

C Community Development Committee
Meeting date: December 7, 2009

E Environment Committee
Meeting date: December 8, 2009

ADVISORY INFORMATION

Subject: City of Wayzata *2030 Comprehensive Plan* Update
Review File No. 20529-1
Tier II Comprehensive Sewer Plan

**District(s),
Member(s):** District 3, Councilmember Bob McFarlin

**Policy/Legal
Reference:** Minnesota Statute Section 473.175

Staff James P. Uttley, Principal Reviewer (651-602-1361)

Prepared/Presented: 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 Wayzata to put its 2030 Comprehensive Plan Update into effect.
2. Adopt the advisory comments for surface water management and land use presented in those sections of the review record.
3. Advise the City of Wayzata to participate in the Council's Redevelopment Monitoring program.

Recommendations of the Environment Committee:

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

ADVISORY COMMENTS

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

Review File No. 20529-1 - Council Business Item No. 2009-443

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 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 Wayzata (City) is located in central Hennepin County, bounded by Minnetonka, Orono, Plymouth and Woodland. Figure 1 shows the general location of Wayzata and surrounding communities and the City's *2030 Regional Development Framework* (RDF) designation, which identifies Wayzata as a "developed" community. The RDF says that developed communities should "accommodate growth forecasts through reinvestment at appropriate densities (5 units plus in developed areas and target higher density in locations with convenient access to transportation corridors and with adequate sewer capacity)." Figure 2 shows existing and planned regional systems in Wayzata 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 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 Wayzata 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 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 Update acknowledges the Dakota Rail Regional Trail and the Luce Line State Trail.

Transportation

Roads and Transit

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

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

The city of Wayzata is served by one metropolitan highway, TH 12, which has been recently reconstructed as a limited access, two-lane highway bypass north of the old Highway 12 alignment through the City. The City's CPU describes a potential future ½-diamond interchange at Ferndale Road and TH 12. To advance planning for this interchange, the City needs to submit a comprehensive plan amendment with a response to the criteria for new Highway Interchange Requests (see Appendix E, TPP.) Wayzata is located within the Metropolitan Transit Taxing District and lies entirely within Transit 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 TPP and 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 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 Council's Blue Lake Wastewater Treatment Plant in Shakopee. The City is provided wastewater conveyance service through interceptor 7018-2. The Update projects that the City will have 2,650 sewer households and 6,600 sewer 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.

Wayzata is not currently a community that has been identified as a community impacted by wet weather occurrences. The Update does include a description of an Inflow & Infiltration reduction plan which includes inspection and regular maintenance of the sanitary sewer system. The City has adopted an ordinance that prohibits sump pumps, roof drains, and surface drains from discharging into the sanitary sewer system.

Tier II Comments

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

The Update's Tier II Sewer Element was reviewed against the Council's requirements for Tier II Comprehensive Sewer Plans for developed communities and found it complete and consistent with Council policies. The Council's approval of the Tier II Plan becomes effective upon the City's adoption of the Update. At that time, the City may alter, expand or improve its sewage disposal system consistent with the approved Tier II Sewer Plan. A copy of the City Council Resolution adopting the final Update needs to be submitted to the Council for its records.

Surface Water Management

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

Wayzata is entirely within the Minnehaha Creek Watershed District. The Minnehaha Creek Watershed District's watershed plan update was approved by the Board of Water and Soil Resources (BWSR) in June of 2007. The City prepared a Surface Water Management Plan (SWMP) in March 2009.

The Council has reviewed the City of Wayzata's SWMP dated March 2009. The plan is consistent with Council policy and the WRMPP. The plan provides an excellent framework for the City to successfully manage its water resources. In addition, the plan does an excellent job of integrating the many diverse storm water programs and requirements such as impaired waters, non-degradation, quantifiable water quality goals and wetland management.

Advisory Comments

The City needs to provide to the Council the date that the Watershed District approves the SWMP, the date the City adopts the final plan and a copy of the final adopted SWMP.

CONSISTENCY WITH COUNCIL POLICY

Forecasts

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

During the review of the Update, Council staff noticed that the Council's original forecasts for the City of Wayzata did not reflect the recent approval of the Wayzata Bay Redevelopment project, which added over 410 housing units. During discussions with the City, Council staff and the City agreed on revised forecasts, which better account for this redevelopment project. The table below shows the revised forecasts, as well as the Council's original forecasts for Wayzata.

