

**MINUTES**  
**Nye Beach Design Review Overlay**  
**Ad Hoc Work Group Meeting**  
**Newport City Hall Conference Room A**  
**Thursday, September 18, 2014**

**Ad Hoc Members Present:** Kathy Cleary, Don Huster, Jody George, and Wendy Engler.

**Ad Hoc Members Absent:** Michael Franklin.

**Planning Commission Liaison Absent:** Jim Patrick.

**Guests Present:** Chuck Victory and Frances Vanwert.

**City Staff Present:** Community Development Director (CDD) Derrick Tokos and Executive Assistant Wanda Haney.

Tokos opened the meeting at 10:35 a.m.

**I. Review design standard recommendations from SERA Architecture.** Tokos had a slide that he wanted to walk through. It contained discussion topics and their level of effort. He was hoping the group could identify what to recommend to the Planning Commission to proceed with as opposed to what needs to be tabled for the time being; or areas where there was no consensus. Tokos hoped everyone had looked at SERA's memo and he believed everyone received copies of Huster's and Franklin's emails. Tokos said part two of this discussion is what we can actually accomplish with a near-term package of amendments and whether it comes back before the group or the group recommends the Planning Commission make those. We can do either approach. Tokos said the more-involved the work, the less likely it will come back before this group because of time.

Tokos noted that his slide basically follows the flow of Ridenour's memo. The first topic is the non-discretionary design standards that are in the guidelines. We have certain things like façade features for example. Somebody doing new construction picks the non-discretionary method; and if they meet it, they are good to go. Like for façade on page 5, there are twenty different options. At least two features are required. It's pretty generic. It doesn't identify what is less relevant or more relevant. It includes everything from siding to dormers. Ridenour drew attention to Element B. The tighter those are grouped up into categories, the more influence they will have on design. When you have a list and say they have to have two, it doesn't provide as much direction in terms of what you're shooting for. Correcting that would be a straightforward exercise; a redraft of the design guidelines themselves. This document would be refreshed. These would be broken down into categories, which would have to be vetted with the Committee and the Planning Commission. Tokos asked if there was general consensus that that effort is appropriate; going down that path and investing resources into breaking down these elements more clearly.

Engler asked where the funding is coming from. Tokos said he has some consulting services funds that he can use. If we're talking about a targeted revision of these guidelines, he may have enough money to have SERA do that. If the group is comfortable doing the refreshment of these, he would rather have SERA do it than trying to tackle it ourselves. Engler asked where Ridenour would get the standards. Tokos said we are not talking about new standards; just taking what is here, these twenty elements that are under "B" and putting them into smaller groupings. For main façade, we can break that into siding treatment and decorative elements. Under what we have currently, the list has twenty possibilities, and some have very little effort. Victory said the less open these standards are to interpretation, the easier it is for everybody. He thought the direction is perfect. Tokos said as an example, this would be set up so that: for siding, there are four options based upon historic design characters; for roof treatment, there is a pallet of options; and for decorative features, you have to use two of ten items listed. George said not necessarily less options, but they will be grouped and you perform some out of each section. Tokos said breaking up the design features means you will have to incorporate more features. Now it's just two.

Huster said, going back to the historical language of what everything's been in Nye Beach since the beginning, there's been a very wide range of things. Some using much design, and some not; some plain, and some ornate. He said with respect to that history, is this mandatory as it's written? Is it correct to force people to do more things now than historically was the case? Victory said a minimum, and then you can add on. Huster asked, or are these standards inadequate? Tokos said they are clear and objective. One thing you may want to do is clarify things. We have an obligation to provide that. The questionnaire proposed to the group indicated that it may not be that each individual standard is fine; it's pretty loose. Ridenour drew attention to Element B where you pick two of twenty things with very few having little to do with each other. It's not a clear impression of what you're looking for. George noted that the other standards do not have as many options. Tokos agreed; there are only five under roof designs. George thought the roof section has some problems also, and maybe some language could be changed so roof couldn't leave options for nontraditional roofs. She said history isn't everything we are talking about here. Roofs are part of

what keeps the character. She's not suggesting that these things can't be changed or adjusted. There is some language that could be changed.

