

- E** Environment Committee
Meeting date: April 13, 2010
- C** Community Development Committee
Meeting date: April 19, 2010

ADVISORY INFORMATION

Subject:	City of Burnsville 2030 Comprehensive Plan Update Tier II Comprehensive Sewer Plan Review File No. 20458-1
District, Member:	District 15, Councilmember Dan Wolter
Policy/Legal Reference:	Minnesota Statutes Section 473.175
Staff	Patrick Boylan, Principal Reviewer (651-602-1438)
Prepared/Presented:	Phyllis Hanson, Local Planning Assistance Manager (651-602-1566) Kyle Colvin, Engineering Services Asst. Manager (651-602-1151)
Division/Department:	Community Development / Planning and Growth Management Environmental Services/ Engineering Services

Proposed Action

That the Metropolitan Council adopts the attached Advisory Comments and Review Record, and the following:

Recommendation of the Community Development Committee:

1. Authorize the City of Burnsville (City) to put its 2030 Comprehensive Plan Update into effect.
2. Advise the City to:
 - a. participate in Council activities to monitor redevelopment in developed communities
 - b. Implement the advisory comments noted in the Review Record for Transportation.

Recommendation of the Environment Committee:

Approve the City of Burnsville's Tier II Comprehensive Sewer Plan.

ADVISORY COMMENTS

City of Burnsville 2030 Comprehensive Plan Update and Tier II Comprehensive Sewer Plan

Review File No. 20458-1 Council Business Item No. 2010-132

The following Advisory Comments are part of the Council action authorizing the City to implement its 2030 Comprehensive Plan Update (Update) and approving the City's Tier II Comprehensive Sewer Plan:

Community Development Committee

1. The Council-adopted *Local Planning Handbook* states that the City must take the following steps:

- (a) Adopt the Update in final form after considering the Council's review recommendations; and
- (b) Submit one electronic copy and one hard copy of the Update to the Council. The electronic copy must be organized as one unified document.

A copy of the City Council resolution evidencing final approval of the Update should be submitted to the Council.

2. The Council's *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, local governments should incorporate those recommended changes into the plan or respond to the Council before "final approval" of the comprehensive plan by the governing body of the local governmental unit (Minn. Stat. § 473.858, subd. 3).
3. Local governmental units must adopt official controls as described in their adopted comprehensive plans and must submit copies of the official controls to the Council within 30 days after 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 nine months following amendments to comprehensive plans (Minn. Stat. § 473.865, subd. 3).

Environment Committee

1. The Council-approved Tier II Comprehensive Sewer Plan becomes effective only after the Update also receives final approval by the City's governing body. After the Update receives final approval by the City and the Tier II Sewer Plan becomes effective, the City may implement its Update to alter, expand or improve its sewage disposal system consistent with the Council-approved Tier II Sewer Plan.
2. A copy of the City Council Resolution adopting its Update, including the Tier II Sewer Plan, must be submitted to the Council.

Background

The City of Burnsville (City) is approximately 27 square miles and is located south of the Minnesota River in northwest Dakota County. It is bordered by Eagan and Apple Valley in Dakota County, Savage in Scott County, and Bloomington in Hennepin County (see Figure 1).

The *2030 Regional Development Framework* (RDF), as adopted by the Metropolitan Council (Council) in January 2004, identified Burnsville as within the Developed geographic planning area (Figure 2).

The City submitted its 2030 Comprehensive Plan (Update) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stat. 473.175) and the Council's 2005 Systems Statement requirements.

Rationale – Standard of Review & Findings

1. Does the proposed Update conform to Regional Systems Plans?
2. Is the Update consistent with Metropolitan Council policies?
3. Is the Update compatible with plans of adjacent governmental units and plans of affected special districts and school districts?

Conformance with Regional Systems Plans:

- | | |
|---|-----|
| 1. Regional Parks | Yes |
| 2. Transportation including Aviation | Yes |
| 3. Water Resources Management
(Wastewater Services and Surface Water Management) | Yes |

Consistent with Council Policy Requirements:

- | | |
|--|-----|
| 1. Forecasts | Yes |
| 2. Housing | Yes |
| 3. 2030 <i>Regional Development Framework</i> and Land Use | Yes |
| 4. Individual Sewage Treatment Systems (ISTS) Program | Yes |
| 5. Water Supply | Yes |

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

- | | |
|-----------------------------|-----|
| Compatible with other plans | Yes |
|-----------------------------|-----|

Known Support / Opposition

There is no known opposition.

