

# Joint Business Item

Community Development Committee & Environment Committee



**Committee Meeting Date:** May 16, 2022

**For the Metropolitan Council:** May 25, 2022

**Environment Committee Date:** May 10, 2022

## Business Item: 2022-127 JT

City of Gem Lake 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 22063-1

<b>District(s), Member(s):</b>	District 11, Susan Vento
<b>Policy/Legal Reference:</b>	Metropolitan Land Planning Act (Minn. Stat. § 473.175), Minn. Stat. § 473.513
<b>Staff Prepared/Presented:</b>	Jake Reilly, Senior Planner (651-602-1822) Angela R. Torres, Local Planning Assistance Manager (651-602-1566) Kyle Colvin, Wastewater Planning and Community Programs Manager (651-602-1151)
<b>Division/Department:</b>	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 Gem Lake to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Forecasts and Surface Water Management.

#### Recommendation of the Environment Committee

1. Approve the City of Gem Lake's Comprehensive Sewer Plan.

## Advisory Comments

The following Advisory Comments are part of the Council action authorizing the City 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. § 473.864, subd. 1)
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 Gem Lake is in northeastern Ramsey County. It is surrounded by the communities of the White Bear Township, White Bear Lake, and Vadnais Heights.

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

None.



## Known Support / Opposition

There is no known opposition.



# REVIEW RECORD

## City of Gem Lake 2040 Comprehensive Plan

### Review File No. 22063-1, Business Item No. 2022-127 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. Washington County is the Park Implementing Agency for Regional Parks System components in the City of Gem Lake, for which the Plan accurately describes the Regional Parks System components. Regional Trails located within the City include the St. Anthony Railroad Spur Regional Trail Search (Figure 1). There are no State or Federal recreation lands in the City.

### Regional Transportation, Transit, and Aviation

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

The Gem Lake Comprehensive Plan Update (Plan) conforms to the 2040 Transportation Policy Plan (TPP) adopted in 2015. It accurately incorporates and integrates transportation system components of the TPP. The Plan is also consistent with Council policies regarding community roles, the needs of non-automobile transportation, and the needs of freight. The Plan is compatible with the plans of adjacent and affected governmental units.

### Roadways

The Plan conforms to the Roadways system element of the TPP. There are no principal arterials in Gem Lake, although I-35 is located just to the west of the community and serves its residents. The Plan accurately accounts for the two A-minor arterials located in the community (County Road E, and U.S. 61) and has delineated major and minor collectors. All roads in the city have two (2) lanes. The Plan identifies existing and forecasted traffic volumes for its A-minor arterials. The Plan also refers to guidelines on how access will be managed for A-minor arterials.

### Transit

The Plan conforms to the Transit system element of the TPP. Gem Lake is in Transit Market Area III, with primarily commuter express bus service. Dial a ride service is available through Transit Link. The plan also discusses the Rush Line Transitway which is funded under the Current Revenue Scenario in 2015 and is now identified as the Purple Line.

### 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 element of the TPP. The Plan states that motorized vehicles, bicycles, and pedestrians share roadways in Gem Lake. Given the nature of the city and low road volumes, this approach is appropriate. The Plan notes that the City should



continue to monitor bicycle and pedestrian safety as part of its transportation planning for public safety, especially when planning maintenance and improvements to local roads. Gem Lake has one future elements of the Regional Bicycle Transportation Network (RBTN) a Tier 1 Alignment, an extension of the Bruce Vento trail.

### **Freight**

The Plan is consistent with Freight policies of the TPP. The Plan identifies two rail corridors which run north/south through the community. There are no truck, barge or intermodal facilities in the community and no commercial or industrial nodes that generate freight movements.

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

The Plan conforms to the TPP regarding TAZ allocations for the seven TAZs in the community. The City's TAZ allocations for employment, households and population appropriately sum to the Metropolitan Council's citywide forecast totals for all forecast years from 2010 through 2040.

