



NEBRASKA CAPITOL ENVIRONS COMMISSION

The Nebraska Capitol Environs Commission will hold a meeting on **Friday, June 23, 2023 at 8:30 a.m.** in the County-City Building, 555 S. 10th Street, Lincoln, Nebraska, in **City Council Chambers** on the 1st Floor. For more information, please contact the Lincoln City/Lancaster County Planning Department at 402-441-7491.

AGENDA

June 23, 2023

1. Approval of meeting record of [April 28, 2023](#)

Public Hearing & Action

2. New construction (final landscape plan) at [440 S 13th Street](#) (*Architectural Design Associates; UDR23086*)

Discuss & Advise

3. Bike racks at [1023 Lincoln Mall](#)
4. Staff report & miscellaneous

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 participating 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 Lincoln Commission on Human Rights at 402-441-7624, or the City Ombudsman at 402-441-7511, as soon as possible before the scheduled meeting date in order to make your request.*

MEETING RECORD

Advanced public notice of the Nebraska Capitol Environs Commission meeting was posted on the County-City bulletin board and the Planning Department's website. In addition, a public notice was emailed to the Lincoln Journal Star for publication on Wednesday, April 19, 2023.

NAME OF GROUP: NEBRASKA CAPITOL ENVIRONS COMMISSION

DATE, TIME AND PLACE OF MEETING: Friday, April 28, 2023, 8:30 a.m., City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

MEMBERS IN ATTENDANCE: Andrea Gebhart, Delonte Johnson, Kile Johnson, Karen Nalow, Ann Post and David Quade; (Heidi Cuca absent).

OTHERS IN ATTENDANCE: David Cary, Collin Christopher, Arvind Gopalakrishnan and Teresa McKinstry of the Planning Department; David Wiebe with Architectural Design Associates; J.J. Yost of Parks and Recreation; Matt Hansen with the Nebraska Capitol Commission; Bob Ripley; and other interested citizens.

STATED PURPOSE OF MEETING: Nebraska Capitol Environs Commission Meeting

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

K. Johnson then called for a motion approving the minutes of the regular meeting held March 24, 2023. Motion for approval made by Nalow, seconded by Gebhart and carried 4-0: Gebhart, K. Johnson, Nalow and Quade voting 'yes'; D. Johnson abstained; Post absent at time of vote; Cuca absent.

NEW CONSTRUCTION AT 440 S. 13th STREET

PUBLIC HEARING:

April 28, 2023

Members present: Gebhart, D. Johnson, K. Johnson, Nalow, Post and Quade; Cuca absent.

Collin Christopher stated that in March 2020 as we were entering the Covid-19 pandemic lockdown, there was a request from NEBCO to demolish the existing building on this property. When an applicant is requesting demolition, they typically must have plans for what is going back in its place. At that time, there wasn't anything specific. In the short term, they planned to turf it, which they did. They planned on using this site as a parking lot in the mid-term. Long term, they wanted to be able to redevelop it. The city was struggling with knowing how to handle public hearings during the lockdown, and so there was a determination by the Planning Director and Ed Zimmer, in coordination with Kyle Johnson as Chair of this

Commission to offer a Certificate of No Material Effect to demolish, with plans to return to Commission at a later date.

Regarding the redevelopment plans for the site, he believes the proposal is pretty straightforward from a building perspective. He identified some small concerns about how landscaping would fit in this small parking lot. His recommendation is for the applicant to come back for another review when they have a developed landscape plan. There are requirements for the landscape standards for parking lots, in addition to the Capitol Environs Design Standards.

David Wiebe has been working with the Nebraska Council of School Administrators (NCSA) on this site for about a year. NCSA is currently located just down the street. They have an opportunity in working with NEBCO to take control of this property and expand their functions a little. He showed a plan for the site. The new building in the southwest corner is pretty much the same footprint as the demolished building. They will need to do more landscaping. They will address that. In talking with Lincoln Transportation and Utilities (LTU), they are going to be losing the current drive off 13th Street. The entry will be just off the alley with an exit on 'K' Street. The building itself is an all brick structure with brick bandings and colors that are typical of the older buildings in the area. The main entrance is off 13th Street. He feels they are meeting the main requirements of masonry and durable construction.

Quade inquired if the mechanical units will be located on the roof. Wiebe replied yes. They will be screened by the parapet.

Nalow wondered if the presented rendering takes the rooftop units into account. Wiebe believes it is generally accurate. Screening can be accommodated if there are specific requirements as far as heights and view angles. They will look at those too. He believes that generally from the street, you won't see the rooftop units. Nalow spoke to the setback requirements for the units in the roof area. Wiebe agreed. The units will be at least ten feet away from the edge.

K. Johnson asked about screening on top of the roof. He wondered what would be seen on this roof from the Capitol. Wiebe didn't anticipate that. They can take a look at that.

Quade understands that the applicant is anticipating the height of the parapet will hide the units from ground level. Wiebe replied yes. You will see it from above. K. Johnson noted that some applicants have put up a wire mesh or screening, so from above it is less visible.

