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Article Summary: A government contract in the 1940s for construction of a B-26 bomber plant in the Omaha/Bellevue area led to a struggle over local zoning authority for the project. Omaha's refusal to compromise with Sarpy County at that point undercut future Omaha influence over Bellevue's development.

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Photographs / Images: diagram of the Martin Bomber Plant main floor; Omaha mayor Dan Butler with Governor Robert Cochran and Danish royal family members in 1939; Martin bomber plant

The Zoning of Fort Crook: Urban Expansionism vs. County Home Rule

By Jacqueline McGlade

Federal military bomber plant contracts awarded to airplane manufacturers in the 1940s provided certain areas in the Midwest a chance for post-Depression prosperity. Bellevue, Nebraska, an undeveloped village within five miles of a large population center (Omaha), presented an ideal location for the construction of a bomber plant in Nebraska. The proposal carried the support of persons eager for jobs as well as politicians and officeholders. The promise of economic gain dispelled any fear of increased federal presence in local affairs. Nebraska advertised its willingness to be considered for military-industrial contracts. Nebraska Senators George W. Norris and Edward R. Burke informed Washington in October that Nebraska stood ready.

But the awarding of a major government contract to the Glenn L. Martin Company on December 6, 1940, to construct a B-26 bomber plant in the Omaha/Bellevue area created an immediate dispute over local zoning authority for the project. Though area civic leaders such as President James F. Sullivan of Omaha's Central Labor Union, and Omaha Mayor Daniel Butler had expressed hopes in the selection of Omaha as a site for a federal defense project, the sudden letting of the Martin contract left officials unprepared. The hope by the Martin Company and the federal government that completion of the plant would be swift further complicated local officials' efforts.

The determination that the Army training base, Fort Crook, should be the site initiated the controversy over which government entity should receive zoning authority. The position of Omaha, at the insistence of Mayor Dan Butler, was that the Omaha Zoning Commission be given the authority to zone far-

ther from the city than its present three-mile limit and thus include the area.¹ Omaha is in Douglas County. But Sarpy County, where the site is located, took immediate issue with the Omaha proposal claiming zoning of the area across a county line.

Claims moved from verbal fencing to concrete action following a speech given by Brigadier General George V. Strong, area commander of the 7th Army Corps, on January 13, 1941. Criticism by General Strong before a meeting of the South Omaha Merchants Association that "undesirable conditions had developed around some new army developments" elicited promises of proper policing by both Omaha and Sarpy County. Omaha Mayor Dan Butler pledged that if the Omaha Planning Commission might be given the right to zone the Fort Crook area this would close out the "hot spots." Mayor Daniel Butler announced the start of an Omaha cleanup drive to rid the area of "dime-a-drink girls" after the arrest of four women. The raid by police on the Dutch Bar at 2521 N Street signaled a drive "to see that taverns are properly operated and that dime-a-drink girls are not tolerated."² An article from the *Omaha World-Herald* reported the outcome of the women's trial under the headline "Mayor Seeks Vice Curb at Bomber Plant."³ The case proved to be less than airtight when the arresting "rookie" officers admitted that they bought drinks for themselves and the women and tried to date the women. Butler said his vice campaign was essential "to keep all undesirable establishments from springing up around the fort."⁴

Sarpy County officials countered Omaha's cleanup drive with a promise to General Strong to provide law enforcement for the plant site. The county vowed to protect the thousands of workmen and their families who would move to the area "from infiltration of the gambler, the bootlegger, and women of shady occupation."⁵ Both the Sarpy County sheriff and the county attorney staged raids to remove "chislers" from the neighborhood of the new bombing plant. Sarpy County Attorney Guy Tate and his deputies in March raided night spots along Highway 75 and confiscated eight slot machines in an effort to make the county as "white and pure as a lily."⁶ Omaha and Sarpy County's actions to halt the spread of prostitution and gambling heightened efforts by both governmental units

to gain control of the zoning authority for the plant site.

