



## CITY OF TONTITOWN PLANNING OFFICE

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Meeting: **June 22, 2021**  
Project: **Eco Vista Landfill**  
Planner: Courtney McNair, Garver

### AGENDA ITEM

## 3

### PRELIMINARY LARGE SCALE DEVELOPMENT REQUEST

#### 2210 Waste Management Drive

**Parcel #s:** 830-38355-001, 830-38354-000, 830-38358-000, 830-38365-000, 830-38366-000, 830-38364-000, 830-38378-000, 830-38398-000, 830-38397-000, 830-38395-000, 830-38396-000, 830-38391-000, 830-38390-000, 830-38399-000, 830-38392-000, 830-38394-000, 830-38400-000, 830-38400-200, 830-38400-100, 830-38403-000

**SUMMARY:** Request to approve a Preliminary Large-Scale Development for an expansion to the existing Waste Management landfill property. This property was rezoned to EU-L zoning in anticipation of this expansion, and to bring the existing into compliance in October 2020.

#### **CURRENT ZONING: EU-L: Exclusive Use-Landfill**

**CITY WARD:** 3-Don Doudna, Tim Burress

**INFRASTRUCTURE SERVICE AREAS** (not a guarantee of service availability):

**Water:** Washington Water Authority

**Electric:** Ozarks Electric

**Sewer/Septic:** Tontitown Sewer

**Phone:** AT&T

**Natural Gas:** Black Hills Energy

**Cable:** Cox Communications

#### **PROJECT SYNOPSIS:**

The owner/applicant for this project is Eco-Vista, LLC. The property is located at the south of Arbor Acres Ave. and at Waste Management Drive. There is an existing drive (Waste Management Drive), that connects to Arbor Acres Ave. No additional drives are proposed with this Preliminary LSD.

This request to approve a Preliminary Large-Scale Development for an expansion to the existing Waste Management landfill property. This property was rezoned to Exclusive Use-Landfill (EU-L) zoning in anticipation of this expansion, and to bring the existing into compliance in October 2020.

The total property area of Eco Vista landfill is 609.23 acres, and 417.13 acres was zoned to EU-L. Associated landfill activities will be located within this area that was rezoned. This includes the expansion of the active Class 1 (household waste) and Class 4 (construction waste) landfill areas, soil borrow areas, detention/sedimentation basins, access drives, truck wash, grading for a future landfill gas facility (that will be reviewed when it is proposed to be constructed), and required buffering.

The proposed Class 1 expansion will include approximately ten (10) acres of land located in between the closed Class 1 landfill and the currently active Class 1 landfill area.

The proposed Class 4 expansion will be located to the north of the existing Class 4 landfill area. The Class 4 area is approximately 12.2 acres.

This expansion will add approximately twelve (12) years to the life of the landfill.

#### **TECHNICAL INFORMATION:**

##### **Utilities:**

**Water:** Washington Water Authority-There is an existing 4-inch and 6-inch water line along the south of Arbor Acres Ave. If street improvements are required along Arbor Acres Ave., WWA has stated they may require the developer to relocate the 4-inch water line that exists within the current street ROW. This is an ongoing discussion and needs additional review. The nearest hydrant is located at the intersection of Arbor Acres and Pianalto Road and has an approximate fire flow of 225 GPM.

**Electric:** Ozarks Electric- OECC required 30' utility easements for all existing power lines. These are shown on the LSD plans. Any additional coordination with OECC will be the developer's responsibility.

**Sewer:** This project has an existing connection to the City of Tontitown sewer system. The applicant states they have obtained necessary permits from Tontitown and Northwest Arkansas Conservation Authority (NACA). James Clark, Public Works Director provided a copy of the required Industrial Waste Discharge Permit. It is still in effect. New discharge limits are being discussed, and if approved, and new Industrial Waste Discharge Permit shall be required to be submitted.

**Phone:** AT&T- No comments were received from ATT.

**Natural Gas:** Black Hills Energy- No comments were received from BHE.

**Cable:** Cox Communications- No comments were received from Cox.

It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.

**School District:** Springdale school district.

##### **Police:**

No comments were submitted.

##### **Fire:**

The nearest hydrant is located at the intersection of Arbor Acres and Pianalto Road and has an approximate fire flow of 225 GPM.

