A current copy of the Open Meeting Act is posted in a white binder on the north wall of the Jesse Lowe Conference Room. The secretary certifies publication in the Daily Record, the official newspaper of the City of Omaha, on May 1, 2017.

Mr. Ryan called the meeting to order at 1:00 p.m., introduced the board members and staff, and explained the procedures for hearing the cases. Mr. Ryan informed the public that a copy of the Open Meetings Law was available for review on the north wall of the room. He noted that only those items on the agenda could be discussed at the public hearing.

Mr. Ryan explained that the Board does not have the authority to waive any requirements of the Americans with Disabilities Act, Federal Fair Housing Act, or NFPA Life Safety Code. The Board does have the authority to hear appeals of the International Fire Code, Nebraska Accessibility Guidelines and the Nebraska Fair Housing Act. Life Safety Regulations are administered by the State Fire Marshal.

I. Roll Call

Members Present:
Jack Ryan – Chairman
Ron Feuerbach – Vice Chair
Cheryl Kiel
Michael Naccarato
Ted Ramm
Thomas Thibodeau
Dennis Van Moorleghem

OTHERS PRESENT:
Jay Davis, Assistant Director – Permit & Inspections
Greg Hauptman, Plans Examiner
Captain Steve Thornburg, Omaha Fire Department
Jennifer Taylor, City Law
Carrin Meadows, Board Secretary

II. Approval of Minutes from April 10, 2017

Motion by Mr. Ron Feuerbach to approve the minutes for the April 10, 2017 meeting. Mr. Thomas Thibodeau seconded the motion.

AYES: Feuerbach, Kiel, Naccarato, Thibodeau, Ramm, Ryan, Van Moorleghem

MOTION CARRIED: 7-0 APPROVED

III. Cases
Mr. Dwayne Brown and Tanner Draemel appeared before the Board requesting a waiver to eliminate the requirement for an elevator in a 3-story building at the Hupmobile Building located at 2523 Farnam Street. According to Mr. Brown and Mr. Draemel the installation of an elevator will ruin the historic integrity of the building. The three levels of this building will consist of the lower level being storage for the owners’ of the building, the second level will be commercial office space and the third level will consist of eight residential apartments. Each of the levels of this building will have separate entries and will not have functional relationships amongst them.

Mr. Tanner Draemel explained based upon the interactions which he has had with the Historical Society, at both the State and Federal level, the Historical Society would prefer the building to keep all vertical circulation within the original footprint. The original footprint has a freight elevator which handled the automobiles and a wood frame stair accessing all levels, which are not code compliant. The first order was to make the stairway code compliant for all levels. In doing so the solution to this was to place a code compliant stairway within the existing freight elevator hoist way making that an architectural feature. The situation they ran into is putting an elevator in the building put the plans outside of the original vertical circulation footprint. When including an elevator in this building the issue in which they ran into is the passenger elevator would have to be place in the showroom, which the Historic Society at both State and Federal level are opposed to.

Mr. Dwayne Brown stated an elevator would not pose a life safety issue nor a convenience issue for the residential nor the commercial occupants because the occupants will not possess a common association.

Mr. Jack Ryan asked for clarification that there was no handicap access between the lower, the first and the upper level inside the building. Mr. Brown stated correct there is no handicapped access amongst the levels.

Mr. Greg Hauptman spoke on behalf of the City stating at this time the City is not in favor of this request. Mr. Hauptman stated that the City needs to see something in writing from the State Historical Society explaining the reason in which they can or cannot get rid of the elevator. Mr. Hauptman stated that unless physical evidences is produced the City is not going to agree with taking features out of the building. Mr. Brown stated that he will get in writing from the State Historical Society that they do not want the vertical circulation footprint altered within the confines of this building.

Mr. Hauptman stated if the building already has an elevator replacing an elevator if the existing one which is in disrepair should not affect the interior vertical circulation.

Mr. Ryan stated that one of the issues is looking at future uses of the building, even though the differing occupants do not have any common association at this time future building occupants may.

Dr. Deepak Gangahar, the owner of the building, appeared before the Board stating the residential tenants will have access from the south side of the building and the commercial will have access from the north side of the building. Dr. Gangahar is willing to present a written contract to the City stating that there will be no interaction amongst the commercial tenants or the residential tenants throughout the time in which his company owns the building. Dr. Gangahar also discussed how they are trying to work with the Historical Society to continue to keep the façade of the perimeter walls of the historic building.

There was discussion in regards to changing the location of the elevator in order to not cut any more holes into the building. The discussion continued with differing options about where the elevator could be placed without having to cut any more holes in the structure of the building without interrupting the exterior of the current elevator.
Motion by Mr. Ron Feuerbach to Layover the case for 30-days to allow the applicant to get the requested documentation from the Historical Society. Ms. Kiel seconded the motion.

