



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT**

**CASE NAME: AMERICAN TOWER at Highway 36
CASE NUMBER: RCU2018-00036**

TABLE OF CONTENTS

EXHIBIT 1 – BoCC Staff Report

EXHIBIT 2- Maps

- 2.1 Aerial Map
- 2.2 Zoning Map
- 2.3 Future Land Use Map

EXHIBIT 3- Applicant Information

- 3.1 Applicant Written Explanation
- 3.2 Applicant Site Plan

EXHIBIT 4- Referral Comments

- 4.1 Referral Comments (Adams County)
- 4.2 Referral Comments (Fire District)
- 4.3 Referral Comments (TCHD)
- 4.4 Referral Comments (Xcel)
- 4.5 Referral Comments (CPW)

EXHIBIT 5- Public Comment

- 5.1 Referral Comments (None)

EXHIBIT 6- Associated Case Materials

- 6.1 Request for Comments
- 6.2 Public Hearing Notice
- 6.3 Newspaper Publication
- 6.4 Referral Listing
- 6.5 Property Occupant and Owner Labels
- 6.6 Certificate of Posting



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT
STAFF REPORT**

Board of County Commissioners

January 15, 2019

CASE No.: **RCU2018-00036**

CASE NAME: **American Tower at Highway 36**

Owner's Name:	Kenneth W. Newby
Applicant's Name:	American Tower
Applicant's Address:	10 Presidential Way, Woburn, MA 01801
Location of Request:	50300 ½ Highway 36, Bennett, CO 80102
Nature of Request:	A conditional use permit to allow a 70-foot telecommunications tower on the property
Zone District:	Agriculture-3 (A-3)
Comprehensive Plan:	Mixed Use Employment
Site Size:	2,500 square-foot portion of a 59.64 acre parcel
Proposed Uses:	Telecommunications Tower
Existing Use:	Telecommunications Tower/Dryland Farming
Hearing Date(s):	PC: December 13, 2018 / 6:00 p.m.
	BOCC: January 15, 2019 / 9:30 a.m.
Report Date:	January 2, 2019
Case Manager:	Libby Tart-Schoenfelder
PC and Staff Recommendation:	APPROVAL with 8 Findings-of-Fact and 4 Conditions

SUMMARY OF PREVIOUS APPLICATIONS

On August 20, 2003, the Board of County Commissioners (BoCC) approved a conditional use permit to allow a 70-foot telecommunications tower on the property for five years (Case #RCU2003-00028).

On September 15, 2008, the BoCC approved a conditional use permit to extend the expiration date for the existing tower for an additional ten years, expiring on August 20, 2018.

SUMMARY OF APPLICATION

Background

American Tower, the applicant, is requesting to renew the conditional use permit (CUP) to allow an existing commercial telecommunications tower to remain on the subject property for an additional ten years. The existing tower is seventy (70) feet tall and occupies 2,500 square feet of a 59.64 acre parcel (see Exhibit 3.2). The site includes a six-foot tall wooden fence surrounding the equipment area of the tower. There are no proposed changes to the site.

Site Characteristics:

The subject property is located approximately 1,000 feet northwest of the intersection of Colfax Avenue and Highway 36 and has access from Colfax Avenue. The majority of the 59.64 acres are currently used for dryland farming.

Development Standards and Regulations Requirements:

Per Section 3-07-01 of the Adams County Development Standards and Regulations, a conditional use permit is required for a commercial telecommunications tower in the A-3 zone district. Section 4-09-02-07 of the County's Development Standards and Regulations outlines design and performance standards for commercial telecommunication facilities. These standards include maximum height, landscaping, screening, setbacks from property lines, separation from other freestanding telecommunication facilities, and setbacks from residential uses.

The elevation plans provided with the application show the telecommunication tower is seventy (70) feet in height. Per Section 3-26-07-04 of the County's Development Standards, the maximum height allowed in the A-3 zone district for dwellings and accessory structures is thirty-five (35) feet and seventy (70) feet for agricultural structures. The existing tower conforms to the maximum height permitted in the zone district and there are no proposed changes to the tower.

Per Section 4-09-02-07(3) of the County's Development Standards and Regulations, freestanding telecommunication towers shall not be located closer than the height of the tower from any property line, unless a waiver is obtained from the BoCC. The proposed telecommunication tower is located over 70 feet from the north, east, south, and west property lines, thus conforming to the required setback standards.

Landscaping and fencing are required to screen telecommunications towers and associated equipment areas. These requirements, outlined in Section 4-09-02-07(3b) of the County's Development Standards and Regulations, include preserving existing vegetation and natural features as well as improving the site with additional vegetation and fencing. There is an existing six-foot tall wooden fence surrounding the equipment area at the base of the tower. The fence is in reasonable condition and does not merit a replacement. Due to the location of the tower, the more agrarian nature of the surrounding area and the dryland farming operations on the property, the applicant is not proposing any landscaping.

Section 4-09-02-07(3)(d) of the County's Development Standards and Regulations requires new telecommunications towers to be located no closer than one-thousand (1,000) feet from the nearest telecommunications tower. There is no telecommunications tower located within 1,000 feet; the nearest tower is located several miles away from the subject property.

The County's Development Standards also require a bond to ensure removal of the facility if it is abandoned or no longer needed to support the cellular network. A bond was provided with the 2008 permit request.

Future Land Use Designation/Goals of the Comp-Plan for the Area

The future land use designation on the property is Mixed Use Employment. Per Chapter 5 of the Adams County Comprehensive Plan, "mixed use employment allows a mixture of uses, including offices, retail, and clean, indoor manufacturing, distribution, warehousing, and airport and technology uses". The Comprehensive Plan also states "large swaths of properties around Denver International Airport, Front Range Airport and the I-70 corridor are designated for future Mixed Use Employment to preserve future long-term opportunities for employment growth in these areas, but any future development in these areas should be phased and concentrated around where urban services and infrastructure are most readily available".

Policy 6.4 of the County's Comprehensive Plan identifies short and long term telecommunications needs for the public and private sectors. In particular, there are strategies to address the location and capacity, co-location needs, and public inconveniences and disruptions with telecommunications infrastructure. The request to develop the property for a commercial telecommunications tower is consistent with this policy, as it will aid in providing improved telecommunication coverage to current and future residents of the area. The applicant is providing the opportunity to co-locate on the tower and has demonstrated that service is needed within this area of the County.

Surrounding Zoning Designations and Existing Use Activity:

Northwest A-3 Agricultural	North A-3 Agricultural	Northeast A-3 Agricultural
West Town of Bennett Vacant	Subject Property A-3 Telecommunication Tower/Dryland Farming	East A-3 Agricultural
Southwest Town of Bennett Vacant	South Town of Bennett Vacant	Southeast A-3 Agricultural

Compatibility with the Surrounding Land Uses:

The majority of properties surrounding the site are designated as A-3 and used as agriculture. Properties to the south, southwest, and west are currently vacant and located within the

jurisdiction of the Town of Bennett. The request is compatible with the surrounding properties and will not be detrimental to the surrounding area.

PLANNING COMMISSION UPDATE:

The Planning Commission considered this case on December 13, 2018 and recommended approval of the request in a 6-0 vote. The applicant was available to answer questions at the hearing and indicated they were supportive of staff's recommendation and proposed conditions. There was no public testimony at the hearing.

PC and Staff Recommendation:

Based upon the application, the criteria for approval of a conditional use permit, the County's Comprehensive Plan, and a recent site visit, PC and staff recommend approval of the request with 8 findings-of-fact and 4 conditions.

FINDINGS-OF-FACT

1. The conditional use is permitted in the applicable zone district.
2. The conditional use is consistent with the purposes of these standards and regulations.
3. The conditional use will comply with the requirements of these standards and regulations, including but not limited to, all applicable performance standards.
4. The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
5. The conditional use permit has addressed all off-site impacts.
6. The site is suitable for the proposed conditional use including adequate usable space, adequate access, and absence of environmental constraints.
7. The site plan for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
8. Sewer, water, storm water drainage, fire protection, police protection, and roads are available and adequate to serve the needs of the conditional use as designed and proposed.

