

City Council Introduction: **Monday**, May 18, 2009
Public Hearing: **Monday**, June 1, 2009, at **1:30 p.m.**

Bill No. 09R-85

FACTSHEET

TITLE: Amendment No. 1 to DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT between Whitehead Oil Company and the City of Lincoln regarding sign regulations, on property generally located at 21st and K Streets.

SPONSOR: Planning Department

BOARD/COMMITTEE: N/A

STAFF RECOMMENDATION: Approval.

FINDINGS OF FACT:

1. On July 28, 2008, the City Council adopted Resolution No. A-84958, approving a Development and Conditional Zoning Agreement between Whitehead Oil Company and the City of Lincoln for development of property generally located between K and L Streets and 21st and 22nd Streets. The Development and Conditional Zoning Agreement was associated with a change of zone from R-6 Residential to B-3 Commercial on said property.
2. The applicant, Whitehead Oil Company, is now requesting an amendment to paragraph 3, subparagraph "c" of said agreement (See p.2) to eliminate the general restrictions regarding signage and to adopt a specific sign plan in lieu thereof, which is set forth on p.5-12 and attached as Exhibit "B" to Amendment No. 1 of the Development and Conditional Zoning Agreement.
3. The staff recommends approval of the proposed amendment. A table setting forth the changes to the original agreement prepared by staff is found on p.4. The table shows that the specific sign plan is in keeping with the spirit and intent of the original agreement in restricting the signage otherwise allowable in the B-3 district.

FACTSHEET PREPARED BY: Jean L. Preister

DATE: May 12, 2009

REVIEWED BY: _____

DATE: May 12, 2009

REFERENCE NUMBER: FS\CC\2009\Whitehead Zoning Agmt

Jean Preister

From: Christy J. Eichorn
Sent: Monday, May 11, 2009 12:20 PM
To: Jean Preister
Subject: FW: Amendment to zoning agreement for S. 21st and K ST

application letter for the amendment

From: misaacson1@aol.com [mailto:misaacson1@aol.com]
Sent: Wednesday, May 06, 2009 2:47 PM
To: Christy J. Eichorn
Cc: MWhitehead@U-Stop.com
Subject: Re: Amendment to zoning agreement for S. 21st and K ST

Hi Christy,

I thought this would be a good time for me to re-affirm our request for permission to change the current sign regulations at Whitehead Oil/U-Stop/McDonalds at 21st & K.

The original regulations regarding wall signs allowed for only one(1) wall sign per building facade not exceeding 25sqft. This location is in a B-3 zoning district. The B-3 sign code allows for wall signs to be not more than 30% wall coverage *OR* 400 sqft, whichever is lesser. We are simply asking for signs noted on site plan and not exceeding 100sqft/building facade. The B-3 zoning district also doe's not have a restriction on number of signs, only on maximum sqft allowed.

The original regulation regarding ground signs at this location allows for one(1) ground sign at the site entances along "K" St. and "L" St.. The regulation calls for ground signs with a maximum 50 sqft and a maximum height of 8'. Again, the B-3 zoning district would allow for two(2) ground signs outside the front yard setback not exceeding 100sqft and 8' maximim height. B-3 has a 0' front yard setback. The ground signs we are asking for permission to have are 62.5sqft @ 8' height and are well under the 100sqft normally allowed in this zone.

Christy, we want to thank you for your diligent efforts in regards to our request. We feel that our requests for sign regulation changes are in no way excessive compared to the typical allowed signage in the B-3 district, yet will allow our client the ability to reach out and attract business.

Thank You,
Michael Isaacson
Nebraska Neon Sign Co.

-----Original Message-----

From: Christy J. Eichorn <ceichorn@lincoln.ne.gov>
To: 'mwhitehead@u-stop.com' <mwhitehead@u-stop.com>
Cc: 'misaacson1@aol.com' <misaacson1@aol.com>

Sent: Tue, 5 May 2009 10:28 am

Subject: Amendment to zoning agreement for S. 21st and K ST

Mark, attached is the amendment to the zoning agreement for 21st and K Street. Also attached are the exhibits that will be attached to the revised agreement. Please sign and have notarized the attached document and return to the Planning Office. If you have any questions or concerns please do not hesitate to contact me. Thanks.

Christy Eichorn

City of Lincoln
Planner

(402) 441-7603 Work
ceichorn@lincoln.ne.gov
555 S. 10th Street
Lincoln, NE 68508
lincoln.ne.gov

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Big savings on Dell's most popular laptops. Now starting at \$449!

