

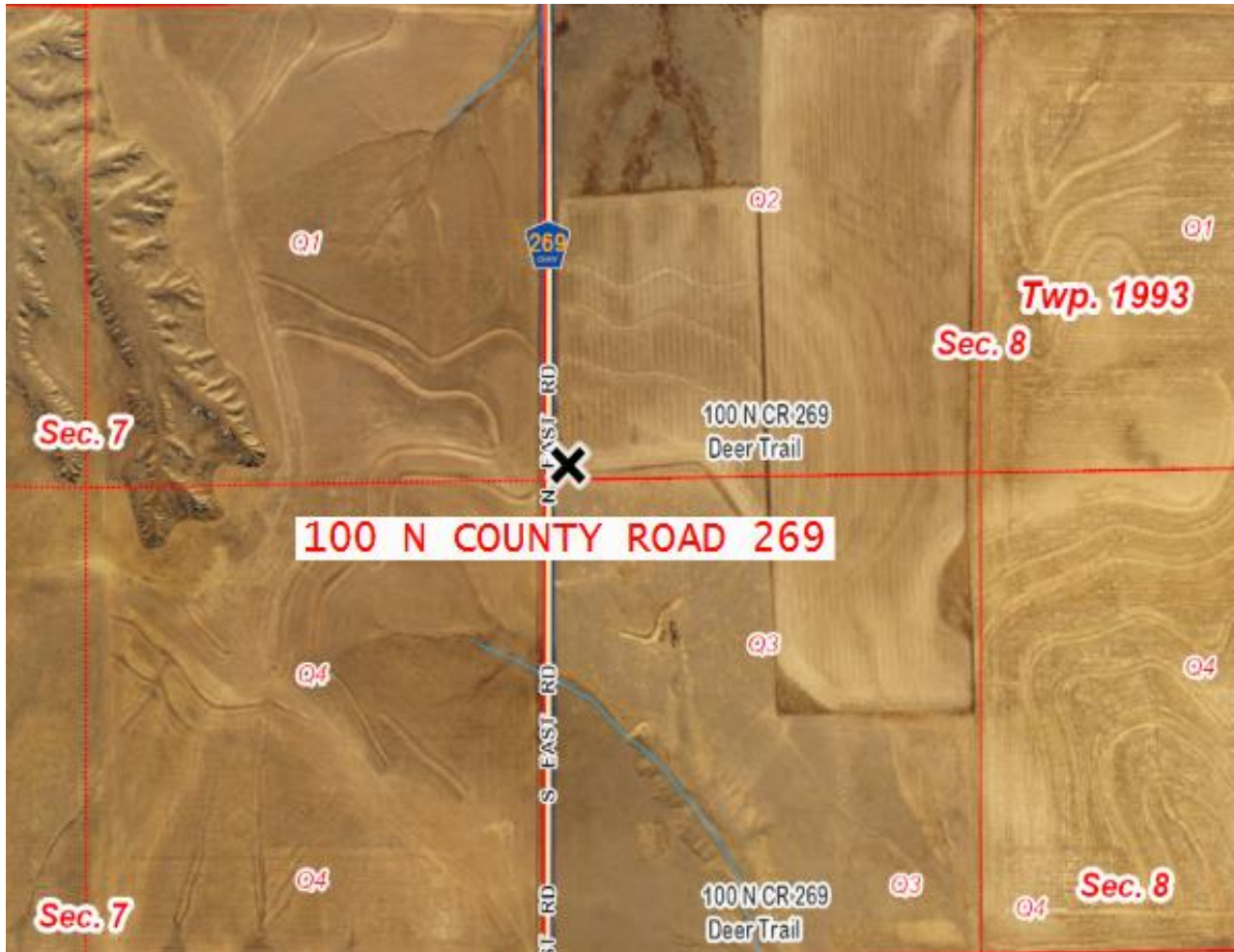
ARAPAHOE COUNTY PLANNING COMMISSION  
PUBLIC HEARING  
December 17, 2024  
6:30 P.M.

**SUBJECT: CASE NO. LE24-001 – SOUTH PLATTE RENEW (SPR) REPEATER TOWER LOCATION AND EXTENT**

**ERNIE ROSE, SENIOR PLANNER**

Location and Vicinity Map

The subject property is located at 100 N. County Road 269 and is 300.67 acres in size. The parcel is zoned A-E (Agricultural Estate) and in Commissioner District No. 3.

