



**City of Ann Arbor**  
**Formal Minutes**  
**Historic District Commission**

301 E. Huron Street  
Ann Arbor, MI 48104  
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Thursday, September 20, 2018

7:00 PM

Larcom City Hall, 301 E Huron St, Second  
floor, City Council Chambers

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**Special Meeting - Rescheduled from 9/13/2018**

**A      CALL TO ORDER**

*Chair John Beeson called the meeting to order at 7:02 p.m.*

**B      ROLL CALL**

*Historic District Coordinator and City Planner Jill Thacher called the roll.*

**Present:** 6 - Robert White, John Beeson, Evan Hall, David Rochlen,  
Anna Epperson, and Jessica Quijano

**Absent:** 1 - Max Cope

**C      APPROVAL OF AGENDA**

**The Agenda was Approved as presented, without objection.**

**D      AUDIENCE PARTICIPATION - (3 Minutes per Speaker)**

*Ethel Potts, 1014 Elder Blvd., Ann Arbor, requested the Commission to  
turn their microphones on, so everyone could hear them.*

**E      UNFINISHED BUSINESS**

*None*

**F      HEARINGS**

**F-1      18-1572      HDC18-150; 512 W William - New Garage - OWSHD**

*Historic District Coordinator and City Planner Jill Thacher presented the  
staff report. [See attached in agenda packet]*

**REVIEW COMMITTEE REPORT AND RECOMMENDATIONS:**

*Commissioners Epperson and Beeson visited the site as part of their review. They reported their findings and recommendations to the Commission.*

*PUBLIC HEARING:*

*Brian Powers, Kingdom Construction & Remodel, 498 Farmer Street, Plymouth, Applicant was present to explain the application and respond to enquiries from the Commission.*

*Erin Cech, 512 E. William, Ann Arbor, owner, was also present to answer questions.*

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

**Moved by Hall, seconded by White, that the Commission issue a certificate of appropriateness for the application at 512 W William Street, a contributing property in the Old West Side Historic District, to construct a single-story garage, on the condition that the face of the garage is 20 feet or more from the back of the house. The work is compatible in exterior design, arrangement, materials, and relationship to the house and the surrounding area and meets The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 2, 9, and 10 and the guidelines for building site, as well as the Ann Arbor Historic District Design Guidelines, particularly as they pertain to residential accessory structures.**

*COMMISSION DISCUSSION:*

*The Commission took into consideration the presented application and discussed the matter. [For a complete record of the discussion, please see available video format]*

**On a voice vote, the vote was as follows with the Chair declaring the amended motion carried. Vote: 6-0**

**Certificate of Appropriateness was Granted.**

**F-2      [18-1573](#)      HDC18-199; 321 Eighth - Two Story Addition - OWSHD**

*Historic District Coordinator and City Planner Jill Thacher presented the staff report. [See attached in agenda packet]*

*REVIEW COMMITTEE REPORT AND RECOMMENDATIONS:*

*Commissioners Epperson and Beeson visited the site as part of their review. They reported their findings and recommendations to the Commission.*

*PUBLIC HEARING:*

*Nick Durrie, 1240 Jewett, Unit 2B, Ann Arbor, Applicant was present to explain the application and respond to enquiries from the Commission.*

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

**Moved by Rochlen, seconded by White, that the Commission issue a certificate of appropriateness for the application at 321 Eighth Street, a contributing property in the Old West Side Historic District, to construct a two-story rear addition on the following conditions: a staff approval is applied for and received for addition doors, that meet the Ann Arbor Historic District Design Guidelines. The work as conditioned is compatible in exterior design, arrangement, materials, and relationship to the house and the surrounding area and meets the City of Ann Arbor Historic District Design Guidelines for All Additions, and The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 2, 9 and 10 and the guidelines for New Additions, District or Neighborhood Setting, Building Site, and Windows.**

*COMMISSION DISCUSSION:*

*The Commission took into consideration the presented application and discussed the matter. [For a complete record of the discussion, please see available video format]*

