



# City of Ann Arbor

100 N. Fifth Avenue  
Ann Arbor, MI 48104  
<http://a2gov.legistar.com/Calendar.aspx>

## Action Minutes City Planning Commission

Tuesday, April 6, 2010

7:00 PM

G. C. Larcom, Jr. Municipal Bldg. 2nd Flr.

Commission public meetings are held the first and third Tuesday of each month. Both of these meetings provide opportunities for the public to address the Commission. Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office at 794-794-6140 (V/TDD) at least 24 hours in advance. Planning Commission meeting agendas and packets are available from the Legislative Information Center on the City Clerk's page of the City's website (<http://a2gov.legistar.com/Calendar.aspx>) or on the 6th floor of City Hall on the Friday before the meeting. Agendas and packets are also sent to subscribers of the City's email notification service, GovDelivery. You can subscribe to this free service by accessing the City's website and clicking on the red envelope at the top of the home page.

These meetings are typically broadcast on Ann Arbor Community Television Network Channel 16 live at 7:00 p.m. on the first and third Tuesdays of the month and replayed the following Wednesdays at 10:00 AM and Sundays at 2:00 PM. Recent meetings can also be streamed online from the CTN Video On Demand page of the City's website ([www.a2gov.org](http://www.a2gov.org)).

### CALL TO ORDER

*Chair Bona called the meeting to order at 7:03 in the Guy C. Larcom Jr., Municipal Building, 2nd Floor Council Chambers, 100 N. Fifth Avenue.*

### 1 ROLL CALL

Present 9 - Bona, Pratt, Mahler, Carlberg, Woods, Derezinski, Briggs, Westphal, and Giannola

### 2 INTRODUCTIONS

*None.*

### 3 MINUTES OF PREVIOUS MEETING

3-1 10-0338 Planning Commission Minutes of February 18 and March 2, 2010.

A motion was made by Woods, seconded by Giannola, that the Minutes of February 18, 2010 be approved by the Commission and forwarded to the City Council.

A vote on the motion showed:

Yeas: 9 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Jean Carlberg, Wendy Woods, Tony Derezinski, Erica Briggs, Kirk Westphal, and Diane Giannola

Nays: 0

Motion carried.

10-0338 Planning Commission Minutes of February 18 and March 2, 2010.

A motion was made by Pratt, seconded by Westphal, that the Minutes of March 2, 2010 be approved by the Commission and forwarded to the City Council.

A vote on the motion showed:

Yeas: 9 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Jean Carlberg, Wendy Woods, Tony Derezinski, Erica Briggs, Kirk Westphal, and Diane Giannola

Nays: 0

Motion carried.

4 APPROVAL OF AGENDA

A motion was made by Pratt, seconded by Carlberg, that the Agenda be approved.

A vote on the motion showed:

Yeas: 9 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Jean Carlberg, Wendy Woods, Tony Derezinski, Erica Briggs, Kirk Westphal, and Diane Giannola

Nays: 0

Motion carried.

5 REPORTS FROM CITY ADMINISTRATION, CITY COUNCIL, PLANNING AND DEVELOPMENT SERVICES MANAGER, PLANNING COMMISSION OFFICERS AND COMMITTEES, WRITTEN COMMUNICATIONS AND PETITIONS

a City Administration

Rampson announced the Town Hall meeting to be held at Community Television Network on Wednesday, April 7, with the City's budget as the topic.

**b City Council**

*Derezinski reported on the actions of the April 5, 2010 City Council meeting.*

**c Planning Manager****d Planning Commission Officers and Committees**

*Bona commented that the Planning Commission's retreat was held and some of the unresolved topics would be discussed at a work session in the near future. She added that the April 12 Planning Commission Work Session would be a joint session with Energy Commission and the Environmental Commission. The Commissioners would be receiving background information packets within the next few days, she said.*

*Rampson added that the work session would be held at 200 North Main in the lower level conference room.*

