

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Special Permit #1983

DATE: August 2, 1983

PROPOSAL: To operate an enclosed disassembly operation for the disassembly of vehicles.

WAIVER REQUEST: None requested.

LAND AREA: Approximately 3.66 acres.

CONCLUSION: This request is consistent with the Comprehensive Plan, and with modifications the site plan will comply with the Zoning Ordinance.

<u>RECOMMENDATION:</u> Conditional Approval
--

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 40 in the SE 1/4 of Section 34, T11N, R7E, Lancaster County, Nebraska.

LOCATION: Northeast of the intersection of U.S. Highway 6 and Fletcher Avenue.

APPLICANT: L.T.R., Inc. dba L.T.R Vehicle Sales and Salvage
Box 29663
Lincoln, NE 68529
(402) 465-4567

OWNER: Allen Ensminger
5700 Fremont Street, Apt. 212
Lincoln, NE 68529
(402) 467-2082

CONTACT: Roger Graul
Box 29663
Lincoln, NE 68529
(402) 465-4567

EXISTING ZONING: I-1 Industrial

EXISTING LAND USE: Vehicle Sales and Repair.

SURROUNDING LAND USE AND ZONING:

North and West:	Agricultural (across U.S. Highway 6)	AG
South:	Construction Yard/Heavy Equipment Sales	I-1
East:	Undeveloped/Agricultural	I-1

ASSOCIATED APPLICATIONS: None.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Comprehensive Plan identifies industrial uses on this site, a part of the large industrial designation in this area roughly bounded by North 56th and North 84th Streets, and by Havelock Avenue and Alvo Road. A heavy industrial center is also designated in the vicinity of this application.

TOPOGRAPHY: Flat across the site.

AESTHETIC CONSIDERATIONS: Adequate screening and limits on the salvage operation to mitigate the impact of the use adjacent to an entrance corridor.

ENVIRONMENTAL CONSIDERATIONS: This site is located within the 100 year floodplain.

ANALYSIS:

1. The site is developed with an approximately 20,000 square foot metal building, and is being used for vehicle repair and/or sales. This is an application for a special permit to allow an enclosed disassembly operation. The applicant states that abandoned cars are towed to the facility, and is seeking this permit to allow the removal of parts to sell to other salvage yards before the cars are disposed of.
2. Lincoln Municipal Code (LMC) defines "Salvage Material" as "dismantled, non-operating or wrecked automobiles, trucks, trailers, equipment, machinery, mobile homes, tractors, or farm machinery, appliances, other vehicles or parts thereof; or scrap materials including iron, steel, and any other metallic materials except recyclables..."
3. Per LMC 27.63.500, enclosed disassembly operations are allowed in the I-1 district with a special permit under the following conditions:
 - A. Construction and operation shall comply with Chapters 5.41 and 8.26 of the Lincoln Municipal Code and any other applicable codes or requirements.**

The applicant must be granted a separate permit in accordance with the requirements of Chapter 5.41 to lawfully operate a salvage yard. Additionally, the salvage yard must operate within the requirements established under Chapter 8.26 - Nuisances.

- B. Receiving areas for salvage material shall be designed to avoid the depositing of salvage material outside a building or outside screened storage areas.**

No outside storage areas are shown on the site plan. As is noted in paragraph D below, this site is within 500' of U.S. Highway 6 and outdoor storage of salvage materials is not allowed.

- C. Scrap processing operations shall contain a minimum of two acres.**

This site is in excess of two acres.

- D. Salvage material kept outside a building shall not be located closer than 500 feet from an entrance corridor, except where existing land forms completely obstruct the view by the traveling public of the salvage material.**

The site is located less than 500' away from U.S. Highway 6, one of the defined entrance corridors according to this section of LMC. There are no land forms to obscure outdoor storage at this site, and as a result no outdoor storage of salvage material is allowed.

- E. Salvage material kept outside a building or buildings shall not be located in the required front yard.**

Outdoor storage of salvage materials at this location is not allowed.

