



Rochester Hills

Minutes

Historic Districts Study Committee

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Chairperson Jason Thompson, Vice Chairperson Julie Granthen
Members: Steven Branstner, Suzanne Carlson, James Hannick,
Sue Thomasson, LaVere Webster

Thursday, September 13, 2012

5:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

Chairperson Thompson called the Regular Meeting to order at 5:32 p.m. in the Auditorium.

ROLL CALL

Present 5 - Steven Branstner, Julie Granthen, James Hannick, Jason Thompson and LaVere Webster

Absent 2 - Suzanne Carlson and Sue Thomasson

Also Present: Jlm Breuckman, Manager of Planning
Kristine Kidorf, Kidorf Preservation Consulting
Sandi DiSipio, Recording Secretary

Commissioner Thomasson enters at 5:34 p.m.

APPROVAL OF MINUTES

2012-0329 June 14, 2012 Regular Meeting Minutes

A motion was made by Webster, seconded by Branstner, that this matter be Approved as Presented. The motion carried by the following vote:

Aye 6 - Branstner, Granthen, Hannick, Thomasson, Thompson and Webster

Absent 1 - Carlson

COMMUNICATIONS

Commissioner Carlson enters at 5:37 p.m.

Ms. Kidorf indicated staff received the comments from the State Historic Preservation Office regarding the Preliminary Report for 1631 W. Avon Road, which the Study Committee adopted at the June 14, 2012 meeting. It is a minor comment about clarifying why the Study Committee is suggesting reducing the size of the district. Ms. Kidorf will make this change in time for the November 15, 2012 public hearing.

PUBLIC COMMENT

No members of the public came forward to speak on non-agenda items.

UNFINISHED BUSINESS

2008-0663 National Twist Drill (HDSC File #08-002)
Revised Preliminary Report

Ms. Kidorf summarized the highlights of the draft Preliminary Report. It is noted that City Council referred this to the Study Committee on August 13, 2012, so the draft report initially begun in 2008, has been finalized. The proposed district is located at the northeast corner of Rochester and Tienken Roads and consists of two parcels totaling 40.25 acres. The district contains all extant buildings and structures associated with the National Twist Drill & Tool Company's plant: five buildings, four utility structures, and a water tower. One noncontributing building was added in 1987. The office buildings that comprise the front present bands of windows and cream-colored brick with Art Deco details. This architectural design is unique in Rochester Hills. The structures were built beginning in 1940 on a 180 acre parcel and all the buildings were located within the 40 acre parcel that they still occupy. The building, designed by Detroit architect Richard Marr and constructed by the Austin Company out of Cleveland, was first occupied in 1941. Throughout the war, manufacturing grew and the company eventually became the largest employer in the Rochester area. In 1968 it was sold to the Lear Siegler Company of Santa Monica, California.

Relative to the significance of the district, it meets three of the National Register Criteria. The period of significance that the Study Committee is suggesting is from 1940, when the buildings began to be constructed until 1968 when it was sold. Criterion A - that are associated with events that have made a significant contribution to broad patterns of the City's history - The National Twist Drill & Tool Company was the largest of the few industries in predominantly agricultural Avon Township or the village of Rochester. National Twist Drill was instrumental in the area's population and economic growth. With eighteen hundred employees in 1968, National Twist Drill was clearly the area's industrial leader and was one of the foremost manufacturers of metal cutting tools. Criterion B - that are associated with the lives of persons significant in the City's past - National Twist Drill & Tool Company is significant for its association with Howard McGregor Sr. and Howard McGregor Jr., who were responsible for two great enterprises: National Twist Drill and Great Oaks Stock Farm. The father and son were personally responsible for the growth and success of National Twist Drill. Howard McGregor Jr. became the Rochester area's leading philanthropist, donating land for schools and a hospital and engaging in a broad range of charitable activities. Criterion C - that embody the distinctive characteristics of a type, period, or method of constructions, or that represent the work of a master, or that possess high artistic values or represent a significant and distinguishable entity whose components may lack individual distinction - There is nothing in the Rochester area comparable to the Art Deco office buildings and factory of National Twist Drill. The only other

twentieth-century industrial building is the Detroit Broach and Machine Company at Rochester and Avon Roads, built in 1952 in the Miesian style. The National and Winter Brothers office buildings are distinguished examples of the Art Deco style, with stylized classical entrance pavilions and unique relief sculptures of people with metal cutting tools. The majority of the plant was built by the Austin Company of Cleveland, which is nationally significant for its innovations in factory construction.

