

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for MAY 9, 2007 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.2938B

PROPOSAL: This application is to amend the standards of the University of Nebraska Technology Park Special Sign District to amend section 3.1 wall signs and permit administrative amendments for minor deviations from the Special Sign District.

LOCATION: N.W. 1st and W. Highland Blvd.

LAND AREA: 135 acres, more or less

EXISTING ZONING: O-3 Office Park District

CONCLUSION: Allowing wall signs oriented to Interstate 80, West Highland Blvd. or N.W. 1st St. should not negatively impact the adjacent properties, while identifying the businesses. Administrative amendments approved by the Planning Director to the University of Nebraska Technology Park Special Sign District for minor modifications will streamline the approval process.

RECOMMENDATION:	Approval
------------------------	----------

GENERAL INFORMATION:

EXISTING LAND USE: Existing office buildings for University of Nebraska Technology Park.

SURROUNDING LAND USE AND ZONING:

North:	R-3,	Single family residential
South/Southeast:	R-4,	Interstate 80 and Multiple-family residential
	I-2	Industrial
East:	AG	Campground and Highway 34
West:	I-2	Industrial

HISTORY:

May 1999 Change of Zone #2938A to amend the Special Sign District to clarify the use and size of wall signs and the height and size of monument signs in the area east of NW 1st St. for the University of Nebraska Technology Park was approved by the City Council by Ordinance #17504

December 1995 Change of Zone #2938 to establish the Special Sign District and Use Permit #80 for the Technology Park were approved by the City Council by Ordinance #16901

ANALYSIS:

1. This request amends the Standards of University of Nebraska Technology Park Special Sign District to allow wall signs to face Interstate 80, West Highland Blvd. and N.W. 1st St. on buildings west of N.W. 1st St. and allows administrative amendments for minor deviations from the Special Sign District to be approved by the Planning Director. The revisions are on pages 3 and 6 of the standards.
2. Section 27.69.300 Other Permitted Signs; Nonresidential; Special Sign District, indicates that the City Council may establish a special sign district for the purpose of defining an area with a special or unique theme.
3. The intent of the University of Nebraska Technology Park Special Sign District is intended to enhance and preserve the park-like environment by controlling the design, size, location and number of signs in the Park.
4. Currently, wall signs are only allowed in the facade of a building oriented to the internal streets and parking areas of the Park. This amendment limits the size of the wall sign on the facade oriented to Interstate 80, West Highland Blvd. or N.W. 1st Street to 15 percent of the coverage of each building facade.
5. The approval of this amendment will permit the new Verizon building to have a wall sign facing Interstate 80.
6. The Planning Director may only approve administrative amendments that are in conformance with the underlying O-3 Office Park district.
7. Allowing the Planning Director to administratively approve minor modifications will streamline the approval process.

Prepared by:

Tom Cajka
Planner

DATE: April 24, 2007

APPLICANT: Thomas C. Huston
Cline, Williams, Wright, Johnson, & Oldfather, L.L.P.
233 S. 13th St. Suite 1900
Lincoln, NE 68508
(402) 474-6900

OWNER: University of Nebraska Technology Park
4701 Innovation Dr.
Lincoln, NE 68521
(402) 472-4179

CONTACT: same as applicant



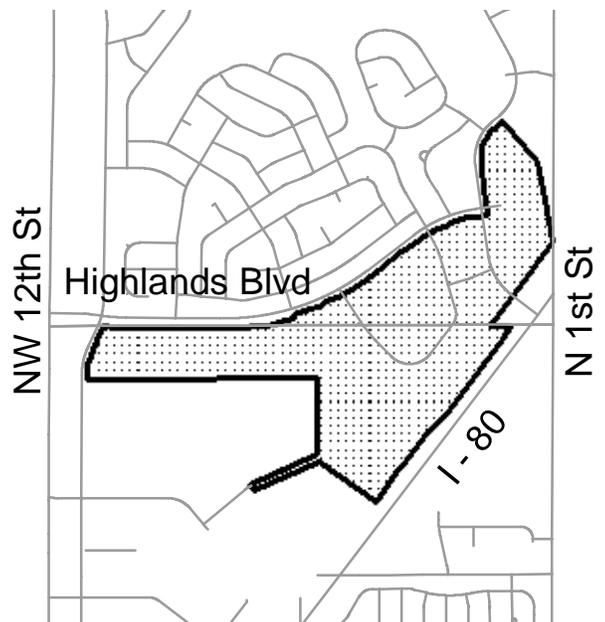
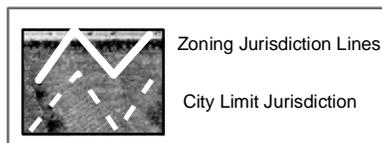
Change of Zone #2938B NW 1st St & Highlands Blvd

