Permit Application Review

Permit No. 2019-92
Received complete: August 30, 2019

Applicant:	John J. Johannson: DJD Partners VII, LLC
Consultant:	Alan Catchpool; Kimley-Horn and Associates
Project:	Chipotle Mexican Grill
Location:	10995 Red Circle Drive: Minnetonka
Rule(s):	4, 5, 11 and 12
Reviewer:	BCO

General Background & Comments

The project proposes the construction of a 2,400 square foot Chipotle restaurant at the northern end of the existing building located at 10995 Red Circle Drive in Opus II in Minnetonka. A Boston Market was proposed at this location in 1997 when the site was developed but never constructed. The site grading and infrastructure was constructed in 1997.

The geotechnical report prepared by Intertek psi, April 5, 2019, indicates the underlying soils on the site are classified as sandy lean clay (CL) and silt (ML). These soil types with an infiltration rate of 0.06 inches/hour are typically not conducive for volume retention through infiltration and typically precludes retention to the standard in District Rule 4.3.1b. The site meets the definition of a Restricted Site (Rule 4.3.2) as defined in the District's Revised Rules, approved April 10, 2018. The applicant, through the project agent, has requested that the application be reviewed using these Rules. Rule 4.3.2 requires retention of at least 0.55 inches of runoff from the regulated impervious surface on-site in addition to rate control and water quality management complying with the requirements of section 4.3.1b and c of the revised rules.

The project site information is:

- Site Area: 34,834 square feet
- Existing Impervious Area: 21,884 square feet
- Proposed Impervious Area: 25,904 square feet
- Increase in impervious area from the building construction and parking lot expansion: 4,020 square feet
- 18.4% increase in the total site impervious area
- Proposed Disturbed and Reconstructed Impervious Area: 5,980 square feet
- 27.3% of the existing site impervious area will be disturbed and replaced.

The Nine Mile Creek Watershed District's Rule for Redevelopment, Rule 4.2.3, states, if a proposed activity will disturb more than 50% of the existing impervious surface on a parcel or will increase the imperviousness of the parcel by more than 50%, storm water management will apply to the entire project parcel. Otherwise, the storm water requirements will apply only to the disturbed areas and additional impervious area on the parcel. The project will disturbed and replace 27.3% of the impervious surfaces of the property with an increase in imperviousness of the property by 4,020 square feet, 18.4%. The storm water criteria in Section 4.3.1 applies to the new and disturbed and reconstructed imperious area – 10,000 square feet.

The District's requirements for both storm water management and erosion and sediment control apply to the project because more than 50 cubic yards of material will be disturbed and more than 5000 square feet altered, Rules 4.2.1a and b and 5.2.1a and b.

Bio-rolls and inlet protection are shown to be installed to provide for erosion control.

Exhibits

1. Permit Application dated July 25, 2019.
2. Plan sheets dated August 30, 2019 prepared by Kimley-Horn and Associates.
3. Storm water management computations dated August 1, 2019, revised August 12th and 30th, 2019 prepared by Kimley-Horn and Associates.
4. Geotechnical Report dated April 5, 2019 prepared by Intertek psi.
5. E-mail correspondence dated August 2, 2019 requesting additional information on 6 items required for the review of the submittal to be undertaken and completed.

The project submittal is now complete.

4.0 Stormwater Management

Stormwater management, volume retention, rate control and water quality management will be provided within a proposed underground stormwater management facility (UGSWMF).

The 2, 10 and 100-year frequency discharges for existing and proposed conditions from the two discharge points are as follows:

Frequency	Existing Discharge to the R-O-W c.f.s.	Proposed Discharge to the R-O-W c.f.s.
2 year	<1.0	<1.0
10 year	1.0	1.0
100 year	2.0	2.0

Frequency	Existing Discharge to the existing on-site basin (1997) c.f.s.	Proposed Discharge to the existing on-site basin (1997) c.f.s.
2 year	2.2	1.5
10 year	3.6	2.9
100 year	6.5	5.2

Rule 4.3.1b is met.