According to the Emergency Action Plan provided by the applicant:

##### *"2.1 Fire Fighting Procedures*

*Daily spreading, compaction, and weekly cover of disposed solid waste shall be used as a means of fire prevention. In the event that a fire does occur, the Fire Department shall be contacted immediately. After notifying the fire department, the following procedures shall be followed as applicable:*

- *Cover the fire with soil or remove the fire and cover it with soil.*
- *Use a fire extinguisher and/or water hose to combat fire; direct the discharge from the extinguisher at the base of the fire. Note: Never fight an electrical fire with water – use a carbon dioxide (CO2) or dry chemical extinguisher.*

- *Secure all electrical power to the facility at the main breaker, and station a guard at the gate to keep the access road clear for emergency vehicles.*
- *Remain on guard over the affected area after the fire is extinguished until the fire fighters arrive.*
- *If at any time the fire is out of control, immediately evacuate all personnel from the facility.*

*Portable fire extinguishers shall be kept on all landfill operating equipment and at the landfill office. Personnel shall be trained in the use of these extinguishers and should become familiar with their locations. The extinguishers shall be inspected annually and maintained in a ready condition.”*

The Emergency Action Plan also details Hazardous Materials Procedures, Emergency Reporting, and provides Emergency Contact Numbers.

#### **Drainage:**

The applicant submitted a Drainage Report that has been reviewed by the City Engineer. The post-development conditions for this site consider all of the proposed site improvements even though they will be installed/utilized in phases. This was a request by staff to ensure that at maximum usage, the detention would be adequate.

Several existing Sediment Basins exist on site already. They are the North Basin, Edward’s Basin, South Basin and West Basin. A Northwest Basin was added to the plans as the existing North Basin was unable to be expanded due to site and utility conflicts, to accommodate additional stormwater runoff. The South and West Basins will also be modified to increase capacity.

Detailed information is provided in the Drainage Report.

#### **Streets:**

This project has access on to Arbor Acres Ave. There is an existing entrance for the Hauling Company office, maintenance building, and compressed natural gas (CNG) station. The Hauling company property is not included in this LSD. The landfill also has one (1) existing entrance. No additional entrances are proposed at this time.

Site visibility appears to be adequate from the existing entrance location. All interior drives must meet the required compaction rating to support emergency vehicles.

Staff is still evaluating the Traffic Study and potential Maintenance Agreement that was submitted. The Garver Traffic Engineer has reviewed the submitted report, and all comments have been addressed in the latest submittal.

In addition to the Traffic Study, the City’s Engineer has provided a preliminary cost estimate for possible improvements that will be needed. Staff will evaluate this estimate along with the Traffic Study when determining possible improvements that may be needed to existing streets as a part of this LSD approval, as well as additional ongoing maintenance. These improvements are a critical component to address the impact generated by the landfill traffic. The applicant has been very responsive to staff’s requests for information.

#### **Planning:**

All setbacks and required buffering are shown on the Preliminary LSD plans.

No additional signage is being proposed with this application, and all Planning Checklist items have been addressed.

The applicant has submitted a phasing plan that has been reviewed and approved by staff. This is a general timeline, and it is expected that some items may be delayed or be moved to an earlier timeframe. The applicant shall inform the city when changes are proposed to this phasing plan:

PHASING NOTES:

SITE IMPROVEMENTS TO BE COMPLETED IN 2021

- PAVED EXISTING ENTRANCE ROAD (COMPLETED APRIL 2021)
- INSTALLATION OF PERMANENT TRUCK WHEEL WASH ANTICIPATED IN JULY 2021
- SUBMITTAL OF CLASS 1 AND CLASS 4 PERMIT MODIFICATION APPLICATIONS TO DEQ FOR EXPANSION BY JULY 2021
- CONSTRUCTION OF CONTAINER SHOP
- BORROW AREA EXCAVATION AND GRADING

SITE IMPROVEMENTS TO BE COMPLETED IN 2022

- CONSTRUCTION OF HIGH-BTU LANDFILL GAS PLANT
- INSTALLATION OF FIRST ROW OF LANDSCAPE SCREENING PER CITY CODE ALONG ARBOR ACRES RD
- BORROW AREA EXCAVATION AND GRADING

SITE IMPROVEMENTS TO BE COMPLETED IN 2023

- UPON ISSUANCE OF DEQ PERMIT MODIFICATION, CONSTRUCTION OF FIRST CELL OF CLASS 1 EXPANSION AREA
- UPON ISSUANCE OF DEQ PERMIT MODIFICATION, CONSTRUCTION OF CLASS 4 EXPANSION AREA
- UPON ISSUANCE OF DEQ PERMIT MODIFICATION, CONSTRUCTION OF STORMWATER IMPROVEMENTS FOR WEST BASIN AND SOUTH BASIN AND CONSTRUCTION OF NORTHWEST BASIN
- INSTALLATION OF FIRST ROW OF LANDSCAPE SCREENING ALONG WESTERN PERIMETER PER CITY CODE
- BORROW AREA EXCAVATION AND GRADING

