

MEETING RECORD

NAME OF GROUP: NEBRASKA CAPITOL ENVIRONS COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, July 25, 2013, 8:00 a.m., Room 210, County/City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: John Kay, Tom Laging, Karen Nalow, Jeff Searcy, and Cecil Steward. Christie Dionisopoulos and Jon Weinberg absent.

OTHERS IN ATTENDANCE: Rodney Anderson and Dennis Summers (State Building Division); Robert Lane, Kandra Hahn, Pam Doty, Stacy Asher, William Wood, Rachel Gehringer-Wiar, Jessi Tidball, Duane Wunderlich, Jack Saltzman, Mary Roseberry-Brown (Goodhue Blvd. Residents); Emily Nitcher (Journal Star); Carl Eskridge (City Council); Wynn Hjermsstad (Urban Development); Harry Kroos (Public Works); Lynn Johnson, Jerry Shorney and JJ Yost (Parks & Rec); Bob Ripley and Matt Hansen (Capitol Commission); Marvin Krout, Ed Zimmer, Stacey Hageman and Michele Abendroth (Planning Department)

STATED PURPOSE OF MEETING: Regular Meeting of the Nebraska Capitol Environs Commission

The meeting was called to order at 8:03 a.m. The Nebraska Open Meetings Act was acknowledged.

Approval of meeting record of May 23, 2013

Laging moved approval of the May 23, 2013 meeting record, seconded by Nalow. Motion failed 3-1; Laging, Nalow and Searcy voting 'yes'; Kay abstaining; Dionisopoulos and Weinberg absent. *[Note: Final actions of the Commission require 4 affirmative or 4 negative votes.]*

Certificate of Appropriateness for work at 1526 K Street (former Woodman/Assurity Building) in the Capitol Environs District.

Anderson stated that the State purchased this building at 1526 K Street a year ago and is in the process of rehabbing it. They will begin moving agencies into the building in the next couple months. They want to provide more parking around the building. In talking with the City, they wanted to see if there are any issues with providing a curb cut for parking. They are proposing 5 stalls on K Street and 6 stalls on 16th Street. They are moving five trees on 16th Street. There is an ADA ramp on L Street next to the Mall area. They also want to accommodate smokers away from the building in a shelter similar to a bus enclosure. It will be inside the parking lot but east edge near the landscape zone, northeast of the building.

Nalow commented that relocating the tree between the sidewalk and parking may reduce the life of the tree. Laging suggested using silva cells. Nalow offered another suggestion of using stratacell which does well under vehicles, and it is a little less expensive.

Laging stated that the need for handicapped parking is understandable but he does not see the need for additional public parking. There is an opportunity there for trees. The church does not have a drop-off area, and he does not believe that the State would need it either.

Laging asked about the State's long-term plan for the area as the State encompasses a lot of the environs area. Anderson stated that they try to accommodate visitors. By creating this building, they have created a campus. There is a great demand for public parking and it becomes extremely difficult when the legislature is in session. His impression is that parking will be extremely tight. Laging stated that our agendas coincide, and we have wrestled with funding. He is disappointed that the State has never come up with a long-term plan, and the Commission never gets a sense of what the State has in mind in the long-term so these things don't come up in a piece-meal fashion. This building fronts the Capitol.

Johnson stated that if there is an interest in looking at the trees along 16th Street, they would be happy to coordinate that effort. Nalow stated that Laging brought up some good points. She has concerns with the 5 stalls on K Street, and what the city would be giving up. We have the beautiful green frontage along K Street and this will be breaking that up. She wonders if there are other avenues that could be further researched.

Searcy asked if they could accommodate ADA accessibility on 16th Street. Anderson stated that they looked at K Street because it is the front door. This would be the shortest distance to the front entrance that is handicapped accessible.

Laging asked if they looked at other options for the smoking area. Anderson stated that they are open to suggestions. They worked with an architect on the design.

Laging noted that from an environmental side, trees would help shade the windows on the south side.

Kay asked if there is a possibility of doing 3 of the 5 parking stalls for ADA accessibility. Anderson stated that they will make the stalls the appropriate size for van accessibility. Nalow stated that she does not believe there would be enough space for any green space, and wondered if there is a different approach to take. It feels that the City is giving up a lot just for parking stalls.

Laging asked about the interface with the new Mall plan. This is our opportunity to put some screening in there for the parking lot. Nalow stated that there is an existing wall. The walkways currently in place don't extend as far east. There is a line of oak trees in the main walkway. Perhaps with the large agenda we have today, we may need a separate discussion on this topic.

Searcy asked if the ADA accessibility could be accommodated in the parking lot or on 16th Street. Anderson stated that they struggle with finding enough parking for their employees. There will be a

wait list for parking once we move the employees into this building. They think they can blend it in to make it look good, and this will meet a need for the public.

Steward commented that the smoking shelter resembles a bus shelter and questioned how many people would be confused by that. He does not think the shelter is appropriate nor is it appropriate in the right-of-way.