Both Omaha and Sarpy County declared military approval had been given to their cleanup drives in the Fort Crook area. Mayor Butler on January 13 stated that the city was starting work at the request of Army officials,⁷ while Sarpy County officials contacted General Strong directly to discuss the mechanics of their policing campaign. General Strong continued to act as arbitrator in the dispute until the controversy shifted to the State Capitol in Lincoln.

The impasse prompted the contending agencies to look toward the Nebraska Legislature for a solution to the dispute. Sarpy County Attorney Guy Tate on January 13, 1941, proposed the use of the state sheriff's office or patrol to help Sarpy County police the bomber plant site. The Omaha Planning Commission also petitioned the Legislature to broaden the commission's power.⁸

Compromise efforts did not emerge until time, legislative alternatives, and the Army's patience had about run out. Mayor Butler issued this disclaimer: "We aren't trying to tell Sarpy County or anybody else what to do, but we do feel that an experienced planning commission can avert a lot of mistakes. I hope our offer will be accepted."⁹ Butler's presumption of an Omaha zoning claim in Sarpy County and his implication that a Sarpy County planning commission would make "mistakes" further complicated matters. Statements to this effect arrested all efforts to strike a compromise.

On January 18, 1941, Butler confidently announced his drafting of three bills extending Omaha's planning authority five miles outside of the city limits.¹⁰ State Senator Ernest Adams was to introduce them in the Nebraska Legislature. They proposed the extension of the zoning authority of the Omaha Planning Commission from the standard three-mile limit to five miles. The adjustment would allow the Fort Crook site to fall within Omaha's jurisdiction.¹¹ Butler defended the legislative drafts as a necessity to keep honky tonks from springing up and to prevent erection of "shacks"—sub-standard housing—near subsequent developments. Senator Adams did not share Butler's enthusiasm and made it clear he "merely accepted the bills for study and could not say . . . whether he [would] present them to the Legislature."¹²