- F. Salvage material kept outside a building or buildings shall be located at least 100' from the boundaries of the I-1 or I-2 zoning district except where said boundaries are common with the H-3 zoning district and shall be at least 500' from any residential zoning district.**

The zoning boundary line separating the I-1 and AG districts extends through the middle of U.S. Highway 6, and there are portions of this site that are within 100' of that line. However, because this site is also within 500' of an entrance corridor (U.S. Highway 6), outdoor storage of salvage materials is not allowed.

- G. Salvage materials may be stored in enclosed semi-trailers provided the semi-trailers are properly licensed and operable.**

Storage within semi-trailers is not indicated in the application.

H. The City Council may decrease the setback requirements in (c) and (f) above upon finding there is sufficient justification for such modification and that there will be no significant adverse effect on the adjacent property.

4. Landscaping is shown on the site plan, but it does not show plantings for the entire site nor a planting schedule. The plan must be revised to show existing and proposed landscaping along with a planting schedule, and must also indicate any fences that are being used for screening.
5. The site plan is also lacking other necessary detail. It must be revised to include a north arrow, a graphic scale, be enlarged to include the entire parcel, and be fully dimensioned. It also must show the adjacent right-of-way to the south of the property.
6. This site is located within the 100 year floodplain. In those cases where outdoor storage of salvage materials is allowed, anchor points in the ground for vehicle tie-downs are required to be shown on site plans.

CONDITIONS:

Site Specific:

1. This approval permits an enclosed disassembly operation, provided there is no outdoor storage of salvage materials.

General:

2. Before commencing operations or receiving building permits:
 - 2.1 The permittee shall have submitted five copies of a revised final plan showing the following revisions and the plans are acceptable:
 - 2.1.1 Include a north arrow, a graphic scale, be enlarged to show the entire parcel, and indicate the adjacent right-of-way to the south of the property.
 - 2.1.2 A revised landscape plan that shows all existing and proposed landscape materials, including street trees, with planting schedule.
 - 2.1.3 Be fully dimensioned including dimensions for parking spaces, all property lines, adjacent rights-of-way and all existing or proposed structures.
 - 2.1.4 Distinguish between existing and proposed structures and facilities.

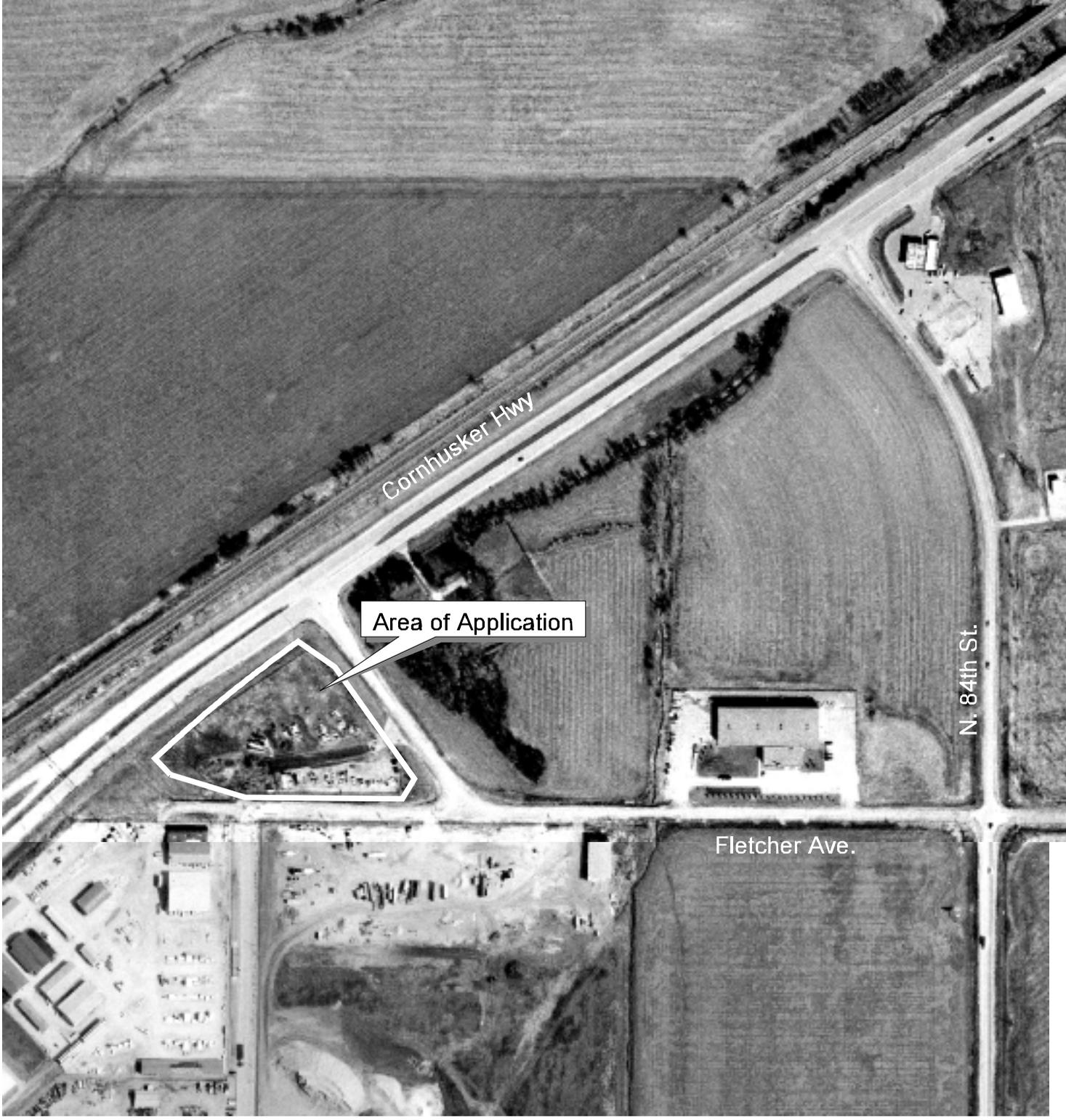
- 2.1.5 A note on the site plan indicating no outside storage of salvage materials is allowed.
- 2.2 Submit a grading plan for approval by the Public Works and Utilities Department for any new construction on the site.
- 2.3 The construction plans comply with the approved plans.

