

# Business Item

Community Development Committee



**Committee Meeting Date:** November 6, 2023

**For the Metropolitan Council:** November 8, 2023

## Business Item: 2023-265 SW

City of Victoria Amira Comprehensive Plan Amendment, Review File 21975-6

<b>District(s), Member(s):</b>	District 4, Deb Barber
<b>Policy/Legal Reference:</b>	Metropolitan Land Planning Act (Minn. Stat. § 473.175)
<b>Staff Prepared/Presented:</b>	Raya Esmaili, Planning Analyst (651-602-1616) Angela R. Torres, Senior Manager (651-602-1566)
<b>Division/Department:</b>	Community Development / Regional Planning

### Proposed Action

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

1. Authorize the City of Victoria to place its comprehensive plan amendment into effect.
2. Find that the amendment does not change the City's forecasts.
3. Find that the amendment renders the City's comprehensive plan inconsistent with the Council's housing policy and that the City is therefore ineligible to receive grant funds from the Livable Communities Act (LCA) programs.
4. Advise the City:
  - a. To be consistent with Council housing policy, the City needs to reguide additional acres expected to develop in the 2021-2030 decade to a land use with a minimum density of 12 units per acre to accommodate a minimum of 118 additional units.
  - b. To implement the advisory comments in the Review Record for Transportation and Wastewater.

### Background

The City of Victoria submitted the Amira comprehensive plan amendment on September 26, 2023. The amendment proposes to add 1.05 acres of Low Density Residential (2.25-6 units per acre), removes 8 acres of High Density Residential (12-36 units per acre), relocates the existing Downtown Mixed Use (24-75 units per acre at 30% residential) and reduces it by 5 acres, and adds a total of 12 acres of Open Space. The site is located south of Arboretum Boulevard and east of Lakes Parkway. The proposed amendment will accommodate the development of 147 units of senior housing and two single family units. This is the City's fifth amendment to its 2040 Comprehensive Plan.

### Rationale

The proposed amendment conforms to regional system plans, is consistent with Council policies with the exception of regional housing policy, and is compatible with the plans of other local communities and school districts.

## Thrive Lens Analysis

The proposed amendment 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.



# REVIEW RECORD

City of Victoria

Amira Comprehensive Plan Amendment

Review File No. 21975-6, Business Item No. 2023-265 SW

## BACKGROUND

The City of Victoria (City) is located in eastern Carver County. It is surrounded by the communities of Minnetrista, Shorewood, Chanhassen, Chaska, and Laketown Township.

*Thrive MSP 2040* (Thrive) designates Victoria with an “Emerging Suburban Edge” community designation. The Council forecasts from 2020 to 2040 that the City will grow from 10,000 to 15,400 population and 3,500 to 5,700 households. The Council also forecasts that between 2020 and 2040, the City’s employment will increase from 2,000 to 2,500 jobs.

The Metropolitan Council reviewed the City of Victoria 2040 Comprehensive Plan (Plan) ([Business Item 2019-136 JT](#), Review File No. 21975-1) on June 26, 2019. This is the fifth comprehensive plan amendment since the 2040 Plan was reviewed.

## REQUEST SUMMARY

The amendment adds 1.05 acres of Low Density Residential (2.25-6 units per acre), removes 8 acres of High Density Residential (12-36 units per acre), relocates the existing Downtown Mixed Use (24-75 units per acre at 30% residential) and reduces it by 5 acres, and adds a total of 12 acres of Open Space. The site is located south of Arboretum Boulevard and east of Lakes Parkway. The purpose of the amendment is to accommodate the development of two single family homes and a 147-unit senior living facility.

## OVERVIEW

### Conformance with Regional Systems

The amendment conforms to the Regional System Plans for Parks, Transportation (including Aviation), and Wastewater, with no substantial impact on, or departure from, these plans.

### Consistency with Council Policies

The amendment is consistent with the *Thrive MSP 2040*, with water resources management, and with Council forecasts, but inconsistent with the *Housing Policy Plan*.