REVIEW RECORD

City of Eagan 2030 Comprehensive Plan Update

STATUTORY AUTHORITY

The Metropolitan Land Planning Act (MLPA) requires local units of government to submit comprehensive plans and plan amendments to the Council for review and comment (Minn. Stat. § 473.864, Subd. 2). The Council reviews plans to determine:

- *Conformance with metropolitan system plans,*
- *Consistency with other adopted Plans of the Council, and*
- *Compatibility with the Plans of other local jurisdictions in the Metropolitan Area.*

The Council may require a local governmental unit to modify any plan or part thereof if, upon the adoption of findings and a resolution, the Council concludes 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. Each such plan shall be submitted to the Council for review and shall be subject to the approval of the Council as to those features affecting the Council's responsibilities as determined by the Council. Any such features disapproved by the Council shall be modified in accordance with the Council's recommendations (Minn. Stat. § 473.513).

CONFORMANCE WITH REGIONAL SYSTEMS

REGIONAL PARKS

Parks and Trails

Reviewer: Jan Youngquist, CD – Regional Parks System Planning, (651-602-1029)

The Update conforms to the *2030 Regional Parks Policy Plan*. The regional parks system elements include Murphy Hanrehan Park Reserve, the proposed Dakota South Urban Regional Trail, Scott County East Regional Trail and the extension of the Big Rivers Regional Trail. State and Federal park and open space within the City include the Black Dog Scientific and Natural Area, Minnesota Valley State Trail and Recreation Area, and the Minnesota Valley National Wildlife and Recreation Area. The Update acknowledges and plans for these park and open space areas.

TRANSPORTATION

Roads and Transit

Reviewers: Elaine Koutsoukos (651-602-1717), Bob Paddock (651-602-1340), MTS – Systems Planning; Steve Mahowald – Metro Transit (612-349-7775)

The Update conforms with the *2030 Transportation Policy Plan (TPP)* and addresses all the applicable transportation and transit requirements of a comprehensive plan.

There are four principal arterials within Burnsville: I-35, TH 13, CSAH 32, and CSAH 42. There are no expansion plans for the metropolitan highways located within Burnsville. The transportation chapter includes analysis of existing and future transportation deficiencies and recommends improvements to the minor arterial, major and minor

collectors, and local roadway networks. There is one transitway, I-35W, planned in Burnsville and it is included in the plan.

Burnsville lies within Transit Market Areas II and III. Regular route service is provided by Minnesota Valley Transit Authority (MVTA). General public dial-a-ride service is provided by Dakota Areas Resources and Transportation for Seniors (DARTS).

Advisory Comments: Functional Classification: The Plan identifies a number of "Collector" roadways that do not exist on the TAB map. To be included in the TAB functional classification map, the city will need to formally request their inclusion through the TAC Planning Committee.

Aviation

Reviewer: Chauncey Case, MTS – Systems Planning, (651-602-1724)

The Update conforms to the Aviation policies of the TPP and is consistent with Council aviation policy.

WATER RESOURCES MANAGEMENT

Wastewater Service

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

The Update conforms with the *2030 Water Resources Management Policy Plan* (WRMPP). The Update summarizes the City's vision for the next 20 years or to year 2030. It includes growth forecasts that are consistent with the Council's forecasts for population, households, and employment.

The Metropolitan Council Environmental Services currently provides wastewater treatment services to the City. Wastewater generated within the City is conveyed to and treated at the Metropolitan Council's Seneca Wastewater Treatment Plant in Eagan. The City is provided wastewater conveyance service through interceptors 3-BV-35, 3-BV-39, 8560, and 7030. The Update projects that the City will have 28,500 sewer households and 43,300 sewer employees by 2030. The Metropolitan Disposal System with its planned scheduled improvements has or will have adequate capacity to serve the City's growth needs as identified in the Plan.

The Update provides sanitary flow projections in 10-year increments. The rationale for the projections is given in the Update and determined appropriate for planning for local services.

Burnsville is not currently identified as a community impacted by wet weather occurrences. The Update however does include a description of an I/I reduction plan which includes televised inspection and repair of the sanitary sewer system. City ordinance does not permit storm water from sump pumps, foundation drains, and roof leaders to discharge into the sanitary sewer system.

