



# Case #LUP-058-24

## Tower Landfill

Location: Southwest corner of E 88<sup>th</sup> Ave and E-470

Applicant: Allied Waste Systems of Colorado LLC

Request: Land Use Plan Amendment

# Associated Cases

---

Being heard tonight:

- Land Use Plan Amendment (LUP-058-24)
- Annexation (AN-263-24)
- Annexation Zoning (Z-705-99-00-09-24)
- Vacation of Right-of-Way (V-093-24)



# Procedure

---

- The associated zoning case is largely dependent on the approval of this land use plan amendment and annexation.



# Case Summary

---

- Location: Southwest corner of East 88<sup>th</sup> Avenue and E-470
- Site size: 110 acres
- Request: Land Use Plan Amendment
- Existing future land use designation: DIA Technology
- Proposed future land use designation: Utility

# Aerial



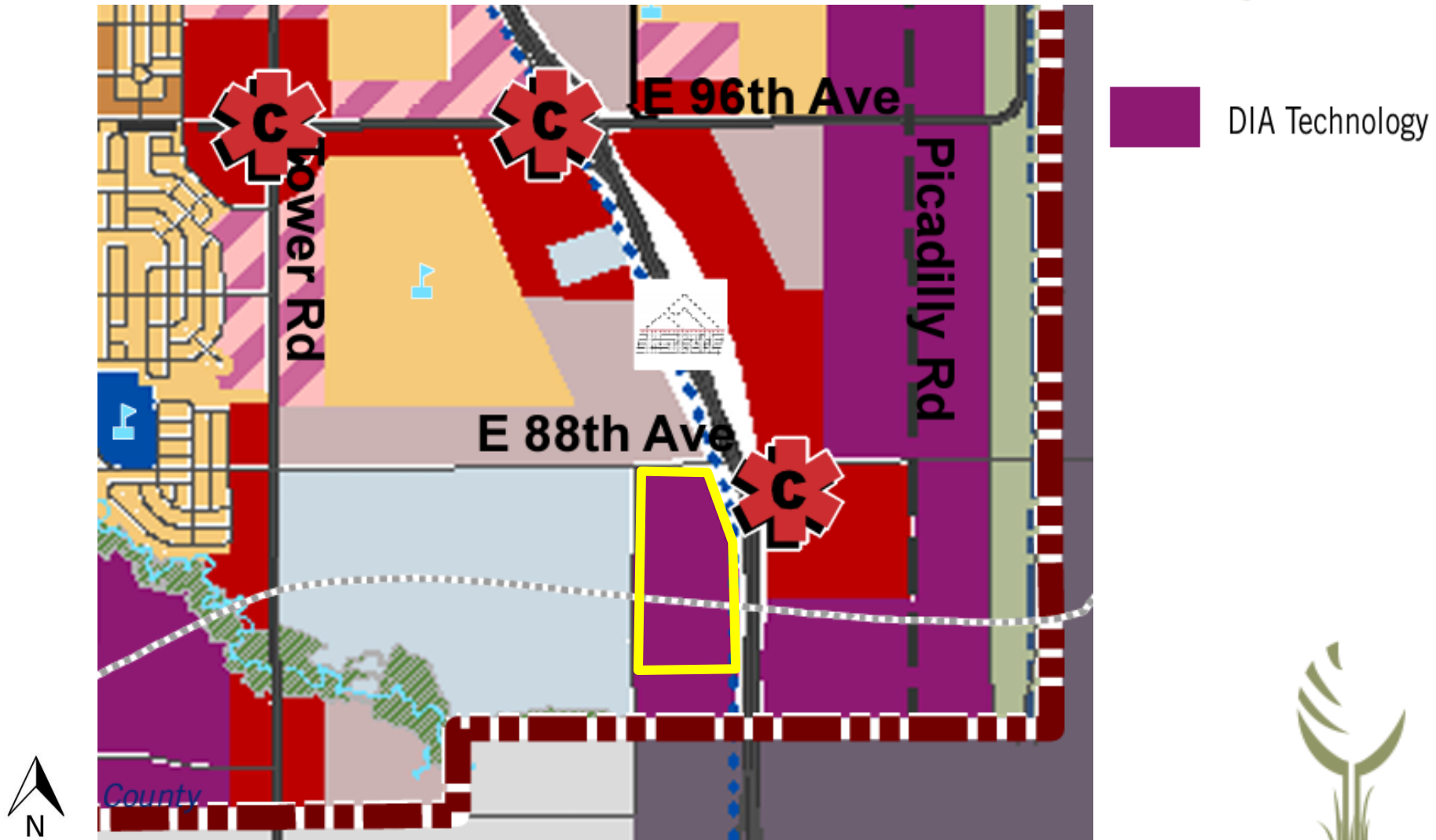
# Land Use Plan Amendment

---

- The Future Land Use Plan is a map that designates areas of the City for certain zoning and land uses.
- Land use designations are not regulatory nor are they parcel specific, but they help guide future development in the City.
- Requests to amend the Future Land Use Plan are typically made in order to allow for zoning/development that is not consistent with the existing land use designation for that property.
- The requested designation of Utility would allow for landfill uses.



