

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

**RESOLUTION FOR LAND USE CASE DECISION - CASE #RCU2014-00005 CROWN
CASTLE HYLAND HILLS CELL TOWER CUP RENEWAL**

Resolution 2014-197

WHEREAS, on the 28th day of April, 2014, the Board of County Commissioners, held a public hearing on the application of Marken Telecom Services, Case #RCU2014-00005; and,

WHEREAS, this case involved an application for: Renewal of a Conditional Use Permit to allow a 60-foot tall commercial telecommunications tower in the A-3, Agricultural zone district on the following described property:

PARCEL NUMBER: 0171932100014

APPROXIMATE LOCATION: 7730.5 Federal Blvd.

LEGAL DESCRIPTION: SECT,TWN,RNG:32-2-68 DESC: PARC IN NE4
32/2/68

WHEREAS, substantial testimony was presented by members of the public and the applicant; and,

WHEREAS, the Adams County Planning Commission held a public hearing on the 10th day of April, 2014, and forwarded a recommendation of APPROVAL to the Board of County Commissioners based on the following:

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that based upon the evidence presented at the hearing and the recommendations of the Department of Planning and Development and the Planning Commission, the application in this case be hereby **APPROVED** based upon the following findings of fact and subject to the fulfillment of the following conditions precedent and stipulations by the applicant:

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. 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, odors, or inappropriate hours of operation.

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.
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.

Conditions to the Applicant:

1. The Conditional Use Permit shall expire on April 28, 2024.
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. In order to ensure compliance, the applicant will be required to submit a performance bond in the amount of the removal costs, or other adequate security as approved by the Director of Planning & Development, by May 28, 2014, and give the County the right to enter the property for removal of such tower.
3. The applicant shall replace the wooden screen fence around the base of the tower by June 28, 2014.
4. The applicant shall work with staff to identify a suitable uniform color for the cell tower, and the applicant shall repaint the cell tower by September 28, 2014.

Note to the Applicant:

1. The applicant shall comply with all building, zoning, fire, engineering, and health codes and regulations.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry _____ Aye
Tedesco _____ Aye
Hansen _____ Aye

Commissioners

STATE OF COLORADO)
County of Adams)

I, Karen Long, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 28th day of April, A.D. 2014.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Karen Long:



By:



Deputy

Crown Castle Hyland Hills Cell Tower CUP Renewal

Case Number:	RCU2014-00005
Planning Commission Hearing Date:	04/10/2014 at 6:00 p.m.
Board of County Commissioners Hearing Date:	04/28/2014 at 10:00 a.m.

Case Manager: Michael Weaver

Case Technician: Mark Moskowitz

Applicant:

MARK MCGAREY 303-485-0912
4133 HAWTHORNE PLACE
LONGMONT, CO 80503

Owner: HYLAND HILLS PARK & RECREATION
8801 N. PECOS ST.
FEDERAL HEIGHTS, CO 80260

Representative:

Location: 7730 1/2 Federal BLVD

Parcel Number: 0171932100014

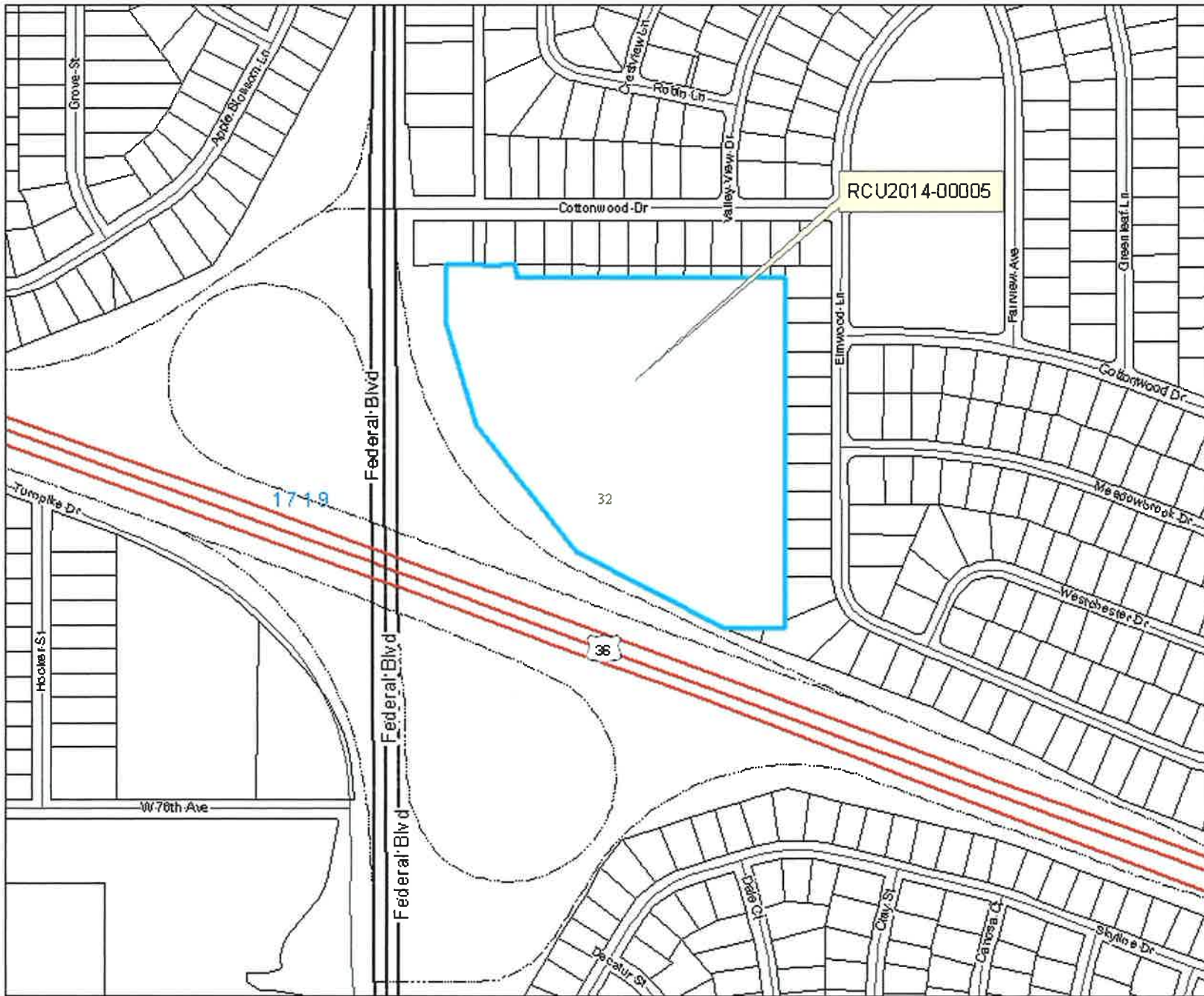
Size of Property: undetermined parcel size

Proposed Use:

Request: Renewal of Conditional Use Permit to allow a 60-foot tall commercial telecommunications tower in the A-3, Agricultural zone district.

