

## Community Development Committee

Meeting date: August 5, 2019

For the Metropolitan Council meeting of August 14, 2019

**Subject:** City of New Trier 2040 Comprehensive Plan, Review File 22178-1

**District(s), Member(s):** District 16, Wendy Wulff

**Policy/Legal Reference:** Metropolitan Land Planning Act (Minn. Stat. § 473.175)

**Staff Prepared/Presented:** Patrick Boylan, AICP, (651-602-1438)  
Angela R. Torres, AICP Local Planning Assistance Manager (651-602-1566)

**Division/Department:** Community Development / Regional Planning

### Proposed Action

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

### Recommendations of the Community Development Committee

1. Authorize the City of New Trier to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Transportation, Surface Water Management, and Local Water Management Plan.

## *Advisory Comments*

The following Advisory Comments are part of the Council action authorizing the City of New Trier to implement its 2040 Comprehensive Plan (Plan).

### **Community Development Committee**

1. As stated in the *Local Planning Handbook*, the City must take the following steps:
  - a. Adopt the Plan in final form after considering the Council's review recommendations as contained in the body of this report.
  - b. Submit one hard copy and one electronic copy of the Plan to the Council. The electronic copy must be submitted as one unified file.
  - c. Submit to the Council a copy of the City resolution evidencing final adoption of the Plan.
2. The *Local Planning 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 to the Plan, local governments should incorporate those recommended changes into the Plan or respond to the Council before "final adoption" of the comprehensive plan by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3)
3. Local governments must adopt official controls as identified in their 2040 comprehensive plans and must submit copies of the official controls to the Council within 30 days after the 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. Stats. §§ 473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within 9 months following amendments to comprehensive plans (Minn. Stat. § 473.865, subd. 3).

## Background

The City of New Trier is in Dakota County and completely surrounded by Hampton Township.

The City submitted its 2040 Comprehensive Plan (Plan) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stats. §§ 473.851 to 473.871) and the Council's 2015 System Statement requirements.

## Review Authority & Rationale

Minn. Stat. § 473.175 directs the Metropolitan Council to review a local government's comprehensive plan and provide a written statement to the local government regarding the Plan's:

- **Conformance** with metropolitan system plans
- **Consistency** with the adopted plans and policies of the Council
- **Compatibility** with the plans of adjacent governmental units and plans of affected special districts and school districts

By resolution, the Council may require a local government to modify its comprehensive plan if the Council determines 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).

The attached Review Record details the Council's assessment of the Plan's conformance, consistency, and compatibility, and is summarized below.

Review Standard	Review Area	Plan Status
Conformance	Regional system plan for Parks	Conforms
Conformance	Regional system plan for Transportation, including Aviation	Conforms
Conformance	Water Resources (Wastewater Services and Surface Water Management)	Conforms
Consistency with Council Policy	<i>Thrive MSP 2040</i> and Land Use	Consistent
Consistency with Council Policy	Forecasts	Consistent
Consistency with Council Policy	<i>2040 Housing Policy Plan</i>	Consistent
Consistency with Council Policy	Water Supply	Consistent
Consistency with Council Policy	Community and Subsurface Sewage Treatment Systems (SSTS)	Consistent
Compatibility	Compatible with the plans of adjacent and affected governmental districts	Compatible

## Thrive Lens Analysis

The proposed 2040 comprehensive plan is reviewed against the land use policies in *Thrive MSP 2040*. To achieve the outcomes identified in Thrive, the metropolitan development guide defines the Land Use Policy for the region and includes strategies for local governments and the Council to implement. These policies and strategies are interrelated and, taken together, serve to achieve the outcomes identified in Thrive.

## Funding

The Metropolitan Council awarded the City a Planning Assistance Grant of \$10,000 to complete its 2040 comprehensive plan. The first half of this grant was paid to initiate the local planning process. The second half of the grant will be paid after Council authorization of the City's plan, local adoption, and the City's submittal of final reporting requirements.

