

Community Development Committee

Environment Committee

For the Metropolitan Council meeting of June 26, 2019

Subject: City of Burnsville 2040 Comprehensive Plan, Review File 21907-1 and Comprehensive Sewer Plan

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 Burnsville to place its 2040 Comprehensive Plan into effect.
2. Strongly encourage the City to address all widely known housing tools in order to be fully consistent with Council housing policy. The following tools should be considered in the Plan before final adoption: local 4d tax program, partnership with local NOAH preservation partners, consideration of a community land trust.

Summary of Committee Discussion/Questions

Planning Analyst Patrick Boylan presented the staff's report to the Committee. Councilmember Johnson asked about housing tools and if they need to be listed in any comprehensive plan to be consistent. Boylan responded that cities are not required to use all tools but that the comp plan needs to list all widely available tools. Johnson followed up and asked how the Council accommodates the fact that tools change over time. Community Development Director LisaBeth Barajas responded that sometimes new tools become available but that in the municipal housing toolbox there are not that many tools and they do not frequently change. Comp plans must address the tools that are available today. If new tools become available, Cities can amend the tool into their Plan. The Community Development Committee unanimously recommended approval of the proposed actions at its meeting on June 3, 2019.

Recommendation of the Environment Committee

1. Approve the City of Burnsville's Comprehensive Sewer Plan component of the City's 2040 Comprehensive Plan.
2. Require the City to:
 - a. Submit capacity and design flow information for its lift stations, and each trunk sewer that connects to the regional system to the Metropolitan Council once it completes its hydraulic model of its wastewater system.
 - b. Submit a copy of the final adopted revised ordinance that prohibits the discharge from sump pumps, foundation drains, and rain leaders to the sanitary sewer system.
3. Advise the City to implement the advisory comments in the Review Record for Wastewater Service.

Summary of Committee Discussion/Questions

Kyle Colvin, Manager, Engineering Services presented the item. Council Member Zeran asked about whether the PACE program through the St. Paul Port Authority was available to allow projects to separate the systems to address inflow and infiltration issues. Chair Lindstrom stated he has experience and it does not allow for funding at this time. Staff stated there is no funding

source applicable for sump-pump connections. In the past funding was available through a bonding bill to address public infrastructure inflow and infiltration work. The cost for sump pump disconnections can vary and in most cases the sump-pump pit is located in the utility room of the house with discharge going to a laundry tub. Cost for these disconnections can range \$150-\$300. Most must be permanent so they cannot be switched back to the laundry tub after initial disconnection.

Council Member Zeran inquired if there is an estimate on the benefit to the system to decrease the amount of stormwater we are processing. Staff stated depending on the susceptibility of ground water and the impact on the amount of water a sump pump has to pump, the discharge from a sump pump can be equivalent to the discharge of about 26 residential connections. Eliminating a few can result in a significant reduction of flow to the wastewater system.

Council Member Fredson asked if it is a best practice to redirect the water to the curb versus to a rain garden or yard. Staff stated that a behind the curb solution is typically an extension of the storm sewer system and that the water would end up in a holding pond, lake or stream and is a common element of street reconstruction projects. Many communities incorporate the discharge of redirect sump pumps in rain garden design.

Community Development Committee

Meeting date: June 3, 2019

Environment Committee

Meeting date: June 11, 2019

For the Metropolitan Council meeting of June 26, 2019

Subject: City of Burnsville 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 21907-1

District(s), Member(s): District 15, Philip Sterner

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

Staff Prepared/Presented: Patrick Boylan, Planning Analyst, Local Planning Assistance (651-602-1438)

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

Kyle Colvin, Engineering Programs, Manager

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 Burnsville to place its 2040 Comprehensive Plan into effect.
2. Strongly encourage the City to address all widely known housing tools in order to be fully consistent with Council housing policy. The following tools should be considered in the Plan before final adoption: local 4d tax program, partnership with local NOAH preservation partners, consideration of a community land trust.

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3. Advise the City to implement the advisory comments in the Review Record for Wastewater Service.

Advisory Comments

The following Advisory Comments are part of the Council action authorizing the City of Burnsville 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. Stats. §§ 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 Burnsville is located in north central Dakota County. The City is surrounded by the communities of Bloomington, Eagan, Apple Valley, Lakeville, Credit River Township and Savage.

The City submitted its 2040 Comprehensive Plan (Plan) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stats. §§ 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>	Inconsistent
Consistency with Council Policy	Water Supply	Consistent
Consistency with Council Policy	Community and Subsurface Sewage Treatment Systems (SSTS)	Consistent
Compatibility	Compatible with the plans of adjacent and affected governmental districts	Compatible

Thrive Lens Analysis

The proposed 2040 comprehensive plan is reviewed against the land use policies in *Thrive MSP 2040*. To achieve the outcomes identified in Thrive, the metropolitan development guide defines the Land Use Policy for the region and includes strategies for local governments and the Council to implement. These policies and strategies are interrelated and, taken together, serve to achieve the outcomes identified in Thrive.

Funding

None.

