



HISTORIC DISTRICT COMMISSION

Quality Services for a Quality Community

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MINUTES

January 9, 2020 – 7:00 p.m.

54-B District Court, Courtroom #2

101 Linden Street

Present: Flores, Gray, Hendricks, Sampson, Sousa, and Wing

Absent: Fox Brown

Staff Present: Fehrenbach, Parcell

1) CALL TO ORDER

Chair Flores called the meeting to order at 7:00 p.m.

A) Roll Call

At the calling of the roll, Commissioner Fox Brown was absent.

B) Approval of Agenda

Motion: Sousa moved to approve the agenda, moving 6) New Business to be discussed with 3) Council Liaison Reports. Motion was seconded by Hendricks.

Vote: All yeas. Motion carried unanimously.

C) Approval of Minutes – December 12, 2019

Motion: Wing moved to approve December 12, 2019 minutes as presented. Motion was seconded by Sousa. **Vote:** All yeas. Motion carried unanimously.

2) COMMUNICATIONS

Written – None

Oral

Alice Dreger, 621 Sunset Lane, spoke regarding Oakwood Boundary Study issue. For full disclosure, she said she is married to Historic District Commissioner Aron Sousa and they have lived in Washburn House, built in 1923, since 1998.

Dreger:

- highlighted quotes from Oakwood Historic District homeowners with reasons to maintain borders
- highlighted economic investment in historic district homes
- said City Council will be discussing this issue on January 14, 2020 and a potential vote could happen on January 21
- commented borders are being considered to take out/unprotect more area than originally contemplated
- commented redevelopment can happen within historic districts
- commented homeowners purchased homes within district expecting historic district protections to last
- provided draft letter to Historic District Commissioners to consider sending to City Council in support of Oakwood Historic District neighborhood boundaries

3) COUNCIL LIAISON REPORTS

Councilmember Mark Meadows commented City Council will be discussing Oakwood Boundary Study at January 14 discussion-only meeting, and said there is no guarantee that action will be taken on January 21. He said this is dependent upon Historic District Commission recommendations on all three versions of Boundary Study ordinance and number of speakers on this matter at City Council meeting.

Meadows also commented regarding email to City Council from John Mikulski regarding proposed fence replacement at 1004 Michigan Avenue. Meadows highlighted HDC decision authority and outlined citizen appeal process,

Sousa asked Meadows regarding Oakwood Historic District Boundary Study ordinances 1446 a, b, and c. Meadows commented all options need to be in ordinance form and City Council has extended time frame to take action.

6) NEW BUSINESS

A) Discussion of the Oakwood Boundary Study

Tom Fehrenbach, Director of Planning, Building, and Development, provided a history of Oakwood Historic District which was established in 1989, and Oakwood Historic District Boundary Study which began in 2013 with recommendations being presented in December 2018. Fehrenbach highlighted:

- Ordinance 1446: includes one recommendation to remove properties from original boundary, and three different recommendations to add various properties
- Ordinance 1446a: recommendation to not add additional properties, and to remove DDA (Downtown Development Authority) properties on Evergreen Avenue, and remove Valley Court Park

- Ordinance 1446b: recommendation to not add additional properties, and to remove DDA properties on Evergreen Avenue, remove additional properties south of Oakhill Avenue, and remove Valley Court Park

Sousa commented he is in agreement with removing DDA properties on Evergreen Avenue due to City debt and previous decision to raze properties. He commented regarding Historic District v. Landmark Status. Sousa said Valley Court Park and Oakhill properties are important to the District and to remove them would reduce the integrity of the District. He said he did not believe the Secretary of Interior or law meant to have that happen.

Wing commented there is a large process to go through to add properties which would change boundaries to an historic district. Wing also commented regarding great amount of time and effort put into historic district boundary studies and said those recommendations should be taken seriously. Wing said she does not live in Oakhill District, but agrees with Sousa that it is not in the best interest of the district to remove Valley Court Park; she said the park needs to be protected as a public place. She also said she agrees with removal of Evergreen properties as a public benefit to be razed and rebuilt. Wing commented piecemeal removal of properties goes against precepts of creating an historic district.

Sousa encouraged Historic District Commissioners to speak at City Council discussion-only meeting January 14.

Flores commented regarding her concerns:

- Valley Court Park is a cultural landscape and development could happen if removed from historic district designation
- Historic/relic substation structure has been moved into Valley Court Park
- Piecemeal removal of properties degrades integrity of historic district and sets a non-favorable precedent; historic districts are a preventative smart planning tool

Flores also commented she is concerned response and comments by State Historic Preservation were not taken into consideration by City Council. She also commented regarding 25% Federal and State tax credits available to income producing properties within an historic district.

