

C Community Development Committee
Meeting date: October 6, 2008

E Environment Committee
Meeting date: September 23, 2008

For the Metropolitan Council Meeting of October 22, 2008

ADVISORY INFORMATION

Subject: City of Chanhassen 2030 *Comprehensive Plan* Update
Review File No. 20265-1
Tier II Comprehensive Sewer Plan

District(s), Member(s): District 4, Councilmember Craig Peterson 651-602-1474

Policy/Legal Reference: Minnesota Statute Section 473.175

Staff Prepared/Presented: James P. Uttley, Principal Reviewer 651-602-1361
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 adopts the attached Review Record and takes the following actions from each committee:

Recommendations of the Community Development Committee

1. Authorize the City of Chanhassen to put its 2030 Comprehensive Plan Update into effect without any plan modifications;
2. Remind the City to submit a copy of the City Council Resolution adopting its Update to the Council for its records;
3. Remind the City that Minnesota Statutes 473.864 require it to formally adopt the Comprehensive Plan after the Council's final action and require the City to submit two copies of the adopted Plan to the Council in a timely manner; and,
4. Remind the City that it is required to submit any updated ordinances and controls intended to help implement the Plan to the Council upon adoption.
5. Encourage Chanhassen to participate in the zoning process for protection of Flying Cloud Airport operations and system role.
6. Advise the City to either include a reference to its Water Supply Plan (WSP) in Chapter 9 of the Update or include the WSP as an appendix to Chapter 9 in the Update.

Recommendations of the Environment Committee:

1. Approve the City's Tier II Comprehensive Sewer Plan;

Background

The City of Chanhassen (City) is located in northeastern Carver County, bounded by Chaska, Victoria, Shorewood, Minnetonka, Eden Prairie, Shakopee and Jackson Township. (See Figure 1)

The *2030 Regional Development Framework (RDF)*, as adopted by the Metropolitan Council (Council) in January 2004, identified Chanhassen as a “Developing” community. Figure 2 shows the designation and regional systems in Chanhassen and the surrounding area.

The City submitted its *2030 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 Systems Statement requirements.

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
(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 Chanhassen 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 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 Regional Parks Policy Plan (RPPP).

Transportation

Roads and Transit

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

The Update is in conformance with the Transportation Policy Plan and addresses all the applicable transportation and transit requirements of a comprehensive plan.

TH 212, a principal arterial, has recently been reconstructed as a four-lane freeway on approximately 12 miles of new alignment that runs southwest from Hennepin CSAH 4 (Eden Prairie Road) in Eden Prairie, where it connects to existing Highway 212. The highway runs through the cities of Eden Prairie, Chanhassen, Chaska, Carver and Dahlgren. TH 7, another principal arterial runs along a portion of the city's northern border. The transportation chapter includes an extensive analysis of existing and future transportation deficiencies and recommends improvements to the minor arterial, major and minor collector and local roadway networks.

Chanhassen lies 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. Regular route transit service is provided by Southwest Metro Transit. Dial-a-ride service is provided by Carver Area Rural Transit.

Aviation

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

The Update is in conformance with the Aviation System Plan and consistent with Council policy. The nearest metropolitan aviation facility to the City of Chanhassen is the Flying Cloud Airport (FCM) located in the City of Eden Prairie. Chanhassen is affected by the need to protect the region's general airspace from potential airspace hazards and recognize that certain surface waters are permitted seaplane use areas. Also, a portion of Chanhassen is within the FCM airport influence area (AIA) and is affected by specific airport zoning requirements. The City is not within the future noise contours for the expanded airport. The Update addresses the protection of the region's general airspace through use of the "Notification" process to FAA and MnDOT. The Update addresses the permitted use of seaplanes on Lakes Riley, Hazeltine and Minnewashta.

The federal record of decision (ROD) on the airport expansion FEIS has been recently approved by the FAA and the new airport development plan is now being implemented. In 2008, the Metropolitan Airports Commission (MAC) will be updating the FCM long-term comprehensive plan likely to 2030. There will be an effort to establish a joint airport/community zoning board for FCM that would include Chanhassen, Eden Prairie and possibly Shakopee and Bloomington along with the MAC. A primary objective of the board is to establish a local airport zoning ordinance to protect the airport environs primarily through height controls. In the case of Chanhassen it is critical that specific height controls are in place to protect the approaches to runways 10L and 10R. The instrument landing approach to runway 10R is system-critical to the function of FCM and operations in the southwest portion of the region. The City is encouraged to participate in the zoning process for protection of Flying Cloud Airport operations and system role.

