



NEBRASKA CAPITOL ENVIRONS COMMISSION

The Nebraska Capitol Environs Commission will hold a meeting on **Friday, July 24, 2020**. The meeting will convene at **8:00 a.m.** in the **City Council Chambers**, Hearing Room 112 on the 1st Floor of the County/City Building, 555 S. 10th Street (10th & "K" Streets), Lincoln, Nebraska.

For more information, please contact the Lincoln/Lancaster County Planning Department at 402-441-7491.

AGENDA

July 24, 2020

1. Approval of meeting record of June 26, 2020

Public Hearing & Action

– No Public Hearing & Action Items –

Discussion

2. J Street Zoning Update (CZ20022)
3. Addition of a Fourth Ex-Officio Member to the Nebraska Capitol Environs Commission
4. Miscellaneous & staff report

Accommodation Notice

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participation in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402-441-7624 as soon as possible before the scheduled meeting date in order to make your request.

MEETING NOTES

NAME OF GROUP: NEBRASKA CAPITOL ENVIRONS COMMISSION

DATE, TIME AND PLACE OF MEETING: Friday, June 26, 8:00 a.m., City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

MEMBERS IN ATTENDANCE: Mary Campbell, Heidi Cuca, Delonte Johnson, Kile Johnson, Karen Nalow, Ann Post and David Quade.

OTHERS IN ATTENDANCE: Collin Christopher and Paul Barnes of the Planning Department; Danielle Vachal from Lincoln Transportation & Utilities (LTU); Bob Ripley; Matt Hansen; and other interested parties.

STATED PURPOSE OF MEETING: Nebraska Capitol Environs Commission Meeting

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

Collin Christopher introduced himself. He has been with the Planning Dept. for three years now. His background is landscape architecture. He is looking forward to being a resource for this commission. The commissioners introduced themselves.

Johnson then called for a motion approving the minutes of the regular meeting held February 27, 2020. Motion for approval made by Post, seconded by Campbell and carried 7-0: Campbell, Cuca, D. Johnson, K. Johnson, Nalow, Post and Quade voting 'yes'.

RESIDENTIAL STREET REHAB WORK BY THE CITY OF LINCOLN IN THE PUBLIC RIGHT-OF-WAY OF LINCOLN MALL FROM 10TH TO 14TH STREETS, GOODHUE BOULEBARD FROM A TO H STREETS AND 14TH STREET FROM A TO K STREETS IN THE NEBRASKA CAPITOL ENVIRONS DISTRICT

PUBLIC HEARING:

June 26, 2020

Members present: Campbell, Cuca, D. Johnson, K. Johnson, Nalow, Post and Quade.

Christopher stated that this is primarily intended to be a resurfacing project that improves the quality and condition of the street. This isn't something this commission would typically weigh in on, but there are some additional improvements happening for ADA accessibility and functionality.

Danielle Vachal is an engineer with LTU and works on putting together the plans for both street improvements and water main projects. This is one of the Lincoln On The Move projects. It is a neighborhood rehab project, which typically includes a two-inch overlay from curb to curb. LTU is also required to make improvements to curb ramps to bring them into ADA-compliance anywhere the street is being improved. The curb ramps are not eligible for the Lincoln On The Move sales tax money. That comes from a different fund. She gave an overview of the project area, showing a typical section with a curb and a median. There are some curbs that will be repaired or replaced, in addition to the mill and overlay of the roadway.