### Compatibility with Plans of Adjacent Jurisdictions

The amendment will not have an impact on adjacent communities, school districts, or watershed districts, and is compatible with the plans of those districts.

## PREVIOUS COUNCIL ACTIONS

- The Council acted on the 2040 Plan on June 26, 2019 ([Business Item 2019-136 JT](#), Review File No. 21975-1).
- The Council administratively reviewed the Pulte Homes amendment on May 28, 2021 (Review File No. 21975-2). The amendment reguided 20 acres from Public/Institutional to Low Density Residential to allow the development of 49 single family homes.
- The Council administratively reviewed the Shores on Marsh Lake amendment on November 1, 2021 (Review File No. 21975-3). The amendment changed the development staging of a 37.8-acre site from the 2031-2040 to the 2021-2030 decade to accommodate a sewer development consisting of 42 single family housing units.
- The Council administratively reviewed the Marsh Hollow First Addition and Huntersbrook First Addition Future Land Use amendment on October 6, 2022 (Review File No. 21975-4).



The amendment resulted in 4.8 acres increase of Medium Density Residential, 0.03 acres increase of Low Density Residential, 2.53 acres decrease of Public/Institutional, and 1.45 acres decrease of Open Space to ensure consistency with the future land use map.

- The Council administratively reviewed the 1940 Stieger Lake Lane amendment on February 22, 2023 (Review File No. 21975-5). The amendment reguided 1.17 acres from Parks to Downtown Mixed Use to accommodate 145 market-rate apartment units.

## ISSUES

- I. Does the amendment conform to the regional system plans?
- II. Is the amendment consistent with Thrive MSP 2040 and other Council policies?
- III. Does the amendment change the City's forecasts?
- IV. Is the amendment compatible with the plans of adjacent local governmental units and affected jurisdictions?

## ISSUES ANALYSIS AND FINDINGS

### Conformance with Regional Systems

The amendment conforms to the regional system plan for Regional Parks, Transportation, and Wastewater, with no substantial impact on, or departure from, these system plans. Additional review comments are included below.

#### Regional Parks

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

The proposed amendment conforms to the *2040 Regional Parks Policy Plan*. There are two units of the Regional Parks and Trails System within 0.5 mile of the amendment site. The Lake Minnetonka Regional Trail overlaps the project site, and the planned Southwest Regional Trail is approximately 0.4 mile to the west of the site.

The proposed land use change does not have an adverse impact on either of the regional trails. In fact, the proposed change and subsequent development will facilitate the extension of the Lake Minnetonka Regional Trail and a future connection to the Southwest Regional Trail.

#### Transportation

*Reviewer: Joseph Widing, Metropolitan Transportation Services (MTS) (651-602-1822)*

The proposed amendment conforms to the *2040 Transportation Policy Plan (TPP)*. The amendment accurately responds to updates to the TPP.

#### Advisory Comments

Council staff appreciate the inclusion of the proposed boardwalk trail connection to the Lake Minnetonka LRT Regional Trail and advise the City to consider permitting public access and use on the proposed regional trail connection.

#### Wastewater Service

*Reviewer: Roger Janzig, Environmental Services (ES) – Wastewater Planning and Community Programs ([roger.janzig@metc.state.mn.us](mailto:roger.janzig@metc.state.mn.us))*

The proposed amendment conforms to the *2040 Water Resources Policy Plan (WRPP)*. The regional system has adequate capacity to serve the proposed development associated with this amendment.

Metropolitan Council Forcemain Interceptors (8083 and 9204) run north of this site, south of Arboretum Boulevard. The Interceptors were built in 2015 and are 20-inch High Density Polyethylene (HDPE) pipes. There are specific processes that must be followed before encroaching on Council property as detailed in the advisory comment.



### Advisory Comments

An Encroachment Agreement is required before encroaching on Council property. To obtain an Encroachment Application, contact Tim Wedin, Interceptor Engineering Assistant Manager at the Metropolitan Council Environmental Services at 651-602-4571. To assess the potential impacts to the Council’s interceptor system, prior to initiating this project, preliminary plans should also be sent to Tim Wedin.