	Wall Signs	Ground Signs	Pole signs Proposed Amendment	Notes
Current Zoning Agreement	1 sign on each building facade (3 building facades) Max area 25 sq.ft. (3 x 25 = 75 total sq. ft.)	1 at K street entrance 1 at L street entrance Max height 8ft. Max area 50 sq.ft. (2x 50 = 100 total sq.ft.)	Not allowed	Wall signs shall be designed with individually applied letters and symbols. Canopy fascia: limited to signs and logos required by parent company. The smallest option shall be utilized. Pump islands: Limited to signs applied to the dispensing cabinet. Maximum size shall be 4 square feet per pump face.
Proposed Amendment	2 - 25.42 sq.ft sign 2 - 41.25 sq.ft sign 2 - 14 sq.ft sign for all facades combined ((2x25.42) + (2x41.25) + (2x14) = 161.34 total sq.ft)	1 at K street entrance 1 at L street entrance Max height 10 ft. Max area 62.5 sq.ft. (2x 62.5 = 125 total sq.ft.)	Not allowed	Includes 2 menu boards per chapter 27.69.240 and canopy signs per 27.69.180
By Right in the B-3	shall not exceed 30% coverage of the wall face or a total of 400 square feet, whichever is lesser	1 at K street 1 at L street 1 at 21 st street Max height 10 ft. Max area 100 sq.ft. (3x 100 = 300 total sq.ft.)	1 at K street 1 at L street 1 at 21 st street Max height 35 ft. Max area 100 sq.ft. (3x 100 = 300 total sq.ft.)	Must choose between the pole sign or the ground sign (can't have both) Includes menu boards per chapter 27.69.240 Signs for service stations per 27.69.180 (see below)

27.69.180 In those zoning districts where service stations are permitted, the following signs are permitted on the premises used as service stations in addition to those signs otherwise permitted in the zoning district in which such service station is located:

- (a) Gasoline Price Sign: One gasoline price sign per frontage, not to exceed thirty-two square feet of area. Said gasoline price sign shall be attached to the permitted pole or ground sign structure.
- (b) Canopy/Fascia Sign: Two canopy/fascia signs per canopy face; not to exceed a combined total of fifty square feet of area for an emblem, logo, and/or business name. Stripes and graphics may be allowed on the remaining area of the canopy fascia.
- (c) Pump Island Signs: Each pump island may have one pump island sign per pump cabinet not to exceed twenty square feet of sign area.
- (d) Full- and self-service island identification, air, restroom, garbage cans, and dispenser identification will not be counted as signs.

