

**HISTORIC PRESERVATION COMMISSION
(HPC)
Minutes
September 12, 2006**

Members Present: Linda Bennett, Chair; Claire Milne; Erin Seaverson; Norman Jung; Derl Oberlin

Members Excused: Josh Willson, Chris Wright

City Staff: Sharon Ferraro, Historic Preservation Coordinator; Keith Hernandez, Deputy Director/City Planner, Community Planning & Development; Amy Thomas, Recording Secretary

Guests: Barb Miller, City Commissioner
Pam O'Connor, former commissioner (HPC)
Curt Aardema – citizen

CALL TO ORDER

Ms. Bennett called the meeting to order at 7:00 p.m.

APPROVAL OF ABSENCES

Mr. Jung, supported by Ms. Milne, moved to approve the absences of Josh Willson and Chris Wright from the September 12, 2006 HPC meeting. With a voice vote, the motion carried unanimously.

AGENDA (September 12, 2006)

Ms. Ferraro advised that the budget discussion was moved under item C, Committee Report. Ms. Ferraro requested that the discussion regarding the federal building and the Section 106 review also be moved under item C.

Mr. Oberlin, supported by Mr. Jung, moved approval of the September 12, 2006 HPC Agenda as amended. With a voice vote, the motion carried unanimously.

MINUTES (August 15, 2006)

Ms. Bennett requested the following changes to the minutes: Page 2, under citizen comments, line 2, change “Roger” to “Rodger Parzyck” and spell out “KCPA” as “Kalamazoo County Preservation Alliance” the first time it appears in the minutes. Page 2, paragraph 3, Ms. Bennett requested that there be a reference to where Ms. O'Connor got this information. Accordingly, the sentence should read as follows:

“Ms. O’Connor stated that there are no plans to demolish or sell the Federal Building (old post office) according to Regina Nally at the General Services Administration (GSA) office in Chicago.” Page 2, paragraph 4, “City of Kalamazoo” should read “City Commissioners.”

Ms. Seaverson requested that the “D’s” be spelled out: DKI is Downtown Kalamazoo, Inc. and DTI is Downtown Tomorrow, Inc., etc. Therefore, the first sentence of paragraph 4 should read, “Ms. O’Connor stated the City of Kalamazoo would be distancing themselves from Downtown Kalamazoo, Inc. and Downtown Tomorrow, Inc.”

Ms. Bennett referred to page 2, paragraph 4, last sentence and requested that an “a” be inserted after “have.” Page 2, paragraph 6, remove the word “not” after “cannot.” Page 3, Action Item B, the second sentence should read: “Ms. O’Connor stated the fountain was a contributing resource for the historic district and the fountain could also qualify for a grant for educational purposes.”

Ms. Ferraro mentioned that DDRC should also be spelled out as “Downtown Design Review Committee” the first time it is stated in the minutes on page 2, paragraph 1.

Ms. Seaverson referred to the Action Item A, and requested that the second sentence read as follows: “.....the DDRC review needs to start at the concept level.”

Mr. Oberlin, supported by Ms. Seaverson, moved approval of the August 15, 2006 HPC minutes as amended. With a voice vote, the motion carried unanimously.

INTRODUCTION OF GUESTS

Keith Hernandez – Deputy Director/City Planner, Community Planning and Development
Barb Miller – City Commission Liaison
Pam O’Connor, former commissioner (HPC)
Curt Aardema – citizen

NON-AGENDA ITEMS

Ms. O’Connor inquired if the Lincoln marker is on the agenda, and Ms. Bennett confirmed that it is on tonight’s agenda.

Mr. Aardema mentioned that the Salvation Army building on Portage Street (next to Miller Davis) is gone. He inquired as to how old the building was and what is planned for that site. Ms. Ferraro advised that the building was constructed in the 1950’s. She didn’t know it had been demolished, and that she didn’t have any information on what’s planned for that site.

Mr. Aardema expressed concern that if the Salvation Army building could be demolished without notice, then other buildings might be in danger.

