MEETING RECORD

NAME OF GROUP: HISTORIC PRESERVATION COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, September 18, 2014, 1:30 p.m., Conference Room 214, 2nd Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE Tim Francis, Jim Hewitt, Jim Johnson, Berwyn Jones, Liz Kuhlman, Jim McKee; (Greg Munn absent). Ed Zimmer, Stacey Groshong Hageman and Amy Huffman of the Planning Department; Kevin Abourezk from the Lincoln Journal Star.

STATED PURPOSE OF MEETING: Regular Historic Preservation Commission Meeting

Acting Chair Tim Francis called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

Francis then requested a motion approving the minutes for regular meeting held August 21, 2014. Motion for approval made by Johnson, seconded by Jones and carried 5-0: Francis, Hewitt, Johnson, Jones, and McKee voting ‘yes'; Kuhlman absent for vote; Munn Absent.

The opportunity was given for persons with limited time or with an item not appearing on the agenda to address the Commission.

APPLICATION BY 700 O LLC FOR A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION AND NEW CONSTRUCTION AT 700 O STREET IN THE HAYMARKET LANDMARK DISTRICT

PUBLIC HEARING: September 18, 2014

Members present: Francis, Hewitt, Johnson, Jones, Kuhlman, and McKee; Munn absent.

Ed Zimmer stated this item was heard last month. An updated report was distributed. The new report includes alternate findings and all additions are highlighted. Today is the second hearing, so according to the schedule, this would be the day to take action. The demolition and the proposal should be dealt with separately. While the Commission is not obligated to adopt what was recommended by staff, it should adopt a finding based on fact, because this makes matters more procedurally clear.

McKee asked if both the demolition and the new design should be voted on at this meeting.
Zimmer confirmed that both should be voted on at this meeting because they had hearing last month, making this the second meeting within the 30 day period. If the Commission does not vote, the item is deemed approved as submitted. If there is a denial of either application, then the waiting period procedures commence, and that will run until approximately March 18, 2015. Either one would start the clock.

**ACTION:**

McKee moved denial of the application for a certificate of appropriateness for demolition; seconded by Johnson.

Zimmer clarified that the motion was to adopt the alternate finding related to the denial of the demolition.

McKee confirmed this.

Francis asked what would occur after the March 18th, 2015 date.

Zimmer explained that when the waiting periods have expired, the Planning Director, under the ordinance, shall issue a Certificate of Allowance, which permits specifically and exactly what was requested to be carried out by the applicant. The waiting period is an opportunity to see if an alternative solution that is acceptable to both the applicant and the Commission might come forward, but barring that, exactly what was asked for is what is granted, for both the demolition and the design.

McKee rephrased his motion to be for denial of the demolition permit based on the alternate finding; Johnson seconded motion.

Zimmer clarified that if Commission members voted in the affirmative, it would be to deny the request for demolition, based on this finding.

Francis asked if more discussion was needed before calling the question.

Zimmer stated that he makes a recommendation based on his best understanding of projects as they evolve. This alternate finding tries to capture the basis upon which the Commission might make their decision, based on the discussion that occurred last meeting. If decisions are made on a reasonable basis, they will generally be supported, if challenged.

Jones expressed his strong disapproval of the destruction of contributing buildings. It is unfortunate and upsetting that the City allows the Commission only to delay this atrocity for six months.

Motion for denial carried 5-1: Hewitt, Johnson, Jones, Kuhlman, McKee voting ‘yes’; Francis voting ‘no’; Munn absent.
Zimmer asked that Commission consider the request for new construction.

Jones asked whether the motion had been made yet.

Zimmer stated that it is a separate request. Under the ordinance, the timeline could create the circumstance in which the building is demolished. This gives Commission the opportunity to say whether or not the new building is an acceptable design and allows for further input and discussion. This has no impact on the time clock. Your decision can be appealed to the City Council, but the waiting period generally prevents that from happening.

**ACTION:**

Francis asked Commission if the design should be approved because the look of it is generally favorable.

McKee stated not necessarily, but if it is not approved, the time clock starts and it could be built as is. He moved approval of the new design; Johnson seconded.

Zimmer asked if McKee’s motion included the recommended finding.

