

**PLANNING COMMISSION REPORT**  
**Regular Agenda – Public Hearing Item**

PC Staff Report  
7/22/2015

**ITEM NO. 2 SPECIAL USE PERMIT FOR 2110 HARPER STREET**

**SUP-15-00241:** Consider a Special Use Permit for an *Institutional Development Plan* for the Douglas County Fairgrounds Master Plan located at 2110 Harper Street. The plan includes the removal of several existing buildings, barns and the baseball fields and construction of a new Open Pavilion Building, Meeting Hall, Outdoor Meeting Area and restrooms. The plan also includes the removal and replacement of the Outdoor Arena. Parking and interior circulation areas will also be modified and improved. Improvements are being made to provide code compliant facilities to serve a variety of *Community Facility* activities that take place at the fairgrounds. Submitted by Landplan Engineering and Treanor Architects on behalf of Douglas County, property owner of record.

**STAFF RECOMMENDATION:** Planning Staff recommends approval of a SUP-15-00241, a Special Use Permit for an Institutional Development Plan (IDP) for the Douglas County Fairgrounds Master Plan located at 2110 Harper Street and forwarding the request to the City Commission with a recommendation of approval, subject to the following conditions:

1. Dedicate the 15' utility easement and 20' sanitary sewer easement by separate instrument.
2. Applicant shall request a waiver for the gravel roadway from the City Engineer. If approved, the site plan will be updated to include note regarding waiver.
3. Prior to release of the SUP, applicant shall provide the following:
  - a. A photometric plan including lighting fixture details for review and approval prior to issuance of a building permit.
  - b. Details requested during SUP review by Utility Manager and Stormwater Engineer for further review and approval.
  - c. Revised site plan that includes:
    - i. A note referencing the Book & Page for the files 15' utility easement and 20' sanitary sewer easement.
    - ii. Updated Landscape Schedule to include perimeter parking lot landscaping
  - d. Execution of a site plan performance agreement.
4. Filing the approved IDP at the Register of Deeds and publication of an ordinance for the Special Use Permit.

**Applicant's Reason for Request:** *Remove buildings 1 & 2 with replace with Building D, remove 7 barns, 3 baseball fields, and replace with Open Pavilion, remove and replace the Outdoor Arena. The main reason for the request is to update the existing activities with code compliant facilities.*

**ASSOCIATED CASES/OTHER ACTION REQUIRED**

- UPR-12-14-98: New Community Building (Indefinitely Deferred, No Action)
- UPR-06-08-99: Community Building and Master Plan (Approved by the City Commission on 9/14/1999)
- SP-06-38-04: Site Plan for the removal of two existing buildings and construction of a storage building and an office building.

- SP-09-65-07: Revised Master Plan and Site plan for Dreher Hall Addition for 2110 & 2120 Harper Street
- Z-11-29-07: Rezoning from RS7 to GPI, Douglas County Fairgrounds located at 1910, 2110, and 2120 Harper Street.

### **Other Action Required**

- City Commission approval of rezoning and adoption of ordinance.
- Publication of rezoning ordinance.
- Submission and approval of a photometric plan including light fixture details prior to issuance of a building permit.
- Completion of Public Improvement Plans for the extension of the water main.

### **KEY POINTS**

- This property is zoned GPI (General Public & Institutional) District and contains more than 10 acres. Therefore approval is required through a Special Use Permit per Section 20-1307 of the Development Code.
- The Master Plan for the Douglas County Fairgrounds that includes the removal of several structures and the construction of new facilities.
- This Special Use Permit accommodates the updating of existing activities with code compliant facilities on the Fairgrounds.

### **FACTORS TO CONSIDER**

- Procedural requirements of Section 20-1306; Special Use Permits and 20-1307, Institutional Development Plans.

### **PUBLIC COMMENT RECEIVED PRIOR TO PRINTING**

- No public comment was received prior to the printing of this staff report.

### **ATTACHMENTS**

1. Area Map
2. Site Plan

### **GENERAL INFORMATION**

Current Zoning and Land Use: GPI (General Public & Institutional) District; Douglas County Fairground

Surrounding Zoning and Land Use: To the northwest/west: RM12 (Multi-Dwelling Residential District) a church and duplexes are located west and northwest of the subject property.

To the north: RS7 (Single-dwelling Residential) District and PID (Planned Industrial Development) District; single-dwelling residences, church, mobile home park and animal shelter.

To the west: RS7 (Single-dwelling Residential) District and GPI (General Public and Institutional Use) district; established single-family neighborhood and elementary school.

To the south: GPI (General Public and Institutional Use) District and RS7 (Single-dwelling Residential) District; City fire/medical station and mobile home park.

