



City of Blaine Anoka County, Minnesota

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Legislation Text

File #: TMP 17-0537, Version: 3

DEVELOPMENT BUSINESS - *Bryan K. Schafer, Planning and Community Development Director*

GRANTING A CONDITIONAL USE PERMIT TO ALLOW SOCORE TO BUILD AND OPERATE A PHOTOVOLTAIC ENERGY SYSTEM (SOLAR FARM) IN AN FR (FARM RESIDENTIAL) ZONING DISTRICT, LOCATED AT 10510 FLANDERS STREET NE. CONNEXUS ENERGY/SOCORE ENERGY. (17-0028/LSJ)

Planning Commission (Public Hearing)	10/10/17
Planning Commission (Continued)	11/14/17
City Council (Conditional Use Permit)	12/21/17
Action Deadline	01/12/18

The Planning Commission held a public hearing on October 10th regarding this item and the Commission voted to table the item because the Commission also tabled the ordinance item at the same meeting. More research on other ordinances was conducted and the information was presented on the ordinance and on the conditional use permit request at the November 14th Planning Commission meeting.

The Planning Commission voted to deny the conditional use permit on November 14th based on the perception that it is too close to the residential neighborhood. The motion was passed 4-2-1.

The Mayor requested that an additional neighborhood meeting be held for the entire Sanctuary neighborhood. That meeting was held on December 5th with members of the Council, Connexus and the neighborhood being present.

This item is being presented to you for approval with additional changes since the first draft of this item in October. These changes are as follows:

- Staff is recommending that the applicant be required to install an 8-foot maintenance free vinyl fence around the perimeter of the site. In addition to the 8-foot fence, the applicant will be asked to plant shrubs and native plantings between the fence and the property line. This should provide 100% opaqueness for the adjacent properties. Connexus has*

provided photo location maps that include what an 8-foot privacy fence would look like from different locations within the Sanctuary.

- The minimum setback for all panels has been changed to 175 feet.*
- For clarification the panels will be 9 feet in height when tilted at a 25 degree angle. This has been changed in the original staff report.*
- Staff has added a condition to the item that requires Connexus to provide a copy of the decommissioning plan for the project to the City. In addition, upon decommissioning of the panels, the property owner has one year to remove all remnants of the project from this parcel.*
- The additional attachments in the report have been provided by Connexus. They include photo location maps as described above, other project locations in the U.S. and in North Carolina (a high number of projects are located in this state) and an example of a solar project located next to a residential project in North Carolina. Connexus can provide more information on these attachments if necessary.*

Old Report

The National Sports Center owns a parcel of land that is to the east of Sanctuary Drive and at the north end of the Flanders Court cul-de-sac at approximately the 105th Avenue alignment. The NSC has owned this land for a number of years and has contemplated different uses for the site. This land was a former landfill that contains buried concrete/construction materials, which makes the development of the property somewhat difficult. At this time the NSC is proposing to lease the property to Connexus Energy. Connexus Energy will then work with SoCore Energy to construct a solar farm on the property. This type of use would work well with the soil conditions on the property.

Staff has recommended a code amendment to the Planning Commission and City Council that would create standards for the development of solar farms within the City of Blaine. According to that ordinance, the proposal from Connexus Energy/SoCore Energy would be allowed as a conditional use on this property, which is why this application is being presented at this time.

SoCore Energy would build, own and operate the solar farm that would sit on approximately 23 acres of the 40 acre parcel. The site would consist of approximately 5.4 megawatts and 8 megawatts of energy storage. The modules will be installed on a ballast racking structure. The maximum height of the panels would be 9-feet in height when tilted 25 degrees to the south.

There would be an access road from the Flanders Street cul-de-sac that will meander through the site to access battery storage and transformers, as well as the panels. The first 400 feet of this drive will be bituminous pavement and the remainder will have a gravel surface (*Note: the surfacing of the secondary drives is still being evaluated by both the applicant and the Fire Department and will be determined prior to CC action*). The drive must be 20-feet wide in all

locations and meet the Fire Department regulations for supporting fire apparatus and trucks. SoCore has indicated that the site would only need to be accessed 2-3 times per year for maintenance. The Fire Marshal will require that this access road be maintained year-round for Fire Department access.

