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November 5, 2021

Via Electronic Mail

Adam Cannon
Planner
Maricopa County Planning & Development Department
301 W. Jefferson Street, Suite 170
Phoenix, AZ 85003
adam.cannon@maricopa.gov

Re: Response Letter to 1st Review of Application Z2021090: WestWing Recycling & Transfer Facility

Dear Adam:

Below in *blue italics* are responses to the first review comments on zoning application Z2021090 for the property approximately 3,060' northeast of the intersection of El Mirage Road and Loop 303 (the "Site").

General Comment

1. If ownership changes are planned at any point during this process, please notify us immediately, provide a recorded deed and have the new owners sign an application form.

Response: Acknowledged.

Application:

2. Change request language to from "Rezone" to "Zone Change with Overlay..."

Response: Done.

3. Include the proximity with "Approx. 3060' of the intersection of El Mirage Rd. & Loop 303".

Response: Done.

Narrative

4. Please clarify the general location of the site on the title page.

Response: Done.

5. Please include the case number Z2021090 on the title page.

Response: Done.

6. Include a revised date on the title page.

Response: Done.

7. Please add the “Request” to the title page.

Response: Done.

8. A separate title page when there already is a title page is not necessary.

Response: Done.

9. For the section “Overview of Proposal”, please eliminate opinionated information and focus on the merits of the proposal, how this project fits with the surrounding areas, and ways in which you will address public concerns. If approved, there would be a condition of approval assigned to the narrative, so accuracy of facts and information, rather than opinions, will be important.

Response: Acknowledged. In our original submittal, this Section included 12 Exhibits, and was intensely fact-based. We have revised the text further, and added a new Exhibit from the County’s records to further ensure that this Section is rooted in provable facts.

10. Under “Overview of Proposal B”, your proposal seems to conflict with the statement that the need is greater elsewhere (for a transfer station).

Response: Acknowledged. The text has been revised accordingly.

11. In regard to concerns about a catastrophe, please focus this discussion on how such potential concerns/issues will be mitigated.

Response: Staff has missed the point of this discussion. Staff is suggesting that an applicant must limit itself to facts, while not holding concerned citizens to such a standard. If this were a novel use being proposed, that might be appropriate: County staff could say, “We do not know because we have not seen this before.” However, there are dozens of such facilities in existence across the County. Staff cannot disregard these existing facilities, and instead require an applicant to disprove assertions that may be observably false. It is appropriate for an applicant to state that some potential concerns do not need to be mitigated because they do not in fact exist. Likewise, it may be appropriate for staff to report that in its experience, such concerns are not justified by the operational track record of these facilities.

12. On Page 6, beginning with “Maricopa County Planning staff need not look to Republic Services or concerned neighbors for input...”.

Public participation is the cornerstone of the inclusive planning we practice at the County when we review whether a site is consistent and compatible with the area and whether a site benefits the public good.

The applicant's response to such questions and concerns is equally important to determine whether a concern has been addressed or is not something we consider. For example, a property values study is not a necessary part of the County's requirements, but if the applicant has chosen to do one, then that is their right and will be included with the documents available for public viewing if submitted.

A concern that is considered important by the County Planner is odor and it would be a factor with any site associated with waste and/or recycling. Therefore, please discuss what you will do to ameliorate any potential site odors and is there a practice that can be followed associated with that such as cleansing, power-washing, drying and having the tipping floor and pit rest empty at the end of daily business.

Response: Done. Per staff's recommendation, odor and vector control issues are now grouped under a separate heading.

13. On Page 8, the language in regard to “taking advantage of taxpayer...” should be removed.

Response: Done.

14. On Page 8, it's important to keep the focus on the current proposal and not the previous proposal.

Response: Community input from the previous proposal was critical to helping the applicant identify this superior site. As staff states in Comment No. 12, “Public participation is the cornerstone of the inclusive planning we practice at the County.” The same is true for the applicant.

15. On Page 9, under “Proposed Physical Improvements”, please describe the type of fencing. There needs to be a detail placed on the plan.

Response: Done. A solid wall or 80% opaque screening on the western boundary has been identified. See attached plan set.

16. On Page 10, the maximum height of light poles serving parking/driveway areas would be 18’.

Response: Done.

17. On Page 11, I would recommend including a diagram of how the tipping floor and pit work at this site.

Response: Done.

18. Please note that cleaning and sanitization efforts will be an important part of this project, so please focus on what activities will be used to ensure this occurs, including methods, frequency, and other pertinent information.

Response: Done.

19. Please state the truck bay dimensions and clearance in your narrative.

Response: Done.

20. P&D does not monitor and keep records of issues at transfer station locations across the valley. As you know, the stations you are mentioning have the entitlement and zoning in place. If there is a complaint that is related to nonconformance with the zoning ordinance, we investigate it; however, complaints related to noise (police) and/or health department related concerns are not something P&D collects. If there is a concern you are seeking to address, then you may collect appropriate records through those departments and include it as part of your resubmittal.

Response: Done. See Exhibit 13.

21. What efforts will be used to ensure vector control in accordance with Maricopa County requirements?

Response: Done. See also Response to Comment No. 12.

22. Please refer to comment in paragraph #18.

Response: Done.

23. On page 13, while it is noted truck-bound employees will not be based out of the facility, is there a positive indirect impact that the transfer station provides allowing for the hiring of more truck-bound employees for Republic to service the northwest valley?

Response: Done. See Section A under "Relationship to Surrounding Properties" for the results of an Economic Impact study.

24. On Page 13, ADA compliant bathrooms are required by building code.

Response: Done.

25. Correct all references throughout the entirety of the narrative to "I-2" or "I-3" zoning. It should be IND-2 or IND-3.

Response: Done.

26. On Page 14, in the section about the power station address citizen concerns about the potential for a fire to spread to the power station. I think it's a fear and perhaps an unjustified one, but that concern should be addressed.

Response: Done.

27. On Page 17, comparisons between this facility and the QT station are not congruent with respect to traffic volumes, vehicle types and purpose.

Response: We agree. Other recent County approvals that generate substantially more traffic have not drawn any public comment regarding their traffic impacts. Given the traffic generated by this proposal, such criticisms here are unwarranted; the applicant would be remiss if it failed to include this fact.

28. On Page 23, the disclaimer-style paragraph regarding the supremacy of the applicant's narrative and POD over the Zoning Ordinance needs to be removed. An overlay is part of the Zoning Ordinance, therefore there should not be a conflict between the narrative and Zoning Ordinance. Development of the site is governed by the Zoning Ordinance, Building Code, ARS, Federal Rules and Regulations and conditions of approval if an approval determination is made.

Response: Done.

29. No justification appears to have been given for not adhering to setback requirements. Your POD does not show any structures in the setbacks. Driveways, drainage and landscaping can be placed in required yard. Why then do these setbacks need to be varied?

Response: Done.

30. You may want to request to vary or delineate the required loading space. One is required for every 10,000 square feet of floor area for industrial uses. I believe any one of the truck bays can serve as a loading space on your plan if delineated.

Response: Done (loading spaces delineated).

31. The use of the site should be limited to this specific use as IND-3 zoning allows for other high-intensity uses not specified in the ordinance.

Response: Done.

32. Remove the duplicate narratives from the next submittal.

Response: Done.

33. The Exhibit 13 - Detailed Floor Plan is more of a G&D. I would recommend having an interior drawing of the main transfer station building and an image showing how the tipping floor functions.

Response: Done.

34. On the last page of attachments, please refer to comment #27.

Response: Please see the response to Comment #27.

35. If noted, please make minor spelling, grammatical and consistency changes to the narrative.

Response: Done.

