

**SALT LAKE CITY HISTORIC LANDMARK COMMISSION**  
**Meeting Minutes**  
**451 South State Street, Room 326**  
**December 8, 2016**

A roll is kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:33:05 PM](#). Audio recordings of the Historic Landmark Commission meetings are retained in the Planning Office for an indefinite period of time.

Present for the Historic Landmark Commission meeting were: Chairperson Charles Shepherd; Vice Chairperson Kenton Peters; Commissioners Stanley Adams, Thomas Brennan, Sheleigh Harding, Robert Hyde, David Richardson, Rachel Quist and Paul Svendsen. Commissioners Kim Wirthlin was excused.

Planning Staff members present at the meeting were: Cheri Coffey, Assistant Planning Director; Lex Traughber, Senior Planner; Michelle Moeller, Administrative Secretary and Paul Nielson, Senior City Attorney.

**FIELD TRIP NOTES:**

A field trip was held prior to the meeting. Historic Landmark Commissioner present were Kenton Peters, Paul Svendsen, Charles Shepherd and Stanley Adams. Staff members in attendance were Lex Traughber and Cheri Coffey.

The following site was visited:

**Trolley Square** - Staff identified that the structural reports in the staff memo were more relevant for an Economic Hardship process which could take place after the demolition applications are decided on. At a Commissioner's request, Staff identified the process to challenge the status of a contributing structure. At a Commissioner's request, Staff identified the process to remove an area from a local historic district. At a Commissioner's request, Staff identified the process for declaring a conflict of interest.

Chairperson Shepherd welcomed everyone to the meeting and stated public comments would not be taken at this time, but would be in the future. He reviewed the purpose for the meeting and turned the time over to Mr. Paul Nielson, Senior City Attorney, for a discussion regarding conflicts of interest.

Mr. Nielson reviewed the conversation with Commissioner Adams regarding his property on 600 South and 700 East. He read the language of the ordinance regarding conflicts of interest and stated the City Attorney's office did not see that Commissioner Adams had a conflict of interest on the subject petition. Mr. Nielson reviewed Chairperson Shepherd's past interaction with the applicants and asked the Commission to discuss the issue and determine if recusals were necessary.

Commissioner Adams reviewed his past interaction with the former and current Trolley Square owners. He stated he did not have a legal or finical interest in the property and that he would be able to be impartial to the petition and discussion. Commissioner Adams

asked the Commission to allow him to be involved in the process and discussion for Trolley Square.

The Commission discussed if Commissioner Adams should or should not recuse himself from the meeting.

**MOTION [5:54:53 PM](#)**

**Commissioner Brennan made a motion that Commissioner Stan Adams recuse himself from the issue before the Commission due to a potential perception of a conflict of interest. Commissioners Peters seconded the motion.**

The Commissioners and Staff discussed if Commissioner Adams could participate and speak to the petition as a member of the public.

**Commissioner Richardson asked that the motion be amended to state Commissioner Adams was allowed to advocate for himself as a member of the public.**

**Commissioner Brennan accepted the amendment. Commissioner Peters seconded the amendment. Commissioners Richardson, Quist, Peters, Harding, Brennan, Hyde and Svendsen voted “aye”. Commissioner Adams voted “nay”. The motion passed 7-1.**

Chairperson Shepherd reviewed his past interaction with the owners of Trolley Square regarding the federal tax credits program for historic properties. He stated he did not have a financial or personal interest in the property or project. Chairperson Shepherd stated he would be impartial to the discussion and decision on the proposal.

The Commission discussed if Chairperson Shepherd should or should not recuse himself. The Commission determined Chairperson Shepherd did not have a conflict of interest and could participate in the discussion.

Commissioner Harding disclosed that she lived within the subject neighborhood. She stated she did not have a financial or personal interest in the property or project and that she would be impartial to the discussion and decision on the proposal.

