



City Council – Meeting Agenda
August 1, 2017 – 5:30 P.M. – Foley City Hall

1. Call the meeting to order.
2. Pledge of Allegiance.
3. Approve the agenda.
4. Consent Agenda:
 - Approve minutes July 11, 2017.
 - Approve payment of bills.
5. Overland Group- Dollar General – Sam DeLeo- Re-zoning and Site Plan Approval
 - Public Hearing on rezoning request for PID's 130049750 & 130049751.
 - Adopt Resolution #2017 - 19 Rezoning Developer and City Lot.
 - Review and Approve Site Plan for Dollar General Store.
6. Progressive Builders/Sherburne Land Co. LLC – Variance Request
 - Public Hearing on variance request for Lots 6 & 7 The Banks at Stone Creek
 - Adopt Resolution #2017 - 18 Approving Variance Request
7. Zoning Ordinance Amendments on Accessory Structures in Single Family Residential District.
 - Public Hearing on zoning ordinance amendments.
 - Adopt Ordinance #429 Amending City of Foley Zoning Ordinance Section 4 and Section 13.
8. Discussion on Gopher Avenue reconstruction.
9. Discussion on Birch Drive drainage improvements.
10. Mayor's Comments & Open Forum.
11. Department Reports:
 - Police Department –Katie McMillin
 - City Attorney – Adam Ripple
 - City Engineer – Jon Halter
 - Public Works – Mark Pappenfus
 - Administration – Sarah Brunn
12. Old Business
13. New Business
14. Adjourn

CITY OF FOLEY, MINNESOTA
REGULAR CITY COUNCIL MEETING – July 11, 2017

The Foley City Council held a regular meeting on July 11, 2017, at 5:30 p.m. at the Foley City Hall.

Members Present: Mayor Gerard Bettendorf, Councilmembers Jeff Gondeck, Kris du'Monecaux, Brian Weis and Gary Swanson.

Members Absent: None

The pledge of allegiance was recited.

Motion by Gondeck, seconded by Weis, to approve the agenda. Motion carried, unanimous.

Consent Agenda

Motion by du'Monecaux, seconded by Gondeck, to approve the consent agenda which includes the following:

- Approve minutes of June 6, 2017.
- Approve BCA polices for Foley Police Department.
- Adopt Resolution #2017-17 Receiving Feasibility Report and Calling for Hearing.
- Approve bills paid for by checks #49722 - #49800.

Motion carried, unanimous.

Dewey Street Public Hearing

Jon Halter, City Engineer, gave an overview of the project scope, timeline and impact. Halter also reviewed portions of the project, which will be paid for by the county and portions to be paid by the city. The project includes water, sewer, storm sewer, sidewalk and street improvements. Decorative lighting similar to 4th Avenue N will also be incorporated in the sections of Dewey Street located downtown. The state variance needed for the downtown portion of sidewalk/parking was reviewed. Some additional options are being considered through the downtown demonstration project which Halter reviewed. Halter indicated those property owners who need to replace their service lateral will be contacted with options on making those improvements. The assessment process and hearing was reviewed.

Mayor Bettendorf recessed the council meeting at 5:47 p.m. to conduct the preliminary assessment hearing. Amanda Wilken, 250 3rd Avenue, questioned prior assessments and how often the process occurs. Wilken questioned how this neighborhood was chosen compared to other locations. Halter indicated overall needs including street and utilities as well as the partnering with the county drove this project. Wilken questioned the assessment process and if the assessed amount will result in an increase in value. Halter and City Attorney Adam Ripple gave an overview of the assessment process and appeal process. Wilken questioned a retaining wall and trees located within the boulevard. The I/I service lateral repairs were discussed. Wilken also questioned repairs from the prior project.

Jennifer Hesse, 141 3rd Avenue, questioned if there is any way her sewer service, which was replaced in 2012, could be maintained rather than being charged for a new one again. Halter indicated he is applying the assessment policy and the council would have to make that final decision.

Mayor Bettendorf reconvened the regular city council meeting at 6:01 p.m. Gondeck indicated he has an interest in 101 3rd Avenue as a family member owns it. Ripple indicated no conflict of interest occurs. Motion by du'Monceaux, seconded by Swanson, to adopt Resolution #2017 - 16. Authorizing Plans and Specs and Ordering the Improvement for Dewey/2nd/3rd Avenue. Motion carried, unanimous.

Discussion on Wastewater Facility Plan - Jessica Hedin

Jessica Hedin, S.E.H., gave an overview of the existing wastewater treatment system and current permit for the existing facility. The current permit expired in February and the city continues to operate with the existing permit until MPCA approves a new one. The flow and pond capacity was reviewed.

Hedin reviewed a facility plan which is a 20-year plan and reviewed different expansion options. The steps include examining existing conditions, future conditions, researching alternatives, a cost analysis and finally work products which will include an actual facility plan, reviews, public hearing comments and other items. The meetings and schedule was reviewed with the intent to complete the process by March of 2018. Hedin requested council approval to proceed with the facility plan. Motion by Swanson, seconded by Gondeck, to approve proceeding with the facility plan scope of services. Motion carried, unanimous.

Connie Cardinal - Foley Area C.A.R.E.

Connie Cardinal representing Foley Area C.A.R.E. presented on the activities and needs of the C.A.R.E. program. The volunteer hours and services were reviewed, including over 5,000 volunteer hours provided in 2016. The demand for services continues to rise each year. Cardinal reported 60,000 Minnesotans will turn 65 every year now through 2030. This is the equivalent of a new city, the size of St. Cloud populated entirely by seniors. Poverty rates were also reviewed, and indicated of the 14 counties that make up central MN, Benton County has the highest poverty level at 13.9%. Lack of senior housing in the Foley area are a great concern. Cardinal indicated seniors make up 30% of rural community income and need to stay a part of the community. The goals of the CARE program were reviewed and current funding sources were explained. Cardinal concluded by requesting the city to provide an annual contribution to the program. Cardinal also asked if there was any storage space the city could provide to them. Lastly, Cardinal requested if the council would attend the touching tables event held in the fall. du'Monceaux commented how much CARE services were appreciated while caring for her elderly parents.

Open Forum

Rosalie Musachio, 150 Cottage Grove, encouraged the council to consider a contribution to Foley Area C.A.R.E. Musachio also asked the Mayor to address Highway 23 safety concerns with our state representative when meeting with them.

Department Reports

Katie McMillin, Police Chief, reviewed the monthly law enforcement report. 106 kids attended the bike rodeo during Fun Days.

Adam Ripple, City Attorney, updated the council on the Dollar General project.

Jon Halter, City Engineer, indicated the final striping of 4th Avenue N will occur later this week. Halter also requested permission from the council for staff to proceed with the construction of water main loop with the development of the old school property. Halter indicated this improvement would cost approximately \$35,000. The council indicated support and directed staff to proceed with the plans.

Mark Pappenfus, Public Works Director, updated the council on the rental house and having final numbers available in August. The pool and I/I was also reviewed. Gondeck questioned if the city will dispose of the rental house if it is not moved out.

City Administrator, Sarah Brunn, updated the council on the activities of the planning commission. Brunn also requested a council representative to assist with follow-up needed for the I/I project. Gondeck indicated he would assist staff as needed.

Old Business

There was no old business.

New Business

There was no new business.

Motion by Gondeck, seconded by du'Monceaux, to adjourn at 6:47 p.m.

Sarah A. Brunn, Administrator

Bills List - August 1, 2017

Gross Salaries	Payroll - 7/21/17	\$ 32,597.55
EFTPS	Federal Withholding	\$ 7,111.49
MN Dept of Revenue	State Withholding	\$ 1,359.91
State Treas. PERA	PERA	\$ 4,179.69
Nationwide	Deferred Comp	\$ 620.00
Pacific Life Ins	Deferred Comp/Roth IRA	\$ 85.00
MN PEA	Union Dues	\$ 78.00

Already Paid - 8/1/17

AllSpec Services	Building Inspection Fees	\$ 2,907.61
MN Dept of Revenue	Sales & use Tax	\$ 1,224.00

To Be Paid - 8/1/17

AllSpec Services	Building Inspector Fees	\$ 3,674.25
AllStream	Phone Systems	\$ 855.26
Batteries Plus	Fire Bulbs	\$ 88.42
Benton County Attorney	April, May, June Attorney Services	\$ 4,053.50
Benton County News	Publications	\$ 1,343.80
Dave Schlichting	PD Assistance ICR #17-1488	\$ 100.00
Delta Dental	Employee Dental Coverage	\$ 1,148.75
Diamond Vogel	Street Repair	\$ 439.60
Dyna Systems	Street Repair	\$ 143.90
East Side Glass	Weatherstrip	\$ 80.22
Electric Motor Service	Nutone Repair	\$ 48.55
First Bank of Omaha	Credit Card Purchases	\$ 928.30
Foley Chamber of Commerce	Flea Market Vendors	\$ 20.00
Foley Fuel & Lumber	Shop & Street Repair/Maint	\$ 641.93
Foley Hardware	Shop, Street, Park, Fire Repairs/Supplies	\$ 306.67
Foley Medical Center	New Employee Physical-Neumann	\$ 571.00
G&K Services	Uniforms & Mats	\$ 327.33
Gilman Coop Creamery	Roundup	\$ 214.35
Handyman's	Street Repair	\$ 227.25
Hawkins	Water and Pool Supplies	\$ 2,953.07
Helmin Construction	Class 5	\$ 226.41
Henry Embroidery	Pool Employee Shirts/Swetshirts	\$ 492.00
Hildi Inc	Foley Fire Relief Valuation	\$ 2,100.00
IMS	Street Repair	\$ 2,250.00
Keeprs	PD Uniforms	\$ 12.99
Kuechle Underground	4th Ave N Project	\$ 103,056.64
LogIn	IANP Net Billing	\$ 275.00
Marco	Copier Contract	\$ 305.91
Mimbach Fleet	Park Supplies	\$ 11.99
Performance Pool & Spa	Pool Repair	\$ 64.75
PQL	Fire Lights	\$ 130.91
Rinke Noonan	Dollar General, General, Zoning, PD, Stonecreek	\$ 3,575.30
Schlenner & Wenner	4th Ave N/Dewey St, PouchTec	
SHE, Inc	Audited Financial Statemens	\$ 17,090.00
Staples	I&I, Water Supply, General Eng, Dewet/4th Ave	\$ 15,268.79
Surplus Services	Office Supplies	\$ 133.97
Tri-County Humane Society	Street & Park Repair	\$ 129.00
USABLE Life	Stray Animal Contract	\$ 50.00
Verizon	Employee Life Insurance	\$ 276.50
Xcel Energy	Cell Phones	\$ 295.38
	Utilities	\$ 7,113.48
		\$ 221,188.42

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

RESOLUTION 2017 – 19

RESOLUTION AMENDING ZONING ORDINANCE AND MAP FOR REZONING OF TAX PID
130049750 AND TAX PID 130049751 FROM R-1 RESIDENTIAL TO B-2 HIGHWAY
BUSINESS

RECITALS

- A. Stony Creek of Benton County, LLC (the “Developer”) owns Tax PID 130049750, legally described in **Exhibit A** (the “Developer Lot”), which is currently vacant land zoned R-1 residential.
- B. The Developer has a purchase agreement with the City of Foley to purchase property it owns, Tax PID 130049751, legally described in **Exhibit B** (the “City Lot”), which is also currently vacant land zoned R-1 residential.
- C. The Developer wishes rezone Developer Lot and City Lot (the “Property”) for purposes of developing a retail facility.
- D. The Foley Planning Commission has reviewed the rezoning request and determined that it is consistent with the City’s comprehensive plan, does not create land use conflicts with neighboring properties, is a logical orderly growth of commercial activities, and will not strain public services.

FINDINGS OF FACT
Rezoning

- 1. The Developer is the owner of Developer Lot.
- 2. The Developer has a purchase agreement for the City Lot owned by the City of Foley; the City of Foley as the owner consents to the rezoning of City Lot.
- 3. Developer Lot and City Lot are each zoned R-1 and are being developed together as a single, larger site.

4. The Property is vacant.
5. The Property lies adjacent to Highway 23.
6. The Developer has submitted a survey, site plan, and other information required by the zoning ordinance.
7. The Foley Planning Commission has reviewed the rezoning request and recommends approval.
8. A public hearing, with proper mailed and published notice, was conducted on August 1, 2017, at which the Developer appeared.
9. The B-2 zoning classification, and Developer's proposed use, is more compatible with neighboring properties than the current R-1 classification.
10. The rezoning is consistent with the City's comprehensive plan:
 - a. Allows for highway business related expansion.
 - b. Promotes infill of existing vacant lots and in priority area of central business district.
 - c. Is compatible with surrounding land uses, not causing a decrease in residential property values.
 - d. Expands commercial land use to promote a sound tax base and provide a wide variety of goods and services to the citizens of Foley.
11. The rezoning will not create a strain on public services in the City.

NOW, THEREFORE, the Foley City Council hereby ordains as follows:

1. The above Findings of Fact are adopted by the Foley City Council.
2. The rezoning application is granted by the Foley City Council.
3. City staff is directed to revise the City's zoning map accordingly.

PASSED AND ADOPTED by unanimous vote of the City Council of the City of Foley this 1st day of August, 2017.

Gerard L. Bettendorf, Mayor

ATTEST:

Sarah A. Brunn, City Administrator

City of Foley
Site Plan Review
Findings & Order

Date: 07/10/17
Applicant Name: DOO6 Foleymn LLC
Property Location: SEC TH23 + Broadway Ave N
Zoning of Property: B-2 (Approval sought 8/1/17)
Project Scope: Site plan review Dollar General Store

The following conditions apply to the property site plan request:

1. Planning Commission - NONE
2. _____
3. _____

THE FOLEY PLANNING COMMISSION RECOMMENDS:

Approved



Not Approved



Comments:

7/10/17
Date


Chair, Foley Planning Commission

THE FOLEY CITY COUNCIL DETERMINES:

Approved



Not Approved



Comments:

Date

Mayor

City of Foley Zoning Amendment Application

Street Location of Property: SEC of TH23 and Broadway Avenue PID 130049750
Legal Description of Property: see attached
Current Zoning of Property: R1
Type of Request: rezone from R1 to B2 for construction of Dollar General retail.
Proposed Zoning: B2
 *** (Attach narrative describing details of project scope) ***

Property Owner: Stony Creek of Benton County, LLC
Name: 17302 125th Avenue
Address: Milaca, MN 56353

Phone: _____
Fax: _____
Email: _____

Applicant: DGOGFoley LLC
Name: 1598 Imperial Center, Suite 2001
Address: West Plains, MO 65775

Phone: 417-256-4790
Fax: rusty@overlandeng.com
Email: _____

T of Request & Fee Amount:

<input checked="" type="checkbox"/>	Rezoning/Amendment	\$150.00
<input type="checkbox"/>	Conditional Use Permit	\$150.00
<input type="checkbox"/>	Variance	\$150.00
<input type="checkbox"/>	Planned Unit Development	\$150.00

<input type="checkbox"/>	Preliminary Plat	\$500.00
<input type="checkbox"/>	Final Plat	\$
<input type="checkbox"/>	Annexation	\$150.00 +
<input type="checkbox"/>	Site Plan Review/Other	
Total Fees Paid		\$150.00

Has a request been made previously on this property? ☐ Yes ☒ No Explain: n/a

This application must be completed in full, be typewritten or clearly printed, and must be accompanied by all information, supporting documents and plans as required by applicable City Ordinance provisions. A determination of completeness of the application shall be made within ten business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant.

This is to certify that I am making application for the described action by the City and that I am responsible for all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application. I have attached a copy of proof of ownership (either copy of Owner's Duplicate Certificate of Title, Abstract of Title or purchase agreement), or I am the authorized person to make this application and the fee owner has also signed this application.

- ☒ Supporting Documents Attached
- ☒ Appropriate Fees Paid
- ☐ Review by City Staff
- ☐ Completed Application Accepted

Application Filed: 6/23/17
Date Fees Paid: 6/23/17
Staff Initials: ES
Date Application Accepted: _____

Signature of Applicant: [Signature] 6/19/17
 Date

Signature of Fee Owner: [Signature] 6-18-17
 Date

**City of Foley
Zoning Amendment Application**

Street Location of Property: SEC of TH23 and Broadway Avenue PID 130049751
Legal Description of Property: see attached
Current Zoning of Property: R1 Proposed Zoning: B2
Type of Request: rezone from R1 to B2 for construction of Dollar General retail.
*** (Attach narrative describing details of project scope) ***

Property Owner: City of Foley 320-968-7260
Name 251 4th Ave N Phone:
Address Foley, MN 56329 Fax:
sbrunn@ci.foley.mn.us
Email

Applicant: DGOGFoleyMN LLC 417-256-4790
Name 1598 Imperial Center, Suite 2001 Phone:
Address West Plains, MO 65775 Fax:
rusty@overlandeng.com
Email

T of Request & Fee Amount:

<input checked="" type="checkbox"/> Rezoning/Amendment	\$150.00
<input type="checkbox"/> Conditional Use Permit	\$150.00
<input type="checkbox"/> Variance	\$150.00
<input type="checkbox"/> Planned Unit Development	\$150.00

<input type="checkbox"/> Preliminary Plat	\$500.00
<input type="checkbox"/> Final Plat	\$
<input type="checkbox"/> Annexation	\$150.00 +
<input type="checkbox"/> Site Plan Review/Other	
Total Fees Paid	\$150.00

Has a request been made previously on this property? ☐ Yes ☒ No Explain: n/a

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- ☐ Supporting Documents Attached
- ☐ Appropriate Fees Paid
- ☐ Review by City Staff
- ☒ Completed Application Accepted

[Signature] 6/14/17
Signature of Applicant Date

Application Filed: 6/23/17
Date Fees Paid: 6/23/17
Staff Initials: SB
Date Application Accepted: _____
[Signature] 6-23-17
Signature of Fee Owner Date

City of Foley Site Plan Review Application

Street Location of Property: SEC TH23 and Broadway Avenue
 Legal Description of Property: see attached
 Current Zoning of Property: R1 Proposed Zoning: B2
 Type of Request: Site plan review for Dollar General retail store.
 *** (Attach narrative describing details of project scope) ***

Property Owner: Stony Creek of Benton County, LLC
 Name 17302 125th Avenue Phone: _____
 Address Milaca, MN 56353 Fax: _____
 Email: _____

Applicant: DGOGFoleymn LLC
 Name 1598 Imperial Center, Suite 2001 417-256-4790
 Address West Plains, MO 65775 Phone: _____
 Fax: _____
 Email: rusty@overlandeng.com

Type of Request & Fee Amount:

<input type="checkbox"/> Rezoning/Amendment	\$150.00
<input type="checkbox"/> Conditional Use Permit	\$150.00
<input type="checkbox"/> Variance	\$150.00
<input type="checkbox"/> Planned Unit Development	\$150.00

<input type="checkbox"/> Preliminary Plat	\$500.00
<input type="checkbox"/> Final Plat	\$
<input type="checkbox"/> Annexation	\$150.00 +
<input checked="" type="checkbox"/> Site Plan Review/Other	\$
Total Fees Paid	\$

Has a request been made previously on this property? ☐ Yes ☒ No Explain: n/a

This application must be completed in full, be typewritten or clearly printed, and must be accompanied by all information, supporting documents and plans as required by applicable City Ordinance provisions. A determination of completeness of the application shall be made within ten business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant.