U-STOP

25.42 #

5X

DATE 2/6/06

REMARKS TOP

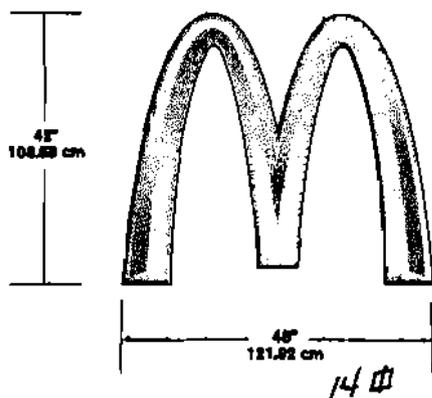
POINT # S0600076

Fascia/Uniface Sign



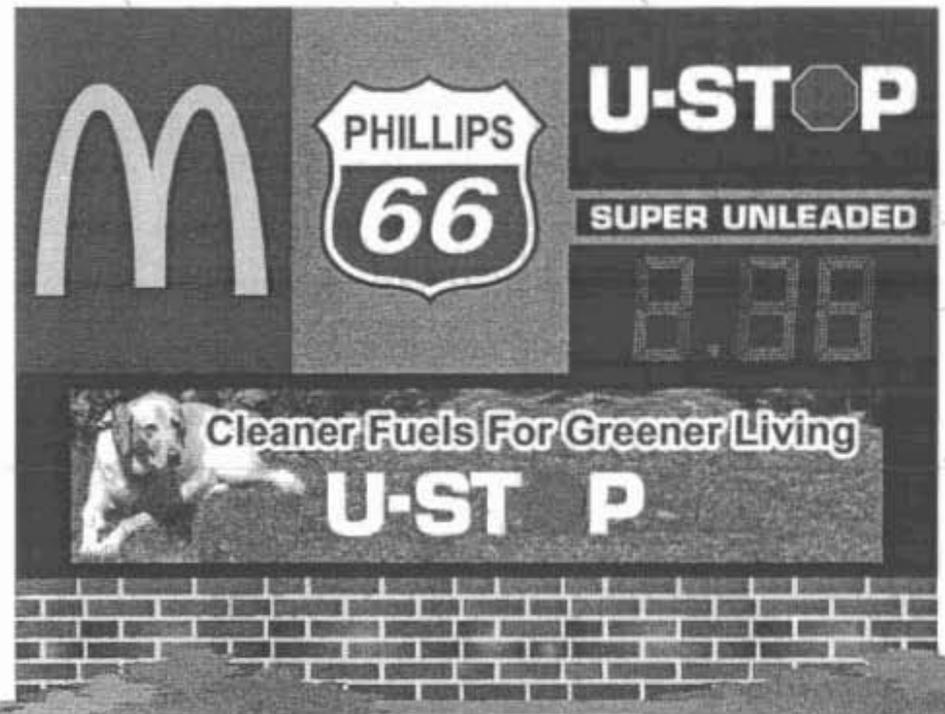
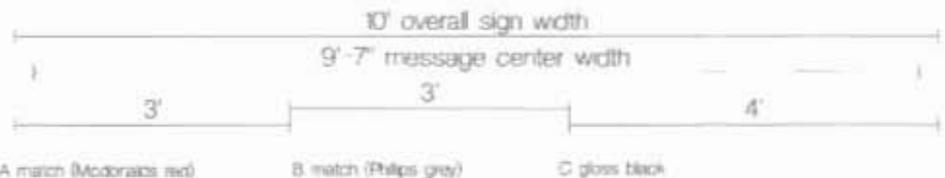
- Illumination:** 4 - F-84 T12 CW/HD
2 - F-38 T12 CW/HD
- Electrical:** 5.4 Amps 120V 60Hz
- Ballast:** 1 - Universal MSB1048-818-5
- Ship Weight:** 390 lbs.

42" Illuminated Building Arch
(Modified 48")



Illumination:	Neon
Electrical:	1.25 Amps
Ballast:	1-12/30
Ship Weight:	110 lbs.

