

RESOLUTION NO: 25-20

**CITY OF BALDWIN
COUNTY OF SHERBURNE, MINNESOTA**

**APPROVAL OF A CONDITONAL USE PERMIT
PID 01-00025-3000**

WHEREAS, applicant New Cingular Wireless PCS, LLC (d/b/a AT&T Mobility); and

WHEREAS, the property is subject property is PID 01-025-3000 legally described by Exhibit A; and

WHEREAS, the property is guided for Rural Residential land uses Comprehensive Plan; and

WHEREAS, the property is zoned R1, General Rural District and is also partially located within the Shoreland Overlay District of Sandy Lake; and

WHEREAS, the applicant is requesting approval of a Conditional Use Permit to allow for construction of a communication tower in accordance with Chapter 27 of the Zoning Ordinance; and

WHEREAS, the Town Board approved a Conditional Use Permit for the proposed use on 15 May 2023 that expired in accordance with Section 900-4-9 of the Zoning Ordinance.

WHEREAS, the Planning Commission considered the application at a public hearing held during their meeting on 23 July 2025, those wishing to speak were heard by the Planning Commission and the public hearing was closed; and

WHEREAS, the Planning Commission voted 6-0 to adopt Findings of Fact recommending City Council approval of the application; and

WHEREAS, the City Council must take into consideration the possible effects of the request with their judgment based upon (but not limited to) the criteria outlined in Section 900-4-2 of the Zoning Ordinance:

- A. The proposed action's consistency with the specific policies and provisions of the town comprehensive plan.

Finding: The proposed tower will improve communication services within the area benefiting local users, as well as transient users on US Highway 169, essential and incidental to human activity.

- B. The proposed use's compatibility with present and future land uses of the area.

Finding: The proposed tower complies with the design standards established by the Zoning Ordinance to mitigate compatibility issues with existing and planned land uses in the area surrounding the subject site.

- C. The proposed use's potential to impact natural resources such as surface water, groundwater, or wetlands; sites identified for rare biological species habitat; ecologically sensitive areas; or historically significant areas.

Finding: The proposed construction of the proposed tower will not impact existing natural resources within the subject site.

- D. The proposed use's conformity with all performance standards contained within this ordinance and other town ordinances.

Finding: The proposed tower complies with the requirements of the Zoning Ordinance.

- E. Traffic generation of the proposed use in relation to capabilities of roads serving the property.

Finding: The traffic generated by the proposed tower can be accommodate by existing roads serving the subject site.

WHEREAS, the planning report dated 31 July 2025 prepared by the City Planner, The Planning Company LLC, is incorporated herein.

NOWTHEREFORE BE IT RESOLVED BY THE BALDWIN CITY COUNCIL THAT based on the foregoing information and applicable ordinances, the request is hereby **APPROVED**, subject to the following conditions:

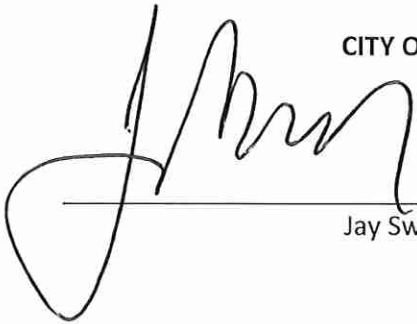
1. The subject site shall be developed in accordance with the site and building plans submitted to the City subject to the stipulations, limitations, and conditions as approved by the City Council in accordance with Section 900-9-6 of the Zoning Ordinance.
2. All new plants shall be guaranteed for 12 months from the time planting has been completed and be alive, in good health, of good quality and structural condition, and insect and disease free at the end of the warranty period or be replaced, subject to review and approval of the Zoning Administrator.
3. Access to 289th Avenue (CSAH 28) shall be subject to review and approval of Sherburne County.
4. All signs shall comply with Section 900-27-2.B of the Zoning Ordinance.
5. The tower owner shall maintain the insurance for \$1,000,000.00 of coverage for personal property damage and provide evidence of such coverage to the Zoning Administrator annually.
6. The applicant shall provide documentation to the Zoning Administrator that the lease for the communication facility location, including revisions or renewals, provides that any unused equipment must be removed within 12 months after operations cease.

(remainder of page intentionally blank signatures follow)

ADOPTED by the Baldwin City Council this 4th day of August, 2025.

MOTION BY: Rush
SECOND BY: Walker
ALL IN FAVOR: All
THOSE OPPOSED: None
Absent- Scott Case
Jeff Holm

CITY OF BALDWIN



Jay Swanson, Mayor

ATTEST:



Joan Heinen, City Clerk/Treasurer