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- ☒ Supporting Documents Attached
- ☒ Appropriate Fees Paid
- ☐ Review by City Staff
- ☐ Completed Application Accepted

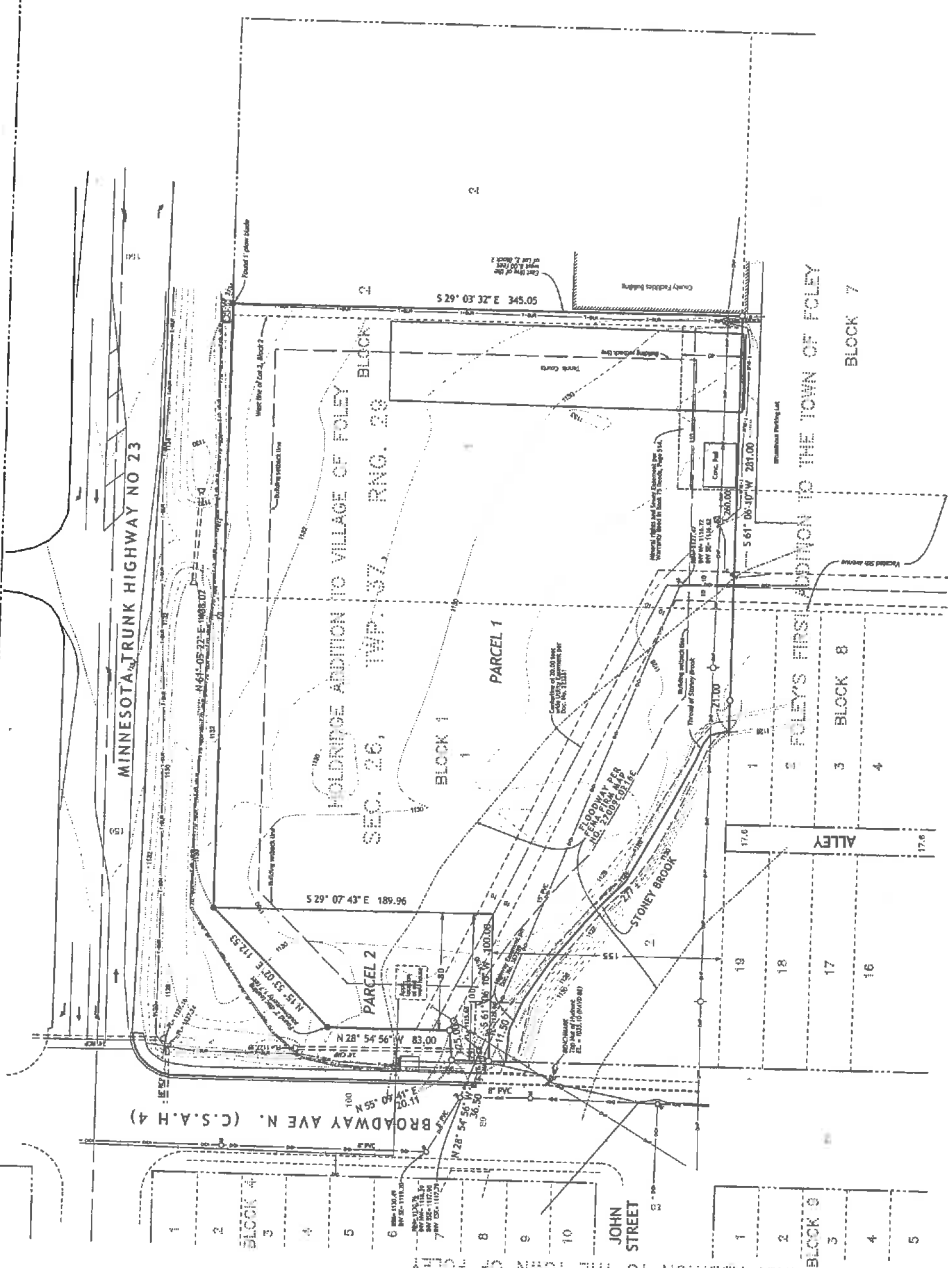
[Signature] 6/19/17
 Signature of Applicant Date

Application Filed: 6/23/17
 Date Fees Paid: 6/23/17
 Staff Initials: SPB
 Date Application Accepted: _____
[Signature] 6-18-17
 Signature of Fee Owner Date

[illegible]

ORIENTATION OF THIS BEARING
SYSTEM IS BASED ON THE BENTON
COUNTY COORDINATE SYSTEM
NAD 83 (1983 HARN ADJ.)

6TH AVENUE



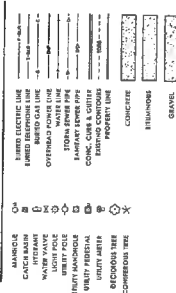
Total Existing Area: 3.46 Acres

esal Descriptions:

Parcel 1:
Lot 1, Block 1, EXCEPTING THEREFROM the Eastern 80 feet of the Western 100 feet, lying Southerly of State Trunk Highway #23, and lying Northerly of the southerly 155 feet of said Block 1.

Block 2:
the Easterly 30 feet of the Westerly 100 feet of Block one (1), of HOLLIDGE
ADDITION TO THE VILLAGE OF FOLET, lying southerly of State Trunk Highway #23,
except the Southerly 135 feet thereof, Benton County Minnesota, being part of
of one (1), Block one (1)
plating PID: 130049751

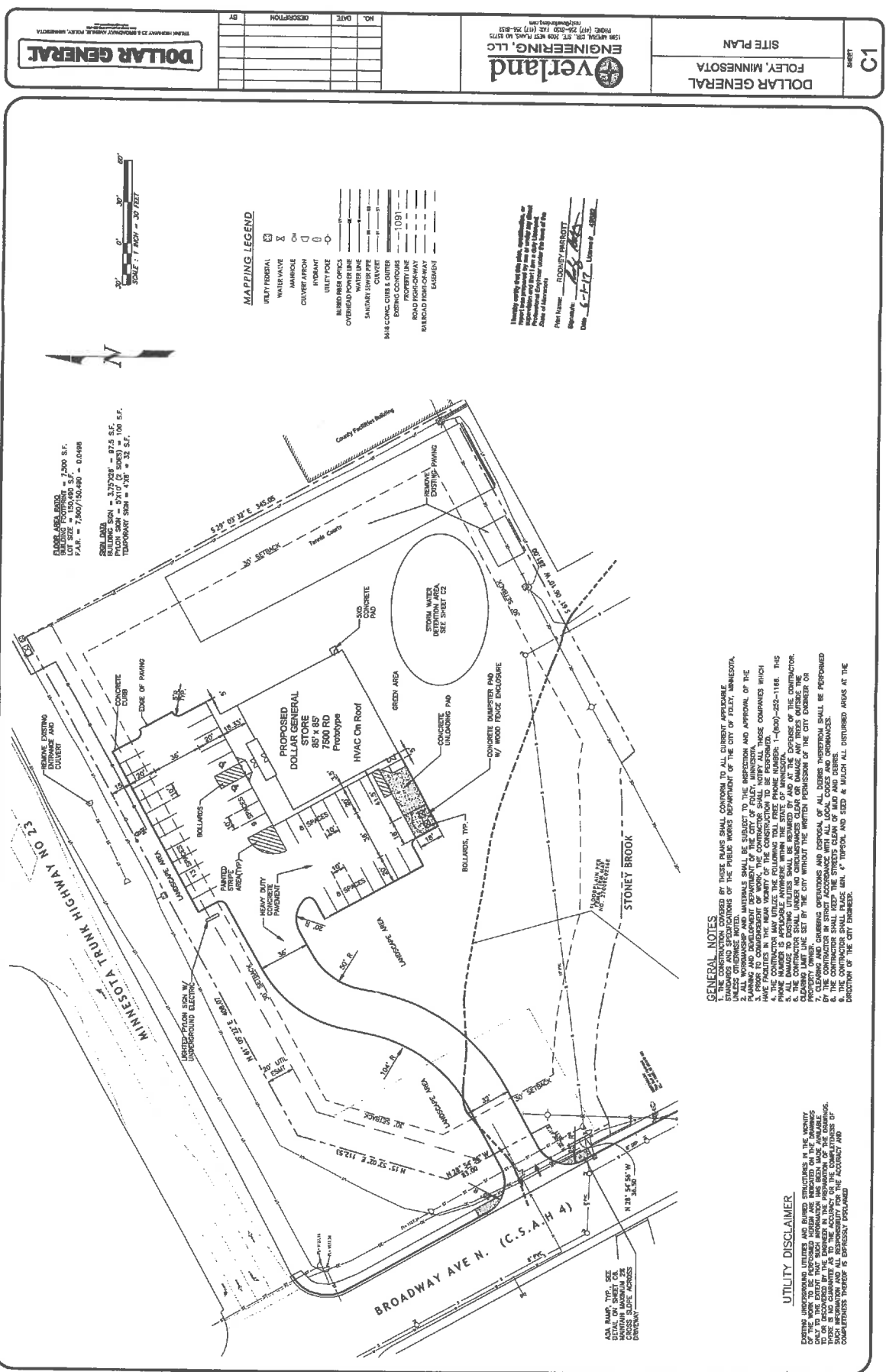
MAPPING LEGEND



LEGEND FOR SYMBOLS

DEPARTMENT OF BIOLOGY, UNIVERSITY OF CALIFORNIA, BERKELEY, CALIFORNIA 94720-1322

1/15/17



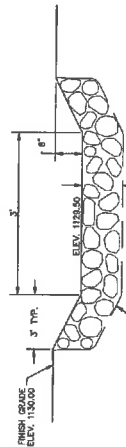
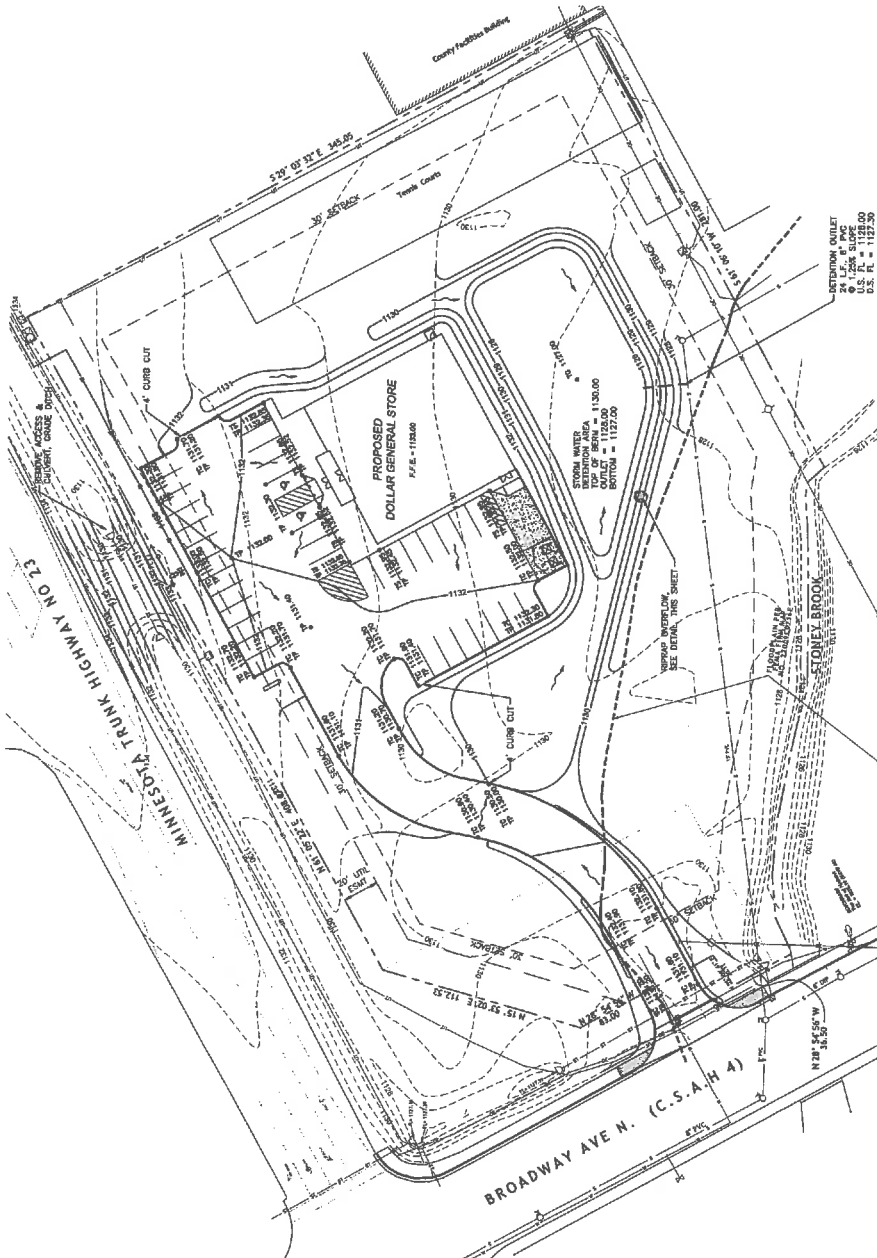


MAPPING LEGEND

UTILITY FEDERAL	—
WATER VALVE	—
MANHOLE	—
CULVERT APPROX	—
HYDRANT	—
UTILITY POLE	—
BURIED FIBER OPTICS	—
OVERHEAD POWER LINE	—
WATER LINE	—
SEWER	—
SALEWAY	—
CULVERT	—
MINI CONC. CURB & GUTTER	—
EXISTING CONTOURS	—
PROPERTY LINE	—
ROAD RIGHT-OF-WAY	—
RAILROAD RIGHT-OF-WAY	—
CEMENT	—

SITE PLAN GENERAL NOTES:

1. THE MINIMUM SIZE OF ANY UTILITY SHALL BE 18\"/>



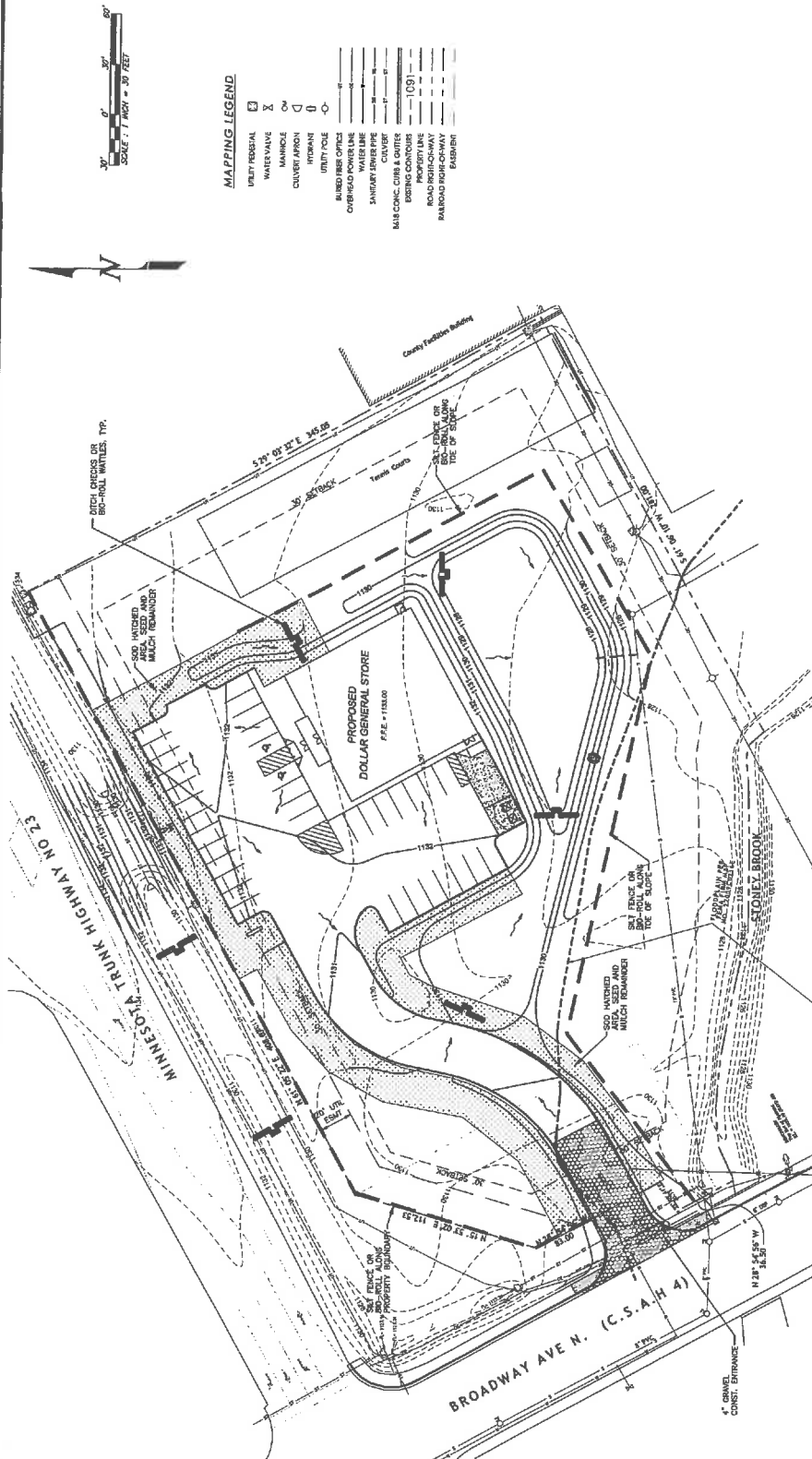
RIPRAP OVERFLOW SECTION
NO SCALE

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.
Print Name: JUDITH M. GARDNER
Date: 6-1-17, Sheet # 2 of 2

800-252-1166
www.gopherstateonecall.org

UTILITY DISCLAIMER

EXISTING UNDERGROUND UTILITIES AND BURIED STRUCTURES IN THE VICINITY OF THIS PROJECT HAVE BEEN LOCATED BY THE Gopher State OneCall System. ONLY TO THE EXTENT THAT SUCH INFORMATION HAS BEEN MADE AVAILABLE TO THE ENGINEER BY THE Gopher State OneCall System, THE ENGINEER MAKES NO GUARANTEE AS TO THE ACCURACY OF THE LOCATION, DEPTH, OR CONTENT OF SUCH UTILITIES. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR THE ACCURACY AND COMPLETION OF ANY INVESTIGATION REQUIRED.



