

**C** Community Development Committee  
Meeting date: November 21, 2011

**E** Environment Committee  
Meeting date: December 13, 2011

**ADVISORY INFORMATION**

<b>Subject:</b>	City of Gem Lake 2030 Comprehensive Plan Update Review File No. 20710-1 Tier II Comprehensive Sewer Plan
<b>District(s), Member(s):</b>	District 11, Council Member Sandy Rummel
<b>Policy/Legal Reference:</b>	Minnesota Statutes Section 473.175
<b>Staff Prepared/Presented:</b>	LisaBeth Barajas, Principal Reviewer, 651-602-1895 Phyllis Hanson, Local Planning Assistance Manager, 651-602-1566 Kyle Colvin, Engineering Services Asst. Manager, 651-602-1151
<b>Division/Department:</b>	Community Development / Planning & Growth Management Environmental Services / Engineering Services

**Proposed Action**

That the Metropolitan Council adopt the Advisory Comment and Review Record and take the following actions:

**Recommendations of the Community Development Committee:**

1. Authorize the City of Gem Lake to put its 2030 Comprehensive Plan Update into effect.
2. Adopt the revised forecasts for the City of Gem Lake as detailed in Table 1 of the Review Record.
3. Advise the City to:
  - a. Revise the share of the affordable housing need indicated in the Update from 15 to 19 units prior to final adoption of the Update because of its revised growth forecast, and to consider the suggestion in the Housing section for increasing residential density in situations where it can facilitate the development of a specific affordable housing proposal.
  - b. Send to the Council the dates that the watershed organizations approve the LWMP, the date the City adopts the final LWMP, and a copy of the final adopted plan.
  - c. Participate in the Council's activities to monitor redevelopment in Developed communities.
  - d. Implement the advisory comments in the Review Record for Transportation and Community and Individual Sewage Treatment Systems.

**Recommendations of the Environment Committee:**

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

## ADVISORY COMMENTS

### City of Gem Lake 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20710-1 – Council Business Item No. 2011-324

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.
  - c. Submit to the Council a copy of the City Council resolution evidencing final approval of the Update.
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 from the City’s governing body. After the Update receives final approval from 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 Gem Lake is located in central Ramsey County. The City is bordered by the White Bear Township to the north, the City of White Bear Lake to the east, and the City of Vadnais Heights to the south and west. (See Figure 1.)

The *2030 Regional Development Framework* (RDF) identifies the City as a Developed planning area (see Figure 2). The City submitted its City of Gem Lake 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 System Statement requirements.

## Rationale

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 the 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<br>(Wastewater Services and Surface Water Management) | Yes |

## Consistent with Council Policy Requirements

- |   |     |
|---|-----|
| 1. Forecasts  | Yes |
| 2. Housing  | No  |
| 3. 2030 Regional Development Framework and Land Use   | Yes |
| 4. Individual Sewage Treatment Systems (ISTS) Program | Yes |
| 5. Water Supply                                       | Yes |

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

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

## Funding

None.

## Known Support / Opposition

There is no known opposition.

## REVIEW RECORD

### Review of the City of Gem Lake 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 Update 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

*Reviewer: Jan Youngquist, CD – Regional Parks System Planning, (651-602-1029)*

The Update conforms to the *2030 Regional Parks Policy Plan*, as it acknowledges the planned Bruce Vento Regional Trail and the proposed St. Anthony Spur Regional Trail.

##### Transportation

###### *Roads and Transit*

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

The Update conforms to the *2030 Transportation Policy Plan* adopted in 2004, and addresses all applicable transportation and transit requirements of a comprehensive plan.

There are no Metropolitan Highways in the City. However, the City is served by two "A" Minor Arterial expanders: CR E and TH 61. The City is included in 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.

###### Advisory Comments

The City receives Metro Mobility transit service. The current hours of service are 6 AM through 6 PM Monday through Friday. On weekends, the City receives services on an as space is available basis during the hours of 8 AM to 4 PM. This information should be noted in the City's comprehensive plan.

##### **Aviation**

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

The Update conforms to the TPP and is consistent with the Council's policies for aviation.

## **Water Resources Management**

### ***Wastewater Service***

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

The Update conforms to 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 recommended 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 7122, 1-VH-423, and 1-VH-423A. The Update projects that the City will have 180 sewer households and 870 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.

