

**CITY OF ST. FRANCIS
ST. FRANCIS, MN
ANOKA COUNTY**

RESOLUTION 2025-31

**A RESOLUTION APPROVING AN INTERIM USE PERMIT FOR A GRAVEL DRIVE
AND PARKING AREA AT 24174 NACRE ST NW**

WHEREAS, the applicant, Cedar Creek Energy Corporation, has requested an Interim Use Permit to allow the construction of a gravel drive and parking area without curb on the property known as 24174 Nacre St NW; and

WHEREAS, the property is legally described in Exhibit A; and

WHEREAS, the property is located in the City's Rural Service Area; and

WHEREAS, City Code Section 10-72-08 requires that all industrial parking spaces and drives be surfaced with concrete, bituminous, or pavers; and

WHEREAS, Code Section 10-72-08 allows for different surfacing and design requirements for parking lots serving non-residential uses in the Rural Service Area with approval of an Interim Use Permit; and

WHEREAS, on June 18, 2025, after published and mailed notice in accordance with Minnesota Statutes and the City Code, the Planning Commission held a public hearing, at which time all persons desiring to be heard concerning this application were given the opportunity to speak thereon; and

WHEREAS, on June 18, 2025, the Planning Commission unanimously recommended approval of the requested Interim Use Permit with conditions; and

WHEREAS, the City Council of the City of St. Francis, on July 7, 2025, considered the requested Interim Use Permit and how it might affect public health, safety, or welfare and found that with the noted conditions the project will not negatively impact the public health, safety, or welfare.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of St. Francis hereby approves the requested Interim Use Permit for a gravel drive and parking area without curb at 24174 Nacre St NW based on the following findings of fact:

1. The proposed improvement has been considered in relation to the specific policies and provisions of and has been found to be consistent with the Comprehensive Plan.
2. The proposed improvement will not adversely affect the character of neighboring industrial and agricultural properties. Existing gravel drives and access points are located along Nacre St NW today.

3. The proposed improvement will not impose additional unreasonable costs on the public.
4. The proposed improvement will be used infrequently over the course of the life of the solar array for service and maintenance visits.
5. Rip-rap is proposed to be used in conjunction with recycled aggregate or Class V to reduce the amount of material that would be tracked onto Nacre St NW.
6. The proposed use is adjacent to agricultural land and therefore negative impacts to sensitive environmental areas and residential districts are minimized.
7. The date or event that will terminate the proposed improvement can be identified with certainty.
8. The user agrees, in writing, to any conditions that the City Council deems appropriate for permission of the improvement, including the specified termination date or event.

BE IT FURTHER RESOLVED that approval of the Interim Use Permit for a gravel drive and parking area without curb at 24174 Nacre St NW shall be subject to the following conditions:

1. The IUP shall expire when the solar array comes to the end of its life or when the property is redeveloped; whichever occurs first.
2. The gravel drive and parking area shall be used as a construction and service access to the site, with limited use following the development of the site as a solar farm.
3. The applicants shall be responsible for all fees associated with this land use application.
4. All fees and financial obligations shall be received by the City prior to the releasing of the approval document for recording.

Approved and adopted by the City Council of the City of St. Francis on the 7th day of July, 2025.

Mark Vogel, Mayor

Attest: Jenni Wida, City Clerk

This Instrument Drafted By:

HKGi
800 Washington Ave N, Suite 207
Minneapolis, MN 55401

EXHIBIT A

Legal Description

PROPOSED LEASE PARCEL

That part of the Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northeast Quarter of Section 28, Township 34, Range 25, Anoka County, Minnesota, described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence South 0 degrees 59 minutes 40 seconds West, assumed bearing, along the west line of said Northwest Quarter of the Northeast Quarter a distance of 33.00 feet to the southerly right of way line of 245th/ Avenue NW; thence South 88 degrees 42 minutes 50 seconds East, along said south right of way line a distance of 667.24 feet to the point of beginning of the parcel to be described; thence continuing South 88 degrees 42 minutes 50 Seconds East along said right of way line a distance of 1567.20 feet; thence South 43 degrees 24 minutes 46 Seconds East a distance of 49.18 feet; thence South 45 degrees 59 minutes 18 Seconds West a distance of 15.00 feet; thence South 43 degrees 24 minutes 46 Seconds East a distance of 385.99 feet; thence South 0 degrees 0 minutes 00 Seconds East a distance of 162.30 feet; thence North 90 degrees 00 minutes 00 Seconds East a distance of 99.78 feet to the east line of said Northeast Quarter of said Section 28; thence South 1 degrees 12 minutes 25 Seconds West along said east line of the Northeast Quarter a distance of 55.89 feet; thence North 90 degrees 0 minutes 00 Seconds West a distance of 98.66 feet; thence South 0 degrees 0 minutes 00 Seconds East a distance of 346.94 feet; thence North 90 degrees 0 minutes 00 Seconds West a distance of 495.84 feet; thence North 6 degrees 28 minutes 48 Seconds West a distance of 206.86 feet; thence North 90 degrees 0 minutes 00 Seconds West a distance of 336.48 feet; thence North 43 degrees 10 minutes 27 Seconds West a distance of 153.83 feet; thence North 90 degrees 0 minutes 00 Seconds West a distance of 389.95 feet; thence North 86 degrees 33 minutes 35 Seconds West a distance of 262.56 feet; thence North 60 degrees 8 minutes 00 Seconds West a distance of 219.10 feet; thence North 9 degrees 30 minutes 22 Seconds West a distance of 224.86 feet; thence North 0 degrees 0 minutes 00 Seconds East a distance of 193.45 feet; thence North 36 degrees 52 minutes 12 Seconds West a distance of 25.00 feet; thence North 0 degrees 0 minutes 00 Seconds East a distance of 49.03 feet to the point of beginning.

