

<p>CARNEGIE FORUM 305 WEST PINE STREET LODI, CALIFORNIA</p>	<p>AGENDA LODI SITE PLAN & ARCHITECTURAL REVIEW COMMITTEE</p>	<p><u>REGULAR SESSION</u> WEDNESDAY, SEPTEMBER 14, 2011 @ 5:15 PM</p>
---	--	--

For information regarding this agenda please contact:

Kari Chadwick @ (209) 333-6711
Community Development Secretary

***NOTE:** All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the Community Development Department, located at 221 W. Pine Street, Lodi, and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the Community Development Department as soon as possible and at least 24 hours prior to the meeting date.*

1. ROLL CALL
2. MINUTES – “June 8, 2011”
3. REVIEW ITEMS
 - a. Request for Site Plan and Architectural Review Committee to review and approve site plan and elevations for a small collection recycling facility located 610 West Kettleman Lane. (Applicant: Kevin Tippets, on behalf of Nexcycle, Inc; File Number 11-SP-05)
4. COMMENTS BY THE PUBLIC
5. COMMENTS BY SPARC MEMBERS & STAFF
6. ADJOURNMENT

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

*****NOTICE:** Pursuant to Government Code §54954.3(a), public comments may be directed to the legislative body concerning any item contained on the agenda for this meeting before (in the case of a Closed Session item) or during consideration of the item.*

Right of Appeal:

If you disagree with the decision of the committee, you have a right of appeal. Only persons who participated in the review process by submitting written or oral testimony, or by attending the public meeting, may appeal.

Pursuant to Lodi Municipal Code Section 17.81.070, actions of the Site Plan and Architectural Review Committee may be appealed to the Planning Commission by filing, within ten (10) business days, a written appeal with the Community Development Director and payment of \$300.00 appeal fee. The appeal shall be processed in accordance with Chapter 17.88, Appeals, of the Lodi Municipal Code. Contact: Community Development Director, City Hall 1st Floor, 221 West Pine Street, Lodi, California 95240 – Phone: (209) 333-6711.

**SITE PLAN AND ARCHITECTURAL
REVIEW COMMITTEE SPECIAL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, JUNE 8, 2011
MINUTES**

1. CALL TO ORDER / ROLL CALL

The Regular Site Plan and Architectural Review Committee meeting of June 8, 2011 was called to order by Chair Kiser at 5:15 p.m.

Present: Committee Members Kirst, Slater, Stafford and Chair Kiser

Absent: Committee Members None

Also Present: Associate Planner Immanuel Bereket

2. MINUTES

a) May 11, 2011 minutes approved unanimously, motion by Slater, second by Stafford.

3. REVIEW ITEMS

a) Continued from October 27, 2010 - Request for Site Plan and Architectural Review Committee approval to allow an outdoor storage cargo container for La Capilla Market located at 725 South Cherokee Lane. (Applicant: Maria Barajas; File 10-SP-01)

Associate Planner Bereket presented and briefly described the project. He provided background on the project. He stated that the SPARC reviewed the application at its Meeting of October 27, 2010. At that meeting, the SPARC heard a presentation based on the staff report, asked questions of staff and the applicant; closed the public hearing, and based on the record as whole voted (4-1) to continue the item. He stated that the SPARC requested revisions to the plans and instructed staff to send out public hearing notices to all property owners of record within 300-ft radius. Mr. Bereket stated that staff worked with the applicant to find an acceptable resolution and staff sent a public hearing notice to all property owners of record within 300-ft radius on May 26, 2011 as well as posted a legal notice in the Lodi News Sentinel.

