

APPROVED

ANN ARBOR HISTORIC DISTRICT COMMISSION
Regular Session Thursday, September 8, 2005
 Council Chambers, City Hall
 100 North Fifth Avenue, Ann Arbor, Michigan 48104

Commissioners Present: Michael Bruner, Gary L. Cooper, H. Mark Hildebrandt, Susan Wineberg, Michele Derr, Robert White (arrived at 7:17 p.m.) and Jim Henrichs. (7)

Commissioners Absent: (0)

Staff Present: Donna Franklin Johnson, Planner II, Planning and Development Services, Mark Lloyd, Manager, Planning and Development Services and Brenda Acquaviva, Administrative Service Specialist IV.

Review Committee: Commissioners Derr and Wineberg

CALL TO ORDER:

Commissioner Bruner called the meeting to order at 7:04 pm.

ROLL CALL:

Quorum satisfied.

APPROVAL OF THE AGENDA:

Moved by Commissioner Derr, Seconded by Commissioner Hildebrandt
 "To approve the agenda as presented"

HEARINGS**A-1 244 Crest Street (OWSHD)**

BACKGROUND: This rectangular one-and-a-half story, shingled vernacular house was built around 1920, listed as the home of Paul N. Preketes, a partner in Preketes Brothers Billiards on S. Main Street. The house has a gabled end facing the street, a one-story, shed-roofed front porch with solid balustrade and square columns and centered paired window above.

LOCATION: The house is located on the west side of Crest, between Washington and Buena Vista, and on the west boundary of the Old West Side Historic District.

APPLICATION: The applicant requests permission to add a two-story, 1,163 square foot addition at the rear (west) of the original house, approximately 30 feet from the front facade. A small shed addition at this location would be removed. The new addition would extend 6' 8" to the south, beyond the existing side of the house. The existing roof gable would extend west over the second floor addition, maintaining the consistent pitch and new gables would be added on the north and south sides, both having similar roof pitches to the original roof. The applicant proposes to remove the existing "Celotex" siding and to surface the entire house with vinyl siding

52 in a 4" reveal pattern. (The existing garage will be removed and a new one built approximately
53 115 feet from the street, with administrative approval.)

54
55 **Review Committee:** Commissioner's Derr and Wineberg visited the site.

56
57 Commissioner Derr – Arts and Crafts style home. We didn't go inside, but the outside is in pretty
58 bad shape. It sits on a 49 x 157 ft lot. There doesn't appear to be anything else underneath that
59 siding. It should have two types of siding - shingled on top and clapboard below, we're hoping it
60 can be done in vinyl. Hoping owner would be willing to use those windows. The existing
61 structure has 4 over 1 windows throughout. The addition will extend from the current footprint 6'
62 8" to the south, but there is enough room to allow for this and the required set-back.

63
64 Commissioner Wineberg – Visited the house last Thursday. Most all the other houses in the
65 neighborhood are "Craftsman" type houses with a second story shingled treatment and a first
66 floor clapboard treatment. My recommendation is that we wait until the siding is removed to see
67 what is underneath and what to use to replace it. All the trim is currently covered in vinyl. We
68 discussed the windows being reused in the addition (which does not seem to overwhelm the
69 house). We wanted to ask them to come back after the siding is removed.

70
71 **Applicant:** S. R. Stricklen Building

72
73 **Owner:** S. R. Stricklen Building Co., 1389 S. Zeeb Road, Ann Arbor, MI 48103

74
75 **Applicant Presentation:** We will not be replacing the existing windows in the house at all.
76 We're not changing the front other than the siding. There is nothing under the 'celotex' other
77 than shiplap which is ahead of plywood. I can't tell you if that is original or a cost saving at the
78 time. We would be able to do the vinyl shakes on the upper portion. We like that appearance.
79 Vinyl is a necessity due to costs. We propose zero changes to the front other than possibly a
80 new storm door. We will have to replace the basement walls and we're putting in a driveway.

81
82 **Audience Participation:** None.

83
84 **Questions from the Commission:**

85
86 Commissioner Cooper – Does the second floor overhang the lower floor siding?
87 (Applicant) – Maybe a 3/4 inch reveal.

88
89 Commissioner Wineberg – Asks about removing the windows in the back when adding the
90 addition. We wondered if you'd reuse them. (Applicant) - Hadn't thought about it, they're not in
91 great shape.

92
93 Commissioner Bruner – Did you say there is no original siding below the Celotex siding?
94 (Applicant) – No. There are several homes in the neighborhood with it, but I've never
95 encountered it. It's like a shingle on top of Celotex.

96
97 Commissioner Wineberg – It was a fireproof material. Have seen it in ads in old magazines.

