

C Community Development Committee
Meeting date: February 16, 2010

E Environment Committee
Meeting date: February 9, 2010

ADVISORY INFORMATION

Date: January 25, 2010
Subject: City of North Oaks 2030 Comprehensive Plan Update
Tier II Comprehensive Sewer Plan
Review File No. 20449-1
District(s), Member(s): District 10, Councilmember Kris Sanda
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 Asst. 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:

Recommendation of the Community Development Committee:

1. Authorize the City of North Oaks (City) to put its 2030 Comprehensive Plan Update into effect;
2. Adopt the revised forecasts as described in the Review Record;
3. Change the geographic planning area from Developing to Developed and Rural Residential;
4. Advise the City to implement the advisory comments in the Review Record under local surface water management, land use and housing.

Recommendation of the Environment Committee:

Approve the City of North Oaks' Tier II Comprehensive Sewer Plan.

ADVISORY COMMENTS

City of North Oaks 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20449-1, Council Business Item No. 2010-55

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 its Update, including the Tier II Sewer Plan, must be submitted to the Council.

Background

The City of North Oaks (City) is located in Ramsey County surrounded by Lino Lakes to the north, White Bear Township to the east, Vadnais Heights to the south, and Shoreview to the west (Figure 1).

The *2030 Regional Development Framework* (RDF), as adopted by the Metropolitan Council (Council) in January 2004, identified the City as within the "Developing" geographic planning area (Figure 2).

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 and Surface Water Management) | Yes |

Consistent with Council Policy Requirements:

- | | |
|--|-----|
| 1. Forecasts | Yes |
| 2. Housing | Yes |
| 3. <i>2030 Regional Development Framework</i> and Land Use | Yes |
| 4. Individual Sewage Treatment Systems (ISTS) Program | Yes |
| 5. Water Supply | Yes |

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

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

Funding

The City received a \$20,000 planning grant to help finance the preparation of the Update.

Known Support / Opposition

There is no known opposition.

REVIEW RECORD

City of North Oaks 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 Policy Plan (RPPP)*. The City has no existing or planned regional parks system facilities.

TRANSPORTATION

Roads and Transit

Reviewers: Ann Braden (651-602-1721), Bob Paddock (651-602-1340), MTS – Systems Planning; Steve Mahowald – Metro Transit (612-349-7775)

The Update is in conformance with the *2030 Transportation Policy Plan (TPP)* adopted in 2004, and addresses all the applicable transportation and transit requirements. All local roads are privately owned. The City has been an active member of the I-35E Corridor Study, which is a joint transportation and land use planning effort affecting that portion of I-35E between I-694 and CR J. The study's findings and recommendations were incorporated as appendices into both the Council's Transportation Policy Plan and the Update.

The City is within the Metropolitan Transit Taxing District and lies 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 of the TPP and is consistent with Council aviation policy.

WATER RESOURCES MANAGEMENT

Wastewater Service

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

The Update 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 the City's preferred growth forecasts for population, households, and employment that the Council finds acceptable. The Update reflects no land use or forecast changes from its 1998 Update. Forecasts were updated to reflect actual growth since the 1998 Update.

Current wastewater treatment services are provided to the City by the Metropolitan Council Environmental Services. Wastewater generated within the City is conveyed to and treated at the Metropolitan Council's Metropolitan Wastewater Treatment Plant located in St. Paul. The City is provided wastewater conveyance service through interceptors 6901 and 1-SV-436 and directly through a trunk sewer facility located in Centerville Road, which is owned and maintained by the Town of White Bear. The terms of North Oaks use of the local trunk sewer is outlined in an intercommunity service agreement between the City and the Town

The Update projects that the City will have approximately 900 sewered households and 1,280 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 City will need to review its agreement with the Town and verify that adequate capacity exists within the trunk sewer to provide the level of service indicated in the City's Update. The Update provides sanitary flow projections in 5-year increments. The rationale for the projections is given in the Update and determined appropriate for planning for local services

The City is not currently identified by the Council as a community impacted by wet weather occurrences. The Update however does include a description of a clear water inflow and infiltration (I/I) reduction plan, which will include 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

The Tier II Sewer Element of the Update has been reviewed against the requirements for Tier II Comprehensive Sewer Plans for developing 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 (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 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. North Oaks is in the Vadnais Lake Area watershed. Vadnais Lake Area Watershed Management

Organization’s watershed management plan update was approved by the Board of Water and Soil Resources in 2007.

