

## FACTSHEET

**TITLE:** SPECIAL PERMIT NO. 16058 -  
(Preserve landmark of former First German  
Congregational Church with waivers, 100 West F  
Street and 103 West G Street).

**BOARD/COMMITTEE:** Planning Commission

**APPLICANT:** Dennis Lyon Architects on behalf of  
First Street Bible Church

**RECOMMENDATION:** Conditional Approval (9-0: Beckius, Corr,  
Edgerton, Finnegan, Harris, Washington, Weber, Scheer, and  
Hove voting 'yes').

**STAFF RECOMMENDATION:** Conditional  
Approval

**OTHER DEPARTMENTS AFFECTED:** N/A

**SPONSOR:** Planning Department

**OPPONENTS:** None present at hearing.

### **REASON FOR LEGISLATION:**

### **DISCUSSION/FINDINGS OF FACT:**

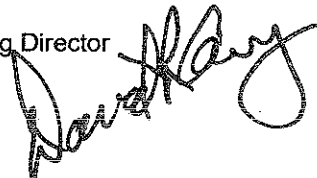
1. This special permit request and the associated Change of Zone No. 16039 (Bill #17-9), were heard at the same time before the Planning Commission.
2. The staff recommendation to approve the special permit, with conditions, is based upon the "Analysis" as set forth on pp.3-5, concluding that granting the requested special permit supports the continued use of the proposed landmark in its original use, accommodates a neighborhood service, and supports continued maintenance. The staff presentation is found on pp.7-8.
3. The applicant's testimony is found on p.8.
4. There was no testimony in support of or in opposition to this application.
5. The Historic Preservation Commission held public hearing on this application on December 15, 2016, and recommended approval (4-0) (See pp.9-11).
6. On January 4, 2017, the Planning Commission voted 9-0 to recommend conditional approval of this special permit, as set forth in the staff report dated December 22, 2016. (See pp.5-6).
7. On January 4, 2017, the Planning Commission also voted 9-0 to recommend approval of the associated Change of Zone No.16039 (Bill #17-9).

**FACTSHEET PREPARED BY:** Geri Rorabaugh, Administrative Officer

**DATE:** January 6, 2017

**REVIEWED BY:** David R. Cary, Planning Director

**DATE:** January 6, 2017



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# LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for January 4, 2017 Planning Commission Meeting

**PROJECT #s:** Change of Zone No. 16039/Landmark Designation and Special Permit No. 16058 for Historic Preservation of the former First German Congregational Church

**PROPOSAL:** Designation of the property at 100 West F St. as a Landmark (from R-4 Residential to R-4 Residential with Landmark Overlay) and a Special Permit to allow reduction of the rear yard to 10 feet and variance of parking requirements

**LOCATION:** 100 West F Street

**LAND AREA:** Less than one acre, more or less.

**EXISTING ZONING:** R-4 Residential District

**WAIVER/MODIFICATION REQUEST:**  
Allow a rear addition to be built within 10 feet of the north (rear) property line, and to allow reduction of parking by four stalls (due to addition) without replacement or adding parking

**CONCLUSION:** The landmark designation protects a neighborhood focal point and a contributing property in the South Bottoms Historic District, listed on the National Register of Historic Places, designed by a significant Lincoln church architect, A. W. Woods. Designation provides the opportunity to request the special permit which encourages maintenance and continued use of the proposed landmark as a church, its original function. This request complies with the Zoning Ordinance and is consistent with the Comprehensive Plan.

Granting the requested special permit supports the continued use of the proposed landmark in its original use, accommodates a neighborhood service, and supports continued maintenance.

## **RECOMMENDATION FOR CHANGE OF**

**ZONE/LANDMARK Designation:** Recommendation that City Council approve Landmark designation

**RECOMMENDATION FOR SPECIAL PERMIT:** Recommendation that City Council conditionally approve the Special Permit

## **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Mechanics Addition, Block 2, Lots 1, 2, 47, and 48, and a vacated strip of former right-of-way adjacent on the east side of Lots 1 and 48, in the SW quarter of Section 26-10-6, in Lincoln, Lancaster County, Nebraska.

