

## Community Development Committee

For the Metropolitan Council meeting of September 26, 2018

**Subject:** City of Shakopee Sand Company Apartments Comprehensive Plan Amendment, Review File No. 20434-9

### Proposed Action

That the Metropolitan Council

1. Adopt the attached Review Record and allow the City of Shakopee to place the Sand Company Apartments (Southbridge Crossing) Comprehensive Plan Amendment into effect.
2. Find that the proposed amendment changes the City's forecasts. The City will address all forecast adjustments, including both community-wide and TAZ forecasts, through the City's 2040 Comprehensive Plan.
3. Advise the City to implement the advisory comments in the Review Record for Transportation, Forecasts, Land Use, Housing, and Environment.

### Summary of Committee Discussion/Questions

Planning Analyst Angela Torres presented the staff's report to the Committee. Representatives from the City were in attendance. Council member Elkins made the motion to approve the amendment. Council member Barber commended the relationship between the Council and the City in working to complete the amendment. The Community Development Committee unanimously recommended approval of the proposed action at its meeting on September 17, 2018.

## Community Development Committee

Meeting date: September 17, 2018

For the Metropolitan Council meeting of September 26, 2018

**Subject:** City of Shakopee Sand Company Apartments Comprehensive Plan Amendment, Review File No. 20434-9

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

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

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

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

### Proposed Action

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2. Find that the proposed amendment changes the City's forecasts. The City will address all forecast adjustments, including both community-wide and TAZ forecasts, through the City's 2040 Comprehensive Plan.
3. Advise the City to implement the advisory comments in the Review Record for Transportation, Forecasts, Land Use, Housing, and Environment.

### Background

The Metropolitan Council reviewed the City of Shakopee 2030 Comprehensive Plan Update (Update), ([Business Item No. 2009-123](#), Review File No. 20434-1) on June 24, 2009. This is the eighth comprehensive plan amendment since the Update was reviewed. The amendment proposes a land use change from Commercial to High Density Residential on 12.6 acres located north of Southbridge Transit Station in the City of Shakopee (see Figures 1 and 3). The purpose of the amendment is to facilitate the construction of over 300 residential units in an apartment development with multiple buildings, called Southbridge Crossing. Concept plans estimate a 300-unit residential development with several different building scenarios. More recent civil site plans submitted as supplemental information for the amendment show plans for four apartment buildings with 314 planned residential units and an accompanying on-site community building (see Figure 4 for general site layout). The project is already constructed, and this amendment resolves an outstanding inconsistency between the City's adopted comprehensive plan land use guiding and a locally approved development proposal and rezoning.

### Rationale

The proposed amendment conforms to regional system plans, is consistent with Council policies, 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* (Thrive). 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**

None known.

# Review Record

## City of Shakopee Sand Company Apartments Comprehensive Plan Amendment

Review File No. 20434-9, Council Business Item No. 2018-249

### BACKGROUND

The City of Shakopee (City) is located in northern Scott County, bordered by the cities of Eden Prairie, Bloomington, Savage, Prior Lake, Spring Lake Township, Sand Creek Township, Louisville Township, Jackson Township, and Chanhassen.

Consistent with the policies adopted by the Council in June 2014 ([Business Item 2014-143](#)) regarding review of local comprehensive plans, this amendment is being reviewed under *Thrive MSP 2040* and its policy plans. The proposed amendment was found complete for review in a letter dated August 24, 2018.

*Thrive MSP 2040* (Thrive) designates Shakopee with an “Suburban Edge” community designation. According to the Council’s forecasts, the City will grow from 36,946 in 2010 to 53,100 population in 2040 and from 12,722 to 18,800 households. The Council also forecasts that, between 2010 and 2040, the City’s employment will increase from 18,831 to 31,900 jobs.

The Metropolitan Council reviewed the City of Shakopee 2030 Comprehensive Plan Update ([Business Item 2009-123](#), Review File No. 20434-1) on June 24, 2009. This is the eighth comprehensive plan amendment since the Update was reviewed.