98
99 Commissioner Cooper – If you used a vinyl shingle on the upper half, would you be able to
100 maintain the offset that exists now between the two sidings and would you still proposed that
'01 water table board that runs around the house and the addition? Does this home have corner
'02 boards? (Applicant) – If it's truly offset, it will remain that way.

103 That could create a problem for the windows. It has no corner boards. We would do corner
 104 boards in vinyl with the exception of the overhangs.

105

106 **Discussion by the Commission:**

107

108 **Moved by Commissioner Hildebrandt, Seconded by Commissioner White** "To
 109 approve the application to build a two-story addition at the rear (west) of the original
 110 house at 244 Crest, approximately 30 feet from the front elevation, **Replacement of**
 111 **Celotex shingles on the second floor with vinyl and vinyl clapboard on first floor.**
 112 **The existing windows on front and two sides are going to be retained.** and the
 113 replacement of "~~celotex~~" shingles with vinyl siding, per the attached **revised** drawings
 114 and as generally compatible in exterior design, arrangement, texture, material and
 115 relationship to the rest of the building and to the surrounding area and as meeting the
 116 Secretary of Interior's Standards numbers 9 and 10." **(Amended motion in bold above)**

117

118 Commissioner Wineberg – Amend motion – Hildebrandt Support.

119 Commissioner White – Suggests friendly amendment.

120

121 **"Replacement of Celotex shingles on the second floor with vinyl and vinyl clapboard on**
 122 **first floor. The existing windows on front and two sides are going to be retained. (See**
 123 **Friendly Amendment added above to revised motion)."**

124

125 **Discussion:**

126

127 On a Voice Vote – **Revised Motion To Approve** – Passed - Unanimous

128

129 **** INTRODUCTION AND WELCOME MR. ROBERT WHITE ****
 130 **HDC'S NEWEST COMMISSIONER**

131

132 **A-2 516 Fifth Street (OWSHD)**

133

134 **BACKGROUND:** This two-story vernacular house was built sometime before 1894 (first city
 135 directory entry) and was the home until the mid-1920s of William Leicht, a machinist with the
 136 Michigan Furniture Company. The house has a one-story, shed-roofed, front porch and a front
 137 gabled roof with centered window on the second floor. The front porch has been enclosed with
 138 glass windows, aluminum siding added on all sides of the house, and a one-story addition on the
 139 rear (west).

140

141 **LOCATION:** The house is located on the west side of Fifth Street, between Jefferson and
 142 Madison.

143

144 **APPLICATION:** The applicant requests permission to add 205 square feet on the first floor and
 145 229 square feet to the second floor at the side (south) and rear (west) of the house located at
 146 516 Fifth Street, to create an additional bath and expanded family room on the first floor and
 147 additional bedroom on the second floor. The existing gable/ridge line would continue to the rear
 148 of the house on the second floor addition with a side gable added to the south. The expansion
 149 would be located approximately 30 feet from the front of the house. Additionally requested are:
 150 removal of the aluminum siding and replacement with 5" exposure horizontal-lapped hardie plank
 151 siding; addition of a box bay window projecting 2 feet from the south side of the first floor;
 152 installation of a stair window on the south side, within 15 feet of the front of the structure;
 153 installation of a new kitchen window visible from Fifth Street on the east side of the house,

154 and replacement of the double-hung window on the second floor front façade. The applicant has
 155 also provided an alternate design showing replacement windows without muntins, as all windows
 156 in the house are not of consistent glazing.

157

158 **Review Committee:** Commissioner's Derr and Wineberg visited the site.

159

160 Commissioner Wineberg – I researched the dates on the maps, it's not from the 1850's. The
 161 later maps don't have this portion of Fifth Street on them. It looks like another home from 1910,
 162 so that's still up for grabs. There was a twin home next door but they didn't look like a lot of other
 163 houses in the neighborhood. There is vinyl siding, and under that is 'fake' (asbestos) brick
 164 product to be removed as well, then cover the original wood with Hardi Plank. The rest of the
 165 addition seems to be in keeping with others we've approved in the past. The stairs needed
 166 replacing and in a more appropriate style as well.

167

168 Commissioner Derr – Would be hard to tell from the outside whether the windows need to be
 169 replaced at all, they don't appear to be original. Their plan was 5" reveal, we felt 4 " would be
 170 more appropriate. Everything that has clapboard around it has a 4 " reveal. The front porch,
 171 steps and railing are part of the application, but we don't have any details on that. We would like
 172 to know what the plan is for that.

173

174 Commissioner Wineberg – We were a bit hampered as we only received the plans before we got
 175 into the car to review. Due to the holiday, they were not turned in on time. There was no one
 176 there to represent the petitioners, so we could not go inside.

