

# Committee Report

Community Development Committee



**Committee Meeting Date:** December 5, 2022

**For the Metropolitan Council:** December 14, 2022

## Business Item: 2022-326

City of Rosemount SKB Expansion Comprehensive Plan Amendment, Review File 22286-9

### Proposed Action

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

1. Authorize the City to place its comprehensive plan amendment into effect.
2. Find that the amendment does not change the City's forecasts.
3. Advise the City to implement the advisory comments in the Review Record for regional parks, wastewater services, natural resources, and forecasts.

### Summary of Community Development Committee Discussion/Questions

The Community Development Committee unanimously recommended approval of the proposed action as part of its consent agenda at its meeting on December 5, 2022.



# Business Item

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<b>District(s), Member(s):</b>	District 15, Phillip Sterner
<b>Policy/Legal Reference:</b>	Metropolitan Land Planning Act (Minn. Stat. § 473.175)
<b>Staff Prepared/Presented:</b>	Patrick Boylan, Planning Analyst (651-602-1438) Angela R. Torres, Senior Manager (651-602-1566)
<b>Division/Department:</b>	Community Development / Regional Planning

### Proposed Action

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

1. Authorize the City to place its comprehensive plan amendment into effect.
2. Find that the amendment does not change the City's forecasts.
3. Advise the City to implement the advisory comments in the Review Record for regional parks, wastewater services, natural resources, and forecasts.

### Background

The City submitted the SKB Expansion comprehensive plan amendment on October 21, 2022. The amendment proposes to reguide approximately 113 acres from General Industrial (68 acres), Light Industrial (4 acres), and Business Park (42 acres) to Waste Management located at 13425 Courthouse Boulevard. The purpose of the amendment is to facilitate an expansion of a landfill operated by SKB Environmental. The proposed project with this amendment was also the subject of an environmental assessment worksheet, on which the Council provided comments on potential impacts (Review File No. 22543-1). This is the City's eighth 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 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 opposition.



# REVIEW RECORD

City of Rosemount

SKB Expansion Comprehensive Plan Amendment

Review File No. 22286-9, Business Item No. 2022-326

## BACKGROUND

The City of Rosemount (City) is located in north-central Dakota County, bordered by Eagan, Inver Grove Heights, and Cottage Grove to the north, Apple Valley to the west, Lakeville to the southwest, Empire Township, Coates, and Vermillion Township to the south, and Nininger Township to the east.

*Thrive MSP 2040* (Thrive) designates Rosemount with an “Emerging Suburban Edge” community designation. The Council forecasts from 2020 to 2040 that the City will grow from 25,900 to 38,600 population and 9,300 to 14,200 households. The Council also forecasts that between 2020 and 2040, the City’s employment will increase from 9,900 to 13,100 jobs.

The Metropolitan Council reviewed the City of Rosemount 2040 Comprehensive Plan ([Business Item 2019-310 JT](#), Review File No. 22286-1) on January 8, 2020. The proposed project with this amendment was also the subject of an environmental assessment worksheet, on which the Council provided comments on potential impacts (Review File No. 22543-1). The Council’s comments related to potential impacts on the planned Rosemount Greenway Regional Trail, impacts related to water quality resulting from per- and polyfluroalkyl (PFAS) substances, and required plan amendment processes. This is the seventh comprehensive plan amendment since the 2040 Plan was reviewed.

## REQUEST SUMMARY

The amendment reguides approximately 113 acres from General Industrial (68 acres), Light Industrial (4 acres), and Business Park (42 acres) to Waste Management located at 13425 Courthouse Boulevard. The purpose of the amendment is to facilitate an expansion of a landfill operated by SKB Environmental.

## 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

1. The Council acted on the 2040 Plan on January 8, 2020 ([Business Item 2019-310 JT](#), Review File No. 22286-1).
2. The Council authorized the Emerald Isle amendment on January 13, 2021 ([Business Item 2020-339, Review File No. 22286-2](#)). The amendment reguided 20 acres from Medium Density Residential to Low Density Residential and 10 acres from Community Commercial



to High Density Residential.

