



City of Ann Arbor

Formal Minutes

Historic District Commission

II

Thursday, October 14, 2010

7:00 PM

City Hall - Council Chambers

CALL TO ORDER

The meeting was called to order at 7:00 pm. by Chair Ramsburgh.

ROLL CALL

Present: 5 - Diane Giannola, Robert White, Ellen Ramsburgh, Patrick McCauley, and Thomas M. Stullberg

Absent: 2 - Kristina A. Glusac, and Lesa Rozmarek

APPROVAL OF AGENDA

A motion was made by Chair Ramsburgh, seconded by White, that the Agenda be Approved with changes. On a roll call, the vote was as follows with the Chair declaring the motion carried

Yeas: 5 - Giannola, White, Chair Ramsburgh, Vice Chair McCauley, and Stullberg

Nays: 0

Absent: 2 - Glusac, and Rozmarek

A HEARINGS

10-1031 HDC10-124 - 536 Sixth Street - Two Story Rear Addition - OWS

BACKGROUND: This two-story gable-fronter features wide frieze board trim, clapboard siding, a stone foundation, and clapboard siding. The house appears in the 1894 City Directory as the home of George J Welker, carpenter, and various Welkers lived in the home until 1911 when Mrs Catherine Welker is listed. Its address prior to 1898 was 14 Sixth Street. This section of Sixth Street does not appear on Sanborn Maps until 1931, when the house's footprint appeared as it does today, with the exception of the rear sunporch. At that time there was a single-car garage in roughly the location of the current two-car garage. It is not known whether the slightly unusual mansard roof on the front porch is original to the house or a later addition or modification.

LOCATION: The site is located on the west side of Sixth Street, south of West Jefferson and north of West Madison.

APPLICATION: The applicant seeks HDC approval to 1) remove a 1950s one story sunporch addition and construct a 1 ½ story addition and one story mudroom on the rear of the house, 2) remove a side door on the north elevation near the rear of the house and install a large stair window in a new opening, 3) replace a non-original picture window on the single-story portion of the south elevation with a pair of doublehung windows in the same opening, 4) replace a non-original slider or casement window on the first floor of the south elevation near the rear with triple one over one casement windows in an enlarged (width and height) opening, and 5) remove non-original shutters and iron porch columns and guardrails, and install simple square wood porch columns. The addition would be sided with 4 ½" to 5" cement board siding and new windows would be wood clad in aluminum or vinyl.

FROM THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION:

(2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

(5) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property will be unimpaired.

From the Secretary of the Interior's Guidelines for Rehabilitating Historic Buildings (other SOI Guidelines may also apply):

New Additions

Recommended: Constructing a new addition so that there is the least possible loss of historic materials and so that character-defining features are not obscured, damaged, or destroyed.

Designing new additions in a manner that makes clear what is historic and what is new.

Locating the attached exterior addition at the rear or on an in-conspicuous side of a historic building; and limiting its size and scale in relationship to the historic building.

Considering the attached exterior addition both in terms of the new use and the appearance of other buildings in the historic district or neighborhood. Design for the new work may be contemporary or may reference design motifs from the historic building. In either case, it should always be clearly differentiated from the historic building and be compatible in terms of mass, materials, relationship of solids to voids, and color.

Not Recommended; Attaching a new addition so that the character-defining features of the historic building are obscured, damaged, or destroyed.

Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character.

Building Site

Recommended: Designing new exterior additions to historic buildings or adjacent new construction which is compatible with the historic character of the site and which preserve the historic relationship between a building or buildings, landscape features, and open space.

Identifying, retaining, and preserving buildings and their features as well as features of the site that are important in defining its overall historic character. Site features can include driveways, A-1 (p. 3) walkways, lighting, fencing, signs, benches, fountains, wells, terraces, canal systems, plants and trees, berms, and drainage or irrigation ditches; and archeological features that are important in defining the history of the site.