After staff's presentation, the Committee asked a few questions about the project. SPARC Member Slater asked for clarification regarding the elevations. Mr. Bereket stated the applicants are now proposing to construct a smaller storage unit with the elevations as illustrated. The structure would be painted the same color as the principal building. Mr. Slater asked what would become of the container. Mr. Bereket stated once the new storage facility is constructed, the container would be removed from the site. Mr. Slater then asked if we have placed a time limit. Mr. Bereket stated that the applicant has six months to submit an application, starting from the effective date of SPARC approval. SPARC Member Stafford stated that the proposed landscape area on the western setback could be problematic. He stated that area should be paved with concrete. SPARC Member Kiser concurred and stated that the applicant should plant creeping vines or similar species to discourage graffiti and vandalism.

Project Engineer, Mr. Mike Smith, spoke on behalf of the project and the applicant. He stated that they have decided to construct a new container. He stated that this decision was made due to financial considerations. Mr. Stafford asked if the applicants have read and agree with the conditions of approval. Mr. Smith stated that

his client agrees with the conditions as proposed. Mr. Slater asked if the suggested six month period was adequate for plan preparation and submittal. Mr. Smith stated that a 6-month period was enough, but the fact that his client is currently involved in divorce proceedings could possibly impact this schedule. Mr. Kiser stated that if they need further time, they should work with staff or return to SPARC to request more time. Mr. Slater concurred with Mr. Kiser and stated that they should work with staff for reasonable extension of time if needed.

There being no more questions, the Chair asked for any motion to approve the project.

MOTION / VOTE:

The Site Plan and Architectural Review Committee on motion of Member Kirst, second by Member Slater, approved the request of Ms. Maria Barajas to allow an outdoor storage cargo container for La Capilla Market located at 725 South Cherokee Lane, subject to the SPARC Common Design Requirements and Supplemental Conditions.

Ayes: Kirst, Slater, Stafford and Chair Kiser

Noes: None

Absent: None

4. COMMENTS BY THE PUBLIC

No Comments.

5. COMMENTS BY SPARC MEMBERS AND STAFF

No Comments.

6. ADJOURNMENT

There being no further business to come before the Site Plan and Architectural Review Committee, the meeting was adjourned at 5:50p.m.

ATTEST:

Immanuel Bereket
Associate Planner



MEMORANDUM, City of Lodi, Community Development Department

To: Site Plan and Architectural Review Committee
From: Immanuel Bereket, Associate Planner, Community Development Department
Date: September 14, 2011
Subject: Request for the Site Plan and Architectural Review Committee to review and approve site plan and elevations for a small collection recycling facility located 610 West Kettleman Lane. (Applicant: Kevin Tippets, on behalf of Nexcycle, Inc; File Number 11-SP-05)

RECOMMENDATION

Staff recommends the Site Plan and Architectural Review Committee deny the applicant's request for approval of the site plan and architectural elevations for a small collection recycling facility located at the S-Mart parking lot.

SUMMARY

The applicant, Kevin Tippets, on behalf of Nexcycle, Inc, requests approval of the operation of a small collection recycling facility at 610 Kettleman Lane. The facility currently operates without a business permit and was installed without City approval. As proposed, the recycling facility is comprised of a temporary, painted metal structure placed in an intrusive and incompatible way along a major corridor. The recycling facility is comprised of a freight container painted with images to soften its appearance. Staff requested the applicant to the revise elevations and design of the facility to meet previous SPARC directives and approvals. However, the applicants feel their design is appropriate for the site and wish to proceed as proposed. Because staff finds the architectural design inadequate, staff recommends denial of the application as currently constituted.

BACKGROUND

On November of 2010, the City received a complaint that the S-Mart grocery store installed a cargo container on their parcel without a City review or approval. The complaint was forwarded to the Police Department, Community Improvement Division for investigation. In the course of the investigation, it was learned that the operators of the redemption center never obtained proper permits to operate and installed a cargo container, which was used as a small recycling facility without SPARC review and approval. Staff informed S-Mart, the property owners of record and Nexcycle that they would need to obtain proper business license and apply for a SPARC application. On May 26 2011, Nexcycle, Inc. filed a SPARC Application No. 11-SP-05 requesting approval to legalize the facility.