HEARINGS

Planning Commission		Board of County Commissioners	
Date:	04/10/2014	Date:	04/28/2014
Action:		Action:	
Date:		Date:	
Action:		Action:	
Review for Tracking:		Date:	
Map Updated by:		Date:	
Approved By:		Date:	



LEGEND

- ★ Special Zoning Conditions
- 3 Section Numbers
- Railroad
- Major Water
- Zoning Line
- Sections
- Airport Noise Overlay
- Incorporated Areas

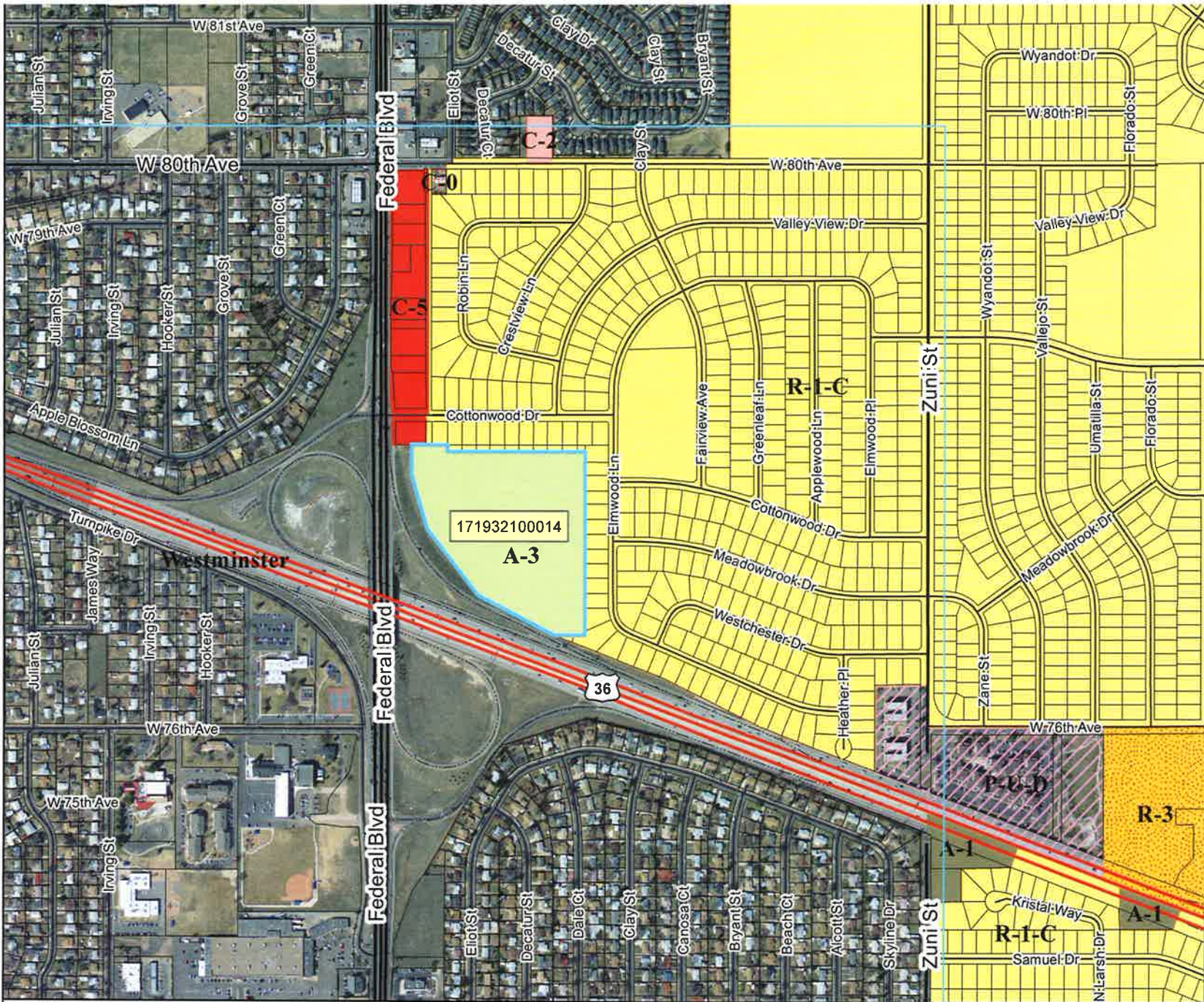
Crown Castle Hyland Hills Cell Tower CUP Renewal
RCU2014-00005



For display purposes only.



This map is made possible by the Adams County GIS group. We do not assume any responsibility for its accuracy.



LEGEND

- ★ Special Zoning Conditions
 - 3 Section Numbers
 - 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)
 - Airport Noise Overlay

PRE2014-0009



For display purposes only.



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



LEGEND

- ★ Special Zoning Conditions
 - 3 Section Numbers
 - 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)
 - ⊠ Airport Noise Overlay

PRE2014-00009



For display purposes only.



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



**PLANNING AND DEVELOPMENT DEPARTMENT
STAFF REPORT**

Board of County Commissioners

April 28, 2014

CASE NO.: RCU2014-00005 CASE NAME: Crown Castle Hyland Hills Cell Tower CUP
Renewal

Owner's Name:	Hyland Hills Park & Recreation District
Applicant's Name	Mark McGarey (Marken Telecom Services)
Applicant's Address:	4133 Hawthorne Place, Longmont
Location of Request:	7730.5 Federal Boulevard
Nature of Request:	Renewal of a Conditional Use Permit to allow a 60-foot tall commercial telecommunications tower in the A-3, Agricultural zone district.
Site Size:	+/- 12.79 acres
Zone District:	A-3, Agricultural
Proposed Use:	Park & Recreation / Cell Tower
Existing Use:	Park & Recreation / Cell Tower
Hearing Date(s):	PC: April 10, 2014 / 6:00pm BOCC: April 28, 2014 / 10:00am
Report Date:	April 14, 2014
Case Manager:	Michael Weaver <i>MW AMW</i>
Staff Recommendation:	APPROVAL with 8 Findings of Fact, 4 Conditions, and 1 Note
PC Recommendation:	APPROVAL with 8 Findings of Fact, 4 Conditions, and 1 Note

SUMMARY OF APPLICATION

Crown Castle is requesting to renew the Conditional Use Permit to allow a 60-foot tall commercial telecommunications tower in the A-3, Agricultural zone district. In 2000, a previous owner of the cell tower (Voice Stream) received approval for a 5-year Conditional Use Permit, which expired in 2005. Crown Castle acquired the cell tower in 2011.

The site is located just to the northeast of the junction of U.S. Highway 36 and Federal Boulevard, near the City of Westminster. The site, which is owned by the Hyland Hills Park and

Recreation District, has access onto Cottonwood Drive. On the site are four softball fields, a playground, a parking lot, trails, a concession stand, a picnic shelter, and a cell phone tower.