Sampson commented 334 Evergreen Avenue is the home of former Michigan Supreme Court Justice William Potter.

Sousa commented regarding drafting a formal communication to City Council at the conclusion of tonight's HDC meeting.

Motion: Sousa moved to table the remainder of this conversation regarding Oakwood Boundary Study to the end of tonight's agenda. Motion was seconded by Hendricks. **Vote:** All yeas. Motion to table discussion carried unanimously.

4) PUBLIC HEARINGS

- A) A public hearing will be held for the purpose of considering a request from Stephanie Cepak, for the property located at 904 Michigan Avenue, to replace the existing concrete front porch and steps with wood materials.**

Parcell said contractor for applicant has left the job and applicant requests postponement of consideration until March.

After discussion, Wing said applicant should withdraw application and resubmit it at a later date. Parcell said he will inform applicant.

- B) A public hearing will be held for the purpose of considering a request from Scott Stewart, for the property located at 540 Charles Street, to replace two windows due to broken counter-balance pulley assemblies.**

Parcell provided supplemental information and photographs of interior and exterior of structure.

Scott Stewart, 6741 S. Clinton Trail, Eaton Rapids, on behalf of property owner John Miller, 114 Kingston Drive, Georgetown, Kentucky 40324, spoke regarding two windows with inoperable counterbalance pulley assemblies as discovered by City inspection. He described proposed replacement windows which maintain appearance of original window.

Sousa asked regarding internal muntins or simulated divided lights. Stewart said proposed replacement windows have internal muntins between dual glass panes.

Gray asked regarding grid pattern proposed to be used. Stewart said grid pattern to be used has same visual appearance of original window, with muntins inside two panes of glass.

Flores asked if property owner Mr. Miller consulted with historic wood window rehabilitation specialist in order to install new pulleys, sash pulls, and roping. Stewart said repair was first option explored. He commented regarding tearing into the wall to get to mechanism. Flores commented regarding accessibility of mechanism. Stewart described location of two windows needing repair.

Wing asked regarding pulleys and what is missing. Stewart commented regarding rope, pulleys, and weights.

Sousa commented regarding temporary storm windows and original historic windows. He commented Secretary of Interior standards are specific if a window can be repaired, it should be repaired. He said if it cannot be repaired, then it should be replaced with like materials. Sousa said vinyl is not a like material and would violate Secretary of Interior standards. He also commented regarding muntins on interior and exterior of window, rather than between panes, and simulated divided lights which HDC approves to replace an unrepairable broken window.

Stewart asked regarding extending time frame if it is determined something different needs to be done.

Flores opened the public hearing.

Seeing no one come forward, Flores closed the public hearing.

Motion: Sousa moved to decline request to replace windows at 540 Charles Street based on Secretary of Interior Standards for Rehabilitation #6. Motion was seconded by Wing.

Parcell said a denial allows for 60 days to resubmit application and gives applicant time to take action on request based on comments from Commission.

Flores said she would like homeowner Mr. Miller to explore research and asked Parcell to send applicant a list of wood window rehabilitation specialists, as a more cost-effective approach and more preservation-friendly option.

Wing commented regarding additional investigation into rehabilitation, and specification of proposed replacement windows.

Flores said specific windows which are being impacted need to be identified.

Gray commented regarding only one front dormer window proposed to be repaired/replaced, as opposed to both or neither.

Parcell said a vote in the affirmative is a vote to deny the application.

Roll call vote: *Yeas* – Gray, Hendricks, Sampson, Sousa, Wing, Flores. *Nays* – 0. Motion to deny application carried by a vote of 6 to 0.

- C) A public hearing will be held for the purpose of considering a request from Brian & Courtney, LLC, for the property at 604 Forest Street, to replace the windows with high quality Andersen windows.**

Parcell highlighted list of windows applicant is requesting to replace.

Brian Hagan, 927 E. Grand River Avenue, applicant, spoke in support of application and answered Commissioner questions regarding:

- Location of windows to be replaced
- Condition of windows
- Cost
- Historical look of home was compromised years ago with addition of vinyl siding
- Material make-up of Andersen windows

Wing asked regarding awning-style windows and number of windows to be replaced.

Matt Hagan, 927 E. Grand River Avenue, on behalf of applicant, highlighted window style, location of replacement windows, and windows which are not being replaced.