Tier II Comments

The Tier II Sewer Element of the Update has been reviewed against the requirements for Tier II Comprehensive Sewer Plans for developed communities. It was found to be complete and consistent with Council policies. Upon adoption of the Update by the City, the action of the Council to approve the Tier II Plan becomes effective. At that time, the City may implement its Update to alter, expand or improve its sewage disposal system consistent with the approved Tier II Sewer Plan. A copy of the City Council Resolution adopting its Plan needs to be submitted to the Metropolitan Council for its records.

Surface Water Management

Reviewer: Judy Sventek, ES – Water Resources Assessment, (651-602-1156)

The Update conforms with the WRMPP for local surface water management. Burnsville lies within the Lower Minnesota River, Black Dog, and Vermillion River Watersheds. The Lower Minnesota River Watershed District's watershed management plan was approved by the Board of Water and Soil Resources (BWSR) in 1999. The Black Dog Watershed Management Organization and the Vermillion River Watershed Joint Powers Board plans were approved by BWSR in 2002 and 2005, respectively.

Burnsville's updated Water Resources Management Plan (WRMP) was reviewed under separate cover in April of 2008. The WRMP is included in Appendix K of the Update, and includes a summary of the plan in Chapter VI. The WRMP was found to provide an overall framework for the City to successfully manage its water resources, and consistent with Council policy and the Council's 2005 *Water Resources Management Policy Plan*.

CONSISTENCY WITH COUNCIL POLICY

FORECASTS

Reviewer: Dennis Farmer, CD – Research, (651-602-1552)

The Update is consistent with Council policy for forecasts. The Metropolitan Council System Statement forecasts (shown in the table below) project that some population and households will remain unsewered by 2030. The forecasts used throughout the Update (and supplemental materials) are consistent with Metropolitan Council forecasts, shown in Table 1 below.

Table 1: System Statement Forecasts for the City of Burnsville

		2010	2020	2030
Population	Unsewered	600	600	600
	Sewered	60,800	62,400	64,400
	Total	61,400	63,000	65,000
Households	Unsewered	200	200	200
	Sewered	25,000	26,800	28,500
	Total	25,200	27,000	28,700
Employment		37,700	41,200	43,300

2030 REGIONAL DEVELOPMENT FRAMEWORK AND LAND USE

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

The Update is consistent with the RDF for land use. Burnsville is located in northwest Dakota County, surrounded by Eagan and Apple Valley in Dakota County, Savage in Scott County, and Bloomington in Hennepin County (see Figure 1).

Regional Development Framework

The Update identifies the City as a "Developed" community (see Figure 2). The RDF directs Developed communities to renew and improve infrastructure, buildings, and land to provide for additional growth, particularly at centers along transit corridors; and to support developments that integrate land uses. Developed communities are also expected to accommodate forecasted residential growth through reinvestment at appropriate densities, which is 5 units or more in developed areas and target higher density in locations with convenient access to transportation corridors and with adequate sewer capacity.

The Update is consistent with these policies. It establishes goals and objectives to encourage innovative concepts in new development or redevelopment that provide access to a variety of transportation systems, link life-cycle housing to employment and shopping opportunities, and protect natural resources and open space to encourage development within key focus areas. The future land use plan guides enough land to accommodate the additional 3,500 households for a total of 28,700 households by 2030.

Several planning focus areas reflect the City's developed and mature character and identify the priorities for the next 20 years. Areas of redevelopment include:

- 1) The Minnesota River Quadrant (MRQ), an area that borders the City of Savage to the east and the Minnesota River to the north. Current activity includes the Burnsville Sanitary Landfill, the Kraemer Quarry, and the Freeway Landfill sites. The City has worked on a concept plan for the MRQ which includes corporate offices in a Gateway Center area, roadway improvements, hotel, a medical campus, mixed uses of light industrial, office showroom, residential and commercial uses. Currently, the Kraemer Quarry pumps out groundwater out of excavation areas; once quarrying uses cease, the groundwater will fill a large area for a future lake.
- 2) The Heart of the City (HOC) is Burnsville's civic center located at Highway 13 and Nicollet Avenue. The HOC is partially completed, but commercial and residential components remain to be built.
- 3) Burnsville Center: this is an area located near the conjunction of I-35W and I-35E featuring a regional shopping center (1.2 million ft.²). The Update identifies this area as key to the economic health of the City.
- 4) Retail Strip Centers: in the land use chapter and feature in Appendix T are details of Neighborhood Centers throughout Burnsville. There are 36 such centers and the City has been studying them for future redevelopment. Aging centers may remain commercial and some may be redeveloped to residential or some sort of mix of uses.

