

METROPOLITAN COUNCIL
390 North Robert Street, St. Paul, Minnesota 55101

REGULAR MEETING OF THE COMMUNITY DEVELOPMENT COMMITTEE
Monday, June 15, 2009

Committee Members Present: **Chair Natalie Steffen; Vice-Chair, Tony Pistilli; Georgeanne Hilker; Daniel Wolter; Sherry Broecker; Polly Bowles; Annette Meeks; Wendy Wulff**

CALL TO ORDER

A quorum being present, Chair Steffen called the regular meeting of the Council's Community Development Committee to order at 4:00 p.m. on Monday, June 15, 2009.

APPROVAL OF AGENDA AND MINUTES

It was moved by Broecker seconded by Wulff, to approve the agenda. **The motion carried.**

It was moved by Wolter, seconded by Bowles to approve the minutes of the May 18, 2009 regular meeting of the Community Development Committee. **The motion carried.**

BUSINESS

2009-123 City of Shakopee 2030 Comprehensive Plan Update Review File No. 20434-1
Tier II Comprehensive Sewer Plan
Tom Caswell, Senior Planner, presented the report to the committee with the following recommendations.

Recommendations of the Community Development Committee:

1. Authorize the City of Shakopee to put its 2030 Comprehensive Plan Update into effect;
2. Advise the City to provide the Council with the dates that Prior Lake Spring Lake and Lower Minnesota River Watershed Districts approved the Comprehensive Surface Water Management Plan.

Recommendation of the Environment Committee:

Approve Shakopee's Tier II Comprehensive Sewer Plan.

Wolter moved, seconded by Broecker that the Metropolitan Council that the Metropolitan Council adopt the attached Review Record, Advisory Comments and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

2009-157 City of Waconia (2009) Comprehensive Plan Update Review File No. 20423-1 Tier II Comprehensive Sewer Plan
Jim Uttley, Planning Analyst, presented the report to the committee with the following recommendations.

Recommendations of the Community Development Committee

1. Authorize the City of Waconia to put the portion of its Comprehensive Plan Update pertaining to areas within the City's boundaries as of April 16, 2009 and those portions of Laketown and

Waconia Townships for which the City has existing Orderly Annexation Agreements (OAA) into effect.

2. Advise the City of Waconia that the Council has reviewed the remainder of the Update and has found no regional system conformance or policy consistency issues. Because the City does not have the legal authority to plan and zone those portions of Waconia Township that are not also covered by an OAA with the Township, the City may not put those portions of the Update into effect at this time. At such time as the City of Waconia acquires jurisdiction of the lands planned for future urbanization in Waconia Township either through an Orderly Annexation Agreement or annexation(s), the City will need to submit appropriate plan amendments to the Council for further review and action.

Recommendations of the Environment Committee:

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

Wolter moved, seconded by Broecker that the Metropolitan Council adopt the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

2009-166 City of St. Francis 2030 Comprehensive Plan Update Tier II Comprehensive Sewer Plan Review File No. 20464-1

Susan Hoyt, Planning Analyst, presented the report to the Community Development Committee with the following recommendations.

Recommendations of the Community Development Committee:

1. Authorize the City of St. Francis to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City that it:
 - a. Needs to send the Council a final copy of the Surface Water Management Plan (SWMP) once it is approved by the URRWMO and adopted by the City, provide the dates that the URRWMO approved the plan and that the City adopted the final plan.
 - b. Must demonstrate that it has met or can meet the Council's minimum residential density policy of 3 units/net developable acre if the City requests that the Council purchase its wastewater facilities and/or wants regional wastewater service.
 - c. Participate in the Council's plat monitoring program.
 - d. Implement the advisory comments in the Review Record for Transportation, Water Supply and Aggregate.

Recommendation of the Environment Committee:

Approve the City of St. Francis' Tier II Comprehensive Sewer Plan.

Pistilli moved, seconded by Wulff that the Metropolitan Council adopt the attached Review Record, Advisory Comments and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

2009-167 City of Oak Grove 2030 Comprehensive Plan Update Review File No. 20465-1
Lisa Barajas, Senior Planner, presented the report to the Community Development Committee with the following recommendations.

Recommendations of the Community Development Committee:

1. Authorize the City of Oak Grove to put its 2030 Comprehensive Plan Update into effect.
2. Revise the geographic planning designation for those areas outlined in this Review Record from Diversified Rural to Rural Residential
3. Advise the City to:
 - a. Send the Council the date the watershed approved the Surface Water Management Plan (SWMP) as well as the date the City adopts the final SWMP.
 - b. Implement the advisory comments under Transportation, Forecasts and Water.
 - c. Work with Council staff to develop ordinances for the Urban Reserve Area that are consistent with the Council's Flexible Residential Development Ordinance Guidelines prior to approving any subdivisions of lots under 10 acres.
 - d. Participate in the Council's plat monitoring program.
 - e. Submit a Comprehensive Plan Amendment for any pre-2030 sewered development in the Urban Reserve.