Table 1 – Council's System Statement Forecasts & Revised Forecasts

	Census	Previous Council Forecasts			Revised Council Forecasts		
	2000	2010	2020	2030	2010	2020	2030
Population	4,113	4,300	4,500	4,700	4,300	4,800	5,700
Households	1,929	2,100	2,200	2,200	2,100	2,350	2,650
Employment	6,268	6,200	6,400	6,600	6,200	6,400	6,600

The City's Update uses these agreed-upon revised forecasts consistently throughout the document. The Council's forecasts will be officially revised effective upon the Council's action on the Update.

2030 Regional Development Framework and Land Use

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

The Update is consistent with the 2030 Regional Development Framework (RDF), which designates the City as a "Developed" community. The RDF directs Developed communities to maintain current infrastructure; renew and improve infrastructure, buildings, and land to provide for additional growth, particularly at centers along transit corridors; and to support developments that integrate land uses. Developed communities need to accommodate growth forecasts through development and redevelopment at higher densities of 5 units per net acre or more.

The Update identifies policies for development and redevelopment in the downtown area, including providing for a mix of residential, commercial, and office uses, along with allowing higher residential densities in this area. The Update also contains policies to provide a safe and attractive pedestrian environment, provide orderly transitions between land uses of differing intensities, and appropriately accommodate traffic in and through the community.

As a developed community, the City has approximately 118 acres of vacant land. However, much of this land is encumbered with wetlands and steep slopes, limiting the development potential of these parcels. Because of this limitation, the City has identified redevelopment areas to accommodate forecasted growth at densities that are consistent with Council's policies for development with regional wastewater services of 5 units per net acre or more. The Update identifies specific sites for infill and redevelopment, including recently approved redevelopment projects. As shown in Table 2, the City is planning for a net residential density of 6.3 units per acre in the infill and redevelopment areas, which is consistent with RDF policy.

Table 2 - Density Analysis - Infill & Redevelopment Areas

Property / Area	Units	Net Acres	Net Density
Locust Hills Build-out	41	38.4	1.07
Enchanted Woods	6	11.6	0.52
One Acre - Single Family Vacant	6	9.9	0.61
Wayzata Bay Center Redevelopment	410	13.4	30.60
TOTALS	463	73.3	6.32

The City has also identified two additional areas for potential future redevelopment. An area along Ridgeview Drive currently has 12 duplexes (24 units) with the potential for redevelopment. The City has guided this area as Medium Density Multiple Family with a density range of 5 to 12 units per acre. The Update identifies the Wayzata Boulevard Corridor in the northeastern part of the City for potential redevelopment. This area is currently all commercial, but is guided as Mixed Use Commercial, with the intent to allow a mix of commercial, office, and properly integrated residential uses.

Advisory Comment

The City is advised to participate in the Council's Redevelopment Monitoring program.

Housing

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

The housing element fulfills the affordable housing planning requirements of the Metropolitan Land Planning Act. The Update acknowledges the city's share of the region's affordable housing need for 2011-2020 which is 109 units. To provide opportunities to meet this need the Update indicates that five acres of land will be available for medium density residential development, at 5-12 units per acre, and an additional acre is designated for high density development, at 12-20 units per acre. Also, the Update identifies 18 acres within specific redevelopment sites that could produce over 400 high density housing units to provide additional opportunities for affordable housing development.

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. The city's HRA will continue to actively administer housing programs to address affordable and life cycle housing needs within the community. The Update indicates the city will utilize federal, state and local funding sources to administer these programs, and will establish a rental housing maintenance code to properly maintain and preserve existing affordable housing within the community. Wayzata is an active participant in the Livable Communities Local Housing Incentives Account program and has applied for and received \$461,500 in grants through the LCA program.

Individual Sewage Treatment Systems (ISTS) Program

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

The Update is consistent with the WRMP for ISTS. There are 15 ISTS remaining in operation in the City in the Hillside neighborhood and a small area along Bushaway Road/County Road 101. City ISTS Ordinance No. 597, found in Appendix C-1 of the Update, is consistent with MPCA Rules and Council policy requirements.

