

BRIGHTON CITY COUNCIL RESOLUTION

Ron Cox Field Cellular Tower Conditional Use

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING WITH CONDITIONS AS SET FORTH HEREIN A CONDITIONAL USE FOR THE RON COX FIELD CELLULAR TOWER, A COMMERCIAL MOBILE RADIO SERVICE FACILITY, GENERALLY LOCATED IN THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BRIGHTON, COLORADO, AND SETTING FORTH DETAILS IN RELATION THERETO.

RESOLUTION NO: 2018-91

WHEREAS, the Applicant, Selective Site Consultants (“Applicant”) has filed with the City an application for approval of a Conditional Use on behalf of AT&T Mobility; and

WHEREAS, the Applicant, is requesting approval of a Conditional Use Permit for a project known as the Ron Cox Field Cellular Tower (“Cell Tower”), a commercial mobile radio service facility located on leased areas on the properties addressed as 879 Jessup Street and 950 Southern Street, as further described in Exhibit A (the "Property"); and

WHEREAS, the Applicant is requesting approval of a Conditional Use for the construction of the Cellular Tower and the necessary accessory equipment generally shown in Exhibit B; and

WHEREAS, in accordance with the public notice requirements of the *Land Use and Development Code*, the City Council of the City of Brighton finds and declares that a Notice of Public Hearing was mailed to all property owners within 300 feet of the Property, a public notice was published in the *Brighton Standard Blade*, and a sign was posted on the Property, all for no less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, on August 7, 2018, the City Council conducted the public hearing at which the Applicant, interested parties, and City staff were permitted to present evidence and testimony and to ask and answer questions regarding the Cellular Tower and the requested Conditional Use; and

WHEREAS, the City Council finds that, pursuant to the *Land Use and Development Code*, a Conditional Use is an additional use of land that may be allowed with restrictions deemed necessary by the City Council, and that approval thereof is subject to the City’s Conditional Use procedures and criteria; and

WHEREAS, after reviewing the Application, evidence, representations, acknowledgements of the Applicant, presentations, and statements made at the public hearing by the City staff and interested persons, the City Council finds and determines that upon the conditions herein contained and agreement of the Applicant, the relevant criteria, according to the *Land Use and Development Code*, for approval of the Cellular Tower as a Conditional Use have been satisfied.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON AS FOLLOWS:

Section 1. The Conditional Use request for the Ron Cox Field Cellular Tower, submitted by Selective Site Consultants on behalf of AT&T Mobility for a commercial mobile radio service facility generally located in the Southeast Quarter of Section 7, Township 1 South, Range 66 West of the Sixth Principal Meridian, Brighton, Colorado, as described in Exhibit A, and generally shown in Exhibit B (both of which are attached hereto and incorporated herein by this reference), within the City of Brighton, Colorado, is hereby approved with the following conditions:

- 1.) Construction and maintenance of the Cell Tower and the accompanying equipment shall take place only between the hours of 7:00 AM and 7:00 PM, Monday through Friday.
- 2.) AT&T Mobility, and its successors and assigns, shall install the Cell Tower and related equipment consistent with the specifications set forth in Exhibit B.
- 3.) AT&T Mobility, and its successors and assigns, shall install the fencing consistent with the specifications set forth in Exhibit B.
- 4.) AT&T Mobility, and its successors and assigns, shall be jointly and severally responsible for the proper upkeep and maintenance of the fencing. Maintenance shall include, at a minimum, repair and replacement of the fencing. Such maintenance shall be performed on an ongoing and as-needed basis.
- 5.) AT&T Mobility, and its successors and assigns, shall be responsible for the upkeep and maintenance of the access drive.
- 6.) AT&T Mobility, and its successors and assigns, shall provide to the City a 24/7 contact number.
- 7.) AT&T Mobility, and its successors and assigns, shall remedy any damage to the Property or Cell Tower within thirty calendar days of notice thereof.
- 8.) AT&T Mobility, and its successors and assigns, shall place no signage on the tower itself other than signs necessary for safety purposes.
- 9.) AT&T Mobility, and its successors and assigns, shall provide to the City copies of the necessary recorded site easements prior to the issuance of any building permit.

