



**APPROVED MINUTES OF THE REGULAR SESSION OF THE
HISTORIC DISTRICT COMMISSION OF THE CITY OF ANN ARBOR
Thursday, February 12, 2009.**

Commissioners Present: Sarah Shotwell, Diane Giannola, Michael Bruner, Robert White, Jim Henrichs and Ellen Ramsburgh (6)

Commissioners Absent: Kristina Glusac (1).

Staff Present: Jill Thacher, Kristine Kidorf, Kidorf Preservation Consulting and Brenda Acquaviva, Administrative Support Specialist V, Planning and Development Services (3)

CALL TO ORDER: Commissioner Shotwell called the Regular Session to order at 7:05 p.m.

ROLL CALL: Quorum satisfied.

APPROVAL OF THE AGENDA: The Agenda was approved without objection.

INTRODUCTION – The Commission welcomed its newest member, Mr. Patrick McCauley.

Mr. McCauley stated that he is a house painter and home restoration specialist and this was what piqued his interest in participation in the Commission.

A - HEARINGS

A-1 HDC09-005 – 115 WEST LIBERTY STREET - LSHD

BACKGROUND: This building and its neighbor to the west (117-119 W Liberty) make up the Christian Walker and Brother Buildings. 117-119 was built in 1886 to accommodate the Walker brothers' growing carriage works. 115 was added in 1893 as a carriage showroom, and served as such until 1921. It was designed as a modified copy of the Haarer building to the east at 113 West Liberty, and features round-arched windows in the Richardsonian Romanesque style. The storefront details reflected the style and proportions of 117-119 next door, which have since been replaced with a modern storefront. These three buildings (113-119 West Liberty) make up the Liberty Street Historic District.

The storefront retains its original columns and kick plate moldings (which are currently behind flowerboxes), and the large display windows are in their original proportions. In a very early (but undated) photograph, the double doors appear to match the current ones in style and dimension. Originally, the doors and transom were flush with the large display windows at the street front. The transom and double doors were recessed to their current location (door hinge marks and transom window latches are still visible on the front columns) between 1973 and 1981.

LOCATION: South side of West Liberty Street, east of Ashley and west of South Main.

APPLICATION: The applicant seeks HDC approval to replace double wood storefront doors with new double brushed aluminum doors. No changes would be made to the wood framing surrounding the door.

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STAFF FINDINGS:

1. In comparing a very old Bentley Historical Library photo of the building (showing dirt streets and wooden sidewalks) to the current storefront, it does not appear that the existing doors are original. Though it's impossible to be sure, it appears that the window on the original door was several inches higher on the bottom than the current door. If this is not the original door, it is a very appropriate replica in terms of materials, size, details, and proportion.
2. Because the door so closely resembles the original, it would be appropriate to replace it in kind if the current door is proven to be deteriorated beyond repair.
3. The applicant has stated that the door is difficult to secure closed and lock, and that it has warped.
4. Despite the alteration of the entry, this storefront retains much of its original character and materials. It is important in defining the character and history of the building, and the wood double doors contribute greatly to that history.
5. It would be most appropriate to repair the doors. If the applicant adequately documents that they are beyond repair, and the Commission agrees that the doors are not original, replacing the doors with a replica of the current doors would be appropriate and could be done at the staff level.
6. The proposed doors are not compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and do not meet *The Secretary of the Interior's Standards for Rehabilitation* in particular standard numbers 2 and 6.

Owner/ Address: Dotcom115, LLC, 944 N Main St., A2, MI 48104

Applicant Jenifer Hepler, Salon Vox, 1577 Harrington Place, Brooklyn, MI 49230

Review Committee:

Commissioner Ramsburgh – I concur with staff findings. This storefront does contain a lot of original materials, as does the building to the east. I would have trouble replacing these doors with any substitute material and repair of the doors should be fully investigated before entertaining the idea of replacement. Even with warping, it can be adjusted and the interior has a nice piece of detail molding that is very worthy of saving. Not in favor of replacement.

Commissioner Henrichs – Concurs with Commissioner Ramsburgh and the staff report. The doors are part of the character of the storefront and seem to be compatible with not only the storefront of this building but surrounding storefronts. It would make the most sense to first look into repair. The applicant did point out some technical problems they were having getting the deadbolts to work and a gap in the glass, but if it proves that the door will need replacement, it should be done with something similar to what is existing.

Applicant Presentation: Mr. Tony Lupa was present to speak on behalf of the applicant. He stated that the doors are in a state of disrepair. They have had a contractor investigate the door as well as the owner of the building. The glass has separated from the door, and the contractor stated this was not repairable. The changes in the recessed door coupled with the modern aesthetic of the inside of the building, it was our opinion that trying a different type of door would be more appropriate. The current door is also warped and does not lock properly. He stated that they had to install bolts at the top and the bottom and only one or the other can be locked at a time. This also presents security challenges as well. Most of the pictures that we submitted are around the block from us, and present what they currently have installed.

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Questions of the Applicant by the Commission:

Commissioner Henrichs – Do you think you would be willing to look at other alternative designs if the doors could be replaced? (Applicant – Our first choice would be to do what we proposed, but we would look into other options as the doors are in a state of disrepair.

Commissioner McCauley – If they were beyond repair, and you found a more suitable replacement to fit the character of the building that that might be an option.

Audience Participation: None.

Discussion by the Commission:

Commissioner Henrichs – Stated that if the application is denied, it doesn't mean that the Commission wouldn't consider the doors to be replaced, but that we have stylistic concerns about the doors that were proposed.

MOTION

Moved by Commissioner White, Seconded by Commission Giannola, **“that the Commission deny the application at 115 West Liberty Street, a contributing property in the Liberty Street Historic District, to replace the wooden double front doors with aluminum doors as proposed. The proposed work is not compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and does not meet *The Secretary of the Interior’s Standards for Rehabilitation*, in particular standard numbers 2 and 6.”**

On a Voice Vote – MOTION TO DENY – PASSED (*Application Denied*)

A-2 HDC09-006 – 448 THIRD STREET - OWSHD

BACKGROUND: The applicant dates this house back to about 1869. This address first appears in the City Directory in 1890-91 as 52 W Third, the home of Charles H Major, a decorator and (in 1892) paperhanger. The 1899 Sanborn map shows mirror-image footprints of one-story houses with one-story rear additions at 448 and 452 Third. Between 1908 and 1916 a second story was added on the front 2/3 of the one-story house, along with a front porch and side porch. Sometime after 1931 the rear one-story addition was removed and the current mudroom added.

LOCATION: West side of Third Street, south of West Madison and north of West Jefferson.

APPLICATION: The applicant seeks HDC approval to add a second-story addition to the rear and side of the house, and a porch on the rear of the house.