Site Plan – Sheet G0

36. Please add a revised date when resubmitting.

Response: Done.

37. Please add the case number to Z2021090.

Response: Done.

38. Please explain the difference between the gross area and net area. There needs to be a legal description for the net and the gross. Only the net would be applicable to the zoning requested.

Response: Done. The gross area is the lot area outside of the roadway right-of-way while the net area is the property area that is without the easements for drainage shown on the northern and eastern line.

39. Correct the reference to I-2 and I-3 zoning. This should be IND-2 and IND-3.

Response: Done.

40. Please revise the request accordingly.

Response: Done (presumed carryover from Comment. No. 39).

41. Explain the difference between the floor area in the parking calculation and the lot coverage listed above.

Response: Done. The parking calculation has been revised and the lot coverage shown on G0.

42. I note that the County does not provide “storm sewer” service. MCDOT will maintain storm sewers in the ROW. Is that what you are referring to?

Response: Done. The storm sewer reference has been removed.

43. Please add the Development Standards Chart to this page once determined.

Response: Done.

Site Plan – Sheet C1

44. Please clarify if the dirt road is an easement and provide the width of the easement if so.

Response: Done. The dirt road is no longer an easement.

45. All easements should be identified with width and easement recording number and type.

Response: Agreed. However, until the Developer's plan is approved, recorded easement information cannot be provided.

Site Plan – Sheet C2

46. Provide a boundary measurement for the southern site boundary.

Response: Done. The distance has been provided and is the same as the ROW dimension, since they are the same line.

47. Please provide access road ROW dimensions.

Response: Done. The ROW dimensions are the same as the boundary lines.

48. The required 25'x25' SVTs are located in the wrong location. Parking and driveways may not occupy SVTs. Also, SVTs may not encumber another site. The SVTs should be located along the sides of the driveway(s) leading to the site. A request may need to be made to vary the western SVT.

Response: Done.

49. As noted regarding the previous sheet, please clarify whether the dirt road is an easement and identify the other site easements with type, width and recording number.

Response: Until the Developer's plan is approved, recorded easement information cannot be provided.

50. Please identify and provide dimensions and coverage for the two small covered areas on the western side of the main building.

Response: Done. The areas have been combined to a single build-out. The areas are utility (electrical and sprinkler) areas and a covered maintenance area for the front-end loader.

51. Calculate and provide the square footage for the main building.

Response: Done.

52. One loading space per 10,000 square feet of floor area is required for industrial uses.

Response: Done. Two (2) loading spaces have been shown on the revised plan.

53. There should be a note about site lighting and its compliance with Section 1112 on the site plan.

Response: Done.

54. There should be a legend on the plan to identify utilities, symbols and lines on the plan.

Response: Done.

55. Arizona Fire and Medical Association has requested a secondary access point for emergency services.

Response: Done.

56. Please note the location of any fire hydrants or water storage tanks on site. If there are any water storage tanks, they should be included as lot coverage.

Response: Done. Hydrants are proposed along the south side of the public roadway. See Sheet C2.

57. Staff recommended a wall or 80% opaque screening on the western boundary of the site in the pre-application meeting. A detail of all walls/screening should be provided with the site plan.

Response: Done. A note has been provided on the screening on Sheet C2 and screening detail has been provided on Sheet C8.

58. The western boundary of the site appears to be located on a section line. Section line setback requirements may be waived through MCDOT approval and through the IUPD.

Response: Please see the attached letter dated September 23, 2020 from the Maricopa County Department of Transportation for documentation of MCDOT's waiver of setback requirements. Thank you for notifying us regarding this decision.

59. Please add additional adjacent property owner information including the name, parcel ID, zoning district and land use for all adjacent property owners.

Response: Done.

Elevation Plan:

60. The elevation plan should be scaled.

Response: Done.

Citizen Participation Plan:

61. Include a revised date on the title page.

Response: Done.

62. The project request should read Zone Change with Overlay from IND-2 IUPD to IND-3 IUPD.

Response: Done.

63. Please clarify the general location of the site on the title page.

Response: Done.

64. Please include the case number Z2021090 on the title page and other pages where left blank.

Response: Done.

65. Section E notes meetings with concerned citizens on this case in 2020. That may need to be revised to 2021.

Response: Done.

66. Under “VI. Outcomes of Early Community Outreach”, installing downward-facing lighting is required by ordinance already.

Response: Acknowledged..

67. There is a very good question about the value and effectiveness of transfer facilities in Exhibit 1 - Corte Bella Town Virtual Town Hall Summary that was not addressed.

Response: Acknowledged.

68. Please remove the duplicate copies of the CPP from the narrative.

Response: Done.

69. The CPP contains too many pages with logos and blank pages. These should be taken out as they comprise a significant portion of the document. I also don't think that the half copies of text messages are necessary to include in the plan. You can prepare a summary of the text conversation without including the phone number and text messages.

Response: Done. With regard to this and the next comment, we appreciate staff direction from the TAC meeting that a complete set of all public comments is not necessary for this CPP, and that a summary of comments is sufficient.

70. Section 18 starting on Page 607 is unnecessary, irrelevant and should be removed. There are many citizens concerned about the site and a poor attempt to use the Citizen Participation Plan to portray a whole group of people as individuals who engage in amateurish behavior or unreasonable is not helpful. Your discussion should focus on what are their specific concerns and how, if feasible, those can be addressed and mitigated.

Response: Done.

71. If hearing dates are set, applicant will need to update the postings with correct hearing date information and provide photographs. Sign and notarize the "Affidavit of Public Hearing Posting". In addition, applicant will need to sign and notarize the "Affidavit of Notification" with the 300-foot property ownership information. Mailing labels and postage stamps will be required in order for staff to send out hearing notices. Finally, a CP Results Report will be due prior to staff reports for the public hearing.

Response: Acknowledged.

Submittal Documents

Please submit the following documents **ATTENTION: ADAM CANNON:**

Two (2) Narrative Reports

Two (2) Site Plans (and associated plans) 24" x 36" separated by sheet with no staples and folded into 8 1/2" by 11" folds

One (1) Grading and Drainage Plan

One (1) Traffic Impact Study

Two (2) Citizens Participation Plans

One (1) Affidavit of Citizens Review Process

One (1) 8 1/2" x 11" reduction of the site plan

One (1) electronic copy (CD or jump drive) of the documents

Scheduling of this request for review by the Planning and Zoning Commission will only be done when ALL reviewing agencies have given their approval of the application materials. Planning staff may require additional information and/or copies of application materials for review and/or public meetings. **Please note that compliance with requirements of the TAC review does not guarantee staff support of the request or final approval by the Commission.**

Response: Acknowledged.

Engineering Review has reviewed the first plan and report routed for review on 08/06/2021, for the subject application and has the following comments:

GENERAL

1. Although preliminary, the Drainage Report and Grading and Drainage Plans must be signed and sealed by an AZ licensed civil engineer.

Response: Acknowledged.

2. Development of the site is contingent of offsite roadway improvements to access the site. The offsite improvements are not considered part of the entitlement for the Westwing site. Permitting for the offsite improvements requires approval from a multitude of permitting agencies (PA) as follows:

- a. El Mirage Road at Loop 303 (PA: ADOT)
- b. El Mirage Road from Loop 303 to E/W Connector Road (PA: MCDOT)
- c. E/W Connector (Private) Road within FCDMC Owned Property (McMicken Dam Outflow) (PA: FCDMC)
- d. Remainder of E/W (Private) Connector Road (PA: PND)
- e. ASLD approval for all public/private R/W

Response: Acknowledged.

