

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

RESOLUTION #22-093

RESOLUTION APPROVING THE ISSUANCE OF AN AMENDED CONDITIONAL USE PERMIT FOR AN EXPANSION OF A NATURAL GAS SUBSTATION AT 7607 173rd AVENUE NW AND DECLARING TERMS OF SAME.

RECITALS

1. CenterPoint Energy Resources Corp. dba CenterPoint Energy Minnesota Gas, hereafter referred to as the “**Permittee**”, has properly applied for an Amended Conditional Use Permit to expand a natural gas substation with the addition of a 12,000-gallon odorant storage tank and associated equipment on the property generally known as 7607 173rd Avenue NW and legally described as:

All that part of the Southeast Quarter of the Southwest Quarter of Section 4, Township 32, Range 25, Anoka County, Minnesota lying east of a line parallel with and 700 feet west of the east line of said Southeast Quarter of the southwest Quarter and extending from the north line of said Southeast Quarter of Southwest Quarter to the south line thereof (excluding therefrom the east 250 feet thereof) as measured between parallel lines (excluding easement of record).

(the ‘**Subject Property**’);

2. That the **Subject Property** is zoned R-1 Residential (Rural Developing) and is approximately 13.60 acres in size.
3. That the **Subject Property** is guided as Public in the City’s 2040 Comprehensive Plan.
4. That a natural gas substation would be classified as an essential service, and Essential Services are a Conditional Use in the R-1 Residential District.
5. That in 1997, Resolution #97-01-011 was approved by the Ramsey City Council and authorized a Propane Air Peaking Plant (also known as Peak Shaving Plant) on the Subject Property, which, in essence, provided a means to enhance the natural gas system as energy demands increased.
6. That the **Permittee** ceased operations of the Propane Air Peaking Plant in 2003.
7. That the **Permittee** is proposing to install a 12,000-gallon bulk storage odorant tank, along with associated equipment including tank supports, concrete dyke, a 100 square foot shelter building, a flare, and security lighting and fencing.
8. That the **Permittee** will be removing the remnants of the Propane Air Peaking Plant from the **Subject Property**, including old security fencing and concrete slabs.

9. That the odorant tank will store a mixture of t-Butyl Mercaptan (Mercaptan) and Methyl Ethyl Sulfide, which is the product that gives natural gas its distinctive ‘natural gas odor’.
10. That the **Permittee** will fill their odorant trucks (1- or 2-ton pickup trucks) at the **Subject Property** before dispersing to odorant injection sites throughout Minnesota.
11. That the frequency of filling the odorant trucks will be weather dependent, but during the colder heating season, the **Permittee’s** personnel will likely need to access the **Subject Property** for filling purposes approximately four (4) times per month.
12. That the **Permittee** has stated the filling of the odorant storage tank itself will be done via a tanker truck and it is anticipated to require 2-3 fillings during the colder, heating season months and one (1) time during the remainder of the year.
13. That the **Permittee** will be installing a natural gas flare to address pressure within the storage tank during filling of both the tank itself as well as the odorant trucks.
14. That the **Permittee** stated that filling procedures would only occur during normal, daytime business hours, which will reduce the visible light from the flare flame to a nearly non-detectable light source and that flaring procedures are anticipated to take about twenty (20) minutes per filling.
15. That the Planning Commission met on April 28, 2022, and conducted a public hearing and recommended approval/denial of the request.

FINDINGS OF FACT

1. That the natural gas substation expansion will not be unduly dangerous or detrimental to persons residing or working in the vicinity of the use, or to the public welfare.
2. That the natural gas substation expansion will not substantially adversely impair the use, enjoyment or market value of any of the surrounding properties.
3. That the natural gas substation expansion will 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 natural gas substation expansion will not be hazardous to existing or future neighboring uses.
5. That the natural gas substation expansion will not impact essential public facilities and services, such as highways, streets, police and fire protection.

6. That the natural gas substation expansion will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
7. That the natural gas substation expansion 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 THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

- 1) That the Ramsey City Council hereby grants approval of an Amended Conditional Use Permit (the “**Permit**”) for the natural gas substation expansion on the **Subject Property** contingent upon the following conditions:

CONDITIONS

1. That this **Permit** shall supersede and replace the Conditional Use Permit approved by the Ramsey City Council in Resolution #97-01-011 and issued on January 14, 1997.
2. That enhancements to the **Subject Property** to expand the natural gas substation shall be done in accordance with the plans prepared by Stantec, dated March 18, 2022 and revised April 5, 2022, including an Erosion Control Plan and Site Plan, and the Landscape Plan prepared by Environmental Resource Management, dated March 24.
3. That the **Permittee** shall maintain the **Subject Property** in compliance with all Minnesota Pollution Control Agency (MPCA) noise and odor standards and upon any substantiated complaint of noise or odor, the **Permittee** shall be notified by the City and given twenty-four (24) hours to develop a corrective action plan and seven (7) days to remedy/correct the problem.
4. That flaring on the **Subject Property** shall only be permitted during daylight hours and there shall always be personnel onsite throughout the duration of each flaring.
5. That this **Permit** shall be perpetual in duration as long as the terms are herein complied with.
6. That the **Permittee** shall be responsible for all City costs incurred in administering and enforcing this **Permit**.
7. That the **Permittee** shall be responsible for operating in full compliance with all applicable local, county, state and federal regulations and agrees to provide a copy of any other required permits for ongoing operation of the bulk odorant storage tank.

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.
9. That this **Permit** shall automatically expire if the use is not initiated within one (1) year of approval and issuance of a Building Permit shall constitute initiation.

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

Mayor Kuzma
Councilmember Howell
Councilmember Musgrove
Councilmember Heineman
Councilmember Riley
Councilmember Specht
Councilmember Woestehoff

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 10th day of May, 2022.



Mayor

ATTEST:



City Clerk