Ms. Bennett inquired if the owner/contractor was supposed to submit a plan for the property. Ms. Ferraro stated that the Salvation Army building was outside of the downtown area, so they would not be required to submit a plan. She advised that she wouldn't get notification of a demolition unless the building has historic significance or it is more than 50 years old. Concern was expressed with regard to a viable building being torn down, and the fact that the empty lot doesn't generate much income for the city.

CORRESPONDENCE

Ms. Bennett referred to the letter regarding the Iannelli fountain. Ms. Ferraro stated that it isn't on the agenda but it's in her report and will be discussed under, "Reports From Coordinator."

Ms. Ferraro mentioned an email from Amy Thomas, Recording Secretary for CDAAC (Community Development Act Advisory Committee). The e-mail states that the following information was given as part of an explanation for why Kalamazoo has lost HUD funds over the last few years: "Pre-1940 housing is used as an indicator for a need in the community, but younger people are fixing up older houses and it doesn't necessarily mean the property owner are "in need". However, communities that eliminate older homes and build new ones can be penalized by a reduction in HUD funds." Ms. Ferraro advised that CDAAC distributes CDBG (Community Development Block Grant) funds. The distribution of these funds is based on population and need in the community. There has been a significant decrease in CDBG funds by the current administration as a means of making budget cuts.

Ms. O'Connor mentioned that some cities designate a portion of CDBG funds for preservation work. Ms. Ferraro commented that CDBG money is never used for demolition in Kalamazoo, but that it has been used for various repair programs.

Ms. O'Connor suggested that designating a portion of CDBG funds for preservation might increase the amount of money available for preservation. Ms. Ferraro advised that a non-profit would need to disburse the CDBG funds. For instance, Habitat for Humanity or Senior Services could apply for the funds and then disburse them for preservation projects.

Financial Report

Mr. Oberlin stated that the HPC has had no revenues or expenses, and there is currently a working capital of \$12,000. The HPC has been very frugal with their spending this year so the amount is a little high.

Ms. O'Connor advised that there have been no gifts to the O'Connor fund this past month. She requested that the HPC contemplate spending money for marketing of the book, Lost & Found. There are 5,000 copies of the book in storage.

Discussion Regarding Changes in Demolition

Mr. Hernandez advised that Ms. Ferraro is working on a procedure to provide an extra level of review for historic buildings or potentially historic buildings that might be demolished. The document is currently in draft form. The Assistant City Attorney and the City Planner will meet shortly to discuss this matter. The requested changes might require changes to the ordinance, which would need approval from the City Commission. There should be an extra level of review in place soon. A 90-day review period had been proposed for potential demolitions, but that might be shortened or lengthened. The review period will pertain to buildings that are 50 years old or older. There has also been discussion about protecting newer buildings with historic significance.

Commissioner Miller inquired if the proposed changes pertain to the whole city or just the downtown area. Mr. Hernandez replied that he hoped it would provide protection for buildings throughout the city. Ms. Ferraro mentioned that she has a citywide historic resource survey database. Members of the HPC expressed concern about the fate of newer buildings, and Ms. Ferraro advised that city staff would continue to work on a mechanism to address that issue.

Ms. O'Connor inquired if there is a state law, which allows the changes that are being proposed locally. Mr. Hernandez advised that is the reason for consulting with the City Attorney. The building code regulates how demolitions can be done. The changes to the demolition procedure might require that a policy be implemented rather than having the code updated. The changes might need to be implemented through the zoning code.

Ms. O'Connor questioned if there is state enabling legislation that allows the proposed changes and, if not, what is the city's opinion on designating properties to protect them through a local district ordinance? Kalamazoo has a 30-year history of not designating properties over the objections of the owner. Mr. Hernandez stated that he thought that would not change. Ms. O'Connor expressed concern that Kalamazoo might lose a significant number of buildings because the owners don't want to keep them, and there is no means to protect the buildings. She suggested using the historic district ordinance as a planning tool. It is important to not diminish the visual interest of the downtown area. We need to provide people with experiences other than just movie theatres, arenas and water parks, etc. Experiencing the historic center of the city is important.

