

FACTSHEET

TITLE: USE PERMIT NO. 106B, as revised, requested by One Vista, LLC (Talent+), to add approximately 60,000 sq. ft. of floor area with an adjustment to the required parking ***and the front yard setback along Pioneers Boulevard***, on property generally located at South 65th Street and Pioneers Boulevard.

STAFF RECOMMENDATION: Conditional Approval

ASSOCIATES REQUESTS: Declaration of Surplus Property (07-111) and Change of Zone No. 07034 (07-112)

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 06/20/07
Administrative Action: 06/20/07

RECOMMENDATION: Conditional Approval of the additional floor area and the adjustment to parking (8-0: Taylor, Sunderman, Carroll, Esseks, Larson, Krieser, Cornelius and Carlson voting 'yes'; Strand absent). ***The adjustment to the front yard setback along Pioneers Blvd. is scheduled for public hearing and action by the Planning Commission on July 18, 2007.***

FINDINGS OF FACT:

1. This application was heard before the Planning Commission in conjunction with the associated declaration of surplus property (Comprehensive Plan Conformance No. 07013) and Change of Zone No. 07034 from P Public Use District to O-3 Office Park District.
2. This is a request by Talent+ to amend their existing use permit to include additional land, to allow 60,000 sq. ft. of additional floor area, to adjust the parking requirement from 200 to 147 spaces, and to adjust the front yard setback from 20 feet to 13 feet along Pioneers Boulevard.
3. The staff recommendation of conditional approval, as revised, is based upon the "Analysis" as set forth on p.5-6, concluding that the use of this site for additional office floor area is compatible with the surrounding uses. If the property is declared as surplus and the associated change of zone is approved, this amendment complies with the Zoning Ordinance and is an appropriate use of land at this location. The setback adjustment will allow for additional right-of-way along Pioneers Blvd., but not reduce the usable area of the development. The staff presentation is found on p.9-10.
4. The applicant's testimony and other testimony in support by representatives of the Lincoln Chamber of Commerce is found on p.10-13, and the letter submitted in support by the Lincoln Chamber of Commerce is found on p.33. The applicant also submitted proposed revisions to the conditions of approval (p.32). The applicant is opposed to the requirement to dedicate additional right-of-way along Pioneers Blvd. (Condition #3.2). The applicant agreed to provide a copy of its proposed lighting plan to the Hyde Executive Board (Condition #3.8).
5. Testimony in opposition is found on p.13-14, and the record consists of one letter in opposition and a petition in opposition signed by 14 residents of South 59th Street Court and members of the Interlochen Estates Homeowners Association opposed to the sale of any portion of Holmes Golf Course to commercial interests and opposed to any rezoning action that would allow further commercial development adjacent to the golf course (p.34-35).
6. On June 20, 2007, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend conditional approval of the amendment to the use permit, with amendment to Condition #3.7, as requested by the applicant, and with amendment adding Condition #3.8 (now #3.9 on the revised staff report), to provide a landscape plan that complies with City Design Standards and is available to neighboring residents for their comments and suggestions (Strand absent). See Minutes, p.17-18.
7. The Planning Commission did not delete the requirement to dedicate additional right-of-way along Pioneers Boulevard (Condition #3.2). Therefore, the applicant has revised the application and has submitted an adjustment to the front yard setback along Pioneers Boulevard from 20 feet to 13 feet for reconsideration by the Planning Commission on July 18, 2007. The results of that public hearing and action will be submitted to the City Council as a follow-up and supplement to this Factsheet.

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 18, 2007 PLANNING COMMISSION MEETING

-REVISED REPORT (CHANGES UNDERLINED)-
INCLUDING REVISED CONDITIONS AS RECOMMENDED BY THE
PLANNING COMMISSION ON JUNE 20, 2007

P.A.S.: Use Permit #106B - Talent+

PROPOSAL: Amend Use Permit #106A to add approximately 60,000 square feet of office floor area with an adjustment to required parking and the front yard setback along Pioneers Blvd.

LOCATION: 65th Street and Pioneers Boulevard.

WAIVER REQUEST:

1. Adjust required parking for the 60,000 square feet of additional floor area from 200 to 147 spaces.

2. Adjust the front yard setback along Pioneers Blvd from 20' to 13'.

LAND AREA: Approximately 7.9 acres.

CONCLUSION: The use of this site for additional office floor area is compatible with the surrounding uses. If the property is declared as surplus, and the associated change of zone application is approved, this amendment compiles with the Zoning Ordinance and is an appropriate use of land at this location. The setback adjustment will allow for additional right-of-way along Pioneers Blvd but not reduce the usable area of the development.

<u>RECOMMENDATION:</u>	Conditional Approval
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Waivers:

1. Reduce required parking from 200 to 147 spaces

Approval

2. Adjust the front setback from 20' to 13'

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached ownership certificate.

EXISTING ZONING: O-3 Office Park, P Public

EXISTING LAND USE: Office, Single-family residential

SURROUNDING LAND USE AND ZONING:

North:	Holmes Golf Course	P
South:	Residential, Children's Home	R-1
East:	Residential	R-1
West:	Holmes Golf Course	P

ASSOCIATED APPLICATIONS:

CPC#07013 - A request for declaration of surplus property.

CZ#07034 - A change of zone request from P Public to O-3 Office.

BACKGROUND: Use Permit 106B was recommended for approval by the Planning Commission on June 20, 2007, and included a condition that requires the dedication of seven feet of land along Pioneers Blvd as right-of-way. The applicant objected to this condition, and as an alternative suggested that an easement over the strip be granted to the City instead, however the Planning Commission did not amend the condition. The applicant has revised this application to include a request to adjust the front yard setback from 20' to 13', which results in the same amount of land being available for development as if an easement had been granted over the 7'-wide strip. The applicant is requesting that the Planning Commission reconsider the use permit so this item can be included. The Law Department noted that reconsideration is limited to the additional waiver request, and does not include the items previously considered at the June 20, 2007 hearing.

HISTORY:

- Jan 2006 Administrative Amendment #05164 to Use Permit #106A approved minor revisions to the site plan to be consistent with the approved final plat.
- Nov 2005 FPPL#05125 was approved creating Lots 1 and 2, Talent Plus Addition.
- Mar 2004 UP#106A was approved adding additional land, relocating access, reducing the parking requirement, and adding a sign.
- Aug 2003 Administrative Amendment #03051 to Use Permit #106 approved an increase in floor area from 42,430 to 44,400 square feet and an associated increase in parking.
- Apr 2003 Administrative Amendment #03015 to Use Permit #106 approved an increase in floor area from 41,700 to 42, 430 square feet and an associated increase in parking.
- Apr 2001 Comprehensive Plan Conformance #00010 approved the declaration as surplus of a 2.3 acre tract of park property.
- Apr 2001 Change of Zone #3311 changed the zoning on the new use permit area from P Public to O-3 Office Park.
- Jan 1998 Change of Zone #3093 changed the zoning on the original use permit area from R-1 Residential to O-3 Office Park.
- Dec 1997 Use Permit #106 approved an office building with 41,700 square feet of floor area, and the retention of two existing single-family residences on the site.

May 1979 The zoning was changed from A-1 Single-family to P Public as part of the zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg16 - The Future Land Use Map designates this area for commercial and open space land uses.

Pg 29 - The Economy - Guiding Principles

-The community's primary focus for economic development should be retention and expansion of existing businesses — the key to Lincoln's job growth. (The greatest job growth in Lincoln is from existing businesses expanding.) In addition, attracting new businesses should be encouraged.

