RESOLUTION—EXHIBIT 1
Brandeis–Millard House
LANDMARKS HERITAGE PRESERVATION COMMISSION

RESOLVED BY THE LANDMARKS HERITAGE PRESERVATION COMMISSION OF THE CITY OF OMAHA:

WHEREAS, the Landmarks Heritage Preservation Commission of the City of Omaha requested on December 26, 1985, that the Brandeis–Millard House and carriage house be designated a Landmark under the City of Omaha's Landmarks Heritage Preservation Ordinance; and,

WHEREAS, the Brandeis–Millard House was built in 1904 for Arthur and Zerlina Brandeis, members of a prominent Omaha mercantile family; and,

WHEREAS, the Brandeis–Millard House was, from 1909 to 1922, the residence of Senator Joseph H. Millard, a pioneer Omahan who held prominent business and political positions; and,

WHEREAS, the Brandeis–Millard House was designed by Detroit architect Albert Kahn, internationally famous for his modern industrial designs; and,

WHEREAS, the Brandeis–Millard House is an early and fine product of the Jacobethan Revival style of architecture in Nebraska and is the only known residential work of Albert Kahn in the state; and,

WHEREAS, the Brandeis–Millard House is listed in the National Register of Historic Places; and,

WHEREAS, the Brandeis–Millard carriage house was designed to match the Brandeis–Millard House in material, color detail and style, and is an important element of the Brandeis–Millard House and site; and,

WHEREAS, this case application and supporting data are attached hereto as exhibits, and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE LANDMARKS HERITAGE PRESERVATION COMMISSION OF THE CITY OF OMAHA:

THAT, the Brandeis–Millard House, 500 South 38th Street, and the Brandeis–Millard carriage house, 5815 Dewey Avenue, be designated as a Landmark of the City of Omaha.
Landmarks Heritage Preservation Commission
DEPARTMENT RECOMMENDATION

INSPECTION DATE
1–6–86

REQUEST CATEGORY
x Landmark Designation District
  Landmark Heritage Building
  District Designation Structure
  Certificate of Approval Site
  to Perform Work Object

APPLICANT
Landmarks Heritage Preservation Commission

LOCATION OF PROPOSED DESIGNATION OR WORK
500 South 38th Street and 3815 Dewey Avenue

PRESENT USE
Brandeis/Millard House is vacant; carriage house is divided into apartments.

CONFORMANCE WITH COMPREHENSIVE PLAN FOR HISTORIC PRESERVATION
Proposed designation is in conformance with comprehensive plan for historic preservation. The Brandeis/Millard House and carriage house meet the criteria for designation as an individual Landmark. The property is also located within an area that is considered a high priority for designation as a Landmark Heritage Preservation District.

CONFORMANCE WITH OTHER MASTER PLANS
Staff review indicates that this designation is in conformance with the City's master plan.

NEIGHBORHOOD CHARACTER
Existing:
The neighborhood is a mixture of large, historic residential structures, and modern multi-family structures, as well as institutional and office uses. Many historic former residences have been converted to other uses. Although many changes have occurred over the years, the neighborhood still retains much of its original character.

Probable future effect on neighborhood if designation is granted or work is approved.
Development pressures continue to erode the historic character of the Blackstone neighborhood. Landmark designation will help protect the physical character of one of the neighborhoods most important historic structures, which should have a positive effect on the area.

PLANNING DEPARTMENT RECOMMENDATION
Approval

ADDITIONAL DATA
The Brandeis/Millard House is listed in the National Register of Historic Places, and is considered to have state-wide significance.
Landmarks Heritage Preservation Commission

APPLICATION FOR LANDMARK OR LANDMARK HERITAGE DISTRICT DESIGNATION

NAME OF STRUCTURE

Historic
Brandeis/Millard House (D09:0317-002)
and/or Common

LOCATION

Street and Number
500th So. 38th Street

CLASSIFICATION

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X Other (Day Care Center)

OWNER OF PROPERTY

Name
Max B. Kiltz

Street and Number
500 So. 38th Street

City, State and Zip Code
Omaha, NE 68105

Representative
Robert Freeman: Fraser, Stryker, Veach, Vaughn, Meusey, Olson, Boyer & Block

Street and Number
500 Electric Building

City, State and Zip Code
Omaha, NE 68102

LEGAL DESCRIPTION

North 112.5 feet of the East 160 feet of Lot 1, Block 3, West Omaha Addition, Douglas County, Nebraska.