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. The Update summarizes the City's vision to year 2030. The Update includes growth forecasts that are consistent with the Council's forecasts for population, households and employment.

Current regional wastewater treatment services are provided to the City by the Metropolitan Council Environmental Services. Wastewater generated within the City is conveyed to and treated at the Blue Lake Wastewater Treatment Plant located in Shakopee. The Update projects that the City will have 14,800 sewered households and 15,600 sewered employees by 2030. The Metropolitan Disposal System with its scheduled improvements has or will have adequate capacity to serve these needs.

The Update provides a sanitary flow projection for year 2030. This projection represents ultimate build-out of the City. The bases for the projections were given in the Update and were determined appropriate for planning for local services.

Chanhassen 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 equal to the Council's Surcharge amount. The City's I/I reduction plan includes investigative efforts for locating sources of excess I/I through system flow monitoring, sump pump inspections and disconnections and system inspection and rehabilitation. The City and the Environmental Services conducted a joint investigative study to examine potential sources of I/I entering the regional system. The findings of that joint study resulted in follow-up minor improvements to the regional disposal system including MH structure casting adjustments and joint sealing.

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 developing 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 Syvtek, ES – Water Resources Assessment (651-602-1156)

The City’s draft Storm Water Management Plan (SWMP) is consistent with the Council’s 2030 Water Resources Management Policy Plan. The City of Chanhassen is located in four watersheds: Lower Minnesota River Watershed District, Riley Purgatory Bluff Creek Watershed District, Minnehaha Creek Watershed District, and the Carver County Watershed Management Organization. The Metropolitan Council reviewed the City of Chanhassen’s Local Water Management Plan (LWMP) in May of 2006. All four watersheds approved the City’s LWMP in 2006 and the City adopted the final LWMP in August 2006.

The Metropolitan Council found the LWMP to provide an excellent framework for managing storm water in the City. The Council has no further comments on the LWMP element of the Comprehensive Plan Update.

CONSISTENCY WITH COUNCIL POLICY

Forecasts

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

The Update is consistent with Council’s forecasts and consistent with regional policy in this respect. In the Wastewater Chapter, the segmentation of sewer-serviced and “unsewered” forecasts is slightly different from Council’s System Statement (unsewered population and households in 2020, also 100 jobs at unsewered worksites in 2010 and 2020). Council staff can agree to the forecast in table 8.6.2 and reflect the change in Council’s forecasts set.

Table 1: Council Forecasts as Compared to the City’s Update

	2000		2010		2020		2030	
	Met Council	City	Met Council	City	Met Council	City	Met Council	City
Population	20,321	20,321	27,500	27,500	34,500	34,500	38,000	38,000
Households	6,914	6,914	10,200	10,200	12,800	12,800	14,800	14,800
Employment	9,350	9,350	13,000	13,000	15,200	15,200	15,600	15,600

2030 Regional Development Framework and Land Use

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

The Update is consistent with the 2030 Regional Development Framework’s (RDF), which designates Chanhassen “developing.” Council policy for developing communities calls for an average density of 3 to 5 plus units per net developable acre for areas within the MUSA serviced by the Metropolitan Disposal System. Chanhassen is a participant in the Council’s Plat Monitoring Program (PMP). According to the PMP, Chanhassen approved 45 subdivisions between 2000 and the end of 2007 adding 2,347 housing units at an average density of 5 units per net acre.

The Update is consistent with the Council’s land use guidelines for communities in the developing area. The Update indicates that the City proposes that its existing MUSA will be fully developed by 2030 with no vacant land remaining for development after that date. The City has 1,800 acres that are outside the MUSA at the present time

and it does not plan for urbanization of those lands before 2030. Densities throughout the planning period are proposed to remain above 4 units per net acre.

Housing

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

The Update is consistent with the Council's housing policy and meets the affordable housing planning requirements of the MLPA. The Update acknowledges the City's share of the region's affordable housing need of 1,166 affordable units for the 2011-2020 time period. The Update indicates that the City has an adequate supply of land available through 2020 for medium density (4-8 acres per unit) and high density residential (8-16 units per acre), as well as an additional 20 acres designated as mixed use residential (8-20 units per acre) that can be used to provide opportunities to meet the City's affordable housing need.

