This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy.
Case No.: RCU2016-00002                      Case Name: T-Mobile

<table>
<thead>
<tr>
<th>Owner's Name:</th>
<th>Pipe Industries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant’s Name</td>
<td>T-Mobile</td>
</tr>
<tr>
<td>Applicant's Address:</td>
<td>2323 Delgany Street, Denver, CO 80206</td>
</tr>
<tr>
<td>Location of Request:</td>
<td>160 feet southeast of the intersection of East 77th Avenue and Kenwood Street</td>
</tr>
<tr>
<td>Nature of Request:</td>
<td>A Conditional Use Permit to allow a monopole wireless communication tower on a property located in the I-2 zone district</td>
</tr>
<tr>
<td>Site Size:</td>
<td>2.42 acres +/-</td>
</tr>
<tr>
<td>Zone District:</td>
<td>Industrial-2 (I-2)</td>
</tr>
<tr>
<td>Future Land Use:</td>
<td>Industrial</td>
</tr>
<tr>
<td>Proposed Use:</td>
<td>Telecommunications Tower</td>
</tr>
<tr>
<td>Existing Use:</td>
<td>Outdoor Storage</td>
</tr>
<tr>
<td>Hearing Date(s):</td>
<td>PC: November 10, 2016 (6:00 pm)</td>
</tr>
<tr>
<td></td>
<td>BoCC: November 29, 2016 (9:30 am)</td>
</tr>
<tr>
<td>Hearing Location:</td>
<td>4430 S. Adams County Parkway, Brighton, CO 80601 / Public Hearing Room 1st Floor</td>
</tr>
<tr>
<td>Report Date:</td>
<td>October 27, 2016</td>
</tr>
<tr>
<td>Case Manager:</td>
<td>Greg Barnes</td>
</tr>
<tr>
<td>Staff Recommendation:</td>
<td>APPROVAL with 7 Findings-of-Fact, 2 Conditions Precedent, 6 Conditions, and 1 Note</td>
</tr>
</tbody>
</table>

SUMMARY OF PREVIOUS APPLICATIONS

On August 16, 2007, the County issued a permit to allow a five foot high perimeter chain-link fence around the property. No other structures exist on the property.

On September 1, 2016, the Board of Adjustment approved a variance to allow the applicant to proceed to request a Conditional Use Permit to construct a telecommunication tower on the
property without obtaining signed waivers from all property owners of occupied dwelling units within 500 feet of the property.

SUMMARY OF APPLICATION

Background
T-Mobile, the applicant, is requesting a Conditional Use Permit to allow a monopole wireless communications tower on the subject property. The site is 2.42 acres and located east of Kenwood Street, south of East 77th Avenue, and north of East 76th Avenue. Currently, the site is used for outdoor storage and continued be utilized for such use. The proposed tower will be located in a lease area of approximately 1,200 square feet of the southeastern quadrant of the property.

Development Standards and Regulations Requirements:
The property is designated as Industrial (I-2). This zone district is intended to accommodate light manufacturing, processing, fabrication, assembly, and storage of non-hazardous materials. Per Section 3-24-04-02 of the County’s Development Standards and Regulations, commercial communications towers require a Conditional Use Permit in the I-2 zone district.

Commercial Mobile Radio Service (CRMS) Telecommunications:
Section 4-09-02-07 of the County’s Development Standards and Regulations outlines design and performance standards for telecommunication facilities. These standards ensure telecommunication sites are located and screened to minimize visual and physical impacts on surrounding properties. According to the applicant, several locations were evaluated for location of the site and after considering access, utilities, impacts on neighbors, environmental constraints, and location in an area that would benefit most users, the proposed location was selected. In addition, the construction of a new tower was selected because there are no other suitable existing telecommunication towers to co-locate in the immediate vicinity of the area.

Design standards and requirements for freestanding telecommunication facilities are outlined in Section 4-09-02-07-03 of the County’s Development Standards and Regulations. These standards include maximum height, landscape and screening, setbacks from property lines, separation from other freestanding facilities, and setbacks from residential uses. The elevation and site plan provided with the application show the tower is proposed to be 65 feet in height and will be a traditional monopole tower with 12 panel antennae and a future dish antenna attached. The proposed height of the tower conforms to the maximum height of 75 feet permitted in the I-2 zone district.

