

June 5, 2017

Dusty Finke, City Planner
City of Medina
2052 County Road 24
Medina, MN 55340

RE: **Medina 2040 Comprehensive Plan Update– Preliminary Review**
Metropolitan Council Review File No. 00000-0
Metropolitan Council District 1, Katie Rodriguez

Dear Dusty:

Metropolitan Council staff have reviewed the preliminary draft of Medina's 2040 Comprehensive Plan Update (Plan), received on April 24, 2017. In the preliminary review, staff focused on whether the draft Plan appeared to be complete or contained any major system issues or policy conflicts. Time did not permit as thorough a review as will occur when the Plan is officially submitted for Council review. A more detailed review may reveal other important matters that were not identified during this preliminary review.

The review letter identifies preliminary review areas that appear to have potential policy concerns, areas of the Plan that are complete for review, and areas that are incomplete for review. Staff offers the following preliminary review comments for your consideration.

The preliminary review process found that there are potential policy issues regarding conformance with the *2040 Water Resources Policy Plan (2040 WRPP)* and consistency with *2040 Housing Policy Plan (2040 HPP)*. We appreciate the preliminary review of the City's Plan and wanted to bring these potential policy issues to your attention and would be glad to discuss further.

Potential Policy Issue - Conformance with the Water Resources Policy Plan

Thrive MSP 2040 and the regional system and policy plans comprise the Council's Metropolitan Development Guide, which is the region's plan to ensure orderly and economical development and redevelopment of the region. This section includes issues that could result in a potential departure from the Council's adopted metropolitan system plans and not be in conformance with regional system plans.

As permitted by Minnesota Statutes section 473.175, subdivision 1, the Council may require a local governmental unit to modify any comprehensive plan or part thereof that is not in conformance with the metropolitan system plan if the Council concludes that the *local plan is more likely than not to have either a substantial impact on, or to contain a substantial departure from, the Council's adopted policy plans* and capital budgets, including for metropolitan wastewater service.

A substantial departure may occur when a local government unit proposes densities that exceed Council policy for unsewered areas that are within the long-term regional sewer service area, thus precluding future economical sewer development (2040 WRPP, p. 60).

For conformance with the 2040 WRPP, the Plan's text and maps needs to ensure:

- The boundaries of the Long-Term Service Area are correctly identified (as shown in Attachment A) and that proposed land uses within the Long-Term Service area are consistent with Council policy and do not preclude provision of future economical sewer development.

Potential Policy Issue - Consistency with the 2040 Housing Policy Plan

The preliminary Plan is inconsistent with the 2040 HPP and does not fulfill the housing planning requirements of the Metropolitan Land Planning Act (MLPA). Specifically, the MLPA states that housing elements contain "land use planning to promote the availability of land for the development of low and moderate income housing." (Minn. Stat. 473.859, subd. 2(c))

The Plan acknowledges the City's share of the region's affordable housing need for 2021-2030, which is 244 units. However, sufficient residential land at higher densities needs to be guided during 2011-2020 timeframe to provide opportunities for the development of at least that much new affordable housing.

To be consistent with the 2040 HPP (see pages 109-114), the Plan needs to ensure:

- Enough higher density residential land (a minimum of 8 units per acre) is guided between 2021 and 2030 to support the City's affordable housing need of 244 units and that the Plan includes all the minimum requirements for the Housing element (see Housing section).

Our preliminary review also evaluated if the Plan appears to be complete for review. We found the following sections **complete for review** and did not identify any major system issues or policy conflicts. The Plan is **complete** for minimum requirements for Roadways, Transit, Aviation, Biking and Walking, Surface Water, Water Supply, Subsurface Sewage Treatment Systems (SSTS), Aggregate Resources, Historic Preservation, and components of the Plan Implementation requirements. We offer additional advisory comments below for your consideration:

Surface Water (Joe Mulcahy, 651-602-1104)

The Plan is complete for surface water and meets the surface water minimum requirements identified in the Local Planning Handbook. The Council has completed its formal review of the Local Surface Water Management Plan. Formal review comments will be sent to the City and watersheds in a separate letter.

Water Supply (Lanya Ross, 651-602-1803)

The Plan is complete for Water Supply minimum requirements. The below are advisory technical comments, which will help provide additional clarity.

Projected Annual Water Demand (Table 7)

It appears the table was modified to eliminate the column for projected total population. Table 7 should include this information through 2040. Total population forecasts should be consistent with the population projections.

Please clarify whether the "population estimate" that was linearly extrapolated refers to the projected population served (as reported for each system in Table 7) or if it refers to the total community population forecast for the community.

Natural Resources Impacts (Table 10)

The information in Table 10 will benefit from some additional detail. For example, Table 10 identifies potential impacts to lakes. Figure 3 in Medina’s system statement indicates that Independence Lake, which is near and partially overlays one of Medina’s Drinking Water Supply Management Area, receives and discharges groundwater. Figure 2 also identifies this lake as impaired. The City might consider this lake to be at risk of water quality or water level declines, should nearby pumping increase. Alternatively, the City may consider the aquifer to be at risk due to poor quality surface water moving into the underlying groundwater system. Including mapping (by reviewing the county geologic atlas or other study) in the process to assess risk may be useful to determine if the risk is high or low. In the columns describing resource protection thresholds and management plans, it may be useful to refer to a water resource management plan with water quality goals. Coordination with that surface water management planning team could be included in the column describing how changes to thresholds are monitored.

When describing the resource protection thresholds and how changes to thresholds for this potential issue are monitored, you may refer to reports or programs that have documented why the potential issue does not currently need to be addressed or has been mitigated. Metropolitan Council Water Supply Planning staff are available to discuss Table 10, if that would be useful.

The following sections of the draft Plan are considered **incomplete**. Changes in the draft Plan are needed before it is submitted to the Council for formal review.

Forecasts (Todd Graham, 651-602-1322)

The Plan is incomplete for forecast-related content. The City and Council staff discussed adjustments to the allocations of Metro sewered and unsewered forecasts in February 2017. Chapter 3 of the Plan reflects the agreed-upon allocation of sewer and unsewered forecasts. For reference, the adjusted sewer-serviced forecasts are:

	Census	Revised Council Forecasts		
	2010	2020	2030	2040
Population	4,892	6,600	7,700	8,900
Metro Sewered	2,965	4,500	5,660	6,880
Not sewered	1,927	2,100	2,040	2,020
Households	1,702	2,300	2,840	3,400
Metro Sewered	1,032	1,570	2,090	2,630
Not sewered	670	730	750	770
Employment	3,351	4,980	5,300	5,500
Metro Sewered	3,146	4,780	5,100	5,300
Not sewered	205	200	200	200

Forecast usage is **inconsistent** in other chapters of the Plan. The Council finds the Plan incomplete until the inconsistencies are resolved.

The Plan has a discrepancy between population served by the wastewater system (Page 3.3) and population served by the water supply system (Comprehensive Water Plan Page 14). The two systems served similar numbers in year 2010. The Water Plan projects smaller numbers than the sewer-serviced forecasts in the future: 5,218 served in 2030; 6,318 served in 2040. The Plan needs to clarify whether this is an error or, alternately, explain that there will be some wastewater customers who will not be served by the City's water supply system.

Advisory comments

The "staging plan" (described on page 5.16) appears to prepare land supply for residential development several years earlier than expected "actual growth" and market absorption. According to the "staging plan" 96% of the planned housing capacity is serviced and ready for development by 2030. The Plan does acknowledge that "actual growth will be more linear as described in the forecasts in Chapter 3" (page 5.16).

Finally, the City speculates on the reasoning of differences between the *Thrive MSP 2040* forecast versus the 2030 forecast previously used (page 10.24). The previous 2030 Plan expected 100% growth during 2005-2020. The new forecast reflects the current and expected development market conditions; Metropolitan Council expects Medina will double in population, but not by 2020.

Transportation / Traffic Analysis Zones (Russ Owen, 651-602-1724)

The Plan is incomplete for Traffic Analysis Zones (TAZ) minimum requirements as older TAZ zonal system was used. To be complete, the Plan needs to:

- Include a table allocating forecasted population, household, and employment growth by TAZ using the official TAZ system with 2010 zones for years 2020, 2030, and 2040.
- Describe how the City has allocated demographic growth based on the Plan's assumptions for guided future land use (e.g., density, mix of uses, locations for new development, highway/transit access, redevelopment, etc.).

Forecast allocation to TAZs (page 10.27) need to summarize to the City total forecasts. As a starting point or reference, the City can consult the Council's preliminary TAZ allocation, split by City. It is available at <https://gisdata.mn.gov/dataset/us-mn-state-metc-trans-anlys-zones-frcst-taz-com>.

Wastewater (Roger Janzig, 651-602-1119)

The Plan is incomplete for wastewater review and there are clarifications needed to ensure conformance with the *2040 Water Resources Policy Plan* (2040 WRPP). The Plan's discussion and mapping of the rural area and Long-Term Service Area raise potential policy concerns and need to be addressed in order to be in conformance with the 2040 WRPP.

The following are required for completeness:

Long-Term Service Area

The Plan needs to show the Long-Term Sewer Service Area (LTSA) of the Regional Wastewater System as identified in the 2040 WRPP to be in conformance with regional system plans (see Attachment A). Map 5-4 includes the "Long-Term Sewer Service Area"; however, it only shows a small portion of the LTSA identified in the 2040 WRPP.

To be in conformance with regional system plans, the proposed land uses within the LTSA must not preclude the potential for future economical sewer development.

Sewered Projections

The Plan needs to include sewer household projections by wastewater treatment plant (WWTP) Service in Table 2 of the Sanitary Sewer Plan. Without sewer household projections, the Plan cannot be evaluated for its support of forecasted growth.

The Plan also needs assign the City's 2040 growth forecasts by Metropolitan Interceptor Facility.

Forecast Inconsistencies

As indicated above, there are inconsistencies in forecasts. The sewer employment projections (Table 1 and 2) in the Sanitary Sewer Plan do not match those in (Table 3-B) in the Community Background Section.

The Residential Staging Plan (Table 5-4) in the Land Use Section does not match the household forecasts in the Community Background Section (Table 3-B) or the Sanitary Sewer Section (Table 1).

Local Ordinance or Resolution

The Plan needs to include a copy of the local ordinance or resolution that prohibits discharge from sump pumps, foundation drains, and/or rain leaders to the sanitary sewer system. It also needs to include a copy of the local ordinance or resolution requiring the disconnection of existing foundation drains, sump pumps, and roof leaders from the sanitary sewer system.

Inflow and Infiltration (I/I)

The Plan needs to include a breakdown of residential housing stock age within the community into pre- and post- 1970 era, and what percentage of pre-1970 era private services have been evaluated for I/I susceptibility and repair.

The Plan also needs to include the measured or estimated amount of clearwater flow generated from the public municipal and private sewer systems.

In addition, the Plan needs to include a cost summary for remediating the I/I sources identified in the community. If previous I/I mitigation work has occurred in the community, include a summary of flow reductions and investments completed. If costs for mitigating I/I have not been analyzed, include the anticipated wastewater service rates or other costs attributed to inflow and infiltration.

GIS Shapefiles

For the official submittal, GIS shapefiles (or equivalent) must also be submitted that:

- show the City's existing sanitary sewer system identifying lift stations, existing connection points to the metropolitan disposal system, and future connection points;
- intercommunity connections; and
- Local sewer service districts by connection point.

Land Use (Freya Thamman, 651-602-1750)

The Plan is incomplete for land use review. Clarifications are needed to ensure conformance with regional system plans. The following are needed for completeness:

Existing Land Use

The Rural Residential definition indicates that it includes rural property which is currently vacant and *not planned for urban services*. The Plan should provide clarity as relates to planned urban services, as a large portion of this area is located in the Long-Term Sewer Service Area.

Future Land Use Designations

All land use categories that allow residential uses need to include minimum and maximum residential density ranges in the description. For areas that allow a mix of uses, like Uptown Hamel, the estimated percent residential also needs to be provided.

The *Uptown Hamel* definition indicates that it allows residential and commercial to be mixed on adjacent sites or to be mixed within the same building or property and identifies a minimum and maximum allowed density (4-15 units per acre). This category also needs to include an estimated percent residential and share of individual land uses. For example, it may have 30% commercial, 40% office, and 30% residential.

As later noted in the Housing section, the City may want to re-evaluate the minimum density. The plat monitoring program shows that Medina's development in the Hamel area (2004) was approximately 20 units on less than ½ an acre.

The *Future Development Area* definition indicates that it is 'potentially' planned for future urban development and will remain rural until designated for urban services in a future Update. However, the staging table shows a decrease in the acres (see Staging Table Comments below)

To provide clarity, the text needs to indicate that this area is planned for future urban development (post-2040 Long-Term Service Area). Also, the density maximum of 1 unit per 10 acres allowed is discussed later in the text, but the definition should also indicate allowed density.

Mixed Residential indicates that a portion of the site shall be developed at densities over 8 units/acre. Please also indicate a maximum allowed.

The *Private Recreation* designation indicates that limited numbers of residential uses may be included in this category. The Plan should include additional information about the residential uses, such as under what conditions residential be allowed, estimated percent residential, and associated allowed residential density ranges or indicate that City would submit an amendment re-guiding to a residential use.

Advisory Comments

The Plan indicates that there is an increase in the population age 45 and older, a demand for senior lifestyle housing, and includes housing objectives for residents at all stages of their lives. The City may want to consider including more detail regarding allowed uses in each land use category. For example, if senior housing and memory care (group quarters) are allowed uses (i.e. in Commercial, Business, Uptown Hamel) along with minimum and maximum net residential densities allowed.

Community Designations

As identified in *Thrive MSP 2040*, Medina has two Community Designations: Emerging Suburban Edge and Diversified Rural. The Plan discusses these designations (Page 1-2) and includes a map (Page 1-7).

Emerging Suburban Edge

Emerging Suburban Edge communities are expected to plan for forecasted population and household growth at average densities of at least 3-5 units per acre for new development and redevelopment. The Plan shows a minimum net residential density of 3+ units/acre (Table 5-3), which is consistent with Council policy for Emerging Suburban Edge communities.

Advisory Comments

Council's net residential density guidelines allow wetlands and natural water bodies, public parks and open space, arterial road rights-of-way, and natural resource lands protected by local plans and ordinances. Floodplains can be netted out of they meet these guidelines.

Diversified Rural

Diversified Rural areas, especially those in the Long-Term Sewer Service Area, protect land for future urbanization. The Community Role for this area includes preserving areas where post-2040 growth can be provided with cost-effective and efficient urban infrastructure.

The Plan indicates that Diversified Rural communities are expected to plan for growth in patterns that do not exceed 4 units per 40 acres and are expected to manage land uses to prevent the premature demand for extension of urban services. To ensure conformance with regional system plans, there are areas of the Plan which need updates and clarifications to ensure the proposed land uses within the LTSA do not preclude the potential for future economical sewer development.

Rural Designations

Flexible Development Guidelines

The Plan discusses Medina's permanent rural area. The Plan needs to identify what is meant by permanent rural, where this is proposed, and if it is proposed to be outside the Long-Term Sewer Service Area.

The Plan's Rural Designations Land Use Policy section (Page 5-10) indicates that open space development may result in innovative developments that cluster smaller lots on larger parcels with permanently conserved open space...and can help preserve the City's natural resources, open space, and rural character while still maintaining an overall density of ten acres per unit.

We find these open space guidelines an excellent way to protect natural resources, preserve open spaces, and address other local priorities in areas that are not in the future sewer service areas. Council encourages the clustering of homes, particularly when communities are considering densities greater than 4 units per 40 acres.

The Council's Flexible Development Guidelines are required for *areas located in* the Long-Term Service Sewer Area. Cluster ordinances should be developed and implemented to provide for interim land uses without precluding the opportunity for future urban-density development.

Flexible Development Guideline/Examples:

<https://metro council.org/Handbook/Files/Resources/Fact-Sheet/LAND-USE/Flexible-Residential-Development-Examples-for-Dive.aspx>

For the formal submission, please include the City's Open Space Plan.

Housing (Tara Beard, 651-602-1051)

The Plan is incomplete for housing requirements. To be complete, additional information is needed for Projected Housing Need, Existing Housing Needs, and Implementation Plan. The Plan as proposed is inconsistent with the 2040 HPP as there is not sufficient land guided at higher densities in 2021-2030 to meet the City's affordable housing need of 244 units.

Projected Housing Need

While the Plan correctly identifies the Council's calculation of Medina's share of the region's need for additional affordable housing between 2021 and 2030 in Table 4-G, the text above that table incorrectly states that Medina's share is 253 (244 is accurate).