To the east: IG (General Industrial) and IM (Medium Industrial District); Auto recycling/salvaging facility and Farmland Business Park.

### **Institutional Development Plan**

Section 20-1307 states that the purpose of the IDP is “to provide the community vision for the long-term use and development of public institutional space and lands so that they are designed to be compatible with surrounding land uses and contribute to the neighborhood and character of the area in which they are located. Providing this community vision for institutional buildings and sites also allows adjacent and nearby property owners to anticipate future non-residential development patterns and plan for the use and enjoyment of their property accordingly.” When sites are over 10 acres in size, the IDP is reviewed through the Special Use Permit Process to provide public review of the proposed uses and site layout.

### **Summary of Request**

Douglas County Fairgrounds is located at 1910 Harper Street (Lot 1) and 2110 Harper Street (Lot A). This Special Use Permit accommodates the updating of existing activities with code compliant facilities on the Fairgrounds. To accommodate the proposed updates, three baseball fields and 11 structures will be removed, as shown in Figure 1a below. New construction will include an open pavilion, a meeting hall, an outdoor meeting building and area, and a small structure that will contain restrooms, concessions and a ticket area, as highlighted in Figure 1b below. Greenspace that will serve as overflow parking will also be created with this Special Use Permit. Lot 1 will serve as greenspace and provide parking for 1,130 cars as needed. There will also be greenspace that will accommodate exhibitor parking, providing 32 stalls for RV and trailers, and 270 car stalls. The final greenspace that will accommodate parking is located in the southeast corner of Lot A. There are also permanent parking lot improvements proposed. One new parking lot and one expanded parking lot are proposed. These lots will take access from Harper Street.

At this time, the improvements proposed with the Special Use Permit are not anticipated to be completed in a phased approach.