Bowles moved, seconded by Wulff that the Metropolitan Council adopt the attached Review Record, Advisory Comments and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

2009-192 Baytown Township Comprehensive Plan Update Review File No. 20447-1
Lisa Barajas, Senior Planner, presented the report to the Community Development Committee with the following recommendations.

Recommendations of the Community Development Committee:

1. Authorize Baytown Township to put its 2030 Comprehensive Plan Update into effect.
2. Change the geographic planning area designation for those areas outlined in Figure 6 of this report from Diversified Rural to Rural Residential.
3. Advise the Township:
 - a. To provide the Council with the dates that the watershed organizations approved the SWMP and the date that the Township adopts the final SWMP. The Township also needs to send a copy of the final adopted SWMP to the Council if it differs from the plan submitted in March 2009.
 - b. That the ordinances for the Flexible Development Overlay District need to be consistent with the Council's Flexible Residential Development Ordinance Guidelines.
 - c. To work with Council staff in the development of the ordinances for the Flexible Development Overlay District.

Broecker moved, seconded by Meeks that the Metropolitan Council adopt the attached Review Record, Advisory Comments and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

2009-205 City of Coates 2030 Comprehensive Plan Update Review File No. 20459-1

Patrick Boylan, Senior Planner, presented the report to the Community Development Committee with the following recommendations.

Recommendations of the Community Development Committee:

1. Authorize the City of Coates to put its 2030 Comprehensive Plan Update into effect.
2. Revise the geographic planning designation for those areas outlined in this Review Record from Developing to Diversified Rural.

Wulff moved, seconded by Bowles that the Metropolitan Council adopt the attached Review Record, Advisory Comments and the recommendations of the Community Development Committee and the Environment Committee. **The motion carried.**

2009-203 City of Miesville 2030 Comprehensive Plan Update Review File No. 20460-1

Patrick Boylan, Senior Planner, presented the report to the Community Development Committee with the following recommendation.

Recommendation of the Community Development Committee:

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

Pistilli moved, seconded by Meeks that the Metropolitan Council adopt the attached Review Record, Advisory Comments and the recommendations of the Community Development Committee. **The motion carried.**

2009-204 Dakota County Rural Collaborative 2030 Comprehensive Plan Update Review File No. 20462-1

Patrick Boylan, Senior Planner, presented the report to the Community Development Committee with the following recommendation.

Recommendations of the Community Development Committee:

1. Authorize the following townships of the Rural Collaborative to put their Comprehensive Plan Update into effect:

Castle Rock Township
Douglas Township
Greenvale Township
Hampton Township
Nininger Township
Marshan Township
Randolph Township
Ravenna Township
Waterford Township

Pistilli moved, seconded by Wulff that the Metropolitan Council adopt the attached Review Record, Advisory Comments and the recommendations of the Community Development Committee. **The motion carried.**

2009-202 Revisions to LCA Grant Amendment Procedures – Extensions

Paul Burns, Livable Communities Manager, presented the revisions to the LCA Grant Amendment Procedures to the Community Development Committee.

1. revise the *Livable Communities Act (LCA) Grant Amendment Procedures* to add new criteria to determine the eligibility for a first or second extension to an existing LCA grant agreement; and
2. approve a change to the standard LCA grant agreement term to 30 months without the possibility of extension.

This item was tabled, no vote occurred.

2009-109 *Draft 2009 Annual Livable Communities Fund Distribution Plan*

Paul Burns, Livable Communities Manager, presented a report on the 2009 Annual Livable Communities Fund Distribution Plan to the Community Development Committee.

Bowles moved, seconded by Pistilli that the Metropolitan Council approve the 2009 Annual Livable Communities Fund Distribution Plan. **The motion carried.**

2009-170 Request for reimbursement consideration in future Regional Parks CIP for Mississippi River Regional Trail projects and signing projects, Dakota County

Arne Stefferud, Planning Analyst, presented the report requesting reimbursement consideration to the Community Development Committee.

That the Metropolitan Council consider reimbursing Dakota County in future regional parks capital improvement programs up to \$2,325,665 for projects shown in Table 1. However, the Council does not under any circumstances represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

Pistilli moved, seconded by Bowles that the Metropolitan Council consider reimbursing Dakota County in future regional parks capital improvement programs up to \$2,325,665 for projects. **The motion carried.**

2009-171 Acquisition Opportunity Grant request to purchase two parcels for Bald Eagle-Otter Lakes Regional Park, Ramsey County

Arne Stefferud, Planning Analyst, presented the report to the Community Development Committee.

1. Authorize a grant of \$411,422 from the Metropolitan Council Acquisition Grant Account in the Park Acquisition Opportunity Fund to Ramsey County to partially finance the acquisition of 1.83 acres at 1466 East County Rd H2 as part of Bald Eagle Otter Lakes Regional Park.
2. Authorize a grant of \$281,528 from the Metropolitan Council Acquisition Grant Account in the Park Acquisition Opportunity Fund to Ramsey County to partially finance the acquisition of 1.27 acres at 1700 North County Line Rd. as part of Bald Eagle Otter Lakes Regional Park.