Nearby parcels are zoned R-1-C, Residential and C-5, Commercial. The purpose of the A-3, Agricultural zone district is to provide land for dryland or irrigated farming, pasturage, or other related food production uses. Commercial communication towers are considered a permitted conditional commercial use in the A-3, Agricultural zone district.

The Future Land Use map designates this site as Parks and Open Space. In general, Parks and Open Space areas are open to the public, and development is limited to recreational facilities, maintenance, and other facilities that serve the site. The primary uses in this category include parks, trails, and open space.

No changes are being proposed to the 1,296 square foot area leased by Crown Castle from the Hyland Hills Park and Recreation District for the cell tower and related equipment on a concrete pad surrounded by a wooden screen fence. Several evergreen trees surround the exterior of the fence. The tower's antenna arrays are fully enclosed within a pole canister. The tower is about 500 feet from the homes north of the park, and about 600 feet from the homes east of the park.

Freestanding towers must maintain a minimum one-to-one foot setback from all property lines. This requirement is met. The base of the freestanding telecommunications equipment is screened from adjacent properties, roads, and public areas by an approximately 8-foot tall wooden screen fence. The wooden fence appears weathered and appears to lean slightly on the northern side; the County's regulations require the fence to be kept in good condition at all times.

The facility is unmanned. A technician will visit the site as required for routine maintenance. The project will not disturb the site or surrounding areas. No sanitary sewer service, potable water, or trash disposal is required for the operation of the facility. No commercial signage is proposed.

If all conditions of approval are adhered to with this request, the tower will not have an adverse impact on the health, safety, or general welfare of the inhabitants of the area or the County.

REFERRAL AGENCY COMMENTS

Xcel Energy, in a letter dated March 21, 2014, states that it has no apparent conflict.

The City of Westminster, in an email dated March 17, 2014, states it has no comments on the proposed CUP renewal, and expresses hope that Hyland Hills Parks and Recreation District is being compensated for hosting the telecommunications tower on its property.

CDOT, in an email dated March 5, 2014, states it has no comments or concerns with the proposal.

CITIZEN COMMENTS

Alan Thomas
7769 Elmwood Lane

Mr. Thomas, in an email dated March 4, 2014, stated that he would like to see the screen fence surrounding the base of the telecommunications tower be refurbished.

PLANNING COMMISSION UPDATE

This case was heard on April 10, 2014 by the Planning Commission, which recommended approval in a unanimous decision (7-0). No public testimony was presented at the hearing. The Planning Commission directed the applicant to work with Staff to identify an appropriate uniform color for the cell tower, to be repainted by the applicant in the near future; the applicant agreed to do so. The Planning Commission did not have any concerns with the applicants' request, and recommends that the Conditional Use Permit be renewed for a period of 10 years.

STAFF RECOMMENDATION

The telecommunications tower has existed in this location for 14 years and provides a service to the public. The use is compatible with the surrounding area and does not create off-site impacts. This request is in harmony with the general purpose and intent of these standards and regulations, and is consistent with the area. Staff recommends approval based on 8 Findings of Fact, 4 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. 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, odors, or inappropriate hours of operation.
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.
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.

Recommended Conditions to the Applicant:

1. The Conditional Use Permit shall expire on April 28, 2024.
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. In order to ensure compliance, the applicant will be required to submit a performance bond in the amount of the removal costs, or other adequate security as approved by the Director of Planning & Development, by May 28, 2014, and give the County the right to enter the property for removal of such tower.
3. The applicant shall replace the wooden screen fence around the base of the tower by June 28, 2014.
4. The applicant shall work with staff to identify a suitable uniform color for the cell tower, and the applicant shall repaint the cell tower by September 28, 2014.

Recommended Note to the Applicant:

1. The applicant shall comply with all building, zoning, fire, engineering, and health codes and regulations.

Staff Recommendation: APPROVAL, with 8 Findings of Fact, 4 Conditions, and 1 Note
--

PC Recommendation: APPROVAL, with 8 Findings of Fact, 4 Conditions and 1 Note.



Planning and Development Department
4430 South Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601-8216
PHONE 720.523.6800 FAX 720.523.6998

MEMORANDUM

To: Board of County Commissioners
From: Michael Weaver, Planner II – Economic Development
Subject: Crown Castle Hyland Hills Cell Tower CUP Renewal / Case # RCU2014-00005
Date: April 28, 2014

If the BOCC does not concur with the Planning Commission and Staff recommendation of Approval, the following findings may be adopted as part of a decision of Denial:

ALTERNATIVE RECOMMENDED FINDINGS

1. The conditional use is not permitted in the applicable zone district.
2. The conditional use is not consistent with the purposes of these standards and regulations.
3. The conditional use will not comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
4. The conditional use is not compatible with the surrounding area, is not harmonious with the character of the neighborhood, is detrimental to the immediate area, is detrimental to the future development of the area, and is 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 result in excessive traffic generation, noise, vibration, dust, glare, heat, smoke, fumes, odors, or inappropriate hours of operation.
5. The conditional use permit has not addressed all off-site impacts.
6. The site is not suitable for the conditional use including inadequate usable space, inadequate access, and presence of environmental constraints.
7. The site plan for the proposed conditional use will not 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 not available and inadequate to serve the needs of the conditional use as designed and proposed.



**PLANNING AND DEVELOPMENT DEPARTMENT
STAFF REPORT**

Planning Commission

April 10, 2014

CASE NO.: RCU2014-00005 CASE NAME: Crown Castle Hyland Hills Cell Tower CUP
Renewal

Owner's Name:	Hyland Hills Park & Recreation District
Applicant's Name	Mark McGarey (Marken Telecom Services)
Applicant's Address:	4133 Hawthorne Place, Longmont
Location of Request:	7730.5 Federal Boulevard
Nature of Request:	Renewal of a Conditional Use Permit to allow a 60-foot tall commercial telecommunications tower in the A-3, Agricultural zone district.
Site Size:	+/- 12.79 acres
Zone District:	A-3, Agricultural
Proposed Use:	Park & Recreation / Cell Tower
Existing Use:	Park & Recreation / Cell Tower
Hearing Date(s):	PC: April 10, 2014 / 6:00pm BOCC: April 28, 2014 / 10:00am
Report Date:	March 24, 2014
Case Manager:	Michael Weaver <i>MW AM</i>
Staff Recommendation:	APPROVAL with 8 Findings of Fact, 3 Conditions, and 1 Note

SUMMARY OF PREVIOUS APPLICATIONS

- **2000:** Case # *RCU2000-00051*: Conditional Use Permit for a wireless communications tower 60 feet high in the A-3, Agricultural zone district. Approved.

SUMMARY OF APPLICATION

Crown Castle is requesting to renew the Conditional Use Permit to allow a 60-foot tall commercial telecommunications tower in the A-3, Agricultural zone district. In 2000, a previous owner of the cell tower (Voice Stream) received approval for a 5-year Conditional Use Permit, which expired in 2005. Crown Castle acquired the cell tower in 2011.

