
Lincoln City-Lancaster County

PLANNING COMMISSION

AGENDA

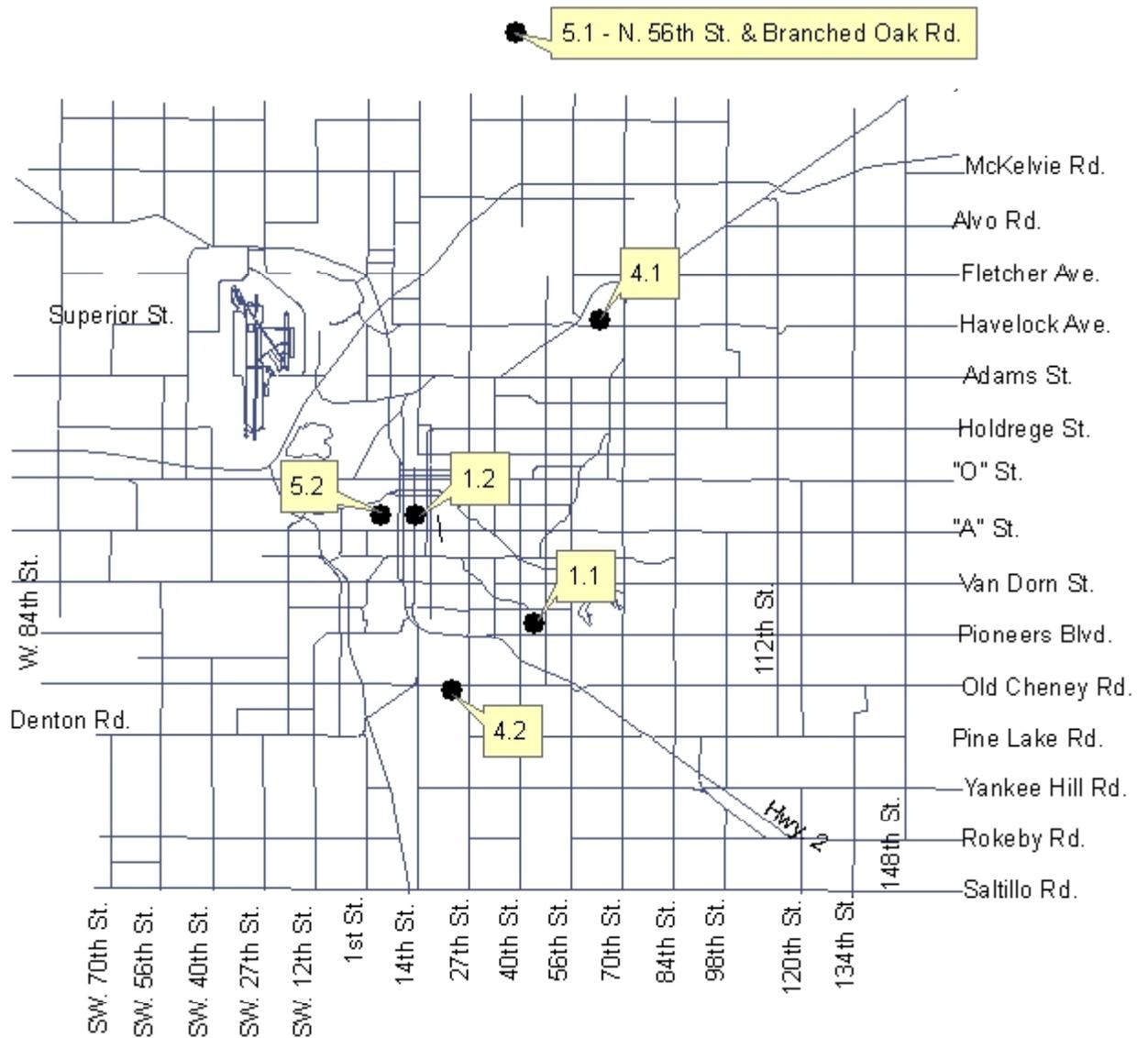
PLANNING COMMISSION

Jon Carlson: Chair
Gene Carroll: Vice-Chair
Michael Cornelius
Dick Esseks
Gerry Krieser
Roger Larson
Mary Strand
Lynn Sunderman
Tommy Taylor

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Marvin S. Krout: Director
Ray Hill: Development Review Manager
Jean Walker: Administrative Officer
Teresa McKinstry: Office Specialist

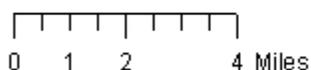
August 1, 2007



PLANNING COMMISSION

Agenda Item Map

Date: August 1, 2007



NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, August 1, 2007, at 1:00 p.m. in the City-Council Hearing Room, County-City Building, 555 S. 10th St., Lincoln, Nebraska, on the following items. For more information, call the Planning Department, 441-7491.

**** PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of "FINAL ACTION". Any aggrieved person may appeal Final Action of the Planning Commission to the City Council by filing a Notice of Appeal with the City Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

AGENDA

WEDNESDAY, AUGUST 1, 2007

Approval of minutes of the regular meeting held July 18, 2007.

**1. CONSENT AGENDA
(Public Hearing and Action):**

CHANGE OF ZONE:

- Page 01
- 1.1 Change of Zone No. 07038, from R-4 Residential District to O-2 Suburban Office District, on property generally located at S. 47th Street and Lowell Avenue.
Staff recommendation: Approval
Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov

PERMITS:

- Page 09
- 1.2 Special Permit No. 07028, for a Non-Profit Religious Educational and Philanthropic Institution, on property generally located at the northeast corner of S. 11th Street and E Street. ***** FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: Christy Eichorn, 441-7603, ceichorn@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL

MISCELLANEOUS:

Page
21

2.1 Miscellaneous No. 06007 and Miscellaneous No. 07006, proposed text amendments to the City of Lincoln Design Standards, by amending Chapter 2.35, Design Standards for Street Trees, regarding the location of street trees, repealing Section 2 (Approved Trees for Streets), and repealing Section 3 (Trees That Will Not Be Permitted as Street Trees); and by amending Chapter 3.50, Design Standards for Screening and Landscaping, by amending Section 3, General Requirements, to require the plan to show the total square feet of the parking lot or addition, including driving aisles, the square feet of the building addition, the zoning of the lot, and that the existing parking areas or buildings be shown and labeled as existing; by amending Section 4, Plant Material for Screening and Landscaping, to require a one-half but not more than three-fourths of the screen be coniferous or a variety of plant material will retain its leaves through the winter months; by amending Section 7, How Much is to Be Screened and Where the Screens are to be Located on the Property, by amending Section 7.1, Parking Lots, Parking Areas, and Driving Aisles, to clarify the amount of the screen when the parking lot, parking areas and driving aisles are set back from the edge of the pavement on private streets or when the parking lot, parking areas and driving aisles are less than five feet from an alley right-of-way, by adding specific screening requirements for parking lots, parking areas, or driving aisles in the B-1, B-3, H-1, H-2, and H-3 zoning districts; by amending Section 7.4 to modify the measurement of the screen for residential lots backing onto major streets and railroads; by amending Section 7.5 to add additional requirements for screening of different uses in the B-1, B-2, B-3, H-2, H-3, H-4, O-2, I-1, I-2 and I-3 districts abutting residential districts; by amending Section 7.6 to add additional requirements for screening required yards, open space areas, malls and around proposed buildings in the O-3, B-2, B-5, I-2 and I-3 districts and churches in the R-1 through R-4 districts; and by amending Section 8, Procedures, to require plans and documents required to be filed with the building official to show screening and landscaping; and repealing Chapter 3.95, Design Standards for Street Trees, in its entirety.

Staff recommendation: Deferral until August 15, 2007, to accompany all associated amendments to Title 27

Staff Planner: Tom Cajka, 441-5662, tcajka@lincoln.ne.gov

**3. ITEMS REMOVED FROM CONSENT AGENDA:
(Public Hearing and Action):**

3.1 _____

3.2 _____

4. PUBLIC HEARING AND ACTION:

CHANGE OF ZONE:

Page 23 4.1 Change of Zone No. 07040, to designate the Havelock Avenue Landmark District, generally described as the properties from 6024 Havelock Avenue to 6242 Havelock Avenue, and from 6033 Havelock Avenue to 6245 Havelock Avenue.
Staff recommendation: Approval
Staff Planner: Ed Zimmer, 441-6360, ezimmer@lincoln.ne.gov

PERMITS:

Page 77 4.2 Special Permit No. 07026, for a domiciliary care facility, on property generally located at S. 25th Street and Old Cheney Road (5720 S. 25th Street). ***** FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: Christy Eichorn, 441-7603, ceichorn@lincoln.ne.gov

5. CONTINUED PUBLIC HEARING AND ACTION:

PERMITS:

Page 93 5.1 County Special Permit No. 07009, Kadavy Estates Community Unit Plan, for approximately 6 single family acreage lots, with requests to waive the preliminary plat process, block length, lot frontage, sidewalks, street trees, street lighting, landscape screening, and cul-de-sac length, on property generally located at N. 56th Street and Branched Oak Road.
Staff recommendation: Conditional Approval
Staff Planner: Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov

Page 125 5.2 Special Permit No. 07022, for expansion of a nonstandard dwelling, on property generally located at S. 4th Street and C Street (404 C Street).
***** FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: Christy Eichorn, 441-7603, ceichorn@lincoln.ne.gov

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**AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM
NOT ON THE AGENDA, MAY DO SO**

* * * * *

PENDING LIST:

1. *Change of Zone No. 3321, requested by Michael T. Johnson, on behalf of West Gate, inc., from R-7 Residential District to B-4 Lincoln Center Business District, on property generally located at 1729 "M" Street.
(6-13-01: Planning Commission voted 6-0 to place on pending at the request of the applicant.)*
2. *Street and Alley Vacation No. 04013, to vacate all of the east-west alley in Block 65, Original Lincoln, bounded by 13th, 14th, "M" and "N" Streets, generally located at S. 13th Street & "M" Street.
(3-16-05: Planning Commission voted 9-0 to place on pending until completion of the Downtown Master Plan at the request of the applicant.)*
3. *Change of Zone No. 06082, from AGR Agricultural Residential District to R-3 Residential District, on property generally located at SW 40th Street and West A Street.
(7-18-07: Planning Commission voted 8-0 to continue public hearing on August 15, 2007 at the request of the applicant.)*
- 3b. *Preliminary Plat No. 06011, Woodland View 1st Addition, for 25 single family lots and 4 outlots, on property generally located at SW 40th Street and West A Street. The Planning Commission action on the plat is final, unless appealed to the City Council. The following waivers are also being requested: a) to allow sanitary sewer to run against the street grade and b) to allow sanitary sewer to be deeper than 15 feet. Any waiver requests that are recommended for denial by the Planning Department will be forwarded to the City Council for public hearing. If all waiver requests are recommended for approval, the Planning Commission action is final, unless appealed to the City Council. *** **FINAL ACTION** ***
(7-18-07: Planning Commission voted 8-0 to continue public hearing on August 15, 2007 at the request of the applicant.)*

4. *Comprehensive Plan Conformance No. 07014, to review the proposed declaration as surplus property, a portion of Seacrest Park for transfer to Lincoln Public Schools, generally located at S. 70th Street and A Street, as to conformance with the 2030 Lincoln-Lancaster County Comprehensive Plan.
(7-18-07: Planning Commission voted 8-0 to continue public hearing on August 15, 2007 at the request of the applicant.)*

Planning Dept. staff contacts:

Ray Hill, Development Review Manager	441-6371	. rhill@lincoln.ne.gov
Steve Henrichsen, Special Projects Manager	441-6374	. shenrichsen@lincoln.ne.gov
Mike Brienzo, Transportation Planner	441-6369	. mbrienzo@lincoln.ne.gov
Tom Cajka, Planner	441-5662	. tcajka@lincoln.ne.gov
David Cary, Transportation Planner	441-6364	. dcary@lincoln.ne.gov
Mike DeKalb, Planner	441-6370	. mdekalb@lincoln.ne.gov
Christy Eichorn, Planner	441-7603	. ceichorn@lincoln.ne.gov
Brandon Garrett, Planner	441-6373	. bgarrett@lincoln.ne.gov
Sara Hartzell, Planner	441-6372	. shartzell@lincoln.ne.gov
Brian Will, Planner	441-6362	. bwill@lincoln.ne.gov
Ed Zimmer, Historic Preservation Planner . . .	441-6360	. ezimmer@lincoln.ne.gov

* * * * *

**The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Sundays at 1:00 p.m. on 5 City-TV, Cable Channel 5.**

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**The Planning Commission agenda may be accessed on the Internet at
<http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm>**

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT
for the August 1, 2007 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 07038

PROPOSAL: From R-4 Residential to O-2 Suburban Office

LOCATION: Southeast of the intersection of South 47th Street and Lowell Avenue

LAND AREA: Approximately 14,200 square feet

EXISTING ZONING: R-4 Residential

CONCLUSION: This request is consistent with the goals of the comprehensive and will result in an appropriate use of land at this location.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 5 and 6, Block 39, College View, Lancaster County, Nebraska.

EXISTING LAND USE: Residential

SURROUNDING LAND USE AND ZONING:

North:	Residential	B-3
South:	Residential	R-4
East:	Commercial	B-3
West:	Residential	R-4

HISTORY: The zoning was changed from B Two-family Dwelling to R-4 Residential with the 1979 Zoning Update.

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg 9 - The Urban Environment: Overall Form - Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.

Pg 17 - The Future Land Use map designates Urban Density Residential land uses for this site.

Pg 29 - The Economy - Guiding Principles - 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.

Pg 37 - 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)

Encourage renovation and reuse of existing commercial centers. Infill commercial development should be compatible with the character of the area and pedestrian oriented. As additional centers are built, the City and developers should be proactive in redevelopment of existing centers to make sure that redevelopment is sensitive to the surrounding neighborhood and happens quickly to reduce vacancies.

Pg 48 - Strategies for Existing Commercial Centers

Maintain and encourage retail establishments and businesses that are convenient to and serve neighborhood residents, yet are compatible with but not intrusive upon residential neighborhoods.

Encourage mixed-use commercial centers, including residential uses on upper floors and at the rear of commercial buildings.

Pg 68 - Guiding Principles for Existing Neighborhoods - Encourage a mix of compatible land uses in neighborhoods, but similar uses on the same block face. Similar housing types face each other: single family faces single family, change to different use at rear of lot. Commercial parking lots should not intrude into residential areas where residential uses predominate a block face. More intense commercial uses (gas stations, big box stores, car wash, fast food, etc.) may not be compatible due to impact on nearby housing. Expansion in existing centers should not encroach, or expand to encroach, on existing neighborhoods, and commercial areas must be screened from residential areas.

ANALYSIS:

1. This is a request to change the zoning from R-4 to O-2 for two platted lots, each 50' x 142' in area for a total of 14,200 square feet.
2. The subject lots are adjacent to commercial uses on the east zoned B-3, across the street from residential uses to the north also zoned B-3, and across the street and alley respectively from residential uses to the west and south which are zoned R-4.
3. The Comprehensive Plan's Guiding Principles encourage similar uses to face one another, to have similar uses on a single block face, and for land uses to change at the rear of the lots. Office and commercial development should also be compatible with residential uses. If approved, the entire block face fronting onto Lowell Avenue will be zoned either O-2 or B-3 and will face an entire block face zoned B-3 to the north, and land uses will change at the rear of lots.

4. The O-2 zoning district is intended for properties located adjacent to and within 150' of a B-1, B-3, B-4, H-2, H-3, or I-1 district. O-2 is meant as a transitional district to be located between commercial and residential zoning districts. The range of uses allowed in the O-2 district is more consistent with that of the B-3 than the R-4.
5. The Design Standards require O-2 zoning to provide a screen equal to 60% of the area from the ground to 10' located adjacent to residential zoning. The rear yard setback in the O-2 district is 40'.
6. If approved, the homes on the two lots will become nonconforming. LMC §27.61.040 includes the nonconforming use regulations. In general, a nonconforming use may be continued, but not expanded or enlarged. If the use is damaged beyond 60% of its value, or if the use is discontinued for two years or more, any rebuilding or new use must conform to the zoning regulations. The Building and Safety Department notes that converting residential structures to accommodate commercial uses requires a building permit, and that conversion can be costly.

Prepared by:

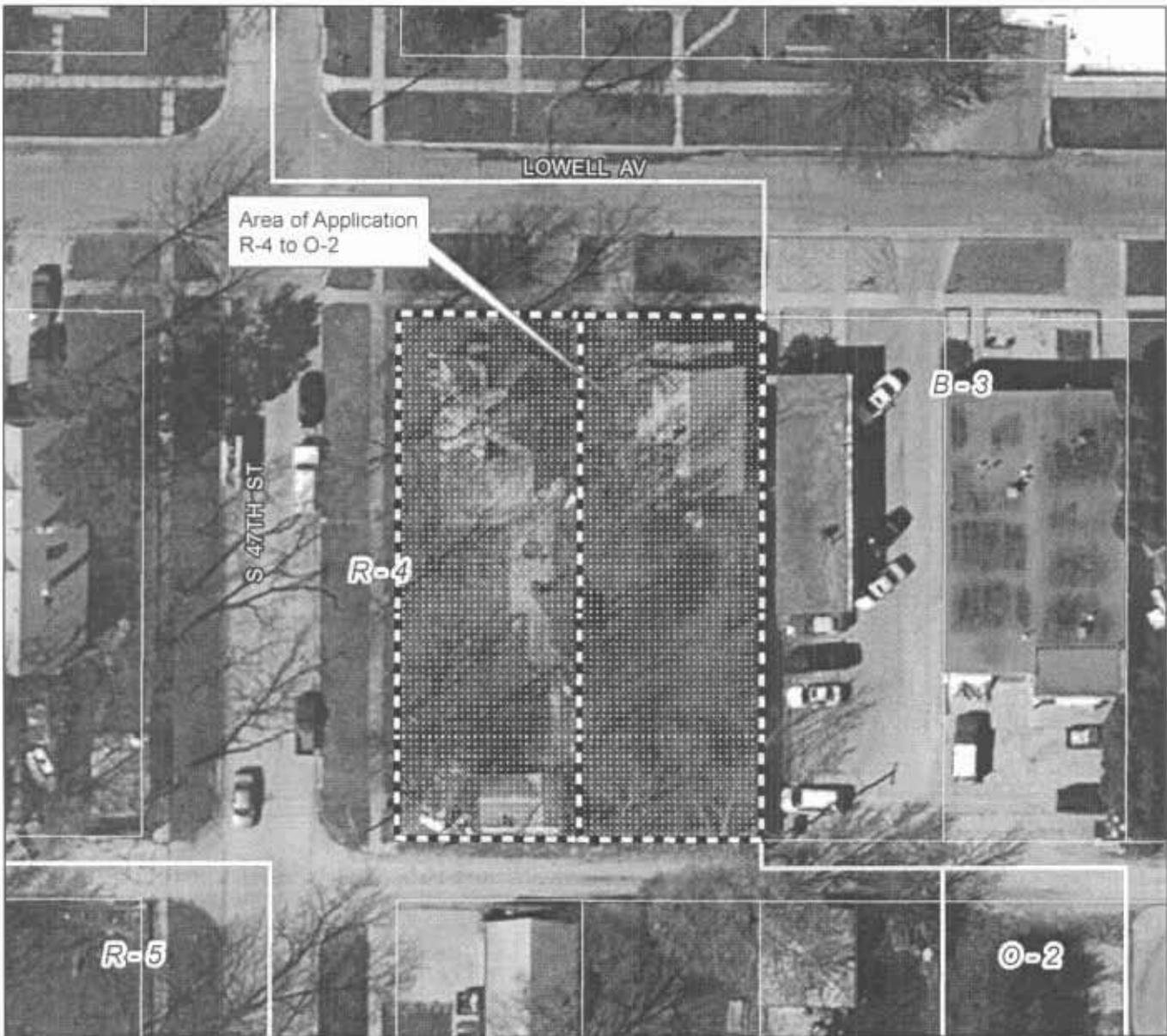
Brian Will, 441-6362, bwill@lincoln.ne.gov
Planner
July 18, 2007

**APPLICANT/
CONTACT:**

Ron Biloff
5400 Concord Road
Lincoln, NE 68516
402.423.0523

OWNER:

Harriett Biloff
5400 Concord Road
Lincoln, NE 68516
402.423.0523



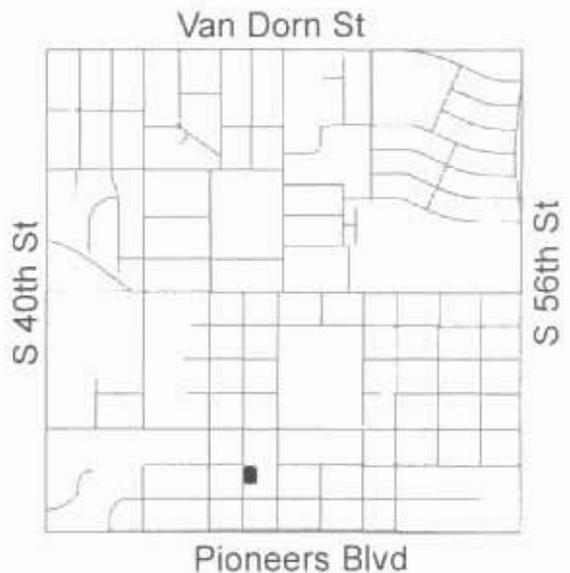
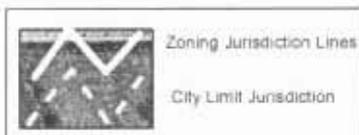
2005 aerial

Change of Zone #07038 S 47th St & Lowell Ave

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
Sec. 05 T09N R07E



4612
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4628
4634
12
4642
50

4018
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4704
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4712
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142
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4615
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4645
142
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4705
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142
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142
8
4811
50

LOWELL AVE.

38
4620
4640
4646
142
50

39
4706
4714
4716
4830
4135
142
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4130
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9
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4144
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47TH

48TH

R-5
4615
4631
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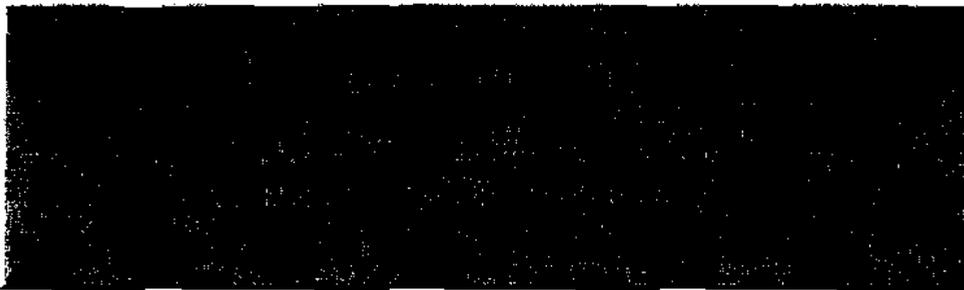
MEREDETH ST.

4634
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REM. PORT.
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43



Status of Review: FYI

07/03/2007 8:21:29 AM

Reviewed By Building & Safety

Terry Kathe

Comments: The 2 current residential uses will become non-conforming uses and converting residential to commercial will need a building permit and can be costly and complicated.

Status of Review: Approved

07/11/2007 3:22:09 PM

Reviewed By Health Department

ANY

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

TO: Brian Will DATE: July 11, 2007

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: B-4 to O-2 S. 47th ST

EH Administration & Lowell Ave.

CZ #07038

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the change of zone application with the following noted:

The LLCHD advises that noise pollution can be an issue when locating commercial uses adjacent to residential zoning.

Lincoln Municipal Code (LMC) 8.24 Noise Control Ordinance does address noise pollution by regulating source sound levels based upon the receiving land-use category or zoning. However, the LLCHD does have case history involving residential uses and abutting commercial uses in which the commercial source does comply with LMC 8.24, but the residential receptors still perceive the noise pollution as a nuisance. The LLCHD strongly advises the applicant to become with familiar with LMC 8.24. The LLCHD advises against locating loading docks, trash compactors, etc. adjacent to residential zoning. Therefore, creative site design should be utilized to locate potential sources of noise pollution as far as possible from residential zoning.

Status of Review: Complete

07/11/2007 8:15:08 AM

Reviewed By Lincoln Police Department

NCSBJW

Comments: Mr. Will,

Can you provide additional information regarding the project described as B-4 to O-2 S. 47th Street and Lowell Ave? I do not know what intent of the applicant is in this case. If you could advise, I would appreciate it.

Thanks.

Don

Sergeant Don Scheinost, #798
Lincoln Police Department
Management Services
402.441.7215

Status of Review: Complete

07/13/2007 12:37:45 PM

Reviewed By Lincoln Police Department

NCSBJW

Comments: Mr. Will,

The Lincoln Police Department does not object to the B-4 to O-2 S. 47th Street and Lowell Avenue application.

Sergeant Don Scheinost, #798
Lincoln Police Department
Management Services
402.441.7215

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

Reviewed By Planning Department

RAY HILL

Comments:

Status of Review: Complete

07/10/2007 10:35:08 AM

Reviewed By Public Works - Development Services

SIETDQ

Comments: Memorandum□□

To:□Brian Will, Planning Department

From:□Dennis Bartels, Engineering Services

Subject:□Change of Zone #07038 - B4 to O2 at 47th and Lowell

Date:□July 10, 2007

cc:□Randy Hoskins

□

The proposed change of zone from B4 to O2 at the southeast corner of 47th and Lowell is satisfactory to Engineering Services.

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for AUGUST 1, 2007 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 07028

PROPOSAL: Approve a nonprofit educational and philanthropic institution.

LOCATION: N.E. corner of S. 11th Street & E Street

LAND AREA: 5,496 sq feet

EXISTING ZONING: R-7 Residential District

CONCLUSION: This application meets the requirements of the Zoning Ordinance and Comprehensive Plan.

RECOMMENDATION:	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: S100' of Lot 7, S100' & W5' of LOT 8, BLOCK 178, LINCOLN ORIGINAL, LINCOLN, LANCASTER COUNTY

EXISTING LAND USE: Multiple family R-7 Residential

SURROUNDING LAND USE AND ZONING: R-7 Residential

HISTORY:

May 1979 The zoning for this area changed from E Multiple Dwelling to R-7 Residential as part of the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS:

The Lincoln Area Future Land Use Map shows this area as Urban Residential (19)

Urban Residential: Multi-family and single-family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. (16)

Guiding Principles for Existing Neighborhoods

Promote the preservation, maintenance and renovation of existing housing and neighborhoods throughout the city, with special emphasis on low and moderate income neighborhoods. Maintain and enhance infrastructure and services in existing neighborhoods. While acknowledging the need for affordable housing, recognize that broad economic diversity within existing neighborhoods encourages reinvestment and improves quality of life for all residents.(67)

Encourage pedestrian orientation with parking at rear of residential and neighborhood commercial uses.(68)

Encourage historic preservation and the rehabilitation and maintenance of buildings. (68)

UTILITIES: Existing

TRAFFIC ANALYSIS: S. 11th Street and E Street are local streets

ALTERNATIVE USES: Single or Multi-Family Residential

ANALYSIS:

1. This is a request for a permit to allow Nebraska Family Council, a non-profit educational and philanthropic institution, to use an existing single family house on property zoned R-7 to mobilize, educate and equip Nebraskans to be engaged in the transformation of their communities.
2. The property will be used as offices for the non-profit on the second floor and public use on the 1st floor.
3. The house will not change with this particular use. The non-profit intends to use its resources in the future to update and renovate the structure on this property. If the Nebraska Family Council makes any changes to the exterior of the building, they will be required to comply with the City of Lincoln Neighborhood Design Standards.
4. LMC §27.63.580 provides the conditions under which this permit may be approved.
 - a. **The amount of parking required shall be equal to the amount which would otherwise be required for the use as set forth in Chapter 27.67 which is most analogous to the use proposed in connection with such religious, educational or philanthropic institution as determined by the Planning Director. All required parking shall be located on the lot unless otherwise specifically approved by the Planning Commission, but in no event shall required parking be located more than 300 feet from the lot upon which the use is located.**

Applicant proposes to use existing parking located in the rear yard north of the house. This parking area will provide for 4 parking stalls. This number was derived based upon 3 spaces for 3 staff and 1 extra space. The people seeking guidance from this program very rarely drive their own vehicles. Given the nature of this use and small number of employees, staff supports requiring 4 spaces.

- b. **No such use shall render a service which is customarily carried on as a business nor shall any such use be approved which involves printing, publishing, manufacturing, or other industrial uses on the premises be a retail store.**

The Nebraska Family Council provides support, to Nebraska families, schools and government thru an active and effective non-partisan voice for Biblical values. Their vision is to mobilize, educate and equip Nebraskans to be engaged in the transformation of their communities.

- c. **All signage shall be in conformance with the district regulations as set forth in Chapter 27.69 of this code.**

The applicant has requested a non illuminated 3' by 3' sign on the house.

- 5. This proposed use is located in a largely residential area adjacent to Downtown.
- 6. Applicant has submitted a detailed site plan showing the building location, parking, and setbacks. This particular use will utilize an existing building and a parking area that is already surfaced. (See attached site plan)

CONDITIONS OF APPROVAL:

Site Specific Conditions:

- 1. This approval permits a non-profit educational and philanthropic institution with up to 3 staff and a 3' by 3' sign located on the house.
- 2. The house must comply with all building and fire codes for a commercial use.
- 3. This Special Permit will not take effect until the applicant provides a Certificate of Ownership to the Planning Department showing that they are the owners of the property described in the legal description above.