Recommended Conditions:

1. Any telecommunications facility that ceases to be in operation for a consecutive period of six months or more shall be removed from the site within 90 days of the end of such period of non-use.
2. The conditional use permit shall expire in ten years on January 15, 2029.
3. The height of the telecommunications tower shall not exceed 70 feet.
4. The tower shall provide co-location opportunities for other telecommunication tower providers.

PUBLIC COMMENTS

Property Owners Notified	Number of Responses
5	0

Staff sent five notices to property owners and occupants within 750 feet of the subject request. As of writing this report, staff has received no public comment.

COUNTY AGENCY COMMENTS

Staff reviewed the request stated the applicant is required to correct the current address for the subject property. The applicant has submitted a request for the address revision.

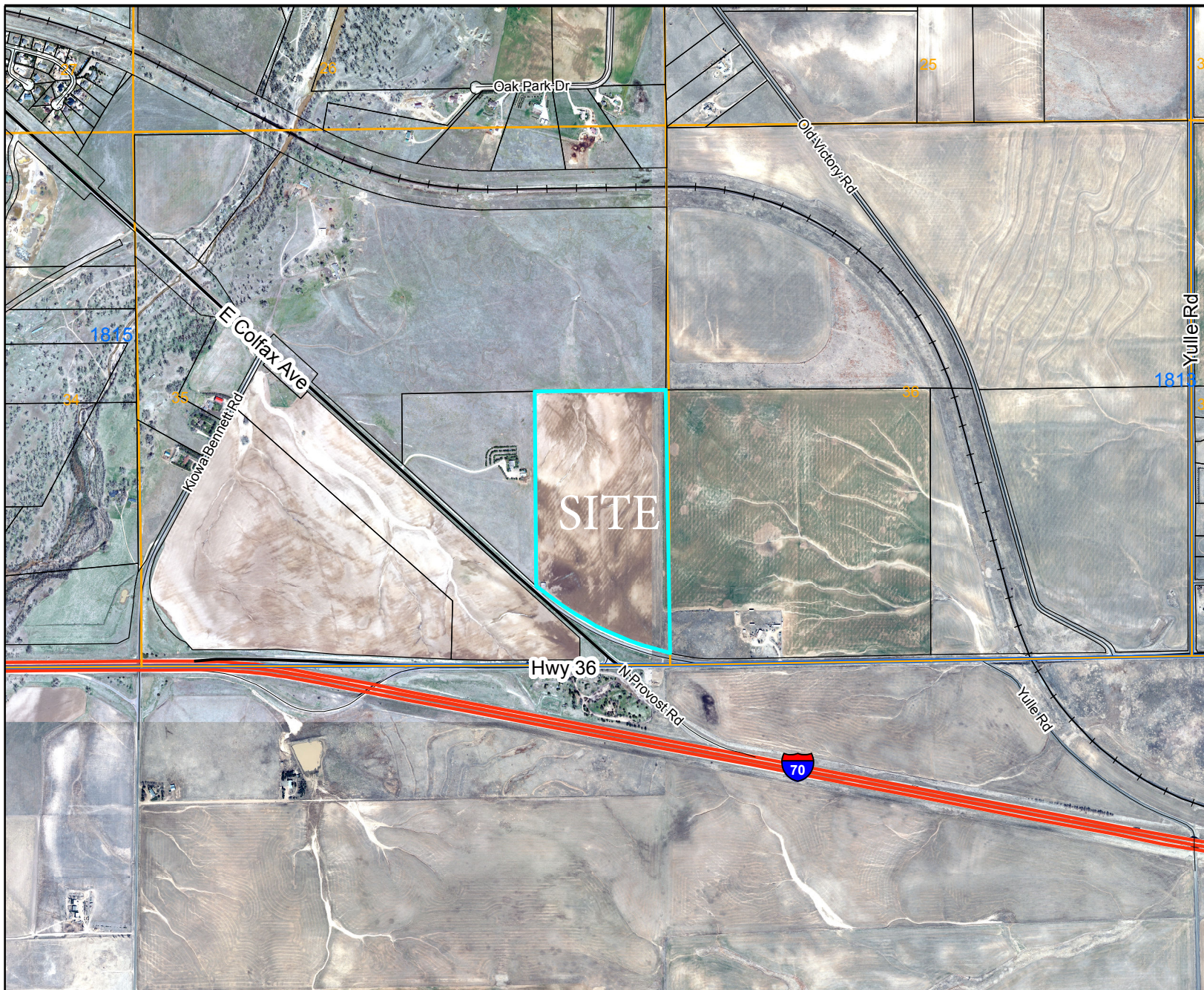
REFERRAL AGENCY COMMENTS

Responding without Concerns:

Adams County Development Services
Bennett/Watkins Fire Rescue
Colorado Division of Parks and Wildlife
Tri-County Health
Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Bennett Parks and Recreation
Bennett School District 29J
CDPHE – Air Quality, Water Quality and Solid Waste
Century Link, Inc.
Comcast
Intermountain Rural Electric Association (IREA)
Sheriff's Office
Town of Bennett
Town of Bennett – Water and Sanitation Department



Legend

- Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

Case Name American Tower at Highway 36

Case Number RCU2018-00036

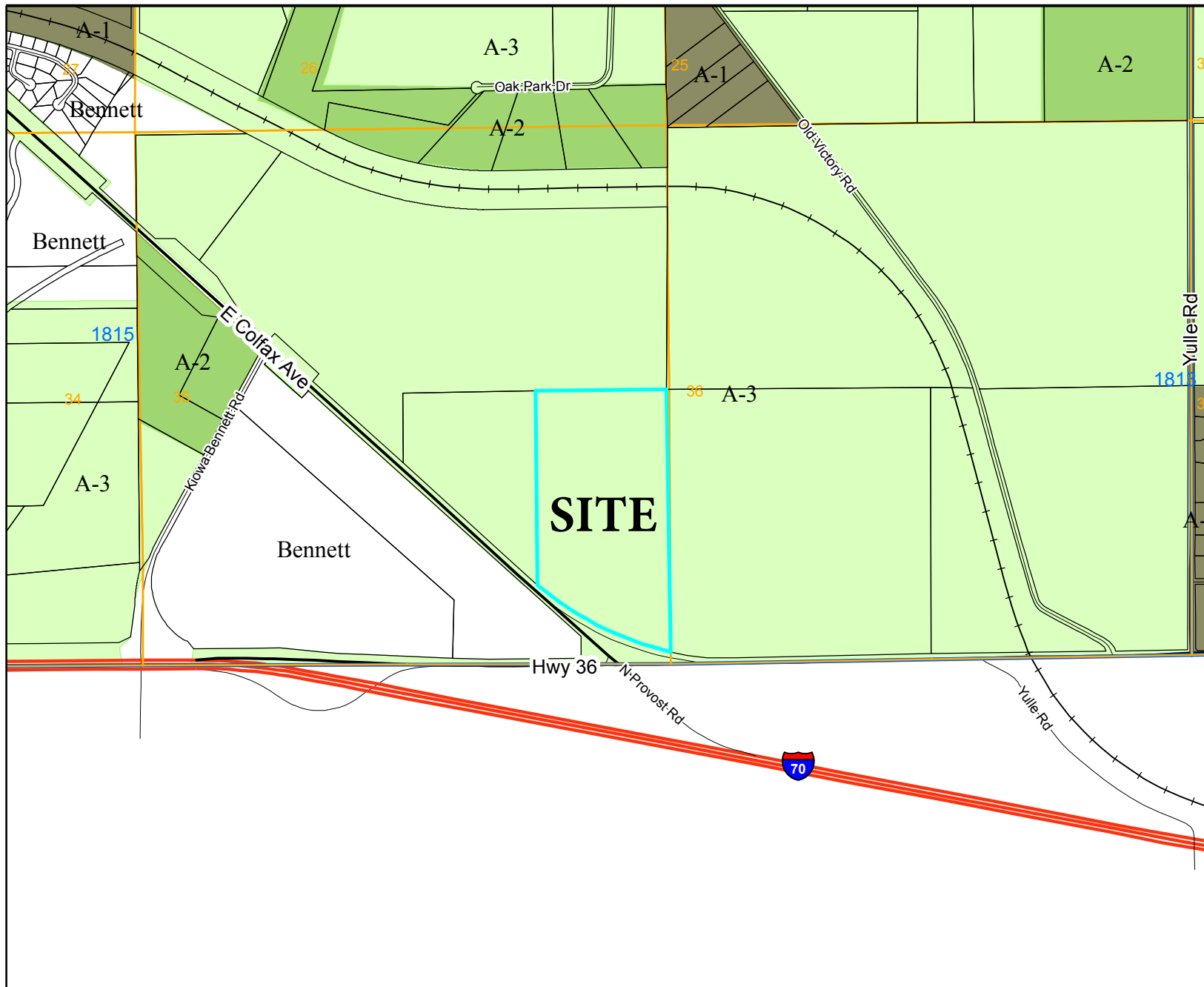


For display purposes only.



