



National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions.

1. Name of Property

Historic name The Memmen Apartments

Other names/site number DO09:0136-041

Name of related multiple property listing N/A

(Enter "N/A" if property is not part of a multiple property listing)

2. Location

Street & Number 2214, 2216, 2218, and 2220 Florence Boulevard

City or town Omaha

State Nebraska

County Douglas

Not for publication Vicinity

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property meets does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance: national statewide local

Applicable National Register Criteria: A B C D



SHPO/Director

07-29-2014

Signature of certifying official/Title:

Date

Nebraska State Historical Society

State or Federal agency/bureau or Tribal Government

In my opinion, the property meets does not meet the National Register criteria.

Signature of Commenting Official

Date

Title

State of Federal agency/bureau or Tribal Government

4. National Park Service Certification

I, hereby certify that this property is:

- entered in the National Register.
- determined eligible for the National Register.
- determined not eligible for the National Register.
- removed from the National Register.
- other, (explain): _____



Signature of Keeper

9.22.14

Date of Action

Memmen Apartments
Name of Property

Douglas County, Nebraska
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5. Classification

Ownership of Property (Check as many boxes as apply)

- Private
- Public-local
- Public-state
- Public-federal

Category of Property (Check only one box)

- Building(s)
- District
- Site
- Structure
- Object

Number of Resources within Property (Do not include previously listed resources in the count.)

Contributing	Noncontributing	
1	0	Buildings
_____	_____	Sites
_____	_____	Structures
_____	_____	Objects
1	0	Total

Number of contributing resources previously listed in the National Register _____

6. Function or Use

Historic Functions (Enter categories from instructions.)

Domestic – Multiple Dwelling

Current Functions (Enter categories from instructions.)

Domestic – Multiple Dwelling

7. Description

Architectural Classification (Enter categories from instructions.)

Late Victorian: Queen Anne

Materials (enter categories from instructions.)
Principal exterior materials of the property:

Foundation: brick
Walls: brick
Roof: asphalt/built-up
Other: concrete

Memmen Apartments

Douglas County, Nebraska

Name of Property**County and State****Description**

Summary Paragraph (Briefly describe the general characteristics of the property, such as its location, type, style, method of construction, setting, size, and significant features. Indicate whether the property has historic integrity.)

The Memmen Apartments building is a Queen Anne-style, two-story, multi-family, masonry apartment building on a raised brick basement foundation located on the west side of Florence Boulevard (Photo 1), between Burdette Street and Willis Avenue, approximately one and a half miles north of downtown Omaha, Nebraska. The 11,760 sq. ft., rectangular-shaped brick building was constructed in 1889.¹ The building was constructed as a row house-type of apartment building, and retains many of its original exterior features, such as its dogtooth and basket weave pattern brick detailing, four sets of stairs constructed of rusticated concrete blocks, and four porches with flat roofs supported by concrete Doric columns on fluted urns, supported by square, rusticated concrete block piers.

Narrative Description (Describe the historic and current physical appearance and condition of the property. Describe contributing and noncontributing resources if applicable.)

Site

The Memmen Apartments building is located in the Near North Side neighborhood of Omaha, Nebraska. This area developed as Omaha extended downtown streets northwards in the late 19th century. Originally known as 19th Street, the street on which the building is located was renamed Florence Boulevard sometime in the first half of the 20th century. The area around the property, always more suburban in character than the more rural stretches of Florence Boulevard to the north, has developed over time to include single- and multi-family dwellings, and a mix of commercial, education, and religious buildings. The property is currently surrounded by one- and two-story, single- and multi-family frame dwellings, empty lots, and a single-story, late 20th century masonry fire station immediately across Florence Boulevard to the southeast. Burdette Park is located one block west of the property. The building is positioned parallel to Florence Boulevard, which extends north-south, and is setback from the street approximately 40 feet. There is no driveway from Florence Boulevard onto the property, and is instead serviced via the rear alley which extends north-south between Willis Avenue and Burdette Street.

Exterior

The building is constructed of brick load-bearing walls atop a brick, raised basement foundation. The east (front facade) elevation exhibits a running bond brick pattern, while the northern and southern (sides) elevations have a six-course, common bond pattern. The west (rear) elevation and the garden-level walls below the water table on the east front-facing elevation have stucco on brick. The flat, built-up roof slopes to the rear of the building. A short parapet wall projects above the roof along the front façade, while a stepped parapet follows the slope of the roof on the sides. The east facing façade of the Memmen apartments consists of four, three story row house units, each of two unequal bays. Of the four row houses, the two center row houses (at 2216 and 2218 Florence Boulevard) share the same exterior design, and the northern and southern end row houses (2214 and 2220 Florence Boulevard) share the same, but mirrored, exterior design.

The narrower (southernmost) bay of the southern row house (2214) contains a raised portico entry for the first and second floor apartments, under which is located the entry to the garden-level apartment (Photo 2). The wider bay contains either a tripartite window on the first and second floors, or a set of three windows at the garden level. The windows have been resized and are filled with replacement sashes and aluminum storm sashes, as are most windows throughout all the row houses. The façade of the garden level is of stuccoed brick painted dark grey. A rusticated concrete block water table course visually separates the garden level from the upper stories, which are brick painted light gray. The entryway to the garden level apartment is filled with a metal replacement door, and is hidden beneath the stairs leading to the entrance portico for the upper apartments. Two one-over-one windows are located to the right of the entry: the northernmost window (of what was originally three windows) of the garden level apartment has been filled in with stuccoed brick (Photo 3). The windows at the garden level have concrete sills.

¹ Honebrink, Jennifer. *Attached Dwellings in Omaha, Nebraska, 1880-1962*, Multiple Property Documentation Form: 2009. Section E, page 29.

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The principal entry for the first and second floor apartments is through a single-lite, glazed paneled wood door located under a classicized portico on the southern end of the facade. It is unknown if the wood doors are original, but they appear to be historic. The transom above the door has been filled in with a wood panel, as have those throughout all the row houses. The porticos across the front facade each consist of a projecting eave flat roof supported on a wooden architrave. The architrave is supported by concrete Doric columns with fluted urn bases and dentil ornamented capitals. Rusticated concrete block piers support the columns and are connected to the main walls of the house by precast concrete balustrades. Concrete steps with rusticated concrete block railings connect the portico to ground level (Photo 4). On the second story, a single one-over-one window is located above the entryway. A brick jack arch spans above the window, which has rusticated concrete sills, as do all the first and second story windows on the east front-facing facade. Adjacent to the entryway on the first floor is a tripartite window composed of three one-over-one double-hung sashes separated by Doric style pilaster mullions. Above the windows is a flat-headed basket arch which springs from concrete blocks with floral ornamentation. A similar tripartite window is located on the second floor; however, this window is narrower in width than the first floor tripartite window. It is surmounted by a brick jack arch springing from concrete blocks with floral ornamentation. A three-course band of dogstooth brick ornamentation runs below the wood cornice, which supports a basket weave bonded brick parapet wall. A brick pilaster at the southernmost end of the building corbels into the east front-facing facade immediately to the left of the second story single window (Photo 5).

The northern row house (2220) is a mirror image of the southern row house, with the entry portico located on the north side of the facade. On the basement level, none of the window openings have been filled, however, the basket weave bonded brick parapet wall of this row house appears to have been damaged in two places at some point in the past and repaired in a running bond pattern.

The southernmost center row house (2216) also has two unequal bays. The narrower (northernmost) bay contains a raised portico entry for the first and second floor apartments, under which is located the entry to the garden-level apartment. The wider bay contains either a tripartite window on the first and second floors, or a set of three windows at the garden level. The facade of the garden level is of stuccoed brick painted dark grey. A rusticated concrete block water table course visually separates the garden level from the upper stories, which are brick painted light gray. The entryway to the garden-level apartment is filled with a metal replacement door, and is hidden beneath the stairs leading to the entrance portico for the upper apartments. Three one-over-one windows are located to the left of the entry. The windows at the garden level have concrete sills. The northernmost center row house (2218) has the same exact design as the one at 2216. The basket weave bonded brick parapet wall, however, is mostly intact.

The north and south sides of the building have identical, asymmetric fenestration patterns (Photo 6). The windows have brick sills, and the garden-level sections of the exterior walls are stuccoed with a smooth finish. Three small, irregular windows are located at the garden level. The windows are filled with single- or multiple-light wood sashes and iron bars. There are four windows on the first floor: two have segmental brick arches and are filled with single-light, double-hung sashes and aluminum storm sashes. A similar window, providing light to the landing outside the second-floor apartment entry, is found on the second-floor. The other two windows on the first floor, one slightly higher than the other, have jack-arches and are filled with single-light wood sashes. A similar window is located on the second floor.

A non-historic, circa late-20th century wood deck/porch extends along the entire rear of the building. Wood stairs approximately between the 2214 and 2216 and the 2218 and 2220 row houses lead from the garden level/back lawn to the first and second floors. The shed roof and decking of the porches is supported by square, pressure-treated wood posts. Wood handrails and balusters run the length of both the first and second floors of the building, returning to the exterior rear walls. The first- and second-floor apartments have a single-leaf rear door and adjacent paired windows with one-over- one, double hung sashes. All of these windows appear to have been resized and filled with replacement sashes; in one unit, the paired windows have been resized with a set of vinyl casement sashes. Most of the windows have aluminum storm sashes. The garden-level apartments have two windows: one small, square window and a larger window with a double- hung sash for the rear bedroom. The entryways exhibit wood doors and most also have aluminum or wood screen doors. As with the front doors, some appear to be replacement wood doors, and others appear to be historic. A brick chimney projects outward from the exterior wall and above the roof between the 2218 and 2220 units, and a masonry firewall projects upward from the roof between the 2216 and 2218 units. A small shed-roofed, stucco-clad addition was constructed behind the garden-level apartment at 2218 between 1918 and 1934 for heating and other mechanicals (Photo

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7). The rear entry to the garden level apartment at 2218 may have been relocated to accommodate this addition, as this entry varies from the established rear entryway pattern; furthermore, the addition blocks any rear-facing windows for this apartment.

An historic photograph (Figure 9) indicates that the areas between the porches and steps were originally level with the front lawn, held in place by a retaining wall along the front façade of the garden-level apartments. At some point in the past, these retaining walls have been removed, possibly to provide more light and ventilation to the garden-level units. The current owner states the building looked the way it presently does in 1974.

Interior

The first and second floor apartments are accessed from the entry halls and enclosed stairwells (Photo 8). On each end of the building, the stairwells are lit by three windows: two at the bottom/front entry, and one at the second floor landing. Wooden treads rise to the second floor landing, at which the stairs make a 90 degree turn, rising to another landing at the second floor apartment door. As with the apartments themselves, the stairwells retain at least some original or historic fabric such as door and window casing, treads, light fixtures, and newel posts. In other instances, it appears that other elements have been replaced, such as doors into apartments, door and window casings, stair balusters (on the second floor landing), and lighting fixtures. The garden level apartments are accessed directly by entries located under the porches of the first floor apartments.

The apartments share a similar floor plan (Figure 1) with small variations. All the plans feature a front entry into a large front room (a parlor or living room), which is divided from a similarly sized middle room (possibly intended as a dining room) by two half walls (Photo 9). The front room features tripartite windows, or, in the garden level, a group of three windows. A small room or closet is located off the front room, under, above, or adjacent to the stairwells. This room is smaller on the first floor and larger in the basement and second floor apartments because it is unencumbered by the stairwells. A small bathroom (which may or may not have been an original feature) is located to one side off the middle room. A small rear room (bedroom) with a window is located on one side of the rear of the apartment, with a kitchen located on the other side (Photo 10). The kitchen has a rear entry and another small window, except as previously noted (garden level 2218 apartment).

The walls are covered in lath and plaster over brick or framed walls (Photo 11). The floors of the garden level are concrete, and those on the first and second floors are wood. The interiors retain some original or historic elements: the half walls dividing the two main rooms, steam radiators (Photo 12), some fluted casing around doors and windows (Photo 13), and some of the original or historic entry doors. Although the apartments originally had fireplaces (Photo 12), many of these have been removed. A few still retain their original brick mantles, but have been enclosed. The garden level apartments also have a built-in corner cabinet located in the middle room (Photo 14). There are, however, many alterations to the interiors: the windows have been replaced, and the original window transoms have been enclosed when the ceilings of the first and second floor apartments were lowered. Some window and door casings have been replaced throughout the building. In many cases, even the original wood floors have been covered with newer materials. The bathroom fixtures appear to be at least partially replaced. None of the kitchens retain much original fabric beyond the walls and rear entry doors and casings.

Summary

The Memmen Apartments at 2214-2220 Florence Boulevard in Omaha's Near North Side neighborhood retains a high degree of exterior integrity as a late 19th century apartment building. The overall footprint of the building has remained relatively static (except for the addition of the rear mechanical addition, and the front porches) since 1889. The building is an unusual masonry row house-style apartment building, featuring Queen Anne details such as patterned brick (dogtooth and basket weave) patterns, large tripartite windows, distinctive rounded and basket window arches springing from precast concrete blocks with floral patterns. The very unusual front porches feature Neoclassical details, such as a flat roof supported by a wood architrave and cornice. The roof structure is supported by Doric columns with dentil-ornamented capitals on a fluted urn base. The piers supporting the columns and the stairs leading to the porticos are constructed of rusticated concrete blocks. While buildings like the Memmen Apartments, as a late 19th century masonry row house-style apartment building, are not all that rare in Omaha, such buildings are somewhat rare in the Near North Side area, which is dominated by single- and two-story frame residential buildings. Although the interiors retain some of their original integrity, the exterior of the building, and the main, east façade in particular, retain a high degree of integrity.

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8. Statement of Significance

Applicable National Register Criteria

(Mark "X" in one or more boxes for the criteria qualifying the property for National Register listing.)

- A** Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B** Property is associated with the lives of persons significant in our past.
- C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D** Property has yielded, or is likely to yield information important in prehistory or history.

Criteria Considerations

(Mark "X" in all the boxes that apply.)

Property is:

- A** Owned by a religious institution or used for religious purposes.
- B** Removed from its original location.
- C** A birthplace or a grave.
- D** A cemetery.
A reconstructed building, object, or structure.
- E** A commemorative property.
- F** Less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance

(Enter categories from instructions.)

Architecture

Period of Significance

1889- ca. 1901

Significant Dates

1889 - initial construction
 Ca. 1901 – porches added

Significant Person

(Complete if Criterion B is marked above.)

N/A

Cultural Affiliation

N/A

Architect/Builder

Findley, William Elliott
 Shields, Alexander

Statement of Significance Summary Paragraph (Provide a summary paragraph that includes level of significance, applicable criteria, justification for the period of significance, and any applicable criteria considerations.)

The Memmen Apartments are eligible for the National Register of Historic Places under Criterion C: Architecture at the local level of significance. Designed by local Omaha architects William Elliott Findley and Alexander Shields and constructed in 1889, the apartments are a significant example of stylistically eclectic row houses constructed during Omaha’s late 19th century urban expansion. The row houses are attributed to the Omaha architecture firm of William Elliott Findley and

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Alexander Shields² and were constructed in 1889. The Memmen Apartments are an example of Free Classic Queen Anne style applied to four, three-unit row house apartments. The period of significance begins in 1889, the year in which the Memmen Apartments are constructed and continues to ca. 1901, when the four distinctive front porches were first indicated in that year's Sanborn Fire Insurance map.

Narrative Statement of Significance (Provide at least one paragraph for each area of significance.)

The Memmen Apartments is locally significant under National Register for Historic Places Criterion C. Constructed in 1889, the building is architecturally significant as a rare example in the Near North Side of Omaha, Nebraska of a transitional subtype of the Queen Anne architectural style, which was nationally popular at the time of its construction. It retains many of its exterior decorative details, such as rusticated concrete block steps, classiced front porches, and basket weave and dogtooth brick ornamentation. It is one of several surviving buildings designed by local Omaha architects William Elliott Findley and Alexander Shields. The building is also significant for being one of the earliest buildings constructed in "Franklin Square," a subdivision of property in Omaha platted by Alvin Saunders. Saunders was one of Omaha's earliest settlers and had been previously appointed by President Abraham Lincoln to be Nebraska's Civil War-era Territorial Governor. The period of significance for the Memmen Apartments corresponds to its date of construction in 1889 to circa 1901, when the distinctive front porches were constructed.

Criterion C: Architecture – Queen Anne – Free Classic Subtype

The Memmen Apartments are an excellent example of a late-19th century urban/suburban town-house apartment building constructed in the Queen Anne style. By the mid- to late 19th century, industrialization and improvements in transportation allowed for the production and shipment of "many complex housing components...to be mass-produced...and shipped throughout the country.... Victorian styles clearly reflect these changes through their extravagant use of complex shapes and elaborate detailing"³ which had previously been reserved for wealthy. Mass-produced pattern books contained house plans of various styles, which became popular during the mid- to late 19th century; this often led prospective architects and builders to select architectural details from multiple architectural styles for a single building "with a spirit of invention characteristic of the era."⁴ This often led to buildings that today do not appear to easily fit into an obvious architectural style.

Although it may have been nearing the end of its influence by 1889, the Queen Anne style was still nationally popular at the time. Queen Anne style buildings (most often houses) were usually constructed of wood, but when masonry construction was undertaken, Queen Anne style embellishments such as patterned brick and precast concrete details were frequently employed. While projecting bay windows and multiple gables are a common feature of historic Queen Anne houses⁵, the Memmen building is more restrained: tripartite windows may substitute for the typical three-window projecting bay, and a flat roof, instead of the gables in a typical Queen Anne, is hidden by a patterned parapet wall.

There are several examples of surviving masonry Queen Anne style row house apartment buildings in Omaha designed by Findley and Shields, the same firm that designed the Memmen building. One of the more elaborate of these is the Georgia Row house (1890), at 1040-1044 N. 29th Street. It has an asymmetrical façade, the ground floor and raised basement sheathed in rusticated stone, prominent stone window arches and belt courses, prominent circular and polygonal corner towers, the latter with a conical roof, shingled roofs, and bands of decorative brick and terra cotta.