-The City should emphasize the following in order to encourage economic development in the community:

The creation of office sites is an important aspect of job growth for the community.

Economic development incentives should be offered for Primary jobs. Primary employers means where 50% of the end product sales or services of a business occur outside Lancaster County.

-Capitalize on Public Infrastructure Investments - The community should seek to efficiently utilize the community's investments in existing and future public infrastructure (i.e., Homestead Expressway, Antelope Valley, Beltways) to advance economic development opportunities.

-Lincoln has traditionally been known as a government/college town; a small city with a small town feel. Its future as a growing metropolitan area is dependent on the ability to retain and attract a wide array of traditional and knowledge-based industries and to continue to diversify our economic base. While the community intends to emphasize these industries, the goal will remain to provide the citizens of Lincoln and Lancaster County with jobs and careers that sustain families and their future.

Pg 31 - Business Locations Considerations and Strategies

Lincoln has had more success in attracting office users to Lincoln than any other employer type. Office sites are very important to job growth for the community and more offices sites need to be developed over time. Office sites should be located in all areas of Lincoln. Sites identified in the Downtown Master Plan should be considered as locations for attracting new and expanding office employers. Office uses want to be near retail and residential areas and need services such as restaurants and services in close proximity.

Pg 35 - Business and Commerce Overall Guiding Principles

Commercial and industrial districts in Lancaster County shall be located:

-within the City of Lincoln or incorporated villages outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).

-where urban services and infrastructure are available or planned for in the near term.

-in sites supported by adequate road capacity – commercial development should be linked to the implementation of the transportation plan.

-in areas compatible with existing or planned residential uses.

-in areas accessible by various modes of transportation (i.e. automobile, transit and pedestrian).

TRAFFIC ANALYSIS:

The Comprehensive Plan identifies Pioneers Boulevard as a Minor Arterial both now and in the future. Minor arterials serve trips of moderate length and offer a lower level of mobility than principal arterials. This class interconnects with, and augments principal arterials, distributes traffic to smaller areas, and contains streets that place some emphasis on land access. These are characterized by moderate to heavy traffic volume.

ANALYSIS:

1. This is an application to amend Use Permit #106A to include additional land, allow 60,000 square feet of additional floor area, and adjust the parking requirement from 200 to 147 spaces.
2. This amendment adds a 1.3 acre portion of Lot 127 I.T., which the Director of Parks and Recreation has requested to be declared as surplus property and sold to the applicant. An associated change of zone request seeks to change the zoning from P to O-3. Approval of this use permit will allow the applicant to build the additional office building and related parking facilities. The proposed office building will be located southwest of the existing building, and will not abut or directly face across Pioneers Blvd from and residential dwellings.
3. The applicant has requested an adjustment to the number of required parking spaces for the additional office floor area from the required 200 stalls to 147. The justification provided in the application is that Talent+ has a very high ratio of building floor area to employees, and that the vast majority of their clientele are located outside the City of Lincoln and the State of Nebraska. It also states that clients rarely visit their office, and on an average business day, less than half of their employees are in Lincoln. There is also an office policy prohibiting employees from parking on nearby residential streets or in the driveway for the residences along Pioneers Boulevard.
4. A similar reduction in parking was granted with the previous amendment, UP#106A, based upon the unique operating characteristics of the business. Parking reductions under similar circumstances have been approved in other cases. For example, Design Data requested and received a reduction from 127 to 82 stalls. Design Data stated in their application they provide a “very large amount of office space per employees, and it is a business which has no “walk-in” traffic whatsoever.” Talent+ appears to be a similar business in those respects.
5. The general notes incorrectly state that all required parking per Lincoln Municipal Code (LMC) will be provided. This note should be amended to include approved floor amounts, along with the number of parking spaces provided clearly noting the adjustments approved to date. The general notes already state that the parking requirement will revert back to the number required by LMC at the time of a change in occupancy. This will give notice to future owners of their potential parking obligation.
6. Public Works notes that additional right-of-way along Pioneers Blvd must be dedicated to accommodate future road improvements. Watershed Management also notes that storm drainage calculations must be provided and approved.
7. The applicant is requesting the Planning Commission to reconsider the use permit so the adjustment to the front yard setback from 20' to 13' can be included. At the June 20, 2007 public hearing the applicant objected to the condition that a 7'-wide strip of land be dedicated to provide 40' of right-of-way north of the centerline of Pioneers Blvd. Public Works recommended against an easement, citing problems that have been encountered in other cases where easements have been granted for right-of-way purposes.

The applicant noted that the dedication decreased the amount of land acquired by Talent+, and therefore the amount of land available for development. The use permit shows this

portion of the site developed with parking. The zoning O-3 district allows only landscaping in the 13'-wide front yard, and also requires a 90% screen from the ground to 3' in height adjacent to any parking areas. This setback adjustment will allow the City to sell a parcel with the same development potential as before the dedication, but that provides the necessary right-of-way for Pioneers Blvd.

8. The Parks Department notes that due to proximity to the Hyde Observatory, the lighting plan should be reviewed by the Hyde Executive Board.

CONDITIONS:

Site Specific

1. This approves an additional 60,000 square feet of office floor area with an adjustment to reduce the required parking from 200 to 147 spaces, and an adjustment to the front setback along Pioneers Blvd from 20' to 13'.
2. The City Council approves associated request:
 - 2.1 Change of Zone #07033.

General

3. Upon approval of the use permit by the City Council, the developer shall cause to be prepared and submitted to the Planning Department 5 copies of the revised site plan showing the following revisions before receiving building permits.
 - 3.1 Remove the notes on the site plan and in the General Notes section stating that parking will be provided in compliance with LMC, and replace with a note that includes approved floor area amounts and numbers of parking spaces, and that clearly indicates the parking adjustments that have been granted.
 - 3.2 Show required right-of-way dedication along Pioneers Blvd.
 - 3.3 Revise the legend to include a symbol for the building envelopes as shown on the site plan.
 - 3.4 Revise the legal description to reflect current lots.
 - 3.5 Correct the title block to state 'Use Permit Drawing 106B'.
 - 3.6 Storm water calculations showing how the storm water control area functions to the satisfaction of Public Works and Utilities.
 - 3.7 Show easements per the 6/5/07 L.E.S. review.
 - 3.8 A lighting plan which complies with City Design Standards. Applicant shall provide a copy of its proposed lighting plan to the Hyde Executive Board for its review, comment and suggestions (**Per Planning Commission, at the request of the applicant, 6/20/07**).

3.9 A landscape plan that complies with City Design Standards and is available to neighboring residents for their comments and suggestions (**Per Planning Commission, 6/20/07**).

4. The construction plans shall comply with the approved plans.

Standard

5. The following conditions are applicable to all requests:

5.1 Before occupying the new office building all development and construction shall have been completed in compliance with the approved plans.

5.2 All privately-owned improvements shall be permanently maintained by the owner.

5.3 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.

5.4 This resolution's terms, conditions, and requirements bind and obligate the Permittee, its successors and assigns.

5.5 The Applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the use permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the use permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the Applicant.

6. 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:

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Planner
June 25, 2007

Applicant/

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**COMPREHENSIVE PLAN CONFORMANCE NO. 07013,
CHANGE OF ZONE NO. 07034,
and
USE PERMIT NO. 106B**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

June 20, 2007

Members present: Krieser, Carroll, Sunderman, Taylor, Cornelius, Esseks, Larson and Carlson; Strand absent.