Water Supply

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

The City's water supply plan (WSP) is consistent with the policies of the WRMP. The Council recommends the City continue to implement conservation programs targeted at reducing residential water use in an effort to keep water use rates at or below the regional water use benchmarks.

Resource Protection

Historic Preservation

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

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

Solar Access Protection

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

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

Aggregate Resources Protection

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

The Council's aggregate resources inventory does not indicate the presence of aggregate resources available for mining, and the community is essentially fully developed.

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 September 2008. Wayzata received responses from 11 of 13 agencies and local governments including the Three Rivers Park District, Minnehaha Creek Watershed District, Lake Minnetonka Conservation District, the Minnesota Department of Transportation, the Wayzata Independent School District and the cities of Deephaven, Long Lake, Minnetonka, Plymouth and Woodland. Wayzata responded to those needing responses. There do not appear to be any compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts.

DOCUMENTS SUBMITTED FOR REVIEW:

The submittal is 785 pages and included:

- October 23, 2008 Council Extension Letter to March 30, 2009
- 2008 Comprehensive Plan Update Transmittal Form
- Wayzata Planning Commission June 2 2008 Report re: 10-Year Update of Comprehensive Plan
- Wayzata City Council Meeting Minutes June 17 2008
- Attachment C – Received Correspondence and (Wayzata's) Responses Regarding the City of Wayzata's 2030 Comprehensive Plan Update, Six Month Review Period, September 18, 2008 to March 19, 2009
- City of Wayzata Comprehensive Plan 2030
 - Table of Contents
 - Land Use
 - Housing
 - Transportation
 - Natural and Community Resources
 - Solar Access
 - Historical and Cultural Preservation
 - Community Facilities (Sewer, Water, Surface Water, Parks)
 - Implementation
 - Appendix A – Transportation
 - Appendix B – Wayzata Water Emergency and Conservation Plans
 - Appendix C-1 – ISTS Ordinance No. 597
 - Appendix C-2 – Ordinance Regulating Discharge into Sanitary Sewer System No.562
 - Appendix C-3 – Ordinance Regulating Stormwater and Urban Runoff Pollution Control No.692

- o Appendix C-4 – Ordinance Regulating Land Disturbance No.658
- o Appendix D – Dakota Rail Regional Trail to Luce Line State Trail Connection Study, January 29, 2009
- o Appendix E – Wayzata Zoning Ordinance, Section 801 (to be revised)
- o Appendix F – Wayzata Subdivision Ordinance, Section 805 (to be revised)
- o Appendix G – Wayzata Capital Improvement Program (CIP) 2008-2014
- o Appendix H – 2003 Water System Update & Capital Improvement Program May 2003
- o Appendix I – Draft of 2009 Update to Local Surface Water Management Plan (LSWMP) March 2009
- o Appendix J – Historical & Architectural Resources of Wayzata, The Vogel Report, Heritage Preservation Society, July 2003
- o Appendix K – Existing Housing Loan Programs
- o Appendix L – Wayzata Comprehensive Plan – Community Input Meeting Participant Issue Prioritization Summary
- o Appendix M – Received Correspondence and Responses Regarding the City of Wayzata’s 2030 Comprehensive Plan Update

ATTACHMENTS

- Figure 1: Location Map with 2030 Regional Development Framework Planning Areas
- Figure 2: Regional Systems
- Figure 3: Existing Land Use Map
- Figure 4: 2030 Land Use Plan
- Table 3: Existing and Planned Land Use Table in 5-year Stages

Figure 1 - Location Map and 2030 Regional Development Framework Planning Area, City of Wayzata

