

HISTORIC DISTRICT COMMISSION

Special Meeting

Minutes

September 30, 2004

Diekema Hamann Architects, Inc.

612 S. Park Street

Kalamazoo, MI 49007

Members Present: Lisa Poole-Woldring, Vice-Chair (acting Chair); Linda DeYoung; Nelson Nave; Bob Oudsema

Members Excused: Rob Chamberlin, Bill Snyder, James Tribu

City Staff: Sharon Ferraro, Historic Preservation Coordinator; Lee Kirk, City Attorney; Amy Thomas, Recording Secretary

Hosts: Vicki Nelson, Architect; Sarah Morgan, Intern, Diekema Hamann Architects

Guests: Mike Chojnowski, Attorney for Catholic Family Services
Kirt Cobb, Stuart Neighborhood
Shirley Coleman, Stuart Neighborhood
Jill Jilek, Catholic Family Services
Francis Denny, Catholic Family Services
Ed Carey, Catholic Family Services

527/531 Eleanor

This special meeting of the Historic District Commission was convened in an attempt to determine if there was some common ground that could be reached between representatives of the Ark (Catholic Family Services) and the members of the Historic District Commission regarding the Ark's proposal to demolish/remove two historic homes at 527 and 531 Eleanor St and build a group home for troubled teens.

Ms. Nelson reviewed the plans for the Ark project and provided drawings of the proposal. In the new plan, the smaller of the new buildings will be used for administrative purposes and the larger building will be the residence for the programming. The previous plan kept 527 Eleanor and an addition was to be built around it. The new plan looks like three town home buildings that are attached. The new building would be divisible in thirds so that it could be converted to single-family homes if the Ark were to ever vacate the premises.

Mr. Nave inquired as to the zoning of the empty lot (playground) which is owned by the diocese and is near the proposed Ark project. Attorney Chojnowski stated that he thought the houses were in Zone 7 (residential) and the area to the east is in Zone 4.

Ms. Ferraro inquired if both structures should be moved before the plan can be enacted. Attorney Chojnowski stated that a structural engineer had been consulted about the movability of 531 Eleanor. He commented that almost anything could be moved if there was adequate financing available. The structural engineer will provide a brief written summary of the possibilities for relocation of the buildings and how much it will cost. Attorney Chojnowski commented that the current application requests demolition of one house and removal of the other house. The applicant is willing to move both houses. There are possibilities as to where the houses might go and people who might be willing to take them but it all comes down to economics. One of the available lots is not in the historic district.

Ms. Nelson stated that Tom Pillars of Nehil-Sivak PC is the engineer who is looking at the Eleanor Street properties. The written report from the engineer should be available next week.

Ms. Ferraro mentioned that Attorney Kirk examined the ordinance and the statute and determined that the Historic District Commission has 60 calendar days to make a decision on the plan as submitted from the applicant. The sixty days will be up as of November 1, 2004. Attorney Kirk commented that the plan would automatically be approved if no action was taken within 60 days. Ms. Ferraro advised that, if the plan is withdrawn and a new plan is submitted, the clock starts again. The applicant could also file a written extension.

Kurt Cobb from the Stuart Area Restoration Association Advocacy Committee, commented that he was not disputing that the Ark provides a worthy service. He further commented that the Ark would not cease to function if it is not allowed to relocate to the Eleanor Street address. Mr. Cobb mentioned that the Diocese had purchased the property because it was deemed a nuisance. The property was not re-rented and the assumption is that the diocese intended to build on the property because it was not re-rented. Is this a low-cost site? Have they looked at other sites? Mr. Cobb mentioned that the Ark has been in front of the Historic District Commission twice and they have come back with another plan to move both houses. In light of the expense involved with moving the houses, there is some skepticism that the Ark wants to move to the Eleanor Street location because of the low cost. Mr. Cobb commented that he hoped that the financial situation would not be the first concern and that the Historic District rules would not be set aside.

Ms. Nelson inquired as to what would be acceptable for the Historic District Commission to allow the Ark to proceed with its application for the Eleanor Street properties.

Mr. Nave inquired if the Ark would consider building something in another location and leaving the Eleanor Street properties intact. Ms. Nelson stated that the original idea was to give back to the playground any space that was gained with the new project and to provide parking for the Ark and other adjacent facilities. Ms. Nelson stated that she would look at other options if her client were willing to do so.

Mr. Nave inquired if the properties adjacent to the Eleanor Street properties were in the historic district. Ms. Ferraro stated that the third lot, the fenced playground area at 523 Eleanor, is included in the historic district. Ms. Ferraro recalled a meeting where the participants discussed a zoning waiver that would allow parking that exists on the entire church parcel to be considered to meet the needs of St. Vincent's and the proposed Ark facility. Attorney Chojnowski commented that the prior discussion regarding parking requirements was incorrect because the area being discussed is in the Central Business District and there are no on-site parking requirements for that district. However, it would be convenient if there were parking available. Attorney Chojnowski said he had approached Chancellor Carey about moving everything to the east and replacing the St. Vincent DePaul facility with the Ark. That idea was rejected because it would create too many problems with St. Vincent DePaul.