I-10-86

Signature of Owner/Representative

Date
REPRESENTATION IN EXISTING SURVEYS

X Historic Omaha Building Survey, Landmarks Heritage Preservation Commission. (Local)
X A Comprehensive Plan for Historic Preservation in Omaha, Landmarks Heritage Preservation Commission, 1980. (Local)
    Omaha City Architecture, Landmarks, Inc., 1977. (Local)
X Survey of Douglas County, Nebraska State Historical Society, 1978. (State)
___ Other:

DESCRIPTION

(See Attached)

SIGNIFICANCE

(See Attached)

Specific Dates 1904
Architect Albert Kahn
Builder
Landmarks Heritage Preservation Commission

APPLICATION FOR LANDMARK OR LANDMARK HERITAGE DISTRICT DESIGNATION

NAME OF STRUCTURE

Historic  
Brandeis/Millard Carriage House (D009-317-012)

and/or Common

LOCATION

Street and Number  
3815 Dewey Avenue

CLASSIFICATION

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X Yes: Restricted

X Yes: Unrestricted

No

OWNER OF PROPERTY

Name

Thomas N. Welch & Margaret J. Welch

Street and Number

3815 Dewey Avenue

City, State and Zip Code

Omaha, NE 68105

Representative

Jenifer Welch

Street and Number

4817 Davenport Street, #1

City, State and Zip Code

Omaha, NE 68131

LEGAL DESCRIPTION

West 5 feet of Lot 1 and West 5 feet of the North 33 feet of Lot 4, and the North 120 feet of the East 67 feet and the East 65 feet of the South 67 feet of Lot 2, and the North 33 feet of the East 82.5 feet of Lot 3, Block 3, West Omaha Addition, Douglas County, Nebraska.

Signature of Owner/Representative

Date

1-10-86
REPRESENTATION IN EXISTING SURVEYS

_ Historic Omaha Building Survey, Landmarks Heritage Preservation Commission. (Local)
_ A Comprehensive Plan for Historic Preservation in Omaha, Landmarks Heritage Preservation Commission, 1980. (Local)
_ Omaha City Architecture, Landmarks, Inc., 1977. (Local)
_ Survey of Douglas County, Nebraska State Historical Society, 1978. (State)
_ Other:

DESCRIPTION

SIGNIFICANCE

Specific Dates
Architect
Builder
1. Name

historic     Brandeis-Millard House (D009:317-002; D009:317-012)
and carriage house

2. Location

street & number     500 South 38th Street & 3815 Dewey Avenue

3. Classification

Type: building(s)   Status: X occupied
Ownership: public

3. Accessible: X yes: restricted

4. Owner of Property

name     Max B. Kiltz & Thomas N. & Margaret J. Welch

5. Location of Legal Description

courthouse, registry of deeds, etc. Omaha/Douglas Civic Center

6. Representation in Existing Surveys

Omaha/Douglas County
Historic Building Survey has this property been determined eligible? X yes ___ no
date     1984-ongoing

depository for survey records Omaha City Planning Dept., Nebraska State Hist. Society

state    Nebraska
7. Description

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Describe the present and original (if known) physical appearance

The 1904 Brandeis-Millard House is a substantial Jacobethan Revival residence at the southwest corner of South 38th Street and Dewey Avenue. The situation is within a section of Omaha known as the "Gold Coast", formerly a very fashionable residential neighborhood. Newer construction is interspersed throughout the section now, and the area has converted to mixed use.

The walls of this two-and-one-half-story house are of brick construction; stone trim is in the forms of coping, fenestral surrounds, window mullions and transom bars, lintels above and below gable-end attic windows, and triangular buttress blocks. Also, there is a gabled and protruding second-story section of stuccoed-frame construction with imitation half-timbering on the north wall and a similarly treated two-story section with a bowed end on the south wall.

The gabled roof sections are covered with French tiles, as are roofs of two shingle-clad dormers on the east (main facade), a hipped porte-cochere on the north, and a hipped one-story porch at the southeast.

