

Memorandum

Phillips Crossing/Grant Park Addition



To: Brian Hefty
Pat Carey, PE

From: City of Baltic
Justin Heim, PE

Date: September 25th, 2022

Subject: Grant Park/Phillips Crossing

This memo is in response to Grant Park Capital in regards to Grant Park & Phillips Crossing site deficiencies. Below is a log of the ongoing coordination between the City of Baltic and Grant Park Capital:

- *Thursday, August 4th – Memo noting compliance deficiencies on the Grant Park and Phillips Crossing developments delivered to Grant Park Capital.*
- *Wednesday, August 17th – response/additional information requested from Grant Park Capital. Noted in red below.*
- *8/29/2022 – response provided to Grant Park Capital from City of Baltic. Noted in blue below.*
- *9/22/2022 – response provided to ISG from Grant Park Capital. Noted in bolded red below.*
- *9/23/2022 – response provided to Grant Park Capital from ISG. Noted in bold blue below.*

OVERVIEW

Below is a list of items that were deemed not up to city code per City staff for both the Phillips Crossing and Grant Park Addition. Items are listed under three categories: Immediate Action Items, Action Items, and Punchlist Items. Immediate Action items will need to be resolved per city satisfaction in order to resume review and acceptance of building permits, Action Items need to be resolved in the near future and if no action is taken the developer is at risk of ceased building permits, and Punchlist items will be required to be completed to city satisfaction prior to the City accepting maintenance of the streets and utilities.

The City of Baltic request a response letter noting plan of action and timeline of resolution to all items listed below. It is understood that construction is an ongoing process and items change as construction progresses. The City of Baltic will continue to review items as and update the list below as necessary.

Phillips Crossing

IMMEDIATE ACTION ITEMS

1. Lot depths not meeting City of Baltic Subdivision code to be resolved.
 - a. **The plat was reviewed by city staff and approved by both Planning and Zoning and City Council with the lot dimensions as filed in Minnehaha County an no issue was taken. At this time, some of the lots have been sold. We request your input on the proposed action to resolve this issue.**
 - i. **Article IX, Section 1 Baltic Subdivision Regulations: No plat or plan of a subdivision of land located within the jurisdiction of this ordinance shall be recorded or filed with the county Register or Deeds, nor shall any plat or subdivision have any validity unit it complies with the provisions of this and has received final approval in writing from the City Council.**
 - ii. **Article V, Section 5: Lots. Minimum depth of lots shall be one hundred (100) feet. The size, shape, and configuration shall be as the Planning Commission deems appropriate.**
 1. **Lots do not meet requirements per this section. Revise lots as necessary or provide alterative solution.**

