

PZ-2-16 Apache Junction Landfill Corporation Proposed Planned Development Major Amendment



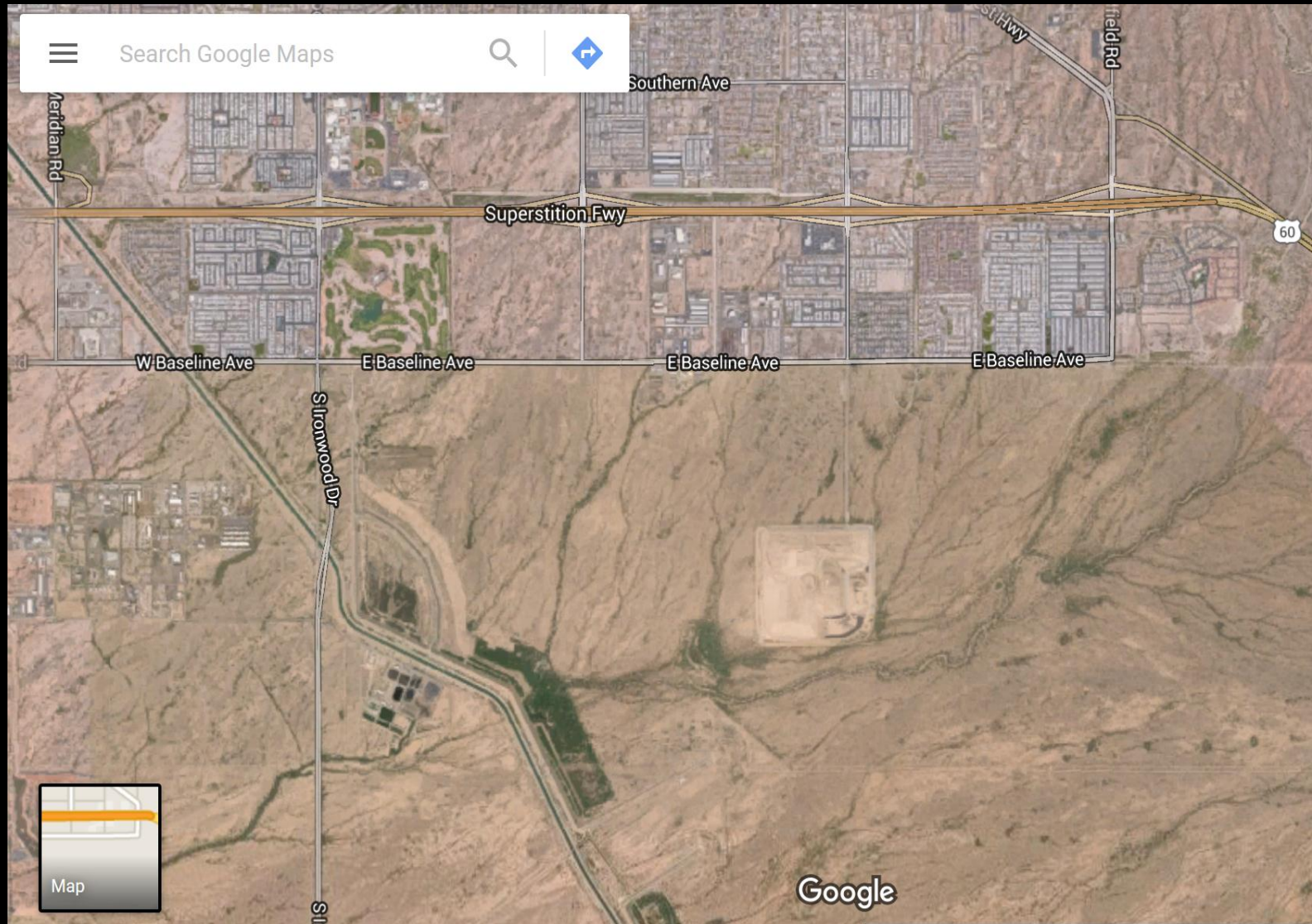
**City of Apache Junction
City Council Work Session
November 14, 2016**