Commission discussed/asked questions regarding:

- number/location/type of replacement windows in relation to building code
- series/quality of Andersen windows
- original windows/grid pattern

Flores opened the public hearing.

Seeing no one come forward, Flores closed the public hearing.

Motion: Sousa moved to approve request to replace windows at 604 Forest Street, based on Secretary of Interior Standards #5 and #6, with the requirement that windows have the same form, mass, scale, and shape as those currently in the house, as specified in application. Motion was seconded by Sampson.

Roll call vote: *Yeas* – Gray, Hendricks, Sampson, Sousa, Wing, Flores. *Nays* – 0. Motion carried by a vote of 6 to 0.

- D) A public hearing will be held for the purpose of considering a request from Kevin Hagan, LLC, for the property at 605 Charles Street, to replace siding on the north, east, and south sides with pre-painted white fiber cement siding to match the existing reveal.**

Kevin Hagan, 927 E. Grand River Avenue, applicant, described issue with current wood siding not holding paint, previous attempts to solve the problem, and proposed pre-painted white fiber cement siding.

Hagan answered questions regarding:

- siding installation procedure
- location of siding installation

Flores opened the public hearing.

Seeing no one come forward, Flores closed the public hearing.

Motion: Sousa moved to approve request for 605 Charles Street to replace siding with pre-painted white fiber cement siding, based on Secretary of Interior Standard #6, with the same reveal flat side/smooth side out for the siding material specified in application. Motion was seconded by Hendricks.

Wing commented regarding concern of taking original wood siding off in order to install new cement siding and questioned relation to Secretary of State rehabilitation standards. Sousa commented regarding damage removal and replacement under Standard #6.

Flores said this same material has been approved by HDC previously.

Parcell said only siding, and no other features, can be replaced per application.

Roll call vote: *Yeas* – Gray, Hendricks, Sampson, Sousa, Wing, Flores. *Nays* – 0. Motion carried by a vote of 6 to 0.

- E) A public hearing will be held for the purpose of considering a request from John L. Noud, for the property at 533 Grove Street, to demolish the damaged and deteriorated garage.**

Parcell distributed inspection report for 533 Grove Street.

John Noud, 1636 Willoughby Road, Alaiendon Township, applicant and owner of 533 Grove Street, requested approval to demolish damaged and deteriorated garage and spoke regarding:

- structure built in 1921
- Noud and his wife have owned property as student rental since 1992
- dimension of garage not large enough to house motor vehicles of today
- previous damage to garage and current out-of-level garage frame
- not economically feasible to repair for original purpose
- structure is not architecturally significant

Wing asked if Noud intended to build another garage/structure on the property. Noud said no, and commented regarding location to lot lines and possible violation of setbacks.

Parcell commented regarding location to lot lines and said a larger structure could violate lot coverage percentage.

Flores opened the public hearing.

Seeing no one come forward, Flores closed the public hearing.

Sousa commented regarding damage to garage frame.

Motion: Wing moved to approve request for the property at 533 Grove Street, to demolish garage and remove debris. Motion was seconded by Gray.

Roll call vote: *Yeas* – Gray, Hendricks, Sampson, Sousa, Wing, Flores. *Nays* – 0. Motion carried by a vote of 6 to 0.

- F) A public hearing will be held for the purpose of considering a request from Carrie Cargill, for the property at 142 University Drive, to construct a second-floor addition on the back of the house, replace windows on the front porch, and re-side the house to match the garage.**

Parcell commented this project had previously been approved in scale and scope, but application lapsed before all work was completed. He said Certificate of Appropriateness expired in May

2019 and applicant is applying to finish the work. He said garage has been replaced and re-sided and current application is for remainder of work.

Sousa asked applicant if there is anything different in the application. Carrie Cargill, 142 University Drive, applicant, said garage and mudroom on back have been completed, and this application is to finish the work as originally proposed.

Parcell provided HDC with supplemental information regarding windows.

Commission commented/asked questions regarding:

- current aluminum windows on porch
- proposed replacement vinyl or aluminum storm windows
- cost to restore to 1957 open porch
- door off driveway to be sided over

Flores opened the public hearing.

Seeing no one come forward, Flores closed the public hearing.

Motion: Sousa moved approval of application for property at 142 University Drive based on Secretary of Interior Standard #2, with stipulation of use of like-for-like aluminum windows. Motion was seconded by Wing.

