



# **City of Grand Island**

**Tuesday, August 14, 2012**

**Council Session**

## **Item E1**

**Public Hearing on Request from Roger Luebbe for a Conditional Use Permit for a Parking Lot Located at 1311 South Stuhr Road**

**Staff Contact: Craig Lewis**

# Council Agenda Memo

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

**Meeting:** August 14, 2012

**Subject:** Request of Roger Lubbe and the Nebraska State Fair for Approval of a Conditional Use Permit to Allow the Use as a Parking Lot for Property at 1311 S. Stuhr Road

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

**Presenter(s):** Craig Lewis – Building Department Director

## Background

This request is for approval of a conditional use permit to allow the property to be utilized as a parking lot. The 36 acre tract of land located east of Stuhr Road is an undeveloped tract of land and would be utilized as parking for the State Fair and possibly other events that would comply with the provisions of section 36-96 (B) (3). The property is currently zoned T-A Transitional Agriculture and as such a parking lot is not a listed permitted or conditional use. However, a public service facility is a listed conditional use and section 36-89 (E) allows temporary uses if approved by the City Council as a conditional use. Conditional uses as listed in the zoning code must be approved by the City Council after a finding that the proposed use promotes the health, safety, and general welfare of the community, protects property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

## Discussion

This proposal is to utilize the undeveloped tract of land for parking as the provisions of section 36-96(B)(3) allow for tracts of land twenty acres or more used for seasonal events of not more than 14 consecutive days in duration to be exempt from providing required parking lot improvements.

The request is to allow parking for the State Fair and any similar event that would comply with the provision of the City code for the next 5 years.

Conditions for the approval of the tract might be a minimum 10' setback from the property line before any parking begins, limited access to the site in two drives as approved by the Public Works department, and any parking lot lighting provided shall

comply with the National Electric Code and be permitted and inspected by City electrical inspectors.

### **Alternatives**

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

1. Approve the request for a Conditional Use Permit finding that the proposed use is a listed conditional use in the zoning code and that it will not be detrimental to public health, safety, and the general welfare of the community.
2. Disapprove or /Deny the request finding that the proposal does not conform to the purpose of the zoning regulations.
3. Modify the request to meet the wishes of the Council.
4. Refer the matter to a special committee for a determination of a finding of fact.
5. Table the issue

### **Recommendation**

City Staff recommends that the Council approve the conditional use permit with the condition identified, finding that the request does promote 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 requested conditional use permit as specified in the staff recommendation published in the Council packet and presented at the City Council meeting and finding that the application will conform 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: Utilize existing 36 acre parcel as parking area for Nebraska State Fair & similar events.
2. The owner(s) of the described property is/are: Midland Ag. Service
3. The legal description of the property is: Wash TWP PT W 1/2 23-11-9, 35.83 ac.
4. The address of the property is: Fonner Road & Stuber Road
5. The zoning classification of the property is: TA (Transitional agriculture)
6. Existing improvements on the property is: none
7. The duration of the proposed use is: 3-5 years
8. Plans for construction of permanent facility is: none
9. The character of the immediate neighborhood is: residential/agricultural
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: Nebraska State Fair has discussed using the referenced parcel to provide parking for the annual state fair. The owner, Roger Luebke, has agreed with this request and has plans to possibly use the parcel for similar events in the future.

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

7-19-2012  
 Date

Roger L. Luebke  
 Owners(s)

308-302-8185  
 Phone Number

1012 S. Shady Bend Road  
 Address

Grand Island      NE      68801  
 City                                  State                                  Zip

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