The Free Classic Subtype, to which the Memmen building belongs, is so called because classical or classically-inspired columns, balustrades, cornice-line dentils and other details were often employed⁶. The porches of the Memmen

² Honebrink, page 29.

³ McAlester, page 239.

⁴ Klein, Marilyn W., & David P. Fogle. *Clues to American Architecture*. Montgomery, Alabama: Starhill Press: 1986. Page 30.

⁵ McAlester, page 264.

⁶ McAlester, page 264.

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Apartments appear to have been added sometime before 1901, according to a review of available Sanborn maps. It is very likely the porches of the Memmen Apartments were influenced by buildings at Omaha's Trans-Mississippi Exposition, which heavily featured a collection of Neoclassical building designs, held in 1898.

Property History

Alvin Saunders owned the property on which the Memmen Apartments currently sits in 1888. Saunders had emigrated west from Kentucky with his parents, first to Illinois and then later to Iowa, where he was elected a state senator in 1854. He was appointed Territorial Governor of Nebraska by President Lincoln in 1861, and re-appointed in 1865. Saunders was elected to the U.S. Senate in 1877, where he worked to finalize the northern boundary of Nebraska with the Dakota Territory. He also worked hard to secure an important Union Pacific Railroad bridge across the Missouri River at Omaha. Still later, Saunders helped organize the Omaha & Southwestern Railroad, for which he was once its Vice President, and the Omaha Smelting Works.⁷

In April, 1888, Saunders subdivided the approximately five-acre tract along the west side of 19th Street (now Florence Boulevard) bounded on the south by Grace Street, the west by 20th Street, and the north by Willis Avenue; he named this subdivision "Franklin Square" (Figure 2). The property was divided into rectangular lots of approximately the same size: Lots 1-6 and 19-25 on the north side and Lots 7-11 and 12-18 on the south side of an extension of Burdette Street, for which Saunders had provided a 30 foot right-of-way, with an 18 foot alley running north-south behind the lots in both blocks.⁸ Saunders sold Lot 2 and the north 34 feet of Lot 3 of the Franklin Square addition to Jens and Carrie Jensen in on September 7, 1889.⁹

Available property records do not clearly indicate if Saunders or Jensen built the row houses: the deed between Saunders and Jensen states the sale included "any tenements" on the land in question. Legal documents from a subsequent lawsuit (1892) involving the Jensens, however, strongly suggest Jensen constructed the row houses after purchasing the land from Saunders. The suit was brought by John, Walter, and William Jeffries, real estate agents and brokers from Boston, Massachusetts. Several Omaha businesses, including an investment company, a hardware company, a paint and glass company, a lumber company, and a roofing company, were named as Jensen's co-defendants, all of whom had filed mechanic's liens against Jensen's property.

Legal documents associated with the Jeffries lawsuit support the position that Jensen was the primary force behind the construction of the apartments: in a cross bill of complaint filed by McCleod, Holmes Hardware Company, doing business previously as Himebaugh & Taylor Hardware Company, the company stated that on September 6, 1889, it entered into a verbal contract with Jens Jensen to supply materials for the construction of "two story and basement brick dwelling houses or flats" located on Lots 2 and the north 34 feet of Lot 3 in the Franklin Square addition to the city of Omaha.¹⁰ Additional legal complaints arising from the construction of the apartments corroborate the position that Jensen was the primary force behind the construction of the apartments. In the 1891 city directory, Jensen is listed as a carpenter living at 1618 N. 19th Street.¹¹ The 1890 Sanborn Fire Insurance Map for this area indicates the row houses were addressed as "1614-1616-1618-1620 North 19th Street," and that the front porches had not yet been built (Figure 3).¹²

⁷ Sorenson, Alfred R. *Omaha Illustrated: A History of the Pioneer Period and the Omaha of Today*. Omaha, Nebraska: D.C. Dunbar & Co.: 1888. Available at <http://books.google.com/books?id=pEVOAAAAYAAJ&pg=PA1815&dq=Alvin+Saunders+Omaha&hl=en&sa=X&ei=QUlgUtO5GZSlSQTTrw4CYBQ&ved=0CF8Q6AEwBw#v=onepage&q=Alvin%20Saunders%20Omaha&f=false>. Accessed November 8, 2013.

⁸ Douglas County Clerk. Deed Book 106. Omaha, Nebraska: 1888, page 617.

⁹ Douglas County Clerk. Deed Book 126. Omaha, Nebraska: 1889, page 490.

¹⁰ United States Circuit Court, Omaha, Nebraska. Case O-249: Jeffries, et al vs. Jensen, et al, 1892. Available from the National Archives and Records Administration, Kansas City, Missouri. Accessed December 31, 2013.

¹¹ Omaha, Nebraska, 1891 City Directory. Omaha, Nebraska: J.M. Wolfe & Co., 1890.

¹² Sanborn Fire Insurance Maps. Omaha, Nebraska: 1890. Volume 2, Sheet 128.

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The court's final decision in the lawsuit brought by the Jeffries family called for the property to be sold at public auction on May 28, 1892 (Figure 4). After that auction, a deed transferred the property from D.H. Mercer, the Special Master in Chancery of the United States Circuit Court for the Nebraska District, to Edward E. Holmes for \$13,230.¹³ A few days later, Holmes, who must have been acting as a local agent for the Jeffries family, sold the property to them for the same amount.¹⁴ The Jeffries family retained ownership of the property until 1898, when they sold it to Lysle J. Abbott;¹⁵ Abbott then sold the property to Tjark F. Memmen in 1907 for \$13,000.¹⁶ The ca. 1901 Sanborn Fire Insurance map for Omaha indicates the front porches had been completed by that time, and that the address had been changed to "2214-2216-2218-2220 North 19th Street" (Figure 5).¹⁷

Opportunistic speculation most likely led Jensen to build an apartment building in this part of Omaha; the Sanborn maps of the area north of downtown indicates the area north of downtown Omaha up to Florence was being increasingly subdivided and developed between 1887 and 1901. Development came to the area slowly at first: as late as 1885, 19th Street/Florence Boulevard had not been extended north to what is today Willis Avenue, leaving the Memmen property without street frontage (Figure 6). Omaha's Trans-Mississippi Exposition, held in 1898 in the area that is today known as Kountze Park, north of the Memmen Apartments, had not even been under consideration as early as 1888, when Saunders subdivided the property. Public transportation reached this part of the city at least by the time of the Exposition in 1897, when a map indicates North 16th (named Sherman Avenue in 1897) to the east and North 20th Streets immediately west of the Memmen property were on the local streetcar lines between the exposition grounds and downtown Omaha (Figure 7).

Tjark F. Memmen was born in 1857 to German immigrants in Minonk, Illinois. He remained in Illinois through at least 1880, at which time he was a salesman.¹⁸ By 1900, he had moved to Kearney, Nebraska, where he worked in a "pop factory."¹⁹ By 1910, he and his family moved to Lincoln, Nebraska, where he was the proprietor of a pool hall.²⁰ As Memmen was living in Lincoln in 1910, the purchase of the apartment building in Omaha from Abbott must have been an investment. In 1920, the 62 year old Memmen was apparently widowed and perhaps in poor health; in that census, he's listed as single and lodging in a home in Leesburg, Florida.²¹ He died in 1923 and the property was transferred to his daughter, Mae Memmen Riddle, as part of the settlement of his estate.²² The rear addition to the apartments was constructed during Riddle's ownership as the 1934 Sanborn Fire Insurance Map documents for the first time the single story "heating plant" addition on the rear of the building (Figure 8). In addition, the property's address changed again, this time to the current listing: "2214-2220 Florence Boulevard."²³ Mae Riddle lost ownership of the apartments in 1945, when the property was seized for non-payment of taxes and sold at public auction, although it continued to be called the Memmen Apartments (per city directories) through successive owners until 1972. In 1974 it was sold to the current owner, Arethea Reames, and her husband, R.A. Reames.²⁴

Architects

The architects of record for the Memmen Apartments are William Elliott Findley and Alexander Shields.²⁵ From a review of the city directories for the period, Findley and Shields appear to have been partners from 1889 to circa 1893.²⁶ As a firm, they appear to have designed mostly houses and apartment buildings. Many of their apartment buildings were designed in the "row house" style.

¹³ Douglas County Clerk. Deed Book 166. Omaha, Nebraska: 1892, page 311.

¹⁴ Douglas County Clerk. Deed Book 166. Omaha, Nebraska: 1892, page 315.

¹⁵ Douglas County Clerk. Deed Book 291. Omaha, Nebraska: 1906, page 510.

¹⁶ Douglas County Clerk. Deed Book 308. Omaha, Nebraska: 1907, page 323.

¹⁷ Sanborn Fire Insurance Maps. Omaha, Nebraska: 1901-1918. Sheet 52.

¹⁸ United States Census. Woodford County, Illinois: 1880.

¹⁹ United States Census. Buffalo County, Nebraska: 1900.

²⁰ United States Census. Lancaster County, Nebraska: 1910.

²¹ United States Census. Lake County, Florida: 1920.

²² Douglas County Clerk. Miscellaneous Book 126. Omaha Nebraska: 1924, page 171.

²³ Sanborn Fire Insurance Maps. Omaha, Nebraska: 1934. Volume 2, Sheet 240.

²⁴ Douglas County Clerk. Deed Book 1499. Omaha, Nebraska: 1974, page 688.

²⁵ Honebrink, page 29.

²⁶ Murphy, David. "1908 Corn Exposition – Omaha." Email to Patrick Thompson: February 20, 2014.

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Findley was born in 1849 in Chillicothe, Ohio and was educated at the Western Military Institute and then at what is today known as Miami University (Ohio). He practiced architecture in Dayton, Ohio, during which time he also worked as a journalist until 1882, when he again turned to architecture, first in Fremont, Ohio, and later in Omaha, Nebraska.²⁷ Less is known about Shields, who was born in 1851 in Pennsylvania. He arrived in Omaha by 1887, but his practice in Omaha was limited to less than a decade as he is no longer listed in city directories after 1895.²⁸

Including the Memmen Apartments, at least ten buildings have been attributed to the firm:

1. Building, 2122 Spencer Street, 1889 (no longer extant);
2. House, 3010 Mason Street, 1889;
3. Memmen Apartments, 2213-2220 Florence Boulevard, 1889;
4. Georgia Row Houses, 1040-1044 South 29th Street, 1889;
5. Henry H. Stephens House, 3647 Charles Street, 1889;
6. Pacific Street Row house, 2959-2969 Pacific Street 1890;
7. W.D. Mead, Jr. Duplex, 1029 South 30th Street, 1890;
8. Building, 1001-1011 North 29th Street, 1890;
9. House, 1733 South 10th Street, 1893; and
10. W.M Bell House, 1134 S. 32nd Street, 1893.

(Buildings 1, 2, 4, 5, 6, 7, 9, and 10 attributed by David Murphy; Buildings 3, 4, 8 attributed by Jennifer Honebrink).

With few exceptions, the majority of Findley & Shields' designs appear to adhere to a Queen Anne design aesthetic. The Stephens and Bell houses both still retain some of their original Queen Anne details such as fish-scale shingles. The Pacific Street building exhibits all the decorative details of a masonry Queen-Anne style row house: multiple front gables with decorative details, bands of stone, and rusticated stone window arches and sills. The Georgia Row Houses include Queen Anne-style towers and extensive use of rusticated stone.

While the Georgia and Pacific Street row houses are far more elaborate than the Memmen, it appears to be part of the same stylistic tradition: rusticated stone is reserved for the front façade window sills and water table, but dogstooth and basket weave patterned brick break up the front façade, and large tripartite windows mimic the bay windows of the more elaborate Queen Anne buildings. The building at 1001-1011 North 29th Street is even starker compared to the Georgia and Pacific Street buildings: rusticated stone water tables, sills, and lintels, along with corbelled pilasters that spring from rusticated stone blocks to simple paneled cornices provide the only decoration on this masonry row house style apartment building.

After their partnership ended, Findley continued to practice in Omaha until his death. He was commissioned to design several private homes, but he also designed duplexes for what were very likely personal investments of his own, on property he owned property on the edge of Hanscom Park. Six buildings have been attributed to Findley after 1893:

1. William Findley duplex, 1701 -1703 Park Avenue, 1901;
2. William Findley duplex, 1705-1707 Park Avenue, 1901;
3. W.F. Negele House, 3515 Hawthorne Avenue, 1905;
4. House, 4106 IZARD Street, 1906;
5. 1306-1308 Park Avenue, 1906; and
6. National Corn Exposition Building, ca. 1907(no longer extant).²⁹

²⁷ Dodge, Melvin G., Ed. The Delta Upsilon Decennial Catalogue. Richmond & Backus Co., Ann Arbor, Michigan: 1903. Page 616. Available at <http://books.google.com/books?id=YN0CAAAYAAJ&pg=PA616&dq=William+Elliott+Findley+Delta+Upsilon&hl=en&sa=X&ei=5F-OU53LB-S-2QX30oHQBQ&ved=oCCoQ6AEwAA#v=onepage&q=William%20Elliott%20Findley%20Delta%20Upsilon&f=false>. Accessed 11/21/2013.

²⁸ Honebrink, page 29.

²⁹ Murphy, 2014.

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The earliest of these buildings were designed a full ten or more years after the Memmen Apartments, and appear to represent a change in Findley's design aesthetic. By 1900, the Queen Anne style was no longer as nationally popular as in the previous decades, having been replaced by a general return to classicism. The more subdued styling of Colonial Revival, Neoclassical, and Italian Renaissance can be found in many of these later Findley designs. While both the Chicago World's Fair (1893) and Omaha's own Trans-Mississippi Exposition (1898) both extensively featured buildings in the Neoclassical style, the former ignited the move among architects and their patrons in the United States to adopt Neoclassic style. Even if Findley didn't attend the Chicago fair, he very likely attended the one in Omaha, and like his fellow architects throughout Omaha and the nation as a whole, Findley's work changed as his patrons' tastes changed.

The five buildings Findley designed on his own that have survived have more in common with each other than Findley's earlier designs with Shields, in that they spring from the same classical aesthetic. Several of these buildings exhibit Neoclassical and Italian Renaissance styling details: usually with symmetrical façades gabled dormers, Doric columns, and details like brick pilasters and corbelling brackets or pilasters that delineate cornices that features dentils and brackets.

Findley died in December, 1908, just days after the closing of the National Corn Exposition in Omaha, for which he had also designed buildings.³⁰

9. Major Bibliographic References

Bibliography (Insert bibliography here – cite the books, articles and other sources used in preparing this form.)

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--. Deed Book 126. Omaha, Nebraska: 1889.

--. Deed Book 166. Omaha, Nebraska: 1892.

--. Deed Book 291. Omaha, Nebraska: 1906.

--. Deed Book 308. Omaha, Nebraska: 1907.

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Honebrink, Jennifer. *Attached Dwellings in Omaha, Nebraska, 1880-1962*, Multiple Property Documentation Form: 2009.

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³⁰ Omaha Morning World-Herald, December 22, 1908, page 5.

Memmen Apartments

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Omaha Morning World Herald. "Designer of Corn Show Buildings is Dead." December 22, 1908: page 5.

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Sorenson, Alfred R. *Omaha Illustrated: A History of the Pioneer Period and the Omaha of Today*. Omaha, Nebraska: D.C. Dunbar & Co.: 1888. Available at <http://books.google.com/books?id=pEVOAAAAYAAJ&pg=PA1815&dq=Alvin+Saunders+Omaha&hl=en&sa=X&ei=QUI9UtO5GZSIsQTrw4CYBQ&ved=0CF8Q6AEwBw#v=onepage&q=Alvin%20Saunders%20Omaha&f=false>.

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 --. Buffalo County, Nebraska: 1900.
 --. Lancaster County, Nebraska: 1910.
 --. Lake County, Florida: 1920.

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Previous documentation on file (NPS):

Primary location of additional data:

- preliminary determination of individual listing (36 CFR 67 has been requested)
- previously listed in the National Register
- previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by Historic American Buildings Survey #
- recorded by Historic American Engineering Record #
- recorded by Historic American Landscape Survey #

- State Historic Preservation Office
- Other State agency
- Federal agency
- Local government
- University
- Other (Name of repository)

Historic Resources Survey Number (if assigned): DO09:0136-041

Memmen Apartments
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10. Geographical Data

Acreage of property Less than one USGS Quadrangle Omaha North Quadrangle

UTM References

Datum (indicated on USGS map): _____

NAD 1927 or x NAD 1983

- | | | |
|-------------------|------------------------|-------------------------|
| 1. Zone <u>15</u> | Easting <u>0253691</u> | Northing <u>4573953</u> |
| 2. Zone _____ | Easting _____ | Northing _____ |
| 3. Zone _____ | Easting _____ | Northing _____ |
| 4. Zone _____ | Easting _____ | Northing _____ |

Verbal Boundary Description (Describe the boundaries of the property.)

The property is located at 2214-2220 Florence Boulevard, Omaha, Nebraska. The legal description is: Lot 2 and the north 34 feet of Lot 3 in the Franklin Square Addition to the City of Omaha, Douglas County, Nebraska.

Boundary Justification (Explain why the boundaries were selected.)

The boundary includes all of the property historically associated with the Memmen Apartments.