Memorandum

Phillips Crossing/Grant Park Addition



- b. **Please see the attached Exhibit I, Lot Line Housing Placement showing the footprint of houses within the existing lots. As for houses that encroach the setbacks within the lots, we would request reasonable variances to rectify any discrepancies with the lots in question.**
 - c. **Exhibit 1, Lot Line Housing Placement will be presented to P&Z for acceptance. P&Z to determine if variances will be granted – Exhibit 1 documentation provides adequate information to show variances will not be needed and the lots are buildable as presented.**
2. Review drainage easements and provide data to ensure 100-year storm is contained within drainage easement.
 - a. **In order for GPC to evaluate this request, please provide reference to the specific City of Baltic or other drainage ordinance/design criteria that addresses this requirement.**
 - i. **Article V, Section 6 notes: Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary. Such easements shall be no less than (12) feet wide. When the planning commission deems it necessary for proper drainage within or through a subdivision, it shall require that a storm water easement or drainage right-of-way be provided.**
-Planning commission deems it necessary for proper drainage within the subdivision, an easement is necessary. To ensure the drainageway stays clear of obstructions an easement will be required to convey the 100-year storm event. Provide design calculations and easement width as necessary.
 - b. **12' wide drainage easements are proposed to lay between: 1.) Block 2 & 3, and 2.) Block 3 & 4. Both easements will run to the eastern portion of the development and start at the western portion.**
 - c. **Provide easement drawings representing the above mentioned locations.**
 3. Provide drainage calculations and grading plan to ensure no negative impacts to adjacent properties.
 - a. **Grading plan was included in the construction plans submitted to the City and DANR for review.**
 - i. **Provide construction plans, SWPPP, and stormwater management plan.**
 - b. **Please see the attached Exhibit VI, Updated SWPPP for Phillips Crossing and Grant Park Additions.**
 - c. **SWPPP to be signed by owner and contractor. Contractor to update the SWPPP as construction progresses.**
 4. Culvert at 7th and Lovely to be cleaned free of silt. Topsoil to be reshaped and seeded as necessary.
 - a. **No response provided.**
 - b. **Splitrock and Metro have completed the reshaping, seeding, and erosion blanket.**
 - c. **Item will continue to be monitored until final stabilization has occurred.**
 5. Grade boulevards from curb to lot line at a minimum 2% grade. Ensure positive drainage throughout the development.
 - a. **No response provided.**
 - b. **Grant Park Capital (GPC) has back filled the curb several times. It has stabilized vegetation on it currently. We suggest to have this concern solved upon the construction of the housing units.**
 - c. **Provide solution to how drainage will be maintained when lots begin to be developed.**

ACTION ITEMS

1. Clean all storm sewer to ensure pipe has sufficient capacity. Ensure erosion control is in place in order to keep the storm sewer clean.
 - a. **SWPPP is being followed and corrective actions directed by SD DANR are being addressed.**
 - i. **Provide inspection reports as required per DANR Construction General Permit.**
 - ii. **Provide timeline on completion of corrective actions as directed by SD DANR.**
 - b. **Prior to the city taking over, the sewer lines will be flushed, as planned and agreed upon previously. Further, all inspection reports have been attached in Exhibit II, Inspection Reports as requested.**

Memorandum

Phillips Crossing/Grant Park Addition



- c. **Noted. Inspection reports date to 6-13-22. Provide previous reports.**
2. Ensure erosion control practices are implemented at all times of construction.
 - a. **SWPPP is being managed/followed.**
 - i. **Provide inspection reports are required per DANR Construction General Permit, previous and future.**
 - b. **Please see the attached Exhibit IV – Phillips Crossing Improvement Pictures, pictures 2, 3, and 8. These pictures reflect the erosion control measures implemented for Phillips Crossing. Please see the attached inspection reports in the document Exhibit II – Inspection Reports, as requested. Please see the attached Exhibit VI, Updated SWPPP for Philips Crossing and Grant Park Additions, as requested.**
 - c. **Item will be monitored until final stabilization has occurred.**

PUNCHLIST ITEMS

1. Adjust all fire hydrants to the proper elevation of grade ring on hydrant to 0.1' above curb.
 - a. **No response provided.**
 - b. **GPC will ensure all fire hydrants are at an elevation of grade ring on hydrant at least .1' above curb. 1-4 are punchlist and warranty items between GPC and Metro.**
 - c. **Noted.**
2. Straighten 2nd hydrant south of Lovely on 7th Street.
 - a. **No response provided.**
 - b. **1-4 are punchlist and warranty items between GPC and Metro.**
 - c. **Noted.**
3. Turn hydrant on middle cul-de-sac to be square with curb.
 - a. **No response provided.**
 - b. **1-4 are punchlist and warranty items between GPC and Metro.**
 - c. **Noted.**
4. Touch up paint on all fire hydrants.
 - a. **No response provided.**
 - b. **1-4 are punchlist and warranty items between GPC and Metro.**
 - c. **Noted.**
5. Install sidewalk on 7th Street – West side from Lovely to back lot line of first lot.
 - a. **No response provided.**
 - b. **The sidewalk on 7th street can be installed; however, GPC has concerns that it has nowhere to connect.**
 - c. **Further discussion to be had between P&Z and GPC for solution on sidewalk in this location.**
6. Provide utility construction testing reports (sanitary sewer and watermain)
 - a. **Baltic Subdivision Regulations Article VII Final Approval, Section 1 – Inspection indicates the City shall provide inspection of required improvements during construction in order to insure their satisfactory completion prior to public dedication. To this end, Metro Construction completed the required testing and it was witnessed by City of Baltic employee Brad. Assume his reports are at the City Office and since GPC was not notified of any deficiencies, assume all tests passed.**
 - i. **Provide testing reports from Metro Construction.**