Per Section 4-09-02-07-03 of the County’s Development Standards and Regulations, freestanding telecommunication towers shall not be located closer than the height of the tower from any property line, unless a waiver from this height requirement is obtained from the Board of County Commissioners. The proposed telecommunication tower will be located 65 feet from both the south and east property lines of the subject property; thus conforming to the required setback standards.
Landscaping is required to screen all telecommunication towers in accordance with Section 4-09-02-07-3.b, of the County’s Development Standards and Regulations. The site plan submitted with the application shows that all equipment associated with the telecommunication tower will be located within a 1,200 sq. ft. area, and enclosed by an 8-foot wooden screen fence. In addition, T-Mobile, owner of the tower, has leased an area north of the site to install five large evergreen trees along the property’s frontage of East 77th Avenue. This landscaping area will reduce potential visual impact of the tower from the closest public roadway. Staff is recommending a condition of approval to require final documentation of the lease agreement for the landscape area prior to issuance of a building permit. The proposed screening and landscape conform to requirements of Section 4-09-02-07-03 of the County’s Development Standards and Regulations.

**Comprehensive Plan:**
The future land use designation on the property is Industrial. Per Chapter 5 of the County’s Comprehensive Plan, the purpose of the Industrial future land use designation is to provide a setting for a wide range of employment uses, including manufacturing, warehouses, distribution, and other industries. The Industrial areas may also include limited supporting uses such as retail and outdoor storage.

The subject request to construct a telecommunication tower on the property will not significantly impact future development of the site. The proposed cellular tower will provide service to surrounding property owners and industrial land uses by enhancing telephone services and coverage in the area.

**Site Characteristics:**
Kenwood Street is located on the western side of the subject property. The site has access on Kenwood Street. A Union Pacific Railroad line is located adjacent to the eastern boundary of the property. The telecommunication tower is proposed to be located on the southeastern corner of the property (See Exhibit 2.2). The selected location is to reduce visibility of the tower from Kenwood Street.

**Surrounding Zoning Designations and Existing Use Activity:**

<table>
<thead>
<tr>
<th>Northwest</th>
<th>North</th>
<th>Northeast</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-1</td>
<td>I-1</td>
<td>I-1</td>
</tr>
<tr>
<td>Warehousing/Outdoor Storage</td>
<td>Warehousing/Outdoor Storage</td>
<td>Warehousing/Outdoor Storage</td>
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</tbody>
</table>

<table>
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<th>West</th>
<th>Subject Property</th>
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</thead>
<tbody>
<tr>
<td>I-2</td>
<td>I-2</td>
<td>East</td>
</tr>
<tr>
<td>Warehousing</td>
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<td>Commerce City</td>
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</table>

<table>
<thead>
<tr>
<th>Southwest</th>
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<tbody>
<tr>
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<td>I-2</td>
<td>I-2</td>
</tr>
<tr>
<td>Warehousing</td>
<td>Warehousing</td>
<td>Warehousing/Outdoor Storage</td>
</tr>
</tbody>
</table>
Compatibility with Surrounding Land Uses:
A majority of the subject property is surrounded by industrial uses; specifically warehousing and outdoor storage uses surround the property to the north, west, and south. Directly to the east are Union Pacific Railroad lines. There are also a number of warehouse structures located to the east of the railroad lines. There are approximately 11 dwellings located within 500 feet radius of the location of the telecommunication tower (see Exhibit 2.3). However, the proposed location of the tower is surrounded by warehouse structures. These structures serve as a buffer and reduce view of the tower from the surrounding residential properties.

STAFF RECOMMENDATION:
Based upon the application, the criteria for approval of a conditional use permit, and a recent site visit, staff recommends approval of this request with 7 Findings-of-Fact, 2 Conditions Precedent, 6 Conditions and 1 Note.

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 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.

Recommended Conditions Precedent:
1. The applicant shall obtain a building permit for the telecommunications tower including all required building permit inspections.
2. 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 applicant shall be required to submit a performance bond in the amount of the removal costs, or other adequate security as approved by the Director of Community and Economic Development and give the County the right to enter the property for removal of such tower. The bond documents shall be submitted and approved by the Director of Community and Economic Development prior to approval of any associated building permit.