Known Support / Opposition

There is no known local opposition to the 2040 comprehensive plan.

REVIEW RECORD

City of Burnsville 2040 Comprehensive Plan

Review File No. 21907-1, Business Item No. 2019-137

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, AICP, Community Development (CD) – Regional Parks (651-602-1361)

The Plan conforms to the 2040 Regional Parks Policy Plan (RPPP). Three Rivers Park District and Dakota County are both Park implementing agencies for different Regional Parks System components in the City of Burnsville (Figure 1), for which the Plan accurately describes the Regional Parks System components. Regional Parks, Park Reserves, or Special Recreation Features located within the City include Murphy-Hanrehan Park Reserve. Regional Trails located within the City include Lake Marion Greenway Regional Trail, Minnesota River Greenway Regional Trail, and Lebanon Hills-Lake Marion Regional Trail Search Corridor. The Plan also appropriately acknowledges State and Federal lands within the City, including Fort Snelling State Park and Minnesota Valley National Wildlife Refuge.

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). It accurately reflects transportation system components of the TPP as well as applicable land use policies for regional transitways. 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 Roadways system element of the TPP. The City's Plan accurately accounts for the metropolitan highway system of principal arterials.

The City's Plan accurately reflects the regional functional classification map of A-minor arterials, and has delineated major and minor collectors.

The Plan identifies all the required characteristics of the community'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 was completed consistent with regional methodology. The Plan also includes guidelines on how access will be managed for principal and A-minor arterials.

Transit

The Plan conforms to the Transit system element of the TPP. It shows the location of existing transit routes and facilities and acknowledges the City is primarily within Transit Market Area III, with a small portion in Transit Market Area II.

The Plan incorporates existing and the future transitway that are part of the Current Revenue Scenario in the TPP - that is Phase 1 of the METRO Orange BRT Line.

The Plan also incorporates a transitway that is part of the Increased Revenue Scenario in the TPP – that is, Phase 2 of the Orange BRT Line. The Plan's maps and narrative acknowledge the uncertainty of this transitway.

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

Aviation

The Plan conforms to Aviation system element of the TPP. The Plan includes policies that protect regional airspace from obstructions, addresses seaplane use, and describes how off-site air navigation aids will be protected.

The Plan identifies the MSP International Airport and addresses elements of its long-term comprehensive plan. The Plan addresses issues including noise sensitivity and the protection of airspace from obstructions.

Bicycling and Walking

The Plan is consistent with the Bicycling and Pedestrian chapter of the TPP. The Plan identifies existing and future segments of, and connections to, the Regional Bicycle Transportation Network (RBTN) and regional trails. The Plan proposes preferred alignments for an RBTN corridors and identifies the alignment as “proposed for the RBTN.”

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

Freight

The Plan is consistent with Freight policies of the TPP. The Plan identifies the needs of freight movement in and through the community, including accessibility to freight terminals and facilities.

Transportation Analysis Zones (TAZs)

The Plan conforms to the TPP regarding TAZ allocations. The City's TAZ allocations for employment, households and population appropriately sum to the Metropolitan Council's city-wide forecast totals for all forecast years.

The City's planned land uses and areas identified for development and redevelopment can accommodate the TAZ forecasted allocations in the Plan, and at densities consistent with the community's Thrive designation and applicable TPP policies for transit station areas. (See also Land Use section of this Review Record.)

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 to the City by Metropolitan Council Environmental Services. Wastewater generated within the City is conveyed through the following Council Interceptors;

3-BV-35, 3-BV-39, 7030, and 8560. All flow is treated at the Council's Seneca Wastewater Treatment Plant in Eagan. The Plan projects that the City will have 27,060 sewered households and 41,540 sewered employees by 2040. The Metropolitan Disposal System with its scheduled improvements has or will have adequate capacity to serve the City's forecasted growth.

The Land Use Plan reflects an overall minimum residential sewered density guiding of 14.6 units per acre, thus satisfying the Council's policy for future sewered residential densities for Suburban communities.

The Plan provides sanitary flow projections in 10-year increments. The rationale for the 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 sewered forecasts as stated in the sewer element of the Plan.

The Plan describes the sources, extent, and significance of existing I/I within the sanitary collection system. The Plan states that only 3% of the City's total flow is attributable to I/I and includes a description of an implementation plan for preventing and eliminating excessive I/I from entering the municipal sewer system through annual televised inspections of pipes and visual inspection of maintenance hole structures and addressing identified sources of I/I. The City has not been assigned an I/I work plan by the Council since the Program's inception in 2007.

In recognition that the City has not had any I/I work plan assignments from the Council during the Program, the Plan includes non-specific goals and strategies to mitigate excess I/I. The Plan outlines a continued inspection and system evaluation approach. Less than 20% of residential housing in the City was constructed prior to 1970 when clay tile pipe was the primary material for home services. Although it appears that private property I/I is not currently a major source, as these homes as well as those built after 1970 continue to age, these services will become more susceptible to I/I. It is therefore important that the City stays vigilant in its continued evaluation of private property I/I.

