

# Technical Memorandum

**To:** Linda Loomis, Administrator  
Lower Minnesota River Watershed District

**From:** Hannah LeClaire, PE  
Katy Thompson, PE, CFM

**Date:** August 17, 2022

**Re:** Canterbury Independent Senior Living Permit Amendment (LMRWD No. 2021-040)

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The Canterbury Independent Senior Living project was approved for a Lower Minnesota River Watershed District (LMRWD) Individual Project Permit on September 15, 2021. A permit for Rule B—Erosion and Sediment Control and Rule D—Stormwater Management was issued on January 7, 2022, prior to the City of Shakopee (the City) applying for and obtaining its municipal permit from the LRMWD (see attached memo). On August 10, 2022, Stantec (the engineer) informed the LMRWD that the foundation of the building for the Canterbury Independent Senior Living Project (the Project) was constructed two feet lower than the proposed and permitted design. It is not monetarily feasible to reconstruct the building foundation. Therefore, Stantec is working with the contractor, Greystone Construction, to redesign portions of the site, including grading and drainage, to accommodate the lower elevations and prevent surface flooding while maintaining the Project's overall scope.

Stantec has also been working with the City's engineering staff to finalize the site's redesign, and the City is aware of the current proposed design. The engineer anticipates that comments from the City will be minor from this point forward, given the extensive coordination that has been carried out to date. But because the LMRWD previously issued the permit, the engineer has requested that the LMRWD review and comment on the proposed changes. Stantec has indicated that delaying construction would have far-reaching implications beyond a delayed schedule, including the loss of skilled contractors and future tenants. For these reasons, Stantec requests an expedited permit amendment approval. This memorandum summarizes how the changes proposed would affect compliance with LMRWD rules.

## Summary

<u>Project Name:</u>	Canterbury Independent Senior Living
<u>Purpose:</u>	Residential facility within Canterbury Park
<u>Project Size:</u>	3.3 acres disturbed; 2.06 acres new impervious
<u>Location:</u>	Northwest quadrant of Vierling Drive East and Eagle Creek Boulevard, Shakopee (PID 274980020)
<u>LMRWD Rules:</u>	Rule B—Erosion and Sediment Control Rule D—Stormwater Management
<u>Recommended Board Action:</u>	Amendment conditional approval

## Discussion

The LMRWD received the following documents for review:

- The Omry Canterbury Independent Senior Living Stormwater Compliance Memo by Stantec; dated August 4, 2021; revised August 12, 2022; received August 12, 2022
- Construction Plans by Stantec; dated August 12, 2022; received August 12, 2022

The received documents provide the minimum information necessary for a permit amendment review.

### Background

The Project is part of a larger 402-acre regional mixed-use and commercial development surrounding Canterbury Park. The City approved a regional stormwater management plan (the Plan) for the Canterbury Park area on May 26, 2020, which states the maximum impervious area percentages for all proposed development within the Plan area to ensure the regional stormwater BMPs function as intended and provide the Plan area with rate control, volume reduction, and water quality benefits. The regional stormwater system was designed to the City's more stringent requirements, and developments that meet the impervious percentage limitations of the Plan will therefore also comply with LMRWD Rule D (see attached memo).

### Rule B—Erosion and Sediment Control

The proposed design changes do not affect the Project's erosion and sediment control plan. Therefore, the Project remains in compliance with Rule B.

### Rule D—Stormwater Management

The proposed new impervious area will be increased from 2.0 acres to 2.06 acres on a 3.5-acre parcel, as shown in Figure 1. The proposed design changes include the following:

- Removing six stalls from the parking lot to regrade the underground parking entrance ramp and minimize drainage to the ramp trench drains
- Regrading the southeast perimeter of the building and adding a concrete perimeter trench drain to meet the minimum emergency overflow requirements of the City

The redesign does not affect the stormwater treatment plan or the overall drainage pattern. Stormwater will continue to discharge directly into the existing City stormwater infrastructure, which is then treated by Pond 03P, the Canterbury Park Infield Ponds, and Northwest Pond (Figure 2). These ponds were previously constructed and now are part of the City's MS4 program. The Project is within the Plan's 03.2S sub-watershed (Figure 2), which allows a maximum of 80 percent impervious area at each development. While the redesign proposes to increase the impervious area percentage from 57 percent to 59 percent, that figure remains below the maximum impervious area threshold. Therefore, the Project remains in compliance with Rule D.