Regulatory Background

On September 20, 1986, the State of California passed Assembly Bill 2020 that includes a provision that requires all grocery stores with a sales and storage area of 4,000 sq. ft. or greater, to provide recycling services to their customers. The retailer can either accept the recyclables within the store or provide a certified facility on-site. Balancing the needs and concerns of environmental, AB 2020 established a redemption value on beverage containers. AB 2020 has five distinctive elements:

- It sets a redemption value on all cans, plastic containers, bottles and other recyclable materials;
- It sets processing fees, which are paid to recyclers to cover their cost of recycling;
- It requires grocery stores to establish State certified recycling/redemption within one half mile radius of a supermarket;

- It directs unredeemed/unused funds toward supporting the Community Conservation Corps, grants and payments to private and public organizations for recycling-related projects, such as Nexcycle Inc.;
- It establishes 4.67 qualification/requirements for certification by the State Dept. of Conservation.

Grocery stores that do not comply with said state regulation are considered un-served. Un-served stores have to comply with state law by one of the following:

1. Establish certified recycling center;
2. Redeem all empty beverage containers at all open cash registers within the store; or
3. Pay \$100.00 per day to the state of California Department of Conservation.

S-Mart has decided to comply with state regulations by allowing a third party (Nexcycle) to establish a certified facility within its parking. Nexcycle Plastics Inc, (NPI) is a plastic recycling company with facilities located across the United States, Canada, and Mexico. It is one of the recyclers in North America. They provide recycling facilities to grocery stores, such as S-Mart, to meet state requirements. NPI is a for profit company.

ANALYSIS

The 4.67-acre project site is located near the southwest corner of Hutchins Street and Kettleman Lane. Access to the shopping center is via three driveways off Kettleman Lane and two driveways off Hutchins Street. The site is improved with approximately 102,000 sq. ft. of retail spaces that includes Kohl's, S-Mart, and several small retail establishments. The site includes 384 parking spaces with the majority located at the front of the site. Landscaping includes mature trees and shrubs distributed throughout the parking lot and along the street frontages.

The Nexcycle recycling facility is located on the northern portion of the parcel, adjacent to one of the egress/ingress points from Kettleman Lane. The facility consists of a 136 sq. ft., (8 ft. wide by 17 ft. long) portable steel container with steel doors and an interior designed to sort and compact recyclables. The container is positioned at the end of a row of parking spaces straddling two spaces with its doors facing Kettleman Lane (north). A third parking space in front of the container doors is used as a receiving area for the recyclables. The hours of operation are from 10:00 a.m. to 4:30 p.m. Monday through Saturday, with one attendant present during business hours. It closes for lunch hours from 1:00 to 1:30 p.m. Full containers are hauled away to a regional recycling center up to six times a month and replaced with comparable empty containers. Replacement containers are delivered during hours the business is closed between 8:00-10:00 a.m. and 4:30-6:00 p.m. Tuesday through Saturday.

Design Concepts:

Nexcycle Recycle Inc., uses portable containers. These containers are typically 17-feet long and 8-feet wide. As illustrated in Attachment 3, the containers are generally bland and are painted with colors and images to soften the appearance. There isn't much of any design concepts incorporated. The containers used in Lodi are identical to those used in other jurisdictions (Sunnyvale, Concord, Stockton, Manteca, etc). As proposed, it is simply a temporary, painted metal structure placed in an intrusive and incompatible way. Whereas a similar recycling facility at Apple Market features a kiosk to serve as a store-front, the applicant proposes to simply paint the structure.

As presented, staff informed the applicant that we would not be able to support placement of metal structure devoid of architectural interest. Staff further informed the applicants that the project site is located in a major corridor and the facility is visible from Kettleman Lane and Hutchins Street. Staff requested the applicants to submit revised plans and provided them with past SPARC approvals and directives for similar structures. Staff has recommended to the applicant to incorporate design elements similar to those found at the recycling facility located at Apple's Market.

