# **Community Development Committee**

Meeting date: September 16, 2019

#### **Environment Committee**

Meeting date: September 24, 2019

For the Metropolitan Council meeting of October 9, 2019

Subject: City of Mound 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File

21916-1

**District(s), Member(s):** District 3, Christopher Ferguson

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

473.513

**Staff Prepared/Presented:** Jake Reilly, Senior Planner (651-602-1822)

Angela R. Torres, Local Planning Assistance Manager (651-602-1566)

Kyle Colvin, Engineering Programs, Manager (651-602-1151)

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

Environmental Services / Technical Services

#### **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 Mound to place its 2040 Comprehensive Plan into effect.
- 2. Revise the City of Mound's forecasts upward as shown in Table 1 of the attached Review Record.
- 3. Advise the City to implement the advisory comments in the Review Record for Surface Water Management.

#### **Recommendation of the Environment Committee**

- 1. Approve the City of Mound's Comprehensive Sewer Plan.
- 2. If the City adopts a new private service lateral investigation and remediation ordinance, a copy of this ordinance needs to be submitted to the Council upon adoption.



#### **Advisory Comments**

The following Advisory Comments are part of the Council action authorizing the City of Mound 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 Council 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. Stat. §§ 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).

#### **Environment Committee**

- 1. The Council-approved Comprehensive Sewer Plan becomes effective only after the Plan receives final approval from the local governmental unit's governing body. After the Plan receives final approval from the City and the Comprehensive Sewer Plan becomes effective, the City may implement its Plan to alter, expand, or improve its sewage disposal system consistent with the Council-approved Comprehensive Sewer Plan.
- 2. A copy of the City Council resolution adopting its 2040 comprehensive plan, including its Comprehensive Sewer Plan, must be submitted to the Council.

#### Background

The City of Mound is located in southwestern Hennepin County. It is surrounded by the communities of Orono, Spring Park, Shorewood, and Minnetrista.

The City submitted its 2040 Comprehensive Plan (Plan) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stat. §§ 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).

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 (Minn. Stat. § 473.513).

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	Thrive MSP 2040 and Land Use	Consistent
Consistency with Council Policy	Forecasts	Consistent, with proposed changes
Consistency with Council Policy	2040 Housing Policy Plan	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**

None.

**Known Support / Opposition**There is no known local opposition to the 2040 comprehensive plan.

# REVIEW RECORD

City of Mound 2040 Comprehensive Plan

Review File No. 21916-1, Business Item No. 2019-252 JT

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, Community Development (CD) - Regional Parks (651-602-1361)
The Plan conforms to the 2040 Regional Parks Policy Plan for the Regional Parks System element.
Three Rivers Park District is the park implementing agency for Regional Parks System components in Mound, for which the Plan accurately describes the Regional Parks System components. Regional Trails located within the City include the Dakota Rail Regional Trail. There are no state or federal lands within the City.

# 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. 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, which there are none.

The Plan accurately reflects the regional functional classification map of A-minor arterials 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 is 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 Hennepin County Freight Study (2016) and the Hennepin County Bicycle Transportation Plan (2015). The Plan accurately describes the status of such facilities, including needs for right-of-way and the likelihood and timing of funding.

#### **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 Areas III and Emerging Market Area III and IV.



The Plan is consistent with the policies of the Transit system element of the TPP. The Plan addresses community roles related to its Community Designation of Suburban, as well as the opportunities and challenges related to its Transit Market Areas.

#### **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. The Plan identifies existing and future segments of, and connections to, the Regional Bicycle Transportation Network (RBTN) and regional trails. The Plan shows the Tier 2 alignment that goes through the City.

The Plan is also consistent with Bicycle and Pedestrian policies of the TPP by planning for local pedestrian and bicycle connections to transit, regional trails, regional job concentrations, and other regional destinations as identified on the RBTN map.

#### **Freight**

The Plan is consistent with Freight policies of the TPP. The Plan identifies the needs of freight movement in and through the City and freight facilities.

