

**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

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**P.A.S.:** Use Permit #43B  
Stockwell Office Park

**DATE:** August 28, 2002

**PROPOSAL:** Dennis Plachy, on behalf of Capitol Sign Company, for the land owners, has applied for a use permit that proposes to modify the sign plan of the Stockwell Office Park.

**WAIVERS:** None

**LAND AREA:** 3.63 acres, more or less

**CONCLUSION:** The modifications to the sign plan on for the 14<sup>th</sup> Street vehicular entrance sign are in conformance with the directives of the 2025 Comprehensive Plan, however, the modifications to the building entrance sign along 13<sup>th</sup> Street increases the development's negative visual impact in this entryway, specifically only the financial tenant's visibility, the tenant is already allowed wall signs on the building facade, and the approval of the modifications of this 13<sup>th</sup> Street sign sets a precedence for future sign modifications for the remaining 2 buildings near S. 13<sup>th</sup> Street which, therefore the increase in sign area should be denied.

<p><b><u>RECOMMENDATION:</u></b>                    <b>Approval of sign area decrease to sign on S. 14<sup>th</sup> St.</b></p> <p style="text-align: center;"><b>Denial of sign increase in area and height to sign adjacent to Lot 5, along S. 13<sup>th</sup> St.</b></p>
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**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Outlot A, Stockwell Office Park Addition, Lincoln, Lancaster County, Nebraska

**LOCATION:** North of Burnham Street between S. 13<sup>th</sup> St. and S. 14<sup>th</sup> St.

**APPLICANT:** Dennis Plachy  
Capitol Sign Company  
3421 N. 35<sup>th</sup> St.  
Lincoln, NE 68504  
(402) 466-7446

**OWNER:** Stockwell Office Park Association  
3730 S. 14<sup>th</sup> Street  
Lincoln, NE 68502

**CONTACT:** Dennis Plachy  
Capitol Sign Company  
3421 N. 35<sup>th</sup> St.  
Lincoln, NE 68504  
(402) 466-7446

**EXISTING ZONING:** O-3 Office Park

**EXISTING LAND USE:** 48,675 square feet of office and financial floor area

**SURROUNDING LAND USE AND ZONING:**

North	Nebraska Department of Correctional Services offices	P
Southeast	State Department of Roads office buildings	P
Southwest	vacant land lies between S. 13 <sup>th</sup> Street and Highway 2	P
East	Residential housing	R-2
West	Post Office	O-3

**COMPREHENSIVE PLAN SPECIFICATIONS:** The 2025 Comprehensive Plan classifies this area as commercial.

**P. F38 General Principles For All Commercial And Industrial Uses:**

Commercial and industrial districts in Lancaster County shall be located:

- in sites supported by adequate road capacity – commercial development should be linked to the implementation of the transportation plan
- in areas compatible with existing or planned residential uses
- so that they enhance entryways or public way corridors, when developing adjacent to these corridors

**HISTORY:**

- April 27, 2001 Planning Director approves Administrative Amendment #01026 to change lot lines and add general note #26, "An owner's association will be created for the maintenance of the parking lot, sidewalks, landscaping and detention cells."
- Feb. 12, 2001 City Council Approved Use Permit #43A, for authority to construct 48,675 square feet of office and financial space on property generally located south of Stockwell Street between S. 13<sup>th</sup> and S. 14<sup>th</sup> Streets.
- Dec. 13, 2000 The applicant withdrew Combined Special Permit/Use Permit #17, which would have permitted 46,175 square feet of office space and 2,500 square feet of drive through restaurant space. Use Permit 43A replaces the combined permit.
- May 20, 1991 City Council denied Change of Zone #2631, which would have changed the zoning on the sliver of land south of the Post Office between Highway 2 and S. 13<sup>th</sup> St. from P Public Use to O-3 Office Park. The basis for the denial was that this was an important entryway to the city and an inappropriate location for O-3 Office Park.
- January 11, 1988 City Council approved Change of Zone 2372, which changed the zoning from P Public Use District to O-3 Office Park on the United States Post Office property west of S. 13<sup>th</sup> Street. The long southern tip of the Post Office property was left in P Public Use zoning to ensure that the land would remain open space.
- January 4, 1988 City Council approved Use Permit #43, which permitted a 35,000 square foot office building on the property.
- January 4, 1988 City Council approved Change of Zone #2368, which changed the zoning on the property from P Public Use to O-3 Office Park.