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 an I/I reduction plan which includes rehabilitation, maintenances, and televised inspection of the sanitary sewer system. The City has an ordinance that prohibits the discharge of surface waters of any form into the sanitary sewer system and also prohibits the connection of sump pumps, rain leaders, and passive drain tile 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 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 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 conforms to the WRMPP for local surface water management. The City lies within the Ramsey Washington Metro and Vadnais Lake Area watersheds. In 2007, the Board of Water and Soil Resources (BWSR) approved the Ramsey Washington Metro Watershed District's and the Vadnais Lake Area Watershed Management Organization's watershed management plans.

Gem Lake prepared a local surface water management plan (LWMP) in 2009, which was review by Council staff. The LSWMP was found to be consistent with Council policy and the Council's WRMPP.

### **Advisory Comments**

The City will need to send to the Council the dates that the watershed organizations approve the LWMP, the date the City adopts the final LWMP, and a copy of the final adopted plan.

## CONSISTENCY WITH COUNCIL POLICY

### Forecasts

Reviewer: Todd Graham, CD - Research, (651-602-1322)

The Update is consistent with the Council's policies for forecasts. The City's planning uses revised forecasts in Chapters 3, 6, and 7. The changes include increased households and population growth; unsewered households and population remaining at year 2010 levels; and re-characterizing all employment sites in the City as sewer-serviced.

Council staff find these forecast revisions reasonable and acceptable. Metropolitan Council's forecasts will be revised, as shown in Table 1 below, effective upon Council action on the Update.

**Table 1. City of Gem Lake Revised Forecasts**

	2010	2020	2030
Population – Unsewered	320	320	320
Population – Sewered	170	310	450
<b>Population - TOTAL</b>	<b>490</b>	<b>630</b>	<b>770</b>
Households – Unsewered	120	120	120
Households – Sewered	50	100	180
<b>Households – TOTAL</b>	<b>170</b>	<b>220</b>	<b>300</b>
Employment – Unsewered	0	0	0
Employment – Sewered	720	840	870
<b>Employment – TOTAL</b>	<b>720</b>	<b>840</b>	<b>870</b>

Note: Metropolitan Council has rounded the City's forecasts to the nearest 10.

For reference, the City's System Statement forecasts are shown in Table 2 below.

**Table 2. City of Gem Lake System Statement Forecasts**

	2010	2020	2030
Population	440	450	490
Households	160	170	190
Employment	720	840	870

### Advisory Comments

The forecasts in the Update include household growth of +50 households during 2010-2020, resulting in an adjustment to the City's share of the regional affordable housing need from 15 to 19 units.

### **2030 Regional Development Framework and Land Use**

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

The Update, with supplemental materials, is consistent with the *2030 Regional Development Framework* (RDF) for land use, 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.

The Update contains policies to protect the existing natural resources, to focus new growth and redevelopment along the Hoffman's Corner area of the City (located at U.S. Highway 61 and County Road E), to coordinate development on its borders with the neighboring communities, and to integrate land uses when possible.

The City covers a total of 725 acres, with approximately 71.4 acres being covered by

roadways, wetlands, and open water. As shown in Figure 4, the predominant existing land use in the City is single family residential, with much of it being large-lot in nature and served by individual sewage treatment systems. Smaller lot single-family residences along Scheueneman Road on the east side of the City are already served with sanitary sewer.

The City is planning to accommodate its forecasted residential growth through infill and redevelopment in the City. The remaining fully subdivided yet undeveloped lots within the Single Family – Executive land use district (Figure 3) located on the east side of Gem Lake can accommodate 25 new housing units. Additional residential and commercial growth is planned in the redevelopment of the Hoffman's Corner area of the City, guided as Mixed Use at 3 to 6 units per acre. Sanitary sewer service is planned to serve this area as well. At minimum planned densities, this special planning district can accommodate at least 137 new housing units. The Update is consistent with the Council's land use policies in establishing an overall residential net density of 3 units per acre for new sewered residential development.

#### Advisory Comments

Council staff will continue to monitor development activity in the City through the Council's building permit survey. The City is advised to participate in the Council's activities to monitor development and redevelopment in Developed communities.

### **Housing**

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

The Update acknowledges the City's regional affordable housing share of 15 units. However, the forecast changes submitted October 6, 2011, result in an increase of the affordable housing share to 19 units, and this number will need to be revised in the Update before formal adoption.