Standard Conditions:

- 4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the building all development and construction is to comply with the approved plans.
 - 4.2 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.
 - 4.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.4 The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. 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

Prepared by

Christy Eichorn, Planner

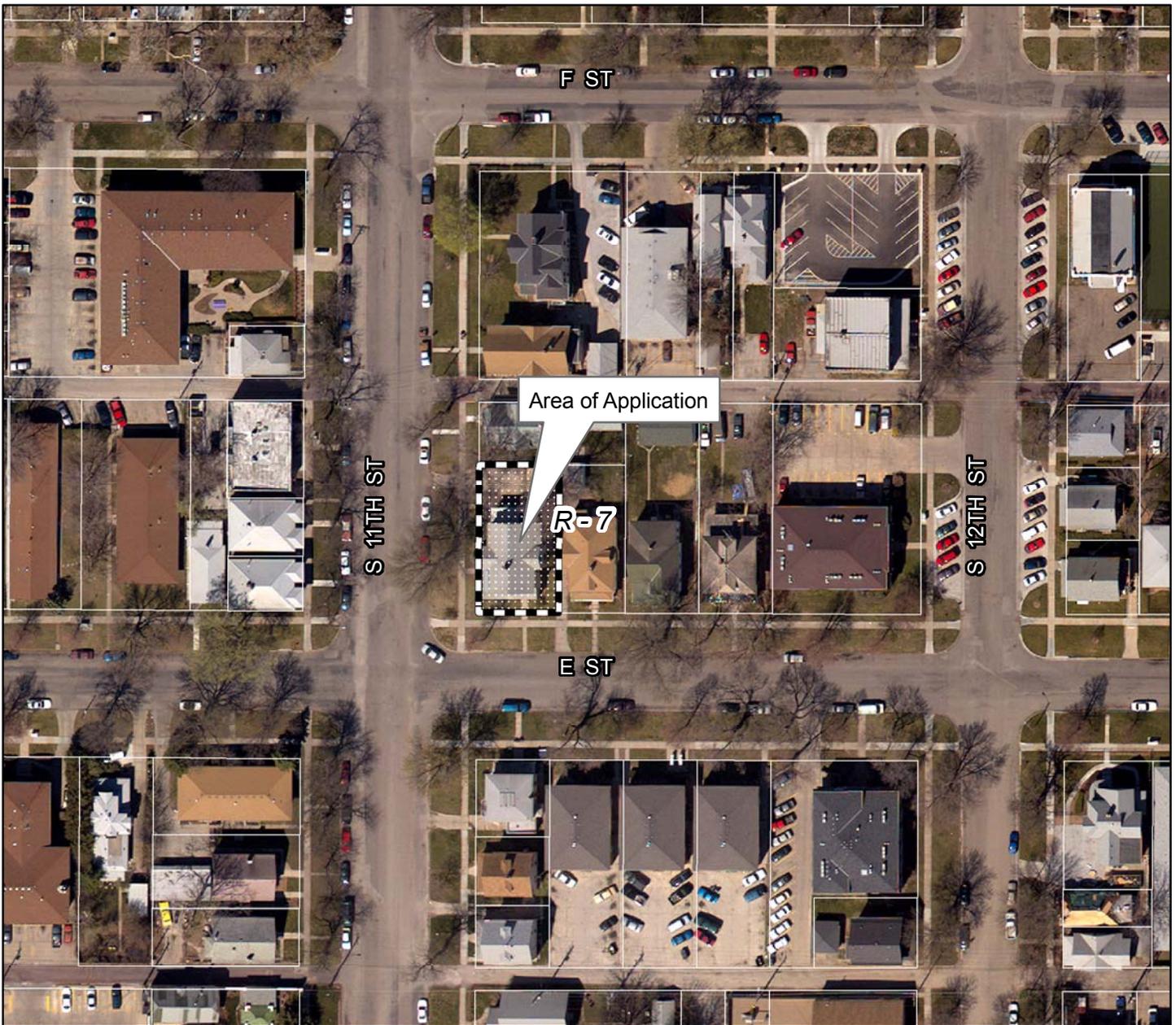
DATE: March 16, 2007

APPLICANT: The HUB / Dwight Brown
727 S 9 ST
Lincoln, NE 68508

OWNER: Kenneth & Sarah Wear
1106 E ST
Lincoln, NE 68508

PLANNER: Christy Eichorn
555 S. 10 ST STE 213
Lincoln, NE 68508
402-441-7603

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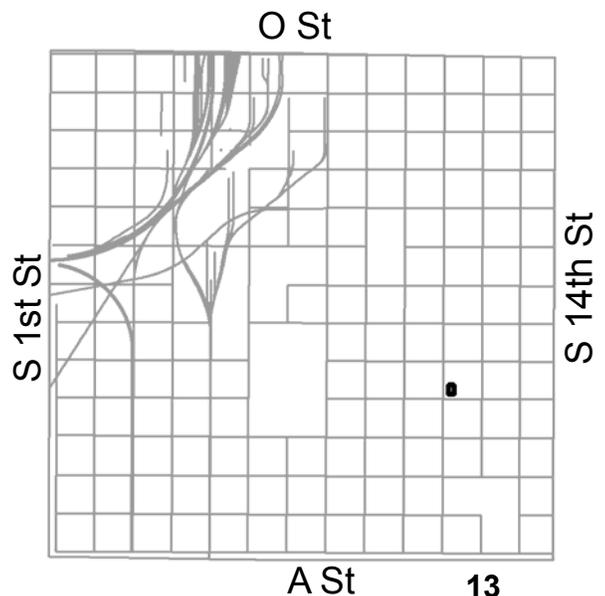
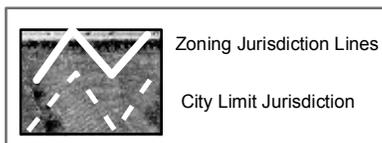
Special Permit #07028
S 11th & E St

2005 aerial

Zoning:

One Square Mile
 Sec. 26 T10N R06E

- 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



Executive Director
Al Riskowski



Associate Director
Karen Bowling

To City of Lincoln Planning Committee:

We appreciate your consideration of the zoning application for a special permit to allow Nebraska Family Council to use the home at 1106 E St.

Nebraska Family Council is a nonprofit religious education organization. We do not have a membership and are donor supported. Our mission is to be an active and effective nonpartisan voice for Biblical values in Nebraska families, schools and government. I have included a brochure on the ministry of Nebraska Family Council.

We have been looking for a space to relocate for over a year. Our goal was to find a place that would fit our needs within reasonable walking distance to the State Capitol (parking is such a problem), affordable for our nonprofit budget and a purchase price that would allow a resale with a recoup of most of our investment. We also desire to be in a neighborhood where we can make a practical difference.

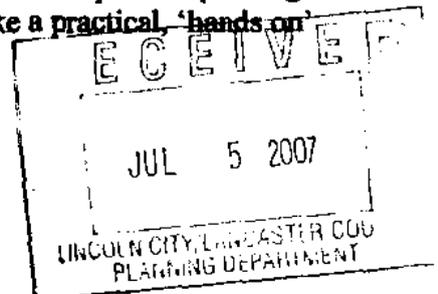
Nebraska Family Council has three paid employees who would have offices on the second floor of 1106 E St. We have few individuals that come to our office. At our current location we have purchased 3 parking spaces and that provides all we typically need. Frequently there are only two in the office at the same time. We do quite a bit of traveling across the state in speaking opportunities.

We would like to request permission to place a 3'by3' sign on the wall of the home under the front porch.

The first floor of the home would have a public use. We would serve as a referral agency in regard to addressing the neighborhood needs. Currently I am working on legislation with Sen. Christensen's office and Lincoln Police Chief Tom Casady to help address the prostitution problem in Lincoln and the state. There are few places in Lincoln where we see a greater need to strengthen families than this area of town. If the planning committee is agreeable, we desire to partner with groups like the Everett Neighborhood Association, People City Mission, daVinci's, Food Net and a Spanish speaking church located at 15 & E to come up with creative ways to make a practical, 'hands on' difference in the neighborhood.

Sincerely,

Al Riskowski
Executive Director



Nebraska Family Council
Serving Nebraska Families Since 1988

Executive Director
Al Riskowski



Associate Director
Karen Bowling

July 18, 2007

Lincoln Planning Department,

I am responding to the question, what type of office activities take place at Nebraska Family Council?

We are a nonprofit organization that mobilizes individuals throughout the state of Nebraska to stand for traditional family values. Our typical day is filled with phone calls, emails and radio production. I have a daily radio program that airs across the state. We see ourselves as a communication organization that educates Nebraskans on issues affecting the family.

I am available for any additional questions.

Sincerely,

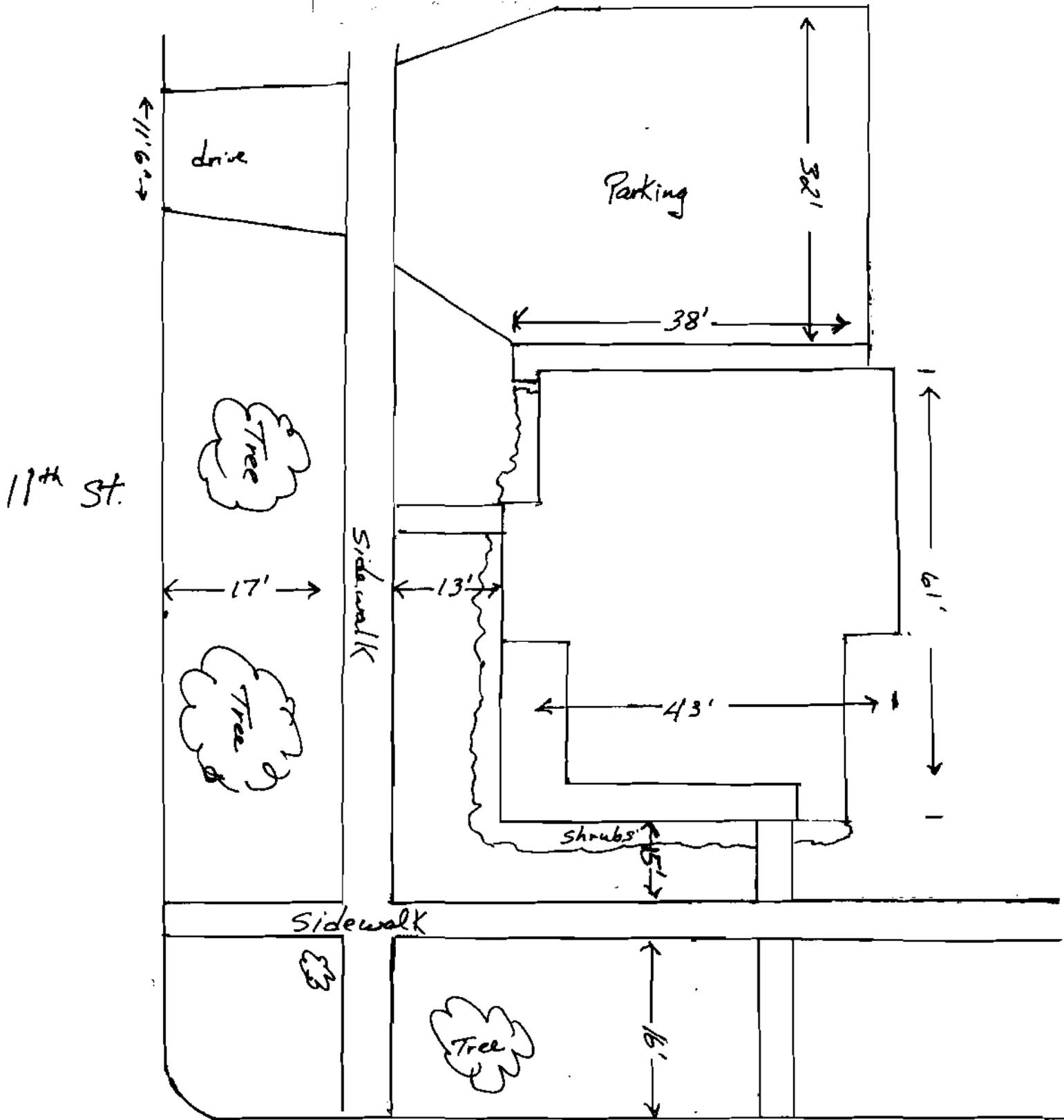
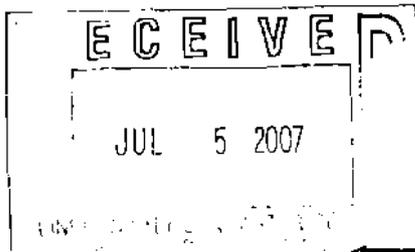
A handwritten signature in black ink, appearing to read 'Al Riskowski', is written over a white background.

Al Riskowski

Nebraska Family Council
Serving Nebraska Families Since 1988



1106 E St.

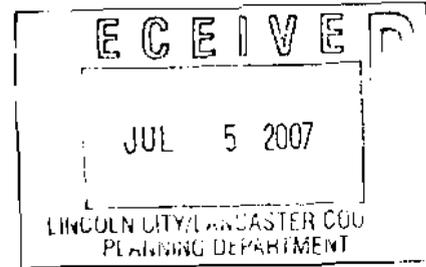




People's City Mission

Serving Men, Women and Children since 1887

July 2, 2007



Al Riskowski
Executive Director
Nebraska Family Council, Inc.
315 South 9th Street, #212
Lincoln, NE 68508

Dear Al:

This letter is to confirm our interest in working with Nebraska Family Council to serve the impoverished in Lincoln, NE. If you are able to acquire the property at 1106 E street, I believe there are several projects we could work jointly. In specific, I think your site could become an excellent satellite location for providing small amounts of food and clothing to those living in this neighborhood.

In addition, you could assist in qualifying individuals for our services at the Distribution Center. As you may know, our clients must be at 140% of the poverty level to obtain food and clothing from us. Your potential relationship with people in this neighborhood could act as a valuable screening process in identifying those with legitimate needs.

I look forward to discussing these ideas with you further. Best of luck in all your endeavors!

Sincerely,

Pastor Tom Barber
Executive Director

**People's City Mission**

Serving Men, Women and Children since 1907

July 17, 2007

Karen Bowling
Nebraska Family Council
315 South 9th Street, #212
Lincoln, NE 68508

Dear Karen Bowling,

I am writing this letter to let you know of how excited I am to hear that there is a possibility of your organization securing property for relocation to the 14th and E Street area. As the director of Domestic Violence Services at the People's City Mission, we serve women experiencing the darkest side of drug addiction and the pain, guilt and shame associated with pandering and other illegal behaviors engaged in to supply that addiction.

It is my sincere belief that an organization dedicated to the family and positive living located in that area could have an impact on the decrease in some of the aforementioned activities. If women who are feeling hopeless can have a distraction en route to using drugs to cover up their emotional pain, they would be one step closer to being able to be engaged by the People's City Mission's Mirror Project, a sixth month intensive recovery program aimed at restoring hope to the hopeless and coming alongside the disenfranchised with positive alternatives to moving forward in life.

I truly believe that if the Nebraska Family Council hosted a resource center in its lobby or simply increased the presence of productive endeavors, a difference could be made in that area of town for the benefit of ladies who need a reason to choose healthier options for their lives.

I am eager to hear whether or not your organization acquires the needed signatures and support from city officials to make this happen. Please do not hesitate to call or email me if I can assist your efforts in any way: (402) 475-1303 or rtvrance@neb.rr.com.

Sincerely,

Renita Tyrance



"Sgt. Don Scheinost"
<lpd798@CJIS.LINCOLN.NE.
GOV>

07/09/2007 03:13 PM

To Christy Eichom <ceichom@lincoln.ne.gov>
cc
bcc
Subject Nebraska Family Council - SP07028

Ms. Eichom,

The Lincoln Police Department does not object to the Nebraska Family Council - SP07028.

Sergeant Don Scheinost, #798
Lincoln Police Department
Management Services
402.441.7215
mail to: lpd798@ciis.lincoln.ne.gov

Status of Review: FYI

07/06/2007 10:01:01 AM

Reviewed By Building & Safety

Terry Kathe

Comments: The 3 employee parking stalls appear to meet the need with an additional one for a visitor. These should be shown on the site plan and not in the front yard. Distribution of food to the neighborhood would probably put a larger parking demand for this site. Building permits would be required to convert the use from residential to commercial.



Ernesto Castillo /Notes
07/16/2007 09:09 AM

To Christy J Eichom/Notes@Notes
cc David M Landis/Notes@Notes
bcc
Subject SP07028

Our suggestion would be that the Nebraska Family Council attend a meeting of the Everett Neighborhood Association to discuss their application. On the application they did not answer the "Have the neighbors been informed of your request" question.

Ernesto Castillo
Community Development Program Specialist
Urban Development Department
Phone 402.441.7855
Fax 402.441.8711

M e m o r a n d u m

To: Christy Eichorn, Planning Department
From: Charles W. Baker, Public Works and Utilities
Subject: Nebraska Family Council Special Permit #07028
Date: July 17, 2007
cc: Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Nebraska Family Council Special Permit #07028 located at 1106 "E" Street. Public Works has met with the applicant and discussed the parking issue. The existing parking slap will function for the parking of up to four vehicles. The parking does not need to meet the design standards for parking lots because of the minimal number. Public Works has no objections.



Jean L Walker/Notes

07/24/2007 09:44 AM

To Planning_Dev.List, Planning_Neighborhood_Associations

cc Teresa A Mckinstry/Notes@Notes, Thomas J
Cajka/Notes@Notes

bcc

Subject Miscellaneous No. 06007 and Miscellaneous No. 07006,
proposed text amendments to the City of Lincoln Design
Standards

You were previously notified of a public hearing to be held before the Planning Commission on August 1, 2007, on proposed amendments to the City of Lincoln Design Standards related to street trees (Miscellaneous No. 06007) and screening and landscaping (Miscellaneous No. 07006). Please be advised that the public hearing on these proposed text amendments will be deferred until August 15, 2007, so that they can be heard at the same time as an associated amendment to Title 27, the Zoning Ordinance. You will receive notice of the August 15th public hearing.

--Jean Walker, Administrative Officer
City-County Planning Department
441-6365

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LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Change of Zone #07040HP **DATE:** July 20, 2007
Landmark Designation

SCHEDULED PLANNING COMMISSION MEETING: August 1, 2007

PROPOSAL: The Historic Preservation Commission, on behalf of Havelock Business Association, requests landmark district designation for the Havelock Avenue Landmark District.

CONCLUSION: Designation of Havelock Avenue Landmark District as a Landmark District appears to be consistent with the Comprehensive Plan and with Chapter 27.57 of the Zoning Code (Historic Preservation District).

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Havelock Addition, Lots 19-24 of Block 14, and Lots 13-22 of Block 15, and Lots 13-24 of Block 16, and Lots 1-12 of Block 31, and Lots 1-12 of Block 32, and Lots 1-6 of Block 33; and all of Baldwin's Subdivision (Lots 1-6); in Lincoln, Lancaster County, Nebraska, located in the NW 1/4 of Section 09-10-07 and in the SW 1/4 of Section 04-10-07, Lincoln, Lancaster County, Nebraska.

LOCATION: The properties from 6024 Havelock Avenue to 6242 Havelock Avenue and from 6033 Havelock Avenue to 6245 Havelock Avenue.

APPLICANT: Historic Preservation Commission
On behalf of Havelock Business Association
c/o Planning Department
555 South 10th Street
Lincoln, NE 68508
(402)441-6360

OWNER: Multiple

CONTACT: Ed Zimmer for Historic Preservation Commission
Planning Dept.
555 South 10th Street
Lincoln, NE 68508
(402)441-6360

EXISTING ZONING: B-3 Commercial District

SIZE: 9.45 acres, more or less.

EXISTING LAND USE: Neighborhood commercial district.

SURROUNDING LAND USE AND ZONING: Additional B-3 Commercial District immediately adjacent in all directions. Further southwest and southeast, R-6 residential (developed primarily with single-family residences; directly south, O-3 office district utilized by St. Patrick’s Church and School; further north, I-1 Industrial district developed with residences and commercial uses.

HISTORY: Havelock Avenue, first called Jackson Avenue and later (1912-1930) called “O” Street in the town of Havelock, was the main commercial district of the independent town of Havelock from its incorporation in 1893 to its annexation in 1930. It retains the scale, architectural character, and many of the buildings of that period.

UTILITIES: This area is served by all City utilities.

PUBLIC SERVICE: This area is served by all City public services.

ESTHETIC CONSIDERATIONS:

The nearly continuous streetscape of one and two story, flat roofed commercial buildings, flanking wide sidewalks and the two-way street with on-street parking, retains the appearance of a typical small-town “Main Street.” The Lancaster Block at 62nd and Havelock on the east and the Joyo Theater, the Schmidt building, and the Masonic Temple building on the west near 61st and Havelock Ave. “bookend” the district.

ALTERATIVE USES:

Landmark district designation does not change the permitted uses in the B-3 Business District.

ANALYSIS:

1. Lincoln Municipal Code, section 27.57.120 provides for designation of landmarks and landmark districts 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 that “Represent a distinctive architectural style or innovation...”

2. The Historic Preservation Commission held a public hearing on June 21, 2007 and voted unanimously to recommend that Havelock Avenue Landmark District be designated as a Lincoln landmark district for its architectural and historic character.
3. The application is enclosed. The proposed district includes the Lancaster Block of ca. 1890 (6201 Havelock Avenue), listed on the National Register of Historic Places for its architectural significance and its historic significance in the development of Havelock. The district also includes the Joyo Theater (originally Lyric Theater, 6102 Havelock Avenue) of ca. 1928, the Schmidt Block of 1916 (6037 Havelock Ave.), and several other buildings which would likely qualify for individual landmark designation.
4. Preservation guidelines for the proposed landmark district are attached. They are based on the landmark guidelines used for over two decades in Haymarket Landmark District. Landmark district properties are subject to review of exterior changes based on these guidelines, with procedures for resolution of any disputes between owners and the Preservation Commission.
5. The 2030 Comprehensive Plan includes a strategy to “Continue to inventory, research, evaluate and celebrate the full range of historic resources throughout Lancaster County, collaborating with individuals, associations, and institutions, and designating landmarks and districts through the local preservation ordinance and the National Register of Historic Places.”
6. A letter of opposition (enclosed) to designation of one property, at 6240 Havelock Avenue, was received from the Trustee for the property, a former gas station now used as a liquor store. The property is at the northeast corner of the district and is not considered a contributing property to the historic character of the area. The Preservation Commission discussed whether to recommend excluding the property from the proposed district and voted instead to recommend the boundaries as proposed. The discussion focused on the benefits of reviewing future changes to the property for impact on the historic district.

Prepared by:

Edward F. Zimmer, Ph. D.
Historic Preservation Planner
441-6360
ezimmer@lincoln.ne.gov



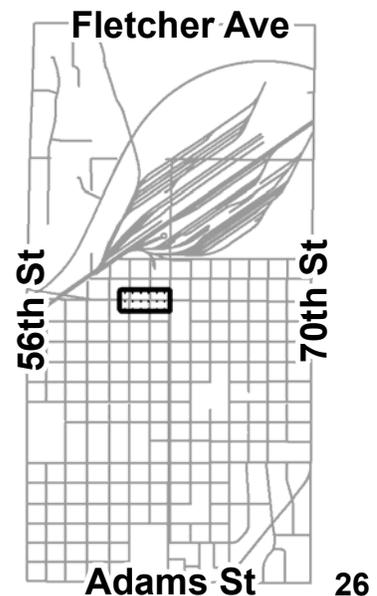
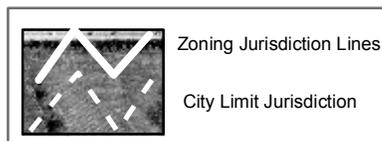
2005 aerial

Change of Zone #07040 Havelock Avenue Landmark District

Zoning:

Two Square Miles
Sec. 09 T10N R07E
Sec. 04 T10N R07E

- 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



**APPLICATION FOR LANDMARK OR LANDMARK DISTRICT DESIGNATION
ADDENDUM TO PETITION TO AMEND THE ZONING ORDINANCE
LINCOLN, NEBRASKA**

1. NAME

Historic: Havelock Avenue Landmark District
and/or Common:

2. LOCATION

If proposed Landmark Designation:

Address (street number and name):

If proposed Landmark District Designation:

Describe boundaries by use of street names

Generally bounded on the north by the alley running east-west between Platte Avenue and Havelock Avenue; on the south by the alley running east-west between Havelock Avenue and Ballard Avenue; on the east by the 63rd Street; and on the west by the alley running north-south between 60th and 61st Streets.

6024-6240 Havelock Avenue
4329-4341 N. 61st Street
4327-4421 N. 62nd Street

3. CLASSIFICATION

Proposed Designation

Category

Landmark District
 Landmark

district
 building(s)
 structure

site
 object

Present Use

agriculture
 commercial
 educational
 entertainment
 government

industrial
 military
 museum
 park
 private residence

religious
 scientific
 transportat'n
 other

4. OWNER OF PROPERTY

If proposed Landmark Designation:

Name: See attached sheets.

Address (street number and name):

If proposed Landmark District Designation, attach a separate page listing all properties in proposed district by address and include the names of property owners of record as of two weeks prior to the date of filing and an indication of which properties are significant.

5. GEOGRAPHICAL DATA

Legal Description

Havelock Addition, Lots 19-24 of Block 14, Lots 13-22 of Block 15, Lots 1-6, of Baldwin's Subdivision of Lots 23 & 24 of Block 15 of Havelock Addition, Lots 13-24 of Block 16, Lots 1-12 of Block 31, Lots 1-12 of Block 32, Lots 1-6 of Block 33, and all adjacent public right-of-way. All in the S 1/2 Sec. 4-T10N-R7E of the 6th P.M., Lincoln, Lancaster County, Nebraska.

Number of Acres or Square Feet: 9.45 acres

6. REPRESENTATION IN EXISTING SURVEYS

Title: Historic and Architectural Sites Survey of Lincoln

Date 1990 _____ Federal _____ State _____ County _____ X Local

Depository for survey records Nebraska State Historical Society

City, Town: Lincoln

State: NE

Is proposed Landmark or Landmark District listed in the National Register?

_____ yes, date listed _____

X no

7. DESCRIPTION AND HISTORY

Condition

X excellent _____ deteriorated X unaltered X original site
X good _____ ruins X altered _____ moved date _____
X fair _____ unexposed

Describe the present and original (if known) physical appearance of all significant supportive features of the Landmark or the significant structures within the Landmark District. Also, provide information about the structures that are intrusions within the Landmark District.

8. SIGNIFICANCE

Period Areas of Significance-Check and justify

_____ prehistoric _____ archeology-prehistoric _____ landscape architecture
_____ 1400-1499 _____ archeology-historic _____ law
_____ 1500-1599 _____ agriculture _____ literature
_____ 1600-1699 X architecture _____ military
_____ 1700-1799 _____ art _____ music
X 1800-1899 X commerce _____ philosophy
X 1900- _____ communication _____ politics/government
_____ conservation _____ religion
_____ X economics _____ science
_____ education X social/humanitarian
_____ engineering X theater
_____ exploration/settlement X transportation
X industry _____ other (specify)
_____ invention

Specific dates: 1890-1930

Builder/Architect: See attached sheets.

Statement of Significance (in one paragraph):

See attached sheets.

9. STANDARDS FOR DESIGNATION

(Check one(s) that apply)

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;

Represents a distinctive architectural style or innovation, or is the work of a craftsman whose individual work is significant in the development of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States; or

Represents archeological values in that it yields or may be likely to yield information pertaining to pre-history or history.

10. MAJOR BIBLIOGRAPHICAL REFERENCES

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Zimmer, Edward F. "Lancaster Block." National Register of Historic Places
nomination. Listed April 12, 1989.

11. **FORM PREPARED BY:**

Name/Title: Gregory R. Mathia, Community Development Technician

Organization: Lincoln Urban Development Dept. Date Submitted:

Street & Number: 110 W. 10th Street Telephone: (402) 441-7606

City or Town: Lincoln State: Nebraska

Signature _____

FOR HISTORIC PRESERVATION COMMISSION USE ONLY:

DATE LANDMARK/LANDMARK DISTRICT DESIGNATED

LANDMARK/LANDMARK DISTRICT NUMBER

hpc\marks\hvlkapp



HAVELOCK AVENUE LANDMARK DISTRICT LIST OF BUILDINGS

SOUTH SIDE OF THE AVENUE

LC13:G14-001 (contributing)

Lancaster Block

6201 Havelock Avenue

1890

The Lancaster Block is a two-story, Romanesque styled brick building of rectangular plan, with a flat roof, a cast-iron storefront, and limestone trim. A one-story concrete block addition is located on the south. The north, primary façade has two storefronts flanking a central entrance, opening on the stairs to the upper floor. The storefronts have recessed entrances with large display windows on either side, and tall transoms. The central entrance is flush with the façade. Cast-iron lintels with rosettes span the bays. A brick band with recessed panels is located above the storefront lintels. The bays are set between brick and stone piers that rise above the cornice to corbelled tops. The second story repeats the tripartite division of the ground floor. The wider side bays have three windows each, with bricked-in transoms and stone lintels between the windows and the transoms. The central bay has a single window, with a blind arch in-filled with a dogtooth pattern above. A stone sill band spans the façade below the windows. A thick, rock-faced stone band spans the side bays between the upper story windows and the cornice. The cornice has a considerable amount of brickwork, including basketwork, corbeling, dentils, and recessed panels. Acorn-shaped finials set atop the piers. Although it is prominent, the west façade is secondary to the north façade. This façade repeats the fenestration and brick work of the north wall for only one narrow bay at the north corner. The rest of the façade is virtually without fenestration on the ground floor, except for two small, high windows with stone lintels and sills, and a door to the south. The second floor has three pairs of double-hung windows and a single one to the south, all with blocked in transoms. The cornice is also simpler, with dentils and corbelling, and recessed panels only above the windows.