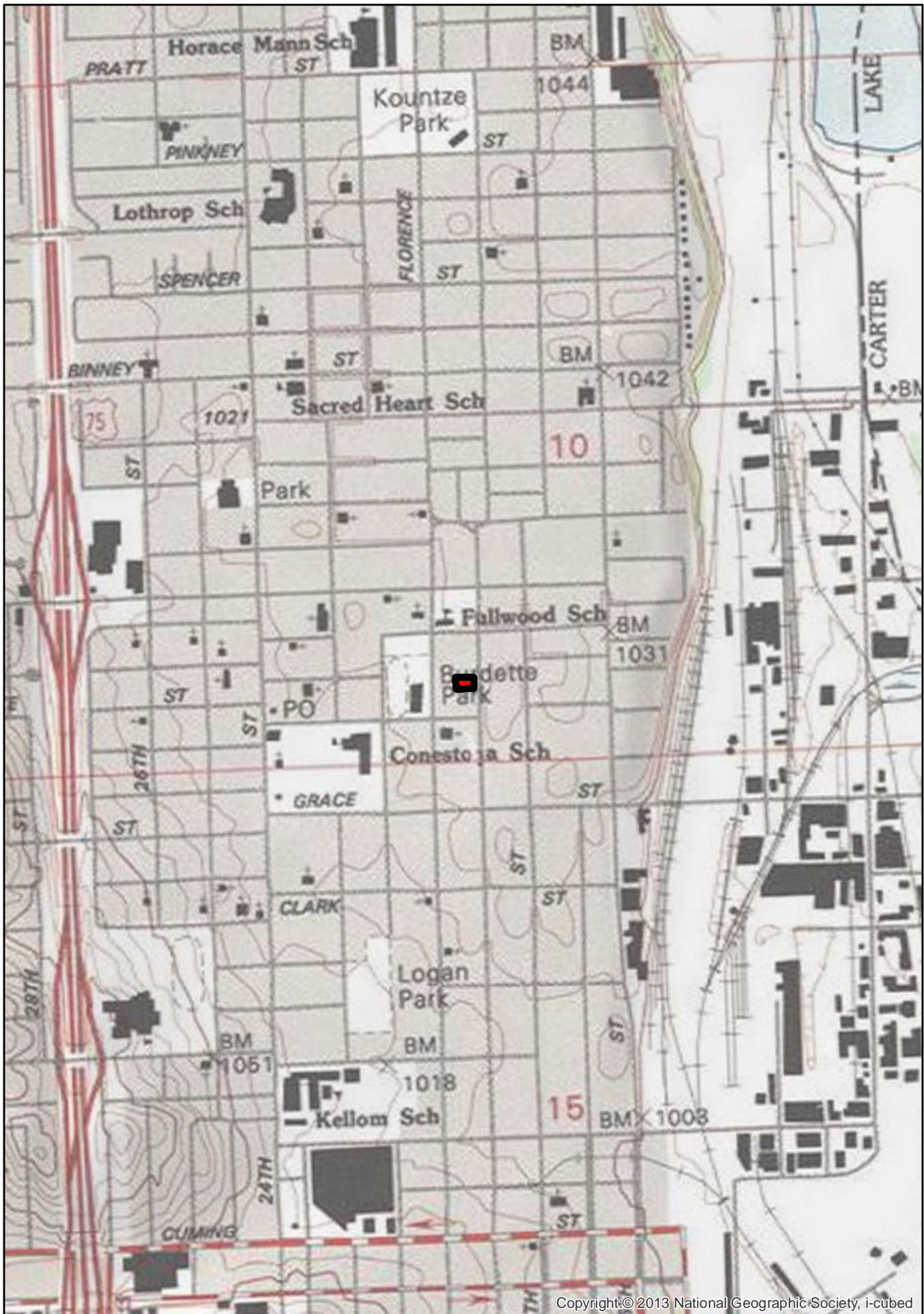
11. Form Prepared By

name/title Patrick Thompson
organization N/A date March 24, 2014
street & number 2003 Harlan Drive, #31 telephone 859-537-2563
city or town Bellevue state NE zip code 68005
email dpatrickthompson@gmail.com

Additional Documentation


Submit the following items with the completed form:

- **Maps:** A **USGS map** or equivalent (7.5 or 15 minute series) indicating the property's location.
- **Sketch map** for historic districts and properties having large acreage or numerous resources. Key all photographs to map.
- **Additional items:** (Check with the SHPO for any additional items.)

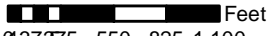



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Legend

 NRHP Boundary

USGS Quadrangle Map: Omaha North
Memmen Apartments
 Douglas County, Nebraska

 Feet
 037275 550 825 1,100
 1:12,000
 Datum: WGS 84 

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Figures:

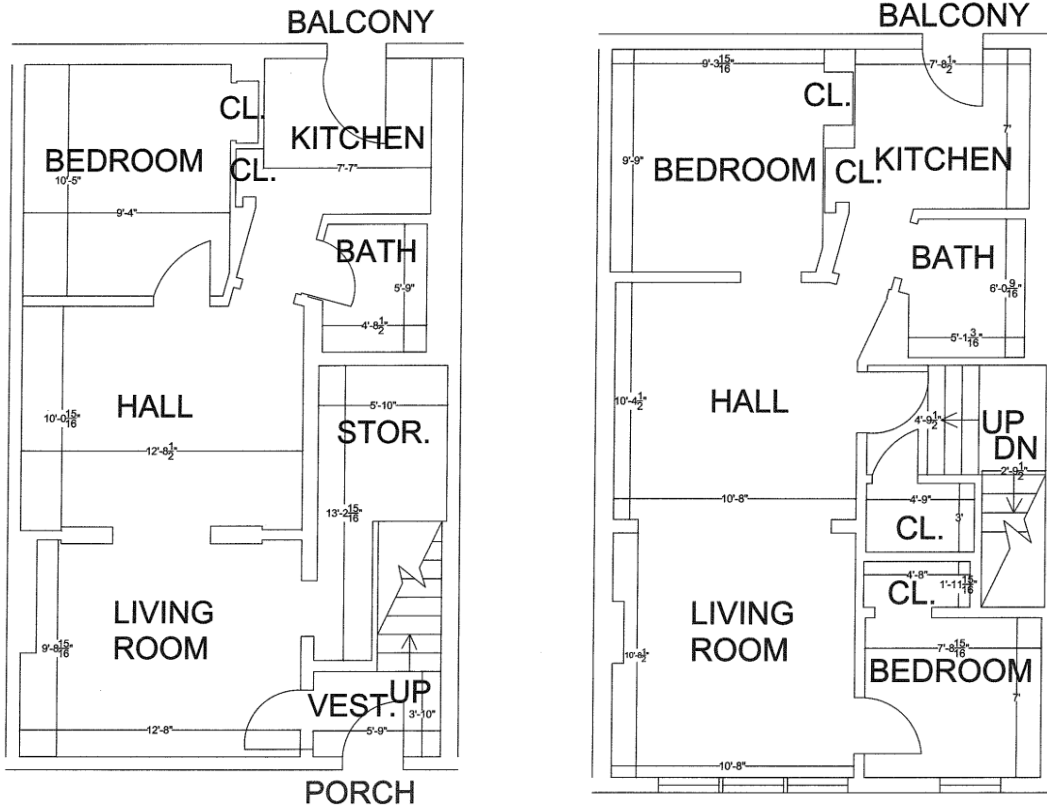


Figure 1 of 9. Floor plans of the first and second floor apartments. Drawn by Linda Williams/ShotgunHaus Designers and used with permission.

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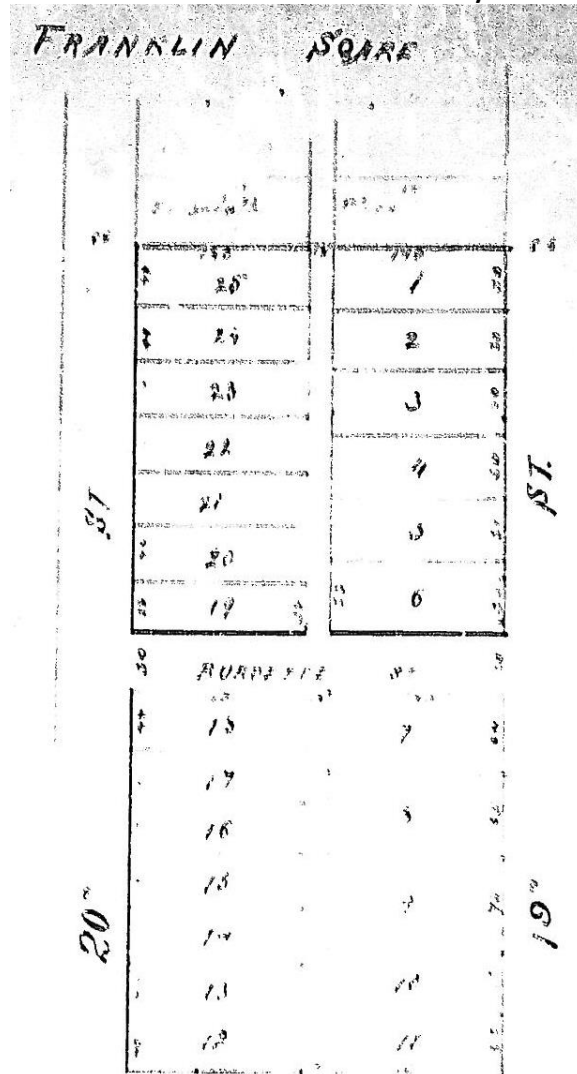


Figure 2 of 9. Plat of the subdivision of Saunders' property into the Franklin Square addition. The Memmen Apartment property is Lot 2 and part of Lot 3 in the upper right corner.

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Figure 3 of 9. Detail of 1890 Sanborn Fire Insurance Map. The Memmen Apartments are indicated by the area bordered in red. Note the addresses are indicated as "1614-1620 N. 19th Street" and the front porches are not indicated on this map. Sanborn Fire Insurance Maps. Omaha, Nebraska: 1890, Volume 2, Sheet 128. Available at the Omaha Public Library.

JOHN D. S. COOK.
 Attorney, Kansas City, Missouri.

MASTER'S SALE.—IN THE CIRCUIT
 Court of the United States, for the
 District of Nebraska.

John Jeffries, Walter Lloyd Jeffries and
 William A. Jeffries, complainants, vs. Jens
 Jensen et al., defendants.—In Chancery.
 Docket O. No. 249.

FORECLOSURE OF MORTGAGE.
 Public notice is hereby given that in pur-
 suance and by virtue of a decree entered in
 the above cause on the 19th day of February,
 1892, I, D. H. Mercer, Special Master in Chan-
 cery in said court, will, on the 28th day of
 May, 1892, at the hour of 10 o'clock in the
 forenoon of said day, at the north door of
 the United States Court House and Postoffice
 building in the City of Omaha, Douglas
 County, State and District of Nebraska, sell
 at auction the following described property,
 to wit:

Lot two (2) and the north thirty-four (34)
 feet of lot three (3), Franklin Square addition
 to the City of Omaha, Douglas County, Ne-
 braska.

D. H. MERCER,
 Special Master in Chancery.
 John D. S. Cook, solicitor for complainant.
 Jeffries et al. vs. Jensen et al. 4-22-92

Figure 4 of 9. Notice of the public auction of the Memmen Apartment property, Lot 2 and the north 34 feet of lot 3, Franklin Square addition, Omaha, Nebraska. Omaha Mercury: 22 April 1892. Page 9.

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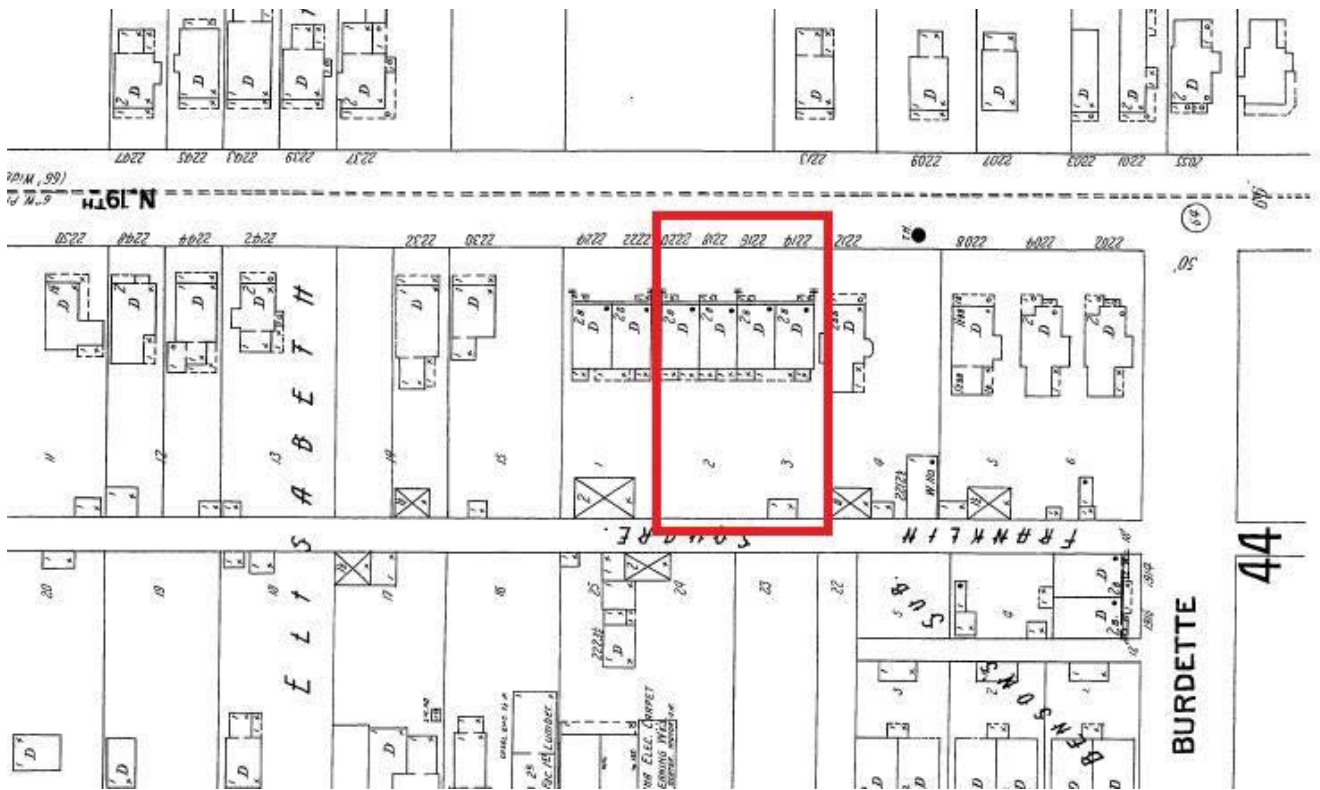
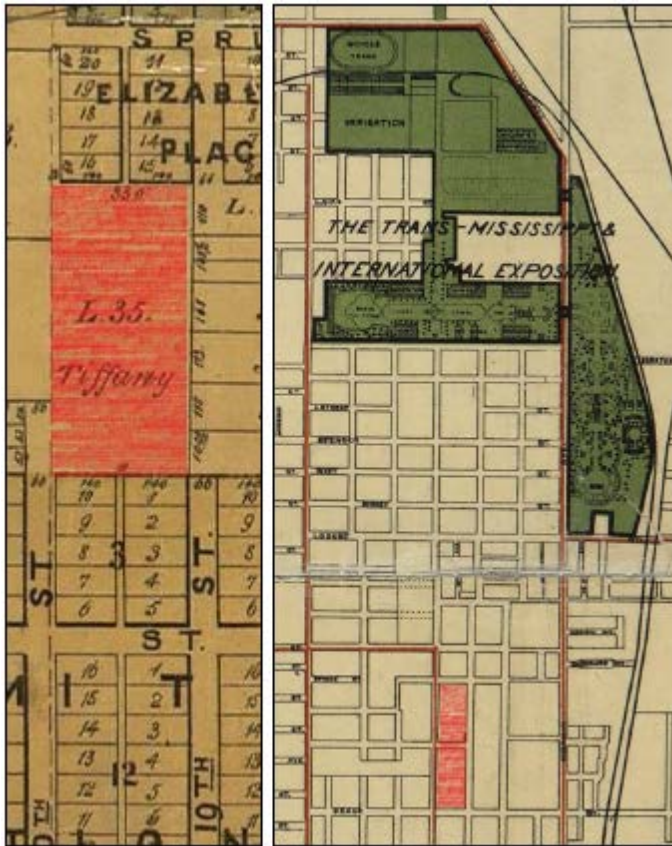


Figure 5 of 9. Detail of 1901-1918 Sanborn Fire Insurance Map. The Memmen Apartments are indicated by the area bordered in red. Note the addresses are indicated as “2214-2220 N. 19th Street” and the front porches are indicated on this map. Sanborn Fire Insurance Maps. Omaha, Nebraska: 1901-1918, Sheet 52. Available at the Omaha Public Library.

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Figures 6 and 7 of 9. Detail of 1883 (left) and 1897 (right) maps showing locations of the Franklin Square property (in red) before and after it was subdivided and adjacent rights-of-way were granted and streets constructed. In the 1897 map, note the proximity to the 1897 Trans-Mississippi Exposition and street routes (red lines) to the Franklin Square property. George P. Beamis Real Estate Agency's Map of the City of Omaha: 1883. Megeath Stationery Company's Trans-Mississippi & International Exposition Map of Omaha: 1897. Both maps available from the Omaha Public Library.