REGISTRATION NOTES:

1. IRRIGATION SYSTEM FOR SOGGED AND LANDSCAPED AREAS IS NOT SHOWN BUT SHALL BE DESIGNED AND INSTALLED BY CONTRACTOR.
2. IRRIGATION SYSTEM TO INCLUDE ALL SPRAY HEADS, VALVES AND CONTROLLERS.
3. LOCATE HEADS A MINIMUM OF 2'-0" FROM EDGE OF PAVEMENT / CURB.

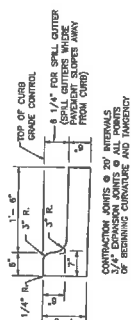
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Maryland.

Print Name: RODNEY PARROTT
 Signature: [Signature]
 Date: 6-1-17 License # 93086

800-252-1166
www.gopherstateonecall.org

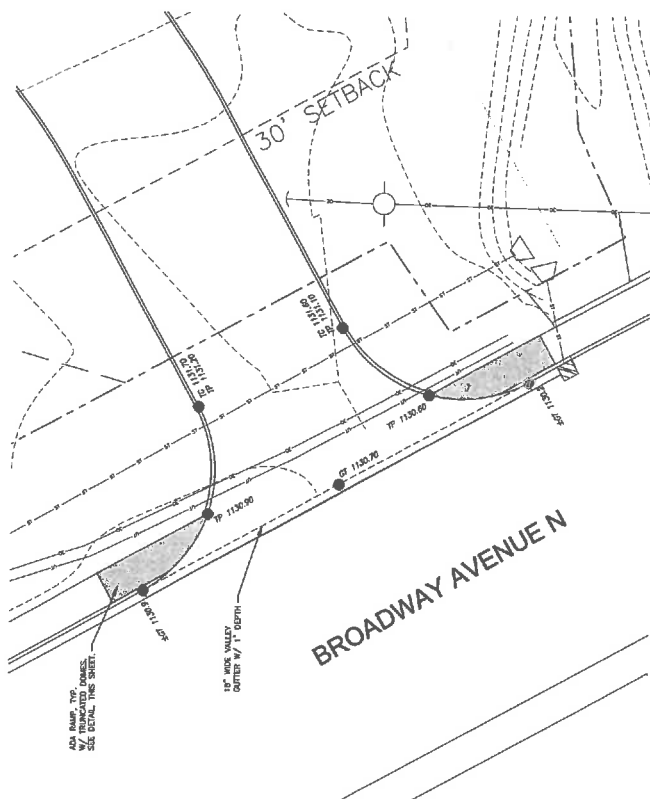
UTILITY DISCLAIMER

EXISTING UNDERGROUND UTILITIES AND BURIED STRUCTURES IN THE VICINITY OF THE WORK TO BE PERFORMED. INFORMATION LOCATED ON THE DRAWINGS ONLY TO THE EXTENT THAT SUCH INFORMATION IS MADE AVAILABLE. NO WARRANTIES OR DISSEMINATION OF THE INFORMATION ON THE DRAWINGS. THERE IS NO GUARANTEE AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION AND NO RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS THEREOF. A. KENNEDY DESIGN, INC.



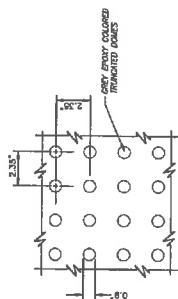
CONCRETE CURB & GUTTER DETAIL

NOT TO SCALE

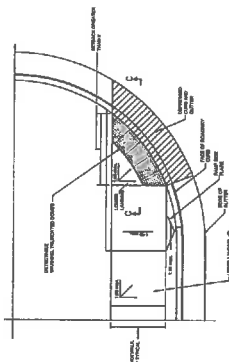


DRIVEWAY DETAIL

2015-15-31



NOTE: DETECTABLE WARNING SHALL CONSIST OF RAISED TRUNCATED DOMES WITH A DIAMETER OF 0.9", A HEIGHT OF NOMINAL 0.2" AND A CENTER-TO-CENTER SPACING OF NOMINAL 2.35", AND SHALL CONTRAST VISUALLY WITH ADJACING SURFACES AND SHALL BE AN INTEGRAL PART OF THE WALKING SURFACE.



SECTION C-C

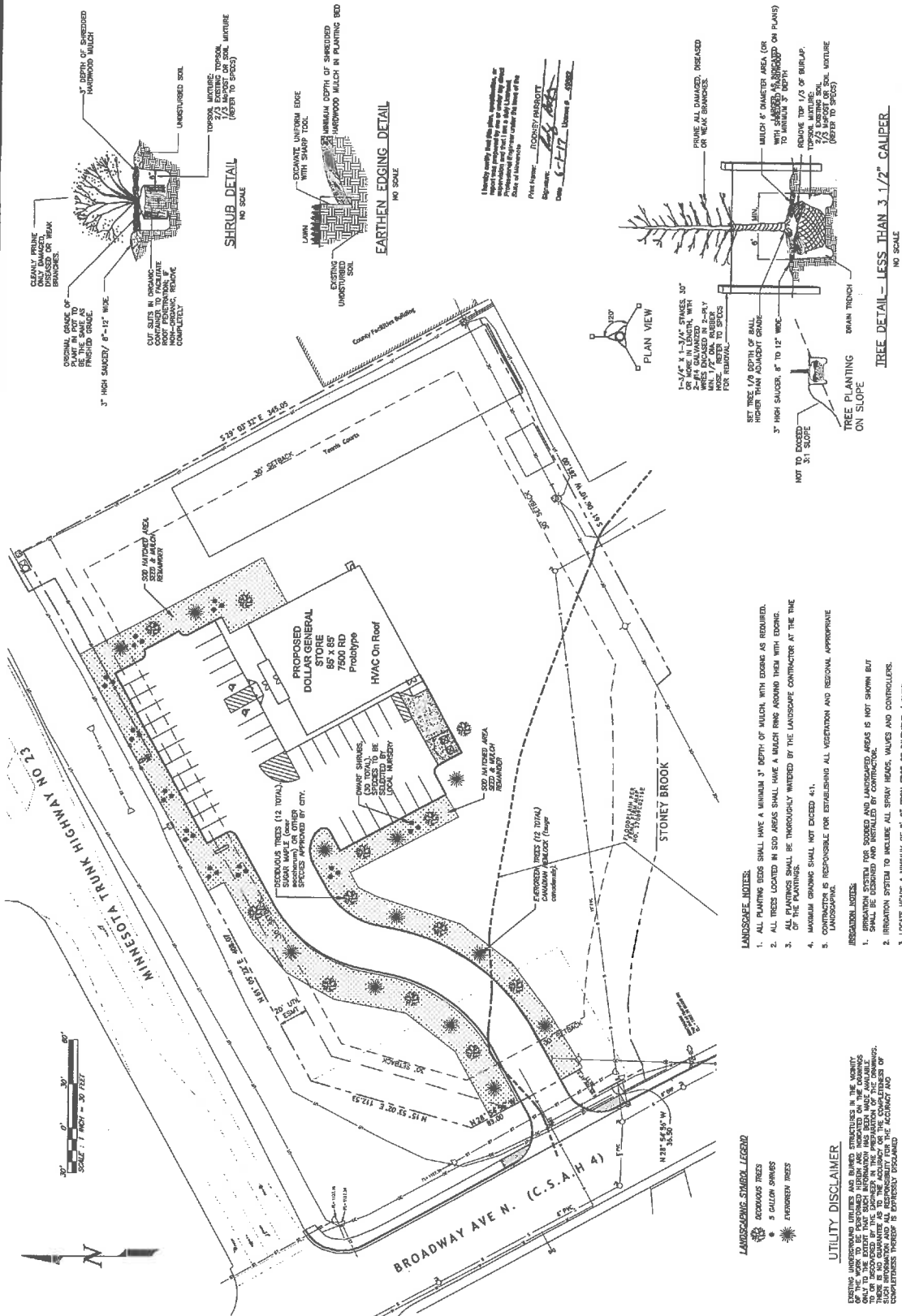
order items at <http://www.hugoboss.com>

ADA RAMP DETAIL

NOT TO SCALE

I hereby certify that this plan, specification, or report 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

Print Name: RODNEY PARROTT
 Signature: [Signature]
 Date: 6-1-17 License # 400692



TREE DETAIL- LESS THAN 3 1/2" CALIPER

NO SCALE

- LANDSCAPE NOTES:**
1. ALL PLANTING BEDS SHALL HAVE A MINIMUM 3" DEPTH OF MULCH, WITH EDGING AS REQUIRED.
 2. ALL TREES LOCATED IN SOD AREAS SHALL HAVE A MULCH RING AROUND THEM WITH EDGING.
 3. ALL PLANTINGS SHALL BE THOROUGHLY WATERED BY THE LANDSCAPE CONTRACTOR AT THE TIME OF THE PLANTINGS.
 4. MAXIMUM GRADING SHALL NOT EXCEED 4".
 5. CONTRACTOR IS RESPONSIBLE FOR ESTABLISHING ALL VEGETATION AND REGIONAL APPROPRIATE

REGISTRATION NOTES

1. IRRIGATION SYSTEM FOR SOODED AND LANDSCAPED AREAS IS NOT SHOWN BUT SHALL BE DESIGNED AND INSTALLED BY CONTRACTOR.
2. IRRIGATION SYSTEM TO INCLUDE ALL SPRAY HEADS, VALVES AND CONTROLLERS.
3. LOCATE HEADS A MINIMUM OF 2'-0" FROM EDGE OF PAVEMENT CURB.

UTILITY DISCLAIMER

EXISTING UNDERGROUND UTILITIES AND BURIED STRUCTURES IN THE VICINITY OF THE WORK TO BE PERFORMED HEREIN ARE INDICATED ON THE DRAWINGS ONLY TO THE EXTENT THAT SUCH INFORMATION HAS BEEN MADE AVAILABLE TO OR DISCOVERED BY THE ENGINEER IN THE PREPARATION OF THE DRAWINGS. THERE IS NO GUARANTEE AS TO THE ACCURACY OR THE COMPLETENESS OF SUCH INFORMATION AND ALL RESPONSIBILITY FOR THE ACCURACY AND COMPLETENESS THEREOF IS EXPRESSLY DISCLAIMED.

LANDSCAPING SYMBOL LEGEND

- DECIDUOUS TREES
• 5 GALLON SHRUBS
EVERGREEN TREES



Building a Better World
for All of Us®

June 30, 2017 / July 6, 2017 / July 26, 2017

RE: City of Foley, Minnesota
2017 Dollar General Store Site Review
SEH No. FOLEY GEN 14.00

Ms. Sarah Brunn
City Administrator
City of Foley
251 Fourth Avenue North
Foley, MN 56329

Dear Ms. Brunn:

SEH has reviewed the Dollar General plans dated 06/01/17 from Overland Engineering, and the Stormwater Detention Calculations dated 06/13/17.

1. Note on page C2 refers to parking stalls as 9'x20'. Plans show 10'x20', which is the City requirement. Please adjust note 1 on page C2. **Addressed**
2. Provide ADA compliant pedestrian ramps at either side of the proposed driveway entrance on Broadway Avenue, with grey epoxy colored truncated domes. **Addressed**
3. Existing trunk gravity sanitary sewer is not physically located in the existing utility easement. Utility easement will need to be adjusted to encompass the 15" gravity sanitary sewer. **They have acknowledged via email that this will be completed, but will still need follow up. Still needs follow up.**
4. Remove existing (unused) access off of TH 23. Remove existing culvert and grade ditch. **Addressed**
5. Add silt fence along property line adjacent to TH 23, and add ditch checks in the area where the existing access will need to be removed and the ditch graded. **Addressed**
6. Handicap parking detail on sheet C5 should show 10' wide parking stalls. **Addressed**
7. Provide detail showing elevations of proposed driveway connection on Broadway Avenue. Include a concrete valley gutter if needed to ensure proper drainage. **Addressed**
8. Runoff rates shall be equal to or less than existing conditions for the 2, 10, and 100 year events. **Addressed**
9. SAC and WAC fees will need to be calculated for this project. **No changes to the plans needed for this one.**
10. Maximum driveway width, per City ordinance, is 30 feet. The proposed driveway width is 32'. Driveway width will need to be reduced, and there will need to be only one exit lane for both right and left turning movements. **It appears this has been adjusted to 30' wide geometrically, but the not still says 32' on sheet C1.**
11. Provide concrete curb and gutter (tipped out) rather than bumper curbs. **Addressed**
12. The submitted lighting plan does not have enough information to conduct a review. We need to see data regarding the luminaires (cut sheets, wattages, lumen output, color temperature), pole

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 1200 25th Avenue South, P.O. Box 1717, St. Cloud, MN 56302-1717
SEH is 100% employee-owned | sehinc.com | 320.229.4300 | 800.572.0617 | 888.908.8166 fax

length, and concrete base height, etc. Lighting Engineer is reviewing, I will forward comments separately.

13. Sanitary sewer service should connect into the existing manhole with a boot. This revision has not yet been made. Addressed
14. Water service will need to come from a connection point on 6th Avenue. Connect to existing main, and extend an 8" main parallel to TH 23 up to the point where the building service is needed. This revision has not yet been made. Addressed, with some additional comments regarding the water main extension from 6th Avenue below.
 - a. 6th Avenue Street restoration shall match existing, which includes:
 - i. Geotextile fabric.
 - ii. 24" select granular borrow.
 - iii. 8" Class 5.
 - iv. 2" Non Wearing Course (c-oil).
 - v. 2" Wearing Course (c-oil).

New Site Plan Comments:

1. Maintain a minimum separation of 10' between the sanitary sewer and water main services.
2. Connection to existing sanitary sewer manhole.
 - a. Only two of the 3 inverts are labeled. If the new invert is more than 2' above the existing invert, and outside drop will be needed, in lieu of the inside drop that is shown on the detail.
 - b. Depending on the elevation difference between the existing invert to the west, and the new invert to the NW. Please confirm ability to core drill connection without disturbing existing sewer main since the new and proposed mains are less than a 45 degree angle apart.

New Comments on Site Lighting:

1. Luminaire chosen could not be found on manufacturer's website. Assumed QF3 instead of QF4 which is a flood light luminaire. Flood lights are not the correct application for use when illuminating a parking lot. Choose an area light as they are best suited for illuminating parking lots.
2. Color temperature of the luminaire chosen is 5000K. 5000K is not a common color as it has a blue tint to the light and is not commonly used in the industry. We would recommend choosing a 4000K color temperature as it more closely represents white light and is more widely accepted throughout the industry.
3. No calculation points have been shown at or beyond the property line. It appears there is approximately 2.0 fc at the TH 23 property line and could be trespassing onto the roadway potentially causing glare for passing drivers. Choose a different luminaire with better cutoff to minimize backlight onto public right-of-way. Note on Sheet E5 also states there is no light at or across the property line which their photometric clearly shows there is on the TH23 property line.
4. Specified pole is manufactured of steel. Would recommend choosing a pole manufactured of aluminum for longevity of pole finish.
5. Note on sheet E5 states luminaire is covered on 4 sides to achieve what used to be called full cut-off. Full cut-off luminaires are still manufactured and are widely available. Please choose a proper luminaire for this application.
6. Concrete PSI for light foundations is specified at 3000 psi. I would recommend a minimum of 4000 psi with air entrainment.

Ms. Sarah Brunn

June 30, 2017 / July 6, 2017 / July 26, 2017

Page 3

New Comments on Water Main Extension from 6th Avenue:

1. Topo survey should be completed from the east side of the Dollar Store lot to the connection point at 6th Avenue. This is needed to accurately show property lines, small utilities, roadways, etc.
2. Provide a plan and profile sheet showing a minimum water main depth of 8' of cover.
3. DIP pipe shall be class 52.
4. Show necessary 6th Avenue street and sidewalk restorations on the plan. (See comments above with existing road section info).
5. Show necessary turf restorations on the plan.
6. SEH will email hydrant and valve details for the City of Foley separately. Please update plan details and technical specifications to match.
7. Valve Boxes do not need extensions provided.

Sincerely,

Jon Halter, PE
City Engineer

jmh/mrb

p:\fj\foley\common\plan reviews\2017\dollar general\city dollar general review 063017 & 070617 & 072617.docx



RINKE NOONAN

attorneys at law

1015 W. St. Germain St., Ste. 300, P.O. Box 1497
St. Cloud, Minnesota 56302-1497
Telephone 320-251-6700, Fax 320-656-3500

Memorandum

To: Foley City Council and Planning Commission
From: Adam A. Ripple
Direct Dial: 320-257-3868
Re: Dollar General zoning application 04313-0431
Our File: 04313-0243
Date: June 26, 2017

*Concerns met
7/26/17*

B-2 Zoning Requirements

In general, the proposal appears to comply with the City of Foley's zoning requirements. Retail services area permitted uses in the B-2 zone. The minimum lot width of 100 feet is satisfied. All setbacks for the building exceed 30 feet and comply with the code. The building height appears to be 21 feet, which is well below the 35 feet maximum allowed height. Two areas require some clarification:

1. The floor area ratio cannot exceed 60%. No explicit calculations were apparent, but with the 3.46 acre lot and a 7,225 square foot building, it appears that the ratio is approximately 5%. This must be confirmed by the Developer.
2. No more than 80% of any face of a building that faces a street may be steel or corrugated metal. The site plan shows a significant portion of the building being covered with "pre-finished metal walls panels...reverse rib profile" on the front of the building and nearly all of the sides and rear of the building covered with "pre-finished metal wall panels". It is unclear what these materials are, but it appears they are regulated by the ordinance. No calculations for the coverage areas are provided. The Developer will need to provide more information about the material, as well as calculations for coverage percentages.