Memorandum

Phillips Crossing/Grant Park Addition



- b. **GPC has been in contact with former city employees, Brad Eggert and Myles Peterson, as well as the Metro Construction supervisor, Brook Horstmeyer. They have all acknowledged and attested that on or around July 2021, the City of Baltic witnessed Metro Construction administer such tests and Metro Construction stating that the test results came back with no discrepancies and had passed in accordance with specified standards adopted by the City of Baltic with no concerns.**
- c. **GPC to provide sanitary sewer televising report and water bacteria testing report as discussed in 9/23 meeting.**

Grant Park Addition

IMMEDIATE ACTION ITEMS

1. Review drainage easements and provide data to ensure 100-year storm is contained within drainage easements.
 - a. **In order for GPC to evaluate this request, please provide reference to the specific City of Baltic or other drainage ordinance/design criteria that addresses this requirement.**
 - i. **Article V, Section 6 notes: Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary. Such easements shall be no less than (12) feet wide. When the planning commission deems it necessary for proper drainage within or through a subdivision, it shall require that a storm water easement or drainage right-of-way be provided.**
-Planning commission deems it necessary for proper drainage within the subdivision, an easement is necessary. To ensure the drainageway stays clear of obstructions an easement will be required to convey the 100-year storm event. Provide design calculations and easement width as necessary.
 - b. **Please see the attached detention pond concept and calculations (Exhibit VII – Detention Pond Design and Analysis) for the northwest portion of Grant Park Addition.**
 - c. **There is discrepancy between this report and the report completed in 2021 as it pertains to the existing conditions analysis. Please review and provide information on discrepancy as it pertains to existing conditions peak flows.**
 - d. **The preliminary detention basin analysis provided by Banner shows the 100-year storm will be contained within the proposed basin. It is understood that this is a preliminary design and final design will be required prior to implementation.**
2. Provide drainage calculations and grading plan to ensure no negative impacts to adjacent properties.
 - a. **Grading plan was included in the construction plans submitted to the City and DANR for review and Drainage Analysis has been previously sent.**
 - i. **Drainage analysis Memo Dated July 2021 notes a 100-year allowable release rate at the NW corner of the site of 13.84 cfs and a provided release rate of 70.10 cfs. No downstream analysis or measures indicated to control the additional runoff. Provide measures to manage runoff, provide downstream analysis to ensure no negative impacts downstream.**
 - b. **Please see the attached detention pond concept (Exhibit VII – Detention Pond Design and Analysis) for the northwest portion of Grand Park Addition. The detention pond design has a 4 ½ foot height to detain the water from a 100-year storm. The spillway elevation is designed to have the Top of Pond Berm at 1,520.00 elevation, and the calculated approximate 100-year storm water elevation is 1518.80. This leaves approximately over one (1) foot of detention room before the retained water would flow downstream from the spillway. Any storm bigger than the 100 year storm amount, it would detain for one more foot prior to spilling into the spillway. The spillway would direct the overflow towards 5th Street and drain as it does now. Please see Exhibit III – Existing Waterflow Analysis to see that no negative impact is presently at issue for the Valleyview adjacent landowners. As any amount of overflow above a conservative 100-year storm calculation would be marginal, such redirection of spillway water should be minimal. Further, a portion of the pond is lower than the existing ground elevation so a majority of the overland flow between the Grant Park**

Memorandum

Phillips Crossing/Grant Park Addition



Subdivision and Valleyview Subdivision should be directed overland into the pond. A smaller portion of the backyard drainage will not be able to be transmitted into the pond.

