MEETING RECORD

NAME OF GROUP: HISTORIC PRESERVATION COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, November 16, 2017, 1:30 p.m., Conference Room 214, 2nd Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

MEMBERS IN ATTENDANCE: Liz Bavitz, Jim Hewitt, Jim Johnson, Greg McCown, Jim McKee and Greg Munn; (Melissa Dirr Gengler absent).

OTHERS IN ATTENDANCE: Ed Zimmer, Stacy Groshong Hageman, and Amy Huffman of the Planning Department; Diane L. Laffin, Preservation Association of Lincoln; Kelli Bacon, Nebraska State Historical Preservation Office, Lynette Hellerichs, 2110 A Street; Ryan Haffey, Nebraska Sigh Company; Todd Hesson and Jessica Lindersmith for Boiler Brewing Co. and the Grand Manse; and Matt Olberding from the Lincoln Journal Star.

STATED PURPOSE OF MEETING: Regular Historic Preservation Commission Meeting

Chair Greg Munn called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

Munn requested a motion approving the minutes for the meeting of October 19, 2017. Motion for approval made by Johnson, seconded by Bavitz and carried, 6-0: Bavitz, Hewitt, Johnson, McKee, McCown and Munn voting ‘yes’; Gengler absent.

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

Zimmer announced that Kelli Bacon, Nebraska State Historic Preservation Office, is present to observe the public meeting.

APPLICATIONS FROM LYNETTE HELLERICH REGARDING 2110 A STREET FOR A) DESIGNATION AS A LINCOLN LANDMARK AND B) SPECIAL PERMIT FOR HISTORIC PRESERVATION TO OPERATE AN OWNER-OCCUPIED BED AND BREAKFAST INN.

PUBLIC HEARING: NOVEMBER 16, 2017

Members present: Bavitz, Hewitt, Johnson, McKee, McCown, and Munn; Gengler absent.
Zimmer said the supplemental memo includes four written responses and phone calls received in support and opposition. He has provided recommendations on both applications. He believes the landmark standard is met for the Sidles House in the area of architecture as a leading example by Ferdinand Fiske, and also in the area of association with a significant person in local history. H. E. Sidles began as a bicycle salesman. He was an entrepreneurial early implementer of new technologies and began selling automobiles in the first decade. He promoted phonographs and purchased a radio station. Sidles helped to build prominent downtown buildings, along with Stuart, but this house stands out as the strongest representation of Sidles.

In the public responses, there is no dissent about the Landmark designation, but there is some concern about a bed and breakfast. There are conditions included in the recommendation that are crucial for approval. This body needs to see more design work; it is still early in the design phase for the applicant. The concept of an iron fence is consistent with the two neighboring properties. There are fair questions about the signs including a concept sign on the awning. The proposal is for an owner-occupied business. One person suggested that should be a condition for approval. Having checked with his superiors and law department, it is not common to address who lives in a building, but only to address uses; however, a usual and customary bed and breakfast is owner-occupied. Knowing that the building is occupied seven days a week gives considerable benefit to the neighborhood.

The Near South board met on Monday and he and the applicant attended. The position was to recommend the landmark and to address special permit conditions at the Planning Commission level. As a final point, the ordinary schedule says that Landmark designations have two hearings. HPC often chooses to waive that if there is enough information to make a recommendation to Planning Commission. That is usually done via a separate vote.

Munn suggested each portion of the application be dealt with separately and that they begin with the Landmark designation.

Lynette Hellerich confirmed that she plans to live in the home.

**ACTION:**

Johnson moved to recommend approval for the designation of 2110 A Street as a Lincoln Landmark, seconded by McCown and carried 6-0: Bavitz, Hewitt, Johnson, McCown, McKee and Munn voting ‘yes’; Gengler absent.

Munn said that on the special permit, there are clearly items that HPC needs to see before recommending approval.
Zimmer said he explicitly mentioned some items that need to be seen. If HPC chose to recommend approval at this early stage, it would go on to Planning Commission who would be requested to set a condition in their approval that the design details would have to come back for HPC approval.

Munn asked if a motion was needed to vote today. Zimmer suggested that those in attendance who wish to speak about the project be allowed that time first. Then a decision can be made as to whether or not there is enough information to vote today.

Hellerich said she read the opposition. One of the biggest areas of concern is parking. The house is in a perfect situation for a bed and breakfast because the parking has already been established prior to her ownership. There are four additional spaces built in the back yard and a four stall garage. She does not believe they will ever be at the capacity where they would need to use street parking. The goal is to create an elegant atmosphere and to keep things as private as possible. There will not be large parties.

