



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT**

**CASE NO.: RCU2018-00034
CASE NAME: AMERICAN TOWER BRIGHTON**

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 (CDOT)
- 4.3 Referral Comments (Commerce City)
- 4.4 Referral Comments (Tri-County Health)
- 4.5 Referral Comments (Xcel Energy)

EXHIBIT 5- Citizen Comments

None

EXHIBIT 6- Associated Case Materials

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



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT
STAFF REPORT**

Board of County Commissioners

July 16, 2019

CASE No.: RCU2018-00034	CASE NAME: American Tower Brighton
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Owner's Name:	Shorma Commercial Properties, LLC
Applicant's Name:	American Tower
Applicant's Address:	10 Presidential Way, Woburn, MA 01801
Location of Request:	10220 Brighton Road
Nature of Request:	Renewal of a conditional use permit for a commercial telecommunications tower on the property
Zone Districts:	Industrial-2 (I-2)
Comprehensive Plan:	Commercial
Site Size:	10,000 square feet of a 6.8-acre parcel
Proposed Uses:	Commercial Telecommunications Tower
Existing Use:	Industrial
Hearing Date(s):	PC: June 27, 2019 / 6:00 p.m. BoCC: July 16, 2019 /9:30 a.m.
Report Date:	July 8, 2019
Case Manager:	Greg Barnes
Staff Recommendation:	APPROVAL with 8 Findings-of-Fact, 4 Conditions, and 1 Note

SUMMARY OF APPLICATION

Background

American Tower, the applicant, is requesting renewal of a conditional use permit to allow the continuation of a commercial telecommunications tower on the subject property. According to the applicant and the application documents, no changes will be made to the existing tower.

The telecommunications tower occupies approximately 10,000 square feet of a 6.8-acre parcel. Specifically, the tower is located on the eastern side of the property (see Exhibit 3.2). The tower is approximately ninety (90) feet from the right-of-way for U.S. Highway 85, and approximately 1,060 feet from the right-of-way for Brighton Road. The elevation plan

submitted with the application shows that the tower is eighty-nine (89) feet in height (see Exhibit 3.2). An existing six-foot high chain-link fence is located around the perimeter of the tower site. The applicant is proposing for the existing fence to remain, because the tower has very limited visibility at the rear portions of the lot.

Site Characteristics:

The subject property is located approximately 600 feet north of the interchange between Interstate 76 and US Highway 85. The grade of the interchange for two multi-lane, limited-access highways reduces the visibility of the tower from the south and east. The tower does have some visibility from the north for southbound traffic along US Highway 85, although the high-speed of traffic and the upcoming merge to I-76 does inhibit the likelihood that the tower will be noticed. The properties to the west, north, and south of the site are also designated with I-2 zoning, and developed with similar industrial uses. The site has access onto Brighton Road.

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 I-2 zone district. Section 4-09-02-07 of the County's Development Standards and Regulations outlines design and performance standards for telecommunication facilities. These standards include maximum height, landscaping, screening, setbacks from property lines, separation from other freestanding facilities, and setbacks from residential uses. The elevation plans, provided with the application, show the tower is 89 feet in height. The maximum height allowed in the I-2 zone district for structures is seventy-five (75) feet. Per Section 4-09-02-07(3a) of the Development Standards, the Board of County Commissioners, through the conditional use permit, may grant an exception to the height of the telecommunication tower to exceed the maximum height allowed in the zone district. The request includes allowing the height of the tower to remain at 89 feet.

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. The existing telecommunication tower is located 79 feet from the nearest property line to the north. Per Section 4-09-02-07(3c) of the Development Standards, the Board of County Commissioners, through the conditional use permit, may grant an exception to the setback of the telecommunication tower. The request includes allowing the height of the tower to remain at 79 feet from the northern property line, where a setback of 89 feet would be required.

Section 4-09-02-07(3)(d) of the County's Development Standards and Regulations requires new telecommunication towers to be located no closer than 1,000 feet from the nearest telecommunications tower. From the information submitted by the applicant, the existing location of the tower conforms to the County's spacing requirement, as the nearest tower is located approximately 3,000 feet away. The applicant also provided a coverage map of the area to demonstrate the need for the proposed tower.

The County's Development Standards requires a bond to be in place to ensure removal of the tower if it is abandoned or no longer in need and is not removed. The applicant does have an existing, active bond in place for cost of removing this tower.

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

The future land use designation on the property is Commercial. Per Chapter 5 of the Adams County Comprehensive Plan, the goals of the Commercial future land use designation are to serve either neighborhood or regional needs and can be comprised of a variety of uses, including retail sales, restaurants and other services, and professional and commercial offices. In addition, the primary objective of the Commercial land use designation is to support and attract businesses that provide employment opportunities, meet the needs of County residents and visitors, and contribute to the County's tax base. The request to allow a telecommunications tower use is consistent with the County's Comprehensive Plan, as it will enhance provision of telecommunication services surrounding area residents.

Surrounding Zoning Designations and Existing Use Activity:

<u>Northwest</u> I-2 Industrial	<u>North</u> I-2 Industrial	<u>Northeast</u> I-2 Limited-Access Highway
<u>West</u> I-2 Industrial	<u>Subject Property</u> I-2 Industrial	<u>East</u> I-2 Limited-Access Highway
<u>Southwest</u> I-2 Industrial	<u>South</u> I-2 Limited-Access Highway	<u>Southeast</u> I-2 Limited-Access Highway

Compatibility with the Surrounding Land Uses:

The tower is located on the eastern edge of a larger 6.8-acre lot, approximately 1,000 feet from Brighton Road. The site is surrounded by industrial development. Limited-access highways border the site to the east. In addition, the closest residential dwelling is approximately a half-mile from the site.

PLANNING COMMISSION UPDATE

The Planning Commission (PC) considered this case on June 27, 2019, and voted (7-0) to recommend approval of the request. The applicant spoke at the meeting and had no concerns with the staff report or presentation. He expressed the importance of the site to help provide telecommunication services throughout Adams County. There was no one from the public to speak in favor or in opposition to the request. The Planning Commission amended the recommended conditions to grant a ten year approval of the facility. Staff had recommended a five year approval, based on referral comments from Commerce City.

Staff Recommendations:

Based upon the application, the criteria for approval of a conditional use permit outlined in Section 2-02-08-06 of the County's Development Standards, the County's Comprehensive

Plan, and a recent site visit, staff recommends approval of the request with 8 findings-of-fact, four conditions, and one note.

Findings-of-fact for Approval:

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. The Conditional Use Permit shall expire on July 16, 2029.
2. The height of the freestanding telecommunications tower shall not exceed 89 feet.
3. The tower shall provide for co-location opportunities for other telecommunication tower providers.
4. 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. The County shall have the right to enter the property to remove the tower should it cease to operate or abandoned

Recommended Notes to the Applicant:

1. All applicable building, zoning, health, engineering, and fire codes shall be adhered to with this request.

PUBLIC COMMENTS

Property Owners and Current Residents Notified	Number of Responses
24	0

Staff sent twenty-four (24) notices to property owners and current residents within 1,000 feet of the subject request and received no responses.