### **Recommendations**

Young Environmental staff recommend conditional approval of the amended permit, pending receipt of the following:

- Final revised construction plans
- Documentation that the City of Shakopee has approved the proposed redesign

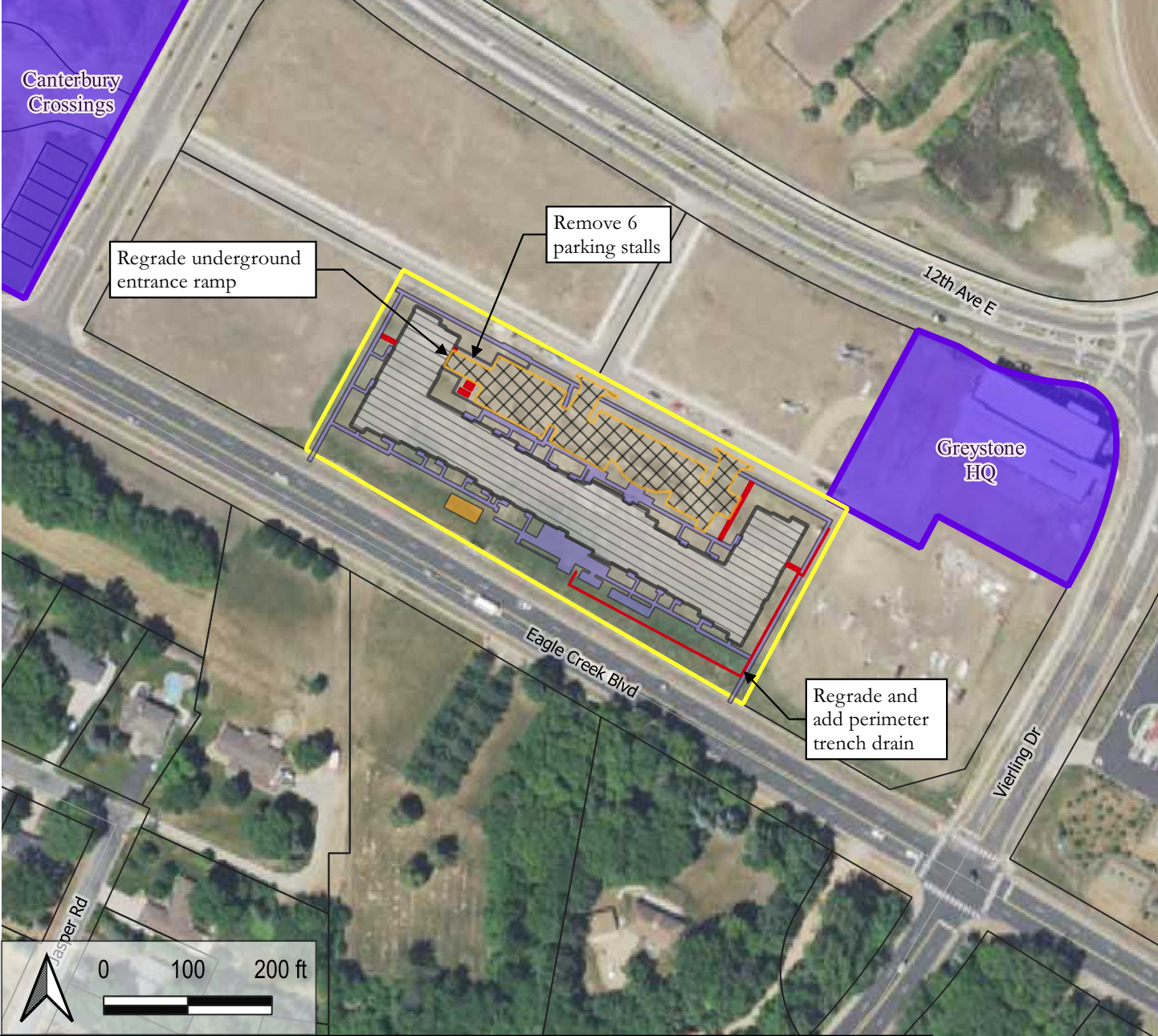
### **Attachments**

- Figure 1—Canterbury Independent Senior Living Project Location Map
- Figure 2—Canterbury Park Stormwater Treatment Ponds
- Canterbury Independent Senior Living Permit Review Memo, September 9, 2021



Figure I: Canterbury Independent Senior Living Project

Amendment



Legend

- Canterbury Senior Living Project Site
- Previous LMRWD Permits
- Proposed Building
- Proposed Parking Lot
- Proposed Pickleball Court
- Proposed Sidewalk
- Proposed Additional Impervious
- Parcels

LMRWD Watershed Location Map

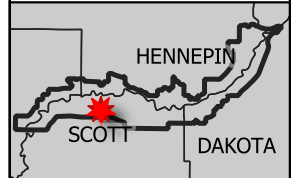






Figure 2: Canterbury Park Stormwater Treatment Ponds

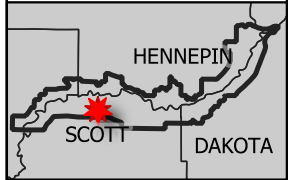
Amendment



**Legend**

- Canterbury Senior Living Project Site
- Previous LMRWD Reviews
- Canterbury Park Regional Stormwater Area
- Parcels
- \* Regional Ponds

**LMRWD Watershed Location Map**



# Technical Memorandum

**To:** Linda Loomis, Administrator  
Lower Minnesota River Watershed District

**From:** Kaci Fisher, Environmental Scientist  
Katy Thompson, PE, CFM

**Date:** September 9, 2021

**Re:** Canterbury Independent Senior Living (LMRWD No. 2021-040)

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TE Miller Development LLC (the applicant) has applied for an individual project permit from the Lower Minnesota River Watershed District (LMRWD) to develop a residential site within Canterbury Park in the City of Shakopee (City), as shown in [Figure 1](#). The applicant's engineer, Wenck, has provided site plans for Canterbury Independent Senior Living (Project) along with the permit application.