#### **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 city-wide forecast totals for all forecast years.

The City's planned land uses and areas identified for development and redevelopment can accommodate the TAZ forecasted allocations in the Plan, and at densities consistent with the City's Thrive community designation of Suburban.

#### Water Resources

#### **Wastewater Service**

Reviewer: Kyle Colvin, Environmental 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. It includes growth forecasts that are consistent with the Council's agreed to forecasts for population, households, and employment.

Current wastewater treatment services are provided to the City by Metropolitan Council Environmental Services. All wastewater generated within the City is conveyed through the following Council Interceptors; 6-MO-650, 6-MO-651, 802821, 802824, 802828, and 7021. All flow is treated at the Council's Blue Lake Wastewater Treatment Plant in Shakopee. The Plan projects that the City will have 4,600 sewered households and 1,700 sewered employees by 2040. The Metropolitan Disposal System with its scheduled improvements has or will have adequate capacity to serve the City's growth forecasts.

The Plan provides a breakdown of forecasts by lift station service area for L25 and L38. The Council is committing to provide the level of wastewater service based on the sewered forecasts as stated in the sewer element of the Plan.

The Land Use Plan reflects an overall minimum residential sewered density that is consistent with Council policy for future sewered residential growth for Suburban communities.

The Plan defines the City's goals, policies, and strategies for preventing and reducing excessive inflow and infiltration (I/I) in the local municipal (city) and private sanitary sewer systems; including a summary of activities and programs intended to mitigate I/I from the public system. The Plan states that the City will transition its focus on private property sources once rehabilitation and mitigation of I/I sources have been completed on the public system.

The Plan describes the requirements and standards for minimizing I/I and references City Ordinance (Section 74-216) that prohibits clear water discharges from roof drains, area drains, sump pumps, foundation drains, and swimming pools to the sanitary sewer system and requires the disconnection of such connections if discovered. The City has been implementing an I/I reduction program since 2007 focusing on inspection and work related to manhole casting replacement, pipe lining, manhole sealing, and lift station wet well sealing. Between 2013 and 2017, the City spent \$800,000 on I/I mitigation efforts and plans to spend an additional \$800,000 between 2018 and 2022. Private property inspections for illegal sump pumps were performed by the City in the past. The Plan suggests that the City is contemplating adopting a new private service lateral investigation and remediation ordinance. A copy of this ordinance needs to be submitted to the Council upon adoption.

The Plan describes the sources, extent, and significance of existing I/I within the entire wastewater collection system and provided a description of an implementation plan for preventing and eliminating excessive I/I from entering the municipal sewer system. Using Council wastewater flow data from its regional wastewater metering system, the City estimates that I/I contributes between 37% to 7% of total annual flow between a wet weather/high Lake Minnetonka level year to a dry weather/low lake level year, respectively. The annual average over the last three years is 14%. I/I contributions during peak monthly flow can vary between 30% and 73% under the conditions described previously. Nearly half of the homes within the City were built prior to 1970 where clay tile services were standard, which is significant since clay tile pipe can become more suspectable to I/I as it ages.

#### Sewer Element Comments

The Sewer Element of the Plan has been reviewed against the requirements for Comprehensive Sewer Plans for Suburban communities. It was found to be complete and consistent with Council polices. Upon adoption of the Plan by the City, the action of the Council to approve the Sewer Plan becomes effective. At that time, the City may implement its Plan to alter, expand, or improve its sewage disposal system consistent with the approved Sewer Plan. A copy of the City Council Resolution adopting its Plan needs to be submitted to the Council for its records.

#### **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 WRPP for local surface water management. The Plan satisfies the requirements for 2040 comprehensive plans. Mound lies within the oversight boundaries of the Minnehaha Creek Watershed District (Watershed District). The City submitted a draft Local Water Management Plan (LWMP) update to the Council in September 2018. Council Water Resources staff reviewed and commented on the draft LWMP to the City and Watershed District in a letter dated September 17, 2018. The final LWMP was approved by the Watershed District on May 9, 2019. The Plan incorporates the City's final LWMP in Appendix G.