**Moved by White, seconded by Quijano, that the Commission postpone the application until the October HDC meeting.**

**On a voice vote, the Chair declared the motion passed unanimously. Vote: 6-0 Application Postponed.**

**F-3**      **[18-1574](#)**      HDC18-201; 415 W Washington - Demolish Building - OWSHD

*Historic District Coordinator and City Planner Jill Thacher presented the*

*staff report. [See attached in agenda packet]*

**REVIEW COMMITTEE REPORT AND RECOMMENDATIONS:**

*Commissioners Epperson and Beeson visited the site as part of their review. They reported their findings and recommendations to the Commission.*

*Beeson reported that after many years the buildings have really begun to fall apart badly. He said during their visit they looked at the building's historic context; what it had been used for, how long it has been there, nearby uses, zoning, its character and scale with the rest of the neighborhood. He said it's a 2 to 2 ½ story building with residential houses right next door, and the 2 to 3-story new YMCA building facing it across the street complimenting it quite well as it goes away from the district, [towards the downtown].*

*Beeson further reported some interesting details he saw on the main building: the block "W" stamping on every corner, the cast-in-place metal showing when the structure was built, some of the clay tiling used for some of the parapet walls, the steel windows and other items that certainly merit some historic notion. He explained that the other sub buildings have less of a historic nature to them, particular the shed to the far south on the site. He said the way the brick had been added for the parapet walls was interesting, but nothing else that really stood out on the sub buildings on site.*

*Epperson agreed with the scale, adding it takes up a lot of the street frontage; however, the height and scale do fit nicely into the surrounding neighborhood. She said the street is heavily walked due to its close proximity to the "Y", as well as the downtown, and the building is very visible.*

**PUBLIC HEARING:**

*Craig Hupy, Administrator for City of Ann Arbor Public Services Department, was present to explain the application and respond to enquiries from the Commission. He explained the analysis report found the steel windows in the main building do not meet current building code, so they would not be able to be re-used unless the building is rehabilitated. He said the original direction was to remove the property from the historic district, but instead they came requesting to demolish the buildings so the site could stay in the historic district, so for future*

*reuse the HDC could have their say into what went back onto that site. Aside from that he said, the site suffers from 4.8 to 8.7 feet of floodwater which makes any reuse of the first floors economically prohibited, leaving any reuse only to the second floors.*

*Hupy stated at this time they have no plans to remove the chimney, and have not yet performed a structural analysis of it to see if it can stay or not. He said if it were to be removed they would be ethically sensitive to the community, the bird using it, and finding suitable relocation for the birds.*

*Nancy Shiffler, 2877 Sorrento Avenue, Chair of the local Sierra Club, said they sent a letter showing their support for the Audubon Society's approach to this matter of the chimney. She said the chimney is brick and mortar and seems to be separate from the rest of the building, so it might structurally be able to be saved. She said the chimney represents an evolution of the City; where the habitat for the [Chimney]'Swifts' originated might have been large trees hollowed out, as those were cut down they found alternative roosting sites in these chimneys, and in that sense represents a transition, historically, from a somewhat natural eco-system to a more urban eco-system. She said if this site remains a part of the proposed Treeline trail, there might be opportunities for some public education on the topic.*

*Jill Thacher noted that 21 emails had been received by the HDC; approximately 20 of them about 'Chimney Swifts' and 1 from the Old West Side Neighborhood Association. She said no communication had been received in favor of, or against, the removal of the buildings.*

*Ethel Potts, 1014 Elder Blvd, Ann Arbor, said the location of this site is very close to the downtown, and for the site not to have been used has been annoying to many of us. She said she questions if the architecture of the building itself is worth saving; while it has an industrial connection to the past of Ann Arbor, its architecture is not outstanding for this period or any other period, it's merely an old building, falling apart, and is in really bad shape, which the reports tell us, along with the site being in the floodplain. She said it would be far too expensive to try to fix and then you're still stuck with the floodplain issue of not being able to use the first floor because it's apt to flood. She said the chimney issue has come up because the 'Chimney Swifts' like our chimney, and it might turn out to be a symbol of our industrial past, in the Old West Side; all that remains is an old chimney! She said she didn't see anything in the report that mentioned the condition of the chimney, but she guessed it would be less*

*expensive to rehabilitate the chimney than the buildings. She said she feels it might be worth saving as a symbol of the old industrial part of Ann Arbor.*

