

ALLIED WASTE SYSTEMS OF COLORADO, LLC.

PUD ZONE DOCUMENT, AMENDMENT #3

TOWNSHIP 2 SOUTH, PORTION OF SECTIONS 26 & 27, RANGE 66 WEST OF THE 6TH P. M.

STATE OF COLORADO, COUNTY OF ADAMS, CITY OF COMMERCE CITY

PUD DESCRIPTION

The Legal Description and Dedication:

Know all men by these presents that DIBC HQTS, LLC being the (owner, mortgagee, lien holder) of that part of the East Half (E1/2) of Section Twenty-seven (27) and a portion of the West Half (W1/2) of Section Twenty-six (26), Township Two South (T.2S.), Range Sixty-six West (R.66W.) of the Sixth Principal Meridian (6th P.M.) City of Commerce City, County of Adams, State of Colorado being more particularly described as follows; to wit;

Beginning at the Northwest Corner of said Section 26 and assuming the North line of the West Half of Section 26 as bearing North 89° 03' 17" East a distance of 2637.11 feet with all other bearings contained herein relative thereto:

THENCE South 00° 32' 43" West a distance of 30.01 feet to a point on the South line of East 88th Avenue, being 30.00 feet Southerly and parallel to the North line of the West Half of said Section 26 and to the POINT OF BEGINNING;

THENCE North 89° 03' 19" East a distance of 606.65 feet;

THENCE South 00° 56' 43" East departing said Southerly line of East 88th Avenue a distance of 40.00 feet;

The following Seven (7) courses are along the Southwesterly and Westerly lines and arcs of that parcel of land No. TK-128 of the E-470 Public Highway Authority described in Bargain and Sale Deed recorded October 12, 1995 as Reception No. 1995030114614 of the Records of Adams County.

THENCE South 84° 57' 33" East a distance of 429.25 feet;

THENCE South 56° 43' 42" East a distance of 99.32 feet;

THENCE South 18° 17' 28" East a distance of 1157.84 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Southwest a distance of 454.67 feet, said curve has a Radius of 1424.13 feet, a Delta of 18° 17' 32" and is subtended by a Chord bearing South 09° 08' 42" East a distance of 452.74 feet to a Point of Tangency;

THENCE South 00° 00' 05" West a distance of 1250.00 feet;

THENCE South 08° 12' 59" East a distance of 224.07 feet;

THENCE South 00° 00' 05" West a distance of 131.46 feet to the South line of the North Half of the North Half of the Southwest Quarter of said Section 26 and to the Northerly line of the City and County of Denver as described in Rule and Order recorded August 10, 1990 as Reception No. 1990020956682 of the Records of Adams County.

THENCE South 89° 28' 39" West along said Northerly line of the City and County of Denver a distance of 1604.57 feet to the West line of the Southwest Quarter of said Section 26;

THENCE South 89° 30' 54" West a distance of 50.00 feet to a point on a line 50.00 feet Westerly and parallel to the West line of the Southwest Quarter of said Section 26;

THENCE North 00° 29' 06" West along a line being 50.00 feet Westerly of and parallel to the West line of the Southwest Quarter of said Section 26 a distance of 665.43 feet to a point on a line being 50.00 feet Westerly of and parallel to the West line of the Northwest Quarter of said Section 26;

THENCE North 00° 32' 43" East along a line being 50.00 feet Westerly of and parallel to the West line of the Northwest Quarter of said Section 26 a distance of 2621.14 feet to a point on the South line of East 88th Avenue, being 30.00 feet Southerly and parallel to the North line of the East Half of said Section 27;

THENCE North 89° 33' 59" East along the South line of East 88th Avenue, being 30.00 feet Southerly and parallel to the North line of the East Half of said Section 27 a distance of 50.01 feet to the POINT OF BEGINNING;

Containing 4,944,211 sq. ft. or 113.50 acres, more or less (±);

Know all men by these presents that DIBC HQTS, LLC being the (owner, mortgagee, lien holder) do hereby dedicate to the City of Commerce City, County of Adams, State of Colorado public rights of way in fee simple, and warrants title to the same, for the perpetual use of the public, the streets and other public ways as shown on this plat and hereby dedicates such easements to the City of Commerce City as are created hereby, and depicted, shown or referenced by note hereon and warrants title to the same.

