

## **BRIGHTON CITY COUNCIL RESOLUTION**

### **First Presbyterian Church Cell Tower Conditional Use**

#### **RESOLUTION NO: 2018-98**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A CONDITIONAL USE FOR THE FIRST PRESBYTERIAN CHURCH CELL TOWER, A COMMERCIAL MOBILE RADIO SERVICE FACILITY, GENERALLY LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BRIGHTON, COLORADO, AND SETTING FORTH DETAILS IN RELATION THERETO.**

***WHEREAS***, the Applicant, Wyco Field Services ("Applicant") has filed with the City an application for approval of a Conditional Use on behalf of Crown Castle; and

***WHEREAS***, the Applicant, is requesting approval of a Conditional Use Permit for a project known as the First Presbyterian Church Cell Tower ("Cell Tower"), a commercial mobile radio service facility located on leased areas on the property addressed as 510 S. 27<sup>th</sup> Avenue, as further described in Exhibit A (the "Property"); and

***WHEREAS***, the Applicant is requesting approval of a Conditional Use for the construction of the Cell 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 September 4, 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 Cell 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 First Presbyterian Church Cell Tower, submitted by Wyco Field Services on behalf of Crown Castle for a commercial mobile radio service facility generally located in the Southwest Quarter of Section 9, 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.

Section 2. The Conditional Use Permit shall 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 4<sup>th</sup> day of September, 2018.

CITY OF BRIGHTON, COLORADO

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Kenneth J. Kreutzer, Mayor

ATTEST:

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Natalie Hoel, City Clerk

APPROVED AS TO FORM:

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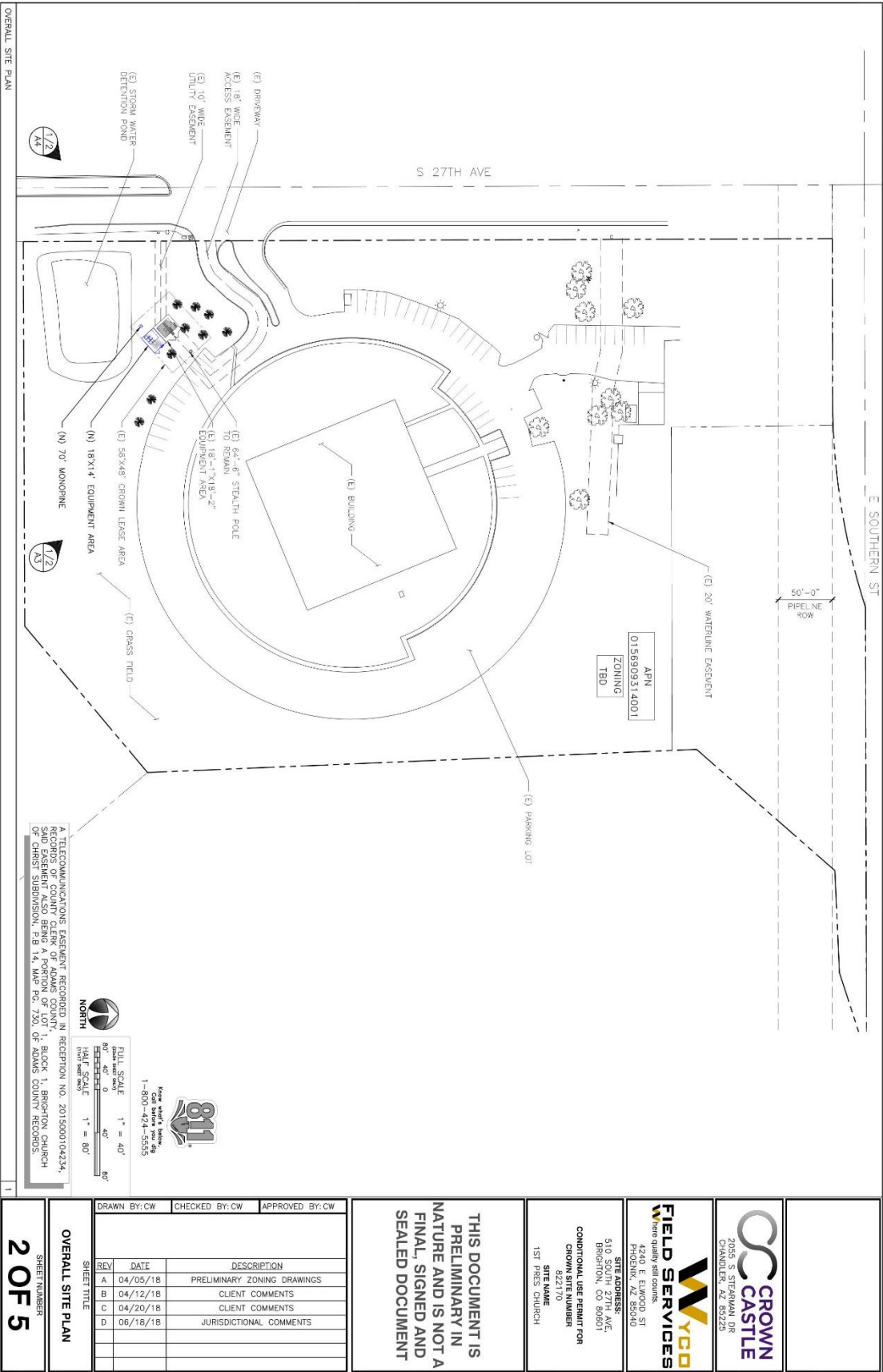
Jack D. Bajorek, City Attorney