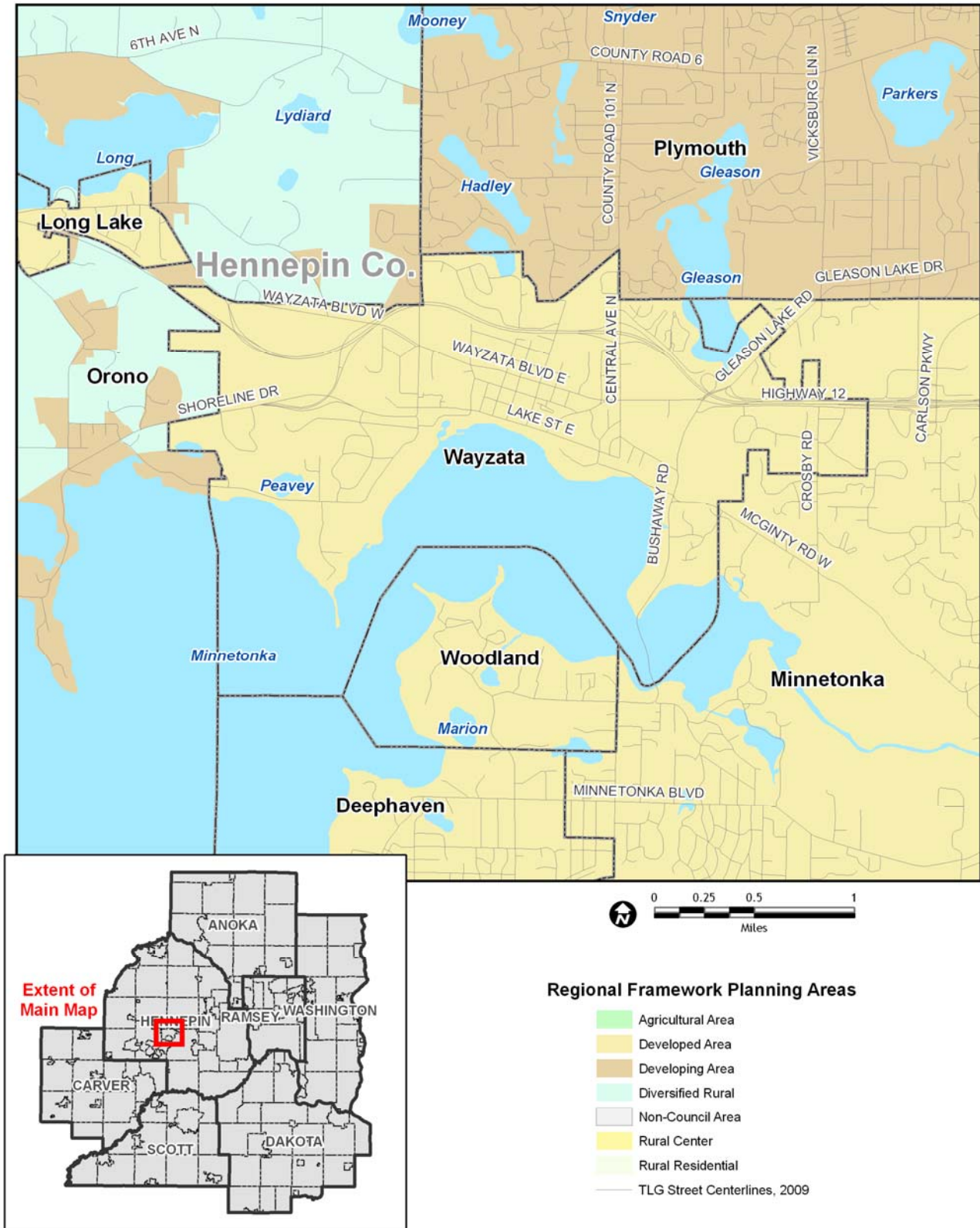


Figure 2 - Regional