The City is currently revising its ordinance and standards for minimizing I/I to add the prohibition of discharge from sump pumps, foundation drains, and rain leaders to the sanitary sewer system. The current ordinance (dated July 2, 2015) generally cites the restriction of discharges to storm water and surface water. According to the Plan, the City anticipates acting on the proposed changes in May 2019. The City does not, however, have an ordinance that requires the disconnection of such discharges if discovered. Instead, it will be offering "informational resources" regarding the disconnection of such discharges through its website and will evaluate the effectiveness of the educational information.

Sewer Element Comments

The Sewer Element of the Plan has been reviewed against the requirements for Comprehensive Sewer Plans for Suburban communities. It is 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 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.

Advisory Comments

The City has indicated that it will be developing a hydraulic model of its wastewater system to evaluate system capacity of its trunk system using projected design flow information. The City estimates the "study" should be completed by the end of 2019. Once completed, the City shall submit to the Council, capacity and design flow information for its lift stations, and each trunk sewer that connects to the regional system.

Once approved, the City shall submit to the Council a copy of the final adopted revised Ordinance that prohibits the discharge from sump pumps, foundation drains, and rain leaders to the sanitary sewer system.

The City acknowledges that it does not have an ordinance that requires the disconnection of sump pumps, foundation drains, and rain leaders from the sanitary sewer system if discovered. The Council strongly encourages that the City develop such an ordinance to support the enforcement of these prohibited connections. In addition to providing educational information to its residents regarding the impacts on cost and potential future capacity issues, the City may want to consider utilizing activities such as its on-going pavement management and street reconstruction program to investigate the presence of clear water connections to the wastewater system and develop an approach to address these potential connections.

Surface Water Management

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

The Plan is consistent with Council policy requirements and in conformance with the Council's 2040 Water Resources Policy Plan (WRPP) for local surface water management. The Plan satisfies the requirements for 2040 comprehensive plans.

The City lies within the oversight boundaries of the Lower Minnesota River Watershed District, the Vermillion River Watershed Joint Powers Organization, and the Black Dog Watershed Management Organization. The City submitted a draft Local Water Management Plan (LWMP) to the Council on May 30, 2017. Council staff reviewed and commented on the draft LWMP to the City and watersheds in a letter dated June 30, 2017. The Lower Minnesota River Watershed District and Black Dog Watershed Management Organization approved the final LWMP on September 20, 2017, the Vermillion River Watershed Joint Powers Organization approved the final LWMP on October 26, 2017, and the City adopted the final LWMP on November 6, 2017. The Plan incorporates the City's final LWMP in Appendix J.

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 (651-602-1640)

The Plan is consistent with Council policies for forecasts. The Plan includes the Council forecasts for the City, as shown in Table 1 below.

Table 1. Metropolitan Council Forecasts for the City of Burnsville

	Census	Estimated	Council Forecasts		
	2010	2017	2020	2030	2040
Population	60,306	62,239	63,500	66,000	68,500
Households	24,283	25,252	25,900	26,800	27,600
Employment	31,593	35,088	36,700	39,400	41,900

The inventory and capacity of Burnsville's land supply accommodates forecasted growth. Based on the City's Vacant/Underutilized Yield Plan Analysis, vacant land for development can accommodate 2,009 new housing units at the mid-point of allowed density ranges; more at the upper end of allowed density ranges (Plan Table 2-9). The Plan discusses redevelopment of underutilized land use sites, including Neighborhood Strip Retail Centers, with a residential component. These sites could contribute to future housing supply.

Thrive MSP 2040 and Land Use

Reviewer: Patrick Boylan, CD – Local Planning Assistance (651-602-1438)

The Plan is consistent with *Thrive MSP 2040* and its land use policies. The Plan acknowledges the Thrive community designation of Suburban (Figure 2). Thrive describes Suburban communities as those that saw their primary era of development during the 1980s and early 1990s as Baby Boomers formed families and entered their prime earning years.

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 *2040 Transportation Policy Plan*. 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 City’s existing land use has large residential areas with a variety of densities that illustrate single family and multifamily residential. Along I-35W, I-35E, and State Highway 13, commercial and industrial uses are situated that take advantage of the inter-regional transportation corridors. Several major rail corridors also serve commercial and industrial area in the City. As illustrated in Figure 3, the City also has large open space and park areas near the Minnesota River in the north and nearby lakes.

The Plan plans for new growth at densities that exceed Suburban density policy minimums. The City expects new growth in the Heart of the City and Mixed Use districts, located in the central portion of the City (Figure 4). The expected overall density of the new residential development is 14.6 units per acre as shown in Table 2 below. This is consistent with regional Suburban community designation policies that require an average net residential density of at least five units per acre in areas of new development and redevelopment areas.

Table 2. Planned Residential Density, City of Burnsville

Category	2020-2040 Change				
	Density Min	Density Max	Net Acres	Min Units	Max Units
Low Density Residential	2	6	18.46	37	111
High Density Residential	8	20	4.47	36	89
Heart of the City (HOC) – Residential	20	60	43.39	868	2603
MIX – Mixed Use	15	30	135.89	1,044	2087
	TOTALS		135.89	1,984	4,891
			Overall Density	14.6	36.0

Note: “Heart of the City” is expected to be a 75% residential and the “MIX – Mixed Use” area is expected to develop at 55% residential. Calculations above reflect expected acres to develop – factors of 0.75 for HOC and 0.55 for MIX were used in the formulas.