**Recommended Conditions:**

1. The Conditional Use Permit shall expire on November 29, 2026.
2. The maximum allowed height of the proposed freestanding telecommunications tower shall be 65 feet.
3. The applicant shall provide a landscape plan showing a landscape buffer of approximately 4,000 square feet (20’ x 200’) as shown in Exhibit 2.2 of the staff report. The plantings for the landscape area shall include a minimum of five large evergreen trees with a minimum size of six feet tall at planting.
4. Prior to the issuance of a building permit, the applicant shall provide a lease agreement for the proposed landscape area or install the required landscape buffer on the northern section of subject property (Parcel # 0172132224009) directly north of the lease area for the telecommunications tower.
5. Prior to the issuance of a building permit, the applicant shall provide a site plan showing an eight foot screening opaque wooden fence around the perimeter of the lease area of the telecommunication tower as shown in (Exhibit 2.2 of the report). Erosion and sediment control plan shall be required during construction of the telecommunication facility.
6. The tower shall provide for co-location opportunities for other telecommunication tower providers.

**Recommended Notes to the Applicant:**

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

**Public Comments:**

<table>
<thead>
<tr>
<th># of property owners notified</th>
<th># of comments received</th>
</tr>
</thead>
<tbody>
<tr>
<td>162</td>
<td>1</td>
</tr>
</tbody>
</table>
All property owners within 750 feet of the subject property were notified of this application. As of writing this report, staff has received one letter in response from the property owner notification. Rudy and Paula Miyake, of 7721 Larkwood Street, expressed their opposition to the request. They specifically expressed health concerns and proximity of the tower to two schools. Their property is approximately 480 feet from the proposed tower lease area.

**County Agency Comments:**
The Adams County staff reviewed the subject request and all staff concerns have been resolved.

**Referral Agency Comments**
The Commerce City Community Development Department requested screen fencing along the northern side of the proposed location of the telecommunication lease are. In response, the applicant is proposing to construct a wooded fence on all four sides of the telecommunication tower leased area, instead of chain link fence. This is to accommodate Commerce City’s request.

**Responding with Concerns:**
Commerce City Community Development

**Responding without Concerns:**
Colorado Department of Public Health and Environment
Colorado Department of Transportation
Xcel Energy

**Notified but not Responding / Considered a Favorable Response:**
Adams School District 14
Century Link
Comcast
Colorado Division of Wildlife
Metro Wastewater Reclamation
Neighborhood Improvement Committee
Regional Transportation District
South Adams Fire District
South Adams Water & Sanitation District
Union Pacific

**Exhibits Table of Contents**

**Exhibit 1- Maps**
1.1 Zoning Map
1.2 Aerial Map
1.3 Simple Map

**Exhibit 2- Applicant Information**
2.1 Applicant Written Explanation
2.2 Applicant Site Plan
2.3 Map Showing Dwellings Within 500 Feet of Tower

**Exhibit 3- Referral Comments**
- 3.1 Referral Comments (Commerce City Community Development)
- 3.2 Referral Comments (CDOT)
- 3.3 Referral Comments (CDPHE)
- 3.4 Referral Comments (Xcel)

**Exhibit 4- Citizen Comments**
- 4.1 Rudy & Paula Miyake

**Exhibit 5- Associated Case Materials**
- 5.1 Request for Comments
- 5.2 Public Hearing Notice
- 5.3 Certificate of Posting
- 5.4 Property Owner Labels
- 5.5 Referral Labels
Submittal Item C

Explanation

Adams County CUP Permit Application
5810 E 77th Avenue
Commerce City, 80022

- T-Mobile is seeking a Conditional Use Permit (CUP) from Adams County for the construction of a 65’ co-locatable telecommunications monopole that would enhance service to the citizens of Commerce City and Adams County.

- Pursuant to Section 3-07-01 of the Adams County Development Standards and Regulations (DSR), a CUP application is required to locate a telecommunications tower within an I-2 zone district. All regulation requirements, as related to telecommunication sites will be adhered to as stated in the Adams County DSR Section 4-09-02-07.

- T-Mobile’s site will be located on the southwest corner of the Pipe Industries property located at 5810 E 77th Avenue in Commerce City. Several locations were evaluated during the due diligence process to select the best location for this site. Not only were the needs of T-Mobile’s radio frequency requirements taken into consideration when locating an area for the site, but also the impact it would have on the residences and the surrounding area. After considering access, utilities, impact on neighbors, environmental constraints, and the area that would benefit the most users, the proposed location was chosen.

- The particular location of the site on the owner’s property, was chosen so not to impact their day to day operations and be as functional as possible for all parties. The site is also placed as far away from any public roads, public areas and residences as possible. However, because of this, the proposed site does not meet the required setbacks from all property lines. T-Mobile would like to request a waiver be granted through the CUP in order to locate the site as proposed in the site plan.

