



REPORT TO PLANNING COMMISSION

To: Honorable Chairman and Members of the Planning Commission

From: Justin Kirk, Assistant Community Development Director

Prepared by: Justin Poley, Community Development Technician

Date: February 19, 2019

Subject: Planning Application No. 2018-63 (Conditional Use Permit No. 2018-20) - A request to legalize an existing recycling kiosk located upon a parking lot within an existing commercial center located at 32281 Mission Trail, Lake Elsinore, CA. 92530.

Applicant: Replanet Recycling

Recommendation

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, FINDING THAT PLANNING APPLICATION NO. 2018-63 (CONDITIONAL USE PERMIT NO. 2018-20) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP); and,

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING PLANNING APPLICATION NO. 2018-63 (CONDITIONAL USE PERMIT NO. 2018-20) TO LEGALIZE AN EXISTING RECYCLING KIOSK LOCATED UPON A PARKING LOT WITHIN AN EXISTING COMMERCIAL CENTER LOCATED AT APN: 365-280-019.

Background

The state of California enacted AB 2020 also known as the “Bottle Bill” which is administered by the Department of Resources Recycling and Recovery. Under this Bill, all California full-line supermarkets which do not have a recycling facility within one half of a mile must register one of the following options with the Recycling Division of the Department of Conservation:

- a. Provide a recycle facility within one half mile to allow members of the public to recycle beverage containers.
- b. Receive recyclables within the store during all hours which the store is open.
- c. Pay a \$100 daily fee to the state of California.

The Project was originally heard by the Planning Commission on January 15, 2019. At the hearing, the Planning Commission expressed concerns about the architectural design and aesthetic quality of the existing recycling kiosk as well as to the location of the recycling kiosk facility within the parking lot of the Stater Brothers grocery store.

After the project was continued to the February 19, 2019 Planning Commission hearing date, staff was able to meet with the South Region Business Development Manager of rePlanet as well as the property manager of Stater Brothers to address some of the concerns which the Planning Commissioners previously had. During this meeting, staff proposed ways to increase the aesthetic quality of the kiosk as well as suggested possible relocations for the recycling kiosk facility so as to limit the visibility of the facility upon the premises. However, the location of the existing facility was deemed to be located within an area where visibility from Mission Trail is already very limited. This is due to this particular area of the parking lot being positioned next to a large slope coming down from Mission Trail and of which is also located within the corner of the parking lot, thus not impeding traffic and decreasing visibility as much as possible from right-of-ways. Although the recycling kiosk facility would remain visible from the parking area of Stater Brothers, staff worked with the applicant to screen the facility with potted bougainvillea which contain trellises for these plants to grow upon and to also have the onsite roll off bins match the kiosk structure as much as possible.

Discussion

Project Request and Location

The applicant is requesting to legalize an existing recycling kiosk located upon a parking lot within an existing commercial center (Project). The Project is located near the intersection of Mission Trail and Malaga Road and more specifically referred to as 32281 Mission Trail. (APN: 365-280-019).

Environmental Setting

	EXISTING LAND USE	GENERAL PLAN	ZONING
Project Site	Commercial	Commercial Mixed Use	Commercial Mixed Use (CMU)
North	Commercial	Commercial Mixed Use	Commercial Mixed Use (CMU)
South	Residential	East Lake Specific Plan	East Lake Specific Plan
East	Commercial	Commercial Mixed Use	Commercial Mixed Use (CMU)
West	Commercial	Diamond Specific Plan	Diamond Specific Plan

Project Description

The applicant is proposing to legalize an existing recycling kiosk which is located upon a parking lot within an existing commercial center and which is being operated in conjunction with the existing Stater Brothers grocery store. The kiosk is a prefabricated unit of 496 sq. ft. The unit is moveable as its foundation is skid-mounted. The unit consists of two (2) fully enclosed storage roll-off-bins as well as with two (2) reverse vending machines. Operating hours for the reverse vending machines are from 7:00 AM through 7:00 PM Monday through Friday and from 10:00 AM through 6:00 PM Saturdays, Sundays and Holidays. Staffed hours of operation are from 9:00 AM through 5:00 PM Monday through Friday and from 10:00 AM through 6:00 PM Saturdays, Sundays and Holidays. The recycling kiosk only accepts CRV glass, plastic, and aluminum

beverage containers all of which materials are stored in roll-off bins and secured inside the facility. Clients are given a voucher redeemable for cash at the supermarket's cash register or customer service desk.

Modifications to Previous Plan

Based upon aesthetic concerns related to the kiosks and the roll off bins, at the direction of Staff, the applicant made several modifications to the proposed project. Specifically the applicant has added several potted bougainvillea plants with trellis to help the plants grow in a vertical oriented manner. Further, due to concerns with the kiosk and the roll off bins having an appearance that are inconsistent, a provision to the project plans has been added to require that the facilities match as closely as possible and that graffiti will be removed within 24 hours. Lastly, the applicant has clarified that metal plates are used at the location where the roll off bins would be loaded and unloaded to minimize potential impacts to the asphalt.

Analysis

General Plan Consistency

The Project site has a General Plan Land Use Designation of Commercial Mixed Use. The Commercial Mixed Use designation provides for a mix of residential and non-residential uses within a single proposed development area, with an emphasis on retail, service, civic and professional office uses. Residential uses are allowed in a subordinate capacity. The Project is proposing to legalize an existing recycling kiosk, which is service based in nature. Therefore, the Project is found to be consistent with the General Plan.

Municipal Code Consistency

The project is located within the Neighborhood Commercial (C-1) Zoning designation. According to the C-1 zone, other uses that the Community Development Director determines to be in accord with the purpose of this chapter and having characteristics similar to those uses listed in this section shall be permitted. As this use is service based in nature, the use is compatible with the existing uses within the commercial center which are largely retail and service type uses.

The non-residential development standards discuss the orientation and locations of structures and uses which "should present a clean and attractive streetscape while satisfying the functional needs of the owner or tenant". While not the most attractive nor architecturally interesting, these buildings do serve a functional need of the Stater Brothers Market, which is the primary anchor tenant in the center. Furthermore, the location this facility would serve multiple operators within the vicinity and meet their AB 2020 obligations. In looking at potential alternative locations, staff was considerate of the Commission's intent on minimizing the negative or detracting aesthetics. Unfortunately, there were no other locations in which would serve the needs of the owner, reduce the aesthetic concerns raised, while at the same time not creating unintended impacts such as increased noise or increase the proclivity for transient activities. Based upon the modifications to the design being made and the applicant's clarification on the operational responsibilities of both RePlanet and Stater Brothers, as documented in the Use Description, staff found the location, design, and operational characteristics to meet the intent of the LEMC and the direction provided by the Commission previously. It should be noted, that the full intent of the Commission's direction was unfortunately unable to be met, however the applicant endeavored to meet this intent.

The Design Review Committee that includes staff from Planning, Building and Safety, Fire, and Engineering have reviewed the requested Design Review application, and support the proposed application. Appropriate Conditions of Approval have been included that would mitigate any potential issues associated with the future development and establishment of use.

Environmental Determination

Staff has determined that the proposed Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures) under section (c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. The proposed Project includes a structure which is under 2,500 sq. ft. which will be located upon the parking lot of an existing commercial complex.

Exhibits:

- A – MSHCP Resolution
- B – CUP Resolution
- C – Conditions of Approval
- D – Use Description
- E – Vicinity Map
- F – Aerial Map
- G – Project Plans