Nalow requested to see the intersections in more detail. She noted that the agenda materials stated that some of the unit pavers will be replaced with concrete. Vachal stated that is currently what LTU's position is due to maintenance and replacement costs. The pavers can settle or break. They want to take the stance of not replacing brick pavers in future locations. Nalow brought up Lincoln Mall and how it connects the Capitol to the Hall of Justice. This is a location where we acknowledge and celebrate civil rights. What is the proposal for a higher level of detail and refinement? Vachal doesn't believe these pavers are historical in nature. It is not LTU's intent to replace the buffalo pavers. They want to ensure it is a safe walking environment. Nalow appreciates the intent to have safe walking spaces. She questioned what this project looks like at the end. How can we make this entire mall still look complete and whole? When we look at a mall, the sidewalk area is critical to the experience. She wants to note the importance of this mall. She wants to make sure we are creating a higher level than downtown or some of our neighborhoods. Vachal stated that Christopher talked about continuity throughout the mall. As she looks at different intersections, she believes it is the northwest corner of 13th and Lincoln Mall, that area currently doesn't have any brick pavers. She believes the thinking is that the intersections they would construct, would look more like that. She said they won't be impacting the planters. There are a lot of different variations of sidewalk style. They aren't trying to eliminate the character. They are trying to make it safe. She believes the sidewalk ramps they would be constructing would be consistent with a few of the intersections that are already there. Nalow believes those intersections are probably the minority. She thinks those are the ones that need to be considered for incorporating some of

the pavers. Vachal would like to hear specific suggestions. She would pass those onto LTU staff. The current position is to increase safety and reduce tripping hazards.

Kile Johnson asked if the proposed concrete is to be colorized or stamped. Vachal replied it is proposed to be gray. Colorization would be an additional cost. If the ramp sections are desired to be a brick color, a separate truck would have to replace the ramps.

Nalow reiterated that she believes this is a key mall. She thinks the story it tells, means it needs to be at a higher level. She would question if it is appropriate for this mall to lose some of that higher level of finish when improvements are made. Vachal stated staff would be happy to look at suggestions. She had previously put together some brick rehab costs from work in the Haymarket. If she looks at these areas, it would cost an additional \$60,000 for this project if all the brick areas were reconstructed with brick. Part of the current problem is the ramps are too steep. As they are reconstructed, some of the adjacent pavers will be impacted. The herringbone pattern can make this more difficult. That would be an additional cost that is not part of the sales tax money that would come out of a different fund.

Kile Johnson inquired about the additional cost if the concrete were to be colored and stamped. Vachal has not run those numbers. They could look into it. Nalow added that in the long term, she believes pavers would hold up better than concrete. Vachal stated in some areas, color is placed on top and it tends to chip a little and discolor. Quade believes there can be a disadvantage that colored concrete can fade over time. A future repair to colored concrete wouldn't guarantee that the colors would match. He believes pavers are the right solution for a better look. He thinks the way the installation has been done with pavers in more recent years lends itself to a longer lifespan. Nalow agreed. She knows there has been a lot of progress toward designing paver installations that withstand our winters and salt. She thinks the pavers along this mall have seen a lot of salt use over the years. She thinks the newer ones are longer lasting. She thinks the quality of new pavers addresses ADA (Americans with Disabilities Act) requirements better. Vachal believes there is a concrete base under the pavers in the Haymarket. That is an additional cost, because it's like building two sidewalks.

Post knows in most situations along the Mall, this area would have landscaping. She questioned why that isn't being done here. Vachal responded that this started out as a simple rehab project. This was supposed to be done this summer. They will put grass down, but they are project delivery. They aren't in the business of landscaping and beautification.

Post stated that staff has recommended approval, with the condition that the applicant revise the design to establish a consistent approach to the pavement treatments on the corners. Vachal is here to present the design. She would like input from the commissioners on the current proposal.

Christopher believes it would be appropriate if the commission voted for approval, with the condition that LTU come back at a later date to give more detail on the corner details. This would allow the applicant to go forward with some of the other improvements. As far as cost, he noted that it probably isn't the commissioner's responsibility to decide whether the added cost makes it worthy to go forward. There are some other city resources that staff could talk about that might alleviate some cost concerns.

Kile Johnson asked about consistency. Nalow believes the consistency is the concrete. The main area is Lincoln Mall where there is more discrepancy. Vachal stated that the northeast corner of 14th and H Street is within the block of the Capitol building, and it currently meets ADA requirements. They would be reconstructing the crossing of Lincoln Mall, crossing 14th St., east-west. The ramp would be lined up a little better. The same is true on the north side of Lincoln Mall crossing. There are no bricks on the Capitol side of 14th Street. She believes those are the only ramps on the Capitol block that they will be impacting. Along Goodhue Blvd., they are not doing H Street.

