

City Council Introduction: **Monday**, March 19, 2012
Public Hearing: **Monday**, March 26, at **5:30** p.m.

Bill No. 12-26

FACTSHEET

TITLE: CHANGE OF ZONE NO. 3310A, requested by the Director of Planning, amending the existing Haymarket Park Special Sign District and designating it as an Overlay Special Sign District, on property generally located at North 6th Street and Charleston Street, between I-180 and Sun Valley Boulevard.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 3/07/12
Administrative Action: 03/07/12

RECOMMENDATION: Approval (7-0: Hove, Butcher, Sunderman, Esseks, Gaylor Baird, Weber and Francis voting 'yes'; Cornelius and Lust absent).

FINDINGS OF FACT:

1. This is a proposal to amend the existing Haymarket Park Special Sign District to expand the area of the district; clarify that signage will be in accordance with the I-1 zoning district regulations; allow an additional sign; and clarify that off-premises signs will not be permitted.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.3-5, concluding that the proposed amendments meet the provisions and intent of the special sign district and will enhance the theme and atmosphere of this area. The amendments are in conformance with the 2040 Comprehensive Plan and will provide flexibility and predictability for users who may locate in the district in the future. The staff presentation is found on p.6.
3. Testimony in support on behalf of the Lincoln Saltdogs and Nebco is found on p.7.
4. There was no testimony in opposition.
5. On March 7, 2012, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend approval (Cornelius and Lust absent).

FACTSHEET PREPARED BY: Jean L. Preister

DATE: March 13, 2012

REVIEWED BY: _____

DATE: March 13, 2012

REFERENCE NUMBER: FS\CC\2011\CZ3310A

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 7, 2012 PLANNING COMMISSION MEETING

- PROJECT #:** Change of Zone No.3310A
- PROPOSAL:** To amend the existing Haymarket Park Special Sign District to expand the area of the district, clarify that signage will be per the I-1 zoning district, allow an additional sign as part of the special sign package and clarify that off-premises signs will not be permitted.
- LOCATION:** Generally located at N. 6th Street and Charleston Street, between I-180 and Sun Valley Boulevard.
- LAND AREA:** 82.03 acres more or less
- EXISTING ZONING:** I-1 Industrial District and P Public
- CONCLUSION:** The proposed amendments meet the provisions and intent of the special sign district and will enhance the theme and atmosphere of this area. They are in conformance with the Comprehensive Plan and will provide flexibility and predictability for users who may locate in the district in the future.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: See Attached

EXISTING LAND USE: Baseball/ Softball Complex

SURROUNDING LAND USE AND ZONING:

North: P Public	Oak Lake Park and Hayward Park
South: I-1 Industrial	Railroad tracks and vacant land
East: I-1 Industrial	Highway 180
P Public	Highway 180
West: P Public	City Impound Facility
R-3 Residential	Mobile home office and storage
I-1 Industrial	Cell tower and automobile storage otherwise vacant

HISTORY:

- 1990** The Haymarket special sign district to the south was created
- 1999 August** The City of Lincoln, University of Nebraska and Nebco Inc, announced plans to build a ballpark north of the historic Haymarket district.
- 2001 April** City Council approved Change of Zone #3310 a special sign district for Haymarket Park.

COMPREHENSIVE PLAN SPECIFICATIONS:

The *Urban Design Committee* (UDC) provides advisory services to city government on the design of city-owned buildings and other public projects, major public/private developments, and any private projects constructed on city right of way or other city property. The Committee's intent is to make sure that new public facilities are exemplary – that they provide functional and aesthetically pleasing facilities for the public, and model good design for the private sector. The benefits of this guidance would be strengthened by including all public projects under UDC review. (Page 4.4)

This area (The Greater Downtown) is the main hub of employment, entertainment, and higher education. Over the years, there have been significant public and private investments in new building construction, renovations, and infrastructure. In order to capitalize on these collective investments, further development in the Greater Downtown should be realized.(page 6.3)

Promote a functional balance between community facilities and growth.(Page 8.1)

Promote cooperation and coordination among both the public and private sectors in the development and maintenance of community facilities. (Page 8.2)

The Breslow Ice Center is proposed to be located in the West Haymarket area as part of a concentration of sporting facilities near downtown Lincoln and the University of Nebraska City Campus.(Page 9.11)

UTILITIES: Existing

TRAFFIC ANALYSIS: S. 6th Street, Line Drive and N. 4th Street are local streets. Sun Valley Boulevard is a Urban Principle Arterial and I-180 is an Interstate/Expressway.

