

MEETING NOTES

NAME OF GROUP: NEBRASKA CAPITOL ENVIRONS COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, July 25, 2019, 8:00 a.m., Conference Room 214, 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: Ed Zimmer, David Cary and Teresa McKinstry of the Planning Department, Robert Ripley and Matt Hansen of the Nebraska Capitol Commission, J.J. Yost of Parks and Recreation; Joseph Shields of HDR, Inc.; Pat Haverty and Luke Peltz from Lincoln Partnership for Economic Development.

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.

K. Johnson then called for a motion approving the minutes of the regular meeting held June 27, 2019. Motion for approval made by Campbell, seconded by Cuca and carried 7-0: Campbell, Cuca, D. Johnson, K. Johnson, Nalow, Post and Quade voting 'yes'.

RECOMMENDATION ON WORK ON PROPERTY LOCATED NORTHWEST OF HIGHWAY 77 AND INTERSTATE 80 IMPACTING A CAPITOL VIEW CORRIDOR
PUBLIC HEARING: **July 25, 2019**

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

Ed Zimmer stated this is an advisory review. Planning Commission reviewed this yesterday and recommended approval to the City Council. He reviewed a map showing the Capitol View corridors. The concept of these corridors in the Comprehensive Plan is that there are some Capitol views that are shared broadly by the public and warrant special consideration.

Zimmer explained that the mapped corridors cover a lot of territory, but not every change within those boundaries impacts the view. For instance, the distant view from I-80 in Seward

County extends over 20 miles. When we get a proposal for a cell tower, we go out and look and evaluate what the impact would be on the view. If the tower would conflict with the view to the Capitol, we encourage that it be sited to lessen the impact.

The proposed location is shown on the map. The illustrative plan shows locations of two possible building masses. Staff tried to image three points along a southbound traveler's progress towards Lincoln. One view shows two buildings of 75 feet height against the Capitol building. One view would mostly block the view and another would not. These are just possible scenarios. We have lots of other views which are in and out. Rosa Parks Way has many views which come and go. He doesn't believe these corridors are about unobstructed constant views. The Planning Commission staff report was supplied to Commissioners.

Kile Johnson questioned if we should we assume this site will be covered with buildings 75 feet high. Zimmer noted the proposal is a request for two million square feet at buildout. The buildings proposed are far short of the two million. Kile Johnson recognizes the full buildout will be 2040.

Nalow believes there is leeway at this point to design around some of these views.

Campbell noted could there be some very high appurtenances on top of the buildings that would add to an obstruction of the view.

Kile Johnson understands a grading plan is deferred to the future. Will topography affect this? Joseph Shields representing the applicant said he doesn't have that information at this time. This sits on a ridge between two drainage basins. There will be a fair amount of grading done. Kile Johnson inquired if the tree line south of McKelvie Road will be left in place. Shields believes that is right at the northernmost entrance to the site. There is a tree mass. It is hard to say at this point. That will be an entrance to the site. He would assume some of those trees will be removed to build the entrance road. He knows there are some wetlands on the property. The general idea is to avoid the wetlands. Zimmer pointed out the drainageway. It might be less likely to build in that location. Shields believes it is fair to say that in general, they will be avoiding wetland areas.

Campbell assumes at this point, the developers are aware of this Commission and the mission of this group. Are they receptive to those concerns? Shields believes they are definitely concerned about the view and how it would impact the project and moving forward. He doesn't believe anyone has thought through specific details that far yet. This is more of a due diligence stage at this point, not master planning.

Delonte Johnson would like to hear about the purpose of the two buildings. Shields can't discuss anything at this time. Public knowledge at this time is just a data center. There will be different types of structures and buildings. There will be more than just two buildings eventually. Cooling towers will be needed.

Nalow inquired if there will be surface or garage parking. Shields replied they haven't thought about that yet. It is a fairly large site.

Post stated that it sounds like the wetlands will be a natural constraint to be accommodated. She wondered if there are any other ideas or options the developer would be willing to consider to be sensitive to that view. Shields stated they aren't to that stage of design yet. He believes it makes sense that it could be a design consideration.

Kile Johnson wonders if it might be feasible to move the buildings further on the west side, as opposed to the east side. That could help to not block the view. Shields noted it is hard to say at this time.

Nalow believes we need to think long term what this will look like.

Kile Johnson stated that from a design point of view, he is interested in what Nalow would suggest to preserve the view. Nalow believes you could consider the views and you could almost frame those views. That would be important to consider in the master plan. Quade agrees. The landscape can be enhanced to create a stronger view. Nalow stated that being aware of less desirable items on the site and not have them part of the view would be advantageous. Quade believes a substation was mentioned. Those types of things could be pushed to the edge, outside of the view. Kile Johnson would like to see the height controlled of the buildings inside the view. Lower buildings could be in the corridor. Quade believes the height is not much of a concern, given the distance to the Capitol from this location. A taller building could perhaps enhance the view. Nalow added that the landscaping treatment could be considered as well.

Campbell wondered if there is any other view in the corridor that might have a comparable comparison. Zimmer responded that the West O Street view and the view from the Interstate on a clear day, the Capitol on the horizon is just a pin prick. It is our abilities to notice and to focus that make the distant views important. Out at Pioneers Parks, the tree mass is much taller than the Capitol, but we focus because of the framing of the view.

