

**Community Development Committee**

Meeting of January 6, 2020

**Environment Committee**

Meeting of January 14, 2020

For the Metropolitan Council meeting of January 22, 2020

**Subject:** City of Brooklyn Park 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 21968-1

**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 Brooklyn Park to place its 2040 Comprehensive Plan into effect.
2. Revise the City’s forecasts downwards as shown in Table 1 of the attached Review Record.
3. Revise the City’s Affordable Housing Need Allocation to 795.
4. Advise the City to adopt the Mississippi River Critical Corridor Area (MRCCA) Plan within 60 days after receiving final DNR approval, and submit a copy of the final adopted plan and evidence of adoption to the DNR, Council, and National Park Service within 10 days after the adoption.
5. Advise the City to implement the advisory comments in the Review Record for Forecasts, Housing, and Water Supply.

**Recommendation of the Environment Committee**

1. Approve the City of Brooklyn Park’s Comprehensive Sewer Plan.
2. Advise the City to implement the advisory comments in the Review Record for wastewater.

**Summary of Committee Discussion/Questions**

*Community Development Committee*

Senior Planner Eric Wojchik presented the staff’s report to the Committee. No City staff or representatives were in attendance. The Community Development Committee unanimously recommended approval of the proposed action at its meeting on January 6, 2020.

*Environment Committee*

No comments or questions. The Environment Committee approved the proposed action on its consent agenda at the January 14, 2020 meeting.

## Community Development Committee

Meeting date: January 6, 2020

## Environment Committee

Meeting date: January 14, 2020

For the Metropolitan Council meeting of January 22, 2020

**Subject:** City of Brooklyn Park 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 21968-1

**District(s), Member(s):** District 2, Reva Chamblis

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

**Staff Prepared/Presented:** Eric Wojchik, Senior Planner (651-602-1330)  
Angela R. Torres, Local Planning Assistance Manager (651-602-1566)  
Kyle Colvin, Engineering Programs, Manager (651-602-1151)

**Division/Department:** Community Development / Regional Planning  
Environmental Services / Technical Services

### Proposed Action

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

#### Recommendations of the Community Development Committee

1. Authorize the City of Brooklyn Park to place its 2040 Comprehensive Plan into effect.
2. Revise the City's forecasts downwards as shown in Table 1 of the attached Review Record.
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5. Advise the City to implement the advisory comments in the Review Record for Forecasts, Housing, and Water Supply.

#### Recommendation of the Environment Committee

1. Approve the City of Brooklyn Park's Comprehensive Sewer Plan.
2. Advise the City to implement the advisory comments in the Review Record for Wastewater.

## Advisory Comments

The following Advisory Comments are part of the Council action authorizing the City of Brooklyn Park to implement its 2040 Comprehensive Plan (Plan).

### Community Development Committee

1. As stated in the *Local Planning Handbook*, the City must take the following steps:
  - a. Adopt the Plan in final form after considering the Council's review recommendations as contained in the body of this report.
  - b. Submit one hard copy and one electronic copy of the Plan to the Council. The electronic copy must be submitted as one unified file.
  - c. Submit to the Council a copy of the City Council resolution evidencing final adoption of the Plan.
2. The *Local Planning Handbook* also states that local governments must formally adopt their comprehensive plans within nine months after the Council's final action. If the Council has recommended changes to the Plan, local governments should incorporate those recommended changes into the Plan or respond to the Council before "final adoption" of the comprehensive plan by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3)
3. Local governments must adopt official controls as identified in their 2040 comprehensive plans and must submit copies of the official controls to the Council within 30 days after the official controls are adopted. (Minn. Stat. § 473.865, subd. 1)
4. Local governmental units cannot adopt any official controls or fiscal devices that conflict with their comprehensive plans or which permit activities in conflict with the Council's metropolitan system plans (Minn. Stat. §§ 473.864, subd. 2; 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within 9 months following amendments to comprehensive plans (Minn. Stat. § 473.865, subd. 3).

### Environment Committee

1. The Council-approved Comprehensive Sewer Plan becomes effective only after the Plan receives final approval from the local governmental unit's governing body. After the Plan receives final approval from the City and the Comprehensive Sewer Plan becomes effective, the City may implement its Plan to alter, expand, or improve its sewage disposal system consistent with the Council-approved Comprehensive Sewer Plan.
2. A copy of the City Council resolution adopting its 2040 comprehensive plan, including its Comprehensive Sewer Plan, must be submitted to the Council.

## Background

The City of Brooklyn Park is located along the northeastern border of Hennepin County. It is surrounded by the communities of Champlin, Coon Rapids, Fridley, Brooklyn Center, Crystal, New Hope, Plymouth, Maple Grove, and Osseo.

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, with the proposed changes
Consistency with Council Policy	<i>2040 Housing Policy Plan</i>	Consistent
Consistency with Council Policy	Water Supply	Consistent
Consistency with Council Policy	Community and Subsurface Sewage Treatment Systems (SSTS)	Consistent
Compatibility	Compatible with the plans of adjacent and affected governmental districts	Compatible

## Thrive Lens Analysis

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

## **Funding**

The Metropolitan Council awarded the City a Planning Assistance Grant of \$32,000 to complete its 2040 comprehensive plan. The first half of this grant was paid to initiate the local planning process. The second half of the grant will be paid after Council authorization of the City's plan, local adoption, and the City's submittal of final reporting requirements.

## **Known Support / Opposition**

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

# REVIEW RECORD

## City of Brooklyn Park 2040 Comprehensive Plan

### Review File No. 21968-1, Business Item No. 2020-3 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 for the Regional Parks System element. Three Rivers Park District is the Park implementing agency for the Regional Parks System components in the City of Brooklyn Park, for which the Plan accurately describes the Regional Parks System components. Regional Parks, Park Reserves, or Special Recreation Features located within the City include Mississippi Gateway (formerly Coon Rapids Dam) Regional Park. Regional Trails located within the City include the Shingle Creek, Rush Lake and Crystal Lake regional trails, and the West Mississippi River Regional Trail Search Corridor (Figure 1). There are no State or Federal recreation lands within the City.