ANALYSIS:

1. The sign section of the Lincoln Municipal Code provides for the creation of Special Sign Districts for defining areas of particular cultural or entertainment atmosphere as follows;

27.69.300 Other Permitted Signs; Nonresidential; Special Sign District.

(a) In any nonresidential district, occupants of sixty percent or more of the street frontage of any block face may petition the City Council for the formation of a special sign district for the purpose of defining an area of particular historical, ethnic, cultural, or entertainment atmosphere; or for defining an area with a special or unique theme.(underline added) Said merchants shall present proposed sign criteria to the City Council according to the procedure established for a zoning amendment. Such petition shall include specific sign regulations for the district which may be more or less restrictive than the underlying district.

2. The original special sign district approved for Haymarket Park included allowing signs per the underlying zoning which is I-1 Industrial. In addition to the I-1 signs the applicant, Sinclair Hille, requested a special sign package that was also approved.
3. The special sign package is designed to provide signage opportunities in addition to the base district as well as clarifying the types of signs to be expected. As with the existing sign district, this amendment will continue to illustrate and designate special signs that include gateway and entranceway signs, pedestrian way signs, a ballpark marquee and message center sign, entrance treatment signs, outfield scoreboard signs, the corporate picnic and

tent area, the ticket/Kiosk structure signage and the stadium name (roof) sign. The special sign package clarifies the style and package of signage. Signs in the special sign package are to be reviewed by the Urban Design Committee

4. Signs within the ticketed boundaries (inside the gated area) are exempt from the sign ordinance.
5. The proposed amendment to the special sign district essentially does four things. First, it will expand the area of the district to include additional land to the south. Second, it will clarify that signage will be per the I-1 zoning district regardless of the underlying zoning. Third, it will allow an additional sign as part of the special sign package for Haymarket Park. Fourth, it clarifies that off-premises signs will not be permitted.
6. Additional land to the south of Haymarket Park is being added to the sign district to include the proposed location for the Breslow Ice Center and future potential commercial development.
7. Today the sign district indicates that the underlying zoning will regulate signage and additional signs could be provided per the special sign package. In the near future, most of the property may be re-zoned from I-1 to P Public and O-2 Suburban Office (Change of Zone #12003 is tentatively scheduled for the March 21 Planning commission hearing). The P zoning district does not regulate signs and the O-2 sign district is much more restrictive than the current I-1 zoning. In order to maintain the sign rights that currently exist, it needs to be stated in the sign district that the area of the special sign district will follow I-1 zoning, not the underlying zoning.
8. A new sign has been proposed for the east entrance into the ball park facility. The sign is approximately 682 square feet which is larger than would be allowed per the I-1 zoning district. Although the sign is quite large, it fits the character and design of the Haymarket Park area and the existing special sign package. The sign has been reviewed by the Urban Design Committee and has been recommended for approval.
9. Although advertising signs are an expected part of the signage package of a ballfield, off premise advertising would not be consistent with the theme of this sign package. The special sign district today limits off-premise signs to being less than 300 square feet in area. The amended sign district would clarify that all off -premises signs will be prohibited except for within the ticketed area and out of the view of public rights-of-way. Examples of off-premises signs within the ticketed area may include signs on the outfield walls, which are typical of minor league ball parks.
10. The sign district is an entertainment center and will be treated as a “center” per the sign regulations. This means that center signs can be utilized to advertise multiple uses within the center even if they are under different ownership or are on different lots. All center signs will be required to be reviewed by the Urban Design Committee prior to receiving a sign permit from Building and Safety.
11. The Planning Director may approve a request for minor adjustments to the height and area

of wall signs upon first receiving a recommendation and report from the Urban Design Committee as to whether the adjustment is in conformance with the general intent and spirit of the Special Sign District.