- c. **Spill way is recommended to be directed to 5th street. Current location would spill into adjacent properties.**
3. Provide stormwater management plan that detains all runoff on site or provide agreement if using adjacent property for storage. Provide design calculations for stormwater detention.
 - a. **In order for GPC to evaluate this request, please provide references to the specific City of Baltic or other drainage ordinance/design criteria that addresses this requirement.**
 - i. Drainage design memo dated July 2021 notes allowable release rate for the NW corner of the site as 13.84 cfs for the 100-yr event. The proposed conditions releases 70.10 cfs runoff at this location.
 - ii. Per Section 5.3.7 of DANR Construction General Permit – Post Construction Stormwater Management “You must identify stormwater management practices that will be installed during the construction process to control pollutants in stormwater discharges occurring after construction operations have been completed. Maintenance for onsite stormwater management features is the responsibility of the permittee until the NOT is submitted or the feature is accepted by the party responsible for long term maintenance. The following information must be included in your SWPPP:
 1. An explanation of the technical basis used to select the practices to control pollution where flows exceed pre-development levels
 2. A description of structural stormwater management practices such as stormwater ponds, open vegetated swales, natural depressions to allow infiltration of runoff onsite, and sequential systems that combine several practices or other post construction stormwater management features; and
 3. The location of velocity and energy dissipation devices placed at discharge points and appropriate erosion protection for outfall channels and ditches.
 - b. **Please see the attached detention pond concept (Exhibit VII – Detention Pond Design and Analysis) for the northwest portion of Grand Park Addition. The detention pond design has a 4 ½ foot height to retain the water from a 100-year storm. The spillway elevation is designed to have the Top of Pond Berm at 1,520.00 elevation, and the calculated approximate 100-year storm water elevation is 1518.80. This leaves approximately over one (1) foot of detention room before the detained water would flow downstream from the spillway. The spillway would direct the 100-year overflow towards 5th Street and drain as it does now. As this amount of overflow is above a conservative 100-year storm calculation, such redirection of spillway water should be minimal. Please see the Exhibit II for all calculations referring to the waterflow.**

This installation would potentially include a reconstruction of the downstream storm manhole and installation of 90’ of 30” RCP with pond outlet structure at the western portion of the detention pond; reconstruct the 75’ of 24” RCP storm sewer, as well as install flared end outlet with rip rap south of the detention pond across the road into GPC; and additional dirt to construct a berm where the ditch is presently, to the southwest of the detention pond to direct surface water into proposed pond.

- c. **Note, rip rap would be installed at all inlet and/or outlet of the detention pond to install velocity and energy dissipation devices accordingly.**
- d. **Detention pond analysis has been reviewed and it is understood this is preliminary and final design would be required prior to implementation. Discrepancy occurs between existing peak flow data in the drainage memo provided in 2021 and the current analysis – please reconcile discrepancy. Analysis results provide proof that the detention basin will limit runoff from the development to existing condition flows. Based on the analysis provided, The City of Baltic requires a detention basin be implemented in the Northwest corner of the development to limit runoff to the existing conditions peak runoff rates.**