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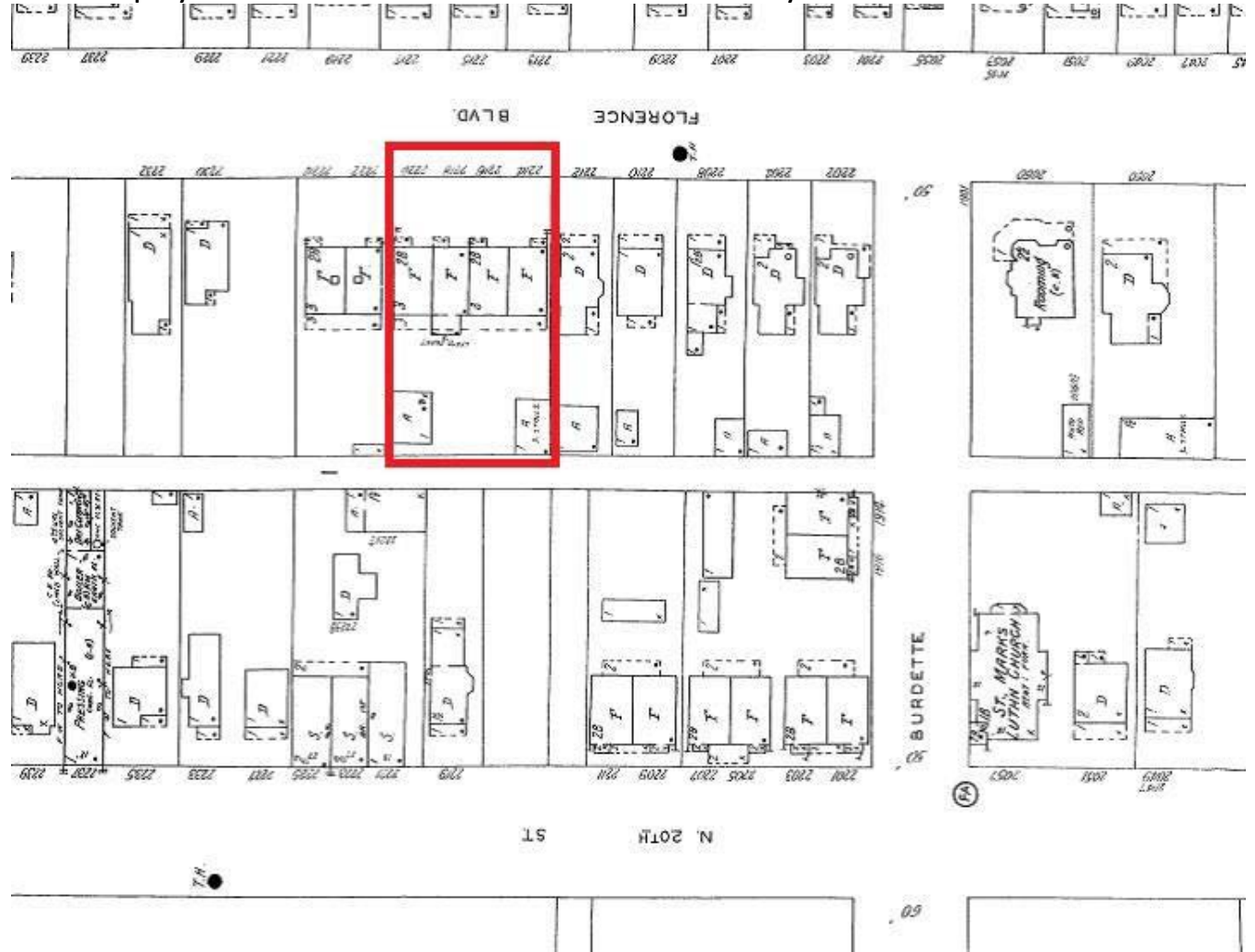


Figure 8 of 9. Detail of 1934 Sanborn Fire Insurance Map. The Memmen Apartments are indicated by the area bordered in red. Note the addresses are indicated as “2214-2220 Florence Boulevard” and the rear mechanical addition is indicated on this map. Sanborn Fire Insurance Maps. Omaha, Nebraska: 1934. Volume 2, Sheet 240. Available at the Omaha Public Library.

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Figure 9 of 9. Historic photo; detail of the west façade, ca. 1930. Camera facing north

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Photographs

Submit clear and descriptive photographs. The size of each image must be 1600x1200 pixels (minimum), 3000x2000 preferred, at 300 ppi (pixels per inch) or larger. Key all photographs to the sketch map. Each photograph must be numbered and that number must correspond to the photograph number on the photo log. For simplicity, the name of the photographer, photo date, etc. may be listed once on the photograph log and doesn't need to be labeled on every photograph.

Photo Log

Name of Property Memmen Apartments
City or Vicinity Omaha County Douglas State Nebraska
Photographer Patrick Haynes Date Photographed March, 2014

Description of Photograph(s) and number, include description of view indicating direction of camera.

Photo 1 of 14. NE_DouglasCounty_Memmen_Apartments_0001
East façade. Camera facing west.

Photo 2 of 14. NE_DouglasCounty_MemmenApartments_0002
Garden level passage along east façade. Camera facing north.

Photo 3 of 14. NE_DouglasCounty_MemmenApartments_0003
East façade. Camera facing west/northeast.

Photo 4 of 14. NE_DouglasCounty_MemmenApartments_0004
Detail of east façade. Camera facing west.

Photo 5 of 14. NE_DouglasCounty_MemmenApartments_0005
Detail of southeast corner of east façade. Camera facing west/southwest.

Photo 6 of 14. NE_DouglasCounty_MemmenApartments_0006
South (side) and west (rear) façades. Camera facing northeast.

Photo 7 of 14. NE_DouglasCounty_MemmenApartments_0007
West façade. Camera facing east.

Photo 8 of 14. NE_DouglasCounty_MemmenApartments_0008
Detail of interior stairwell. Camera facing west.

Photo 9 of 14. NE_DouglasCounty_MemmenApartments_0009
Interior view of a first floor apartment, looking from front to middle rooms. Camera facing west/northwest.

Photo 10 of 14. NE_DouglasCounty_MemmenApartments_0010
Interior view, looking from middle room into kitchen (left) and rear bedroom (right). Camera facing west/southwest.

Photo 11 of 14. NE_DouglasCounty_MemmenApartments_0011
Detail of brick and lathe-and-plaster walls. Camera facing west.

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Photo 12 of 14. NE_DouglasCounty_MemmenApartments_0012

View of an historic cast iron radiator in a first floor apartment. Camera facing northwest.

Photo 13 of 14. NE_DouglasCounty_MemmenApartments_0013

Detail of a first floor apartment, showing surviving fluted casing around doors and windows. Camera facing southwest.

Photo 14 of 14. NE_DouglasCounty_MemmenApartments_0014

Detail of a garden-level apartment, showing surviving brick mantle and wood corner cabinet. Camera facing southeast.

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Photographs:



Photo 1 of 14.

Memmen Apartments
Name of Property

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Photo 2 of 14.

Memmen Apartments
Name of Property

Douglas County, Nebraska
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Photo 3 of 14.

Memmen Apartments
Name of Property

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Photo 4 of 14.

Memmen Apartments
Name of Property

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Photo 5 of 14.

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Photo 6 of 14.

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Photo 7 of 14.

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Photo 8 of 14.

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Photo 9 of 14.

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Photo 10 of 14.

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Photo 11 of 14.

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Photo 12 of 14.

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Photo 13 of 14.

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Photo 14 of 14.



2214

2216

2218

2220

2





2216

2216

2216

2216

2216



2216



2214



















National Register of Historic Places
Memo to File

Correspondence

The Correspondence consists of communications from (and possibly to) the nominating authority, notes from the staff of the National Register of Historic Places, and/or other material the National Register of Historic Places received associated with the property.

Correspondence may also include information from other sources, drafts of the nomination, letters of support or objection, memorandums, and ephemera which document the efforts to recognize the property.

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES
EVALUATION/RETURN SHEET

REQUESTED ACTION: NOMINATION

PROPERTY Memmen Apartments
NAME:

MULTIPLE
NAME:

STATE & COUNTY: NEBRASKA, Douglas

DATE RECEIVED: 8/08/14 DATE OF PENDING LIST: 9/04/14
DATE OF 16TH DAY: 9/19/14 DATE OF 45TH DAY: 9/24/14
DATE OF WEEKLY LIST:

REFERENCE NUMBER: 14000701

REASONS FOR REVIEW:

APPEAL: N DATA PROBLEM: N LANDSCAPE: N LESS THAN 50 YEARS: N
OTHER: N PDIL: N PERIOD: N PROGRAM UNAPPROVED: N
REQUEST: N SAMPLE: N SLR DRAFT: N NATIONAL: N

COMMENT WAIVER: N

ACCEPT RETURN REJECT 9.22.14 DATE

ABSTRACT/SUMMARY COMMENTS:

**Entered in
The National Register
of
Historic Places**

RECOM./CRITERIA _____

REVIEWER _____ DISCIPLINE _____

TELEPHONE _____ DATE _____

DOCUMENTATION see attached comments Y/N see attached SLR Y/N

If a nomination is returned to the nominating authority, the nomination is no longer under consideration by the NPS.



July 29, 2014

Jim Gabbert
NPS-National Register of Historic Places
1201 I St. NW, 8th FL
Washington, DC 20005

Re: Memmen Apartments

Dear Mr. Gabbert,

Enclosed is the correspondence relating to the Memmen Apartments National Register Nomination. Since Omaha is a certified local government, as part of the nominating process the nomination was presented by the author, Patrick Thompson, to the Omaha Landmarks Commission on April 9, 2014. The commission, consisting of five members, failed to approve the nomination despite a vote of 4-2 in favor of approving the nomination due to the Omaha Landmarks Ordinance requiring a vote of 5 or greater to grant affirmative action. Mr. Thompson wrote an appeal letter, allowing the nomination to be presented to our state historic preservation board on May 16, 2014, where the nomination was approved by a vote of 7-0.

Enclosed with this letter are:

- The appeal letter by Mr. Thompson
- A memo from the Omaha Landmarks Commission dated July 11, 2014 regarding the nomination
- A copy of the Omaha Landmarks Commission Meeting minutes from April 9, 2014
- A copy of the Omaha Landmarks Ordinance
- Copies of correspondence between Ruben Acosta, NR and CLG Coordinator, NeSHPO, and: Patrick Thompson, nomination author; Mike Leonard, Omaha Landmarks Staff; Trina Westman, Omaha Landmarks Staff.

Please review the enclosed correspondence as part of the nomination review process. If you have any questions regarding the submitted materials, feel free to contact me at the phone number or email address below.

Sincerely,

A handwritten signature in black ink that reads "Ruben A. Acosta". The signature is fluid and cursive, with the first and last names being clearly legible.

Ruben A. Acosta
National Register and CLG Coordinator
Nebraska State Historic Preservation Office

Phone: 402-471-4775
Fac: 402-471-3100
email: ruben.acosta@nebraska.gov

1500 R Street
PO Box 82554
Lincoln, NE 68501-2554
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(402) 471-3270
f: (402) 471-3100
www.nebraskahistory.org

Patrick Thompson
2003 Harlan Drive, #31
Bellevue, NE 68005
May 5, 2014

Michael Smith
State Historic Preservation Officer
Nebraska State Historic Preservation Office
P.O. Box 82554
Lincoln, NE 68501-2554

Mr. Smith:

I am writing on behalf and with permission of Ms. Arethea Reames, the owner of a building known historically as the Memmen Apartments, 2214-2220 Florence Boulevard, Omaha, Nebraska. Ms. Reames retained me to complete a National Register of Historic Places (NRHP) nomination form for her property, and to present it before the Omaha Landmarks Commission (OLC) as the first step towards the listing of her property on the NRHP. I completed the nomination form with input and advice from the Nebraska State Historic Preservation Office (SHPO), and was scheduled to appear before the OLC to present the nomination for their approval on April 9, 2014.

Upon arrival at the meeting, I was not told that two members of the OLC were not present (as was Mike Leonard, the city administrator of the OLC) nor was I told that more than a simple majority of the committee was required to move the nomination forward. Had I known more than a simple majority was required, I might have requested a postponement of my presentation, even if that meant a delay in approval later by the Nebraska State Historic Preservation Board.

During the presentation, I entertained all questions from members of the OLC. Afterwards, the vote was taken, and while a majority (four of six members present) of the OLC voted in favor, two members voted to deny. At first, there was some confusion about whether or not it was approved or denied, until the city employees present at the meeting read through the procedures to determine that more than a simple majority was required. The reason for the denial was, it appears, more procedural instead of substantive, as none of the members of the OLC who voted to deny indicated they did so based on an objection to the thesis of the nomination itself (that the property was significant under Criterion C as an 1889 multi-family dwelling in Omaha constructed in the Queen Anne architectural style).

I would therefore like to request an appeal to the Nebraska State Historic Preservation Board of the decision of the OLC to deny local approval of NRHP nomination form for the Memmen Apartments. In anticipation of approval by the OLC, the nomination is, I believe, already on the agenda for the May, 2014 meeting of the State Historic Preservation Board.

Please let me know if any additional information is needed, or if you have any questions or comments.

Sincerely,



Patrick Thompson, MPA, MHP
Architectural Historian



MEMORANDUM

To: Ruben Acosta (ruben.acosta@nebraska.gov)
From: Trina Westman (trina.westman@ci.omaha.ne.us)
Date: July 1, 2014
Re: The Memmen Apartments
2214, 2216, 2218, & 2220 Florence Boulevard

Request: National Register Nomination

LHPC Case File #: H5-14-03

The following is an Omaha LHPC Administrative Summary of the Request for National Register Nomination for the The Memmen Apartments located at 2214, 2216, 2218, & 2220 Florence Boulevard – Case Number H5-14-03 which was brought before the LHPC April 9, 2014:

The case was presented by Patrick Thompson who was representing the owner of the building. Linda Williams was also present in support of the nomination. The presentation was made and the discussion and question period followed. The vote was taken and it was noted that the request was denied.

The meeting was attended by current board members: Nancy Novak (Chairperson), Jose Garcia, Kristine Gerber, John Hargiss, George Killian, and Regan Pence. Eddy Santamaria and Peggy Jones were not able to attend. City staff that was present included: Jed Moulton (Urban Design Manager), Trina Westman (Planner), Rosemarie Lee (City Law), and Clinette Warren (Recording Secretary). The current LHPC Administrator was not able to attend the meeting.

One of the commission member positions was not filled at the time of the public hearing; therefore there were only six of nine eligible members present to vote. The vote was four to two in favor of the nomination. The request was denied based on the requirement that five votes were needed to approve the nomination. (Reference: *Omaha Municipal Code Section 24-32. LHPC—Quorum. Five members of the commission shall constitute a quorum for the transaction of business.*) Those who voted against the nomination were newer to the commission, having been appointed in January and February of 2014.

This meeting of the LHPC occurred two months prior to the beginning of scheduled basic training sessions for the Omaha CLG by the National Register and CLG Coordinator of the Nebraska State Historical Society. Part 1 of Basic Training was to be presented June 11, Part 2 on July 9, and Part 3 on August 13.

Following the hearing, City Planning staff consulted with City Law staff to determine what if any options the applicant would have if they were aggrieved by the commission's decision. There was no option to appeal and the LHPC's decision to deny the request would stand.

Finally, the April 9, 2014 LHPC Meeting Disposition Agenda and Meeting Minutes were forwarded to the applicant and NSHS.

It is the opinion of the LHPC staff that, had all eligible members been present and the training been complete, a favorable judgment would have been provided.

MINUTES
PUBLIC HEARING AND ADMINISTRATIVE MEETING
LANDMARKS HERITAGE PRESERVATION COMMISSION
1:30 P.M. - WEDNESDAY, APRIL 9, 2014
12TH FLOOR – ROOM 1210
OMAHA DOUGLAS CIVIC CENTER - 1819 FARNAM STREET

CERTIFICATION OF PUBLICATION:

The Omaha Preservation Administrator certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Monday, March 27, 2014, notice re: Landmarks Heritage Preservation Commission meeting Wednesday, April 9, 2014.

MEMBERS PRESENT: Nancy Novak, Chairperson
Jose Garcia
Kristine Gerber
John Hargiss
George Killian
Regan Pence

MEMBER(S) NOT PRESENT: Eduardo Santamaria, Vice-Chair
Peggy Jones

OTHERS PRESENT: Jed Moulton, Urban Design Manager
Trina Westman, Planner
Rosemarie Lee, City Law
Clinette Warren, Recording Secretary

Nancy Novak, Chairperson, called the meeting to order at 1:30 pm, introduced the Commission members, as well as the staff. Ms. Novak explained the procedures for hearing the cases. Roll was taken with six members present.

NATIONAL REGISTER DISTRICT NOMINATION:

Case #H5-14-3
Patrick Thompson

REQUEST: Request for National Register
Nomination for The Memmen
Apartments
LOCATION: 2214, 2216, 2218, & 2220 Florence
Boulevard

At the Landmarks Heritage Preservation Commission meeting held on Wednesday, March 12, 2014, Patrick Thompson and Linda Williams appeared before the Board in support of the request.

Mr. Thompson stated that the building consists of 12 units and was constructed in 1889 in the Free Classic subtype of the Queen Anne style. He provided a historic overview of the property, which included the names of previous owners. Tjark Memmen, the building's namesake, was one of the owners of the property and was passed on to his daughter after his death. The architects for the apartments were William Elliott Findley and Alexander Shields. They mostly designed houses and apartment buildings that were in the row-house style. Mr. Thompson presented several exterior views of the building which included the following architectural details: brick dogs-tooth detailing below the cornices, porch roofs and columns, hounds tooth and basket weave detailing above the cornice, pre-cast concrete springers and the garden level passage. The interior views included pictures of the following: fluted woodwork around the doors and windows, partial walls, staircases, the remaining fireplace mantels, radiators, doors and the built-in wooden cabinets in the garden level apartments.

In response to the Board, the applicant stated that the property owner is currently restoring many of the units. The floor plans for the original building were not available; however, Mr. Thompson felt that many of the floor plans are part of the original design. Depending on the location of the apartment (garden level, first level and second level) some of the apartments included an extra room under the stairway or a larger room. There was some discussion about the building style, the original building color, windows and whether the apartments may have originally been row houses that were later sub-divided into 12 units.

In response to Ms. Novak, Ms. Williams explained that the owner plans to upgrade the apartments and retain the building's history. She added that she has suggested some options to the owner such as a bed-and-breakfast or renting the apartments to college students.

Mr. Killian inquired about the long-term transportation plan for Florence Boulevard, especially considering the building's proximity to Creighton University. Jed Moulton, Urban Design Manager, responded that he was unaware of any specific plans for the street. It was also determined that the structure would not fall into the grant proposal for the 24th & Lake Street area. Mr. Killian was supportive of the idea of the building housing college students, as long as the building was a viable part of a larger project and easily accessible.

Mr. Moulton explained that the Planning Department recognizes the need for more mixed-density developments within areas that are mostly single-family. He felt that this type of housing is needed in the neighborhood.

Mr. Garcia mentioned that the applicant should attempt to have a historical marker placed at the site because of the historical ownership of the property.

