CARNEGIE FORUM 305 WEST PINE STREET LODI, CALIFORNIA	**AGENDA** **LODI** **SITE PLAN & ARCHITECTURAL REVIEW COMMITTEE**	**REGULAR SESSION** WEDNESDAY, NOVEMBER 9, 2011 @ 5:15 PM

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 – "October 12, 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 MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 12, 2011
MINUTES

DRAFT

1. CALL TO ORDER / ROLL CALL

The Regular Site Plan and Architectural Review Committee meeting of Wednesday, October 12, 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) June 8, 2011 minutes approved unanimously, motion by Slater, second by Stafford.

3. REVIEW ITEMS

a) 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)

Chair Kiser announced the item has been continued for future hearing per the applicant's request.

b) Request for the Site Plan and Architectural Review Committee to review and approve Geweke Family Partnership's request for exterior alteration and sign distribution program for PAD 6, a 9,460 square-foot retail building located at 1361 South Lower Sacramento Road. (Applicant: Christopher Thomas, on behalf of Geweke Family Partnership LP; File Number 11-SP-06)

Associate Planner Bereket presented and briefly described the project. He provided background on the project. He stated that the Planning Commission approved the Vintner's Square Shopping Center in May 2003. SPARC subsequently reviewed and approved each of the Pad buildings within the shopping center. He stated the item for review concerns PAD 6, located near the northeast corner of the shopping center with its east elevation fronting Lower Sacramento Road. He pointed out the building is multi-tenant structure. He informed SPARC members that construction was completed in 2007 and the building has remained vacant since its construction. Mr. Bereket stated that the applicant proposes to remove architectural (decorative) windows found on the north and east elevations to accommodate signage for the various prospective tenants. Mr. Bereket stated this would allow the applicants to distribute allowable signage on the east and north elevation (facing Lower Sacrament Rd) to allow greater visibility and exposure for interior tenants.

After staff's presentation, the Committee asked a few questions about the project. SPARC Member Slater asked if signage would be consistent throughout the shopping center. Mr. Bereket responded that conditions of approval outlined in the staff report require all signage consist of individual channel letters or dimensional letter. This requirement is consistent with the rest of the shopping center. Mr. Stafford remarked the proposed removal of decorative window fixtures constitutes imperceptible change and would not alter the overall character of the building. He further commented that if this assists the property owners, he has no objection.

John Farris, project representative, stated that the building has been vacant since construction in 2007. He stated that PAD 6 lacks street exposure and that has hindered their ability to find a tenant. Mr. Stafford asked if they have any prospective tenants. Mr. Farris stated that one of the tenant spaces is now occupied and they are actively seeking further tenants. Mr. Stafford asked if Mr. Farris has read and understands the conditions of approval as outlined by City staff. Mr. Farris stated the Geweke Family Partnership does not object to the conditions of approval as stated.

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 SPARC Member Stafford, second by Member Kirst, approved the request of Geweke Family Partnership for exterior alteration and sign distribution program for PAD 6, subject to Supplemental Conditions outlined in the staff report. The motion carried by the following vote:

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 5:40p.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: November 9, 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.

