



City of Grand Island

Tuesday, January 11, 2011

Council Session

Item E3

**Public Hearing on Request from Consolidated Concrete Co. for a
Conditional Use Permit for Two Conex Containers to Store
Concrete located at 3440 West Old Highway 30**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig Lewis, Building Department Director

Meeting: January 11, 2011

Subject: Request from Consolidated Concrete Company for
Renewal of a Conditional Use Permit to Allow for the
Use of Two Shipping Containers as Temporary Buildings
at 3440 W. Old Hwy #30

Item #'s: E-3 & H-1

Presenter(s): Craig Lewis, Building Department Director

Background

This request is for renewal of a conditional use permit to allow for the continued use of two shipping containers for temporary buildings at the above referenced site. Approval was received from the City Council on August 12, 2008 for an 18 month period and again on January 12, 2010 for a one year period expiring on December 31, 2010.

Section 36-89 of the Grand Island Zoning Code provides for temporary buildings and uses not to exceed two years in undeveloped areas. Staff believes the intent of this section is to allow for temporary buildings and uses while permanent facilities are under construction or in this case while a determination is made as to a process or location.

Discussion

This request is for renewal for an additional one year to continue the use of two shipping containers to house admixtures and equipment (pumps and motors) to facilitate the mixing of concrete at the existing batch plant. The containers have been located on the site since June of 2007. Consolidated Concrete has been evaluating the location of these containers for permanent placement and requests an additional year to finalize a location as existing utility easements have been identified and need to be addressed.

These containers are different from typical shipping containers used for storage as these have electrical wiring supplying the equipment located within.

The application states the request is for one additional year, past discussions with Mr. Sallinger of Consolidated Concrete had revealed that permanent facilities could be planned for construction in 2010, but that appears to have been postponed and they are now looking into 2011 for a cost effective solution.

As the containers have already been in place for 3-1/2 years and received consideration from the City Council twice in the past to accommodate a permanent resolution, staff would recommend a limited amount of time be given to bring these structures into compliance with a permanent solution not taking undue advantage of the City Code that allows for temporary buildings and uses.

The site location is such that it would not appear this request will have any negative impact on the neighboring properties.

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 Permit finding that the proposed application is and will continue to be in conformance with the purpose of the zoning regulations.
2. Disapprove or /Deny the request, finding that the proposed application does not conform to the purpose of the zoning regulations.
3. Approve the request with additional or revised conditions and a finding of fact.
4. Refer the matter to a special committee for a determination of a finding of fact.

Recommendation

City Administration recommends that the Council approve the request for an additional 12 month period expiring on December 31, 2011, finding that 4-1/2 years is a reasonable amount of time to evaluate the viability of the systems housed within these temporary structures and design a permanent solution in conformance with Grand Island City Code regulations.

Sample Motion

Move to approve the request for a conditional use permit including the staff recommendations, finding that the application conforms with the purpose of the zoning regulations.

Conditional Use Permit Application

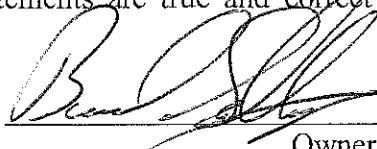
pc: Building, Legal, Utilities
Planning, Public Works

1. The specific use/construction requested is: _____
 To use two Conex Containers to store concrete.
2. The owner(s) of the described property is/are: Consolidated Concrete Co.
3. The legal description of the property is: Lot 1 Spelts-Schultz Industrial Sub.
4. The address of the property is: 3440 West Old Hwy 30
5. The zoning classification of the property is: Industrial
6. Existing improvements on the property is: Redi Mix Concrete Plant
7. The duration of the proposed use is: One Year
8. Plans for construction of permanent facility is: Winter of 2011 / 2012
9. The character of the immediate neighborhood is: Industrial
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 currently have two Conex containers sitting on an 8" concrete slab beside our plant. According to the Grand Island code, they need to be on a permanent foundation. We are working with an engineer and a contractor trying to come up with a cost effective solution.

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

December 17, 2010

Date



Owners(s)

(308) 384-2003

Phone Number

3440 West Old Hwy 30

Address

Grand Island

City

NE

State

68803

Zip

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