Kile Johnson believes a bike lane will be striped on Lincoln Mall. He questioned if the bus route will continue. Vachal believes so. She thinks the intent was to add the bike lane. She believes that connects the bike lanes from 11th St. to 13th St. Kile Johnson questioned if the intent is to change the traffic pattern from Lincoln Mall to K Street. Vachal replied yes. That will be two-way, then they would restripe the one block between K St. and Lincoln Mall, and would restripe the parking.

Post believes the Capitol Environs district has some responsibility to see a heightened level of design in this area. Just concrete, isn't that. The applicant has asked for some ideas of what can be done. She thinks this is a great project. She appreciates that it will be more ADA accessible. She would like to see some ideas that could be done at minimum cost that at least give a nod to heightened design standards. She is hesitant to give any concrete suggestions. She is not a designer. She will leave that to the architects and landscape architects. She likes the project. She would like to see some ideas of what could be done that would meet concerns for liability and maintenance going forward.

Campbell would echo Post's comments.

Bob Ripley appeared. He looks around the room and it is lamentable to be the senior member in the room, having been around before the commission was created. He believes there are some things, historically, that need to be said with regard to this commission's charge and responsibility. When the State Legislature first created Lincoln as a capital, they did a unique thing. They put all state institutions in the city of Lincoln. Other states surrounding Nebraska have their institutions spread around the state. Lincoln bears a considerable responsibility to all citizens of this state to make our capital city, something of great pride, and the Capitol and its' setting, something to have greater pride in. This body would not have been created in 1987-1988 had the city and state, not had that kind of commitment to making the Capitol

Environs District a special place. That wording is specifically set out in the environs design standards. There is a map that defines the district. We have told everyone in the state that this is a special place. When we deal with design, it should be a level above, not just another neighborhood. He respects and appreciates cost. He is involved in preserving the most expensive building in the region. But going from special place to generic finishes materials is not why this body exists. He encouraged members to look at the design standards and the preamble. That has been codified through city ordinance, and through the state legislature and statutes. This body has both the state and the city involved in it. It is a common understanding that is an important thing. This body exists perpetually to ensure that remains. He would say to his fellow Lincolinites and to city government, step up to who we should be, step up to keeping the Capitol Environs a special place, which we have written into law. We have the luxury of living in this city every day and enjoying the amenities and public institutions that everyone in the state pays for. We have a responsibility to all citizens to make sure that the Capitol and its setting within the city is something they can all be proud of. We didn't create Lincoln Mall by mistake. This was very carefully planned. It is our responsibility as a community to benefit the entire state. There is a special responsibility to make sure the quality of materials and the special nature of the Capitol Environs District is preserved and enhanced. He thinks the existing pavers are a wonderful option. There were a lot of hoops to jump through to make that happen. Gray concrete is generic as you can get. This is not a generic neighborhood. This is the Capitol Environs District. He charged commissioners with that mission to keep the Capitol Environs District a special place.

Kile Johnson asked Ripley what comments and suggestions he would make to the city with reference to this proposal. Ripley stated that the materials on Lincoln Mall, the ramps themselves, he sees those as an ADA issue. He wants to address the ramp, not the entire corner. He walks the area all the time and he is not stumbling over bad paving and finishes. He likes the character, the planters and all the assets to the area. He would say to preserve what is there. If we want to address the ADA, let's deal with just the ramps and not the entire square feet around it. He doesn't have a problem with paving being taken out by the Governor's mansion on 14th St. He reminded everyone that the ADA is not a fixed entity. It is a moving target. What was put in here, met ADA when it was built. He believes we have an incredible, relatively ADA complete Lincoln Mall and areas around it. He questioned why we are working on it when there are perhaps neighborhoods that don't have ramps and gray concrete would be very appropriate. He takes issue with the amount of concrete that is proposed to be removed along Goodhue Blvd., the first block south of the Capitol. There is a paving pattern that is unique to the mall with a granite inset. The drawings show a considerable amount of that paving that would be removed. If we need to modify the ramps, let's deal with the ramps. He would propose we deal with just the ramp and leave the rest of the walk alone. He embraces the improvements that are being proposed and any citizen of this community would embrace. He is delighted to return 14th St. to two-way traffic. His other concern is regarding the need to create two new concrete ramps on the Capitol site that align with the sidewalks. He parks on the lot east of the Capitol. You aren't supposed to cross from the parking lot directly to the Capitol. The sidewalk doesn't connect to the curb line. However, it's one thing to make things

align, and it's another to make people use them. Once it was torn out, we installed grass and it turned into a mud path. We put a paver walk in. He is unsure if we really need two more aprons west of the Capitol.