Searcy asked about the ramp on the south side. Anderson stated that traffic will come in the front of the building. They are proposing on the west side of the steps to build a ramp into the building. The ramp will be against the building, and the tree will stay. Nalow commented that the ramp will be very close to the tree and will affect the root structure of the tree.

Lagging moved to approve 3 parking stalls in front of the building on K Street, but deny the parking on 16th Street, approve the ramp, and redesign and relocate the smoker's building; it was seconded by Steward. A friendly amendment was made and accepted to move the ramp on the east side of the front entry.

Nalow offered an amendment to provide 3 accessibility stalls on 16th Street. Steward stated that he would not support that amendment as he believes the distance is too far. Searcy suggested that they explore other ideas in the rear parking area for access. Steward stated that he is in favor of green space but it is more important to have accessibility. Kay stated that in terms of wayfinding it is difficult to find accessible parking, and it is important to provide stalls as close to the front entrance as possible.

Nalow offered an amendment to deny parking on K Street and to look at accessible parking at other locations. She is concerned about giving up green space when past use of this building has allowed visitors to enter on the north side. Searcy seconded the amendment.

Searcy asked about the priorities of the State on this project. Anderson responded that the ramp is the highest priority, followed by additional parking and then the smoking area.

Steward stated that anyone who has visited this building in its most recent prior use knew that you entered the back (north) side and therefore the handicapped accommodation went along with that. This is an attempt to make the front door the front door and welcome pedestrian traffic. He believes this project fits the functional use of the building and so he would vote against the amendment.

The motion to deny parking on K Street failed 1-4. Nalow voting 'yes'; Kay, Laging, Searcy and Steward voting 'no'; Dionisopoulos and Weinberg absent.

Searcy called for a vote on the main motion to approve 3 parking stalls in front of the building on K Street, but deny the parking on 16th Street, approve the ramp on the east side of the front entry and redesign and relocate the smoker's building.

Searcy asked the State about the importance of the parking on 16th Street. Anderson stated that they feel it is very important. We are very limited on the amount of parking, and it is a great opportunity to add stalls.

Searcy moved to allow 16th Street parking in this proposal. There was no second.

On roll call for the main motion identified above, the motion carried 4-1. Kay, Laging, Searcy and Steward voting 'yes'; Nalow voting 'no'; Dionisopoulos and Weinberg absent.

Steward stated that based on the last comment from the State, he would make a motion to isolate the original main motion and provide for parking on 16th Street as proposed. There is a strong justification for street parking in this district as long as it is not markedly interfering with the design characteristic of the district. The notion that convinces him to make this motion is the Department of Labor as it is very difficult to get in and out of that building in its current parking configuration.

Steward then moved to reconsider to discuss the question to allow parking on 16th Street, seconded by Kay. Laging stated that the federal government provides visitors with parking, and he does not see why the State can't designate a portion of their parking for employees as well. This is just eating into the open space of an urban area. Every time we lose one of these, there is no gain. Motion to reconsider carried 3-2. Kay, Searcy and Steward voting 'yes'; Laging and Nalow voting 'no'; Dionisopoulos and Weinberg absent. *[Note: A motion to reconsider is not a "final action" and a majority of those present suffices.]*

Steward moved to remove 16th Street from the main motion and approve parking on 16th Street as proposed, seconded by Kay. Motion carried 4-1. Kay, Nalow, Searcy and Steward voting 'yes'; Laging voting 'no'; Dionisopoulos and Weinberg absent.

Certificate of Appropriateness for work in the Goodhue Boulevard right-of-way, west side, between F and G Streets, in the Capitol Environs District.

Johnson stated that over time there has been continued work on this median on Goodhue Boulevard between F and G Street. There was ornamental lighting installed, and in 2011 there were new trees planted between A and F Streets. There has been a lot of discussion with the Commission on how to implement the 1986 master plan. In 2010, the McPhee School was renovated and the sidewalk alignment of the G-H block was continued from F to G Street, widening the area for planting trees between the sidewalk and the building.

Parks Dept. has three proposals for the Commission's consideration. The first proposal is the most consistent with the 1986 Master Plan and shows the realignment of the walk, removal of the trees and planting 8 new trees. The second alternative would be to look at preserving the large oak on the south end of the block. We would curve the sidewalk alignment around the base of the tree. The rest of the trees would be relocated and a line of new trees would be planted on the inside of the walk. The third alternative would be preservation of both of the large oaks. The walkway would align north and south. The Parks and Recreation Department is recommending option two.

Nalow asked about the health of the two large oak trees. Johnson stated that they are in good health. One has a little clerosis, but not enough to remove it.

Laging stated that the Commission's interest is improving the area. They are always looking at the long-term. This is an opportunity to make some adjustments. We all love trees, and this is an issue of long-term planning as an improvement to the neighborhood. Ripley stated that there has never been any intention to do any clear-cutting of Goodhue Boulevard. The issue is an attempt to keep progress moving. He recognizes Bill Wood's comments, but he disagrees with the comment about there being no public involvement. There was significant public involvement 25 years ago.