**EXISTING LAND USE:** Church.

## **SURROUNDING LAND USE AND ZONING:**

East & South	Residences and railroad line	R-4
North & West	Residential	R-4

## **HISTORY:**

**1889** First German Congregational Church was organized among Lincoln's Germans from Russia immigrant community.

**1920** Current church structure was built at 1<sup>st</sup> and W. F St., designed by Alfred W. Woods

**2010/11** At the invitation of First German Congregational Church, the original church disbands and a new congregation and governance, called First St. Bible Church, transitions into the facility.

**UTILITIES:** All public utilities

**PUBLIC SERVICE:.** All urban services

**ALTERATIVE USES:** Churches are permitted in the R-4 district. Without the Special Permit, a smaller addition could be built. Providing additional off-street parking in the area would likely require demolition of historic residential structures of South Bottoms Historic District.

## **COMPREHENSIVE PLAN SPECIFICATIONS:**

**Pg 1.9** - The Future Land Use Map of the Comprehensive Plan designates this area as Residential–Urban Density.

**Pg 4.6, 4.9-** "Placemaking" chapter encourages identification and protection of broad range of historic resources, and incentives for maintenance and continued use.

## **ANALYSIS:**

1. Lincoln Municipal Code, section 27.57.120 provides for designation of landmarks that are *"Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States"* or *"Represents a distinctive architectural style or innovation, or is the work of a craftsman whose individual work is significant..."*
2. Both of Lincoln's neighborhoods settled by Germans from Russia are dotted with churches, which were a central part of community life. A. W. Woods designed half of these churches and First German Congregation (now First Street Bible Church) is a well-preserved example of his work, serving Lincoln's predominant immigrant group of the 19<sup>th</sup> & early 20<sup>th</sup> Century. The Historic Preservation Commission reviewed the application for landmark designation at a meeting of December 15, 2016 and unanimously recommended approval of the designation (4-0, see attached excerpt from meeting record).
3. The proposed preservation guidelines for 100 W. F Street (attached) are based on typical

guidelines for Lincoln Landmarks and are derived from the Secretary of the Interior's Standards and Guidelines for Historic Rehabilitation. The Historic Preservation Commission uses these guidelines when evaluating projects on the landmark property.

4. The Historic Preservation Commission also reviewed the application for a special permit for historic preservation at meetings of December 15, 2016 and unanimously recommended approval of the designation (4-0, see attached excerpt from meeting record).

A Special Permit for Historic Preservation under LMC §27.63.400 is to be evaluated under the following six criteria:

- **The significance of the historic structure or site and the degree of variation sought from the permitted uses of the district:**

The significance of the structure is presented in the attached landmark application and is recommended by the Historic Preservation Commission, based on both architecture and association with the historically significant Germans from Russia neighborhood of South Bottoms.

The variations sought are minor. The church owns and utilizes property on both sides of the east-west alley in this area, with the church on the south side and the congregation's paved parking lot on the north side. The rear yard reduction allows the addition closer to the alley and consequently closer to the parking lot, but does not cause the addition to be closer to any immediately abutting residential owners. The waiver of the requirement to add off-street parking necessitates a degree of reliance upon on-street parking, which can be used by the general public as well. But this is a relatively low-density section of the neighborhood and the church has approximately 400 feet of frontage immediately abutting its property. It appears that granting the waiver would not cause a hardship on surrounding residential properties.

- **The extent to which economic factors necessitate the change in use:**  
The church representatives indicate they are using available resources for the addition. Acquiring additional property and demolishing residences is not feasible at this time, nor is it necessarily desirable for the surrounding area.

- **The extent of proposed exterior change to the structure or site:**  
The only substantive proposed exterior change is the proposed addition, which the Historic Preservation Commission has reviewed and recommended approval.

- **The impact on the surrounding area:**  
The site is zoned R-4 (Residential). The impact of the proposal appears to be negligible or positive, supporting the continued utilization and upkeep of the church. A modest amount of additional utilization on-street parking would likely be generated by the proposed changes.