Staff notes that the shopping center features architectural elements such as tile, brick, stone, marble, light elements, wall insets for landscape, and planters or trellises to provide relief to bland untreated portions of exterior building walls and facades. Utilities and service areas, such as storage areas, loading docks, mechanical equipment and other service areas, are screened from public view. This screening is accomplished with landscape enclosures or through architectural integration with the design of the building. Staff feels the design of this recycling facility should suite the built in environment. A more appropriate building material would involve a stucco exterior blended kiosk, or similar design, to serve as a store-front. Although the structure is proposed to be painted with images, the simple application of paint to a metal surface does not conceal the fact that this is a temporary metal structure and gives the area of an industrial appearance; therefore, it is in conflict with the existing architectural conditions. Considering the prominence of the project location, projects along Kettleman Lane corridor should be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and developed in accordance with design standards. The proposed recycling center is a temporary metal building that is not compatible with surrounding commercial uses, has no distinctive character.

CalRecycle: Planning staff contacted the California Department of Resources Recycling and Recovery (CalRecycle), the State agency in charge of managing and implementing the State's Beverage Container Recycling Program. According to CalRecycle, if Nexcycle were to completely abandon the site, S-Mart and all other supermarkets within the underserved areas, would be required to create a recycling program to buy-back recyclables at their stores. Other viable options include for S-Mart to file for a convenience zone exemption with the State or contract another company to provide recycling facility. Yet another option is for the applicants to comply with City standards and submit revised plans. Staff's preference is to continue to work with the applicant to find a solution. However, as communicated to staff, the applicant wishes to proceed as presently proposed. The proposed recycling center is in fact a temporary metal building that is not consistent with past SPARC requirements. As proposed, the metal structure is not complimentary to local vernacular architecture or compatible with existing architectural styles. Therefore, staff recommends that SPARC deny the application as proposed.