#### *Regional Transportation, Transit, and Aviation*

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

The Plan conforms to the 2040 Transportation Policy Plan (TPP). 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, except as detailed below. 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. The City's Plan accurately accounts for the metropolitan highway system of principal arterials including planned additions and improvements identified in the Current Revenue Scenario, and any right-of-way preservation needs. This includes the TH 169/101<sup>st</sup> Avenue Interchange.

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 done consistent with regional methodology. The Plan also includes guidelines on how access will be managed for principal and A-minor arterials.

The Plan identifies roadway and corridor studies that include recommendations regarding alignments, changes in access, and/or changes in land use. The Plan accurately describes the status of such facilities, including needs for right-of-way and the likelihood and timing of funding.

## **Transit**

The Plan conforms to the Transit system element of the TPP. It shows the location of existing transit routes and facilities and acknowledges the City is within Transit Market Areas II and III. The Plan incorporates existing and future transitways that are part of the Current Revenue Scenario in the TPP. This includes the Blue Line Extension Light Rail. For transitways that are in service or in advanced stages of planning, the Plan incorporates guiding land use for station areas that meet the minimum density targets of the TPP. (See Land Use section of this Review Record for land use and density analysis.)

The Plan is consistent with the policies of the Transit system element of the TPP. The Plan addresses community roles related to its Community Designation, as well as the opportunities and challenges related to its Transit Market Areas. The Plan strengthens the existing transit system and lays the groundwork for improved transit services by targeting the Target Area Development for improved transit services and pursuing Completes Streets goals and policies.

## **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 Crystal Airport and addresses elements of its long-term comprehensive plan. The Plan addresses issues including land use compatibility, noise sensitivity, and the protection of airspace from obstructions. The Plan addresses the 2017 adoption of the 2035 Long-term Comprehensive Plan for Crystal Airport. The community has an adopted airport zoning ordinance and participates in a Joint Airport Zoning Board (JAZB).

## **Bicycling and Walking**

The Plan is consistent with the Bicycle 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. (For other comments regarding regional trails, see the Regional Parks section of this Review Record.) The Plan proposes preferred alignments for RBTN corridors within the City, and clearly identifies the alignments as “proposed for the RBTN.”

## **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. These specific needs include accounting for the Burlington Northern Santa Fe Railways infrastructure that crosses through the City. (See also the Land Use section of this Review Record.)

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

The Plan conforms to the TPP regarding TAZ allocations, as the Plan’s TAZ allocations for employment, households, and population accurately sum to the Council’s city-wide forecast totals for all forecast years.

## *Water Resources*

### **Wastewater Service**

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

The Plan is in conformance with 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 revised forecasts for population, households, and employment.

Current wastewater treatment services are provided to the City by the Metropolitan Council Environmental Services (MCES). All wastewater generated within the City is conveyed through Council



Interceptors; 9004, 8252-481, 4-BP-541, 4-BP-540, 7015-A&B, 7015-C, and 69U1-70U2. All flow is treated at the Council's Metropolitan Wastewater Treatment Plant in St. Paul. The Plan projects that the City will have 34,300 sewer households and 40,200 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 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 Plan states that the City does not currently have an evaluation of system-wide 2040 design flow versus pipeline capacities for those parts of the local system that connect to the regional interceptors. However, the Plan indicates that the City intends to analyze this and assess potential capacity improvement needs and will provide this information to the MCES when the modeling is complete.

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 defines the community's goals, policies, and strategies for preventing and reducing excessive inflow and infiltration (I/I) in the local municipal (city) and private sanitary sewer systems. The Plan includes a summary of activities and programs intended to mitigate I/I in both the public and private property systems including the replacement of private clay pipe services within the street right-of-way during street reconstruction projects, rehabilitation and replacement of public clay tile pipe, pipe and manhole repair, and inspections on both the public and private collection system for I/I sources. The Plan includes a summary of the City's Capital Improvement Program that includes funding sources for sanitary sewer system rehabilitation that averages over \$1 million per year between 2019 and 2022. However, it does not specify what portion of that funding amount will be focused on I/I mitigation efforts.

The Plan describes the requirements and standards for minimizing I/I and includes City Code of Ordinances (Chapter 9, Section 99.07, Part A and B) that prohibits the discharge of water from any roof, surface, ground water sump pump, footing tile, swimming pool or other natural precipitation to the sanitary sewer system. The Ordinance also required that prior to February 1, 1999 any such connections to the sanitary sewer system, be disconnected.

The Plan describes the sources, extent, and significance of existing I/I within the entire City wastewater collection systems and provides a description of an implementation plan for preventing and eliminating excessive I/I from entering both the public and private collection systems. The Plan states that 18% of the homes within the City were built prior to 1970. However, it goes on to state that only 8.5% of total parcels within the City has clay tile pipe services. The significance of clay tile pipe is that as it ages, it can become more susceptible to I/I. By comparing wastewater flow volumes generated in 2017 and 2018, the City has determined that between 6% and 11% of its total annual flow is from I/I, and that peak month flow can include as much as 19% I/I.

### *Comprehensive Sewer Plan Comments*

The Sewer Element of the Plan has been reviewed against the requirements for Comprehensive Sewer Plans for Suburban communities. It was found to be 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.



### Advisory Comments

The Plan states that the City will model its sanitary sewer system in the future and identify areas where future capacity improvements will be needed to accommodate projected 2040 flow. Once this system modeling is complete and the findings available, the City shall submit to the MCES a copy of the modeling findings and identify any segments of local sanitary pipe that connect to the regional system that will require capacity improvements.

### 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 for local surface water management. The Plan satisfies the requirements for 2040 comprehensive plans. The City lies within the oversight boundaries of the Shingle Creek and West Mississippi Watershed Management Commissions. The City submitted a draft Local Water Management Plan (LWMP) update to the Council in conjunction with its Preliminary Plan on May 31, 2018. Council Water Resources staff reviewed and commented on the draft LWMP to the City and Watersheds in a letter dated July 11, 2018. The Shingle Creek and West Mississippi Watershed Management Commissions both approved the final LWMP on December 13, 2018, and the City adopted the LWMP on December 17, 2018. The Plan incorporates the November 27, 2018, LWMP version.

