



Staff Report

TO: Planning Commissioners

FROM: Carole Kendrick, Planning Manager

DATE May 11, 2021

SUBJECT: **Conditional Use Permit 2021-0057 for a Request to Operate a Recycling Center for California Empty Beverage Containers Utilizing a 9'x17' Customer Kiosk and Two (2) 8'x21' Material Containers Located Over Four (4) Parking Spaces in the Beaumont Center Shopping Center Located on the Southwest Corner of 6th Street and Highland Springs Avenue in the Local Commercial Zone. (APN: 419-180-025)**

APPLICANT: Artashes Balyan

Background and Analysis:

The applicant is requesting approval of an application that was submitted on April 15, 2021, for a request to install a 9'x17' customer kiosk and two (2) 8'x21' metal containers for the operation of a recycling collection facility for California empty beverage containers located in the parking lot of 1691 E. 6th Street in the Beaumont Center shopping center.

A Plot Plan is required by the Beaumont Municipal Code per Section 17.02.070 to establish a new land use. The proposed land use includes a new 489 square quick recycling collection facility located on the northern portion of the parking field in the Beaumont Center shopping center. The applicant has been conditioned to submit an Administrative Plot Plan application as part of the business license process (see Condition No. 6).

Conditional Use Permit No. 2021-0057 is required by the Beaumont Municipal Code per Section 17.02.100 and Table 17.19-1 for particular uses. Recycling collection facilities are uses subject to a Conditional Use Permit.

The subject property is part of a larger planned development called the Beaumont Center that was constructed in the mid-1990's. The parking field was previously utilized

by RePlanet that provided recycling collection services under Conditional Use Permit 13-CUP-014. The previous Conditional Use Permit was approved by the Planning Commission on January 14, 2014, however the use ceased operation in 2019 and per the Beaumont Municipal Code Section 17.02.100.M if any conditional user permit fails to be actively exercised for a continuous 180-day period, the permit shall be lapse and become void. Due the length of inactivity, the new applicant, Sunset Recycling, was required to submit for a new Conditional Use Permit.

Project Setting:

The 5.68-acre site is currently developed with a Food 4 Less, parking field, curb, gutter, sidewalk, and off-site landscaping that were installed when the center was originally constructed. The development to the south, east and west are commercially zoned properties within the Beaumont Center shopping center that include a Food 4 Less, Stater Bros, Wendy’s, Burger King, and several retail sales and service uses. To the north is the existing developed shopping center that includes the Castrol Express Lube, KV Flooring and several retail sales and service uses.

The project setting can also be seen in the following materials attached to this staff report:

- General Plan Land Use Map (Attachment C)
- Zoning Map (Attachment D)
- Aerial Photograph (Attachment E)

The land uses, zoning, and General Plan land use designations of the project site and surrounding area are shown in the following Table.

	LAND USE	GENERAL PLAN	ZONING
PROJECT SITE	Existing Parking Field	LC (Local Commercial)	DMU (Downtown Mixed Use)
NORTH	Castrol Express Lube	LC (Local Commercial)	DMU (Downtown Mixed Use)
SOUTH	Food 4 Less misc. retail	LC (Local Commercial)	DMU (Downtown Mixed Use)

EAST	Burger King	LC (Local Commercial)	DMU (Downtown Mixed Use)
WEST	Stater Bros and misc. retail	LC (Local Commercial)	DMU (Downtown Mixed Use)

Site Design:

The project proposal is currently located within an existing developed shopping center. The center comprises of seven (7) parcels. The shopping center is fully developed and located on the southwest corner of 6th Street and Highland Springs Avenue. The subject parcel includes the existing Food 4 Less market and parking field.

The project is proposing to install a prefabricated unit in the northern portion of the parking field in the same general location of the previous RePlanet. The attached Development Plans (Attachment B) include the site layout and elevations.