The applicant has submitted information in support of a finding that the site qualifies as restricted under subsection 4.3.2 of the NMCWD rules. Given the subsurface conditions, as summarized above, the NMCWD engineer concurs that infiltration would require a significant portion of the lot to comply with the requirements of section 4.3.1a of the District rules and the site qualifies as restricted. Under 4.3.2a, an infiltration volume of 458 cubic feet would be required from the 10,000 square feet of new and disturbed and reconstructed site impervious area using a runoff of 0.55-inches from the impervious area (Rule 4.3.2a). The geotechnical report identified the underlying soil on the site as sandy lean clay (CL) and silt (ML) having an infiltration rate of 0.06 inches/hour using the Minnesota Storm Water Manual. An area of 1,980 square feet is required for volume retention using this infiltration rate. At a maximum inundation depth of 0.24 feet allowed for the retention volume to be drawn down within 48 hours using the 0.06 inches/hour infiltration rate, a volume of 469 cubic feet (458 cubic feet required) and an area of 2,383 square feet (1,980 square feet required) will be provided within the UGSWMF. Rule 4.3.1a is met.

The District's water quality criterion requires a 60% annual removal efficiency for phosphorus and 90% annual removal efficiency for total suspended solids. The results of a MIDS calculator indicate the UGSWMF will provide an annual removal efficiency of 97% for total suspended solids (107 lbs.) and an annual removal efficiency of 73% for total phosphorus (0.44 lbs.). Rule 4.3.1c is met.

District Rule 4.3.3c states that all new and reconstructed buildings must be constructed such that the low floor elevation is at least two feet above the 100-year high water elevation or one foot above the emergency overflow of a constructed facility. In addition, all new and reconstructed buildings must be constructed such that no opening where surface flow can enter the structure is less than two feet above the 100-year high water elevation of an adjacent facility or waterbody. The finished floor and low opening of the proposed building is 952 M.S.L. The calculated 100-year frequency high water elevation of the UGSWMF is 948.0 M.S.L. – a separation of 4.0 feet is to be provided for compliance with Rule 4.3.3c.

The geotechnical report indicates that groundwater was not encountered to a depth of 15 feet, approximately elevation 936 M.S.L. The bottom of the UGSWMF is to be elevation 946.4 M.S.L, a separation of 10.4 feet. A minimum separation of 3 feet is required between the bottom of an infiltration facility and groundwater.

Pretreatment of stormwater prior to discharging to an infiltration facility, Rule 4.3.1a (i), will be provided by a sump manhole within the storm sewer system upstream of the UGSWMF.

In accordance with Rule 4.3.4, a post-project chloride management plan must be provided that will, 1) designate an individual authorized to implement the chloride-use plan and 2) designate a MPCA certified salt applicator engaged in the implementation of the chloride-use plan for the site.

5.0 Erosion and Sediment Control

Since the project will be matching into existing bituminous, the submitted erosion and sediment control plan includes bio-rolls at the limits of construction and inlet protection. The project contact is Dusty Austin, Wilkus Architects.

11.0 Permit Fees

Fees for the project are:

Rules 2.0-6.0	$750

12.0 Financial Assurances

Financial Assurances for the project are:

Rule 4.0 Volume Retention: 1,908 sq. ft. x $12/sq. ft. = $22,896	$22,896
Chloride Management:	$5000
Rule 5: Bio-rolls: 485 L.F. x $5.00/L.F. = $2,425	
Inlet Protection: 5 x $100/each = $500	
Site restoration: 0.25 acres x $2500/ acre = $625	$3,550
Contingency and Administration	$11,554

Findings

The proposed project includes the information necessary, plan sheets and erosion control plan, for review.