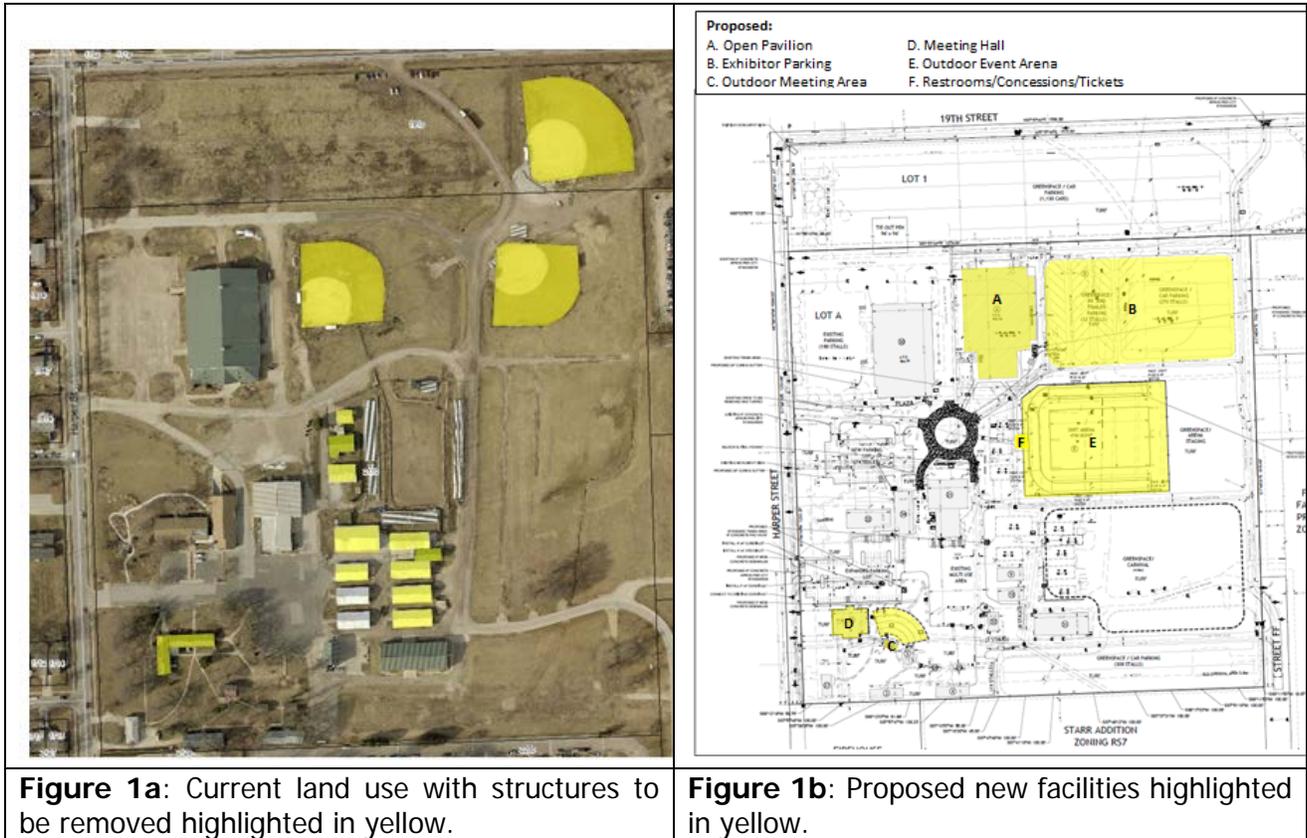
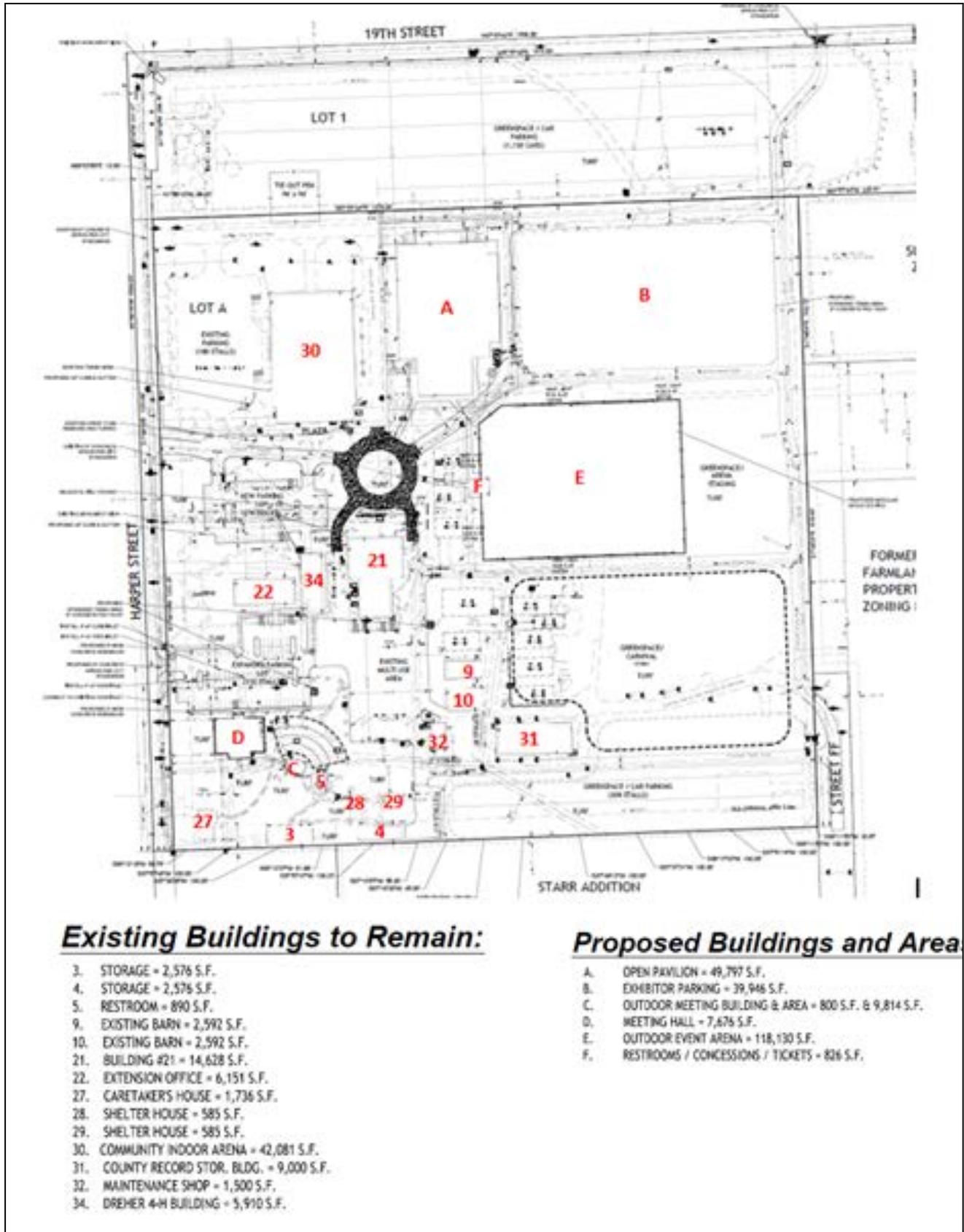


Figure 2, found on the next page, indicates the final development. It shows the existing building that will remain, as well as the proposed buildings and areas.



