
Lincoln City - Lancaster County

**PLANNING COMMISSION
AGENDA**

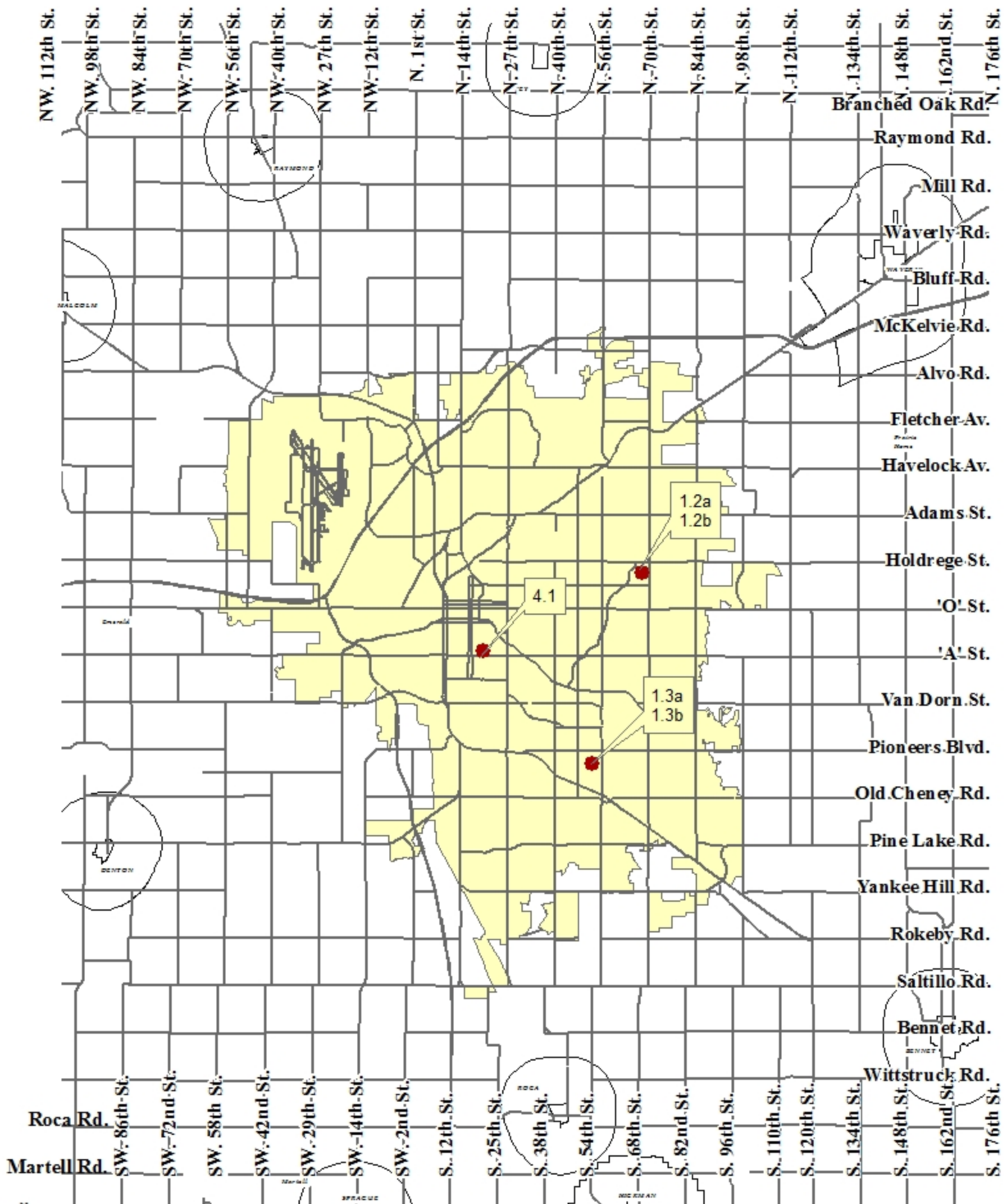
PLANNING COMMISSION

Dennis Scheer: Chair
Tracy Corr: Vice-Chair
Thomas Beckius
Tracy Edgerton
Deane Finnegan
Maja V. Harris
Chris Hove
Cristy Joy
Sändra Washington

PLANNING STAFF

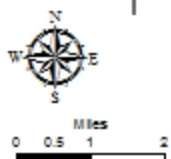
David R. Cary: Director
Geri Rorabaugh: Administrative Officer
Amy Huffman: Office Specialist

January 31, 2018



Planning Commission Agenda Item Map

January 31, 2018



NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, January 31, 2018, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

The Lincoln/Lancaster County Planning Commission will meet on Wednesday, January 31, 2018, immediately following the regular Planning Commission hearing, in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska, to discuss (1) Downtown Master Plan Update and (2) Cornhusker RTSD Project Overview.

****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 or County Board by filing a Notice of Appeal with the City Clerk or County 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, JANUARY 31, 2018

Approval of minutes of the regular meeting held January 17, 2018.

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

TEXT AMENDMENT:

- Page 01
- 1.1 Text Amendment No. 18001, amending the Zoning Ordinance Chapter 27.63 to include a correction to Section 27.63.630 1(a) to add the B-2 District for where indoor theaters may be allowed consisting of not more than 250 seats, and repealing Section 27.63.630 as hitherto existing.
Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

CHANGE OF ZONE AND RELATED USE PERMIT:

- Page 07
- 1.2a Change of Zone No. 17038, from R-2 (Residential) to R-T (Residential Transition District), on property generally located at 6630 Starr Street.
Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

Page 13 1.2b Use Permit No. 17010, to allow for the conversion of a single family home into a salon business with waiver from Chapter 3.50 Design Standards for Screening and Landscaping for R-T District Screening, on property generally located at 6630 Starr Street. ****FINAL ACTION****
Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

MISCELLANEOUS:

Page 21 1.3a Street and Alley Vacation No. 17012, to vacate a portion of the South 54th Street right-of-way south of La Salle Street, generally located at South 54th and La Salle Streets.
Staff recommendation: Conformance to the Comprehensive Plan
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

Page 31 1.3b Waiver No. 17006, to waive the 90-foot minimum lot depth requirement per Section 26.23.140(a) of the Subdivision Ordinance, on property generally located at 5401 La Salle Street. ****FINAL ACTION****
Staff recommendation: Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL:

- 2.1 _____
- 2.2 _____

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

- 3.1 _____
- 3.2 _____

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

Page 41 4.1 Change of Zone No. 17032, to designate the Sidles House as a Historic Landmark, on property generally located at 2110 A Street.
Staff recommendation: Approval
Staff Planner: Ed Zimmer, 402-441-6360, ezimmer@lincoln.ne.gov

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

Adjournment:

PENDING LIST:

Planning Department Staff Contacts:

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Paul Barnes, <i>Long Range Planning Manager</i>	402-441-6372	pbarnes@lincoln.ne.gov
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Michael Brienzo, <i>Transportation Planner</i>	402-441-6369	mbrienzo@lincoln.ne.gov
Tom Cajka, <i>Planner</i>	402-441-5662	tcajka@lincoln.ne.gov
Stacey Groshong Hageman, <i>Planner</i>	402-441-6361	slhageman@lincoln.ne.gov
Rachel Jones, <i>Planner</i>	402-441-7603	rjones@lincoln.ne.gov
Dessie Redmond, <i>Planner</i>	402-441-6373	dredmond@lincoln.ne.gov
Andrew Thierolf, <i>Planner</i>	402-441-6371	athierolf@lincoln.ne.gov
George Wesselhoft, <i>Planner</i>	402-441-6366	gwesselhoft@lincoln.ne.gov
Brian Will, <i>Planner</i>	402-441-6362	bwill@lincoln.ne.gov
Kellee Van Bruggen, <i>Transportation Planner</i>	402-441-6363	kvanbruggen@lincoln.ne.gov
Ed Zimmer, <i>Historic Preservation Planner</i>	402-441-6360	ezimmer@lincoln.ne.gov

* * * * *

**The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Wednesdays at 7:00 p.m., Thursdays at 12:00 a.m. and
Sundays at 12:30 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>**

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.



LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Text Amendment #18001	FINAL ACTION? No
PLANNING COMMISSION HEARING DATE January 31, 2018	RELATED APPLICATIONS None

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

A text amendment is proposed to correct an error in section 27.63.630 (1)(a) of the Zoning Ordinance pertaining to Indoor Theaters. This is a correction that is consistent with the intent as described in the staff report for the Theater Policy Text Amendment (TX16006) which was to allow indoor theaters up to 250 seats maximum in both the B-2 and B-3 districts by special permit.

JUSTIFICATION FOR RECOMMENDATION

The text amendment will amend an unintentional omission when TX16006 Theater Policy Text Amendment was adopted and does not represent a substantial change.

APPLICATION/STAFF CONTACT

George Wesselhoft, (402) 441-6366 or gwesselhoft@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed text amendment is consistent with the original intent of TX16006 which is compatible with the Comprehensive Plan which maintains that the Downtown retain an appreciable share of the area's movie screens.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

p. 5.3 - Downtown Lincoln has historically served as the community's dominant center of entertainment. A key element to this role has been the longstanding and successful "theater policy." This policy has allowed Downtown to retain an appreciable share of the area's movie screens. It is intended that this policy will continue as part of LPlan 2040.

ANALYSIS

1. Section 27.63.630 of the Zoning Ordinance allows theaters in the B-2, B-3, and B-5 Districts by special permit under certain conditions. This request is for a text amendment to correct an error in TX16006 Theater Policy Text Amendment which was to allow indoor theaters up to 250 seats maximum in both the B-2 and B-3 districts by special permit and not just the B-3 District per Section 27.63.630(1)(a) as unintentionally adopted. TX16006 was adopted January 23, 2017 by City Council.
2. The specific component of the proposal pertaining to the B-2 and B-3 districts was to add theaters as a special permitted use in the B-2 and B-3 districts in order to allow smaller, niche theater operators in Lincoln. Theaters in the B-2 and B-3 districts would not likely be first-run theaters and may or may not be accompanied by another permitted use such as a restaurant.
3. The Planning Commission for theater proposals in the B-2 and B-3 districts under Section 27.63.630 (1)(b) as part of the special permit could also impose conditions and may include adjustments to the parking, yard and maximum height restrictions.
4. This corrective ordinance amendment is consistent with the Comprehensive Plan and the intent of the theater policy ordinance amendment as clearly identified in the staff report proposal and analysis of TX#16006.

Prepared by

George Wesselhoft, Planner
Date: January 18, 2018

Applicant/Contact:

George Wesselhoft, Planner
555 S. 10th Street, Suite 213
Lincoln, NE 68508
(402) 441-6366 or gwesselhoft@lincoln.ne.gov

F:\DevReview\TX\18000\TX18001 Theater Policy Text Amendment.gjw.docx

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 27.63.630 of the Lincoln Municipal Code
2 relating to indoor theaters as a permitted special use by amending Section 27.63.630 to add that
3 not more than one indoor theater be allowed in the B-2 District consisting of not more than 250
4 seats throughout the theater; and repealing Section 27.63.630 as hitherto existing.

5 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

6 Section 1. That Section 27.63.630 of the Lincoln Municipal Code be
7 amended to read as follows:

8 **27.63.630 Theaters, Indoor.**

9 Indoor theaters may be allowed in the B-2, B-3, and B-5 Districts by special permit under
10 the following conditions:

11 (1) Conditions applicable to the B-2 and B-3 Districts:

12 (a) Not more than one indoor theater shall be allowed for each B-2 or B-3 District
13 consisting of not more than 250 seats throughout the theater; and

14 (b) The Planning Commission shall impose such conditions as are appropriate and
15 necessary to insure compliance with the Comprehensive Plan and to protect the health, safety,
16 and general welfare in the issuance of any such special permits. Such conditions may include an
17 increase in the minimum parking and yard requirement, and decrease in the maximum height
18 restrictions. Upon request of the applicant the City Council may decrease the minimum parking
19 and yard requirement and increase the maximum height restrictions of the district in which the
20 permitted special use is located.

1 (2) Conditions applicable to the B-5 District:

2 (a) A use permit for 400,000 square feet or more of commercial floor area has been
3 issued;

4 (b) A Certificate of Occupancy has been issued for 300,000 square feet or more of
5 commercial floor area; provided, however, that the City Council may decrease or waive this
6 requirement upon a finding that the proposed theaters will have no significant adverse impact
7 upon the property values and existing uses in the B-4 Lincoln Center Business District, with
8 particular emphasis upon the effect of such proposed indoor theaters on the entertainment and
9 cultural uses in the B-4 Lincoln Center Business District; and

10 (c) Not more than one indoor theater complex shall be allowed for each B-5 District,
11 consisting of not more than six movie screens.

12 Section 2. That Section 27.63.630 of the Lincoln Municipal Code as hitherto
13 existing be and the same is hereby repealed.

14 Section 3. This ordinance shall be published, within fifteen days after the
15 passage hereof, in one issue of a daily or weekly newspaper of general circulation in the City, or
16 posted on the official bulletin board of the City, located on the wall across from the City Clerk's
17 office at 555 S. 10th Street, in lieu and in place of the foregoing newspaper publication with
18 notice of passage and such posting to be given by publication one time in the official newspaper
19 by the City Clerk. This ordinance shall take effect and be in force from and after its passage and
20 publication or after its posting and notice of such posting given by publication as herein and in
21 the City Charter provided.