McKee clarified that his motion for approval was based on the staff report finding. Seconded by Johnson and carried 6-0: Francis, Hewitt, Johnson, Jones, Kuhlman, McKee voting 'yes; Munn absent.

**APPLICATION BY KEITH DUBAS FOR WORK AT 1901 PEPPER ST. IN THE FRANKLIN HEIGHTS LANDMARK DISTRICT**

**PUBLIC HEARING:**

Members present: Francis, Hewitt, Johnson, Jones, Kuhlman, and McKee; Munn absent.

Zimmer stated that this project fits the character of the area and a Certificate of Appropriateness is recommended.

Johnson clarified that this is to replace the old garage.

Zimmer stated the owner and architect are present.

**ACTION:**

Johnson moved approval for a Certificate of Appropriateness for work at 1901 Pepper Street; seconded by Kuhlman.

McKee stated that there is almost no material effect.

Francis noted that it is a significant enough house that it can support a three-stall garage.
Zimmer stated that he and the Planning Director discussed whether this could be no material effect, but due to the fact that the house sits on a corner and is highly visible, the decision should fall to the Commission. This is a big, double lot and the garage is tucked back a considerable distance away from the street.

Francis agreed that the garage is very discreet due to its location behind the house.

Kuhlman added that it is nice that it is pulled back.

Zimmer went on to add that Staff also considered the way the garage impacts the current house, the fact that they chose to use some existing materials from the house, and that it is so carefully designed.

Motion carried 6-0: Francis, Hewitt, Johnson, Jones, Kuhlman, McKee voting ‘yes’; Munn absent.

**APPLICATION BY NEBRASKA NEON SIGN COMPANY ON BEHALF OF HUDL FOR A CERTIFICATE OF APPROPRIATENESS FOR SIGNS AT 151 N. 8TH STREET IN THE HAYMARKET LANDMARK DISTRICT**

**PUBLIC HEARING:** September 18, 2014

Members present: Francis, Hewitt, Johnson, Jones, Kuhlman, and McKee; Munn absent.

Zimmer stated that this is an alternative proposal from Nebraska Neon Sign Company for the design of a sign to identify the presence of Hudl in the former Salvation Army building. This is simply their logo placed above the entrance to the building. It is considerably reduced from what was proposed last time and it does not project.

Ryan Haffey, Hudl, added that it will face against the wall and be open-channel neon, which is what is typically done in the area with an illuminated sign. There is already a penetration for electrical in that location so there will not be any additional made.

Zimmer stated it is acceptable to the owner.

Haffey stated they hope to return with a sign repackage for the stair tower block face with no windows. The area has been saved for a possible vertical sign and we hope the two will not conflict.

Zimmer noted that if it is a projecting sign, it will need to be fifty feet from another projecting sign. That has been discussed but not resolved.

Jones moved approval of a Certificate of Appropriateness for signs at 151 N. 8th Street; second by Johnson. Motion carried 6-0: Francis, Hewitt, Johnson, Jones, Kuhlman, McKee
voting 'yes'; Munn absent.

APPLICATION BY US PROPERTIES FOR A CERTIFICATE OF APPROPRIATENESS FOR WORK AT THE GRAND MANSE, ALSO KNOWN AS THE OLD FEDERAL BUILDING AT 129 N. 10TH STREET, A DESIGNATED LANDMARK

PUBLIC HEARING: September 18, 2014

Members present: Francis, Hewitt, Johnson, Jones, Kuhlman, and McKee; Munn absent.

Zimmer stated there is no new material for Item Six so he suggested it be deferred. Last month you saw that the proposal shifted somewhat to a permanent installation of what are essentially campus wall signs.

DISCUSSION AND RECOMMENDATION

• Review and recommendation on redevelopment proposal by Argent/Speedway for “Journey Senior Living” at Lumberworks Garage.

Members present: Francis, Hewitt, Johnson, Jones, Kuhlman, and McKee; Munn absent.

Zimmer stated this is not a hearing for action. Rather, the City is seeking guidance, advice and response to the proposal for Journey Senior Living at the corner of Canopy Street and O street. Though it is a large redevelopment project, Urban Design Committee will not be the advisor because the area is within 300 feet of the Historic Haymarket. The developers will be filing for a Special Permit to exceed the 75 foot zoned height limit in the area.