Site Plan Requirements

Most of the site plan requirements have been satisfied, with the exception of the following:

1. Landscaping information lacks detail. Features and the types of materials must be identified.
2. Under Section 7, Subd. 3 (16), exit width cannot exceed 30 feet. The site plan shows a width of 32 feet on one page and then appears to show curbing on subsequent

pages. It needs to be confirmed that the actual width of the pavement (less curbing) does not exceed 30 feet.

3. The key note on the lighting plan indicates covered, downward direction lighting; however, more detail as to type and location of fixtures might be required by the planning commission.

Signage

The Developer proposes a temporary site construction sign, a pylon sign, and a sign on the building.

1. It is unclear whether the pylon sign and temporary sign are single-sided or double-sided. The ordinance states, "Double-faced freestanding signs shall be considered as a single sign face for purposes of calculating allowable sign area only if the distance between each sign face does not exceed two (2) feet and the copy is identical on both faces." Presumably the pylon sign and temporary sign meet this test and are treated as single-sided for purposes of calculating sign face area; however, the Developer must confirm this. The maximum, cumulative sign area on a property must not exceed 300 square feet.
2. The temporary sign is exempt from a permit if it can be treated as a single-sided sign. If it is not treated as a single-sided sign and a sign permit is required, the temporary sign is cannot exceed 36 square feet of sign face, must not exceed 8 feet in height, and is only allowed for a maximum 30 continuous days.
3. The pylon sign exceeds 32 square feet and a sign permit is required. The height of the pylon sign is unclear. The maximum height under the ordinance is 25 feet.
4. The building sign exceeds 32 square feet and a sign permit is required. The sign must not exceed 15% of the front façade of the building; the Developer must provide this calculation.

Sarah Brunn

From: Mark Pappenfus <foleypwks@cloudnet.com>
Sent: Monday, July 3, 2017 11:32 AM
To: 'Jon Halter'; 'Sarah Brunn'
Cc: 'Ripple, Adam'; 'Scott, Nancy'
Subject: RE: Fw: Dollar General Letter

Jon & I have worked together on our concerns for this and as many of them are similar, he has included everything that I wanted brought forward in his memo.

Thanks, Mark

Mark Pappenfus
City of Foley Public Works Director
320-290-9186

From: Jon Halter [mailto:jhalter@sehinc.com]
Sent: Friday, June 30, 2017 9:39 AM
To: Sarah Brunn <sbrunn@ci.foley.mn.us>
Cc: Ripple, Adam <aripple@rinkenoonan.com>; foleypwks@cloudnet.com; Scott, Nancy <nscott64@hotmail.com>
Subject: Re: Fw: Dollar General Letter

Mark and I talked, and came up with one more comment regarding the sewer, please use this memo

Jon M. Halter, P.E. | Associate | Project Manager
SEH | 1200 25th Avenue South | P.O. Box 1717 | St. Cloud, MN 56302-1717
320.229.4344 direct | 320.250.6084 cell | 888.908.8166 fax
www.sehinc.com
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From: Jon Halter/seh
To: "Sarah Brunn" <sbrunn@ci.foley.mn.us>, foleypwks@cloudnet.com, "Ripple, Adam" <aripple@rinkenoonan.com>, "Scott, Nancy" <nscott64@hotmail.com>
Date: 06/30/2017 08:46 AM
Subject: Fw: Dollar General Letter

Jon M. Halter, P.E. | Associate | Project Manager
SEH | 1200 25th Avenue South | P.O. Box 1717 | St. Cloud, MN 56302-1717
320.229.4344 direct | 320.250.6084 cell | 888.908.8166 fax
www.sehinc.com
SEH--Building a Better World for All of Us™
----- Forwarded by Jon Halter/seh on 06/30/2017 08:46 AM -----

From: Melissa Blommel/seh
To: Jon Halter/seh@seh

Sarah Brunn

From: Nancy Scott <nscott64@hotmail.com>
Sent: Wednesday, June 28, 2017 1:13 PM
To: Sarah Brunn
Subject: Dollar General

I have no comments regarding this project.

Nancy Scott, CBO2099
AllSpec Services, LLC
320-293-5298



ARCHITECTURE | PLANNING | MANAGEMENT

To: Sarah A. Brunn

Company: City of Foley
215 4th Avenue N
Foley, MN 56329

Date: July 25, 2017

PN: 17046 DGFM
Project: Dollar General Foley, MN
Subject: **Review Letter**

Comment Responses

B-2 Zoning Requirements:

In general, the proposal appears to comply with the City of Foley's zoning requirements. Retail services area permitted uses in the B-2 zone. The minimum lot width of 100 feet is satisfied. All setbacks for the building exceed 30 feet and comply with the code. The building height appears to be 21 feet, which is well below the 35 feet maximum allowed height. Two areas require some clarification:

1. *The floor area ratio cannot exceed 60%. No explicit calculations were apparent, but with the 3.46 acre lot and a 7,225 square foot building, it appears that the ratio is approximately 5%. This must be confirmed by the Developer.*

a. Please refer to revised Civil Sheets.

2. *No more than 80% of any face of a building that faces a street may be steel or corrugated metal. The site plan shows a significant portion of the building being covered with "prefinished metal walls panels...reverse rib profile" on the front of the building and nearly all of the sides and rear of the building covered with "pre-finished metal wall panels". It is unclear what these materials are, but it appears they are regulated by the ordinance. No calculations for the coverage areas are provided. The Developer will need to provide more information about the material, as well as calculations for coverage percentages.*

a. Please refer to revised Sheet A2.1, Exterior Elevations.

Site Plan Requirements:

Most of the site plan requirements have been satisfied, with the exception of the following:

1. *Landscaping information lacks detail. Features and the types of materials must be identified.*

a. Please refer to revised Civil Sheets.



2. *Under Section 7, Subd. 3 (16), exit width cannot exceed 30 feet. The site plan shows a width of 32 feet on one page and then appears to show curbing on subsequent pages. It needs to be confirmed that the actual width of the pavement (less curbing) does not exceed 30 feet.*

a. Please refer to revised Civil Sheets.

3. *The key note on the lighting plan indicates covered, downward direction lighting; however, more detail as to type and location of fixtures might be required by the planning commission.*

a. Please refer to attached letter from Crocker Consulting Engineers, Inc.

Signage:

The Developer proposes a temporary site construction sign, a pylon sign, and a sign on the Building.

It is unclear whether the pylon sign and temporary sign are single-sided or double-sided. The ordinance states, "Double-faced freestanding signs shall be considered as a single sign face for purposes of calculating allowable sign area only if the distance between each sign face does not exceed two (2) feet and the copy is identical on both faces." Presumably the pylon sign and temporary sign meet this test and are treated as singlesided for purposes of calculating sign face area; however, the Developer must confirm this. The maximum, cumulative sign area on a property must not exceed 300 square feet.

- a. The pylon sign is double-sided while the temporary sign is single-sided. The maximum, cumulative sign area on the property is 147.5 square feet (97.5 square feet for the Building Sign and 50 square feet for the Pylon Sign). Please refer to revised Sheet A7.1.**
2. *The temporary sign is exempt from a permit if it can be treated as a single-sided sign. If it is not treated as a single-sided sign and a sign permit is required, the temporary sign is cannot exceed 36 square feet of sign face, must not exceed 8 feet in height, and is only allowed for a maximum 30 continuous days.*
 - a. The temporary sign is single-sided. Please refer to revised Sheet A7.1, Signage & Signage Details.**
3. *The pylon sign exceeds 32 square feet and a sign permit is required. The height of the pylon sign is unclear. The maximum height under the ordinance is 25 feet.*
 - a. Per "Subdivision 18: Sign Standards for Highway Business and Industrial Districts", "For a property zoned a B-2 Zoning District and immediately adjacent to State Highway 23 or State Highway 25, the aggregate limit for freestanding signs shall not exceed the lesser of one (1) square foot for each lineal foot of lot frontage or one hundred twenty 120 square feet. The freestanding pylon sign is 50 square feet. The maximum height shall be 25 feet. Please**



ARCHITECTURE | PLANNING | MANAGEMENT

refer to revised Sheet A7.1, Signage & Signage Details for height clarification.

4. *The building sign exceeds 32 square feet and a sign permit is required. The sign must not exceed 15% of the front façade of the building; the Developer must provide this calculation.*
 - a. **Per “Subdivision 18: Sign Standards for Highway Business and Industrial Districts”, “the sign area for all for wall and canopy signs located on a parcel or lot shall not exceed fifteen (15) percent of the front façade.” The front façade of the building is 1,618 square feet making the maximum allowable wall signage 242.7 square feet. The area of proposed wall signage is 97.5 square feet.**

Mike Sebben, Assoc. AIA
Torgerson Design Partners

Date: July 25, 2017

July 20, 2017

Project Dollar General Store
 Foley, MN

Re: Response to Civil Engineering Review Comments (SEH Inc.)

Please note the following:

2017 Dollar General Store Site Review of plans dated 06/01/17.

12. (The submitted lighting plan does not have enough information to conduct a review. We need to see data regarding the luminaires (cut sheets, wattages, lumen output, color temperature), pole length, and concrete base height, etc.) **See attached QubeFlood4, 1500mA – Datasheet, QubePAK Regal_Datasheet, SSS20B4-4 Datasheet, Sheet E2, and Sheet SU2.**

13. (Sanitary sewer service should connect into the existing manhole with a boot.) **See Sheet SU1, and Sheet SU2.**

14. Water service will need to come from a connection point on 6th Avenue. Connect to existing main, and extend an 8" main parallel to TH 23 up to the point where the building service is needed.

a. 6th Avenue Street restoration shall match existing, which includes;

- i. Geotextile fabric.
- ii. 24" select granular borrow.
- iii. 8" Class 5.
- iv. 2" Non Wearing Course (c-oil).
- v. 2" Wearing Course (c-oil).

Regarding item 14, Overland Engineering will bring a new main along TH 23. Sheet SU1 shows where we plan on connected into the new main.

These changes shall modify or clarify only these listed items. This letter shall not relieve the contractor(s) of any responsibilities under the plans and specifications except as amended herein. All other existing responsibilities as stated in the plans, specifications, and letters of clarification shall remain.

Sincerely,



Patrick D Crocker, P.E.

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT 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.

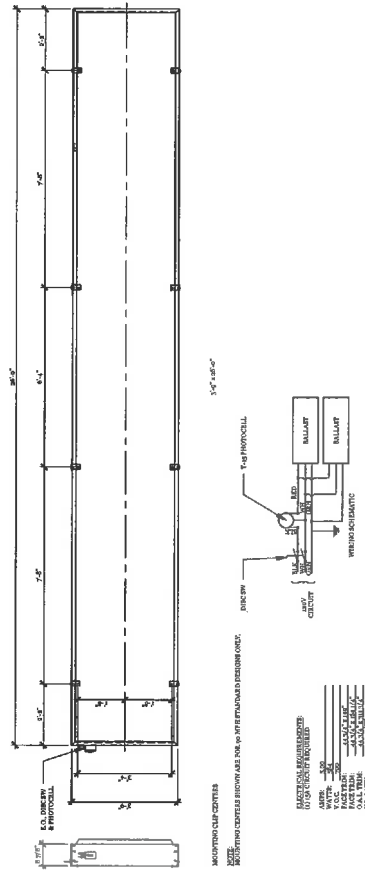
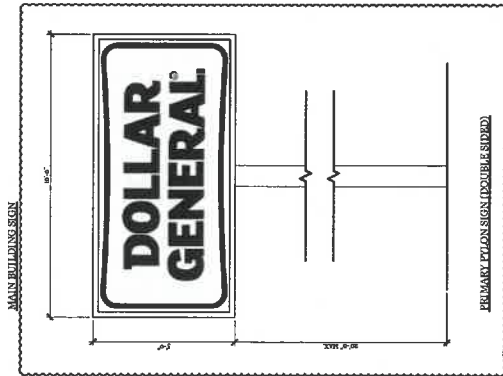


PATRICK D. CROCKER, P.E.

07-20-2017

LICENSE NUMBER 49417

(DATE)



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ITEM SIZE	SALES WEIGHT	# OF CELLS	AMPS	VOLTAJE	
6" x 6" x 1/2"	375 LB.	121 LB.	3.4	115	

FOR ADDITIONAL INFORMATION, CONTACT THE
 ELECTRONIC CELL MANUFACTURING COMPANY
 17111 17TH AVE. S.E. ALBUQUERQUE, N.M. 87123

JOHN D. TORGERSOHN, ARCHITECT
116 NORTH 2ND AVENUE • OZARK, MO 65751 • P (417) 581-8889 • F (417) 581-
DOLLAR GENERAL
STORE #18669 • 7,500 PROTOTYPE (RIGHT SIDE DELIVER)
FOLEY, MINNESOTA
SOUTHEAST CORNER OF HIGHWAY 22 & BROADWAY AVENUE N
FOLEY, BENTON COUNTY, MINNESOTA 56499

A7.1
**SIGNAGE &
SIGNAGE DETAILS**
DATE: JUNE 16, 2017

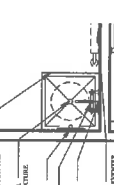
4. ALL CONSTRUCTION SHALL ABIDE BY ALL LOCAL CODES & ORDINANCES SET FORTH BY THE LOCAL GOVERNING AUTHORITY.

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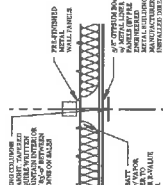
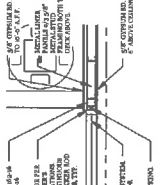
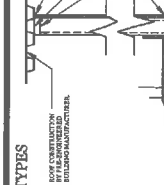
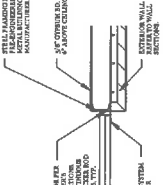
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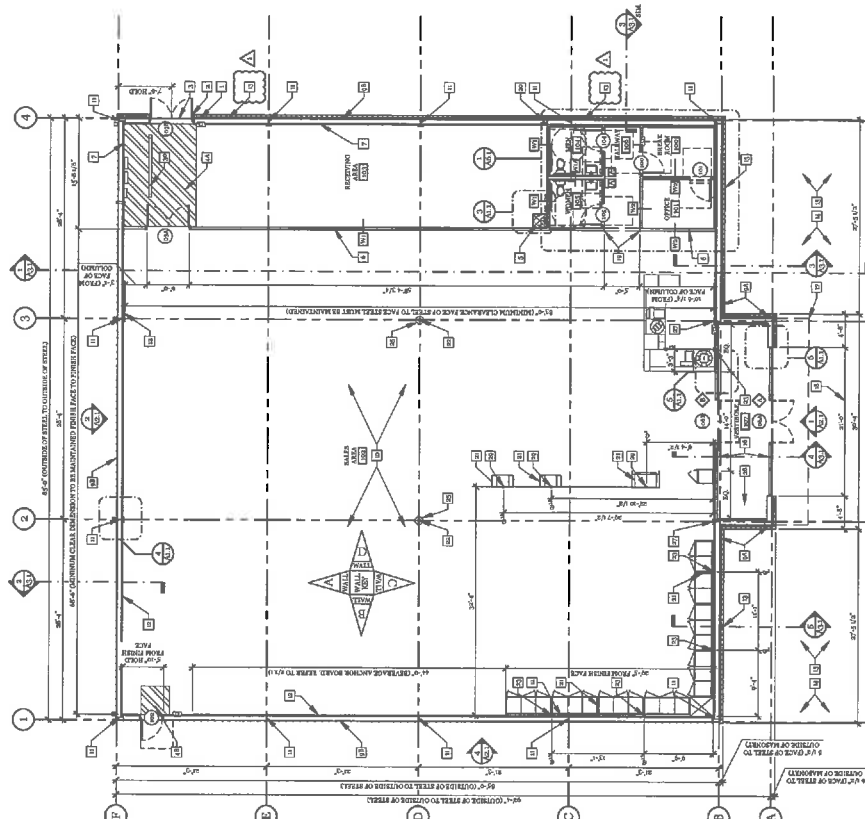
THE UNIVERSITY OF CHICAGO PRESS



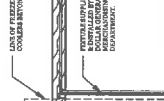
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REVIEWS



SCALE: 1/8" = 1'-0"