**UTILITIES:** Available.

**TOPOGRAPHY:** The site gently slopes from northeast to southwest.

**TRAFFIC ANALYSIS:** S. 14<sup>th</sup> St. is classified as an Urban Collector and S. 13<sup>th</sup> St. is identified as Minor Arterial in both the Existing and Future Functional Street and Road Classification in the 2025 Comprehensive Plan.

Highway 2 is shown as six lanes in the Long Range Transportation Plan “Projects & Studies: Lincoln Area Street & Roadway Improvements 2025” diagram.

The Lincoln Area Current and Future Trails Network shows a trail running along S. 14<sup>th</sup> St. from Pioneers to Van Dorn Street.

L.E.S. RESPONSE: ALLTEL, Time Warner Cable, and the Lincoln Electric System will not require any additional easements.

**BUILDING AND SAFETY RESPONSE:** The applicant should clarify what the 15 square foot sign on 14<sup>th</sup> Street will be used for.

**PUBLIC SERVICE:** City of Lincoln Police and Fire services. The nearest Fire Station is #8, located at S. 17<sup>th</sup> Street and Van Dorn Street

**REGIONAL ISSUES:** Entryway impact

**ENVIRONMENTAL CONCERNS:** This application is only asking to modify the sign plan, therefore the previous environmental concerns have already been addressed with the approval of Use Permit 43A.

**AESTHETIC CONSIDERATIONS:** Entryway Corridor, the eastern portion of the site is in a Capitol View Corridor, and neighborhood compatibility. The applicant requests that the sign size at the vehicular entrance on S. 14<sup>th</sup> St. be reduced from 32 to 15 square feet, which reduces the impact on the residents across the street.

The applicant also requests that the building entrance sign for Lot 5, designated for financial use, be increased in size and height from 15 to 32 square feet in area and from 5 to 8 feet in height. A building entrance sign is only required to identify the associated tenant, and not the name of the Office Park or other tenants. This request reduces the sign size adjacent to the residential, but increases the size of a sign along a minor arterial.

**ALTERNATIVE USES:** Allow the height increase of the sign along S. 13<sup>th</sup> Street, not allow the increase in size of that sign, and allow the decrease size modification of the sign on S. 14<sup>th</sup> Street.

**ANALYSIS:**

1. The proposed modifications to the sign plan for the Stockwell Office Park involve two signs.
2. One sign is on S. 14<sup>th</sup> Street, adjacent to a residential district. This sign is considered by the zoning code as the allowed vehicular entrance ground sign. (See p. 27-183, L.M.C. Title 27.69.044). This is the one vehicular entrance on S. 14<sup>th</sup> Street. The applicant requests to decrease the area of this sign from 32 SF to 15 SF, therefore the proposed sign will be 15 SF in area and 8 feet in height, with the name of the Stockwell Office Park and all tenants listed.
3. This modification would decrease the visual impact on the adjacent residential district.
4. This eastern portion of the site, along S. 14<sup>th</sup> Street is located in a Capitol View Corridor. The proposed sign modifications do not appear to conflict with the corridor.
5. The other modification requested is to amend the size and the height of the sign located in the front yard setback along S. 13<sup>th</sup> Street, adjacent to Lot 5, designated for a drive-in bank. This is considered as an allowed ground sign to a building entrance. "In addition to (2) and (3) above, one ground sign not exceeding fifteen square feet in area and five feet in height shall be permitted at each building entrance" (p. 27-183, L.M.C. Title 27.69.044).
6. The applicant requests to increase the area of the sign from 15 SF to 32 SF and increase the height to 8 feet. The proposed sign would be a large sign listing the financial tenant of Lot 5, to be seen from S. 13<sup>th</sup> Street.
7. S. 13<sup>th</sup> St. is an Entryway Corridor to the City of Lincoln, and the proposed sign will have a great visual impact on this entryway.
8. The 2025 Comprehensive Plan states on p. F38 concerning future conditions of business and Commerce that they shall be located "so that they **enhance entryways or public way corridors**, when developing adjacent to these corridors." Increased signage along this entryway corridor will not enhance it.
9. This development has already received a waiver allowing signs in the front yard setback along S. 13<sup>th</sup> St. which situate the signs along an entryway corridor and arterial street, so there is no need to increase the size.