The Update provides the implementation tools and programs the City will use to promote opportunities to address its regional fair share housing need. The Update indicates the City will consider the use of Tax Increment Financing for affordable housing and is committed to continue working with the Carver County Community Development Agency and Minnesota Housing to pursue opportunities and resources to maintain housing affordability in the community and to accommodate additional new affordable units. Chanhassen is a participant in the LCA Local Housing Incentives Program.

Individual Sewage Treatment Systems (ISTS) Program

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

The Update is consistent with Council policy relative to ISTS. The Update indicates there are currently 415 ISTS operating in the City. Figure 3.4 in Appendix A identifies where the systems are in use in the City. The City's ISTS management program is consistent with Minnesota Pollution Control Agency and Council requirements and policies. The City has provided a copy of its current ISTS ordinance in Appendix I of the Update.

Water Supply

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

The City's water supply plan (WSP) is consistent with the policies of the Council's Water Resources Management Policy Plan. The Council commends the city on its recent effort to expand its water conservation programs in order to reduce the city's outdoor water use.

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 on page 3-4. The paragraph indicates that the City is addressing solar access protection via zoning codes.

Aggregate Resources Protection

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

The Council's Aggregate Resources Inventory does not identify the presence of any aggregate resource deposits of sufficient size to be viable for mining. The Update does identify a 36-acre site on the southern perimeter of the City that was historically utilized as a mineral extraction site. Interim use of the site as a shooting range has left it in need of environmental reclamation. The land use plan proposes high density residential for its future use. Chanhassen does not need to address the protection of these resources and the Update does not propose protection of the aggregate resources at this site.

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 October 2007. Chanhassen received responses from the Minnesota Pollution Control Agency, Three Rivers Park District, Scott County and Minnesota Department of Transportation and 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:

- City of Chanhassen *2030 Comprehensive Plan*;
- Copies of the 2nd generation Surface Water Management Plan of Chanhassen;
- 11 pages of the City Code related to solar access
- A letter from Chanhassen's Community Development Director Kate Aanenson to Phyllis Hanson responding to the Council's Informal Review letter of April 10, 2008;
- 13 pages of Article IV of the City Code related to ISTS; and,
- Comprehensive Plan Transmittal form
- Supplemental materials addressing completeness issues including existing land use map, 5 year CIP, and a partial rewrite of Chapter 7 Transportation.

ATTACHMENTS

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

Figure 1. Location Map Showing Regional Systems, City of Chanhassen and Surrounding Area