## Known Support / Opposition

There is no known local opposition to the 2040 comprehensive plan.

# REVIEW RECORD

## City of New Trier 2040 Comprehensive Plan

### Review File No. 22178-1, Business Item No. 2019-217

The following Review Record documents how the proposed Plan meets the requirements of the Metropolitan Land Planning Act and conforms to regional system plans, is consistent with regional policies, and is compatible with the plans of adjacent and affected jurisdictions.

### Conformance with Regional Systems

The Council reviews plans to determine conformance with metropolitan system plans. The Council has reviewed the City's Plan and finds that it conforms to the Council's regional system plans for Regional Parks, Transportation (including Aviation), and Water Resources.

#### *Regional Parks and Trails*

*Reviewer: Colin Kelly, AICP, Community Development (CD) – Regional Parks (651-602-1361)*

The Plan conforms to the *2040 Regional Parks Policy Plan* for the Regional Parks System element. Dakota County would be the Park implementing agency for Regional Parks System components in the City of New Trier, however there are no Regional Parks System components in the City. There are no state or federal recreation lands in the City either.

#### *Regional Transportation, Transit, and Aviation*

*Reviewer: Russ Owen, Metropolitan Transportation Services (MTS) (651-602-1724)*

The Plan conforms to the *2040 Transportation Policy Plan (TPP)* adopted in 2015. It accurately reflects transportation system components of the TPP as well as applicable land use policies for regional transitways. The Plan is also consistent with Council policies regarding community roles, the needs of non-automobile transportation, access to job concentrations, and the needs of freight.

### Roadways

The Plan conforms to the Highways system element of the TPP. The Plan accurately accounts for the metropolitan highway system of principal arterials, there are no principal arterials in New Trier.

The Plan accurately reflects the regional functional classification map of A-minor arterials, MN Hwy 50, and has delineated major and minor collectors.

The Plan identifies all the required characteristics of the City's roadways, including existing and future functional class, right-of-way preservation needs, and existing and forecasted traffic volumes for principal and A-minor arterials. Forecasting was done consistent with regional methodology. The Plan also includes guidelines on how access will be managed for principal and A-minor arterials.

The Plan identifies roadway and corridor studies that include recommendations regarding alignments, changes in access, and/or changes in land use. They include the Dakota County Principal Arterial Study, which is studying potential highways in Dakota County for designation as future principal arterials.

### Transit

The Plan conforms to the Transit system element of the TPP. It shows the location of existing transit routes and facilities and acknowledges the City is within Transit Market Area V.

The Plan conforms to the Transit system element of the TPP. The Plan acknowledges that the City is not within the Transit Capital Levy District and that the only transit services provided in this type of community are Transit Link dial-a-ride service and various ridesharing services.

### *Advisory Comment*

Staff recommends changing the language on page 48 from “Transit Taxing District” to “Transit Capital Levy District.”

### **Aviation**

The Plan conforms to Aviation system element of the TPP. The Plan includes policies that protect regional airspace from obstructions.

### **Bicycling and Walking**

The Plan is consistent with the Bicycling and Pedestrian chapter of the TPP. There are no existing bicycle routes and no future routes are planned.

### **Freight**

The Plan is consistent with Freight policies of the TPP. There are no freight terminals or industrial parks generating freight in the City.

### **Transportation Analysis Zones (TAZs)**

The Plan conforms to the TPP regarding TAZ allocations. The City’s TAZ allocations for employment, households, and population appropriately sum to the Council’s citywide forecast totals for all forecast years.

### *Water Resources*

#### **Wastewater Service**

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

The Plan conforms to the 2040 Water Resources Policy Plan (WRPP). The Plan represents the City’s guide for future growth and development through the year 2040. The City is entirely provided wastewater service through the use of Subsurface Sewage Treatment Systems or SSTS’. The Plan indicates continued wastewater services will be provided through the use of SSTS’ through 2040.

