

# J Community Development Committee Environment Committee

For the Metropolitan Council meeting of May 26, 2010

## ADVISORY INFORMATION

Date Prepared: May 18, 2010

Subject: City of The Village of Minnetonka Beach *2008 Comprehensive Plan Update*,  
Review File No. 20641-1; Tier II Comprehensive Sewer Plan

### Proposed Action:

That the Metropolitan Council adopt the attached Advisory Comments and Review Record, and the following:

1. Authorize the City of The Village of Minnetonka Beach to put its 2008 Comprehensive Plan Update into effect without any plan modifications.
2. Adopt the advisory comments for transportation and transit as presented in those sections of the review record.
3. Advise the City of The Village of Minnetonka Beach to participate in the Council's Redevelopment Monitoring program.
4. Approve the City of the Village of Minnetonka Beach's Tier II Comprehensive Sewer Plan.

### Summary of Committee Discussion / Questions:

#### Community Development Committee

Jim Uttley introduced the City's consulting planner, Dick Krier, and presented an overview of the staff report and recommendations to the Committee. Following the presentation, Chair Steffen asked if the terms "grandmother flats" and "mother-in-law apartments" meant the same thing, which staff confirmed were the same. Chair Steffen asked whether the Lafayette Club intended to expand the number of rental apartment units. Mr. Krier confirmed that was the Club's intention. Committee Member Broecker asked about the proposed park and ride site mentioned in the staff report. Mr. Krier responded that the City was recommending that the Council consider such a park and ride site to help reduce traffic on County Road 15 but that the Council has made no commitments to build a park and ride at the site the City is suggesting in its Update. The Committee voted unanimously to recommend that the Council adopt the attached Advisory Comments and Review Record, and proposed actions noted above.

#### Environment Committee

In response to a question from Council Member Leppik, staff explained that the land yet to be developed is represented by approximately ten individual residential lots that are scattered throughout the city. Motion to approve the City of the Village of Minnetonka Beach's Tier II Comprehensive Sewer Plan was made, seconded, and passed unanimously.

**C** Community Development Committee  
Meeting date: May 17, 2010

**E** Environment Committee  
Meeting date: May 11, 2010

**ADVISORY INFORMATION**

**Subject:** City of The Village of Minnetonka Beach *2008 Comprehensive Plan* Update, Review File No. 20641-1; 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 Plng. 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 The Village of Minnetonka Beach to put its 2008 Comprehensive Plan Update into effect without any plan modifications.
2. Adopt the advisory comments for transportation and transit as presented in those sections of the review record.
3. Advise the City of The Village of Minnetonka Beach to participate in the Council's Redevelopment Monitoring program.
4. Accept the revised forecasts as shown in Table 1 of this report.

**Recommendations of the Environment Committee:**

Approve the City of the Village of Minnetonka Beach's Tier II Comprehensive Sewer Plan.

## **ADVISORY COMMENTS**

### **City of the Village of Minnetonka Beach 2008 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan**

Review File No. 20641-1 - Council Business Item No. 2009-179

The following Advisory Comments are part of the Council action authorizing the City to implement its 2008 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 Metropolitan 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 The Village of Minnetonka Beach (City) is located in central Hennepin County, bounded by Orono. Figure 1 shows the general location of Minnetonka Beach and surrounding communities near the middle of Lake Minnetonka, and the City's *2030 Regional Development Framework* (RDF) designation, which identifies Minnetonka Beach 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 Minnetonka Beach 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 Metropolitan 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<br>(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   | No  |
| 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

The City requested and received a \$40,000 Comprehensive Plan Loan from the Council in early 2008 under a loan agreement No. L-2008-2. The zero-interest loan was repaid in January 2010.

## Known Support / Opposition

There is no known opposition.

# **REVIEW RECORD**

## **Review of the City of the Village of Minnetonka Beach 2008 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 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 Parks Policy Plan (RPPP)*. The Update acknowledges the Dakota Rail Regional Trail, which opened in 2009 and provides scenic views of Lake Minnetonka as it connects Wayzata, Orono, Minnetonka Beach, Spring Park, Mound, Minnetrista and St. Bonifacius.

#### **Transportation**

##### **Roads and Transit**

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

The Update is in conformance with the Council's *2004 Transportation Policy Plan (TPP)* and addresses all the applicable transportation and transit requirements of a comprehensive plan.