Background

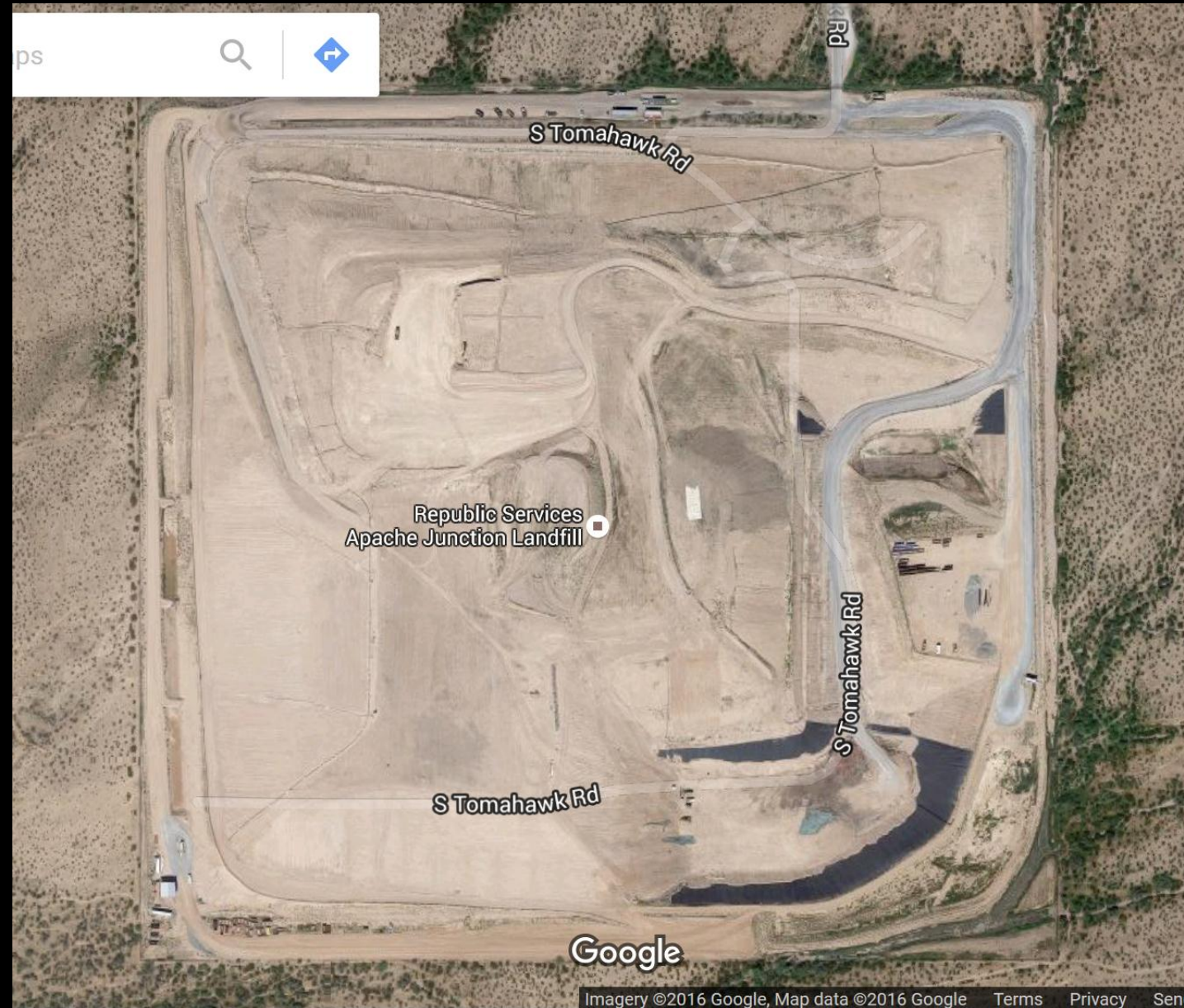
- Landfill opens in late 1950s as private dump, converted to county ownership, then private ownership by Allied Waste Industries
- Under Pinal County jurisdiction until 1988 when annexed to the City
- Allied Waste purchased the 40 acre landfill in 1993
- 1996 Allied Waste purchase surrounding 89 acres from the State Land Department
- Allied Waste sought rezoning of combined +/- 129 acres to bring the property into zoning compliance and to expand the landfill
- Property ownership “transferred” from Allied Waste to Apache Junction Landfill Corporation (current ownership entity)

Location



Location

- Recent aerial of landfill and current location of areas being filled



Current zoning parameters

- July 1997 - Ordinance No. 1034 – Rezoned landfill property from GR (General Rural) to CI-2/PD (Heavy Industrial by Planned Development)
- Ordinance No. 1034 provided:
 - No specific closure date
 - Solid waste storage cannot exceed 1,700 feet above mean sea level (msl)
 - At closure solid waste storage cannot exceed 1,685 above msl
 - Compliance with County, State, Federal agencies
 - Cannot use the site for waste tire disposal or waste transfer site or any other CI-2 use unless related to solid waste landfill uses