A one-story, flat roofed, cement block addition was added to the back of the building in 1958. Originally used for storage, its west facade was converted into a storefront in 1989. The façade is brick veneer and has a central entrance with two large display windows on each side. A large rooftop deck provides outdoor space for the second floor apartments in the main building.

Referred to as the McFarland Block in a 1892 city directory, the Lancaster Block is the oldest building in the district. It was built by the Lancaster Land Company in 1890, near what they hoped would become the center of Havelock's business district. The developers constructed this handsome building, on what was otherwise an open prairie, to create a sense of permanence that would hopefully encourage further development. As built, it had commercial space on the ground floor and a meeting hall above that was converted into apartments during the 1920s. The building has seen a wide variety of tenants over the years, including a drug store in 1892; an undertaking and furniture shop in 1904; several grocery and general stores; a hardware store, and a liquor store. The Lancaster Block is most significant for its role in the Burlington Shop Strike

of 1922. The upper floor of the building contained the "Labor Temple," where the decision was made to go the strike, which ultimately led to the decline of Havelock, and the vote for annexation in 1930. This building was fully restored in 1987-88 and listed on the National Register of Historic Places in 1989. Today, it houses a charitable organization and a beauty salon.

LC13:G14-002 (contributing)

Havelock Garage
6033 Havelock Avenue
ca. 1922

The Havelock Garage is a one-story, flat roofed, brick building with stone trim. The building has a rectangular plan and a symmetrical tripartite facade that is constructed from brown brick. The facade rests on a stone base and the bays set between brick piers that rise above the cornice. The piers feature stone trim just above the storefront, more elaborate detailing near the cornice, and thick coping stones. The central bay features a large overhead garage door and large windows on either side. The east bay contains two large windows, separated by a thin mullion, and a door, while the western bay has a third window instead of a door. All of the windows have stone sills and soldier brick lintels. A pedimented parapet completes the facade. The side and rear walls are built from common orange brick. The west wall is windowless and has a stepped parapet with tile coping. The rear wall has two sixteen-light windows, a garage door, two small windows, and a basement entrance that is accessed by an in-ground ramp.

The first building on this site was a tiny, wood-frame scale house built around the turn of the century by coal dealer Henry Hemple. The structure lasted only a few years and was gone by the late 1910s. Mintie Schmidt, the same developer who built the Schmidt Brothers Building next door, built the garage in 1922. The garage is one of the few buildings in the district that has remained in its original use for its entire existence. Frank Wilcox's garage was the first tenant of the building, moving into it from the Schmidt Building in 1922. Over the years, the garage has gone by many different names, including the George DeLong Garage, 1923; Havelock Garage, 1924-1934; Havelock Chevrolet, 1934-38; Havelock Westling Garage, 1939-59; and Rad's Garage and Used Car Sales in the 1960s. Today, Havelock Avenue Motors, a used car dealer/repair shop, leases the building. The parking lot west of the garage has never been built on and has historically been used as a display/parking lot by the automotive businesses located in the garage.

LC13:G14-003 (contributing)

Schmidt Brothers Building
6037-45 Havelock Avenue/4325-45 North 61st Street
1916

The Schmidt Brothers Building is a large, two-story, rectangular shaped, brick business block, with metal and stone trim. This large commercial building with its Neo-classical details, measures is 50' wide and 165' long. The street facing facades (north and east) are constructed from dark brown brick, while the south and west walls are common orange brick. The principal, north facade sits on a stone base and is partitioned into two bays. The eastern bay has a wide, central

window with a narrow window to the east and a doorway to the west. The openings have tall, multi-light leaded glass transoms. The windows have stone sills and the central window has a transom vent. The western bay originally featured a large garage door with flanking display windows and transoms. The garage door now contains a modern pedestrian entrance with double doors, sidelights and a transom. The original transom above is covered with metal panels. The second floor has eight double-hung windows, four in each bay, and a stone sill band. The facade is completed by an entablature with a stone frieze, a brick architrave, and a pressed metal cornice with large dentils. In the center of the architrave is a stone panel inscribed with "Schmidt Brothers 1916." Since it is a corner building, the east facade is quite prominent, but secondary to the north facade. This facade continues all of the architectural element found on the north facade, except for an inscribed stone panel in the entablature. This facade has an asymmetrical fenestration pattern that is quite different on each side of its central entrance which opens to a stairway to the second floor. South of the central entrance there are four equal sized bays, two with storefronts having central, recessed entrances flanked by large display windows; and then two bays fenestrated with wide windows. North of the central entrance, the fenestration pattern is more complex. From the central entrance there is a bay fenestrated by a narrow doorway, a wide window, and a narrow window, separated by mullions. Continuing northward, there are three windows, an entrance, two windows, and a narrow window. The second floor windows loosely follow the fenestration pattern of the first floor and are arranged in a 2-3-2-2-3-2-3-2-2-2-1 pattern from south to north. The rear wall has five segmental openings on each floor, two doorways with tall transoms and three windows on the first floor, and five two-light windows on the second floor, with corbelled brackets completing this facade. The west wall has stepped parapet, a four-light window on each floor, and the vestage of a large painted sign, which covers most of the second floor.

The first buildings on this site were a small feed store and a coal shed built in the 1890s and demolished in the 1910s. The Schmidt Brothers Building was erected in 1916 by the Schmidt brothers, who owned a small chain of clothing stores in southeast Nebraska, with locations in downtown Lincoln and Beatrice. Early tenants of the building include a Ford dealership and a garage in the western storefront facing Havelock Avenue and the Farmers & Mechanic's Bank, which was located in the eastern storefront from 1917 until 1931. In 1932, Castle, Roper, & Matthews Mortuary moved into the space once occupied by the garage. The funeral parlor, whose name changed to Roper & Sons Funeral Chapel in 1942, has remained in this location for nearly seven decades. The storefronts along 61st Street have seen a diverse tenant base over the years, including several cleaners and grocery stores, a milk dealer, a cigar store, a shoe shop, a radio dealer, an appliance store, a real estate office, an insurance agency, a labor union, a beauty salon and the Havelock Post Office. The Post Office was located in the southern section of the building from 1916 until 1983.

LC13:G14-004 (contributing)
Johnson Hardware Building
6101 Havelock Avenue
1905, 1965

Johnson Hardware is a two-story, rectangular shaped, flat roofed, brick commercial building with stone trim. The building is 28' wide and 100' deep, with a one-story, 28' x 67', masonry addition behind it. The street-facing facades were constructed from tan brick, however, everything below the cornice has been painted. In 1955, the original cast iron storefront and recessed corner entrance were removed. The storefront was then divided into two bays, the entrance was moved, and brick piers replaced the cast iron columns. The eastern bay contains a large display window and an entrance, flush with the facade. The western bay contains two large display windows. The original cast-iron lintel with rosettes still spans the storefront. The second floor has four regularly spaced double-hung windows, with a rock-faced stone sill band and lintels. The cornice consists of banding and corbelled denticular elements. Since it is a corner building, the west wall has been treated as a secondary facade. While the storefront fenestration is repeated on only the northern most bay of this wall, the cornice continues along the entire facade. There are also three, high windows and a door on the ground floor and five windows, identical to those on the principal facade, on the upper floor. Four modern windows have been installed between the original second floor windows. The east wall has seven second story windows and the rear wall has two eight-light windows. The rear addition is a flat roofed structure, with a rectangular plan. It has a door on the west and an overhead garage door on the south. Grab irons are built into the back wall and a modern stairway provides access to a rooftop deck.

The first building on this site was a two-story, wood-framed structure erected by William Johnson in 1890. Johnson replaced the original building with the current structure in 1905, at a cost of \$6,000. The building has contained a hardware store for most of its existence. Its list of tenants includes Johnson Hardware, 1905-18; Andrews Hardware, early 1920s; Meyer & Barr Hardware, late 1920s-33. Victor Anderson purchased the building from Mr. Johnson in 1934, and used it as a warehouse for Anderson Hardware through the late 1950s. Anderson also converted the second floor into apartments in 1946. Other tenants include Wyman Furniture & Appliance, and Havelock Furniture & Appliance. Mahoney & Haepner built the rear addition for \$10,500 in 1965. Currently, the building contains a telephone store and warehouse space.

LC13:G14-005 (compatible)
Farmers and Mechanics Bank
6105 Havelock Avenue
1903

The former bank is a tall, one-story, flat roofed, brick commercial building that is 22' wide and 42' deep. The facade originally had a recessed entrance to the west and a large, round-arched window that was reiterated in a rounded crest located above the pressed metal cornice. The facade was heavily altered in 1976. The pressed metal cornice and parapet were removed and a Perma-Stone veneer was installed over the original, brick facade. Although the window and entrance were left in place, they were altered. The arched top of the window was concealed and the recessed entrance

was converted into a vestibule. The entrance is now flush with the facade and features an aluminum and glass door with sidelights. The rear wall of the building is stuccoed and a carport is located behind it. The carport consists of flat roof supported by metal columns.

This building was constructed for the Farmers and Mechanics Bank in 1903. The bank, which was founded in 1900, remained in this location 1917 when it moved into the Schmidt Brothers Building. Over the years, the building has contained a barber shop, 1918-21; a hardware, 1922; a jewelry store from the mid-1920s until 1933; a tavern, 1935-37; and a dairy store, 1939-58. In 1959, the building was converted into a café. Since the early 1970s the diner has been called Norma's Place Café. The former bank is considered to be non-contributing in its present condition, due to the facade's high degree of alteration.

LC13:G14-006 (intrusive)
Smith Building
6111 Havelock Avenue
Belmont Construction Co., contractor
1978

The design of this two-story, rectangular shaped, brick commercial building was inspired by an architectural movement called the Shed Style. This style originated in California in the 1960s and was used mostly for residential and suburban commercial buildings. This reddish-orange brick building is characterized by its shed roof, which slopes from side-to-side, rather than front to back, like those on every other building in the district. The Smith Building is a commercial building, with a and an entrance bay at the street front. The principal facade has a recessed doorway and a large display window on the first floor. On the second floor, a short, wide window is located above the entrance and a tripartite window is located directly above the first floor window. The rear of the building is quite similar to the front of the building, except that it lacks an entry bay. It has a large window on the first floor, a three-light window on the upper floor, and an open staircase that accesses a second floor apartment. The east wall has a several small offices on it, each with an entrance and a window.

This building replaced a handsome, one-story, turn-of-the-century, framed structure that had a gable roof with elegant bargeboards under its eaves. The original building was first used as a residence and converted into a dry goods store in 1904. A small, brick building was constructed between it and the Farmers and Mechanic Bank in the 1910s. Both structures were razed in 1977 to make way for the current structure, which was built for \$50,000 by Belmont Construction in 1978. Following the tradition of "main street" buildings, this structure contains commercial spaces on the ground floor and apartments on the upper floor. Businesses that have been located in the Smith Building include Havelock Barbers and Fauser Oil Company. Although this structure blends with the older buildings in the district in size, scale, and materials, it is considered intrusive due to its architectural style and date of construction.

LC13:G14-007 (contributing)
Walton Block Addition/Arnold's Tavern
6113 Havelock Avenue
1893

This handsome structure was built in 1893, two years after the completion of its older sibling to the east. The structure is a two-story, rectangular shaped, brick commercial building with a flat roof, limestone trim, and a one-story addition in back. Although it looks nearly identical to the original Walton Block, it is slightly longer, measuring 25' x 80' in size. The facade originally had a cast iron storefront with a recessed central entrance, flanking display windows, transoms, and an entrance to the second floor on the east. The storefront was remodeled in 1990, leaving only the metal lintel with rosettes in place. The original second floor entry was altered and is now the only entrance on the facade. The rest of the storefront contains a band of four windows, set about 4' above the sidewalk. The second floor is unaltered and features four regularly spaced, segmentally arched one-over-one windows with stone keystones. Rock-faced stone bands extend above and below the windows. Above the windows are recessed stone panels and a stone band. Originally, the building had a pressed-metal cornice and crest. These features were removed in the 1920s. At the edges of the facade, brick and stone piers rise to the top of the cornice. A distinctive, goblet shaped neon sign was placed on the facade about 1950. This distinctive sign has become an icon within the district and a historically significant feature of the building. The sidewalls are stuccoed with cement and both have several second floor windows. The rear wall of the original building has had modern tongue-and-groove siding applied. The one-story addition is brick, with a single doorway on its back wall.

When Thomas Walton decided to construct this building in 1893, he used a plan that was nearly identical to the one used to erect the original Walton Block, which was built two years prior. This building's first traceable tenants were Theodore Jacobs' general merchandise store, 1904-1908, and Glenn Herman's billiard, 1926-49. Since 1950, the building has housed Arnold's Tavern, a prominent Havelock watering hole.

LC13:G14-008 (contributing)
Walton Block
6117 Havelock Avenue
ca. 1891

The Walton Block is a tall, two-story, flat-roofed, brick commercial building with limestone trim. The building has a rectangular plan and measures 25' wide and 60' deep. The building originally had a cast iron storefront, with a recessed entrance, flanking display windows, transoms, and an entrance on the east, accessing the second floor. In 1973, the storefront was replaced and reconfigured. Today, it retains its entrance to the second floor stairway, however the entrance to the shop space was moved to the west edge of the storefront. In the center of the facade are two large, aluminum-framed display windows. A metal panel now covers the transom area. The second floor of the facade is intact, featuring four, segmentally arched, one-over-one windows, with stone keystones. Above the windows are recessed stone panels. Rock-faced stone bands extend above and below the windows, and above the recessed panels. Originally, the Walton block had a pressed metal cornice and crest. These details were lost in the 1920s. At the sides of the facade are brick and stone

piers that rise to the top of the cornice. The rear wall was rebuilt in 1998, with a modern steel door on each floor, two sliding windows on the second floor, and vinyl siding was applied.

Next to the Lancaster Block, the Walton Block is the second oldest business block in the district. Although it and the adjacent building read as one continuous structure, they are two different structures, built two years apart. Thomas Walton built this structure, the original Walton Block, in 1891. The structure to the west was built two years later, in 1893. The 1893 Sanborn Atlas shows a bank in the Walton Block, however, there is no other evidence indicating that there was a bank in Havelock prior to 1900. Conformable early tenants include a bakery in 1903, a confectioner and cigar manufacturer in 1904, a meat market in 1906, Havelock Building & Loan in 1909, and a restaurant in 1912. Dr. Harry Fulton also had an office on the second floor from 1905 through the late 1910s. Other businesses to have located in the building over the years include several variety stores in the 1920s and 30s and a few restaurants in the 1940s and 50s. Since 1964, the Walton Block has been the site of a bakery.

LC13:G14-009 (contributing)
Old Joyo Theater
6121 Havelock Avenue
ca. 1910

The Old Joyo Theater is a two-story, flat-roofed, brick commercial building, with a one-story wing behind it. The former theater has a rectangular plan and its overall dimensions are 25' wide by 90' deep. The storefront, which was originally recessed several feet back from the facade, has been altered and today, it is flush with the facade. The shop front has two entrances on the east, one that has been boarded over, which leads to a stairway to the second floor and one that accesses the shop space. The rest of the storefront is comprised of three large display windows. For a brief time in the 1920s, a marquee projected out over the sidewalk, however, it was gone by the end of the decade. The upper story of the facade is intact. It has four regularly spaced double-hung windows that set under wide hood. The cornice consists of a course of rowlock and some corbelling. The rear wall of the two-story portion of the building is sheathed with corrugated metal. The addition in back is a tall, one-story, brick structure. It has a window on each sidewall, and a modern door and a tall garage on its back wall. The height of this structure is accounted for by the fact that it was once used as a theater.

Thomas Walton built the Joyo Theater around 1910. The structure was briefly used as a saloon and real estate office, before the Joyo Theater opened in 1912. The theater remained in this location until 1937, when it moved across the street into the much larger Lyric Theater building. After the theater moved across the street, the Joyo remained vacant until Wyman's Furniture and Electric Appliances opened in the building in 1942. In the 1950s, a Sherwin-Williams paint store replaced the furniture store, and remained in the building into the 1970s. Since 1995, Northern Exposure, a hair salon and tanning studio has been located in the building.

LC13:G14-010 (contributing)
Crandall Building
6125 Havelock Avenue
E.C. Schroeder, contractor
1938

The Crandall Building is a small, one-story, buff colored brick, commercial building with Spanish Colonial Revival detailing. The building has a rectangular plan, a flat roof, and it measures 25' wide and 30' deep. The facade consists of one storefront flanked by brick piers. The storefront has an offset entrance flush with the facade, narrow and wide display windows on the east, and a wide display window on the west. A band of soldier brick is located above the storefront, along with a projected panel bordered by rowlock. The brick piers flanking the facade, rise above the cornice and are topped with stone coping. Between the piers, a polychromatic Spanish tile mansard roof caps the facade. The rear of the building is constructed from hollow tile, and is punctuated by two large window openings, a narrow window, and an entrance.

This lot was originally the site of a saloon/billiard parlor that was called the Havelock Barrel House. The tavern opened in 1892 in a brand new two-story, false-front commercial building. The saloon, whose name implied that it, served draft beer, remained in business through the mid-1900s. In 1938, the wood framed building was razed and the current structure was erected. It draws its inspiration from the Jewel (Joyo) Theatre, which was built across the street nearly a decade earlier. The Crandall Building was the only structure built in the district between annexation and the conclusion of World War II. Since its completion in 1938, the building has contained a doctor's office, 1938-61; a dentist's office, 1938-48; and an attorney's office in the 1960s. More recently, the building has been occupied by The Goldworks jewelry store and since 1997, an insurance agency.

LC13:G14-011 (compatible)
Kontras Building
6127 Havelock Avenue
Sampson Construction, contractor
1962

This building is a one-story, rectangular shaped, brick and masonry structure, with a flat roof. The structure measures 25' x 100' in size. The facade is built from red brick and it contains two symmetrical storefronts. Each storefront has a large plate glass display window and a metal-framed door with transom. The facade has an unadorned flat parapet that helps make this structure blend in with the older buildings in the district. The side and rear walls of this building are of cinder block construction. The exposed portion of the west wall is windowless, while the rear wall contains two four-light windows and the remnant of a filled-in doorway.

This was the last building constructed during the district's second era of development, replacing a small, one-story, wood structure that was built around 1903 and demolished in 1962. Albert J. Baker, a real estate agent, built the original structure on this site for use as an office. The existing building was built for Gus Kontras in 1962, at a cost of \$12,000. The building's western storefront was occupied by a jewelry store for many years and it is now an office for the Edward

Jones Investment Co. The eastern shop space has contained a television shop, a Lincoln Electric System office, and it now houses the Havelock Dental Group. Although it is nearly seventy years younger than some buildings in the district, the size, scale, and materials incorporated into this building make it compatible with the district.

LC13:G14-012 (compatible)

Carlton Building

6133 Havelock Avenue

Kingery Construction Co., contractor

1955

The shoe shop is a one-story, 25' x 100', rectangular shaped, masonry building, with a flat roof and a Perma-Stone facade. The storefront is slightly recessed; more so on the east than the west. The principal facade is a typical, mid 20th century storefront with large aluminum-framed display windows, separated by thin mullions. A metal-framed glass door, with a transom, is located on the east edge of the storefront. A flat parapet tops the facade. The east wall is windowless and the northern three-fourths of the wall has been stuccoed. The rear wall (south) has steel entry door and a band of ribbon windows, which have been filled in.

The original building on this site was the J.B. Headrick Building; a two-story, wood-framed structure built in 1903. The building first housed the Headrick Pool Room and a tobacco shop. Later tenants included several grocers, a restaurant, a cleaners, a liquor store, and Goodwill store. This structure was razed in the early 1950s. The current building was constructed for Carlton Shoe Store in 1955 for \$14,000. In 1986, the shoe shop was taken over by new owners and renamed Haney Shoes. Haney Shoes has remained in the building ever since. This building is compatible with many of the early buildings in the district, despite the fact it was constructed during the district's second period of development.

LC13:G14-013 (compatible)

Site of the Havelock Building & Loan Association

6137 Havelock Avenue

The Havelock Bank uses this lot as a parking lot for its customers. Although it is paved, it has the appearance of a vacant lot, something that has historically been a feature of the district. The first structure on this site was a small, one-story, wood-frame office built between 1894 and 1903. About 1906 a two-story concrete block structure was built on this site. It originally housed the Havelock Building and Loan Association on the first floor and P.L. Webster Jewelry on the upper floor. Havelock Building and Loan Association moved out in 1915 and the structure became a restaurant and lounge in the 1920s. The building was expanded in 1935 and demolished in 1970 to create more parking for Havelock Bank. Though the lot is considered non-contributing, vacant lots traditionally been present along Havelock Avenue and this is a modern day example of that.

LC13:G14-014 (intrusive)
Havelock Bank
6145 Havelock Avenue
1957, 1988

The Havelock Bank is a one-story, flat-roofed, masonry building that has been altered many times throughout its existence. Today, the building is a compilation of numerous remodeling campaigns, which are reflected in its very eclectic appearance. The appearance of the principal facade dates back to 1988, when it was extensively remodeled. The facade has an entrance on the east and series of deeply recessed tall, narrow windows set between polished granite clad piers. A full-width canopy is located over the storefront. It has a shed roof, a front gable over the entrance and two digital clocks on the west. The east facade is secondary to the Havelock Avenue facade. This facade is constructed from Perma-Stone and it has six modern windows spaced along it. The west and rear wall are stucco, with an anodized metal cornice located above. The west wall has centrally located large ocular window. The rear facade has a doorway, a night deposit box, and a drive-up teller window. A three-lane "drive-thru" teller structure is located behind the building. The structure, which spans the automobile lanes, consists of a canopy suspended over four columns. Although no longer recognizable in its original form, the size and scale of the bank make it compatible with the district.

This prominent corner has seen many buildings come and go. The first structure erected on the corner lot was a one-story frame lunchroom constructed about 1902 by William Tucker. A one-story, wood building was built on the adjacent lot in 1903. On May 18, 1909, the Citizens State Bank was organized and soon after it was chartered it razed the corner building and erected a small, Neoclassically style brick building in its place. In May of 1910, the bank changed its name to the First National Bank of Havelock, and in 1931 it was reorganized as the Havelock National Bank. In 1955, the bank razed both the 1909 building and the adjacent 1903 structure and subsequently erected the current bank building. In 1998, the bank, which was simply called Havelock Bank, changed its name to Pinnacle Bank.

LC13:G14-015 (compatible)
Site of the Y.W.C.A. Building
4330 N. 62nd Street

This site, which is now a parking lot for the Lancaster Block, was the original site of the Young Womens Christian Association (Y.W.C.A.) in Havelock. The building that stood on this site was a one-story, 36' x 24', rectangular shaped structure of hollow tile construction with three narrow storefronts facing 62nd Street. Unfortunately, the building stood mostly vacant for many years, before the Havelock Y.W.C.A. opened in it in the mid-1940s. The Y.W.C.A. was located in this small building for nearly three decades, before moving to a new facility in the 1970s. The building was demolished in 1977 to create a parking lot for the Lancaster Block, which is located on the northern part of this lot.

LC13:G14-016 (contributing)
Gregg Building/I.O.O.F. Hall
6209 Havelock Avenue
1908

The former I.O.O.F. Hall is a two-story, flat-roofed, Neo-classically styled brick commercial building, with a rare concrete facade. The building has a rectangular plan and measures 25' x 100' in size. The structure's unusual principal facade is constructed from rusticated concrete block with moulded details. The building has a recessed storefront, with two entrances set on the east edge of the facade, one opening into the shop space and the other accessing a stairway to the second floor. Large display windows span the rest of the storefront. The transom area over the storefront has been filled in with concrete block. The second floor has four large, regularly spaced, window openings. An entablature, comprised of intricately moulded concrete castings, completes the facade. The architrave features dentils and bands, the frieze is ornamented with festoons, and the cornice is decorated with both egg and dart mouldings and banding. The side and rear walls are built from common orange brick. The east wall has a stepped parapet and several bricked-in window openings, one on the first floor and three on the second. The rear wall has a central door, with a two-light window on either side on the first floor and four large, regularly spaced window openings on the second floor. The principal facade will undergo a sympathetic rehabilitation in 1999. This project will include reopening the second floor windows, removing metal panels that conceal parts of the storefront, and repainting the peeling surfaces, which will improve the appearance and integrity of this building.

This building was constructed for Arthur Betz's Furniture Store in 1908, for an estimated cost of \$8,000. Although the Betz store was short-lived, the building remained in use as a furniture store through 1930. Furniture stores include Gregg Furniture, 1910-18; Dowd Furniture, 1921-23; and McKee Furniture, 1925-30. Other tenants included the Meyer-Barr Hardware Co., 1934; Cash Supply Store, hardware, 1936-38; and Harry Parker's billiards hall, mid-1940s-1955. From 1956 through the early 1990s several cafes were located in the storefront, including Joyce & Eddie's Café, John Hobb's Café, and the Casey Jones Depot Restaurant. The I.O.O.F., Lodge #244, purchased the building in 1921 and used the second floor as a meeting hall until 1990. Since 1991, the building has been owned by the Shari Shell True Dance Academy.

LC13:G14-017 (compatible)
Kite Building
6213-17 Havelock Avenue
Lincoln Sales & Construction, contractor
1962

This building is a small, rectangular shaped, flat roofed, 14' x 68' one-story commercial building. Unlike other buildings in the district, the principal facade of this structure is oriented towards the long side of the building structure, rather than towards the street. The building is of masonry construction with a brick veneer on its east and north facades. The principal facade (east) is divided into three bays. Each bay has an entrance, a medium sized window, and an air conditioner

hatch. A continuous roof overhang completes the facade. The secondary (street facing) facade contains a large window with a concrete sill. The rear facade is a windowless, masonry block wall.

This building was constructed in 1962 at a cost of \$6,000. It replaced a small, wood-framed structure that was constructed circa 1904 to house a real estate office and later a restaurant, a cleaners, and a shoe repair shop. Early tenants of the current structure include the Royal Barber Shop, Ja-Ree Styling Salon, and Keep-U-Neat Cleaners & Laundry. More recent tenants include a book store, a philanthropic foundation, and a hair salon. This building is considered non-contributing due to its date of construction, its non-street facing orientation, and because of its small scale.

LC13:G14-048 (intrusive)
Safeway Grocery Store/Misty's Restaurant
6235 Havelock Avenue
O.N.B. Hazen, architect
Kingery Const. Co., contractor
1940

The former Safeway Store is a one-story, mid-Twentieth Century commercial building constructed of brick, steel, stucco, and concrete block, with additions on the east and south. The main portion of the building is 50' wide and 130' deep. The principal, north, facade has a primary bay, set between brick piers, and a narrow and shorter foyer addition on the east. The facade has been extensively remodeled. It now has a full-width brick bulkhead, stucco panels in place of the display windows, and a metal signband below the stuccoed cornice. The foyer has a large window and a transomed entrance. On the east, the main structure is stuccoed and it has six bays, separated by pilasters. The foyer extends along the three northern bays and it also has an entrance on this facade. A shorter, 30' deep by 175' addition is located on the back of the building. The east, north, and west walls of this structure are brick, while the rear, alley-facing wall is concrete block. The rear wall of the main building is of concrete block construction and it features a stepped parapet. The west facade of the main portion of the building is similar to the east facade, but without the foyer addition.

Safeway Stores, a regional grocery chain, spent \$16,000 to erect this building in 1940. The company, which had operated a store across the street in the Purbaugh Building, since the 1920s, decided to build this store when it outgrew its existing space. The grocery store remained in its new building until it closed its doors in the mid-1970s. In 1977, the building was converted into Misty's Restaurant. Misty's, a popular Lincoln dining establishment, has occupied the building for more than twenty years.

NORTH SIDE OF THE AVENUE

LC13:G15-002 (compatible)

Mozer Building

6024 Havelock Avenue

Wilson Concrete Co., contractor

1951

The Mozer Building is a simple, one-story, flat-roofed, brick and masonry, commercial building, with a rectangular plan, measuring 24' wide and 80' deep. The principal facade is brick, with a single entrance door and a large, aluminum-framed display window. Soldier brick lintels accent the openings. The facade has a flat cornice that is capped by concrete coping. The side and rear walls are of concrete block construction. The west is fenestrated with seven, four-light windows, while the rear wall contains a double door entrance.

This structure replaced a one-and-a-half story, framed building constructed around 1900. Over the years, the original building housed the Havelock Times, 1911-27; a Beatrice Creamery Co. store, 1932-33; and several produce markets. The current structure was constructed in 1951, making it the first postwar era building to be constructed in the district. It was built by Wilson Concrete for about \$6,700. Although it was initially constructed as a bakery, the building had been converted into a machine shop by the mid-1950s. In 1958, the building was converted into a Laundromat and it has remained in this use ever since.

LC13:G15-003 (contributing)

Havelock Engine House

6032 Havelock Avenue

James Tyler and Son, architects

1900

The Old Havelock Engine House is a tall, one-story, Romanesque styled, brick building with a flat roof. The former fire station is 25' x 80' in size, of rectangular plan, with an orangish-red colored, rock-faced brick facade. A large opening topped by a Roman arch is located in the center of the facade. This opening originally had a pair of large, half-arched doors that were big enough for a fire engine to pass through. The doors were removed years ago, but have been replaced by a wood and glass panels that replicate the appearance of the original doors. Transomed entrance doors, with thick stone lintels, flank the garage door. Stringcourses are located above and below the transoms, and below the cornice. A panel is located over the garage door. It originally said "Engine House 1900," but now says "Engine House Café." The cornice has corbelling, stone coping, and a flat parapet. The exposed portions of the north, east, and west walls have been stuccoed. The rear wall has three large, segmentally arched window openings that have been bricked-in. The building was expanded to its present size in 1928, when an addition was constructed on the rear of the building. The fire station originally had a large bell tower, located near the front of the building, which no longer exists. The tower served a dual purpose, acting as both a bell tower and as a place to hang fire hoses to dry.