DRAINAGE PLAN REVIEW

1. OFFSITE HYDROLOGY

- a. The Drainage Report refers to two (2) offsite drainage areas that impact to site and references existing infrastructure to manage these offsite flows. To date, no offsite infrastructure has been approved or constructed. Development of the subject project must either include the required improvements to handle offsite flows (design to be included with revisions); or a separate application to for development of the Industrial Park Infrastructure must be approved and permitted.

Response: Acknowledged.

- b. The offsite drainage design appears to include re-routing flows from west of the site, eastward along the north side of the offsite access road, through the site and then south. This violates **MCZO 1205-7.6 & 7.6-9a**.which requires that historic inflow and outflow locations be maintained,

Response: Acknowledged.

2. ONSITE HYDROLOGY

- a. Remove the directional traffic arrows from the Grading and Drainage and Drainage Area map. Show only drainage flow directions on these plans. Traffic arrows should only be shown on the site plan.

Response: Done.

3. ONSITE RETENTION

- a. The plans and drainage report indicate that retention will be provided for the 100 yr., 2hr. storm.

Response: Acknowledged.

- b. Freeboard (1') is required for each basin deeper than one (1) foot. (**DPSM 6.10.5-2**).

Response: Acknowledged.

4. RETENTION DISPOSAL

- a. The Drainage Report notes the requirement that retention basins must drain within 36 hours. Basins deeper than a foot will require soil testing or drywells to demonstrate compliance prior to permit issuance for the site improvements.

Response: Acknowledged.

5. CROSS SECTIONS

- a. Provide an east/west section from Basin 1 to the "existing" channel. Note the requirement to provide a berm width of at least 8 feet.

Response: Done.

- b. Provide an east/west section from the parking area to the bottom of Basin 2.

Response: Done.

6. FINISHED FLOORS (PADS)

- a. Add a plan note certifying that the building's finished floor will be safe from inundation during the 100 year peak runoff event.

Response: Done.

7. TOPOGRAPHY

- a. Add the date of survey on which the plans are based. Surveys older than one (1) year must be re-certified prior to issuance of building permits.

Response: Done.

- b. Proposed contour lines must be annotated.

Response: Done.

8. FLOODPLAINS

- a. The site is not located within a regulated floodplain. The District has no comments.

Response: Acknowledged.

9. EROSION SETBACKS

- a. This item does not apply to this application.

Response: Acknowledged.

FLOOD CONTROL DISTRICT REVIEW

1. The site is not located within a regulated floodplain. The District has no comments.

Response: Acknowledged.

PND TRANSPORTATION PLAN REVIEW

1. A Traffic Study/Statement has been submitted with the POD application and was forwarded to MCDOT's Traffic Division for review. Comments will be provided separately.

Response: Acknowledged.

PND TRANSPORTATION PLAN REVIEW R/W INFORMATION

- a. None. Industrial Park Road will be a private drive.

Response: Acknowledged. Master developer is responsible for installation of off-site access.

STORM WATER QUALITY REVIEW/INFORMATION

1. The subject site is not located within the County's Urbanized Area. A Storm Water Pollution Prevention Permit (SWPPP) from the County will not be required. This does NOT preclude the requirement to obtain a Notice of Intent to Discharge (NOID) from the State (ADEQ), as may be required.

Response: Acknowledged.

The following stipulations will apply:

1. Engineering review of planning and/or zoning cases is for conceptual design only. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.

Response: Acknowledged.

2. Based on the conceptual design nature of the information submitted, changes to the site layout may be necessitated by the final engineering design of the site's drainage infrastructure.

Response: Acknowledged.

3. Detailed Grading and Drainage (Site Infrastructure) Plans must be submitted with the application for Building Permits.

Response: Acknowledged.

MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION

1. Please clarify the status of ADOT approval on the extension of El Mirage Road north from the existing Loop-303 interchange.

Response: Master developer is responsible for installation of off-site access.

2. Please update County about the construction status of East-West Collector street and El Mirage Road.

Response: Master developer is responsible for installation of off-site access.

3. The Traffic Statement is NOT approved.

Response: Acknowledged.

MARICOPA COUNTY ENVIRONMENTAL SERVICES DEPARTMENT

The Maricopa County Environmental Services Department (MCESD) has reviewed documents received from the Maricopa County Planning and Development department for the above referenced project. This project is a request for West Wing Recycling - Transfer Station Ind-2 to Ind-3 at APN # 503-53-025U. According to the submitted documentation, EPCOR would provide for the sewer and water to the site. MCESD has no concerns. ATC must be obtained prior to any construction permit approval.

Based on the above, MCESD raised no objection to this project to the Planning & Development Department in Accela Automation on August 8, 2021 and the project may proceed at this time subject to the following stipulations:

November 5, 2021

Page 15

Stipulations: None.

Response: Acknowledged.

ARIZONA FIRE & MEDICAL

After further review and a site visit of the proposed zoning change, the following concerns related to the 2018 International Fire Code (IFC) with local amendments are below.

D103.4 Dead-end fire apparatus access roads in excess of 150 ft. shall be provided with width and turnaround provisions in accordance with Table D103.4. It is recommended a secondary egress roadway be identified for final review. The single ingress/egress point is a concern for emergency response should the current access become limited due to an emergency at this location. The roadway can be identified for fire department use only.

Response: Done.

If you have any questions or would like more information, please contact me at (602) 256-4422 or by e-mail at sanderson@gblaw.com. Thank you.

Sincerely,
GAMMAGE & BURNHAM PLC



By
Stephen W. Anderson

SWA/cyg

Enclosures

- Electronic Enclosure 1: 09/23/2020 MCDOT Setback Waiver Letter
- Electronic Enclosure 2: 12/07/2020 Arizona Fire & Medical Will Serve Letter
- Electronic Enclosure 3: 08/16/2021 E-mail from MCESD Public Information Aide
- Electronic Enclosure 4: 08/17/2021 E-mail from Planning & Development Custodian of Records
- Electronic Enclosure 5: Narrative Report
- Electronic Enclosure 6: Site Plans – 8.5” x 11” and 24” x 36” sizes
- Electronic Enclosure 7: Grading & Drainage Plan
- Electronic Enclosure 8: Traffic Impact Study
- Electronic Enclosure 9: Citizen Participation Plan
- Electronic Enclosure 10: Affidavit of Citizens Review Process

Enclosure 1

09/23/2020 MCDOT Setback Waiver Letter



Maricopa County

Department of Transportation

Transportation Systems
Management Division
2901 W. Durango Street
Phoenix, AZ 85009
Phone: 602-506-8676
Fax: 602-506-8758
www.mcdot.maricopa.gov

September 23, 2020

WestWing Business Park, LLC
PO Box 7670
Surprise, Arizona 85374

Subject: Recommendation of Future MCDOT Right-of-Way
APN 503-53-025U&K – Z2020029

Dear Applicant:

Maricopa County Department of Transportation (MCDOT) has reviewed the request to waive the requirement that the setback line on the referenced property be measured from the future right-of-way as required by Section 1105 of the Maricopa County Zoning Ordinance. The subject properties, APN 503-53-025U&K, located along a Section line alignment (west property line), requiring the setback line be measured from a 55-foot future right-of-way. The subject property APN 503-53-025U is also located along a Midsection alignment (north property line), requiring the setback line be measured from a 40-foot future right-of-way.

Based on future traffic demand, and current access in the area it is recommended that the requirement for the setback line for be measured from a future right-of-way of **25-feet** from the west property line of both properties and **0-feet** from the north property line of APN 503-53-025U.

This recommendation pertains only to future right-of-way needs for a public roadway on the identified alignment and does not consider legal access requirements, easements, drainage, utilities, etc. which still apply to the subject property.