**e Written Communications and Petitions****6 AUDIENCE PARTICIPATION (Persons may speak for three minutes about an item that is NOT listed as a public hearing on this agenda. Please state your name and address for the record.)**

*None.*

**7 PUBLIC HEARINGS SCHEDULED FOR NEXT BUSINESS MEETING**

*None.*

**8 REGULAR BUSINESS - Staff Report, Public Hearing and Commission Discussion of Each Item (If an agenda item is tabled, it will most likely be rescheduled to a future date. If you would like to be notified when a tabled agenda item will appear on a future agenda, please provide your email address on the form provided on the front table at the meeting. You may also call Planning and Development Services at 734-794-6265 during office hours to obtain additional information about the review schedule or visit the Planning page on the City's website ([www.a2gov.org](http://www.a2gov.org).)**

**(Public Hearings: Individuals may speak for three minutes. The first person who is the official representative of an organized group or who is representing the petitioner may speak for five minutes; additional representatives may speak for three minutes. Please state your name and address for the record.)**

**(Comments about a proposed project are most constructive when they relate to: (1) City Code requirements and land use regulations, (2) consistency with the City Master Plan, or (3) additional information about the area around the petitioner's property and the extent to which a proposed project may positively or negatively affect the area.)**

8-1 10-0335

a. Public Hearing and Action on Ann Arbor Guest House Annexation, Zoning and Area Plan Waiver Request, 4.77 acres, 2000 Dhu Varren Road. A request to annex this site into the City, zone it R4B (Multiple-Family Dwelling District) to allow a maximum of 12 adults (10 guests and 2 caretakers in 6 bedrooms), and to waive the area plan requirement because no new construction is proposed - Staff Recommendation: Approval

*Kahan explained the proposal and showed photographs of the property.*

*Larry Unruh, representing USA Missions Incorporated which is affiliated with the Church of God in Christ, stated that the plan was to accommodate a boarding house to provide temporary housing to individuals and families with relatives who are hospitalized at University of Michigan. The project would mainly house adult relatives, provide a quiet place for them to make decisions that are oftentimes a matter of life or death and allow time to relax and recuperate after the long hours spent at the hospital. He said the project would be a non-profit organization and operated on the donations received. He stated that the project would not include a restaurant, but there would be a small kitchen provided for the guests.*

*Noting no further speakers, Bona declared the public hearing closed.*

**Moved by Briggs, seconded by Mahler, that the Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the Ann Arbor Guest House Annexation and R4B (Multiple-Family Dwelling District) Zoning.**

**Moved by Briggs, seconded by Mahler, that the Ann Arbor City Planning Commission hereby waives the requirement for an Area Plan as allowed by Chapter 57 (Subdivision and Land Use Control).**

**A motion was made by Mahler, seconded by Westphal to postpone action on the zoning portion for the first motion and the entire second motion.**

**A vote on the motion to postpone the proposed zoning and area plan waiver**

**Yeas:** 9 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Jean Carlberg, Wendy Woods, Tony Derezinski, Erica Briggs, Kirk Westphal, and Diane Giannola

**Nays:** 0

**Motion carried.**

*Woods asked staff for the property's current zoning designation.*

*Kahan said after the Planning Commission's action the request for annexation would be sent to the Michigan Department of State Office of the Great Seal for review. In the meantime, he said, staff would bring the request for the zoning and the waiver of the requirement for an Area Plan before the Planning Commission. He said after approval of annexation the project would go before City Council. He commented that Council could not take action on a Zoning District until the property had been annexed into the City.*

**A motion was made by Mahler, seconded by Briggs, that the Ann Arbor Guest House Annexation be recommended for approval to the City Council.**

**A vote on the first motion, as amended showed:**

**Yeas:** 9 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Jean Carlberg, Wendy Woods, Tony Derezinski, Erica Briggs, Kirk Westphal, and Diane Giannola

**Nays:** 0

**Motion carried.**

8-2 10-0336

b. Resolution to Adopt City Planning Commission Meeting Schedule for FY 2010/2011.