### 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)*

Council and City staff have agreed to a set of forecast revisions. City staff requested the forecast revision due to residential growth lagging behind previous expectations. Forecast revisions are included in the Plan (Plan Tables 2-7 and 3-5) and are underlined in Table 1 below.

Table 1. City of Brooklyn Park Forecasts

	Census	Estimated	Previous Council Forecasts			Revised Forecasts		
	2010	2017	2020	2030	2040	2020	2030	2040
<b>Population</b>	75,781	80,450	86,700	91,800	97,900	<u>83,000</u>	<u>90,000</u>	97,900
<b>Households</b>	26,229	27,539	30,000	32,200	34,300	<u>28,720</u>	<u>31,400</u>	34,300
<b>Employment</b>	24,084	29,935	32,100	36,100	40,200	32,100	36,100	40,200

The Sanitary Sewer Plan includes a sewer-serviced forecast in Chapter 8, Table 5. The City presents in this table that all population and employment are sewer-serviced by 2020. The Council will approve the community-wide and sewer-serviced forecast revisions simultaneous with action on the Plan.

With this forecast revision, the 2021-30 Affordable Housing Need for Brooklyn Park will be increased as Affordable Housing Need is proportionate to forecasted households growth. The new 2021-30 Affordable Housing Need is: 409 units at <=30% AMI; 104 units at 31-50% AMI; 282 units at 51-80% AMI. This allocation is reflected in Plan Table 4-19 (see advisory comments in the Housing section of this Review Record).

Chapter 4 of the Plan inventories land supply for future development and redevelopment. Table 4-18 details capacity for 7,977 housing units at the *mid-point* of allowed density ranges. This land supply accommodates forecasted households growth.

Plan Table 5-3.10A provides 2010-2040 forecasts allocated to transport analysis zones. The 2020 households column presents a total that differs from the City-proposed forecast detailed above. This element will require a minor revision.

### Advisory Comments

The Plan includes two Transportation Chapters, and the first chapter, starting on PDF page 122 will need to be removed for accuracy, as this version of the chapter includes an incorrect TAZ allocation of 2020 households that do not match community-wide total of 28,720 households. The Council considers this an *errata* correction. The Transportation Chapter starting on PDF page 122 must be removed in the 2040 final adopted Plan and submitted to the Council.

### Thrive MSP 2040 and Land Use

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

The Plan is consistent with *Thrive MSP 2040* and the land use policies for Suburban communities (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 land uses in the City are predominately residential (49.6%), with most of the existing commercial/office (4.9%) and industrial areas (6.4%) near transportation corridors. Approximately 12% of the City is parks/open space (Figure 3).

The Plan identifies development and redevelopment areas at densities that exceed the Suburban density policy minimums. Map 3-7, Development/Redevelopment Staging Map in the Plan (see Figure 5 of this report) identifies areas of potential development and redevelopment within the City. Approximately 6% or 793 gross acres of land is available for development within the City, primarily located within the northwest portion of the City. There are also some strategic redevelopment sites that the City has identified, which add to the total acres available for development or redevelopment. In total, the residential development and redevelopment opportunities within the City amount to 298.98 acres of land. The percentage share of uses within the mixed-use categories will be tracked by the City and applied on a district-wide basis. As shown in Table 2 below, the expected overall density of planned residential growth is a minimum of 11.04 units per acre.

Table 2. Planned Residential Density, City of Brooklyn Park

Category	Density		Net Acres	Min Units	Max Units
	Min	Max			
Low Density Residential	1.5	3	21.00	31	63
Medium Density Residential	3	12	3.00	9	36
Medium-High Density Residential	12	25	43.00	516	1,075
High Density Residential	12	50	27.00	324	1,350
Live/Work*	3	12	1.70	5	20
Flex Use*	7	25	2.10	14	52
Neighborhood Mixed Use*	9	50	3.10	27	155
Mixed Use**	12	50	198.00	2,376	9900
*10% residential	<b>TOTALS</b>		<b>298.90</b>	<b>3,302</b>	<b>12,651</b>
**30% residential			<b>Overall Density</b>	<b>11.04</b>	<b>42.32</b>

### Station Area Planning

The Plan recognizes the five planned Metro Blue Line LRT Station Areas within Brooklyn Park, which

are part of the Current Revenue Scenario within the *2040 Transportation Policy Plan* (TPP).

The TPP directs Suburban communities with planning LRT to guide an average minimum of 20 residential units per acre and target 40-75+ units per acre within the station area (area within 10-minute walk or 1/2 mile). Planned densities for areas identified for redevelopment in station areas within the City are consistent with the minimum density required in the TPP.

The City has demonstrated a commitment to TOD zoning (adopted by the City in July 2018) and higher density development near the stations. *The Brooklyn Park Station Area Plan (2016)* includes policy recommendations for average minimum densities that are consistent with the TPP.

The Plan is consistent with policies in the TPP for incorporating station area planning and for targeting the most intense mix of uses near transit. All development/redevelopment areas within 1/2-mile radius of the Station Areas are subject to an LRT overlay district which requires an average minimum residential density of 20 dwelling units per acre within the Station Areas. This requirement complies with the average minimum densities for LRT Station Areas within the TPP.

## *Housing*

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

The Plan is consistent with the *2040 Housing Policy Plan*. Brooklyn Park is unique in that it is a maturing suburb, yet some undeveloped land remains. It is the fourth largest city in the metropolitan area. Like most suburbs, early residential development was primarily single family, though there was significant multi-family development in the 1970s and 1980s. As of 2016, approximately 75% of the City's existing housing stock is single-family. The Plan notes that 7.4% of its land area is undeveloped and is likely to be developed with an equal mix of housing styles.

The Plan notes that the City has approximately 28,338 housing units. While roughly 79% of the City's housing 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 to just 5% for households earning 30% AMI or less (or \$27,100). Roughly 26% of the City's households earning 80% AMI or less are currently housing cost burdened. The Plan notes existing need for home improvement and maintenance assistance for low income homeowners, programs to support rental households becoming homeowners, and the preservation of naturally-occurring affordable housing (NOAH).