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FLOOR PLAN

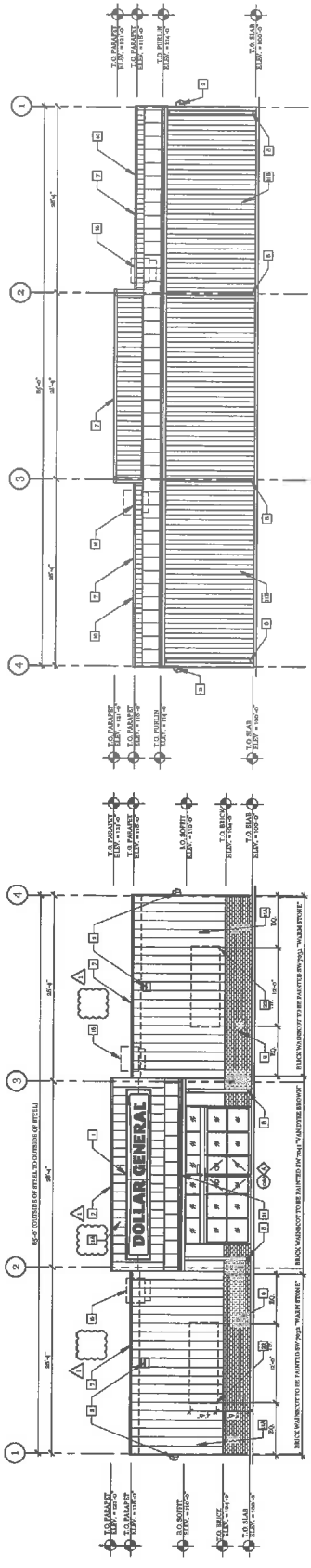


<http://www.mindgarden.com>

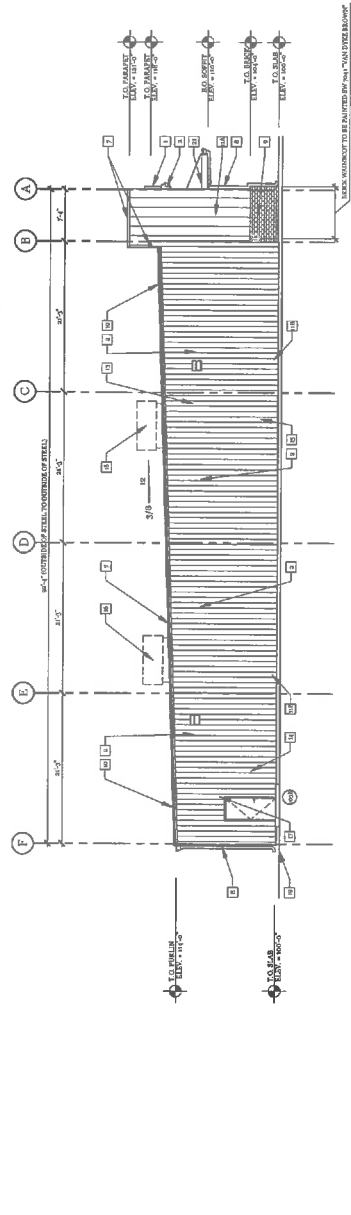
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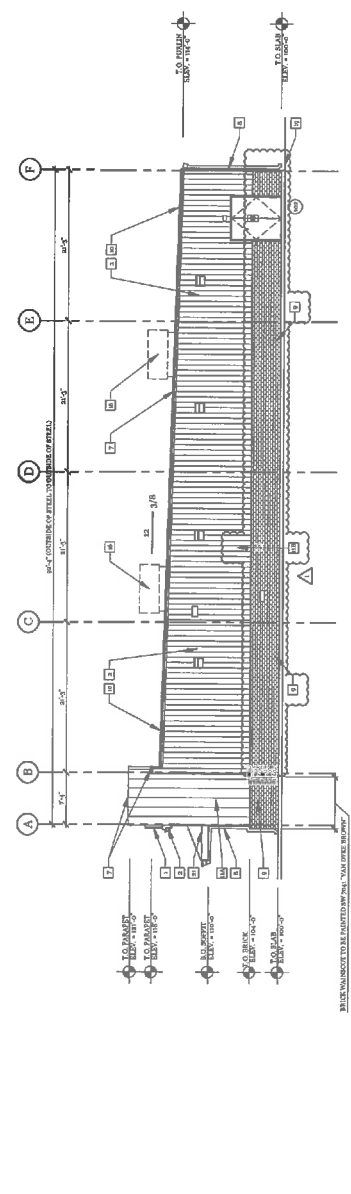
© 2000 Blackwell Science Ltd *Journal of Internal Medicine* 247: 105–112



2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



3 EAST ELEVATION
SCALE: 1/8" = 1'-0"



4 WEST ELEVATION
SCALE: 1/8" = 1'-0"



- ELEVATION KEYNOTES**
1. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS IN PARENTHESES ARE FOR INFORMATION ONLY.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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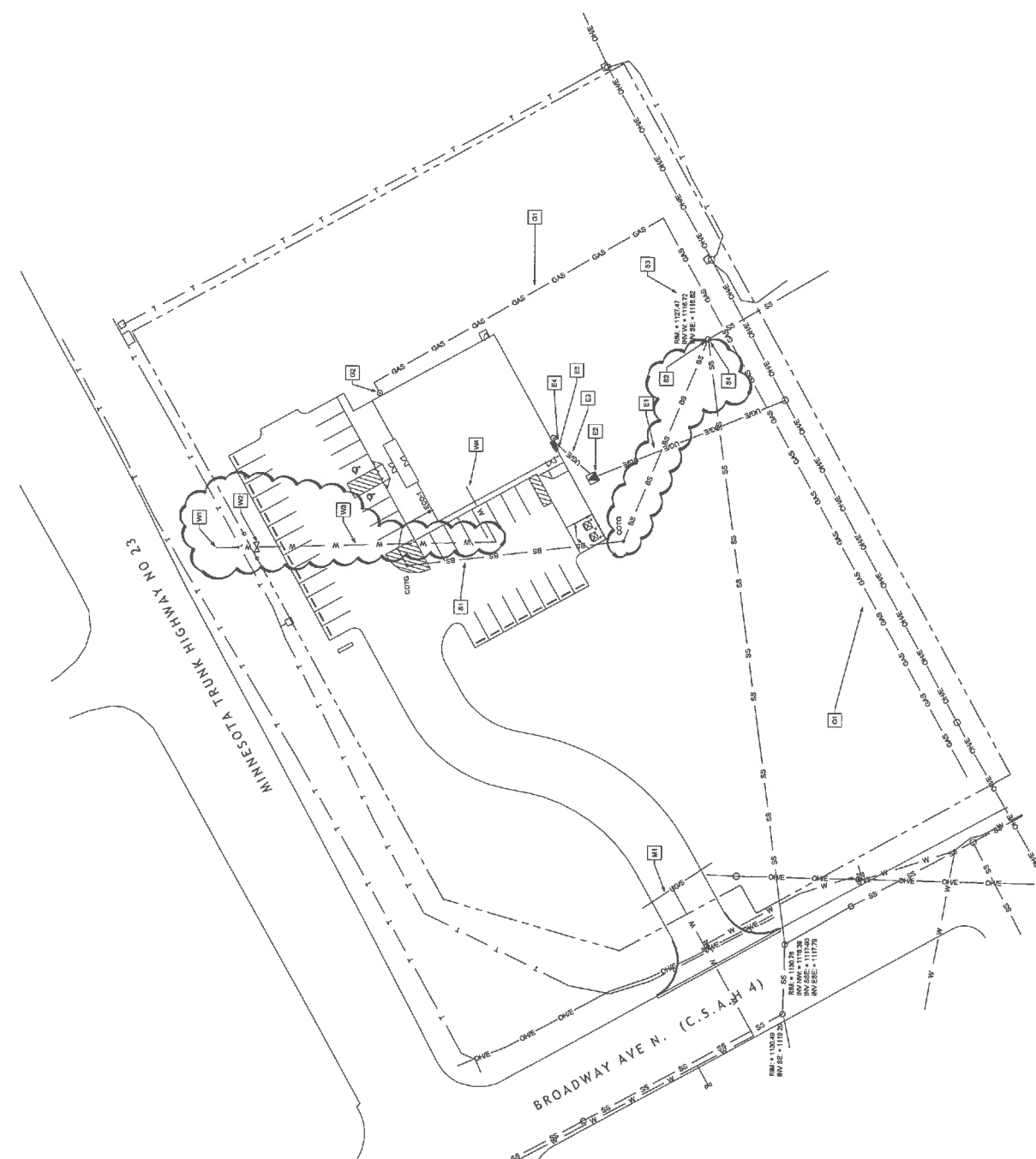
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Know what's below.



Call before you dig.

1 SITE UTILITY PLAN



SITE UTILITY LEGEND		SITE UTILITY LEGEND	
SS	SANITARY SEWER	FO	FIRE FIGHTER
BS	BUILDING DRAIN	②	2" WATER METER
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CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

RESOLUTION 2017 – 18

RESOLUTION APPROVING VARIANCE REQUEST (BANKS AT STONE CREEK)

WHEREAS, the applicant Progressive Builders (Sherburne Land Company LLC) owns Lots 6 and 7 at The Banks of Stone Creek;

WHEREAS, an existing drainage pond abuts these lots on the east side and the City of Foley desires equipment access to the existing drainage pond for large equipment;

WHEREAS, the applicant adjusted the lot lines of Lot 6 and Lot 7 to address the city's access concern;

WHEREAS, Lots 6 and 7 were created as smaller lots with a smaller than average lot depth compared to the other lots of the neighborhood;

WHEREAS, the applicant requested a 10-foot variance from the rear-yard setback to build a residential home of similar size compared to the rest of the neighborhood;

WHEREAS, the Planning Commission has reviewed and recommends approval of the Variances for both Lots 6 and 7; and

NOW, THEREFORE, the Foley City Council makes the following findings of fact with respect to the requested Variance:

1. **Unique Circumstances**. There are exceptional or extraordinary circumstances or conditions applying to the property in question as the existing lot size is smaller due to the needed access on the east side for a drainage pond.
2. **Necessary to Preserve Reasonable Use of the Property**. The property cannot be put to a reasonable use without the variance. That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same district and in the same vicinity. The existing lot size limits ability to meet all setbacks and provide for a typical sized structure, which is not reasonable.

3. **Not Merely Economic.** Cost or money savings are not the only reason for the variance. The variance is necessary to accommodate the use on a limited sized parcel.
4. **Maintains the Character of the Neighborhood.** The variance will not alter the area's essential character of the neighborhood as a residential neighborhood.
5. **Meets the Spirit of this Ordinance and Comprehensive Plan.** The variance maintains the spirit and intent of this Ordinance and the Comprehensive Plan.

FURTHER, the Foley City Council resolves as follows:

1. The Variance request is hereby approved.

PASSED AND ADOPTED by unanimous vote of the City Council of the City of Foley this 1st day of August, 2017.

Gerard L. Bettendorf, Mayor

ATTEST:

Sarah A. Brunn, City Administrator

City of Foley
Variance
Findings & Order

Date: 07/10/17

Applicant: Progressive Builders/Sherburne Land - Brad Dumonkeaux

Variance Requested: Lot 6 & 7 Rear-yard setback
(10' for Lot 6, 10' for Lot 7)

1. Does the variance demonstrate harmony with the general purposes and intent of the zoning ordinance?

Yes



No



Why or why not:

residential neighborhood & use

2. Is the proposed variance consistent with the city comprehensive plan?

Yes



No



Why or why not:

comp plan allows for residential development & expansion

3. Is the proposed use a reasonable manner not permitted by the zoning ordinance?

Yes



No



Why or why not:

setback limits ability to build home

4. Is the plight of the landowner due to circumstances unique to the property not created by the landowner?

Yes



No



Why or why not:

odd lot size and depth due to needed access to abutting sedimentation pond.

5. Granting the variance will not alter the essential character of the neighborhood?

Yes



No



Why or why not:

remains residential use

6. Are the "practical difficulties" more than economic?

Yes



No



Why or why not:

construction of typical home not possible without variance

IF ALL OF THE ANSWERS ARE "YES", THE CRITERIA FOR GRANTING A VARIANCE HAVE BEEN MET.

❖ Facts supporting the answer to each question above are hereby certified to be the Findings.

THE FOLEY PLANNING COMMISSION RECOMMENDS THE VARIANCE:

Approved



Not Approved



Date

7/10/17

Chair, Foley Planning Commission

Date of Public Hearing:

08/01/17

Time:

5:30pm

Results:

THE FOLEY CITY COUNCIL DETERMINES THE VARIANCE:

Approved



Not Approved



The following conditions to be imposed on the property to insure compliance and to protect adjacent properties and the public interest:

Date

Mayor



City of Foley

251 4th Avenue North • P.O. Box 709
Foley, Minnesota 56329
(320) 968-7260 • Fax (320) 968-6325

July 13, 2017

Dear Property Owner,

Progressive Builders/Sherburne Land Company LLC has requested a variance of 10 feet from the rear yard setback. You are receiving the enclosed notice because according to City of Foley Zoning Ordinance, individual property owners within 350 feet of the parcel included in the request shall receive written notice of the hearing's time, place and purpose. If you have any questions concerning this notice, please contact Foley City Hall, 968-7260 or contactus@ci.foley.mn.us. Thank you for your time.

Sincerely,

Sarah A. Brunn
City Administrator

**NOTICE OF PUBLIC HEARING
ON A REQUEST TO OBTAIN A VARIANCE**

Notice is hereby given that on the 1st day of August, 2017, at 5:30 P.M. at the Foley City Hall, in the City of Foley, pursuant to the City of Foley Zoning Ordinance, Section 24 – Variances, the City Council and the Planning Commission will hold a joint public hearing relating to the application of Progressive Builders/Sherburne Land Company LLC to obtain a 10-foot variance from the rear yard setback.

The property is described as:

Lots Six (6) and Seven (7) of The Banks at Stone Creek, Foley, Minnesota, according to the plat and survey thereof of said addition and on file and of record in the Offices of the Register of Deeds in Benton County.

Anyone wishing to appear with reference to the above variance request will be heard at this meeting.

Sarah A. Brunn
City Administrator

SEH SmartConnect Map

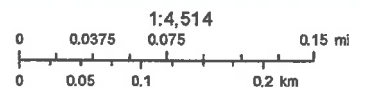


July 13, 2017

Benton County Parcels



Municipal Boundary



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors
Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the

SEH SmartConnect User
SEH

Sarah Brunn

From: brad@progressivebuildersmn.com
Sent: Thursday, June 22, 2017 3:05 PM
To: sara brun
Cc: Denny Nelson
Subject: Variance Request

Foley Planning Commission,

Please accept my request for variance on lots 6 and 7 of Banks at Stone Creek. Upon surveying out homes on the lots it became clear there was going to be a difficulty getting conforming single family housing on these 2 lots. As you can see they are some of the nicest lots in the subdivision overlooking the golf course. The rear yard setback is requested to be adjusted 6 feet on lot 6 and 10 feet on lot seven allowing for a deeper width building pad. There will still be adequate room for any de- sedimentation of the settling pond due to the fact we are deeding surrounding outlot to the city and existing drainage easements have adequate space for excavation equipment. It is my hope you will recognize our issue and grant our request. Thanks

--

Brad Dumonceaux



Progressive Builders, Inc.
17207 198th Ave NW, Big Lake MN 55309
www.progressivebuildersmn.com
320-249-1230 Cell
763-263-2227 Phone
763-263-2220 Fax

Find us on Facebook @ ProBuildersMN

City of Foley Variance Application

Street Location of Property: Lot 7 B11K1 Banks of Stone Creek / 1108 Hwy Court
 Legal Description of Property: Lot 7+6 B11K1 Banks of Stone Creek
 Current Zoning of Property: Residential Proposed Zoning: Same
 Type of Request: less than 10' rear yard setback requirement for lot 7
 *** (Attach narrative describing details of project scope) ***

Property Owner: Sherburne Land Company / Brad Dumoreaux 380 249-1231
 Name 17207 198th Ave Big Lake, MN 55309 Phone 763-263-2220
 Address Brad Dumoreaux Fax 763-263-2220
 Email brad@progressivebuilders.com

Applicant: Brad Dumoreaux 320-249-1230
 Name 3491 105th Ave NE Phone 763-263-2220
 Address Foley MN 56329 Fax 763-263-2220
 Email brad@progressivebuilders.com

Type of Request & Fee Amount:

<input type="checkbox"/>	Rezoning/Amendment	\$150.00
<input type="checkbox"/>	Conditional Use Permit	\$150.00
<input checked="" type="checkbox"/>	Variance	\$150.00
<input type="checkbox"/>	Planned Unit Development	\$150.00

<input type="checkbox"/>	Preliminary Plat	\$500.00
<input type="checkbox"/>	Final Plat	\$
<input type="checkbox"/>	Annexation	\$150.00 +
<input type="checkbox"/>	Site Plan Review/Other	
Total Fees Paid		\$

Has a request been made previously on this property? ☐ Yes ☒ No Explain: _____

This application must be completed in full, be typewritten or clearly printed, and must be accompanied by all information, supporting documents and plans as required by applicable City Ordinance provisions. A determination of completeness of the application shall be made within ten business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant.

This is to certify that I am making application for the described action by the City and that I am responsible for all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application. I have attached a copy of proof of ownership (either copy of Owner's Duplicate Certificate of Title, Abstract of Title or purchase agreement), or I am the authorized person to make this application and the fee owner has also signed this application.

- ☒ Supporting Documents Attached
- ☒ Appropriate Fees Paid
- ☒ Review by City Staff
- ☒ Completed Application Accepted

Brad Dumoreaux 6-13-17
 Signature of Applicant Date

Application Filed: 6/21/17
 Date Fees Paid: 6/21/17
 Staff Initials: SD
 Date Application Accepted: 6/22/17
Brad Dumoreaux 6-23-17
 Signature of Fee Owner Date

City of Foley Variance Supplementary Application

Please use this form to explain how your variance request meets the requirements for a variance.

- (1) Describe how will the variance demonstrates harmony with the general purposes and intent of the zoning ordinance.

Allows homes of similar conformity to fit on this lot as other lots in the project.

- (2) Describe how the variance is consistent with the Comprehensive Plan.

Matches requirements, also allows for residential development per comp plan.

- (3) Demonstrate the "practical difficulties" in complying with the zoning ordinance. *

1. How is the proposed use a reasonable manner not permitted by the zoning ordinance?

Per setbacks requirements on this lot currently are ~~too~~ too large to accommodate typical homes.

2. Demonstrate the plight of the landowner is due to circumstances unique to the property not created by the landowner.

Property was given a larger setback to allow for sediment removal of pond which is excessive and was initially required by the City. The remaining Driveway Easement allows for plenty of room for desedimentation.

3. Demonstrate, if granted, how the variance will not alter the essential character of the neighborhood.

Similar homes are already in the subdivision.

*Economic considerations alone do not constitute practical difficulties.

Certificate of Survey for Progressive Builders

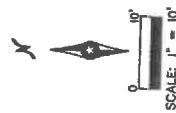
Address: 5707 58th Ave, Big Lake, MN 55309
Phone: 612-838-8327

Lot 7, Block 1 THE BANKS AT STONE CREEK
City of Foley, Benton County, Minnesota

NO EXCAVATION OR CONSTRUCTION CAN BEGIN
UNTIL THIS PLAN IS APPROVED BY THE LOCAL
BUILDING INSPECTOR
LOWEST FLOOR ELEVATION IS SUBJECT TO SOIL AND WATER
TABLE CONDITIONS.
ALL BEARING AND DISTANCE INFORMATION IS PER THE
RECORDED PLAT.
EASEMENTS ARE SHOWN PER RECORDED PLAT UNLESS OTHER
DOCUMENTATION WAS PROVIDED TO US.
CONTRACTOR TO DETERMINE EXACT LOCATION AND ELEVATION
OF SEWER SERVICE.
THE LOWEST FLOOR ELEVATION IS SUBJECT TO THE ACTUAL
DEPTH AND ELEVATION OF THE SEWER SERVICE.
PRIOR TO ANY EXCAVATION, EXCAVATOR MUST COMPILE SURVEY
WITH HOUSE PLAN AND BUILDER TO VERIFY TYPE OF HOUSE AND
FINAL ELEVATION.