The Update designates land within the Gateway and Village Center Mixed Use area for some higher density residential development, and provides an implementation plan. However, the density range allowed within the Mixed Use area is designated as 3-6 units per acre. While this is a higher density than has been previously planned within the City's comprehensive plan, it may not be high enough to ensure that there are opportunities for affordable housing to be built.

One of the primary tools communities can use to provide opportunities to meet affordable housing needs is the designation of land for medium and high density development. Although allowing development at higher densities does not guarantee affordable housing will be built, it does provide one of the best means for encouraging it to happen. When calculating the region's affordable housing need, the Council based its analysis of land needed to accommodate that need at a *minimum* of 6 units per acre. The City is encouraged to consider designating land for higher density residential development and/or to consider allowing a density bonus for development proposals that will assist the City in meeting its affordable housing goals. One way the City could guide land in a manner that would be found to accommodate its fair share responsibility would be to state specifically in the land use descriptions and the related land use ordinances that housing proposals that will help the City meet its affordable housing responsibility will qualify for and be granted a density bonus, as a means to ensure a density of no less than 6 units per acre is available for affordable housing proposals.

### **Community and Individual Sewage Treatment Systems (ISTS)**

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

The Update is consistent with the *2030 Water Resources Management Policy Plan* for ISTS. The Update indicates that there are 109 ISTS currently in operation in the City. The

City contracts biennially for operational inspections of all systems in the community. It is the homeowners' responsibility to carry out needed system maintenance as advised in the inspection summary. The City manages a database for all ISTS inspection and maintenance records. The City's current ISTS Ordinance No. 67B is available on the City's website. The ordinance is consistent with MPCA Chapter 7080 Rules and with Council policies.

Advisory Comments

The City will need to update its local ISTS ordinance to incorporate recent MPCA 7080-7081 Rule revisions within one year of Ramsey County's adoption of a revised Subsurface Sewage Treatment System (SSTS) Ordinance (for consistency with Minn. Stat. 115.55). Council staff recommends that the City contact Ramsey County and the MPCA at its earliest convenience to meet this MPCA Rule and Council policy requirement.

**Water Supply**

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

The City's water demand is currently met through private wells. If the City selects to construct a water supply system to provide water to its residents and businesses, it will need to complete a water supply plan.

**Resource Protection**

***Historic Preservation***

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

The Update addresses historic preservation in the community, as required by the Metropolitan Land Planning Act. The Update indicates that there are not any structures or sites that are registered as historic with state or national registries. The Update explains the City's policy to work with the State Historic Preservation Office and local property owners to appropriately address or preserve any historic or cultural resources that may be added or discovered in the future.

***Solar Access Protection***

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

The Update addresses the protection of access to solar energy as required by the MLPA. The Update contains policies to work within the established land use patterns and natural topography and to look beyond solar accessibility to address energy conservation in general.

***Aggregate Resources Protection***

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

As required by MLPA, the Update indicates that there are no known deposits of viable aggregate resources within the community, consistent with *Minnesota Geological Survey Information Circular 46* data.

**PLAN IMPLEMENTATION**

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

The Update includes a description of and schedule for any necessary changes to:

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

The Update contains an Implementation Program, which describes the official controls



and fiscal devices that the City will employ to implement the Update, with a plan for revising or modifying ordinances to implement the plan. Specific implementation strategies are contained in individual chapters of the Update, with priorities and capital improvements planning detailed in the implementation chapter.

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

The City submitted its Update to the adjacent communities, Ramsey County, affected school districts, affected watershed districts, and other special districts for comment on September 2, 2008. There do not appear to be any conflicts with the plans of adjacent and affected jurisdictions.

## **DOCUMENTS SUBMITTED FOR REVIEW**

- City of Gem Lake Comprehensive Plan (February 9, 2010)
- Revisions to forecasts and land use (September 15, 2010)
- Revisions to land use and forecasts (October 25, 2010)
- Revisions to wastewater (October 27, 2010)
- Revisions to wastewater and forecasts (June 28, 2011)
- Revisions to land use, wastewater, and forecasts (October 6, 2011)