#### **Advisory Comment**

When available, we request that the City provide to the Council the date the City adopted the final LWMP.

# **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: Todd Graham, CD – Research (651-602-1322)

Council and City staff have agreed on a forecast revision to reflect significant population growth in the current decade, and also a reduced expectation of employment. The Plan includes revised communitywide forecasts (tables 2.1 and table 3.2, figures 3.2 and 3.3 in the Plan). Revisions to forecasts for population and employment are underlined in Table 1 below.

**Table 1. City of Mound Forecasts** 

	Census	Estimated	Council Forecasts		
	2010	2018	2020	2030	2040
Population	9,052	9,347	9,400	9,500	9,600
Households	3,974	4,089	4,200	4,460	4,600
Employment	1,165	1,336	1,400	1,600	1,700

The Council will revise the forecast simultaneous with action on the Plan.

Chapter 3 of the Plan describes how land supply and staging accommodate the forecasted households growth. The Council expects that housing developed in 2018 and 2019 will advance the City to its 2020 forecast level. The Council forecasts additional growth of 400 households during 2020-2040. All new housing expected in Mound will be added in residential mixed use and redevelopment areas. The City estimates 264 to 532 housing units if land supply is fully developed and absorbed (Plan table 3.6). This land supply and staging accommodates forecasted growth.

### Thrive MSP 2040 and Land Use

Reviewer: Jake Reilly, CD – Local Planning Assistance (651-602-1822)

The Plan is consistent with *Thrive MSP 2040* and its land use policies. The Plan acknowledges the *Thrive* community designation of Suburban (Figure 2). *Thrive* describes Suburban communities as those that saw their primary era of development during the 1980s and early 1990s as Baby Boomers formed families and entered their prime earning years, and typically have automobile-oriented development patterns at significantly lower densities than in previous eras.

Suburban communities are expected to plan for forecasted population and household growth at overall average densities of at least five units per acre, and target opportunities for more intensive development near regional transit investments at densities and in a manner articulated in the TPP. Plans are also required to identify areas for redevelopment, particularly areas that are well-served by transportation options and nearby amenities and that contribute to better proximity between jobs and housing.

The existing land uses in Mound are predominantly residential (32%) and the existing commercial/industrial lands (2%), as shown in Figure 3, are located near transportation corridors. The Plan's vision and goals focus on guiding future growth, retaining the existing unique community character as a place for people to live, work, shop, and gather while preserving the natural resources in the community, which include four lakes counting Lake Minnetonka as well as significant wetlands.

The Plan is consistent with land use and residential density policies for the Suburban community designation. Thrive calls for Suburban communities to plan for forecasted population and household growth at overall average densities of at least 5 units per acre in sewered areas. The Plan identifies

approximately 37 acres of land for development/redevelopment within a new Mixed Use category within which the City plans to target opportunities for more intensive development in five distinct areas, primarily around the intersction of Shoreline Drive and Commerce Boulevard, with a net minimum residential density of 9.58 units per acre (Table 2).

Table 2. Planned Residential Density, City of Mound

2018-2040 Change

	Density				
Category	Min	Max	Net Acres	Min Units	<b>Max Units</b>
Mixed Use: Village Center*	12	30	3.82	32	80
Mixed Use: Eden*	8	15	9.45	106	176
Mixed Use: Downtown Lakes**	12	20	11.01	53	99
Mixed Use: Promenade**	8	20	9.83	63	157
Mixed Use: East Gateway***	8	15	1.51	10	19
Mixed Use: Wilshire-Tuxedo Gateway***	7	15	1.28	8	16
	TOTALS 36.89		271	548	
	Overall Density		9.58	19.36	

<sup>\*70%</sup> residential

The pattern of development in these areas of change will be represented by a mix of uses that are responsive to the existing patterns of development, topography, and built form concepts as identified in the Plan. The goal of each mixed use area is to have a mix of residential and commercial uses that allow for changing demographic and market trends, with an expectation that future redevelopment will be primarily residential.

