



City of Grand Island

Tuesday, April 12, 2016

Council Session

Item E-3

Public Hearing on Request from Chloe Aguilar for a Conditional Use Permit for a Towing/Salvage Lot located at 4852 and 4820 East Capital Avenue

Council action will take place under Requests and Referrals item H-1.

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig Lewis, Building Department Director

Meeting: April 12, 2016

Subject: Request of Chloe Aguilar for Approval of a Conditional Use Permit to Allow a Vehicle Storage and Salvage Yard at 4820 & 4852 E. Capital Avenue

Presenter(s): Craig Lewis, Building Department Director

Background

This is a request for approval of a conditional use permit to allow for the construction and operation of a vehicle storage and salvage yard at 4820 & 4852 East Capital Avenue. The legal description of the property is lot 1 Landell Sub. and lot 1 Landell 2nd Sub., the lots are currently zoned M-2 Heavy Manufacturing and automobile wrecking and salvage yards are a listed conditional use within that zoning classification.

Conditional uses must be approved by the City Council.

City Code identifies the following conditions for salvage yards;

36-106. Conditional Uses; Salvage Yards

All salvage yards shall be subject to the following conditions as part of their permitted conditional use:

(A) In addition to the information required pursuant to §36-88, an application for a conditional use for a salvage yard shall include a site plan for the premises showing the layout of the proposed operation, building and infrastructure locations, property dimensions, drainage and landscaping.

(B) All structures located or constructed on the salvage yard premises shall comply with the Grand Island City Code and all applicable building, electrical, plumbing and fire codes.

(C) All hazardous materials and regulated waste shall be received, stored, and disposed of in accordance with state and federal laws and the rules and regulations of the U.S. Environmental Protection Agency and the Nebraska Department of Environmental Quality.

(D) All operations of a salvage yard, including those which are ancillary and indirectly related to the salvage yard such as administration, parking, equipment and/or container storage shall be conducted on the premises subject to the permitted conditional use.

(E) All premises on a salvage yard shall be kept and maintained in a clean and orderly manner, using the best practices of the industry, with no loose garbage, litter, refuse or waste materials on the premises except those kept in short term storage for processing. The persons operating the salvage yard shall on a regular and routine basis inspect all areas adjacent to the salvage yard and clean up any materials which originated from the salvage yard.

(F) Physical Appearance: Salvage yards and other similar operations shall be effectively enclosed or shielded from adjacent properties on all sides by means of a sight-obscuring fence at least eight (8) feet in height, in good repair, and constructed of conventional fence building materials and techniques as approved by the chief building official. No inventory or salvage materials of any nature may be stacked within fifty (50.0) feet of the fence to a height greater than said fence.

Amended by Ordinance No. 9151, effective 12-18-2007

Discussion

This application was initiated by a request from the City to bring the existing Island Towing operation at 5018 S. Elk Drive into conformance with zoning regulations as it is not zoned for the continued storage of wrecked or junk vehicles.

The City Code requires salvage yards to come before the City Council at a public hearing to allow for Public comment and provide discussion and deliberation such that the City Council may determine the approval or denial of the application and use.

This application is on property zoned to allow for a salvage yard if determined by the City Council that the location is appropriate. Currently no buildings are proposed for the site. Surface waters naturally flowing through the site should not be restricted or altered by the storage of vehicles.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the conditional use permit finding that the proposed use is a listed conditional use in the zoning code and that it will not be detrimental to public health, safety, and the general welfare of the community.
2. Disapprove or / Deny the conditional use permit, finding that the proposal does not conform to the purpose of the zoning regulations.

3. Modify the conditional use to meet the wishes of the Council.
4. Refer the matter to a special committee for a determination of a finding of fact.
5. Table the issue.

Recommendation

City Staff recommends that the Council approve the request for a conditional use permit to construct and operate a salvage yard, finding that the request does promote the health, safety, and general welfare of the community, protects property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

Sample Motion

Move to approve the request for a conditional use permit as specified in the staff recommendation published in the Council packet and presented at the City Council meeting and finding that the application will conform with the purpose of the zoning regulations.

Conditional Use Permit Application

pc: Building, Legal, Utilities
 Planning, Public Works

1. The specific use/construction requested is: Towing/Salvage lot
2. The owner(s) of the described property is/are: Chloe Aguilar
3. The legal description of the property is: Landell Sub Lot 1, Landell 2nd Sub lot 1
4. The address of the property is: 4852 & 4820 E Capital Ave
5. The zoning classification of the property is: M2
6. Existing improvements on the property is: None
7. The duration of the proposed use is: Longterm
8. Plans for construction of permanent facility is: 8 foot fence
9. The character of the immediate neighborhood is: Business, Industrial, Residential
10. There is hereby **attached** a list of the names and addresses of all property owners within 200' of the property upon which the Conditional Use Permit is requested.
11. Explanation of request: To use land to store vehicles from towing company.

I/We do hereby certify that the above statements are true and correct and this application is signed as an acknowledgement of that fact.

<p><u>3/17/16</u> Date</p> <p><u>3083792433</u> Phone Number</p>	<p><u>Chloe Aguilar</u> Owners(s)</p> <p><u>4059 Indianhead Dr</u> Address</p> <p><u>Grand Island Ne 68803</u> City State Zip</p>
--	---

Please Note: Delays May Occur if Application is Incomplete or Inaccurate.