ADAMS COUNTY
COLORADO

This map is made possible
by the Adams County GIS
group, which assumes no
responsibility for its accuracy



Legend

- Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)

Case Name American Tower at Highway 36

Case Number RCU2018-00036

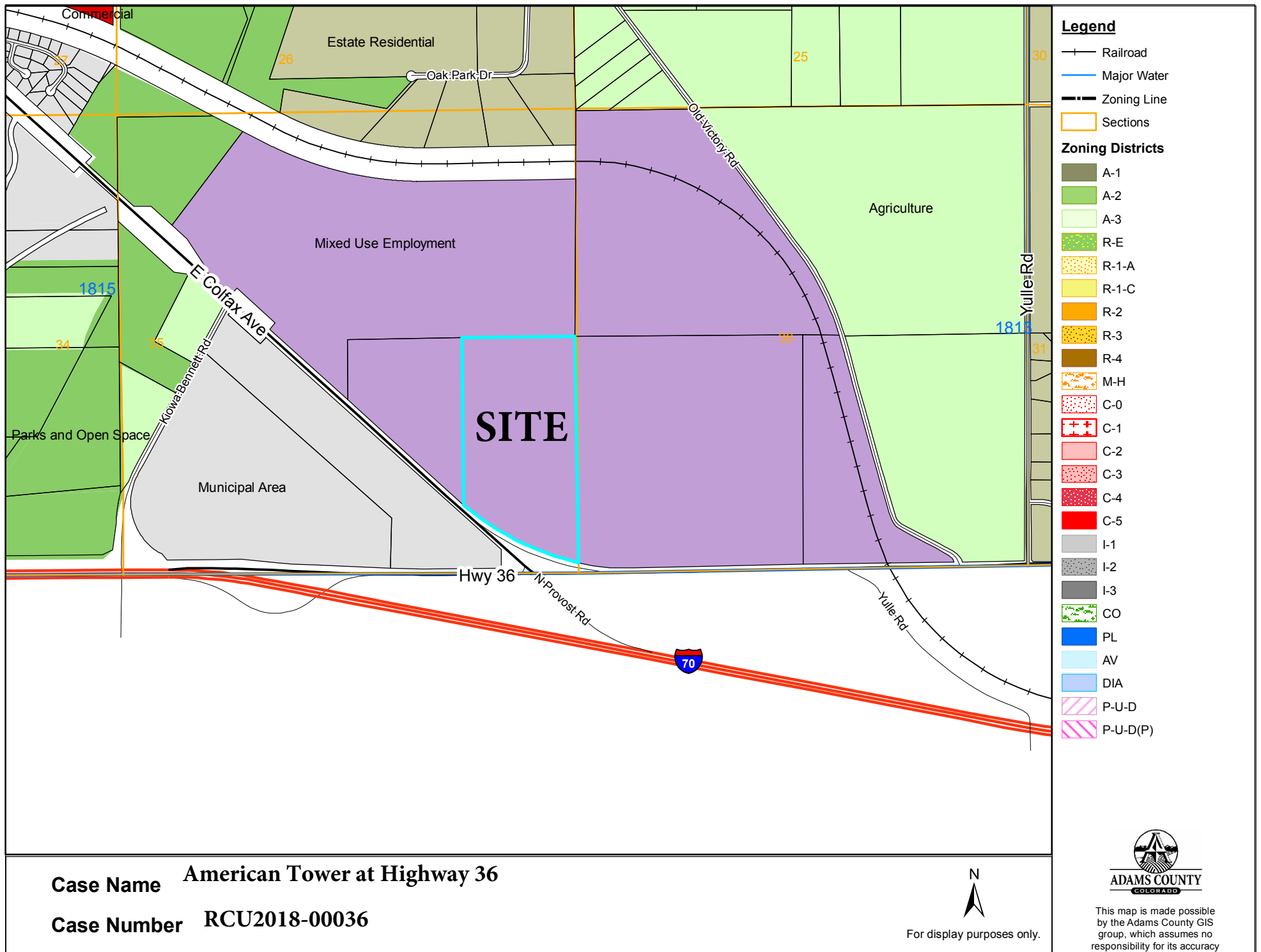


For display purposes only.



ADAMS COUNTY
COLORADO

This map is made possible
by the Adams County GIS
group, which assumes no
responsibility for its accuracy



Hoss Consulting Inc.

Date: 7.21.2018

Adams County
Community & Economic Development Dept.
4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton CO 80601-8204

RE: American Tower - Conditional Use Permit Renewal Application

Subject Address: 50300 1 Hwy 36, Bennet CO 80102
County Parcel Number: 0181500000389
Existing Cases: RCU2003-00028; RCU2008-00022

Dear Community Development,

American Tower is seeking CUP re-approval of its existing 70' wood-laminated communication tower, all communication equipment\appurtenances attached to it, and all ground based infrastructure depicted in the included plans located at 50300 1 Hwy 36 in Bennet Colorado. This permit is needed so the current wireless carrier, and any future wireless co-locators, can provide wireless phone, data, and emergency services coverage in this part of Adams County.

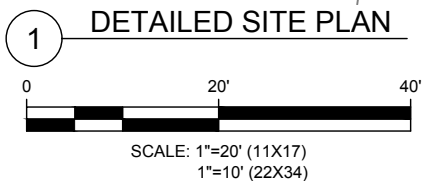
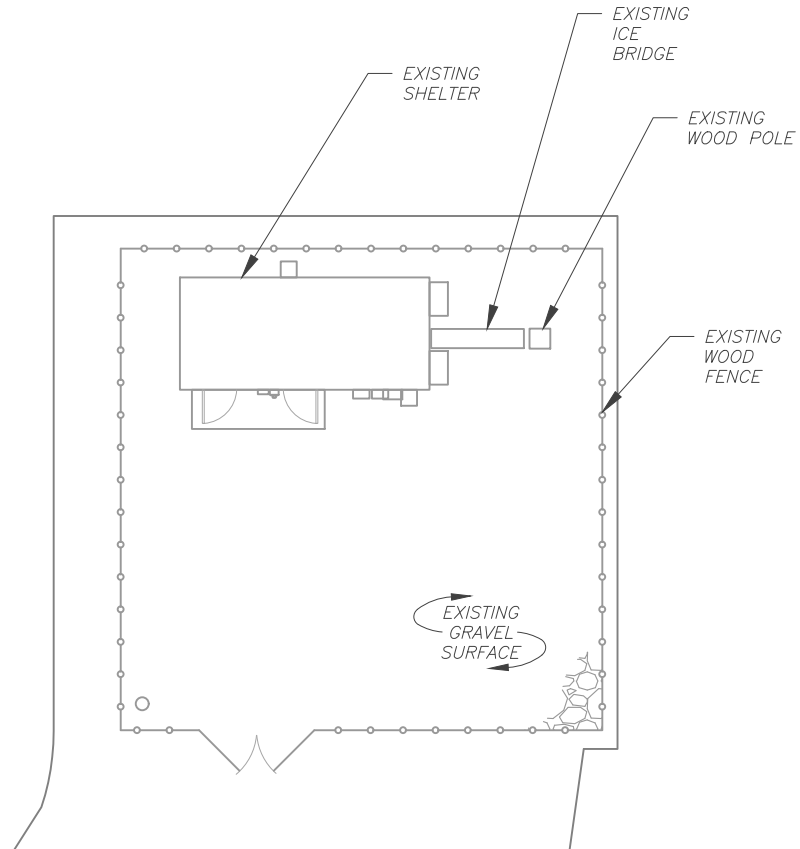
Please don't hesitate to call or email if you have any question.