Executed this ___ day of _____, AD 20___

V. Owner(s) Signature and Printed Name

Mortgagee or Lien Holder(s) Signature and Printed Name

Ownership Certificate:

_____ being the owner of the property located in the City of Commerce City, County of Adams, State of Colorado does hereby submit this Planned Unit Development Zone Document and agree to perform under the terms stated herein.

By: _____
Name and title of responsible person

Deed of Trust Certificate:

_____ being the holder of a deed of trust encumbering the property located in the City of Commerce City, County of Adams, State of Colorado consents to the Planned Unit Development Zone Documents and it's contents.

By: _____
Name and title of responsible person

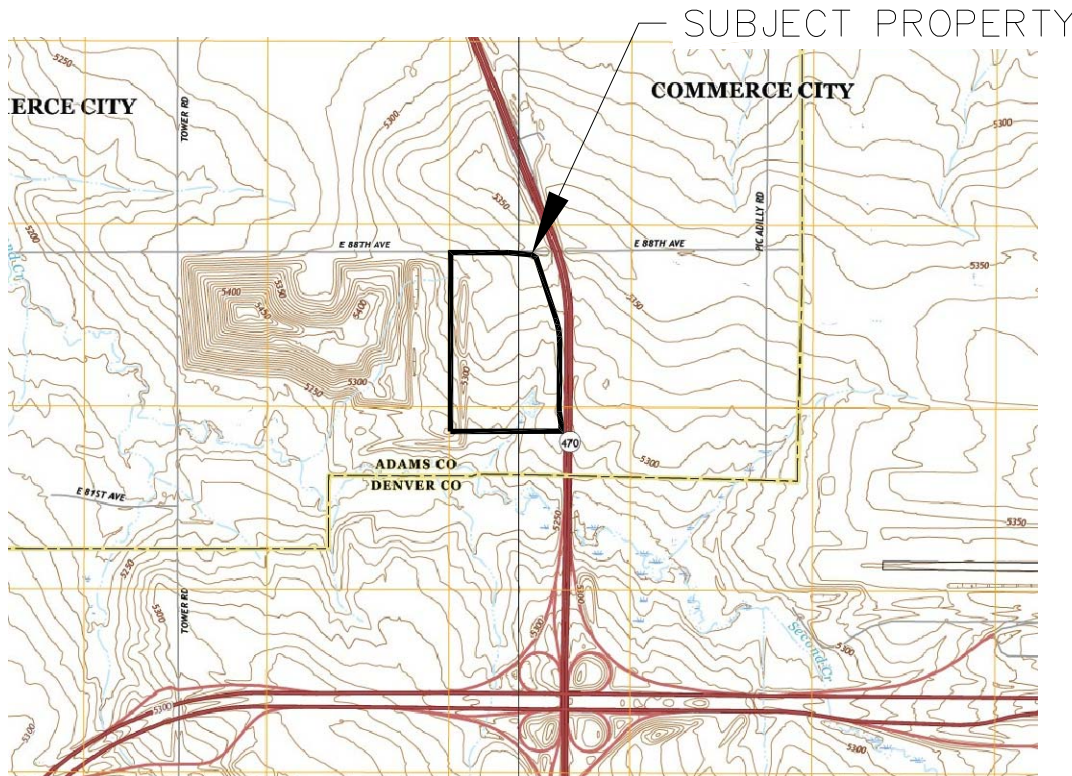
State of _____
County of _____
City of _____

The foregoing was acknowledged before me this ___ day of _____, AD 20___
by (Seal)

My commission expires _____

Notary Public _____

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SOURCE: USGS US TOPO 7.5-MINUTE MAPS FOR MONTBELLO, CO 2019, DENVER INTERNATIONAL AIRPORT, CO 2019, BRIGHTON, CO 2019, AND MILE HIGH LAKES, CO 2019.