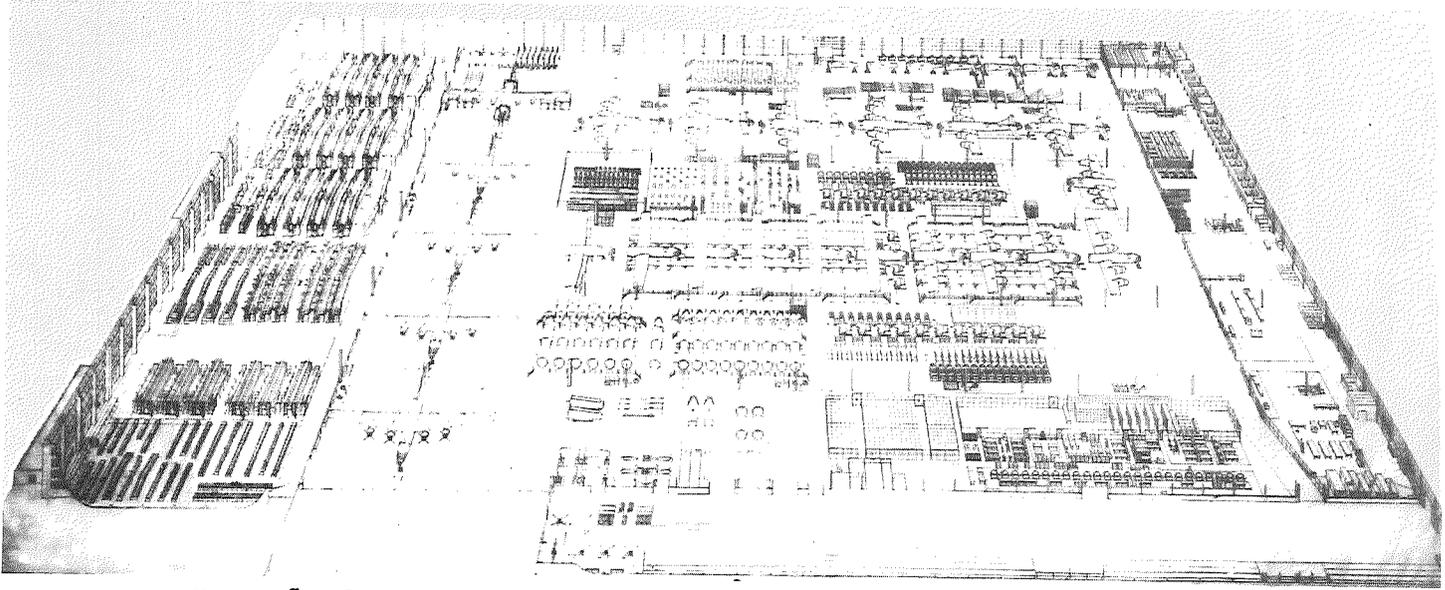


Diagram of the Martin Bomber Plant main floor. Courtesy of Western Heritage Museum

Mayor Butler's confidence in legislative approval rested in large part in the belief that Sarpy County officials could not organize and present an opposition bill. Senator Adams' reluctance to introduce the bills delayed action and precipitated the first formal compromise meeting between Omaha and Sarpy County officials on January 22. Mayor Butler, favoring an exclusive grant of authority to Omaha, boycotted the meeting and "went to Fremont with a Chamber of Commerce goodwill party." City Finance Commissioner Harry Knudsen, the mayor's representative, conducted the conference. Knudsen forecast that "when Sarpy County delegations meet Omaha officials . . . they will find us willing to cooperate. He said he had reports that Sarpy County residents resented efforts by Omaha to extend its authority and he hoped the conference would prove that Omaha's only interest is in working out a mutual problem."¹³ Sarpy presented a measure drafted January 23 which "conferred power on the county commission to zone the area lying outside of the corporate limits of villages and cities."¹⁴

The failure to strike a solution led to another meeting on January 28. Senator Adams' stalling on the Omaha bills and rejection of Omaha compromise proposals allowed Sarpy County to extract concessions to permit its participation in zoning plans. In addition to considering the Omaha bills, the second meeting entertained Sarpy County proposals calling for a regional planning commission comprised of Douglas and Sarpy County representatives who "would have only advisory authority to recommend zoning." Mayor Butler, opposing the compromise, declared "the city would go ahead with the three bills in the Legislature which would confer zoning authority on Omaha." A comment by Papillion Chairman Ralph Nickerson that "he hoped some compromise would be worked out" prompted Butler to caution: "If we wait until a boom town has developed out there it will be too late to do anything about it. . . . It's vitally important to prevent bad conditions around the plant. . . . The Army will take that into consideration when the time comes to close down some of its bomber plants."¹⁵ One disgruntled opponent declared Mayor Butler wanted Sarpy County "to stand on the sidelines and twiddle its thumbs."¹⁶

Concern over the Army impatience at the squabbling and a

desire to obtain authority over construction contracts motivated Butler and the City Planning Commission to push harder for a legislative solution. A January 30 redraft of the bills yielded little to Sarpy County but included a provision allowing two Sarpy County members on the commission "to have a voice in recommendations to the Omaha City Council on regulations of land use." Mayor Butler explained their addition as a sop to "some Sarpy County residents [who] still feel we are sticking our nose in their business." Butler declared that "unless Omaha takes the initiative . . . regulation is very remote."¹⁷ Sarpy County officials voiced resentment: "It savors a bit too much of dictatorship."¹⁸

Sarpy County then took action to secure control over the zoning. On January 31 State Senators William A. Metzger of Cedar Creek, Harry Gantz of Alliance, and Otto Kotouc Jr. of Humboldt introduced a bill "to give the Sarpy County Board power to zone the area about Fort Crook."¹⁹ With its introduction political battle lines formed and the issue became a three-way controversy involving Omaha, Sarpy County, and the State of Nebraska. The expressed concern of each remained the need for immediate zoning and police action at the Fort Crook site. State Senator Metzger, co-sponsor of the Sarpy County bill, informed the Legislature that immediate passage of his bill was "urgent" and that information had come to him that lack of zoning was "holding up the start of the plant." Governor Dwight Griswold established a state interest in the controversy by asking for a law setting up a "Nebraska advisory defense committee to survey the state's defense assets and cooperate with the federal government in bringing defense industries here." State Senators John Adams and C. Petrus Peterson of Lincoln complied with the governor's wish and introduced a measure empowering the governor to name "any number of men to the commission, the governor himself to serve as chairman."²⁰