## **Water Resources**

### **Wastewater Services**

*Reviewer: Kyle Colvin, Environmental Services (ES) – Wastewater Planning and Community Programs (651-602-1151)*

The Plan conforms to the 2040 Water Resources Policy Plan (WRPP). It 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 assigned forecasts for population, households, and employment.

Current wastewater treatment services are provided to the city by the Metropolitan Council Environmental Services (MCES). Wastewater generated within the city is conveyed by Council Interceptors 7122, 1-VH-423, and 1-VH-423A. All wastewater generated within the city is conveyed to, and treated at, the Metropolitan Treatment Plant in St. Paul. The Plan projects that the city will have 144 sewer households and 490 sewer 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 sanitary flow projections in 10-year increments. The rationale for the average day flow projections is given in the Plan and determined appropriate for planning local services. The Metropolitan Council is committing to provide the level of wastewater service based on the sewer forecasts as stated in the sewer element of the Plan.

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

The Plan states that there were 75 existing homes within the city according to 1970 census data which represents approximately one-third of the current homes within the city, some of which may be connected to the sanitary sewer system. No evaluation of these services has been conducted by the city to determine their susceptibility to I/I. The city is provided regional wastewater service through numerous connections either directly or indirectly to regional interceptors creating individual services areas too small to accurately measure on an on-going basis. Due to this situation the impact of wet weather events and cycles cannot be precisely quantified and therefore, the city cannot determine the impact of I/I on the collection system. The Plan outlines previous efforts to inspect and mitigate I/I within its system, and outlines activities that include sump pump inspections, manhole structure inspection and rehabilitation and flow metering to further identify and eliminate sources of I/I in the public collection system and estimates the cost of these efforts at \$323,000. Each pipe section within the city is scheduled to be inspected every 10-years. The plan also identifies a continuation of a public education program that discourages the connection of sump pumps, foundation drains and roof leaders to the sanitary sewer system. The Plan does not attempt to describe the sources, extent, or significance of existing I/I within the public or private wastewater collection system.

The Plan references City Ordinances 64E and 129 that describes the requirements and standards



for minimizing I/I, including the prohibition of connections of roof downspouts, foundation drains, sump pumps, and yard drains to the public sanitary sewer. The Plan states that the disconnection of these prohibited connections is not required under the ordinance but rather relies on voluntary compliance

### Comprehensive Sewer Plan

The Sewer Element of the Plan has been reviewed against the requirements for Comprehensive Sewer Plans for Suburban communities. It was found to be sufficiently complete and consistent with Council policies. 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 Metropolitan Council for its records.

### Surface Water Management

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

Gem Lake lies within the oversight boundaries of the Ramsey-Washington Metro Watershed District and the Vadnais Lake Area Watershed Management Organization. Gem Lake submitted a draft Local Water Management Plan (LWMP) to the Council for review in September 2017. Council Water Resources staff reviewed and commented on the draft LWMP to the City, Watershed District and Watershed Management Organization in a letter dated October 6, 2017. The revised version of the LWMP submitted on January 13, 2021, adequately addresses concerns raised in our October 2017 letter. The Vadnais Lake Area Watershed Management Organization approved the LWMP on 6-27-18.

### Advisory Comments

The City needs to provide the date the Ramsey Washington Metro Watershed District approved the plan for our records.

## 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)*

The Plan Update includes the forecasts prepared by Metropolitan Council (Plan table 5.1). For reference, Metropolitan Council’s forecasts are shown in Table 1 below.

Table 1. City of Gem Lake Forecasts

	Census 2010	Estimated 2019	Census	Council Forecasts		
			2020	2020	2030	2040
<b>Population</b>	393	467	528	480	500	530
<b>Households</b>	155	177	199	200	230	250
<b>Employment</b>	526	481	357	580	610	640

The Metropolitan Council requires the Plan address how land supply for future development (or redevelopment) accommodates the community’s growth forecast. The City’s approach is discussed in section 5.7 (page 24) of the Plan. There are 81 acres in the mixed-use category, of which 34 acres are considered available for residential development. The City estimates the potential for 174 additional housing units if fully developed and absorbed. This accommodates the forecasted growth.

