

Community Development Committee

Meeting date: April 20, 2020

Environment Committee

Meeting date: April 28, 2020

For the Metropolitan Council meeting of May 13, 2020

Subject: City of Cologne 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 22096-1

District(s), Member(s): District 4, Deb Barber

Policy/Legal Reference: Metropolitan Land Planning Act (Minn. Stat. § 473.175), Minn. Stat. § 473.513

Staff Prepared/Presented: Raya Esmaeili, Senior Planner (651-602-1616)
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 Cologne to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Land Use, Surface Water Management, and Water Supply.

Recommendation of the Environment Committee

1. Approve the City of Cologne's Comprehensive Sewer Plan.

Advisory Comments

The following Advisory Comments are part of the Council action authorizing the City of Cologne 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 Cologne is located in central Carver County and is completely surrounded by Benton Township.

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	<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 \$32,000 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 Cologne 2040 Comprehensive Plan

Review File No. 22096-1, Business Item No. 2020-118 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 (RPPP)* for the Regional Parks System element. Carver County is the Park implementing agency for Regional Parks System components in Cologne, for which the Plan accurately describes the Regional Parks System components. Regional Trails located within the City include the Twin Cities & Western Regional Trail Search Corridor (Figure 1). There are no State or Federal recreation 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. 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 arterial, which there is one, U.S. 212, including planned additions and improvements identified in the Current Revenue Scenario, and any right-of-way preservation needs.

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. It includes a section that discusses other studies that impact the City, including the Carver County Comprehensive Plan and the Highway 212 corridor study. 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. There are no existing transit routes and facilities within the City. The Plan acknowledges that the City is within Transit Market Area V.

The Plan is consistent with the policies of the Transit system element of the TPP. The Plan addresses City roles related to its Community Designation(s), as well as the opportunities and challenges related to its Transit Market Area.

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 details that there are no existing and future segments of, or connections to, the Regional Bicycle Transportation Network (RBTN) and regional trails, near Cologne.

The Plan is also consistent with Bicycle and Pedestrian policies of the TPP by planning for local pedestrian and bicycle connections to regional trails.

Freight

The Plan is consistent with Freight policies of the TPP. The Plan identifies the needs of freight movement in and through the City, including accessibility to freight terminals and facilities. There is one active rail line and all of the freight travels on U.S. 212. There are no freight issues 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 city-wide 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 community's Thrive designation.

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 forecasts for population, households, and employment.

Current wastewater treatment services are provided by a wastewater treatment plant owned and operated by the City. The Plan projects that the City will have 1,600 sewer households and 470 sewer employees by 2040.

The City's wastewater treatment facility consists of activated sludge basins, a clarifier, disinfection, and nutrient removal. The Plan states that the existing treatment capacity at the City's wastewater treatment facility has adequate capacity to provide service currently. However, the wastewater treatment facility cannot handle the projected growth forecasts through 2040 and cannot handle the expected, more stringent effluent limits.

The Plan includes a facility plan – completed in 2016 – that identifies the timing and financing for the capacity improvements to the wastewater treatment facility. It is estimated that the existing wastewater treatment facility has capacity for an additional 225 homes. The City has stated that it is committed to upgrading and expanding the wastewater treatment facility when appropriate, in order accommodate the growth forecasts reflected in the Plan.

The Plan does not state that the City is considering a request to connect to the Metropolitan Disposal System by 2040, nor does it request that the City’s wastewater treatment works be acquired by the Metropolitan Council.

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) sanitary sewer system by reference to a program of on-going system replacement of aging mains and laterals that are susceptible to I/I.

The Plan indicates that there are requirements and standards in Chapter 52 of the City Code of Ordinances for minimizing I/I through an ordinance that prohibits the connection of roof downspouts, foundation drains, area drains, sump pumps or other sources of surface or groundwater.

Comprehensive Sewer Plan Comments

The Sewer Element of the Plan has been reviewed against the requirements for Comprehensive Sewer Plans for Rural Center communities. It was found to be complete and consistent with Council policies and the regional wastewater system plan. Upon adoption of the Plan by the City, the action of the Council to approve the Comprehensive 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 Comprehensive Sewer Plan. A copy of the City Council Resolution adopting its Plan needs to be submitted to the Metropolitan Council for its records.