- **The compatibility of the proposed use to the structure or site and the surrounding area:**  
The design of the addition has been recommended as appropriate by the Historic Preservation Commission. Continuing the use of the church as a church has been compatible with this area for nearly a century.

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- **The manner in which the public will be benefitted by such proposed use:**

The proposed use is a continuation of the current and historic use of the property.

5. Public Works–Watershed Management indicated certain permits and calculations are required to obtain building permits. These are cited as conditions of approval below.

There were no other objections to the application or conditions requested by City or County agencies.

**CONDITIONS OF APPROVAL OF SP 16058:**

Per Section 27.63.400, this approval permits reduction of the rear yard of 100 W. F Street to 10 feet, and waiver of a requirement to replace lost parking or create additional off-street parking.

**Site Specific Conditions:**

1. The City Council approves designation of the former First German Congregational Church, also known as First Street Bible Church, as a Landmark.
2. This approval permits and addition to the church extending within 10 feet of the north property line as indicated on the attached site plan and according to the attached plan approved by the Historic Preservation Commission.
3. This approval permits a reduction in current parking by four parking stalls (eliminated by the proposed addition).
4. Before receiving building permits provide the following documents to the Planning Department:
  - 4.1 Salt Creek Storage Area calculations to ensure proposal meets Salt Creek Storage flood plain standards.
  - 4.2 Flood plain permit.
  - 4.3 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

**Standard Conditions:**

5. The following conditions are applicable to all requests:
  - 5.1 Before occupying the building or buildings all development and construction shall substantially comply with the approved plans.
  - 5.2 The physical location of all setbacks and yards, and similar matters shall be in substantial compliance with the location of said items as shown on the approved site plan.
  - 5.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

5.4 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by:

Ed Zimmer, 441-6360, [ezimmer@lincoln.ne.gov](mailto:ezimmer@lincoln.ne.gov)  
Historic Preservation Planner  
December 22, 2016

**APPLICANT:** First Street Bible Church  
100 West F Street  
Lincoln, NE 68508  
[robb@firststreetbible.com](mailto:robb@firststreetbible.com)  
(402)202-0473

**OWNER:** Same as applicant

**CONTACT:** Dennis J. Lyon Architects  
5910 South 58<sup>th</sup> Street, Suite B  
Lincoln, NE 68516  
[Djlyonarchitects@aol.com](mailto:Djlyonarchitects@aol.com)  
(402)420-1600

# CHANGE OF ZONE NO. 16039 AND SPECIAL PERMIT NO. 16058

**CHANGE OF ZONE NO. 16039  
TO DESIGNATE FORMER FIRST GERMAN CONGREGATIONAL CHURCH AS A LANDMARK,  
GENERALLY LOCATED AT 100 W. F STREET AND 103 W. G STREET.  
PUBLIC HEARING BEFORE PLANNING COMMISSION:** **January 4, 2017**

Members present: Beckius, Corr, Edgerton, Finnegan, Harris, Hove, Scheer, Washington, and Weber present.

**Staff recommendation:** Approval.

**AND**

**SPECIAL PERMIT NO. 16058  
FOR PRESERVATION OF LANDMARK WITH WAIVERS TO REAR YARD SETBACK AND  
PARKING, GENERALLY LOCATED AT 100 W. F STREET AND 103 W. G STREET.  
PUBLIC HEARING BEFORE PLANNING COMMISSION:** **January 4, 2017**

Members present: Beckius, Corr, Edgerton, Finnegan, Harris, Hove, Scheer, Washington, and Weber present.

**Staff recommendation:** Conditional Approval.

There were no ex parte communications disclosed.

**Staff presentation:** Ed Zimmer of the Planning Department said these applications are for the small, wood frame, Gothic Revival church built in 1920 to serve Germans from Russia. It was designed by A. W. Woods and is a contributing property in the National Register South Bottoms Neighborhood District. The reason for requesting the special designation is to get the special permit to allow for waivers. Historic Preservation Commission recommended approval.