Retaining the historic relationship between buildings, landscape features, and open space.

Not Recommended: Introducing new construction onto the building site which is visually incompatible in terms of size, scale, design, materials, color and texture or which destroys historic relationships on the site.

Removing or radically changing buildings and their features or site features which are important in defining the overall historic character of the building site so that, as a result, the character is diminished.

STAFF FINDINGS:

1. The ridge height of the addition is drawn slightly lower than the ridge of the front portion of the house (see especially the rear/west elevation drawing). The measurement on sheet A8 shows both at a height of 23' 8", which is assumed by staff to be incorrect for the proposed south

elevation.

2. No information was provided on the materials or dimensions of the basement egress window wells on the addition.

3. There is a landmark maple in the center of the backyard that is not proposed to be removed and should therefore be protected during construction of the addition. Steps need to be taken to protect the critical root zone of the tree, which lies under the dripline of the canopy. No materials or equipment should be stored in this area. For more information, contact Kerry Gray, Urban Forestry Coordinator, at 734-794-6000 x43703.

4. The proposed addition is compatible in design with the house. It is distinct from the house and reads as an addition by virtue of being bumped in from the southwest corner of the house and bumped out from the northwest corner. Also, the ridge heights vary, the width does not exceed the width of the current house, and the foundation material (cmu or poured concrete) are different from the stone of the original foundation. Design elements of the house are echoed in the addition without replicating them.

5. Staff is not typically supportive of new window openings on side elevations of the historic structure, but the new window proposed on the north elevation is located on a wall that is inset from both the front section of the house and a one-story bumpout (this is best illustrated by drawing A5, the existing west elevation, as well as drawing A6, the proposed north elevation). Its large size distinguishes it from the original two-over-two windows found on the second floor and does not confuse the historic record.

6. The one-over-one windows proposed to replace non-original windows on the south elevation are compatible because of their paired and triple designs, which read as non-original.

7. Staff has some general reservations about a large rear addition that converts a 1,480 SF house (per the City assessor's office, which does not include the 190 SF sunporch since it is not finished space) to a 2,300 SF house. If the commission is not put off by the size A-1 (p. 4) of the addition, staff feels that it is well-designed and otherwise compatible.

8. The proposed addition is generally compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and meets The Secretary of the Interior's Standards for Rehabilitation, in particular standards 2,5,9 and 10, and the guidelines for new additions and building site.

REVIEW COMMITTEE REPORT: Commissioners Giannola and Stulberg visited the site with staff and reported their findings to the Commission.

DISCUSSION BY THE COMMISSION:

DiLeo gave the staff report.

Owners Julie and Robert Oswald were present to answer questions.

Commissioner Giannola stated that she agreed with the staff report noting that the addition seems much larger on paper than in reality.

Commissioner Stulberg commented that the lot size will well accomodate the size of the proposed addition.

Applicant and Architect for the project, Marc Rueter, explained that there was an error on sheet A-8 presented on the plans submitted with the application. Rueter explained that the correct ridge height on the proposed addition will be 123 feet and 2 inches.

The Commissioners agreed to include the specific ridge height in the motion.

A motion was made by Giannola, seconded by White, that the Commission issue a certificate of appropriateness for the application at 536 Sixth Street, a contributing property in the Old West Side Historic District, to remove an existing addition and build a rear addition as proposed with the corrected ridge height of 123 feet and 2 inches. The proposed work is compatible in exterior design, arrangement, texture, material and relationship to the rest of the house and the surrounding area and meets The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 2,5,9, and 10 and the guidelines for new additions and building site. On a roll call, the vote was as follows with the Chair declaring the motion carried.