There are no principal arterials in the city of Minnetonka Beach. CSAH 15 is an "A" Minor Arterial (expander). It is expected that CSAH 15 will remain an A minor arterial in the future. "A" minor arterials are characterized as having a posted speed limit of 35-45 mph.

Minnetonka Beach lies within the Metropolitan Transit Taxing District and is in 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.

### Advisory Comment

The Update suggests that a park-ride site should be built on CSAH 51 at the Maxwell Bay parking facility; there are no plans to build a park and ride facility at this location.

### **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 recommended forecasts for population, households, and employment.

Current wastewater treatment services are provided to the City by the Council. Wastewater generated within the City is conveyed to and treated at the Metropolitan Council's Blue Lake Wastewater Treatment Plant located in Shakopee. The City's wastewater conveyance service is provided through Council Interceptor 6-OR-641. The City forecasts that it will have 240 sewered households and 110 sewered employees by 2030. The Metropolitan Disposal System with its scheduled improvements has or will have adequate capacity to serve the City's growth needs.

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.

Minnnetonka Beach has been identified as a community impacted by wet weather occurrences. The City is currently on the Council's list of communities having an I/I reduction goal. The City has committed to mitigate excessive I/I at levels at least equal to the Council's Surcharge amount. At the request from the City, and as allowed under the Council's I/I Program, the City's surcharge is currently capped at a level equal to 25% of their annual Municipal Wastewater Charge. Remaining portions of the City's annual surcharge is not eliminated but deferred to later years thus extending the time period in which the City has to achieve their I/I reduction goal. The City's I/I mitigation plan completion date is currently at December 31, 2022.

Each year the City submits a work plan to the MCES through the Regional I/I Mitigation Program. This work plan details specific projects the City will be undertaking to address I/I in the coming year; including televised inspection, repairs, and maintenance of the sanitary sewer system.

### **Tier II Comments**

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

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 approved 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 is in conformance with the WRMP for local surface water management. Minnetonka Beach lies within the Minnehaha Creek watershed. Minnehaha Creek Watershed District's latest watershed management plan was approved by the Board of Water and Soil Resources in 2007.

Minnetonka Beach prepared a local surface water management plan (LSWMP) as part of the Update that was reviewed by Council staff under separate cover. The LSWMP was revised and reviewed again by Council staff. The revised LSWMP was found to be generally consistent with Council policy and the WRMP.

## CONSISTENCY WITH COUNCIL POLICY

### Forecasts

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

The Update is consistent with Council's forecast expectations and consistent with regional policy.

The Update is based on revised forecasts, with growth constrained by limited land supply. For 2030, the City expects 655 population, 238 households, and 112 jobs at Minnetonka Beach worksites.

**Table 1 - Comparison of System Statement and City's Preferred Forecast**

	Census	Council	City	Council	City	Council	City
	2000	2010	2010	2020	2020	2030	2030
<b>Population</b>	614	<b>640</b>	<b>610</b>	<b>660</b>	<b>650</b>	<b>660</b>	<b>650</b>
<b>Households</b>	215	<b>240</b>	<b>230</b>	<b>240</b>	<b>230</b>	<b>240</b>	<b>240</b>
<b>Employment</b>	201	<b>210</b>	<b>110</b>	<b>210</b>	<b>110</b>	<b>210</b>	<b>110</b>

Note: Numbers above have been rounded to the nearest ten.

Council staff and City staff discussed forecast revisions in March 2008. Employment forecasts in the Council's System Statement appear to have been erroneous, counting worksites in a neighboring community. Council staff finds the forecast revisions to be reasonable and acceptable and they will be officially revised effective upon Council action on the Plan Update.

### 2030 Regional Development Framework and Land Use

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

The Update, with supplemental materials, is inconsistent with the *2030 Regional Development Framework* (RDF), which identifies 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 support developments that integrate land uses. In addition, Developed communities are expected to accommodate forecasted residential growth at densities of at least 5 units per acre in redevelopment areas.

The Update contains policies to maintain streets, trails, and pedestrian access as methods of connecting the community; to maintain existing neighborhoods; and to encourage infill and renovation of existing buildings in a manner that is compatible with existing neighborhoods.

The City is a peninsula in the center of Lake Minnetonka, with open water accounting for about 70% of the City's total area, leaving 295 acres of actual land (Table 2). Of this land area, approximately 55% is covered with single-family residential uses. The remaining

land area is comprised of the Lafayette Country Club and other parks and recreation uses. The Update has identified approximately 6 acres of vacant land available for single-family residential development.