McKee asked if this has anything to do with the Capitol Environs height limits.

Zimmer replied this is outside of that district. There are Capitol View Corridors to maintain key public viewing opportunities for special views, but not all locations have the same impact.

McKee noted that the view from Harris Overpass is not particularly good. He also expressed that, in a general manner and not specific to this project, he is curious about why there is such a high rate of redevelopment when there is so much empty land nearby.

Kuhlman asked about the logistics of why Urban Design is not reviewing this, noting that on the Arena project, both groups were involved. She stated it is uncomfortable since this is new construction.

Zimmer responded that the Mayor questioned the technicalities of the ordinance concerning review of projects of this type. It states that Urban Design reviews public and private projects that have an impact on the City, unless the project is within a Historic District. The ordinance also makes clear that the City must not take two different bodies who would give conflicting advice. The scale and importance of the Arena area project was an exceptional
situation and the Legal Department accepted that both bodies could sit together on the project. For this single building within 300 feet of the Historical District, the regular language of the Ordinance will be used.

Hallie Salem, Urban Development Department, added that the Historic Preservation Commission was also consulted on the Marriott Courtyard.

Zimmer went on to say that the review by this Commission is to evaluate the general impact on the Haymarket and to question the appropriateness of the design in this location. The application for the special permit on height will go on to Planning Commission. The redevelopment agreement will go on to City Council.

Carl Groesbeck, Argent Group, stated this proposed project is to provide assisted and independent living units in the urban environment for senior housing. Downtown has many amenities and a great deal of hospitality and it is a favorable idea to introduce diversity in residential uses in the area. More market rate housing opportunities like this will help to bring retail back downtown.

This mixed use project includes seven stories on Canopy Street frontage. As development continues in the area, this building will make a nice signature piece at the point where 7th Street and Canopy come together. The proposed design is a long, narrow building that will tie in to the stair tower of the garage. It will include small-scale retail and office space. The second floor will include amenities for the assisted living units, like a dining hall, café, chapel, offices, and a library. The third through fifth floors will be primarily one bedroom and studio assisted living units. Right now, 63 units are planned on those floors.

McKee asked if the O Street frontage is three stories.

Groesbeck said yes. Instead of seeing the garage, people entering town will see the attractive building face. The scale relates well to the Haymarket to the north. One reason for the height variance is to allow for twenty foot, floor to floor, for the retail spaces.

Kuhlman asked for confirmation that another floor was added on the north side?

Groesbeck confirmed, stating that it will hide the garage enough so that it will not be seen, but air will still flow through.

Zimmer added that garages have very specific limits as to their geometry and what can be built. Que Place Garage is a similar example where there is leftover space. From the beginning, this has been planned to have liner buildings. It has taken time to get to a proposal the City is interested in.
Groesbeck stated that O street is a gateway into city, and that is one reason the building should have prominence and signature elements, such as the prominent bay that works its way around the stair tower. This is an opportunity to introduced quality residential units for a segment of the population that is not served downtown. This is important for diverse growth. The height variance is to accommodate retail while still allowing enough space for approximately 60 assisted living and 30 independent living units.

McKee asked what the purpose of the height restriction is.

Zimmer replied that there are varying height limits in the B-4 district depending on location. In the Capitol Environs District, for example, the tallest allowed height is only 57 feet, while other areas allow up to 125 feet. The Arena is tall for the Canopy street area, but it is on P - Public land, so the height limit does not apply. For the P Street view, anything over the urban enclosure of 75 foot height limit, three to four story buildings would disrupt the visual impact on the character of the Haymarket. Topography also changes the impact of height limits, so a hundred foot height looks different downhill.

Groesbeck stated the initial proposal was for a taller building. There are issues with the flood plain and the encroachment of Salt Creek, so that precludes any type of basement. The first floor is raised and the final product will be only 7 feet taller than the 75 foot height restriction. There is an eighth story room over the center with dining and community rooms, which is beneficial for marketing and also as a signature entryway corridor showpiece. The building will be contextual with the Haymarket with the facade will be broken up into almost a rowhouse feel. This is just the starting point of the project and the design will be refined. There is a condition that we have close to a hundred units.