## **EXHIBIT A**

DESC: PT OF SW4 SEC 9 DESC AS BEG AT W4 COR SD SEC 9 TH S 30 FT TH E 50 FT TH S 751/76 FT TO TRUE POB TH E 357/65 FT TH N 49D 59M E 177/47 FT TO APPROXIMATE C/L BRIGHTON LATERAL CANAL TH ALG SD C/L THE FOL COURSES S 40D 00M E 245/29 FT S 64D 52M E 5/72 FT S 46D 32M E 157/17 FT S 33D 10M E 96/62 FT S 14D 51M E 92/34 FT TO A PT ON FUTURE C/L 60 FT ROW FOR JESSUP ST TH S 84D 16M W ALG SD C/L 160/59 FT TO BEG OF CURVE TO LEFT TH ALG SD CURVE HAV DELTA ANG OF 22D 00M RAD OF 488/73 FT CHD BRNG S 73D 16M W 186/51 FT ARC LNG OF 187/66 FT TH N 27D 43M W 158/75 FT TH W 433/76 FT TH N 283/88 FT TO TRUE POB EXC RD AND TOG WITH LOT 1 BLK 1 EXC PARC BRIGHTON CHURCH OF CHRIST SUBD \*\*INCOMPLETE LEGAL SEE CARD\*\* 13/1300A

## 4

THIS DOCUMENT IS  
PRELIMINARY IN  
NATURE AND IS NOT A  
FINAL, SIGNED AND  
SEALED DOCUMENT



OVERALL SITE PLAN

1/2 AS

1/2 AS

A TELECOMMUNICATIONS EASEMENT RECORDED IN RECEPTION NO. 2015000104234, SAID EASEMENT ALSO BEING A PORTION OF LOT 1, BLOCK 1, BRIGHTON CHURCH OF CHRIST SUBDIVISION, P.B. 14, MAP PG. 730, OF ADAMS COUNTY RECORDS.