Surface Water Management

Reviewer: Judy Sventek, ES – Water Resources (651-602-1156)

The Plan is consistent with Council policy requirements and in conformance with the WRPP for local surface water management. The City lies within the oversight boundaries of the Carver County Watershed Management Organization (County). The City submitted a draft Local Water Management Plan (LWMP) update to the Council in conjunction with its Preliminary Plan on September 28, 2018. Council Water Resources staff reviewed and commented on the draft LWMP to the City and County in a letter dated November 8, 2018. The Plan incorporates the December 2018 final draft LWMP version in Appendix B.5.

Advisory Comments

When available, Council staff request that the City provide the date the County approves the final LWMP, and the date the City adopts the final LWMP. Council staff also request that the City provide 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 December 2018 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 in table 2.1 of the Plan. For reference, Council forecasts are shown in Table 1 below:

Table 1. City of Cologne Forecasts

	Census 2010	Estimated 2017	Council Forecasts		
			2020	2030	2040
Population	1,519	1,706	2,100	2,940	3,910
Households	539	611	800	1,170	1,600
Employment	270	380	370	420	470

All forecast tables throughout the Plan are consistent with one another. The inventory and capacity of the City’s land supply for 2030 and 2040 accommodates their forecasted growth.

Thrive MSP 2040 and Land Use

Reviewer: Raya Esmaeili, CD – Local Planning Assistance (651-602-1616)

The Plan is consistent with *Thrive MSP 2040* and its land use policies. The Plan acknowledges the Thrive community designation of Rural Center (Figure 2). Thrive describes Rural Center communities as local commercial, employment, and residential activity centers serving rural areas in the region. These small towns are surrounded by agricultural lands and serve as centers of commerce to those surrounding farm lands and the accompanying population.

Rural Center communities are expected to plan for forecasted population and household growth at average densities of at least 3-5 units per acre for new development and redevelopment. In addition Rural Center communities should strive for higher-density commercial uses and compatible higher-density residential land uses in the commercial core of the community to ensure efficient uses of existing infrastructure investments.

The existing land uses in the City of Cologne are predominately agricultural (34.6%), followed by residential land uses (20%). Most of the existing retail and other commercial (19.1%) is located along Paul Avenue South. The majority of the institutional uses (14%) are on the eastern side if the City, with industrial and utility areas (1.3%) mainly along the railway. Approximately 5.4% of the City is parks/open space, with 11.6% of the City as undeveloped/vacant (Figure 3).

The majority of the planned areas within the City are designated as Low Density Residential. The intent is to maintain the rural character of the City, providing support for the agricultural activities in the unincorporated areas in Benton Township. The higher density developments are concentrated in the downtown area in the form of Mixed Use development, as well as Medium Density Residential uses along the railway (Figure 4). The staging plan identifies areas closer to the more developed parts of the City as the first stage (2016-2020) of development. Areas farthest from the center, on the western border of the City, are those staged for 2031-2040 growth period (Figure 5).

As shown in Table 2 below, the overall density of planned development in the City of Cologne is 3.01 units per acre, which is consistent with the land use and residential density policies for a Rural Center community designation.

Table 2. Planned Residential Density, City of Cologne

Category	2016-2040 Change					
	Density Min	Density Max	Net Acres	Min Units	Max Units	
Low Density Residential	2	5	267.5	535	1,338	
Medium Density Residential	6	12	57.6	346	691	
Mixed Use*	12	16	10.9	131	174	
	TOTALS			336	1,011	2,203
	Overall Density			3.01	6.56	

*60% residential. Acreage reflects the residential use only.

Advisory Comments

The Low Density Residential (2-5 units/acre) and Medium Density Residential (6-8 units/acre) categories leave a gap for development at densities of 5-6 units per acre. Please note that if any new developments are proposed at densities of 5-6 units per acre, the City will need to amend the Plan to accommodate development at that density.

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 610 homes, including more than 55 multifamily units and nearly 560 single-family homes. Approximately 80 homes are rented. Nearly 470 housing units are currently affordable to households earning under 80% of Area Median Income (AMI). However, more than 110 households earning 80% of AMI or below are paying more than 30% of their income toward housing costs. There are 41 units affordable to households with income at or below 30% AMI and more than 54 cost burdened households with incomes at or below 30% AMI.

The Plan identifies existing housing needs including housing affordability. The City currently has 12 units of publicly subsidized affordable housing, age-restricted to older adults.