10. The zoning code currently allows on-premises wall signs on the building facade of an area of 250 SF or 10% of the wall face, whichever is lesser in the O-3 district. . “On-premises wall signs and on-premises projecting signs are permitted... The maximum area of any individual projecting sign shall not exceed twenty-five square feet...” (P. 27-183, L.M.C. 27.69.044(b)1) The tenant could use the permitted wall signs in the O-3 district on the building facades facing S. 13<sup>th</sup> Street instead of requesting modifications to the ground building entrance sign.
11. Lot 5, designated as a drive-in bank on Use Permit 43A already is permitted wall signage, which could be placed on the building facade facing S. 13<sup>th</sup> Street, and a ground sign 15 SF in area and 5 feet in height. There is no need to approve an increase in area of this sign, as 2 signs looking over S. 13<sup>th</sup> Street are already allowed.
12. The approval of the modifications of this sign, adjacent to Lot 5 and along S. 13<sup>th</sup> Street will set a precedence for the remaining 2 building envelopes which also have building facades located on S. 13<sup>th</sup> St. to also request sign modifications in the future.
13. The modification of sign area decrease to the sign on S. 14<sup>th</sup> Street should be granted.
14. The modification of the sign height and area increase to the sign adjacent to Lot 5, along S. 13<sup>th</sup> Street should not be granted.

**CONDITIONS FOR USE PERMIT:**

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

1. Revise the site plan to show:

1. A signage note for the S. 14<sup>th</sup> Street vehicular entrance sign envelope stating that the sign will not exceed 15 square feet and 8 feet in height, and will identify the office park name and tenants.

2. A signage note for the S. 13<sup>th</sup> Street building entrance sign for Lot 5, designated financial and indicated on UP#43A as a drive-in bank, stating the sign will not exceed 15 square feet and 5 feet in height, and will identify the Lot 5 building envelope financial tenant.
  3. Move the "Signage Notes" to appear just below the "Project Zoning" note.
  4. Place a triangle with the number 2 in the center to the left of the title "Signage Notes," denoting the amendment.
  5. Change the font of all signage notes of this application to the same font used for the "General Notes."
  6. Change the "project zoning:" from O-2 to O-3 in the Signage Notes.
  7. Change the number in the triangle to 2, and in the amendment legend.
  8. Include in the amendment legend of approval dates (which is located in the top right-hand corner of the site plan): #UP43, January 4, 1988; #UP43A, February 12, 2001; #AA01026, April 27, 2001; #UP43B, insert date of approval
- 1.1.9 Change the numbers in the triangles to list amendments approved after the initial approval of UP43, starting with the #1 for the first amendment.
  - 1.1.10 Change the font of the amendment legend to that of the "General Notes" font.
  - 1.1.11 Change signage note #1 to "Sign in this Building Entrance Sign Envelope not to exceed 15 square feet and 5 feet in height, and will identify Lot 5 financial building envelope tenant."
  - 1.1.12 Change signage note #2 to "Sign in this Vehicular Entrance Sign Envelope not to exceed 15 square feet and 8 feet in height, and will identify office park name and tenants."
  - 1.1.13 Label the sign envelope adjacent to Lot 5 with "See Signage Note #1 and the sign envelope on S. 14<sup>th</sup> Street with "See Signage Note # 2."

1.1.14 Under “General Notes” change “People’s Natural Gas” to AQUILA.

1.1.15 Under “General Notes” place a triangle with the number 1 in the center to the left of general note #26, denoting the amendment.

