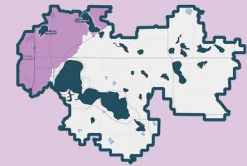




## MEMORANDUM

Comfort Lake-Forest Lake Watershed District

**Date:** February 12, 2024  
**To:** CLFLWD Board of Managers  
**From:** Mike Kinney, District Administrator  
**Subject:** Permit 23-031 - West Lake Commercial



Comfort Lake  
Management District

### Background/Discussion

The purpose of this agenda item is for managers to review, discuss, and consider approving permit number 23-031 - West Lake Commercial.

Permit 23-031 is in the Comfort Lake Management District at 119 12th Street SW, Forest Lake. The work area will include the parking lots of PetSmart extending North to Northern Tool & Equipment as well as the green area North of Northern Tool + Equipment. The project consists of the construction of a new 9,600 square foot building and both new and improvements to the parking lot and landscaping.

The project triggered the Rules 2.0 Stormwater Management and 3.0 Erosion Control. Stormwater Management is required only for the new and reconstructed impervious areas and will be met using a surface filtration basin & an underground filtration basin. The erosion control requirements will be met with silt fences and revegetation based on a submitted implementation schedule.

### Recommended Motion

Proposed Motion: Manager \_\_\_\_\_ moves to approve permit application #23-031 with conditions stated in EOR's February 8, 2024, memorandum. Seconded by Manager \_\_\_\_\_.

### Attached

[Emmons & Olivier Resources' February 8<sup>th</sup> Memorandum](#)  
[Emmons & Olivier Resources' Exhibit](#)

<b>Project</b>   West Lake Commercial	<b>Date</b>   2-8-2024
<b>To</b>   Mike Kinney	<b>Contact Info</b>   CLFLWD
<b>Cc</b>   Board of Managers	<b>Contact Info</b>   CLFLWD
<b>From</b>   Greg D. Graske, P.E.	<b>Contact Info</b>   EOR
<b>Regarding</b>   Permit Application #23-031, City of Forest Lake	

**Applicant**

MN-Forest Westlake, LLC  
 Attn: Brian Holder  
 8816 Six Forks Road, Suite 201  
 Raleigh, NC 27615  
 Phone: 919-846-4046  
 bholder@rivercrestrealty.com

**Authorized Agent**

Kimley-Horn and Associates  
 Attn: Arik Lokensgard  
 14800 Galaxie Avenue, Suite 200  
 Apple Valley, MN 55124  
 Phone: 612-503-8547  
 arik.lokensgard@kimley-horn.com

**Project Purpose:** The proposed project will construct a 9,600 SF building along with parking lot and landscaping improvements, resulting in approximately 0.9 acres of new and reconstructed impervious cover. The project will disturb approximately 1.3 acres on a 5.7 acres site.

**Project Location:** 119 12<sup>th</sup> Street SW, Forest Lake. The site drains to Comfort Lake.

**Applicable District Rules:** 2.0, 3.0, 9.0, 10.0

**Recommendation:** Approval, with issuance on receipt of the following:

1. Revised soil mix for surface filtration feature to specify no more than 10% Grade 2 compost, OR a Mehlich III test must be performed demonstrating that the mix has less than 30 mg/Kg of phosphorus to minimize phosphorous leaching. An 80-10-10 mix of sand-compost-peat is recommended.

Prior to permit issuance, the following are required:

2. Execution of a maintenance instrument satisfactory to the CLFLWD addressing the ongoing operation and maintenance of the proposed stormwater management features. The proposed instrument shall be provided to the District for review prior to execution, and documentation of recording with the County must be provided before permit issuance.
3. Financial Assurance in the amount of \$3,000 for grading and alteration.
4. Financial Assurance in an amount of \$412,000 for stormwater management or demonstration that the applicant has provided the municipality with a financial assurance, specific to the stormwater facilities, of equal or greater value.

Stipulations of Permit:

5. Submittal of as-built survey for all stormwater features and pipe.

## Rule 2.0: Stormwater Management

The project will consist of the construction of one new building, parking lot, and associated stormwater facilities and utilities on an existing commercial lot. The project will result in approximately 0.9 acres of new and reconstructed impervious area. Less than 50% of the overall site will be disturbed and less than 50% of the existing hard surface will be reconstructed, therefore only the new and reconstructed impervious areas require treatment. A surface filtration basin & underground filtration basin are proposed. The surface filtration feature will treat all the building rooftop and the adjacent access drive. The underground filtration basin will treat the proposed parking lot. Pretreatment will be provided by sump manholes prior to entering the facilities.

For redevelopment projects, the required treatment volume of 1.1 inches of runoff from all new and reconstructed impervious surfaces must be captured and treated. Infiltration is not feasible due to clay soil types. The proposed filtration uses a conversion factor of 0.50 for treatment volume. This results in a total required treatment volume of 7,427 CF. The proposed BMPs provide in excess of 8,701 CF of treatment volume through the filtration features prior to secondary discharge, therefore meeting the District volume requirements.