In a section on “Vacant/Redevelopment Land Analysis,” the Plan maps out, examines, and identifies vacant parcels by future land use designation. The Plan also examines the “Neighborhood Centers” and provides a redevelopment analysis acknowledging that significant growth in the City will be redevelopment.

Station Area Planning

The *2040 Transportation Policy Plan* (TPP) calls for Suburban communities with planned highway bus rapid transit (BRT) to guide a minimum of 20 residential units per acre and target 40-75+ units per acre within the BRT transitway station area (area within 10-minute walk or 1/2 mile).

Over the last 15+ years, the City has seen extensive redevelopment of the Heart of the City district and anticipates continued development near the planned Orange Line BRT stations. The planned mix of high-density housing, commercial, office, and business uses in this area to build on the available transit resources and to support new jobs and housing. The Future Land Use Map guides that area around the Heart of the City and permits densities between 20-60 units per acre (see Figure 4: 2040 Planned Land Use), consistent with the minimum density required in the TPP.

Housing

Reviewer: Tara Beard, CD – Housing (651-602-1051)

The Plan is substantially consistent with the *2040 Housing Policy Plan* (HPP). The City is a maturing suburb with a wide variety of housing types. Most of the City's growth occurred between 1970 and 2000, and the City has enjoyed a healthy mix of both single-family and multifamily development during that time. Today approximately 62% of the City's existing housing stock is single-family.

The Plan notes that as the population continues to grow, housing needs are changing and that there is demand for both affordable housing and diverse types of housing, including accessory dwelling units (ADUs), senior housing, and units for a growing number of single-person households. From a land use perspective, opportunities for new single-family detached housing are few, and most housing growth will be through single-family attached and multifamily development via infill and redevelopment.

The City currently has 26,081 housing units. While 75% of those units are affordable to households earning 80% of the Area Median Income (AMI) or less (or \$68,000 for a family of four), affordable options decrease by more than half for households earning 50% AMI or less (or \$45,200). Roughly 23% of Burnsville households earning 80% AMI or less are currently housing cost burdened. Looking forward, the Plan acknowledges the City's share of the region's need for affordable housing in the 2021-2030 decade, which is 266 units. With over 57 acres of land guided for higher density residential development in that time period (Figure 5), the Plan sufficiently promotes the availability of land to support that share.

The Plan identifies multiple existing and future housing needs that are addressed in its implementation plan, including reinvesting in aging housing stock, preserving the significant amount of naturally occurring affordable housing (NOAH) available, and creating a full range of housing choices, including affordable housing. Tools the City will consider to meet these needs include supporting Dakota County Community Development Agency (CDA) programs, participation in Livable Communities Act (LCA) programs, and the adoption of an ADU policy. The City looks to Dakota County CDA to administer any local finance tools, including the issuance of housing revenue bonds and administration of Tax Increment Finance districts. Notably, the City supports its existing manufactured housing communities through an ordinance that requires owners/developers to pay reasonable relocation costs to residents if they are displaced.

While the Plan provides for the use of a number of tools, it will be fully consistent with Council housing policy when it considers all widely accepted tools to address the City's identified housing needs. The *2040 Housing Policy Plan* requires that the Plan include consideration of all tools (p. 113) even if they are tools the City does not plan to use. While the Plan identifies the preservation of NOAH as a need, it also needs to consider a local 4d tax program, or partnership with local NOAH preservation partners such as Minnesota Housing or Greater Minnesota Housing Fund's NOAH Impact Fund to explore preservation of affordable rental housing. In addition, the Plan needs to consider the City's interest in advocating or supporting the creation of a community land trust to preserve affordable owner-occupied housing. Consideration of these tools in the final Plan would make it fully consistent with Council housing policy.

Advisory Comments

Council staff strongly encourage the City to address all widely known tools in order to be fully consistent with Council housing policy. The following tools should be considered in the Plan before final adoption:

- A local 4d tax program
- Partnership with local NOAH preservation partners
- Consideration of a community land trust

Water Supply

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

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.

Burnsville prepared a Local Water Supply Plan (LWSP) in 2018 that was submitted to both the Minnesota Department of Natural Resources (DNR) and the Council, and reviewed under separate cover. Council comments were shared with the DNR on 3/6/2018.

Water Community and Subsurface Sewage Treatment Systems (SSTS)

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

The Plan is consistent with Council policy for SSTS. The Plan indicates that there are approximately 229 individual SSTS and no public or privately-owned Community Wastewater Treatment Systems in operation in the City. City Code Title 7 - Health and Sanitation, Chapter 11 – SSTS, found on the City's website, is consistent with Minnesota Pollution Control Agency Chapter 7080-7083 Rules and Council WRPP requirements.

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 four required solar planning elements.