The Plan acknowledges the City's share of the region's need for affordable housing in the 2021-2030 decade, which is 795 units. With 463 acres of land guided for higher density residential development in that time period (see Figure 6), the Plan sufficiently promotes the availability of land to support that share. Please see the advisory comment below regarding revisions needed to certain sections of the Plan to accurately detail the Affordable Housing Need number of 795.

The Plan addresses its existing and future housing needs in its implementation plan, which thoroughly describes the policies, programs, and other tools that the City will consider. Tools discussed in the Plan include participation in Livable Communities Act programs, as well as local tools such as issuing housing revenue bonds and creating Tax Increment Financing districts. The implementation plan also states the City will consider multiple tools to preserve naturally occurring affordable housing (NOAH), including the use of a local 4d tax credit program.

## *Advisory Comments*

As discussed in the Forecasts section of this Review Record, the new 2021-30 Affordable Housing Need is: 409 units at <=30% AMI, 104 units at 31-50% AMI; 282 units at 51-80% AMI. This amounts to a total Affordable Housing Need number of 795. However, the Plan frequently cites the previous number of 710 units. Prior to final Plan adoption, all references to 710 units as the Affordable Housing Need must be revised in the Plan to reflect the new allocation of 795 units. The following sections of the

Plan will need to be revised to reflect this change: page 3-26, page 4-14, Table 4-14, page 4-18, and Table 4-19.

## **Water Supply**

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

The Plan is consistent with water resources policy plan (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. The Council's review of water supply-related content reflects the expectations shared with communities in their system statements and the water supply-related policies in the WRPP.

The City prepared a local water supply plan (LWSP) that was submitted to both the Minnesota Department of Natural Resources (DNR) and Metropolitan Council in 2018 and reviewed under separate cover. The Council's review of the LWSP was completed and submitted to the DNR in January 2019. The DNR conducted a groundwater technical review of the City's plan and communicated the Council's review comments, along with their technical review, to the City in September 2019.

Subsequent reviews of the City's Plan were found to be incomplete for water supply because the local water supply plan was not attached for review, as well as due to inconsistencies with Council population forecasts. After meeting with the City on October 3, 2019, to provide further clarification of the LWSP requirements, the City has attached an updated version of their LWSP to their most recent submittal of their 2040 comprehensive plan update.

## **Advisory Comments**

If changes are made to this local water supply plan as a result of the DNR's review of the plan or from changes during the full comprehensive plan update review process - such as changes to forecasts - the City will need to provide the Council with the updated information.

The City's LWSP could be strengthened by addressing the following items:

### **Table 10**

Natural resources that could be impacted by permitted water withdrawals are identified in the 2015 Master Water Supply Plan and the City's Community Page on the *Local Planning Handbook*. The City has not acknowledged these resources, other than the aquifers the City uses to provide drinking water, as a part of this plan. However, the City does provide monitoring of surface water as a part of their water appropriation permit requirements. It is recommended that the City recognize and identify any resources that they are actively working to monitor and protect as a part of their plan and table 10. This may be an issue the City will address with the DNR. We ask that the City communicate the results of those discussions with the Council once any agreement has been reached.

### **Appendices 6,7, and 10:**

Within 30 days following the adoption of your community's local comprehensive plan, of which this local water supply plan is a part, adopt and submit copies of the local controls referenced in parts 2C and 3, Objective 7, Table 28 to the Metropolitan Council, as required by Minn. Stat. § 473.865.

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

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

The Plan indicates that there are 44 individual SSTS and no public or privately-owned Community Wastewater Treatment Facilities operating in the City. The City has delegated the responsibility of permitting, inspection, and maintenance management of SSTS to Hennepin County, as detailed in Hennepin County Ordinance 19.

## *Special Resource Protection*

### **Mississippi River Corridor Critical Area**

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

The Plan includes a Mississippi River Corridor Critical Area Plan (MRCCA Plan) component that was reviewed by Minnesota Department of Natural Resources (DNR) staff and found to be substantially consistent with Minn. Stat. § 116G and Minnesota Rules Chapter 6106. Council staff also find the MRCCA Plan component to be consistent with *Thrive MSP 2040* land use policies, and Minnesota Rules Chapter 6106. The DNR's March 15, 2019, conditional approval letter is attached to the Council staff report as an appendix. Final DNR approval of the MRCCA Plan will be sent to the community after the Council authorizes local adoption of the Plan.

### *Advisory Comments*

Within 60 days after receiving final DNR approval, the City must adopt the MRCCA Plan, and submit a copy of the final adopted plan and evidence of adoption to the DNR, Council, and National Park Service within 10 days after the adoption.

### **Solar Access Protection**

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

The Plan is complete and 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 is silent on the presence of aggregate resources in the City. The Council's aggregate resources inventory information contained in *Minnesota Geological Survey Information Circular 46* indicates there are no known viable aggregate resource deposits available for extraction within the City.

### **Historic Preservation**

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

The Plan details that the City's Economic Development Agency (EDA) conducted an "Historic Resources Study" in 2001. This detailed analysis of historic sites within the City informs support for the preservation of historic buildings and sites within the City's Capital Improvement Plan, which prioritizes funding for maintenance and preservation of historic buildings and sites within the City.

### *Plan Implementation*

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

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 Chapter 13, Implementation, within the Plan, with capital improvements planning detailed in Appendix K.