The Plan is incomplete as it is not guiding sufficient land at minimum residential densities of 8 units per acre to support Medina's total allocation of affordable housing need for 2021-2030.

The Plan then acknowledges that they must guide enough higher-density residential land that their share of the need could be reasonably met. The Plan describes four sites planned for higher density housing to meet this requirement.

Unfortunately, currently none of the future development described for this purpose makes land available for the development of low or moderate income housing between 2021 and 2030. The area at Highway 12 and Baker Park Road is planned for development prior to 2021 and would therefore address Medina's share of the regional need for affordable housing in 2011-2020.

The two areas designated Mixed Residential are described as planning for higher-density residential development because for every acre of Mixed Residential one unit at a density of 8 units per acres must be built. However, the overall density of Mixed Residential development cannot be more than 4 units per acre. This is a unique way of guiding high density land, and it removes the way that high-density land supports affordable housing. Our understanding of this land use is that to develop affordable housing at 8 units per acre, a developer would be required to also create, or partner with another developer who would create, market rate, single family housing (low-density housing is assumed to be market rate because very little new affordable housing is produced in the single-family market). Most affordable housing developers do not have experience developing single-family, market rate housing, nor the resources to acquire a site larger than the one necessary for a high-density development. The additional effort needed for any developer to have the ability to build affordable housing in the Mixed Residential land use negates the availability of that land for all practical purposes. This guiding is not consistent with the intent Minn. Stat. 473.859, subd. 2(c), which states that the housing element contain "land use planning to promote the availability of land for the development of low and moderate income housing." Therefore, it cannot be counted toward providing opportunity for addressing Medina's share of the region's 2021-2030 need for affordable housing.

Finally, the Uptown Hamel area is listed as a future site for higher-density residential development. We understand that forecasting how much housing will actually occur in mixed-use areas is difficult, but to consider this area as contributing to available land to meet Medina's share of the regional need, an educated estimate of how many acres will develop as housing, specifically at densities of at least 8 units per acre, must be provided.

There are opportunities for adjustments to the Mixed Residential and Uptown Hamel areas such that they could adequately address Medina's share of the region's 2021-2030 need for affordable housing. Some ideas to consider include:

- Specify which portions of the Mixed Residential areas can be developed at minimums of 8 units per acre, and clarify that these densities can be developed independently of lower-density residential elsewhere in that land use.
- Specify which portion of Uptown Hamel can be developed at higher residential densities of at least 8 units per acre, and what portion of the mixed-use designation is expected to develop as housing.

Existing Housing Needs

There are three primary issues with the existing housing assessment provided in the draft Plan. First, some required housing data is not provided. Specifically, the data about housing units available at <30% Area Median Income (AMI), 31-50% AMI, and 51-80% AMI is not complete; it does not include rental units nor units affordable at <30% AMI. Even if the number of units affordable at <30 AMI is zero, this should be clearly stated in the existing housing data.

Additional data missing includes:

- the number of publicly subsidized housing units by the following types: senior housing, housing for people with disabilities, and all other publicly subsidized units
- the number of existing households that are experiencing housing cost burden with incomes at or below 30% AMI, between 31-50% AMI, and 51-80% AMI
- a map of owner-occupied housing units identifying their assessed values, differentiating at a minimum between values above and below \$238,500.

The second primary issue involves the timeliness of the data that is provided. For much of the data provided, including the number of single family homes and rental homes, total number of housing units, and the number of units that are owner-occupied and rental, data provided is older than the data available (often through the same sources) from the Metropolitan Council. We strongly recommend using the most current data available, but in one specific data point the older data actually inhibits the ability to accurately assess existing housing. The number of owner occupied and rental housing is from the 2010 census. Not only is this inconsistent with the total housing units cited using 2010-2014 ACS data, but the draft plan states that "nearly 20% of Medina's housing stock was built between 2010 and 2015." This is a significant portion of Medina's housing that should be accounted for in the existing housing assessment, especially when newer data are readily available.

As a reminder, all data required for Medina's existing housing assessment is provided on the Medina community page in the Local Planning Handbook.

The final issue that contributes to the incompleteness of the Plan is the requirement to provide "a narrative analysis of existing housing needs. At a minimum, address the components of the existing housing assessment within the local context of your community. Plans consistent with Council policy will clearly identify existing housing needs and priorities for the community."

The Housing Needs section of the Plan references only new households expected (though it is not clear from what source this number is derived) and the quality of the housing stock. Neither of these measures address existing housing needs nor the specific needs identified by the existing

housing assessment. Furthermore, once described, existing housing needs should be prioritized for potential city policy efforts.

Implementation Plan

Requirements related to the implementation plan are also incomplete for housing review. The Plan does describe myriad tools that can be used to meet housing needs. However, the tools must be clearly linked to previously identified existing and future housing needs. No existing needs are identified, and no tools are linked to the specific affordability bands in which Medina's share of the region's projected need exists. Additional explanation of this requirement can be found at <https://metrocouncil.org/Handbook/Files/Resources/Fact-Sheet/HOUSING/Linking-Tools-to-Needs.aspx>.

Advisory comments

The future land use map shows a small area that is currently single family as high density residential in the future, but this does not appear to be accounted for in the narrative or in Table 5-4. Please clarify if this should be included in the table or is a mapping error. The area in question is just north of 55 and just south of a large multi-family development, and is comprised of what appears to be 2 or 3 single family homes. Depending on the staging and plans for this property, it may count as planning for Medina's share of the region's projected need for affordable housing.

The paragraph on Tax Increment Finance on page 4 – 6 appears to have a typo, the last words of the paragraph should be "increment finance" instead of "abatement."

Regional Parks and Trails (Jan Youngquist, 651-602-1119)

The Plan is incomplete for regional parks and trails. To be complete and conform to the *2040 Regional Park Policy Plan* (2040 RPPP), Council staff recommends the following minor revisions be made:

- The Regional Parks section should clarify (on Page 6-3) that Baker Park Reserve and Wolsfeld Woods SNA are owned and operated by Three Rivers Park District and the Minnesota Department of Natural Resources, respectively.
- The Trails section should clarify (on Page 6-5) that the trail along County Road 24 is a Hennepin County trail and that the trail along County Road 19 is the Lake Independence Regional Trail, which is operated by Three Rivers Park District.
- The Lake Independence Regional Trail, the Lake Sarah Regional Trail Search Corridor, and the North-South 1 Regional Trail Search Corridor should be labeled on the graphic portion of Map 6-1. The map symbology should indicate that the Lake Independence Regional Trail is a regional trail to differentiate it from the other "existing paved trails" within Medina.

Advisory Comments

The 2040 RPPP identifies the following regional parks system facilities in Medina:

- Baker Park Reserve
- Lake Independence Regional Trail
- Baker-Carver Regional Trail (located within Baker Park Reserve and previously the Minnetrista Extension Regional Trail Search Corridor)
- Lake Sarah (and Lake Sarah Extension) Regional Trail Search Corridor
- North-South 1 Regional Trail Search Corridor

Three Rivers Park District is the regional park implementing agency that owns and operates regional parks and trails in Medina. The alignments for the Lake Sarah and North-South 1 Regional Trails will be determined through a future master planning process led by Three Rivers Park District, in collaboration with the City of Medina.

Solar (Cameran Bailey, 651-602-1212)

The Plan is incomplete for solar review. The Council has provided additional resources for communities to meet minimum requirements, these are included in the amended Checklist in the Local Planning Handbook. The Plan must include policies for the protection and development of access to direct sunlight for solar energy. To be complete, the Plan needs to differentiate and identify the City's goals and policies relating to the development of access to direct sunlight for solar energy systems and include strategies needed to implement the policies.

In addition, the following information needs to be included in the Plan: Medina's Minnesota Solar Suitability Analysis Map and calculations of Medina's gross solar and rooftop solar resource. This is available on your Community Page of the Local Planning Handbook: <https://lphonline.metc.state.mn.us/commportal>.

Plan Implementation (Freya Thamman, 651-602-1750)

The Plan is incomplete for a portion of implementation element. Additional information is needed for zoning category descriptions. The Plan includes Zoning Maps (Residential/Non-Residential). The Plan also needs to include that portion of the zoning ordinance that describes the requirements of the zoning districts, including allowable densities, intensity of use, and lot sizes.

Advisory Comments

Please be advised that open space development in the Long-Term Sewer Service Area need to be consistent with the Council's Flexible Development Guidelines.

Council staff appreciates early submittal and review of the City's preliminary 2040 Comprehensive Plan Update. If you have any questions or would like to meet to discuss review comments in this letter please contact Freya Thamman, Sector Representative, at 651-602-1750.

Sincerely,

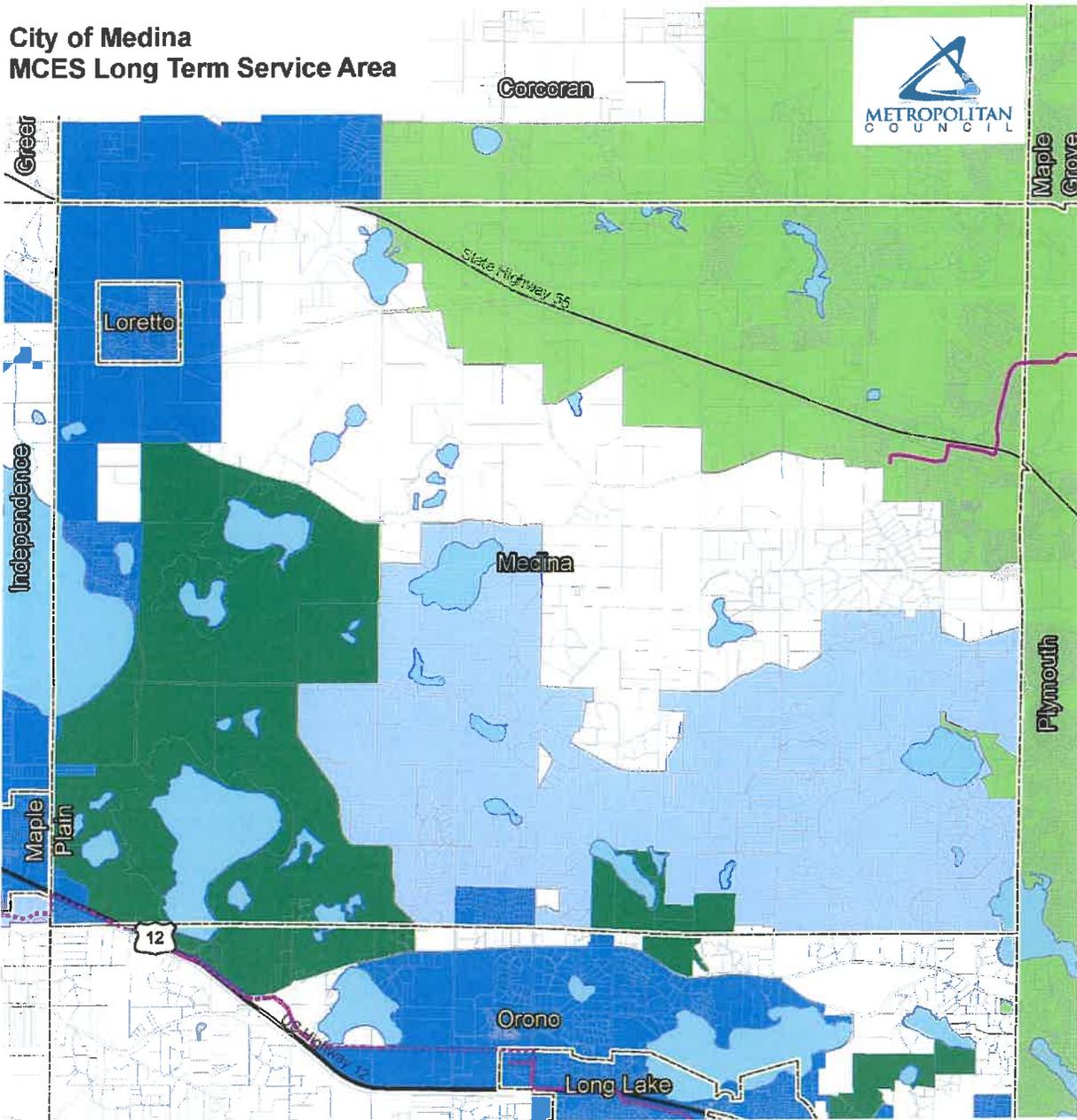


LisaBeth Barajas, Manager
Local Planning Assistance

CC: Katie Rodriguez, Metropolitan Council District 1
Kyle Colvin, Environmental Services, Asst Manager Tech Services, Engineering/Planning
Freya Thamman, Sector Representative/Principal Reviewer
Raya Esmaeili, Reviews Coordinator

ATTACHMENT A

City of Medina's 2040 Water Resource Policy Plan Long-Term Service Area



Legend

- | | |
|--------------------------------|---------------------------|
| Gravity | Community Boundary |
| Forcemain | Parcels - Hennepin County |
| Long Term Service Areas | US Highway |
| Metro | State Highway |
| Blue Lake | Lakes and Rivers |
| Potential Blue Lake | Parks and Wildlife Areas |



Map Date: May, 2017
 Sources: MCES, MnGEO, MnDOT, and Hennepin County
 Parcel Data: March 2017
 UTM, Zone 15N NAD 83

Dusty Finke

From: Thamman, Freya <Freya.Thamman@metc.state.mn.us>
Sent: Thursday, August 31, 2017 5:28 PM
To: Dusty Finke
Cc: Beard, Tara; Colvin, Kyle; Janzig, Roger
Subject: FW: Medina - potential language changes

Hi Dusty,

Additional information is still needed for completeness and consistency with Council policy. The below provides an update on the internal conversations we've had since the meeting with you and Steve regarding the Long-Term Sewer Service Area. For the potential language changes for housing, Tara has provided additional detail in the review comments below.

Long-Term Sewer Service Area

The Council is entertaining the City's request to reduce some of the Long-Term Sewer Service area in Medina. A beginning point for these discussions has been to evaluate the area within Medina that has switched from Metro to Blue Lake. Council staff has done some initial GIS analysis. We can set up a date to meet further. Kyle said the time between the Sept and Oct Steering Committee meetings you had mentioned would work best.

Housing Review of Potential Language Changes

Land guided to address future affordable housing need

Our preliminary review of Medina's 2040 Comp plan update indicated that it was inconsistent with Council housing policy as it did not guide any residential land at densities of 8 units per acre or more that could support their 2011-2020 allocation of affordable housing need. The additional language is focused on the Mixed Residential land use, and though it does add language suggesting that the higher density (at least 8 units/acre) portion of the Mixed Residential land use could be developed separately from the lower density portion, the language further suggests that the higher density portion could only be developed *after* a lower density development is developed. If this is the intention, the Mixed Residential land use definition is still too restrictive to be considered as addressing Medina's share of the region's need for affordable housing in 2021-2030. If it is not the intention, I would suggest that the language clearly state that the high-density and low-density portions of two independent developments can occur in any order and independently of each other.

Furthermore, if the high-density portions of the Mixed Residential land use are developed in coordination with the low-density portions, there is no need to call out exactly where the high-density must occur. But if two projects are built independently, it is important to note exactly where the high-density can be developed. This achieves the intention of signaling to affordable housing developers where they might consider proposing a project. I would suggest language/maps that call out the higher density portion of the Mixed Residential land use, but with language that indicates that a coordinated development could enjoy flexibility in where exactly the higher density development would occur.

Finally, even if these additional issues are resolved in the language of the housing element, the Mixed Residential land use only allows for a minimum of 95 units to be built at 8 units/acre. Medina's share of the region's need for affordable housing in the 2021-2030 decade is 244 units, so even with further changes to Mixed Residential Medina's plan would still be incomplete for housing.

Existing housing analysis

There were no changes to the existing housing analysis (“Housing Inventory”) in the revised document sent on August 18, so I would defer to our original preliminary review for comments on the completeness of that section.

Implementation (“Affordable Housing Plan”)

In the preliminary review, the implementation plan was noted to contain a variety of tools that can be used to meet housing needs, but those tools were not connected to identified needs and no consideration of why and when they would be used was provided. The revised language sent on August 18 adds language stating that various tools would be considered if they met “City objectives” and/or if the level and guaranteed length of affordability “justify” the use of the tool. This additional language does not provide the necessary guidance to the development community about when and why tools would be considered. I suggest specifying a minimum level and length of affordability that would be required for the city to consider using these tools.

Finally, if the “City objectives” referenced are the “Housing Objectives” on page 4-4, that should be stated more specifically.

