# 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.*

| | |
|---|---|
| **NAME OF GROUP:** | NEBRASKA CAPITOL ENVIRONS COMMISSION |
| **DATE, TIME AND PLACE OF MEETING:** | Friday, June 28, 2024, 8:30 a.m., City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, Nebraska. |
| **MEMBERS IN ATTENDANCE:** | Eileen Bergt, Andrea Gebhart, Ann Post, David Quade and Kile Johnson; (Heidi Cuca and Delonte Johnson absent). |
| **OTHERS IN ATTENDANCE:** | Collin Christopher and Jennifer McDonald of the Planning Department; Wynn Hjermstad of the Urban Development Department; Matt Hansen with the Nebraska Capitol Commission; Travis Barrett with Clark & Enersen; Dan Grasso with BVH; Rev. Joseph Walsh with St. Mary Catholic Church; and other interested citizens were present. |
| **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 the approval of the minutes of the regular meeting held May 24, 2024.

Motion for approval made by Gebhart, seconded by Bergt.

Minutes approved 5-0: Bergt, Gebhart, Post, Quade and K. Johnson voting 'yes'; Cuca and D. Johnson absent.

**17TH STREET WATER MAIN REPLACEMENT AND STREET REHABILITATION PUBLIC HEARING (UDR24086):** **June 28, 2024**

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

**Staff Recommendation:** Approval

**Collin Christopher, Planning Department, 555 S 10th Street, Lincoln, NE** stated this project is similar to other street rehab projects that have been presented and approved over the past few years. There will be a water main replacement project along 17th, followed by a street resurfacing project that will also address targeted sidewalk, curb and ramp repair and replacement. The part of the project to be concerned about in the Environs District is the section from "G" to "L" streets. This project generally focuses on replacement of existing materials with the one exception being the removal of the sandstone curbs in favor of a more modern concrete curb and gutter profile. In the past, NCEC has allowed LTU to remove the historic curbs under two conditions. One of the conditions is that they find an alternative use for the curbs. If the Capitol Commission does not want them, they can coordinate with Parks and Planning. The second condition is that LTU staff shall coordinate with and receive approval from the Historic Preservation Commission prior to removal of any sandstone curbing being removed from an historic district as part of the water main and street rehab projects.

**Craig Aldridge, Project Manager, Lincoln Transportation and Utilities**, approached and stated he is the project manager for this project. The big concern is the red sandstone curb along 17th street. There are approximately 4,400 lineal feet of sandstone that will need to be removed. Of that, 2,000 to 2,100 lineal feet will be used for work around the Capitol. The remaining 2,300-2,400 lineal feet will be kept at the transfer station site and be available for future use. The main reasons that they do not attempt to remove and replace the stone curbing are cost and long-term maintenance. Aldridge stated that there tends to be some deterioration in those areas, and they try to carefully remove and put in the standard roadway and gutters. Aldridge stated that the first part of the project was bid around $2 Million. The water main replacement timeframe is to start around the end of July or first part of August with substantial completion around Christmas 2024. The street replacement portion will advertise for bids today with work anticipated to start in April of 2025. The project should be completed in September or October of 2025.

Johnson thanked Aldridge for being careful with the sandstone curbs.

Post asked what was driving the need for water main replacement. Aldridge stated that it is the age of the mains. They expect some of the mains to even be wooden water mains. Primarily it is the age of the water main. With the street rehabs, it is better to coordinate projects, so the pavement is only torn up once.

Post stated that street rehabilitation was the driver, and the water main replacement was identified. Where is the funding coming from. Aldridge stated that it is a combination of two funds. The Street rehabilitation will receive funding from Lincoln on the Move and from the general revenue. The water division has their own funds set aside each year that goes towards replacement of water mains.

Bergt stated that much of the area in question is made up of the sandstone curbing. They have been there for so long and Bergt likes the idea of wanting to reuse the

sandstone around the Capitol. Is there a problem with the utilities allowing the Capitol to put them back in or is there funding to put them there. Aldridge stated that he does not know the answer to that question. Utility companies get protective of their funding, but he can discuss the idea with them. Bergt stated that she has heard for years that the Capitol keeps collecting sandstones but cannot find the funding to put it in place. This is four blocks of curbing that is being discussed. Aldridge stated that the curbs are in great shape and durable. Bergt asked if the sandstone will be reused as curbs, or will they be reused a different way. Christopher stated that the reuse could be as a filtration system for a rain garden or bio retention bed, or as a landscape bed curb in a streetscape or park, but that he has never reused them for traditional street curbing.