The Plan acknowledges the 2021-2030 affordable housing need allocation of 97 units, 50 of which are needed at prices affordable to households earning 30% of AMI or less, 27 of which are needed at prices affordable to households earning between 31 and 50% of AMI, and 20 of which are needed at prices affordable to households earning between 51 and 80% of AMI. As shown in Figure 6 of this report, 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 197 new housing units.

The housing implementation plan component of the Plan describes that the City will consider the adoption of a fair housing policy, development of an ADU ordinance, issuance of local housing bonds, tax abatement, Tax Increment Financing (TIF), and exploration of an inclusionary zoning policy. The Plan also indicates that the City will largely rely on close partnership with Carver County Community Development Agency (CDA) to meet their housing needs, including limited ability for referrals to services offered by Carver County CDA.

Water Supply

Reviewer: John Clark, ES – Water Supply Planning (651-602-1452)

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.

Advisory Comments

Council staff advise the City to ensure the information contained in Plan Tables 12 and 13 is consistent with planned system improvements discussed in Chapter 6. Chapter 6 of the Plan indicates that the City will need a new well and treatment expansion by 2030 to accommodate growth. However, Tables 12 and 13 do not indicate the same information. Prior to final adoption, this inconsistency should be corrected.

The local water supply plan (LWSP) attached to the Plan is currently under review by the Minnesota Department of Natural Resources (DNR). Any updates to the LWSP as a result of DNR's review should also be submitted to the Council as a part of the City's Plan.

Community and Subsurface Sewage Treatment Systems (SSTS)

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

The Plan indicates that the entire City is served by the local sanitary sewer collection and municipal wastewater treatment facility. There are no other public or privately-owned Community Wastewater Treatment Systems or individual SSTS in operation in the City.

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

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

Historic Preservation

Reviewer: Raya Esmaeili, CD – Local Planning Assistance (651-602-1616)

The Plan is consistent with statutory requirements for historic preservation. The Plan identifies three buildings in the City that are on the National Register of Historic Places. These structures include: the Paul Morbacher House, the Philip Guettler House, and the John Knotz House. The City plans to coordinate with Carver County Historical Society and Minnesota Historic Preservation Office in efforts to preserve historic resources. The Plan also includes policies to protect the historic character of the City and other cultural resources.

Plan Implementation

Reviewer: Raya Esmaeili, CD – Local Planning Assistance (651-602-1616)

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 in the Implementation Chapter. The capital improvements planning is detailed in Appendix C of the Plan.

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 affected special districts and school districts were identified.