### REQUEST SUMMARY

The amendment proposes a land use change from Commercial to High Density Residential on 12.6 acres located north of Southbridge Transit Station in the City of Shakopee (see Figures 1 and 3). The purpose of the amendment is to facilitate the construction of over 300 residential units in an apartment development with multiple buildings, called Southbridge Crossing. Concept plans estimate a 300-unit residential development with several different building scenarios. More current civil site plans submitted as supplemental information for the amendment show plans for four apartment buildings with 314 planned residential units and an accompanying on-site community building (see Figure 4 for general site layout). The project is already constructed, and this amendment resolves an outstanding inconsistency between the City’s adopted comprehensive plan land use guiding and a locally approved development proposal.

### 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 *Thrive MSP 2040*, the *2040 Housing Policy Plan*, water resources management, and the Council’s forecasts.

**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 City's Update on June 24, 2009 (Review File No. 20434-1).
- The Liberty Properties amendment was administratively approved by the Council on November 30, 2010 (Review File No. 20434-2). This amendment reguidded 25 acres from Commercial to Industrial use.
- The Valley Park 17<sup>th</sup> Addition amendment was administratively approved by the Council on November 13, 2012 (Review File No. 20434-3). This amendment reguidded 11 acres from Business Park to Commercial use.
- The Recovery Technology Solutions amendment was administratively approved by the Council on July 22, 2013 (Review File No. 20434-4). This amendment reguidded 19.65 acres from Commercial to Industrial use.
- The Checkered Flag Properties amendment was administratively approved by the Council on August 11, 2014 (Review File No. 20434-5). This amendment reguidded 5 acres from Commercial to Industrial use.
- The Hy-Vee amendment was administratively approved by the Council on September 14, 2016 (Review File No. 20434-6). This amendment reguidded 23.89 acres from Medium Density Residential (MDR) to Commercial and High Density Residential (HDR) to support a mixed-use development with grocery store, liquor store, convenience store, and medical office building as well as a 100-unit residential development on 7.89 acres. Allowable density ranges were amended for MDR (5.01-8 units per acre (u/a) to 5.01-12 u/a) and HDR (8.01-12 to 14-28 u/a).
- July 19, 2017: The Council provided comments on the Canterbury Commons Environmental Assessment Worksheet (EAW) (Review File No. 21751-1).
- The United Properties Canterbury amendment was administratively approved by the Council on April 30, 2018 (Review File No. 20434-7). This amendment reguidded 24 acres from Entertainment District to Industrial use.
- The Entertainment District amendment (Review File No. 20434-8, [Business Item No. 2018-126 SW](#)) was approved by the Council on May 23, 2018.

## 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: Angela R. Torres (651-602-1566)*

The amendment conforms to the *2040 Regional Parks Policy Plan* (RPPP). The amendment is within 0.5 mile of the Minnesota River Extension Regional Trail Search Corridor as identified in the RPPP. The change in land use guiding from Commercial to High Density Residential is not anticipated to impact the Regional Parks System.

## Transportation

*Reviewer: Russ Owen (651-602-1724), Steve Mahowald (612-349-7775)*

The proposed amendment conforms to the *2040 Transportation Policy Plan* (TPP). This proposed amendment will not have an impact on the existing transportation network.

## Advisory Comments

A benefit of the site is its proximity to the Southbridge Transit Station and its location within walking distance to the commercially zoned area on the east side of CSAH 21. However, the concept drawings do not show sidewalks along Stagecoach Road nor Crossings Boulevard. To fully and reasonably take advantage of the site's location next to transit and within walking distance to retail, sidewalks should be provided along both streets. Council staff also encourage the City and developer to work with Minnesota Valley Transit Authority (MVTA) staff regarding potential bus stops adjacent to the site and pedestrian crossings to the Transit Station.