Yeas: 5 - Giannola, White, Chair Ramsburgh, Vice Chair McCauley, and Stullberg

Nays: 0

Absent: 2 - Glusac, and Rozmarek

10-1042 HDC10-127 - 208 W. Liberty & 210 S. Ashley - Two Door Openings - MSHD

BACKGROUND: The two brick commercial vernacular buildings at 210 and 212-216 South Ashley were built in 1899 and 1910, respectively. 210 was originally occupied by Mann & Zeeb Agricultural Imports, and 212-216 by Hertler Brothers Agricultural Implements. The single-story building at 208 West Liberty dates to 1930 and was originally a labor hall. It features a brick cornice, arched windows on the front elevation, and industrial-style steel casement windows. All three are contributing structures in the Main Street Historic District.

LOCATION: The site is made up of three parcels (210 and 212-216 S Ashley, and 208 W Liberty) located at the northwest corner of South Ashley Street and West Liberty Street. Downtown Home and Garden occupies the buildings facing South Ashley, and the building facing W Liberty is office space.

APPLICATION: The applicant seeks HDC approval to 1) Replace a non-original door with a new door in a slightly lower opening on the west elevation of the building at 208 West Liberty, and 2) install a new covered doorway in a new opening on the north rear elevation of the main barn structure at 212-216 South Ashley, below the "Hertler Bros" sign painted on the wall.

APPLICABLE REGULATIONS:

From the Secretary of the Interior's Standards for Rehabilitation (other SOI Standards may also apply):

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property will be unimpaired.

From the Secretary of the Interior's Guidelines for Rehabilitating Historic Buildings (other SOI Guidelines may also apply):

New Additions

Recommended: Constructing a new addition so that there is the least possible loss of historic materials and so that character-defining features are not obscured, damaged, or destroyed.

Designing new additions in a manner that makes clear what is historic and what is new.

Locating the attached exterior addition at the rear or on an in-conspicuous side of a historic building; and limiting its size and scale in relationship to the historic building.

Not Recommended; Attaching a new addition so that the character-defining features of the historic building are obscured, damaged, or destroyed.

Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character.

Building Site

Not Recommended: Removing or radically changing buildings and their features or site features which are important in defining the overall historic character of the building site so that, as a result, the character is diminished.

STAFF FINDINGS:

- 1. The existing side door on the west elevation of 208 W Liberty was installed in the 1980s and is two feet above grade. The request to enlarge the opening by lowering the door and installing a transom in the resulting space above the door is appropriate given the location of the work on a secondary elevation of the building and since the current door and window are non-original. (Staff has no record of whether the opening is original.)*
- 2. The plans provided show a freestanding deck and greenhouse structure on the vacant lot behind Downtown Home and Garden (DH&G) which fronts on the public alley. The vacant lot is not in the historic district and therefore the deck and greenhouse are not part of this application. However, related work is part of this application -- the new door opening and door, and attachment of the greenhouse passage way on the north wall near the rear of the DH&G barn (see especially drawings A1, A3, and A7). The new doorway would provide access to the deck and greenhouse from within the store. The passage to the greenhouse would act as a small hyphen connector between the brick historic building and the new greenhouse.*
- 3. The large "Hertler Bros" sign painted on the building above the proposed area of work would be slightly impacted by the metal roof of the hyphen connector for a span of seven feet. The sign was painted in the late '40s or early '50s, per the applicant, which coincides with the*

construction of the parking structure behind the building. That parking structure was demolished a few years ago. The age of the sign places it outside of the period of significance for the Main Street Historic District, which is pre-WWII. The sign certainly has aesthetic value, however, and the applicant's efforts to minimize destruction of it are appreciated.

4. The doorway work proposed on both buildings is on secondary elevations and would not diminish the character of the buildings or unnecessarily alter their form and integrity. Therefore, staff believes the proposed alterations are generally compatible in exterior design, arrangement, material and relationship to the rest of the building and the surrounding area and meets The Secretary of the Interior's Standards for Rehabilitation, in particular standards 9 and 10, and the guidelines for new additions and building site.

REVIEW COMMITTEE REPORT: Commissioners Giannola and Stulberg visited the site with staff and reported their findings to the Commission.