2005 aerial

Zoning:

One Square Mile
N 1/2 Sec. 10 T10N R06E
S 1/2 Sec. 03 T10N R06E

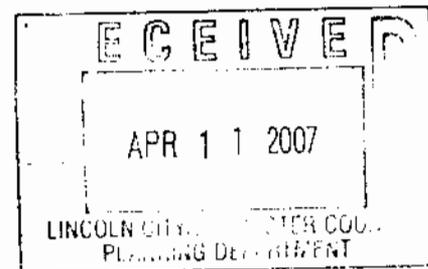
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned 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



**PURPOSE STATEMENT TO THE
CHANGE OF THE STANDARDS OF THE
UNIVERSITY OF NEBRASKA TECHNOLOGY PARK SPECIAL SIGN DISTRICT**

The Change of Zone Application is being made to amend the Standards of the University of Nebraska Technology Park Special Sign District. The Special Sign District was created by the City of Lincoln via Ordinance No. 16901, adopted by the City Council on December 11, 1995, creating a Special Sign District for the University of Nebraska Technology Park. The Standards for the Special Sign District were attached to the ordinance. Further, pursuant to Ordinance No. 17504, approved by the City Council on May 14, 1999, the Standards for the Special Sign District of the University of Nebraska Technology Park were amended to allow two wall signs per building for properties located east of N.W. 1st Street.

The proposed amendment will permit a wall sign on buildings located west of N.W. 1st Street, if such additional wall sign is oriented to the I-80 corridor, Highlands Boulevard, or N.W. 1st Street. Lastly, the proposed amendment would permit administrative amendments for minor deviations from the Special Sign District. The Special Sign District was approved in tandem with Use Permit No. 80 creating the Use Permit for the University of Nebraska Technology Park. This modification would permit administrative amendment of minor deviations consistent with the Standards set forth in Use Permit No. 80.



LAW OFFICES OF
CLINE, WILLIAMS, WRIGHT, JOHNSON & OLDFATHER, L.L.P.

FREDRIC H. KAUFFMAN
DONALD F. BURT
STEPHEN E. GEHRING
KEVIN COLLIERAN
L. BRUCE WRIGHT
ROBERT J. ROUTH
JAMES M. BAUSCH
DAVID E. BUNTAIN
STEPHEN H. NELSEN
MICHAEL C. MUELLER
DANIEL B. STOGSDILL
SCOTT D. KELLY
TERRY R. WITTLER
MARK A. CHRISTENSEN
RICHARD F. GARDEN JR.
SMAWN D. BENNER
JOHN C. MILES
MARY KAY O'CONNOR
THOMAS C. HUSTON
DON E. JANSSEN
SUSAN KUBERT SAFF
KEVIN J. SCHNEIDER
ANDREW D. STROTSMAN
JILL GOSSIN JENSEN
STEVEN M. DELANEY
JOHN C. HEWITT

1900 U.S. BANK BUILDING
233 SOUTH 13TH STREET
LINCOLN, NEBRASKA 68508-2095
(402) 474-6900
FAX (402) 474-5393
www.clinewilliams.com

OMAHA
ONE PACIFIC PLACE
1125 SOUTH 103RD SUITE 320
OMAHA NEBRASKA 68124-1090
(402) 397-1700

AURORA
1207 M STREET
P.O. BOX 510
AURORA NEBRASKA 68012
(402) 694-6314

SCOTTSDUFF
RAILWAY OFFICE PLAZA
115 RAILWAY STREET, SUITE A-215
SCOTTSDUFF, NEBRASKA 69367
(308) 633-1020

JOHN L. MORAN
MICHAEL C. PALLESEN
RONALD G. FLEMING
TRACY A. OLDMAYBE
PAMELA BPP OLSEN
TRENT S. SIDDERS
JENNIE A. KURHNRE
ANDRE E. BARRY
TRAVIS F. O'GORMAN
DOUGLAS E. ABSKLE
BRIAN J. ADAMS
STANTON N. SEEDER
LAURA E. HEDGER
BREN H. CHAMBERS
AUSTIN L. MCKILLIP
TESSA F. HERMANSON
MARGARET A. OLSEN
KEITH T. FETTERS
ANDREW E. WILLIS

