

Permit Application No.: 17-262

Rules: **Floodplain Alteration, Erosion Control & Stormwater Management**

Applicant: **Southshore Investments, LLC**  
Project: **Maynard's Outdoor Beanbag Toss Court**  
Location: **685 Excelsior Boulevard, Excelsior**

Received: **6/12/17**  
Complete: **6/21/17**  
Noticed: **6/21/17**

**Recommendation:**

Approval

**Background:**

Southshore Investments, LLC (Applicant) has applied for a Minnehaha Creek Watershed District (District) permit for Floodplain Alteration, Erosion Control, and Stormwater Management for the construction of a permeable paver and turfgrass beanbag toss court (Project) on their property located at 685 Excelsior Boulevard in the City of Excelsior.

The beanbag toss court will result in a 1300 square foot increase of impervious surface over the 2.55-acre lot and approximately 12- cubic feet of floodplain fill that will be mitigated for on the property.

During the Public Notice period, staff received written request from a resident that this permit be considered by the Board of Managers. Staff have attempted to contact the resident via e-mail to further explain the project within the context of MCWD rules, however, Staff has not received a response back, therefore the request still stands.

**Floodplain Alteration:**

The District exercises regulatory authority for Floodplain Alteration within the City of Excelsior. The Floodplain alteration rule is applicable when a project fills or alters land below the projected 100-year high water elevation of a waterbody. The property is adjacent to Lake Minnetonka which has a projected 100-year high water elevation of 931.5 feet. A portion of the beanbag toss court is located within the floodplain and will result in approximately 12- cubic feet of floodplain fill.

Section 3(a) of the Floodplain Alteration rule requires that the activity does not result in a net decrease in flood storage capacity. To meet this requirement, the Applicant has proposed to excavate 12-cubic feet within the floodplain on the property as flood storage mitigation.

Section 3(d) requires that no new impervious surface be created within the 10-Year floodplain or 25-feet of the centerline of a watercourse. The Project is on Lake Minnetonka and is not considered a watercourse and analysis under this section of the rule does not apply to this project.

Sections 3(b) and (c), were not analyzed as fill within a waterbody or water course are not proposed as a part of this Project. The Project does not propose a new residential, commercial, industrial, or institutional structure, therefore, Section 3(f) does not apply.

The Floodplain Alteration rule is met.

**Erosion Control:**

The District exercises regulatory authority for Erosion Control within the City of Excelsior. The Erosion Control rule is applicable when a project involves earth disturbance greater than 5,000 square feet. The Project does not exceed this disturbance threshold, however, an erosion control plan conforming to Sections 5 and 9 of the Erosion Control rule is required under the Floodplain Alteration Rule. The Project proposes to meet this requirement by providing sediment control in the form of silt fence between the construction activity and the downstream waterbody (Lake Minnetonka).

The Erosion Control rule is met.

**Stormwater Management:**

The District exercises regulatory authority for Stormwater Management in the City of Excelsior. The Stormwater Management rule is applicable when there is new impervious surface or replacement of existing impervious surface. The Project proposes a 0.03-acre increase of new impervious surface on the 2.55-acre site, therefore the rule is triggered. The Project proposes to construct a new beanbag toss court constructed of permeable pavers and artificial turfgrass. The proposed area of turfgrass is calculated as the new impervious surface.

This Project is evaluated as a redevelopment project resulting in an increase of impervious surface. The Project site is greater than 1 acre, and the project will involve less than 40% site disturbance with less than a 50% increase in impervious surface. According to the Stormwater Management rule, phosphorus, rate, and volume control must be provided for the new impervious surface.

The turf and permeable pavers will be constructed with 12 inches of stone sub-base with draitile at the bottom (cross-section provided in attachments). The stone sub-base provides void space which allows water to infiltrate between the new surface and the drain tile. Water that is collected via draitile is then directed to a new raingarden which will provide additional water quality treatment before discharging to Lake Minnetonka. The District Engineer has determined that the increase of impervious is considered pervious due to the void space provided in the 12-inch stone sub-base. Additionally, the District Engineer concluded that the proposed volume of the raingarden is sized to provide water quality treatment greater than what is required for the 0.03-acre of turfgrass, and therefore determined that abstraction and rate calculations were not necessary as part of the review.

