

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for December 6, 2006 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 1989A, Tamarin Ridge

PROPOSAL: Amend the lighting plan for Sid Dillon property located at 2627 Kendra Lane.

LOCATION: S. 27th St. and Kendra Lane

LAND AREA: Special permit is 11.25 acres, more or less
Sid Dillon is 8.00 acres, more or less

EXISTING ZONING: H-4, General Commercial District

CONCLUSION: The original special permit for Sid Dillon had a note stating that all outside lighting shall meet City design standards for parking lots. This would restrict lighting for the auto display area to a maximum of 4 footcandles. This was overly restrictive and Planning agreed that the restriction should be amended. This amendment should require the same conditions as the amendment approved for Williamson at S. 27th St. and Yankee Hill Rd., which was modeled from the lighting plan for DuTeau at S. 27th St. & Porter Ridge Rd. It is important to maintain consistency in the standards among these three businesses which are similarly situated in terms of nearby residential land uses along S. 27th St.

RECOMMENDATION:	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 4, Block 1, Tamarin Ridge Addition located in the NE 1/4 of Section 24, Township 9 North, Range 6 East, Lancaster County, Nebraska

EXISTING LAND USE: Auto Dealer, and commercial

SURROUNDING LAND USE AND ZONING:

Sid Dillon Auto Dealership

North: H-4, General Commercial

Retail/Commercial

South: R-4, Residential

Undeveloped

O-3, Office

Undeveloped

East: H-4, General Commercial
P, Public
West: R-4, Residential

Retail/Commercial-DuTeau
LES substation
Undeveloped

HISTORY:

- January 6, 2006 Design Associates submitted an application for an administrative amendment to amend the lighting requirements for Special Permit #1989 (Sid Dillon). This administrative amendment was denied by the Planning Director due to the fact the proposed lighting plan did not substantially match Williamson and DuTeau lighting plans.
- March 16, 2005 Administrative Amendment #05018 to Special Permit #2022 (Williamson) to revise notes pertaining to lighting standards was approved by the Planning Director.
- July 28, 2004 Administrative Amendment #04059 to Special Permit #2022 to increase the floor area of the auto dealership(Williamson) to 65,200 s.f. was approved by the Planning Director.
- November 3, 2003 Special Permit #2022 for Planned Service Commercial to include a 43,500 s.f. auto dealership (Williamson) was approved by the City Council.
- March 3, 2003 Special Permit #1989 for Planned Service Commercial to include an 80,000 s.f. auto dealership (Sid Dillon) was approved by the City Council.
- February 10, 1999 Special Permit #1629A to revise Special Permit #1629 for a 40,000 s.f. auto dealership (DuTeau) was approved by the Planning Commission.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Comprehensive Plan identifies this area as commercial.

ANALYSIS:

1. This application is to amend the approved lighting plan for Sid Dillon auto dealership. The applicant is not requesting any changes to the site plan for Special Permit 1989. The approved site plan shall remain the basis for all interpretations of setback, yards, locations of buildings, location of parking and circulation elements and similar matters.

2. Special Permit #1989 for Sid Dillon addresses lighting in the notes on the site plan. Note #3 under Special Permit notes states, “All outside lighting shall meet City of Lincoln Design Standards for parking lots and shall be directed away from residential uses. Design Standards relative to light measurements along the west and south shall be met at the property line. Poles for outside lights shall not exceed 30 feet in height. At least two-thirds of all lights shall be turned off after business hours between 8:00 p.m. and 7:00 a.m.”
3. The City of Lincoln Design Standards Chapter 3.45 Section 3.8 (see attachment) addresses parking lot lighting. Parking lot lighting requires an Illumination level of not greater than 4.0 horizontal footcandles, average maintained, nor less than 0.2 horizontal footcandles, average maintained. The uniformity ratio is to be no greater than 4:1 average to minimum footcandles over the entire parking lot.
4. In establishing lighting requirements for Sid Dillon, Special Permit #1629A for the DuTeau auto dealership was looked at. Resolution PC-00481 for DuTeau required the following:
 - a. Outside lighting shall meet City Design Standards and shall be directed away from residential uses. Design standards relative to light measurements at the residentially zoned property line along the east boundary shall be met at a point 40 feet west of the east property line.
 - b. Poles for outside lights shall not exceed 30 feet in height.
 - c. At least two-thirds of all outside lights shall be turned off after business hours.Also a note on the site plan required that the development comply with Environmental Performance Standards of the City of Lincoln, These standards are attached.
5. There appears that there was some confusion with terms. Building and Safety (B & S) approved lighting for the parking lot, not the auto display area. After B & S approved Building Permit #B0305341 & B0305342, the applicant interpreted this to mean all lighting was approved, not just parking lot lighting. The attached memo from B & S identifies that at the time of building permit application the lighting plan for the display area had a note to reference that this area was to be submitted for review at a later date and that the parking lot lighting was highlighted as the area asked to be reviewed. So, although the lighting plan showed lighting for the auto display area, only parking lot lighting was reviewed and approved by Building & Safety and L.E.S. A lighting plan for the auto display area was never submitted to Building & Safety.

