# Community Development Committee

Meeting date: August 17, 2009

# Environment Committee

Meeting date: August 11, 2009

ADVISORY INFORMATION					
Subject:	City of Victoria 2030 Comprehensive Plan Update Review File No. 20594-1 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:	Jim Uttley, Principal Reviewer (651-602-1361)				
	Phyllis Hanson, Manager, Local Plng Assist. (651-602- 1566)				
	Kyle Colvin, Eng. Services Asst. Manager (651-602-1151)				
Division/Department:	Community Development / Planning and Growth Mgmt 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**

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

#### **Recommendations of the Environment Committee:**

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

# **ADVISORY COMMENTS**

#### City of Victoria 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20594-1 - Council Business Item No. 2009-275

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 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).
- 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).
- 4. The City needs to send the Council the dates the watersheds approve the Local Surface Water Management Plan (LSWMP), the date the City adopts the final LSMWP, and a copy of the final LSWMP.

#### **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 Victoria (City) is located in northeastern Carver County, bounded by Chanhassen, Chaska, Laketown Township in Carver County and Minnetrista and Shorewood in Hennepin County. Figure 1 shows the general location of Victoria and nearby communities, and the City's *2030 Regional Development Framework* (RDF) designation, which identifies Victoria as a "developing" community. Growth in the developing communities needs to be consistent with regional forecasts, at densities of 3 to 5 units per acre. Figure 2 shows existing and planned regional systems in Victoria 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	Yes
	(Wastewater Services and Surface Water Management)	

#### **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

The Council awarded Victoria a \$20,000 planning grant (SG2007-066) to help with the preparation of its plan. Fifty percent of the grant has been paid to date; the remainder awaits Council action on the Plan and City adoption of the plan following Council action.

# Known Support / Opposition

There is no known opposition.

# **REVIEW RECORD**

# Review of the City of Victoria 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 2030 Regional Parks Policy Plan (RPPP). The regional parks system facilities in Victoria include Carver Park Reserve, Lake Minnetonka LRT Regional Trail, the planned Southwest Connection Regional Trail and the proposed Highway 5 Regional Trail. The Update acknowledges these regional parks system elements and facilitates long term planning for Carver Park Reserve by guiding the future land use of inholding parcels as parks and open space.

#### Transportation

#### Roads and Transit

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

The Update is in conformance with the Transportation Policy Plan (TPP). Trunk Highway (TH) 7 is the only principal arterial highway located within the city of Victoria. There are no plans to expand this highway before 2030. The City's Update shows a number of extensions to its minor arterial and collector roadways to serve future growth.

Victoria is outside of the Metropolitan Transit Taxing District, and for this reason there is no regular route transit service existing in the City. Victoria 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 Comments

- Roadway Functional Classification: The Update includes both "Existing" (exhibit 16) and "Proposed" (exhibit 26) functional classification systems. The existing system contains several "Collector" roadways that are not included on the Transportation Advisory Board's (TAB) functional classification map. To add these collectors to the TAB map, the City needs to request their inclusion through TAB's Technical Advisory Committee (TAC) -Planning Committee. The proposed functional classification system contains several changes to the existing system. Approval of the City's comprehensive plan update does NOT imply acceptance of the proposed functional classification system. Changes to the City's existing functional classification system must be requested through the TAC-Planning Committee whenever the city is ready to make these modifications.
- Victoria is out outside of the Metropolitan Transit Taxing District.
- The discussion of CART needs to state the service is open to the general public.
- The discussion of "potential improved local bus routes in the City..." needs to note that while this service was not included in the 2030 TPP adopted in 2004, it is in the 2030 TPP adopted this year.

# 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.

# 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 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 interceptors 7019A, 7019B, 7020, and 9204. The Update projects that the City will have 10,200 sewered households and 5,100 sewered 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 5-year increments. The rationale, for the projections, is given in the Update and determined appropriate for planning for local services.