*Rampson commented that the November 16, 2010 Planning Commission meeting may need to be rescheduled due to the observance of the 'Id al Adha holiday that varies from year to year, and cannot be predicted confidently in advance.*

**Moved by Carlberg, seconded by Pratt, that the Ann Arbor City Planning Commission hereby adopts its meeting schedule for fiscal year 2010-11, with regular meetings occurring on the first Tuesday and third Tuesday of each month, and working sessions on the second Tuesday.**

*Westphal appreciated that both the first Tuesday and third Tuesday meetings were determined to be "regular" meetings.*

*Rampson commented that the change would allow projects to move forward more quickly, but the business meeting could possibly return if the City ever became inundated with new petitions.*

**A vote on the motion showed:**

**Yeas:** 9 - Bonnie Bona, Evan Pratt, Eric A. Mahler, Jean Carlberg, Wendy Woods, Tony Derezinski, Erica Briggs, Kirk Westphal, and Diane Giannola

**Nays:** 0

**Motion carried.**

**9 AUDIENCE PARTICIPATION (Persons may speak for three minutes on any item.)**

*Tom Luczak, 438 South Fifth Avenue, spoke in opposition of the Commission's previous approvals of Planned Unit Developments (PUD) near the South Fourth and Fifth Avenue location. He asked the Commission to support the protection of the neighborhood when the Historic District study is complete. He did not believe the decision would hinder the Commission's ability to approve PUD's in the future since the Secretary of Interior guidelines would allow background buildings as long as the buildings complied with the standards set by the agency.*

*Beverly Strassman, 545 South Fifth Avenue, spoke in support of the proposed designation of historic district for South Fourth and Fifth Avenue. She stated that she supported infill, but did not support infill that did not fit the scale or character of the neighborhood. She believed the historic district study should include all the properties along Fifth Avenue to Madison Street, ending at the floodplain.*

*Cladius Viscennes, 545 South Fifth Avenue, believed the Commission had mischaracterized the neighborhood in the past. He commented that the houses in the neighborhood are all residential homes. He believed the neighborhood was diverse and any drastic changes would destroy the delicate balance of the neighborhood.*

**10 COMMISSION PROPOSED BUSINESS**

10-1 10-0339

a. Discussion regarding Proposed South Fourth and South Fifth Avenues Historic District.

*Bona commented that the Planning Commission's role in the Historic District Study was to provide input, either as a consensus or as individual commissioner opinion, to the Historic District Study Committee.*

*Rampson introduced the consultant working with the study committee, Kristine Kidorf, and the Chair of the committee, Patrick McCauley, in case the Commission had questions of any points of clarification.*

*Carlberg asked if the study committee had revisited the proposed South Fourth and Fifth Avenues Historic District to determine whether the properties were non-contributing. She wondered if the committee would reconsider the current descriptions and render different descriptions for some of the properties at this location.*

*Briggs asked staff to define the terms contributing and non-contributing to the Commission and how the designations would affect the study.*

*Kidorf said 'contributing' and 'non-contributing' are also termed 'historic' and 'non-historic'. Properties that are considered contributing are generally constructed within the period of significance that has been established for the district, she said. She stated the period for this study began in 1838 and went until 1941, which is the date the first house was constructed until the start of World War II. The study included buildings constructed within this timeframe that have retained their architectural integrity, she said. She explained that architectural integrity was determined by the retained appearance of the property from the time of original construction to the present appearance and the information was used to designate whether the property was either non-contributing or contributing. She also said the committee had used the guidelines from The National Register of Historic Places (NRHP) or The Secretary of Interiors standards to evaluate historic properties.*

*McCauley stated that the members of the committee had been to the location of the houses for a firsthand account of their architectural condition and had viewed photographs of each home as a group to determine whether each individual home was non-contributing or contributing. Anytime there is a neighborhood that had not been designated as an historic district there is a continuum of changes that may cause the buildings to be less contributing, such as replacement windows or vinyl siding, which was the general issue the committee had with these buildings, he said. Each building was evaluated considering whether the contributing nature outweighed the non-contributing changes made, he said. He noted that, in general, the buildings maintained their form, and this information was used by the committee to form a consensus on the building's designation.*

