

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

CASE NO.: RCU2020-00038

CASE NAME: StreetMedia 6612 York St. Billboard CUP

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COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT STAFF REPORT

Board of County Commissioners

February 23, 2021

CASE No.: RCU2020-000	38 CASE NAME: StreetMedia 6612 York St. Billboard CUP	
Owner's Name:	Euro. LLLC	
Applicant's Name:	Gary Young, Street Media Group, LLC	
Applicant's Address:	161 Saturn Drive Unit 5A Fort Collins, CO 80229	
Location of Request:	6612 York Street, Denver, Colorado 80221	
Nature of Request:	Conditional Use Permit to allow an off-premise electronic sign (billboard).	
Zone District:	Commercial-5 (C-5)	
Future Land Use:	Industrial	
Site Size:	.907 Acres	
Proposed Use:	Industrial/ Electronic Billboard	
Existing Use:	Vacant	
Hearing Date(s):	PC: January 28, 2021 / 6:00 pm	
	BoCC: February 23, 2021 / 9:30 am	
Report Date:	February 3, 2021	
Case Manager:	Layla Bajelan	
Staff Recommendation:	Staff recommends APPROVAL of the subject request WITH the applicants request for a variation in the setback, with 8 Findings-of-Fact, 6 Conditions, and 3 Notes to the applicant.	

SUMMARY OF APPLICATION

Background:

The applicant, Gary Young of Street Media Group, is requesting a conditional use permit to allow for an off-premise electronic sign (billboard) in the Commercial-5 (C-5) zone district. The property is currently undeveloped.

Site Characteristics:

The subject property is zoned as Commercial-5 (C-5) and is .907 acres. The parcel has frontage along Columbine Street. Currently the site is undeveloped, and the parcel is visible from both the north and south bound lanes of the Highway 270. The billboard is proposed to be located roughly

28 feet from the western and northern property lines and 30 feet from the southern property line in the southwest corner of the parcel.

Development Standards and Regulations:

The property is zoned Commercial-5 (C-5). Per Section 3-23-01 of the County's Development Standards and Regulations, the purpose of the Commercial-5 District is to serve as a general retail and service district designed to provide the broadest scope of services and products for both the general and traveling public in an interstate and regional context. In certain situations, it may be appropriate through a conditional use permit to allow a mix of uses in this zone district – allowing both residential and commercial uses within one building. Off-premise advertising devices are permitted with an approved Conditional Use Permit in the C-5 and all industrial zone districts.

Section 4-16 of the County's Development Standards and Regulations outlines the required design and performance standards for billboards, which includes standards for electronic signs. These standards ensure outdoor advertising devices are properly located to minimize visual and physical impacts to surrounding properties. Required design standards include: maximum height, maximum sign area, number of billboards allowed per lot, minimum setbacks from property lines, and minimum spacing from other off-premise signs.

The applicant has submitted a site plan and elevation drawings with the subject request. The proposed billboard is 32-feet in height. Per section 4-16-05, the height shall be determined as the distance from the grade of the right-of-way on which the sign fronts to the top of the sign including all projections. In this instance the adjacent right-of-way is Columbine Street, which sits at the same elevation as the subject site.

The proposed sign has two advertising faces, with each being three hundred (300) square feet per sign face. The proposed height and size of the billboard conforms to the County's required maximum height of 40 feet and maximum sign area of 300 square feet for each single sign face. When an off-premise sign has two faces arranged in a V-shape, the faces shall be: a maximum of 45 degrees at the interior angle, or a maximum of 15 feet apart at its widest point, whichever is less. The applicant has demonstrated the billboard shows compliance with this requirement.

Section 4-16-07 of the County's Development Standards and Regulations outlines other limitations for off-premise signs. The minimum right-of-way and property line setback requirements shall be equal to the height of the billboard, as measured from the leading edge of the sign face. Variations in the setback requirement may be granted with the issuance of a Conditional Use Permit. The proposed billboard is 32 feet in height, so all setbacks would be required to be a minimum of 32 feet. The applicant is requesting a variation in the setback of the subject off-premise sign to allow for a 28 feet from the western and northern property lines and 30-feet from the southern property.

Previous billboard applications have been granted the setback variation with the condition that the proposed billboard be built to Category 3 Building Code. Staff feels that the extra safety requirements added with the Category 3 Building Code requirements effectively address any

safety concerns of the billboard falling over or causing harm to nearby property owners and residents. The same requirement will be added to this case as a condition of approval.

Per Section 4-16-03 of the County's Development Standards and Regulations, only one offpremise sign is permitted per lot. In addition, all off-premise signs located on the same side of a road or highway shall be separated by a minimum of 2,000 linear feet. The proposed billboard will be the only billboard permitted on the property and the applicant has provided documentation demonstrating that no billboards are within 2,000 linear feet of the subject site.

Per Section 4-16-06-02 of the County's Development Standards and Regulations, an electronic sign is permitted as part of a billboard. Performance standards for electronic signs include duration of message, transition of message, prohibited electronic devices, and maximum brightness. According to the Development Standards and Regulations, each message displayed shall remain static for a minimum of four seconds, with 10 seconds being optimal, and must transition immediately to the next message displayed. All such signs shall have a default mode to prevent the display from malfunctioning in a flashing or intermittent fashion. In accordance with Section 4-16-06-02 of the County's Development Standards and Regulations, electronic devices shall not display animated images or graphics, scrolling messages, videos, or emit audible sounds. In addition, each sign shall be equipped with light monitors and controls that automatically adjust to environmental/outside conditions. According to the applicant, the proposed billboard will conform to all electronic sign performance standards. Messages will change every seven (7) seconds with a transition of less than one (1) second to the next message. The sign will display only static messages and will be equipped with auto-dimming technology to reduce intensity of light as ambient light decreases.

In addition to the Adams County Development Standards and Regulations, the proposed billboard must show compliance will all the requirements of the Colorado Outdoor Advertising Act, C.R.S. 43-1-401 et. Seq. and the Colorado rules and regulations promulgated thereunder by the Colorado Department of Transportation.

Future Land Use Designation/Comprehensive Plan:

The future land use designation on the property is Industrial. Per Chapter 5 of the Adams County Comprehensive Plan, the purpose of the Industrial areas is to provide a setting for a wide range of employment uses, including manufacturing, warehouses, distribution, and other industries. These areas may also include limited supporting uses such as retail and outdoor storage. Key considerations at the edges of industrial areas include limiting or buffering noise, vehicle, appearance, and other impacts of industrial uses on nearby non-residential uses. The proposed billboard would be an accessory use on a property, if developed. Therefore, it is unlikely that this request has any impact on the future goals of the County in this area.

The recommendation of approval for the subject billboard is based strictly on the criteria of approval for a Conditional Use Permit; however, it is important to discuss the project's compliance with the applicable subarea plans. The Comprehensive Plan and its adopted subarea plans are intended to provide guidance for future development within the County. The subject parcel is located within the Southwest Area Framework Plan. The Southwest Area Framework

Plan is an adopted plan in the Comprehensive plan. The plan includes a Policy 14.7 to *Enhance the area's role as an important County Gateway*. Strategies in completing the goals include:

- 1. 14.7.a. *Entryway Image* Initiate landscaping, streetscaping, and buffering programs to improve the entryway image of the County as viewed from I-70, I-25, and I-76 and key highway exits into the County;
- 2. 14.7.b. *Screening and Buffering* Require improved buffering for new development along the I-70, I-25, and I-76 corridors, and require screening for new outdoor storage and activities visible from I-70, I-25, and I-76; and
- 3. 14.7.c *Signs* Review and update the sign regulation provisions, including control of offpremise signs, applicable to private lands visible from I-70, I-25, and I-76 and key highway exits into the County.

Strategy 14.7.c suggests that the County should update the sign code to potentially control the number of off-premise signs permitted along gateways into Adams County. The plan also suggests that setbacks and buffers from I-25 and I-76 should be greater than in other areas of the County.