Post pointed out that comments from staff were regarding parking lot screening. Wiebe hasn't seen the staff report. He can accommodate whatever is necessary.

Nalow understands that the applicant hasn't addressed the screening or planting, to date. Wiebe stated they don't have a landscape plan yet. Nalow wanted to make sure that the requirements for Downtown Standards and Capitol Environs standards are met with regard to screening. Wiebe noted they are working with REGA Engineering. They will have a landscape architect take a look at that.

Post pointed out that the staff recommendation is for the landscaping and screening requirements for this site to be reviewed and approved before building permits are issued. She believes adding a review of rooftop screening won't cause any hardship. Wiebe agreed.

Gebhart was curious how many employees will be in this building on a daily basis. Wiebe believes current staff is about 15. They hold meetings and conferences for up to 50 people. They represent schools all across Nebraska. They get together for training sessions. The upper floor has a large conference area for multiple uses. Hence, for the parking lot, they wanted to provide as much parking as possible to provide that access for all the members.

ACTION:

Post moved approval of a Certificate of Appropriateness for new construction at 440 S. 13th Street, with the condition that the applicant return for approval of the landscape plan prior to submittal of a building permit, seconded by D. Johnson.

Nalow moved an amendment that the rooftop screening for mechanical elements be reviewed prior to submittal of a building permit, seconded by Post.

Motion for approval of amendment carried 6-0: Gebhart, D. Johnson, K. Johnson, Nalow, Post and Quade voting 'yes'; Cuca absent.

Motion for approval as amended, for a Certificate of Appropriateness for new construction at 440 S. 13th Street with the conditions that the applicant return for approval of the landscape plan and roof top screening for mechanical elements, prior to submittal of a building permit, carried 6-0: Gebhart, D. Johnson, K. Johnson, Nalow, Post and Quade voting 'yes'; Cuca absent.

STAFF REPORT:

Centennial Mall Fountain

J.J. Yost wanted to give an update on some work on Centennial Mall in relation to the fountains. There is an electrical box that needs to be added for some electrical service that runs some of the fountains. He showed some images of where they plan to locate the cabinet. On the 'K' Street to 'L' Street block, there are a couple of existing boxes. They are at-grade lids to boxes that are there today. Further north of that is an equipment vault where electrical service is today. They are having a lot of maintenance issues. Water collects in that box as it is supposed to, but water levels rise above what the sump pump is able to keep up with. This has been an ongoing issue. They want to make it more manageable. At the property edge on the east side is where they intend to tuck the panel. This would be located on the east side of the screen walls that are about four feet tall. He believes it can be placed there nicely behind the trees. He showed some views of the area. There is already a backflow preventer with a cage. The cabinet would go north of that. He doesn't have a schedule for construction. He met this morning with a company that might do some of the work. They would like to move ahead with the work this summer as materials become available. Operating those fountains can become an issue. They need to replace some nozzles and clean out some pipes. This is the only element of that work that would be above grade.

Bob Ripley commented that he would like to see a dark green color for the metal cabinet. Yost stated he has thought about that. The cut sheet shows a tan color. He wants to look into that and see if they can get a darker color. The darker color could also be a target for graffiti. They will look into that and get as dark green a color as possible. Ripley asked if this will be the only above grade feature affecting the mall. Yost responded yes. Everything else is in the vaults.

Certificate for No Material Effect for 710 'J' Street

Christopher worked with Kile Johnson and David Cary to approve a Certificate for No Material Effect for 710 'J' Street. Due to the current bus supply, StarTran requested to raise the height of the garage doors by about six to eight inches. This will be a very small change. He showed the four garage doors. Along with that, they need to replace the paneling above the garage doors. It will be done with a similar product. This is perhaps not an ideal solution, but for an existing facility he believes it was an acceptable solution.

K. Johnson signed the Certificate of Appropriateness. He went to view the property and believes it will be hard to even see the difference.

MISCELLANEOUS:

Christopher introduced Arvind Gopalakrishnan who is a new planner with the Planning Dept. He has an architecture and design background. This Commission will see him occasionally, and he believes Gopalakrishnan will eventually take over staffing of the Urban Design Committee.

Arvind Gopalakrishnan stated that he is originally from Mumbai, India. He worked for a couple of years in India, Nairobi and parts of Nigeria. He moved to Calgary, Canada to pursue his master's degree in Planning. He worked in Alberta, Canada. He moved to Halifax, Nova Scotia to work as an urban designer. He has worked on waterfront projects, streetscape designs, university avenue designs, transportation plans and landscape architecture plans. He worked on visualizations and renderings for a firm in British Columbia. His fiancé is from the States. She was born and raised in Boston and California. She is going to medical school in Omaha. This brought him to the States. He is happy to join the team and is excited to present to this Commission in the future regarding the different aspects of what is going on in the City.

The members introduced themselves and welcomed him.

Motion for adjournment made by Post, seconded by Gebhart and carried 6-0: Gebhart, D. Johnson, K. Johnson, Nalow, Post and Quade voting 'yes'; Cuca absent.

There being no further business, the meeting was adjourned at 8:55 a.m.

