

City of Aurora

Development Services Department | Zoning and Planning Division

44 E. Downer Place | Aurora, IL 60505

Phone: (630) 256-3080 | Fax: (630) 256-3089 | [Web: www.aurora-il.org](http://www.aurora-il.org)



Land Use Petition

Subject Property Information

Address / Location: 2905 Diehl Road

Parcel Number(s): 07-08-100-009

Petition Request

Requesting approval of a Conditional Use for Telecommunications Facility (4211) Uses on Lot 1 of Cyrusone Subdivision located 2905 Diehl Road

Attachments Required

(a digital file of all documents is also required)

Development Tables Excel Worksheet - digital only (1-0)

One Paper and pdf Copy of:

Qualifying Statement (2-1)**

Plat of Survey (2-1)

Legal Description (2-1) (pdf and word document)

Letter of Authorization (2-2)

Two Paper and pdf Copy of:

Scaled Site Plan (2-23)

Elevation of tower and other proposed structures (2-23)

One Paper and pdf Copy of:

Contact Information for tower (2-23)

Inventory of existing or proposed sites or letter (2-23)

Traffic Control Plan pursuant to IDOT standard, if applicable (2-23)

Franchises Letter (2-23)

Affidavit for co-locations (2-23)

Affidavit from a third party professional addressing compliance with applicable federal, state or local laws, current radio frequency coverage prediction, use of drive test results, suitability or unsuitability of the use of existing towers, public safety communications (2-23)

Letter identifying the entities providing the backhaul network (2-23)

Color photo simulation (2-23)

Notarized statement by a licensed structural engineer (2-23)

Petition Fee: \$1,552.05

Payable to: City of Aurora

I hereby affirm that I have full legal capacity to authorize the filing of this Petition and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signatory invites City representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Petition.

The Subject Property Owner must sign this form unless the Contact Person has been authorized to do so per a letter that is attached hereto. If Signator is NOT the Subject Property Owner a Letter of Authorization with owner's Name and contact information is required.

Authorized Signature: Robert Crisp Date _____

Print Name and Company: Robert Crisp

I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

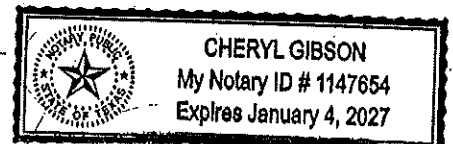
Given under my hand and notary seal this 11 day of October 2023.

State of Texas)

County of Dallas) SS

Cheryl Gibson
Notary Signature

NOTARY PUBLIC SEAL





Project Contact Information Sheet

Project Number: DST2023-141

Petitioner Company (or Full Name of Petitioner): CyrusOne, Inc.

Owner

First Name: Robert (Bob) Initial: Last Name: Crespi Title: Mr.
Company Name: C1 Chicago-Aurora I & Tower and Chicago-Aurora II LLC
Job Title: SVP of Portfolio Management
Address: 2850 N. Harwood Street, Suite 2200
City: Dallas State: TX Zip: 75201
Email Address: rcrespi@cyrusone.com Phone No.: (203)293-5471 Mobile No.: (203)293-5471

Main Contact (The individual that signed the Land Use Petition)

Relationship to Project: Owner
Company Name: C1 Chicago-Aurora I & Tower and Chicago-Aurora II LLC
First Name: Robert (Bob) Initial: Last Name: Crespi Title: Mr.
Job Title: SVP of Portfolio Management
Address: 2850 N. Harwood Street, Suite 2200
City: Dallas State: TX Zip: 75201
Email Address: rcrespi@cyrusone.com Phone No.: (203)293-5471 Mobile No.: (203)293-5471

Additional Contact #1

Relationship to Project: Consultant
Company Name: Yotta Services LLC
First Name: Jamie Initial: Last Name: Brown Title: Mr.
Job Title: Director
Address: 757 Cherry Valley Road
City: Princeton State: NJ Zip: 85404
Email Address: jb@yottaco.net Phone No.: (212) 721-6693 Mobile No.: (212) 721-6693