Staff recommendation: A finding of conformance with the Comprehensive Plan on the declaration of surplus property; approval of the change of zone; and conditional approval of the amendment to the use permit.

Ex Parte Communications: None.

Additional information for the record: Brian Will of Planning staff submitted a letter in opposition from Gloria Wohlers, 5301 S. 67th Street, which is south of Pioneers south of this location.

Staff presentation: **Brian Will of Planning staff** advised that these three applications relate to one proposal. The declaration of surplus property is a 1.3 acre parcel. The change of zone is from P Public Use to O-3 Office Park, which is consistent with the zoning of the adjacent property to the east. The amendment to the existing use permit is for the Talent+ office complex.

The declaration of surplus property comes from the Director of Parks & Recreation. Back in 2001, the triangular piece of property was declared surplus and subsequently sold to Talent+. It was incorporated into the Talent+ site with approximately 44,000 square feet of office on that site.

The use permit amendment today brings in the remaining 1.3-acre parcel and incorporates it with the use permit and would allow an additional 60,000 square feet of office floor area on the site. Associated with this amendment to the use permit is a request to adjust the parking from 200 spaces to 147 spaces for the additional 60,000 square feet of office. The original use permit had parking adjustments approved based on the nature of the business and operating characteristics because Talent+ does not have the similar parking demand of typical office uses. That adjustment appears to have been warranted and staff is recommending approval of the parking adjustment being requested today.

Will noted that Condition #3.7 on the use permit amendment requires that a lighting plan be approved by the Hyde Executive Board. Will believes that the applicant will be requesting an amendment to that condition, to which staff agrees.

In summary, Will stated that the staff is recommending a finding of conformance with the Comprehensive Plan for the declaration of surplus property, recommending approval of the change of zone from P to O-3, and approval of the use permit amendment with adjustment to the parking, subject to conditions of approval.

Carlson confirmed that there is currently no park use on the proposed surplus area. Will concurred that it is not a functional part of the park. There is a fairway adjacent to it, but other than that, it is just open space with no functional facilities.

Proponents

1. Lynn Johnson, Director of Parks & Recreation, observed that the land proposed to be surplus is isolated from the golf course and does not have public access; therefore, it is not a property that could have future recreational use. The Parks & Recreation Advisory Board also looked at the land's value as open space, finding that this area of the city is pretty well blessed with open space so they did not believe that the transfer of this portion of the land would have a significant impact on the open space resources in the area.

Johnson advised that the Parks & Recreation Advisory Board held a public hearing on this proposal on May 3, 2007. The board had a split vote that day – 3 abstentions, 3 in favor and 3 in opposition. They are an advisory body, so this information is being provided to the Planning Commission. The Parks & Recreation Advisory Board did not come to a decision on a formal recommendation.

Esseks assumes that if the property is surplus, it can be sold to the company located adjacent. When the property is sold, what is the flow of the proceeds? Johnson advised that the City Charter provides that the proceeds go into the advance land acquisition fund and earmarked for the source that they came from, i.e. park land. Therefore, the funds would be earmarked for future park acquisition. It will require a fair market value appraisal and Parks will have to find land with that fair market value for the exchange. When the initial area was sold to Talent+, the City was able to purchase the equivalent of about 43 acres with the proceeds from that 2.3 acres.

Carlson noted that the Parks & Recreation Advisory Board had comments about the current lighting and Hyde Observatory. Johnson advised that the Hyde Observatory is owned by the City but is operated by a private board. The Advisory Board suggested that Hyde Observatory have opportunity to review and comment on the lighting plans. Their primary interest is in the night lighting. They were primarily concerned about after dark lighting on the outside of the building. The intent was to provide an opportunity for the Hyde Observatory Board to see what was happening but not have approval authority of the lighting plans.

2. Sandy Maxwell, Director and Associate of Talent+, testified on behalf of Talent+. Talent+ is interested in the growth and progress of its associates and clients in Lincoln. Since moving into the current building, Talent+ has approximately doubled the number of associates to 135, and has leveraged most of the space in the existing building. The current building site has a great deal of green space. To maintain this, Talent+ would like to purchase the last parcel of city park land adjacent to the campus (approximately 57,375 sq. ft.). The purchase of this land would allow a lower profile building on the campus and allow for further company growth. Without this additional green space, the second building will still be built but it will be taller and provide less of a campus feel. She pointed out that the park land would be converted to private land, adding income to tax rolls, and allows Talent+ to grow, which will ultimately add more people and more jobs, and provide considerable funds for purchase of additional park land for Lincoln neighborhoods. The only potential buyer for this land is Talent+ because there is no other access to the parcel. This will provide opportunity for the City to acquire many other acres of park land. The land Talent+ is interested in purchasing is not cared for and not in the same shape as the surrounding land being cared for by Talent +. It is not a priority because it is not used. There is no money available to purchase additional park land.

Talent+ made a deliberate decision to pursue a corporate headquarters in Lincoln. They had offers to move to several different cities, with tax incentives to do so.

3. Mark Hunzeker testified on behalf of **Talent+**. “This is really good news for Lincoln.” Talent+ has been very successful since 2001, when the original sale of park land took place. There were some initial concerns relative to both that sale and the rezoning and use permit. Talent+ did an exceptional job of working with the neighbors in providing a site plan and facility which was satisfactory, with virtually no opposition at that time. Talent+ has kept its promises.

This application represents the early stages of preparation for further growth and continued commitment to a Lincoln headquarters. Today’s proposal provides for a maximum 60,000 sq. ft. facility. A reduction in parking is being requested. The current facility is adding parking right now because of commitment to an internship program for University students. These parking spaces were waived in the previous approval, but, even with the additional parking for the interns, the parking is still way below the ratio of the O-3 district. The proposed reduction represents a parking ratio that is equivalent to what will be on this site as it exists today. This does not go back to the ratio originally approved, but is the ratio relative to the building that is there today including the spaces to accommodate the internship program.

Hunzeker requested an amendment to Condition #3.2 as follows:

Dedicate to the City of Lincoln an easement for street, sidewalk and/or public utility use of the south seven (7) feet of the Property along the Pioneers Boulevard frontage where the current Right-of-Way is 33 feet from the centerline. Such easement shall be in a form acceptable to the Department of Public Works and Utilities.

The applicant does not want to dedicate the right-of-way as being requested by staff. The applicant would prefer to dedicate an easement in order to utilize the additional 7' rather than setting back an additional 7' along Pioneers Boulevard so that they can park within 20 feet of the property line.

Hunzeker also submitted a proposed amendment to Condition #3.7 regarding the lighting plan:

A lighting plan which complies with city design standards. Applicant shall provide a copy of its proposed lighting plan to the Hyde Executive Board for its review, comment and suggestions.

Hunzeker believes that the staff and Hyde Observatory have agreed to this amendment.

Hunzeker submitted that this is a good low impact use of this site that will provide money for the Parks Department to invest in other park assets. This is really great for Lincoln because we have a company the quality of Talent+ that is growing here and staying here. They recently set up new offices in Singapore and could very easily and more conveniently locate somewhere other than Lincoln. This is a great opportunity for Lincoln.

Larson inquired as to the anticipated employment. Hunzeker advised that they now have 135 employees in a building in excess of 43,000 sq. ft. Only half of those employees are in Lincoln at any given time. That is a very high floor ratio per employee. Talent+ expects to continue to grow at a pace that would enable them to double the number of employees over a period of time.