Respectfully Submitted,

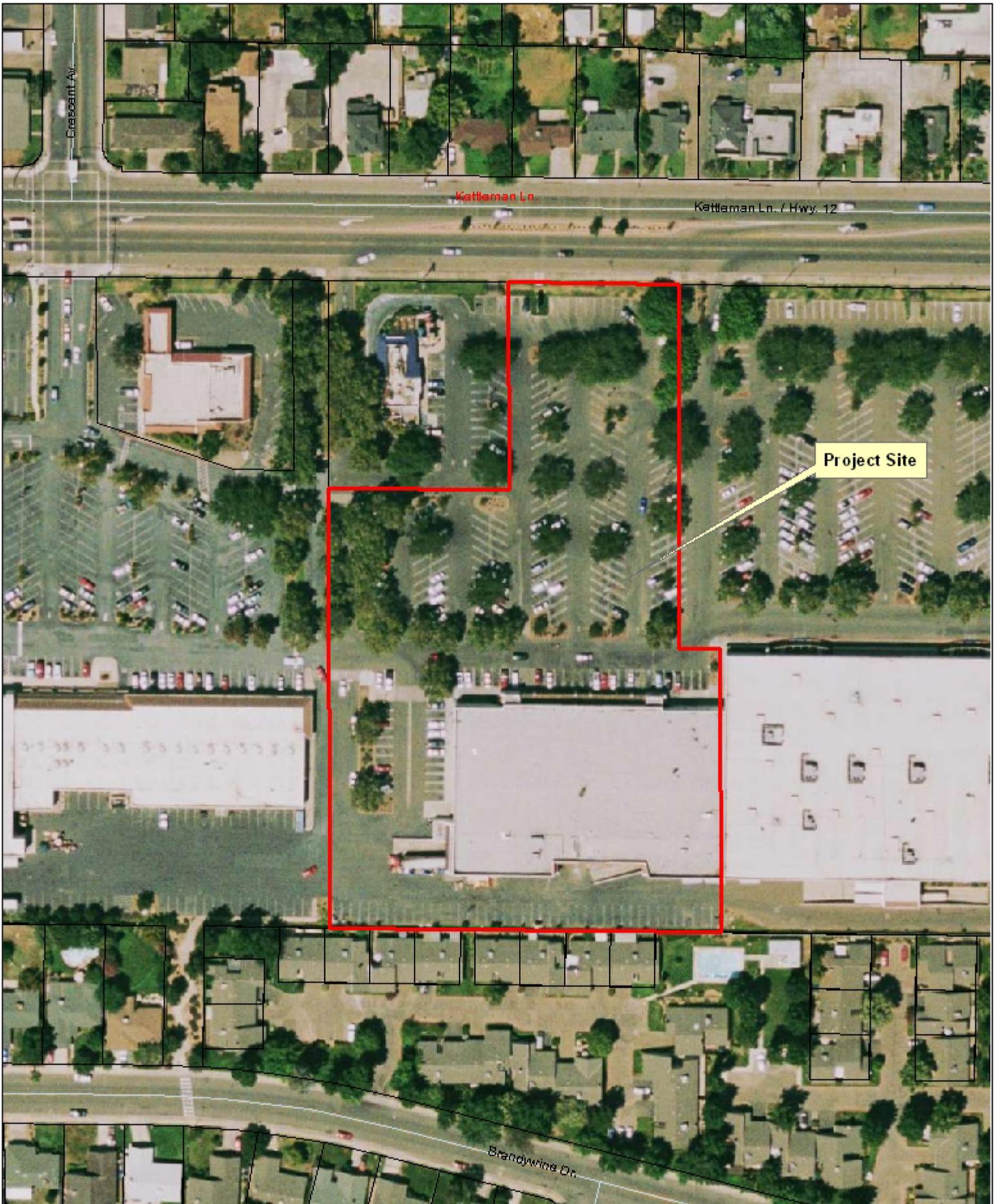
Concur,

Immanuel Bereket
Associate Planner

Konradt Bartlam
Community Development Director

ATTACHMENTS:

1. Vicinity Map
2. Aerial Map
3. Site Plan
4. Initial Elevations
5. Revised Plan



Project Site

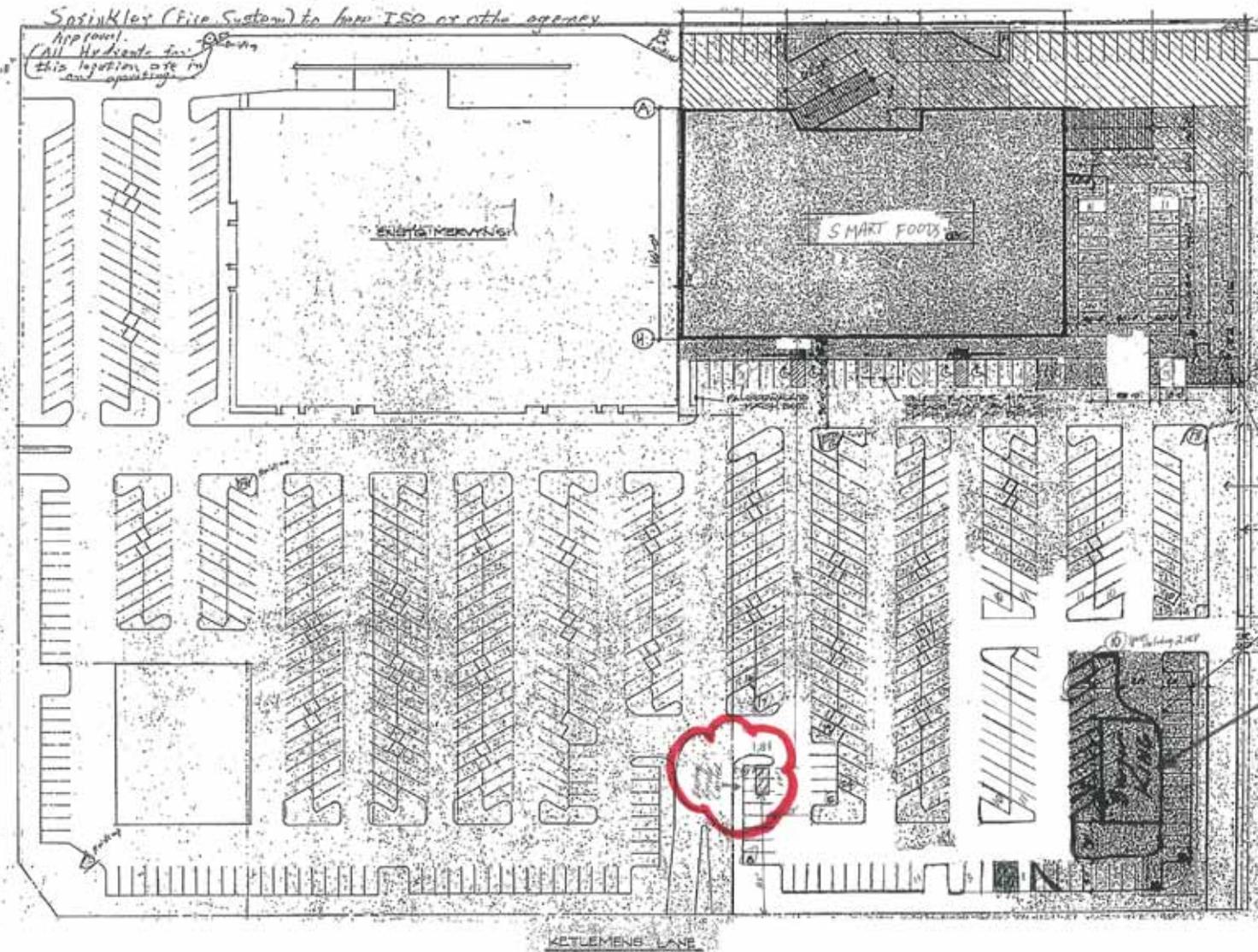
Aerial Map

610 West Kettleman Lane
Lodi, CA 95240

 Project Site



SOUTH HUTCHINS STREET



Location
Nexcycle Center
610 West Kettleman Lane
Lodi, CA 95240

Applicant
Nexcycle Center
26021 Business Center Drive
Redlands, CA 92374

microsite
NEXCYCLE



microsire
NEXCYCLE

NEX061
5/11/11

Do Not
Drop Off Any
Material When
Closed
707-372-1824

ALUMINUM CANS		CRV Containers
1-800		1.54
3L222		.104
41 P21	o	.93
41098	o	.55
41 P21	o	1.33
41098	o	1.88
41098	o	.31
41098	o	4.18
41098	o	.37
8000	o	.26
100K		1.00-1.30
MONDAY		10:00-4:30
TUESDAY		10:00-4:30
WEDNESDAY		10:00-4:30
THURSDAY		10:00-4:30
FRIDAY		10:00-4:30
SATURDAY		10:00-4:30
SUNDAY		CLOSED