**Matt Hansen, Office of the Capitol Commission for the State of Nebraska** came forward and stated that this project will be a large amount over and above the amount needed to complete the three sides of the Capitol block. They are interested in saving the longest intact pieces to use for that project. Hansen stated that the funding for restoring the curbs around the Capitol is not readily available but they are interested in discussing funding with the City if there are other options of funding. The property line does belong to the City, but there is an agreement that the Capitol Commission takes care of that area. There are areas that have already been installed in the past and they would like to get the whole site back to sandstone in the future.

Motion for approval made by Post, seconded by Gebhart.

Motion carried 5-0: Bergt, Gebhart, Post, Quade and K. Johnson voting 'yes'; Cuca and D. Johnson absent.

**ST. MARY CATHOLIC CHURCH FAÇADE IMPROVEMENTS PUBLIC HEARING (UDR24085):** **June 28, 2024**

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

**Staff Recommendation:** Approval

**Collin Christopher, Planning Department, 555 S 10th Street, Lincoln, NE** approached and stated that this request is a continuation of renovation work that the church has completed in the last couple of years. They are now proposing to repaint the façade of the church in a two-toned color scheme that would deviate from the current off-white aesthetic by introducing a darker tan tone as the primary color.

**Travis Barrett, Clark & Enersen, 1010 Lincoln Mall, Suite 200, Lincoln, NE** stated that they have been here before with previous work on the west side of the Church. As part of this project, they are entering into phase three. Phase three will focus on the restoration of the North façade. The goal of phase 3 is to make this a landmark in

Lincoln that will stand out. With the Capitol Environs Design Standards, St. Mary sits on one of the most prominent corners of the city and they want to restore this building to allow it to continue to shine. The building was built in 1888, and in 1905 it was sold to the Catholic Church. In 1907 during the renovation and remodel, the Church burned down and had to be rebuilt. In the past week, they have removed some of the paint and found that the brick façade was originally a cream/grey color. In 2021, the church had a full assessment done to see what is needed to be repaired on the Church. It was determined that the church was to complement the Capitol. To do this, they plan to repaint the original stone with an off-white and the remaining body of the facade with a darker cream. Barrett stated that what is requested today is approval to paint the north façade. They are only doing the north façade now, with plans to paint the remaining sides as funding is secured. If the repairs are to be done, they need to be done right, which means pulling all the paint off the existing building.

Bergt asked Barrett to clarify the original brick color versus what is being proposed today. Barrett stated that there are three exterior brick colors that were found. The existing church color is a cream color. The columns are a combination of white limestone and red sandstone. There is no sandstone replacement during this phase because there is not any sandstone on the North façade. Barrett stated that the original church corner was a combination of white limestone and red sandstone. Bergt asked if there had been any deterioration seen in the stone. Barrett stated that the stone has deteriorated because of the paint. They are working to figure out how to preserve the stone. The paint that was previously used did not deter water and they have found that the plaster is damaged on the inside. They are working to find an acrylic paint that will prevent and protect the brick and stone to allow it to breathe, allow air to move in and out and expand and move. Bergt asked if the old paint is to be removed. Barrett stated yes. Bergt asked if not repainting the brick was considered. Barrett stated that was considered but there has been a fair amount of damage done to the original brick and the paint. Bergt asked if that is mainly on the sandstone parts. Barrett stated yes. There are ways to repair and salvage but it will not look like sandstone. They want to leave the corner sandstone caps as they are, if they are in good enough shape.

Post asked if the windows in the bell towers are real. Barrett stated that the windows are real. The windows in the bell tower are the original windows with vibrant colors and part of the restoration project is to uplight the inside at night.

Johnson asked what the lifetime of the acrylic paint job is. Barrett stated that elastomeric paint is 5-10 years and the acrylic paint 15 years to ideally 20-25 years. The main reason for this painting is for the tuckpointing aspect. Quade stated that with the tuckpointing, is important to prevent further damage from occurring.

Post stated that her concern is that once one side gets painted, it stays that way for 5 years while they are looking for funding. Barrett stated that as a parish body, they are committed to this, and they would not accept just one side being painted for too long.