STAFF FINDINGS:

1. The house is a contributing structure in the Old West Side Historic District. It was altered radically between 1908 and 1916 by the addition of a second floor on its front two-thirds, but the resulting two-story house has gained historic significance in its own right.
2. The proposed addition is appropriately stepped back on the north side, stepped down from the roofline, and the south side roof overhang retained to make it read as an addition. Three windows (two on the second floor and one in the attic) on the rear elevation will be

155 lost as a result of the proposed addition. The age of these windows is unknown. The first
156 floor windows will not be altered.

- 157 3. The removal of the 1950s mudroom is appropriate. The addition of a rear porch is also
158 appropriate. Neither the current door from the mudroom nor the window next to it are
159 original openings - - where the window is now was probably an interior doorway into the
160 one-story addition that was removed after 1931.
- 161 4. The gable proposed will change the look of the house from the street, but is far enough
162 back and looks enough like an addition to not compete with the existing two-story house or
163 confuse the historic record (of the two-story house).
- 164 5. The proposed addition is generally compatible in exterior design, arrangement, texture,
165 material and relationship to the rest of the building and the surrounding area and meets
166 *The Secretary of the Interior's Standards for Rehabilitation* in particular standard numbers
167 2, 4, 9 and 10.
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169 **Owner/ Address:** Timothy Schuster, 448 Third Street, A2, MI 48103

171 **Applicant:** Marc Rueter, Rueter Associates Architects 515 Fifth St. A2, MI 48103

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173 **Review Committee:**

174 Commissioner Henrichs – Concurs with the staff report. Scale and massing of the proposed
175 addition appear to be compatible with the existing home and adjacent homes. The roof slopes
176 are compatible and the ridgelines they're proposing are lower than the existing ridgelines of the
177 home, which is also a favorable item in the design, so I would tend to be in support of this.
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179 Commissioner Ramsburgh – Concurs with staff findings and Commissioner Henrichs.
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181 **Applicant Presentation:** Marc Rueter. Offered to answer any questions the Commission might
182 have. The homeowner was present and stated that one of the reasons they're requesting the
183 addition is to provide a third bedroom as they are expecting their second child.
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185 **Questions of the Applicant by the Commission:** None

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187 **Audience Participation:** None

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189 **Discussion by the Commission:**

190 **MOTION**

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192 Moved by Commissioner White, Seconded by Commissioner Ramsburgh, “**that the**
193 **Commission issue a certificate of appropriateness for the application at 448 Third**
194 **Street, a contributing property in the Old West Side Historic District, to construct a**
195 **rear second-story addition on the existing one-story portion of the house, remove a**
196 **rear mudroom, and add a rear porch, as proposed. The proposed work is compatible**
197 **in exterior design, arrangement, texture, material and relationship to the rest of the**
198 **house and the surrounding area and meets *The Secretary of the Interior's Standards***
199 **for Rehabilitation in particular standard number 2, 4, 9 and 10.”**
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201 **On a Voice Vote – MOTION PASSED – UNANIMOUS (Application Approved)**
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205 **A-3 HDC08-006 – 307 & 311 SECOND STREET & 325 WEST LIBERTY – OWSHD**
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207 This block (Liberty/Second/William/First) had a mix of industrial and residential uses from at least
208 1880, when a tannery and several houses were located here. In 1925 there were five houses, a
209 lodge/club room, and an auto parts manufacturer that covered less than one-eighth of the block.
210 By 1931 the King-Seeley Corporation (manufacturers at that time of liquid depth gauges) had
211 nearly doubled the size of the plant and removed the lodge, though the houses remained. By
212 1966 the block looked similar to the way it did when the Liberty Lofts project was approved in
213 200x, with a very large manufacturing building, the service station, and the houses at 307 and
214 311 Second.

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216 The service station at 325 West Liberty first appears in City Directories in 1938 as the Silkworth
217 Oil Company filling station. Prior to this there had been a house on the site, at least as early as
218 1880.

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220 307 Second was built in 1909 or 1910. It appears in the 1910 City Directory as the residence of
221 Frederich Heusel, the manager of City Bakery, and his wife Edith. They stayed there until 1915,
222 and were succeeded by a meat cutter, postal carrier, bakery driver, and others. In 2002 vinyl
223 siding was used to cover the house's wood siding, and vinyl windows were installed.

224
225 311 Second was also built in 1909 or 1910. It had a variety of occupants (a cooper, jeweler,
226 bartender, plumber, painter, etc) and frequent turnover until 1936 when Charles H Cole Jr and his
227 wife Betty moved in. He worked for King-Seeley and they lived in the house until 1957.

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229 **LOCATION:** The site is located at the southeast corner of West Liberty Street and Second Street.

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231 **APPLICATION:** The applicant seeks to demolish the gas station at 325 W Liberty Street and the
232 two houses at 307 and 311 Second Street in order to expand an existing parking lot that lies to
233 the east of the three sites by 30 spaces.

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235 **STAFF FINDINGS:**

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237 7. Staff considers the service station to be a non-contributing structure. Its construction date
238 is within the period of significance of the Old West Side, but it has been undergone so
239 much alteration that it no longer retains its architectural integrity and does not contribute to
240 the historic character of the neighborhood. Per the Secretary of the Interior's Guidelines,
241 staff recommends removing the gas station, which detracts from the historic character of
242 the neighborhood. There has been a structure at the southeast corner of West Liberty and
243 Second Street since at least 1880. It would be *most* appropriate to replace the gas station
244 with another structure.
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246 8. Staff considers the two houses to be contributing structures in the Old West Side Historic
247 District. They are of a similar size, massing, character, and age as other houses in the
248 District, and help define the historic character of the neighborhood. They were used as
249 worker housing like most of the residences on the Old West Side, and housed bakers,
250 drivers, coopers, and others, including employees of King Seeley and its predecessors.
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252 9. This block has historically (dating back to at least 1880) had a mix of single-family
253 residential buildings and industrial buildings. Removing these houses would end more than
254 130 years of the co-existence of single-family and manufacturing structures (though none
255 of them are being used strictly for their originally intended use).
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257 10. The applicant proposes to replace the structures with surface parking, which would be an
258 expansion of an existing parking lot to the east. The lot would be landscaped similar to the
259 Liberty Lofts lot on the north side of the block. This work is not in keeping with the

Secretary of the Interior's standard number ten, because the work would not be reversible.

11. For information only: All three properties are zoned C3 Fringe Commercial District which allows a variety of uses, such as retail sales of food and merchandise, salons, multi-family residential, veterinary hospitals, and many others. 307 Second is currently used as residential rental housing, and 311 Second is office space.

12. For information only: The applicant is proposing surface parking to make the commercial space at West Liberty and South First more marketable. However, there is an approved site plan for a 244-space, four level public parking deck at the corner of West Washington and South First Street. The entrance will be less than a block from the Liberty Lofts commercial space.