The Project is in compliance with Section 8 of the Stormwater Management rule as it does not propose to increase the bounce or inundation of Lake Minnetonka.

The proposed void space and raingarden treatment meet the District’s Stormwater Rule requirements.

**Summary:**

Southshore Investments, LLC has applied for a Minnehaha Creek Watershed District permit for Floodplain Alteration, Erosion Control, and Stormwater Management for the construction of a beanbag toss court. The Applicant has demonstrated compliance with all applicable MCWD rules. The proposed BMPs do not require Financial Assurance according to the District’s Surety Schedule, additionally the Applicant has executed a maintenance declaration for the proposed Stormwater BMPs and has also paid reimbursement of Engineering and Mailing Fees, therefore Staff recommends approval with no conditions.

**Attachments:**

1. Permit Application
2. Site Location Map
3. Final Site Plans

17-262



Print Form

WATER RESOURCE PERMIT APPLICATION FORM

Use this form to notify/apply to the Minnehaha Creek Watershed District (MCWD) of a proposed project or work which may fall within their jurisdiction. Fill out this form completely and submit with your site plan, maps, etc. to the MCWD at: 15320 Minnetonka Blvd. Minnetonka, MN 55345.

Keep a copy for your records.

YOU MUST OBTAIN ALL REQUIRED AUTHORIZATIONS BEFORE BEGINNING WORK.

1. Name of each property owner: Southshore Investments LLC
Mailing Address: 685 - Excelsior Blvd City: Excelsior State: MN Zip: 55331
Email Address: toms@maynardsonline.com Phone: 952-470-1800 Fax: 952-470-0707

2. Property Owner Representative Information (not required) (licensed contractor, architect, engineer, etc...)
Business Name: Environmental Landform Representative Name: Dale Johnson
Business Address: 15539 Highwood Dr City: Minnetonka State: MN Zip: 55345
Email Address: elf@usinternet.com Phone: 952-935-0722 Fax: same

3. Project Address: 685-Excelsior Blvd City: Excelsior
State: MN Zip: 55331 Qtr Section(s): Section(s): Township(s): Range(s):
Lot: Block: Subdivision: PID:

4. Size of project parcel (square feet or acres): 2288
Area of disturbance (square feet): 2200 Volume of excavation/fill (cubic yards): 0
Area of existing impervious surface: 79000 sq ft Area of proposed impervious surface: 80,300 sq ft.
Length of shoreline affected (feet): Waterbody (& bay if applicable):

5. Type of permit being applied for (Check all that apply):
[ ] EROSION CONTROL [ ] WATERBODY CROSSINGS/STRUCTURES
[ ] FLOODPLAIN ALTERATION [X] STORMWATER MANAGEMENT
[ ] WETLAND PROTECTION [ ] APPROPRIATIONS
[ ] DREDGING [ ] ILLICIT DISCHARGE
[ ] SHORELINE/STREAMBANK STABILIZATION

6. Project purpose (Check all that apply):
[ ] SINGLE FAMILY HOME [ ] MULTI FAMILY RESIDENTIAL (apartments)
[ ] ROAD CONSTRUCTION [X] COMMERCIAL or INSTITUTIONAL
[ ] UTILITIES [ ] SUBDIVISIONS (include number of lots)
[ ] DREDGING [X] LANDSCAPING (pools, berms, etc.)
[ ] SHORELINE/STREAMBANK STABILIZATION [ ] OTHER (DESCRIBE):

7. NPDES/SDS General Stormwater Permit Number (if applicable):

8. Waterbody receiving runoff from site: Lake Minnetonka

9. Project Timeline: Start Date: 6-11-17 Completion Date: 7-1-17

Permits have been applied for: City [X] County [ ] MN Pollution Control Agency [ ] DNR [ ] COE [ ]
Permits have been received: City [ ] County [ ] MN Pollution Control Agency [ ] DNR [ ] COE [ ]

By signing below, I hereby request a permit to authorize the activities described herein. I certify that I am familiar with MCWD Rules and that the proposed activity will be conducted in compliance with these Rules. I am familiar with the information contained in this application and, to the best of my knowledge and belief, all information is true, complete and accurate. I understand that proceeding with work before all required authorizations are obtained may be subject to federal, state and/or local administrative, civil and/or criminal penalties.