Roll call vote: *Yeas* – Gray, Hendricks, Sampson, Sousa, Wing, Flores. *Nays* – 0. Motion carried by a vote of 6 to 0.

- G) A public hearing will be held for the purpose of considering a request from GTW Investment Properties, LLC, for the property located at 710 Grove Street, to demolish the structure in order to construct a 3-story sorority house.**

Parcell provided background information and said a special use permit as been approved by City Council to remove 722 and 722 ½ Grove Street, which are not in an historic district, and 710 Grove Street, which is located in an historic district, and replace it with a three story structure which has a lease in place to be used by a sorority. Parcell said renderings of the project are in Historic District Commission agenda packet. Wing clarified that John Noud listed as owner is a typographical error in agenda packet.

Joseph Goodsir, GTW Investment Properties, LLC, 251 West Grand River Avenue, applicant, introduced Ken Jones, Studio [Intrigue] Architects, 1114 S. Washington Avenue, Suite 100, Lansing, architect, and said both would speak on behalf of the application.

Jones highlighted:

- background of City Council approval for project
- location of 710 Grove Street on north edge of historic district
- built in 1942

- Notice to Proceed condition #2 which would allow demolition if a resource is a deterrent to a major improvement which would be a substantial benefit to the community, and if the project has obtained necessary planning, zoning, and financial approvals

Parcell said applicant has special use permit which is City Council approval to do the project. He said applicant has not been able to submit for building permits which means there is not technically zoning approval to proceed, but project has undergone a zoning review for site plan and special use permit and has met all zoning district criteria. Parcell described process/timing of obtaining zoning and building permits, and final steps through City reviews and construction.

Wing asked regarding determination of sorority as a substantial benefit to the community. Jones commented regarding goals of the City of East Lansing Master Plan:

- Capitalize and strengthen existing citizen assets
 - Support student residents in coming active, responsible, and socially integrated members of the community – connect MSU student organizations with the community
- Have a diversified growing tax base in a vital economy
- Have strong neighborhoods that are diverse, attractive, and safe
 - Collaboration with MSU to provide student/alum/visiting faculty housing
- Have a land use pattern consistent with smart growth principles, such as providing higher density in the area

Wing asked why project is proposed to be built where three homes need to be demolished. Goodsir commented this is in an area where there are other sororities.

Flores asked regarding displacement of residents. Goodsir commented these are currently rental properties. He said if project is approved current family at 710 Grove Street plans to move across the street to 725 Grove Street. He said 722 and 722 ½ Grove Street is a rental property which does not have a lease in place for next year.

Wing asked regarding property ownership of 710 Grove Street. Goodsir said he has owned the property for a year.

Flores opened the public hearing.

Deborah M. Stuart, 616 Grove Street, provided HDC with letter outlining her concerns regarding sorority project on Grove Street.

Amy Rodnick, 2167 Coach Way, Bloomfield Hills, Michigan, on behalf of Sigma Delta Tau sorority, introduced chapter president and house manager, provided sorority history, and spoke in support of project on Grove Street.

Daniel Bollman, 511 Bailey Street, spoke in support of this project, relaying discussion from East Planning Commission on which he is a member, speaking as an architect, and also as a former member of Historic District Commission.

Commission discussed/asked questions regarding:

- Distance to nearby structures and parking lot
- Landscape screening buffer
- Setbacks
- Location within district and impact of project on remainder of historic district

Jones commented the project has gone through City processes and has had unanimous approval at both Planning Commission and City Council levels. Parcell commented regarding additional public hearings which were held and design improvements as a result of public input.

Seeing no one else come forward, public hearing was closed.

Motion: Sousa moved to approve Notice to Proceed consistent with Section 20.66 (2) of Historic Preservation Code which references removal of historic structure creating a way for benefit for the community. Motion was seconded by Sampson.

Sousa commented regarding:

- Inability to use Certificate of Appropriateness
- Consideration of fundamental question of “public good” for Notice to Proceed
- Loss of house
- Erosion of historic district
- Purpose of Historic District Commission

Flores commented regarding:

- Consideration of prior house-moving request on M.A.C. Avenue
- Setting precedent

Wing commented regarding:

- Narrow/broad view of “community benefit”
- City revenue considerations vs other HDC considerations
- Other opportunities within City where buildings within an historic district do not have to be razed
- Question of sorority house as substantial benefit to the community

Wing said she will be voting no on the motion.

Roll call vote: *Yeas* – Gray, Sampson, Sousa *Nays* – Hendricks, Wing, Flores. Tie vote of 3 to 3 resulted in failed motion.