### Consistency with Council Policy

The amendment is consistent with Council policies for forecasts, land use, housing, sub-surface sewage treatment systems, and water supply. Additional review comments are detailed below.

### Thrive MSP 2040 and Land Use

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

The Plan, with the proposed amendment, is consistent with the land use policies in *Thrive MSP 2040* (Thrive), which identifies the City as an Emerging Suburban Edge Community. The amendment proposes to add 1.05 acres of Low Density Residential (2.25-6 units per acre), remove 8 acres of High Density Residential (12-36 units per acre), relocate the existing Downtown Mixed Use (24-75 units per acre at 30% residential) and reduce it by 5 acres, and add a total of 12 acres of Open Space (see Figures 3 and 4). The site is located south of Arboretum Boulevard and east of Lakes Parkway (see Figure 2). The purpose of the amendment is to accommodate the development of two single family homes and a 147-unit senior living facility.

The amendment reduces the overall minimum density of the City from 3.78 units per acre to 3.63 units per acre, as shown in Table 1 below (changes underlined). Thrive directs Emerging Suburban Edge communities to plan for development and redevelopment at minimum overall densities of 3 to 5 units per acre. The City’s overall density continues to be consistent with regional land use policies for Emerging Suburban Edge communities.

Table 1. Planned Residential Density, City of Victoria

Category	2017-2040 Change			Min Units	Max Units
	Min	Density Max	Net Acres		
Low Density Residential	2.25	6	<u>534.4</u>	<u>1,202</u>	<u>3,206</u>
Medium Density Residential	6	12	70.3	422	843
High Density Residential	12	36	<u>16.7</u>	<u>201</u>	<u>602</u>
Downtown Mixed Use*	24	75	<u>7.2</u>	<u>173</u>	<u>542</u>
Commercial*	24	50	13.8	332	691
<b>TOTALS</b>			<b>642.4</b>	<b>2,330</b>	<b>5,885</b>
<b>Overall Density</b>				<b>3.6</b>	<b>9.2</b>

\*30% residential

### Housing

Reviewer: Olivia Boerschinger, CD – Housing (651-602-1327)

With the proposed amendment, the City’s Plan is no longer consistent with the Council’s *Housing Policy Plan* (HPP). The proposed amendment decreases the City’s inventory of land guided to support the development of low- and moderate-income housing. With this amendment, the Plan will be guiding approximately 60 acres of higher density residential land such that at least 426 units could be built (see Figure 5).

To facilitate land for the development of affordable housing within the drafting of the 2040 Plan, the City chose to guide land following Option 2 outlined in the HPP. Option 2 requires planning to accommodate its total share of regional need, which is 434 units, by guiding sufficient land at *both* a minimum of 6 units per acre to support households earning 51-80% Area Median Income (AMI), and at 12 units per acre to support households earning less than 50% AMI.

With the proposed change, the Plan no longer provides sufficient land to address its share of the



region's 2021-2030 need for affordable housing for 50% of AMI and below, which is 385 units, a deficit of 118 units. This also results in a shortfall of meeting the City's overall share of regional need for affordable housing, which is 434 units, a deficit of 7 units.

Communities found inconsistent with the Council's *Housing Policy Plan* may not draw down funds awarded via Livable Communities Act (LCA) programs. The City of Victoria is a current participant in LCA but has no current outstanding awards to draw down.

#### *Advisory Comments*

This proposed amendment will change the City's status to ineligible for LCA Programs. This prevents the City from being able to draw funds from any awards that they have received or may receive until such time as the 2040 Plan is determined consistent with the *Housing Policy Plan*. To be consistent with the Council's housing policy, the City needs to guide additional acres expected to develop in the 2021-2030 decade to a land use with a minimum density of 12 units per acre to accommodate a minimum of 118 additional units.