*Carlberg asked if the only criteria to be determined historic was the building's age and whether it retained its original form.*

*Kidorf replied no. She clarified that age and original form were considered when determining whether the buildings were considered contributing or non-contributing within a historic district.*

*McCauley said if the district had a large number of non-contributing structures it would influence the historic district designation. The committee did not believe there was a relevant number of non-contributing structures within the district, he said.*

Westphal asked, if the buildings had reconstruction performed to the front or sides, was it determined to be contributing in regards to the study.

Kidorf said when evaluating the historic value it is important to look at the whole picture. She said consideration is given to the Sanborn maps to ensure that the massing was compatible and matched the historic footprint. Unfortunately, she said, there were not many historic photographs available. Any photographs that were available were compared to the existing structures, she noted.

McCauley stated that some of the changes made to the structures were completed between 1838-1941 and remained within period of significance.

Westphal asked if the same standards were used in the other historic district studies within the City and, if so, were any of these districts determined to be 100 percent contributing.

McCauley said the procedures the committee has been following were adapted recently. He believed that some of the communities that were deemed historic did not receive a study before the designation was assigned.

Kidorf stated that preservation standards had evolved over the years and all of the districts since they had been evaluated against the NRPH criteria for contributing and non-contributing. She said there were only a few other districts that had 100 percent contributing structures. She commented that the Fourth and Fifth Avenue district was relatively small compared to other districts. She added that it was fairly unusual for a district to receive a 100 contributing designation and this district only had one garage that was considered non-conforming. She explained that many of the other districts had newer infilled structures within them, and when the committee researched the area to the south of this location, they found non-contributing structures.

Westphal asked staff to define the changes that had disqualified a structure from the contributing designation in previous historic studies.

Kidorf replied that in other studies there were houses transferred into the district after the period of significance and a house that had an entire second story added that changed the structure to non-contributing.

McCauley commented that some of the structures south of the district's boundary had been reviewed and it was his opinion that many of the houses had undergone significant changes and should not be considered contributing. He believed the fact that the Fourth and Fifth Avenue District contained nearly 100 percent contributing structures was a testament to how intact this neighborhood is and why the committee recommended it should become an historic district. He added that even downtown it was rare to find an area that had not received infill outside the period of significance.

Kidorf stated that of the 37 buildings, six of them had been protected as part of the former Individual Historic Properties district, which contributed to their preservation.

Giannola clarified that there was a difference between determining the significance of a district and contributing and non-contributing designations. She said there could be a non-contributing house in an historic district. The greater issue was the non-contributing versus contributing factor because it would affect the district and other projects that would come before the Historic District Commission (HDC), she said. She believed the existing standard was more strict and conservative than the guidelines listed in the National Register. She stated that the Planning Commission role was to consider how these standards affected the City's Master Plan. She believed it was more appropriate for the

HDC to discuss the significance of an individual house in the district. She stated that, in her opinion, the structures in the district did not have very much historic fabric remaining, but the report showed 100 percent contributing. She wondered if the report was the recommendation of the consultant, or if the commission overruled the consultant and this was the reason for her list of questions that many people are aware of. She showed a copy of a map and asked if it was the "working map" of the committee.

McCauley stated that this was the map the committee originally used.

Giannola commented that the original map showed that 40 percent of the properties were considered questionable, and the recent report showed zero percent.

McCauley said in the beginning the committee was told to be very critical, and the committee evaluated the original map provided by Ms. Kidorf. As the committee took a closer look at the map, they found that some of the structures had replacement windows listed and the windows had not been replaced, he said. He commented that there had been a great amount of research done by the study committee, and he believed the entire process should be included in the report for clarity.

Giannola said her greater concern was the two houses that did not have any visible historic features.

McCauley asked Commissioner Giannola to specify the houses she was speaking of.