**[6:04:02 PM](#)**

**Trolley Square South - The Historic Landmark Commission will hold a work session to begin the preliminary review of a proposed new development by Trolley Square Ventures on the block south of Trolley Square at approximately 650 East 600 South. The project area includes approximately 3.5 acres of land and includes six new structures of mixed use development. Applications have also been filed for demolition of 4 contributing buildings. The subject property is within the Central City Local Historic District and Council District 4, represented by Derek Kitchen. (Staff contact: Lex Traughber at (801) 535-6184 or [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com).)**

- a. New Construction – Prior to construction of the proposed development the Historic Landmark Commission must approve a Certificate of Appropriateness for new construction. Case number PLNHLC2016-00916**
- b. Demolition of Contributing Structures – Prior to obtaining permits to demolish contributing buildings the Historic Landmark Commission must approve a Certificate of Appropriateness for demolition:**
  - Case number PLNHLC2016-00915 requesting to demolish the building at 652 E 600 South**
  - Case number PLNHLC2016-00918 requesting to demolish the building at 658 E 600 South**
  - Case number PLNHLC2016-00919 requesting to demolish the building at 664 E 600 South**
  - Case number PLNHLC2016-00920 requesting to demolish the building at 632 S 700 East**

Chairperson Shepherd reviewed the process and purpose of the Work Session. He stated the Commission and applicant should layout some of the goals and desires for the outcome of the meeting. Chairperson Shepherd stated the Commission wanted to listen, to hear and to understand as this was a very large project with multi buildings and a lot of ramifications that needed understanding. He stated the Commission hoped that they could have a free flowing productive discussion to best identify potential issues with the standards and guidelines required to be applied when evaluating the project. Chairperson Shepherd stated Staff's memo specifically asked the Commission to address issues of application improvement, to determine if there were gaps or aspects of information that the Commission felt needed to be presented or developed to better understand the project. He stated the conversation needed to be comprehensive and based on standards and guidelines. Chairperson Shepherd reviewed the members of the Commission that were not in attendance at the meeting and those asked to recuse themselves. He stated there would be future discussions, input (especially from the public) and design evolution therefore; he wanted everyone to understand that as the petition came before the Commission formally some issues may arise and future questions/ issues would need to be addressed.

Mr. Lex Traughber, Senior Planner gave an overview of the proposal as outlined in the Staff Report. He reviewed the relationship between the base zone and the overlay zone, the current zoning on the subject property, the proposed rezone of the property, the history of the process, the City Council's request to the Commission and the proposed Development Agreement. He reviewed the Demolition and New Construction applications for the property. Mr. Traughber asked the Commission for questions or comments on the proposal and stated all of the information could be found in the Staff Report.

Chairperson Shepherd asked if there were any questions for Staff.

Commissioner Quist asked Staff to elaborate on the Development Agreement, how it corresponded to regular zoning and the Historic Landmark Commission's involvement. She asked what was the history of the agreement, how did it come about, what was the process of adoption and what the implications for the Historic Landmark Commission were.

Mr. Traugher stated the Development Agreement was a proposal put forward by the Applicant to the City Council Office and was conditions of approval that the Applicant could receive for the rezone and project.

Commissioner Quist asked if it was a way to bypass the Historic Landmark Commission.

Mr. Traugher stated that might be the concern of the City Council because of the parameters outlined in the Development Agreement, regarding height, setbacks and step backs may put the Historic Landmark Commission in a position where the Commission would be unable to modify those standards.

Commissioner Quist asked what the advantage was, for the City, to do a Development Agreement versus the normal process.

Mr. Traugher stated the advantage was clarification, sort of spelling out what to expect of the final development.

Mr. Nielson reviewed the benefits of a Development Agreement for both the City and the Applicant. He stated there was a policy decision component, on the City Council's part, as to whether they thought the proposed zone was a desirable zone and a desirable project to be accommodated by the zone. Mr. Nielson said there are other elements being discussed as part of the Development Agreement, including affordable housing units that were not within the Planning Commission's purview to discuss. He stated the current Development Agreement was a proposal, it was not a forgone conclusion there was no guarantee that the City Council would adopt it or approve it. Mr. Nielson stated there was no guarantee that the City Council would adopt the proposed FBUN2 zone. He stated he would expect the Development Agreement would evolve as that was the nature of the process and yes the effect of the Development Agreement would be to essentially limit some discussion making authority on the issue of setbacks, step backs and potentially height.