Systems, City of Wayzata

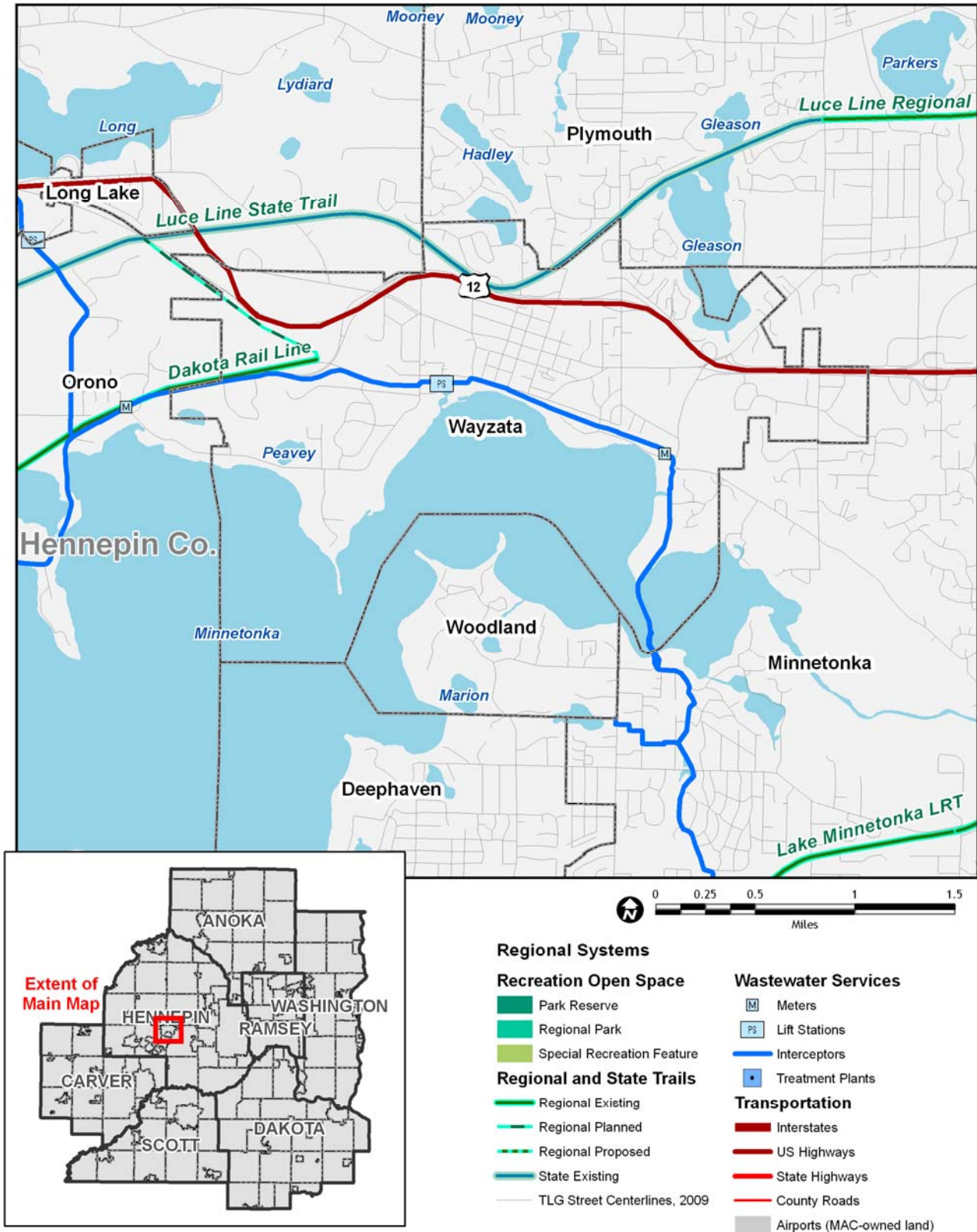