<https://linclanc.sharepoint.com/sites/PlanningDept-Boards/Shared Documents/Boards/NCEC/Minutes/2023/042823.docx>

NEBRASKA CAPITOL ENVIRONS COMMISSION STAFF REPORT

APPLICATION NUMBER	Urban Design Record #23086
APPLICATION TYPE	Certificate of Appropriateness
ADDRESS/LOCATION	440 S 13 th Street
HEARING DATE	June 23, 2023
ADDITIONAL MEETINGS	April 28, 2023
APPLICANT	David Wiebe, Architectural Design Associates, davidw@adalincoln.com
STAFF CONTACT	Collin Christopher, 402-441-6370, cchristopher@lincoln.ne.gov

RECOMMENDATION: APPROVAL

Note from staff: *At the April meeting, the Commission approved a Certificate of Appropriateness for this project, under the condition that the applicant come back to the Commission for a review of the landscape plan, as well as a review of the applicant's plans to screen the rooftop mechanical equipment. While a landscape plan has been submitted, no additional material has been submitted to date for the rooftop mechanical equipment. The applicant has been reminded of this, and staff expects that they will be prepared to discuss the rooftop mechanical equipment on June 23rd. If additional material is submitted prior to the meeting, this report will be updated and reposted. What follows is a staff report for the submitted landscape plan.*

Summary of Request

The Nebraska Council of School Administrators is planning to relocate their headquarters to 440 S 13th Street. Back in March of 2020, the Planning Department coordinated with NCEC Chair Kile Johnson to allow NEBCO to demolish the building located on the site via a Certificate of No Material Effect (NME), with the expectation that they would come back to the Commission when plans for future development had been ironed out. At the time, their intent was to leave the demolished portion of the site as turf in the short-term, and to possibly develop it as a parking lot in the mid-term. Since the Certificate of NME was granted and the demolition was completed, the demolished portion of the site has remained as turf.

The proposed project includes a new two-story, 30' tall building clad with brick. The building will sit at the corner of the S 13th Street and K Street intersection, fronting both streets with no setbacks. The footprint for the building is estimated to be 72' x 72' in size. The existing parking lot will be resurfaced and restriped, bending around the building in an "L" shape. The submitted site plan shows 42 stalls being proposed.

On April 28, 2023, the Commission reviewed and approved the project for a Certificate, under the condition that the applicant come back at a later date with a final landscape plan for review. After some discussion with city staff on how to appropriately apply the relevant design standards, they have now submitted a landscape plan for consideration by the Commission.

Compatibility with the Design Standards

Given the fact that the project faces neither Capitol Square nor one of the four “malls,” the requirements for conformance to the design standards are fairly straightforward. In addition to the Capitol Environs Design Standards for landscapes, the landscape standards for sites and parking lots also apply and provide more specific guidance in this case. What follows is a summary of the relevant design standards and staff’s analysis of the project’s compatibility with said standards.

Chapter 3.85, Design Standard 18: General Landscape of All Malls

The landscape of the Capitol Malls should enhance the Capitol setting and vistas:

- by providing canopy and definition at the mall edge, but leaving the centers of the malls more open, allowing on-axis views of the Capitol,
- by creating a sense of organization and unity through form, color, texture, and spacing that may be lacking in the adjacent architecture,
- by establishing a rhythm of visual and physical movement leading ultimately to the Capitol,
- by providing seasonal change and interest.

There is a delicate balance between a landscape that enhances and one that overwhelms—color and form changes should be in large sweeps and masses to avoid creating small, distracting focal points. The landscape should be bolder and more colorful closest to the Capitol.

Facing Capitol Square and the Malls, front yards shall not contain mechanical equipment, above-ground utilities, docks, or unscreened ramps. Architectural or planted screenings may be offered, with maintenance requirements.

Active use of the Malls should be encouraged by the selection and placement of landscape elements such as seating.

Chapter 3.50, 7.1 Parking Lots, Parking Areas, and Driving Aisles

D. Shade Tree Location, Coverage, and Layout

1. For parking lots 6,000 square feet or greater, there shall be planted within the paved area a minimum of one (1) shade tree, plus one (1) additional shade tree for every 6,000 square feet of parking lot paving. See the table below for a summary of typical shade tree requirements.

Table 2. Shade Tree Requirements for Parking Lots	
Size of Parking Lot	Required Shade Trees
6,000 - 11,999 sq. ft.	2
12,000 - 17,999 sq. ft.	3
18,000 - 23,999 sq. ft.	4

Chapter 3.50, 7.13 Screening for Downtown Lincoln

A. Screen Location, Coverage, and Layout

1. Those properties located within the B-4 and O-1 Districts are subject to the following screening requirements:
 - a. Any on-site surface parking shall be paved and must be screened with plant materials, masonry walls, or masonry and metal (not chain-link) fences, or some combination thereof, to provide at least a 90% screen from grade to three feet above the grade.
 - b. Parking shall be set back six feet from the property line if only plant materials are used for screening or set back three feet if fence or wall are used.

