

Information for File # MVP-2011-04917-RMM

Applicant: Mr. Bryan Schiffler

Corps Contact: Ryan Malterud

Address: 180 Fifth Street East, ST. Paul, MN 55101

E-Mail: Ryan.M.Malterud@usace.army.mil

Phone: (651) 290-5286

Primary County: Stearns

Section: 21

Township: 125 North

Range: 31 West

Information Complete On: May 16, 2013

Posting Expires On June 1, 2013

Authorization Type: LOP-05-MN

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 07-01. We have made a preliminary determination that the aquatic resources that would be impacted by the proposed project are regulated by the Corps of Engineers under Section 404 of the Clean Water Act. Our jurisdictional review and final jurisdictional determination could result in modifications to the scope of the project's regulated wetland impacts and compensatory mitigation requirements identified above. Any approved jurisdictional determination made prior to reaching a permit decision will be posted on the St. Paul District web page at <http://www.mvp.usace.army.mil/>.

Project Description and Purpose (As stated by the applicant):

Lucky of Albany is proposing a 64,500 square foot commercial development on a 7 acre parcel located adjacent to Interstate Highway 94 and Stearns County Road 41. The site is currently a fairly flat parcel that previously contained an old farmstead, wetlands and a deciduous woodlot in the northern half and a hay meadow and wetlands in the southern half.

Wetland fill will consist of 1.28 acres of wetland impact in two areas of one wetland for impacts associated with grading and construction of 64,500 square feet of commercial retail space, associated streets and stormwater treatment system. The project will consist of three freestanding commercial buildings, a new city street and a stormwater management pond. The project proposes to excavate and re-shape the remaining portions of the wetland onsite to allow more treated stormwater storage onsite and to allow a more diverse wetland plant community to develop in a wetter wetland type.

The purpose of the project, as stated by the applicant, is to develop a site that will provide retail and commercial office space within the City of Albany, both by expanding the useable area for the Chrysler-dodge-Jeep dealership business currently owned by the applicant and provides commercial land for expansion for an important local business.

Aquatic Resource Impacts (As stated by the applicant):

Wetland Impacts Proposed*		
Impact Type	Wetland Impacted	Square Feet
Fill	Wetland A	55,712 square feet (1.28 acres)
Excavation/Wetland Type Conversion	Wetland A	48,754 square feet (1.12 acres) Temporary Wetland Impact
	Total Fill	55,712 square feet (1.28 acres)

