



**PUBLIC NOTICE
BOARD OF ADJUSTMENT**

Meets

Thursday, June 22, 2023

6:00 PM

City Council Chambers

595 North C Street

Eloy, Arizona 85131

AGENDA

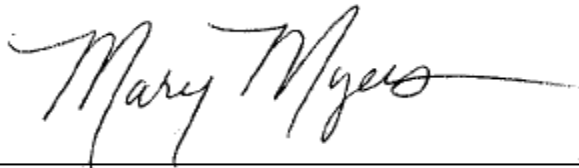
- I. Call to Order**
- II. Roll Call**
- III. Invocation**
- IV. Pledge of Allegiance**
- V. Motion to approve the March 16, 2023 regular meeting minutes of the City of Eloy Board of Adjustment**
 - A. Meeting Minutes
- VI. New Business: possible discussion and/or action on the following:**
 - A.
 1. Public Hearing to consider a variance requested, **Case No.:VA2023-020**, by Freepoint Eco-Systems Advanced Recycling Facility in care of Pamela Franch Hora, with Tetra Tech, to increase the building height from the provisions of Section 21-2-5.4: Industrial Development Standards of the City of Eloy Zoning Ordinance. The proposed advanced recycling facility requires accessory building components that exceed the maximum height limit (55') of the I-2, General Industrial district, and consists of the following components: two (2) condensers (100' tall), six (6) storage silos (100' tall) and an associated maintenance elevator (115' tall), one (1) storage dome (90' tall), four (4) pyrolysis kilns (75' tall), one (1) ground flair (65' tall), one (1) bucket elevator (125' tall). The subject property is located just east of the intersection of N. Tweedy Road and W. Chambers Street on Assessor's Parcel Numbers: 408-02-0240 and 408-02-0250 in Section 1, T. 8 S., R.7 E. of the Gila and Salt River Base and Meridian, Pinal County, Arizona (Project Name: Freepoint Eco-System Advanced Recycling Facility).

VII. Communications

- A. Ex-Officio Member Announcements
- B. Community Development Director Announcements

VIII. Motion to Adjourn

POSTED BY MONDAY, JUNE 12, 2023 BY 6:00 PM AT ELOY CITY HALL, ELOY POST OFFICE, TROY THOMAS COMMUNITY CENTER, TOLTEC COMMUNITY/SENIOR CENTER AND CITY WEBSITE:
www.loyaz.gov

A handwritten signature in black ink that reads "Mary Myers". The signature is written in a cursive style and is positioned above a horizontal line.

Mary Myers, MMC, CPM
City Clerk

INDIVIDUALS WITH SPECIAL ACCESSIBILITY NEEDS MAY CONTACT LORENA LaSALDE-RIOS, ADA COORDINATOR FOR THE CITY OF ELOY AT 520-466-9201 OR 520-466-7455 (TDD). IF POSSIBLE, SUCH REQUESTS SHOULD BE MADE 72 HOURS IN ADVANCE. ONE OR MORE MEMBERS OF THE BOARD AND/OR STAFF MAY PARTICIPATE BY TELEPHONIC OR VIDEO MEANS.

**MINUTES OF
THE CITY OF ELOY
BOARD OF ADJUSTMENT
Regular Meeting
Thursday, March 16, 2023 6:00 P.M.**

I. CALL TO ORDER

Chairperson J.W. Tidwell called the meeting to order at approximately 6:00 p.m.

II. ROLL CALL

Members Present:

- Chairperson J.W. Tidwell
- Vice Chairperson Ezequiel Cazarez
- Board Member Natasha Tidwell
- Board Member Gavino Rojas
- Ex-Officio Michelle McKinley-Tarango

Absent:

- None

Staff/Others Present:

- Belinda Cota, Planner
- Jeff Fairman, Economic Development Manager

III. INVOCATION

Ex-Officio McKinley Tarango led the Invocation and requested a moment of silence.

IV. PLEDGE OF ALLEGIANCE

Chairperson J.W. Tidwell led the Pledge of Allegiance.

V. MOTION TO APPROVE THE JULY 21, 2022 REGULAR MEETING MINUTES OF THE CITY OF ELOY BOARD OF ADJUSTMENT

Chairperson J.W. Tidwell asked for a motion to approve the minutes. Board member Rojas made a motion to approve the July 21, 2022 meeting minutes as presented. Board member Natasha Tidwell seconded the motion. The motion was approved with a vote 4-0.

VI. NEW BUSINESS: POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:

A. NOMINATE AND ELECT A CHAIRPERSON TO SERVE THE REMAINDER OF CALENDAR YEAR 2023.

Chairperson Tidwell asked for nominations. Vice-chairperson Cazarez made a motion to nominate and elect J.W. Tidwell as the Chairperson to serve the remainder of Calendar Year 2023. Board member Rojas seconded the motion. There were no other motions to nominate. The motion was approved with a vote 3-0 (Vice-chairperson Cazarez, Board member Rojas and Board member Natasha Tidwell). Chairperson Tidwell thanked the members for their support.

B. NOMINATE AND ELECT A VICE CHAIRPERSON TO SERVE THE REMINDER OF CALENDAR YEAR 2023.

Chairperson Tidwell asked for nominations. Board member Natasha Tidwell made a motion to nominate and elect Ezequiel Cazarez as the Vice-chairperson to serve the remainder of Calendar Year 2023. Board member Rojas seconded the motion. There were no other motions to nominate. The motion was approved with a vote 3-0 (Vice-chairperson Cazarez, Chairperson Tidwell and Board member Natasha Tidwell).

VII. COMMUNICATIONS:

A. ECONOMIC DEVELOPMENT UPDATE BY JEFF FAIRMAN, ECONOMIC DEVELOPMENT MANAGER

Mr. Jeff Fairman introduced himself and thanked the Board of Adjustment members for their service to the community. He mentioned that in the months to come there will be some Variance application coming in front of the Board.

Mr. Fairman gave a brief power point presentation on Economic Development.

Eloy Industrial Parks

1. Park 8-10 Logistics-
2. Interstate 10|8-(I-10 to the south, Frontier Street/Railroad to the north, Sunland Gin to the west and Toltec Road to the east)
3. Toltec Industrial Park-
4. Southwest Crossing Industrial Park-
5. Eloy Industrial Park-
6. Sunshine Industrial Park-

Recent Locates/Current Projects/Future Prospects

- National Gypsum/Gold Bond Products-
- Owens Corning-opened their doors approximately 8 months ago and they are in full production-
- Arizona Trailers Sales-
- Osterkamp Trucking-exclusive supplier for Gold Bond Products

- TRO Trucking-
- BHI Co Trucking-
- Circle K-the new Circle K at the northwest corner of Eleven Mile Corner Road and Frontier is up and running with lots of customers and more employees.
- Tesla Station Rapid Charge Facility-installed approximately 20 +/- charging stations at the Circle K along Toltec Road, a car can charge approximately 80% within 15 minutes. The City of Eloy is on the Tesla maps.
- Park 8-10 Logistics-proposing six warehouses
- Southwest Crossing Industrial Park-marketing property

VIII. MOTION TO ADJOURN

With no further business, Chairperson J.W. Tidwell asked for a motion to adjourn. Board member Rojas made a motion to adjourn. Board member Natasha Tidwell seconded the motion. The motion was approved by a vote of 4-0. The meeting adjourned at 6:45 p.m.

CITY OF ELOY REQUEST FOR BOARD ACTION

Agenda Item: **VI.A.**

Date: **6/22/2023**

Date submitted:
05/22/2023

Action: Formal

Subject:

Date requested:
6/22/2023

1. **Public Hearing to consider a variance requested, Case No.:VA2023-020, by Freepoint Eco-Systems Advanced Recycling Facility in care of Pamela Franch Hora, with Tetra Tech, to increase the building height from the provisions of Section 21-2-5.4: Industrial Development Standards of the City of Eloy Zoning Ordinance. The proposed advanced recycling facility requires accessory building components that exceed the maximum height limit (55') of the I-2, General Industrial district, and consists of the following components: two (2) condensers (100' tall), six (6) storage silos (100' tall) and an associated maintenance elevator (115' tall), one (1) storage dome (90' tall), four (4) pyrolysis kilns (75' tall), one (1) ground flair (65' tall), one (1) bucket elevator (125' tall). The subject property is located just east of the intersection of N. Tweedy Road and W. Chambers Street on Assessor's Parcel Numbers: 408-02-0240 and 408-02-0250 in Section 1, T. 8 S., R.7 E. of the Gila and Salt River Base and Meridian, Pinal County, Arizona (Project Name:**

**Freepoint Eco-System
Advanced Recycling Facility).**

TO: Board of Adjustment

FROM: Jon Vlaming, Belinda Cota

RECOMMENDATION:

The Board of Adjustment may determine when relief is warranted from property hardships caused by zoning regulations in certain circumstances. Granting this variance may be construed as granting a special privilege to the subject property. However, should the Board of Adjustment find, after the presentation of the applicant, together with testimony and evidence presented at the public hearing, that this variance does not constitute a special privilege, then the Community Development Department recommends that this request for a variance be approved subject to the following conditions:

- a. That this variance shall be used within one (1) year after the date of its granting by the Board of Adjustment, or will become null and void;
- b. That the following heights of the on-site building components shall not be exceeded (as measured from the adjacent finished grade of the site:

1. two (2) condensers (100' tall)
2. six (6) storage silos (100' tall) and an associated maintenance elevator (115' tall)
3. one (1) storage dome (90' tall)
4. four (4) pyrolysis kilns (75' tall)
5. one (1) ground flair (65' tall)
6. one (1) bucket elevator (125' tall)

c. That the subject building components identified above be set back a distance equal to at least fifty percent (50%) of their height as measured from any perimeter lot line;

d. That the subject building components shall be painted or treated to minimize the contrast of the buildings against the horizon; and

e. That the building components shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.

DISCUSSION:

Freepoint Eco-Systems intends to design and construct an approximate 679,200 square foot complex of buildings located on two adjacent parcels (which will be combined in the future) consisting of 18 and 25.95 acres. It is expected to be operational in Q4 of 2024. Designing and constructing an appropriate complex of functional buildings and supportive

components to conduct their recycling processes will require that several accessory building components exceed the allowable building height (55 feet) of the underlying General Industrial zoning district.

The subject vacant property is located just west of the intersection of N. Tweedy Road and W. Chambers Street on Assessor's Parcel Numbers: 408-02-0240 (18 acres), and 408-02-0250 (25.95 acres). Both parcels are designated as I-2, General Industrial on the City's adopted Zoning Map. Both parcels are identified as General Industrial on the City's General Plan Land Use Map, which makes the zoning and land use consistent. Both parcels are located in a portion of Section 1, Township 8 South, Range 7 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona.

As such, the City has received an application by Freepoint Eco-Systems, in care of Pamela Franch Hora of Tetra Tech. The City of Eloy's Zoning Ordinance (Chapter 21 of the City Code-Section 21-2-5.4: Industrial Development Standards) limits building heights in the I-2 "Light Industrial" zoning district to 55 feet. This request, if approved, will grant the following within the two identified parcels:

1. two (2) condensers (100' tall)
2. six (6) storage silos (100' tall) and an associated maintenance elevator (115' tall)
3. one (1) storage dome (90' tall)
4. four (4) pyrolysis kilns (75' tall)
5. one (1) ground flair (65' tall)
6. one (1) bucket elevator (125' tall)

In terms of evaluating this request, and pursuant to Arizona State Statutes, the Board of Adjustment may not:

1. Make any changes to the uses permitted in any zoning classification or zoning district.
2. Grant a variance if the special circumstances applicable to the property are self-imposed by the property owner.

The Board of Adjustment may, however, authorize a departure from these zoning regulations, if the Board finds that the applicant has addressed the following hardship criteria as established in Sec. 21-6-9.3 Required Findings of the Eloy Zoning Ordinance.

Section 21-6-9.3: REQUIRED FINDINGS:

The Board of Adjustment shall only approve a variance after finding that all of the following conditions are met. Financial hardship, personal preference of the owner, or the fact that the property may be utilized more profitably if the requested variance is granted shall not be considered grounds for approval. (The applicants' responses to these criteria are presented after this staff report.

A. Special conditions and circumstances exist which are unique to the land, structure, or building involved, and which are not applicable to other lands, structures,

or buildings in the same zoning district.

B. A literal interpretation of this chapter would deprive the appellant of rights commonly enjoyed by other properties in the same zoning district.

C. The alleged hardship caused by literal interpretation of the provisions of this chapter includes more than personal inconvenience and financial hardship, and is not the result of actions by the appellant.

D. Granting the variance will not confer upon the appellant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same zoning district.

E. Granting the variance will not interfere with or substantially injure the appropriate use of adjacent conforming properties in the same zoning district.

F. The reasons set forth in the appeal justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

G. Granting the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

H. No variance shall be granted from any written conditions attached by another decision-maker to the approval of a rezoning, conditional use permit, subdivision plat, or site plan.

I. No variance shall be granted if the conditions or circumstances affecting the applicant's property are of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situations.

J. No non-conforming use or violations of this chapter with respect to neighboring lands, structures or buildings, in the same zoning district, and no permitted use of lands, structures or buildings in other zoning districts, shall be considered grounds for granting a variance.

K. Every decision of the Board shall be based upon the findings of fact, and every finding of fact shall be supported in the record of its proceedings. The conditions required by this chapter to exist on any matter upon which the Board is authorized to pass under this chapter shall be construed as limitations on the power of the Board to act. A mere finding or recitation of the enumerated conditions, unaccompanied by findings of specific fact, shall not be deemed findings of fact, and shall not be deemed in compliance with this chapter.

FISCAL IMPACT:

This variance request, if approved or approved with conditions, will allow the applicant to construct their buildings in a manner that will allow for optimum efficiency and utilization. If constructed, this site will generate in excess of 500 construction jobs, 100 full-time jobs, construction sales tax proceeds and enhanced property taxes accruing to the City.

Freepoint Eco-Systems Advanced Recycling Facility Height Variance Application Required Findings and Review Criteria Statement

Freepoint Eco-Systems Eloy Recycling LLC (Freepoint) is proposing to develop an Advanced Recycling facility in Eloy on a parcel of land zoned I-2. The height limit in the I-2 zone is 55' and some of the equipment associated with the facility will be taller than 55'; therefore, a height variance is required.

Section 21-6-9-3: Required Findings

Below is an explanation of how the proposed project satisfies Eloy Code Section 21-6-9-3: Required Findings.

A. Special conditions and circumstances exist which are unique to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.

The Advanced Recycling Facility proposed by Freepoint for this site is categorized as a "Recycling Center" under the Eloy Land Use Code. Recycling Centers are a "Permitted Use" in the I-2 General Industrial Zone District. The technology required for the advanced recycling process requires equipment that will be taller than the maximum height allowed per the Code in the I-2 zone. It is not possible to design an Advanced Recycling Facility that will have all the equipment be no more than 55' tall. Therefore, special circumstances exist which are unique to the structure involved.

B. A literal interpretation of this chapter would deprive the appellant of rights commonly enjoyed by other properties in the same zoning district.

The maximum building heights allowed in the I-2 (General Industrial) Zone is 55 feet. The proposed Advanced Recycling Facility, which is a permitted use, requires the following taller equipment:

1. Two Condensers (100' tall)
2. Six Storage Silos (100' tall) and an associated maintenance elevator (115' tall)
3. One Storage Dome (90' tall)
4. Four Pyrolysis Kilns (75' tall)
5. One Ground Flare (65' tall)
6. One Conveyor System (Runs above and connects the Storage Dome, Storage Silos, and Pyrolysis Kiln. The highest point of the Conveyor System sits 20' above the Storage Silos.)
7. One Bucket Elevator (125' tall)

The I-2 zoning district height limits were established without considering the fact that not all of the permitted uses could be designed to be no taller than 55'. An Advanced Recycling Facility requires instrumentation, processing equipment and storage structures that are taller than some other industrial uses which are able to be no taller than 55'. A literal interpretation of the height limit would result in this "Recycling Center" from being prohibited from developing on the property, even though it is a permitted use. Therefore, a literal interpretation of this chapter would deprive the appellant of rights commonly enjoyed by other properties in the same zoning district.

C. The alleged hardship caused by literal interpretation of the provisions of this chapter includes more than personal inconvenience and financial hardship and is not the result of actions by the appellant.

The City of Eloy Zoning Code allows for Recycling Facilities as a permitted use on I-2 Zoned properties through approval of an administrative Site Plan Review. However, the required height restrictions in place make it impossible to construct an Advanced Recycling Facility without obtaining a height variance. Therefore, the hardship is a result of the City's restrictive height limitation, and it was not the result of any action by the appellant.

D. Granting the variance will not confer upon the appellant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same zoning district.

Granting this variance to Freepoint provides the ability to develop a typical Advanced Recycling Facility on the property. If an Advanced Recycling Facility could be designed to have all of the equipment and structures be no taller than 55', Freepoint would comply; however, that is not possible. No special privileges will be conferred to Freepoint that are not afforded to other landowners within the I-2 Zone District because Freepoint will simply be granted the right to construct a permitted use in the zone.

E. Granting the variance will not interfere with or substantially injure the appropriate use of adjacent conforming properties in the same zoning district.

Granting this height variance will not substantially injure the appropriate use of the adjacent property. The site on which the Advanced Recycling Facility will be constructed is in an industrial park surrounded by other land zoned I-2. According to the Eloy Code, it is intended that heavy industrial uses, like the Advanced Recycling Facility, develop on land zoned I-2 so that the economic base of the City may be strengthened and employment opportunities expanded away from residential and commercial land uses in Eloy.

F. The reasons set forth in the appeal justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

Not all the equipment at the Advanced Recycling Facility will exceed the 55' height limit. The equipment that will exceed this limit will include the following:

1. Two Condensers (100' tall)
2. Six Storage Silos (100' tall) and an associated maintenance elevator (115' tall)
3. One Storage Dome (90' tall)
4. Four Pyrolysis Kilns (75' tall)
5. One Ground Flare (65' tall)
6. One Conveyor System (Runs above and connects the Storage Dome, Storage Silos, and Pyrolysis Kiln. The highest point of the Conveyor System sits 20' above the Storage Silos.)
7. One Bucket Elevator (125' tall)

All other equipment and the proposed building on the site will comply with the 55' height limit. Therefore, the variance is the minimum variance that will make possible the reasonable use of the land as an Advanced Recycling Facility.

G. Granting the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Granting this variance is in harmony with the general purpose and intent of this chapter because the Advanced Recycling Facility is a permitted use in the I-2 Zone district. Using current technology, it is not possible to build an Advanced Recycling Facility that has all the equipment no taller than 55'. When Eloy established the height limit for the zoning district, it was not possible to anticipate all the height needs of every potential permitted use in the I-2 zoning district. The variance process allows Eloy to grant Freepoint the right to construct this permitted use on the property. The site on which the Advanced Recycling Facility will be built is surrounded by other land also zoned I-2 so it will not be injurious to the neighborhood. In addition, engineers are designing the facility to operate in a safe manner to allow it to function in a safe manner to protect the health, safety, and welfare of the public.