Mr. Garcia moved to APPROVE the request for National Register Nomination for the Memmen Apartments. Ms. Novak seconded the motion.

AYES: Hargiss, Garcia, Gerber, Novak

NAYES: Pence, Killian

MOTION DENIED: 4-2

FY2014-15 CLG GRANT PROPOSAL:

FY2014-15 CLG Grant Proposal

REQUEST: Local Resolution from LHPC

Jed Moulton, Urban Design Manager, discussed the various projects contained in the request. These include the following: Continuation of the Omaha LHPC website development, Aksarben Neighborhood Reconnaissance Survey, Infill Redevelopment Guidelines for Historic Residential Neighborhoods, National Register Nomination for the 24th & Lake Commercial District, Restore Omaha Keynote Speaker, Two attendees of the National Main Streets Conference, and, one attendee of the "Forum 24: A Keystone Connection" on (July 16 - 20, 2014, Philadelphia, PA). There was a brief explanation of several of the items listed.

Regarding the National Register Nomination for the 24th & Lake Commercial District, Ms. Gerber stated that a reconnaissance survey had been performed on the 24th & Lake area in 1980. She noted that there are a number of older buildings in area and mentioned the possibility of it becoming a National Register District. Ms. Gerber also expressed concern about the progression of the website and how the process could be expedited.

Ms. Novak moved to APPROVE the FY2014-15 CLG Grant Proposal. Ms. Gerber seconded the motion.

AYES: Hargiss, Garcia, Pence, Killian, Novak

ABSTAIN: Gerber

MOTION CARRIED: 5-0-1

APPROVAL OF MINUTES:

Minutes from the February 12, 2014 & March 12, 2014 meeting minutes.

Ms. Novak moved to APPROVE the February 12 and March 12 meeting minutes. Mr. Garcia seconded the motion.

AYES: Hargiss, Garcia, Gerber, Pence, Killian, Novak

MOTION CARRIED: 6-0

ADJOURNMENT:

It was the consensus of the Commission to ADJOURN the meeting at 2:26 p.m.

ARTICLE II. - LANDMARK HERITAGE PRESERVATION ^[134]

⁽¹³⁴⁾ **Cross reference**— Zoning, ch. 55.

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DIVISION 2. - DESIGNATION OF LANDMARKS AND DISTRICTS
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DIVISION 1. - GENERALLY

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Sec. 24-21. - Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them:

Board: The planning board of the city.

Director: The planning director of the city.

Division: The housing and community development division of the planning department of the city.

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Landmark: An individual structure, or an integrated group of structures on a single lot or site, or a site having a special character or special historical, cultural, educational, architectural, engineering or geographic interest or value.

Landmark heritage district: An area containing a number of structures having a special character or special historical, cultural, educational, architectural, engineering or geographic interest or value constituting a distinct section of the city.

Owners: The owner or his authorized agent.

Private: All bodies, groups, organizations, associations, corporations, clubs, and individuals of whatever nature which are not included in the definition of "public."

Public: The state, or any municipality, county, township, board, commission, authority, or district, or any other political subdivision or public body of the state.

Structure: Anything constructed or erected, the use of which requires location on the ground, or attached to something having location on the ground.

(Code 1980, § 24-21)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 24-22. - Findings.

The city council finds that the protection, enhancement, perpetuation and use of structures, districts and elements of historical, cultural, educational, architectural, engineering, or geographic significance located within the city are required in the interest of the prosperity, civic pride and general welfare of the people; and further finds that the economic, cultural and aesthetic standings of this city cannot be maintained or enhanced by disregarding the heritage of the city and by allowing the destruction or defacement of such cultural assets.

(Code 1980, § 24-22)

Sec. 24-23. - Purpose of article.

The purposes of this article are:

- (1) To designate, preserve, protect, enhance and perpetuate those structures and districts which reflect significant elements of the city's heritage;
- (2) To foster civic pride in the beauty and accomplishments of the past;
- (3) To stabilize or improve the aesthetic and economic vitality and values of such structures and districts;
- (4) To protect and enhance the city's attraction to tourists and visitors;
- (5) To promote the use of outstanding structures or districts for the education, stimulation and welfare of the people of the city; and
- (6) To promote and encourage continued private ownership and utilization of such buildings and other structures now so owned and used, to the extent that the objectives listed above can be

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attained under such a policy.

(Code 1980, § 24-23)

Sec. 24-24. - Landmarks heritage preservation commission—Created.

There is hereby created the landmarks heritage preservation commission in and for the city.

(Code 1980, § 24-24)

Sec. 24-25. - Same—Composition.

The commission shall be composed of nine members. If available, one of the members shall be an architect; one shall be a curator or director of an art or other museum; one shall be a professional artist or historian; three shall be interested and qualified persons chosen, as far as possible, from any existing historical society, preservation group, architectural, landscape architectural, interior design, or planning association or cultural organization; two shall be laypersons; and one shall be an owner or operator of a business or property within a landmark heritage preservation district, which business or property may be owned or operated by a corporation of which such member is an officer or by a partnership in which such member is a partner.

(Code 1980, § 24-25)

Sec. 24-26. - Same—Appointment of members.

The members of the commission shall be appointed by the mayor, subject to confirmation by the city council.

(Code 1980, § 24-26)

Sec. 24-27. - Same—Terms of members.

Members shall be appointed to serve three-year terms. Members shall serve until their successors are appointed and qualified. Members may be appointed to successive terms.

(Code 1980, § 24-27)

Sec. 24-28. - Same—Vacancies.

In the event of a vacancy occurring in the membership of the commission for any reason, an appointment shall be made to fill the vacancy in the same manner as original appointments for the unexpired term.

(Code 1980, § 24-28)

Sec. 24-29. - Same—Compensation of members.

The members of the commission shall serve without compensation.

(Code 1980, § 24-29)

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Sec. 24-30. - Same—Chairperson.

The commission shall elect its chairperson from among its members.

(Code 1980, § 24-30)

Sec. 24-31. - Same—Rules of procedure.

The commission shall establish its own rules of procedure.

(Code 1980, § 24-31)

Sec. 24-32. - Same—Quorum.

Five members of the commission shall constitute a quorum for the transaction of business.

(Code 1980, § 24-32)

Sec. 24-33. - Same—Minimum vote.

Except as otherwise provided herein, five affirmative votes shall be required for final action on any matter acted upon by the commission.

(Code 1980, § 24-33)

Sec. 24-34. - Same—Meetings.

The commission shall meet at such times as it may determine, or upon the call of the chairperson.

(Code 1980, § 24-34; Ord. No. 33733, § 1, 12-12-95)

Sec. 24-35. - Same—Adoption of standards and procedures.

The commission may establish such standards and procedures not inconsistent with the provisions of this article as it may deem necessary to further the purposes of this article.

(Code 1980, § 24-35)

Sec. 24-36. - Same—Review of plans and permit applications.

All plans, evaluations, specifications, and sketches or other information necessary for the review of the commission, or colors, building materials, signs, or other features subject to public view, shall be made available to the commission by the applicant or appropriate department of the city, along with a copy of the application for the building or demolition permit.

(Code 1980, § 24-36)

Sec. 24-37. - Same—Executive director.

The director of the planning department of the city shall be the executive director of the commission, without the right to vote, and he shall assign members of his staff to be the custodian of its records, to conduct official correspondence and generally to supervise the clerical and technical work directed by the commission as required to administer this article. In addition, the director's duties, for and on behalf of the commission and with the approval and at the direction of the commission, shall include but not be

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limited to the following:

- (a) Carry out, assist and collaborate in studies and programs designed to identify and evaluate structures, sites and areas worthy of preservation.
- (b) Consult with and consider the ideas and recommendations of civic groups, public agencies, and citizens interested in historical preservation.
- (c) Inspect and investigate structures, sites and areas which are believed worthy of preservation.
- (d) Submit to the council for public hearing and approval, and subsequently maintain (and resubmit as required), a list of structures and other features deemed deserving of official recognition although not designated as landmarks or landmark districts, and take appropriate measures of recognition, and maintain a documentary inventory.
- (e) Disseminate information to the public concerning those structures, sites and areas deemed worthy of preservation and encourage and advise property owners in the protection, enhancement, perpetuation and use of landmarks and property of historical interest.
- (f) Consider methods other than those provided for in this article for encouraging and achieving historical preservation, and make appropriate recommendations to the city council and to other bodies and agencies, both public and private.
- (g) Make recommendations and do such other acts pursuant to this article as the commission shall order.
- (h) Prior to December 13, 1978, make an initial inventory of all sites, structures and districts arguably eligible for designation as landmarks. All sites, structures or districts within the city limits cited in the Nebraska State Historical Society's inventories of Douglas County shall be included initially on the inventory. All sites, structures and districts cited in the foregoing inventories of the Nebraska State Historical Society shall be reviewed by the commission and, if deserving, recommended for designation by ordinance as landmark heritage sites, structures or districts. The recommendations which the commission makes as to these sites, structures, and districts shall be completed prior to December 13, 1978. Such inventory shall be updated annually as the commission directs.
- (i) Prepare National Register of Historic Places nominations and forward such nominations to the state historic preservation officer, for all such sites, structures, and districts the commission deems eligible for inclusion on the National Register of Historic Places.

(Code 1980, § 24-37)

Sec. 24-38. - Enforcement of article; penalty.

The division shall enforce the provisions of this article, and anyone violating or failing to comply with its provisions shall, upon conviction thereof, be punished as provided in section 1-10 of this Code.

(Code 1980, § 24-38)

Sec. 24-39. - Appeals.

Any party claiming to be aggrieved by action of the city council pursuant to this article may appeal to

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the district court pursuant to R.R.S. 1943, § 14-813.

(Code 1980, § 24-39)

Sec. 24-40. - Fees.

No fee shall be charged to an owner by virtue of this article which would not otherwise be required.

(Code 1980, § 24-40)

Secs. 24-41—24-50. - Reserved.

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[Sec. 24-51. - Applicability of article.](#)

[Sec. 24-52. - Standards for designation.](#)

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[Sec. 24-54. - Public hearing—Required.](#)

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[Sec. 24-64. - Notification of designation.](#)

[Sec. 24-65. - Amendment or rescission of designation.](#)

[Secs. 24-66—24-70. - Reserved.](#)

Sec. 24-51. - Applicability of article.

All landmarks and property within a landmark heritage district shall be subject to the controls, standards and procedures set forth in this article.

(Code 1980, § 24-51)

Sec. 24-52. - Standards for designation.

A particular site, structure, or area may be designated for preservation as a landmark or landmark heritage district if it has:

(a) Historical and cultural importance, having significant character, interest or value, as part of the development, history, heritage or cultural characteristics of the city, state or nation; or is associated with the life of a person significant in the past; or is the site of an historic event; or exemplifies the cultural, political, economic, educational, social or historic heritage of the community;

(b) Architectural and engineering importance, portraying the historical setting or environment of a

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distinctive characteristic of an architectural or engineering type, period, style, or method of construction; or is the work of a master or designer whose individual work is significant in the development of the city; or contains elements of design, detail, materials or craftsmanship of distinctive quality, or which represents a significant innovation;

(c) Geographic importance, by being part of or related to a square, park or other distinctive area, which should be developed or preserved according to a plan based on a historic, cultural or architectural motif; or owing to its unique location or singular physical characteristics represents an established and familiar visual feature of the neighborhood, community or city; or

(d) Archeological importance, yielding or which may be likely to yield information important in prehistory or history.

(Code 1980, § 24-52)

Sec. 24-53. - Proposal.

Designation of a landmark heritage district may be proposed on the application of 51 percent of the owners or authorized agents of the property in a proposed district.

A landmark may be proposed by the council or the commission, or upon petition of the owners.

Any such proposal shall be filed with the director upon forms prescribed by him and shall include all data required by the commission.

(Code 1980, § 24-53)

Sec. 24-54. - Public hearing—Required.

Each proposal of a landmark or landmark heritage district shall first be considered by the commission at a public hearing.

(Code 1980, § 24-54)

Sec. 24-55. - Same—Notice.

Notice of the time, place and purpose of the public hearing to be held upon the proposal of a landmark or landmark heritage district shall be given by the commission in the official newspaper of the city not less than 14 days prior to the date of the hearing and by mail to the owners of all property included in the proposed designation, using for this purpose the names and addresses of the last known owners as shown by the county real property tax records. Failure to send notice by mail to any such property owner where the address of such owner is not so recorded shall not invalidate any proceedings in connection with the proposed designation.

The commission may also give such other notice as may be deemed desirable and practicable.

(Code 1980, § 24-55)

Sec. 24-56. - Same—Record.

A record of the pertinent information presented at the hearing upon the proposal of a landmark or landmark heritage district shall be made and maintained as a permanent public record.

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(Code 1980, § 24-56)

Sec. 24-57. - Action by commission.

The commission may approve, disapprove or modify the proposal of a landmark or landmark heritage district and shall notify the applicant of the action taken within 60 days of the referral thereof to the commission.

(Code 1980, § 24-57)

Sec. 24-58. - Conditions for approval.

The recommendation of the commission for approval of a proposed landmark or landmark heritage district shall state the particular standards for such designation, as set out in this division, which are applied in each designation.

In the case of a proposed landmark, a recommendation for designation shall require six affirmative votes if the owners thereof do not concur in the designation.

(Code 1980, § 24-58)

Sec. 24-59. - Recommendation by planning board.

The commission shall transmit the proposal for the designation of a landmark or landmark heritage district to the city planning board. The board shall consider the degree of conformity or nonconformity with the master plan of the city. The board shall then transmit its recommendation, the proposal and the recommendation of the commission to the city council.

(Code 1980, § 24-59)

Sec. 24-60. - Consideration by council.

(1) In considering a proposal for the designation of a landmark or landmark heritage district, the council shall take into consideration the recommendations of both the commission and the planning board, and shall further give consideration to the economic consequences to the city and the affected owners.

(2) Where the owner of a proposed landmark objects, there shall be five affirmative votes needed to approve the designation by the council.

(3) An objection by the owners of 20 percent of the total square footage of the land within the proposed district shall require five affirmative votes to approve the designation by the council.

(4) Either of the aforementioned objections as to a landmark or a district must be acknowledged on a form provided by the city planning department and filed with the city clerk no later than the second reading of the proposed designating ordinance.

(5) The "total square footage" of land of a proposed district shall include all land within the boundaries of the proposed district, including public rights-of-way and any tax-exempt property.

(6) In order for the owners of a particular parcel of land to validly object to the designation, such objection shall be executed by all those owners who are otherwise required to execute a valid conveyance of a fee simple interest in such parcel, and whose names appear in the records of the

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county register of deeds.

(Code 1980, § 24-60)

Sec. 24-61. - Adoption of ordinance.

Pursuant to the provisions of this article and the procedures set forth herein, the council may, by ordinance, designate a "Landmark" or a "Landmark Heritage District."

(Code 1980, § 24-61)

Sec. 24-62. - Consent of property owners required.

A landmark heritage district may be designated as such only if at least 51 percent of the included property owners concur in such designation.

(Code 1980, § 24-62)

Sec. 24-63. - Contents of ordinance.

Each ordinance designating a landmark or landmark heritage district shall include a description and statement of the significance of the same to justify its designation as such and a description of the particular features that should be preserved, and shall include the legal description of the landmark or district.

(Code 1980, § 24-63)

Sec. 24-64. - Notification of designation.

Within ten days after final adoption of the ordinance designating property as a landmark or landmark heritage district, the director shall send a copy of such ordinance and a letter outlining the basis for such designation and the obligations and restrictions which result from such designation to the owner of record of each property so designated or each property within the designated district by registered or certified mail, and to the superintendent of the division.

(Code 1980, § 24-64)

Sec. 24-65. - Amendment or rescission of designation.

The council may, by ordinance, amend or rescind the designation of a landmark or landmark heritage district at any time pursuant to the same procedures set forth in this article for the original designation.

(Code 1980, § 24-65)

Secs. 24-66—24-70. - Reserved.

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[Sec. 24-71. - Definition.](#)

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[Sec. 24-72. - Division cumulative.](#)

[Sec. 24-73. - Applicability of article to public property.](#)

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[Sec. 24-86. - Advice and guidance to owners.](#)

Sec. 24-71. - Definition.

For the purposes of this division, the word "work" shall mean and include any alteration, demolition, construction, reconstruction, restoration, remodeling or other material change in the external appearance, including a change to the interior of any structure that clearly alters the character of the external appearance and is clearly visible from the outside of the structure.

(Code 1980, § 24-71)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 24-72. - Division cumulative.

The provisions of this division shall be cumulative to all other provisions of this Code and city ordinances relating to building, electricity, plumbing or any other technical requirement or provision; and, once work has been approved on a landmark or in a district, all other appropriate permits and inspections shall be obtained, and fees therefor shall be paid.

(Code 1980, § 24-72)

Sec. 24-73. - Applicability of article to public property.

All properties owned by government entities and/or public agencies shall be subject to the provisions of this article in the same manner as private persons.

All visible modifications or additions to public areas within a landmark or landmark heritage district, including street furniture, lighting fixtures and paving materials, shall be subject to review by the commission.

(Code 1980, § 24-73)

Sec. 24-74. - Consideration of economic impact.

The commission shall, in the administration and enforcement of the provisions of this article, take into account all economic factors presented to it. The commission shall recognize the necessity of weighing potential economic detriments against preservationist objectives and shall strive to effect a fair balance in all instances.

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(Code 1980, § 24-74)

Sec. 24-75. - Permit required.

No person shall carry out or cause to be carried out any work on a landmark or in a landmark heritage district without a permit first being issued by the permits and inspections division. For the purposes of this section, an alteration, construction, reconstruction, restoration, remodeling, or other change shall be deemed to require a permit only where such work affects any of the characteristics of the landmark or district which were deemed to be significant and intended to be preserved as recited in the ordinance designating such landmark or district.

(Code 1980, § 24-75)

Sec. 24-76. - Permit applications to be forwarded to director.

All applications to the permits and inspections division for a permit involving landmarks or structures within landmark heritage districts shall be forwarded immediately by the division to the director.