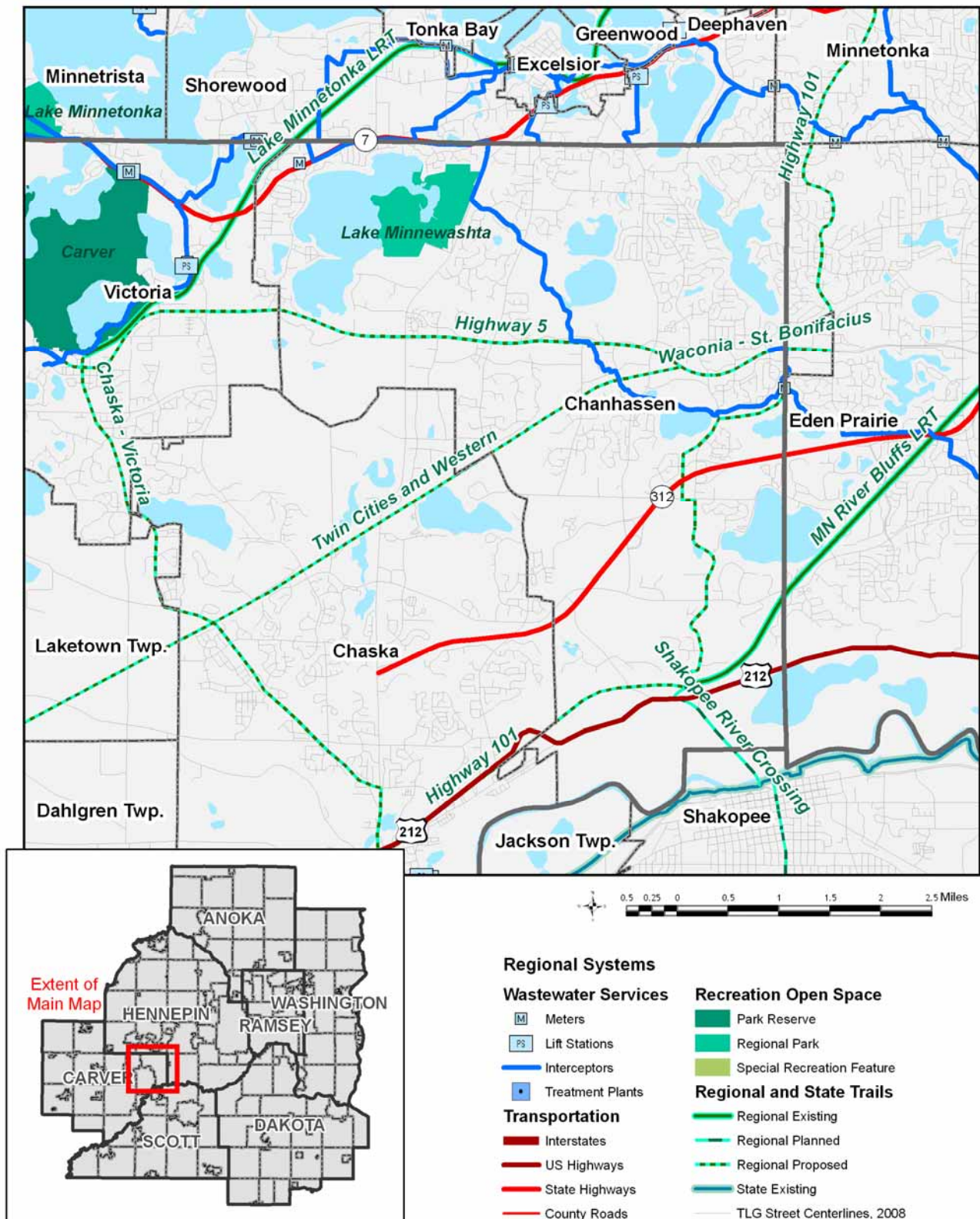