The Plan does not propose nor anticipates requesting connection to the Regional Wastewater Disposal system within the 20-year planning period; therefore, the City is not required to submit for approval of a Comprehensive Sanitary Sewer Plan.

The Council does not have plans to provide wastewater services to the City within the 2040 planning period.

#### **Surface Water Management**

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

The Plan is consistent with Council policy requirements and in conformance with the Council’s 2040 WRPP for local surface water management. The Plan satisfies the requirements for 2040 comprehensive plans. New Trier lies within the oversight boundaries of the North Cannon River Watershed Management Organization (Watershed). New Trier is part of the Dakota County Rural Collaborative (DCRC) that has prepared a joint Plan that incorporates a Local Water Management Plan (LWMP) element. The DCRC submitted a draft LWMP to the Council in conjunction with its Preliminary Plan on July 2, 2018. Council Water Resources staff reviewed and commented on the draft LWMP to the DCRC and Watershed in a letter dated August 13, 2018.

The City has identified no existing or potential future water resource-related problems in its LWMP or Capital Improvement Program (CIP) that it intends to address in the ensuing 10-year planning period.

The City has adopted the North Cannon River Watershed Management Organization watershed plan by reference and provided assurance that it will work with the Watershed in the future to implement projects within City boundaries. It will likely be incumbent upon the Watershed to identify the existence of any water resource problems in the City; as well as plan, design, and implement any projects to resolve future water resource problems. The Council encourages the Watershed to reach out to and involve the City when it moves new projects forward to resolve water resources issues that may share either their source or resolution area within City boundaries.

**Advisory Comments**

The final Plan, which will include a revised LWMP element for City, will need to be sent to the Watershed for a second review so that they can approve the LWMP element.

When available, we request that the City provide to the Council the date the Watershed approves the final LWMP, and the date the City adopts the final LWMP. We also request that the City provide the Council with a copy of the final adopted LWMP that will be included in the final Plan document that the City adopts, if it differs from the version in the Plan submitted to the Council on December 31, 2018.

**Consistency with Council Policies**

The Council reviews plans to evaluate their apparent consistency with the adopted plans of the Council. Council staff have reviewed the City’s Plan and find that it is consistent with the Council’s policies, as detailed below.

**Forecasts**

*Reviewer: Paul Hanson, CD – Research (651-602-1642)*

The Plan includes the Council forecasts for the City. The Council forecasts are as follows in Table 1 below. All forecasts tables throughout the Plan are consistent and with little anticipated growth, the City appears to have enough land guided to accommodate future household growth.

The current Employment estimate (2017) suggest that the City has exceeded the 2020 Forecasts. The City may wish to consider a formal Forecast Change request to increase Employment to represent future conditions potentially better.

**Table 1 City of New Trier Forecasts**

	Census 2010	Estimated 2017	Council Forecasts		
			2020	2030	2040
<b>Population</b>	112	113	130	120	120
<b>Households</b>	41	41	50	50	50
<b>Employment</b>	35	87	50	60	60

**Thrive MSP 2040 and Land Use**

*Reviewer: Patrick Boylan, CD – Local Planning Assistance (651-602-1438)*

The Plan is consistent with *Thrive MSP 2040* and its land use policies. The Plan acknowledges the *Thrive* community designation of Diversified Rural. Thrive expects Diversified Residential communities to plan for forecasted population and household growth at average densities of 4 units in 40 acres for new development. Thrive also directs these communities to preserve areas where post-2040 growth can be provided with cost-effective and efficient urban infrastructure. Furthermore, Thrive directs these communities to manage land uses to prevent the premature demand for extension of urban services, and so that existing service levels (such as on-site wastewater management, gravel, and other local roads) will meet service needs.

The City’s existing land uses are predominately agricultural (65%), Residential (23.6%), Institutional (9.6%) and Commercial (2%) (Figure 3).

