

Planning Division
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April 26, 2021

John Walesa
Nexius
7025 S Fulton St Suite 100
Centennial, CO 80012

Re: Initial Submission Review: Stealth Cell Facility at 1800 S Tower Rd – Conditional Use, Site Plan
Amendment and Major Adjustment
Application Number: DA-1333-04
Case Number: 1999-6040-03

Dear Mr. Walesa:

Thank you for your initial submission, which we started to process on Monday, March 29, 2021. We reviewed it and attached our comments along with this cover letter. The following sections contain more specific comments, including those received from other city departments, outside agencies, and neighborhood groups.

Since several important issues remain, you will need to make another submission. Please revise your previous work send your second submission to us on or before Friday, May 14, 2021. Include a comment response letter to all comments in this letter including the neighborhood comments.

The proposed use is conditional use and require Conditional Use Fee to be assessed to application. The fee is required to be paid prior the second submission.

Note that all our comments are numbered. When you resubmit, include a cover letter specifically responding to each item. The Planning Department reserves the right to reject any resubmissions that fail to address these items. If you have made any other changes to your documents other than those requested, be sure to also specifically list them in your letter.

As always, if you have any comments or concerns, please give me a call. I may be reached at abenton@auroragov.org or 303-739-7209.

Sincerely,

Antonnio Benton II

Antonnio Benton II, Planner I
City of Aurora Planning Department

cc: Antonnio Benton II, Case Manager
Meg Allen, Neighborhood Services
Cesarina Dancy, ODA
Filed: K:\\$DA\1333-04rev1.rtf



Initial Submission Review

SUMMARY OF KEY COMMENTS

- Update the site plan to show minimum setback requirements are being met from R-2 Zoning District and the public right-of-way south of the proposed site.
- The project will be referred to Buckley Air Force Base for review.
- The proposed use is a conditional use and requires a major adjustment in the R-2 Zoning District
- Update the Letter of Introduction and Operations Plan to reflect conditional use and major adjustment justifications for R-2 Zoning District
- Respond to all neighborhood comments.
- Remove AutoCAD text from plans.
- Label the private easements and note that they are to be dedicated by separate documents (Real Property).
- Identify type of fuel to be used on site (Life Safety).
- The site plan will not be approved by Public Works until the preliminary drainage letter/report is approved.
- Include a grading plan and label proposed access easement (Engineering).
- Address ALL redline comments from city departments.

PLANNING DEPARTMENT COMMENTS

1. **Planning Comments** (Antonnio Benton II / abenton@auroragov.org / 303-739-7209 / Comments in teal)
 - 1A. Per the Unified Development Ordinance Section 146-3.3.5, freestanding and stealth Telecom Facilities located adjacent to any existing or planned public right-of-way shall be set back from the public right-of-way at least one foot for every foot of tower height. Update the site plan show the site meeting this setback requirement from the parks and open space south of the proposed site.
 - 1B. Based on the required minimum setbacks, the proposed site will be in the R-2 Zoning District and not the POS Zoning District.
 - 1C. The proposed use of a Telecom Stealth Facility is a conditional use in R-2 Zoning District. The proposed use is subject to Conditional Use approval, according to Sections 146-3.2 and 146-3.3. Update the Letter of Introduction and Operations Plan that introduces the project and justifies the Conditional Use request by specifically responding to the Criteria of Approval. The Planning and Zoning Commission will consider the ability of the proposal to meet these criteria in their evaluation of the proposal.
 - 1D. The proposed design of the stealth facility does not meet the design criteria requirement in Section 146-3.3.5 of compatible architectural elements in the design, such as color, texture, scale and character. The proposed design does not tie into the architectural elements consistent with the Aurora Church Of The Nazarene Site Plan.
 - 1E. Remove AutoCAD SHX text items in the comment section. Please flatten to reduce select ability of items.
 - 1F. Per the Unified Development Ordinance Section 146-3.3.5, freestanding and stealth Telecom Facilities located adjacent to any property zoned for residential use shall be set back from each property zoned for residential use at least one foot for every foot of tower height. Update the site plan to show both the 38-foot and 50-foot marks from the adjacent R-2 Zoning District property lines.
 - 1G. The proposed use of a 50' Telecom Stealth Facility is above height requirement in the R-2 Zoning and therefore requires a Major Adjustment. Section 146-5.4.4 details the definitions, applicability, procedures, and criteria of approval for all adjustments to development standards. Since an adjustment is being requested, it must clearly be listed and justified in the Letter of Introduction. It must also be listed on the cover sheet of the Site Plan and any other sheets on which they are applicable. Approvals of adjustment requests are not guaranteed. Adjustment requests should identify the reason for the adjustment, efforts to minimize the adjustment, and design elements proposed to mitigate the standards proposed for reduction. Typically, mitigation techniques should go above and beyond requirements from other code sections. The Major Adjustment will require approval from the Planning and Zoning Commission.