H. No variance shall be granted from any written conditions attached by another decision-maker to the approval of a rezoning, conditional use permit, subdivision plat, or site plan.

This variance is not being granted from any written conditions attached by another decision maker to the approval of a rezoning, conditional use permit, subdivision plat, or site plan.

I. No variance shall be granted if the conditions or circumstances affecting the applicant's property are of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situations.

The request for this height variance is to allow the height of specific pieces of equipment associated with the Advanced Recycling Facility to exceed the 55' height limit set forth in the I-2 zoning district. Therefore, the conditions or circumstances affecting the applicant's property are not general or recurrent in nature to make reasonably practicable the formulation of a general regulation.

J. No non-conforming use or violations of this chapter with respect to neighboring lands, structures, or buildings, in the same zoning district, and no permitted use of lands, structures or buildings in other zoning districts, shall be considered grounds for granting a variance.

The variance request is to allow specific pieces of equipment to exceed the 55' height limit. The use itself is a conforming land use as an Advanced Recycling Facility is a permitted use in the I-2 Zone. In addition, the variance is being requested to prevent a violation of the code.

K. Every decision of the Board shall be based upon the findings of fact, and every finding of fact shall be supported in the record of its proceedings. The conditions required by this chapter to exist on any matter upon which the Board is authorized to pass under this chapter shall be construed as limitations on the power of the Board to act. A mere finding or recitation of the enumerated conditions, unaccompanied by findings of specific fact, shall not be deemed findings of fact, and shall not be deemed in compliance with this chapter. (Ord. 18-880, 7-23-2018)

The Board of Adjustment can make the decision to approve the height variance because the request meets Zoning Code *Section 21-6-9-3: Required Findings*, as explained above.

Application Form Review Criteria (Section 21-35B)

Below is an explanation of how the proposed project satisfies the Review Criteria listed on the Variance Application Submittal Requirements checklist.

1. There exist Special Circumstances or conditions regarding the land or building referred to in the application which do not apply to other properties in the district.

An Advanced Recycling Facility is a permitted use within the I-2 zoning district. To have an Advance Recycling Facility with equipment that is designed to allow the facility to safely and efficiently operate, some of the equipment needs to be taller than 55'. The size of the equipment required for an Advanced Recycling Facility is the special circumstance that does not apply to other properties in the district because no other properties in Eloy have or are proposing an Advanced Recycling Facility.

2. The above special circumstances or conditions are preexisting and are not created or self-imposed by the owner or applicant.

The size of the equipment required for an Advanced Recycling Facility is not a factor that the applicant is choosing; the requested heights are what is required to have a facility that will operate safely and efficiently.

3. The variance is necessary for the preservation of substantial property rights. Without a variance the property cannot be used for purposes otherwise allowed in this district.

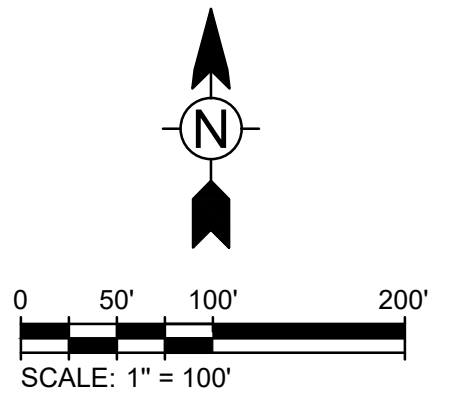
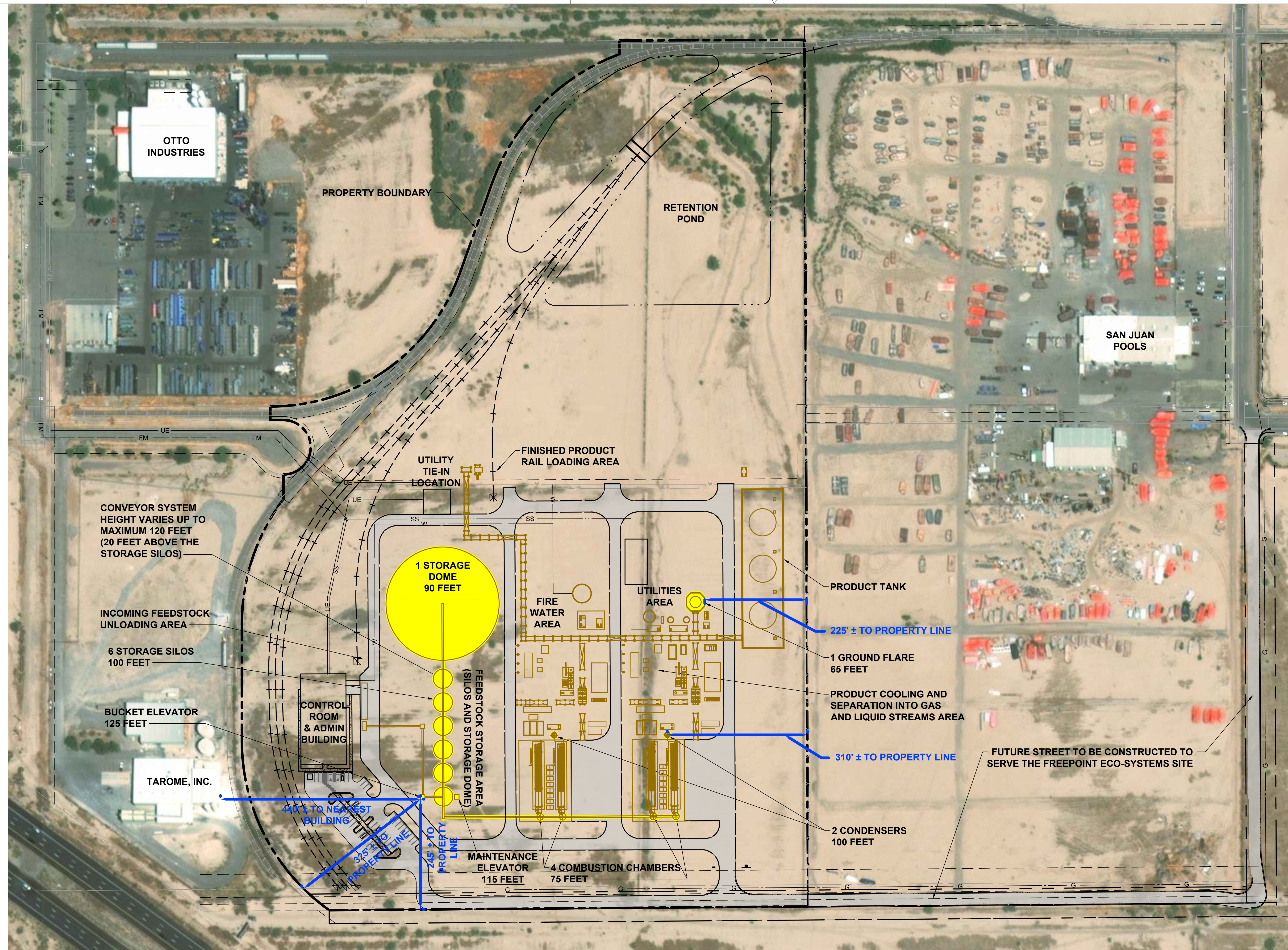
The variance is necessary to allow this I-2 zoned property to develop with an Advanced Recycling Facility, which is a permitted use in this zoning district. The infrastructure required for an Advanced Recycling Facility includes equipment which exceeds 55' in height.

4. The Authorizing of the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property or to the neighborhood or the public welfare.

Granting this variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, or to the neighborhood or public welfare. Eloy has property zoned I-2 specifically to accommodate heavy industrial uses such as an Advanced Recycling Center. This I-2 zoned property is not adjacent to any residential or commercial property which prevents impacts. For safety reasons, it is important that the facility be allowed to have equipment that is taller than 55'.

LEGEND:

STRUCTURES TALLER THAN 55 FEET



OWNER
FREEPOINT ECO SYSTEMS
 ADVANCED RECYCLING FACILITY
 ELOY, ARIZONA

TITLE
PRELIMINARY DEVELOPMENT PLAN
HEIGHT VARIANCE SITE PLAN

REF NO.
 DWG NO. **SHEET 1**

GENERAL NOTES

REFERENCE NO.

REFERENCE DESCRIPTION

REV

DESCRIPTION

DATE

REV'D

CHKD

APV'D

APPROVALS

DATE



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 351 COFFMAN STREET, SUITE 200
 LONGMONT, COLORADO 80501
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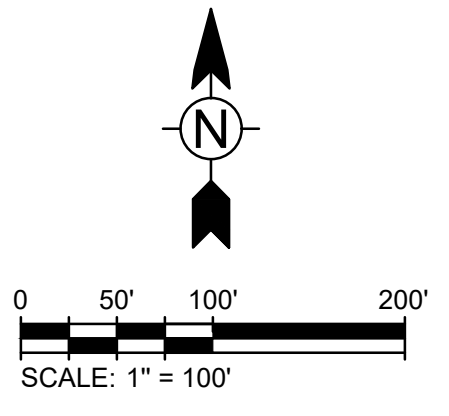
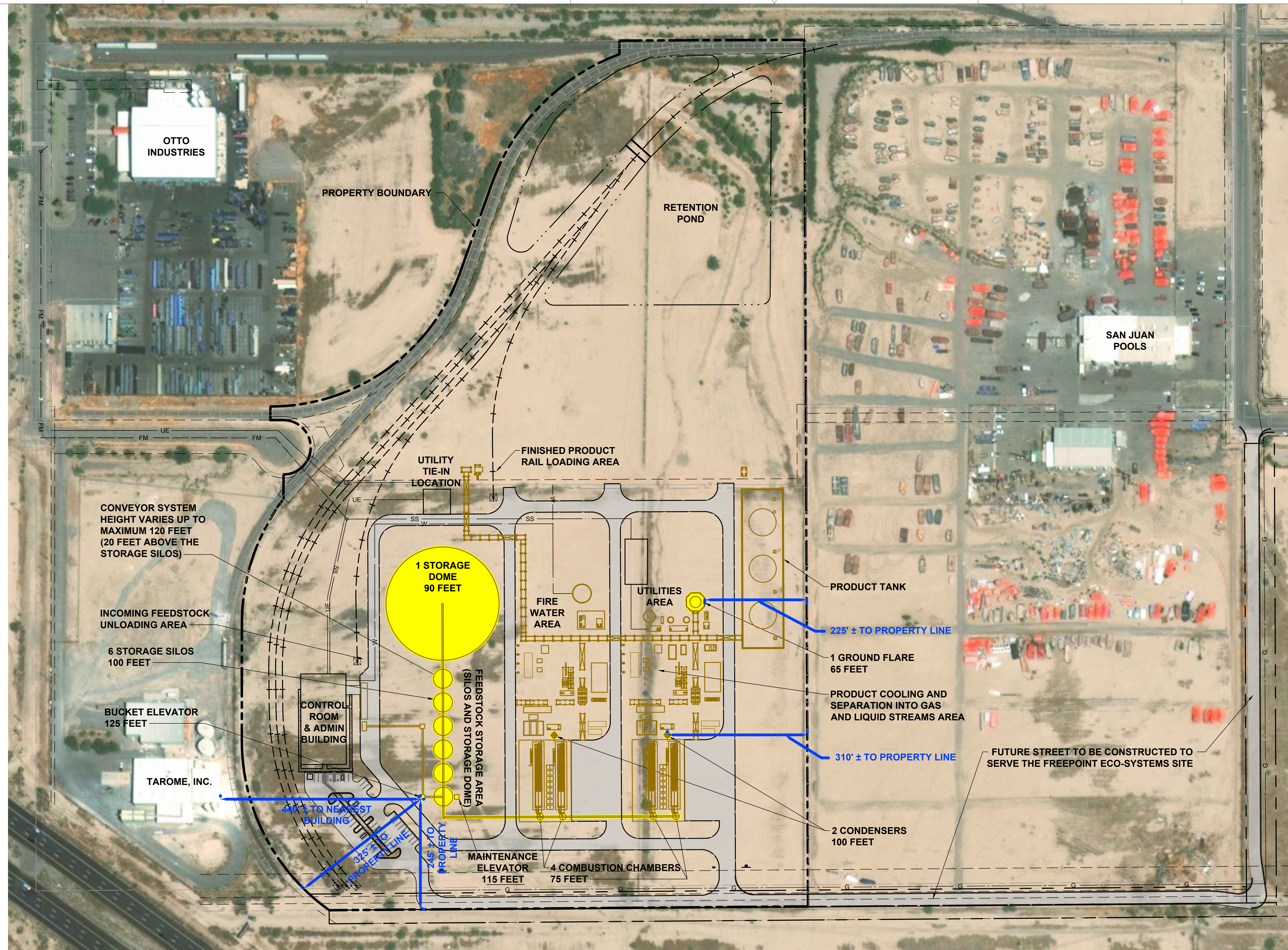
APPROVALS	DATE
CHKD	
ENGR	
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PROJECT NO.	ARCH D
P22-0009	

A ISSUED FOR INFORMATION (IFI)

REV. A

LEGEND:

STRUCTURES TALLER THAN 55 FEET



OWNER
FREEPOINT ECO SYSTEMS
 ADVANCED RECYCLING FACILITY
 ELOY, ARIZONA

TITLE
PRELIMINARY DEVELOPMENT PLAN
HEIGHT VARIANCE SITE PLAN

REF NO.
 DWG NO. **SHEET 1**

GENERAL NOTES

REFERENCE NO.

REFERENCE DESCRIPTION

REV

DESCRIPTION

DATE

REV'D

CHKD

APV'D

APPROVALS

DATE



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APPROVALS	DATE
CHKD	
ENGR	
SCALE	SIZE
PROJECT NO.	ARCH D
P22-0009	

A ISSUED FOR INFORMATION (IFI)

REV. A

Citizen Participation Plan
For
Freepoint Eco-Systems
Advanced Recycling Facility
Height Variance Application

City of Eloy, Arizona

PREPARED FOR:

Freepoint Eco-Systems Eloy Recycling LLC
58 Commerce Road
Stamford, CT 06902

PREPARED BY:

Tetra Tech
Pam Hora, AICP
351 Coffman Street, Suite 200
Longmont, CO 80501

Submitted: April 3, 2023
2nd Submittal: April 14, 2023
3rd Submittal: April 17, 2023
4th Submittal: April 28, 2023
Case Number: VA2023-020

Citizen Participation Report Purpose

The purpose of this Citizen Participation Report is to summarize how Freepoint Eco-Systems met the requirements for conducting a neighborhood meeting in compliance with Section 21-6-9.2 C of the City of Eloy Code of Ordinances. While not always required, City staff determined that they wanted Freepoint Eco-Systems to host a neighborhood meeting to facilitate an expeditious public hearing process. The meeting was conducted in accordance with the procedures set forth in Section 21-6-2.3 of the Code.

Plan for the Neighborhood Meeting

Date and Time

The neighborhood meeting had to be held at least fifteen (15) calendar days prior to the Board of Adjustment hearing for the variance request. The City of Eloy has not yet scheduled the Board of Adjustment hearing, but the neighborhood meeting was held on Thursday, April 27, 2023 at 5:00 pm Arizona Time.

Location

The neighborhood meeting was conducted virtually via the Microsoft Teams platform. The meeting was hosted by Pam Hora with Tetra Tech (Freepoint Eco-Systems' consultant) and Deirdre McCaffrey with Freepoint Eco-Systems.

Notification

Attached is the neighborhood meeting notification that was sent out to neighbors within 300 feet of the project site boundary. City of Eloy staff advised Freepoint Eco-Systems that there were no registered neighborhoods or homeowners' associations to notice. Eloy staff did request that Eloy Community Development be invited to the meeting along with some referral agencies. The notice included a brief description of the application as well as the date, time, and place (virtual meeting). As stated in the notice, neighbors who were interested in attending the meeting were asked to email Pam Hora with Tetra Tech at pam.hora@tetratech.com if they wished to attend so that a Microsoft Teams meeting invite could be emailed to them prior to the meeting.

The meeting notice was mailed to the neighbors on Monday, April 17, 2023, to meet the requirement for mailing not less than ten (10) calendar days prior to the date of the neighborhood meeting.

Meeting Summary

As planned, the virtual meeting was held via Microsoft Teams on Thursday, April 27, 2023 at 5:00 PM Arizona Time. People in attendance were members of the project team from Freepoint Eco-Systems, Tetra Tech and Chemex Global. Although none of the people who were sent the meeting notice asked to attend the meeting, the Microsoft Teams call was still held 5:00 PM Arizona time. Between 5:00 and 5:10 PM Arizona Time, Pam Hora monitored her email to watch for email requests to be invited to the call. The Microsoft Teams meeting was ended at 5:11 PM Arizona Time after no one emailed to ask to join. Attached to this report is a pdf copy of the PowerPoint presentation that was prepared for the meeting. The presentation includes images from a 3D model of the facility.



Neighborhood Meeting (Virtual) for Freepoint Eco-Systems Advanced Recycling Facility Height Variance Application

Thursday, April 27, 2023 at 5 PM

You are invited to attend a virtual neighborhood meeting regarding Freepoint Eco-Systems' request for a height variance for their proposed Advanced Recycling Facility on Lots 4 and 5 of Eloy Industrial Park Unit Two, Phase 1 (see attached Vicinity Map). The proposed facility requires a height variance in addition to approval of a site plan because some storage facilities and equipment at the facility will exceed the currently permitted maximum height of 55 feet.

Freepoint Eco-Systems' proposed Advanced Recycling Facility will use state-of-the-art technology to recycle plastics. The site will convert plastic pellets into a liquid product that can be sent by rail to plastic product manufacturers. The process used to make the liquid product is a thermochemical procedure called pyrolysis in which the plastic pellets are heated in kilns to create a gas and the gas is sent to condensers, where a liquid product is formed.

Certain equipment required at the facility will exceed the permitted 55-foot height. The equipment at the proposed Advanced Recycling Facility site which requires a height variance includes the following:

- One, 90-foot tall storage dome where plastic pellets will be staged before they are conveyed to the storage silos for processing.
- Six, 100-foot tall storage silos which will contain the plastic pellets that are loaded into the system for processing.
- A conveyor, a portion of which will need to be 120-feet tall so that it is above the storage silos to be able to load the pellets into the silos.
- A bucket elevator that will be 125-feet tall (the elevator will be used to load the plastic pellets onto the conveyor that loads the pellets into the storage silos).
- Four, 75-foot tall combustion chambers which heat the plastic pellets to convert them to gas.
- Two, 100-foot tall condensers that turn the gas into a liquid product.
- One, 65-foot tall ground flare structure. The flare is a piece of equipment that is needed to safely burn any hydrocarbon gases that cannot be recovered or recycled. There will not be any visible flame.

