



# **City of Grand Island**

**Tuesday, March 22, 2011**

**Council Session**

## **Item E2**

**Public Hearing on Request from Tom Ummel and Tommy Ummel  
for a Conditional Use Permit for a Recycling Center Drop Off  
Located at 1827 East 4th Street**

**Staff Contact: Craig Lewis**

# **Council Agenda Memo**

**From:** Craig Lewis, Building Department Director

**Meeting:** March 22, 2011

**Subject:** Request of Tom Ummel Sr. & Tom Ummel Jr.  
Representing Heartland Disposal for Approval of a  
Conditional Use Permit to Allow for the Operation of a  
Recycling Center at 1827 East 4<sup>th</sup> Street -  
Lot 1-5 Brodsky Industrial Empire Sub.

**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 Recycling center at the property referenced above. A conditional use permit is required by the City code as the property is currently zoned M2 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 Heartland Disposal. The current operation at 2403 W. Old Lincoln Highway will relocate to this location due to the success of the recycling operation and out growing the current site. Outside storage of material is not anticipated but may occur at high volume times in a limited fashion. 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.

### **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 regulation.
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**

Approve the request with the conditions identified in the staff memorandum and articulated in the City Code, finding that the proposed use and application promotes 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**

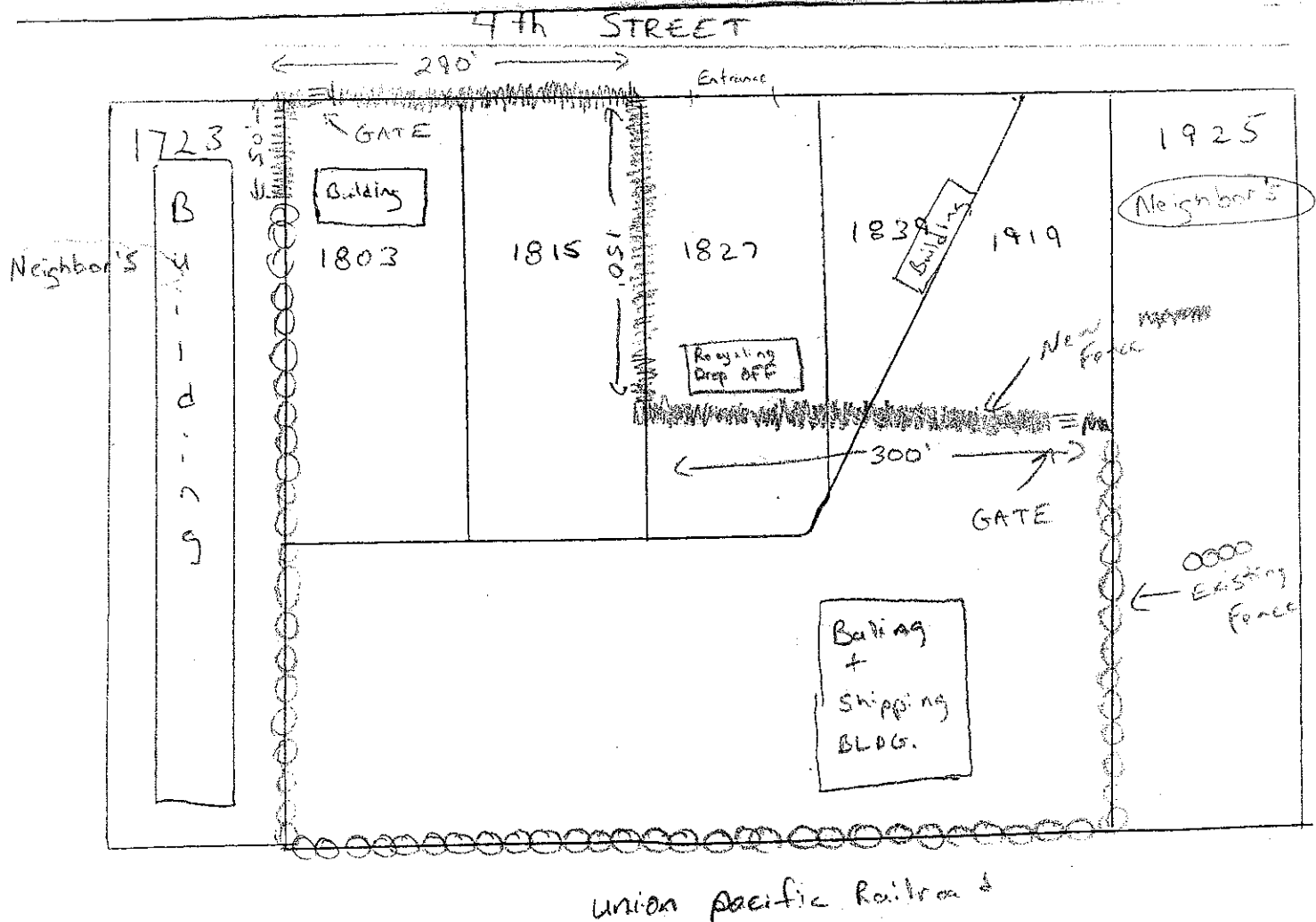
Move to approve the request for a conditional use permit with the conditions as identified in the departmental memorandum, finding that the application conforms with the purpose of the zoning regulations.