1.1.16 Change the title of the use permit on the plan to “Stockwell Office Park Use Permit 43B Lincoln Nebraska”

1.1.17 Add a triangle to the use permit legend and define it as symbolizing “amendments”

2. This approval permits the modification of the sign plan:

It approves the decrease in sign area of the permitted sign at the 14<sup>th</sup> Street vehicular entrance.

It denies the increase of area and height of the permitted sign adjacent to Lot 5, near S. 13<sup>th</sup> Street.

General:

3. Before receiving building permits:

3.1 The construction plans shall comply with the approved plans.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:

4.1 Before occupying the buildings all development and construction shall have been completed in compliance with the approved plans.

4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.

- 4.3 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.
  - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
  - 4.5 The City Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Abigail Davis  
Planner

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Calvert St.

S. 14th St.

S. 15th St.

S. 16th St.

Stockwell St.

Burnham St.

NE Hwy #2

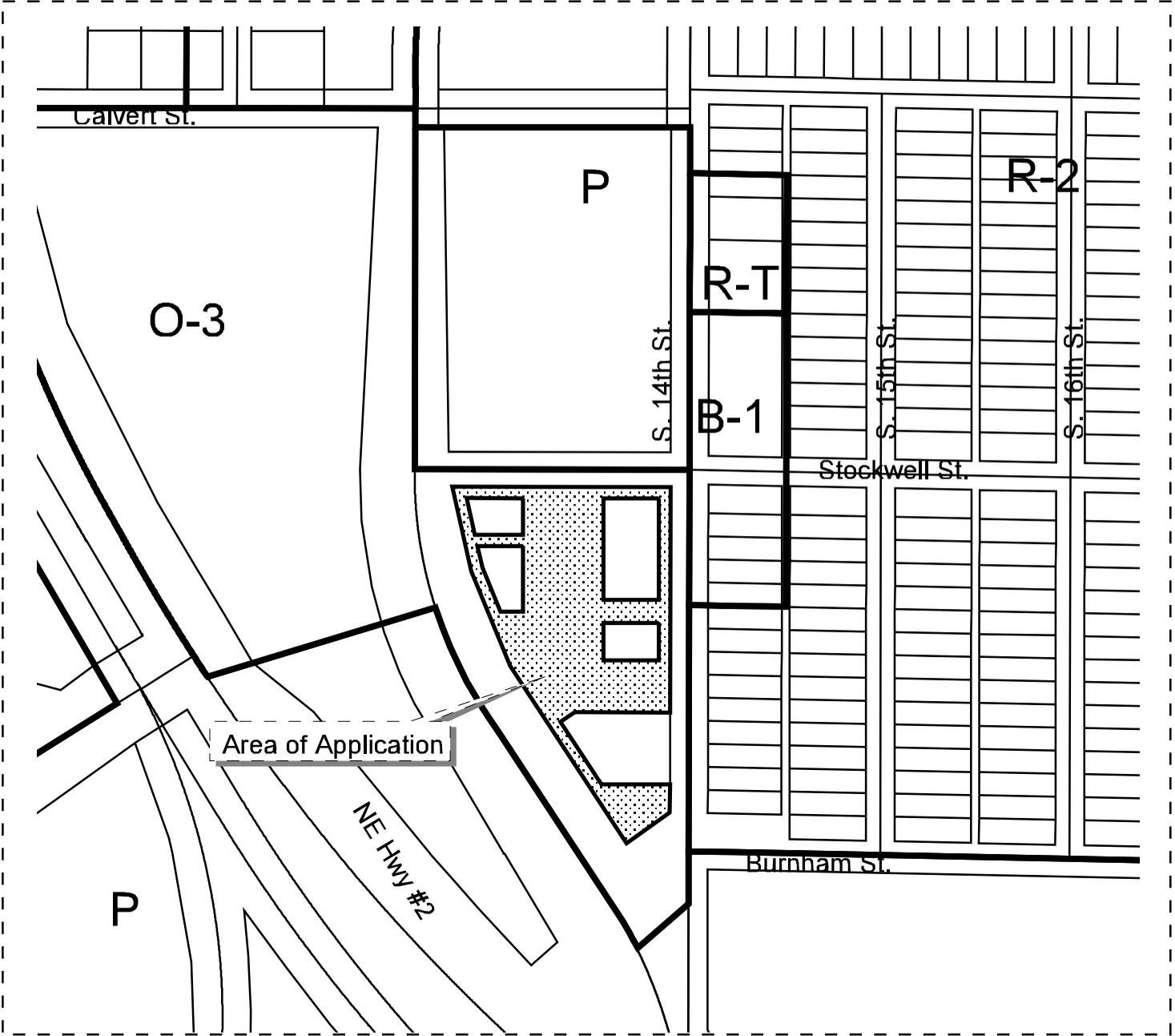
Area of Application

**Use Permit #43B  
S. 13th & Stockwell St.  
Stockwell Office Park**



Photograph Date: 1997

Lincoln City - Lancaster County Planning Dept.



**Use Permit #43B**  
**S. 13th & Stockwell St.**  
**Stockwell Office Park**

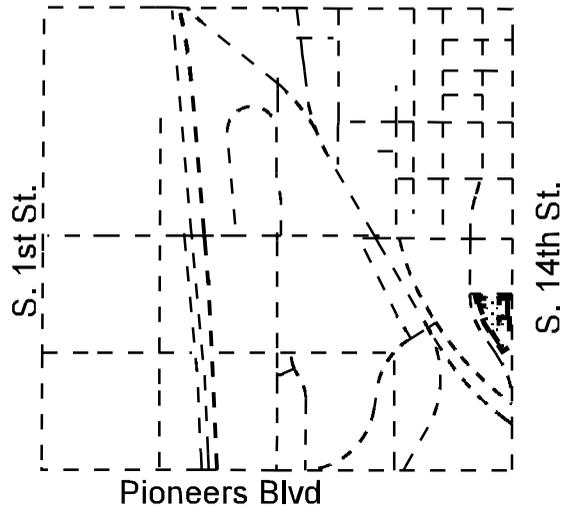