The Engine House was originally designed in 1899 as an elegant two-story structure, but it was scaled down in 1900. The result was the simple, one-story, building that exists today. As built, the engine house was much more indicative of the values of the townspeople of Havelock, than the original design was. The building housed the Havelock Fire Department from 1900 through 1930. From 1930 until 1972, the Lincoln Fire Department continued to use the engine house as a fire station. In 1972, the Salvation Army acquired the engine house and converted it into a second hand store. This store remained in the building until 1991. In 1992, the former engine house was sold to a new owner, who carefully restored it to its near original appearance. Since 1992, the Engine House Café has occupied the building.

LC13:G15-004 (contributing)
Old Havelock City Hall/Jail
6034 Havelock Avenue
ca. 1913

The Havelock City Hall is a one-story, rectangular shaped, flat-roofed building that is 25' x 120' in size. The building is constructed from reddish-orange pressed brick set in running bond, with raked joints. The structure has a symmetrical facade that has a central entrance with a transom, which is flanked, by two-light windows with stone sills. The cornice features string courses, corbelled denticulars, and stuccoed coping. A modern, illuminated sign band spans the facade, below the cornice, concealing some dogtooth brickwork. The exposed northern portion of the west wall, which has been stuccoed, has two segmental windows that have been filled in. The rear wall contains an overhead garage door and an entry door.

The Havelock City Hall appears to have been constructed for \$3,500 in 1913. The front portion of the building contained a recreation room/meeting space and the rear part of the structure contained the jail. The building served as the Havelock City Hall and Jail (Police Station) from 1913 until 1930. In 1930 the building was taken over by the Lincoln Fire Department, who used it until 1972. The Salvation Army took over the building in 1972 and extensively remodeled the facade. The Salvation Army moved out of the building in 1991 and sold it a year later. The new owner subsequently restored the principal facade to its near-original appearance. Since 1993, the former city hall has housed Wolf Tackle Supply.

LC13:G15-005 (contributing)
Masonic Temple
6036 Havelock Avenue
1912

The Masonic Temple is a two-story, rectangular shaped, flat roofed building, with an unusually tall second floor. The building is 40' x 120' in size, with a facade constructed from reddish-orange pressed brick, with raked joints, and secondary walls built from orange brick. The facade is divided into two bays, set between brick piers that rise above the cornice. In 1992 the building's two storefronts were remodeled, and returned to a more original appearance. The western storefront consists of a recessed, central entrance with narrow display windows on either side, or transom windows above. The eastern storefront has a large, display window, with a transom, on the west and

a wide, recessed entrance area on the east, containing a bank of mailboxes where the store entrance was and an entrance opening to the second floor stairwell. The second floor has four double-hung windows, two in each bay. All have limestone sills and a soldier brick lintels. Above the windows there is some banding and a course of dentils. What appears to be an unusually tall cornice conceals the vaulted ceilings of the second floor meeting hall. This area is decorated with a slightly projected rectangular element. The use of small windows on the second floor shows the impact of electric lighting on the design of this building. Earlier meeting halls would have had very tall windows that let light into the inner depths of the room, however, with electric lights this was no longer a concern. The cornice is ornamented with denticular brickwork, corbels, and stone coping. Another notable feature of this building is the large signs painted on the sides of the building. The east wall contains the remnants of a Coca-Cola and an H.F. Hecht sign. The west facade has a polychromatic Martha Gooch sign and the ghost of another on it. In addition to the signs, the sidewalls also contain several flat-headed, second story windows. The rear of the building has three segmentally arched, second floor windows, along with a modern fire escape and doorways that were installed in 1967.

The George and Martha Washington Lodges of the Fraternal Order of Masons had the Masonic Temple built in 1912, for \$14,000. The Masons used the second floor of the building for their activities through the early 1990s. Afterwards, the hall was divided up and converted into seven apartments. Over the years, the Masons leased the first floor retail space to a variety of tenants, the first of which was H.F. Hecht's grocery store, whose signage is still faintly visible on the building's west wall. In 1928 the Interstate Newspaper Co., publisher of the *Havelock Times Post*, moved into the building. The company printed the *Times Post* until 1933, after which it published the *Capitol Farm and Home News* until 1938, when changed the name to the *Lincoln Farm and Home News*. In 1948, the printing company vacated the premises and the storefront remained empty most of the 1950s and 1960s. The most recent business to occupy the storefront was Callahan's Variety Store, from 1992 to 1994.

LC13:G15-006 (contributing)
Johnson Building
6042 Havelock Avenue
ca. 1920

The Johnson Building is a one-story, flat roofed, rectangular shaped, brick commercial building with Neo-classical detailing. The building is 35' wide, 120' deep. The principal, south, facade and the secondary facade on the east, are dark brown brick. The principal facade has a tripartite form with two wide bays and a narrow entry bay on the west. The facade rests on a base that consists of soldier and rowlock courses, and the bays set between by brick pilasters. The narrow, western bay has a slightly recessed entry, accessed by two steps, a sidelight on the east and transom above. The wide bays contain large window openings, each with two lights separated by a mullion. The four pilasters rise above the windows and are capped by simple brick capitals that support a tall entablature. The entablature includes a soldier brick frieze, a stretcher bond architrave, and a cornice with dentils and corbelling. The secondary, east, facade has an asymmetrical fenestration pattern, which continues the stylistic treatment of the primary facade for two bays. These two bays are wider and they contain three-light windows. Only the base and cornice of the primary facade continue the

entire width of the east faced. From south to north, the third bay has a transomed doorway and a double-hung window. There appears to have originally been a garage door that now contains a small storefront consisting of a door way with transom and narrow display windows on each side. The northern third of the facade is fenestrated by a transomed entrance and three double-hung windows. The north wall has an entry door, a large overhead door, and a small addition with a shed roof and an overhead door.

This building replaced the Havelock House, later the Central Hotel; a two-story frame boarding house built in 1891. The existing building appears to have been erected in around 1920. Upon its completion, the building was used for storage until 1923, when Knoll's Garage opened in it. The building remained in use as a garage, and briefly as a Chevrolet dealership, into the 1940s. In 1946 Therien Frozen Food Locker leased the building and converted it into a food locker. A food locker, along with a cabinet shop remained in the building through the 1960s. More recent tenants have included arcade game dealer, a golf shop, a vacuum cleaner repair shop, and most recently a vinyl siding and windows dealer.

LC13:G15-007 (contributing)
Lyric/Joyo Theater
6102 Havelock Avenue
ca. 1928

The Joyo is one of Lincoln's best examples of the Spanish Colonial Revival style applied to a commercial structure. The 40' x 105' theatre is characterized by its white stucco exterior and red tile roof. The building has a typical theatre style facade, with a tripartite form consisting of a recessed central entrance bay, flanked by narrow storefront bays. A ticket booth, flanked by recessed double door entrances, is located in the center of the facade. The booth is clad with polychromatic ceramic tile and has tall windows on all three sides. The recessed areas around the entrances are finished with red tile (terra cotta). The two theatre entrances have paired doors. Each door has a large half-circle window that faces the adjacent door. The side bays have pilasters that rise above the second floor, flowing into Roman arches. At street level, a display window and entry adorn each storefront. A large, projecting marquee, remodeled in 1956, spans the facade. Centered above the marquee, "Joyo" is spelled out in neon channel letters and "theatre" is spelled out in script on the marquee. Greek-inspired theatrical facial caricatures outlined in neon also adorn this part of the marquee. Above the storefronts, the marquee is taller, with large illuminated signboards and the word "JOYO" spelled out in large channel letters illuminated by small bulbs. On the second floor the side bays have two windows and the central bay has three, all of which have a round topped configuration (a Roman arch upper sash). The cornice is elaborated by a simple denticular pattern. The center bay has a red tile mansard roof. The side bays are taller, creating a twin tower effect, and have red tile hip roofs. The west, north, and east walls are stuccoed cinder block and the auditorium has a barrel roof. A door and two small windows are located on the west facade, near the front of the building. The north wall has a stepped parapet, two fire exits, and a small, one-story, rectangular shaped addition that has a gable roof.

The theater was constructed for Volney Headrick in 1928, replacing two wood-framed false-front structures that occupied the site. Originally named the Lyric Theatre, the movie house only operated a short time before closing. In 1936 Raymond Williamson, proprietor of the Joyo purchased the building, which was located across the street at 6121 Havelock Avenue. Williamson moved his theater into the building and it has remained in business as the Joyo Theatre ever since. Over the years the small shop spaces have contained a barber shop, a confectioner, a restaurant, and even a computer business. The theater retains a high degree of integrity.

LC13:G15-008 (contributing)

Headrick Cafe

6106 Havelock Avenue

ca. 1928

Perhaps one of the smallest storefronts in all Lincoln, this surprisingly narrow, one-story building is 10' wide and 55' deep. The building has a rectangular plan, with a flat roof, and a stuccoed facade. The building has a metal canopy, entrance, and wide sidelights, all later additions. The rear of the building is stuccoed and has a single entry.

This building was built about the same time that the Lyric (Joyo) was constructed next door. Early pictures show that the original facade of this building was executed in the Spanish Colonial Revival style, making it stylistically contiguous with the Lyric (Joyo). The small storefront originally had a door to one side, a display window, and transom. The building had a tile roof and corbels on its cornice. The building contained a restaurant for more than twenty years, operated by different individuals, including William Headrick, 1929-35; Volney Headrick, 1936-37; Frances Humble, 1938 until the mid-40s; Leonard Teague in the late 1940s; and Mrs. Hedwick Ludke in the early 1950s. Later tenants have included an optometrist, the LeModernc Sbob, a State Farm Insurance office, and the House of Gems jewelry store. Wild Hair Barber Shop now occupies the building.

LC13:G15-009 (contributing)

Old Havelock Post Office

6112 Havelock Avenue

1903

Like the Walton Block across the street, what appears as one building is actually two. This building, the Old Post Office, was built in 1903, and the building to the west was erected in 1905. The Old Post Office is a two-story, flat roofed, brick business block with stone and pressed metal trim. The building has a rectangular plan and measures 25' x 55' in size. The building has one storefront, with a recessed entrance, flanked by large display windows, and an entrance on the west that opens to a stairway to the second floor. Although it retains its original configuration, brick bulkheads, a metal and glass door, and the bricking-in of the transom area have altered the storefront. A metal canopy, added in the 1950s, extends the width of the facade, below the transom and a stone band exists near the top of the transom area. The second floor retains its original configuration of four, regularly spaced segmental-headed, double-hung windows, with rock-faced stone sills. A pressed metal cornice, with brackets and finials at the corners, complete the facade. A pressed metal crest, which bore the inscription "Post Office, 1903," has long since been removed. The principal

facade has also been painted a "brick red" color. The exposed west and north walls have been stuccoed. The rear wall has three segmental windows and a door on each floor.

Upon its completion in 1903, this building became the second structure to house the Havelock Post Office. The Post Office remained in the building until 1917, when it moved into the new Schmidt Bros. Building. Early second floor tenants include a real estate office in 1904 and a doctor's office in the late 1900s. The Havelock Building & Loan Association, Bert Anderson Real Estate Office, and the Havelock Commercial Club all leased space on the second floor in the early 1910s, before this floor was converted into apartments in the 1920s. After the Post Office moved out in 1917, the building saw a variety of other tenants, including a barber shop from 1929 until 1948. Other businesses that leased space in the building during this time includes a shoe repair shop, two insurance agencies, several cleaners, and a series of restaurants, the most recent of which was LaPaloma, a Mexican restaurant.

LC13:G15-010 (contributing)
Anderson & Hunt Block
6116 Havelock Avenue
1905

This building was designed to look like a continuation of the Post Office, which was constructed two years earlier. Like the Old Post Office, this building is a two-story, flat-roofed business block, constructed from orangish colored brick. The building has a rectangular plan and its dimensions are 25' x 70', making it slightly larger than its older counterpart. Although it has been altered, the storefront still retains its original configuration. The storefront consists of a recessed entrance with display windows on both sides, and an entrance on the west, which opens to a second floor stairway. The transom area has been covered over with metal panels and the wood bulkheads have been replaced by brick elements. A stone band is located near the top of the transom area. The second floor retains its original configuration of four, segmentally-arched, double-hung windows equally spaced across the facade, which unlike the Post Office, have stone sills with a smooth finish instead of a rock-faced finish. A pressed metal cornice, with brackets and finials at the corners, complete the facade. A pressed metal crest, inscribed with the words "Alexander and Hunt," was removed years ago. The exposed portions of the side and rear walls have been stuccoed. The rear wall has two segmentally arched windows and door on each floor, while the west wall has only two small, segmental windows on the second floor.

A large, 1 1/2-story, gable roofed, corrugated metal shed, with a large sliding door on the north and a Dutch door on the west, is located behind the main building. The shed appears to have been built sometime between 1910 and 1927, make it a contributing element of the district.

Based on deed records and newspaper accounts, it appears that the Anderson & Hunt Building was completed in 1905 at a cost of \$4,000. The first traceable business to locate in the building was Warga's Grocery Store from 1910 until 1914, which was replaced by W.A. Shuler's confectionery during the late 1910s. From the early 1920s through the early 1940s, several restaurants were located in the building. In 1942, a Salvation Army Store was located in the building.

In 1946, Havelock New & Used Clothing opened in the building, and stayed in it into the 1970s. Since the 1980s, Allied Appliance has occupied the building.

LC13:G15-011 (contributing)

Basket Store #11

6118 Havelock Avenue

ca. 1910

The Basket Store is a one-story, 25' x 100', rectangular shaped, brick commercial building with a flat roof and concrete trim. The building has a unique facade, constructed from a shiny, white-glazed brick that is an unusual building material in Lincoln. The facade has a centrally located, recessed, V-shaped entrance with sidelights and a transom. Storefront display windows flank the entrance. The cornice consists of egg and dart, and Neo-classical mouldings. Above the cornice is a simplified, flat parapet that features gray colored brick, topped by concrete coping. A modern vinyl canopy now spans the facade. The rear wall, which has been stuccoed, contains a modern door. The exposed portion of the west wall has also been stuccoed.

The first tenant of this building appears to have been Harvey Burton's grocery store, which occupied the building in 1913. The next business to locate in the building, according to a December, 1914 lease agreement, was a small grocery store called Basket Store No. 11. This was the eleventh store in a small chain, founded by James Burleigh. The stores first appeared in about 1912 and by 1918, there were nearly twenty of them in and around the city of Lincoln. Basket Store #11 remained in business through 1922, when it was taken over by Glen Fordyce, who operated it under his name until 1929. The little store stood vacant for most of the early 1930s. A billiards hall was located in the building from 1935 through the mid-1940s, when it was replaced by a Gambel's Store. In the 1950s, the building was taken over by Havelock Hardware & Supply, a predecessor of Wolf's Ace Hardware, which now occupies the building.

LC13:G15-012 (compatible)

Baker Building

6120 Havelock Avenue

W.J. Assenmacher Construction Co., contractor

1945/1960

This building evolved into existence in a most peculiar way. The original building on this site was a two-story, wood-framed structure built in 1892. In 1945, the building received a new brick veneer facade and a one-story, concrete block garage was built onto the back of it. In 1960, the original, wood-frame structure was demolished, leaving only the facade and the garage in place, and a new, two-story, steel and concrete block structure was then built to replace the original building. A one-story addition was also built next to the garage at this time. As it now exists, the Baker Building is a two-story, brick and concrete block, commercial building with a rectangular plan, flat roof, and stone trim. With the two one-story additions behind it, the building measures 50' x 112' in size. Since the facade was originally a remodeling project, it retains the same configuration as the 1892 building. The dark orange, brick facade features two, 25' wide storefronts, set between brick piers, at ground level. The western storefront contains offset, recessed, V-shaped entrance, large

display windows on either side, and stone bulkheads. The eastern bay features large display windows, stone bulkheads, and an entrance recessed into the eastern edge of the facade. The piers, which rise to the second floor, rest on stone bases. The second floor has four pairs of regularly spaced, one-over-one, double-hung windows and a continuous stone sill band. The windows are further accented with soldier brick lintels and ornamental shutters. A flat parapet and stone coping cap the facade. The rear wall of the two-story section of the building has four sets of paired windows and two doors. A stairway behind the building provides access to the second floor apartments.

Albert Baker, an insurance and real estate agent, erected the original building on this site in 1892 and shared it with a Justice of Peace until 1901. During the early 1900s, the building was occupied by a laundry, a restaurant, a bakery/confectioner, and a jeweler, before it became the original home of Hitchcock Pharmacy, which opened in 1907. In 1914, Baker Pharmacy moved into the original building, remaining in this location for nearly sixty years, before closing its doors in 1973. In 1974, a branch of the State Federal Savings Bank, which later became American Charter Bank in 1988, replaced the pharmacy. American Charter closed in the early 1990s and since that time, the building has contained the offices of an accountant, a bookkeeper, and an attorney. Although the building is essentially a product of the district's second era of development, its size, scale, and materials make it compatible with the older buildings in the district.

LC13:G15-013 (contributing)
Jones Bakery and Anderson Hardware
6128-32 Havelock Avenue
ca. 1920

Although this building reads as one unit, each half was actually constructed for a different owner. The building is a two-story, rectangular shaped, flat roofed, brick commercial building, measuring 50' wide and 78' deep. The building also has a one-story, brick addition behind it. The principal facade is symmetrically divided into two bays, separated by a brick pier. The western storefront retains its original configuration, with a recessed, V-shaped entrance near its center, large display windows to either side, and an entrance opening to a second floor stairway on the east, near the center of the facade. The eastern storefront has been altered. It has a series of large display windows and an entrance, flush with the facade, on the east. There are four two-light windows above each storefront, making eight total second floor windows. The windows have stone sills and flat lintels. The cornice has an alternating pattern of sawtooth corbels, which is a variation on the more common sawtooth mouldings found throughout the district. Above the cornice there is a flat parapet with stone coping. The west and rear walls are built from common orange brick. The rear addition has two entrances into it. The west half of the building has a historic, small, wood-framed addition on the second floor, with three windows and an entry on its. The east half of the north wall has two windows and a door on the second floor.

The two lots, on which this building was constructed, have a very interesting history. The first structure on this site was a two-story frame building constructed on the east lot by H.N. Framstad in 1892. This building was razed in the early 1900s and replaced by a one-story, 50' wide brick building in 1902. Records are unclear whether this building was razed or if a second story was

added to it to create the existing two-story building, which was completed around 1920. Businesses that have existed in the western storefront include Robert Jones' bakery, 1904-17; a laundry company in 1912; and the Havelock Electric Light Co., 1913-1928. Iowa-Nebraska Light & Power Co., later Consumers Public Power District, used this storefront as an office from 1931 until 1964. Early tenants of the eastern storefront include a billiards hall, during most of the 1900s and 1910s, a general store in 1912, and a barber in 1913. In 1918, Cloos & Anderson, which became Anderson Hardware in 1926, opened in this space. This business, which operated in this location until 1959, is significant for its association with Victor Anderson. Victor was very politically active and served as a state senator, as Mayor of Lincoln, and as Governor of Nebraska in during the 1950s. Anderson Hardware moved to a new building just down the street in 1959. For the past decade, this storefront has been the location of the Havelock Chiropractic Center.

LC13:G15-014 (contributing)

Hitchcock Pharmacy

6136 Havelock Avenue

ca. 1910

Records do not clearly indicate whether this building was constructed from the ground up, or if it was the product of adding a second story to an existing structure. Regardless, what exists today is a two-story, rectangular shaped, 25' x 70', flat roofed building constructed from rough-faced brick. A storefront spans the principal facade and features a recessed, V-shaped entrance in its center, with large display windows on either side. Although the storefront has been altered, it retains its original configuration. The transom area has been filled with brick, but its outline is still visible. The second story has four; segmentally arched double-hung windows equally spaced apart. The cornice features a slightly recessed rectangular panel and checkerboard brickwork. The rear of the building has been stuccoed and has four rectangular shaped windows on the second floor and a small, corrugated metal addition (vestibule) on the first floor.

The first building on this site was a two-story frame structure constructed about 1892. By 1903, this building had been replaced by a one-story brick store. The two-story structure that exists today was completed around 1910, records do not clearly indicate whether a second story was added to the existing structure, or if an entirely new building was constructed in 1910. The first business traceable to this property was Henry Hecht's grocery store in 1903-04. Since 1905, the building has been occupied by a pharmacy. From 1905 until the early 1920s the building contained Hitchcock Pharmacy, which was operated by John Hitchcock who was both a druggist and president of the First National Bank of Havelock. During the mid-1920s the drug store was called Pinkerton's Pharmacy and from 1928 until the 1950s it was George Scofield's Drug Store. Since 1960, the store has been named Havelock Pharmacy.

LC13:G15-015 (compatible)
Moran Building/The Vickeridge
6140 Havelock Avenue
ca. 1910/1990

Although this structure looks like a brick commercial building, it is actually a two-story, rectangular shaped, wood-framed commercial building with a flat roof, and a one-story addition to the rear. In 1990, a brick veneer, sensitive to other buildings in the district, was applied to the two street facing facades, south and east. Originally, the principal, south, facade had two storefronts, that have been remodeled into one storefront with two wide, three-pane display windows and a narrow, recessed entrance on the east. The entrance consists of a metal and glass door, sidelights, and a transom. There are four double-hung windows regularly spaced across the second floor, all with soldier brick lintels. The cornice, which consists of individual corbels, and the second floor window lintels are tan brick, while the rest of the facade is painted brick. The east facade, which is secondary to the south facade, is veneered with orange colored brick and lacks fenestration on the ground floor, except for an entrance to the one-story addition at the north end of the facade. A belt course of dark orange soldier brick is located between the first and second floors. Like the primary facade, the east facade has four regularly spaced double-hung windows with tan brick sills and lintels. The rear of the building is clad with vinyl siding. A stairway leads to a deck above the one-story addition that provides access to an apartment on the second floor of the building. The second floor has one regular doorway, a sliding glass door, and a small double-hung window.

The original building on this site was a two-story frame building erected in 1893. In 1899, Cornelius Moran purchased the building and extensively renovated part of it for use as a meat market. Records indicate that in 1910, the original building was replaced, apparently nearly in-kind by the structure that exists today. Early tenants of the building's western storefront included Hitchcock Pharmacy in 1904; Schuler Pharmacy in 1905-06; Henry Hecht's grocery store, 1907-1912; Eugene Hubert's variety store, 1929-32; Homer Boswell, notions, 1934; and Fred Sieber's harness shop from 1935 until 1957. Karnes Drygoods Store occupied this shop space in the early 1960s. From 1899 until 1915 the eastern storefront contained Moran's Meat Market. Over the years, the eastern storefront has housed a variety of businesses including Dore & Lippert, a general store, in the late 1910s, which became a men's furnishings shop when Mr. Dore left the business in the 1920s. Charles Lippert's shop remained in business through 1933. During the late 1930s and the early 1940s the shop space was leased to several grocery stores and in the late 1940s it was occupied by a second hand store. From the 1890s through the mid-1910s, the one-story addition which faces 63rd Street, contained a harness maker/buggy dealer. Since 1971, the entire first floor has been occupied by the Vickerage, a women's clothing store.

The Dullenty Hotel, a two-story frame structure built in 1892, originally stood on the north half of these lots. The hotel, which changed hands in 1907, becoming the Johnson Hotel, remained in business through 1923. The hotel stood empty during the late 1920s and early 1930s, before being converted into an apartment building in 1933. First called the Claremont Apartments, in 1941 it was renamed the Charlette Apartments, and in the 1950s it became the Charlotte Apartments. The old hotel was razed in 1977 to make way for a parking lot.

LC13:G15-016 (compatible)

Anderson Building

6200 Havelock Avenue

Sid Campbell, architect

Victor Anderson, builder

1959

This 50' x 160' one-story, flat roofed building shows the influence that the automobile had on the design of commercial buildings after World War II. Prior to the war, commercial buildings were typically tall, narrow structures, with large display windows on the ground floor, where stores could display their goods, and offices or apartments on the upper floors. With the coming of the automobile age, commercial buildings evolved into horizontally oriented structures, with wide display windows. These wide storefronts allowed for greater visibility from a moving car. This building follows that practice and has a continuous glass facade, with a central, double door entrance and transom. Three large display windows are located on each side of the entrance, separated by narrow mullions. A metal canopy is suspended over the facade and, wraps around the southwest corner of the building. A corrugated metal signboard is located above the canopy, in place of a cornice. The secondary (west) and rear (north) facades are constructed of brick set in common bond. The west facade has a large display window on the south, a central entrance with sidelight and transom, and an overhead door on the north. A stone panel, inscribed with "Anderson 1959," is located above the central entrance on this wall. Corrugated metal panels are sited above the overhead door and the display window. The rear wall contains an overhead door.

This building replaced two early twentieth century wood-framed structures that were located on this site. The first building was built on the corner about 1901 and housed a saloon, before becoming a billiard parlor during the Prohibition Era. The second structure was constructed around 1905 and had many different occupants, including a saloon, a pool hall, a cleaners, a clothier, a restaurant, and a shoe repair shop. These structures were razed in the mid-1950s. In 1959, after serving two consecutive, two-year terms as Governor of Nebraska, Havelock native Victor Anderson, returned to running his family owned hardware store in Havelock, located at 6132 Havelock Avenue. One of his first tasks in 1959 was to have this building constructed, so that Anderson Hardware could expand. Anderson continued to run the hardware store until his death by heart attack in August 1962. After his death, Anderson Hardware closed its doors for good and Lawlor's Sporting Goods moved into the building. Today, the Anderson Building is the site of Havelock Furniture and Appliance.

LC13:G15-017 (contributing)

Jewel Theater

6208 Havelock Avenue

1923

The Jewel Theater is a three-story, rectangular plan, brick, commercial style building. The building has a flat roof, and a two-story and one-story addition behind it. Although it is three stories tall, this building is only slightly taller than some of the large two-story buildings in the district. The theater has a 26' wide storefront, which consists of a centrally located, recessed, V-shaped entrance,

flanked by large display windows. There is also a door on the west edge of the facade that originally accessed the theatre, which was located at the rear of the building. An aluminum canopy, dating from the construction of the Anderson Building in 1959, spans the facade. Although much simpler than some of the nineteenth century buildings in the district, the upper floors of the Jewel feature an ample amount of brickwork. The second and third floor windows are set within a large, slightly projected, rectangular shaped element that features soldier and stacked brick, along with basketweave. The cornice consists of several courses of low relief corbelling. The sidewalls (east and west) have stepped parapets and a number of boarded-up windows on the third floor. The rear of the building steps downward from three to two to one story in height. An aluminum and glass door, with sidelights and a transom are located on the building's back wall.

The Jewel replaced an 1892 false-front commercial building, which had been the site of a saloon, a restaurant, and a confectionery shop. The theater was designed with a shop space in the front part of the first floor, a 350-seat theatre in the rear, and apartments on the upper floors. T.J. McLaughlin opened the Jewel Theatre in 1923 and operated it through 1926, where upon he leased it to R.W. Williamson. Williamson ran the theatre for less than a year, before he closed it in 1927 and opened the Joyo Theatre, across the street to the south. From 1929 through 1933 the building contained a series of restaurants, after which it stood vacant for several years. During the late 1930s and early 1940s, the building contained an auto shop/motor company. For nearly fifty years the building housed one of two department stores. The first was, Hested's 5¢ and 10¢ Store, 1947-56, followed by a Ben Franklin Store, 1957-92. Havelock Furniture and Appliance, which is located in the Anderson Building next door now uses the first floor as additional showroom space, while the upper floors contain apartments.

LC13:G15-018 (contributing)

Cassidy Billiards Hall

6212 Havelock Avenue

ca. 1911

This handsome little building is a 24' x 100', one-story, rectangular shaped, brick structure with a flat roof. The principal facade has a centrally located, recessed, V-shaped entrance, with large display windows flanking it. Unlike most storefronts in the district, this storefront still retains its original wood bulkheads below the display windows. A wood panel now covers the transom windows. Like several other buildings in the district, the cornice features dentils and sawtooth brickwork. The east wall, which features a step-down parapet, has had stowe applied and a modern door installed. The rear to the building has three tall, segmental arched window openings that are boarded over.

This quaint building was originally owned by Grace Blount, who leased it to Ray Cassidy until he purchased it from her in 1919. Cassidy ran a billiards hall in the building for twenty-seven years, from 1913 until 1940. Robert Studinka acquired the tavern in 1940. When Mr. Studinka took over the bar, he allowed Mrs. Virgie Murphy to open a kitchen in the bar, however, her involvement ended in the 1950s. Mr. Studinka still ran the bar in the early 1970 and today it is now simply called Bob's Tavern.

LC13:G15-019 (compatible)
Pedestrian Mall
6214 Havelock Avenue
1979

This pedestrian mall was constructed to provide pedestrians with access to the district from a parking lot located on the north half of this block. The promenade is paved with brick, and contains several plantings, which create park-like setting. The mall replaced a small, one-story brick commercial building that was constructed circa 1909-1910. From the street, the mall looks like a vacant lot, which is often typical feature of many small town main streets. The building had two small storefronts. The western storefront housed a number of barber shops over the years and a beauty shop after 1941. The eastern storefront contained many different businesses, including an electrical contractor/real estate agent, 1914-29; a Beatrice Creamery cream station, 1929-31; Schoonover Oil Co., 1933-34; a liquor store, 1936-40; and barber shops after 1941. The building was razed in 1979 to make way for the promenade.