Council policy requires some measure of employment-bearing land use intensity. The City provides impervious surface and building coverage rates in table 5.4.



The Council requires 2020, 2030, and 2040 forecasts assigned transport analysis zones, or portions of TAZs within the city boundaries. This is found in table 6.4; TAZ allocations summarize to the city total.

Chapter 7 includes a discussion of sewer-serviced forecast and an accompanying table (table 7.5) consistent with the Council’s System Statement.

*Advisory Comments*

Employment in Gem Lake has not grown as was previously projected; local employers have reduced their employment. Council staff advise that the City could request a lower employment forecast with a future amendment, if desired.

The forecast of sewer-serviced households and employment (Plan table 7.5) shows 110 households, 280 population, and worksites with 150 employees remain outside of the wastewater system (and utilizing SSTS) throughout the forecast period. The sewer-serviced forecast can be adjusted in a future amendment if the City expects more households to transition to public sewer service.

**Thrive MSP 2040 and Land Use**

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

The Plan is consistent with *Thrive MSP 2040* (Thrive) and its land use policies. The Plan acknowledges the Thrive community designation of Suburban (Figure 2). Thrive describes Suburban communities as those that experienced their primary era of development during the 1980s and early 1990s as Baby Boomers formed families and entered their prime earning years. 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 pattern of development in Gem Lake is one of primarily single-family homes, nearly 90-percent of which are owner-occupied. A small portion of the City known as “Hoffman’s Corner” located in and around the U.S. Highway 61/County Road E intersection is the business center of the City. The City envisions this area in the Plan for redevelopment as a mixed-use area with an approximately 50/50 residential/commercial mix, in four mixed-use land use categories, as shown on Table 2.

*Table 2. Planned Residential Density, City of Gem Lake*

Category	Density		Net Acres	2018-2040 Change	
	Min	Max		Min Units	Max Units
Neighborhood Edge*	1	2.9	1	1	2
Neighborhood General	3	4.9	17	51	83
Neighborhood Mixed**	5	7.9	2	10	15
Neighborhood Central***	8	12	14	112	168
<b>TOTALS</b>			<b>34</b>	<b>174</b>	<b>268</b>
<b>Overall Density</b>				<b>5.11</b>	<b>7.88</b>

\*10% residential  
 \*\*25% residential  
 \*\*\*30% residential

**Housing**

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

The Plan is consistent with the *2040 Housing Policy Plan* (HPP). As of 2016, the City has more than 170 homes including 5 multifamily units. Approximately 12 homes are rented. More than 80





housing units are currently affordable to households earning under 80% of Area Median Income (AMI), however, nearly 25 households earning 80% of AMI or below are paying more than 30% of their income toward housing costs. There are about 2 units affordable to households with income at or below 30% AMI and more than 10 cost burdened households with incomes at or below 30% AMI.

The Plan identifies existing housing needs including maintenance and reinvestment in existing housing stock, and housing that is affordable to a range of income levels, including the affordable housing need allocation. The City does not currently have any publicly subsidized housing.

The Plan acknowledges the 2021-2030 affordable housing need allocation of 11 units; 7 of which are needed at prices affordable to households earning 30% of AMI or less, 3 of which are needed at prices affordable to households earning between 31 and 50% of AMI, and 1 of which is needed at a price 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 32 new housing units.

The housing implementation plan component of the Plan describes that the City will consider TIF, housing bonds and tax abatement for new housing development. The City states that they will partner with Ramsey County to meet many of their housing needs.