The building is significant in terms of architecture, its association with Germans from Russia, and the significance of the church in the community. The front faces F Street and dominates the corner property. They also own the parking lot to the north. The requested addition is behind the church on that north side. The historical status offers some relief from meeting full floodplain standards. They now request to make the building closer to the alley than would otherwise be allowed. In effect, the parking lot is their property so the addition does not impact a different property. Normally, staff would require the replacement of the four parking stalls that will be lost with the addition. With the full parking lot and ample on-street parking along the 400 feet of street frontage, this is less of a concern. It does not seem prudent to tear down another historic building just for four stalls. HPC felt the addition is compatible. The landmark designation provides additional protection to the property by guaranteeing that any design changes would go through HPC.

Washington expressed her appreciation for the review done by Historic Preservation Commission. She approves of the compatibility of the new addition to the existing building and has no other concerns about the parking. She commended the processes by which Secretary standards were melded with local zoning provision to allow for this flexibility within the zoning codes, when appropriate. She complimented the architect on work done on this project.

**Proponents:**

**1. Dennis Lyon, 5910 S. 58<sup>th</sup> Street**, came forward as the architect. It has been a joy to work with this congregation. Both the building and the congregation of the old German church were aging. They merged with another congregation and over time have gone from 6 people to 200, including many kids. The addition was going to be a good solution to issues of space and was on-track until we saw this opportunity for an additional five feet of space. The church is attempting to be a lighthouse for the community and is an active Food Network site, with church functions throughout the week. It is now ADA accessible. The women's restroom was improved to be ADA accessible and more spacious. Among the many things this addition allows for is the opportunity to improve the men's restroom. The addition is being done tastefully. It has been a pleasure to work with Staff on this project, especially Ed Zimmer and with Ben Higgins, who helped with floodplain calculations.

There was no public testimony on this item.

**CHANGE OF ZONE NO. 16039**

**ACTION BY PLANNING COMMISSION:**

**January 4, 2016**

Finnegan moved approval, seconded by Edgerton.

Corr stated this is a great project and is straightforward. She appreciates all the good work that went into this. She added that she is fine with the reduction in parking since this is a neighborhood church and many people might be walking.

Hove said he will support both applications and congratulated the applicant on the expansion.

Motion carried, 9-0: Beckius, Corr, Edgerton, Finnegan, Harris, Scheer, Washington, Weber, and Hove voting 'yes'. This is a recommendation to the City Council.

**SPECIAL PERMIT NO. 16058**

**ACTION BY PLANNING COMMISSION:**

**January 4, 2016**

Corr moved conditional approval, seconded by Finnegan and carried, 9-0: Beckius, Corr, Edgerton, Finnegan, Harris, Scheer, Washington, Weber, and Hove voting 'yes'. This is a recommendation to the City Council.



**MEETING RECORD EXCERPT**  
**RE: First Street Bible Church**  
Meeting of 12/15/2016

**NAME OF GROUP:** HISTORIC PRESERVATION COMMISSION

**DATE, TIME AND PLACE OF MEETING:** Thursday, December 15, 2016, 1:30 p.m., Conference Room 214, 2<sup>nd</sup> Floor, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, Nebraska

**STATED PURPOSE OF MEETING:** Regular Historic Preservation Commission Meeting

**APPLICATIONS BY DENNIS LYON**

**(a) FOR DESIGNATION OF FIRST STREET BIBLE CHURCH AT 100 F STREET AS A LANDMARK AND**

**(b) FOR A SPECIAL PERMIT TO MAKE A NORTH ADDITION EXTENDING WITHIN 10 FEET OF THE ALLEY, AND TO WAIVE A REQUIREMENT FOR ADDITIONAL OFF-STREET PARKING.**

**DECEMBER 15, 2016**

Members present: Bavitz, Francis, Johnson, and Munn; Gengler, Hewitt, and McKee absent.