Introduced by:

18-XX

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2018:

Mayor

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Change of Zone #17038	FINAL ACTION? No	DEVELOPER Jamie Stevens
PLANNING COMMISSION HEARING DATE January 31, 2018	RELATED APPLICATIONS Use Permit #17010	PROPERTY ADDRESS 6630 Starr Street

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a change of zone from R-2 Residential to R-T Residential Transition District on approximately 0.22 acres on the north side of Starr Street between North 66th and North 67th Street associated with a proposed new hair salon business.



JUSTIFICATION FOR RECOMMENDATION

A change of zone to R-T is appropriate as this district is intended to provide a transitional area consisting of office or other types of small-scale commercial uses as a buffer between neighborhoods and more intensive commercial uses. The proposed use, a hair salon, will be a small-scale commercial use. Also, the block face is split between commercial and residential with a commercial parking lot to the south.

APPLICATION CONTACT

Jami Stevens, (402) 416-2879 or studiosps@outlook.com

STAFF CONTACT

George Wesselhoft, (402) 441-6366 or gwesselhoft@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed zoning is compatible with the Comprehensive Plan which encourages compatibility with the character of the neighborhood and adjacent uses for commercial development, redevelopment and infill.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 1.9 - this site is shown as future urban density residential on the 2040 Lincoln Area Future Land Use Plan.

P. 7.8 - Preserving existing housing and promoting homeownership should remain the focus in established neighborhoods, with modest opportunities for infill and redevelopment.

P. 7.9 - Strategies for Redevelopment in 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.
- Encourage well-designed and appropriately placed density, including within existing apartment complexes and special needs housing where there is land available for additional buildings or expansions.
- Recognize that broad economic diversity within existing neighborhoods encourages reinvestment and improves quality of life for all residents while acknowledging the need for affordable housing.
- Preserve, protect and promote the character and unique features of urban neighborhoods, including their historical and architectural elements.
- Retain existing predominately single-family blocks in some existing neighborhoods, in order to maintain the mix of housing types.

p. 7.10 - Detailed Strategies for Existing Neighborhoods, 3. Redevelopment and infill should strive for compatibility with the character of the neighborhood and adjacent uses (i.e., parking at rear, similar setback, height and land use).

ANALYSIS

1. This request is for a change of zone from R-2 to R-T on approximately 0.22 acres on the north side of Starr Street between North 66th and North 67th Streets.
2. The purpose of the change of zone is to allow for a proposed hair salon business which would utilize the existing 864 square foot single family residence.
3. The R-T Residential Transition District is intended to provide a transitional area for office and other types of small-scale commercial uses in close proximity to residential uses. This proposal meets the intent and requirements of the R-T District. It would also be appropriate in the future for the property to the east at 6640 Starr Street to be zoned R-T as both properties would serve as a buffer between the more intensive commercial uses to the west and the adjacent residential neighborhood.
4. This change of zone complies with the Zoning Ordinance and is consistent with the Comprehensive Plan. There are apartments to the north with commercial zoning to the west. The lot to the south is in use as a parking lot for commercial use. The block face is split fifty-fifty with the residential character effectively gone. Also, between North Cotner Boulevard and 67th Street there are only two houses on the north side of the block, one house on the south side. All three houses would be appropriate for commercial R-T zoning.

EXISTING LAND USE & ZONING: Single family residential dwelling; R-2

SURROUNDING LAND USE & ZONING

North: Apartments; R-6

South: Parking lot; R-2

East: Single family detached dwelling; R-2

West: Commercial; B-1

APPROXIMATE LAND AREA: 0.22 acres, more or less

LEGAL DESCRIPTION: Lot 10 and the West ½ of Lot 11, Block 64, Bethany Heights, located in the NE 1/4 of Section 21-10-7, Lincoln, Lancaster County, Nebraska.

Prepared by

George Wesselhoft, Planner

Date: January 18, 2018

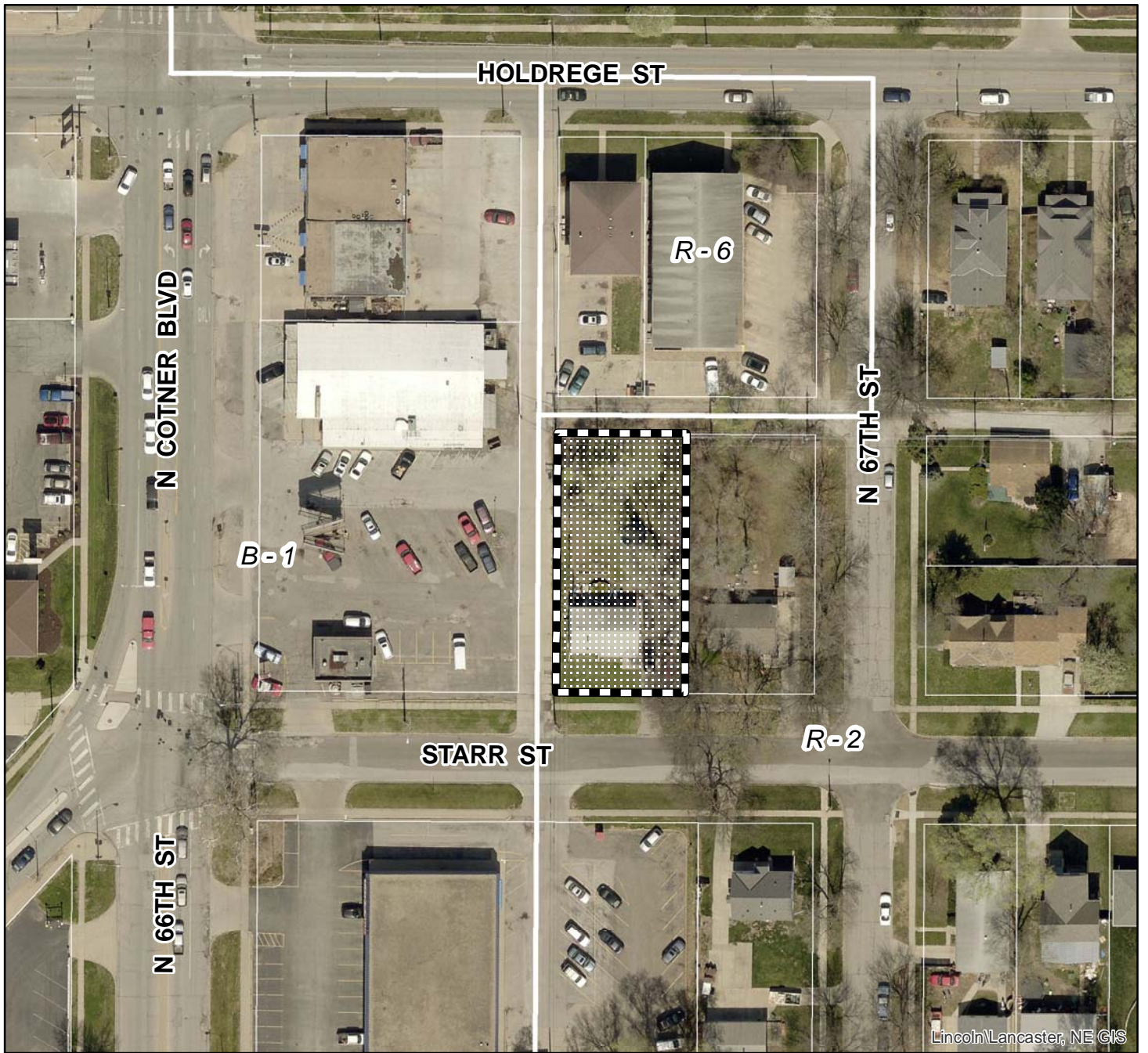
Applicant/
Contact:

Jami Stevens
256 North Street
Greenwood, NE 68366
studiosps@outlook.com

Owner:

Brett Joseph
5700 Markhorn Court
Lincoln, NE 68526

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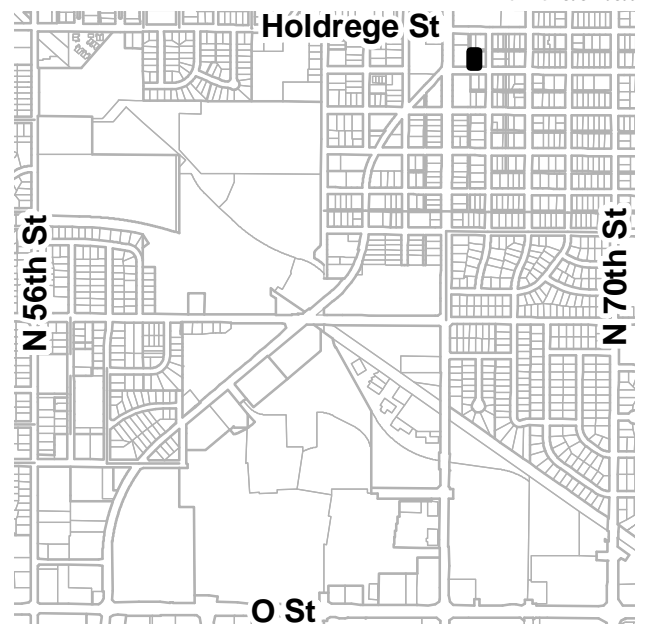
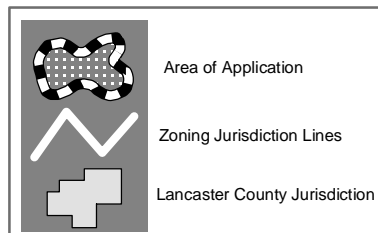
2016 aerial

**Use Permit #: UP17010 &
Change of Zone #: CZ17038 (R-2 to R-T)
N 66th St & Starr 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.21 T10N R07E**



Dear Planning/Zoning Committee

My name is Jami Stevens, my husband Jeff and I have owned the Strawberry Patch Salon for 10 ½ years. We are asking you to change the zoning of 6630 Starr St to RT. The salon has been a business in NE Lincoln for 44 years. We love the NE area and have found the perfect place for the salon to call home for many more years. The property on 6630 Starr St will be a great location for us to continue as a small family friendly salon. Our professionalism will show thru on our commitment to the beautification of the property inside and out. We chose this location because of the visibility, ease of access and no disruption to the neighborhood. This property offers plenty of space and parking to facilitate our cliental. We appreciate you working with us on this matter.

Sincerely,

Jeff and Jami Stevens

Owners of Strawberry Patch Salon

No waivers are requested



4535 Normal Blvd. Ste #101
Lincoln, Ne 68506
(402)423-5202
(402)423-5211
www.huskersurveying.com

SURVEY RECORD

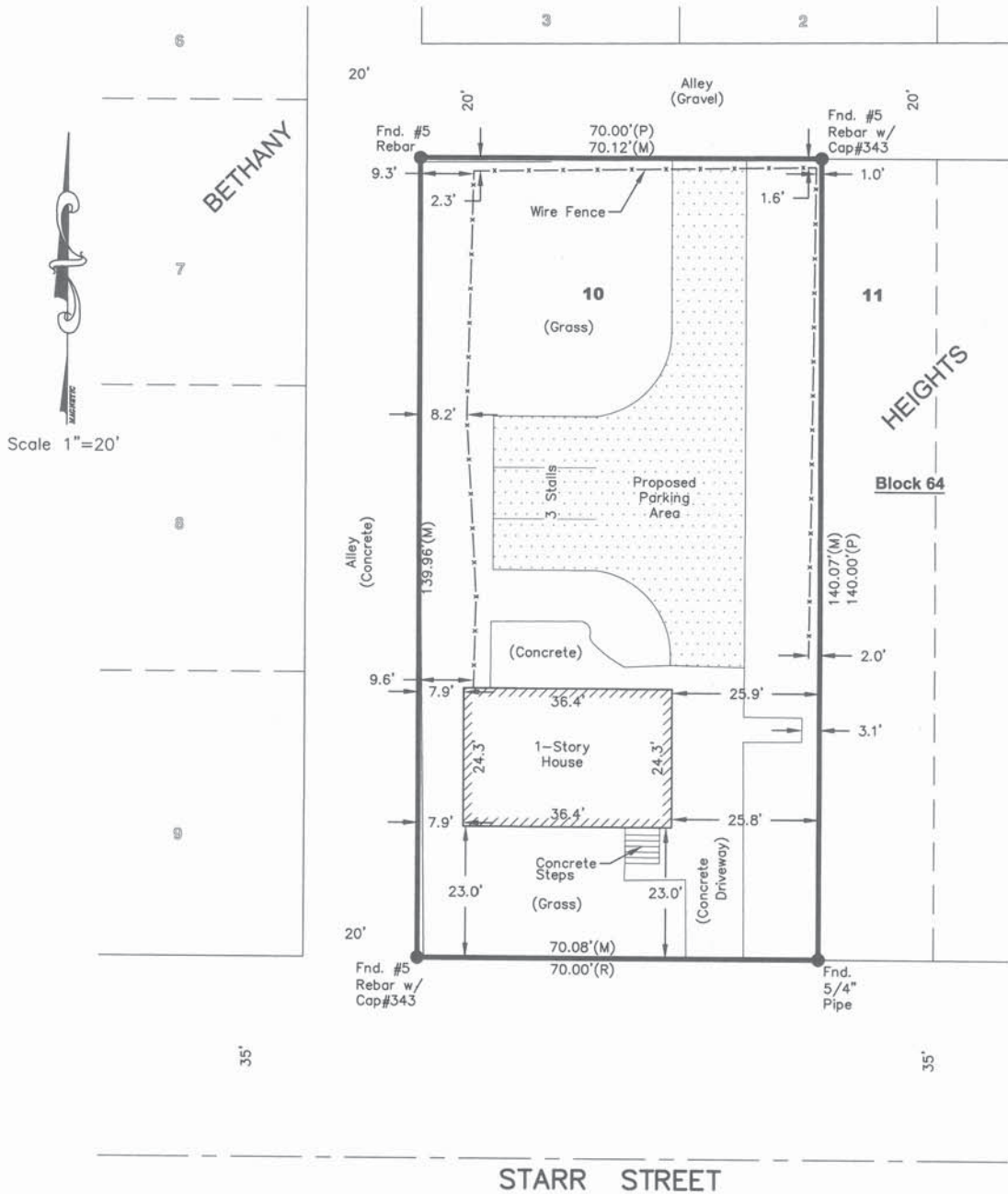
Survey for: Jami Stevens
6630 Starr Street
Lincoln, Nebraska

Survey of All of Lot 10 & West 1/2 of Lot 11, Block 64, Bethany
Heights Addition, city of Lincoln.

