

FTK: Land Use Plan Amendment

NARRATIVE QUESTIONNAIRE

LAND USE PLAN/MAP AMENDMENT QUESTIONNAIRE

A. General Property Information:		
1.	Property Address or Parcel Identification Number (PIN):	0172300000265
2.	Applicant's Name:	Allied Waste Systems of Colorado, LLC
3.	Property Owner's Name:	DIBC HQTS LLC C/O LC FULENWIDER INC
4.	Current Zoning of the Subject Property:	Unincorporated Adams County: A-3, Agricultural

B. Land Use Identification:			
Residential (Specify Type)	n/a	Non-Residential (Specify Type)	Utility
Existing Future Land Use	n/a	Existing Future Land Use	DIA Technology
Existing Use	n/a	Existing Use	Undeveloped
Acres/Number of Units	n/a	Acres/Square Feet	96.4 acres
Requested Future Land Use	n/a	Requested Future Land Use	Utility
Number of Proposed Units	n/a	Maximum Square Footage	N/A
Existing Zoning	n/a	Existing Zoning	A-3
Proposed Zoning	n/a	Proposed Zoning	PUD

Adjacent Future Land Uses	N:	Office/Flex
<i>(For example, "Commercial")</i>	E:	Commercial
	W:	Utility
	S:	N/A (Denver International Airport)
Adjacent Land Uses	N:	Vacant
<i>(For example, "School")</i>	E:	Vacant
	W:	Sanitary waste landfill
	S:	Undeveloped / agricultural

FTK: Land Use Plan Amendment

C.	Specific Details <i>(Be specific! Do not answer just ‘Yes’ or ‘No.’ Applicants should explain in detail the nature of the request and why the proposal is justified (e.g., how it meets the required approval criteria listed on page #3. Prior to being determined a complete application, clear justification statements <u>must accompany amendment requests</u>. If you have any questions, please ask for assistance.)</i>
1.	What is the purpose of your proposed amendment? (Describe, in general terms, what the proposed amendment is intended to accomplish.)

The purpose of this proposed land use map amendment is to modify the land use designation for a property located east of the Tower Landfill and west of E-470. Allied Waste Systems of Colorado, LLC (“Allied Waste” also, referred to herein as “Republic Services”) owns and operates the Tower Landfill. This amendment will address the need to relocate the existing entrance to the Tower Landfill to a point further east of the current site entrance, which will allow for the north slope of the landfill to be completed at an early date, reduce traffic impact on Tower Rd and E. 88th Ave. and significantly enhance compatibility with the surrounding area. In addition, this amendment will address the community need to relocate and improve certain accessory uses which will support and promote recycling and diversion on the subject property. The applicant is concurrently processing an application for annexation and an amendment to the PUD Zone Document to apply PUD zoning to the property. The proposed change to the future land use designation for the property will ensure that these applications are consistent with the Comprehensive Plan.

2.	Describe the desired Comprehensive Plan map designation as it relates to the property.
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The desired Comprehensive Plan map designation for the subject property is Utility, which will reflect the same land use map designation for the subject property as the current land use designation for the existing Tower Landfill.

3.	Describe what type of development is envisioned for the property proposed for change:
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Allied Waste has submitted applications for annexation and initial zoning for the subject property which will permit Allied Waste to, initially, relocate the existing Tower Landfill entrance on 19260 E. 88th Avenue to a new location on the subject property, as well as move some of the ancillary landfill uses (i.e. scale house, office and maintenance structures, clean soil stockpiling, recycling drop-off, customer convenience center etc.) to the subject property. Additionally, and pursuant to obtaining the necessary additional State, Federal and City of Commerce City approvals and market conditions, Allied Waste may consider requesting approval to utilize a portion of the subject property for an expansion of the existing landfill footprint. Upon completion and closure of the Tower Landfill, Allied Waste proposes to include commercial/employment uses within the PUD Zone Document so that a portion of the subject property closest to E. 88th Avenue and the E-470 corridor could be developed with commercial uses. Portions of the subject property may also be used for passive recreation and enhanced regional and local trail connections.