13. The Commission has several steps to undertake with this application.

- a. Determine whether each of the structures is a contributing or non-contributing resource in the Old West Side Historic District.
- b. For structures that are determined to be non-contributing, the Commission may approve or deny a certificate of appropriateness.
- c. For structures that are determined to be contributing:
 - i. The Commission may *deny* a certificate of appropriateness for this application
 - ii. The Commission may not *approve* a certificate of appropriateness for demolition, but must postpone the application to the next meeting in order to consider a Notice to Proceed (per the HDC Standing Rules, item (8): Applications that do not qualify for a certificate of appropriateness shall not be considered for a Notice to Proceed at the same meeting...)
 - iii. The only condition that could be applied to this application to obtain a notice to proceed is "Retaining the resource is not in the interest of the majority of the community" (Chapter 103, section 8:416). The application would not qualify for any of the other three conditions that must be met for a notice to proceed to be considered.

14. The proposal to remove the service station at 325 W Liberty Street, a non-contributing structure in the Old West Side Historic District, and expand a neighboring parking lot over the site is compatible in relationship to the surrounding area and meets *The Secretary of the Interior's Standards for Rehabilitation* in particular standard number 2.

15. The proposal to remove the houses at 307 Second Street and 311 Second Street, contributing structures in the Old West Side Historic District, and expand a parking lot over the sites is not compatible in relationship to the surrounding area and does not meet *The Secretary of the Interior's Standards for Rehabilitation* in particular standard numbers 1, 2, 9 and 10.

307/311 Second Street - Owner/Address: Morningside Ann Arbor, LLC 223 W Erie, 3rd Floor Chicago, IL 60657

325 West Liberty Street – Owner/Address: J. Blaha, Inc, 325 West Liberty Street, A2, MI 48103

Applicant: Ronald S Mucha, 223 W Erie, 3rd Floor, Chicago, IL 60657

Review Committee:

313 Commissioner Henrichs – Concurs with the staff observations. It's my understanding of
314 contributing vs. non-contributing structures, that the gas station falls under non-contributing and
315 the houses as 'contributing' because of their age, character, etc.
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318 There is another side to this argument, which is that the applicant has a large amount of
319 unrented/unleased square footage in their nearby project, and they're trying to lease it/sell space,
320 etc. and in order to make it more viable for lease, they're trying to create more parking which is
321 their motive for trying to remove these buildings. There is a bit of a dilemma here and sometimes
322 I like to think there could be a third or fourth choice in these matters – an alternative – instead of
323 just making black and white decisions on these. If we can explore another solution, relocation of
324 the homes, etc. or other suggestions? In addition, because of the slope of the land, there is a
325 situation in which those sites all have to work together.
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327 Commissioner Ramsburgh – Concurs with staff's report and Commissioner Henrichs. Issues like
328 this have previously been presented to us do create dilemmas because we strongly support what
329 has been done with the Liberty Lofts' project property. It's a great example of reuse and rehab;
330 however, I think we need to keep in mind that the block for all these many years has had that
331 'interesting mix' of residential, commercial and industrial, and that this speaks to the historical
332 nature of the neighborhood.
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334 To remove that and replace it with a parking lot is a dramatic departure from the Secretary of
335 Interior's Standards, and something that I have trouble with. I think that the petitioner
336 emphasized that this is a commercial block; but it has always been a residential/commercial
337 zoning mix. This is one good examples of this type of situation in the Old West Side, and parking
338 was certainly not a part of the historical mix. This would be a difficult thing for me to support.
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341 **Applicant Presentation:** Mr. Ron Mucha (Morningside Equities – Owner, Liberty Lofts) and
342 Mr. Greg Jones (Architect), were present to speak on behalf of the application. Mr. Jones stated
343 that he had previously been a member of the city's HDC, and can appreciate the challenge
344 presented to the Commission regarding this property. He stated that staff was very thorough
345 about the application so they had only a few additions.
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347 As stated, this application is to demolish one gas station and two houses to add thirty (30) parking
348 spaces to an existing lot, bringing the total parking spaces to eighty-four (84). This is to
349 accommodate prospective retail tenants who would occupy the 19,000 sq. ft. 'greenhouse' area
350 which could include grocery, etc. The zoning is C3, which is "Fringe Commercial;" one of the
351 components of C3 Zoning is called "destination business" which is really what this would be – a
352 use where it's assumed that people are traveling to this location for doing business at this location
353 and then would therefore need parking. We ask for your approval of our application based on
354 criteria "B" listed in the Historic Preservation Ordinance regarding demolition. That is – that the
355 structures are a deterrent to a project that would be a substantial benefit to the community. We
356 feel that it is a benefit for the following reasons:
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- 358 1. The removal of the properties and addition of the parking will enhance the viability and the
359 role of an iconic rehabilitated structure in the district. This has been a successful project;
360 in some ways, a billboard project for Historic Rehabilitation can enhance communities.
361 It has brought residents to the downtown area, which is also a goal of not only Planning
362 from the Downtown A2D2 study.
363
- 364 2. The greenhouse property was rehabilitated as a part of the original project. At the time,
365 Morningside Group wanted to proceed with the project without dealing with the properties

366 that you see before you tonight. They tried to make it work with the current available
367 parking; however, we have not been able to attract the proper retailer to rent that area as
368 they require more parking.

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- 370 3. It would also be a benefit as it could provide resources for a retail tenant (which could
371 include a grocery store), which would benefit the downtown district, the old west side and
372 the entire community. This would provide a ‘destination’ that would attract people from the
373 entire community. Many people make a point of supporting downtown and downtown
374 businesses, and this would be a greater benefit to the community as a whole.
- 375
- 376 4. It also improves the image and vitality of a structure which is on the edge of the Old West
377 Side. It’s a major face of the Old West Side (*Liberty Lofts*). The way to enhance a building
378 is to bring life to them.

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380 *(He went on to talk about community support of the request and how restoration brings life to the*
381 *neighborhood. He stated that they do take historic properties seriously (such as the one they’ve*
382 *rehabilitated – Liberty Lofts)).*

384 **Questions of the Applicant by the Commission:**

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386 Commissioner White – Asked the applicant (as was mentioned earlier) if they would be receptive
387 to moving those houses to another location within Ann Arbor instead of demolishing them.

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389 R. Mucha – They would absolutely be willing to make those homes available to anyone who
390 wanted to take those and move those. They are not able to commit to financing the cost of
391 moving those themselves, as the cost is prohibitive for them. The costs that they have already
392 put forth just to create the project as a whole and attempt to increase the parking spaces for a
393 bigger retailer are “underwater,” so to speak already, so they could not afford to that cost. He
394 reiterated that they would be willing to keep them for a reasonable amount of time to find
395 someone to give them to.

396 **Audience Participation:**

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- 399 1. Nancy Goldstein – Stated that she and her husband Larry have lived approximately a
400 block away from this site for thirty-six years, so they have seen a lot of changes on this
401 corner. She stated that she has also served on the Old West Side Association Board
402 for twelve years, and sympathizes with the dilemma, but from a personal view, this will
403 enhance the neighborhood. She said that they have big hopes for this corner. The
404 wonderful projects of Liberty Lofts came in and just like four years ago when the
405 Tannery was demolished.