LC13:G15-020 (contributing)
Purbaugh Building
6220 Havelock Avenue
ca. 1911

The Purbaugh Building is a 25' wide by 80' deep, two-story brick commercial style building with a one-story 25' x 20' addition to the rear. The 25' x 100' building has a rectangular plan and a flat roof. The facade is intact, except for new glazing in the first floor doors and windows. The first floor storefront has a recessed, V-shaped entrance in its center, bracketed by large display windows, and an entrance on the west, which opens to the second floor stairway. Tall transom windows and a metal lintel complete the storefront. Slightly projected pilasters that rise to the top of the cornice bracket the facade. The second floor has four large, six-over-six double-hung windows. The cornice has the same decorative brickwork that is found on several buildings in the district, which includes dentils, sawtooth moldings, and corbels that projects outward to become flush with the pilasters. The west wall was constructed on top of an existing one-story party wall, so the second story of the wall is thinner, with buttressing for support. The wall also features a modern door and a small window on the first floor, and a series of segmentally arched one-over-one windows on the second floor. The rear wall has three segmental window openings on the second floor, with one intact six-over-six window, and a modern window on the first floor.

Based on a 1912 wall agreement, this building appears to have been constructed for J.R. Purbaugh between 1911 and 1912. Hecht's Department Store was the building's first tenant, leasing it in 1912. During the years 1913-18, the building contained Theodore Jacob's clothing store. A Safeway grocery store moved into the building in the 1920s and remained in it until a larger store was built across the street in 1940. Graft's Department Store was located in the building from 1941 until the late 1950's. In 1962 the building became a Laundromat and it now houses the offices of Nebraskaland Steel Products.

LC13:G15-021 (contributing)
Joy General Store/ Arrow Aircraft Office
6222-24 Havelock Avenue
ca. 1909

This building is a one-story, flat roofed, brick commercial building with a 50' wide facade. The facade has two identical, 25' wide storefronts set between brick piers. Each storefront has a recessed, V-shaped, central entrance that is flanked by large display windows, and short transom windows. Like many early commercial buildings, the original display windows have been replaced by two smaller windows that are separated by a thin mullion. Additionally, metal insulation panels have replaced the transom windows. The area above the storefront is slightly recessed, and the cornice has the same denticular, sawtooth, and corbelling pattern that is found on several other buildings on this blockface. The east half of the building is 80' deep and has a single entry door in back, while the western half is 140' in length, with a double door entrance on its rear wall.

The first tenant of this building appears to have been the Joy, Freytag, & Company, a general store that first appears in the building in 1914. The store, whose name varies in city directories, remained in the building through 1921, after which there are no traceable tenants until 1927. Although not the first business to locate in the building, the Arrow Aircraft Company is perhaps the most historically significant one to do so. Arrow Aircraft was incorporated by prominent Lincoln real estate magnate Mark Woods and his son Pace Sr., in 1927, shortly after the Woods family took control the ill-fated Patriot and Hebb Motor Companies truck manufacturing facility in Havelock. By 1929 Arrow was producing four airplanes per day, making Havelock, for a short time at least, the largest aircraft manufacturing facility in the world. Although the Great Depression hurt the company it remained in business through 1940, albeit its offices were only located in this building from 1927 through 1929. This relatively spacious building remained vacant until 1932, when Karnes Inc., a grocery store, opened in the building. Karnes remained in this location through the late 1970s. Today the building is known as the "The Isles" reception hall.

LC13:G15-022 (compatible)
Helin Grocery
6232 Havelock Avenue
ca. 1909-10

The former Helin Grocery Building is a one-story, 25' x 80' brick commercial building. In 1987, the facade of this small building was heavily altered and all historic features were concealed. The alterations included installing a stuccoed facade over the original storefront and constructing a wood shake shingle mansard roof in front of the cornice. The facade now contains an entrance that is recessed and offset to the east. A small wood-framed addition, built in 1932, is located towards the rear of the building.

From 1911 until 1958, this building contained Helin & Co., a grocery store owned by Frank Helin and later by his son Oscar. For a brief time in the late 1910s the building also housed the Havelock Commercial Club. In 1958, the Helin family sold the building and it became a Salvation Army thrift store, which remained in the building until 1971. Since the late 1980s, the small building

has housed the Isles Restaurant. Due to the extent of the 1987 facade remodeling, the building is considered a non-contributing part of the district. However, it is still compatible with the district in size and scale.

LC13:G15-023 (compatible,)

Sinclair Service Station

6240 Havelock Avenue

Bess & Gatenby, contractors, 1953

Judd Bros. Const. Co., contractor, 1967

1953, 1967

The former Sinclair gas station is a one-story, flat roofed, concrete block building with one-story additions to the east and north. The original, western portion measures 44' wide and 28' deep. The front of this structure originally had a large garage door on the west, now covered by vertical wood siding, a bricked in store entrance, and a clipped corner on the east with large display windows. The addition is one-story, 40' x 30', concrete block structure with a double-door and three large display windows. A metal canopy, spanning the eastern part of the facade, was also added in 1967. In 1976, a small, 8' x 15' concrete block addition was built on the north side. The rear, north side of the building has buttressed walls and several high windows.

This site was originally the location of the Holliet House, a two-story frame hotel built in 1891. The Holliet, whose name changed to the Commercial Hotel around 1910 and to the Havelock Hotel about 1920, remained in business through 1936. After 1936, the hotel remained vacant until it was demolished in the mid-1940s. The existing structure was built for \$12,000 in 1953 for use as a Sinclair Service Station. The gas station remained in business as a Sinclair station into the early 1970s. From 1976 through the early 1990s, the building was occupied by Rohrig's Beverage Mart, a liquor store. The present tenant is the Tobacco Hut, a tobacco shop.

HAVELOCK AVENUE LANDMARK DISTRICT STATEMENT OF SIGNIFICANCE

The Havelock Avenue Landmark District consists of a 2 ½ block stretch of Havelock Avenue in northeast Lincoln. The district contains a fine collection of late Nineteenth, early Twentieth, and mid-Twentieth Century commercial buildings, which represent the architectural and cultural legacy of Havelock, Nebraska, an independent suburban town that developed around the shops of the Burlington & Missouri River Railroad (BNSF, nee Burlington Northern, nee Chicago, Burlington & Quincy). The landmark district is significant for its role in the rise and decline of Havelock as an independent town. The district is Lincoln's most intact example of the "main streets" that developed in the city's historic suburban towns of College View, Bethany Heights, Havelock and University Place. The district has two distinct chapters in its history. The first embodies the forty-year period between 1890 and 1930, when Havelock was an independent town. The second era encompasses the early post annexation years, 1930-1962. Currently, the period of significance is 1890-1930, the years that Havelock was an independent town.

The avenue, which was originally called Jackson Avenue and later "O" Street before being renamed Havelock Avenue in 1931, served as the "main street" of Havelock for forty-years, from the town's inception in 1890, until its annexation by Lincoln on October 1, 1930. During this period, Havelock was an independently functioning community, with its own businesses, churches, schools, and even its own social life. The business district was central to the daily functioning of the community. In the district, one could shop for goods at general stores, clothiers, grocers, and hardware stores. For entertainment, there were movie theaters, pool halls, saloons, and several fraternal lodges. The avenue was also home to several professional offices, including the corporate headquarters of the Arrow Aircraft Company. The district even laid claim to two banks, two newspapers, a post office, a city hall, and a fire department. Enhancing the vitality of the district, were many upper story apartments, located in some of the larger two-story buildings.

After annexation in 1930, the business district continued to prosper as it slowly transformed into the principal commercial and entertainment center in northeast Lincoln. The district's importance to the City of Lincoln after annexation is demonstrated by the significant amount of growth that occurred in the district after annexation. Although only a few buildings were constructed between 1930 and 1945, which is more reflective of the conditions brought about by the Great Depression and World War II, a significant amount of development occurred in the 1950s and early 1960s. During the post-war era several new structures were built in and around the district. This period of growth concluded in 1962, when the last historic building was constructed in the district. Since this second period of development concluded the early 1960s, not enough time has gone by to allow for its significance to be fully understood. Therefore, the period of significance is being drawn at 1930, corresponding to the year of annexation. The district should be reevaluated in several years, when the full impacts of the post-World War II growth can be more thoroughly understood, and the period of significance should be extended through 1962.

The district is comprised of a series of small scale, one, two, and three story commercial

buildings. The structures are of predominantly brick, stone, and wood construction. Most buildings are of rather modest design, reflecting Havelock's middle-class work ethic. The notable exceptions, which include the Joyo Theatre, the Lancaster Block, and the Schmidt Building, act as focal points that anchor the district's street corners. Other buildings, such as the Old Post Office, the Odd Fellows Hall, the Walton Block, and the Old Engine House, solidify the interior block faces. Unlike many older commercial areas in Lincoln, the modern construction in the district has been of the same size and scale as the older, more historic buildings. Consequently, the modern buildings tend to unify, rather than detract from the district. This combination of strong corner buildings, fine interior block faces, and sympathetic modern infill gives the district a strong sense of visual harmony that is not found in most commercial areas of Lincoln.

HISTORY OF HAVELOCK

The community of Havelock has a rich and interesting history that is inextricably tied to the B.&M.R./C.B.&Q. Railroad. The railroad first laid rails through the future site of Havelock in 1870, however, nearly two decades would pass before the town of Havelock would be founded. Havelock was platted on June 30, 1887, by the Lancaster Land Company, which had been founded that spring by Albert E. Touzalin, vice president of the B.&M.R. R.R. in Nebraska, and two of the railroad's land agents, John D. MacFarland and John R. Clark. The town was named after Touzalin's childhood hero, British Major-General Sir Henry Havelock. Havelock essentially existed only on paper until 1890, when the Lancaster Land Company gave the B.&M.R. 300 acres of land in Havelock to build a new locomotive and car repair facility.

The railroad had been looking for a site on which to build a repair facility for some time. The 1880s were a period of rapid development for the railroad. The B.&M.R. R.R. grew in length, volume of traffic carried, and it added substantially to its roster of locomotives and rolling stock. As a result of the railroad's rapid growth, its original shop facility, located in Plattsmouth, Nebraska, was quickly outgrown. Due to the limited space around the Plattsmouth Shops, the railroad opted to look elsewhere to construct a new repair facility, a place where there was adequate room to expand. When the Lancaster Land Company offered the railroad a site in Havelock, the railroad accepted, no doubt in part because of Albert Touzalin's hand in the matter.

The original plat of Havelock was vacated on June 23, 1890. The next day, Havelock was replatted with a 300-acre parcel set aside for the new shops. Included in the plat was a 3 block wide by 5 ½ block long area containing 25' wide lots, that were intended for commercial purposes. Ground breaking for the new shops took place in late June 1890 and to show its confidence in the future of Havelock and encourage further investment, the Lancaster Land Company built the Lancaster Block in late 1890, on a prominent corner, near the center of the area platted for the business district. The two-story, brick commercial block gave a sense of permanence to the otherwise undeveloped town. Over the next several months the town acquired a depot, several false-front commercial buildings were constructed, and at least five residences were built. Early businesses on the avenue included a dry goods store/barber shop on the northeast corner of Forbes and Jackson (61st and Havelock) and a hardware store across the street to the south. A post office opened in the dry goods store on December 31st, further establishing the town's permanence. A second railroad, the Chicago, Rock

Island, & Pacific, reached Havelock in 1891. The Havelock Shops officially opened in 1892 and employed several hundred men. Havelock was incorporated on May 6, 1893 and a streetcar line from Lincoln was completed later that year.

Although Havelock was considered a suburb of Lincoln and its residents could easily catch a train or streetcar to Lincoln, Havelock, unlike the other suburban towns, always prided itself on having an identity that was separate and distinct from Lincoln. This sense of community was strong in Havelock because it was an industrial town, unlike the other suburban towns which primarily existed to serve the needs of small, religious-based colleges. The college towns never had the strong identities because they had relatively transient populations. Essentially, they were places where young men and women came to live for a few years while they acquired an education. Havelock was different because it was a working class community, where people lived, worked, and raised families. Consequently, Havelock residents had a great deal of pride in their community, which translated into the strong sense of community identity.

Havelock Avenue developed into a "main street" because its citizens were working-class people who did not have the time, or the financial means to commute back and forth to Lincoln every time they needed something, be it groceries, clothing, or personal items. Havelock residents shopped at their local merchants because it saved time and money, it also helped insure their community's future as an independent city.

The Havelock Shops have always been the primary employer in Havelock. As a result, the prosperity of Havelock was dependent on the shops. The stable employment offered by the shops helped curtail many of the effects of the Panic of 1893. By 1895, the shops employed more than 400 men, with a monthly payroll totaling \$17,000. As a result of the railroad's steady employment opportunities, Havelock's population swelled to more than 1,100 residents by 1896 and to nearly 1,500 by 1900. By 1903 Havelock had over 1,600 residents and the Burlington shops had a monthly payroll of \$31,000. By this time, Jackson (Havelock) Avenue had developed into a full-fledged "main street", lined with false-front commercial buildings and brick business blocks. In 1918, nearly 90% of the Shops' 1,000-member workforce lived in Havelock, making up roughly 28% of Havelock's entire population.

Havelock prospered as a community into the early 1920s, reaping the benefits of having such a major employer in the community. Havelock's population had grown to 3,600 by 1920, however, the impact of the full shops would soon become hauntingly apparent. Havelock's future was forever changed in 1922, when 903 of the Burlington's 1,000 shop workers went on strike over wage cuts and the elimination of overtime pay. The strike was never resolved. As a result, the Shops' activities were curtailed and its labor force was greatly reduced for many years. The effects of the strike crippled Havelock, and its impact can be seen in Havelock's negligible 1% population growth during the 1920s. This is in stark contrast to the population booms that occurred in Lincoln and the other suburban towns. Lincoln's population grew by 20% during the 1920s, while the other suburban communities grew at even greater rates. Bethany experienced a 28% increase in its population, College View grew by 30%, and University Place posted a population increase of 33%. It was the

lack of prosperity brought about by the strike, combined with Havelock's higher tax levy, that ultimately led to the decision by the Havelock voters to approve annexation by Lincoln in 1930.

The district is unique in several ways, when compared to the main streets in Lincoln's other early suburban towns. Havelock was platted with the intention of becoming an industrial town, so it relied on its railroad facilities for its prosperity. All of the other suburban towns relied on their small religious-based colleges for prosperity. This meant that Havelock had a strong economic base, which allowed the community to function as a self-sufficient city. The other suburbs relied on Lincoln for their survival, so they never developed as fully as Havelock. The fact that Havelock was a working-class town, rather than a college town is also reflected in the types of business found on its "main street." Havelock had more grocery stores and banks, as well as more entertainment type businesses when compared to the other suburban towns. This reflected that Havelock was more of a "town," where one could buy a house and raise a family, rather than being just a place to live attending college. Havelock's high number of saloons, pool halls, and theaters, reflects that fact that its citizens typically had more free time in the evenings, and had disposable income to support recreational activities.

HISTORY OF HAVELOCK AVENUE

Havelock Avenue was originally a dirt thoroughfare. Wooden sidewalks were constructed in the 1890s and a streetcar line was constructed down the middle of the street in 1898. Permanent sidewalks were constructed along the street in 1913. The avenue was paved with brick in 1914, making Havelock one of the few towns in the west with a population of less than 3,000, to have paved streets. In later years, the trolley tracks were removed and the avenue was repaved with asphalt/concrete, although the side streets still retain their historically significant brick paving.

THE STREETScape

The architectural significance of the Havelock Avenue Landmark District is derived not only from its buildings, but also from its streetscape. In his highly acclaimed work, entitled *Main Street Revisited*, Richard Francaviglia identifies the three defining elements of a main street as the street, the buildings, and the open spaces. All three features are present in, and integral to the significance of the Havelock Avenue Landmark District. While it is commonly accepted that the buildings contained within the district are architecturally significant, the street and the open spaces within it are of near equal importance. The narrow street width, wide sidewalks, two-way single-lane traffic, diagonal parking, and the brick side streets are all contributing elements that help define the district's urban form. The significance of these elements becomes quite apparent when the district is compared the University Place business district, located only a few miles away. Both downtowns still retain their buildings, however, the "main street" (North 48th Street) in University Place has been widened into a four-lane arterial street, with narrow sidewalks, and no parking. These alterations have destroyed the area's integrity and its ability to function as a "main street." This fact clearly demonstrates the significance of the streetscape to the Havelock Avenue Landmark District. The continuous frontage of the buildings, unbroken by open spaces, creates an urban canyon, which is another important element of the district's character.

The Havelock Avenue Landmark District is the best preserved example of the “Main Streets” that developed in Lincoln’s early suburban towns. The district is both architecturally and culturally significant for the role it played in the development of Havelock as an independent town and for the role it played in the everyday lives of its residents. This gem of a district plays a key role in interpreting the history of Havelock. It is also representative of the development that occurred in the other small suburban towns surrounding Lincoln.

Historic Havelock Design Guidelines

(Based on the Sec. of Interior's Standards for Rehabilitation & Guidelines for Rehabilitating Historic Buildings, with additional information on signs)

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
4. Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
6. Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
8. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.
9. New alterations and additions shall be compatible in size, scale, color, material and character with the building and district. Compatible contemporary design that achieves these standards and does not destroy significant historical, architectural or cultural material, may be permitted.
10. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

ADAPTED FROM GUIDELINES FOR APPLYING
THE SECRETARY OF THE INTERIOR'S STANDARDS

THE ENVIRONMENT**Recommended**

Retaining distinctive features such as the size, scale, mass, color, and materials of buildings, including storefronts, cornices, and awnings that give a business district its distinguishing character.

Retaining landscape features such as street lights, signs, benches, walkways, streets, alleys and building set-backs that have traditionally linked buildings to their environment.

Using new plant materials, walkways, street lights, signs, and benches that are compatible with the character of the neighborhood in size, scale, material and color. (See the attached *Havelock Ave. Sign Criteria* for additional guidance on signs.)

BUILDING SITE
Recommended

Identifying plants, trees, walkways, and other elements that might be an important part of the property's history and development.

Retaining plants, trees, walkways, street lights, signs, and benches that reflect the property's history and development.

Basing decisions for new site work on actual knowledge of the past appearance of the property found in photographs, drawings, newspapers, and other records. If changes are made, they should be carefully evaluated in light of the past appearance of the site.

Providing proper site and roof drainage to assure that water does not splash against the building or foundation walls, nor drain toward the building.

Not Recommended

Introducing new construction into neighborhoods that is incompatible with the character of the district because of size, scale, color, and materials.

Destroying the relationship of buildings and their environment by widening existing streets, changing paving materials, or by introducing inappropriately located new streets and parking lots that are incompatible with the character of the neighborhood.

Introducing signs, street lighting, benches, new plant materials, walkways and paving materials that are out of scale or inappropriate to the neighborhood.

Not Recommended

Making changes to the appearance of the site by removing old plants, trees, walkways, and other elements before evaluating their importance in the property's history and development.

Leaving plant materials and trees in close proximity to the building that may cause deterioration of the historic fabric.

BUILDING: STRUCTURAL SYSTEMS

Recommended

Recognizing the special problems inherent in the structural systems of historic buildings, especially where there are visible signs of cracking, deflection, or failure.

Undertaking stabilization and repair weakening structural members and systems.

Replacing historically important structural members only when necessary. Supplementing existing structural systems when damaged or inadequate.

BUILDING: EXTERIOR FEATURES

(Masonry: brick, stone, terra cotta, concrete, stucco, and mortar)

Recommended

Retaining original masonry and mortar, whenever possible, without the application of any surface treatment.

Repointing only mortar joints where there is evidence of moisture problems or when sufficient mortar is missing to allow water to stand in the mortar joint.

Duplicating old mortar in composition, color, and texture.

Duplicating old mortar in joint size, method of application, and joint profile.

Repairing stucco with a stucco mixture that duplicates the original as closely as possible in appearance and texture.

Not Recommended

Disturbing existing foundations with new excavations that undermine the structural stability of the building.

Leaving known structural problems untreated that will cause continuing deterioration and will shorten the life of the structure.

Not Recommended

Applying waterproof or water repellent coatings or surface consolidation treatments unless required to solve a specific technical problem that has been studied and identified. Coatings are frequently unnecessary, expensive, and can accelerate deterioration of the masonry.

Repointing mortar joints that do not need pointing. Using electric saws and hammers to remove mortar can seriously damage the adjacent brick.

Repointing with mortar of high portland cement content can often create a bond that is stronger than the building material. This can cause deterioration as a result of the differing rates of expansion and the differing absorbency of the masonry material and the mortar.

BUILDING: STRUCTURAL SYSTEMS

Recommended

Cleaning masonry only when necessary to halt deterioration or to remove graffiti and stains and always with the gentlest method possible, such as low pressure water and soft natural bristle brushes.

Repairing or replacing, where necessary, deteriorated material with new material that duplicates the old as closely as possible.

Replacing missing significant architectural features, such as cornices, brackets, railings, and shutters.

Retaining the original or early color and texture of masonry surfaces, including early signage wherever possible. Brick or stone surfaces may have been painted or whitewashed for practical and aesthetic reasons.

BUILDING: EXTERIOR WOOD FEATURES

Recommended

Retaining and preserving significant architectural features, whenever possible.

Repairing or replacing, where necessary, deteriorated material that duplicates in size, shape and texture the old as closely as possible.

Not Recommended

Repointing with mortar joints of a differing size or joint profile, texture or color.

Sandblasting, including dry and wet grit and other abrasives, brick or stone surfaces; this method of cleaning erodes the surface of the material and accelerates deterioration. Using chemical cleaning products that would have an adverse chemical reaction with the masonry materials. i.e., acid on limestone.

Applying new material which is inappropriate or was unavailable when the building was constructed, such as artificial brick siding, artificial cast stone and brick veneer.

Not Recommended

Removing architectural features such as siding, cornices, brackets, window and doorway trim. These are, in most cases, an essential part of a building's character and appearances that illustrates the continuity of growth and change.

Resurfacing frame buildings with new material that is inappropriate or was unavailable when the building was constructed such as artificial stone, brick veneer, asbestos or asphalt shingles, and plastic or aluminum siding. Such material can also contribute to the deterioration of the structure from moisture and insects.

EXTERIOR METAL

Recommended

Retaining original material, whenever possible.

Cleaning when necessary with the appropriate method. Metals should be cleaned by methods that do not abrade the surface.

ROOFS & ROOFING

Recommended

Preserving the original roof shape.

Retaining the original roofing material, if it is visible to passersby, and contributes to the character of the building..

Providing adequate roof drainage and insuring that the roofing materials provide a weathertight covering for the structure.

Replacing deteriorated visible roofing with new material that matches the old in composition, size, shape, color, and texture.

Preserving or replacing, where necessary, visible architectural features that give the roof its essential character, such as cornices, brackets, and chimneys.

WINDOWS & DOORS

Recommended

Retaining and repairing existing window and door openings including window sash, glass, lintels, sills, architraves, shutters, doors, pediments, hoods, steps, and all hardware.

Not Recommended

Removing architectural features that are an essential part of a building's character and appearance, illustrating the continuity of growth and change.

Exposing metals which were intended to be protected from the environment. Do not use cleaning methods which alter the color, texture, and tone of the metals.

Not Recommended

Changing the essential character of the roof by adding inappropriate features such as dormer windows, vents, or skylights.

Applying new roofing material that is inappropriate to the style and period of the building and neighborhood.

Replacing deteriorated visible roofings with new materials that differ to such an extent from the old in composition, size, shape, color and texture that the appearance of the building is altered.

Stripping the roof of architectural features important to its character.

Not Recommended

Introducing new window and door openings into the principal elevations, or enlarging or reducing window or door openings to fit new stock window sash or new stock door sizes.

WINDOWS & DOORS, cont.

Recommended

Duplicating the material, design, and the hardware of the older window sash and doors if new sash and doors are used.

Installing visually unobtrusive storm windows and doors, where needed, that do not damage existing frames and that can be removed in the future.

Installing fabric awnings on storefronts and windows based on historic photos of the district, reestablishing the relationship of building facades and the sidewalk.

Using original doors and door hardware when they can be repaired and reused in place.

Altering the size of window panes or sash. Such changes destroy the scale and proportion of the building.

Installing inappropriate new window or door features such as aluminum storm and screen window insulating glass combinations that require the removal of original windows and doors.

Installing plastic, canvas, or metal strip awnings or fake shutters that detract from the character and appearance of the building.

Discarding original doors and door hardware when they can be repaired and reused in place.

EXTERIOR FINISHES

Recommended

Discovering the historic paint colors and finishes of the structure and repainting with those colors to illustrate the distinctive character of the property.

Not Recommended

Removing paint and finishes down to the bare surface; strong paint strippers whether chemical or mechanical can permanently damage the surface. Also, stripping obliterates evidence of the historical paint finishes.

Repainting with colors that cannot be documented through research and investigation to be appropriate to the building and neighborhood.

NEW CONSTRUCTION

Recommended

Keeping new additions and adjacent new construction to a minimum, making them compatible in scale, building materials, and texture.

Not Recommended

Designing new work which is incompatible with the earlier building and the district in materials, size, scale, and texture.

NEW CONSTRUCTION, cont.

Recommended

Designing new work to be compatible in materials,

Not Recommended

size, scale, color, and texture with the earlier building and the district.

Using contemporary designs compatible with the character and mood of the building or the district.

Protecting architectural details and features that contribute to the character of the building.

Placing television antennae and mechanical equipment, such as air conditioners, in an inconspicuous location.

contemporary design would detract from the architectural unity of an ensemble or group. Especially avoid imitating an earlier style of architecture in new additions that have a completely contemporary function such as a drive-through bank or garage.

Adding new height to the building that changes the scale and character of the building. Additions in height should not be visible when viewing the principal facades.

Adding new floors or removing existing floors that destroy important architectural details, features, and spaces of the building.

Placing television antennae and mechanical equipment, such as air conditioners, where they can be seen from the street.

MECHANICAL SYSTEMS: HEATING, AIR CONDITIONING, ELECTRICAL, PLUMBING, & FIRE PROTECTION

Recommended

Installing necessary mechanical systems in areas and spaces that will require the least possible alteration to the structural integrity and physical appearance of the building.

Utilizing early mechanical systems, including plumbing and early lighting fixtures, where possible.

Installing the vertical runs of ducts, pipes, and cables in closets, service rooms, and wall cavities.

Not Recommended

Imitating an earlier style or period of architecture in new additions, except in rare cases where a

Not Recommended

Causing unnecessary damage to the plan, materials, and appearance of the building when installing mechanical systems.

Attaching exterior electrical and telephone cables to the principal elevations of the building.

Installing the vertical runs of ducts, pipes, and cables in places where they will be a visual intrusion.

MECHANICAL SYSTEMS: HEATING, AIR CONDITIONING, ELECTRICAL, PLUMBING, & FIRE PROTECTION

Recommended

Insuring adequate ventilation of attics,

crawlspaces, and cellars to prevent moisture problems.

Installing thermal insulation in attics and in unheated cellars and crawlspaces to conserve energy.

Not Recommended

Concealing or "making invisible" mechanical equipment in historic walls or ceilings. Frequently this concealment requires the removal of historic fabric.

Installing "dropped" acoustical ceilings to hide mechanical equipment. This destroys the proportions and character of the rooms.

Installing foam, glass fiber, or cellulose insulation into wall cavities of either wooden or masonry construction. This has been found to cause moisture problems when there is not adequate moisture barrier.

Havelock Avenue Signs

Background

Though its name has shifted from Jackson Avenue to "O" Street to Havelock Avenue, this "Main Street" has always been the heart of Havelock's business district, with numerous signs announcing the various shops and buildings. The area has been designated a Landmark District by the City Council to acknowledge its historic importance and to protect its special character. The Historic Preservation Commission is assigned the role of reviewing proposed changes to the appearance of the district, including new signs, to protect the community's interest in preserving this visible part of our heritage. In a commercial area, signs are an important part of the overall visual character of the area, as well as being important to the functioning of individual businesses.

Since the Havelock Avenue business district was largely developed between Havelock's founding around 1890 and its joining with Lincoln in 1930, signs should generally have the appearance of signs of that era, and should relate to their buildings in a traditional manner. To be installed legally, signs in Lincoln must have a sign permit issued by the city's Building and Safety Department. **Within historic districts, approval by the Historic Preservation Commission is required before a sign permit can be issued.**

Basic Principles for Havelock Avenue Signs

The following sign criteria, and the interpretation of these criteria by the Historic Preservation Commission, are intended to implement four basic principles:

1. The primary function of signs is the identification of buildings, businesses, and the district as a whole.
2. No signs will be permitted that disfigure or conceal significant architectural features of a building.
3. All signs must be subordinate to and in harmony with the buildings to which they relate and to the district as a whole. They must be compatible with the 19th and early 20th century character of this "Main Street" commercial district.
4. Signs for the district should be well-designed, well-executed, and well-located on their buildings. Old photographs of the district provide a useful models for designing and positioning new signs.

Prohibitions

1. Plastic-faced, interior-illuminated signs are not permitted in the Havelock Avenue landmark district. This prohibition does not apply to existing signs of this type in the district, but owners are encouraged to replace them eventually and should be aware that the Preservation Commission must review, and is unlikely to approve, new faces for existing signs.
2. Translucent awnings of plastic or vinylized materials with interior illumination are not permitted in the District. Opaque awnings, with or without inscriptions applied to them, are not prohibited but will be

reviewed case-by-case for appropriateness.