SITE LOCATION MAP
N.T.S.

General Project Notes:

1. This amendment includes the addition 109.7 acres ("Annexation Property"). Approximately 65.1 acres will be zoned into Parcel A1, and 44.6 acres will be included in Parcel H. The total land area for this PUD Zone Document is 28,897,704 square feet or 663.4 gross acres.
2. The Annexation Property is currently zoned to Adams County as A-3 and through an annexation submittal will be annexed into the City of Commerce City as Planned Unit Development.
3. The Annexation Property will follow the existing uses of Parcel A1 of this PUD and the Parcel H permitted uses created by this amendment primarily serve as the landfill's site entrance facilities.
4. This PUD Zone Document Amendment does not revise, replace, override, or supersede the Allied Waste Systems of Colorado, LLC. PUD Zone Document Amendment #2, approved by City of Commerce City, City Council May 18, 2009. Adams County Clerk and Records Certificate Reception No. 2009000059348.

INDEX OF DRAWINGS			
SHEET NO.	TITLE	REVISION NO.	DATE
1	COVER SHEET	0	11/2023
2	PUD DESCRIPTION	0	11/2023
3	CONCEPTUAL LAND USE PLAN	0	11/2023
4	PROJECT DEVELOPMENT STANDARDS	0	11/2023

- DRAFT
- RELEASED FOR BID
- APPROVED FOR CONSTRUCTION
- CLIENT APPROVAL BY: _____
- OTHER: _____

PROPERTY OWNER:



ALLIED WASTE

LANDFILL SITE NAME: TOWER ROAD

LANDFILL SITE NUMBER: 570-003

COVER SHEET
PUD ZONE DOCUMENT, AMENDMENT #3
TOWER LANDFILL
COMMERCE CITY, COLORADO

NO.	DATE	REVISION DESCRIPTION



WEAVER CONSULTANTS GROUP
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Jonathan V. Queen
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Date Submitted: 11/10/2023

Resubmittals: -/-

DRAWN BY: RSB

REVIEWED BY: JCB

DATE: 11/2023

FILE: 0120-429-11-70

CAD: 01-COVER SHEET -23.dwg

SHEET 1 OF 4

City Approval:

Approval of the Commerce City Planning Commission:
Approved this ___ day of _____, AD 20___

Chairperson _____

Approval of the City Council of the City of Commerce City:
Approved this ___ day of _____, AD 20___

City Clerk _____

Mayor _____

ALLIED WASTE SYSTEMS OF COLORADO, LLC.

PUD ZONE DOCUMENT, AMENDMENT #3

TOWNSHIP 2 SOUTH, PORTION OF SECTIONS 26 & 27, RANGE 66 WEST OF THE 6TH P. M.

STATE OF COLORADO, COUNTY OF ADAMS, CITY OF COMMERCE CITY

PUD DESCRIPTION

Project Intent:

The intent of this Planned Unit Development (PUD) Amendment is to expand the footprint of the PUD to encompass the annexation property. The annexation is to be divided into two new use Parcels. Parcel A1 will allow a relocation of the south entrance from E. 88th Avenue, ancillary uses, solid waste disposal facility operations, and certain services and facilities from their current location to a new location on the Annexation Property and the creation of Parcel H, which will permit ancillary landfill uses as well as future commercial and industrial uses upon the closure of Tower Landfill. Such relocation will improve the traffic flow in the area. The new Tower Landfill entrance will align with the future Himalaya Parkway intersection on E. 88th Avenue, which will integrate and safely provide for the traffic generated by different uses. The PUD Amendment will not contain any residential uses and the annexation property does not have any unique or significant existing natural features.

Existing Amenities:

The Annexation Property is currently being utilized as agricultural land. Existing structures will be removed.

Project Phasing:

The project will be completed in one phase. No Phasing Plan is proposed.