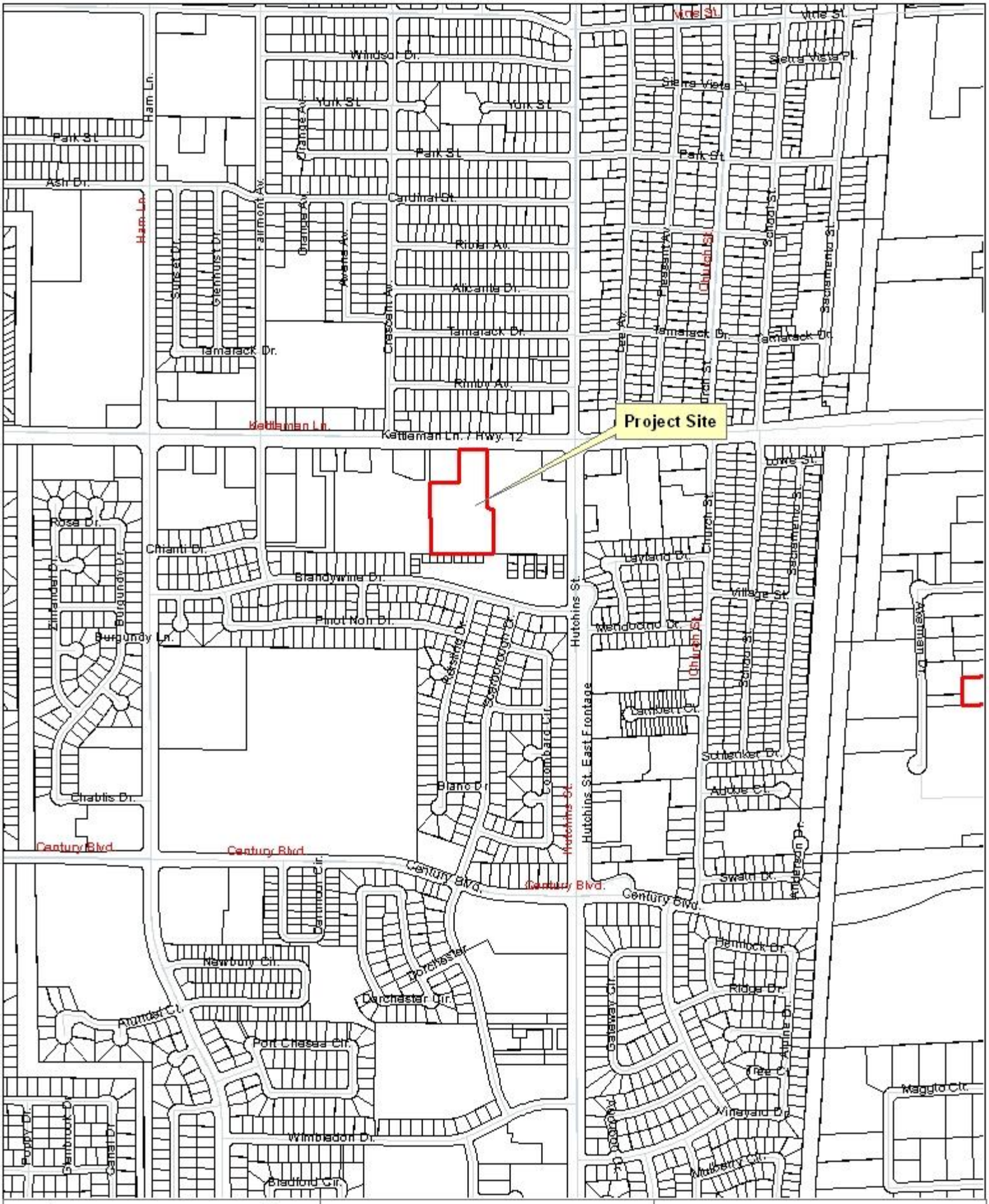
Staff notes that the shopping center features architectural elements such as tile, brick, stone, marble, light elements, wall insets for landscape, and planters or trellises to provide relief to bland untreated portions of exterior building walls and facades. Utilities and service areas, such uses as 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:

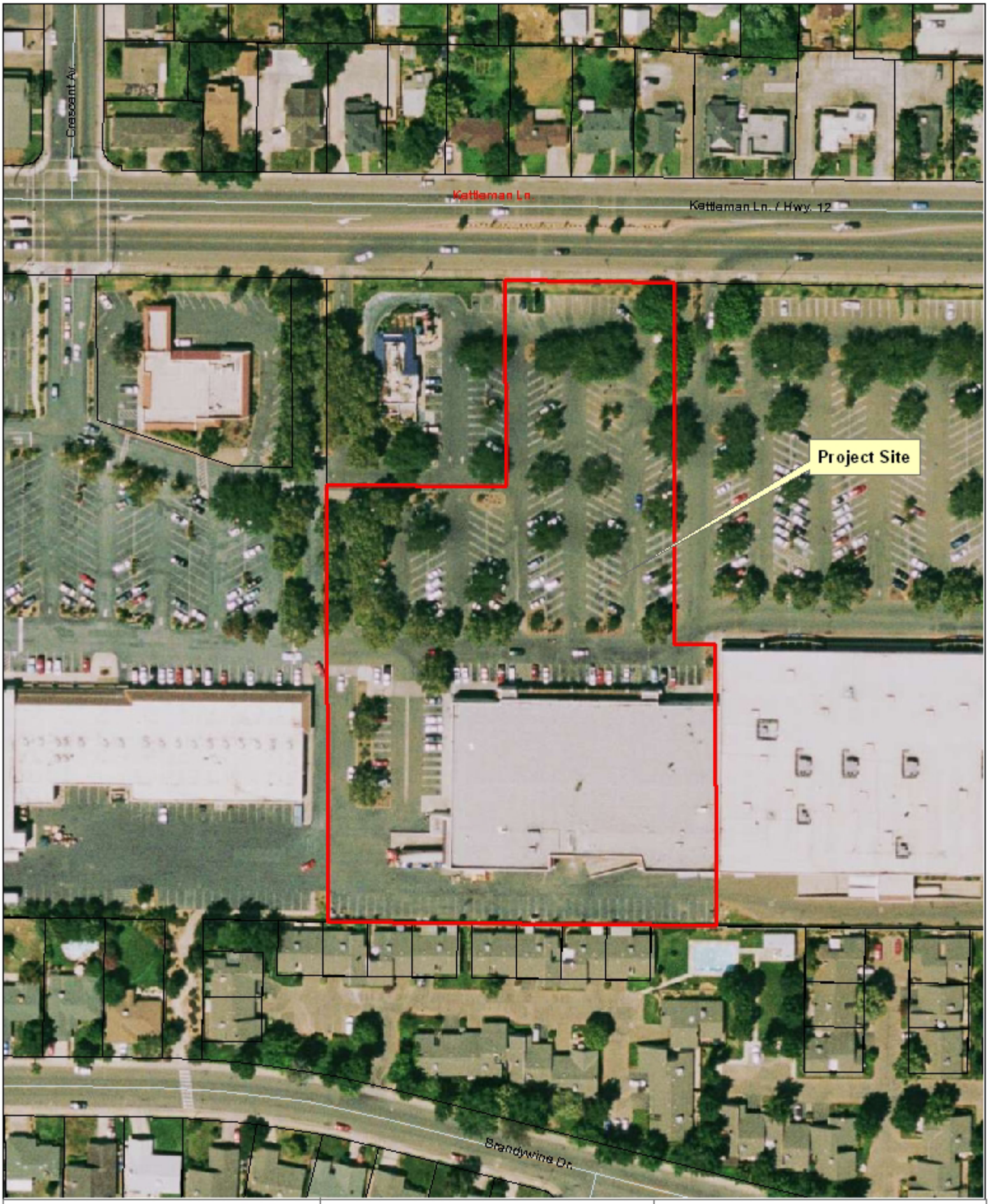
1. Vicinity Map
2. Aerial Map
3. Site Plan
4. Initial Elevations
5. Revised Plan