Section 2. CONDITIONS RUN WITH THE LAND

The Conditional Use herein approved and the conditions imposed thereon shall run with the land unless and until revoked. The City shall record this Resolution in the office of the Adams County Clerk and Recorder at the expense of the Applicant.

RESOLVED, this 21st day of August, 2018.

CITY OF BRIGHTON, COLORADO

Kenneth J. Kreutzer, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Jack D. Bajorek, City Attorney

EXHIBIT A

18'X20' LEASE AREA LEGAL DESCRIPTION – PROPOSED:

A parcel of land within that parcel of land described at Reception No. 662340 of the Public Records of the County of Adams (Parent Tract), located in the Southeast Quarter of Section 7, Township 1 South, Range 66 West, of the Sixth Principal Meridian, County of Adams, State of Colorado, said parcel being more particularly described as follows:

For the purpose of this description the bearings are referenced to the North line of the Southeast Quarter of Section 7, Township 1 South, Range 66 West, assumed to bear North 89°10'00" West, 2639.70 feet (North 89°10'00" West per deed Reception No. 662340), monumented by a 2½" Alum Cap PLS 27269 1996 on a #6 rebar at the East Quarter Corner and by a 2½" Alum Cap Hoos PLS 27269 1996 on a #6 rebar at the Center Quarter Corner of said Section 7.

Beginning at a point whence the East Quarter Corner of said Section 7, Township 1 South, Range 66 West of the 6th Principal Meridian, bears North 82°54'14" East, a distance of 792.59 feet, said point also being the Point of Beginning of the hereinbefore described 18' wide Access Easement;

THENCE North 45°04'04" East, a distance of 10.00 feet to Point A, the northwest corner of the 18'X20' Lease Area and the Point of Beginning of the hereinafter described Utility Easement #1;

THENCE continuing South 44°55'56" East, a distance of 9.00 feet;

THENCE South 45°04'04" West, a distance of 20.00 feet;

THENCE North 44°55'56" West, a distance of 9.00 feet to Point B, the Point of Beginning of the hereinafter described 18' Wide Utility Easement #2;

THENCE continuing North 44°55'56" West, a distance of 9.00 feet;

THENCE North 45°04'04" East, a distance of 10.00 feet to the Point of Beginning.

Containing 360 Square Feet, or 0.008 Acres, more or less.

12'X18' LEASE AREA LEGAL DESCRIPTION – PROPOSED:

A parcel of land within that parcel of land described at Reception No. 662340 of the Public Records of the County of Adams (Parent Tract), located in the Southeast Quarter of Section 7, Township 1 South, Range 66 West, of the Sixth Principal Meridian, County of Adams, State of Colorado, said parcel being more particularly described as follows:

For the purpose of this description the bearings are referenced to the North line of the Southeast Quarter of Section 7, Township 1 South, Range 66 West, assumed to bear North 89°10'00" West, 2639.70 feet (North 89°10'00" West per deed Reception No. 662340), monumented by a 2½" Alum Cap PLS 27269 1996 on a #6 rebar at the East Quarter Corner and by a 2½" Alum Cap Hoos PLS 27269 1996 on a #6 rebar at the Center Quarter Corner of said Section 7.

Beginning at a point whence the East Quarter Corner of said Section 7, Township 1 South, Range 66 West of the 6th Principal Meridian, bears North 75°54'27" East, a distance of 817.41 feet, said point also being the Point of Terminus of the hereinbefore described 18' wide Access Easement #2;

THENCE South 89°55'55" East, a distance of 9.00 feet;

THENCE South 00°04'05" West, a distance of 12.00 feet;

THENCE North 89°55'55" West, a distance of 18.00 feet;

THENCE North 00°04'05" East, a distance of 12.00 feet;

THENCE South 89°55'55" East, a distance of 9.00 feet to the Point of Beginning.

Containing 216 Square Feet, or 0.005 Acres, more or less.

