

Councilmember Connolly introduced the following resolution and moved for its adoption:

RESOLUTION #99-09-184

A RESOLUTION ADOPTING FINDINGS OF FACT #0505 RELATING TO A REQUEST FROM ANOKA ELECTRIC COOPERATIVE (dba CONNEXUS ENERGY) FOR A CONDITIONAL USE PERMIT FOR AN ELECTRICAL SUBSTATION

WHEREAS, the City of Ramsey received an application from Connexus Energy for a conditional use permit to construct and operate an electrical substation on the property legally described as follows:

Lot 1, Block 2, A.E.C. ENERGY PARK, FOURTH ADDITION, Anoka County, Minnesota

("Subject Property")

NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA that the findings of fact relating to the request are determined to be as follows:

1. That on August 4, 1999, Connexus Energy, hereinafter referred to as "Applicant," properly applied for a conditional use permit to construct and operate an electrical substation to facilitate provision of electrical service to Ramsey's commercial/industrial district.
2. That the Applicant appeared before the Ramsey Planning Commission for a public hearing pursuant to Section 9.03.04 of the City Code on September 7, 1999, and that said public hearing was properly advertised, and that the minutes of said public hearing are hereby incorporated as a part of these findings by reference.
3. That the Subject Property is approximately 1 acre in size.
4. That the Subject Property and the surrounding properties are zoned Business Warehouse.
5. That electrical substations are not a permitted use in the Business Warehouse or any other zoning districts in the City.
6. That the Applicant's submittal includes the following sheets prepared by United Power Association: Conduit and Cable Layout, Sheet 1, dated 6/1/99; Foundation Reinforcement Detail, Sheet 2, dated 6/1/99; Grading Plan, Sheet 1, dated 5/28/99; Landscaping Plan, Sheet 1, dated 7/28/99; Fence and Foundation Layout and Details, Sheets 1 and 2, dated 5/28/99; Electrical Layout & Details, Sheets 1, 2 and 3; Architectural Plans for a 12'x14' Control Building, Sheet 1, dated 6/1/99; and Grounding Details for Structures, Equipment & Fence, Sheet 2, dated 6/1/99.

7. That the Applicant's submittal shows that the facility will be encompassed by a chain link fence, includes a 12'x14'x13' control building with walls consisting of decorative block and a metal roof, and the perimeter of the site will be established with a total of 24 Norway Spruce and Russian Olive trees.
8. That access is proposed from unimproved 143rd Avenue N.W. which is under 3 separate ownerships.
9. That the Applicant is proposing to pave and curb the access from 143rd Avenue N.W. and off-street parking area concurrent with the City's improvement project for 143rd Avenue N.W. scheduled for 2001.
10. That if granted, the conditional use permit will not grant the Applicant special privileges that are denied by the City Code to other properties in the commercial/industrial area.
11. That the proposed use will be designed so as to be harmonious and appropriate in appearance with the existing or intended character of the vicinity and will not change the essential character of the area.
12. That the proposed use will not adversely impact traffic in the area.
13. That the proposed use will not be unduly dangerous or otherwise detrimental to persons residing or working in the vicinity of the use or to the public welfare.
14. That the proposed use will not substantially adversely impair the use, enjoyment, or market value of any surrounding property.
15. That the proposed use will not be hazardous or disturbing to existing or future neighboring uses.
16. That the proposed use will not create excessive additional requirements at public cost for public facilities and services, and it will not be detrimental to the economic welfare of the community.
17. That the proposed use will not involve activities and uses that will be detrimental to any persons, property, or the general welfare by reason of excessive production of glare.

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

Mayor Gamec
Councilmember Connolly
Councilmember Zimmerman
Councilmember Anderson
Councilmember Hendriksen

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and the following voted against the same:

None


and the following abstained:

None

and the following were absent:

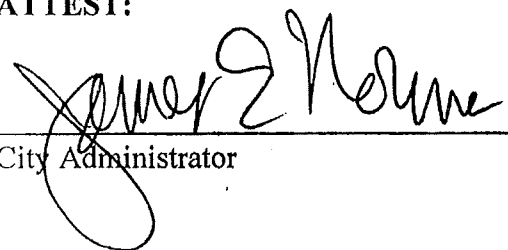
None

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 28th day of September, 1999.



Mayor

ATTEST:



City Administrator

Councilmember Connolly introduced the following resolution and moved for its adoption:

RESOLUTION #99-09-185

A RESOLUTION APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT BASED ON FINDINGS OF FACT #0505 AND DECLARING TERMS OF PERMIT TO CONSTRUCT AND OPERATE AN ELECTRICAL SUBSTATION

WHEREAS, the Ramsey City Council adopted Resolution #99-09-185 adopting Findings of Fact #0505 for this use and herein approves the Conditional Use Permit.