1. Rules 4 and 5 are met.

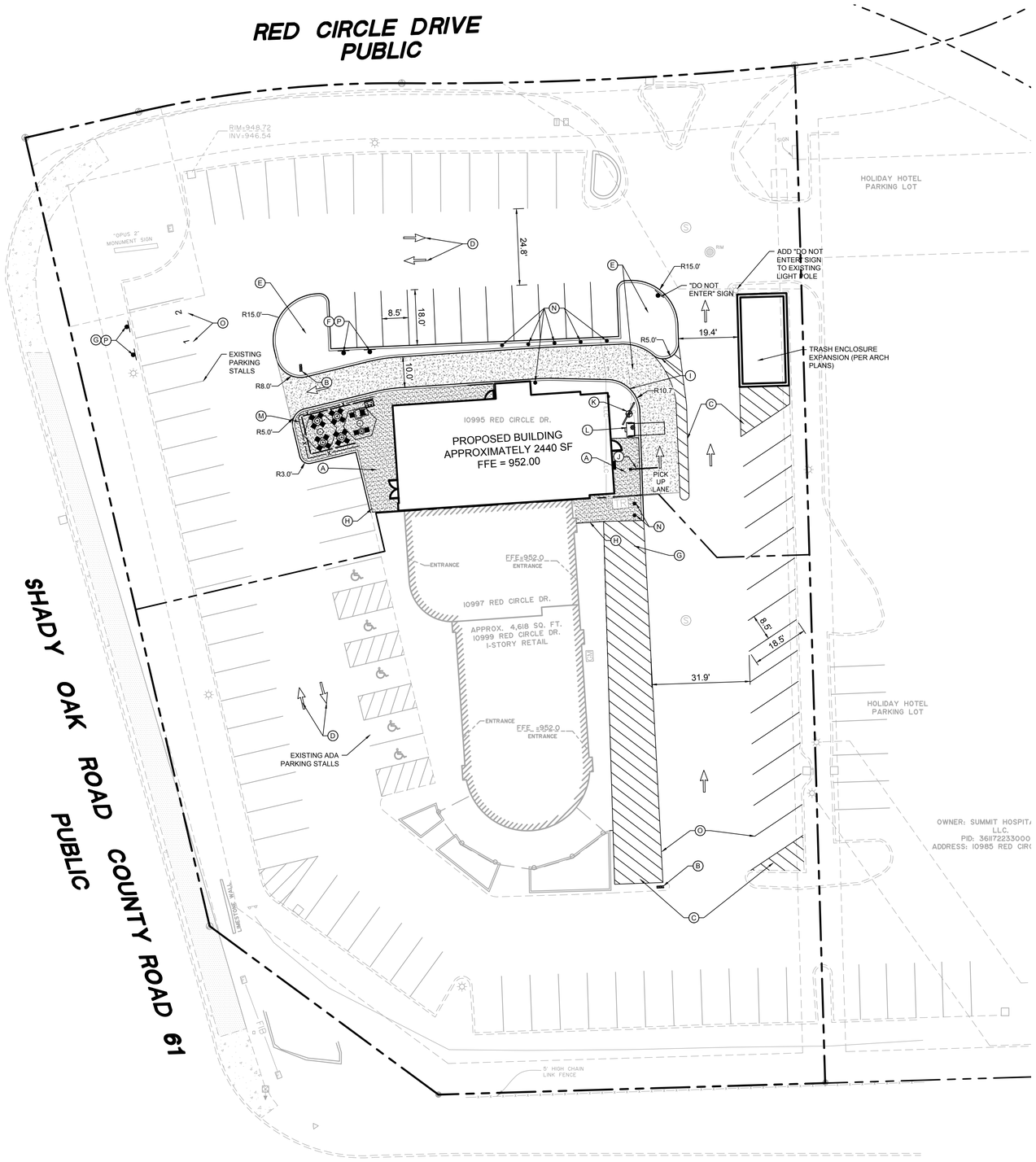
Recommendation

Approval, contingent upon:

1. General Conditions
2. Financial Assurance in the amount of $43,000 - $38,000 for stormwater management, erosion control and site restoration and $5,000 for compliance with the chloride management requirements.
3. Submission of documentation that a drainage easement over the stormwater-management facility has been submitted to Minnetonka (4.5.4i), if such easements are required by the city.
4. A receipt showing recordation of a maintenance declaration for the on-site storm water management facility. A draft of the declaration must be approved by the District prior to recordation.

By accepting the permit, when issued, the applicant agrees to the following stipulations:

1. Per Rule 4.5.6, an as-built drawing of the storm water facility, including a stage-volume relationship in tabular form for the underground stormwater management facility, conforming to the design specifications as approved by the District must be submitted.
2. Submission of a plan for post-project management of Chloride use on the site. The plan must include 1) the designation of an individual authorized to implement the chloride use plan and 2) the designation of a Minnesota Pollution Control Agency certified salt applicator engaged in the implementation of the chloride-use plan for the site. The release of the $5,000 of the financial assurance required for the chloride-management plan requires that chloride-management plan has been provided and approved by the District's Administrator.
3. For the release of the $38,000 financial assurance required in Recommendation #2, Rule 12.4.1b requires demonstration and confirmation that the storm water management facilities have been constructed or installed and are functioning as designed and permitted. Verification, through daily observation logs and photographs, must be provided showing the storm water facilities used for volume retention have drawn down within 48 hours from the completion of two 1-inch (approximate) separate rainfall events.



SITE PLAN NOTES

1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
2. CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
3. ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
4. EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED OR RELOCATED AS NECESSARY. ALL COST SHALL BE INCLUDED IN BASE BID.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID.
6. SITE BOUNDARY, TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY BY INTERTEK PSI, DATED APRIL 5, 2019.