Additional Contact #2

Relationship to Project: Owner
Company Name: C1 Chicago-Aurora I & Tower and Chicago-Aurora II LLC
First Name: Chris Initial: Last Name: Machen Title: Mr.
Job Title: Director – Interconnection Solutions
Address: 2850 N. Harwood Street, Suite 2200
City: Dallas State: TX Zip: 75201
Email Address: cmachen@cyrusone.com Phone No.: (281) 924-7248 Mobile No.: (281) 924-7248

Additional Contact #3

Relationship to Project: Attorney
Company Name: C1 Chicago-Aurora I & Tower and Chicago-Aurora II LLC
First Name: Amber Initial: Last Name: Porter Lester Title: Ms.
Job Title: Assistant General Counsel
Address: 2850 N. Harwood Street, Suite 2200
City: Dallas State: TX Zip: 75201
Email Address: alester@cyrusone.com Phone No.: (859) 468-9803 Mobile No.: (859) 468-9803

Additional Contact #4

Relationship to Project:
Company Name:
First Name: Initial: Last Name: Title:
Job Title:
Address:
City: State: Zip:
Email Address: Phone No.: Mobile No.:

Date: November 27, 2023

From: C1 Tower and Chicago-Aurora II LLC
2805 N. Harwood Street, Suite 2200
Dallas, TX 75201
Attn: Robert (Bob) Crespi
Email: rcrespi@cyrusone.com

To: City of Aurora
Planning and Zoning Division
44 E. Downer Place
Aurora IL 60507
(630) 256-3080
coaplanning@aurora-il.org

Re: Authorization Letter for 2905 Diehl Road, Aurora, IL 60502 (the Property)

To Whom It May Concern:

As the duly authorized representative of C1 Tower and Chicago-Aurora II LLC ("C1"), being the record owner of the above stated Property (and the petitioner), I hereby affirm that I have full legal capacity to authorize **Yotta Services LLC** and **CyrusOne, Inc.**, and each of their representatives, to act as C1's agent through the Communication Facility Use Petition and related Conditional Use Approval process with the City of Aurora for said Property.

C1 Tower and Chicago-Aurora II LLC

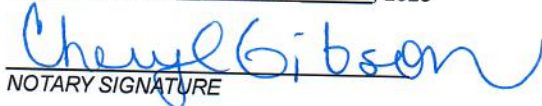


By: /s/ _____

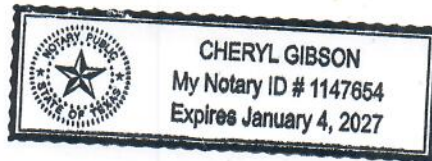
Robert (Bob) Crespi

Its: SVP of Portfolio Management

SUBSCRIBED AND SWORN TO BEFORE ME THIS
1 DAY OF DECEMBER, 2023


NOTARY SIGNATURE

[AFFIX NOTARY SEAL HERE]



Filing Fee Worksheet

Project Number: DST2023-141
Petitioner: CyrusOne, Inc.
Number of Acres: 25.63
Number of Street Frontages: 2.00
Non-Profit: No

Linear Feet of New Roadway: 0
New Acres Subdivided (if applicable): 0.00
Area of site disturbance (acres): 0.00

Filing Fees Due at Land Use Petition:

Request(s):	Conditional Use	\$ 1,522.05
	Public Hearing Notice Sign(s)	\$ 30.00

Total: **\$1,552.05**

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

Verified By: Tracey Vacek

Date: 9/7/2023

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)
)
CITY OF AURORA)

PETITION TO THE CITY OF AURORA
OF A CONDITIONAL USE FOR A COMMUNICATIONS TOWER

THE UNDERSIGNED Petitioner, C1 Chicago–Aurora I & Tower, and Chicago–Aurora II LLC (hereinafter the “Petitioner”), a Delaware limited liability company, respectfully submits this Petition to the City of Aurora (the “City”) for approval of: (i) a conditional use permit for Telecommunication Facilities with establishment of modified development standards; and (ii) such other relief from the City of Aurora’s Municipal Code (the “Code”) as may be deemed necessary and appropriate to develop the hereinafter described Telecommunication Facilities on the property described on **Exhibit A** (“Subject Property”).