## **ATTACHMENTS**

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

Figure 1. Location Map with Regional Systems

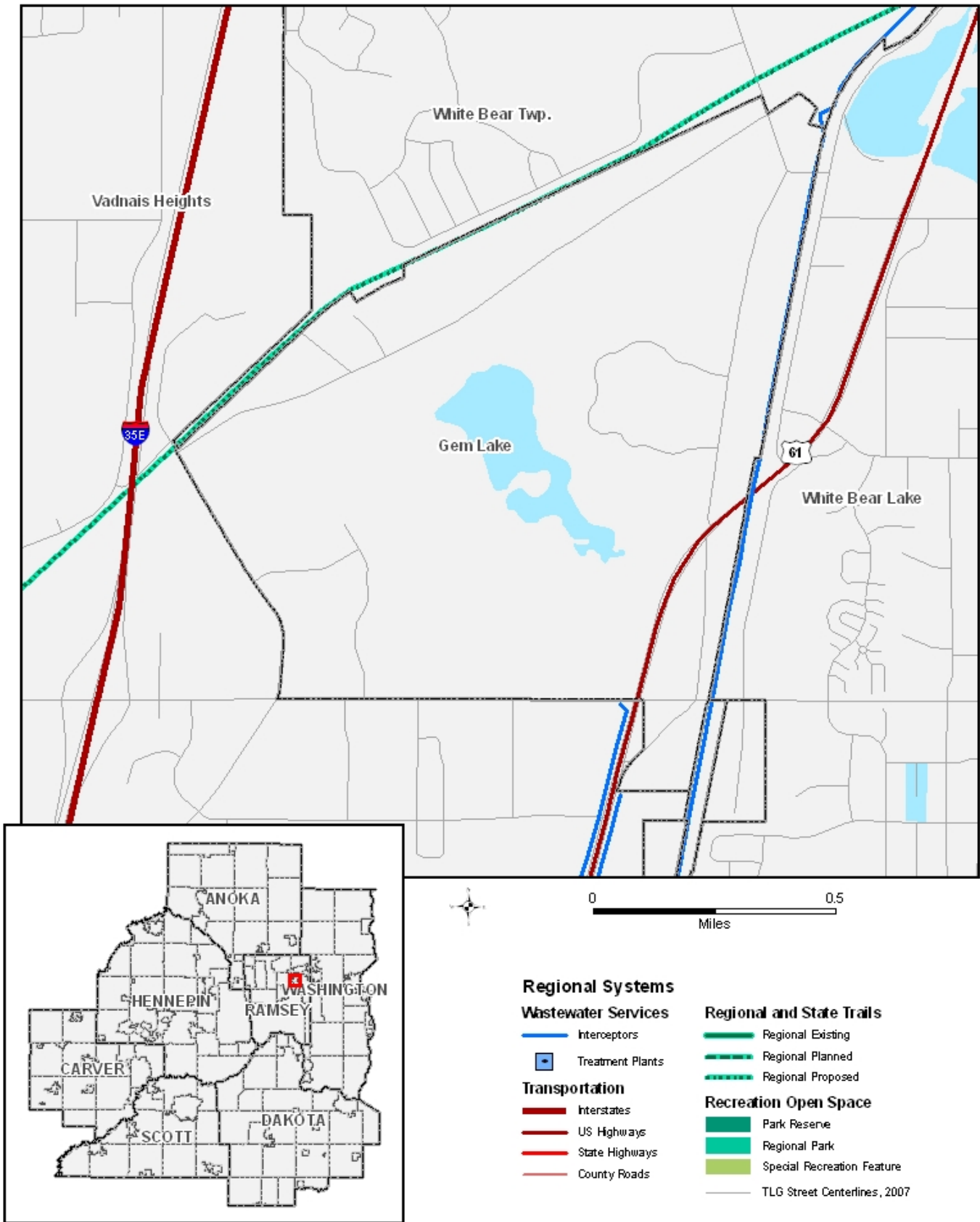


Figure 2. 2030 Regional Development Framework Planning Areas

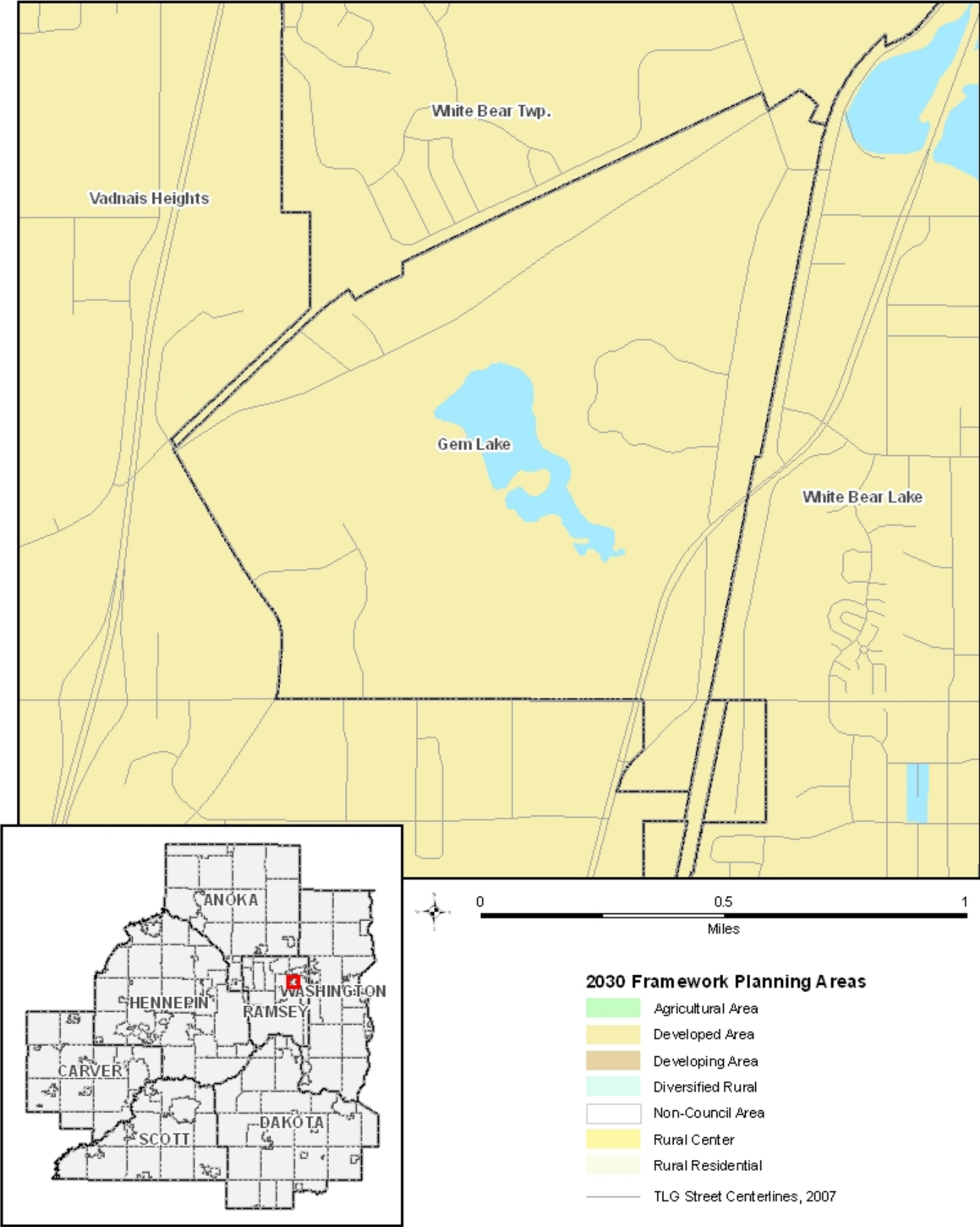