6. Section 27.03.480 of the zoning code and Chapter 1.05 of the City Design Standards defines parking lots as an area consisting of six or more parking spaces for the storage of automobiles, provided that there shall be no storage of automobiles for the purpose of sale or resale. Automobile display area is not defined. Although automobile display area is not defined, the lighting restrictions are mandated through the special permit.
7. Williamson auto dealership, the third in the area, was approved by Special Permit #2022 in November 2003. Resolution A-82449 required "All outside lighting shall meet City of Lincoln Design Standards for parking lots. At least two-thirds of all outside lights in Lot 1, Block 1, shall be turned off 30 minutes after business hours."
8. In March 2005 Williamson was granted an administrative amendment to revise the notes pertaining to lighting. When the initial special permit was approved it was not the intent to have auto display area lighting the same as parking lot lighting. The note however on the approved site plan treated the auto display area and parking lot the same. The new note relating to auto display area states "Display area lighting illuminance levels shall not exceed an average of 10 footcandles. The luminaires shall be full cut-off to conform to the City of Lincoln luminaires standards. City of Lincoln Design Standards relative to light measurements at the zoned property line shall be met." Parking lot lighting is separate from automobile display lighting.
9. A lighting study on the DuTeau property was prepared by Olsson Associates for the administrative amendment for Williamson. The lighting study showed that the average footcandle for the entire DuTeau site was 9.20 and the proposed average footcandles for Williamson was 9.56. (see attached) DuTeau also uses full-cutoff fixtures. Although the lighting for DeTeau is more restrictive than as strictly stated in their conditions, DuTeau had verbally committed to minimize its impact.
10. When Sid Dillon was notified that their lighting was in violation of the special permit they were given the option of applying for an administrative amendment and revise their lighting to match what was approved for Williamson. Sid Dillon did apply for an administrative amendment, but their revised lighting plan did not meet the same requirements as Williamson's' amendment. Their amendment proposed an average of 28.18 fc during business hours, 11.27 fc between closing and 10:00 p.m. and 3.96 fc from 10:00 p.m. to sunrise.
11. The proposal with this application shows an average of 11.27 fc during business hours, 3.96 fc between closing and 10:00 p.m. and 2.59 fc from 10:00 p.m. to sunrise. This latest proposal has a new category "Business Hour Dusk Time Lighting" with an average of 28.18 fc.

12. Following is a summary of the lighting requirements for Williamson, Sid Dillon and DuTeau:

SP #2022 Williamson (Northeast corner of S. 27th & Yankee Hill Rd.)

AA #05018 approved March 16, 2005 added Note #21 and amended Note #12.
Note #12: Parking lot lighting shall meet City of Lincoln Design Standards for parking lots. At least two thirds of all outside lights in Lot 1 & 2, Block 1 shall be turned off 30 minutes after business hours.

Note #21: For Lots 1 & 2, Blk 1, display lighting illuminance levels shall not exceed an average of 10 foot candles. The luminaries shall be full cut-off to conform to the City of Lincoln luminaries standards. City of Lincoln Design Standards relative to light measurements at the zoned property line shall be met.

SP #2022 approved Nov. 3, 2003

Note #12: All outside lighting shall meet City of Lincoln Design Standards for parking lots. At least two thirds of all outside lights in Lot 1 & 2, Block 1 shall be turned off 30 minutes after business hours.

SP #1989 Sid Dillon (Southwest corner of S. 27th & Kendra Lane)

Approved March 3, 2003 by Council.

Note #3: All outside lighting shall meet City of Lincoln Design Standards for parking lots and shall be directed away from residential uses. Design Standards relative to light measurements along the west and south shall be met at the property line. Poles for outside lights shall not exceed 30 feet in height. At least two-thirds of all lights shall be turned off after business hours between 8:00 pm and 7:00 am.

Note #15: No sign or lighted band shall be permitted on the south and west sides of the auto dealership building only.

SP #1629A DuTeau (Southeast corner of S. 27th St. and Porter Ridge Rd.)

Approved Feb. 10, 1999

Note #14 The applicant shall comply with Environmental Performance Standards of the City of Lincoln.

Resolution PC-00481:

2. Outside lighting shall meet City Design Standards and shall be directed away from residential uses. Design standards relative to light measurements at the residentially zoned property line along the east boundary shall be met at a point 40 feet west of the east property line.

3. Poles for outside lights shall not exceed 30 feet in height.
 4. At least two-thirds of all outside lights shall be turned off after business hours.
 7. No sign of lighted band shall be permitted on the east side of the building.
13. The applicant's letter states that Sid Dillon does not abut a residential district, whereas Williamson and DuTeau does. This is not correct, Sid Dillon abuts an R-4 residential district to the west. Also, the lights are very visible to the existing residences on the east side of S. 27th St., from which City staff has received complaints since this dealership opened. This is a result of the fact that full-cutoff fixtures were not installed, as well as the higher illumination levels.

CONDITIONS OF APPROVAL:

Site Specific Conditions:

1. This amendment approves an amended lighting plan for the auto dealership on Lot 4, Block 1 as shown on the site plan.

General Conditions:

2. This special permit is approved contingent on the following conditions:
 - 2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.
 - 2.1.1 A revised site plan including **5** copies showing the following revisions:
 - 2.1.1.1 Revise Note #3 under Special Permit-Planned Service Commercial to read, "Parking lot lighting shall meet City of Lincoln Design Standards for parking lots. At least two-thirds of all outside lights in Lot 4, Block 1 shall be turned off 30 minutes after business hours."
 - 2.1.1.2 Add a new note under Special Permit-Planned Service Commercial to read, "For Lot 4, Block 1, display lighting illuminance levels shall not exceed an average of 10 footcandles. The luminaires shall be full cut-off. City of Lincoln Design Standards relative to light measurements at the zoned property line shall be met."