177

178 **Applicant:** Paul & Gail Geiger, 1176 Lone Pine Woods, Bloomfield MI 48302

179

180 **Owners:** Paul & Gail Geiger, 1176 Lone Pine Woods, Bloomfield MI 48302

181

182 **Applicant Presentation –** Glenda Meades, Swens-Meades Architect's

183

184 Glenda Meades – (Representing Homeowner) – We'd like to do the new clapboard siding in the
 185 Hardi Plank. We do want the 4" exposure, that's what's on the drawings. On the window
 186 surround there is evidence of basic 1 x 4 trim and in quite a state of disrepair, appear to be
 187 1930's or 40's replacements. We would like to do new windows throughout the house. As was
 188 mentioned, there is vinyl, and underneath that asbestos, and underneath that is unknown.

189

190 On the window surrounds all they could see is basic 1 x 4 when they removed the aluminum
 191 trim. If we uncover and find a top gable or molding, we'd like to have permission to replicate
 192 that. We would like to discuss the 6 over 6 muntins to add to the house. We are planning to
 193 redo the front porch in a wood trim, a little wider than it is now, wood steps and a wood handrail.
 194 We're also keeping the front door.

195

196 **Audience Participation:** None.

197

198 **Questions by the Commission:**

199

200 Commissioner Cooper – You're proposing Pella Wood windows – Vinyl or aluminum clad and
 201 with simulated divided lights? (Applicant) Yes.

202

203 Commissioner Hildebrandt – Your drawings show a manorial chimney which looks like it is out of
 character for the house. Is there a possibility of making that less wide or pretentious?

204 (Applicant) – They're hoping to create two true masonry fireplaces. The chimney that you see is
 205 only bare code minimum.

206
 207 Commissioner Cooper – You're proposing to keep the shutters on the upper front window and on
 208 the North side? (Applicant) – Yes. They have shutters now, we're proposing shutters just slightly
 209 wider and non-operational. The balance of the house has none.

210
 211 Commissioner Bruner – Clarification - remove existing aluminum siding and then remove Celotex
 212 as well, then expose the original wood clapboard siding and reside with Hardi Plank with an
 213 equal exposure of the wood siding beneath?

214 (Applicant) – Like the other one, if we get that far, we'll probably want to take off the wood that's
 215 in there – if it's wet, etc. We don't want to put new Hardi over old clapboard that's not in shape.

216
 217 Commissioner Bruner – We'd need to verify the condition of the siding first. It may be that we'll
 218 remove any mention of the Hardi Plank siding, and ask you to return for approval on that item as
 219 the condition of the original siding remains to be seen.

220 (Applicant) – Ok. Would that prevent the homeowners from getting a building permit to get
 221 started on the home?

222
 223 Commissioner Bruner – Since the condition remains to be seen, we'll entertain that once it's
 224 exposed.

225 (Homeowner) – We were hoping that we could use the original siding all along, but as we
 226 removed the small amounts, three of the six that we saw were heavily damaged, so instead of
 227 telling you we were going to preserve it and having to come back and say 'we can't,' we thought
 228 we would get approval for the 'worst case' scenario.

229
 230 Commissioner Wineberg – Concerned that corner boards might be found. Would you keep them
 231 if you find them? Our mantra is "Preserve and Repair," don't replace.

232 (Applicant) – Absolutely.

233
 234 Commissioner Cooper – Question about the dining room window bay. Was this done for
 235 architectural interest or because you were afraid to add more square footage at the first floor?

236 (Applicant) – No, it was done to bring light into the dining room and add a little bit of square
 237 footage without getting into any more of that stone foundation than we need to.

238
 239 Commissioner Wineberg – I don't see any details about the porch?

240 (Applicant) – Everything about the front porch we want to leave as it is. The aluminum siding
 241 that wraps the skirt of it would be changed to match the building.

242
 243 Commissioner Henrichs – Is there currently a stone foundation on the house?

244 (Applicant) – Yes. There's no stone on the porch, but the base of the main building is.

245
 246 Commissioner Derr – Did we get specifications on the front steps?

247 Coordinator – A drawing indicates that they will be wood, but no dimensions.

248
 249 Commissioner Cooper – You can get a variance through the HDC and the Building Department
 250 to lower that rail from 36 inches to 30 inches.

