

## Community Development Committee

For the Metropolitan Council meeting of August 25, 2021

**Subject:** City of Farmington Vita Attiva Development Comprehensive Plan Amendment, Review File 22086-5

### Proposed Action

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

1. Authorize the City of Farmington to place its comprehensive plan amendment into effect.
2. Find that the amendment does not change the City's forecasts.
3. Find that the amendment renders the City's comprehensive plan inconsistent with the Council's housing policy, and that the City is therefore considered "not in good standing" for the purposes of the Livable Communities Act (LCA) programs.
4. Advise the City
  - a. To be consistent with Council housing policy, the City needs to regulate additional acres expected to develop in the 2021-2030 decade to a land use with a minimum density of 12 units per acre or raise the minimum density of an existing land use to 12 units per acre to accommodate a minimum of 128 additional units.
  - b. To implement the advisory comments in the Review Record for parks, wastewater, forecasts, housing, and natural resources.

### Summary of Committee Discussion/Questions

Planning Analyst Patrick Boylan presented the staff's report to the Committee. No representatives from the City of Farmington were in attendance. The Community Development Committee unanimously recommended approval of the proposed action with no questions or discussion at its meeting on August 16, 2021.

## Community Development Committee

Meeting date: August 16, 2021

For the Metropolitan Council meeting of August 25, 2021

**Subject:** City of Farmington Vita Attiva Development Comprehensive Plan Amendment, Review File 22086-5

**District(s), Member(s):** District 16, Wendy Wulff

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

**Staff Prepared/Presented:** Patrick Boylan, Planning Analyst (651-602-1438)  
Angela R. Torres, Local Planning Assistance Manager (651-602-1566)

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

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  - a. To be consistent with Council housing policy, the City needs to reguide additional acres expected to develop in the 2021-2030 decade to a land use with a minimum density of 12 units per acre or raise the minimum density of an existing land use to 12 units per acre to accommodate a minimum of 128 additional units.
  - b. To implement the advisory comments in the Review Record for parks, wastewater, forecasts, housing, and natural resources.

### Background

The City submitted the Vita Attiva Development comprehensive plan amendment on June 30, 2021. The amendment reguides 80.16 acres from Mixed Use (Commercial/Residential), High Density Residential, Medium Density Residential, and Park/Open Space to Low Medium Density Residential and Medium Density Residential. The purpose of the amendment is to accommodate the development of 141 single family lots and 6 lots for 8-unit multifamily structures, a total of 189 units. The site includes 26.8 acres of park and open space. The amendment site is generally located south of CSAH 50, east of Eaton Avenue, and west of Pilot Knob Road. This is the City's fourth amendment to its 2040 Comprehensive Plan.

### 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 MSP2040*. To achieve the outcomes identified in Thrive, the metropolitan development guide defines the Land Use Policy for the region and includes strategies for local governments and the Council to implement. These policies and strategies are interrelated and, taken together, serve to achieve the outcomes identified in Thrive.

**Funding**

None.

**Known Support / Opposition**

There is no known opposition.

# REVIEW RECORD

City of Farmington

Vita Attiva Development Comprehensive Plan Amendment

Review File No. 22086-5, Business Item No. 2021-212

## BACKGROUND

The City of Farmington (City) is located in central Dakota County, bordered by Lakeville to the north and west, Empire Township to the east, and Castle Rock Township and Eureka Township to the south.

*Thrive MSP 2040* (Thrive) designates Farmington with an “Emerging Suburban Edge” community designation. The Council forecasts from 2020 to 2040 that the City will grow from 24,300 to 32,500 population and 8,500 to 11,800 households. The Council also forecasts that between 2020 and 2040, the City’s employment will increase from 5,600 to 6,800 jobs.

The Metropolitan Council reviewed the City of Farmington’s 2040 Comprehensive Plan ([Business Item 2019-322 JT](#), Review File No. 22086-1) on December 11, 2019. This is the fourth comprehensive plan amendment since the 2040 Plan was reviewed.

## REQUEST SUMMARY

The amendment proposes to reguide 80.16 acres from Mixed Use (Commercial/Residential), High Density Residential, Medium Density Residential, and Park/Open Space to Low Medium Density Residential and Medium Density Residential. The purpose of the amendment is to accommodate the development of 141 single family lots and 6 lots for 8-unit multifamily structures, a total of 189 units. The site includes 26.8 acres of park and open space. The amendment site is generally located south of CSAH 50, east of Eaton Avenue, and west of Pilot Knob Road.