Commissioner Brennan – asked if there was a reference to street types in the proposed FBUN2 zoning.

Mr. Traugher stated when the FBUN zones were adopted there were several specific streets identified however, the subject street was not one of them.

Ms. Coffey reviewed the information provided to the Commission and stated more information regarding street types and building forms could be forwarded to the Commission.

Chairperson Shepherd invited the Applicant forward to give a presentation.

Mr. Khosrow Semnani introduced himself and thanked the Commission for holding the work session. He stated the presentation was very simple and was at the request of the City Council. He introduced his design team stating he was Khosrow Semnani, the owner and president of Trolley Square, Douglas White, attorney, Mr. Scott Howell, public relations, Mr. Alan Roberts, CRSA Architects and Mr. Michael DeGroot who would speak to the historical aspects of Trolley Square. He stated the main issues were the setbacks and step backs for the project. He stated they were trying to change the zoning to allow a hotel on the property, as well as commercial and apartment uses. Mr. Semnani reviewed the proposed text amendment that could affect the proposal and the unique aspects of the property that made meeting the current zoning regulations difficult. He stated it was his goal to build a great project and revive the area, the proposal met the goals of the Master Plan in removing a surface parking lot and overall there was little opposition to the proposal from the public. Mr. Semnani reviewed the timeline for the proposal and that the Commission would have more time to review the project details and design.

The Commission and Mr. Semnani discussed the opposition to the proposal and what would constitute a conflict of interest.

Mr. DeGroot reviewed the history of the site, the buildings and uses that previously were on the property and how the proposal was trying to bring back the nature of the area.

Mr. Alan Roberts, CRSA, gave an overview of the site, how the site had changed over the years and the location of the proposed new buildings. He reviewed the zoning for each parcel and the access to the property. Mr. Roberts stated the proposal complied with the provisions of the FBUN2 zone regarding height, setbacks and step backs. He stated the proposal also addressed the proposed text amendment regarding setbacks and how it addressed adjacent properties. Mr. Roberts stated the houses should have never been in the historic district, there was no streetscape integrity to consider and issue of compatibility could not be applied as the historic buildings were no longer there. Mr. Roberts stated the goal was to capture a lost landmark by creating a new landmark based on references to the original building. He reviewed the proposed materials, layout, design, setbacks, step backs, landscaping, uses and height of the buildings and how they would connect to Trolley Square. Mr. Roberts stated the City Council was looking to the Historic Landmark Commission for advice on the project in terms of the zoning, text amendment, demolition and the Development Agreement which put an enormous amount of power in the Commission's hands. He reviewed the parking for the proposal and how it would benefit the property and asked the Commission to take into consideration the lack of historic fabric, the nature of the area and that the homes were not part of an intact streetscape.

Mr. Doug Wright, Attorney, reviewed the reasoning for the Development Agreement, the

uniqueness of the property and stated the purpose was to simplify some of the issues with the proposal before it was formally presented to the Historic Landmark Commission in hopes of helping the City Council and the Historic Landmark Commission. He stated there were advantages for the City to enter into a Development Agreement. He reviewed the agreement under the proposed new zoning and how it fit the Master Plan

The Commission and Applicants discussed, asked and stated the following:

- The number of remaining historic houses on the block today versus 1950.
- Having the presentation boards available at future meetings for the public to view.
- The history of Form Based Zoning and if it was listed in the Central City Master Plan.
- The language in the Central City Master Plan regarding mixed use developments and parking lots.
  - The master plan was a general working document, identified different types of densities and land uses but did not call out specific zoning for specific properties.
- FBUN2 zoning was one of several potential zones recommended to the Applicant by the City and they agree this was the best use for the property.
- The City Council would like the Historic Landmark Commission to review the height, setbacks and step backs for the proposal.
- The number of affordable housing units that would be included in the project as per the Development Agreement.
- The height of the elevator towers and the request to have additional height for the towers.
- The different heights of the buildings per the request.
- The Historic Landmark Commission could not base a decision on the number of affordable housing units included in the proposal.
- It was irrelevant to the Commission what the uses of the building were except for how it related to the building height, form and street engagement.
- The issue with increasing setbacks and step backs for the property.
- The care taken to develop a project that fit both the neighborhood and the needs of the property owner.
- The timeline for the proposal.
- The purpose of the discussion was to address questions and concerns regarding the proposal.
- The Commission's purview under the draft Development Agreement.
- The history of the Development Agreement and why the Developer decided to move in that direction.
- The benefits to the Developer and City by entering into a Development Agreement.