Documents Submitted for Review

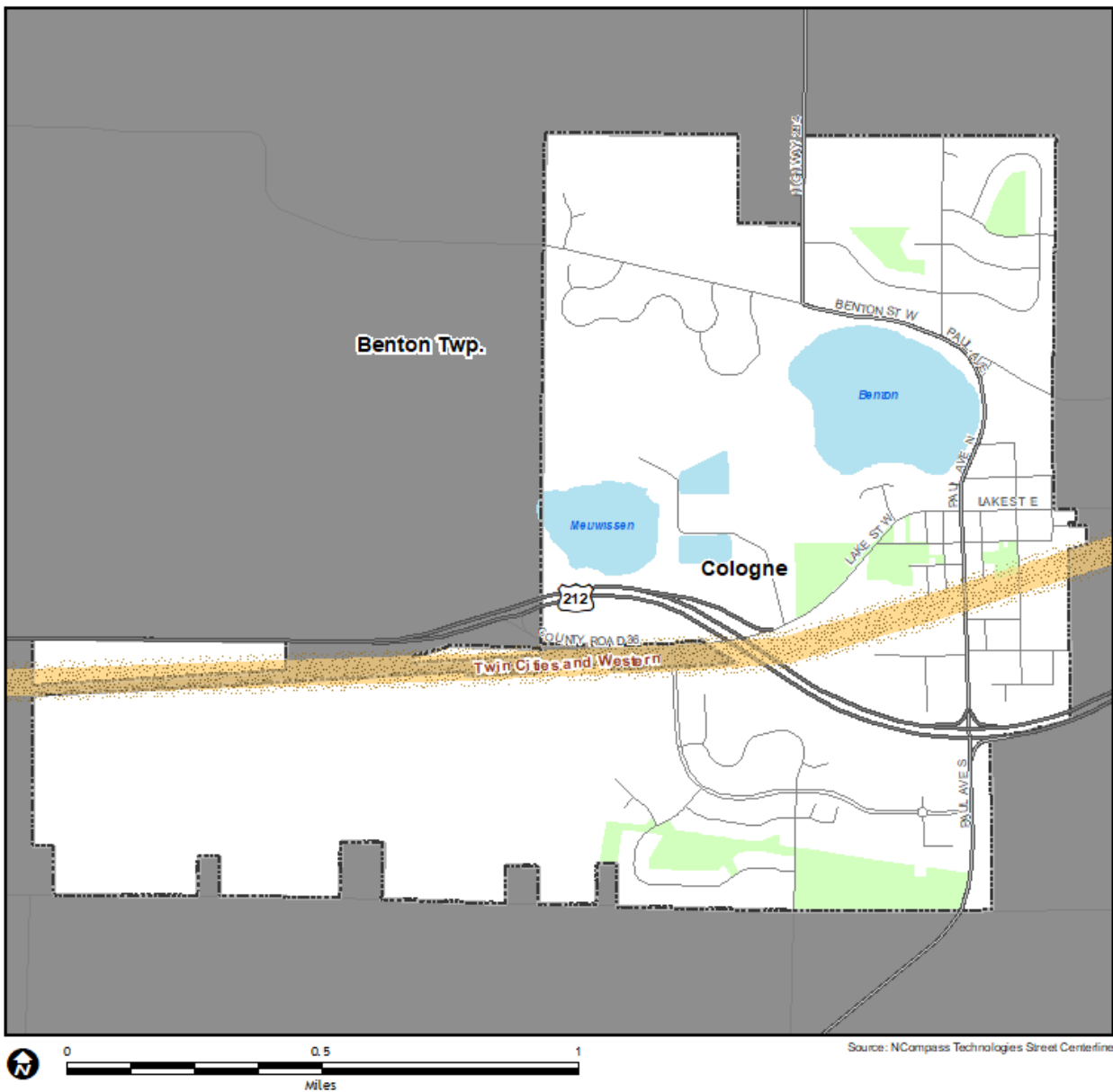
In response to the 2015 System Statement, the City submitted the following documents for review:

- September 28, 2018: Cologne Preliminary 2040 Comprehensive Plan
- December 31, 2018: Cologne 2040 Comprehensive Plan
- January 2, 2019: Local Water Supply Plan
- January 7, 2020: Revised Comprehensive Plan Responding to Council Incomplete Items for Land Use, Housing, Wastewater, Surface Water Management, Water Supply, and Review and Authorization.
- January 29, 2020: Revised Comprehensive Plan Responding to Council Comments on Land Use, Wastewater, and Housing.
- February 19, 2020: Revised Land Use Chapter
- March 11, 2020: Revised Comprehensive Plan
- April 14, 2020: Wastewater Treatment Facility Expansion Confirmation

Attachments

- Figure 1: Location Map with Regional Systems
- Figure 2: *Thrive MSP 2040* Community Designations
- Figure 3: Existing Land Use
- Figure 4: 2040 Future Land Use
- Figure 5: Development Staging Map
- Figure 6: Land Guided for Affordable Housing

Figure 1. Location Map with Regional Systems



Regional Systems

Transportation

- Transitways**
2040 Transportation System Policy - adopted January 2015
- Existing
 - Planned Current Revenue Scenario
 - Planned Current Revenue Scenario - CTIB* Phase 1 Projects
 - Potential Increased Revenue Scenario

Regional Highway System

- Existing Principal Arterials
- Planned Principal Arterials
- Existing Minor Arterials
- Planned Minor Arterials
- Existing Other Arterials
- Planned Other Arterials