An Omaha-based proposition did not surface during the legislative proceedings. Support of the Legislature for a Sarpy County measure became evident after Senator Metzger received unanimous consent to advance his bill to second reading.²¹ Metzger declared he was willing to write into his bill a clause to let the state advisory defense committee sit in an advisory way with the Sarpy County zoning commission.

Metzger stated he had no stomach for a controversy with Omaha, but he felt Sarpy County should have the zoning authority.²²

The coalition between Sarpy County and the state interests and the defection of Omaha and Lincoln state senators from the Omaha proposals placed Omaha's bills in a precarious position. On February 3 Omahans retaliated by the conditional introducing of four zoning bills by State Senator Amos Thomas of Omaha calling for the extension of "city zoning power to all unincorporated areas within a two-mile radius of any military establishment within five miles of the city."²³ Two other measures dealt with the application of Omaha plumbing and building codes to the Fort Crook site. The remaining bill reiterated the compromise position by the Omaha Planning Commission to allow two Sarpy County residents on its board.

Though legislators rested their approval largely with the Sarpy County bill, consideration of Army preference remained a top priority. The introduction of the Omaha measures by Senator Thomas, a brigadier general on leave from the Army, augured of an emerging military position. Senator Thomas told Mayor Butler he would sponsor Omaha zoning measures if he knew what the Army wanted. A scramble by Omaha and Sarpy County officials to receive federal sanction for their prospective measures resulted in Mayor Butler calling on General Strong. Butler refused comment upon the conference. Senator Metzger declared he had understood General Strong had approved the Sarpy County bill, but Army officials refuted Metzger's assertion.²⁴

Mayor Butler apparently had reached an agreement with General Strong. It was unfolded on February 4, when State Senator Ernest Adams introduced a bill to allow the extension of Omaha's zoning authority to five miles outside the city's limits, a proposal with full Army approval.²⁵

Mayor Butler's representative, William Minague delivered a letter from General Strong to Governor Griswold endorsing Omaha's bid and stating the Army position. General Strong's move was a coup for Omaha officials and a shot-in-the-arm for their floundering legislative proposals.

The letter dealt with the general's concern that immediate and adequate sanitary, building, and housing regulations be

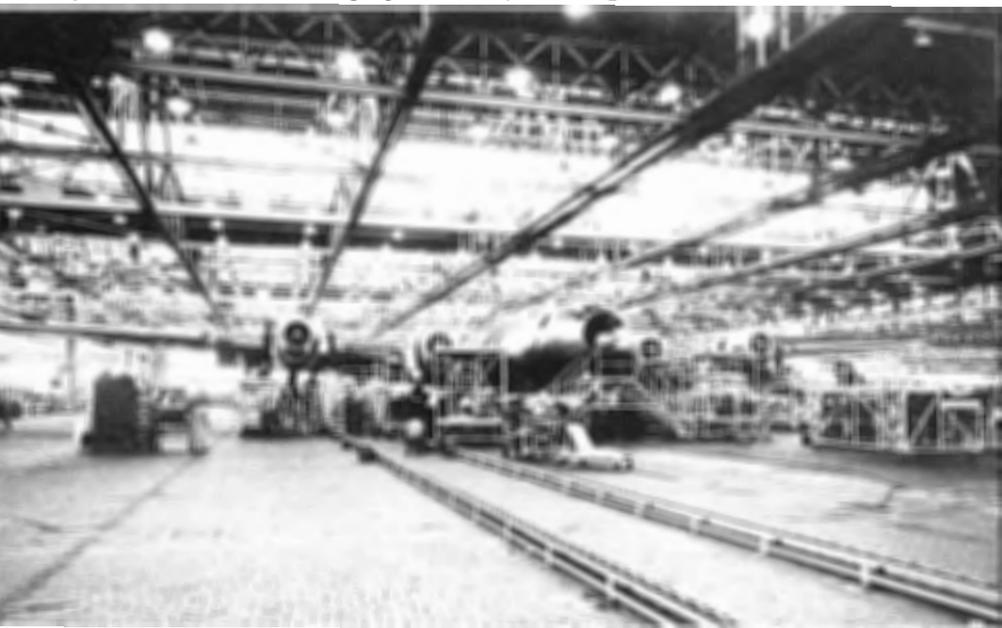
instituted at the site. He stated: "I am loath to inject myself into matters primarily within the jurisdiction of Nebraska, but I am greatly concerned over conditions in the vicinity of Fort Crook." General Strong alluded to the position of the Martin Company which, he said, was "likewise concerned over local conditions." Endorsing the Omaha plan, he stated: "I am inclined to think that the best interests not only of the bomber plant of Fort Crook but the State of Nebraska would be served by extending [the] authority of the city of Omaha. Strong concluded: "A clean, healthy, law-abiding community can be established around Fort Crook in the minimum of time and within the minimum of local friction."²⁶

