

Department of Public Works – Engineering Division

MEMO

TO: Utilities Committee

FROM: Paula Vandehey, Director of Public Works
Sue Olson, Staff Engineer

DATE: March 2, 2018

RE: Approve Maximum Extent Practical (MEP) and Fee-in-lieu payment for Stormwater Management Requirements for Eagle Point Senior Housing

Eagle Point Senior Housing, located at 935 E. John Street, received a Stormwater Management Permit prior to starting construction in 2017. Per the ordinance, as a site greater than five (5) acres, one of their requirements was to achieve 80% Total Suspended Solids (TSS) removal from the developed condition. They prepared a plan that included a biofilter and a pond and met 80.1% TSS removal.

In October 2017, staff approved a modification to reduce the size of the stormwater pond. That change did not impact the TSS removal, but did require changes to the maintenance plan. In February 2018, the design consultant for the project notified the City of problems with the soils under the pond, requiring extensive geotechnical work, reinforcement of the soils beneath the pond, and adding a plastic liner.

The developer has requested MEP for the site of 32% TSS removal, which is the amount received by the biofilter. If the developer builds the pond, they need to do so while the site is frozen, to minimize groundwater into the site which must be pumped to the wastewater treatment plant.

After discussions with the City's plan review consultant, the developer, and the developer's consultant, staff recommends the following, taken together:

1. Waive the 80% TSS removal requirement down to the WDNR 40% requirement, and
2. Agree that the pond does not need to be constructed based on soil conditions, and
3. Accept a \$37,500 in-lieu fee to allow the City to do off-site practices to make up the difference between 32% and 40% TSS removal. (This is approximately 50% of the estimated cost of finishing the pond under current site conditions and consistent with past practice of in-lieu fees.)

The Developer will still need to obtain WDNR approval of MEP.