From: Dusty Finke [<mailto:dusty.finke@medinamn.gov>]

Sent: Friday, August 18, 2017 3:30 PM

To: Beard, Tara <Tara.Beard@metc.state.mn.us>; Thamman, Freya <Freya.Thamman@metc.state.mn.us>

Subject: Medina - potential language changes

Tara and Freya,

Attached is some additional language which I have been kicking around in an attempt to address some of your comments. Please let me know your thoughts...feel free to give me a call, thanks!



**Please note: My email address has been updated effective 6/27/2017 to dusty.finke@medinamn.gov Please update your contact list, thanks!

Dusty Finke
City Planner

2052 County Road 24
Medina, MN 55340

(763) 473-8846 (direct)
(763) 473-4643 (main)
(763) 473-9359 (fax)

May 26, 2017

Judie Anderson, Administrator
Elm Creek Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447

RE: City of Medina Surface Water Management Plan (SWMP)
Review file No. 21723-1

Dear Ms. Anderson:

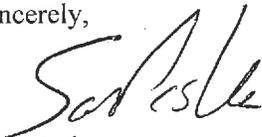
The Metropolitan Council (Council) has completed its review of the City of Medina's Surface Water Management Plan (plan). The plan meets the minimum requirements for a local water management plan and provides an overall framework for the city to manage its water resources, however it could be improved to be more effective.

Specifically, Table 4.1 *Wasteload Allocations for Medina*, lists 12 phosphorus wasteload allocations that have been assigned to the city. The required phosphorus load reductions necessary to meet these allocations total 2,351 pounds per year. This is not an insignificant amount. The city should consider accelerating implementation of the projects identified in Table 6.1 to meet these reductions, and work with the watersheds to identify additional actions to satisfy these wasteload allocations.

Since much of the city is not yet developed, the city should consider adopting the Minnesota Pollution control Agency's Minimal Impact Design Standards (MIDS) and sequencing for future development. More information is available on the MPCA's website.

If you have any questions regarding the Council's expectations, please contact Joe Mulcahy, at 651-602-1104. After the city adopts its surface water management plan, a final copy should be forwarded to the Council for our records along with the dates the watershed management organizations approve the plan and when the city adopts the final plan.

Sincerely,



Sam Paske
Assistant General Manager, Environmental Quality Assurance Department

cc: Scott Johnson, City of Medina
Katie Rodriguez, Metropolitan Council District 1
Freya Thamman, Metropolitan Council Sector Representative
Raya Esmaeili, Metropolitan Council Referrals Coordinator
Joe Mulcahy, Environmental Analyst



METROPOLITAN
C O U N C I L



CITY OF CORCORAN

8200 County Road 116, Corcoran, MN 55340

763.420.2288 – Office 763.420.6056 – Fax

E-mail - general@ci.corcoran.mn.us / Web Site - www.ci.corcoran.mn.us

June 22, 2017

Dusty Finke, AICP
City of Medina
2052 County Road 24
Medina, MN 55340

RE: Medina Draft 2040 Comprehensive Plan

Mr. Finke,

The City of Corcoran has reviewed the City of Medina Comprehensive Plan update, which was received with your email dated April 21, 2017.

The City of Corcoran has reviewed that draft plan and has identified several items that are inconsistent with our Comprehensive Plan. We ask that the City consider modifying the plan to address the following items:

a. Land Use

- The Medina Future Land Use Plan (page 62) shows areas guided as “business” and “rural commercial” between Willow Drive and Rolling Hills Road. While this is inconsistent with the Existing Residential and Low Density Residential designations in Corcoran, this is an existing condition—the Walter G. Anderson building and Twinco/Romax building. The property to the west is currently vacant, but could be developed in the future. We ask that the City of Medina consider requiring buffering between these proposed industrial uses and the existing residential uses in Corcoran.
- The future land use plan now shows the northwest area of Corcoran as “future development area”, which is not planned to be served prior to 2040. Staff notes that we have been working with the cities of Loretto, Medina and Maple Plain as well as the Metropolitan Council to provide sanitary sewer in this area. As noted by the City Engineer in their Sanitary Sewer comments, we recommended that the City of Medina modify the plan to allow development within the 20-year planning period in support of the regional sanitary sewer improvement currently being discussed and planned.

b. Park and Trail Plan

- The plan shows a proposed paved trail on Arrowhead/Hackamore. The City of Corcoran plans also show an on-road trail on Hackamore Lane and we note the importance of intercommunity planning to ensure that the trail along Hackamore is designed as part of the Hackamore improvements in a way that benefits both communities and provides a thoughtful trail system.

- The Bicycle and Pedestrian network map (page 354) shows a future paved trail on Mohawk Drive, but it is not shown on the Trail Map (page 75). The City of Corcoran plan shows a future trail on Mohawk and we encourage Medina to add the connection to their trail map for consistency within their plan and consistency with the Corcoran trail plan.
- The plans show a trail for a portion of Willow Drive, but does not show it extending to the north municipal boundary. The Corcoran plan does show a trail on Willow. We encourage the City of Medina to consider extending this planned trail to the north boundary to eliminate this missing link and work with the City of Corcoran to ensure that the trail is on the same side of Willow in both cities.

c. Transportation

- The non-MSA roads consist of Mohawk and Arrowhead west of CR116, and east of CR 116 is the Bergamot Drive connection and the future Toll Brothers development connection. Arrowhead is shown as being improved, which would bring additional traffic to the Hackamore/CR 116 intersection. On the Corcoran side, Old Settlers is also a candidate for being improved. Therefore, to minimize the impact to the intersection, Arrowhead could remain rural road. The Medina plan shows Hackamore/Arrowhead changing from a local street to a Minor Collector. The City of Corcoran will continue to show this as a local street and we encourage Medina to do the same.
- Several improvements are listed in the Transportation chapter that affect Corcoran and we look forward to working with the City of Medina to address these shared issues, including:
 - Addition of southbound and northbound through lane, eastbound and westbound left and right turn lanes at the CSAH 101 / Hackamore Road intersection.
 - Addition of protected-permissive or flashing yellow arrow left turn phasing for eastbound and westbound left turns at CSAH 101/Hackamore Road.
 - Reconstruction of CR 116 as a four-lane roadway with right and left turn lanes at all intersections (includes north of Hackamore in Corcoran)
 - Addition of left and right-turn lanes eastbound and westbound at Hackamore Road/Hunter Road and Hackamore Road/Bergamot Drive intersections.
- We look forward to working with Hennepin County and the City of Medina to develop a comprehensive strategy for expansion of County Road 116. County Road 116 divides the City of Corcoran downtown from the existing commercial area and we have had discussions with Hennepin County about to balance the City's need for safe crossings with the County's transportation demand.
- These improvements will financially impact Corcoran and will be a point of discussion with Medina as the area develops. In 2017, staff is drafting an agreement for the improvement of Hackamore by 2019 and financing will be provided in more detail.

d. Land Use and Sewer Service

- There is no need for sharing of sewer with Medina in Corcoran's SE District. Sanitary Sewer Improvements are listed on Figure 5, and correctly show the two cities having

independent systems. However, these maps should be updated on the Medina side to show sewer at the Toll properties south of Hunter neighborhood.

- Medina plan shows no proposed sewer in the northwest corner of Medina. This is the area around Loretto, although Loretto is scheduled to connect to MCES by 2020 (Phase 1). A Phase 2 project for the area would allow for additional sewer development at the CR 19/ HWY 55 intersection and would require expanded MCES capacity through Maple Plain and Long Lake. The Phase 2 project is estimated to cost \$46M and therefore cooperation is needed between Medina and Corcoran to show the required developable acres for MCES to extend a regional system to the area. It is recommended Medina modify the Land Use Map to reflect potential development within this planning period to support the MCES in justifying sewer improvements to the area.
- The Existing Water Supply System shows existing interconnection with Corcoran, however, this connection does not exist and should be corrected.

e. *Water*

- Medina has its own supply, treatment and distribution system. There is the potential for shared or interconnections to provide redundancy to both systems.
- The plan is showing a connection to Corcoran at Bergamot Drive/Hackamore near the Ravinia development (shown on Appendix 13). This is consistent with the recent agreement between the cities to provide an interconnect at Bergamot Drive for emergency or maintenance purposes.
- The City of Corcoran has been working with the Metropolitan Council, Loretto, Medina and other nearby communities to provide sanitary sewer to our Southwest District. Urban development (sewered) would also require water supply and storage to the Southwest District. It is recommended that Appendix 13 be amended to show "potential joint powers water system with Loretto and Corcoran".

We look forward to working with the City of Medina to resolve these issues. Please feel free to contact City Administrator Brad Martens with questions at brmartens@ci.corcoran.mn.us and 763-400-7030.

Sincerely,



Ron Thomas
Mayor



Brad Martens
City Administrator

Copy: Kendra Lindahl, City Planner
City File

City of
Loretto

279 Medina Street North, Suite 260 • P.O. Box 207 • Loretto, MN 55357
(763) 479-4305 • Fax (763) 479-2685
Email: mschneider@ci.loretto.mn.us
www.ci.loretto.mn.us

June 13, 2017

Dusty Finke, City Planner
City of Medina
2052 County Road 24
Medina, MN 55340

RE: Medina 2040 Comprehensive Plan Update

Dear Mr. Finke,

On behalf of the City of Loretto, thank you for providing our community an opportunity to review the draft Medina 2040 Comprehensive Plan dated February 7, 2017.

Generally speaking, we have found the Plan to be well-conceived and have minimal comments. In review, however, the following comments are offered for your consideration:

LAND USE AND GROWTH (CHAPTER 5)

Future Development Area. The draft Land Use Plan (Map 5-2 attached as Exhibit A) illustrates a land use designation of “Future Development Area” on lands which border the City of Loretto to the north and west. The Plan specifically describes this land use category as follows:

Future Development Area (FDA) identifies areas which could potentially be planned for future urban development in the City that will be provided municipal sewer and water services. This area will remain rural unless and until designated for urban services in a future Comprehensive Plan update. The purpose of the FDA designation is to communicate the future planning intentions to the community. This designation is tentative and depends greatly on future infrastructure improvements, including to regional highway capacity.

The City of Loretto understands the reasoning for and is supportive of the “Future Development Area” designation as future urbanization of the area would establish a population base which would likely frequent the City of Loretto for goods and services. The City does however, offer the following related comments:

1. The draft Plan (page 5-11) notes that urban services will not be provided to the “Future Development Area” during this planning cycle. In the body of the Plan text, the meaning of “planning cycle” is not described.

The City’s proposed Staging and Growth Plan (Map 5-4 attached as Exhibit B) graphically indicates that urbanization of the “Future Development Area” is

planned to occur after 2040. For clarification purposes, it is suggested that the text reference to “this planning cycle” specifically note the post 2040 term so as not to be confused with the next Comprehensive Plan update cycle as mandated by the Metropolitan Council in 2028.

2. When areas north and west of the City of Loretto become urban (at some future point), the City would like to ensure that such future development will occur in an efficient manner. The draft Medina Plan (page 5-11) notes that a residential density of one unit per 10 acres will be allowed in the “Future Development Area.” The City of Loretto has concerns that 10-acre, “rural residential” lots will not lend themselves particularly well to the future conversion to urban uses.
3. The adjacency of the “Future Development Area” to the City of Loretto raises questions related to long-term service expectations. While it is recognized that this is not an immediate issue, it will, at some future point, need to be discussed.
4. The draft Medina Plan (page 5-11) notes that “ghost plats” will be required for subdivisions within the “Future Development Area.” The City of Loretto would appreciate opportunities to review and provide comment related to such “ghost plats” prior to formal subdivision approvals granted by the City of Medina. Of specific interest are land use arrangements and possible roadway connections to the City of Loretto.

Commercial Uses. In regard to commercial uses, the draft Plan (page 5-15) notes that frontage roads will be required along arterial streets as a means of limiting direct property access to such roadways. Considering that Highway 55 essentially serves as the northern entrance to the City of Loretto, the City is very interested in any frontage road planning which may take place at the Highway 55/County Road 19 intersection.

Staging Plan. The draft Medina Staging and Growth Plan (Map 5-4 attached as Exhibit C) illustrates urban services being provided around the entire City of Loretto at some point beyond the year 2040.

The Plan specifically illustrates a “Future Development Area” encompassing the northern half of the City and a “Long-term Sewer Service Area” encompassing the southern one half of the City. The Staging Plan notes that the “Long-term Service Area” is a Metropolitan Council designation which identifies areas which may be considered for sanitary sewer service beyond 2040.

If sanitary sewer service (and urban uses) are ultimately anticipated around the entire City of Loretto, question exists why areas which border the City to the south and east (as per the Staging Plan) are not designated as a “Future Development Area” on the Medina Land Use Plan (Map 5-2)? It is the opinion of the City of Loretto that the two plans should be consistent.

PARKS, TRAILS AND OPEN SPACE (CHAPTER 6)

Parks. As shown on the draft Medina Park and Trail Plan (Map 6-1 and attached as Exhibit C), no future or expanded parks are proposed in the northwest quadrant of the City of Medina (proximate to the City of Loretto).

In regard to future parks, question exists whether there are any opportunities and/or plans (within the 2040 timeframe of the Comprehensive Plan) to utilize or repurpose the former sanitary landfill site for recreational purposes? The draft Medina's Land Use Plan (Map 5-2) simply designates the site as a "closed sanitary landfill."

Trails. The draft Park and Trail Plan illustrates a future trail along Chippewa Road and Pioneer Trail which will ultimately link County Road 19 and Hamel Road. While the City of Loretto is supportive of the trail, it requests an opportunity to provide input into the planning of the trail segment which will border the City (along Chippewa Road).

SANITARY SEWER (CHAPTER 8)

Land use changes (development or redevelopment) typically drive infrastructure needs. Medina Maps 5-3 and 5-4 (attached as Exhibits D and E) show the planned growth around Loretto. Additional development around Loretto would trigger a need for urban sewer service.

Although serving additional units around Loretto in Medina is capital intensive, Phase 1 of the MCES wastewater connection shows connection to Loretto, which benefits Medina in management of the Tri-City system along CR 19. Removing the wastewater ponds from operation is also a benefit to Medina water resources.

Phase 2 shows regional service to the Medina/Corcoran area around Hwy 55 / CR 19 corridor. Phase 2 would require significant developable acres to support MCES bringing regional service to the area.

Recommendation: The area around Loretto is listed as either "Future Development Area" or "Long-term sewer Service Area".

1. It is recommended Medina classify these areas as potentially developing within this planning period, which would support the Phase 1 project cost expenditure by MCES, along with the flexibility for the potential of Phase 2.
2. Modify Figure 2 (attached as Exhibit F) to show potential of MCES extending service north towards Loretto.

WATER SUPPLY (CHAPTER 9)

Appendix 13 (attached as Exhibit G) shows the 2040 Proposed Water Supply System and any sewer service to the Loretto area would need corresponding municipal supply.

Recommendation:

1. Identify the area around Loretto as "potential joint powers water supply system with Corcoran and Loretto".

SURFACE WATER MANAGEMENT (CHAPTER 11)

Medina has identified "problem areas" on Figure 16 (attached as Exhibit H) of the Surface Water Management Plan.

Recommendations:

1. Add an identifier in the northwest corner (10D) and label it “Evaluate options to decrease flooding near Canadian Pacific railroad tracks”
 - This improvement would be dual purpose in that upstream flood reduction would also protect Medina and Loretto’s investment in the water quality treatment ponds constructed as part of the previously constructed Lake Sarah water quality treatment project.
2. Move the identifier (#6) of the Loretto WWTP to the southeast corner of Loretto.

Wetlands. Loretto’s wastewater ponds are located in Medina (although City of Loretto is the property owner). The ponds are identified as “Manage 2 Wetlands” on Map 3-2 (attached as Exhibit I).

Recommendation:

1. Remove this classification since the ponds function as a wastewater treatment facility, not wetlands.

Thank you once again for the opportunity to convey our comments on the draft Plan. If you have any questions, please do not hesitate to call.