(Code 1980, § 24-76)

Sec. 24-77. - Certificate of approval—Required.

Notwithstanding any other provision of law, the permits and inspections division shall not permit any work except pursuant to a certificate of approval issued by the commission as authorized by the council.

(Code 1980, § 24-77)

Sec. 24-78. - Same—Temporary certificates.

The director, or one acting in his absence, may issue a temporary certificate of approval upon a showing of extreme hardship on the applicant or for the public safety in cases where there is a delay during the interim between hearings by the commission, provided that such temporary certificate of approval shall be ratified or revoked, in whole or in part, by the commission at its next meeting. The director, or one acting in his absence, may, upon application of the owner seeking the permit, issue a certificate of approval if the director deems the application not to be for work as defined in this division.

(Code 1980, § 24-78)

Sec. 24-79. - Same—Hearing.

The commission shall hold a public hearing on applications to it for a certificate of approval.

(Code 1980, § 24-79)

Sec. 24-80. - Same—Time limit for action by commission.

The determination by the commission on an application for a certificate of approval, or a report of any action taken, shall be forwarded to the permits and inspections division for appropriate action not later than 45 days after receipt of the application by the commission.

(Code 1980, § 24-80)

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Sec. 24-81. - Same—Considerations for issuance.

The commission, in considering the appropriateness of any work, shall consider, among other things, the purposes of this article, the historical and architectural value and significance of the landmark or landmark heritage district, the texture, material and color of the building or structure in question or its appurtenant fixtures, including signs, and the relationship of such features to similar features of other buildings within a landmark heritage district, and the position of such building or structure in relation to the street or public way and to other buildings and structures.

(Code 1980, § 24-81)

Sec. 24-82. - Same—Issuance.

If, after considering the application for a certificate of approval required by this division, the commission determines that the proposed changes are consistent with the criteria for historic preservation established by this division, the commission shall recommend the issuance of the certificate of approval.

(Code 1980, § 24-82)

Sec. 24-83. - Same—Denial; appeals.

In the event of a determination to deny a certificate of approval, the commission shall request consultation with the owner for a period not to exceed 90 days for the purpose of considering means of preservation in keeping with the criteria. If at the end of that time an acceptable solution has not been achieved, the certificate of approval shall finally be denied and the applicant so notified by letter; provided, the applicant may appeal to the council within 20 days of the date of the letter finally denying the application, and the council may, after a public hearing, reverse or modify the recommendation of the commission, but only if it finds that:

- (a) Every reasonable effort has been made by the applicant to agree to the requirements of the commission; and
- (b) Owing to special conditions pertaining to the specific piece of property, denial of the certificate of approval will cause undue and unnecessary hardship.

(Code 1980, § 24-83)

Sec. 24-84. - Consideration of commission recommendations by council.

The council shall review and act upon all commission recommendations, and the commission shall submit for approval a record of all its activities to the council. In the case of commission recommendations regarding work, with the intent of not burdening the council with routine matters, should the commission concur with the owner's request to do work, this recommendation shall be forwarded to the division. Should the owner not concur with the commission finding, the council shall review the request and consider the commission's recommendation at the council's first opportunity.

(Code 1980, § 24-84)

Sec. 24-85. - Approval of city projects.

The commission may hold public hearings on city projects and undertakings affecting landmark sites,

PART II - MUNICIPAL CODE
Chapter 24 - PLANNING
ARTICLE II. - LANDMARK HERITAGE PRESERVATION
DIVISION 3. - SPECIAL WORK RESTRICTIONS

structures or landmark heritage districts and make recommendations to the city council concerning the same. Whenever possible, such projects shall not be commenced until the council reviews the recommendations of the commission, which shall not be unreasonably delayed. Where time is of the essence, the city council may set a time for reviewing the recommendation of the commission in regard to a city project or undertaking. If the recommendation is not received within that time period, the approval of the commission may be presumed by the council.

(Code 1980, § 24-85)

Sec. 24-86. - Advice and guidance to owners.

The commission may, upon request of the property owner, render advice and guidance with respect to any proposed work on a landmark or in a landmark heritage district.

(Code 1980, § 24-86)

Acosta, Ruben

From: Acosta, Ruben
Sent: Monday, April 14, 2014 9:20 AM
To: 'Patrick Thompson'
Subject: RE: Memmen Follow Up

Patrick,

I don't mind—this keeps me on track as well. I called both Mike and Kristine on Thursday and left them messages. I was out on Friday, so I will be trying to reach them today to get the information we need. As soon as I know, you will know.

Ruben

From: Patrick Thompson [<mailto:dpatrickthompson@gmail.com>]
Sent: Friday, April 11, 2014 11:21 AM
To: Acosta, Ruben
Subject: Memmen Follow Up

Ruben:

I don't mean to be pushy, as I am just curious what my next move should be.

Mr. Leonard was out sick the day of our meeting, but would suppose that if he's back in the office, he knows the outcome.

If there is some kind of appeal process or if I can request a new hearing, should I do that, or otherwise ask Mr. Leonard what my options are, either now or after waiting a bit?

As you may have learned by now from Kristine, I think we were at a disadvantage due to the absence of Mr. Leonard as well as two other members of the commission (one of whom may have been normal chair?), and to a misapprehension on the part of one of the new commissioners. Admittedly, being a novice myself, I didn't feel confident to question what was happening as I might have been had I known the process more.

While discouraged, I don't consider this completely over (yet), and will wait for further advice from you and/or Kristine before proceeding in any direction.

Please advise at your convenience, of course, and thanks again.

Patrick Thompson

Acosta, Ruben

From: Patrick Thompson [dpattickthompson@gmail.com]
Sent: Wednesday, April 09, 2014 3:03 PM
To: Acosta, Ruben
Subject: Memmen Apts.

City Landmarks denied us.

4-2 in favor; apparently needed an additional favorable vote. I presume one or two members weren't present, which may or may not have made a difference.

Discouraging, to put it mildly. Not sure what the next step will be.

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To: 'Patrick Thompson'
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I checked the ordinance, it does say they need 5 affirmative votes for final action. Let me think about what we can do. If you could send me an email about how the meeting transpired, that would be great.

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I will definitely contact Kristine to get her input.

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The questions seemed rather generic: what does the owner plan to do; is she aware of the standards to which her renovation work would be held to apply for tax credits, etc. There was a question (to someone else in City Planning who was there to present a grant application to the SHPO) about whether this was in a particular comprehensive plan area; if there were changes in the works to public transport in the area, etc. I didn't detect anything "negative" about the building or Ms. Reames' plans for it, per se.

Then the vote came up and two of the six committee members in attendance voted "no," and there was some initial confusion over whether that was a denial or approval. It was reviewed in the notebook, and ruled a denial.

If I was supposed to ask for reasons or rationale behind their votes for denial, I didn't know, nor was I encouraged to do so. I figured I was supposed to just accept it and that maybe later I formally be told why it was denied. At the conclusion of the meeting, I could have asked Kristine or anyone more questions, but, again, didn't know what difference that may have made or that it was allowed.

I may have bungled it by simply being too green to know what to say or ask or do. I went in there assuming the committee would agree that listing a building like this on the NRHP was inherently a good thing, even if they had suggestions for improving the nomination before it went before the state board, or other concerns.

Patrick

On Wed, Apr 9, 2014 at 3:48 PM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

Patrick,

Ok, I will talk to Mike about this—I would like to know if the 5 vote rule applies in this case, and why they did not give an explanation as to how they arrived at the decision they made. Usually if there is an inconclusive vote or a denial, they are supposed to tell us the rationale behind their decision. While this is frustrating, I am sure we will be able to work it out. I'll let you know more when I know more.

Ruben

From: Patrick Thompson [mailto:dpatrickthompson@gmail.com]
Sent: Wednesday, April 09, 2014 3:30 PM
To: Acosta, Ruben
Subject: Re: Memmen Apts.

No. No explanation was given, and I didn't know if I was allowed to ask.

Mr. Leonard wasn't there today (sick), and so they seemed to be kind of operating a bit out of the normal; they consulted a notebook to see if the 4-2 vote was approval or denial.

If there's anything I need to do to strengthen the nomination (if that was the problem) I'd be happy to do, unless that starts us back to zero and we have to wait until the September meeting.

Patrick

On Wed, Apr 9, 2014 at 3:24 PM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

Patrick,

Did they state what standards they used? This is highly irregular, as they have approved/denied motions with 4 votes. I need to check the ordinance. I will check back with you.

Ruben

From: Patrick Thompson [mailto:dpatrickthompson@gmail.com]
Sent: Wednesday, April 09, 2014 3:03 PM
To: Acosta, Ruben
Subject: Memmen Apts.

City Landmarks denied us.

4-2 in favor; apparently needed an additional favorable vote. I presume one or two members weren't present, which may or may not have made a difference.

Discouraging, to put it mildly. Not sure what the next step will be.

Patrick Thompson

Acosta, Ruben

From: Patrick Thompson [dpattickthompson@gmail.com]
Sent: Friday, April 11, 2014 11:21 AM
To: Acosta, Ruben
Subject: Memmen Follow Up

Ruben:

I don't mean to be pushy, as I am just curious what my next move should be.

Mr. Leonard was out sick the day of our meeting, but would suppose that if he's back in the office, he knows the outcome.

If there is some kind of appeal process or if I can request a new hearing, should I do that, or otherwise ask Mr. Leonard what my options are, either now or after waiting a bit?

As you may have learned by now from Kristine, I think we were at a disadvantage due to the absence of Mr. Leonard as well as two other members of the commission (one of whom may have been normal chair?), and to a misapprehension on the part of one of the new commissioners. Admittedly, being a novice myself, I didn't feel confident to question what was happening as I might have been had I known the process more.

While discouraged, I don't consider this completely over (yet), and will wait for further advice from you and/or Kristine before proceeding in any direction.

Please advise at your convenience, of course, and thanks again.

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Acosta, Ruben

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Sent: Monday, April 14, 2014 2:28 PM
To: 'Patrick Thompson'
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Patrick Thompson

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To: Acosta, Ruben
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Thanks again.

Again, you can see what Kristine says about the reasons for voting no since she indicated she asked them after the meeting why they voted the way they did. Obviously best to hear it directly from her - the more subtle nuances and all that.

Attending the meeting in May won't necessarily jeopardize my employment; it's just be an expense I'd have to take on at what might be an inopportune moment. I trust you would do a fine job making the case before the state board; but I'd still like to get that experience for myself, too.

I look forward to hearing more on this all later.

I have some questions about another property with Jill - will probably drop her a reminder later this week if I don't hear from her first.

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I don't mean to be pushy, as I am just curious what my next move should be.

Mr. Leonard was out sick the day of our meeting, but would suppose that if he's back in the office, he knows the outcome.

If there is some kind of appeal process or if I can request a new hearing, should I do that, or otherwise ask Mr. Leonard what my options are, either now or after waiting a bit?

As you may have learned by now from Kristine, I think we were at a disadvantage due to the absence of Mr. Leonard as well as two other members of the commission (one of whom may have been normal chair?), and to a misapprehension on the part of one of the new commissioners. Admittedly, being a novice myself, I didn't feel confident to question what was happening as I might have been had I known the process more.

While discouraged, I don't consider this completely over (yet), and will wait for further advice from you and/or Kristine before proceeding in any direction.

Please advise at your convenience, of course, and thanks again.

Patrick Thompson

Acosta, Ruben

From: Mike E Leonard (PIng) [mike.leonard@ci.omaha.ne.us]
Sent: Monday, April 14, 2014 3:55 PM
To: Acosta, Ruben
Subject: Omaha CLG LHPC Meeting Minutes 4/9/14
Attachments: LHPC Min. 4-9-14 (1).doc

Hi Ruben,

Please find attached the minutes from the April 9, 2014 Landmarks meeting with a vote of approval for the FY2014 Grant Request. I will follow up with a hard copy.

Please let me know if you need anything else.

Mike

Acosta, Ruben

From: Acosta, Ruben
Sent: Tuesday, April 15, 2014 9:22 AM
To: 'Mike E Leonard (PIng)'
Cc: 'Patrick Thompson'; Dolberg, Jill
Subject: Appeals process for NR nominations

Mike,

I looked up the relevant language in the 2013 CLG Procedures manual, the National Historic Preservation Act, and the regulations issued by the Dept. of the Interior regarding CLGs and National Register.

Essentially, if Patrick Thompson and the property owner object to the commission's determination, and are unable to resubmit their request for approval, or they are denied again, they can file an appeal to the decision with the NeSHPO. The appeal would state why they believe the local commission decision was not justified, I am assuming on either procedural (the established rules were not followed) or substantive grounds (an incorrect or inappropriate application of the NR criteria). The State could then continue the listing of the property as if the nomination was approved, but they must forward to the Park Service the Nomination itself along with both the commission's denial (and reasons for denial) and the applicants appeal.

Personally, this a last resort in this case, as it would be sidestepping the Omaha landmarks commission. The commission's position would be presented to the park service, but I think it would lead to a less productive relationship between the NeSHPO and the Landmarks Commission, as it may seem that the State is overruling local government and that the CLG does not matter. I would rather work with the commission through a commenting process, as established by section 2 of the CLG Procedures Manual.

I've copied Patrick Thompson to this email. Let me know if you have any questions or want to talk about it further. I will be out of the office this morning, but I should be back in about 2 pm or so.

Ruben Acosta

PS: Following are the relevant sections of the Procedures manual and NHPA. Let me know if you need a copy of these.

According to Section 2 (h) of the 2013 CLG Procedures manual, "If both the commission and the chief elected local official recommend that the property not be nominated, the SHPO may not nominate the property unless an appeal is filed in accordance with Section 101(c)(2) of the [National Historic Preservation] Act and 36 CFR 60."

The National Historic Preservation Act of 1966 as amended, Section 101(c)(2) states:

(2) (A) Before a property within the jurisdiction of the certified local government may be considered by the State to be nominated to the Secretary for inclusion on the National Register, the State Historic Preservation Officer shall notify the owner, the applicable chief local elected official, and the local historic preservation commission. The commission, after reasonable opportunity for public comment, shall prepare a report as to whether or not such property, in its opinion, meets the criteria of the National Register. Within sixty days of notice from the State Historic Preservation Officer, the chief local elected official shall transmit the report of the commission and his recommendation to the state Historic Preservation Officer. Except as provided in subparagraph (B), after receipt of such report and recommendation, or if no such report

and recommendation are received within sixty days, the State shall make the nomination pursuant to section 101(a). The State may expedite such process with the concurrence of the certified local government.

(B) If both the commission and the chief local elected official recommend that a property not be nominated to the National Register, the State Historic Preservation Officer shall take no further action, unless within thirty days of the receipt of such recommendation by the State Historic Preservation Officer an appeal is filed with the State. If such an appeal is filed, the State shall follow the procedures for making a nomination pursuant to Section 101 (a). Any report and recommendations made under this section shall be included with any nomination submitted by the State to the Secretary.

The Federal regulations in 36 CFR 60 do not clearly apply to this case.

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Acosta, Ruben

From: Acosta, Ruben
Sent: Monday, April 21, 2014 2:43 PM
To: 'Mike E Leonard (Ping)'
Subject: Due date for resubmission of Memmen Apartments Nomination

Mike,

By when do Patrick and I have to resubmit documents to you for the Memmen Apartments as to present before the next commission meeting to address their concerns?

Ruben

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Acosta, Ruben

From: Patrick Thompson [dpattickthompson@gmail.com]
Sent: Monday, April 21, 2014 3:39 PM
To: Acosta, Ruben
Subject: Re: Resubmission of Memmen Apartments to Omaha Landmarks

Ruben:

Thanks. I will wait to hear more (submission dates) before moving ahead with any proposed changes.

To address the Creighton development thing - all I can think is to maybe just ask Creighton's public relations department for some kind of "generic statement" about its development plans or priorities over the next 25-50 years; specifically, are they interested in the area along Florence Boulevard between Grace and Lake Streets?

Don't know if they are willing to say so, either way, but that's the only thing I can think of. They must have an overall "master plan" somewhere that indicates where they intend to grow in the coming decades.

Patrick

On Mon, Apr 21, 2014 at 3:07 PM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

Patrick,

I had hoped to get this to you last week, but I had to devote most of my time to processing grant applications, and so my National Register projects were reduced in priority. Last week I contacted both Mike and Kristine regarding Memmen, and I found out what we need to address. Mostly it is tangential information to the core of the nomination. The commission wanted a better picture of where the property is located, and they wanted to know if Creighton was interested in the neighborhood in terms of redevelopment (I do not know exactly how to address this—I need to see who to talk to about this). I also believe that they did not truly understand the significance of the building as an early example of multifamily speculative development in Omaha.

What I propose we do is resubmit to the Landmarks commission the nomination with the following change: a new set of maps showing the property. We should do this anyways as today I got a nomination back from the Park Service requesting that we send them new maps before they will sign off on the nomination. The new maps should each be one full page and should be: 1. A close in view of the property, ideally a map showing lot lines and 2. A larger scale map based on the USGS quadrangle for the area (I've attached examples for the nomination that we are redoing for NPS to this email). This way we can provide context for the property and probably argue that the Creighton University thing does not matter. We should also submit a copy of the Omaha Apartments MPD that the Park Service is currently reviewing to provide supplementary information on the property (I can provide this). We will also revamp the power point presentation to address many of their concerns by including multiple maps and aerial photos of the area. Hopefully, this should be sufficient to win over the last vote we need to get this nomination out of Omaha and to our State Board.

I am currently waiting on Mike to send me the submission deadline for the next meeting. As soon as I know, you will know.

Thanks for your work. Email me if you have any questions or want to talk about this further.

Ruben

Ruben A. Acosta

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Acosta, Ruben

From: Patrick Thompson [dpatrickthompson@gmail.com]
Sent: Monday, April 21, 2014 3:46 PM
To: Acosta, Ruben
Subject: Re: Resubmission of Memmen Apartments to Omaha Landmarks

Ruben:

Thought of this after sending the previous email: my own work schedule is currently dominated by the preparation for a large NR nomination (in another state), which is part of that issue I brought up to you as a hypothetical recently. That will be the only time constraint I have regarding the future submission dates/changes.