3. The Council authorized the Rosewood Commons amendment on July 28, 2021 ([Business Item 2021-183, Review File No. 22286-3](#)). The amendment regulated approximately 7.9 acres from Community Commercial (CC) to High Density Residential (HDR).
4. The Council administratively reviewed the Robert Trail South and Map Corrections amendment on July 16, 2021 (Review File No. 22286-4). The amendment regulated 39.4 acres from Community Commercial to Business Park to support a proposed warehouse and distribution center development. The amendment also corrected the future guiding for two properties with existing businesses from Regional Commercial to Community Commercial as a map correction to the 2040 future land use map.
5. The Council authorized the UMore Park Mixed Use Residential amendment on September 22, 2021 ([Business Item 2021-226, Review File No. 22286-5](#)). The amendment created a new future land use category, Mixed Use Residential, with a density range of 2.5-8 units per acre and regulated land within the UMore Park property.
6. The Council administratively reviewed the Rich Valley Golf Course amendment on December 9, 2021 (Review File No. 22286-6). The amendment regulated 63 acres from Regional Commercial to Business Park.
7. The Council administratively reviewed the Highway 3 and County Road 46 amendment on August 11, 2022 (Review File No. 22286-7). It regulated 65 acres from Community Commercial to Business Park.
8. The Council authorized the Akron 42 amendment on November 30, 2022 ([Business Item 2022-314, Review File No. 22286-8](#)). The amendment regulated 8.1 acres from Community Commercial to High Density Residential.

## 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*. One planned unit of the Regional Parks System is in the vicinity (i.e., within 1/2 mile) of the proposed 113-acre land use change from General Industrial, Light Industrial, and Business Park to Waste Management. The current alignment of the planned Rosemount Greenway Regional Trail is adjacent to the site, on the south side of the parcel identified for future land use guiding changes. The planned regional trail will generally travel east-west in this area, traveling along Ehlers Path. The current alignment is depicted on pg. 22 of the amendment; part of Dakota County's comment letter.

The Rosemount City Council's recommended action includes a "motion to approve an Interim Use Permit amendment allowing an expansion of the SKB Environmental Landfill and related building construction, subject to the following conditions... (c) Provision of a minimum of a 30-foot easement outside of the street right-of-way for the planned regional trail along Ehlers Path/140th

Street. The grading plans must be updated to include grades that will support future construction of a trail.” Council Parks staff appreciate the acknowledgement of the planned regional trail and the conditions associated with its future construction.

Council Parks staff appreciate Dakota County’s comments noting: “In 2012 Dakota County and the City of Rosemount adopted the Rosemount Greenway Master Plan connecting Lebanon Hills to Spring Lake Park Reserve/Mississippi River Greenway. Dakota County encourages the city to continue to work with the landfill owner to ensure a quality greenway corridor generally along the north side of Ehlers Path.” The County’s comment letter also includes a link to the 2012 Council-approved master plan (amendment materials, pg. 21).

Taking the approved Interim Use Permit and condition (c) into consideration, and under the assumption the City will continue to work with SKB Environmental, Inc. to ensure a quality greenway corridor along Ehlers Path, the proposed land use change should not have an adverse impact on the future Rosemount Greenway Regional Trail.

#### *Advisory Comments*

The City should continue to work with the landfill owner to ensure a quality greenway corridor along Ehlers Path.

### **Wastewater Service**

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

The proposed amendment conforms to the *2040 Water Resources Policy Plan (WRPP)*. The amendment is being driven by the re-guiding of 114 acres from General Industrial to Light Industrial, Business Park, and Waste Management for a proposed expansion of the landfill operated by SKB Environmental. The amendment site location contains 2040 Metropolitan Urban Service Area (MUSA) for the proposed expansion of the SKB Rosemount Industrial Waste Disposal Facility.

#### *Advisory Comments*

Prior to the installation of any sanitary sewer improvements, the City will need to re-guide staging from future 2040 to current 2030 MUSA through the submittal of a comprehensive plan amendment. The amendment also needs to show detailed plans, and how this project will be connected to the Metropolitan Disposal System.

### **Transportation**

*Reviewer: Jed Hanson, Metropolitan Transportation Services (MTS) (651-602-1716)*

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

#### *Transit*

*Reviewer: Jed Hanson, Metropolitan Transportation Services (MTS) (651-602-1716)*

The amendment is consistent with transit plans as there is no regular existing or planned route service to the site.

### **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)*

On November 30, 2022, the Metropolitan Council approved a forecast increase for the Akron 42 comprehensive plan amendment ([Business Item 2022-314](#), Review File No. 22286-8). For the SKB expansion site amendment, the City offers that the amendment does not affect the communitywide forecast. Council staff partly agree. Council staff find that employment growth in Rosemount has

lagged previous expectations, and that employment capacity is further reduced by land guidance at the subject site. Council staff are not requiring a forecast revision, but recommend that an employment forecast reduction is considered with a future Plan amendment or the next decennial Plan update.