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

The proposed amendment 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.

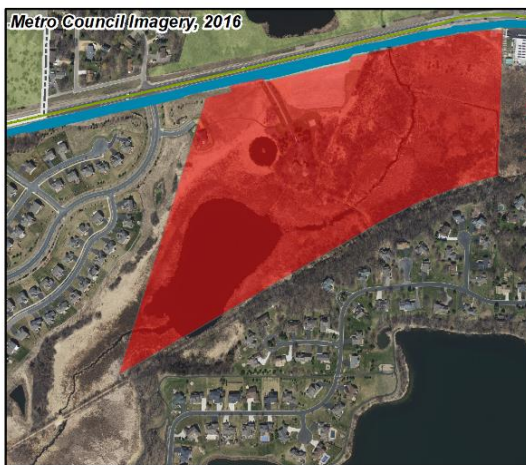
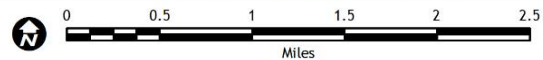
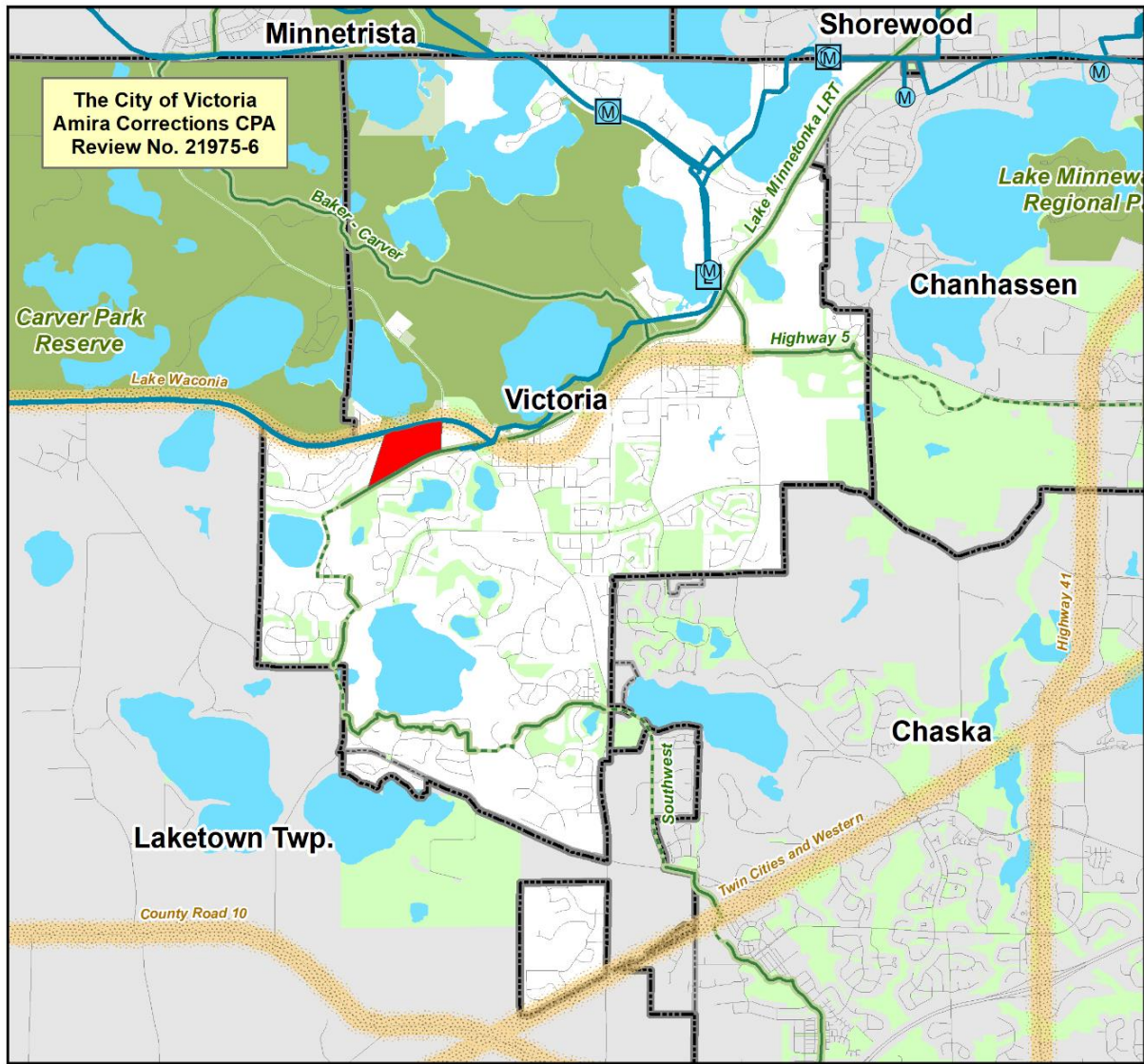
## ATTACHMENTS