**Figure 2:** Existing to remain, and proposed buildings/areas to be added

**Review and Decision-Making Criteria (Land Development Code Section 20-1306(i))**

**1. WHETHER THE PROPOSED USE COMPLIES WITH ALL APPLICABLE PROVISIONS OF THIS DEVELOPMENT CODE**

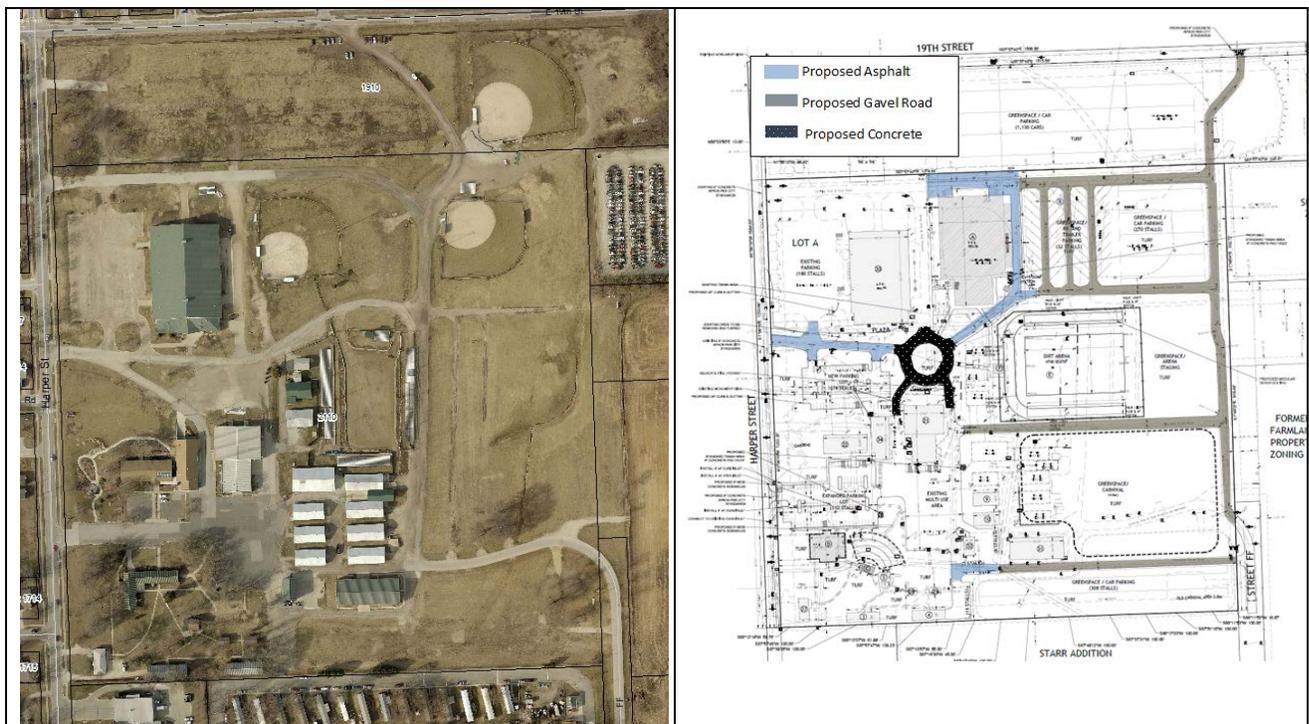
Applicant's Response: *Yes, the fairground has been used in this area for a number of years (157 years), the first fair was 1858 and the area has been rezoned for this use.*

The setbacks in the GPI District are as follows: Front—40 feet; abutting R Districts—40 feet, abutting non-R Districts—15 feet. All proposed new structures will be located within the subject property further than the setback requirements. Of all of the proposed new structures, the closest building to the property line, Building D, will be located 87.60' from the west property line.

The plan indicates that there is lighting proposed with the Outdoor Event Arena. A photometric plan is required prior to issuance of a building permit. The plan will be submitted for staff review and should include lighting fixture details. Full cut-off fixtures are required to limit off-site glare.

Section 20-1307(c)(2)(ii) indicates that at least two access points shall be provided, one of which being from a Residential Collector Street. Two drives currently existed to provide access to the site from Harper Street, which is classified as a Collector on the T2040 Major Thoroughfares Map. There are not changes proposed to these drives with this proposed plan. A new access drive is proposed with the plan that will provide access from E 19<sup>th</sup> Street. This new drive is part of an improvement to realign the drive with new proposed internal roads that will provide access to the site's facilities.