*Table 1. Metropolitan Council Forecasts: City of Rosemount*

	Estimated 2021	Current Approved Forecast		
		2020	2030	2040
Population	26,133	25,900	33,100	38,600
Households	9,123	9,300	12,100	14,200
Employment	8,284	9,900	11,500	13,100

*Table 2. Sewer-Serviced Forecasts: City of Rosemount (served by Empire WWTP)*

	Current Approved Forecast		
	2020	2030	2040
Population	24,211	31,573	37,259
Households	8,694	11,541	13,706
Employment	9,730	11,330	12,930

*Advisory Comments*

Council staff find that employment growth in Rosemount has lagged previous expectations, and that employment capacity is further reduced by land guidance at the subject site. Council staff recommend that an employment forecast reduction is considered with a future Plan amendment or the next decennial Plan update.

**Thrive MSP 2040 and Land Use**

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

The Plan, with the proposed amendment, remains consistent with *Thrive MSP 2040* (Thrive) and its land use policies for an Emerging Suburban Edge community. The amendment proposes to reguide approximately 113 acres from General Industrial (68 acres), Light Industrial (4 acres), and Business Park (42 acres) to Waste Management located at 13425 Courthouse Boulevard. The purpose of the amendment is to facilitate an expansion of a landfill operated by SKB Environmental.

**Housing**

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

The amendment has no impact on residential guided land; the City’s 2040 Plan remains consistent with the Council’s *Housing Policy Plan*.

**Natural Resources**

*Reviewer: Joe Mulcahy, ES – Water Resources (651-602-1104)*

The amendment is consistent with Council policy. Potential water resource impacts that were identified as part of the environmental assessment worksheet related to PFAS have been addressed.

*Advisory Comments*

SKB Environmental has agreed to continue working with the Council to address any future regulatory changes concerning disposal of landfill leachate into the regional wastewater system and treatment of PFAS pollutants in particular. MCES reserves the right to impose additional



leachate management and other industrial discharge permit requirements on the SKB Industrial Waste Disposal Facility if warranted by future PFAS requirements on the wastewater system.