- The proposed site will not have an impact on sewer, water, storm water drainage, fire protection, police protection or any public or privately used roads.
Site Name: PIPE INDUSTRIES
Site Number: DN01467D
Site Address: 5810 E. 77TH AVENUE COMMERCE CITY, CO 80022

Coordinates: 39.835293°, -104.918242°

PROJECT DESCRIPTION
CONSTRUCTION OF A NEW T-MOBILE EQUIPMENT “NON-INHABITABLE” TELECOMMUNICATIONS SITE CONSISTING OF INSTALLING (12) NEW ANTENNAS & (1) PROPOSED FUTURE DISH ANTENNA ON A NEW 65’ MONOPOLE & INSTALLING NEW T-MOBILE EQUIPMENT WITHIN A 40’x30’ (1200 SQFT.) LEASE AREA.

GENERAL CONSTRUCTION NOTES
1. THE FACILITY IS AN UNOCCUPIED WIRELESS FACILITY.
2. PLANS ARE NOT TO BE SCALDED AND ARE INTENDED TO BE A DIAGNAMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
3. PRIOR TO THE SUBMISSION OF BIDS, THE CONTRACTORS SHALL VISIT THE JOB SITE AND BE RESPONSIBLE FOR ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS, AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE IMPLEMENTATION ENGINEER AND ARCHITECT/ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
4. THE CONTRACTOR SHALL RECEIVE, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
5. CONTRACTOR SHALL CONTACT LOCAL DIGGERS HOTLINE 48 HOURS PRIOR TO PROCEEDING WITH ANY EXCAVATION, SITE WORK OR CONSTRUCTION.
6. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER’S RECOMMENDATIONS UNLESS SPECIFICALLY MODIFIED OTHERWISE OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
7. ALL WORK PERFORMED AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
NEW T-MOBILE 40'x30' (1200 SQFT.) LEASE AREA W/ A 20'x35' EQUIPMENT COMPOUND (SEE SHEET A1.2)

NEW T-MOBILE 65' MONOPOLE W/ ANTENNAS (SEE SHEET A1.2)

EX. PROPERTY BOUNDARY LINE

EX. PAD MOUNTED TRANSFORMER

EX. BUILDING

EX. BUILDING

EX. SITE ACCESS

EX. RR TRACK

EX. VACATED LARKWOOD PARK ROW (SECOND)

EX. 15' WATER EASEMENT

EX. 10' MOUNTAIN STATES TELEPHONE EASEMENT

EX. ADJACENT PROPERTY BOUNDARY LINE TYP.

EX. 10' EASEMENT TYP.

EX. 15' WATER EASEMENT

EX. 10' EASEMENT TYP.

EX. 15' WATER EASEMENT

EX. 10' MOUNTAIN STATES TELEPHONE EASEMENT

EX. 10' EASEMENT TYP.

EX. 10' MOUNTAIN STATES TELEPHONE EASEMENT

EX. 10' EASEMENT TYP.

EX. 10' MOUNTAIN STATES TELEPHONE EASEMENT
ENG1: Flood Insurance Rate Map – FIRM Panel Flood Insurance Rate Map – FIRM Panel
#08001C0608H, Federal Emergency Management Agency, March 5, 2007. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone; a floodplain use permit will not be required.

ENG2: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is within County's MS4 Stormwater Permit area. In the event that the disturbed area of the site exceeds 1 acre the applicant shall be responsible to prepare the SWMP plan using the Adams County ESC Template, and obtain both a County SWQ Permit and State Permit COR-030000.

ENG3: No new access is requested. Must use existing access to property as per the proposed site plan. Must obtain or maintain an access easement as shown on the proposed site plan.

ENG4: The applicant's proposed scope of work shows the use of the new structure on the site will not generate over 20 vehicles per day. Therefore, a traffic impact study is not required.

ENG5: The applicant's proposed scope of work shows the new addition of impervious surface is less than 3,000 square feet. A drainage study and analysis is not required. A grading and drainage plan will be required for any propose change in grade or improvements to the site.

ROW1: The proposed new 20’ wide T-Mobile Access & Utility Easement should be recorded at such time as this project has been fully approved by Adams County.

PLN01: Please record a landscape easement with pipe Industries to secure the placement of the five evergreen trees along East 77th Avenue. You will be expected to irrigate this landscaping in conformance with Section 4-16 of the Development Standards and Regulations. Please be aware that this will be a condition of approval.