- Figure 1: Location Map Showing Regional Systems
- Figure 2: Location Map Showing Community Designations
- Figure 3: Current Guiding Land Use
- Figure 4: Proposed Guiding Land Use
- Figure 5: Land Guided for Affordable Housing





Figure 1. Location Map Showing Regional Systems



**Regional Systems**

**Regional Transitways**

- Existing
- Planned Current Revenue Scenario
- Potential Increased Revenue Scenario

**Wastewater**

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

**Regional Highway System**

- Interstates
- US Highways
- State Highways
- County Roads
- Road Centerlines

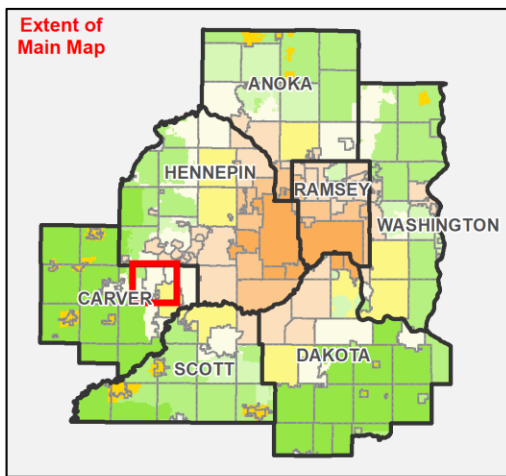
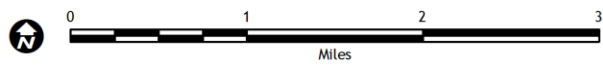
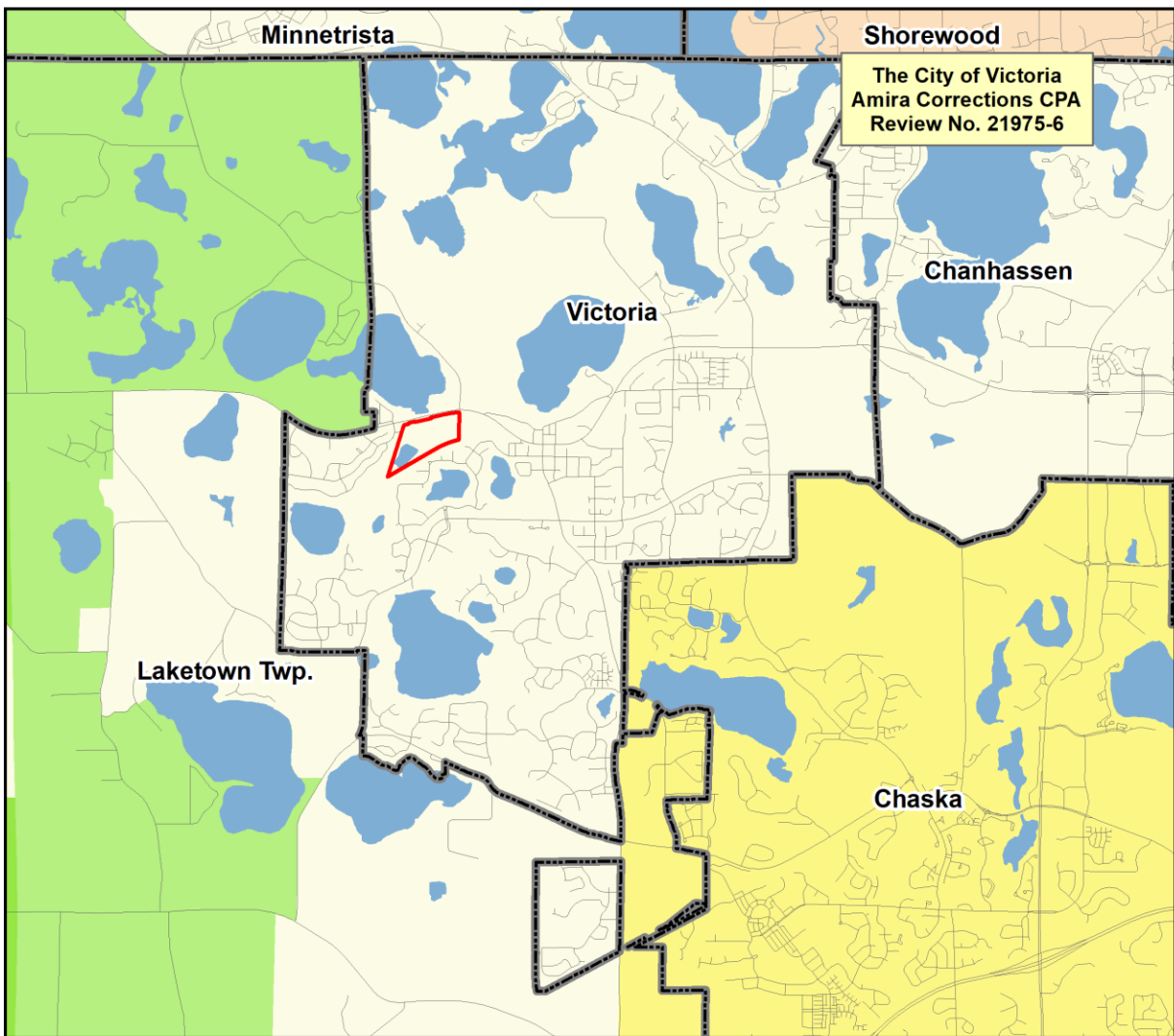
**Regional Parks**

- Existing (Open to Public)
- In Master Plan (Not Open to Public)
- Planned Units
- Other Parks, Preserves, Refuges and Natural Areas

**Regional Trails**

- Existing (Open to Public)
- Existing (Not Open to Public)
- Planned Regional Trails
- Regional Trail Search Corridors