- 1H. Development in the Airport Influence District shall comply with height restrictions in the underlying zone district, which do not intrude into 14 CFR 77 surfaces for military airports. I will refer the application to Buckley Air Force staff for the 14 CFR Part 77 surfaces evaluation and forward any comments to you as part of the next review.
 - 1I. Please address the neighborhood comments from:
 - 1J. Mary Spidell, mittyspidell@gmail.com
I was just made aware of this plan. Our home is two houses to the east of the tower. I feel that 50 feet is too high for this neighborhood. 38 feet is better. It will disturb the sightlines of the mountains for our home. I wish we had been told about this sooner.
 - 1K. Theresa Carol Moench, myguys855@aol.com
This is absurd to place another tower in the neighborhood, the church has been gracious enough to not block any view we have from our backyard. If 38 ft. isn't good enough then don't put it up at all. There isn't any need for taller or bigger, it is not eye appealing nor does it serve any other purpose other than big deep pockets.
 - 1L. Virginia Zinth, ginnyzinth@gmail.com
I looked at the information on line. It appears that this cell will be very close to our fence, and right behind a neighbor's fence. The proposed increase in height would have a significant impact on our area and our houses. A fifty foot bulky cell facility would dominate the area; as you know our houses are approximately 35 feet in height. I oppose the increase in height allowance. Was this a permitted use? I do not remember seeing an original application for this site plan.
 - 1M. Glenda Fahey, gjfahey71@gmail.com
Just what will this stealth tower" look like? I'm already losing my views of the mountains because of the development going in at Andes Circle.
 - 1N. Ike Bogey, mikebogey@yahoo.com
I'm surprised the residents were asked for input. Aurora usually does what it wants and has a "sorry it's already completed mentality" A structure/tower that is 38' - 50' isn't stealth. Nexis will pay somebody off and get what they want! Really...anything that is 38' or 50' is not Stealth...it should be called "sticks out like a sore thumb" It's a waste of time to ask for resident input. Nexius will line someones pockets and get the 50' they want.
 - 1O. Respond to each of the neighborhood comments in your response letter and address the concerns expressed.
 - 1P. Per the Unified Development Ordinance Section 146-5.3.1, if the City receives significant comments regarding the project as determined by the Planning Director, a neighborhood meeting will be required. The meeting shall be scheduled at least 14 days after the date on which the City sends notice that the application has been received. Your Neighborhood Liaison, Meg Allen can be reached at mkallen@auroragov.org and 303.739.7258.
2. **Addressing** (Phil Turner / pcturner@auroragov.org / 303-739-7271)
 - 2A. Approved, refer to address record of 1882 S Tower Road per plans provided.
3. **Landscaping** (Kelly Bish / kbish@auroragov.org / 303-739-7189/ Comments in pink)
 - 3A. Sheet ZD-2
 - 3B. Include the property line to the south separating the church property from the city owned property.
 - 3C. Once the property line is provided, add a dimension from the property line to the proposed fence.
 - 3D. Why does this gravel road extend to the southern property line? Access from the city trail would not be permitted.



REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

4. **Real Property** (Andy Niquette / aniquette@auroragov.org / 303-739-7325/ Comments in pink)
 - 4A. Label the private easements and note that they are to be dedicated by separate documents.
5. **Civil Engineering** (Kristin Tanabe/ ktanabe@auroragov.org / 303-739-7431/ Comments in green)
 - 5A. The site plan will not be approved by Public Works until the preliminary drainage letter/report is approved.
 - 5B. Please remove AutoCad SHX text items in the comment section. Please flatten to reduce select-ability of the items.
 - 5C. Include a grading plan.
 - 5D. Label proposed access easement
6. **Life Safety** (Jeff Goorman / jgoorman@auroragov.org / 303-739-7464 / Comments in blue)
 - 6A. Identify the type of fuel. Example, natural gas, diesel. If diesel provide size of belly tank.
 - 6B. Show location of the knox box with key for the gate building.
7. **Aurora Water** (Nina Khanzadeh/ nkhanzadeh@auroragov.org / 303-739-7490 / Comments in red)
 - 7A. Approved, no comments.