General Strong's endorsement of the Omaha measures only intensified "the apparent friction and clash of interests between the authorities of Sarpy County and Omaha."²⁷ Sarpy County spokesmen conceded that the commission was "up against real opposition, well organized and having received the strong approval . . . from high army officials."²⁸ State Senator William Metzger acknowledged the Strong letter as a "complete and unqualified endorsement to Omaha authority," but he maintained he "intended seeing [the Sarpy County bill] through" and defending his position: "If other defense industries should be located in Nebraska in the future, the Legislature must set up a way for counties generally to zone around them, unless Omaha wants to extend its authority all over the state." Despite the Army endorsement of the Omaha measure, Sarpy County partisans achieved a victory on February 12, 1941, when both measures came under consideration before the Legislature's Government Committee. Committee Chairman State Senator Frank Sorrell announced he would "hold up all bills . . . to give opportunity for a compromise offer in line with the Sarpy County home rule policy."²⁹ The committee acknowledged "Sarpy County's inherent authority over its own area."³⁰

Senator Sorrell's call for a compromise bill by February 19 presented an opportunity for Omahans to arrange meetings with Sarpy Countians in the hopes of achieving a compromise. Omaha City Attorney Harold Linahan issued a conciliatory statement: "Omaha's only interest is to see adequate control . . . over boom conditions . . . and that the city's only fear is that Sarpy County's zoning machinery would not be set up in



Omaha Mayor Dan Butler (right) with Princess Ingrid of Denmark, Nebraska Governor Robert L. Cochran, and Crown Prince Frederik (later Frederik IX, king of Denmark), May 5, 1939. . . . (Below) The Martin Bomber Plant produced in 1943 the first of 531 B-29 Superfortresses, including the Enola Gay, noted for the atomic bombing of Hiroshima. Courtesy of Western Heritage Museum.



time." He said the Sarpy plan would take \$20,000 and six months to implement. Linahan proposed a plan "to give Omaha limited powers until Sarpy County is ready to take over the job."³¹

Sarpy officials, utilizing the support gained from the legislative committee's report, dismissed Omaha advances. Papillion's Ralph Nickerson, commenting on Linahan's suggestion, asserted: "We are expecting to exercise all other powers. Why single out this problem and say it shall be handled by some municipality in another county?" Sarpy County Attorney William R. Patrick conceded Sarpy County's need for Omaha advice but warned that "if Omaha persists on being the final authority, Sarpy County antagonism . . . would result in litigation which might endanger the whole . . . program." Linahan doubted the legality of Omaha acting in an advisory capacity.