Unique Features:

There are no known significant natural features such as large trees, specialized vegetation, floodways, or wildlife habitat within the site. Allied Waste submitted an Environmental Assessment as part of the Engineering Design and Operations Plan Revision 1 documenting environmental findings surrounding the property.

Existing Challenges:

The land between the existing Parcel A and the Annexation Property has a dedicated right of way that will be vacated. This will be addressed with the City of Commerce City for the right of way is not included in the City of Commerce City C3 Vision Comprehensive Plan (the "Comprehensive Plan").

Comprehensive Plan Goals and Policies:

The Annexation Property is located within Commerce City's intergovernmental agreement (IGA) Growth Boundary and the Application is consistent with the Comprehensive Plan. Specifically, the Annexation Property has a future land use designation of "Utility" under the City of Commerce City C3 Vision Comprehensive Plan. The Comprehensive Plan identifies "Utility" as compatible with "active and future landfills" and therefore, the PUD Amendment is consistent with the future land use designation for the Annexation Property. The Annexation Property will enhance and extend the employment opportunities available at Tower Landfill. Secondly, the Annexation Property will provide for solid waste disposal infrastructure to allow for continued economic growth of Commerce City. Additionally, the project meets the buffering goals from Tower Road Landfill identified in the Comprehensive Plan, because the expansion onto the Annexation Property will enable Allied Waste to re-contour the northern slope of the Tower Landfill, which will result in operations that are less visible to future residential and commercial development to the north and west of the site, but will not increase the maximum currently permitted height of the landfill. Lastly, expanding the Tower Landfill to the east onto the Annexation Property will result in the Tower Landfill being a standalone use between Tower Road and E-470; thus, preventing other potentially incompatible land uses the Annexation Property, which is adjacent to the existing Tower Landfill. E-470 will act as a natural buffer to all other future uses to the east.

DRAFT
 RELEASED FOR BID
 APPROVED FOR CONSTRUCTION
 CLIENT APPROVAL BY: _____
 OTHER: _____



PUD ZONE DOCUMENT, AMENDMENT #3
 TOWER LANDFILL
 COMMERCE CITY, COLORADO

REVISION DESCRIPTION	DATE	BY



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Date Submitted: 11/10/2023

Resubmittals: *1/1*

DRAWN BY: RSB
REVIEWED BY: JCB
DATE: 11/2023
FILE: 0120-429-11-70
CAD: 02-PUD DESCRIPTION -23.dwg

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TOWNSHIP 2 SOUTH, PORTION OF SECTIONS 26 & 27, RANGE 66 WEST OF THE 6TH P. M.