COUNTY AGENCY COMMENTS

County staff reviewed the request and determined that the conditional use permit will conform to the County's Development Standards and Regulations.

REFERRAL AGENCY COMMENTS

Commerce City requested that the County consider limiting the duration of the conditional use permit to five years. The City suggested that the area may be likely to redevelop during that time.

Responding without Concerns:

Commerce City Community Development

Responding without Concerns:

CDOT

Tri-County Health Department

Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Adams County Sheriff

Brighton 27J Schools

Century Link

CDPHE

Colorado Division of Wildlife

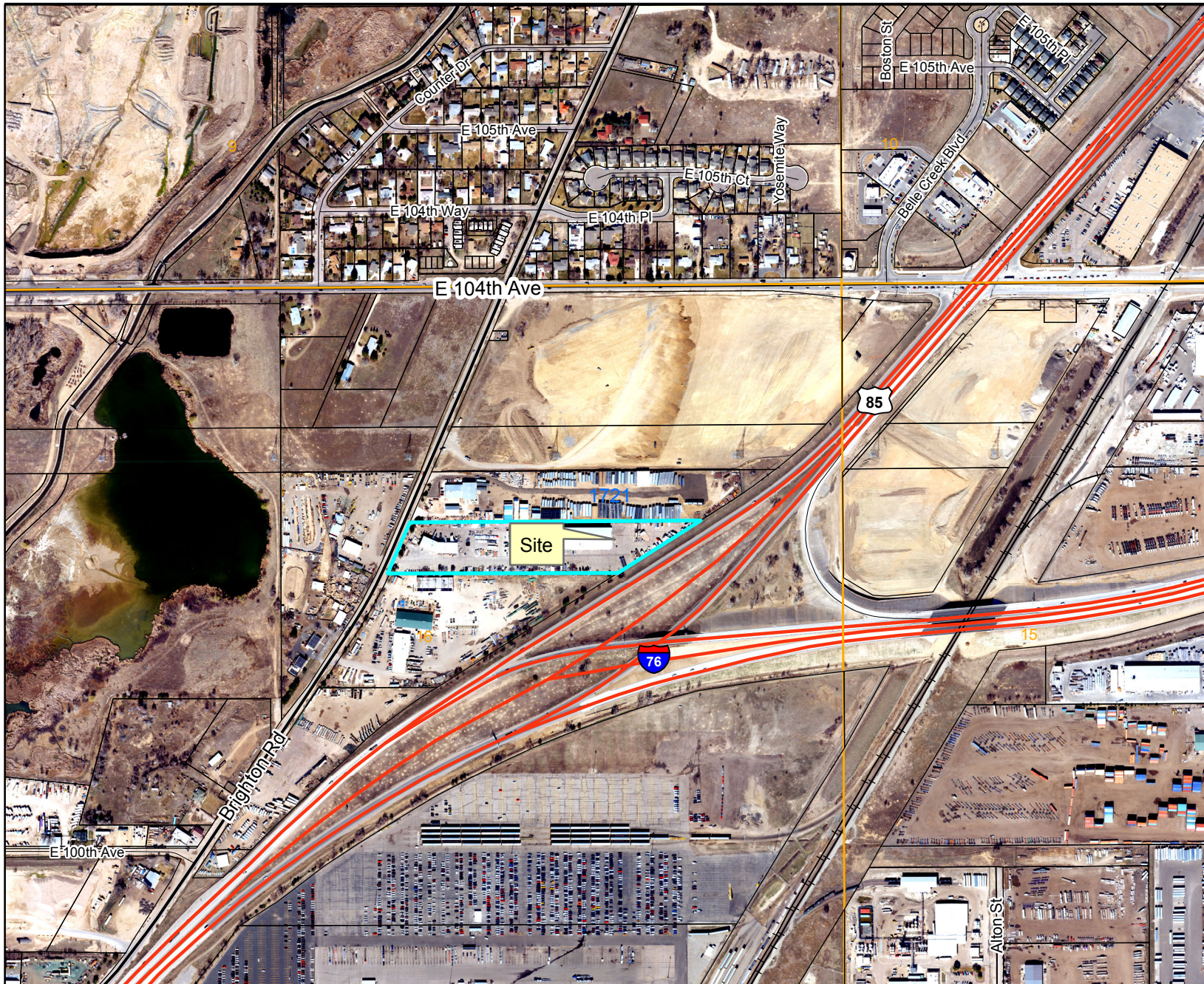
Comcast

Metro Wastewater Reclamation

Regional Transportation District

South Adams County Fire District

South Adams County Water & Sanitation District



American Tower
RCU2018-00034

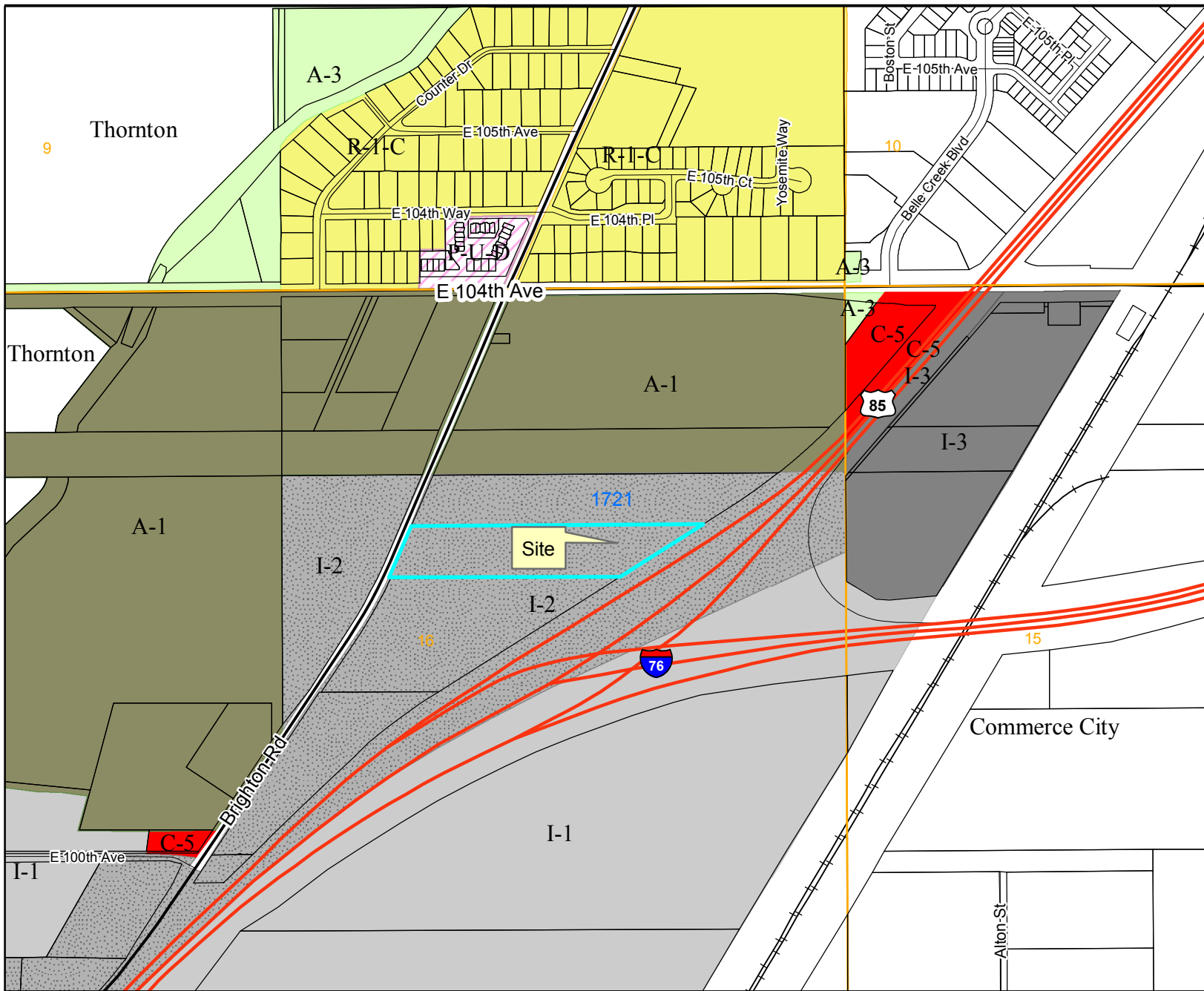


For display purposes only.



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)

American Tower

RCU2018-00034

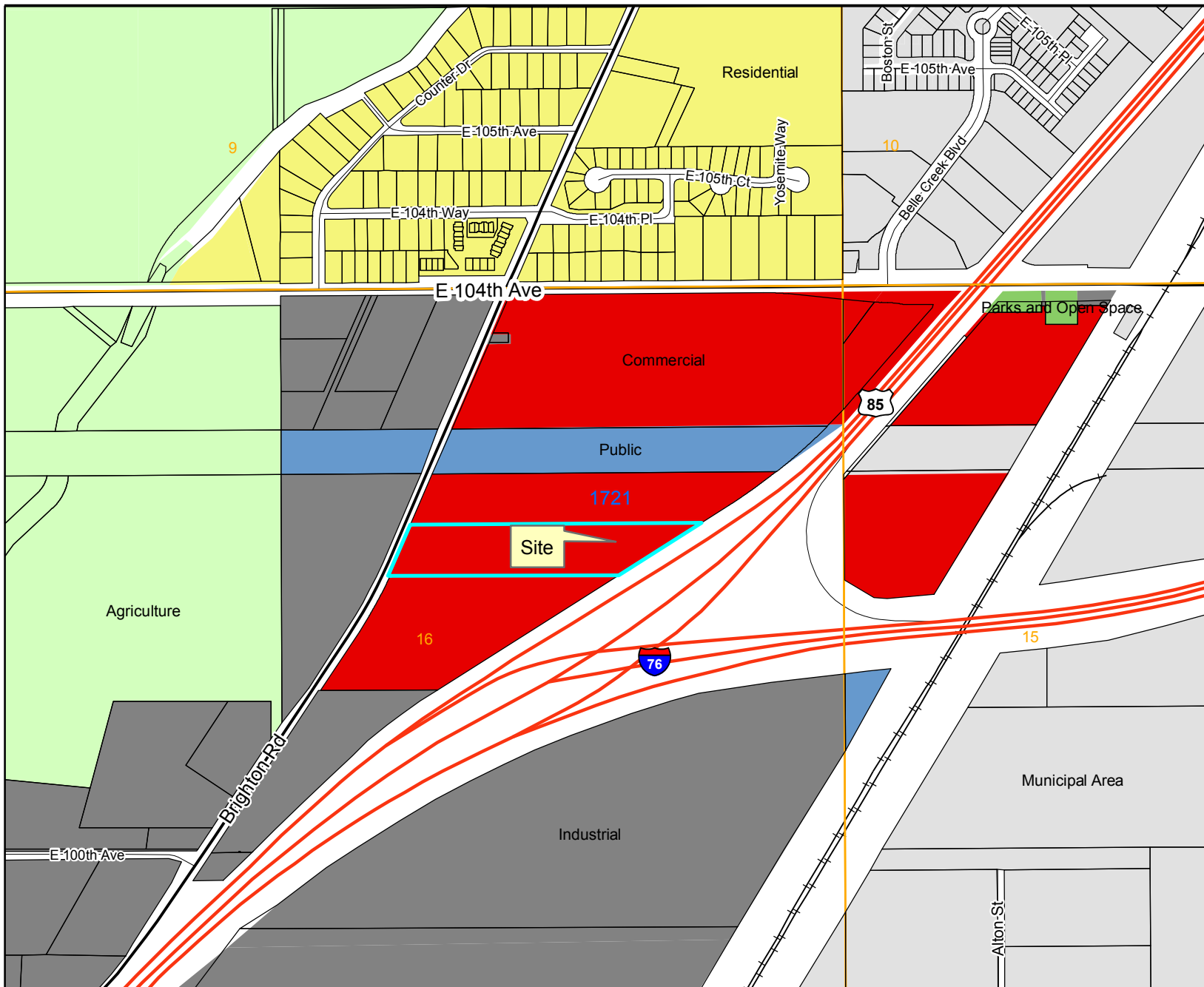


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ADAMS COUNTY
COLORADO

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American Tower
RCU2018-00034



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ADAMS COUNTY
COLORADO

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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: 10220 BRIGHTON ROAD, HENDERSON, CO 80640
County Parcel Number: 0172116004008
Existing Cases: RC099-93-3C; RCU2001-00017; RCU2008-00015

Dear Community Development,

American Tower is seeking CUP re-approval of its existing 87' steel communication monopole tower, all communication equipment\appurtenances attached to it, and all ground based infrastructure depicted in the included plans located at 10220 BRIGHTON ROAD in Henderson Colorado. This permit is needed so the current wireless carriers, 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





SITE NAME: 104TH REBUILD CO
SITE NUMBER: 83358
SITE ADDRESS: 10220 BRIGHTON ROAD
HENDERSON, CO 80640



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 PROJECT SPECIFICALLY IDENTIFIED AND LIMITED 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:

83358

ATC SITE NAME:

104TH REBUILD CO

SITE ADDRESS:

10220 BRIGHTON ROAD
HENDERSON, CO 80640

SEAL:

DRAWN BY:	RD
APPROVED BY:	KRF
DATE DRAWN:	06/04/18
ATC JOB NO:	12494407

TITLE SHEET


SHEET NUMBER:

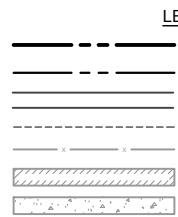
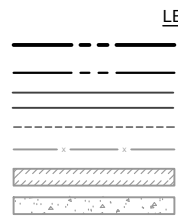
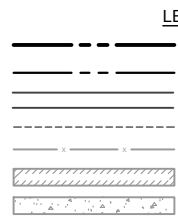
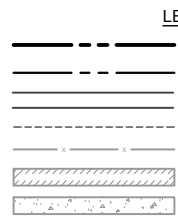
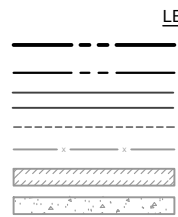
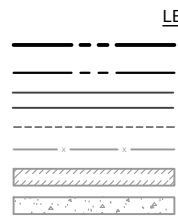
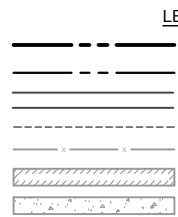
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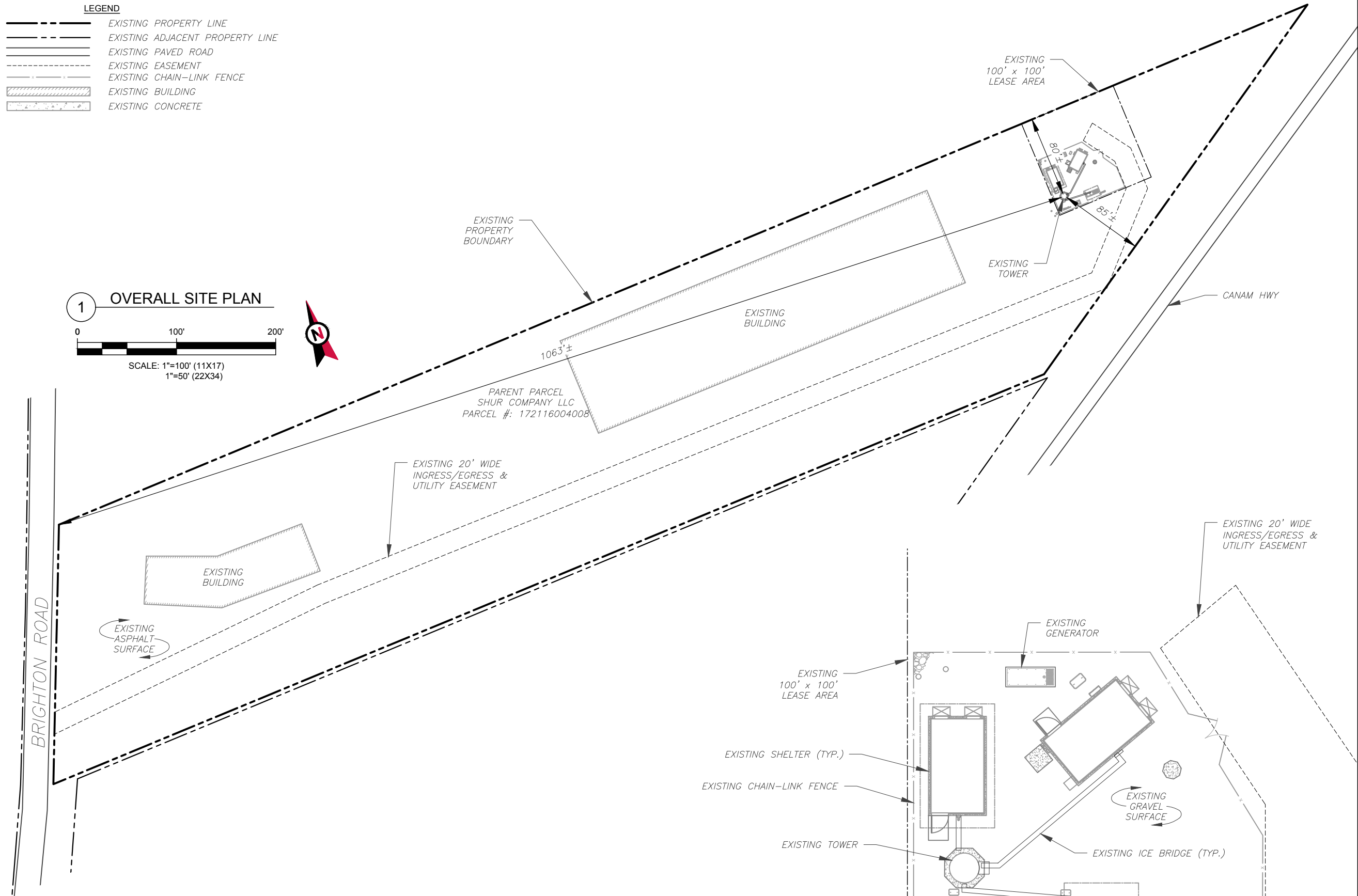
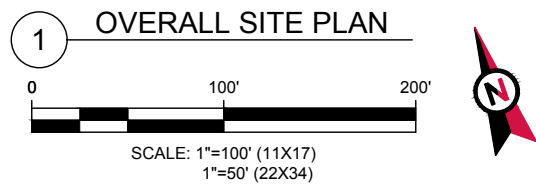
REVISION:

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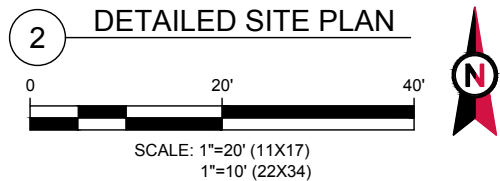
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COMPLIANCE CODE	PROJECT SUMMARY	PROJECT DESCRIPTION	SHEET INDEX						
<p>ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNMENT AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.</p> <p>1. INTERNATIONAL BUILDING CODE (IBC)</p> <p>2. NATIONAL ELECTRIC CODE (NEC)</p> <p>3. LOCAL BUILDING CODE</p> <p>4. CITY/COUNTY ORDINANCES</p>	<p><u>SITE ADDRESS:</u></p> <p>10220 BRIGHTON ROAD HENDERSON, CO 80640 COUNTY: ADAMS</p> <p><u>GEOGRAPHIC COORDINATES:</u></p> <p>LATITUDE: 39.88220556 LONGITUDE: -104.8871972 GROUND ELEVATION: 5080' AMSL</p> <p><u>ZONING INFORMATION:</u> JURISDICTION: ADAMS COUNTY PARCEL NUMBER: 0172116004008 ZONING: I-2 (INDUSTRIAL) CASE #: 099-93-3C; RCU2001-00017; RCU2008-00015</p>	<p>THIS SUBMITTAL IS FOR RE-PERMITTING WITH ADAMS COUNTY. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS.</p>	SHEET NO:	DESCRIPTION:	REV:	DATE:	BY:		
			G-001	TITLE SHEET	0	06/04/18	NRP		
			C-101	SITE PLAN	0	06/04/18	NRP		
			C-201	TOWER ELEVATION	0	06/04/18	NRP		
			C-501	SIGNAGE	0	06/04/18	NRP		
		PROJECT NOTES							
		<p>1. THE FACILITY IS UNMANNED.</p> <p>2. A TECHNICIAN WILL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR ROUTINE INSPECTION AND MAINTENANCE.</p> <p>3. EXISTING FACILITY MEETS OR EXCEEDS ALL FAA AND FCC REGULATORY REQUIREMENTS.</p> <p>4. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT LAND DISTURBANCE OR EFFECT OF STORM WATER DRAINAGE.</p> <p>5. NO SANITARY SEWER, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED.</p> <p>6. HANDICAP ACCESS IS NOT REQUIRED.</p>							
UTILITY COMPANIES	PROJECT TEAM								
<p>POWER COMPANY: XCEL ENERGY PHONE: (800) 481-4700</p> <p>TELEPHONE COMPANY: QWEST PHONE: (800) 777-9594</p>	<p><u>TOWER OWNER:</u></p> <p>AMERICAN TOWER - DELAWARE CORP 10 PRESIDENTIAL WAY WOBURN, MA 01801</p> <p><u>PROPERTY OWNER:</u> SHORMA COMMERCIAL PROPERTIES LLC 1314 WALNUT ST SPRINGFIELD, SD 57062</p> <p><u>ENGINEER:</u></p> <p>ATC TOWER SERVICES 3500 REGENCY PARKWAY SUITE 100 CARY, NC 27518</p> <p><u>AGENT:</u> BONNIE BELAIR ATTORNEY, AMERICAN TOWER 10 PRESIDENTIAL WAY WOBURN, MA 01801</p>								
 <p>Know what's below. Call before you dig.</p>									
PROJECT LOCATION DIRECTIONS									
<p>FROM DENVER, CO:</p> <p>I-76 EXIT 11 (96TH AVE.). GO WEST ON 96TH, THEN NORTH ON OLD BRIGHTON ROAD. ENTER EWING IRRIGATION / SHUR-CO COMPLEX ON RIGHT. TOWER IS IN EAST END OF PARKING LOT.</p>									