- 2.2.1 Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

Standard Conditions:

- 3. The following conditions are applicable to all requests:
 - 3.1 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.
 - 3.2 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.3 The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The City 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
- 4. 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

Tom Cajka
Planner

DATE: November 21, 2006

APPLICANT: Sid Dillon Inc.
2627 Kendra Lane
Lincoln, NE 68512
(402) 464-6500

OWNER: same as applicant

CONTACT: Peter Katt
Pierson, Fitchett, Hunzeker, Blake & Katt
1045 Lincoln Mall, Suite 200
Lincoln, NE 68508
(402) 476-7621



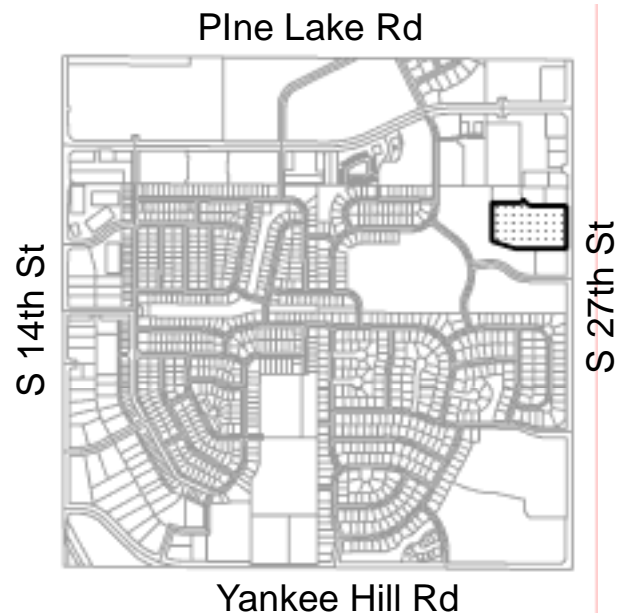
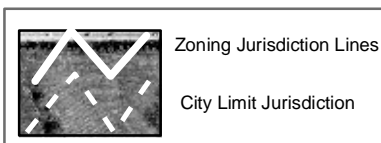
2005 aerial

Special Permit #1989A S 27th St & Kendra Ln

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. 24 T09N R06E





Special Permit #1989A
S 27th St & Kendra Ln

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AG



A. Craig Mason Jr.
Attorney-at-Law

620 N. 48th Street, Suite 205
Lincoln, Nebraska 68504

November 7, 2006

Marvin Krout
Lincoln Lancaster County Planning Department
555 S. 10th Street
Lincoln, Nebraska 68508

Re: Amendment to Special Permit #1989
Sid Dillon, Inc. – Automobile Dealership

Dear Mr. Krout:

The purpose of this letter is to submit a revised lighting plan for the Sid Dillon property located at 2627 Kendra Lane in the City of Lincoln.

HISTORY

Design Associates of Lincoln and Sid Dillon, Inc. (the “Applicants”) submitted two applications for building permits (file no.’s B0305341 & B0305342). As part of the applications, “parking lot lighting” was submitted and approved by the City. Shawn Johnson, with Building & Safety, was the plan reviewer. Stan Wostrel, with LES, also reviewed the plan and indicated its compliance with the City requirements.

Unfortunately, it appears that the City and the building permit applicants were not on the same page. It appears that the City, in establishing its special permit for this property intended for product display areas and customer parking areas to be treated the same under the permit. This was a variance in traditional building permit review and was not anticipated by the Applicants.

As a result, the Applicants proceeded building a “parking lot area” for customers that conformed to the design standards and a “inventory/display area” that met a different standard. It should be noted that the “inventory/display area” was submitted as part of the plan, and no comment was made regarding that area not being in compliance at the time approvals were issued.

Some time following what the Applicants believed to be approval of the plan, the City notified the Applicants that they did not believe the lighting to be in compliance with the conditions placed on this site. This determination was based on the interpretation that the

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“inventory/display lot” would be treated as a “parking lot” and not separately. It has also been stated that restrictions on nearby automobile dealerships, built after the Applicant’s property and which are adjacent to residential property should be applied to the Sid Dillon property as well.

CURRENT DISCUSSIONS

It is clear that there was some confusion related to the regulatory intent of the city related to this property and the attempts to comply with those requirements by the Applicants.

At all times in applying for the permits and in building the location, the intent of the Applicants was to comply with the requirements of the City. If that did not happen, the Applicants are willing to take reasonable steps to address the concerns of the City.

The Applicants have previously submitted an amendment with the City to try and resolve the dispute on this issue. So far the attempts have been unsuccessful. It is the hope of the Applicants that this proposal, which further reduces the lighting at the site, will be acceptable to resolved this dispute.

TECHNICAL ISSUE RELATING LUMINAIRE LENSES

There is one issue that needs to be clarified before the plan is discussed.

The original lighting design for the property called for the use of two luminaries that were to use flat glass lenses. The use of this lens would have caused one of the two “inventory/display lot” luminaries to qualify as “full-cutoff fixture” under the IESNA and the other to qualify as “cut-off fixture” under the IESNA system. Unfortunately, the luminaries actually installed on the site did not use the “glass flat lens” specified in the design.