Engler said one thing that struck her, there are short-term things we can do, and we've talked about long-term. In 10-20 years, what do you want Nye Beach to look like? She doesn't think we want to re-write the Comp Plan when doing the short-term. It mentions roof lines. She thinks we should abide by the Comp Plan where this whole design overlay grew out of. She read from that. It talks about working class homes, and it defines the landscaping character also. She said that is from the Newport Peninsula Urban Design Plan. She thinks that is what we should be working with. Cleary and George agreed. Engler said the Comp Plan is what we should be working off of now until it's rewritten. Tokos said that's fair. He said nothing being proposed on these listed items would get into the Comprehensive Plan. He said what Engler read and other things is the umbrella and what these design standards have to conform to. Tokos said the point Ridenour is making is that the standards, as general as they are, may not be effectively carrying out the Comprehensive Plan objective because they are too general. The suggestion is to tighten them up. The easier way is breaking them down into more specific elements. Each category would have multiple options to select from all consistent with the existing umbrella language. The other way would be weight it with some sort of point system. With clear and objective standards is one way. The easier way would be break them into categories and see if that works. If not, we can always move to a weighted system. What he is saying is maybe a hipped roof gets higher priority than a lower pitched roof. George said there are four design standards. She asked, so we would take one that has Element B and break that into different things so it's façade, covering, siding versus decorative? Breaking that up? Tokos said as an example. That doesn't mean all design standards would be evaluated for further refinement. George said the rest of them are a little bit tighter. Huster said we are taking the existing document and giving it more clarification. Tokos said that is what the exercise would be; making sure they are clear and objective standards is the target. Huster thought that was easier to administer than a point system.

George said this is just about single-family. Engler said it could be mixed-use. Tokos said commercial would be looked at as well. George asked if mixed-use would have to fit both categories. Tokos said the commercial would have to meet the commercial standards, and the residential would meet residential. There is a separate set for multi-family.

Tokos said what he's hearing is there is general consensus to tighten up the standards and hold off on a point system at this time. George said she wasn't sure she understood why we wouldn't try to do a point system. She understood that tightening the language is easier. Cleary said not to throw out the idea of a point system.

Tokos explained that he is saying this might be something to take things in sequence. Try tightening up the standards and see what that looks like before saying we will take this to a weighted system. We probably want to do that first anyway. He has used point systems elsewhere; and a point system takes it to another level. Cleaning up the categories is likely needed either way.

Tokos said the second point is to clarify the vague terms in the guidelines. He feels there is a general consensus for this. Some are discussed here; but we would go through all of them when doing an evaluation to identify every term and provide a way to clarify it. We would say, "Here are a couple of options for alternative language." That is the approach we would take. Victory said that anything that can take a rule and make it more understandable and leaves it less open to interpretation for developers and next-door neighbors. If we delineate so there is none of that going on and where we can follow a certain set of rules that are clarified, he thought that is what we should do. Tokos said these are guidelines, and there is always a certain level of discretion. But this would provide the Planning Commission with better direction for how to interpret those guidelines and apply them; and it would provide an applicant with a better understanding. Huster said if somebody hires an architect, and he interprets it one way; there is a risk involved. He said this could be very helpful. Engler asked what about photographs from Nye Beach under each. Tokos anticipates if we upgrade the guidelines we would want to cross over to illustrations. George said she would like to see that. She would like the drawings to become photographs. Tokos thought it would be a combination, including scaled drawings showing dimensions. George said the glossary drawings are fine, but photos would be helpful. It would help someone from outside more quickly grasp the idea. Huster said come up with a digital version of these where it can preserve the picture.

Next would be review for clear and objective standards to make sure there is not discretion involved. "A window shall have a minimum of 3 inches of trim around it;" that is pretty clear. But there may be standards in there that aren't. We would look at them to see if that would be clear and objective. There was general consensus that that is worthwhile.