4.	Describe the desired future zoning for the property:
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Allied Waste is requesting an amendment to the existing Allied Waste PUD to expand the boundaries of the PUD to include the subject property. Accordingly, the future zoning of the subject property will be PUD and will permit accessory uses that are part of the operation of the landfill, potential future landfill expansion and development of commercial/employment and recreational uses upon completion and closure of the Tower Landfill.

FTK: Land Use Plan Amendment

5. **How will your proposal affect transportation, services, and facilities?** (Describe how the property is currently served, or is planned to be served, by roads and other applicable transportation systems like bus, bicycle, or pedestrian (attach copies of documents from service providers regarding available or planned services, if any).

Allied Waste’s Tower Landfill entrance relocation project will benefit the regional transportation network in several ways, both in the near-term and long-term. In the near term, Allied Waste will close the existing landfill entrance on 19260 E. 88th Avenue and replace it with a new landfill entrance that aligns with the future Himalaya Pkwy and E. 88th Avenue intersection. This new entrance will reduce traffic congestion in the area and improve motor vehicle safety. The relocation of the entrance substantially enhances the landfill’s compatibility with planned development on the Property, as well as the planned development within the surrounding properties. Once the entrance is relocated, Allied Waste can complete landfill operations at the current entrance and make the north side slope consistent with the adjacent portions of the landfill, which improves buffering and screening of landfill operations from E. 88th Avenue and the development to the north.

Allied Waste’s development project will also help facilitate the construction of the regional trail system. The acquisition of this property and its annexation into the City provide many opportunities to complete missing links and connections into important regional trails, such as the Front Range Trail and the multi-use trail that will follow the E-470 corridor, connecting communities and destinations along the entirety of the E-470 corridor.

Finally, the improvements of the existing landfill at this location to serve the long-term needs of the City from a central location has real benefits from a sustainability perspective. The existing location is well-served by the existing transportation network, providing environmental benefits to the community to include recycling and organics diversion compared to a more distant or rural location that would increase trip length for all hauling routes, thus reducing transportation costs and carbon emissions. The proposal has been coordinated with the E-470 Highway Authority’s plans for a new interchange at E-470 between E. 96th Ave and E. 88th Ave, which will further enhance the transportation benefits of this location. Shorter truck trips and a site that will be located at an interchange within the E-470 system will also reduce the infrastructure impacts on local roads by providing quicker and easier access via E-470 rather than Tower Rd.

6. **How will your proposal affect any utility service systems?** (Describe how the property is, or is planned to be, served by sewer and water (attach copies of documents from service providers regarding available or planned services, if any).

The proposed amendment to the land use map will have no impact on existing or planned water and wastewater utilities. This project does not require public water and sewer improvements. The proposal bolsters the public utility service system in terms of its capacity to handle municipal solid waste disposal, which is an important element of planning for growth.

As development continues to expand into the general vicinity, Allied Waste will regularly evaluate the option of connecting to public water and sewer when it is available at this portion of the E. 88th Avenue corridor.

7. If your proposal would create pressure to change the designations of other properties, describe how these changes would be in the best interest of the neighborhood, city, and region:

This land use map amendment will not create pressure to change the designations of other properties in Commerce City because this property is so uniquely positioned. It is the only property within Commerce City's growth boundary that is adjacent to a landfill. The Tower Landfill is the only property with a current land use designation of "Utility" on the current Comprehensive Plan. Accordingly, the context of the property that is the subject of this amendment prevents a scenario where it causes pressure or precedent for other properties to change their land use designation to Utility. Additionally, because the subject property is situated between the existing Tower Landfill to the west, E-470 to the east and Second Creek to the south, there are natural boundaries that would make any expansion of the Tower Landfill beyond the subject property infeasible.