	EXISTING PROPERTY LINE
	EXISTING ADJACENT PROPERTY LINE
	EXISTING PAVED ROAD
	EXISTING EASEMENT
	EXISTING CHAIN-LINK FENCE
	EXISTING BUILDING
	EXISTING CONCRETE



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





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

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104TH REBUILD CO

SITE ADDRESS:
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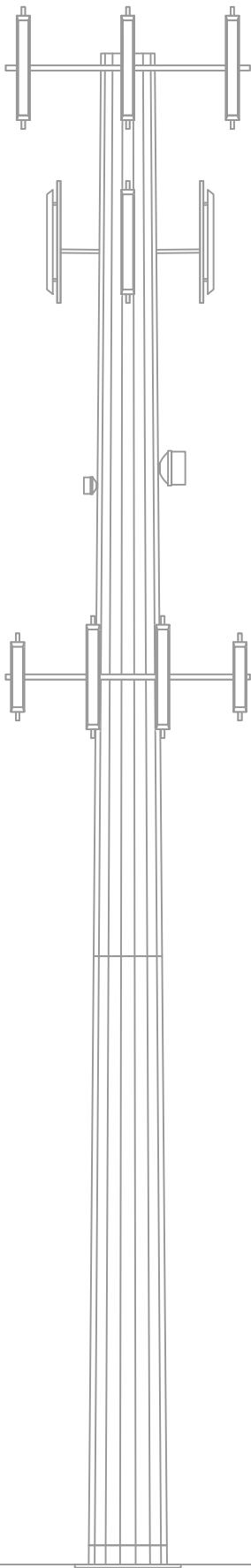
SEAL:

DRAWN BY:	RD
APPROVED BY:	KRF
DATE DRAWN:	06/04/18
ATC JOB NO:	12494407

SITE PLAN	
SHEET NUMBER: C-101	REVISION: 0

TOP OF HIGHEST APPURTENANCE
ELEV. 89'-0" A.G.L.

TOP OF EXISTING TOWER
ELEV. 86'-10" A.G.L.



EXISTING SPRINT NEXTEL ANTENNAS
RAD CENTER @ 86'-0" A.G.L

EXISTING CRICKET ANTENNAS
RAD CENTER @ 76'-0" A.G.L

EXISTING CARRIER ANTENNAS
RAD CENTER @ 63'-0" A.G.L

EXISTING CARRIER ANTENNAS
RAD CENTER @ 62'-0" A.G.L

EXISTING VERIZON ANTENNAS
RAD CENTER @ 51'-0" A.G.L

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

1 EXISTING TOWER ELEVATION
SCALE: NOT TO SCALE



2 EXISTING TOWER PHOTO
SCALE: NOT TO SCALE

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

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HENDERSON, CO 80640

SEAL:

DRAWN BY:	RD
APPROVED BY:	KRF
DATE DRAWN:	06/04/18
ATC JOB NO:	12494407

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



EXISTING SIGNAGE PHOTO



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

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△	FOR PERMITTING	NRP	06/04/18
△			
△			
△			
△			

ATC SITE NUMBER:

83358

ATC SITE NAME:

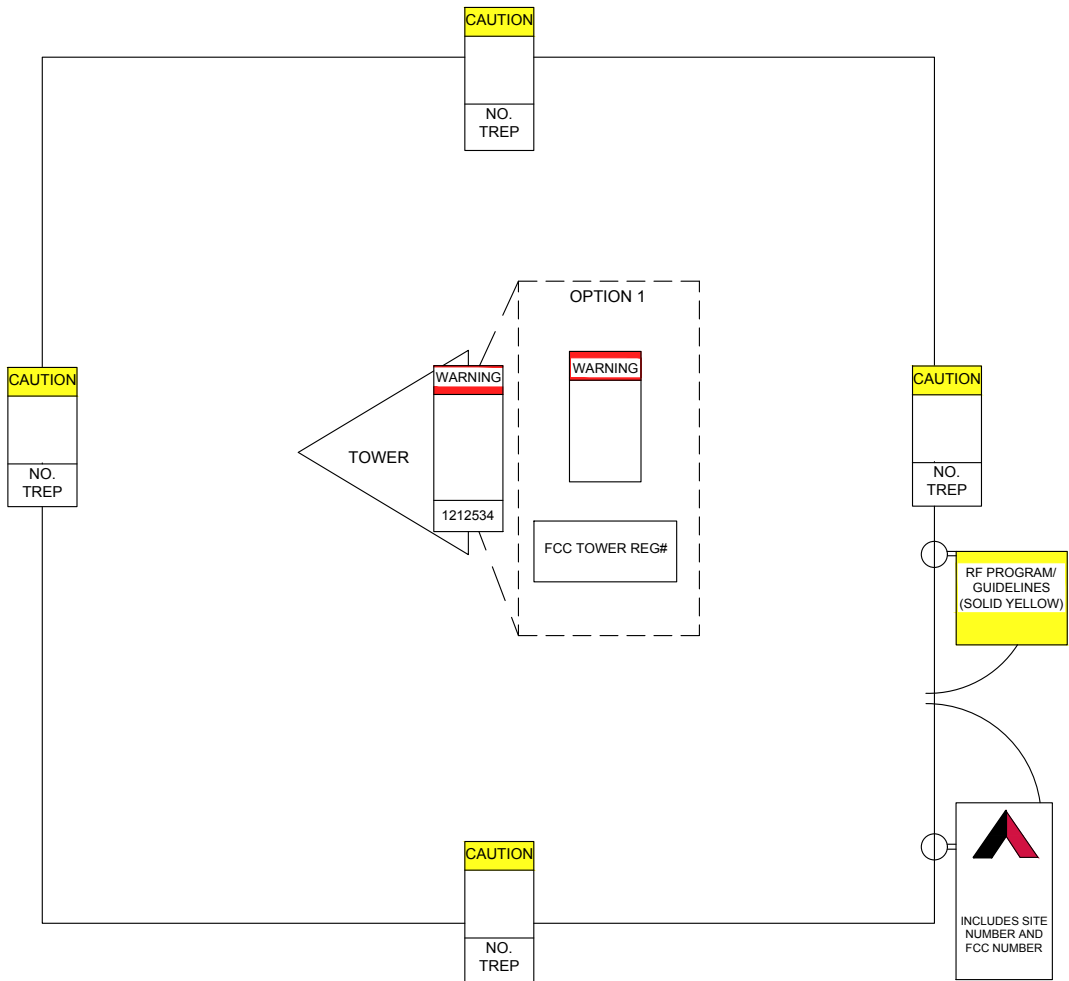
104TH REBUILD CO

SITE ADDRESS:

10220 BRIGHTON ROAD
HENDERSON, CO 80640

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 : 104TH
SITE NUMBER : CO-83358
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:	RD
APPROVED BY:	KRF
DATE DRAWN:	06/04/18
ATC JOB NO:	12494407

SIGNAGE

SHEET NUMBER:

C-501

REVISION:

0



Development Review Team Comments

Date: 9/28/2018

Project Number: RCU2018-00034

Project Name: American Tower

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for the first referral and applicable to the submitted documents only. The Development Review Team review comments may change if you provide different information during the process. Please contact the case manager if you have any questions:

Commenting Division: Development Engineering Review

Name of Reviewer: Matthew Emmens

Date: 09/28/2018

Email: memmens@adcogov.org

Resubmittal Required

Flood Insurance Rate Map – FIRM Panel # (08001C0319H), Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is located within a special flood hazard delineated area; a Floodplain Use Permit will be required.

A search of County records did not produce an approved Floodplain Use Permit (FUP) for the existing structure, located within the floodplain. The applicant must produce a copy of an approved Adams County FUP or, apply for a FUP and receive approval of the FUP prior to scheduling of the public hearing (PC or BoCC).

Commenting Division: Planner Review

Name of Reviewer: Anna Gibson

Date: 09/28/2018

Email:

Resubmittal Required

See following page for planning comments.

RCU2018-00034 – American Tower
Planner Comments – Anna Gibson
First Referral

A RESUBMITTAL IS REQUIRED

See PLN9 for submittal items. Please follow the instructions on the attached Re-Submittal Form. Piecemeal or fragmented re-submittals are not accepted. Documents emailed to your case manager will not be reviewed. Re-submittals must be complete and submitted to the One-Stop Customer Service counter. One hard copy and one electronic copy required.

PLN1: REQUEST: The request is for a renewal of an 89 foot tall telecommunications tower Conditional Use Permit.

PLN2: FUTURE LAND USE: The future land use designation is Commercial. Commercial areas in the County are intended to serve either neighborhood or regional needs and can be comprised of a variety of uses, including retail sales, restaurants and other services, and professional and commercial offices. The primary objective of the Commercial land use designation is to support and attract businesses that provide employment opportunities, meet the needs of County residents and visitors, and contribute to the County's tax base. Commercial areas should be compatible with surrounding development, and located in areas with adequate transportation access, services, and public infrastructure. Building materials, architectural design, relationship to streets, sidewalks, and parking areas, should all contribute positively to the aesthetic character of the area.

PLN3: ZONING: The subject property is zoned I-2 (Industrial-2) and a Telecommunications Tower is allowed by Conditional Use Permit in this zone district (per Section 3 07 01 of the Development Standards and Regulations or “ACDSR”). The maximum height in the I-2 zone district is 75 feet (04-09-02-07, 3a, ACDSR). The tower appears to be 89 feet tall. Additionally, the tower is required to be set back from all property lines at least the same distance as the height of the tower (04-09-02-07, 3c, ACDSR). If you are requesting height and setback waivers, it needs to be specifically requested in the cover letter with reasoning and justification for each request given.

PLN4: PRIOR APPROVALS:

Case #099-93-C – Original Approval of 65 foot tall tower in 1993

RCU2001-00017 – Amendment to Conditional Use Permit (Case #099-93-C) to increase height of commercial telecommunications tower from 65 feet to 86.5 feet

RCU2008-00015 – Renewal of RCU2001-00017. Expired August 6th, 2018

PLN5: COVERAGE MAPS: Please provide coverage maps to illustrate the need for the tower's renewal in respect to coverage. Make sure there are two maps – one with and one without the tower.

PLN6: FENCING AND LANDSCAPING: Screen fencing in the form of privacy fencing or masonry wall is required to replace chain link. Landscaping is also required. Please see section 4-09-02-07, 3b, and section 4-16, ACDSR, for more information. If there is no possibility of landscaping around the base of the tower, please provide an alternative landscaping plan for elsewhere on the site.

PLN7: BONDS: Two performance bonds are required: one for the cost of removing the tower; and the 2nd for landscaping. If bonds have been provided in the past, please provide information that may help us track it.

PLN8: PERFORMANCE STANDARDS: Telecommunications towers are required to meet all performance standards found in section 4-09-02-07, ACDSR. Please provide written justification and/or modification to your application to illustrate how the proposal will comply with the following items: 1e, 1f, 1g, 3b, 3e, 3f, 4a, and 4b.

***PLN9: RESUBMITTAL REQUIRED: Please follow the instructions on the attached Re-Submittal Form. Piecemeal or fragmented re-submittals are not accepted. Documents emailed to your case manager will not be reviewed. Re-submittals must be complete and submitted to the One-Stop Customer Service counter. With your resubmittal package, please provide:

- a. Landscape Plan of entire property boundary, with a plant schedule
- b. Request for setback and height waivers
- c. Fence detail drawing including location on site plan and elevations
- d. Bonds
- e. Coverage Maps
- f. Certificate of Surface Development and proof of utilities (required documents missing from original submittal package)
- g. Response to PLN8

PLN10: LINKS:

To download and view individual sections of the Adams County Development Standards and Regulations (ACDSR), follow this URL: <http://www.adcogov.org/development-standards-regulations>

The Criteria for Approval of a Conditional Use Permit can be found in section 2-02-08-06, ACDSR.

From: [Loeffler - CDOT, Steven](#)
To: [Anna Gibson](#)
Subject: Re: RCU2018-00034 Request for Comments
Date: Thursday, September 06, 2018 7:50:11 AM

Anna,

I have reviewed the referral named above for renewal of a CUP for an existing Telecommunications Tower located at 10220 Brighton Road and have no objections.

Thank you for the opportunity to review this referral.

Steve Loeffler
Permits Unit



P 303.757.9891 | F 303.757.9886
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

On Wed, Sep 5, 2018 at 4:31 PM Anna Gibson <AGibson@adcogov.org> wrote:

Comments for this case are due on Wednesday, September 26, 2018 at 9:00 AM.

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

Renewal of Conditional Use Permit for existing Telecommunications Tower

The Assessor's Parcel Number is **0172116004008**

The Property Address is **SHORMA COMMERCIAL PROPERTIES, LLC**

10220 BRIGHTON ROAD

HENDERSON, CO 80640

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) 523-6855 by **September 26, 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 AGibson@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.