Chapter 3.50, 7.14 Street Trees

A. Screen Location, Coverage, and Layout

1. As a requirement of the commercial building permitting process for new construction, street trees shall be required per the standards set forth in CHAPTER 2.35 DESIGN STANDARDS FOR STREET TREES.
2. CHAPTER 2.35 DESIGN STANDARDS FOR STREET TREES | Section 1. GENERAL REQUIREMENTS provides direction on where street trees may be located within the City right-of-way. If the required street trees cannot be located in the right-of-way because of these requirements, or due to other unavoidable circumstances of the built environment, a portion or all of the required street trees may be exempted from being planted. This determination shall be made by the Parks and Recreation Department during the building permit review process.

Compatibility per Staff Analysis: As is often the case when building in the downtown environment, there are site conditions and restrictions that make 100% compatibility with the standards a challenge. What follows is a summary of how the plan compares to the standards and the applicant's attempt to offset proposed deviations.

- **Parking lot screening** – Screening is required around the entirety of the perimeter of the parking lot in the downtown, unless otherwise screened by a building structure on the property. This means that per the standards, both the north and east perimeters should be screened. The north perimeter runs adjacent to an alley that is not curbed and trying to maintain landscaping in this area would admittedly be a challenge. The east perimeter abuts a neighboring building, and the applicant saw limited value in providing screening along this edge. In order to offset the lack of screening along these two sides, the applicant has proposed restoring the beds in the public right-of-way along S 13th and K Streets. Further, they are also showing new foundation plantings along 3 sides of the proposed building,
- **Parking lot trees** – A parking lot of this size requires two internal parking lot trees, which the applicant has provided.
- **Street trees** – Street trees are required, where space allows, along both S 13th and K Streets. There are currently two existing trees along the S 13th Street side. Though the trees are smaller than typical street trees, they are both close to an overhead utility line and staff recommended retaining the existing trees instead of attempting to plant a larger tree that LES would likely not allow. Along the K Street side, the applicant is proposing two new trees. While the proposed trees are technically on private property, they will function like a street tree and add definition to that edge.