Zimmer noted that the height issue must be resolved early so the designers know what they are working with and that is why they have been urged to apply for the Special Permit early. This isn’t necessarily the final look of the building. It is important to have this discussion to incorporate into the reports. Commission is the first, key group in that conversation.

Craig Smith, Speedway, stated that when management was consulted about logistics of layout and necessities for services, one of the items that came up was the appeal of the top, center area dining hall with a view. It provides an attractive, active space and adds visual interest for those entering Lincoln.

Zimmer notes that with something like a mechanical penthouse not located at the front of the building, the zoning limits do not apply.

Smith said that another factor that will help is the type of elevator used will not have the mechanical elements housed at the top of the building.

Kuhlman asked for clarification about the size and location of the eight floor.
Smith stated the seventh floor is raised up so the more luxury units may have 12 foot, instead of 9 foot ceilings, so that height is 7-10 feet above that 75.

Zimmer said the total height is 96 feet.

Kuhlman asked what was intended for use for external materials.

Groesbeck said the palette will be masonry and dark red brick, with a limestone cast base. The corners were intended to be metal panels, but will be very contextual. The string light motif that is in much of the haymarket will also be incorporated.

Hewitt asked how the building will be soundproofed. That will be important to the residents.

Groesbeck stated the glass and window systems will be more expensive and there will be many sound testing protocols, even between units.

Kuhlman asked what material the center, circular structure will me made of and whether any stucco would be used.

Groesbeck answered that it will have an older looking, copper or bronze character. If stucco is used, it will not be visible from the street. There could be metal panels incorporated with the brick between floors.

Jones expressed concerns about the use of downtown for those with limited mobility.

Groesbeck answered that there are unique opportunities for shuttles, services and assistance. This location is also excellent for family members to visit.

Kuhlman stated she liked this early design and is anxious to see it as it develops.

Johnson agreed.

**ACTION:**

Kuhlman make a motion to approve the special permit; Seconded by Johnson.

Zimmer stated that the action of Commission and the fact the the direction of the design is favorable will be communicated to the Planning Commission.

Motion carried 6-0: Francis, Hewitt, Johnson, Jones, Kuhlman, McKee voting 'yes'; Munn absent.
• Briefing on South Haymarket Plan

Hageman gave an overview of the South Haymarket Neighborhood Study. This plan has been taken to the public and many possibilities have been discussed. This is a 38 block area bounded by 10th Street, O Street, G Street, and 4th Street. It currently includes commercial, governmental, industrial, and some residential uses, as well as flood plain mitigation areas. Some concepts include development of mixed use areas, higher density living units, and the redevelopment and reuse of significant buildings such as the K Street Power Plant Building and historical architectural elements such as loading docks. There could also be redesign and enhancement of roadways such N street becoming three lanes with on-street parking, increased bump outs, and protected bikeways. Open and green space would also be as well as wide sidewalks, and planting areas for street trees. Planners will continue to seek input from the public and City.

• Update on Gallery Alley

Salem stated this project has gone back to the name “Gallery Alley”. She discussed infrastructure improvements, such as the rehabilitation of paving and use of permeable surfaces, and stormwater issues in low lying areas. She then gave an overview of features and enhancements that enhance the walkability of the alley. LED lights move in a north/south direction, echoing the patterns of the LES utility lines, with more and more visual activity as you head north. Lit stair panels draw the eye upward. The south end of the design is delayed due to the 700 building. There is potential for a lit mural on the Creamery Building wall.

Zimmer stated this does not fall under regular design standards for the area since it is a piece of artwork. This is a preliminary design on paper but a recommendation about the appropriateness of the work is sought to determine if it is moving in a direction consisted with aesthetic goals in the Haymarket.

Kuhlman moved that the piece of art is appropriate; Johnson seconded.

Motion carried 6-0: Francis, Hewitt, Johnson, Jones, Kuhlman, McKee voting ‘yes’; Munn absent.

Staff Report

Zimmer stated he and Hageman went to Broken Bow to represent the Koop House nomination the week prior and received a unanimous recommendation to the Parks Service for approval. The 727 S. 9th Street project was also presented to the Planning Commission and it was unanimously approved and will become effective when City Council acts on the Landmark Designation.

There being no further business, the meeting was adjourned at 3:38 p.m.