-scale transit hub which is the Brooklyn Center Transit Center, which opened in 2004. No other facility projects are planned.

Aviation

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

The Update is in conformance with the TPP and consistent with Council Aviation policies.

Water Resources Management

Wastewater Service

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

The Update is in conformance with the *2030 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 Metropolitan Council's Metropolitan Wastewater Treatment Plant in St. Paul. The City is provided wastewater conveyance service through interceptors 1-MN-311, 1-MN-314, 1-BC-453, and 4-BP-540. The Update projects that the City will have 12,100 sewered households and 19,000 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 local services.

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 regular maintenance of the sanitary sewer system. In 2009, the City implemented an automatic water meter reading system, and as part of this program, City employees installing the meters will also inspect for visible sump pump connections to the sanitary sewer and will require corrective action.

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. It was found to be complete and consistent with Council policies. Upon adoption of the Update by the City, the action of the Council to approve the Tier II Plan becomes effective. At that time, the City may implement its Update to alter, expand or improve its sewage disposal system consistent with the approved Tier II Sewer Plan. A copy of the City Council Resolution adopting its Plan needs to be submitted to the Metropolitan Council for its records.

Surface Water Management

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

The Update is in conformance with the WRMPP guidelines for local surface water management. Brooklyn Center lies within the Shingle Creek and West Mississippi River watersheds. The Shingle Creek and West Mississippi River Watershed Management Commission's joint watershed management plan was approved by the Board of Water and Soil Resources in 2004. Brooklyn Center prepared a local water management plan (LWMP) in 2006 that was reviewed by Council staff under separate cover. The LWMP was found to be generally consistent with Council policy and the Council's WRMPP. The plan will also provide an overall framework for the City to successfully manage its water resources.

CONSISTENCY WITH COUNCIL POLICY

Forecasts

Reviewer: Dennis Farmer, CD - Research (651-602-1552)

The Update is consistent with Council policies for forecasts, and incorporates the 2005 System Statement forecasts shown in Table 1.

As a developed community, the Metropolitan Council forecasts a modest household increase (300 households) between 2010 and 2030. The Council forecasts the population to reflect the household growth between 2010 and 2030, and the assumptions that household sizes (i.e. persons-per-household) will gradually decrease in future decades in developed communities. The Council also forecasts an increase of 800 jobs in Brooklyn Center between 2010 and 2030.

Table 1: Brooklyn Center System Statement Forecasts

	2000 (census)	2010	2020	2030	2010- 2030 chg
Population	29,172	29,500	30,500	29,500	0
Households	11,430	11,800	12,200	12,100	300
Employment	16,698	18,200	18,600	19,000	800

2030 Regional Development Framework

Reviewer: Tori Dupre, CD – Local Planning Assistance (651-602-1621)

The Update identifies the City as located within the “Developed” geographic planning area. The RDF goals and policies for “Developed” communities support forecast growth through reinvestment at appropriate densities (five-plus units in developed areas), and target higher density development in locations with convenient access to transportation corridors and with adequate sewer capacity. The Update is consistent with these policies.

Starting in 2010, the Council will be monitoring redevelopment to ensure the Council’s density policies for developed communities are being met, and to assess regional development and residential growth goals.

Land Use

The City is a first ring suburb and covers 5,375 acres, or just over 8 square miles. It is fully developed with over 90% of its housing stock built over 30 years ago. The City’s largest existing land use is residential, at 42 percent, of which 73 percent is single family residential, and 27 percent is multi-family residential.

The second largest land use is highway right of way (23%) followed by parks and recreation (11%) and commercial (6%).

Table 2: Existing 2000 and Future 2030 Land Use

Land Use Categories	Existing 2000 Net Acres	<i>percent</i>	Future 2030 Net Acres	<i>percent</i>	2000-2030 Change
Residential	2285	43	2312	43	+27
Commercial/Industrial	650	12	623	11	-27
Public/Semi Public	2413	45	2413	45	0
Total	5348	100%	5348	100%	

The City's future land use plan anticipates few changes and reflects the City's 2008 community assessment and visioning effort. Therefore, the Update provides both existing land use and the planned land use on the same map (see Figure 3), with a note of explanation that identifies the two locations of potential redevelopment.