Carroll inquired whether the purpose of the proposed amendment to Condition #3.2 is just to allow the parking closer to Pioneers. Wouldn't it be easier to waive the parking setback and leave the right-of-way there? Hunzeker agreed that it could be done either way, but he had not received a response from staff one way or the other. They could possibly go back through this process again and request a front yard waiver on the use permit, but it works either way. Talent+ is willing to put any amount of restriction on the use or what can be done in that easement area, i.e. restricted to planting grass, etc. Talent+ is not interested in obstructing the city's use of that 7' but they do want to be able to utilize everything that they are purchasing.

Carlson observed that with the vast majority of clientele being located outside of the City, it would make sense that they would not need a big visual presence in terms of advertising. In terms of the lighting, Carlson is concerned about the condition to "comply with city design standards". He believes that this specific situation may require some discussion. He is interested in some specific lighting requirements to make sure the Hyde Observatory can function. Hunzeker pointed out that from the time that the Talent+ building was open, there has been no contact from Hyde to Talent+ to request any modification of lighting or hours, etc. Talent+ is willing to submit the lighting plans and listen to their comments, and Hunzeker believes there is some middle ground as to how often and what hours of the day the building is lit up. However, Hunzeker suggested that we do have the design standards for a reason and Talent+ is willing to comply with them. Frankly, Hyde was placed in Holmes Park a long, long time ago when everything around it was agricultural. It may be time to consider the possibility of putting that observatory out at Jensen Park, e.g. Hunzeker knows that his client is willing to discuss and work with the Observatory, but he does not feel comfortable suggesting any set standard because he does not know what the Observatory wants. It is safe to assume that Talent+ will want to have some amount of lighting on the building, but how that is done, whether up-lighting or down-lighting, etc., how long they are lit and how bright, Hunzeker does not know at this point.

4. Wendy Birdsall testified in support on behalf of the **Lincoln Chamber of Commerce**. This is a tremendous economic development project for the City of Lincoln. Talent+ is high quality with high impact jobs. 80 to 90 percent of the jobs that are created in a community happen at the growth of existing business. Talent+ does not have to be in Lincoln. They choose to be here and the Chamber and LPED strongly support their ability to grow in our community.

5. Bruce Bohrer also testified in support on behalf of the **Chamber of Commerce**, adding that this issue was taken up by the Chamber Board and they voted unanimously to support this proposal. It is very important. It is much more than just the 100 jobs -- there is a multiplier effect. What if we lost jobs? Talent+ is a gold-plated company that other communities would love to have. We don't want to lose them. This city needs to be open for business.

Opposition

1. Dave Fitzgibbon, 4240 S. 59th Street Court, testified in opposition and submitted a petition in opposition signed by 14 residents of South 59th Street Court and members of the Interlochen Estates Homeowners Association. The petition states:

We strongly oppose the sale of any portion of Holmes Golf Course to commercial interests. We further oppose any rezoning action that would allow further commercial development adjacent to the golf course.

Fitzgibbon urged that removing a parcel of park land from the table for our kids and their kids to have as an option for park use in an area in the middle of the city is poor planning.

Fitzgibbon also pointed out that a community survey done by Parks & Recreation in the year 2000 found that Holmes Lake Park ranked second after Pioneers Park as being the most favorite park facility in the community; and that Holmes Golf Course was ranked second after Pioneers Golf Course as the favorite golf course facility. Changes to Holmes Park or the perimeter of the park should not be taken lightly.

Fitzgibbon believes that rezoning this would create a precedent that would allow business interests to continue to chip away at the park land. He wants the precedent to stop.

Fitzgibbon has no problem with Talent+ and he agrees that they are a good neighbor. He and his neighbors are delighted to have additional jobs; however, regardless of whether Talent+ obtains this park land, Talent+ will continue on with their plans to build another building. That is the neighbors' preference – without the sale of the park land.

If this proposal is approved, Fitzgibbon requested that it be conditioned to require Talent + to work with the neighborhood associations on an appropriate berm and landscape screening plan.

Esseks inquired whether the neighbors have a berm or other landscaping plan example in mind. Fitzgibbon then showed a photo of what the neighborhood sees of the existing Talent+ building. It is a large building of modern architecture. The neighbors would like to see some mature trees and landscaping that would minimize the stark impact of the white buildings in the tree line. He also pointed out that Talent+ paid LES to install a "power tower" to improve their view; however, the neighborhoods were not consulted about the change to the skyline and their neighborhood. Fitzgibbon suggested that Talent+ work with the neighborhood when they wish to make changes to the view from the park and the surrounding area.

Carlson asked Fitzgibbon whether lighting is an issue. Fitzgibbon commented that the building is lit up until about 10:00 p.m. He is less concerned about lighting, although with an additional building it might be nice to have some varying levels of lighting in the evening.

2. Nadine Hain, 4151 Ridgeview Drive, testified in opposition. Holmes Park is a recreational park and highly used. It is not a business or industrial park. No land should be available to be sold. Talent+ knew there was not enough land but did not want to go where they would have enough

space to expand, such as Lincoln Benefit Life. They have now set a precedent to allow other businesses to come and say they need to buy park land because they don't have enough room. Park land is not for sale. People do not want to go down Pioneers Boulevard because of what Talent+ has done to a nice area. This will further deteriorate the area. Talent+ does not care about the citizens paying taxes or lowering valuations of the places around them by putting the building right next to neighboring houses. For the right price, maybe they could buy the whole neighborhood rather than just one or two houses.

Hain also wanted the Commission to know that there was a lot of opposition previously but Talent+ would not take the neighbors' suggestions into consideration. She is not against creating jobs, but they need to be created where there is enough space.

3. Terry Adair, 4200 Ridgeview Drive (three houses to the east of the Talent+ facility), testified in opposition. He is opposed to selling park land for this expansion. Talent+ should never have been allowed to put this building in this area, let alone allow for expansion. They have land to the south where there are two existing homes which would be more than adequate for this expansion without buying park land. They have not worked with the neighbors. Everyone in his neighborhood was opposed to the original building of the business at this location.

4. Jean Sheffield, 4206 Ridgeview Drive, also testified in opposition and agreed with the previous opposition. She opposes the sale of park land.

Staff response

Carroll asked staff to respond to the two proposed amendments by the applicant. Will indicated that Condition #3.7 relative to the lighting plan is acceptable to staff. Carroll noted that some of the complaints have to do with the brightness. Have the standards changed since the original approval? Will indicated that the applicable standards are the same. There has been some testing done on the lights and they were found to comply with the applicable design standards.

Carlson wondered about the process historically when we have wanted to create a standard specific to a special permit or use permit. Will acknowledged that there have been a few instances where the circumstance has dictated that some additional standard be applied, but typically, those related more to the hours when the lights were on. When it comes to lighting standards, we have found in the last year or two that it is a science in an of itself and it can get terribly specific.

Carlson wondered what kind of condition would be appropriate to create an opportunity to find out the applicant's needs. Marvin Krout, Director of Planning, stated that there were some changes to the lighting standards that were adopted about a year ago that might have applicability to new buildings since that time. We have something called a spillover light (trespass light) standard – we can't have a measurement of more than ½ foot candle on adjacent residential property. The standard was broadened to say that that ½ foot candle would apply to any commercial lighting if adjacent to abutting residential property. We then realized that there were terms out of date in the standards, so we embarked upon an overall update of the lighting standards, the idea being to identify some of these trouble spots to avoid having special conditions for individual use permits. The standards from that study have not yet been adopted.