3. Signs obscuring significant architectural features will not be permitted.

Recommended Types of Signs

Photographs depicting the early days of Havelock's business district show a bustling area with a profusion of signs. Among the characteristics of many of these signs are long-lasting materials, a high degree of legibility, and careful coordination with the architecture of the buildings. Among the types of signs appropriate to this area are:

Wall Signs

On principal facades, signs formed of individual letters applied directly to the wall, or attached to a background panel with a frame, are often appropriate. These signs should usually be scaled to relate to the whole facade, and installed in the flat "sign band" area above the storefront level, or below the cornice. Wall signs painted on or applied to wooden or metal panels can also be appropriate. Use of light-colored letters on a darker background is strongly encouraged.

On side and rear walls, painted wall signs were commonly used. A black band with white letters and a white border was the most common color scheme, but yellows, greens, and other bright, primary colors were also incorporated into these signs. In some instances, painted walls signs were used on principal facades, but these must be very carefully considered and very well integrated with the architecture.

Awnings

Fabric awnings, usually of triangular section, are commonly seen in historic photographs of Havelock Avenue. Messages were usually confined to the valance area, probably because these awnings were traditionally cranked or folded flat against the facade, leaving only the valance visible. Preference is given to awning signs incorporating these traditional features.

Window Signs

Signs for individual businesses are often most appropriately installed in windows, usually by painting or applying individual letters on the glass. The Commission will allow a variety of materials and graphic styles in window signs, but will look for good graphic design, legibility, simplicity of message, and scale appropriate to the storefront and building.

Projecting Signs

Projecting signs, usually consisting of letters applied to or painted on panels, can be approved, either for building identification or for individual businesses. The former should usually be designed and positioned to relate to the building as a whole, while the latter should usually be smaller and relate to a specific storefront or entrance.

Regarding illumination

Incandescent illumination is preferred for signs, either shielded to spotlight wall signs, awnings, or projecting signs, or exposed to form individual letters (usually in a metal channel). Window signs in brightly lit storefronts are encouraged as they provide attractive

signs at night and increase the ambient light on the sidewalk for pedestrians. Havelock Avenue retains a few examples of early examples of neon signs (Joyo Theater, Arnold's Tavern) that add to the character of the district. Additional signs with exposed neon tubing, either in the form of signs within windows, or projecting exterior signs, will be carefully reviewed on a case-by-case basis for their traditional quality of design, appropriateness to the individual building, and overall impact on the streetscape.

Regarding Off-Premise Signs

Historic photographs of Havelock Avenue show very few off-premise signs, usually in the form of painted signs on side walls. Billboards will not be approved in the landmark district because the graphic design and changeable nature of their messages are seldom appropriate in appearance to the District. Off-premise signs advertising the District as a whole, or businesses within the District, may be more appropriate and will be reviewed on a case-by-case basis, as will incorporating traditional logos commonly seen in early outdoor advertising.

"Sign," as defined in the Lincoln Zoning Code (LMC 27.03.550):

"Sign shall mean any structure, fixture, graphics, illustration, statue, or other device visible from off the premise designed or intended to advertise, to identify, to attract attention to, or to convey information regarding any goods, product, service, business, location, institution, activity, person, solicitation, issue, or campaign, with the exception of merchandise window displays, flags of any nation, state, or political subdivision, or sculpture. For purposes of removal, signs shall also include any sign structure.

CLEMENTS, DREVO & RUST
ATTORNEYS AT LAW



RICHARD L. CLEMENTS
DAVID A. DREVO
JESSE E. RUST
DWIGHT L. CLEMENTS (RETIRED)
GUY L. CLEMENTS (1889-1970)

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Elmwood, NE 68349-0267
402.994.4000 • FAX 402.994.5455

Lincoln Trade Center
5901 S. 58th. St. Suite B
Lincoln, Nebraska 68516
402.420.6443 • FAX 402.420.6443

June 18, 2007

Edward F. Zimmer
Historic Preservation Planner
Lincoln-Lancaster County
Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508

RE: Havelock Avenue Landmark District

Dear Mr. Zimmer:

This is to submit my written objection to the creation of the Havelock Avenue Landmark District on behalf of Amelia Snavely Trust. I am the Successor Trustee.

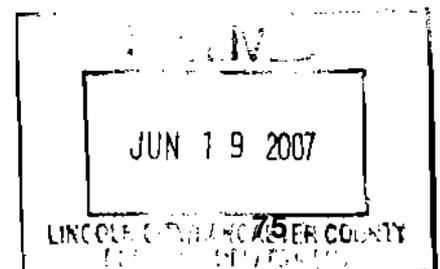
I believe operation and sale of the property the Trust owns in the District would be diminished by the increased regulations created by the proposed plan.

Please note the opposition of the plan having been made by the owner of Lots 22, 23, and 24, Block 16, Havelock, Lincoln, Lancaster County, Nebraska, Except a tract described as beginning at the Southwest corner of Lot 22, thence East .35 Feet, thence North on a straight line to a point on the North line of Lot 22 which is .15 Feet East of the Northwest Corner of said Lot 22, thence West .15 Feet to the Northwest Corner of said Lot 22, thence South along the West line of Lot 22 to the place of the beginning, also known as 6240 Havelock Avenue, Lincoln, NE.

Truly Yours,

Richard L. Clements, Trustee
Attorney at Law

prf



LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for AUGUST 1, 2007 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 07026

PROPOSAL: Domiciliary Care Facility for a maximum 31 rooms for 33 residents.

LOCATION: S. 25th Street and Old Cheney Road

LAND AREA: 1.84 Acres

EXISTING ZONING: R-1 Residential

CONCLUSION: This application meets the requirements of the Zoning Ordinance and Comprehensive Plan.

RECOMMENDATION:	Conditional Approval
------------------------	-----------------------------

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 2, Chez Ami Knolls 9th Addition, Lincoln, Lancaster County, Nebraska

EXISTING LAND USE: Vacant

SURROUNDING LAND USE AND ZONING:

North:	B-2	Planned Neighborhood Business	Vacant
	O-3	Office Park	Offices
South:	R-1	Residential	Single Family
East:	R-1	Residential	Windstream Building & Communications Tower
West:	R-1	Residential	Single Family

HISTORY:

Jan. 30, 2006 Administrative amendment #06009 was approved revising the legal description of the area of special permit #1346A and pre-existing special permit 27B removing what is now Lot 2, Chez Ami Knolls 9th Addition from the special permit that granted the utility building, to allow for the subdivision and sale of the lot.

- Jan. 26, 2006** Administrative final plat #01067 Chez Ami Knolls 9th Addition was approved. This final plat subdivided the Alltel Property into two lots so one lot could be sold.
- Oct. 30, 2002** Planning Commission approved pre-existing Special Permit 27B to expand an existing parking lot for the telephone equipment building.
- July 24, 2002** The Planning Commission denied Pre-Existing Special Permit #27A.
- May 13, 2002** Alltel submitted an application for an Administrative Amendment to Pre-existing Special Permit 27 to expand the parking lot. The proposed expansion would not encroach into any required yards. Due to opposition from the adjacent neighbors, the Planning Department informed Alltel that we could not process their application administratively.
- April 1, 2002** Alltel withdrew their request to the Board of Zoning Appeals.
- Feb. 21, 2002** Alltel submitted an application to Board of Zoning Appeals to allow parking in the required front yard. The Planning Department received four letters in opposition to the request.
- April 9, 1997** Administrative amendment #97023 was approved adding a 4' microwave dish to the tower.
- Oct., 2 1991** Planning Commission Approved an amendment to special permit #1346 to add an additional arm and two antennas to the tower.
- Dec. 4, 1989** City Council approved Special Permit #1346 for authority to erect a radio communications monopole tower.
- March 13, 1972** Board of Zoning Appeals issued Resolution #124 to permit the construction of a telephone equipment building and parking lot for public utility purposes.

This area was zoned A-1 single family prior to the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS:

This area is designated Urban Density Residential on the Lincoln Area Future Land Use Map (19)

A safe residential dwelling should be available for each citizen: the efficiency apartment and the country estate, the small single family "starter" home and the large downtown apartment suite, the most affordable and the most expensive dwelling unit, completely independent living and living within the care of others.

Provision of the broadest range of housing options throughout the community improves the quality of life in the whole community. (65)

Create housing opportunities for residents with special needs throughout the city that are compatible with residential neighborhoods. (66)

UTILITIES: Existing, but additional fire hydrants need to be added. See Analysis # 2.

TRAFFIC ANALYSIS: Old Cheney Road is an urban minor arterial, S. 25th Street and Cindy Drive are local streets. No access to the site will be granted off of Old Cheney Road.

AESTHETIC CONSIDERATIONS: The building should be compatible with the existing neighborhood.

ALTERNATIVE USES: The lot could remain vacant or it could be used per the R-1 zoning district.

ANALYSIS:

1. Driveway parallel to S. 25th Street cannot be inside the front yard.
2. Lincoln Fire Rescue require a fire hydrant at the entrance to the complex off of S. 25th Street and also one in the parking area near the N.E. corner of the building, so that there are two hydrants accessible for the City in case of an emergency.
3. The applicant met with the neighborhood on May 30, 2007 and on July 17, 2007 to inform the surrounding neighborhood of their plans for a domiciliary care facility. The meeting consisted of conversation between the neighbors and the applicant as to what they could expect from this development. Elevations of the building, the proposed site plan as well as the purpose and mission statement were presented by the applicant. Neighbors had concerns about overflow parking. The applicant agreed to add more parking stalls to their site plan. There were no major objections from the neighbors at either of these meetings.
4. The applicant is requesting a density bonus to permit 33 residents. The entire facility will need to be barrier free construction to qualify for the bonus. Without the bonus 26 residents would be allowed. The maximum bonus that could be granted would be for 39 residents. Barrier free standards are intended to reduce restrictions in the built environment for people who have temporary or permanent loss of mobility.

5. The parking requirement for Domiciliary Care Facilities is one space for every four residents based on the maximum occupancy allowed by the lot area and two spaces for every three employees on the largest shift. Nine parking stalls will be required for 33 residents and 4 stalls for 6 employees. A minimum number of 13 stalls will need to be provided.

CONDITIONS OF APPROVAL:

Site Specific Conditions:

1. This approval permits a Domiciliary Care Facility for a maximum 31 rooms for 33 residents, including density bonus as provided by the City Design Standards.
2. The Domiciliary Care Facility shall be licensed to comply with all state requirements for domiciliaries and/or residential care facilities.
3. Remove the circle drive from the front yard setback along S. 25th Street.
4. Show fire hydrants required by the Fire Department.
5. Show the minimum amount of parking required as well as any additional parking stalls.

General Conditions:

6. Upon approval of the special permit plan by the Planning Commission, the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **5** copies with all required revisions and documents as listed below before receiving building permits:
 - 6.1 Add to the General Notes, "Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation".
 - 6.2 Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
 - 6.3 A landscape (screen) plan approved by the Director of Planning.
 - 6.4 The construction plans comply with the approved plans.

Standard Conditions:

- 7. The following conditions are applicable to all requests:
 - 7.1 Before occupying the buildings all development and construction is to comply with the approved plans.
 - 7.2 All privately-owned improvements, including landscaping are to be permanently maintained by the owner.
 - 7.3 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.
 - 7.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 7.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. 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.

Prepared by

Christy Eichorn
Planner

DATE: July 19, 2007

APPLICANT: OPUS X, INC
2614 TELEGRAPH AVE
BERKELEY, CA 94704

OWNER: WINDSTREAM NEBRASKA INC.
4001 RODNEY PARHAM RD
LITTLE ROCK, AR 72212

CONTACT: MARK HUNZEKER
1045 LINCOLN MALL, STE 200
LINCOLN, NE 68508



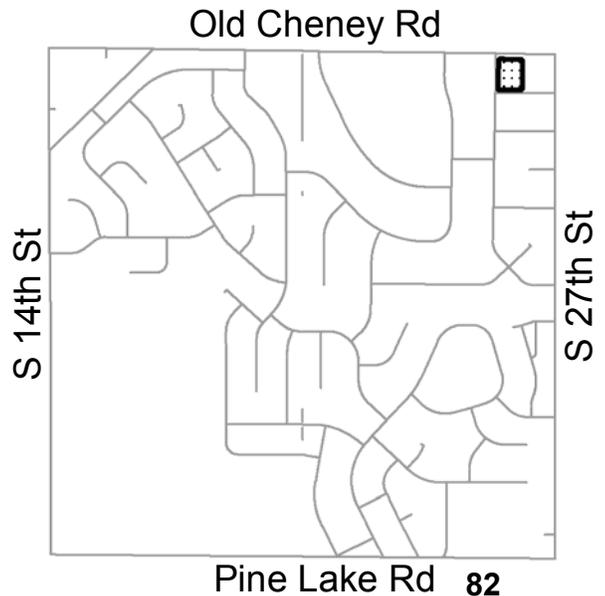
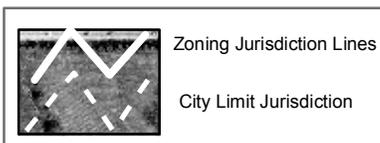
Special Permit #07026
S 25th St & Old Cheney Rd

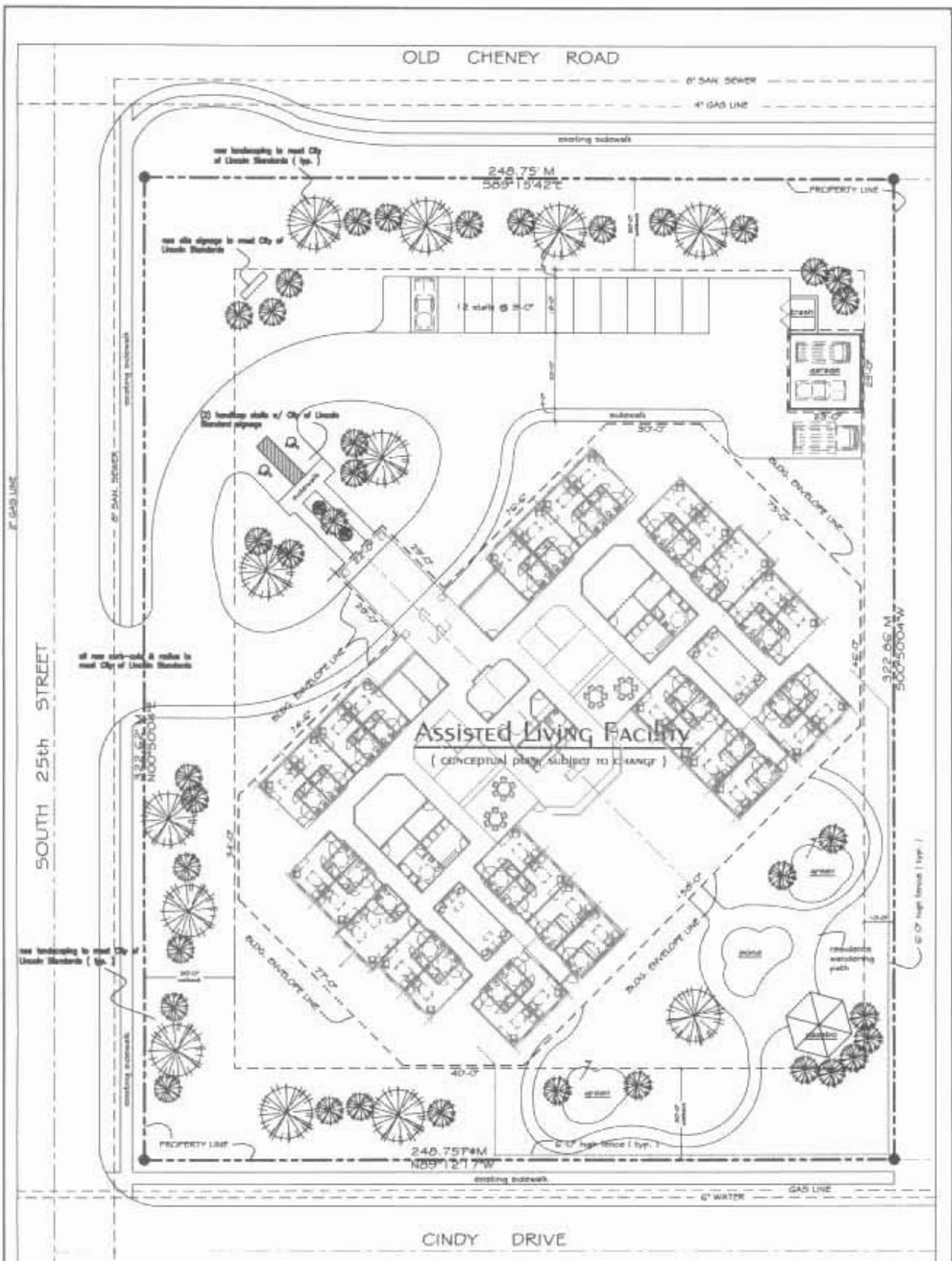
2005 aerial

Zoning:

One Square Mile
 Sec. 13 T09N R06E

- 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





ASSISTED LIVING FACILITY
(CONCEPTUAL PLAN, SUBJECT TO CHANGE)

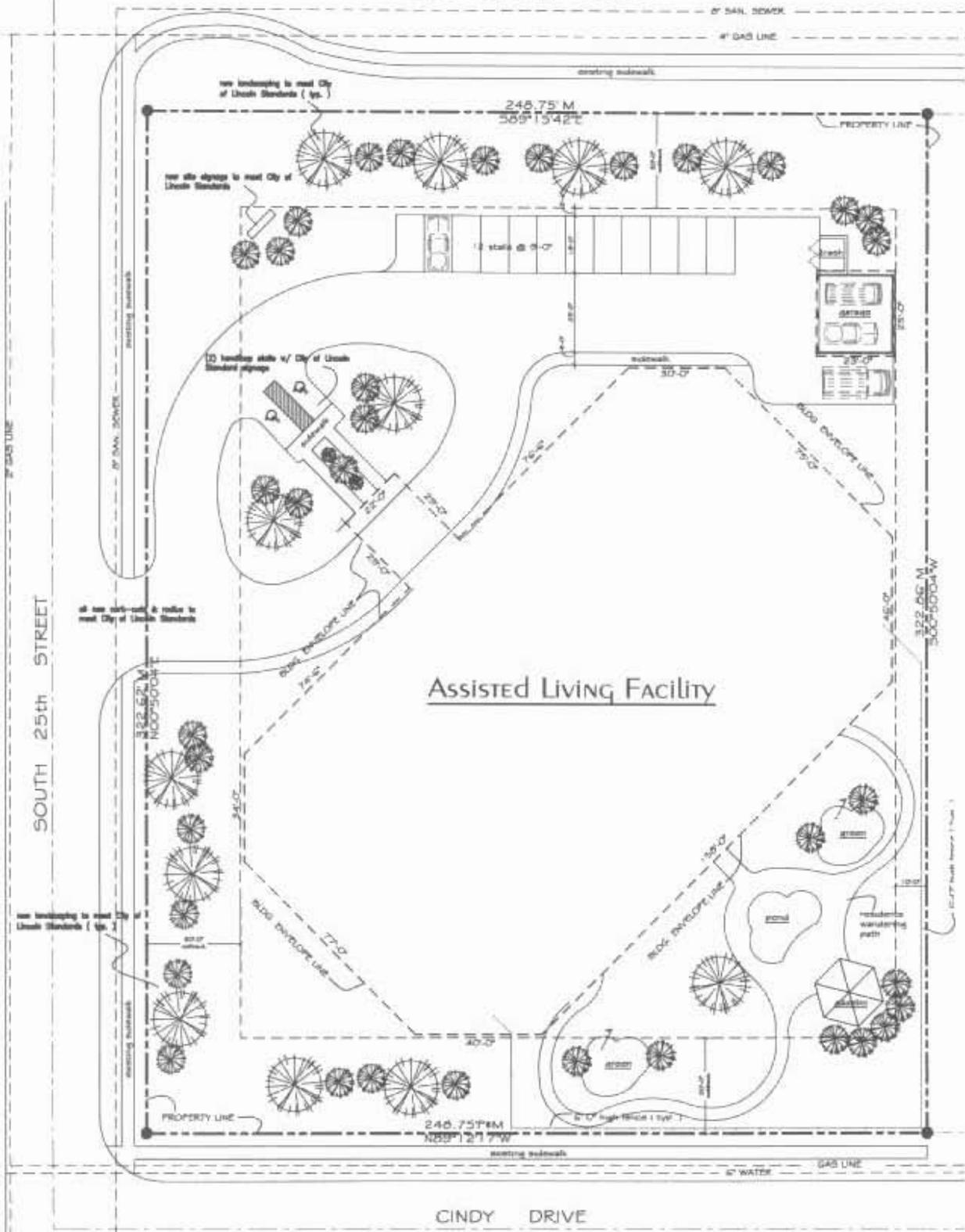
PROJECT INFORMATION :

Current zoning District L-1 R-1
Local Jurisdiction:
 City of Lincoln, Nebraska
 5720 South 25th Street, Lincoln, Nebraska 68513
 Lot Area = 30,281 sq. ft. or 1,343 acres
 25% of lot area = 7,570 sq. ft.
 Proposed Project = New 32 Bed Assisted Living Facility

Facility Requirements:
 Section 27.07340 - one stall for every four (4) residents based on min. occupancy allowed by the lot area, and two (2) stalls for every three employees on the largest shift.
 32 Residents - 4 = 8 stalls
 8 employees (largest shift) = 3 - 2 = 2 x 2 = 4 stalls
 Min. Required Stalls = 14
 Proposed Plan Has 12 Stalls, and 2 Handicap Stalls, 14 Total Stalls
Building Footprint:
 Storage envelope = 575 sq. ft.
 Facility envelope = 27,523 sq. ft.
 Total = 28,098 sq. ft.

 **Site Plan**
SCALE: 1" = 30'-0"

NOT SCALE
 1/2" = 1'-0" (VERTICAL)
 1/4" = 1'-0" (HORIZONTAL)
 1/8" = 1'-0" (HORIZONTAL)
 1/16" = 1'-0" (HORIZONTAL)



Assisted Living Facility

CINDY DRIVE

PROJECT INFORMATION :

Current zoning: R4651 L-2-1
 Legal Description: Lot -5, Block-1, Ches And Steele North Addition, LLC
 5720 South 25th Street, Lincoln, Nebraska 68513
 Lot Area = 81,281 sq. ft. or 1.843 acres
 20% of lot area = 16,256 sq. ft.
 Proposed Project: New 32 Bed Assisted Living Facility

Facility Requirements:
 Section 27.02.040 "one staff for every four (4) residents based on max. occupancy allowed by the lot area, and two (2) staffs for every three employees on the largest shift"
 32 Residents - 4 = 8 staffs
 8 employees (largest shift) = 8 - 3 = 3 x 2 = 6 staffs
 Min. Required Staff = 14
 Proposed Plan Has 12 Staffs, and 2 Handicap Staffs, 14 Total Staffs
Building Envelope:
 Garage envelope = 575 sq. ft.
 Facility envelope = 27,523 sq. ft.
 Total = 28,098 sq. ft.



Not Scale
 Date: March 2017
 Plan: 2017-03-01
 File: 2017-03-01

Pierson|Fitchett
LAW FIRM

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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

July 3, 2007

Gary L. Aksamit
of Counsel

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

Re: *Attached Application*

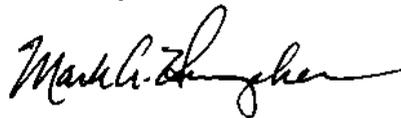
Dear Marvin:

Attached is an Application of Opus X, Inc., for a special permit to operate a domiciliary care facility for Alzheimer's patients. Opus X, Inc. is a subsidiary of Agemark Corporation. The company has a facility in Grand Island, Nebraska. Attached is additional information regarding the company's general philosophy for care, programming, and frequently asked questions.

We believe the 25th and Old Cheney location is ideal for this type of facility. We have had one meeting with neighboring property owners, and we will be scheduling another prior to the planning commission hearing on this matter.

Please contact me if you have any questions or need further information.

Sincerely,

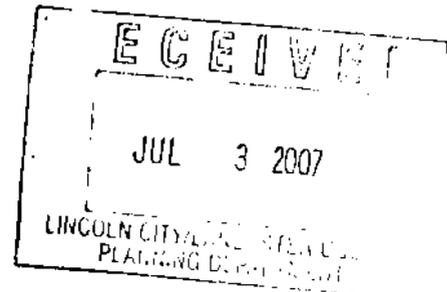


Mark A. Hunzeker
For the Firm

MAH:blj

Enclosure

(G:\AF\6500-6599\6577.001 Agemark Corporation--23th & Old Cheney\Krout 7-3-07 Ltr.wpd)





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

07/03/2007 02:24 PM

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

cc

bcc

Subject Domiciliary Care Facility 25th & Old Cheney Rd

Christy:

I just discovered that I omitted from my letter accompanying the above application our request for a density bonus to permit up to 32 residents in the facility. The entire facility will meet the barrier-free standards as required by Section 27.63.530.(d). Please include this request as part of our application.
Mark



HomeSpun Living: A Gentle Philosophy for Care

HomeSpun Living is CountryHouse's unique approach to care that focuses on creating moments of joy through daily activity and familiar pleasures. By discovering each person's life story, meaningful connections are made in five basic areas of life:

Hearth

Days are planned around the reassuring routines of everyday family life. Simple, productive activities – such as sweeping the sidewalk or folding clothes – can be intensely satisfying because they make residents feel useful.

- Staff asks residents to help with daily chores, and knows how to respond to confusion or anxiety in a way that promotes a sense of belonging.
- Self-esteem and independence are built by reassuring residents they are OK, rather than through correction and confrontation.

Seasons

Nature has the power to calm and orientate dementia victims on a very fundamental level. Residents appreciate spring blooms and autumn leaves, the rhythms of sunrise and sunset, and the cycle of growth. Our enclosed courtyard encourages both exercise and relaxation.

- Walking outdoors is encouraged daily. It relieves stress, and exposure to the sun provides vitamin D which helps people sleep better at night.
- Even when they can't go out, residents enjoy the seasons – a vase of lilacs in the spring, tasting fresh strawberries in the summer, or scooping pumpkin seeds in the fall. The sights, sounds and smells of nature are soothing and stimulating at the same time.

Remembrances

Our interactive community and approach to care enables residents to recall good times. Scrapbooks, old magazines, vintage clothing and tools, fishing poles and typewriters... such objects are used to spark fond memories.

- To comfort residents, staff are specially trained to "live their reality."
- Staff members help each family to create a "memory book" for staff and visitors to use when relating to their loved one.
- By reminding residents of their "treasures" – their gifts and talents – staff can give them back their history, knowledge and accomplishments.
- By engaging all five senses, even childhood memories can be reawakened.
- Families are encouraged to help create a safe haven by furnishing resident rooms with things they love and recognize.

Music

Music is wonderful therapy. Sing-alongs and other musical programs often touch emotions or calm agitated behavior where words cannot.

- A variety of music is used to trigger good feelings, including patriotic, religious, and popular music, especially from the 1900-1940 time period.

Kindred Spirits

Children, pets and families are part of our programming to promote spiritual well-being, through special events and holidays as well as laughter, touch, and expressions of faith.

- For the residents, we recognize that we are caring for a body that has spirit and that is capable of well-being... even if it is not capable of being well. We constantly ask, "What does this person need to enjoy life at the fullest, *right now*, given the state of their health?" Positive communication methods and "magic words" help troubled residents feel better.
- For those who love an Alzheimer's victim, spiritual well-being is about finding meaning in whatever life presents to us. Finding that meaning brings about healing. And healing begins with our acceptance of dementia, the changes it brings and by facing the disease head on.



Structured Programming

Structured programming provides a sense of stability for residents. Life skills are incorporated into daily routines, based on past roles. The program schedule includes insightful, productive, personal care, physical and leisure activities. Smooth transitions from one program to the next help maintain a sense of direction throughout the day.

The cognitive and physical abilities of each resident are taken into consideration. When possible, groups are formed so that higher functioning residents are provided with an intellectually stimulating program, while lower functioning residents are offered a more sensory stimulating program.

A Typical Day at CountryHouse ~

- ◆ Morning Rise and Shine
 - Breakfast Service
 - Lifting the Spirit
 - A Warm Welcome
 - Patriotic Pause
 - Social Hour
 - Sentimental Journey
 - Morning Stretches

- ◆ Afternoon Lunch Service
 - At Your Leisure
 - Wash Day
 - Afternoon Refreshments
 - Music Melodies
 - Periodicals

- ◆ Evening Dinner Service
 - Parlor Games
 - Night Time Snack
 - Evening Rest

OUR GOAL is to help each person find joy in the reality of the moment in which he or she is living... and to experience a positive self-image. While lost memory cannot be regained, *quality of life* can be maximized through appropriate services, respectful treatment, and a gentle, engaging environment.



The Alzheimer's Disease Bill of Rights

Every person diagnosed with Alzheimer's disease or a related disorder
deserves the following rights:

To be informed of one's diagnosis

To have appropriate, ongoing medical care

To be productive in work and play for as long as possible

To be treated like an adult, not like a child

To have expressed feelings taken seriously

To be free from psychotropic medications, if possible

To live in a safe, structured, and predictable environment

To enjoy meaningful activities that fill each day

To be outdoors on a regular basis

To have physical contact, including hugging, caressing, and hand-holding

To be with individuals who know one's life story, including cultural
and religious traditions

To be cared for by individuals who are well trained in dementia care





COUNTRYHOUSE RESIDENCE

Frequently Asked Questions

Do people with Alzheimer's need a special kind of care residence? Those who suffer from the early stages of a memory loss condition benefit from an environment that is reassuring and familiar, yet safe and secure. At CountryHouse, 24-hour staff ensures that residents get help with meals, medications, bathing, dressing and grooming, in a structured routine that provides direction throughout the day. The building was specially designed to meet certain needs: to be able to walk on continuous pathways, to spend time outdoors, to be in surroundings that feel like home, and to be engaged in everyday activities. In addition, staff is trained to manage behavior through creative intervention and communication tools, encourage participation in activities, and use reminiscing techniques to trigger "moments of joy."