The City prepared a Surface Water Management Plan (SWMP) in January, 2009, then revised and re-submitted it to the Council in August, 2009. The revised SWMP addresses the concerns raised by the Council in its August 3, 2009 letter. The SWMP clarifies the relationship between the City and the watershed organization related to who is responsible for each aspect of storm water management in the City. It also provides an overall framework for the City to successfully manage its water resources, and is consistent with Council policy and the WRMPP.

Advisory comment:

- The City needs to send the Council the date that the watershed approves the final SWMP and the date the City adopts the final plan.

CONSISTENCY WITH COUNCIL POLICY

FORECASTS

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

The Update is consistent with regional policy for forecasts. The Update includes “City-preferred” forecasts that vary from the Council’s 2005 system statement forecasts, decreasing the total households and increasing total employment for 2030. The City-preferred forecasts represent both the sewered and unsewered development areas. The Council’s 2005 system statement forecasts and the City-preferred forecasts are compared in Table 1.

The City-preferred forecasts reflect current household sizes of 2.83 persons per household by 2030, and the Minnesota Department of Employment and Economic Development (DEED) 2008 employment data showing 1,175 jobs.

The Council finds the City-preferred forecasts acceptable and consistent throughout the Update document. The Metropolitan Council’s forecasts will be officially revised effective upon the Council’s action on the City’s Update.

Table 1: City Preferred and Metropolitan Council Forecasts

	Census	Previous MC SS Forecasts			Revised Council Forecasts		
	2000	2010	2020	2030	2010	2020	2030
Population	3,883	4,400	5,500	5,900	5,220	5,740	6,010
Unsewered	3,486	3,621	4,375	4,400	3,400	3,450	3,510
Metro sewered	397	779	1,125	1,500	1,820	2,290	2,500
Households	1,300	1,600	2,100	2,300	1,850	2,030	2,130
Unsewered	1,167	1,297	1,650	1,700	1,200	1,220	1,240
Metro sewered	133	303	450	600	650	810	890
Employment	1,091	1,060	1,100	1,070	1,180	1,230	1,280
Unsewered	0	0	0	0	0	0	0
Metro sewered	1,091	1,060	1,100	1,070	1,180	1,230	1,280

MC SS = Metropolitan Council 2005 system statement
 City forecasts source: CPU Table 9 and Table 18

2030 REGIONAL DEVELOPMENT FRAMEWORK AND LAND USE

Reviewer: Susan Hoyt, CD – Local Planning Assistance, (651-602-1330)

Regional Development Framework

The Update identifies the City as a Developing community in the 2030 Regional Development Framework (RDF). Developing communities achieve appropriate densities for development served by sanitary sewer, emphasize natural resources protection, encourage public infrastructure and support growth along transportation corridors. The City is the only remaining developing City in Ramsey County.

The City is expected to grow by 2,100 people, or 55%, to reach a population of 6,010 by 2030. The Update anticipates that the City will be built out by 2025. Given the City's limited land supply and development patterns, the Rural Residential and Developed planning areas more closely resemble the City's planning designation than Developing. The Rural Residential designation is consistent the largest land area, which has dispersed single family residential development surrounded by conservation easements and natural areas. The Developed area describes the development along Hodgson Road on the west and Centerville Road on the east. Council staff recommends that the planning area designations be changed to reflect this.