The two redevelopment areas comprise 160 acres, are guided for mixed use, and located west of state highway 100, south of I-94 and east of County Road 152. One site is the former Brookdale Mall, a 1960s retail center. The two sites will include 27 acres planned for residential use at a minimum density of 15 units per acre that will accommodate 300 new households and 800 jobs by 2030.

Residential Density

The City's existing residential density is five units per acre. The redevelopment is intended to achieve a minimum density of 15 units per acre, which is consistent with the Council's policies for redevelopment.

Housing

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

The Update's housing element fulfills the Metropolitan Land Planning Act requirements and acknowledges the City's share, 163 units, of the of the region's affordable housing need for 2011 to 2020.

The City will address opportunities to meet the affordable housing need through redevelopment efforts. The City has approximately one acre guided high-density residential (15-plus units per acre), 15 acres guided medium-density residential (10-15 un/ac) and 13 acres guided high-density residential (15-31 un/ac).

The City has implementation tools and programs to promote opportunities to address affordable housing need that include CDBG funds, housing maintenance programs, code enforcement and promotion of infill and redevelopment efforts. The City will continue to work with local, state and federal agencies to facilitate affordable housing development and address housing needs. It is a participant of the Local Housing Incentives program of the Livable Communities Act, and has received over \$730,000 in LCA grants.

Individual Sewage Treatment Systems (ISTS) Program

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

The Update indicates that there are no ISTS remaining in operation, and all residences and businesses are connected to the local sanitary sewer system. Local flows are conveyed by metropolitan interceptor to the Metropolitan wastewater treatment facility in Saint Paul for treatment and discharge to the Mississippi River.

Water Supply

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

The Update is consistent with WRMP policies for water supply.

Advisory Comment:

The City is encouraged to continue to implement water conservation programs targeted at reducing residential water use.

Resource Protection

Historic Preservation

Reviewer: Tori Dupre, CD – Local Planning Assistance (651-602-1621)

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

Solar Access Protection

Reviewer: Tori Dupre, CD – Local Planning Assistance (651-602-1621)

The Update contains a section addressing Solar Access Protection as required by the MLPA.

Aggregate Resources Protection

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

The Update indicates that there are no known aggregate resource mining opportunities within the community, consistent with *Minnesota Geological Survey Information Circular 46*.

Mississippi River Critical Area

Reviewer: Tori Dupre, CD – Local Planning Assistance (651-602-1621)

The Update includes a Critical Area component that acknowledges the City's 2003 Mississippi River Critical Area Plan. The Critical Area Corridor in the City is designated as an "Urban Diversified" District.

The Metropolitan Council found the 2003 Critical Area Plan consistent with the requirements of the state's Executive Order 79-19 and the federal Mississippi National River and Recreation Area (MNRRA).

The Update proposes no land use or policy changes to the City's existing Critical Area Plan. The Council will forward the Update's review record and the Council's final actions to the Minnesota Department of Natural Resources and National Park Service for their records.

PLAN IMPLEMENTATION

Reviewer: Tori Dupre, CD – Local Planning Assistance (651-602-1621)

The Update includes a description of:

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

The Update's implementation chapter contains a description of the City's official controls including zoning and subdivision regulation, and indicates that only minor text amendments are needed to implement the comprehensive plan.

Advisory Comment:

The City should adopt Shoreland District regulations and a Critical Area Plan Overlay District to implement the Critical Area Plan as identified in the Update's implementation chapter.

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

The City submitted the Update to adjacent local units of government, school districts, counties and special districts for comment on November 25, 2008. The City received responses from Brooklyn Park and Fridley. The Council found no compatibility issues with the plans of adjacent governmental units, affected special districts and school districts.

DOCUMENTS SUBMITTED FOR REVIEW:

- City of Brooklyn Center 2030 Comprehensive Plan, dated May 2009
- Comprehensive Plan Transmittal form (June 4, 2009)
- Supplemental information dated October 13, 2009 with attached Land Use Table in 5-year Stages, Zoning Chapter 35
- Supplemental information dated October 6, 2009 with attached existing and planned land use table 2-1
- Supplemental information dated September 25 providing five-year staging and future residential density ranges of 15 to 31 units per acre
- Supplemental information dated September 23, 2009 revising aviation, housing, implementation, parks and transit
- Supplemental information dated November 17 addressing historic preservation, solar access, and sewer infrastructure.