Sincerely,
Mike Sharlow
302 Elati Street
Denver Co 80223
970-485-2996
mksharlow1@gmail.com

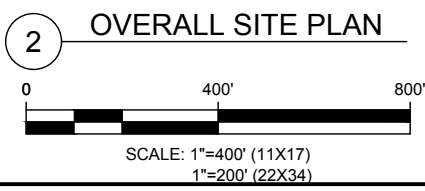
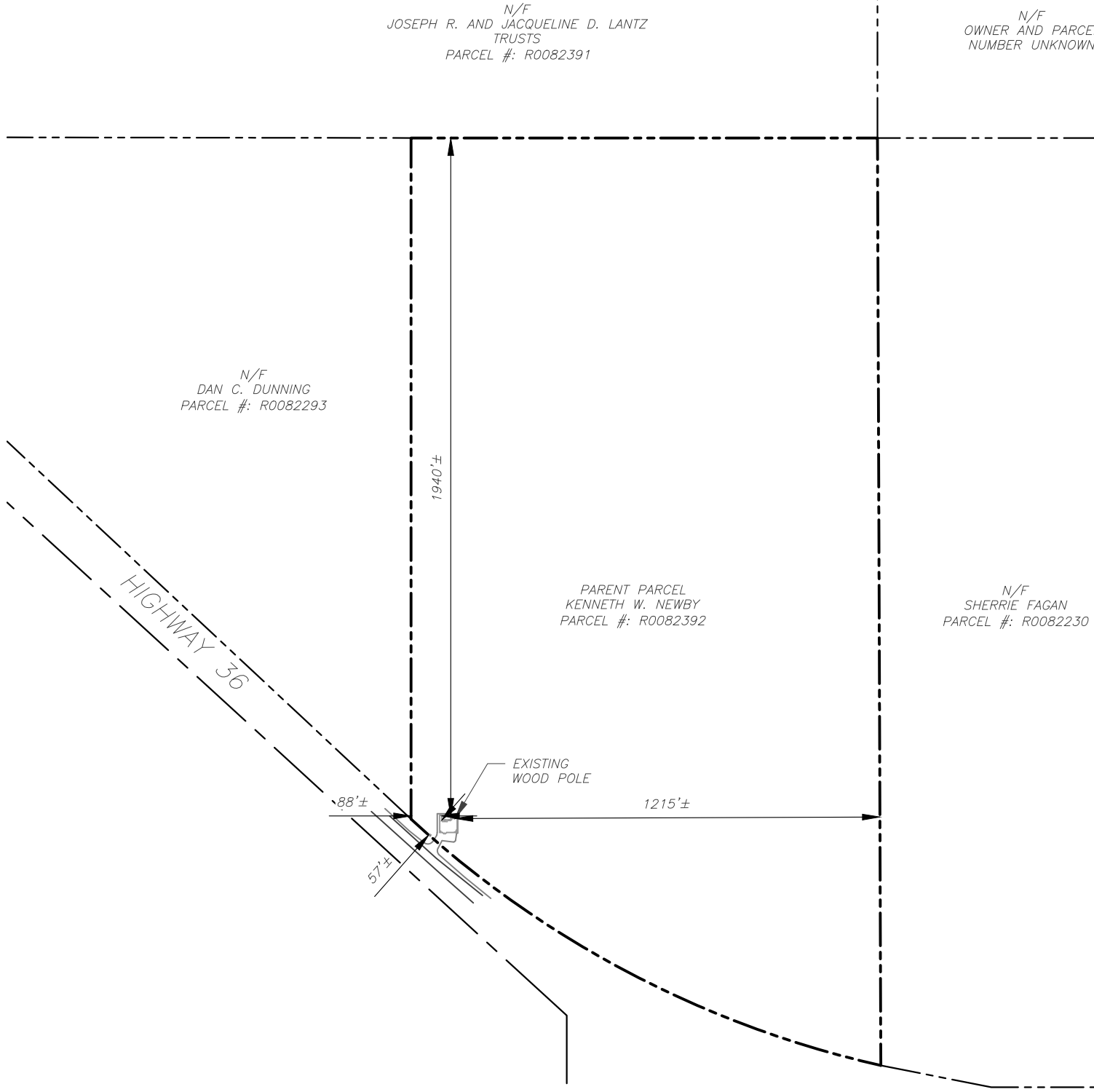
www.hossconsulting.com
302 Elati St.
Denver, CO 80223



- NOTES:
1. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS ONLY. THE PROJECT WILL NOT RESULT IN ANY PROPOSED WORK.
 2. BOUNDARY INFORMATION OBTAINED FROM: DATATREE ONLINE GIS MAPPING



- SURVEY LEGEND**
- EXISTING PROPERTY
 - EXISTING ADJ. PROPERTY
 - EXISTING CHAINLINK FENCE
 - EXISTING BUILDING
 - EXISTING ROAD (STONE)
 - EXISTING ROAD (PAVED)
 - EXISTING CONCRETE



AMERICAN TOWER®
ATC TOWER SERVICES, LLC
3500 REGENCY PARKWAY
SUITE 100
CARY, NC 27518
PHONE: (919) 468-0112

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OR SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AMERICAN TOWER OR THE SPECIFIED CARRIER IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER WHETHER OR NOT THE PROJECT IS EXECUTED. NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON-SITE CONSTRUCTION REVIEW OF THIS PROJECT. CONTRACTOR(S) MUST VERIFY ALL DIMENSIONS AND ADVISE AMERICAN TOWER OF ANY DISCREPANCIES. ANY PRIOR ISSUANCE OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN TOWER.

REV.	DESCRIPTION	BY	DATE
0	FOR PERMITTING	NRP	06/04/18

ATC SITE NUMBER:
411221

ATC SITE NAME:
BENNETT CO

SITE ADDRESS:
50300 1 HWY 36
BENNETT, CO 80102

SEAL:

DRAWN BY:	NRP
APPROVED BY:	PPB
DATE DRAWN:	06/04/18
ATC JOB NO:	12494404

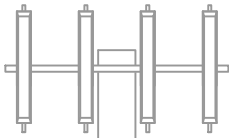
SITE PLAN

SHEET NUMBER:
C-101

REVISION:
0

TOP OF HIGHEST APPURTENANCE
ELEV. 73'-0" A.G.L.

TOP OF EXISTING TOWER
ELEV. 70'-0" A.G.L.



EXISTING CARRIER ANTENNAS
RAD CENTER @ 69'-0" A.G.L.

EXISTING GRADE
ELEV 0'-0" A.G.L.

1 TOWER ELEVATION
SCALE: NOT TO SCALE



2 TOWER PHOTO
SCALE: NOT TO SCALE

AMERICAN TOWER®
ATC TOWER SERVICES, LLC
3500 REGENCY PARKWAY
SUITE 100
CARY, NC 27518
PHONE: (919) 468-0112

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OR SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AMERICAN TOWER OR THE SPECIFIED CARRIER IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER WHETHER OR NOT THE PROJECT IS EXECUTED. NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON-SITE CONSTRUCTION REVIEW OF THIS PROJECT. CONTRACTOR(S) MUST VERIFY ALL DIMENSIONS AND ADVISE AMERICAN TOWER OF ANY DISCREPANCIES. ANY PRIOR ISSUANCE OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN TOWER.