The site is located just to the northeast of the junction of U.S. Highway 36 and Federal Boulevard, near the City of Westminster. The site, which is owned by the Hyland Hills Park and Recreation District, has access onto Cottonwood Drive. On the site are four softball fields, a playground, a parking lot, trails, a concession stand, a picnic shelter, and a cell phone tower.

Nearby parcels are zoned R-1-C, Residential and C-5, Commercial. The purpose of the A-3, Agricultural zone district is to provide land for dryland or irrigated farming, pasturage, or other related food production uses. Commercial communication towers are considered a permitted conditional commercial use in the A-3, Agricultural zone district.

The Future Land Use map designates this site as Parks and Open Space. In general, Parks and Open Space areas are open to the public, and development is limited to recreational facilities, maintenance, and other facilities that serve the site. The primary uses in this category include parks, trails, and open space.

No changes are being proposed to the 1,296 square foot area leased by Crown Castle from the Hyland Hills Park and Recreation District for the cell tower and related equipment on a concrete pad surrounded by a wooden screen fence. Several evergreen trees surround the exterior of the fence. The tower's antenna arrays are fully enclosed within a pole canister. The tower is about 500 feet from the homes north of the park, and about 600 feet from the homes east of the park.

Freestanding towers must maintain a minimum one-to-one foot setback from all property lines. This requirement is met. The base of the freestanding telecommunications equipment is screened from adjacent properties, roads, and public areas by an approximately 8-foot tall wooden screen fence. The wooden fence appears weathered and appears to lean slightly on the northern side; the County's regulations require the fence to be kept in good condition at all times.

The facility is unmanned. A technician will visit the site as required for routine maintenance. The project will not disturb the site or surrounding areas. No sanitary sewer service, potable water, or trash disposal is required for the operation of the facility. No commercial signage is proposed.

If all conditions of approval are adhered to with this request, the tower will not have an adverse impact on the health, safety, or general welfare of the inhabitants of the area or the County.

REFERRAL AGENCY COMMENTS

Xcel Energy, in a letter dated March 21, 2014, states that it has no apparent conflict.

The City of Westminster, in an email dated March 17, 2014, states it has no comments on the proposed CUP renewal, and expresses hope that Hyland Hills Parks and Recreation District is being compensated for hosting the telecommunications tower on its property.

CDOT, in an email dated March 5, 2014, states it has no comments or concerns with the proposal.

STAFF RECOMMENDATION

The telecommunications tower has existed in this location for 14 years and provides a service to the public. The use is compatible with the surrounding area and does not create off-site impacts. This request is in harmony with the general purpose and intent of these standards and regulations, and is consistent with the area. Staff recommends approval based on 8 Findings of Fact, 3 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. 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, odors, or inappropriate hours of operation.
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.
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.

Recommended Conditions to the Applicant:

1. The Conditional Use Permit shall expire on April 28, 2019.
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. In order to ensure compliance, the applicant will be required to submit a performance bond in the amount of the removal costs, or other adequate security as approved by the Director of Planning & Development, by May 28, 2014, and give the County the right to enter the property for removal of such tower.
3. The applicant shall maintain and keep in good condition at all times the wooden screen fence around the base of the tower. If and when the fence ceases to be structurally sound and/or ceases to be substantially in the same condition as originally permitted or constructed, then it shall be replaced in accordance with all applicable fencing requirements.

Recommended Note to the Applicant:

1. The applicant shall comply with all building, zoning, fire, engineering, and health codes and regulations.

Staff Recommendation: APPROVAL, with 8 Findings of Fact, 3 Conditions and 1 Note.

CASE ANALYSIS

1. The conditional use is permitted in the applicable zone district. Yes.
2. The conditional use is consistent with the purposes of these standards and regulations. Yes.
3. The conditional use will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards. Yes.
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, odors, or inappropriate hours of operation. Yes.
5. The conditional use permit has addressed all off-site impacts. Yes.
6. The site is suitable for the conditional use including adequate usable space, adequate access, and absence of environmental constraints. Yes.
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. Yes.
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. Yes.

CITIZEN COMMENTS

Alan Thomas
7769 Elmwood Lane

Mr. Thomas, in an email dated March 4, 2014, stated that he would like to see the screen fence surrounding the base of the telecommunications tower be refurbished.

COUNTY AGENCY COMMENTS

Adams County Building Safety Division:

None

Adams County Code Compliance Division:

None

Adams County Parks and Community Resources Department:

None

Adams County Sheriff's Office:

None

Adams County Transportation Department:

The Transportation Department has no objections to renewing the CUP.

Adams County Treasurer's Office

None

REFERRAL AGENCY COMMENTS

Responding with concerns:

None

Responding without concerns:

City of Westminster

Colorado Department of Transportation

Xcel Energy

Notified but not responding / Considered a Favorable Response:

Colorado Department of Public Health and Environment

Colorado Division of Wildlife

Comcast

Hyland Hills Park and Recreation District

Metro Wastewater Reclamation

Qwest Communications

Regional Transportation District

Southwest Adams Fire District

Westminster Fire Department

Westminster School District #50



MEMORANDUM

To: Planning Commission

From: Michael Weaver, Planner II – Economic Development

Subject: Crown Castle Hyland Hills Cell Tower CUP Renewal / Case # RCU2014-00005

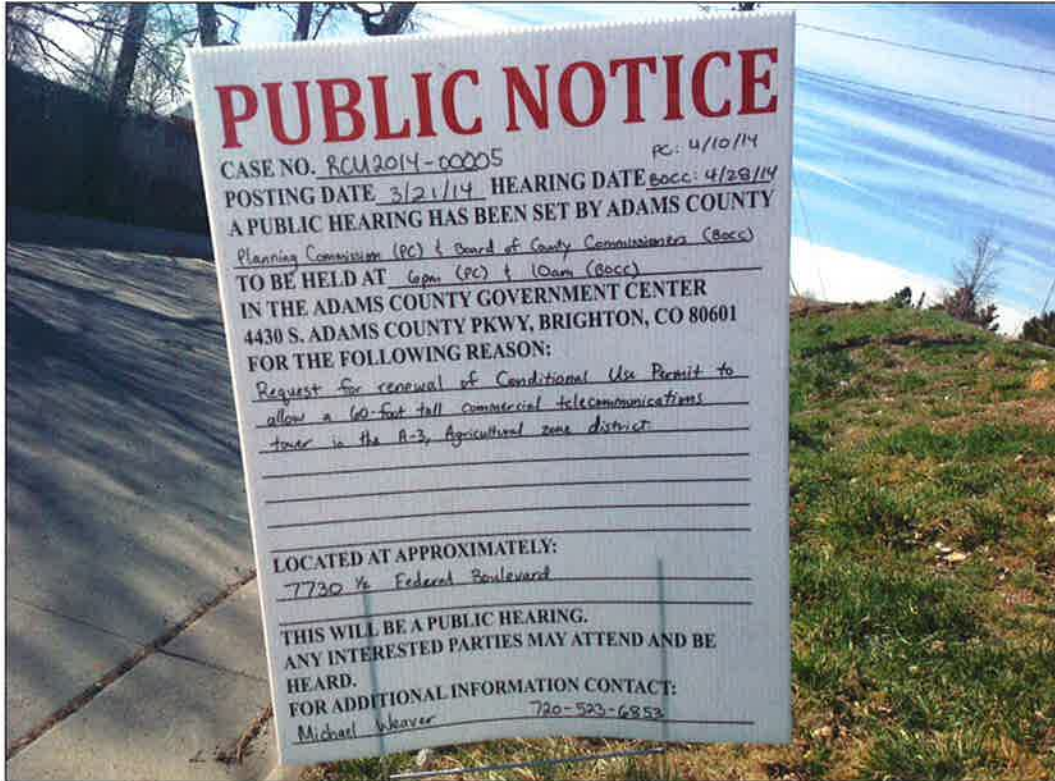
Date: April 10, 2014

If the Planning Commission does not concur with the staff recommendation of Approval, the following findings may be adopted as part of a decision of Denial:

ALTERNATIVE RECOMMENDED FINDINGS

1. The conditional use is not permitted in the applicable zone district.
2. The conditional use is not consistent with the purposes of these standards and regulations.
3. The conditional use will not comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
4. The conditional use is not compatible with the surrounding area, is not harmonious with the character of the neighborhood, is detrimental to the immediate area, is detrimental to the future development of the area, and is 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 result in excessive traffic generation, noise, vibration, dust, glare, heat, smoke, fumes, odors, or inappropriate hours of operation.
5. The conditional use permit has not addressed all off-site impacts.
6. The site is not suitable for the conditional use including inadequate usable space, inadequate access, and presence of environmental constraints.
7. The site plan for the proposed conditional use will not 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 not available and inadequate to serve the needs of the conditional use as designed and proposed.

CERTIFICATE OF POSTING



I, Michael Weaver, do hereby certify that I posted the property at

7730.5 Federal Boulevard

on March 21, 2014

in accordance with the requirements of the Adams County Zoning Regulations

Michael Weaver

February 6, 2014

Planning & Development Department
Adams County
4430 South Adams County Parkway
1st Floor, Suite W2000A
Brighton, Colorado 80601

Re: Application of Crown Castle for Conditional Use Permit
at 7900 Federal Blvd., Adams County, Colorado

Hyland Hills Park and Recreation District is the owner of the above referenced property (Waddell Park). Hyland Hills leased the subject property for the construction and operation of a cellphone tower/antennas. The lessee originally obtained a conditional use permit for that operation but that permit expired. The lessee is now seeking a new conditional use permit for the cellphone tower/antennas.

As owner, Hyland Hills supports and has no objection to the lessee obtaining a new conditional use permit for the tower/antennas.

If you have any questions or require further information, please contact Terry Barnhart, Planner, at 303-650-7609, tbarnhart@hylandhills.org.

Sincerely,



Yvonne Fischbach
Executive Director

Marken Telecommunication Services, LLC

PROJECT EXPLANATION

To: Adams County Community Development Department

From: Mark McGarey, Marken Telecom Services on behalf of Crown Castle

Date: February 2014

Re: Conditional Use Permit Extension Request, Hyland Hills, BUN 824655
7900 Federal Blvd.

Crown Castle owns the existing wireless communications facility at 7900 Federal Blvd, APN: 0171932100014, in Adams County. The site was originally developed by T-Mobile in 2000 and received conditional use approval by Adams County (RCU2000-00051). The site was purchased by Crown Castle in 2011. The original approval and subsequent extensions were subject to a 5 - year expiration stipulation. As a result, Crown must secure an additional use permit to remain in compliance. With this application, Crown desires to keep the facility permitted and operational for at least an additional 10 years.

The facility is located in the A-3 zone district in Hyland Hills Park in an unused area behind the SW ball field fence. The cell site consists of a 60' monopole with two, stealth three-sector antenna arrays and outdoor radio equipment on a concrete pad within a 36' x 36' leased area. The facility is screened behind a 10' wooden fence.

Crown and their carrier tenants, have no intention of decommissioning this facility in the near-term and would request the longest time extension allowable with this CUP. Crown is unaware of any negative input regarding the facility. The site provides cellular coverage for cell phone users in the vicinity of the facility (Hwy 36 & Federal), including E911 service. Crown encourages collocation on all their facilities and every effort to accommodate additional uses in the future will be made.

Criteria Review

1. The site is in the A-3 zoning district. This facility is an appropriate use in this district as evidenced by the original CUP approval and no negative feedback since the site has been in place.
2. The A-3 zoning regs allow for telecom use with the CUP.
3. All applicable performance standards will be met. Crown Castle strives to maintain all their facilities in good maintenance and will meet all current applicable local, state and federal permits and regulations.
4. The area surrounding the facility is largely residential in nature, however the site enjoys considerable setbacks from the nearest homes to the north and east. This facility poses no adverse impacts, creates little traffic, no noise, vibration, lighting or dust of any kind.
5. There are no off-site impacts that need to be addressed in allowing the continuing operation of this facility. There are no changes to the site being requested. There is no intensification of the use.
6. There are no physical space constraints nor environmental impacts of any kind being created through the extension of this use permit. Visual impact of the facility has become an accepted use on this property and there have been no recorded objections to the facility.
7. No changes are being requested to the layout of the facility nor are any needed.
8. The existing infrastructure is adequate to support this site now and in the future.

Please contact me at 303-485-0912 or via email at marken.co@comcast.net if you have any questions and/or need additional information.