If you have any questions on this decision, please contact Systems Planning at (602) 506-1766.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela Horn".

Angela Horn
Senior Planner

Cc: Tom Ewers, Planning and Development
Bob Fedorka, Planning and Development
Michael Norris, Planning and Development
Steve Bruffy, Office of Enterprise Technology - GIS
Kevin LaValle, Office of Enterprise Technology – GIS
Elizabeth Valenzuela, MCDOT Permits

Enclosure 2

**12/07/2020 Arizona Fire & Medical Will Serve
Letter**



ARIZONA FIRE & MEDICAL AUTHORITY

Protecting life and property and enhancing the well-being of all those we serve

December 7, 2020

Mr. Silas Eck
Westwing Business Park LLC
PO Box 7670
Surprise, AZ 85374
silas.eck@caxinvestments.com

RE: Assessor Parcel Number 503-53-025U

To Mr. Eck,

Please be advised that the above referenced property is located within the boundaries of the Arizona Fire & Medical Authority. The Authority will respond to any emergency at that location.

The Authority has full-time career staffing, an Insurance Services Office (ISO) protection class rating of one (1) and provides ambulance services.

Additionally, the Authority participates in the Phoenix Metro area automatic aid system. Participation in this system means that a community member need only dial 9-1-1 and the closest available unit will respond regardless of jurisdictional boundaries.

Please feel free to contact our office with any questions or concerns.

Respectfully,

A handwritten signature in black ink, appearing to read 'Eric Kriwer'.

Eric Kriwer
Fire Marshal

Enclosure 3

**08/16/2021 E-mail from MCESD Public
Information Aide**

Cheryl Y. Griemsmann

From: Julie Zacharias (ENV) <Julie.Zacharias@maricopa.gov>
Sent: Monday, August 16, 2021 1:00 PM
To: Cheryl Y. Griemsmann
Subject: Good morning, I am requesting all records regarding citizen complaints, and any resulting enforcement activity, for all three of the following solid waste transfer stations in Maricopa County, please: 1) White Tank Hauling and Transfer Station at 18605 W.

We received your Public Records Request #2048 Good morning, I am requesting all records regarding citizen complaints, and any resulting enforcement activity, for all three of the following solid waste transfer stations in Maricopa County, please: 1) White Tank Hauling and Transfer Station at 18605 W. McDowell Road, Goodyear 85338; 2) Germann Transfer Station at 11530 E. Germann Road, Chandler 85286; and 3) San Tan Hauling & Transfer Station at 4040 S. 80th Street, Mesa 85212.

After searching our records we found no citizens' complaints regarding any of these addresses.

Julie Zacharias, B.S., M.M.C.

Public Information Aide

Maricopa County Environmental Services Department

Office: 602.506.6062 | Cell: 602.525.4348

julie.zacharias@maricopa.gov | esd.maricopa.gov



Enclosure 4

**08/17/2021 E-mail from Planning &
Development Custodian of Records**

Cheryl Y. Griemsmann

From: Julia.Jett@maricopa.gov
Sent: Tuesday, August 17, 2021 9:39 AM
To: Cheryl Y. Griemsmann
Subject: Your record request # 5821 for Planning and Development

Sent on behalf of Planning and Development Custodian of Records.

Your request Details:

Request #: 5821

Date Submitted: 8/16/2021 11:41:34 AM

Request description: Good morning, I am requesting all records regarding citizen complaints, and any resulting enforcement activity, for all three of the following solid waste transfer stations in Maricopa County, please: 1) White Tank Hauling and Transfer Station at 18605 W. McDowell Road, Goodyear 85338; 2) Germann Transfer Station at 11530 E. Germann Road, Chandler 85286; and 3) San Tan Hauling & Transfer Station at 4040 S. 80th Street, Mesa 85212.

Custodian of Records Comments: Hello Cheryl, Our records did not find any recent violations on any of the three waste/transfer stations that you requested except one from 2011 for San Tan Hauling & Transfer. This one has been closed/resolved. There are no others listed. Regards, Judy Green
Customer Email:cgriemsmann@gblaw.com

Enclosure 5

See separate enclosures “NARR-RTPS-2 (Exhibits Only)” and “NARR-RTPS-2 (Without Exhibits)”

Enclosure 6

See separate enclosures “SITE-PLAN-2 (Size 8.5 x 11) (11.04.2021)” and “SITE-PLAN-2 (Size 24 x 36) (11.04.2021)”

Enclosure 7

**See separate enclosure “DRAI-RPTS-2
(11.04.2021)”**

Enclosure 8

See separate enclosure “TRAF-RPTS-1”

Enclosure 9

**See separate enclosures “CPP (Exhibits Only)
11.04.2021” and “CPP (Narrative Only)
11.04.2021”**

Enclosure 10
Affidavit of Citizens Review Process



**Planning & Development
Department
AFFIDAVIT FOR THE
CITIZEN REVIEW PROCESS**

To be submitted to the assigned planner within 30 days of application.

Date: August 31, 2021

I, Stephen Anderson, being owner or authorized agent for the **Zone Change with Overlay** referenced below, do hereby affirm that within 30 days upon submitting an application I have posted the property included in the proposed change. The postings were no less than two places with at least one notice for each quarter mile of frontage along perimeter right-of-way so that the notices were visible from the nearest public right-of-way. The signs were a minimum of six square feet in area and included, at a minimum, a brief description of the area of the proposed **Zone Change with Overlay**, a general explanation of the nature of the proposal, the name of the owner or authorized agent, and contact information for the owner or authorized agent. The postings shall remain in place for the entire extent of the application period.

SUBMIT PHOTOGRAPHS OF THE POSTINGS MOUNTED ON AN 8 ½ X 11 SHEET OF PAPER AND A MAP ILLUSTRATING THE POSTING SITES WITH THIS AFFIDAVIT.

I also affirm that within 30 days upon submitting an application, I have noticed by first class mail to each real property owner as shown on the last assessment of the property within three hundred feet of the proposed **Zone Change with Overlay**. The notice by mail included, at a minimum, a description of the area of the proposed **Zone Change with Overlay**, a general explanation of the nature of the proposal, the name of the owner or authorized agent, and contact information for the owner or authorized agent.

ATTACH A COPY OF THE NOTICE LETTER TO THIS AFFIDAVIT.

Owner or Authorized Agent's/ Signature: _____

SUBSCRIBED AND SWORN before me this 1st day of September, 2021

Melodie West Kelly
(Notary Public)

My Commission Expires: 8-15-2023

Tracking Number: Z2021090

Project Name: WestWing Recycling & Transfer Station



MELODIE WEST KELLY
Notary Public - Arizona
Maricopa Co. / #570857
Expires 08/15/2023

GAMMAGE & BURNHAM, PLC

ATTORNEYS AT LAW

FORTY NORTH CENTRAL AVENUE

20TH FLOOR

PHOENIX, ARIZONA 85004

TELEPHONE (602) 256-0566
FACSIMILE (602) 256-4475

WRITER'S DIRECT LINE
(602) 256-4448
cgriemsmann@gblaw.com

September 1, 2021

RE: Notice of Zoning Request, Case Z2021090

Dear Property Owner, Homeowner Association, or Interested Citizen,

This letter is being sent to you in accordance with Section 305 of the Maricopa County Zoning Ordinance. This firm represents Allied Waste Transportation, Inc. dba Republic Services of Phoenix ("Republic"), the purchaser of approximately 10 acres generally located immediately south of the southwest corner of the WestWing Substation ("Property"). Please see the enclosed [Aerial Map](#). Republic currently provides recycling and waste disposal services to both residential and commercial customers across the Valley and the State. Republic is one of a handful of Fortune 500 companies based in Arizona, employs hundreds of people across the Valley, and works hard to be a responsible corporate citizen.