CITY OF LORETTO

Mary Schneider
City Clerk Treasurer

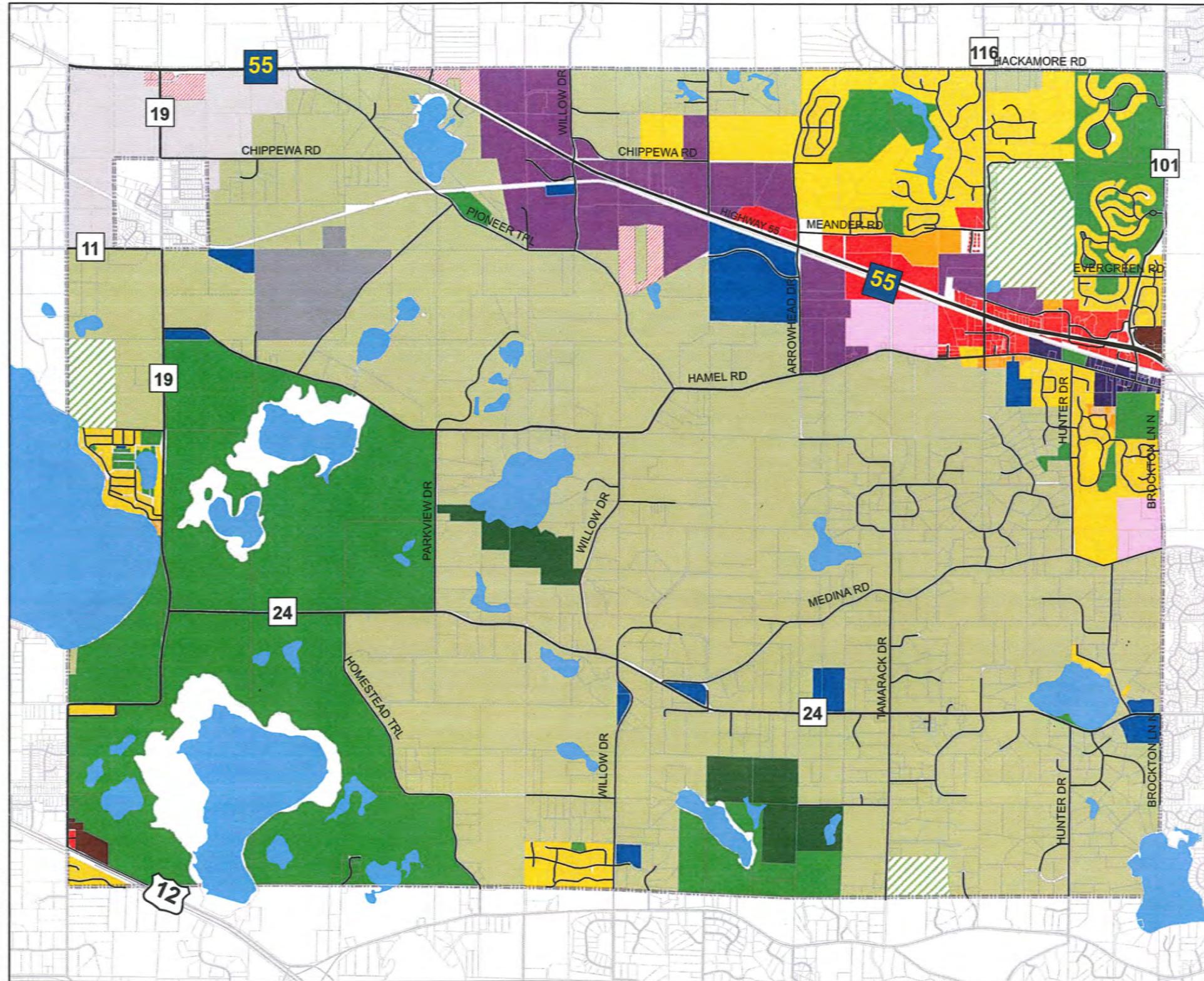
cc: Loretto Mayor and City Council
Bob Kirmis, Loretto City Planner
Kent Torve, Loretto City Engineer
Jeff Leuer, Loretto Public Works Director

Mayor *Kent Koch*
Council Members *Brenda Daniels, Melissa Markham, John Neumann, Brian Sevigny*
City Clerk Treasurer *Mary K. Schneider*



MEDINA

**Map 5-2
Future Land Use Plan
DRAFT 1/31/2017**

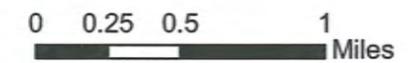


Legend

Future Land Use

- Rural Residential
- Agricultural
- Future Development Area
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Residential
- Uptown Hamel
- Commercial
- Business
- Rural Commercial
- Institutional
- Private Recreational
- Park, Recreational, and Open Space
- Closed Sanitary Landfill

Map Date: January 31, 2017





Map 5-4 Staging and Growth DRAFT 11/15/2016

Urban Services Phasing Plan

- Existing Service Area (2017)
- 2018
- 2020
- 2025
- 2030
- 2035
- Future Development Area (post 2040)
- Long-term Sewer Service Area

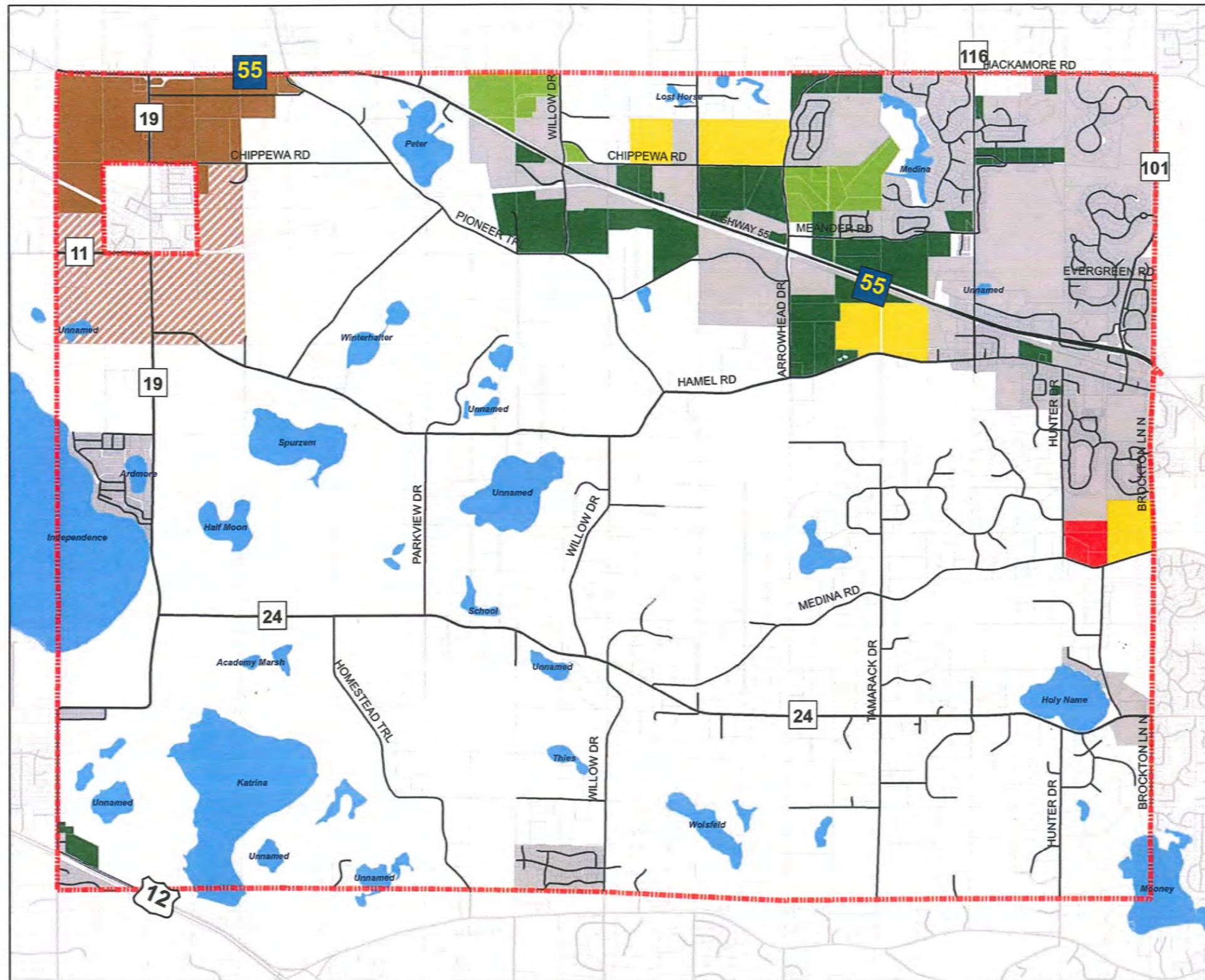
The Staging and Growth Plan allows potential flexibility for urban services up to two years prior to the indicated staging period. Such flexibility will be considered through a evaluation system based on the extent to which a proposal exceeds general City standards.

The Future Development Area identifies areas which may potentially be planned for urban services in the future beyond the term of this plan (post-2040).

The Long-term Sewer Service Area is a long-term planning designation of the Metropolitan Council. It identifies areas which may be considered for potential sanitary sewer service in the future beyond the term of this Plan.

Map Date: January 20, 2017

0 0.25 0.5 1 Miles





Map 6-1 Park and Trail Plan DRAFT 12-27-2016

Legend

Trails

- Existing Paved Trail
- Existing Shoulder Trail
- Existing Turf Trail
- Existing Sidewalk
- Proposed Paved Trail
- Proposed Shoulder Trail
- Proposed Turf Trail

Parks

- Existing Park
- Future Park Search Area
- Potential Park Expansion

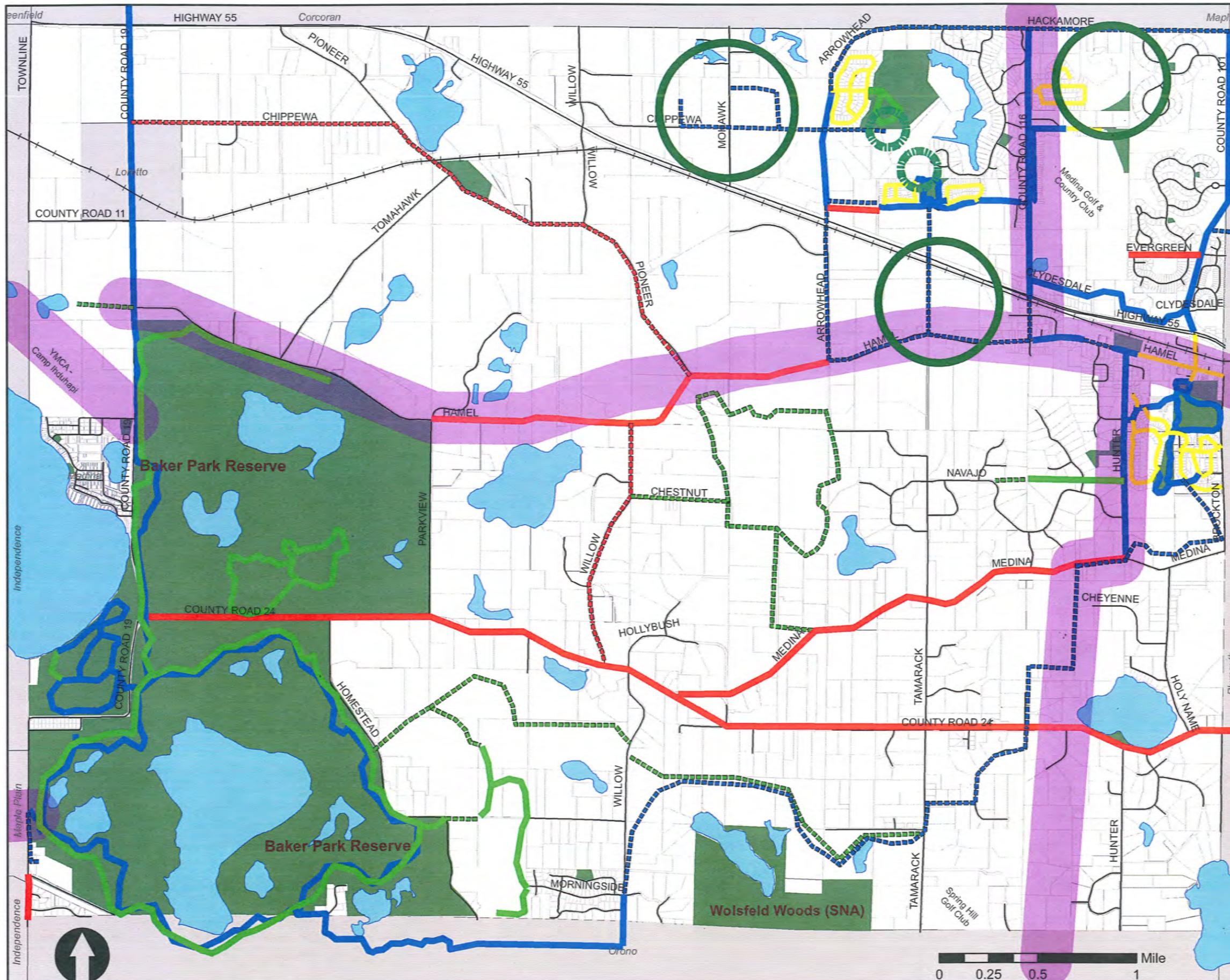
Regional Corridors

- Three River Trail Corridor

Location of proposed trail segments are intended to identify connections and corridors, not exact locations.

Map Date: December 27, 2016

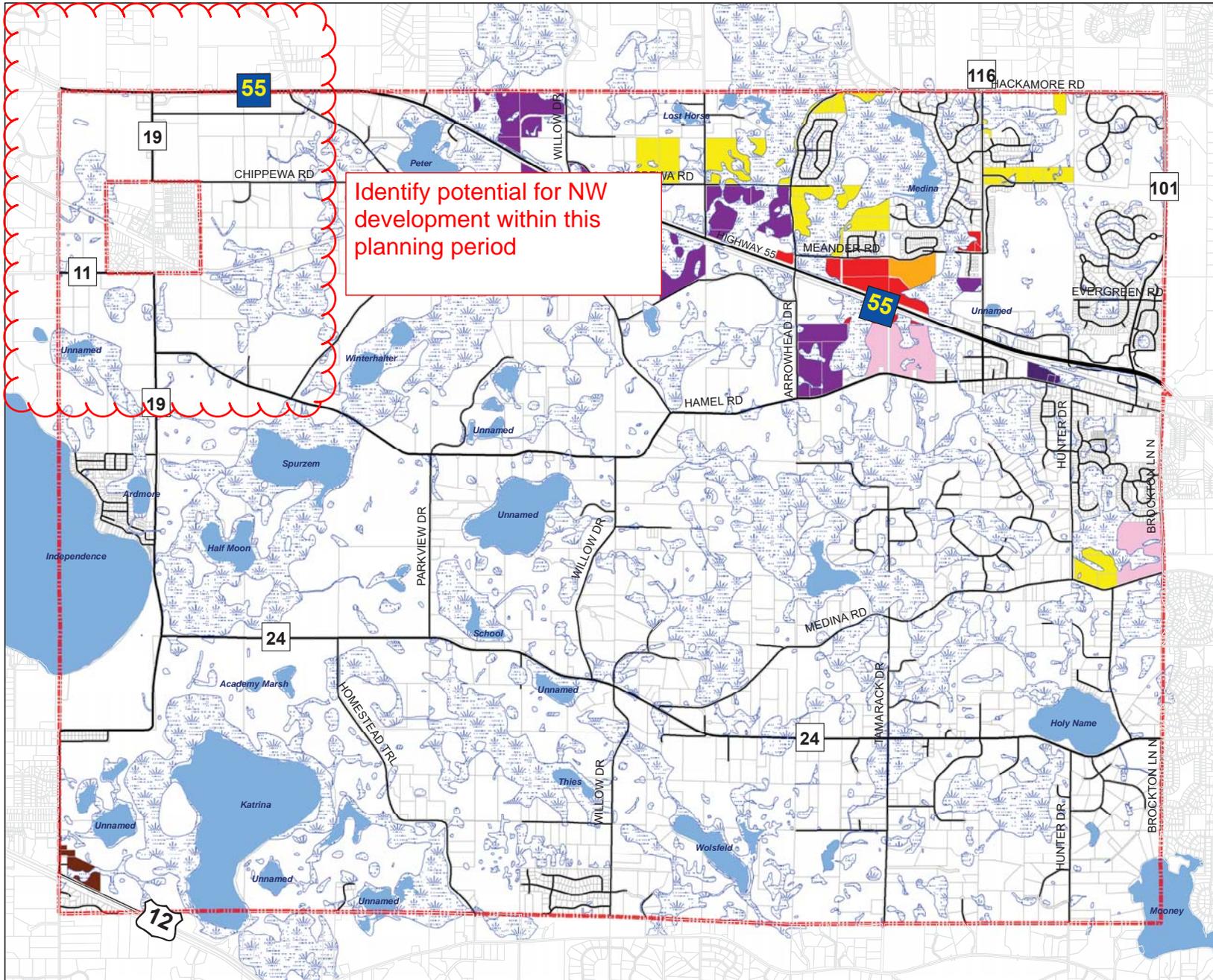
Scale: 1:30,000





MEDINA

**Map 5-3
Development and
Growth Plan
DRAFT 12/8/2016**



Identify potential for NW development within this planning period

Legend

- Future Land Use**
- Rural Residential
 - Agricultural
 - Future Development Area
 - Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Mixed Residential
 - Uptown Hamel
 - Commercial
 - Business
 - Rural Commercial
 - Institutional
 - Private Recreational
 - Park, Recreational, and Open Space
 - Closed Sanitary Landfill
- Wetland Locations**
- Wetland Locations

Map Date: January 20, 2016





Map 5-4 Staging and Growth DRAFT 11/15/2016

Urban Services Phasing Plan

- Existing Service Area (2017)
- 2018
- 2020
- 2025
- 2030
- 2035
- Future Development Area (post 2040)
- Long-term Sewer Service Area

The Staging and Growth Plan allows potential flexibility for urban services up to two years prior to the indicated staging period. Such flexibility will be considered through an evaluation system based on the extent to which a proposal exceeds general City standards.

