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Thursday, October 31, 2024

City of Aurora, CO
Planning Department
Attn: Ms. Ani Karabashian
15151 E. Alameda Parkway
Aurora, CO 80012

RE: **Response to Initial Review** for
Development Application DA-1024-28
Case Number 1996-6067-28
Vertical Bridge Telecom Facility at Arapahoe Crossings - Conditional Use and Site Plan
Amendment with Adjustment
Applicant Reference: Vertical Bridge Development, LLC ref. US-CO-5212
Property: Arapahoe County PIN 035410897, which is Lot 1 Blk 1 Arapahoe Crossings Sub Flg No 3
Property Address: 6696 S Parker Rd
New Address Assigned by City to Project: 6587 S Lewiston Way

Dear Ms. Karabashian, City of Aurora Planning & Zoning Commission, and Planning Department Team,

On behalf of Vertical Bridge Development, LLC, Buell Consulting, Inc. hereby submits this response to the initial submission review to further add clarification and information to support application number DA-1024-28 for Vertical Bridge Telecom Facility at Arapahoe Crossings - Conditional Use and Site Plan Amendment with Adjustment on the property with Arapahoe County PIN 035410897 owned by Arapahoe Crossings LP.

The following pages address each numbered item of the City's initial review. We appreciate the City's diligence and assistance with this project.

Please do not hesitate to call for any clarifications or additional questions related to any of our application materials.

Sincerely,

Scott Buell

Site Development Agent on behalf of Vertical Bridge Development, LLC

Phone: 651-225-0793

Email: sbuell@buellconsulting.com

Encl.

Applicant Response to City's Initial Review
**Vertical Bridge Telecom Facility at Arapahoe Crossings - Conditional Use and
Site Plan Amendment with Adjustment**

Arapahoe County PIN 035410897
Property Address: 6696 S Parker Rd
New Address Assigned to Project: 6587 S Lewiston Way

Cited City responses are in *blue italics*, our responses are in normal font. Our responses constitute our supplemental information required as per the City's collection of feedback on our project, and are intended to be read in conjunction with our revised site plans and other materials submitted originally.

PLANNING DEPARTMENT COMMENTS

1. Community Questions, Comments, and Concerns

1A. No community comments at this time.

2. Completeness and Clarity of the Application

2A. Major Adjustment Criteria of Approval: Please add the Major Adjustment Criteria to your Letter of Introduction and describe how the project meets each criterion.

We've added our descriptions of how our project meets each criterion with this response letter, included below.

See the Criteria of Approval for a Major Adjustment below:

- *The adjustment will have no material adverse impact on any abutting lot or any material adverse impacts have been mitigated by conditions attached to the adjustment; and*

The adjustment will have no material adverse impact on any abutting lot, and rather, the additional coverage and capacity the site will afford the mobile network operation in the vicinity will bring value to commuters and shoppers and nearby establishments.

- *The adjustment does not violate any conditions of approval specifically applied to the development of the property by the Planning and Zoning Commission or City Council; and*

We do not believe this adjustment violates any conditions of approval that would have been specifically applied to the development of the subject property. We ask that Planning and Zoning staff confirm this.

- *At least one of the following criteria have been met:*

(1) The adjustment will result in a perception of development quality as viewed from adjacent streets and abutting lots that is equal to or better than would have been required without the adjustment.

We expect the perception of development quality as viewed from adjacent streets and abutting lots to be equal to what would have been perceived without the adjustment

(2) The adjustment will provide options for a more connected neighborhood layout or, for an adjustment for a residential subdivision, the adjustment will result in a neighborhood layout and level of multi-modal connectivity equal or better than would have been required without the adjustment.

Physical connectivity will not apply to this project, other than improved coverage from this site allowing for better communication connectivity for those moving through the area.

(3) The adjustment will result in equal or better screening and buffering of adjacent properties and ground and roof-mounted equipment than would have been required without the adjustment.

The adjustment will result in additional screening with a wider area of landscaping to replace the

existing smaller area of landscaping to the east of our proposed project area.