McCown asked the time frame for the project. Hellerich said she has drawn out a basic plan. The roof has been replaced with materials as close to the original color as possible. The sidewalk stairs have been removed since they could not be repaired. The driveway has been replaced and slightly widened. If weather permits, painting will begin this week and the color will be returned to the original white. It is hoped the project will be ready enough by spring of 2018 to have a grand opening. A drawing of the wrought iron fence and landscaping has also been provided. A fire escape design is still in progress. The fence will match the fence of the neighbors. No significant structural changes will be made to the exterior.

McCown said it looks like there used to be a covering over the top of the front steps. Hellerich said the original had a hollow dormer and the roof came over. That was changed because it did not protect from the elements. The plan now includes a hunter green awning that displays the bed and breakfast name. McCown asked the color of the fencing. Hellerich said the wrought iron will be black and the solid fence will be hunter green. Bavitz commented that the fence next door is beautiful. Hellerich said their fence will match but will have a more decorative top. It is being made by American Fence. McCown asked if the awning will follow the pitch of the roof or come straight out. Hellerich said it will follow the roof line and extends out 24 x 2.5 wide out from the inside to the outside. It will cover the whole thing but will not be intrusive. Their name will be at the bottom.

Bavitz asked about the timing and any interior conversion that might take place. Hellerich explained there is not much to convert on the interior, but restoration and repairs are needed to the exterior. The home was vacant for around 20 years. Bavitz said she asked because the project is depending on the legal processes and she wondered what will happen if the project were not approved. Hellerich said they would still own the home. McKee asked if they will be
moving in, regardless. Hellerich said yes.

Munn said there is a note in the report about the ground sign being 8 feet. Hellerich said that is currently under design and the size is negotiable. It is the exact size as the Roger’s Bed and Breakfast sign and would be in the southwest corner behind the wrought iron gate. The sign will be white, green and black. Johnson asked if the proposed location is on the A Street side. Hellerich said it is facing the corner. Zimmer said that because the lay of the land, the sign at the proposed location places it above the sidewalk which may make it appear too tall. If it were close to the house, which is very large, it doesn’t have the same overwhelming presence as it would near the sidewalk. Hellerich pointed out that home is now more visible because they have removed the overgrowth near the house and will begin landscaping. Ryan Haffey of Nebraska Sign Company wondered if they are restricted to a 6’ yard sign. Zimmer said the sign itself is a variation from R-2 regulations so it is only granted by way of the special permit. Hellerich stated she has no problem changing the size or location of the sign.

Zimmer said this preliminary plan could be approved today, but he generally recommends waiting until more details are available. The awning does represent a change to the exterior. Bavitz asked if further review would be triggered by the owner’s application for a building permit. Zimmer said HPC could authorize to add that as a condition of approval and Planning Commission would typically agree to approve that.

Hellerich said measurements have been taken for the fence and they expect a quote of the expense this week. Munn asked if the height of the fence is 6 feet. Hellerich that is the height of the solid fence. The iron fence will be shorter, similar to the neighbor. Zimmer said a backyard fence could be up to 78 inches. McCown asked for information about who initiated the fence over both of the neighbor’s properties. Zimmer said he would guess it was the early owners of the Cherry house on the southeast corner. There are only three houses on this block face.

McCown asked how many units are planned and if they will all be suites. Hellerich said there are five bedrooms that each have their own bathroom and sitting room. The 3rd floor is fully finished with a bathroom. She will live in the basement which is 2,500 square feet with a fully functioning 2nd kitchen and bathroom. The renovations to the main kitchen on the 1st floor are being finished as they were left incomplete by a previous owner.

Julie Brinkman said the home was owned by Ed and Mary Jo Healey who raised 10 children there. She was best friends with one of the daughters. She is thrilled to see this will remain a single family home. There is a lot of love in the house and she has hoped for a long time that a project like this would come along.

Hellerich said some of her employees are present at today’s meeting. She will be able to get more detailed designs to Commissioners by next week, including the design of the fire escape.
Munn asked where the fire escape will be located. Hellerich said there is a corner where two windows adjoin and it is the most accessible location upstairs. The stairs will be made out of a nice wrought iron so it will look appropriate with the house.

Zimmer said if Commission chose to act today, the items could be ready for review by next month’s meeting and that may well occur before this item goes to Planning Commission so the recommendation would be carried forward.