Land Use and Density Analysis

Existing Land Use. The City's 5,500 acres or 8.5 square miles, is 46% residential. Until 2000 the predominant residential developments were single family homes on both sewered and unsewered lots that average 1.5 acres. Since 2000 more condominiums, townhomes, and life cycle housing were added to the community's housing mix. Apart from residential development, the City has five lakes, which comprise 18% of its land area. Parks and open space comprise another 24%. This includes 18 parks and 885 acres of protected land through conservation easements and conserved agricultural acreage. A commercial node, that provides residents with local services, is located at the intersection of Highway 96 and Hodgson Road at the community's southwestern corner.

Table 3: City of North Oaks, Existing and Future Land Uses in 2009

Land Use Category	Existing	Percent	Future	Percent
Single Family	2,392.73	43.81	2,617.29	47.92
Multi-Family	46.97	0.86	46.97	0.86
Mixed Residential	67.64	1.24	181.29	3.32
Mixed Use	78.17	1.43	128.59	2.35
Commercial	29.30	0.54	29.30	0.54
Limited Industrial	4.47	0.08	4.47	0.08
Institutional	127.95	2.34	127.95	2.34
Parks, Recreation, Open Space	1,316.88	24.11	1,316.88	24.11
Open Water	1,005.93	18.42	1,005.93	18.42
Utilities	2.75	0.05	2.75	0.05
Designated East Oaks PUD	388.63	7.12	0.00	0.00
Total	5,461.42	100.00	5,461.42	100.00

Future Land Use. The Update's 2030 future land use is the same as in the 2020 Comprehensive Plan Update. The Update maintains the community character by retaining the existing single family residential development patterns with a large natural resource base. Development is planned for five Mixed Residential and Mixed Use Districts that have been or will be sewerred. These are located along the north end of the City, along a boundary shared with Lino Lakes, and the east end of the City along Centerville Road along a boundary shared with White Bear Township. These districts make up 6% of the land area and offer a departure from the single family residential development associated with the community. These districts provided 289 new housing sites/units in the past half decade. The districts will provide an estimated 266 – 294 new housing units and any additional commercial development through 2025 (Appendix A – Table 1).

The Mixed Residential and Mixed Use categories provide flexibility in housing types and offer opportunities for mixed residential and commercial uses.

- Mixed Residential is "intended to be developed as owner occupied residential sites with a variety of single family, townhome and other multi-family dwellings may be built within each site." One of the two Mixed Residential neighborhoods experienced some development prior to 2009.
- Mixed use is "intended to mix owner occupied housing types and commercial uses". One of the three Mixed Use Districts experienced development during the past half decade. This development included rental housing.
- Both the Mixed Residential and Mixed Use land use categories require a zoning change to PUD to implement the guiding.

Residential Density. Residential density meets the 3.0 units/net acre required to be consistent with the Council's density policy for sewerred development (Appendix A: Table 2). This was primarily due to the Mixed Use Development in the northeast corner over the past half decade which included:

- 146 lifecycle housing units at a density of 22 units/net residential acre.
- 76 lifecycle housing units at 10.9 units/net acre.
- Overall density is 7.0 units/net residential acre including the remaining vacant 13.4 gross, 8.3 net acres.

Advisory Comments:

- The City needs to change planning area designations to developed and rural residential consistent with the future land use map.
- The City is encouraged to remove from its description of the Mixed Use and Mixed Residential Districts that the housing portion is owner-occupied because municipal planning and zoning authority does not extend to the tenure of housing options.

HOUSING

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

The Update fulfills the housing requirements of the Metropolitan Land Planning Act. The Update acknowledges the City's share of the region's affordable housing need of 51 units for the 2011 to 2020 period. To provide the opportunity for affordable housing to be developed, the Update indicates that approximately 47 acres of land will be available between 2010 and 2020 within the Mixed Residential and Mixed Use Districts. The Update states that the Mixed Residential and Mixed Use land use categories allow a

variety of housing types including single family, townhomes and multi-family and describe the zoning process for implementing these plans, which requires a re-zoning to residential multi-family high density PUD or residential – commercial mixed PUD to implement these housing types. This is the stated intent for these areas in the Update. The Update guides an adequate land supply to provide the opportunity for the development of more than the 51 units in the Mixed Residential and Mixed Use Districts.