Hilker moved, seconded by Wulff that the Metropolitan Council authorize the grants to purchase two parcels for Bald Eagle-Otter Lakes Regional Park, Ramsey County. **The motion carried.**

2009-172 Acquisition Opportunity Grant request to purchase one parcel for Rush Creek Regional Trail, Three Rivers Park District

Arne Stefferud, Planning Analyst, presented the report to the Community Development Committee.

Authorize a grant of \$407,400 from the State Acquisition Grant Account in the Park Acquisition Opportunity Fund to Three Rivers Park District to partially finance the acquisition of the 9.42 acre Ganzer parcel as part of Rush Creek Regional Trail. The grant should be financed with \$244,440 of State Environment and Natural Resources Trust Funds and \$162,960 of Metropolitan Council bonds.

Wolter moved, seconded by Wulff that the Metropolitan Council authorize a grant of \$407,400 from the State Acquisition Grant Account in the Park Acquisition Opportunity Fund to Three Rivers Park District to partially finance the acquisition of the 9.42 acre Ganzer parcel as part of Rush Creek Regional Trail. **The motion carried.**

2009-190 Adoption of rules for Park Acquisition Opportunity Grants

Arne Stefferud, Planning Analyst, presented the report to the Community Development Committee.

1. Grants from the Park Acquisition Opportunity Fund may only be awarded to finance a portion of the cost to acquire land within Metropolitan Council-approved master plan boundaries, and only after the requesting regional park implementing agency has used available acquisition grant funds previously provided by the Metropolitan Council.
2. Any interest cost on a contract for deed or other timed payment plan is not eligible for grant funding. The value of a discounted sale (i.e. the difference between the appraised value and a reduced sale price) is not counted as part of the cost to acquire land and is not included as part of a local match to the grant.
3. Grants from the Park Acquisition Opportunity Fund may finance a portion of the actual cost to acquire land after deducting any Metropolitan Council grants and other grants used to finance a portion of the cost as follows:
 - i. The Park Acquisition Opportunity Fund Grant finances 75% of the net cost of acquiring the land which is defined as the purchase price—not the appraised value; legal fees, appraisal costs and other closing costs incurred by the park agency; the property tax equivalency payment due to the city or township; and stewardship costs.
 - ii. A maximum contribution of 25% of the net cost of acquiring the land up to \$567,000 that is financed by regional park implementing agency funds or other sources is not eligible for Regional Parks CIP reimbursement consideration by the Metropolitan Council. Seventy-five percent (75%) of a contribution above \$567,000 that is financed with regional park implementing agency funds is eligible for Regional Parks CIP reimbursement consideration by the Metropolitan Council.

The maximum amount of Park Acquisition Opportunity Grant funds available to a park agency is \$1.7 million

Wolter moved, seconded by Hilker that the Metropolitan Council adopt the indicated rules for awarding Park Acquisition Opportunity Grants. **The motion carried.**

2009-179 2009 Unified Operating Budget Amendment

Arne Stefferud, Planning Analyst, presented the report to the Community Development Committee.

Wulff moved, seconded by Bowles that the Metropolitan Council that the Metropolitan Council amend the 2009 Unified Operating Budget by adding \$160,000 for Metropolitan Regional Park System operations and maintenance which results in an amended budget of \$8,780,000. **The motion carried.**

2009-180 2009-2014 Capital Improvement Plan and 2009 Capital Program and Budget Amendment

Arne Stefferud, Planning Analyst, presented the report to the Community Development Committee.

- Amend the 2009 Parks and Open Space Authorized Capital Program (Multi-year authorization) by adding \$ 15,530,000 in new spending authority.
- Amend the 2009 Parks and Open Space Capital Budget (Annual Appropriation) by adding \$6,490,000 in new appropriations.
- Approve changes as detailed in Attachment 1.

Pistilli moved, seconded by Hilker that the Metropolitan Council amend the 2009 Capital Program by adding \$15,530,000 in new spending authority and by adding \$6,490,000 in new appropriations and approve changes detailed in attachment. **The motion carried.**

2009-119 Establish Date for Public Hearing – 2010 Public Housing Agency (PHA) Plan

Terri Smith, Assistant Manger HRA, presented the request to conduct a public hearing.

To conduct a public hearing to discuss and receive comment on the FY 2010 Public Housing Agency (PHA) Plan on September 21, 2009, at 4:00 p.m. in the Council Chambers.

Hilker moved, seconded by Wulff that the Metropolitan Council conduct a public hearing to discuss and receive comment on the FY 2010 Public Housing Agency (PHA) Plan on September 21, 2009, at 4:00 p.m. in the Council Chambers. **The motion carried.**

INFORMATION

2010 Community Development Division Operating Budget

Guy Peterson, Director, Community Development, presented details of the 2010 Community Development Division Operating Budget to the Community Development Committee.

ADJOURNMENT

The next regularly scheduled CDC meeting will be held on Monday, July 20, 2009 at 4:00 p.m. in the Council Chambers.

Business completed Chair Steffen adjourned the meeting at 6:45 p.m.

Respectfully submitted,

Michele Wenner
Recording Secretary