How is CountryHouse different from other memory care options?

CountryHouse feels home-like, not institutional. It is designed so that residents live in smaller "family-size" groups. Each area has familiar features, such as a residential kitchen, living room and dining room. The rooms are comfortable and beautiful; resident suites are personalized with photos and other belongings from home. We offer affordable, personalized care and a high staff-to-resident ratio, but it is not 24-hour skilled nursing home care.

What are the qualifications to live at CountryHouse? Residents must be able to cooperate with provided care, attend meals in the dining room, and be socially compatible. Before moving in, an assessment determines how needs can be met. Routine follow-ups assure that services are adjusted when needs change.

What services are included in the monthly rate? The monthly rate includes all meals and snacks, 24-hour specially-trained staff, medication supervision and assistance, personal care assistance, transportation, utilities, maintenance, housekeeping and laundry. In addition, CountryHouse offers a strong support program for families, which includes a resource library, monthly support groups, places for family gatherings, and planned events throughout the year.

How long is someone able to live at CountryHouse? When a resident is no longer living safely or with dignity, we will help find more appropriate placement. However, even ill residents may stay with 24-hour support, such as Hospice.

Is there a lease or buy-in fee? No – rent is simply month-to-month, though a damage deposit is required. The 30-day notice may be waived if there are health reasons.

Is there government help to pay for CountryHouse? Assisted Living is a state-regulated industry, so subsidy programs for low-income AL residents vary by state. Also, most long term care insurance policies now cover Assisted Living, and costs may be tax deductible under the Health Insurance Portability & Accountability Act.

How do I know when it's time to move someone into CountryHouse? Each person and situation is unique. In general, when you begin to worry about safety, medication, nutrition or isolation issues... these are clues that more help is needed.

M e m o r a n d u m

To: Christy Eichorn, Planning Department
From: Charles W. Baker, Public Works and Utilities
Subject: Agemark Domiciliary Care Special Permit #07026
Date: July 17, 2007
cc: Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Agemark Domiciliary Care Special Permit #07026 located at 25th and Old Cheney. Public Works has the following comments:

- The north portion of the loop driveway does not comply with standards for drives in the front yards that must be 90 degrees to the adjacent roadway. A possibility for access to this property would be a one way entrance and exit driveway system if an adequate distance from Old Cheney Road is considered.

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for May 23, 2007 PLANNING COMMISSION MEETING

PROJECT: Kadavy Estates CUP County Special Permit No. 07009

PROPOSAL: A community unit plan for six acreage residential units.

LOCATION: Northwest of N. 56th Street/Hwy 77 and Branched Oak Road.

LAND AREA: 131.17 acres

EXISTING ZONING: Lancaster County AG Agriculture and Davey AGX Exclusive Agriculture.

WAIVER /MODIFICATION REQUEST:

1. Ornamental street lighting.
2. Sidewalks.
3. Street trees.
4. Landscape screens.
5. Stormwater Detention.
6. Block length.
7. Cul de sac length
8. Preliminary Plat
9. Lot frontage.

CONCLUSION: This is an AG Community Unit Plan, proposing to “cluster” the allowed dwelling units to six acreage lots. Waivers requested are typical of a rural subdivision and are provided for in the code. A 20% bonus is being requested. A portion of this is in the Davey jurisdiction and requires their approval.

RECOMMENDATION:	Conditional Approval
Co. Special Permit #07009	
Waivers (some may be needed for Davey but not Lancaster County)	
1. Ornamental lighting	Not needed
2. Sidewalks	Not needed
3. Street trees	Not needed
4. Landscape screens	Not needed
5. Stormwater Detention	Approval
6. Block length	Approval
7. Cul de sac length	Approval
8. Preliminary plat	Not needed

9, Lot frontage	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Tracts 30,32 & 36 Irregular Tracts located in the E ½ of Section 29, Township 12 North, Range 7 East, Lancaster County NE. Metes and bounds description attached.

EXISTING LAND USE: Farm land/pasture, stream corridor

SURROUNDING LAND USE AND ZONING:

North: Cemetery and ag land, zoned AG Agriculture
 South: Farm dwellings and ag land, zoned AG Agriculture
 East: Ag land zoned AG Agriculture, Zoned AG Agriculture, (drag strip permit pending)
 West: Ag land, zoned AG Agriculture in the County jurisdiction, AGX Exclusive Agriculture in the Davey Jurisdiction.

ASSOCIATED APPLICATIONS: NA

HISTORY: Drag Strip application across Hwy 77 currently on hold at the County Board. Tower special permit approved in May 2003. Changed from County AA Rural and Public Use to AG Agriculture with the adoption of the 1979 Zoning Update. Davey zoning was adopted in 1977.

COMPREHENSIVE PLAN SPECIFICATIONS: This shows as Agriculture on the Future Land Use map. This is outside Lincoln growth Tiers. Applicable language in the Plan is as follows;

The land use plan for Lincoln and Lancaster County contains several general categories of land use types that are listed below. The maps displaying the land use plan are but one aspect of the Comprehensive Plan. The entire Comprehensive Plan should be referenced and considered when viewing the land use plan maps and for judging the appropriateness of the land uses they may display. Agricultural: Land principally in use for agricultural production. Agricultural land may be in transition to more diversified agribusiness ventures such as growing and marketing of products (e.g., horticulture, silvaculture, aquaculture) on site. Pg 16

Currently, acreage development has occurred under two development scenarios: AG -Agricultural District (minimum of 20 acres per lot area) and AGR - Agricultural Residential District (minimum of 3 acres per lot area) with the possibility in both AG and AGR zoning districts of clustering units together in order to preserve more open space and agricultural areas and/or receive additional density bonuses under a community unit development. The complex issue of acreage development and other public objectives requires a large array of land use strategies. Pg 70

Specific areas will be designated so that approximately 6% of the total population in the County can be accommodated on acreages. Grouping acreages together in a specific area enables services to be provided more efficiently, such as reducing the amount of paved roads, fewer and shorter school bus routes and more cost

effective rural water district service. Grouping also reduces the number of potential conflict points between farm operations and acreages.

Preserve areas for the future growth of incorporated towns. In accordance with town plans, preserve additional areas in agricultural use, outside of the town's current one mile zoning, for future town growth.

Direct and support residential, commercial and industrial growth in incorporated towns.

In determining areas of higher density rural acreage (200 units or more per square mile), numerous factors will be reviewed, such as but not limited to water and rural water districts, soil conditions, roads, agricultural productivity, land parcelization, number of existing acreages, and plans for urban or town development. Acreages should develop in areas that best reflect the carrying capacity of that area for acreages. A performance criteria should be developed to review requests for acreage zoning and to determine where these standards can best be met.

New urban acreage development is not encouraged in the Plan Vision Tier It areas for Lincoln, except for areas already zoned, previously designated for acreages or under development, in order to provide areas for future urban growth and to minimize the impact on new acreage development. This will reduce the number of acreage homeowners who would be impacted by annexation in the future. Even though acreages can be designed with infrastructure to city standards, there is still an impact on acreage owners and their families during annexation in terms of changes in school district, the character of the surrounding area and financial implications. Impacts to the acreage homeowners and to the City of Lincoln can be avoided by locating acreages in areas outside of the Tier It areas. Pg 70

These principles are embodied in the following Acreage Development Policy.

Retain the current overall density of 32 dwellings per square mile (1 dwelling unit per 20 acres) for all agriculturally zoned land. Provide more bonuses and a lower threshold size (not below nominal 40 acres) for the proven technique of "cluster" development using the Community Unit Plan. This technique has been successful in providing flexibility while preserving both farmland and environmental resources at the same time.

STRATEGIES FOR RURAL AREAS

- * Town plans should be acknowledged in the Comprehensive Plan.
- * The Comprehensive Plan should acknowledge the "Right to Farm."
- * Increase incentive bonuses for environmental and historic resources.
- * Pursue expansion of the cluster provisions to include non-contiguous property or a Transfer of Development Rights technique.
- * Use GIS data, and other sources, to help develop performance standards for determining land usages (e.g adopted county zoning policy criteria).
- * Acreages shown (designated as Low Density Residential in 1994 Comprehensive Plan), platted or zoned AGR (Agricultural Residential) shall remain. pg 73

UTILITIES: Norris Public Power. No water districts

TOPOGRAPHY: Rolling with a drainage way along the eastern area

TRAFFIC ANALYSIS: Hwy 77/North 56th Street is a four lane divided Federal Highway. Branched Oak Road is a dirt county road adjacent to this property, gravel 1/4 mile west.

PUBLIC SERVICE: This area is served by Ceresco Rural Fire District (A Basic Life Support district. Station located in Ceresco, six miles north). This is in the Waverly School District.

REGIONAL ISSUES: Rural acreage development.

ENVIRONMENTAL CONCERNS: There are no identified historic or ecological resources at this location. This abuts the Danish Cemetery at the north end. The soil rating of this site is 5.60 on a scale of 1 to 10, where 1 to 4 are prime ag land. There is no floodplain shown.

AESTHETIC CONSIDERATIONS: Highway visibility

ALTERNATIVE USES: Seven lots (six “20's” and a farmstead).

ANALYSIS:

1. This request is for a Special Permit for a Community Unit Plan for six acreage residential lots. A private, gravel, internal street is proposed. Individual sewer and rural water is proposed. A 20% dwelling unit bonus is being requested for preservation of the farm land in Outlot ‘C’.
2. The farming outlot is about halfway in the Davey jurisdiction and thus Davey approval of a plat is required.
3. This request is in conformance with the Lincoln Lancaster County Comprehensive Plan.
4. The density calculations for the project are as follows;

County Zoning

88.66 acres at 1 dwelling per 20 acres = 4.43 dwellings

20% bonus requested X 1.20 = 5.32 dwellings

Davey Zoning

48.71 acres at 1 dwelling per 39 acres = 1.25 dwellings

6.57

Total dwellings permitted

6

Requested

6 units on 6 lots

5. There were farm feeding operations noted in the area, the closest being on Branched Oak road, adjacent to the west of this property.

6. The lay of the land in this application reflects a north, south drainage swale, culminating in a dam and pond at the north property line. The drainage cuts off the western 1/4 of the land adjacent to the Highway from the balance of the farm. This design reflects the normal adjustments to accomplish a cluster style of acreage subdivision through the CUP and clustering the lots on the east side of the pond and drainage way. Thus preserving the bulk of the usable farm land. It also takes credit for preserving farmland on Outlot 'C'. Limited access to Highway 77 and the cemetery to the north also influence the design.
7. Waivers are requested for street lights, sidewalks, block length, street trees, storm drainage, cul-de-sac length and screening. These are typical waivers required, provided for and appropriate for agriculture/acreage clusters. Yards are adjusted from AG to AGR standards as part of the cluster. Other than block length, frontage and cul-de-sac length, these waivers are no longer needed in the county jurisdiction but may be required for Davey. The cul-de-sac waiver is appropriate since it will not be extended into the cemetery and between a pond, drainage area and Hwy 77.
8. The County Engineer's memo of April 5, 2007 notes several issues and corrections.
9. The Norris Public Power District notes easements are satisfactory.
10. The applicant is aware of the pending drag strip application on the east side of Highway 77, across from this site.
11. This application has been adjusted from an original request showing eight lots to the current request for six lots after the Village of Davey indicated they would not support a change of zone for additional density in their jurisdiction.

CONDITIONS OF APPROVAL:

Site Specific Conditions:

1. This approval permits an agriculture Community Unit plan of 6 acreage lots, with waivers/modifications to block length, cul-de-sac length, frontage, lot area, block length and storm water detention.
2. The Village of Davey approves associated request:
 - 2.1 An exception to their subdivision standards as needed
 - 2.2 Approval of a preliminary plat in their jurisdiction.

Final plat(s) is/are approved by the County.

If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the county may require that a new community unit plan be submitted, pursuant to all the provisions of Section 9.03 of the County Subdivision Resolution. A new community unit plan may be required if the subdivision resolution or the required improvements have been amended by the county; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

Before the approval of a final plat, the private roadway improvements, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, and street name signs, must be completed in conformance with adopted design standards and within the time period specified in the County Subdivision Resolution..

Permittee agrees:

To complete the surfacing of private roadway, shown on the final plat within two (2) years following the approval of this final plat.

to complete the enclosed private drainage facilities/culverts shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

to complete land preparation including open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat

to complete the installation of the street name signs within two (2) years following the approval of the final plat.

to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

to complete any other public or private improvement or facility required by Chapter 4 of the Subdivision Resolution in a timely manner which inadvertently may have been omitted from the above list of required improvements.

to complete the public and private improvements shown on the Community Unit Plan.

to maintain the outlots and private improvements on a permanent and continuous basis.

to keep taxes and special assessments on the outlots from becoming delinquent

to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.

to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Owner(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

- (1) Owner shall not be relieved of Owner's maintenance obligation for each specific private improvement until a registered professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.
- (2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the County Attorney and filed of record with the Register of Deeds.

to submit to the lot buyers and home builders a copy of the soil analysis.

to protect the trees that are indicated to remain during construction and development.

to relinquish the right of direct vehicular access to Branched Oak Road except for one existing farm access, North 55th Street and one access for the cellular tower and to North 56th Street except for Outlot "C".

to submit to all potential purchasers of lots a copy of the ground water report.

General Conditions:

3. Upon approval of the community unit plan by the County Board, the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 5 copies with all required revisions and documents as listed below before receiving building permits:

- 3.1 Make the revisions requested in the County Engineers memo of April 5, 2007.
- 3.2 Note the waiver to lot frontage.
- 3.3 Revise note #3 to reflect current county zoning and Davey zoning.
- 3.4 Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
- 3.5 The construction plans comply with the approved plans.

Standard Conditions:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying this community unity plan, all development and construction is to comply with the approved plans.
 - 4.2 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.
 - 4.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.4 The applicant shall sign and return the letter of acceptance to the County Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The applicant shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds.

Prepared by

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planner

DATE: May 10, 2007

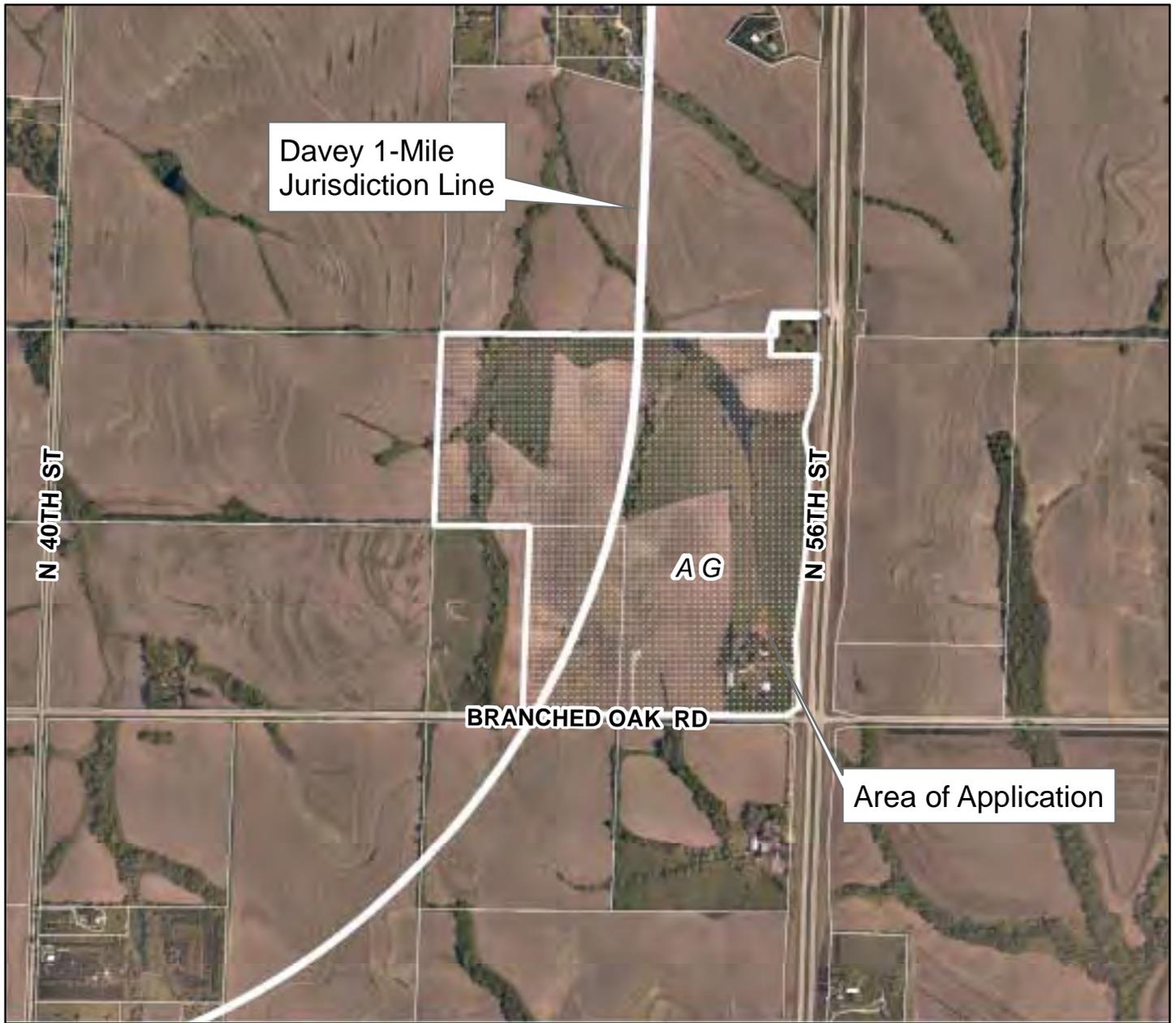
APPLICANT: Lyle Loth, ESP
601 Old Cheney RD, Suite A
Lincoln, NE 68512
(402) 421-2500

OWNER: Leonard and Ladonna Kadavy
5700 Fremont St
Lincoln, NE 68507 - 1679

C/O
LaDonna F. Kadavy Revocable Trust
Susan K. Dvorak Trustee
1000 Long Cove
Round Rock, TX 68358
(512) 747-5307

CONTACT: Lyle Loth, ESP
(402) 421-2500

F:\FILES\PLANNING\PC\PERMITS\COSP\07000\COSP07009 Kadavy Estates CUP.mvd.wpd



County Special Permit #07009
N 56th St & Branched Oak Rd
Kadavy Estates

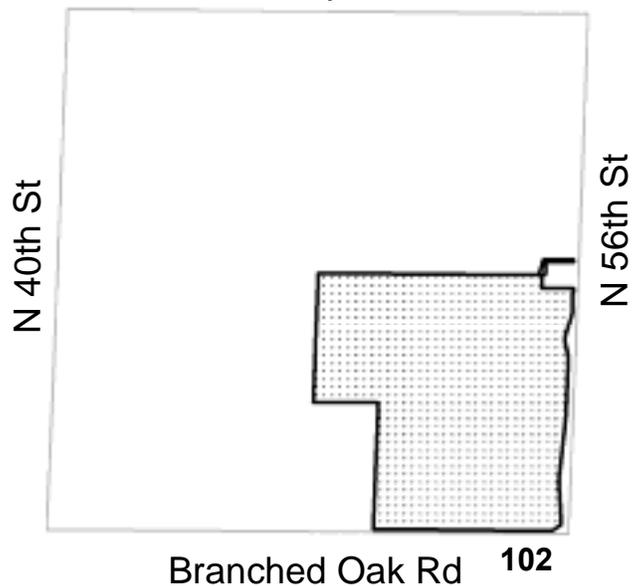
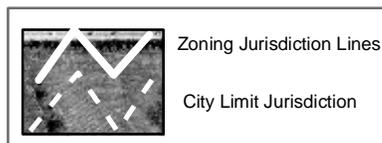
2005 aerial

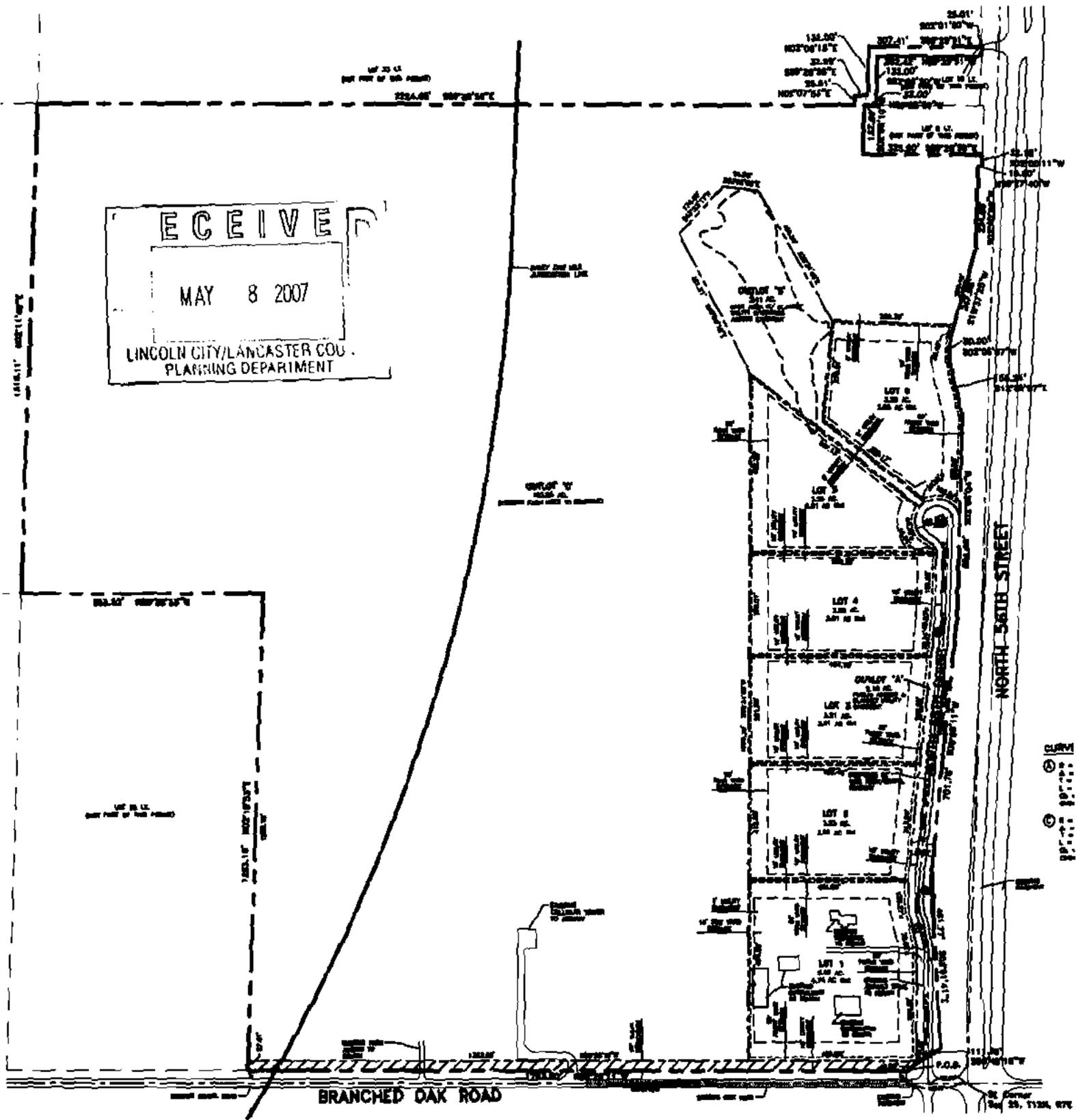
Davey Rd

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

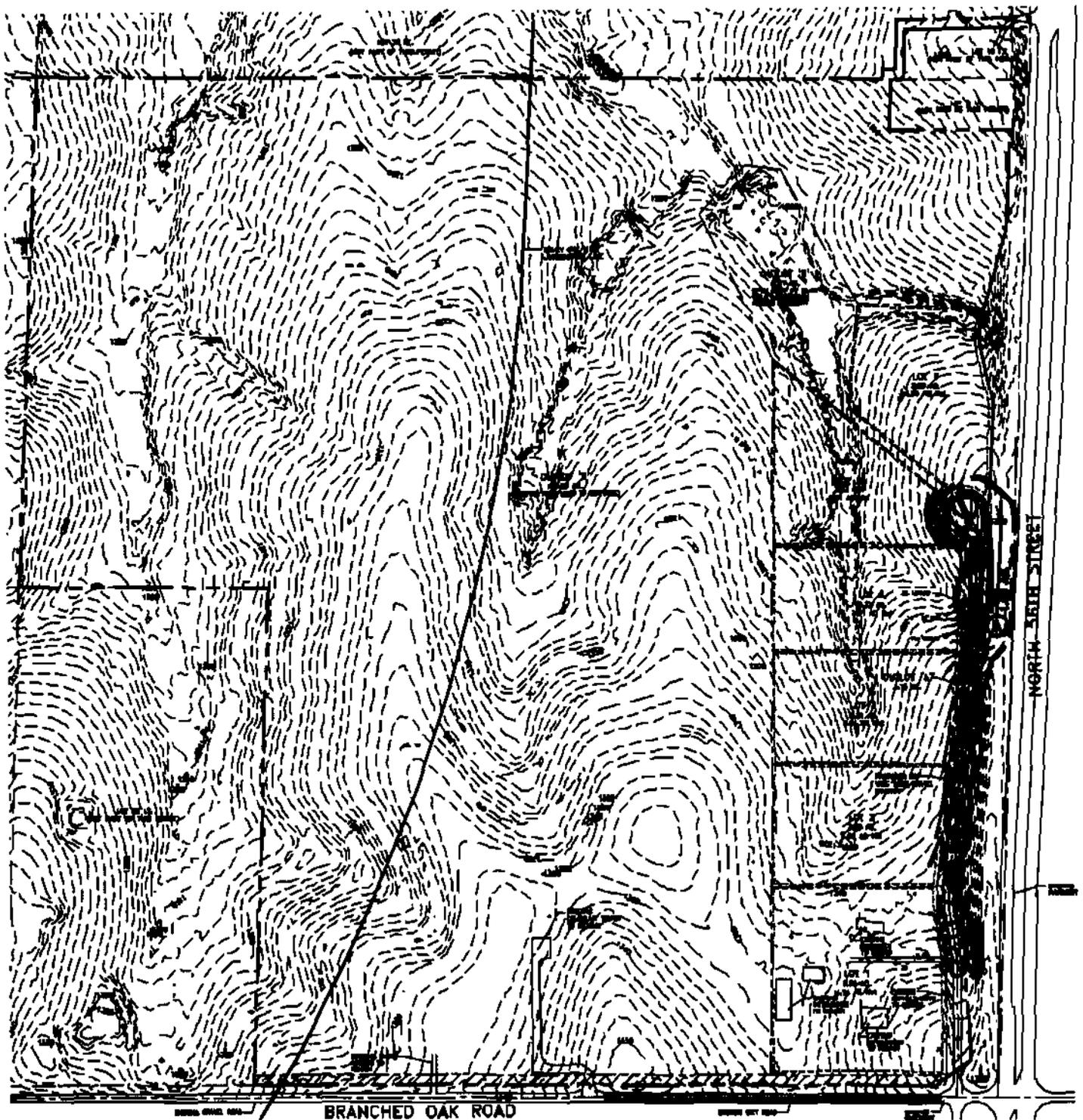
One Square Mile
 Sec. 29 T12N R7E





County Special Permit #07009
N 56th St & Branched Oak Rd
Kadavy Estates





**County Special Permit #07009
N 56th St & Branched Oak Rd
Kadavy Estates**



NOTES



1. THIS COMMUNITY UNIT PLAN CONTAINS 131.17 ACRES MORE OR LESS.
2. THIS COMMUNITY UNIT PLAN PERMITS 6 SINGLE FAMILY RESIDENCES AND 3 OUTLOTS. EACH LOT SHALL CONTAIN A MAXIMUM OF ONE SINGLE FAMILY RESIDENCE AND OUT BUILDINGS, ALL LOCATED WITHIN THE BUILDING ENVELOPES AS SHOWN AND/ OR NOTED.
3. THE CURRENT ZONING IS 'AG' & THE PROPOSED ZONING IS 'AG' WITH C.U.P.
4. THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED 35 FEET, AS PER 'AG' ZONING.
5. THE DEVELOPER PROPOSES THE USE OF INDIVIDUAL WELLS FOR POTABLE WATER SUPPLY.
6. THE DEVELOPER PROPOSES THE USE OF INDIVIDUAL WASTE WATER SYSTEMS. IF PERCOLATION TEST DO NO PERMIT SUB SURFACE FIELDS, LAGOONS SHALL BE INSTALLED. WASTE WATER SYSTEMS SHALL BE APPROVE BY THE LANCASTER COUNTY HEALTH DEPARTMENT. IF STANDARD OR NON-STANDARD SOIL ABSORPTION SYSTEMS ARE UTILIZED, THE LLCHD WILL REQUIRE DETAILED SITE PLANS FOR EACH LOT PRIOR TO ISSUING ON-SITE WASTEWATER TREATMENT SYSTEM PERMITS.
7. THE DEVELOPER SHALL SURFACE THE PRIVATE ROADWAY WITH 3" OF CRUSHED ROCK AND 1" OF GRAVEL IN ACCORDANCE WITH LANCASTER COUNTY STANDARDS FOR MAINTENANCE.
8. DEVELOPER SHALL INSTALL STREET IDENTIFICATION SIGNS, STOP SIGNS AND NO OUTLET SIGNS AS REQUIRED
9. ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
10. PUBLIC ACCESS EASEMENT IS HEREBY GRANTED OVER THE PRIVATE ROADWAY.
11. DIRECT VEHICULAR ACCESS SHALL BE RELINQUISHED TO NORTH 58TH STREET EXCEPT AN EXISTING FARM ACCESS. DIRECT VEHICULAR ACCESS SHALL BE RELINQUISHED TO BRANCHED OAK ROAD EXCEPT THE PRVA ROADWAY, CELL TOWER ACCESS AND EXISTING FARM ACCESS.
12. THE PRIVATE ROADWAY SHALL BE CONSTRUCTED AND SURFACED TO LANCASTER COUNTY STANDARDS AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
13. ANY LAND DISTURBANCE WILL FOLLOW 'BMP' TECHNIQUES AS APPROVED BY THE LOWER PLATTE SOUTH NRD TO PREVENT EROSION.
14. 'JUNK CARS' SHALL BE PROHIBITED IN THIS DEVELOPMENT AS NOTED IN PROTECTIVE COVENANTS.
15. FUTURE LOT OWNERS WILL BE ADVISED THAT THIS IS IN A RURAL FARM AREA AND THAT NORMAL AND CUSTOMARY FARM ACTIVITIES, INCLUDING CATTLE FEEDING OR HOG CONFINEMENTS ARE NOT A NUISANCE.
16. CONTOUR LINES ARE AT NAVD '88' DATUM.
17. THE FOLLOWING WAIVERS ARE APPROVED WITH THIS COMMUNITY UNIT PLAN/SPECIAL PERMIT #_____: PRELIMINARY PLAT PROCESS; SIDEWALKS; STREET TREES; STREET LIGHTING; LANDSCAPE SCREENING; BLOCK LENGTH AND CUL-DE-SAC LENGTH.
18. A MODIFICATION TO THE REQUIREMENTS OF THE LAND SUBDIVISION ORDINANCE TO PERMIT A BLOCK LENGTH EXCESS OF 1320 FEET ALONG THE NORTH, WEST, EAST AND SOUTH OF THIS SUBDIVISION.
19. ALL LOTS SHALL BE ALLOWED ONLY ONE RESIDENTIAL ACCESS PER LOT.

