PERMIT

PERMIT MUST BE POSTED AT PROJECT SITE, VISIBLE FROM ROAD

Permit Number: 15-95
Permit Date: 10/09/2015

Permit Granted To: McKinley Plaza Partners, LLC

Project Address: Corner of Frazee and McKinley

City, Street, Zip: Detroit Lakes, MN

Project Type: Impervious surface – New development

Permit Granted with the Following Conditions to be Satisfied by the Permit Holder:

See Wenck Permit Review #15-05

**Install according to Becker County or City of Detroit Lakes Shoreland Ordinance and Planning and Zoning regulations, and State of MN – Department of Natural Resources.

This permit is valid for 18 months.

Permit may be revoked at any time upon violation of Pelican River Water Management Rules. Any changes to this site permit results in nullification of this permit and a new permit will have to be obtained.

Signature of Pelican River Watershed District Board of Managers or Designee (District Administrator)
Return completed permit application, including two sets of required exhibits, and appropriate fees to:

Pelican River Watershed District
Wells Fargo Bank Building, Suite 201
211 Holmes St. West
Detroit Lakes, MN 56502
PH (218) 846-0436  FAX (218) 846-0778
www.prd.org

PERMIT NO. 15 __ 95
REC'D OFFICE 9/22/15 REC'D ENGR/SWCD
PERMIT & FIELD INSPECTION FEES $ 175.00
CASH OR CHECK NO. 8560

PERMIT APPLICATION
TO BE COMPLETED BY APPLICANT (Property Owner OR by Governmental Entity if a public project)

1. PROPERTY OWNERS Last Name                                    First Name                                    M.I.
McKinely Plaza Partners, LLC                                      Barning                                      Todd

Street Address                                                  Box #  City                                   State    Zip Code
879 Minot ND 58701

Day Telephone                                                  Cellular Phone                                E-mail
N/A (701) 740-0237                                               headroom@minot.com

2. PROJECT LOCATION (Attach drawing with directions to site):   TWP NO. RANGE SECTION (1/4) LOT, BLOCK, SUBDIVISION
LAKE (if applicable)                                             DETROIT
TOWNSHIP(S)           N W

PROJECT ADDRESS: Corner of Frazee and McKinely
Detroit Lakes, MN

3. PERMIT APPLICATION FOR:
☐ A. Alterations to land, vegetation, impervious surface in shore impact zone
☐ B. Rip-rap or beach sand blanket (installation, repair, replacement)
☐ C. Alterations to land, vegetation, impervious surface in bluff impact zone or on steep slopes in shoreland district
☐ D. Retaining wall (installation, repair, replacement within shore impact or bluff impact zones)
☐ E. Impervious surface (total cumulative coverage)
   - More than 25% of lot coverage
   - 1 acre (43,560 sq. ft.) or greater
   - More than 10,000 sq. ft. in Shoreland District
☐ F. Subdivisions, plats, or planned unit developments (PUD’s)
☐ G. Highway, road, street, parking lot, or public water access (construction or reconstruction)
☐ H. Bridges, culverts, inlets to waters of the state; storm sewers (new or changes to existing structures)
☐ I. Groundwater dewatering (discharges to Waters of the State)

3a PROJECT PLAN DESIGN CONTACT
COMPANY                      CONTACT NAME
Zerr Berg Architects         Brian Berg
STREET ADDRESS               STATE    ZIP CODE
510 4th Avenue North         ND 58102
PHONE                        CELLULAR PHONE  EMAIL
701-280-0187                 701-793-3786  bberg@zbarch.com

3b EROSION CONTROL GRADING CONTACT for our Inspector:
COMPANY                      CONTACT NAME
MBN Engineers                Joshua Magelky
STREET ADDRESS               STATE    ZIP CODE
503 7th St. N #200           ND 58102
PHONE                        CELLULAR PHONE  EMAIL
701-478-6336                 701-371-4874  josh.magalpy@mbngr.com

4. PROJECT DESCRIPTION
Lot development to include on-site parking, underground parking, restaurants (2), commercial spaces, and three stories of apartments on 2.49 acre site.