The entire solar farm will be surrounded by a 6-foot high chain link fence topped with 1 foot of barbed wire for security and safety, as required by the National Electric Code. A permit will be required for the installation of the fence.

Pictures of the panels and equipment are provided for your review. Also included are sight line photos and diagrams that indicate how the panels and solar farm will appear from the residential neighborhoods to the west and north of this site. The applicant is proposing to install a double row of conifer trees on the west and north sides of the site. The type of tree they intend to plant is an Eastern Red Cedar with a mature height of 40-50 feet and spread of 8-20 feet. The resolution of approval will require that 8-foot trees be planted. The view of the solar panels should be completely blocked by the tree installations.

Given that the site is a former landfill, the MPCA (Minnesota Pollution Control Agency) will need to review and if applicable approve the plan prior to any work beginning on the site.

The construction of the solar farm will take approximately 8 weeks. All construction traffic will access the site via Flanders Street. The narrative explains the number and types of trucks to be used during construction.

The applicant will need to obtain a permit from the Rice Creek Watershed District prior to any work being performed on site.

The applicant will need to obtain Site Plan approval and building permits prior to any work being performed on site. This will include the submission of a Site Improvement Performance Agreement and the associated financial guarantee to cover the site work to be completed.

All property owners within 350 feet of this development were notified to attend an open house meeting prior to the Planning Commission meeting to learn more about the proposed solar farm.

By motion, approve the Resolution.

Attachments

Zoning and Location Map

Narrative

Site Plan/Landscape Plan

Panel and Fence Information

Grading Plan

Erosions Control Plan

Site Line Photos

Site Photo Location Maps (with solid fencing)

Solar Farm Locations - U.S.

Solar Farm Locations - North Carolina

Location Depiction - Solar Farm next to residential (North Carolina)

Public Comment

WHEREAS, an application has been filed by SoCore Energy as Conditional Use Permit Case File No. 17-0028; and

WHEREAS, a public hearing has been held by the Blaine Planning Commission on October 10, 2017; and

WHEREAS, the Blaine Planning Commission recommends said Conditional Use Permit be approved; and

WHEREAS, the Blaine City Council has reviewed said case on December 21, 2017.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a Conditional Use Permit is hereby approved per Section 33.24 of the Zoning Ordinance to allow Connexus Energy and their partner SoCore to build and operate a photovoltaic energy system (solar farm) in an FR (Farm Residential) zoning district located at 10510 Flanders Street based on the following conditions:

1. Site Plan approval and building permits are required prior to any work being performed on site. All plans must be consistent with the submission for this approval. The submission of a Site Improvement Performance Agreement and the associated financial guarantee to cover the site work to be completed will be required through Site Plan approval.
2. The applicant to obtain a permit from the Rice Creek Watershed District prior to any work being performed on site.
3. The applicant to provide evidence that the MPCA will allow the construction of the solar farm.
4. There shall be no general site lighting except at the battery storage facility and activated only when maintenance staff are present.
5. The access road to the site shall be 20-feet wide. The first 400 feet of the drive shall be bituminous pavement and the remainder of the road will be a gravel surface. The entire road shall meet Fire Department regulations for supporting fire apparatus and trucks and

it shall be maintained (free of snow) at all times of the year. (*Note: the surfacing of the secondary drives is still being evaluated by both the applicant and the Fire Department and will be determined prior to CC action*).

6. The applicant must construct and 8-foot maintenance free vinyl privacy fence around the perimeter of the project. The applicant must obtain a permit for such fence.
7. The applicant must present a landscape plan that indicates shrubbery and native plantings between the fence and the property line.
8. Site to be seeded with native pollinator friendly mix as shown on site notes.
9. All Construction traffic shall utilize Flanders Street.
10. The applicant must provide a copy of the decommissioning plan for the project to the City. In addition, upon decommissioning of the panels, the property owner has one year to remove all remnants of the project from this parcel.
11. The solar panels shall have a minimum setback from all property lines of 175 feet.
12. Based on development of the property the deferred assessments from 2001 would be due and payable. If paid prior to December 29, 2017 the amount would be \$25,624. If paid after January 1st the amount will be indexed to the 2018 rate and shall be paid prior to issuance of the Certificate of Occupancy for the solar project.

PASSED by the City Council of the City of Blaine this 21st day of December, 2017.