STANDARD CONDITIONS:

- 3. The following conditions are applicable to all requests:
 - 3.1 The operation and use is to comply with Chapter 5.41 for "Salvage Yard and Scrap Processing" and 8.26 for "Nuisance" of the Lincoln Municipal Code, as amended.
 - 3.2 All landscaping and screening materials are to be permanently maintained by the owner.
 - 3.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by

Brian Will, AICP
Planner

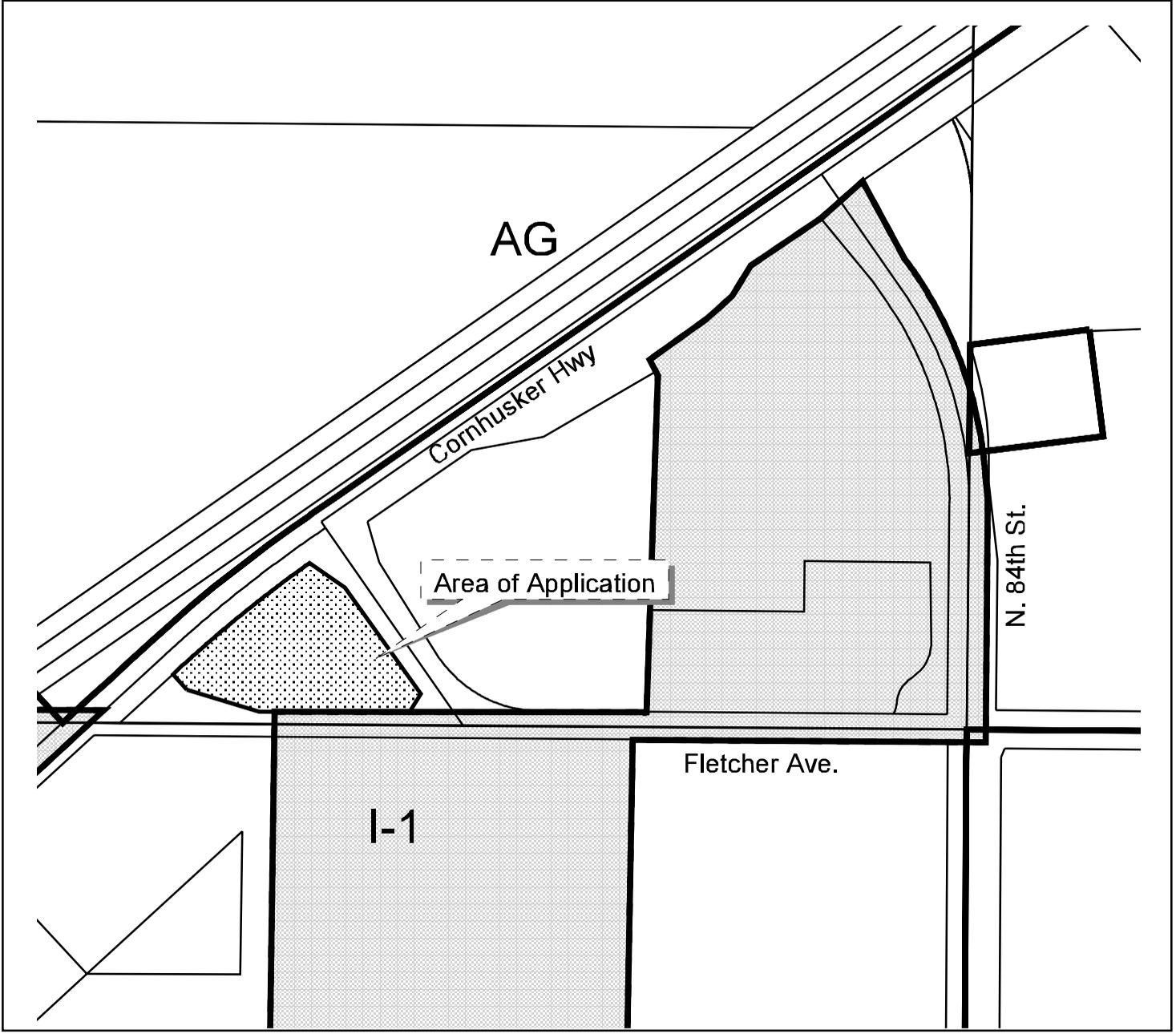


**Special Permit #1983
N. 80th & Fletcher Ave.**



Photograph Date: 1997

Lincoln City - Lancaster County Planning Dept.



