

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for January 19, 2005 PLANNING COMMISSION MEETING

P.A.S.: Change of Zone #04083

PROPOSAL: To repeal Section 27.69.085 (Corporate Office Park PUD's) and revise Section 27.70.050 (Additional Use Regulations).

CONCLUSION: In conformance with the Comprehensive Plan and eliminates sign regulations for defunct Corporate Office Park PUD.

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

COMPREHENSIVE PLAN SPECIFICATIONS:

Examine ways of simplifying the development regulations and supporting documentation to encourage a broader understanding of planning concepts and their relevance to neighborhoods' and businesses' continuity and viability. (F-52)

As these are applied in the future, consideration should be given to the continued use and possible expansion of "fast track" incentives. These incentives allow development proposals to be reviewed, and possibly approved in a shorter period of time than might normally occur. (F-53)

Another procedural technique currently in use is giving the City-County Planning Commission broader approval authority for selected types of administrative actions. In some cases, the Commission can give final approval to a development proposal, thus by-passing the City Council and County Board. This saves the developer time in the review process. Appeal procedures are also part of this process should additional review by the Council or Board be desired by the applicant or others. (F-53)

ANALYSIS:

1. This is a request to amend the Zoning Ordinance text in order to simplify and streamline the development process.
2. Section 27.69.085 Signs for Corporate Office Park PUDs
 - a. Eliminates the sign requirements for defunct Corporate Office Park PUDs.
3. Section 27.70.050 Requirements After Approval (Use Permits)
 - a. Level of compliance with site plan changed from "strict" to "substantial". This will eliminate any need for an administrative amendment for very minor deviations between the approved site and the building permit.
 - b. Under the present language, a modification or waiver shown on the plans could be interpreted as approving without notice and authority in the resolution approving the use permit. This language is proposed to be

stricken so that there is no longer the ability to assume a waiver is granted just because it was shown on the site plan when a waiver was not requested, explicitly granted or advertised.

- c. Allows the Planning Director to approve minor variations at the time of building permit.
4. The Planning Commission has directed that standards for signs and lighting be reviewed in the future by staff to identify needed improvements.

Prepared by:

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Planner

DATE: January 5, 2005

APPLICANT: Marvin S. Krout
Director of Planning
Planning Department

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Change of Zone No.

Introduce:

ORDINANCE NO. _____

1 AN ORDINANCE amending Title 27 of the Lincoln Municipal Code by repealing
2 Section 27.69.085 relating to permitted signs in a Corporate Office Park planned unit development;
3 by amending Section 27.70.050 to modify the requirements after approval of a use permit to allow
4 building permits, certificates of occupancy, and subdivision of property to be issued or approved
5 upon substantial compliance with the plot plan as approved and to grant the Planning Director the
6 authority to review and determine if a proposal is in substantial conformance with the spirit and intent
7 of the approved plan; and repealing Section 27.70.050 of the Lincoln Municipal Code as hitherto
8 existing.

9 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

10 Section 1. That Section 27.69.085 of the Lincoln Municipal Code be and the same is
11 hereby repealed.

12 ~~27.69.085 Permitted Signs, Corporate Office Park Planned Unit Development.~~

13 ~~————— In the R-3 district where a corporate office park planned unit development is applied, the~~
14 ~~specific regulations are as follows:~~

15 ~~————— (a) Pole and roof signs. No pole or roof signs are allowed.~~

16 ~~————— (b) Ground signs. One on-premises building identification ground sign shall be permitted~~
17 ~~per building per street frontage. Said sign shall not exceed seventy-five square feet in area, and shall~~
18 ~~have a maximum height of eight feet. Said sign shall include the building address.~~

19 ~~————— (c) Wall signs.~~

20 ~~————— (1) One on-premises building identification wall sign shall be permitted per building.~~
21 ~~The sign area of such wall sign shall not exceed ten percent of the building's largest facade, or 100~~
22 ~~square feet, whichever is lesser.~~

23 ~~————— (2) In addition to the above, each tenant shall be allowed one on-premises entrance~~
24 ~~wall sign not to exceed ten square feet of sign area, provided that the total sign area of all tenant wall~~

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1 signs shall not exceed thirty-two square feet per facade. Tenant wall signs shall be located no further
2 than fifty feet from a building entrance door.