Existing and Future Land Use

The City is approximately 17,249 acres or approximately 27 square miles. In 2008, the City was developed with 4,066 acres in low density residential (23%), 1,035 acres in medium density residential (6%), 1,045 acres in commercial (6%) and 493 acres in extractive (mining) uses (3%). In addition the City had 1,438 acres of industrial land use (8%), and 1,378 acres of Open Water (8%). Parks and open space comprised 2,804 acres (16%) as shown in Table 2 on the next page.

Table 2: Existing Conditions

2008 Existing Conditions in Acres					
Land Use	1963	1978	1998	2008	% of 2008 Total
Rural Residential			490	469	3%
Single Family Residential	1,006	2,614	3,927	4,066	23%
Multi-Family Residential		453	1,219	1,035	6%
Manufactured Housing		136	173	173	1%
Commercial	104	426	1,281	1,045	6%
Commercial Recreation				282	2%
Mixed Use				5	>1%
Industrial	165	1,054	1,329	1,438	8%
Extractive			488	493	3%
Institutional	136	442	547	505	3%
Utility				63	1%
Parks/Recreation		2,565	2,759	2,804	16%
Open Space/Conservancy				135	1%
ROW	1,235	2,091	2,850	2,978	17%
Vacant	13,231	6,739	815	380	2%
Open Water	773	737	1,371	1,378	8%
Total City	16,650	17,257	17,249*	17,249*	100.00%

Source: Figure 4, page II-10

Residential Density

The guiding for development and redevelopment between 2009 and 2030 results in a minimum net density of 8.4 units per acre, consistent with the Council's policy for sewer residential development in Developed communities (see Table 3).

It is recommended that the City participate in the Council's development and redevelopment monitoring program.

Table 3: Density Calculation for Development and Redevelopment, 2010-2030

Category	Density Range		Acres	Min.	Max.
	Min.	Max.		Units	Units
Low Density Rural Residential	0.5	3.5	52	26	182
Low Density Residential	2.0	3.5	58	116	203
Medium Density Residential	4.0	8.7	3	12	26.1
High Density Residential	9.0	21.8	9	81	196.02
Vacant Neighborhood Oriented MIX	15.0	21.8	28	420	609.84
MRQ Residential Concept	14.0	62.0	18	252	1116
Heart of the City Vacant	21.8	56.5	1	21.8	56.5
Heart of the City Approved Plans	49.0	49.0	5	245	245
Neighborhood Center Plan Areas1	4.0	8.7	40.5	162	352.35
Neighborhood Center Plan Areas2	9.0	21.8	40.5	364.5	882.09
B-Zones Assisted Living/LT Care	18.0	26.0	46	828	1196
TOTALS			301	2528	5064.9
Planned Density				8.4	16.8

HOUSING

Reviewer: Linda Milashius, CD – *Livable Communities*, (651-602-1541)

The Update fulfils the housing requirement of the Metropolitan Land Planning Act. The housing element is consistent with the affordable housing elements by acknowledging the city's share of the region's affordable housing need for 2011-2020 which is 737 units.

The Update provides opportunities to meet this need on approximately 113 acres of land

available for high density residential development, with densities ranging from 9 to 56 units per acre.

The Update provides the implementation tools and programs the city will use to promote opportunities to address its share of the region's housing need. The Update indicates the city will continue to work with the Dakota County Community Development Agency Development Agency (CDA) and other state and federal agencies to provide affordable and lifecycle housing opportunities. The CDA partners with local communities to offer a number of services to assist in the creation and preservation of affordable housing. Additional emphasis will be placed on promoting housing rehabilitation activities; monitoring the city's housing supply for consistency with the city's affordability, lifecycle and density goals; developing goals for senior housing and regional housing policies; and promoting neighborhood organizations and partnerships.

Burnsville is an active participant in the Local Housing Incentives program of the Livable Communities Act, and has applied for and received nearly \$4.6 million in grants through the LCA program.

INDIVIDUAL SEWAGE TREATMENT SYSTEMS (ISTS) PROGRAM

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

The Update is consistent with the WRMP for ISTS. It indicates that there are approximately 250 ISTS in operation in the southwest corner of the City. City Code Title 10 – Zoning, Chapter 11 – ISTS, found on the City's website, is consistent with MPCA Rules and Council policy requirements.

WATER SUPPLY

Reviewer: Sara Smith, ES – Water Supply Planning, (651-602-1035)

The City's water supply plan is consistent with the policies of the WRMP. The Council recommends the city continue to implement conservation programs targeted at reducing residential water use.