Architecture:

The proposed project will utilize a prefabricated unit with a 153 square foot kiosk and two (2) 168 square fully enclosed storage roll off bins. The kiosk has a decorative building façade facing 6th Street that includes a tile roof element, two (2) windows and an arched roof element. The overall kiosk height is 10'3" however the arched element extends the roof height to 11'5". The two (2) 168 square foot storage containers will be located behind the customer kiosk and screened by kiosk walls that extend around containers. The kiosk architecture and layout are provided in Attachment B.

Circulation and Parking:

Commercial parking requirements are broken down into 13 categories. The proposed use is unique in its parking demands and does not fall within the existing commercial categories. The Community Development has the authority under Section 17.05.040.B. to make a determination that an unspecified land use not specifically listed in the parking table is similar to another use.

Based on the available categories and the characteristics of the use, the Community Development Director has determined that the use is similar in nature to a retail use. The parking requirement for retail uses is one (1) space per 200 square feet of gross

floor area, therefore the proposed use would only require three (3) parking space based upon square footage of the facility. The proposed layout is within the existing Food 4 Less parking field and will utilize four (4) parking spaces to accommodate the use.

The overall center currently provides a large parking field, and the proposed location has been placed in area where spaces are rarely utilized, while being setback from the 6th Street Frontage. The overall parking field provides adequate parking to accommodate the proposed use as well as serve the existing center. The parking field can be accessed from three (3) driveways on 6th Street or four (4) driveways on Highland Springs Avenue.

Hours of Operation:

The recycling collection facility is proposing staff hours between 9am to 5pm, Monday through Friday; and 9am to 5pm on Saturday and Sunday, as indicated in the applicant site plan. The statement of operations of operations indicates that they will only be open until 4pm on the weekends, however staff has conditioned the project to allow them to operate until 5pm, seven (7) days a week (see Attachment F).

Development Review Committee (DRC):

The Development Review Committee reviewed for the project for design on April 22, 2021. Staff from the various City departments provided written comments that have been incorporated into the proposed conditions of approval.

Environmental Documentation:

This project is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332 in that information contained in the project file and documents incorporated herein by reference demonstrates that: Conditional Use Permit CUP2021-0057 are consistent with the General Commercial General Plan designation and all applicable General Plan policies as well as the applicable zoning designation of Community Commercial; the proposed project site is located within the boundaries of the City of Beaumont; Conditional Use Permit CUP2021-0057 has no value as habitat for endangered, rare or threatened species; there is no substantial evidence in the record that Conditional Use Permit CUP2021-0057 will result in significant effects related to traffic, noise, air quality or water quality in that the proposed design incorporates and otherwise is subject to air and water quality resource agency design requirements to avoid harmful effects; and the site is or can be adequately served by all required utilities and public services. As such, the project

meets the criteria for application of a Class 32 (In-Fill Development) Categorical Exemption under the CEQA Guidelines. Additionally, none of the exceptions provided in CEQA Guidelines Section 15300.2 apply to this project.

Public Communications Received:

Property owners located within a 300-foot radius of the project site were notified of the public hearing on April 30, 2021 with a 10-day hearing notice in addition to a public notice in the Press Enterprise. At the time of report preparation, the Planning Department has not received any letters of comment from the public in favor or opposition to the project. Any comments received prior to the time of the scheduled Planning Commission meeting will be provided to the Commission at the time of the public hearing. A proof of publication is included as Attachment G to this staff report.

Planning Commission Authority:

The Local Commercial zone allows recycling collection facilities as a conditionally permitted use, per Table 17.19-1 subject to approval of a Conditional Use Permit. The Beaumont Municipal Code Section 17.02.100.F authorizes the Planning Commission to approve, conditionally approve, or deny the application.

Conditional Use Permit Findings:

The Planning Commission may approve and/or modify a Conditional Use Permit in whole or in part, with or without conditions, provided that all of the following findings of fact are made:

1. The proposed uses conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this Zoning Ordinance.

The project is subject to and is consistent with the Development Standards for the Local Commercial (LC) zone. The zoning allows recycling collection facilities subject to a conditional use permit.