CHARLES E. WRIGHT, COUNSEL
CHARLES M. PALLESEN JR., COUNSEL
ALAN E. PETERSON, COUNSEL
RICHARD F. JEFFRIES, COUNSEL

April 26, 2007

tcajka@lincoln.ne.gov

Mr. Tom Cajka
Lincoln Lancaster County Planning Department
555 South 10th Street, Suite 213
Lincoln NE 68508

rpeo@lincoln.ne.gov

Mr. Rick Peo
Deputy City Attorney
575 South 10th Street
Lincoln NE 68508

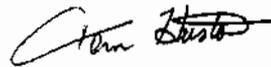
Re: University of Nebraska Technology Park
Special Sign District
Our File: CEL02-CB001

Dear Tom and Rick:

I attach a revised version of the black-line of the Standards of the University of Nebraska Technology Park Special Sign District. I have modified Section 7 to include a second requirement that any request for amendment be in conformance with the signed regulations of the O-3 Office Park District. I am not sure that I agree with you on this issue, but think we will still get to a position where we need to be.

Please include this information in the Planning Commission packets. If you have any questions, please let me know.

Sincerely,



Thomas C. Huston
For the Firm

Enc.
C: Steve Frayser

LQ740675.1

(Black-Line, 4-910-07)

STANDARDS
OF
UNIVERSITY OF NEBRASKA TECHNOLOGY PARK
SPECIAL SIGN DISTRICT

Section 1. Purpose. It is the intent of the provisions of the University of Nebraska Technology Park Special Sign District (the “District”) to encourage attractive signage, lighting, and other private visual media which aid in the orientation and identification of uses and activities within the University of Nebraska Technology Park (the “Park”). The Park is being developed by the University of Nebraska Technology Park, L.L.C. (the “Owners”). The District includes the Sign plan (the “Sign Plan”) attached and incorporated by this reference. The Sign District is intended to enhance and preserve the park-like environment by controlling the design, size, location, and number of signs in the Park, while allowing some flexibility to enable users of the Park to incorporate their organizations’ unique logos or trademarks in their identification signs while achieving a uniformity in the basic sign design.

Section 2. Definitions. For the purposes of this District, the terms below shall be specifically defined as follows:

- 2.1 Area of Sign. The area of the largest single face of the sign within a perimeter which forms the outside shape, including any frame which forms an integral part of the display, but excluding necessary supports or uprights upon which the sign may be placed.
- 2.2 Facade. That portion of any exterior elevation of a building extending vertically from the grade to the top parapet wall or eaves and horizontally

across the building in one plane of elevation.

2.3 Mobile Sign. A sign designed and constructed to be transported by its own wheels.

2.4 Temporary Sign. Any outdoor sign or device including but not limited to banners, pennants, flags, or advertising display constructed of wood, cloth, canvas, light fabric or other light materials, with or without frames, intended to be displayed for a limited period of time only, not to exceed fifteen (15) days in a calendar year, and not permanently affixed to a building and/or the ground.

Section 3. Permitted Signs. No signs shall be permitted except as provided by the District.

3.1 Wall Signs. A Wall Sign shall mean any sign attached to the wall or Facade of the building with a display surface parallel to the wall or Facade to which it is attached and which projects no more than 24 inches from the wall surface. No Wall Sign shall extend vertically or horizontally beyond the building Facade to which the sign is attached. Wall Signs shall be limited to a size or Area no greater than fifteen percent (15%) of coverage of the Facade. Wall Signs shall be located on the Facade of a building oriented to the internal streets and parking areas of the Park and shall be shown on each tenant's individual site plan. Buildings located east of N.W.1st Street shall be permitted to have two (2) on premises Wall Signs as long as each such Wall Sign shall not exceed fifteen percent (15%) coverage of the building Facade. Wall Signs on buildings located east of

N.W. 1st Street shall be oriented to be visible from N.W. 1st Street. Buildings located west of N.W. 1st Street located on lots fronting the I-80 Interstate corridor, Highlands Boulevard, or N.W. 1st Street may have a Wall Sign on the Facade oriented to one of such major streets provided that such Wall Sign shall not exceed fifteen percent (15%) of the coverage of the subject Facade.

3.2 Building ID Sign. A Building ID Sign shall mean a sign which is in contact or is close to the ground and is independent of any other structure, and the top edge of the sign is six (6) feet or less above the surrounding grade and identifies a particular building or the Tenant(s) located within such building. The company or business name or logo for the Tenant(s) being identified may be used on such signs. Building ID Signs shall not exceed thirty two (32) square feet in Area nor six (6) feet in height. The Building ID Signs shall be located adjacent to the right-of-way of the internal streets of the Park as shown on the Sign Plan which is part of the Sign District, and may be located within the building setback area.