**Table 2 - Existing Land Use**

Land Use Category	Acres	% of Total Land Area
Single Family Residential	163	55%
Multi-Family Residential	1	0.3%
Golf Course	46	16%
Commercial	0	0%
Industrial	0	0%
Parks & Recreation	35	12%
Vacant	6	2%
Public/Semi-Public (including ROW)	34	11%
Historic Preservation / Church	2	0.7%
Wetlands	8	2.7%
<b>Total Land Area</b>	<b>295</b>	
Water	686	
<b>TOTAL AREA</b>	<b>981</b>	

As a nearly fully developed community, the City is forecasted to accommodate limited residential growth during the planning horizon, with only an increase of ten (10) new households through 2030 on existing platted lots. As such, the land use guiding is intended to maintain existing neighborhoods and uses, with approximately 6 acres of land identified for additional Single-Family Residential development. That land is guided to be compatible with the existing development in the neighborhoods, with an allowable density of less than 1 unit per acre in the Large Lot Residential category and between 1 and 3 units per acre in the Residential category.

The Update indicates the City's ability to accommodate the forecasted at new households on the 6 available vacant acres, resulting in a density of 1.3 units per acre. This density is inconsistent with the Council's policy of 5 units per acre for infill and redevelopment in Developed communities. Given the sensitive nature of the lakeshore and the relatively few units forecasted for the community, the proposed density is unlikely to have a substantial impact on regional systems provided in the community.

Advisory Comment

As a Developed community, the City is advised to participate in the Council's activities to monitor redevelopment in Developed communities.

**Housing**

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

The Update's housing element fulfills the housing requirements of the MLPA. Minnetonka Beach is a community that does not have a numerical share of the regional need of affordable housing. The Update provides an assessment of the housing stock, and provides goals and policies the city will use to address its local housing needs. The Update describes the tools that the community will use to accomplish these goals including participating in programs through Hennepin County, Minnesota Housing and other agencies to address lifecycle and affordable housing needs. The city also participates in the Lake Minnetonka Area Cooperating Cities (LMACC) organization to address housing related needs of the Lake Minnetonka sub-region and common housing issues identified within individual communities.



**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. It indicates that there are no ISTS remaining in operation within the community. All residents and businesses in the City are connected to the local sanitary sewer system. Local system flow is directed by Metropolitan Interceptor to the Blue Lake WWTP in Shakopee for treatment and discharge to the Minnesota River.

**Water Supply**

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

The Update is complete and consistent with the WRMP. The Council encourages the city to continue to implement conservation programs in an effort to promote the efficient use of water to its customers.

**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 Update is silent on aggregate resources. The Update is silent on aggregate resources. Minnesota Geological Survey Information Circular 46 indicates that there are no viable aggregate resource deposits within the community.

**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 2008 Comprehensive Plan Update to adjacent local units of government, school districts, counties and special districts for comment in December 2008. Comments were received from Three Rivers Park District and the Minnehaha Creek Watershed District. 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 over 576 pages, which includes some duplication of earlier submittals. The materials received and examined for this review included:

- 2008 Comprehensive Plan Update Transmittal Form, 4 pages

- Minnetonka Beach 2008 Comprehensive Plan Update, 348 pages
- Minnetonka Beach Capital Improvement Program 2010-2014, 4 pages
- MOU between MCWD and City of Minnetonka Beach, 6/18/09 and related correspondence and ordinances, 30 pages
- Comment Letters from Three Rivers Park District, 4/16/09, 2 pages
- Land Management Chapter of City Code – Zoning, Subdivision & Platting, 119 pages
- List of Adjacent Governments and Special Districts sent the Plan for review, 1 page
- 2 new maps, 2 pages,
- Revised parts of the 2008 Comprehensive Plan Update, 65 pages