Dennis Lyon came forward as architect and project representative. He introduced Robb Rexilius, pastor at First Street Bible Church, and Katherine and Sam Kennedy, two young congregants of the church, all present in support of these applications. Under the leadership of Pastor Rexilius, the congregation started with a handful of people when it took over the nearly 100-year-old, First German Congregational Church. Now, the pews are full and classes are overflowing. The only place to gain additional space is to the north, within 10 feet of the property line.

Lyon explained that a note from Building & Safety staff indicated the submitted plan should include the replacement of four parking stalls that will be lost as part of the expansion. The backyard of the church is a fully developed lot, and the plan includes the incorporation of a couple of new stalls to serve as a drop-off site for people or supplies, as this is a Food Network site. Parking in the street has not been an issue since it is only used one Sunday per week. If approved for the Landmark and special permit, the parking requirement can be waived.

Another obstacle is meeting the 15-foot rear yard setback. Reducing it to 10 feet allows the extra five feet for building space, which allows the optimum square footage that is needed. In terms of design, the intent is to simply replicate as many details as possible. The stained glass windows will come out of the north (rear) end will be relocated in the new addition. Changes will not be noticeable and the addition will function as if it were an original part of the church.



*East elevation including addition*

Francis asked if the church owns and uses the entire north parking lot. Lyon said yes, most people park in the lot and enter through the back door. A few park on 1<sup>st</sup> Street. An ADA accessible entrance and parking space were added on F Street last year.

Zimmer said the landmark designation, if approved, would allow for the special permit request to reductions in parking, yards, setbacks, etc. This is a small “ask” because the only issue is the encroachment into the alley, but is almost as if that area is their backyard and the alley stays functional.

In the historic district, it would be a greater impact to tear down an older home to offer more off-street parking. They do not own the on-street parking, but the property has around 400 linear feet of frontage in a lower density part of the neighborhood. There is a small flood plain certification issue that came up, but it does not affect this Commission’s considerations. Staff wants this church to remain viable because churches do not convert well to other uses.

**Action on Landmark Designation:**

Johnson moved approval for the landmark designation.

Munn commented that the report offers a nice, comprehensive history and it seems appropriate.

Francis seconded the motion.

Zimmer added that this is an A.W. Woods church. Woods was a very active church architect, including four Germans from Russia churches in Lincoln. First United Methodist in University Place is Woods' masterpiece of churches.. In this neighborhood, which is all a National Register District, First Street Bible Church is already a contributing property.

Motion for designation of First Street Bible Church as a landmark carried 4-0: Bavitz, Francis, Johnson, and Munn voting 'yes'; Gengler, Hewitt, and McKee absent.

### **Action on Special Permit:**

Francis found it commendable that the applicant is working with the existing building rather than finding a new location out on 84<sup>th</sup> Street, or something similar, to start from scratch. Johnson agreed. Munn said it is also better than tearing down historic houses just for the few parking stalls. Francis said it is a nice anchor for the neighborhood.