5. DATES Proposed start of activity: Proposed Completion Date:
9/1/2015                     6/1/2016
Submittal Requirements
Applicants must submit all of the following items:
1. Completed permit application (application must be signed by the PROPERTY OWNER or Governmental Entity)
2. 2 copies of drawings, plans and other data as outlined in “Pelican River Watershed District Permit Information Sheets”
3. The application/field inspection fees according to the most recent schedule set by the Board of Managers
4. Street location map

Applying for the permit does not preclude your applying for any necessary permit that may be required from OTHER governmental agencies. Any work performed prior to obtaining all required authorizations may be subject to Federal, State, and/or local administrative, civil and/or criminal penalties. No liability shall be imposed on the district or any of its officers, agents, or employees, officially or personally, on account of the granting of this permit, on an account of any damage to any person or property resulting from any act or omission of the permittee or any of its agents, employees, or contractors relating to any matter hereunder. This permit shall not be construed as limiting any legal claim or right of action of the District against the permittee, its agents, employees, or contractors for the violation of or failure to comply with the provisions of the permit or applicable provisions of law.

When all items have been satisfactorily completed and the District determines the project meets the District’s Rule requirement, this permit will be issued. The permit may be picked up at the office or it will be mailed out. A copy will be faxed to the applicable governmental entity (Becker County or City of DL Zoning Departments).

The permit will be valid for 18 months from date of issuance unless otherwise suspended or revoked. A permit may be extended at no charge provided the property owner notifies the District in writing stating the reasons for extension. Any plan changes, and related project documents must also be included in the extension application. The District must receive the extension application at least 30 days prior to the permit’s expiration date.

If changes are made to the permitted plans for this project, changes must be submitted to the District (in duplicate) for review. If approved, an amended permit will be issued.

When the project is complete, please call the District office at (218) 846-0436 to request final inspection.

This permit may be terminated by the Board of Managers without notice at any time deemed necessary for the management of the water resources of the District, or in the interests of the public health and welfare, or for violation of any of the provisions of this permit.

“I understand that, as a Permittee, I am legally accountable to ensure compliance with the terms and conditions of the permit. I understand that I am not authorized to begin the project until I receive the permit and the permit sign is posted on the site. If the project is modified, I will obtain approval by the District before I continue with the project. I authorize the District, its agents, employees, officers and contractors, to enter the project site to perform any inspection or work authorized by the permit or any applicable law.”

“For McKinley Plaza Partners LLC.

Property Owner or Authorized Signature of Governmental Entity

SIGNATURE:  DATE: 8/26/15

APPROVED PERMIT MUST BE POSTED PROMINENTLY ON THE SITE BEFORE ANY WORK CAN BEGIN. THE PELICAN WATERSHED DISTRICT MAY ISSUE STOP-WORK ORDERS ON SITES WITHOUT APPROVED PERMITS. IF A PERMITTED SITE IS OUT OF COMPLIANCE WITH ITS PLAN, AS DETERMINED BY INSPECTION, A STOP WORK ORDER MAY BE ISSUED AND PENALTIES APPLIED. VIOLATION OF DISTRICT WATER MANAGEMENT RULES IS A MISDEMEANOR SUBJECT TO A PENALTY AS PROVIDED BY LAW.

ACTION BY PELICAN RIVER WATERSHED DISTRICT PERMIT NO. 015 - 095

The above application for permit is APPROVED/ DISAPPROVED this day of , 20_.
PELICAN RIVER WATERSHED DISTRICT
PERMIT REVIEW

REVIEW DATE: 10/01/15
WENCK REVIEW ID: 15-05
ITEM: McKinley Plaza

RECOMMENDATION TO DISTRICT ADMINISTRATOR:
____ Issue permit
_____ Verify compliance with conditions before permit issue (see end of report)
_____ Deny permit

APPLICANT: McKinley Plaza Partners, LLC
Minot, ND

PURPOSE: The proposed project involves the construction of a 2.6-acre site. The site will be developed into an apartment building with parking lot. Following completion, approximately 2.3 acres of the 2.6-acre site (88%) will be converted to impervious area.

LOCATION: Intersection of Holmes St E and McKinley Ave.

APPLICABILITY:
Total impervious surface (new and existing) in excess of 25% of lot area
Total impervious surface (new and existing) of one acre or more

EXHIBITS:
1. McKinley Plaza Plan Set Civil Sheets C1.0-C8.0, by MBN Engineering, dated 07/31/15, recd. 09/02/15.
3. McKinley Plaza Plan Set Structural Sheets S0.01-S5.4, by Zerr Berg Architecture and Gehrtz Construction Services, dated 08/03/15, recd. 09/02/15.
4. Invitation to Bid Documents, by Gehrtz Construction Services, dated 08/04/2015, recd. 09/02/15.
8. Contact list, by Gehrtz Construction Services, not dated, recd. 09/28/15.
9. NPDES Permit, by MPCA, 09/24/15, recd. 09/28/15.