Bavitz said she was reading through the opposition to understand what neighbors are opposed to other than the fact there is another bed and breakfast on the block. Zimmer said the points he has heard during phone calls from neighbors is a preference that the home be solely a single-family use. Their experience with the Rodgers House, where they had to tolerate large events, was also mentioned. This application does not ask for anything other than the 5 suites and the owner unit. If they were renting it only as an event space, staff would conclude that use is beyond the bed and breakfast special permit. There is a grey area where the house might be filled for a weekend and guest request to have a party. A wise operator would not allow that, or any rental for assembly purposes. The house has been so quiet for many years, and the new activity causes concern.

McCown asked if it is possible to restrict the use so that no large events could be held. He wondered if the special permit for the use would go away. Zimmer said the City position has typically been that special permits are not granted to specific people or owners, but are for uses of a property. If a new owner were willing to accept all of the same conditions, they could still operate. The permit runs with the property. Conditions can be written as specifically as law will allow as long as they do not precipitate failure or are implausible to uphold. Enforcement of many of these neighborly matters is by complaint, and a prudent operator avoids complaints, but it is also important to give Building and Safety and the Law department enough so that it is clear what has or has not been granted. Enforcement of a special permit can include a “show cause” hearing before City Council where it could be determined that the permit be revoked.

Munn asked if the Rodger’s House has a special permit. He wondered if assemblies are permitted. Zimmer said that was the first bed and breakfast granted. They expanded and bought the house next door, for five more suites, so that was an endorsement of good operating practices, since they had support for the expansion. They have since reduced in size and sold the 2nd house. There are some landmark special permits in the County for places of assembly, but they differ because they have the necessary acres to hold large assemblies.

McKee asked if this item will return in the following month if there is no motion made today. Zimmer said that is correct.

Commissioners agreed they would like to see the details of the design at the December
meeting and no motion was made.

Zimmer asked if the applicant would like to hold the landmark designation back from Planning Commission so the two items would move through at the same time. Hellerich said that is her preference.

**APPLICATIONS FROM NEBRASKA SIGN COMPANY FOR A CERTIFICATE OF APPROPRIATENESS AT 800 Q STREET IN THE HAYMARKET LANDMARK DISTRICT.**

**PUBLIC HEARING:** NOVEMBER 16, 2017

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

Ryan Haffey, Nebraska Sign Company, said this application is for a superficial change to an existing sign. It will keep the same existing structure and a new face will be made for the top and bottom on both sides, with the same lighting elements. It is not a dramatic change from what is there now.

McKee asked why this is not considered no material effect. Zimmer said Nebraska Sign Company wanted to be thorough.

**ACTION:**

Bavitz moved to recommend approval; seconded by McGee and carried 6-0: Bavitz, Hewitt, Johnson, McCown, McKee and Munn voting ‘yes’; Gengler absent.

**APPLICATIONS FROM US PROPERTIES FOR A CERTIFICATE OF APPROPRIATENESS FOR WORK AT 129 N. 10TH STREET, GRAND MANSE (A DESIGNATED LANDMARK, OLD FEDERAL BUILDING).**

**PUBLIC HEARING:** NOVEMBER 16, 2017

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

Zimmer said this could also be a question of no material effect. It is a shift from what was approved previously.

Todd Hesson, Encompass Architects, appeared on behalf of US Properties. They are proposing an expansion of the lower level at the southeast corner of the Grand Manse. The expansion is for Boiler Brewing Company and would be accessed off of an existing window well. McKee asked if it will require excavation. Hesson said yes.

Hesson went on to say that the area is currently landscaped with some parking and the drive off
of 10th Street. The expansion would come off the corner of the building to the lower masonry wall that is the south border of the stairs up, along the east side of the building. There is a precedent on the site with the piers and fencing. Those elements will be replicated. People at sidewalk level will be able to look down to see the design below. Since it could give the impression of being a concrete box, the space was opened up with wood elements and vegetation. It softens the environment. The area is intended to be an expansion of the brewery and provides an opportunity for more seating.

Johnson asked if the door shown in the plan is at the location of the existing window well. Hesson said yes, there are two existing window wells.

Munn asked if it is necessary to provide a second way out of the space. Hesson said the area holds under 50, so one exit is fine.

McKee wondered about the drainage. Hesson said it will be necessary to have some form of drain. McKee asked if there would be an awning or signage. Hesson said no.

Munn wondered about the condition of the foundation wall. Hesson said they do not know its condition. The grade is roughly halfway down and a good portion is visible. Zimmer said that where it is visible, it is granite. Lindersmith said she recalls the when south was excavated, they uncovered hefty foundation walls. Zimmer said the building was constructed in 1905 at the east end and the west end has the drive to the basement parking that was constructed in 1939.