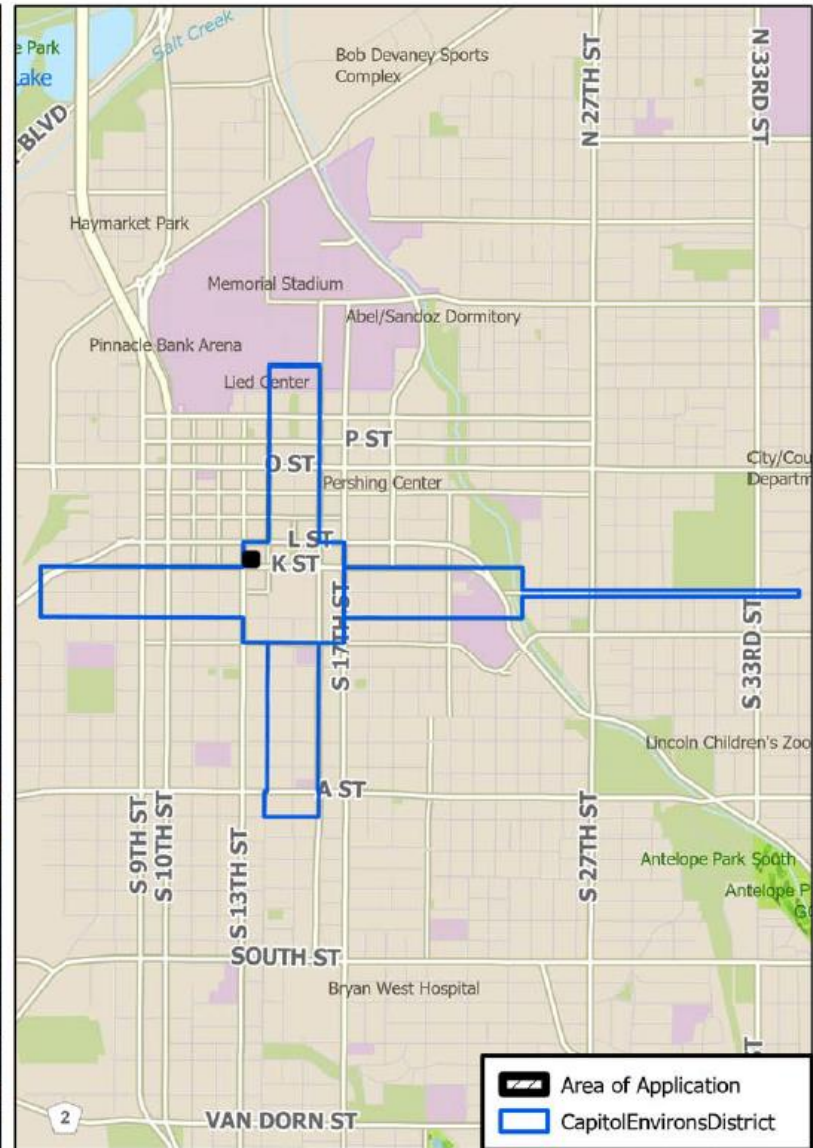
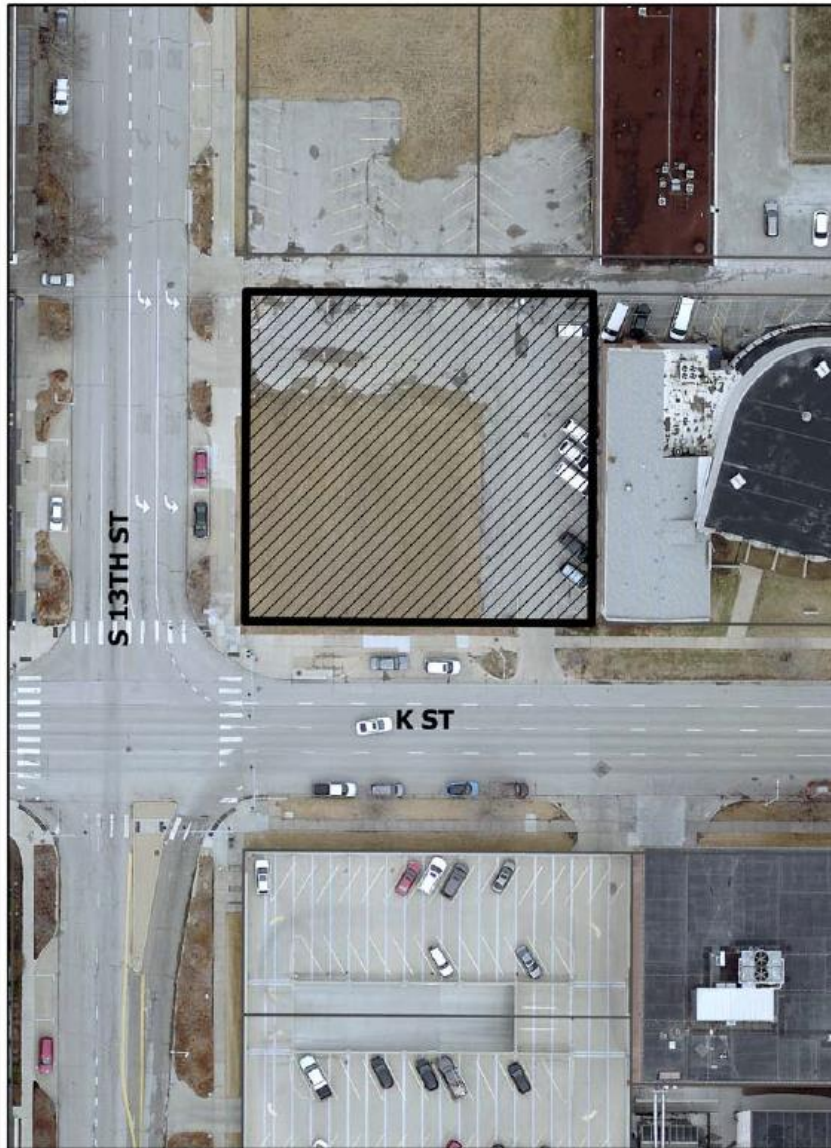
Recommendations

While there are certainly some deviations from the design standards in this proposal, the applicant has made a clear effort to work with city staff to come up with a solution that meets the intent of the standards. The highlighted deviations have been offset by additional landscaping in other areas that would not otherwise be required. As such, staff is of the opinion that the proposed plan will add value to the environs and the larger downtown district.

Recommended finding: The proposed landscape plan generally complies with the intent of the Capitol Environs Design Standards and the Screening and Landscaping Design Standards.



Recommended action: Approval of a Certificate of Appropriateness for the landscape plan at 440 S 13th Street.