Marken Telcom

PROJECT INFORMATION
 SITE NAME
HYLAND HILLS BALL PARK
 SITE ID
 824555
 HWY. 36 & FEDERAL BLVD.
 WESTMINSTER, CO 80031

CONSULTANT

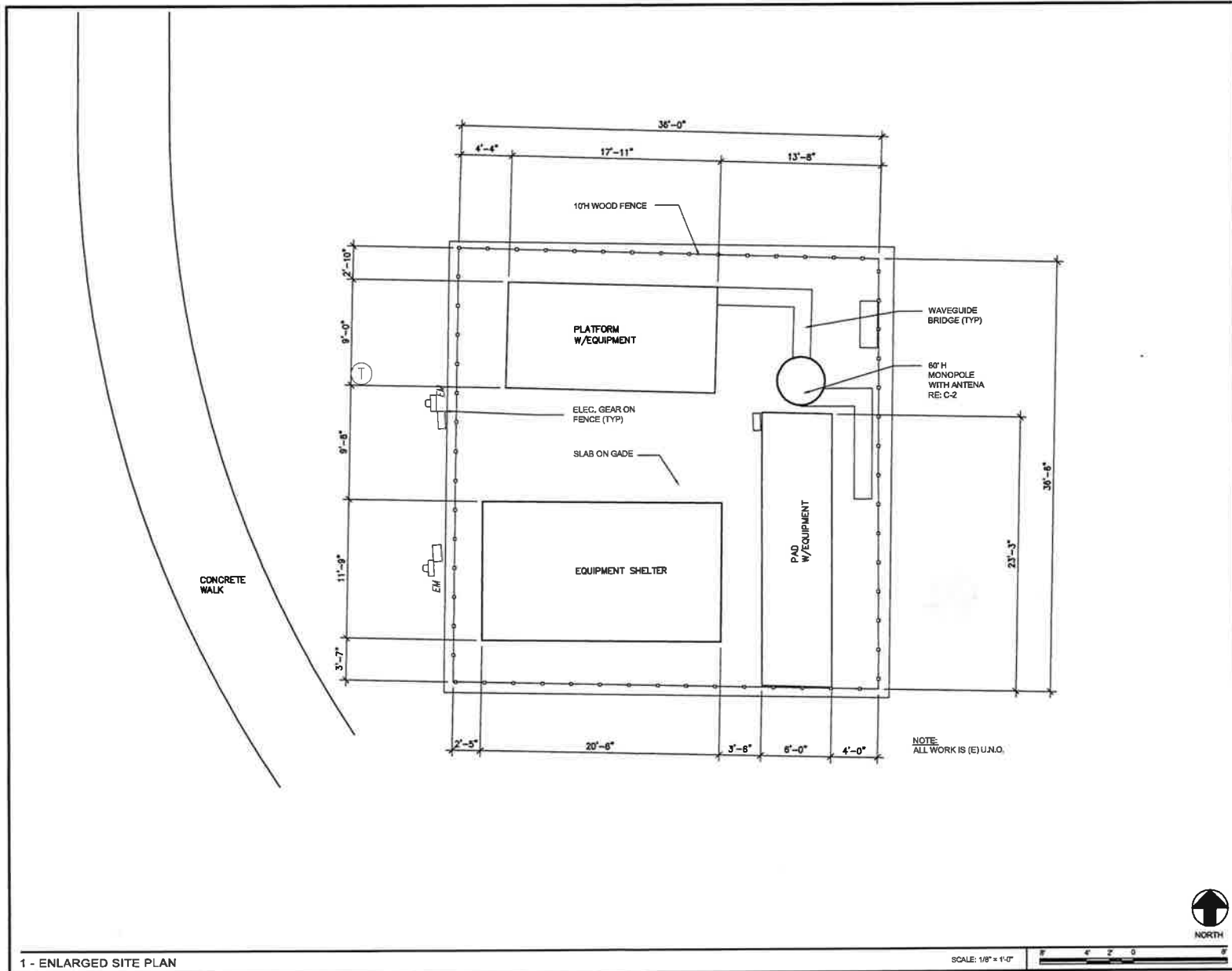
0 12/10/13 AR 188.08 30P

**CHARLES
STECKLY**

ARCHITECTURE
 5935 SOUTH ZANG STREET, SUITE 200
 LITTLETON, COLORADO 80127
 OFFICE: 303.932.9974

**ENLARGED
SITE PLAN**

C-1



Marken Telcom

PROJECT INFORMATION
SITE NAME
HYLAND HILLS BALL PARK
SITE I.D.
824655
HWY. 36 & FEDERAL BLVD.
WESTMINSTER, CO 80031

CONSULTANT

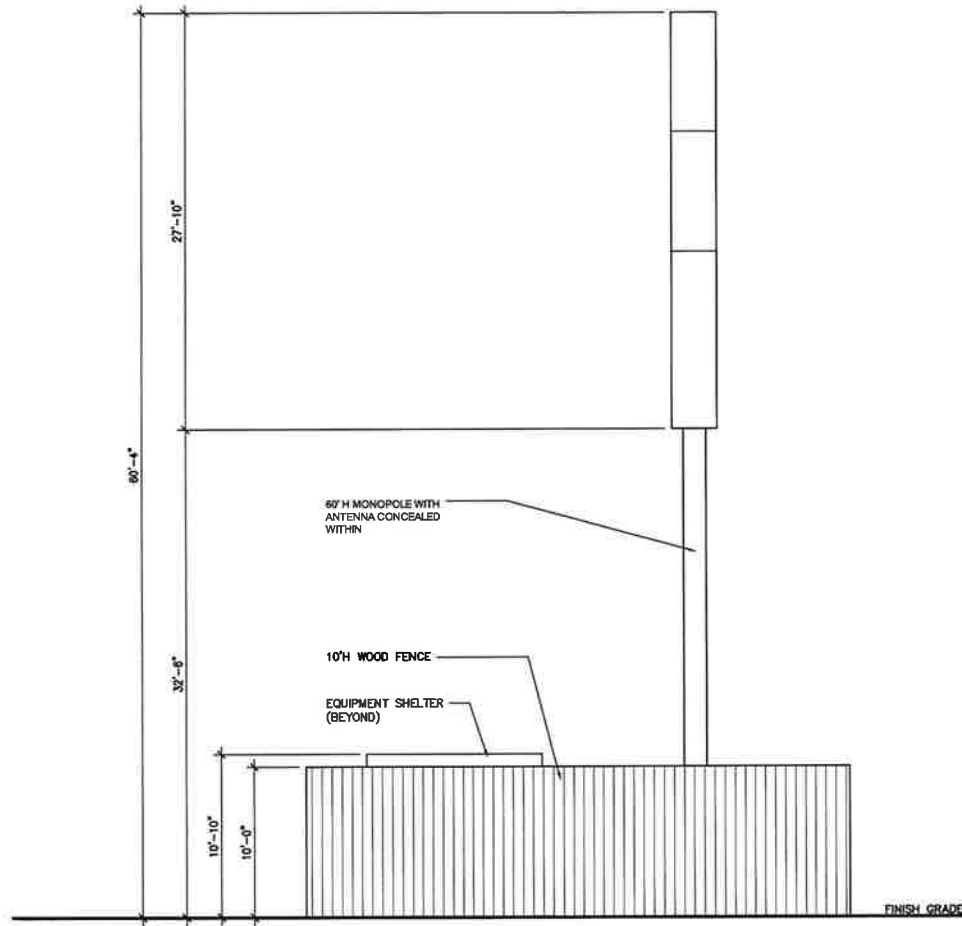
0 12/10/13 AR 158183 50P

CHARLES
STECKLY

ARCHITECTURE
5935 SOUTH ZANG STREET, SUITE 200
LITTLETON, COLORADO 80127
OFFICE: 303.952.8974

ELEVATION

C-2



EAST ELEVATION

SCALE: 1/8" = 1'-0"





Abel Montoya
DIRECTOR



Planning & Development Department
4430 South Adams County Parkway
1st Floor, Suite W2000A
Brighton, CO 80601-8216
PHONE 720.523.6800
FAX 720.523.6998
www.adcogov.org

September 18, 2013

General Dynamics
5600 S. Quebec St.
Greenwood Village, CO 80111

RE: Case Number BDL13-00540 (RCU2000-00051)

Dear Applicant:

The Adams County Planning and Development Department recently received your application to replace three antennas with new equipment at 7900 Federal Blvd (BDL13-00540). It was discovered that the property in question was approved for a conditional use permit (RCU2000-00051) on October 11, 2000. This approval was granted with the stipulation that the permit expired on September 25, 2005. As there is no longer a valid Conditional Use Permit for this tower, no building permits may be approved to modify or expand this use. In order to proceed with the equipment changes, you will need to reapply for the conditional use permit which requires a public hearing and approval by the Board of County Commissioners. Operating without a valid permit is a violation according to the Adams County Standards & Regulations.