### **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

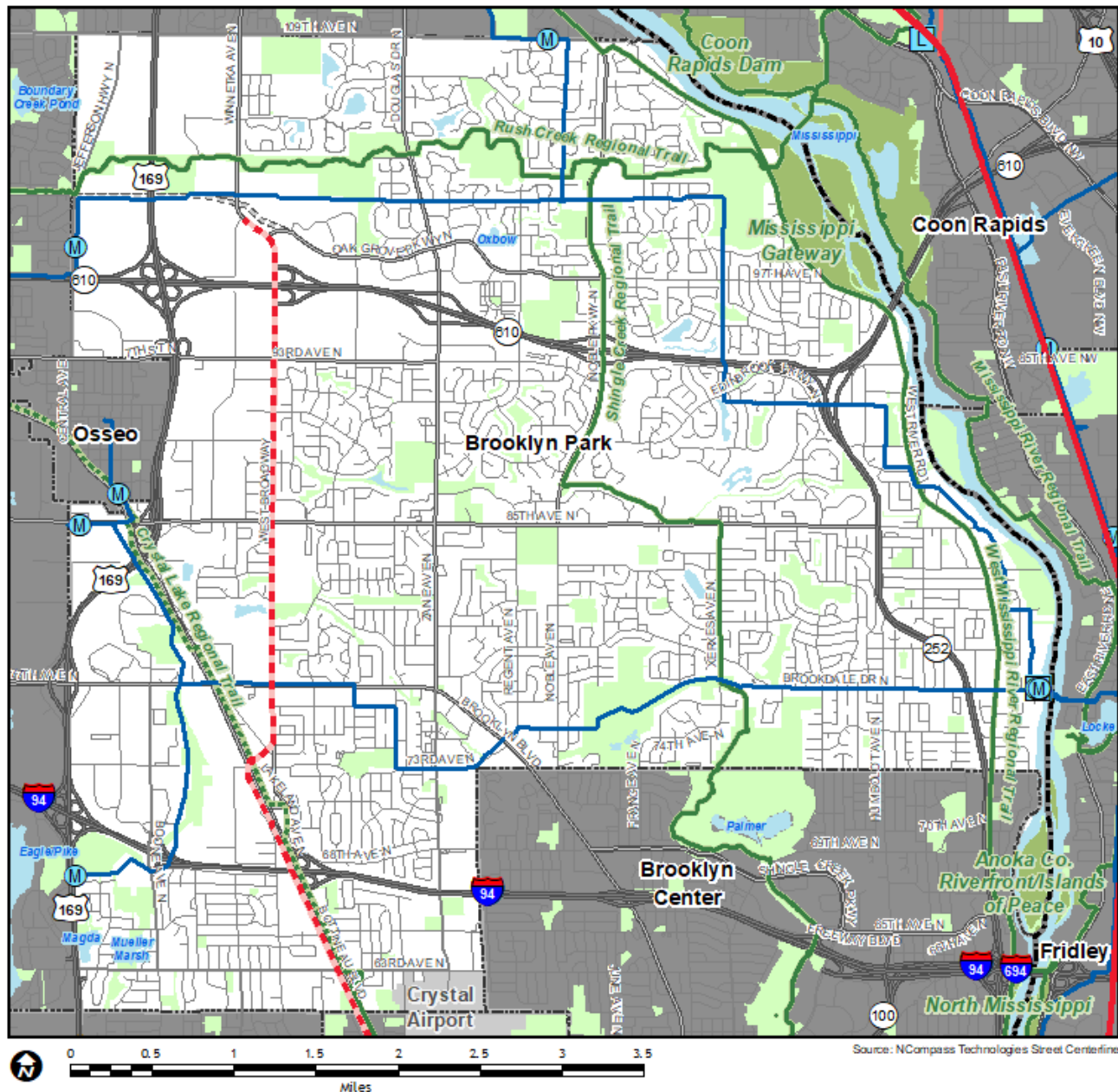
In response to the 2015 System Statement, the City submitted the following documents for review:

- May 31, 2018: Brooklyn Park Preliminary 2040 Comprehensive Plan
- June 12, 2018: Supplemental Preliminary 2040 Comprehensive Plan Information (Transportation Forecasts)
- November 28, 2018: Local Water Management Plan
- November 29, 2018: Supplemental Preliminary 2040 Comprehensive Plan Information (Forecasts)
- December 21, 2018: Local Water Supply Plan
- December 26, 2018: Brooklyn Park 2040 Comprehensive Plan
- January 9, 2019: Traffic Forecast Model and Roadway Capacity Analysis
- February 11, 2019: Revised MRCCA Chapter
- June 27, 2019: Revised 2040 Comprehensive Plan Responding to Council Incomplete Items for Land Use, Forecasts, Parks, Housing, Implementation, MRCCA, and Transportation and Transit
- July 18, 2019: Supplemental 2040 Comprehensive Plan Information (Parks, Land Use, Transportation and Transit)
- August 9, 2019: Sanitary Sewer Comprehensive Plan
- August 21, 2019: Revised 2040 Comprehensive Plan Responding to Council Incomplete Items for Wastewater, Land Use, Sewer-Serviced Forecasts, and Water Supply
- October 8, 2019: Confirmation of Receipt of GIS Data
- October 24, 2019: Revised 2040 Comprehensive Plan Responding to Council Incomplete Items for Wastewater, Forecasts, and Water Supply
- October 25, 2019: Revised 2040 Comprehensive Plan
- November 11, 2019: Supplemental 2040 Comprehensive Plan Information (Forecasts)

## Attachments

- Figure 1: Location Map with Regional Systems
- Figure 2: *Thrive MSP 2040* Community Designations
- Figure 3: Existing Land Use
- Figure 4: 2040 Future Land Use
- Figure 5: Development Staging Map
- Figure 6: Land Guided for Affordable Housing
- Figure 7: MRCCA Approval Letter