*Rita Mitchell, 621 Fifth Street, Ann Arbor, said she was happy to hear the comments of Mr. Hupy about the chimney, but she was sad that the situation had come to a demolition by neglect of a City building. She agreed with Ms. Potts on the potential of the structure being a landmark, along with the Treeline moving forward, she said it could become an educational topic of Ann Arbor's industrial past or the 'Chimney Swifts', and sharing an eco-system we live with. She asked for a decision to be made that protects the chimney itself, even if they find the buildings should be demolished, noting that the 'Chimney Swifts' do not adapt to any artificial type roosting.*

*Ali Ramlawi, 428 S. Seventh Street, Ann Arbor, said he lives in the Old West Side Historic District and he is the democratic nominee to represent this ward after November. He said he was present to air the concerns of many citizens that have emailed him, since the news of a potential demolition of 415 W. Washington. He said the site is definitely an eyesore to many in the community while others are upset with the City for letting it get into this disrepair. Ramlawi said it's a contaminated site, part of an urban trail, mostly a floodplain, and a floodway, has a lot of difficulty in ways of development in the future all of what will be dealt with at a later point. He said he agrees with the way of letting the chimney live on in perpetuity, as simply stated by Ms Potts, as a way of who we were and who we are today; a community that has values, and looks to protect the environment, as much as we can. He said he doesn't think it would cost much to do that, but would have an impact on our community, because it reflects our values in the City of Ann Arbor. He urged the HDC to make a decision quickly, adding this matter has been going on far too long, and people in our community would like to see something happen with this sooner than later. He said it is great that the City has moved towards leaving this site in the historic district and he would like to see something that provides a public benefit. He thanked the HDC for the opportunity to bring comments and concerns on the matter.*

*Laura Ramirez, CFA of the YMCA, 400 W. Washington Street, Ann Arbor, said she wanted to bring the safety issues of the building, in that the benefits of removing the building far outweigh the benefits of keeping it; she said they are definitely in support of removing the buildings. She said the "Y" is very much in support of the green-space mentioned by others. Ramirez said college students come to use their facilities*

*because of the water preservation they have done in creating the wetlands near their site; students use their site as a learning site to learn about the correct way to manage water. She expressed appreciation that the site would remain in the historic district, and felt there should be a way of maintaining the chimney for the 'Chimney Swifts', and for the many people that come to watch the thousands of birds come and go from inside the chimney. She said she hoped that demolition could happen quickly due to debris falling off the building and onto the pedestrian path that is heavily used, making this a safety concern for the community as well. She thanked the HDC for their time.*

*Linda Berauer, 421 Third Street, Ann Arbor, said she supported everything said by the previous public speakers, and asked that if the HDC grant the Notice to Proceed, that they explicitly mention that the demolition is not to include the chimney.*

*Tom Stulberg, 1202 Traver Street, Ann Arbor, said as a former HDC member he had the opportunity to tour this site multiple times. He said he agreed with most of what everyone had said, with a twist; for a short postponement, to allow the Commission to look at possible language changes, as well as the applicant's request from an all or nothing, to saving one or more structures, which could include the chimney. He said he was all in favor of saving the chimney if it was feasible, as well as possibly the railway bumper, which would be fitting if the site became a park or as part of the Treeline Greenway. He said he was in favor of keeping this site in the Old West Side Historic District versus taking it out, and he felt the Applicant had done the right thing by bringing the matter before the HDC. He said whatever is done with this site, given its location in the floodplain, we should really think about stormwater management, which is a future discussion.*

**REBUTTAL BY APPLICANT:**

*Craig Hupy said he echoed the comments about stormwater concerns, noting they would very much be in the forefront of redevelopment. He clarified that potential removal of the site from the historic district was by City Council Resolution, and upon discussion with City staff they chose the current direction, because they feel that's appropriate. Hupy said as for the structural stability of the chimney, they have not looked at that and he did not think they could come back with a report in time to make it onto the October 11th HDC meeting, but said if the HDC requested a report, they would move ahead to get one.*

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

**MOTION I:**

**Move by White, seconded by Hall, that the Commission issue a Notice to Proceed, that does not include the chimney near Washington Street, for the application at 415 W. Washington Street to demolish all structures, except the chimney, as proposed. The Commission finds that the retention of the resource is not in the interest of the majority of the community and that the proposed demolition is necessary to substantially improve or correct the condition.**