NE 1/4, Section 21 T. 10N. R. 7 E. of the 6th P.M.

Lancaster County, Nebraska

Date of Survey 12-19-2017 Job No. 5408



- = Cor. Fnd
- = Cor. Set #5
- Rebar w/cap #440
- (M) = Meas. Dist.
- (P) = Plat Dist.
- (D) = Deed Dist.
- (R) = Record Dist.

Surveyor's Certificate

I, Jayme M. Malone, a Professional Registered Land Surveyor under the laws of the State of Nebraska, certify the above survey was executed by me, on the date shown. Permanent monument corners as described in the survey drawing were placed at all missing or remonumented corners. Distances shown are measured in feet and decimals of a foot.

Signed this 20th day of Dec., 20 17.



LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Use Permit #17010	FINAL ACTION? Yes	DEVELOPER Jami Stevens
PLANNING COMMISSION HEARING DATE January 31, 2018	RELATED APPLICATIONS Change of Zone #17038	PROPERTY LOCATION 6630 Starr Street

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a use permit associated with a proposed new hair salon business that would be located on approximately 0.22 acres located on the north side of Starr Street between North 66th and North 67th Street. A related change of zone to change the R-2 Residential zoning to R-T Residential Transition is also being requested.



JUSTIFICATION FOR RECOMMENDATION

The use proposal is appropriate given the R-T district is intended as a transition district between more intensive commercial uses and residential areas. The use in question, a proposed hair salon in an existing 864 square foot house, is small in scale and will not negatively impact the neighborhood. Also, the block face is split between commercial and residential with a commercial parking lot to the south.

APPLICATION CONTACT

Jami Stevens, (402) 416-2879 or studiosps@outlook.com

STAFF CONTACT

George Wesselhoft, (402) 441-6366 or gwesselhoft@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposal subject to conditions is compatible with the Comprehensive Plan as it will fit the character of the neighborhood.

WAIVERS

1. Waiver from Section 7.10 of Chapter 3.50 of the Design Standards for Screening and Landscaping for R-T District Screening. (Recommend Conditional Approval)

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 1.9 - this site is shown as future urban density residential on the 2040 Lincoln Area Future Land Use Plan.

P. 7.8 - Preserving existing housing and promoting homeownership should remain the focus in established neighborhoods, with modest opportunities for infill and redevelopment.

P. 7.9 - Strategies for Redevelopment in 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.
- Encourage well-designed and appropriately placed density, including within existing apartment complexes and special needs housing where there is land available for additional buildings or expansions.
- Recognize that broad economic diversity within existing neighborhoods encourages reinvestment and improves quality of life for all residents while acknowledging the need for affordable housing.
- Preserve, protect and promote the character and unique features of urban neighborhoods, including their historical and architectural elements.
- Retain existing predominately single-family blocks in some existing neighborhoods, in order to maintain the mix of housing types.

p. 7.10 - Detailed Strategies for Existing Neighborhoods, 3. Redevelopment and infill should strive for compatibility with the character of the neighborhood and adjacent uses (i.e., parking at rear, similar setback, height and land use).

ANALYSIS

1. This request is to permit the conversion of an existing 864 square foot residence located on the north side of Starr Street between North 66th and North 67th Streets into a hair salon. The property is approximately 0.22 acres in size.
2. The property is adjacent to B-1 commercial zoning to the west which includes a variety of commercial uses. R-6 zoning is adjacent to the north with apartments. R-2 residential zoning is adjacent to the east and south with a single family residence to the east and a parking lot to the south. The proposed use will be small in scale and will serve as a transition to the more intensive B-1 commercial zoning.
3. Proposed parking will include three parking stalls located to the north of the building with driveway connection from Starr Street to the alley to the north. The proposed parking will meet requirements for the use.
4. The use permit request includes one waiver from the Design Standards for Screening and Landscaping for the R-T District screening. Specifically, the R-T zoning calls for screening at least 60% of the surface area of a vertical plane extending along the entire length of each side and rear lot line adjacent to a residential district from the ground to a height of ten feet (10') above the adjacent ground elevation. Fences may not be used to meet more than fifty percent (50%) of this screening requirement. So R-T screening would be required to the north and east. In this case, the waiver from the requirement to add vegetative screening (understory vegetation or evergreens) in addition to the fencing is justified because the proposal is to use the existing small residence. This combined with the condition that a 6' opaque fence be installed along the north and east lot lines so long as the adjacent properties are residentially zoned will not negatively impact the neighborhood. Further, the apartments to the north have no screening with parking on the alley. It is likely that the property to the east will be zoned R-T in the future as well.
5. The proposed use permit complies with the Zoning Ordinance and is consistent with the Comprehensive Plan.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Single family residential dwelling; R-2

SURROUNDING LAND USE & ZONING

North: Apartments; R-6
South: Parking lot; R-2
East: Single family detached dwelling; R-2
West: Commercial; B-1

APPROXIMATE LAND AREA: 0.22 acres, more or less

LEGAL DESCRIPTION: Lot 10 and the West ½ of Lot 11, Block 64, Bethany Heights, located in the NE 1/4 of Section 21-10-7, Lincoln, Lancaster County, Nebraska.

Prepared by

George Wesselhoft, Planner

Date: January 18, 2018

Applicant/

Contact: Jami Stevens
256 North Street
Greenwood, NE 68366
studiosps@outlook.com

Owner: Brett Joseph
5700 Markhorn Court
Lincoln, NE 68526

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CONDITIONS OF APPROVAL - USE PERMIT #17010

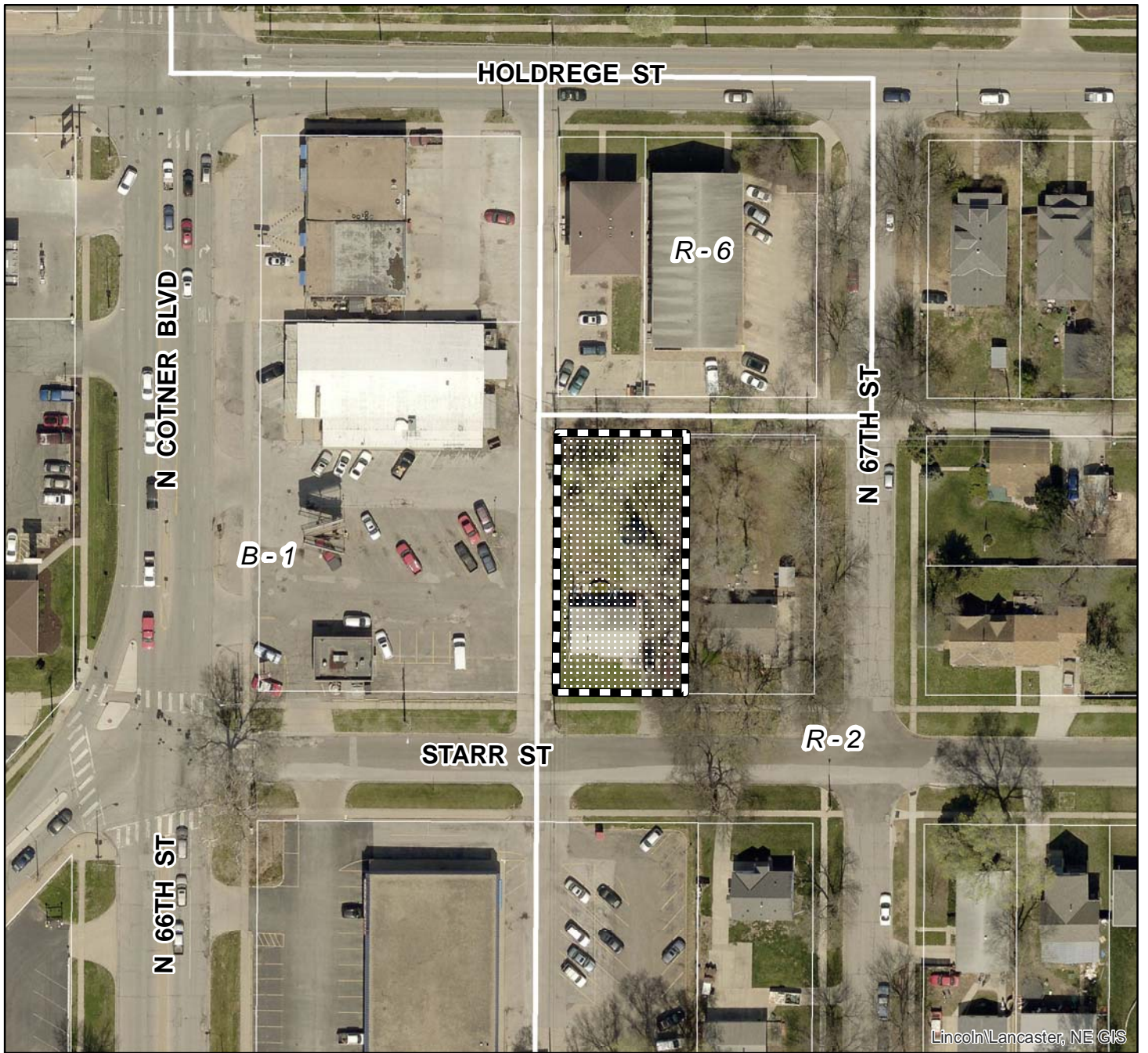
This approval permits a commercial use with waiver from Section 7.10 of Chapter 3.50 of the Design Standards for Screening and Landscaping for R-T District Screening, as per the site plan.

Site Specific Conditions:

1. The City Council approves associated request:
 - 1.1 Change of Zone #17038
2. The permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below upon approval before receiving building permits.
 - 2.1 Add note and show 6' opaque fence shall be installed along the north and east property lines so long as property to the north or east are zoned residentially.
 - 2.2 Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the use permit has been recorded.

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the buildings all development and construction is to substantially comply with the approved plans.
 - 3.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
 - 3.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.4 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
 - 3.5 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions/ordinances approving previous permits remain in force unless specifically amended by this resolution.



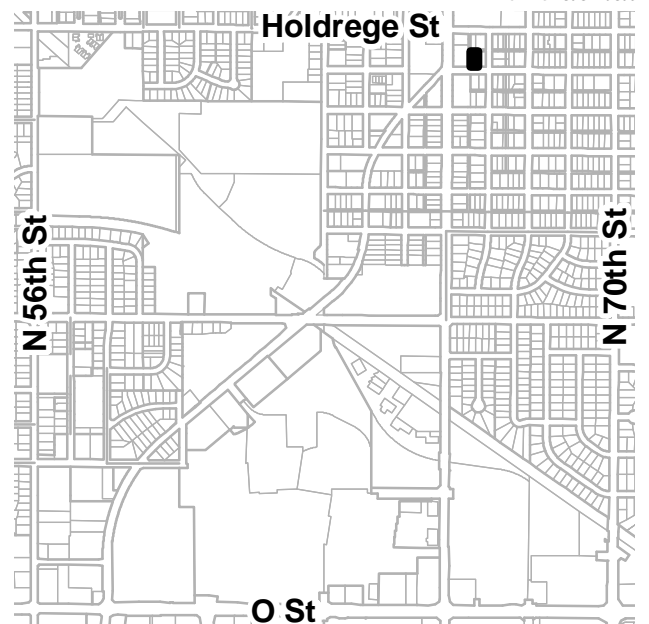
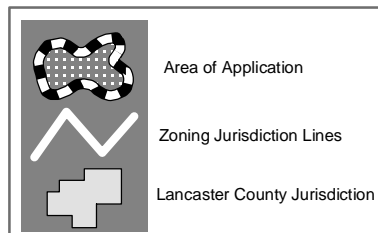
2016 aerial

**Use Permit #: UP17010 &
Change of Zone #: CZ17038 (R-2 to R-T)
N 66th St & Starr 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.21 T10N R07E**



Dear Planning/Zoning Committee

My name is Jami Stevens, my husband Jeff and I have owned the Strawberry Patch Salon for 10 ½ years. We are asking you to change the zoning of 6630 Starr St to RT. The salon has been a business in NE Lincoln for 44 years. We love the NE area and have found the perfect place for the salon to call home for many more years. The property on 6630 Starr St will be a great location for us to continue as a small family friendly salon. Our professionalism will show thru on our commitment to the beautification of the property inside and out. We chose this location because of the visibility, ease of access and no disruption to the neighborhood. This property offers plenty of space and parking to facilitate our cliental. We appreciate you working with us on this matter.