PLN02: Please provide a written response to the following items in Section 4-09-02-07(f) of the development Standards and Regulations:

During the Conditional Use Permit process, the applicant shall demonstrate:
(1) The site is necessary to provide appropriate signal coverage quality;
(2) The site is made necessary pursuant to the applicant's FCC license;
(3) The site is necessary to handle increased capacity due to caller volume;
(4) Existing topography and/or structures in the surrounding area preclude other locations in the same area;
(5) Technical and engineering factors require the site to be in the desired location in relation to other existing sites and system constraints such as frequency requirements, availability of electric power and interconnection to telephone land lines, and site access;
(6) Screening and design of the freestanding facility will make the site compatible with surrounding land uses; and
(7) The structure will not block a significant view, including, but not limited to the Front Range of the Rocky Mountains, the South Platte River, the Rocky Mountain Arsenal Wildlife Refuge, Barr Lake, and other significant water bodies.

Reviewers -
ENG Greg Labrie Development Engineer
ROW Bob Kovacs Right-of-way Specialist
PLN Greg Barnes Planner
Greg,

I have reviewed the request named above to allow a telecommunications tower in the I-2 zone district, on property located at 5810 East 77th Ave. 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
2000 S Holly Street, Denver, CO 80222
steven.loeffler@state.co.us  |  www.codot.gov  |  www.cotrip.org
Hi Greg,
I am working out of the office; however, I wanted to let you know that the Colorado Department of Public Health and Environment does not have any comments on the telecommunications tower to be located at 5810 E. 77th Avenue RCU2016-00002.
Kent

On Fri, Sep 9, 2016 at 2:38 PM, Greg Barnes <GJBarnes@adcogov.org> wrote:

Hello. The Board of Adjustment approved a variance application to allow a telecommunications tower to be located at 5810 E. 77th Avenue without signed and recorded waivers from property owners of occupied dwelling units within 500 feet. As a result of this decision, the Conditional Use Permit application for the aforementioned tower has resumed. The applicant has resubmitted the request. Please review the attached information and provide me with comments no later than September 22, 2016.

Thanks

eDocs: 5447151
Kent Kuster

Environmental Protection Specialist

Colorado Department of Public Health and Environment

4300 Cherry Creek Drive South

Denver, CO 80246-1530

303-692-3662 | kent.kuster@state.co.us
July 27, 2016

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

Attn: Greg Barnes

Re: T-Mobile, Case # VSP2016-00033

Public Service Company of Colorado’s (PSCo) Right of Way & Permits Referral Desk has reviewed the variance request plans for T-Mobile and has no apparent conflict.

Please be aware PSCo owns and operates existing 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 contact the Builder's Call Line at 1-800-628-2121 or https://xcelenergy.force.com/FastApp (register, application can then be tracked) to complete the application process. 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 at 1-800-922-1987 to have all utilities located prior to any construction.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado
Robin,

I just wanted to let you know that the applicant has agreed to install a wooden opaque 8’ tall fence around the perimeter of the lease area to address your comments.

Hi Greg,

Thank you for the update on this project. The landscaping is helpful with mitigation and we would recommend evergreen type trees. In addition, we would still request to have screen fence/wall on the northern side(s) which face(s) the residential area to the north. Both vegetation and screen fencing would be our practice when adjacent to residential areas.

Thanks, Robin

Hey Robin,

Thanks for the comments. I’ll pass that info along. I do have a question regarding the opaque wall. Why is the City requesting this? Is it a Commerce City regulation that an opaque wall be constructed for towers?

I’ve visited the site several times, and I do not see a great deal of value in this request. The site is located within an outdoor storage yard. It borders a railroad tracks on the east and is screened by an industrial business park on that side.
as well. The base of the tower wouldn’t be very visible to the north and west either. The only area where an opaque wall may have some value is screening from the northeast side of the tower. There may be about 400 feet along East 77th Avenue where the base of the tower would be visible. We requested that the applicant install landscaping along this frontage along 77th Avenue to reduce this visibility.

Thanks for your input.

From: Kerns, Robin - CD [mailto:rkerns@c3gov.com]
Sent: Thursday, September 22, 2016 9:05 AM
To: Greg Barnes
Subject: RE: RCU2016-00002 - T-Mobile Conditional Use - Resubmittal

Hi Gregg,

Please find the referral response attached.