Kile Johnson asked what Ripley thinks about the bike lanes. Ripley thinks they are a wonderful thing and a great way to have people experience a beautiful mall. Johnson asked what Ripley would recommend for the plan as proposed. Ripley has voiced his specific issues. He wanted to get his thoughts on the record. His concern for keeping the Capitol Environs district a special place doesn't involve generic design or materials. He wants to keep it unique. He understands colored concrete, but he needs to walk the mall again. Last time he walked it, he saw perilously little damage that needed to be fixed.

Nalow stated that her firm was involved in the landscaping and some design in the past, but they are not involved in this project.

Post inquired about the ramifications of not taking a vote on this today. Vachal responded that it is late enough in the season that she can't expect this to be done this year. It is already dragging into next year. They are looking at construction next year.

Vachal stated these plans are done without a survey. Typically, on mill and overlay projects, the ramp needs to be made compliant and 15 feet beyond the ramp needs to be a certain slope. We are showing the worst-case scenario of concrete that needs to be removed to construct a ramps. It could possibly be reduced during construction.

Kile Johnson inquired if the current ramps were ADA compliant when they were installed. Vachal does not know. Johnson asked if there have been any injuries or problems. Vachal is not aware. Complaints or not, federal requirements state if we are fixing the street, we have to fix the adjacent ramp.

Quade believes that ideally, if you have to fix the ramp, you have the opportunity to improve all the mall. It seems we are looking at the existing conditions. Some locations have a higher level of finish that we need to retain. Perhaps a survey needs to be done. That would be helpful. Vachal noted that the sidewalk expert walked Lincoln Mall. We did a very detailed walk-through for the ramps on Lincoln Mall. We don't hire a survey contractor. We know what the slopes are for ramps that are not compliant. Quade understands that some locations have a higher level of finish that we want to retain. Vachal stated that Lonnie Burklund, a past employee of LTU, authored a memo stating that all ADA-compliant walkways needed to be concrete. That is a five-foot width space. Perhaps brick could be placed in a node that isn't specifically a walkway. Nalow questioned the reasoning of a concrete pathway. Vachal believes it is for ADA requirements and keeping the slope smooth with no tripping hazards. Nalow inquired if there is any ability for special areas such as this to look at a different solution. Vachal believes it is possible. The memo was a department stance on pavers.

ACTION:

Nalow made a motion to continue public hearing and requested the applicant come back with alternate plans specifically for Lincoln Mall extending to the Capitol and the north block of Goodhue Boulevard that take into account the original design and higher level of finish, seconded by Campbell.

Vachal can read the design standards, but she is not a landscape architect. She doesn't know if what she would come back with would be acceptable. Perhaps she could get some input on what the commission would like to see.

Quade stated that to him, it is about retaining the pavers. He questioned if there are options to shift the node. Vachal noted it is their goal not to make everything generic and plain. She is looking at it from a safe traveling perspective, and being ADA compliant. Nalow thinks there can be a compromise. ADA doesn't say you can't have pavers.

Ripley wanted commissioners to realize that ADA is a moving target and constantly changing. By the time this is complete, the requirements may already be out of date. It is not a fixed standard.

Motion carried 7-0: Campbell, Cuca, D. Johnson, K. Johnson, Nalow, Post and Quade voting 'yes'.

MISCELLANEOUS:

- Christopher stated that two certificates of No Material Effect were issued. The first was at 826 S. 14th St. It was a minor replacement of an exterior rear stairs. It doesn't front the Capitol square or mall. The second was at 440 S. 13th Street. It was for the demolition of the building. It is owned by Nebco. They have a good track record in this area. There was no definite plan for what they plan to do in the future. For now, they are planning on filling the site in with turf. There has been talk of a parking lot or a larger redevelopment project. When a specific proposal does emerge, the Commission will be asked to weigh in.
- Christopher stated that due to the pandemic, we are holding our public hearings in the City Council Chambers. The Chambers aren't available on the regular meeting day of Thursday. The next few meetings will be held on the 4th Friday of the month.