Anna Gibson

Planner I, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, Suite W200A

Brighton, CO 80601

o: 720-523-6855 | agibson@adcogov.org

www.adcogov.org

MEMO

COMMUNITY DEVELOPMENT DEPARTMENT

To: Anna Gibson, Case Manager
From: Domenic Martinelli, City Planner
Subject: RCU2018-00034
Date: September 26, 2018

Thank you for allowing the City of Commerce City the opportunity to comment on land use cases in Adams County. Staff has reviewed the proposal and has the following comment:

- Commerce City recommends that the permit extension be limited to 5 years so that it may be re-evaluated once the commercial development to the north is constructed.

Please contact me with any questions at dmartinelli@c3gov.com or 303-289-3670.





September 12, 2018

Anna Gibson
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: American Tower, RCU2018-00034
TCHD Case No. 5166

Dear Ms. Gibson,

Thank you for the opportunity to review and comment on the Conditional Use Permit for an existing telecommunications tower located at 10220 Brighton Road. 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 black ink, appearing to read "Annemarie Heinrich".

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

cc: Sheila Lynch, Monte Deatrich, 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 26, 2018

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

Attn: Anna Gibson

Re: American Tower, Case # RCU2018-00034

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the conditional use permit renewal plans for **American Tower** and has **no apparent conflict**.

Please be aware PSCo owns and operates existing natural gas and electric distribution facilities within the subject property. Should the project require any new electric service or modification to existing facilities, the property owner/developer/contractor must complete the **application process** via FastApp-Fax-Email-USPS (go to: https://www.xcelenergy.com/start_stop_transfer/new_construction_service_activation_for_builders).

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



Request for Comments

Case Name:	AMERICAN TOWER
Case Number:	RCU2018-00034

September 5, 2018

Adams County Board of Adjustment is requesting comments on the following request:

Renewal of Conditional Use Permit for existing Telecommunications Tower

The Assessor's Parcel Number is **0172116004008**

The Property Address is **SHORMA COMMERCIAL PROPERTIES, LLC**

10220 BRIGHTON ROAD

HENDERSON, CO 80640

Applicant Information **AMERICAN TOWER**

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) 523-6855 by **September 26, 2018** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included please send your response by way of e-mail to AGibson@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.

Anna Gibson
Case Manager



Public Hearing Notification

Case Name:	American Tower
Case Number:	RCU2018-00034
Planning Commission Hearing Date:	June 27, 2019 at 6:00 p.m.
Board of County Commissioners Hearing Date:	July 16, 2019 at 9:30 a.m.

June 7, 2019

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

Renewal of Conditional Use Permit for existing Telecommunications Tower.

The proposed use will be Commercial

This request is located at 10220 BRIGHTON RD.

The Assessor's Parcel Number(s) 0172116004008

Applicant Information: AMERICAN TOWER
BONNIE BELAIR
10 PRESEIDENTIAL WAY
WOBURN, MA 01801

The hearing will be held in the Adams County Hearing Room located at 4430 South Adams County Parkway, Brighton CO 80601-8216. 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 S 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.

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

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.

A handwritten signature in black ink, appearing to read "Greg Barnes". The signature is fluid and cursive, with the first name "Greg" and last name "Barnes" clearly distinguishable.

Greg Barnes

Planner III

PUBLICATION REQUEST

American Tower

Case Number: RCU2018-00034

Planning Commission Hearing Date: June 27, 2019 at 6:00 p.m.

Board of County Commissioners Hearing Date: July 16, 2019 at 9:30 a.m.

Request: Renewal of Conditional Use Permit for existing Telecommunications Tower.

Location: 10220 BRIGHTON RD

Parcel Number: 0172116004008

Case Manager: Greg Barnes

Applicant: BONNIE BELAIR, 10 PRESEIDENTIAL WAY, WOBURN, MA 01801

Owner: SHORMA COMMERCIAL PROPERTIES LLC, 1314 WALNUT ST, SPRINGFIELD, SD

Legal Description:

A portion of Tashiro Tract No. 2, a Subdivision of a part of the Northeast $\frac{1}{4}$ of Section 16, Township 2 South, Range 67 West of the 6th Principal Meridian, more particularly described as follows:

Beginning at the Southwest corner of said subdivision, said point also being the Southwest corner of that parcel of land described in Book 1494, Page 437, of the Adams County, Colorado records; thence North 33 Degrees 42 minutes 00 seconds East along the Westerly boundary lines of said Tashiro Tract No. 2 and of said parcel, a distance of 321.80 feet to a point on a curve to the left whose radius is 2035.30 feet, the chord of which bears North 29 degrees 34 minutes 00 seconds East a distance of 305.21 feet; thence along the arc of said curve and continuing along the aforesaid Westerly boundary lines a distance of 305.50 feet to the Northwest corner of said parcel described in Book 1494, Page 437, being a point on a curve to the left, the delta of said curve being 2035.30 feet, the chord of said curve bears North 24 degrees 32 minutes 00 seconds East a distance of 53.28 feet and being the true point of beginning;

hence along said curve and continuing along the Westerly boundary of said Tashiro Tract No.2 a distance of 53.28 feet; thence North 23 degrees 47 minutes 00 seconds East and continuing along said Westerly Boundary of Tashiro Tract No. 2 a distance of 208.49 feet to the Southwest corner of that parcel of land described in Book 2595, Page 527 of the Adams County records;

Thence South 89 degrees 56 minutes 00 seconds East and along the South line of the parcel described in Book 2595, Page 527, a distance of 1366.23 feet to a point on the Easterly boundary line of said Tashiro Tract No.2;

Thence South 58 degrees 06 minutes 32 seconds West along the Easterly boundary line of Tashiro Tract No. 2 to the Northeast corner of the parcel of land described in Book 1494, Page 437;

Thence North 89 degrees 46 minutes 00 seconds West and along the North line of the parcel of land described in Book 1494, Page 437, a distance of 1083.39 feet to the Northwest corner of the parcel described in Book 1494, Page 437 and the True Point of Beginning, County of Adams, State of Colorado.

AND BEING the same property conveyed to Shorma Commercial Properties LLC, a South Dakota limited liability company from Shorma Company, a South Dakota corporation, formerly known as Shur Company by Warranty Deed dated December 12, 2011 and recorded January 03, 2012 in Instrument No. 2012000000223.