LED version available soon



- D match (Phillips grey)
- E factory gloss black
- F factory gloss black



3/4-1

Cabinet area = 62-1/2 Square feet

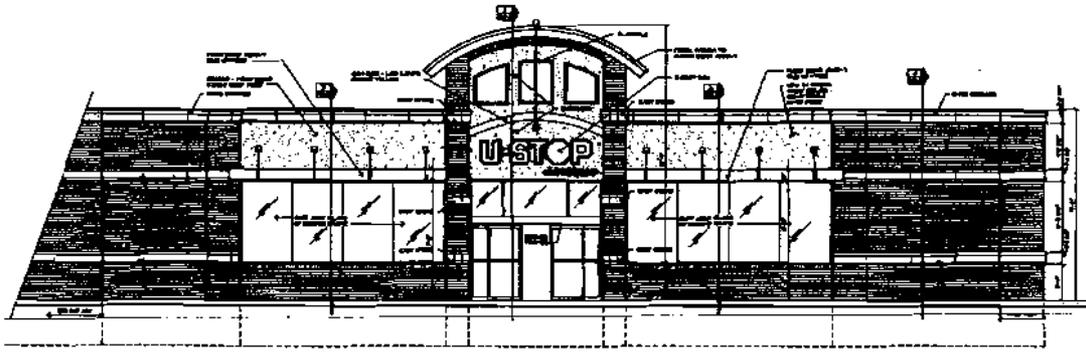
NEW - DOUBLE FACED - INTERIOR ILLUMINATED - GROUND SIGN

- 1 FABRICATE CABINET - ALUMINUM ON AN ANGLE ALUMINUM FRAME. PAINT CABINET SECTIONS AND RETAINERS AS SPECIFIED IN SKETCH.
- 2 SECTIONS (A,C) & (D) TO BE HANG WHITE LEXAN FACED DECORATED AS FOLLOWS:
A FILMOGRAPHIC PRINT TO BE SUPPLIED BY ANDORALDIS (VETRY)
B FILMOGRAPHIC PRINT TO BE SUPPLIED BY PHILLIPS (VETRY)
C & D FACES TO BE COVERED WITH BLACK HP VINYL. COPY TO BE WHITE REVERSED (OUT OF BLACK). STOP SIGN LOGO (SECTION C) TO BE CARDINAL RED FILM 4200-53
- 3 SECTION (E) TO BE RFD 1/2" P.O. CHARACTER PROOF CHARACTERS (E.O.S.)
- 4 SECTION (F) TO BE FULL COLOR. L.E.D. 1/2" X 1/2" X 1/2" MATRIX MESSAGE CENTER. JET WRITLED CONNECTION.
- NOTE: PATENTED BLACK FINE-FINISHED ALUMINUM FILLER PEGS TO BRIND FACTORY CABINET TO 1/2" LENGTH
- 5 BRICK BASE BY OTHERS. BASE BRICKS TO MATCH BUILDING BRICK (VERIFY TYPE)
- 6 SECTIONS (A,C) & (D) TO BE ILLUMINATED WITH FLUORESCENT LIGHT BANS
- 7 NEBRASKA NEON SIGN COMPANY TO INSTALL SIGN CABINET ON BRICK BASE BY OTHERS

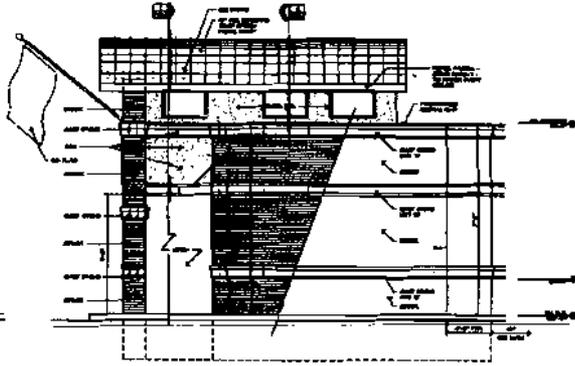
NOTE: COMPUTER GENERATED DRAWING IS INTENDED TO BE AN APPROXIMATE REPRESENTATION OF ACTUAL COLORS AND IMAGES

CLIENT	WHEATHEAD, OIL	SALESPERSON	ISAACSON	HARDCOPY	_____	<p><small>The enclosed artwork, message and text are the property of the advertiser and are to be used only for the specific campaign and subject. It is to be held in confidence and not to be used for any other purpose without the written consent of Nebraska Sign Company. All rights reserved.</small></p> <p>Nebraska Sign Company 180 North 21st Street FAX (402) 476-6881 P.O. Box 100956 Ph. (402) 476-6883 Lincoln, Nebraska 68501</p>
ADDRESS	7th & J.	ARTIST	ENGLAND	SITE PLAN	_____	
CITY	LINCOLN	SKETCH NO.	2392	PHOTO	_____	
STATE	NEBRASKA	SCALE	AS SHOWN	CLIENT APPROVAL	_____	
		DATE	8/22/02	DATE	_____	
		DESIGNED BY	8/22/02	DATE	_____	

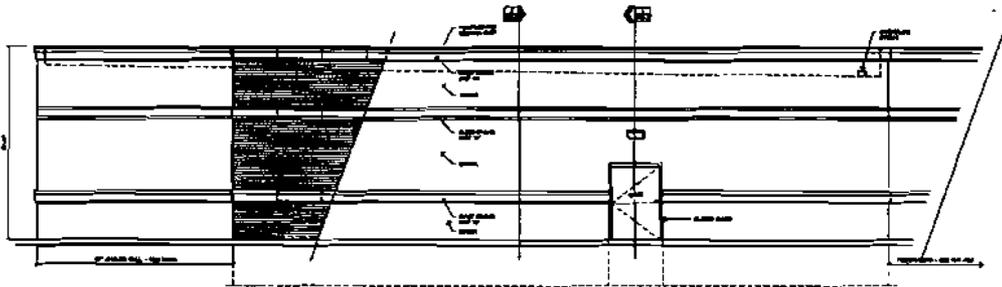
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1 FRONT ELEVATION