Attached is a copy of the Freepoint Eco-Systems Advanced Recycling Facility Height Variance Site Plan map, as submitted to the City of Eloy which calls out each of these pieces of equipment.

At the neighborhood meeting, we will share a 3D graphic of the proposed facility. Attendees will have an opportunity to ask questions and share their comments with Freepoint Eco-Systems and Freepoint's consultant team members from Tetra Tech and Chemex Global. Eventually, Eloy City Staff will schedule a public hearing before the Eloy Board of Adjustment about this request and you will receive a separate notice regarding the hearing schedule. The Eloy Board of Adjustment is the final decision-making body for the height variance application.

TETRA TECH

351 Coffman Street, Suite 200, Longmont, CO 80501
Tel +1.303.772.5282 Fax +1.303.772.7039 | tetrattech.com

Neighborhood Meeting for
Freepoint Eco-Systems Advanced Recycling Facility Height Variance Application

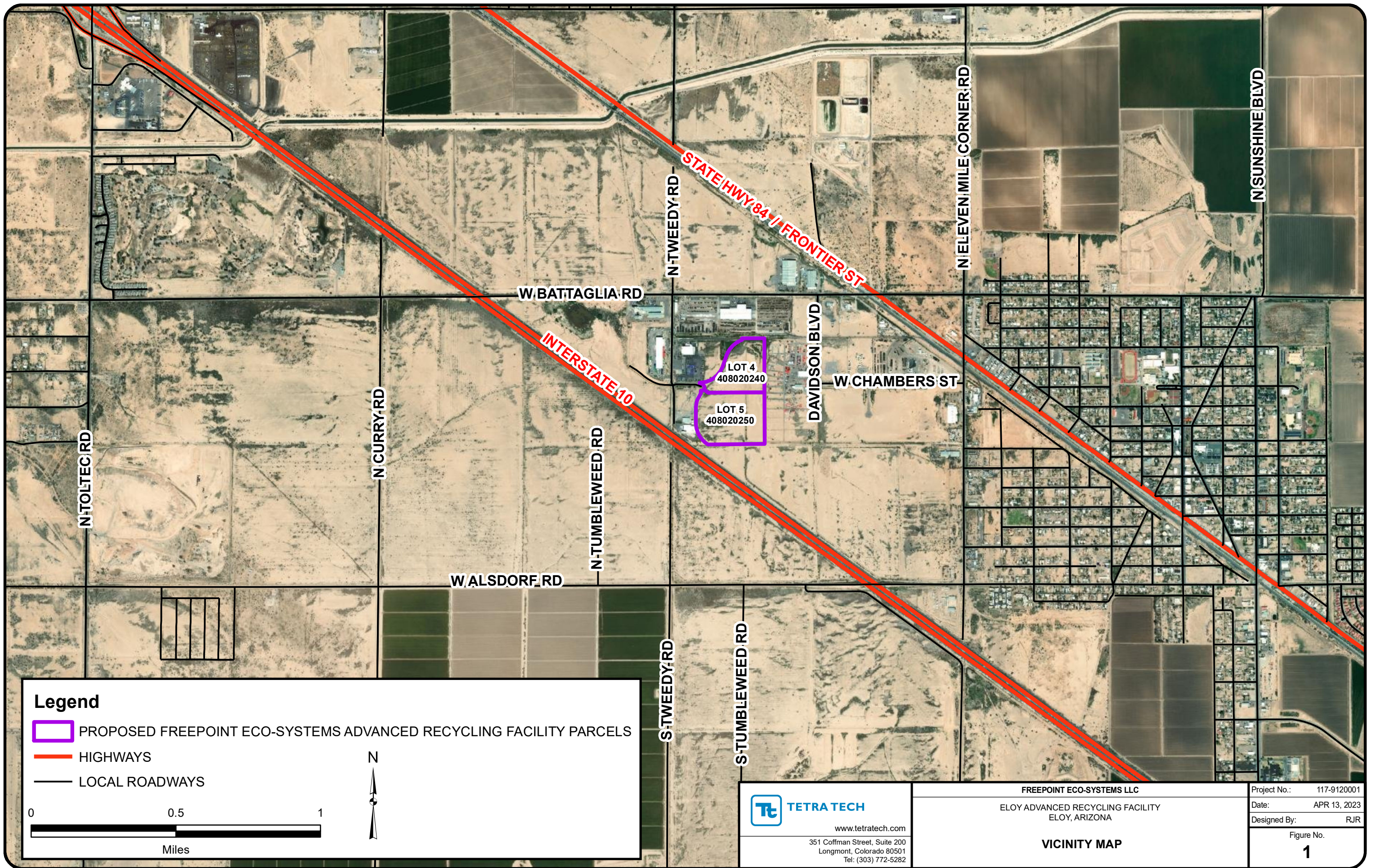
Neighborhood Meeting Date: Thursday, April 27, 2023

Neighborhood Meeting Time: 5:00 PM (Arizona time)

How to Participate: Please email pam.hora@tetrattech.com to request an invitation to the neighborhood meeting. You will be sent a Microsoft Teams meeting invitation via email, including a link to join the meeting on your computer or by phone. Joining via a computer is preferred so that you can view the presentation materials. You may join the meeting by phone if joining via a computer is not an option for you.

If you have any questions, please contact Pam Hora with Tetra Tech. Her contact information is below.

Pam Hora, AICP
Senior Planner
Tetra Tech
720-864-4507
pam.hora@tetrattech.com



Legend

- PROPOSED FREEPOINT ECO-SYSTEMS ADVANCED RECYCLING FACILITY PARCELS
- HIGHWAYS
- LOCAL ROADWAYS

0 0.5 1
 Miles

N

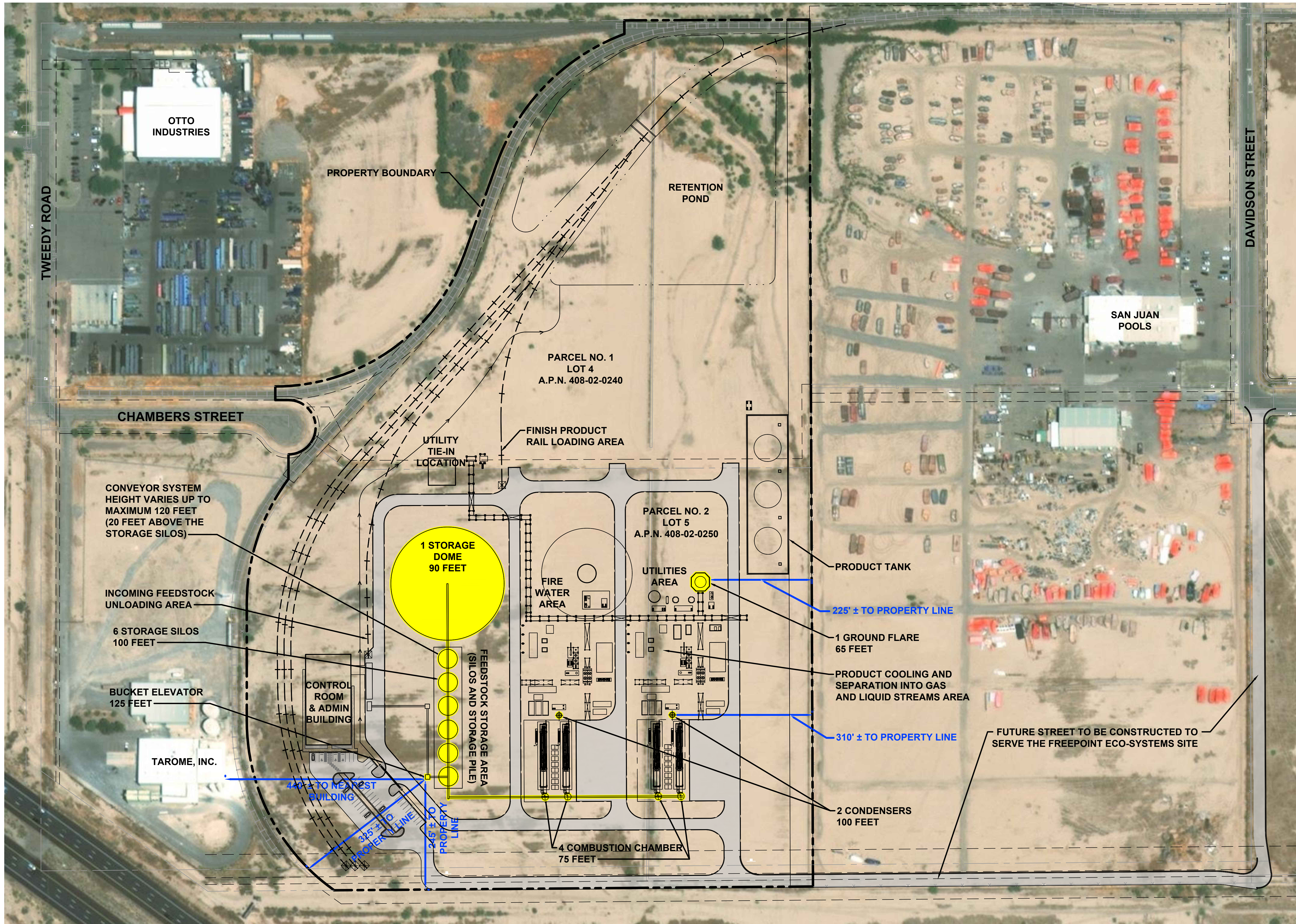
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 www.tetrattech.com
 351 Coffman Street, Suite 200
 Longmont, Colorado 80501
 Tel: (303) 772-5282

FREEPOINT ECO-SYSTEMS LLC
 ELOY ADVANCED RECYCLING FACILITY
 ELOY, ARIZONA

VICINITY MAP

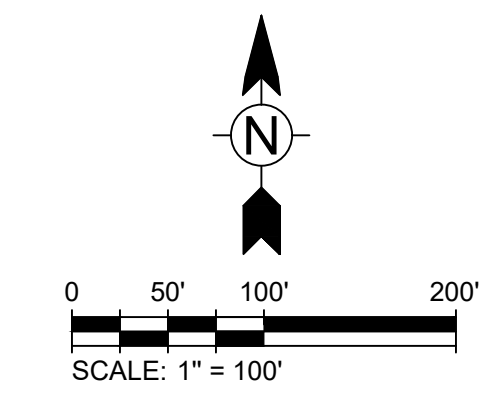
Project No.: 117-9120001
 Date: APR 13, 2023
 Designed By: RJR

Figure No.
1



LEGEND

STRUCTURES TALLER THAN 55 FEET



OWNER
FREEPOINT ECO SYSTEMS
 ADVANCED RECYCLING FACILITY
 ELOY, ARIZONA

TITLE
PRELIMINARY DEVELOPMENT PLAN
HEIGHT VARIANCE SITE PLAN

REF. NO. -
 DWG. NO. -
SHEET 1
 PROJECT NO. P22-0009

GENERAL NOTES	REFERENCE NO.	REFERENCE DESCRIPTION	REV	DESCRIPTION	DATE	REV'D	CHKD	APV'D
			A	ISSUED FOR INFORMATION (IFI)				

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 TEL: 303.772.5282

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APPROVALS	DATE
DRAWN	
ENGR	
SCALE	SIZE ARCH D
PROJECT NO.	P22-0009

REV. A

300' Surrounding Property Owner List

Neighbors

408-020-250 ELOY RAIL 26 LLC
3369 E. QUEEN CREEK RD, SUITE 101
GILBERT, AZ 85297

408-020-240, 408-020-180 IVY JERRY SEPARATE PROPERTY REV TRUST
450 FERGUSON DR
MOUNTAIN VIEW, CA 94043

408-020-08L SCHUFF STEEL CO
PO BOX 19028
PHOENIX, AZ 85005

408-020-08K DURAMAX HOLDINGS LLC
27600 LAKE BLVD
EUCLID, OH 44132

408-020-230 TANIAROSE LLC
571 N 54TH ST
CHANDLER, AZ 85226

408-020-08G KITO LEASING LLC
2302 LASSO LN
LAKELAND, FL 33801

408-020-260 KITO LEASING LLC
850 N DAVIDSON BLVD
ELOY, AZ 85131

408-020-190 ELOY PARTNERS LLC
5080 N 40TH ST STE 205
PHOENIX, AZ 85018

WEST CHAMBERS STREET ROW, CITY OF ELOY
Attn: JEFF FAIRMAN, ECONOMIC DEVELOPMENT MANAGER
595 N. C STREET, SUITE 102
ELOY, AZ 85131

Agencies

ELOY FIRE DISTRICT
4010 N. TOLTEC ROAD
ELOY, AZ 85131

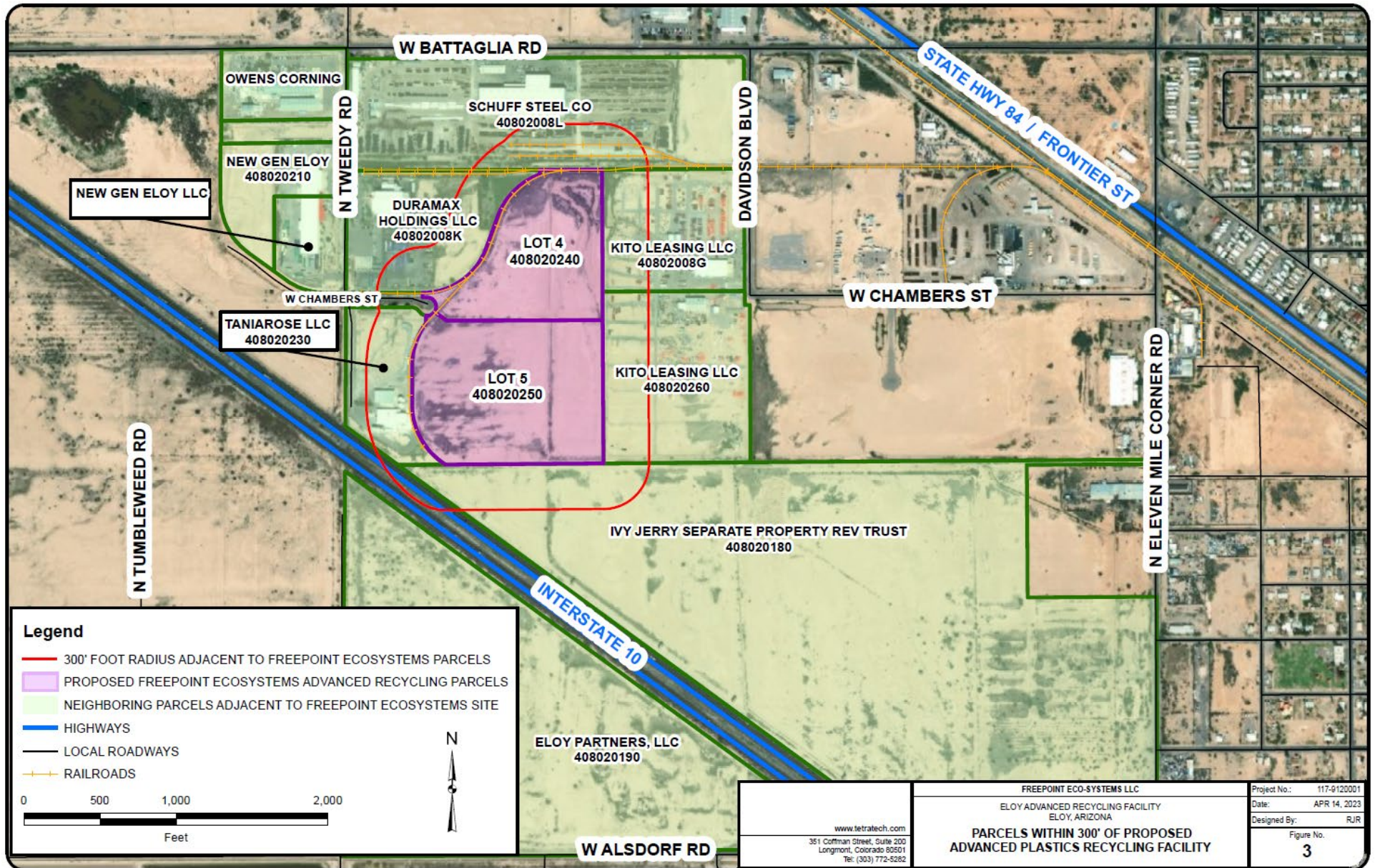
PINAL COUNTY AIR QUALITY
85 N FLORENCE STREET
FLORENCE, AZ 85132

FEDERAL AVIATION ADMINISTRATION
WESTERN-PACIFIC REGION
777 S. AVIATION BLVD, SUITE 150
EL SEGUNDO, CA 90245

CITY OF ELOY – COMMUNITY DEVELOPMENT
595 NORTH C STREET, SUITE 102
ELOY, AZ 85131

TETRA TECH

300' Surrounding Property Ownership Parcel Map



www.tetrattech.com
351 Corfman Street, Suite 200
Longmont, Colorado 80501
Tel: (303) 772-5282

FREEPOINT ECO-SYSTEMS LLC
ELOY ADVANCED RECYCLING FACILITY
ELOY, ARIZONA
**PARCELS WITHIN 300' OF PROPOSED
ADVANCED PLASTICS RECYCLING FACILITY**