Thanks, Robin

From: Greg Barnes [mailto:GJBarnes@adcogov.org]
Sent: Friday, September 09, 2016 2:38 PM
To: Greg Barnes
Subject: RCU2016-00002 - T-Mobile Conditional Use - Resubmittal

Hello. The Board of Adjustment approved a variance application to allow a telecommunications tower to be located at 5810 E. 77th Avenue without signed and recorded waivers from property owners of occupied dwelling units within 500 feet. As a result of this decision, the Conditional Use Permit application for the aforementioned tower has resumed. The applicant has resubmitted the request. Please review the attached information and provide me with comments no later than September 22, 2016.

Thanks

eDocs: 5447151
Dear Mr. Barnes,

I have returned both Cert. Letters received at my address stating that I and my wife DO NOT ACCEPT THIS LETTER AS MY WRITTEN WAIVER.

The 2nd Cert Letter was addressed incorrectly due to a typo error by Mr. Battaglia. It was addressed to Rudy and Adriana Miyake, (there has been no person by that name at this address or in my family) proper owners are Rudy and Paula Miyake. I did sign for the letter and returned it as stated above with the correction of the correct property owners. I hope that this wasn't done so a response would not be returned to T-Mobile!

We have concerns about the location of the tower, we believe it should be located at least 5 miles from any school. Although there is no proof of health concerns at this time, we feel that the tower could present health problems in the future, not so much for us, but the children in the neighborhood, better safe than sorry. The tower is within 2 to 3 blocks of two elementary schools, Dupont and Monaco. What is safe today is bad the next, we see this everyday depending on what study is released.

There are a number of areas that are not located so close to residential homes and schools in Adams County that should be used.

Your decision could impact the health and welfare of future generations in our neighborhood.

Rudy and Paula Miyake
7721 Larkwood St
Commerce City, Co 80022-1032
Case Name: T-Mobile
Case Number: RCU2016-00002
January 20, 2016

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

**Requesting a Conditional Use Permit to allow a telecommunications tower in the Industrial-2 (I-2) zone district pursuant to Section 3-07-01 of the Adams County Development Standards and Regulations,**

This request is located at 5810 E 77th Avenue. The Assessor’s Parcel Number is 0172132224009.

Applicant Information: T-Mobile, 2323 Delgany St., Denver, CO 80206

Please forward any written comments on this application to the Department of Community and Economic Development, 4430 South Adams County Parkway, Suite W2000A, Brighton, CO 80601-8216 (720) 523-6800 by 02/12/2016 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 GJBarnes@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.

Greg Barnes
Case Manager
Public Hearing Notification

Case Name: T-Mobile
Case Number: RCU2016-00002
Planning Commission Hearing Date: November 10, 2016 at 6:00 PM
Board of County Commissioners Hearing Date: November 29, 2016 at 9:30 AM

October 12, 2016

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

Requesting a Conditional Use Permit to allow a telecommunications tower in the Industrial-2 (I-2) zone district pursuant to Section 3-07-01 of the Adams County Development Standards and Regulations,

The proposed use will be Commercial. This request is located at 5810 E 77th Ave. Commerce City, CO 80022 on 2.42 acres. The Assessor's Parcel Number(s) 0172132224009

Applicant Information: T-Mobile
2323 DELGANY ST
DENVER, CO 80206

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. 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.

Greg Barnes
Case Manager
PUBLICATION REQUEST

Case Name: T-Mobile
Case Number: RCU2016-00002

Planning Commission Hearing Date: November 10, 2016 at 6:00 p.m.
Board of County Commissioners Hearing Date: November 29, 2016 at 9:30 a.m.

Request: Requesting a Conditional Use Permit to allow a telecommunications tower in the Industrial-2 (I-2) zone district pursuant to Section 3-07-01 of the Adams County Development Standards and Regulations.