Parcell said applicant has 60 days to retool a submission and come back to HDC. He also said the appeals process goes outside of the City to the State Historic Preservation office. He said he will provide official correspondence to the applicant.

Parcell said the special use permit is tied to this property.

Goodsir asked regarding potential alternative locations.

Commission commented regarding:

- Losing part of an historic district
- HDC decisions to add/subtract historic district properties vs development pressure
- Alternative locations

5) OLD BUSINESS – None

*** Resume New Business after being tabled prior to consideration of public hearings***

6) NEW BUSINESS

A) Discussion of the Oakwood Boundary Study

Wing asked regarding procedure to provide recommendations to City Council from Historic District Commission. Parcell suggested Ordinance 1446a with the inclusion of Valley Court Park in the Oakwood Historic District. He asked for comments regarding inclusion/exclusion of 201 and 351-400 Oakhill Avenue, and new row houses.

Sousa recommended keeping the row houses in the district because it includes a part of historic development. Gray said correspondence from Housing Development Authority recommended row houses remain in the historic district so they can be cohesive with the neighborhood and so there can continue to be oversight over a new development that is aesthetically relevant to the historic neighborhood.

Wing commented regarding removal of Evergreen properties as community public benefit as opposed to removal of 710 Grove Street for sorority project.

Wing also requested the City photograph and document Justice Potter's home at 334 Evergreen Avenue prior to removing it from Oakwood Historic District designation.

Gray commented regarding developmental oversight of row/townhouses due to relevance when viewed from Valley Court Park. She said she supports keeping them in the Oakwood Historic District.

Parcell suggested recommendation language to read: Retain original Oakwood Historic District boundary minus 404, 340, 334, and 328 Evergreen Avenue and accompanying public land.

Parcell suggested motion to read: Recommend creation of Ordinance 1446c which is the original boundary of the district with the removal of 328, 334, 340, 404 Evergreen Avenue and accompanying City-owned land to the north.

Parcell said property south of 420 and 421 is City-owned.

Fehrenbach said removed property language would be Lot 15, and include 404, 344, 340, 334, and 328 which are Evergreen properties; this includes the Hagan property that is 404, plus the stairwell and the portion of Lot 15 which is in the district.

Motion: Sousa moved to recommend creation of Ordinance 1446c which is the original boundary of the district with the removal of 328, 334, 340, 344, 404 Evergreen Avenue, City Lot 15, and accompanying City-owned land to the north. Motion was seconded by Wing.

Wing said this motion addresses part of the neighborhood's concern of the additions that were recommended which were extremely controversial for those people who did not want to be part of an historic district. She also commented this addresses concern of removing certain properties, especially Valley Court Park, from the district.

Commission discussed public benefit developments which could still take place within an historic district.

Parcell restated motion for HDC action: Sousa moved to recommend creation of Ordinance 1446 version c which would remove only the Evergreen properties; which are City Lot 15, Evergreen 328, 334, 340, 344, and 404; and retain the original boundary of the Oakwood Historic District as currently written. Motion was seconded by Wing.

Fehrenbach said 344 is part of the property labeled 340 Evergreen on the map.

Sousa clarified this motion includes the stairs and the little parking lot above it.

Roll call vote: *Yeas* – Gray, Hendricks, Sampson, Sousa, Wing, Flores. *Nays* – 0. Motion to create Ordinance 1446 version c carried unanimously by a vote of 6 to 0.

7) **COMMISSIONER REPORTS** – None

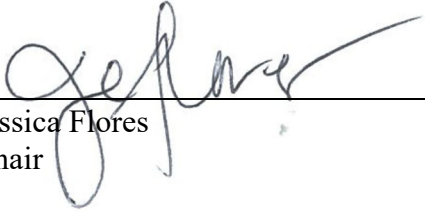
8) **STAFF REPORTS**

Parcell said Fehrenbach and he will be meeting with John Mikulski regarding proposed fence replacement at 1004 Michigan Avenue.

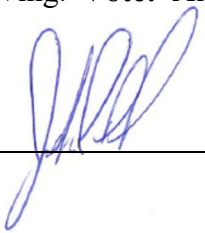
9) **ASSIGNMENTS** – None

10) **ADJOURNMENT**

Motion: Sousa moved to adjourn. The motion was seconded by Wing. **Vote:** All yeas. Motion carried unanimously. The meeting adjourned at 9:38 p.m.



Jessica Flores
Chair



Jake Parcell
Secretary