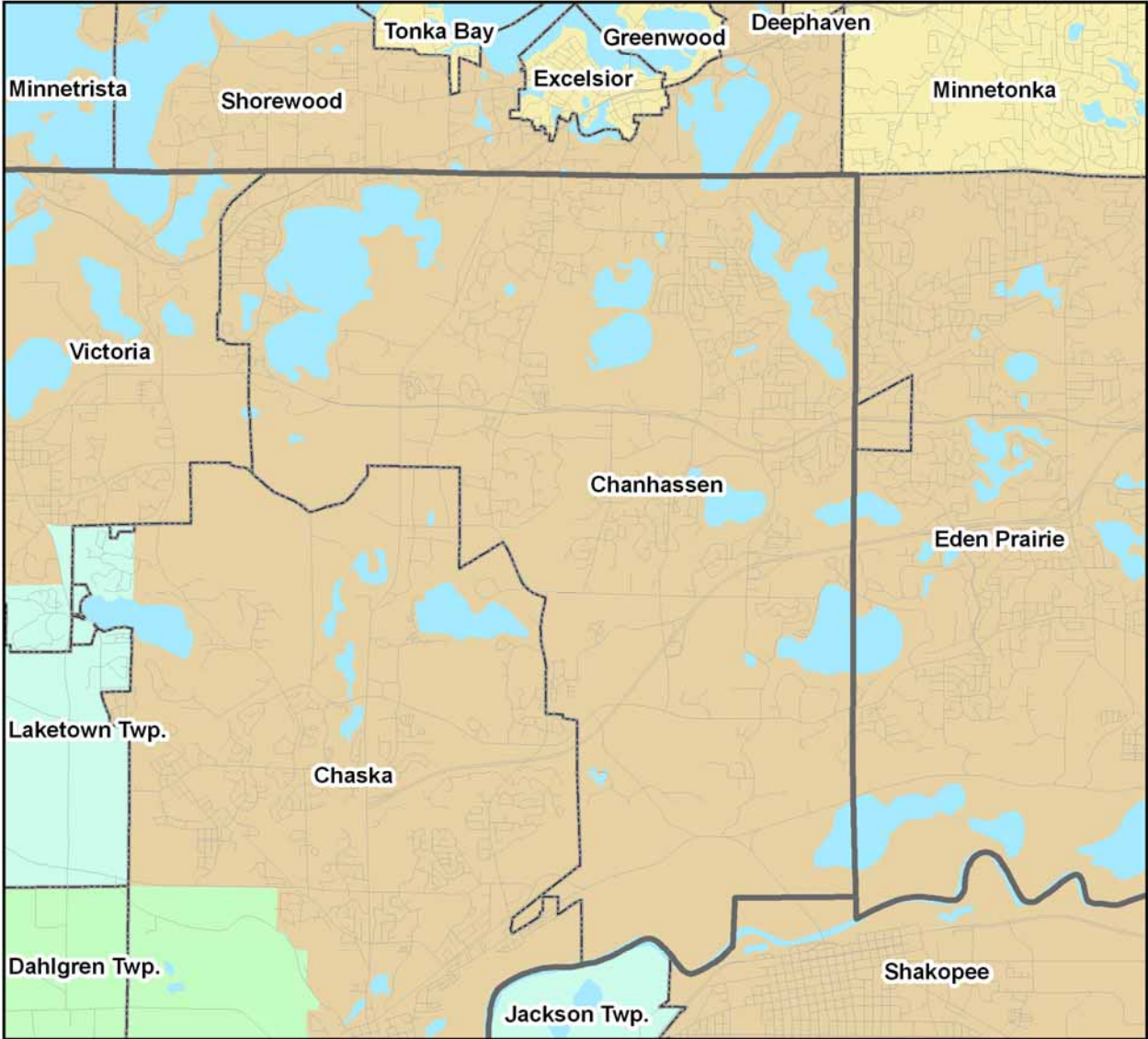