Mr. Oudsema inquired as to how many days St. Vincent DePaul is operating and someone replied that it is operating all but two days per week. The other aspect of blocking out that entire section is that the pass-through is required because the back parking lot is utilized as a bus transfer area by the Kalamazoo Public Schools. The buses pull in on Eleanor Street and then out onto Westnedge.

(Attorney Kirk left at 4:30 p.m.)

Ms. Poole-Woldring inquired about moving St. Vincent DePaul into one of the houses. Attorney Chojnowski stated that even the larger house would not provide enough room. He further commented that there are elderly people at St. Vincent DePaul and an elevator would have to be added to accommodate them. Also, there are four steps up to the first floor of the larger house.

Ms. Ferraro inquired if the Ark could be moved to the vacated St. Mary's facility on the east side of town. Attorney Chojnowski stated that there were too many problems with codes and residential occupancy at that location. The buildings at St. Mary's will be demolished because they are in such bad shape.

Mr. Oudsema inquired if the current proposal was to retain 527 Eleanor and build around it? Ms. Ferraro replied that that proposal was on appeal at the state level. The new proposal is to remove both houses and build the new facility. The new facility will be constructed with the intention of converting it to single-family homes in the future. It

could also become townhouses. Ms. Ferraro stated that there are other historic multi-family homes in the area so that would not be out of character for the neighborhood.

Attorney Chojnowski stated that the Ark was committed to moving both houses if necessary. Mr. Oudsema commented that the application had been orally modified. Ms. Ferraro added that the modifications to the application would need to be put in writing.

Mr. Oudsema inquired if the new facility would have double walls and individual meters and mechanical systems, etc. Ms. Nelson stated that such accommodations would not be necessary at this point and that her client would direct her as far as the budget was concerned. The proposed Ark facility could be remodeled that way in the future and could be designed with that concept in mind.

Attorney Chojnowski commented that the Briarwood Condominiums were built as one large building with a grid and no walls. When buyers specified the square footage they needed, the builder would construct the walls. Sometimes the grid was reconfigured for the buyer's needs. The Ark project could be designed in the same manner and would be built structurally so that could occur. Ms. Nelson stated that the building would be designed to the scale and rhythm of the surrounding area and would meet the requirements of the Ark program. It would be too expensive to put in extra plumbing now. There will be future remodeling required but it will be designed to allow that.

Ms. Nelson inquired as to what other conditions the Historic District Commission would require in order for this project to be approved. Mr. Nave stated that the parameters are in the historic district standards. He mentioned that there are several things that are forcing the site planning issue. One of the issues is the additional parking and one is the existing parking. Parking should not be a priority in this case. Ms. Ferraro commented that the Eleanor Street properties are in the exempt zone. Mr. Nave also mentioned the applicant's intent to restore part of the playground was a big contingent in this matter.

Mr. Oudsema commented that, when someone wanted to raze structures in the past, there have been long disputes until the house was moved and the Historic District Commission was happy with the action that was taken. That is the only way people have succeeded in the past in front of the Historic District Commission. Mr. Oudsema stated that the Historic District Commission needs to know #1. That the buildings being removed will be placed back in service (restored, etc.) and #2. What will be placed on the property after the historic buildings are gone; will the new building meet the right scale and will it be utilized differently in the future?

Attorney Chojnowski inquired as to the extent of detail required when houses were moved in the past. Mr. Oudsema stated that an owner and financial details were in place before the move was allowed. Mr. Oudsema commented that he'd had a house moved in the past and had some experience with such matters. Ms. Ferraro mentioned that the

move could cost \$40,000 or more, plus the lot and the basement. Mr. Chojnowski commented that this was a precedent for moving forward.

Shirley Coleman from the Stuart Neighborhood commented that she was concerned about the precedent that might be set if the houses were taken down. Mr. Cobb expressed concern that more people would request demolitions in the historic district if the Ark were allowed to proceed with its application.

(Chancellor Carey left the meeting at 4:55 p.m.)

Discussion followed with regard to precedents being set. Ms. Ferraro commented that all circumstances are different and each case must be reviewed individually. Mr. Cobb mentioned that the process was difficult to follow: should the Planning Commission review the application first or should it go before the Historic District Commission first? Ms. Ferraro referred to Public Act 169 and commented that the City of Kalamazoo Code of Ordinance does not currently reflect the order in which the process is to proceed. The updates to the ordinance will be more specific about the procedure. The updates will be on the City Commission agenda for October 18. According to PA 169 all Planning and zoning decisions must be made before the application is reviewed by the Historic District Commission.

Mr. Cobb mentioned that the Planning Commission and Historic District Commission are irrevocably joined but the two commissions review different aspects of the application.

Attorney Chojnowski stated that he would talk with Ms. Ferraro about the application and he inquired if any of the other Commissioners had comments about Mr. Oudsema's statements. There being no further comments, Ms. Poole-Woldring closed the meeting at 5:05 p.m.

Prepared by: _____ Dated: _____

Reviewed by: _____ Dated: _____

Approved by: _____ Dated: _____