*COMMISSION DISCUSSION:*

*The Commission took into consideration the presented application and discussed the matter. [For a complete record of the discussion, please see available video format]*

*Commissioner Rochlen asked staff to summarize the emails received.*

*Thacher reiterated that 21 emails had been received, of which 20 were requests to keep the chimney because of the 'Chimney Swifts', and 1 email being neutral, that came from the President of the Old West Side, Ms. Brummer.*

*Beeson explained that the Commission needs to look at the historic character of the entire resource (all structures) aside from the chimney being a habitat for the 'Chimney Swifts', and determine whether the stated benefit of removing the buildings outweigh the benefits of retaining the building and the historic character of the site in relation to the Old West Side (OWS) Historic District. Beeson said the comments kept coming up, as he had stated earlier; this is an old commercial building, it's got some unique character features to it, but by-in-large, it doesn't define the historic character of the OWS and it certainly isn't a defining feature in the district itself.*

*Commissioner Hall said he agrees with everything that Beeson just said.*

*Rochlen said he felt the main feature was the street presence; when you squint, it defines the structural bays, but there are not any additional layers of interest to that. Rochlen said he felt the site could not had potential, but given the current condition of the site, as for character defining features it is not differentiating itself as a character-defining*



*feature in the neighborhood.*

*Beeson said unfortunately, 'Chimney Swift' issue aside, we have to look at the entire resource, while the chimney is part of this resource. He said a resource as a habitat is completely different than a resource of historic nature and the Commission has to evaluate it based on its historic character. Beeson said this chimney isn't unique, with handcrafted bricks, or designed in a really unique way, so looking at the historic resource, as a whole, he said he wasn't sure the motion as read, would allow them to proceed, since it was excluding a single item, the chimney.*

*Thacher explained if the Commission would exclude the chimney in their motion, as currently proposed) they would have to state why just the chimney's historic character is different from the rest of the site.*

*Commissioner White said the City has stated they have not done a structural analysis of the chimney, so the only item to vote on is what's on the table at this time. White said if they do want to do something with the chimney, they come back and ask us.*

*Beeson said that would be assuming the chimney does have historic value. Beeson said we don't have a report on the structural analysis of the chimney, but we do have a historic report.*

*Hupy said the Notice to Proceed is only the first step in the process, they would need to come before City Council to get a contract approved for the demolition, explaining what they are doing, getting funding for it, and so forth. He said giving approval for the buildings to come down doesn't mean you are saying the chimney is or isn't historic, and he felt that could come at the time when it goes before City Council when a demolition contract would be going forward.*

*Thacher noted information in the Rueter Report (2013) regarding the chimney: when the high bay garage was built behind the earlier one-story garage, the chimney was added as a flue for the new boiler room, as Phase II of the garage. She said the chimney appears in a photo from the late 1920s, and is from the same time period as the other buildings and structures.*

*Rochlen said it was a replacement from an older brick and metal flue that was part of the old brick coopers shed, that is no longer there. Apparently, it was the last thing demolished before they could replace the old boiler.*

*Commissioner Quijano said the character that truly defines the neighborhood is the residential; while this eastern edge of the district is industrial, and while the majority of the neighborhood is not of that character, it is part of the neighborhood. She said whether it's a more pristine building with more ornamentation or an industrial building that was the function of that part of the neighborhood and our history, it should be considered as a benefit or a contributing resource in this neighborhood. Quijano said she did not think it should be disregarded given its service use.*

*Beeson added that to the north was the commercial area, until the fire, and even further north used to be industrial but is now more commercial (even beyond the district boundary).*

**MOTION II:**

**Moved by Beeson, seconded by White, to move into Closed Session to discuss Attorney-Client privileged information, at 8:58 p.m.**

**VOTE ON MOTION II:**

**On a rollcall vote, the Chair declared the motion carried. Vote: 6-0**

**Yeas:** 6 - White, Vice Chair Beeson, Hall, Rochlen, Epperson, and Quijano

**Nays:** 0

**Absent:** 1 - Cope

**The HDC voted unanimously to reconvene to open session at 9:13 p.m.**

**COMMISSION DISCUSSION:**

*The Commission discussed amending the motion to remove any mention of the chimney, and to let the public and City Council address the issues.*

