



Doc No. A- 1405170
OFFICE OF COUNTY RECORDER
OLMSTED COUNTY, MINNESOTA

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W. MARK KRUPSKI - Co. Recorder by deputy: ms

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TCPA
4111 - 11TH AVENUE SW, RM 10
ROCHESTER, MN 55902

74.30.32.031163

**CASCADE TOWNSHIP
CONDITIONAL USE PERMIT
RESOLUTION NUMBER CUP-16-02**

WHEREAS, an application has been submitted by Rochester Public Utilities for a Conditional Use Permit (CUP) in Cascade Township. The proposed Conditional Use Permit – on a 54-acre parcel of property in an A-4; Agricultural-Urban Expansion District - would allow the operation of a power generating station, offices, workspace, solar arrays and other structures associated with said uses.

The property is legally described as:

Parcel #: 74.30.32.031163
SECT-30 TWP-107 RANGE-014 54.50 AC N54.5A W1/2 SW1/4 SEC 30 107 14

WHEREAS, the applicant(s) are asking the Cascade Township Planning Commission of the County of Olmsted, State of Minnesota, to be granted a Conditional Use Permit per Article IV of the Cascade Township Zoning Ordinance and;

WHEREAS, a public hearing on the proposed Conditional Use was duly noticed and held by the Cascade Planning Commission at the Cascade Town Hall, 2025 75th Street NE, Rochester, MN after 7:00 pm on Tuesday, August 16th, 2016, at which time all interested persons were given the opportunity to be heard, and;

WHEREAS, the matter has been reviewed by the Zoning Administrator, in accordance with the applicable standards and provisions, as included in their report. Based upon this review Staff recommends approval of this application for a Conditional Use Permit.

*✓TCPA
LW
8-29-16*

NOW, THEREFORE, BE IT RESOLVED, by the Cascade Township Planning Commission that Rochester Public Utilities be granted a Conditional Use Permit on a 54-acre parcel of property in an A-4; Agricultural-Urban Expansion District allowing the operation of a power generating station, offices, workspace, solar arrays and other structures associated with said uses.

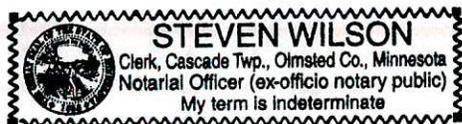
1. The conditional use permit is approved subject to compliance with all other applicable governmental regulations.
2. The applicant operates the facility in compliance with all other applicable governmental requirements and regulations and that these facilities are operated in compliance with all Minnesota Pollution Control Agency (MPCA) requirements.
3. Any violations of conditions in the permit, or violations of the MPCA conditions significant enough that the MPCA takes formal enforcement action against the operator of the facility, may result in town board actions to nullify the conditional use permit.
4. The operation will maintain a durable driving surface in a reasonably dust free condition. Also that the applicant meet all MPCA requirements for air, noise and odor emissions.
5. That the applicant shall take steps to control the deposition of mud and other material on 19th Street NW caused by trucks going in and out of the site, especially during construction.
6. The applicant's submittal packet shall become an integral part of the permit.
7. That a locked gate and no trespassing sign and contact information must be posted at the entrance to the facility. This power generating area including solar arrays must be completely fenced.
8. Before any construction begins at the site the applicant must provide an engineered grading plan for review and obtain a grading/erosion control permit from the township. Plan shall include stormwater runoff calculations and designs of any proposed stormwater facilities.
9. Solar arrays shall comply with Section 10.52 of the Cascade Township Zoning Ordinance.
10. That the applicant maintain the site to meet the soil erosion standards of Section 10.20 C of the Cascade Township Zoning Ordinance.
11. Any lighting shall be defused downward and directed away from any roadway or adjoining properties. Solar arrays shall be placed in such a manor not to create glare along any of the present roadways or to the industrial sites south of the project.
12. Provisions for handling all types of waste generated at the site must be provided for.
13. Storage of any fuels or lubricants shall be in containers approved by MPCA or the fire marshal. Secondary containment may be necessary.

14. Any work done within the road right-of-way will require a permit from Cascade Township.
15. Review of Conditional Use Permit. This Conditional Use includes, at the discretion of the Town Board, a periodic review to determine compliance with the conditions of the permit, and whether changed circumstances or conditions require changes to the permit. The Town Board may also elect, upon adoption of an appropriate resolution following verification of a complaint that a condition has been violated, to conduct a review of the permit. Said review shall only take place following written notice to the owner of the subject property and a duly noticed public hearing. Following such hearing, the permit may be amended based on changed conditions and experiences with the site.
16. Building plans shall be submitted to the Rochester Fire Department for review and comment.
17. A complete copy of the spill prevention plan must be provided to the township prior to the beginning of operations
18. Deliveries are restricted to the times of 7 AM to 5 PM Monday thru Friday.
19. Routine testing and maintenance of the diesel backup generator will be allowed between 7 AM and 5 PM Monday thru Friday,

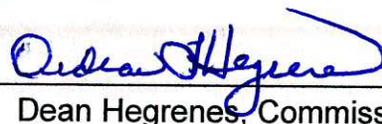
A motion was made by Gary Sieck and seconded by David Derby to approve the application with conditions as listed above. The motion carried with all votes in favor of said motion.

The Cascade Township Planning Commission hereby grants a Conditional Use Permit per Article IV of the Cascade Township Zoning Ordinance.

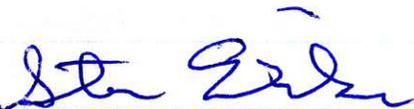
Passed and adopted by the Cascade Township Planning Commission this 16th day of August 2016.



Attest:



Dean Hegrenes, Commission Chair



Steve Wilson, Clerk