McKee asked if the design goes all the way to the sidewalk or if there is potential for some greenery. Hesson said they will go to the property line. There is some precedent with piers around the building. McKee commented that the air conditioner or other electrical will have to be moved.

Bavitz noted the granite in one of the site designs. Zimmer responded that it is limestone above and granite at the base. McKee said he wouldn’t be surprised if the granite went farther down, considering the year of construction.

Bavitz asked what was in between the piers. Hesson said the stair goes down to grade. The grade goes up on the south, so they need to build a concrete curb between the piers to 18 inches. Bavitz asked if the railings will go on top of that. Hesson said yes. They would like to keep the concrete as low as possible. Bavitz asked if a colored concrete will be used. Hesson said regular concrete will be used, as it was for the entryway down to the brewery.

Munn asked if there is a timeline after approval. Lindersmith said they have not yet discussed the timeline.
Zimmer asked if the outdoor dining area that was approved for the area south of the Grey Whale restaurant is still a plan. Lindersmith said no. Zimmer suggested that Commission consider that the previously approved plan would not be built unless it came in for approval again since this is different from relationship from what was previously approved; it is important to be clear that this is not just additive. Bavitz asked the location of the approved outdoor dining area. Zimmer said it would have come out directly to the south, into the area where parking stalls are located.

Bavitz said it is a nice addition to that part of the building and the brewery. It is interesting and will be another special space in Lincoln.

**ACTION:**

McKee moved to recommend approval, noting that signage and coverage are not included in the approval; seconded by Johnson. Bavitz made a friendly amendment to include that any outdoor dining would need to appear before the Commission again. McKee agreed that should be stipulated in the motion and Johnson seconded. Motion carried, 6-0: Bavitz, Hewitt, Johnson, McCown, McKee and Munn voting ‘yes’; Gengler absent.

**DISCUSS AND ADVISE:**

Zimmer said Stacey Hageman has taken the lead in working on web content which, until now, has been dry and incomplete. All of the designated sites and districts are listed but have not been populated. There are so many locations that it is difficult to discern individual sites on the current GIS map unless it is zoomed in very close.

Hageman said there are two components being included in the web update. The mapping/GIS component will be improved, and each historic site or district will have its own page. Some sites are completely done and include a description and at least two photos each. There will be links to all the landmarks applications, guidelines, and national register nominations. There is an alphabetical list that links to each site. McKee asked if there will be interior photos. Hageman said right now the focus is on the exteriors, but more can be added later.

McCown asked if the street address would be added. Hageman said that could be added.

Hageman said that with the GIS component, most of the landmarks are done. Depending on how for the view is zoomed in, the list will narrow. Each site on the map can be selected and will lead to a photo and description, and will also have the option to go to more information. Zimmer said the content is being written and intern, Ben Callahan, has photographed many of the sites.
Bavitz asked if there is any system to the numbering. Hageman said they are alphabetical. McKee agreed adding street addresses would be helpful. Munn said the map is helpful to find specific properties. Zimmer said the list is online, but not the story map. Only the early version is available.

McCown asked if the information will link from the Assessor’s website. Johnson noted that could be difficult because someone on one end or the other would have to maintain the site. Zimmer said the underlying GIS is cooperative throughout the City and County. Bavitz said that would be helpful since so many people go to the Assessor site. McCown said it would be a good opportunity to give more exposure to the general public about the role of historic preservation. Johnson asked who will keep the site current. Hageman said this design will make updates more current because information will be pulled from the GIS database.

Munn wondered if there will eventually be more photographs. Hageman said staff is trying to figure out how to make things work since every website is unique. Zimmer said that on some, there are early elevation drawings. It would be nice to have historic images and architectural materials included. Bavitz asked if there will be any kind of unveiling to let people know this is available. Zimmer said when they are further along, it will be shared.

Zimmer said there was previous discussion by HPC about the little church at 13th and F Streets. Originally, there was concern that they were not going to keep the small, 1873 church building located to north of the main church. As they have settled in more, they are exploring what uses they might make of it and are planning to keep it. They may ask for a landmark designation. Staff has provided them with background so they know what they have and to encourage them to keep it.

In 1888, the frame building was moved to the alley. It was a parochial school, and by 1903, was labeled the Swedish Evangelical Mission. When the Woods church was built in 1925, the small church lost its vestibule. A nice article was written about the history of the church in 1948. The current pastor is living in this neighborhood and is deeply invested. The church represents the scale of growth that occurred in the downtown churches.

There being no further business, the meeting was adjourned at 2:52 p.m.