It was the original belief of the Applicants that this was a mistake by the company that installed the lighting. Unfortunately, it appears that the real cause of this change was the discontinuance of the “glass flat lens” option by the manufacturer of the luminaire. According to the manufacture, the “glass flat lens” was discontinued due to “heat issues” and the placement of the lighting element in too close of proximity to the lens. So while it was available when designed, and the availability of the lens was confirmed by the Designer prior to submission, the manufacturer subsequently pulled the lens from production and use without notifying the Designer.

Instead of a flat lens, the luminaries now use a drop lens that extends slightly below the flat bottom of the fixture. Despite the change in lens, the only change is that neither luminaire now meets the IESNA designation for a “full cutoff fixture.” They do still meet the IESNA “cutoff” standard established under the Lincoln code.

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Despite earlier discussion that the Applicants might replace the lens, the discontinuance of the flat lens option by the manufacturer makes that impossible without fully replacing the fixtures.

REVISED LIGHTING PROPOSAL

The goal of the lighting proposal is to reduce the overall lighting at all levels to provide a more security lighting for outdoor inventory from the hours of 10:00pm until dawn that are consistent with nearby auto dealerships while providing higher levels of lighting during hours when the business is open and between closing and 10:00pm. The reason for the higher level between closing and 10:00pm is to provide consistent lighting during a time when customers are known to visit the lot and browse for cars without a sales person present.

In providing these lower levels, we wish to remind you that the nearby automobile dealerships have different circumstances than the Sid Dillon lot. Duteau and Williamson both abut zoning areas that are residential or protected, where Sid Dillon does not. That factor should permit some variance in lighting between the competing lots despite their proximity.

The proposed lighting scheme is as follows:

- (1) **Security Lighting** – Between the hours of 10:00pm and dawn of every day, we propose to implement a lighting arrangement shown on the attached Sheet No. E-0.0. This arrangement provides 2.59 Average Horizontal Footcandles. This arrangement provides for a maximum reading of 14.10 footcandles and a minimum of 0.30 footcandles.
- (2) **Customer Convenience Lighting** – This lighting would start 30 minutes after closing and reduce to Security Lighting levels at 10:00pm. This lighting arrangement, shown on the attached Sheet No. E-0.1, would provide a 3.96 average horizontal footcandle level for the lot. The maximum level for the lot would still be 14.10 footcandles and the minimum would remain 0.30 footcandles.
- (3) **Business Hour Lighting** – During the days of the year when business hours extend beyond sundown, the lighting arrangement under the new design is shown on attached Sheet E-0.2. This lighting arrangement provides an average of 11.27 footcandles for the lot. The maximum under this arrangement increases to 33.60 footcandles and the minimum to 0.90 footcandles.
- (4) **Business Hour “Dusk Time” Lighting** – During the days of the year when business hours extend beyond sundown, an attention grabbing lighting arrangement has been designed for the “dusk” to “sundown” time frame of business operation. This is a period of time currently unregulated by current and draft outdoor lighting codes. Glare and other issues are not an issue during this time of day because the lighting is viewed versus a partially lit sky and will appear less bright based on the surrounding sky at the time. The proposed lighting arrangement for this time period is attached as Sheet No. E-0.3 and provides an

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average 28.18 horizontal footcandles for the lot. The maximum under this arrangement is 84.10 footcandles and the minimum is 1.00 footcandle.

A chart outlining these specifics is attached as "Exhibit A" to this letter.

CONCLUSION

We believe this structure for lighting provides a manageable, fair and appropriate level of lighting as a compromise to address the cities concerns regarding this premises and the significant expenditures made in good faith by the property owner based on the original design submitted to the City.

Once we have reached a formal agreement on this level of lighting, the new lighting arrangement outlined above will be implemented. There is significant electrical work that needs to be done to meet these levels that will result in significant expenditures by the Applicants to achieve these results.

Please feel free to contact Bruce Bailey, with Design Associates, Peter Katt, with the law firm of Pierson, Fitchett, or me if you have any questions.

Sincerely,

A. Craig Mason Jr.

“Exhibit A”

LIGHTING DESIGN FOR 2627 KENDRA LANE
SID DILLON, INC.

LIGHTING	Time of Day	Average Foot Candles	Maximum Foot Candles	Minimum Foot Candles	Number of Days per year	Hours per Day
Security Lighting	10:00pm to Dawn	2.591	14.10	0.30	365	7 hrs 21 mins to 9 hrs 21 mins
Customer Convenience Lighting	8:30 to 10:00 (M,T,Th) 6:30 to 10:00 (W,F) 5:30 to 10:00 (S,Su)	3.96	14.1	0.30	365	24 mins. to 4 hrs 15 mins
Business Hour Lighting	Sunset to 8:30 (M,T,Th) Sunset to 6:30 (W,F) Sunset to 5:30 (S, Su)	11.27	33.60	0.90	109	1 min. to 2 hrs 30 mins
Business Hour "Dusk Time" Lighting	Dusk to Sundown	28.18	84.10	1.00	109	15 mins

NOTES: Hours of operation vary based on the varying sunrise and sunset times during the course of the year.

Business Hour Lighting has 30 days where the lights will be on for 30 minutes or less and 37 days where the lights will be on for over 2 hours.