## Wastewater

*Reviewer: Roger Janzig (651-602-1119)*

The proposed amendment conforms to the *2040 Water Resources Policy Plan*. The amendment changes the future land use from Commercial to High Density Residential to allow for the construction of a 314-unit apartment development at a density of 24.9 units/acre. The property is located adjacent to the Southbridge Transit Station on Crossings Boulevard, north of Hansen Avenue and west of Stagecoach Road. The wastewater for this project location is conveyed through Metropolitan Council Interceptor 7120 and treated at the Blue Lake Wastewater Treatment Plant. The Regional System has sufficient reserve capacity to accommodate the wastewater flow generated by the proposed project.

## Consistency with Council Policy

The amendment is consistent with Council policies for forecasts, land use, housing, and water supply. Additional review comments regarding consistency with land use, housing, and environmental policies are detailed below.

## Forecasts

*Reviewer: Todd Graham (651-602-1322)*

In supplemental information submitted with the amendment, the City acknowledges that this and other current or planned developments affect the community-wide forecast for Shakopee. City and Council staff have agreed that the upcoming 2040 Comprehensive Plan will include upward revisions to households and population forecasts. The forecast change will not be acted on with this amendment.

Council staff find that this amendment would affect the community-wide forecast. The amendment discusses the Southbridge Crossing apartment complex development with over 300 apartments (in 3 or 4 buildings) on a site previously guided Commercial. This development, in combination with other known developments, has the potential to attract population and households exceeding the forecast for the immediate area and the community.

In addition to the community-wide forecast, Council staff advise that the City should also adjust Transportation Analysis Zone (TAZ) forecast allocations from TAZ #2168 to reflect the change in

expected development. Preliminarily, the Council has forecasted that TAZ #2168 (eastern edge of Shakopee) would gain 215 households during 2014-2040. The proposed project by itself would add over 300 housing units. The City can update the TAZ forecast through correspondence to the Council, with submission of the 2040 Comprehensive Plan.

### Land Use

Reviewer: Angela R. Torres, AICP (651-602-1566)

The proposed amendment is consistent with the land use policies in *Thrive MSP 2040* (Thrive), which designates the City as a Suburban Edge community. Thrive directs Suburban Edge communities to support forecasted housing growth at an average minimum density of 3 to 5 units per acre, and to target higher-intensity developments in areas with better access to sewer and transportation infrastructure, connections to local commercial activity centers, transit facilities, and recreational amenities.

The amendment proposes a land use change from Commercial to High Density Residential on 12.6 acres located north of Southbridge Transit Station in the City of Shakopee (see Figures 1 and 3). The purpose of the amendment is to allow for the construction of a 314-unit apartment development with multiple buildings, called Southbridge Crossing. Concept plans and supplemental information for the amendment show plans for four apartment buildings with 314 planned residential units and an accompanying community building on-site (see Figure 4). The project is already constructed, and this amendment resolves an outstanding inconsistency between the City’s adopted comprehensive plan land use guiding and a locally approved development proposal and rezoning.

The City’s Update, with previous amendments, has a planned minimum residential density of 3.24 units per acre. Consistent with the Council’s [Metropolitan Urban Service Area \(MUSA\) Implementation Guidelines](#), communities participating in the Plat Monitoring Program (PMP) receive credit for development platted beginning in the year 2000. Since 2000, the City has averaged 3.63 units per acre in the PMP. As shown in Table 1 below, with this amendment, the City has a combined overall minimum residential density of 3.40 units per acre.

The proposed change is consistent with Council policies and has minimal impact on the City’s overall planned residential density, which remains above 3 units per acre (changes are underlined in Table 1).

