
**RESOLUTION NO. 091718-04
CITY OF WAITE PARK**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR
BUELL CONSULTING, INC., AND TRICOUNI PROPERTIES, LLC**

WHEREAS, Buell Consulting, Inc., a Minnesota corporation, (developer/consultant) and Tricouni Properties, LLC, a Minnesota limited liability company, (property owner) have submitted an application and site plan for a conditional use permit to construct a 150-foot monopole telecommunications tower at Stone Holding Company at 633 Prosper Drive, Waite Park, Minnesota, legally described in Exhibit A attached hereto and made a part hereof (hereinafter the "Property"); and

WHEREAS, the proposed use is located in the southwest corner of the Property. See General Location Map and Site Survey attached hereto and made a part hereof as Exhibit B and Exhibit C; respectively; and

WHEREAS, the Property lies within the City of Waite Park, is subject to the Waite Park Zoning Ordinance and is zoned I-1, Light Industrial District; and

WHEREAS, that monopole towers are permitted in the I-1 light Industrial District as a conditional use; and

WHEREAS, the Planning Commission held a public hearing on the conditional use request at their September 11, 2018, meeting and recommended approval of the Conditional Use Permit with conditions as listed below and made Findings of Fact to support the recommendation which are attached hereto as Exhibit D:

CONDITIONS

1. Building and electrical permits are required prior to commencement of construction/installation. Plans and specifications shall adhere to those as reviewed/approved by Planning Commission and/or City Council. Variations from approved plans or specifications may require additional approval from Planning Commission and/or City Council.
2. Exterior fencing surrounding tower base shall either be of opaque materials, either wood, vinyl/composite, or other materials as approved by Planning and Community Development Director, and between 8 and 10 feet in height. As an alternative, if chain link fence is desired, a landscaping plan must be furnished for review of Planning and Community Development Director, and upon approval must be implemented as-approved.
3. In event of catastrophic failure which results in fall/damage radius exceeding terms set forth in submitted "fall letter," applicant shall be responsible for damage to any adjacent properties impacted by tower collapse or damage.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAITE PARK, STEARNS COUNTY, MINNESOTA, AS FOLLOWS:

1. That the Findings of Fact in Exhibit D are hereby adopted by the City Council.
2. That the request of Buell Consulting, Inc., and Tricouni Properties, LLC, for a Conditional Use Permit to allow construction of a 150-foot monopole telecommunications tower at the Property lying within the I-1 Light Industrial District located at 633 Prosper Drive, Waite Park, Minnesota, legally described in the attached Exhibit A, is hereby approved with the following conditions:

CONDITIONS

- 2.1 Building and electrical permits are required prior to commencement of construction/installation. Plans and specifications shall adhere to those as reviewed/approved by Planning Commission and/or City Council. Variations from approved plans or specifications may require additional approval from Planning Commission and/or City Council.
- 2.2 Exterior fencing surrounding tower base shall either be of opaque materials, either wood, vinyl/composite, or other materials as approved by Planning and Community Development Director, and between 8 and 10 feet in height. Fence design and materials are subject to City approval and shall be implemented as approved.
- 2.3 In event of catastrophic failure which results in fall/damage radius exceeding terms set forth in submitted "fall letter," applicant shall be responsible for damage to any adjacent properties impacted by tower collapse or damage.
- 2.4 Applicant/owner shall provide and maintain liability insurance in amount not less than \$1,000,000 and shall submit annual proof of insurance to City of Waite Park, due January 15th annually.

Adopted by the City Council of the City of Waite Park, this 17th day of September, 2018.


Richard E. Miller, Mayor

ATTEST:

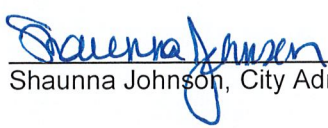

Shaunna Johnson, City Administrator

ACTION ON THIS RESOLUTION:

Motion for adoption: Member Schneider
Seconded by: Member Schulz
Voted in favor of: Mayor Miller, Member Schneider, Member Schulz
Voted against: Member Linquist, Member Theisen
Abstained: None
Absent: None
Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Waite Park City Council

at a duly authorized meeting held on September 17, 2018.