Northwest	North	Northeast
Highway-270	Industrial-2	Agriculture-1
	Water Storage Pond	Vacant
West	Subject Property	East
Highway-270	Commercial-5	Agriculture-1
	Vacant	Vacant
Southwest	South	Southeast
Highway-270	Agriculture-1	Agriculture-1
	Vacant	Vacant

Surrounding Zoning Designations and Existing Use Activity:

Compatibility with the Surrounding Area:

The surrounding properties are all zoned as Industrial-2 or Agriculture-1 and are primarily vacant. To the north of the subject parcel is a water storage pond that is owned by the City and County of Denver. Highway-270 is located roughly 72 feet to the west of the subject parcel. The South Platte River is located roughly 325 feet to the west of the subject parcel.

PC Update

The Planning Commission (PC) considered the case on January 28, 2021 and voted (6-1) to recommend APPROVAL of the subject request WITH the applicants request for a variation in the setback, with 8 Findings-of-Fact, 6 Conditions, and 3 Notes to the applicant. The applicant spoke at the meeting and had no concerns with the staff report of the presentation. There was no one from the public to speak in favor or in opposition to this request. The Planning Commission had several questions in regard to the current uses on the property, the transition timing of the billboard, and if landscaping could be added with this request.

Staff Recommendation:

Based upon the application, the criteria for approval of a Conditional Use Permit, and a recent site visit, Staff recommends APPROVAL of the subject request WITH the applicant's request for a variation in the setback, with 8 Findings-of-Fact, 6 Conditions, and 3 Notes to the applicant.

RECOMMENDED 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 of Approval:

- 1. The applicant must show compliance with all the requirements of the Colorado Outdoor Advertising Act, C.R.S. 43-1-401 et. Seq. and the Colorado rules and regulations promulgated thereunder by the Colorado Department of Transportation.
- 2. The applicant shall obtain an Outdoor Advertising Permit from the Colorado Department of Transportation.
- 3. The applicant shall obtain a building permit from Adams County for the billboard, including all required building permit inspections.
- 4. Each message displayed on the billboard shall remain static for a minimum of four (4) seconds and must transition immediately to the next message displayed.
- 5. The approval of the off-premise sign shall expire February 23, 2031 unless renewed.
- 6. The Applicant shall build the billboard to a Category Three Building Code standard, which will be reviewed at the time of Building Permit application.

<u>Recommended Notes to the Applicant:</u>

1. All applicable building, zoning, health, fire, and engineering requirements and codes shall be adhered to with this request. The applicant may submit an alternative design that can be approved through a Minor Amendment to this Conditional Use Permit by staff, as

long as the design complies with the Adams County Development Standards and Regulations at the time of building permit application.

- 2. The conditional use permit shall expire on February 23, 2022 if sign permits are not obtained from Adams County.
- 3. Any sign or attractive device which includes animated images or graphics, scrolling messages, video, moving images similar to television images, emits audible sounds, employs stereopticon, or includes motion picture projection is prohibited.

CITIZEN COMMENTS

Notifications Sent	Comments Received
18	0

All property owners and occupants within 1,000 feet of the subject property were notified of the request. As of writing this report, staff has not received any public comment regarding this case.

REFERRAL AGENCY COMMENTS

Staff notified several Referral Agencies throughout this process and no concerns were identified.

Responding with Concerns:

N/A

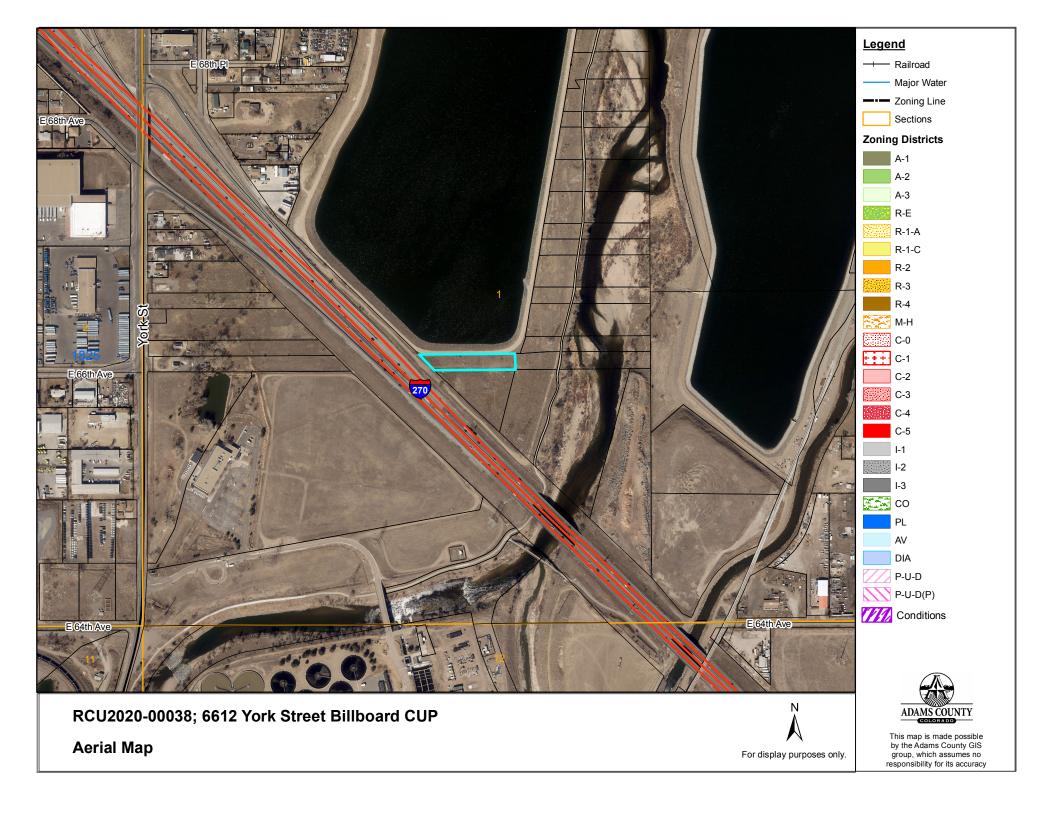
Responding without Concerns:

Colorado Department of Transportation Tri-County Health Department (TCHD) Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Adams 12 Five Star Schools Adams County Sheriff Adams County Treasurer Adams County Fire Protection District Adams County School District 14 Berkeley Water Colorado Department of Public Health and Environment (CDPHE) Century Link, Inc. City of Commerce City City of Thornton Colorado Division of Wildlife Comcast **Crestview Water and Sanitation District** Mapleton School District #1 Metro Wastewater Reclamation Neighborhood Improvement Committee North Lincoln Water and Sanitation District

North Pecos Water and Sanitation District North Washington Street Water and Sanitation District Perl Mack Neighborhood Group Regional Transportation District (RTD) South Adams County Fire District South Adams County Water and Sanitation District Union Pacific Railroad Welby Citizen Group Westminster School District #50