Victoria is not currently a community that has been identified as a community impacted by wet weather occurrences. The Update, however, does include an Inflow & Infiltration (I/I) reduction plan, which includes inspection and regular maintenance of the sanitary sewer system. The City has an ordinance that prohibits discharge of sump pumps into the sanitary sewer system.

# Tier II Comments

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

Council staff reviewed the Update's Tier II Sewer Element against the Council's requirements for Tier II Comprehensive Sewer Plans for developing/urban reserve communities, and found it complete and consistent with Council polices. 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 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 WRMPP for local surface water management. Victoria lies within the Minnehaha Creek and Carver County watersheds. The Minnehaha Creek Watershed District's latest watershed management plan was approved by the Board of Water and Soil Resources (BWSR) in 2007. The Carver County Watershed Management Organization's watershed plan was approved by BWSR in 2001. Victoria submitted a revised local surface water management plan (LSWMP) as part of the Update. The LSWMP was reviewed under separate cover.

The LSWMP was found to be consistent with Council policy and the Council's WRMPP. The LSWMP also provides an overall framework for the City to manage its water resources.

The City needs to send the Council dates the watersheds approve the LSWMP, the date the City adopts the final LSMWP, and a copy of the final LSWMP.

### CONSISTENCY WITH COUNCIL POLICY

#### Forecasts

Reviewer: Dennis Farmer, CD - Research, (651-602-1322)

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

	2010	2020	2030					
Households	4,000	7,200	10,200					
Population	10,700	19,600	28,000					
Employment	2,000	3,600	5,100					

#### Metropolitan Council forecasts for the City of Victoria

#### 2030 Regional Development Framework and Land Use

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

The Update includes an existing and future land use map, associated acreage and density tables, descriptions of each of the proposed future land use categories, and an analysis of the proposed areas of Update revisions.

Using the net acreages provided in Table 9 and the minimum density for each of the associated future land use categories, the changes to the Update meet the minimum required density of 3 units per net acre (see table below). The table below is similar to Table 9 in the City's Update.

The changes that have been made between the approved 2020 land use plan and the 2030 land use plan are consistent with the Council's land use density policy for a Developing community. Outside of the existing and planned MUSA area, the City's

land use guiding is consistent with the 1 unit per 10-acre density policy for Diversified Rural areas.

While the City's Update is consistent with regional density policy, the City has not been meeting the 3 units per acre net density with its approved developments. The Council's Plat Monitoring Program data for Victoria includes sanitary sewered residential plat data from 2003 to the most recent year 2007. During that period, the City approved 17 subdivisions of 944 units on 498.1 acres. These subdivision approvals have resulted in a net density of 1.9 units per acre, below the required 3 units per acre.

The Update references a 2004 CPA for the South Area Addendum, which includes a large area of land included in an orderly annexation agreement with Laketown Township. The Council approved the CPA and included as a condition that the "City continue to achieve overall residential densities of at least 3 units per developable acre, within the City's MUSA since the year 2000." The Plat Monitoring data shows that the City has not met this condition, with many of its subdivisions falling in the Low Density Residential future land use category (1.5 - 5.9 units per acre) and developed at densities on the low end and sometimes lower of that range.

The City's Low Density Residential category is the land use guiding that has been used most frequently since 2003. The City has been approving subdivisions consistent with the guiding (a few are less than 1.5 units per acre) and with the 2020 Comprehensive Plan (reviewed by the Council). Only 4 of the 17 subdivisions approved by the City from 2003-2007 were not guided Low Density Residential.