5



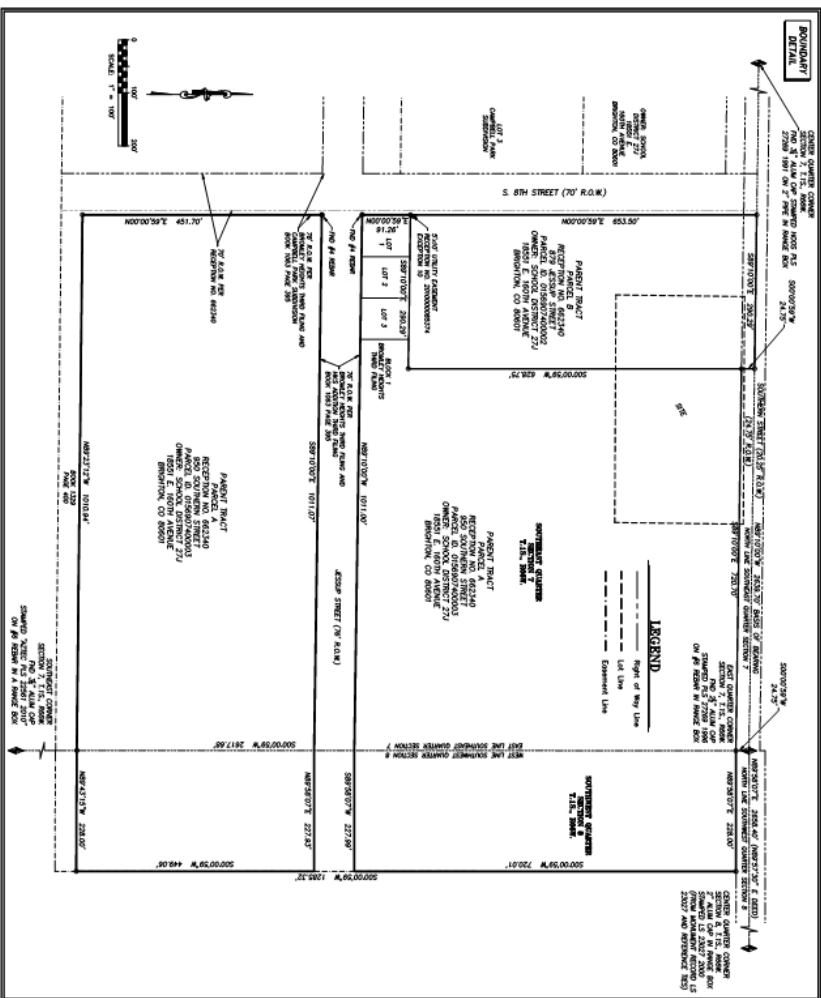
4155 E. Jewell Avenue, Suite 414
 Denver, Colorado 80222
 Phone: 303.455.2618
 Fax: 913.438.7777

1. **Abstract Only:** Only one entry only up to Sixty-two (62) Candidates. Held on December 6, 2012. A list of candidates is available on the website of the Department of Health and Human Services. **Abstract Only:** Only one entry only up to Sixty-two (62) Candidates. Held on December 6, 2012. A list of candidates is available on the website of the Department of Health and Human Services.

Job No. 1706-001
For and on behalf of
Daley Land Surveying, Inc.
17011 Grisham Ave., #381
Pueblo, CO 81014
303.583.0841
Robert Daley, PLS 35597

NOTES OR REMARKS:
The bearings shown on this survey are referenced to the North line of the Southeast Quarter of Section 7, Township 36S, Range of West, assumed to bear North 87°10'00" West, 2639.70 feet (North 87°10'00" West per deed Reception No. 662340), monumented as shown herein.

COORDINATE SYSTEM AND DATUM:
Horizontal coordinates are referenced to NAD83, vertical datum is MGD85 and projected from the local CCRS network, utilizing the OSRD72A model.