The main entrance is an elliptical-arched opening that has a stone frontispiece treated with sculpted foliage in recessed spandrel panels. Centered over the entrance is stonework that incorporates a cartouche amidst foliage within a tabernacle. A thin stone molding runs above the heads of the main facade's first-floor openings, and there is a two-story bay window on the protruding gabled wall near the southeast.

A low, stone-coped wall surrounds a terrace that spans the one-story corner porch and the two southern bays of the front facade.

The interior of the Brandeis-Millard House is furnished with a wide array of fittings: oak and mahogany wainscoting, leaded-glass cabinets, stenciled and painted-cloth-covered wall sections, plaster moldings, marble-sheathed bathroom walls, and stone and tiled fireplaces. Material richness extends to the solarium behind the main staircase on the first floor; the flooring in this space is green marble and two walls and the ceiling are fitted with stained glass.

A carriage house is located near the southwest corner of the Brandeis-Millard House and matches the main house in material, color, detail and style. Features of the carriage house patterned after elements of the Brandeis-Millard House include the tiled roof, the stone trimmed, parapeted gables and the use of imitation half-timbering.

The architectural integrity of both the Brandeis-Millard House and carriage house is good. Minor changes have been made to the carriage house to accommodate entrances and exits required when the building was converted to apartments.
8. Significance

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Specific dates 1904-1909-22   Builder/Architect Albert Kahn

Statement of Significance (in one paragraph)

The Brandeis-Millard House, designed by the renowned architect Albert Kahn, is of commercial and political significance to Nebraska for its association with Senator Joseph H. Millard, a pioneer Omahan who held prominent business and political positions. Architecturally, the house is an early and fine product of the Jacobethan Revival in Nebraska, and it serves as an emphatic statement of Kahn's conventional views on domestic architecture: internationally famous for his modern industrial designs, Kahn nevertheless adhered to those Period Revival forms in residential architecture that were gaining popularity when his career began.

Built in 1904 for Arthur and Zerlina Brandeis, members of an established Omaha mercantile family, the house on the southwest corner of South 38th Street and Dewey Avenue was purchased in 1909 by Jessie H. Millard as a residence for herself and her father, Senator Joseph H. Millard.

Joseph H. Millard (1836-1922), born in Hamilton, Ontario, Canada, arrived in Omaha as a young man two years after the community's founding. He became involved with a land company that proved successful enough to transfer its interests to banking. Financial acumen led to Millard's presidency of the Omaha National Bank and to involvement in other business and social concerns; he was an incorporator of the Omaha and Northwest Railroad and of the Chicago, St. Paul, Minneapolis, and Omaha Railroad; served as treasurer for a deaf institution which grew into a large state-owned facility; was a member of a capitalist syndicate that erected the Millard Hotel; was an organizer of the Omaha and Council Bluffs Street Railway and Bridge Company; organized and incorporated the South Omaha National Bank, serving as president for a number of years; and was a Director of the Union Pacific Railroad for fifteen years (Morton, Watkins, and Miller, pp. 305-06).

Politically, Millard was Mayor of Omaha for a brief period between 1871-72, and he was a member of the United States Senate between 1901-07. In the Senate his most important service was as Chairman of the Inter-Ocean Committee: "It was largely due to his (Millard's) and the then Secretary Taft that the lock-level type of canal building was decided upon for the Panama Canal" (Obituary of Millard(Omaha)) Morning World-Herald, Jan. 14, 1922, p. 1. While in the Senate, Millard was also instrumental in securing a $400,000 appropriation for the rebuilding of Fort Omaha and the establishment thereof the chief training station for the Army Signal Corps (for additional information see the Fort Omaha Historic District, Douglas County, Nebraska, listed in the National Register, March 27, 1974).

With his daughter Jessie, Millard resided in the house at 500 South 38th Street for the last thirteen years of his life. The two political interludes were behind him and he quietly pursued business interests during this period, suffering a fatal stroke in 1922 while attending a board meeting of the Nebraska Power Company. The period of residency on South 38th Street was the Senator's time of ultimate prominence and respectability, and the Jacobethan Revival house, despite a change in use, remains in a virtually unaltered state, conveying a feeling of the period of its association with Senator Millard.
The house's designer, Albert Kahn (1869-1942), was an "internationally famed industrial architect..., and for many years was the foremost designer of automotive plants in the United States" (Withey and Withey, p. 329). Kahn's non-residential buildings combined utility and beauty in an innovative manner, but his residences are rather unsurprising "Period Houses", reviving Georgian, Jacobethan, and French forms and details.