ACTUAL FIELD SURVEY & STAKING TO OCCUR IF/WHEN A
SETBACK VARIANCE IS GRANTED.

- LEGEND:**
- Denotes found iron monument
 - Denotes existing plan elevation
 - Denotes proposed drainage line
 - Denotes meter service
 - Denotes floor grade service line
 - Denotes electrical pedestal
 - Denotes sign
 - Denotes Lynn P. O'Connell, LS
 - Denotes railroad (approximate)
 - Denotes building setback line
 - Denotes easement
 - Denotes adjacent surface
 - Denotes concrete surface



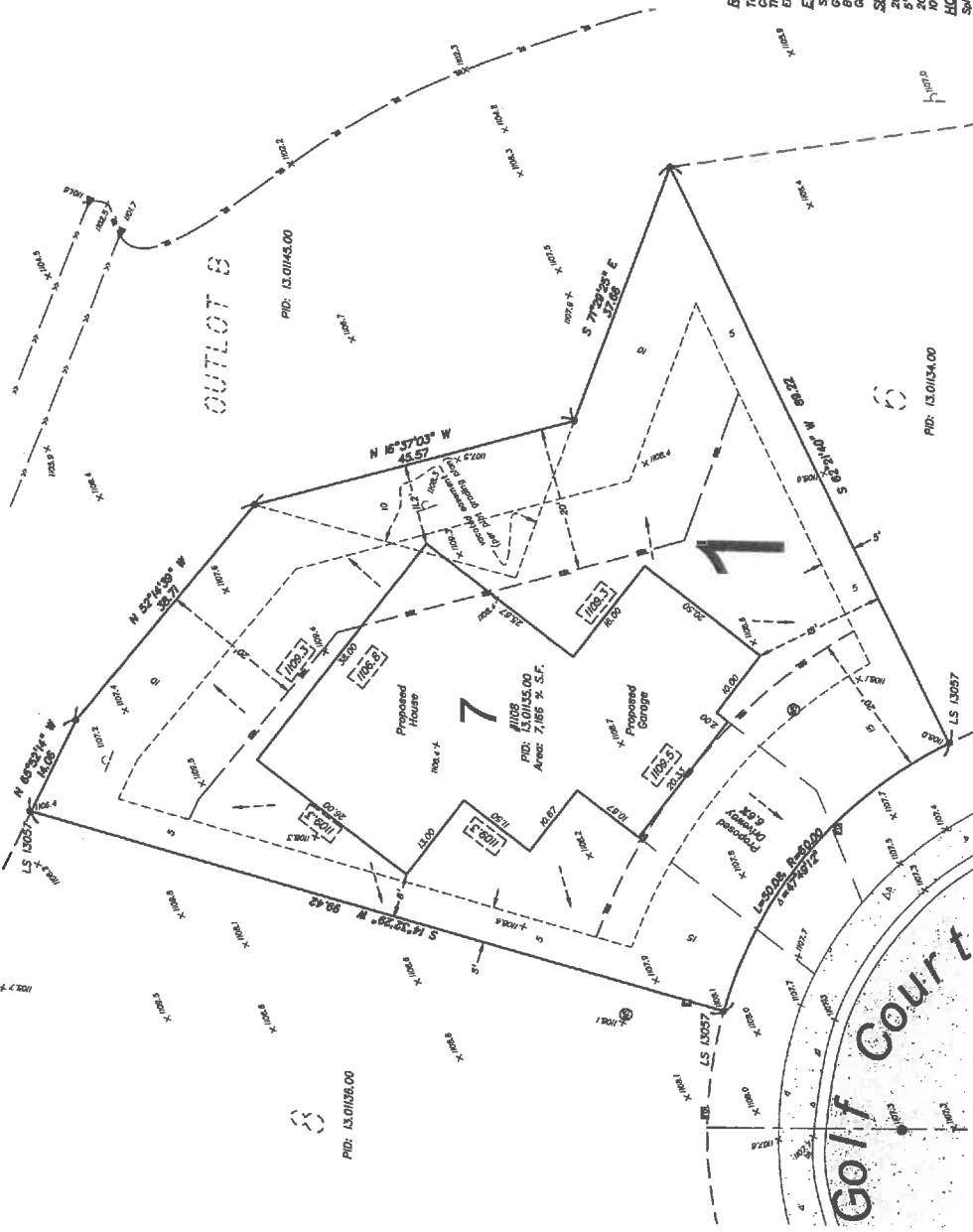
REFERENCE BENCHMARK
Top 1st hydrant on west side of Golf
Court, opposite Lot 13, Block 1,
THE BANKS AT STONE CREEK
Elevation = 1102.55 feet (Pict Datum)

ELEVATION GRAVING PLAN
Shift Level Out
Grade at Front = 1108.0
Grade at Back = 1108.0
Ground at Back of Pad = 1108.0

SETBACKS
20' Front
5' Side
20' Rear
100' Centerline of Co. Rd. 51
HOUSE TYPE
Split Level Lookout

PROPOSED ELEVATIONS
Garage Floor Elev = 1109.5
Basement Floor Elev = 1108.8
Top of Back Elev = 1108.8
Ground at Back of Pad = 1109.3

Drainage and Utility Elements are
shown true
N.T.S.
Being a preliminary plan, the
side lot lines, unless otherwise
indicated, are shown on the plat
and subject to change on the plat
being 10 feet in width along rear lot lines.



SHEET NO. 1	Certificate of Survey Progressive Builders, L7, B1 THE BANKS AT STONE CREEK Benton County, MN	 BOGART, PEDERSON & ASSOCIATES, INC. LAND SURVEYING 12074 FIRST STREET, MEDICA, MN 55308-8327 TEL: 612-838-8327 FAX: 612-838-8344	DATE: 6/15/17	REV. NO.	DESCRIPTION
			DESIGN BY: RT		
			CHECKED BY: CAW		
			DWG FILE: L7 B1 HS		
I hereby certify that the survey, plans, or drawings proposed by me or under my direct supervision were made under the laws of the State of Minnesota. Signed: <i>Craig W. Pederson</i> Date: 06/20/17 Reg. No. 47486			FILE NO.: 15-0194.13		

Sarah Brunn

From: Nancy Scott <nscott64@hotmail.com>
Sent: Wednesday, June 28, 2017 1:13 PM
To: Adam Ripple
Cc: Sarah Brunn; Halter, Jon; Pappenfus, Mark
Subject: Re: 04313-0230: Progressive Builders Variance

I concur with Adam's comments.

Nancy Scott, CBO2099
AllSpec Services, LLC
320-293-5298

On Jun 28, 2017, at 9:30 AM, Adam Ripple <ARipple@rinkenoonan.com> wrote:

I do not have concerns about the requested variances. The location and configuration of the pond require compressed, odd shaped lots, which seems to be a unique circumstance. This stems from the original plan for twin homes by the original developer. That is no longer feasible, which is why the property was re-platted by the current developer for single family lots. It appears that the variances are necessary in order to build ordinary houses that maintain the character of the re-platted neighborhood. If so, this is consistent with the variances provided for in the amended development agreement with the current developer.

Adam A. Ripple
Attorney

RINKE NOONAN
Suite 300, US Bank Plaza
P.O. Box 1497
St. Cloud, MN 56302
(320) 251-6700 General
(320) 257-3868 Direct
(320) 656-3500 Fax

[website](#) | [email](#) | [bio](#) | [map](#)

<image002.jpg>

<image003.gif>

For prompt assistance, please contact my paralegal,
Mary Jo Rowan at (320) 656-3553 or mjrowan@rinkenoonan.com

From: Sarah Brunn [<mailto:sbrunn@ci.foley.mn.us>]
Sent: Thursday, June 22, 2017 11:12 AM
To: Adam Ripple <ARipple@rinkenoonan.com>; Halter, Jon <jhalter@sehinc.com>; Scott, Nancy <nscott64@hotmail.com>; Pappenfus, Mark <foleypwks@cloudnet.com>
Subject: Progressive Builders Variance

We are expecting a busy planning agenda for July 10th.

Sarah Brunn

From: Jon Halter <jhalter@sehinc.com>
Sent: Wednesday, June 28, 2017 1:11 PM
To: Adam Ripple
Cc: Pappenfus, Mark; Scott, Nancy; Sarah Brunn
Subject: RE: 04313-0230: Progressive Builders Variance

Sarah-

I also find the variance request acceptable. The utility easement will still be maintained which should continue to allow access for periodic maintenance activities.

Jon M. Halter, P.E. | Associate | Project Manager
SEH | 1200 25th Avenue South | P.O. Box 1717 | St. Cloud, MN 56302-1717
320.229.4344 direct | 320.250.6084 cell | 888.908.8166 fax
www.sehinc.com
SEH—Building a Better World for All of Us™

From: Adam Ripple <ARipple@rinkenoonan.com>
To: Sarah Brunn <sbrunn@ci.foley.mn.us>, "Halter, Jon" <jhalter@sehinc.com>, "Scott, Nancy" <nscott64@hotmail.com>, "Pappenfus, Mark" <foleypwks@cloudnet.com>
Date: 06/28/2017 09:31 AM
Subject: RE: 04313-0230: Progressive Builders Variance

I do not have concerns about the requested variances. The location and configuration of the pond require compressed, odd shaped lots, which seems to be a unique circumstance. This stems from the original plan for twin homes by the original developer. That is no longer feasible, which is why the property was re-platted by the current developer for single family lots. It appears that the variances are necessary in order to build ordinary houses that maintain the character of the re-platted neighborhood. If so, this is consistent with the variances provided for in the amended development agreement with the current developer.

Adam A. Ripple
Attorney

RINKE NOONAN
Suite 300, US Bank Plaza
P.O. Box 1497
St. Cloud, MN 56302
(320) 251-6700 General
(320) 257-3868 Direct
(320) 656-3500 Fax

[website](#) | [email](#) | [bio](#) | [map](#)



Sarah Brunn

From: Mark Pappenfus <foleypwks@cloudnet.com>
Sent: Thursday, June 29, 2017 9:05 AM
To: 'Jon Halter'; 'Adam Ripple'
Cc: 'Scott, Nancy'; 'Sarah Brunn'
Subject: RE: 04313-0230: Progressive Builders Variance

Sarah,

I also do not have any issues with the 2 variance requests for Progressive Builders on Golf Ct. Once built we will not want to allow any fences onto our Easement which would limit access to the Pond.

Thanks, Mark

Mark Pappenfus
City of Foley Public Works Director
320-290-9186

From: Jon Halter [mailto:jhalter@sehinc.com]
Sent: Wednesday, June 28, 2017 1:11 PM
To: Adam Ripple <ARipple@rinkenoonan.com>
Cc: Pappenfus, Mark <foleypwks@cloudnet.com>; Scott, Nancy <nscott64@hotmail.com>; Sarah Brunn <sbrunn@ci.foley.mn.us>
Subject: RE: 04313-0230: Progressive Builders Variance

Sarah-

I also find the variance request acceptable. The utility easement will still be maintained which should continue to allow access for periodic maintenance activities.

Jon M. Halter, P.E. | Associate | Project Manager
SEH | 1200 25th Avenue South | P.O. Box 1717 | St. Cloud, MN 56302-1717
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www.sehinc.com
SEH--Building a Better World for All of Us™

From: Adam Ripple <ARipple@rinkenoonan.com>
To: Sarah Brunn <sbrunn@ci.foley.mn.us>, "Halter, Jon" <jhalter@sehinc.com>, "Scott, Nancy" <nscott64@hotmail.com>, "Pappenfus, Mark" <foleypwks@cloudnet.com>
Date: 06/28/2017 09:31 AM
Subject: RE: 04313-0230: Progressive Builders Variance

I do not have concerns about the requested variances. The location and configuration of the pond require compressed, odd shaped lots, which seems to be a unique circumstance. This stems from the original plan for twin homes by the original developer. That is no longer feasible, which is why the property was re-platted by the current developer for single family lots. It appears that the variances are necessary in order to build ordinary houses that maintain the character of the re-platted neighborhood. If so, this is consistent with the variances provided for in the amended development agreement with the current developer.

Adam A. Ripple

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

ORDINANCE NUMBER 429

AN ORDINANCE AMENDING SECTION 4 AND SECTION 13 OF THE CITY OF FOLEY'S
ZONING ORDINANCE

WHEREAS, the City of Foley wishes to amend its Zoning Ordinance by making revisions to Section 4 and Section 13 of the Zoning Ordinance; and

WHEREAS, the City of Foley issued a public hearing notice regarding this ordinance amendment on July 18, 2017, and held said public hearing on August 1, 2017.

NOW, THEREFORE, the City of Foley ordains as follows:

Section 1. The following changes shall be made to Section 4 of the City of Foley's Zoning Ordinance:

Subdivision 2: DEFINITIONS

1. **ACCESSORY BUILDING.** A subordinate building or structure on the same lot as the principal structure occupied by or devoted exclusively to an accessory use.
2. **SIDEWALL.** A wall forming the side of a structure or room as measured from the floor to the ceiling or roof line.

Section 2. The following changes shall be made to portions of Section 13 of the City of Foley's Zoning Ordinance:

Subdivision 3: PERMITTED ACCESSORY USES

1. Private garages (not exceeding 2400 square feet in area) if the exterior covering materials on the roof and side walls are the same or similar to the roof and side wall materials of the principal structure. Private garage sizes are subject to the following conditions:

If Total Lot Size is under 9,000 square feet:

- Maximum overall height of 18 feet.
- Maximum sidewall height of 10 feet.

If Total Lot Size is 9,000 square feet or larger:

- Maximum overall height of 25 feet.
- Maximum sidewall height of 12 feet.

Subdivision 6: ACCESSORY BUILDINGS

2. Number. No lot may contain more than three (3) detached Accessory Buildings.

Section 3. Summary Publication.

At least four-fifths of the City Council's members direct the Administrator to publish only the title and a summary of this Ordinance as follows:

“ORDINANCE AMENDING SECTION 4 AND SECTION 13 OF THE CITY OF FOLEY’S ZONING ORDINANCE.

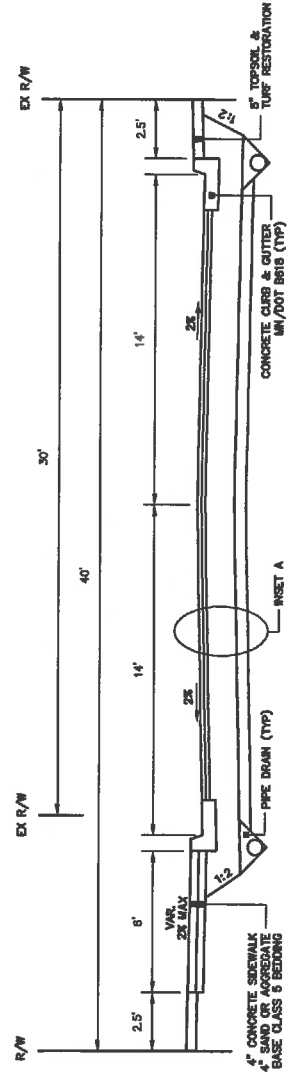
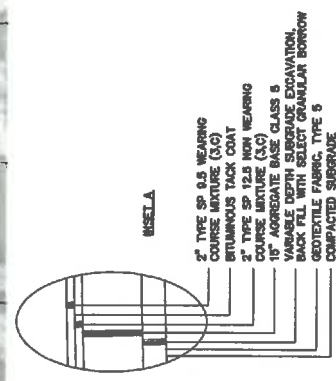
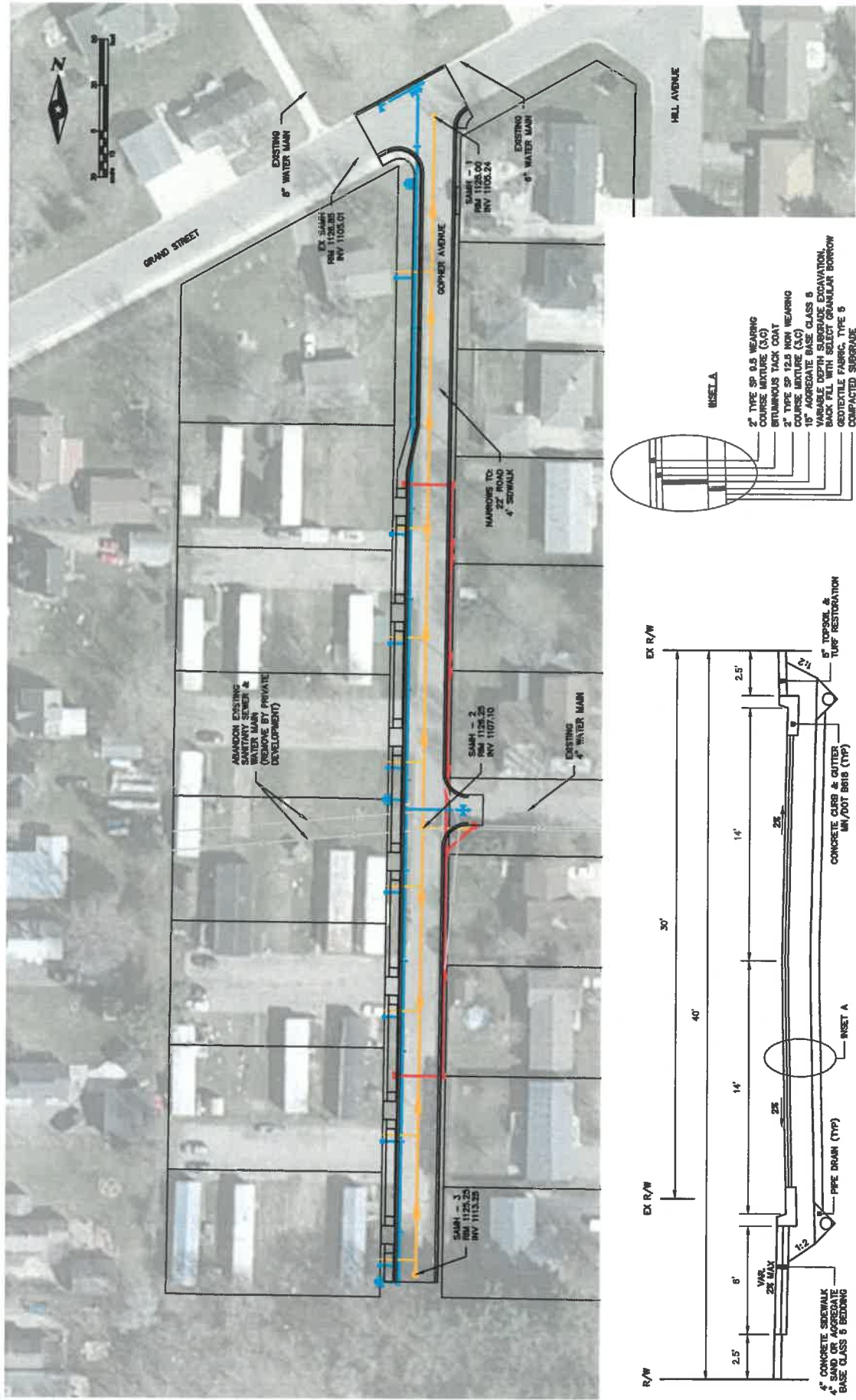
The ordinance amendment incorporates changes to the definitions and allowed accessory building size in the single and two family residential district.