RCU2020-00038; 6612 York Street Billboard CUP

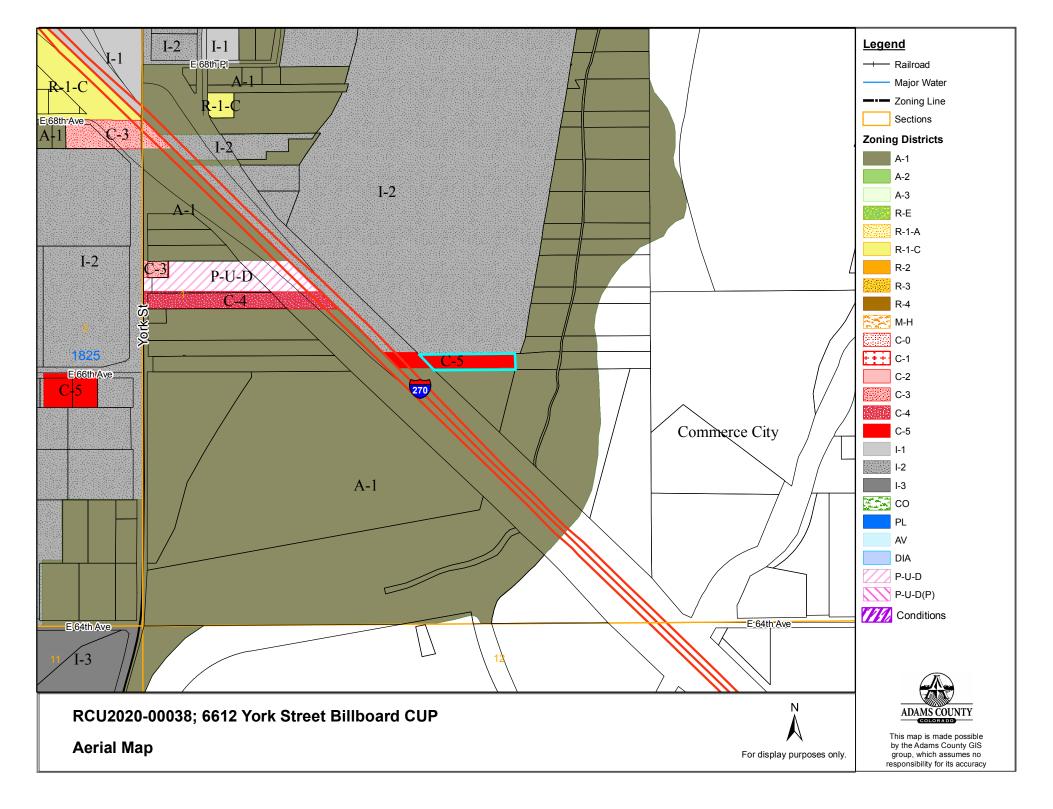
Aerial Map

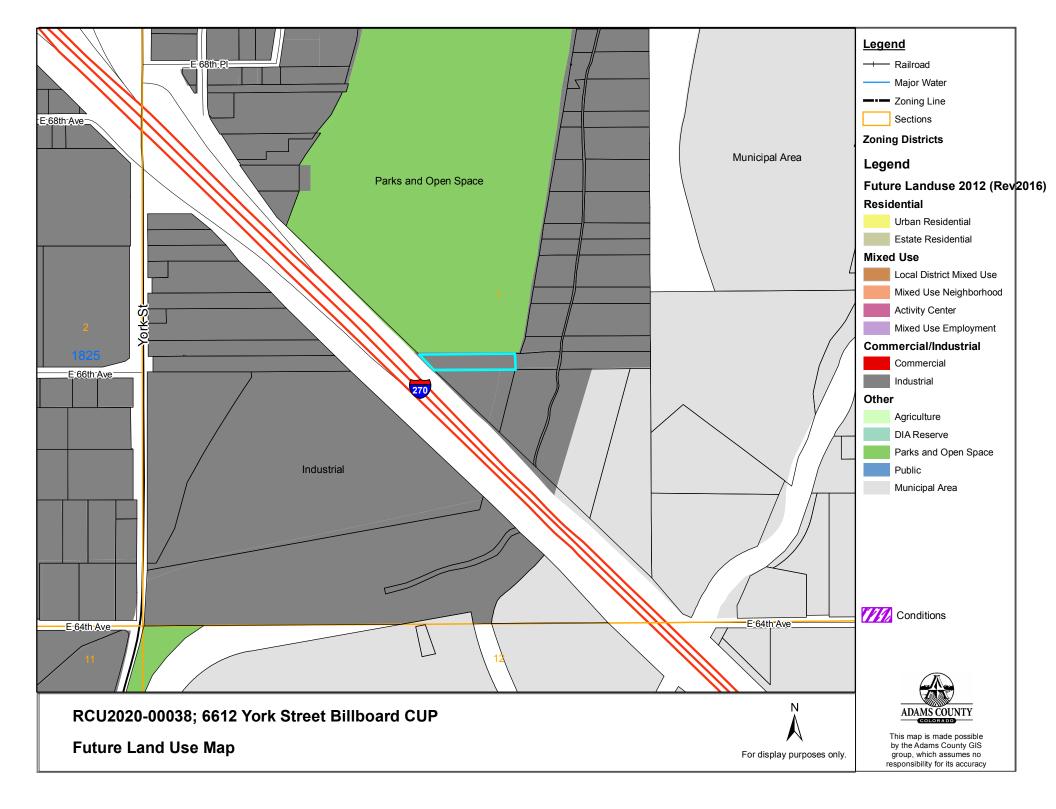


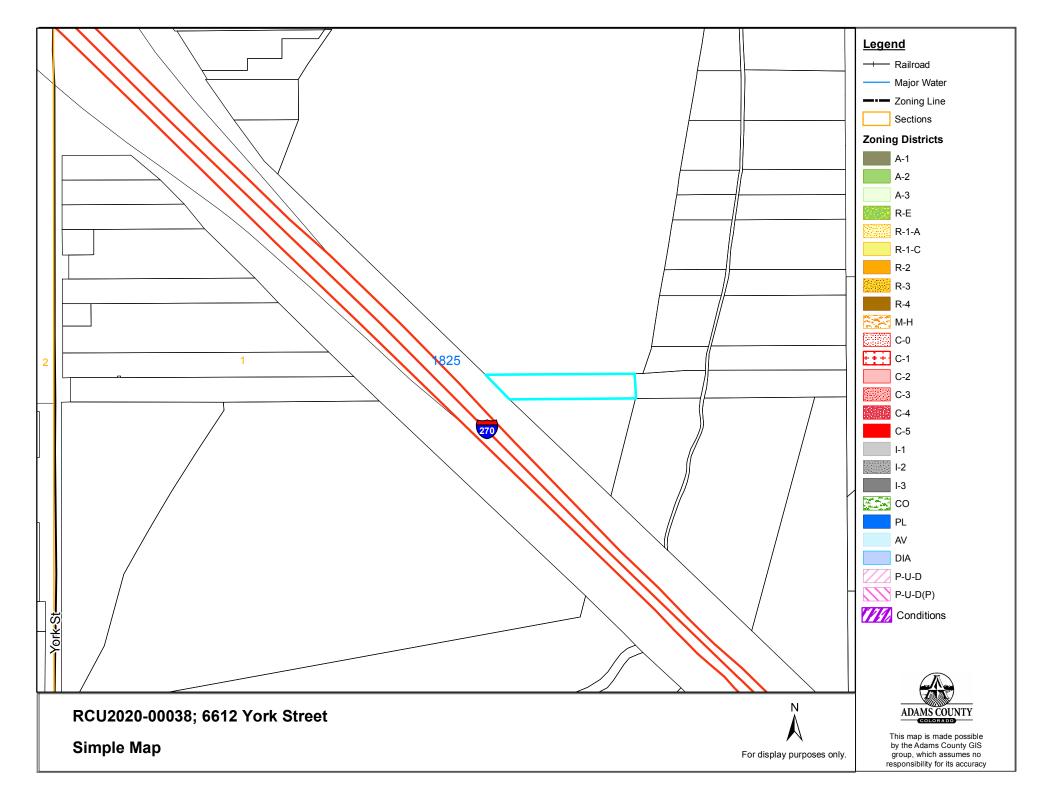
For display purposes only.