# Existing Future Land Use Plan



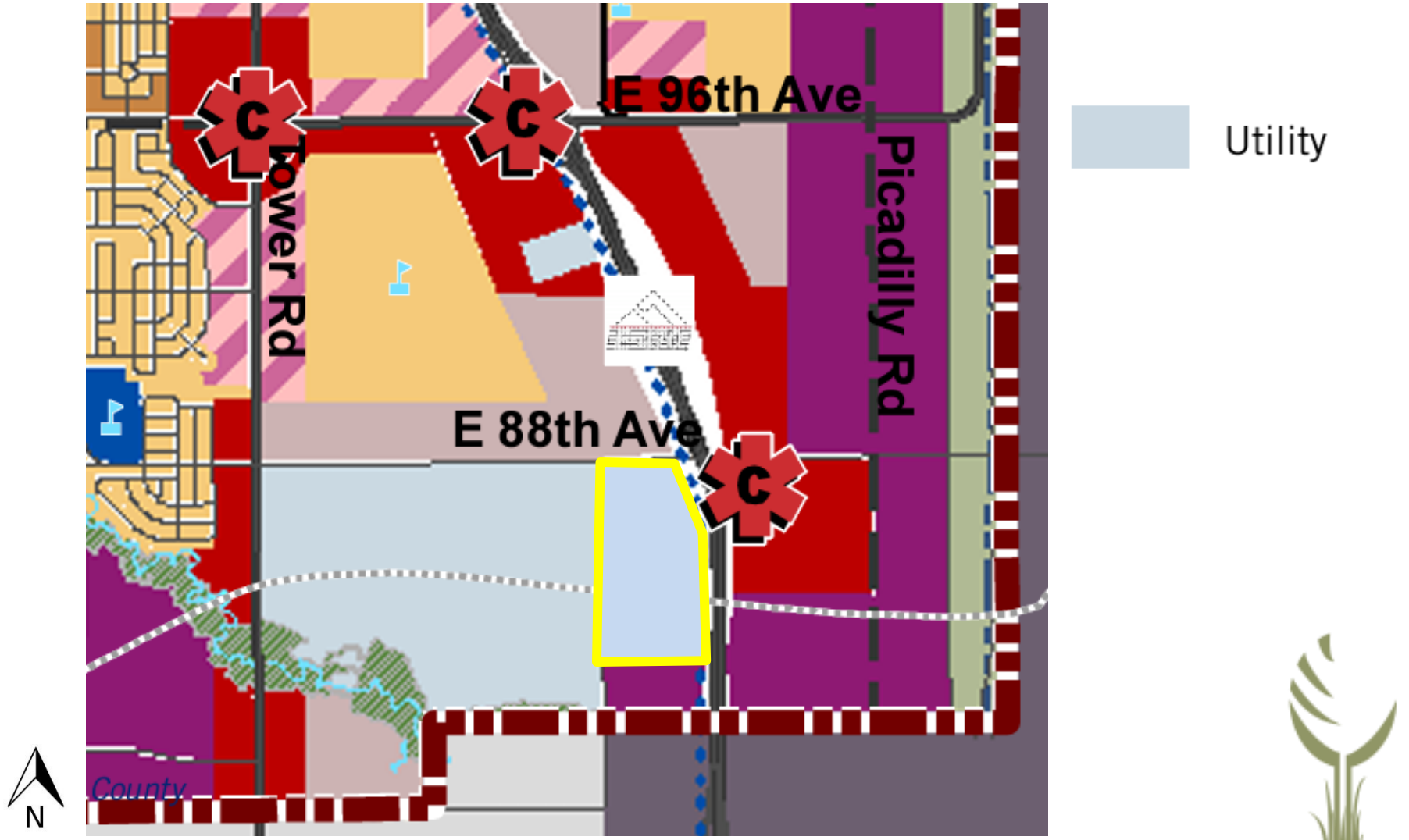
# DIA Technology

---

- DIA Technology is a designation that aims to provide light industrial, distribution, office, flex space, and employment land uses.
- Secondary uses can include open space, public facilities, retail, and hotels.
- The DIA Technology designation is appropriate along the E-470 corridor and DIA North.
- DIA technology is not appropriate for the proposed zoning that would allow for landfill operations.