3 ~~————— (d) Other signs:~~

4 ~~————— (1) Office park area sign; signs for major entrances. One on-premises multiple-sided~~
5 ~~ground sign, not to exceed 100 square feet in area per side or 200 square feet total area, whichever~~
6 ~~is less; or, two on-premises single-sided ground signs, not to exceed 100 square feet in area per sign~~
7 ~~shall be permitted at each major entrance to the corporate office park planned unit development.~~
8 ~~Said ground signs shall have a maximum height of eight feet. Said ground signs may be located in~~
9 ~~a required yard if approved as part of the landscape plan and sign plan.~~

10 ~~————— (2) Office park area sign; signs for minor entrances. One on-premises multiple-sided~~
11 ~~ground sign, not to exceed forty square feet in area per side or eighty square feet total area,~~
12 ~~whichever is less; or, two on-premises single-sided ground signs, not to exceed forty square feet in~~
13 ~~area shall be permitted at each minor entrance to the corporate office park planned unit development.~~
14 ~~Said signs shall have a maximum height of six feet. Said signs may be located in a required yard if~~
15 ~~approved as part of the landscape plan and sign plan.~~

16 ~~————— (3) Internal directory ground signs. One on-premises internal directory sign shall be~~
17 ~~permitted at each major entrance to the corporate office park planned unit development. Said signs~~
18 ~~shall not exceed fifty square feet in area and six feet in height.~~

19 ~~————— (e) Temporary identification signs:~~

20 ~~————— (1) Real estate signs allowed under Section 27.69.100 shall not exceed twenty square~~
21 ~~feet in area and eight feet in height in the corporate office park planned unit development.~~

22 ~~————— (2) Construction signs allowed under Section 27.69.130 shall meet the following~~
23 ~~provisions. One temporary sign per corporate office park planned unit development shall be~~
24 ~~permitted at the construction site upon commencement of construction to identify the nature of the~~
25 ~~construction and those persons or firms associated with it, including contractors, architects, finance~~
26 ~~companies, and owners. Such sign shall be permitted until such time as a final inspection of the~~
27 ~~building(s) designates said structure(s) fit for occupancy, or the tenant is occupying such building(s),~~
28 ~~whichever occurs first. Such sign shall not exceed thirty-two square feet of area and eight feet in~~
29 ~~height. Such sign may be added to the future tenant identification sign.~~

30 ~~————— (3) Future tenant identification sign. One temporary sign per corporate office park~~
31 ~~planned unit development shall be permitted at the construction site to identify the name of the future~~
32 ~~tenant. Such sign shall be permitted until such time as a final inspection of the building(s) designates~~
33 ~~said structure(s) fit for occupancy, or the tenant is occupying such building(s), whichever occurs~~
34 ~~first. Such sign shall not exceed thirty-two square feet of area and eight feet in height.~~

35 ~~————— (f) General conditions for corporate office park planned unit development signs:~~

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~~(1) All signs ten square feet in area and over shall be shown as part of the sign plan approved as a part of the development. Said sign plan shall include covenants of sign design for the entire development.~~

~~(2) Signage in corporate office park planned unit developments shall provide for a system of signs with features that make an orderly and pleasant visual impact on the total development and area immediately adjacent to the park.~~

~~(3) Supporting and ancillary structures shall not be more than two times the allowed sign area.~~

~~(4) No off-premises signs are allowed.~~

Section 2. That Section 27.70.050 of the Lincoln Municipal Code be amended to read as follows:

27.70.050 Requirements After Approval.

Upon approval of a use permit pursuant to Chapters 27.27, 27.28, 27.31, 27.37, or 27.51, the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan with all required amendments and revisions. Thereafter, building permits, certificates of occupancy and subdivisions of the property shall be issued or approved only upon strict substantial compliance with the plot plan as approved, or as amended, ~~regardless of any regulations to the contrary with regard to the height and location of buildings, yard requirements, open space requirements, type of dwelling unit, accessory uses, lot frontage requirements, and the location of required parking set forth elsewhere in this title and applying to the zoning district or districts in which the use permit is located.~~ In circumstances where there are minor variations from the final plan, the Planning Director, or his designee, shall review the plan and determine if the proposal is in substantial conformance with the spirit and intent of the approved plan.

The final plot plan shall contain the following information:

(a) A certified boundary survey and legal description showing sufficient linear, angular, and curve data to determine the bearing and length of all boundary lines of the use permit, location of section lines and section corners, and gross acreage. If the use permit abuts an existing plat, the distances, angles, and bearing of any common lines shall be shown and any differences in measurement shown.

