



RESOLUTION 2024-5-1

**CITY OF STACY
CHISAGO COUNTY, MINNESOTA**

**A RESOLUTION APPROVING AN AMENDED INTERIM USE PERMIT FOR A
LAYDOWN YARD LOCATED AT THE PROPERTY IMMEDIATELY SOUTH OF
35701
LINCOLN ROAD (PIO 05 00006 00)**

WHEREAS, Brian Sullivan on behalf of Xcel Energy (Applicant") requested and was approved for an Interim Use Permit (IUP) on August 16, 2022 by the Lent Township Board for the creation of a laydown yard located on the parcel south of 35701 Lincoln Road, PIO 05 00006 00 ("Subject Property") to store vehicles, equipment, and tools related to maintaining essential services at the adjoining property; and

WHEREAS, Seth Wight on behalf of Xcel Energy (Applicant") has requested an amendment to the IUP to expand the purpose for the laydown yard located on the parcel south of 35701 Lincoln Road, PIO 05 00006 00 ("Subject Property") to support similar transmission line activities on the property and extend IUP time period to the end of 2030; and

WHEREAS Section 5.06 of the adopted Lent Township Land Use Regulations. allows temporary equipment placement and operations as an interim use In the RRA zoning district, and

WHEREAS, the Subject Property is zoned Rural Residential Agriculture District (RR-A); and

WHEREAS, the storage of equipment, vehicles, and obsolete transmission poles are allowed under temporary placement and operations; and

WHEREAS, the Planning Commission considered the application for the amended IUP at its meeting on April 16, 2024, and held a public hearing, after due notice having been given regarding the application; and

WHEREAS, the Planning Commission reviewed the application and recommended approval as presented; and

WHEREAS, the City Council considered the Planning Commission's recommendation at its meeting on May 14, 2024; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Stacy hereby

hereby approves an amendment to the Interim Use Permit for a laydown yard as described in the Applicant's submitted materials, with the following amended conditions and findings of fact:

- 1) Any blocking or diversion of traffic shall be limited to the minimum duration and reasonable time;
- 2) Where the construction, relocation or improvement activities will require the temporary removal or modification of a culvert or other drainage structure, prior to the commencement of any work, the applicant shall provide the City with a Performance Guarantee in the amount of 125% of the estimated cost of repairing or replacing the removed or modified culvert or drainage structure;
- 3) All disturbed slopes and soils shall be seeded and mulched upon completion of all permitted work in order to prevent erosion;
- 4) The Lincoln Road right-of-way shall be fully restored to its original condition and dimensions upon completion of all permitted work and shall be inspected by the City to confirm full compliance;
- 5) A 10-foot-wide sod buffer shall be planted and maintained surrounding the pond identified on the site plan until such time as the permanent vegetation is established;
- 6) The permit is approved for a laydown yard relating to transmission line activities. The permit terminates when that construction, repair, renovation and maintenance work is completed or December 31, 2030, whichever comes first. The applicant will provide the City of Stacy a schedule of construction activity and projected completion annually. The first schedule shall be submitted prior to commencement of site work on the property and annually thereafter;
- 7) The applicant will maintain necessary driveway and right-of-way permits from the county for work on the property; and
- 8) Upon completion of the laydown yard activities, the applicant will remove the gravel parking lot and other unnecessary improvements and temporarily seed and resume agricultural production or restore the site with appropriate vegetative mix.

Findings of Fact for Approval

- 1) Xcel Energy owns the property at 35571 Lincoln Rd, zoned Rural Residential - Agricultural.
- 2) Xcel Energy has an existing Interim Use Permit approved in August 2022 by Lent Township Resolution 2022-30 for a laydown yard supporting transmission line activities, to end in August 2029. The current request is for an amended Interim Use Permit for a laydown yard supporting similar transmission line activities on the property, extending the time period to the end of 2030.
- 3) The Zoning Code, in section 8.06, regulates Interim Use Permits and some uses "which have the potential for generating a noticeable increase in traffic, require additional parking or the use of an accessory building".
- 4) The proposed laydown yard would likely continue to generate some increase in traffic, therefore needing conditions tied to the Interim Use Permit.

- 5) With the conditions imposed by the City with the approval of this permit, the use meets the criteria for Interim Use Permits in Section 8.06 and is a permissible Interim Use Permit under the list of allowable Interim Uses under 5.06 D of the City of Stacy's adopted Lent Township Land Use Regulation.

Council Member Mark Utecht introduced the foregoing resolution and moved its adoption:

The motion for adoption of the foregoing resolution was duly seconded by Council Member Tim Sawatzky and, upon vote being taken thereon, the following voted in favor thereof: Mark Utecht, Tim Sawatzky, Jeff Barrett, Carolyn Cagle, and Dennis Thieling. The following voted against or abstained: None

Whereupon the resolution was declared duly passed and adopted the 14^h day of May, 2024.

PASSED AND ADOPTED by the City Council of the City of Stacy, Minnesota this 14th day of May, 2024.

Mark Utecht, Mayor

ATTEST: _____

Angela Comstock, Deputy City Clerk