Project No.: 117-9120001
Date: APR 14, 2023
Designed By: RJR
Figure No. **3**



Advanced Recycling Facility Height Variance Application Neighborhood Meeting

April 27, 2023

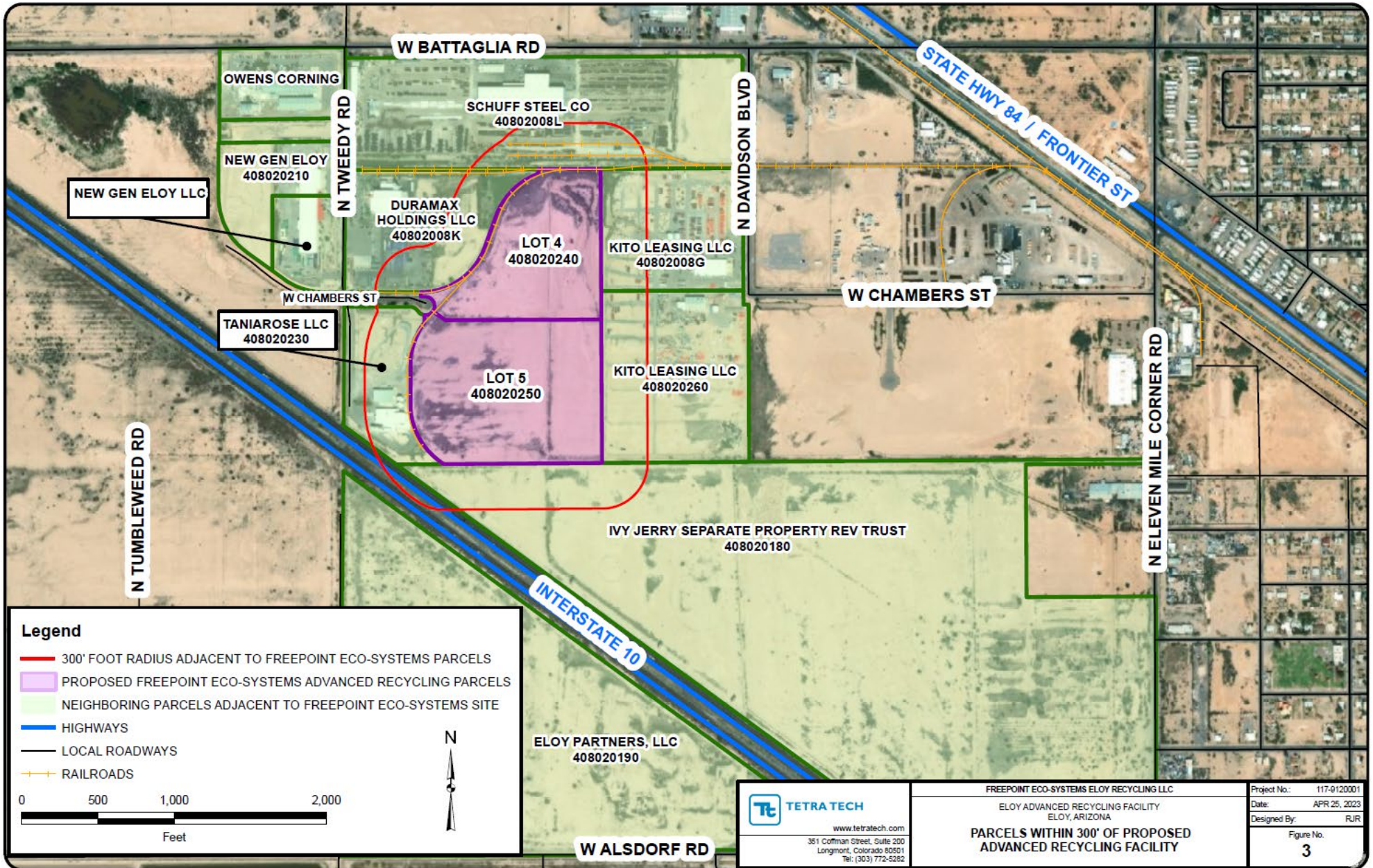


Project Team Members in Attendance

Name	Company	Title
Pam Hora, AICP	Tetra Tech	Senior Planner
Geof Storey	Freepoint Eco-Systems	Chief Development Officer
Deirdre McCaffrey	Freepoint Eco-Systems	Director, Asset Development
Harrison Messer	Freepoint Eco-Systems	VP, Asset Development
Margaret Zhang	Freepoint Eco-Systems	AVP, Asset Development
Allie Osowski	Freepoint Eco-Systems	Origination Analyst
Ron Hawley	Chemex Global	Senior Project Manager
Russell Bush	Chemex Global	Senior Project Manager



Project Location and Meeting Notification Area





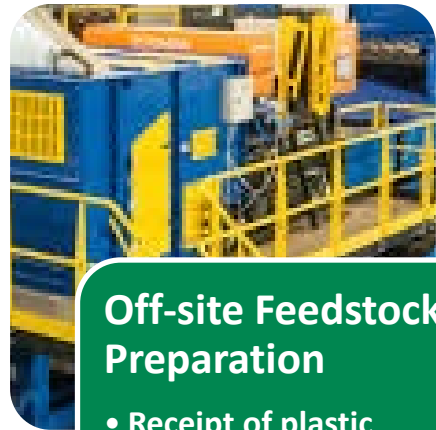
Meeting Guests in Attendance

Name	Company	Address



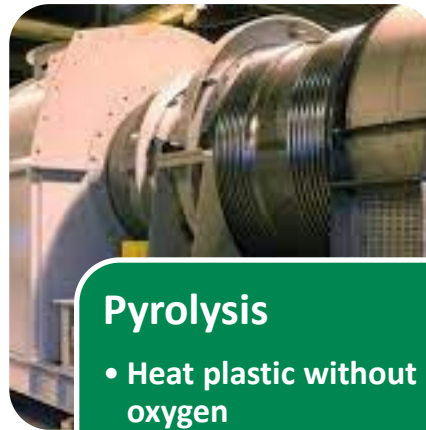
Freepoint Advanced Recycling Overview

Economically Converting Waste Plastic to Usable Recycled Products



Off-site Feedstock Preparation

- Receipt of plastic
- Sorting
- Sizing
- Densification
- Storage



Pyrolysis

- Heat plastic without oxygen
- Converts waste plastic to vapor
- Recycling of light gases for reactor heat
- Char removal



Refining

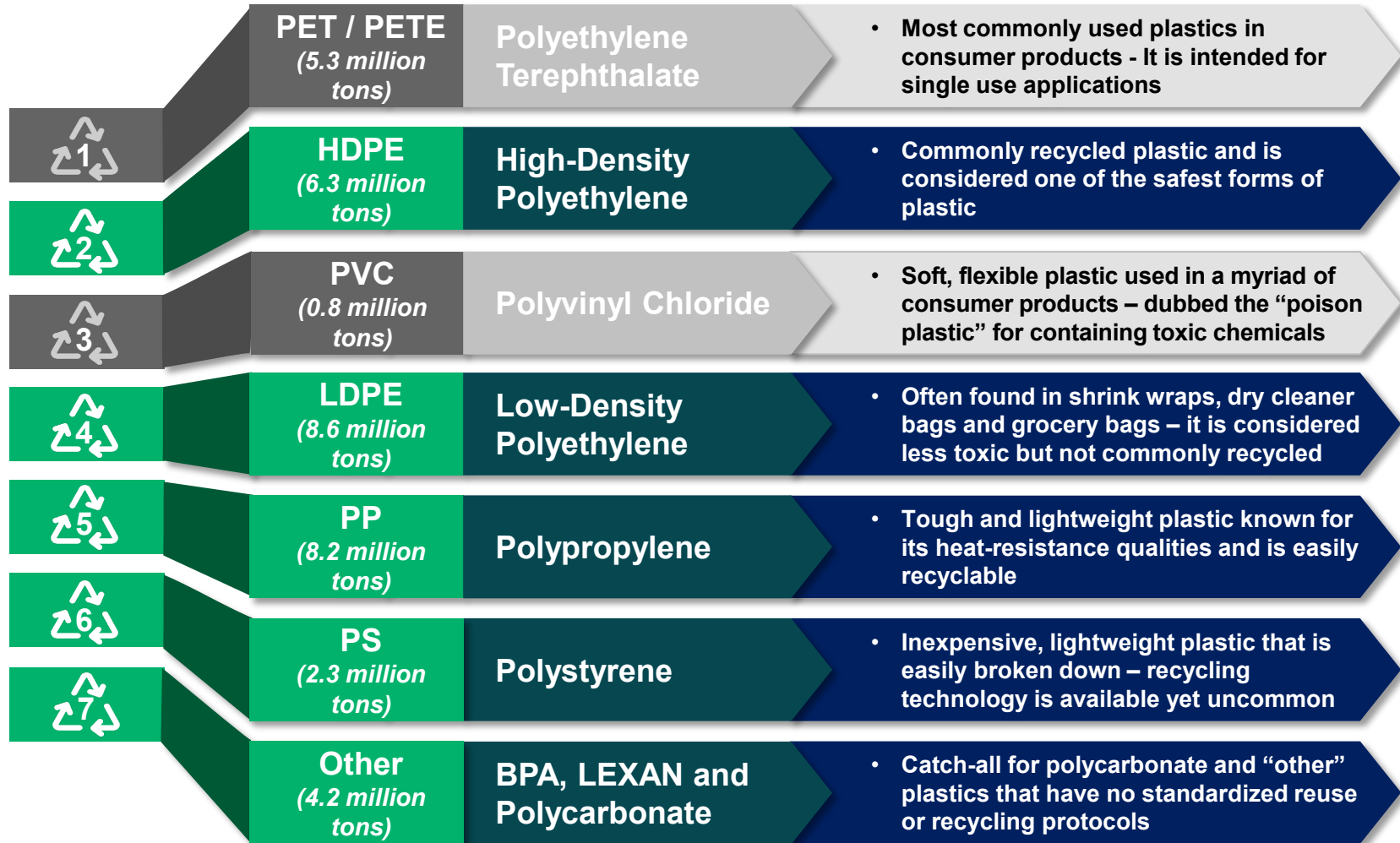
- Condensation of hydrocarbon vapor to liquid
- Treatment/Stabilization
- Storage in tank
- Loading for transport

- Proven technology that heats the waste plastic in an oxygen-free environment.
- Resulting gases are cooled to form liquid hydrocarbon (recycled oil).
- Recycled oil is further processed into feedstock to be used to make prime plastic resin that is indistinguishable from plastic made from fossil fuels.
- Advanced Recycled Plastic has 30%-90% less carbon intensity than oil-derived plastic.



Eco-Systems Supply – Resin Types

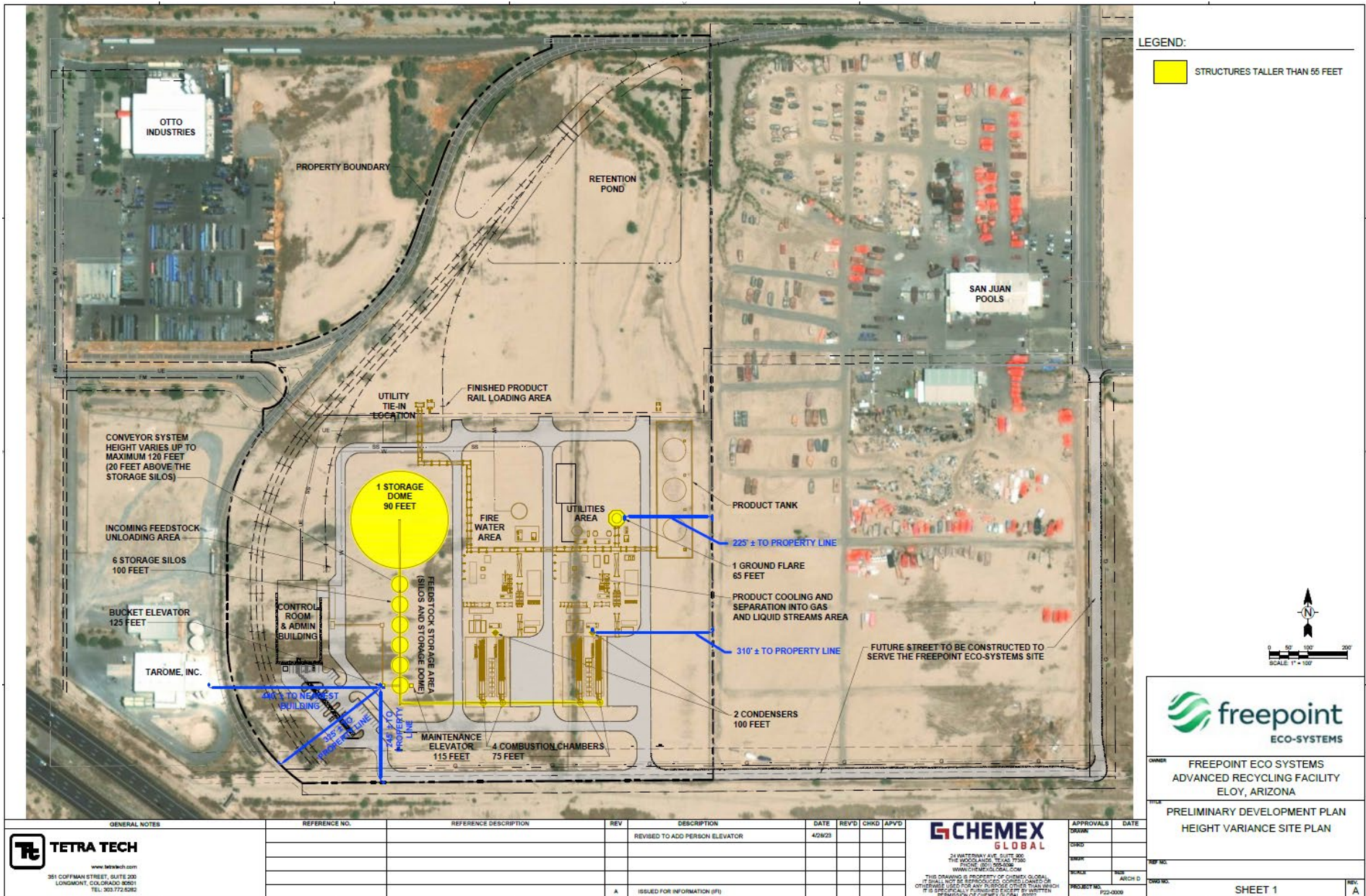
Eco-Systems’ solution can process >80% of plastic waste created in U.S.



Can be processed by Eco-Systems’ Facilities

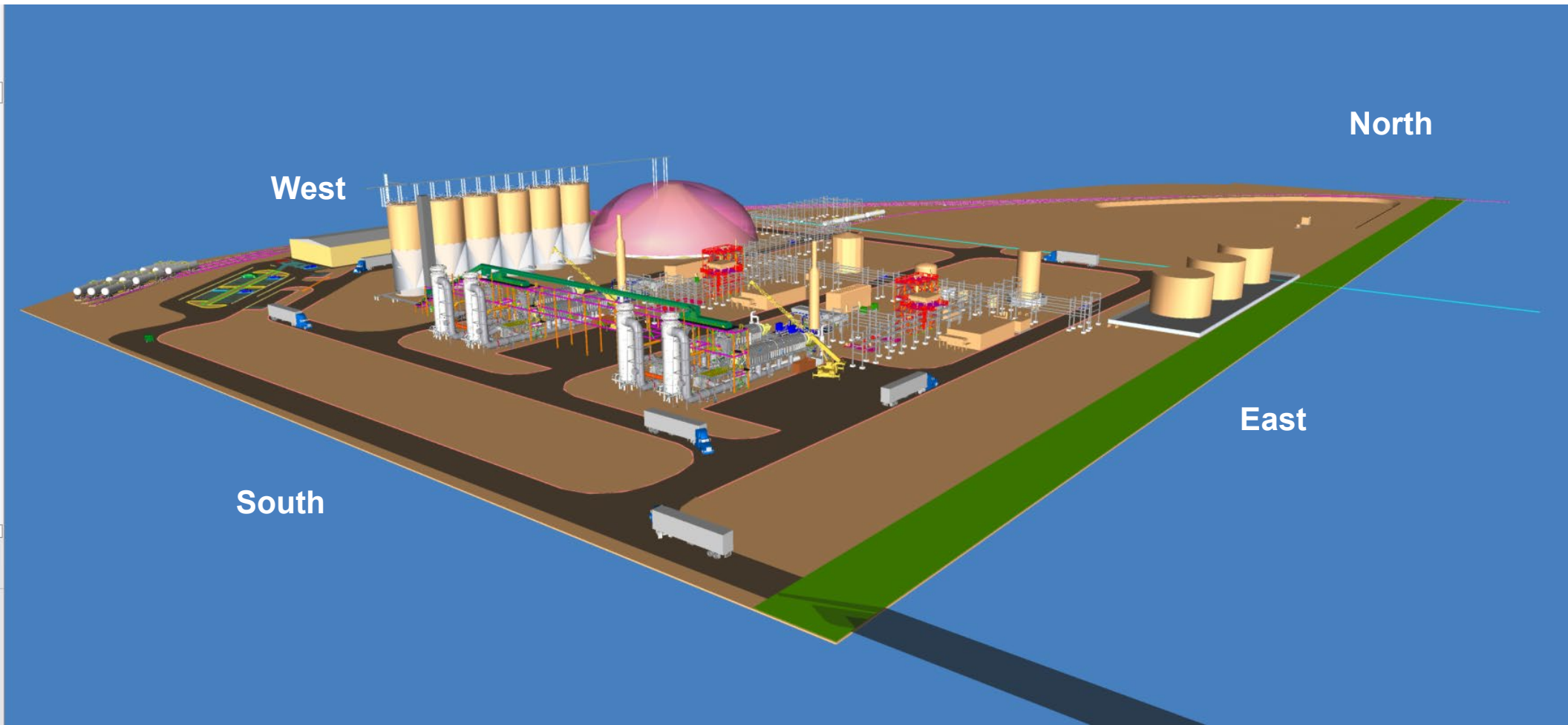


Advanced Recycling Facility



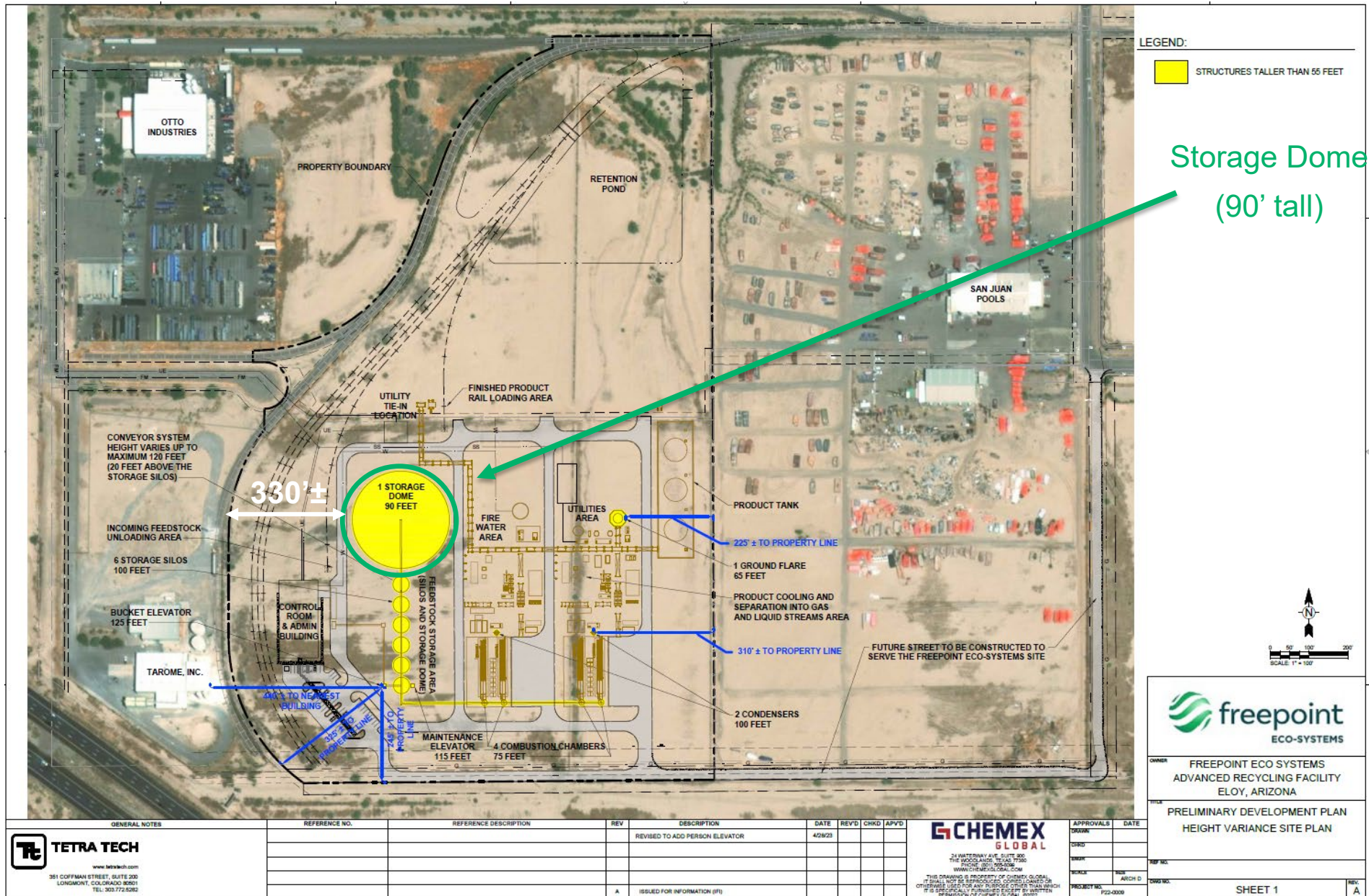


Advanced Recycling Facility



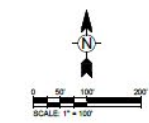


Site Plan Identifying Structures Taller than 55'