251
 252 **Discussion by the Commission:**

253

254 **MOVED by Commissioner Wineberg, Seconded by Commissioner White** “To approve the
 255 application to build a two-story addition at the side (south) and rear (west) of the house located
 256 at 516 Fifth Street, ~~to remove aluminum siding and replace it with (4 INCH REVEAL) composite~~
 257 ~~lap siding~~, and to install and replace existing windows on the north, west, and east elevations
 258 within 15 feet of the front of the house, **ADDING A NEW WINDOW IN THE STAIRWELL AND**
 259 **REPLACING THE FRONT STEPS WITH WOOD STEPS AND WOOD RAILING – 30 INCH** and
 260 per the attached drawings labeled **“ALTERNATE - B”** and as generally compatible in exterior
 261 design, arrangement, texture, material and relationship to the rest of the building and to the
 262 surrounding area and as meeting the Secretary of Interior’s Standards numbers 9 and 10.”
 263

264 **Discussion from the Commission regarding revision of the motion.**

265
 266 Secretary Reads Revised Motion – (Amended language above in **BOLD**).

267
 268 On a Voice Vote - **REVISED MOTION TO APPROVE – PASSED - Unanimous**
 269

270
 271 **A-3 707 Fifth Street (OWSHD)**
 272

273 **BACKGROUND:** This two-story craftsman-style house was built in the early 1920s (the
 274 address first appears in 1923) and was occupied by Oscar E. Staebler, a plumber. The house
 275 has a simple, hipped-roof with a one-story enclosed front porch with similarly hipped-roof, and a
 276 one-story shed roofed addition at the rear.
 277

278 **LOCATION:** The house is located on the east side of Fifth Street, between Madison and Davis.
 279

280 **APPLICATION:** The applicant requests permission to add a second story above the existing
 281 one-story addition on the rear (east) of the house, which projects 4 feet to the north beyond the
 282 original façade of the house. The roof of the addition would match the 10/10 pitch of the existing
 283 hipped roof and the siding would be horizontal cedar, to match the existing first floor of the
 284 addition. The existing addition (and proposed expansion) are located approximately 40 feet from
 285 the front (west) façade of the house. Remaining portions of the house would be unchanged.
 286

287 **Review Committee:** Commissioner’s Derr and Wineberg visited the site.
 288

289 Commissioner Derr – This is a lovely house, set very high and away from the general view. We
 290 felt this would fit in very well with the existing structure.
 291

292 Commissioner Wineberg – I concur. This was also a very good packet of materials.
 293

294 **Applicant:** Susan Crowell and Charles Bright
 295

296 **Address:** 707 Fifth Street, Ann Arbor MI 48103
 297

298 **Applicant Presentation:** Charles Bright & Susan Crowell – The architect is on vacation this
 299 week, so we’ll try to answer your questions. We purchased the house in 1977 and built the
 300 addition in the early 80’s with a flat roof which has a reinforced beam in it as we always thought
 301 that we would add a deck or a second floor bedroom on there. Now we’re at the point where
 302 we’d like to do that.
 303

304 **Audience Participation:** None.

305

306

Questions by the Commission:

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308

Commissioner Wineberg – (Comment) The salt glazed brick design was done by a Mr. Tessmer who lived nearby and built several other houses of the same material.

309

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MOVED by Commissioner Derr, Seconded by Commissioner White “To approve the application to add a second story above the existing one-story addition on the rear (east) of the house at 707 Fifth Street, per the attached drawings and as generally compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and to the surrounding area and as meeting the Secretary of Interior’s Standards numbers 9 and 10.”

318

Discussion by the Commission:

319

320

Commissioner Bruner – This is a nice plan and worthy of approval.

321

322

Commissioner Hildebrandt – (Comment regarding the salt glazed brick).

323

324

On a Voice Vote - **MOTION TO APPROVE** - Passed - Unanimous

325

326

327

Commissioner Cooper – Should we discuss the next two issues separately? (A-4 and A-5)? (Commission Consensus) – Yes.

328

329

Commissioner Bruner – Calls a Recess at 8:40 p.m. - Back in Session at 8:57 p.m.

330

331

332

A-4 201 Glen Avenue (Glen-Ann Place) (OFWHD)

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335

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338

BACKGROUND: The site presently contains two residential dwellings, classified as complementary structures in the Old Fourth Ward, two contemporary commercial buildings, and a parking lot. All have been proposed for demolition. The five parcels were zoned to PUD July 5, 2005 for mixed-use development (commercial, office, multi-family residential, and parking).

339

340

LOCATION: The proposed construction is located on the west side of Glen, between Catherine and Ann Streets.

341

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349

APPLICATION: The applicant requests a determination of appropriateness to erect a new, ten-story mixed use building on the west side of Glen, between Ann and Catherine (to be addressed as 201 Glen Street). The proposed new building will measure approximately 105 feet in height, with retail on the first level, office on the second level, and 112 apartment units on floors 3-10. Additionally, three levels of parking are below-grade and would be entered from Ann Street. The proposed building materials are brick, pre-cast concrete panels, glass, and pre-finished aluminum railings.

350

351

352

353

Review Committee: Commissioner’s Derr and Wineberg did not visit the site; it had been visited last month by the Commission members when the demolition was put before the HDC last month.