[illegible][illegible][illegible][illegible]

TOPOGRAPHIC SURVEY
AT&T SITE COU5344 - RON COX FIELD
SITUATED IN THE SOUTHEAST QUARTER OF SECTION 7
AND THE SOUTHWEST QUARTER OF SECTION 8
TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
COUNTY OF ADAMS, STATE OF COLORADO

REV:	DATE:	DESCRIPTION:	BY:
1	2/5/2018	LEASE/EASEMENTS	AV
2	3/6/2018	REV EASEMENTS	AV

DRAWN BY:		CHK BY:		APP BY:	
AV		HD		MD	

AT&T SITE NAME & NUMBER:
RON COX FIELD
COU5344

S 8TH AVE. &
E SOUTHERN ST
BRIGHTON, CO 80601

LAND SURVEY

SHEET NUMBER: 1

LS1



Selective Site Consultants
8930 West 109th Street, Suite 300
Overland Park, Kansas 66210
Phone: 913-438-7700
Fax: 913-438-7777
<http://www.ssc.com>



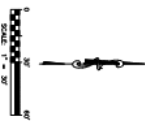
— LICENSURE NO:

TOPOGRAPHIC SURVEY

AT&T SITE RON COX FIELD - COU5344

UATED IN THE SOUTHEAST QUARTER OF SECTION 7
AND THE SOUTHWEST QUARTER OF SECTION 8

COUNTY OF ADAMS, STATE OF COLORADO

[illegible]

REV.	DATE	DESCRIPTION	BY
1	2/5/2016	LEASE EASEMENTS	AV
2	3/8/2016	REV EASEMENTS	AV

DALEY LAND,
SITEX INC.
1700 LENOX AVE. SUITE 100
FLORENCE, KY 40302
PHONE: (502) 804-1144

— LICENSURE NO:



Selective Site Consultants

8900 West 109th Street, Suite 300
Overland Park, Kansas 66210
Phone: 913-428-7700
Fax: 913-428-7777
<http://ssc-us.com>



PLANS PREPARED FOR

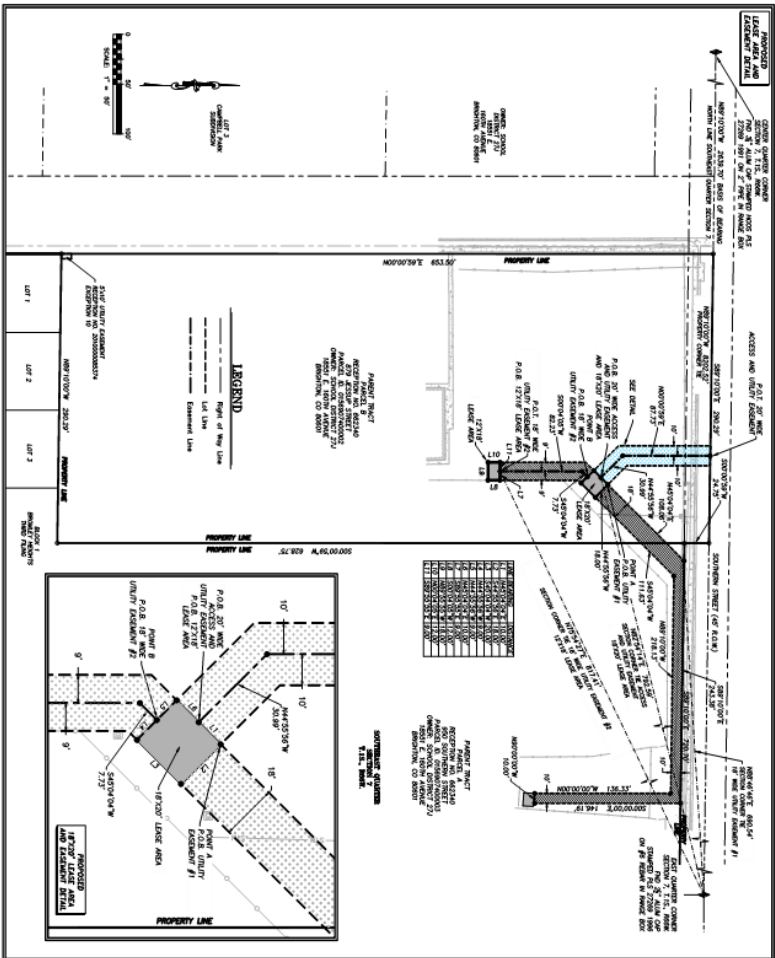
S 8TH AVE. &
E SOUTHERN ST
BRIGHTON, CO 80601