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

That on September 28, 1999, a Conditional Use Permit ("CUP") was issued by the City of Ramsey ("City") to Anoka Electric Cooperation, dba Connexus Energy, ("Permittee") to construct and operate an electrical substation on the property legally described as follows:

Lot 2, Block 1, A.E.C. ENERGY PARK FOURTH ADDITION, Anoka County, Minnesota

(Subject Property).

This CUP is issued pursuant to Section 9.03.04 of the Ramsey City Code. The conditions of this CUP are as follows:

1. The Permittee is herein granted permission to construct and operate an electrical substation on the Subject Property.
2. The substation shall be developed in accordance with plans prepared by United Power Association as follows: Fence and Foundation Layout and Details, Sheets 1 and 2, dated 5/28/99; Grading Plan, Sheet 1, dated 5/28/99; Landscaping Plan, Sheet 1, dated 7/28/99, revision approved by City Staff on 9/22/99.
3. The Permittee herein agrees to pave and curb the access and off-street parking area within 90 days of the completion of public improvements to 143rd Avenue N.W. The completion date for public improvements to 143rd Avenue N.W. shall be determined by the City Administrator or his/her designee. The Permittee shall also provide the City with confirmation that proper access easements are in place to allow legal access until such time as 143rd Avenue is dedicated and improved to City Standards.
4. The Permittee herein agrees to complete the installation of the landscaping by September 1, 2000. In order to ensure the installation of the landscaping in a timely manner, the Permittee shall be required to deposit an escrow, approved as to form by the City, in the amount of Five Thousand Dollars and no cents (\$5,000.00), which is 150% of the City's estimated cost of the landscaping improvements. Prior to the issuance of the building permit, this financial guarantee must be provided as required herein. Upon completion of the required

landscaping, the financial guarantee shall be returned to the Permittee and the Permittee shall be required to provide the landscaping maintenance guarantee described in Item #5 of this CUP. The determination of completion of the required landscaping shall be made by the City Engineer or his/her designee. In the event the Permittee fails to construct and install the required landscaping as required herein, the City Council may order the completion of the required landscaping with City day labor and/or by letting contracts for said completion and draw upon the escrow for payment. Only the City Council shall have the authority to direct completion of the required landscaping and withdraw from the escrow account. The Permittee hereby grants permission and a license to the City and/or its contractors and assigns to enter upon the Subject Property for the purpose of completing the installation of the required landscaping in the event of the Permittee's default.

5. The Permittee shall provide a maintenance guarantee to ensure the survival of the plantings. The maintenance guarantee shall be in the amount of One Thousand Five Hundred Dollars and no cents (\$1,500.00) and the form of said guarantee shall be subject to the approval of the City. The guarantee shall be in effect for a two year period commencing on the date of the City's acceptance of said plantings. At the end of the two year period, the maintenance guarantee shall be returned to the Permittee. The determination that all plantings have either survived or have been replaced shall be made by the City Engineer or his/her designee. In the event the Permittee fails to maintain the required plantings for a two year period, the City Council may order the replacement of plantings with City day labor and/or by letting contracts and draw upon the escrow for payment. Only the City Council shall have the authority to direct replacement of the plantings and withdraw from the escrow account. The Permittee hereby grants permission and a license to the City and/or its contractors and assigns to enter upon the Subject Property for the purpose of replacing plantings in the event of the Permittee's default.
6. The Permittee agrees that this CUP shall be binding upon their successors and assigns.
7. That the Permittee shall be responsible for all City costs incurred in administering and enforcing this CUP.
8. That the City Administrator, or his/her designee, shall have the right to inspect the Subject Property for compliance and safety purposes annually or at any time, upon reasonable request.

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

Mayor Gamec
Councilmember Anderson
Councilmember Hendriksen
Councilmember Connolly
Councilmember Zimmerman

and the following voted against the same:

None

and the following abstained:

None

and the following were absent:

None

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 28th day of September, 1999.

Anoka Electric Cooperative (dba 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.

ANOKA ELECTRIC COOPERATIVE
(dba Connexus Energy)

By:

[Handwritten Signature]

As:

President & CEO

STATE OF MINNESOTA)

)ss.

COUNTY OF *Anoka*)

On this 18 day of February, 2000, before me a Notary Public, personally appeared Richard Newkirk, the President & CEO of Anoka Electric Cooperative (dba Connexus Energy), a Cooperative Corporation under the Laws of the State of Minnesota, who signed said instrument as a free act on behalf of the Corporation.