# Housing

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

The Plan is consistent with the *2040 Housing Policy Plan*. As of 2016, the City has more than 4,300 homes including about 1,000 multifamily units and more than 3,300 single-family homes. Approximately 1,100 homes are rented. More than 3,200 housing units are currently affordable to households earning under 80% of Area Median Income (AMI). However, more than 900 households earning 80% of AMI or below are paying more than 30% of their income toward housing costs. There are nearly 350 units affordable to households with income at or below 30% AMI and more than 500 cost burdened households with incomes at or below 30% AMI.

The Plan identifies existing housing needs including maintenance and reinvestment in existing housing stock, variety of housing types for all stages of life, and housing that is affordable to a range of income levels, especially moderate and low income households. The City does currently have 92 publicly subsidized housing units, including 42 units age-restricted for seniors.

The Plan acknowledges the 2021-2030 affordable housing need allocation of 69 units; 34 of which are needed at prices affordable to households earning 30% of AMI or less, 8 of which are needed at prices affordable to households earning between 31 and 50% of AMI, and 27 of which are needed at prices affordable to households earning between 51 and 80% of AMI. As shown in Figure 5, the Plan guides sufficient land expected to develop in the 2021-2030 time period at a minimum of eight units per acre to allow for development of at least 107 new housing units.

The housing implementation plan component of the Plan describes that the City will consider TIF, housing bonds, and tax abatement for projects that offer affordable units below 80% AMI. The Plan also

<sup>\*\*80%</sup> residential

<sup>\*\*\*85%</sup> residential

indicates that the City will strongly consider supporting/sponsoring an application to the Consolidated RFP programs through Minnesota Housing Finance Agency (MHFA) for residential project proposals in areas guided for high density residential uses and mixed uses. The City states that they will explore opportunities to collaborate with a community land trust and the appropriateness of a local 4d tax incentive policy.

# Water Supply

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

The Plan is 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.

The City has prepared a Local Water Supply Plan in 2018 that was submitted to both the MN Department of Natural Resources (DNR) and Metropolitan Council and reviewed under separate cover. Council staff found the water supply plan complete on September 4, 2019 and the DNR subsequently approved the City's Water Supply Plan.

# Community and Subsurface Sewage Treatment Systems (SSTS)

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

The Plan indicates that there are no community wastewater treatment systems or SSTS in operation in the City. Mound is fully served by a local wastewater collection system that ultimately flows into the Metropolitan Disposal System for ultimate treatment at the Blue Lake Wastewater Treatment Plant in Shakopee. All new development and redevelopment are required to be connected to the local collection system.

# 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 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 within the fully developed community.

#### **Historic Preservation**

Reviewer Jake Reilly, CD – Local Planning Assistance (651-602-1822))

The Plan includes both a Cultural Resources section and a Historic Preservation section, both of which clearly articulate the importance of preservation of Historic Indian burial and earthwork mounds, as well as a commitment to both the preservation of those historic burial and earthwork mounds and the future preservation of other potential historic and cultural resources.

# Plan Implementation

Reviewer: Jake Reilly, CD – Local Planning Assistance (651-602-1822)

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 housing implementation 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 the City's Capital Improvements Plann included as Appendix F.

# 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 adjacent 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:

- March 28, 2018: Mound 2040 Preliminary Plan
- December 18, 2018: Mound 2040 Comprehensive Plan
- June 25, 2019: Revisions to forecasts, housing, regional parks and trails, and wastewater plan
- July 15, 2019: Revised housing and TAZ tables