The City has planned for and is programming local infrastructure needs to implement their Plan. The regional forecast growth is relatively flat with an expected zero households to the year 2040, and the Council expects the population to drop by 10 people by the year 2040 (Table 1 above). The division of expected land to develop as residential through 2040 is anticipated to be developed on existing vacant land and splits of existing farmsteads.

The Plan indicates that development will largely occur in existing vacant parcels in the Single-Family Residential land use district and that remaining units will be accommodated on available lots in the Agricultural zoning district. However, the Council projects a zero increase of households between 2020 and 2040.

## **Housing**

*Reviewer: Hilary Lovelace, CD – Housing (651-602-1555)*

The Plan is consistent with the *2040 Housing Policy Plan*. The City currently has 42 homes including 6 multifamily units and nearly 36 single-family homes. Roughly 8 homes are rented. The City has 39 housing units that are currently affordable to households earning under 80% of Area Median Income (AMI), however, 13 households earning 80% of AMI or below are paying more than 30% of their income toward housing costs. Notably, most cost-burdened households are earning between 51 and 80% AMI and are owned rather than rented. The Plan identifies existing housing needs including multi-generational community living for all income levels, maintaining existing housing units, and housing affordability. The City does not currently have any publicly subsidized housing.

The City does not have an allocation of affordable housing need in the 2021-2030 decade, as it will not experience any sewer-serviced growth.

The housing implementation plan component of the Plan describes that the City will consider developing an ordinance that permits accessory dwelling units. The City states that they will partner with Dakota County CDA and Minnesota Housing and rely on them to provide referrals to housing programs as the City does not have staff or a website.

## **Water Supply**

*Reviewer: Lanya Ross, ES – Water Supply Planning, 651-602-1803*

The Plan is generally consistent with WRPP policies related to water supply, including the policy on sustainable water supplies, the policy on assessing and protecting regional water resources, and the policy on water conservation and reuse.

## **Advisory Comment**

If changes are made to this water supply plan resulting from DNR's review of the plan or from changes during the full comprehensive plan update review process the City will need to provide the Council and DNR with the updated information.

## **Community and Subsurface Sewage Treatment Systems (SSTS)**

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

Plan indicates that the entire community of 40 to 50 residences and businesses is served by SSTS. Dakota County has authority for permitting, inspections, and tracking of maintenance management records for the City. The City, as a member of the DCRC, has adopted Dakota County SSTS Ordinance #113, which is consistent with Minnesota Pollution Control Agency Chapter 7080-7083 Rules and Council 2040 Water Resources Policy Plan requirements.

## **Special Resource Protection**

### **Solar Access Protection**

*Reviewer: Cameran Bailey, CD – Local Planning Assistance (651-602-1212)*

The Plan is consistent with statutory requirements (Minn. Stat. 473.859) and Council policy regarding planning for the protection and development of access to direct sunlight for solar energy systems as required by the Metropolitan Land Planning Act (MLPA). The Plan includes the four required solar planning elements.

### **Aggregate Resource Protection**

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

The Plan indicates, consistent with the Council's aggregate resources inventory information contained in Minnesota Geological Survey Information Circular 46, that there are no viable aggregate resource deposits available for mining within the community.

### **Historic Preservation**

*Reviewer: Patrick Boylan, CD – Local Planning Assistance (651-602-1438)*

The City will promote the preservation of St. Mary's Church and the Plan states that the City will work to indemnify and protect historically significant buildings or sites. The City will also adopt historic preservation measures into its local ordinance in order to further protect these historic structures.

As such, the Plan specifically calls out St. Mary's Church, which overlooks the City. The Beaux Arts style church was built in 1909. The Plan notes an interesting historical fact that the building was designed by architect George J. Ries and that Mr. Ries served as apprentice architect in Bavaria before emigrating to St. Paul in 1881. The Church of St. Mary is identified in the National Historic Register.