Carlson does not want to pick a standard that may or may not work, but wonders what type of condition could be written. As this moves forward to City Council, what kind of condition could we use to give direction to create a lighting plan that would work for all parties? Krout indicated that

he has heard comments about the general sky glow and how bright the building walls are at night from the flood lights. The staff is looking at draft standards that would deal with both of those issues; however, he does not believe the existing building would be out of compliance with the standards that are being considered. Krout believes the question becomes: who is the judge of those standards? He hates to put any one person as responsible for making that decision. He has heard that there were no complaints registered with Talent+ about the lighting and that we could rely on good faith efforts between Talent+ and the Hyde Observatory.

Dennis Bartels of Public Works responded to the amendment proposed to Condition #3.2 about dedication of an easement as opposed to right-of-way. Public Works would prefer to have right-of-way as opposed to an easement. Where easements have been accepted in the past in several other locations, there has been a conflict with property owners. The right-of-way provides better interpretation of a property line than an easement. Public Works has no objection to the front yard setback because this is already a substandard right-of-way. The City Council has already ordered sidewalks to be constructed through the Talent+ property, and Public Works believes it is desirable to have the sidewalks in the public right-of-way. Easements have been problematic in the past.

Carroll asked whether staff would object to a waiver of the parking setback. Will believes it would be a viable alternative, but that adjustment was not advertised and could not be granted today. The waiver would have to be advertised and come back before the Planning Commission.

Response by the Applicant

Hunzeker pointed out that Interlochen Estates is to the west of Holmes Park and is not even visible on the aerial photograph in the staff report. The easternmost point of Interlochen Estates is over 1900 feet from the westernmost point of the parcel to be declared surplus and is over ½ mile from the existing building. To suggest that Talent+ might somehow berm their property in a way that has meaningful impact on the visual perspective of a building ½ mile away is a little bit removed from reality. Those trees in the photograph are much closer than any of the Talent+ property. The purchase of the park land will allow Talent+ to build a one-story building instead of a three-story building. A three-story building would have more of an impact than anything in the way of screening or berming.

As far as working with the neighbors, Hunzeker believes that Talent+ has made great efforts and has seriously and thoroughly screened the easternmost portion of the property from the Ridgeview homes. To the extent there is new activity that will take place on this site, it will be hundreds of feet from the property line of any of the property in the Ridgeview area.

Hunzeker also advised that one of the reasons that Talent+ did not purchase this 1.3 acres back in 2001 is that it was being considered at that time as a potential fire station location and the City did not want to sell it for that reason. It was not because the City wanted to retain it for recreational purposes. This property is not part of the golf course and not part of any recreational program or any other use at Holmes Park.

Hunzeker also explained that the land to the south with the two homes was left in that condition and those houses were restored and remodeled because that was a promise that was made to the Planning Department and to those neighbors to maintain that residential look and characteristics along Pioneers Boulevard and not tear those houses down.

With respect to the power pole, Hunzeker pointed out that what was in place on this site was one of the old-fashioned trellis type towers – it was huge and it cut a big profile there. The reason

Talent+ spent money to take it down to put up the green monopoles was to improve the view.

Carroll asked Hunzeker to respond to the waiver as opposed to the right-of-way easement. Hunzeker would rather come back for the waiver than dedicate the right-of-way. He did comment, however, that he is “dazzled” when the City is concerned about enforcing its rights. The City has the same enforcement rights for right-of-way as it does for easements.

COMPREHENSIVE PLAN CONFORMANCE NO. 07013

ACTION BY PLANNING COMMISSION:

June 20, 2007

Taylor moved a finding of conformance with the Comprehensive Plan, seconded by Esseks.

Esseks commented that land that looks to be useful for recreational purposes may some years into the future be found to be not so valuable for the public, so it makes sense to give the flexibility to sell this parcel in order to be able to purchase better land for park land. The issue of chipping away in this area of town is bothersome except that it looks like there is a limit as to what more they can do. This cannot be used effectively for recreational purposes so we have to give it serious consideration and purchase better land elsewhere. It is hard for the adjacent property owners to see a change in their immediate neighborhood and the best we can do is to get good landscape buffers.

Larson does not believe this piece of land adds anything to Holmes Park. It adds nothing to the golf course. He does not see any reason why this should not be sold to Talent+ to facilitate their growth. They are a fine company. If we were to seek a kind of company that fulfills our municipal goals of adding new jobs, you couldn't ask for a better company.

Carroll commented that if Parks & Recreation believes it is surplus, then it is up to the Planning Commission to look for its highest and best use. He thinks this is a benefit to the City because it puts it back on the tax rolls. Talent+ is a good employer. It is a benefit and win-win for the City, for Talent+ and for the people of Lincoln.

Taylor expressed concern about the emotional undercurrent here from the people that are in opposition. He encouraged Talent+ to attempt to make amends to these neighbors because this is more of an emotional opposition than one that bears forth a lot of reason. The opposition

is not coming forth from a framework of logic. He encouraged Talent+ to do whatever possible to think in terms of good will among the neighbors. We are still people dealing with people. He cautions against any show of arrogance. We are dealing with real people with real life issues.

Motion for finding of conformance carried 8-0: Krieser, Carroll, Sunderman, Taylor, Cornelius, Esseks, Larson and Carlson voting 'yes'; Strand absent. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 07034

ACTION BY PLANNING COMMISSION:

June 20, 2007

Taylor moved approval, seconded by Carroll and carried 8-0: Krieser, Carroll, Sunderman, Taylor, Cornelius, Esseks, Larson and Carlson voting 'yes'; Strand absent. This is a recommendation to the City Council.

USE PERMIT NO. 106B

ACTION BY PLANNING COMMISSION:

June 20, 2007

Taylor moved to approve the staff recommendation of conditional approval, with the amendment to Condition #3.7 requested by the applicant, seconded by Sunderman.

Esseks made a motion to amend to add Condition #3.8: "A landscaping plan that complies with City Design Standards and one that is available to neighboring residents for their comments and suggestions.", seconded by Taylor.

When the landscape changes from open space to office, Esseks believes it is a good precedent to encourage as much discussion as possible between the business and the residents on an appropriate landscaping buffer.

Carroll clarified with Esseks that this motion does not ask for increased standards but that the landscape plan be given to the neighborhoods. Esseks concurred.

Motion to amend to add Condition #3.8 carried 8-0: Krieser, Carroll, Sunderman, Taylor, Cornelius, Esseks, Larson and Carlson voting 'yes'; Strand absent.

Discussion on the main motion:

Cornelius believes that the amendment to Condition #3.7 which involves the Hyde Observatory will address the needs of the neighbors. No matter what the neighbors want, he believes Hyde Observatory will want more.

Carroll pointed out that since the building is to the west, the lighting for the new building is not going to cause any problem for any close residents.

Since this is an amendment to the original use permit, Carlson believes it is appropriate to consider lighting on the entire parcel. He will still appeal to the applicant to consult with those around them.

Main motion for conditional approval, with amendments, carried 8-0: Krieser, Carroll, Sunderman, Taylor, Cornelius, Esseks, Larson and Carlson voting 'yes'; Strand absent. This is a recommendation to the City Council.