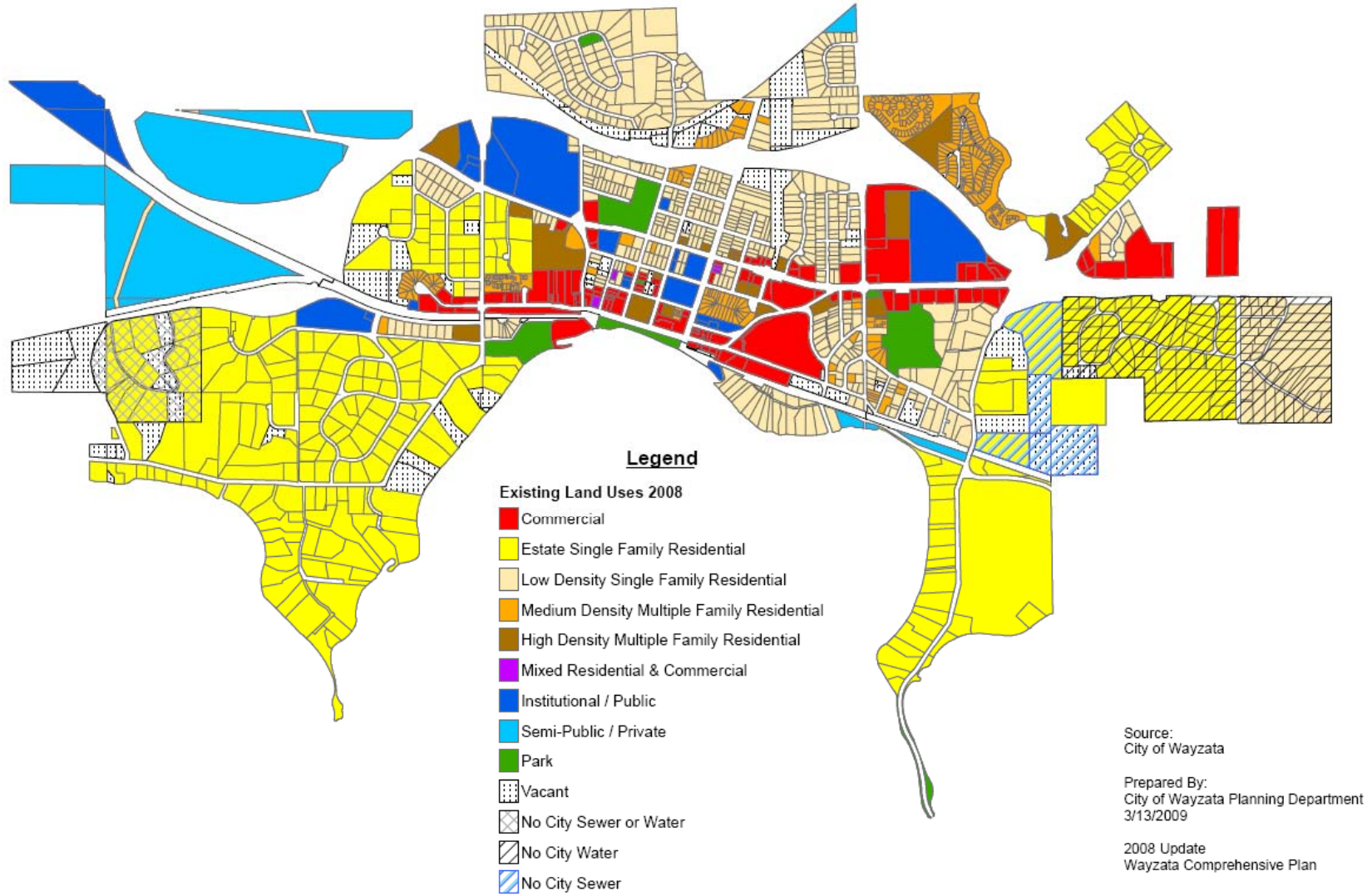