The purpose of this letter is to notify you that an application (Case No. Z2021090) has been filed with the Maricopa County Planning and Development Department to rezone the Property from Light Industrial Zoning District Industrial Plan of Development (IND-2 IUPD) to Heavy Industrial Zoning District Industrial Plan of Development (IND-3 IUPD) to allow for the development of the WestWing Recycling and Transfer Facility. The Facility will reduce the flow of truck traffic along the 303 as it runs through the City of Peoria and unincorporated Maricopa County, stabilize recycling and waste disposal rates, and meet the solid waste service needs of the northwest valley's growing population. Please visit westwingtransfer.com to learn more about the proposed project.

While multiple open houses and virtual meetings have already been held, and several newsletters have already been circulated, Republic intends to schedule additional open houses at the proposed site once the weather permits. Republic has maintained a website regarding this proposal, westwingtransfer.com, and will continue to do so. At the website, you can find answers to frequently asked questions, as well as copies of all of our technical reports and our rezoning application on file with the County. You can also leave comments at the website, and we will continue to try to respond to your questions.

At this time, the County has not yet scheduled public hearings before the Planning Commission or Board of Supervisors to consider this application. We do not expect that to happen until later this year. When the County does eventually set those hearings, we will send you another letter like this one, we will post the information on our website, and we will revise the signs the County has required us to post in the area. For the moment, the County's technical staff is conducting their own review of our proposal, and the public hearings will not be scheduled until that part of the review process is complete.

This notice is being sent to you because property listed in your name is located within 300 feet of the proposed rezone area (if you are not the property owner and have sold the property in the interim,

please forward this letter to the new owner) or you have registered with Maricopa County as an Interested Party.

If you have any questions regarding the development proposal, please contact me at **(602) 256-4448** or by e-mail at **cgriemsmann@gblaw.com**. Again, you may also learn more (a lot more) about the project by visiting westwingtransfer.com. The Maricopa County Planner assigned to this case is Adam Cannon. He can be reached at (602) 506-3301 or adam.cannon@maricopa.gov. Mr. Cannon can answer your questions regarding the County's review and hearing processes. You may also write to the Maricopa County Planning and Development Department by filling out a comment form available at <https://www.maricopa.gov/FormCenter/Regulatory-Planning-Development-15/Comment-on-a-Planning-Case-183>, referencing Case Number Z2021090. Your correspondence will be made part of the case file.

Sincerely,
GAMMAGE & BURNHAM, P.L.C.