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

Wastewater

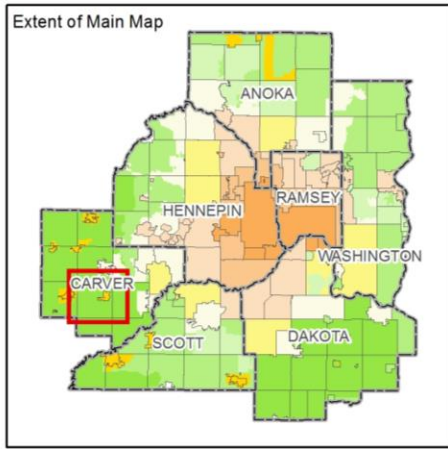
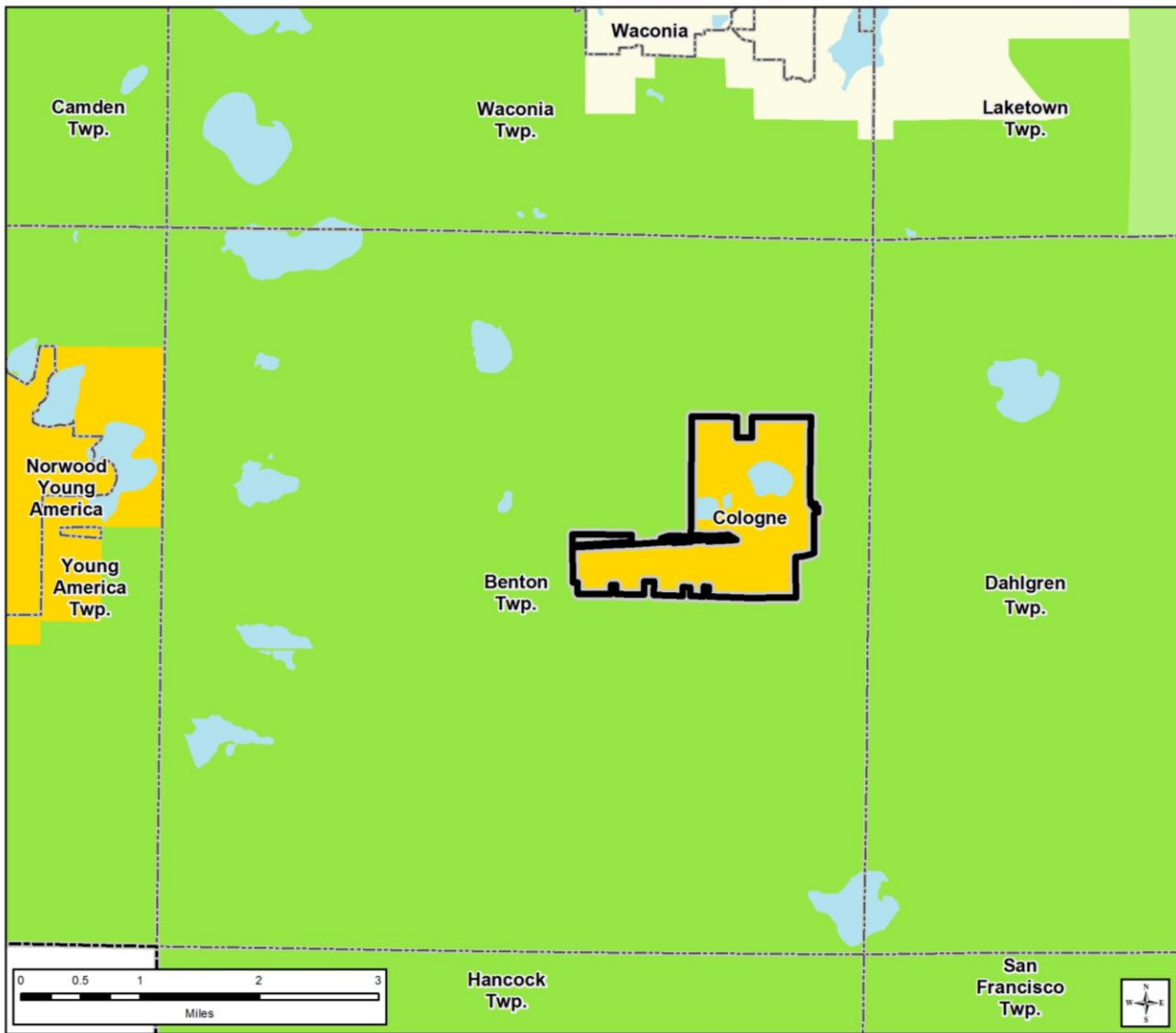
- Meters
- Lift Stations
- MCES Interceptors
- MCES Treatment Plants

Regional Park Search Areas and Regional Trail Search Corridors

- Boundary Adjustment
- Search Area
- Regional Trail Search Corridors
- Local Streets
- Existing State Trails
- Other Parks, Preserves, Refuges and Natural Areas

* Counties Transit Improvement Board (CTIB)

Figure 2. Thrive MSP 2040 Community Designations



Community Designations

Outside Council planning authority	Emerging Suburban Edge
Agricultural	Suburban Edge
Rural Residential	Suburban
Diversified Rural	Urban
Rural Center	Urban Center