The Brandeis-Millard House is readily identifiable as a Jacobethan Revival house, having such perfunctory elements as brick walls with stone trim, parapeted gables, a two-story bay window, pseudo-half-timbered sections, chimneys with multiple flues, and stone mullions and transom bars. Many of these same features are found in the carriage house which was built to match the Brandeis-Millard House in material, color, detail and style.

The twenty years between 1910-30 are generally regarded as the era of the "Period House" (Lane, "The Period House in the Nineteen-Twenties," p. 169). The Brandeis-Millard House, however, precedes that span by several years. Although of limited appeal and success at first, the revival of historic styles such as the Jacobethan actually began in the 1890's, the decade during which Kahn's career began. The architect evidently found Period Revival forms to possess propriety: "The charm of the Tudor style appealed to Kahn so much that in 1928 he added a large Tudor gallery to his own house in Detroit" (The Legacy of Albert Kahn, p. 22). Like other period houses constructed before World War I, the Brandeis-Millard House was built for a well-to-do family and it reflects a new character that suburban houses were achieving: treatment as a country residence on a small lot, rather than as a modified city dwelling (Lane, pp. 170-71).

The Brandeis-Millard House is the only residence in Nebraska known to be designed by Albert Kahn, and it is among the few residences outside Michigan for which he was responsible.
9. Major Bibliographical References

(See Continuation Sheet)

10. Geographical Data

Acreage of nominated property: less than one

Quadrangle name: Omaha North

Quadrangle scale: 1:24000

UTM References

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Verbal boundary description and justification:

(See attached Landmarks Heritage Preservation Commission application forms.)

List all states and counties for properties overlapping state or county boundaries

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11. Form Prepared By

name/title: Daniel Kidd, Architectural Historian – Lynn Meyer, Preservation Administrator

organization: Nebraska State Historical Society

Omaha City Planning Department

street & number: 1500 "R" Street

1819 Farnam Street

date: October, 1980 - Appended; Jan., 1986

telephone: (402) 471-3270

(402) 444-5208

city or town: Lincoln

Omaha

state: Nebraska

68508

68183

12. State Historic Preservation Officer Certification

The evaluated significance of this property within the state is:

national

state

local

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-655), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

State Historic Preservation Officer signature

For NPS use only

I hereby certify that this property is included in the National Register

Keeper of the National Register

Chief of Registration

U.S. GOVERNMENT PRINTING OFFICE: 1983 0 - 419-311


Morton, J. Sterling; Watkins, Albert; and Miller, George L. *Illustrated History of Nebraska,* Vol. II. Lincoln: Jacob North and Co., 1906.


LHPC Case No. H1-86-2, APPLICANT: Landmarks Heritage Preservation Commission, requests LANDMARK DESIGNATION for 500 South 38th Street and 3815 Dewey Avenue. AREA TO BE DESIGNATED IS SHAPED. (Brandeis - Millard House and carriage house)
May 20, 1986

City of Omaha

Michael Boyle, Mayor
Planning Department

Omaha/Douglas Civic Center
1819 Farnam Street
Omaha, Nebraska 68183
(402) 444-5159

Martin H. Shukert
Director

H1-86-2

Honorable President

and Members of the City Council,

This proposed Ordinance designates the Brandeis-Millard House, 500 South 38th Street, and the Brandeis-Millard Carriage House, 3815 Dewey Avenue, as a Landmark. A member of the Landmarks Heritage Preservation Commission initiated this request.

DEPARTMENT RECOMMENDATION: Approval.