LEGEND:
 STRUCTURES TALLER THAN 55 FEET

Storage Dome
(90' tall)



OWNER: FREEPOINT ECO SYSTEMS
 ADVANCED RECYCLING FACILITY
 ELOY, ARIZONA

TITLE: PRELIMINARY DEVELOPMENT PLAN
 HEIGHT VARIANCE SITE PLAN

GENERAL NOTES	REFERENCE NO.	REFERENCE DESCRIPTION	REV	DESCRIPTION	DATE	REV'D	CHK'D	APY'D
TETRA TECH www.tetrattech.com 351 COFFMAN STREET, SUITE 200 LONGMONT, COLORADO 80501 TEL: 303.772.9282				REVISED TO ADD PERSON ELEVATOR	4/28/23			
			A	ISSUED FOR INFORMATION (IFI)				

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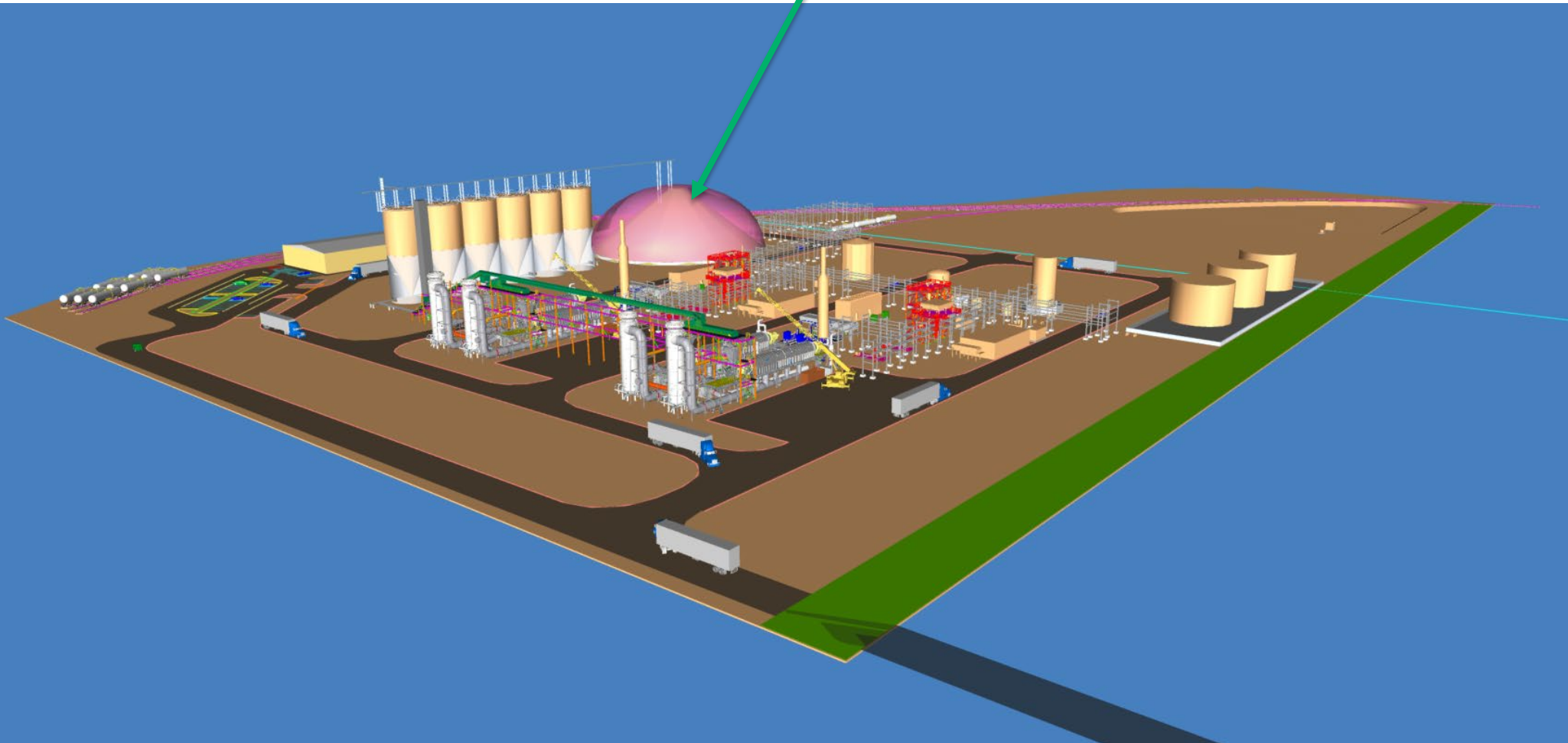
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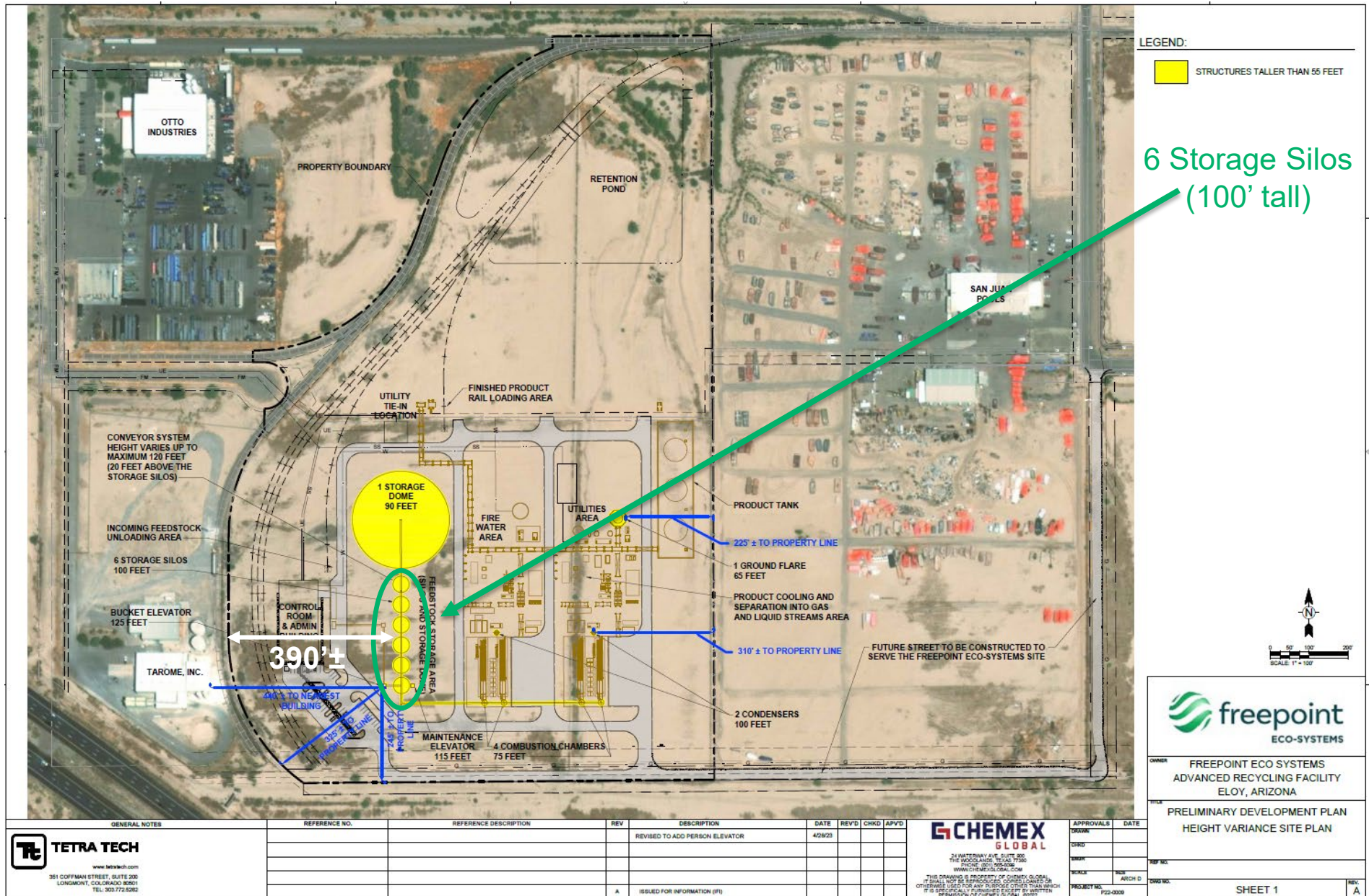
Advanced Recycling Facility

Storage Dome (90' tall)





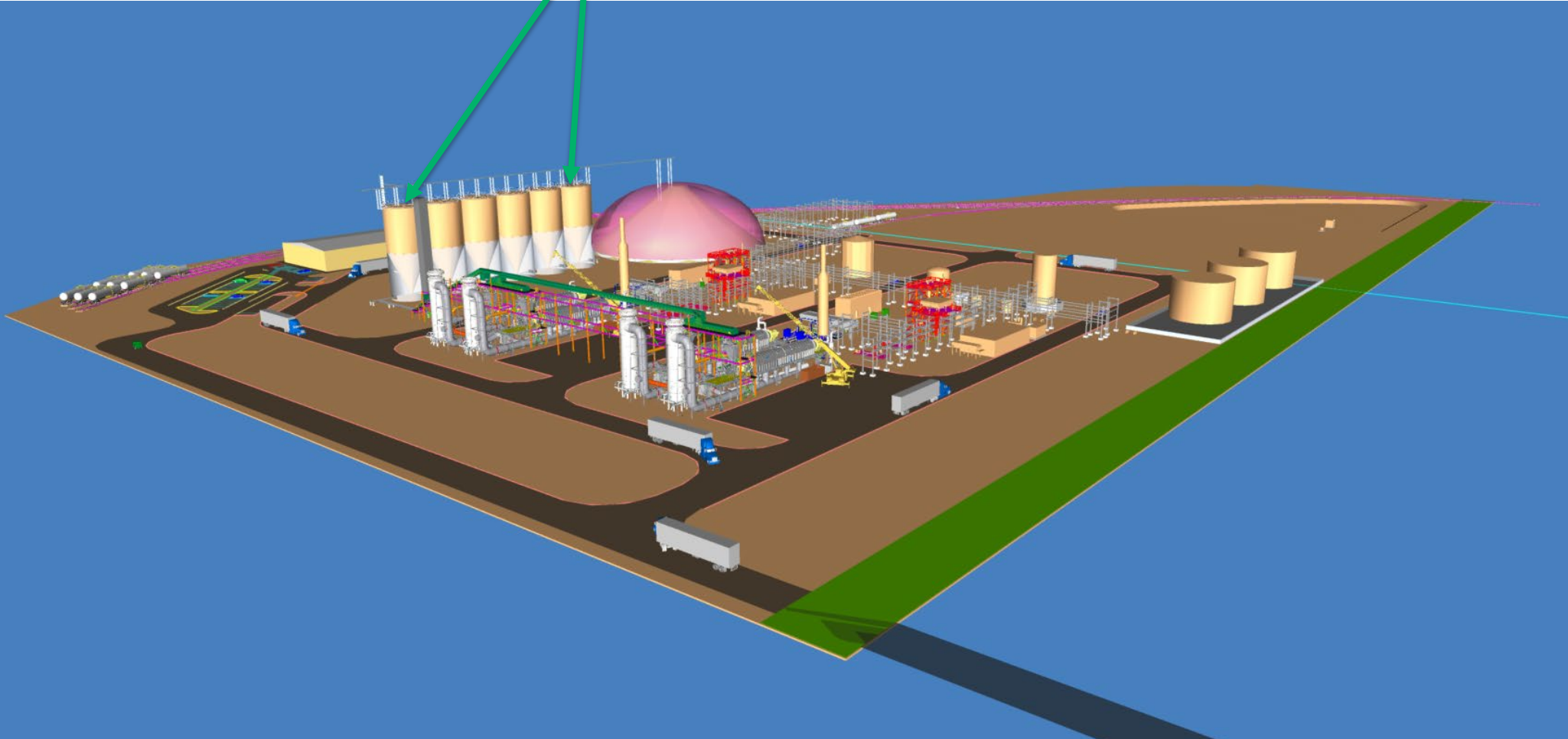
Site Plan Identifying Structures Taller than 55'





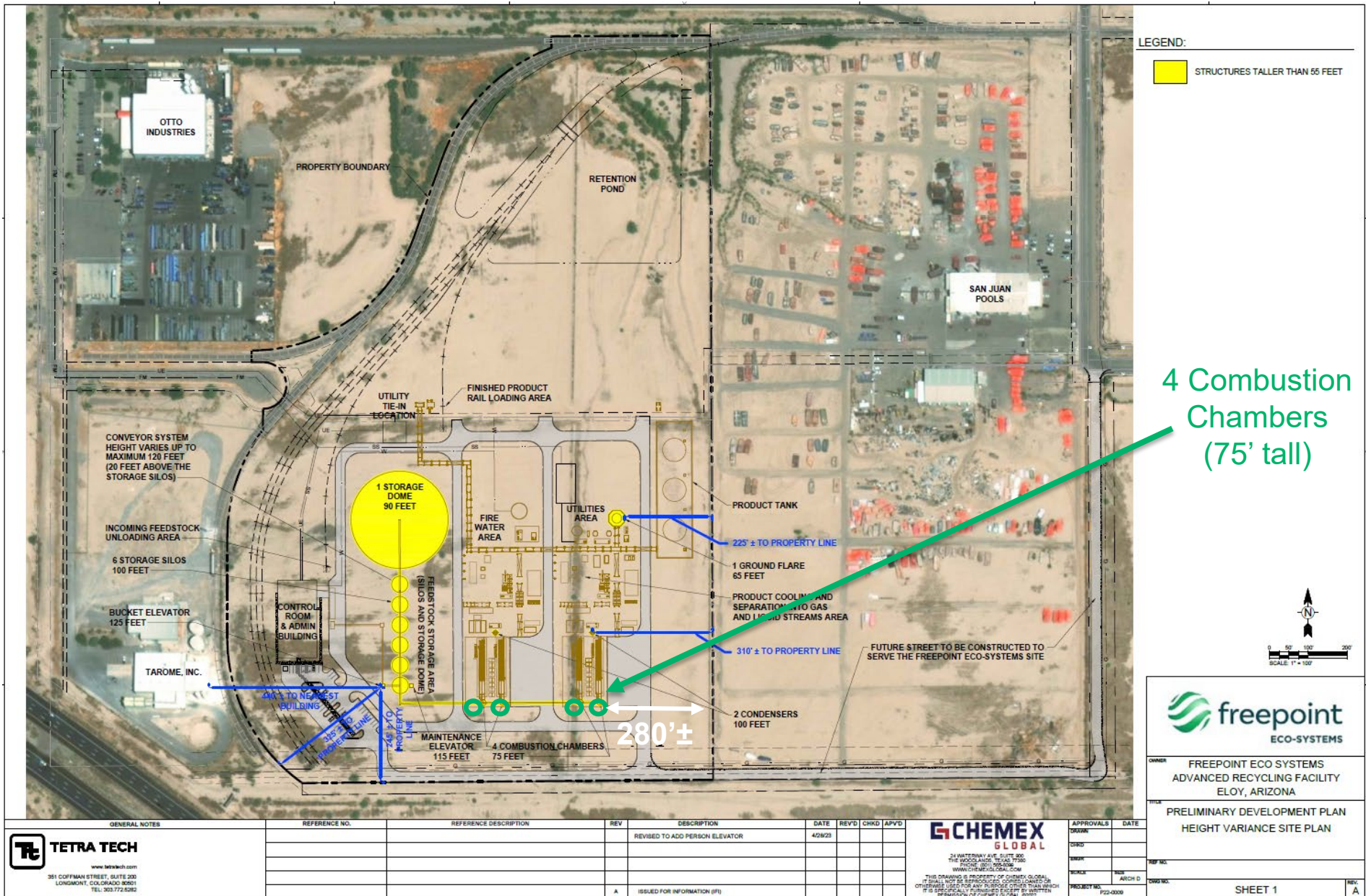
Advanced Recycling Facility

Six Storage Silos (100' tall)