Figure 2. 2030 Regional Development Framework, City of Chanhassen



Regional Development Framework

2030 Framework Planning Areas

- Agricultural Area
- Developed Area
- Developing Area
- Diversified Rural
- Non-Council Area
- Rural Growth Center
- Rural Residential

Figure 3. Existing Land Use, City of Chanhassen

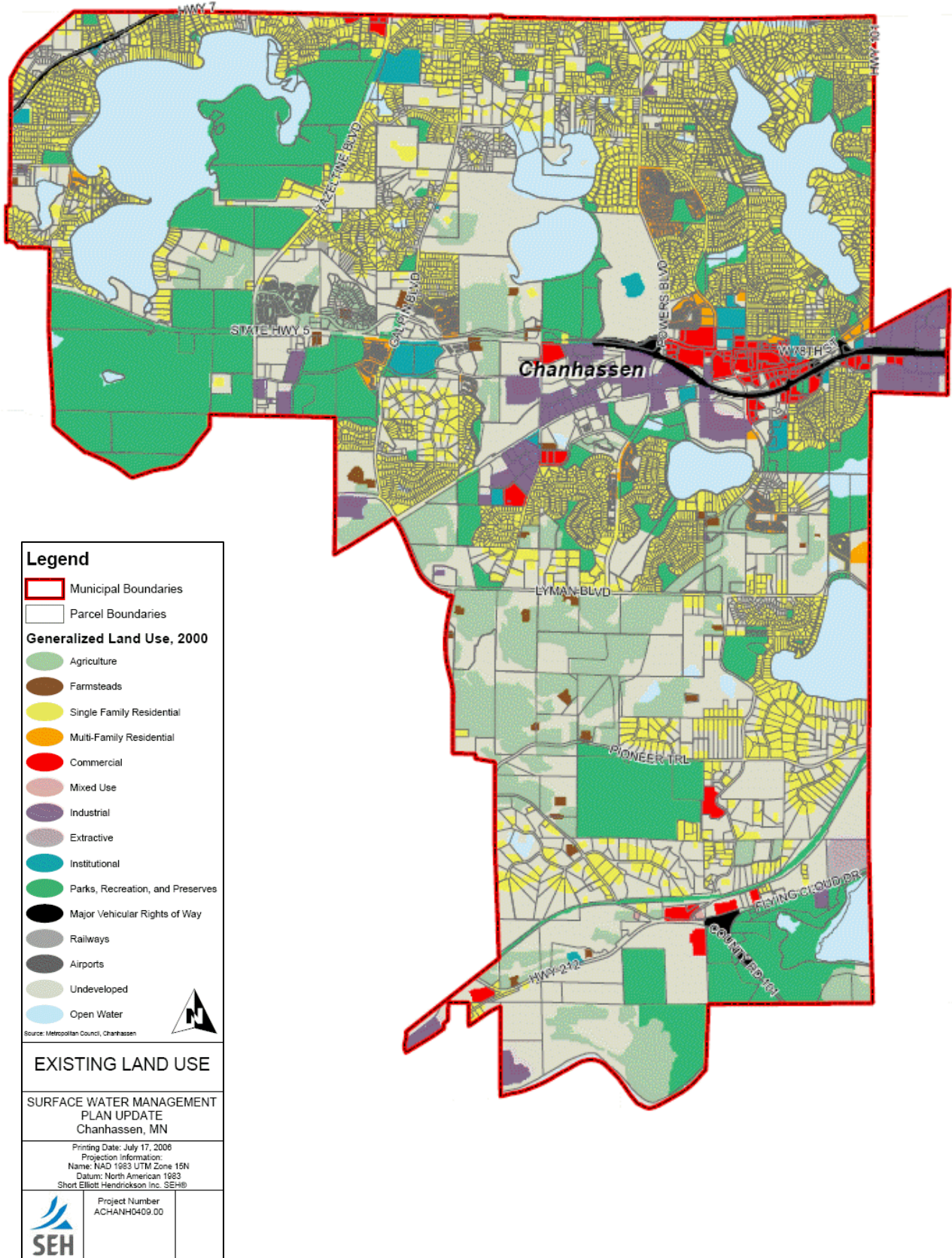


Figure 4. 2030 Land Use Plan, City of Chanhassen

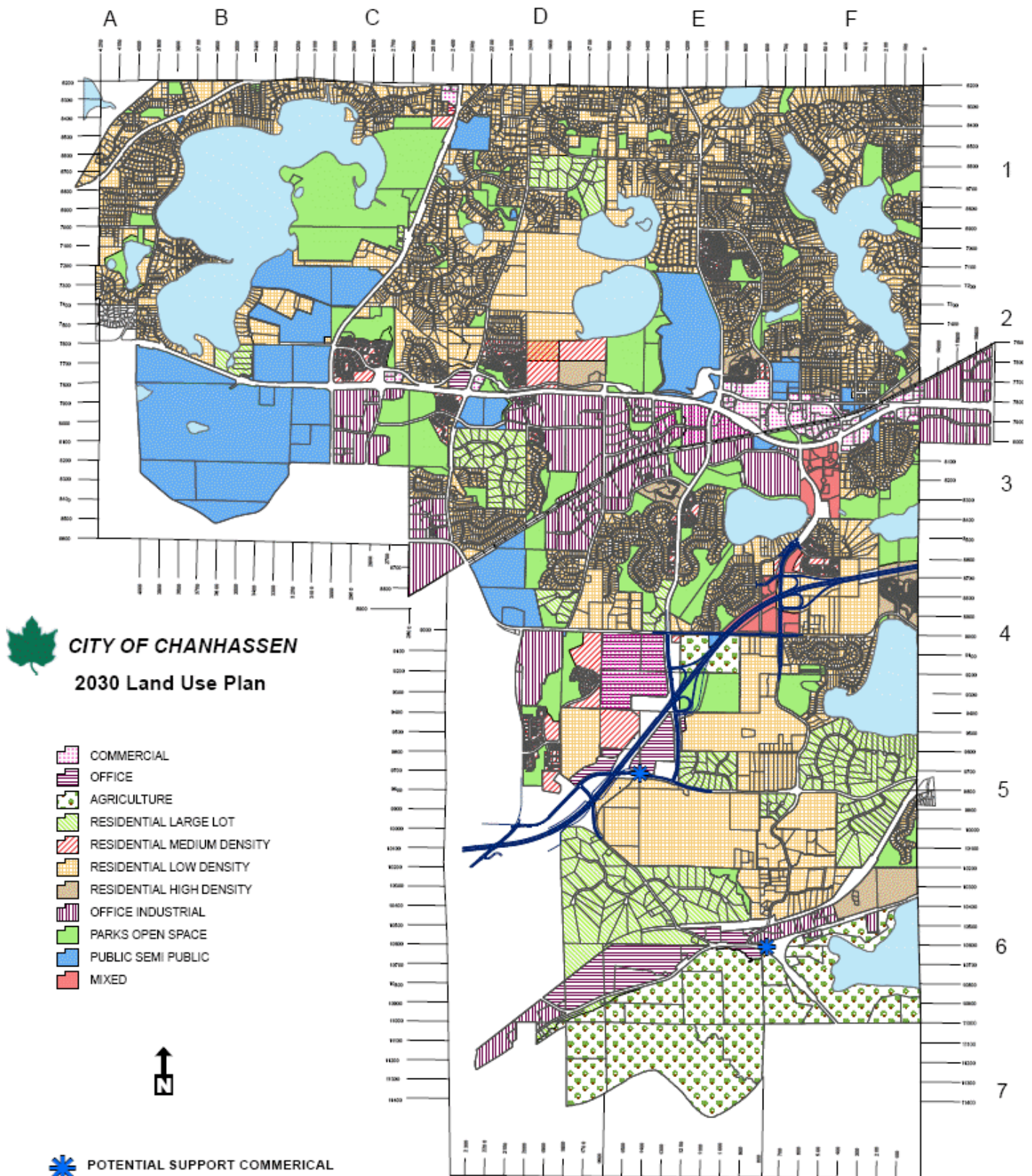


Table 2

LAND USE TABLE IN 5-YEAR STAGES

Existing and Planned Land Use Table (in acres)

Within Urban Service Area	Allowed Density Range		Existing (2000)	2010	2015	2020	2025	2030	Change 2000-2030
	Minimum	Maximum							
Residential Land Uses									
Low Density Residential (developed)	1.2	4	2,600	3,100	3,920	4,500	4,550	4,702	2,102
Low Density Residential (vacant)			2,102	1,602	782	202	152	-	
Medium Density Residential (developed)	4	8	155	300	320	350	375	400	245
Medium Density Residential (vacant)			245	100	80	50	25	-	
High Density Residential (developed)	8	16	55	112	140	180	195	218	163
High Density Residential (vacant)			163	106	78	38	23	-	
Mixed Use Primarily Residential* (developed)	8	20	30	40	45	50	50	50	20
Mixed Use Primarily Residential* (vacant)			20	10	5	-	-	-	
C/I Land Uses									
	Est. Employees/Acre								
Commercial (developed)	25		240	270	300	318	320	328	88
Commercial (vacant)			88	58	28	10	8	-	