Aggregate Resource Protection

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

The Plan identifies, consistent with the Council's aggregate resources inventory information contained in *Minnesota Geological Survey Information Circular 46*, the presence of viable aggregate resource deposits within the City. The Kraemer Quarry is the only remaining active mine in the City with the majority of the remaining resources scattered in small sites across the City. The Plan contains land use goals and policies that call for resource extraction prior to urbanization. The City utilizes the interim use permit process to oversee the progression of resource mining through restoration and construction of future development on mine sites.

Historic Preservation

Reviewer: Patrick Boylan, CD – Local Planning Assistance (651-602-1438)

The Plan contains a section on Historic Preservation and has policies and goals as required by the Metropolitan Land Planning Act. The Plan also provides the conceptual framework for linking individual buildings, sites, structures, objects, and districts. The Plan states that the Minnesota River Valley has been home to indigenous peoples for thousands of years, most recently the Dakota. The Plan notes that the area was settled by people of European descent beginning in 1852 and notes State Historic Preservation sites and the Preservation Offices' role in identifying and protecting sites. The Plan provides details for sites including pre-European arrival artifacts and burial mounds.

Plan Implementation

Reviewer: *Patrick Boylan, CD – Local Planning Assistance (651-602-1438)*

The Plan includes a detailed description of and schedule for planned changes to the capital improvement program, the zoning code, the subdivision code, the SSTS code, and the housing implementation program.

The Plan describes the official controls and fiscal devices that the City will employ to implement the Plan. In an easy to read and understand fashion, each chapter of the Plan has an implementation matrix which outlines the various needs and identifies specific strategies to address the need. Capital improvements planning is detailed in the Appendix.

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

The Plan is compatible with the plans of adjacent and affected jurisdictions. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were identified.

Documents Submitted for Review

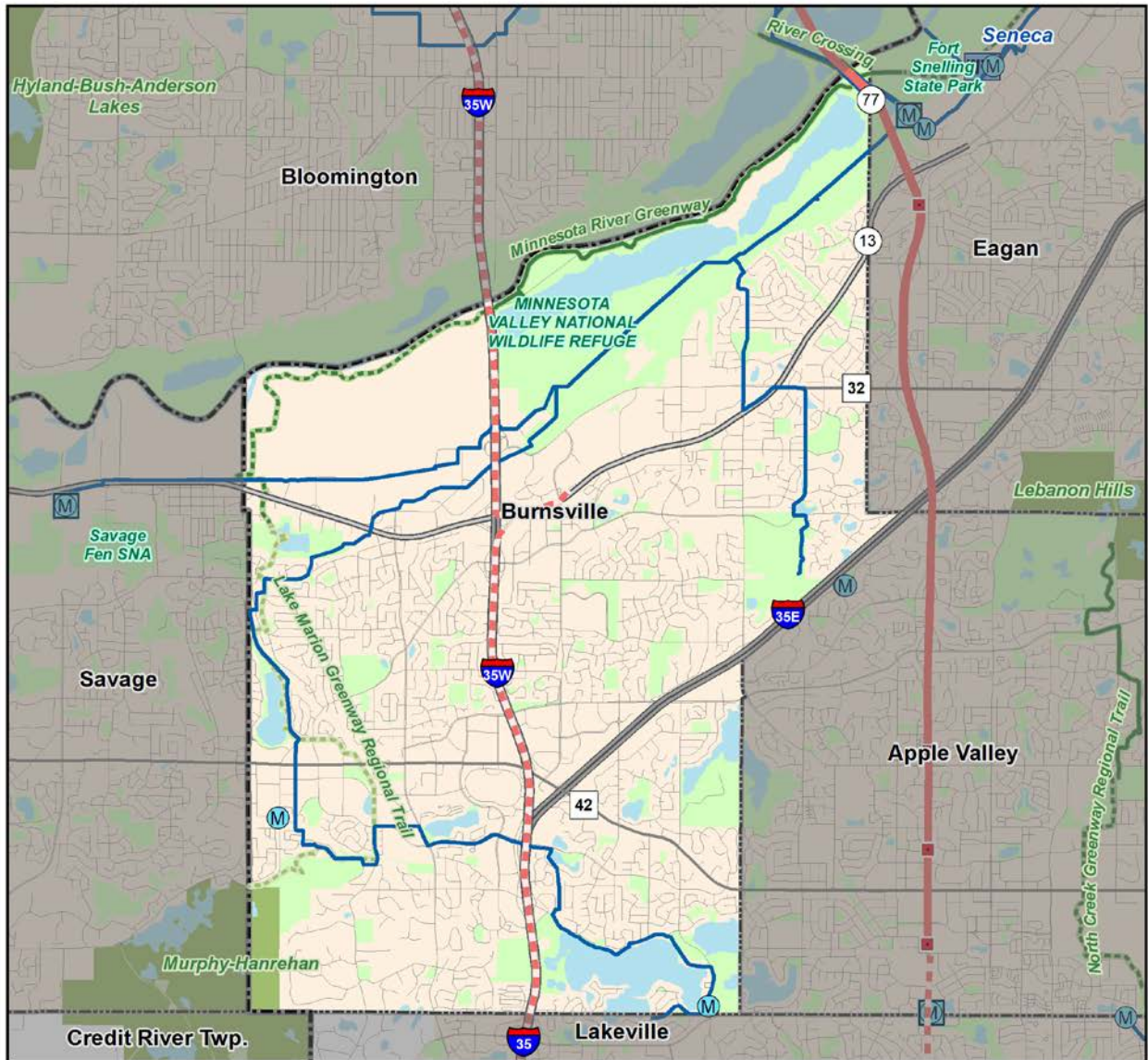
In response to the 2015 System Statement, the City submitted the following documents for review:

- March 26, 2018: Burnsville 2040 Preliminary Plan
- February 21, 2019: Burnsville 2040 Comprehensive Plan
- April 4, 2019: Revisions to the wastewater plan, regional parks and trails, transportation, water supply and land use sections

Attachments

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

Figure 1. Location Map with Regional Systems



Regional Systems

Transportation

Transitways

- Existing Fixed Guideway Alignments
- - - Existing Bus Rapid Transitways
- - - - - Planned Fixed Guideway Transitways
- - - - - Planned Bus Rapid Transitways
- Existing Fixed Guideway & BRT Stations
- Planned Fixed Guideway Stations

Regional Highway System

- Interstates
- US Highways
- State Highways
- County Roads

Recreation Open Space

Regional Parks

- Existing (Open to Public)
- In Master Plan (Not Open to Public)
- Planned Units

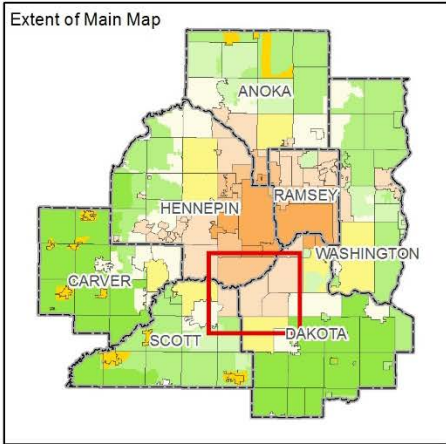
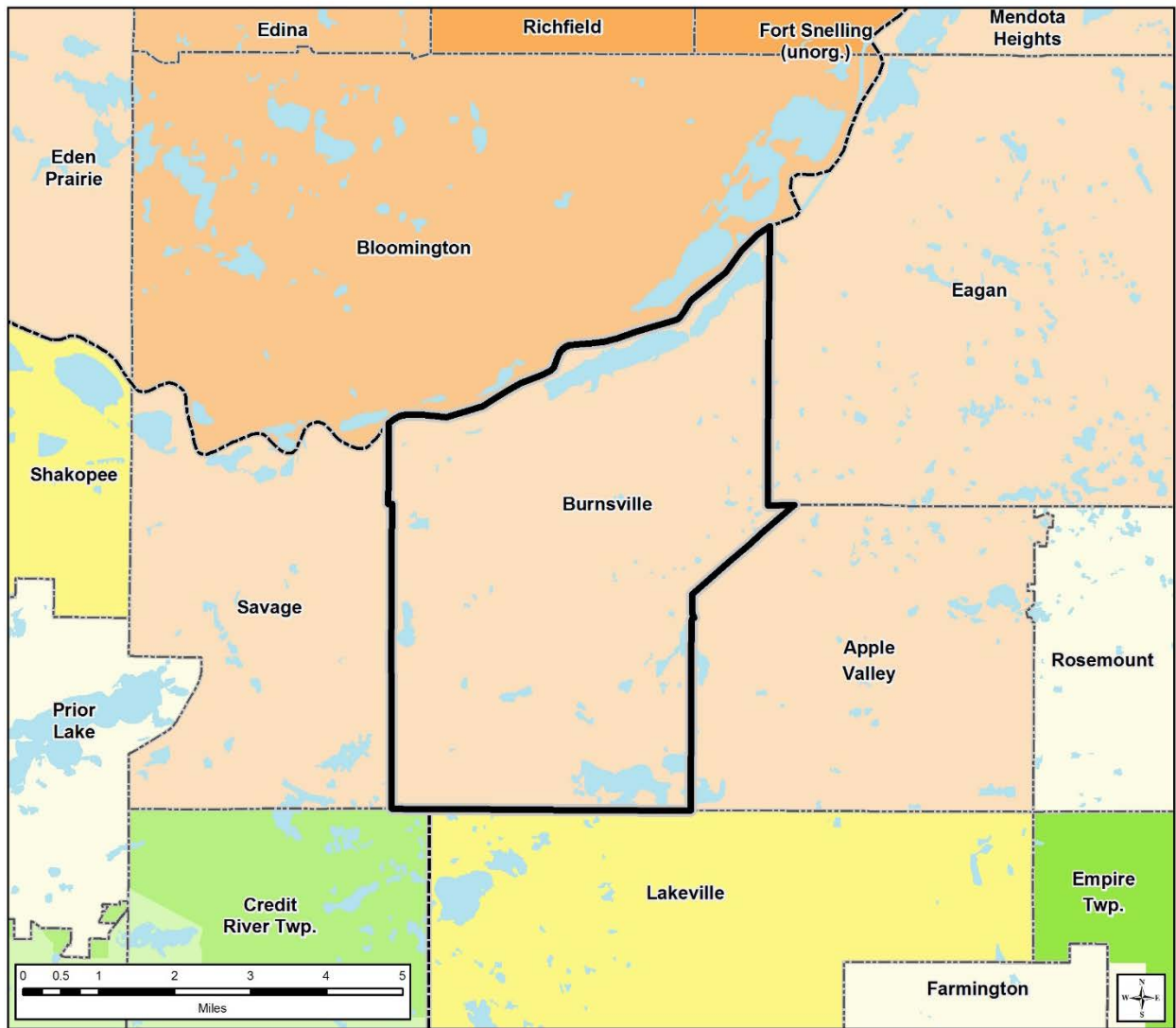
Regional Trails