Location: 5810 E 77TH AVE
Parcel Number: 0172132224009
Case Manager: Greg Barnes
Case Technician: Shayla Christenson
Applicant: T-Mobile
2323 DELGANY ST
DENVER, CO 80206
Owner: 5810 EAST 77TH AVENUE LLC
102 S DEVINNEY ST
GOLDEN, CO 804015348
Representative: Paul Battaglia

Legal Description: SUB:NORWOOD PARK THIRD RESUBD DESC: PT OF BLKS 17 18 AND 22 AND VAC LARKWOOD ST AND 76TH PL DESC AS BEG AT PT OF INTERSEC OF E LN KENWOOD ST AND S LN 77TH AVE SD PT BEING NW COR SD BLK 22 TH S 190/05 FT TO TRUE POB TH CONT S 179/90 FT TO A PT ON W LN OF LOT 1 BLK 17 TH ON AN ANG TO LEFT OF 90D 534/32 FT M/L TO A PT ON W LN U P RR ROW TH NLY ALG W LN SD ROW 209/39 FT TH W 641/47 TO POB
CERTIFICATE OF POSTING

I, J. Gregory Barnes do hereby certify that I posted the property at

5180 East 77th Avenue

on October 19, 2016

in accordance with the requirements of the Adams County Zoning Regulations

J. Gregory Barnes
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
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</thead>
<tbody>
<tr>
<td>5770 PARTNERS LIMITED LIABILITY COMPANY</td>
<td>2445 S LEYDEN ST</td>
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<td>5810 EAST 77TH AVENUE LLC</td>
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<td>COMMERCE CITY</td>
<td>CO</td>
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<td>COMMERCE CITY</td>
<td>CO</td>
<td>80022-1028</td>
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<td>OR</td>
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<td>AURORA</td>
<td>CO</td>
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<td>AMARILLO</td>
<td>TX</td>
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</table>
KOENIG RUSSEL K AND
KOENIG LAUREL A
7750 LARKWOOD ST
COMMERCE CITY CO 80022-1033

