

Councilmember \_\_\_\_\_ introduced the following resolution and moved for its adoption:

**RESOLUTION #17-09-212**

**A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO CONNEXUS ENERGY TO ALLOW THE INSTALLATION AND MAINTENANCE OF A SOLAR ENERGY SYSTEM ON AS A PRINCIPAL USE IN THE PUBLIC/QUASI-PUBLIC DISTRICT AND DECLARING TERMS OF SAME**

**RECITALS**

1. Connexus Energy, hereinafter referred to as the “Permittee”, has properly applied for a Conditional Use Permit to install and maintain a solar energy system as the principal use on the property legally described as follows:

Lot 3, Block 1 River Crossing Addition

(the “Subject Property”)

2. The City of Ramsey received an application for a Zoning Amendment and Conditional Use Permit on June 30, 2017.
3. That on August 15, 2017, the City informed the Permittee that it was invoking a 60-day extension as permitted by State Statute.
4. That the Environmental Policy Board reviewed the request at their August 21, 2017 meeting and recommended approval of the request with contingencies including submittal of a final Site Plan for review and approval by the City, installation of a native landscape, submittal of a glare study, and submittal of a decommissioning plan.
5. That the Permittee appeared before the Planning Commission for a public hearing pursuant to Sections 117-4 (Official Map) and 117-51 (Conditional Use Permits) of the Ramsey City Code on September 7, 2017, and that said public hearing was properly advertised and that the minutes of said public hearing are hereby incorporated by reference.
6. That the Subject Property is zoned Public/Quasi Public District. Properties to the west and south of the Subject Property are R-1 Residential (MUSA); parcels to the north are zoned R-2 Residential; and parcels to the east are zoned B-2 Highway Business.
7. That in the Public/Quasi-Public District, solar energy systems as a principal use are permitted with the issuance of a Conditional Use Permit.
8. That the Subject Property is approximately 18.6 acres in size.
9. That the Subject Property is owned by Anoka County.

10. That the Subject Property is part of an Official Map.
11. That due to changes in the road system in the area, the Subject Property will likely never be used for the purposes of a future bridge crossing.
12. That the Planning Commission, who serves as the Official Map Board of Appeals and Adjustments, conducted a public hearing to consider an appeal for the issuance of a development permit per City Code Section 117-4.
13. That the Permittee was initially considering the use of their existing campus for this project but that the City had requested they seek an alternative site so that the undeveloped portion of the Permittee's corporate campus could be reserved for future economic growth purposes.
14. That the solar energy system would include the installation of 3.5 Megawatts (MW) of ground-mounted photovoltaic panels and 6 MW of battery energy storage.
15. That the solar developer working with the Permittee has submitted a glare study at the request of the City.
16. That the glare study did identify one receptor that would experience some glare at certain times of the year for limited durations but that it has very low potential for hazardous glare.
17. That the project would include installation of native plants underneath the solar panels providing enhanced wildlife and pollinator habitat improved stormwater management.
18. That the solar panels will be at a fixed tilt facing south and will not include any moving parts and therefore, will not produce any discernible noise.
19. That the battery storage units will be air conditioned and the air condenser units will be outside, which will produce some noise but will be within allowable standards outlined in State Statute and City Code.
20. That the battery storage units will include fire suppression.
21. That the City's Comprehensive Plan addresses solar access protection and through stated policies, encourages cooperation with other agencies to develop programs that increase the usage of solar energy systems.
22. That the Planning Commission met on September 7, 2017, conducted a public hearing and recommended City Council approve/deny the request.

## **FINDINGS OF FACT**

1. That the solar energy system will/will not be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfar.
2. That the solar energy system will/will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the solar energy system will/will not be maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.
4. That the solar energy system will/will not be hazardous to existing or future neighboring uses.
5. That the solar energy system will/will not impact essential public facilities and services, such as highways, streets, police and fire protection.
6. That the solar energy system will/will not create excessive additinoal requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
7. That the solar energy system will/will not involve uses, activities and equipment that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

**NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

That the Ramsey City Council hereby grants approval of a Conditional Use Permit (the "Permit") for the installation and maintenance of a solar energy system as the principal use on the Subject Property contingent upon the following conditions:

#### **CONDITIONS**

1. That this **Permit** allows for the installation and maintenance of a solar energy system as the principal use on the **Subject Property**.
2. That the **Permittee** shall submit the final Site Plan for review and approval of the City.
3. That the **Permittee** shall obtain all necessary permits, including a Building Permit, prior to installation of the solar energy system on the **Subject Property**.
4. That the **Permittee** shall update the glare study to include receptors on all sides of the **Subject Property**.
5. That the solar energy system shall not create or cause unreasonable glare on properties or public roadways. Unreasonable glare shall mean a public safety hazard as determined by the City Council or the appropriate roadway authority.

6. That the **Permittee** shall provide the City with a decommissioning plan that addresses how the site will be deconstructed and restored when the solar energy system is removed.
7. That the final Site Plan shall include a landscaping plan that includes the native plants that will be established on the **Subject Property** and outline any necessary maintenance activities to ensure the landscape is properly established on the **Subject Property**.
8. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
9. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
10. That the City Administrator, or his/her designee, shall have the right to inspect the premises for compliance and safety purposes annually or at any time, upon reasonable request.
11. That this **Permit** shall automatically expire if the use is not initiated by October 10, 2018.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 10<sup>th</sup> day of October, 2017

**PERMITTEE**

Connexus Energy hereby acknowledges receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will comply with the terms of this Permit.

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MINNESOTA)

) SS.

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public, personally appeared \_\_\_\_\_, the \_\_\_\_\_ of Connexus Energy, a Domestic Cooperative under the laws of Minnesota, on behalf of the Cooperative, to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

\_\_\_\_\_

Notary Public

**PROPERTY OWNER**

Anoka County hereby acknowledges receipt of this Permit and that they have reviewed the conditions of this Permit and have agreed that they will comply with the terms of this Permit.

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MINNESOTA)

) SS.

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public, personally appeared \_\_\_\_\_, the \_\_\_\_\_ of Anoka County, a Municipal Corporation under the laws of Minnesota, on behalf of the Corporation, to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

\_\_\_\_\_

Notary Public