The plan proposes to change the vehicle movement within the subject site by creating a network of gravel roadways that will extends from FF Road to E 19th Street and provides access to the site's facilities. These internal gravel drives are subject to the approval of the City Engineer. Other areas within the subject site will be improved with asphalt and concrete paving. A concrete roundabout is proposed east of the new parking lot, east of the Outdoor Event Arena, south of Buildings 30 and A, and north of Building 21. The proposed improvements are shown below in Figure 3.



|  |  |
|--|--|
| Figure 3a. Existing roadway network within the subject site. | Figure 3b. Proposed roadway network within the subject site. |
|--|--|

**Staff Finding** – As conditioned, and with the City Engineer waiver from the paved road requirement, this use complies with the applicable provisions of the Development Code.

**2. WHETHER THE PROPOSED USE IS COMPATIBLE WITH ADJACENT USES IN TERMS OF SCALE, SITE DESIGN, AND OPERATING CHARACTERISTICS, INCLUDING HOURS OF OPERATION, TRAFFIC GENERATION, LIGHTING, NOISE, ODOR, DUST AND OTHER EXTERNAL IMPACTS**

Applicant's Response: *The fairground was outside of town for a number of years. The area developed to the fairgrounds and the uses are compatible to the north, east and south. The area to the west is single family homes which develop to the fairground.*

There are a variety of zoning districts and land uses nearby. The majority of the surrounding property to the north, west and south is zoned RS7 (Single-dwelling Residential) District and contains detached single-family homes and two mobile home parks. Non-residential uses are located in all directions: to the north is a one-lot Planned Industrial District (PID) which contains the Lawrence Humane Society, the area animal shelter, and a church; to the south and west are properties zoned GPI (General Public and Institutional) District which contain a City fire/medical station and an elementary school, and to the east are industrially zoned properties which contains a salvage yard and vacant property in Venture Park.

The Douglas County Fairgrounds were established in 1951 and the first buildings were constructed between 1951 and 1955. The changes proposed with this Special Use Permit are necessary to update the existing activities with code compliant facilities. With the exception of the removal of the north baseball fields, there are no proposed changes to the use or activities that will take place on the subject site.

**Staff Finding** – The proposed use is compatible with the adjacent uses in terms of size, massing, orientation, hours of operation and other external impacts.

**3. WHETHER THE PROPOSED USE WILL CAUSE SUBSTANTIAL DIMINUTION IN VALUE OF OTHER PROPERTY IN THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED**

Applicant's Response: *The surrounding development was developed with the fairground in place. The property value will not change with the proposed improvements.*

The Douglas County Fairgrounds is a community and neighborhood amenity. The proposed changes associated with the Special Use Permit will increase the usefulness and enjoyment of the site.

**Staff Finding** – Substantial diminution of other property values in the area is not anticipated.

**4. WHETHER PUBLIC SAFETY, TRANSPORTATION AND UTILITY FACILITIES AND SERVICES WILL BE AVAILABLE TO SERVE THE SUBJECT PROPERTY WHILE MAINTAINING SUFFICIENT LEVELS OF SERVICE FOR EXISTING DEVELOPMENT**

There are existing water and sanitary sewer lines that currently serve the subject property. A new public water line will be extended on the property, which will encircle proposed Building A. A 15' X

15' Dump Station will be located at the southeast corner of Building A. This station will support the adjacent RV parking area and will be connected to the sanitary sewer.

**Staff Finding** – Adequate public facilities and transportation access is accommodated for this development.

**5. WHETHER ADEQUATE ASSURANCES OF CONTINUING MAINTENANCE HAVE BEEN PROVIDED**

The proposed development will be owned and operated by Douglas County. The Special Use Permit provides the overall scope for the development. The proposed request provides an enforceable tool to address the use and continued maintenance of the property with regard to landscaping, exterior activity, and off-street parking. RV parking on-site shall be related to fairground activities and be restricted to 24 hours before, 24 hours after, and during the fairground activity. RV parking may not be utilized for long-term RV parking.

**Staff Finding** – Adequate assurances of continued maintenance are inherent in the use and the Special Use Permit approval process.

**6. WHETHER THE USE WILL CAUSE SIGNIFICANT ADVERSE IMPACTS ON THE NATURAL ENVIRONMENT**

Applicant's Response: *The proposed uses exist today on the property. The improvement will only help the environment with more green space that will be easier to maintain and improve.*

The Stormwater Engineer indicated that a detailed drainage study will need to be completed for the site. A watershed map of the entire site needs to be provided to determine the existing stormwater runoff pattern, and then compared to the proposed improvements. The Stormwater engineer also indicated that the existing drainage of the site has numerous locations where stormwater runoff is inefficiently handled. An overall stormwater master plan should be developed for the site so that subsequent improvements are accounted for. The majority of the existing runoff is directed to the northeast corner of the site. A stormwater detention basin may be necessary at this locations, depending on the results of the drainage study. Finally, depending on the amount of disturbed earth, either a Stormwater Pollution Prevention Plan or an Erosion Control Plan must be provided for this project.