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

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

#### Regional Park Search Areas and Regional Trail Search Corridors

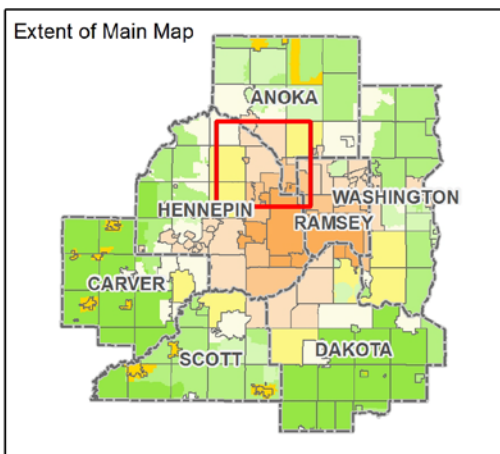
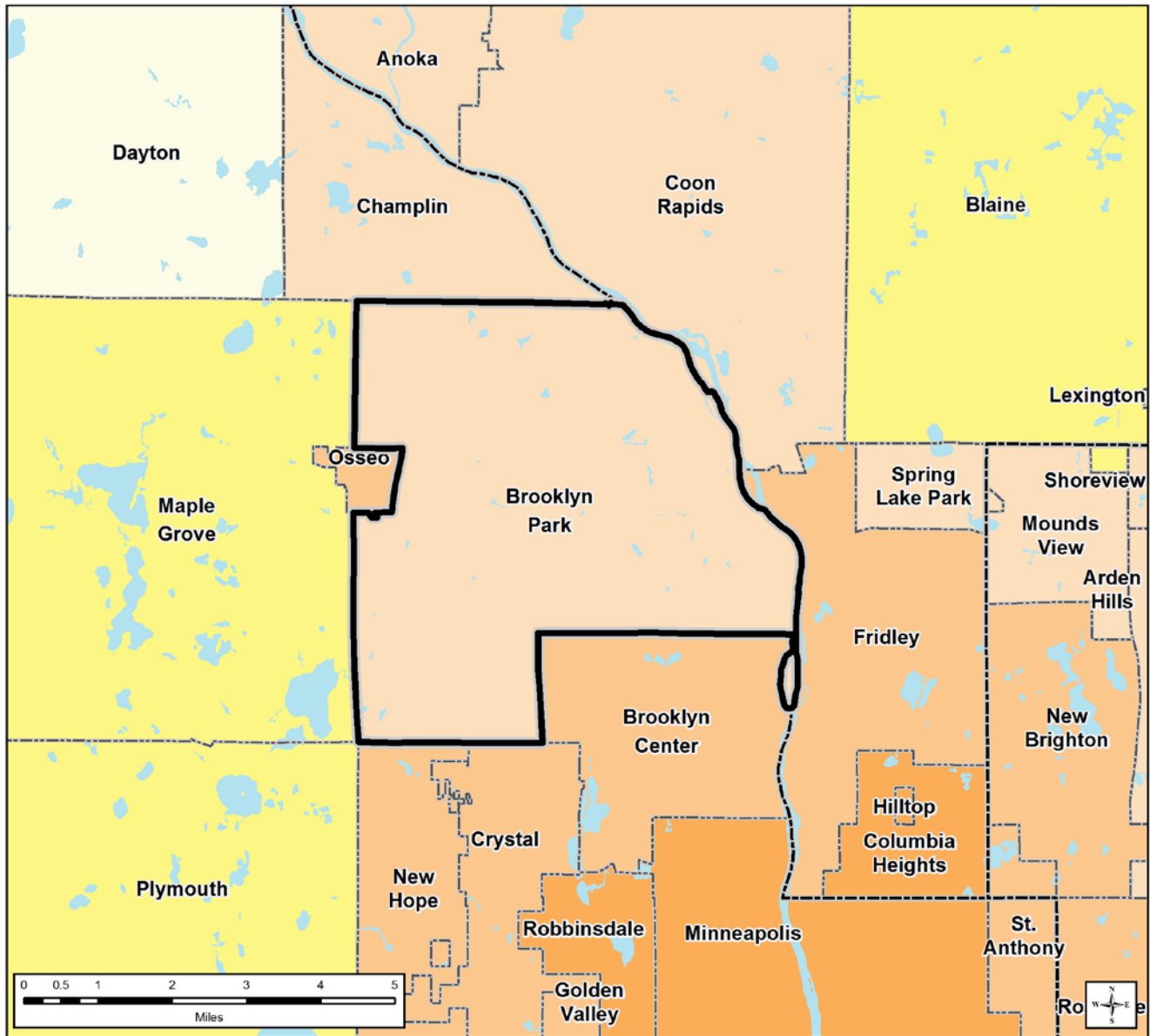
- Boundary Adjustment
- Search Area
- ▨ Regional Trail Search Corridors