(Reserved for Recording Data)

CITY OF ST. FRANCIS
ANOKA COUNTY, MINNESOTA

**INTERIM USE PERMIT FOR GRAVEL DRIVE AND PARKING AREA AT 24174
NACRE ST NW**

- 1. PERMIT.** Subject to the terms and conditions set forth herein, the CITY OF ST. FRANCIS hereby grants an Interim Use Permit to allow a a gravel drive and parking area without curb at 24174 Nacre St NW.
- 2. PROPERTY.** This Interim Use Permit is for the following described property in the City of St. Francis, Anoka County, Minnesota:

PROPOSED LEASE PARCEL

That part of the Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northeast Quarter of Section 28, Township 34, Range 25, Anoka County, Minnesota, described as follows:

Commencing at the northwest corner of said Northwest Quarter of the Northeast Quarter; thence South 0 degrees 59 minutes 40 seconds West, assumed bearing, along the west line of said Northwest Quarter of the Northeast Quarter a distance of 33.00 feet to the southerly right of way line of 245th/ Avenue NW; thence South 88 degrees 42 minutes 50 seconds East, along said south right of way line a distance of 667.24 feet to the point of beginning of the parcel to be described; thence continuing South 88 degrees 42 minutes 50 Seconds East along said right of way line a distance of 1567.20 feet; thence South 43 degrees 24 minutes 46 Seconds East a distance of 49.18 feet; thence South 45 degrees 59 minutes 18 Seconds West a distance of 15.00 feet; thence South 43 degrees 24 minutes 46 Seconds East a distance of 385.99 feet; thence South 0 degrees 0 minutes 00 Seconds East a distance of 162.30 feet; thence North 90 degrees 00 minutes 00 Seconds East a distance of 99.78 feet to the east line of said Northeast Quarter of said Section 28; thence South 1 degrees 12 minutes 25 Seconds West along said east line of the Northeast Quarter a distance of 55.89 feet; thence North 90 degrees 0 minutes 00 Seconds West a distance of 98.66 feet; thence South 0 degrees 0 minutes 00 Seconds East a distance of 346.94 feet; thence North 90 degrees 0 minutes 00 Seconds West a distance of 495.84 feet; thence North 6 degrees 28 minutes 48 Seconds West a distance of 206.86 feet; thence North 90 degrees 0 minutes 00 Seconds West a distance of 336.48 feet; thence North 43 degrees 10 minutes 27 Seconds West a distance of 153.83 feet; thence North 90 degrees 0 minutes 00 Seconds West a distance of 389.95 feet; thence North 86 degrees 33 minutes 35 Seconds West a distance of 262.56 feet; thence North 60 degrees 8 minutes 00 Seconds West a distance of 219.10 feet; thence North 9 degrees 30 minutes 22 Seconds West a distance of 224.86 feet; thence North 0 degrees 0 minutes 00 Seconds East a distance of 193.45 feet; thence North 36 degrees 52 minutes 12 Seconds West a distance of 25.00 feet; thence North 0 degrees 0 minutes 00 Seconds East a distance of 49.03 feet to the point of beginning.

3. **CONDITIONS.** This Interim Use Permit is issued subject to construction in accordance with the approved plans submitted with the application and the following conditions:
 1. The IUP shall expire when the solar array comes to the end of its life or when the property is redeveloped; whichever occurs first.
 2. The gravel drive and parking area shall be used as a construction and service access to the site, with limited use following the development of the site as a solar farm.
4. **TERMINATION OF PERMIT.** The City may revoke the permit following a public hearing for violation for the terms of this permit.
5. **LAPSE.** The Interim Use Permit shall lapse with any sale of the property.
6. **CRIMINAL PENALTY.** Both the owner and any occupant of the subject property are responsible for compliance with this Interim Use Permit. Violation of the terms of this Interim Use Permit is a criminal misdemeanor.
7. **RECORDING.** This Interim Use Permit shall be recorded against the title to the Property.

Dated: July 7, 2025

CITY OF ST. FRANCIS

BY: _____

Mark Vogel, Mayor

(SEAL)

AND _____

Kate Thunstrom, City Administrator

STATE OF MINNESOTA)

: ss

COUNTY OF ANOKA)

The foregoing instrument was acknowledged before me this 7th day of July, 2025, by **Mark Vogel**, Mayor, and by **Kate Thunstrom**, City Administrator, of the **CITY OF ST. FRANCIS**, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by the City Council.

Notary Public

[Notary Seal]

This Instrument Drafted By:
HKGi
800 Washington Ave N, Suite 207
Minneapolis, MN 55401