In conclusion, the National Twist Drill & Tool Company has tremendous historical significance to the City of Rochester Hills. National Twist Drill was the Rochester area's largest industrial enterprise and represents Avon Township's contribution to the World War II war effort. The Art Deco office buildings are one of the Rochester area's architectural treasures. The Study Committee recommends that the National Twist Drill & Tool Company be designated as a local historic district. Ms. Kidorf indicated she would answer any questions.

Chairperson Thompson opened the floor to public comment at 5:43 p.m., indicating speakers are limited to three minutes.

Mr. Eric Mozer, 6875 N. Rochester Rd., Rochester Hills, MI 48306 came forward and explained he is the trustee of the Rein Mozer Trust, which owns the property at 6875 Rochester Road. He is requesting that the National Twist Drill site be removed from the potential Historic Society's list. Mr. Mozer explained that his father has made this request for the last ten years and there is a copy of his 2007 letter included in the packet information. The property was for sale, there was someone that wanted to purchase it, but the fact that it was on the potential list made the buyer walk away. The building is currently for sale and two other developers have come to the City, but when they were told the property is on the historic list, they also walked away. Mr. Mozer feels it is ironic that the City would make a historic site for something that was 40 years ago, a reminder of the industry jobs that were moved to the South. Lear Siegler had a lot of people, but closed the plant and moved to the South. Mr. Mozer's father purchased the property 32 years ago and the McGregors had owned it for 34 years. The building sits vacant, he has not collected rent on the front part of the building for three years and has had to evict people out of there. Mr. Mozer and his wife created Race Rochester go-cart track to help his parents with the building. The rent collected there pays for the building and helps finance the building. He has not collected any salary or rent from the go-cart track for five years. Mr. Mozer requests the property be removed from the historic designation list so he can sell it. He understands the Commission wants to preserve things, but this affects his livelihood. Please look at this issue again. Thank you.

Mr. Fred Ferber, 6841 N. Rochester Rd., Rochester Hills, MI 48306 came forward and said three minutes is a very limited time. When he purchased the property the building was demolished, the roofs were off and the major building was totally not used. This property can be of great benefit to the City for taxes. Taxes will be decreased as sooner or later, he will move out. The property can be of great benefit to the residents of the City because it could bring in a couple million in taxes. The recent newspaper article about the property contained many misleading statements. Mr. Ferber introduced Mr. Robert Carson who is

representing him. Thank you.

Mr. Robert Carson, 4111 Andover, Bloomfield Hills, MI 48302 came forward and stated that the three minute rule makes sense for the long agendas of City Council, but tonight's meeting is a single item. If he is held to three minutes, he'll speak for three minutes, but it doesn't make sense with respect to this particular issue. He would like to concentrate on the criteria for considering the subject property historic. Mr. Carson doesn't think the property meets any of the criteria, including the criteria previously discussed. He referred to the Code of Federal Regulations to which the City Charter and the State Statute recommend the Commission review. That is, 36 Code of Federal Regulations part 60, and the criteria that was just read was criteria A, B and C. It is important for the Commission to note that that criteria is enabled by a Federal Statute. The Federal Statute that enables the creation of that regulation is 16 United States Code 471. Section 101A6 of that Statute states "if the owner/owners of any privately owned property or a majority of the owners of such properties within the district object to the inclusion or designation of such property, such property shall not be included in the National Register or designated as a national historic landmark until such objection is withdrawn". 100% of the owners of the property in question object to the designation of this property. Under the Enabling Act, that would prohibit the designation of this property. That should begin and end this. With respect to the criteria, he objects to the concepts that have been stated. The architect that was named is an architect that is not well known, is not held in high regard, and if it is an architect of any significance, it was only in the building of houses. There are no houses in connection with request, therefore there is nothing distinguishing as to that architect's career. The fact that it was constructed by an out of state building company can not be thought by anybody to have any significance. The fact that the McGregor family may have had significance to the area, may have been significant if Great Oaks Farm was under consideration or their home was under consideration, but not their warehouses and empty acreage. The fact that it was a large employer is maybe interesting from the standpoint of past people who worked in the area, but is of no significance to this site. This site has no historical value and has no historical significance to the City. Mr. Carson requests that this matter, which has been pending for much too long, be put to an end. Thank you.

Mr. Brandon Noll, 6841 N. Rochester Rd., Rochester Hills, MI 48306 came forward and stated the designation being placed upon the property is going to further ensure the inability of the property to return to a productive future. He explained he is the property manager at 6841 Rochester, and has been approached by many developers who would like to put a medical facility on the site. The amount of taxes and the jobs this would create in the area would be more beneficial than what is there now. Unfortunately, because of the designation, Mr. Noll is fighting to keep this option alive. He is in contact with the homeowner's association president for the subdivision behind the subject property. These residents do not want to see the existing building there much longer either. This designation will not only hurt the property owners, but the community as well by leaving the buildings there. Please stop this. Thank you.