Current zoning parameters

- Additional Ordinance No. 1034 provisions:
 - Eventual planned development amendment for:
 - A required six (6) foot decorative masonry fence at closure
 - Post-closure landscaping plans
 - Water utility line (installed)
 - Roadway improvement plans
 - Site plan depicting structures, work shops, offices, gatehouses, weigh scales, etc.
 - Site plan delineating drainage controls
 - Closure phasing schedule
 - Surety for improvements at closure
 - City use at end of active landfill life
 - Future transportation dedications and/or realignments, sight triangles etc.
- City and Republic have/had obligations contained in Ordinance No. 1034
 - Both City and Republic in compliance with existing Ordinance No. 1034

Public Participation up to April 19th 2016

- One neighbor within notification radius – State Land Department
- Notification radius is automatically increased for Industrial Rezonings – from 300' to 500' by city ordinance
- Notified property owners north of Baseline Ave. to U.S. 60 within ¼ mile on each side of Tomahawk
- Held neighborhood meeting on Feb. 11, 2016; 1 person attended
- Staff has received letters from residents in expanded notification area, most letters in opposition, some containing questions, which have been answered by AJLC
- On April 19, approximately 35 signed form letters/comments were sent to City Clerk, just before Council meeting

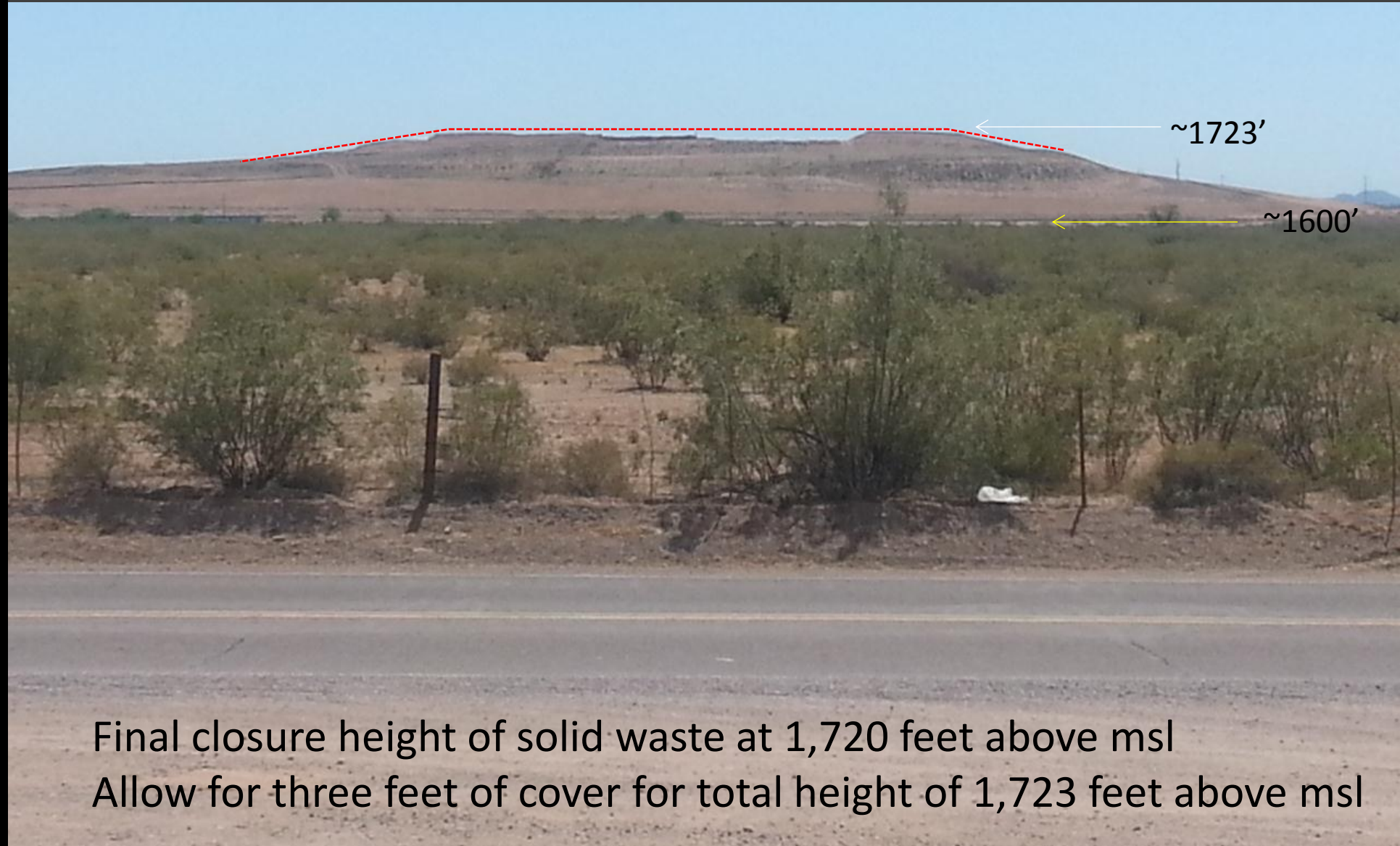
Public Participation Since April 19th 2016