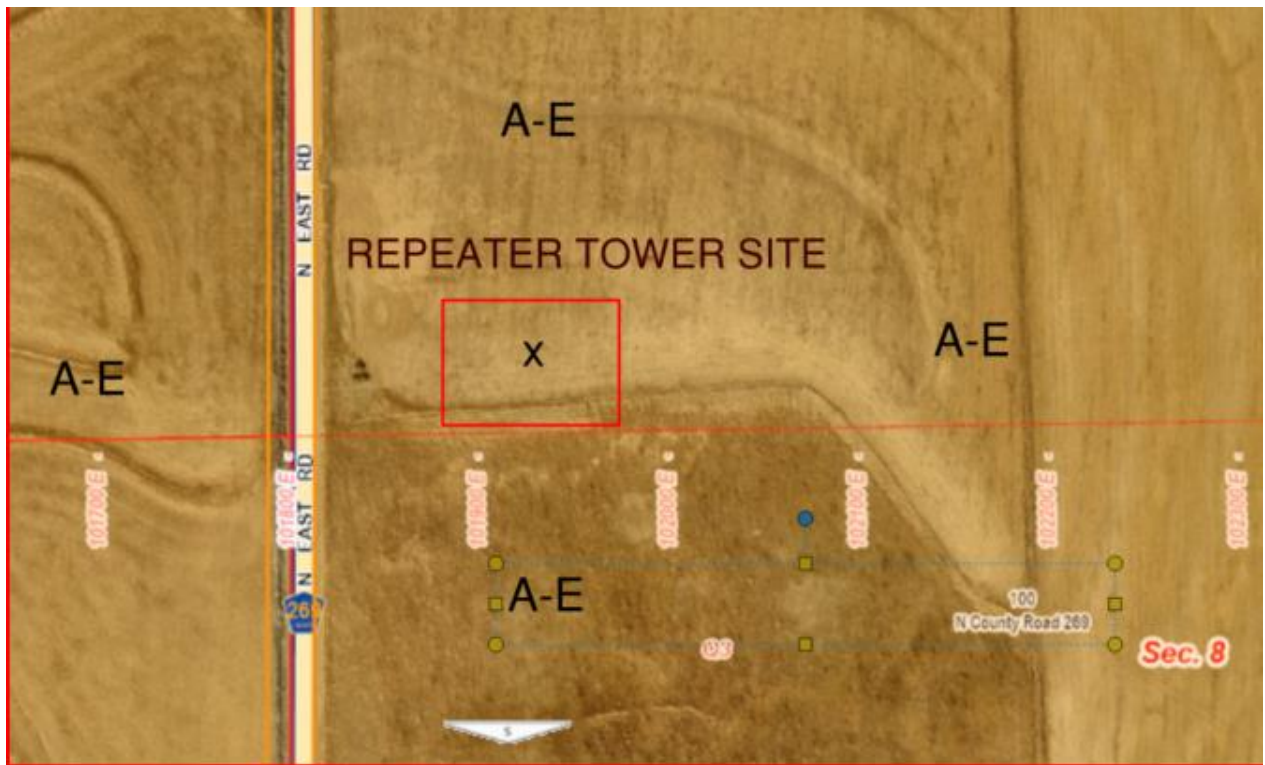


**ADJACENT SUBDIVISIONS, ZONING, AND LAND USE**

- North - Vacant – zoned A-E
- South - Vacant – zoned A-E
- East - Vacant – zoned A-E
- West - Vacant – zoned A-E

**PURPOSE AND REQUEST**

The applicant and owner, South Platte Renew (SPR), seeks approval of a Location and Extent application for the construction of a two-way radio repeater tower to provide continuous communication between staff working at the SPR farm and the SPR headquarters in the City of Englewood. South Platte Renew is a wastewater treatment provider for the cities of Englewood and Littleton. The farm is in a remote location and employee access to emergency services is limited. SPR employees operate heavy equipment, and they are exposed to numerous risks (i.e. car accidents, equipment malfunction, injuries, animal bites, or inclement weather) and there are no direct communications to emergency services. The proposed repeater tower will provide continuous coverage, and SPR employees will be able to communicate from any location on the property thereby reducing response time in the event of an emergency.



TOWER LOCATION (outlined in red above) and Zoning

**BACKGROUND**

The SPR headquarters and wastewater facility is in the City of Englewood. This facility cleans 20 million gallons of wastewater from 300,000 residences located in Englewood, Littleton, and 19 other communities situated along the South Platte River. The treatment process separates liquid and solid waste and converts the solid waste into nutrient-rich biosolids. SPR staff hauls truckloads of biosolids to the subject property (farm) near Deer Trail and apply the biosolids to its fields. The farm is owned jointly by the City of Englewood and the City of Littleton; the land is used for dryland farming and grazing.

## **ANALYSIS OF THE LOCATION AND EXTENT APPLICATION**

Staff review of this application included a comparison of the proposal to 1) applicable policies and goals outlined in the Comprehensive Plan; 2) submittal requirements; 3) review of pertinent Land Development Code regulations; and 4) analysis of referral comments.

### 1. The Comprehensive Plan

The subject parcel is within the area designated as Tier 2 of the Comprehensive Plan. Tier 2 is intended to remain rural, with agricultural and related uses.

This application complies with the following Goals, Policies, and Strategies of the Comprehensive Plan:

- *Goal PFS 7 –Ensure Existing and New Development have Adequate Police and Fire Protection*  
The proposed repeater tower will allow for adequate fire and police service.
- *Policy PFS 8.1 – Ensure an Effective Emergency Response Program*  
The proposed repeater tower improves and enhances responses to emergency situations.
- *Policy PFS 8.1 (b) – Continue to Evaluate and Update Emergency Operations Plan*  
The proposed repeater tower updates the Emergency Operation Plan by communications from the site to emergency services in the area.
- *Policy NCR 8.3 – Encourage the Application of Biosolids Only in Areas Where Minimal Impacts Will Occur to Adjacent Land Uses*  
The proposed repeater tower will develop a safe environment for the application of biosolids with minimal impact on adjacent properties.

