



# City of Grand Island

Tuesday, May 23, 2006

Council Session

## Item E2

**Public Hearing on Changes to Chapter 36 of the Grand Island City Code ME-Manufacturing Estates Zone, in Reference to Installation of Liquid Propane Storage Tank and Accessory Wholesale Propane Sales**

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Chad Nabity, AICP

**Meeting:** May 23, 2006

**Subject:** Amendment to Chapter 36 Regarding Propane Distribution in the ME Zone

**Item #'s:** E-2 & F-4

**Presenter(s):** Chad Nabity, AICP

## Background

The changes proposed here were requested by Bosselman Energy Inc. of Grand Island, Nebraska. All areas with changes are highlighted. Additions are *Italicized and underlined* and deletions are in ~~strike-out~~.

### **§36-71. (ME) Industrial Estates Zone**

*Intent:* The intent of this zoning district is to provide for a variety of manufacturing, truck, trailer, and truck/trailer parts retailing, truck, trailer, and truck/trailer parts wholesaling, warehousing, administrative and research uses within an area of comparatively high visibility and having quality standards to promote an industrial park atmosphere.

(A) Permitted Principal Uses: The following principal uses are permitted in the (ME) Industrial Estates Zoning District.

(1) Any industrial/manufacturing use found in the Zoning Matrix [Attachment A hereto] shall be permitted within this zoning district, provided, such use is in compliance with miscellaneous provisions and performance standards listed in this section, or unless specifically excluded, or a conditional use as listed below.

(2) Administrative offices for the wholesale distribution of propane when bottles are filled from a bulk propane tank not to exceed 40,000 gallons and when such tank is installed primarily to provide a source of heat for a building on the lot.

## Discussion

The ME zone specifically prohibits the storage tanks for fuel and chemicals but that does not prohibit the installation of a tank for heating purposes. The intent of the prohibition is to limit the likelihood of the ME Zone becoming a tank farm atmosphere versus a campus atmosphere. That intent and the prohibitions on storage of fuel do not limit the ability of owners to heat their building with propane and to store propane on the property for that purpose. A propane tank up to, or larger than 40,000 gallons, would be permitted as a source of fuel for heating a building.

The Regional Planning Commission held a public hearing at their meeting on April 5, 2006 to take testimony on the proposed changes.

Ken Caldwell, representing Bosselman's, stated that their plan is to construct a building for warehousing, storage and office space and use propane to heat that building. They would also like to be able to use this location for the wholesale distribution of bottled propane. Allowing this use would let them move their current operation from its location on 3<sup>rd</sup> and Blaine.

A letter from Marlan Ferguson with the Grand Island Economic Development Corporation supporting this request was presented to the Commission.

No other members of the public spoke at the public hearing.

Commissioner Pat O'Neill questioned if this would allow someone to put in a 10 x 12 office and sell propane from the site. Nabity agreed that this would be a possibility but reminded planning commissioners that the minimum lot size is 2.5 acres in the ME zone. Because of the large lot size the above scenario is unlikely. Commissioners discussed the lot sizes and the possibility that someone would build a small building with a large tank and decided not to recommend amending the suggested language.

### **Alternatives**

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

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

### **Recommendation**

A motion was made by Snodgrass and seconded by Haskins to approve and recommend that approve changes to Chapter 36 as presented.

A roll call vote was taken and the motion passed with 8 members present (Haskins, Reynolds, O'Neill, Miller, Eriksen, Ruge, Snodgrass, Monter) voting in favor and no members voting against.

### **Sample Motion**

Motion to approve the changes to Chapter 36 as presented.