**Father Joseph Walsh, Pastor at St. Mary Catholic Church, 1420 K Street, Lincoln, NE** stated that he will be at the church for 6 more years and sees this project being completed within the next 3 years. Walsh thinks that it will take $1.5 million to get the full restoration of the exterior completed. He also stated that he appreciates being able to work with the Commission.

Motion to approve a Certificate of Appropriateness made by K. Johnson, seconded by Quade.

Motion carried 5-0: Bergt, Gebhart, Post, Quade and K. Johnson voting 'yes'; Cuca and D. Johnson absent.

**PERMANENT SUPPORTIVE HOUSING PROJECT PUBLIC HEARING (UDR24087): June 28, 2024**

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

**Staff Recommendation:** N/A

**Collin Christopher, Planning Department, 555 S 10th Street, Lincoln, NE** stated this review is for a new building to be located at 802 J street. The proposal will provide housing and support services for the chronically unhoused and will be operated by CenterPointe. City staff does not have any major concerns about the aesthetic of the facade. Christopher stated that a full landscape plan has not been submitted at this time and can be requested if desired. A lot of the standards being considered are not just Capitol Environ specific but also South Haymarket specific. The South Haymarket Neighborhood Plan and the subsequent South Haymarket Streetscape Plan proposed that this portion of J Street mirror Lincoln Mall in its streetscape design, with a focus on predominately residential and office uses with a more urban feel in nature. Christopher stated that the only major concern with the proposal is the set back of the building, which does not meet the standard for this part of the Environs. Because this is a city project, Planning has not provided a specific recommendation, but has provided a couple of options. This can be approved as is with the determination that the project still meets the overall intent of the standards, or the Commission can defer a decision to the next meeting and ask the design team to modify their design to more closely meet the standards.

Bergt asked what the setback issue was. Johnson asked if it would set a precedent in the future. Christopher stated that it would set a precedent if it was approved. Christopher stated that the setback is around 10 feet from the property line to the front of the porch. The standards, in contrast, recommend building to the property line. It is not an insignificant deviation and may impact future decisions in this area. Bergt asked if the building was over the setback. Christopher stated that the building is behind the set back. A solid justification will need to be discussed and considered or the request will need to be modified.

**Dan Grasso, Sinclair Hille Architects, 700 Q Street, Lincoln, NE** approached and stated that the project site is currently an existing parking lot on 8th and J Street. Grasso stated that they do intend to save the street trees. The floor plan is mostly housing. CenterPointe will manage the property and will have staff on hand 24/7. It will be a secure facility. One of the reasons for the setback is they did not want the building that close to the sidewalk for security reasons. There is a roof plan that will have a rooftop unit on it, but will be setback so it is not visible from the street view. The materials are neutral and calming colors with blue accent panels to make it more inviting. There will be a screen porch, but it will be secured for no entry. Grasso stated that there will also be green space in the back yard with green space and bike storage. The building is approximately 25 feet tall with another 8 feet on the unit. There will be a secure entry and exit. Grasso stated that there will be 11 parking stalls off of J street. The backyard is fenced in and secured.

**Erin Bright, Olsson, 601 P Street, Lincoln, NE** approached and stated that the setback issue within the Capitol Environs was new to him this past week. Bright stated that originally the footprint of the site plan had the setback reserved for the potential for footings and easements for utilities. Bright stated that they are approximately 11 feet from the property line/porch line and another 14 feet from the face of the building to the porch line. The grading of that corner is above the existing grade. There are two points of access from the sidewalks for pedestrians. There will also be a separate ADA accessible sidewalk. Grasso stated that changing the building based on the grading would be a way to push closer to the property line as an option.

Post asked why security concerns necessitate the setback from the property line. Grasso stated that since the offices are staffed 24 hours and are right against the sidewalk, it would be great to have a buffer zone to provide comfort and security for the residents and the staff.

Gebhart asked about providing a landscape buffer within the setback. Grasso stated that the building is pushed back to gain more landscape buffer space, but it can potentially be reduced to 5 feet. But the tradeoff is that if it is closer, then there is less of a landscape buffer opportunity.