(b) A certificate for showing the final action of the Planning Commission or City Council including the date and resolution number.

(c) Locations, name, tangent lengths, centerline radius of each curve and its interior angle, and width of all proposed and existing streets, highways, private roadways, and other public ways within and adjacent to the development;

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1 (d) Location, width, and direction of flow of all water courses in and adjacent to the use
2 permit area, including the limits of the flood plain and floodway as defined in Chapter 27.55;

3 (e) The location and size of all existing and proposed sanitary and storm sewers, drainage
4 ways, culverts, watermains, fire hydrants, and existing power lines and other underground structures,
5 cables, or other public utilities within the tract of land and adjacent streets, together with the location
6 and width of existing and proposed easements, and, if appropriate, access easements;

7 (f) All lot lines, building setback lines for all lots, dimensions of all lot lines and building
8 envelope lines. Chord distances shall be shown for lot lines abutting curvilinear streets;

9 (g) Lot numbers shall begin with the number (1) and shall continue consecutively through
10 a block with no omission or duplication. Blocks shall be numbered in the same manner. Letters
11 shall be used to designate outlots in alphabetical order;

12 (h) Proposed areas for parks and playgrounds. Any parcels other than streets which are to
13 be dedicated or reserved for public use shall be clearly shown and said parcels shall be designated
14 as outlots and assigned an alphabetical designation;

15 (i) The location of all proposed and existing sidewalks, walkways, and other pedestrian
16 ways;

17 (j) Location, height, and use of proposed and existing buildings and structures with an
18 indication as to whether an existing building or structure is to be removed or to remain, and free
19 standing signs, if any, in accordance with the provisions of Chapter 27.69;

20 (k) The following data shall be shown on each sheet of the plot plan:

21 (1) The name, address, and telephone number of the person or company responsible
22 for preparation of the plot plan;

23 (2) North arrow, scale, date;

24 (3) Sheet number and the total number of sheets comprising the plot plan;

25 (l) The following information shall accompany the plot plan:

26 (1) Name, address, and telephone number of developer;

27 (2) Certified record owner or owners and their address;

28 (3) Statement of present zoning and proposed use or uses of the property;

29 (4) Profiles along the centerline of the proposed streets and private roadways which
30 show the existing ground surface elevations and the proposed street grades including the length of
31 vertical curves between changes in grade with the profiles for stub streets ending at the boundary of
32 the use permit to be extended 300 feet beyond the limits of the use permit into subdivided and
33 unsubdivided land;

34 (5) The approved method of providing sanitary sewer service to the area;

35 (6) The approved method of providing an adequate potable water supply;

36 (7) The approved drainage study;

37 (8) A map or an aerial photograph showing the proposed streets, private roadways,
38 driveways, parking areas, buildings and lots which includes the locating, and identifies, by common
39 name, all existing trees within the area of the use permit. Single trees which are three inches in
40 caliper or larger measured five feet above the ground must be shown. However, if five or more trees
41 are located so that each is within approximately ten feet of the edge of another tree, they will be
42 considered a tree mass and the outline of the tree mass may be shown with a list of the common
43 names of the trees which are within the tree mass. If the above-stated procedure is followed, the
44 individual location of each tree within the tree mass is not necessary. An indication shall be made

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1 on the map showing which trees or tree masses are to remain and which trees or tree masses are to
2 be removed;

3 (9) A vicinity sketch showing the general location of the use permit in relation to
4 existing streets, section lines, and city limits;

5 (10) The approved site grading plan showing existing and proposed contour lines with
6 intervals at no greater distance than five feet based on NAVD 1988, and if necessary, spot elevations
7 showing complete proposed grading of the use permit, including any cross-sections required as
8 conditions of approval showing existing and proposed ground lines and buildings. Information as
9 to where fill will be obtained and the amount of the fill shall be included if all or part of the property
10 is located within the flood plain as defined in Chapter 27.55. If the proposed location from which
11 said fill is obtained is later to be changed, the developer shall inform the Public Works and Utilities
12 Department of the location of the proposed new borrow area and obtain approval thereof from the
13 Director of Public Works and Utilities;

14 (11) The approved landscape plan.

15 Section 3. That Section 27.70.050 of the Lincoln Municipal Code as hitherto existing
16 be and the same is hereby repealed.

17 Section 4. That this ordinance shall take effect and be in force from and after its passage
18 and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

<p>Approved this ___ day of _____, 2005:</p> <p>_____</p> <p>Mayor</p>
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