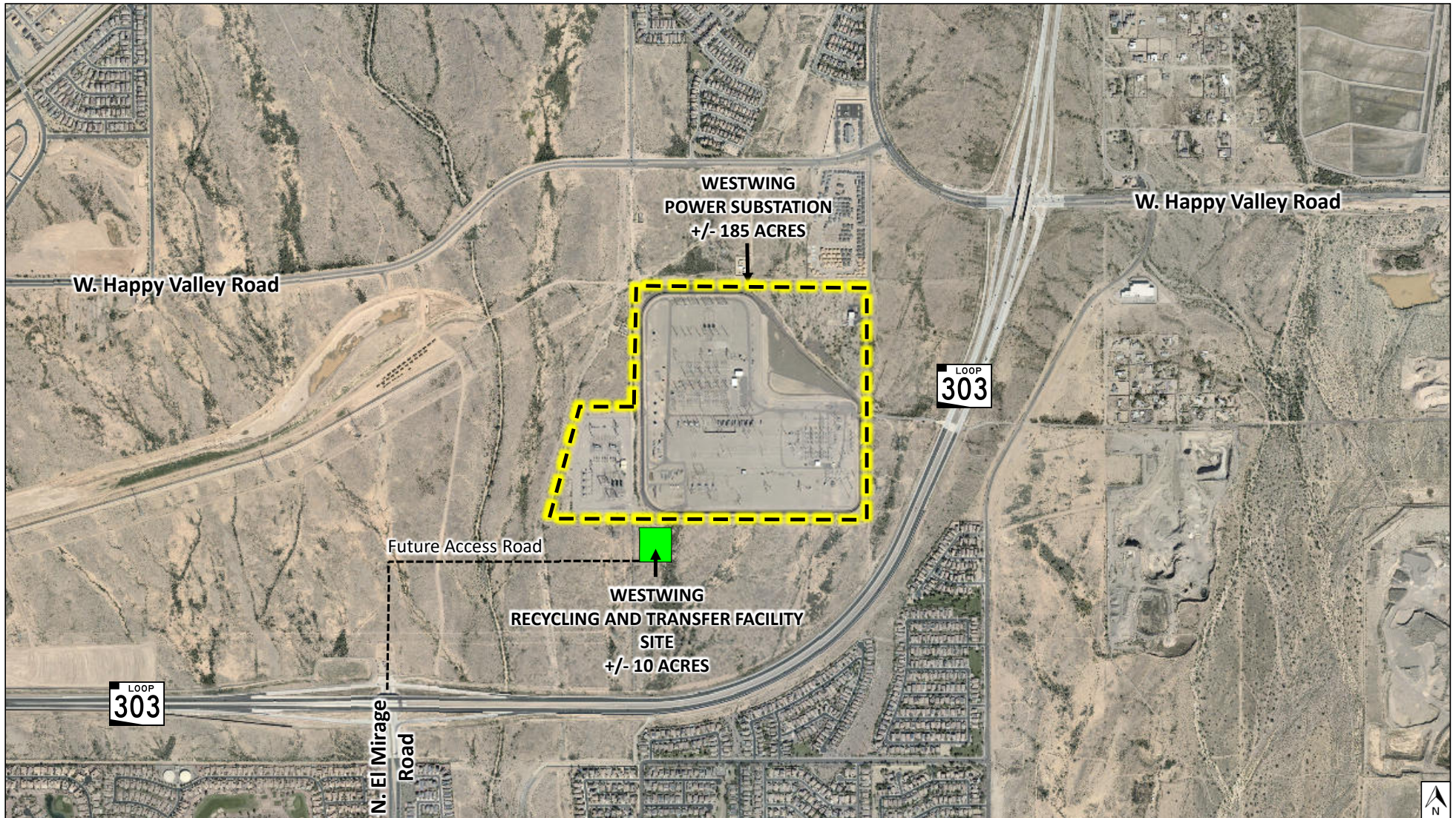


By
Cheryl Griemsmann
Land Use Planner

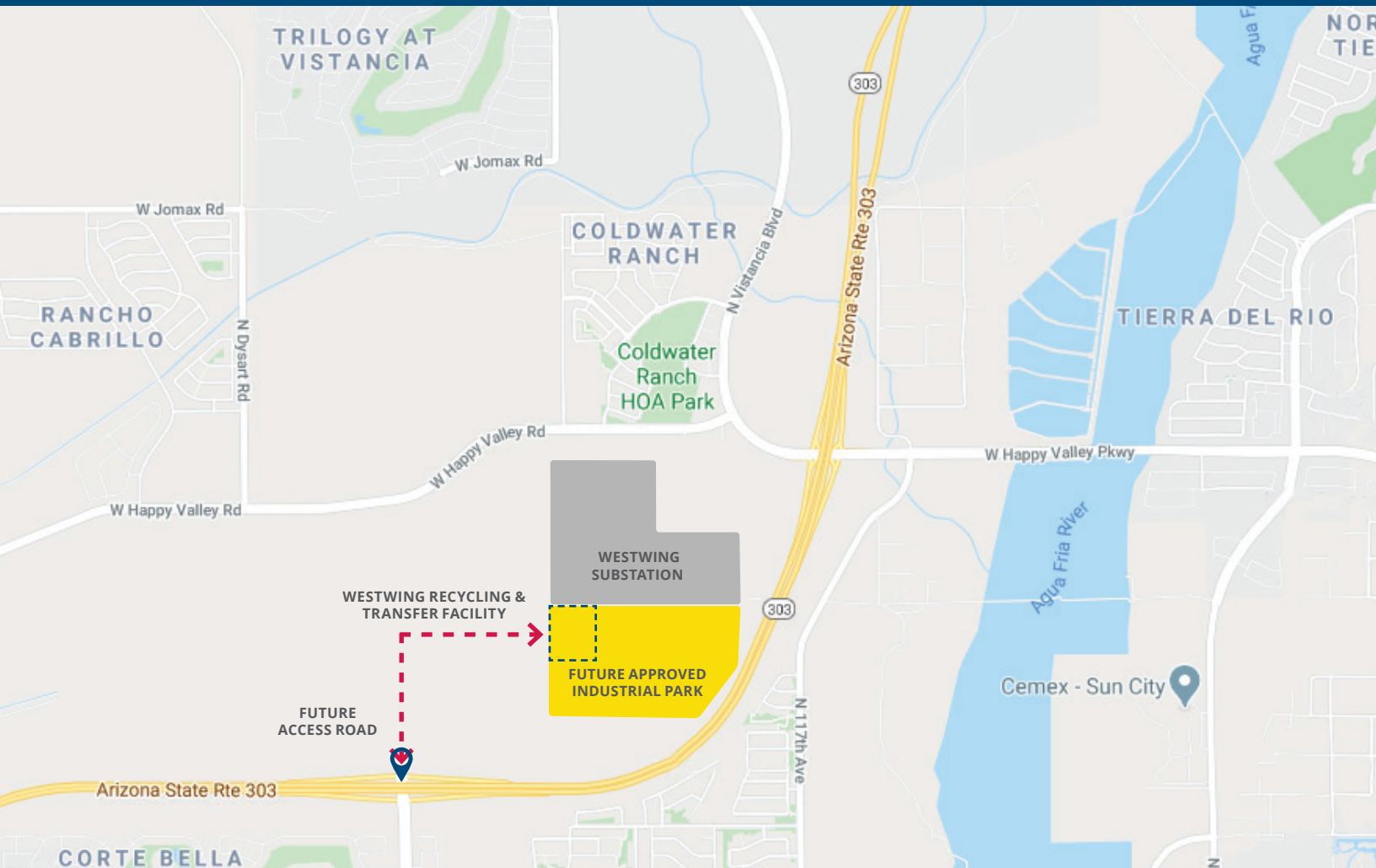
Enclosures:

Aerial Map
Fact Sheet
Community Commitments

VICINITY MAP – WESTWING RECYCLING AND TRANSFER FACILITY



Proposing the WestWing Recycling & Transfer Facility



**WE
LISTENED.**

**WE
RECONSIDERED.**

**WE
ACTED.**

WestWing Recycling & Transfer Facility

Preserves Recycling. Critical Infrastructure. No Traffic Impact.



Proposed Future Facility Entrance



Proposed Facility Rendering

Benefits to our Neighbors

- ✓ Not near homes
- ✓ Future access avoids Happy Valley Rd.
- ✓ No impact on property values
- ✓ No trucks on residential streets
- ✓ No off-site odor or noise impacts
- ✓ Limited operational footprint
- ✓ No need for rezoning from residential to industrial

Benefits to the Community



Critical transfer point for recyclables & waste to other facilities, keeping residential bills lower and recycling programs alive



Located next to WestWing power station, in an industrial park to serve NW Valley



Only on/off access at 303 to eliminate traffic concerns



Blocked from view by freeway barriers



Facilitates growth & prosperity in NW Valley, as other facilities in Scottsdale, Chandler and other parts in the Valley have done

An Award-Winning, Arizona-Based Company



CDP™
Climate A List 2019



World's Most Ethical Companies®
ETHISPHERE 2020



World and North America Indices™
Dow Jones Sustainability Indices 2019



Certified Best Place to Work
2020-2021



Best Employers For Women
Forbes 2020



100 Best Corporate Citizens
3BL MEDIA 2020

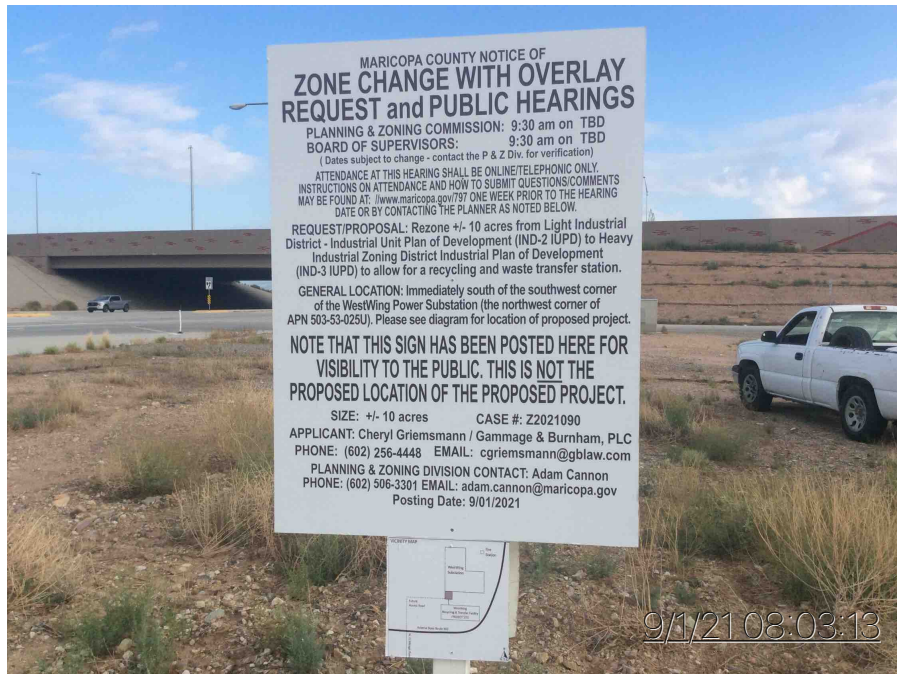
Our Commitment to Responsible Operations

- ✓ Tipping activity only occurs inside
- ✓ Daily cleaning of tipping floor
- ✓ No overnight waste on tipping floor
- ✓ Nightly closure of bay doors
- ✓ Misters to control odor
- ✓ Netting to prevent bird nesting
- ✓ Tarp requirement for all loads
- ✓ Twice daily patrol
- ✓ Limited hours of operation for public access
- ✓ Air brake prohibition for regional trucks
- ✓ Six foot wall and exterior landscaping
- ✓ Single monument sign only