12. The special sign district for Haymarket Park was originally proposed to reflect a baseball and softball theme. This center now has the potential to include other types of sports and entertainment facilities. The proposed amendment to the special sign district will help facilitate future expansion and change while maintaining the original feel and character of this unique area.

Prepared by:

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DATE: February 23, 2012

APPLICANT: Planning Director

OWNER: City of Lincoln

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CHANGE OF ZONE NO. 3310A

PUBLIC HEARING BEFORE PLANNING COMMISSION:

March 7, 2012

Members present: Hove, Butcher, Sunderman, Esseks, Gaylor Baird, Weber and Francis; Cornelius and Lust absent.

There were no ex parte communications disclosed.

Staff recommendation: Approval.

Staff presentation: **Christy Eichorn of Planning staff** explained that Haymarket Park is an existing special sign district. This proposal is an amendment to that district that has been in place since 2001. There are four revisions to the special sign district: 1) to slightly revise the boundary; 2) to clarify the underlying zoning and the impact; 3) to add a sign that does not currently meet the existing regulations; and 4) to clarify how billboards a/k/a off-premise signs are to be used.

Eichorn showed the area on the south which is being added to the special sign district. This could be the site for the new Breslow Ice Center in the future. When the special sign district was originally adopted, it was an entertainment district for baseball and softball type events, but it is envisioned that there will be some other uses in this area. This is an effort to be proactive in looking at the area and how it should be treated as a center or a package.

The Planning Commission will soon be reviewing a change of zone for this area from I-1 to P. The P Public district does not have any sign regulations. It is a district designated for government-type uses, which are not regulated through the zoning ordinance. Since we are going to have uses at the site that may not be government-owned buildings under government use, we need to make the sign regulations clear. Today they follow the I-1 zoning sign regulations. This special sign district amendment clarifies that they will continue to be regulated by I-1 despite the underlying zoning. The office uses up to the north end could potentially be rezoned to O-2. This will clarify that they can keep the same sign rights.

The sign being added is associated with Haymarket Park in response to a request from the Saltdogs and representatives of Haymarket Park and UNL that wanted to put in a new sign which was not in the existing sign package. The sign will be installed on the northeast corner of the special sign district, or the northeast corner of Haymarket Park. It is larger than most signs in the I-1 so we are making an adjustment through the special sign district. This adjustment is appropriate because it is part of a district with a very unique character, and it is far enough from the highway and other uses that a larger sign makes sense and seems reasonable.

This amendment will also make it clear that off-premise signs/billboards would not be allowed outside of the ball park. Off-premise signage is allowed within the ticketed area of the ballpark, and that is not being changed. None of the entities involved in the development of this entertainment district have billboards in mind.

Proponents

1. **Charlie Meyer**, President of **Lincoln Saltdogs** and Treasurer of **Nebco**, the owner of the Saltdogs, testified in support. The additional sign comes from the addition of the indoor practice facility for the men and women programs of UNL. Since this was developed in 2000, the whole intent has been to enhance the entrance/gateway into Lincoln. The proposed new sign is the only identifier that you will see coming in on I-180 identifying Haymarket Park and ties the baseball and practice facility together. We are excited about the other opportunities coming with the Arena and the Breslow Ice Center. He thinks this is a proactive approach.

There was no testimony in opposition.

ACTION BY PLANNING COMMISSION:

March 12, 2012

Gaylor Baird moved approval, seconded by Weber.

Francis believes this is a very useful tool and she appreciates everything that is going on in the Haymarket.

Motion for approval carried 7-0: Hove, Butcher, Sunderman, Esseks, Gaylor Baird, Weber and Francis voting 'yes'; Cornelius and Lust absent. This is a recommendation to the City Council.



2010 aerial

Change of Zone #3310A Haymarket Park Sign District N 6th & Charleston St

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential 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. 23 T10N R06E