### **Plan Implementation**

*Reviewer: Patrick Boylan, CD – Local Planning Assistance (651-602-1438)*

The Plan includes a description of and schedule for any necessary changes to the capital improvement program, the zoning code, the subdivision code, and the SSTS code program.

The Plan, with supplemental materials, describes the official controls and fiscal devices that the City will employ to implement the Plan. Specific implementation strategies are contained in individual chapters of the Plan, with capital improvements planning detailed in the appendix.

### **Compatibility with Plans of Adjacent Governmental Units and Plans of Affected Special Districts and School Districts**

The proposed Plan is compatible with the plans of affected jurisdictions. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were identified.

### **Documents Submitted for Review**

In response to the 2015 System Statement, the City submitted the following documents for review:

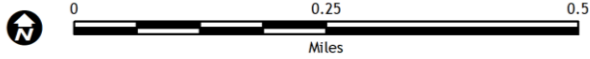
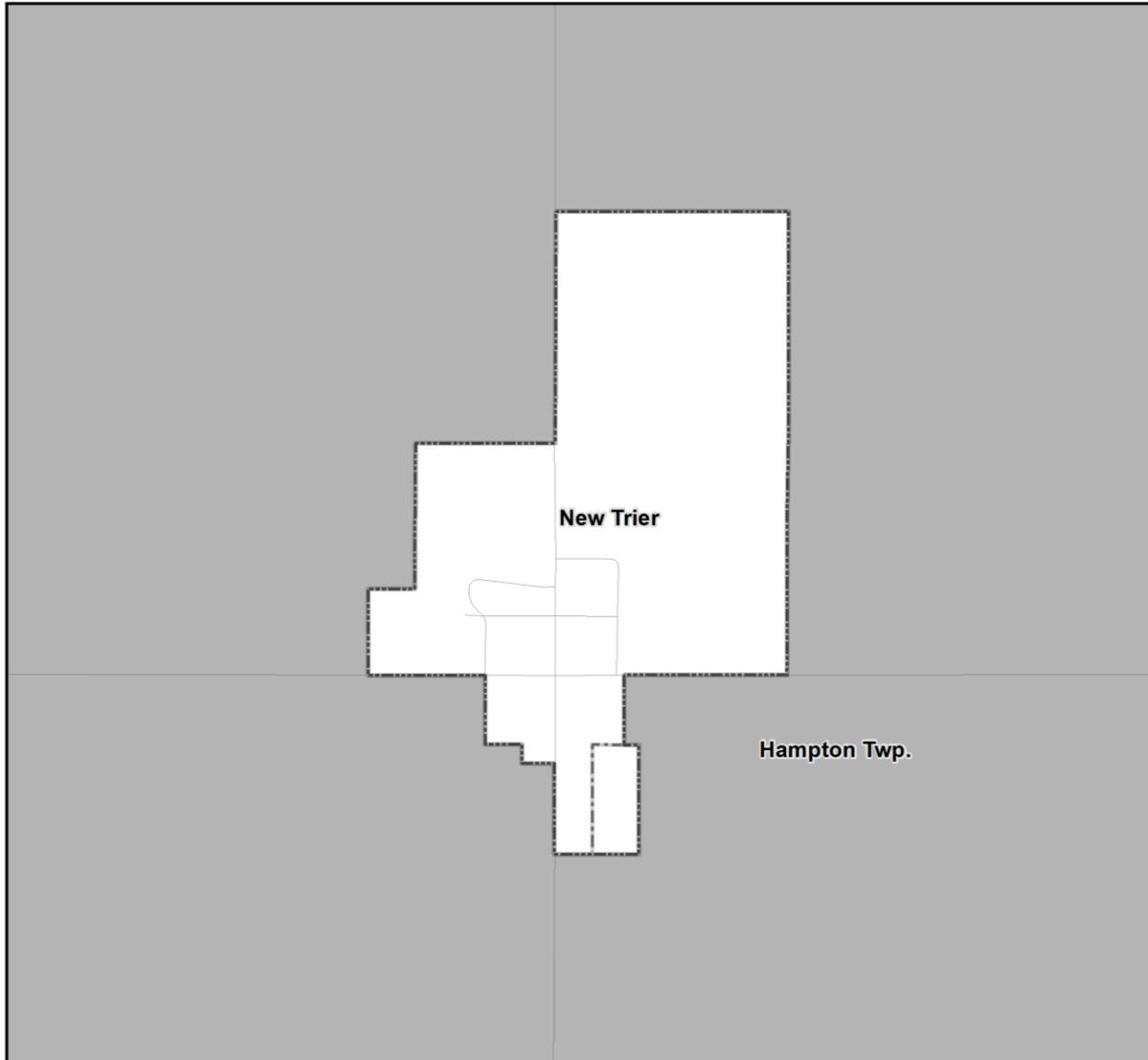
- July 2, 2018: New Trier 2040 Preliminary Plan
- December 31, 2018: New Trier 2040 Comprehensive Plan
- March 11, 2019: Revisions to housing and transportation sections
- April 29, 2019: Revisions to the transportation plan
- July 24, 2019: Revisions to the water supply plan