354

355

Commissioner Bruner – (Reviewed actions and discussion from previous meeting in August). The demolition of those houses was put before us - the demolition being necessary for the

356 completion of the project, which was represented to us bearing many, many, many benefits to
 357 the community. We needed, therefore, to see just what those benefits would be in order to
 358 consider demolition of those two properties. We asked the Applicant to withdraw the application
 359 and bring the whole thing back before us tonight so that we could consider the demolition in
 360 regard to the proposed plan, so that is where we stand tonight.

361
 362 Applicant also made a presentation to us in a working session that was open to the public.
 363 We're very familiar now with the project, but the public should be made aware that during the
 364 working session, a number of our concerns were raised as to the character and the
 365 appropriateness of the design; a number of notes were made and we are eager to see if any of
 366 our suggestions were integrated into the revised presentation.

367
 368 **Applicant:** Joseph Freed & Associates, Edward P. Connell III

369
 370 **Owner:** Clarence & Velma Heidenesher, Glen Ann Towing

371
 372 **Applicant Presentation:** Laith Hermiz (introduced the design team).

373
 374 Laith Hermiz – I'm here on behalf of Glen-Ann Place, L.L.C., as the ownership entity. I'm with
 375 the firm of Joseph Freed and Associates who is one of the lead developers on this project. I
 376 appreciate the synopsis as we have been before you several times. This is a project that we
 377 take great pride in and we're very excited about. We hope that this is going to be a very
 378 interactive session. We have listened to you intently. We have gone to great lengths to provide
 379 visual boards and color samples and renderings that will help you get a better feel and
 380 understanding of the project.

381
 382 I'm going to spend some time talking about the public benefits of this project on the whole.
 383 (Recapped the last meeting and welcomed Mr. White). When it comes to designing a project of
 384 this scale and size, there are a number of things you have to consider and I'd like to make those
 385 clear tonight.

386
 387 There have been a number of discussions with - Old Fourth Ward community leaders, the
 388 neighbors, etc. We are still working very hard toward relocating those homes. I spoke with
 389 several people who may have an interest in the homes as recently as today. I ask in return for
 390 your assistance and those of the neighbors. We've been told in hearings and public discussions
 391 that there are lots in other areas available within the Old Fourth Ward for us to relocate, but we
 392 have not been able to identify those.

393
 394 We've met with the City of Ann Arbor, the Mayor and Community Development groups. We
 395 asked if the City had a public parcel which we could relocate these to, we were willing to supply
 396 those homes to Habitat for Humanity and Avalon housing as affordable housing, etc. The City
 397 was not able to locate anything to accommodate the need. We're still willing to relocate them.
 398 Per the suggestion of a City Council member we placed a newspaper ad and we received over
 399 30 inquiries – at significant reconstruction costs to us, but no one was interested because the
 400 code violations would reoccur once they were moved to a new site. Tony Savoni (A2 Building
 401 Official) reviewed our memo and he verified our costs and assessments.

402
 403 We ask for your help. We have been working on this project for five years. That aside, I'd like to
 404 spend some time talking about the neighborhood and the nature of our development. One thing
 405 important to note, on site currently exists a few commercial uses.

407 (First Picture) There is an existing pizza parlor, the former gas station and the Glen Ann towing
408 site. The gas station has been closed for five years. Currently the site is used as a towing
409 service, and up to 30 cars parked there during the day. This is not something that is conducive
410 as an entry corridor for the City of Ann Arbor.

411
412 (Second Picture) Points out houses and an 8-car parking lot used by Angelo's restaurant across
413 the street, (we'll be purchasing that property) and have reached an agreement with them to
414 provide parking in our proposed underground parking structure for their employees. As you look
415 moving West toward the Old Fourth Ward - 1010 Catherine Street is the Bradford House
416 apartments. A five story 35 unit apartment building we'll be closing on next week. On the other
417 side of the pizza parlor is a three story apartment complex which buffers condominiums before
418 you start heading down to single-family homes.

419
420 Commissioner Bruner – You said you're buying a parcel on Catherine?
421 (L. Hermiz) – Yes, a five story apartment building.

422
423 Commissioner Cooper – Do you propose to operate it as it presently exists? It's not proposed to
424 become part of this development?

425 (L. Hermiz) – For the time being, yes, and no, the three story is not currently planned for this
426 development. Basically, we wanted to point out that these single family homes sit in isolation
427 from the other single family homes in the neighborhood.