**Table 1: City of Shakopee Planned Residential Density**

Category	2008-2030 Change				
	Density Range		Net Acres	Min Units	Max Units
	Min	Max			
Single Family Residential	3	5	2,439	7,317	12,195
Medium Density Residential	5.01	12	211	1,058	2,533
High Density Residential	14	28	<u>20.49</u>	<u>287</u>	<u>574</u>
Entertainment District (10%)*	5.01	28	70	351	1,960
Mixed Use - Residential	3	5	40	120	200
Subtotals			2,781	9,132	17,462
<b>Plat Monitoring Program 2000-2016</b>			1,372	4,980	3.63
<b>TOTALS</b>			<b>4,153</b>	<b>14,112</b>	<b>17,466</b>
<b>Overall Planned Density</b>				<b>3.40</b>	<b>4.20</b>

\* Net acres reflects 10% of the 700 total acres in the Entertainment District, which allows up to 10% of the area to be used for residential purposes.



The proposed density is 24.9 units per acre (314 units on 12.6 acres), which is consistent with the City's Community Designation, Suburban Edge, which requires a minimum of 3-5 units per acre for new development and redevelopment.

The proposed change in land use to accommodate a high density residential development near transit facilities and within walking distance to nearby commercial uses is consistent with land use policy for Suburban Edge communities.

### *Advisory Comments*

The City moved forward with the proposed development that requires plan amendment prior to Council review as required by state statute (Minn. Stat. §§ 473.858 and 473.864). The Council strongly encourages the City to retrofit any items included in Advisory Comments into site design.

Further, the City should note that future efforts to accommodate new development without required comprehensive plan amendments may result in the project being held up or delayed due to regional systems issues. We strongly urge the City to follow the statutory process for plan amendments and review ahead of permitting new development to minimize that risk.

## **Housing**

*Reviewer: Hilary Lovelace (651-602-1674)*

The proposed comprehensive plan amendment is complete and consistent with the Council's policies for housing. The City currently provides sufficient land to address its share of the region's 2011-2020 need for affordable housing, which is 2,105 units. The proposed amendment increases the City's inventory of land guided to promote the development of low- and moderate-income housing. After this amendment, the City will be guiding over 499 acres of residential land such that at least 2,459 units could be built.

Shakopee has not been a participant in Livable Communities Act programs in the past, but recently passed a resolution to participate. The most recent affordable housing built in Shakopee was 26 rental units built in 2015.

### *Advisory Comments*

The City should be aware that its share of the region's 2021-2030 need for affordable housing is 598 units and that this number may increase with forthcoming revisions in the City's household forecasts. In preparing the 2040 Comprehensive Plan, the City should note that the minimum density of land guided to address this need is 8 units per acre. The City is encouraged to contact their Sector Representative or Council housing staff with any questions regarding the Council's housing policy for the 2040 Comprehensive Plan.

## **Environment**

*Reviewer: Jim Larsen (651-602-1159)*

*Thrive MSP 2040* natural resource protection policy for Suburban Edge communities is to encourage site planning that incorporates natural areas as part of site development and redevelopment. A number of environmental concerns were observed in the initial April 2018 amendment submittal materials. Council GIS data indicated the presence of a wetland of record in the northeast corner of the site, a mature wooded area along the eastern half of the site, and the western half of the site had been identified by the Minnesota Department of Natural Resources (DNR) as containing Regionally Significant Ecological Area (RSEA) vegetation characterized as being of 'high' relative quality. The City's amendment submittal made no mention of the presence of a wetland on site, or planned protection of any RSEA lands or wooded areas on the site.



Council staff observed that a proposed on-site stormwater basin was located in roughly the same location as the wetland and mature woodland in our GIS database. Council recommendation to the City, consistent with City staff's initial recommendation, would have included encouraging the developer to work with the Minnesota Department of Transportation (MnDOT) in an attempt to expand their stormwater management basin sited immediately north of the site adjacent to Highway 169 in an effort to preserve the on-site natural resources. However, information indicating that the project was already under construction and that approximately 85% of the site's woodland had been slated for removal made pursuit of a less environmentally impactful site development alternative moot. Review of consistency with regional natural resource protection policies for Suburban Edge communities after the resource has been altered by development is ineffective.

