

MEETING RECORD

NAME OF GROUP:	NEBRASKA CAPITOL ENVIRONS COMMISSION
DATE, TIME AND PLACE OF MEETING:	Thursday, August 22, 2013, 8:00 a.m., Room 210, County/City Building, 555 S. 10 th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Christie Dionisopoulos, John Kay, Tom Laging, Karen Nalow, Jeff Searcy, Cecil Steward and Jon Weinberg.
OTHERS IN ATTENDANCE:	Reed Brodersen, Mike Dennis, William Carver, Courtney Lawton, Robert Lane, Kandra Hahn, William Wood, Duane Wunderlich, Jack Saltzman, (Goodhue Blvd. Residents); Jordan Pascale (Journal Star); Carl Eskridge (City Council); Wynn Hjermstad (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 8:00 a.m. The Nebraska Open Meetings Act was acknowledged.

Approval of meeting records of May 23, 2013; July 25, 2013; and August 9, 2013

Laging moved approval of the meeting records of May 23, 2013; July 25, 2013; and August 9, 2013; seconded by Steward. Motion carried 7-0. Dionisopoulos, Kay, Laging, Nalow, Searcy, Steward and Weinberg voting 'yes'.

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

Johnson began by stating that this project began in 2010 when the Capitol Environs Commission made the determination to leave the sidewalks and the trees in the current alignment on Goodhue Boulevard. The emphasis was on diversity of trees. There was continuing discussion on the block between F and G Street when McPhee Elementary came forward with a renovation project. The determination was made on the east side of the street to adjust the alignment of the sidewalk and the street trees; those adjustments have been made, which left the west side of the block. There are three alternatives that would adjust the alignment of the sidewalk to align with the sidewalk to the north and would allow for the ADA improvements. The concern is that there are two large pin oaks on the west side of the block.

- Alternative A would preserve both of the large pin oaks;
- Alternative B would preserve the south pin oak;
- Alternative C would preserve none of the pin oaks.

- At the public meeting last week, another alternative (**Alternative D**) was proposed which is to replace the sidewalk in its current alignment and adjust the curb ramps at both ends.

The plan that received the most support at this public meeting was Alternative D. Staff is recommending alternative D which would leave the sidewalk in its current alignment, adjust the ramps on the north and south, leave the two pin oaks in place, remove the two purple ash trees and adjust the locations of the greenspire lindens.

Steward asked for clarification on the west side. He noted that the sidewalk is curved around the pin oak, but asked if that curve is the location of the present sidewalk. Johnson stated that is the alignment of the current sidewalk.

Laging asked about the tree location in Alternative D. Johnson stated that they would remain between the curb and sidewalk, and they would shift to the east. He noted that there would be a total of 7 on the east side and 6 on the west side.

Ripley began with a presentation with a map identifying the capitol environs district. He also presented historic photos of the capitol and surrounding areas to provide perspective on area. Photos from the early 1980's show Goodhue Boulevard not in its grand state, and the postcard look is gone. In 1986, the double row of trees was planted as well as the double sidewalk. In 2001, additional improvements were done which bring us to the present and returned the Mall to its original state. In 2010, LPS did a major renovation on the Boulevard. The sidewalks and street lights were relocated. Overhead utility lines and poles were removed by LES. LES also realigned the street lights with the current alignment.

Ripley stated that the existing condition is curb, tree, sidewalk, building; the long-range plan calls for curb, sidewalk, tree, building. Reversing the walk and the trees causes more land to be given to the property between the sidewalk and the curb. This would allow for a larger front yard for the properties, greater privacy and greater area for planting space for trees between the walks and the buildings. By setting the tree back, it keeps the branches of the trees back from the street and from being clipped by larger vehicles. It keeps the spread of the tree that does not require as much maintenance and trimming. It allows pedestrian visibility to the capitol and much improved vehicular visibility to the capitol. The reason the medians were built in 1912 was to acknowledge and enhance the presence of the capitol in the city. The Commission's Master Plan is long-term. The Commission's and neighborhood residents' interests are not in conflict on the west side of the block if the new ADA walk is placed in the Master Plan alignment and the walk arcs around the two oak trees as Alternative C indicates. The Commission is not proposing the removal of the two oak trees, but allowing them to live. After they have died and are removed, then the sidewalk could be removed to accommodate future tree planting.

Laging moved for approval of Alternative C, seconded by Kay.

Searcy asked for comments from the public.

Wood stated that he wants to clarify several points. They are not opposed to making the sidewalks compliant. Their objective is to maintain the tree canopy on the west side of the block. They do not want small trees placed close to their buildings. This will diminish the value of their buildings. The plan uses CBD money which requires public input. It is abundantly clear what the public's position is, and the staff recommendation supports their position.

Lawton stated that a lot of this has to do with the environment they live in. The climate is rapidly changing. We are getting less rain and it is hot, so it is nice to have a mature canopy. The idea that as the Commission or City wields, they have to put up with. That is not effective government. They spent time and effort to think about this with good reason.

Carver stated that they are opposed to option C. They support option D, as they like the idea of the sidewalk remaining where it is. They would like to see trees planted that would preserve the majestic canopy, and they do not believe the lindens would do that.

Saltzman stated that the trees would be very close to the building. People cannot look into the apartments because they are elevated.

Hahn stated that the public participation falls short of the needed public input. Sidewalk alignment is not a high priority for them. The 1986 Plan is out-of-date and is not appropriate for their life.

Ripley stated that the Near South Neighborhood Association and the Downtown Neighborhood Association were very involved the 1986 Master Plan which was approved by the City Council. The idea that a group of designers created the Plan is not true. There was a considerable amount of public involvement when the Plan was put together.