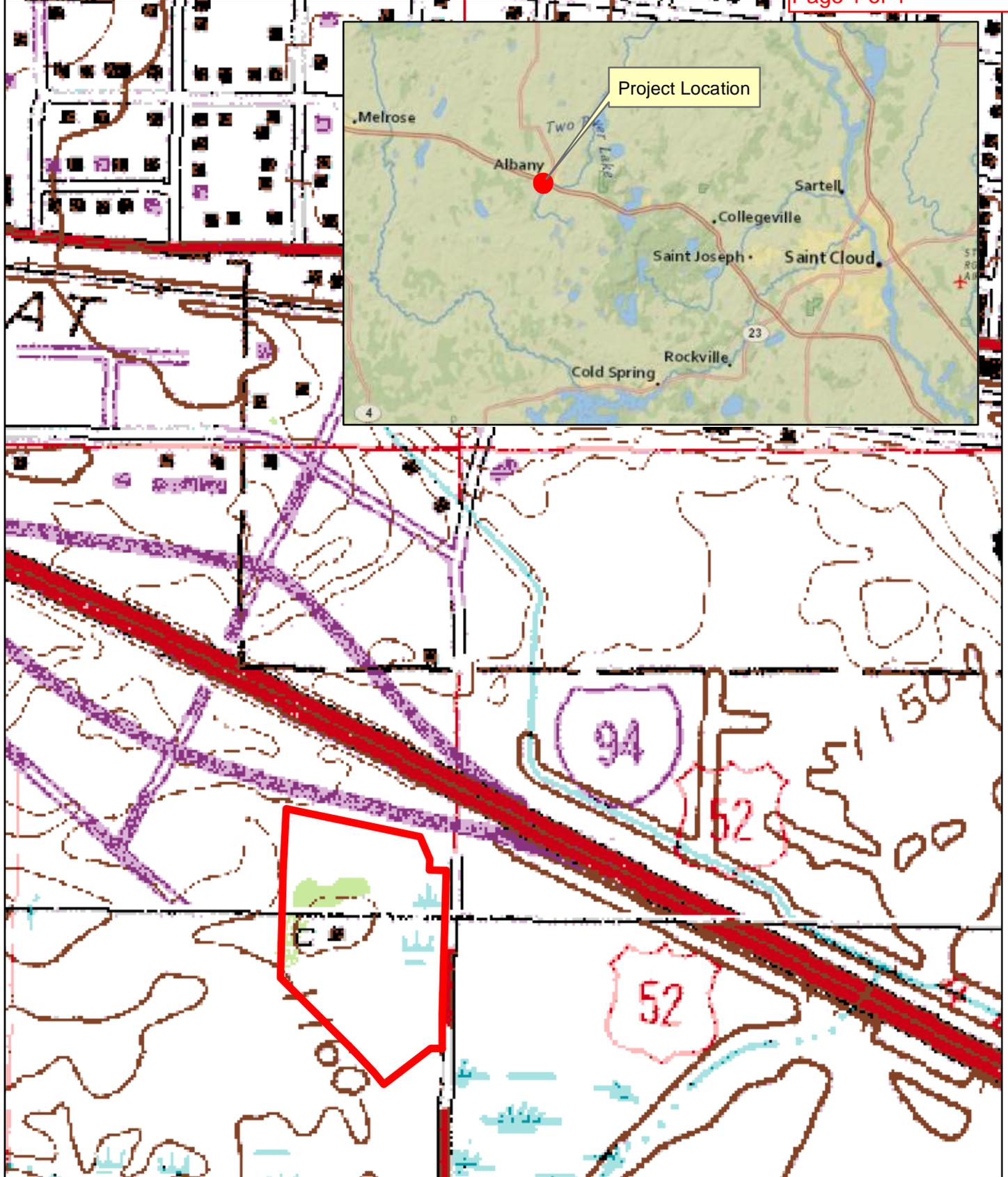
*The type and permanence of the impacts are still under review and may change.

Compensatory Mitigation:

The applicant is proposing to replace the 1.28 acres of permanent wetland fill by purchasing 2.59 (2:1 ratio) wetland credits from the Joe Mergen Wetland Bank.

Drawings: MVP-2011-04917-RMM Page 1 of 4 through 4 of 4 (attached).

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Data Source(s): USGS DRG (LMIC Website, Accessed July 2010)