SITE IMPROVEMENTS TO BE COMPLETED IN 2024

- UPON ISSUANCE OF DEQ PERMIT MODIFICATION, CONSTRUCTION OF SECOND CELL OF CLASS 1 EXPANSION AREA
- BORROW AREA EXCAVATION AND GRADING
- UPON ISSUANCE OF DEQ PERMIT MODIFICATION, INSTALLATION OF SECOND ROW OF LANDSCAPE SCREENING PER SCREENING PLAN FOR ARBOR ACRES RIGHT-OF-WAY AND WESTERN PERIMETER

SITE IMPROVEMENTS TO BE COMPLETED IN 2025

- BORROW AREA EXCAVATION AND GRADING

SITE IMPROVEMENTS TO BE COMPLETED IN 2026

- UPON ISSUANCE OF DEQ PERMIT MODIFICATION, CONSTRUCTION OF FINAL CELL OF CLASS 1 EXPANSION AREA
- BORROW AREA EXCAVATION AND GRADING

## **§ 153.086 Exclusive Use-Landfill**

In addition to Large Scale Developments, Landfill uses must also comply with 153.086. This additional information can be found in the packet submitted by the applicant.

*3. Large Scale Development Requirements. In addition to Large Scale Development Requirements found elsewhere in this code, the following shall be required with the Large-Scale Development application:*

- a. *Traffic Study. Traffic Patterns and Roadway Provisions. At Large Scale Development, a traffic study shall be required when there will be an increase in traffic, a change in the traffic pattern, or in the case of an expansion, an extended time period in which traffic will impact public roads.*

*The site should be easily reached by asphalt or concrete paved city or county trunk roads, state highways or federal interstates. All roads to the site should be of sufficient width and construction to safely handle the sizes of trucks that deliver waste to landfills when fully loaded during all weather conditions, excluding events of force majeure.*

*Problems such as narrow bridges, low underpasses, and steep grades on access routes must be avoided. The City may require the applicant to pay in whole or in part the cost to the City for providing roadway improvements necessary for the siting of a new landfill, or any new expansion of a landfill that extends the time period in which traffic will impact public roads. In addition, the following standards must be met:*

- i. *The traffic patterns to and from the site have been designed to minimize the impact on existing traffic flows.*
- ii. *Safe design of entrances and exits, with provision for right turn deceleration lanes, protected left turn lanes, acceleration lanes and, if needed, signalization of intersections.*
- iii. *The site should be accessible at all times. Several access routes are planned so that if one route is temporarily unusable, the site can still be reached.*
- iv. *The distance of driveway entrance or exit from any adjacent lot line should be at least one hundred twenty-five (125) feet. The landfill access drive shall be paved, no less than 250 feet, up to 500 feet, to be determined at plan review, from the public street.*
- v. *The on-site roads to the unloading area should be of all-weather construction and wide enough to permit two-way truck travel. Road grades should be designed for the largest fully loaded trucks to travel at a reasonable rate*
- vi. *Provide existing information regarding vehicle trips per day and provide an estimate of increase in vehicle trips per day by type of vehicle.*
- vii. *Current and anticipated daily traffic flows to the landfill by vehicle type.*
- viii. *Assessment of expected impact on the routes proposed by the landfill and recommendations for those routes.*