Nalow asked for further explanation on the tree recommendation. Johnson stated that the greenspire lindens were recommended to make the transition in size and form between the purple ashes and the pin oaks and overstory trees. They will be 40-45 feet tall and have a width of 25-30 feet. The greenspire lindens are very draught tolerant and are a long-lived species.

Dennis stated that his concern is what happens to the rest of Goodhue and the rest of the vista. He is not really sold on the linden as it is not a low maintenance tree. He would appreciate a more long-term plan showing the community a plan that is tied together for symmetry and then dealing with the neighborhoods and the public at a later date, even as much as 10-15 years later.

Zimmer stated that section 106 is the process when federal funds or federal approvals are involved in a project when historic resources are directly affected. There was an environmental review of the block grant funding earlier in the process. It didn't specifically focus on this block. Goodhue is not national register eligible; while it is a very significant piece of the city, it doesn't have the physical historic integrity to meet historic significance. This does not downgrade its importance. The 106 process does not apply here.

Weinberg asked for clarification on the staff recommendation. Johnson stated that staff is recommending alternative D which is to replace a portion of the sidewalk in its current location. Kroos

stated that the intent would be to remove portions of the sidewalk to make it ADA compliant. They would not reconstruct the sidewalk on the entire block.

Saltzman stated that most people who live and walk in this area do not notice that the sidewalk is not in alignment.

Lawton stated that the occupants of the buildings are the ones who irrigate those trees. The renters of the buildings will not water the trees. Johnson clarified that they have changed their policy, and the Parks Department takes care of the trees for the first two years.

Searcy stated that they are thankful for the neighborhood input. The Commission's attempt has always been to enhance the capitol environs.

Zimmer informed the Commission that he received another comment last night from Denise Manton opposing the removal of the pin oaks and purple ash trees.

Laging stated that the group opposing the removal of the trees is very organized, and they have a purpose. The Commission's interest is in making a rational change over time, and that is why he is supporting option C. There is an opportunity to advance the plan in a rational way and he hates to see it lost. It is going to change one way or another.

Nalow stated that looking at the future and moving forward is what most important. Looking at sustainability is important. Her concern with some of these alternatives, including option C, is what happens in the future. Right now, the city has money to do changes, but in ten years, when they see the oaks go, she asked how is that going to be handled. When that tree gets removed, she asked what happens to that turn in the sidewalk. We are essentially creating a problem for future generations.

Steward stated that he intends to vote in opposition of this proposal with a concern that has been proposed by two previous commissioners. Speaking in a long-term view and procedural view, the proposer came before us asking for a Certificate of Appropriateness, and in the process they changed their direction; they should be voting on what the proposer brings to us today. He thinks we should take several lessons from this process; incrementalism never works in the long-term and this is an incremental decision. Plans fade and grow old long before they can get implemented, and we are working from a very old plan. Circumstances change, and no one has taken a look at what these new changes are to the overall city, to the neighborhood and to the public. It's time that the Commission advocates for something more long-term than sidewalks on Goodhue.

On roll call vote for motion to approve Alternative C, motion failed 2-5. Kay and Laging voting 'yes'; Dionisopoulos, Nalow, Searcy, Steward and Weinberg voting 'no'.

Steward moved to support Alternative D and that the Parks Department look at the project in detail for ADA requirements and the condition of the sidewalk improvements, but to leave the alignment as it is; it was seconded by Weinberg.

Ripley asked if this includes the paving across the brick alley. Johnson stated that in order to make it ADA accessible it includes the paving across the alley. Searcy asked that this comes back to the Commission if this motion is approved.

Laging stated that this Alternative D is a little vague in the kind of intention it has for the future. There is no diagram for Alternative D so he would like to see it in diagrammatic form. Johnson stated that they would be happy to bring that forward.

Searcy asked about the timing with the funding. Kroos stated that construction probably would not occur until the spring.

Nalow stated that just because we are looking at a small project doesn't make it any less valuable to the larger picture. She is concerned that Alternative D is not moving us in the right direction and with what we are leaving for the future generation. There is not a lot of money to deal with sidewalks.

Steward stated that he would be willing to accept an amendment to the motion to delay the vote until the next meeting.

Hjermstad stated that she would prefer to do this project this year, but considering that there are other circumstances, she understands that it may have to be delayed.

Steward offered an amendment to approve Alternative D to keep the present alignment on the west side of the street making ADA alignments when necessary pending approval of drawings at the next meeting. Motion carried 5-2. Dionisopoulos, Kay, Searcy, Steward and Weinberg voting 'yes'; Laging and Nalow voting 'no'.

Dionisopoulos asked if there are any other suggestions for the tree species. Johnson stated that he feels pretty strongly that greenspire lindens are the right species.

Searcy stated that the Commission has had a long-standing good working relationship with the neighborhood and they respect that and are grateful for their participation in the process. He hopes there is a good level of understanding.

Steward stated that the charge and the mission statement of the Commission is to encourage public improvements and private development. His perspective is that it's been too long and that too many things have changed in this district. He would like to propose that we ask the city and all of the appropriate departments to engage in a new subarea planning effort from A to Q Street and from 14th to 21st Street at the earliest possible time. His intention is to be able to study the physical, environmental, and social improvements of the recent improvements. This area would include J Street and Goodhue. They all want the best possible environment, not just for the capitol but for the neighborhoods too. It is time to promote and ask for a more long-term planning approach.

Miscellaneous, staff report

There being no further business, the meeting was adjourned at 9:34 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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