428
429 (L. Hermiz) – (Points out the extent of development at the U of M across the street.) You can't
430 analyze this project in a vacuum. This impacts not only the residents of the Old Fourth Ward,
431 but the streetscape and all of the developments that are going on in the central campus across
432 the street. Interesting statistics on U of M's website. Lack of service in this area. Based on
433 statistics from 2004, there were 17,057 employees at the U of M Medical Campus. There were
434 students in the Medical school, Medical and PhD programs, Nursing and Dentistry school
435 totaling 19,664 people who commute to and from that four block area. The community at large
436 uses that. Total visitor activity was 42,734 patients admitted to that hospital (Continues with
437 statistics). This is a high traffic zone in need of substantial services and totally underutilized.

438
439 (Third Picture) – Biomedical Facility will employ 200 employees. New parking deck across the
440 street will service 530 cars. When you design a project, you have to look at form and
441 functionality as well as cost. As you well know, there are no vacant properties left in downtown
442 Ann Arbor. One of the functions of the size and scale of our projects is economics – We're not a
443 not for profit business. These projects have to make economic sense for us and the community.

444
445 Some of the benefits for the community at large. (Fills in Commissioner White on background
446 work done with the entire city). We have full entitlements from the City standpoint, the last is
447 your approval, and that's where we stand today. If you look at the area, there has not been any
448 new construction in that area in 20 years. There are no retail services of any significant
449 character. We have a renovated old home (Jimmy Johns), the pizza parlor, but the property
450 does not encourage active pedestrian traffic. The purpose of our mixed-use building is to bring
451 'pedestrian friendly' services to the community at large. There needs to be an ability for the
452 residents to leave their car at home and walk in a walk able community, or ride their bike to the
453 dry cleaners, the Hallmark store, the sandwich shop, the coffee shop, without having to fight the
454 battles of all the students on State Street, or travel several blocks away to Main Street. That's
455 the purpose of a vibrant downtown.

456

457 Our building as you know is a ten story building; the second floor is proposed to be office. We've
 458 had a number of calls and interest from people who work with the Medical Sciences who are
 459 interested in that space. In addition, we've offered 112 apartment units. Rental housing in that
 460 area is poor. Take a look at the condition of the street - (points out overhead lines, broken
 461 sidewalks, etc).

462
 463 We would be providing a new streetscape – lighting, trees, new AATA stop and most importantly,
 464 an opportunity to clean up the contaminated site. It has been pointed out as a “facility” by the
 465 MDEQ.

466
 467 (Picture Four). Shows existing site. This was prepared by Clayton Environmental. Shows soil
 468 boring chart. Cleaning up the site is a significant benefit.

469
 470 (Picture/Chart Five). Projected property tax - \$1.1 million dollars. (Gives breakdown of who
 471 would get what, i.e., City, County, State, etc.) Site currently pays about \$15,000.00. This project
 472 was a PUD zoned project. We worked hard on our affordable housing contribution to the city.
 473 The contribution is \$1,008,000.00. That money is placed into the fund, and will spur affordable
 474 housing throughout the City. It's something we're very proud of. There's been a lot of
 475 discussion about 'why is your building ten stories and why is there underground parking?' I think
 476 it's evident that a ten story building is not out of context for this neighborhood. The Nursing
 477 School, St. Joes, the parking structure facing Glen and Catherine Streets.

478
 479 (Introduces Bill Meier)

480
 481 B. Meier – The main view of the project is from Ingalls Street, either from Catherine or Ann and
 482 we're about forty to forty five feet above Glen Avenue at Ingalls Street, which is significant in
 483 mitigating some of the height of the building. I've put together photos of before and after.
 484 (Demonstrates drawings, view and landscape). Shows PUD and explains the design of the
 485 building in a “Historic Culture” – A two story base with a cornice, middle seven stories are lighter
 486 in color, top story is lighter with cornices, articulating the building on all four sides.

487
 488 B. Meier – Developing street with brick pavers and getting rid of overhead wires.
 489 (New Picture) Proposed canopies at the base level – brick with some color detailing in the
 490 masonry. The two story base will set scale for the pedestrian. (Another streetscape view – goes
 491 into detail about the elevations and the façade and detailing) – We've recessed the entryway,
 492 created a canopy for that

493
 494 **Audience Participation -**

495 1. Amy Klinke, 406 Wilder, Ann Arbor, MI – (Director of Community Development for the
 496 City of Ann Arbor and Washtenaw County). Speaking on behalf of the public good
 497 that this project will bring to Washtenaw County – The developer is giving over \$1
 498 Million dollars to the Affordable Housing Trust Fund. That is the largest gift given to
 499 our trust fund. This particular contribution will enable to us to leverage hundreds of
 500 thousands of other affordable housing dollars in the City of Ann Arbor. Generally, we
 501 use Federal dollars which come with a lot of restrictions.