Giannola referenced a doctor's office on Packard. She said according to the survey sheets and by eye, if there is modern siding and roofing, the house would not have visible and original historic significance within the guidelines of the National Register. She said much of the historic architecture of the structure had been covered up. She stated that she was aware this was an arbitrary point and the Commission would have to decide whether it was significant in each case. She said the factors of massing or how the entire district would be affected should not be considered when determining contributing versus non-contributing and would only be appropriate when considering the district as a whole.

Kidorf read from Commissioner Giannola's report "to be eligible the property must retain essential physical features, but the features must be visible enough to convey their significance" and "if the historic exterior building materials covered by non-historic materials, such as modern siding, the property can still be eligible if the significant form, features and detailing are not obscured. She explained that some of the houses were not fancy and did not have a lot of detail. She added that some of the homes had cornice returns that are still evident under the aluminum or vinyl siding.

Giannola said the houses original historic significance could not be argued if the features are covered by a modern material.

McCauley was unsure of the historic significance of a couple of the houses. He stated that the house at 219 Packard had replacement windows and vinyl siding, but the 1920's reconstructed porch is still intact. He added that the gable details are still intact.

Giannola said the survey sheets need to be revised to include those historic details. She commented that the report stated 40 percent of the properties are questionable, but if the buildings have historic details, the survey sheets should reflect that information. She said the Commission had not been given any discussion minutes from the committee meetings so the Commission really had no idea how the information should be interpreted. She believed the Commission should be aware of what the community would like to be determined as contributing. She believed the issue of contributing and non-contributing should be discussed at an HDC meeting.



Carlberg commented that the houses at 215 Packard Street and 220 Packard had extensive changes made to them and did not have any historic value.

McCauley said, according to the Sanborn maps, most of the changes to the properties were within the period of significance and should be considered historic changes.

Carlberg commented that when the timeframe is a 100-year interval, the significance of a 1940's addition is very different from that of the original structures. She said most of the houses were built in the 1800's and early 1900's and for that reason alone they have great value, but an added porch that in no way reflects the historic nature of its surrounding did not contribute to the historic value.

McCauley said additions were made during the period of significance and there are a number of 1920 houses in the neighborhood. He stated that there was an increase in student housing during World War I so the changes were part of the story, and he believed that was part of the reason the house was included.

Carlberg said she had trouble with the interval of 100 years being the period of significance. She commented that in the community, each decade was a very different period historically.

McCauley believed the changes were part of the story of the neighborhood, and this is part of criteria A" of the National Register. He said the date was chosen because a structure over 50 years old could be considered historic and World War I was a change in the overall demographic of the neighborhood.

Kidorf said it was common to have districts that have a period of significance of over 100 years. She added that the Old West Side had a similar period of significance and oftentimes the period of significance continues to the 50 year mark from the time the nomination or survey was prepared.

Carlberg said if the period of significance is over 100 years, then the Central City should by definition be considered a historic district.

McCauley said the properties would have to meet all the other criteria too.

Carlberg said the only criteria discussed so far was the property had to be old and still retain its original form.

McCauley said there were other reasons that the committee felt the district should be designated a historic district, including the architecture and the significant people who lived in the neighborhood.

Kidorf said the first step was to determine whether the properties within the district were contributing or non-contributing. The district was then evaluated for its significance, as a whole, and the committee compared the properties to the larger criteria, she said. She stated that downtown as a whole may or may not meet the larger criteria. She explained that to be eligible for the National Register, the structure has to meet one of four larger criteria: 1. Association with significant events; 2. Association with significant person(s); 3. Association with its architecture, work of a master or indicative of architectural type; or 4. Potential field information, which is usually used for archeology. She said there is a difference when looking at a district versus individual properties, as far as the level of architectural integrity that has to been retained. She said the entire district was required to meet a level of architectural integrity, as well as meet one of the four criteria.

McCauley said the criterion was easier to apply to some of the properties than others, which was the reason there was a Historic District Study Committee appointed.

Derezinski commented that the change from 40 percent questionable to no questionable properties raised his curiosity. He asked Mr. McCauley if he personally reviewed the properties.