REV.	DESCRIPTION	BY	DATE
0	FOR PERMITTING	NRP	06/04/18

ATC SITE NUMBER:
411221

ATC SITE NAME:
BENNETT CO

SITE ADDRESS:
50300 1 HWY 36
BENNETT, CO 80102

SEAL:

DRAWN BY:	NRP
APPROVED BY:	PPB
DATE DRAWN:	06/04/18
ATC JOB NO:	12494404

TOWER ELEVATION

SHEET NUMBER: C-201	REVISION: 0
-------------------------------	-----------------------

CAUTION



**Beyond this point:
Radio frequency fields at this site
may exceed FCC rules for human
exposure.**

**For your safety, obey all posted signs
and site guidelines for working in radio
frequency environments.**

In accordance with Federal Communications
Commission rules on radio frequency emissions 47 CFR 1.1307(b)

NO TRESPASSING

ATC CAUTION AND NO TRESPASSING SIGN

WARNING



**Beyond this point:
Radio frequency fields at this site
may exceed FCC rules for human
exposure.**

**For your safety, obey all posted signs
and site guidelines for working in radio
frequency environments.**

In accordance with Federal Communications
Commission rules on radio frequency emissions 47 CFR 1.1307(b)

ATC RF WARNING AND FCC NUMBER SIGN

FCC TOWER REGISTRATION #

Posting of sign required by law

ATC STAND-ALONE FCC TOWER
REGISTRATION SIGN



NOTICE



**GUIDELINES FOR WORKING IN
RADIOFREQUENCY ENVIRONMENTS**

- ⚠ All personnel should have electromagnetic energy (EME) awareness training.
- ⚠ All personnel entering this site must be authorized.
- ⚠ Obey all posted signs.
- ⚠ Assume all antennas are active.
- ⚠ Before working on antennas, notify owners and disable appropriate transmitters.
- ⚠ Maintain minimum 3 feet clearance from all antennas.
- ⚠ Do not stop in front of antennas.
- ⚠ Use personal RF monitors while working near antennas.
- ⚠ Never operate transmitters without shields during normal operation.
- ⚠ Do not operate base station antennas in equipment room.

ATC RF PROGRAM NOTICE SIGN



AMERICAN TOWER®
ATC TOWER SERVICES, LLC
3500 REGENCY PARKWAY
SUITE 100
CARY, NC 27518
PHONE: (919) 468-0112

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OR SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AMERICAN TOWER OR THE SPECIFIED CARRIER IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER WHETHER OR NOT THE PROJECT IS EXECUTED. NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON-SITE CONSTRUCTION REVIEW OF THIS PROJECT. CONTRACTOR(S) MUST VERIFY ALL DIMENSIONS AND ADVISE AMERICAN TOWER OF ANY DISCREPANCIES. ANY PRIOR ISSUANCE OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN TOWER.

REV.	DESCRIPTION	BY	DATE
△	FOR PERMITTING	NRP	06/04/18
△			
△			
△			
△			

ATC SITE NUMBER:

411221

ATC SITE NAME:

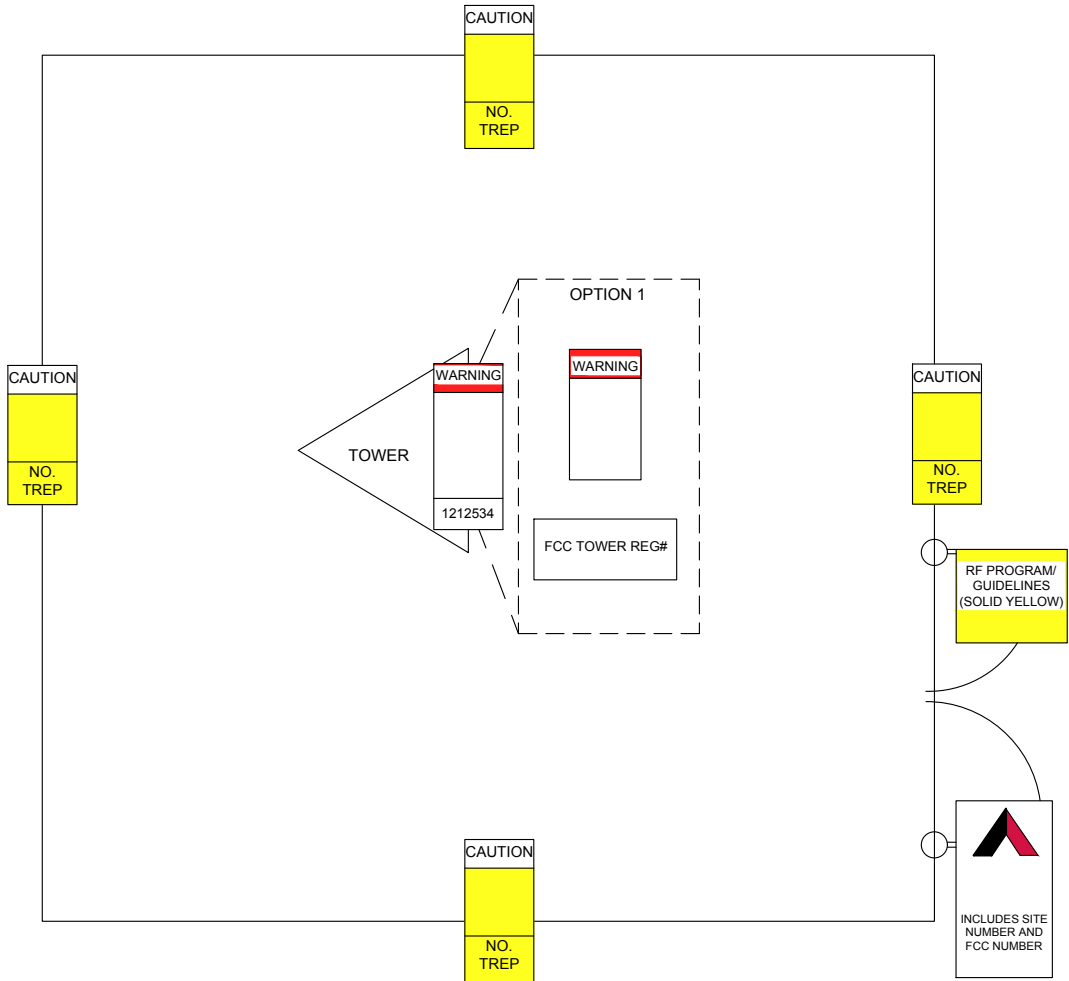
BENNETT CO

SITE ADDRESS:

50300 1 HWY 36
BENNETT, CO 80102

SEAL:

A "NO TRESPASSING" SIGN MUST BE POSTED A MINIMUM OF EVERY 50'.



THERE MUST BE AN ATC SIGN WITH SITE INFORMATION AND FCC REGISTRATION NUMBER AT BOTH THE ACCESS ROAD GATE (GATE OFF OF MAIN ROAD, IF APPLICABLE) AND COMPOUND FENCE (IF NO COMPOUND FENCE, THEN IN A CONSPICUOUS PLACE UPON DRIVE UP). IN ADDITION, PLEASE LOOK AT DIAGRAM FOR ALL ADDITIONAL SIGNS REQUIRED.

OPTION 1 MAY BE USED TO POST TOWER REGISTRATION NUMBERS AT THE BASE OF THE TOWER IF A WARNING SIGN DOES NOT HAVE SPACE FOR THE TOWER REGISTRATION NUMBER.

IMPORTANT: FOR ANY ATC SIGN THAT DOES NOT MEET THE ATC SPECIFICATION FOR SIGNAGE (I.E., SHARPIE/PAINT PEN, WORN LABELS, ETC.), BRING IT INTO COMPLIANCE (RE-WRITE IF WORN) AND FLAG FOR REPLACEMENT ASAP WITH THE APPROPRIATE PERMANENT SIGN (YOU CAN ORDER THESE THROUGH THE WAREHOUSE).

ONLY LABELS PRINTED BY A ZEBRA LABEL PRINTER WILL BE ACCEPTED.