### *Advisory Comments*

The City should continue to work with the Council on projects and all regional review approvals prior to construction to ensure consideration of environmental concerns.

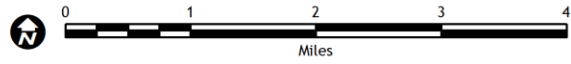
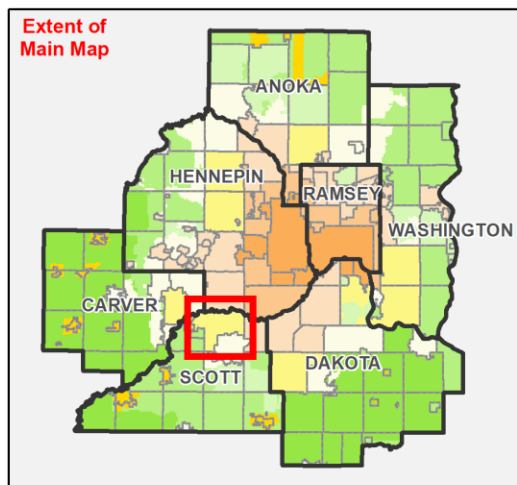
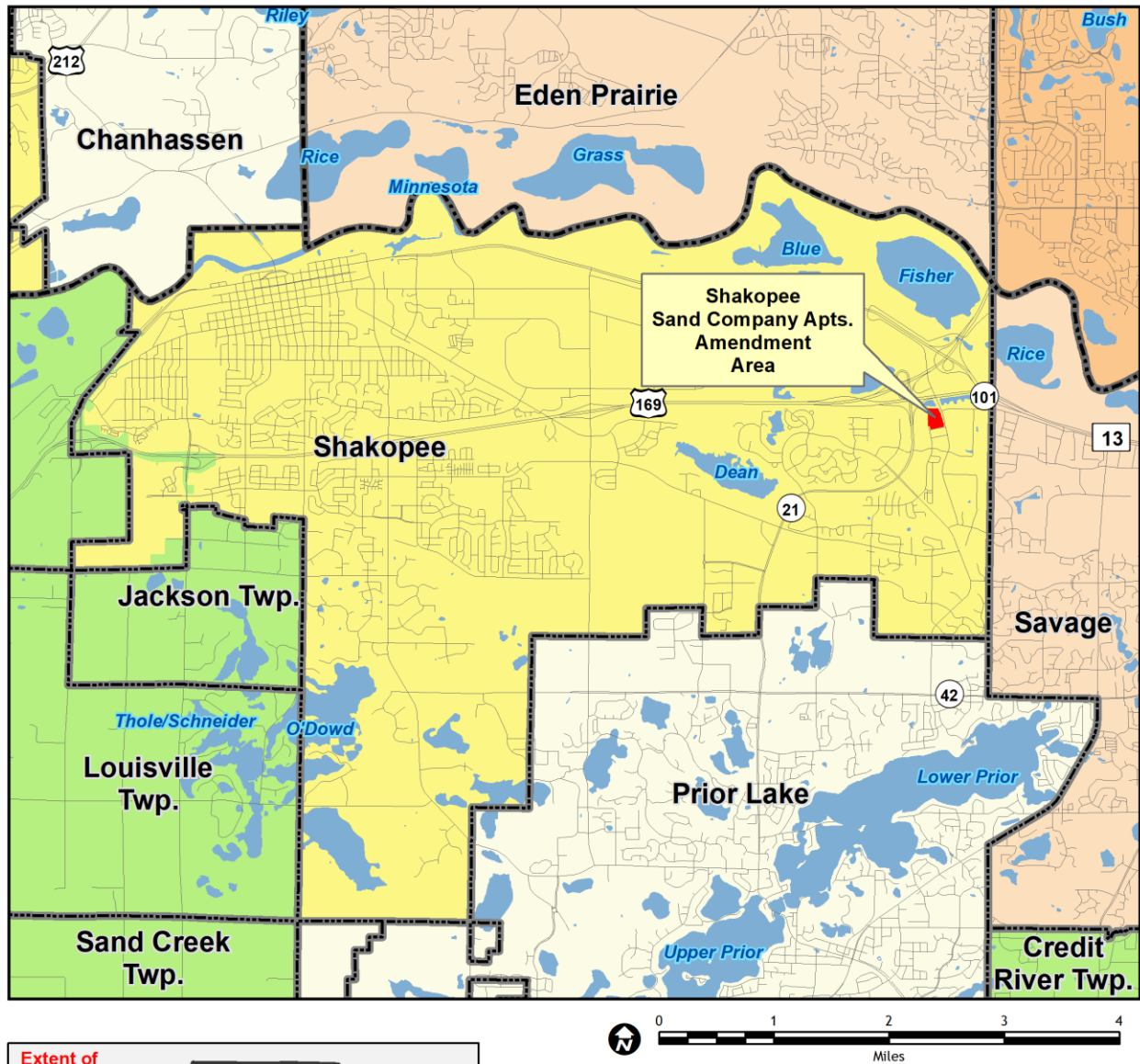
### *Compatibility with Plans of Adjacent Governmental Units and Plans of Affected Special Districts and School Districts*