SPECIAL PERMIT-PLANNED SERVICE/COMMERCIAL (H-4) GENERAL NOTES

1. THE OWNER/DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING ENVELOPES SHOWN ON THIS SPECIAL PERMIT.
2. BUILDING HEIGHT SHALL NOT EXCEED 35 FEET (H-4).
3. ALL OUTSIDE LIGHTING SHALL MEET CITY OF LINCOLN DESIGN STANDARDS FOR PARKING LOTS, AND SHALL BE DIRECTED AWAY FROM RESIDENTIAL USES. DESIGN STANDARDS RELATIVE TO LIGHT MEASUREMENTS ALONG THE WEST AND SOUTH SHALL BE MET AT THE PROPERTY LINE. POLES FOR OUTSIDE LIGHTS SHALL NOT EXCEED 30 FEET IN HEIGHT. AT LEAST TWO-THIRDS OF ALL LIGHTS SHALL BE TURNED OFF AFTER BUSINESS HOURS BETWEEN 8:00 P.M. AND 7:00 A.M.
4. THIS SPECIAL PERMIT CONTAINS 4 COMMERCIAL LOTS. LOTS 1-4, BLOCK 1, SHALL CONTAIN 115,100 S.F. OF RETAIL/COMMERCIAL USES AS PERMITTED BY 'H-4' PLANNED/SERVICE COMMERCIAL, INCLUDING 80,000 S.F. OF AUTOMOTIVE DEALERSHIP.
5. SIGNAGE SHALL BE AS PER SECTION 27.69 OF THE LINCOLN MUNICIPAL CODE. HOWEVER POLE SIGNS AND OFF-PREMISES SIGNS SHALL BE PROHIBITED.
6. AN ADMINISTRATIVE AMENDMENT TO APPROVE A SPECIFIC SITE PLAN ON EACH LOT WILL NOT BE REQUIRED UNLESS THE SITE INCLUDES A DRIVE THRU FACILITY, CONVENIENCE STORE/GAS PUMPS AND/OR A CAR WASH.
7. THE SQUARE FOOTAGE'S IN THE 'H-4' LAND USE TABLE SHOWN ON THIS PAGE MAY BE ADJUSTED BY ADMINISTRATIVE AMENDMENT AS LONG AS THE TOTAL TRIPS GENERATED DO NOT EXCEED THE TRIPS SHOWN IN THE TABLES. THE TOTAL FLOOR AREA (115,100 S.F.) MAY BE INCREASED BY AN ADMINISTRATIVE AMENDMENT.
8. WAIVER TO ALLOW THE PLANNING DIRECTOR TO APPROVE THE SITE PLANS, GROUND SIGN LOCATIONS AND REQUIRED LANDSCAPE PLANS AT TIME OF BUILDING PERMIT ON THE H-4 PARCELS.
9. WAIVER TO THE ZONING ORDINANCE FOR A REDUCTION OF THE FRONT YARD SETBACK OF 50' TO 40' ALONG SOUTH 27TH STREET ON THE H-4 PARCELS.
10. WAIVER OF THE REQUIRED SIDE YARD SETBACK ALONG THE NORTH PROPERTY LINE FROM 50' TO 20' ON THE H-4 PARCELS.
11. WAIVER OF INTERNAL SIDE YARD SETBACKS FROM 50' TO 10' ON THE H-4 PARCELS.
12. THE OWNER OF LOT 4, BLOCK 1 HAS THE RIGHT TO PROHIBIT VEHICULAR ACCESS THROUGH THE SITE DURING NON-BUSINESS HOURS, 8:00 P.M. TO 7 A.M.
13. OVERHEAD DOORS THAT OPEN INTO MECHANIC/SERVICE BAYS ON THE SOUTH AND WEST SIDES OF THE BUILDING SHALL BE 100% SCREENED WITH CONIFEROUS TREES, AT LEAST AS HIGH AND TWICE THE WIDTH OF SAID DOOR AT TIME OF PLANTING. DOORS FOR SHOWROOM ACCESS, NEW CAR PREP OR DELIVERY AREA ARE EXEMPT FROM THIS SCREENING REQUIREMENT.
14. NO OUTDOOR SPEAKERS SHALL BE PERMITTED ON THE AUTO DEALERSHIP LOT ONLY. MENU BOARD SPEAKERS ON DRIVE THRU'S SHALL BE PERMITTED.
15. NO SIGN OR LIGHTED BAND SHALL BE PERMITTED ON THE SOUTH AND WEST SIDES OF THE AUTO DEALERSHIP BUILDING ONLY.

Special Permit #1989

3.8 **Lighting**

Lighting systems for parking lot illumination shall conform to these standards and the lighting fixtures shall be so positioned as to direct lighting away from the immediately abutting properties and public ways.

The purpose of parking lot lighting is to provide adequate visibility within the parking lot and to enhance the security and safety of the lot users. It should not cause interference to traffic on public thoroughfares or encroach on the visual privacy of adjacent residents.

The intent of these standards is to provide guidelines to insure that parking lot lighting in the City of Lincoln is adequate and to minimize its adverse impact upon adjacent residential uses. It is also the intent of this standard to minimize light pollution which has a detrimental effect on astronomical observations. Except as noted in these standards, the parking lot shall be lighted in accordance with the *Illuminating Engineering Society of North America (I.E.S.) Lighting Handbook, 8th Edition*.

Airport parking lots shall be excluded from the restrictions of these lighting standards. Airport lighting requires special considerations and shall be controlled by the Lincoln Airport Authority.