## OVERVIEW

### Conformance with Regional Systems

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

### Consistency with Council Policies

The amendment is consistent with the *Thrive MSP 2040*, with the *Housing Policy Plan*, with water resources management, and is consistent with Council 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 2040 Plan on December 11, 2019 ([Business Item 2019-322 JT](#), Review File No. 22086-1).
- The Christensen amendment was administratively approved by the Council on July 20, 2020 (Review File No. 22086-2). The amendment revised the Metropolitan Urban Service Area (MUSA) and Development Staging Plans in the City’s 2040 Comprehensive Plan for a 40-acre parcel

located at 20861 Flagstaff Avenue. The purpose of the amendment was to place the subject property into the 2020 MUSA immediately to allow the development of 113 single family homes .

- The Dakota Meadows amendment was approved by the Council on July 28, 2021 ([Business Item 2021-182](#), Review File No. 22086-3). The amendment regulated 41 acres from Medium Density Residential and Park/Open Space to Low Medium Density Residential located at the southeast corner of Denmark Avenue and County Road 74. The purpose of the amendment was to accommodate 110 single-family homes and a 2-acre park.
- The River's Edge Townhomes amendment was approved by the Council on August 11, 2021 ([Business Item 2021-198](#), Review File No. 22086-4). The amendment regulated 26 acres of a 68-acre parcel from High Density Residential to Medium Density Residential located at the northwest intersection of Denmark Avenue and 220th Street West. The amendment also adjusted the anticipated development staging in the City's 2040 Comprehensive Plan to include the entire 68-acre parcel in the 2021-2030 decade. The parcel was previously staged for development after 2040. The purpose of the amendment was to accommodate 276 townhome units.

## ISSUES

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

## ISSUES ANALYSIS AND FINDINGS

### *Conformance with Regional Systems*

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

#### **Regional Parks**

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

The proposed amendment conforms to the *2040 Regional Parks Policy Plan*. The planned Lake Marion Greenway Regional Trail is in the vicinity (i.e., within a 1/2 mile) of the amendment site (Figure 1). The City's submission included comments provided by Dakota County which called attention to the Lake Marion Greenway Master Plan and encourages the City to work with the developer "to look at design options... to avoid the structures in this development from significantly impacting the trail and user experience." Based on the information provided, it is Council staff's assessment that the proposed development will not have an adverse impact on the planned Lake Marion Greenway Regional Trail, or the Regional Parks System more broadly.

#### *Advisory Comments*

To ensure optimal coordination, Council staff encourage the City to work closely with the Council's regional implementation partner, Dakota County as this development progresses.

#### **Wastewater Service**

*Reviewer: Roger Janzig, Environmental Services (ES) – Engineering Programs*

[\*\(roger.janzig@metc.state.mn.us\)\*](mailto:roger.janzig@metc.state.mn.us)

The amendment conforms to the *2040 Water Resources Policy Plan*. Metropolitan Council Interceptor (7103-1) runs through the southern half of this site. There are specific processes that must be followed before encroachment on our property or a direct connection to the Interceptor can be made. Before

encroachment on Council property, an Encroachment Agreement is required, and before direct connection to the Metropolitan Council Interceptor a Sewer Connection Permit will be required.

The Metropolitan Disposal System otherwise as sufficient capacity to support the proposed development.

### **Advisory Comments**

To obtain a Sewer Connection Permit or an Encroachment Agreement Application, contact Tim Wedin, Interceptor Engineering Assistant Manager (651-602-4571) at the Metropolitan Council Environmental Services. To assess the potential impacts to our interceptor system; prior to initiating this project, preliminary plans should be sent to Tim Wedin, Interceptor Engineering Assistant Manager (651-602-4571) at the Metropolitan Council Environmental Services.

### **Transportation**

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

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

### **Consistency with Council Policy**

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

### **Forecasts**

*Reviewer: Todd Graham, CD – Research (651-602-1322)*

The City offers that the amendment does not affect the communitywide forecast. Council staff agree in part: the amendment adds housing capacity on the subject site. Still the expected development on this site fits within the existing communitywide forecast; a forecast revision is not necessary at this time. However, this and other developments in the area, specifically River's Edge ([Business Item 2021-198](#)) will result in households and population exceeding the Transportation Analysis Zone allocation.