If you have any questions or concerns regarding this process please call me at 720-523-6820.

Sincerely,

Emily Collins
Assistant Planner

cc: Case File

Jim Williamette, Chief Building Official

Raymond Gonzalez, Neighborhood Services Director

Correspondence

Owner: HYLAND HILLS PARK & RECREATION
RECREATION DISTRICT
8801 N PECOS ST
FEDERAL HEIGHTS CO 80260

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3



Planning and
Development Department
12200 Pecos Street
Westminster, CO 80234
PHONE 303.453.8800
FAX 303.453.8829
www.co.adams.co.us

July 2, 2009

VOICESTREAM
2323 DELGANY ST
1800 W 89TH AVE
FEDERAL HEIGHTS, CO 80260

RE: Case Number RCU2000-00051, VOICESTREAM (7900 .5 FEDERAL BLVD)
(7900 FEDERAL BLVD)

Dear Applicant:

The following Conditional Use Permit was approved:

Conditional Use Permit for a commercial telecommunications tower 60 feet high in the
A-3 Zone District Approved on October 11, 2000

This letter is to notify you that the above permit expired on September 25, 2005. You are required to
renew this permit as soon as possible if you are still operating. Operating without a valid permit is a violation
according to the Adams County Standards & Regulations. If you have any questions or concerns regarding
this process please call (303) 453-8800.

Sincerely,

JESSICA ARELLANO
Administrative Technician

cc: Case File

Correspondence

Operations Manager

Owner: HYLAND HILLS PARK & RECREATION
RECREATION DISTRICT
1800 W 89TH AVE
FEDERAL HEIGHTS, CO 80260

July 2, 2009

VOICESTREAM
2323 DELGANY ST
1800 W 89TH AVE
FEDERAL HEIGHTS, CO 80260

RE: Case Number RCU2000-00051, VOICESTREAM (7900 .5 FEDERAL BLVD)
(7900 FEDERAL BLVD)

Dear Applicant:

The following Conditional Use Permit was approved:

Conditional Use Permit for a commercial telecommunications tower 60 feet high in the
A-3 Zone District Approved on October 11, 2000

This letter is to notify you that the above permit expired on September 25, 2005. You are required to renew this permit as soon as possible if you are still operating. Operating without a valid permit is a violation according to the Adams County Standards & Regulations. If you have any questions or concerns regarding this process please call (303) 453-8800.

Sincerely,

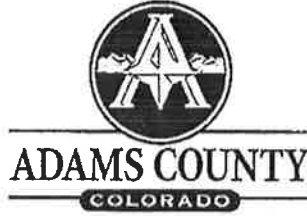
JESSICA ARELLANO
Administrative Technician

cc: Case File

Correspondence

Operations Manager

Owner: HYLAND HILLS PARK & RECREATION
RECREATION DISTRICT
1800 W 89TH AVE
FEDERAL HEIGHTS, CO 80260



Planning and
Development Department
12200 Pecos Street
Westminster, CO 80234
PHONE 303.453.8800
FAX 303.453.8829
www.co.adams.co.us

July 2, 2009

VOICESTREAM
2323 DELGANY ST
1800 W 89TH AVE
FEDERAL HEIGHTS, CO 80260

RE: Case Number RCU2000-00051, VOICESTREAM (7900 .5 FEDERAL BLVD)
(7900 FEDERAL BLVD)

Dear Applicant:

The following Conditional Use Permit was approved:

Conditional Use Permit for a commercial telecommunications tower 60 feet high in the
A-3 Zone District Approved on October 11, 2000

This letter is to notify you that the above permit expired on September 25, 2005. You are required to
renew this permit as soon as possible if you are still operating. Operating without a valid permit is a violation
according to the Adams County Standards & Regulations. If you have any questions or concerns regarding
this process please call (303) 453-8800.

Sincerely,

JESSICA ARELLANO
Administrative Technician

cc: Case File

Correspondence

Operations Manager

Owner: HYLAND HILLS PARK & RECREATION
RECREATION DISTRICT
1800 W 89TH AVE
FEDERAL HEIGHTS, CO 80260

February 15, 2005

Mr. Lowell Nelson
333 Inverness Dr S
Englewood, CO 80112

Re: Cellular Tower at Hwy 36 and Federal Blvd / PIN#0171932100014 / Zoning Approval

Mr. Nelson:

As you requested, this letter certifies no formal zoning process was required in order to co-locate on the cellular tower at the northeast corner of Highway 36 and Federal Boulevard, PIN#0171932100014. This property, owned by Hyland Hills Parks and Recreation, received a Conditional Use Permit, RCU2000-00051, for the existing cellular tower in 2000. Because the tower was approved with this Conditional Use Permit, any co-location on this tower is permitted and encouraged. A building permit may be required for co-location or other maintenance work on this tower. Contact the Adams County Building Section at (303) 453-8700 for clarification as to what work requires a building permit.

While co-location does not require an additional land use approval, the original Conditional Use Permit for this tower, RCU2000-00051, does currently have an expiration date of September 25, 2005. In order for the tower to remain past this date, a new Conditional Use Permit must be obtained. The Conditional Use Permit process is a public hearing process that takes approximately three months to complete. The responsible party should plan to apply for a new Conditional Use Permit in the next few months so adequate time is allowed prior to the expiration of this permit.

Should you have any additional questions, feel free to contact me at (303) 453-8805.

Sincerely,

Shannon McDowell
Planning Assistant

Cc: Case File, RCU2000-00051;
Correspondence File.