There are three major controllable components of a lighting system that directly affect the quality of a light system. These are: (1) light intensity level, (2) uniformity of light distribution, and (3) glare. When these factors in a lighting system are managed in an appropriate way, intended use of the system is maximized and misuse is minimized.

Evaluation of parking lot lighting designs shall be based on the following criteria:

1. Light Intensity Level:
 - a. Illumination level: Not greater than 4.0 horizontal footcandles, average maintained, nor less than 0.2 horizontal footcandles, average maintained.
 - b. Illumination levels beyond the property line of parking lot: Illumination levels, attributable to a parking lot lighting system shall not exceed 0.5 horizontal foot-candle, maintained, on other properties, except public ways, within a residential zoning district.
2. Uniformity ratio: No greater than 4:1, average to minimum footcandles over the entire parking lot.
3. Glare control: Luminaires shall have a cutoff classification with no more than 2.5 percent of the candle power above 90 degrees from vertical nor more than 10 percent above 80 degrees from vertical. As an alternative, shields may be installed on the luminaires to achieve the cutoff requirements, or a non-cutoff luminaire having a light source that emits no more than 10,000 lumens at each pole location installed. The luminaires shall be designed to eliminate glare.

Definition of Leq: EQUIVALENT A-WEIGHTED SOUND LEVEL (Leq) - The constant sound level that, in a given situation and time period, conveys the same sound energy as the actual time-varying A-weighted sound. It is the average sound level and it accurately portrays the sound the human ear actually hears.

Section 7. PERFORMANCE STANDARDS FOR EMISSION, DUST AND ODOR

The existing City Ordinances, Regulations and Standards relating to emission, dust and odor shall apply to all uses in B-2, B-5, I-2, I-3 and O-3 Districts. Such ordinances include Lincoln Municipal Code, Chapter 8.06, Section 8.06.130 Odor Nuisances Prohibited, 8.06.140 Open Burning, and 8.06.150 Air Pollution Nuisances Prohibited.

Section 8. PERFORMANCE STANDARDS FOR OUTDOOR NIGHT TIME LIGHTING

8.1 Standards

Lighting in areas such as parking lots, outdoor storage facilities and the general landscape shall be conducted so that the light source is directed away from residential use areas and public streets, or shall be controlled so that the candlepower per 1000 lamp lumens does not numerically exceed 50 lamp lumens (5%) above vertical angle at 78 degrees above nadir or emit more than 500 foot-lamberts per unit projected surface area of the luminaire above 78 vertical angle.

Luminous element signs shall not exceed 300 foot-lamberts. Luminous building fronts on facades shall not exceed 100 foot-lamberts in average surface luminance. Flood lighted signs shall not exceed 75 foot-lamberts in average surface luminance. Exposed lamp signs and luminous tube signs shall not exceed 400 foot-lamberts in average surface luminance.

If street and walkways used by the public for night time transit are lighted, they shall be lighted in conformance with City of Lincoln standards for residential ornamental street lighting. (15 average maintained horizontal foot candles; average to minimum uniformity ratio not greater than 10:1)

Illumination contributable to any outdoor lighting shall be conducted in such a manner that direct or indirect illumination from the source shall not exceed .5 horizontal footcandles at the property boundary line of these districts if they abut a residential district.

8.2 Measurement

Illumination (footcandles) and luminance (foot-lamberts) measurements shall be made with a cosine corrected photoelectric photometer having a spectral response corrected to the luminous efficiency curve established by the International Commission on Illumination. The meter shall be calibrated in accordance with the manufacturer's specifications and shall be operated according to the manufacturer's

directions. Luminance meters shall be operated at an aperture setting of 2 degrees in diameter.

Section 9. PERFORMANCE STANDARDS FOR HEAT

Any operation producing intense heat shall be conducted within the enclosed building or with other effective screening in such a manner as to be completely imperceptible from any point along or outside the lot lines.



Status of Review: FYI

11/15/2006 8:32:32 AM

Reviewed By Building & Safety

Terry Kathe

Comments: It should be noted in the third paragraph of the letter, that the lighting plan that showed the point by point calculations for the display area had a note to reference that this area was to be submitted for review at a later date and that the parking lot lighting was highlighted as the area asked for being reviewed. This meant the area shown on the plan was a future review and was to be ignored by this office and a later plan would be filed for review.

Status of Review: Active

Reviewed By Lincoln Electric System

ANY

Comments:

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

Status of Review: Active

Reviewed By Planning Department

TOM CAJKA

Comments:

Status of Review: Active

Reviewed By Planning Department

RAY HILL

Comments:

Status of Review: Active

Reviewed By Public Works - Development Services

ANY

Comments:



Building and Safety Department
Mike Merwick, Director
555 South 10th Street
Room 203
Lincoln, Nebraska 68508

402-441-7521
fax: 402-441-8214
bldgsafe@ci.lincoln.ne.us



MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

February 17, 2004

Steve Stajner
1609 N. Street
Lincoln, Ne 68508

Re: Parking lot lighting for 2627 Kendra lane

Dear Steve,

Please be advised that the parking lot lighting plan submitted in connection with Building Permit No. B0305341 & B0305342 at 2627 Kendra Lane is approved. A copy of the Lincoln Electric System (LES) review comments and the approved plan is attached. The lighting may be installed as per the approved plan, with approval of any applicable electrical permits.