FINDINGS:

Maintenance: A detailed schedule indicating dates and sequence of land alteration activities has been received. A detailed description of how erosion and sediment control and soil stabilization measures will be monitored, maintained, and removed has not been received. The name, address and phone number of the party responsible for maintenance of all erosion control measures has been provided. A maintenance plan for on-site treatment measures has been provided.

Soils & Erosion Control Plan: Soils affected by the proposal are sandy loam. Preliminary landscaping plans for storm water treatment practices and site re-vegetation have been provided. Adjacent properties are protected from sediment deposition. Wetlands, waterbodies and water conveyance systems are protected from erosion. Project site is greater than 1 acre; an NPDES permit is required.

Grading Plan: The location/dimension of existing property lines, roads, structures, utilities, easements, and paved and unpaved areas has been provided. A detailed site topographic plan (minimum 2-foot contours) for the proposed project conditions, which clearly indicates alterations to existing grades and topographic features, has been provided.

Stormwater & Hydraulics: Stormwater leaving the site is discharged into a well-defined receiving channel or pipe and routed to a public drainage system. The rate of post-development runoff from the site does not exceed pre-development rates for the 5-, 25-, and 100-year, 24-hour storm events.

Water Quality: The water quality treatment facilities achieve 90% TSS and 50% total phosphorus removal. The underground stormwater system is designed correctly, but additional information is required to document on-site soils.

Note: This site drains to the Highway 10 stormwater management system, which was designed to treat contributing watersheds that are 80% impervious. The proposed conditions of this site are 88% impervious, so additional water quality treatment and rate control was provided by an underground infiltration system.

RECOMMENDATION TO DISTRICT ADMINISTRATOR:

_____ Issue permit
   X Verify compliance with conditions (see below) required before permit issue
_____ Deny permit
As your re-submittal is reviewed, we may find the need to request additional information, and will so inform you.

**Conditions:**

1. Provide a SWPPP for the site. The SWPPP must include the following:
   a. A detailed description of how erosion and sediment control and soil stabilization measures will be monitored, maintained, and removed.

2. Document that soils below the underground stormwater system are sufficient to infiltrate stormwater runoff. Submit soil boring logs to a depth of at least 5 feet below the proposed bottom of the system. The system outlet shall be set so the 1” runoff volume infiltrates within 48 hours. Design infiltration rates shall be obtained from the *Minnesota Stormwater Manual* based on the soil boring logs.

> Soils are OK for infiltration
Brent Alcott

From: Todd E. Shoemaker <tshoemaker@wenck.com>
Sent: Monday, October 5, 2015 12:25 PM
To: Brent Alcott
Subject: RE: McKinley Plaza

Brent,

No design changes necessary, unless soil borings would show a confining layer within 5 feet of the bottom of the practice.

Regarding the SWPPP, I'm ok with it if you are but answers to some questions seem incomplete. I typically like to see it on a plan sheet included with the project plans. A "stand-alone" form like the one provided to you, in my opinion, is too easy for the contractor to neglect.

Similar to the SWPPP, I'm ok with no soil borings if you're ok with it. A couple things to note, however:
1. Section VI.d of the SWPPP asks for soil testing results. The applicant notes N/A, but it is applicable because they are proposing underground infiltration.
2. This appears to be a pretty large project – scope and dollar-wise. It would surprise me that soil borings were not obtained for a building of the proposed size. It seems like the engineer would want to be certain soils are structurally sound.
3. In my opinion, obtaining and submitting soil borings to justify infiltration of stormwater runoff is pretty automatic in the Twin Cities. Starting in 2016, I strongly recommend PRWD staff (or Wenck on their behalf) draft a memo stating that soil borings are required for all proposed infiltration practices. This memo could be circulated to area engineers so they know ahead of applying for a permit.

Todd Shoemaker, PE, CFM
Water Resources Engineer / Principal

 Wenck Associates
Responsive partner. Exceptional outcomes.

tshoemaker@wenck.com | D 651.294.4585 | C 612.414.7166
1802 Wooddale Drive | Woodbury, MN 55125

From: Brent Alcott [mailto:brent.alcott@arvig.net]
Sent: Friday, October 02, 2015 2:36 PM
To: Todd E. Shoemaker
Subject: RE: McKinley Plaza

Todd,

We are confident that the soil in the McKinley area will support infiltration. We will need require soil boring logs. I have attached the SWPPP that was provided to me from the contractor. Are those the only two things remaining for the permit or was there any design changes that needed to be made?