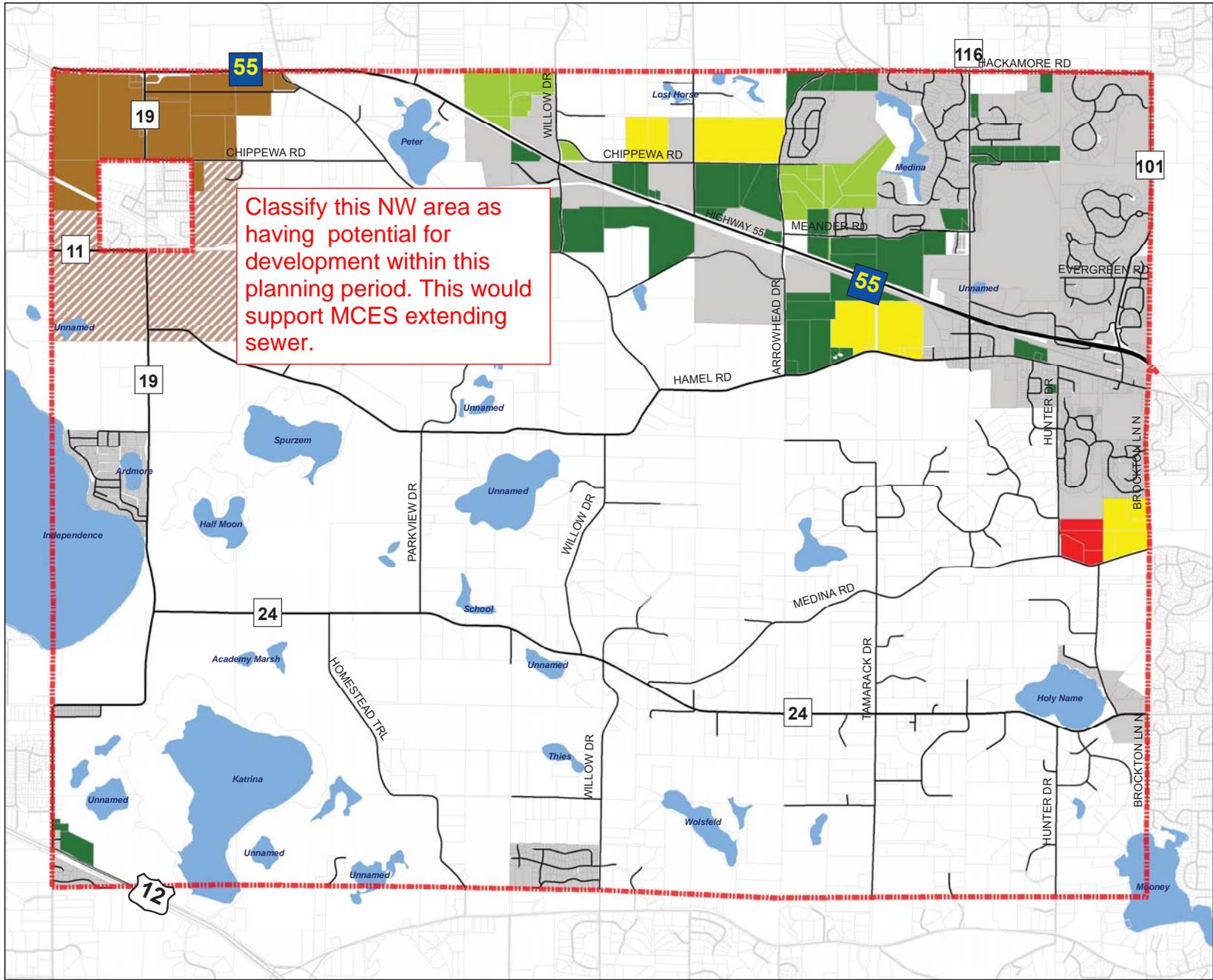
The Future Development Area identifies areas which may potentially be planned for urban services in the future beyond the term of this plan (post-2040).

The Long-term Sewer Service Area is a long-term planning designation of the Metropolitan Council. It identifies areas which may be considered for potential sanitary sewer service in the future beyond the term of this Plan.

Map Date: January 20, 2017



Classify this NW area as having potential for development within this planning period. This would support MCES extending sewer.





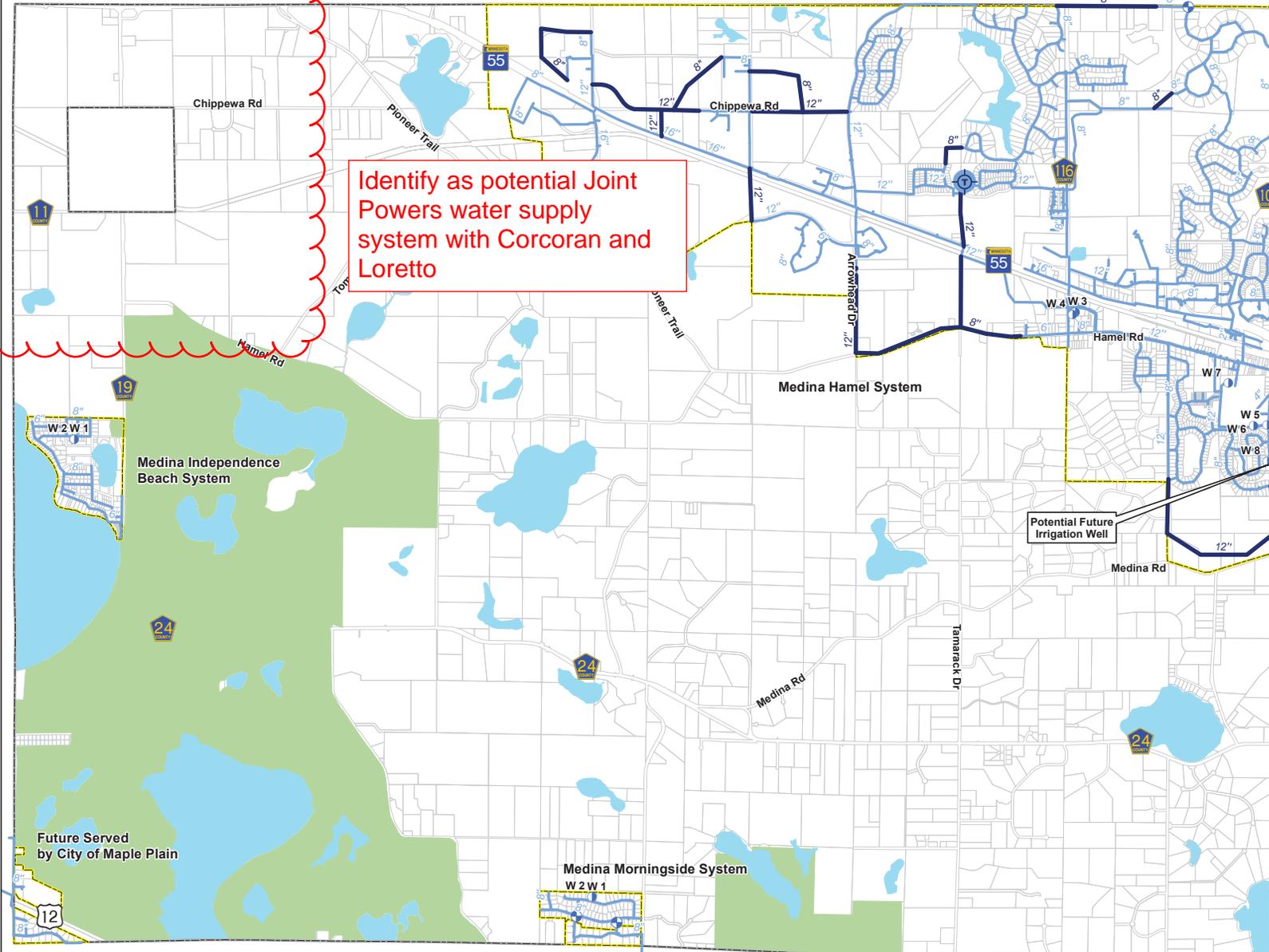
Appendix 13
2040 Proposed Water Supply System
 Comprehensive Water Supply Plan
 City of Medina

Legend

- Proposed Water Tower
- Existing Water Tower
- Existing Well
- Existing Interconnection
- Proposed Watermain
- Existing Watermain
- Water Service Areas



0 1,250 2,500 5,000
 Feet



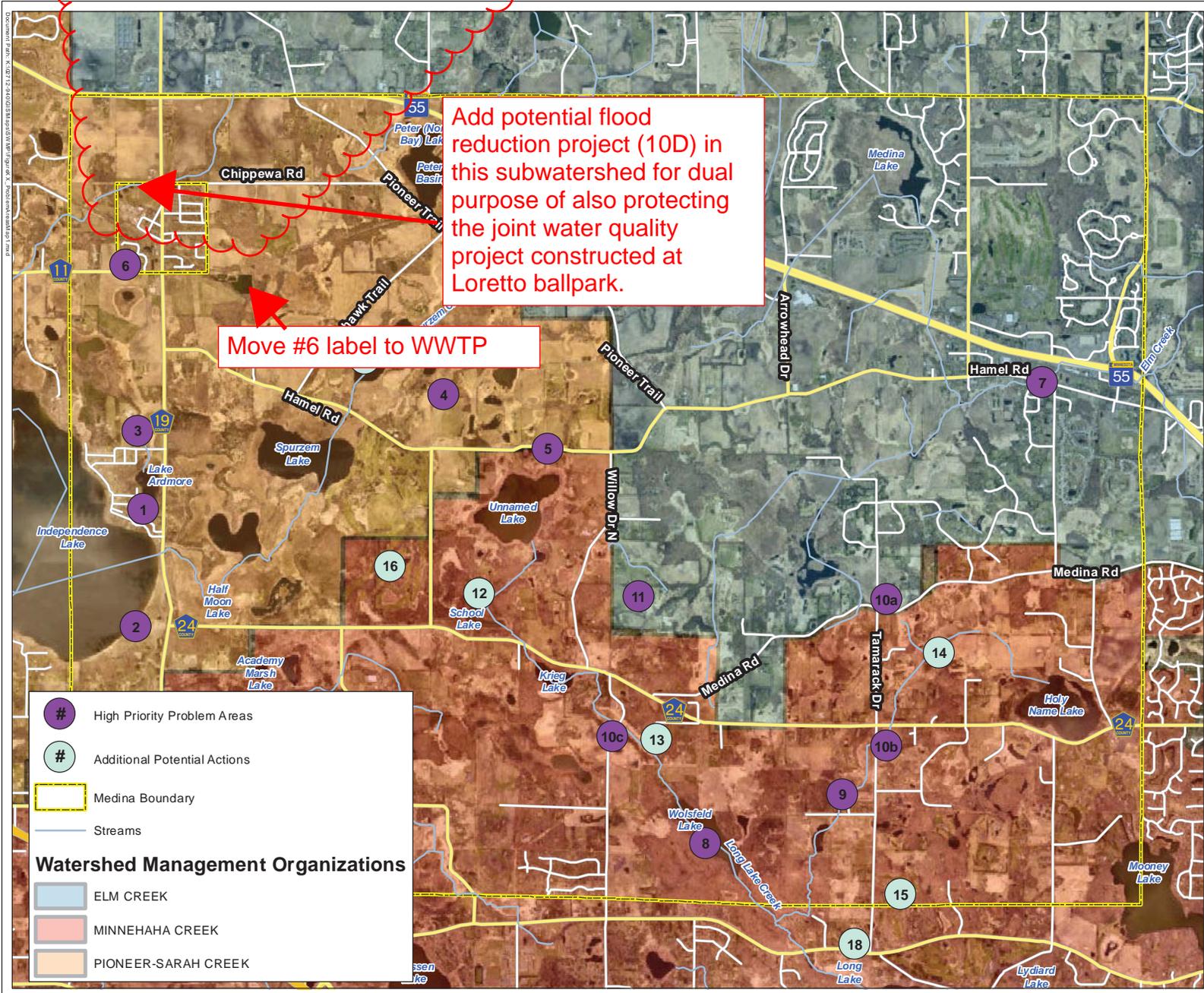
Identify as potential Joint Powers water supply system with Corcoran and Loretto

Document Path: K:\02712-530\GIS\Maps\Water_Wastewater\2040\WaterSupply.mxd



Figure 16- Medina's Problem Areas Map

**Medina's Surface Water Management Plan
Medina, MN**



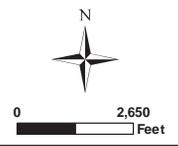
Add potential flood reduction project (10D) in this subwatershed for dual purpose of also protecting the joint water quality project constructed at Loretto ballpark.

Move #6 label to WWTP

Watershed Management Organizations

- ELM CREEK
- MINNEHAHA CREEK
- PIONEER-SARAH CREEK

- High Priority**
- 1) Lake Ardmore wetland restoration north of Maple Street
 - 2) Lake Independence shoreline restoration as identified in the Ardmore Subwatershed Plan
 - 3) Fern Street gully restoration
 - 4) Gully restoration in TRPD
 - 5) Hydrologic/hydraulic studies to establish Base Flood Elevations (BFE) for FEMA mapped waterbodies in PSCWMC and ECWMC. (MCWD has BFEs established)
 - 6) Take the Loretto sewer ponds offline and connect to the MCES system
 - 7) Partner with ECWMC on creek restoration near Hamel Road in Rainwater Park
 - 8) Cooperate with DNR, MCWD to assess local erosion in Wolsfeld Woods that may contribute to lake sediment loads
 - 9) Partner with MCWD to inspect and restore areas of erosion in Long Lake Creek
 - 10) Evaluate options to address flooding:
 - a. on the NE quadrant of Medina Road and Tamarack Drive
 - b. Tamarack Road south of CSAH 24
 - c. Willow Drive south of CSAH 24
 - 11) Expand education program for benefits of water reuse for irrigation (City-wide)
- Additional Potential Actions**
- 12) Partner with MCWD on School Lake internal load management
 - 13) Partner with MCWD to inspect and restore open channel to Wolsfeld Lake.
 - 14) Evaluate wetland restoration along Long Lake Creek
 - 15) Education and cooperation with Spring Hill Golf Course
 - 16) Education and cooperation with Baker Golf Course
 - 17) Tomahawk Trail wetland restoration
 - 18) Long Lake internal load management through carp removal