Approved this 1st day of August, 2017.

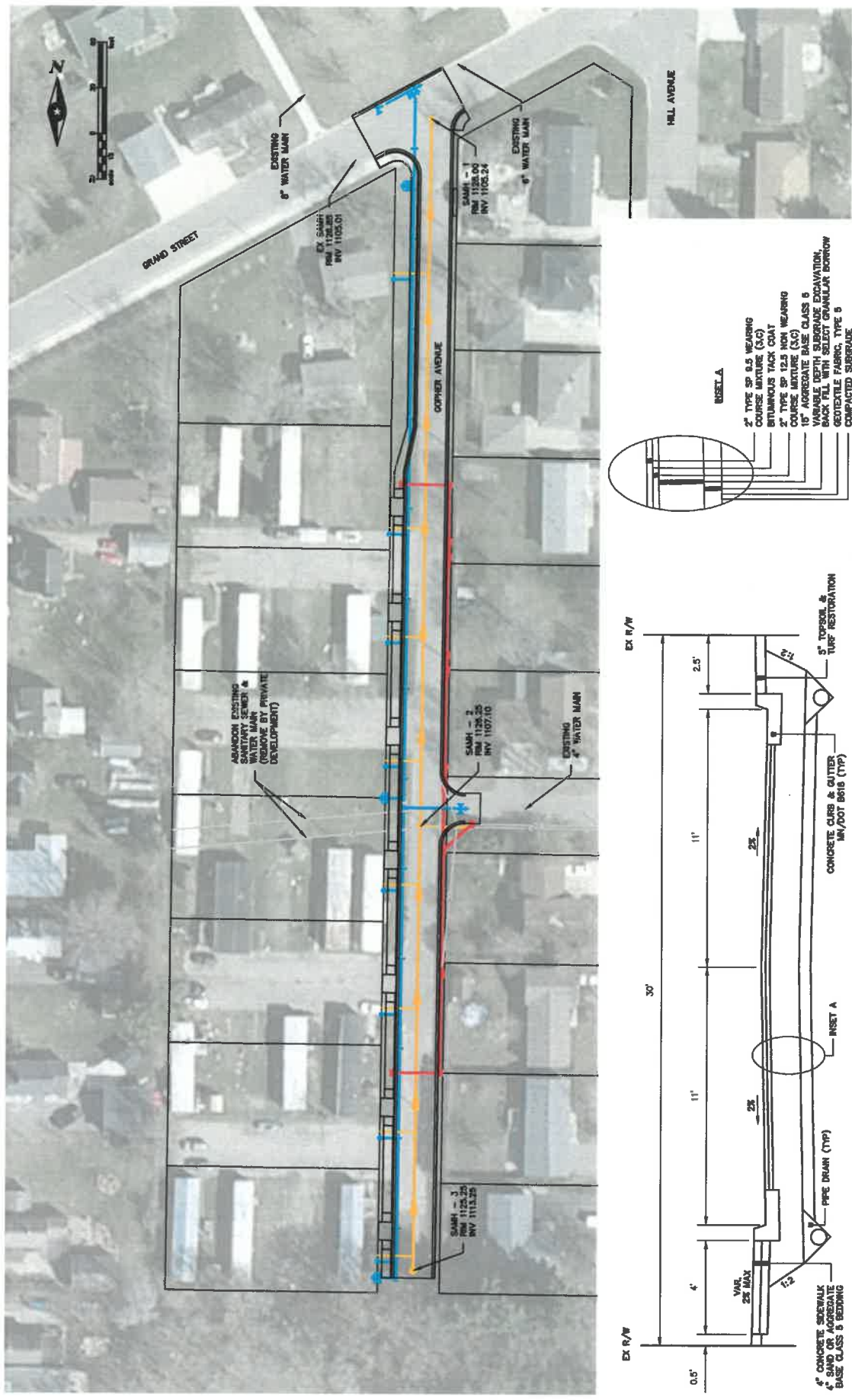
ATTEST:

Gerard L. Bettendorf, Mayor

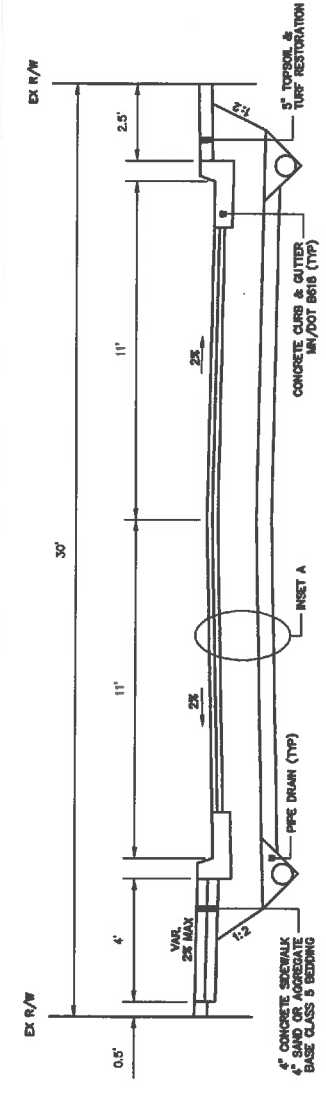
Sarah A. Brunn, Administrator



 PHONE: 320.225.4300 1200 25TH AVENUE SOUTH P.O. BOX 1717 ST. CLOUD, MN 56302-1717 www.sehinc.com		FILE NO. FOLEY	PROJECT UTILITIES GOPHER AVE IMPROVEMENTS FOLEY, MINNESOTA	FIGURE NO. 1
		DATE: 02/24/2017		



- INSET A**
- 2" TYPE SP 8.5 WEARING COURSE MIXTURE (S.C)
 - BITUMINOUS TACK COAT
 - 2" TYPE SP 12.5 NON WEARING COURSE MIXTURE (S.C)
 - 10" AGGREGATE BASE CLASS 5
 - VARIABLE DEPTH SUBGRADE EXCAVATION, MINIMUM 12" DEPTH
 - GEOTEXTILE FABRIC, TYPE 5
 - COMPACTED SUBGRADE



PROJECT UTILITIES

GOPHER AVE IMPROVEMENTS

FOLEY, MINNESOTA

FIGURE NO. 2

FILE NO. **FOLEY**

DATE: **02/24/2017**

PHONE: 320.220.4300
1200 25TH AVENUE SOUTH
P.O. BOX 1717
ST. CLOUD, MN 56302-1717
www.sehinc.com

LEGEND

MH — PROPOSED GRAVITY 8" SANITARY SEWER

CV — PROPOSED 8" WATERMAIN

CB — PROPOSED 12" STORM SEWER

MH — EXISTING SANITARY SEWER

CV — EXISTING WATERMAIN

CB — EXISTING STORM SEWER

NOTES

1. ABANDON EXISTING SANITARY SEWER & WATERMAIN (REMOVE BY PRIVATE DEVELOPMENT)

2. CONCRETE CURB & GUTTER 14"/DOT 6016 (TYP)

3. PIPE DRAIN (TYP)

4. CONCRETE SIDEWALK 4" SAND OR AGGREGATE BASE CLASS 5 BEDDING

5. VAR. 24" MAX

6. EX. R/W

7. A/R/W



GOPHER AVE IMPROVEMENTS
FOLEY, MN
SEH NO. FOLEY GEN

2/21/2017

OPINION OF PROBABLE COST - GOPHER AVE

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	APPROXIMATE QUANTITY	TOTAL PROJECT	
				UNIT PRICE	AMOUNT
STREET					
1	MOBILIZATION	LUMP SUM	1.00	\$20,000.00	\$20,000.00
2	TRAFFIC CONTROL	LUMP SUM	1.00	\$5,000.00	\$5,000.00
3	SAWCUT BITUMINOUS PAVEMENT	LIN FT	225.00	\$3.50	\$787.50
4	REMOVE CONCRETE SIDEWALK	SQ YD	50.00	\$4.00	\$200.00
5	REMOVE CONCRETE CURB & GUTTER	LIN FT	155.00	\$3.00	\$465.00
6	MILL BITUMINOUS PAVEMENT	SQ YD	2,200.00	\$2.50	\$5,500.00
7	REMOVE SANITARY MANHOLE	EACH	3.00	\$500.00	\$1,500.00
8	REMOVE GATE VALVE & BOX	EACH	2.00	\$300.00	\$600.00
9	REMOVE WATER MAIN	LIN FT	560.00	\$2.00	\$1,120.00
10	REMOVE SANITARY SEWER	LIN FT	700.00	\$2.00	\$1,400.00
11	REMOVE STORM SEWER	LIN FT	145.00	\$5.00	\$725.00
12	REMOVE DRAINAGE STRUCTURE	EACH	3.00	\$300.00	\$900.00
13	REMOVE SIGN	EACH	12.00	\$30.00	\$360.00
14	COMMON EXCAVATION (PQ)	CU YD	1,925.00	\$10.00	\$19,250.00
15	SUBGRADE EXCAVATION	CU YD	450.00	\$10.00	\$4,500.00
16	SELECT GRANULAR BORROW (LV 1.35)	CU YD	650.00	\$12.00	\$7,800.00
17	TOPSOIL BORROW (LV 1.4)	CU YD	200.00	\$20.00	\$4,000.00
18	AGGREGATE BASE CL 5 (CV) 100% CRUSHED QUARRY ROCK	CU YD	1,260.00	\$24.00	\$30,240.00
19	TYPE SP 9.5 WEARING COURSE MIXTURE (3,C)	TON	265.00	\$72.00	\$19,080.00
20	TYPE SP 12.5 NON WEARING COURSE MIXTURE (3,C)	TON	265.00	\$70.00	\$18,550.00
21	BITUMINOUS MATERIAL FOR TACK COAT	GAL	120.00	\$3.00	\$360.00
22	B618 CONCRETE CURB & GUTTER	LIN FT	1,590.00	\$15.00	\$23,850.00
23	4" PERFORATED DRAIN TILE W/ SOCK	LIN FT	1,520.00	\$7.00	\$10,640.00
24	GEOTEXTILE FABRIC, TYPE V	SQ YD	2,600.00	\$1.50	\$3,900.00
25	4" CONCRETE SIDEWALK	SQ FT	3,075.00	\$4.00	\$12,300.00
26	PED RAMP	EACH	2.00	\$2,000.00	\$4,000.00
27	6" CONCRETE DRIVEWAY RESTORATION	SY YD	90.00	\$50.00	\$4,500.00
28	SIGN PANELS TYPE C	SQ FT	15.00	\$45.00	\$675.00
29	STREET NAME SIGN	EACH	8.00	\$400.00	\$3,200.00
30	SEDIMENT CONTROL LOG TYPE STRAW	LIN FT	500.00	\$10.00	\$5,000.00
31	TURF ESTABLISHMENT	LUMP SUM	1.00	\$9,000.00	\$9,000.00
32	INLET PROTECTION	EACH	8.00	\$150.00	\$1,200.00
33	ROCK CONSTRUCTION ENTRANCE	EACH	2.00	\$800.00	\$1,600.00
34	PICK-UP STREET SWEEPER	HR	1.00	\$150.00	\$150.00
SUBTOTAL CONSTRUCTION					\$222,352.50
CONTINGENCY					\$22,235.25
ENGINEERING					\$40,023.45
GEOTECHNICAL					\$3,335.29
LEGAL & FISCAL					\$15,564.68
TOTAL					\$303,511.16



GOPHER AVE IMPROVEMENTS
FOLEY, MN
SEH NO. FOLEY GEN

2/21/2017

OPINION OF PROBABLE COST - GOPHER AVE

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	APPROXIMATE QUANTITY	TOTAL PROJECT	
				UNIT PRICE	AMOUNT
STORM SEWER					
35	12" RCP, CL V 3006	LIN FT	490.00	\$40.00	\$19,600.00
36	DRAINAGE STRUCTURE, DESIGN H	EACH	2.00	\$1,600.00	\$3,200.00
37	DRAINAGE STRUCTURE 4020 (48")	EACH	6.00	\$2,400.00	\$14,400.00
38	JET CLEAN STORM SEWER	LIN FT	490.00	\$1.50	\$735.00
39	CONNECT TO EXISTING STORM SEWER	EACH	1.00	\$1,400.00	\$1,400.00
40	CASTING SEAL	EACH	6.00	\$150.00	\$900.00
SUBTOTAL CONSTRUCTION					\$40,235.00
CONTINGENCY					\$4,023.50
ENGINEERING					\$7,242.30
GEOTECHNICAL					\$603.53
LEGAL & FISCAL					\$2,816.45
TOTAL					\$54,920.78



GOPHER AVE IMPROVEMENTS
FOLEY, MN
SEH NO. FOLEY GEN

2/21/2017

OPINION OF PROBABLE COST - GOPHER AVE

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	APPROXIMATE QUANTITY	TOTAL PROJECT	
				UNIT PRICE	AMOUNT
WATER MAIN					
41	CONNECT TO EXISTING WATER MAIN	EACH	3.00	\$1,000.00	\$3,000.00
42	HYDRANT	EACH	3.00	\$4,200.00	\$12,600.00
43	8" GATE VALVE AND BOX	EACH	4.00	\$2,200.00	\$8,800.00
44	6" GATE VALVE AND BOX	EACH	3.00	\$1,500.00	\$4,500.00
45	8" WATER MAIN - DUCTILE IRON CL 52	LIN FT	850.00	\$42.00	\$35,700.00
46	6" WATER MAIN - DUCTILE IRON CL 52	LIN FT	40.00	\$38.00	\$1,520.00
47	1" CORPORATION STOP	EACH	8.00	\$300.00	\$2,400.00
48	1" CURB STOP AND BOX	EACH	8.00	\$350.00	\$2,800.00
49	1" TYPE K COPPER PIPE	LIN FT	110.00	\$25.00	\$2,750.00
50	FITTINGS	POUND	530.00	\$7.00	\$3,710.00
51	CONNECT TO EXISTING WATER SERVICE	EACH	1.00	\$300.00	\$300.00
52	3" INSULATION	SQ YD	11.00	\$20.00	\$220.00
SUBTOTAL CONSTRUCTION					\$78,300.00
CONTINGENCY					\$7,830.00
ENGINEERING					\$14,094.00
GEOTECHNICAL					\$1,174.50
LEGAL & FISCAL					\$5,481.00
TOTAL					\$106,879.50



GOPHER AVE IMPROVEMENTS
FOLEY, MN
SEH NO. FOLEY GEN

2/21/2017

OPINION OF PROBABLE COST - GOPHER AVE

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	APPROXIMATE QUANTITY	TOTAL PROJECT	
				UNIT PRICE	AMOUNT
SANITARY SEWER					
53	ROCK EXCAVATION	CU YD	10.00	\$150.00	\$1,500.00
54	CONNECT TO EXISTING SANITARY SEWER	EACH	2.00	\$1,500.00	\$3,000.00
55	8" PVC SANITARY SEWER (SDR 35)	LIN FT	790.00	\$45.00	\$35,550.00
56	8" DUCTILE IRON SANITARY SEWER	LIN FT	20.00	\$42.00	\$840.00
57	SANITARY SEWER MANHOLE	EACH	3.00	\$2,800.00	\$8,400.00
58	EXCESS MANHOLE DEPTH (OVER 8FT)	LIN FT	30.00	\$150.00	\$4,500.00
59	8" OUTSIDE DROP	LIN FT	5.00	\$150.00	\$750.00
60	COARSE FILTER AGGREGATE (CV)	CU YD	140.00	\$20.00	\$2,800.00
61	8" X 4" PVC SERVICE WYE (SDR 26)	EACH	8.00	\$450.00	\$3,600.00
62	4" PVC SERVICE PIPE (SDR 26)	LIN FT	190.00	\$24.00	\$4,560.00
63	CONNECT TO EXISTING SERVICE	EACH	1.00	\$200.00	\$200.00
64	CLEAN AND TELEWISE SANITARY SEWER	LIN FT	790.00	\$1.50	\$1,185.00
65	CASTING SEAL	EACH	3.00	\$200.00	\$600.00
SUBTOTAL CONSTRUCTION					\$67,485.00
CONTINGENCY					\$6,748.50
ENGINEERING					\$12,147.30
GEOTECHNICAL					\$1,012.28
LEGAL & FISCAL					\$4,723.95
TOTAL					\$92,117.03



