

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

April 18, 2013 PRESERVATION COMMISSION MEETING

PROJECT: Special Permit #13015 for Historic Preservation to convert the existing garage on the property to a place of assembly for neighborhood youth services.

PROPOSAL: A Special Permit for Historic Preservation (§27.63.400) to permit use of the garage for neighborhood services.

LOCATION: 659 South 18th Street

LAND AREA: 7950 square feet, more or less

EXISTING ZONING: R-7 Residential District

CONCLUSION: Approving the Special Permit will allow better utilization of the property for an on-going neighborhood service

RECOMMENDATION FOR SPECIAL PERMIT:	Conditional Approval of Special Permit
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GENERAL INFORMATION:

LEGAL DESCRIPTION: north 3.5 feet of lot 18 and lot 19, Block 1, Kennards Addition to Lincoln Sub., Lincoln, Lancaster County, Nebraska.

EXISTING LAND USE: One dwelling unit.

SURROUNDING LAND USE AND ZONING:

North:	Multi-family residences	R-7
West:	Multi-family residences	R-7
South:	Multi-family residences	R-7
East:	Single family and Multi-family residences	R-7

HISTORY: See Landmark application for Change of Zone 13007HP.

COMPREHENSIVE PLAN SPECIFICATIONS:

- The community's distinctive character and desirable quality of life for current residents and for future generations should be supported by exercising stewardship of historic resources throughout the county, while maximizing benefits of past investments in public infrastructure and private property. The Plan encourages the

continued use and maintenance of historic resources, including properties not formally designated as landmarks. (p. 4.6)

- City and County governmental policies should provide for the protection and enhancement of historic resources. (p. 4.9)
- Seek incentives and regulatory support to maintain, rehabilitate, and minimize energy utilization of existing buildings in order to make it more feasible to rehabilitate and continue to use older buildings. (p. 4.9)

UTILITIES: All city utilities.

PUBLIC SERVICE: All city services, Lincoln Public Schools

AESTHETIC CONSIDERATIONS: Maintaining and utilizing a 90+ year old house in this high-density neighborhood adds variety and architectural interest.

ALTERNATIVE USES: Single family, multiple family, and other permitted uses of the R-7 district without adjustments under a Special Permit.

ASSOCIATED APPLICATION: Landmark application CZ 13007 for designation of the property as a Landmark.

ANALYSIS:

1. This application is for a special permit for historic preservation, to maintain the property by permitting its use as a residence and a neighborhood support service.
2. The owners and their son have provided non-profit neighborhood services from this residence for several years, focusing on youth. The request is to move these activities from their living and dining rooms to renovated space in the large, existing garage. Use of an accessory building for a “primary” use is not ordinarily permitted by the zoning code. In addition, an accessory building is allowed closer to the rear and side lot lines than is ordinarily permitted for a building containing primary uses.
3. “Neighborhood Support Services” is defined in the zoning ordinance in Section 27.02.150 as:

*“**Neighborhood Support Services.** Neighborhood support services shall mean those human, social, educational, counseling, health, and other support services provided primarily for the support of persons residing in adjacent residential areas, which occur frequently and so require facilities in relative proximity to places of residence and do not include residential or overnight accommodations.”*

These facilities may be approved by special permit without a local landmark designation, but it requires they be adjacent to a park, school, church, or

neighborhood center. This house is not adjacent to any of those uses. The property is within a few blocks of McPhee Elementary School, Lincoln High School and First Presbyterian Church but it is not adjacent to any of those uses.

However, this house is eligible to be a local landmark. So the special permit for historic preservation is being used to allow Neighborhood Support Services at this location. The Urban Development Department is working to improve this neighborhood and supports the provision of social services within the area.

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

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

See Landmark application for historic significance.

- **The extent to which economic factors necessitate the change in use:**

The purpose of the application is not primarily financial, but rather to more fully utilize existing buildings on the property..

- **The extent of proposed exterior change to the structure or site:**

The applicants propose no changes to the bungalow. Renovations to the garage would not impact any significant feature of the property, but would lessen impact on the house.