- 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

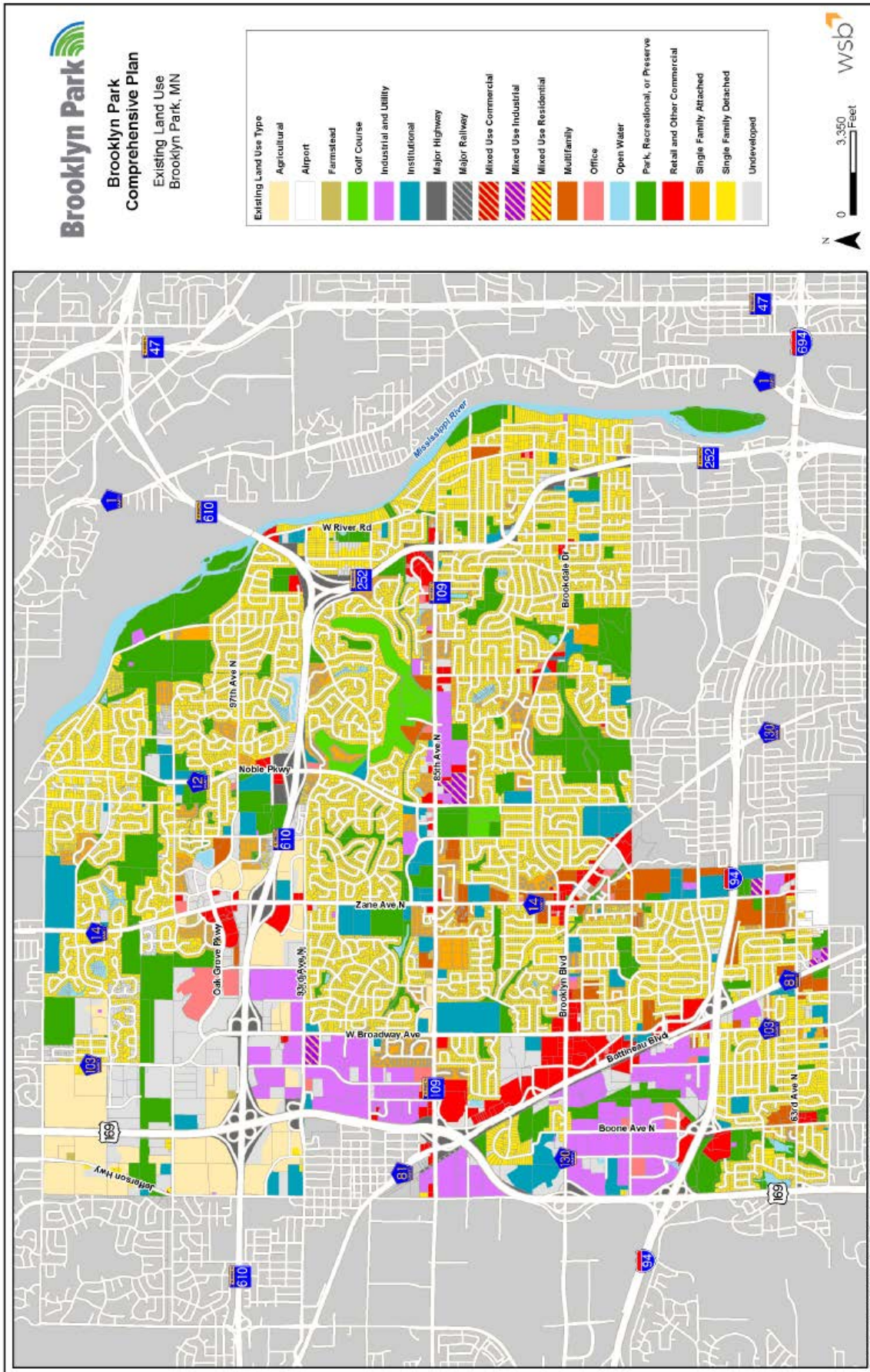




Figure 4. 2040 Future Land Use

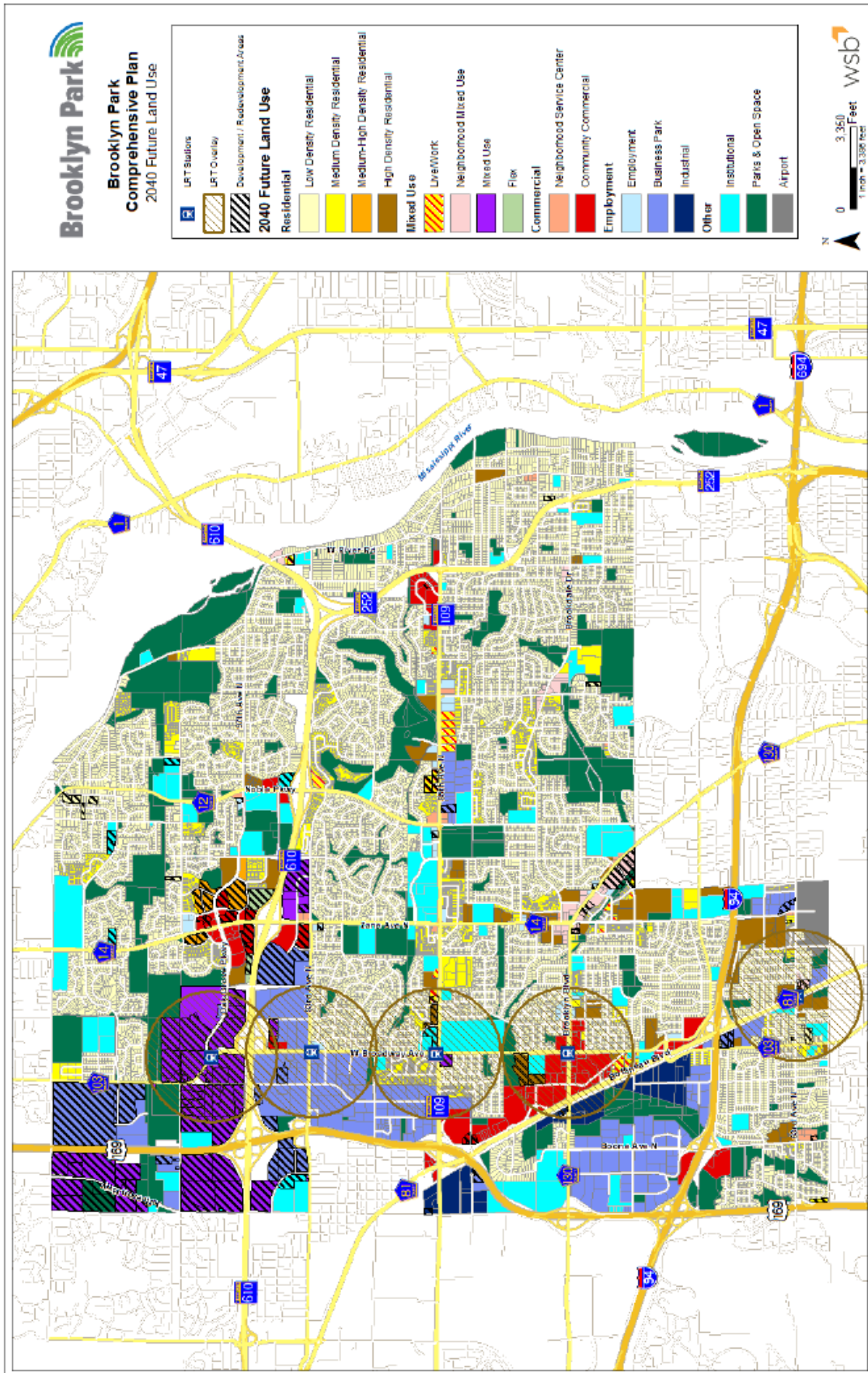


Figure 5. Development Staging Map

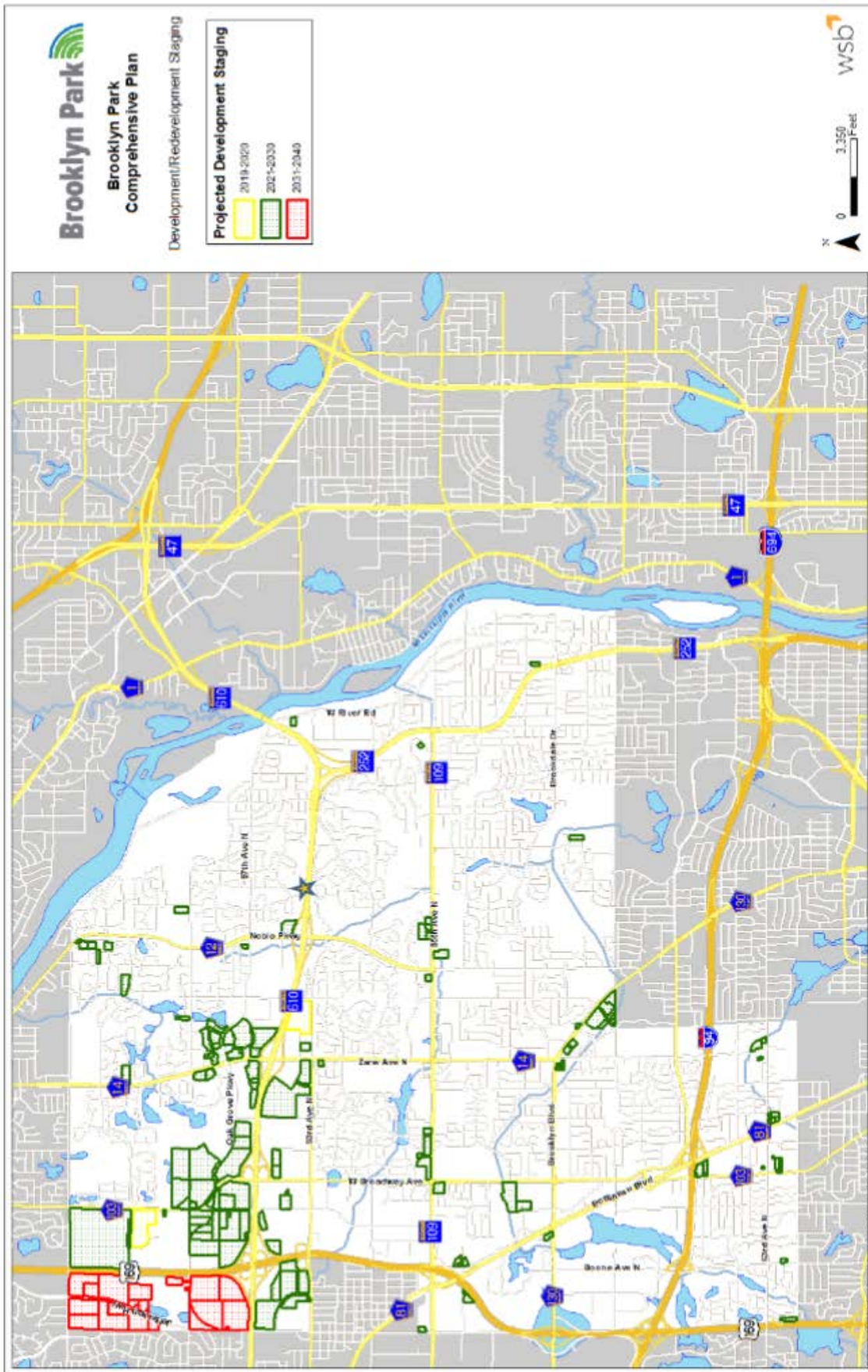




Figure 6. Land Guided for Affordable Housing

2021-2030 share of regional need for Affordable Housing: **795 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>Medium-High Density Residential</b>	43		12		100%		516
<b>High Density</b>	27		12		100%		324
<b>Neighborhood Mixed Use</b>	15		9		10%		14
<b>Mixed Use</b>	378		12		30%		1,361
<b>Total</b>	<b>463</b>						<b>2,215</b>

Sufficient/*(insufficient)* units possible against share of regional need: **1,420**

Affordable units built since 2021: **0**

Sufficient/*(insufficient)* units possible adjusted for affordable units built: **1,420**

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



Figure 7. MRCCA Plan Approval Letter



March 15, 2019

Cindy Sherman  
City of Brooklyn Park  
5200 85<sup>th</sup> Ave. North  
Brooklyn Park, MN 55443

**Re: Conditional Approval of Brooklyn Park MRCCA Plan**

Dear Ms. Sherman:

I am pleased to inform you that the Minnesota Department of Natural Resources (DNR) conditionally approves the City of Brooklyn Park's Mississippi River Corridor Critical Area (MRCCA) Plan.