- How the proposed building fit with the neighboring buildings.

Chairperson Shepherd asked to shift the discussion to the three tasks as listed under the standards for a Certificate of Appropriateness as listed in the ordinance and to go building by building to determine how the proposal met those standards.

The Commission and Applicants discussed and stated the following:

- Why the application for demolition was not being considered before the current proposal.
- Why the Developer preferred to demolish the current structures.
- The process for demolition and why it was not part of the Work Session discussion.
- Why a Zoning Map Amendment to remove the H-overlay district was not considered for the proposal.
  - The Developer did not want to go through that process as it could be time consuming.
- The lengthy process for a demolition permit and issues with applying for that permit for this application.
- The Form Base Code created opportunities that would allow this project to be unique and compatible to the character of the district.
- What were the compelling elements and characteristic of this district that the Form Based Code should guide the project on?
- Proposal needed to define the proposed streets as they currently look like driveways.
- Needed to ensure the character of the interior streets reflected the relationship to the surrounding buildings.
- The parking layout and location should not drive the proposal or design.
- Needed to ensure the building reflected the surrounding area and fit the character of the block.
- Would like to understand the historic form guiding the proposed forms and sizes of the buildings.
- Low buildings and high buildings could co-exist when there were efforts made to mitigate and recognize how they would affect and respect each other.
- Would encourage putting townhomes on the street face of Ely Place.
- There were many ways to make the proposal fit the area and remain viable.
- There may be opportunities to think outside of the box and incorporate the existing home in the design.
- The context, character, parking access, street appearance, character and quality were all critical to the project.
- The one thing missing was how it related to Trolley Square.

- Would love to bring Trolley Square back to what it was in the 80s' with a building to reflect the history of the area.
- The proposal would help Trolley Square because there would be a captive audience who would shop, dine and live in the area.
- If there was something the Commission didn't like they needed to give the Applicant direction and clarity on what could be approved for the proposal.
- Need to have some type of agreement on the aspects of the proposal so the Applicant could move forward with a greater chance of approval.
- No votes would be taken at the meeting but an indication of how the Commission would vote would be helpful to the Applicant in the design and layout decisions.
- The cost of the proposed parking garage, the number of parking stalls in the proposal, how many stalls were required under the ordinance and if the proposed number could be reduced to allow for additional housing.
- The size of the proposed buildings in relation to the surrounding buildings.
- The access to the parking structure.
- The Commission needed to see the elevations reflecting the parking entrances.
- Putting townhomes on Ely Place would break up the long structure and be an asset to the street face.

Mr. Howell asked the Commission if they could get a "straw vote" to determine the possible approval of the key aspects of the petition.

Mr. Nielson stated the City Council was asking the Commission to bring something back to them regarding the setback, step backs and height which would require a "straw vote" to be taken. He stated it was not taking formal action but basically giving some indication of where the Commission stood on issues, it was not binding and would allow the Staff to take the information back to the City Council to help with the decision on the Development Agreement.

The Commission and Applicant discussed, asked and stated the following:

- How to holistically review the petition and give the Applicant and City Council the necessary direction for the proposal to move forward.
- The minimum parking requirement for housing units in FBUN2.
  - It was based on the use, for a one bedroom apartment it was one stall for two or more bedrooms it was two stalls.
- How would it change the dynamic of the proposal for the Commission to request townhomes be added to Ely Place.
  - The math was simple and it could not be done as people in that area needed parking.
  - The number of stalls in the proposal met the requirement but the Planning Department recommend fewer stalls which would require approval from the Historic Landmark Commission.

- The existence of two floors of parking facing Ely Place did not represent the character of the district.
- The proposal had an opportunity to strengthen the fabric of the area.