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







APPLICATION FOR CONDITIONAL USE PERMIT APPROVAL FOR OFF-PREMISE ADVERTISING DEVICE (BILLBOARD)

Applicant: StreetMedia Group, LLC

Location: 6612 York Street

WRITTEN EXPLANATION OF THE PROJECT

StreetMedia Group proposes to conduct an off-premise advertising device (billboard) 6612 York Street, which is generally located northeast of I-270, south of I-76, and east of York Street ("<u>SUBJECT PROPERTY</u>") (PIN 0182501303023) in the location shown on the enclosed site plan. The Subject Property is approximately 0.907 acres in area and is zoned C-5 ("<u>DISTRICT</u>"). The Subject Property has no vertical improvements, and is currently used for outdoor storage.

Billboards are allowed in the District with an approved Conditional Use Permit ("<u>CUP</u>"). CUPs are subject to the approval criteria set out in Section 2-02-09-06, Adams County Development Standards and Regulations ("<u>ADCO STANDARDS</u>"). Billboard performance standards are set out in ADCO Standards § 4-15. No other ADCO Standards apply during the conditional use permit process.

The proposed billboard complies with all applicable CUP and performance standards, as follows:

CUP STANDARD #1. THE CONDITIONAL USE IS PERMITTED IN THE APPLICABLE ZONE DISTRICT. Billboards are allowed as a conditional use in the District.

CUP STANDARD #2. THE CONDITIONAL USE IS CONSISTENT WITH THE PURPOSES OF [THE ADCO STANDARDS].

The proposed billboard is allowed as a conditional use in the District. The proposed billboard meets all applicable performance standards. As such, it is consistent with the purposes of the ADCO Standards.

CUP STANDARD #3. THE CONDITIONAL USE WILL COMPLY WITH THE REQUIREMENTS OF [THE ADCO STANDARDS], INCLUDING, BUT NOT LIMITED TO, ALL APPLICABLE PERFORMANCE STANDARDS.

The proposed billboard complies with the requirements of ADCO Standards § 4-15, which set out the performance standards for billboards, as follows:

STANDARD	COMPLIANCE STATEMENT
4-15-03	The Subject Property will contain only one billboard with not more than two faces.
4-15-04	The area of each sign face will not exceed 300 square feet.
4-15-05	The height of the proposed sign is 28 feet, measured as provided in ADCO Standards § 4-15-05.

STANDARD	COMPLIANCE STATEMENT
4-15-06-02	Messages displayed on the electronic sign faces will remain static for a minimum of four seconds per message and instantaneous transitions will be used from one message to the next. The electronic sign faces will have a default mode to turn off the display if it malfunctions. The electronic sign faces will have automatic dimmers and will comply with the County's brightness standards.
4-15-07 #1	The sign is separated from off-premises signs on the same side of the highway a distance that exceeds the 2,000 foot minimum spacing set out in Section 4-15-07 #1, ADCO Standards. By separate letter, the applicant has withdrawn a nearby application numbered RCU2020-00015.
4-15-07 #2	The leading edge of the sign face is set back from all property lines a distance equal to the height of the billboard (28 feet).
4-15-07 #3	Acknowledged
4-15-07 #4	Acknowledged
4-15-07 #5	This item is a restatement of requirements in ADCO Standards § 4-15-06-02. See response provided to said standards, above.
4-15-07 #6	As shown on the attached site plan, the sign faces will have a "V" configuration with an interior angle of less than 45 degrees, and a maximum distance between sign faces of 15 feet or less.
4-15-07 #7	Acknowledged

CUP STANDARD #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. IN MAKING THIS DETERMINATION, THE PLANNING COMMISSION AND THE BOARD OF COUNTY COMMISSIONERS SHALL FIND, AT A MINIMUM, THAT THE CONDITIONAL USE WILL NOT RESULT IN EXCESSIVE TRAFFIC GENERATION, NOISE, VIBRATION, DUST, GLARE, HEAT, SMOKE, FUMES, GAS, ODORS, OR INAPPROPRIATE HOURS OF OPERATION.

The proposed billboard would be located between Cat Lake and the Miller Reservoir, along an interstate highway corridor that includes a mix of vacant land and industrial uses. By way of example, just across I-270 from the subject property is the Metro Wastewater Reclamation District Robert W. Hite Wastewater Treatment Facility and the Suncor Refinery, two of the largest "heavy industries" for miles. The sign is either consistent with or an upgrade to the industrial character of the area in which it is located. It will allow for not only advertising space, but also for "help wanted," public service, and emergency messaging. As such, it advances the health, safety, and welfare of the inhabitants of the area, the County, and the region.

Written Explanation of the Project StreetMedia Group, LLC Location: 6612 York Street Page 3

The sign is located in an area of heavy traffic, noise, smoke, fumes, gas, and odors, but it will not add to those hazards in any way. In fact, the sign will produce no additional traffic, noise, vibration, heat, smoke, fumes, gas, or odors. Light emissions from the sign during nighttime hours will be in compliance with Colorado Department of Transportation ("<u>CDOT</u>") and Adams County standards.

CUP STANDARD # 5. THE CONDITIONAL USE PERMIT HAS ADDRESSED ALL OFF-SITE IMPACTS. The sign will comply with all applicable lighting requirements of the County and CDOT, and will be constructed to building code requirements. The sign is located outside of sight distance triangles. As such, it does not create off-site impacts.

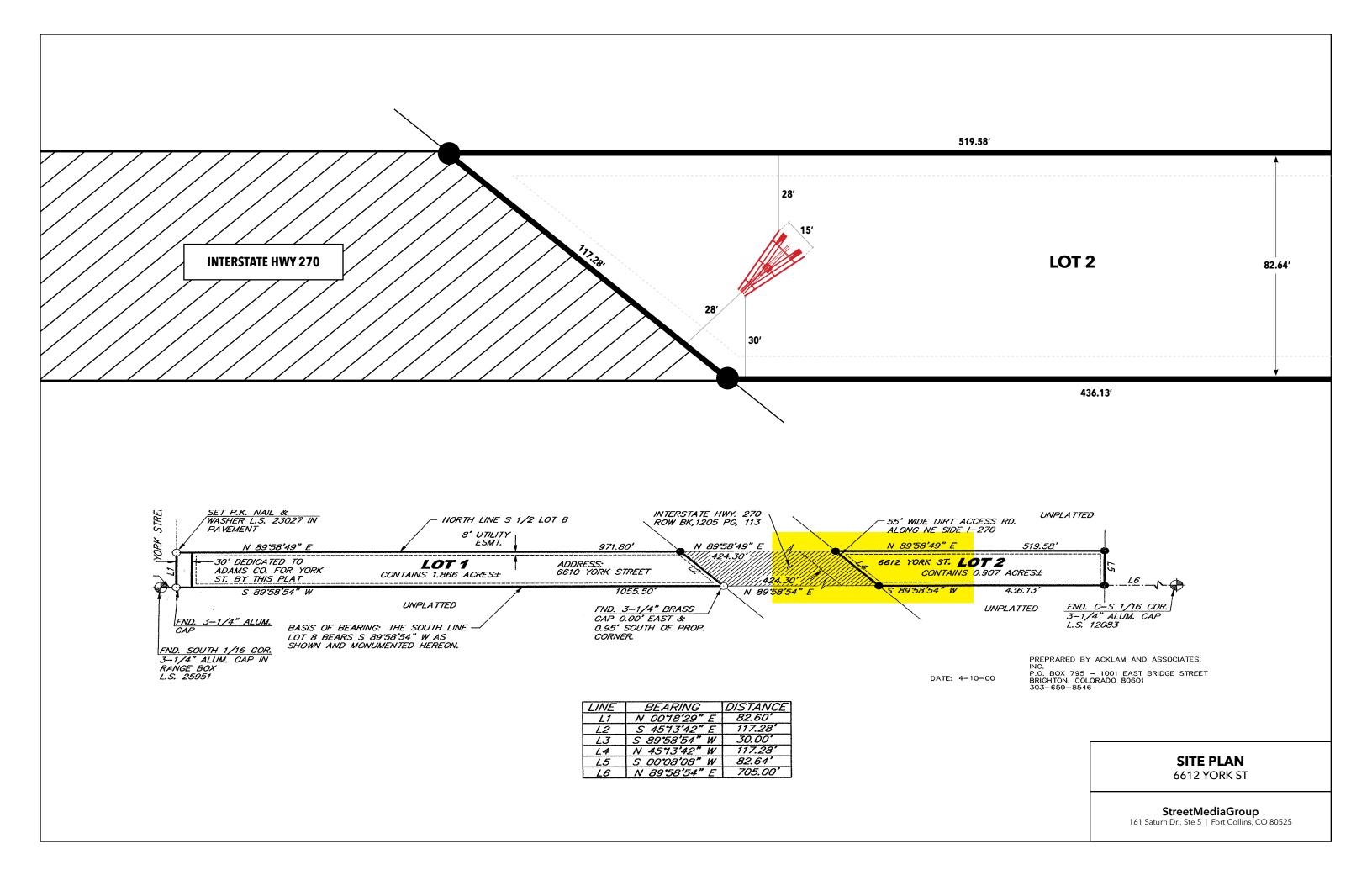
CUP STANDARD #6. THE SITE IS SUITABLE FOR THE CONDITIONAL USE INCLUDING ADEQUATE USABLE SPACE, ADEQUATE ACCESS, AND ABSENCE OF ENVIRONMENTAL CONSTRAINTS. The Subject Property is suitable for the proposed billboard. The existing use of the Subject Property is principally outdoor storage. There is room on the Subject Property to include the proposed billboard without interference with the existing use. There are no environmental constraints on the Subject Property that would interfere with the proposed billboard.