502
 503 2. Lars Bjorn, 712 E. Ann Street, Ann Arbor, MI 48104 – I live a few blocks from this
 504 proposed development. Feels the proposal lacked one major argument -“Does this fit
 505 into the Old Fourth Ward?” Everything was “How does it relate to the Medical
 506 Campus?” That's not the question. When the ordinance was written, the boundaries
 507 were defined at Glen. This is something this Commission has as its task. If you allow

508 this, then you're redefining the Old Fourth Ward boundaries. These charming single
509 family homes give Ann Arbor its character.

- 510
511 3. Chris Crockett, 506 E. Kingsley, Ann Arbor, MI 48105 – (President of the Old Fourth
512 Ward and has lived there for 25 years.) Agrees with the last speaker. The Old Fourth
513 Ward Historic District Ordinance says that in matters of new construction, the
514 Commission has the right and the power to decide on what is appropriate for new
515 construction within a Historic District. What happens with the houses being moved is
516 paramount to this case. We have been working to make the Old Fourth Ward a place
517 to buy a home in and restore a home in. (Timer goes off – Chair allows extra time) I
518 know you'll make the best decision for the OFWHD. We feel very encroached upon
519 by the University. It is not our desire to make the Old Fourth Ward a place that
520 provides amenities for the University. We want to maintain our identity as a Historic
521 neighborhood in the core of the City.

522
523 **Rebuttal:** Jerry Lax – Attorney representing the Developer.

524
525 This building design is meant to be compatible with the Old Fourth Ward. I would like to address
526 whether it is appropriate for the Commission to consider the interests of the broader community
527 in determining whether to permit a particular development or consider whether existing buildings
528 be demolished. Feels the legal point which may not be emphasized adequately is that the State
529 statute under which you operate and the City ordinance under which you operate both
530 specifically direct Historic District Commissions to consider 'benefit to the entire community.'

531
532 Both the statute and the ordinance say that applications of this kind should be approved if failing
533 to approve it is a major deterrent to a major improvement program that will be of substantial
534 benefit to the community, or if retaining the existing condition is not in the best interest of the
535 majority of the community. That of course doesn't mean that you don't have to consider the
536 characteristics of the District that you're administering, but in considering those characteristics,
537 both the statute and the ordinance permit and direct the Commission to consider the interests of
538 the broader community.

539
540 Commissioner Cooper – That state statute is only in reference to the demolition portion isn't it?
541 It's independent of the design and appropriateness of the design of the project?
542 (Lax) Actually, I don't think so. The language of the ordinance talks about an application for
543 alteration, removal or demolition shall be approved if any of the following things occur, and I
544 don't know if it's drafted in the clearest way, but I do think the criteria that I adverted to apply not
545 only to demolition, but construction questions as well.

546
547 Commissioner Cooper – But then you're saying if the project is deemed to be a "benefit to the
548 community," then no matter what the project is, what it looks like.... Scale, anything, it has to be
549 approved. There's some discretion in the design, isn't there?

550 (Lax) – I think what I said was, you have to take community benefit into account. I don't know
551 that it deprives you of the discretion to balance community benefit with other historic concerns,
552 but I think it would be a mistake to disregard the community benefit as the state legislation
553 directs.

554
555 Commissioner Cooper – I think if you read the first sentence, it's a little more plain. "The
556 alteration, removal or demolition of a structure." So, if they were doing those, which they're
557 proposing here, community benefit would be a factor, but the community benefit is separate from
558 the merits of the project.

559 (Lax) – With all due respect, “Alteration” is defined at least by the state law as including
 560 construction. It may not be obvious from looking at the word as it’s used in the sentence you
 561 refer to, but I think it becomes clear when you look at the definitions in the statute.
 562

563 (B. Meier) – The comment that was made about our building “eroding” the Fourth Ward - Looking
 564 at this as a building that will ‘erode’ the boundaries. It does relate to the Medical Center because
 565 it makes reference to its historic contacts. (Counters about the building relating to others in the
 566 community.) The building does make reference in historic context.
 567

568 **Questions from the Commission:**
 569

570 Commissioner Bruner – We had two working sessions with you in the winter and became familiar
 571 with your plan, then didn’t see anything from you. We saw it proceed through Planning and
 572 Council and gain approvals there, but never came back to us until all of that was done. The
 573 standard method of operating is to see us first so that you don’t hit any problems with dealing
 574 with a historic neighborhood. We met with you in another recent working session and gave you
 575 a good number of comments, almost none of them were responded to in a positive way. You
 576 didn’t assure us you’d take them under advisement, you just kind of took notes and we didn’t get
 577 a response back that you were responding to our particular concerns as members of the HDC.
 578 We see a lot here that deals with other matters. Do you have any response to the suggestions
 579 that we made at the last working session? There are three or four that I recall, but you guys took
 580 notes, so maybe you have a response?
 581