Mr. Jung commented that he attends a book fair at the Lansing Center twice a year. He has heard that Lansing has difficulties supporting the Lansing Center and keeping the state capital filled with conventions. Ms. Bennett made the comment that big expanse of

nothing is not very attractive. Ms. O'Connor stated that the historic designation is a planning tool, and she requested that message be conveyed to the Community Planning & Development Department. Ms. Milne commented that when visitors leave a convention center, they need a place to go.

Ms. Seaverson inquired if Mr. Chamberlain would review the draft of the document pertaining to demolition before the end of the year. Mr. Hernandez advised that Mr. Chamberlain would review the document before it is presented to the HPC, and the goal is to have that accomplished before the end the year. If a policy change is required, it will also have to be reviewed by the City Commission.

Ms. Bennett inquired as to how enforceable the policy will be, and if a "policy" would be stronger than "guidelines." Mr. Hernandez advised that a policy establishes the way business is conducted, and it would be stronger than guidelines. Members of the HPC stressed the need for a more strict policy to protect historic resources, and the need to have this policy in place as soon as possible.

Mr. Oberlin inquired of Commissioner Miller regarding the City Commission's thoughts on this issue. Commissioner Miller advised that this has not been an issue at the City Commission level recently.

Ms. Milne expressed approval for the 50-year cut off point as a means of determining historic importance. There are many 1950's ranch houses on larger lots, which sometimes makes them vulnerable to new building projects. Ms. Ferraro mentioned Clovelly as a street where such projects have occurred. She added that the "Kalamazoo Promise" might be the catalyst for similar developments since people might not want existing smaller houses in desirable neighborhoods.

Ms. O'Connor suggested that a conservation district might be an option for areas such as the Winchell Neighborhood. Ms. Bennett advised that she had spoken to the Winchell Neighborhood Association with regard to a possible historic designation. Concern was expressed by some of the neighbors that the historic designation might be too restrictive if they wanted to make changes to their properties. Ms. Bennett suggested that the historic designation might also mean that their neighbors couldn't make changes that would have an adverse effect on the neighborhood. Some of Winchell residents expressed concern that the park at Woods Lake might be sold to a developer. Ms. Ferraro mentioned that a historic designation in the neighborhood might also provide a means of protecting the park at Woods Lake. She offered to attend a meeting of the Winchell Neighborhood Association to further discuss these issues.

Mr. Jung stated that the Kalamazoo City line used to stop at Winchell. The area just south of that, including the Country Club, was Oakwood. For realty purposes, because it's more desirable, the Winchell Neighborhood boundary was moved south to Parkview. The character of the two neighborhoods is noticeably different.

Mr. Hernandez suggested that the HPC members call him at 337-8044 if they had further questions.

(Mr. Hernandez left the meeting at 7:50 p.m.)

Lincoln Historical Marker

Ms. Ferraro stated that the original location for the marker was chosen with auto traffic in mind. The Parks Department has the maker in their possession. She advised that she was not sure why it had been moved.

Ms. O'Connor mentioned that removal of the marker was against the law, and that the State of Michigan should have been contacted. Ms. Ferraro stated that the Parks Department should not have moved the marker without the recommendation of the HPC. There is a replica on site now and the text is the same. The old marker was faded and the cost to recolor it is equivalent to having a new one made. Senator George has been working with Laura Ashlee, head of the state historic marker program, with regard to this situation.

Ms. Ferraro advised that the new marker has been in place for approximately two months but it has not been dedicated yet. The new replica is to be installed in the southwest corner of the park near the mound, in or near the flowerbed, depending on what's under ground. Ms. Ferraro advised that it is a single-post, pedestal marker with the shield shape on top. There is a fund for replacing worn or damaged markers at the state level and that's where the money came from for replacing the marker. The Parks Department wants the HPC to make a recommendation to the Parks Department with regard to moving the marker. Ms. O'Connor advised that it would be conditional upon confirmation from Laura Ashlee. Ms. Ferraro advised that all state approvals have been obtained.

Ms. Seaverson, supported by Mr. Oberlin, moved to recommend the installation of the new Lincoln Historic Marker at the new location in Bronson Park, conditioned upon approvals from the State of Michigan. With a voice vote, the motion carried unanimously.