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407 We were sad to see it go, but it was a trade off – it was something that couldn’t be
408 repaired and we had the opportunity to gain a wonderful new neighbor and some
409 occupancy on that corner.

410 We supported that change, and it’s true that we’ve always had a commercial/residential
411 mixture here and we’re hoping to open up parking to bring in a viable grocery store or
412 some other amenity for local people to use who are walking or those driving and visiting
413 our city.

414
415 In my opinion, the two houses in question are not significant structures. Yes, they’re
416 worker’s homes and they are historic, and it would be great if they could be moved to
417 another location, but I live within view of them and I can see the proposed landscaping
418 that Morningside is proposing and I think this would significantly enhance that corner.

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2. Bob Gilardi and John Chamberlain – Liberty Lofts Homeowners' Association – They stated that they had submitted a letter in support of this project. Mr. Gilardi stated that they have had several meetings offering all residents an opportunity to voice opinion on this project.
 3. Wendy Ridge, 320 Second Street, A2, MI – Stated that she owns two houses in this neighborhood (lives in one rents the other) and that she feels that Morningside did a wonderful job in rehabilitation on the Liberty Lofts project. They would be very excited to see the gas station demolished. The current landscaping and lighting in the current parking lot is very nice, so she agrees that if they can increase the viability of a business going in there by increasing the parking, that would off-set the loss of the houses.
 4. Ethel Potts, 1014 Elder Blvd., A2, MI – Stated that the wonderful rehab of the old factory into Liberty Lofts is very special. It's an example of what can be done with a building with excellent architecture well worth saving and that someone was willing to put the money into it and creative enough to know how to make good use of it. Demolishing these buildings would be a change for this corner, as it's very prominent from the view coming down Liberty Street. That gas station sticks out there, and there has been some building of some type or another there for many years.

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Changing that to a bare corner, no matter how well landscaped is going to change the streetscape dramatically. We're discovering that the neighborhood 'edges' are very fragile; all over town there are neighborhoods there are things happening right up to the end of them – even over the edges into the residential. First it's the first row of houses – then the second row – etc. It's very easy to 'whittle away' the edges of neighborhoods, and I see this as potentially a version of that. She also stated concern with the possible grading of this project and how it affects Allen Creek.

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5. Kevin Hawkins – Liberty Lofts resident - Everyone pretty much agrees that the gas station could be removed, but noted that he feels that the houses look out of place where they are currently located. With just two houses located there, he doesn't feel it contributes anything to the neighborhood. There is a clear boundary of the neighborhood – running right down the middle of Second Street. It would be great if the houses could be relocated, but even if demolished, it would make the whole block look better.
 6. Rita Mitchell, 621 Fifth Street, A2, MI – Concerned that the 'first choice' seems to be parking. This is in the Old West Side, and it is designated for both business, etc., but I feel that always choosing parking is the wrong choice. She stated that she wants the project to proceed, and the Liberty Lofts greenhouse area looks great and is sorry that it hasn't been 'filled' (rented), but hopes that there is another way to deal with that. If this is to be a downtown service, people ought to be walking more as opposed to using their cars and needing actual 'parking' for a car.
 7. Christine Crockett – Representing the Ann Arbor Preservation Alliance – As preservationists, they are adamantly opposed to demolition of historic buildings. (She thanked J. Thacher for her comprehensive report). Such projects are governed not by likes or dislikes nor by whether or not it is economically expedient for the developer – it probably would be for the developer – but it's governed by the law as stated in the Secretary of the Interior's Standards and also, in this case, the principals and policies

471 outlined in the ‘Central Area Plan’ (city of A2).which call for the preservation of the
472 character of these special neighborhoods.

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474 This particular lot or group of properties is clearly within the Old West Side Historic
475 District. The houses, while people are quick to denigrate them saying they are not
476 ‘special,’ it is the neighborhood that has been deemed ‘special’ by the law. This clearly
477 demonstrates the history of working class people where people long lived very close to
478 the places they worked in. This is true not only of the Old West Side, but other blocks
479 near to Kerry Town and the Old Fourth Ward. To say that they are not significant
480 disrupts the rhythm of the landscape and streetscape recognized within this historic
481 district. Morningside already has 54 parking spaces and a parking lot 24/7 is not lively
482 and vital – it is dead space. There will also be 244 spaces in the structure planned for
483 the corner of Washington and First Streets. The food co-op, in my neighborhood, is
484 very lively, yet there is no parking in the neighborhood. Removal of these homes would
485 destroy the streetscape and would not be moved as it is not economically viable.

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487 8. Ray Detter – Representing the Downtown Citizens Area Advisory Council –
488 Congratulated Ron Mucha and Morningside for having done a wonderful restoring and
489 renovating portions of the former Tannery and the King Sealey plants to create Liberty
490 Lofts; however, this proposal has little to do with Liberty Lofts. (he also congratulated
491 staff for the excellent staff report which clearly points out that the proposal to tear down
492 the two 1916 homes on Second Street clearly violates the Department of Interior’s
493 Standards for Historically Designated Properties. As far as we’re concerned, this is
494 clear cut and there should be no ‘dilemma.’

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496 We’re here to emphasize the Secretary of Interior’s Standards and hope that the gas
497 station will be replaced by something appropriate and not an extension of an
498 unwelcome and inappropriate parking lot. This proposal is not only in conflict with the
499 HDC requirements, but also with the Downtown Plan and the Central Area Plan. Those
500 two houses are residential properties, even though they may have sometimes been
501 used for a commercial purpose. (*He quoted the Central Area Plan*). If tearing down
502 historic houses is a ‘major improvement,’ which developers claim (*in this particular*
503 *case*) – ‘will enhance the commercial vitality of downtown Ann Arbor” (he then stated
504 that if that is the case, historic preservation will have no future as this argument will be
505 used again and again and again.)

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507 9. Tony Lupa, Liberty Lofts, A2, MI - I live in Liberty Lofts and my apartment overlooks the
508 parking lot. I can see the gas station from my bedroom window, and I think that this
509 plan would be a definite improvement. The gas station is an eyesore, and it looks
510 terrible. While the houses do have some historic value, if you were able to look at
511 them, they are nestled kind of hap hazard between where Liberty Lofts ends and the
512 gas station begins – so if the gas station were to be removed, the rest would look
513 ‘awkward. There has been a lot of talk about parking lot ‘dead space.’ What about the
514 ‘dead space’ inside of Liberty Lofts that can’t be rented – it’s not viable.

515
516 I speak with clients all the time about ‘what is going on in that empty space in Liberty
517 Lofts?’ People want to see something viable there, and I think this proposal would be a
518 great improvement.