**Zoning:**

- 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. 2 T9N R6E



Van Dorn St.



# CAPITOL *Sign* CO.

3421 N. 35th Street Circle • Lincoln, NE 68504 • Telephone (402) 466-7446 • FAX (402) 466-2157

May 30, 2002

Jason Reynolds  
5555 So 10<sup>th</sup> Street  
Lincoln, NE 68508

Re: Amend UP43A to change sign locations in an O3 zone.

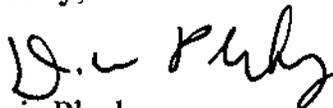
Dear Mr. Reynolds,

I would like to apply to amend UP43A in behalf of the First Nebraska Educators located at 3933 So 14<sup>th</sup> Street. We would like to propose to change the location of a 32 square foot 8' ground sign from 14<sup>th</sup> street to 13<sup>th</sup> street and locate the 15 square foot sign from 13<sup>th</sup> street to 14<sup>th</sup> street, which would identify the office park.

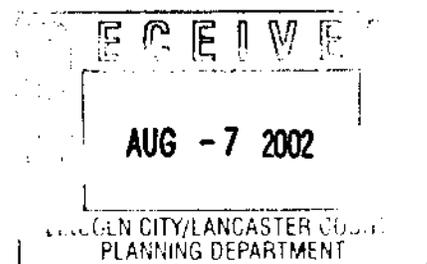
In the O3 zone a ground sign that is 32 square feet in size is to be located at each vehicular entrance and the 15 square feet sign identifying the building to be located next to each building. We feel by moving the larger sign to 13<sup>th</sup> street would identify the building much better being that 13<sup>th</sup> street has much more traffic than 14<sup>th</sup> street. In turn it would allow having a smaller sign in the residential area. We feel these changes would be better for the people who would be looking for the credit union and put less impact with a smaller sign on 14<sup>th</sup> street on the residential neighborhood.