County Boundaries
 City and Township Boundaries
 Lakes and Major Rivers

Figure 3. Existing Land Use

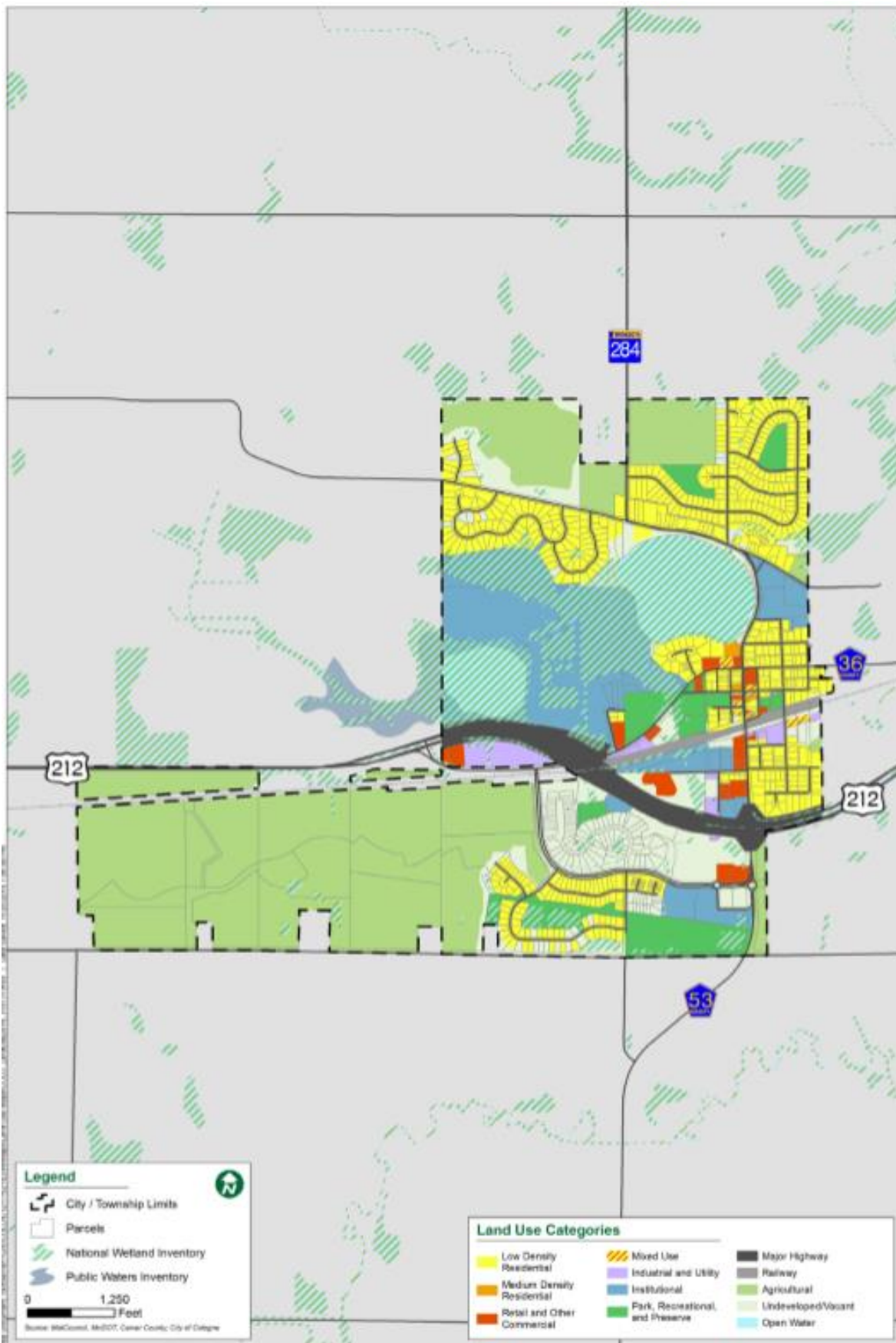


Figure 4. 2040 Future Land Use

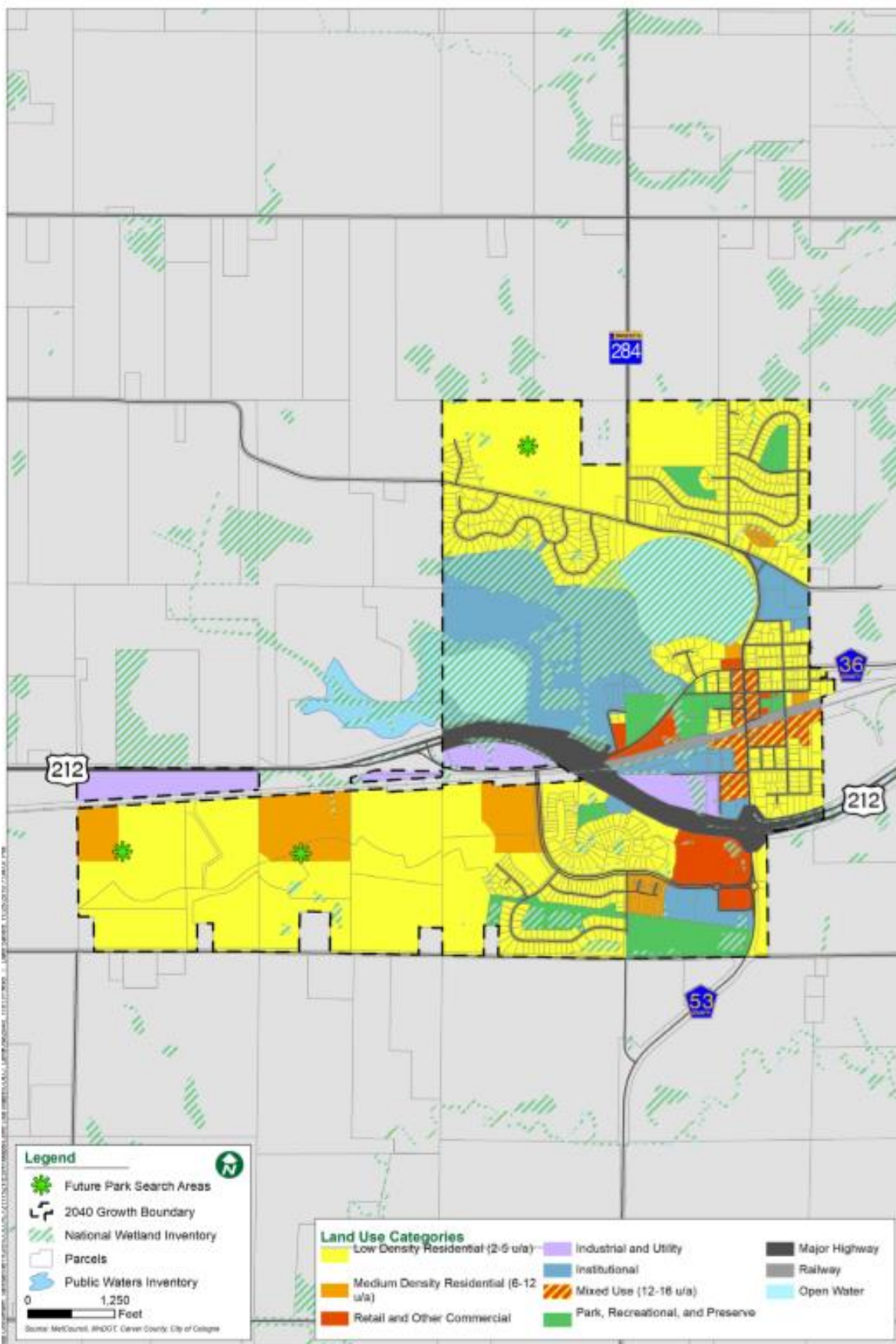


Figure 5. Development Staging Map

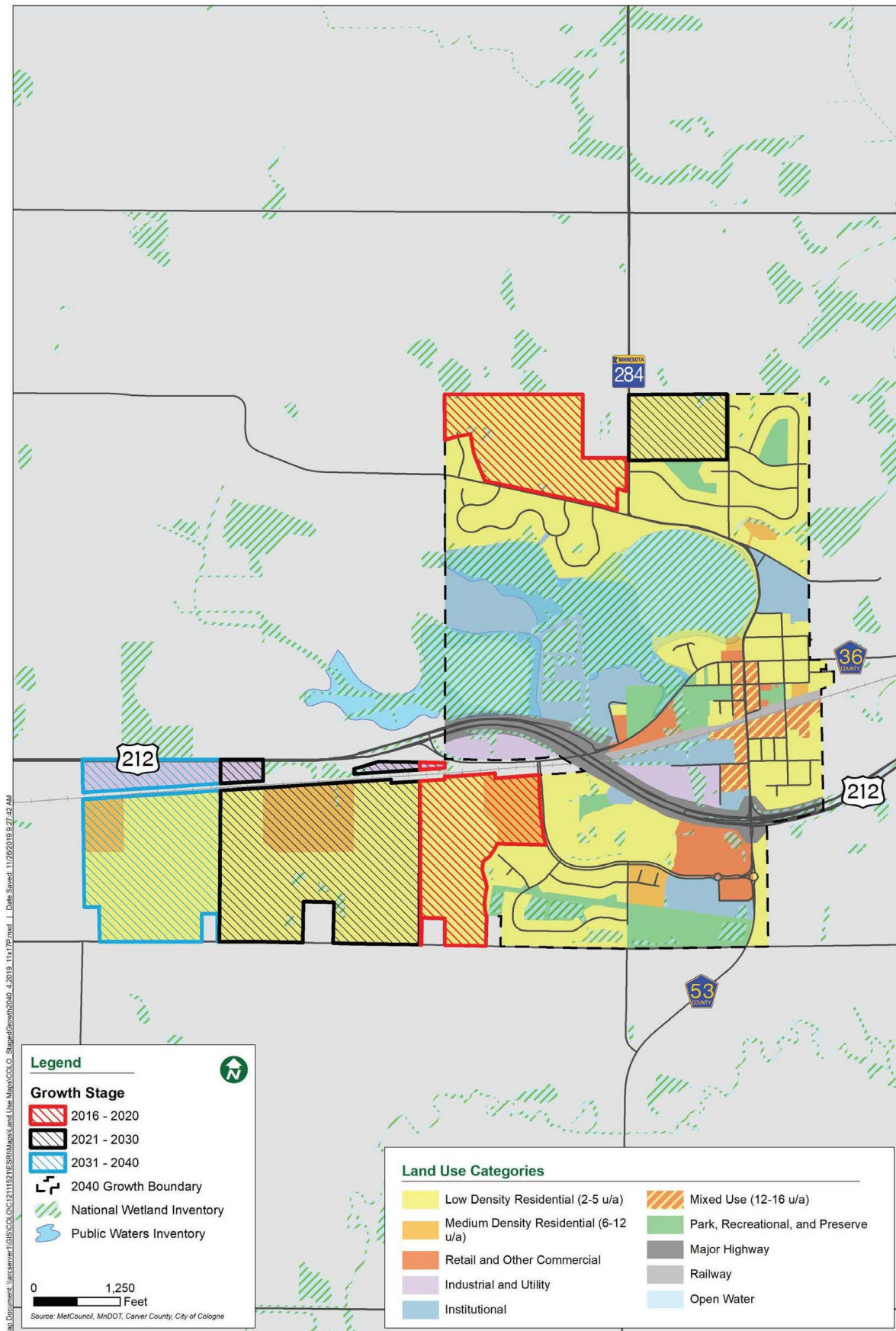


Figure 6. Land Guided for Affordable Housing

Land Guided for Affordable Housing

2021-2030

Cologne

Carver County

Council Member Deb Barber, District 4

2021-2030 share of regional need for Affordable Housing at 50% AMI and Below:	77 units
2021-2030 share of regional need for Affordable Housing between 51 to 80% AMI:	20 units
TOTAL 2021-2030 share of regional need for Affordable Housing:	97 units
2021-2030 total regional need for Affordable Housing:	37,900 units

	Available Acres	× <i>Minimum Density</i> <i>(units per acre)</i>	× <i>Expected % Residential</i> <i>(if mixed use)</i>	= <i>Minimum Units Possible</i>
Mixed Use	11.00	12	60%	80
Medium Density Residential	19.40	6	100%	117
Total	30			197

Sufficient/(insufficient) units affordable at 50% AMI and below possible in areas with ≥12 units per acre minimum against share of regional need: **3**

Sufficient/(insufficient) total units affordable between 51 to 80% AMI possible in areas with ≥6 units per acre minimum possible against share of regional need: **97**

Sufficient/(insufficient) total units possible against share of regional need: **100**
Affordable units built since 2021: **0**

Sufficient/(insufficient) units possible adjusted for affordable units built: **100**

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