106 Review – Federal Building – Post Office

Ms. Ferraro provided drawings of the proposed project. The stone and granite has been damaged and the city wants to make minor repairs and add a center rail. Ms. Ferraro said she would check with Martha MacFarlane-Faes at the state if this has to go through the 106 review process. There is a rail on each side of the bolsters, but they want to add a center rail of the same material. They also want to patch the granite and replace one piece. The contractor is proposing to order the granite from the same quarry as the original materials. Some of the doors will be replaced with replicas and glass in some of the windows will be replaced; these changes are security driven. The look will be the

same or as close as they can get. The doors need to be secured remotely, and there is a different mechanism inside. The doors are deteriorated. Lynn masonry from Ada, Michigan has the contract for this job.

Ms. O'Connor suggested that the center rail should be minimally decorated to make it disappear; the original should stand out. Ms. Bennett added that the new rail should be appropriate but not look the same as the existing rail. Ms. Ferraro mentioned that the code requires three sets of rails, and Ms. Seaverson suggested the possibility of obtaining a variance.

Ms. Ferraro stated that the contractor hopes to start work within the next month. He doesn't need a building permit because the proposal is for repairs rather than structural work. The HPC is the only group that can comment if this project has gone through 106 approval. Ms. O'Connor advised that the project can't receive 106 approval without local approval. The general consensus among the HPC members is that the center rail should be minimized and that it should match the old rail in form rather than ornament. Ms. Ferraro mentioned that if the rail extends into the public right-of-way it might be necessary to obtain an encroachment permit.

Ms. Seaverson mentioned that the waterproofing under the top step on each set of steps, as shown in the drawings, creates an area for standing water underneath and drains need to be added and this could cause problems within the first year.

Ms. O'Connor suggested making sure that just because work is being done on the building, that the whole building isn't being threatened. Ms. Ferraro advised that she would check with Martha at the state level regarding the 106 review and provide her with comments from the HPC members.

COMMITTEE REPORTS - DOWNTOWN DESIGN REVIEW COMMITTEE (DDRC)

Chris inquired via e-mail as to which City Commission resolution created the DDRC and what is the chain of command. Ms. Milne provided a handout showing Ms. Ferraro's response to the e-mail. She also attached the materials that were discussed in the zoning ordinance under "C" on the second page, which states, "All developments in the CCD (Central Commercial District) shall comply with the design and development standards set forth in the downtown Kalamazoo design guidelines document, and such document may be amended from time to time." Ms. Milne advised that the issue is the difference between a "standard" and a "guideline". This has become an issue when dealing with the new construction on the Park Building site. The owners of the site want to have parking at street level but the DDRC guidelines don't allow that. Therefore, the question is how enforceable are guidelines?

Ms. Seaverson suggested developing a checklist of standards that have to be met. These standards would be handed out to developers when a project begins. Ms. Ferraro advised

that such a list has already been assembled. It would also be helpful for DDRC review. It was also suggested that a HPC member should be on the DDRC as a representative.

Ms. Milne commented that Section 106 style review should be part of the site plan review process. Ms. Ferraro stated that she reviews every site plan in the city to determine if historic properties are involved and if the proposed project is a threat to the property. An actual Section 106 review would involve federal funds.

Ms. Milne expressed concern that the demolition of the Park Building and the new project for the site were presented as a finished plan and there was no room for input. Ms. Seaverson suggested that a set of plans should not be considered final when they are submitted. Ms. Ferraro advised that the DDRC needs to know how easy those plans are to change. Ms. Milne commented that the approach used by the developers of the Park Building site might be considered a veiled threat. The attitude seemed to be that if the city didn't accept the plan as is, the developers would take their business elsewhere. The review process should start at the beginning not with the finished product. She inquired if Commissioner Miller and Ms. O'Connor could be present at the next HPC meeting to provide some input with regard to the city's process. Ms. Milne noted that the HPC cannot tell the DDRC what to do. Ms. Seaverson disagreed and suggested that is part of the HPC's responsibility.

Mr. Ferraro stated that the 106 review is not necessarily binding unless federal dollars are involved. The demolition component is necessary for the DDRC and for other properties citywide. Ms. Seaverson noted that the entire Kalamazoo Downtown Design Guidelines document is written as guidelines. She commented that "standards" must be met and "guidelines" were just for review. Ms. Milne stressed the need for a set of "standards" and suggested that the DDRC Review Committee needs to discuss that.