**Special Permit #1983
N. 80th & Fletcher Ave.**

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

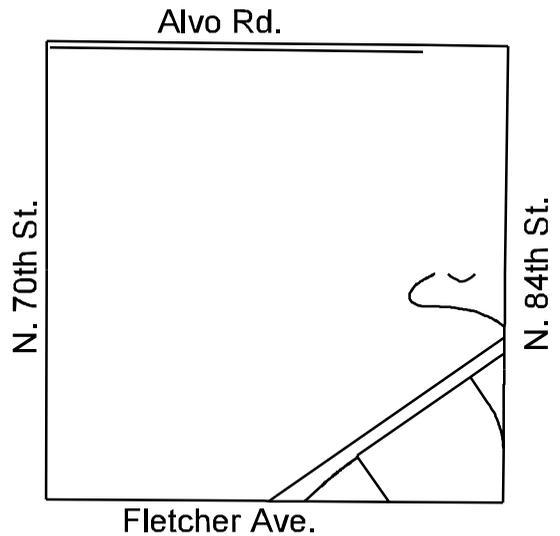
One Square Mile
Sec. 34 T11N R7E



Zoning Jurisdiction Lines

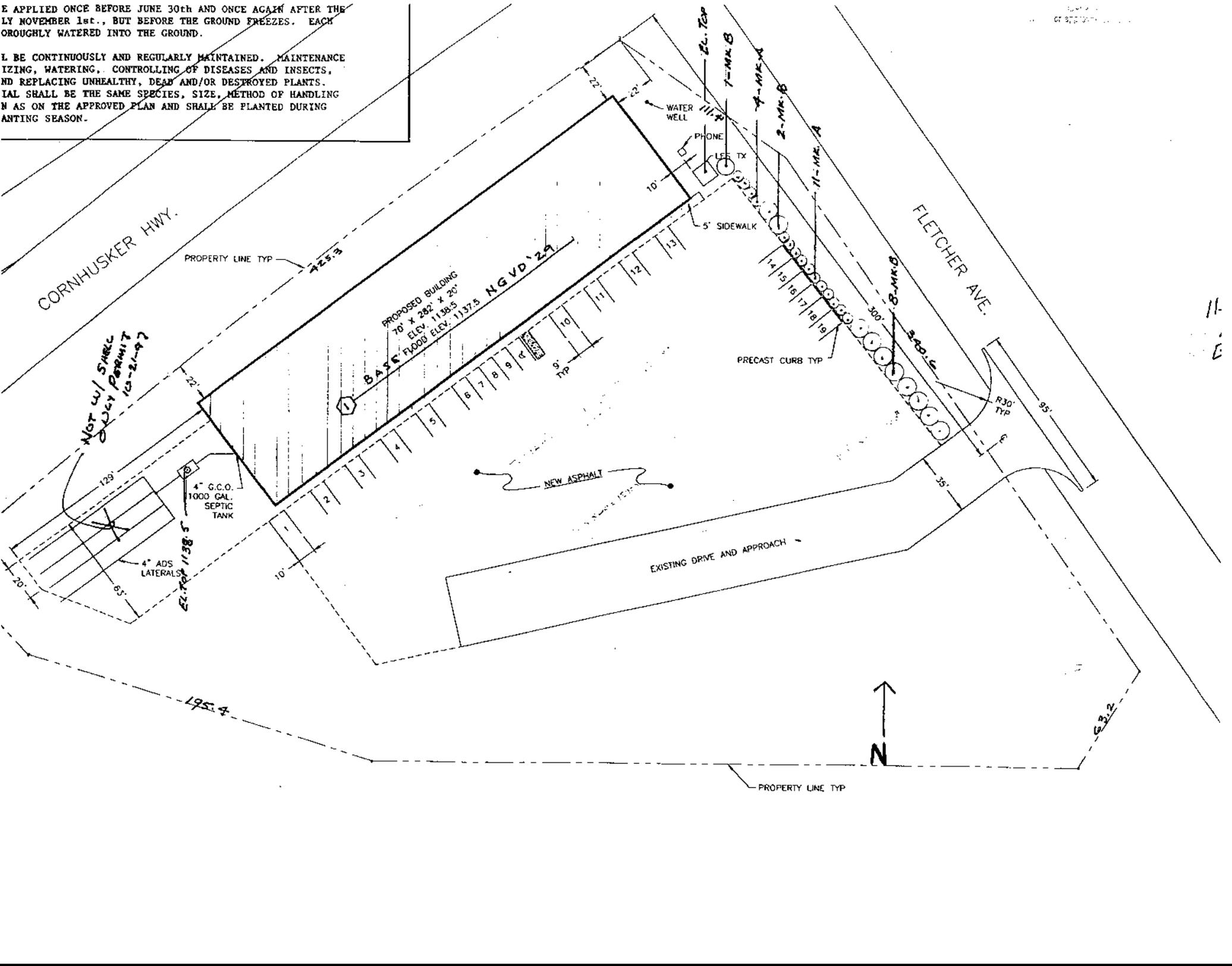


City Limit Jurisdiction



APPLIED ONCE BEFORE JUNE 30th AND ONCE AGAIN AFTER THE
LY NOVEMBER 1st., BUT BEFORE THE GROUND FREEZES. EACH
ROUGHLY WATERED INTO THE GROUND.

L BE CONTINUOUSLY AND REGULARLY MAINTAINED. MAINTENANCE
IZING, WATERING. CONTROLLING OF DISEASES AND INSECTS,
ND REPLACING UNHEALTHY, DEAD AND/OR DESTROYED PLANTS.
IAL SHALL BE THE SAME SPECIES, SIZE, METHOD OF HANDLING
N AS ON THE APPROVED PLAN AND SHALL BE PLANTED DURING
ANTING SEASON.



L.T.R., Inc.