519
520 **(No more public speakers – The chair invited the petitioner to rebut any public**
521 **commentary)**
522

523 **Petitioner Rebuttal:** Mr. Ron Mucha of Morningside Group stated that he would attempt to
524 address some of the questions that the public had (in no specific order):
525

- 526 1. Grading of the Lot – There was a question on the grading of the lot, and there is
527 topographic information on the drawings that we submitted. The idea would be to preserve
528 the grades very close to what they are now. If you start at Liberty Street and came into the
529 parking lot, you come down a ramp already (if you're in the current lot) and as you would
530 turn to go into what would be the new parking lot, you would match the grade of the
531 existing at the south end and then ramp back up. There wouldn't be a significant drop off
532 at that point. The retaining wall currently in place would be built back up.
533
- 534 2. "Economically Expedient" – Was used to refer to what we've proposed to do. That couldn't
535 be farther from reality. The fact is, to create this parking is cost prohibitive; it really makes
536 no sense in and of itself. The cost of parking space created is probably equivalent to that
537 of a parking structure. No one in their right mind would do it just to 'create parking;' the
538 idea is to do it so that if a tenant presents themselves – and they want Liberty Lofts
539 commercial but said "I need more than 54 parking spaces," we could say "we have the
540 approvals to do that," and bring it in only at that time. The reason we're able to shoulder
541 something economically strained (to say the least), is that there is enough value in "Liberty
542 Lofts Commercial," that it can absorb the inefficiency of creating this additional parking.
543
- 544 3. Demolition – To clarify, the idea is not to get approvals, raze the structures and then build
545 the parking – the idea is to have the approval so that we can market this with confidence
546 and say "If parking is what makes the difference in making or breaking the deal, that
547 parking can be done, let's have a discussion." If we had received the approvals, and
548 someone had come forth and said "That's great, but we don't want that additional parking."
549 Zingermans and the Co-op were both mentioned. Both are iconic businesses that have
550 operated for many years, and they have no parking.
551

552 When those people (and they have come to look at the location) look at this, they don't
553 'wince' at 54 parking spaces. We thought 54 parking spaces would be sufficient when we
554 developed the project, which is why we didn't acquire the gas station and the next home
555 (307 Second) at that time. The reality is, that many larger businesses/tenants that could
556 take on Liberty Lofts Commercial – many from out of town – don't think that 54 parking
557 spaces are enough. We explain to them that across the street to the east is the DDA
558 permit parking lot and we're quick to explain that those spaces are available on the
559 weekend.
560

561 Technically, we are downtown – but it's not Central Business District downtown. When
562 you are there, you can park in a structure a few blocks away and walk to your destination.
563 People understand that. This is 'destination retail' and it's an entirely different game than
564 the downtown. The idea that people would walk more and depend less on their
565 automobile is something we all support – but the reality is – this is destination based.
566 There are not enough homes/people in this area to support a business there, so the
567 clientele would have to come from another destination to this destination. If this were
568 downtown, it would already be leased. There seems to be a fear of automobiles that if
569 people come here, they'll then all go downtown and park in structures. I think that borders
570 more on fear mongering and I'm not sure why it's being purported.
571

- 572 4. "Why Parking First?" – Was another comment from the public. It's really not 'parking first,'
573 it's actually 'parking last.' As I just noted, we really don't want to create any additional
574 parking – it's not our primary objective. The real objective is to be able to enhance the
575 vitality of the Commercial Building to make it more viable for rent/lease. We don't take

576 removing homes lightly – or even propose it, obviously. We went through great pains to do
577 a sensitive job with Liberty Lofts – but there *are* trade-offs involved. I can remember when
578 we went through approvals for Liberty Lofts with the HDC in 2004. There we were talking
579 about extensive ‘selective’ demolition, including the Cross Tannery, which Nancy Goldstein
580 mentioned earlier. That was approved in a pragmatic sense, understanding that we would
581 lose some of what was there, but we’re going to accentuate what is left.
582

583 At the time, we didn’t bring in those adjacent properties, because we felt that with 54
584 parking spaces in downtown A2, where typically there is very little parking – that should be
585 sufficient parking to get the job done. The reality is, it has proven not to be. While there
586 are tenants in downtown A2 that could come forward and say “Fifty Four spaces is more
587 than enough!” – The reality is – it’s been marketed for a significant period of time and all
588 these folks in downtown A2 have seen it or been through it. If they were going to move on
589 it, they would have moved on it by now. More than likely anyone who will rent/lease will be
590 coming from outside of the district.
591

- 592 5. “Community Support” – It was suggested that it would be a major change for the people
593 living on Second Street – to look across the street where they now see homes they would
594 instead see the landscaping proposal we submitted. I want to remind everyone that every
595 homeowner on that side of the street has supported this plan. I have met with personally
596 and I believe you have a letter from the people here tonight to advocate – from 403 Liberty,
597 310 Second, 320 Second, 324 Second
598

599 *(Other members of the petitioner’s team thanked all who spoke on the issue and added how*
600 *valuable neighbor input is).*
601

602 Commissioner Shotwell – (To Petitioner) – You had spoken about the large type of tenant
603 business may need additional parking and I definitely see that that is most likely true. I also think
604 the Commercial space itself is very special – but understanding that with fewer spaces might
605 make it less viable, has the idea of sub-dividing this space been considered? It might not be as
606 financially lucrative, but is it possible?
607

608 (Petitioner – Yes, it’s not even a question of ‘financially lucrative,’ dividing the space has always
609 been an option. The highest and best use of any space (and this space in particular) – it’s wide
610 open and unencumbered – would be that of a single user. There is a north end cap that’s a two-
611 level space, then there’s the southern portion which is more of a clear story. The division
612 between those buildings was a very logical breakpoint ---6000 sq. feet at one end and the
613 balance (130000 sq. ft.) on the south end. It could be subdivided all the way down from there, but
614 to start out, you need an anchor tenant, so it would have to be a sizeable business. It has always
615 been a possibility to subdivide.
616

617 **Discussion by the Commission:**

618

619 Commissioner Ramsburgh commented that even though the petitioner had to submit multiple
620 solutions for this project, it was helpful for everyone and a good solution.
621

622 **MOTION #1**

623

624 Moved by Commissioner Giannola, Seconded by Commissioner White, “**that the**
625 **Commission state that the gas station located at 325 Liberty Street is a Non-**
626 **Contributing Structure.**”
627

628 **On a Voice Vote – MOTION PASSED – UNANIMOUS (Gas Station now a “Non-Contributing**
629 **Structure))**

630

631 Commissioner Giannola – I don’t think that the two houses in question are architecturally
632 significant. They look ‘old’ to me, but they don’t have original windows (in the one that is a
633 ‘residence’), they have vinyl siding, etc. and as one public speaker commented... ‘they’re not
634 really that special.’ I don’t feel that they are as historically relevant as some of the other homes
635 there. The second home doesn’t have a kitchen in it, so it’s not actually a residence but a
636 commercial building in the shape of a house. The homes seem to be out of place there. They
637 appear to be out of place with the neighborhood, and along with the gas station – actually
638 detracts from the neighborhood and that removal of all three would benefit the neighborhood.