The Update identifies the implementation tools and programs to promote opportunities to address the City’s share of the region’s housing need. The City will continue to work with Ramsey County to administer programs and financial resources to address lifecycle and affordable housing need in the community. The City will also consider using PUDs to achieve the flexibility needed to address its share of the regional affordable housing need. The City maintains information to educate renters and property owners about programs available through Ramsey County, the Metropolitan Council, Minnesota Housing and other non-profit housing organization. Although the Update states that the City is a participant in the Livable Communities program, it is not.

Advisory comments:

- The City needs to remove the text stating that it is a Livable Communities participant.

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. The City’s ISTS Ordinance 96 is consistent with Minnesota Rules. The Update indicates that City has approximately 1,200 ISTS in operation.

WATER SUPPLY

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

The Update is consistent with the *WRMPP* for water supply. The City does not own or operate a water supply system thus is not required to complete a water supply plan. Water demand is met through private wells and water is supplied by White Bear Township on retail basis.

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. The Update notes the City’s two historic structures. It does not describe any specific policies for historic preservation.

Solar Access Protection

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

The Update contains a section on 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 Resource Protection as required by the MLPA. The Update indicates that there are no known aggregate resource mining opportunities consistent with Minnesota Geological Survey Information Circular 46.

PLAN IMPLEMENTATION

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

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 contains an implementation chapter as required by the MLPA. The Update's implementation section contains a description of the City's official controls including zoning, subdivision regulation, park dedication and other ordinances.

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 on June 15, 2008. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were identified.

DOCUMENTS SUBMITTED FOR REVIEW:

- City of North Oaks 2030 Comprehensive Plan Update, received December 31, 2008
- City Council Resolution 1206 adopted December 11, 2008, received December 31, 2008
- Supplemental information, Master Joint Powers Agreement between the Town of White Bear and the City governing sewer and water services, received
- Supplemental information on land use, forecasts, aviation, surface water management, sanitary sewer, and parks, received June 4, 2009
- Supplemental information on wastewater, received June 30, 2009
- Supplemental information on surface water management, received August, 2009

ATTACHMENTS

- Figure 1: Location Map Showing Regional Systems
- Figure 2: 2030 Regional Development Framework Planning Areas
- Figure 3: Existing Land Use, 2009
- Figure 4: 2008 Land Use Plan (2030 Future Land Use Plan)
- Appendix 1: Future Residential Land Use and Residential Density Analyses

