

**CITY OF GRANT, MINNESOTA
RESOLUTION NO. 2014-12**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR
9254 MANNING AVENUE
(VERIZON WIRELESS)**

WHEREAS, Faulk and Foster Real Estate on behalf of Verizon Wireless (“Applicant”) has submitted an application for a Conditional Use Permit construct a telecommunications monopole to be located at 9254 Manning Avenue in the City of Grant, Minnesota; and

WHEREAS, the existing site is currently used a principal residence by Robert Grogran (“Owner”) and is approximately 20 acres in size; and

WHEREAS, the City Council has considered the Applicant’s request at a duly noticed Public Hearing which took place on April 1, 2014 and subsequently considered the application on May 1, 2014.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANT, WASHINGTON COUNTY, MINNESOTA, that it does hereby approve the request of Faulk and Foster Real Estate on behalf of Verizon Wireless for a Conditional Use Permit, based upon the following findings pursuant to Section 32-147 of the City’s Zoning Ordinance which provides that a Conditional Use Permit may be granted “if the applicant has proven to a reasonable degree of certainty” that specific standards are met. The City Council’s Findings relating to the standards are as follows:

- The use is designated in Section 32-245, table of uses, as a conditional use for the Agricultural A2 zoning district.
- The use conforms to the city’s comprehensive plan, and maintains large lot sizes in compliance with the guided land used designation.
- The Applicant successfully demonstrated through the submitted materials that there are no preferred locations or support structures available within the City.

- The Applicant supplied a statement that the National Environmental Protection Act (NEPA) review did not disclose any significant environmental impacts that could not be mitigated.
- The use will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood if conditions of the permit are met.
- The use meets conditions or standards adopted by the city (through resolutions or other ordinances).
- The use will not create additional requirements for facilities and services at public cost beyond the city's normal low density residential and agricultural uses.
- The use will not result in the destruction, loss or damage of natural, scenic, or historic features of importance.
- The use will not increase flood potential or create additional water runoff onto surrounding properties.

FURTHER BE IT RESOLVED, that the following conditions of approval of the Conditional Use Permit shall be met:

1. The plan set shall be updated to indicate placement of the signage on the gate, driveway and equipment shelter.
2. An updated plan set reflecting the City Engineer's recommendations and requirements shall be submitted prior to issuance of any building permit.
3. The monopole shall be designed to fall within the permitted area outside of all setbacks as defined within Section 32-451 (d) and (e); and the Applicant shall submit an updated engineering plan signed by a registered engineer.
4. The landscape plan as depicted on Figure A-1 shall be planted upon completion of construction of the tower, and shall be required to be maintained.
5. All ground equipment, including the Equipment Shelter, fencing and vegetation shall be kept in good repair and shall be maintained in compliance with the standards set forth in this permit.
6. All antennas shall be construction in compliance with city building and electrical codes. A building permit must be obtained prior to construction
7. No advertising, of any type, shall be affixed to the monopole or any components within the Land Area.
8. Antennas shall not be artificially lit and may not display any strobe lights.

9. The Applicant must obtain all necessary, applicable, federal state and local agency permits prior to construction of the monopole and installation of the antennas.
10. The Applicant shall work with the Browns Creek Watershed District (BCWD) during the construction process to ensure the culvert over the creek is protected, and copies of such correspondence provided to the City for record keeping.
11. Written statement from the Fire Department shall be submitted as indicated in Section 32-449(8) prior to a building permit being issued.
12. All antennas shall be subject to state and federal regulations pertaining to nonionizing radiation and other health hazards related to such facility. If new, more restrictive standards are adopted, antennas shall be brought into compliance with the new standards by the owner and operator. The cost of verification of compliance shall be borne by the owner and operation of the antenna.
13. Any future antenna installation shall be subject to the regulations and standards as set forth in Section 32-446 Permit Requirements, or corresponding section, of the City's adopted ordinances.
14. Any proposed changes, modifications, or expansions, including the co-location of another user for which the land area is altered will require the amendment of this permit.
15. The Owner/Operator of the tower shall be required to submit yearly proof of insurance and compliance of operations, and meet the conditions as stated within Section 32-449(b).
16. Every five years the applicant shall submit a report consistent with those requirements stated within Section 32-449(c), or corresponding section, of the City's adopted ordinance.
17. Any modifications to the ground equipment, expansion of the ground area, or other ground alteration activities shall require an amendment to this permit.
18. All escrow amounts shall be brought up to date and kept current.
19. This permit shall be reviewed in compliance with the City's CUP review process, which maybe on an annual basis.
20. Any violation of the conditions of this permit may result in the revocation of said permit.
21. The Owner shall obtain all necessary permits from Washington County, Minnesota Department of Health, MPCA, and the United States Government which are necessary in carrying out its operations on the premises including a building permit.
22. Any modifications to the ground equipment, expansion of the ground area, or other ground alteration activities shall require an amendment to this permit.

Adopted by the Grant City Council this 1st day of May, 2014.

Tom Carr, Mayor

State of Minnesota)
) ss.
County of Washington)

I, the undersigned, being the duly qualified and appointed Clerk of the City of Grant, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the Grant City Council on _____, 2014 with the original thereof on file in my office and the same is a full, true and complete transcript thereof.

Witness my hand as such City Clerk and the corporate seal of the City of Grant, Washington County, Minnesota this ____ day of _____, 2014.

Kim Points
Clerk
City of Grant