Memorandum

Phillips Crossing/Grant Park Addition



4. Lot depths not meeting City of Baltic Subdivision code to be resolved.
 - a. **The plat was reviewed by city staff and approved by both Planning and Zoning and City Council with the lot dimensions as filed in Minnehaha County and no issues was taken. At this time, some of the lots have been sold. We request your input on the proposed action to resolve this issue.**
 - i. **Article IX, Section 1 Baltic Subdivision Regulations: No plat or plan of a subdivision of land located within the jurisdiction of this ordinance shall be recorded or filed with the county Register or Deeds, nor shall any plat or subdivision have any validity unit it complies with the provisions of this and has received final approval in writing from the City Council**
 - ii. **Article V, Section 5: Lots. Minimum depth of lots shall be one hundred (100) feet. The size, shape, and configuration shall be as the Planning Commission deems appropriate.**
 1. **Lots do not meet requirements per this section. Revise lots as necessary or provide alterative solution.**
 - b. **Please see the attached Exhibit I – Lot Line Housing Placement showing the footprint of houses within the existing lots. As for houses that encroach the setbacks within the lots, we would request reasonable variances to rectify any discrepancies with the lots in question.**
 - c. **Exhibit 1, Lot Line Housing Placement will be presented to P&Z for acceptance. P&Z to determine if variances will be granted – Exhibit 1 documentation provides adequate information to show variances will not be needed and the lots are buildable as presented.**
5. Grade boulevards from curb to lot line at a minimum 2% grade. Ensure positive drainage throughout the development.
 - a. **No response provided.**
 - b. **GPC has back filled the curb several times. It has stabilized vegetation on it currently. We suggest to have this concern solved upon the construction of the housing units.**
 - d. **Provide solution to how drainage will be maintained when lots begin to be developed.**
6. Grade rear lot lines to eliminate water retention and water runoff on adjacent lots.
 - a. **No response provided.**
 - b. **The detention pond design has a 4 ½ foot height to detain the water from a 100-year storm. The spillway elevation is designed to have the Top of Pond Berm at 1,520.00 elevation, and the calculated approximate 100-year storm water elevation is 1518.80. This leaves approximately over one (1) foot of detention room before the detained water would flow downstream from the spillway. The spillway would direct the 100-year overflow towards 5th Street and drain as it does now. As this amount of overflow is above a conservative 100-year storm calculation, such redirection of spillway water should be minimal.**

This installation would potentially include a reconstruction of the downstream storm manhole and installation of 90' of 30" RCP with pond outlet structure at the western portion of the detention pond; reconstruct the 75' of 24" RCP storm sewer, as well as install flared end outlet with rip rap south of the detention pond across the road into GPC; and additional dirt work berm up the ditch to the southwest of the detention pond to direct surface water into proposed pond.

Proposed detention basin plan eliminates runoff on adjacent properties. Final plans will be reviewed of conformance.
7. Remove sediment from Murphy's pond to condition prior to project commencing.
 - a. **No response provided.**
 - b. **With the new school construction to happen next year, would it be prudent to hold off on removal of sediment**

Memorandum

Phillips Crossing/Grant Park Addition



- c. **The two projects are separate entities. The City will require all maintenance activities required to restore Murphy's pond to existing conditions prior to the construction of the school site. The school site construction will require sediment control to prevent the illicit discharge into Murphy's pond.**
8. Repair riprap along Murphy's pond
 - a. **No response provided.**
 - b. **With the new school construction to happen next year, would it be prudent to hold off**
 - c. **The two projects are separate entities. The City will require all maintenance activities required to restore Murphy's pond to existing conditions prior to the construction of the school site. The school site construction will require sediment control to prevent the illicit discharge into Murphy's pond.**
9. Remove sediment from drainage ditch west of 5th Street riprap.
 - a. **No response provided.**
 - b. **Please see Exhibit V – Grant Park Addition Improvement Pictures, picture 5 to see that sediment from drainage west of 5th Street riprap was removed.**
 - c. **Item will be continually monitored until final stabilization.**
10. Remove sediment from ditch north of property on east side of 5th Street. Regrade and reseed as necessary.
 - a. **No response provided.**
 - b. **Splitrock and Metro have completed the reshaping, seeding, and erosion blanket. Please see the attached document named "Exhibit V – Addition Improvement Pictures," picture 20.**
 - c. **Item will be continually monitored until final stabilization.**
11. Remove sediment from drainage ditch through school property. Regrade and reseed as necessary.
 - a. **No response provided.**
 - b. **This is not done, as school insists to have resolve this outside of the GPC and City of Baltic negotiations.**
 - c. **Noted. The City will work with the school as necessary to remove sediment from city owned property if the sediment continues to wash downstream.**