- ix. *The City of Tontitown shall have final jurisdiction regarding heavy truck traffic routes.*
- b. *Operations Site Plan. At Large Scale Development the applicant shall submit an Operations Site Plan and statement. The plan and statement shall indicate the following:*
  - i. *Proposed fill area(s).*
  - ii. *Proposed borrow area(s).*
  - iii. *Access Roads*
  - iv. *On site drives*
  - v. *Grading plan and cross-sections to identify landfill height.*
  - vi. *Location and height of fencing and buffering*
  - vii. *Existing and proposed structures on site.*
  - viii. *Existing natural areas to be preserved.*
  - ix. *Existing and proposed utilities.*
  - x. *Conceptual timetable and sequence of phasing of landfill operations.*
  - xi. *Management of stormwater and drainage devices.*
  - xii. *Management of leachate.*
  - xiii. *Management of landfill gas and odors.*
  - xiv. *Planned hours of operation.*
  - xv. *Management of litter and vector control.*
  - xvi. *Management of vehicular mud tracking onto public streets.*
  - xvii. *Facility management and its employees are properly trained in landfill operations and an emergency response program is provided.*
- c. *Large Scale Development Site Plan. In addition to Large Scale Development Requirements found elsewhere in this code, the following shall be shown on the Large-Scale Development Plan:*
  - i. *Large Scale Site Development plans prepared by a licensed professional engineer in the State of Arkansas.*
  - ii. *Haul Routes to and from the Landfill site with load limits or other restrictions.*
  - iii. *Existing and proposed zoning classification, use of property, number of employees per use (office staff/drivers/other)*
  - iv. *Ownership and zoning of all adjoining properties. Applicant may obtain and rely upon property ownership information from the online property records published and maintained by the Washington County, Arkansas appraisal district.*
  - v. *Zoning within one mile.*
  - vi. *Residential Structures and other buildings within one mile with use indicated, if use is known. The best available resources shall be used to help determine use.*
  - vii. *Existing and proposed property lines.*
  - viii. *Existing and proposed rights-of-way, setbacks and buffer areas.*
  - ix. *Watercourses, floodways, flood plains, and wetlands.*
  - x. *Location of all existing and proposed structures. All structures shall be delineated in square feet, and dimensions between structures and between property lines and the structures shall be provided.*
  - xi. *Existing and proposed structures shall be labeled as to their use.*

- xii. *Existing and proposed parking spaces. Notation of the number of spaces provided.*
  - xiii. *Existing onsite roads shall be shown.*
  - xiv. *Access to all public streets including radius of ingress/egress drives, and circulation patterns.*
  - xv. *Location and size of existing or proposed signs. All proposed signs will be permitted separately.*
  - xvi. *A screening plan for the site.*
  - xvii. *All dumpster areas, serving office or ancillary facilities, shall be screened.*
  - xviii. *Any other reasonable information deemed necessary by the Planning Official.*
- d. *Drainage Plan and Report that meets the standards set by the City of Tontitown by the adopted "Tontitown Drainage Criteria Standard" manual.*
  - e. *Conceptual Future Land Use Plan. The written Landfill Future Land Use plan shall include the following:*
    - i. *The applicant shall address how closure and post-closure care will be provided and affirm that it will be in compliance with applicable Arkansas Regulations.*
    - ii. *Future land uses shall comply with applicable City and State of Arkansas Regulations*

**STAFF RECOMMENDATION:** At this time, there are some critical outstanding items that remain to be resolved. An agreement between Eco Vista and the City of Tontitown will need to be finalized to determine the extent of street improvements that are required to be completed with this LSD approval, and to determine ongoing maintenance for the existing city streets.

As these items have the potential to have a significant impact on the city, and in order to allow for adequate time for the Planning Commission to be able to review any of the extensive information that accompanies a project of this intensity, **staff is recommending that the Eco Vista Landfill Expansion be TABLED at this time.**

**If the Planning Commission would like to move forward with approval for this project, staff has the following conditions that are recommended for approval:**

**CONDITIONS RECOMMENDED FOR APPROVAL:**

1. If street improvements are required along Arbor Acres Ave., WWA has stated they may require the developer to relocate the 4-inch water line that exists within the current street ROW. This is an ongoing discussion and needs additional review.
2. Other utilities may require relocations if street improvements are required along Arbor Acres Ave. It shall be the applicant's responsibility to relocate utilities that exist within the ROW.
3. New discharge limits for wastewater are being discussed, and if approved, and new Industrial Waste Discharge Permit shall be required to be submitted.
4. It is the applicant's responsibility to coordinate any additional utility easements or connections as needed to service their property.
5. If it is determined that street improvements are required, these shall be completed as a part of this Large-Scale Development. The Phasing Plan shall be amended to reflect the required street improvements.
6. An ongoing Maintenance ("Wear and Tear") Agreement shall be required.
7. Any changes to the phasing plan or the site plan shall require review by Planning Staff. If Planning Staff determines that the changes to the phasing plan or site plan are significant, they shall refer the changes to the Planning Commission for review.
8. Vegetation shall be required to be warranted for a period of three (3) years from the time of installation and shall be replaced during the appropriate planting season.
9. All interior drives shall meet the required compaction rating to support emergency vehicles.
10. Correct all comments from the City Engineer prior to Construction Plan approval.
11. The applicant must apply for all required permits prior to construction.
12. Improvements not reviewed with this LSD plan shall require additional review. No additional improvements shall begin construction prior to plan approval.