DISCUSSION BY THE COMMISSION:

DiLeo gave the staff report.

Dick Mitchell and Applicant Mark Hodesh were present to answer questions.

Commissioner Stulberg agreed with the staff report and added that if there were no connection to the proposed greenhouse, then the Historic District Commission wouldn't have any jurisdiction over the greenhouse itself. He noted that the changes were appropriate and would be a great improvement.

Commissioner Giannola agreed with the staff report and Stulberg's comments.

Stulberg stated that he felt that the existing steps down to the alley were unsafe. He asked whether the entire window/door would be replaced on the alley.

Mitchell explained that only the one side of the opening would be replaced.

Commissioner Ramsburgh inquired how much of the sign would be obscured by the greenhouse.

Mitchell responded that the sign will be clearly seen from inside of the

greenhouse and will be visible but fuzzy from outside of the greenhouse.

McCauley commented that the staff report noted that it was believed that the sign was painted in the late 40's or early 50's, placing it outside of the period of significance for the Main Street Historic District, which is pre- WWII.

Commissioner Ramsburgh clarified that the HDC only has jurisdiction over the exterior wall including the sign and not over anything on the adjacent lot which would include the greenhouse. She stated that she felt that a greenhouse on that lot which might obscure the historic building would be the least obscuring. Ramsburgh noted that the owners of the Downtown Home and Garden had significantly improved and maintained the building in question.

A motion was made by Ramsburgh, seconded by Giannola that the Commission issue a certificate of appropriateness for the application at 208 West Liberty and 210 South Ashley, contributing properties in the Main Street Historic District, to 1) replace a non-original door with a new door and transom in a slightly lower opening on the west elevation of the building at 208 West Liberty, and 2) install a new covered doorway in a new opening on the north rear elevation of the main barn structure at 212-216 South Ashley, below the "Hertler Bros" sign. The proposed work is compatible in exterior design, arrangement, texture, material and relationship to the rest of the house and the surrounding area and meets The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 9 and 10 and the guidelines for new additions and building site. On a roll call, the vote was as follows with the Chair declaring the motion carried.

Yeas: 5 - Giannola, White, Chair Ramsburgh, Vice Chair
McCauley, and Stullberg

Nays: 0

Absent: 2 - Glusac, and Rozmarek

B OLD BUSINESS

C NEW BUSINESS

C-1 Officer Elections

Commissioner Ramsburgh thanked Commissioner Giannola for serving as Secretary of the Historic District Commission for two years.

White nominated Ellen Ramsburgh as Chair, seconded by Stulberg. Ramsburgh accepted nomination. On a roll call, the Chair declaring the motion carried. Motion approved unanimously.

White nominated Patrick McCauley for Vice Chair, seconded by Ramsburgh. McCauley accepted nomination. On a roll call, the Chair declaring the motion carried. Motion approved unanimously.

White nominated Stulberg for Secretary, seconded by Ramsburgh. Stulberg accepted nomination. On a roll call, the Chair declaring the motion carried. Motion approved unanimously.

Yeas: 5 - Giannola, White, Chair Ramsburgh, Vice Chair McCauley, and Stullberg

Nays: 0

Absent: 2 - Glusac, and Rozmarek

C-2 Glen Ann Site-Plan Extension Consideration

DiLeo introduced the applicant's request referring to a proposed resolution that was passed out to the Commissioners before the evening's meeting. She deferred any questions to Assistant Senior City Attorney, Kevin McDonald.

DiLeo explained that the applicant has requested an extension on their Glen Ann Place PUD Site Plan so that it won't expire. She stated that staff through the resolution have suggested that a two (2) year extension be granted.

Ramsburgh read the list of considerations regarding the request and the Resolution.

Giannola made a motion to open up the floor to the discussion involving the proposed extension.

Dennis Harder from Joseph Freed Associates spoke in support of the extension noting that they are asking for the extension due to the current complexity of the difficult economical market.