Adams County Development Services - Building
Attn: Justin Blair
4430 S Adams County Pkwy
Brighton CO 80601

BRIGHTON SCHOOL DISTRICT 27J
Attn: Kerrie Monti
1850 EGBERT STREET
SUITE 140, BOX 6
BRIGHTON CO 80601

CDPHE
Attn: Sean Hackett
4300 S Cherry Creek Dr
Denver CO 80246

CDPHE
Attn: Sean Hackett
4300 S Cherry Creek Dr
Denver CO 80246

CDPHE
Attn: Sean Hackett
4300 S Cherry Creek Dr
Denver CO 80246

CDPHE - AIR QUALITY
Attn: Richard Coffin
4300 CHERRY CREEK DRIVE SOUTH
DENVER CO 80246-1530

CDPHE - WATER QUALITY PROTECTION SECT
Attn: Patrick Pfaltzgraff
4300 CHERRY CREEK DRIVE SOUTH
WQCD-B2
DENVER CO 80246-1530

CDPHE SOLID WASTE UNIT
Attn: Andy Todd
4300 CHERRY CREEK DR SOUTH
HMWMD-CP-B2
DENVER CO 80246-1530

Century Link, Inc
Attn: Brandyn Wiedreich
5325 Zuni St, Rm 728
Denver CO 80221

Code Compliance Supervisor
Attn: Eric Guenther
eguenther@adcogov.org

COLORADO DEPT OF TRANSPORTATION
Attn: Steve Loeffler
2000 S. Holly St.
Region 1
Denver CO 80222

COLORADO DIVISION OF WILDLIFE
Attn: Eliza Hunholz
Northeast Regional Engineer
6060 BROADWAY
DENVER CO 80216-1000

COLORADO DIVISION OF WILDLIFE
Attn: Serena Rocksund
6060 BROADWAY
DENVER CO 80216

COMCAST
Attn: JOE LOWE
8490 N UMITILLA ST
FEDERAL HEIGHTS CO 80260

Commerce City Planning Division
Attn: Robin Kern
7887 East 60th Avenue
COMMERCE CITY CO 80022

COUNTY ATTORNEY- Email
Attn: Christine Fitch
CFitch@adcogov.org

Engineering Department - ROW
Attn: Transportation Department
PWE - ROW

Engineering Division
Attn: Transportation Department
PWE

ENVIRONMENTAL ANALYST
Attn: Jen Rutter
PLN

METRO WASTEWATER RECLAMATION
Attn: CRAIG SIMMONDS
6450 YORK ST.
DENVER CO 80229

NS - Code Compliance
Attn: Gail Moon
gmoon@adcogov.org

Xcel Energy
Attn: Donna George
1123 W 3rd Ave
DENVER CO 80223

Parks and Open Space Department
Attn: Nathan Mosley
mpedrucci@adcogov.org
aclark@adcogov.org

Xcel Energy
Attn: Donna George
1123 W 3rd Ave
DENVER CO 80223

REGIONAL TRANSPORTATION DIST.
Attn: CHRIS QUINN
1560 BROADWAY SUITE 700
DENVER CO 80202

SHERIFF'S OFFICE: SO-HQ
Attn: MICHAEL McINTOSH
nblair@adcogov.org, aoverton@adcogov.org; mkaiser@adcog
snielson@adcogov.org

Sheriff's Office: SO-SUB
Attn: SCOTT MILLER
TFuller@adcogov.org, smiller@adcogov.org
aoverton@adcogov.org; mkaiser@adcogov.org

SOUTH ADAMS CO. FIRE DISTRICT
Attn: Randall Weigum
6050 Syracuse Street
COMMERCE CITY CO 80022

South Adams County Water & San Dist
Attn: Abel Moreno
10200 E 102nd Ave
Henderson CO 80022

TRI-COUNTY HEALTH DEPARTMENT
Attn: MONTE DEATRICH
4201 E. 72ND AVENUE SUITE D
COMMERCE CITY CO 80022

TRI-COUNTY HEALTH DEPARTMENT
Attn: Sheila Lynch
6162 S WILLOW DR, SUITE 100
GREENWOOD VILLAGE CO 80111

Tri-County Health: Mail CHECK to Sheila Lynch
Attn: Tri-County Health
landuse@tchd.org

AGGREGATE INDUSTRIES-WCR INC
1687 COLE BLVD STE 300
GOLDEN CO 80401-3318

RJR INVESTMENTS LLC
8155 MOORE ST
ARVADA CO 80005-2025

ALLISON FAMILY MANAGEMENT LLC
425 S CHERRY ST STE 800
DENVER CO 80246-1235

SHORMA COMMERCIAL PROPERTIES LLC
1314 WALNUT ST
SPRINGFIELD SD 57062-9701

COMMERCE PLACE INC
C/O DEPARTMENT OF TRANSPORTATION
2000 S HOLLY ST
DENVER CO 80222-4818

SOUTH ADAMS COUNTY WATER AND SANITATION
DISTRICT
6595 E 70TH AVE
COMMERCE CITY CO 80022-2009

COMMERCE PLACE INC
12210 US HIGHWAY 40
KREMMLING CO 80459-9607

TOPPER KAREN L UND 1/2 INT AND
PRIOLA STACY J /PRIOLA KATHY J /PRIOLA JAMES
JOHN 1/2 INT
9601 INDEPENDENCE DR
WESTMINSTER CO 80021-6843

FT GIBSON LLC
1830 E BROADWAY BLVD #124-303
TUCSON AZ 85719

TOPPER KAREN LEE
9628 FALLEN ROCK RD
CONIFER CO 80433-4013

H4 INVESTMENTS LLLP
12210 US HIGHWAY 40
KREMMLING CO 80459-9607

TOPPER KAREN LEE
8120 E 104TH AVE
HENDERSON CO 80640-9050

J C PROPERTIES LLC
1230 TENDERFOOT HILL RD
COLORADO SPRINGS CO 80906-7346

UNION PACIFIC RAILROAD COMPANY
C/O PROPERTY TAX DEPARTMENT
1400 DOUGLAS STOP 1640
OMAHA NE 68179-1640

KRAMER GREGORY JAMES TRUST
10025 BRIGHTON RD
HENDERSON CO 80640-8625

WCR INC AGGREGATE INDUSTRIES
1687 COLE BLVD STE 300
GOLDEN CO 80401-3318

PUBLIC SERVICE CO OF COLORADO
C/O PROPERTY AND LOCAL TAXES
PO BOX 1979
DENVER CO 80201-1979

KRAMER GREGORY JAMES TRUST
OR CURRENT RESIDENT
10025 BRIGHTON RD
HENDERSON CO 80640-8625

PUBLIC SERVICE COMPANY OF CO (XCEL)
PROPERTY TAX DEPT
PO BOX 1979
DENVER CO 80201-1979

CURRENT RESIDENT
10201 BRIGHTON RD
HENDERSON CO 80640-8621

CURRENT RESIDENT
10250 BRIGHTON RD
HENDERSON CO 80640-8622

CURRENT RESIDENT
10180 BRIGHTON RD
HENDERSON CO 80640-8624

CURRENT RESIDENT
10035 BRIGHTON RD
HENDERSON CO 80640-8625

CURRENT RESIDENT
9280 E 104TH AVE
HENDERSON CO 80640-8824

CURRENT RESIDENT
8260 E 104TH AVE
HENDERSON CO 80640-8930

CURRENT RESIDENT
8120 E 104TH AVE
HENDERSON CO 80640-9050

CERTIFICATE OF POSTING



I, J. Gregory Barnes do hereby certify that I posted the property at 10220 Brighton Road on June 11, 2019 in accordance with the requirements of the Adams County Development Standards and Regulations.

A handwritten signature in black ink, reading "J. Gregory Barnes".

J. Gregory Barnes