



City of Grand Island

Tuesday, April 14, 2009

Council Session

Item E2

**Public Hearing on Request from Chris Woodward for a
Conditional Use Permit for a Recycling Operation Located on St.
Paul Road between Capital Avenue and Airport Road**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig Lewis, Building Department Director

Meeting: April 14, 2009

Subject: Request of Chris & Scott Woodward Representing Clark Brothers Sanitation for Approval of a Conditional Use Permit to Allow for the Operation of a Recycling Center at 3105 N. St. Paul Road

Item #'s: E- 2 & H-1

Presenter(s): Craig Lewis, Building Department Director

Background

This request is for the approval of a Conditional Use Permit to allow for the operation of a Recycling Center at the property referenced above. A conditional use permit is required by the City Code as the property is currently zoned M-2 Heavy Manufacturing. That zoning classification lists as a specified conditional use a salvage yard. The City Code defines salvage yards as any building, lot, yard or premise used for the collection, processing, salvage, storage, bailing, or shipping of junked vehicles, vehicle parts, paper, cardboard, glass, plastic, metals, rags, scrap materials, junk, or material similar to those listed herein.

The operation of a recycling center would fall within the category of a salvage yard and is required to receive approval of the City Council in the form of a conditional use permit.

Discussion

The request is for approval to operate a recycling facility in conjunction with the current operation of Clark Brothers Sanitation. The City Code sections 36-101 and 36-106 specifies standards for industrial uses and physical appearance standards for salvage yards.

Section 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 materials and techniques as approved by the Chief Building Official. No inventory or salvage materials of any nature may be stacked within fifty (50) feet of the fence to a height greater than said fence.

Because this request will include composting yard waste similar to that which the City does at the transfer station, it may be appropriate to include additional condition to regulate that additional operation.

(G). All yard waste composting operations shall be located at least 600' from St Paul Road and 12' from the north, south, and east property lines. Yard waste composting shall be turned and screened at least once each 30 days.

Alternatives

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

1. Approve the request for the Conditional Use.
2. Disapprove or /Deny the Request.
3. Modify the Conditional Use Permit to meet the wishes of the Council.
4. Table the issue.

Recommendation

City Administration recommends that the Council approve the conditional use permit to allow for a salvage yard with the conditions required in the City Code and identified in the Staff memorandum.

Sample Motion

Move to approve the request for a conditional use permit with the conditions as identified in the departmental memorandum.



Non-Refundable Fee: \$200.00
 Return by: _____
 Council Action on: 4-14-09

Conditional Use Permit Application

pc: Building, Legal, Utilities
 Planning, Public Works

1. The specific use/construction requested is: RECYCLING OF PAPER, METAL CANS, PLASTICS AND YARDWASTE
2. The owner(s) of the described property is/are: LTSC, INC. DBA CLARK BROTHERS SANITATION
3. The legal description of the property is: WASHINGTON TWP GARDEN PLACE LT 3 X N 40' & N 1/2 LT 4
4. The address of the property is: 3105 ST. PAUL RD
5. The zoning classification of the property is: HEAVY MANUFACTURING/AGRICULTURAL
6. Existing improvements on the property is: NONE
7. The duration of the proposed use is: 10 + YEARS
8. Plans for construction of permanent facility is: 1-2 YEARS
9. The character of the immediate neighborhood is: LIGHT RESIDENTIAL WITH NEARBY SOD FARM
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: WE WANT TO USE THIS LAND TO TAKE ALL OF OUR RECYCLABLE MATERIALS. THERE THE MATERIALS WILL BE SORTED AND PROCESSED FOR SHIPPING. WE WILL PLAN ON BUILDING A RECYCLING FACILITY IN WHICH ALL THE MATERIAL OTHER THAN YARD WASTE WILL BE PROCESSED. THE YARD WASTE WILL BE WINDROWED AND COMPOSTED ON THE EASTERLY MOST PART OF THE PROPERTY, SO AS TO AVOID HOMES. OUR SISTER COMPANY IS CURRENTLY OPERATING A SIMILAR FACILITY IN HASTINGS.