RESOURCE PROTECTION

Historic Preservation

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

The Update contains a section on Historic Preservation as required by the MLPA.

Solar Access Protection

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

The Update contains a section on Solar Access Protection as required by the MLPA.

Aggregate Resources Protection

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

The Update contains a section on aggregate resources protection as required by the MLPA. It identifies the location of remaining aggregate resource deposits present within the City, consistent with *Minnesota Geological Survey Information Circular 46* data. The Update 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.

PLAN IMPLEMENTATION

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

The Update includes a description of:

- Capital Improvement Program Yes
- Zoning Code Yes
- Subdivision Code Yes
- ISTS Codes Yes
- Housing Implementation Program Yes

The Update contains an implementation chapter as required by the MLPA. The Update summarizes the City's official controls and discusses a schedule for enacting measures to implement the Update. It also provides a zoning map and a brief explanation of the City's zoning and subdivision codes. A Capital Improvement Plan is also included.

COMPATIBILITY WITH PLANS OF ADJACENT GOVERNMENTAL UNITS AND PLANS OF AFFECTED SPECIAL DISTRICTS AND SCHOOL DISTRICTS

The City submitted the 2030 Comprehensive Plan Update to adjacent local units of government, school districts, counties and special districts for comment on May 5, 2008. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were identified.

DOCUMENTS SUBMITTED FOR REVIEW:

- City of Burnsville 2030 Comprehensive Plan Update, December 31, 2008
- Supplemental information for forecasts, housing, land use, implementation, transportation, and wastewater information received on August 11, 2009.
- Supplemental information, Land Use, December 19, 2009
- Supplemental information, Sewer Flows, February 8, 2010

ATTACHMENTS

- Figure 1: Location Map Showing Regional Systems
- Figure 2: 2030 Regional Development Framework Planning Areas
- Figure 3: Existing Land Use, 2009
- Figure 4: 2030 Future Land Use Plan
- Figure 5: Strip Retail Centers

