

MEETING NOTES

NAME OF GROUP: NEBRASKA CAPITOL ENVIRONS COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, December 15, 2016, 8:00 a.m., Parks & Recreation, 2740 "A" Street, Lincoln, Nebraska.

MEMBERS IN ATTENDANCE: Mary Campbell, Gene Crump, Christie Dionisopoulos, Karen Nalow, Jeff Searcy, John Sinclair and Jon Weinberg.

OTHERS IN ATTENDANCE: Ed Zimmer, Stacey Groshong-Hageman and Teresa McKinstry of the Planning Department; Robert Ripley and Matt Hansen from the Office of the Capitol Commission;

STATED PURPOSE OF MEETING: Special Nebraska Capitol Environs Commission Meeting

Chair Jeff Searcy called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

Searcy then requested a motion approving the minutes for the regular meeting held December 1, 2016. Motion for approval made by Weinberg, seconded by Campbell and carried 4-0: Campbell, Searcy, Sinclair and Weinberg voting 'yes'; Crump, Dionisopoulos and Nalow absent at time of vote.

AMENDMENTS TO THE CAPITOL ENVIRONS DESIGN STANDARDS

PUBLIC HEARING:

December 15, 2016

(Staff Note: Red text is used in the meeting notes on this item to highlight specific design standard numbers and language.)

Members present: Campbell, Crump, Dionisopoulos, Nalow, Searcy, Sinclair and Weinberg.

Ed Zimmer stated that a narrated PowerPoint presentation by Stacey Hageman was distributed to the commissioners last week regarding the South Haymarket Neighborhood Plan. The area west of 9th Street overlaps with the Nebraska Capitol Environs District. The South Haymarket Neighborhood Plan is considerably more detailed, looking toward more long term residential development. Jon Weinberg has given some detailed comments. The South Haymarket plan talks about row houses. Staff reflected on some broader language regarding the Commission not turning down other proposals.

Campbell complimented Hageman on the PowerPoint. It was very helpful.

Zimmer stated that Weinberg submitted a list of proposed changes to the guidelines. These were distributed to Commissioners. Weinberg raised concerns about the listing of some buildings that have historic value but are not designated as landmarks. Weinberg raised a question on whether non-designated properties should be listed. Zimmer noted that Skypark Manor and the Koop House are now on the National Register. Zimmer suggested that the purpose of listing “contributing” properties is to identify buildings that add to the district’s character, in contrast to buildings that we hope might eventually be replaced to improve the district. He noted this is different from a historic district where an assumption can be made that the majority of buildings should be retained. He would welcome redevelopment of numerous properties in the area.

Robert Ripley offered an amendment for the guidelines. Since this is such a prescribed area that suggested buildings which may not be designated, but have significant historical architectural features are an appropriate inclusion, to make it clearer that these guidelines are not just for limitations, but to provide inspiration. Zimmer noted that these guidelines are intended to guide long-term changes to the Capitol Environs area.

Weinberg stated that it struck him that if we are calling out a historic building that is not on the register of historic places, we need to point that out. These need to be distinguished. Zimmer stated we are trying to do that in the guidelines by noting buildings that contribute to the setting. He believes the YWCA has a demolition application that will come before this Commission. Demolition plans require information on what the plan is for the alternate future use. That will likely come in the next few months.

Crump questioned if anything can be done to get the Historical Society to reconsider their approval of the demolition. He asked if this Commission could vote to deny the demolition. Zimmer replied that demolitions in the District require Commission approval, or the applicant can appeal to the City Council. He believes the owner is struggling with building. They didn’t buy it to tear it down. Searcy noted it has been a long time since there has been a demolition on Centennial Mall.

Dionisopoulos also raised a point on whether there is enough guidance on artwork. There is a proposal for artwork on today’s agenda. The art is already on display outside the Environs District at 10th St. and Q St. at the Journal Star property.

Dionisopoulos wondered about public art. She has always stumbled on the two types. There is monumental and pedestrian scale. It sounds like this wasn’t an easy discussion. She questioned if this needs to be defined more. Zimmer believes we could define it further. We have tried to address it. The mall is now renovated with Commission approval. This has always been challenging. This goes back to the small Wind Spirit piece that was always on the mall. We felt it was not inappropriate, but it was on a smaller scale. At the same time, it is not much guidance. Guidelines have been added suggesting temporary installations not face the Capitol Square or

the Malls. There is an application after this hearing on the Design Standards regarding a 'Nebraska By Heart' sculpture. They were previously requesting to be placed on public property of Centennial Mall. The current proposal is on private property next to Centennial Mall. This Commission has review of both spaces. This Commission is unique in that it has jurisdiction over both.