microsite
NEXCYCLE

NEX061
NEXCYCLE

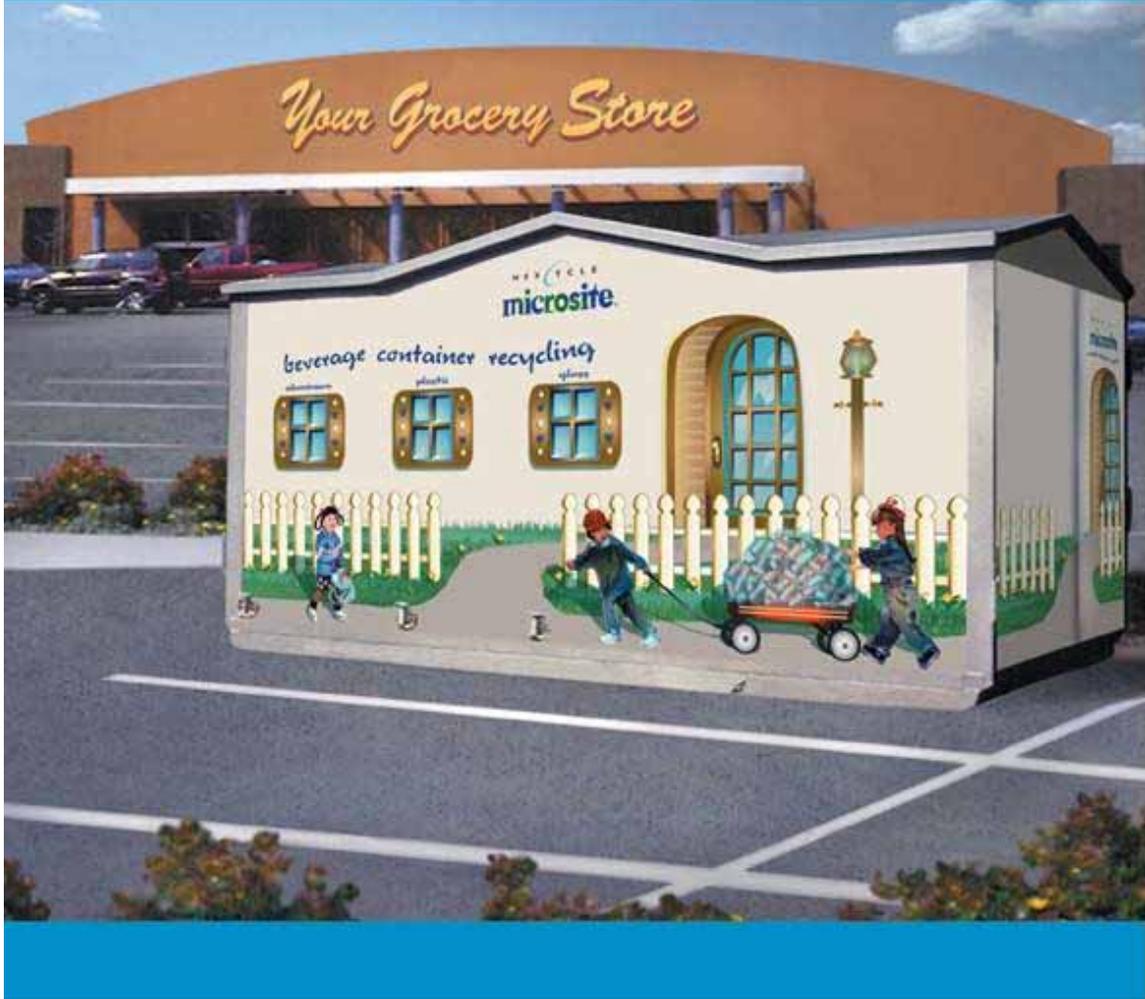


microsite
NEXCYCLE



NEX CYCLE

The Ultimate Solution for Service & Compliance



N E X *C* Y C L E



Nexcycle is the retailers' complete solution for California's mandated recycling law.

Our patented, state of the art recycling equipment fits into one parking space minimizing the use of parking lot area. Not only does our bin provide the smallest footprint in the industry, our friendly staff is on site a minimum of 30 hours per week to handle customer transactions quickly and efficiently.

Northern California Offices
1250 Oakmead Parkway, Suite 210
Sunnyvale, California 94085
408-501-8873

Southern California Offices
26021 Business Center Drive
Redlands, California 92374
909-796-2210

www.nexcyclecalifornia.com

N E X *C* Y C L E
Where California Recycles