The subject site is a small part of Transportation Analysis Zone #642 (the area between 212th Street and the Farmington-Eureka Township line). In its 2040 Plan, the City expected the zone in its entirety to gain +320 households and +800 population jobs during 2020-2040. Revision of the TAZ allocation is needed.

### **Advisory Comments**

Separate from this Council action, Council staff will take responsibility for Transportation Analysis Zones data maintenance. Council staff will increase the future allocation for Metropolitan Council TAZ #642 by +190 households, and +400 population added to 2030 and 2040 levels. The re-allocated amounts will be debited from the remainder of Farmington, leaving the communitywide totals unaffected. City staff are welcome to contact Council Research staff to discuss this.

### **Thrive MSP 2040 and Land Use**

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

*Thrive MSP 2040* identifies the City as an Emerging Suburban Edge community. Emerging Suburban Edge communities are expected to guide and develop at a minimum of 3 units per acre. The amendment proposes to re-guide land designated as Mixed Use (Commercial/Residential), High Density Residential, Medium Density Residential, and Park/Open Space to the land use categories of Low Medium Density Residential and Medium Density Residential.

The land is located generally south of CSAH 50, east of Eaton Avenue, and west of Pilot Knob Road (see Figure 2). The purpose of the amendment is to accommodate a 189-unit development consisting

of 141 single family homes and six 8-unit multifamily structures. The site includes 26.8 acres of park and open space.

The City is proposing to reguide 30 acres of Mixed Use (MIX) and 12.4 acres of High Density Residential (HDR) and add approximately 6 acres of Medium Density Residential (MDR) and also reguide to MDR and Low-Medium Density Residential (L/MDR) (Figure 3).

Plat Monitoring data for 2020 shows that 3,360 units have been constructed on over 996.1 acres, reflecting a built density of 3.37 units per acre in the City.

The Vita Attiva project proposes to construct 189 residential units on 53.36 net acres for a project site density of 3.54 units per acre. With this amendment, the overall planned, guided density in the City decreases from 3.17 units per acre to 3.1 units per acre as shown in Table 1 below (changes underlined). This density remains consistent with regional land use policy for Emerging Suburban Edge communities.

Table 1. Planned Residential Density, City of Farmington

Category	Density		Net Acres	2018-2040 Change	
	Min	Max		Min Units	Max Units
Low Density Residential	1	3.5	587.49	587	2,056
Low/Medium Density Residential	3.5	6	372.63	1,304	2,236
Medium Density Residential	6	12	<u>299.04</u>	<u>1,830</u>	<u>3,660</u>
High Density Residential	12	40	<u>12.63</u>	<u>152</u>	<u>505</u>
Mixed Use	6	40	<u>25.30</u>	<u>152</u>	1,012
<b>TOTALS</b>			<b>1,297.1</b>	<b>4,025</b>	<b>9,469</b>
<b>Overall Density</b>				<b>3.1</b>	<b>7.3</b>

## Housing

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

With the proposed amendment, the Plan is no longer consistent with the Council's *Housing Policy Plan* (HPP). The proposed amendment decreases the City's inventory of land guided to support the development of low- and moderate-income housing. As of this amendment, the Plan will be guiding approximately 85 acres of higher density residential land such that at least 455 units could be built (Figure 4).

To facilitate land for the development of affordable housing within the drafting of the 2040 Plan, the City chose to guide land following Option 2 outlined in the HPP: land guided at a minimum of 6 units/acre to support households earning 51-80% AMI, and sufficient land guided at 12 units/acre to support households earning less than 50% AMI. The Plan no longer provides sufficient land to address its share of the region's 2021-2030 need for affordable housing for 50% of AMI and below, which is 317 units.

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

## Advisory Comments

This proposed amendment will change the City's status to "not in good standing" for LCA Programs. This prevents the City from being able to draw funds from any awards that they have received or may receive until such time as the 2040 Plan is determined consistent with the Housing Policy Plan. In order to become consistent with the Council's Housing Policy Plan, the City needs to reguide additional acres

expected to develop in the 2021-2030 decade to a land use with a minimum density of 12 units per acre or raise the minimum density of an existing land use to 12 units per acre to accommodate a minimum of 128 additional units.