## Site Plan – Heartland Disposal & Recycling New Facilities

Operations will be expanded and a larger new community recycling drop off center will be provided for the public at this location. This location is ideal as it provides a safe area off the main street for the public to enter and to exit and provides adequate space for larger amounts of material to be recycled.

Material will be dropped off at the recycling center on lot 1827 and then moved to lot 1919 where it will be processed and baled. All baled material will then be placed onto semi trailers for shipping. A very limited amount of material will rarely be kept outside with this new facility as there is ample space for many trailers to be utilized.

Approximately 750' of new eight foot sight- obscuring hurricane fence will be constructed ~~shown~~ shown below on the drawing along the frontage of the entire properties. This new fence will connect to existing fencing ~~on~~ on the West side set back behind the building located at 1723. This new fence will then border the properties 1803 and 1815 cutting across properties 1827, 1839 and 1919 connecting to existing fence on neighbor's property 1925. This would provide the entire properties of 1803, 1815, 1827, 1839, 1919 to be isolated visually from anyone on Fourth Street. Both neighbors have existing fences and trees and buildings at 1723 and 1925 to obscure the sights of the east west visuals of our properties. The far south side of the property is neighboring with the Union Pacific railroad and there is an existing fence there. All materials will be kept well within the fifty feet requirement and not visually stacked over the height of the fence to comply with the conditional use code.





Non-Refundable Fee: \$200.00  
Return by: \_\_\_\_\_  
Council Action on: \_\_\_\_\_

## Conditional Use Permit Application

pc: Building, Legal, Utilities  
Planning, Public Works

1. The specific use/construction requested is: Recycling Center Drop off
2. The owner(s) of the described property is/are: Tom Umme1 + Tommy Umme1
3. The legal description of the property is: Lot 3 Brodsky Industrial Empire Sub
4. The address of the property is: 1827 E. 4th Street
5. The zoning classification of the property is: M 2
6. Existing improvements on the property is: Constructing a 30 x 30 Building
7. The duration of the proposed use is: Ongoing
8. Plans for construction of permanent facility is: In process
9. The character of the immediate neighborhood is: Industrial area
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: A Free Community recycling drop off center for the city of Grand Island residents to use. materials will be dropped off at no charge at this site.

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

2-2-11

Date

Tom Umme1 + Tommy Umme1

Owners(s)

308-382-1683

Phone Number

2423 West Old Lincoln Hwy

Address

Grand Island

City

NE

State

68003

Zip

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