Tokos said another point would be converting the guidelines and standards to a point system. We would be going with more of a different structure if he understands correctly. Tokos said what he is hearing is that there is general consensus that having a structure of clear and objective standards and ultimately discretion before the Planning Commission is suitable. What we currently have are standards that are nondiscretionary. If you are able to use those, then you don't have to go before the Planning Commission. That is no different than many other areas in the city; like when you meet setbacks, etc. This is just more detailed in terms of architectural treatment. If you don't meet the guidelines, you have to go to an approval authority such as the Planning Commission. You submit an application and explain why you think the design meets the guidelines. The Planning Commission

has to decide whether the applicant has met them or not. That approach is something that he is hearing the group is comfortable with.

Engler thought that anything commercial should have at least notification to neighbors. For a single-family home or a two-family, perhaps no notification. Anything in C-2 or that involves a commercial aspect should involve notification and perhaps review because it is bigger and has more impact. It impacts the neighborhood differently than a single-family home. Huster said that is why you have commercial and residential zoning. Victory said it depends on what the clear and objective standards are. If it's only for Nye Beach, he can understand; but to take general Newport standards and apply to Nye Beach is wrong. George said it doesn't apply to the rest of Newport. Victory said he wants to know what the standards are before they go through without comment from the committee. Tokos said that we do have clear and objective standards for commercial. We have scales. It runs the gamut from just a re-roof to a big building. Engler said maybe have a trial period and see how these work. In the past there has been development that doesn't fit the Comp Plan description at all. She said it depends on how well the standards are written as to whether it requires review or not. She suggested maybe a pilot program. Huster asked if those developments were all under the standards. If so, that should be pretty cut and dried. George thought that the McEntee building was within the standards, and there was no review. She believes that was also the case with the building next to her, the Overlook. She feels that the McEntee building has some things that don't work for her in terms of reflecting the coastal neighborhood that Nye Beach is. It's mostly scale. She thinks it's mostly because of the roof. She said if we are saying it's okay for somebody to build within the design standards, we better make sure the standards will achieve what is appropriate. To her, they did some subtle manipulation of these standards. Engler said if we had a trial period to try the new language; if it seems to be working, we then don't require review. Take it in steps.

Tokos said another point was to develop a form-based code. He said this is if we say "this is not working, and we need to try a different way." It would be a total redo and is an effort level 3. We don't have the funds for this. If you are looking at a form-based code, you usually have a team of consultants assisting the community. It is expensive. It is a different way of framing the whole issue and structuring the rules.

Next would be pattern books. Tokos said they can be helpful. He used them in the Gorge for example. You have to decide if they are required or optional. George said some parts are pattern. Photographs do that. Tokos said again, that's another level. If the direction of doing a cleanup doesn't help, then that is another step to ratchet it down. In the Gorge, the original attempt wasn't successful. There were consistently appeals. When they said dark earth tones, they ended up going to a pallet. There was a specific materials list. Then it was you have to pick between colors of Miller Paint or Sherwin Williams. It takes a lot of work to develop a pallet and to continue to update it. Huster said we could go part of the way in that direction with tightening up the architectural guidelines. He suggested doing that and see if that's enough. Victory thought that what is being said about pointing in that direction rather than having a design pallet was important. It's more to make it clear to people that they have to walk down a certain path. At least it is a path; and they can say, "I am conforming to it." Tokos said that he thinks a pallet is doable with Nye Beach. But the differences are part of what makes Nye Beach what it is.

