COON CREEK WATERSHED DISTRICT
PERMIT REVIEW

MEETING DATE: May 14, 2018
AGENDA NUMBER: 22
FILE NUMBER: 18-045
ITEM: Blaine Panera

RECOMMENDATION: Approve with 2 Stipulations

APPLICANT: Panera, LLC
Attn: Brian Barnard
3630 South Geyer Road, Suite 100
St Louis, MO 63127

PURPOSE: 5,000 SQ FT Building on 1.0 Acre Lot

LOCATION: SE of Hwy 65 and 109th Ave NE, Blaine MN

APPLICABILITY:
1. Within 1 mile of an impaired waters.
2. High water table, outwash and organic soils
3. High infiltration soils
4. Highly erodible soils
EXHIBITS:
1. Construction Plan set (19 sheets); by CEI, dated 4/19/18, received 4/19/18.
2. Phase I, ESA; by Braun Intertec, dated 10/27/17, received 2/9/18.

PREVIOUS ACTION TAKEN: The project drains to a regional basin that was design as part of Victory Village (PAN 03-093). The application was tabled at the February 26, 2018 meeting with 6 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. If applicants cannot meet the volume management requirement due to site constraints in its entirety, they must meet it to the greatest extent practical and explain why it cannot be met.
4. Update construction plans to stabilize vegetation within 7 days of rough grading or inactivity.
5. Provide calculations (SHASM can be used) to indicate sumps are appropriately sized to meet district removal rates of 80% TSS. A minimum of 4-foot depth is required to prevent resuspension.
6. Provide an O&M Agreement that meets District requirements.
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: Soils affected by the proposal are Markey and Rifle.
- Stabilizing vegetation is 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 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 been provided to substantiate low floor elevations. Low floor elevations do meet the criteria for the City of Blaine; 2 ft above mottled, 2 ft above 100 yr.
**Groundwater:** Geotechnical information collected in November 2017 indicates long term groundwater elevation is present at 5.5 feet below the surface.

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 Panera, LLC. The Stormwater Treatment Practices (STPs) consisting of the following:

<table>
<thead>
<tr>
<th>Stormwater Treatment Practices</th>
<th>Number</th>
<th>Maintenance Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Underground Storage System</td>
<td>1</td>
<td>Panera, LLC</td>
</tr>
<tr>
<td>Sumps</td>
<td>2</td>
<td>Panera, LLC</td>
</tr>
</tbody>
</table>

The applicant has submitted a draft Maintenance Plan for each Stormwater Treatment Practice.

**Easements:** The proposed project does not include ditch maintenance easement. 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 achieved to the maximum extent practicable. The stormwater management system utilizes underground storage system. 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 do exceed predevelopment rates from on-site. However, the project is part of a regional system and rates are not expected to 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. 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 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 not 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 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:** $2,450.00  
**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 + (0.9 ac * $500/ac) = $2,450.00</td>
<td>1. Receipt of escrows.</td>
</tr>
<tr>
<td>Maintenance: It is unknown who will be responsible for the inspection and maintenance of stormwater facilities. A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.</td>
<td>2. Provide an O&amp;M Agreement that meets District requirements.</td>
</tr>
</tbody>
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