Figure 3. 2030 Planned Land Use

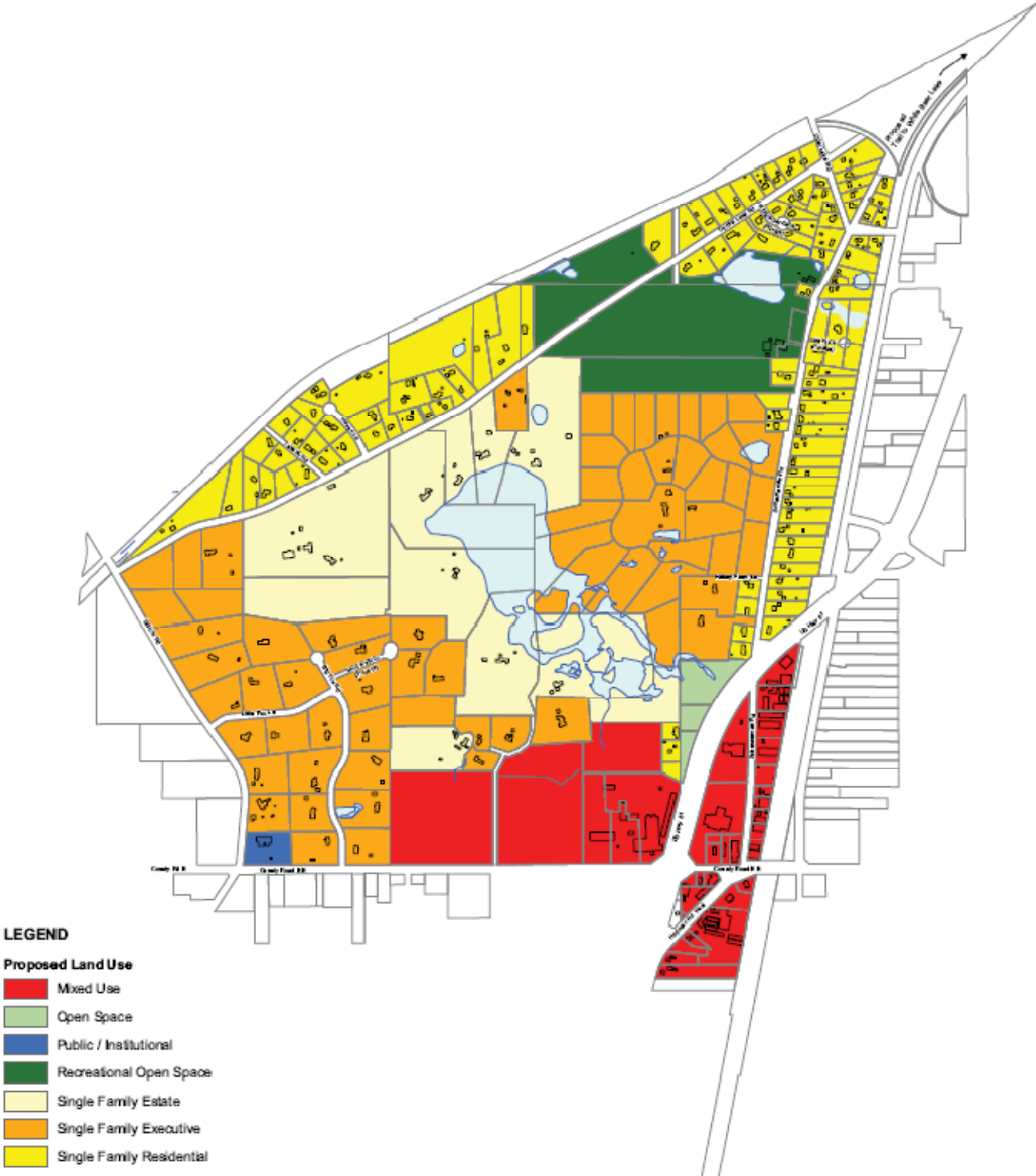
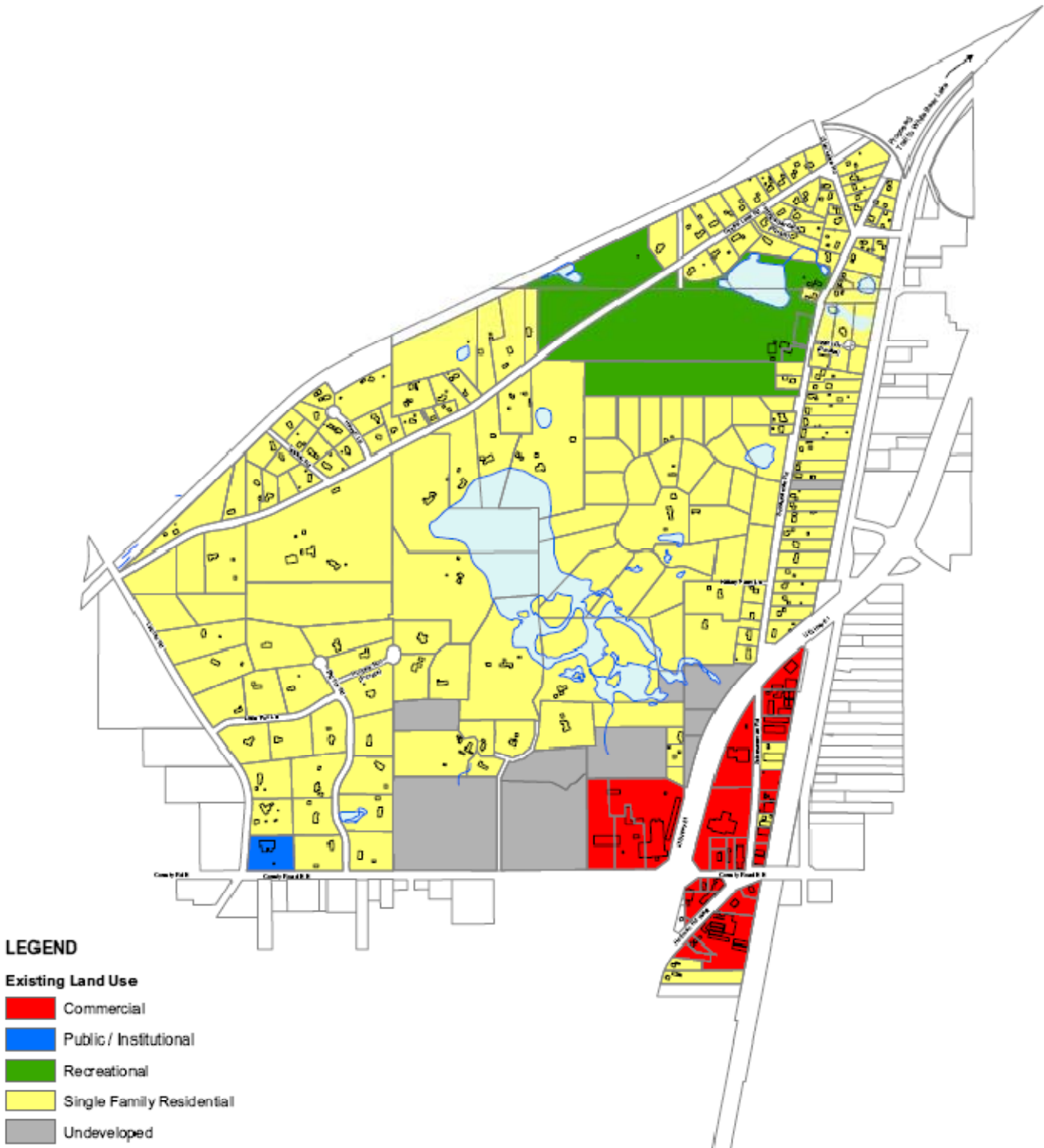