Figure 2. Location Map Showing Community Designations



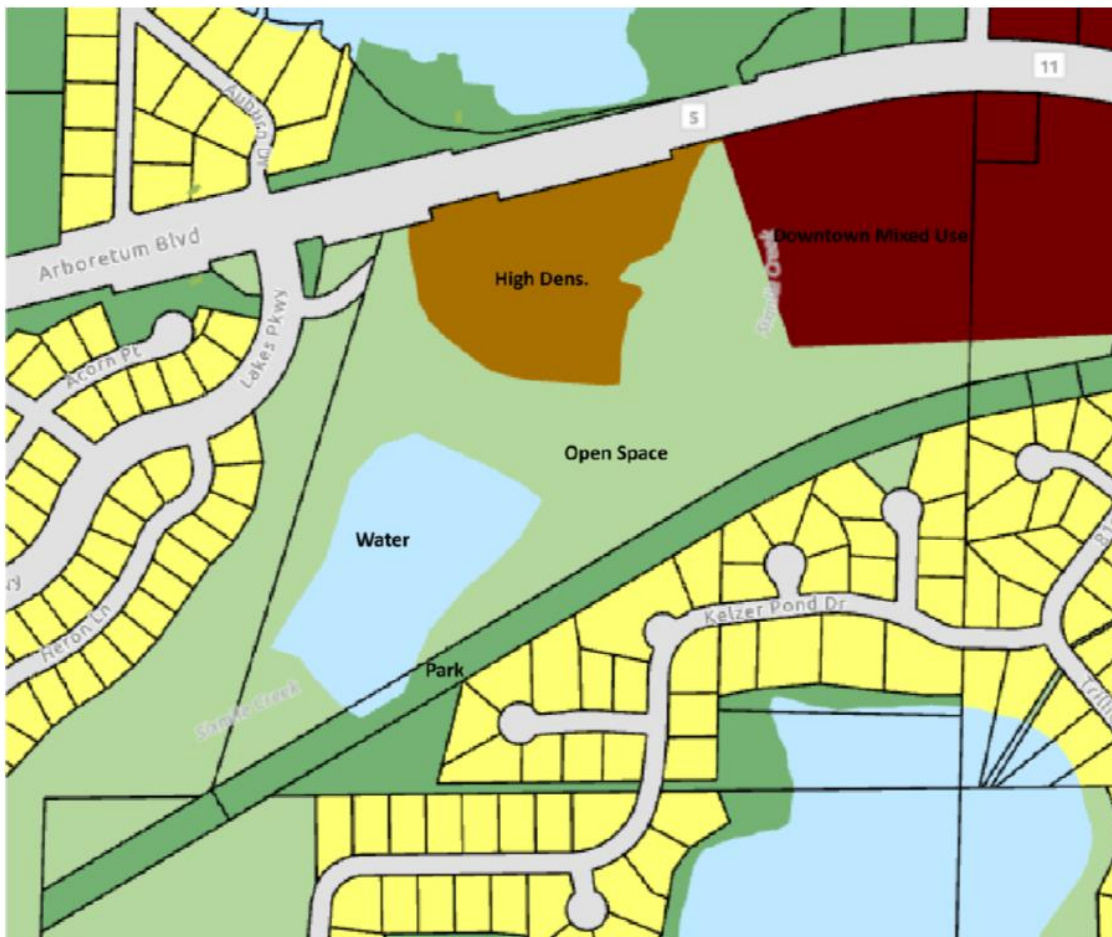
Metropolitan Council

**ThriveMSP 2040 Community Designations**

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



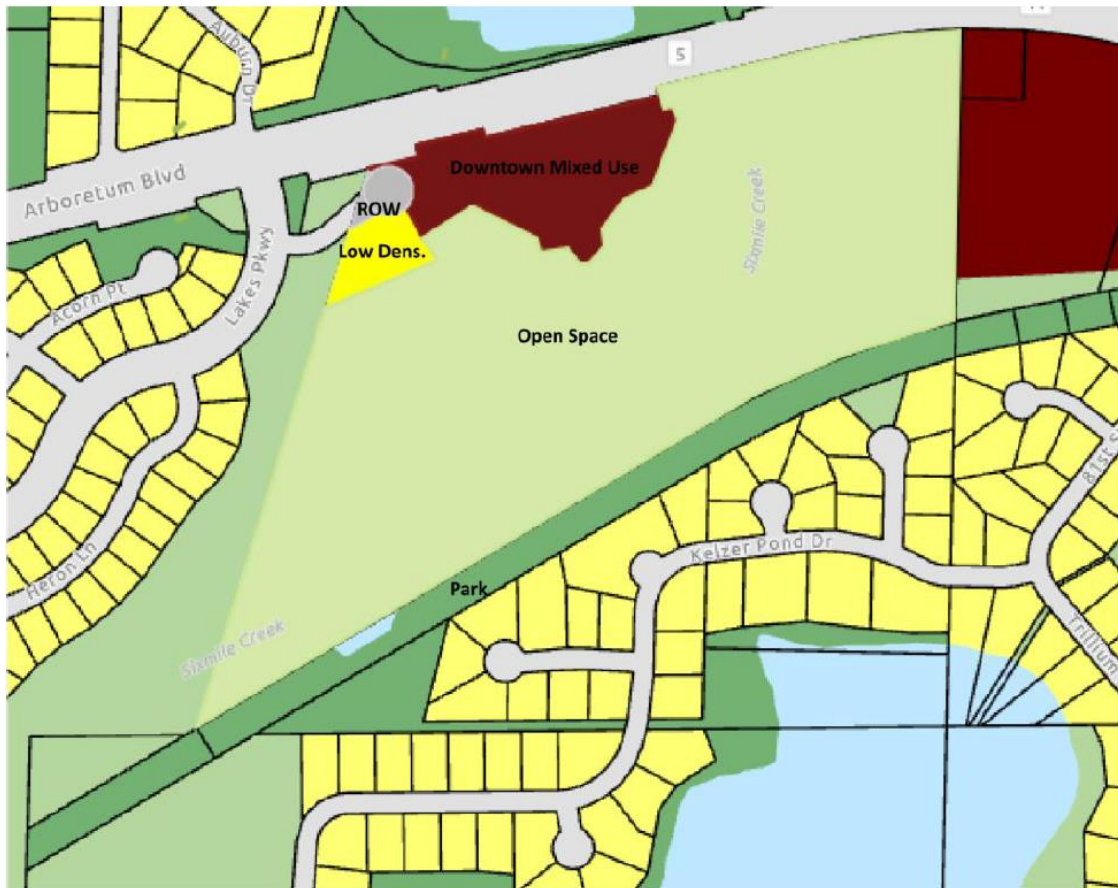
Figure 3. Current Guiding Land Use



- |   |                            |   |                        |   |            |
|---|----------------------------|---|------------------------|---|------------|
|  | Agriculture                |  | Commercial             |  | Open Space |
|  | Rural Residential          |  | Downtown Mixed Use     |  | ROW        |
|  | Low Density Residential    |  | Flex - Employment      |  | Utility    |
|  | Medium Density Residential |  | Public / Institutional |  | Water      |
|  | High Density Residential   |  | Park                   |   |            |



**Figure 4. Future Guiding Land Use**



- |  |  |  |
|--|--|--|
|  Agriculture                |  Commercial             |  Open Space |
|  Rural Residential          |  Downtown Mixed Use     |  ROW        |
|  Low Density Residential    |  Flex - Employment      |  Utility    |
|  Medium Density Residential |  Public / Institutional |  Water      |
|  High Density Residential   |  Park                   |  |