[Signature]
Signature of Each Property Owner

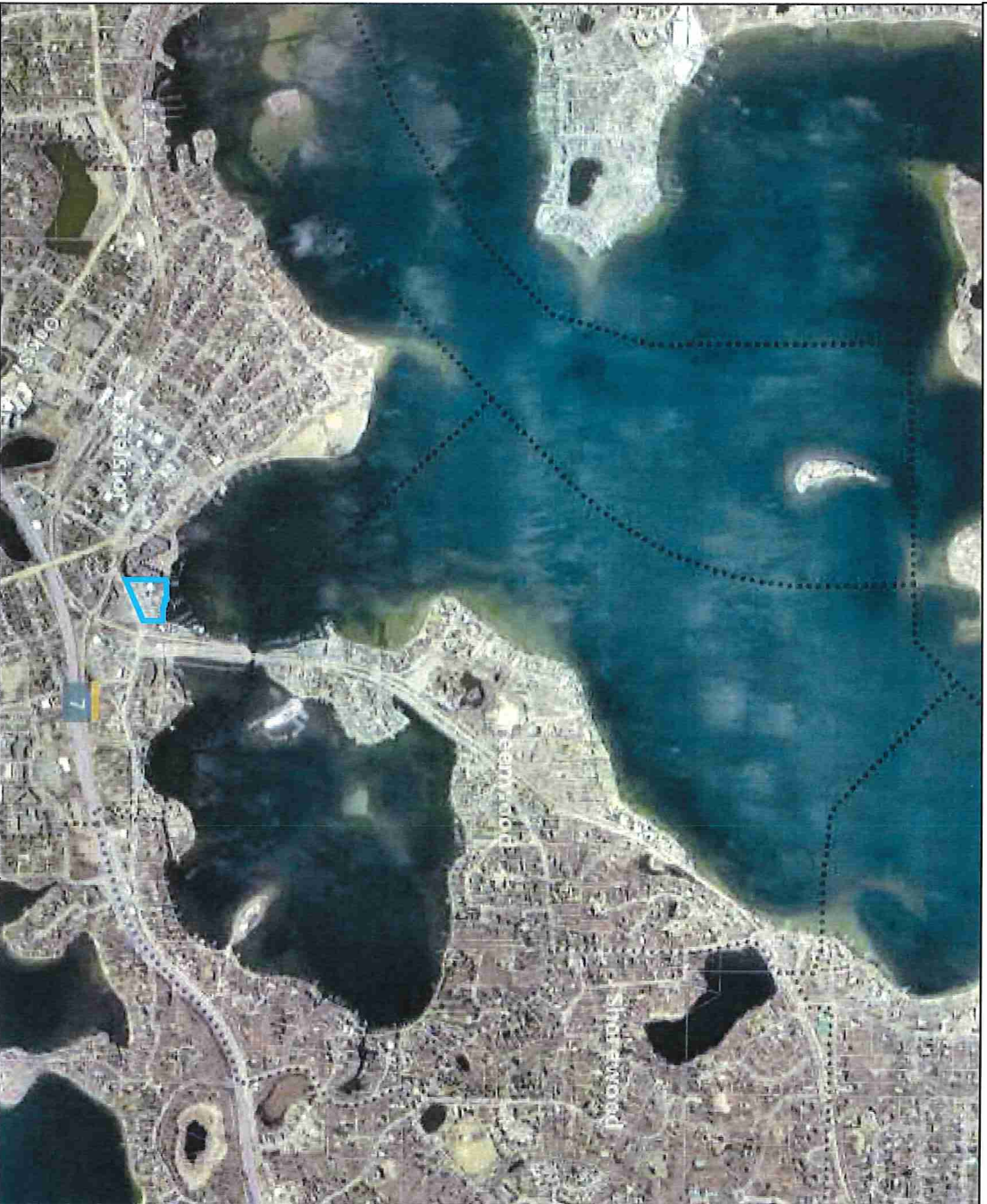
6-11-17
Date



# Hennepin County Natural Resources Map

Date: 7/24/2017

## Legend



Comments:

1 inch = 1,600 feet



PID: 3511723220014  
 Address: 685 EXCELSIOR BLVD,  
 EXCELSIOR  
 Owner Name: SOUTHSHORE PROPERTIES  
 LLC  
 Acres: 2.55

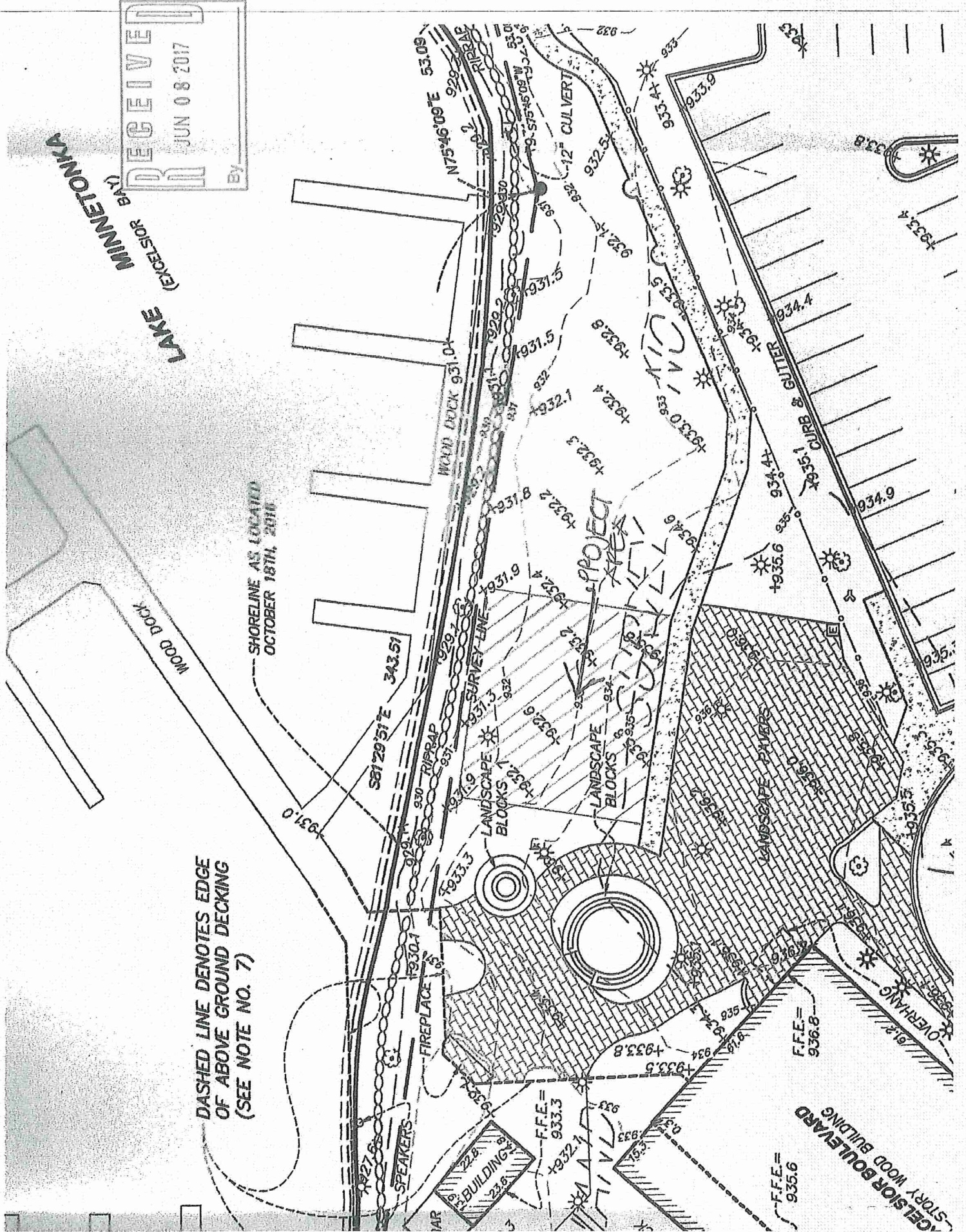
This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.  
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LAKE MINNETONKA  
(EXCEPTOR BAY)

RECEIVED  
JUN 08 2017  
By

DASHED LINE DENOTES EDGE  
OF ABOVE GROUND DECKING  
(SEE NOTE NO. 7)