McCauley said the properties were split among the committee members because individual review of each property was a massive undertaking. He said the Study Committee studied the properties as a group, using both a walking tour and slide shows.

Derezinski asked if each of the homes were debated individually by the committee.

McCauley replied yes. He said the committee discussed each house, looked at each slide and made a decision as a group.

Derezinski asked if the historic details of the home that had been covered by modern materials were included in the discussion.

McCauley said the criteria has a subjective threshold in regards to contributing versus non-contributing. He added that the Study Committee used a standard that they believed each property should meet and everyone is entitled to their opinion. He stated that he based his decision on whether more was retained than replaced.

Derezinski asked if the discussions were recorded.

McCauley said the discussions were held as public meetings, but were not recorded.

Derezinski asked if votes were taken on each home, as to whether the properties were contributing or non-contributing.

McCauley said the process was not formal in that way. He commented that most of the properties received limited discussion because there was an obvious amount of historical fabric retained. The homes with replacement windows, additions or vinyl siding that did not clearly meet the criteria received extensive discussion, he said.

Kidorf stated that the map the Commission had was only used as a tool to help the Study Committee.

McCauley said, upon further review of the properties, some of the colored squares on the map signifying non-contributing structures were determined to be inaccurate. He said the number of non-contributing structures was lowered significantly, based on the correction that was made to the original map after the Study Committee completed the walking tour and slide show.

Woods asked how the boundary lines for the historic district study were determined.

McCauley said the boundary lines were extended to include both sides of Packard. The Study Committee believed the extension strengthened the story of the neighborhood, he said. He explained that there were a couple of significant houses in the area; one was individually designated in an historic district before the designation was dismissed by the Courts. He said the history of the neighborhood and the significant individuals that live in the neighborhood strengthened the case for extending the boundary along Packard. In his opinion, he said, he did not believe the properties south of Packard should be included in the historic district. He believed it overstepped the scope of the committee's role because there was diminished architecture particularly at Fourth Avenue, which is the reason he voted against further extension of the district.

Woods asked the Committee to expound on the criteria for determining the boundaries of an historic district.

Kidorf said the NRHP criteria suggest evaluating original plats, age of properties, natural boundaries or a man-made boundary, such as a railroad track. In this case, she said, part of the justification was the natural boundary of the steep slope of the hill, after you cross Packard. She said that the story of the houses changes, as the families living south of Packard were more related to the industries and the floodplain. The proposed district was more related to the elected officials and the area to the south was not developed as densely, she said.

Woods commented said she would be concerned if the criterion was based on the families who once owned the properties. She added that if historic designation was based on telling the story, then everyone's story should be told.

McCauley explained that the Old West Side Historic District is a district primarily made up of the working class houses that told that district's story. He said the Study Committee discussions were very contentious because some believed that other houses belonged in the district. He stated that the decision of a starting point and end point was difficult, but there had to be boundaries.

Kidorf commented that the Study Committee was not implying the area outside of the district was a non-historic district, but that it could be designated a historic district in a separate study. She believed the area outside the boundaries was worthy of a historic study, but this Study Committee had very limited time, so their obligation was the charge and boundaries set by City Council.

Briggs asked the Study Committee to elaborate regarding the history and the larger significant story that would be told by the proposed historic district.

McCauley commented that part of the proposed district was part of the original plat, and the Study Committee's report stated the different stages of the neighborhood, such as the Germans' arrival in the 1830's and the University's influence, and the general story overlapped with the story of the City as a whole. Another part of the story is the significant architecture, which was one of the reasons the historic district was proposed, he said. He believed there was a concentrated area within the proposed district with houses that had amazing architecture, such as the Queen Anne houses on Fourth and Fifth Avenue. The Gaskell-Beakes house was home to two Mayors and a significant Greek revival structure, he said. He added that a total of three Mayors had lived in the district, along with a Herbert Slauson, the Superintendent of the Public Schools.

Kidorf stated that the summary paragraph on page 6 of the Committee's report explained the historic story of the district.