## 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.

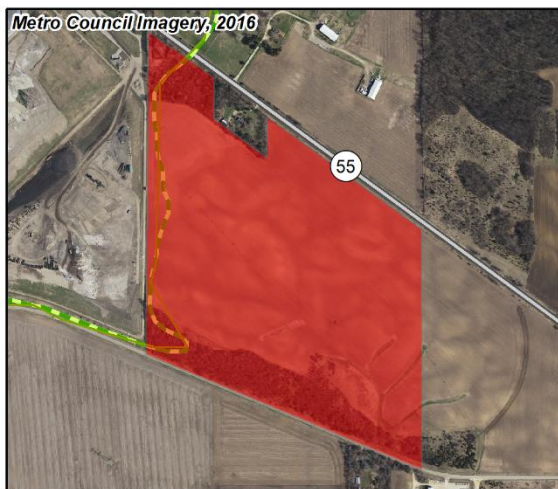
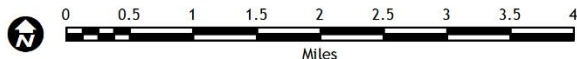
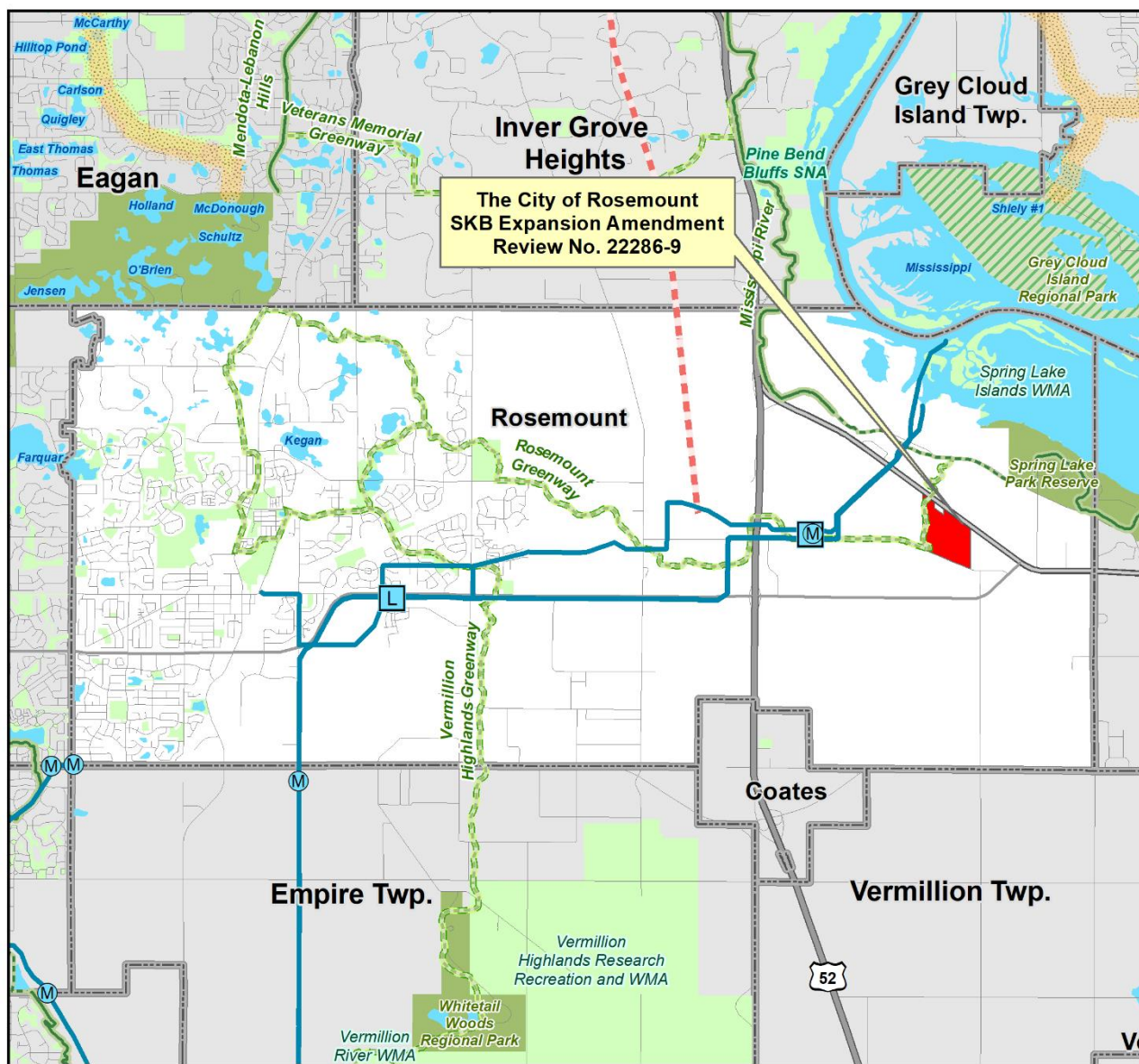
### ATTACHMENTS

- Figure 1: Location Map Showing Regional Systems
- Figure 2: Location Map Showing Community Designations
- Figure 3: Current and Proposed Land Use Guiding





Figure 1. Location Map Showing Regional Systems



**Regional Systems**

**Regional Transitways**

- Existing
- - - Planned Current Revenue Scenario
- - - Planned Current Revenue Scenario - CTIB Phase 1 Projects
- - - Potential Increased Revenue Scenario