Ripley offered a proposed amendment to **Section 2, Purpose Statement**. In the first paragraph, **The Nebraska State Capitol, designed by architect Bertram Grosvenor Goodhue in 1920 and built for the people of Nebraska between 1922 and 1932, is a National Historic Landmark and an esthetic and historic treasure of our state.** The built date of 1920 is in the language for the Nebraska Capitol Commission.

Matt Hansen would suggest adding a note that 'capitol' refers to one cohesive design, not just the building. Ripley suggested a definition of Capitol Square. Zimmer doesn't believe there is a definition of terms in the guidelines. Ripley suggested geographical boundaries. Zimmer noted that this Commission has no jurisdiction in Capitol Square. It can't comment on the building or the square.

Hansen suggested a change to **Section 3. Review Practices**. He would change Governor and State Legislature in 3.8 to the Nebraska Capitol Commission. He noted that the commission includes the Governor and State Legislature. Ripley added that all three branches are represented on the Capitol Commission. It is meant to be the single authority policy-making board for the Capitol. Ripley believes the Nebraska Capitol Commission is all inclusive. Zimmer believes the language may also be in the Ordinance. Dionisopoulos would suggest the Capitol Commission be added without striking Governor and Legislature. Zimmer agreed.

Section 4, Design Standards and Guidelines. Overall Design Standards. Design Standard 2. Ripley suggested the word 'should' be replaced with 'shall' in proximity.

Ripley suggested an amendment to **Design Standard 3: Memorials and Monuments. Guideline 3.1. Addition of memorials and monuments facing Capitol Square (not on ~~outside~~ the Capitol grounds) and on the Malls will be evaluated within the same guidelines as other improvements such as buildings and landscape features, stressing compatibility with setting, high-quality design and appropriate materials.**

Hansen would suggest that Capitol Square is considered to be a complete and finished design and therefore no memorials. Ripley noted that this commission doesn't have the authority to add to Capitol grounds. Ripley doesn't have a problem with the language as proposed. This is a guideline and not a standard. It backs up the Capitol Commission standard. Zimmer believes it is stating those facts which are outside this jurisdiction, but has meaning in that it could be considered on the mall. He believes there are more opportunities for places that could be enhanced with memorials. Nalow agreed. There are some walls that are open and available for

inscriptions or plaques in the future. There are opportunities for other types. Zimmer added that we have created a different opportunity in the Spirit of Nebraska Pathway.

Ripley made a grammatical suggestion for **Design Standard 4: Public Art. The Commission encourages the addition of public art to the District, while applying the same standards of fitness to place and quality of materials required of other improvements.**

Searcy questioned the spirit of Guideline 4.5. He questioned if it means that we don't want to see public art on the mall. Where is the line drawn? Ripley believes it addresses the physical face of the mall. He believes the language as written is pretty clear. Crump agreed. Zimmer believes it is similar to the proximity broad principle. Many things happen that you can see. There is prescriptive standards and descriptive standards. This commission has descriptive standards and this commission applies their judgement. Crump noted there will always be interpretive differences.

Ripley has a suggestion for **Design Standard 6: Sign. Signs addressing Capitol Square or one of the Malls shall be reviewed and approved by the Commission for overall compatibility, durability and high quality.** He believes it needs to be more definitive. Zimmer pointed out that the Ordinance sets up the review process and the approval process and the change in the guidelines is not necessary.

Searcy inquired how we apply that we have great progress going on in the City and we need to protect the view of the Capitol. Zimmer noted that the Capitol View Corridors are not zoned. They are incorporated into the Comprehensive Plan. When there is a public review item, then it is brought to the Capitol Environs Commission. If it affects the view, it comes to the commission. Staff will review the application and placement. The review is advisory. The commission is not the zoning authority for the corridors. Searcy believes height requirements are district only. Zimmer agreed.

Nalow questioned that as the community continues to grow, is there any way or need to have additional view corridors designated and how does that happen? Zimmer replied that additional corridors have been designated in the past. Areas like N. 27th Street with views from Folkways Blvd. or Homestead Expressway have been added with recommendations from this body.

Hansen stated that in **Guideline 11.1**, it looks like we are trying to be all inclusive. He noted that the Governor's Residence is now on the National Register of Historic Places. Zimmer believes that would be an appropriate addition.

Ripley would suggest that in **Design Standard 11: Buildings on Capitol Square**, the word 'should' be replaced with 'shall'. He also thinks that 11.2 and 11.3 should be reversed. The language regarding elevation in 11.3 should come before the language regarding principal façade in 11.2.

Ripley suggested that in **Guideline 12.1, Capitol District** be changed to Capitol Environs District.

Weinberg would remove the word 'fine' from **Design Standard 14: Buildings on Lincoln Mall**. Ripley suggested 'high-quality'.

Guideline 13.3. Ripley suggested the language be changed to be consistent with Guideline 14.2.