The Planning Commission is the deciding body for Location and Extent applications. Per Section 5-7.3.B.2.c of the Land Development Code, “If the Planning Commission disapproves the proposed public facility, or approves it with conditions the applicant is not willing to accept, the applicant may appeal such decision to the Board of County Commissioners, and the Planning Commission shall communicate the reasons for such disapproval to the Board, who may overrule such disapproval by a majority vote.” Should the Planning Commission deny the application, the applicant may appeal the decision to the Board of County Commissioners for a decision.

### 2. Land Development Code Review

Section 5-7.3 of the Land Development Code covers the policy and regulatory aspects of a Location and Extent. This includes a specific review of Location and Extent, Section 5-7.3. B – General Requirements and Procedure. The Location and Extent process does not have specific approval criteria, but may be approved upon the findings that:

- 5-7.3. B.1.a No road, park, public way, ground, or space, no public building or structure, and no major facility of a public utility shall be constructed or authorized in the unincorporated areas of Arapahoe County unless and until the proposed location and extent thereof has been submitted to and approved by the Arapahoe County Planning Commission.*

5-7.3.B.4.a *The Planning Commission and the Board of County Commissioners, when applicable, may approve the facility as submitted, approve it with conditions, or deny the facility. The conditions to be imposed are those necessary, at the discretion of the Planning Commission and Board of County Commissioners, to mitigate or eliminate any adverse impacts of the proposed facility on the surrounding area and may include the posting of sufficient performance guarantees with the County to guarantee the construction of any improvements.*

The proposed repeater tower meets the setback requirements of the A-E zone district. The maximum height in the A-E zone district is 50 feet. The two-way radio repeater tower must provide continuous communications, and a 60' repeater tower is the minimum tower height that will provide adequate communications for SPR's drivers between the headquarters and the farm sites. A shorter tower would leave gaps in the coverage. An access road will be installed on-site and there is no parking requirement for this type of land use. Lighting is prohibited unless required by the FAA or other government authority. South Platte Renew contacted the FAA and found the FAA does not require non-meteorological towers under 200 feet to be marked and lighted.

#### 4. Referral Comments

Comments received during the referral process are summarized in the referral comment document attached to this report. There are no outstanding referral comments for the applicant to address.

### **STAFF FINDINGS**

Staff has reviewed the site and reviewed the plans, supporting documentation, referral comments, and citizen input in response to this application. Based upon the review of applicable policies and goals in the Comprehensive Plan, review of the development regulations, and analysis of referral comments, our findings include:

1. The proposed LE24-001, South Platte Renew Repeater Tower Location and Extent, generally conforms to the Arapahoe County Comprehensive Plan.
2. The proposed LE24-001, South Platte Renew Repeater Tower Location and Extent, complies with the General Submittal Requirements contained in Section 2-26 enumerated in the Arapahoe County Development Application Manual.
3. The proposed LE24-001, South Platte Renew Repeater Tower Location and Extent meets the Arapahoe County Zoning Regulations and procedures with the exception of the tower height, including those stated in Section 5-7.3 Location and Extent of the Land Development Code.

### **STAFF RECOMMENDATION**

Considering the findings and other information provided herein, the Staff recommends approval of Case No. LE24-001, South Platte Renew Repeater Tower Location and Extent subject to the following condition of approval:

1. Prior to the signature of the final copy of these plans the applicant must address Public Works and Development Staff comments and concerns.

## **ALTERNATIVES**

The Planning Commission has alternatives that include the following:

1. Approve the proposed Location and Extent.
2. Continue to a date certain for more information.
3. Deny the proposed Location and Extent.

## **CONCURRENCE**

The Public Works and Development Planning and Engineering Services Divisions have reviewed the application, and the Arapahoe County Public Works Department is recommending approval of this case.

## **PLANNING COMMISSION DRAFT MOTIONS – LE24-001, South Platte Renew Repeater Tower Location and Extent**

### Approve

In the case of LE24-001, South Platte Renew Repeater Tower Location and Extent, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the hearing and hereby move to approve this application based on the findings in the staff report, subject to the following condition:

1. Prior to the signature of the final copy of these plans the applicant must address Public Works and Development Staff comments and concerns.

***Staff provides the following Draft Motions listed below as general guidance in preparing an alternative motion if the Planning Commission reaches a different determination:***

### Deny

In the case of LE24-001, South Platte Renew Repeater Tower Location and Extent, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the hearing and hereby move to deny this application based on the following findings:

1. *State new findings in support of denial as part of the motion.*

### Continue to Date Certain:

In the case of LE24-001, South Platte Renew Repeater Tower Location and Extent, I move to continue the hearing to [date certain], 6:30 p.m., to obtain additional information and to further consider the information presented.