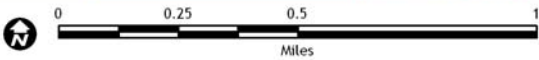
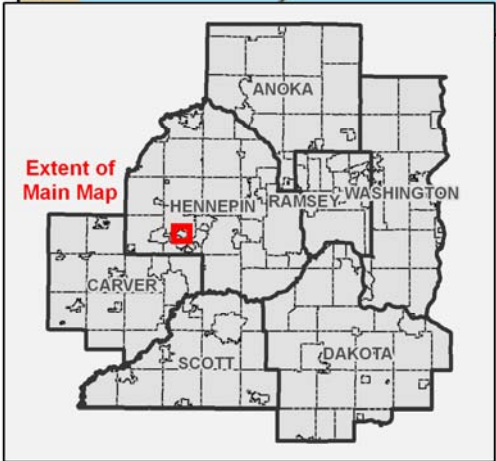
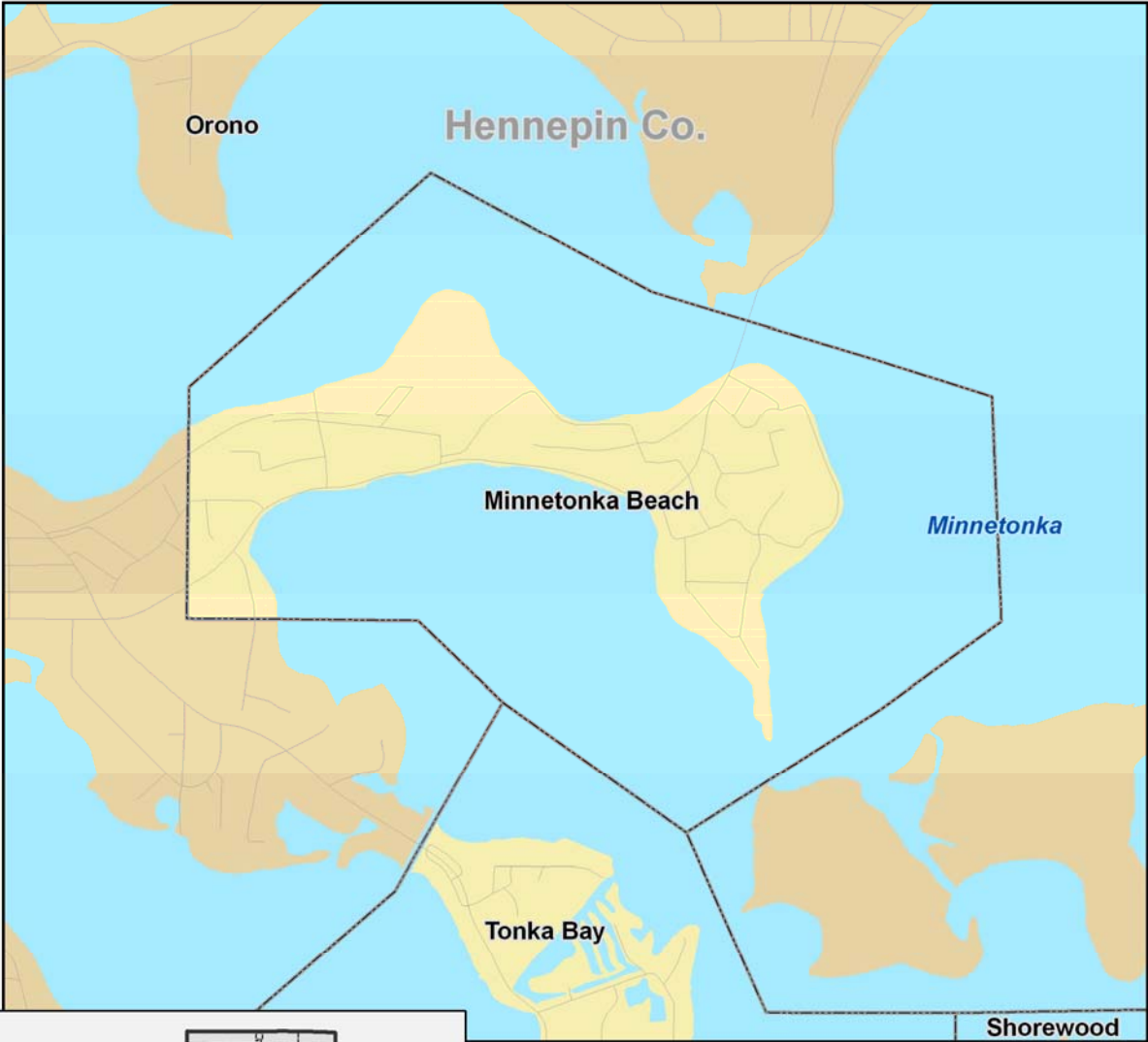
## **ATTACHMENTS**

