COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: November 12, 2018
AGENDA NUMBER: 10
FILE NUMBER: 18-120
ITEM: Brio Drive-Thru Modifications

RECOMMENDATION: Table with 5 Stipulations

APPLICANT: BDT Holdings, LLC
Attn: Tom Roberts
11015 Bell Oaks Estates Rd
Eden Prairie, MN 55347

PURPOSE: 35,000 sq. ft. drive thru access and parking lot reconfiguration. Review does not include future building.

LOCATION: NE corner of Hanson Blvd NW and Crosstown Blvd NW, Andover, MN

APPLICABILITY:
1. One or more cumulative acres of disturbance
2. High infiltration soils
3. Endangered, Threatened or Special concern species, elements or communities.

EXHIBITS:
1. Construction Plan set (11 sheets); by Elan Design, dated 10/24/18, received 10/26/18.
2. Stormwater Management; by Elan Design, dated 10/25/18, received 10/25/18.
3. Site drainage narrative, calculations and HydroCAD model by Elan Design, 10/25/18 received 10/26/18.
4. NHIS Review Response Letter, by MDNR, dated 10/18/18, received 10/18/18.

PREVIOUS ACTION TAKEN: This application was tabled at the September 24, 2018 board meeting with 7 stipulations:

1. Receipt of escrows.
2. Clarify the changes to Infiltration Basin A in HydroCAD model. Update model or grading needs to be shown on plans.
3. Update design to allow for filtration prior to infiltration. Filtration can be provided either through soil amendments or drain tile. See Groundwater section for additional comments that may impact design.
4. Provide Erosion Control Plan that meets District requirements listed below:
   a. Stabilize vegetation within 7 days of rough grading or inactivity.
   b. Soil stockpiles to be fitted with sediment-trapping measures to prevent soil loss.
c. Construction schedules detailing when sediment trapping measures will occur; stabilization of earthen structures and the general timing of construction phases.

d. Provisions to minimize transport of sediment (mud) by runoff or vehicle racking onto the paved surface.

e. Provisions for cleaning road surfaces where sediment is transported by the end of the day.

f. Provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.

5. Provide geotechnical information that indicates groundwater elevation. Ensure 3-foot separation requirements is met between seasonal high groundwater and bottom of infiltration basin.

6. Provide O&M agreement that meets District requirements for the infiltration trench and sumps or documentation from the City that they will inspect and maintain the infiltration trench and sumps.

7. Provide documentation from the DNR if the proposed project includes endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors.

FINDINGS:

Pre-application Meeting: The project as submitted has not received a general review during a pre-application meeting.

Ditches: There is not a public ditch on the property.

Ditch Hydraulics: A crossing of the ditch is not proposed.

Erosion and Sediment Control: Soil affected by the proposal is Sartell.

- Stabilizing vegetation is not proposed for disturbed areas within seven (7) days of rough grading.
- Soil stockpiles have been proposed to be fitted with sediment-trapping measures to prevent soil loss.
- Adjacent properties and stormwater ponds are protected from sediment deposition.
- Construction schedules detailing when sediment trapping measures will occur; stabilization of earthen structures and the general timing of construction phases have been provided.
- Stabilization adequate to prevent erosion has been provided at the outlets of all storm sewer pipes.
- All storm sewer inlets are protected from sediment-laden water during construction.
- All work adjacent to water or related resource has taken precautions to contain sediment, and stabilize the work area during construction.
• Provisions have been made to minimize transport of sediment (mud) by runoff or vehicle racking onto the paved surface.
• Provisions have been made for cleaning road surfaces where sediment is transported by the end of the day.
• Construction entrance points are clearly located on the erosion and sediment control plan.
• The erosion and sediment control plan does provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.

Dewatering: Shallow ground water does not exist on site. The project does not require dewatering.

Floodplain: There is no floodplain on the property according to the District model and FEMA.

High Water Flooding: Information has not been provided to substantiate low floor elevations and is not needed, no structures proposed.

Groundwater: No geotechnical information was provided. Remote sensing data indicates groundwater is approximately at 892 feet. Nearby projects indicate seasonally saturated soils are at 893.5 feet.

The project site is within the 10 Year Well Head Protection Area/Drinking Water Supply Management Area.

The proposal does not contain a land use discouraged or prohibited by the Safe Drinking Water Supply Act (SDSA).

Historic Sites: The proposed project does not include sites of historic or archeological significance.

Local Planning & Zoning: The proposed project is consistent with local planning and zoning. There is an approved local water plan.

Property owners affected by changes in drainage should be notified and acknowledge the changes proposed.