Vicinity Map

610 West Kettleman Lane
Lodi, CA 95240

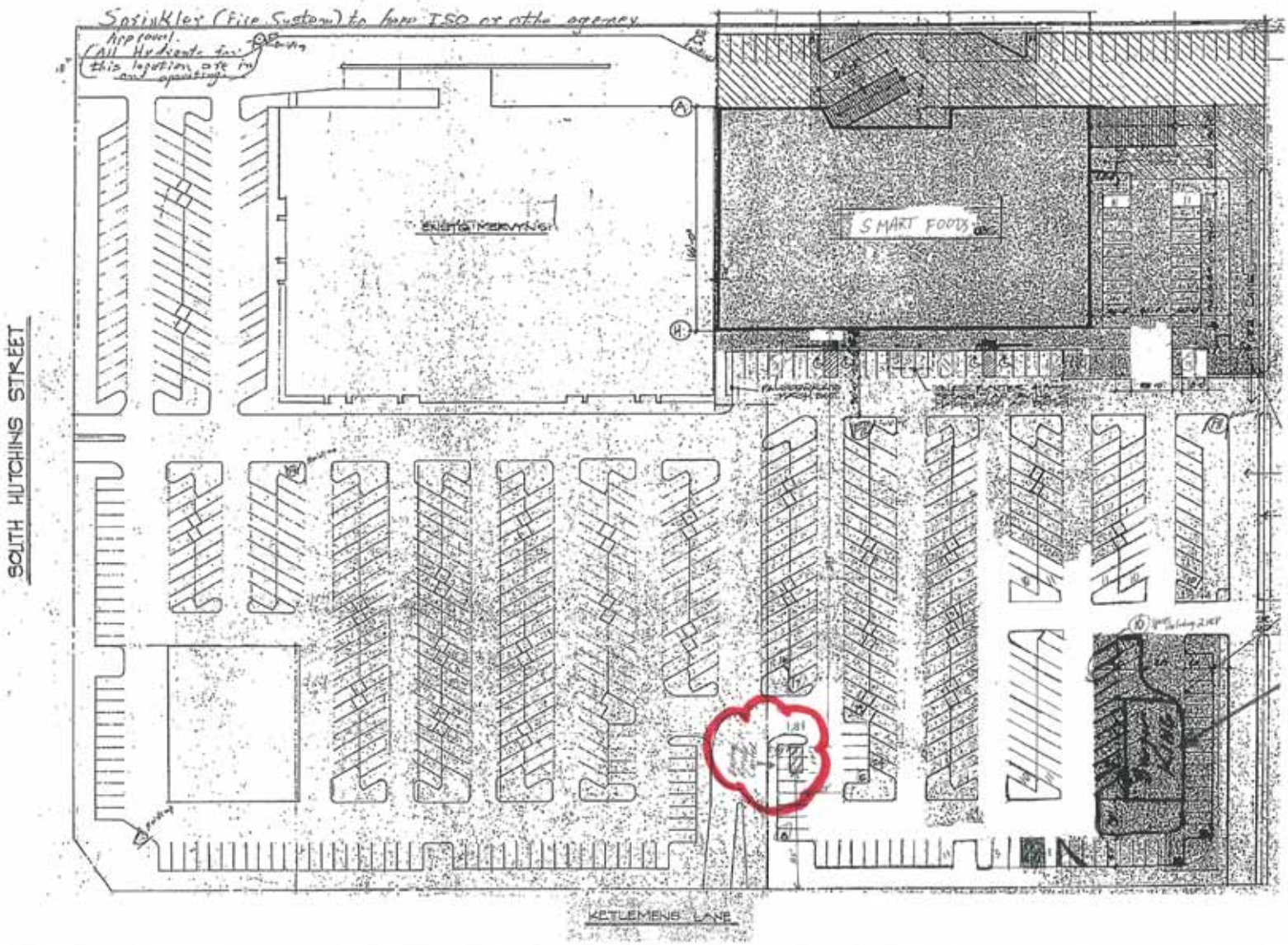
Project Site



Aerial Map

610 West Kettleman Lane
Lodi, CA 95240

Project Site



Location
Nexcycle Center
610 West Kettleman Lane
Lodi, CA 95240

Applicant
Nexcycle Center
26021 Business Center Drive
Redlands, CA 92374

microsite
NexCycle

microsite
NexCycle
NEX061
Do Not
Drop Off Any
Material When
Closed
707-372-1824
HOURS • PRICES/ Lb.
ALUMINUM CANS
1.54
.104
.93
.55
1.33
1.05
.31
4.15
.37
.25
1:00-1:30
10:00-6:30
10:00-4:30