	Areas of Plan Revisions								
		De							
	Future Land			Net	Min	Max			
Area/Description	Use	Min	Max	Acres	Units	Units			
A - South of Marsh Lake	Low - Conserv	1.5	5.9	550	825	3245			
B1 - West of Business Park	Low - Single	1.5	5.9	152	228	897			
	Comm'l/High								
B2 - West of Business Park	Dens	16	24	83	1328	1992			
C - South of Marsh Lake Rd	Mixed Resident	3	11.9	168	504	1999			
D – North of Pierson &									
Marsh	Low - Single	1.5	5.9	95	143	561			
E - North of Arboretum	Mixed Resident	3	11.9	25	75	298			
F - South of 77th	Medium - Town	6	11.9	24	144	286			
G - South of 82nd	Low - Single	1.5	5.9	47	71	277			
H1 - East of East Auburn									
Lake	Parks – OS	0	0	6	0	0			
H2 - North of Steiger Lake	Downtown - C	11	22	15	165	330			
H3 - South of Steiger Lake	Downtown - C	11	22	2	22	44			
H4 - South of Arboretum	Downtown - C	11	22	8	88	176			
H5 - New CBD east of TH 5	Downtown - C	11	22	2	22	44			
I1 - West part of Area N of									
10	Mixed Resident	3	11.9	69	207	821			
12 - East part of Area N of									
10	Mixed Resident	3	11.9	54	162	643			
J - North of CR 43	Low - Single	1.5	5.9	14	21	83			
			TOTALS	1308	4004	11694.2			
	Overall Density 3.06 8.94								

#### Advisory Comments

The City is reminded that the Council's action on the 2004 CPA was based on the "City continue to achieve overall residential densities of at least 3 units per developable acre, within the City's MUSA since the year 2000." The City is advised that it is expected to meet the 3 units per acre average net density for new sewered development after 2000. If the Council's Plat Monitoring program does not find significant movement towards achieving that density in the future, the Council may take action to require the City to modify its Update so that it will average 3 units per acre net density between 2000 and 2030. The City is also advised that the Council is unlikely to allow future comprehensive plan amendments to be put into effect that propose net densities under 3 units per 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 Metropolitan Land Planning Act. The Update acknowledges the City's share of the region's affordable housing need for 2011-2020, which is 975 units. To provide opportunities to meet this need, the Update indicates that approximately 291 acres of land will be available for mixed residential development at 3-12 units per acre. In addition, the City has designated 57 acres for higher density residential redevelopment with a density range of 6-11 units per acre, which will allow for the development of over 500 units. The Update provides the implementation tools and programs the City will use to promote opportunities to address its share of the region's housing need.

The Update indicates the City is committed to continue working with the Carver County Community Development Agency (CDA) to address low- and moderateincome housing needs. The City has adopted a Land Trust Program as an incentive to developers proposing PUDs, which offers density bonuses and/or additional lots in return for deeding lots to the City. The City is currently accumulating buildable lots and is working with the Carver County CDA to set up a county-wide land trust. The Update also indicates the City will pursue opportunities with Minnesota Housing and other partners to maintain and advance housing affordability in the community and to accommodate additional new affordable units. Victoria is a participant in the Local Housing Incentives program of the Livable Communities Act.

#### Individual Sewage Treatment Systems (ISTS) Program

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

The Update is consistent with the WRMPP for ISTS. The Update indicates that there are 88 ISTS in operation in the City. Additionally, all properties currently in Laketown Township within the City's proposed annexation area are served by ISTS and will continue to be, until they are annexed into the City and further urbanized. The Update indicates that the City has delegated responsibility for monitoring & regulating the installation, operation, and maintenance of ISTS to Carver County. The County's ordinance and maintenance management program are consistent with MPCA Rules and Council policy requirements.

#### 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 WRMPP. The Council recommends the City 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 addresses Historic Preservation as required by the MLPA.

#### Solar Access Protection

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

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

#### Aggregate Resources Protection

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

The Update indicates, consistent with Minnesota Geological Survey Information Circular 46, that there are no known deposits of viable aggregate resources within the community.

#### PLAN IMPLEMENTATION

*Reviewer: Jim Uttley, CD – Local Planning Assistance, (651-602-1361)* 

The Update includes a description of:

٠	Capital Improvement Program	Yes
•	Zoning Code	Yes
•	Subdivision Code	Yes
•	ISTS Codes	Yes
٠	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 August 2008. Victoria received comments on the Update from Three Rivers Park District, MnDOT, Minnehaha Creek Watershed District, Carver County, Chanhassen, and Dahlgren Township. The City responded to all of the comments it received.