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

2/20/09
 Date

Chris P. Woodward
 Owners(s)

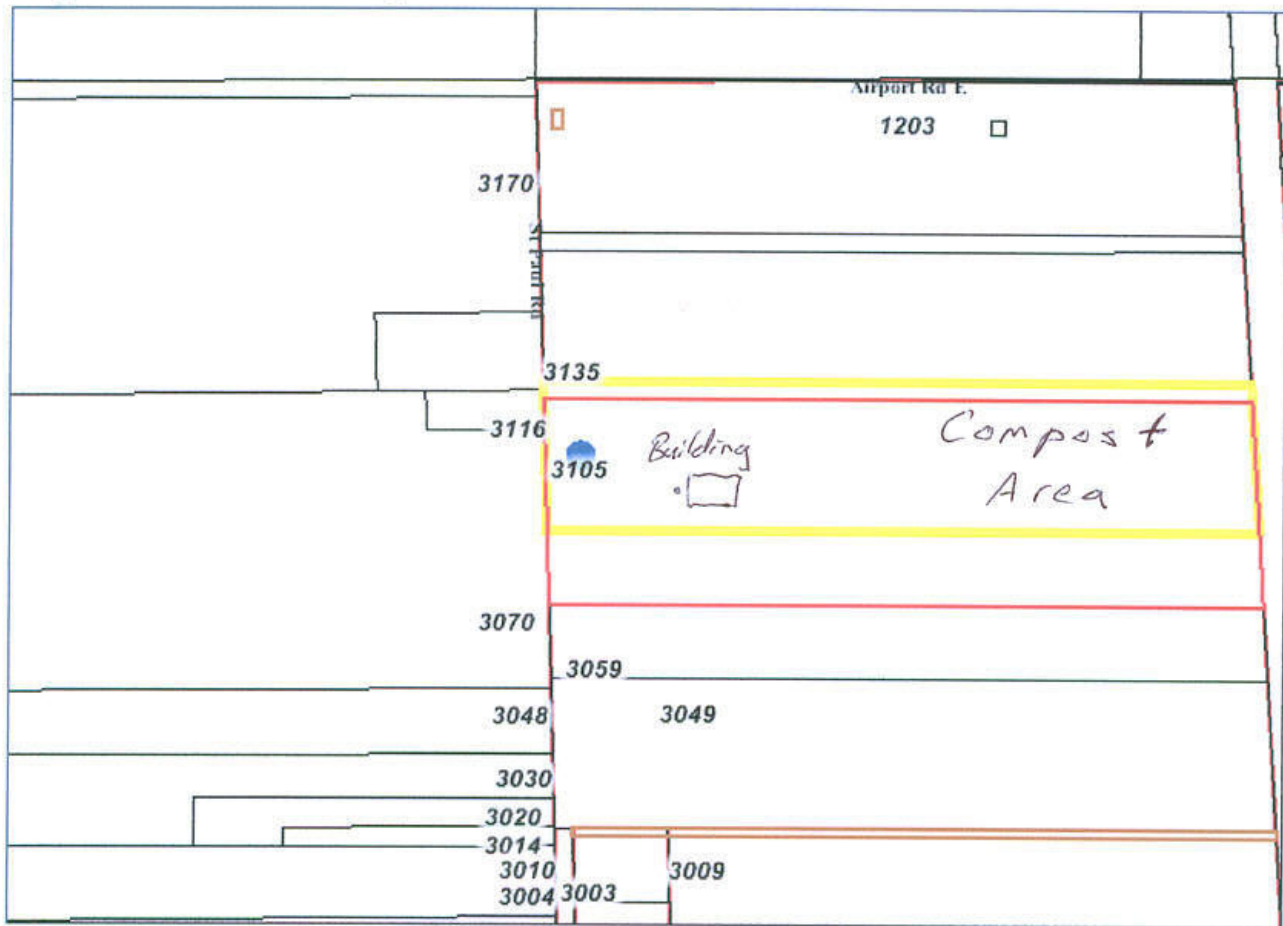
(308) 384-2570
 Phone Number

3080 W 2nd
 Address

Grand Island NE 68803
 City State Zip

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

City of Grand Island Mapsifter



Terrascan, Inc.

- * TOTAL AREA OF SITE 15.82 ACREAS
- * BUILDING WILL BE 300' FROM ST. PAUL RD
- * COMPOST AREA WILL BE OVER 600' FROM ST. PAUL RD
- * LAND DIMENSIONS 326' X 1554'



LAND FOR PROPOSED CONDITIONAL USE PERMIT

- * BUILDING WOULD SET APPROXIMATELY WHERE DUMPSTERS ARE SETTING IN THE PICTURE ON THE RIGHT SIDE OF THE PROPERTY
- * COMPOST AREA WOULD BE BACK BY TREE LINE IN THE REAR OF THE PROPERTY
- * FRONT BARBED WIRE FENCE WOULD BE REPLACED WITH A WHITE PLASTIC FENCE