Tokos noted that cottage clusters was in Ridenour's memo, so he listed it on the slide. He thought that Nye Beach standards and zoning allow for that form of development. The issue is that you generally don't have lots big enough to do it. Most lots are too small. George noted that Huster had done it, and it's wonderful. Huster said they had to put two lots together. Tokos said he believes the standards as drafted would allow that. Vanwert asked if there could be something in the standards recommending that or just having those words in there to promote it. Engler said photos show that what used to be on those six lots by the PAC was basically a cottage cluster. It is very traditional. Huster said something to consider about this sort of thing, is that in their cottage cluster, they had to combine the lots and go through the condominium process with the State. There was a lot of extra effort as well as expense. He said to think about how to facilitate making those things happen as well. George said we can facilitate that only if it's economical; that's the big thing. That's the only way to have developers do that sort of thing. Huster said there has to be a balance of what can be done financially; otherwise the lots will just sit there. Victory said across the street from him they could put three units that could be considered a cottage cluster. But he is on a dead-end residential street, so how does that conform to the definition of a cottage cluster? He said it's a problem for him when it's R-4 and there are three cottages on a street of single-family dwellings. Vanwert said as long as they provide parking. Huster said the fiscal end will probably prevent that. They maybe would have to buy the lot next door. Then he could envision it as a possible scenario. It's hard, but if they can make it so the lots can accommodate it; let people be creative. Engler noted that the level of effort is a two. She said with a level of one, we could encourage cottage clusters. George thought just something written in here. Vanwert agreed. Tokos said he didn't know if the standards had to do with costs. The issue with cottage clusters is the developer has to make them condominiums, and we don't control that; it's handled by the State and will meet their standards. We don't have control over market conditions either. He said generally SDCs aren't an issue. Nye Beach is developed, and something has been on most lots in the last thirty years. SDCs typically don't price someone out of Nye Beach. Huster said unless you go from one to three on a lot. Engler asked Tokos if he could ask Ridenour whether there are creative things at the State level for cottage clusters. Tokos said SERA will be working on this, and he will be working on those changes in the zoning code and cross-references. We talked about the issues of parking and about setbacks of garages. The adjustment of the boundary, Tokos will be taking care of that piece. There will be public hearings and vetting with everybody. He thinks that cottage clusters may fit into the zoning side

more than the standards. It would be somewhere in there. He would have to put some thought to it. Usually in zoning, we don't put the word "encourage."

Huster asked what the minimum lot size is in Nye Beach, and was told 3,000 square feet. In R-4, 1,250 square feet are required per unit. He asked if somebody got approval for a cottage cluster, could the lot size be 1,250 square feet and not have to make it a condominium? Tokos said some are areas of open space typically. With cottage clusters, there is an offset; you get additional density for providing an open area (a commons). Engler said we could look at that. In Nye Beach there is plenty of open space; it's next to the beach and some parks. Huster said his project on High Street is an example. There are two lots. What would happen if somehow you make that four lots; one for each house plus a commons area with easements. That could be done almost under PUD approval without having to go to the State. Tokos said with that you end up doing a subdivision. That is the tool for creating property. George said in Mexico, you can give part of your lot back to the government and it becomes not a street but a little street. The city actually owns the property that is then common ground. If we're talking about breaking something into small individual lots; the other property is given back. Engler asked, almost like an alley? Huster said if it's city property, you maybe would have no rights to get the bums taken away. Engler said that she hasn't seen the final Compact Residential Zone code that Astoria had Angelo writing for them. She said maybe there is some language somewhere from a small town that could be used. It would be great if you could own the house and the land and not have a condo association. Tokos said as part of this package, what he could do is see if on the zoning side there is a fairly straightforward way to facilitate that.

Next point for discussion was view sheds and solar access. He said he knows there's not a consensus on this point. What he is looking for is how to frame this to the Planning Commission. Tokos said what he got from the emails from Franklin and Huster is that there's not a consensus that this is something we should be tackling right now; and maybe not tackle. George said it's not all about history. The history of Nye Beach is very important. But specifically, the building size piece and having solar access is one thing that is important. We are a coastal neighborhood on the beach, and having view avenues and sunshine are something that giant-scaled buildings prevent. She thinks scale, upper floors being smaller, anything like that that can be written in to create view avenues to get a sense that you are where you are and not on Hawthorne in Portland. She thought that is where we are in writing the language.