McCauley questioned Harder what they intend to do through the extension, if granted.

Harder said they plan on aggressively pursuing the development of the property.

Stulberg asked how close they were to breaking ground.

Harder responded that he couldn't give an exact month and year, but that they were pursuing available options on extensions through what was considered reasonable and depending on the economy a two year extension might not be enough time.

Ramsburgh asked about the ownership of all the properties involved in the Glen Ann project as well as the Bradford House and other properties in Ann Arbor owned by Freed.

Harder answered that Freed owned all properties involved in the Glen Ann project. He stated that they also owned the Bradford House (which he clarified was not part of the proposed project), plus the Cornerhouse Lofts on State Street, 411 Lofts on Washington Street and Ashley Terrace on Huron Street.

Ramsburgh asked for clarification on Harder's comments regarding "flexibility".

Harder responded that he meant that the interior layout was somewhat flexible in regards to whether units would be rental vs. owned but there was no flexibility in the exterior appearance of the building.

Assistant Senior City Attorney, Kevin McDonald commented that there was interior building flexibility that allowed for proposed residential space to become office space, but as explained there is no exterior flexibility.

AUDIENCE PARTICIPATION:

Jim Mogensen, 3780 Greenbrier Blvd. Apt 345 A, Ann Arbor, MI spoke on the comparison between the Zingerman's project that had been approved by the Commission and the Glen Ann project, noting that Zingerman's had financing in place before they received the notice to proceed from the HDC.

Ethel Potts, 1014 Elder Blvd, Ann Arbor, MI asked for more clarification on the mentioned 'flexibility'. She asked if the approved uses and density of the building were included in the approved PUD Site Plan. Potts stated that she felt there shouldn't be flexibility with uses or residential mixes because these had an important effect on the impact to the neighborhood.

Zach Mensius, Ann Arbor, MI spoke in support of the Glen Ann project. He noted that he was a third generation resident of the Old Fourth Ward and recommended that the City encourage the extension to avoid unnecessary negativity of the project. He suggested that the HDC give the

applicant a three and a half (3.5) year extension as a compromise between two (2) and five (5) years.

A Motion was made by Giannola, seconded by White to open up the discussion on the proposed Resolution to the Consent Judgement Regarding the Glen Ann Place PUD. On a voice vote the motion was passed.

10-1081 Resolution to Approve an Amendment to the Consent Judgment Regarding the Glen Ann Place PUD

DISCUSSION BY THE COMMISSION:

Commissioner Stulberg indicated he was focused on voting on just the request to extend the Site Plan and not the original Site Plan.

Commissioner McCauley stated that he was in favor of approving the extension for two (2) years given the current economic situation, but he would not support a second extension in two (2) years.

Commissioner White also supported the extension because of the economic climate.

Commissioner Giannola agreed.

Stulberg added that he didn't think that two (2) years was enough time to realistically assemble financing and he was in favor of giving them a chance to invest in the project. However, he did not feel that the proposed project was historically appropriate for the location, and the building itself wasn't appropriate even though it is smaller with the consent judgement. He noted that he would deny the extension because he felt the project was inappropriate for the district.

Commissioner Ramsburgh agreed with Stulberg explaining that she too was in disagreement with the Site Plan for the proposed project and therefore didn't feel that she could vote to extend that Site Plan.

Giannola suggested that discussion on the extension be postponed if the discussion would be focusing on whether the project should have been approved in the first place to give a chance for all Commissioners to participate in that discussion.

Motion Amended to postpone taking action on the Extension until all Commissioners would have the opportunity to attend and participate in the discussion.

General discussion followed regarding Commissioner's schedules in

regards to revisiting the Glen Ann extension request.