Sincerely,

Jeff and Jami Stevens

Owners of Strawberry Patch Salon

No waivers are requested



4535 Normal Blvd. Ste #101
 Lincoln, Ne 68506
 (402)423-5202
 (402)423-5211
 www.huskersurveying.com

SURVEY RECORD

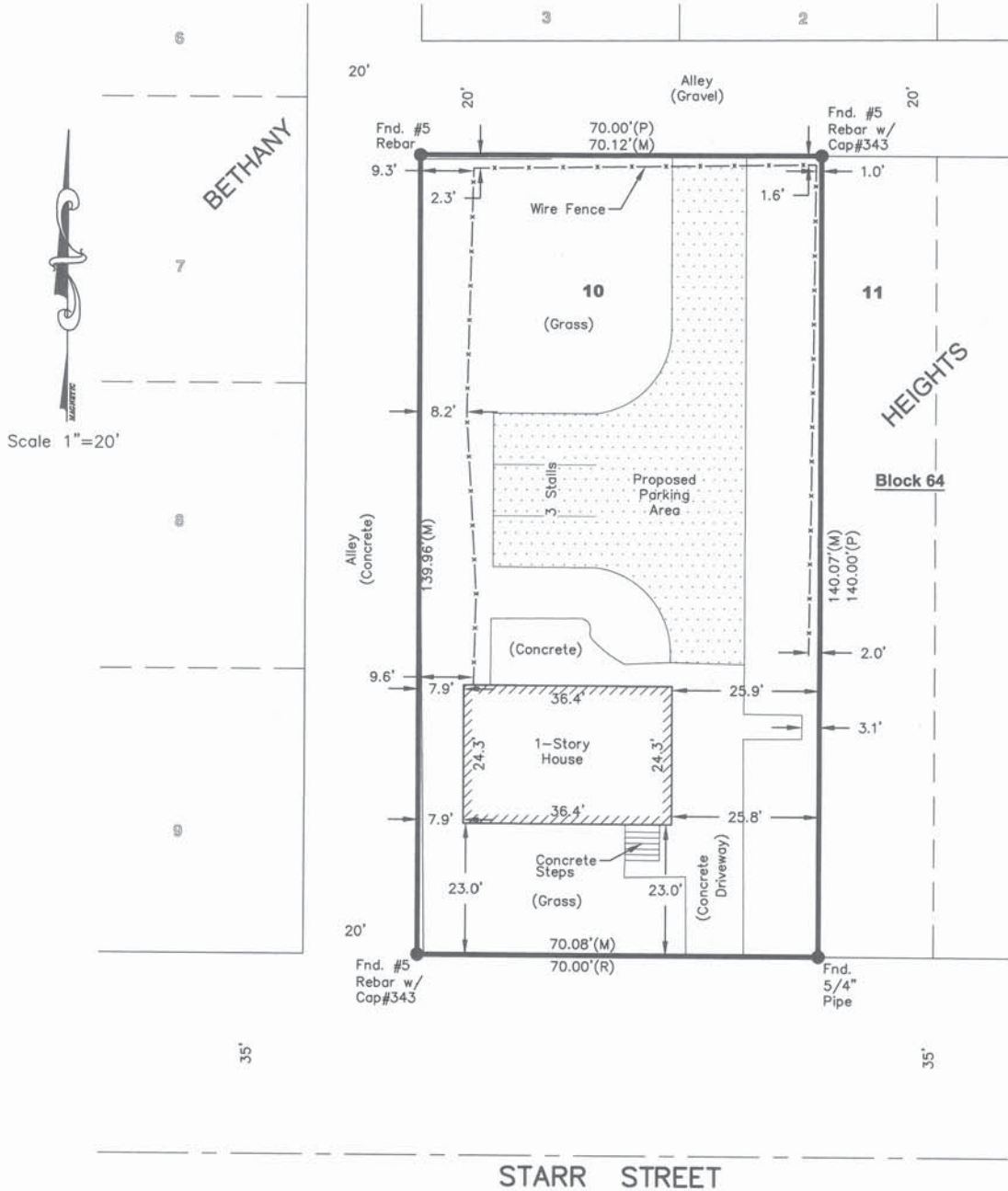
Survey for: Jami Stevens
 6630 Starr Street
 Lincoln, Nebraska

Survey of All of Lot 10 & West 1/2 of Lot 11, Block 64, Bethany
Heights Addition, city of Lincoln.

NE 1/4, Section 21 T. 10N. R. 7 E. of the 6th P.M.

Lancaster County, Nebraska

Date of Survey 12-19-2017 Job No. 5408



- = Cor. Fnd
- = Cor. Set #5
- Rebar w/cap #440
- (M) = Meas. Dist.
- (P) = Plat Dist.
- (D) = Deed Dist.
- (R) = Record Dist.

Surveyor's Certificate

I, Jayme M. Malone, a Professional Registered Land Surveyor under the laws of the State of Nebraska, certify the above survey was executed by me, on the date shown. Permanent monument corners as described in the survey drawing were placed at all missing or remonumented corners. Distances shown are measured in feet and decimals of a foot.

Signed this 20th day of Dec., 20 17.



LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Street and Alley Vacation #17012	FINAL ACTION? No	OWNER Kona Holdings, LLC
PLANNING COMMISSION HEARING DATE January 31, 2018	RELATED APPLICATIONS Waiver #17006	PROPERTY ADDRESS 5401 La Salle Street

RECOMMENDATION: CONFORMS TO THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

Vacate unused right-of-way in S. 54th Street generally located at the southeast corner of S. 54th Street and La Salle Street. This application is associated with the proposed Berge’s 1st Addition to College View final plat to subdivide the adjacent property into two lots and a waiver of the minimum lot depth requirement for the new south lot.



JUSTIFICATION FOR RECOMMENDATION

Vacation of the public right-of-way will allow it to be included as part of the adjoining owner’s property. The owner will dedicate additional right-of-way to the south to provide proper street width where needed. In addition, the right-of-way in this location is wider than the standard and wider than necessary. A utility easement will be retained over the vacation area.

APPLICATION CONTACT

Jill Schuerman, (402) 434-8494 or jschuerman@civildg.com

STAFF CONTACT

Rachel Jones, (402) 441-7603 or rjones@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This request is in conformance with the Comprehensive Plan. This is a local street that provides access to adjacent properties. Reduction of the right-of-way width is acceptable because the necessary easements will be retained.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 10.14 - These streets are not shown on the Functional Street and Road Classification plan. Local streets are not included in the functional classification.

P. 10.15 - Local or residential streets provide the greatest access. These streets provide very limited opportunities for through traffic; their primary function is to provide access to adjacent properties.

ANALYSIS

1. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to guarantee required reconstruction within the right-of-way. These values must be established and deposited with the City Clerk prior to scheduling the vacation request with the City Council.
2. The adjoining property owner is Kona Holdings, LLC. The owner has agreed to purchase the vacation area.
3. S. 54th Street is classified as a local street in the Access Management Policy.
4. The vacation area is comprised of approximately 1,802 square feet on the east side of S. 54th Street at the southeast corner of the intersection of S. 54th Street and La Salle Street. The adjacent owner wants to purchase the right-of-way to include with her property because she has been maintaining it as part of her yard.
5. The existing S. 54th Street right-of-way is wider in the vacation area than the standard 60-foot street width. After the vacation, the right-of-way will be 60 feet wide. South of the vacation area adjacent to the same property, the owner will dedicate right-of-way on S. 54th Street where additional right-of-way is needed to meet the 60-foot street width with the associated final plat, Berges 1st Addition to College View.
6. This area was originally platted on a grid street system in 1892. Over time, some streets deviated from the grid including S. 54th Street, which curves to the west where it meets La Salle Street. The existing house was constructed in 1900 over part of a platted lot. The east half of S. 54th Street adjacent to this property was vacated in 1958 with Vacation Ordinance #6701. The original street alignment was likely altered to avoid the house, leaving an area of unused right-of-way.
7. There are existing utilities in the vacation area. A utility easement will be retained to ensure continued access to repair and replace the utilities. Any structures in the vacation area are installed at the risk of the owner and must be removed at owner's expense if necessary for repair work.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Single family residential dwelling; R-2

SURROUNDING LAND USE & ZONING

North, south and east: Single family residential; R-2

West: Homestead Rehabilitation Center; R-2

APPLICATION HISTORY

- | | |
|-----------|---|
| Nov. 1892 | The Berge's Addition to College View final plat was approved. |
| Mar. 1958 | Vacation Ordinance #6701 vacated the east 30 feet of right-of-way in S. 54 th Street adjacent to this lot as well as the adjacent 14-foot wide east-west alley to the south. |
| Dec. 2008 | Special Permit #08049 was approved by the Planning Commission to allow expansion of the existing nonstandard single family dwelling into the required front yard on the west side. |

APPROXIMATE LAND AREA: 1,802 square feet or 0.04 acres, more or less.

The associated Berges 1st Addition to College View final plat will dedicate right-of-way along S. 54th Street south of this proposed vacation where it is necessary to match the curve of the existing street right-of-way.

LEGAL DESCRIPTION: See attached.

Prepared by

Rachel Jones, Planner

Date: January 23, 2018

Applicant/Owner: Kona Holdings, LLC
PO Box 6713
Lincoln, NE 68506

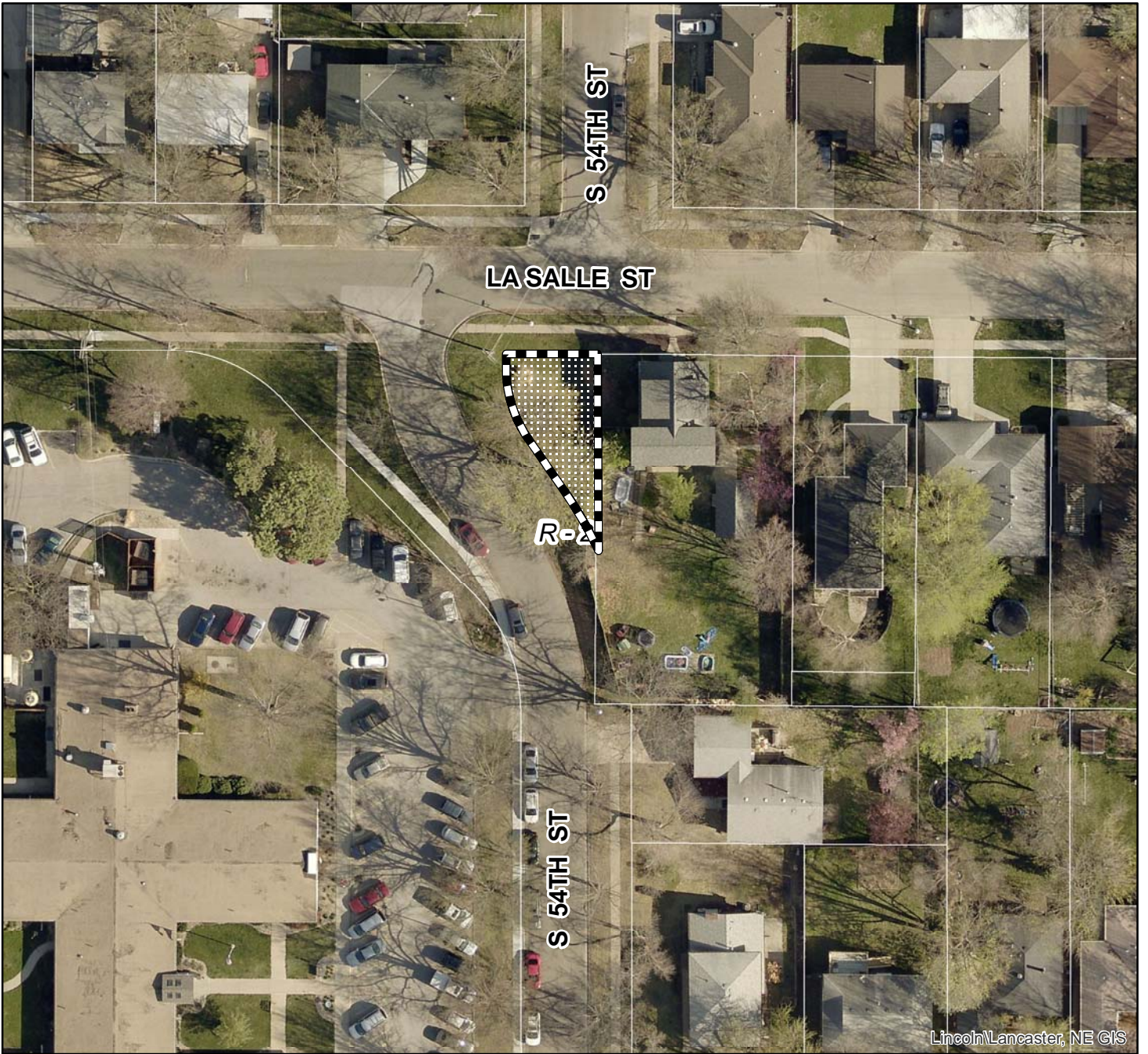
Contact: Jill Schuerman
Civil Design Group, Inc.
8535 Executive Woods Drive
Lincoln, NE 68512

F:\DevReview\SAV\17000\SAV17012 5401 La Salle Street.rkj.docx

CONDITIONS OF APPROVAL - STREET AND ALLEY VACATION #17012

BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.
- 1.2 Include retention of utility easements by City with deed transfer.
- 1.3 Complete and sign the Berges 1st Addition to College View final plat and submit it to the Planning Department. (The final plat will be signed and filed by the Planning Director after the vacated right-of-way is deeded to the applicant.)