- 2nd neighborhood meeting on Sept. 28, 2016 at Multi-gen Center from 5pm-7pm; open house format with AJLC
- In attendance: staff from Republic Services/AJLC;
- 28 people signed attendance roster
 - Including city staff, planning commission, and council members
- Summary of public participation efforts included in staff report

Proposed PD Zoning Amendment

- Major Amendment - B-5/PD is city's current equivalent zoning designation
 - Establishes firm closure date of December 31, 2035
 - Final closure height of solid waste at 1,720 feet above msl
 - Allow for three feet of cover for total height of 1,723 feet above msl
 - Provide funding to City for post-closure design and reuse plans
 - Continued ongoing environmental obligations by AJLC post-closure
 - Combine the two tax parcels (40 ac + 89 ac) into one legal description (done)
 - Commit to work with the city on infrastructure (water, road and drainage) improvements

Existing ground elevation – proposed final height



Final closure height of solid waste at 1,720 feet above msl
Allow for three feet of cover for total height of 1,723 feet above msl

Staff and P&Z Recommendation

- These recommendations went to City Council Meeting April 19th 2016
- Staff Recommendation – Approval subject to 11 conditions
- Planning and Zoning Commission Recommendation – Approval
 - Subject to same 11 conditions with amendment to condition #4 changing the closure date to **December 31, 2025**
 - Added 12th condition requiring that “AJLC will create a natural barrier between the landfill and all neighborhoods, such barrier to be in the form of trees or other natural landscaping to be agreed upon by the City and the Landfill.” (in particular improving the entrance to the landfill at Tomahawk and Baseline in the immediate future)

City Council meeting of April 19, 2016

- After Public Hearing, Council continued the PD amendment item to Nov. 14 for a work session discussion and to Dec. 6 for another public hearing
- Council further directed that staff work with AJLC on the following:
 - A new condition requiring groundwater monitoring wells
 - A new condition requiring early installation of landscaping
 - A new provision for payment “triggers” in case of early closure (contained in operating agreement)

Possible Changes to Ordinance 1428

- #4 The landfill shall cease accepting solid waste on or before December 31, 2025 (or 2035?), with closure being pursuant to Arizona solid waste management laws under A.R.S. Section 49-701, et seq.
- #7 Property owner/applicant shall submit to city within twelve (12) months of council approval of this amendment to the plan of development, confirmation in manner acceptable to the city confirming the location, ~~and~~ construction and ADEQ or ADWR approval of a twelve inch (12") water utility line extension, and other related water utilities.
- #11 (delete) and renumber subsequent conditions appropriately
 - Required the combination of two tax parcels (already completed)

Possible Changes.....(cont.)

- #12 (new) At the entrance drive to the landfill (intersection of S. Tomahawk Road and E. Baseline Avenue), on each side of the entry drive, AJLC shall install three 36" box trees, twelve 5-gallon shrubs, ½"-minus decomposed granite groundcover and entry monumentation no taller than six feet high. The entry drive landscaping and monument improvements shall be contained within AJLC's easement drive area, be designed by a landscape architect, use xeriscape plant materials, include irrigation and shall be subject to city's Development Services Department's review, input and approval, which approval may not be unreasonably withheld by city. Continued on next slide...

Possible Changes.....(cont.)

- #12 (new continued...) AJLC shall complete the landscaping no later than one year from the effective date of this amendment, and all continuing expenses, water and maintenance costs associated therewith shall be paid by AJLC until the closure date, as defined herein. At the closure date, the city shall assume all continuing expenses, water and maintenance costs associated therewith.

Possible Changes.....(cont.)

- #13 (new) No later than sixty (60) days after the effective date, AJLC shall submit a groundwater monitoring plan to ADEQ. Within ninety (90) days of approval by ADEQ of the groundwater monitoring plan, and in no event, in more than one (1) year from the effective date, AJLC shall implement a groundwater monitoring plan. AJLC shall bear all costs associated with the creation, processing, implementation and management of a groundwater monitoring plan.

Possible Changes.....(cont.)

- #14 (new) AJLC shall submit a report to city annually, on the anniversary of the effective date, regarding the status and findings of the groundwater monitoring plan. AJLC may submit to city a copy of its most recent report to ADEQ to comply with this obligation. AJLC shall continue to submit its annual report for a period of thirty (30) years after the closure date, as defined herein, unless ADEQ determines at an earlier time that groundwater monitoring is no longer required, in which case AJLC's obligations under this section are terminated.

Questions for staff:

PZ-2-16 Apache Junction Landfill

Corporation

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