COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE:       June 27, 2016
AGENDA NUMBER:      18
FILE NUMBER:        PAN 16-033
ITEM:               Panera Bread Drive Through

RECOMMENDATION:     Approve with 4 Stipulations

APPLICANT:          Panera, LLC
                    2630 South Geyer Rd.
                    Suite 100
                    St. Louis, MO  63127

PURPOSE:            Construction of a drive through at an existing Panera Bread
                    restaurant on a commercial site.

LOCATION:           8601 Springbrook Drive NW, Blaine, Minnesota
**APPLICABILITY:**
1. The lands and waters that have been, or may be covered by the regional flood.
2. Excavation or filling or a combination of excavation and filling of sand or other excavation or fill material including the laying, repairing, replacing or enlarging of a culvert or an underground pipe or facility where it crosses a public ditch or waters of the state.

**EXHIBITS:**
1) Project application, 6/13/16, received 6/14/16.
2) Plan set by Core States Group, 6/13/16, received 6/14/16.
3) Project information BMP calculator, 3/7/16, received 6/14/16.
4) Project schedule, no date, received 6/14/16.
5) Geotechnical report exemption, no date, received 6/14/16.
6) Boundary & topography survey, by Oliver Surveying & Engineering, Inc., 9/14/15, received 6/14/16.

**PREVIOUS ACTION TAKEN:** This is a new application.

**FINDINGS:**
**Pre-application Meeting:** The project as submitted has not received a general review during a pre-application meeting but did request assistance through the Technical Assistance program.

**Ditches:** There is not a public ditch on the property.
**Ditch Hydraulics:** A crossing of the ditch is not proposed.

**Erosion and Sediment Control:** Soils affected by the proposal are Millerville. Due to the history of the site it is likely fill has been brought in for the original building construction.

- Stabilizing vegetation is proposed for disturbed areas within seven (7) days of rough grading.
- 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.
- Stormwater runoff does pass through a sediment basin or other sediment trapping BMP with equal or greater storage capacity.
- 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:**
The project does not require dewatering

**Floodplain:** There is floodplain on the property according to the District model and FEMA. The project does not propose to place fill within the floodplain. The total floodplain impact is 0 acre-feet. The proposed impact is 0 within the floodway/flood fringe. Compensatory storage is not needed. There are no flooding concerns upstream and/or downstream.
High Water Flooding:
Information has been provided to substantiate low floor elevations. Low floor elevations do meet the criteria for the City of Coon Rapids; 3 ft above highest anticipated water table, 1 ft over 100 yr.

Groundwater:  Geotechnical information has not been provided and is not needed as the proposed BMP is a filtration basin.

The site is not within a Municipal Drinking Water Supply Area (DWSMA).

The project site is not within the Emergency Response Area/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).

The project does not propose a containment system.

The project does not propose a secondary containment system which is easily inspected and whose purpose it is to intercept any leak or release from the primary containment vessel or structure.

Underground storage tanks are not proposed.

Storage and use of petroleum products exceeding fifty-five (55) gallons are not proposed.

The project does not need a contingency plan for preventing hazardous materials from contaminating the shallow/surficial aquifer should flood, fire, wind or other natural catastrophe, equipment failure or releases occur.
Historic Sites: The proposed project does not include sites of historic or archeological significance.

Hydraulics: A crossing of the ditch is not proposed.

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 have been notified and acknowledge the changes proposed.

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

<table>
<thead>
<tr>
<th>Stormwater Treatment Practices</th>
<th>Number</th>
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<tbody>
<tr>
<td>Filtration basin</td>
<td>1</td>
</tr>
<tr>
<td>Permeable pavement</td>
<td>1</td>
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</table>

Inspection and maintenance of stormwater facilities will be the responsibility of Panera LLC. A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice. The Maintenance Plan(s) is/are (not) consistent with District Maintenance standards for each STP.

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 1-inch infiltration is not achieved but filtration is proposed. The stormwater management system does use a filtration basin and permeable pavement. Stormwater leaving the site is discharged into a well-defined receiving channel or pipe and routed to a public drainage system.

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 a site is discharged directly into a well-defined natural or man-made off-site receiving channel or pipe. All on-site constructed storm water conveyance channels are constructed to withstand the expected velocity from a 2-year frequency storm without erosion.
**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 wetlands are pretreated by a sediment basin/water quality pond, and are designed correctly. 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 and drains to an Impaired Water. The Impaired Water is Springbrook. Springbrook is impaired for (Macro-invertebrates) / E. coli. There is not an EPA approved Total Maximum Daily Load (TMDL) or Waste Load Allocation (WLA) for this water.

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

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

**Wetland Replacement Plan:** A wetland replacement plan has not been submitted.

**Wildlife:**
The proposed project does not include endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors.

**Performance Escrow:** $2,375.00

**Wetland Escrow:** N/A

There are not ditch liens on the property.

**ISSUES/CONCERNS:**

<table>
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<th>ISSUE</th>
<th>NEED</th>
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<tr>
<td>Escrows: $2,000 + (0.75 ac * $500/ac) = $2,375.00</td>
<td>1. Receipt of escrows</td>
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**Stormwater & Hydraulics:** The applicant is meeting the volume management requirement equivalent to infiltrating runoff from the first inch of precipitation. A post construction test on the filtration basin will be required to verify the assumed infiltration rates are obtained. The applicant must acknowledge that they will conduct a post construction test on the infiltration basin by filling the basin to a minimum depth of 6 inches with water and monitor the time necessary to drain. The Coon Creek Watershed District shall be notified prior to the test to witness the results.

2. The applicant must acknowledge that they will conduct a post construction test on the infiltration basin by filling the basin to a minimum depth of 6 inches with water and monitor the time necessary to drain. The Coon Creek Watershed District shall be notified prior to the test to witness the results.

3. After initial grading completely surrounded the proposed filtration basins with erosion control measures to prevent the basin from
results. clogging.

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<th>Maintenance: A maintenance plan is required of all BMP’s.</th>
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<tr>
<td>4. Provide a maintenance plan for the filtration basin and permeable pavement.</td>
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</table>

**RECOMMENDATION:** Approve with 4 Stipulations

**Stipulations:**

1. Receipt of escrows.
2. The applicant must acknowledge that they will conduct a post construction test on the infiltration basin by filling the basin to a minimum depth of 6 inches with water and monitor the time necessary to drain. The Coon Creek Watershed District shall be notified prior to the test to witness the results.
3. After initial grading completely surrounded the proposed filtration basins with erosion control measures to prevent the basin from clogging.
4. Provide a maintenance plan for the filtration basin and permeable pavement.