I have enclosed fifteen copies of a site plan of the area, a certificate of ownership and a check for the amount of \$585.00. If there is anything else you require or have any questions, please feel free to give me a call at 402-466-7446.

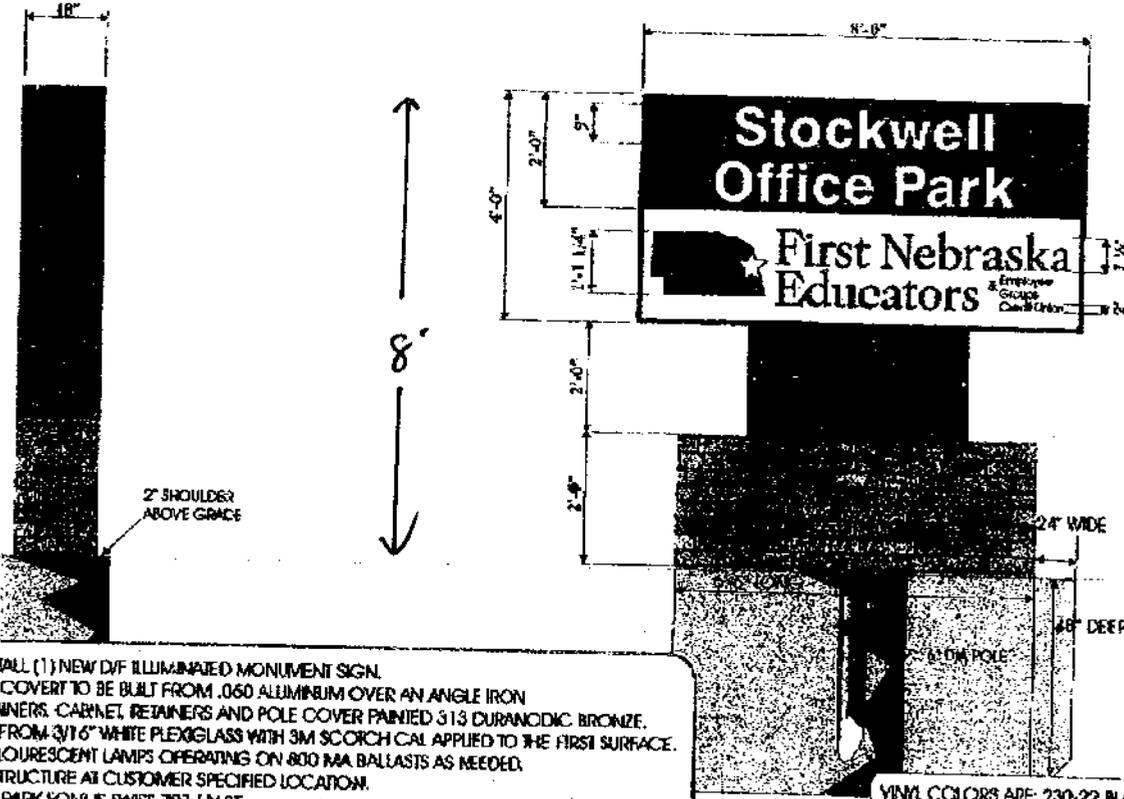
Sincerely,



Dennis Plachy  
Account Executive



SCALE IS 1/2" = 1'-0"



FABRICATE AND INSTALL (1) NEW DVF ILLUMINATED MONUMENT SIGN. CABINET AND POLE COVER TO BE BUILT FROM .060 ALUMINUM OVER AN ANGLE IRON FRAME WITH 1" RETAINERS. CABINET, RETAINERS AND POLE COVER PAINTED 313 DURANODIC BRONZE. FACE TO BE BUILT FROM 3/16" WHITE PLEXIGLASS WITH 3M SCOTCH CAL APPLIED TO THE FIRST SURFACE. ILLUMINATED WITH FLOURESCENT LAMPS OPERATING ON 800 MA BALLASTS AS NEEDED. MOUNT ON BRICK STRUCTURE AT CUSTOMER SPECIFIED LOCATION. STOCKWELL OFFICE PARK FONT IS SWISS 721 HV BT.