Lucky of Albany LLC. Property

Albany, Minnesota



Westwood Professional Services, Inc.
7699 Anagram Drive
Eden Prairie, MN 55344

PHONE 952-937-5150
FAX 952-937-5822
TOLL FREE 1-888-937-5150

www.westwoodps.com

Legend

Project Boundary

Site Location

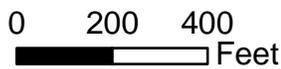
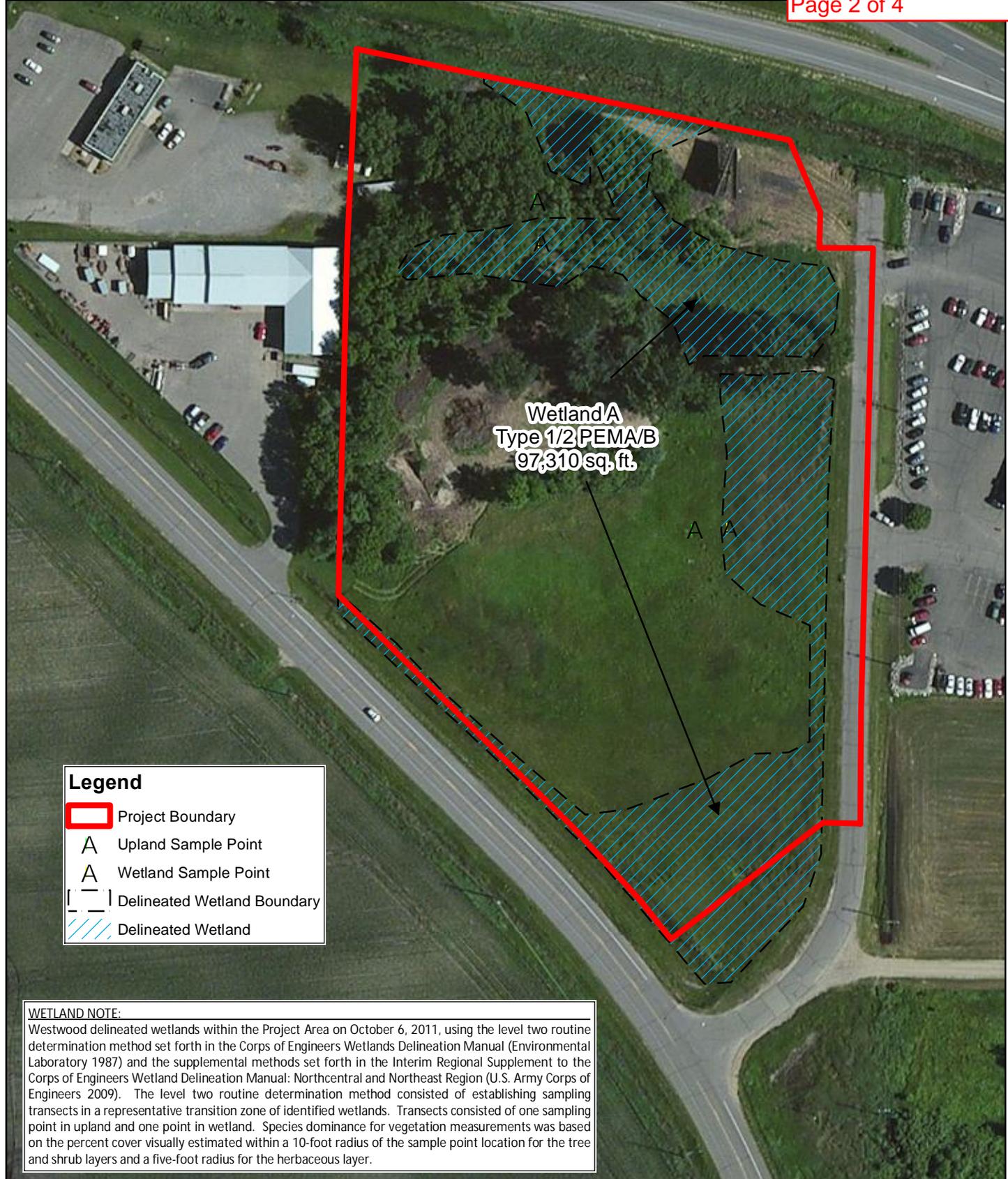


EXHIBIT 1

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Legend

- Project Boundary
- A Upland Sample Point
- A Wetland Sample Point
- Delineated Wetland Boundary
- Delineated Wetland

WETLAND NOTE:
Westwood delineated wetlands within the Project Area on October 6, 2011, using the level two routine determination method set forth in the Corps of Engineers Wetlands Delineation Manual (Environmental Laboratory 1987) and the supplemental methods set forth in the Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (U.S. Army Corps of Engineers 2009). The level two routine determination method consisted of establishing sampling transects in a representative transition zone of identified wetlands. Transects consisted of one sampling point in upland and one point in wetland. Species dominance for vegetation measurements was based on the percent cover visually estimated within a 10-foot radius of the sample point location for the tree and shrub layers and a five-foot radius for the herbaceous layer.

