



# City of Grand Island

Tuesday, June 13, 2017

Council Session

## Item E-2

### **Public Hearing on Request from Christine Stimple for a Conditional Use Permit to Allow for the Storage of Wrecked Cars at 1321 East 4th Street**

*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:** June 13, 2017

**Subject:** Request of Christine Stimple for Approval of a Conditional Use Permit to Allow a Vehicle Storage and Salvage Yard at 1321 East 4<sup>th</sup> Street

**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 1321 E. 4<sup>th</sup> Street. The legal description of the property is lots 12, 13, & 14, Concept Subdivision. 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 property into conformance with zoning regulations as it is currently being utilized as a storage yard for 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 there are no buildings on the site, future buildings are proposed. Surface waters naturally flowing through the site should not be restricted or altered by the storage of vehicles. Landscaping regulations would be required of this property and would specify plantings of three canopy trees, three understory trees and nine shrubs within the ten foot street-yard.

## **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.

### **Recommendation**

City Staff recommends that the Council approve the request for a conditional use permit to construct and operate a storage and 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: STORAGE OF WRECKED CARS
2. The owner(s) of the described property is/are: Christine Stimple
3. The legal description of the property is: ~~see attached papers~~ CONCEPT SUB
4. The address of the property is: 1321 E 4<sup>TH</sup> STREET
5. The zoning classification of the property is: ~~M-2~~ M-2
6. Existing improvements on the property is: FENCED IN AREA FOR WRECKED CARS
7. The duration of the proposed use is: PERMANENT
8. Plans for construction of permanent facility is: COMPLETE FENCING - FUTURE BUILDINGS
9. The character of the immediate neighborhood is: COMMERCIAL
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: COMPLIANCE OF CITY CODE TO STORE  
WRECKED CARS  
WITH FUTURE PLANS TO DEVELOP LAND WITH BUILDINGS

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

5-19-17

Date

308-850-5850

Phone Number

Christine Stimple

Owners(s)

412 E 13<sup>th</sup> St

Address

Grand Is

City

Ne

State

68801

Zip

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