Presentation by Sharon Ferraro regarding the LKF Marketing for Brochures and Pod Casts

Ms. Ferraro stated that representatives of LKF Marketing attended the HPC meeting two months ago with regard to the walking tour brochures. The hope is to make the brochures downloadable. Ms. Ferraro advised that she would speak with Mr. Chamberlain to find out if there is enough money in the budget to cover this expense. The pod cast will cost approximately \$7,600 to \$9,500 to develop, and the brochures will cost approximately \$2,200 to \$3,700 to develop, for a total of \$9,795 to \$13,095. It will also cost \$1,178 to print 1,000 4-color brochures or \$1,800 for 5,000 brochures. The approximate total for 5000 brochures and the pod cast would be \$15,000. The HPC doesn't have enough money to cover that expense. The estimate came from the people who are working on the city's website.

Commissioner Miller expressed concern that the figure was high; she stated that she paid less than \$500 for her website. She inquired if it would be possible to utilize WMU design students for this project. Ms. O'Connor suggested the possibility of getting a grant to help. Ms. Ferraro advised that she would also like to pursue the option of having

a simple brochure on the city's website for people to print out. She mentioned that the most regular user of the brochures was the Convention and Visitor's Bureau.

Ms. O'Connor suggested contacting the grants council to obtain a mini-grant. The HPC volunteer time might be considered when putting together an alternative proposal. LKF might already have a discount with the city. The Kalamazoo Convention and Visitors Bureau might be willing to contribute to the cost. Also, the Gilmore Foundation and Arcus Foundation might be willing to contribute a couple thousand dollars each.

Ms. Ferraro stated that the Publications Committee could further discuss this matter at the next meeting.

Budget

Mr. Oberlin provided the following budget information, which will be voted on at the next meeting. The HPC has \$8,406 in working capital for 2006, with a goal of \$9,000 for 2007. There was \$683 spent for commissioner education. There's been nothing taken from the O'Connor fund this year. Not taking money out of the fund and allowing it to grow are being considered as this year's contribution. He inquired of Ms. O'Connor as to how much notice she would need to withdraw money from the O'Connor fund. Ms. O'Connor stated that she wasn't sure, and that she would follow up in that regard. Mr. Oberlin advised that there had been some discussion about allocating money towards the walking tour, and then contributing money for historical markers. Mr. Oberlin presented the following chart for review by the HPC:

<u>Budget</u>	<u>2006</u>	<u>2007</u>	<u>August YTD</u>
Working Capital	\$8,400	\$9,000	\$12,000
Commissioner Education	500	750	687
O'Connor Fund	-0-	300	-0-
Memberships	500	500	-0-
Public Education	3,000	3,850	1,921
Neighborhood Assistance	700		700
Preservation Month	2,300		2,000
Walking Tour Brochures			350
Historic Markers			

Lost & Found	<u>3,700</u>	<u>3,700</u>	2,033
Promotion	1,200		1,200
Fulfillment/Marketing	2,500		1,750
Royalty	_____	_____	750
Total	8,400	9,000	Approx. 5,000

Ms. Seaverson inquired as to procedure for marketing the book, Kalamazoo Lost & Found. Ms. O'Connor stated that the HPC has a contract with both of the authors of the book (Ms. O'Connor and Ms. Houghton) for marketing and fulfillment. One of the marketing tools has been a seasonal ad on WMUK radio. The ad runs from Thanksgiving through Christmas, and there is an increase in sales during that time of the year. There was \$500 of sales this week as stores replenished their stock. The authors have control of the inventory. Ms. O'Connor advised finding additional methods of marketing the book.