Figure 1 - Location Map with 2030 Regional Development Framework Planning Areas

Figure 2 - Regional Systems

Figure 3 - Existing & Future Land Use Map

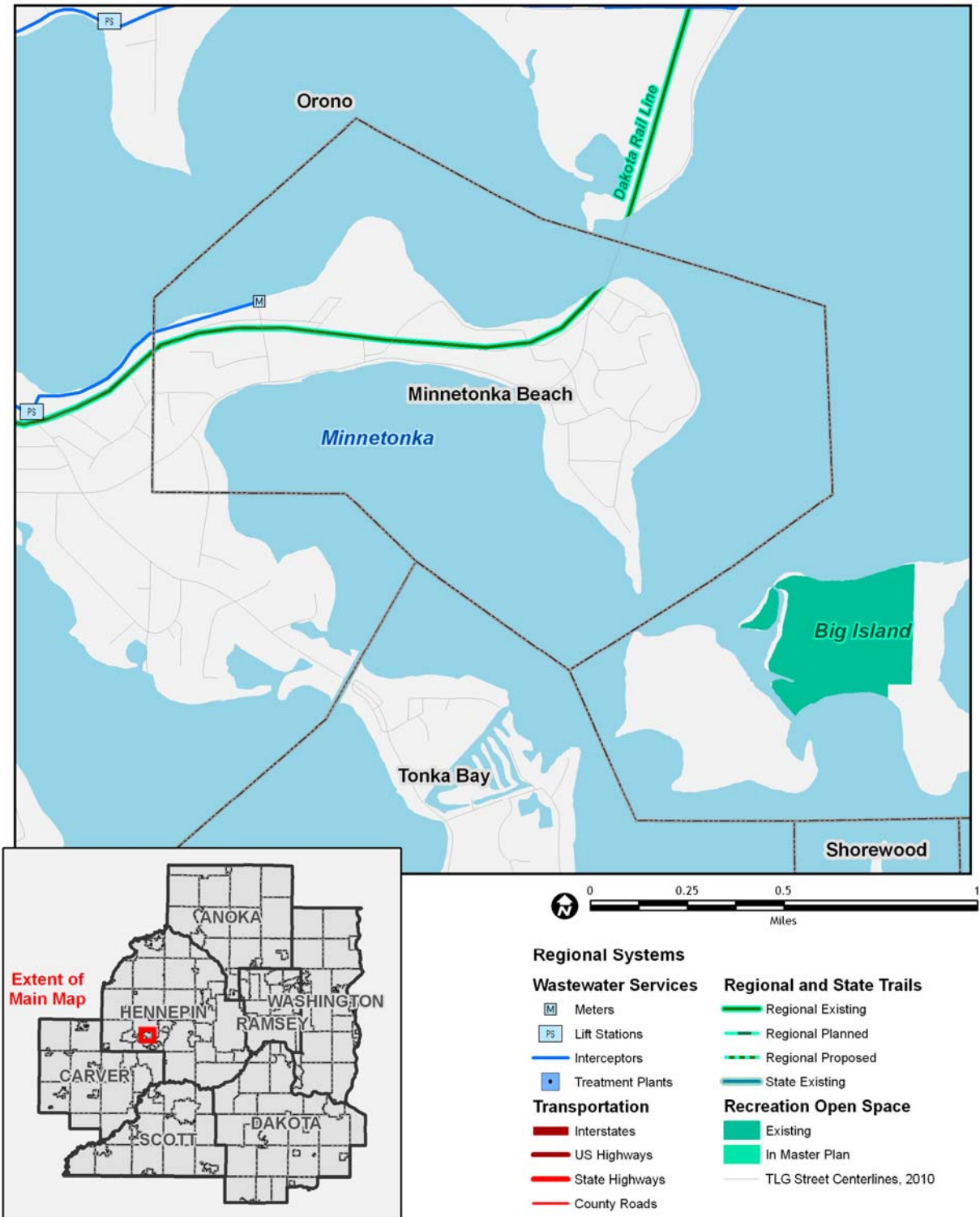
**Figure 1 - Location Map and 2030 Regional Development Framework Planning Area, City of Minnetonka Beach**



**Regional Framework Planning Areas**

- Agricultural Area
- Developed Area
- Developing Area
- Diversified Rural
- Non-Council Area
- Rural Center
- Rural Residential
- TLG Street Centerlines, 2010

Figure 2 - Regional Systems, City of Minnetonka Beach



**Figure 3 - Existing and Future Land Use, City of Minnetonka Beach**