KOENIG RUSSEL K AND
KOENIG LAUREL A
7750 LARKWOOD ST
COMMERCE CITY CO 80022-1033

KRAMERIA PROPERTY LLC
7830 MONACO ST
COMMERCE CITY CO 80022-1193

KRAMERIA PROPERTY LLC
7830 MONACO ST
COMMERCE CITY CO 80022-1193

LAKE PETER R AND
LAKE GRACIE O
7791 LADORE ST
COMMERCE CITY CO 80022-1028

LAKE PETER R AND
LAKE GRACIE O
7791 LADORE ST
COMMERCE CITY CO 80022-1028

LEE GARY E AND
LEE CAROL J
7690 KEARNEY DR
COMMERCE CITY CO 80022-1316

LEE GARY E AND
LEE CAROL J
7690 KEARNEY DR
COMMERCE CITY CO 80022-1316

LEO JIM W AND
HINDES ERIC L
7601 LEYDEN LN
COMMERCE CITY CO 80022-1319

LEO JIM W AND
HINDES ERIC L
7601 LEYDEN LN
COMMERCE CITY CO 80022-1319

LEVSTIK WAYNE F JR
7780 KIMBERLY ST
COMMERCE CITY CO 80022-1023

LEVSTIK WAYNE F JR
7780 KIMBERLY ST
COMMERCE CITY CO 80022-1023

LITTELL MICHELE
7800 LARKWOOD ST
COMMERCE CITY CO 80022-1035

LITTELL MICHELE
7800 LARKWOOD ST
COMMERCE CITY CO 80022-1035

LOW ANDREW Y
9406 INGALLS ST
WESTMINSTER CO 80031-2824

LOW ANDREW Y
9406 INGALLS ST
WESTMINSTER CO 80031-2824

LUJAN SAMANTHA S
7620 LEYDEN LN
COMMERCE CITY CO 80022-1320

LUJAN SAMANTHA S
7620 LEYDEN LN
COMMERCE CITY CO 80022-1320

MACHUGA CANDY LYNN SCHOLES AND
SCHOLES NANCY L
PO BOX 844
WESTMINSTER CO 80030

MACHUGA CANDY LYNN SCHOLES AND
SCHOLES NANCY L
PO BOX 844
WESTMINSTER CO 80030

MAESTAS ADELIDO L
PO BOX 414
DUPONT CO 80024-0414

MANUEL JUAN C PENA AND
MANUEL FRANCISCO J PENA
7790 KIMBERLY ST
COMMERCE CITY CO 80022

MARQUEZ DEGALVAN MARCIANA
7621 LEYDEN LN
COMMERCE CITY CO 80022-1319

MARTINEZ FLORA M
1763 MONTANE DR E
GOLDEN CO 80401-8095

MARTINEZ FLORA M
1763 MONTANE DR E
GOLDEN CO 80401-8095

MARTINEZ JUAN AND
RODRIGUEZ ADRIANA
7630 KEARNEY DR
COMMERCE CITY CO 80022-1316

MARTINEZ JUAN AND
RODRIGUEZ ADRIANA
7630 KEARNEY DR
COMMERCE CITY CO 80022-1316

MARTINEZ MANCILLA JOSE ANTONIO
7753 KENWOOD STREET
COMMERCE CITY CO 80022

MARTINEZ MANCILLA JOSE ANTONIO
7753 KENWOOD STREET
COMMERCE CITY CO 80022

MAYGUTI AK ANDREW S
7771 KIMBERLY ST
COMMERCE CITY CO 80022-1022

MAYGUTI AK ANDREW S
7771 KIMBERLY ST
COMMERCE CITY CO 80022-1022

MC CANN SCOTT A AND
MC CANN ANNETTE S
6869 W 95TH AVE
WESTMINSTER CO 80021

MC CANN SCOTT A AND
MC CANN ANNETTE S
6869 W 95TH AVE
WESTMINSTER CO 80021

MC CANN SCOTT ALLEN AND
MC CANN ANNETTE SUE
6869 W 95TH AVE
WESTMINSTER CO 80021

MC CANN SCOTT ALLEN AND
MC CANN ANNETTE SUE
6869 W 95TH AVE
WESTMINSTER CO 80021

MC CANN TODD BRIAN
PO BOX 440694
AURORA CO 80044-0694

MC CANN TODD BRIAN
PO BOX 440694
AURORA CO 80044-0694
THURSTON PATRICIA L
7651 LEYDEN LANE
COMMERCE CITY CO 80022

TORRES JOSE
7671 KEARNEY DR
COMMERCE CITY CO 80022-1315

TORRES VERONICA AND
TORRES CARPIO DARWIN NOE
7811 LARKWOOD ST
COMMERCE CITY CO 80022-1034

TOWNSEND MATTHEW PAUL
7680 KEARNEY DR
COMMERCE CITY CO 80022-1316

TREVIZO MANUEL
7721 KIMBERLY ST
COMMERCE CITY CO 80022-1022

ULMER BRIAN
9280 W 101ST PL
BROOMFIELD CO 80021-3877

VALDEZ AGUSTIN JR
7655 LEYDEN LN
COMMERCE CITY CO 80022-1319

VALLEJOS DARREN AND
VALLEJOS ARMANDINA
7730 KENWOOD ST
COMMERCE CITY CO 80022

VAN SICKLE CHRIS
17110 W 62ND CIR
ARVADA CO 80403-2626

VAZQUEZ CASIMIRO AND
VAZQUEZ SONYA
7726 LADORE ST
COMMERCE CITY CO 80022

VERDIN REYES LERMA AND
LERMA MANUELA
7796 KENWOOD ST
COMMERCE CITY CO 80022-1019

VILLALOBOS FRANCISCO AND
VILLALOBOS JUANA
7750 LADORE ST
COMMERCE CITY CO 80022-1029

WALTERS GARY AND CAROL FAMILY TRUST
2014
2765 TOSHACH AVE
HENDERSON NV 89044-1538

WATSON JESSE C
7740 KIMBERLY ST
COMMERCE CITY CO 80022-1023

WEEDMAN WILLIAM AND
WEEDMAN SONDRA J
7781 LADORE ST
COMMERCE CITY CO 80022

WERTH RONALD JR AND
ENGLE DEBRA
7701 LADORE STREET
COMMERCE CITY CO 80022

WESTERN AUTO RECYCLING-COMMERCE CITY INC
7481 KEARNEY ST
COMMERCE CITY CO 80022-1357

WERTH SUBDIVISION CO LLC
11275 PARIS ST
HENDERSON CO 80640-7638

WERTH TROY ALAN
1531 E SARATOGA CT
GILBERT AZ 85296-2515

WIELAND DAVID M AND
WIELAND CRYSTAL L
3045 E 109TH AVE
NORTHGLENN CO 80233-5475
YOUNGER VIOLA M
8305 E 148TH WAY
BRIGHTON CO 80602-5796

ZUBIA MONICA AND
MELTON DEBBIE R
3925 W 104TH PL
WESTMINSTER CO 80031-2402
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: Kevin Phillips
6550 E. 72ND AVENUE
COMMERCY CITY CO 80022

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

UNION PACIFIC RAILROAD
Attn: Jason Mashek
1400 DOUGLAS ST STOP 1690
OMAHA NE 68179

UNION PACIFIC RAILROAD
Attn: CHERYL SCHOW
PO BOX 398
PAXTON NE 69155

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

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