

Policy Briefing Summary

City Council



Regarding:	Resolution to Authorize a Special Exception Permit for Roof-Mounted Equipment (323 2nd Street SE) - Revised from 9/21/26 City Council Materials
Staff Contact(s):	Benjamin Koby, Planner II, Matthew Alfele, City Planner
Presenter:	Benjamin Koby, Planner II
Date of Proposed Action:	October 5, 2026

Issue

Consideration of SEP Application

Background / Rule

Brian Jones, with 3TWENTY3 OWNER, LLC ("Applicant"), is requesting a Special Exception Permit ("SEP") to reduce the screening requirements for roof-mounted equipment for property located at 323 2nd Street SE ("Subject Property"). Per Sec. 34-4.7.4.C.2.a of the City's Development Code ("CDC"), roof-mounted equipment must be screened six inches (6") higher than the highest point of the equipment. This Application is to reduce the roof mounted mechanical screening requirement from the required screening six inches (6") taller than the mechanical equipment to forty-eight inches (48") in height, to match the existing parapet wall ringing the roof. The proposed mechanical equipment will be sixty-four inches (64") in height at its highest point, so screening of seventy inches (70") would be required. This Application proposes no additional screening, just to allow the existing parapet wall to function as the screening.

The subject building is nine (9) stories tall with the vertical rooftop appurtenance. Functionally, the rooftop is ten (10) stories above street level. The neighboring apartment building complexes, those who will be impacted the most, do not exceed four (4) stories in height. The new proposed mechanical equipment will be located on the northeastern corner of their building, directly abutting the railroad and their own parking lot. Considering the impact of the proposed equipment on the neighboring parcels will be negligible, there will be no adverse impact on the neighboring buildings or public realm.

Analysis

Considering the relative height of the building compared to its neighbors and the height of the equipment and parapet wall, there will be little to no impact on pedestrians or neighbors downtown. Also, there is a general benefit to allowing a new tenant to reuse an existing office space near downtown. The Staff Report presented to the Planning Commission ("PC") on August 11, 2026, can be found here:

[Link to Staff Report and Application Material](#)

The PC held a hybrid virtual and in-person regular meeting on August 11, 2026, on this matter. The PC reviewed the Application based on the standard of review under CDC Sec. 34-5.2.15 and had no concerns with the request. The PC recommended approval of the SEP with no added conditions. A link to the recording of the PC Meeting can be found here:

[Link to Recording of the PC Regular Meeting](#)

Financial Impact

None.

Recommendation

The PC unanimously recommended approval of the SEP. City NDS Staff also recommends approval of the SEP.

Recommended Motion (if Applicable)

"I move to adopt the attached Resolution approving the SEP requested for the Subject Property as presented."

Attachments

1. Updated RESOLUTION - SEP-323 Second Street SEjvhedits (002)