- **The impact on the surrounding area:**

The applicants are already providing neighborhood services from their home, for the purpose of having positive impact on the surrounding area. In their experience, the neighbors served arrive primarily on foot. The site has a driveway serving the residence but not other off-site parking.

- **The compatibility of the proposed use to the structure or site and the surrounding area:**

The proposed use would relieve use of the bungalow, which is the proposed landmark. This high-density neighborhood has high social service needs and the non-profit Jacob's Well project works to meet some of those needs.

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

Staff has received informal confirmation that the Capitol View Neighborhood Association has endorsed this application as beneficial to the area. We will request more formal verification of this for the Commission.

CONDITIONS OF APPROVAL

This special permit approves the historic preservation use of the property for one dwelling unit and for renovation of the garage for a place of assembly, subject to general conformance with the approved site plan and the following conditions:

Site Specific Conditions:

- 1 The garage may only be used for non-profit, neighborhood support services subject to provisions in Section 27.63.610 “Neighborhood Support Services” of the zoning ordinance with the exceptions that: a) the site need not be adjacent or contiguous to a park, school, church or neighborhood center, and b) no additional parking is required for the use.
- 2 All building and life-safety codes must be met before occupancy of the garage.
- 3 Any exterior changes to the house or garage must be reviewed by and receive approval of the Historic Preservation Commission.

Standard Conditions:

- 4 The following conditions are applicable to all requests:
 - 4.1 Before occupying the improvement all development and construction shall substantially comply with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, and similar matters.
 - 4.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the

Special Permit 13015
C. A. Schaaf House

special permit and the letter of acceptance with the Register of Deeds, filling fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by:

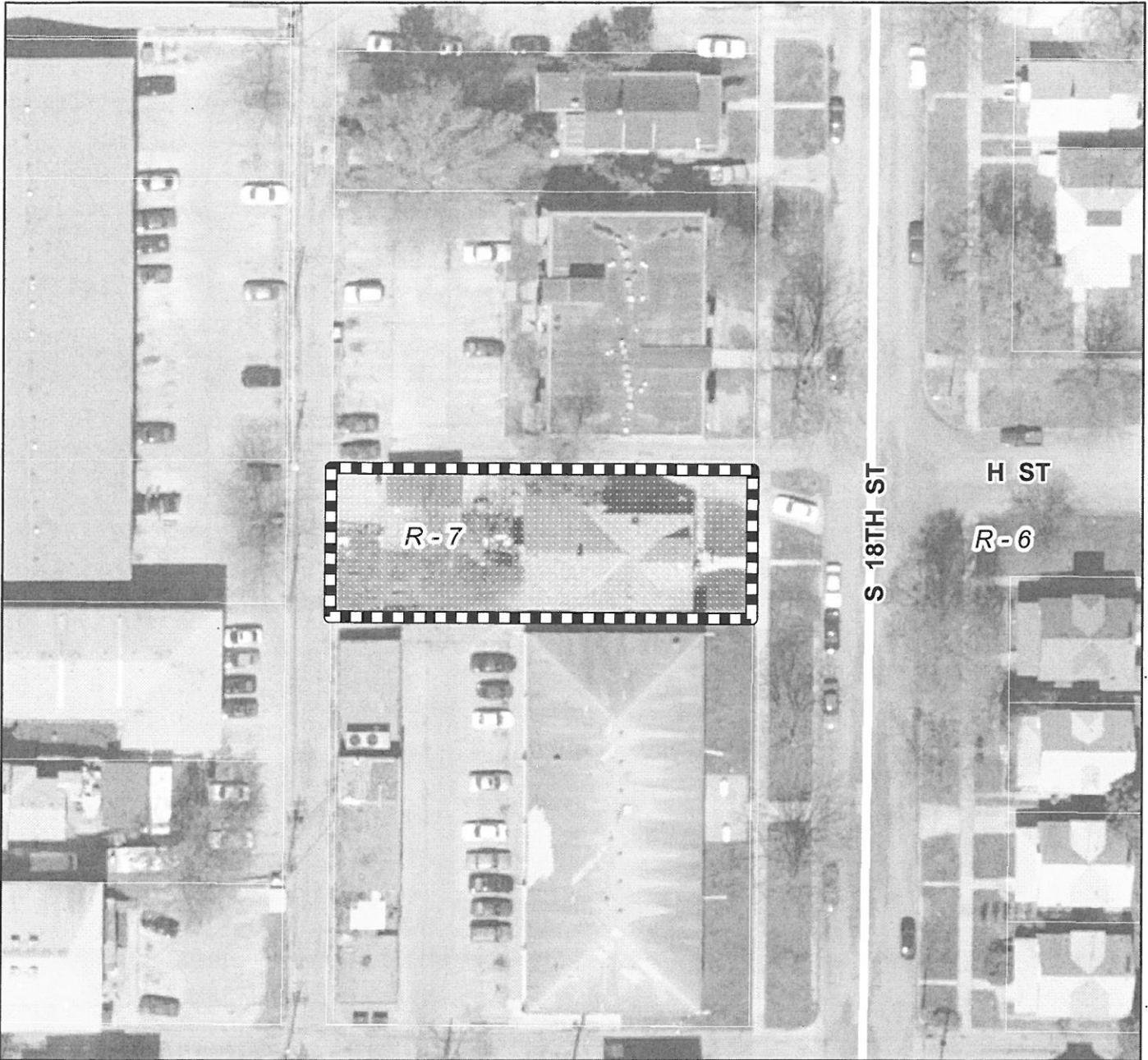
Ed Zimmer, 402-441-6360 ezimmer@lincoln.ne.gov
Historic Preservation Planner

