

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, November 20, 2023.

NAME OF GROUP: NEBRASKA CAPITOL ENVIRONS COMMISSION

DATE, TIME AND PLACE OF MEETING: Tuesday, November 28, 2023, 10:45 a.m., City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

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

OTHERS IN ATTENDANCE: Collin Christopher and Teresa McKinstry of the Planning Department; Matt Hansen with the Nebraska Capitol Commission; Michael Weskamp with Lincoln Electric System; 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 September 22, 2023. Motion for approval made by Post, seconded by Gebhart and carried 5-0: Cuca, Gebhart, K. Johnson, Post and Quade voting 'yes'; D. Johnson absent.

LES SITE WORK AT 1501 'M' STREET AND 332 CENTENNIAL MALL:

PUBLIC HEARING:

November 28, 2023

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

Collin Christopher stated that at the last meeting in September, the Commissioners' direction was to explore alternative screening options for the new switchgear equipment being located on this site. An on-site meeting was held in October that included himself, J.J. Yost of Parks and Recreation, Karen Nalow, and representatives from the State of Nebraska and Lincoln Electric System (LES). They looked at two potential solutions, and also talked about the issue with the amount of utilities that run through the corridor. The first option was a landscape screen. He showed a plan and mock-up that included a double row of grasses from the sculpture to the utility box. He pointed out the approximately two foot strip of turf between the native grasses and the sidewalk. He stated this is based on a recommendation from the State on how they plow snow. There was also a second discussion regarding something more permanent. They decided it

didn't make sense to do anything that required footings, due to the utility issues. It would need to be a surface mounted screen affixed to the sidewalk. The group believed that presented maintenance issues. It is in the snow removal zone and more vulnerable to damage. Secondly, they thought that solution would be a general maintenance issue as the screen aged. It would have to be a powder coated fence option. It would be subject to wear and tear. The group believed it might do more to detract from Centennial Mall. Yost, Nalow and Christopher recommended to LES the pursue the landscape screen option shown in the imagery. It doesn't fully screen the new utility box, but he believes it goes a long way to screen some of the existing boxes and fits within the design aesthetic of the mall. Planning and Parks and Recreation staff are supportive of the proposal.

K. Johnson asked if there are any future plans for more electrical equipment in this area. It is crowded. Michael Weskamp stated they were realistic on what is available. This location is one of very few locations that would work for them. There are no future plans to add more equipment. This will start a distribution loop. K. Johnson wondered about the timeline. Weskamp stated it is expected for 2024-2025 construction. This is something we can do in advance of construction itself. Construction could possibly be in 2026 depending on what the builders are doing. The State and the Scottish Rite Temple will have plenty of notice before digging commences.

Bob Ripley stated that since the City appears to be driving this with regard to future development, he questioned why the City can't require utilities on site. If you put it in as a requirement for a project from the start, the developer will be required to deal with it. Weskamp agreed. Ripley believes this Commission has the ability to add a requirement for accommodation for utility needs. Weskamp noted this will allow for development of the Pershing block. They will need to do this no matter who the developer is. This isn't something that he can go back to the developer. This is something LES needs to do to be able to provide the service. This equipment is more for LES needs.

Gebhart was curious knowing that this is a utility corridor, she wondered if root structures will hinder this in any way. Christopher believes ornamental grasses are the easiest to plant here. Large shrubs or ornamental trees could be troublesome. Native grasses have deep root systems, but not the kind that typically would hinder utilities.

K. Johnson wondered if salt would affect the plantings. Christopher believes these grasses are all salt tolerant. He thinks they would do pretty well.

Ripley commented that as long as the alley location, which is tight already, is only being addressed as part of the greater grid of downtown, that is fine. Transformer regulations are very specific. To do less on the Pershing site would be very disingenuous. Library, retail and housing are all planned for the Pershing site. Weskamp agreed. He believes this is the best and most practical approach.

ACTION:

Quade moved approval of the screening solution as proposed, seconded by Post and carried 5-0: Cuca, K. Johnson, Gebhart, Post and Quade voting 'yes'; D. Johnson absent.

OTHER:

- Christopher stated that the December meeting of Nebraska Capitol Environs Commission will be December 22, 2023. He encouraged the commissioners to let staff know if this is a conflict for them.

Cuca stated she is not able to attend the December meeting due to a scheduling conflict.

- Christopher noted that the commission might see the landscape/streetscape plan for the first phase of the Pershing block come forward in December or January. There is a discussion regarding on-street parking solutions for the day care service on the site, and they appear close to a solution that Lincoln Transportation and Utilities (LTU) is supportive of.
- Christopher stated he is expecting a preliminary review of a new redevelopment project by the League of Nebraska Municipalities for a new building on their site.

There was a discussion regarding the new building. Christopher noted they need to go to the Historic Preservation Commission for approval to demolish the existing building.

Matt Hansen inquired if the Capitol Environs Commission would need to approve the demolition permit. Ripley believes precedent was set with the Farmers Mutual building.

Christopher noted the new text amendment that was just passed clarified design review purview for a project like this. He pointed out that the Women's Club is a historic landmark. This commission gives up purview to Historic Preservation Commission since the property is historic. But once demolition is approved and completed, the site is no longer considered historic, and so the NCEC then becomes responsible for approving any new construction or site work. If there was interest in doing a preliminary review of the demolition, he believes that is something that can be entertained.

Ripley asked if Christopher has seen preliminary plans. Christopher replied no. He knows they are planning to submit plans in a couple of weeks. It will be a Tax Increment Financing (TIF) project. He knows that Urban Development has seen the plans. He believes they are still working through those.

K. Johnson believes we didn't follow precedent with the NEBCO building. Christopher knows we didn't follow general guidelines and standards. That was in March 2020 during the Covid-19 lockdown. Staff hadn't completely figured out how to hold public meetings at that time. The second aspect was that staff had some faith in NEBCO that they would come back with the real proposal in the future, which they did. He doesn't believe that is a very good case for precedent. The way this is being done now is following code. He thinks they are a ways away from starting construction. He believes they want to go to Historic Preservation Commission in December to give them some assurance they can do the project. He pointed out there is always the option of holding a joint meeting with Nebraska Capitol Environs Commission and Historic Preservation Commission.

Post asked how those groups work together on a TIF project. Christopher stated that typically, the Urban Design Committee reviews TIF projects, except when a project is in the Capitol Environs District. They tried with the recent text amendment to clean up the language and make sure the applicant understands the process.

- Christopher stated that the City is still working on filling the vacant commissioner position. They are actively looking for a landscape architect.

Cuca asked if the new appointment is made by the Mayor. Christopher stated it is a Mayoral appointee. They are nominated by the Mayor and approved by City Council.

Ripley asked if the new appointment must be a landscape architect. Christopher noted the commissioner requirements are in the code. This could be filled by a real estate professional or a landscape architect. City staff has recommended the position be filled by a landscape architect.

- Christopher noted that Kile Johnson's term will expire in January 2024. He has agreed to another term. Delonte Johnson's term expires in January 2024 as well. He has also agreed to continue to serve.

There being no further business, the meeting was adjourned at 11:15 a.m.