Figure 1. Location Map Showing Regional Systems

North Oaks

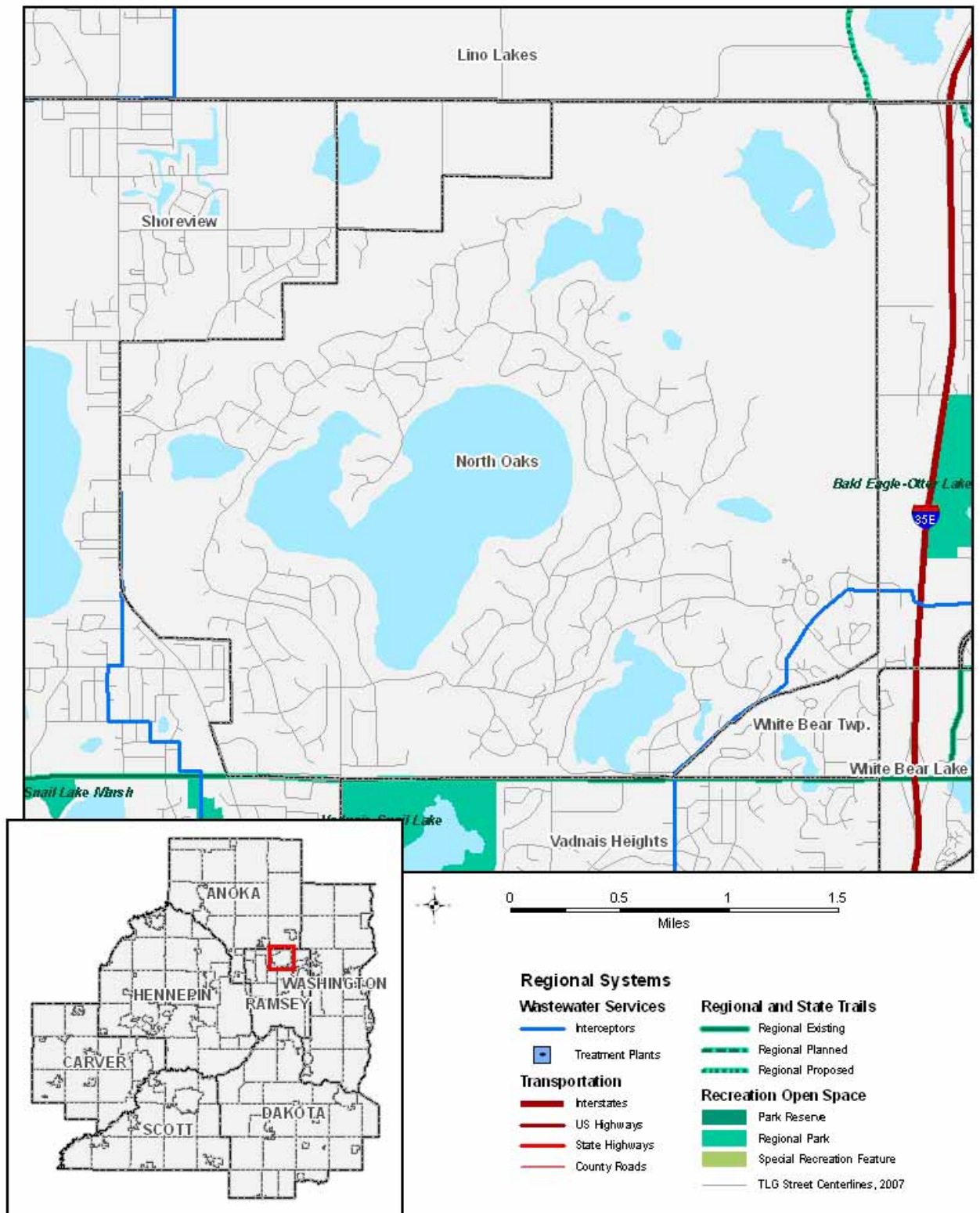
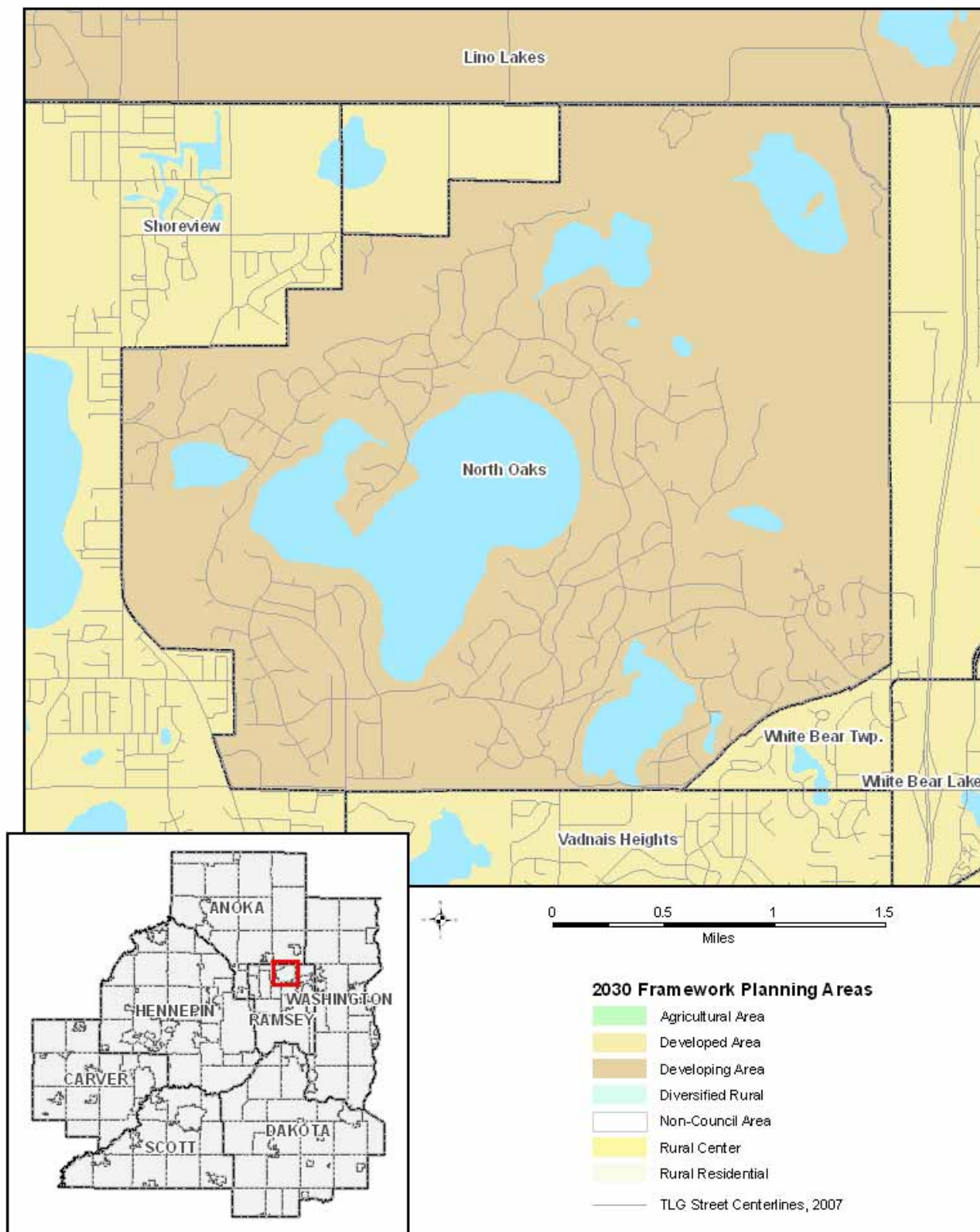