Goodlyn Kay Vokovan
Notary Public



City of Ramsey

15153 NOWTHEN BOULEVARD N.W., RAMSEY, MINNESOTA 55303

PHONE (612) 427-1410
FAX (612) 427-5543
TDD (612) 427-8591

August 28, 1995

Douglas Uhrhammer
Anoka Electric Cooperative
2022 N. Ferry Street
Anoka, Mn 55303

Re: Site Plan Approval

Dear Doug:

As you know, the Ramsey City Council approved the site plan for the new AEC operations center with some contingencies. I am requesting that these contingencies be incorporated into the various plans and that for my records, I be provided with a copy of the modified plans to clearly identify the site improvements agreed to by both parties. The necessary modifications are as follows:

1. Clearly indicating on the Site Plan that all bituminous surfaces will be finished with B612 concrete curbing.
2. Modify the Site Plan to show the screened waste storage area and a lighting plan.
3. Modify the Landscape Plan and Site Plan to reflect the addition by type, size and species of coniferous trees that will be added to the southwest corner of the site to better screen the outside storage area from C.S.A.H. #56.
4. Modify the Site Plan, Grading Plan and Landscape Plan to reflect the extension of the southeasterly screening berm a sufficient distance to screen the pole storage area from the park.
5. Provide the City with an itemized list of plantings by size, quantity and species.
6. Modify the Grading and Drainage Plan to include details like pond sizing, as discussed in the City Staff Review Letter dated July 26, 1995.

If you have any questions, please don't hesitate to call me at 427-1410.

Respectfully,

CITY OF RAMSEY

Sylvia Frolik
Zoning Administrator

cc: Paul Mickelberg, Boarman Kroos Pfister & Associates
Peter Raatikka, Hakanson Anderson Associates

CASE #

**REQUEST FOR SITE PLAN APPROVAL; CASE OF ANOKA ELECTRIC
COOPERATIVE**

By: Zoning Administrator Sylvia Frolik

Background:

Anoka Electric Cooperative (AEC) has applied for site plan approval of AEC's new operations center to be developed on Lot 1, Block 1 of the proposed plat of AEC Energy Park. The following items are enclosed for your information:

- a) Site location map
- b) Site Plan, Grading Plan, Landscape Plan, Building Elevations
- c) City Staff Review Letter dated July 26, 1995
- d) Proposed site plan development permit

Notification:

Site plans are not required to be subjected to public hearings. This commercial development does not present any peculiar impact to adjacent commercial properties, therefore only the Anoka County Highway Department was provided with copies of the site plan for comment.

Observations:

The site is zoned Business Warehouse and is 37.5 acres in size. The proposed structure is 185,000 square feet in size, which is in compliance with the 35% lot coverage restriction. The facility will be served by municipal utilities and will have access onto County Roads #56 and #116 and Sunwood Drive to the south. The structure will meet all required setbacks from County Roads #56 and #116. The exterior facing finish on the structure is proposed to be pre-cast concrete panels of red quartz aggregate. The height restriction in the Business Warehouse District is 35 feet and the most southwesterly portion of the structure is proposed at 36-37 feet. City Staff and the Planning Commission recommend that the development agreement grant such a variance.

There is approximately 71,500 square feet of outside storage and 900 square feet of partially enclosed storage area proposed on the site, which is in compliance with the 10% of parcel size restriction established in City Code. All of these areas are proposed to be surfaced with bituminous except for the pole storage area. Due to the type of equipment that will be utilized in the pole storage area, the Planning Commission has recommended waiving the bituminous requirement in this area.

City Code does require a 20 foot wide landscaped yard adjacent to public roads and that has been provided. The outside storage areas must also be screened from the public right of way and other than some existing deciduous trees, no screening has been proposed adjacent to County Road #56. The Planning Commission recommended the installation of coniferous trees in this area. It also doesn't appear that the landscaped berm off the southeast corner of the structure extends a sufficient distance to screen the pole storage area from the park area to the east.

A drainage plan has been submitted which is acceptable in concept, however, details of detention pond and runoff calculations must be submitted to the Lower Rum River Water Management Organization for approval.

A concept plan for the development of a trail and picnic sites around the wetland has been submitted. Despite comments in City Staff review letter dated July 26, 1995, the pre-development agreement did not require AEC to develop this park, only to provide concept plans.

Because of the unusually large size of the site, the City Engineer has recommended that a private fire line be installed for fire protection.

The Planning Commission also recommended the installation of turn and by-pass lanes on County Roads #56 and #116. The movement of traffic along these corridors is valid concern, however, City Staff needs to resolve with Anoka County when these kinds of improvements should be required and who pays for them.

Recommendation:

The Planning Commission and City Staff recommend site plan approval contingent upon compliance with the review letter with the following exceptions and/or variances:

- a) A 5 foot variance to maximum height restriction;
- b) Waiving the bituminous surface requirement in the pole storage area;
- c) ~~No minimum for development of wetland~~
- d) Modifying the landscape plan to include the installation of coniferous trees adjacent to C.S.A.H. #56 and extending the landscape berm to screen the pole storage yard from the wetland/park area to the east.

Council Action:

Motion to:

Approve/deny the site plan for Anoka Electric Cooperative contingent upon compliance with the City Staff review letter dated July 26, 1995 and the August 1 recommendations of the Planning Commission.

Review Checklist: City Administrator
City Engineer

CC: 8/22/95