[8:17:27 PM](#)

Chairperson Shepard called for a “straw poll” stating the proposal for Ely Place was a two story parking structure with step backs. He asked what the Commission’s sense on how the proposal complied with the standard regarding street engagement, character and would the Commission concur that an approach of residential development was a more successful approach.

The Commission stated it was more appropriate for townhomes, within the guidelines, as they were more appropriate for the area. It was clarified that the discussion of the Commission was suggesting that the 200 foot building line with parking was not appropriate to the north side of Ely Place and that a series of townhomes along the street was more in keeping with the intent of the guidelines. The Commission stated it was important for front doors to be on Ely Place to keep the neighborhood feel.

The Commission and Applicant asked, stated and discussed the following:

- The width of the alley and having residence on both sides of Ely Place needed to be reviewed and designed to handle the traffic in the area.
- The traffic flow and parking for the townhomes on Ely Place
- Every building in the proposal was designed with front facades facing the street.
- Did the form based code allow flexibility in height to compensate for parking in other areas?
- What were the opportunities to make the project successful and keep the spirit of the area?
- The Commission had the authority to grant additional height for architectural elements and ensure the compatibility of the project.
- The City Council was asking the Commission to determine if they could ultimately approve a proposal based on the information in the Development Agreement regarding setbacks and step backs.

The Commission then began to discuss the overall proposal building by building.

- **Building D:**
  - The site plan needed to reflect the surrounding structures and streetscape.
  - Would be similar to Building E and considering townhomes on Building D.
    - The street width of Seago may be an issue as the street was unofficial.
    - Where townhomes could be added on Building D.
- The setbacks for Building D and how they were addressed under the proposed text amendment.
  - The layout and design of the building façade along the street.
  - The zoning along Ely Place and what could be constructed under the current zoning.

- If the proposed setbacks would or would not benefit or fit the area.
- The layout of the interior spaces along Segó.
- Encouraged the Applicant to state some elevations were not front elevations as the buildings should have sides, rear and front facades.
  - All of the buildings needed to be designed to address every angle and side in order to be compatible with the areas.
- Were there concerns about the latitude adjacent to the carports and parking lots?
  - The Architect could address the issues.
  - Was the five foot setback the permitted setback under FBUN2.
    - The permitted setback under FBUN2 was zero.
- The setbacks required under FBUN2, what was being requested and the challenge to determine what was a side, rear or front yard on the proposal.
- The proposed Text Amendment awaiting approval by the City Council and how this proposal was affected by the Text Amendment.
- The tiered setbacks to the South of Building D facing Segó.
  - If the town houses were put in place there would not be setbacks in that area.
  - The Commission agreed to eliminate the ten foot setback in that area.
- Concerned about approving a five foot setback along the west property line if that was in fact front facades for the apartments.
  - If the building was moved ten feet further east there would be a fifteen foot rear yard, a deck and trees could be added, for the lower level and less yard for the front.
  - That was more in character for the area and would positively impact the drive and create more of a streetscape.
  - Center the building to allow fifteen foot rear yards.

[8:44:52 PM](#)

Chairperson Shepherd asked the Commission if they were in agreement to move Building D ten feet to the East and North adding a fifteen foot rear yard for the lower level and reduce the front yard by ten feet. The Commission concurred to the changes in the setback.

[8:47:36 PM](#)

The Commission took a five minute break.

[8:57:46 PM](#)

The Commission reconvened.

The Commission, Staff and Applicant asked, discussed and stated the following:

- Building D- the agreement was to move it east so there was a fifteen foot setback, south so there was a fifteen foot setback and move it into the front yard instead of step backs of the south elevation.
  - What was the height of the townhouses?
  - Currently the building was five levels, therefore there could be some three or two level units.
- The massing in the overall development was extreme.
- All of the windows were identical therefore, there was nothing breaking up the massing of the buildings.
- More articulation was needed for the overall development extending to the roof line.
- More architectural relief on the different elevations of the buildings was a must.
- **Building C-**
  - The use for the building was strictly residential apartments.
  - A streetscape view for this building was needed to see how it fit with the surrounding area.
  - Having a zero front setback to the east was an issue as it was not in character with the streetscape.
  - The north setback was twenty five feet from the back porch of the Victorian house and seventy feet from the west wall of the house. The owner of that home was not concerned with the setbacks.
  - How the building and parking structure were viewed from 700 East and interacted with the street.
  - The setbacks for the building were approximately ten to twelve feet allowing a yard for the residential use.
  - How the façade was articulated on 700 East.
  - If the buildings were connected.
    - Yes and there may be a passage between the hotel and Building C
- How the building addressed the corner while not enveloping the home on the corner.
- On grade renderings were needed for the proposal.
- The contributing home on 700 East and how the development would affect that home. It was necessary to ensure it was not dwarfed by a monumental building.
- The setbacks and step backs along the historical home and how to provide relief for the home.
- The setbacks were not historically compatible.
- Recessed porches providing variation from light to dark and pulling some glass a little further away from the house would help to articulate the façade.
- It was not the vertical plan but making sure the vertical plan was no longer a plane, making sure there were solids and voids.

- The Applicant agreed to work on a façade of the building and return to the Commission.
- This was a secondary façade but would be a primary façade as you were driving by.
- Building C was one of the buildings where the Applicant was requesting additional height.
  - Additional height was an issue as this was in a residential block and would be the first really big building that would get introduced in the historic district along that street.
  - The additional height was worked through with the City Council in regards to adding affordable units.
    - It was listed as item B in the Development Agreement.
  - The height of the structure was integral to making the building feel like it was not only a part of the proposal but also part of 700 East.
  - If the Commission had to choose between façade setback at twenty feet like the house or the additional height which was the most important priority which would they prefer.
    - Would prefer less setback to more height.
  - Other similar buildings with zero setbacks.
  - If it were not next to the house on 700 East it would be different as 700 East was a busy street that could handle the height but did not want to dwarf the home.
  - The hotel height in comparison to Building C.

The Commission agreed the height and setback of Building C, as proposed were appropriate with more articulation on the north and south facades.

The Commission, Staff and Applicant stated, asked, and discussed the following:

- **Building B**
  - Reviewed the architectural elements of the building.
  - The proposed streetscapes depending on the height.
  - The parking entrances for the hotel.
    - The entrance in the front did not fit the monumental design of the building.
      - The Applicant agreed to review the parking entrance and see what could be done to modify it.
    - The parking entrances should not be off of 600 South but should be through the proposed drives.
    - The physical connection to Trolley Square should be more prevalent.

- The opportunity to meld the two developments and attract people to each area?
  - The Applicant would return with changes to the facades to help tie the buildings and Trolley Square together.

The Commission agreed to the site connection to Trolley Square, no parking entrance off of 600 South through the building face, it should be through the drive and either to the side or the rear of the development but on the interior of the lot. They discussed how to best enter the parking structure and not enter through a building face. The Applicant agreed to look at different ways to enter the property.

The Commission, Applicant and Staff discussed, asked and stated the following:

- **Building B**

- Height of the structure.
  - The additional height was not an issue.
  - The fifth story broke up the massive horizontal look of the buildings.
  - The center arch should be raised.
  - If this was the central building it should be taller
    - The Applicant would bring further plans depicting the different heights.
  - Concern over the height of the four stories as interpretation was important
- Rationalizing that they are elevator towers did not help as there were options for elevators with less clearance.
- The articulation of the structure.
- A hotel was the best interest to the city as it generated revenue for the City.
- Concerned over the heights of the building relative to the height of Trolley Square and in relation to other buildings in the area.
- How the form based code addressed height with step backs.
- How could the standards be applied to the building?
- If the building was further articulated it would help with the concerns over the height.
  - It was not a flat façade and was staggered in the wall face.
- If the building was a correct representation of its time or was it trying to be historical in nature.
- How the current proposal differed from the historic building and became its own.
- Require the developer and architect to come up with a solution that might hit sixty feet so the project was not limited to fifty feet, but see how the design would develop.