Shaunna Johnson, City Administrator

EXHIBIT A

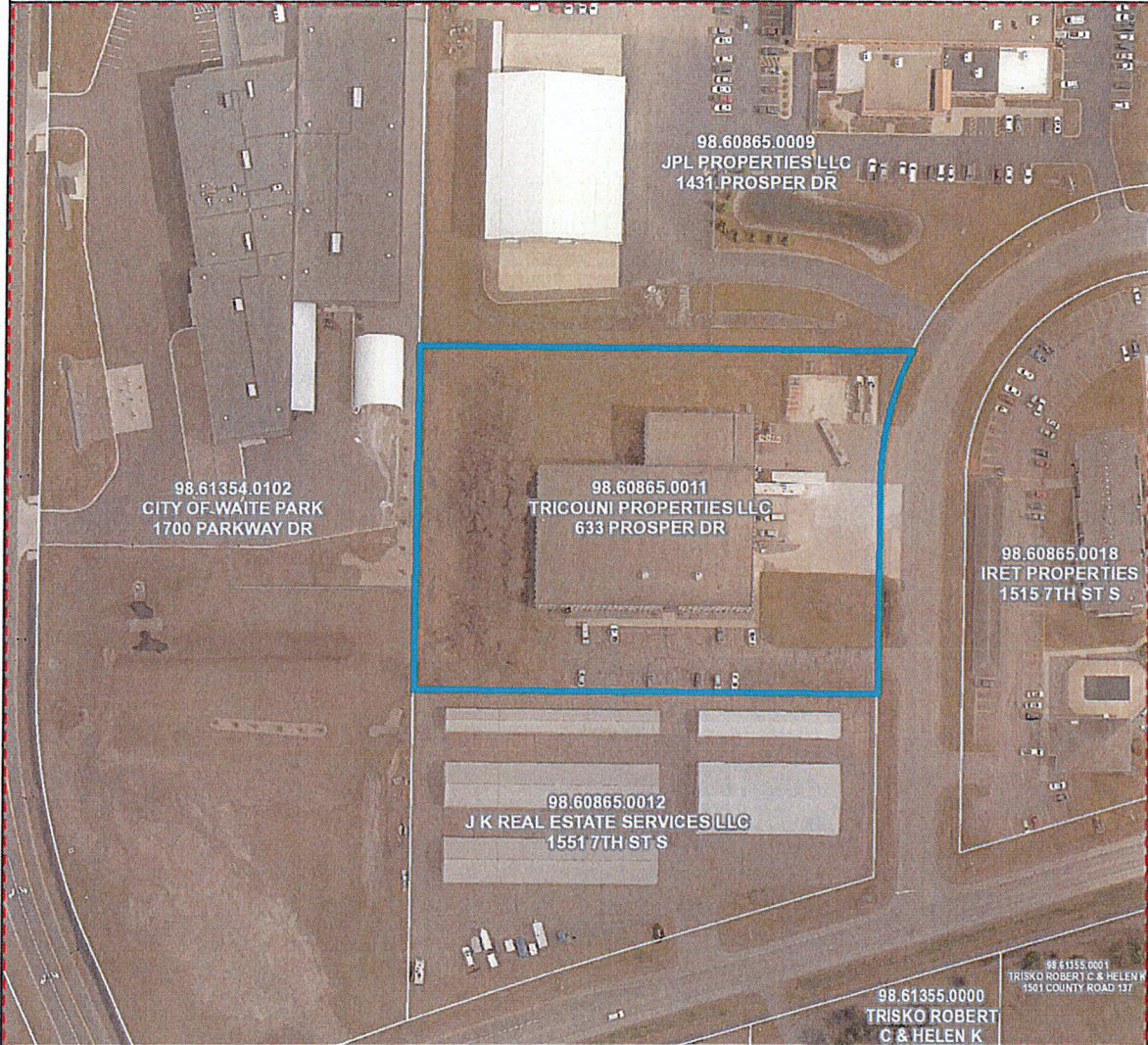
Lot Twelve (12) and the most Southerly 30.00 feet of Lot Eleven (11), as measured at a right angle to the south line of said Lot 11, all in Block One (1), SUNDIAL WEST INDUSTRIAL PARK, City of Waite Park, according to the plat and survey thereof on file and of record in the Office of the County Recorder in and for Stearns County, Minnesota.