LAND SURVEY

SSC# SH

LS2

TOPOGRAPHIC SURVEY AT&T SITE COU5344 - RON COX FIELD SITUATED IN THE SOUTHEAST QUARTER OF SECTION 7 AND THE SOUTHWEST QUARTER OF SECTION 8 TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH P.M. COUNTY OF ADAMS, STATE OF COLORADO



SECTION 7, T1S, R66W, COU5344
 The survey was made for the purpose of showing the location of the proposed AT&T site, situated in the Southeast Quarter of Section 7, Township 1 South, Range 66 West of the 6th P.M., County of Adams, State of Colorado. The survey was made by the undersigned, a duly qualified and licensed surveyor, and the results are shown on the accompanying map. The survey was made on the 15th day of May, 2008, and the results are shown on the accompanying map. The survey was made for the purpose of showing the location of the proposed AT&T site, situated in the Southeast Quarter of Section 7, Township 1 South, Range 66 West of the 6th P.M., County of Adams, State of Colorado. The survey was made by the undersigned, a duly qualified and licensed surveyor, and the results are shown on the accompanying map. The survey was made on the 15th day of May, 2008, and the results are shown on the accompanying map.

SECTION 8, T1S, R66W, COU5344
 The survey was made for the purpose of showing the location of the proposed AT&T site, situated in the Southwest Quarter of Section 8, Township 1 South, Range 66 West of the 6th P.M., County of Adams, State of Colorado. The survey was made by the undersigned, a duly qualified and licensed surveyor, and the results are shown on the accompanying map. The survey was made on the 15th day of May, 2008, and the results are shown on the accompanying map. The survey was made for the purpose of showing the location of the proposed AT&T site, situated in the Southwest Quarter of Section 8, Township 1 South, Range 66 West of the 6th P.M., County of Adams, State of Colorado. The survey was made by the undersigned, a duly qualified and licensed surveyor, and the results are shown on the accompanying map. The survey was made on the 15th day of May, 2008, and the results are shown on the accompanying map.

PLANS PREPARED FOR:	
at&t	
PLANS PREPARED BY:	
SOUTHERN SURVEYING, INC. 8800 WEST 100TH STREET, SUITE 300 OVERLAND PARK, KANSAS 66204 PHONE: (913) 438-7777 FAX: (913) 438-7777 WWW.SSCLAND.COM	
LICENSE NO.	
SOUTHERN SURVEYING, INC. 12011 ZENITH, 113-0000	
REV. DATE	DESCRIPTION
1 2/20/08	LAND EASEMENTS
2 3/20/08	REV. EASEMENTS
DRAWN BY:	
AV	ANY BY:
AT&T SITE NAME & NUMBER: RON COX FIELD COU5344	
SITE ADDRESS: S 8TH AVE. & E SOUTHERN ST BRIGHTON, CO 80601	
SHEET DESCRIPTION: LAND SURVEY	
SHEET NUMBER: LS3	