Maintenance: The owner of the Stormwater Management features and treatment practices is unknown. The Stormwater Treatment Practices (STPs) consisting of the following:

<table>
<thead>
<tr>
<th>Stormwater Treatment Practices</th>
<th>Number</th>
<th>Inspection &amp; Maintenance Responsibility</th>
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<tbody>
<tr>
<td>Basin</td>
<td>1</td>
<td>City of Andover</td>
</tr>
<tr>
<td>Grass Swale</td>
<td>1</td>
<td>Unknown</td>
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</table>
As a requirement of the City’s MS4 program, the city will inspect and maintain the stormwater basin. It is unknown who will inspect and maintain the grass swale and sumps.

Easements: The proposed project does not include ditch maintenance easement. A ditch maintenance easement is not required. A maintenance access to all storm water management features is provided.

**Stormwater & Hydrology:** Infiltration is allowed within the project area. The stormwater management system proposes an infiltration basin.

Drainage sensitive uses do not exist downstream from the proposed site. The rate of post-development runoff from the site does not exceed predevelopment rates, or rates which would interfere with sensitive downstream land uses. Properties and waterways downstream from the project are protected from erosion due to increases in the volume, velocity and peak water flow rates of stormwater runoff. Concentrated storm water leaving the site is discharged directly into a well-defined natural or man-made off-site receiving channel or pipe. No on-site constructed storm water conveyance channels are proposed as part of the project.

**Water Quality:** The proposed project does not cause an exceedance of State water quality standards. The project does not contribute to the adverse impact of wetlands through inundation or volume of flow. All discharges into the infiltration basin are pretreated by a sump/overland flow. All work adjacent to wetlands, waterbodies and water conveyance systems are protected from erosion. The proposal will not detrimentally affect the existing water quality of the receiving water. The proposal will not cause extreme fluctuations of water levels or temperature changes.

**Impairments:** This project is within one (1) mile of an Impaired Water.

There are new impervious surfaces proposed as part of this project.

**Wetlands:** Wetlands do not exist on-site according to the 1987 Federal manual, NWI, PWI and Soil Survey.

**Wetland Replacement Plan:** A wetland replacement plan is not required.

**Wildlife:** The proposed project may include endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors. There are multiple endangered or threatened species, rare natural community at the project site.
The applicant has contacted the MDNR natural heritage or endangered species program. MDNR has responded to the applicant.

If the project is present, the project will not propose substantial adverse alteration or significant detrimental impact on a species or removal of a plant species will occur.

**Performance Escrow:** $2,400.00  
**Wetland Escrow:** $ N/A  
There are not ditch liens on the property.

### ISSUES/CONCERNS:

<table>
<thead>
<tr>
<th>ISSUE</th>
<th>NEED</th>
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<tbody>
<tr>
<td>Escrows: $2,000 + (0.8 ac * $500/ac = $2,400.00</td>
<td>1. Receipt of escrows.</td>
</tr>
</tbody>
</table>
| Erosion & Sediment Control: The project is within one (1) mile and drains to an Impaired Water. The project does not propose site stabilization within 7 days of construction inactivity or completion. (Site is within one mile and flows to an impaired water – Coon Creek). | 2. Update erosion control plan with the following:  
   a. Stabilize vegetation within 7 days of rough grading or inactivity.  
   b. Update SWPPP to provide receiving water (County Ditch 37 and Coon Creek) |
| Groundwater: Aerial images indicate groundwater is at approximately 892. Previous projects for Clocktower Area have indicated seasonal high groundwater is approximately 893.5 feet. Infiltration basin has proposed bottom elevation of 893.5. | 3. Provide geotechnical information that indicates groundwater elevation. Ensure 3-foot separation requirements is met between seasonal high groundwater and bottom of infiltration basin. |
| Maintenance: It is unknown who will inspect and maintain the grass swale, Preserver™ and sump. | 4. Provide O&M agreement that meets District requirements for the grass swale and sump or documentation from the City that they will inspect and maintain the grass swale, Preserver™ and sumps. |
| Water Quality: Discharge entering the infiltration basin is proposed to be pretreated using a sump and Preserver™ at STMH 1. No detail of the Preserver™ or installation instructions are provided. | 5. Provide a detail and installation details for the Preserver™. |

### RECOMMENDATION: Table with 5 Stipulations

**Stipulations:**
1. Receipt of escrows.  
2. Update erosion control plan with the following:  
   a. Stabilize vegetation within 7 days of rough grading or inactivity.
b. Update SWPPP to provide receiving water (County Ditch 37 and Coon Creek)

3. Provide geotechnical information that indicates groundwater elevation. Ensure 3-foot separation requirement is met between seasonal high groundwater and bottom of infiltration basin.

4. Provide O&M agreement that meets District requirements for the grass swale and sump or documentation from the City that they will inspect and maintain the grass swale, Preserver™ and sump.

5. Provide a detail and installation details for the Preserver™.