- (4) *The adjustment will not result in a material increase in on-street parking or traffic congestion on any local street in any Residential zone district within 200 feet of the applicant's site.*

There will be no effect on traffic or street congestion since this will be an unmanned facility with no parking requirements or traffic related to its operation.

- (5) *For an adjustment to the maximum number or area of signs or sign setbacks, the adjustment will have a minimal visual effect on the surrounding neighborhood and is necessary to compensate for the unusual shape or orientation of the lot or to allow sign visibility comparable to, but not exceeding, that available to nearby lots of approximately the same size and shape in the same zone district.*

This criterion is not applicable to this proposed project.

Cover Sheet (Sheet 1)

2B. *Adjust the structure of the project title to what is seen below:*

Vertical Bridge Telecom Facility at Arapahoe Crossings Conditional Use and Site Plan Amendment with Adjustment

This has been addressed on the revised site plans.

2C. *Title needs to include 'With Adjustment' at the end of the title. This means the title of the Site Plan should be Vertical Bridge Telecom Facility at Arapahoe Crossing – Conditional Use and Site Plan Amendment with Adjustment.* This has been addressed on the revised site plans.

2D. *Please add a legal description to the cover sheet. The legal description is missing and is required to be on the cover sheet.* This has been addressed on the revised site plans.

2E. *Please relocate the signature block and Site Plan notes to the cover sheet. These items are required to be on the cover sheet and not on the second page.* This has been addressed on the revised site plans.

Site Plan (Sheet 4)

2F. *All Site Plans shall be drawn at a uniform engineering scale of 1 inch = 40 feet minimum. The proposed Site Plan drawing is at a scale of 1 inch = 20 feet.*

The Overall Site Plan (ZA-1) has been adjusted accordingly on the revised site plans.

2G. *The Site Plan is missing a legend. Please provide a legend to identify and distinguish symbol and line types on the Site Plan.* This has been addressed on the revised site plans.

3. Zoning and Subdivision Use Comments

3A. *The Applicant has not provided sufficient materials to demonstrate they have made an effort to collocate with nearby structures. Code Section 146-3.3.5.JJ.3.d requires the following:*

'An applicant for a new freestanding Telecom Facility shall demonstrate that a good faith effort has been made to locate its Telecom Facility on existing Towers or buildings including, but not limited to, existing freestanding Telecom Facilities. Evidence of good faith must include copies of correspondence with owners or operators of existing freestanding Telecom Facilities. The applicant shall demonstrate that due to physical constraints, or economic or technological infeasibility, no such location or co-location is available. The applicant shall demonstrate that contact has been made with the owners of all suitable structures within the search area of the proposed site and was denied permission to locate its Telecom Facility on those structures.'

In your resubmittal, the above-mentioned correspondence and documentation shall be submitted for staff to reasonably assess if this section of code has been met. This type of documentation could be a letter of

rejection from collocation sites in close proximity to the property showing the attempt to collocate.

As indicated in our initial submission materials, AT&T's network requirements demand a taller structure than nearby buildings can provide. There are no suitable structures on which to co-locate in the area. To effectively work with existing sites in the area, and to maximize the value of this proposed tower site to provide needed coverage in the vicinity, we need as much height as we can get, and a purpose-built tower structure is the only way to provide antenna locations at that height. The tallest structure in the area are the steeple-like structures flanking the movie theater entrance on the same subject parcel. However, those structures are not feasible for antenna co-location due to the materials and structure utilized in its design, nor are they tall enough to provide the network improvement AT&T needs in this area, as evidenced by the propagation map included with our initial submission. If this response is still not satisfactory to the City of Aurora, we suggest we have a phone call to discuss how best to address this element of the City's code.

3B. The proposed enclosure for the telecom facility is proposed to be enclosed with chain link fence which is not permitted by code. Code Section 146-3.3.5.JJ.5.d establishes the following;

"A variety of techniques shall be used to screen Telecom Facilities and their associated structures including but not limited to landscaping, berming, and fencing or combinations of those tools that comply with Section 146-4.7 (Landscape, Water Conservation, Storm water Management)) including but not limited to Section 146-4.7.8 (Screening of Service Areas and Equipment)"

Code Section 146-4.7.8 requires that ground mechanical equipment be screened from public view by landscaping, decorative wall, or fence that is similar in appearance to the primary building. Please revise the proposed plans to update the screening for the proposed enclosure to comply with code.

