

City of Scottsbluff, Nebraska

Monday, April 10, 2017

Regular Meeting

Item Appr. Min.4

Special Use Permit for a Scrap Metal Processing Facility located in an M-2 zone at 417 9th Ave

Staff Contact:



*SCOTTSBLUFF
PLANNING COMMISSION
Staff Report*

To:	Planning Commission	Zoning:	M-2
From:	Development Services Department	Property Size:	8.96 Acres
Date:	April 10, 2017	# Lots/Units:	2
Subject:	Special Use Permit Request – Langer Industrial Service, LLC Scrap Metal Processing Facility		
Location:	417 9 th Ave		

Background: The applicant(s), Langer Industrial Service, LLC is requesting a special use permit to allow for a recycling center and scrap metal processing facility in an M-2 Heavy Manufacturing and Industrial Zone. The property is on the northeast corner of S. Beltline and 9th Avenue. Scrap metal processing facilities are listed under special permits uses in the M-2 Heavy Manufacturing and Industrial zoning district with approval from the Planning Commission. This is the City's most intensive zoning district.

Analysis: The property is located in an M-2 Heavy Manufacturing and Industrial zoning district. The applicant has submitted all the necessary paper work for the special use permit. The surrounding properties to the east and south are also zoned M-2. The property to the southwest is zoned M-1, Light Manufacturing and Industrial, and the property to the west and north is zoned C-3, Heavy Commercial. There are some residential properties within 300 feet; however, they are all on the other side of the Burlington Northern Railroad Tracks, so there is some separation between the residential areas and the proposed facility location.

This item was tabled at the March 13th meeting after residents expressed concern about the appearance, noise, and environmental impacts of the facility. The applicant referred to a similar facility in Colby, Kansas where many of these concerns were brought up prior to the facility being located there which, in the applicant's opinion, have since been determined to be unfounded. Gary Batt, City Code Enforcement Officer, called the City of Colby, Kansas, and they said that the operation seemed to be very clean, with no evidence of environmental issues (see attached letter). Langer Industries has also proposed to put up a fence to screen the activity from the residential area, along with planting some trees which over time would provide additional screening and help absorb noise.

RECOMMENDATION

Approve

Make a motion to approve the special use permit to allow for a Scrap Metal Processing Facility at 417 9th Ave in a M-2 Heavy Manufacturing and Industrial zoning district to Langer Industrial Service, LLC subject to the following condition(s):

Deny

Make a motion to disapprove the special use permit for a Scrap Metal Processing Facility at 417 9th Ave in a M-2 Heavy Manufacturing and Industrial zoning district to Langer Industrial Service, LLC for the following reason(s):

Table

Make a motion to TABLE the special use permit request for a Scrap Metal Processing Facility at 417 9th Ave in a M-2 Heavy Manufacturing and Industrial zoning district to Langer Industrial Service, LLC for the following reason(s):



From: Gary Batt
Sent: Friday, March 24, 2017 11:28 AM
To: Andrea Folck
Subject: Langer Industries

Annie,

I contacted Terry Overton, Code Enforcement officer for the City of Colby Kansas in reference to the Langer Ind. LLC. Terry said the processing plant is located in their 3 mile jurisdiction outside of town at 2175 County Road Q, Colby, Kansas.

I asked Terry if there were any complaints from the surrounding neighbors of Langer's. Terry said in the beginning during the Planning Commission meetings people voiced concerns of pollution from oils and acid from the batteries, the stock piles of processed materials, debris on the roadway.

Terry said Langer runs a pretty clean operation, Langer will usually process the metal coming in rather quickly so they can sell it off. The oils and batteries are removed before the processing and is done in a clean manner. If there are any debris piles they do not last long before being shipped out. If Langer finds any metal on the roadway coming to his site, he gets after those that drop the debris, and can reduce the amount of money the selling party receives as a penalty for littering the roadway. AS far as any oils or liquids leaving the site, he said the lot is pretty much gravel or soil and he has no evidence of the liquids leaving the site.

Of any non-compliance issues, Terry did say that Langer is to install a fence and is behind on that project, as far as he was aware of it was not in yet.

We concluded our conversation.

Terry Overton, Code Enforcement, Colby, Kansas.

G Batt