SUMMARY OF TESTIMONY AT THE PLANNING BOARD PUBLIC HEARING: At the Public Hearing held April 2, 1986, the Landmarks Heritage Preservation Commission Administrator appeared on behalf of the Landmarks Heritage Preservation Commission in support of this designation request. No one appeared in opposition to this request, however, it was reported that the present owner of the house is requesting a 30-day layover of this request because he believes the designation will limit his options for the future of the property. It was also reported, however, that there is a purchase agreement between the present owner and a doctor who is in favor of this designation and intends to rehabilitate the house for his own residence. There were no reports of opposition to the designation of the Carriage House. (The Brandeis-Millard House and Carriage House are now under separate ownership.)

PLANNING BOARD ACTION: Approval 6-0-1.

SUMMARY OF TESTIMONY AT THE LANDMARKS HERITAGE PRESERVATION COMMISSION MEETING: At the Public Hearing and Administrative Meeting held March 13, 1986, a visual overview of the architectural and historical significance of the Brandeis-Millard House and Carriage House was presented.

The President of Landmarks, Inc., the President of the West Central Development Council and two area residents appeared in support of this designation. It was noted that preparations are being made for the possible designation of this entire area as a Historic District.
A representative for the owner of the Brandeis-Millard House explained that his client does not intend to spend a large amount of money improving the house or having it torn down and sold as a vacant lot. He noted that his client simply wants to sell the property and felt the proposed designation would significantly hinder his ability to sell and would be of no benefit to him. He requested that the designation be laid over. No one appeared on behalf of the Carriage House.

Full summary of proceedings attached.

LANDMARKS HERITAGE PRESERVATION COMMISSION ACTION: Approval 5-0.

Respectfully submitted,

Martin H. Shukert, AICP
Planning Director

531lu
ORDINANCE NO. 3099

AN ORDINANCE to designate the Brandeis-Millard House, located at 500 South 38th Street, and the Brandeis-Millard carriage house, located at 3815 Dewey Avenue, as a Landmark pursuant to the Landmark Preservation Ordinance of the City of Omaha.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

Section 1. That the Brandeis-Millard House is located at 500 South 38th Street and the Brandeis-Millard carriage house is located at 3815 Dewey Avenue, which is on the following described land, to wit:

The North 112.5 feet of the East 160 feet of Lot 1, Block 3, West Omaha, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska, together with the West 5 feet of Lot 1 and the West 5 feet of the North 33 feet of Lot 4 and the North 120 feet of the East 67 feet and the East 65 feet of the South 67 feet of Lot 2 and the North 33 feet of the East 82.5 feet of Lot 3, Block 3, West Omaha, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska.

Section 2. That for the reasons recited in Landmarks Heritage Preservation Commission Resolution attached hereto as Exhibit I, and made a part hereof as if fully set forth herein, the architectural characteristics of the Brandeis-Millard House and the Brandeis-Millard carriage house are hereby deemed significant and worthy of preservation.

Section 3. That the "Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings", as may be from time to time amended, are hereby adopted as the design standards to be applied in the enforcement of this Ordinance and Chapter 24, Article II of the Omaha Municipal Code.
Section 4. That the Brandeis-Millard House and the Brandeis-Millard carriage house are hereby designated pursuant to Section 24-61 of the Omaha Municipal Code, and hereby subject to all of the provisions of Landmark Heritage Preservation, Ch. 24, Art. II of the City of Omaha.

Section 5. That this Ordinance shall be in full force and take effect fifteen (15) days from and after the date of its passage.

INTRODUCED BY COUNCILMEMBER

Steve N. Fomeske

APPROVED BY:

Michael Byrne

MAYOR OF THE CITY OF OMAHA

DATE 6/13/86

PASSED JUN 10 1986 6-0

ATTEST:

Mary Margaret Heming
CITY CLERK OF THE CITY OF OMAHA

APPROVED AS TO FORM:

Jim Engler
CITY ATTORNEY

6720t
1164-1216-1314

No. 30991

AN ORDINANCE to designate the Brandeis-Millard House, located at 500 South 38th Street, and the Brandeis-Millard carriage house, located at 3815 Dewey Avenue, as a Landmark pursuant to the Landmark Preservation Ordinance of the City of Omaha.

PRESENTED TO COUNCIL

1st Reading MAY 20 1986

2nd Reading and Public Hearing on JUN 3 1986

Hearing JUN 3 1986 0700 to 1100

Final Reading JUN 10 1986

Passed 6-0

Mary J. Ogan
CITY CLERK