BACKGROUND INFORMATION

1. C1 Chicago–Aurora I & Tower, and Chicago–Aurora II LLC, a Delaware limited liability company, with a registered address at 2850 N. Harwood, Suite 2200, Dallas Texas 75201 is the owner of the Subject Property.
2. The Subject Property is located at the northeast corner of Diehl Road and Eola Road with a common address of 2905 Diehl Road.
3. The Subject Property is zoned ORI Office, Research, and Light Industrial District with a conditional use permit for a Telecommunication Facility.
4. The Subject Property is home to a CyrusOne Data Center Campus (the “Data Center Campus”) which is comprised of multiple data center buildings, a non-guyed tower with associated antennas and communication support facilities (the “Existing Telecommunication Facilities”), and other ancillary facilities, all of which operate in support of the unified Data Center Campus.

5. The Existing Telecommunication Facilities located on the Subject Property has reached the limits of structural capacity, thereby driving the need for additional Telecommunication Facilities.
6. The location of the Telecommunication Facilities to serve the Data Center Campus is driven by both operational and regulatory considerations. Additionally, the proximity between the Data Center Campus' buildings and the associated Telecommunication Facilities holds significant importance in terms of data relay times, directly impacting operational efficiency.
7. Petitioner now seeks approval of a Conditional Use to permit the development of a second non-guyed tower with associated antennas and communication support facilities (the "New Telecommunication Facilities") to be located on the Subject Property.
8. The proposed location of the New Telecommunication Facilities achieves a symmetrical alignment, positioning the Telecommunication Facilities equidistant from the interconnection to the Data Center Campus.
9. This strategic configuration ensures equitable market access in accordance with the regulatory standards set forth by the Commodity Futures Trading Commission (CFTC) and thereby eliminating a two-tier system.

STANDARDS

The proposed conditional use for the New Telecommunication Facilities to be constructed on the Subject Property meets the standards for approval of a conditional use as follows:

a. The establishment, maintenance or operation of the conditional use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort, or general welfare; and

The Petitioner proposes the construction of a single non-guyed tower with associated antennas and communication support facilities. Details with respect to the specific design of the New Telecommunication Facilities are set forth in the plans submitted herewith. The New

Telecommunication Facilities will be located immediately adjacent to the Existing Telecommunication Facilities. The New Telecommunication Facility mirrors the design of the Existing Telecommunication Facility with the small exception of the New Telecommunication Facility being fifty feet (50') shorter in height than the Existing Telecommunication Facility. Petitioner believes that the colocation of the telecommunication facilities will minimize the visual impact of the additional tower.

The construction, use, and operation of the Existing Telecommunication Facilities has not been detrimental to the public health, safety, morals, comfort, or general welfare. Given the similar nature of the New Telecommunication Facilities, Petitioner believes that the proposed use will not be unreasonably detrimental to the public health, safety, morals, comfort, or general welfare. To the contrary, Petitioner trusts that its continued investment in the Data Center Campus will create new job opportunities in the region and generate significant new tax revenues for the City of Aurora.

b. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or will substantially diminish and impair property values within the neighborhood; factors including but not limited to, lighting, signage and outdoor amplification, hours of operation, refuse disposal areas and architectural compatibility and building orientation; and

The New Telecommunication Facilities will not be injurious to the use and enjoyment of property in the immediate vicinity, nor will it impair property values. The Subject Property is located in the ORI Zoning District and is within a corridor along I-88 that is dominated by large-scale industrial uses, with a large ComEd Substation located just east of the Subject Property. Furthermore, high voltage above-ground communication lines run along the southern boundary of the Subject Property. With the Existing Telecommunication Facilities already located on the Subject Property, and another tower located immediately across the street from the Subject

Property, the approval of a conditional use for the New Telecommunication Facilities will not change the character of the area in such a manner as to impact the use and enjoyment of other surrounding properties or diminish property values.

c. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district; and

The establishment of the conditional use will not impede the normal and orderly development and improvement of other properties in the area. The New Telecommunication Facilities is consistent with the character of the Existing Telecommunication Facilities and is substantially similar to the telecommunication facilities located immediately across the street from the Subject Property. The existence of these towers has not impacted normal and orderly development of surrounding properties. On the contrary, the establishment of the Data Center Campus on the Subject Property appears to have prompted significant additional development over the last five years, showing that telecommunication facilities have not impeded normal and orderly development in the area, but has encourage large-scale industrial investors within the corridor.

d. Adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided to the conditional use; and

Petitioner has submitted detailed specifications and Petitioner's engineers have made representations associated with the construction of the proposed Telecommunication Facilities in general compliance with the City's chapter 19 telecommunication regulations. The materials submitted by Petitioner establish that sufficient infrastructure is available to support the proposed New Telecommunication Facilities.

e. The conditional use will not impede on ingress and egress as it relates to traffic congestion in the public streets; and

Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion in the public streets. For automobile intensive uses including but not

limited to, gas stations, car washes, and drive through facilities, the concentration of similar uses within 1,000 feet of said Subject Property should be given consideration as to the impact this concentration will have on the traffic patterns and congestion in the area.

The New Telecommunication Facilities are integral to the Data Center Campus. Access to the Telecommunication Facilities will be obtained via access drives within the secure Data Center Campus. Due to the nature of the Telecommunication Facilities, Petitioner anticipates very limited traffic (less than one (1) car/day) associated with the daily operation.

f. The conditional use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City pursuant to the recommendations of commission.

The Telecommunication Facilities comply with the applicable regulations as set forth in chapter 19 except as set forth below. The modifications proposed by Petitioner will not impair the safety or general welfare of the public, nor the normal and orderly operation of other telecommunication facilities within the vicinity of the Subject Property. Additionally, the proposed modifications are generally consistent with the character of modifications that the City has approved for other telecommunication facilities in the vicinity of the Subject Property.

1. Petitioner seeks to reduce the minimum setback (Section 19-65(o)) for a non-guyed tower to sixty-one feet (61'), as measured from the base of the New Telecommunication Facility to the nearest perimeter of the Property.

2. Petitioner seeks to reduce the required tower separation (Section 19-65(p)(1)) from certain uses as follows: (i) four hundred and fifty feet (450') for single or two-unit dwellings; and (ii) three hundred and thirty feet (330') to vacant platted or un-platted residentially zoned land.

3. Petitioner seeks to reduce the required separation between the proposed three hundred foot tall tower (Section 19-65(p)(2)) and other towers as follows:

- (i) one thousand one hundred fifty feet (1,450') for towers that are more than fifty feet (50') but less than or equal to one hundred feet (100');
- (ii) one thousand one hundred feet (1,100') for towers that are more than one hundred and fifty feet (150') but less than two hundred feet (200'); and
- (iii) one thousand six hundred feet (1,600') for towers that are more than two hundred feet (200').

4. Petitioner seeks a waiver of the requirement for new landscaping (Section 19-65(r)), in light of the landscaping installed for screening of the Existing Telecommunication Facilities.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner requests approval of: (i) a conditional use permit for Telecommunication Facilities with establishment of modified development standards; and (ii) such other relief from the City of Aurora's Municipal Code as may be deemed necessary and appropriate to develop the New Communication Facilities as set forth herein and in the supporting documents submitted herewith, all pursuant to the appropriate provisions of the City of Aurora's Municipal Code.

RESPECTFULLY SUBMITTED this 2nd day of May, 2024.

PETITIONER:

C1 CHICAGO AURORA II LLC
A Delaware limited liability company



Rosanova & Whitaker, Ltd.
Attorney for the Petitioner

EXHIBIT A
LEGAL DESCRIPTION – “SUBJECT PROPERTY”

LOT 1 IN CYRUSONE SUBDIVISION – PHASE 2, BEING A SUBDIVISION OF PART OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 5, THE SOUTHEAST $\frac{1}{4}$ OF SECTION 6, THE NORTHEAST $\frac{1}{4}$ OF SECTION 7 AND THE NORTHWEST $\frac{1}{4}$ OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 9, 2022 AS DOCUMENT NUMBER R2022-100126, IN DUPAGE COUNTY, ILLINOIS.