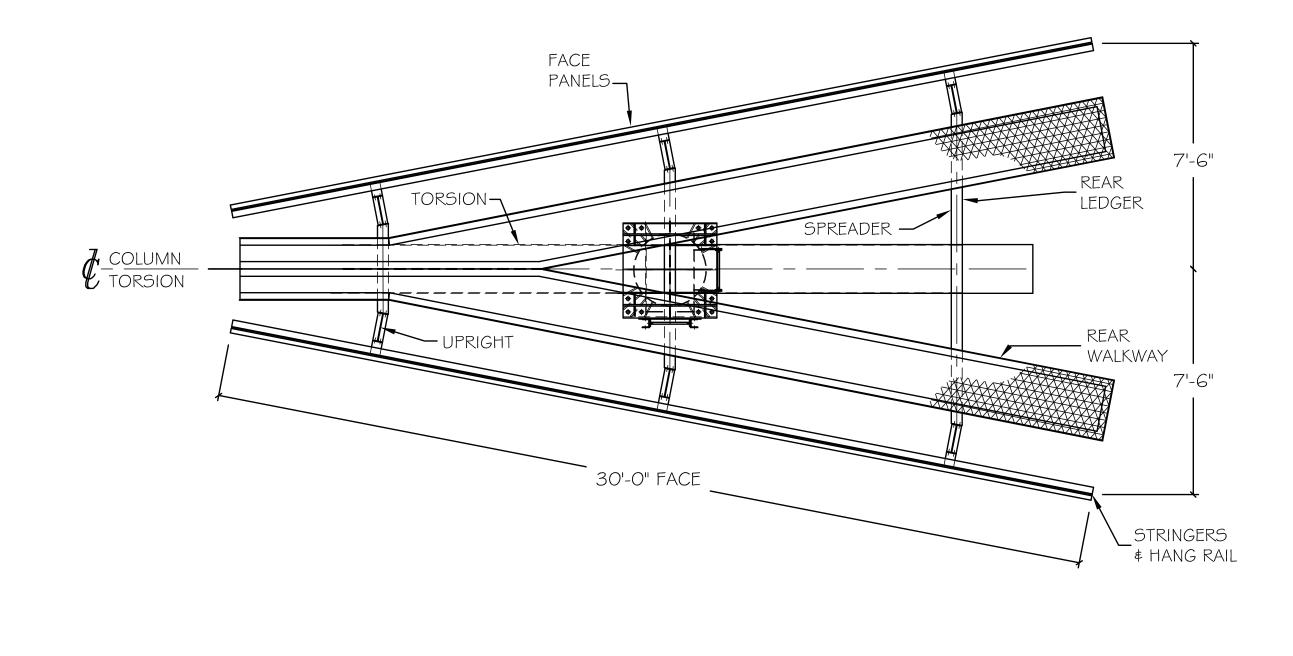
CUP STANDARD #7. THE SITE PLAN FOR THE PROPOSED CONDITIONAL USE WILL PROVIDE THE MOST CONVENIENT AND FUNCTIONAL USE OF THE LOT INCLUDING THE PARKING SCHEME, TRAFFIC CIRCULATION, OPEN SPACE, FENCING, SCREENING, LANDSCAPING, SIGNAGE, AND LIGHTING. The attached site plan shows the sign placed in a location that provides for the functional use of the lot. The sign is optimized for safe view angles from the adjacent highway.

CUP STANDARD #8. SEWER, WATER, STORM WATER DRAINAGE, FIRE PROTECTION, POLICE PROTECTION, AND ROADS ARE TO BE AVAILABLE AND ADEQUATE TO SERVE THE NEEDS OF THE CONDITIONAL USE AS DESIGNED AND PROPOSED.

The listed services are currently adequate to serve the principal use, and there will be no perceptible increase in demand for any of the listed services as a result of the installation of a billboard.







SITE PLAN 6612 YORK ST

StreetMediaGroup 161 Saturn Dr., Ste 5 | Fort Collins, CO 80525







StreetMediaGroup 161 Saturn Dr., Ste 5 | Fort Collins, CO 80525





StreetMediaGroup 161 Saturn Dr., Ste 5 | Fort Collins, CO 80525



Community & Economic Development Department Development Services Division

www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8218 Phone 720.523.6800 Fax 720.523.6967

Development Review Team Comments

Date: December 23, 2020 Project Number: RCU2020-00038 Project Name: 6612 York Street Billboard CUP

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for the Conditional Use Permit Application. The Development Review Team review comments may change if you provide different information during the Resubmittal. At this time, a resubmittal is not being required.

Commenting Division: Development Services, Planning Name of Reviewer: Layla Bajelan Email: <u>LBajelan@adcogov.org</u> / 720-523-6863

PLN01: Request

Conditional Use Permit for an electronic billboard. The subject property is zoned as C-5 and is visible from Highway 270.

PLN02: Site Characteristics

- Address: 6612 York Street
- Current Zoning: C-5
- Future Land Use: Industrial
- Parcel Number: 0182501303023
- Legal Description: SUB:CHAPLINSKIY SUBDIVISION LOT:2
- Parcel Size: .9070 acres

PLN03: Section 4-15 Off-Premise Advertising Devices (Billboard)

- 1. 4-15-03 Maximum Number of Signs; Only one (1) two-faced off-premise advertising device shall be permitted per lot.
 - No other off-premise advertising devices exist or will be permitted on this lot, if this application is approved.
- 2. 4-15-04 Maximum Size; No off-premise advertising device shall exceed three hundred (300) square feet per face.
 - The subject billboard is proposed to be 30 x 10 feet (300 sq. ft.), which would conform to the regulations.

BOARD OF COUNTY COMMISSIONERS

- 3. 4-15-05 Maximum Height and Minimum Clearance; No off-premise advertising device shall exceed forty (40) feet in height. Height shall be determined as the distance from the grade of the right-of-way on which the sign fronts to the top of the sign including all projections. If located within one thousand (1,000) feet of an intersection of two (2) or more public rights-of-way, the lowest point of the sign face(s) shall be at least eight (8) feet above the ground.
 - The subject billboard is proposed to be 32 feet tall.
 - Per an email sent to the applicant on 07/21/2020: "The County interprets this section to measure the height for an off-premise sign from the centerline of the adjacent right-of-way." In this case the adjacent ROW is Columbine Street and NOT the nearest interstate/highway. If the applicant would like the County to consider the 28 foot measurement, the applicant must submit a detailed engineering or land survey in order to verify the proposed measurement that is being used to verify the County's maximum height requirement. That survey should show the topography of the site and the adjacent right-of-way, as well as the differences in the height or the spot elevations of the grade of the internal site where the billboard is proposed to be placed vs. the grade of the adjacent right-of-way (Columbine Street).
 - Staff is not requiring the survey for this application, as the billboard does not exceed the 40 foot height limitation.