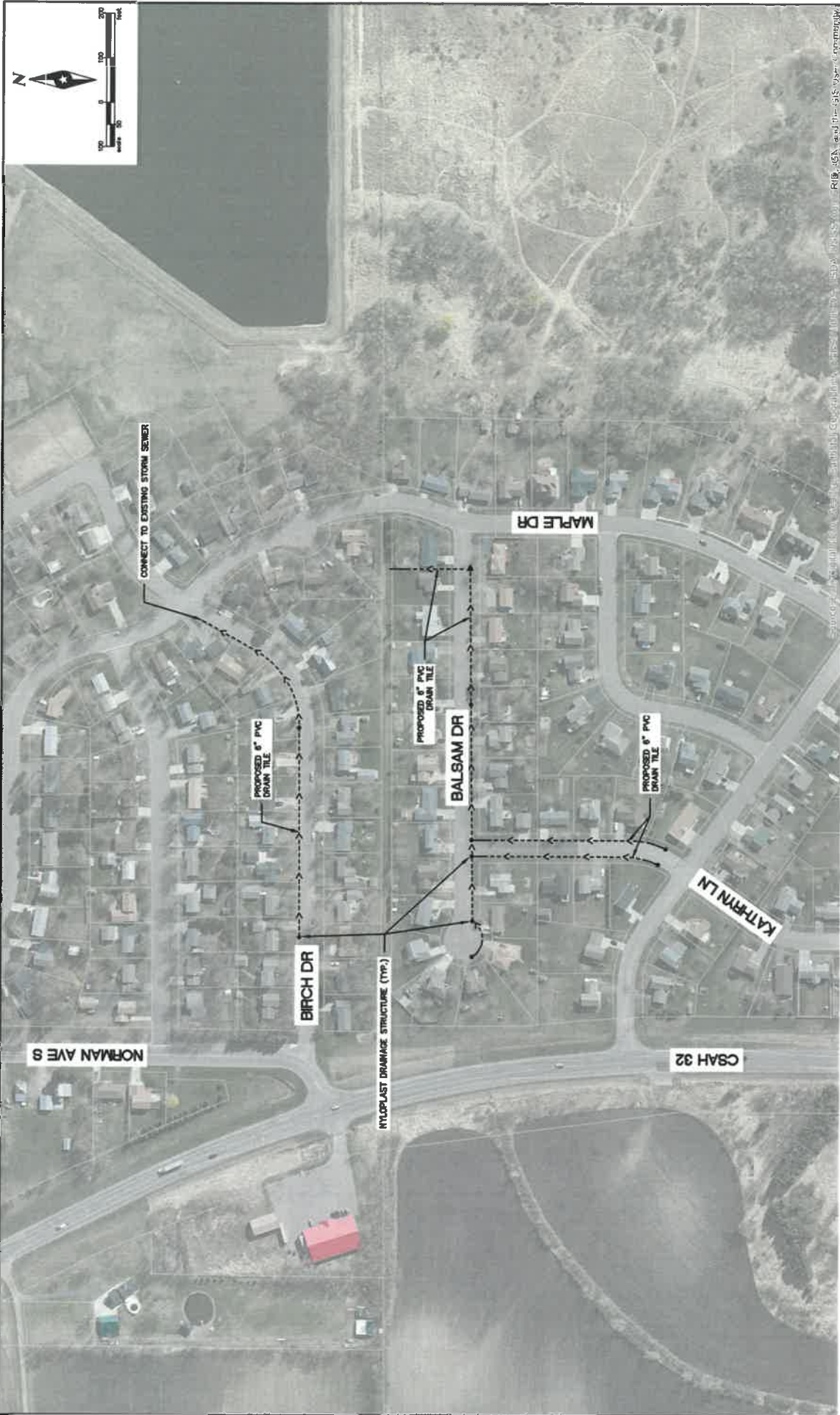
GOPHER AVE IMPROVEMENTS
FOLEY, MN
SEH NO. FOLEY GEN


2/21/2017

OPINION OF PROBABLE COST - GOPHER AVE

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	APPROXIMATE QUANTITY	TOTAL PROJECT	
				UNIT PRICE	AMOUNT
SUMMARY					
	SUBTOTAL CONSTRUCTION				\$408,372.50
	CONTINGENCY				\$40,837.25
	ENGINEERING				\$73,507.05
	GEOTECHNICAL				\$6,125.59
	LEGAL & FISCAL				\$28,586.08
	TOTAL				\$557,428.46

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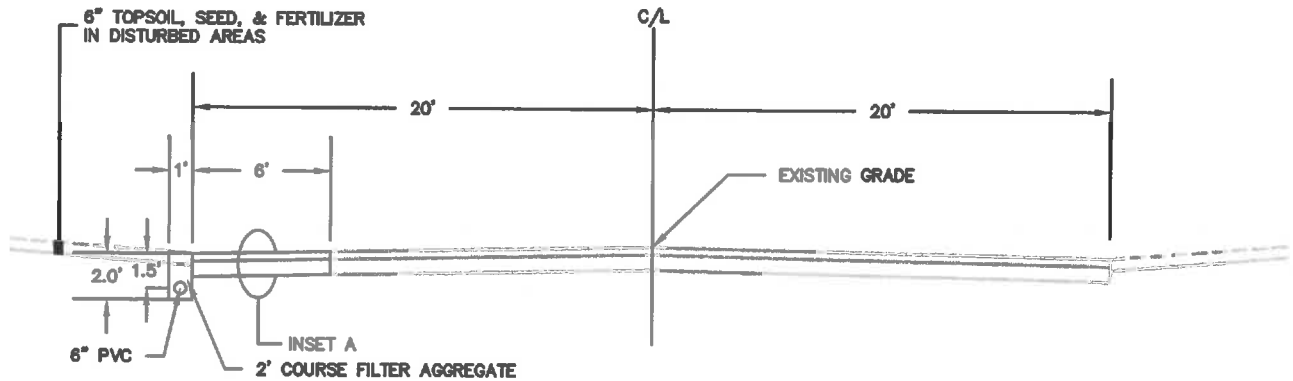
 PHONE: 320.228.4300 1200 25TH AVENUE SOUTH P.O. BOX 1717 ST. CLOUD, MN 56302-1717 www.sehinc.com	FILE NO.	PLAN VIEW	
	FOLEY	2017 BIRCH DRIVE DRAIN TILE	
DATE:		FOLEY, MINNESOTA	
05/30/2017		EXHIBIT NO. 1	

P:\F\AF\OLEY\COMMON\Misc Projects\2017 Birch Dr Drain Tile Project\5-fnd-degn\51-drawings\10-Civil\cod\dwg\Drain Tile Exhibit 1.dwg 6/29/2017 9:47 AM bzidon

TYPICAL SECTION

BIRCH DRIVE

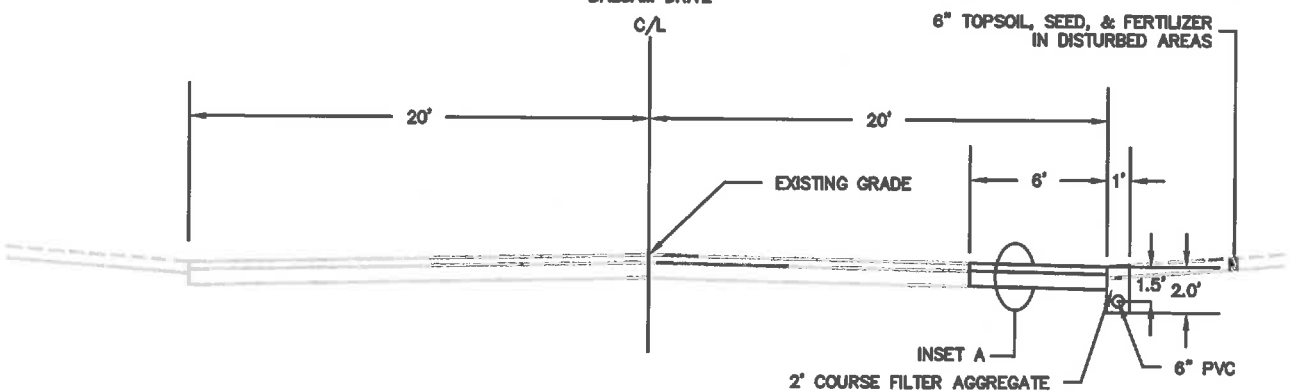
C/L



TYPICAL SECTION

BALSAM DRIVE

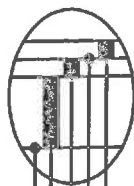
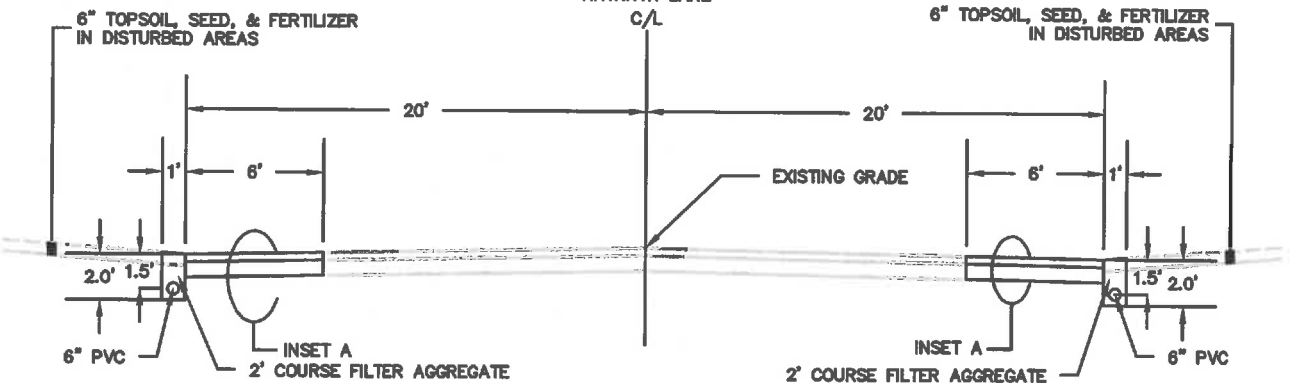
C/L



TYPICAL SECTION

KATHRYN LANE

C/L



INSET A

- 2" BITUMINOUS WEARING COURSE
- BITUMINOUS MATERIAL FOR TACK COAT
- 2" BITUMINOUS NONWEARING COURSE
- 8" AGGREGATE BASE, CLASS 5
- COMPACTED SUBGRADE



PHONE: 320.229.4300
1200 25TH AVENUE SOUTH
P.O. BOX 1717
ST. CLOUD, MN 56302-1717
www.sehinc.com

FILE NO.

FOLEY

DATE:

06/30/2017

TYPICAL SECTION
2017 BIRCH DRIVE DRAIN TILE
FOLEY, MINNESOTA

EXHIBIT
NO. 2



2017 BIRCH DRIVE DRAIN TILE
FOLEY, MN

6/30/2017

BIRCH DRIVE DRAIN TILE
OPINION OF PROBABLE COST

ITEM NO.	ITEM DESCRIPTION	UNIT OF MEASUREMENT	APPROXIMATE QUANTITY	UNIT PRICE	COST	TOTAL
GENERAL						
1	MOBILIZATION	LUMP SUM	1.00	\$4,000.00	\$4,000.00	
2	TRAFFIC CONTROL	LUMP SUM	1.00	\$1,000.00	\$1,000.00	
3	SAWING CONCRETE PAVEMENT	LIN FT	60.00	\$3.50	\$210.00	
4	SAWING BITUMINOUS PAVEMENT	LIN FT	900.00	\$3.00	\$2,700.00	\$7,910.00
STREET						
5	COMMON EXCAVATION (PQ)	CU YD	190.00	\$10.00	\$1,900.00	
6	AGGREGATE BASE CLASS 5 (CV)	CU YD	125.00	\$25.00	\$3,125.00	
7	REMOVE CONCRETE PAVEMENT	SQ YD	40.00	\$10.00	\$400.00	
8	REMOVE BITUMINOUS SURFACE	SQ YD	600.00	\$4.00	\$2,400.00	
9	TYPE SP 9.5 WEARING COURSE MIXTURE	TON	70.00	\$75.00	\$5,250.00	
10	TYPE SP 12.5 WEARING COURSE MIXTURE	TON	70.00	\$75.00	\$5,250.00	
11	BITUMINOUS MATERIAL FOR TACK COAT	GAL	30.00	\$3.00	\$90.00	
12	6" CONCRETE DRIVEWAY PAVEMENT	SQ YD	40.00	\$40.00	\$1,600.00	
13	BITUMINOUS DRIVEWAY PAVEMENT	SQ YD	40.00	\$25.00	\$1,000.00	
14	GRAVEL DRIVEWAY RESTORATION	SQ YD	40.00	\$15.00	\$600.00	
15	ADJUST GATE VALVE BOX	EACH	1.00	\$450.00	\$450.00	\$22,065.00
DRAIN TILE						
16	COARSE FILTER AGGREGATE (CV)	CU YD	65.00	\$30.00	\$1,950.00	
17	NYLOPLAST DRAINAGE STRUCTURE W/ GRATE	EACH	2.00	\$1,500.00	\$3,000.00	
18	6" DRAIN TILE	LIN FT	825.00	\$5.00	\$4,125.00	
19	CONNECT TO EXISTING DRAINAGE STRUCTURE	EACH	1.00	\$650.00	\$650.00	\$9,725.00
TURF RESTORATION						
20	INLET PROECTION	EACH	1.00	\$175.00	\$175.00	
21	TOPSOIL BORROW (LV)	CU YD	20.00	\$15.00	\$300.00	
22	SEEDING, FERTILIZER, HYDRAULIC MATRIX TYPE BFM	SQ YD	550.00	\$3.00	\$1,650.00	\$2,125.00
SUBTOTAL - CONSTRUCTION BIRCH DRIVE						\$41,825.00
CONTINGENCY						\$4,182.50
ENGINEERING						\$8,365.00
GRAND TOTAL						\$54,372.50

C:\Users\jhalter\AppData\Local\Temp\1\notesFB2954\{Preliminary Estimate.xlsx}Birch Drive

TO: FOLEY CITY COUNCIL
FROM: SARAH BRUNN, CITY ADMINISTRATOR
SUBJECT: 08-01-17 COUNCIL MEETING
DATE: JULY 27, 2017

Overland Group – Dollar General Rezoning and Site Plan Approval

The planning commission reviewed and is recommending approval of 2 different request of the Overland Group. The first request is the re-zoning of 2 parcels which will serve as the site for the new store. One parcel is currently owned by the City of Foley and under contract for purchase. The second is owned by Stony Creek of Benton County LLC. Public hearing notices were mailed to surrounding property owners and published in the paper. To date, no public comments have been received by city staff. Following the public hearing, the council is requested to act on the resolution in the packet which amends the zoning map.

Following the rezoning request the council should address the site plan approval for the store. Staff made a number of comments on the site plan which the Overland Group has worked through. If there are any outstanding items remaining at the council meeting, staff will request the council place conditions on any approval.

Information on the Dollar General project is included in your packet.

Progressive Builders

Progressive Builders/Sherburne Land Company LLC has requested a variance of 10 feet from the rear yard setback on lots 6 & 7 at The Banks of Stone Creek. This request is being recommended for approval by the planning commission. Public hearing notices were mailed to surrounding property owners and published in the paper. I did speak to one property owner in the area and after our conversation he did not have any concerns he wished to pass on to the council. Following the public hearing, the council should act upon the provided resolution in your packet. Information on this request is also included in your packet.

Zoning Ordinance Amendments

The planning commission has been discussing for a number of months amending the zoning to allow for larger accessory structures in the single-family district. Attached are amendments which allow for a larger structure but provide limitations based on lot size. Some limitations have also been placed on both sidewall height and overall height. A public hearing is required before making these changes, following that the council can act upon the ordinance provided in your packet.

Discussion on Gopher Avenue reconstruction

In your packet are costs estimates and drawings for a reconstruction project on Gopher Avenue. Essentially this would be an entirely separate project but we would bond for it with the Dewey Street project. The City Engineer can provide a brief overview. This project is being proposed as it is necessary in order for the redevelopment of the south trailer park to occur. The council may want to consider the following before proceeding:

- Would we want some type of commitment or plan presented by the developer before we commit or order the improvement?
- The developer has not cleaned up the trailers on site, would the council want to see that process begin or be completed before committing to a street project?

If the council would like to proceed staff will ask for direction to proceed with a feasibility study at the meeting.

Discussion on Birch Drive Drainage Improvements.

Staff has researched an option to make improvements in areas affected by excess water from the I/I project. Birch Drive, Balsam Drive and Kathryn Lane are specific troublesome spots. Staff will be presenting a proposal to install improvements in the hope of clearing out this water. The City Engineer can overview the proposal. Staff is recommending proceeding with this option on Birch Drive only at this time. If this improvement is made we may be able to extend the life of the existing road, giving the city more time to allocate resources for improvements. Estimated costs are \$54,000. At the end of this year's session the state did authorize a small amount of city assist funding and Foley is estimated to receive almost \$21,000 this fall. I recommend we utilize those funds and reserve funds to make the improvement.

Dewey Street/Gopher Ave Financing

I have been working with Northland Securities on analyzing our existing debt and developing a plan for new debt in order to finance 2018 improvements. I am very happy to report that after reviewing existing cash balances, analyzing cash flows and assessment collections we were able to find some levy savings with our existing debt which will help minimize the impact of new debt. I have also examined the commitment of the enterprise funds in past debt services and want to continue to have the water/sewer funds play in active role in funding project costs.

The funding plan for the 2018 improvements (including Gopher Ave) is estimated to increase the debt service levy from 2018 to 2019 by about \$40,000. In addition, we will require \$125,000 committed annually from the water/sewer funds. This will bring our total debt service levy to approximately \$340,000 annually and it will remain around that amount until 2024 assuming no additional debt.

I will provide more detail on the debt issuance as we get closer to the actual issuance. Please let me know if you have any questions before that time.

Police Department

City staff had a meeting scheduled with union representatives to discuss a new contract but the union had to cancel. We are attempting to reschedule this meeting in August. The current contract expires at the end of 2017.

2018 Budget & Capital Plan

We will have a draft budget and CIP available in the next week or so. The workshop session is scheduled for August 15th.

Upcoming Reminders

- The Downtown Demonstration Project has been set and we are accepting feedback via a survey on our city website. Those unable to go online can also pick up a paper copy survey at City Hall. **Following our meeting on Tuesday we will hold an open house for the Downtown Demonstration Project. All councilmembers are encouraged to attend!**
- The last day for the municipal pool is Wednesday, August 23rd. The pool is closing earlier than I would like to see but it is due to the fact no staff is available to work to keep it open longer due to fall activities.