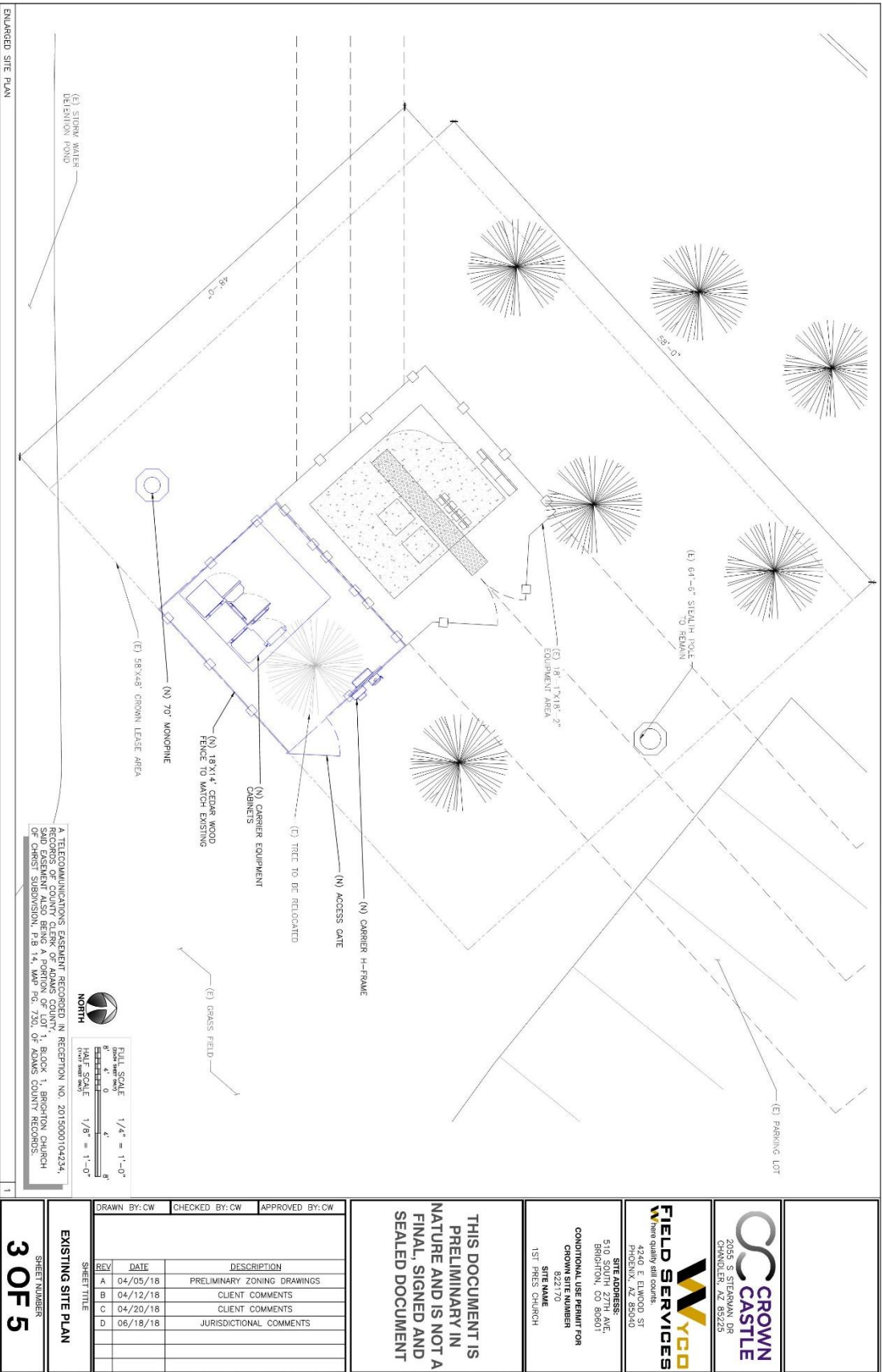


NORTH

Full Scale 1" = 40'  
Half Scale 1" = 80'



 2025 S STEPHAN DR GRANBURY, TX 76048		 Where quality isn't a compromise. 510 SOUTH 27TH AVE BRIGHTON, CO 80601 CONDITIONAL USE PERMIT FOR CROWN SITE NUMBER 822170 SITE NAME 1ST PRES CHURCH		THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT		DRAWN BY: CW CHECKED BY: CW APPROVED BY: CW																
SHEET NUMBER <b>2 OF 5</b>		OVERALL SITE PLAN		<table border="1"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>04/05/18</td> <td>PRELIMINARY ZONING DRAWINGS</td> </tr> <tr> <td>B</td> <td>04/12/18</td> <td>CLIENT COMMENTS</td> </tr> <tr> <td>C</td> <td>04/20/18</td> <td>CLIENT COMMENTS</td> </tr> <tr> <td>D</td> <td>06/18/18</td> <td>JURISDICTIONAL COMMENTS</td> </tr> </tbody> </table>		REV	DATE	DESCRIPTION	A	04/05/18	PRELIMINARY ZONING DRAWINGS	B	04/12/18	CLIENT COMMENTS	C	04/20/18	CLIENT COMMENTS	D	06/18/18	JURISDICTIONAL COMMENTS		
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A TELECOMMUNICATIONS EASEMENT RECORDED IN RECORDS OF COUNTY CLERK OF ADAMS COUNTY, ARIZONA, BOOK 1, PAGE 1, BRIGHTON CHURCH OF CHRIST SUBDIVISION, P.B. 14, MAP PG. 720, OF ADAMS COUNTY RECORDS.



FILE SCALE 1/4" = 1'-0"  
 HALF SCALE 1/8" = 1'-0"

 2055 S STEWART DR CHANDLER, AZ 85225		 where quality still counts. 4240 E. ELWOOD ST PHOENIX, AZ 85040		SITE ADDRESS: 510 E. 1ST AVENUE BRIGHTON, CO 80601 CONDITIONAL USE PERMIT FOR CROWN SITE NUMBER SITE NAME 1ST PRES CHURCH		<p><b>THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT</b></p>		DRAWN BY: CW CHECKED BY: CW APPROVED BY: CW														
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