## **Natural Resources**

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

The amendment is consistent with Council policy for natural resources. The site plan included in the CPA application depicts two large stormwater pond areas within the proposed development. One ponding area runs the southern length of the proposed development and the other is sited on the eastern edge of the development. The application also includes a fully developed stormwater pollution prevention plan.

South Creek is a tributary of the Vermillion River running from the City of Lakeville to the City of Farmington. The river and its watershed are managed according to a Joint Powers Agreement signed by Dakota and Scott counties in 2002. This agreement formed the Vermillion River Watershed Joint Powers Organization (VRWJPO) to manage the watershed as required by Minnesota law (Minn. Stat. Chapter 103B.201-253). The VRWJPO is governed by the Vermillion River Watershed Joint Powers Board (VRWJPB). The VRWJPB directs watershed administration, policy, budget, and implementation of the 2016-2025 Vermillion River Watershed Management Plan (adopted in 2016).

The Creek runs directly through the southeast portion of the subject property and the CPA application details the flood plain of the creek cutting across the southern portion of 6 preliminary plats. The CPA application states that “As shown on the preliminary plat, Lots 71-76 encroach into the flood plain of South Creek specifically along the south side of these lots. Base flood elevations have not been determined for this portion of the creek and this would need to be completed in order to final plat these lots. If these base elevations and flood plain modeling are not completed prior to final platting of this area these lots will have to be outlotted until that additional work and study is completed. Depending on the results of the modeling these lots may be deemed unbuildable and should be dedicated as parkland.”

### *Advisory Comments*

The Vita Attiva project has potential to infringe on South Creek. The City will need to model this area to ensure there are buildable lots in that area. The City will need to work with and meet the Vermillion River Joint Powers Agreement stormwater requirements.