**Staff Finding** – The proposed development is subject to regulatory controls to protect the significant natural features. This property is free from regulatory floodplain encumbrances.

**7. WHETHER IT IS APPROPRIATE TO PLACE A TIME LIMIT ON THE PERIOD OF TIME THE PROPOSED USE IS TO BE ALLOWED BY SPECIAL USE PERMIT AND, IF SO, WHAT THAT TIME PERIOD SHOULD BE**

Time limits are established on Special Use Permits to permit a periodic review to determine if the use remains compliant with the area. The SUP review process is required because the property is zoned GPI District and exceeds 10 acres. The Institutional Development Plan serves as the master plan for this facility and provides the public with a long-range view of the site development. It would not be appropriate to place a time limit on this use.

**Staff Finding** – Staff does not recommend a time limit on the Special Use Permit.

**STAFF REVIEW**

**A. Site Summary**

The following tables summarize the site surface summary for Lot A and Lot 1 of the subject property.

| <b>Lot A</b>        | Area (Sq. Ft) |                     | Area (Sq. Ft) |                  | Area (Sq. Ft) | %   |
|---------------------|---------------|---------------------|---------------|------------------|---------------|-----|
| Existing Building   | 127,789       | Proposed Building   | 24,712        | Total Buildings  | 152,501       | 9   |
| Existing Pavement   | 435,405       | Proposed Pavement   | -6,921        | Total Pavement   | 428,484       | 27  |
| Existing Impervious | 563,194       | Proposed Impervious | 17,791        | Total Impervious | 580,985       | 36  |
| Existing Pervious   | 1,037,008     | Proposed Pervious   |               | Total Pervious   | 1,019,217     | 64  |
| Property Area       | 1,600,202     |                     | 1,600,202     |                  | 1,600,202     | 100 |

| <b>Lot 1</b>        | Area (Sq. Ft) |                     | Area (Sq. Ft) |                  | Area (Sq. Ft) | %   |
|---------------------|---------------|---------------------|---------------|------------------|---------------|-----|
| Existing Building   | 0             | Proposed Building   | 0             | Total Buildings  | 0             | 0   |
| Existing Pavement   | 23,709        | Proposed Pavement   | -8,861        | Total Pavement   | 14,848        | 2   |
| Existing Impervious | 23,709        | Proposed Impervious | -8,861        | Total Impervious | 14,848        | 2   |
| Existing Pervious   | 426,863       | Proposed Pervious   |               | Total Pervious   | 435,724       | 98  |
| Property Area       | 450,572       |                     | 450,572       |                  | 450,472       | 100 |

**B. Access and Parking**

*On-site Parking:*

| <b>Parking Summary</b>                  |                  |                             |                            |
|---|------------------|-----------------------------|----------------------------|
| <b>Use</b>                              | <b>Location*</b> | <b>Parking Requirements</b> | <b>Spaces Required</b>     |
| Entertainment & Spectator, General      | C                | 1/3 seats                   | 296 seats/3=99 stalls      |
|   | E                | 1/3 seats                   | 4,700 seats/3=1,567 stalls |
| Participant Sports & Recreation, Indoor | A                | 1/500 sq. ft.               | 49,795/500=100 stalls      |
|   | 21               | 1/500 sq. ft.               | 14,628/500=30 stalls       |
|   | 30               | 1/500 sq. ft.               | 14,628/500=30 stalls       |
| Civic Assembly                          | D                | 1/500 sq. ft.               | 7,665/500=16 stalls        |
|   | 34               | 1/500 sq. ft.               | 5,910/500=12 stalls        |
| Building Maintenance Service            | 3                | 1/500 sq. ft.               | 2,576/500=6 stalls         |
|   | 4                | 1/500 sq. ft.               | 2,576/500=6 stalls         |
|   | 31               | 1/500 sq. ft.               | 9,000/500=18 stalls        |
| Administrative & Professional           | 22               | 1/300 sq. ft.               | 6,151/300=21 stalls        |
|   | 32               | 1/300 sq. ft.               | 1,500/300=5 stalls         |

|   |                |
|---|----------------|
| Total Required Parking                        | 1,910          |
| Permanent Parking Stalls Provided             | 391            |
| Green Space/Temporary Parking Stalls Provided | 1,708          |
| Total Parking Stalls Provided                 | 2,099          |
| Permanent Parking ADA Stalls Required         | 7/1 (Auto/Van) |
| Permanent Parking ADA Stalls Provided         | 18 (Van)       |
| RV and Trailer Parking                        | 32             |

\*These locations are identified in Figure 2

***Access:***

Access to the site will be provided from Harper Street, E 19<sup>th</sup> Street, and FF Road. There are 4 existing drives along Harper Street, two of which provide the main access to the Fairgrounds. The other 2 drives located on Harper Street provide access to the caretaker's house and storage facilities. These drives are not intended for public use. The project proposes to add a new drive on E 19<sup>th</sup> Street. There is an existing drive on E 19<sup>th</sup> Street, however as part of these improvements, that drive and the road it serves will be removed. A new network of gravel roadways are proposed with this project. As noted previously, the gravel surface is subject to City Engineer Approval. The new drive proposed on E 19<sup>th</sup> Street will align with the new roadway.