**Wastewater**

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

**Regional Highway System**

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

**Regional Parks**

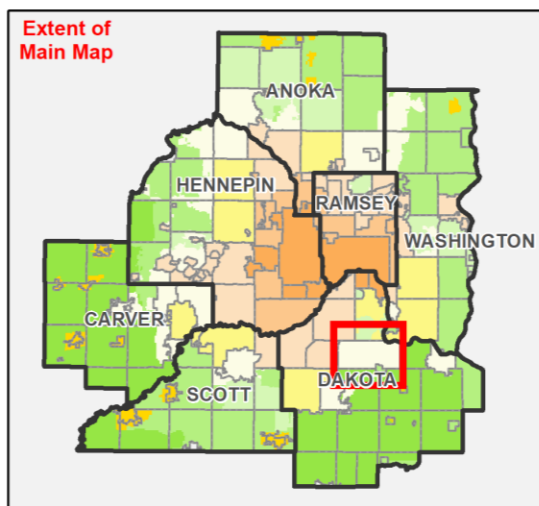
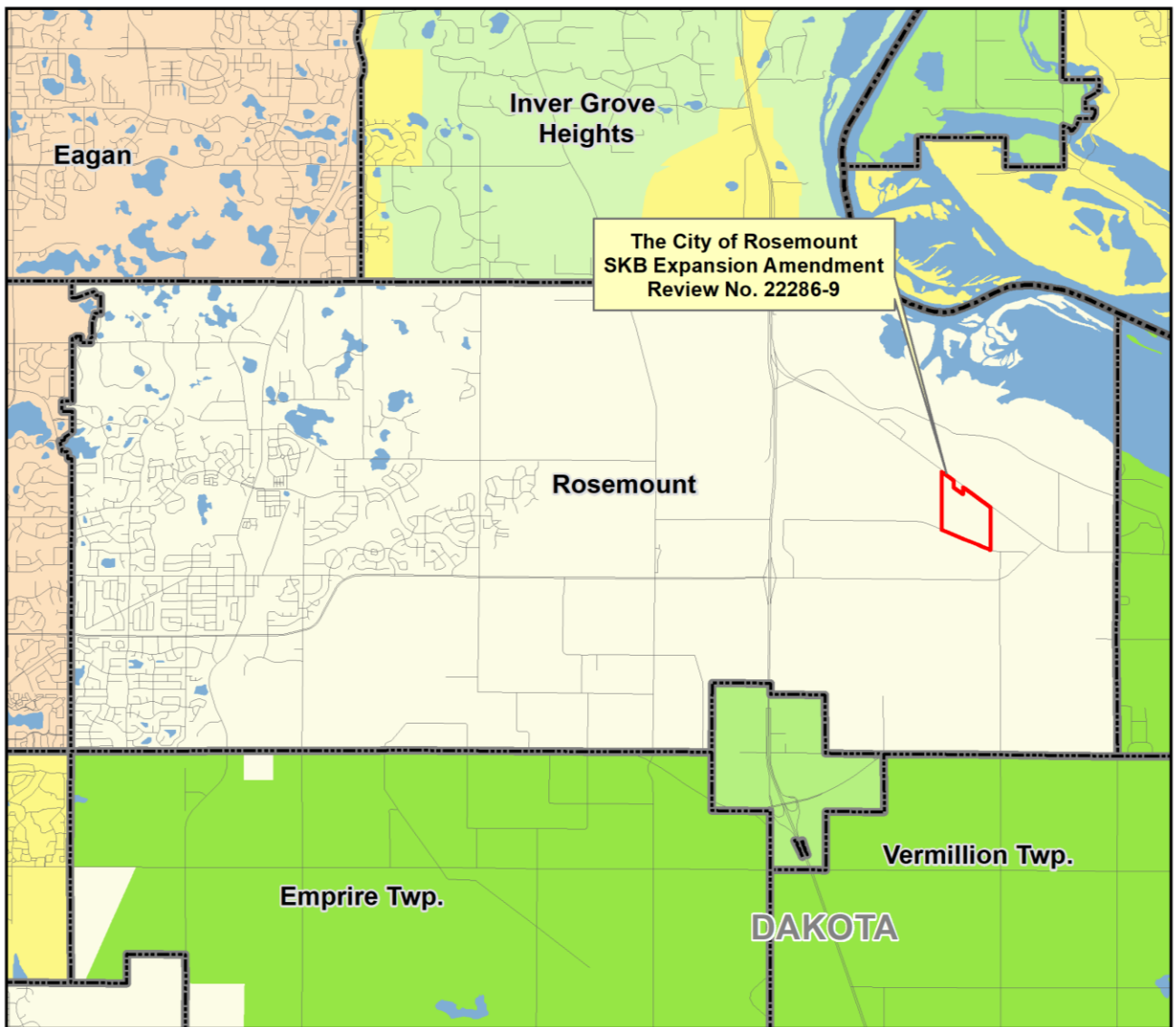
- Existing (Open to Public)
- In Master Plan (Not Open to Public)
- Planned Units
- Other Parks, Preserves, Refuges and Natural Areas

**Regional Trails**

- Existing (Open to Public)
- - - Existing (Not Open to Public)
- - - Planned Regional Trails

- Regional Trail Search Corridors

**Figure 2. Location Map Showing Community Designations**



**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**