- The language in the Development Agreement regarding height and how additional height could be granted.
  - This was a question for the City Council in a sense that the Historic Landmark Commission could allow additional height as long as it met the standards of compatibility.
- If the Commission thought height up to fifty feet was appropriate, then the building would be in line with the Development Agreement.
- The Commission could allow additional height, for historic preservation reasons.
- With the Development agreement however, it would require the Applicant to include affordable housing.
- The affordable housing did not affect the hotel.
- The issue was what was in the best interest and met the standards of the ordinance for the City.
- There was housing proposed for the top floors of the hotel.

Staff stated the City Council wanted feedback from the Historic Landmark Commission on whether the dimensional requirements in the Development Agreement, relating to the setbacks and step backs and whether the Commission thought it could approve a plan that met the standards allowing height no less than fifty feet and possibly up to sixty feet.

The Commission and Staff discussed the challenge of height throughout the development and how it was addressed in the Development Agreement.

Staff asked the Applicant if they felt the intent of the draft Development Agreement was that affordable housing was required on all buildings over sixty feet or was it per building.

The Applicant stated it was per building and there was a specific exclusion for the hotel.

The Commission agreed the height of the hotel could be fifty feet and no taller than sixty feet as per the Development Agreement for Building B. They stated they did not want to lose the towers as a design element and the height limit should be to the dominant roof and not to the spire elements of the towers.

[10:08:36 PM](#)

The Commission took a five minute break.

[10:15:46 PM](#)

The Commission reconvened.

The Commission Applicant and Staff discussed the following:

**Building A**

- The parking access.

- The West elevation and setback.
  - There was a zero setback in the current and FBUN2 Zoning.
  - The potential of step backs on the upper floors to help size of the wall.
    - Would that make it unsymmetrical?
      - No because of the tower would not be seen from the front only from the west.
  - May have to change the number of units in this portion of the proposal to accommodate the lower height.
  - If the towers on the hotel diminished the height of Building A.
  - How the façade was articulated on Building A.
  - Many of the comments regarding Building C related to Building A as far as articulated wall treatments.
  - The Applicant would like to use the fifty foot height to accommodate additional stories.
  - The bridge and how it fit the design of the property.
  - The bridge structure and pedestrian access to the bridge.
    - The history of the bridge.
- The internal bridges and there use.
- The south setback and the uses on the first floor.

The Commission agreed to the language in the Development Agreement regarding Building A.

The Commission, Applicant and Staff discussed, asked and stated the following:

- **Building F**

- The height, parking, use and setbacks of the building.
- The parking garage as proposed was not creating an active streetscape.
- The first floor should be residential or something that activated and engaged the street.
- This was the gate way to the block and should be prominent.
- The walkability of 600 East and the building should address it.
- How to address the parking for the building without windows looking into the parking garage.
- The water table in the area that made putting two levels of underground parking for the building difficult.
- Where other parking could be added on the property to accommodate the residence of the project.

- **Building F**

- The location was that of the historic Rock Row and time should be given for an archeology study of the area to find artifacts prior to construction of the proposal.
- The trees may be historic and should be protected if they are the original trees on the site.
- The possibility to references the buildings that were historically on the site.

Staff re-stated the Commission needed to give specific feedback to the City Council as to whether the provisions in the proposed Development Agreement would hamper the Commission's ability to approve a project that met the standards. Staff clarified that per the discussion and the language in the Development Agreement, the Commission was saying the proposal did not comply with the proposed Development Agreement because the Commission was requesting lower height, fifty feet, along Ely Place and Sego and then maybe higher in other areas. Staff stated the options would be either a blanket statement to the Council stating the Commission would prefer not to have height limitations in a Development Agreement because they thought it would hamper their ability to apply the standards or to revise the Development Agreement to be more specific and outline what was discussed regarding height. Staff stated the Commission would have the ability to require lower heights along Sego and Ely Place and higher heights in other areas.

The Commission stated they preferred the second option.

The Applicant stated they preferred the second option and would go building by building to formulate the information.

Mr. Nielson stated that was the kind of feedback the Council was looking for and sending that information with an indication that the Applicant expressed a willingness to go along with those terms was exactly what the City Council wanted to come from this Work Session.

The Applicant thanked the Commission and Staff for facilitating the Work Session. They stated they would send their meeting notes to Mr. Nielson to forward to the City Council.

**The meeting adjourned at [10:48:43 PM](#)**