Pedestrian access is provided along Harper Street. Sidewalks exist on the north side of E 19<sup>th</sup> Street, however they are not provided on the south side of the street. The residential areas are located to the north of E 19<sup>th</sup> Street and are served by the sidewalk located on the north. That sidewalk provides connectivity to the sidewalk along Harper, which then leads them to the main entrances of the Fairgrounds. Sidewalk on the south side of E 19<sup>th</sup> Street will be constructed when E 19<sup>th</sup> Street is improved as part of the long-term plans for Venture Park. These improvements are slated for 2017 in the Capital Improvement Plan.

**C. Design Standards**

***Site Design:***

Site changes include the removal of three baseball fields and 11 structures. New construction will include an open pavilion, a meeting hall, an outdoor meeting building and area, and a small structure that will contain restrooms, concessions and a ticket area. The proposed demolition and new construction are shown in Figures 1a and 1b above. Greenspace that will serve as overflow parking will also be created with this Special Use Permit. Lot 1 will serve as greenspace and provide parking for 1,130 cars as needed. There will also be greenspace that will accommodate exhibitor parking, providing 32 stalls for RV and trailers, and 270 car stalls. The final greenspace that will accommodate parking is located in the southeast corner of Lot A. There are also parking lot improvements proposed. One new parking lot and one expanded parking lot are proposed. These lots will take access from Harper Street.

The plan proposes to change the vehicle movement within the subject site by creating a network of gravel roadways that will extends from FF Road to 19<sup>th</sup> Street and provides access to the site's facilities. As noted previously, the gravel surface is subject to City Engineer approval. Other areas within the subject site will be improved with asphalt and concrete paving. A concrete roundabout is proposed east of the new parking lot, east of the Outdoor Event Arena, south of Building 30 and A, and north of Building 21. The proposed improvements are shown below in Figure 3.

As indicated previously, there will be a new water main installed as part of this project. Also, there is a dedication of a 15' utility and a 20' sanitary sewer easement associated with this project. The easements will be dedicated by separate instrument and noted on the IDP prior to final approval and recording and the Register of Deeds. The utility and sanitary sewer easements are shown in Figure 4 below.

The Utility Engineer indicated that if any buildings being removed have existing water or sewer services, the lines will need to be abandoned per city specifications. Also, a Public Improvement Plan will be required for the water main extension.