PLN04: Section 4-15-06-02 Electronic Sign Restrictions; An electronic sign is permitted to be incorporated into an off-premise sign subject to the following restrictions:

- 1. Duration of Message: Each message displayed shall remain static for a minimum of four (4) seconds, with ten (10) seconds optimal. All such signs shall have a default mode to prevent the display from malfunctioning in a flashing or intermittent fashion.
- 2. Transition of Message: Each message shall transition to the next message instantaneously.
- 3. Prohibited Electronic Signs: Any sign or attractive device which includes animated images or graphics, scrolling messages, video, moving images similar to television images, emits audible sound, employs stereopticon, or includes motion picture projection. Any sign or attractive device which displays its message or portion thereof for less than four (4) seconds before a change occurs shall be considered flashing or intermittent.
- 4. Brightness / Luminance: Electronic signs shall be equipped with and employ the use of light monitors and controls that allow sign brightness to automatically adjust to outside conditions. Electronic signs shall not exceed a maximum of 0.3 foot-candles during nighttime hours from sunset to sunrise. A foot-candle is a unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot. The required distance shall be calculated using the following formula: (see section 4-15-06-02)

PLN05: Section 4-15-07 Other Limitations; All off-premise signs shall meet the following requirements:

1. All off-premise signs on the same side of a road or highway shall be separated by a minimum of two thousand (2,000) linear feet.

- The applicant has submitted documentation demonstrating they meet this requirement.
- Staff is aware of the active application at 6750 York Street RCU2020-00015. In the event that RCU2020-00038 6612 York Street is approved, Staff will not support the application at 6750 York Street, due to the proximity of the parcels. I do see in your application that you acknowledge this issue. Maggie Barringer, Case Manager for RCU2020-00015 is under the impression that her case is still active and the applicant intends to pursue the CUP. If this in not the case, please formally submit to Ms. Barringer a request to close her case.
- 2. The minimum right-of-way and property line setback requirements shall be equal to the height of the billboard as measured from the leading edge of the sign face. Variations in the setback requirement may be granted with the issuance of a Conditional Use Permit.
 - The subject billboard is 32 feet high and would require a 32 foot setback from all property lines. The applicant is requesting a variation in the north (28'), south (30'), and west (28') setback.
 - Setback variations have been granted to the applicant in the past with the condition that the billboard be built to Category 3 Building Code requirements. Staff will apply the same condition of approval to this case for the approval of the variation in the setback.
- 3. Setbacks from residentially zoned or used property: Not applicable.
- 4. All off-premise signs may be illuminated.
- 5. Off-premise signs which contain, include, or are illuminated by a changeable message including electronic, digital, LED, fiber optics, light bulbs, or other illumination devices are allowed and shall remain motionless for periods not less than four (4) seconds, with ten (10) seconds optimal. A Conditional Use Permit, Major Amendment to an existing Conditional Use Permit or Planned Unit Development shall be required prior to installing any electronic means to any off-premise sign.
- 6. Where an off-premise sign has two (2) faces that are designed to be back-to back, the faces shall not be more than three and one half (3.5) feet from one another. Where an off-premise sign has two (2) faces arranged in a V-shape, the faces shall be: a maximum of 45 degrees at the interior angle, or a maximum of 15 feet apart at its widest point, whichever is less.
 - Applicant is requesting a V-shaped sign. The sign faces are proposed to be 15 feet apart at its widest point. Staff is requesting that the applicant confirm that 15 feet is less than the maximum 45 degree angle.
- 7. Before any off-premise sign is erected, a building permit must be approved and issued by the Director of Community and Economic Development.

PLN06: Criteria of Approval for a Conditional Use Permit; The Planning Commission, in making their recommendation, and the Board of County Commissioners, in approving a conditional use permit, shall find:

- 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.

Commenting Division: Development Services, Engineering:

Name of Review: Greg Labrie

Email: GLabrie@adcogov.org / 720-523-6824

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C08001H), 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.

ENG2: The developer is also required to obtain a building permit for the proposed structure.

ENG3: The project site is located in a NRCO district. An environmental assessment is required.

ENG4: Property is in MS4 area. Proposed improvements appear to be less than one acre in size. Applicant is responsible for installation and maintenance of Erosion and Sediment Control BMP's. Builder/developer is responsible for adhering to all the regulations of Adams County Ordnance 11 in regards to illicit discharge.

Commenting Division: Development Services, Engineering (Right-of Way Review): Name of Review: David Dittmer Email: DDittmer@adcogov.org / 720-523-6811

No Comment

Carla Gutierrez
Layla Bajelan
Re: Request For Comments RCU2020-00038; 6612 York Street Billboard CUP
Monday, December 14, 2020 9:04:22 AM
image001.png

Please be cautious: This email was sent from outside Adams County

Good morning Layla,

At this time the Fire District has no questions or concerns.

Thank you!

Carla Gutierrez

Adams County Fire Rescue 7980 Elmwood Lane Denver, CO 80221 O: 303-539-6862

From: Layla Bajelan <LBajelan@adcogov.org>
Date: Wednesday, November 25, 2020 at 9:18 AM
To: Layla Bajelan <LBajelan@adcogov.org>
Subject: Request For Comments RCU2020-00038; 6612 York Street Billboard CUP

RCU2020-00038

Request for Comments

Case Name: Permit Case Number: 6612 York St Billboard Conditional Use

November 25, 2020

The Adams County Planning Commission is requesting comments on the following application: **Conditional Use Permit for an electronic billboard. The subject property is zoned as C-5 and is visible from Highway 270.** This request is located at 6612 YORK ST. The Assessor's Parcel Number is 0182501303023.

Applicant Information:

GARY YOUNG 161 SATURN DRIVE UNIT 5A FORT COLLINS, CO 80525

From:	Jobe - CDOT, Jacquelyn
To:	Layla Bajelan; Steven Loeffler - CDOT
Subject:	Request for Comments RCU2020-00038; 6612 York Street Billboard CUP
Date:	Wednesday, December 9, 2020 9:45:30 AM

Please be cautious: This email was sent from outside Adams County Layla,

The proposed electronic billboard request, which will advertise to and is visible from I-270, will require an Outdoor Advertising Permit from CDOT should it be approved by Adams County. We have no objection to this request.

Please let us know if you need any additional information from us.

Thank you.

--

Jacquelyn Jobe Technician III/Outdoor Advertising Coordinator Permits/Utilities/Traffic

?

P 303.512.4272 | F 303.757.9886

2829 W. Howard Place, 2nd Floor Denver, CO 80204 jacquelyn.jobe@state.co.us | www.coloradodot.info | www.cotrip.org

The way to get started is to quit talking and begin doing. Walt Disney



January 6, 2021

Layla Bajelan Adams County Community and Economic Development 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601

RE: 6612 York Street Billboard, RCU2020-00038 TCHD Case No. 6700

Dear Ms. Bajelan,

Thank you for the opportunity to review and comment on the conditional use permit application for a billboard located at 6612 York Street. 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 720-200-1575 or <u>kboyer@tchd.org</u> if you have any questions about TCHD's comments.

Sincerely,

KBG_

Kathy Boyer, REHS Land Use and Built Environment Specialist III

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

December 18, 2020

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

Attn: Layla Bajelan

Re: 6612 York Street Billboard Conditional Use Permit, Case # RCU2020-00038

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the CUP documentation for **6612 York Street** and has **no apparent conflict**.