Bergt asked how much space would be between the porch and the sidewalk. Bright stated that the porch would be 5 feet off the property line and the sidewalk edge would be another 4 feet. Bergt asked if there was a plan to put turf in the front. Bright stated that it would be turf and landscape beds. Bergt stated that since this is primarily residential, she would be okay with pushing it back. With the turf and trees and shrubs in front, it would have more of a residential feel. Grasso stated that this is for people who have been homeless, and it is an opportunity to give them a home to make it feel residential and not institutional. Bergt asked if there was some way to address the property line with the landscape without making it unsafe.

Quade stated that maybe a low wall can be put in place. The picture of the building front to the south is shown close to the sidewalk. Quade said that the picture has a cold feel being close to the street.

Johnson stated that this is like taking a commercial standard and putting it in a residential area in terms of the setback requirements. He asked what the timeline is for improvements to J Street.

Christopher stated that there is not a firm timeline at this standpoint. This is an area of transition and with the city investment in projects like this, there is an expectation that additional redevelopment and reinvestment will occur over the next decade. Christopher stated projects like this that deviate from the standard can result in contradictory guidance for future projects. The standards are thinking long-term, and need to be weighed against the individual needs of any particular project.

Johnson asked about the Aging Partners building and if that would be residential.

**Wynn Hjermstad, Urban Development, 555 S 10th Street, Lincoln, NE** came forward and stated that the long-term plan with the Aging Partners building is for it to be demolished. It is in a land exchange with the County. The Aging Partners building and the parking will be County owned. The building will be torn down to make room for additional parking. The intent is to leave the building there until the project is completed, at which point it will be demolished.

Johnson asked about the HWS building across the street. Hjermstad stated that she doesn't know at this time if there are any plans. What makes this project different is that this building will be for the chronically unhoused, and will be providing services for the people living there.

Bergt stated that this is residential, but the neighborhood is not residential. Hjermstad agreed that it is not residential.

Post stated that the standards are in place to bring properties up to the property line. Her concern is that this could create an interruption of uniformity in the district. It would be good to find a balance and to delay a decision to the July hearing to give the project team more time to reconsider the plan.

Hjermstad stated that the goal is to go out for bids at the end of July. The timing of revisiting this at the next hearing will interrupt the project and the funding sources will also be problematic if the project is delayed.

Bergt asked if the outdoor patio could expand to go to the property line. Grasso said that this would be a cost issue to increase the size of the patio. Bergt asked if the blue accent color is set or if there is a way to look at a more earthy tone color per the Capitol Environs Design Standards. Grasso stated that blues are more friendly and more welcoming to the residents. The blue worked better with the brick colors.

Gebhart stated that this is an important transition area and she is leaning toward protecting the standard. Gebhart is wondering why there are only two accessible dwellings and why not make more on the first floor.

Johnson stated that it is important that the setback be recognized here.

Bright asked if the option to shift the porch closer to the property line is acceptable. Post stated that she would prefer to bring the building all the way to the property line. Bright asked if it is just the porch section that needs to come to the property line? Bergt stated she would be supportive of just the porch coming to the property line. Christopher stated the standards require that portions of the building that are setback from the property line be defined with something that indicates an edge like a gate, wall or landscaping. Christopher also stated that zero setback doesn't always mean zero. It means as close as you can reasonably get. Grasso stated that moving the building up 5 feet will create an edge, Bright stated that he will need to review before he states that it is doable. Bright has some concerns about the construction and cost restraints.

Johnson stated that it sounds like they are not in a position to issue a Certificate of Appropriateness at this time.

Post motioned to defer action on this item until the July meeting and understands that funding is a time-sensitive factor. If this body is able to hold a public hearing sooner than the next scheduled meeting, she would be in support of that. Seconded by Gebhart.

Motion carried 4-0: Bergt, Gebhart, Post, and K. Johnson voting 'yes'; Cuca and D. Johnson absent; Quade abstained.

**STAFF REPORT:**

- Christopher stated that to have a meeting in between the regular monthly meeting, there needs to be 9 days to issue a legal ad, so the earliest meeting date will be July 12th, 2024.

- At the July 26th meeting, Christopher will be presenting plans for the Downtown Corridors Streetscape Project that will intersect with the Capitol Environs District.

**MISCELLANEOUS:**

- Bergt asked if there are plans for an August meeting. Christopher stated that there are not any items on the August agenda yet since it is still pretty far out.

There being no further business, the meeting was adjourned at 10:00 a.m.