Director Putt explained that they are attempting to balance two primary neighborhoods, the Main Street businesses and the residential neighborhoods on Park Avenue. He recalled that the Park Avenue neighborhood attended a public hearing in 2000 and convinced the City Council that the impacts of commercial operations on the Park Avenue neighborhood were increasing, primarily with service deliveries, employee parking, and the doors being opened at the rear and sides of the buildings in the summer. The impacts associated with the commercial activity and not the use itself were the primary problem, and the City Council called for no further commercial expansion after 2000. He understood from the comments this evening that the Planning Commission believes this meets the test of the minimum area necessary to provide for ADA accessible restrooms and access. He noted that this item will be reviewed by the Planning Commission at a future meeting for a Conditional Use Permit. The Staff will draft conditions to be sure there is no service delivery, employee parking, opened doors, and other issues that could create a problem for the neighborhood.

Mr. Shelter stated that his business has nothing to do with live entertainment or bands, and he does not want his deliveries to come in the back door.

Treasure Hill Conditional Use Permit for single, multi-family, hotel, and commercial uses

Chair Barth stated that the discussion this evening is specific to Criterion 11, which is design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing.

Pat Sweeney, the applicant, stated that the sections are available if the Commissioners wish to review them. The sections show the relative relationships of the buildings, particularly the buildings at the Lowell/Empire turnaround. He recalled that at the last meeting, they discussed massing and architecture, and he understood that architecture should be its own discussion. The purpose this evening is to discuss the massing, and he believed he could show how he plans to handle the massing to address the Staff=s and neighbors= concerns. He presented proposed revisions to address the concerns expressed by the Larsons and Gardas and explained how they will open up the view corridors. Other building revisions will lower the height on the buildings which the Staff believed were too tall. He explained the changes in the floor plans that will reduce density in one area and move it to another area. Mr. Sweeney requested input from the Planning Commission on the massing revisions and whether he is moving in the right direction. In response to previous comments and direction, he felt it would make sense to move the commercial development to one location, which will provide more flexibility in adjusting the architecture. Another way to develop an architectural concept with flexibility is to use a straight 2,000 net square feet per unit equivalent instead of an arbitrary unit equivalent formula with breaks that drive the size of the units. He believed the net square foot

approach would achieve the best architecture and massing. Mr. Sweeney discussed the work being done on the walls and reviewed the conceptual changes to the wall along the driveway. He believes the same concept could be used in front of the project along Lowell/Empire. He presented an example of preliminary work showing the placement of trees and berms. Based on the massing study, he believed they could drop the wall approximately 3 feet.

Chair Barth requested a site visit. Planner Whetstone explained that a site visit is scheduled for October 14, and she will let the Commissioners know the exact time.

Mr. Sweeney stated that if the Planning Commission believes he is headed in the right direction, he would like to move ahead with the proposed changes and bring them back at the next work session.

Commissioner Volkman felt they were going in the right direction and appreciated the reduction in height of the buildings closest to the residential neighborhoods. He acknowledged that they are only working with volumetrics at this point, but he felt the project appeared to be boxy and needs additional articulation. He asked Mr. Sweeney to keep that in mind as he moves through the process. Mr. Sweeney stated that he would like some understanding of the general principles regarding architecture as he moves through the process. Commissioner Volkman suggested that Mr. Sweeney follow the guidelines in the Land Management Code regarding stepping and articulation, and the Planning Commission can make comments and suggestions from that point.

Commissioner Thomas asked why all the verticality was placed in one location during the MPD approval process. Mr. Sweeney believed the verticality could be placed in other areas.

Planner Whetstone offered to include the proposed changes in the staff report for the Planning Commission to review prior to the next meeting. This item is scheduled for a site visit and work session.

Commissioner Erickson requested that the Staff discuss with Mr. Sweeney a response to Commissioner Thomas= question about whether the massing is fixed by zoning that was done years ago or if they could look for a better solution. One part of that discussion is from a technical aspect and another is whether the Sweeney=s would consider modifying the development agreement to accommodate a change. Commissioner Erickson believed that question was relevant in terms of the questions being heard from the neighbors to the north. Mr. Sweeney stated that he would like that issue resolved before spending more time working within the box they were given. Commissioner Volkman suggested reviewing the amendments to find the reasoning. Commissioner Erickson recalled that the reasoning was to hide the height in Creole Gulch, but he was not sure that a decision made in the

1980's was right for today. Mr. Sweeney presented a slide showing the deepest part of the gulch where the largest building is located. At this point, he proposes removing some pieces so they will be at the top of the taller vegetation. Commissioner Erickson suggested that Mr. Sweeney continue along that path and transfer some of the density into other locations within the project. He was willing to consider changing the development agreement in order to achieve greater goals. Mr. Sweeney stated that he would work with Staff to see what they can do within the existing parameters.

Chair Barth expressed an interest in providing the applicant with the flexibility to provide the best product he can achieve.

Commissioner Thomas believed the north wall needed stepping and a reduction in height, but he was unsure how that could be accomplished. Mr. Sweeney offered to look at it.