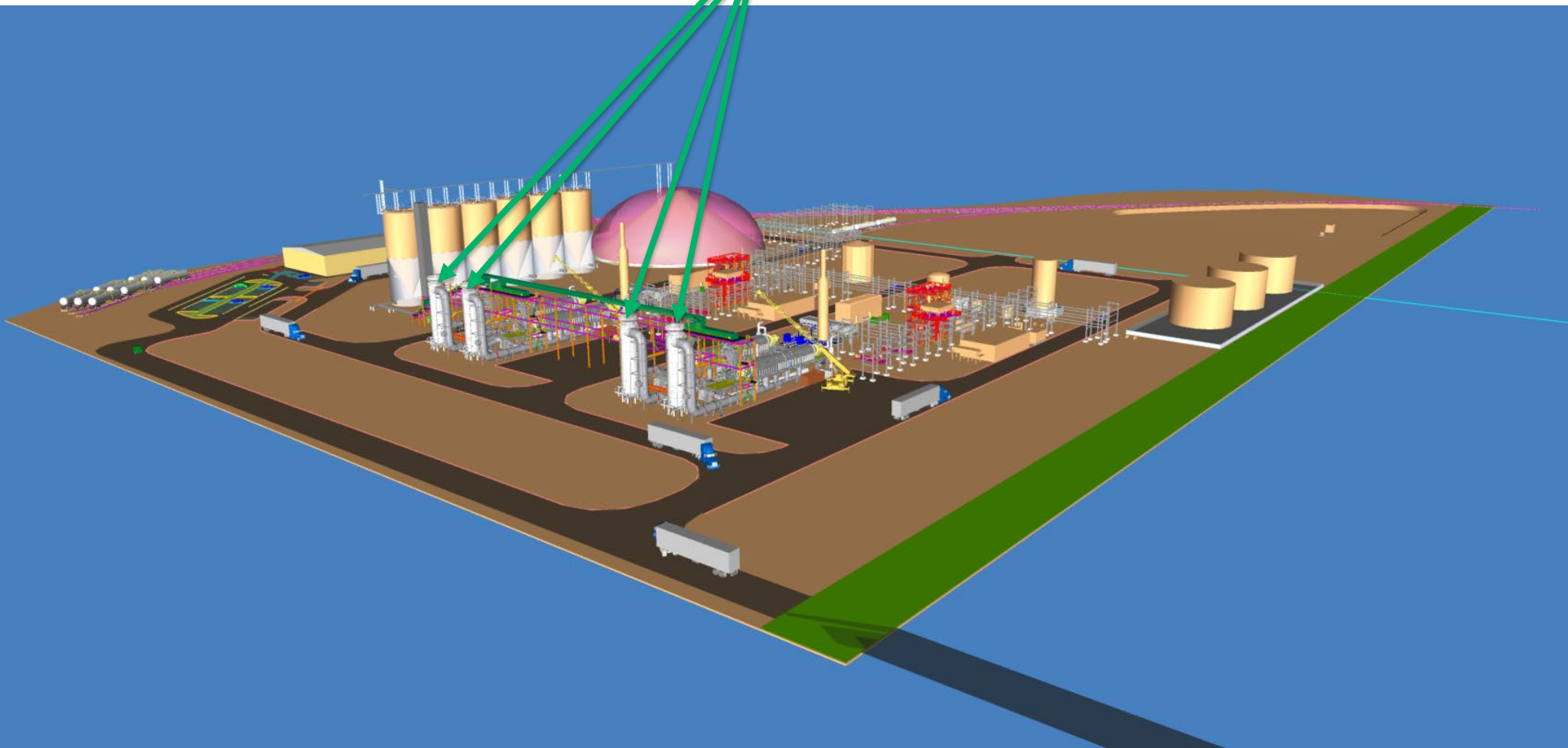
Site Plan Identifying Structures Taller than 55'





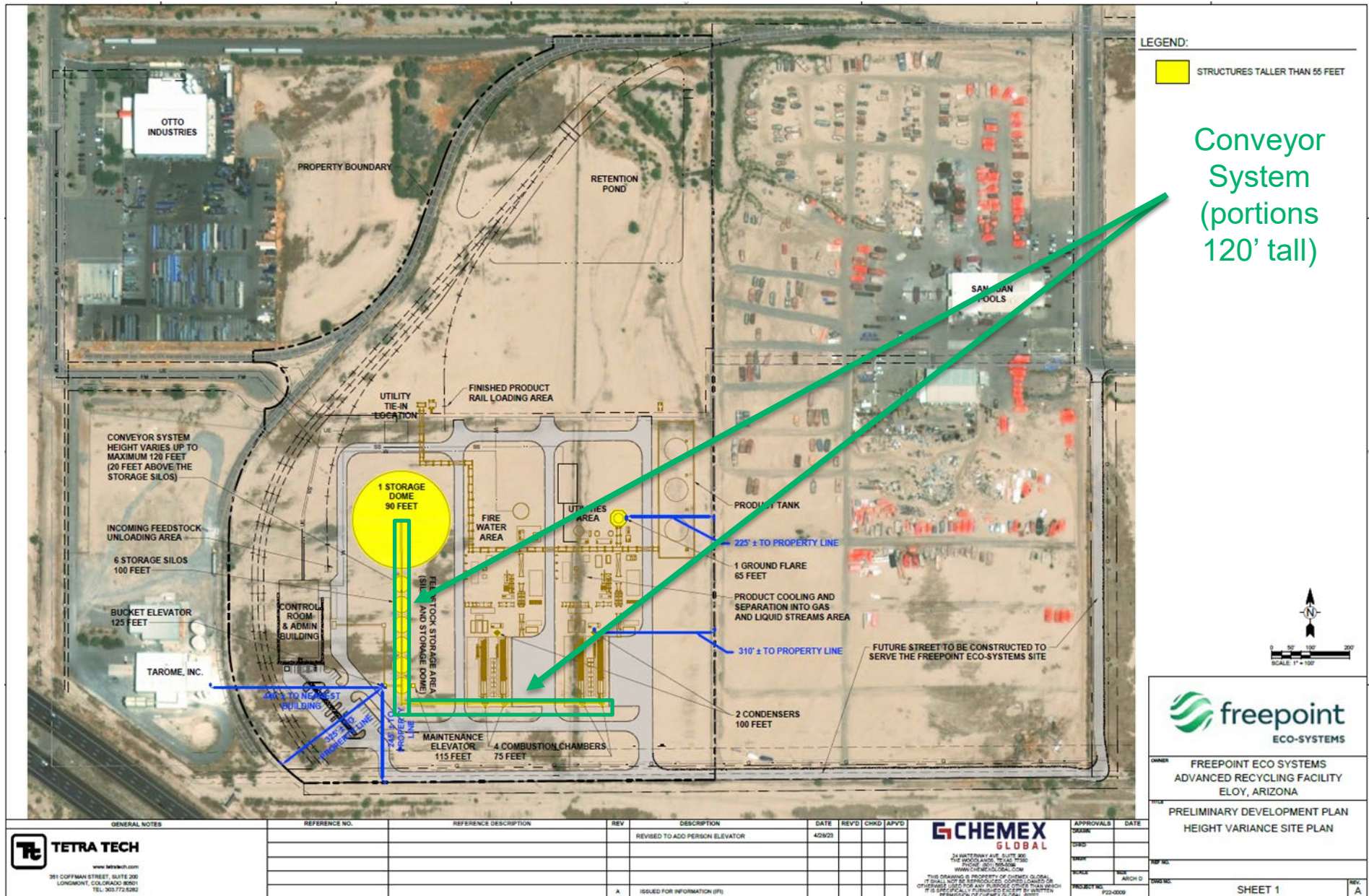
Advanced Recycling Facility

Four Combustion Chambers (75' tall)





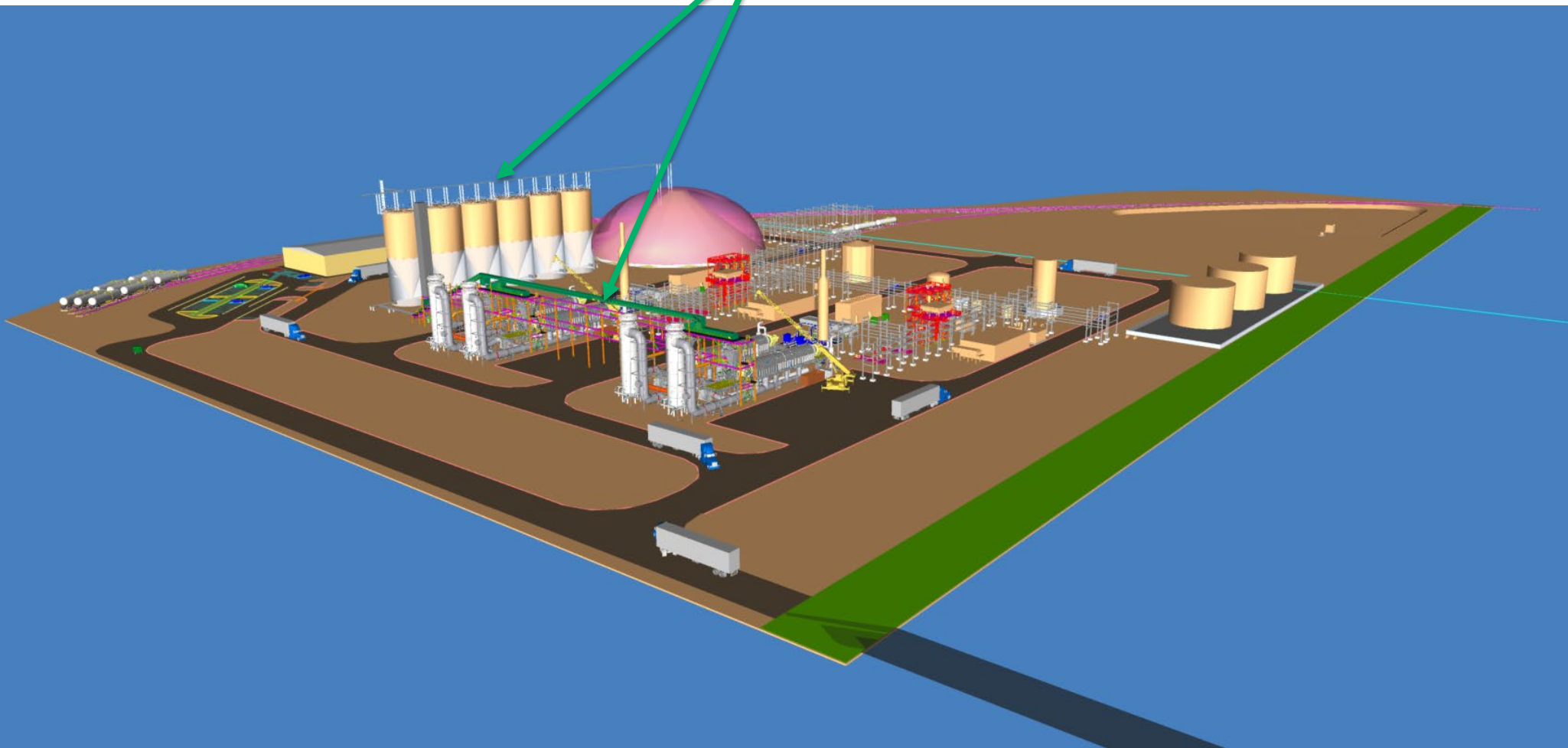
Site Plan Identifying Structures Taller than 55'





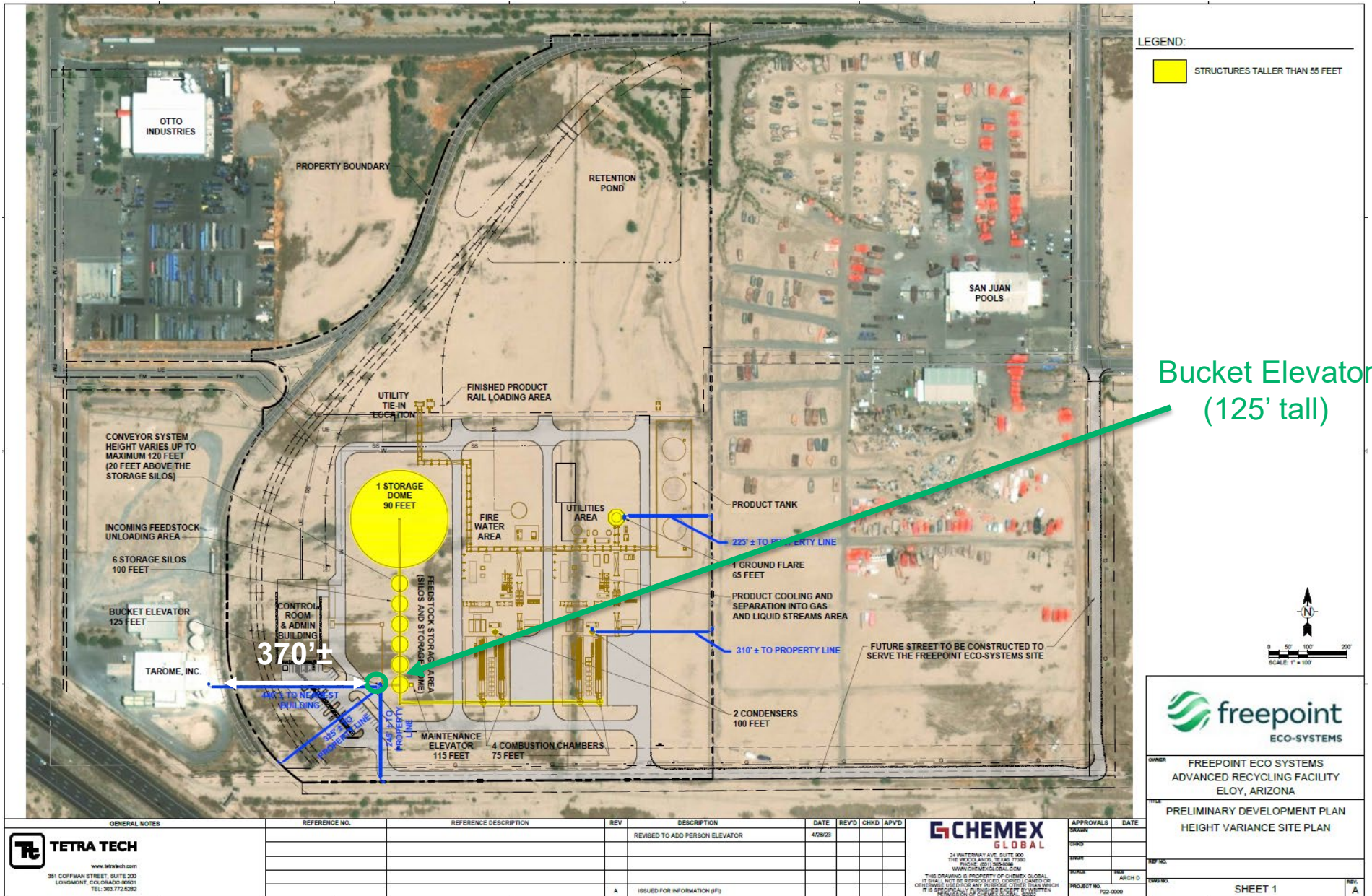
Advanced Recycling Facility

Conveyor (up to 120' tall in areas)





Site Plan Identifying Structures Taller than 55'



Bucket Elevator
(125' tall)