Chairperson Thompson asked for clarification on whether the Study Committee

actually designates anything, or is it all through City Council. Ms. Kidorf explained that City Council actually would designate the district. The Study Committee is making a recommendation to City Council, and it will be up to City Council to decide whether or not to create the local historic district.

Ms. Kidorf then added that Mr. Carson cited 16 USC 471, section 101A6 - that does refer to national register listings. Anyone applying for a listing in the National Register of Historic Places - if the owner or majority of owners object, then yes, it is correct that they will not be listed in the National Register. Ms. Kidorf reminded everyone that this is a local decision and is different than what is stated in the federal code for national register listings.

Chairperson Thompson opened the floor for Commission comments or questions.

Ms. Thomasson asked Ms. Kidorf if the local ordinance addresses an owner's objection to designation. Ms. Kidorf indicated that the City's local ordinance and the State law, which are practically mirrors of each other, do not require owner consent. It will be strictly up to City Council as to whether or not they will designate the property.

It is Ms. Thomasson's understanding the reason this is on the Study Committee's agenda is not by our choice, but because the owners went before City Council and requested that some action be taken. So this has come to the Study Committee to recommend action to City Council? Ms. Kidorf stated this is correct.

Mr. Branstner inquired if the report has been submitted to the State yet, or does this happen after Council votes? Ms. Kidorf explained once the Study Committee adopts the Preliminary Report, it will be transmitted to the State Historic Preservation Office (SHPO) and the City's Planning Commission for review. We have to wait 60 days before holding a public hearing, which is tentatively scheduled for November 15th. Hopefully the State will forward their comments within those 60 days. Once the public hearing is held, then the Study Committee would adopt the Final Report with the final recommendation to City Council. Then it will be up to City Council to determine whether or not to adopt an ordinance to create the local historic district.

The last time this property was discussed, Ms. Thomasson remembered the Study Committee talked about asking SHPO if the district could be divided between contributing and non-contributing structures. Ms. Kidorf stated the Committee had asked her to look at this possibility. Dividing the parcel would not meet the National Register criteria - buildings are not typically divided as standard preservation practice. The Committee took Ms. Kidorf's opinion relative to this situation, so the State was never asked this question.

Mr. Carson asked to address a few comments. He agreed with Ms. Kidorf's comments in that the federal statute that was cited is for the national registry, however, that is the enabling statute that creates the code of regulations which is referred to by both the City ordinance and the State statute. It's by the federal code of federal regulations that the criteria is established. Therefore, he thought

it was important since it's the code of federal regulations, not a State regulation that governs the criteria, that you understand the criteria that gave rise to the code of federal regulations. Mr. Carson explained the reason he understands that the City Council referred this back to the Study Committee is because this has been pending before this body for an extended period of time. The overhang of this pending for a long time was debilitating to the property and to the interests of the owners. The owners asked the City Council - can you please put an end to this, and City Council said OK, we will direct it back to the Commission, so that the Commission could either reject the recommendation or move forward with the process if they felt the criteria had been met. It wasn't that the owners wanted the designation.

Mr. Branstner is trying to understand the process and the Study Committee's options - does the Committee have the voting power or do they need to continue the process and have it go back to Council?

Ms. Kidorf reiterated that the Committee can only do one of two things. They can make a recommendation back to City Council - the recommendation can either be to adopt the historic district or to recommend not adopting the historic district. It is only City Council that can make the final decision. The Committee's role is only to make a recommendation, and that is the way it is for all Study Committees around the State.

Ms. Thomasson feels like the Study Committee's hand is forced tonight to make a recommendation. Personally, she feels this property is historically significant, but because the owners are so much against it, she is unsure what to do.

Mr. Hannick commented if the Committee sends the report back to Council, they can make their own choice. Chairperson Thompson explained that that is the final stage of the process. Tonight the Committee is just deciding on whether or not to send the preliminary report to the State. City Council does make the final decision.

Mr. Hannick then asked why the Council sent it back to the Study Committee, to which Chairperson Thompson replied that that is the process. Someone asks the City Council, they send it back to the Study Committee for study, and a recommendation is made back to Council and they make the final decision.