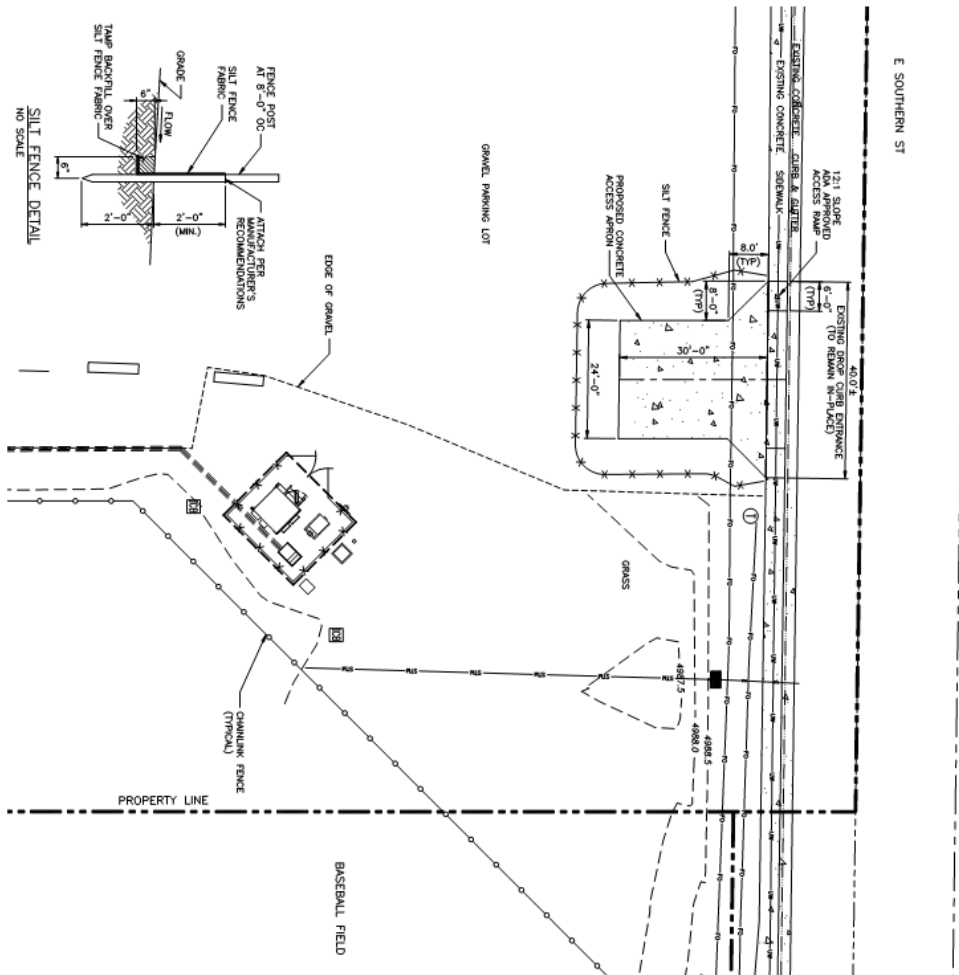
ANTENNA AND RRH SCHEDULE			
SECTOR	ANTENNA MODEL	TECHNOLOGY	RRH MODEL
ALPHA	TPA-6SR-BUSDA-K	LTE 850	(1) 4T4R 85 160W APCA
		LTE 1900	(1) RRH 4T4R B23/66 320W
		LTE WCS	(1) RRH425-WCS-4R
	TPA-6SR-BUSDA-K	LTE 850	(2) RRH 4T4R B23/66 320W
		LTE 1900	(2) RRH 4T4R B23/66 320W
		LTE WCS	(2) RRH 4T4R B23/66 320W
BETA	TPA-6SR-BUSDA-K	LTE 850	(1) 4T4R 85 160W APCA
		LTE 1900	(1) RRH 4T4R B23/66 320W
		LTE WCS	(1) RRH425-WCS-4R
	TPA-6SR-BUSDA-K	LTE 850	(1) RRH 4T4R B23/66 320W
		LTE 1900	(1) RRH 4T4R B23/66 320W
		LTE WCS	(1) RRH 4T4R B23/66 320W
GAMMA	TPA-6SR-BUSDA-K	LTE 850	(1) 4T4R 85 160W APCA
		LTE 1900	(1) RRH 4T4R B23/66 320W
		LTE WCS	(1) RRH425-WCS-4R
	TPA-6SR-BUSDA-K	LTE 850	(1) RRH 4T4R B23/66 320W
		LTE 1900	(1) RRH 4T4R B23/66 320W
		LTE WCS	(1) RRH 4T4R B23/66 320W

CABLE LENGTH TABLE			
SECTOR	ANTENNA	JUMPER QTY	JUMPER LENGTH
ALPHA	A1	12	10'
	A2		
	A3		
BETA	B1	12	10'
	B2		
	B3		
GAMMA	G1	12	10'
	G2		
	G3		

CABLE COUNT			
SECTOR	ANTENNA	JUMPER QTY	JUMPER LENGTH
ALPHA	A1	12	10'
	A2		
	A3		
BETA	B1	12	10'
	B2		
	B3		
GAMMA	G1	12	10'
	G2		
	G3		