AND

The most northerly Fifty (50) feet of the most southerly Eighty (80) feet of Lot Eleven (11), as measured at a right angle to the south line of said Lot Eleven (11), all in Block One (1), SUNDIAL WEST INDUSTRIAL PARK, City of Waite Park, according to the plat and survey thereof on file and of record in the Office of the County Recorder in and for Stearns County, Minnesota.

EXHIBIT B

General Location Map

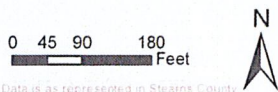


Parcel ID 98.60865.0011
Acreage 124
Sec/Twp/Rng Lot(s) 011 & 012 Block(s) 001 SUNDIAL
Legal Plat WEST INDUSTRIAL PARK

Property Address 633 PROSPER DR
 WAITE PARK, MN 56387

Owner Address TRICOUNI PROPERTIES LLC
 WAITE PARK MN 56387

District 9803 WAITE PARK 742
Class 3A-Commercial/Industrial/Public Utility,
Brief Tax Description



Data is as represented in Stearns County Databases. It is NOT intended for Locational Use and Stearns County waives all liability from this product.

Auditor/Treasurer
 Division of Land Management
 August 28, 2018



This map has been prepared by a professional land surveyor in accordance with the laws of the State of Minnesota. It is not intended for use as a legal document. The user assumes all liability for any errors or omissions in this map.

EXHIBIT D

FINDINGS OF FACT

- Criteria #1** **Will not be detrimental to or endanger the public health, safety, morals, comfort, convenience or general welfare of the neighborhood or the City.**
- Finding #1* The proposed use would not be detrimental to or endanger the public health, safety, morals, comfort, convenience or general welfare of the neighborhood or the City. This type of facility is a good fit in the I-1, Light Industrial District.
- Criteria #2** **Will be harmonious with the applicable specific and general objectives of the Comprehensive Plan of the City and this Ordinance.**
- Finding #2* Would be harmonious with the applicable specific and general objectives of the Comprehensive Plan of the City.
- Criteria #3** **Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area.**
- Finding #3* Would be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area.
- Criteria #4** **Will not be hazardous or disturbing to existing or future neighboring uses.**
- Finding #4* Will not be hazardous or disturbing to existing or future neighboring uses.
- Criteria #5** **Will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems, and schools.**
- Finding #5* Will be served adequately by essential public facilities and services.
- Criteria #6** **Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.**
- Finding #6* Will not create additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- Criteria #7** **Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to the general welfare.**
- Finding #7* Will not involve activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare.

- Criteria #8** Will have vehicular approaches to the property which are so designed as not to create traffic congestion or an interference with traffic or surrounding public thoroughfares.
- Finding #8* Will have access to the property which will not create traffic congestion for the surrounding area.
- Criteria #9** Will have adequate facilities to provide sufficient off street parking and loading space to serve the proposed use.
- Finding #9* Sufficient parking, loading space and traffic movements will be provided.
- Criteria #10** Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance.
- Finding #10* Will not result in destruction, loss or damage of any natural, scenic or historic features.
- Criteria #11** Will conform to the type of uses that are generally permitted within the district.
- Finding #11* Will conform to the types of uses that are generally permitted within the I-1 Light Industrial District.