VINYL COLORS ARE: 230-22 BLACK AND 230-33 RED  
 FONTS ARE: AVANT GARDE BK BT AND CLASS GARAMOUND BT (EDITED)



1120 No. 18th Street,  
 Omaha, Ne. 68102  
 402/341-6077

JOB TITLE: FIRST NE EDUCATORS UNION	OPTION#
LOCATION: LINCOLN, NE	SALES: FRANK SMITH
DESIGN # 23952	DESIGNER: MATT STEWART
DISK# 15	
DATE: FEBRUARY 13, 2002	
REVISION# E 5-9-02 MAS	APPROVED BY:

*This design and all material appearing hereon constitute the original unpublished work of Omaha Neon Sign Co., Inc. and may not be duplicated, used or disclosed without written consent.*

(ii) One on-premises wall sign or ground sign, not to exceed one square foot in sign area, non-illuminated and non-reflecting, identifying the quarters of an on-premises building manager or custodian.

(c) Uses, other than dwellings, permitted in the district: One on-premises wall sign, not to exceed thirty-two square feet of sign area per building facade or, in the R-8 zoning district, one on-premises ground sign not exceeding thirty-two square feet in area for each main building limited to identifying the building or activity being conducted on the premises. Such signs may be illuminated.

(d) For fraternities and sororities within one-half mile of an educational campus: One on-premises wall sign not exceeding twenty square feet of sign area which may be illuminated. Neon or gas tubing shall be used only as backlighting.

(e) Lighted vending machines are not permitted in view from off the premises.

(f) Ground signs in this section shall not exceed six feet in height. (Ord. 16735 §5; February 13, 1995; prior Ord. 14527, as amended by Ord. 14613 §5; March 9, 1987; Ord. 13566 §1; April 4, 1983; Ord. 13039 §1; November 17, 1980; Ord. 12679 §9; September 4, 1979).

#### **27.69.044 Permitted Signs; O-1, O-2, and O-3 Zoning Districts.**

In the O-1 and O-2 zoning districts, the specific regulations are as follows:

(a) For each main building:

(1) (i) Two on-premises wall or projecting signs not exceeding twenty-five square feet each, or

(ii) One on-premises wall or projecting sign not exceeding twenty-five square feet and one ground sign not exceeding thirty-two square feet and eight feet in height.

(iii) In addition to (i) and (ii) above, one ground sign not exceeding fifteen square feet in area and five feet in height shall be permitted at each building entrance.

(2) In the O-2 zoning district, the ground sign may be located up to fifteen feet from the front property line, provided it does not exceed twenty square feet in area and six feet in height.

(3) The projecting sign may project from a building a maximum of six feet six inches and may project into a required front yard, but it shall not

project above the roof line or top of cornice wall. Such sign shall have a minimum clearance of eight feet above the walk or grade below and may project over the public right-of-way when the building is erected adjacent to the front property line.

(b) In the O-3 zoning district:

(1) On-premises wall signs and on-premises projecting signs are permitted. The total sign area of such signs per building facade shall not exceed an area equivalent to ten percent coverage of the wall face or a total of 250 square feet, whichever is lesser. The projecting sign may project from a building a maximum of six feet six inches and may project into a required front yard, but it shall not project above a roofline or top of cornice wall. Such sign shall have a minimum clearance of eight feet above a walk or grade below and may project over the public right-of-way when the building is erected adjacent to the front property line. The maximum area of any individual projecting sign shall not exceed twenty-five square feet.

(2) One ground sign per vehicular entrance into the office park, not to exceed thirty-two square feet and eight feet in height, identifying the name of the office park and tenants(s) is permitted. The ground sign may be located in the required front yard with a minimum spacing of fifty feet from any other ground or pole sign.

(3) One internal direction sign per entrance not exceeding fifty square feet and eight feet in height located adjacent and parallel to the private street is permitted.

(4) In addition to (2) and (3) above, one ground sign not exceeding fifteen square feet in area and five feet in height shall be permitted at each building entrance.