639

640 Commissioner Shotwell – Stated that she sees what Commissioner Giannola is saying, but will
641 respectfully disagree. I’d like to separate out ‘significance’ from Contributing and Non-
642 Contributing. While the houses themselves may not look particularly significant for their time
643 period – they may not look ‘special’ as was stated, the historic use of those properties and the
644 land that they sit on makes them ‘Contributing’ to the Old West Side historic district. I’ll also point
645 out that stating that these houses are “Contributing” or “Non-Contributing” is not necessarily
646 making a statement that they should or should not be demolished. That is something we’ll decide
647 in another motion. I personally believe that these houses do contribute to the Old West Side
648 Historic District.

649

650 Commissioner Henrichs – I think the houses actually meet the definition in criteria for being
651 contributing structures. The overriding question is whether the overall project is a benefit to the
652 overall community or not, which is something we will address separately.

653

654 Commissioner White – One thing that was pointed out to the Commission was that the neighbors
655 felt that these homes were not ‘contributing’ and were an eyesore to the community. They would
656 be happier looking at trees and landscape. They are the ones living in the neighborhood and
657 they are the ones who will have to look at this each day.

658

659 Commissioner Shotwell – Added that she wanted to remind everyone that whether or not they’re
660 “Contributing” doesn’t necessarily mean that they have to stay – unless they are in such poor
661 condition or have had so many repairs and changes made to them that they are no longer
662 basically the same building, the definition of “contributing” seems to fit with these houses (in my
663 mind).

664

665 Commissioner White – So, if they have vinyl siding, one doesn’t have a kitchen and is not being
666 used as a residence..... what are they being used for now? (Question to the Review Committee).

667

668 Commissioner Ramsburgh - The beige house has tenants living there, so it’s being used as a
669 residence and the blue one is being use by Morningside for office space. Both are owned by
670 Morningside (this petitioner.)

671

672 I agree with Commissioner Shotwell that these are contributing structures. This is the historical
673 context in which they have existed for about 100 years, and although their context has open
674 areas around it, that is the way that block has been for all these years. I think our determination
675 of whether they are “contributing” depends on the Secretary of the Interior’s Standards,” and not
676 on whether the houses have a particular ‘look’ or popularity. I don’t disregard public input, but
677 we’re deciding based on the established guidelines and not anything else.

678

679 Commissioner McCauley – Stated that in regard to the two houses being ‘contributing or non-
680 contributing,’ the basic form and size and age of the house is what makes them contributing

681 houses, not all the little changes that have happened. In theory, the siding could be removed if
682 you wanted to or put in more appropriate windows, based on today's standards.
683 Commissioner Giannola – I agree with that, except when you change the architectural
684 significance, it becomes non-contributing. It depends to what point you get to that it's still historic
685 vs. old.

686
687 Commissioner McCauley – I would argue that they look basically like they did when they were
688 built 100 years ago. The changes haven't been significant enough to where they wouldn't be
689 contributing structures.

690
691 Commissioner Henrichs – Can staff please give us a definition of 'contributing vs. non-
692 contributing? (J. Thacher – The Secretary of the Interior provides the following definitions for
693 both historic and non-historic resources in Bulletin 15 of their publication.

694
695 *“A contributing resource is one that adds to the historic association, historic architectural*
696 *quality or archeological values for which a property is significant, because it was present during*
697 *the period of significance, related directly to the documented significance and possesses historic*
698 *integrity.”*

699
700 *“A Non-Contributing Resource is one that does not add to the historic architectural*
701 *qualities or historic association of a district because it was not present during the “period of*
702 *significance,” does not relate to the documented significance, or due to alterations, additions and*
703 *other changes, it now longer possesses historic Integrity.”*

704
705 Commissioner Henrichs – So it's correct to say that a key determining factor is the age of the
706 structure? (J. Thacher – That is one of the factors, and these structures were present during the
707 “period of significance” of the Old West Side (which starts in the mid-1800 have and ends in the
708 1940's). So anything prior to 1941 is considered within that period? (Yes.)

709
710 Commissioner White – What was the last sentence regarding 'Non-Contributing?' (J. Thacher –
711 “It's a non-contributing resource due to alterations, additions and other changes, it no longer
712 possesses historic integrity.”)

713
714 Commissioner Giannola – In the definitions they also mention 'materials,' and that is the point I'm
715 trying to make is that the materials are different – there is vinyl on there, none of the windows are
716 the same, it's the same shape.”

717
718 Commissioner Shotwell – Not having examined the houses, I'm not prepared to say that the
719 replacement of windows of siding make the entire structure 'non-contributing' but I do understand
720 your point.

721
722 Commissioner Henrichs – I would ask to confirm again that we are being asked two separate
723 questions – First of all, whether this is contributing vs. non-contributing; secondly and separately,
724 whether to remove the houses completely?

725 Commissioner Shotwell – Yes. The second part that you just mentioned is not on the table
726 currently, so the current motion is contributing vs. non-contributing).

727
728 Commissioner Henrichs – So, later when we consider whether or not to remove the houses, we
729 can also consider the public input, including whether or not the project is a public benefit or not?
730 (Commissioner Shotwell – Absolutely.)

731
732 Commissioner Ramsburgh – Asked if J. Thacher could show the picture of the streetscape. The
733 houses across the street are a bit smaller, but with the exception of the two brick houses, these

734 are all very similar – so if you say that these two houses are non-contributing, you could very
735 easily cross the street and say that those, too, are non-contributing.

736 I would also point out that we’re talking about a Historic District, and the context.

737
738 Commissioner White – Reiterated that the neighbors are more than happy to let the buildings
739 come down.

740
741 **MOTION #2**

742
743 Moved by Commissioner Giannola, Seconded by Commissioner White, “**that the Commission**
744 **determine that the structures at 307 and 311 Second Street are “Non-Contributing”**
745 **Structures.”**

746
747 **On a Voice Vote – MOTION FAILED – (4) No to (2) Yes (Structure are to remain classified as**
748 **“Contributing Structures”)**

749
750 **(No – 4) - Commissioner’s McCauley, Ramsburgh, Henrichs, Shotwell**

751 **(Yes – 2)- Commissioner’s Giannola, White.**

752 **(Absent) – Commissioner Glusac**

753
754
755 **MOTION #3**

756
757 Moved by Commissioner Ramsburgh, Seconded by Commissioner Shotwell, “**that the**
758 **Commission determine that the structures at 307 and 311 Second Street are**
759 **“Contributing” Structures in the Old West Side Historic District.”**

760
761 **On a Voice Vote – MOTION PASSED – (4) Yes to (2) No (Structures are to remain classified**
762 **as “Contributing Structures”)**

763
764 **(Yes – 2) Commissioner’s Giannola, White,**

765 **(No – 4) - Commissioner’s McCauley, Ramsburgh, Henrichs, Shotwell**

766 **(Absent) – Commissioner Glusac**

767
768 Commissioner Shotwell – We now have two houses determined to be “Contributing” and one gas
769 station deemed Non-Contributing. The next motion will be to remove the gas station.