Senior Assistant City Attorney, Kevin McDonald explained that staff would work with the Commissioners to make sure that a meeting was set up for a mutual time when Commissioners believed they could be available, and the meeting would be held even if all Commissioner's weren't able to attend. He pointed out that the timing wasn't as crucial as if they were taking action on a Site Plan that was subject to the City's ordinances, but rather the Commission's action was related to a Consent Judgement, noting that whether they took action before or after the November 30, 2010 date wasn't an issue.

Moved by Giannola, seconded by White to approve the Resolution to Approve an Amendment to the Consent Judgment Regarding the Glen Ann Place PUD

Whereas, On July 5, 2005, City Council approved the Glen Ann Place PUD Rezoning and Site Plan at the corner of Glen and Ann streets, including 1025 E. Ann Street as well as 201, 213, 215 and 217 Glen Avenue;

Whereas, the necessary approvals for the project were subsequently denied by the Historic District Commission;

Whereas, the City Council, Historic District Commission and the Petitioner, Glen Ann Place, LLC and Joseph Freed and Associates, entered into a Consent Judgment to settle the subsequent lawsuit regarding the Glen Ann Place development (Circuit Court Case No. 07-295-AA); and

Whereas, the Petitioner has now requested that the Consent Judgment be modified to allow additional time for the development to be completed;

RESOLVED, That the Historic District Commission approve the amendment of the Consent Judgment to extend the termination of approval of the Glen Ann Place Site Plan and construction of the project from November 30, 2010 to November 30, 2012; and

RESOLVED, That approval of the amendment be conditioned upon the City Council also approving the extension.

Moved by Giannola, seconded by White to amend the motion to postpone the Resolution to Approve an Amendment to the Consent Judgment Regarding the Glen Ann Place PUD

Whereas, On July 5, 2005, City Council approved the Glen Ann Place PUD Rezoning and Site Plan at the corner of Glen and Ann streets, including 1025 E. Ann Street as well as 201, 213, 215 and 217 Glen Avenue;

Whereas, the necessary approvals for the project were subsequently denied by the Historic District Commission;

Whereas, the City Council, Historic District Commission and the Petitioner, Glen Ann Place, LLC and Joseph Freed and Associates, entered into a Consent Judgment to settle the subsequent lawsuit regarding the Glen Ann Place development (Circuit Court Case No. 07-295-AA); and

Whereas, the Petitioner has now requested that the Consent Judgment be modified to allow additional time for the development to be completed;

RESOLVED, That the Historic District Commission approve the amendment of the Consent Judgment to extend the termination of approval of the Glen Ann Place Site Plan and construction of the project from November 30, 2010 to November 30, 2012; and

RESOLVED, That approval of the amendment be conditioned upon the City Council also approving the extension.

Yeas: 4 - Giannola, White, Chair Ramsburgh, and Stullberg

Nays: 1 - Vice Chair McCauley

Absent: 2 - Glusac, and Rozmarek

PUBLIC COMMENTARY - (3 Minutes per Speaker)

D APPROVAL OF MINUTES

D-1 10-1120 Minutes of the July 8, 2010 Meeting

Postponed action until next meeting.

A motion was made by Chair Ramsburgh, seconded by Stullberg, that the Minutes be Postponed to the next meeting. On a voice vote, the Chair declared the motion carried.

E REPORTS FROM COMMISSIONERS / COMMISSION PROPOSED BUSINESS

F ASSIGNMENTS

F-1 Review Committee; Monday, November 8 at noon for the November 10, 2010 Regular Session

Commissioners McCauley and Stulberg volunteered for the November 2010 Review Committee.

G REPORTS FROM STAFF

G-1 10-1043 Staff Activity - September 2010

Commissioner Ramsburgh asked if it was possible for the project addresses to be included in future reports.

DiLeo responded that she would forward the Commission's concern and request to HDC Historic Preservation Coordinator, Jill Thacher.

H CONCERNS OF COMMISSIONERS

None

I COMMUNICATIONS

None

ADJOURNMENT

A motion was made by Ramsburgh, seconded by White to Adjourn. On a voice vote, the Chair declared the motion carried.