SITE NAME : BENNETT CO
SITE NUMBER : 411221
FCC REGISTRATION # : NOT REQUIRED

FOR LEASING INFORMATION: **877-282-7483**
877-ATC-SITE

FOR EMERGENCIES CALL: **877-518-6937**
877-51-TOWER

NO TRESPASSING

www.americantower.com

POSTING OF THIS SIGNAGE REQUIRED BY LAW

ATC SITE SIGN

REPLACEMENT OF SIGNAGE:

AS SIGNAGE BECOMES STOLEN, DAMAGED, BRITTLE OR FADED, IT SHOULD BE REPLACED WITH SIGNAGE PER THIS SPECIFICATION. ANY ACQUIRED SITE SHOULD HAVE NEW SIGNS POSTED WITHIN 60 DAYS UNLESS OTHERWISE SPECIFIED. ANY SITE SOLD SHOULD HAVE THE ATC SIGNS REMOVED WITHIN 30 DAYS UNLESS OTHERWISE SPECIFIED. ALL FCC OR REGULATORY SIGNAGE MUST BE INSTALLED OR REPLACED AS REQUIRED TO MEET OUR STANDARD. SIGNS SHOULD BE REPLACED ON NORMAL, QUARTERLY MAINTENANCE VISITS BY CONTRACTORS OR SITE MANAGERS, UNLESS OTHERWISE REQUIRED ON A CASE-BY-CASE BASIS.

NOTE:

EXTERIOR SIGNS ARE NOT PROPOSED EXCEPT AS REQUIRED BY THE FCC. ALL EXISTING SIGNAGE AND ANY FUTURE SIGNAGE WILL BE COMPLIANT WITH STATUTE 164-43.4 NO HIGH-VOLTAGE SIGNAGE IS NECESSARY. NO HIGH-VOLTAGE EQUIPMENT PRESENT.

DRAWN BY:	NRP
APPROVED BY:	PPB
DATE DRAWN:	06/04/18
ATC JOB NO:	12494404

SIGNAGE

SHEET NUMBER:

C-501

REVISION:

0



Development Review Team Comments

Commenting Division: Development Services, Planning

Name of Reviewer: Libby Tart-Schoenfelder

Email: Ltart-schoenfelder@adcogov.org / 720-523-6858

PLN1: COMMENTS:

a. No comment. Please submit the additional items listed below for a resubmittal and Staff will schedule the Planning Commission hearing for Thursday, December 13, 2018, at 6:00 P.M and the Board of County Commissioners hearing for Tuesday, January 15, 2019.

Commenting Division: Development Services, Engineering:

Name of Review: Greg Labrie

Email: GLabrie@adcogov.org /

ENG1: No comment provided thus far.

Commenting Division: Development Services, Right-of-Way and Addressing

Name of Review: Marissa Hillje

Email: mhillje@adcogov.org / 720-523-6837

ADR1: The address listed for the property should be a full address- not a half. If the applicant requests to revise this, then an address request form should be filled out. Go to link: for form <http://www.adcogov.org/sites/default/files/Address%20Request%20Form.pdf>

Commenting Division: Environmental Programs Manager

Name of Review: Jen Rutter

Email: jrutter@adcogov.org / 720-523-6841

ENV1. No Comment.

Commenting Division: Development Services Building and Safety

Name of Review: Justin Blair

Email: jblair@adcogov.org / 720-523-6843

BSD1- No comment.

Commenting Division: Neighborhood Services

Name of Review: Gail Moon

Email: gmoon@adcogov.org

NBH1: No Comment from Code Compliance. I am not aware of any complaints in regards to the existing tower.

Commenting Division: Parks

Name of Review: Aaron Clark

Email: aclark@adcogov.org

PKS1: No comment.

From: [Caleb J. Connor](#)
To: [Libby Tart-Schoenfelder](#)
Subject: RE: Request for Comments: RCU2018-00036 American Tower @ Hwy. 36
Date: Monday, September 10, 2018 8:58:43 AM

Libby,

I do not believe the Fire District has any concerns or comments for this case. Thanks!

Captain Caleb J. Connor
Fire Marshal
Life Safety Division
Bennett-Watkins Fire Rescue
303-644-3572 - Headquarters / 720-893-7672 - Direct
www.BennettFireRescue.org

This email and any files transmitted with it may contain PRIVILEGED or CONFIDENTIAL information and may be read or used only by the intended recipient. If you are not the intended recipient of the email or any of its attachments, please be advised that you have received this email in error and that any use, dissemination, distribution, forwarding, printing, or copying of this email or any attached files is strictly prohibited. If you have received this email in error, please immediately purge it and all attachments and notify the sender by reply email or contact the sender at the number listed.

From: Libby Tart-Schoenfelder <LTart-Schoenfelder@adcogov.org>
Sent: Friday, September 7, 2018 4:54 PM
To: Justin Blair <jblair@adcogov.org>; Chief Earl Cumley <ecumley941@aol.com>; CalebConnor@BennettFireRescue.org; Director@bennettrec.org; robinp@bsd29j.com; sean.hackett@state.co.us; richard.coffin@state.co.us; patrick.jpfaltzgraff@state.co.us; Andrew.Todd@state.co.us; brandyn.wiedrich@centurylink.com; Eric Guenther <EGuenther@adcogov.org>; serena.rocksund@state.co.us; eliza.hunholz@state.co.us; thomas_lowe@cable.comcast.com; Christine Fitch <CFitch@adcogov.org>; Jen Rutter <JRutter@adcogov.org>; Mark Moskowitz <MMoskowitz@adcogov.org>; bkaufman@intermountain-rea.com; Gail Moon <GMoon@adcogov.org>; Nathan Mosley <NMosley@adcogov.org>; Nikki Blair <NBlair@adcogov.org>; Amanda Overton <AOverton@adcogov.org>; Michael Kaiser <MKaiser@adcogov.org>; tfuller@adcogov.org; Scott Miller <SMiller@adcogov.org>; planning@bennett.co.us; George, Donna L <Donna.L.George@xcelenergy.com>; 'landuse@tchd.org' <landuse@tchd.org>; Annemarie Heinrich <aheinrich@tchd.org>
Subject: Request for Comments: RCU2018-00036 American Tower @ Hwy. 36
Importance: High

Hello – Please see the attached request for comments on the American Tower @ Hwy. 36 Conditional Use Renewal case. **Comments are due by Wednesday, September 19, 2018.**

Thanks so much!

Sincerely,
Libby



September 12, 2018

Libby Tart-Schoenfelder
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: American Tower at Hwy. 36, RCU2018-00036
TCHD Case No. 5165

Dear Ms. Tart-Schoenfelder,

Thank you for the opportunity to review and comment on the Conditional Use Renewal of an existing 70-foot cellular tower in an A-3 zone district located at 50300 1 Highway 36. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has no comments.

Please feel free to contact me at 720-200-1585 or aheinrich@tchd.org if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Annemarie Heinrich", is written over a light blue horizontal line.

Annemarie Heinrich, MPH/MURP
Land Use and Built Environment Specialist

cc: Sheila Lynch, Dylan Garrison, TCHD



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

September 18, 2018

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Libby Tart-Schoenfelder

Re: American Tower at Highway 36, Case # RCU2018-00036

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the renewal CUP plans for **American Tower at Highway 36** and has **no apparent conflict**.

Please contact me at donna.l.george@xcelenergy.com or 303-571-3306 if there are any questions with this referral response.

Donna George
Right of Way and Permits
Public Service Company of Colorado



COLORADO

Parks and Wildlife

Department of Natural Resources

Northeast Regional Office
6060 Broadway
Denver, CO 80216
P 303.291.7227 | F 303.291.7114

September 17, 2018

Libby Tart-Schoenfelder
Adams County
Community and Economic Development Department
4430 S. Adams County Parkway
Brighton, CO 80601

RE: Conditional Use Renewal of an Existing 70-foot Cellular Tower in an A-3 Zoning District, Adams County, Colorado. RCU2018-00016

Dear Ms. Tart-Schoenfelder:

Thank you for the opportunity to comment on potential impacts of the reauthorization of a conditional use permit for an existing communications tower on threatened and endangered wildlife species located at 503001 Highway 36, Parcel Number 0181500000389, Adams County, Colorado. The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority.

