

**BIRMINGHAM HISTORIC DISTRICT COMMISSION**  
**MINUTES OF JANUARY 17, 2018**  
Municipal Building Commission Room  
151 Martin, Birmingham, Michigan

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Minutes of the regular meeting of the Historic District Commission (“HDC”) held Wednesday, January 17, 2018. Vice-Chairman Keith Deyer took over as chairman and called the meeting to order at 7 p.m.

**Present:** Vice-Chairman Keith Deyer; Board Members Doug Burley, Adam Charles, Thomas Trapnell; Michael Willoughby

**Absent:** Chairman John Henke; Board Member Natalia Dukas; Alternate Board Member Dulce Fuller; Student Representatives Josh Chapnick, Griffin Pfaff

**Administration:** Matthew Baka, Sr. Planner  
Leslie Pielack, Museum Director  
Carole Salutes, Recording Secretary

**01-01-18**

**APPROVAL OF MINUTES**  
**HDC Minutes of November 15, 2017**

**Motion by Mr. Willoughby**  
**Seconded by Mr. Charles to approve the HDC Minutes of November 15, 2017 as presented.**

**Motion carried, 5-0.**

**VOICE VOTE**

Yeas: Willoughby, Charles, Burley, Deyer, Trapnell

Nays: None

Absent: Dukas, Henke

**01-02-18**

**HISTORIC DESIGNATION ELIMINATION REVIEW**  
**361 E. Maple Rd.**  
**Hawthorne Building**  
**CBD Historic District**

Proposal: Mr. Baka explained the owner of the property located at 361 E. Maple Rd. has requested that the City Commission consider removing the historic

designation of their building as a Contributing Historic Resource within the City of Birmingham. The property owner has submitted an application to the Planning Board requesting to demolish the building as part of a redevelopment proposal.

As required by Section 127-5, Establishing additional, modifying, or eliminating historic districts, the City Commission issued a resolution on July 24, 2017 directing the Historic District Study Committee ("HDSC") to prepare a preliminary study committee report on the subject property in accordance with the Code and execute the additional steps outlined in that section in order to make a recommendation to the City Commission.

The preliminary study committee report has now been completed by the HDSC and has been forwarded to the State Historic Preservation Office ("SHPO") for comment. The City Code also requires the report be presented to the Planning Board and Historic District Commission ("HDC") for comment.

Accordingly, Planning staff requests that the HDC take this opportunity to provide their comments on the requested elimination of the historic designation of the Contributing Historic Resource at 361 E. Maple Rd.

#### *Findings of the HDSC*

The HDSC is required to follow the procedures as set forth in Section 127-4 of the City of Birmingham Historic Districts Ordinance, as amended. The procedure requires the issuance of a preliminary report, holding a public hearing, and issuing a final report with the intent of showing one or more of the following in order to justify the de-listing of a designated property:

1. The Historic District has lost those physical characteristics that enabled the establishment of the district.
2. The Historic District was not significant in the way previously defined.
3. The Historic District was established pursuant to defective procedures.

HDSC members do not feel the district has lost its physical characteristics. This building which is part of the district is virtually unchanged from its appearance in the '80s when it was initially designated. Additionally, the characteristics that established the district in the first place still remain. The HDSC feels the district is significant in the way it was defined as an important commercial area and key to the history of Birmingham. Lastly, Public Act 169 of 1970 which is codified in the City Code was followed in establishing the historic district. Therefore the HDSC is recommending that the request for de-listing be denied.

Mr. Willoughby asked about the qualifications of members of the HDSC. Mr. Deyer said the members have been willing to do research work. It is not how they feel, but what kind of research can they do. Mr. Baka added they all have background in real estate or historic preservation.

The Chairman called for public comments at 7:10 p.m.

Mr. Rick Rattner, Attorney, 380 N. Old Woodward Ave., represented the owner of 361 E. Maple Rd. Mr. Rattner presented a PowerPoint advocating this is the type of de-listing that should go on to make the Historic District area of Birmingham cohesive and meaningful. They believe that 361 is not a significant building. It is 20 ft. wide and 15 ft. high and has minimal architectural features. He noted that Mr. William Finnicum, historical architect who authored their report, was present in the audience as well as the building owner, Mr. Victor Simon.