582 (L. Hermiz) – Clearly, there was a direction by you to provide additional renderings and color
 583 samplings which we took the time to do and brought to you this evening. The renderings and the
 584 boards we brought today were not at that working session and were developed at your request.
 585 I’m very concerned that you feel that we were not interested in addressing your needs. I think
 586 we were very open to your suggestions. I did take notes, I did listen intently as did Bill, and if
 587 you feel we’ve missed something, let’s discuss it. You had a particular concern that the
 588 materials on the building were pre-cast panels. I think it’s important to note that this building is a
 589 four-sided front facing building. The materials that are on the Glen Avenue frontage are the
 590 exact same materials and articulation as are found on the west elevation or the “Old Fourth
 591 Ward” facing side. We didn’t cheapen or alter any materials. There are some changes in the
 592 building due to the configuration of the lot, but effectively it’s a four-sided front facing facility.
 593 (Discussion) Was there another issue?
 594

595 Commissioner Bruner – You took notes, don’t you remember?
 596

597 (B. Meier) – Some of the issues you did discuss were, quite frankly, hard to respond to. The
 598 height or the scale of the building. It is part of the economics of this building that it requires that
 599 we have a certain density both for the apartments and for the feasibility of the contamination
 600 cleanup, the underground parking and to recoup the costs of the land and keep this a viable
 601 economic venture. The massing of the building is what is required to make the model work. We
 602 weren’t able to come back here today with a three story or a five story building, so the other
 603 questions raised were “could we step or articulate the different heights of the building? We’ve
 604 looked at that, but again, economics drive some of the decisions we make. In this case,
 605 stepping the building has severe economic impacts.
 606

607
 608 Additional stairways, additional elevators, and so the efficiency of the building goes down, we
 .09 have less rentable area on the first floor. One of the things that you mentioned was “could we

610 make the building all brick?' We looked at that, we're in the process of doing our value
611 engineering, and we're trying to keep quality materials and detailing around the whole building.
612 (Commissioner Bruner interrupts petitioner to enable Commissioner White to ask a question).

613
614 Commissioner White – How much is it going to cost to clean up the contamination?
615 (L. Hermiz) – Once we excavate, we'll see the full nature of that, but the current estimate is
616 roughly 1 Million dollars.

617 So, that's the reason for the larger building so that you can get your pay-back on this.
618 (L. Hermiz) – Absolutely. Another was the high cost of land acquisition. We were not buying
619 'green-belted' areas, we were buying businesses that no longer have any economic value to us.
620 Also, when you put in underground parking, there are significant costs with excavation, water
621 retention systems and the concrete and foundation work.

622
623 Commissioner Wineberg – One of the issues addressed at the work session was "How through
624 the magic of computers you made a ten story building look shorter than a five story building,"
625 (referring to the new Bio-Medical research facility across the street.) The full visual impact of this
626 building is not seen on your drawings.

627 (B. Meier) – I resent the fact that you are accusing us of doctoring our drawings. We did not.
628 Our buildings are to scale. It's not fair for you to say things that aren't true. We have not mis-
629 represented the scale of the adjacent buildings.

630 How can a ten-story building look shorter than a five story building?

631 (B. Meier) – You're looking at it from an aerial view.

632
633 Commissioner White – Across the street, one is on a hill.

634
635 Commissioner Bruner – In your defense, the drawings you brought today give a better view than
636 that aerial that we've looked at. They show a bit more of the scale.

637
638 Commissioner Wineberg - Maybe if we just knew the heights of each building?

639 (B. Meier) – If you looked at the drawings we passed around, you'll see that we drew all of those
640 buildings to scale. Look at the North elevation you'll see the Life Science building; next to that
641 on the East elevation, you'll see the old St. Joe's in relationship to that.

642
643 Commissioner Cooper – To get back to the point, you came to us in December for a working
644 session, then a number of weeks later for another working session, then Planning Commission,
645 City Council, then you came back to us for another working session about a month ago. I don't
646 believe the building has changed even minutely from the first meeting in December until today's
647 presentation. Same height, same footprint. You've changed some of the uses. The general
648 massing and scale of the building, and that it has a flat top that extends from Catherine to Ann
649 Street. We made comments in our first, second and third working sessions, and nothing has
650 changed significantly other than the type of brick or the materials used since December.

651
652 Commissioner Bruner – So, that's a statement rather than a question, but it's well taken I think.

653
654 Commissioner White – Well, to make this economically viable.....

655 (Commissioner Bruner interrupts) – Are we still in questions to the applicant, right? So if we're
656 through with questions to the applicant, we can move on to discussion, otherwise we should
657 continue to address questions.

658
659 Commissioner White – I'm asking them. I just want to ask Bill. (L. Hermiz answers)

660