770
771 Commissioner Ramsburgh – I agree that the gas station is a non-contributing structure, but I have
772 concerns that a parking lot is not an appropriate contribution to the Historic District and that
773 removal of the non-contributing structure without a plan to replace it with anything but a parking
774 lot is detrimental to the Old West Side Historic District.

775
776 Commissioner McCauley – How does the Flood Plain interfere with any re-development of that
777 corner? (J. Thacher – The creek runs between these properties). (The MDEQ requirements do
778 not apply to these properties, although any development would have to comply with city code and
779 building code, which would make it difficult to build anything.)

780
781 Commissioner Giannola – I think that the community benefit outweighs the need to put any
782 replacement structure there. By saying that the gas station can be taken away but can’t be
783 replaced with a parking lot is cost ineffective.

784
785 There is no one who will take up the environmental costs and bringing up the underground tanks
786 and remediating those – so, the cost is prohibitive for anyone to open a small business on that

787 location. If you take down all three of these structures and they are willing to put the funding up
788 for this, it is in the public's best interest to allow them to remediate the gas station and make it into
789 a parking lot as that is what is more cost effective. We can't demand that they build something
790 there, and they could just let it sit and be an eyesore, which is detrimental to the Old West Side
791 and the community as a whole.

792
793 Commissioner Henrichs – I'm in support of the motion. I feel that the gas station is an eyesore
794 and if it were to be removed and replaced with a parking lot or another structure or landscaping
795 would even be a bigger improvement on what is currently there. It's pretty bad looking and would
796 be ideal if in the future they would put in a small public seating area or public amenity, but we
797 can't insist on what they put there.

798
799 Commissioner White – I support the motion as well.
800

801 **MOTION #4**

802
803 Moved by Commissioner Shotwell, Seconded by Commissioner White, **“that the Commission
804 issue a Certificate of Appropriateness for the application at 325 West Liberty Street, in the
805 Old West Side Historic District, to demolish an existing, non-contributing auto service
806 station, and expand the parking lot to the east, on the condition that staff approve the
807 revised parking plan before permits are issued. The work would then be generally
808 compatible in exterior design, arrangement, texture, material and meets the Secretary of
809 Interiors Standards for Rehabilitation, in particular Standard #2.”**

810
811 ***MOTION TO APPROVE – PASSED - UNANIMOUS (Certificate of Appropriateness for
812 demolition of the Gas Station – APPROVED)***
813

814
815 Commissioner Shotwell - Because we have deemed that the two houses are “Contributing
816 Structures,” there are two things that we can do, but neither is to approve a Certificate of
817 Appropriateness. We can either deny the application to demolish, and the other is to postpone
818 this issue until the next meeting, at which time we could issue a “Notice to Proceed,” which
819 essentially states that while these are contributing structures, you can still approve work for a
820 contributing structure. (Defers to J. Thacher for further info).
821

822
823 J. Thacher – The applicants have asked to come in under “Notice to Proceed – Letter “B”,’ which
824 they cannot do. Letter “B” reads – ...”That the resource is a major deterrent improvement
825 program which will be a substantial benefit to the community and the applicant proposing the
826 work has obtained all the necessary Planning and Zoning approvals, financing and environmental
827 clearances. None of those things have occurred yet. That would kick the “Notice to Proceed”
828 down to letter “D” which states; “Retaining the resource is not in the interest of the majority of the
829 community.”
830

831 Petitioner asked to speak again (*Discussion of suspension of the rules as the public hearing and
832 rebuttal time have been closed. The Chair informed the speaker that they could speak later
833 under “Audience Participation, General).*
834

835 J. Thacher – *To continue...* Under letter “B” where all of the necessary permits have to have
836 been approved ahead of time, it would be possible, if this Commission allowed it, for the
837 applicants to go and do that – get their necessary permits – and then reconsider the application at
838 a later date – once they have all of their approvals.
839

840 Commissioner Giannola – Can we vote to suspend the rules so that they can speak?

841 (*Commissioner Shotwell – Defers to K. Kidorf on procedure.*)

842 K. Kidorf – Yes. The Commission can vote to suspend a standing rule.

843

844 Commissioner Henrichs – Suggested that a ten minute time limit be imposed within the motion.

845 (*Friendly amendment accepted by both Commissioners Giannola and White.*)

846

847 **MOTION #5** (*as amended*)

848

849 Moved by Commissioner Giannola, Seconded by Commissioner White, “to suspend the rules
850 regarding the public hearing speaking time, and to reopen the public hearing for rebuttal by the
851 petitioner *that will last no longer than ten minutes.*”

852

853 **MOTION TO APPROVE – PASSED – (6) Yes, (1) No (Public Hearing Rebuttal Reopened)**
854 **(Yes-6) – Commissioners Giannola, Ramsburgh, McCauley, Henrichs, Glusac and White.**
855 **(No-1) - Commissioner Shotwell**

856

857 R. Mucha – Stated the portion that they wanted to discuss is the second half of “Paragraph ‘B’”
858 that Jill read. I’ll reiterate – *“The applicant proposing the work has obtained all necessary*
859 *Planning and Zoning approvals, financing and environmental clearances.”*

860

861 That is not to be taken literally (for obvious reasons). Let’s take environmental clearances, for
862 example. You can’t get the environmental clearances until you actually start the work. The tanks
863 don’t come out of the ground until you close on the property and have all of the approvals. There
864 is no ‘clearance’ to get, until you have these other approvals. Likewise, if there is abatement
865 work involved, for instance, a requirement might be to ‘cover what is there.’ You can’t ‘cover’
866 what is there until you actually do the demolition work, or contamination remediation until it’s
867 determined that the tanks have been leaking, etc.

868

869 You can’t remediate it until the building comes down. I believe that these are clearly things that
870 have to be done. If you grant us the ability to proceed with this, it doesn’t mean that tomorrow we
871 get to go to City Hall and pull a permit to demolish the buildings (and that is not our plan). More
872 importantly, legally, we cannot. We need site plan approval from the city of Ann Arbor. There is
873 no such thing as an “As of Right” Development. Everything requires a site plan.

874

875 It’s obvious that we would have to get financing – but until a deal comes to the table and that is
876 agreed on, there is no financing. The idea that they would have to be done prior to HDC approval
877 is a Catch 22 or circular logic.