Data Source(s): Westwood Professional Services GPS Data (2011), Bing Aerial (Accessed 2013)

Lucky of Albany LLC. Property

Albany, Minnesota

Delineated Wetland
Boundary Mapping
EXHIBIT 2



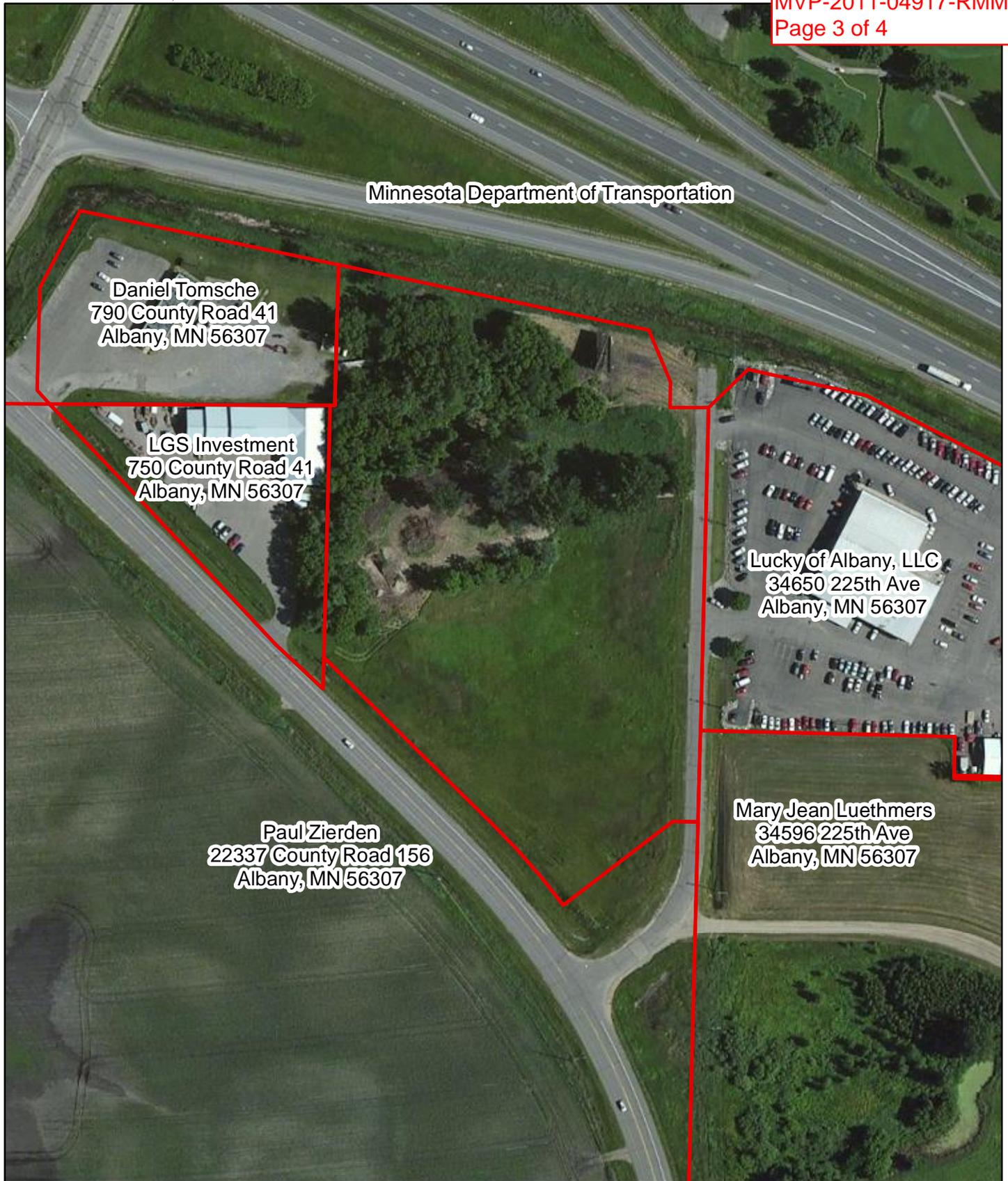
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Map Document: (C:\2011\5099\gis\2011\5099\wtd01A.mxd) 10/10/2011 2:21:32 PM