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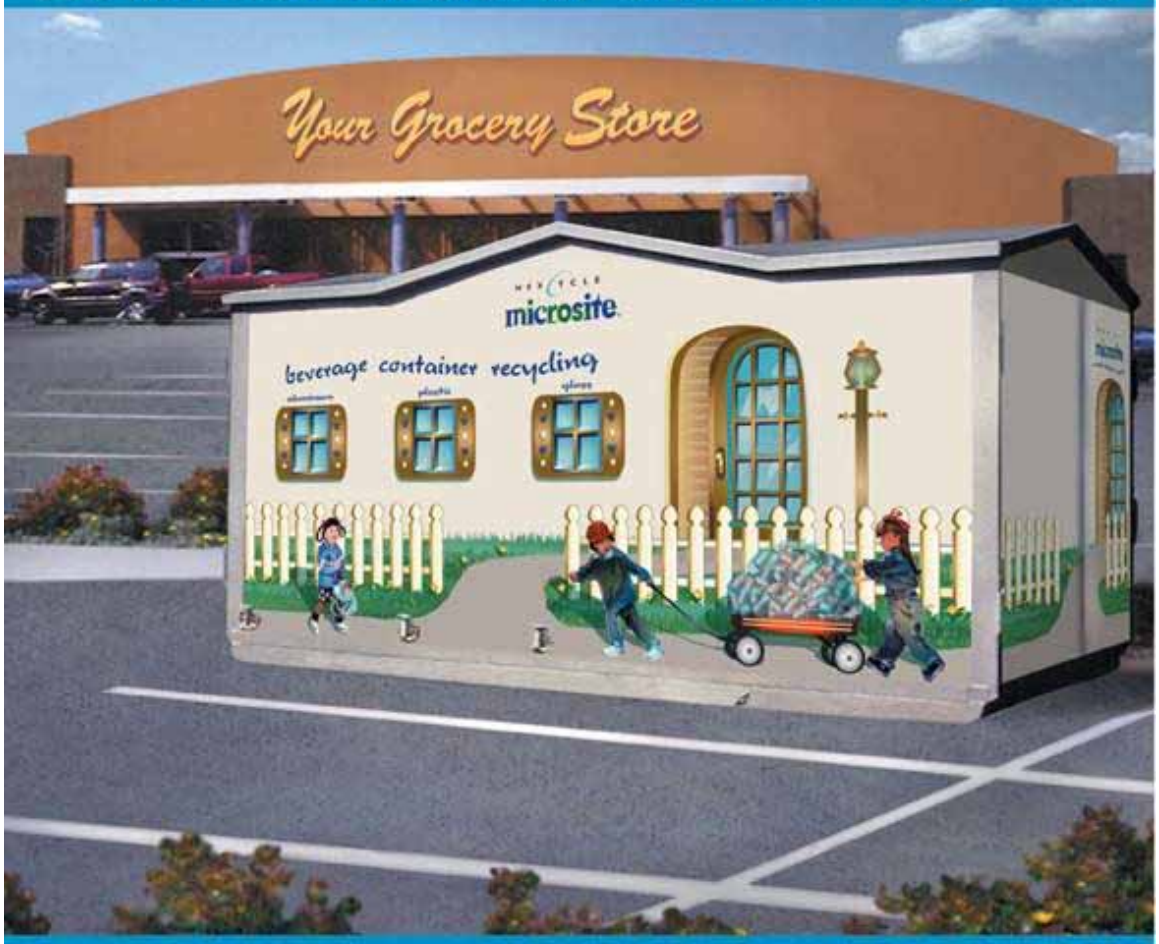
CLOSED

microsite
NexCycle
NEX061

microsite
NexCycle

NEXCYCLE

The Ultimate Solution for Service & Compliance



NEXCYCLE

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.

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1250 Oakmead Parkway, Suite 210
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408-501-8873

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Redlands, California 92374
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Where California Recycles