AYES: Feuerbach, Kiel, Naccarato, Thibodeau, Ramm, Ryan, Van Moorleghem

MOTION CARRIED: 7-0-Layover 30 days with conditions.

<table>
<thead>
<tr>
<th>Case No. 17-10</th>
<th>LOCATION:</th>
<th>ADDRESS: 555 N 30 St</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arthur O. Smith III</td>
<td>REQUEST:</td>
<td>Waiver to allow a door opening within 3 feet of a property line to remain that is not allowed by the building code.</td>
</tr>
</tbody>
</table>

Mr. Arthur O. Smith III with Leo A Daly Company appeared before the Board on behalf of BoysTown National Research Hospital East Campus requesting a waiver to allow a door opening within 3 feet of a property line that is not allowed by the building code. The east side of the facility also is the east side of BoysTown’s property line which connects to the new NuStyle, which once was Creighton Health’s property line. When the two properties were health care related the access drive was used for fire lane access, access to a dock, and public access. With the change of the property the area will be redeveloped into a different function which now eliminates access in and out of the property specifically to the loading dock.

Captain Steve Thornburg with the Omaha Fire Department stated the fire department is in agreement with the request because the drive will continue to provide the fire department with fire access if needed.

Mr. Smith suggested a fire suppression curtain on either side of the opening with a rating of 45-minute doors. Mr. Hauptman stated the walls need to be 2 hour rated which require 90 minute doors. Mr. Smith agreed to 2 hour rated wall which require 90 minute doors. Mr. Hauptman also commented about the sprinklers and the need for a permanent registered easement.

Motion by Ms. Kiel to approve the waiver with the stipulations of the double doors being 90-minute double doors with a 2-hour wall requirement and pending the easement gets registered as indicated. Mr. Van Moorleghem seconded the motion.

AYES: Feuerbach, Kiel, Naccarato, Thibodeau, Ramm, Ryan, Van Moorleghem

MOTION CARRIED: 7-0-Approved with stipulations.

<table>
<thead>
<tr>
<th>Case No. 17-11</th>
<th>LOCATION:</th>
<th>ADDRESS: 3804 Farnam St</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matt Dwyer</td>
<td>REQUEST:</td>
<td>Waiver to allow insufficient landings at the top and bottom of the main entry stairs to remain.</td>
</tr>
</tbody>
</table>

Mr. Eric Westman and Mr. Mike Peter appeared before the Board requesting a waiver to allow insufficient landings at the top and bottom of the main entry stairs to remain at the Colonial Apartments. This location was once a hotel with 150 rooms it is being renovated to an apartment complex with 39 units. Mr. Eric Westman stated the Federal Historic Society wants the two spaces to be clear and for the historical central stair to be left in original condition. Mr. Westman stated there will be a 2-hour shaft wall at the back of the shaft door. The landing of the stair is roughly 3 feet. Mr. Westman was able to provide documentation from the Historic Society (Exhibit 7) which states, “The approval does not extend to modifications of the north vestibule stair in the North building, a primary entrance stair. This proposal alters a historic primary feature and space including the mosaic tile floor.”

Mr. Hauptman stated that there has been much discussion between him and Mr. Westman. The obvious issue is the lack of landing. Mr. Hauptman requested Mr. Westman to provide documentation from the Historic Society in regards to this waiver, in which has been submitted to the Board (Exhibit 7).
Mr. Davis spoke on behalf of the City stating that the City can support this waiver based upon the documentation provided by Mr. Westman from the Historic Society.

Motion by Mr. Feuerbach to approve the applicant’s waiver because of the documentation provided from the Historic Society. Ms. Kiel seconded the motion.

AYES: Feuerbach, Kiel, Naccarato, Thibodeau, Ramm, Ryan, Van Moorleghem

MOTION CARRIED: 7-0-Approved.

IV. Adjournment.

It was the consensus of the Board to adjourn the meeting at 1:57 p.m.

The Building Board of Review agenda and other information regarding the Building Board of Review and the Planning Department is available on the Internet at http://www.cityofomaha.org/planning. The agendas available on the Internet are subject to change and are for convenience purposes only. The agenda may be altered no later than 24 hours before the scheduled commencement of the meeting. A copy of the official agenda, kept continually current, shall be available for public inspection during normal business hours at the City of Omaha Planning Department, 1819 Farnam Street, Suite 1100, Omaha, Nebraska.

Prior to the hearing, the applicant may schedule a time to review the City’s case file during normal business hours by contacting Carrin Meadows, Secretary to the Building Board of Review at (402) 444-5150 x 2014.

If an alternative (audio version) to this agenda is necessary, please notify Carrin Meadows, Secretary to the Building Board of Review at (402) 444-5150 x 2014, 72 hours in advance.