DATE: April 12, 2013

APPLICANT: William H. And Marcia M. Thornton
659 S. 18th Street
Lincoln, NE 68508
(402)499-3670
bthornton@nechristian.edu

OWNER: same

CONTACT: same

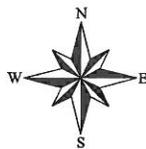


2010 aerial

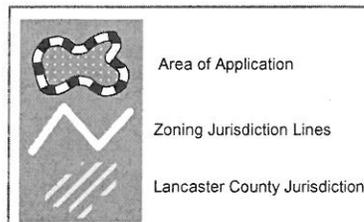
**Special Permit# SP13015 (Historic Preservation) and
Change of Zone # CZ13007 (Landmark Designation)
S 18th & H St**

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.25 T10N R06E



Jacob's Well is a faith-based community development non-profit providing neighborhood services in the area surrounding 659 S. 18th Street. Executive Director Mark Thornton has lived in the neighborhood for 5+ years and founded JW to address the needs of the community surrounding the house owned by his parents, Bill & Marcia Thornton.

For four years JW has provided monthly block parties during the summer that have brought 200-300 neighbors in the area together and forged a greater sense of community.

For nearly three years JW has partnered with First Presbyterian Church and the Food Bank of Lincoln to distribute food to roughly 300 households (impacting approximately 1,000 people) two times each month on the 1st & 3rd Saturdays. Besides providing needed food items this also allows household income to go toward rent, utilities or medical needs. In essence, this is an "income-stretcher."

A year ago a community garden was developed in partnership with First Presbyterian Church, Community Crops and the Near South Neighborhood Ass'n with the goals of growing food (self-sufficiency), and bringing people together (community). Last year there were 24 garden plots, and we plan to add six more this year.

One of the greatest needs we see is the large number of children and youth in the surrounding area that would benefit from a program geared for them that would include a nutritious meal, handcrafts, recreation and non-traditional mentoring. We would like to renovate our garage for the purpose of providing meeting and activity space for the 30-40 young people that we anticipate being served. Such a program will provide healthy activity and positive role models for these kids that will prevent (or greatly diminish) the likelihood of their involvement in less-than-positive behavior/conduct. Because virtually all of the families that would be served live nearby, nearly all of them would walk to and from the program thereby not adding to traffic congestion in the neighborhood. In fact, the positive outcome envisioned would be young people living in the neighborhood who take responsibility for their neighborhood and who possess a growing respect for their neighbors and others.

We have contacted the newly organized Capitol View Neighborhood Ass'n, and have received their endorsement for which we are grateful.