Mr. Breuckman commented it is true that the report has been out there for some time, the job of the Study Committee is a very narrow task. They are charged with looking at the technical criteria for whether or not this meets the criteria for a historic district. This report never went through the process before, the preliminary report was done back in 2008, but it never went to the State nor was a public hearing held, so a formal recommendation was never made by this Committee to City Council. So Council does not have anything to act on at this point. Council sent it back to this board to go through the full process, which is outlined in State law. Tonight the question of the Study Committee is whether or not to accept the preliminary report and its findings and to move the process forward. There will be a public hearing before the Study Committee, so this is not the end of the process; it's only the beginning. The actions tonight would be

to accept the report and to transmit it to SHPO and to the Planning Commission, and then get the public hearing scheduled for November. The report could also be rejected.

Ms. Kidorf reported that if the Committee rejects the report, it just delays the process because we can't have the public hearing until after 60 days.

Mr. Carson said it was expressed at the last City Council meeting that the Study Committee's recommendation whether to accept or reject will dictate whether or not they will remain or be removed from the consideration list.

Ms. Kidorf said she is sorry they were misinformed, but that is not the way the process works.

Chairperson Thompson called for a decision from the Committee.

MOTION by Webster, seconded by Branstner, **Moved**, that the Study Committee accepts the preliminary report and requests it be transmitted to SHPO and the Planning Commission for their review.

A motion was made by Webster, seconded by Branstner, that this matter be Accepted. The motion carried by the following vote:

Aye 7 - Branstner, Carlson, Granthen, Hannick, Thomasson, Thompson and Webster

Ms. Carlson commented she is conflicted about this. The Study Committee's role is very narrow - to determine whether or not a property meets the criteria for designation. She believes the property does meet the criteria for designation, but understands the plight of the owners and hopes City Council will listen to their comments and do the right thing with the designation.

Chairperson Thompson said November 15, 2012 was the date mentioned for the public hearing. Ms. Kidorf clarified that the regularly scheduled November 8, 2012 meeting would be short of the 60 days required. Therefore, staff is asking the Committee if they are willing to change the November regular meeting to November 15th - this timeframe meets the 60 day requirement as dictated by the ordinance. Chairperson Thompson asked if the members were available on the 15th. Ms. Thomasson and Mr. Webster have previous commitments.

The public hearing is set for November 15, 2012, which is the earliest it can be held.

ANY OTHER BUSINESS

Mr. Webster asked if anything has happened with the historic plaques he mentioned at the last meeting. Chairperson Thompson stated he did bring this up during the HDC meeting, and staff added there is nothing new to report.

Mr. Hannick asked what the job of the Study Committee is at the November

15th meeting. Chairperson Thompson explained that two public hearings would be held on that date - the Twist Drill property and the 1631 W. Avon boundary reduction. The Committee's job is to simply hold the meeting, open the public hearing and let anyone say whatever they would like. The board will simply listen with no rebuttal or interruption. The public hearing will then be closed and the Study Committee will make their formal recommendation to Council on whether to adopt or not adopt the ordinance by way of the Final Report. There is the chance that SHPO's comments on the preliminary report will not be received in time for the public hearing - they are under no requirement to do so. Sixty days is merely by statute, the soonest the Committee can hold a public hearing after the report is sent to SHPO. Because staff is on a fast-track on this issue, we may not have their comments. Mr. Breuckman reiterated the Committee has a very narrow charge - does it meet the criteria - and if it does, then recommend Council adopt the ordinance to create the historic district. Council does have the ability to modify, reject or adopt. They can take into account many more factors than the Study Committee can. Mr. Breuckman added that as staff and with Ms. Kidorf, when this issue goes to Council, they can work to potentially find a solution that works for everybody - the designation of the entire property may not be the best route forward. Per the criteria, the Committee has to find that the entire property is historic. City Council has some leeway, and staff can work with the property owner and Council to hopefully find something that accomplishes somewhat of a win-win for everyone. Mr. Webster would prefer to reduce the boundary to just the southwest corner office building, because he doesn't think the entire factory out back is worth saving as an historic district. He feels the architecture of the southwest corner is probably the best way to go. Mr. Breuckman added that staff is aware of the challenges trying to rehabilitate the warehouse space. Chairperson Thompson agreed with this direction, but right now, this Committee has to move the process forward.

Ms. Granthen reported that Dr. Stamps, a former Study Committee member, will be giving his last lecture at 3:30 tomorrow at Oakland University.

NEXT MEETING DATE

Chairperson Thompson reminded the Committee that the October 11th and November 8th regularly scheduled meetings are cancelled, and there will be a special meeting to hold the two public hearings on November 15, 2012.

ADJOURNMENT

Hearing no further business, and upon Motion by Webster, the Chair adjourned the Regular Meeting at 6:25 p.m.

Jason Thompson, Chairperson
Historic Districts Study Committee
City of Rochester Hills

Sandi DiSipio,
Recording Secretary