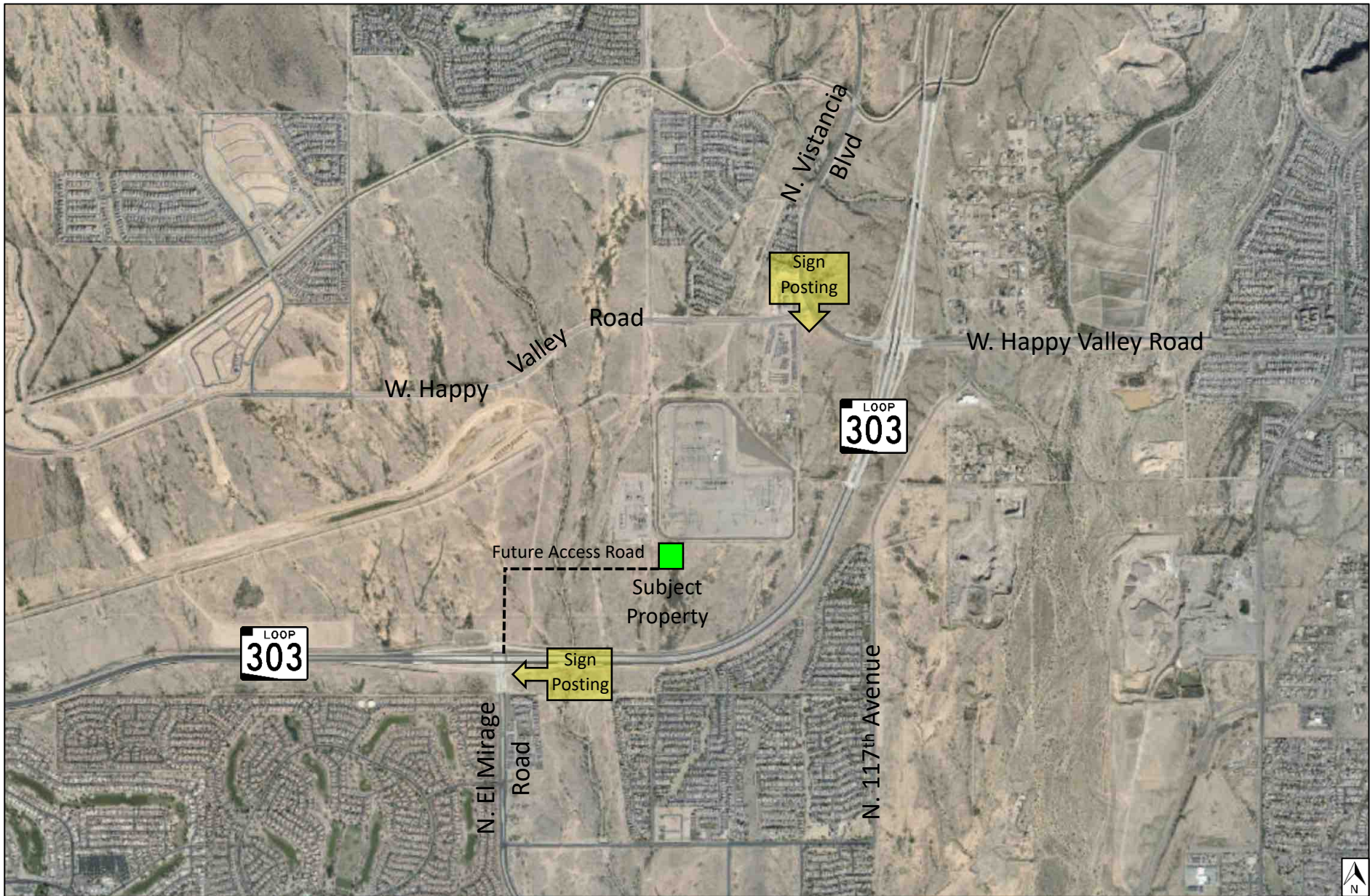


Based on recent community feedback we are also committed to:

- ✓ Installing downward-facing lighting
- ✓ Providing free monthly bulk disposal for nearby residents
- ✓ Offering a dedicated hotline for neighbors to report concerns



Proposed Sign Posting Locations (2)





Planning & Development
Department

AFFIDAVIT OF NOTIFICATION

Date: September 1, 2021

I, Stephen Anderson, being the owner or authorized agent for the Maricopa County planning case referenced below, do hereby affirm that the attached listing of names and addresses accurately reflects the ownership of property within 300 feet of the subject planning case/project, according to current Maricopa County Assessor Records.

ATTACH THE FOLLOWING DOCUMENTATION:

X List of names and address within 300' of subject case

Owner's / Authorized Agent's Signature: _____

SUBSCRIBED AND SWORN before me this 1st day of September 2021

Melodie West Kelly
Notary Public

My Commission Expires: 8-15-2023



MELODIE WEST KELLY
Notary Public - Arizona
Maricopa Co. / #570857
Expires 08/15/2023

Mailing List (as of 08.03.2021)

Parcel Number	Owner / Interested Party	Address	City	State	Zip	E-Mail Address
503-53-024H	SRPAI&PD USBR	PO BOX 52025 ISB 336	PHOENIX	AZ	85072	
503-53-025U	WESTWING BUSINESS PARK LLC	PO BOX 7670	SURPRISE	AZ	85374	
503-53-985	UNITED STATES DEPARTMENT OF ENERGY	PO BOX 6457	PHOENIX	AZ	85005	
	ARIZONA DEPARTMENT OF TRANSPORTATION ATTN: LOUIS J. MALLOQUE	205 S. 17TH AVENUE, MAIL DROP 612E	PHOENIX	AZ	85007	lmalloque@dot.state.az.us
	PORA ATTN: PLANNING & ZONING DIRECTOR	13815 W. CAMINO DEL SOL	SUN CITY	AZ	85375	pora@suncitywest.org
	MINING DISTRICT ATTN: C.R. HERRO	17798 W. PASEO WAY	GOODYEAR	AZ	85338	CR.herro@lafarge-na.com
	LAFARGE NORTH AMERICA ATTN: LARRY WALKER	11500 W. BEARDSLEY ROAD	SUN CITY	AZ	85373	larry.walker@lafarge-na.com
	PHILIP SPILLER	5025 N. CENTRAL AVENUE, SUITE 579	PHOENIX	AZ	85012	p.a.spiller@gmail.com
	ED GRANT	7600 E. REDFIELD ROAD, SUITE 195	SCOTTSDALE	AZ	85260	edgrant@simaz.com
	MARICOPA ASSOCIATION OF GOVERNMENTS ATTN: SCOTT WILKEN	302 N. 1ST AVENUE, SUITE 300	PHOENIX	AZ	85003	swilken@azmag.gov
	MARICOPA ASSOCIATION OF GOVERNMENTS ATTN: VERN WOLFLEY	302 N. 1ST AVENUE, SUITE 300	PHOENIX	AZ	85003	VWolfley@azmag.gov
	SUN CITY WEST INDEPENDENT ATTN: PHILIP HALDIMAN	17220 N. BOSWELL BOULEVARD, SUITE L101	SUN CITY WEST	AZ	85373	
	CHRIS JACQUES C/O CITY OF PEORIA PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT	9875 N. 85TH AVENUE, 1ST FLOOR	PEORIA	AZ	85345	
	CONCERNED CITIZENS OF CROSS RIVER ATTN: FRAN NOE	11756 W. DALEY LANE	SUN CITY	AZ	85373	noeshomes@earthlink.net
	ADOT RIGHT OF WAY PROJECT MANAGEMENT ATTN: RICHARD ERICKSON					redletter@azdot.gov
	CITY OF SURPRISE	16000 N CIVIC CENTER PLZ	SURPRISE	AZ	85374	planning@surpriseaz.gov
	CITY OF PEORIA ATTN: ADAM PRUETT	8401 W. MONROE ST	PEORIA	AZ	85345	Adam.Pruett@peoriaaz.gov
	CITY OF PEORIA ATTN: LORIE DEVER					lorie.dever@peoriaaz.gov
	NORTH COUNTY FIRE DISTRICT ATTN: ERIC KRIWER, FIRE MARSHAL					ekriwer@afma.az.gov
	NORTH COUNTY FIRE DISTRICT ATTN: KANE NIXON, PLANNING CHIEF					knixon@afma.az.gov

Parcel Number	Owner / Interested Party	Address	City	State	Zip	E-Mail Address
	MARICOPA COUNTY PARKS AND RECREATION ATTN: EILEEN BADEN	41835 N CASTLE HOT SPRINGS RD	MORRISTOWN	AZ	85342	eileen.baden@maricopa.gov
	MARICOPA ASSOCIATION OF GOVERNMENTS ATTN: KURT COTNER	302 N. 1ST AVENUE, SUITE 300	PHOENIX	AZ	85003	kcotner@azmag.gov
	INSIGHT LAND ATTN: DAVID RIDGEWAY					ridgeway.d@gmail.com
	GAMMAGE & BURNHAM PLC ATTN: CHERYL GRIEMSMANN	40 N. CENTRAL AVEUE	PHOENIX	AZ	85003	cgriemsmann@gbaw.com

Notice of Filing for Maricopa County Zoning Case Z2021090 - Message (HTML)

File Message Kofax PDF Tell me what you want to do...