Figure 1. Location Map Showing Regional Systems
Burnsville

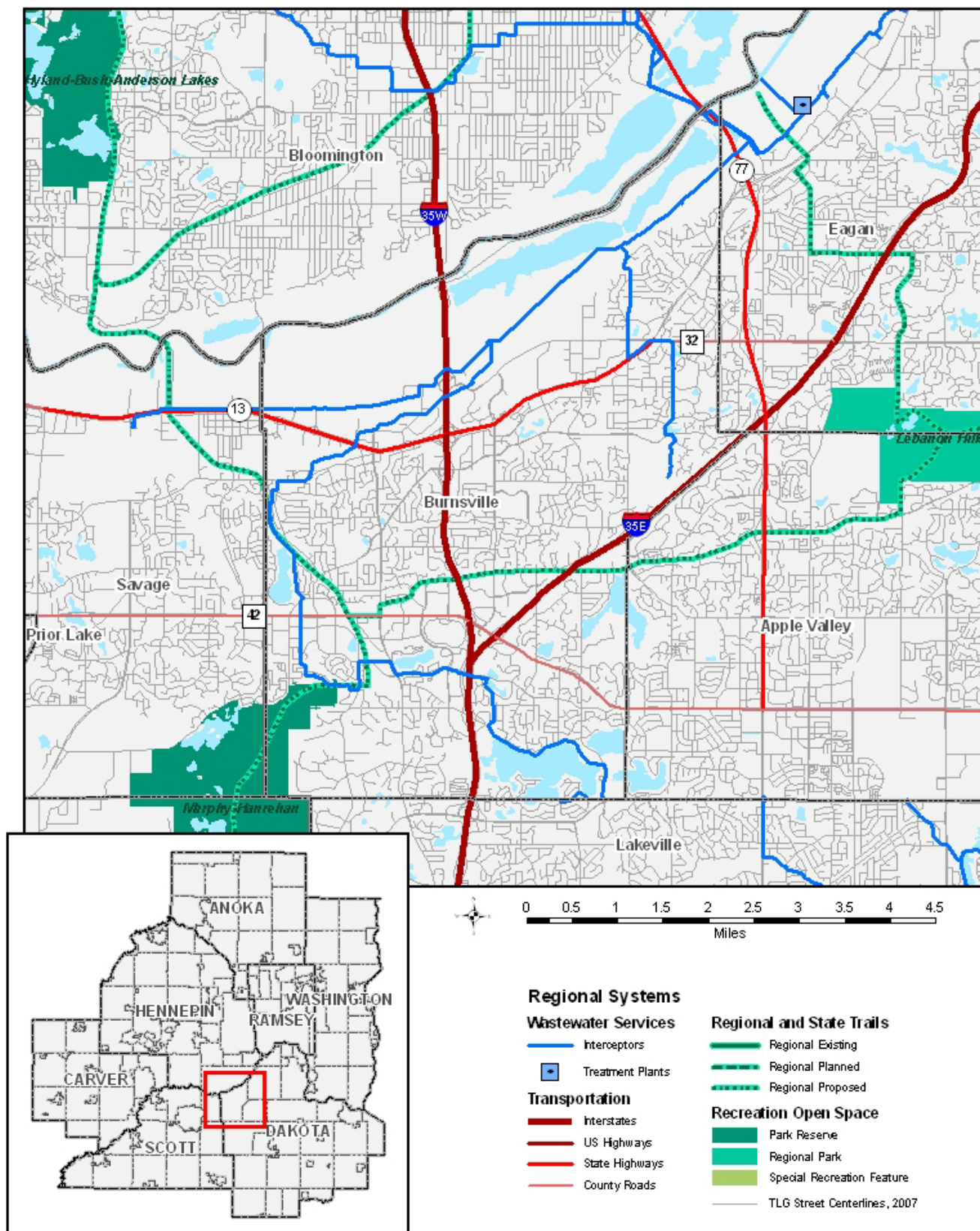


Figure 2. 2030 Regional Development Framework Planning Areas