Minnesota Department of Transportation

Daniel Tomsche
790 County Road 41
Albany, MN 56307

LGS Investment
750 County Road 41
Albany, MN 56307

Lucky of Albany, LLC
34650 225th Ave
Albany, MN 56307

Paul Zierden
22337 County Road 156
Albany, MN 56307

Mary Jean Luethmers
34596 225th Ave
Albany, MN 56307

Data Source(s): Stearns County Parcel Data (Accessed March 2013), Bing Aerial (Accessed 2013)

Lucky of Albany LLC. Property

Albany, Minnesota

Adjoning Landowners



Westwood Professional Services, Inc.
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Eden Prairie, MN 55344

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Legend

Stearns County Parcels

EXHIBIT 6

Site Data

TOTAL SITE AREA 6.62 AC.
 SITE AREA LESS POT. R.O.W. 5.93 AC.
 CURRENT LAND USE COMMERCIAL
 CURRENT ZONING C-3
 PROPOSED ZONING C-3
 TOTAL BUILDING S.F. 64,500 S.F.
 TOTAL BUILDING COVER 64,500 S.F.
 % BUILDING COVER 22.37%
 SITE IMPERVIOUS SURFACES 4.2 AC.
 SITE OPEN SPACE 2.42 AC.
 SITE % OPEN SPACE 36.56 %

Site Legend

EXISTING
 --- PROPERTY LINE
 --- RIGHT-OF-WAY LINE
 --- CURB AND GUTTER
 --- CONCRETE SIDEWALK
 --- BITUMINOUS PAVEMENT
 --- NUMBER OF PARKING STALLS
 --- GRAVEL

PROPOSED
 --- PROPERTY LINE
 --- RIGHT-OF-WAY LINE
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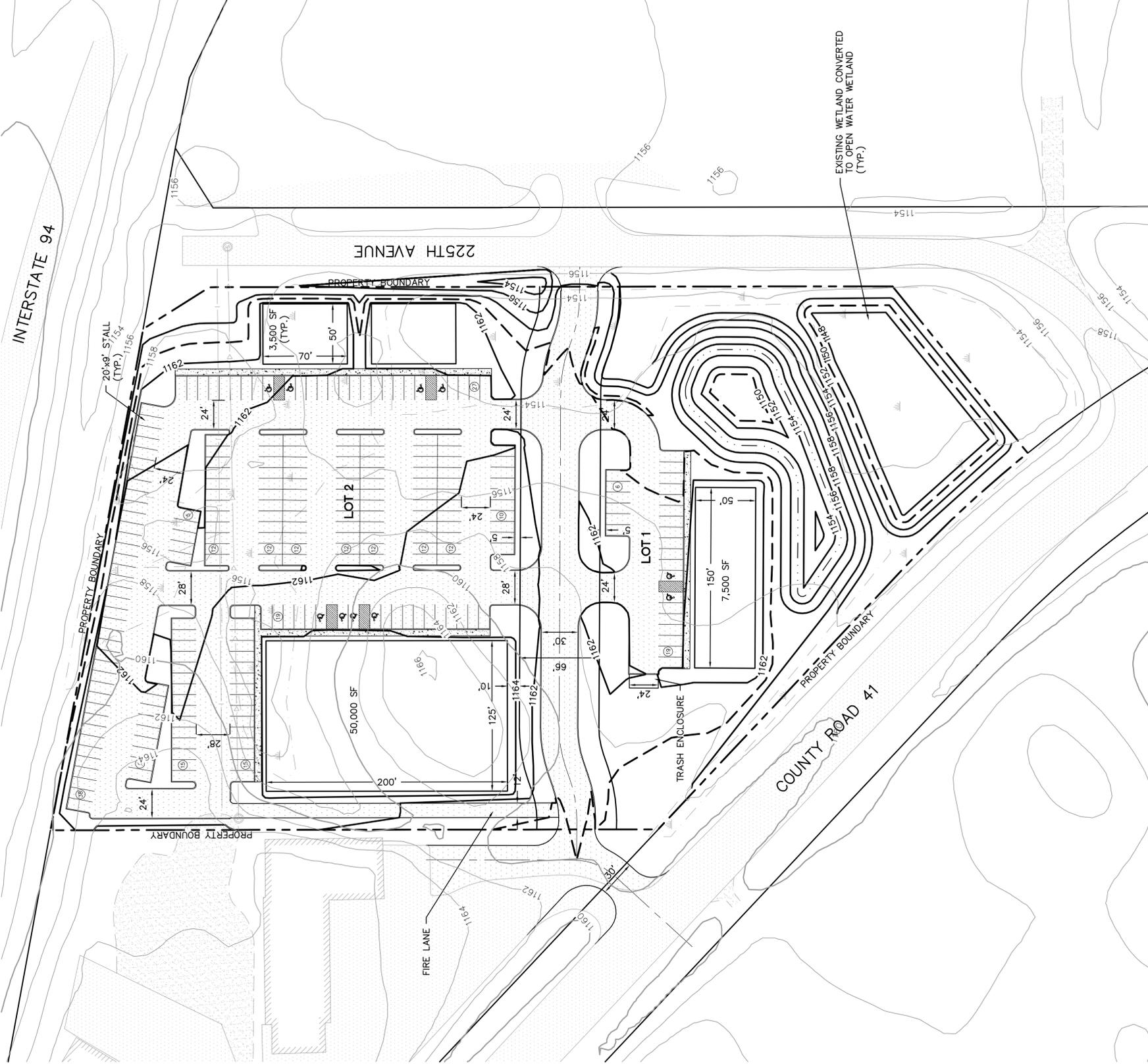
General Site Notes