Please contact this department if you have any questions about this lighting.

Sincerely,

Shawn Johnson
Plan Reviewer

pc: file

INTER-DEPARTMENT COMMUNICATION



DATE: February 13, 2004
TO: Terry Kathe
Zoning Administrator, Building & Safety
FROM: Stan Wostrel *SWW*
(Ext. 7627) *2-13-04*
SUBJECT: Parking Lot Lighting Plan & Design – Sid Dillon – 2627 Kendra Lane

RECEIVED
FEB 17 2004
CITY BUILDING & SAFETY

We have looked at the information you sent us regarding the parking lot lighting at Sid Dillon, 2627 Kendra Lane. We compared this information to the "Design Standards for Parking Lot Lighting" identified in the "Design Standards for Zoning Regulations" adopted by the City Council November 14, 1994, Resolution A-76465.

- A. **Illumination Level - Does meet the requirement.** The 3.96 average footcandles shown for the parking areas does meet the requirement of not more than 4.0 or less than 0.2 average footcandles.
- B. **Illumination Levels Beyond the Property Line of Parking Lot - Does meet the requirement.** The parking lighting does not exceed 0.5 footcandles on adjacent residential property.
- C. **Uniformity Level - Does meet the requirement.** The 3.96 average/minimum does meet the requirement of not more than 4:1 uniformity.
- D. **Glare Control - Does meet the requirement.** The light fixtures used for the parking lot lighting are cutoff luminaires.

Therefore, from this information, the lighting **does** meet the lighting "Design Standards for Parking Lot Lighting".

If you have any questions, please call me at 467-7627.