#### **Attachments**

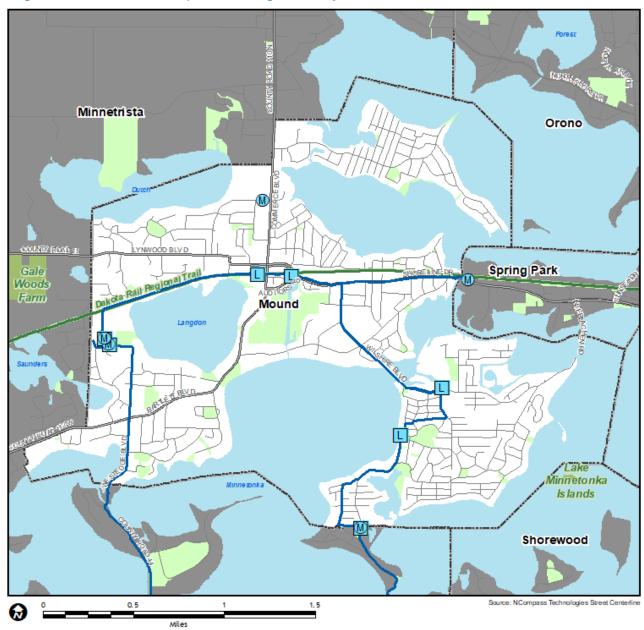
Figure 1: Location Map with Regional Systems