City Reports/Reports from Coordinator

Ms. Ferraro referred to the Iannelli Fountain and stated that Tom Nehil has completed his work. The report should be ready for the next meeting. Mr. Nehil had the fountain turned off twice so that he could go inside to look at it. He has a copy of the original plans for the fountain. A sub-committee will be meeting next year to discuss the funding for repair of the fountain. There is about \$53,000 left in account and the report should cost under \$3,000. Some additional studies may be needed. Mr. Nehil discovered that there are stainless steel tubs under each of the fountainheads because the lights only work when they're wet. Accordingly, if the pumps aren't working, there will still be enough water to cool the lights. Ms. Ferraro consulted with the City Manager because of the political situation with the fountain. The City Manager gave the go-ahead to proceed with the report because it has been in the works for many months.

There's no more information at this point regarding the RFP's for the 100 block of East Michigan, but that information will be posted on the DKI website when it becomes available. That group of buildings is being marketing as a group, either for rehabilitation or demolition and redevelopment. Anyone making a proposal should go through the city's building department. Ms. Ferraro added a significant number of preservation-oriented developers to DKI's list, based on the list from Rob McKay at the State Historic Preservation Office. Josh Willson, Southwest Builders and Vanderwheel Construction were added to the list of contractors. Some of the names were eliminated from the list because it had originally been generated for a low-income housing historic preservation tax credit. There are currently 30 different developers on the list and most of them are in Michigan. There will be a walk-through once the RFP is completed. Ms. O'Connor mentioned that there is not enough time to do the mailing before the tour, which was scheduled for September 28th. Ms. Ferraro advised that the dates would be adjusted, and there should be time to develop a proposal. She requested that anyone with information

about a potential developer contact her so that the list can be updated. She stated that she would send out an e-mail as soon as possible with regard to the updates.

Site Watch List

Ms. Ferraro requested that the HPC members think of people to nominate for the historic preservation awards next year. People outside the district are also eligible for nomination.

Ms. Ferraro advised the HPC members that if they want realtors' education at the old house expo, that process should start next month. Ms. O'Connor added that 13 or 14 realtors attended the last educational session. Ms. Ferraro stated that housing styles, designation, marketing and tax credits would be some of the subjects covered at the training session. The cost for the last workshop was \$50.00 per person. The Expo also plans to set up an area for realtors who have old houses for sale.

Ms. Bennett suggested that the HPC might want to sponsor realtor education. Ms. Ferraro stated that she would contact realtors to find out if they can get continuing education credits for attending the training session. A sub-committee can be appointed at next month's meeting.

Ms. Milne inquired about contacting a speaker for the expo, and Ms. Ferraro requested that she inquire as to the fee the speaker will charge.

Commissioner Comments

None

Citizen Comments on Non-Agenda Items

Ms. O'Connor inquired about the inclusion of the potential historic districts. Ms. Ferraro advised that the list was based on discussions at the KCPA (Kalamazoo County Preservation Alliance). She stated that, in addition to the properties on the list, there are over 1,000 houses that she considers eligible. The least defensible districts are the ones with no contributing properties around them.

Ms. Bennett inquired as to why the Lustron houses are not eligible. Ms. Ferraro suggested that it might improve the chances if all five are nominated together; it could be a thematic nomination. However, the Lustron houses could not be nominated individually, because most have been altered.

Ms. O'Connor stated that the KCPA would be meeting a week from Thursday to discuss the possibility of publishing an endangered list.

Mr. Aardema advised that the Milham farm (Van Riper homestead) is on the Portage Planning Commission agenda tonight. There are plans to renovate the house and turn it into a themed restaurant or an office.

Mr. Aardema inquired about the former Public Safety building on North and Douglas. Ms. Ferraro stated that she had head the Stuart and Fairmont Neighborhood Associations might be considering moving their offices to that location.

Ms. O'Connor suggested that the city consider putting conservation easements on properties and selling them for \$1.00; it's being done with canal keepers' properties along the Erie.

Mr. Aardema inquired about UpJohn Building 24 (Former World Headquarters Building at 301 Henrietta), and Ms. Ferraro stated that she had no further information on that subject. Building 126 will be on the DDRC agenda next month.

Adjournment

Mr. Jung, supported by Ms. Milne, moved to adjourn the September 12, 2006 meeting of the Historic Preservation Commission. With a voice vote, the motion carried unanimously.

Submitted by: _____

Dated: _____

Reviewed by: _____

Dated: _____

Approved by: _____

Dated: _____