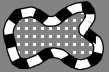


2016 aerial

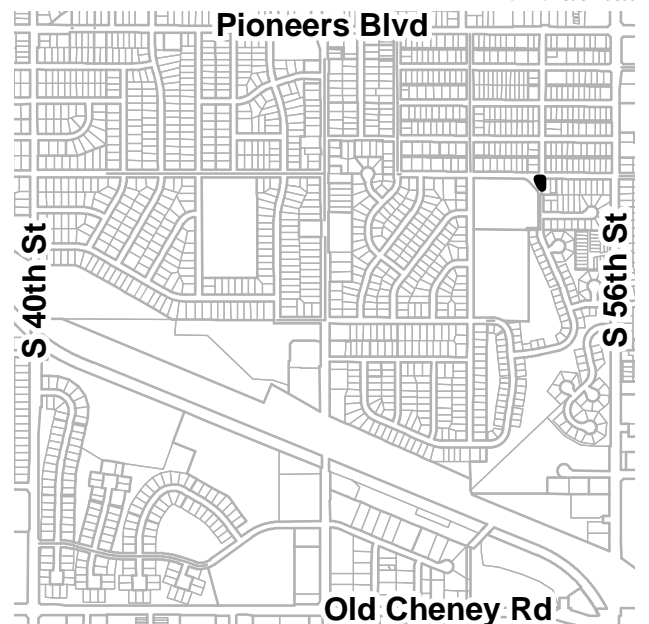
**Street and Alley Vacation #: SAV17012
S 54th St & LaSalle St**

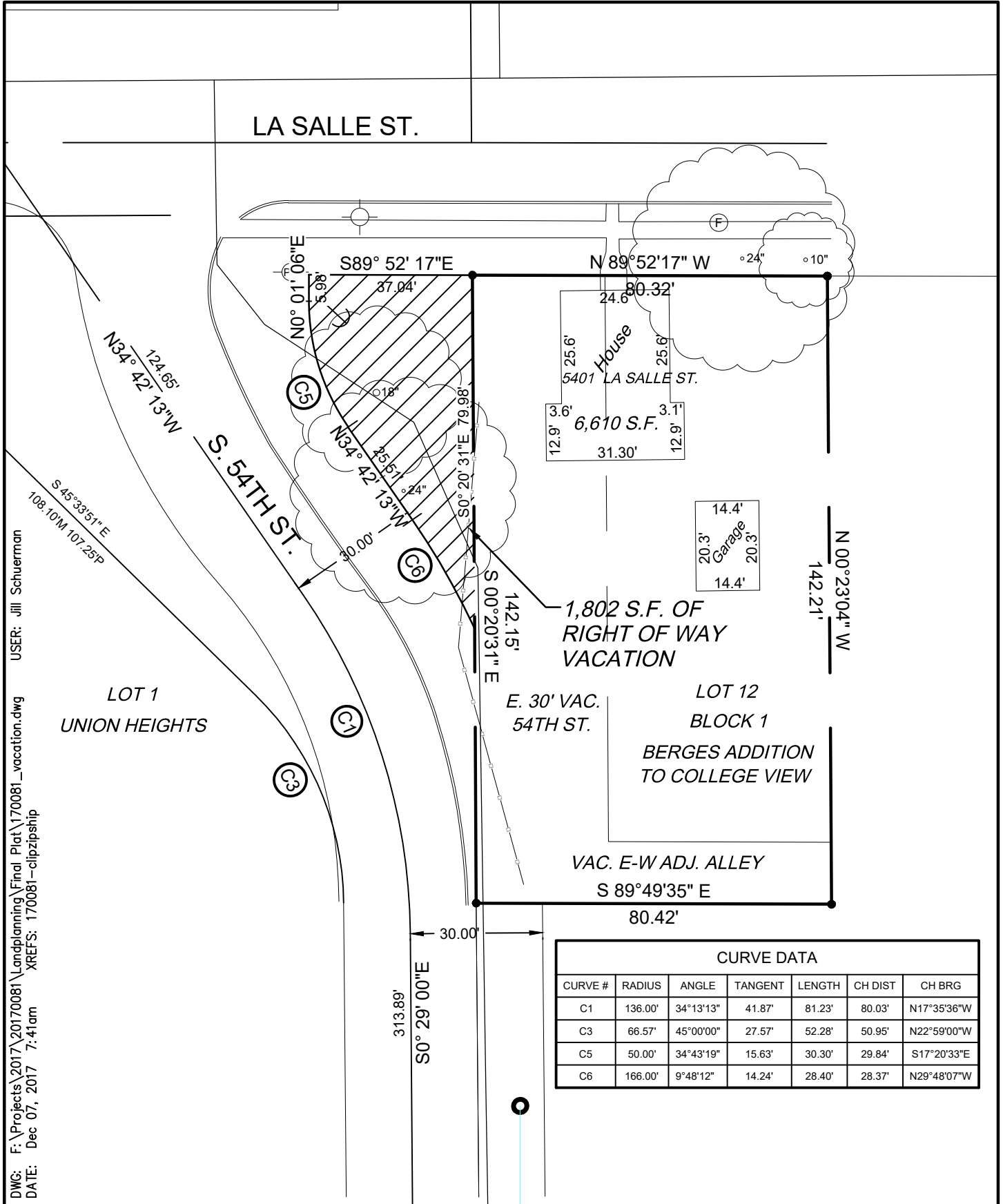
Zoning:

- 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
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- 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.08 T09N R07E**

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





DWG: F:\Projects\2017\20170081\Landplanning\Final Plat\170081_vacation.dwg
 DATE: Dec 07, 2017 7:41am
 USER: Jill Schuerman
 XREFS: 170081-clipship

CURVE DATA						
CURVE #	RADIUS	ANGLE	TANGENT	LENGTH	CH DIST	CH BRG
C1	136.00'	34°13'13"	41.87'	81.23'	80.03'	N17°35'36"W
C3	66.57'	45°00'00"	27.57'	52.28'	50.95'	N22°59'00"W
C5	50.00'	34°43'19"	15.63'	30.30'	29.84'	S17°20'33"E
C6	166.00'	9°48'12"	14.24'	28.40'	28.37'	N29°48'07"W

drawn by: jds
 checked by: -
 project no.: 2017-0081
 date: 12/07/2017

5401 LASALLE ST.
RIGHT OF WAY VACATION
EXHIBIT
LINCOLN, NEBRASKA


Civil Design Group, Inc.
 8535 EXECUTIVE WOODS, DR., SUITE 200
 Lincoln, Nebraska 68512
 Ph. 402-434-8494 Fax 866-215-8747
 www.civildg.com
 CONSULTING ENGINEERS • LAND USE PLANNERS
 CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING

EXHIBIT
1 of 2

LEGAL DESCRIPTION OF PROPOSED VACATION OF PART OF SOUTH 54TH STREET

Legal description of part of South 54th Street to be vacated, located in the Northeast Quarter of Section 8, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska, and more particularly described as follows:

Beginning at the Northwest corner of the East 30.00' of Vacated South 54th Street adjacent to Lot 12, Block 1, Berge's Addition, said point being located on the Southerly 30.00' Right-of-Way line of LA SALLE Street; thence in a Westerly direction on the Southerly 30.00' Right-of-Way line of LA SALLE Street, and on an assumed bearing of N 89°52'17" W, for a distance of 37.04';

Thence S 00°01'06" W, for a distance of 5.98';

Thence on a curve turning to the left with an arc length of 30.30', a radius of 50.00', a chord bearing of S 17°20'33" E, for a chord length of 29.84';

Thence S 34°42'13" E, for a distance of 25.51';

Thence on a curve turning to the right with an arc length of 28.40', a radius of 166.00', a chord bearing of S 29°48'07" E, for a chord length of 28.37' to the West line of the East 30.00' of Vacated 54th Street adjacent to said Lot 12;

Thence N 00°20'31" W on the West line of the East 30.00' of Vacated 54th Street adjacent to said Lot 12, for a distance of 79.98' to the POINT OF BEGINNING and containing a calculated area of 1802 square feet or 0.04 acres, more or less.

Together with and subject to any covenants, easements, and restrictions of record.

DWG: F:\Projects\2017\20170081\Landscape\Final\Plat\170081_vacation.dwg
 DATE: Dec 07, 2017 7:41am
 USER: Jill Schuerman
 XREFS: 170081-clipship

drawn by: jds
 checked by: -
 project no.: 2017-0081
 date: 12/07/2017

5401 LASALLE ST.
RIGHT OF WAY VACATION
EXHIBIT
LINCOLN, NEBRASKA


 Civil Design Group, Inc.
 8535 EXECUTIVE WOODS, DR., SUITE 200
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 CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING

EXHIBIT
2 of 2



December 6, 2017

Project No. 2017-0081

Mr. David Cary
Director of Planning
City of Lincoln /Lancaster County
555 South 10th Street, Room 213
Lincoln, NE 68508

Re: 5401 LaSalle Street – Berges First Addition to College View – S.P. #08049

Dear Mr. Cary:

On behalf of Kona Holdings, LLC, we submit the following applications for your review and approval.

1. Petition to Vacate – The applicant requests to vacate an additional portion of S. 54th Street. The applicant has had discussions with Planning and Public Works in doing this and there were no objections. We do understand that the City will retain a utility and water main easement over the entire property being vacated.
2. Final Plat – The applicant requests to replat the existing property at 5401 LaSalle Street along with the to be vacated S. 54th Street Right-of-Way to create two new lots. One lot for the existing house and the second for a new house south of the existing house.
3. Waiver – The applicant requests a waiver to the Subdivision Ordinance for the minimum lot depth and the new lot to the south will only have a depth of 65.54 feet.
4. Administrative Amendment to Special Permit #08049 – Expansion of a Non-Conforming Use – We request to remove that portion of what will be known as Lot 2, Berges First Addition to College View.
5. Administrative Amendment – We are requesting a minor modification to the rear yard setback by Planning Director per Section 27.72.190 of the Zoning Ordinance.

We also request a non-abutting sewer agreement as the existing sewer line is a bit south of the new Lot 2.

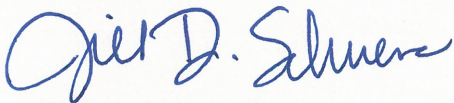
In conjunction with this submittal we submit the following information:

Final Plat – uploaded to Projectdox
Petition to Vacate
Application for Final Plat
Application for Waiver

Application for Administrative Amendment (2)
Petition to Vacate Fee - \$206.00
Final Plat Fee - ~~\$288~~
Waiver Fee - \$206.00
Administrative Amendment Fee (Special Permit) - \$206.00
Administrative Permit : Fee (Modification to Setback) - \$206.00

I hope that this letter, applications and plans provides you with enough information to review this application. In an effort to facilitate this review process, please call me at (402) 434-8494 if you have any questions.

Sincerely,



Jill D. Schuerman

Encl

cc: Katie Pocras

F:\Projects\2017\20170081\Landplanning\Doc\Final plat-planning_12-04-17.doc

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Waiver #17006	FINAL ACTION? Yes	OWNER Kona Holdings, LLC
PLANNING COMMISSION HEARING DATE January 31, 2018	RELATED APPLICATIONS Street & Alley Vacation #17012	PROPERTY ADDRESS 5401 La Salle Street

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

Waive the requirement of the Subdivision Ordinance that residential lots shall have a minimum lot depth of 90 feet per Section 26.23.140(a) for Lot 2 of Final Plat #17116, Berge’s 1st Addition to College View.



JUSTIFICATION FOR RECOMMENDATION

With the requested waiver and the right-of-way that will be dedicated with the associated final plat, this proposal is an appropriate use of land at this location based on the layout and size of lots elsewhere in the College View Area. The additional density should not have a significant negative effect on surrounding properties.

APPLICATION CONTACT

Jill Schuerman, (402) 434-8494 or jschuerman@civildg.com

STAFF CONTACT

Rachel Jones, (402) 441-7603 or rjones@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The waiver is in conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan as it facilitates appropriate residential infill that is compatible with the existing neighborhood.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 7.1-7.2 - Infill and redevelopment needs to respect the street pattern, block sizes, and development standards of the area.

P. 7.8-7.9 - Infill and redevelopment in existing neighborhoods typically occur through an incremental and organic process over long periods of time.

P. 7.9 - 7.10 - Strategies for Redevelopment in 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.
- Encourage well-designed and appropriately placed density, including within existing apartment complexes and special needs housing where there is land available for additional buildings or expansions.
- Preserve, protect and promote the character and unique features of urban neighborhoods, including their historical and architectural elements.
- Retain existing predominately single-family blocks in some existing neighborhoods, in order to maintain the mix of housing types.
- Redevelopment and infill should strive for compatibility with the character of the neighborhood and adjacent uses (i.e., parking at rear, similar setback, height and land use).

ANALYSIS

1. This is a request for a waiver of the Subdivision Ordinance Section 26.23.140(a) that residential lots shall have a minimum 90-foot depth. This waiver would apply to Lot 2 of Berge's 1st Addition to College View (see attached final plat drawing). Without the waiver, this plat could not be approved as shown.
2. The final plat would subdivide the property into two lots. The existing house would sit on Lot 1 on the north. Lot 2 would be a new single family residential lot; it could not be developed as a duplex because it would not have sufficient lot area. The depth of Lot 2 would be approximately 77.97 feet and therefore would not meet the standard minimum depth for residential lots of 90 feet.
3. Lot 2 would not face other houses, but instead would face the parking lot for Homestead Rehabilitation Center. With the associated Street and Alley Vacation #17012, Lot 1 will become larger and more of an appropriate size for subdivision. There are several other examples in the neighborhood where smaller lots are oriented east-west at the end of blocks, some of which meet today's minimum dimensions while others do not. The best examples are located immediately south of this site at 4710 S. 54th Street as well as 4430 S. 50th Street, S. 54th Street between Spruce and La Salle Streets, and S. 52nd Street between Linden and Spruce Streets. Although it would not meet minimum depth, this lot would meet all other dimensions and would provide a good location for a small house. This waiver would allow for a subdivision that fits within the character and density of this area, which was first platted in the 1890s.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Single family residential dwelling; R-2

SURROUNDING LAND USE & ZONING

North, south and east: Single family residential; R-2

West: Homestead Rehabilitation Center; R-2

APPLICATION HISTORY

Nov. 1892 The Berge's Addition to College View final plat was approved.