STATE OF COLORADO, COUNTY OF ADAMS, CITY OF COMMERCE CITY

CONCEPTUAL LAND USE PLAN

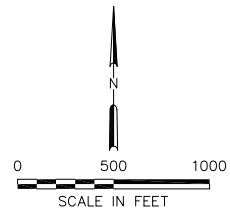
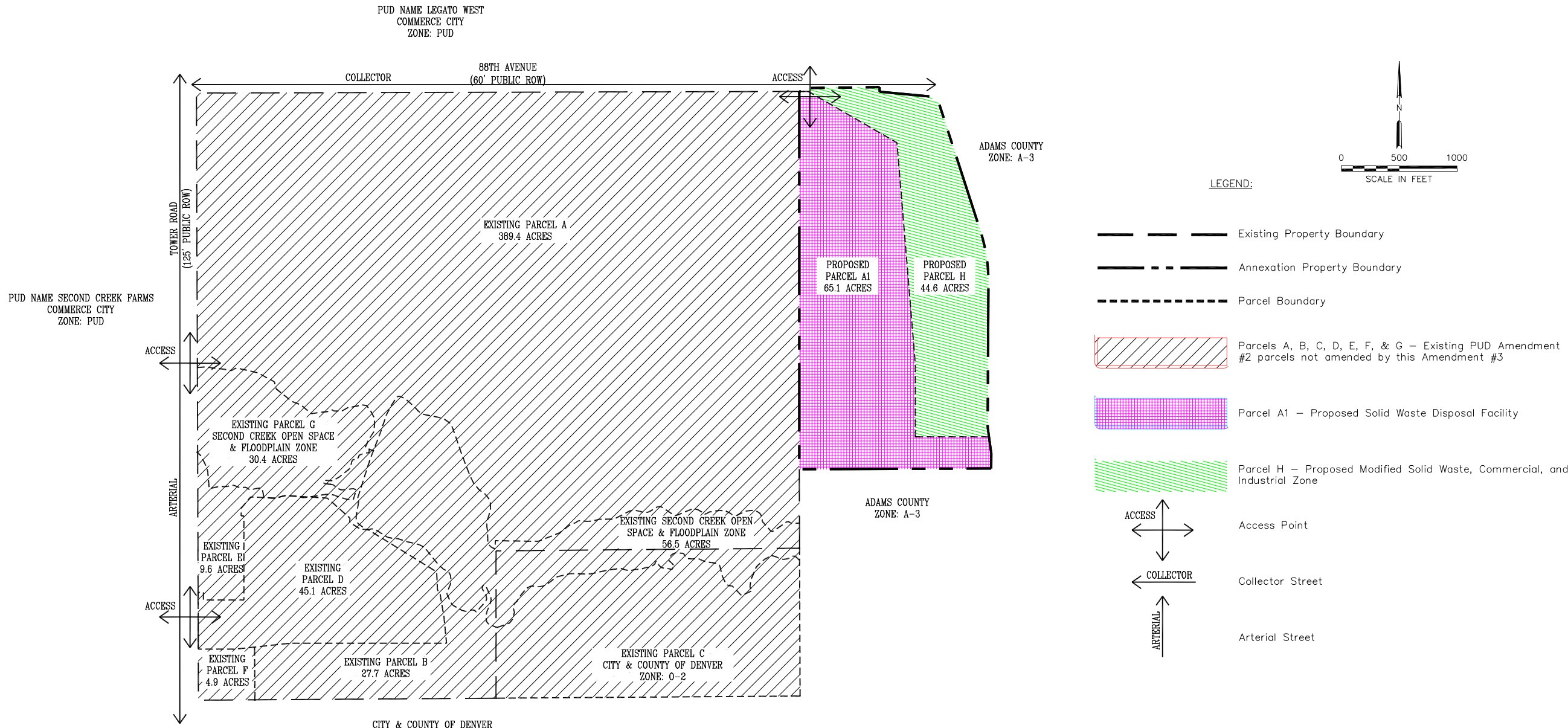
DRAFT
 RELEASED FOR BID
 APPROVED FOR CONSTRUCTION
 CLIENT APPROVAL BY: _____
 OTHER: _____

PROPERTY OWNER:



LANDFILL SITE NAME: TOWER ROAD
LANDFILL SITE NUMBER: 570-003

CONCEPTUAL LAND USE PLAN
 PUD ZONE DOCUMENT, AMENDMENT #3
 TOWER LANDFILL
 COMMERCE CITY, COLORADO



LEGEND:

- Existing Property Boundary
- Annexation Property Boundary
- Parcel Boundary
- Parcels A, B, C, D, E, F, & G – Existing PUD Amendment #2 parcels not amended by this Amendment #3
- Parcel A1 – Proposed Solid Waste Disposal Facility
- Parcel H – Proposed Modified Solid Waste, Commercial, and Industrial Zone
- Access Point
- Collector Street
- Arterial Street

Land Use Table	Acreage	% of project
Parcel A – Existing Solid Waste Disposal Facility	389.4	57.8%
Parcel B – Existing Office & Industrial	27.7	4.1%
Parcel C – Existing City & County of Denver	n/a	n/a
Parcel D – Existing Commercial Airport Parking Facility/ Office & Industrial	45.1	6.7%
Parcel E – Existing Commercial Zone	9.6	1.5%
Parcel F – Existing Commercial Zone	4.9	0.7%
Parcel G – Existing Second Creek Open Space & Floodplain Zone	86.9	12.9%
Parcel A1 – Future Modified Solid Waste & Commercial Zone	65.1	9.7%
Parcel H – Future Modified Solid Waste & Commercial Zone	44.6	6.6%
Totals	673.3	100%