In the revised site plans, we have changed the fence detail to a composite privacy fence to screen the ground mechanical equipment, and to remove the prohibited chain link detail. Additionally, we have relocated and expanded the landscaping to the east of the project area to provide additional visual blending of our site into the buffer area between the parking lot and the public right-of-way.

3C. Advisory Comment: Code Section 146-3.3.5.JJ.5.h.iii states that,

"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."

The distance and setback between the public right of way and the tower is 67' whereas the proposed height of the tower is 75 feet. The resulting deficiency is 8' and will require an adjustment, which has been discussed and established with the applicant.

Thank you for clarifying this element of our application. Yes, we are requesting an adjustment of 8' to the setback. Development of freestanding towers is a difficult prospect in the developed areas of the City, and as our project demonstrates, we often need to tuck these projects into tight spaces, while simultaneously trying to maximize the height and value of the new structure for its intended purpose, which is to improve the network in the area. Placement of this tower on this property is drawn between a driving lane of the parking lot to the west, and the tower-height setback to the eastern property line (the edge of the public ROW). We shift this tower as far west as possible, so we are seeking the 8' adjustment so we can maximize the use of this tower for its full height. If the City does not approve this requested adjustment, and because we cannot shift the tower location farther from the ROW line, we will be forced to reduce the tower's height, thereby reducing the value and positive impact of this tower site for the mobile network.

4. Landscaping Issues (Kelly Bish / 303-739-7189 / kbish@auroragov.org / Comments in bright teal)

Sheet ZA-1 (see redlines on site plan)

4A. Include a landscape demolition plan. There is significant landscaping installed along the perimeter of the existing parking area that appears to be impacted by the installation of a security fence and underground utilities. This landscaping is required for screening purposes of parking lots.

This has been addressed on the revised site plans.

4B. Landscaping is required to screen ground-mounted mechanical equipment. That includes generators, cabinets etc. These will be visible from S. Lewiston Way especially if the vegetation along the parking lot perimeter is being removed. See image provided. This has been addressed on the revised site plans. We are using a composite privacy fence to act as the primary screening element, with additional landscaping to the east of the fenced area.

5. Addressing (Phil Turner / 303-739-7357 / pturner@auroragov.org)

5A. Please provide a digital .shp or .dwg file for addressing and other GIS mapping purposes. Include the parcel, street line, easement and building footprint layers at a minimum. Please ensure that the digital file provided in a NAD 83 feet, Stateplane, Central Colorado projection so it will display correctly within our GIS system. Please eliminate any line work outside of the target area. Please contact me if you need additional information about this digital file. We have uploaded this .dwg file to the City portal for the application.

5B. Advisory Comment: The address for project has been assigned as 6587 S Lewiston Way. Thank you! We've added this to the revised site plans.

REFERRAL COMMENTS FROM OTHER DEPARTMENTS AND AGENCIES

6. Civil Engineering (Sara Sigque / (303) 960-1349 / ssigque@auroragov.org / Comments in green)

6A. Label the roadway classifications and indicate whether they are public or private. This has been addressed on the revised site plans.

7. Fire / Life Safety (Stephen Kirchner / (303) 739-7489 / stkirchn@auroragov.org / Comments in blue)

7A. No Comment

8. Aurora Water (Ashley Duncan / (720) 859-4319 / aduncan@auroragov.org / Comments in red)

8A. No Comment

9. Forestry (Becky Lamphear / (303) 739-7177 / rlamphea@auroragov.org / Comments in purple)

9A. Please verify if the existing trees will be removed. This has been addressed on the revised site plans.