Tokos said that is the last item. In the standards, if a building is in the 35 to 50 foot range, it goes through review; and there is notice to neighbors. George said she would like to see that height come down. Tokos said the design standards are as long as you are under 35 feet, you can go out there without notice. George said, but not be 100 feet long and 35 feet high. She would like to have a formula shrinking the second and third floors so we're not having the big rectangle of the mass. She said very few buildings in historic Nye Beach were that size; and all of those that were, were public places. Victory said that George was absolutely right. His concern about Moon Shadow was what George said; a 100 foot long tall building would create a horrible monolithic structure. At the hearing, he presented a display showing the impact it would have on his property. He said the comments been made that we don't own views, but he doesn't know of any place in Nye Beach that is advertising they have a view that aren't paying for it. The Assessor is charging for that view. With all homes in Nye Beach if they have an ocean view, the City is going to make more from the taxes; and the County is. Huster said not if that's also preventing other people from building. Victory said you can still build, just have the consideration of where you place the building. Huster said that has to be a case-by-case situation. Cleary said talking about takings; Huster took the sun and light from her. Tokos said to clarify on the takings issue, it's a physical take of property. Blocking somebody's view of the sun is not a takings. Tokos said if you have a view easement over a neighbor's property, then it's a physical issue. They own that air space. That's done in the Metro area. Tokos said the photograph example Ridenour presented was where they put all those high-rise buildings. He's not saying it can't be done; but it's not the consensus here, and he's trying to determine how to frame that to the Planning Commission. George said that she doesn't know that there's not a consensus. To have 100 feet on one level and some proportion of that on the second and third levels; if there is some sort of compromise that did that, it would resolve a lot of the issues. There have also been comments that if you couldn't build within ten feet of the side of the property. If the setback was larger on commercial properties rather than not at all; it would create solar access. Huster said that's a case-by-case thing. If you had 10-foot setbacks along Coast, you'd have 20 feet between the buildings. That is the reason for the different areas. You have commercial and residential. George said she doesn't know where it says that the commercial area means some sort of big tunnel. To her anything that could be easily written into the language to break that up to give air space would be helpful. She said maybe it's 5 feet setbacks. It's more like a scale of a village. Tokos said that he's not saying anything being discussed is unreasonable; but it's just not the consensus of the group. Engler asked what a consensus is. Tokos said a general agreement. He said there are at least two not in agreement; and he doesn't know where Patrick stands on it. Vanwert asked what we can do. Go 35 feet? Make it more definitive as far as size restrictions? Tokos said from what he read and heard, he didn't get the sense there was the option of looking at this as part of tightening things up. Looking at tackling thresholds, 35 feet, 100 feet; he didn't hear an option for looking at that. Tightening up the architectural standards to provide relief for solar access or from large massing, he can have SERA look at and have a healthy discussion. That is discretionary as it is.

Engler asked, starting with the second floor, what should be done? George asked what the definition of a floor is. Tokos said it varies. Typically with 8 feet ceilings minimum and structural elements; it would be in the 10-12 feet range. You can squeeze three floors in under 35 feet. It could be written that three stories triggers discretionary review. George asked what if it was two

floors or 28 feet. If you want a third story, it is up for review. Vanwert said that would certainly address the problem of scale and mass. Cleary said, which is what we have been sent here to do. Huster said if that's the case, maybe there should be some thought in the definition of how to measure. When you're taking the average, if the ground's up high in back, the façade on the street can be tall. Cleary said that is a good point. It seems there should be a better way to measure and get the actual height of the building. Huster said, or some other reference point based on the street-facing sides. Tokos said we could certainly do that. These are the types of things (how to measure heights) that are minor adjustments. What we don't tackle with the architectural things can be done as part of this package. It gets tricky when talking about more substantial changes to property rights. Instead of going to 35 feet, we could look at 35 feet for discretionary review. George said we are asking them to come to the table; not taking away their rights. Engler said it was discussed long before that in the overlay, takings is not an issue. Tokos said with Measures 37 and 49, if you take uses away or if you take away their ability, like changing the floor to area ratios so they can develop half as much, the City would be at risk there. He is saying that the more the existing developers' rights are changed, the higher the risk of an issue. He said you can see that with the consensus of the work group. We have been grappling with the committee not getting into a contentious conversation; and he is trying to avoid having the positive changes where there is general consensus get hijacked with an area of contention and may never get adopted.