Under existing conditions, a stormwater pipe runs across the middle of the site. The project proposes to reroute this pipe around the site. To do this, a narrow corridor of existing pavement will have to be removed and reconstructed directly over the pipe. A small portion of the proposed new and reconstructed impervious cannot be captured by the proposed filtration features. Areas that are not captured by onsite BMPs must incorporate measures to capture suspended solids to the maximum extent practicable. A 4-foot sump and corresponding SAFL Baffle has been placed at the downstream end of the rerouted stormwater pipe to capture sediment to the maximum extent possible for the areas not captured by the BMPs.

Construction details for the proposed underground and surface filtration features have been provided. The soil mix for the surface filtration feature has a mixture of 80% sand and 20% compost. The higher amounts of compost will have the potential to leach phosphorus. The soil mix must be adjusted to specify no more than 10% Grade 2 compost, OR a Mehlich III test must be performed demonstrating that the mix has less than 30 mg/Kg of phosphorus to minimize phosphorous leaching. An 80-10-10 mix of sand-compost-peat is recommended.

Discharge from the site reduces peak rates compared to existing conditions at all discharge locations, thereby satisfying District Rate Control requirements. A summary table of rates leaving the site is below.

Rate Control Summary

Conditions	2-year	10-year	100-year
Existing (cfs)	3.5	6.6	13.6
Proposed (cfs)	1.1	1.6	8.0

The existing and proposed building low floor elevations meet District freeboard requirements over the proposed BMPS.

### **Rule 3.0: Erosion Control**

The proposed project includes silt fence downstream of graded areas, inlet protection, a rock construction entrance, erosion control blankets, revegetation specification, and an implementation schedule. The proposed plans meet district erosion control requirements.

### **Rule 4.0: Lake, Stream, and Wetland Buffer Requirements**

The proposed project does not trigger this rule; a subdivision was not proposed and no municipal rezoning or variance was required for this project.

### **Rule 5.0: Shoreline and Streambank Alterations**

The proposed project does not trigger this rule; a DNR general permit applicable to owners who hold a District permit is not in effect.

### **Rule 6.0: Watercourse and Basin Crossings**

The proposed project does not trigger this rule; no roadways, utilities, or water control structures are proposed in the bed of District waterbodies.

### **Rule 7.0: Floodplain and Drainage Alterations**

The proposed project does not trigger this rule; the City of Forest Lake has a state-approved floodplain ordinance.

### **Rule 8.0: Wetland Management**

The proposed project does not trigger this rule; the District is not the LGU for wetland impacts.

### **Rule 9.0: Fees**

The fees required for the proposed project include the Application fee of \$10 and the permit review and field inspection deposit of \$1,250 for erosion control requirements and \$3,000 for stormwater requirements for a total of \$4,260. The permit fees have been submitted.

### **Rule 10.0: Financial Assurances**

The financial assurances required for the proposed project are \$3,000 for grading and alteration and \$412,000 for the stormwater management facilities.

A financial assurance to CLFLWD for stormwater management facilities is not needed if the applicant demonstrates that the applicant has provided the municipality with a financial assurance, specific to the stormwater facilities, of equal or greater value.