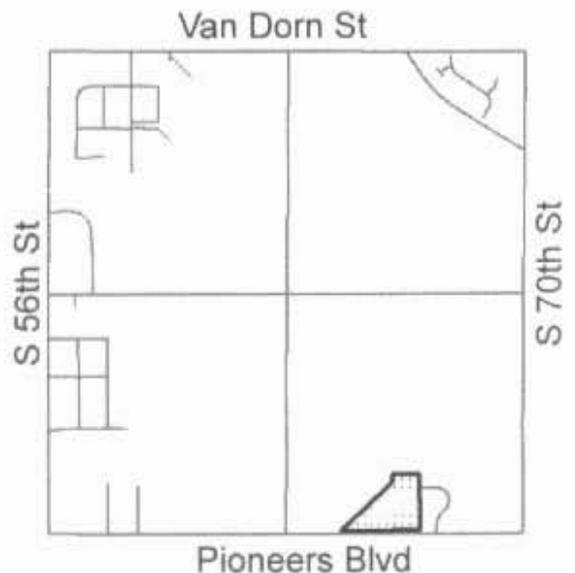
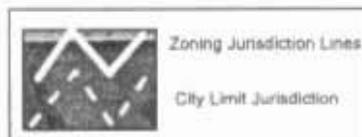
2005 aerial

Use Permit #106B S 67th St & Pioneers Blvd

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-1 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-8 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 Employers Center District
- P Public Use District

One Square Mile
Sec. 04 T09N R07E





"Mark Hunzeker"
<MHunzeker@Pierson-Law.com>

06/05/2007 11:13 AM

To <BWill@ci.lincoln.ne.us>

cc

bcc

Subject FW: UP#106B - Talent+ (Revised)

Brian:

This is to certify that the record owners of the land within the application for Use Permit #106C are:

1 One Vista, LLC--as to the real estate described as:

Lots 1 and 2, Talent Plus Addition, and Lot 126 Irregular Tracts in the SE 1/4 of Sec. 4, Township 9 North, Range 7 East of the 6th P.M. Lincoln, Lancaster County, Nebraska

2 The City of Lincoln, Nebraska--as to the real estate described as:

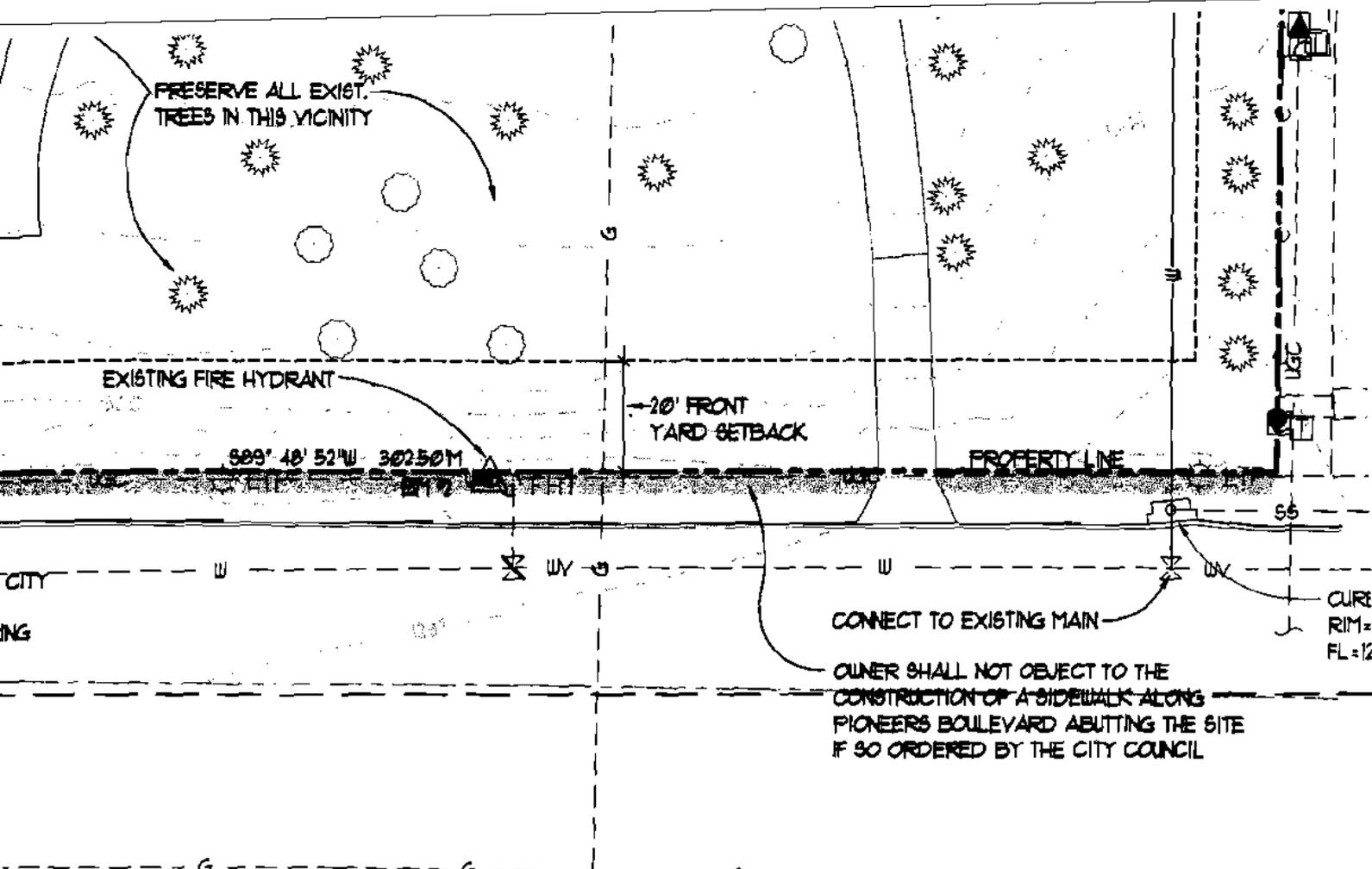
That part of Lot 127 of Irregular Tracts located in the Southeast Quarter of Section 4, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, NE, more particularly described as follows: Commencing at the Southeast corner of Lot 126 Of Irregular Tracts in said Southeast Quarter, said point being on the North Right of Way line of Pioneers Boulevard; thence westerly on said North Right of Way line on an assigned bearing of South 89 degrees, 48 minutes 43 seconds West a distance of 100 feet to the Point of Beginning; thence continuing Westerly on said Right of Way line South 89 degrees, 48 minutes, 43 seconds West a distance of 479.63 feet; thence Northeasterly, North 46 degrees, 47 minutes, 50 seconds East a distance of 350.7 feet to a point on the West line of said Lot 126 Irregular Tract; thence Southeasterly on said West line South 43 degrees, 12 minutes, 10 seconds East a distance of 327.2 feet to the Point of Beginning.

Also, per your request, attached is a pdf of the drawing to attach to your report. Please let me know if there is anything else you need.

Mark



634L01 Use-Permit (C).pdf



GENERAL NOTES

BOUNDARY ACREAGE:

LOT 79: 187,917.68 SQ FT (4.26 AC)

LOT 80: 100,402.13 SQ FT (2.30 AC)

ASSOCIATED PARKS AND REC LOT: 57,325 SQ FT (1.31 AC)

TOTAL BOUNDARY ACREAGE: 7.92 AC

ZONING CLASSIFICATION: O-3

BUILDING USE: NEW OFFICE BUILDING

BUILDING HEIGHT: 45' MAX PER O-3 ZONING CLASSIFICATION

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. THIS INCLUDES PRIVATE AND PUBLIC UTILITIES.