### **Attachments**

- Figure 1: New Trier Location Map with Regional Systems
- Figure 2: *Thrive MSP 2040* Community Designations
- Figure 3: Existing Land Use
- Figure 4: 2040 Planned Land Use



Figure 1. Location Map with Regional Systems



**Regional Systems**

**Transportation**

**Transitways**

- Existing Fixed Guideway Alignments
- Existing Bus Rapid Transitways
- Planned Fixed Guideway Transitways
- Planned Bus Rapid Transitways
- Existing Fixed Guideway & BRT Stations
- Planned Fixed Guideway Stations

**Regional Highway System**

- Interstates
- US Highways
- State Highways
- County Roads

**Recreation Open Space**

**Regional Parks**

- Existing (Open to Public)
- In Master Plan (Not Open to Public)
- Planned Units

**Regional Trails**

- Existing (Open to Public)
- Existing (Not Open to Public)
- Planned

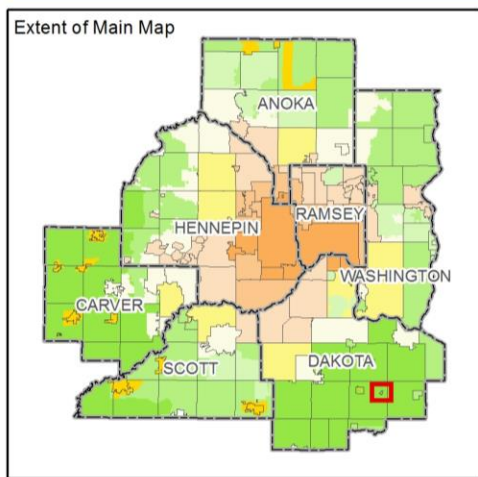
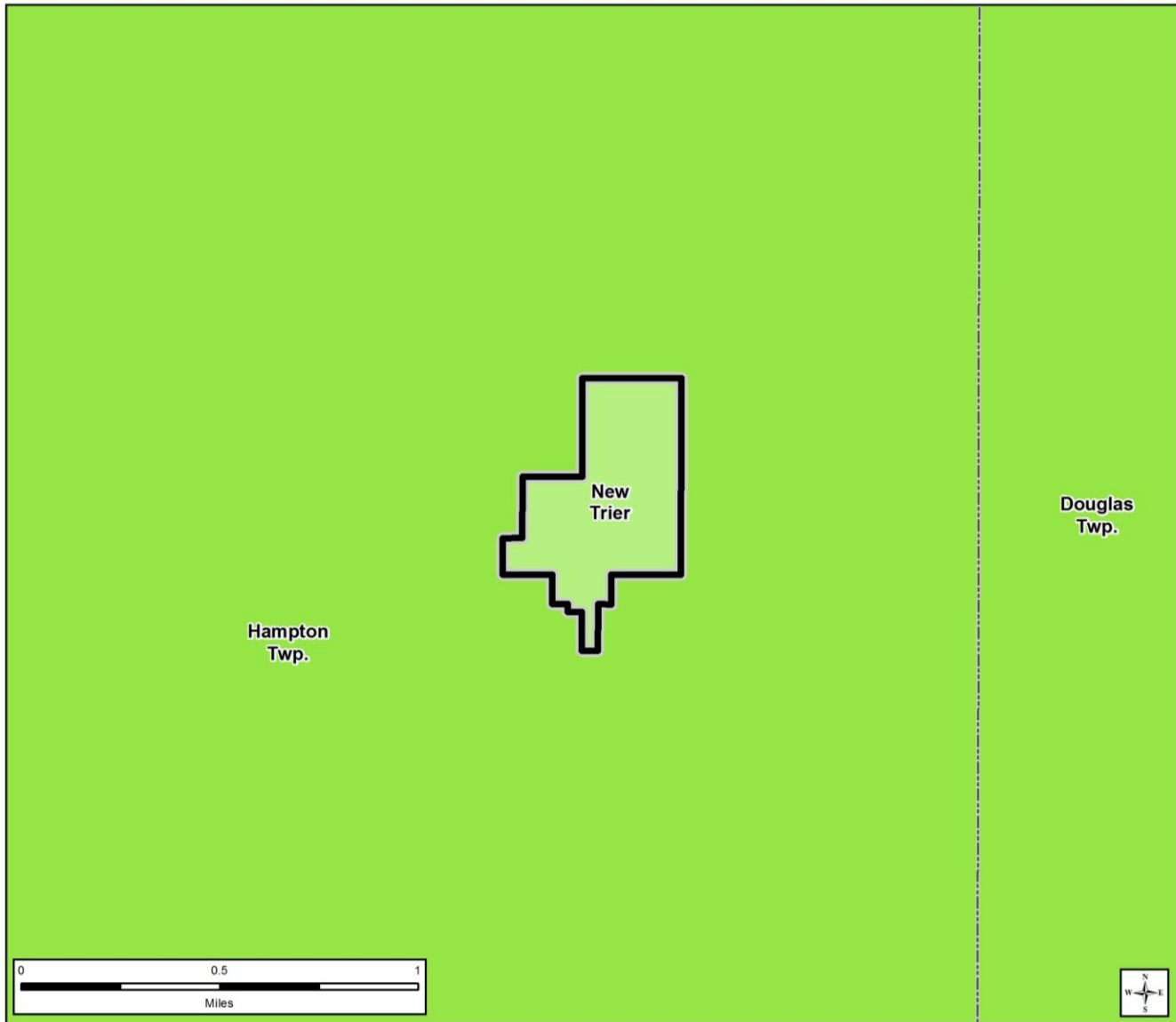
Other Parks, Preserves, Refuges and Natural Areas

Existing State Trails

**Wastewater**

- Meters
- Lift Stations
- MCES Interceptors
- MCES Treatment Plants
- Airports
- Ncompass Street Centerlines
- 2040 Metropolitan Urban Service Area

Figure 2. Thrive MSP 2040 Community Designations



**Community Designations**














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|---|------------------------------------|---|------------------------|
|  | Outside Council planning authority |  | Emerging Suburban Edge |
|  | Agricultural                       |  | Suburban Edge          |
|  | Rural Residential                  |  | Suburban               |
|  | Diversified Rural                  |  | Urban                  |
|  | Rural Center                       |  | Urban Center           |
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- |   |                              |
|---|------------------------------|
|  | County Boundaries            |
|  | City and Township Boundaries |
|  | Lakes and Major Rivers       |