McCauley referred the Commission members to the survey sheet for additional information regarding the study. He commented that there was extensive information available in the report.

Carlberg asked how a historic designation would affect current property owners. She asked if the egress that is necessary for some of the apartment houses in the district would be allowed in an historic district.

McCauley replied yes. He said as a member of the Historic District Commission, and he would be a participant in the discussions for proposed changes within an historic district. He stated that the HDC normally would not allow new openings in a historic district, but the restaurant Jimmy John's located in the Old Fourth Ward historic district was approved with a new egress window. He finished by stating that egresses had been approved in some cases so that structures remain within code.

Carlberg asked if property owners were allowed to remove asbestos siding.

McCauley said removal of asbestos siding was not within the HDC purview.

Kidorf explained that property owners could only take advantage of the state historic tax credit if the building was a contributing building within the district.

McCauley said as part of an historic district, non-contributing buildings would be reviewed by the HDC, but the standards would be less stringent.

Carlberg asked for the restriction the property owners would have when making changes to their non-conforming structures within a historic district.

Kidorf stated that each structure would have to meet all of the laws.

Carlberg explained that it was difficult to make changes to a structure on a non-conforming lot.

Kidorf stated any changes would have to receive approval from both the HDC and Planning Commission.

McCauley said any proposals approved by the HDC would have to meet all other zoning requirements and building code requirements. He stated that the HDC would evaluate each building according to the Secretary of Interior standards.

Carlberg asked the Study Committee to describe the procedures a property owner would have to follow when proposing to make changes to a house within a historic district. She asked specifically what conditions would the homeowner be required to meet if they wanted to add an addition to their home, for example, a growing family or rental space for additional income.

Kidorf stated that the HDC has design guidelines that allowed additions no larger than 50 percent of the historic building. The guidelines are in place to educate the public regarding the Secretary of Interior requirements, she said. She explained that the addition would need to be compatible in size, scale, massing, architectural features, and allow the historic building to remain distinct. She said the addition would also need to be removable and not confuse the historic record.

Rampson asked the Committee to speak about the vegetation that was in the Committee's report.

McCauley said any vegetation that had the landmark status would be included in the historic district designation.

Rampson asked if the City's definition would be used to determine the landmark status.

Kidorf replied yes. She said the HDC would review the vegetation standards the same as architectural standards. She stated that any changes would need approval from the HDC.

Woods asked the Study Committee what could be approved to be built to replace any structures within the historic district if fire had devastated a property.

McCauley said, in general, the infill construction would have to be compatible with the size and scale of the district.

Kidorf said the HDC would not want a replacement structure to be a replica of the historic house because it would confuse the historic record.

Derezinski asked if the Study Committee was against expansion south of the proposed historic district.

McCauley said he voted that south of the proposed historic district not be included in the study. He said there was an extensive discussion regarding the boundaries and then the committee voted.

Derezinski asked if the vote was recorded or if there were minutes from the meetings.

Kidorf said the motions and the number of votes were recorded. She stated that there were limited committee notes taken at each meeting.

Derezinski asked if the committee notes were available to the Commission.

Giannola replied yes.

Derezinski asked for an explanation of the type of additions that could be built behind a contributing historic building.

Giannola explained that an egress window would not be guaranteed. She said the HDC did not have any requirements for the interior, but could deny an egress window.

Carlberg said there is a difference between an egress window and an egress stairway. An egress stairway would make a big difference to the appearance of the house, she said.

Kidorf said the egress stairways are no longer allowed under the building code. The stairs would have to be in an enclosed addition, fire escapes or exposed fire stairs, she said.

Carlberg asked if the building code for stairs only included historic districts.

Kidorf said the code included any structures.

Bona said the Commission would need clarification regarding the fire stairs building code. She said rental inspection on houses did not fall under the building code, but used the housing code that allowed fire stairs.

Giannola explained that there was no guarantee that the HDC would allow a fire devastated house to be demolished, but may require the house to be renovated.