(c) Signs must be located from an abutting residential district as follows:

(1) Sign perpendicular to street:

(i) 50 feet if non-illuminated,

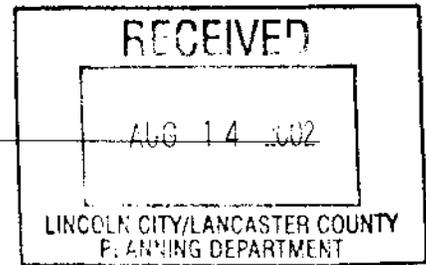
(ii) 100 feet if internally illuminated;

(2) Sign parallel to street:

(i) 50 feet if internally illuminated or non-illuminated.

(d) The sign regulations in subsection (b), paragraphs (2), (3), and (4), may be modified by the City Council in connection with the granting of a use permit in conformance with all other requirements of Chapter 27.27. (Ord. 17650 §1; April 17, 2000; prior Ord. 17076 §1; October 21, 1996; Ord. 16781 §1; May

# M e m o r a n d u m



**To:** Abby Davis, Planning Department

**From:** Charles W. Baker, Public Works and Utilities *CB*

**Subject:** Use Permit #43B, Sign Location, Stockwell Office Park

**Date:** August 13, 2002

**cc:** Randy Hoskins  
Nicole Fleck-Tooze

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the site plan for the proposed sign relocations and it appears that sight distances will not be affected for pedestrian or vehicle movements. Public Works has no objections to the approval of this request.

# Memorandum

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**To:** Abby Davis, Planning Department

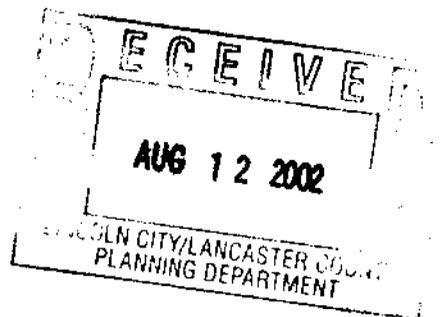
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**Subject:** Use Permit #43B, Sign Location, Stockwell Office Park

**Date:** August 13, 2002

**cc:** Randy Hoskins  
Nicole Fleck-Tooze

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17745b idm wpd



INTER-DEPARTMENT COMMUNICATION

TO Abby Davis, City Planning  
SUBJECT DEDICATED EASEMENTS  
DN #39S-13E

DATE August 15, 2002  
FROM Sharon Theobald  
(Ext. 7640)

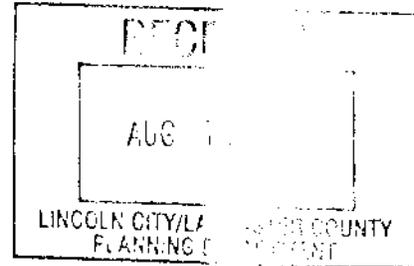
Attached is the Use Permit Request for Stockwell Office Park.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will not require any additional easements.

It should be noted, any relocation of existing facilities will be at the owner/developer's expense.

*Sharon Theobald*



ST/ss  
Attachment  
c: Terry Wiebke  
Easement File

Mike J Petersen  
08/16/02 08:46 AM

To: Abigail P Davis/Notes@Notes  
cc:  
Subject: Use Permit 43B Proposed Amendment

Abby, Received your request of my review of the proposed amendment to UP43B at 3933 S. 14th St. Chapter 27.69.044(b) paragraph (2) requires that the 32 SF ground sign be located at the entrance to the office park, which would be on 14th St. Paragraph (3) allows for a 15 SF sign at each building entrance. It appears that the applicant wants to move the 32 SF sign away from the vehicular entrance, and install the sign on 13th St., which would move the sign further from the residential area. They also want to move the building entrance sign to the driveway entrance on 14th St. In my opinion this would require council approval because the ordinance does not allow this. If council approves, this dept has no problem issueing the permits. Although I think it should be asked what they plan to use the 15 SF sign for.

Please call if you have any questions.

-Mike Petersen

