

~~been pretty dense at 18 units. He asked if there were further comments and hearing none, Mr. Gaber thanked the Commission for their time, and said they would get to work and address the issues.~~

~~This matter was Discussed~~

2008-0543

Request for recommendation of the Historic Districts Study Committee Report for Frank Farm, three parcels located on Auburn Road, east of John R, as it relates to the City's Master Land Use Plan.

Chairperson Boswell stated that there were two Historic Districts Study Committee (HDSC) Reports regarding property designation that the Commission was being asked to comment on only as they related to the Master Land Use Plan.

Mr. Delacourt advised that the reports were similar to others the Commission had seen in the past. He explained that at the Preliminary stage, the HDSC held a Public Hearing, and then sent the reports to the State Historic Preservation Office. State law and the City's Ordinance required input from the Planning Commission regarding impacts a designation might or might not have relating to zoning or Master Land Use Plan (MLUP) issues. In the past, there had been very little discussion when reports came forward, and Staff did not see any major impacts to future land use or zoning issues as the subjects related to the MLUP. He added that as part of the process, two potential resolutions were included for consideration.

Ms. Brnabic said she read the Minutes in the packet and called the Planning Department office to see if the HDSC had met with the applicants since that meeting. It seemed as if some of the members wanted to meet with the owners again, but she was told the HDSC had not met again. She asked if it would be the only review the Commissioners would have. Mr. Delacourt said that the HDSC met after the Public Hearings with representatives of both groups. Ms. Brnabic said she was told that the last meeting was April 2008, and she asked for clarification. Mr. Delacourt said they met with representatives from Stiles School and family members of Frank Farm at the October HDSC meeting. Mr. Frank was not there. Ms. Brnabic said that she knew the question about designation was eventually going before City Council, but she was concerned because the residents had valid concerns about their properties being designated historically. She maintained that it was different if a property was already designated and someone chose to purchase it, but if someone had a home and it was not designated but it

was going to be designated, she felt that was different. The City might designate properties of people who were concerned about it, and to some extent, she did not feel the City had that right.

Mr. Delacourt advised that the HDSC did not designate property; they only made a recommendation to Council. The recommendation was based on the criteria established by the Ordinance, and the question was not whether they felt something should or should not be designated; it was a question of whether the property complied. The opinions in the Minutes regarding the Frank Farm property were not those of the property owner - he was in support of the designation. He did not come to the meeting, but he had been on the farm for 80-plus years, and Mr. Delacourt met with him several times at the farm. It was family members who were concerned about the designation, but they were not objectionable. One property owner involved with the Frank Farm was an absentee landlord that the City was pursuing to do some upkeep, and he was not opposing the designation. Ms. Brnabic said she did not have that information, and that was why she called. She reiterated that representatives from Stiles School had concerns, and she felt that all of the concerns had to be considered. Mr. Delacourt said they were not objectionable to the designation, but they had some questions about the size of the district and the impact. They had not come to a meeting to make a formal objection. They talked to the HDSC about changing the size of the district, and ultimately, the HDSC advised that the recommendation to City Council would stay the same. Ms. Brnabic agreed it would be City Council that had the final say, and she understood why the City wanted to protect the sites, but she was not quite sure they had that right. Mr. Delacourt said that State law was implicit that it was not a voluntary process, and he added that he was not expressing his opinion. He advised that from a process standpoint, the City's Ordinance mirrored State law. They considered the historic districts much the same as wetlands. If the historic district added value to the community, much as the environment did, the development could be regulated, regardless of the homeowner's opinion. Ms. Brnabic did not think that necessarily made it right. She did not really like the direction it was taking for some people, because the City was not buying the properties and making them a historical part of the City; they were putting a financial burden on the homeowners.

Chairperson Boswell said he agreed with Ms. Brnabic; however, evaluating the designations was not the Commission's duty. They just had to comment about whether there were any issues with the Master Plan and the designations.

Mr. Schroeder said he had the same concern as Ms. Brnabic. In his view, they were imposing liabilities and costs for properties that were in bad condition. He asked Mr. Delacourt if Mr. Frank was the owner of everything. Mr. Delacourt said there were three separate owners. Mr. Schroeder asked if the other people would inherit the property. Mr. Delacourt thought that one of the owners was Mr. Frank's cousin's daughter, but he had not talked with her directly.

Mr. Kaltsounis said that one of the buildings was done in 1979, and he did not think that was very historic. He asked if something else was contributing to the designation. Mr. Delacourt said that the structure should hold a certain amount of integrity to help it meet one of the four criteria of the National Register standard. It might contribute in time, because additional buildings had a way to add to the integrity of a historic district over time, but the consultants did not feel that this structure met the standard. Mr. Kaltsounis asked if the property would be reviewed if the owners wanted to do something to it. Mr. Delacourt explained that if it were designated and the owners wanted to do any additions or modifications, they would be required to appear for a review by the Historic Districts Committee. It worked very similar to the Wetlands Ordinance. The City had a set of standards used to determine what wetlands were important to the City. It did not prohibit development; it just required an additional level of review and approval for a Permit. Mr. Kaltsounis asked if the owner of Stiles was in agreement. Mr. Delacourt said they were very familiar with it. They were concerned about the size of the district, but he had not received any formal documentation about it from the school board. Their concerns were outside of the review of the Study Committee. Mr. Kaltsounis reminded that the Commissioners had to look at it "according to the book."