MEDINA

Map 3-2 Wetland Locations and Classification

Wetland Management Classification

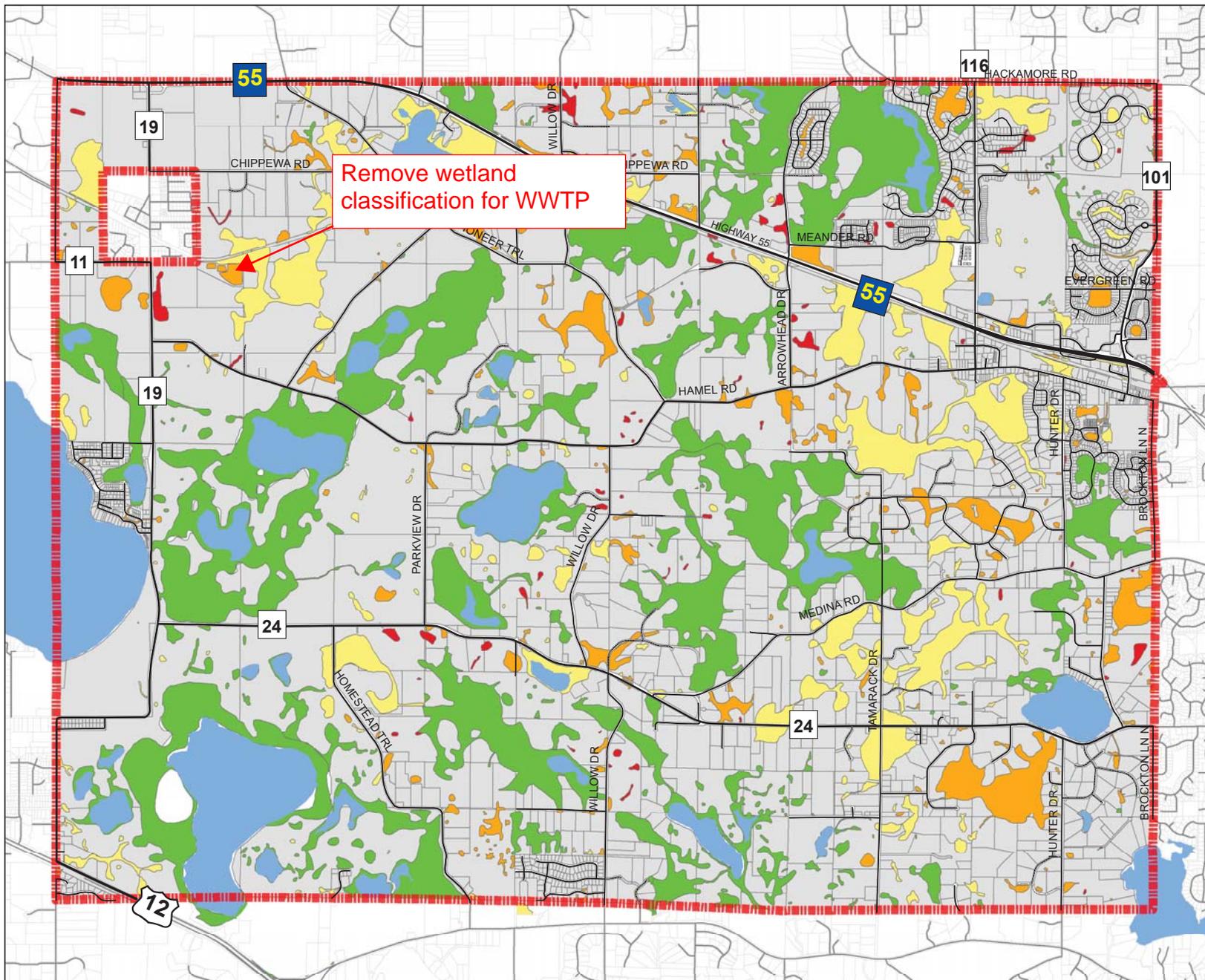
-  Preserve
-  Manage 1
-  Manage 2
-  Manage 3

Map Date: January 31, 2017

Data from 2008 Functional
classification of wetlands

0 0.25 0.5 1
Miles

EXHIBIT I



elm creek

Watershed Management Commission

ADMINISTRATIVE OFFICE
3235 Fernbrook Lane
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PH: 763.553.1144
FAX: 763.553.9326
E-mail: judie@jass.biz
www.elmcreekwatershed.org

TECHNICAL OFFICE
Hennepin County, EED
701 Fourth Avenue South, Suite 700
Minneapolis, MN 55415
PH: 612.596.1171
FAX: 612.348.8532
E-mail: Jason.Swenson@hennepin.us

July 18, 2017

Dusty Finke
City Planner
City of Medina
2052 County Road 24
Medina, MN 55340

Dear Mr. Finke:

On April 21, 2017, the Elm Creek Watershed Management Commission (Commission) received a copy of the City of Medina's 2040 Comprehensive Plan for Review and Comment. As part of that document, the City's Surface Water Management Plan is being revised and updated and included in the Comp Plan as Chapter 11.

The Commission only reviewed Chapter 11 of the Comprehensive Plan – Surface Water Management. In general, the Commission finds the document to provide a good overview of surface water management in the City. The Commission offers the following specific comments for the City's consideration:

1. Section 2.1.1 discusses the depth to bedrock throughout the City of Medina. As written, it reads as though the bedrock depth is 650 to 800 feet below the existing ground surface. The Hennepin County geologic atlas actually shows the 650 to 800 feet as being the actual elevation of the bedrock. The actual depth to bedrock is approximately 100 to 400 feet depending on the location in Medina. See the Geologic Atlas Plate C-4 for Hennepin County in the Hennepin County Geologic Atlas.
2. Figure 8 – Medina's DNR Public Water and Wetlands Map should also show the major streams with DNR jurisdiction on the figure for clarity.
3. Section 2.2.4 should have the links to other organizations water quality data checked. The links for Elm Creek and CAMP do not work at this time.
4. Table 2.4 needs to be updated to reflect that the TMDL for Elm Creek and Rush Creek has been approved as of June of 2017.
5. As the TMDL for Elm Creek and Rush Creek has now been formally approved by the EPA, we recommend that the Surface Water Management Plan be checked and updated for any activities listed in the TMDL implementation plan so that no future revisions are required to the plan or the MS4 SWPPP in the near future and specifically states this is the case.
6. Section 3.2 of the Plan refers to Hennepin County's Department of Environmental Services. This language should be replaced with Hennepin County Department of Environment and Energy.
7. Section 3.4.1 (both the first and second instances of this section – see below) of the plan indicates the Hennepin Conservation District provides administrative services. Technical Services are now provided by the Hennepin County Department of Environment and Energy.
8. Section 3.4.1 is used twice in the report – once for Pioneer-Sarah Creek Watershed and again for Elm Creek. Revise the numbering and check it throughout the rest of this section.

9. Section 3.15 needs to be revised to reflect the correct county – Hennepin – and not Ramsey and Washington Counties.
10. Under Section 4.2, it seems like the intent of the listing of TMDL's was to link to various documents. At this time, the links do not exist in the document. Otherwise, it is not clear what this bulleted list is attempting to state.
11. Section 4.2.2 states that the storm distribution for reviews will be the NRCS Type 2. ECWMC rules require the use of the distributions from the Atlas 14 publication (MSE-3).

The Commission appreciates the opportunity to review the 2040 Comprehensive Plan for the City of Medina, and looks forward to seeing the final version of the document and working with the City in the implementation of the plan moving forward.

If you have any further questions, I can be reached at 612-596-1171.

Respectfully,

A handwritten signature in black ink that reads "Jason Swenson". The signature is written in a cursive, flowing style.

Jason Swenson, P.E.
Advisor to the Commission



June 20, 2017

Dusty Finke
Medina City Planner
2052 County Rd 24
Medina, MN 55340

RE: Medina Local Water Management Plan Review

Dear Mr. Finke,

Thank you for submitting the City of Medina Local Water Management Plan (LWMP) to the Minnehaha Creek Watershed District (MCWD) for review. The MCWD has completed a review intended to provide guidance related to areas where the plan may lack sufficient detail or adequate action to comply with State Statute and Administrative Rules as well as the MCWD's Comprehensive Water Resources Management Plan (MCWD Plan). Unfortunately, the timeline provided by Statute for review and approval of LWMPs often does not allow for the iterative process necessary to resolve all of the issues entailed in the planning process. The current submittal dated April 21, 2017 is hereby deemed incomplete pending resolution of the issues summarized in the attached document. MCWD encourages the City to revise the LWMP and resubmit for MCWD approval.

As you know, the MCWD is in the process of updating its Plan. The MCWD Plan will include requirements for LWMPs that focus primarily on improving coordination and collaboration between City and MCWD planning and implementation. The MCWD anticipates distributing its draft Plan in late June 2017 and adopting it in December 2017. Given the timing of the City's submittal, the MCWD has reviewed the LWMP against both the 2007 MCWD Plan requirements and the draft 2017 requirements. Although the 2017 requirements are not yet in effect, the City is encouraged to meet these draft requirements so as to avoid the need for a future plan amendment.

MCWD seeks opportunities to work with local communities on implementation of efforts to maintain and improve shared water resources. Review and approval of the LWMP is a prime opportunity to ensure consistency and coordination of these efforts in the future. After an initial review, it is evident that the City has devoted time and effort into creating a high quality set of goals and implementation actions. The LWMP will provide a strong foundation for protecting the quality of water resources in Medina.

Please feel free contact me with any questions or concerns.

Sincerely,

Becky Christopher
MCWD Lead Planner

We collaborate with public and private partners to protect and improve land and water for current and future generations.

City of Medina Local Water Management Plan
 Draft dated April 11, 2017

Requirements of MCWD 2007 WMP > Requirements from MN Rules 8410 and MN Statutes 103B.235	Status in City of Medina April 11, 2017 Draft Plan
1. Organized according to MR8410 including sections containing a table of contents; purpose; water resource related agreements; executive summary; land and water resource inventory; establishment of goals and policies; relation of goals and policies to local, regional, state, and federal plans, goals, and programs; assessment of problems; corrective actions; implementation priorities; amendment procedures; implementation program; and an appendix.	Meets requirements.
2. Describe the existing and proposed physical environment and land use. 3. Define drainage areas and the volumes, rates, and paths of stormwater runoff, including a map of the stormwater system.	Meets requirements.
4. Include a stormwater system map that shows ponds, streams, lakes and wetlands that are part of your system; structural pollution control devices (grit chambers, separators, etc.) that are part of your system; pipes and pipe sizes and other conveyances in your system; and outfalls and all other points of discharge from your system that are outlets.	Does not meet requirements. Does not include a map showing the required elements. A figure showing higher-level drainage areas and flow network is included. Does not meet requirements. Does not include a map showing the required elements. A map showing ponds and outfalls, drainage areas, and flow direction was included in the City's 2009 stormwater management plan but was not updated and included in this draft plan.
5. Identify areas and elevations for stormwater storage adequate to meet performance standards established in the subwatershed plans.	See requirements 6 and 7.
6. Identify areas of known flooding and areas identified in the HHPLS where modeling predicts that public roads, private roads, or private drives might overtop during infrequent events or there may be minimal freeboard above the flood level. Local plans must assess whether the risk of occasional flooding is acceptable or should be addressed, and set forth a plan for making improvements as necessary.	Meets requirements.
7. Identify land-locked subwatershed units and basins and strategies to manage water volumes in those land-locked areas to minimize flooding.	Meets requirements.
8. Assess the condition of locations identified in the HHPLS where modeling predicts that under existing or future development conditions higher velocities than desired may result in erosion at outlets or culverts, potentially warranting erosion control or energy dissipation. The local plan must assess the need for such measures, and set forth a plan for making improvements as necessary to correct existing or prevent future erosion.	Meets requirements.

<p>9. Define water quality protection methods adequate to meet performance standards established in the watershed plan.</p>	<p>See requirement 10.</p>
<p>10. Identify specific steps the LGU will take to achieve the annual phosphorus load reductions it is assigned in the subwatershed plans affecting their community. Credits for existing BMPs in-place will be considered through the Local Surface Water Management Plan and evaluated on a case-by-case basis.</p>	<p>Partially meets requirements. The City's 2009 Plan included a specific phosphorus load reduction plan. No assessment was provided in the proposed Plan to determine progress toward meeting those annual reductions.</p>
<p>11. Identify regulated areas, such as Outstanding Resource Value Waters.</p>	<p>Meets requirements.</p>
<p>12. Identify Key Conservation Areas in this Plan in their community, and assess the adequacy of local policies and regulatory controls in place to conserve hydrologic and ecologic values of the resources within those Areas. The plan must set forth a plan and schedule for the amendment of those policies and controls as necessary to meet performance standards established in the subwatershed plans.</p>	<p>Meets requirements.</p>
<p>13. Assess the consistency of the LGU's wetland regulation, including any wetland classification system and specific wetland classifications, with the management classifications, classification system and proposed regulation set forth in this Plan.</p>	<p>Meets requirements.</p>
<p>14. Set forth an implementation program, including a description of official controls and, as appropriate, a capital improvement program.</p>	<p>Meets requirements.</p>
<p>15. Describe the LGUs permitting process for land and wetland alteration work, including an assessment of the adequacy of current official controls and a plan and schedule for the amendment of those controls as necessary.</p>	<p>Does not meet requirements. The City has in place a Stormwater Design Guide that is incorporated into the Plan by reference and which describes the permitting process. No assessment of official controls was included in the Plan.</p>
<p>16. Describe the LGUs conformance with NPDES requirements for MS4s including TMDL and Nondegradation requirements. The local plan must include the LGU's Stormwater Pollution Prevention Plan (SWPPP) or a summary of its contents.</p>	<p>Does not meet requirements. The Plan adequately describes the City's SWPPP activities and reviews TMDL implementation for lakes. However, the City also has a Wasteload Allocation for the Painter Creek <i>E. coli</i> impairment, and there is no discussion of that TMDL or proposed implementation actions. In addition, there is significant agricultural land in Medina that was moved from the Wasteload Allocation to the Load Allocation for the lake TMDLs. There is no discussion of how the City intends to work with agricultural land owners to achieve voluntary load reductions.</p>
<p>➤ Local Land Use Requirements</p>	<p>Status in City of Medina April 11, 2017 Draft Plan</p>
<p>1. Describe efforts to integrate Safe Drinking Water Act and other wellhead protection plans, as well as the protection of sensitive surface- and groundwater resources, into the local zoning code.</p>	<p>Meets requirements.</p>

<p>2. Describe how water resource protection priorities have been integrated into local parks, open space, recreation and land acquisition plans.</p>	<p>Partially meets requirements. The Plan is generally silent about integration of water resource protections with parks and open space planning. It notes that some of the high-quality wetlands and uplands are located near local parks, and that the city would look for opportunities to include water and natural resources interpretation at park facilities. The Comprehensive Plan Parks and Open Space Plan does include as a park classification Conservancy Lands and three nature areas are designated as parks. The Comprehensive Plan references but does not incorporate the 2007 Open Space Report, which establishes goals and policies for preserving ecological integrity and natural infrastructure. Neither the Open Space Plan nor the Parks and Open Space Plan are referenced in the LWMP.</p>
<p>3. Describe how local authority to require land or easement dedication or protective covenants as a part of subdivision regulation is being used for water resource protection purposes.</p>	<p>Meets requirements.</p>
<p>4. Consult with District staff on approaches to low-impact site design that preserve natural hydrological systems and capability to assimilate development impacts; examine how those approaches can be integrated into local land use regulations; describe constraints or competing concerns that prevent further integration; and describe how the LGU will integrate such approaches into its development code.</p>	<p>Partially meets requirements. The City's Stormwater Design Guide references the Stormwater Manual and details a nine step screening process for stormwater treatment practice selection. There is no assessment determining if this is adequately integrated into current city code.</p>
<p>5. Identify how conflicts between (i) development code setbacks and (ii) water resource requirements in local ordinances or District rules will be reconciled to give due weight to water resource protection goals.</p>	<p>Does not meet requirements. No assessment of official controls was included in the Plan.</p>
<p>6. Show that the local development code requires stormwater facilities and wetlands in residential subdivisions that are subject to future maintenance obligations under local ordinance or District rule to be located entirely on outlots, and justify exceptions to this requirement.</p>	<p>Partially meets requirements. The City's Design Manual requires this but does not document that it is required by ordinance.</p>
<p>7. State that the local subdivision ordinance requires, or within 180 days will be amended to require, that a copy of each proposed preliminary plat, and iterations thereof, be provided to the District for informational purposes at the time it is submitted to the locality.</p>	<p>Does not meet requirements. No assessment of official controls was included in the Plan.</p>
<p style="text-align: center;">➤ Permit Program Requirements</p>	
<p>1. Eight Plan requirements should the LGU elect to assume the sole regulatory authority.</p>	<p>Status in City of Medina April 11, 2017 Draft Plan Medina does not intend to assume regulatory authority, so the eight requirements do not apply.</p>

➤ Housekeeping Requirements	Status in City of Medina April 11, 2017 Draft Plan
1. Describe current practices.	The city's SWPPP is included as an Appendix. It details the City's housekeeping practices.
2. Examine potential improvements in these practices.	Not provided. There is some discussion in the Plan of the general impact of maintenance practices protecting and improving water resources.
3. Identify any barriers to implementing these improvements.	Not provided.
4. Indicate what changes the LGU will make.	Included for those practices that do not currently meet the NPDES permit minimum requirements.
5. Describe, with appropriate quantification, the impact these changes are expected to have toward achieving water quality and other water resource goals	Not provided.
Proposed Requirements for the 2017 MCWD WMP	Status in City of Medina April 11, 2017 Draft Plan
1. Identifies potential collaborative opportunities.	Some potential collaborative efforts are included in the Implementation Plan as capital projects and collaborative actions such as channel inspections and natural areas conservation.
2. Inventory of real property owned by the LGU.	Not included.
3. Incorporates the inventory and description of practices from its SWPPP regarding facilities that it owns or operates and municipal operations that may contribute pollutants to groundwater or surface waters.	Included.
4. Areas within the LGU expected to develop or redevelop with in the time extent of the plan	Not called out in the LWMP, may be detailed in the Comprehensive Plan.
5. Review of local controls to integrate land use planning with water resource and conservation protection.	No review of local controls in included in this Plan draft.
6. Contains an Implementation Plan.	Included.
7. Sets forth an LGU/District coordination plan.	Not included.