8. How will your proposal benefit the community?

As we all know, Commerce City has experienced substantial population growth and development over the last several decades. The forces of growth continue to shape the City, and while it has presented challenges, the growth has also provided benefits to residents. This growth has created quality neighborhoods, parks and recreation facilities, additional jobs and access to employment markets, and more. Through these changes, Allied Waste has supported this growth by responsibly serving the community as its waste management provider. A mature, robust, and still-growing City needs many partnerships, one of which is a strong partnership with a municipal waste management provider. As the City plans its future and continues to prepare for additional development opportunities that will serve its residents, it is important to also plan for the capacity of the sanitary waste landfill that serves the City.

Allied Waste is the franchise waste and recycling hauler for all Commerce City residents and municipal facilities, serving over 20,500 homes and City facilities per week and growing. Allied Waste offers four annual free landfill days to Commerce City residents, representing over \$220,000 in an in-kind contribution toward the community. In 2023 Allied Waste provided Delwest a charitable grant of \$125,000 towards the building of a Community Meditation Garden within the Mile High Greyhound Park Redevelopment Project in conjunction with Empowerment, LLC.

Allied Waste not only provides a necessary and important service to the community, it is also a long-standing Commerce City employer and revenue source.

Allied Waste is one of the top 10 largest employers within Commerce City and employs over 290 people from two Commerce City locations. The Tower Landfill employs 35. The Allied Waste Hauling Facility on 74th Ave employs over 255 people. With the recent acquisition of GFL Environmental's Colorado operations, Allied Waste also employs an additional 140 people at the 7373 Washington St. Hauling Facility and 90 employees at our Denver Recycling Center in unincorporated Adams County (53rd and Broadway) . All in all, Republic Services employs over 520 workers in or near Commerce City, of which it is estimated that 20 percent or approximately 105 reside in Commerce City.

Since the 1999 annexation of the Tower Landfill into Commerce City, the City has collected a quarterly Host Fee that is directly tied to the revenue the site collects for disposal. In 2023 this host fee was

Allied Waste Land Use Plan Amendment Narrative

\$1.4M. The projected 2024 positive financial impact to Commerce City is \$2.675M of revenue and value via host fees, free landfill days, Franchise/Municipal Fees, Household Hazardous Waste Round-up sponsorship and property/sales/use taxes.

The community will directly benefit from the acquisition and associated long term development of the Tower Landfill in the following ways:

- Increase the capacity of the Tower Landfill by approximately five years by recontouring the northern side slopes and filling the existing landfill entrance (bowl area).
- Generate \$10M+ of new revenue (Host and Franchise Fees) for the City with filling of the bowl area, plus the existing remaining 20 plus years of existing permitted capacity. The current 2024 host fee revenue to the City will be approximately \$1.574M , compounded at 5%.
- The recontouring of the northern slope of the landfill will allow for landfill operations that are less visible to future residential and commercial development to the North. The change to the entrance location will also eliminate queuing of collection trucks on E. 88" Avenue, which will reduce any current impact the landfill operations have on the surrounding area.
- Allied Waste will work with Commerce City to provide hiking and bike paths to support connecting DEN with the Front Range Trail system. Allied Waste is also interested in working with the City and the E-470 Highway Authority to coordinate construction of a regional trail along E-470.
- Allied Waste is currently working with E-470 to coordinate the design of an on-ramp at the E. 88" Avenue and E-470 interchange. This will allow landfill traffic to enter the site from the east (E-470), which will reduce traffic on Tower Road and E. 88th.
- The preliminary estimates are that E-470 could see an increase in annual toll revenue of \$250-\$500K.

Lastly, Allied Waste is actively engaged with the City to develop and encourage next level sustainability practices for recycling and organics diversion along with sustainable energy development. Allied Waste (Republic Services) recently announced a major partnership with Archaea Energy, Inc. to pursue methods of converting Tower Landfill's gas into pipeline-quality renewable natural gas which will in turn be used to heat and fuel homes, business and vehicles. With the acquisition of the GFL Environmental operations, Republic Services owns and operates one the largest Recycling Centers in Colorado located in Adams County. This facility processes over 12,000 tons per month and 100% of the City's residentially collected single stream materials are processed at this facility prior to being recycled and repurposed. Allied Waste/Republic Services' continued commitment to sustainability and investment in new technology and methodologies for the same, show ongoing community benefit.