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**

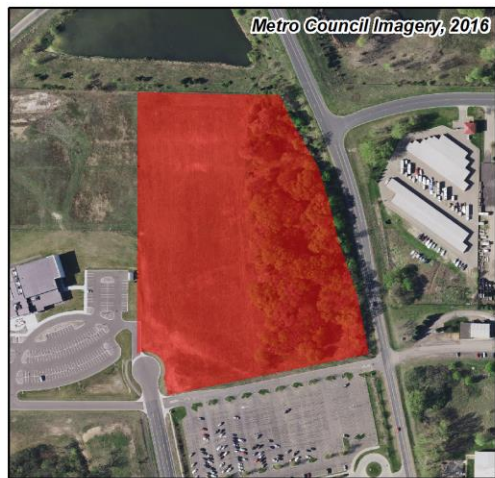
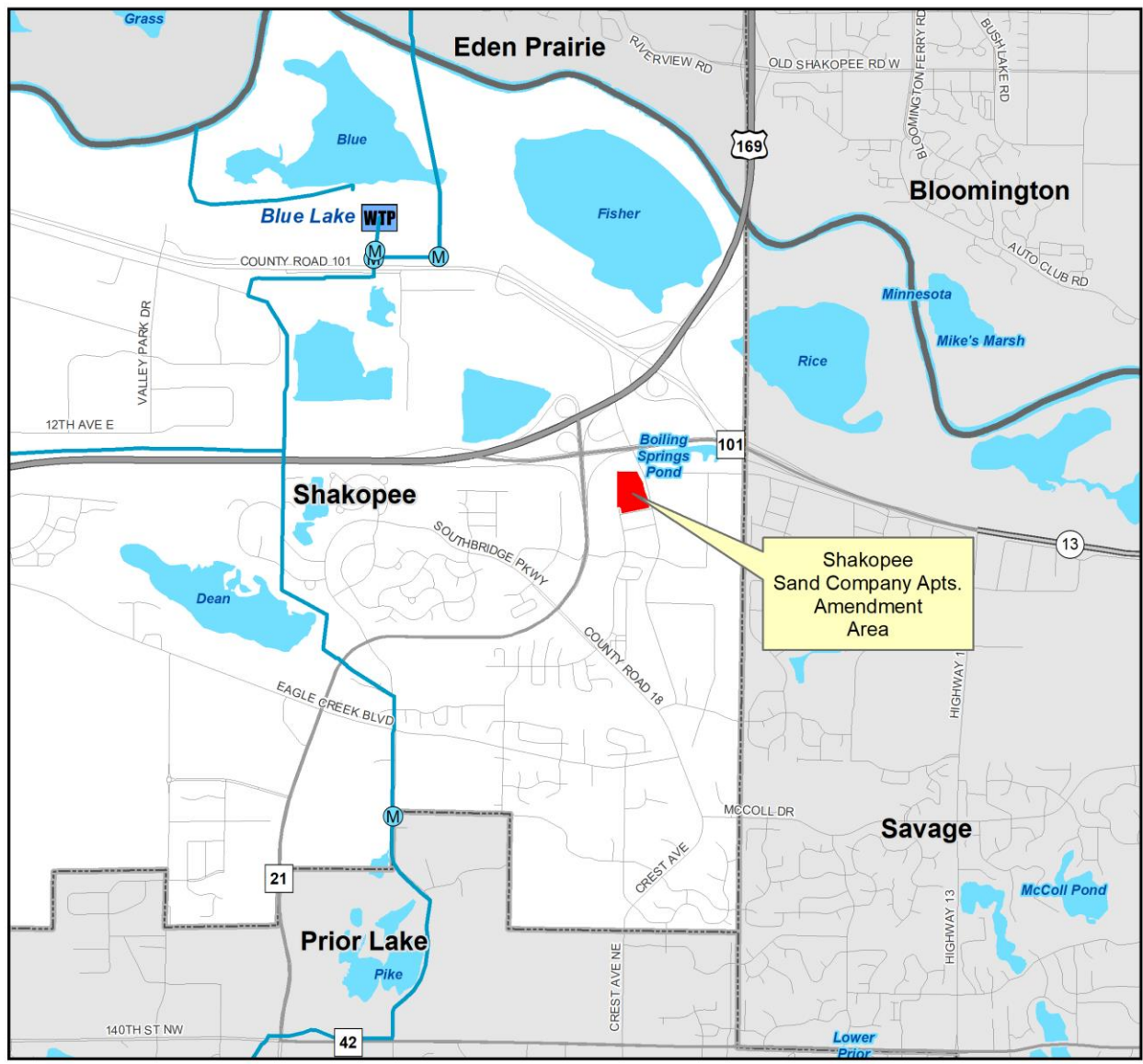
- Figure 1: Location Map Showing Community Designations
- Figure 2: Location Map showing Regional Systems
- Figure 3: Existing and Proposed Land Use Guiding
- Figure 4: Southbridge Crossing Concept Plan

Figure 1: Location Map Showing Community Designations



- ThriveMSP 2040 Community Designations**
- Agricultural
  - Rural Residential
  - Diversified Rural
  - Rural Center
  - Emerging Suburban Edge
  - Suburban Edge
  - Suburban
  - Urban
  - Urban Center
  - Ncompass Street Centerlines

Figure 2: Location Map Showing Regional Systems



**Regional Systems**

- Planned Fixed Guideway Stations
- Existing Fixed Guideway Stations
- Regional Transitways**
  - Existing, Fixed Guideway
  - Proposed, Fixed Guideway
  - Existing, Bus Rapid Transit
  - Proposed, Bus Rapid Transit
- Wastewater Treatment**
  - M Meters
  - L Lift Stations
  - MCES Interceptors
  - WTP MCES Treatment Plants
- Regional Highway System**
  - Interstates
  - US Highways
  - State Highways
  - County Roads
  - Ncompass Street Centerlines
- Regional Parks**
  - Existing (Open to Public)
  - In Master Plan (Not Open to Public)
  - Planned Units
  - Existing Regional Trails
  - Planned Regional Trails