## **Water Supply**

*Reviewer: Brian Davis, ES – Water Supply Planning (651-602-1519)*

The Plan is consistent with Council policy requirements and in conformance 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.

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

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

The Plan indicates that there are 106 individual SSTS and no identified public or privately-owned Community Wastewater Treatment Systems in operation in the city. The Plan states that the city administers its SSTS program and continues to educate its residents on the proper use and maintenance of on-site sewage treatment systems. City SSTS Ordinance 67D 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: Eric Wojchik, CD – Local Planning Assistance (651-602-1330)*

The Plan includes the required solar planning elements. 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).

### **Aggregate Resource Protection**

*Reviewer: Eric Wojchik, CD – Local Planning Assistance (651-602-1330)*

The Plan includes the required aggregate resources planning elements. The Plan is consistent with statutory requirements (Minn. Stat. § 473.859) and Council policy regarding planning for the development, redevelopment and preservation of aggregate resources. 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: Jake Reilly, CD – Local Planning Assistance (651-602-1822)*

The Plan includes a statement that there are no structures or other physical features that are listed locally, with the State or National Registers and includes language regarding future and potential

protection of historic sites.

## **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, the SSTS 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 capital improvements planning detailed in chapter 14.

## **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:

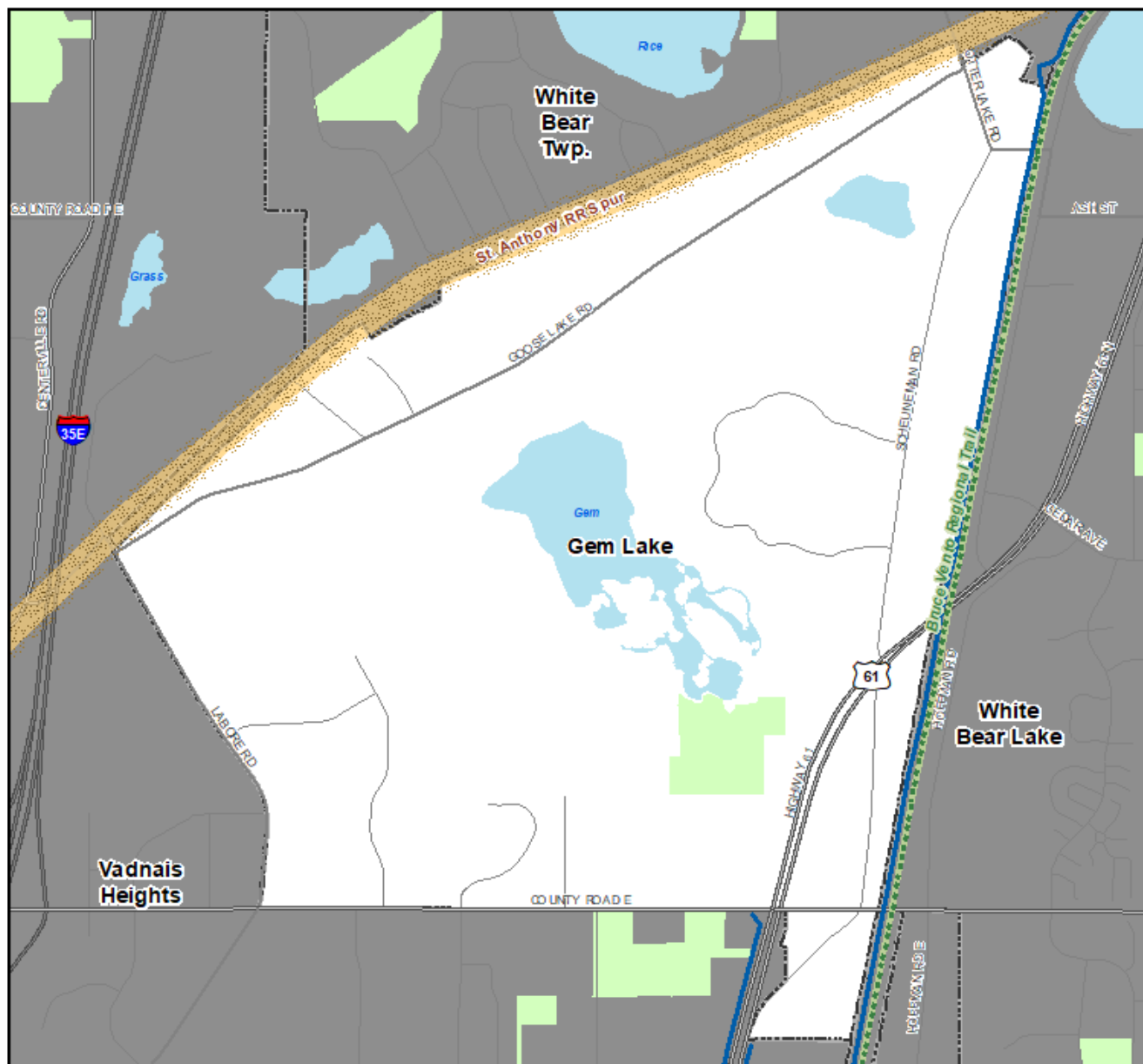
- December 24, 2020: Gem Lake 2040 Comprehensive Plan
- January 12, 2021: Gem Lake Local Water Management Plan
- November 30, 2021: Updated Comprehensive Plan Responding to Council Incomplete Items for Wastewater, Land Use, Surface Water Management, Housing, Special Resource Protection, and Implementation.
- March 3, 2022: Updated Comprehensive Plan Responding to Council Incomplete Items for Wastewater, Land Use, and Housing.
- March 24, 2022: Revised 2040 Comprehensive Plan