9B. When the site plan is submitted, please show and label all existing trees on a separate sheet called Tree Mitigation Plan and indicate which existing trees will be preserved or removed. Please include grading on this sheet as well. Forestry Division staff will conduct a tree assessment after the initial submittal, which includes species, size, condition, and location factors. Tree mitigation is always above and beyond the Landscape Code requirements. Any tree that is removed from this site will either require replacement within the landscape or be mitigated through payment to the Community Tree Fund. This has been addressed on the revised site plans. No or very little grading will be needed since the site is very flat. Some trees in and adjacent to the project area will be replaced or moved depending on the viability of moving them. No protection will be required since all trees will be moved or replaced.

9C. Any trees that are preserved on the site during construction activities shall follow the standard details for Tree Protection per the current Parks, Recreation & Open Space Dedication and Development Criteria

manual. The Tree Protection notes shall be included on the plan. The link for the manual can be found at: <https://auroraver2.hosted.civiclive.com/cms/One.aspx?portalId=16242704&pageId=16529352>

No protection will be required since all trees will be moved or replaced.

10. Land Development Services (Krista R. Orloff / (303) 676-5976/ mbrooks@auroragov.org / Comments in magenta)

Sheet ZT-3 (see redlines on site plan)

10A. Change from Verizon to AT&T. This has been addressed on the revised site plans.

10B. Tower shall not be light as it is under 200 feet. This has been addressed on the revised site plans.

10C. Remove gravel access drive and culvert notation. This has been addressed on the revised site plans.

10D. Scope of Work: Remove gravel access drive and culvert notation. This has been addressed on the revised site plans.

Sheet ZA-1 (see redlines on site plan)

10E. Call out the 500-watt metal mandated flood light with timer switch per the utility note on Sheet ZT-3 7.00 (E). This has been added to the revised site plans, on Sheet U-1 (page 16 of the PDF).

10F. Existing light pole to be relocated by GC at time of construction or remove notation. Please have a plan in place for the light poles. This has been addressed on the revised site plans.

10G. All existing trees need to have a relocation plan. This has been addressed on the revised site plans.

10H. Permit for both the generator and cabinets shown as proposed or remove comment of future altogether.

This has been addressed on the revised site plans. We intend to install the generator with this project.

Sheet ATT A-2.1

10I. Provide Antenna Spec for pole mount or sector mount as this is unclear. Renderings do not reflect what is proposed. This has been addressed on the revised site plans. Antenna mounts resemble renderings now.

11. Arapahoe County Planning Division (Terri Maulik / 720-874-6650 / referrals@arapahoegov.com)

11A. Thank you for the opportunity to review and comment on this project. The Arapahoe County planning division has no comments; however, other departments and/or divisions may submit comments.

Thank you!

12. CDOT (Steve Loeffler / 3037579891 / steven.loeffler@state.co.us)

12A. Any proposed work in CDOT Right of Way will require a utility permit. Application is made online at the following link: <https://socgov.my.site.com/portal/s/login/?ec=302&startURL=%2Fportal%2Fs%2F>

This will not apply to our project since we are not in CDOT Right of Way

13. Public Service Company of Colorado (PSCo) dba Xcel (Donna George / 303-571-3306 / Donna.L.George@xcelenergy.com)

13A. Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the site plan and conditional use for Vertical Bridge Telecom Facility at Arapahoe Crossings. Please be aware PSCo owns and operates existing natural gas and underground electric distribution facilities in the area of the proposed project. Please contact Colorado 811 for locates before excavating. Use caution and hand dig when excavating within 18-inches of each side of the marked facilities. Please be aware that all risk and responsibility for this request are unilaterally that of the Applicant/Requestor.

The property owner/developer/contractor must complete the application process for any new electric service, or modification to any of the existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contract the Designer assigned to the project for approval of design details.

For additional easements that may need to be acquired by separate PSCo document (i.e. transformer), the Designer must contact a Right-of-Way Agent.

We are in touch directly with Xcel's contracted third-party designer to coordinate power and the transformer location, and will work with Xcel to get an easement in place if required.

Thank you for your time and consideration of this project. Please feel free to call me with any questions.

Sincerely,

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