Please be aware PSCo owns and operates existing underground electric distribution facilities along Columbine Street. The property owner/developer/contractor must complete the application process for any new electric service, or modification to existing facilities via <u>xcelenergy.com/InstallAndConnect</u>. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George Right of Way and Permits Public Service Company of Colorado dba Xcel Energy Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com Community & Economic Development Department Development Services Division www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8218 Phone 720.523.6800 Fax 720.523.6967

Request for Comments

Case Name:6612 York St Billboard Conditional Use PermitCase Number:RCU2020-00038

November 25, 2020

The Adams County Planning Commission is requesting comments on the following application: Conditional Use Permit for an electronic billboard. The subject property is zoned as C-5 and is visible from Highway 270. This request is located at 6612 YORK ST. The Assessor's Parcel Number is 0182501303023.

Applicant Information: StreetMediaGroup, LLC GARY YOUNG 161 SATURN DRIVE UNIT 5A FORT COLLINS, CO 80525

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by **12/17/2020** 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 LBajelan@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. 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.

fayla Bajelan

Layla Bajelan Planner II

BOARD OF COUNTY COMMISSIONERS

Community & Economic Development Department **Development Services Division**

www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8218 PHONE 720.523.6800 fax 720.523.6967

Public Hearing Notification

Case Name:

Case Number: Planning Commission Hearing Date: Board of County Commissioners Hearing Date:

StreetMedia 6612 York Street Billboard CUP RCU2020-00038 01/28/2021 at 6:00 p.m. 02/23/2021 at 9:30 a.m.

January 06, 2021

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request: Conditional Use Permit for an electronic billboard. The subject property is zoned as C-5 and is visible from Highway 270. The Assessor's Parcel Number(s) 0182501303023.

Applicant Information: Gary Young StreetMedia Group, LLC. 161 Saturn Drive Unit 5A Fort Collins, CO 80525

Owner Information: Euro LLC. 18577 E. Hamilton Dr. Aurora, Colorado 80013

The Planning Commission meeting will be held virtually using the Zoom video conferencing software and members of the public will be able to submit comments prior to the start of the public hearing that will then be entered into the record. For instructions on how to access the public hearing via telephone or internet, or to submit comment, please visit http://www.adcogov.org/planning-commission for up to date information.

The Board of County Commissioners meeting is broadcast live on the Adams County YouTube channel and members of the public will be able to submit comments prior to the start of the public hearing that will then be entered into the record. The eComment period opens when the agenda is published and closes at 4:30 p.m. the Monday prior to the noticed meeting. For instructions on how to access the public hearing and submit comments, please visit http://www.adcogov.org/bocc for up to date information.

Eva J. Henry DISTRICT 1

Charles "Chaz" Tedesco DISTRICT 2

BOARD OF COUNTY COMMISSIONERS

DISTRICT 3

Emma Pinter

Steve O'Dorisio DISTRICT 4

Mary Hodge DISTRICT 5

These will be public hearings and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. The full text of the proposed request and additional colored maps can be obtained by accessing the Adams County Community and Economic Development Department website at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

fayla Bajelan

Layla Bajelan, Long Range Planner II <u>LBajelan@adcogov.org</u> 720.523.6863

PUBLICATION REQUEST

Case Name: StreetMedia 6612 York Street Billboard CUP Case Number: RCU2020-00038 Planning Commission Hearing Date: 01/28/2021 at 6:00 p.m. Board of County Commissioners Hearing Date: 02/23/2021 at 9:30 a.m. Case Manager: Layla Bajelan, Long-Range Planner II, LBajelan@adcogov.org 720.523.6863 Request: Conditional Use Permit for an electronic billboard. The subject property is zoned as C-5 and is visible from Highway 270. Parcel Number (s): 0182501303023 Address of the Request: 6612 York Street Applicant: Gary Young StreetMedia Group, LLC. 161 Saturn Drive Unit 5A Fort Collins, CO 80525 Owner: Euro JG LLC 18577 E. Hamilton Dr. Aurora, Colorado 80013 Legal Description: Lot 2, Chaplinskiy Subdivision County of Adams, State of Colorado **Virtual Meeting and Public Comment Information:** These meetings will be held virtually. Please visit http://www.adcogov.org/planning-commission and http://www.adcogov.org/bocc for up to date information on accessing the public hearings and submitting comment prior to the hearings. The full text of the proposed request and additional colored maps can be obtained by accessing the Adams County Community and Economic Development Department website at

www.adcogov.org/planning/currentcases.



Referral Listing Case Number RCU2020-00038 6612 York St Billboard Conditional Use Permit

Agency	Contact Information
ADAMS 12 FIVE STAR SCHOOLS	MATT SCHAEFER - PLANNING MANAGER 1500 E. 128TH AVENUE THORNTON CO 80241 720-972-4289 matt.schaefer@adams12.org
Adams County Attorney's Office	Christine Fitch 4430 S Adams County Pkwy Brighton CO 80601 720-523-6352 CFitch@adcogov.org
Adams County CEDD Development Services Engineer	Devt. Services Engineering 4430 S. Adams County Pkwy. Brighton CO 80601 720-523-6800
Adams County CEDD Environmental Services Division	Katie Keefe 4430 S. Adams County Pkwy. Brighton CO 80601 720-523-6986 kkeefe@adcogov.org
Adams County CEDD Right-of-Way	Mark Alessi 4430 S. Adams County Pkwy. Brighton CO 80601 720-523-6837 malessi@adcogov.org
Adams County Community Safety & Wellbeing, Neighborhood Services	Gail Moon
	4430 S. Adams County Pkwy. Brighton CO 80601 720-523-6856 gmoon@adcogov.org
Adams County Development Services - Building	Justin Blair 4430 S Adams County Pkwy Brighton CO 80601 720-523-6825 JBlair@adcogov.org
Adams County Fire Protection District	Carla Gutierrez 7980 Elmwood Ln. Denver CO 80221

303-539-6862 cgutierrez@acfpd.org

Agency	Contact Information
Adams County Parks and Open Space Department	Marc Pedrucci 303-637-8014 mpedrucci@adcogov.org
Adams County Parks and Open Space Department	Aaron Clark (303) 637-8005 aclark@adcogov.org
ADAMS COUNTY SCHOOL DISTRICT 14	Leo Rodriguez 5291 E. 60th Avenue COMMERCE CITY CO 80022 303.853.3217 Irodriguez@adams14.org
Adams County Sheriff's Office	Rick Reigenborn (303) 654-1850 rreigenborn@adcogov.org
Adams County Sheriff's Office	 303-655-3283 CommunityConnections@adcogov.org
BERKELEY WATER	Paul Peloquin 4455 W 58TH AVE UNIT A Arvada CO 80002 (303) 477-1914 paul.peloquin@denverwater.org
BERKELEY WATER & SAN DISTRICT	SHARON WHITEHAIR 4455 W 58TH AVE UNIT A ARVADA CO 80002 (303) 477-1914 berkeleywater@gmail.com
СДРНЕ	Sean Hackett 4300 S Cherry Creek Dr Denver CO 80246 303.692.3662 303.691.7702 cdphe_localreferral@state.co.us
CDPHE - WATER QUALITY PROTECTION SECT	Patrick Pfaltzgraff 4300 CHERRY CREEK DRIVE SOUTH WQCD-B2 DENVER CO 80246-1530 303-692-3509 cdphe_localreferral@state.co.us
CDPHE SOLID WASTE UNIT	Andy Todd 4300 CHERRY CREEK DR SOUTH HMWMD-CP-B2 DENVER CO 80246-1530 303.691.4049 cdphe_localreferral@state.co.us
Century Link, Inc	Brandyn Wiedreich 5325 Zuni St, Rm 728 Denver CO 80221 720-578-3724 720-245-0029