CPW would expect a variety of wildlife species to utilize this site on a regular basis, most notably, small to mid-sized mammals, song birds, and raptors. The potential also exists for large mammals such as deer and pronghorn to frequent this site. Raptors and other migratory birds are protected from take, harassment, and nest disruption at both the state and federal levels. If an active nest is discovered within the facility, CPW recommends that buffer zones around nest sites be implemented during any period of activity that may interfere with the nesting season. This will prevent the intentional or unintentional destruction of an active nest.

For further information on this topic, a copy of the document "Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors," is available from your local District Wildlife Manager. Following the recommendations outlined in this document will decrease the likelihood of unintentional take through disturbance.

CPW understands there is currently an existing wireless telecommunications facility which consists of a 70-foot wood laminated communication tower, all communication equipment, and ground base infrastructure. The amount of habitat disrupted by the existing wireless telecommunications facility should not be significant to wildlife in Adams County. However, communication towers themselves may have negative impacts on flying birds. It is estimated that 4-5 million flying birds are killed each year in the United States when they collide with



communication towers. We appreciate any efforts that are made to mitigate any possible impacts to passing birds. The U.S. Fish and Wildlife Service developed guidelines on communication towers in order to address some of the impacts. Some of these guidelines may not apply in this case. However, a summary of a few of those guidelines are listed below:

1. Guy wires should have daytime visual markers on the wires to avoid collisions.
2. Any on-ground security lighting should be down-shielded to keep light within the boundaries of the site.
3. Towers no longer in use should be removed within 12 month of cessation of use.

Thank you again for the opportunity to comment on the reauthorization for an existing communication tower at 503001 Highway 36, in Adams County. Please do not hesitate to contact us again about ways to continue managing the facility in order to maximize wildlife value while minimizing potential conflict. If you have any further questions, please contact District Wildlife Manager Serena Rocksund at (303) 291-7132 or serena.rocksund@state.co.us.

Sincerely,

A handwritten signature in dark ink that reads "Crystal Chick". The script is cursive and fluid, with the first name "Crystal" and last name "Chick" clearly distinguishable.

Crystal Chick
Area 5 Wildlife Manager

Cc: M. Leslie, T. Kroening, S. Rocksund



Development Review Team Comments

Date: 11/02/2018

Project Number: RCU2018-00036

Project Name: American Tower @ US 36 Conditional Use Permit Renewal

No public comment received.



Request for Comments

Case Name: American Tower @ Hwy. 36
Case Number: RCU2018-00036

September 7, 2018

Adams County Planning Commission is requesting comments on the following request:

- 1) A request for a Conditional Use Renewal of an existing 70-foot cellular tower in an A-3 zoning district.**

The Assessor's Parcel Numbers is **0181500000389**

Applicant Information: American Tower (ATC Sequoia LLC)
10 Presidential Way
Woburn, MA 01801

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216. (720) 523-6858 by **September 28, 2018** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to Ltart-schoenfelder@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates will be forwarded to you for your information. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Libby Tart-Schoenfelder, AICP
Case Manager



Public Hearing Notification

Case Name: American Tower @ Hwy. 36
Case Number: RCU2018-00036
Planning Commission Hearing Date: December 13, 2018 at 6:00 p.m.
Board of County Commissioners Date: January 15, 2018 at 9:30 a.m.

November 30, 2018

A public hearing has been set by the Adams County Planning Commission and Board of County Commissioners to consider the following request:

1. A request for a Conditional Use Renewal of an existing 70-foot cellular tower in an A-3 zoning district.

This request is located at approximately: 50300 ½ Hwy. 36
The Assessor's Parcel Number is **0181500000389**
Applicant Information **Bonnie Belair**
c/o American Tower
10 Presidential Way
Woburn, MA 01801

The hearing will be held in the Adams County Hearing Room located at 4430 South Adams County Parkway, Brighton, CO 80601. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. If you require any special accommodations (e.g. wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at 720-523-6800 (or if this is a long distance call, please use the County's toll-free telephone number at 1-800-824-7842) prior to the meeting date. For further information regarding this case, please contact the Department of Community and Economic Development, 4430 South Adams County Parkway, Brighton, CO 80601, 720-523-6800. This is also the location where maps and/or text certified by the Planning Commission may be viewed. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Libby Tart-Schoenfelder, AICP
Case Manager

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

From: [Megan Ulibarri](#)
To: [Libby Tart-Schoenfelder](#)
Subject: FW: News Paper Publication Request
Date: Tuesday, December 04, 2018 12:03:44 PM
Attachments: [Legal 2172.pdf](#)

From: Advertising [mailto:advertising@i-70scout.com]
Sent: Tuesday, December 4, 2018 11:30 AM
To: Megan Ulibarri <MUlibarri@adcogov.org>
Subject: Re: News Paper Publication Request

Proof attached.

Kamy Callow
Graphic Designer/Web Administrator
The I-70 Scout & Eastern Colorado News
P.O. Box 829
1522 Main St.
Strasburg, CO 80136
P: (303) 622-9796
F: (303) 622-9794
advertising@i-70scout.com

On Dec 4, 2018, at 10:57 AM, Megan Ulibarri <MUlibarri@adcogov.org> wrote:

Please see the attachment.

Thank you!

<image003.jpg> **Megan Ulibarri**
Community and Economic Development
4430 S. Adams County Parkway, Suite W2000B
Brighton, CO 80601
o: 720.523.6848 | mulibarri@adcogov.org

From: Advertising [<mailto:advertising@i-70scout.com>]
Sent: Tuesday, December 4, 2018 10:54 AM
To: Megan Ulibarri <MUlibarri@adcogov.org>

PUBLIC NOTICES

NOTICE OF PUBLIC HEARING FOR LAND USE

NOTICE IS HEREBY GIVEN, that an application has been filed by American Tower, Case #RCU2018-00036, requesting a Conditional Use Renewal of an existing 70-foot cellular tower in an A-3 zoning district.

LEGAL DESCRIPTION:

All of Section 35, Township 3 South, Range 63 West of the 6 th Principal Meridian, County of Adams, State of Colorado, Excepting those portions thereof, described as follows:

Except that portion conveyed to Warren T. Zuber and Wanda M. Zuber, by Executor 's Deed recorded May 13, 1963 in Book 1065 at Page 571, described as follows: That part of Section 35, Township 3 South, Range 63 West, described as follows:

Beginning at the Southwest corner of said Section 35, running thence North along the West line of said Section 35, a distance of 924 feet to the point of beginning, thence North 28° 0' East 2250 feet more or less to the Southwesterly line of U.S. Highway designated as U.S. Highway 36-40, thence Northwesterly along said Southwesterly line of said U.S. Highway to the West line of said Section 35, thence South along said west line of said Section 35 to the point of beginning; except mineral reservations of record; County of Adams, State of Colorado; and

Except that portion in the Northwest corner of said Section 35, lying Northwesterly of and adjacent to the centerline of a Creek presently known as Kivowa Creek, said parcel more particularly described as follows:

Beginning at the Northwest corner of said Section 35, thence East along the North boundary line of said Section 35 to the point of intersection of the North line of said Section 35 and the Southerly line of the Union Pacific Railroad Company right-of-way, running thence in a Southeasterly direction along the Southerly right-of-way line of said Union Pacific Railroad Company to a point where the said Southerly railroad right-of-way line intersects the centerline of Kiowa Creek; running thence in a Southwesterly direction along the centerline of said Kiowa Creek to a point where the centerline of said Creek intersects the Northeastly right-of-way line of U.S. Highway designated as U.S. S. Highway 36-40, running thence Northwesterly along the Northeastly right-of-way line of said Highway to a point on the West line of said Section 35, running thence North along the West line of said Section 35 to the Northwest corner of said Section 35, which is the point of beginning, County of Adams, State of Colorado; and

Except that portion lying North of the Southerly line of the Union Pacific Railroad Company right-of-way, said Parcel more particularly described as follows:

Beginning at the Northeast corner of said Section 35, running thence Southerly along the East line of said Section 35 to point where the Southerly line of the Union Pacific Railroad Company right-of-way intersects the East line of said Section 35, running thence in a Westerly direction along the Southerly line of the Union Pacific Railroad Company right-of-way to a point where the Southerly line of the Union Pacific Railroad Company right-of-way intersects the North line of said Section 35, running thence East along the North line of said Section 35 to the Northwest corner of said Section 35, which is the point of beginning, County of Adams, State of Colorado; and

Except a right-of-way along the South side of said Section 35, to the Department of Highways, State of Colorado, for intersects Highway designated as Intersects Highway No. 70; and Except a right-of-way for U.S. Highway designated as U.S. Highway 36-40, which said highway runs approximately from the Southeast corner of the Northwest corner of said Section 35; County of Adams, State of Colorado, said

Except that portion conveyed to Adams County, in Book 194, Page 465, and Book 202, Page 443; and Except tract described in Book 306, Page 443; and Except Parcel described in Book 758, Page 535; records of the Clerk and Recorder of the County of Adams, State of Colorado.