Mary Roseberry-Brown stated that she is here because of the concern for the proposal. She is most concerned about losing that canopy. It would be impossible to plant any canopy-producing trees. The canopy is what makes the capital so beautiful. The oak trees give a strength and uplifting feeling to the entire neighborhood that a smaller tree just cannot give. She recommends that the application be denied and that there be a reevaluation of the entire proposal.

Robert Lange stated that shade trees save on energy bills. He cited an example of a study proving this.

Kendra Haun stated that she loves living near the capitol. She would like to thank the Commission and particularly Bob Ripley for the extraordinary care they take of her neighborhood. This project represents an unsettling step forward. The last plan was 27 years ago and quite theoretical. This is no inconsequential tree removal. The removal of 75-year oaks is far from routine sidewalk replacement. Goodhue Boulevard itself is eligible for historic designation. She is asking that the Commission withhold the Certificate of Appropriateness.

Pam Doty stated that her daughter moved here because of the trees and removing the two trees would change the ambience of the street. They came here today to reach a compromise. The most important part is ADA compliance and that can happen without destroying those trees.

Duane Wunderlich stated that he would like to thank the Commission for the ornamental lighting. He would like to keep the canopy because it looks great and reduces energy use. The sidewalk needs to be worked on for accessibility as it is steep. He is concerned about having the trees in his yard. He has a lot of questions at this time and would like to send them to staff.

Jack Saltzman stated that these buildings were designed before the capitol building. These are beautiful buildings, and he is concerned with proportions as they would not be in keeping with these larger buildings. There are so many trees so close together by the Governor's Mansion, and the sidewalk is raising. He is concerned about the effect it would have on his building. He is concerned about the perception that these buildings have no value.

Ripley responded to the comment about these buildings having no value and stated that the Commission has always held that area in great prestige and wants to increase property values.

Johnson clarified that in 2010 the Commission voted to keep the trees in their current alignment from A to F Streets. They have a commitment to plant large canopy trees south of F Street.

Rachel Gehringer-Wiar stated that she appreciates the opportunity to voice their comments. She welcomes and encourages the opportunity to be involved in the decision.

Jessi Tidball stated that there was a flyer on the door announcing the meeting; however, it was difficult to find the time of the meeting.

Eskridge thanked the Commission for the good work they do as well as the residents. He would echo the comments about the process. He encouraged them to slow it down and delay it a little bit.

Steward stated that he would support more process especially in this particular issue. He commented that even though there have been compliments about the ornamental lighting and there has been work in this south access, it has been the most neglected of all quadrants of the capitol environs. The Commission is dedicated to picking up the pace as funds are available and getting public support. We are working in a very different time than 25 years ago. Global warming is a fact, and it is becoming more relevant that the steps we take impact the environment. It is becoming more difficult to maintain the canopy. He wants to congratulate the City on the impressive planting taking place throughout the City. Someone mentioned the natural life of these trees, and whatever step we take should respect the natural life of the tree. He thinks to be for an appropriate tree landscape is what we are all after. At the same time, we need to be concerned about the long-term characteristics and the sidewalk alignment. He would be in favor of slowing the process down to ensure we make the right decision.

Searcy stated that a major step forward was getting 15th Street renamed to Goodhue Boulevard in making this a continually improving area.

Laging suggested that Near South has had problems of crime and deteriorating buildings and he would like to hear from Urban Development on the plan, but he would see this as catalytic effect for the whole neighborhood.

Hjermstad stated that the Near South and Everett Neighborhoods are referred to as the South Capitol and are an area targeted for continued revitalization.

Nalow asked what would happen to the funding if we slow the process down. Hjermstad stated that depending on how long it would take, the funding could be in jeopardy, but she believes they have until next June to get a plan in place.

Krout stated that the argument with Community Development Funds is a serious issue that needs some thought. He would like to take some time to review the issue. From his standpoint, the canopy is a wonderful irreplaceable asset. There was a lot of testimony today about what makes those neighborhoods so attractive.

Johnson suggested that a working session with the Commission may be needed to discuss this further.

Searcy recommended that we postpone or table this agenda item at this time to have a working session and bring it back to the August meeting. He asked if there was any opposition to that. There was none.

Continued from 5/23 meeting, discussion of placement of signs in public ROW, miscellaneous “public realm” items.

Ripley had no comment at this time. He did note that developing a policy and making that policy broadly known is very good. This item will be postponed until August.

Miscellaneous, staff report.

Centennial Mall: Recognition and celebration of the State's Native American Heritage

Johnson stated that there is some urgency to the Native American recognition on Centennial Mall due to fundraising efforts. A special meeting will be scheduled.

There being no further business, the meeting was adjourned at 10:32 a.m.

Please note that these minutes will not be formally approved until the next meeting of the Capitol Environs Commission.

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