Agency	Contact Information
CITY OF THORNTON	JASON O'SHEA 9500 CIVIC CENTER DR THORNTON CO 80229 0
CITY OF THORNTON	Lori Hight 9500 CIVIC CENTER DRIVE THORNTON CO 80229 303-538-7670 developmentsubmittals@cityofthornton.net.
CITY OF THORNTON	JIM KAISER 12450 N WASHINGTON THORNTON CO 80241 720-977-6266
COLORADO DEPT OF TRANSPORTATION	Steve Loeffler 2000 S. Holly St. Region 1 Denver CO 80222 303-757-9891 steven.loeffler@state.co.us
COLORADO DIVISION OF WILDLIFE	Serena Rocksund 6060 BROADWAY DENVER CO 80216 3039471798 serena.rocksund@state.co.us
COLORADO DIVISION OF WILDLIFE	Matt Martinez 6060 BROADWAY DENVER CO 80216-1000 303-291-7526 matt.martinez@state.co.us
COMCAST	JOE LOWE 8490 N UMATILLA ST FEDERAL HEIGHTS CO 80260 303-603-5039
Commerce City Planning Division	Domenic Martinelli 7887 East 60th Avenue COMMERCE CITY CO 80022 303-289-3693 dmartinelli@c3gov.com
Crestview Water & Sanitation	Patrick Stock 7145 Mariposa St PO Box 21299 Denver CO 80221-0299 303-430-1660 303-434-0607 PatrickStock@crestviewwater.net
INDUSTRIAL PARK	KEARBY COTTER 6625 E. 49TH AVE. COMMERCE CITY CO 80022 303-288-1511

MAPLETON SCHOOL DISTRICT #1

METRO WASTEWATER RECLAMATION

Neighborhood Improvement Committee

North Lincoln Water and Sanitation District

North Lincoln Water and Sanitation District

North Pecos Water & Sanitation District

North Washington Street Water & San Dist

NS - Code Compliance

NS - Code Compliance

NS - Code Compliance

NS - Code Compliance

Contact Information

CHARLOTTE CIANCIO 591 E. 80TH AVE DENVER CO 80229 303-853-1015 charlotte@mapleton.us

CRAIG SIMMONDS 6450 YORK ST. DENVER CO 80229 303-286-3338 CSIMMONDS@MWRD.DST.CO.US

LARRY QUINTANA 7780 MAGNOLIA ST COMMERCE CITY CO 80022 3039557758

JORGE HINOJOS 1560 Broadway Suite 1400 Denver CO 80202 303-861-0061 jorge.hinojos@tetratech.com

nlwsdistrict1@gmail.com

- -

Russell Traska 6900 Pecos St Denver CO 80221 303-429-5770 manager@northpecoswater.org

Mike DeMattee 3172 E 78th Ave Denver CO 80229 303-288-6664 mdemattee@nwswsd.com

Kerry Gress kgress@adcogovorg 720.523.6832 kgress@adcogov.org

Gail Moon gmoon@adcogov.org 720.523.6833 gmoon@adcogov.org

Brooke Pettry 4430 S. Adams County Pkwy Brighton CO 80601 720.523.6206 bpettry@adcogov.org

Joaquin Flores 720.523.6207 jflores@adcogov.org

Agency	Contact Information
Pecos Park Logistics Park Metro District	M Mitchell 4221 Brighton Blvd Denver CO 802163719 303-298-1111 mmitchell@westfield-co.com
PERL MACK NEIGHBORHOOD GROUP	DAN MICEK - PRESIDENT 7294 NAVAJO ST. DENVER CO 80221 303-428-8557 DANMICEK54@COMCAST.NET
REGIONAL TRANSPORTATION DIST.	Engineering RTD 1560 BROADWAY SUITE 700 DENVER CO 80202 303-299-2439 engineering@rtd-denver.com
SOUTH ADAMS CO. FIRE DISTRICT	Randall Weigum 6050 Syracuse Street COMMERCE CITY CO 80022 720-573-9790 FAX: 303-288-5977 rweigum@sacfd.org
SOUTH ADAMS CO. FIRE DISTRICT	- Fire Prevention Division 6050 Syracuse Street Commerce City CO 80022 303-288-0835 planreview@sacfd.org
South Adams County Water & San Dist	Abel Moreno 10200 E 102nd Ave Henderson CO 80022 720-206-0590 amoreno@sacwsd.org
SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT	NELSON JEFF 10200 E. 102ND AVENUE HENDERSON CO 80640 720.206.0593 JNELSON@SACWSD.ORG
THORNTON FIRE DEPARTMENT	Chad Mccollum 9500 Civic Center Drive THORNTON CO 80229-4326 303-538-7602 firedept@cityofthornton.net
UNION PACIFIC RAILROAD	Anna Dancer 1400 DOUGLAS ST STOP 1690 OMAHA NE 68179 402-544-2255 aldancer@up.com
WELBY CITIZEN GROUP	NORMA FRANK 7401 RACE STREET DENVER CO 80229 (303) 288-3152

WESTMINSTER SCHOOL DISTRICT #50

Xcel Energy

Xcel Energy

Contact Information

Jackie Peterson 7002 Raleigh Street WESTMINSTER CO 80030 720-542-5100 jpeterson@adams50.org

Donna George 1123 W 3rd Ave DENVER CO 80223 303-571-3306 Donna.L.George@xcelenergy.com

Donna George 1123 W 3rd Ave DENVER CO 80223 303-571-3306 Donna.L.George@xcelenergy.com A T AND W INC 5370 MAGNOLIA ST COMMERCE CITY CO 80022-4308

ADAMS COUNTY 4430 SOUTH ADAMS COUNTY PKWY BRIGHTON CO 80601-8204

CHRISTENSON JUSTIN D AKA SHIRLEY JUSTIN D UND 3/4 INT/KLEIN BEN UND 1/4TH INT 3775 CHIMAYO ROAD LITTLETON CO 80123

CITY AND COUNTY OF DENVER ACTING BY AND THROUGH ITS BOARD OF WATER COMMISSIONERS 1600 W 12TH AVE DENVER CO 80204-3412

CITY OF COMMERCE CITY 7887 E 60TH AVE COMMERCE CITY CO 80022-4199

EURO JG LLC 18577 E HAMILTON DR AURORA CO 80013-5722

LAMMERS HAROLD R JR 14831 CHAMBERS RD BRIGHTON CO 80601-6739

METRO WASTEWATER RECLAMATION DISTRICT 6450 YORK ST DENVER CO 80229-7407

METRO WASTEWATER RECLAMATION DISTRICT 6450 YORK ST DENVER CO 80229-7407

METRO WASTEWATER RECLAMATION DISTRICT 6450 YORK ST DENVER CO 80229-7407 PUBLIC SERVICE CO OF COLORADO C/O PROPERTY AND LOCAL TAXES PO BOX 1979 DENVER CO 80201-1979

WELAND TODD P 6750 YORK ST DENVER CO 80229-7307

CHAPLINSKIY ANATOLIY AND CHAPLINSKAYA MARINA OR CURRENT RESIDENT 6610 YORK STREET DENVER CO 80221

KUHNS LARRY R AND KUHNS MARIANNE C OR CURRENT RESIDENT 6620 YORK ST DENVER CO 80229-7322

METROPOLITAN DENVER SEWAGE DISPOSAL DIST NO.1 OR CURRENT RESIDENT 6450 YORK ST DENVER CO 80229-7407

CURRENT RESIDENT 6656 YORK ST DENVER CO 80229-7322

CURRENT RESIDENT 6686 YORK ST DENVER CO 80229-7322

CURRENT RESIDENT 2751 E 69TH WAY DENVER CO 80229-7512

CERTIFICATE OF POSTING



I, Layla Bajelan, do hereby certify that I had the property posted at

6612 York Street

on January 13, 2021

In accordance with the requirements of the Adams County Zoning Regulations

fayla Bajelan Layla Bajelan