



Le Sueur County, MN

Thursday, April 13, 2017

Regular session

Item 1

Lyra Community Solar Garden/This Packet

Staff Contact: Kathy Brockway or Michelle Mettler



February 28, 2017

Kathy Brockway
Le Sueur County Environmental Services
515 South Maple Ave
Le Center, MN 56057

Dear Kathy Brockway,

Lyra Community Solar Gardens, LLC (“The Project” or “Lyra CSG”) respectfully submits an extension request for its Conditional Use Permit (CUP) submitted on May 16, 2016, and issued by Le Sueur County on June 28, 2016. On January 9, 2017, the Project submitted a complete application for a grading CUP. On February 9, 2017 Lyra CSG received unanimous approval from the Le Sueur County Planning Commission. The Project anticipates approval from the Board of Commissioners on February 28, 2017. **The Project is seeking an extension on the CUP issued June 28, 2016, until June 28, 2018.**

Since the CUP issuance on June 28, 2016 the Project has made progress on development items and movement towards construction. On September 20, 2016, the Minnesota Public Utilities Commission (MN PUC) directed Xcel Energy to restudy interconnection for some solar projects, including Lyra CSG. This created uncertainty, potentially changing interconnection size for the Project, thus delaying design. Results from the restudy were issued to Lyra CSG on October 24, 2016 and confirmed three mega-watts of interconnection for the Project. Lyra’s contractor moved forward with design and completed it by January 2017.

Lyra CSG is scheduled to mobilize in mid-March, shortly after receiving its grading CUP. The actual mobilization date is dependent on weather, site conditions, and receipt of building permits. Construction is anticipated to be completed no later than December 31, 2017. Lyra CSG respectfully requests a permit extension to June 28, 2018; this gives the contractors sufficient time in case any unforeseeable events occur that delay construction activities.

Lyra CSG is providing responses to Ordinance requirements of Section 21-Conditional Use Permits, Subdivision 5.A. attached to this letter. The Project’s request for an extension is in compliance with Le Sueur County’s Zoning Ordinance Section 21-Conditional Use Permits, Subdivision 5.A. Lyra Community Solar Gardens, LLC respectfully requests that the Board of Commissioners approve the Project’s request for a CUP extension until June 28, 2018.

Sincerely,

Patrick Smith
Senior Director, Environmental Planning
patrick@geronimoenergy.com
952-641-4042

Enclosure: Section 21-Conditional Use Permits, Subdivision 5.A

Section 21-Conditional Use Permits, Subdivision 5.A

1. **Such permit shall become null and void unless a petition for extension of time in which to complete the work has been granted by the Board of County Commissioners.**
The Project is writing this letter to petition for an extension on its CUP that is set to expire June 28, 2017. The request is to extend the permit until December 31, 2017.
2. **Such extension shall be requested in writing and filed with the Department at least thirty (30) days before the expiration of the original Conditional Use Permit.**
Lyra CSG is requesting in writing an extension at least (30) days before the June 28, 2017 expiration date. It is anticipated that the request will be filed (30) days before the extension.
3. **The request for extension shall state facts showing a good faith attempt to complete the work permitted in the Conditional Use Permit.**
The request for extension establishes a factual timeline demonstrating a good faith attempt to complete the work permitted in the CUP. A projected timeline to complete the remaining work is also included in the request.
4. **Such petition shall be presented to the Planning Commission and Board of County Commissioners for decision.**
Representatives for Lyra CSG will be present at the April 13, 2017 Planning Commission Meeting, and at the following Board of County Commissioners Meeting.

LE SUEUR COUNTY CONDITIONAL USE PERMIT CRITERIA

Conditional Use Permit #: 17020

Applicant: LYRA COMMUNITY SOLAR GARDEN **Land Owner:** LARRY & SOLVEIG THEIS

Conditional Use Permit Request: TO ALLOW AN EXTENSION TO CUP #16063 ON JUNE 28, 2016.

1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.

AI	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

AI	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.

AI	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to service the proposed use.

AI	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

5. Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

AI	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

6. The conditional use is consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance.

AI	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

7. The conditional use is consistent with the Comprehensive Land Use Plan.

AI	Don Rk	Don Ry	Jeanne	Doug	Shirley	Pam	TOTAL

Explain _____

If all answers are "YES" by a majority of the Planning Commission, the criteria for granting of the Conditional Use Permit request have been met. The Conditional Use Permit will meet the goals of safety, health and the general welfare of the public.

Date: _____ APPROVED _____ DENIED _____ PZ Chairperson _____

COUNTY BOARD MEETING DATE _____