Industrial (developed)	7		500	632	800	841	860	883	383
Industrial (vacant)			383	251	83	42	23	-	
Office (developed)	28		240	260	300	325	334	339	99
Office (vacant)			99	79	39	14	5	-	
Mixed Use Primarily C/I* (developed)	26		35	40	45	65	65	65	30
Mixed Use Primarily C/I* (vacant)			30	25	20	-	-	-	
Extractive									-
Public/Semi Public Land Uses									
Institutional			1,213	1,213	1,213	1,213	1,213	1,213	-
Parks and Recreation			417	430	438	457	457	457	40
Open Space			934	934	934	934	934	934	-
Roadway Rights of Way			1,237	1,237	1,237	1,237	1,237	1,237	-
Utility									-
Railroad									-
Airport									-
Subtotal Sewered			10,786	10,799	10,807	10,826	10,826	10,826	3,170
Outside Urban Service Area									
	Minimum lot size	Maximum lot size	Existing (2000)	2010	2015	2020	2025	2030	Change 2000-2030
Rural Residential 2.5 acres or less									-
Rural Residential 2.5 -10 acres	2.5	na	971	971	971	971	971	971	-
Rural Residential 10-40 acres									-
Agricultural 40+ acres			40	27	19	-	-	-	(40)
Agriculture land use			904	904	904	904	904	904	-
Subtotal Unsewered			1,915	1,902	1,894	1,875	1,875	1,875	(40)
Undeveloped									
Wetlands (within land use designations)	--	--	2,210	2,210	2,210	2,210	2,210	2,210	-
Open Water, Rivers and Streams	--	--	2,059	2,059	2,059	2,059	2,059	2,059	-
Total			14,760	14,760	14,760	14,760	14,760	14,760	3,130