*Beeson said he didn't believe the Commission had grounds to pull the chimney out from the motion and separate it from the rest; there is no instance in the report that says this chimney is a highly valued, one of a kind, or rare in its historic nature.*

**VOTE ON MOTION I:**

**On a rollcall vote, the Chair declared the motion failed. Vote: 1-5**

**Yeas:** 1 - White

**Nays:** 5 - Vice Chair Beeson, Hall, Rochlen, Epperson, and Quijano

**Absent:** 1 - Cope

**MOTION III**

**Moved by White, seconded by Epperson, that the Commission issue a Notice to Proceed for the application at 415 W. Washington Street, to demolish all structures, as proposed. The Commission finds that the retention of the resource is not in the interest of the majority of the community and that the proposed demolition is necessary to substantially improve or correct the condition.**

**VOTE ON MOTION III:**

**On a voice vote, the Chair declared the motion carried. Vote: 6-0**

**Notice to Proceed Granted.**

**Yeas:** 6 - White, Vice Chair Beeson, Hall, Rochlen, Epperson, and Quijano

**Nays:** 0

**Absent:** 1 - Cope

**G      NEW BUSINESS**

**G-1      18-1646      Proposed Ordinance Amendment**

*Jill Thacher reviewed the proposed ordinance amendment with the Commission.*

*An issue has been identified with a section of the current Chapter 103 Historic Preservation ordinance. Currently, all certificates of appropriateness (“authorizations”) expire after 3 years, with no mechanism to extend them. There are occasional projects that take longer than 3 years to get approved and constructed, especially site plan projects. Without a return trip to the HDC for an additional approval for the same work, these projects are out of compliance with Chapter 103.*

*Staff has worked with the City Attorney's office and proposes revisions that would change the three year approval to six years if:*

- A permit is issued for work on the project within three years of the date the HDC approves the application. This would be an automatic extension.*
- A new application is received before the original approval expires. If there is no "change in the facts", meaning neither project nor city (ordinance, design guidelines, etc.) changes, an administrative approval may be issued.*

*This amendment will preclude the necessity for projects such as the Montgomery Building to reapply to the HDC for the same work that has already been approved once. Changes to the project would still require a new HDC application for either HDC or staff approval.*

**Moved by Rochlen, seconded by Beeson, that the proposed amendments to Section 8:413 (Issuance of Permits) to Chapter 103 Historic Preservation of the Code of the City of Ann Arbor are appropriate and the Historic District Commission directs staff to forward them to Ann Arbor City Council for review and approval.**

*COMMISSION DISCUSSION:*

*The Commission took into consideration the presented amendment and discussed the matter. [For a complete record of the discussion, please see available video format]*

**On a voice vote, the Chair declared the motion carried. Vote: 6-0**

## **H APPROVAL OF MINUTES**

**H-1**      [18-1575](#)      Minutes of the August 16, 2018, HDC Meeting

**The Minutes were unanimously Approved by the Commission and forwarded to City Council.**

## **I REPORTS FROM COMMISSIONERS / COMMISSION PROPOSED BUSINESS**

## **J ASSIGNMENTS**

**J-1 Review Committee: Monday, October 8, 2018 at NOON for the October 11, 2018 Regular Meeting**

**Commissioners Rochlen and Beeson volunteered for the October Review Committee.**

**K REPORTS FROM STAFF**

**K-1 [18-1576](#) August 2018 HDC Staff Activities**

**Received and Filed**

**L CONCERNS OF COMMISSIONERS**

**M COMMUNICATIONS**

**M-1 [18-1577](#) Various Communications to the HDC**

**Received and Filed**

**N ADJOURNMENT**

**The meeting was adjourned without objection at 9:34 p.m.**

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, [www.a2gov.org/ctn](http://www.a2gov.org/ctn), on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

The complete record of this meeting is available in video format at [www.a2gov.org/ctn](http://www.a2gov.org/ctn), or is available for a nominal fee by contacting CTN at (734) 794-6150.

John Beeson, Chairperson  
Jill Thacher, HDC Staff Coordinator/Planner  
mg/