We reviewed the MRCCA Plan chapter of your 2040 Comprehensive Plan submitted to the Metropolitan Council on February 15, 2019. We have found that the MRCCA plan is substantially consistent with Minnesota Statutes, §116G and Minnesota Rules, chapter 6106. However, we did identify three areas where the plan could be revised to improve clarity. These areas are highlighted in the attached review checklist and we recommend that the city make these revisions for the final plan.

We will send final approval of your MRCCA plan after the Metropolitan Council authorizes Brooklyn Park to put the comprehensive plan into effect. Within 60 days of receiving DNR final approval, Brooklyn Park must adopt the MRCCA Plan. Brooklyn Park must then submit a copy of the final adopted plan, with evidence of adoption, to the DNR, the Metropolitan Council, and the National Park Service within ten days of the adoption.

Only MRCCA plans and plan amendments approved by the DNR have the force and effect of law. Once in effect, local governments must implement and enforce the DNR-approved plans.

We appreciate your efforts to develop and adopt the MRCCA plan, which provides a solid basis for future ordinance amendments and MRCCA management. Please contact Dan Petrik at 651-259-5697 or at [daniel.petrik@state.mn.us](mailto:daniel.petrik@state.mn.us) if you have any questions about next steps.

Sincerely,

Jennifer Shillcox  
Land Use Unit Supervisor

c: Raya Esmaeili, Metropolitan Council  
Rory Stierler, National Park Service  
Jason Spiegel DNR Region 3 Area Hydrologist  
Dan Petrik, DNR Land Use Unit

Minnesota Department of Natural Resources • Division of Ecological and Water Resources  
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