

RESOLUTION NO: 26-20

CITY OF BALDWIN
COUNTY OF SHERBURNE, MINNESOTA

CONDITIONAL USE PERMIT
01-00033-3200

WHEREAS, Vertical Bridge/The Towers, LLC has applied for a Conditional Use Permit to allow for construction of a telecommunications tower at 28509 128th Street; and

WHEREAS, the subject property is legally described by Exhibit A; and

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

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

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

WHEREAS, the City Council must take into consideration the possible effects of the request with its 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 City comprehensive plan.

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

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

Finding: The proposed use 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 property.

- 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 construction of the proposed use will not impact existing natural resources within the subject property.

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

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

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

Finding: The traffic generated by the proposed use can be accommodated by existing streets serving the subject property.

WHEREAS, the Planning Commission conducted a public hearing at their meeting on 24 June 2026 to consider the application, preceded by published and mailed notice; the public hearing was closed after hearing from all persons wishing to speak and the Planning Commission voted 5-1 to recommend the City Council approve the request; and

WHEREAS, the planning report dated 26 June 2026 prepared by the City Planner, The Planning Company LLC, is incorporated herein; and

WHEREAS, the City Council considered the application at its meeting on 1 July 2026; the application was tabled to the City Council meeting on 15 July 2026 to allow City staff to provide additional information regarding applicability of certain zoning provisions; and

WHEREAS, the City Council again considered the application and additional information from City staff at its meeting on 15 July 2026.

NOW THEREFORE BE IT RESOLVED BY THE BALDWIN CITY COUNCIL THAT based on the foregoing information and applicable ordinances, the Baldwin City Council hereby adopts findings of fact as stated herein and approves the application, subject to the following conditions:

1. The subject property 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. The submitted plans shall be revised to illustrate the boundaries of the Shoreland Overlay District imposed upon the subject property.
3. The proposed tower shall be located within the rear yard as defined by the Zoning Ordinance, subject to review and approval of the Zoning Administrator.
4. The landscape plan shall be revised to provide for evergreen trees a minimum of eight feet in height at not more than 25 feet on center, subject to review and approval of the Zoning Administrator.
5. All new plants shall be guaranteed for 12 months from the date planting is completed and shall 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.
6. Access to 128th Street (CR 45) shall be subject to review and approval of Sherburne County.
7. All signs shall comply with Section 900-27-2.B of the Zoning Ordinance.
8. All grading, drainage, and erosion control plans shall be subject to review and approval of the City Engineer.

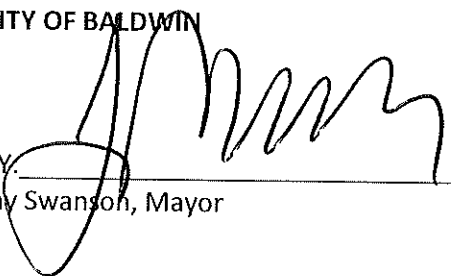
9. The tower owner shall maintain insurance in the amount of \$1,000,000.00 for personal property damage and provide evidence of such coverage to the Zoning Administrator annually.
10. The applicant shall provide documentation to the Zoning Administrator that the lease for the telecommunications facility location, including revisions or renewals, requires removal of any unused equipment within 12 months after operations cease.

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ADOPTED by the Baldwin City Council this 15th day of July, 2026.

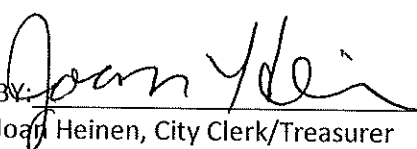
MOTION BY: Case
SECOND BY: Swanson
ALL IN FAVOR: All
THOSE OPPOSED: None
Jeff Helm Absent

CITY OF BALDWIN

BY: 

Jay Swanson, Mayor

ATTEST:

BY: 

Joan Heinen, City Clerk/Treasurer