- Christopher stated that everyone probably saw the news about the Pershing block being redeveloped. A proposal was accepted by the Mayor. This is the kind of project that this commission will want to weigh in on heavily. It will be brought to this group numerous times for review. Hopefully, the first of those reviews will occur in the next month or two.

There being no further business, the meeting was adjourned at 9:05 a.m.

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To: **Nebraska Capitol Environs Commission**
From: Collin Christopher
Re: Agenda for July 24, 2020
Date: July 16, 2020

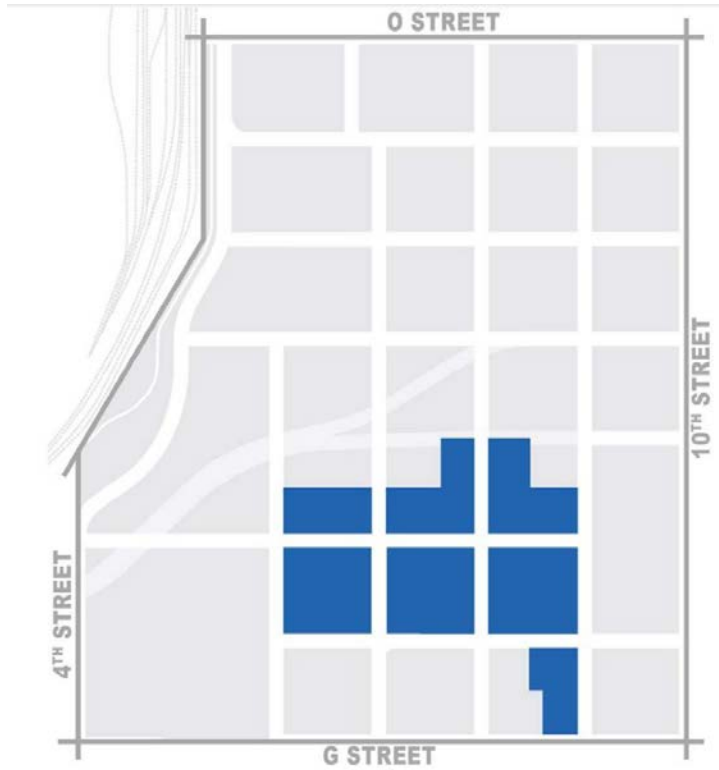
Item 2: J Street Zoning Update (CZ20022)

CZ20022 is a Planning Department initiated proposal to change the zoning designations for properties along J Street in the vicinity of S. 6th Street and S. 8th Street from P Public or I-1 Industrial to O-1 Office District. The affected properties are city owned, and their rezoning to O-1 Office is consistent with the South Haymarket Neighborhood Plan. This application is associated with **CPC20011 635 J Street**, which is intended to identify the site of the City's former Police Garage on J Street City as surplus. This surplus designation will allow the site to be sold for future use or redevelopment. But to be clear, this rezoning is not attached to a specific redevelopment solution, and thus, no action is required by the Commission. However, it does lay the groundwork for future redevelopment in the Capitol Environs District. Thus, staff determined that it was appropriate to have the Commission review the rezoning proposal in an advisory capacity.