Mr. Kaltsounis stated that there could be an issue if someone wanted to put a subdivision on the property, noting that there was a lot of property behind the farmhouse. He recalled the objections the last time several potentially designated historical properties came forward, and he wished the Council luck in dealing with the current requests.

Mr. Reece said that he strongly supported Ms. Brnabic's and Mr. Boswell's comments, although it would not be relative to the process. He agreed that Frank Farm was a fairly significant piece of property, and he wondered if the City would be saddling the property owners if they supported the requests and the property was designated. Mr. Schroeder said he thought so. Mr. Delacourt said it would require an additional level

of review. He pointed out Lorna Stone, which was one of the most dense developments the City had done. The HDC reviewed the historic house as part of the proposal, and decided that the surrounding development did not lessen the integrity, and they approved the additional development. Mr. Reece said that someone would have to develop around it essentially, but the difficulty with the Frank property was that there were multiple buildings on the site. Mr. Delacourt agreed, but he reminded that there was language in the Master Plan that allowed for land use and density flexibility for the development of historical properties. He did not know if "saddle" was a fair term, although he reiterated that there would be an additional level of review.

Mr. Hooper referred to two developments, City Walk and Lorna Stone, and said that they each had to have a historic property as justification for using a PUD, so it was in their best interest to use the historic portion of the site. He stated that if the subject properties were designated, the HDC review would be for the exterior of the structures. He asked if the State got involved if renovations were made to the exterior. Mr. Delacourt said it would if the owner was requesting tax credits. Mr. Hooper said that if an owner kept his building historically accurate, but wanted to change the windows, they could not do so if the windows were not historically accurate. Mr. Delacourt said that if the windows could be removed and refurbished, the HDC would ask them to do that. He advised that there had been a lot of buildings that were approved by the HDC because the applicant had demonstrated that it was reasonable. Mr. Hooper said that in the motion the Commission was being asked to vote on it said, "will" or "will not have an impact with respect to the City's MLUP." He thought, in this case, that it would not because they were both residentially zoned and master planned properties, and how they voted would not change the zoning. However, he felt that the next part of the sentence, "will" or "will not have an impact on any other development related issues," would absolutely not be true, because designating the properties would definitely have an impact. He suggested deleting that last part of the sentence. Mr. Delacourt said it was just a suggested motion, and the Planning Commission could pass a motion with which they were comfortable.

Mr. Schroeder questioned whether the designation would still go through if a property owner objected to it. Mr. Delacourt said that it would if City Council agreed to designate. Mr. Schroeder agreed with Mr. Hooper about designation affecting other development related issues, and that part of the sentence was deleted from the motion.

Ms. Brnabic also agreed with that, and said she realized the Commission

was not being asked whether they agreed with designating the properties, but she wanted her opinion expressed, and to explain why she had asked whether the Commission would see the request again.

Mr. Kaltsounis moved the following motion:

Motion by Kaltsounis, seconded by Schroeder,

Resolved, that upon review of the Historic Districts Study Committee Preliminary Report regarding the proposed designation of Frank Farm property (identified as 1290 E. Auburn Road, 1304 E. Auburn Road; 1344 E. Auburn Road and 1356 E. Auburn Road), the City of Rochester Hills Planning Commission has determined that the proposed designation will not have any impact on the property with respect to the City's Master Land Use Plan.

A motion was made by Kaltsounis, seconded by Schroeder, that this matter be Accepted.

The motion CARRIED by the following vote:

Aye 9 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis, Klomp, Reece, Schroeder and Yukon

~~2008 0544~~

~~Request for recommendation of the Historic Districts Study Committee Report for Stiles School, located at the northwest corner of Livernois and South Boulevard, as it relates to the City's Master Land Use Plan.~~

~~Motion by Kaltsounis, seconded by Yukon,~~

~~**Resolved**, that upon review of the Historic Districts Study Committee Preliminary Report regarding the proposed designation of 3976 S. Livernois (also known as Stiles School), the City of Rochester Hills Planning Commission has determined that the proposed designation will not have any impact on the property with respect to the City's Master Land Use Plan.~~

~~Chairperson Boswell stated for the record that the motions had passed unanimously.~~

~~A motion was made by Kaltsounis, seconded by Yukon, that this matter be Accepted.~~

~~The motion CARRIED by the following vote:~~

~~Aye 9 - Boswell, Brnabic, Dettloff, Hooper, Kaltsounis, Klomp, Reece, Schroeder and Yukon~~