Patrick

On Mon, Apr 21, 2014 at 3:07 PM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

Patrick,

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Ruben

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Acosta, Ruben

From: Mike E Leonard (PIng) [mike.leonard@ci.omaha.ne.us]
Sent: Tuesday, April 22, 2014 10:18 AM
To: Acosta, Ruben
Subject: Re: Due date for resubmission of Memmen Apartments Nomination

Ruben,

Call me and we can discuss this. 402-444-5150 x2065

thx

ML

On Mon, Apr 21, 2014 at 2:42 PM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

Mike,

By when do Patrick and I have to resubmit documents to you for the Memmen Apartments as to present before the next commission meeting to address their concerns?

Ruben

Ruben A. Acosta

National Register and CLG Coordinator

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Acosta, Ruben

From: Acosta, Ruben
Sent: Monday, April 21, 2014 3:08 PM
To: 'Patrick Thompson'
Subject: Resubmission of Memmen Apartments to Omaha Landmarks
Attachments: MinneLusaCloseUp.jpg; MinneLusaUSGS.pdf

Patrick,

I had hoped to get this to you last week, but I had to devote most of my time to processing grant applications, and so my National Register projects were reduced in priority. Last week I contacted both Mike and Kristine regarding Memmen, and I found out what we need to address. Mostly it is tangential information to the core of the nomination. The commission wanted a better picture of where the property is located, and they wanted to know if Creighton was interested in the neighborhood in terms of redevelopment (I do not know exactly how to address this—I need to see who to talk to about this). I also believe that they did not truly understand the significance of the building as an early example of multifamily speculative development in Omaha.

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I am currently waiting on Mike to send me the submission deadline for the next meeting. As soon as I know, you will know.

Thanks for your work. Email me if you have any questions or want to talk about this further.

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Acosta, Ruben

From: Acosta, Ruben
Sent: Monday, April 28, 2014 3:11 PM
To: 'Mike E Leonard (Ping)'
Cc: 'Patrick Thompson'
Subject: Request to be on the Agenda for May 14th Landmarks Commission Meeting
Attachments: 131127A_Apartments, Flats & Tenements.docx

Mike,

This is my formal request for the resubmission of the Memmen Apartments before the Landmarks Commission's upcoming meeting on May 14th. Patrick Thompson and myself will be addressing the commission's concerns regarding the property's location and significance. We will seek a final vote of approval. The text of the nomination has not changed, but we will be updating the maps and the presentation before the board to provide better historic and geographic context. I am attaching to this email the draft Omaha Apartments Multiple Property Documentation that the National Park Service is currently reviewing to provide additional context for the apartments. The new presentation along with this background info should be sufficient to attain the 5 votes needed for approval.

Let me know if you need anything else,

Ruben Acosta

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Acosta, Ruben

From: Mike E Leonard (PIng) [mike.leonard@ci.omaha.ne.us]
Sent: Tuesday, April 29, 2014 10:58 AM
To: Acosta, Ruben
Subject: Re: Request to be on the Agenda for May 14th Landmarks Commission Meeting

Ruben,

I think this may not have gotten sent out. I wrote it yesterday.

I am waiting for a determination from the Law Department on this issue. On Friday I was told by the attorney for LHPC that reappearing was not an option. She was going to look further into it. I cited her Sec. 24-83 of the Omaha Municipal Code. I am pushing to get this in front

Call me to discuss.

Thanks

Mike

On Mon, Apr 28, 2014 at 3:11 PM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

Mike,

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Acosta, Ruben

From: Acosta, Ruben
Sent: Wednesday, April 30, 2014 8:51 AM
To: 'Patrick Thompson'; Kristine Gerber
Subject: RE: Selling Points for Memmen Building

Patrick,

I spoke with Mike yesterday and I haven't got a solid answer from him—he's still waiting on Rosemarie Lee, the city attorney, to get back to him regarding whether we can even re-submit Memmen to the commission. As soon as I know, you will know.

Ruben

From: Patrick Thompson [<mailto:Patrick.Thompson@labatenv.com>]
Sent: Wednesday, April 30, 2014 8:49 AM
To: Kristine Gerber; Acosta, Ruben
Subject: RE: Selling Points for Memmen Building

Thanks for the link. I'll scroll through the PPT when I have more time, but seems to make some good points.

I know Ruben's asked Mr. Leonard to put us back on the agenda, but I don't think we've heard anything back.

Patrick

From: Kristine Gerber [<mailto:eventive.marketing@cox.net>]
Sent: Tuesday, April 29, 2014 6:41 PM
To: Acosta, Ruben; Patrick Thompson
Subject: Selling Points for Memmen Building

Ruben and Patrick –

Link to PowerPoint with some tips on getting past the Landmarks Commission's aversion to landmarking "ugly" buildings.

<http://blog.preservationnation.org/2014/04/29/preservation-tips-tools-save-ugly-buildings/#.U2A3ZfldXTp>

Kristine



Kristine Gerber

Restoration Exchange

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E-mail: info@restorationexchange.org

Web: www.restorationexchange.org



Restoration Exchange Omaha

Acosta, Ruben

From: Patrick Thompson [Patrick.Thompson@labatenv.com]
Sent: Wednesday, April 30, 2014 8:59 AM
To: Acosta, Ruben
Subject: RE: Selling Points for Memmen Building

Ruben:

Thanks. Seems strange that the commission's initial finding can be so, well, FINAL. Does this mean a building that is denied once can "never" be brought before them again, or, if not, how soon CAN it be brought up before them again?

I know you've pointed out that SHPO can review and approve the nomination "over the heads" of the local commission, but is loath to do so. Just curious what the procedure is if a thing is denied on a technicality (something required was missing from the form due to an oversight or something equally "fixable"). Seems a shame the property owner is just "out of luck" and/or has to start over (if that's even allowed)?

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 Restoration Exchange Omaha

Acosta, Ruben

From: Acosta, Ruben
Sent: Wednesday, April 30, 2014 9:17 AM
To: 'Patrick Thompson'
Subject: RE: Selling Points for Memmen Building

Patrick,

I agree it seems strange—I would expect commissions to grant at least one chance to address commission concerns. The one chance only system would make more sense in a city with many more historic buildings, where commissioners would have a full docket and allowing re-submission would create an overload of work. However, in that case, we would have known going into the meeting that we would need 5 votes to get an approval. While it could be argued that we should have known about this standard, I think it is necessary to state such standards at the beginning of the meeting so that both the presenters and the commissioners know what standard is being utilized. This is most likely due to a lack of training on their part—something I am working to address.

I don't know if the building cannot be brought before the commission ever again. I think if there is a substantial change, then maybe, as the nomination itself would be different in terms of the material covered. However, you were quite thorough in your work, and it will be difficult to substantially change the nomination in such a way to meet that standard without completely rewriting it and possibly weakening it.

The big problems in this case are all on the city side. First, the ordinance is old and does not recognize the overall duties of the commission under Omaha's Certified Local Government status, which includes the review of these nominations. It also sets a very high bar for any final action by the commission. The second major problem is how the commission has undergone its work. There are no commission bylaws or rules that would serve to "fill in" the holes in the preservation ordinance. Normally, we would be operating under bylaws that would set the procedures and standards for National Register review. I know that my predecessor was trying to convince the commission to adopt these, and I will be working to do the same. Additionally, there is a noticeable lack of training that also impacts our request for approval for the nomination. There are some big personnel changes coming in Omaha, so this may be our chance to address many of these issues.

As it stands now, I did place a formal request for re-consideration of the nomination by the commission. I expect to hear a formal yes-or-no from Mike soon.

This has been incredibly frustrating, and it is a shame that, in the end, it is the property owner and the city that lose out.

Ruben

From: Patrick Thompson [<mailto:Patrick.Thompson@labatenv.com>]
Sent: Wednesday, April 30, 2014 8:59 AM
To: Acosta, Ruben
Subject: RE: Selling Points for Memmen Building

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 Restoration Exchange Omaha

Acosta, Ruben

From: Patrick Thompson [Patrick.Thompson@labatenv.com]
Sent: Wednesday, April 30, 2014 9:24 AM
To: Acosta, Ruben
Subject: RE: Selling Points for Memmen Building

Ruben:

Thanks for expounding on all that.

I am hoping we are allowed to try to address the concerns members may have had, as (biased as I am) I believe the building warrants its nomination to go forward at least to the SHPO level (if it is denied there or NTHP level, I would at least feel it was given a fair(er) hearing.

I won't keep hammering away; it's just disappointing and, yes, frustrating. Will await the final word from you via Mike Leonard.

Patrick

From: Acosta, Ruben [mailto:ruben.acosta@nebraska.gov]
Sent: Wednesday, April 30, 2014 9:17 AM
To: Patrick Thompson
Subject: RE: Selling Points for Memmen Building

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Ruben

From: Patrick Thompson [<mailto:Patrick.Thompson@labatenv.com>]
Sent: Wednesday, April 30, 2014 8:59 AM
To: Acosta, Ruben
Subject: RE: Selling Points for Memmen Building

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Sent: Wednesday, April 30, 2014 8:51 AM
To: Patrick Thompson; Kristine Gerber
Subject: RE: Selling Points for Memmen Building

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I spoke with Mike yesterday and I haven't got a solid answer from him—he's still waiting on Rosemarie Lee, the city attorney, to get back to him regarding whether we can even re-submit Memmen to the commission. As soon as I know, you will know.

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Sent: Wednesday, April 30, 2014 8:49 AM
To: Kristine Gerber; Acosta, Ruben
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Link to PowerPoint with some tips on getting past the Landmarks Commission’s aversion to landmarking “ugly” buildings.

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Kristine



Kristine Gerber


Restoration Exchange

Work: **402.614.0056**

Cell: **402.679.5854**

E-mail: info@restorationexchange.org

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 Restoration Exchange Omaha

Acosta, Ruben

From: Patrick Thompson [dpattickthompson@gmail.com]
Sent: Friday, May 02, 2014 12:18 PM
To: Acosta, Ruben
Cc: Arethea Reames; Linda Williams; Kristine Gerber
Subject: Re: FW: TheMemmem Apartments

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From: Acosta, Ruben
Sent: Friday, May 02, 2014 9:21 AM
To: 'Patrick Thompson'
Subject: RE: Selling Points for Memmen Building
Attachments: LHPC Min. 4-9-14 (1).doc

Patrick,

I spoke with Mike Leonard late yesterday. We are still in limbo with the lawyers—but it seems that they are of the opinion that we only get one meeting.

Therefore, as a backup, I would like for you to write up a letter appealing the Landmarks Commission Determination that we can present to the State Historic Preservation Board. In the letter, state the commission's decision and vote count (the meeting minutes are attached) and how the denial is due to procedural issues and not substantive issues. Essentially, it's the rules that they operate under that caused the denial, and not that there is anything wrong with the nomination itself.

You can address the letter to Michael Smith, who is the State Historic Preservation Officer. We will then pass along the letter with the nomination to our State Board, and then to the NPS.

Talk about one hell of a learning experience. However, this will make us more effective in presenting nominations in the future.

Let me know if you have any questions,

Ruben

PS: Here's the mailing info:

Michael Smith
State Historic Preservation Officer
Nebraska State Historical Society
PO Box 82554
Lincoln, NE 68501-2554

From: Patrick Thompson [mailto:Patrick.Thompson@labatenv.com]
Sent: Wednesday, April 30, 2014 9:24 AM
To: Acosta, Ruben
Subject: RE: Selling Points for Memmen Building

Ruben:

Thanks for expounding on all that.

I am hoping we are allowed to try to address the concerns members may have had, as (biased as I am) I believe the building warrants its nomination to go forward at least to the SHPO level (if it is denied there or NTHP level, I would at least feel it was given a fair(er) hearing.

I won't keep hammering away; it's just disappointing and, yes, frustrating. Will await the final word from you via Mike Leonard.

Patrick

From: Acosta, Ruben [<mailto:ruben.acosta@nebraska.gov>]
Sent: Wednesday, April 30, 2014 9:17 AM
To: Patrick Thompson
Subject: RE: Selling Points for Memmen Building

Patrick,

I agree it seems strange—I would expect commissions to grant at least one chance to address commission concerns. The one chance only system would make more sense in a city with many more historic buildings, where commissioners would have a full docket and allowing re-submission would create an overload of work. However, in that case, we would have known going into the meeting that we would need 5 votes to get an approval. While it could be argued that we should have known about this standard, I think it is necessary to state such standards at the beginning of the meeting so that both the presenters and the commissioners know what standard is being utilized. This is most likely due to a lack of training on their part—something I am working to address.

I don't know if the building cannot be brought before the commission ever again. I think if there is a substantial change, then maybe, as the nomination itself would be different in terms of the material covered. However, you were quite thorough in your work, and it will be difficult to substantially change the nomination in such a way to meet that standard without completely rewriting it and possibly weakening it.

The big problems in this case are all on the city side. First, the ordinance is old and does not recognize the overall duties of the commission under Omaha's Certified Local Government status, which includes the review of these nominations. It also sets a very high bar for any final action by the commission. The second major problem is how the commission has undergone its work. There are no commission bylaws or rules that would serve to "fill in" the holes in the preservation ordinance. Normally, we would be operating under bylaws that would set the procedures and standards for National Register review. I know that my predecessor was trying to convince the commission to adopt these, and I will be working to do the same. Additionally, there is a noticeable lack of training that also impacts our request for approval for the nomination. There are some big personnel changes coming in Omaha, so this may be our chance to address many of these issues.

As it stands now, I did place a formal request for re-consideration of the nomination by the commission. I expect to hear a formal yes-or-no from Mike soon.

This has been incredibly frustrating, and it is a shame that, in the end, it is the property owner and the city that lose out.

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From: Patrick Thompson [<mailto:Patrick.Thompson@labatenv.com>]
Sent: Wednesday, April 30, 2014 8:59 AM
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Subject: RE: Selling Points for Memmen Building

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From: Patrick Thompson [dpattickthompson@gmail.com]
Sent: Monday, May 05, 2014 9:22 AM
To: Acosta, Ruben
Cc: Kristine Gerber; Arethea Reames; Shotgunhaus Designers
Subject: Appeal Letter - Memmen Apartments
Attachments: Appeal Letter to SHPO Memmen Denial.pdf

Ruben:

Please find attached a scanned copy of the letter I will be mailing later asking the Nebraska State Historic Preservation Board to appeal the Omaha Landmarks Commission (OLC) decision to deny local approval of the NR nomination form for the building known historically as the Memmen Apartments at 2214-2220 Florence Boulevard, Omaha.

I know a hard copy of the letter is the official request, and I will mail it to your offices, to the attention of Michael Smith, the state historic preservation officer, later today.

Many thanks to you, Kristine, and Linda for all the help, guidance and encouragement you have provided through the process. If nothing else comes from this situation, maybe the OLC procedures will be improved for future submissions.

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Cc: Kristine Gerber
Subject: RE: FW: TheMemmem Apartments

Patrick,

You can send a scanned copy, but the mailed document will be the official letter, and I don't think we will be able to act on it until we receive the mailed letter. Good job on getting Ms. Reames' approval—the regulations do not explicitly state it, but I do think the letter should come from the property owner or on the behalf of the property owner by the nomination author.

Once we receive the letter, we will add the appeal letter to the file, and I will present on the issue to the board during the May 16th meeting in Hastings. If the board approves the nomination and agrees with the appeal, the whole package will be forwarded to the Park Service.

Thanks for your work. While this has been a frustrating process, it has helped me identify issues with the CLGs in the state and issues in the NR process here in Nebraska. This is valuable, and should help us become more successful in listing buildings in the future.

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Subject: Appeal Letter - Memmen Apartments

Ruben:

Please find attached a scanned copy of the letter I will be mailing later asking the Nebraska State Historic Preservation Board to appeal the Omaha Landmarks Commission (OLC) decision to deny local approval of the NR nomination form for the building known historically as the Memmen Apartments at 2214-2220 Florence Boulevard, Omaha.

I know a hard copy of the letter is the official request, and I will mail it to your offices, to the attention of Michael Smith, the state historic preservation officer, later today.

Many thanks to you, Kristine, and Linda for all the help, guidance and encouragement you have provided through the process. If nothing else comes from this situation, maybe the OLC procedures will be improved for future submissions.

Patrick Thompson

Acosta, Ruben

From: Acosta, Ruben
Sent: Wednesday, May 07, 2014 2:36 PM
To: 'Patrick Thompson'
Subject: RE: Memmen Apartments

Patrick,

The letter arrived yesterday if I recall correctly, and I have already had Jill Dolberg read over it. We'll present it to the board along with the building on May 16th. Thanks for everything.

Ruben

From: Patrick Thompson [<mailto:dpatrickthompson@gmail.com>]
Sent: Wednesday, May 07, 2014 2:33 PM
To: Acosta, Ruben
Subject: Re: Memmen Apartments

Ruben:

OK. My apologies for looking for trouble. =>

The form that I'm completing for work is for a district, and I completed a photo key map, and it just made me "think" I'd missed something, since it's there in the instructions.

Hopefully my letter will arrive today or tomorrow, if it hasn't already (re: the appeal for Memmen).

Patrick Thompson

On Tue, May 6, 2014 at 1:54 PM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

Patrick,

Photo key maps are primarily for districts or individual listings on large sites with multiple buildings like a campus of buildings or a farmstead with many structures. Sites with large acreages sometimes also require photo key maps. Photo key maps are not necessary when listing one building.

We did have an issue with this recently when listing a historic district, and the consultant did not prepare a proper photo key map—the Park Service let us know, and we got the consultant to fix the issue.

Ruben

From: Patrick Thompson [mailto:dpatrickthompson@gmail.com]

Sent: Tuesday, May 06, 2014 1:35 PM

To: Acosta, Ruben

Subject: Memmen Apartments

Ruben:

I was working on a new NRHP for work (in another state) when I realized in the Memmen submission, I didn't include a "map showing a key to the locations of photos."