## **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: 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**

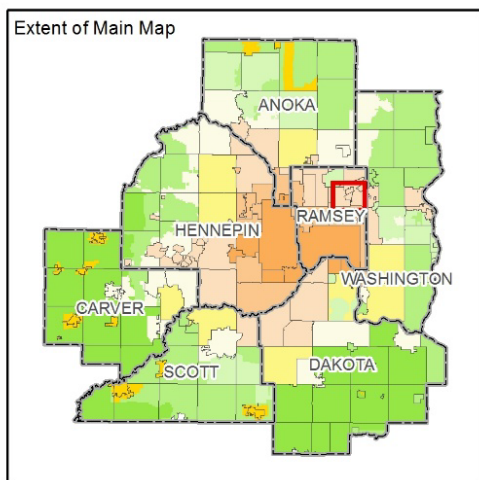
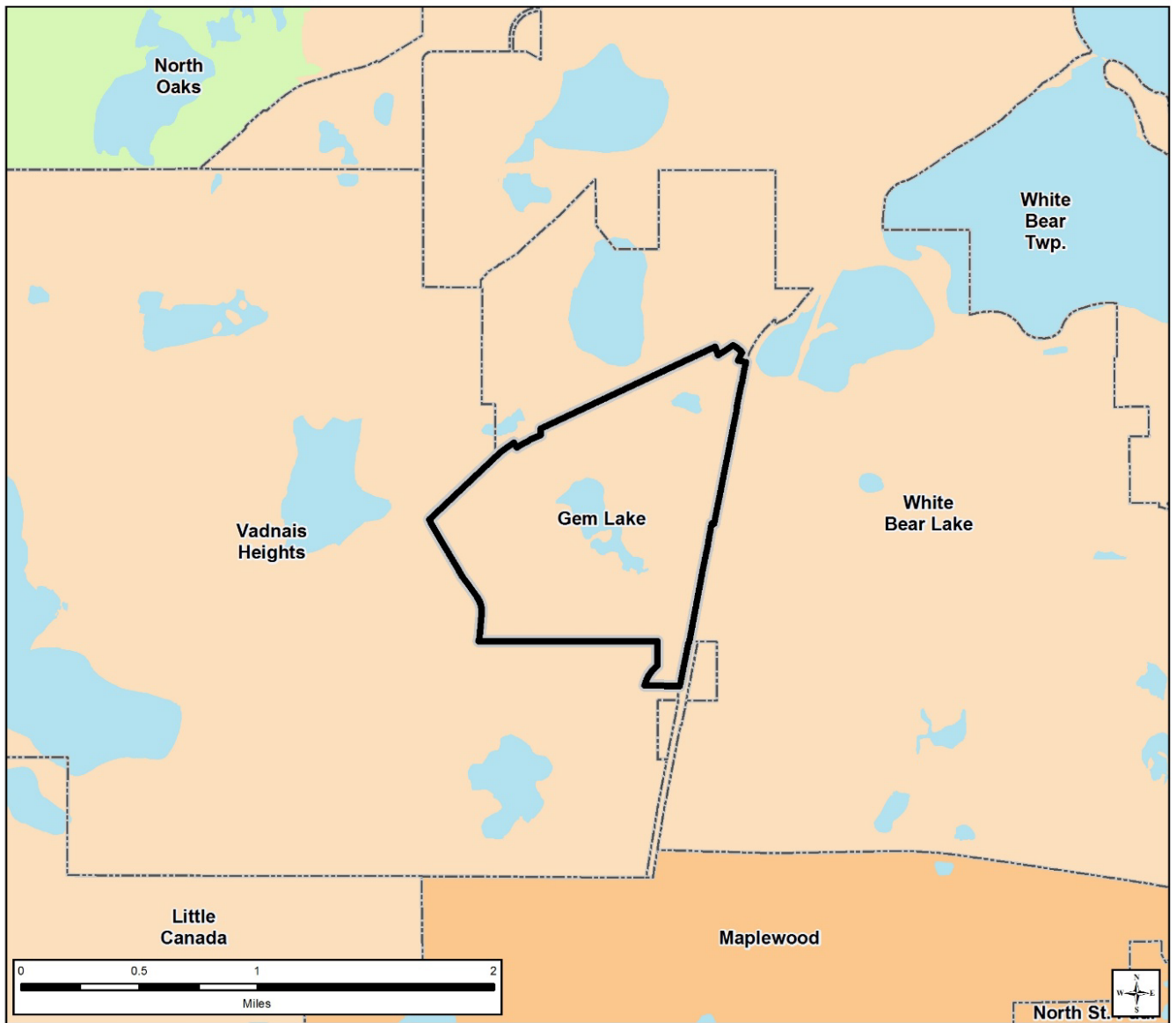
- Meters
- Lift Stations
- MCES Interceptors
- MCES Treatment Plants

**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
- Agricultural
- Rural Residential
- Diversified Rural
- Rural Center
- Emerging Suburban Edge
- Suburban Edge
- Suburban
- Urban
- Urban Center