Dec. 2008 Special Permit #08049 was approved by the Planning Commission to allow expansion of the existing nonstandard single family dwelling into the required front yard on the west side.

APPROXIMATE LAND AREA: 0.14 acres, more or less

LEGAL DESCRIPTION: See attached.

Prepared by

Rachel Jones, Planner

Date: January 23, 2018

Applicant/Owner: Kona Holdings, LLC
PO Box 6713
Lincoln, NE 68506

Contact: Jill Schuerman
Civil Design Group, Inc.
8535 Executive Woods Drive
Lincoln, NE 68512

F:\DevReview\WVR\17000\WVR17006 5401 La Salle Street.rkj.docx

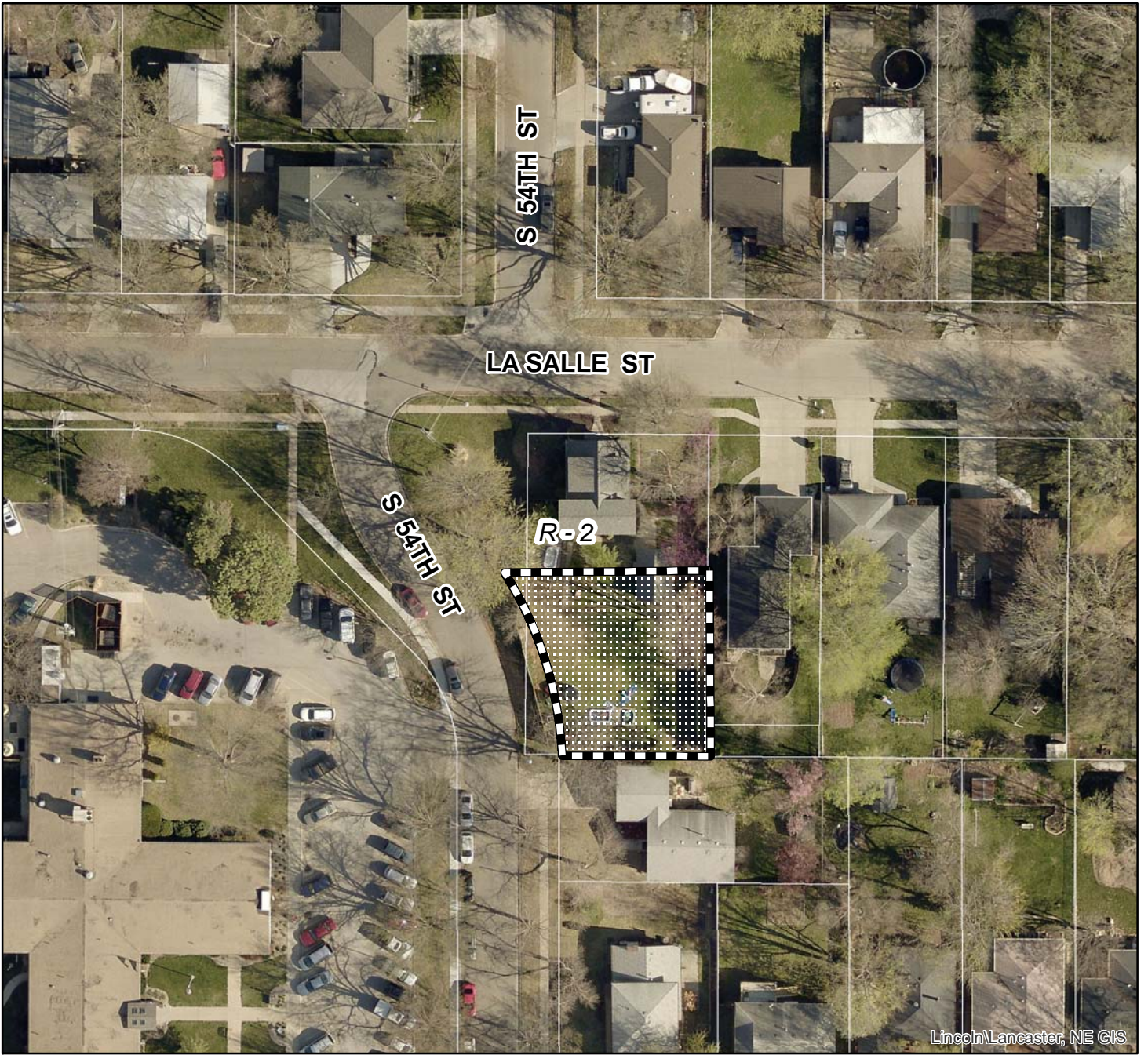
CONDITIONS OF APPROVAL - WAIVER #17006

Site Specific Conditions:

1. This approval waives the 90-foot minimum lot depth for residential lots per Section 26.23.140(a) for Lot 2 of Final Plat #17116, Berge's 1st Addition to College View subject to any conditions.

Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before use of the property, all development and construction is to substantially comply with the approved plans.
 - 2.2 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 2.3 The clerk shall file a copy of the resolution approving the waiver with the Register of Deeds, filing fees therefore to be paid in advance by the applicant.



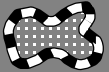


2016 aerial

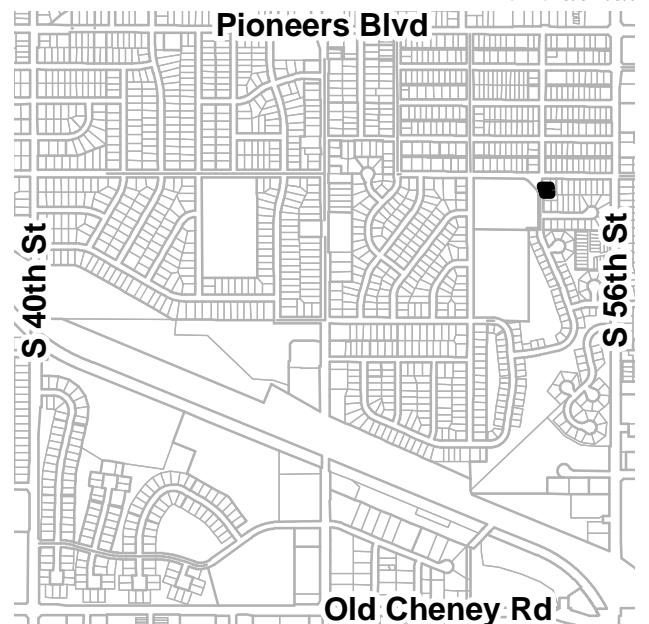
Waiver #: WVR17006
S 54th St & La Salle St

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
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- H-3 Highway Commercial District
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- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

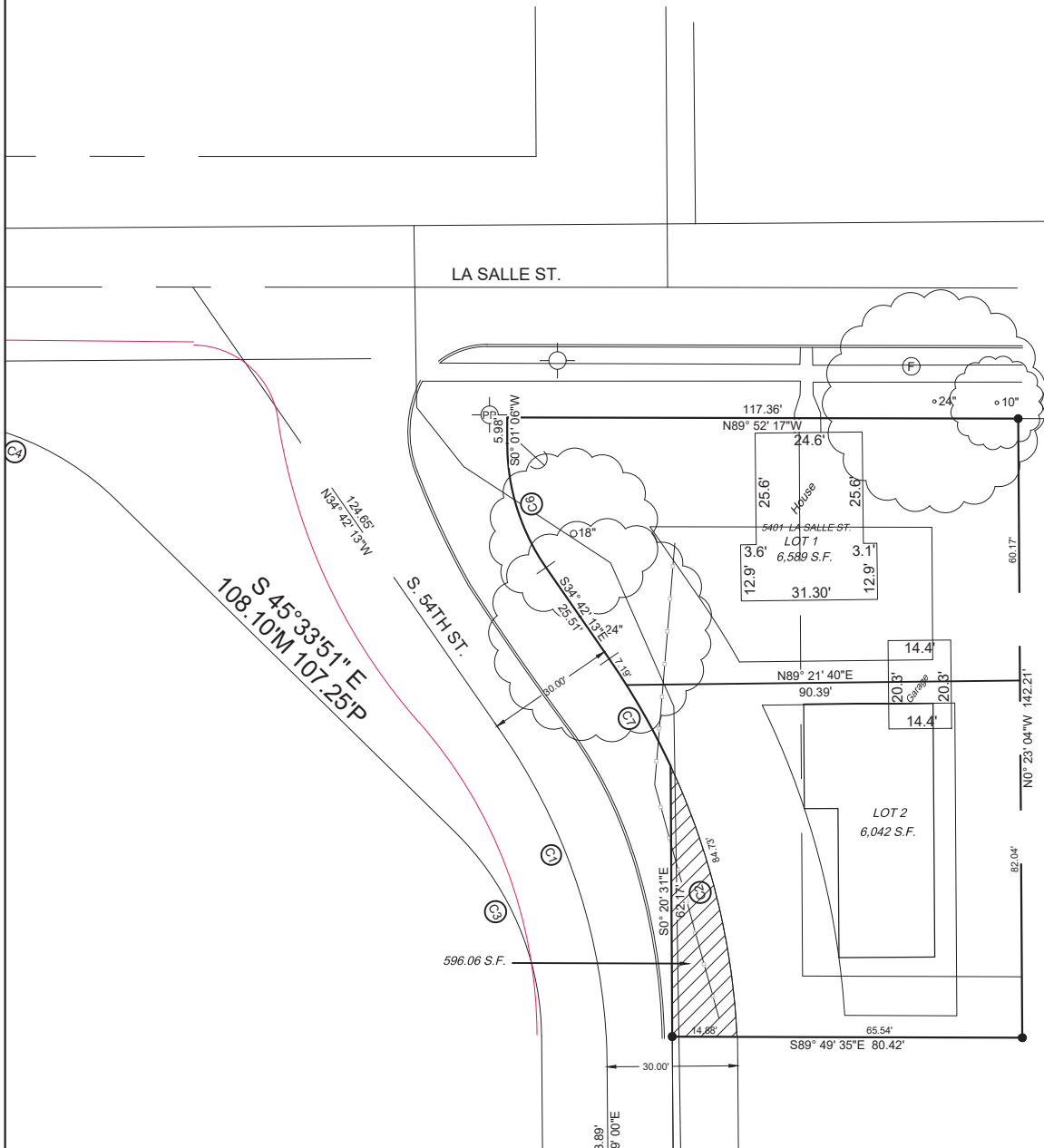
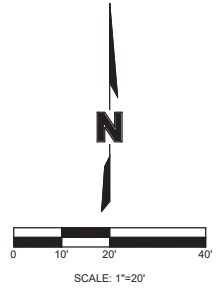
One Square Mile:
Sec.08 T09N R07E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



BERGES FIRST ADDITION TO COLLEGE VIEW

IMPROVEMENT EXHIBIT



CURVE DATA						
CURVE #	RADIUS	ANGLE	TANGENT	LENGTH	CH DIST	CH BRG
C1	136.00'	34°13'13"	41.87'	81.23'	80.03'	N17°35'36"W
C2	166.00'	22°14'57"	32.64'	64.46'	64.06'	N13°46'32"W
C3	66.57'	45°00'00"	27.57'	52.28'	50.95'	N22°59'00"W
C4	66.57'	45°00'00"	27.57'	52.28'	50.95'	N67°28'54"W

LEGEND

- = FD. 1" PIPE
- ⊗ = FD. 3/4" PIPE
- ⊗ = FD. CAPPED REBAR
- ⊗ = FD. 3/4" REBAR
- △ = TEMPORARY POINT
- = SET 5/8" x 24" REBAR W/ LS595 CAP
- M = Meas. distance
- P = Plat distance
- R = Record distance
- D = Deed distance

LEGAL DESCRIPTION

Legal description of a part of Lot 12, Block 1, BERGE'S ADDITION TO COLLEGE VIEW, AND a part of the East 30.00' of Vacated 54th Street adjacent to Block 1, BERGE'S ADDITION TO COLLEGE VIEW, AND a part of the Vacated East-West Alley adjacent thereto, AND a part of the newly vacated portion of South 54th Street adjacent to the East 30.00' of vacated South 54th Street adjacent to Block 1, BERGE'S ADDITION TO COLLEGE VIEW, located in the Northeast Quarter of Section 8, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska, and more particularly described as follows:

Referring to the Northeast corner of said Lot 12; thence in a Southerly direction on the East line of said Lot 12, for a distance of 60.17' to the POINT OF BEGINNING

Thence S 89°21'40" W, for a distance of 90.39' to a point on the West line of the newly vacated portion of South 54th Street adjacent to the East 30.00' of vacated South 54th Street adjacent to Block 1, BERGE'S ADDITION TO COLLEGE VIEW;

Thence on a curve turning to the right with an arc length of 85.68', a radius of 166.00', a chord bearing of S 17°26'13" E, for a chord length of 84.73' to a point on the South line of the Vacated East-West Alley, said point also being the Northwest corner of Lot 10, Quail Ridge;

Thence S 89°49'35" E on the South line of the Vacated East-West Alley, for a distance of 65.54' to a point of intersection with the South line of the Vacated East-West Alley and the East line of said Lot 12 extended South;

Thence N 00°23'04" W on the East line of said Lot 12 extended South, for a distance of 82.04' to the POINT OF BEGINNING and containing a calculated area of 6043 square feet or 0.14 acres, more or less.