3.3 N.W. 1st Building ID Sign. A N.W.1st Building ID Sign shall mean a sign which is in contact or is close to the ground and is independent of any other structure to identify a particular building or users. The top edge of the N.W. 1st Building ID Sign shall be seven and one-half (7 ½) feet or less above the surrounding grade. The company or business names or logos for building users may be used on such signs. N.W. 1st Building ID Signs shall not exceed thirty-eight (38) square feet in Area nor seven and

one-half (7 ½) feet in height. The N.W. Building ID Signs shall be located adjacent to the public right-of-way of N.W. 1st Street as shown on the Sign Plan which is part of the Sign District.

3.4 Interstate Sign. The Interstate Sign shall mean the sign which is used to identify the Park and is located on the Southeast boundary of the Park adjacent to the public right-of-way for Interstate 80 for which approval has been obtained by the Nebraska Department of Roads. The Interstate Sign shall not exceed three hundred (300) feet in Area nor thirty (30) feet in height.

3.5 Entrance ID Sign. An Entrance ID Sign shall mean a ground sign that is located at the entrances of the Park located on N.W. 12th Street, Highlands Boulevard, and N.W. 1st Street used to identify the entrances to the Park. The Entrance ID Signs shall not exceed one hundred (100) square feet in Area nor eight (8) feet in height.

The Entrance ID Signs shall be located at the entrances to the Park adjacent to such rights-of-way as shown on the Sign Plan.

3.6 Internal Directional Signs. The Internal Directional Signs shall mean those signs which serve primarily to designate the location or direction of any area, place, or building within the Park. The Internal Directional Signs shall not exceed fifty (50) square feet in Area nor six (6) feet in height. The Internal Directional Signs shall be located at those various locations within the Park as shown on the Sign Plan.

3.7 Building Directional Signs. The Building Directional Sign shall mean

those signs which provide direction for specific uses of or services for a building within the Park. The Building Directional Signs, which include public information indicating loading and delivery areas, various building entries, parking lots, etc., shall not exceed twelve (12) square feet in Area. Such signs shall be limited to four (4) feet in height. The graphics/signage system shall incorporate graphic representations as found in the latest edition of "Manual on Uniform Traffic Control Devices", as published by the U.S. Department of Transportation, Federal Highway Administration. The Building Directional Signs shall be located adjacent to a building and parking area as shown on each tenant's individual site plan.

- 3.8 Prohibited Signs. Signs painted directly on the Facade of a building are prohibited. In addition, Temporary Signs, and Mobile Signs shall be prohibited within the Park, except as expressly approved by Owner in writing. Construction signs identifying an architect, contractor, or lender shall be permitted on a temporary basis during periods of construction, but shall be removed upon substantial completion of construction.

Section 4. Color. The background of the copy area of all signs shall be of a neutral color. The lettering or copy on the Entrance ID Signs, the Internal Directional Signs, and the Interstate Sign shall be a standard color selected and approved by the Owner. The lettering or copy on the Building ID Signs, the N.W. 1st Building ID Signs, the Wall Signs, and the Building Directional Signs may be a color used or identified with a tenant subject to Owner approval pursuant to Section 6.

Section 5. Materials/Texture/Lighting. All signs, excluding the Wall Signs and

Building Directional Signs, shall be constructed of a finished concrete base such as is used for a monument sign, or a similar durable material approved by Owner. The lettering or copy of all signs shall be constructed of aluminum or other durable material approved by Owner. Signs may be illuminated only by a steady, stationary, shielded light source directed solely at the sign, without causing any glare for motorists, pedestrians, or other tenants or neighbors.

Section 6. Review and Approval. The location for the Entrance ID Signs, the N.W. 1st Building ID Signs, the Building ID Signs, the Internal Directional Signs, and the Interstate Sign are shown on the Sign Plan. The Wall Signs and the Building Directional Signs shall be shown on the tenants individual sign plan. The tenants individual sign plan shall be submitted to Owner and the City for review and approval prior to any construction, in accordance with this District.

Section 7. Amendment. This District, created for the University of Nebraska Technology Park, was approved by the City in conjunction with and as a companion to Use Permit No. 80, approved by the City on December 11, 1995, as Resolution No. A-77118. To further the purposes of Use Permit No. 80 and to protect the health, safety, and welfare of the community, the District is hereby amended to permit administrative review and amendment of the standards set forth in the District for minor deviations therefrom, provided that (a) the request for deviation otherwise complies with the other standards set forth in this District and with the terms and conditions of Use Permit No. 80; (b) the request for amendment is in conformance with the sign regulations of the underlying O-3 Office Park District; and (c) the Owner consents to such administrative amendment in writing