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

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

## **ATTACHMENTS**

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



Figure 1. Location Map Showing Regional Systems

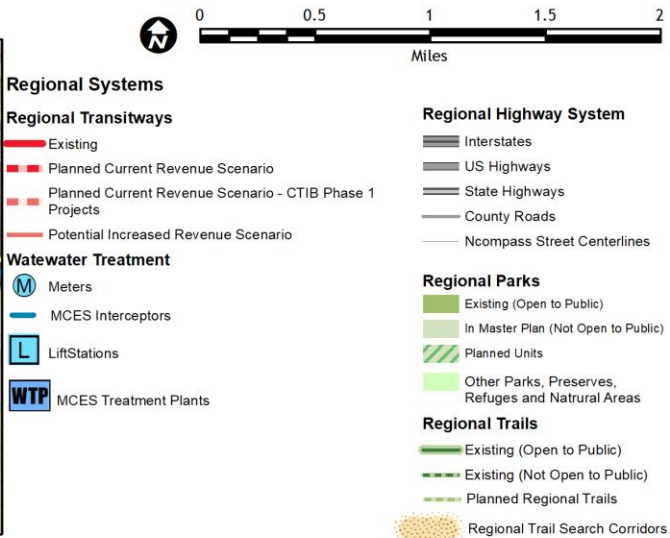
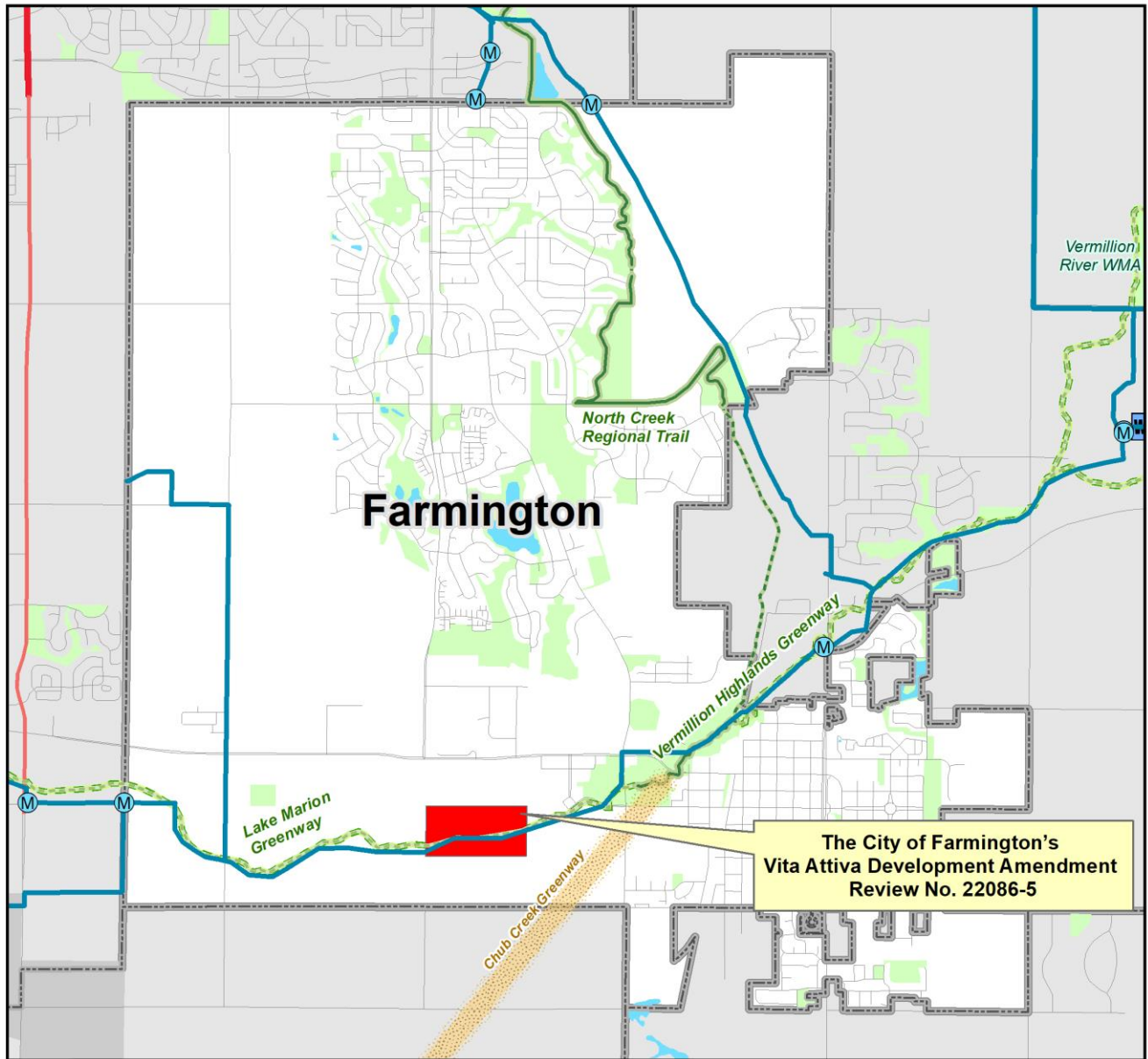
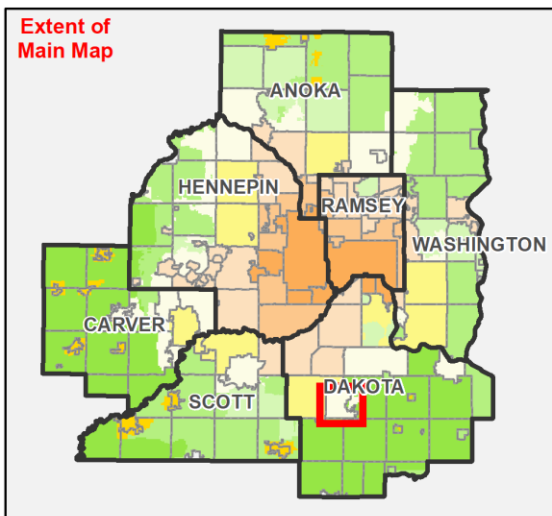
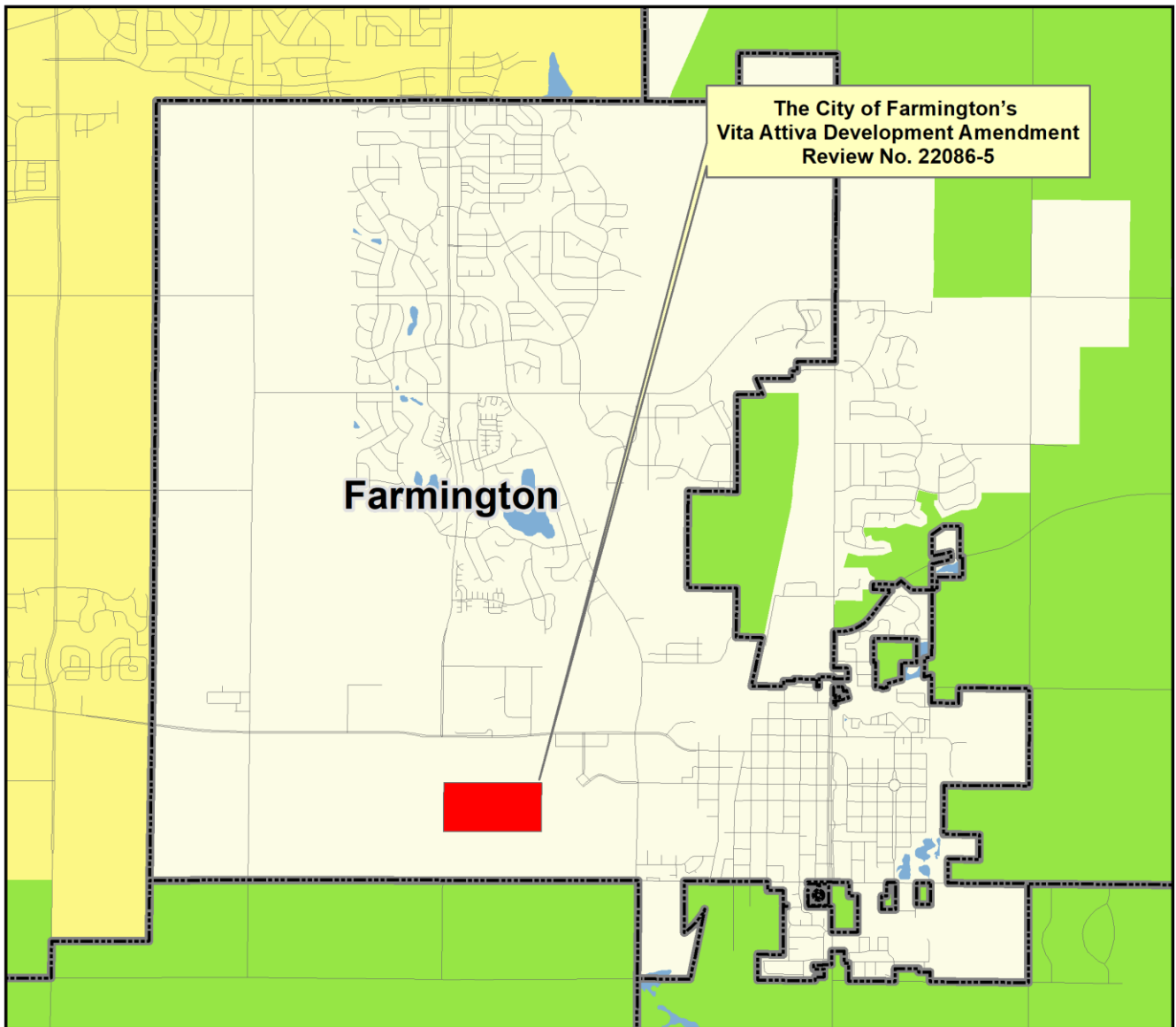