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ECO-SYSTEMS

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ADVANCED RECYCLING FACILITY
ELOY, ARIZONA

TITLE: PRELIMINARY DEVELOPMENT PLAN
HEIGHT VARIANCE SITE PLAN

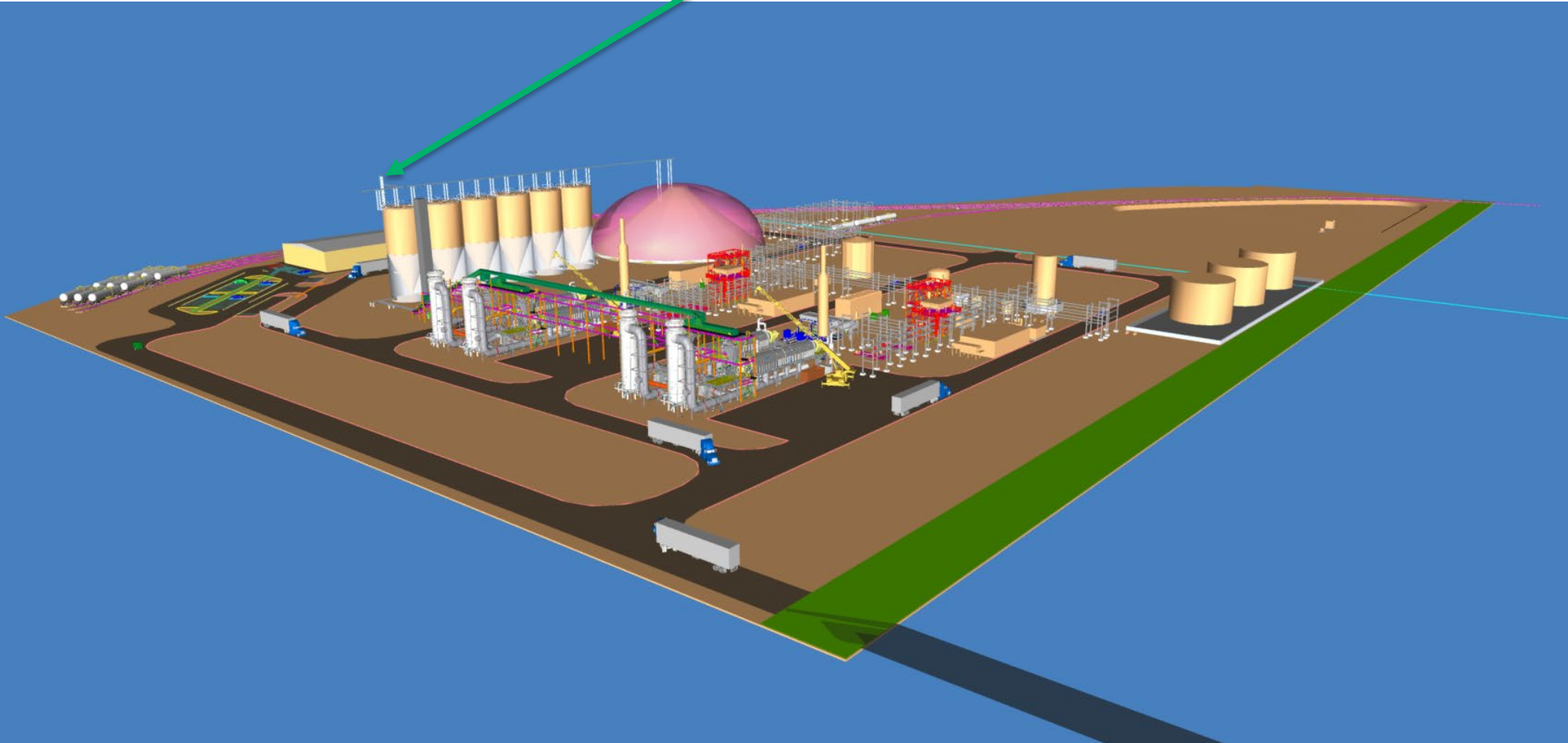
PROJECT NO: P22-0309

SHEET 1



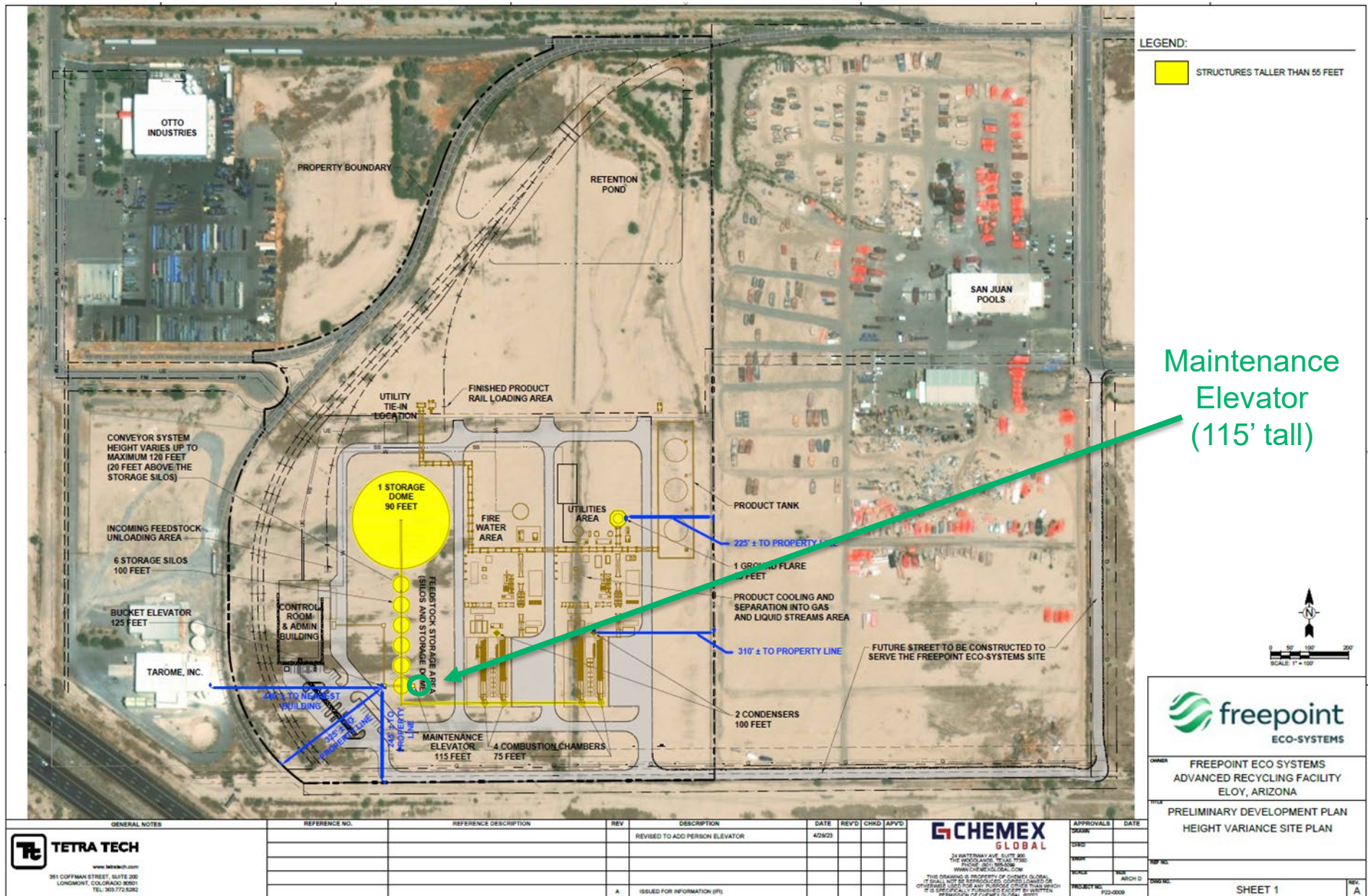
Advanced Recycling Facility

Bucket Elevator (125' tall)





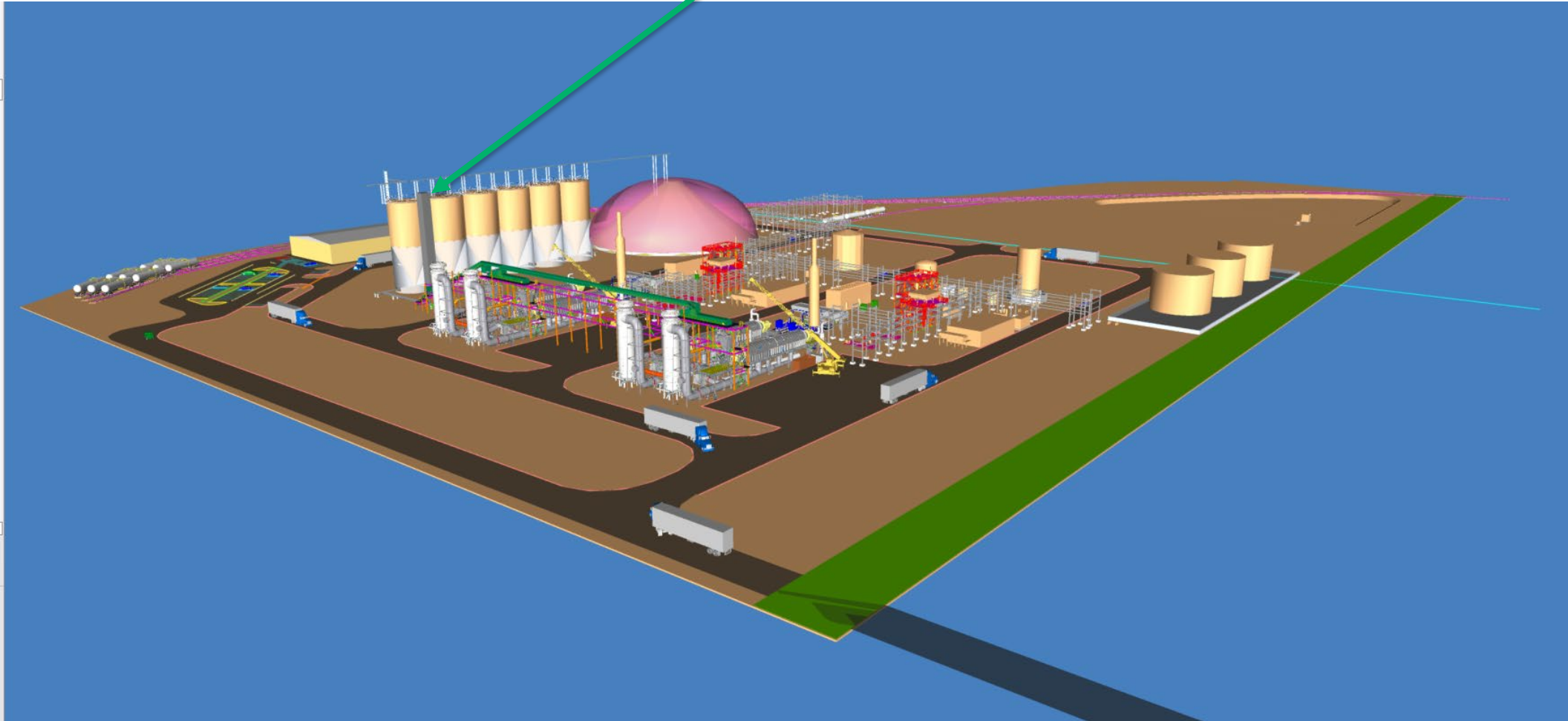
Site Plan Identifying Structures Taller than 55'





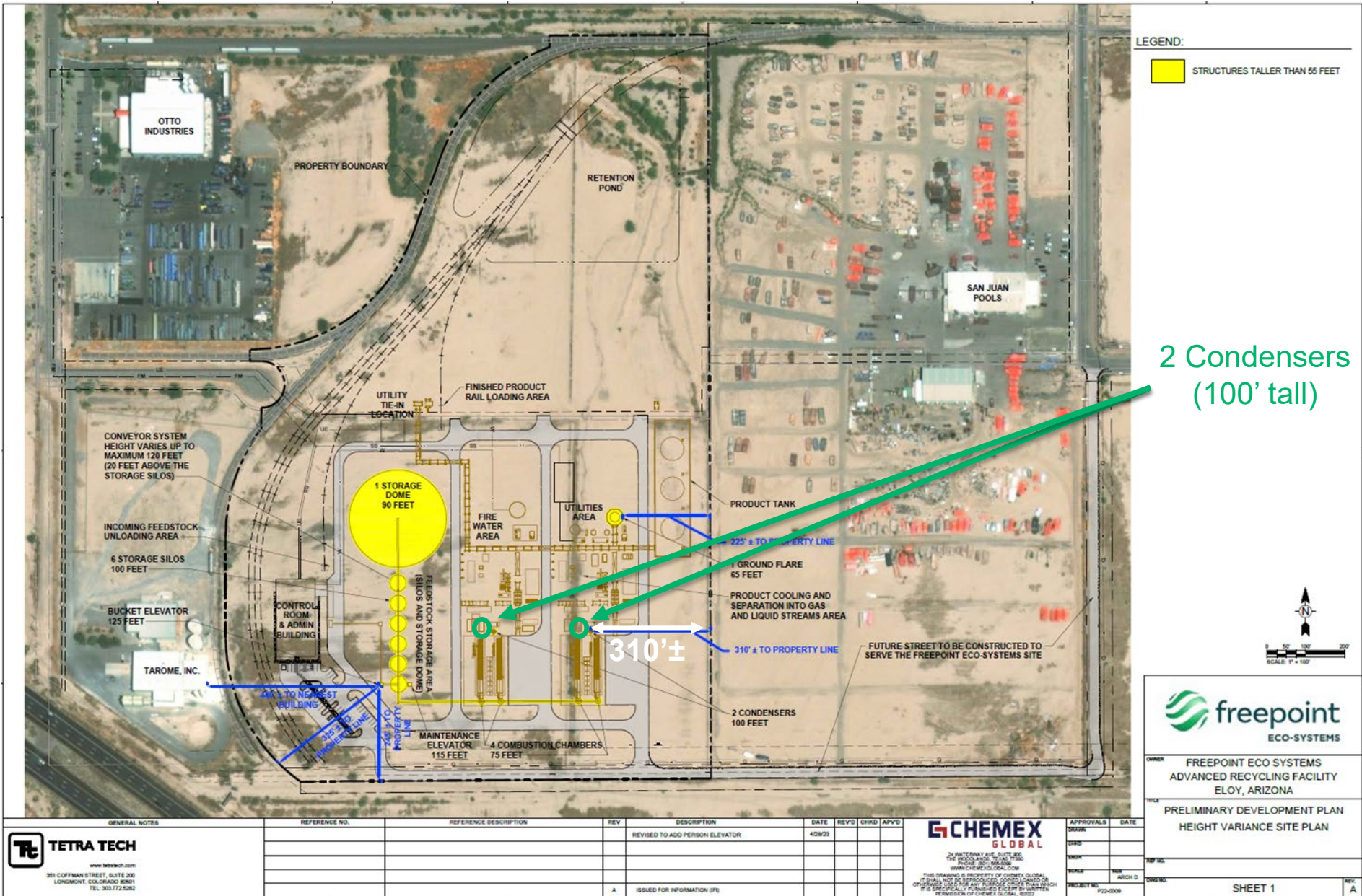
Advanced Recycling Facility

Maintenance Elevator (115' tall)





Site Plan Identifying Structures Taller than 55'



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SCALE	
PROJECT NO.	P23-0009

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ELOY, ARIZONA

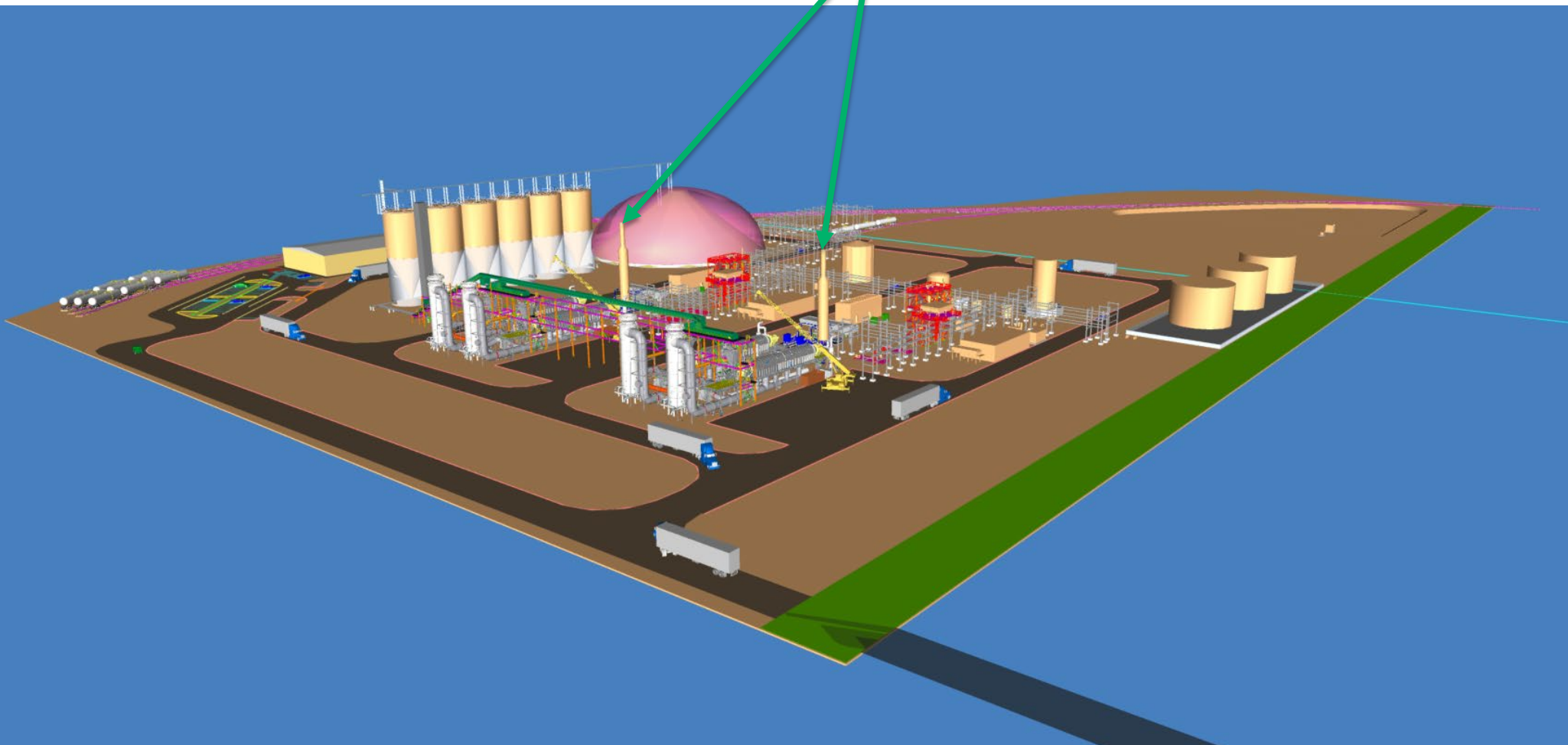
TITLE: PRELIMINARY DEVELOPMENT PLAN
HEIGHT VARIANCE SITE PLAN

SHEET 1



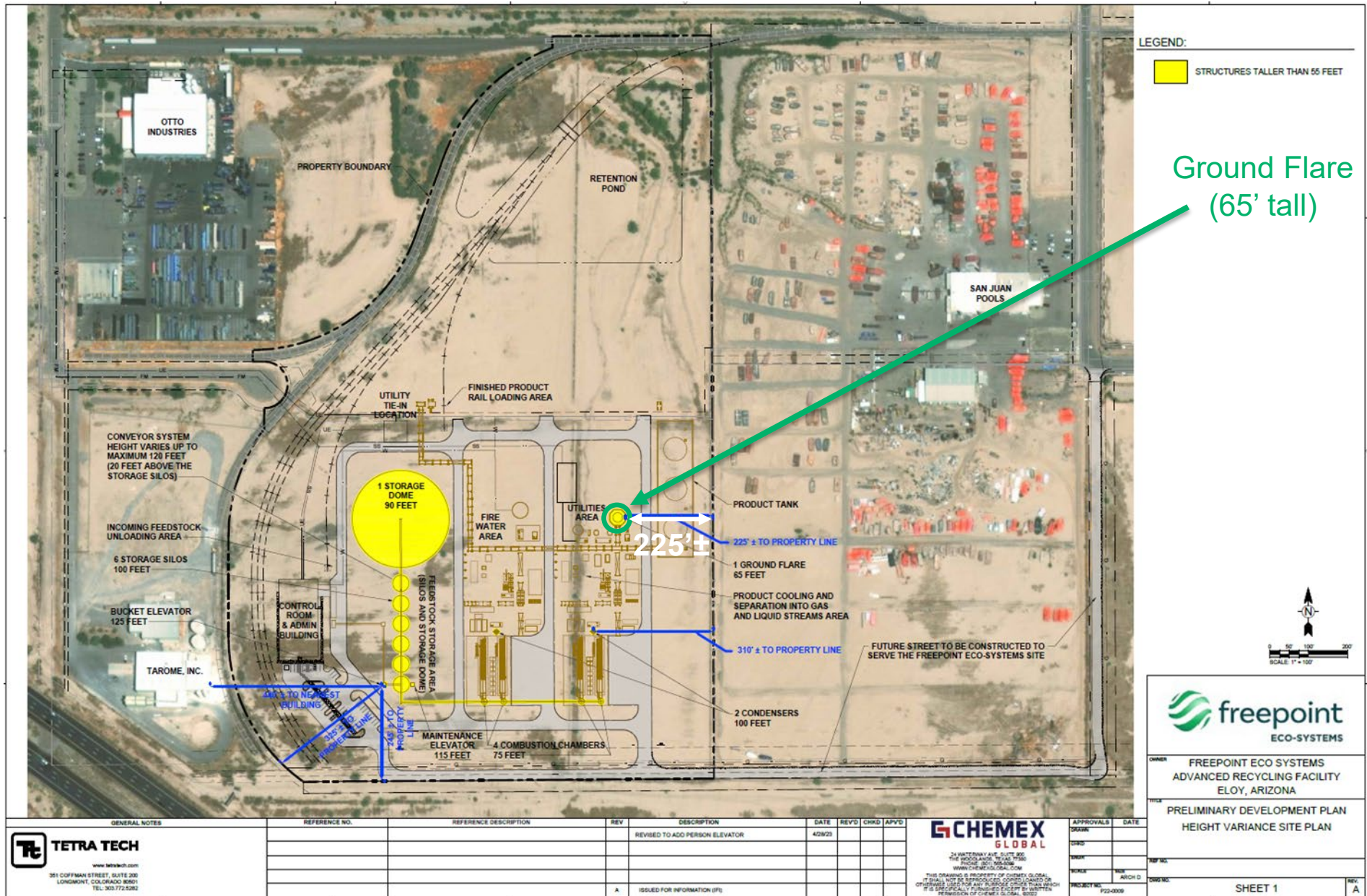
Advanced Recycling Facility

Condensers (100' tall)





Site Plan Identifying Structures Taller than 55'



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LONGMONT, COLORADO 80501
TEL: 303.772.5262