Mayor Dan Butler moved away from his long-held position of singular Omaha control and suggested a plan whereby a joint planning body would recommend zoning, subject to approval by both the Omaha City Council and Sarpy Board. City Finance Commissioner Harry Knudsen denied any interest by Omaha "in annexing Sarpy County," and said Omaha only wished to make its "environs a better place to live in."³²

Attorney Harold Linahan finally said he would ask that Omaha be allowed to start the job and withdraw as soon as Sarpy County was ready to take over. Both Linahan and Papillion's Nickerson expressed the belief that a compromise draft would be obtained before February 19.³³

On February 17 two compromise proposals received unenthusiastic support. The prospect of forwarding a joint proposal to Lincoln before the Government Committee endorsing a Sarpy County home rule bill seemed unattainable. Sarpy County officials did not attend a meeting at Linahan's office on February 18, and in the words of Papillion Chairman Ralph Nickerson, decided "to stand by their own bill." An offer by Omaha to "help finance zoning and donate help of its zoning engineers" was rejected.³⁴

On February 20, L.B. 495, introduced by Senators Adams and William Metzger gave the state an important voice but left final say chiefly with local government.³⁵ Possible gubernatorial and Army pressure on key state senators forced the

break in the deadlock. The bill sped through by several suspensions of the rules to placement on general file.

While L.B. 495 waited final House approval, Sarpy County began building zoning and planning machinery. H. D. Bossert of "the National Resources Planning Board," became the federal consultant assisting Sarpy County. He promised to consult with both Omaha and Sarpy County authorities on zoning, housing, and other matters.³⁶ Bossert's inclusion of Omaha signaled federal reluctance to allow Sarpy County sole control over its zoning responsibilities.

The newly formed Sarpy County planning board included W. L. Cockrell, W. J. Shallcross, Clarence Frazier, John H. Keller, Ralph Nickerson, and George Mann. Only Keller held a zoning-related title—that of planning engineer. Ralph Nickerson acted as the board's legal counsel. A tentative zoning plan produced by the board placed the main "concentration of commercial activity into two districts, one near the center of town and the other on the southwest side adjoining Fort Crook reservation." Expecting triple its present population, the village board of Bellevue began to consider new ordinances for building and housing codes.³⁷

The final draft of L. B. 495 on February 25 passed with several amendments introduced by Senator Metzger. It revamped the proposed state zoning council—originally composed of the attorney general, adjutant general, and the state highway commissioner—to include only the governor and defense council. The governor would appoint "a committee within the council" and "hire zoning experts to determine what regulations were necessary in any area of the state."³⁸ Local government entities would have power to approve or reject committee selections and would be the final authority within their city/county limits. The revised version of L. B. 495 gave some jurisdiction to Omaha as well as Cass County, Papillion, and Bellevue. The bill called for a proration of zoning costs among local units. Approval of the plan included provisions for the withdrawal of dissenting units to pursue individual zoning plans. With the amended changes L. B. 495 moved immediately toward passage. The addition of tighter state controls over zoning from the governor's office coupled with recognition of Omaha authority to zone to its South Omaha limits, quieted protests over the content of the

measure. The announcement that Governor Griswold intended to appoint two Omaha residents to the powerful Resolutions Committee of the State Defense Council helped tip Omaha sentiment in favor of L. B. 495.³⁹

Final passage of the measure came on March 17 by a 41 to 0 vote.⁴⁰ On March 6 Bellevue Village Board Chairman F. H. Freeman ordered the removal of 15 trailers in the Bellevue/Fort Crook area which were in violation of a newly enacted city zoning ordinance.⁴¹ By April the problem of "mushrooming of shacks along the roads leading to the fort" led Bellevue and Sarpy County to demand a temporary ban on all building construction around the bomber plant site. But denial of the "mushroom plea" by the Nebraska attorney general on the grounds that it remained the state defense committee's function to enforce zoning for the plant site incensed long-time residents of the Bellevue/Fort Crook area.⁴² The fears of Omaha and Sarpy County officials had materialized. Zoning matters apparently rested with the Nebraska Legislature's zoning commission.