Together with and subject to any covenants, easements, and restrictions of record.



December 6, 2017

Project No. 2017-0081

Mr. David Cary
Director of Planning
City of Lincoln /Lancaster County
555 South 10th Street, Room 213
Lincoln, NE 68508

Re: 5401 LaSalle Street – Berges First Addition to College View – S.P. #08049

Dear Mr. Cary:

On behalf of Kona Holdings, LLC, we submit the following applications for your review and approval.

1. Petition to Vacate – The applicant requests to vacate an additional portion of S. 54th Street. The applicant has had discussions with Planning and Public Works in doing this and there were no objections. We do understand that the City will retain a utility and water main easement over the entire property being vacated.
2. Final Plat – The applicant requests to replat the existing property at 5401 LaSalle Street along with the to be vacated S. 54th Street Right-of-Way to create two new lots. One lot for the existing house and the second for a new house south of the existing house.
3. Waiver – The applicant requests a waiver to the Subdivision Ordinance for the minimum lot depth and the new lot to the south will only have a depth of 65.54 feet.
4. Administrative Amendment to Special Permit #08049 – Expansion of a Non-Conforming Use – We request to remove that portion of what will be known as Lot 2, Berges First Addition to College View.
5. Administrative Amendment – We are requesting a minor modification to the rear yard setback by Planning Director per Section 27.72.190 of the Zoning Ordinance.

We also request a non-abutting sewer agreement as the existing sewer line is a bit south of the new Lot 2.

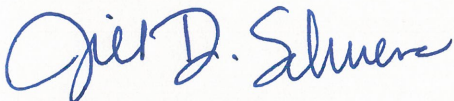
In conjunction with this submittal we submit the following information:

Final Plat – uploaded to Projectdox
Petition to Vacate
Application for Final Plat
Application for Waiver

Application for Administrative Amendment (2)
Petition to Vacate Fee - \$206.00
Final Plat Fee - ~~\$288~~
Waiver Fee - \$206.00
Administrative Amendment Fee (Special Permit) - \$206.00
Administrative Permit : Fee (Modification to Setback) - \$206.00

I hope that this letter, applications and plans provides you with enough information to review this application. In an effort to facilitate this review process, please call me at (402) 434-8494 if you have any questions.

Sincerely,



Jill D. Schuerman

Encl

cc: Katie Pocras

F:\Projects\2017\20170081\Landplanning\Doc\Final plat-planning_12-04-17.doc

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Change of Zone #17032	FINAL ACTION? No	DEVELOPER/OWNER J H Repair (Jeffrey & Lynette Hellerich)
PLANNING COMMISSION HEARING DATE January 31, 2018	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 2110 A Street

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a change of zone from R-2 Residential District with landmark district overlay to R-2 Residential District with individual landmark and landmark district overlay. The new owner of the Sidles House seeks this landmark designation to celebrate and to protect the historic structure and to establish future eligibility to request a special permit for historic preservation.



JUSTIFICATION FOR RECOMMENDATION

The Sidles House is historically significant in the development of Lincoln for its association with businessman H. E. Sidles and as the home of several Univ. of Nebr. Chancellors; it is also architecturally significant as a major residential work of Ferdinand C. Fiske, a prominent and prolific Lincoln architect for an extended period (ca. 1888-1930). Landmark designation provides protection, consistent with LMC 27.57 (Historic Preservation District).

APPLICATION CONTACT

Lynette Hellerich
(402)202-9231
hellerichrcm@gmail.com

STAFF CONTACT

Ed Zimmer, (402) 441-6360
ezimmer@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan recommends designation of a wide range of the community's historic places and utilization of incentives to encourage their preservation.

WAIVERS

None.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 12.3 - This site is shown as future Urban Residential on the 2040 Lincoln Area Future Land Use Plan and is adjacent to Urban Residential on all sides.

P. 7.9 - Strategies for Redevelopment in Existing Neighborhoods:

- Preserve, protect and promote the character and unique features of urban neighborhoods, including their historical and architectural elements.
- Recognize that broad economic diversity within existing neighborhoods encourages reinvestment and improves quality of life for all residents while acknowledging the need for affordable housing.

P. 4.6 - 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. 4.9 - Continue to inventory, research, evaluate, and celebrate the full range of historic resources including standing structures, distinctive neighborhoods and regions, landscapes, and buried cultural materials throughout Lancaster County, collaborating with individuals, associations, and institutions.

P. 4.9 - Designate landmarks and districts through the local preservation ordinance and the National Register of Historic Places.

P. 7.9 - Promote the continued use of single-family dwellings and all types of buildings, to maintain the character of neighborhoods and to preserve portions of our past. Building code requirements for the rehabilitation of existing buildings should protect the safety of building occupants, while recognizing the need for flexibility that comes with rehabilitating existing buildings.

ANALYSIS

1. This is a request to designate the property as a landmark, while retaining the underlying R-2 Residential District.
2. The H. E. & Dorothy Sidles House is located in the Sidles-Rogers-Grainger-Walts Landmark District (a.k.a. "Hillsdale"), designated in 1983. The current request supplements but does not alter the District designation, instead providing additional information about and attention to one of the key historic properties of that district.
3. Sidles House was built in 1913 from designs by Ferdinand C. Fiske for businessman Harry E. Sidles and his family. The large stucco-clad house stands on a large double lot on a prominent corner, with few exterior alterations. Sidles was involved in a wide range of successful local businesses, with automobiles a key emphasis. Fiske was a leading local architect for five decades. For several years he featured the Sidles House in his advertisements. The property appears to meet the requirements for Landmark designation both for architectural and historical significance.
4. The proposed preservation guidelines for the Sidles House are based on the Secretary of the Interior's Standards and Guidelines for Historic Rehabilitation and are typical of the guidelines for other Lincoln landmarks.
5. The Historic Preservation Commission unanimously recommended approval of this application for landmark designation on November 16, 2017 (excerpt from meeting record attached).
6. Originally this application was accompanied by an associated request, SP17038, for a special permit for historic preservation to utilize the house for an owner-occupied Bed & Breakfast inn of up to five suites, plus the owner's residence. At the applicant's request, that matter has been deferred (placed on the "pending" list) while the applicant explores code requirements and rehabilitation options for the property. If that application is reactivated, a separate report and Planning Commission hearing will be necessary.

EXISTING LAND USE & ZONING: Vacant/under rehabilitation, R-2 Residential District.

SURROUNDING LAND USE & ZONING

North: Residential and B&B (Rogers House) R-2 Residential District
South: Residential R-6 Residential District
East: Residential R-2 Residential District
West: Residential R-2 Residential District

APPROXIMATE LAND AREA: 14,200 square feet, more or less

LEGAL DESCRIPTION: Lot 7 & 8 of Block 11, Hillsdale Add., SE ¼ of Section 25 T10N R06E, Lincoln, Lancaster County, Nebraska.

Prepared by

Ed Zimmer, Planner

Date: January 18, 2017

Applicant: Jeffrey S. Hellerich
800 W. Stockwell Street
Lincoln, Nebraska 68522
(402)202-9231
Jeffhell49@gmail.com

Contact: Lynette Hellerich
800 W. Stockwell Street
Lincoln, Nebraska 68522
(402)202-9231
hellerichrcm@gmail.com

Owner: JH Repair
800 W. Stockwell Street
Lincoln, Nebraska 68522
(402)202-9231
hellerichrcm@gmail.com

F:\DevReview\CZ\17000\CZ17032 Sidles House.efz.docx



2016 aerial

Change of Zone #: CZ17032
Historic Landmark - Sidles House
S 21st St & A 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

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



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

1. NAME
Historic and/or Common NeHBS Site H. E. & Dorothy Sidles House
LC13:D07-625
2. LOCATION
Address 2110 A Street, Lincoln, NE 68502
3. CLASSIFICATION
Proposed Designation Category
 Landmark District district site
 Landmark building(s) object
 structure
Present Use
 agriculture industrial religious
 commercial military scientific
 educational museum transportat'n
 entertainment park other
 government private residence (undergoing rehabilitation)
4. OWNER OF PROPERTY
Name JH Repair Inc
Address 800 West Stockwell Street, Lincoln, NE 68522
5. GEOGRAPHICAL DATA
Legal Description Hillsdale Addition, Block 11, Lots 7&8
Property ID Number 10-25-434-004-000
Number of Acres or Square Feet: **(more or less)** 14,200 square feet
6. REPRESENTATION IN EXISTING SURVEYS
Title Historical & Architectural Site Survey of Lincoln, NE
Date on-going State County Local
Depository for survey records Lincoln/Lancaster County Planning Dept.
555 S. 10th Street, Lincoln, NE 68508
Is proposed Landmark or Landmark District listed in the National Register?
 yes, within Mount Emerald Residential Historic District date listed 1980
 no

7. DESCRIPTION AND HISTORY

Condition

_excellent
_good
_fair

_deteriorated
_ruins
_unexposed

_(largely)_unaltered _original site
_altered _moved date

DESCRIPTION:

The Sidles House is a large, two-story frame and stucco house designed by Ferdinand C. Fiske and built in 1913 by W. N. Parks. It is located on a prominent double (100'x142') lot at the northeast corner of 21st and A Streets in the Near South neighborhood, on a blockface occupied by just three large houses on six lots.

The house relates to the Prairie School style in its strongly horizontal form, accentuated by a low hipped roof with wide eaves. The house has a wide porch offset to the west, with three low arched openings, the easternmost of which centers on the stairs and main entrance. The porch wraps the southwest corner, sheltering a secondary entrance into the west



view from sunporch.

View from SE, Nov. 2017



Sunporch. The mass of the house steps forward east of the porch, providing bay windows to the dining room and bedroom above it. On the east end of the house, a carriage porch extends over the driveway, topped by a sleeping porch. There is a second sleeping porch on the west side of the second story, above the first-floor sunporch.

View from SSW, Lincoln Star, Jan. 4, 1914.

The rear of the house was designed with a rear entrance to the east side through a pantry, and a polygonal, two story projection near the center of the north façade. A second story infill between those two projections obscures the exterior prominence of the polygonal form.

A large garage with four stalls and a hipped roof with six dormers was built at the same time as the house and matches the general form and materials of the house. The east vehicular door has been replaced with a large overhead door; the west double-door appears to be original.



*North view of Sidles House (at right)
View from SW of garage (below)*



The interior of the house retains extensive original woodwork including paneled vestibule, the main staircase, and beamed ceilings in the living room and wainscoted dining room.



 www.WoodsBros.com
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HISTORY:

Harry E. Sidles was born in Nebraska City in 1875 and raised in Bennett, where his father operated a drug store. While still a teenager Harry opened a bicycle shop in downtown Lincoln in 1893, selling and repairing bicycles. Around 1900 he expanded to carry general sporting goods and soon added phonographs. He became interested in automobiles and in 1903 began selling Cadillacs. Within two years he sold the bicycle shop to concentrated on automobiles from locations on O and P Streets, marketing Buicks, White Steamers, Thomas Fliers, Woods Electrics, Franklins and other brands.

In 1909 Sidles and Charles Stuart organized the Nebraska Buick Automobile Company, with Sidles as president. They built their headquarters at 13th & Q Streets in 1920 and until 1930 operated a wholesale Buick agency covering multiple states. Sidles' interests broadened to include radio stations (beginning with KFAB in 1925), stakes in the Terminal and Sharp Buildings, the Sidles Airways Corp. which built Union airport north of Havelock, Troutdale-in-the-Pines resort in Colorado, and other business assets. Sidles, Charles Stuart, and others organized Union Holding Corporation in 1930, described in 1934 as "a \$3,000,000 concern," to hold the various businesses.

Harry and Dorothy Sidles had two sons and a daughter. H. E. Sidles died in 1934 at age 59. ^a

Sidles' house was designed by Ferdinand C. Fiske (1856-1930), a prominent Lincoln architect who designed a wide range of structures including large and small homes, business buildings, and schools. ^b Fiske used the Sidles House in his city directory advertisements of the mid-1910s, suggesting it held a prominent place among his many projects.



From *Lincoln City Directory*, 1915.

^a "Illness Fatal to Prominent Lincoln Man," obituary with portrait of H. E. Sidles, *Lincoln Star* January 23, 1934, p.1.