Burnsville

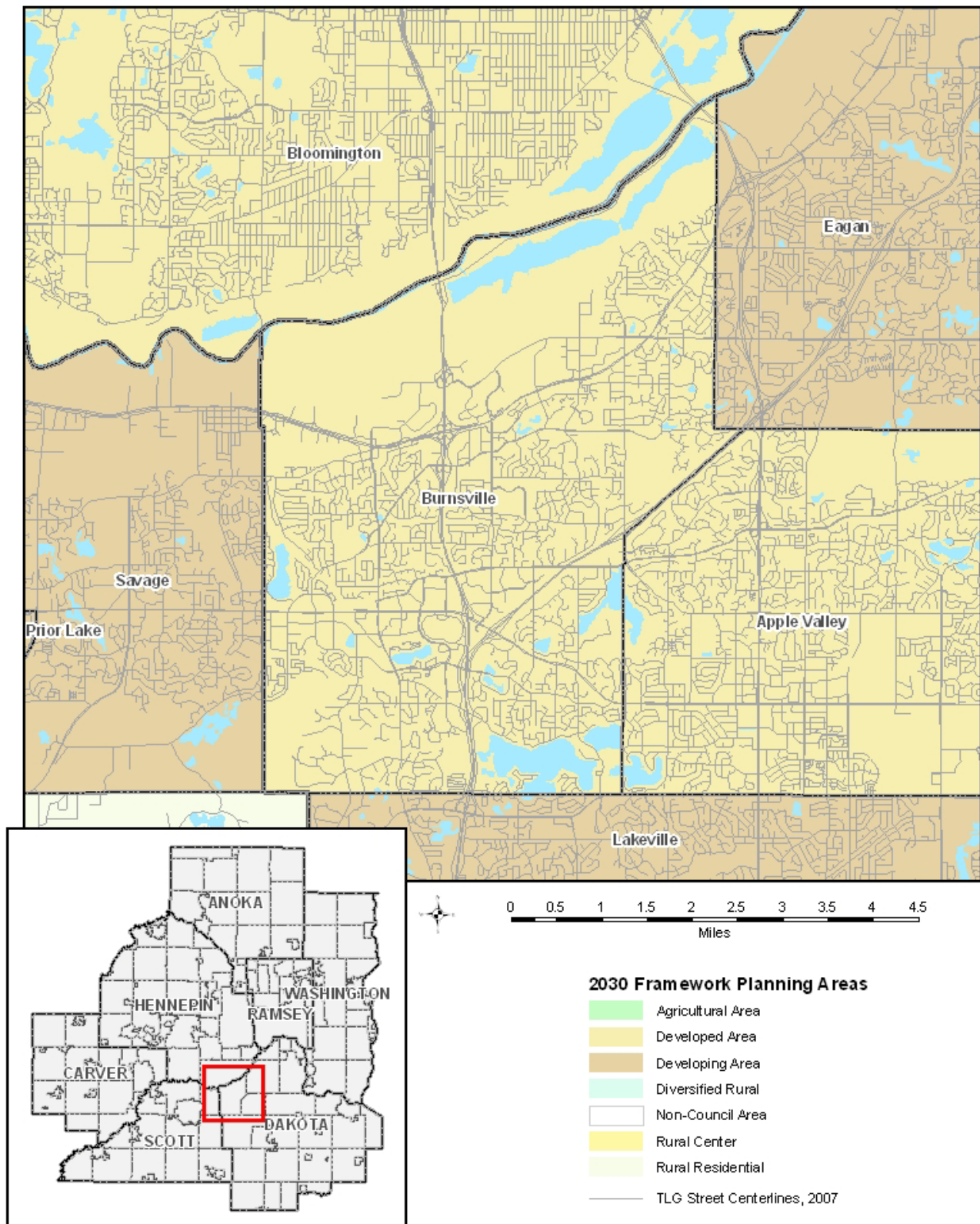


Figure 3
Existing Land Use
 City of Burnsville

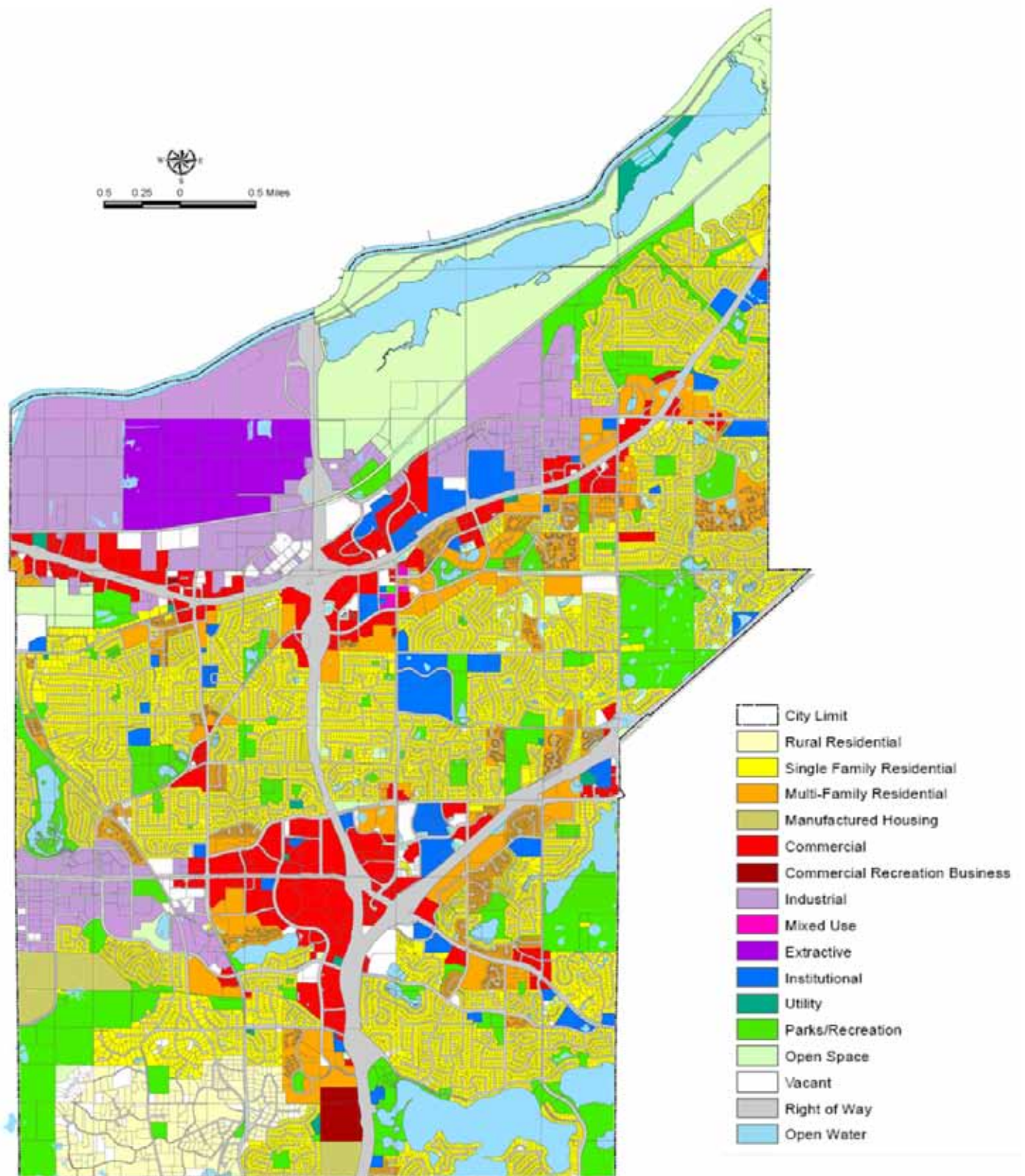