# DOCUMENTS SUBMITTED FOR REVIEW:

The submittal is over 1200 pages and includes the following:

- 2008 Comprehensive Plan Update Transmittal Form
- Copy of Council's Informal Review Letter
- Letter of May 28, 2009 Responding to Council's Informal Review Letter
- City Council Resolution
- Comments from Adjacent Communities & Special Districts & Victoria's responses
- Victoria 2030 Comprehensive Plan
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- o Special Resources
- Implementation

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- o Introduction
- o Implementation Policies
- o Implementation Plans and Programs
- Comprehensive Plan Programs
- o Supplemental Plans
- o Ordinances
- Capital Improvement Plan
- o Comprehensive Plan Amendments
- o Appendix
  - o Park Master Plan
  - Community Survey Tabulation
  - o Walkability Community Workshop Report
  - o 2008 CIP
  - o 2004 Comprehensive Plan Amendment
  - o Library Needs Assessment
  - Zoning Map
  - PUD Ordinance
  - Zoning Ordinance Review List
  - o Surface Water Management Plan
  - o Plan Comment Letters
- Cover letter dated June 24, 2009 conveying supplemental materials
- Victoria 2030 Comprehensive Plan with revisions to address incompleteness issues

#### **ATTACHMENTS**

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

# LAND USE TABLE IN 5-YEAR STAGES (in acres)

Within Urban Service Area		ensity Range Units/Acre	Existing -2000	2010	2015	2020	2025	2030	Change 2000-2030
	Minimum	Maximum							
Residential									
Low-Single Family Residential	1.5	5.9	2,931	(29)	(97)			152	1%
Low - Conservation PUD	1.5	5.9	-			550			
Mixed Residential - Detached & Attached	3	11.9	-	25	291				
Medium - Townhouses	6	11.9	126	19	(69)				-40%
High - Apartments	16	24	7	(6)					-87%
Commercial/High Density Residential*	3	11.9	121					83	69%
C/I Land Uses	Est. Empl	oyees/Acre							
Downtown Commercial	12 emp/acre &	11-22 units/acre	46	28					61%
Light Industrial	12 emplo	yees/acre	24	(10)					-41%
Business Park/Corporate Campus*	20 emplo	yees/acre	184						0%
Public/Semi Public Land Uses									
Public and Semi Public			311	(17)	(95)				-36%
Parks and Open Space (All)			5,993	61		1			1%
Right of Way			251						0%
Subtotal Sewered			9,994	71	30	551	-	235	10,881
Outside Urban Service Area	Minimum lot size	Maximum lot size	Existing -2000	2010	2015	2020	2025	2030	Change 2000-2030
Conservation	5 acres	10 acres	82		(30)	(52)			-100%
Very Low - Rural Residential	10 acres	40 acres	203					(57)	-28%
Agricultural 40+ acres	40 acres	40 acres +	4,218	(71)		(499)		(178)	-18%
Subtotal Unsewered			4,503	(71)	(30)	(551)	-	(235)	3,616
Undeveloped									
Water			2,598						0%
Total			17,095	-	-	-	-	-	

1) Existing - 2000 Column uses the City's Ultimate Boundary and areas shown refer to the 2020 land use plan.

2) Staging Area 2010 has no land use designation changes but this column refers to the land uses changes within the existing City boundaries (refer to Table 9).

3) Staging Areas 2015 - 2030 refer to land use changes within the staging areas shown on Exhibit 5.

4) Change 2000 - 2030 Column refers to the percentage of change in land use from the years 2000 to 2030.

5) Information from Table 9 and Exhibits 2, 3, 4, and 5 were used to complete this information.

6) For Mixed Use categories the estimated minimum and maximum housing density ranges are as shown and acres/percentage of residential use are to be determined as development occurs.

# Figure 1. Location Map with 2030 Regional Development Framework Planning Areas, City of Victoria







# Figure 3. Existing Land Use, City of Victoria







# Figure 5. Staging Plan, City of Victoria