   KIMLEY-HORN ASSUMES NO LIABILITY FOR ANY ERRORS, INACCURACIES, OR OMISSIONS CONTAINED THEREIN.
7. TOTAL LAND AREA IS 1.60 ACRES.
8. PYLON / MONUMENT SIGNS SHALL BE CONSTRUCTED BY OTHERS. SIGNS ARE SHOWN FOR GRAPHICAL & INFORMATIONAL PURPOSES ONLY. CONTRACTOR TO VERIFY SIZE, LOCATION AND ANY REQUIRED PERMITS NECESSARY FOR THE CONSTRUCTION OF THE PYLON / MONUMENT SIGN.
9. CONTRACTOR SHALL REFERENCE ARCH / MEP PLANS FOR SITE LIGHTING AND ELECTRICAL PLAN.
10. NO PROPOSED LANDSCAPING SUCH AS TREES OR SHRUBS, ABOVE AND UNDERGROUND STRUCTURES, OR OTHER OBSTRUCTIONS SHALL BE LOCATED WITHIN EXISTING OR PROPOSED UTILITY EASEMENTS AND RIGHTS OF WAY UNLESS SPECIFICALLY NOTED ON PLANS OTHERWISE.
11. REFERENCE ARCHITECTURAL PLANS FOR DUMPSTER ENCLOSURE DETAILS.
12. REFER TO FINAL PLAT OR ALTA SURVEY FOR EXACT LOT AND PROPERTY BOUNDARY DIMENSIONS.
13. PROVIDE APPROPRIATE TEMPORARY SIGNAGE TO DENOTE PARKING LOT FUNCTIONALITY WHILE DEMOLITION IS TAKING PLACE.

LEGEND

- PROPERTY LINE
- SETBACK LINE
- PROPOSED CURB AND GUTTER
- PROPOSED CONCRETE PAVEMENT
- PROPOSED CONCRETE SIDEWALK

PROPERTY SUMMARY	
CHIPOTLE - MINNETONKA	
PROPERTY AREA	0.80 AC
ZONING SUMMARY	
EXISTING ZONING	PUD
PROPOSED ZONING	PUD

BUILDING DATA SUMMARY	
AREAS	
CHIPOTLE PROPERTY	34,834 SF (0.80 AC)
BUILDING AREA	2440 SF (7% OF TOTAL PROPERTY AREA)
OVERALL PARKING	
REQUIRED PARKING	118 SPACES @ 1 SPACE/60 SF
PROPOSED PARKING	98 SPACES @ 1 SPACE/72 SF
ADA STALLS REQ'D / PROVIDED	4 STALLS / 5 STALLS

KEYNOTE LEGEND

A	CONCRETE SIDEWALK
B	DIRECTIONAL SIGNAGE (PER ARCHITECTURAL PLANS)
C	AREA STRIPED WITH 4" SYSL @ 45° 2' O.C. (TYP.)
D	DIRECTIONAL PAVEMENT MARKINGS
E	LANDSCAPE AREA - SEE LANDSCAPE PLANS
F	"TAKE OUT" PARKING SIGN (PER CHIPOTLE'S SIGN VENDOR)
G	PULL OFF PARKING SIGN (PER CHIPOTLE'S SIGN VENDOR)
H	MATCH EXISTING CONCRETE SIDEWALK
I	B6-12 CONCRETE CURB/GUTTER
J	NEW FAST LANE HEIGHT BAR (PER ARCHITECTURAL PLANS)
K	NEW FAST LANE SPEAKER POST (PER ARCHITECTURAL PLANS)
L	NEW FAST LANE MENU BOARD (PER ARCHITECTURAL PLANS)
M	PATIO RAILING (PER ARCHITECTURAL PLANS)
N	PIPE BOLLARD
O	STRIPING / PAINT NUMBERING- 36" TALL, COLOR WHITE, CENTERED IN SPACE 12" FROM THE TOP OF THE SPACE
P	SIGN POST

GRAPHIC SCALE IN FEET
0 10 20 40

NORTH

No.	REVISIONS	DATE	BY
1	CITY AND WATERSHED COMMENTS	08/13/2019	ALC

Kimley»Horn
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WWW.KIMLEY-HORN.COM

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
ALAN L. CATCHPOLE
DATE: 7/31/2019 LIC. NO. 47969 MN

KHA PROJECT	160060002
DATE	07/31/2019
SCALE	AS SHOWN
DESIGNED BY	JPB
DRAWN BY	JPB
CHECKED BY	ALC

SITE PLAN

CHIPOTLE - MINNETONKA
PREPARED FOR
WILKUS ARCHITECTS
MINNETONKA MN

SHEET NUMBER
C400