Figure 4. Existing Land Use



**Figure 5. Planned Land Use in Five Year Stages**

Within Urban Service Area	Existing (2000)	2010	2015	2020	2025	2030	Change 2000- 2030
<b>Residential</b>							
Single Family - Estate	285.5	148.1	148.1	148.1	148.1	148.1	0
Single Family - Executive	0	157.4	176.4	188.4	200.4	212.4	75
Single Family - Residential	128.3	128.3	128.3	128.3	128.3	128.3	0
Mixed Use - Primarily Residential	0	17.5	25	30	35.3	44.3	44.3
Zoned R but undeveloped	113.9	75.6	41	0	0	0	-113.9
<b>C/I Land Uses</b>							
Commercial	48	28	25	20	14.7	0	-48
Office (zoned/undeveloped)	12	0	0	0	0	0	-12
Mixed Use - Primarily Comm/Office	0	30.5	33.5	38.5	38.5	44.2	44.2
<b>Public/Semi-Public Land Uses</b>							
Institutional	2.9	2.9	2.9	2.9	2.9	2.9	0
Parks and Recreation	63	63	63	63	63	63	0
Open Space	0	0	6.2	6.2	6.2	6.2	6.2
Roadway Rights-of-Way	11.4	12.7	13.6	13.6	13.6	13.6	2.2
Utility	0	1	2	2	2	2	2
<b>Subtotal</b>	<b>665</b>	<b>665</b>	<b>665</b>	<b>665</b>	<b>665</b>	<b>665</b>	<b>0</b>
<b>Undeveloped</b>							
Wetlands	16	16	16	16	16	16	0
Open Water, Rivers, and Streams	44	44	44	44	44	44	0
<b>Total</b>	<b>725</b>	<b>725</b>	<b>725</b>	<b>725</b>	<b>725</b>	<b>725</b>	<b>0</b>