Figure 2. 2030 Regional Development Framework Planning Areas

North Oaks



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Figure 3. Existing Land Use, 2008
City of North Oaks

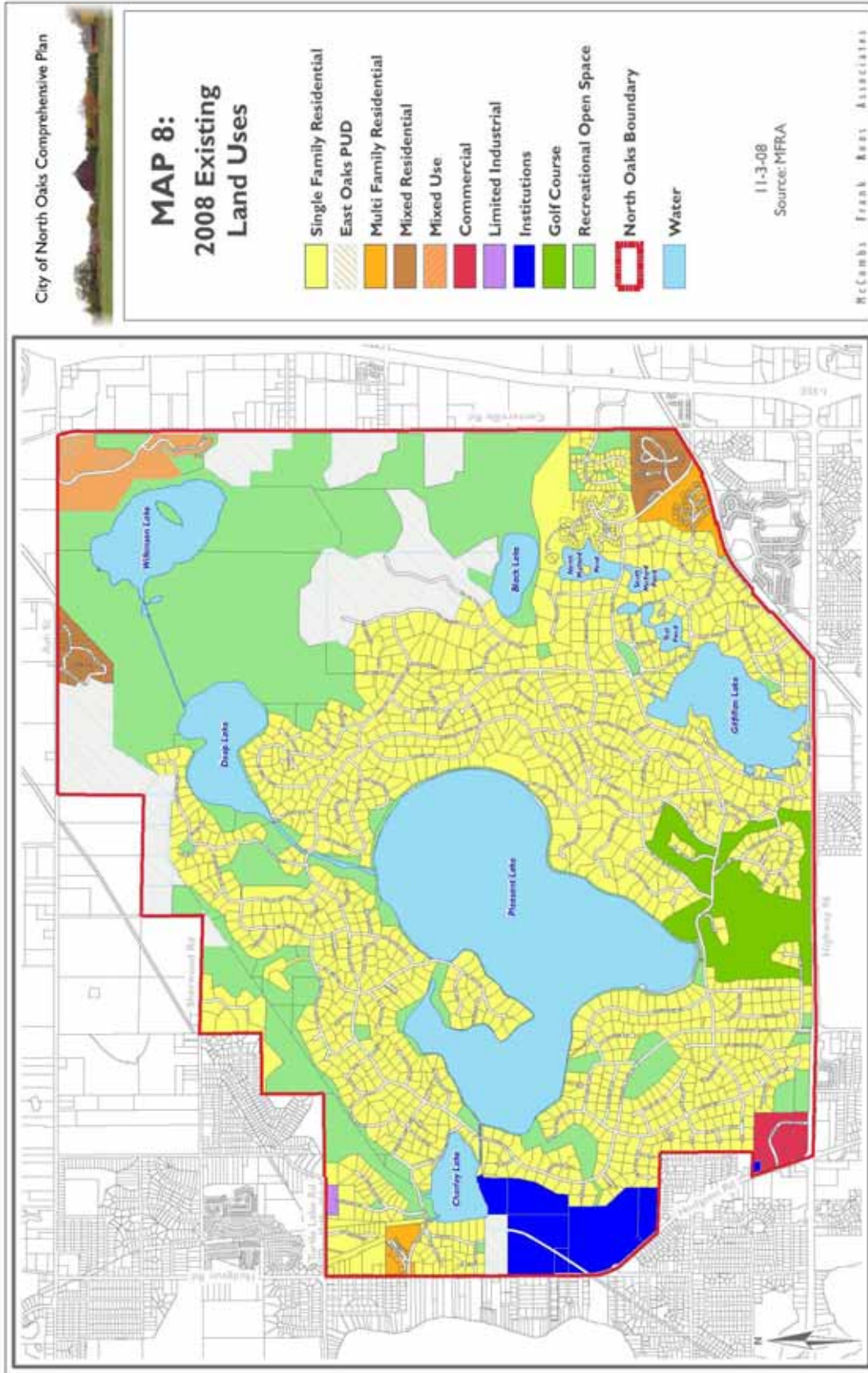
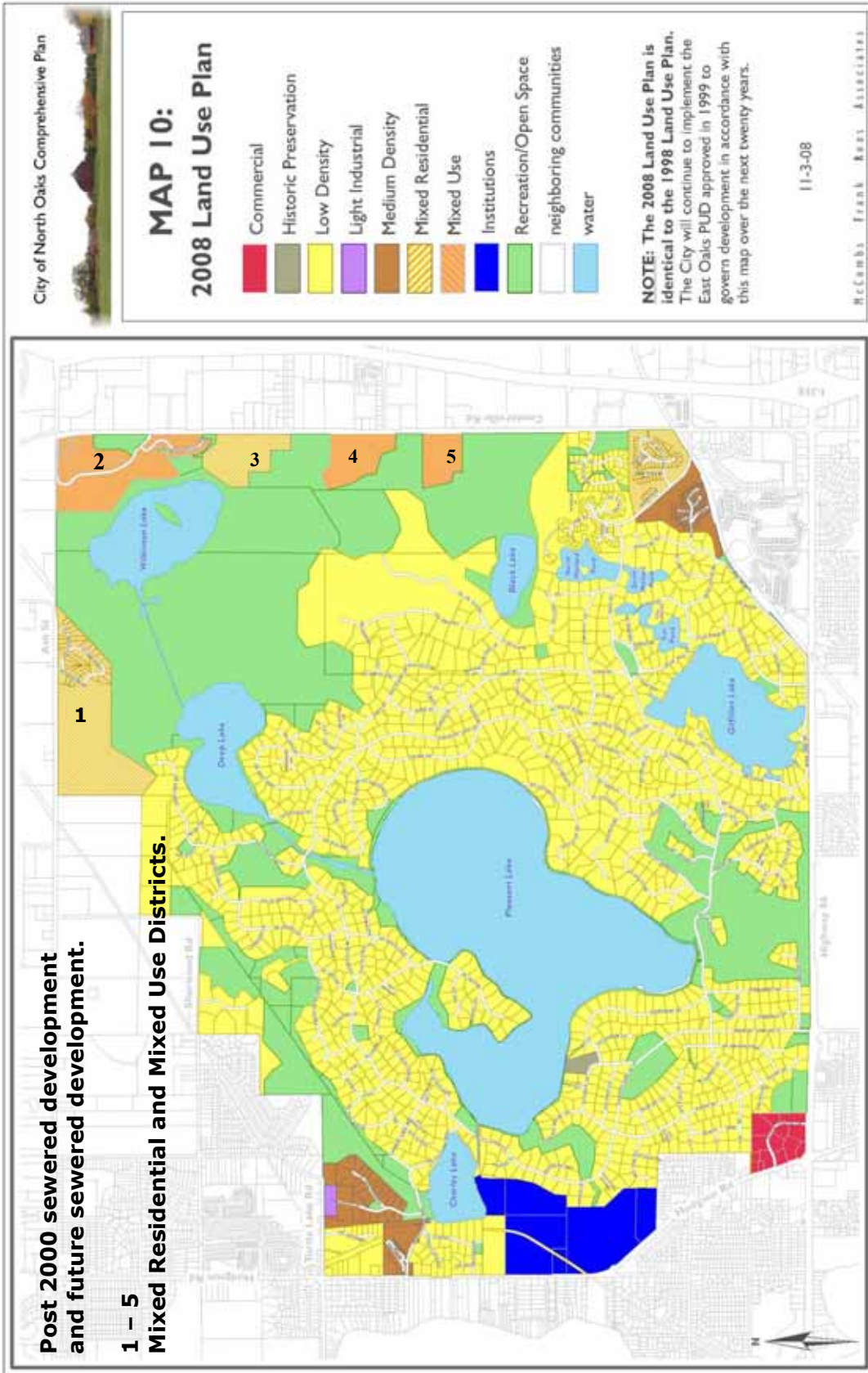