Figure 2: Thrive MSP 2040 Community Designations

Figure 3: Existing Land Use Figure 4: 2040 Planned Land Use

Figure 5: Land Guided for Affordable Housing

Figure 1. Location Map with Regional Systems



#### **Regional Systems**



Figure 2. Thrive MSP 2040 Community Designations

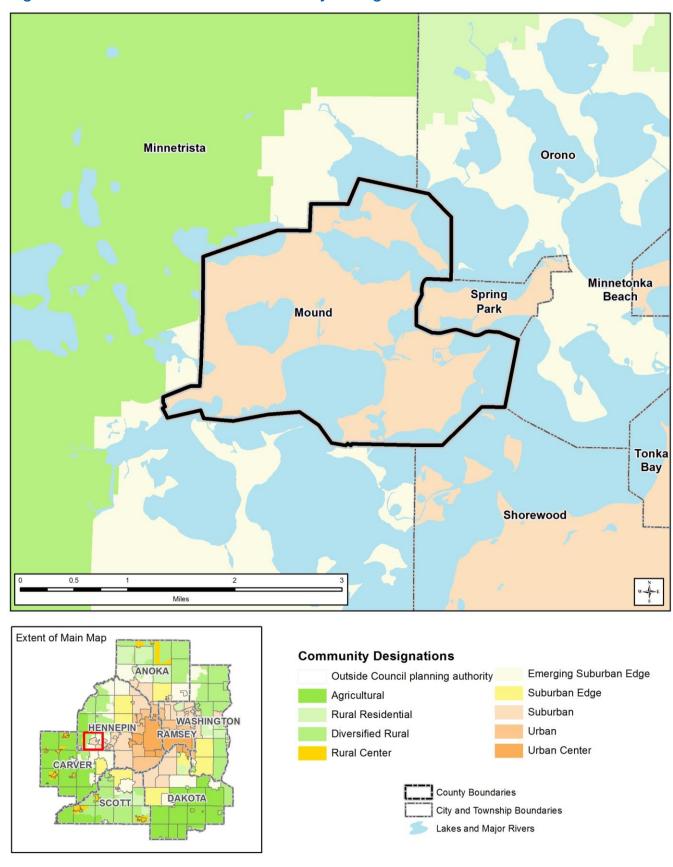


Figure 3. Existing Land Use

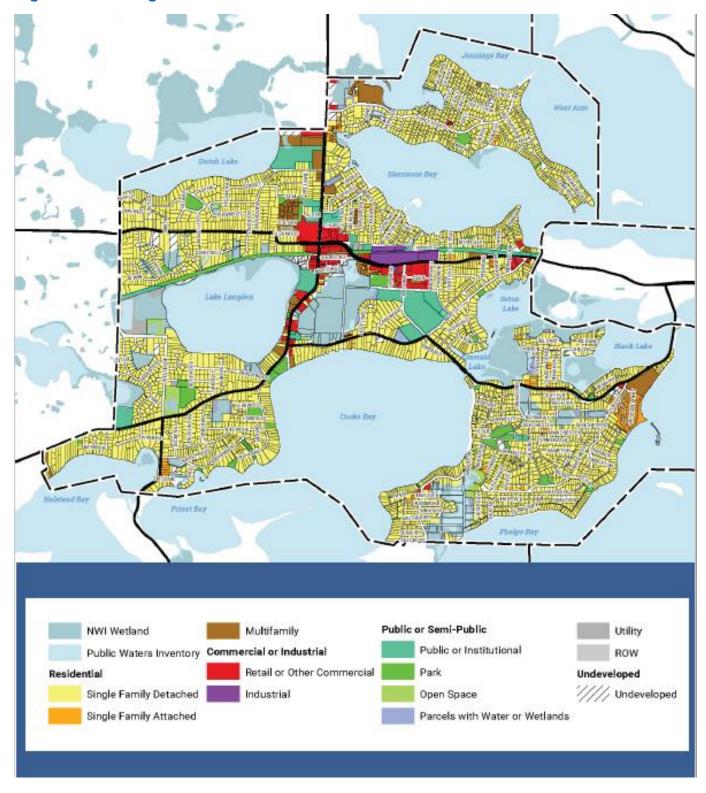
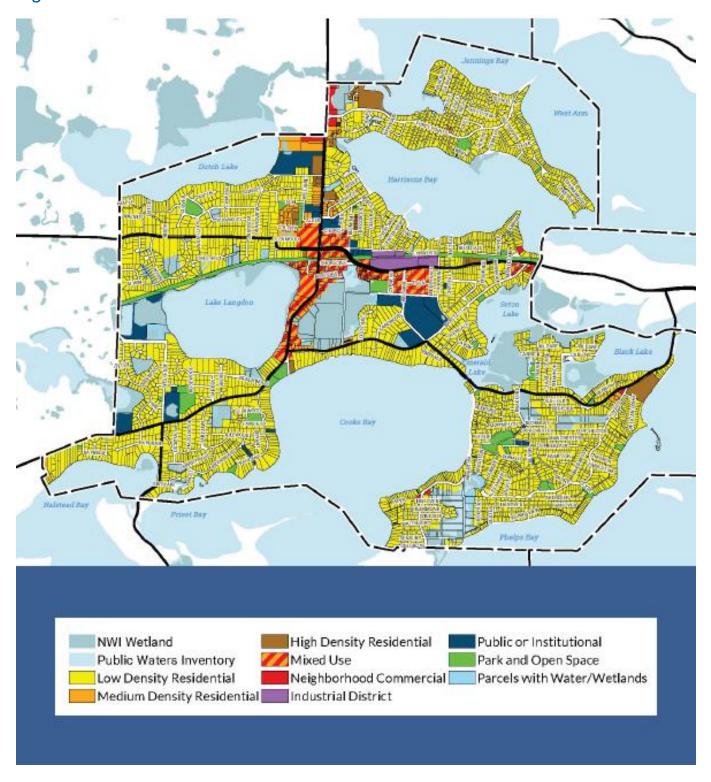


Figure 4. 2040 Planned Land Use



# Figure 5. Land Guided for Affordable Housing

2021-2030 share of regional need for Affordable Housing:

69 units 37,900 units

2021-2030 total regional need for Affordable Housing:

	Available Acres	Minimum  X Density (units per acre)	Expected % XResidential (if mixed use)	Minimum <b>=</b> Units Possible
Mixed Use: Village Center	3.82	12	70%	33
Mixed Use: Downtown Lakes	9.45	8	70%	53
Mixed Use: Promenade	2.81	8	80%	18
Mixed Use: East Gateway	0.42	8	85%	3

Total 17 107

Sufficient/(insufficient) units possible against share of regional need: 38

Affordable units built since 2021: 0

Sufficient/(insufficient) units possible adjusted for affordable units built: 38

Number of Comp Plan Amendments approved since Comp Plan Update: 0

