



Nine Mile Creek Discovery Point  
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## MEMO

**TO:** Nine Mile Creek Watershed District Board of Managers  
**FROM:** Randy Anhorn  
**DATE:** June 12, 2019  
**RE:** Permit Review and Approval Process

### Background/Discussion

As part of the permit review and approval process discussion at the board's May 15, 2019 meeting, the board stated that they needed time to think what areas and thresholds might be beneficial to delegate approval authority to the administrator. In addition, the board asked staff to compile a specific recommendation on expanding delegated administrative permit approval that they could react to, and to provide a few examples on those that may trigger a certain threshold where the managers may want to maintain approval authority.

As a result, staff proposes delegating all permit approval authorities to the administrator except for:

- **Those that trigger Rule 10 -Variances and Exceptions**
- **Our own permit applications** (e.g., Discovery Point Landscape Restoration Project, Edina Streambank Project and Normandale Lake Drawdown Project) – for transparency
- **Regional stormwater management plans** (e.g., Shady Oak Regional Stormwater Management Plan)
- **Projects that are unable to meet the restricted site standard of 0.55” retention and are proposing a “Maximum Extent Practicable” (MEP) amount (< 0.55”)** (e.g., Permit 2019-01 Pentagon Park Renovations 4510-4600 W 77th St\_Edina where the MEP was 0.0”)
- **Those that the administrator determines that the application involves technical, policy or legal issue(s) or raises public comments that warrant review of the application by the board of managers** (e.g., the future 494 reconstruction from the MSP airport to Hwy 169 project)
- **If applicant requests consideration of the application by the board of managers**

And, if the Board so desires, the board could maintain approval authority for projects that trigger a certain threshold such as:

- **Residential lot/development projects of 10 lots or more** (e.g., 2170 Gerard Drive, Eden Prairie-17 homes proposed)
- **Commercial/multi residential projects resulting in XX acres of new impervious**
  - If **XX = 2.5 acres**, a projects such as the County Medical Examiners Building (for the sake of argument assuming no variance would be requested for the wetland buffer) and 2018-74 Senior Living facility at 6701 West 78<sup>th</sup> in Bloomington would exceed that trigger (3.5 and 3.3 acres of new impervious respectively), while 2018-10 Friendship Village (again, for the sake of argument assuming no variance would be requested for the wetland buffer) would not (1.2 acres of new impervious)

- If **XX = 1.0 acre**, both the above projects would trigger the need to go before the board, but the permits on last month's meeting agenda; 2018-102 (building addition and parking lot improvements at Cross View Lutheran Church in Edina and 2019-28 for the construction of a building on the Donaldson Company campus in Bloomington would not with 0.32 and 0.43 acres of new impervious respectively)
- **Others?**

To keep the managers updated on the administratively approved permits, a memo of administratively approved permits since the previous regular board meeting will be included in the next regular board meeting (like current practice). However, to provide a bit more information on these expanded approval authority projects and the rules they trigger, a one-page permit application review summary would be put together from the longer and more detailed engineer's review and included as part of the administratively approved permit memo. The one-pager would provide general background information on the project, the District rule(s) triggered, how they will meet the rule(s), and associated water quality and quantity benefits achieved. An example review summary is attached.

### **Request**

If the Board decides to delegate additional approval authorities to the administrator, a resolution outlining those to be expanded, will be brought to the July meeting to be acted on.

## Approved Permit Application Review Summary

Permit No. 2018-131

**Applicant:** John Doe; Lupient Auto  
**Consultant:** Mandy Backstrom; Anderson-Johnson Associates  
**Project:** Building Addition and new Chiller Enclosure at  
**Location:** 8900 Portland Avenue: Bloomington

**Rule(s) Triggered:** 4,5,11,12

### **General Project Background**

The project proposes the construction a building addition and a new chiller enclosure at Lupient Auto located at 8900 Portland Avenue in Bloomington.

The project site information is:

- Total Site Area: 11.17 acres
- Existing Total Site Impervious Area: 7.48 acres (325,829 ft<sup>2</sup>)
- New Impervious Area: 0.044 acres (1,917 ft<sup>2</sup>)
- New Total Site Impervious Area: 327,746 ft<sup>2</sup>
- 0.6% increase in the percentage of site impervious area
- Disturbed and reconstructed impervious area: 3,354 ft<sup>2</sup>
- 1.6% of the existing impervious area will be disturbed and reconstructed
- Total disturbed area: 14,113 ft<sup>2</sup>
- Total new and/or reconstructed impervious area requiring stormwater management: 5,271 ft<sup>2</sup>
- Aggregate % of impervious area disturbed/reconstructed 2008 to present project: 13.2%

### **District Rules Triggered**

#### ***4.0 Stormwater Management***

To meet the District's stormwater management rule, the project proposes the implementation of two (2) on-site above ground infiltration basins (raingardens) that will provide the required volume retention, rate control and water quality management. The raingardens will:

- provide volume retention of 621 ft<sup>3</sup> (483 ft<sup>3</sup> required)
- provide 90.5% removal efficiency of total suspended solids (equaling 56 lbs TSS/yr) and 90.4% removal efficiency of total phosphorus (equaling 0.31 lbs TP/yr)

A chloride management plan for the site, and as-built drawings and performance monitoring for the BMPs will be required prior to closing out the permit.

In addition, the proposed meets the required 3-foot separation between the bottom of the raingardens and groundwater.

#### ***5.0 Erosion and Sediment Control***

The submitted erosion and sediment control plan includes silt fence at the limits of construction, inlet control and a gravel construction entrance.

#### ***11.0 Fees***

Permit fees for the project for rules 2.0-6.0 is \$3,000

#### ***12.0 Financial Assurances***

Financial Assurances for the project are \$35,000 - \$40,000 for stormwater management, erosion control and site restoration and \$5,000 for compliance with the chloride management requirements