Westphal asked the Study Committee to explain the criteria used to make changes to houses within an historic district.

McCauley said any changes would be evaluated by the HDC on a case by case basis.

Westphal asked if the recently proposed Heritage Row project would fulfill the Secretary of Interior standards.

McCauley said he had not seen the final drawing of the Heritage Row project and would not be able to speak about it.

Westphal commented that the background building would be more than 50 percent of the total square footage of the existing homes.

McCauley said the 50 percent rule was not a hard number, but is a guideline used by the committee.

Kidorf stated that she had not seen the drawing either, but added that if the background building was not a single addition to a single house the building would be considered an infill structure. Infill structures are handled differently, she said.

Briggs asked if it was possible for the Study Committee to revisit the 40 percent of the properties that went from non-contributing to contributing with a detailed explanation forwarded to the Planning Commission. She asked for the criteria used for the properties to be elaborated upon.

McCauley said this discussion would be used as a preliminary review, and the information would be discussed at future Study Committee meetings. He agreed that the criteria used for non-contributing versus contributing should be justified for each property. He added that the survey sheets are a standard form necessary for the State of Michigan. He was unsure what form the information would be in within the report.

Bona suggested that the Planning Commission minutes be forwarded to the Historic District Study Committee.

Westphal summarized the questions the Planning Commission had for the committee: 1.) How was the contributing versus non-contributing designation determined? 2.) What would be the impact on the Master Plan goals and to what degree could the establishment of an historic district conflict the community's stated Master Plan goals? 3.) What concerns have developed in other historic districts and have any changes been made to prevent problems in a future potential district? 4.) How might the R4C study completion conflict with the establishment of a historic district? 5.) What other preservation tools have other communities used in historic areas, with an explanation of their results.

Pratt explained that the questions stated by Commissioner Westphal were from a previous Planning Commission working session. He said the study was discussed at a working session because the topic is an important community issue. He stated that he did not want to lose the housing stock in the district, which was one of the reasons for the R4C study. He asked for any information that would ensure that the housing stock would remain and that the Central Area Plan goals moved forward.

*Carlberg asked for more information explaining the effect of a conservation district with regards to preserving houses.*

*Bona believed that a conservation district could be made to include any components that the Planning Commission decided in an ordinance.*

*Rampson stated that staff would provide some research regarding a conservation district.*

*Mahler stated that he was disturbed by the information reported by staff that 37 lots were non-conforming and 9 were conforming. He said it was already very burdensome for the property owners to make changes, and an historic district designation would add an even heavier burden. He believed that other districts had a number of non-conforming lots and this proposal highlights the problem. He added that he would have a hard time supporting an historic district if there were a number of non-conforming lots within the district.*

*Derezinski commented that there was a conflict with the proposed historic study and the R4C/R2A study that is underway. He agreed that a resolution was needed to clarify how the two studies were in conflict and whether the studies can become compatible. He asked for the processes and background with regards to the expansion resolution passed by the City Council that had doubled in size from what was approved.*

*Briggs commented that this community had been advocating for this proposed historic district to be designated as such, and she believed the homeowners were aware of much of the limitation that would be required if the district is designated historic. She believed that the non-conforming lots should be addressed.*

*Bona agreed that the proposal should be in line with the goals of the Master Plan. She was in support of enhancing older neighborhoods and was a strong advocate for the R4C/R2A study, but agreed that the historic district is a very serious issue. She believed that the challenges of the Historic District Commission would help to justify the designation, if approved. She believed that a conservation district would be an opportunity for the district to continue its story while preserving the existing buildings. She believed a conservation district was very compelling and would help the City to meet the Master Plan goals of the City. She wished the Committee success in dealing with the complex issues they will face.*

## 11 ADJOURNMENT

*Bona declared the meeting adjourned at 9:06 p.m.*

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**Wendy L. Rampson, Planning Manager**  
**Planning and Development Services**

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**Kirk Westphal, Secretary**

**Prepared by Carol King**  
**Management Assistant**  
**Planning and Development Services**