SHORELINE AS LOCATED  
OCTOBER 18TH, 2010



NEW MITIGATED AREA (REMOVING 12 CUBIC FEET)

SILT FENCE  
\* INSTALLED

931.5

931.9

931.5

931.9

FILLING 12  
CUBIC FEET  
BELOW 931.5

BLOCK STEPS  
6" RISE  
12" TREAD

ARTIFICIAL  
TURF

RECEIVED  
JUN 28 2017

PERMEABLE  
PAVERS

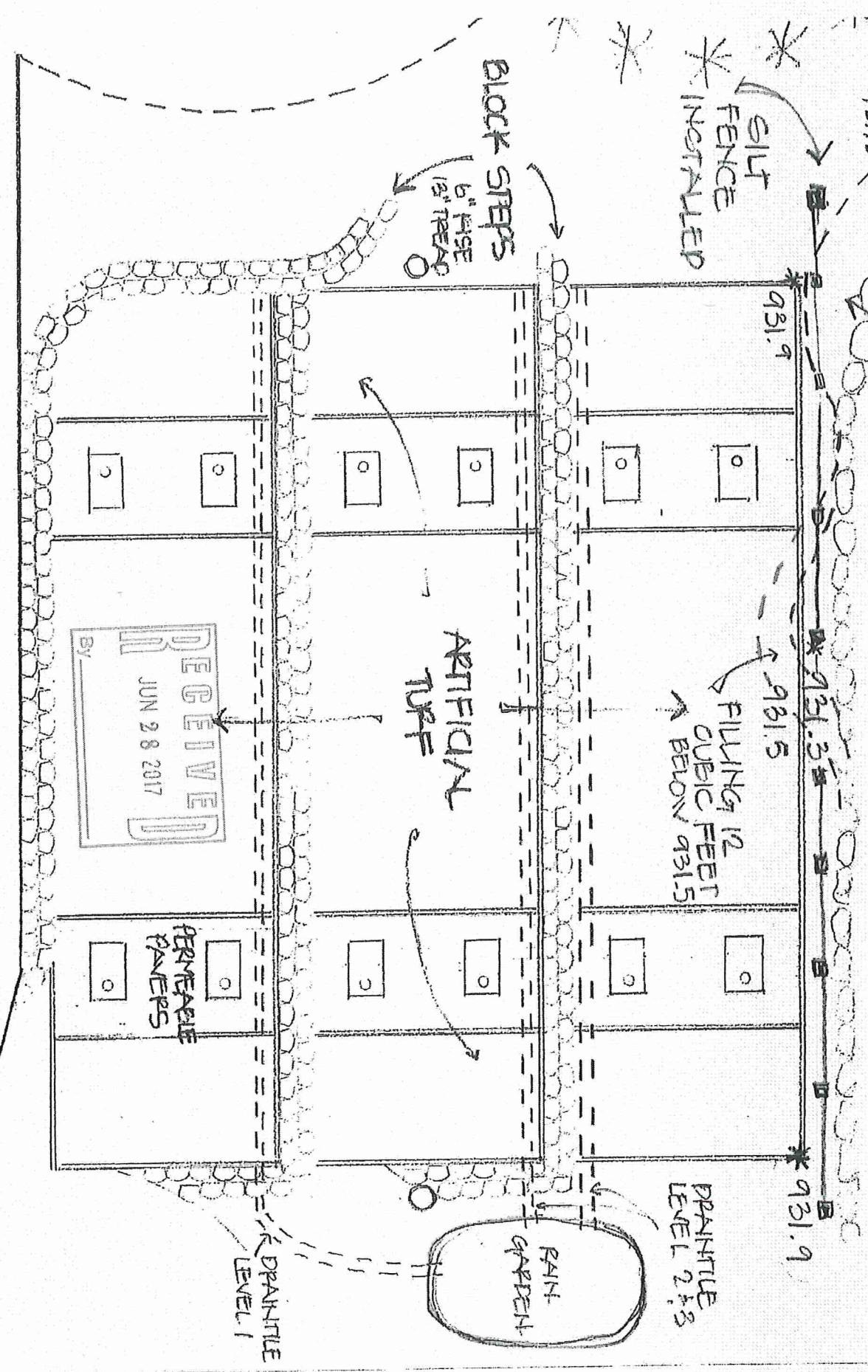
RAIN  
GARDEN

DRAIN TILE  
LEVEL 2.5

DRAIN TILE  
LEVEL 1

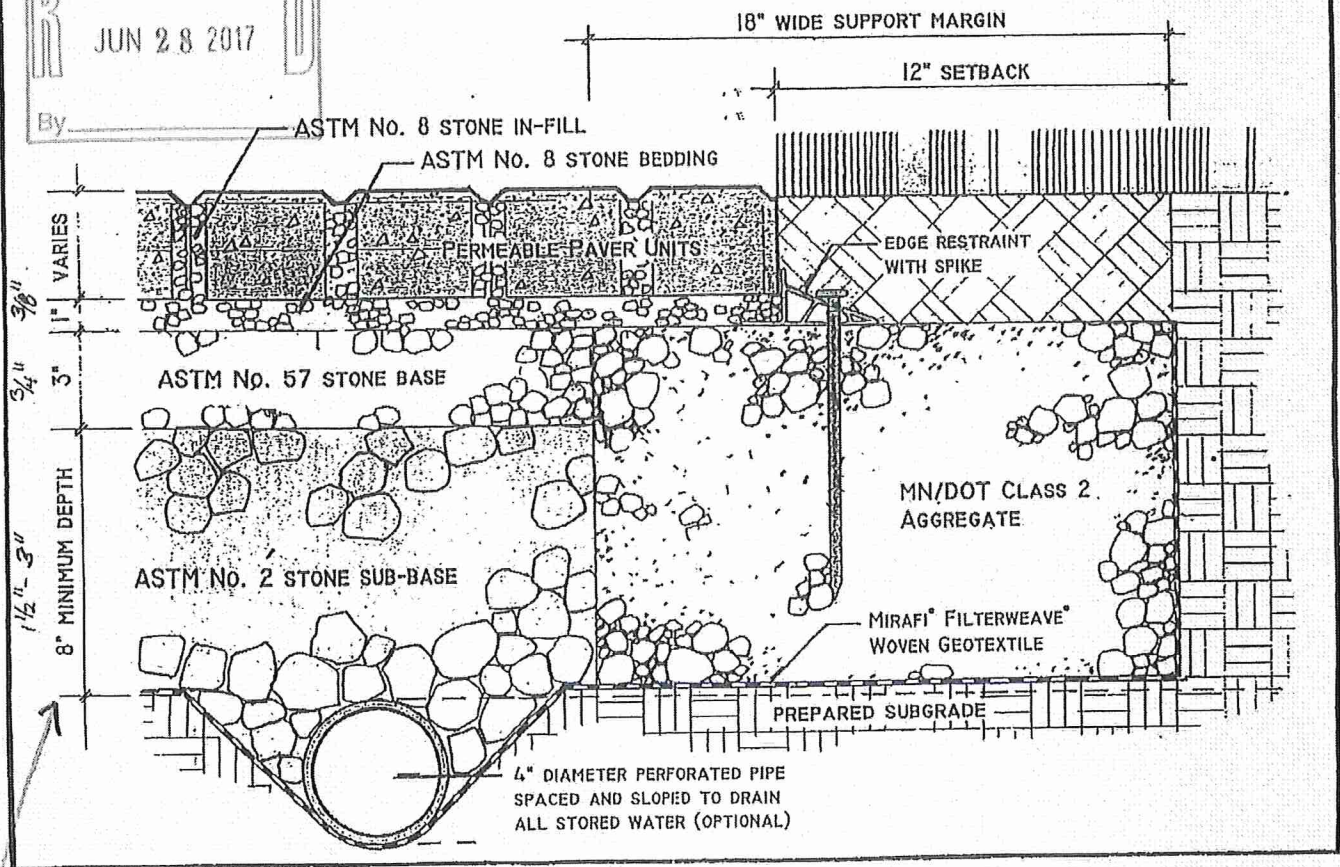
EXISTING WALK

HN/EN/VA SCALE 1"=1/8'