Cleary said that we need to bear in mind the reason this group is here is because the City Council said you need to go back and look at this regarding mass and scale. That is really what we are talking about here. Hopefully we have general consensus that that is an issue. Maybe we're not agreeing what the numbers are. We have developers and committee members that have different opinions. Engler said hopefully there are developers like her that think you get more out of it if it fits in the community. It's worth a lot more than if it's a giant building you put in.

Tokos said go down the path of taking a shot at providing additional architectural standards for taller buildings. Maybe we can address mass there. George said that sounds like doing tricks to a large building to make it look smaller when we were sent here by the City Council to talk about mass and scale. If we do nothing to address mass and scale and talk about making more decorations to create the illusion of less mass, we haven't accomplished anything. Tokos said that is the standard, 100 feet, for triggering discretionary review; if under that you don't. You could trim that down to 75 or 80 feet. That is meaningful. People may decide to do 100 feet or different architectural style and stay under that and avoid the uncertainty. It's not smoke and mirrors. He asked, are these triggering thresholds right? Where you have discretionary review, are there additional standards to put in place to ensure the way it happens is acceptable? An unobstructive roofline at 50 feet; you're not going to get it. It won't happen. You can go down the discretionary path and put standards in place; and if it will not allow someone to develop, that is a meaningful impact.

Engler said that she invested in Nye Beach because she thought it was protected to maintain the village image and maintaining the Comp Plan and the Glick Plan. When the City allows a big developer to impact that, it is astonishing. You keep out developers interested in investing in a neighborhood where village character can be maintained. You get people who are short-term developers who build giant buildings, sell off condos, and get out of there. You get short-term gain. Other developers are interested in the long-term. Tokos noted that everybody around the table is invested in Nye Beach and interested in the long-term. That's just not the consensus. Franklin's family has owned the Chowder Bowl for generations. Huster has property in Nye Beach. Huster said you can say those people that bought the condos; but the people who bought the condos love them. They support the businesses and restaurants. Cleary said they are vacant most of the time. She said the point is as a neighborhood, we have the right to try to keep the neighborhood a classic and in scale. She thinks allowing developers to come in and change that is not fair.

Engler said look at Carmel and Sausalito. Don Davis's vision for Nye Beach was after he visited Sausalito. Victory said Tiburon is a better example. Engler said we never talked about what we want Nye Beach to look like in 10-20 years. She asked Huster what his vision was. Huster said he tried to summarize it in his email and tried to respect the historical shops and the hotels. There was a business area down there. Out from the core area were the cottages. There is room for all of that in there if it's done in a thoughtful way. Some people want to ignore the past. There were big buildings in the past. The economics have changed. Today if you want anything to happen, you can't be oblivious to that. It is a balance. There is a core area, there are shops. That's the more urbanized part. Go out a block and you start to get into homes and cottages. Those are the kind of communities around that are successful. Maybe consider the transition idea. Divide zones with different kinds of things. Victory said Huster wants status quo with the Coast Street monolith. You can still build there and have it look like part of Nye Beach rather than an Archway Place or a Moon Shadow. Engler said if we have a vision, it shouldn't be just us sitting around; it should be the neighbors. Victory said a village; and everybody will be happy. With narrow streets and no parking, the locals won't come down there. Businesses need locals as well as tourists.

Vanwert asked if there was a way to have different standards or guidelines along Coast Street and Cliff; certain targeted areas that are more restrictive than the others are. Tokos said absolutely. It can be done. To some degree R-4 is different than C-2. You have that with the basic zoning somewhat. Vanwert said maybe if a building is built taller, it has to go further back. Maybe two stories in a restricted area and less density to maintain the village atmosphere. She said tourism is a major economic draw. Nye Beach is a destination point on the map. If we maintain a village atmosphere, it will draw more people. If we do condos,

those people are here only twice a year. She really thinks that if we provide the village atmosphere, we will enhance what we already have and perfect it with a vision for the future. She suggested having a certain designated area where you have this particular restriction on mass and scale.