ATTACHMENTS

- Figure 1: Location Map Showing Regional Systems
- Figure 2: 2030 Regional Development Framework Planning Areas
- Figure 3: Existing Land Use and 2030 Planned Land Use

Figure 1. Location Map Showing Regional Systems
Brooklyn Center

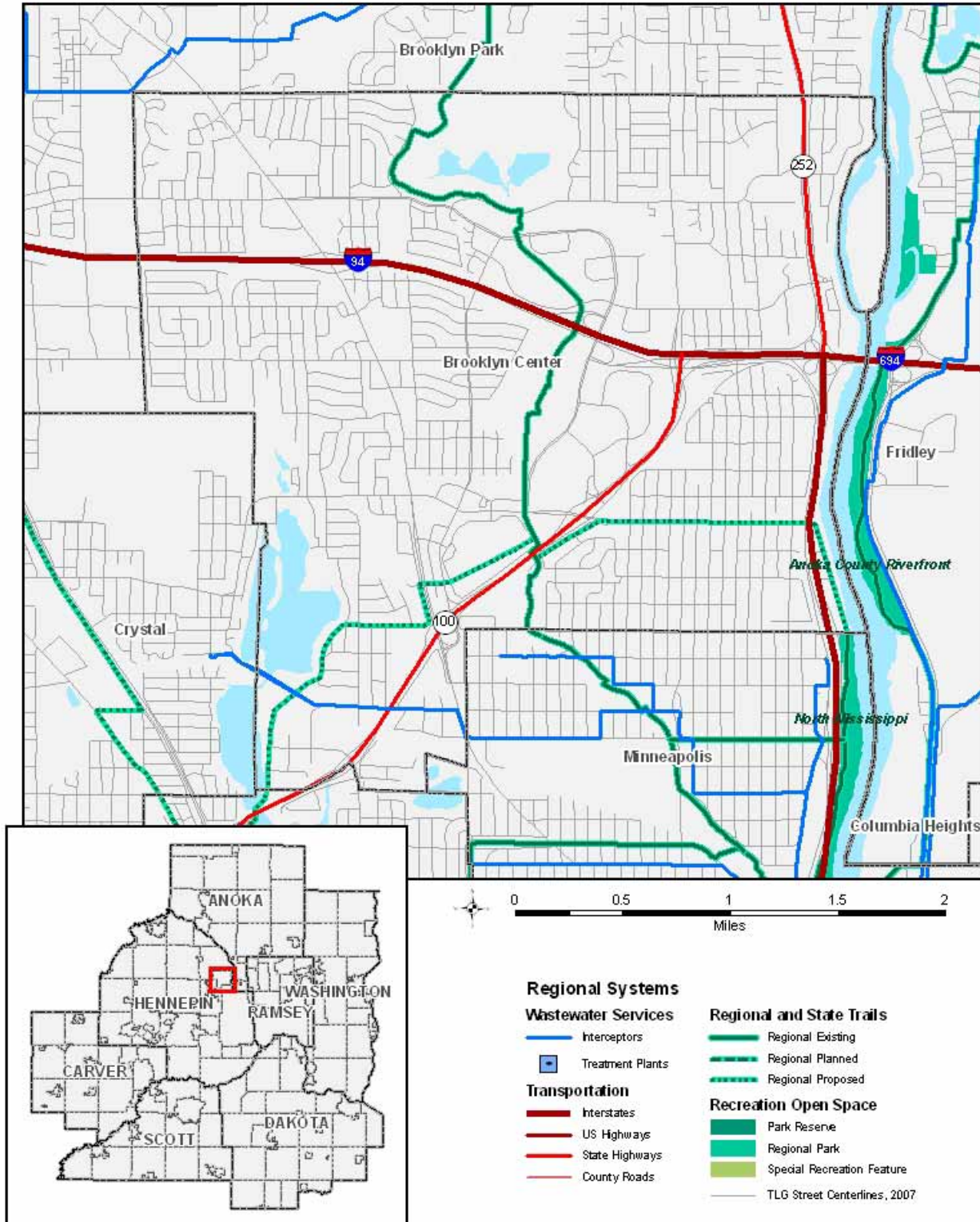
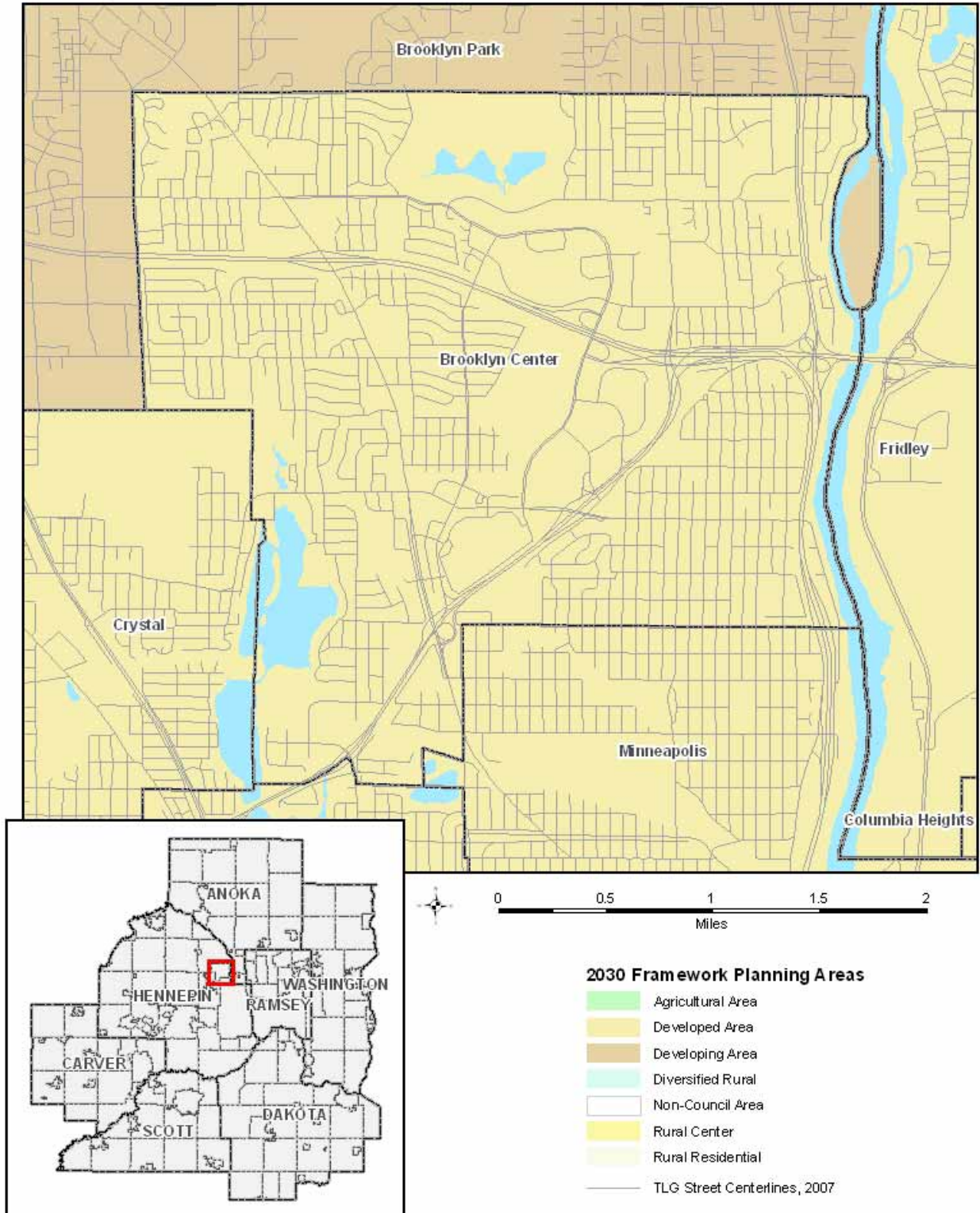


Figure 2. 2030 Regional Development Framework Planning Areas

Brooklyn Center



**Figure 3: Existing Land Use and Future Land Use Plan
City of Brooklyn Center**

Revised 10/13/09

