



Title: MCWD Campus Improvement Update

Prepared by: Name: Laura Domyancich
Phone: 952.641.4582
ldomyancich@minnehahacreek.org

Purpose: To provide an update on the refinement of design plans for the Minnehaha Creek Watershed District (MCWD) campus improvements to address concerns recently raised by Campbell-Sevey, the MCWD's neighboring property, regarding the shared driveway and site access during construction.

Background: Throughout spring 2020, LHB, Inc. worked to design needed improvements to the MCWD campus including replacement of the upper and lower parking lots and driveway shared with Campbell-Sevey, reconfiguration of curbing within the parking areas and driveway to increase parking, improved and expanded stormwater management, correction of drainage issues, provision of on-site storage, and landscaping enhancements. Design progressed well, and the Board of Managers approved 90% design plans at its May 28, 2020 meeting. Campbell-Sevey was kept apprised of MCWD's work during project planning, and communication was generally positive with construction cost being the only concern raised. Following ongoing coordination during design, 90% plans were provided to Campbell-Sevey prior to the intended bid release in early June. Staff also provided Campbell-Sevey a draft construction agreement at this time to coordinate construction activities, cost sharing, and to communicate an intention to refine an outdated 1990 driveway easement.

Summary: Following review of 90% design plans, Campbell-Sevey expressed concerns regarding the extent of the improvements to the shared driveway and associated cost, the necessity of replacement given its assessment of the condition, and potential loss of access to its lower parking lot and loading dock during construction.

Bid documents were developed to potentially address the concern over cost by separating the Campbell-Sevey portion of the driveway construction as a bid alternate. The intention with this structure was to provide Campbell-Sevey with the option to disengage from the project if construction bids were unfavorable. Staff have learned recently that this approach, in practice, would be problematic to implement because of the likelihood of differential settling between an improved driveway section and an existing driveway section. If Campbell-Sevey decides not to participate in the driveway improvements, the design for the MCWD portion of the driveway would require adjustment.

Regarding the necessity to implement improvements now, LHB determined that the driveway, while in fair condition, is built of the same bituminous and poor sub-grade materials as the upper and lower parking lots and receives heavy truck traffic that will lead to further degradation. LHB recommended replacement of all bituminous and sub-grade materials and a sub-surface drainage layer to provide a long-lasting and durable driving surface without the differential settling caused by varying bituminous treatments.

Lastly, staff believed that access concerns had been addressed through construction phasing. The upper lot and driveway would be built first and the lower lot built second. MCWD staff had also been coordinating under an existing easement with the Westdale Nursery property owners to ensure that the driveway on the east side of that property could be temporarily used for access.

Over the last several weeks, staff has worked with LHB and legal counsel to more closely consider the concerns raised by Campbell-Sevey including a thorough analysis of necessity to replace the driveway, exploration of additional value engineering options to reduce the cost of the driveway replacement, and refinement of construction phasing to provide

more continuous access for Campbell-Sevey. This effort includes securing temporary license agreements with Westdale and New Horizon Academy to allow Campbell-Sevey to access its property through the nursery-daycare shared driveway during construction.

Campbell-Sevey requested that MCWD delay bid release until these issues are resolved. Progress has been made on addressing these concerns, and staff is hopeful that design plans can be revised effectively and efficiently to meet both parties' needs and that the project can be bid later this summer for fall construction.

Staff is also reviewing the design to adjust the 1990 driveway easement which is outdated, restrictive to both parties, and exceeds the actual width of the driveway by over 15 feet at some points. A new easement width that aligns with requirements of the City of Minnetonka, follows dimensions of the proposed driveway reconstruction, and provides better maintenance terms is being developed in coordination with Campbell-Sevey.

Staff anticipates bringing potential design modifications, revised easement documents, and license agreements to the July 23, 2020 Board meeting.