878

879 (*The Chair asked staff to speak to the petitioner’s point and whether the approvals are ‘absolutely*
880 *necessary.*)

881

882 J. Thacher – They are absolutely necessary. The “Notice to Proceed” – Item “B” is very clear -
883 *“The applicant proposing the work has obtained all necessary Planning and Zoning approvals,*
884 *financing and environmental clearances.”* In this case, that would include a Site Plan approval
885 from the Planning Commission to expand the parking lot, financing for both the work and the
886 business that would potentially be renting the space, environmental clearances – that is not
887 saying complete environmental clean-up, but that is saying that if there are environmental
888 hazards on the site that there is a plan that has been approved by the city to do that work.

889

890 K. Kidorf – (*Speaking about the State Law regarding this*) The idea behind this is to prevent the
891 loss of historic buildings unnecessarily. Should the Commission approve this – if for some reason
892 these other approvals weren’t in place, they would still have an approval to demolish a building.

893 Again, the intent is to avoid the unnecessary loss of historic resources, and as Jill has mentioned
894 – yes, it is required.

895 R. Mucha – In response to that, I would reiterate – that without site plan approval, this can't
896 happen. Tonight, you could encourage us and tell us tomorrow to demolish the structures (not
897 that that will happen) – but we couldn't do it if you told us to, as we must have site plan approval,
898 and we can't get site plan approval – do you get HDC approval? Site plan approval?
899

900 Commissioner Shotwell – Stated that she agrees with the consideration on that – that this may be
901 one of the reasons that they cannot issue that notice at this particular meeting. If that is
902 something that the Commission is interested in doing, we would have to postpone that decision to
903 the next meeting.
904

905 R. Mucha – There is an order to how these things happen. No one could ever meet these
906 standards as written if taken literally.
907

908 J. Thacher – If the Commission postpones this to the next meeting to consider a 'Notice to
909 Proceed,' the City Attorney's office has volunteered to give you something in writing to interpret
910 these different "Notice to Proceed" clauses and how they may or may not be applicable.
911

912 *Commissioner Shotwell – Closed the extended period for public commentary/petitioner rebuttal.*
913 She reminded the Commission that their two choices at hand are either to deny the application in
914 its entirety, or, if the Commission wants to consider a "Notice to Proceed," then that motion would
915 be to postpone to the next meeting for consideration.
916

917 (Directed to staff) – If we postpone this to the next meeting, is our only option to issue a notice to
918 proceed or is it possible to revisit the denial idea?
919

920 J. Thacher – If you're just postponing and haven't taken action on the application yet, you could
921 consider both at the next meeting. If, at the next meeting, no decision is made, you would have
922 to ask the applicant to withdraw and resubmit their application (or agree to extend the
923 application), or the Commission would be faced with the 60 day time limit which would warrant
924 approval based on lapsed time limits.
925

926 Commissioner Giannola – Will we be able to discuss the notice to proceed and its requirements
927 at the next meeting? Can we look at items "B" and "D?"
928

929 J. Thacher – Yes, you would have discussion on either motion – to approve or deny, and we
930 would get opinions from the City Attorney prior to that meeting on whether we can consider item
931 "B."
932

933 **MOTION #6**

934
935 Moved by Commissioner Giannola, Seconded by Commissioner White, **"to postpone this**
936 **application to consider a "Notice to Proceed" at the next Regular Session of the HDC in**
937 **March, 2009."**
938

939 **On a Roll Call Vote – MOTION PASSED – (2) No, (4) Yes – (Postponed to March 2009)**
940 **(No – 2) - Commissioner's Ramsburgh and McCauley**
941 **(Yes – 4) - Commissioner's Henrichs, Shotwell Giannola, White,**
942 **(Absent) – Commissioner Glusac**
943

944 **B - OLD BUSINESS – None.**
945

C - NEW BUSINESS –**C-1 ANNUAL REPORT**

J. Thacher – Stated that she had passed out hard copies of the Report tonight. The Commission will need to make a motion to adopt this at the next meeting (30 day review required) if they so choose. In short, the report details the applications that were approved and/or denied during 2008, the Historic awards that were granted and a few other items.

AUDIENCE PARTICIPATION – GENERAL (Limited to 3 Minutes per Speaker) – None.

D - APPROVAL OF MINUTES –

NONE – POSTPONED.

E - REPORTS FROM COMMISSIONERS –

Commissioner Shotwell – Informed the Commission that they need an appointee from the HDC to be the Cobblestone Farm liaison. (*Commissioner White is the current representative.*)

Commissioner White – The HDC is required to have a person as a liaison to the Cobblestone Farm Board. Cobblestone is a historic city-owned property and is located on Packard Road. You would have to attend the meetings that are once per month, the first Monday of each month at 7:00 p.m. As a liaison, you would help to solve any problems that the Board might have with city or historic issues. They also have a spring project whereby you can assist them with plantings and clean-up. I was pleased to have been a member of that Board, but I have other obligations at present.

Commissioner Henrichs – Volunteered to take Commissioner White's place as Cobblestone Farm representative.

F - ASSIGNMENTS**F-1 Monitors**

115 West Liberty – Not Approved – No Monitor Necessary
448 Third Street – Commissioner Ramsburgh
325 West Liberty – Commissioner Giannola

F-2 Review Committee for Monday, March 9, 2009 at 12:00 p.m.

Commissioners McCauley and Giannola

G - STAFF ACTIVITIES REPORT**G-1 Staff Activities Report for January 2009 (*Staff gave a synopsis*)****H - CONCERNS OF COMMISSIONERS**

Commissioner McCauley – I've heard previously outside of this Commission that when an application for demolition that the review is supposed to be made by all of the members of the Commission, not just a review committee of two. I think that that would be helpful.

999 J. Thacher – Yes. It is in the standing rules that all Commissioners should be a part of the review
1000 committee for a demolition request. She encouraged any Commissioner who had not seen the
1001 site to go there and/or have one other person join the current Review Committee on March 9,
1002 2009 when it will be reviewed again. (*A gathering of more than 3 commissioners would constitute*
1003 *a quorum, so that must be avoided*).

1004
1005 Commissioner Ramsburgh – Did we set an actual start time for our Retreat? (J. Thacher –
1006 8:00 a.m. unless you'd like to change that – Saturday March 7th, 2009.)

1007
1008 *The Commission discussed the times, and decided that 9:00 a.m. until 1:00 p.m. would be more*
1009 *appropriate. Staff stated they were still working on the actual location. We would like to hold it at*
1010 *the Second Ward public building, on Ashley Street.*

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1013 **I - COMMUNICATIONS**

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1015 **K. Kidorf - Statewide Preservation Conference will be held - May 14 – 16th in Grand Rapids.**

1016
1017 **ADJOURNMENT**

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1019 *The Meeting was adjourned by Chair Shotwell at 9:55 p.m. without objection.*

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1021 **SUBMITTED BY: B. Acquaviva, A.S.S. V, Planning and Development Services.**