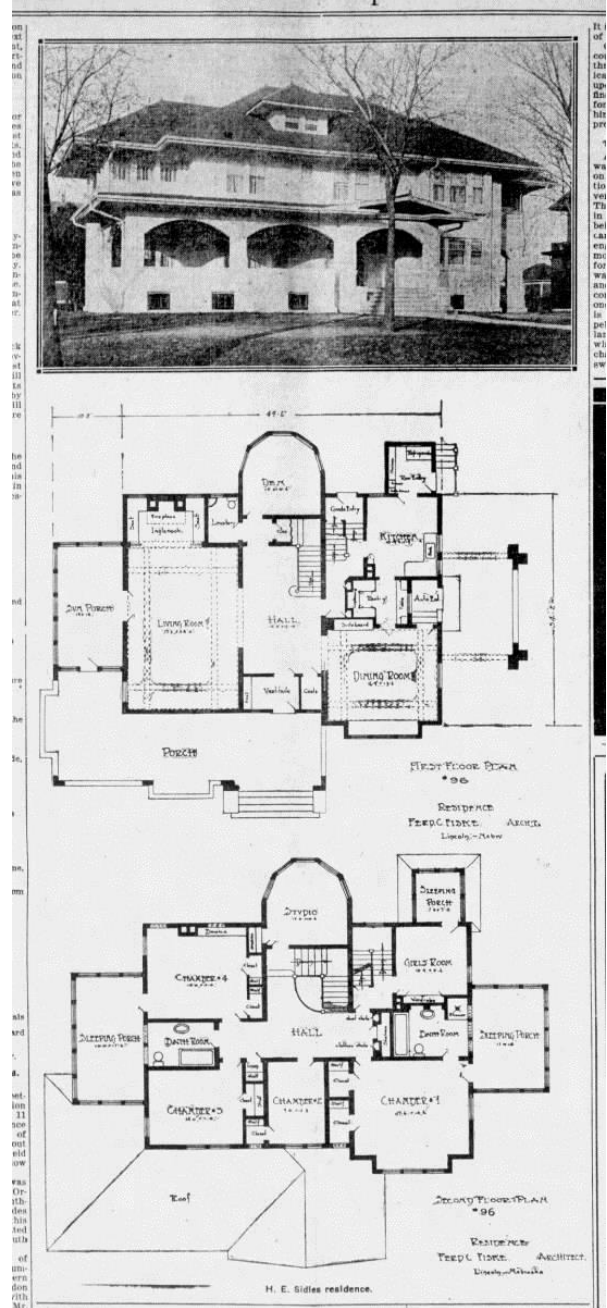
^b "Ferdinand Comstock Fiske (1856-1930), Architect," in *Place Makers of Nebraska: The Architects*, on-line at [http://www.e-nebraskahistory.org/index.php?title=Ferdinand_Comstock_Fiske_\(1856-1930\),_Architect](http://www.e-nebraskahistory.org/index.php?title=Ferdinand_Comstock_Fiske_(1856-1930),_Architect). Accessed November 9, 2017.



The house was featured among four examples of the “Types of New Homes in Lincoln” published in the *Nebraska State Journal* of January 4, 1914 and was again

published by Fiske, along with floor plans, by the same paper on May 2, 1915.

Four years after Sidles’ death, his widow continued occupying the house until it was sold to the University of Nebraska Board of Regents for \$12,000^c City directories lists N. U. Chancellors Chauncey S. Boucher (from 1939), Reuben Gustavson (from 1947), and Clifford M. Hardin (from 1955) among the residents of the house. After a decade of Hardin’s residency at 2110 A, the Chancellor’s home became 41 The Knolls. Hardin became U. S. Secretary of Agriculture in Richard Nixon’s Cabinet in 1969.^d



^c Lancaster Deed 321-397, July 9, 1938, from H. E. Sidles Company to Board of Regents.

^d “Clifford Hardin, 94, dies; agriculture chief under Nixon,” *Washington Post*, April 6, 2010, accessed on-line at <http://www.washingtonpost.com/wp-dyn/content/article/2010/04/05/AR2010040504409.html> November 9, 2017.

8. SIGNIFICANCE

<u>Period</u>	<u>Areas of Significance-Check and justify</u>	
<input type="checkbox"/> _prehistoric	<input type="checkbox"/> _archeology-prehistoric	<input type="checkbox"/> _landscape architecture
<input type="checkbox"/> _1400-1499	<input type="checkbox"/> _archeology-historic	<input type="checkbox"/> _law
<input type="checkbox"/> _1500-1599	<input type="checkbox"/> _agriculture	<input type="checkbox"/> _literature
<input type="checkbox"/> _1600-1699	<input checked="" type="checkbox"/> _architecture	<input type="checkbox"/> _military
<input type="checkbox"/> _1700-1799	<input type="checkbox"/> _art	<input type="checkbox"/> _music
<input type="checkbox"/> _1800-1899	<input checked="" type="checkbox"/> _commerce	<input type="checkbox"/> _philosophy
<input checked="" type="checkbox"/> _1900-	<input type="checkbox"/> _communications	<input type="checkbox"/> _politics/government
	<input type="checkbox"/> _community planning	<input type="checkbox"/> _religion
	<input type="checkbox"/> _conservation	<input type="checkbox"/> _science
	<input type="checkbox"/> _economics	<input type="checkbox"/> _sculpture
	<input type="checkbox"/> _education	<input type="checkbox"/> _social/humanitarian
	<input type="checkbox"/> _engineering	<input type="checkbox"/> _theater
	<input type="checkbox"/> _exploration/settlement	<input type="checkbox"/> _transportation
	<input type="checkbox"/> _industry	<input type="checkbox"/> _other (specify)
	<input type="checkbox"/> _invention	

Specific dates:

1913, 1914-1934

Builder/Architect:

W. N. Parks/Ferd. C. Fiske

Statement of Significance:

The Sidles House is significant both as a major residential design of Ferdinand Fiske, one of Lincoln's leading architects of the first third of the 20th century, and as the home of Harry & Dorothy Sidles. Mr. Sidles was one of Lincoln's most prominent businessmen with a very wide range of interests, and was particularly significant as an early entrepreneur in the field of automotive sales, operating a multi-state Buick wholesale agency in the 1910s & '20s..

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

See footnotes, and

https://www.zillow.com/homedetails/2110-A-St-Lincoln-NE-68502/6575073_zpid/?fullpage=true

James L. McKee, *Lincoln Journal Star* columns, including:
Sidles Motor Company (8/2/2009 and 11/7/2010)
Nebraska Buick Co. Building ((8/3/2008, 8/2/2009, 11/7/2010)

11. FORM PREPARED BY:

Name/Title:Ed Zimmer/Historic Preservation Planner

Organization Lincoln/Lancaster County Planning Dept.
555 S. 10th Street
Lincoln, NE 68508
(402)441-6360
Ezimmer@lincoln.ne.gov

Date Submitted November 9, 2017

Signature

FOR HISTORIC PRESERVATION COMMISSION USE ONLY:

DATE LANDMARK/LANDMARK DISTRICT DESIGNATED

LANDMARK/LANDMARK DISTRICT NUMBER

F:\LongRange\Historic\Landmarks\LMARKS\Sidles House\SidlesLDAPP.doc

PRESERVATION GUIDELINES FOR
Sidles House
2110 A Street, Lincoln, NE

1. Architectural Review of Landmark:

- a. Photographs: On file in Planning Department.
- b. Important architectural features:
Exterior: 2.5story height, hipped roof, carriage porch, front porch, stucco cladding, period garage
- c. Important landscape features: south (front) yard
- d. Architectural style and date: modified American Four-Square, 1913
- e. Additions and modifications: altered gable over front steps

2. Notice of Work Needing Certificate:

- A. A Certificate for Certain Work can be granted by the Preservation Commission or, in certain instances, by the Director of Planning. The application for the Certificate can be obtained from and should be filed with the Building and Safety Department. The following work to be conducted on the Landmark requires the procurement of a Certificate for Certain Work:
 1. Exterior work requiring a Building Permit as defined in the Lincoln Building Code. Before conducting exterior work, check with the City Building and Safety Department to determine whether a Building Permit is necessary;
 2. Demolition of a structure or portion of a structure as defined in the Lincoln Building Code;
 3. Work involving:
 - a. Replacement of exterior material and trim on south or west facades;
 - b. Cleaning and maintenance of exterior masonry/stucco;
 - c. Replacement of doors, storm doors, door frames, windows, storm windows, and screens (excluding seasonal) on facades visible from west or south;
 - d. Addition of awnings;
 - e. Placement of mechanical systems, such as but not limited to, window air conditioners, solar collectors, etc.;
 - f. The addition or replacement of signs;
 - g. Moving structures on or off the site;
 - h. Installation of electrical, utility, and communications services on principal (west or south) facades;
 - i. Placement of high intensity overhead lighting, antennae, and utility poles within the areas of the west or south facades.
- B. The following work to be conducted on the Landmark does not require the procurement of a Certificate for Certain Work:
 1. Changes involving routine maintenance and repair for the general cleaning and upkeep of the building but which include no direct physical change in design or material;
 2. Changes involving color and landscaping, except as previously noted;
 3. Interior changes involving no exterior alteration.

- C. The penalty upon conviction for conducting work which requires a Certificate for Certain Work without procuring the Certificate or for doing work contrary to an issued Certificate is a fine not to exceed \$100.00. Each and every day that such violation continues after notification may constitute a separate offense. The City of Lincoln may also pursue the remedies of injunction, mandamus, or other appropriate action to correct a violation.

3. Standards for Owner and Preservation Commission:

The following standards serve as a guide to the Landmark property owner in the preservation of their building. It is also intended that these Standards will aid the Commission in making decisions regarding issuance or denial of a Certificate.

When a decision on issuing or denying a Certificate is requested, the more definitive the presentation by the applicant, the easier it will be to convey and comprehend the effect of the proposed change. The owner or representative should plan to attend the public hearing to discuss the proposed work. When an application is being reviewed, it will be the responsibility of the applicant to demonstrate that the new work is compatible with these Standards.

A strict interpretation of these guidelines may be waived by the Preservation Commission if the applicant develops a design solution which meets the spirit and intent of the Historic Preservation Ordinance. In addition, although the owner of the landmark must receive Certificates for work identified above, a broader interpretation of the Guidelines for this property may be allowed by the Preservation Commission.

(Based on the Secretary of the Interior's Standards for Rehabilitation
and Guidelines for Rehabilitating Historic Buildings)

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 physical, 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 material 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. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.
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.

GUIDELINES FOR APPLYING THE SECRETARY OF THE INTERIOR'S
STANDARDS FOR REHABILITATION

THE ENVIRONMENT

Recommended

Retaining distinctive features such as the size, scale, mass, color, and materials of buildings, including roofs, porches, and stairways that give a neighborhood its distinguishing character.

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

Using new plant materials, fencing, walkways, street lights, signs and benches that are compatible with the character of the neighborhood in size, scale, material and color.

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 material, 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, fencing, walkways and paving materials that are out of scale or inappropriate to the neighborhood.

BUILDING SITE

Recommended

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

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

Not Recommended

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

BUILDING SITE ----- continued

Recommended

Basing decisions for new site work on actual knowledge of the past appearance of the property found in photographs, drawings, newspapers, and tax 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 building or foundation walls, nor drain toward the building.

Not recommended

Leaving plant materials and trees in close proximity to the building that may be causing 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 of weakened structural members and systems.

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

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.

BUILDING: EXTERIOR FEATURES

Masonry: Adobe, brick, stone, terra cotta, concrete, stucco and mortar

Recommended*

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

*SEE note at bottom of page 6.

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.

Masonry: Adobe, brick, stone, terra cotta, concrete, stucco and mortar ----- Continued

Repointing only those 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.

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.

Repointing mortar joints that do not need repointing. 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 coefficient of expansion and the differing porosity of the material and the mortar.

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 or marble.

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

Removing architectural features such as cornices, brackets, railings, shutters, window architraves and doorway pediments.

Removing paint from masonry surfaces indiscriminately. This may subject the building to damage and change its appearance.

*For more information consult Preservation Briefs: 1: "The Cleaning and Waterproof Coating of Masonry Buildings" and Preservation Briefs: 2: "Repointing Mortar Joints in Historic Brick Buildings." Both are available from Technical Preservation Services Division, Heritage Conservation & Recreation Service, U. S. Department of the Interior, Washington, D.C. 20240

Wood: Clapboard, weatherboard, shingles and other wooden siding

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

Removing architectural features such as siding, cornices, brackets, window architraves, and doorway pediments. These are, in most cases, an essential part of a building's character and appearance 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.

Architectural Metals: Cast iron, steel, pressed tin, aluminum, zinc

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.

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 metal.

Roofs and Roofing

Recommended

Preserving the original roof shape.

Retaining the original roofing material, whenever possible.

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.

Roofs and Roofing, continued

Recommended

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

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

Preserving or replacing, where necessary, all architectural features that give the roof its essential character, such as dormer windows, cupolas, cornices, brackets, chimneys, cresting, and weather vanes.

Windows and 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

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.

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

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 roof coverings 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.

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.

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

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.

Entrances, Porches, and Steps

Recommended

Retaining porches and steps that are appropriate to the building and its development. Porches or additions reflecting later architectural styles are often important to the building's historical integrity and, wherever possible, should be retained.

Repairing or replacing, where necessary, deteriorated architectural features of wood, iron, cast iron, terra cotta, tile, and brick.

Not Recommended

Removing or altering porches and steps that are appropriate to the building's development and style.

Stripping porches and steps of original material and architectural features, such as handrails, balusters, columns, brackets, and roof decoration of wood, iron, cast iron, terra cotta, tile and brick.

Enclosing porches and steps in a manner that destroys their intended appearance.

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 neighborhood in materials, size, scale, and texture.

New Construction, continued

Recommended

Designing new work to be compatible in materials, size, scale, color, and texture with the earlier building and the neighborhood.

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

Not Recommended

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

Mechanical Systems: Heating and 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.

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

Not Recommended

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

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.

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

Mechanical Systems, continued
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

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 no adequate moisture barrier.

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

Excerpt from **MEETING RECORD**

NAME OF GROUP: HISTORIC PRESERVATION COMMISSION

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

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

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

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

PUBLIC HEARING:

NOVEMBER 16, 2017

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

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

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

address who lives in a building, but only to address uses; however, a usual and customary bed and breakfast is owner-occupied. Knowing that the building is occupied seven days a week gives considerable benefit to the neighborhood.

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

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

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

ACTION:

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

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