- NOTE:
- SITE HAS NO EXISTING TRANSMISSION LINES OR OIL AND GAS SITES.
 - TOTAL AREA ANNEXED IS 109.7 ACRES (65.1 ACRES IN PARCEL A1 AND 44.6 ACRES IN PARCEL H).

NO.	DATE	REVISION DESCRIPTION



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FILE: 0120-429-11-70
CNR: 03-CONCEPTUAL LAND USE PLAN -23.dwg

G:\Projects\Republic\Tower\2020 EDOIP\Bowl Expansion\Plans\Eastern\Entrance\Tower PUD\Development\Plans-PUD Permits\Comment Response 2nd\03-CONCEPTUAL LAND USE PLAN -23.dwg, jqueen, 1:2

ALLIED WASTE SYSTEMS OF COLORADO, LLC.

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TOWNSHIP 2 SOUTH, PORTION OF SECTIONS 26 & 27, RANGE 66 WEST OF THE 6TH P. M.

STATE OF COLORADO, COUNTY OF ADAMS, CITY OF COMMERCE CITY

PROJECT DEVELOPMENT STANDARDS

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- OTHER: _____

PROPERTY OWNER:



ALLIED WASTE

LANDFILL SITE NAME: TOWER ROAD
LANDFILL SITE NUMBER: 570-003

PROJECT DEVELOPMENT STANDARDS
PUD ZONE DOCUMENT, AMENDMENT #3
TOWER LANDFILL
COMMERCE CITY, COLORADO

1. Parcel A1 - Solid Waste Disposal Facility

A Permitted Uses	
Solid waste disposal and drop off site and facility	Truck wheel wash facilities
Berms, borrow and stockpile areas	Refuse container storage
Monitoring and extraction wells	Organics and recycling operations
Storage facilities	Landfill gas flaring operations
Maintenance facilities and fuel storage	Landfill gas extraction recovery operations

B. Additional Provisions:

- All present and future waste disposal uses on Parcel A shall be controlled by the certificate of designation dated November 9, 1982 and related resolutions dated April 20, 1981 and November 1, 1982, as approved by Adams County, Colorado, and as transferred and accepted by the City, together with all amendments and revisions thereto, and any revised or updated Engineering Design and Operations Plan (EDOP) as reviewed and approved by the Colorado Department of Public Health and Environment for compliance with all applicable state and federal regulations.

C. Expansion Request

A future request to permit disposal of landfill material on the Annexation Property may only be approved by City Council ("Expansion Request"). The Expansion Request would permit the disposal of landfill material within the Parcel A1 portion of the Annexation Property ("Expansion Request Area"), pursuant to 6 CCR 1007-2 Part 1 - Regulations Pertaining to Solid Waste Sites and Facilities.

City Council shall approve an Expansion Request if such Expansion Request meets the following approval criteria:

- The Expansion Request Area is a minimum of 50 feet south of the centerline of E 88th Avenue;
- The site entrance to the Annexation Property is between the Expansion Request Area and E 88th Avenue;
- The Expansion Request Area is a minimum of 450 feet from E-470;
- The ancillary landfill uses are between the Expansion Request Area and E-470;
- The Expansion Request has visual screening in the form of landscaping, such as berms and trees, between the Expansion Request Area and E 88th Avenue and E-470;
- All Expansion Request Area boundary slopes are vegetated;
- The Expansion Request monitors and regulates dust in accordance with the operator's Title V Operating Permit issued by the Colorado Department of Public Health and Environment;
- All activity conducted on the Expansion Request Area shall comply with the City's unreasonable noise ordinance as codified in the City's Municipal Code;
- A fence surrounds the parameter of the Annexation Property to prevent unauthorized public access;
- Access to the Annexation Property is consistent with the traffic impact study;
- The applicant provided notice to Denver International Airport and the Federal Aviation Administration;
- No oil and gas operations are currently existing and will not be permitted on the surface or within 1,000 feet below the surface of the Annexation Property;
- The Expansion Request complies with a revised Engineering Design and Operations Plan approved by the Colorado Department of Public Health and Environment;
- The Expansion Request either (a) does not include property located within the boundaries of any 100-year floodplain; or (b) does not restrict 100-year flood flow, reduce the temporary water storage capacity of the floodplain, or result in solid waste washout that poses a hazard to human health or the environment;
- The Expansion Request Area either (a) is not located in wetlands; or (b) has demonstrated that the proposed operations can meet restrictions set forth in 40 CFR 258.12;
- The Expansion Request Area is not subject to active geologic conditions that would adversely impact the development of a landfill in accordance with the applicable Code of Colorado Regulations Pertaining to Solid Waste Disposal Sites and Facilities;
- The Expansion Request will not place waste below or into surface water or groundwater; and
- The Expansion Request provides adequacy of drainage, utilities and other public facilities.

2. Parcel H - Modified Solid Waste & Commercial Zone

A Permitted Uses	
Solid waste and drop off site and facility	Truck scales
	Truck wheel wash facilities
Berms, borrow and stockpile areas	Additional gatehouse and/or lanes
Solidification facilities	Employee locker, lunchroom facilities and mobile office structures
Monitoring and extraction wells	
Storage facilities	Refuse container storage
Administrative offices	Organics and recycling operations
Maintenance facilities and fuel storage	Landfill gas extraction operations
Landfill gas flaring operations	Cellular tower pad
Renewable energy systems	Inert liquid evaporation pond

Upon closure of Tower Landfill as determined and approved by the Colorado Department of Public Health and Environment Hazardous Materials and Waste Management Division, the following additional permitted uses and provisions shall apply.

Provisions:

- Permitted uses shall be limited to the use-by-right, conditional uses and use by permit uses and use by permit uses set forth in the C-1, C-2, C-3, or I-1 zone district as designated in the Land Development Code of the City of Commerce City. Uses shall be reviewed to ensure accordance with these regulations.
- Bulk requirements shall be determined by the C-1, C-2, C-3, or I-1 zone district as designated in the Land Development Code of the City of Commerce City. Uses shall be reviewed to ensure accordance with these regulations.
- The minimum parking ratios will default to the Land Development Code of the City of Commerce City.
- Signage and lighting requirements will default to the Land Development Code of the City of Commerce City.

3. Additional Dedication Criteria

- Prior to the final closure of the landfill in Parcel A1, developer shall agree to a public access easement for Parcel A1. Said easement shall allow for public uses that are consistent with maintenance of the final landfill cap, and shall include trails, recreation, observation points, and other mutually agreed upon public uses.
- The City shall make its best efforts to negotiate an interim/temporary Second Creek trail alignment to the southern boundaries of the property owned by the City and County of Denver, adjacent to the southern boundaries of the property owned by Developer in Parcels B and C. If a trail alignment within the property owned by the City and County of Denver cannot be obtained, Developer shall design and submit at the request of Commerce City an interim/temporary alignment along the southern portions of Parcel B and C, and along the western portion of Parcel B.
- The landscaping and edge treatment to be installed along the Tower Road frontage of Parcels D, E and F shall be designated and submitted to the City for approval, and installed in conjunction with the widening of Tower Road.
- The parcel acreage in the land use table may be administratively modified by 15% without PUD Zone Document approval.

General Project Notes:

- For conditions not addressed in this PUD, developers shall default to the LDC.
- Access is subject to approval by Public Works.
- Drainage is subject to approval by Public Works unless otherwise approved by the Colorado Department of Health and Environment.
- Public street cross-sections shall default to the city's standard street cross-sections.
- A "Redevelopment Plan" will be submitted 5 years in advance of closing the landfill. This Redevelopment Plan will outline how the property will be used after closing Tower Landfill.