Tokos said where we are now is a recommendation for us to go ahead. He can talk to SERA about refinement work to take it into thresholds and standards; especially when you go to the Planning Commission with what you have been talking about. Some push points may be clear at that point when we have more information. At any point and time when the package goes to the Planning Commission, if you're not happy just report that a portion doesn't agree with this, and you think they should go further in this direction and why. He is not opposed to that. He is just trying to keep the process moving.

Tokos said before the ad hoc group reports back to the Planning Commission, he thinks if the group is up for it to take a two-three month break while SERA is working on this. That way you can take a look at the actual standards rather than just a recommendation that it be developed. He is not in a position to do work on the guidelines and the zoning. We don't have the resources to do it all. He probably has enough funds in the budget to have SERA tackle this aspect of it. He doesn't see the benefit of the group continuing to meet if it doesn't have something to review. He will try to figure a schedule for the group to have an opportunity to review these changes.

Engler said that since December's testimony was all about scale and mass, there are five people in this room that really want that looked at. There are a lot of us that do. She would like to see the one thing that SERA looks at be mass and scale. Tokos said to effectively do that you need to do the things we talked about; tightening up the standards. That plays into that. Get the guidelines, standards, and the actual language. Maybe that will start to address the key concerns. If one is not, we can better understand what that is, and it can be framed that way. Huster said by making it more definitive, these kinds of features are incorporated. It is a visual thing. Engler said it doesn't cut it; 100 feet, 35 feet; that is what it is. Tokos said that is what piece he is having SERA tackle; the thresholds as opposed to out-right changes. That is the part of the package we are talking about here. Tokos will talk to Ridenour and ask if those thresholds are appropriate; and if not, what would be. Ridenour made his opinions based on the concerns listed.

George said there was some discussion about those numbers. We talked about if it were a smaller footprint, a building could be taller. She said some specifics from Ridenour about reducing mass and scale would be really helpful; whether it's a smaller second floor or something.

Tokos said there are a couple of ways of going at it. At one point, discretionary roof is one thing. Hard and fast that you can't be over 35 feet in height, that is a different issue at that point. George asked if we're tightening up the language, what happens if it gets to a point we are concerned with. She said that is certainly a task she would have Ridenour do when it comes to mass and scale; provide three or four specific options. We can talk about what compromises we are willing to accept. Cleary asked if Tokos could request of Ridenour that this could be done quickly because George is leaving at the first of the year and Cleary would like her to be here.

Huster asked at what point this is turned over to the Planning Commission. George thought that is a big point. That is a place you could compromise more to our perspective about scale, which is if those numbers came down. Then there could be a whole other conversation about what is allowable. She asked at what point it shifts into more than just owners and developers. She added, although that hasn't always worked for us in the past.

Tokos thought he can pull off some option on triggering thresholds or language of hard cap and frame it in a way to bring it back for the group to look at. Then it will go up to the Planning Commission with a recommendation from the group of what the consensus is and what is not. The Planning Commission can take a look at it and decide what type of outreach to have before this is presented at the Planning Commission for changes. Engler asked if Tokos is talking about the whole package or just mass and scale. Tokos said he is doing the standards; mass and scale is a piece of it. A lot of what is in the standards get at that issue.

Cleary said the commercial is pretty narrow. But she noted that it says 40 feet length on page 12. Tokos said there is the 100 feet reference in the zoning code.

**II. Date for next meeting.** Tokos said he will work on finding out how much of this he can have SERA tackle with the existing budgeted funds and schedule. Once he has a better idea of what the work product will be, he will send an email out to the group for the next meeting dates.

**III. Adjournment.** Having no further business, the meeting adjourned at 12:04 p.m.

Respectfully submitted,

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Wanda Haney  
Executive Assistant