I guess I didn't think about this since the photography was handled by the SHPO, but I guess technically it should have been included, yes?

If nothing else, it might need to be included before it goes to the NPS, assuming we are granted an appeal, and approved at the state board meeting, eh?

Patrick

Acosta, Ruben

From: Acosta, Ruben
Sent: Monday, May 19, 2014 8:19 AM
To: 'Patrick Thompson'
Cc: Kristine Gerber
Subject: Memmen apartments

Patrick,

The State Board reviewed over the nomination and the appeal letter, and approved the Memmen NR nomination. There were some minor comments we need to address—one of the board members recommended double checking the footnote formatting—but other than that I will work to get this in the mail to the Park Service along with your appeal letter and related documentation. The board shared our bewilderment with the Omaha landmarks commission, and agreed with my plan in letting the Park Service have the final say. They have 45 days to review the nomination once it arrives, and there is a public comment period before they list the building, but I think we have a good shot in getting this listed.

Ruben

Ruben A. Acosta
National Register and CLG Coordinator
Nebraska State Historical Society
1500 "R" Street
PO Box 82554
Lincoln, NE 68501

p: (402) 471-4775
f: (402) 471-3100
ruben.acosta@nebraska.gov



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Acosta, Ruben

From: Patrick Thompson [Patrick.Thompson@labatenv.com]
Sent: Monday, May 19, 2014 8:22 AM
To: Acosta, Ruben
Cc: Kristine Gerber
Subject: RE: Memmen apartments

Ruben:

That sounds great. I'll forward your comments to the property owner. I think she'll be pleased.

What do you want or need me to do before it moves forward to NPS? Or will you be sending me those comments, edits, etc. soon, either electronically or by mail?

Patrick

From: Acosta, Ruben [<mailto:ruben.acosta@nebraska.gov>]
Sent: Monday, May 19, 2014 8:19 AM
To: Patrick Thompson
Cc: Kristine Gerber
Subject: Memmen apartments

Patrick,

The State Board reviewed over the nomination and the appeal letter, and approved the Memmen NR nomination. There were some minor comments we need to address—one of the board members recommended double checking the footnote formatting—but other than that I will work to get this in the mail to the Park Service along with your appeal letter and related documentation. The board shared our bewilderment with the Omaha landmarks commission, and agreed with my plan in letting the Park Service have the final say. They have 45 days to review the nomination once it arrives, and there is a public comment period before they list the building, but I think we have a good shot in getting this listed.

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Acosta, Ruben

From: Acosta, Ruben
Sent: Monday, May 19, 2014 8:24 AM
To: 'Patrick Thompson'
Subject: RE: Memmen apartments

Patrick,

I'll send a follow up email—I'm just sending out announcements at the moment. However, there were very few comments on the nomination itself. They were impressed by the research that you put into this, and they seemed to like the building.

Ruben

From: Patrick Thompson [<mailto:Patrick.Thompson@labatenv.com>]
Sent: Monday, May 19, 2014 8:22 AM
To: Acosta, Ruben
Cc: Kristine Gerber
Subject: RE: Memmen apartments

Ruben:

That sounds great. I'll forward your comments to the property owner. I think she'll be pleased.

What do you want or need me to do before it moves forward to NPS? Or will you be sending me those comments, edits, etc. soon, either electronically or by mail?

Patrick

From: Acosta, Ruben [<mailto:ruben.acosta@nebraska.gov>]
Sent: Monday, May 19, 2014 8:19 AM
To: Patrick Thompson
Cc: Kristine Gerber
Subject: Memmen apartments

Patrick,

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Acosta, Ruben

From: Acosta, Ruben
Sent: Friday, May 30, 2014 2:03 PM
To: 'Patrick Thompson'
Subject: Memmen Revisions

Patrick,

Sorry for the delay in getting back to you on the Memmen nomination—I was away for the Memorial Day Holiday and have been busy catching up from three days away from the office.

I reviewed over the board member comments, and the only thing I noted that needs to be looked over is the citations (one of the board members voiced concerns regarding the formatting; I think it's ok, but it's good to double check). Otherwise, I think it's ready to mail to the Park Service. If you have any comments or concerns, let me know. I plan to send this out no later than Friday next week.

Ruben

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Acosta, Ruben

From: Acosta, Ruben
Sent: Friday, May 30, 2014 2:07 PM
To: 'Patrick Thompson'
Subject: RE: Memmen Revisions

Patrick,

No, I did not see any egregious errors, but when it gets to these minor formatting issues, it's easy to miss things sometimes. Honestly, I think it's a stylistic issue on the part of the board member, but it doesn't hurt to check.

Ruben

From: Patrick Thompson [<mailto:Patrick.Thompson@labatenv.com>]
Sent: Friday, May 30, 2014 2:05 PM
To: Acosta, Ruben
Subject: RE: Memmen Revisions

I will review the citations and see if I can spot any obvious errors (or preferred ways things are cited?) – I take it you don't see any egregious examples?

Patrick

From: Acosta, Ruben [<mailto:ruben.acosta@nebraska.gov>]
Sent: Friday, May 30, 2014 2:03 PM
To: Patrick Thompson
Subject: Memmen Revisions

Patrick,

Sorry for the delay in getting back to you on the Memmen nomination—I was away for the Memorial Day Holiday and have been busy catching up from three days away from the office.

I reviewed over the board member comments, and the only thing I noted that needs to be looked over is the citations (one of the board members voiced concerns regarding the formatting; I think it's ok, but it's good to double check). Otherwise, I think it's ready to mail to the Park Service. If you have any comments or concerns, let me know. I plan to send this out no later than Friday next week.

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Acosta, Ruben

From: Gabbert, James [james_gabbert@nps.gov]
Sent: Monday, June 09, 2014 9:53 AM
To: Acosta, Ruben
Subject: Procedures

Ruben:

The pertinent information is found in the National Historic Preservation Act, Section 101(c)(2)(A).

The local commission is to review the nomination and submit a report. If the local commission does not submit a report within 60 days of the State providing notice, the state must proceed with the nomination.

If the local commission and chief elected official deny the nomination, that can be appealed {101(c)(2)(b)}.

So, with this nomination, you should send us the notification to the CLG, the minutes, copies of correspondence with the commission and the nomination preparer, and the notice for the State review board.

We probably don't need all of this, but it helps should any questions come up about procedural error.

--

Jim Gabbert
Historian
National Register of Historic Places/National Historic Landmarks
(202) 354-2275

Acosta, Ruben

From: Acosta, Ruben
Sent: Thursday, June 19, 2014 10:45 AM
To: 'Mike E Leonard (PIng)'
Cc: Jed D. Moulton (PIng); Trina W. Westman (PIng)
Subject: Updates from our office
Attachments: NE_Douglas County_Drake Court Historic District Amendment.pdf

Mike,

I just wanted to update you on some news from our office regarding Omaha:

First, the National Park Service listed an amendment to the Drake Court Apartments that we sent them a month and a half ago. It was listed on June 4. I've attached a copy of the amendment file to this email. The amendment renamed the district, added additional apartment buildings to the district, and reduced the district boundaries to exclude land that was used for the construction of Liberty Elementary School.

Also, I cannot remember if I have formally let you know that the Board last month approved the Memmen Apartments nomination—I may have mentioned this to you over the phone, or to Jed and Trina when I last met with them. Let me know if you want to write a letter or basic report to present the landmark commission's view on how the process went and your position on the appeal. Right now, I am sending them all of our correspondence from April and May regarding the nomination, the April Landmarks meeting, and our efforts to address the denial over that period of time. If you do write a letter, you can scan it and send it to me as a PDF so I can include it among all of the documents I need to send to the Park Service. I do apologize for the delay in getting this done, as I have been delayed by multiple site visits taking me away from the office and the need to do some minor revisions to the nomination including redone maps. The park service will make the final decision on the appeal and the nomination.

As always, if you have questions or concerns, let me know via email or give me a phone call.

Also, congratulations on your retirement! Thanks for your work; Jed, Trina and I will work to build upon it.

Ruben Acosta

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Acosta, Ruben

From: Trina W. Westman (PIng) [trina.westman@ci.omaha.ne.us]
Sent: Friday, June 20, 2014 4:18 PM
To: Acosta, Ruben
Cc: Mike E Leonard (PIng); Jed D. Moulton (PIng)
Subject: Re: Updates from our office

Ruben,

Thank you for the information on the Drake Court Historic District amendment. I've filed it with the original District Nomination Form. I will work with Mike and our GIS department to get the boundaries updated. Interesting to see how the NR district overlays with the LL district.

I'll discuss with Mike and Jed about the LHPC process letter as it relates to the Memmen Apartments nomination.

Next week I also hope to address the Aksarben Reconnaissance Survey Draft. We will send you and Patrick the draft very soon.

Have a great weekend,
Trina

Trina Westman

Urban Design

Omaha Planning
1819 Farnam Street
Omaha, NE 68183

☎402.444.5150 ext. 2066

✉trina.westman@ci.omaha.ne.us

GOGreenGOPaperless

On Thu, Jun 19, 2014 at 10:44 AM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

Mike,

I just wanted to update you on some news from our office regarding Omaha:

First, the National Park Service listed an amendment to the Drake Court Apartments that we sent them a month and a half ago. It was listed on June 4. I've attached a copy of the amendment file to this email. The amendment renamed the district, added additional apartment buildings to the district, and reduced the district boundaries to exclude land that was used for the construction of Liberty Elementary School.

Also, I cannot remember if I have formally let you know that the Board last month approved the Memmen Apartments nomination—I may have mentioned this to you over the phone, or to Jed and Trina when I last met with them. Let me know if you want to write a letter or basic report to present the landmark commission's view on how the process went and your position on the appeal. Right now, I am sending them all of our correspondence from April and May regarding the nomination, the April Landmarks meeting, and our efforts to address the denial over that period of time. If you do write a letter, you can scan it and send it to me as a PDF so I can include it among all of the documents I need to send to the Park Service. I do apologize for the delay in getting this done, as I have been delayed by multiple site visits taking me away from the office and the need to do some minor revisions to the nomination including redone maps. The park service will make the final decision on the appeal and the nomination.

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Ruben Acosta

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ruben.acosta@nebraska.gov



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Acosta, Ruben

From: Acosta, Ruben
Sent: Monday, June 23, 2014 9:00 AM
To: 'Trina W. Westman (PIng)'
Subject: RE: Updates from our office

Trina,

Very good. Let me know about Memmen; I am hesitant to mail off the nomination without an official letter from the city on its position on the Nomination. All I have are my emails with Mike over the month that we tried to resolve the issue, and the minutes from the meeting, which don't help much. I am supposed to forward all of my correspondence as well as the relevant letters to the Park Service along with the NR nomination. I will hold off on mailing the nomination until I hear back from y'all.

I look forward to seeing the Aksarben Draft. I am currently reading over the NCE report that Jed linked to in his previous email, and I will forward my comments to you.

Ruben

Ruben A. Acosta
National Register and CLG Coordinator
Nebraska State Historical Society

p: (402) 471-4775
ruben.acosta@nebraska.gov

From: Trina W. Westman (PIng) [<mailto:trina.westman@ci.omaha.ne.us>]
Sent: Friday, June 20, 2014 4:18 PM
To: Acosta, Ruben
Cc: Mike E Leonard (PIng); Jed D. Moulton (PIng)
Subject: Re: Updates from our office

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Next week I also hope to address the Aksarben Reconnaissance Survey Draft. We will send you and Patrick the draft very soon.

Have a great weekend,
Trina

Trina Westman

Urban Design

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☎402.444.5150 ext. 2066

✉trina.westman@ci.omaha.ne.us

GOGreenGOPaperless

On Thu, Jun 19, 2014 at 10:44 AM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

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I just wanted to update you on some news from our office regarding Omaha:

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As always, if you have questions or concerns, let me know via email or give me a phone call.

Also, congratulations on your retirement! Thanks for your work; Jed, Trina and I will work to build upon it.

Ruben Acosta

Ruben A. Acosta

National Register and CLG Coordinator

Nebraska State Historical Society

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ruben.acosta@nebraska.gov



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Acosta, Ruben

From: Trina W. Westman (Ping) [trina.westman@ci.omaha.ne.us]
Sent: Wednesday, July 02, 2014 3:12 PM
To: Acosta, Ruben
Subject: Re: Able to receive attachments?

Got them, thanks!

I've put the Part 2 Basic Training item on the July 9 LHPC agenda. I will distribute it and this document to the members today.

FYI, I'm not in the office tomorrow and will be returning on Wednesday, July 9. I should have everything for the meeting in order by end of day. Jed will be here tomorrow and next week leading up to the meeting if you have any issues. You can always email me as I'll be checking messages from a distance.

We're also working on the LHPC Summary for the Memmen Apartments case. I hope to forward that to you by end of day or Jed will forward it tomorrow. It's been a busy transition time as Mike rides off into the setting sun.....:)

See you Wednesday.
Trina

Trina Westman

Urban Design

Omaha Planning
1819 Farnam Street
Omaha, NE 68183

📞 402.444.5150 ext. 2066

✉ trina.westman@ci.omaha.ne.us

GO GreenGO Paperless

On Wed, Jul 2, 2014 at 12:12 PM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

Trina,

I just uploaded the documents to google drive.

[Drake Court Amendment](#)

[Design Review Training](#)

Ruben

From: Trina W. Westman (PIng) [mailto:trina.westman@ci.omaha.ne.us]
Sent: Wednesday, July 02, 2014 10:31 AM
To: Acosta, Ruben
Subject: Re: Able to receive attachments?

How big were the files?

Trina Westman

Urban Design

Omaha Planning
1819 Farnam Street
Omaha, NE 68183

☎ [402.444.5150](tel:402.444.5150) ext. 2066

✉ trina.westman@ci.omaha.ne.us

GOGreenGOPaperless

On Wed, Jul 2, 2014 at 9:58 AM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

Trina:

It keeps giving me an error:

Delivery has failed to these recipients or groups:

trina.westman@ci.omaha.ne.us

A problem occurred during the delivery of this message to this e-mail address. Try sending this message again. If the problem continues, please contact your helpdesk.

The following organization rejected your message: [74.125.193.27].

I am going to check with our IT person. If this keeps up, I will use Google drive through my account.

Ruben

From: Trina W. Westman (PIng) [mailto:trina.westman@ci.omaha.ne.us]

Sent: Wednesday, July 02, 2014 9:54 AM

To: Acosta, Ruben

Subject: Re: Able to receive attachments?

Hi Ruben, Yes, I should be able to receive any kind of attachment. I regularly receive very large files, as I accept drawing sets and renderings from applicants and consultants for project reviews.

Could you have sent it to the wrong address? Sometimes people try twestman@ci.omaha.ne.us and that WILL NOT work. (It was an older email format - before my time, which some people will still try and interpolate to being my address.)

If you try it again and it doesn't work, we could use Google Drive or some other large format sharing site. We use Google Drive regularly now in the planning department and it works excellent.

Let me know....

Trina

Trina Westman

Urban Design

Omaha Planning
1819 Farnam Street
Omaha, NE 68183

☎ [402.444.5150 ext. 2066](tel:402.444.5150)

✉ trina.westman@ci.omaha.ne.us

GO **Green** GO **Paperless**

On Wed, Jul 2, 2014 at 8:32 AM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

Trina,

I've been trying to email you the training documents and the updated Drake Court Nomination, but the emails keep getting bounced back. Can you receive attachments to emails, or should I find another way to get these documents to you?

Ruben

Ruben A. Acosta

National Register and CLG Coordinator

Nebraska State Historical Society

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ruben.acosta@nebraska.gov



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Acosta, Ruben

From: Acosta, Ruben
Sent: Friday, July 11, 2014 8:53 AM
To: 'Trina W. Westman (PIng)'
Subject: Memmen comments?

Trina,

It's starting to get close to my deadline to mail off the Memmen nomination to the Park Service. Were you all able to type up a basic statement or report to accompany this nomination since the Landmarks Commission's decision was appealed? Or shall I simply forward it as it is with only the minutes and my emails with the Landmarks office as the supplementary documents?

Ruben

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Acosta, Ruben

From: Trina W. Westman (Ping) [trina.westman@cityofomaha.org]
Sent: Friday, July 11, 2014 9:23 AM
To: Acosta, Ruben
Subject: Memo_H5-14-3_Memmen Apartments
Attachments: Memo_H5-14-3_Memmen Apartments_2014-07-02.pdf

Hi Ruben.

I had just finished this yesterday and had Jed review it last night. Please see attached.

Trina

On Fri, Jul 11, 2014 at 8:52 AM, Acosta, Ruben <ruben.acosta@nebraska.gov> wrote:

Trina,

It's starting to get close to my deadline to mail off the Memmen nomination to the Park Service. Were you all able to type up a basic statement or report to accompany this nomination since the Landmarks Commission's decision was appealed? Or shall I simply forward it as it is with only the minutes and my emails with the Landmarks office as the supplementary documents?

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ruben.acosta@nebraska.gov



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July 29, 2014

Alexis Abernathy
NPS-National Register of Historic Places
1201 I St. NW, 8th FL
Washington, DC 20005

Re: Memmen Apartments

Dear Ms. Abernathy,

Enclosed is the complete nomination packet for the Memmen Apartments in Douglas County, Nebraska. The enclosed contents are as follows:

- The signed first page of the Memmen Apartments nomination.
- One archival disk with the true and correct copy of the nomination for the Memmen Apartments to the National Register of Historic Places in PDF format and:
- PDF of correspondence related to the nomination.
- One (1) disc with the photographs for the Memmen Apartments nomination.

If you have any questions regarding the submitted materials, feel free to contact me at the phone number or email address below.

Sincerely,

A handwritten signature in blue ink that reads "Ruben A. Acosta".

Ruben A. Acosta
National Register and CLG Coordinator
Nebraska State Historic Preservation Office

Phone: 402-471-4775
Fax: 402-471-3100
ruben.acosta@nebraska.gov

Enclosures (2): 1 disk with Nomination and correspondence PDFs
1 disk with National Register Photographs

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