# Proposed Future Land Use Plan



# Utility

---

- The Utility designation is for land to be used for utilities, waste water facilities, electricity, and active/future landfills.
- The existing landfill directly to the west is within the Utility designation.
- Utility would be the most appropriate designation for the proposed zoning because it is the only designation in the Future Land Use Plan that speaks specifically to landfills.



# Planning Commission

---

- Heard by Planning Commission on June 4<sup>th</sup>
- There was public comment in support of the request
- Planning Commission voted 4-0 to recommend approval to City Council



Commerce  
CITY

# Considerations

---

- The proposed zoning and development are not compatible with the existing land use plan designation of DIA Technology.
- The proposed zoning and development would be compatible with the land use designation of Utility.
- The proposed amendment would not allow the landfill footprint to expand by right.
- Any expansion of the landfill footprint in the future would require City Council approval.
- The proposed amendment would allow landfill operations.
- This property is highly visible from E-470.
- The existing landfill is approximately 644 acres.
- There is a projected 20 years of life remaining within the existing entitled footprint.
- The Utility designation would limit this site from developing with commercial, distribution, and employment uses.



# Land Use Plan Amendment Approval Criteria

---

Sec. 21-2110(3):

- (a) Is consistent with the overall intent of the comprehensive plan;
- (b) Is consistent with the purposes set forth in Section 21-2100;
- (c) Is necessary or desirable because of changing social values, new planning concepts, or other social or economic conditions;
- (d) Will not have a negative effect on the immediate area;
- (e) Will not have a negative effect on the future development of the area; and
- (f) Will promote the public health, safety, and general welfare of the people of the city.



Staff is available to answer any questions.



# Site Photos (1)



Facing south

Facing southwest



# Site Photos (2)



Existing structures

Facing southwest from E-470





## Land Use Plan Amendment Approval Criteria A

---

- **Criteria (a): Is consistent with the overall intent of the comprehensive plan;**
- The goal for this area of the city is to develop the E-470 corridor with employment, commercial, and mixed-use. The existing designation of DIA Technology would allow for distribution, employment, and other uses that are supported along the E-470 corridor. The proposed amendment to Utility would allow for landfill operations on the subject property and limit the potential for other uses to develop.

## Land Use Plan Amendment Approval Criteria B

---

- **Criteria (b): Is consistent with the purposes set forth in Section 21-2100;**
- The proposed amendment will limit the uses allowed on the subject property and not support development along the E-470 corridor. Amending the land use plan to Utility is not necessarily in line with the comprehensive plan goals and policies. However, there is no evidence to suggest that this amendment would have a negative impact on the surrounding area.

## Land Use Plan Amendment Approval Criteria C

---

- **Criteria (c): Is necessary or desirable because of changing social values, new planning concepts, or other social or economic conditions;**
- The proposed amendment to Utility in conjunction with approval of the corresponding applications will allow the existing landfill to extend the life of its operations. The current landfill is projected to be in operation for another 20 years even if the applications are not approved. With approval, the landfill could continue operations for an extended period of time beyond the projected 20 years.

## Land Use Plan Amendment Approval Criteria D

---

- **Criteria (d): Will not have a negative effect on the immediate area;**
- The subject property is bordered by the existing landfill to the west which has a designation of Utility. To the east is E-470 and to the south is a vacant parcel of land. To the north, across East 88th Avenue, is a new development known as Legato. Legato is zoned to allow Office/Flex space along East 88th Avenue and single-family homes throughout the interior of the site.

## Land Use Plan Amendment Approval Criteria E

---

- **Criteria (e): Will not have a negative effect on the future development of the area; and**
- The property to the west is an existing landfill and the property to the south is a vacant parcel within Adams County. Land to the north of East 88th Avenue has been zoned for office/flex space and single-family homes within Legato. The future development of the subject property would be limited by the Utility designation as there would be less opportunity for the DIA Technology uses.

## Land Use Plan Amendment Approval Criteria F

---

- **Criteria (f): Will promote the public health, safety, and general welfare of the people of the city.**
- The existing landfill and any future operations are subject to regulations from the state, county, and city levels. The proposed amendment to Utility would allow uses that support the existing landfill and could potentially extend the life of the landfill. However, it would not line up with the goals of the comprehensive plan for this area of the city.