The proposed Project consists of constructing an independent senior living facility along with its associated parking lot and pickleball court on an undeveloped site. The Project would disturb approximately 3.3 acres and create 2.0 acres of new impervious surfaces. The Project is not located within the High Value Resource Area, Steep Slopes Overlay District, or 100-year floodplain. It is adjacent to two recently approved permits, Greystone Headquarters (LMRWD No. 2020-117) and Canterbury Crossings (LMRWD No. 2020-135), which are all part of the multiphase Canterbury Commons development.

Because the City does not have its LMRWD municipal Local Government Unit permit, this Project requires an LMRWD individual permit and is subject to an LMRWD permit review.

## Summary

Project Name: Canterbury Independent Senior Living

Purpose: Residential facility within Canterbury Park

<u>Project Size:</u>	3.3 acres disturbed; 2.0 acres new impervious
<u>Location:</u>	Near the intersection of Vierling Drive East and Eagle Creek Boulevard, Shakopee (PID 274980020)
<u>LMRWD Rules:</u>	Rule B—Erosion and Sediment Control Rule D—Stormwater Management
<u>Recommended Board Action:</u>	Conditional approval

## Discussion

The District received the following documents for review:

- LMRWD permit application; received August 11, 2021
- LMRWD \$750 application review fee; received August 13, 2021
- Site Plan by Wenck; dated August 6, 2021; received August 11, 2021
- Preliminary Site Construction Plans by Wenck; dated August 6, 2021; received August 11, 2021
- Final Plat unsigned; dated August 4, 2021; received August 11, 2021
- Preliminary Plat of Canterbury Southwest Second Addition; dated August 4, 2021; received August 11, 2021
- Canterbury Independent Senior Living Stormwater Compliance Memo by Wenck; dated August 4, 2021; received August 16, 2021
- Canterbury Southwest Stormwater Management Plan & Comment Response by Wenck; dated April 28, 2020; received August 16, 2021
- Canterbury Regional Stormwater Management Plan by Wenck; dated December 12, 2019; revised April 28, 2020; received August 16, 2021

The application was deemed complete on August 13, 2021, and the documents received provide the minimum information necessary for permit review.

## Background

The Project is part of a larger 402-acre regional mixed-use and commercial development surrounding Canterbury Park. This area consists of shallow bedrock, a wellhead protection area, and a high vulnerability drinking water supply management area (DWSMA), so a regional stormwater management plan (Plan) for the Canterbury Park area was developed and later approved by the City on May 26, 2020. The Plan includes several stormwater ponds to ensure water quality and rate control standards for the full buildout of the site.

The Canterbury Park development area has been divided into several subwatersheds with an assumed impervious surface area percentage. In general, if developments are



equal to or below the assumed impervious surface area percentage, then the stormwater treatment, as proposed in the Plan, will meet the City's water quality and rate control requirements. Because the City's requirements are equal to or more stringent than the District's Rule D—Stormwater Management requirements, developments below the assumed impervious area percentage threshold will also comply with the District's rule.

#### Rule B—Erosion and Sediment Control

The District regulates land-disturbing activities that affect 1.0 acre or more under Rule B. The proposed Project would disturb approximately 3.3 acres within the LMRWD boundary. The applicant has provided an erosion and sediment control plan and a Stormwater Pollution Prevention Plan.

The Project generally complies with Rule B; however, a copy of the NPDES permit and contact information for the contractor and person(s) responsible for inspection and maintenance of all erosion and sediment control features will be needed to issue the final LMRWD permit.

#### Rule D—Stormwater Management

The Project proposes a total of 2.0 acres of new impervious surfaces. The Project area is constrained by shallow bedrock, a high vulnerability DWSMA, and a wellhead protection area, so infiltration is not allowed on site. The Project proposes to treat the stormwater by discharging directly into the existing City stormwater infrastructure, which is treated by Pond 03P, the Canterbury Park infield ponds, and Northwest pond, as described in the Plan (**Figure 2**). These ponds have previously been constructed and are part of the City's MS4 program.

The Project is within the Plan's 03.2S subwatershed, which assumes a maximum of 80% impervious surfaces and is proposing 57% impervious surfaces. Since it is below the 80% maximum, the Project is assumed to meet the District's Rule D requirements.

### **Recommendations**

Staff recommends conditional approval of the Project, pending receipt of a copy of the NPDES permit and contact information for the contractor(s) and/or the person(s) responsible for inspection and maintenance of all erosion and sediment control features.

### **Attachments**

- Figure 1—Canterbury Independent Senior Living Project Location Map
- Figure 2—Canterbury Senior Living Stormwater Treatment