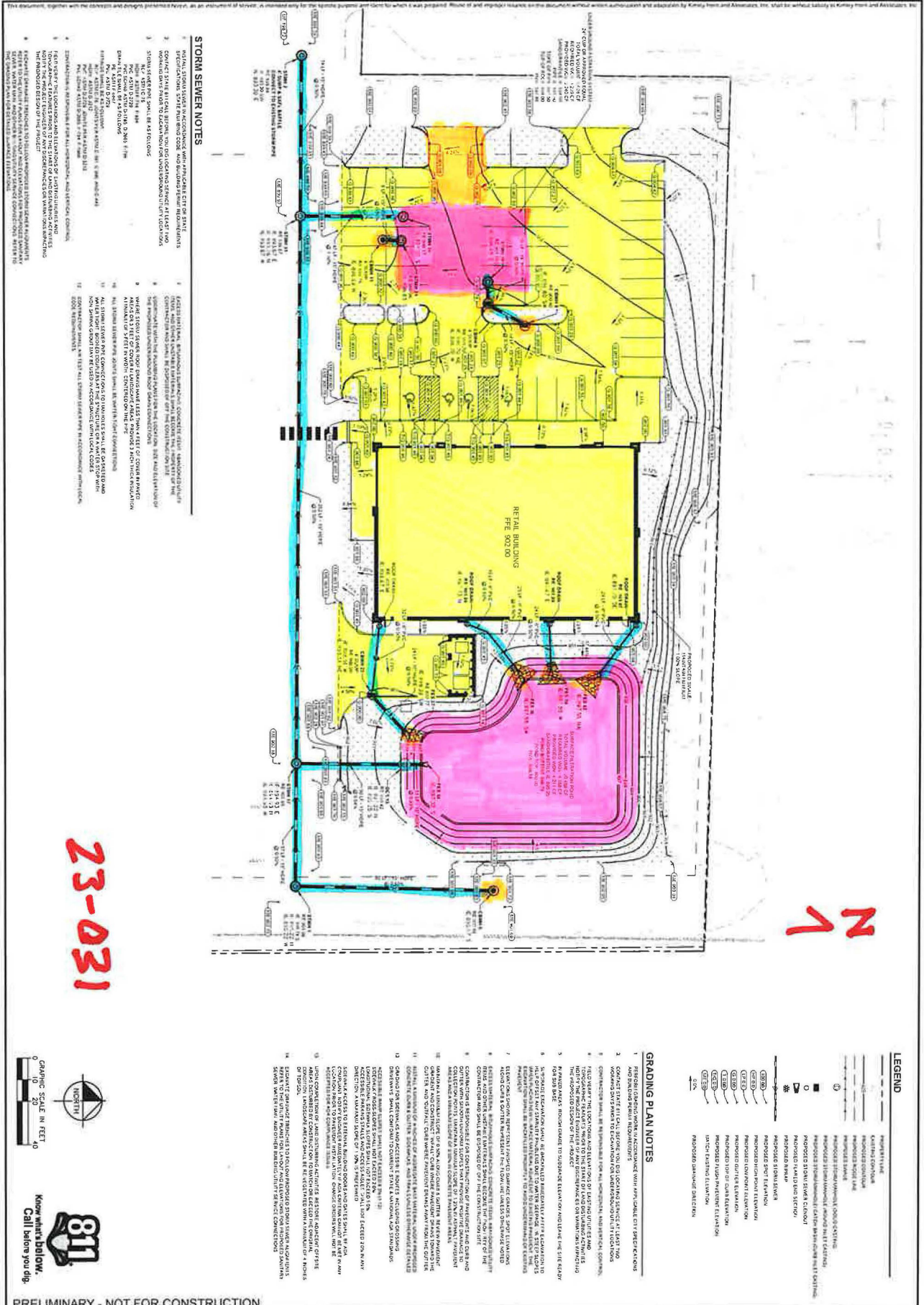
### **Rule 11.0: Variances**

The proposed project does not request a variance.

### **Submittals Received**

The following submittals were received and reviewed as the basis for this permit application review:

1. Application, received December 11, 2023, dated December 6, 2023, prepared by Applicant.
2. Application fee of \$10, received December 12, 2023.
3. Permit review and inspection deposit of \$4,250. received December 12, 2023.
4. Stormwater Management Plan, received January 18, 2024, dated January 17, 2024, prepared by Kimley-Horn and Associates, Inc.
5. Plan Set (15-pages), received January 18, 2024, dated January 12, 2024, prepared by Kimley-Horn and Associates, Inc.
6. Response to Engineer's report, received January 18, 2024, undated, prepared by Kimley-Horn and Associates, Inc.
7. Opinion of Probable Construction Cost, received January 18, 2024, dated January 18, 2023, prepared by Kimley-Horn and Associates, Inc.



**STORM SEWER NOTES**

1. RETAIL BUILDING AND CONCRETE DRIVE SHALL BE CONSTRUCTED TO THE CITY OF WESTLAKE STANDARD SPECIFICATIONS FOR STORM SEWER COLLECTION SYSTEMS.
2. CONCRETE DRIVE SHALL BE CONSTRUCTED TO THE CITY OF WESTLAKE STANDARD SPECIFICATIONS FOR CONCRETE DRIVE.
3. STORM SEWER PIPE SHALL BE 48" DIAMETER.
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**GRADING PLAN NOTES**

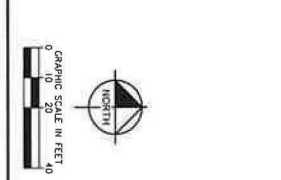
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**LEGEND**

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**PRELIMINARY - NOT FOR CONSTRUCTION**

Westlake  
Prepared for Rivercrest Realty Investors  
Forest Lake, MN

NO.	REVISIONS	DATE	BY

WESTLAKE PREPARED FOR RIVERCREST REALTY INVESTORS FOREST LAKE, MN		<b>GRADING AND DRAINAGE PLAN</b>		KIMLEY HORN 2023 KIMLEY HORN AND ASSOCIATES, INC. 187 ELIXIR STREET, SUITE 100, ST. PAUL, MN 55114 PHONE: 612.644.4187 WWW.KIMLEY-HORN.COM	
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18719 BY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

ANK C LOMBARDO, P.E.  
 REG. NO. 110851  
 DATE: 01/17/2024  
 SCALE: AS SHOWN  
 DESIGNED BY: SLS  
 DRAWN BY: SLS  
 CHECKED BY: ACJ

**23-031**