## Figure 5. Land Guided for Affordable Housing

1-2030 share of regional need for Affordable Housing at 50% AMI and Below:	<b>385 units</b>
-2030 share of regional need for Affordable Housing between 51 to 80% AMI:	<b>49 units</b>
TOTAL 2021-2030 share of regional need for Affordable Housing:	<b>434 units</b>
2021-2030 total regional need for Affordable Housing:	<b>37,900 units</b>

	<b>Available Acres</b>	<b>X</b>	<b>Minimum Density</b> <i>(units per acre)</i>	<b>X</b>	<b>Expected % Residential</b> <i>(if mixed use)</i>	<b>=</b>	<b>Minimum Units Possible</b>
<b>High Density Residential</b>	5.5		12		100%		66
<b>Downtown Mixed Use</b>	6.4		24		30%		47
<b>Commercial</b>	21.3		24		30%		154
<b>Medium Density Residential</b>	26.6		6		100%		160
<b>Total</b>	<b>59.9</b>						<b>427</b>

Sufficient/(insufficient) units affordable at 50% AMI and below possible in areas with ≥12 units per acre minimum against share of regional need: **-118**

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: **111**

Sufficient/(insufficient) total units possible against share of regional need: **-7**

Affordable units built since 2021: **0**

Sufficient/(insufficient) units possible adjusted for affordable units built: **(7)**