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PROJECT NO.:	P22-0009

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OWNER: FREEPOINT ECO SYSTEMS
ADVANCED RECYCLING FACILITY
ELOY, ARIZONA

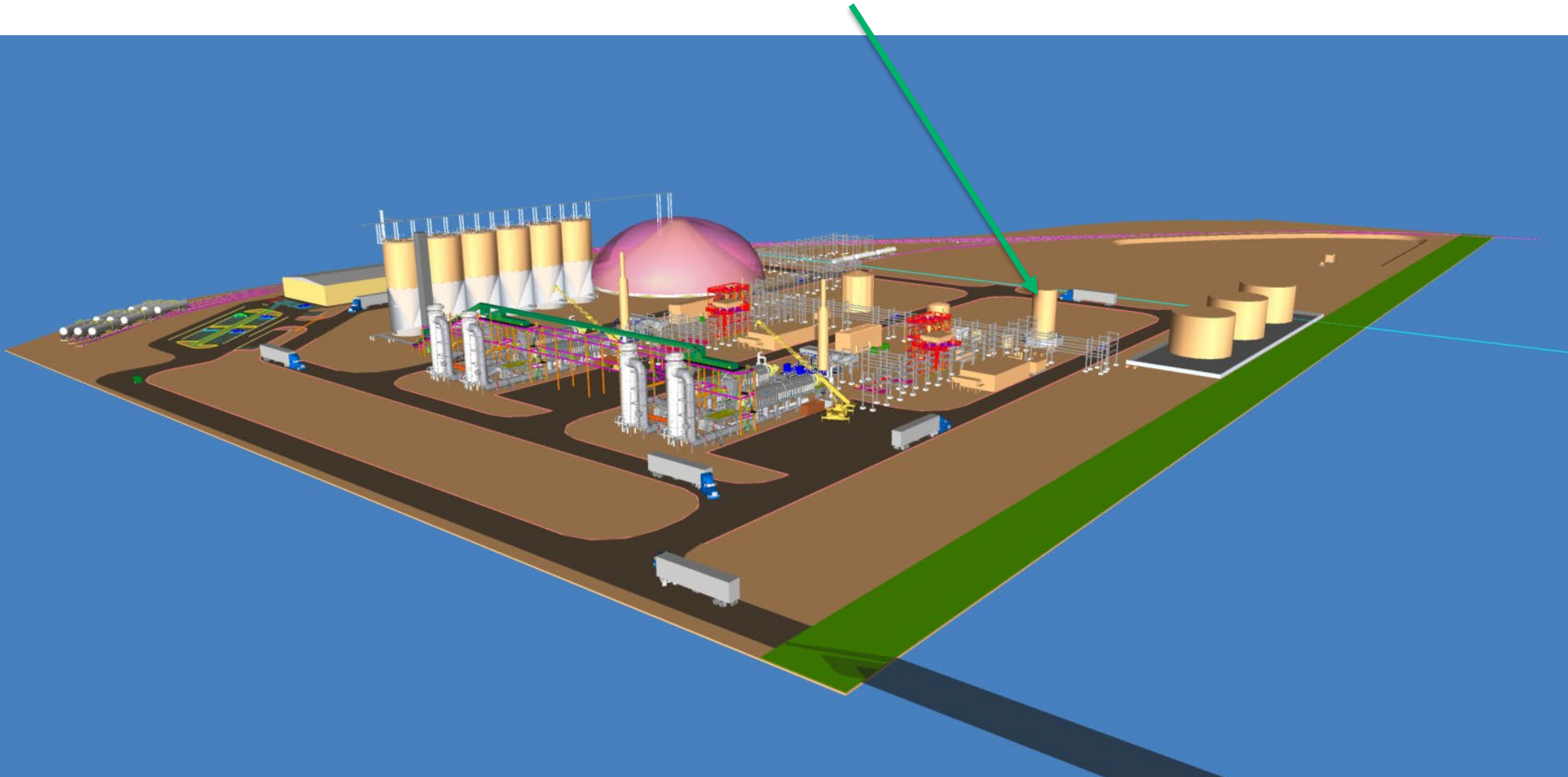
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HEIGHT VARIANCE SITE PLAN

SHEET 1



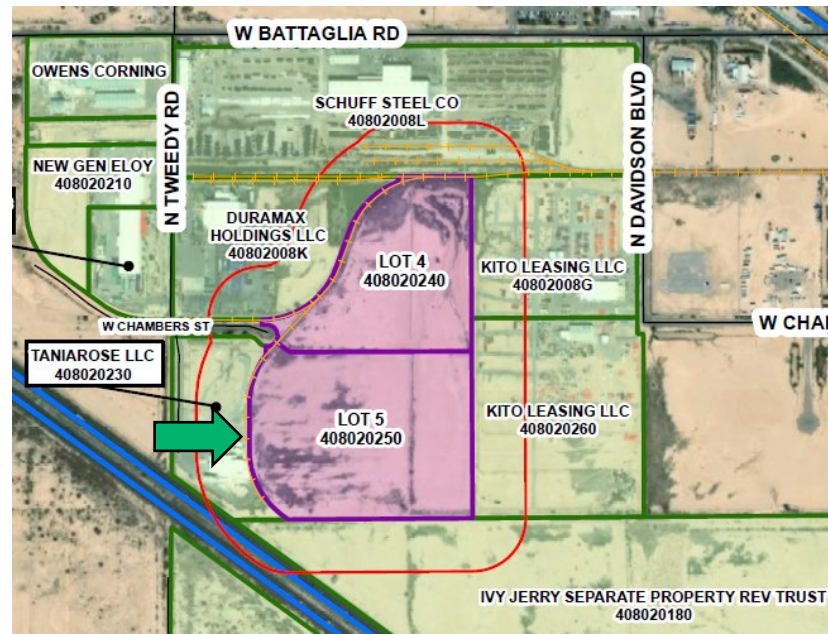
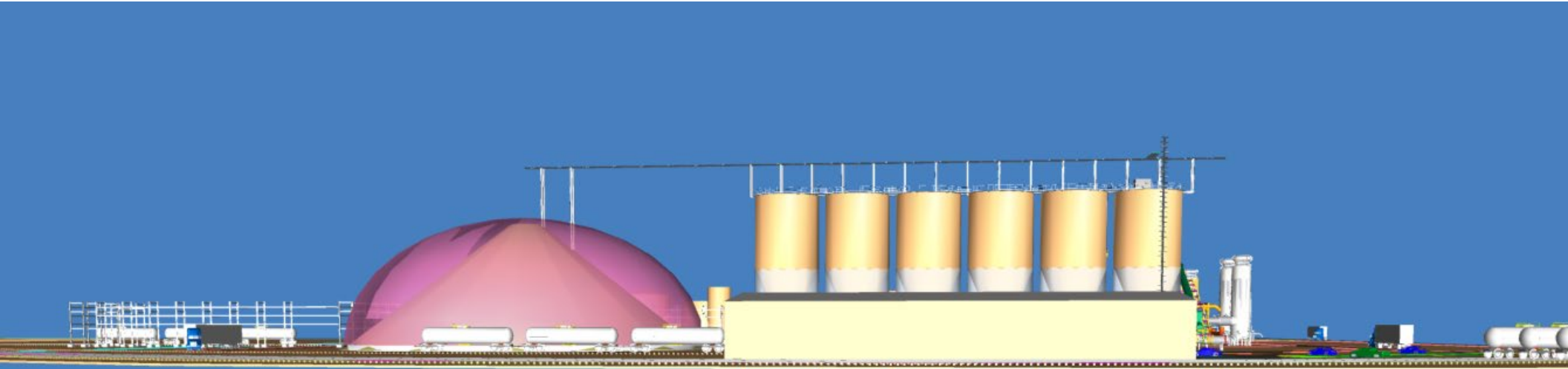
Advanced Recycling Facility

Ground Flare (65' tall)



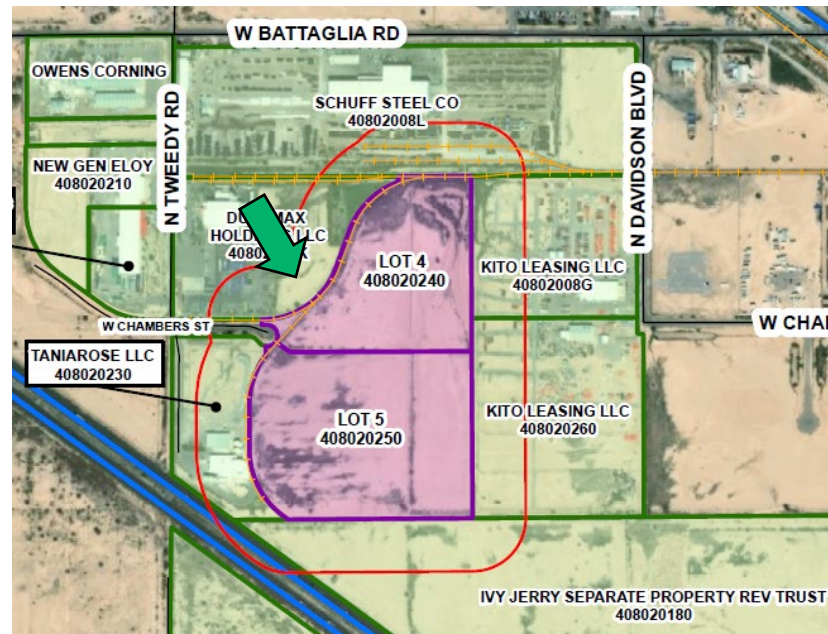


View from the West Looking East



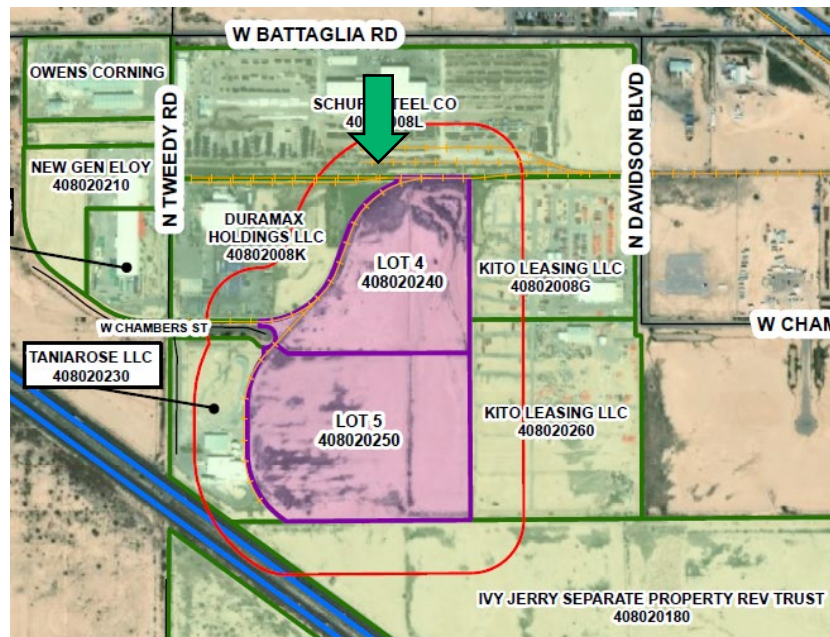


View from the Northwest Looking Southeast



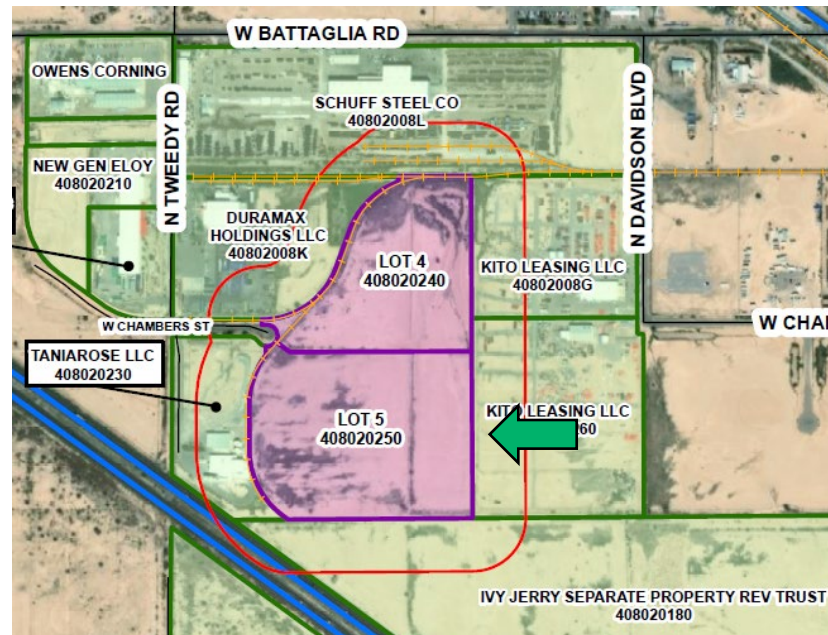
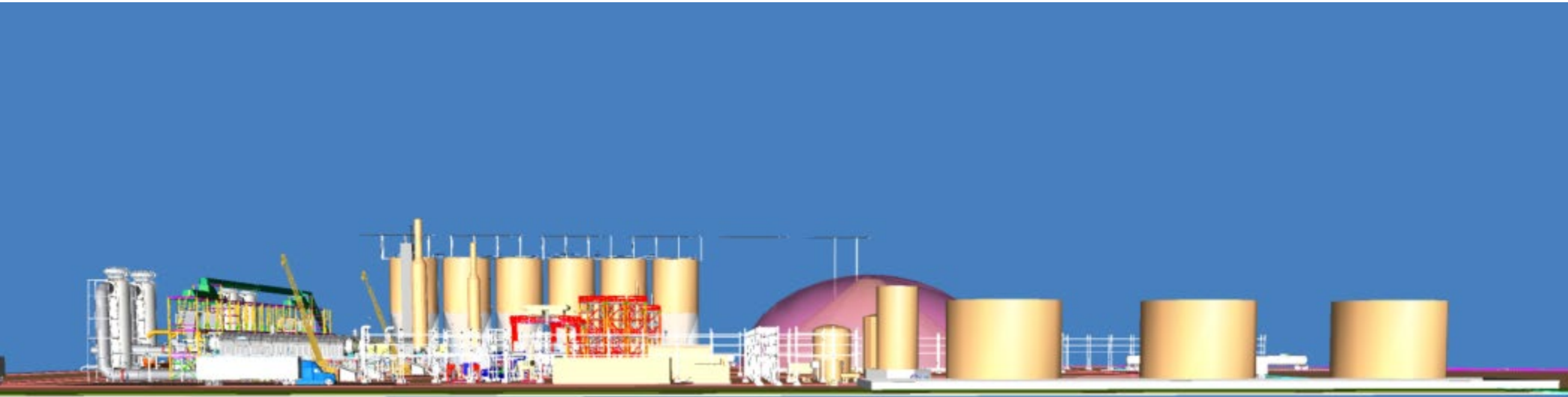


View from the North Looking South



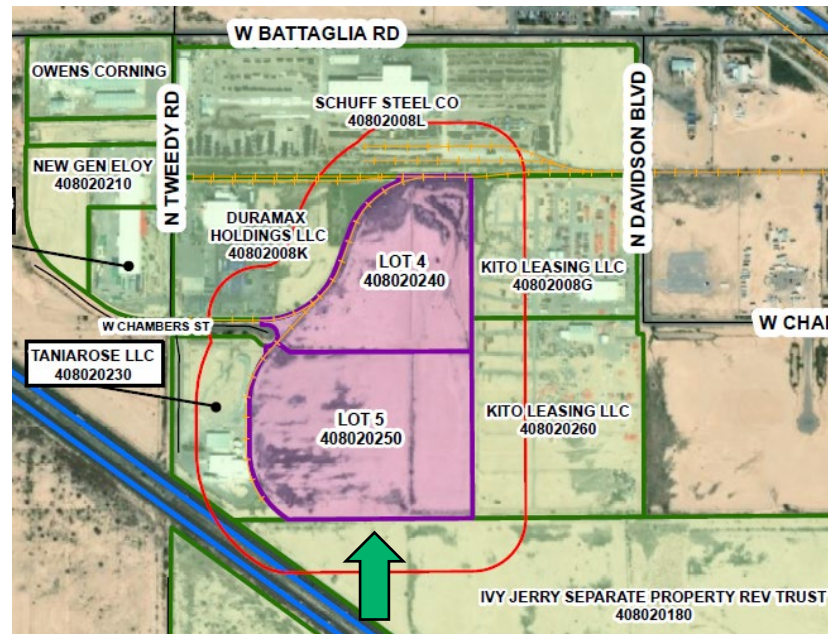
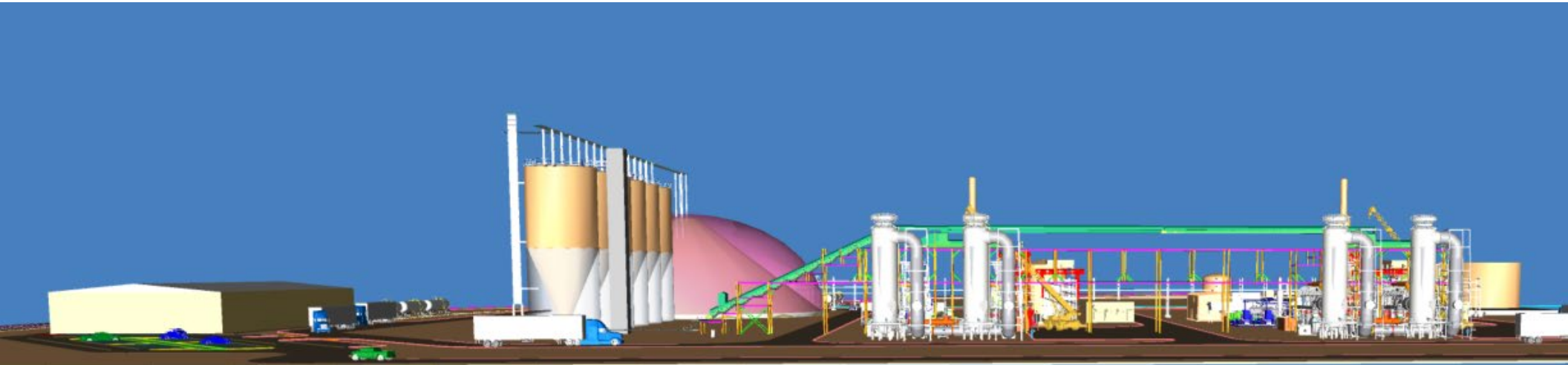


View from the East Looking West





View from the South Looking North



The background is a scenic landscape of rolling hills and mountains covered in dense green forest. The sun is low on the horizon, creating a warm, golden glow. Overlaid on the left side of the image are several large, semi-transparent, wavy green shapes that resemble stylized waves or leaves.

QUESTIONS AND COMMENTS