ATTACHMENT A - Location Map



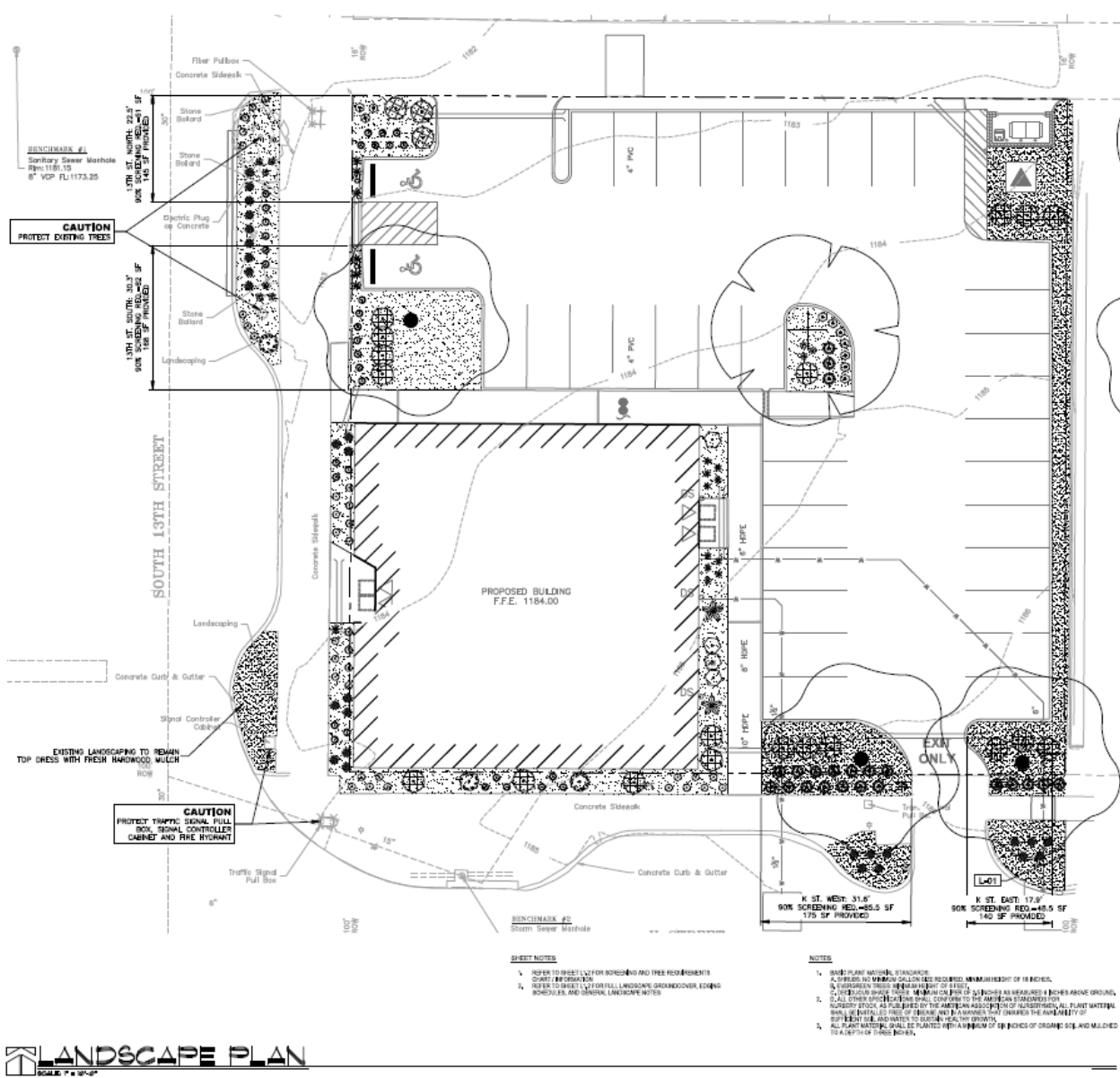
2022 aerial

UDR23086 – Nebraska Council of School Administrators Building (440 S 13th Street)

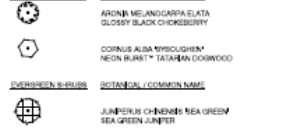
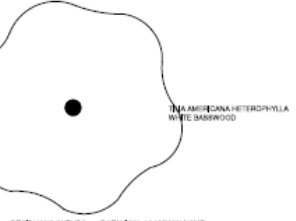
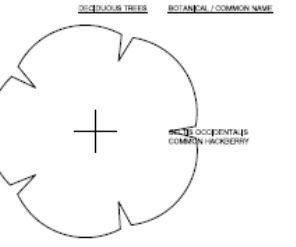
 Area of Application
 Capitol Environs District

Project: GISProjectDev\RevisedNCEC_LocationMaps.aprx
PDF: Board\NCEC\REPORTS\Location Maps





PLANT LEGEND SCALE: 1" = 10'



GROUND COVER SCHEDULE

GROUND COVER	QTY	BOTANICAL / COMMON NAME
WOOD MULCH	4,533 SF	
HARDWOOD MULCH		

- NOTES**
1. USE PLANT NATIONAL STANDARDS. A. SPECIES NO NUMBER CALLON TREE REQUIRED. MINIMUM HEIGHT OF 18 INCHES. B. HEIGHTS MUST BE MINIMUM HEIGHT OF STREET.
 2. 1" = 10' SCALE. ALL PLANTINGS MUST BE MINIMUM CALIPER OF 3/4" INCHES AS MEASURED 4 INCHES ABOVE GROUND. ALL OTHER SPECIES MUST CONFORM TO THE AMERICAN STANDARDS FOR PLANTING STOCK AND QUALITY BY THE AMERICAN ASSOCIATION OF ARBORICULTURISTS. ALL PLANT MATERIAL SHALL BE BURLAP WRAPPED AND PLANTING SHALL BE COMPLETED WITHIN THE AVAILABILITY OF THE PLANTING SEASON. ALL PLANTINGS SHALL BE PLANTED WITH A MINIMUM OF 18" BONES OF ORGANIC SOIL AND MULCHED TO A DEPTH OF THREE INCHES.