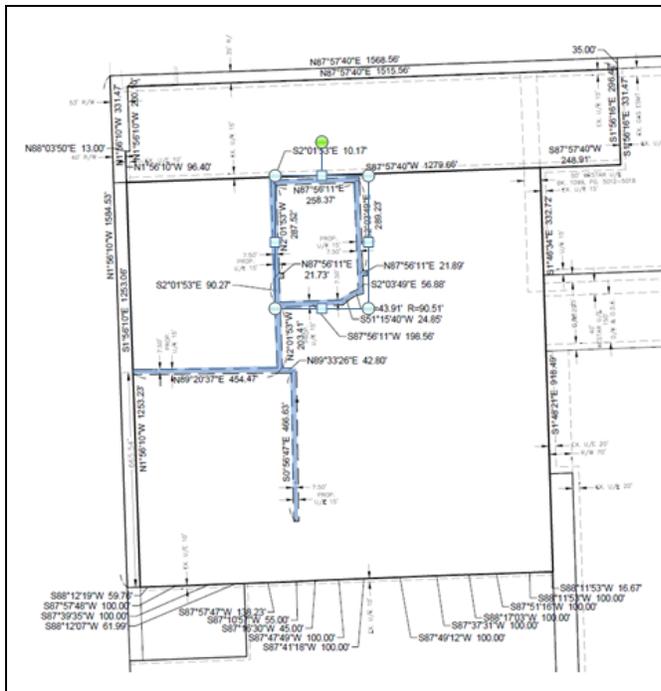


Figure 4a. Utility easements for potable water are highlighted in blue

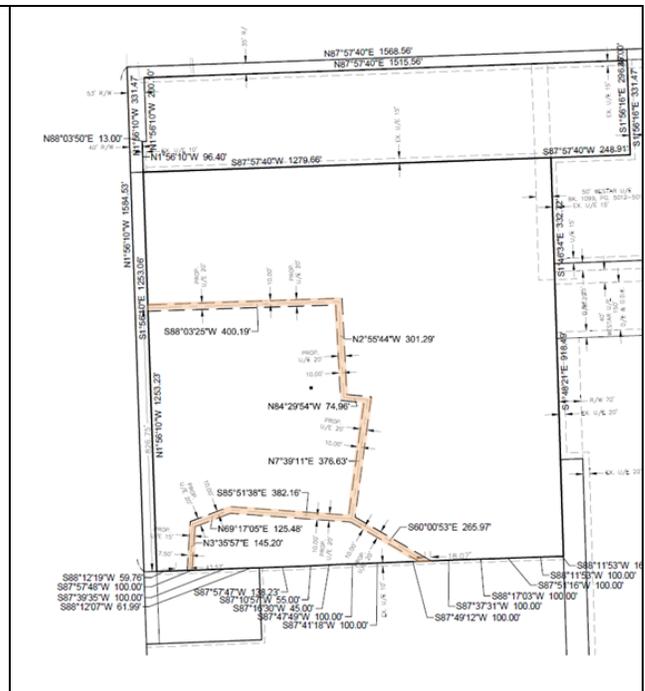


Figure 4b. Sanitary Sewer easements are highlighted in orange.

**D. Landscaping and Screening**

**Street Trees:**

Street trees are provided along Harper Street and E 19<sup>th</sup> Street and will meet the Master Street Tree requirement of 1 tree per 40'. The table below shows the proposed trees.

| Location                  | Trees Required       | Existing Trees | Trees Provided | Total |
|---------------------------|----------------------|----------------|----------------|-------|
| Lot A, Harper             | 1253 sq. ft./40 = 31 | 10             | 21             | 31    |
| Lot 1, Harper             | 297 sq. ft./40 = 8   | 0              | 8              | 8     |
| Lot 1, E 19 <sup>th</sup> | 1515 sq. ft./40 = 38 | 9              | 29             | 38    |

The City's Horticulture Manager has indicated that interior street trees for FF Road, and/or clusters of shade trees north of the indoor area should be considered. These additions would provide shade and help buffer the large hot parking lots and noise. The Horticulture Manager also indicated that many of the existing trees are in "severe decline". The consultant working on behalf of the applicant indicated that the applicant was notified of the Horticulture Manager's request.

**Bufferyard:**

The property is zoned GPI District. Section 20-1307(c)(2)(i)(a) requires a Type 1 Buffer yard for park and recreational development sites. With the exception of Harper Street, the majority of the subject property contains large expanses of greenspace which provide an adequate buffer to the adjacent areas. These greenspaces will remain intact with this proposed project. Street trees are proposed along Lot A and Lot 1 of Harper Street.

**Interior Landscaping:**

Interior landscaping will be provided and meets Standard 20-1003(c)(1), which states that parking lots shall contain at least 40 square feet of landscaping area per parking space. The table below shows the square footage of interior parking lot landscape proposed.

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|   |  |
|---|--|
| Permanent Parking Stalls                | 391                                      |
| Interior Parking Lot Landscape Required | 40 sq. ft. X 391 stalls = 15,640 sq. ft. |
| Interior Parking Lot Landscape Provided | 17,474 sq. ft.                           |

***Perimeter Landscaping:***

Per Section 20-1004 of the Land Development Code, parking lot perimeter landscaping is required for off-street parking lots that contain 5 or more parking spaces, and apply to all new development and redevelopment of existing parking lots that result in an increase of 20% or greater. There are two parking areas, accessed from Harper Street, that meet the criteria. Section 20-1004 also states that parking lots shall be landscaped and screened from view of streets rights-of-way with a minimum of one shade tree or ornamental tree per 25' of parking lot frontage and include either a masonry wall, a berm, or a continuous row of evergreen shrubs. The site plan proposes Red Oak trees on the west side of the new and expanded parking lot areas, however revisions to the site plan are needed to also include evergreen shrubs.

***Mechanical Equipment Screening:***

The site plan includes a note that indicates that all mechanical equipment, whether roof mounted or ground mounted, will be appropriately screened.

***Alternative Compliance:*** None is proposed with this request.

**E. Lighting**

Additional details regarding the lighting proposed with the Outdoor Event Arena are required. All lighting fixtures will need to be directed down and be provided with a full cut-off. A photometric plan and review of lighting fixture details is required to be provided for staff review and approval prior to issuance of a building permit.

**F. Floodplain**

The property is not located in the regulatory floodplain.

**CONCLUSION**

The proposed improvements will positively impact the area by updating the existing activities with code compliant facilities. The use is compatible with, and appropriate for this location. Staff recommends approval of the Special Use Permit as conditioned.