By October, 1941, a Martin Bomber Plant structure known as Building D, was completed. It contained more than 1,200,000 square feet of floor space and was equivalent to 25 football fields in length. Peter Kiewit Sons of Omaha and Paschen Contractors of Chicago poured 47,000 cubic yards of concrete and installed 250 miles of electrical wiring. Five acres of glass and 10 miles of fluorescent tubing completed the inside of the bomber plant.⁴³

At its peak of production in November, 1943, the Martin Bomber plant employed 14,527 people, with women representing 40 per cent of the total.⁴⁴ In early January of 1941, estimates by the Omaha Chamber of Commerce and Real Estate Board that Omaha could absorb 5,000 new residents without new construction of housing, underestimated the housing boom that occurred due to the construction of the bomber plant.⁴⁵

The controversy over which governmental agency should receive the authority to zone the Fort Crook plant site resulted in the extension of legislative authority. Omaha was thwarted in its attempt to extend its zoning and annexing powers. The decision to affirm Sarpy County's right to "home rule" through L. B. 495 illustrated rural resentment of Omaha's growing

municipal power. Sarpy County accusations that Omaha "usurped" adjacent county regulatory authority continued even after federal endorsement of the Omaha plan. Army support of extending Omaha planning authority made little impact on the Nebraska Legislature's opinion of expanding urban control of rural counties.

Omaha's refusal to compromise with Sarpy County proved short-sighted and arbitrary. Its assessment of the potential growth of the area surrounding the Fort Crook bomber plant was inaccurate. Refusal to allow the metamorphosis of Sarpy County government units from rural to urban substantially undercut future Omaha influence in the growth and development of the city of Bellevue.

NOTES

1. *Omaha World-Herald*, January 13, 1941.
2. *Ibid.*
3. *Ibid.*, January 18, 1941.
4. *Ibid.*
5. *Papillion Times*, January 16, 1941.
6. *Ibid.*, March 6, 1941.
7. *Omaha World-Herald*, January 13, 1941.
8. *Ibid.*
9. *Ibid.*
10. *Ibid.*, January 18, 1941.
11. *Proposed Bills*, Nebraska State Document, 55th Legislative Session (1941), 308.
12. *Omaha World-Herald*, January 18, 1941.
13. *Ibid.*, January 22, 1941.
14. *Papillion Times*, January 23, 1941.
15. *Omaha World-Herald*, January 28, 1941.
16. *Papillion Times*, January 30, 1941.
17. *Omaha World-Herald*, January 30, 1941.
18. *Papillion Times*, January 30, 1941.
19. *Legislative Journal*, Nebraska State Document, 55th Legislative Session (1941), 199.
20. *Omaha World-Herald*, January 31, 1941.
21. *Legislative Journal*, Nebraska State Document, 55th Legislative Session (1941), 199.
22. *Omaha World-Herald*, January 31, 1941.
23. *Legislative Journal*, Nebraska State Document, 55th Legislative Session (1941), 249.
24. *Omaha World-Herald*, February 3, 1941.
25. *Legislative Journal*, Nebraska State Document, 55th Legislative Session (1941), 249.
26. *Omaha World-Herald*, February 4, 1941.
27. *Ibid.*, February 4, 1941.
28. *Papillion Times*, February 6, 1941.
29. *Omaha World-Herald*, February 4, 1941.

30. *Papillion Times*, February 13, 1941.
31. *Omaha World-Herald*, February 13, 1941.
32. *Ibid.*
33. *Ibid.*, February 14, 1941.
34. *Ibid.*, February 19, 1941.
35. *Legislative Journal*, Nebraska State Document, 55th Legislative Session (1941), 402; *Omaha World-Herald*, February 20, 1941.
36. *Omaha World-Herald*, February 21, 1941.
37. *Ibid.*
38. *Ibid.*, February 25, 1941.
39. *Ibid.*
40. *Legislative Journal*, Nebraska State Document, 55th Legislative Session (1941), 629-630.
41. *Omaha World-Herald*, March 6, 1941.
42. *Ibid.*, April 21, 1941.
43. *History of Building D*, Offutt Air Force Base Pamphlet 210-1, Offutt Air Force Base, Nebraska, 3.
44. *Ibid.*, 6.
45. *Omaha World-Herald*, January 7, 1941.