Figure 3 - Existing Land Use, City of Wayzata



Existing Land Use Map

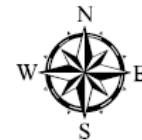
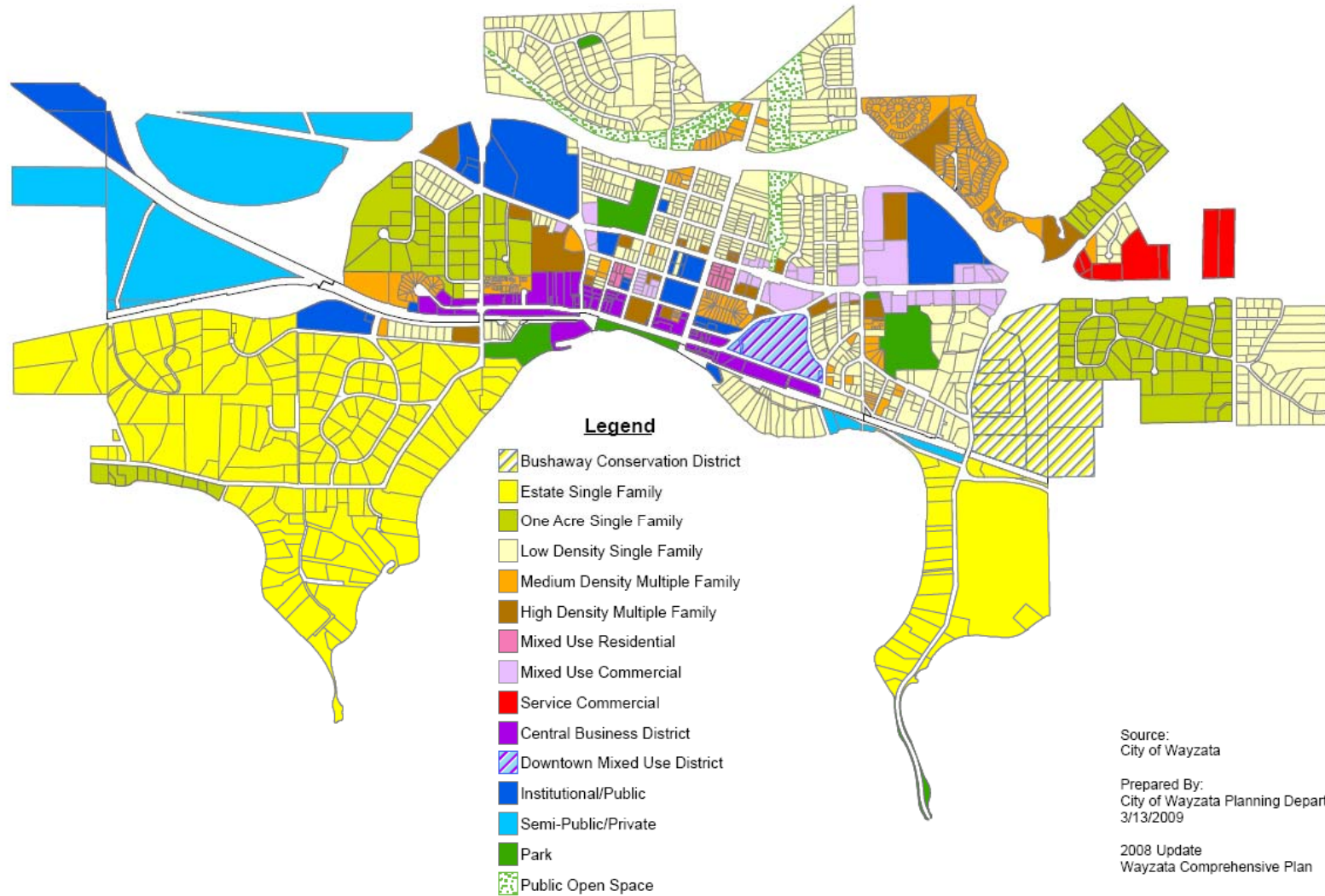


Figure 4 - 2030 Land Use Plan, City of Wayzata



Proposed Land Use Map



Table 3 - City of Wayzata Land Use in 5 Year Increments

City of Wayzata Comprehensive Plan 2030 – Land Use Chapter

Table 3.5: Land Use in 5 Year Increments

Within Urban Service Area	Allowed Density Range Housing Units/Acre		Existing (2008)	2010	2015	2020	2025	2030	Change 2000-2030
	Minimum	Maximum							
Residential Land Uses									
Bushaway Conservation District	0.5	1	0	37	46	55	64	73	73
Estate Single Family Residential	0.5	1	548	353	364	418	436	453	-95
One Acre Single Family Residential	0.5	1	0	158	166	166	166	166	166
Low Density Residential	1	4	311	313	315	315	315	315	4
Medium Density Residential	5	12	67	67	69	71	73	75	8
High Density Residential	12	20	41	41	42	43	43	43	2
Mixed Use Primarily Residential* ²	1	4	1	2	3	4	4	4	3
C/I Land Uses									
	Est. Employees/Acre								
Commercial (Service)	N/A		113	70	45	38	31	22	-91
Central Business District	N/A		0	34	34	34	34	34	34
Mixed Use Primarily C/I*	N/A		0	9	18	27	36	45	45
Downtown Mixed Use District	N/A		0	0	16	16	16	16	16
Public/Semi Public Land Uses									
Institutional	N/A		96	96	96	96	96	96	0
Semi-Public/Private	N/A		150	151	151	151	151	151	1
Park/Open Space	N/A		35	71	71	71	71	71	36
Right of Way	N/A		1436	1436	1436	1436	1436	1436	0
Subtotal Sewered	N/A		2798	2838	2872	2941	2972	3000	202
Undeveloped									
Vacant or Unsewered	N/A		200	160	126	57	26	0	-200
Open Water, Rivers and Streams	--		1043	1043	1043	1043	1043	1043	0
Total			4041	4041	4041	4041	4041	4043	2

Source: City of Wayzata, 2009

² The Mixed Use Residential Category requires at least 60% of the building square footage to be utilized for residential uses.