Figure 3: City of Shakopee's Map showing the General Project Location

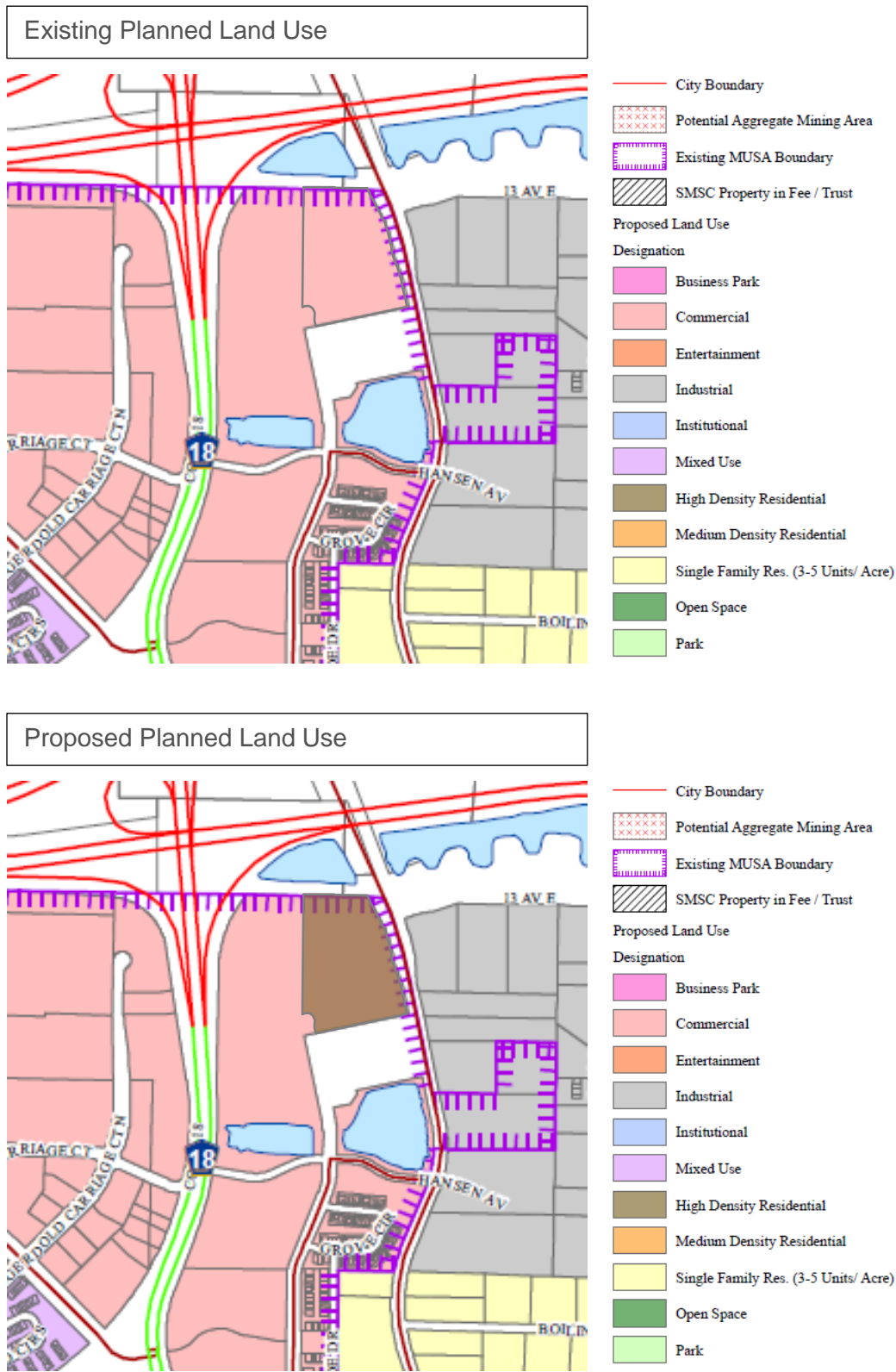




Figure 4: Southbridge Crossing Concept Plan



## Southbridge Crossing Shakopee, MN

### CONCEPT PLAN