Definitions

The following is a list of definitions specific to the Allied Waste Systems of Colorado, LLC PUD Zone Document, as amended.

Berms, Borrow and Stockpile Area is defined as clean soils that will be excavated on-site, accumulated and stored for short-term, long-term or permanent use as cover material to the landfill.

Organic and Recycling Operations relates to the storage and processing of organics into a soil amendment, while recycling operations includes the storage and processing activities used for the diversion and reuse of materials from the landfill in an effort to create new products or reduce the need for raw materials. Tower Landfill will not conduct composting operations but will provide collection and transportation to a compost or recycling facility.

Disposal of Landfill Material are materials or wastes defined in 6 CCR 1007-2 Part 1 - Regulations Pertaining to Solid Waste Sites and Facilities and accepted for landfilling.

Inert Liquid Evaporation Pond is a waste management structure where inert liquids are placed for disposal through evaporation.

Landfill Gas Extraction Recovery Operations consists of the infrastructure required for the collection and transmission of landfill gas generated through the decomposition of organics in solid waste.

Landfill Gas Flaring Operations is the infrastructure of wells, pipes, blowers and flares related to the destruction of landfill gas as conveyed through landfill gas extraction recovery operations.

Maintenance and Fuel Storage is defined as the infrastructure and related supporting operations including but not limited to maintenance and fuel storage used for both on-road and off-road equipment necessary in the support of landfill operations.

Monitoring and Extraction Wells is the infrastructure used in the monitoring of various metrics for a landfill's performance with regards to groundwater and landfill gas collection and migration.

Refuse Collection Container Storage is a storage area dedicated to the storage of containers used for the collection, transportation, and disposal of refuse and or recyclables.

Solidification Facilities is the infrastructure and related operations to store, process and convert a non-hazardous liquid or semi-liquid waste into a solid form for disposal into the landfill.

Truck Scales are weighing devices designed to measure the weight of vehicles, primarily trucks, for properly tracking volume, weight, and fees associated with incoming and outgoing materials.

Truck Wheel Wash Facilities is related infrastructure designed to clean the wheels and undercarriages of trucks exiting the landfill helping to minimize prevent the spread of mud onto adjacent offsite roadways.

Parcel	Use	Gross Size (acres)	Percent of Total (Gross)	Net Size (acres)	Percent of Total (Net)	Minimum Building Height (feet)	Maximum Building Height (feet)	Maximum Developed Height (amsl)	Minimum ROW Setback for Arterial (feet)	Minimum Setback from Private Collector (feet)	Minimum Lot Frontage (feet)	Minimum Front Setback (feet)	Maximum Front Setback, if applicable (feet)	Minimum Side Setback (feet)	Minimum Rear Setback (feet)	Minimum Building or Unit Size, if applicable (square feet)	Minimum Lot Size (acre)	Minimum Floor Area Ratio	Maximum Area of Outdoor Storage or Large Vehicle Parking	Maximum Building Coverage
A1	Solid Waste Disposal Facility	65.1	59.3%	65.1	63.0%	N/A	N/A	5,535 (amsl)	20	20	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0.5:1	40%	10%
H	Modified Solid Waste & Commercial Zone	44.6	40.7%	38.2	37.0%	15	50	N/A	20	20	70	10	25	10	20	N/A	0.184	0.5:1	40%	50%
Total (Gross)		109.7	100.0%	N/A	N/A															
Total (Net - minus easements, flood plain, roads, etc.)		103.3	N/A		100.0%															

No.	DATE	REVISION DESCRIPTION	BY																		



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PROJECT DEVELOPMENT STANDARDS -23.dwg

G:\Projects\Republic\2020 EDOP - Bowl Expansion\Plans\Eastern Entrance\Tower PUD\Development\Plans-PUD Permits\Comment Response 2nd\04-PROJECT DEVELOPMENT STANDARDS -23.dwg, jqueen, 1:2