Figure 3. Existing Land Use

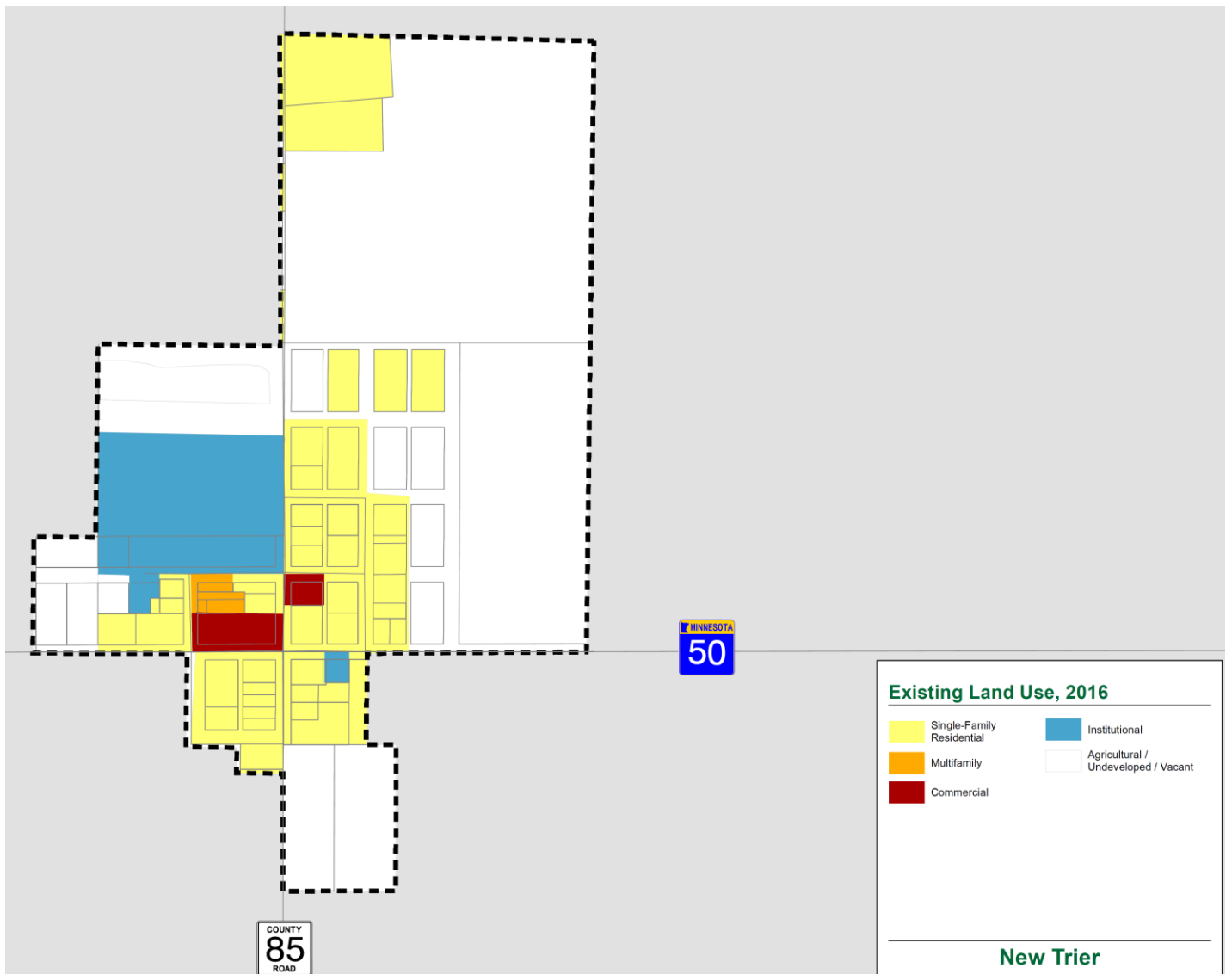


Figure 4. 2040 Planned Land Use