Figure 4. 2008 Land Use Plan
City of North Oaks



APPENDIX A

TABLE 1: Future Residential Land Use Analysis

Future Housing*	Housing Units as planned	2010 # Acres developed between 2008 and 2010	2020 # Acres Developed between 2010 and 2020	2025 # Acres Developed between 2020 and 2025	Total Net Res Acres
Mixed Residential	135	30.7	30.7	30.7	92.1
Mixed Use	131	27.0	16.0	16.7	59.7
Total	266	57.7	46.7	47.4	151.8

*Includes 2009 data on un-platted acreage planned for development in five mixed residential/mixed use districts; assumes future mixed use districts are 100% residential; does not include an additional potential 28 units noted in text as a transition from commercial to housing.

TABLE 2: Residential Density Analysis

	Housing Units	Net Residential Acres	Units Per Net Residential Acre
Mixed Residential	221	112.4	
Mixed Use	317	64.0	
Total	538	176.4	3.0

*Minimum densities on future residential land and actual densities for platted lots post 2000 sewered development to 2009; assumes some acreages assigned to future commercial use in mixed use district.

NOTES:

- Sources used by Metropolitan Council for Tables 1 and Table 2 are: City of North Oaks 2020 Comprehensive Plan, 1998 East Oaks Planned Development Area, Five Year Staging Table, Ramsey County level parcel data, and 2030 Comprehensive Plan Update.