# PERMEABLE PAVEMENT FOR RESIDENTIAL APPLICATIONS

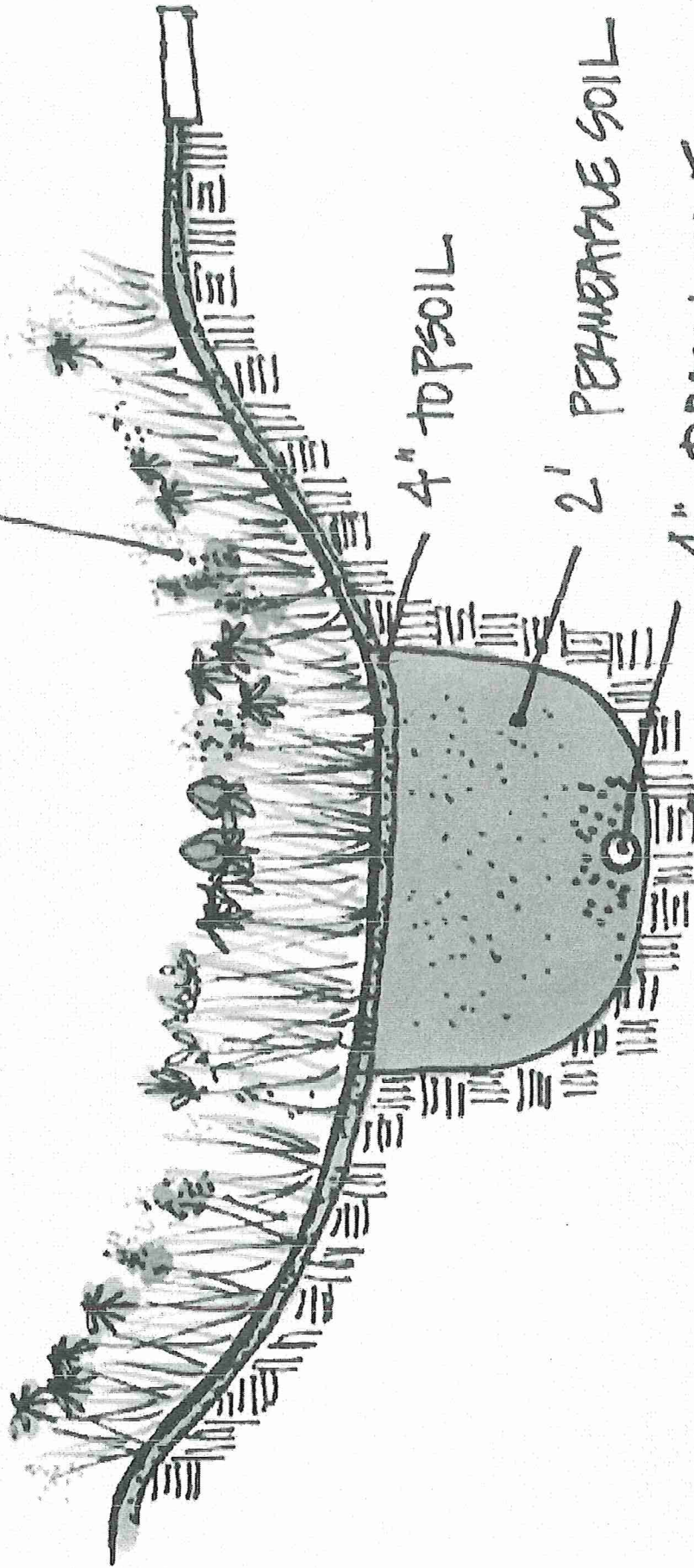
RECEIVED  
JUN 28 2017  
By \_\_\_\_\_



— DRAIN TILE FOR PROJECT LEVELS DRAINING INTO THE RAIN GARDEN ARE SURROUNDED BY 1 1/2" CLEAR AGGREGATE.

— YES THERE IS SUFFICIENT DEPTH FOR INSTALLATION OF PERMEABLE BASE! 12" PLUS PAVER. AND THIS IS THE CORRECT AND RECOMMENDED AGGREGATE SIZES PER LAYER

NATIVE WET MEADOW  
AND PRAIRIE  
PLANTS



4" TOPSOIL

2' PERMEABLE SOIL

4" DRAIN TILE

CLAY SUBSOIL

RECEIVED  
JUN 12 2017  
BY