ADMINISTRATIVE OFFICE: 3235 Fernbrook Lane N • Plymouth, MN 55447
763.553.1144 • Fax: 763.553.9326

TECHNICAL OFFICE: 701 Fourth Street South, Suite 700, Minneapolis, MN 55415-1600
612.348.7338 • Fax: 612-348-8532

July 25, 2017

Mr. Dusty Finke, City Planner
City of Medina
2052 County Road 24
Medina, MN 55340

Re: Medina Draft 2040 Comprehensive Plan Update Review

Dear Mr. Finke,

The Pioneer-Sarah Creek Watershed Management Commission (PSCWMC) received a copy of the City of Medina's 2040 Comprehensive Plan on April 21, 2017. Pursuant to MS 103B.231, this correspondence is reviewing said plan for conformance with the PSCWMC 3rd Generation Watershed Management Plan. Specifically we are looking at the Surface Water Management Plan (Chapter 11, dated April 11, 2017) of your 2040 Comprehensive Plan Update.

Based on our review, the PSCWMC finds your plan an excellent plan and in conformance with the Commission's 3rd Generation Watershed Management Plan. We do offer the following comments and suggested revisions on your plan contents. (Note; items 1 and 3-10 are from the Elm Creek comment letter dated July 18th)

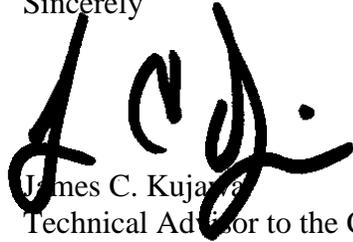
- 1) Section 2.1.1 discusses the depth to bedrock throughout the City of Medina. As written, it reads as though the bedrock depth is 650 to 800 feet below the existing ground surface. The Hennepin County geologic atlas actually shows the 650 to 800 feet as being the actual elevation of the bedrock. The actual depth to bedrock is approximately 100 to 400 feet depending on the location in Medina. See the Geologic Atlas Plate C-4 for Hennepin County in the Hennepin County Geologic Atlas.
- 2) Section 2.1.3, makes the following statement about figure 4: *Although the map indicates a significant percentage of Group B soils, historical knowledge indicates that Group C and D are more prominent. The Hennepin County Soil Survey maps surface soil types, not what is represented beneath the upper one to two feet. This explains the anomaly that the Soil Survey indicates Group B when in actuality Group D is more representative.* Per the soil survey definition of Hydrologic soil groups: *hydrologic soil groups are groups of soils that, when saturated, have the*

- 2) *same runoff potential under similar storm and ground cover conditions. The soil properties that affect the runoff potential are those that influence the minimum rate of infiltration in a bare soil after prolonged wetting and when the soil is not frozen. These properties include the depth to a zone in which the soil moisture status is wet, the infiltration rate, permeability after prolonged wetting, and the depth to a very slowly permeable horizon or horizons. The influences of ground cover and slope are treated independently and are not taken into account in hydrologic soil groups. In the definitions of the hydrologic soil groups, the infiltration rate is the rate at which water enters the soil at the surface and is controlled by surface conditions. The transmission rate is the rate at which water moves through the soil and is controlled by properties of the soil horizons. Based on the NRCS Soil Survey description of hydrologic soil groups, the statement about figure 4 would be false.*
- 2) Figure 8 – Medina’s DNR Public Water and Wetlands Map should also show the major streams with DNR jurisdiction on the figure for clarity.
- 3) Section 2.2.4 should have the links to other organizations’ water quality data checked. The links for Pioneer-Sarah Creek and CAMP do not work at this time.
- 4) Section 3.2 of the Plan refers to Hennepin County’s Department of Environmental Services. This language should be replaced with Hennepin County Department of Environment and Energy.
- 5) Section 3.2 should indicate Hennepin County has assumed all duties and responsibilities of the Hennepin Conservation District.
- 6) Section 3.4.1 (both the first and second instances of this section – see below) of the plan indicates the Hennepin Conservation District provides administrative services.
- 7) Technical Services are now provided by the Hennepin County Department of Environment and Energy.
- 8) Section 3.4.1 is used twice in the report – once for Pioneer-Sarah Creek Watershed and again for Elm Creek. Revise the numbering and check it throughout the rest of this section.
- 9) Section 3.15 needs to be revised to reflect the correct county – Hennepin – and not Ramsey and Washington Counties.
- 10) Under Section 4.2, it seems like the intent of the listing of TMDLs was to link to various documents. At this time, the links do not exist in the document. Otherwise, it is not clear what this bulleted list is attempting to state.
- 11) Section 5.2.2 states that the storm distribution for reviews will be the NRCS Type 2. PSCWMC rules require the use of the distributions from the Atlas 14 publication (MSE-3).
- 12) Figure 16, High Priority Area #4 is misplaced.

Thank you for the opportunity to review and comment on your updated Stormwater Management Plan.

Please contact me if you have any questions on this information.

Sincerely

A handwritten signature in black ink, appearing to read 'J. C. Kujawa', written over the printed name and title.

James C. Kujawa
Technical Advisor to the Commission

cc Judie Anderson

May 11, 2017

Dusty Finke
City Planner, City of Medina
2052 County Road 24
Medina, MN 55340

Subject: City of Medina 2040Comp plan. MnDOT ID # CPA17-004
MN 55 Medina City Limits
City of Medina, Hennepin County

Dear Mr. Finke:

The Minnesota Department of Transportation (MnDOT) has reviewed the City of Medina's 2040 Comp plan update. Please address the following issues before any further development:

Design:

Continue to work with MnDOT regarding any proposed changes to MN55. The MnDOT Area Engineer, Andrew Lutaya (651-234-7563 or andrew.lutaya@state.mn.us) is available to help coordinate any significant issues along MN 55.

For questions regarding these comments please contact Nancy Jacobson at 651.234.7647 or Nancy.L.Jacobson@state.mn.us

Bicycle and Pedestrian:

- MnDOT is generally supportive of the proposed trail along TH 55 between CSAH 101 and Wayzata High School. The trail is consistent with the Metropolitan Council's Transportation Policy Plan and the Hennepin County Bicycle Transportation Plan, which have already been reviewed by MnDOT. Trails constructed along MnDOT Trunk Highways require a Limited Use Permit (LUP). Ownership and maintenance of trails are the responsibility of the implementing agency.
- Grade separated crossings of Trunk Highways are also the responsibility of the implementing agency to fund, own, and maintain.

For questions regarding these comments please contact Gina Mitteco at 651-234-7878 or gina.mitteco@state.mn.us.

Permits:

Any use of or work within or affecting MnDOT right of way requires a permit. Permit forms are available from MnDOT's utility website at <http://www.dot.state.mn.us/metro/maintenance/permits.html>

Please include one set of plans formatted to 11X17 with each permit application. Please submit/send all permit applications and 11X17plan sets to: metropermitapps.dot@state.mn.us.

Please direct any questions regarding permit requirements to Buck Craig (651-234-7911) of MnDOT's Metro Permits Section.

Review Submittal Options:

MnDOT's goal is to complete the review of plans within 30 days. Submittals sent in electronically can usually be turned around faster. There are four submittal options. Please submit either:

1. One (1) electronic pdf. version of the plans. MnDOT can accept the plans via e-mail at metrodevreviews.dot@state.mn.us provided that each separate e-mail is under 20 megabytes.
2. Three (3) sets of full size plans. Although submitting seven sets of full size plans will expedite the review process. Plans can be sent to:

MnDOT – Metro District Planning Section
Development Reviews Coordinator
1500 West County Road B-2
Roseville, MN 55113

3. One (1) compact disc.
4. Plans can also be submitted to MnDOT's External FTP Site. Please send files to: <ftp://ftp2.dot.state.mn.us/pub/incoming/MetroWatersEdge/Planning> Internet Explorer doesn't work using ftp so please use an FTP Client or your Windows Explorer (My Computer). Also, please send a note to metrodevreviews.dot@state.mn.us indicating that the plans have been submitted on the FTP site.

If you have any questions concerning this review please feel free to contact me at (651) 234-7784.

Sincerely,



Karen Scheffing
Principal Planner

Copy sent via E-Mail to:

Brian Kelly, Water Resources
Chad Erickson, Traffic
Jennifer Johnson, Traffic
Douglas Nelson, Right of Way
Nancy Jacobson, Design
Buck Craig, Permits
Russ Owen, Met Council

LEONARD, O'BRIEN SPENCER, GALE & SAYRE

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Eldon J. Spencer, Jr.+
Michael R. O'Brien
Edward W. Gale+†
Grover C. Sayre, III+
Thomas R. Haugrud*
Peter M. Rosene†
Joseph J. Deuhs, Jr.
Thomas C. Atmore+‡
Ernest F. Peake±
Matthew R. Burton‡
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June 2, 2017

City of Medina
c/o Dusty Finke, City Planner
Medina City Hall
2052 County Road 24
Medina, MN 55340

Re: Elaine Roy Property, 1952 Chippewa Road, Medina, MN 55340
PID: 031182313002

Dear Mr. Finke:

This office represents the RL Roy Trust and EH Roy Trust (the "Roys"), the fee title owners of real property located at 1952 Chippewa Road, Medina, MN 55340 (the "Roy Property"). The Roy Property is a 76 acre parcel, currently guided for staging and growth under the existing Medina 2030 Comprehensive Plan for development within the 2011-2015 phasing plan as low density residential with 2.0-3.49 units per acre.

A review of the latest draft of the Medina 2040 Comprehensive Plan suggests that the Roy Property is now being earmarked as phased for development in 2025 under the proposed staging and growth plan. Under the new draft Comprehensive Plan, the Roy Property's staging is being delayed eight years notwithstanding the fact that similarly situated parcels have already been developed into single family residential neighborhoods with full municipal services.

The November 15, 2016 draft Staging and Growth Map reveals that virtually all of the property around the Roy Property is either already developed, within an existing service area, or staged for development within the next several years. More specifically, the area directly abutting the Roy Property to the east was fully developed into the Bridgewater Development with single family residential lots. It appears that the Roy Property is being singled out among other similarly situated property to remain agricultural land with no possibility of development until 2025. This decision by the 2040 Comprehensive Plan Steering Committee is arbitrary and capricious and should not be made a part of the final Comprehensive Plan for 2040 as adopted by the City Council of Medina.

The Roys only ask that they and their property be treated the same or similar to those properties

Andrea M. Hauser‡
Michael T. Joliat
Paul M. Shapiro
Erika M. Peterson
Jenny (Chi) Zhang

Thomas W. Newcome
(1923 - 2011)

Thomas W. Newcome III
(Retired)

- ‡ Also admitted in Arizona
- ∞ Also admitted in California
- ‡ Also admitted in Illinois
- ‡ Also admitted in Iowa
- § Also admitted in Montana
- ± Also admitted in North Dakota
- + Also admitted in Wisconsin
- + Board Certified Civil Trial Specialist
(Minnesota State Bar Association)
- + Board Certified Civil Trial Specialist
(National Board of Trial Advocacy)
- * Certified Real Property Law Specialist
(Minnesota State Bar Association)
- ‡ Fellow, American College of Employee
Benefit Counsel

June 2, 2017

Page 2

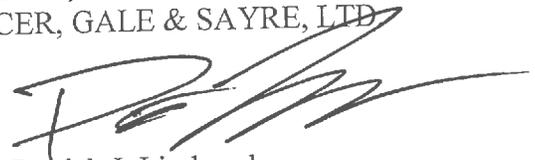
in the same vicinity with similar characteristics as the Roy Property under the proposed plan. As the steering committee is likely aware, a large portion of the Roy Property on the east side of the parcel is undevelopable wetlands and would therefore mitigate any possible concerns for overdevelopment or high density residential housing, which the steering committee has made an effort to limit. The wetlands would also act as a natural buffer to the residential housing development to the east of the Roy Property which would prevent large tracts of contiguous land from being developed, which would also be in keeping with the stated goal of the City of Medina of promoting open space and keeping the rural nature of the city.

We look forward to having an open discussion regarding the City's proposed change in land used for the Roy Property and would encourage the City Attorney to contact the undersigned at their earliest convenience to discuss this issue. In the unfortunate event that the parties cannot reach a satisfactory resolution to this issue, the Roys have instructed us to pursue all available legal remedies to protect their current property rights. It is our hope that rather than costly and time consuming litigation, the parties can instead reach an agreement that the Roy Property's classification and development status be left unchanged from the existing comprehensive plan.

Very truly yours,

LEONARD, O'BRIEN
SPENCER, GALE & SAYRE, LTD

By



Patrick J. Lindmark

Email: plindmark@losgs.com

PJL/vkr

cc: Craig Roy
Bob Mitchell, Mayor
Ronald Batty, City Attorney
Jeff Pederson, Council Member
Lorie Cousineau, Council Member
John Anderson, Council Member
Kathleen Martin, Council Member

00580926

Public Hearing – City of Medina Comprehensive Plan – Decennial Update

Finke stated that he would attempt to cover the highlights as there is a lot of detail and the Commission has reviewed most of the document in previous meetings. He stated that the process to update the plan was started one year ago, and reviewed the purpose of the Comprehensive Plan. He noted that there have been eight community meetings throughout the process to obtain input from the community in addition to the work of the Steering Committee, Planning Commission and the use of the online forum. He explained how the guides from the Metropolitan Council are used, noting that there was a reduction to the Met Council system statements and the City therefore was able to reduce their plans for development appropriately. He reviewed the vision statement which was used to develop the community goals and specific objectives within the plan. He explained that growth is planned in conjunction with infrastructure to ensure that the growth does not outpace the infrastructure within the City. He stated that one major change to the plan was the reduction in planned residential development compared to the previous plan in order to meet the minimum requirements of the Met Council. He noted that there was also some delay for the development of residential properties. He identified an area that had previously been planned for commercial but is now proposed to be planned as high density residential. He highlighted the specific areas within the City that have a changed proposed land use as a result of the updating of the plan. He suggested that discussion focus on the properties with proposed land use changes from what exists today. He displayed the staging and growth map which identifies when properties could be developed under the Comprehensive Plan. He noted that the business and commercial properties are not staged for development and could be developed as requests are received. He noted that the parks and trails chapter of the plan is highly impacted by the land use map. He noted that the implementation chapter addresses the things the City would need to do in order to come into line with the Comprehensive Plan, noting that once adopted the City has nine months to be in compliance with the plan. He noted that there are relatively low needs in terms of the sanitary sewer and identified the needs related to water. He provided highlights of the transportation chapter of the plan, noting that the City does not have control over the County and State roadways and reviewing proposed improvements.

Albers asked if the Met Council has provided a transit plan for any cities outside of the light rail.

Finke stated that although the Met Council does provide plans for some cities, they have not provided anything for Medina. He explained that Medina is at a disadvantage as some neighboring communities provide their own independent systems. He stated that if the City were interested it would make most sense to work with one of the neighboring communities to expand their transit system. He stated that this is the formal public hearing for the draft plan, although there have been many opportunities to provide feedback prior to tonight. He explained the submittal process that would be followed moving forward, which includes allowances for the necessary comment periods.

Chairperson Reid opened the public hearing at 7:38 p.m.

Greg Hoglund, 19220 Hackamore Road, stated that he also owns several properties in Medina. He stated that he lives next to a major development being done by Lennar in Corcoran and noted some plans for future development from Lennar that is in both cities and is expected in 2017.

Finke stated that he was unsure that would occur in 2017 but acknowledged that the development would take place in the next few years.

Mr. Hoglund referenced the staging plan, noting that he is a big fan of Medina and specifically Hamel which is an unbelievably hidden gem and asset of the community. He stated that his concern is that everything is being pushed along Highway 55 and he has not seen anything much being done in Hamel. He stated that there are some forces outside of the City and asked that the City think about spreading things out a bit to ensure Hamel does not get lost in the planning effort.

Andy Jacobson, representing Dellcroft Farms, acknowledged that they are a bit late with their participation in the plan as their concern came with the AutoMotorPlex. He stated that they will find themselves across the road from a site with 63 percent site coverage. He stated that the concern is with the transition between residential and commercial. He asked that the City consider the 20.5 eastern most acres of the Dellcroft Farms property to be guided to low density residential to help create some transition between the AutoMotorPlex and rural residential, similar to what was done near the Wealshire property.

Tim Whiten, representing five property owners east of Arrowhead Drive, stated that throughout this process their properties have been changed from medium to low density with delayed staging. He stated that the property owners accept the changes but just want to ensure that the guiding is not changed further.

Chairperson V. Reid closed the public hearing at 7:50 p.m.