AND BEING the same property conveyed to Kenneth W. Newby from Marvin Newby by Warranty Deed dated April 21, 1994 and recorded February 09, 1996 in Deed Book 4680, Page 822.

(The above legal description was provided by the applicant and Adams County is not responsible for any errors and omissions that may be contained herein and assumes no liability associated with the use or misuse of this legal description.)

APPROXIMATE LOCATION: 50300 ½ Hwy. 36

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Adams County Planning Commission in the Hearing Room of the Adams County Government Center, 4430 S. Adams County Parkway, Brighton, CO - 1st Floor, on the 13th day of December, 2018, at the hour of 6:00 p.m., where and when any person may appear and be heard and a recommendation on this application will be forwarded to the Board of County Commissioners.

NOTICE IS FURTHER GIVEN, that a public hearing will be held by the Adams County Board of County Commissioners in the Hearing Room of the Adams County Government Center, 4430 S. Adams County Parkway, Brighton, CO - 1st Floor, on the 15th day of January, 2019, at the hour of 9:30 a.m., to consider the above request where and when any person may appear and be heard.

For further information regarding this case, please contact Libby Tart-Schoenfelder at the Department of Community and Economic Development, 4430 S. Adams County Pkwy, Brighton, CO 80601, 720.523.6800. This is also the location where the maps and/or text certified by the Planning Commission may be viewed.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS
KAREN LONG, CLERK OF THE BOARD

Legal #2172

Published In: Eastern Colorado News. Published On: December 7, 2018



Referral Listing
Case Number RCU2018-00036
AMERICAN TOWER @ HWY 36

Agency	Contact Information
Adams County Development Services - Building	Justin Blair 4430 S Adams County Pkwy Brighton CO 80601 720-523-6825 JBlair@adcogov.org
BENNETT FIRE DISTRICT #7	CHIEF EARL CUMELY 825 SHARIS CT BENNETT CO 80102 303-644-3434 ecumley941@aol.com
BENNETT FIRE DISTRICT #7	Captain Caleb J Connor 825 SHARIS CT BENNETT CO 80102 303-532-7733 303-644-3572 CalebConnor@BennettFireRescue.org
BENNETT PARK AND RECREATION	Chris Raines PO BOX 379 455 S. 1ST ST. BENNETT CO 80102-0379 303-644-5041 Director@bennettrec.org
BENNETT SCHOOL DISTRICT 29J	Robin Purdy 615 7TH ST. BENNETT CO 80102 303-644-3234 Ext: 8203 robinp@bsd29j.com
CDPHE	Sean Hackett 4300 S Cherry Creek Dr Denver CO 80246 303.692.3662 303.691.7702 sean.hackett@state.co.us
CDPHE	Sean Hackett 4300 S Cherry Creek Dr Denver CO 80246 303.692.3662 sean.hackett@state.co.us
CDPHE	Sean Hackett 4300 S Cherry Creek Dr Denver CO 80246 30 sean.hackett@state.co.us

Agency	Contact Information
CDPHE - AIR QUALITY	Richard Coffin 4300 CHERRY CREEK DRIVE SOUTH DENVER CO 80246-1530 303.692.3127 richard.coffin@state.co.us
CDPHE - WATER QUALITY PROTECTION SECT	Patrick Pfaltzgraff 4300 CHERRY CREEK DRIVE SOUTH WQCD-B2 DENVER CO 80246-1530 303-692-3509 patrick.j.pfaltzgraff@state.co.us
CDPHE SOLID WASTE UNIT	Andy Todd 4300 CHERRY CREEK DR SOUTH HMWMD-CP-B2 DENVER CO 80246-1530 303.691.4049 Andrew.Todd@state.co.us
Century Link, Inc	Brandyn Wiedreich 5325 Zuni St, Rm 728 Denver CO 80221 720-578-3724 720-245-0029 brandyn.wiedrich@centurylink.com
Code Compliance Supervisor	Eric Guenther eguenther@adcogov.org 720-523-6856 eguenther@adcogov.org
COLORADO DIVISION OF WILDLIFE	Serena Rocksund 6060 BROADWAY DENVER CO 80216 3039471798 serena.rocksund@state.co.us
COLORADO DIVISION OF WILDLIFE	Eliza Hunholz Northeast Regional Engineer 6060 BROADWAY DENVER CO 80216-1000 303-291-7454 eliza.hunholz@state.co.us
COMCAST	JOE LOWE 8490 N UMITILLA ST FEDERAL HEIGHTS CO 80260 303-603-5039 thomas_lowe@cable.comcast.com
COUNTY ATTORNEY- Email	Christine Fitch CFitch@adcogov.org 6352
Engineering Department - ROW	Transportation Department PWE - ROW 303.453.8787

Agency	Contact Information
Engineering Division	Transportation Department PWE 6875
ENVIRONMENTAL ANALYST	Jen Rutter PLN 6841
Intermountain Rural Electric Asso - IREA	Brooks Kaufman PO Box Drawer A 5496 North US Hwy 85 Sedalia CO 80135 303-688-3100 x105 bkaufman@intermountain-rea.com
NS - Code Compliance	Gail Moon gmoon@adcogov.org 720.523.6833 gmoon@adcogov.org
Parks and Open Space Department	Nathan Mosley mpedrucci@adcogov.org aclark@adcogov.org (303) 637-8000 nmosley@adcogov.org
SHERIFF'S OFFICE: SO-HQ	MICHAEL McINTOSH nblair@adcogov.org; aoverton@adcogov.org; mkaiser@adcogov.org snielson@adcogov.org (303) 654-1850 aoverton@adcogov.org; mkaiser@adcogov.org; snielson@adcogov.org
Sheriff's Office: SO-SUB	SCOTT MILLER TFuller@adcogov.org, smiller@adcogov.org aoverton@adcogov.org; mkaiser@adcogov.org 720-322-1115 smiller@adcogov.org
TOWN OF BENNETT	MATHEW REAY 355 4TH STREET BENNETT CO 80102 303 644-3249 planning@bennett.co.us
TOWN OF BENNETT - WATER AND SAN. DEPT.	.. 355 4TH ST. BENNETT CO 80102 303-644-3249
Xcel Energy	Donna George 1123 W 3rd Ave DENVER CO 80223 303-571-3306 Donna.L.George@xcelenergy.com

DUNNING DAN C
2555 PIGGOTT RD
STRASBURG CO 80136-7601

LANTZ JACQUELINE D AND
LANTZ-RAKES SHAROL A
PO BOX 206
BENNETT CO 80102-0206

NEWBY KENNETH W
PO BOX 830
BENNETT CO 80102-0830

NEWBY KENNETH W
PO BOX 830
BENNETT CO 80102

PRIDE OF BENNETT LLP
13730 OMEGA CIR
LONE TREE CO 80124-2516

STATE OF COLORADO
51515 E 96TH AVE
DENVER CO 80203-1714

CERTIFICATE OF POSTING



I, Libby Tart-Schoenfelder, do hereby certify that I had the property posted at

50300 1/2 Highway 36

on November 30, 2018

in accordance with the requirements of the Adams County Zoning Regulations

Libby Tart-Schoenfelder, AICP

Libby Tart-Schoenfelder