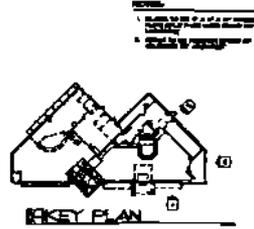


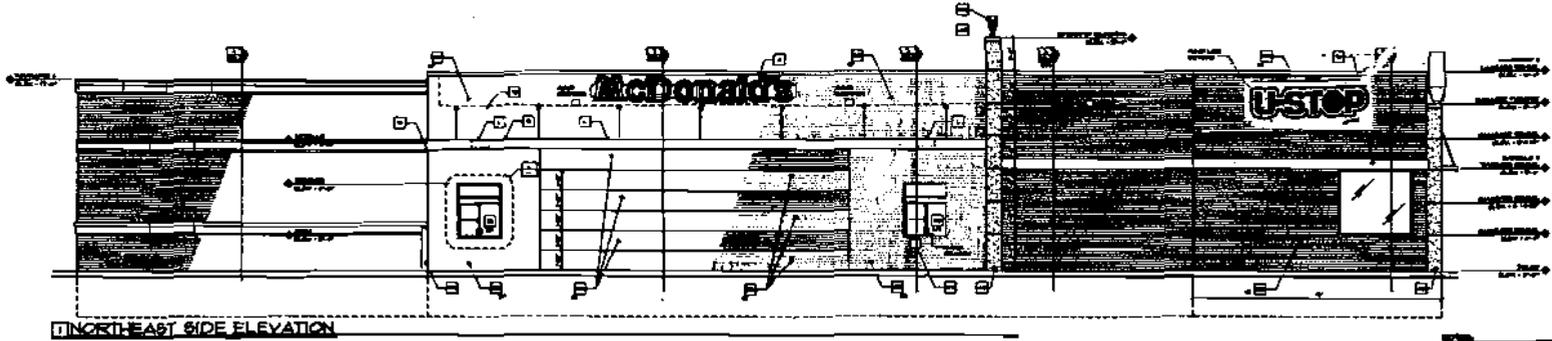
2 RIGHT SIDE ELEVATION (LEFT SIDE SIM)



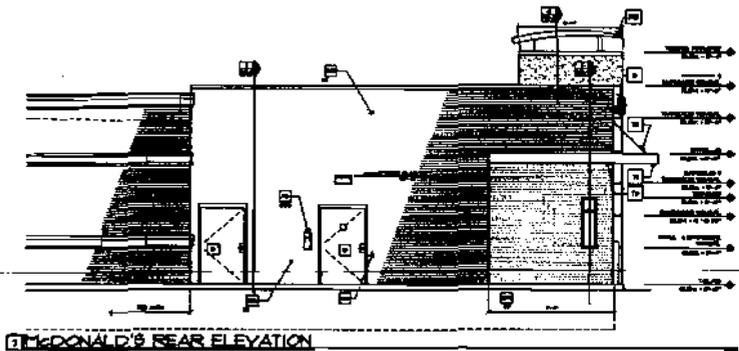
3 REAR ELEVATION

EXTERIOR ELEVATIONS

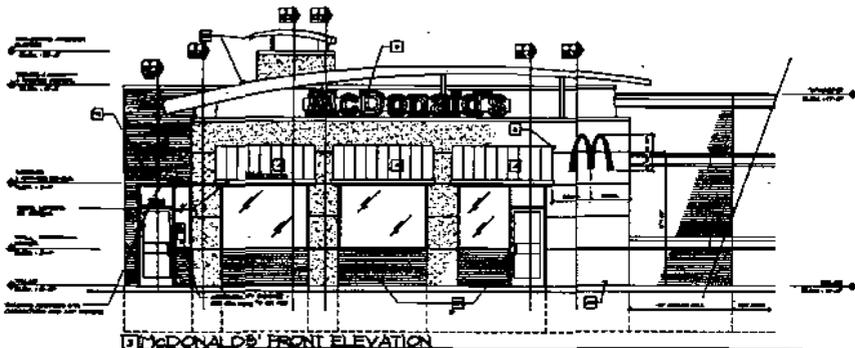




11 NORTH-EAST SIDE ELEVATION



12 McDONALD'S REAR ELEVATION



13 McDONALD'S FRONT ELEVATION

14 EXTERIOR ELEVATIONS



15 KEY PLAN

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Richard Bannerman, 3P
The President/Owner
Webnska Sign Company
Lincoln, NE 68501

Webnska Sign Company
140 North 21st Street, P.O. Box 89088, Lincoln, Nebraska 68501
402/478-6583 FAX: 402/478-3441 E-mail: rban@webnska.com

CANNOT TO HAVE TWO (2)
PHILLIPS 66 SIGNS
Per 27.69

SITE PLAN