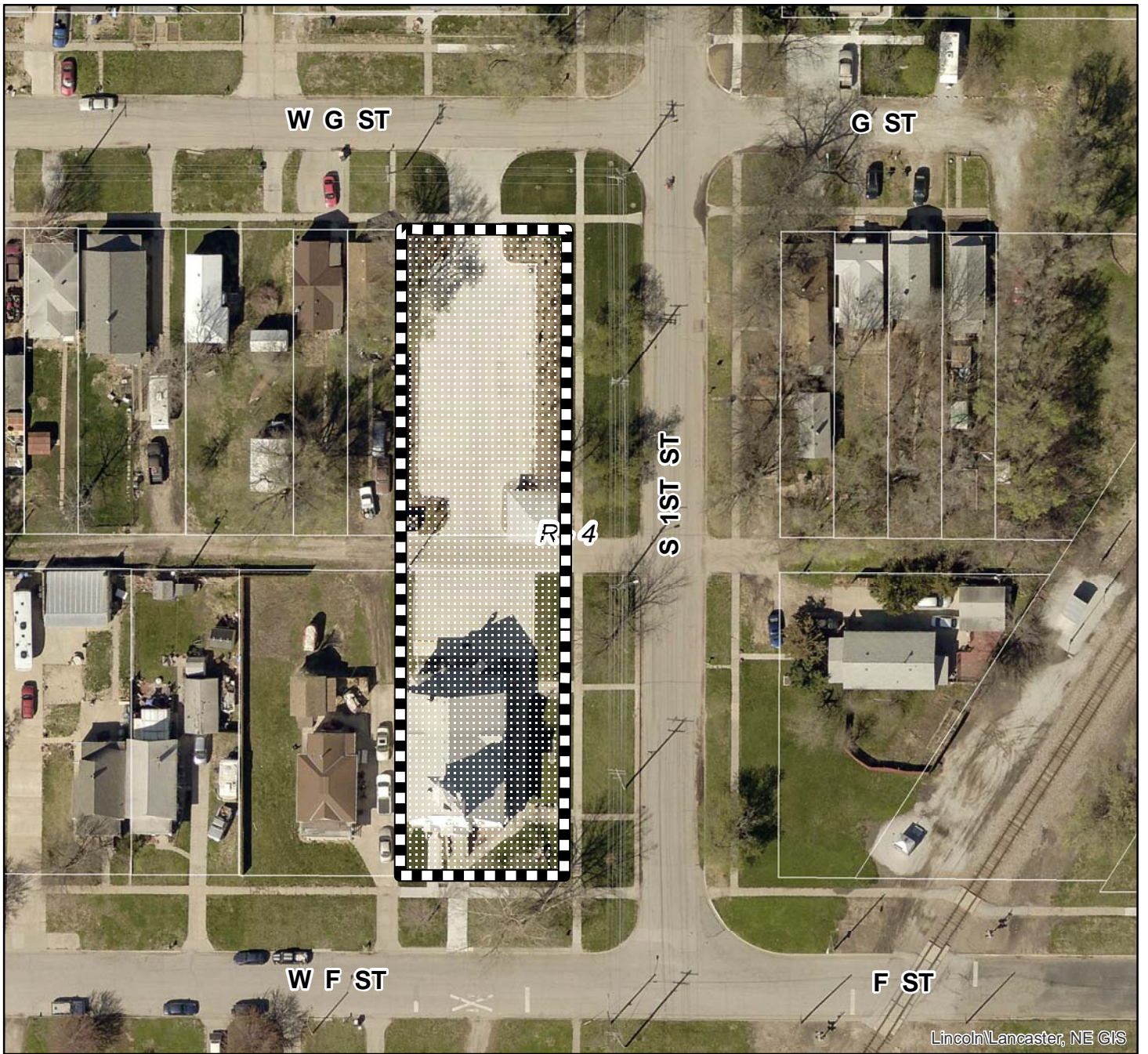
Bavitz asked about the relocated windows. Lyon said there are four stained glass windows to relocate. Zimmer said they are double-hung windows in the current north, rear wall. The church has stained glass windows throughout. Pastor Rexilius said they are committed to maintaining the sanctuary.

Bavitz moved approval of the special permit; seconded by Johnson.

Francis asked if it is a frame church. Lyon said it is. Francis asked if there will be sided material such as cement board. Lyon said the existing siding, wood framing, and roofing will be matched and the windows relocated. The entry door will be aluminum.

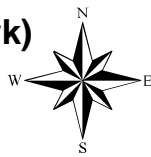
Bavitz asked if there is a lower level. Lyon said there is a lower level with no windows. The intent is to build this addition to be flood proof. Zimmer added the historic status gives them a waiver of the zoning code related to flood plain in the established part of the City. There is a flood plain calculation on storage. Lyon said he has worked with Watershed Management and the calculations have been provided.

Motion carried 4-0: Bavitz, Francis, Johnson, and Munn voting 'yes'; Gengler, Hewitt, and McKee absent.



2016 aerial

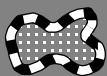


**Special Permit #: SP16058 &  
Change of Zone #: CZ16039 (Landmark)  
S 1st St & W F St**



**One Square Mile:  
Sec.26 T10N R06E**

**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

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction