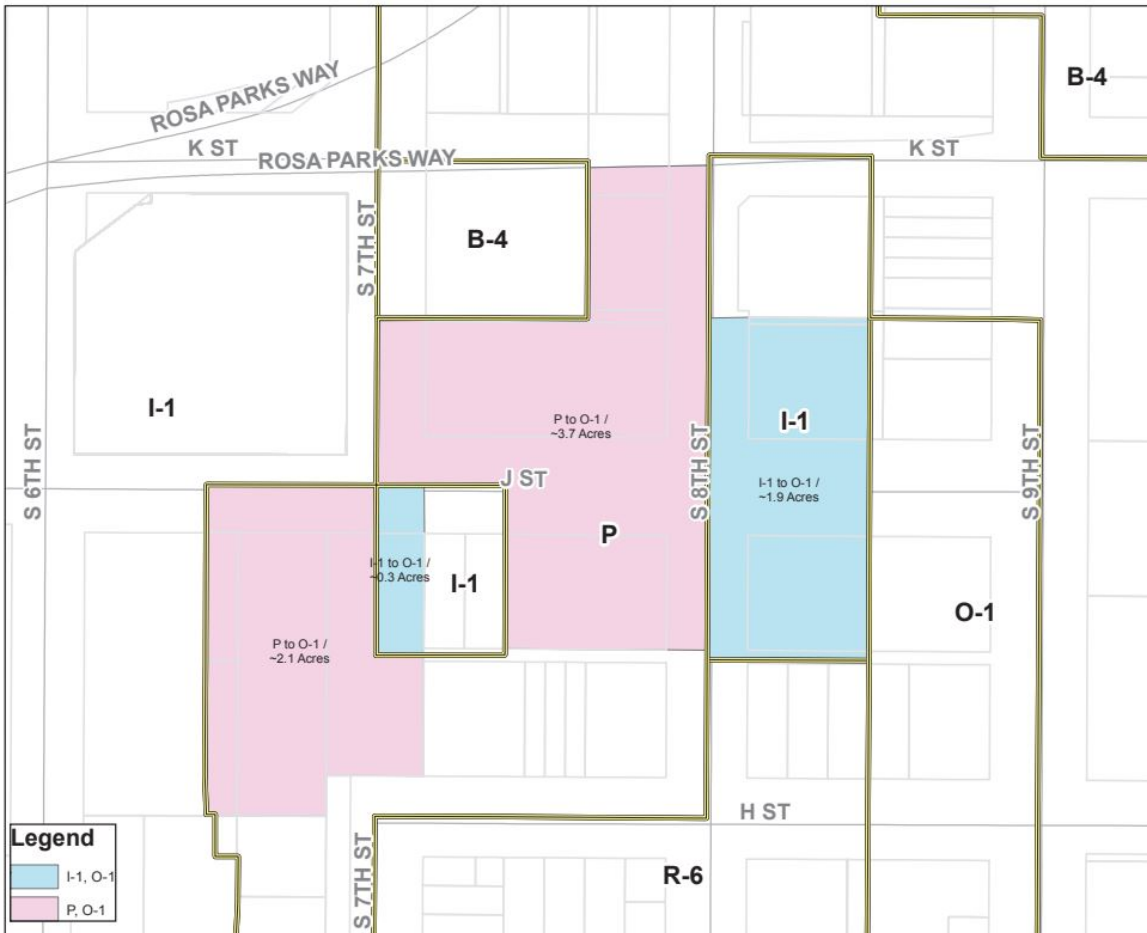
The South Haymarket Neighborhood Plan states the following regarding development along J Street:

“Medium-density residential uses, such as multi-story row houses, should be built on the J Street frontage between 9th Street and 6th Street. The residential units should be placed close to the J Street right-of-way to facilitate enclosure of the block and create an ‘outdoor living room’ along J Street. Office uses may also be appropriate, but they should not be the dominant land use along the J Street Boulevard. If office buildings have frontage along the J Street Boulevard, residential units should be incorporated in the buildings to maintain a consistency of residential uses along the Boulevard and within the South Haymarket Neighborhood. New surface parking lots along the frontage of J Street are inconsistent with the long-term goals of the Nebraska Capitol Environs Commission, and existing surface parking lots are encouraged to redevelop with buildings to maintain a consistent street wall along the J Street Boulevard.

In order to facilitate this recommendation, the plan proposed that the area be rezoned to O-1, as highlighted by the area in blue in the map below:



The image below shows the proposed zoning changes associated with CZ20022 in pink and blue. The entirety of the area being rezoned falls within the blue zone identified on the previous map for O-1 Office.



J Street is located in the southern half of the South Haymarket Neighborhood and is within the Capitol Environs District. The Neighborhood Plan notes that redevelopment should respect the intent of the Capitol Environs District, including the building height maximum of 57 feet. Taking advantage of J Street’s wide right-of-way, the Plan also recommends that a boulevard with a landscaped median be constructed in coordination with redevelopment. The recent master planning effort for the South Haymarket streetscape envisions what that boulevard might look like, as shown in the image below:



The Capitol Environs Design Standards do offer guidance for this portion of J Street. The guidelines reinforce the South Haymarket Neighborhood Plan’s recommendation that J Street be redeveloped over time as medium-density residential, with a particular interest in rowhouses. Though the Design Standards make no mention of offices uses, it should be understood that O-1 Office allows for the desired medium-density residential development, while also accommodating a larger mix of uses than the residential zoning districts. At the same time, it is not nearly as accommodating as downtown’s B-4 district, which allows for a variety of commercial uses that O-1 does not. Also of note, O-1 Office is the same zoning district that the properties fronting Lincoln Mall fall under.

Design Standard 15: Buildings on J Street/West

J Street west of 9th Street (“J Street/West”) should develop, over time, into a medium-density residential area. The build-to line for new buildings on J Street/West shall be 60 feet from the J Street centerline. This reduction of the standard front yard in the underlying zoning districts is intended:

- to encourage a uniform "edge" to the Mall’s open space,
- to create more buildable lot area, encouraging quality redevelopment,
- *to narrow the very wide open space created by the 120 foot right-of-way and any zoned front yards, which would not reinforce a residential atmosphere for this portion of the District.*

Guideline 15.1:

The “South Haymarket Neighborhood Plan” illustrates rowhouses as desirable on J Street/West. Other medium-density housing forms can be considered by the Commission supportive of enhancing the residential character of this portion of the District.

Guideline 15.2:

For new buildings constructed on property fronting on J Street/West, pitched roofs of 6/12 pitch (or greater) are permitted.

Guideline 15.3:

All new construction along J Street/West should be oriented toward J Street and should contribute to an attractive residential character.

Guideline 15.4:

Where necessary, access features such as ramps or stairs are encouraged to be located in the right-of-way with access easements.

Guideline 15.5:

Relocation of the visible telecommunication equipment atop 575 S. 10th St., when feasible, is a goal of the Commission.

Recommended Finding: The proposed rezoning conforms with the South Haymarket Neighborhood Plan and the Capitol Environs Design Standards.

Recommended Action: This is not an action item and does not require a Certificate of Appropriateness. All guidance from the Commission will be taken into consideration by City staff.

Item 3: Addition of a Fourth Ex-Officio Member to the Nebraska Capitol Environs Commission

Earlier this year, the Planning Department received a letter from the Governor on behalf of the Nebraska Capitol Commission, requesting the addition of a fourth ex-officio (nonvoting) member to the Nebraska Capitol Environs Commission. Currently, the three ex-officio members include:

- City of Lincoln Planning Director or their designee
- City of Lincoln Parks and Recreation Director or their designee
- Nebraska Department of Administrative Services Director or their designee

The fourth member being proposed is the Office of the Nebraska Capitol Commission’s Capitol Administrator or their designee. Per the Governor’s letter,

“With this change in language both the Capitol, its site and all other state-owned and managed property located with the Environs District, will be represented on this important joint city-state policy-making body.”

The Planning Department, as well as the Mayor’s Office, is supportive of this change. The proposed text amendment to the Lincoln Municipal Code required to make this addition reads as follows (Note: staff has used this proposed change as an opportunity to make references to ex-officio members gender-neutral.):

“The Nebraska Capitol Environs Commission membership shall be appointed by the Mayor with confirmation by the majority of the City Council and shall include five members with due consideration given to appointment of an architect, landscape architect, an urban planner, a real estate developer and a member of the public at large. The Nebraska Capitol Environs Commission membership shall also include two members to be appointed by the Governor of the State of Nebraska, at least one of whom shall be a resident of the City of Lincoln, Nebraska. The three ex officio (nonvoting) members of the commission shall be City of Lincoln Planning Director or ~~his~~their designee, the City of Lincoln Director of Parks and Recreation or ~~his~~their designee, ~~and~~ the Director of the Nebraska Department of Administrative services or