1. BACKGROUND INFORMATION FOR THIS PROJECT PROVIDED BY ENGELMEYER SURVEYING, MELROSE, MINNESOTA, 3/11/13.
2. LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE FOUND, THE ENGINEER SHOULD BE NOTIFIED IMMEDIATELY.
3. REFER TO BOUNDARY SURVEY FOR LOT BEARINGS, DIMENSIONS AND AREAS.
4. ALL DIMENSIONS ARE TO FACE OF CURB OR EXTERIOR FACE OF BUILDING UNLESS OTHERWISE NOTED.
5. REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS AND LOCATIONS OF EXITS, RAMPS, AND TRUCK DOCKS.
6. ALL CURB RADII ARE SHALL BE 3.0 FEET (TO FACE OF CURB) UNLESS OTHERWISE NOTED.
7. ALL CURB AND GUTTER SHALL BE B612 UNLESS OTHERWISE NOTED.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGGERS AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE CITY AND ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MNDOT STANDARDS.
9. BITUMINOUS PAVEMENT AND CONCRETE SECTIONS TO BE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.
10. CONTRACTOR SHALL MAINTAIN FULL ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION AND TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES.
11. SITE LIGHTING SHOWN ON PLAN IS FOR REFERENCE ONLY. REFER TO LIGHTING PLAN PREPARED BY OTHERS FOR SITE LIGHTING DETAILS AND PHOTOMETRICS.



Parking Data:

LOT	PARKING PROVIDED	HANDICAPPED PARKING	BUILDING AREA	PARKING RATIO
LOT 1	25 STALLS	2 STALLS	7,500 SF	**/K.S.F. (1/300 S.F.)
LOT 2	195 STALLS	4 STALLS	50,000 S.F.	**/K.S.F. (1/256 S.F.)
RETAIL	27 STALLS	4 STALLS	7,000 S.F.	**/K.S.F. (1/260 S.F.)
OVERALL	247 STALLS	10 STALLS	64,500 S.F.	**/K.S.F. (1/261 S.F.)



Westwood Professional Services, Inc.
 3701 12th Street North, Suite 205
 St. Cloud, MN 56303
 PHONE 320-353-8495
 FAX 320-253-8737
 TOLL FREE 1-800-270-9495
 www.westwoodps.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL ENGINEER under the laws of the State of Minnesota.
 William R. Huston
 Date 03/27/13 License No. 44984

Revisions:
 Designed: WRE
 Checked: WRE
 Drawn: JBS
 Record Drawing by/date:

Prepared for:

Lucky of Albany, LLC
 P.O. Box 612
 Albany, MN 56307

Lucky Albany Commercial
 Albany, MN

Site Plan
 Exhibit 10