Chairperson V. Reid noted that there have been many discussions prior to tonight's meeting and noted that while changes can be made there would need to be a balance to ensure that the desired outcome is still reached. She suggested that grammatical changes be provided to staff outside of the meeting. She noted on page 13, objective three, and noted that the Steering Committee discussed this item and confirmed the consensus of the Commission that the guidelines be developed. She noted that the guidelines would be developed through a special committee in the future.

Finke stated that there is a lot of detail within the plan and noted that there are some pretty significant changes to the land use within Hamel. He noted that within the existing plan there is a requirement for seven to 45 units per acre across the Uptown Hamel land use. He stated that within the draft plan a fair amount of flexibility was provided lowering the minimum density and maximum density to range of four to 15 units per acre, with flexibility to go up to 20 units per acre with special conditions. He noted that is a significant change that would still allow for fairly dense residential development but also provide flexibility to create a smaller development.

Murrin agreed that the lower density would be more appropriate.

R. Reid stated that perhaps a task force should be created for Uptown Hamel as there have been a number of applications that have come forward that have not come to fruition.

Finke provided additional clarification on the mixed-use land use which is a relatively low density housing land use, between 3.4 to four unit per acre. He explained the requirement that one third to one quarter of the units be a higher density housing product, such as an apartment building or tight townhome, while the remainder of the site could be single family development. He stated that land use helps the City achieve the minimum of 253 higher density housing units without identifying a specific property for a higher density land use.

Chairperson V. Reid noted that months have been spent on the proposed land uses and asked for the input of the Commission.

White commented that the Steering Committee has done a great job on the land use as designated and noted that if any changes were made, there would need to be changes made in another area to balance the totals. She confirmed the consensus of the Commission to accept the land use section as proposed.

Chairperson V. Reid referenced a letter that was received in regard to affordable housing from Housing Justice, which expressed concerns.

R. Reid noted that the letter was dated December 1st, although the latest version of the plan was dated December 6th.

Finke replied that the plan did not change significantly before or after the letter. He stated that within the system statements from the Met Council, which guides cities, there are minimum requirements that are laid out explicitly. He stated that the minimum requirement is that the allocation of expected affordable housing be identified for the next 20 years and that the City plans for that within the land use and the programs that could be used. He stated that staff believes that the minimum requirements have been met.

Barry stated that it appears the letter wants more put into the plan although that is not required. He did not see a value in changing the plan to be more specific to meet the concerns of the letter.

R. Reid noted that there are no developers proposing to construct this type of housing in Medina and therefore the City can respond to requests that come in but would not need to be more explicit with details.

Murrin stated that she talked to Finke earlier about the letter, noting that the organization is more geared for advocacy. She stated that the City has met the requirements of the Met Council and therefore does not have to meet the requests of the letter.

Rengel stated that she believes the plan has an adequate balance of land uses and affordable housing.

Albers noted that the City planned accordingly to identify where affordable housing would be a good fit based on the available transportation.

Kathy Martin, Chair of the Steering Committee, stated that the City does not have a legal obligation to subsidize affordable housing. She stated that while some on the Committee did not support additional workforce housing, others believe that workforce housing provides a benefit to the community. She hoped that in the next few years there would be leadership in the City to help bring that into fruition and provide more workforce housing to the City.

Barry referenced 4.3, noting that AMI is addressed in two sections and asked the percentages that are reflected and which AMI is used in the calculations.

Finke replied that the AMI should correspond to the table and noted that he would make the necessary changes. He noted that additional information was added to the school districts as the school district has an impact on growth pressures and vice versa. Finke noted that the Park Commission took the lead on the park and trail chapter.

Chairperson V. Reid stated that she is happy to see the hoped parks designation and referenced the 10 acre Fields of Medina park that she believed was going to be larger and provide a connection to Foxberry.

Finke noted that if that is a continued objective it should be called out and noted that perhaps the Park Commission should review that.

Chairperson V. Reid noted that technically you would have to drive and if connectivity is a goal, there should be a trail connection for walkers.

White stated that she believed that the Park Commission was waiting for another parcel to develop before expanding that park. She stated that there was some concern from residents of Foxberry that did not want to be connected. She acknowledged that now that the park is developed opinions may have changed.

Finke stated that would be a good discussion point as if more land is desired in that area, that should be called out in the plan.

Chairperson V. Reid noted that there were also comments regarding connection to Bridgewater. She confirmed the consensus of the Commission to recommend that the additional comments be added in regard to the Fields of Medina Park.

Murrin referenced the moving of Highway 101 North and asked what would happen to the existing 101 and whether Peony would connect back up to 101.

Finke replied that Peony would merge further north. He stated that the City is opposing that plan from the County.

Murrin asked the advantage to keeping it the way it is now. She asked the odds of Medina winning the opposition.

Finke replied that the County maintains the roadway and noted that the City did win the opposition in the previous attempt.

Chairperson V. Reid referenced language regarding bicycle transportation and asked what would be considered regional destinations.

Finke provided examples of major employment centers, schools and parks.

Chairperson V. Reid asked for more information on the non-motorized transportation plan.

Finke explained that the plan makes more sense when you zoom out as it is a regional plan that provides connections, such as Baker Park, and a broader system in the neighboring communities. He stated that the region has not identified assets to the north and east. He explained that the City would certainly have its own trails in those areas but those would not necessarily connect directly to the regional plan. He provided additional options for transit, noting that although not identified in the plan, the City could work with Plymouth to opt into their transit service. He noted that an additional taxing line item would be included for the transportation system.

Kathy Martin noted that there was a survey done of residents and was surprised at the number of residents opposed public transit within the City. She stated that the Commission should be mindful of that opposition if they choose to recommend adding such statement.

Chairperson V. Reid provided an example of a handicap resident that is not able to get bus service through Metro Mobility as the City is not a member. She believed that might be an option to explore for senior and handicap bus service. She stated that perhaps a statement be added that the City will explore options for seniors and disabled transportation options.

White asked if the Comprehensive Plan would be the right place for that statement or whether staff should just look at options.

It was the consensus of the Commission to amend the statement included in the transportation plan to add a comment regarding transportation for the disabled and seniors.

Motion by White, seconded by Albers, to recommend approval the draft Comprehensive Plan as amended. Motion carries unanimously.

2020-2040 Comprehensive Plan Update (7:13 p.m.)

Johnson thanked the Steering Committee for the excellent work and the time they have spent to get the City to this point. He also commended staff, specifically Finke for the exceptional work that he has done.

Finke stated that the Comprehensive Plan sets the vision and goals of the City and helps to guide infrastructure and investments. He noted that the Comprehensive Plan has a submittal deadline of December 2018 and advised that the City is far ahead of schedule. He stated that the City will most likely be the first community to submit their plan. He acknowledged that the Council did want the City to be in this position because of the decreases that were made to the Metropolitan Council system statements. He thanked the Steering Committee, staff, and residents for their involvement and contribution to the process. He noted that there are certain items that the City is required to be consistent with by law, such as the Metropolitan Council system statements. He noted the substantial reduction in what the City has planned for 10 years ago within the existing Comprehensive Plan. He noted that the vision statement and community goals had already been reviewed with the City Council as those guide the various chapters in the plan. He stated that another major component of the plan was the future land use section, as that helps to guide other aspects of the plan. He noted that a draft of the future land use plan was shared with the residents last spring and acknowledged the major changes including the reduction in residential development and shifts to the staging plan. He highlighted aspects of the future land use plan and staging plan. He provided an additional map which identifies the changes to future land use under the draft Comprehensive Plan.

Anderson asked why the additional map would not be included.

Finke stated that the map could certainly be included. He stated that the Metropolitan Council does not provide requirements for commercial/business development and therefore that discretion is left up to the City. He stated that the Steering Committee did not feel it necessary to stage the commercial/business development to the extent the residential is staged. He noted that the market will ultimately drive that development. He stated that the Park Commission took the lead on the parks and trails plan, which follows the work of the Parks and Trails Master Plan. He noted that there is a need for three future parks in the City to serve the objectives of the Master Plan.

Mitchell acknowledged the barrier that Highway 55 is for residents to cross, specifically children, when trying to reach parks.

Finke stated that during the open house meetings, one of the major consistent items was the need for a safe pedestrian crossing on Highway 55. He stated that the implementation chapter outlines a process for the City to follow in the nine months following the adoption of the Comprehensive Plan to ensure the framework and policies of the City are updated to meet the new Comprehensive Plan. He noted that the capital improvement chapter addresses the needs to meet the objectives outlined in the Comprehensive Plan. He stated that if there is relative comfort from the Council on the future land use map, engineering staff will then start the modeling process for the sewer and water section of the plan. He identified infrastructure needs for sewer and water which would be needed to support the proposed residential development, including an additional lift station, a 1,000,000-gallon water tower, and expansion to the water treatment plant. He stated that once directed by the Council, the City is required to send the plan for review by affected jurisdictions which include neighboring cities, watersheds, and other State agencies. He noted that a six-month comment period is required. He noted that an informal review from the Metropolitan Council is also included in the six-month comment period.

He noted that once the City receives comments, they would decide whether to incorporate those comments prior to the final submission to the Metropolitan Council.

Pederson referenced the water tower and asked for additional details on whether participating communities would be asked to share the cost.

Finke stated that the water tower would most likely occur outside the timeframe for this Comprehensive Plan and therefore a decision would not be made at this time but agreed that the issue could be investigated as to whether that could be shared.

Pederson stated that he has additional questions but believed he should recuse himself to ask them.

Pederson recused himself.

Jeff Pederson stated that his family has a property on Mohawk Drive and the guiding was low density near the memory care facility under the current Comprehensive Plan. He noted that he was out of town for the November Steering Committee Meeting and Planning Commission Meeting on December 13th when a decision was made to change the guiding of his family's property to rural residential rather than low density. He noted that the property faces a parking structure.

Martin stated that she will also recuse herself from the discussion because of a potential conflict of interest on this topic.

Mitchell stated that there was movement throughout October through December regarding the changes in low density and rural residential, which happened to coincide with Pederson being out of town. He believed that the Council should send this back to the Planning Commission and Steering Committee to ensure that the right decisions were made.

Finke stated that the Planning Commission has held a public hearing and recommended approval as is. He stated that the change to the future land use map was done at the November 14th Steering Committee meeting and that topic was an explicit discussion.

Kathy Martin, Chair of the Steering Committee, stated that the area in discussion has been contentious. She believed that the decision was deliberate and the property was laid out as is, primarily to surround the Wealshire property in residential development.

Anderson stated that there was also discussion on a possible lift station that would be needed for properties to the north and that is why low density was not recommended for that area.

Mitchell stated that the Council does not have to act tonight as the item will come back to the Council. He asked that the staff review the Pederson property to determine if an additional review is needed to make the best decision. He noted that the Council does not even need to act on January 17th and therefore if an additional two weeks is needed at that time, the City would still have that time.

Jeff Pederson thanked the Council for listening as his family has owned the property since 1965.

Mitchell confirmed the consensus of the Council to have staff review the Pederson property.

Anderson asked that the matter be handled by staff as the Steering Committee has already been adjourned and he would want to avoid having to reconvene the Committee.

Johnson stated that would place staff in a difficult position as this would be a policy decision for the Council.

Mitchell stated that staff could review the decisions that were made to support the changes and review that with Pederson.

Cousineau stated that perhaps it would be best for the three members of the Council having this discussion to have the minutes from the discussions when the changes were made.

Johnson confirmed that staff will provide the minutes from those meetings and can summarize the changes that were made.

Anderson agreed that this would be a Council decision and the three members of the Council having this discussion should be prepared to make a decision.

Pederson and Martin rejoined the Council.

Mitchell referenced the bus service in Maple Plain and the connection to affordable housing.

Bob Franklin, 2819 Lakeshore Avenue, stated that he is a member of the Steering Committee. He explained that bus service to Maple Plain is a recent development and because of that access to bus service, the Committee felt the property identified for affordable housing would be best suited in that location to provide a connection not only to the bus service but also for those that work in the nearby commercial portion of Maple Plain. He thanked the other members of the Committee, staff, and Finke for their work on the draft Comprehensive Plan. He stated that the Committee has stated that the confines of the infrastructure constrain the City, specifically regarding transportation.

Cousineau referenced the issue of affordable housing, specifically the additional information that was proposed to be included, noting that it was not included in the previous plan. She stated this seemed to be an advocacy piece.

Martin stated that the language was also included in the previous version of the plan. She noted that the City actually does very little to support affordable housing, although some on the Committee would advocate for affordable housing.

Cousineau referenced language that says "Medina will provide for affordable housing" and asked whether that should state Medina will guide rather than provide.

Finke confirmed that the language could be changed. He noted that a checklist is provided from the Metropolitan Council to meet the requirements and also includes what could be done in addition to the minimum requirements. He noted that the language regarding affordable housing is a minimum requirement of the Metropolitan Council. He noted that if the Council has additional comments or input they could provide those comments to him.

2020-2040 Comprehensive Plan Update (9:09 p.m.)

Johnson stated that the first seven chapters of the draft Comprehensive Plan are before the Council, noting that the additional chapters will be brought forward on February 21st and at that time staff will ask for the direction of the Council to route the plan to affected jurisdictions.

Pederson recused himself from the discussion.

Anderson stated that he does not have any additional comments.

Cousineau referenced the land use, noting a mention of options to improve north/south travel. She also asked if we shouldn't add the five acres of suitable soils into the new Comprehensive Plan as stated in the existing Comprehensive Plan.

Martin stated that at one time the language had been stronger but there was a discussion that this route would be better because of the desire for one community that is able to reach each other efficiently. She stated that they also like the ability for roads to curve and twist and therefore the language was softened.

Mitchell noted that a rural community has rural roadways and does not have roadways that cut through every community. He stated that they intentionally have avoided going through the wetland.

Pederson rejoined the Council.

2020-2040 Comprehensive Plan Update (7:58 p.m.)

Johnson noted that the updated draft plan was provided in the packet for the Council to review. He noted that if the Council is okay with the draft plan as presented, the Council could take action tonight.

Mitchell asked if the decision should be delayed based on the conversation that occurred earlier in the meeting.

Finke stated that the consensus he understood is that there would not be a reason to rezone to residential and therefore delayed action would not be necessary.

Cousineau stated that her concern would be that over time the City could accumulate additional high density housing that was not designated in the Comprehensive Plan.

Finke stated that the adjustment for that would not necessarily be within the Comprehensive Plan, but the City could instead remove assisted living from the zoning at any point if that market becomes saturated.

Mitchell suggested delaying action on the Comprehensive Plan at this time to allow staff additional time to determine the best method to move ahead with the Lunski project without opening the gates to a saturated market.

Finke asked if that is a concern of the Council in general, in having a substantial amount of residential type units in the business land use. He stated that issue is not as much of a Comprehensive Plan issue as it is a zoning issue. He provided additional details on the opportunities that the business land use provides for assisted living facilities.

Mitchell noted that the City has guided to the minimums but those are minimums. He noted that the City does not have transportation and therefore affordable housing units must have garages and geared for those that drive.

Cousineau recognized that her concern is for the future and that this could add additional high density units.

Finke noted that the development would only occur based on market demands. He stated that the Council could make the decision to phase out senior housing but the housing objectives suggest that the Council does not want to do that.

Mitchell stated that it appears that the Council can move the Comprehensive Plan forward.

Finke clarified that moving forward is simply releasing the document for jurisdictional review and it is not the last time the Council will see the plan.

Stremel provided additional details on the costs, for items such as the water tower, which will be included.

Anderson referenced the surface water management plan and referenced a suggested grammatical change.

Finke noted that the Chippewa extension is identified in the transportation plan, although a specific timeframe or funding source is not mentioned.

Pederson recused himself.

*Moved by Anderson, seconded by Cousineau, to direct staff to route the 2020-2040 Comprehensive Plan to affected jurisdictions for their review and comment. **Motion passed unanimously.***

Pederson rejoined the Council.

2020-2040 Comprehensive Plan Update – Housing Allocation Update

(8:38 p.m.)

Johnson noted that the housing allocations from the Metropolitan Council have slightly changed and therefore staff would like to update those allocations under the draft Comprehensive Plan.

Mitchell asked if affordable housing units are included in the total number of housing units or whether they are separate.

Finke explained that the City's plan is required to recognize their allocated share of the forecasted housing in the metropolitan area within certain price points. He stated that the City must then guide for land uses in the City that would allow for those opportunities. He noted that the City must plan for densities that would allow affordable housing but would not necessarily have to have those levels of housing developed.

*Moved by Martin, seconded by Pederson, to direct staff to update Chapter 4 of the DRAFT Comprehensive Plan update as shown on the attached document. **Motion passed unanimously.***