- County Boundaries
- City and Township Boundaries
- Lakes and Major Rivers



Figure 3. Existing Land Use

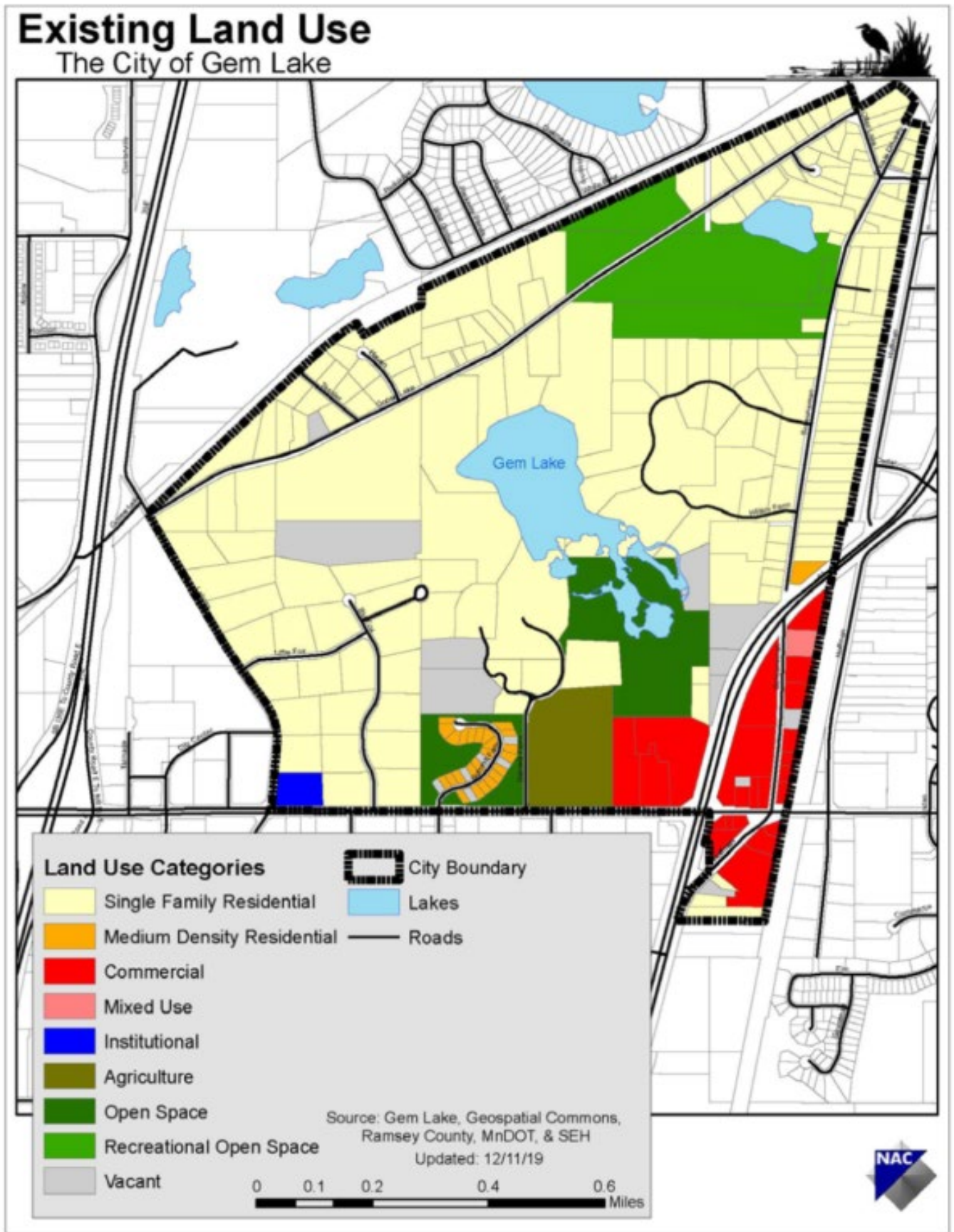
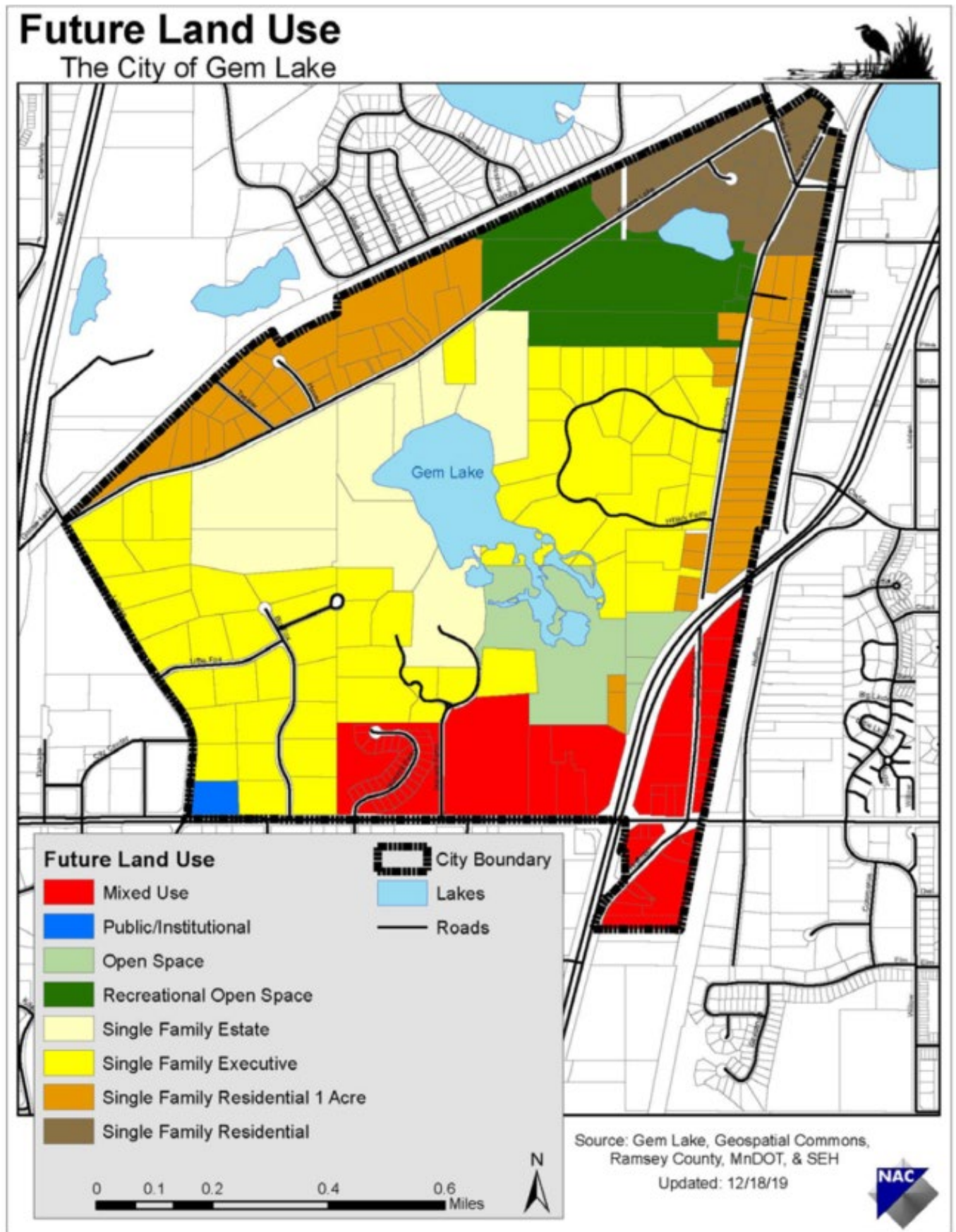


Figure 4. 2040 Future Land Use



## Figure 5. Land Guided for Affordable Housing

2021-2030 share of regional need for Affordable Housing: **11 units**  
 2021-2030 total regional need for Affordable Housing: **37,900 units**

	<b>Available Acres</b>	<b>×</b>	<b>Minimum Density</b> <i>(units per acre)</i>	<b>×</b>	<b>Expected % Residential</b> <i>(if mixed use)</i>	<b>=</b>	<b>Minimum Units Possible</b>
<b>Mixed Use Neighborhood Commercial</b>	4.00		8.0		100%		32
<b>Total</b>	<b>4</b>						<b>32</b>

Sufficient/(insufficient) units possible against share of regional need: **21**

Affordable units built since 2021: **0**

Sufficient/(insufficient) units possible adjusted for affordable units built: **21**

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