Kile Johnson stated that removal of the trees might actually enhance the view. Nalow added that if done correctly, this could be a great opportunity. It could be a great connection with great internal views.

ACTION:

Campbell moved to recommend agreement to the development and economic opportunities, seconded by Cuca.

Campbell stated this is an exciting project for the City. Kile Johnson appreciates that this was brought early for review. Campbell assumes these are not Lincolniters that are bringing this, so

this is a great opportunity to make them aware of any concerns we have. Post asked if the intent of the motion is to recommend approval, with design suggestions based on the discussion. Zimmer said that his assumption was that an affirmative vote on the motion would be direction to staff to summarize the suggestions and provide them to City Council.

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

MISCELLANEOUS:

Zimmer stated there is another community art project, the Serving Hands project. There are a couple on the lawn of the Governor's residence. In October, these sculptures will be removed and auctioned off.

The Commission's design standards address these projects. There was a proposal a few years ago to have a project along Centennial Mall. That was rejected. There was the Heart project. This was also proposed for along Centennial Mall. The Commission allowed the process of where those might be located, but not directly along the Mall. Several were placed off the main vista to the Capitol. In redoing the guidelines subsequent to that project, the Commission made it explicit that temporary art projects were not to be located on Centennial Mall or facing Capitol Square.

Zimmer suggested the issue of these sculptures can be placed on the agenda for next month or the Commission could direct him to send a note to the project developer.

Campbell would appreciate a nice letter reminding the entities of the goal of the Commission. She believes it would be appropriate. Kile Jonson agreed. These should be consistent with the guidelines. Lynn Johnson agreed. There should be a reminder that we don't want to see these here permanently. Nalow thinks these have been coming up more frequently. Zimmer stated it was embedded in the guidelines that these should not occur within the designated locations. He will give guidance and inform the project developer on the specific site and these aren't to be seen long term.

Bob Ripley would also suggest sending a CC copy of Zimmer's letter to the Administrator of the State Building Division so they are aware of this as well. He applauds the Commission for their action on this. To do nothing would be tacit approval.

Lynn Johnson is reminded in speaking of the Governor's mansion, there are Purple Ash street trees on Goodhue Blvd. There needs to be a future discussion on what we need to consider, removal or treatment of the trees with the arrival of the Emerald Ash Borer. Some of the trees are starting to age and not all are in as good of condition as we would wish. As you drive that boulevard, please consider what should be done. The trees are 30 years old. They are probably halfway or more through their lives. Zimmer believes this is a good time of year to see the

trees. They are quite dramatic this time of year and again in the fall. The design effect is as intended. Lynn Johnson stated that we would be able to replicate them. We would have to consider the species. Any new tree would take a number of years before they would have the same impact again.

Kile Johnson believes they are considering Red Oak at the Lincoln Children's Museum. Lynn Johnson believes they were looking for a stepped effect. He thinks that might be a little tall for this purpose. Ripley thinks they would be a little much as well. Diversification might call for something other than an Oak. Lynn Johnson noted that we want to consider a species that has a regular form. We will bring this to the group at some point. Emerald Ash Borer is in at least two places in the community and spreading more quickly than what we thought. These are smaller diameter trees. These Purple Ash might be a little more resistant, but we really don't know. Kile Johnson wondered if we treat the trees, the sooner the better. Lynn Johnson replied yes. We might want to think about treating next spring if that is what we want to do, and start it on a regular treatment. The treatment lasts about two years. Cost is dependent on the circumference of the tree. It is a couple hundred dollars a treatment.

Ripley inquired about the long term outlook with treatment. Lynn Johnson replied that if you choose to treat, you prolong the life but incrementally reduce the life by drilling in the trunk. The treatment calls for drilling about every two or three inches around the tree.

Campbell questioned if this is a budget stressor, treat versus replace. Lynn Johnson stated that the City has around 14,000 Ash trees. It is just not possible to treat all those on an annual basis. The City may choose to treat some on a priority basis. These might meet the criteria.

Matt Hansen asked about the spread of the Emerald Ash Borer, does it get to a point where the insect has destroyed all that species and it moves to another species. Lynn Johnson responded that experts tell us that east of here, it goes through as a wave. Ashes are native in Lincoln. There will always be re-sprouting so they think we will always have a little residual population of Emerald Ash Borer. We can't plan on having Ash trees unless they are treated.

Nalow inquired if there is a timeline for removal. Lynn Johnson stated this is about a 15 year plan. By year three or four, it will spike and by year eight, about 75 percent of Ash trees will be dead. We think the Emerald Ash Borer might have been in Lincoln about three years at this point. Some of these key trees might need to be considered at this point.

Post noted that cost and the staggering effects of this treatment would need to be considered.

Zimmer believes that perhaps there could be an incremental or staged replacement design. Some rows could be planted and allowed to grow, while some are treated. Hansen noted this isn't the first time a disease has effected trees in the Environs. This is not unprecedented.

Lynn Johnson stated we have done some phased replanting along Goodhue Blvd.

There being no further business, the meeting was adjourned at 8:50 a.m.

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