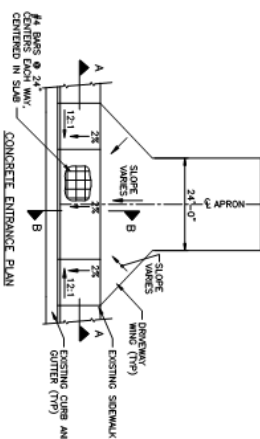
CABLE LENGTH TABLE			
SECTOR	ANTENNA	JUMPER QTY	JUMPER LENGTH
ALPHA	A1	12	10'
	A2		
	A3		
BETA	B1	12	10'
	B2		
	B3		
GAMMA	G1	12	10'
	G2		
	G3		

CABLE COUNT			
SECTOR	ANTENNA	JUMPER QTY	JUMPER LENGTH
ALPHA	A1	12	10'
	A2		
	A3		
BETA	B1	12	10'
	B2		
	B3		
GAMMA	G1	12	10'
	G2		
	G3		

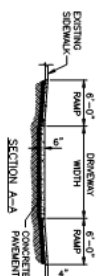
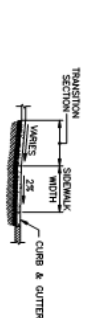


1. GRAVING NOTES:
 1. STEP THE GROUND OF ALL VEGETATION AND DEBRIS.
 2. PROFILE ROLL WITH LAKED TANKED TO IDENTIFY SOFT SPOTS.
 3. REMOVE SOFT SPOT MATERIAL AND COMPACT TO 95% AT STRUCTURE, EMBANKMENT, AND ELSEWHERE.
 4. INSTALL GEOTEXTILE FABRIC ON PREPARED SUBGRADE.
 5. PLACE AND COMPACT 6" AGGREGATE SURFACING.
 6. SET SPECIFICATIONS DRAWINGS FOR REQUIREMENTS OF CONSTRUCTION.
 7. MAINTAIN RESURFABLE DIST. CONTROL METHODS DURING CONSTRUCTION.
 8. ENTIRE DEPTH LENGTH SHALL BE POSITIVE DRAINING DURING, AND AT COMPLETION OF CONSTRUCTION.
 9. ON FOLLOW UP SURVEILLANCE, IF ANY FREQUENCY REMAINS, CONSTRUCTION DRAWINGS AND SOILS REPORT THE GEOTECHNICAL REPORT SHALL DETERMINE, SSP TO BE NOTIFIED OF DISCREPANCY.
2. SUBLIMATION NOTES:
 1. SUBLIMATION CONTROL DEVICES TO REMAIN IN PLACE UNTIL, ANCHORED VEGETATION GROWTH INSURES NO FURTHER FROST/DRAWN. SUBLIMATION FENCES SHALL BE INSPECTED PERIODICALLY FOR DAMAGE. IF DAMAGE OCCURS, REPAIRS SHALL BE IMMEDIATELY MADE. IF DAMAGE OCCURS, REPAIRS SHALL BE IMMEDIATELY MADE. IF DAMAGE OCCURS, REPAIRS SHALL BE IMMEDIATELY MADE.
 2. SUBLIMATION FENCES SHALL BE INSPECTED PERIODICALLY FOR DAMAGE. IF DAMAGE OCCURS, REPAIRS SHALL BE IMMEDIATELY MADE. IF DAMAGE OCCURS, REPAIRS SHALL BE IMMEDIATELY MADE.
 3. ATTACHMENT OF SUBLIMATION FABRIC TO BE IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
 4. SSP FENCING TO BE USED AT ALL AREAS OF EXCAVATION.

SILTRATION NOTES:



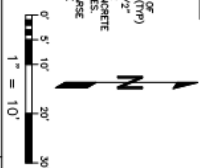
CONCRETE ENTRANCE PLAN

SECTION A-A
PAVEMENT

SECTION B-B

CONCRETE ENTRANCE DETAILS
NO SCALE

1. PLACE EXPANSION JOINTS AT BACK OF CURB LINE AND AT SIDEWALK LINE (TYP)
2. CONSTRUCTION JOINTS SHALL BE 1/2" PREMOULDED NON-EXTENDING FILLER MATERIAL, PLACED WHERE NEW CONCRETE ABUTS NEW OR EXISTING STRUCTURES.
3. SURFACE TEXTURE SHALL BE A COARSE BROOD FINISH, TRANSVERSE TO THE SLOPE OF THE PAVEMENT.



CIVIL PLAN & DETAILS

[illegible]