2. TREE SIZES ARE THE TRUNK SIZE AT APPROX. 3' FROM GROUND LEVEL. TREE CANOPY SIZES ARE NOT INCLUDED.

PARKING REQUIREMENTS:

BASED ON 104,400 ALLOWABLE SF

1 SPACE PER 300 SF REQUIRED IN O-3 ZONE = 348 TOTAL SPACES REQUIRED.

348 PARKING SPACES PROVIDED

AT THE TIME OF A CHANGE IN OCCUPANCY, THE THEN APPLICABLE PARKING REQUIREMENT WILL APPLY

PRIOR OF THE CITY ISSUING A CHANGE IN OCCUPANCY, THE THEN APPLICABLE MINIMUM REQUIRED PARKING STALLS SHALL BE CONSTRUCTED

10TH STREET

LABB

022



"Mark Hunzeker"
<MHunzeker@Pierson-Law.com>

06/21/2007 04:10 PM

To <MKrout@ci.lincoln.ne.us>

cc <JWalker@ci.lincoln.ne.us>, <BWill@ci.lincoln.ne.us>

bcc

Subject Waiver request Use Permit 106B

Marvin:

To follow up on our conversation at the end of the Planning Commission meeting yesterday, please consider this our formal request on behalf of One Vista, LLC for a waiver to the front yard requirement, reducing the front yard from 20 feet to 13 feet along Pioneers Boulevard. This is in lieu of our request to dedicate an easement for street, sidewalk, and utility use in the south 7 feet of the property, rather than dedicate 7 feet of public right of way to the city.

It seemed everyone was in agreement that dedication of the right of way, accompanied by a setback waiver was preferred over dedication of an easement. It accomplishes the same result for the applicant, so we are willing to proceed in that manner.

Please advise me if there is a fee to be paid for this request. If so, we will bring you a check tomorrow. Thank you for accommodating us by placing this request on the July 18 Planning Commission agenda.

Mark

Pierson|Fitchett
LAW FIRM

1045 Lincoln Mall
Suite 200
P.O. Box 95109
Lincoln, NE 68509
(402) 476-7621
fax (402) 476-7465
www.pierson-law.com

Thomas J. Fitchett
Mark A. Hunzeker
William G. Blake
Peter W. Katt
William C. Nelson
David P. Thompson
Patrick D. Timmer
Randy R. Ewing
Shanna L. Cole
Jason L. Scott

May 23, 2007

Gary L. Aksamit
of Counsel

Marvin Krout, Planning Director
City of Lincoln
555 S. 10th Street
Lincoln, NE 68508

Re: Talent + Generic Use Permit Application

Dear Marvin:

Attached are drawings and application for modification of the existing use permit for One Vista, LLC (Talent +) to expand the Talent + campus by adding 1.3 acres of land currently owned by the City of Lincoln. The proposal is to add an additional office building of up to 60,000 square feet, together with associated parking.

We request a reduction of required parking for the new building to 147 parking stalls. The reason for the reduction is the same as the reason for the reduction which was approved in February of 2004 for the existing building. Both the existing building and the proposed building have a very high ratio of building floor area to employees. Talent + is a business which serves a national and international clientele, the vast majority of which are located outside of Lincoln and outside of Nebraska. Talent + clients rarely visit Lincoln, and on an average business day less than half of the Talent + associates are in Lincoln.

We propose 147 parking stalls for the new building, which is based upon the same ratio of parking stalls for the existing building (assuming the additional 29 parking stalls which will be constructed via administrative amendment to the existing use permit). Even on the rare occasion when all employees are on-site for company meetings, this will more than adequately provide for current employees and substantial growth.

Talent + has an office policy which prohibits employees from parking on nearby residential streets, specifically Ridgeview Drive. Employees are also prohibited from parking in the residential driveways near Pioneers Boulevard.

We think this addition to the Talent + campus provides an excellent opportunity for this fine Lincoln company to grow its business and maintain its headquarters in Lincoln.

Marvin Krout
May 23, 2007
Page 2

The proposed use permit outlines a sufficient area for providing the reduced parking, together with a parking deck to provide the additional required parking, should the use of the building ever change.

If you require any additional information in support of the proposed parking waiver, please feel free to contact me. Thank you for your consideration.

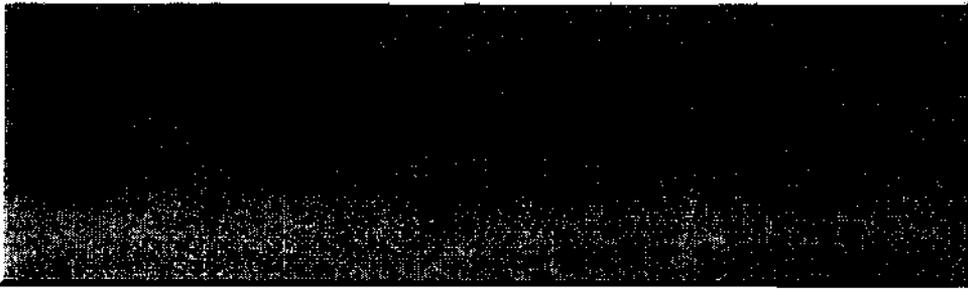
Sincerely,



Mark A. Hunzeker
For the Firm

MAH:la
Enclosures

(G:\AF\6500-6599\6559.001 Talent +-Phase 2\Krout 5-23-07.ltr.wpd)



Status of Review: Approved

Reviewed By

ANY

Comments:

Status of Review: Approved

Reviewed By Alltel

ANY

Comments:

Status of Review: Complete

Reviewed By Building & Safety

Terry Kathe

Comments:

Status of Review: Approved

Reviewed By Building & Safety

05/25/2007 8:40:49 AM

BOB FIEDLER

Comments: approved

Status of Review: Complete

Reviewed By Fire Department

05/25/2007 12:43:58 PM

ANY

Comments: No issues from the perspective of our department.

Status of Review: Approved

06/05/2007 4:46:39 PM

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Brian Will DATE: June 5, 2007

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Talent Plus

EH Administration UP #106B

The Lincoln-Lancaster County Health Department has reviewed the use permit application and does not object to the approval of this application.

Status of Review: Active

Reviewed By Lincoln Electric System

ANY

Comments:

Status of Review: Complete

06/06/2007 1:27:00 PM

Reviewed By Lincoln Police Department

NCSBJW

Comments: Mr. Will,

The Lincoln Police Department does not object to the proposed Talent Plus Use Permit # UP106B, provided that the parking issues elaborated upon are adhered to.

Sergeant Don Scheinost, #796
Lincoln Police Department
Management Services
402.441.7215
mail to: lpd798@cjis.lincoln.ne.gov

Status of Review: Approved

05/29/2007 9:53:56 AM

Reviewed By Parks & Recreation

ANY

SHOULD

Comments: 1. Due to proximity with the Hyde Observatory - the lighting plan ~~must~~ be reviewed ~~and approved~~ by the Hyde Executive Board.

2. Control structure, drainage plan should be submitted for review. Consideration should be given to the relationship between water control on site and with the pond west of the proposed project.

3. Potential conflict of building with existing use of adjacent property - golf course. Owner/occupant should be prepared for golf ball and potential damage that may result from golf balls. A landscape screen is recommended to reduce this potential conflict.

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

Status of Review: Active

Reviewed By Planning Department

BRIAN WILL

Comments:

Status of Review: Complete

05/30/2007 9:21:52 AM

Reviewed By Planning Department

RAY HILL

Comments: The letter accompanying the application requests a reduction of the required parking however the note on the plans states Structure to accomodate parking as required for building per code. Also General Notes- Parking Requirements indicate parking will be provided to parking requirements. Notes should be added to address the requested reduction of parking.