Figure 4
2030 Future Land Use
 City of Burnsville

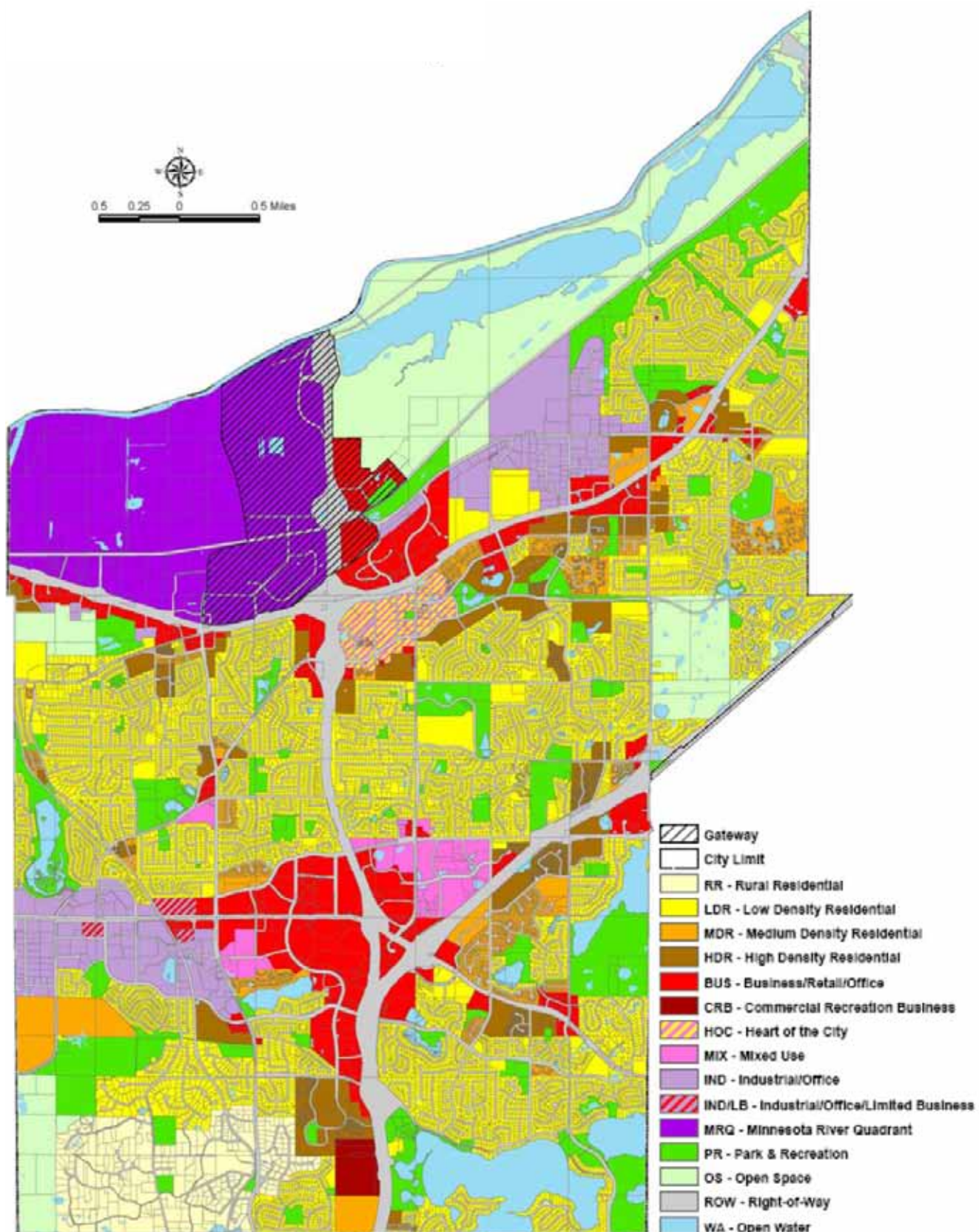


Figure 5: Burnsville Strip Retail Centers