**County Special Permit #07009
N 56th St & Branched Oak Rd
Kadavy Estates**

**KADAVY ESTATES
LEGAL DESCRIPTION**

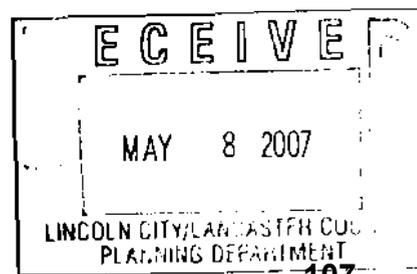
LOTS 30, 32 & 36 IRREGULAR TRACTS LOCATED IN THE EAST HALF OF SECTION 29, TOWNSHIP 12 NORTH, RANGE 07 EAST OF THE 6th P.M., LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 29, TOWNSHIP 12 NORTH, RANGE 07 EAST, THENCE N 89°28'10"W, A DISTANCE OF 166.85 FEET; THENCE N 00°31'50"E, A DISTANCE OF 33.01 FEET TO THE POINT OF BEGINNING;

THENCE N 89°28'11"W, A DISTANCE OF 1793.80 FEET;
THENCE N 02°10'53"E, A DISTANCE OF 1283.16 FEET;
THENCE N 89°28'33"W, A DISTANCE OF 653.52 FEET;
THENCE N 02°11'49"E, A DISTANCE OF 1316.11 FEET;
THENCE S 89°28'59"E, A DISTANCE OF 2224.65 FEET;
THENCE N 02°07'53"E, A DISTANCE OF 25.01 FEET;
THENCE S 89°28'58"E, A DISTANCE OF 32.99 FEET;
THENCE N 02°06'15"E, A DISTANCE OF 132.00 FEET;
THENCE S 89°29'01"E, A DISTANCE OF 307.41 FEET;
THENCE S 02°01'00"W, A DISTANCE OF 25.01 FEET;
THENCE N 89°29'01"W, A DISTANCE OF 282.42 FEET;
THENCE S 02°06'20"W, A DISTANCE OF 132.00 FEET;
THENCE N 89°28'59"W, A DISTANCE OF 33.00 FEET;
THENCE S 02°08'10"W, A DISTANCE OF 132.00 FEET;
THENCE S 89°28'59"E, A DISTANCE OF 325.90 FEET;
THENCE S 02°00'11"W, A DISTANCE OF 32.18 FEET;
THENCE N 89°27'40"W, A DISTANCE OF 10.60 FEET;
THENCE S 02°00'58"W, A DISTANCE OF 224.09 FEET;
THENCE S 16°37'25"W, A DISTANCE OF 247.98 FEET;
THENCE S 02°03'07"W, A DISTANCE OF 60.00 FEET;
THENCE S 12°52'57"E, A DISTANCE OF 155.24 FEET;
THENCE S 02°03'04"W, A DISTANCE OF 550.00 FEET;
THENCE S 06°08'11"W, A DISTANCE OF 701.78 FEET;
THENCE S 03°01'41"E, A DISTANCE OF 451.77 FEET;
THENCE S 56°48'18"W, A DISTANCE OF 111.98 FEET TO THE POINT OF

BEGINNING AND CONTAINING A CALCULATED AREA OF 131.17 ACRES MORE OR LESS.

**County Special Permit #07009
N 56th St & Branched Oak Rd
Kadavy Estates**



DENSITY CALCULATION:

LANCASTER COUNTY JURISDICTION
BOUNDARY ACREAGE = 82.53 AC.
ADJACENT R.O.W. = + 6.13 AC.

88.66 AC. / 20
= 4,433 UNITS
x 1.20 (20% density bonus)
= 5,319.6 UNITS

DAVEY JURISDICTION
BOUNDARY ACREAGE = 48.71 AC.
ADJACENT R.O.W. = + 0.05 AC.

48.76 AC. / 39
= 1.25 UNITS

6 UNITS

**County Special Permit #07009
N 56th St & Branched Oak Rd
Kadavy Estates**



LYLE L. LOTH, P.E./L.S.

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500
Fax (402) 421-7096

Email: lyle@espeng.com

May 7, 2007

Mr. Marvin Krout
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: KADAVY ESTATES - County Community Unit Plan/Special Permit

Dear Marvin,

On behalf of LaDonna Kadavy and the LaDonna F. Kadavy Revocable Trust, we are requesting that the above mentioned Community Unit Plan/Special Permit be scheduled onto the next Planning Commission meeting. Susan Dvorak, who is the trustee of the trust, has given her written permission to continue with the application. Susan Dvorak has requested that the developer listed on the previous submittal be revised to: "LaDonna F. Kadavy Revocable Trust, Susan K. Dvorak, trustee".

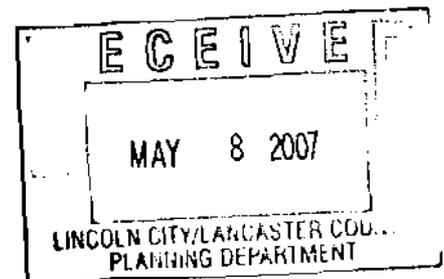
Through discussions between the client and the Village of Davey, the aspect of raising the density allowed in the Davey jurisdiction is not a possibility. To reach the allowed density, the project has been modified from its original proposed 8 single family lots to 6 single family lots. The 2 northeast lots have been removed from the application. Due to the removal of the northeast lots, the additional property to the north needed for the proposed access is no longer needed. The legal description has been modified to reflect the change.

Please feel free to contact me if you have any further questions.

Sincerely,

Marcia L. Kinning

Cc: LaDonna F. Kadavy Revocable Trust
Enclosures: 8 Copies of Sheets 1 & 2 of 3
8-1/2" x 11" reduction
Revised Legal Description





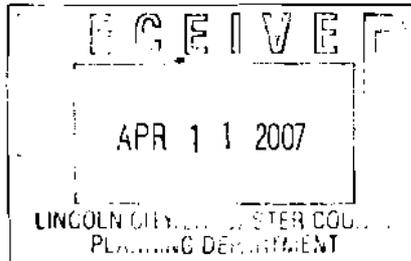
LYLE L. LOTH, P.E./L.S.

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500
Fax (402) 421-7096

Email: lyle@espeng.com

April 12, 2007



Mike Dekalb
Planner
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

Dear Mike,

On behalf of our client, Ladonna Kadavy and family, we are hereby requesting that the Community Unit Plan for Kadavy Estates, be placed on hold until the family has agreed on the future development.

Thank you for your help and assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lyle L. Loth'.

Lyle L. Loth



LYLE L. LOTH, P.E./L.S.

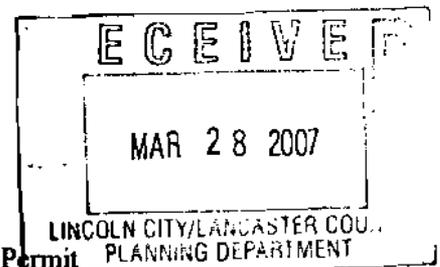
Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500
Fax (402) 421-7096

Email: lyle@espeng.com

March 27, 2007

Mr. Marvin Krout
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508



RE: **KADAVY ESTATES – County Community Unit Plan/Special Permit**

Dear Marvin,

On behalf of LaDonna Kadavy, we submit the following County Community Unit Plan/Special Permit for your review. The Davey one-mile jurisdiction falls through the middle of the outlot which will remain existing farm uses. A copy of this submittal has been sent to Davey for review and for their determination on the process in which they would like us to proceed.

Kadavy Estates is located in the northwest corner of Branched Oak Road and North 56th Street. The site contains approximately 131.24 acres and is currently zoned 'AG'. Within the submittal we have included a portion of Lot 33 I.T. located north of the application. A survey to adjust the lot line as shown will be turned into the County while this application is under review. The reason for the adjustment is due to creating a private driveway without ninety degree bends. We are proposing a total of 8 single family acreage lots along North 56th Street which is currently pasture and an existing residence with outbuildings. Each lot will have its own well and septic system.

An existing asphalt private driveway off of Branched Oak Road is being extended and redefined as a private roadway. The extension of the private roadway will be gravel and built to Lancaster County standards. The private roadway will provide vehicular access to 6 of the proposed lots. An existing access to North 56th Street will be used as a private driveway with common access for the remaining 2 proposed lots and a farm access.

We are requesting the 20% density bonus as we are preserving the farm uses in an outlot. The existing cellular tower located in the outlot shall remain. An outlot with a common access easement has been shown over the existing pond which will allow the future property owners access.

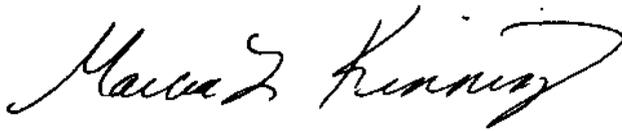
Page 2

We request to waive the preliminary plat process. We are also requesting the customary waivers to the land subdivision ordinance for block length, sidewalks, street trees, street lighting and landscape screening, block length and cul-de-sac length, as each lot is larger than one acre and we are not being annexed into the City of Lincoln at this time.

We are also requesting address labels for the area around the project. Once we receive the labels from the Planning Department we will be sending a site plan to the neighbors. Contact has already been made with the majority of neighbors in regard to the project.

Please feel free to contact me if you have any further questions.

Sincerely,



Marcia L. Kinning

Cc: Dan Kadavy

Enclosures: 24 Copies of Sheet 1 of 3
8 Copies of Sheets 2 & 3 of 3
Application for a County Special Permit
Application Fee of \$1,150.00
Health Department Fee of \$370.00
Culvert Calculator Report
2 Copies of the Water Report
Certificate of Ownership
2 Copies of the Preliminary Soils Analysis
8-1/2" x 11" reduction
Letter to Village of Davey



LYLE L. LOTH, P.E./L.S.

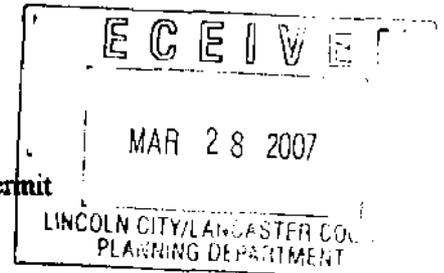
Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500
Fax (402) 421-7096

Email: lyle@espeng.com

March 27, 2007

Ms. Lori J. Streeter
Village Clerk
Village of Davey
P.O. Box 1
Davey, NE 68336



RE: KADAVY ESTATES – County Community Unit Plan/Special Permit

Dear Lori,

On behalf of LaDonna Kadavy, we have submitted to Lancaster County the following County Community Unit Plan/Special Permit for their review.

Kadavy Estates is located in the northwest corner of Branched Oak Road and North 56th Street. The Village of Davey one-mile jurisdiction line falls through the middle of a proposed outlot which is designated to continue existing farm uses. We are proposing 8 single family acreage lots along North 56th Street which is outside of the one-mile jurisdiction line of the Village of Davey.

We have enclosed copies of the set of plans for your review. At this time, we are requesting the Village of Davey to determine the procedure in which we should proceed to meet the requirements of the village.

Please feel free to contact me if you have any further questions or comments.

Sincerely,

Marcia L. Kinning

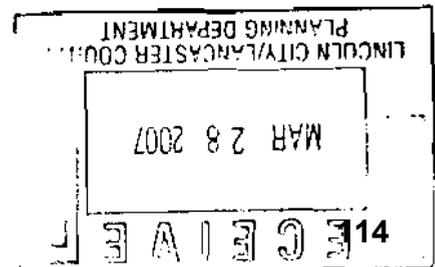
Cc: Dan Kadavy
Enclosures: 2 Copies of Sheets 1 through 3 of 3
 Submittal letter to Lancaster County
 8-1/2" x 11" reduction

Kadavy Property
Township 12 North Range 7 East Section 29
Lancaster County, Nebraska

Ground Water Report



Submitted by:
Settje Agri-Services and Engineering, Inc.
4700 West Rock Creek Road
Raymond, NE 68428
402-783-2100



SETTJE **Agri-Services & Engineering**

4700 W. Rock Creek Rd.
Raymond, Ne 68428
office (402) 783-2100
fax (402) 783-2104

Dean Settje

Dale Leffers P.E.

March 19, 2007

Mr. Lyle Loth
Suite A – 601 Old Cheney Road
Lincoln, NE 68512

Re: Ground Water Report
Kadavy Property
Lancaster County, Nebraska

Dear Mr. Loth:

Enclosed is the ground water report for the above referenced property. Based on available data, potable water does exist beneath the property and adjacent property. However, water treatment will likely be needed. Settje Agri-Services & Engineering (SASE) recommends prior to home construction test drilling on each individual lot to determine water quantity and quality.

If you have any questions, please give me a call.

Sincerely,



Ken Imig, P.G.

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I. INTRODUCTION

This report reviews available geologic and hydrogeologic data to determine the availability of ground water for a proposed housing development (seven to eight single-family dwellings) at Branched Oak Road and Highway 77 in northern Lancaster County. The proposed development encompasses approximately 160-acres of land and is located in the Southeast Quarter of Section 29, Township 12-North, Range 7-East, Lancaster County, Nebraska (see Topography Map, Appendix A). The proposed development is bordered to the north, east, south and west by agricultural ground. A residence is located on the southeast edge of the property and a residence is located near the southwest corner of the property. A cemetery is located near the northeast corner of the property (see Registered Well Map, Appendix A).

Data from the Nebraska Department of Natural Resources and the Conservation and Survey Division - Institute of Agriculture and Natural Resources was reviewed to complete this study.

II. REGIONAL GEOLOGY/HYDROGEOLOGY

Geology

The study area lies in the glacial drift area of southeast Nebraska. Subsurface geology in this area consists of Quaternary-age sediments (clay, sand and gravel and glacial till) underlain by the Cretaceous-age Dakota Group (see Reference #1 and #2). The Dakota Group consists of interbedded sandstone, clay and shale (Bedrock Geologic Map Showing Thickness of Overlying Quaternary Deposits, Lincoln Quadrangle and Parts of Nebraska City Quadrangle, Nebraska and Kansas, 1972).

Hydrogeology

Water-bearing sediments in this area occur in Dakota Group sandstone of Cretaceous-age. This water-bearing interval is considered the principal aquifer for this area. The depth to the principal aquifer varies and is a function of topographic location. Ground water flow is expected to be east-southeast (see Reference 1)

III. SITE GEOLOGY AND HYDROGEOLOGY

Review of the Department of Natural Resources registered well data bank documents one registered well in Section 29 (G-118366), one registered well in Section 32 (G-112928; south of study area) and one registered well in Section 20 (G-129479; north of study area)(see Well Location Map, Appendix A). All three wells are registered as active individual domestic wells.

G-118366: The well is located at the southwest corner of the property. Construction records indicate the well was drilled to a depth of 305 feet bgl and is screened in the Dakota Group sandstones. A copy of the well construction record and borehole log is included in Appendix B. The well screen intersects 21 feet of sandstone and has a reported yield 15 gallons per minute (gpm) with a measured drawdown of 30 feet.

G-112928: The well is located in Section 32 and is approximately one-half mile south of the property. Construction records indicate the well was drilled to a depth of 251 feet bgl and is screened in the Dakota Group sandstones. A copy of the well construction record and borehole log is included in Appendix B. The well screen intersects 16 feet of sandstone and has a reported yield 15 gpm with a measured drawdown of 77 feet. No water quality data is available for this well.

G-129479: The well is located in Section 20 and is approximately one-mile northwest of the property. Construction records indicate the well was drilled to a depth of 243 feet bgl and is screened in the Dakota Group sandstones. A copy of the well construction record and borehole log is included in Appendix B. The well screen intersects 17 feet of sandstone and has a reported yield 15 gpm with a measured drawdown of 22 feet.

Comparing static water levels in each well to the depth of the water-bearing sediments indicate the aquifer in this area is under confined conditions. Table I below summarizes well construction data, estimated well elevation above mean sea level, estimated well screen elevation above mean sea level, aquifer thickness and reported well yields.

**Table I
Well Construction Data**

Township 12 North, Range 7 East, Sections 20, 29 and 32

Well #	Well Location	Total Depth of Well In Feet	Static Water	Estimated Well Elevation (Above Mean Sea Level)	Screened Section of Well (Above Mean Sea Level)	Sand Thickness In Feet	Measured well yield (In gallons per minute (gpm))
G-112928	SW/NW	251	148	1340	1104-1089*	15*	15
G-118366	SE/SW	305	170	1350	1065 - 1045*	20	15
G-129479	SW/SW	243	158	1310	1087 - 1067	18	15

Water Quality

To determine water quality, SASE instructed Mr. Kadavy to collect water samples for laboratory analysis from the wells located onsite (G-118366 - 4800 Branch Oak Road) and the unregistered well - 5560 Branched Oak Road)). Complete copies of the water quality analysis reports for each well are included in Appendix C.

Both reports indicate the water is very hard with elevated concentrations of sodium, calcium, magnesium, sulfate, iron and manganese. The iron concentration at 4800 Branched Oak Road exceeds the United States Environmental Protection Agency (EPA) maximum contaminant level of 0.3 ppm. With the elevated levels of iron, sodium and manganese, SASE recommends water treatment systems be installed with each system.

Water quality of the Dakota can be highly variable. Normally if water quality of upper part of the formation is unsatisfactory, water quality at deeper depth will be of a poorer quality (Reference 2).

IV. CONCLUSIONS AND RECOMMENDATIONS

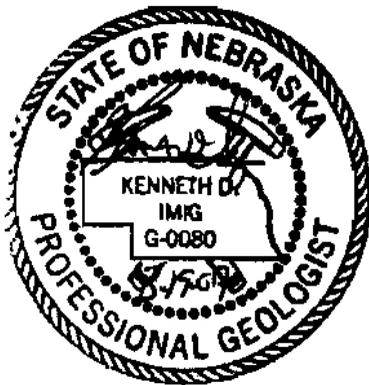
- Based on available data, ground water beneath the proposed development should provide an adequate potable source of water for individual household wells.
- Potable water-bearing sediments occur in the Dakota Group sandstone. Well yields are reported to be approximately 15 gpm.
- Based on analytical results, treatment is recommended for the hardness, iron and manganese.

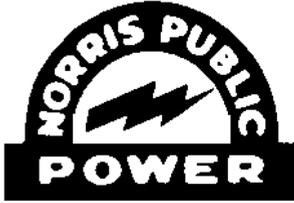
- Prior to home construction, SASE recommends test drilling on each individual lot to determine water quantity and quality.

Prepared by



Ken Imig, P.G.





AREA 2
SERVICE CENTER

R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3865
FAX 402/423-8090

April 5, 2007

Mike Dekalb, Project Planner
555 S. 10th St. #213
Lincoln, NE 68508

RE: Kadavy Estates

Dear Mike

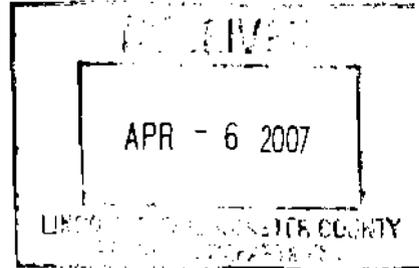
I have reviewed the subject plat and see easements in place as we would hope. Everything else looks OK.

Thanks for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Rick Volmer".

Rick Volmer, Staking Engineer



Status of Review: **Approved**

04/09/2007 2:26:28 PM

Reviewed By **Health Department**

ANY

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

TO: **Mike DeKalb** DATE: **April 9, 2007**

DEPARTMENT: **Planning** FROM: **Chris Schroeder**
ATTENTION: **Health** DEPARTMENT: **Health**

CARBONS TO: **EH File** SUBJECT: **Kadavy Estates**
EH Administration SP #07009

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following noted:

The LLCHD does not have any information regarding the water well and onsite wastewater treatment system serving the residence on Lot 1. Both systems must be located and inspected. LLCHD will accept reports from inspectors holding a Property Transfer Inspector certification. The well inspection must include test results for nitrate and bacteria samples.

A report addressing the expected quantity and quality of the drinking water must be provided.

The developer has adequately addressed onsite wastewater system issues and lot size issues on the plans and general notes.

Developers are responsible for all mosquito control issues during the building process and all outlots, green-spaces, and/or natural corridors subsequently controlled by the homeowners association for that subdivision would be responsible for vectors of zoonotic disease in those areas.

All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

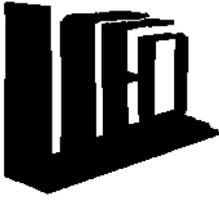
During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

Status of Review: **Active**

Reviewed By **Lancaster County Sheriff Department**

ANY

Comments:



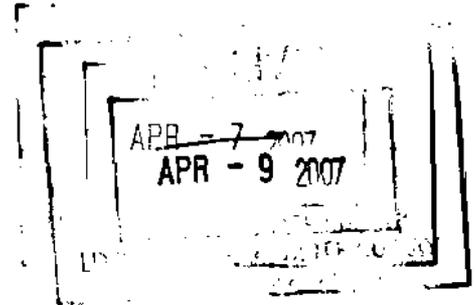
Lancaster
County

DON R. THOMAS - COUNTY ENGINEER

Engineering
Department

DEPUTY- **LARRY V. WORRELL**
COUNTY SURVEYOR

DATE: April 5, 2007
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell
County Surveyor
SUBJECT: KADAVY ESTATES CUP
SPECIAL PERMIT NO. SP07009



This office has reviewed subject development and has a major concern about the close proximity of North 55th Court to U.S. Highway 77. The development should be reconfigured to provide the street access on the west side of the lots. The following comments are for the proposal submitted:

- 1) The maximum profile grade is 7.0%. A portion of the proposed profile is over 7.0%.
- 2) The Inlet of the proposed culvert shall have a flared end section or concrete headwall on the inlet end.
- 3) Permanent easements shall be shown for culvert ends that extend beyond the road right-of-way.
- 4) Access to Lot 5 will be quite steep due to the proposed roadway elevation.
- 5) There is a portion of North 55th Court that does not have the full 60 feet of right-of-way.
- 6) The existing asphalt drive does not have a standard ditch section on the east side.
- 7) The existing culvert under North 55th Court just north of Branched Oak Road needs a flared end section or concrete headwall on the Inlet.
- 8) The existing drive off of Branched Oak Road on the west side of Lot 1 shall be removed.
- 9) The return of North 55th Court shall have a 50 foot radius.

SUBJECT: KADAVY ESTATES CUP
SPECIAL PERMIT NO. SP07009

- 10) Drainage area A Includes additional area out to the median of U.S. Highway 77.
- 11) All of North 55th Court shall have the same surface type (all asphalt or all rock/gravel).
- 12) A portion of North 55th Court will be very close to the high backslope on U.S. Highway 77. Cross-sections shall be submitted showing how the road grading will tie to this backslope. It appears that this could be an unsafe situation.
- 13) The Nebraska Department of Roads shall approve the proposed grading on highway right-of-way and the removal and replacement of the right-of-way fence.

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for AUGUST 1, 2007 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 07022

PROPOSAL: Expand a nonstandard single-family dwelling into the required front yard setback.

LOCATION: S. 4th Street and C Street

LAND AREA: .16 acres more or less

EXISTING ZONING: R-4 Residential

CONCLUSION: The special permit for the expansion of a non standard dwelling should not adversely affect surrounding residents.

RECOMMENDATION:	Conditional Approval
------------------------	----------------------

GENERAL INFORMATION:

LEGAL DESCRIPTION:

Lot 7, Block 201, original Plat of Lincoln, located in the SW 1/4 of Section 26-10-6, Lancaster County, Nebraska

EXISTING LAND USE: Single-family dwelling Residential

SURROUNDING LAND USE AND ZONING: Residential on all sides

North, East , West, South R-4 Residential

ANALYSIS:

1. This is an application to expand a nonstandard single-family dwelling into the required front yard for the purpose of constructing an addition onto the back side of an existing residence. Along S. 4th Street the existing house is set back approximately two and a half feet. The property is zoned R-4 with a required 25 foot front yard. The addition would not extend any further into the front yard along S. 4th Street than the existing residence.

2. A nonstandard use is defined by LMC §27.03.460 as a lot or use that existed prior to the effective date of the zoning ordinance or due to a change in the zoning ordinance or district boundaries and no longer complies with the minimum lot requirements for the district in which it is located. This house was built in 1900 and became nonstandard with the City adopting revised zoning regulations.
3. This application applies to a residence in the South Bottoms Neighborhood which has been a National Register Historic District since 1986. The historic district is National Register, not local landmark, so it will not need formal review by Historic Preservation Commission.
4. S. 4th Street is an 100' oversized right-of-way and Public Works is constructing paving and a bike trail in the right-of-way this summer.
5. LCM §27.63.540 provides conditions under which this permit may be granted:
 - a. **The proposed building expansion shall not extend further into any required yard than the furthest extension of the existing single- or two-family dwelling.**

The proposed addition will be shown in-line with the approximate 2 1/2' setback of the existing residence from S. 4th Street.
 - b. **The proposed building expansion shall comply with all other height and area regulations of the zoning district in which the building is located.**

The proposed addition will be shown not to encroach into any other required setback. The building permit review process will ensure the other yard and height requirements are met.
 - c. **The use of the building shall remain a single- or two-family dwelling.**

The applicant has indicated this request will allow for an expansion of the home to provide additional living space, and will remain used as a single-family residence.
6. Most of the houses in this area date back before the current Zoning Ordinance and do not meet set back requirements.
7. Watershed Management commented that the applicant is required to have a floodplain permit for this expansion and will need to show nonsubstantial improvement or raise the elevation of the existing building. The applicant will also need to demonstrate that the fill for this expansion is less than the 55% allowable fill as this is in storage area 7.

8. Public Works noted that the site plan submitted with this application has some errors that need to be corrected. The lot is 50' wide and the dimensions from the property lines determine that the house is only 14' wide. The west property line appears to be 2.5' west of the house on the City Landbase, not 16'. The dimensions from the proposed addition to the shed and garage to the north of the proposed addition are also erroneous. Also the site plan should say Residence not Residence.

CONDITIONS OF APPROVAL:

1. This approval permits the expansion of a nonstandard single-family dwelling into the required front yard along S. 4th Street to allow an addition onto the north side of the home.
2. The expansion shall not extend further into the required front yard along S. 4th Street than the furthest extension of the existing dwelling.
3. The use of the main structure shall remain single- or two-family dwelling.
4. The site plan shall be revised to show the correct dimensions of setbacks.
5. The applicant shall show that he will meet the requirements stated by Watershed Management.
6. The following conditions are applicable to all requests:
 - 6.1 Before occupying the addition all development and construction is to comply with the approved plans.
 - 6.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks.
 - 6.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 6.4 The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special 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 special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by

Christy Eichorn
Planner

DATE: July 2, 2007

APPLICANT/ OWNER/ CONTACT

Fernando Ostiguin
404 C Street
Lincoln, NE 68502

F:\FILES\PLANNING\PC\PERMITS\SP\07000\SP07022 Expansion of Nonstandard Dwelling.cje.wpd



Special Permit #07022
S 4th & C St

2005 aerial

Zoning:

One Square Mile
 Sec. 26 T10N R06E

- 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