REGA #231069	DATE
FILED FOR CONSTRUCTION SET	06/21/23

LANDSCAPE PLAN



Architectural Design Associates
 Suite A
 5410 O Street
 Lincoln, Nebraska 68510
 www.adainc.com
 tel: 402.426.2526



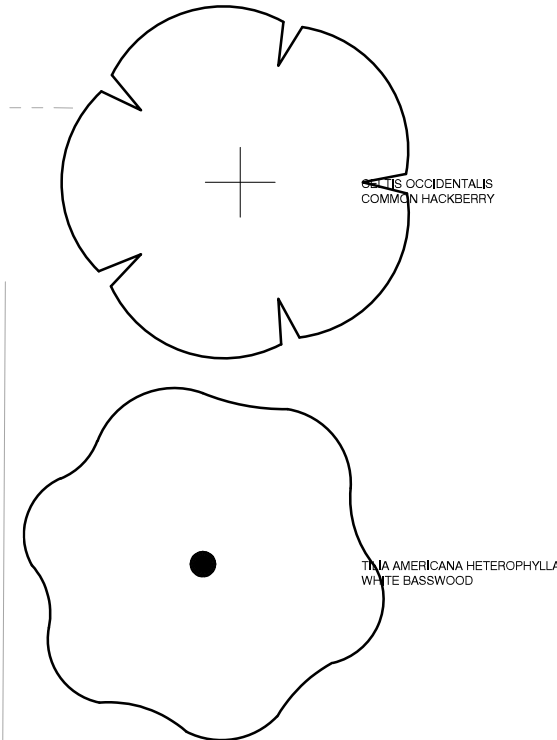
ATTACHMENT B - Landscape Plan

REGA ENGINEERING
 601 OLD CHEVY RD., SUITE A
 LINCOLN, NEBRASKA 68512
 (402) 494-1242
 ● ENGINEERING
 ● PLANNING
 ● LANDSCAPE ARCHITECTURE
 ● LAND SURVEYING
 ● IRRIGATION

NCSA
 OFFICE BUILDING
 1317H & K STREET
 LINCOLN, NE - 68508

Nebraska 811
 Call before you dig

L1.1



- DECIDUOUS SHRUBS** BOTANICAL / COMMON NAME
- ARONIA MELANOCARPA ELATA GLOSSY BLACK CHOKEBERRY
 - CORNUS ALBA 'BYBOUGHEN' NEON BURST™ TATARIAN DOGWOOD
- EVERGREEN SHRUBS** BOTANICAL / COMMON NAME
- JUNIPERUS CHINENSIS 'SEA GREEN' SEA GREEN JUNIPER
- GRASSES** BOTANICAL / COMMON NAME
- SCHIZACHYRIUM SCOPARIUM 'BLAZE' BLAZE LITTLE BLUESTEM
- PERENNIALS** BOTANICAL / COMMON NAME
- COREOPSIS X 'CREME BRULEE' CREME BRULEE TICKSEED
 - ECHINACEA PURPUREA CONEFLOWER
 - HEUCHERA X 'PURPLE PALACE' PURPLE PALACE CORAL BELLS
 - HOSTA X 'FORMAL ATTIRE' FORMAL ATTIRE HOSTA
 - PENSTEMON X 'MIDNIGHT MASQUERADE' MIDNIGHT MASQUERADE BEARDTONGUE
 - RUDBECKIA FULGIDA SULLIVANTII 'GOLDSTURM' GOLDSTURM CONEFLOWER
 - SEDUM X 'ANGELINA' ANGELINA SEDUM
 - SEDUM X 'PURPLE EMPEROR' PURPLE EMPEROR STONECROP