Figure 2. Location Map Showing Community Designations



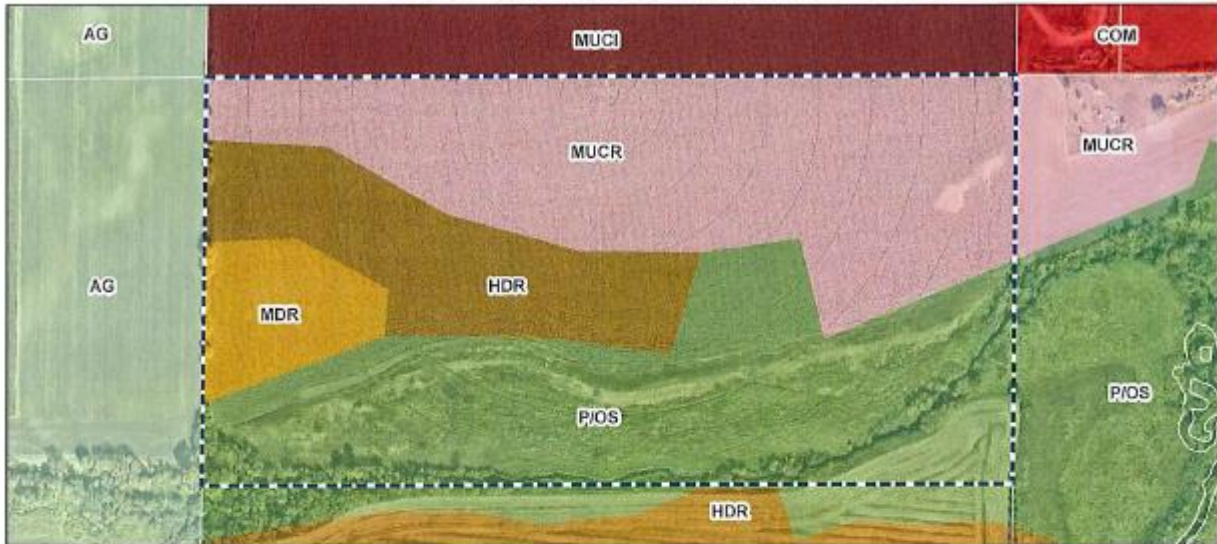
**ThriveMSP 2040 Community Designations**

- Agricultural
- Rural Residential
- Diversified Rural
- Rural Center
- Emerging Suburban Edge
- Suburban Edge
- Suburban
- Urban
- Urban Center
- Ncompass Street Centerlines

Figure 3. Current and Proposed Land Use Guiding

# 2040 Comprehensive Plan Land Use Amendment

## 2040 Comprehensive Plan Land Use

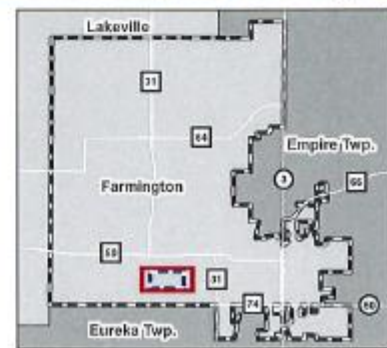


### Proposed Land Use



--- Vita Attiva Site Boundary

- AG - Agriculture
- L/MDR - Low Medium Residential [3.5-6.0 u/a]
- MDR - Medium Density Residential [6.0-12.0 u/a]
- HDR - High Density Residential [12.0-40.0 u/a]
- MUCR - Mixed-Use (Comm./Res.) [6.0-40.0 u/a]
- COM - Commercial
- MUCI - Mixed-Use (Commercial/Industrial)
- P/OS - Park/Open Space



### Figure 4. Land Guided for Affordable Housing

2021-2030 share of regional need for Affordable Housing at 50% AMI and Below:	<b>317 units</b>
2021-2030 share of regional need for Affordable Housing between 51 to 80% AMI:	<b>124 units</b>
TOTAL 2021-2030 share of regional need for Affordable Housing:	<b>441 units</b>
2021-2030 total regional need for Affordable Housing:	<b>37,900 units</b>

	<b>Available Acres</b>	<b>X</b>	<b>Minimum Density</b> <i>(units per acre)</i>	<b>X</b>	<b>Expected % Residential</b> <i>(if mixed use)</i>	<b>=</b>	<b>Minimum Units Possible</b>
<b>Medium Density Residential</b>	18.9		6		100%		114
<b>High Density Residential</b>	15.7		12		100%		189
<b>Mixed Use Commercial Residential</b>	50.6		6		50%		152
<b>Total</b>	<b>85.2</b>						<b>455</b>

Sufficient/(insufficient) units affordable at 50% AMI and below possible in areas with ≥12 units per acre minimum against share of regional need: **-128**

Sufficient/(insufficient) total units affordable between 51 to 80% AMI possible in areas with ≥6 units per acre minimum possible against share of regional need: **142**

Sufficient/(insufficient) total units possible against share of regional need: **14**

Affordable units built since 2021: **0**

Sufficient/(insufficient) units possible adjusted for affordable units built: **14**