- Existing (Open to Public)
- - - Existing (Not Open to Public)
- - - - - Planned
- Other Parks, Preserves, Refuges and Natural Areas
- Existing State Trails

Wastewater

- Meters
- Lift Stations
- MCES Interceptors
- MCES Treatment Plants
- Airports
- Ncompass Street Centerlines
- 2040 Metropolitan Urban Service Area

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 2-4: Existing Land Use 2017

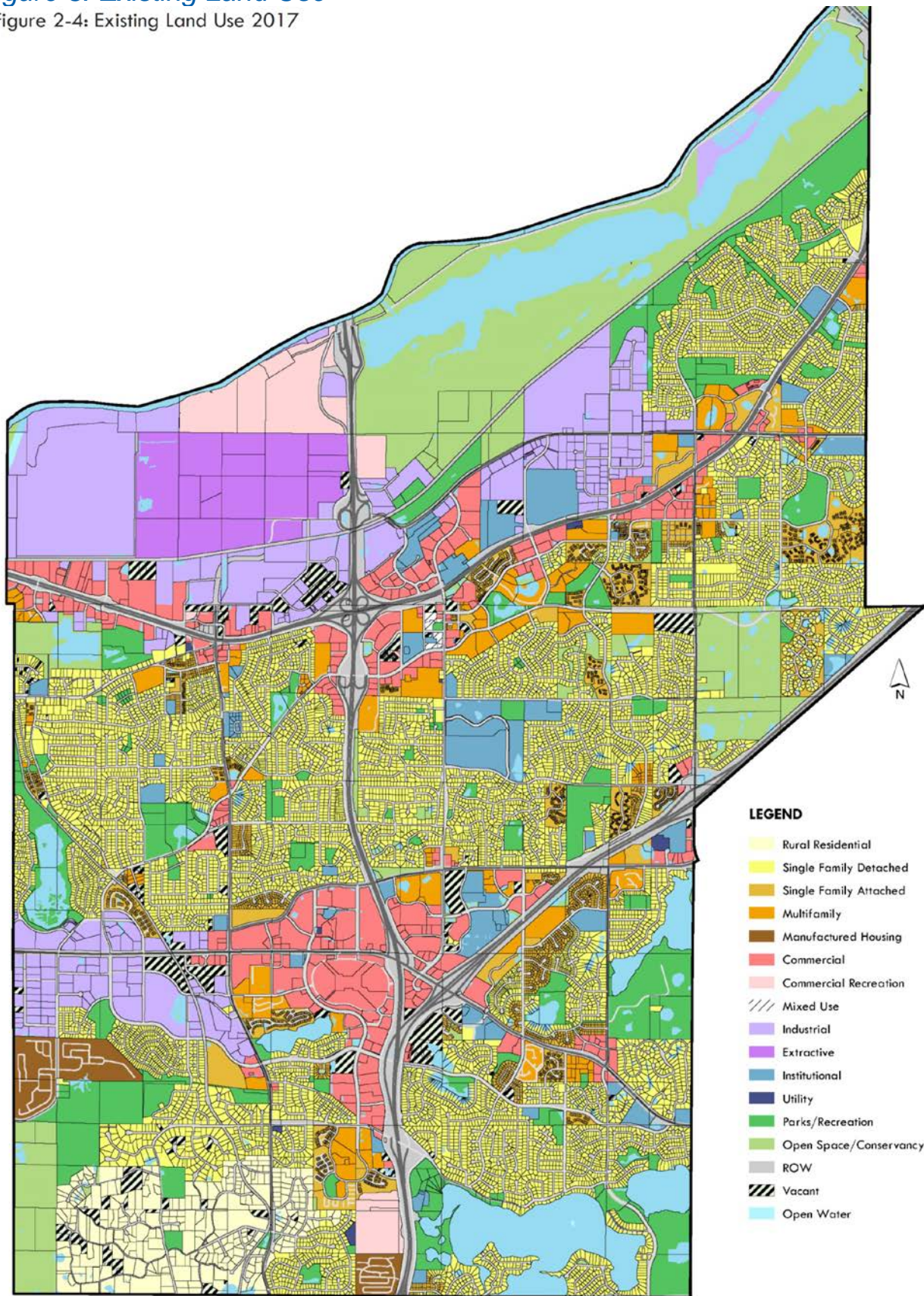
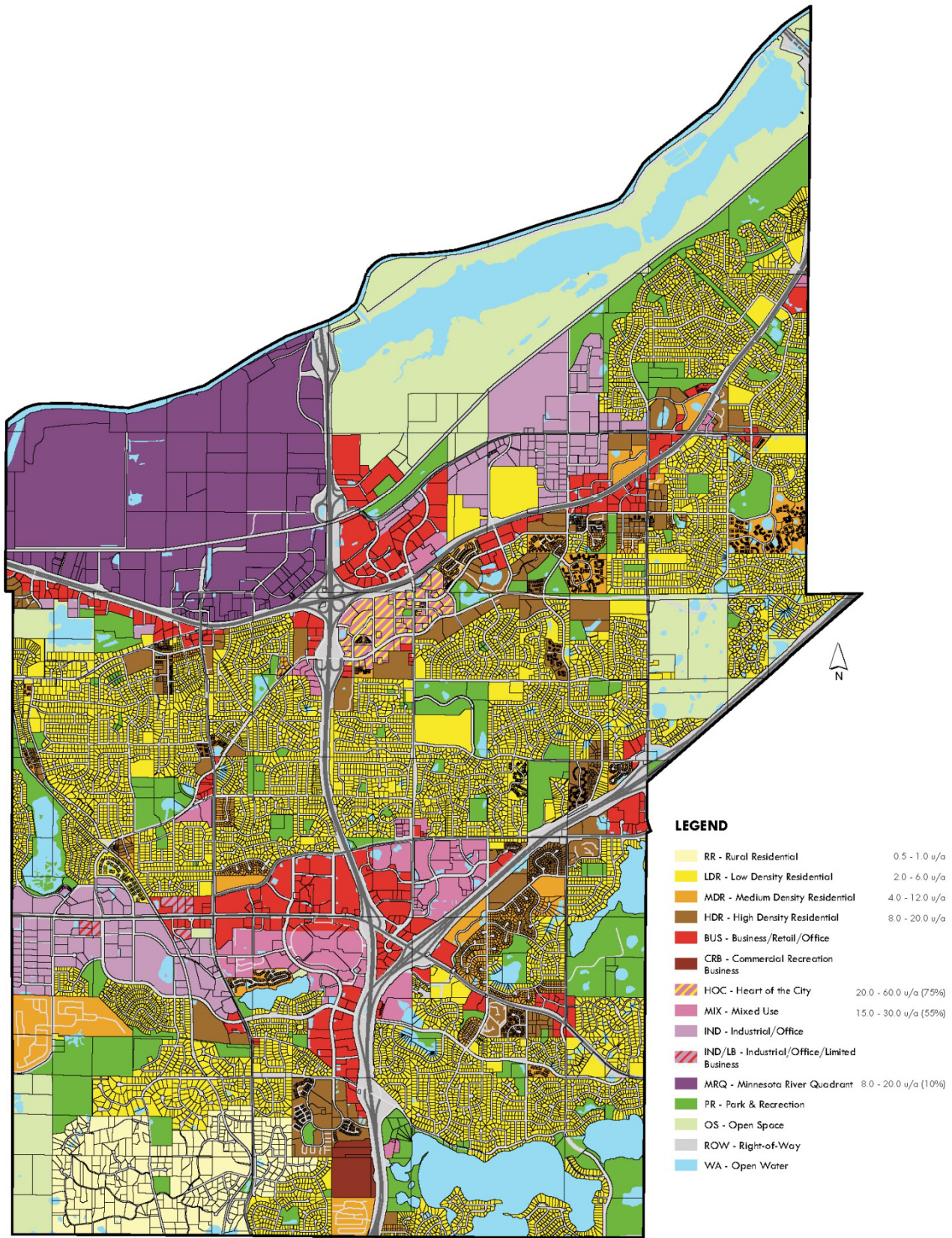


Figure 4. 2040 Planned Land Use



Source: HKGi, Dakota County GIS, Metropolitan Council GIS, City of Burnsville

Figure 5. Land Guided for Affordable Housing

Land Guided for Affordable Housing 2021-2030

Burnsville

Dakota County

Council Member Phillip Sterner, District 15

2021-2030 share of regional need for Affordable Housing:	266 units
2021-2030 total regional need for Affordable Housing:	37,900 units

	Available Acres	×	Minimum Density <i>(units per acre)</i>	×	Expected % Residential <i>(if mixed use)</i>	=	Minimum Units Possible
High Density Residential	4.47		8		100%		36
Heart of the City	16.15		20		75%		243
Mixed-Use	37.10		15		55%		307
Total	57.72						586

Sufficient/*(insufficient)* units possible against share of regional need: **320**

Affordable units built since 2021: **0**

Sufficient/*(insufficient)* units possible adjusted for affordable units built: **320**

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