9. How does your proposal support the goals, objectives, and policies of the Comprehensive Plan?

Although the applicant is requesting a change to the future land use, the proposal is already consistent with many policy goals within the Comprehensive Plan. For example, the plan includes a Guiding Principle to "ensure adequate and efficient public facilities and infrastructure for current and future residents and businesses." (C3 Vision Plan, p. 167). This section of the plan describes the importance of various utilities and services, including trash removal and recycling, and the importance of the City's partnerships with providers and districts that meet many of these needs on behalf of the community.

Allied Waste Land Use Plan Amendment Narrative

The City’s structure and historical reliance on these partnerships has been integral to its evolution. The plan also states that “infrastructure can help a community grow its economic systems, provide places for housing and businesses, and contribute to community livability by ensuring clean drinking water and removal of waste.” Allied Waste is proud to have fulfilled this role to make Commerce City a livable, quality community with a bright future.

The comprehensive plan also addresses the Tower Landfill very specifically in several sections, especially as it relates to the provision of buffers as growth occurs in the area (C3 Vision Plan, p. 87 and p. 170). The proposal to amend the land use designation of the subject property will allow for thoughtful site design, relocation of the site access to provide enhanced compatibility with surrounding development, and re-contouring of certain areas of the existing landfill to reduce the visual impact of landfill operations. Finally, the plan addresses the need to plan for facilities to serve new growth areas (C3 Vision Plan, p. 87 and p. 170). This proposal creates sufficient landfill capacity to support the expected growth of the entire City.

10.	<p>Is your proposal based upon changing social values, new planning concepts, or other social or economic conditions that have changed since adoption of the Comprehensive Plan or any subsequent amendments? <input type="checkbox"/> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If ‘Yes,’ describe what new information or changed circumstances should be considered:</p>
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Yes, the population growth, job growth, and strong economic conditions in the region have created the need for additional capacity at the facility.

11.	<p>How will your proposal affect the following elements of the Comprehensive Plan? (Describe both positive and negative impacts and any measures you are taking to mitigate negative impacts):</p>
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-Housing:

The proposal supports the goals within the Comprehensive Plan regarding planned growth within the City and the necessary supportive utility infrastructure to support construction and development.

-Parks:

The proposal allows enhanced coordination with the City, the City and County of Denver, and E-470 to strengthen the regional trail network within the region.

-Environmental Features:

The proposal allows an existing landfill to address the community need for sanitary waste disposal, recycling, and diversion without creating a second landfill within or nearby the community. The site’s location adjacent to a major highway allows for fewer impacts to the local roadways, as well as shorter truck trips between collection and disposal. In addition, the annexation and zoning of the subject property allows Allied Waste to relocate the site entrance and recontour the northern slope of the landfill to complete the final design to this side, which substantially reduces the visual impact of landfill operations from properties to the north.

The proposal will help the City meet its C-3 EPAC Strategy by partnering with the City on projects

Allied Waste Land Use Plan Amendment Narrative

associated with renewable and sustainable energy sources, education and outreach, recycling and waste diversion, transportation and alternate fuels such as CNG (Compressed natural gas) and electric power collection vehicles (EV recycling trucks).

12. How does the proposed amendment meet a definable public need?
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Adequate and well-planned sanitary waste disposal, recycling and diversion initiatives and programs, sustainable and renewable energy services are among the most important elements of having a clean, healthy, and livable city. The comprehensive plan states the following, “As the community continues to grow, providers will need to coordinate to offer and maintain water, sewer, stormwater, energy, trash, and technology services in an efficient manner.” (C3 Vision, p. A35)