ACTION ITEMS

1. Clean all storm sewer to ensure pipe has sufficient capacity. Ensure erosion control is in place in order to keep storm sewer clean.
 - a. **SWPPP is being followed and corrective actions directed to SD DANR are being addressed.**
 - i. **Provide inspection reports as required per DANR Construction General Permit, previous and future.**
 - b. **Prior to the city taking over, the sewer lines will be flushed, as planned and agreed upon previously. Please see the attached Exhibit II – Inspection Reports, as requested.**
 - c. **Noted. Inspection reports date to 6-13-22. Provide previous reports.**
2. Ensure erosion control practices are implemented through all stages of construction.
 - a. **SWPPP is being managed/followed.**
 - i. **Provide inspection reports as required per DANR Construction General Permit, previous and future.**
 - b. **Please see Exhibit V – Grant Park Addition Improvement Pictures, pictures 1, 2, 4, 10, and 12. These pictures reflect the erosion control measures implemented for Grant Park Addition. Please see the attached Exhibit II – Inspection Reports, as requested.**

Memorandum

Phillips Crossing/Grant Park Addition

ISG

- c. **Item will be monitored through construction.**
3. Remove sediment from detention basin on south side of property. Regrade and stabilize as necessary. Install erosion control measures around detention basin.
 - a. **Warranty work to be completed by GPC.**
 - i. **Provide estimated schedule of work.**
 - b. **Splitrock and Metro have completed the reshaping, seeding, and erosion blanket.**
 - c. **Item will be monitored through construction.**

PUNCHLIST ITEMS

1. Adjust all fire hydrants to proper elevation of grade ring on hydrant to 0.1' above curb elevation.
 - a. **No response provided.**
 - b. **GPC will ensure all fire hydrants are at an elevation of grade ring on hydrant at least .1' above curb. 1-2 are punchlist and warranty items between GPC and Metro.**
 - c. **Noted.**
2. Straighten fire hydrant on Elizabeth.
 - a. **No response provided.**
 - b. **1-2 are punchlist and warranty items between GPC and Metro.**
 - c. **Noted.**
3. Provide solution to trench settlement on 5th Street from manhole in Valley View Ave.
 - a. **No response provided.**
 - b. **GPC will mill and overlay the manhole in Valley View Avenue.**
 - c. **Noted. It was discussed the extents of milling will likely extend the width of the roadway. Provide plan of action prior to conducting.**
4. Provide utility construction testing reports (sanitary sewer and watermain).
 - a. **Baltic Subdivision Regulations Article VII Final Approval, Section 1 – Inspection indicates the City shall provide for inspection of required improvements during construction in order to insure their satisfactory completion prior to public dedication. To this end, Metro Construction completed the required testing and it was witnessed by City of Baltic employee Brad. Assume his reports are at the City Office and since GPC was not notified of any deficiencies, assume all tests passed.**
 - i. **Provide testing reports as completed by Metro Construction.**
 - b. **GPC has been in contact with former city employees, Brad Eggert and Myles Peterson, as well as the Metro Construction supervisor, Brook Horstmeyer. They have all acknowledged and attested that on or around July 2021, the City of Baltic witnessed Metro Construction administer such tests and Metro Construction stating that the test results came back with no discrepancies and had passed in accordance with specified standards adopted by the City of Baltic with no concerns.**
 - c. **GPC to provide sanitary sewer televising report and water bacteria testing report as discussed in 9/23 meeting.**