Ignore Delete Reply Reply Forward Meeting IM More First Submittal Team Email Reply & Delete To Manager Done Create New Rules OneNote Move Actions Mark Unread Categorize Follow Up Translate Find Related Select Zoom Search Archive Archive Message Actions

IManage Work Quick File Browse and File Save Attachments

Wed 9/1/2021 1:29 PM

Cheryl Y. Griemsmann
Notice of Filing for Maricopa County Zoning Case Z2021090

To 'redletter@azdot.gov'; 'lorie.dever@peoriaaz.gov'; 'ekriwer@afma.az.gov'; 'knixon@afma.az.gov'; 'ridgeway.d@gmail.com'; 'drosenhagen@ccmcnet.com'; 'crossriver.bud@gmail.com'; 'JThomasson@AssociatedAsset.com'; 'JThomasson@AssociatedAsset.com'; 'Volunteermom06@cox.net'; 'bob.miller@porascw.org'; 'Lodom@AssociatedAsset.com'; 'JThomasson@AssociatedAsset.com'; 'shannon.baxter@fsresidential.com'; 'JThomasson@AssociatedAsset.com'; 'JThomasson@AssociatedAsset.com'; 'drosenhagen@ccmcnet.com'; 'mparsons@ccmcnet.com'; 'duaney2009@q.com'; 'debra@debraeder.com'; '{F442698}.Active@qblaw.imanage.work'

FINAL Notice of Filing Letter 09.01.2021(2882561.1).pdf
4 MB

Dear Maricopa County Interested Party,

Per Maricopa County Zoning Ordinance, Section 305, you are receiving the attached a Notice of Filing for rezoning case Z2021090 because you are identified as an Interested Party. Property owners within 300 feet of the proposed project, and Interested Parties who provided physical mailing (but not e-mail) addresses, will receive a hard copy mailing of this attached notification.

Thank you,
Cheryl Griemsmann

Cheryl Y. Griemsmann
Land Use Planner
602.256.4448 Direct
cgriemsmann@qblaw.com | [Profile](#) | www.qblaw.com

GAMMAGE & BURNHAM
40 North Central Ave., 20th Floor | Phoenix, AZ 85004
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E-mail recipients

'redletter@azdot.gov'; 'lorie.dever@peoriaaz.gov'; 'ekriwer@afma.az.gov'; 'knixon@afma.az.gov';
'ridgeway.d@gmail.com'; 'drosenhagen@ccmcnet.com'; 'crossriver.bud@gmail.com';
'JThomasson@AssociatedAsset.com'; 'JThomasson@AssociatedAsset.com'; 'Volunteermom06@cox.net';
'bob.miller@porascw.org'; 'Lodom@AssociatedAsset.com'; 'JThomasson@AssociatedAsset.com';
'shannon.baxter@fsresidential.com'; 'JThomasson@AssociatedAsset.com'; 'JThomasson@AssociatedAsset.com';
'JThomasson@AssociatedAsset.com'; 'drosenhagen@ccmcnet.com'; 'mparsons@ccmcnet.com'; 'duaney2009@q.com';
'debra@debraeder.com'

GAMMAGE & BURNHAM, PLC
ATTORNEYS AT LAW
40 NORTH CENTRAL AVENUE
20TH FLOOR
PHOENIX, AZ 85004



CITY OF PEORIA
ATTN: ADAM PRUETT
8401 W. MONROE ST
PEORIA, AZ 85345



CONCERNED CITIZENS OF CROSS RIVER
ATTN: FRAN NOE
11756 W. DALEY LANE
SUN CITY, AZ 85373



LAFARGE NORTH AMERICA
ATTN: LARRY WALKER
11500 W. BEARDSLEY ROAD
SUN CITY, AZ 85373



APN 503-53-0250
WESTWING BUSINESS PARK LLC
PO BOX 7670
SURPRISE, AZ 85374

GAMMAGE & BURNHAM, PLC
ATTORNEYS AT LAW
40 NORTH CENTRAL AVENUE
20TH FLOOR
PHOENIX, AZ 85004



MARICOPA COUNTY PARKS AND RECREATION
ATTN: EILEEN BADEN
41835 N CASTLE HOT SPRINGS RD
MORRISTOWN, AZ 85342



CHRIS JACQUES C/O CITY OF PEORIA PLANNING &
COMMUNITY DEVELOPMENT DEPARTMENT
9875 N. 85TH AVENUE, 1ST FLOOR
PEORIA, AZ 85345



MINING DISTRICT
ATTN: C.R. HERRO
17798 W. PASEO WAY
GOODYEAR, AZ 85338



SUN CITY WEST INDEPENDENT
ATTN: PHILIP HALDIMAN
17220 N. BOSWELL BOULEVARD, SUITE L101
SUN CITY WEST, AZ 85373

GAMMAGE & BURNHAM, PLC
ATTORNEYS AT LAW
40 NORTH CENTRAL AVENUE
20TH FLOOR
PHOENIX, AZ 85004



MARICOPA ASSOCIATION OF GOVERNMENTS
ATTN: KURT COTNER
302 N. 1ST AVENUE, SUITE 300
PHOENIX, AZ 85003



MARICOPA ASSOCIATION OF GOVERNMENTS
ATTN: VERN WOLFLEY
302 N. 1ST AVENUE, SUITE 300
PHOENIX, AZ 85003



ED GRANT
7600 E. REDFIELD ROAD, SUITE 195
SCOTTSDALE, AZ 85260



ARIZONA DEPARTMENT OF TRANSPORTATION
ATTN: LOUIS J. MALLOQUE
205 S. 17TH AVENUE, MAIL DROP 612E
PHOENIX, AZ 85007

GAMMAGE & BURNHAM, PLC
ATTORNEYS AT LAW
40 NORTH CENTRAL AVENUE
20TH FLOOR
PHOENIX, AZ 85004



GAMMAGE & BURNHAM PLC
ATTN: CHERYL GRIEMSMANN
40 N. CENTRAL AVEUE
PHOENIX, AZ 85003



MARICOPA ASSOCIATION OF GOVERNMENTS
ATTN: SCOTT WILKEN
302 N. 1ST AVENUE, SUITE 300
PHOENIX, AZ 85003



PHILIP SPILLER
5025 N. CENTRAL AVENUE, SUITE 579
PHOENIX, AZ 85012



APN 503-53-024H
SRPAI&PD USBR
PO BOX 52025 ISB 336
PHOENIX, AZ 85072



CITY OF SURPRISE
16000 N CIVIC CENTER PLZ
SURPRISE, AZ 85374



PORA ATTN: PLANNING & ZONING DIRECTOR
13815 W. CAMINO DEL SOL
SUN CITY, AZ 85375



APN 503-53-985
UNITED STATES DEPARTMENT OF ENERGY
PO BOX 6457
PHOENIX, AZ 85005