GROUNDCOVER SCHEDULE

GROUND COVERS	QTY	BOTANICAL / COMMON NAME
WOOD MULCH	4,633 SF	
HARDWOOD MULCH		

REGA #231069

ISSUED FOR:	DATE:
CONSTRUCTION SET	06/07/23

REGA ENGINEERING

601 OLD CHENEY RD., SUITE A
 LINCOLN, NEBRASKA 68512
 (402) 484-7342

- ENGINEERING
- PLANNING
- LANDSCAPE ARCHITECTURE
- LAND SURVEYING
- IRRIGATION

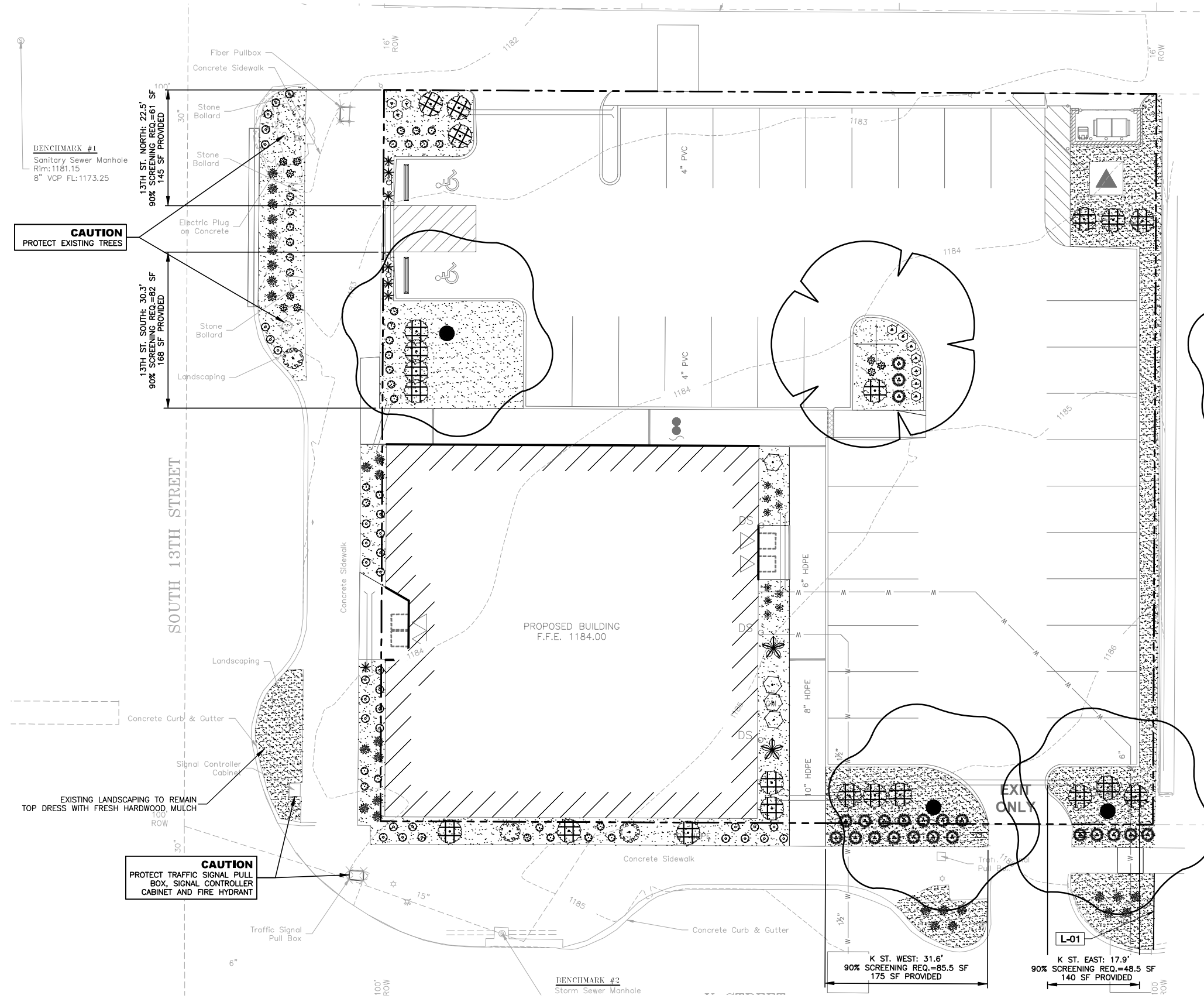


NCSA
OFFICE BUILDING
 S 13TH & K STREET
 LINCOLN, NE - 68508

Project Number
 XXXXXX
 Date
 06-05-2023
 Revisions

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L1.1



- SHEET NOTES**
- REFER TO SHEET L1.2 FOR SCREENING AND TREE REQUIREMENTS CHART / INFORMATION
 - REFER TO SHEET L1.2 FOR FULL LANDSCAPE GROUNDCOVER, EDGING SCHEDULES, AND GENERAL LANDSCAPE NOTES

- NOTES**
- BASIC PLANT MATERIAL STANDARDS:
 A. SHRUBS: NO MINIMUM GALLON SIZE REQUIRED. MINIMUM HEIGHT OF 18 INCHES.
 B. EVERGREEN TREES: MINIMUM HEIGHT OF 5 FEET.
 C. DECIDUOUS SHADE TREES: MINIMUM CALIPER OF 2.5 INCHES AS MEASURED 6 INCHES ABOVE GROUND.
 D. ALL OTHER SPECIFICATIONS SHALL CONFORM TO THE AMERICAN STANDARDS FOR NURSERY STOCK, AS PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN. ALL PLANT MATERIAL SHALL BE INSTALLED FREE OF DISEASE AND IN A MANNER THAT ENSURES THE AVAILABILITY OF SUFFICIENT SOIL AND WATER TO SUSTAIN HEALTHY GROWTH.
 ALL PLANT MATERIAL SHALL BE PLANTED WITH A MINIMUM OF SIX INCHES OF ORGANIC SOIL AND MULCHED TO A DEPTH OF THREE INCHES.



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Project Number
 XXXXXX
 Date
 06-05-2023
 Revisions

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1023 Lincoln Mall Bike Rack Request

Lincoln Literacy has made a request for the installation of two bike racks in the right-of-way as part of a larger bike rack request program that the city's Complete Streets Committee is currently implementing. Originally, the plan had been to locate these racks behind the building. However, site constraints made that solution a challenge. The Complete Streets Committee is now suggesting that the racks be installed on the mall, along the sidewalk leading to the front entrance. The silver, U-shaped bike racks (four bike capacity) would be bolted into the existing concrete.





Rack locations in blue above on 10-foot-wide sidewalk leading to entrance.