SW/nh
c: Dan Pudenz
Emil Turek

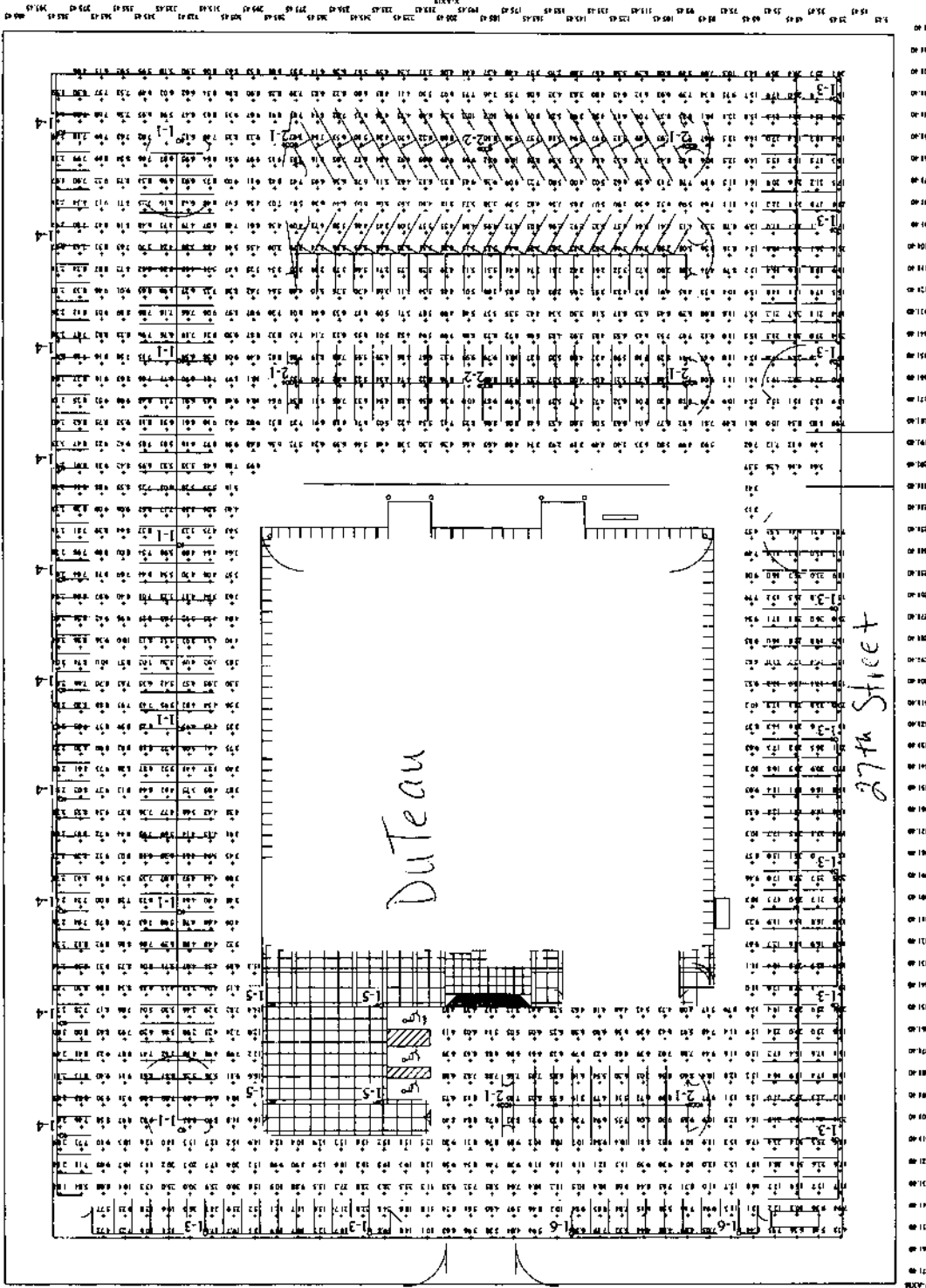
DN#73S-26E



By: Olsson Associates

LIGHTING PLAN

FEB 16 2005



Residential

Duteau

27th Street

GROUP	MIN	MAX	AVE	AVR/MIN	MAX/MIN
(+)	1.84	31.6	9.20	4.99	17.12

Statistics Computed in accordance with IES recommendations

VALUES ARE FC; SCALE: 1 IN=50.0FT. HORZ GRID (U), HORZ CALC. Z=0.0

PREPARED BY: kdp

PROJECT: Duteau/990572 GROUP: Duteau GRID: ENTREGED
LlePro 2015 Point-By-Point Results

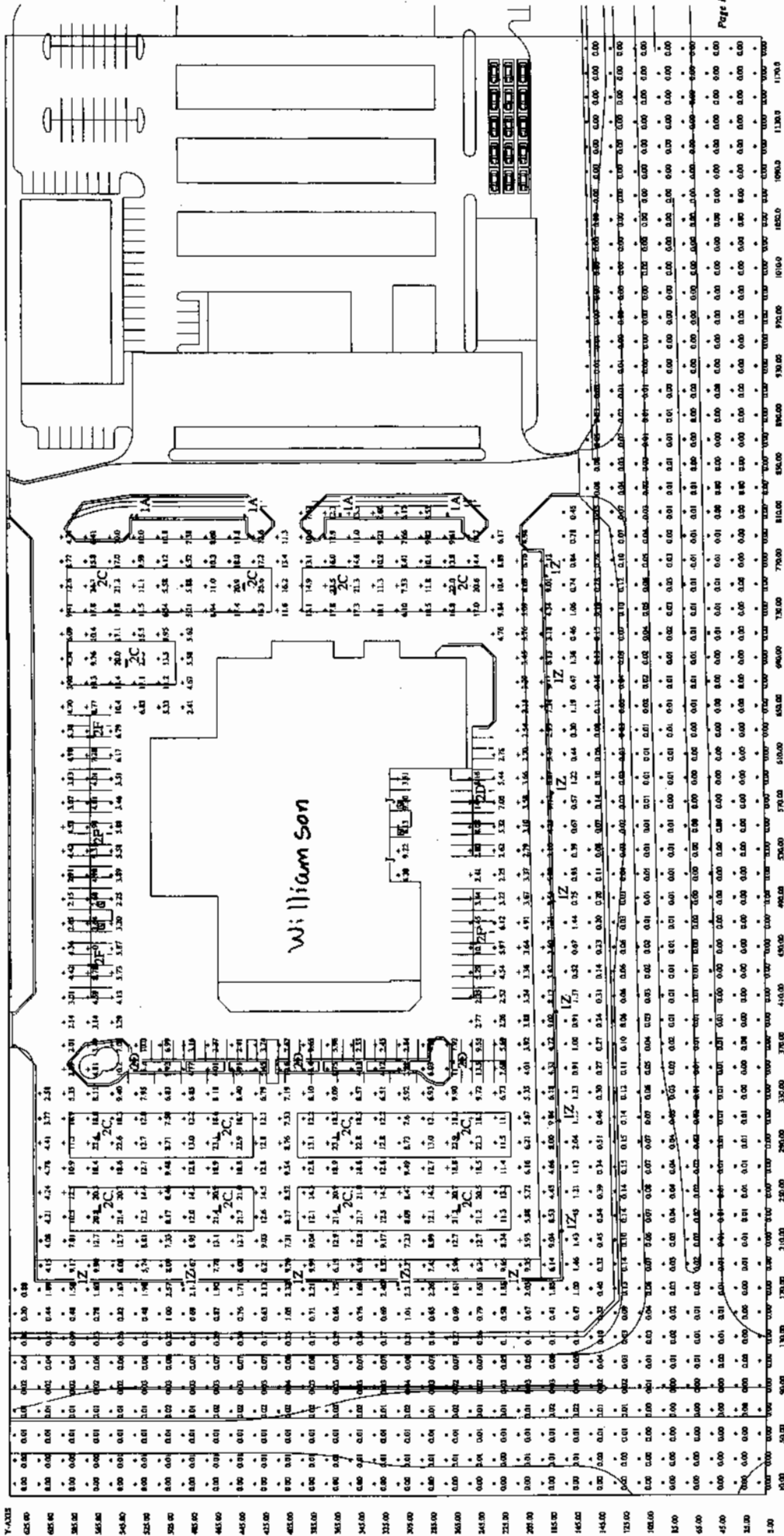
PROJECT: Williamson Honda/20031232 GROUP: site AREA: 16400V1000mh GRID: Spillover
 PREPARED BY: kdp
 VALUES ARE FC. SCALE: 1 IN=80.0FT. HORZ GRID (U), HORZ. CALC. Z= 0.0

Computed in accordance with IES recommendations

GROUP	MIN	MAX	AVE	AVE/MIN	MAX/MIN
(*) Display Lighting	2.01	25.6	9.56	4.74	12.70
(*) Spill over	0.00	2.57	0.16	N/A	N/A

PL - 4 FC.

DRWAY - 10 FC.



LIHTING PLAN

By: Olsson Associates