October 13, 2000

Joy Rutherford
Voice Stream
2323 Delgany Street
Denver, CO 80216

RE: Case # RCU2000-00051, VOICE STREAM

Dear Ms. Rutherford:

At a regular meeting of the Board of County Commissioners of Adams County held on 10/11/00, your request: **For a Conditional Use Permit to allow a commercial telecommunications tower 60 feet high in the A-3 Zone District** was considered. Through a motion duly made and seconded, the Board of County Commissioners approved your case subject to the following:

Stipulations:

1. The Conditional Use Permit shall expire five years from the date of approval by the Board of County Commissioners (September 25, 2005).
2. A formal landscape plan addressing fencing shall be submitted at the time a Building Permit is applied for. This plan shall be reviewed and approved at the discretion Adams County Planning Department.
3. The proposed cell tower shall be designed in such a manner as to be compatible with the surrounding area. Such design alternatives shall include the following, either a light post structure or stealth design (canister).
4. Any telecommunications facility that ceases to be in operation for a consecutive period of six (6) months or more shall be removed from the site within ninety (90) days of the end of such period of non-use. In order to ensure compliance, the applicant will be required to submit a performance bond in the amount of the removal costs, or other adequate security as approved by the Director of Planning and Development and give the County the right to enter the property for removal of such tower.
5. The applicant shall design the structure to reasonably permit additional users to co-locate on the tower in the future. Failure to comply with such requirement could result in a "show cause" hearing and the Conditional Use Permit revoked.

Notes to the Applicant:

1. The applicant will be responsible for applying and obtaining a building permit and submitting a complete set of construction drawings with a site plan.
2. All other requirements of the Adams County Zoning Regulations shall be adhered to with this request.
3. All applicable Building and Fire Codes shall be adhered to with this request.
4. Telecommunications tower and equipment shall not interfere with public safety emergency communications.

The above Stipulation will run with the Conditional Use Permit approval and/or will need to be satisfied at the time a building permit is applied for. Notes to the Applicant are just reminders that additional information may need to be submitted and approved prior to receiving a Building Permit.

If you have questions, or if we can be of further assistance, please do not hesitate to contact me in our office at (303) 853-7007.

Sincerely,

Brad Johnson
Development Review Planner II

cc: Case file (#RCU2000-00051)
Correspondence file
Stephen P. Dunn, Development Engineer
Larry Haynie, Chief Building Official

Hyland Hills Recreation District
1800 W. 89th Avenue
Denver, CO 80221

enclosures: Draft Resolution from the Board of County Commissioners

Adams County Transportation Department

Referral Case Comments

Date: March 6, 2014

Referral Case: Crown Castle Hyland Hills Cell Tower CUP Renewal
Case Number: RCU2014-00005
Document Number: 4882215

The Transportation Department has no objections to this Conditional Use Permit application.

Michael Weaver

From: Ian Cortez
Sent: Wednesday, March 19, 2014 2:27 PM
To: Michael Weaver
Cc: Greg Labrie; Matthew Emmens
Subject: Crown Castle Hyland Hills Cell tower CUP Renewal (RCU2014-00005)

Michael,

We have reviewed the above reference case and have no comments at this time.

Thank you,

Ian Cortez, PLS, RWA

Right of Way Agent | Adams County Transportation Dept. | 4430 S. Adams County Parkway
1st Floor, Suite 2000B | Brighton, CO 80601-8218 | 720-523-6835 | Email: ICortez@adcogov.org
Please consider the environment before printing this message. Thank you.





Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3306
Facsimile: 303. 571.3660
donna.l.george@xcelenergy.com

March 21, 2014

Adams County
Department of Planning and Development
4430 South Adams County Parkway
1st Floor, Suite W2000A
Brighton, CO 80601-8216

Attn: Michael Weaver

**Re: Crown Castle Hyland Hills Cell Tower CUP Renewal
Case # RCU2014-00005**

Public Service Company of Colorado (PSCo) has reviewed the plans for **Crown Castle Hyland Hills Cell Tower CUP Renewal** and has **no apparent conflict**.

The property owner/developer/contractor must contact the **Builder's Call Line at 1-800-628-2121** and complete the application process for any new electric service, or modification to existing facilities. 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.

Sincerely,

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

Michael Weaver

From: McLoughlin, Michele [MaMcLoug@CityofWestminster.us]
Sent: Monday, March 17, 2014 1:06 PM
To: Michael Weaver
Subject: Conditional Use Permit renewal for telecommunications tower

Hello Michael,

Westminster Staff has no comments on the proposed CUP renewal. Hopefully Hyland Hills Parks and Recreation District is being paid a fee for the telecommunications tower to be located on their property, plus for existing and future co-locations.

Thanks for allowing Westminster to review the proposed CUP renewal.

Sincerely,
Michele

*Michele McLoughlin
Senior Planner
Westminster Planning Division
City of Westminster
4800 West 92nd Ave.
Westminster, CO 80031*

303-658-2098
mamcloug@cityofwestminster.us
www.cityofwestminster.us

Michael Weaver

From: Sheehan - CDOT, Bradley [bradley.sheehan@state.co.us]
Sent: Wednesday, March 05, 2014 2:03 PM
To: Michael Weaver
Subject: RCU2014-00005 TELECOMMUNICATIONS TOWER.

Thank you for referring the renewal notice for our comment. CDOT has no comment or concerns with the proposal, Brad

--

Brad Sheehan P.E.

Colorado Department of Transportation

Access Engineer Region 1

2000 So. Holly Street

Denver Colorado 80222

303-512-4271

Michael Weaver

From: Mark McGarey [marken.co@comcast.net]
Sent: Thursday, March 06, 2014 8:35 AM
To: Michael Weaver
Subject: Re: Crown Castle Cell Tower Case No. RCU2014-00005

Thanks Michael,

Sounds like a reasonable request. If you care to stipulate this condition, it will ensure Crown responds appropriately. They don't wish for these things to become a maintenance eye-sore but with the acquisition of new sites it takes them time to ramp up maintenance in a routine way. Not an excuse – just the reality of it.

Thanks
Mark

From: Michael Weaver <MWeaver@adcogov.org>
Date: Wednesday, March 5, 2014 3:43 PM
To: Mark McGarey <marken.co@comcast.net>
Subject: FW: Crown Castle Cell Tower Case No. RCU2014-00005

One more referral comment...

From: Alan Thomas [mailto:dirtbikerider2152@yahoo.com]
Sent: Tuesday, March 04, 2014 1:35 PM
To: Michael Weaver
Subject: Crown Castle Cell Tower Case No. RCU2014-00005

As a resident of Adams County living east of the tower I received mailing regarding the renewal of the Conditional Use Permit.

I would like to see the 10 foot screening fence refurbished as it is falling into disrepair in places. Otherwise, I have no objections to renewing the CUP.

Alan Thomas
7769 Elmwood Lane

Michael Weaver

From: Alan Thomas [dirtbikerider2152@yahoo.com]
Sent: Tuesday, March 04, 2014 1:35 PM
To: Michael Weaver
Subject: Crown Castle Cell Tower Case No. RCU2014-00005

Follow Up Flag: Follow up
Flag Status: Completed

As a resident of Adams County living east of the tower I received mailing regarding the renewal of the Conditional Use Permit.

I would like to see the 10 foot screening fence refurbished as it is falling into disrepair in places. Otherwise, I have no objections to renewing the CUP.

Alan Thomas
7769 Elmwood Lane