Ms. Fogarty - Chair, called the meeting to order at 1:35 pm, introduced the Commission members and staff. She explained the procedures for hearing the cases. There were seven members present.

**APPROVAL OF MINUTES:**

The minutes for the February 10, 2016 meeting will be approved at the next scheduled meeting.
At the Landmarks Heritage Preservation Commission meeting held on March 9, 2016, Jed Moulton, Urban Design Planning Manager, appeared before the Commission.

Mr. Moulton stated that the Planning Department wanted to perform an Intensive Level Survey, which would be the first for the City of Omaha. This survey will help the department to better understand the potential for districts. In addition, it would include aspects of commercial development and infrastructure associated with the historic streetcar network. This would assist in obtaining a multiple property designation for the streetcar infrastructure. The remaining items listed in the request were: funding for staff to attend the national preservation conference; funding for ongoing archive and digitizing work; and miscellaneous supplies and materials. He briefly mentioned some of the improvements that would be made to the preservation website.

Mr. Killian moved to APPROVE the GRANT for fiscal year 2016-2017 as submitted. Mr. Dobbe seconded the motion.

AYES: Killian, Dobbe, Magee, Meyer, Pence, Suarez, Fogarty

MOTION CARRIED: 7-0
ORDINANCE CHANGE:

CASE NUMBER: 16-03-H7
PRESENTED BY: Jennifer Taylor_Assistant City Attorney
NAME: National Register Project Review and Demolition Review of Historic Properties
LOCATION: N/A
REQUEST: Review of Changes to Chapter 24, Article II: Landmark Heritage Preservation, of the Omaha Municipal Code

At the Landmarks Heritage Preservation Commission (LHPC) meeting held on March 9, 2016, Jennifer Taylor, Assistant City Attorney, appeared before the Commission.

Ms. Taylor discussed some proposed ordinance changes to Chapter 24 of the Omaha Municipal Code that were to be reviewed and commented on by commission members. Since the proposed changes would change the responsibilities and add to the duties of the commission, she felt that it was necessary to receive feedback from its members before the revisions were presented to City Council.

The revisions to the code accomplish three things: (1) it revises some of the definitions in Section 24-21 of the Omaha Municipal Code. This provides clarification of phrases used throughout the code that were not originally defined. It explains the difference between a Local Landmark and a Landmark Heritage District. (2) The special work restrictions in Division 3 (Special Work Restrictions for Local Landmarks and Landmark Heritage Districts) was clarified so that it included Local Landmarks and Landmark Heritage Districts. (3) Division 4 (National Register Nomination) was added to discuss a function that the commission had already been performing, which is providing recommendations to the State for National Designations. The revisions had been discussed with Jed Moulton, Urban Design Planning Manager.

Ms. Taylor also stated that Councilman Chris Jerram had contacted the Law Department and requested that an ordinance be created that would give the LHPC, Planning Board and/or City Council the ability to provide input on buildings that were planned for demolition, that were not designated as local or national landmarks. She researched how other cities had handled the process and included some of those results in Division 5 (Demolition) which is a new addition to the ordinance. This change would allow the City to allow for a review period and possible public hearing for buildings with significant historical value. The Planning Department would review the case administratively to determine whether the structure had any historical, architectural, cultural or educational value. If it was determined that there was no value, the building could be demolished. However, if it were determined that there was some value, the Planning Department would bring the property before the LHPC for review so that an effort should be made to salvage it. She explained that the purpose of the changes were not to prevent developers from demolishing properties, but to put a stop-gap in place so that the City could have the opportunity to preserve buildings with historical value or explore alternatives to demolition.

In response to Ms. Fogarty, Ms. Taylor stated that the City preferred to reduce the age when a building would be considered for review from 75 to 50. The age would be determined by the original structure and not parts of the structure that were added later.

Ms. Taylor referred to a flow chart that had been created by Trina Westman, LHPC Administrator, which explained how the ordinance works and how an application for demolition would proceed through the process. Exceptions to the process would be properties that are on the demolition list that have been
deemed unsafe/unfit/uninhabitable and cannot be salvaged. Also, anything that the City of Omaha applies to have demolished would be exempt from the review. Notification of the review would be submitted to the property owner, the city council member for the district where the property is located, the registered neighborhood association(s), the Landmarks Heritage Preservation Commission and other relevant preservation organizations. There would also be a public hearing. If a request for demolition of a building would be denied by the commission, the commission would be required to explain why it believes the structure is historically significant and propose a landmark designation for the property. If the request is denied, the commission would also have 90 days to work with the property owner on alternatives for the structure.

Mr. Dobbe suggested the commission also have the option of approving an application for demolition with the condition that the owner undertake a salvage plan. Another option would be that the commission could require that the owner survey and document the building before demolition could occur. The documentation would then be held in the LHPC archives so that it could become public record. All costs incurred during salvage, survey and documentation would be the responsibility of the owner.

Jed Moulton, Urban Design Planning Manager, discussed the administrative criteria that would be used to determine which properties would qualify for a review by the Planning Department. This would include information received from past surveys.

Mr. Killian inquired as to whether any consideration would be given to an existing building with regards to waiving some requirements of the International Building Code, so that it would not become a burden to the owners of historic properties. Ms. Taylor responded that there were some processes in place that would address those types of issues. She added that the commission could determine that it would be cost-prohibitive for an owner to preserve a structure and could recommend that the structure be surveyed and demolished.

Kristine Gerber, Executive Director of Restoration Exchange, appeared in support of the proposed changes. She stated that the type of changes being proposed would allow time for interested parties to meet with developers about historic preservation. If a property were to be demolished, the developer could be advised on how to deconstruct the property and salvage any historic materials.

Arnold Breslow also appeared in support of the proposed changes. He spoke about the issues that arise with owners who wanted to rehab historic structures, but were prevented from doing so because of code restrictions. He spoke about the importance of preserving historic structures for future generations.

Ms. Taylor summarized the commission’s suggestions, which were to set the age limit for buildings at 50 instead of 75 as originally proposed. Also, included in the survey portion of the demolition process, references to deconstruction or salvaging would be considered. In response to Mr. Killian, she stated that she would also more clearly define the intent of the proposed changes.

Adjournment:

It was the consensus of the Board to ADJOURN the meeting at 2:53 p.m.