Thank again for you help.
Permit report is attached.

Todd Shoemaker, PE, CFM
Water Resources Engineer / Principal

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1802 Wooddale Drive | Woodbury, MN 55125
PELICAN RIVER WATERSHED DISTRICT
PERMIT REVIEW

REVIEW DATE: 9/4/15
WENCK REVIEW ID: 15-05
ITEM: McKinley Plaza

RECOMMENDATION TO DISTRICT ADMINISTRATOR:
____ Issue permit
__X__ Verify compliance with conditions before permit issue (see end of report)
____ Deny permit

APPLICANT: McKinley Plaza Partners, LLC
Minot, ND

PURPOSE: The proposed project involves the construction of a 2.61-acre site. The site will be developed into an apartment building with parking lot. Following completion, approximately 2.2 acres of the 2.61-acre site (84%) will be converted to impervious area.

LOCATION: Intersection of Holmes St E and McKinley Ave.

APPLICABILITY:
Total impervious surface (new and existing) in excess of 25% of lot area
Total impervious surface (new and existing) of one acre or more

EXHIBITS:
1. McKinley Plaza Plan Set Civil Sheets C1.0-C8.0, by MBN Engineering, dated 07/31/15, recd. 09/02/15.
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FINDINGS:

Maintenance: A detailed schedule indicating dates and sequence of land alteration activities has not been received. A detailed description of how erosion and sediment control and soil stabilization measures will be monitored, maintained, and removed has
not been received. The name, address and phone number of the party responsible for maintenance of all erosion control measures has not been provided. A maintenance plan for on-site treatment measures has not been provided.

**Soils & Erosion Control Plan:** Soils affected by the proposal are unknown. Preliminary landscaping plans for storm water treatment practices and site re-vegetation have been provided. Adjacent properties are protected from sediment deposition. Wetlands, waterbodies and water conveyance systems are protected from erosion. Project site is greater than 1 acre; an NPDES permit is required.

**Grading Plan:** The location/dimension of existing property lines, roads, structures, utilities, easements, and paved and unpaved areas has been provided. A detailed site topographic plan (minimum 2-foot contours) for the proposed project conditions, which clearly indicates alterations to existing grades and topographic features, has been provided.

**Stormwater & Hydraulics:** Stormwater leaving the site is discharged into a well-defined receiving channel or pipe and routed to a public drainage system. It is not known if the rate of post-development runoff from the site exceeds pre-development rates for the 5-, 25-, and 100-year, 24-hour storm events.

**Water Quality:** It is not known if water quality treatment facilities achieve 90% TSS and 50% total phosphorus removal. It is not known if the underground stormwater system is designed correctly.

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**RECOMMENDATION TO DISTRICT ADMINISTRATOR:**

- [x] Issue permit
- [ ] Verify compliance with conditions (see below) required before permit issue
- [ ] Deny permit

As your re-submittal is reviewed, we may find the need to request additional information, and will so inform you.

**Conditions:**

1. Provide a SWPPP for the site. The SWPPP must include the following:
   a. A detailed description of how erosion and sediment control and soil stabilization measures will be monitored, maintained, and removed.
   b. The name, address and phone number of the party responsible for maintenance of all erosion control measures.
   c. A detailed schedule indicating dates and sequence of land alteration activities.
2. Provide a maintenance plan for on-site treatment measures.
3. Document that the underground stormwater system achieves 90% TSS and 50% total phosphorus removal. The underground stormwater system must infiltrate all runoff generated from all new and existing impervious surfaces from a 1” rain event within 48 hours.

4. Document that soils below the underground stormwater system are sufficient to infiltrate stormwater runoff. Submit soil boring logs to a depth of at least 5 feet below the proposed bottom of the system. If soils are amenable to infiltration, remove the proposed drain tile from the underground system. The system outlet shall be set so the 1” runoff volume infiltrates within 48 hours. Design infiltration rates shall be obtained from the Minnesota Stormwater Manual based on the soil boring logs.

5. Submit calculations to demonstrate proposed discharge rates for the 5-, 25-, and 100-year, 24-hour storm events are less than or equal to existing rates. Use Atlas-14 to determine 5-, 25-, and 100-year, 24-hour rainfall depths.

6. Satisfy PRWD stormwater management standards for the east portion of the site, or provide documentation that standards are satisfied using downstream facilities. Downstream facilities must have adequate capacity for the proposed runoff.