2. The proposed uses would not impair the integrity and character of the zone in which it is to be located.

The subject property is zoned Local Commercial (LC) allows recycling collections facilities subject to a Conditional Use Permit. The site is located in an area that is

surrounded by currently zoned Local Commercial (LC) properties and will not impair the integrity or character of the zone.

3. The subject site is physically suitable for the type of land use being proposed.

The project is in a commercial area that is a development shopping center referred to as Beaumont Center. The is flat and is located in a fully developed shopping center and is suitable for commercial development.

4. The proposed uses are compatible with the land uses presently on the subject property.

The project is in a commercial area that is developed with existing retail sales and service uses. The site is fully developed and is suitable for the proposed use.

5. The proposed uses would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located.

The zoning for the project site is Local Commercial (LC) and the land use designation is and Downtown Mixed Use (DMU). The proposed project is surrounded by property that is currently zoned Local Commercial and designated as Downtown Mixed Use in the General Plan. The site is surrounded by developed commercial buildings and is proposed with an existing shopping center parking field. The proposed uses are compatible with the surrounding commercial zoned properties.

6. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

The site is served by the Beaumont-Cherry Valley Water District for water services and the City of Beaumont for sewer disposal system. Electricity will be provided by Southern California Edison and natural gas will be provided by the Southern California Gas Company. Solid waste and refuse services are provided by Waste Management, Inc. on behalf of the City of Beaumont. The site can be adequately served and will not be detrimental to public health and safety.

7. There would be adequate provisions for public access to serve the subject proposal.

There is adequate access to the site as determined by the City's public safety departments. The site has access from 6th Street and Highland Springs Avenue.

8. The proposed use is consistent with the objectives, policies, general land uses, and programs of the City of Beaumont General Plan.

The proposed project is in conformance with the General Plan for the City of Beaumont. The land use designation for the project site is Downtown Mixed Use (DMU). The proposed development is consistent with the General Plan policies.

9. The proposed use would not be detrimental to the public interest, health, safety, convenience, or welfare.

The proposed project meets all the development standards under the Local Commercial zoning, which is intended to protect the public interest, health, safety, convenience, or welfare. The recycling collection center will provide a convenience for the public that will not be detrimental to public health, safety or welfare.

10. The proposed design and elevations preserve and maximize the image, character, and visual quality of the neighborhood.

The proposed design and elevations are compatible with the commercial development within the existing shopping center and will provide a consistent image that compliments the character of the commercial properties that are developed in the Beaumont Center shopping center.

11. The Planning Commission shall find that the proposed use does not have a disproportionately high and adverse human health or environmental effect on minority and low-income populations.

This use will not have an adverse effect on humans or the environment for any population. The proposed project will provide a recycling services to serve all income levels of the population.

12. This subsection G shall apply only to the uses identified in Chapter 17.03. This subsection shall not invalidate any conditional use permit for an operation facility but shall be complied with prior to issuance of a building permit for all projects which no building permit has been issued upon the effective date of this provision.

Recommended Action:

Hold a public hearing;
Approve Plot Plan Conditional Use Permit CUP2021-0057, subject to the attached Conditions of Approval; and
Direct staff to prepare a Notice of Exemption for the applicant to file with the Riverside County Clerk Recorder.

Attachments:

- A. Draft Conditions of Approval
- B. Development Plan
- C. General Plan Land Use Designation Map
- D. Zoning Map
- E. Aerial Photograph
- F. Applicant's letter regarding the best management practices/statement of operations
- G. Proof of Publication

Incorporated herein by Reference:

City of Beaumont General Plan
City of Beaumont Zoning Ordinance
Project Site's Riverside Conservation Authority Multi-Species Habitat Conservation Plan Informational Map
Contents of City of Beaumont Planning Department Project File CUP2021-0057, 13-CUP-014