P.O. Box 29663
Lincoln, NE 68529-0663

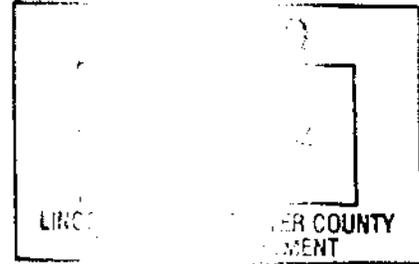
Divisions

LTR Towing
LTR Truck Repair
LTR Frame Shop
LTR Body Shop

Randy Korbelik, Owner/President
Roger Graul, Secretary/Treasurer
Telephone 402-465-4567
Fax 402-465-4694

22 July 2002

Ms. Kathleen Sallman
Planning Director
555 South 10th St.
Lincoln, NE 68508



Dear Ms. Sallman

We are applying for a motor vehicle/trailer-wrecker/salvage license and are advised that we will need a special use permit to obtain it.

L.T.R.Inc. leases property at 8000 Fletcher Ave. At this location, it conducts business under the above listed divisions. The lot is surrounded by an 8 foot high metal board fence that not only makes the lot secure, but also conceals the vehicles in the lot from the public. Currently we have abandoned cars that we have towed to our lot that we need to dispose of. We would like to begin to remove from these vehicles the items that we feel we could sell to other salvage yards or businesses that sell used parts. The remainder of the vehicle would be disposed of as a unit. We would attempt to get rid of the salvage inventory on a monthly basis. In other words, we do not intend to maintain an inventory of the stripped items on a long term basis, as this is not the area that we intend or desire to expand into. We only want to be able to attempt to offset some of the costs attendant to the original tow and storage.

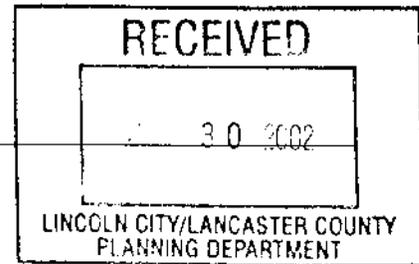
If you have further questions concerning the use of the property, please contact the undersigned or Randy Korbelik.

Thank you.

Sincerely


Roger Graul

M e m o r a n d u m



To: Brian Will, Planning

From: Dennis Bartels, Public Works and Utilities

Subject: LTR Inc. Salvage Yard Permit

Date: July 29, 2002

cc: Roger Figard
Randy Hoskins
Nicole Fleck-Tooze
Ben Higgins

Engineering Services has reviewed Special Permit #1983 located at 8000 Fletcher and has the following comments:

1. This site is surrounded on 3 sides by street right-of-way. The Fletcher Street right-of-way on the south side is not shown.
2. It is not clear whether the building and pavement shown exist or are proposed. The building is shown as proposed but appears to reference a 1997 building permit. If new construction is proposed, a grading plan should be required.
3. The letter indicates outside storage of vehicles. 27.63.500d appears to forbid out storage of salvage materials within 500' of US 6 at this location.
4. Storage of salvage vehicles in the flood plain should be prohibited or a method of anchoring the vehicles in place should be required.

Memo



To: Brian Will, Planning Department

From: Mark Canney, Parks & Recreation

Date: July 29, 2002

Re: LTR, Inc.

SF. 883

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have the following comments:

1. Please submit a landscape plan showing existing and proposed landscape materials, including street trees.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Brian Will

DATE: August 8, 2002

DEPARTMENT: Planning

FROM: Mark Kenne, REHS

ATTENTION:

DEPARTMENT: Health

CARBONS TO: Bruce Dart, Director
EH File
EH Administration

SUBJECT: L.T.R., Inc.
SP# 1983

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the application to obtain a license as a motor vehicle/trailer/wrecker/salvage dealer at 8000 Fletcher Avenue submitted by L.T.R., Inc.

At this time, LLCHD does not object to the approval of this license. However, one point of concern should be mentioned here.

An area of about 150' x 70' in the west corner of the property is about 4' below the 100 year flood plane. The department opposes the storage of vehicles with oil and petroleum products in the flood plane. We recommend the described area of the yard not be used for such purpose.