Status of Review: Complete

06/06/2007 1:39:04 PM

Reviewed By Public Works - Development Services

SIETDQ

Comments:

To: Brian Will, Planning Department
From: Charles W. Baker, Public Works and Utilities
Subject: Talent + Change of Zone #07034 and CPC #07015
Date: June 6, 2007
cc: Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Talent + Change of Zone #07034 and CPC #07015 future development on the property located at 67th and Pioneers. Public Works has the following comment:

• A dedication of right-of-way along Pioneers adjacent to Parcel A and Lot 126 I T to be reserved for future roadway improvements must be shown in the legal description.

Status of Review: Active

Reviewed By Public Works - Long Range Planning

ANY

Comments:

Status of Review: Complete

06/06/2007 1:41:30 PM

Reviewed By Public Works - Watershed Management

NCSBJW

Comments: Brian,
Watershed Management has no comment on the above subject review.

Ed Kouma
Watershed Division
Public Works & Utilities Dept
901 N. 6th Street
Lincoln NE 68508
402-441-7018



Edwin Kouma/Notes
06/01/2007 03:00 PM

To Brian J Will/Notes@Notes
cc Benjamin J Higgins/Notes@Notes
bcc

Subject Review of Talen Plus, permit application UP 106B

Brian,
Watershed management has reviewed the materials submitted for the subject application and has the following comment:

-Need to see the storm drainage calculations and how the "storm water control area" works in order to insure runoff during the 2 year, 10 year and 100 year events are not increased.

Ed Kouma
Watershed Division
Public Works & Utilities Dept
901 N. 6th Street
Lincoln NE 68508
402-441-7018

INTER-DEPARTMENT COMMUNICATION



DATE: June 5, 2007

TO: Brian Will, City Planning

FROM: Sharon Theobald (Ext. 7640) *WAT*

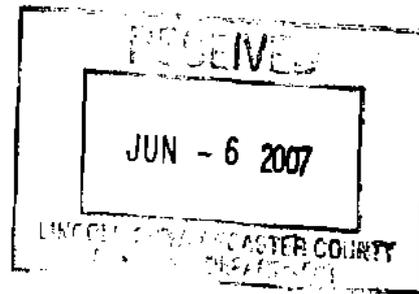
SUBJECT: DEDICATED EASEMENTS
DN #42S-66E

UP #106B

Attached is the Use Permit Application for Talent Plus.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

Windstream Nebraska, Inc., Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map.



ST/nh
Attachment
c: Terry Wiebke
Easement File

Substitute Conditions

Use Permit 106B

3.2 Dedicate to the City of Lincoln an easement for street, sidewalk and/or public utility use of the south seven (7) feet of the Property along the Pioneers Boulevard frontage where the current Right of Way is 33 feet from the centerline. Such easement shall be in a form acceptable to the Department of Public Works and Utilities.

3.7 A lighting plan which complies with city design standards. Applicant shall provide a copy of its proposed lighting plan to the Hyde Executive Board for its review, comment and suggestions.

LINCOLN

The Community of Opportunity

Chamber of Commerce



Statement in Support of Talent+ Expansion Plans

Lincoln Chamber of Commerce

Members of the Lincoln/Lancaster County Planning Commission:

The Lincoln Chamber of Commerce and its Board of Directors supports the planned expansion project at Talent +.

The project is estimated to grow the Lincoln workforce by 100 primary jobs. These jobs will be beneficial to the citizens of Lincoln because of the added revenue these new employees will infuse into our economy.

The Chamber is also supportive of this project because it is a tremendous opportunity to showcase a premium, locally-based company and their investment and re-investment in their home city.

We ask that you support this request to surplus parkland, change the zoning to office park, and amend use permit #106A as requested by Talent+. This project gives our community the opportunity to demonstrate to everyone, both inside and outside our community, that the City of Lincoln is open for business.

Wendy Birdsall, CCE
President

Bruce Bohrer
Executive V.P. & General Counsel

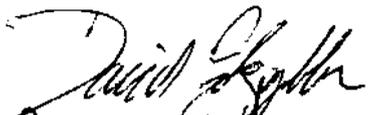
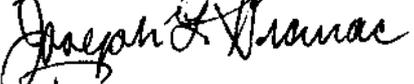
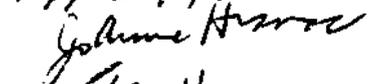
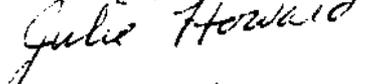
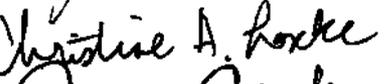
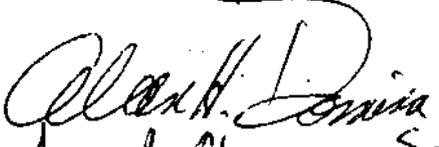
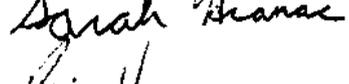
14

OPPOSITION
SUBMITTED AT PUBLIC HEARING
BEFORE PLANNING COMMISSION: 6/20/07

COMP. PLAN CONFORMANCE NO. 07013
CHANGE OF ZONE NO. 07034
USE PERMIT NO. 106B

As residents of South 59th Street Court and members of the Interlochen Estates Homeowners Association, we strongly oppose the sale of any portion of Holmes Golf Course to commercial interests.

We further oppose any rezoning action that would allow further commercial development adjacent to the golf course.

	DAVID FITZGIBBON	4240 S. 59 ST. CT	484-0221
	Joseph L. Hranac	4140 S. 59 th St Ct	488-5563
	Karen F. Domina	4141 S. 59 th St Ct	484-6588
	SEAN M. GARVIN	4200 South 59 th St. Ct.	
	WILLIAM F. GARVIN	4100 S. 59 th St Ct	483-4943
	JoAnne Hranac	4100 S. 59 th St. Ct.	483-5563
	Chad B Melchior	4101 S 59 th St Ct	327-0065
	Julie Howard	4141 S. 59 th St Ct	484-6588
	Christine Loseke	4240 S. 59 th St. Ct.	484-022
	JERRY CARLEN	4201 S 59 th St Ct	483-1832
	Alex H. Domina	4200 S. 59 th St.	489-3261
	Sarah Hranac	4140 S. 59 th St. Ct	483-5563
	Petrick Howard	4141 S 59 th St Ct.	484-6588

(p.105 - Public Hearing - 6/20/07)



WOHLERG@Nationwide.com

06/20/2007 10:13 AM

To plan@lincoln.ne.gov

cc

bcc

Subject Talent Plus

To whom it may concern:

I would like to voice my concern for using more park land for a commercial development. Talent Plus received a "gift" when they were able to purchase the first land and I don't believe many citizens were informed of the purchase at that time. I was amazed to see the building start to go up and wondered where the land came from. Talent Plus should have been more forward thinking when they put that building up and if they needed to expand, would they be able to. In retrospect, that site was probably not the right choice, but now that they have the building there, it should not give them the right to further invade Holmes Park Golf Course. They do have access to a fair amount of land in the front of their building. If they were to get rid of the 2 homes that are there, they could use that area to expand.

I would respectfully ask that you deny the purchase of any additional land.

Gloria Wohlers
402-423-3608
e-mail: rwohlers@neb.rr.com
5301 South 67th Street
Lincoln, Ne 68516