Ripley suggested that a goal on J Street/West would be to see the communication mast on top of the County-City Building be relocated to the southernmost building. Ripley also thinks it should be a goal for the mechanical equipment on 14th St. & K St. to have a screen. Weinberg would like to see all mechanical units screened instead of picking out just one building. Zimmer noted that we have that language.

Ripley proposed a change to **Design Standard 17** to say **16th Street** and to change "decent" to "quality."

Ripley proposed a change to **Design Standard 18**, adding "allowing on-axis views of the Capitol" to the end of the first bullet point. Insert "and assurances" at the end of **Guideline 18.1**.

Sinclair noted that Design Standard 19: Overstory Trees and Design Standard 20: Understory Trees seemed contradictory to Design Standard 22: J Street/East Landscape and continuing the line of red oak trees. He doesn't think of ornamental as overstory. Nalow agreed. Red oak is overstory. Zimmer stated that the intent is that east of Capitol Parkway, the overstory tends to create the joined canopy and block the view. Ornamentals don't have that effect. Zimmer thinks intent from the Capitol building to Lincoln High is for overstory on one side and east Capitol Parkway is understory. He will make sure the language is clear.

Ripley noted that **Guideline 18.11** talks about 'avoid the use of plastic, etc.'. He would suggest eliminating the word 'avoid' and state: The use of plastic is not permitted. Crump questioned if it would be the intent to ban plastic. Nalow noted there is a difference between guidelines and standards. Zimmer agreed. Crump would prefer to gain staff input first before saying you cannot have plastic, etc. Zimmer wondered if someone wanted to use a recycled plastic picnic table in their space. Campbell proposed eliminating the sentence completely.

Ripley suggested a change to Guideline 18.12. He would like to see dumpsters not located within the right-of-way. Zimmer doesn't believe that is needed. They are not allowed in the right-of-way already.

The Commission discussed **Design Standard 19: Overstory Trees**. Staff agreed to state the intent of this requirement pertaining to J Street east of Capitol Parkway.

Ripley would suggest being consistent with the use of the term 'curb zone' throughout **Design Standard 21**.

Ripley has a suggested change for **Guideline 25.1**, to clarify that trees should be planted “at property lines.” (Staff Note: Guideline 19.1 already addresses this idea.)

Ripley pointed to **Guideline 25.5** which states that new sidewalks should align and asked that it be clarified.

Searcy would like Zimmer to address **Design Standard 26: J Street/East Landscape**. Zimmer thinks there are opportunities for improvements east of 16th St. He is more skeptical of a flat recommendation that a section of road be closed. He believes there are some alternatives for accomplishing a solution. Searcy questioned what would happen if 16th St. to 17th St. was closed. Zimmer suggested the language be clarified to focus on the first block and a half east of the Capitol, leaving designers and Commissioners to review options to find more specific solutions.

Ripley offered that **Design Standard 28: Lighting** should state: **The original historic lighting on Capital Square shall be preserved and replicated ~~maintained and replaced~~ if necessary by duplicate fixtures and poles.**

Ripley has a suggested a change to **Guideline 29: Utilities and Other Public Improvements** that this apply through the District. The Commission agreed to retain the restriction on overhead utilities crossing Capitol Square and the Malls.

ACTION:

Weinberg moved approval of the proposed revisions to the Capitol Environs Design Standards as proposed by staff, with amendments as proposed by himself in a document submitted and attached to the agenda and to all revisions proposed today, seconded by Crump and carried 7-0: Campbell, Crump, Dionisopoulos, Nalow, Searcy, Sinclair and Weinberg voting ‘yes’.

A CERTIFICATE OF APPROPRIATENESS FOR TEMPORARY DISPLAY OF ARTWORK AT LINCOLN COMMUNITY FOUNDATION BUILDING, 215 CENTENNIAL MALL SOUTH

PUBLIC HEARING:

December 15, 2016

Members present: Campbell, Crump, Dionisopoulos, Nalow, Searcy, Sinclair and Weinberg.

Dionisopoulos believes that with the addition of the new guidelines just passed, this would not be allowed. Zimmer believes this commission has stated their intent, but the new guidelines have not been adopted by City Council yet. He believes it is within the existing guidelines to say if the commission believes this should be facing the mall or not. It could be approved elsewhere on the property along the N Street frontage.

Dionisopoulos believes it is fair to say the applicant has a high desire to have something on the mall.

ACTION:

Weinberg made a motion to not allow the sculpture to face Centennial Mall, seconded by Campbell and carried 6-0: Campbell, Crump, Dionisopoulos, Nalow, Sinclair and Weinberg voting 'yes'; Searcy abstained due to a potential conflict with the Nebraska Sesquicentennial Celebration.

There being no further business, the meeting was adjourned at 10:11 a.m.