



**City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS**

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Legislative File No: 2009-0411 V10

TO: Mayor and City Council Members
FROM: Ed Anzek, Planning and Development, 248-656-4660
DATE: June 29, 2010
SUBJECT: 1585 S. Rochester Rd. Historic District

REQUEST:

The HDSC requests the City Council deny the applicants request and not eliminate the district located at 1585 South Rochester Road.

BACKGROUND:

The City Council referred the request for elimination of the historic district located at 1585 S. Rochester Road to the Historic Districts Study Committee on September 28, 2009. The Study Committee was required to make a recommendation back to Council within 180 days. On April 12, 2010 the City Council granted a 60 day extension to the Committee's deadline.

The property is located on the east side of Rochester Road, north of Hamlin Road. The subject site has been identified as Designated Non-Contiguous Historic District since 1978. A preliminary report was produced in accordance with the process outlined in the City's Ordinance that recommended delisting of the property.

The preliminary report and recommendation were prepared by the City's preservation consultant. The recommendation was based on the initial reasonable investigation and information gathered to meet the requirements for a preliminary report. As part of the process, and to seek input from the State, the Study Committee forwarded the preliminary report to the State Historic Preservation Office (SHPO) and the City's Planning Commission for review.

Forwarding the report to the State is not an acceptance or acknowledgment of the initial recommendation, only the first step in the process to seek additional input and direction. It is not a recommendation to the State regarding the Committee's final direction, only a reflection of the information available at that point in the process. It is important to get the report to the State and to hold the Public Hearing as early in the process as possible so that all parties' input can be collected prior to completing a final report and recommendation.

The State accepted the report with comment, and the Planning Commission determined that the proposed delisting would have an impact on the property with respect to the City's Master Land Use Plan and the PUD covering the property. The Commission also acknowledged that the land use concerns were being reviewed as part of a revised PUD agreement being proposed by the applicant.

The HDSC held a Public Hearing on the report on February 11, 2010 (minutes attached).

Based on the input from the State and comments at the Public Hearing the HDSC continued to conduct research regarding the property, including interviewing surviving family members and pursuing family connection to the region's Automotive Heritage. Several pieces of information were uncovered that lead to a revision of the original conclusion and a recommendation to Council that the Property remain designated.

The Ordinance identifies three reasons for the potential elimination of a designated historic district.

- Lost Physical Characteristics. The historic district has lost those physical characteristics that enabled establishment of the district.
- Insignificance. The district is not significant in a way previously defined.
- Defective procedure. The district was established pursuant to defective procedures.

There is no evidence that that the district was established by defective procedure. The Study Committee followed all of the applicable rules and procedures required for establishment of a district when originally reviewing the subject property.

The HDSC, including input from the City's Consultant, has reviewed the property and determined that there is no evidence that the property is not significant in the way previously defined. The applicant has provided information and professional opinion regarding what the original definition should have been and what they feel the significance is now however, none of that information establishes that the significance is different than the opinion of the original Committee.

The district has not lost the physical characteristics that enabled establishment of the district, the original designation consisted of the house and everything within 100 feet, all of which is still exactly as it was when designated.

There is no reference in the Ordinance for the delisting of a property due to its current condition, regardless who is responsible for its state of disrepair.

The HDSC would also like to note, although not related to the criteria for designation, that the current applicant has acknowledged the importance of this property's local significance in the past. It is understood that the designation of the property as historic was not the only reason for the previously agreed to Planned Unit Development agreement, however, it was noted several times during the process the importance of preserving and protecting the property and how that was an important criteria that was being met by the process.

The Study Committee would also request that regardless of Council's final decision on elimination of the district that Council continue to recognize the historic value of this house to the City and its Residents. It is also the HDSC's understanding that the PUD agreement is a negotiation between the applicant and the Council, that process can be used by Council to protect and preserve this house even if it's determined that the property should not remain a locally designated district. It does not need to meet the standards identified in the Preservation Ordinance to be protected by a revised PUD agreement; it can be afforded those protections based on the negotiations between Council and the applicant.

Based on the three criteria established in the City Ordinance the HDSC recommends that the applicant's request be denied and the district remains designated. Please review the attached final report for a full review of the property and final conclusion.

It is required that the final report be forwarded to Council after the public hearing. The report has been adjusted to address comments from the SHPO and the Study Committee and is being presented to City Council as the Final Report.

RECOMMENDATION:

The Historic Districts Study Committee recommends that City Council NOT eliminate the locally designated historic district located at 1585 South Rochester Road.

RESOLUTION

NEXT AGENDA ITEM

RETURN TO AGENDA

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		