

C	Community Development Committee	Item: 2007-7
	Meeting date: April 16, 2007	

ADVISORY INFORMATION	
Date	April 4, 2007
Subject	Set Public Hearing City of Oak Grove; Comprehensive Plan Amendment (CPA) Swan Lake Preserve, Review File 17096-23
Districts, Members	Natalie Steffen, Metropolitan Council District 9
Prepared by	Tori Dupre, Principal Reviewer (651-602-1621) Phyllis Hanson, Manager Local Planning Assistance (651-602-1566) Mark Vander Schaaf, Planning & Growth Management Director (x1441)
Division/Department	Community Development / Planning and Growth Management

BACKGROUND
<p>The <i>2030 Regional Development Framework</i> designates Oak Grove as a Diversified Rural community. The <i>Framework</i> states that the Council will work with municipalities that are designated as Diversified Rural communities to plan development patterns that protect natural resources, and preserve areas where post 2030 growth can be provided with urban infrastructure. The <i>Framework</i> states that a Diversified Rural community's role is to plan so development within the community does not to exceed forecasts for the community, and ensure cluster development does not exceed one unit per ten acres.</p> <p>The metropolitan wastewater system currently does not serve Oak Grove. However, the Council's <i>2030 Water Resources Management Policy Plan</i> and the "Long-Term Service Areas" map contained in the <i>Policy Plan</i> show northwest Anoka County, including Oak Grove, as an area for "potential sewered development with rapid infiltration."</p> <p>On January 26, 2000 the Metropolitan Council acted on the City's Comprehensive Plan Update. Since 2000, the City has submitted numerous CPAs changing land use from agriculture to single-family residential on 2.5-acre lots, all of which are inconsistent with the density standards for communities designated as Diversified Rural community. The cumulative effect of these CPAs affects approximately 1,000 acres within the City.</p>

PROPOSED ACTION
<p>That the Community Development Committee schedule a public hearing on the City of Oak Grove's comprehensive plan amendment at the May 21, 2007 Community Development Committee meeting.</p>

PROPOSED PLAN AMENDMENTS
<p>The Council received the City's Swan Lake Preserve CPA on November 16, 2006 proposing to reguide 172 acres from Agriculture, one unit per ten acres, to Single Family Residential, one unit per 2.5 acres. The Council's 120-day review ends June 27, 2007.</p>

ISSUES

The CPA site is approximately 172 acres surrounding Swan Lake, in sections 25 and 36 in the City's southeast corner. The site includes extensive wetland, water and floodplain areas totaling 134 acres, or 78 percent of the site. The City's plan and ordinance protects these resources and associated buffers. The landowner intends to record a conservation easement on 134 acres of the site's natural resources. Therefore, the CPA proposes 13 residential units on the site's 38 developable acres, at a one-unit per 2.5-acre density. The site is located in an area of the City of Oak Grove that the Council's Environmental Services Division is studying as a potential area for future regional sewer service.

The Council staff finds the proposed CPA inconsistent with the *2030 Regional Development Framework* policies for the Diversified Rural policy area because development at the proposed density substantially departs from the Council's policies and would result in growth that exceeds Council forecasts for the City. This proposed amendment will contribute further to the cumulative effect of the City's past plan amendments and is more likely than not to have a substantial impact on regional systems because development at the proposed densities ultimately will affect how metropolitan wastewater and other regional systems are planned, constructed and operated in this area of the region.

The Council staff also finds the proposed CPA is more likely than not to have a substantial impact on, or substantial departure from the *2030 Water Resources Management Policy Plan*. The *Policy Plan* states:

"The Metropolitan Council will use the wastewater system plan to support the orderly and economic development of the metropolitan area, including the long-term service area of communities. The long-term service area will be generally defined by a community or watershed boundary. A community's comprehensive plan and plan amendments are expected to meet the forecasts and densities specified in the Council's 2030 Regional Development Framework.

Inconsistencies would provide the Council a reason to find that the community's plan is more likely than not to have a substantial impact on, or contain a substantial departure from, the metropolitan system plan, thus requiring modifications to the local comprehensive plan."

In December 2006 the Council acted on another Oak Grove amendment (*DeLong Family resubmitted, Review File 17096-22*). The Metropolitan Council allowed the City to put that comprehensive plan amendment into effect, but also directed staff to:

Advise the City that prior to submitting future single family residential amendments, the City must submit a CPA addressing the land use areas for the remaining 372 units based on the Metropolitan Council and the City staff meeting on June 9, 2006.

As of March 28, 2007, the City of Oak Grove has not submitted a CPA addressing this comprehensive planning concern or otherwise provided the requested information. However, the City and Council staff had a number of meetings to discuss the City's 2008 comprehensive plan and planning for potential future sewered areas.

The Metropolitan Land Planning Act (MLPA), Minnesota Statutes section 473.175, authorizes the Council to require a municipality to modify its comprehensive plan or any part thereof, if 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.” The Council must adopt findings and a resolution if it requires a plan modification.

The public hearing will include an overview of the proposed CPA and issues, and allow an opportunity for the City and interested parties to present comments. The issues to address include:

- Is the proposed CPA consistent with the Metropolitan Council’s *2030 Regional Development Framework* policies, accommodating growth consistent with growth forecasts and densities?
- Is the proposed CPA in conformance with the *2030 Water Resources Management Policy Plan* and the policies addressing potential future wastewater treatment systems in Anoka County?
- Does the proposed CPA have a substantial impact on or contain a substantial departure from the regional wastewater system plan, or have a substantial impact on the metropolitan wastewater treatment system?

REVIEW SCHEDULE

The following schedule includes the statutory requirements and follows the Council’s comprehensive plan review public hearing procedures.

April 16, 2007	Set public hearing and schedule
May 11, 2007	Post public hearing notice on Council website
May 21 2007	Conduct public hearing at Community Development Committee, 4:30 p.m.
May 26, 2007	Close public hearing record at 4:30 p.m.
June 4, 2007	Community Development Committee reviews hearing record report, takes action, forwards recommendations to Metropolitan Council.
June 13, 2007	Metropolitan Council takes formal action

Oak Grove Swan Lake Preserve CPA

Figure 1. Location Map, Showing 2030 Framework Planning Areas, Regional Systems and the Harrington CPA Site, City of Oak Grove