The 1983 Inventory card completed by Mr. Max Horton, Chairman of the HDC at that time, shows the building's architectural significance is that it was constructed in 1927. Also, the historical significance is listed as none. So they believe that 361 has lost its physical character that enabled its establishment as a landmark building. Further, it is important for the district to maintain the scale and scope of the adjacent buildings, and that has changed dramatically, Also that whole side of the street is likely to change even further.

Gradually over 20 years the principles of the 2016 Plan and the Overlay District have changed the Downtown Birmingham character from a small town to a more urban small city. All of the areas with stand alone landmark buildings have been kept intact. However they believe this outlying building has lost its significance and is not fulfilling its purpose as a landmark building in the Historic District as it was originally intended.

Mr. William Finnicum, Finnicum Brownlee Architects, pointed out that his report was written with the utmost respect for historic preservation and for the Historic District in the City of Birmingham. Also, with a great deal of respect for the 2016 Plan which he thinks has accomplished a great deal for the City.

361 E. Maple Rd. was protected by being listed as historical because it was considered a visual anchor for the east end of E. Maple Rd. However, now it is not a strong visual anchor because of how that street is developing. Therefore they feel the best route would be to de-list this building and replace it using the same criteria that is being applied to the infill structures. That would make the Overlay District stronger and would have no effect on the Historic District.

This building does not have the benefit of historic buildings that have critical mass. They can stand on their own. Anything can be built adjacent to them and they will remain unharmed and likely stand out from the new construction. The Briggs Building was expanded vertically, but design wise that is not an option in this case.

If the building is removed, a record of what happened there should be made of it with drawings and photographs.

In response to Chairman Deyer, Mr. Victor Simon, 335 E. Maple Rd. and 159 Pierce, said he purchased this building in 2016. At that time he never heard it was historic.

Mr. Baka stated that there have been extensive steps through the Overlay Ordinance and through the responsibility of this board to make sure that these buildings are compatible with the historic buildings in regards to the materials that are allowed to be used and the composition of the facade. The 2016 plan specifically states that these steps have been taken to maintain the character of the City.

Chairman Deyer added that as he listens to Mr. Finnicum's and Mr. Rattner's rationale he could start arguing that at least three other buildings in town could be destroyed and torn down because someone wants to put in a five story and the rest of that block is going to be five stories; so tear it all down and move on. To him that flies in the face of the intent of historical preservation and the image of the City they are trying to maintain.

Mr. Finnicum said they do not feel the Historic District should be eliminated, but they feel this is a special case.

Mr. Willoughby said from an architectural perspective of what would be best for the City, he would say let's de-list this building. He thought it could be an interesting challenge to design the new building leaving the front facade. That might keep the historic significance as well as allow the building to expand. He feels they should have the flexibility to allow their town to grow and allow the beauty to come forward. But his personal opinion is that it would be helpful to have some reference to the building facade the way it is now.

Mr. Trapnell agreed with preserving buildings that can stand on their own. However, buildings that are just old can be redeveloped into structures that are more in keeping with what the character of the district has become without diminishing the overall historic nature of the Historic District. He feels the existing historic building is no longer a contributing element to its environment.

Mr. Burley commented that he does not think there is anything remarkable about the front of this building and he did not have an issue with de-listing it. There is no historical significance as far as the architecture is concerned.

Mr. Charles did not find there is anything exclusively significant about this building. As far as increasing the height of so many buildings for mixed use, parking space is not being accommodated. Also he is nervous that de-listing a property from historical classification will become routine. As far as this building, he feels it is one that can be let go. The driving point for him is that the report from 1984 says there is no significant historical significance. Also, he too would

be in favor of keeping the first level facade in homage to what the building once was.

Chairman Deyer added to the discussion. The City has only listed one building in the last 20 years at the owner's request. So to start de-listing buildings is a concern for him.

Mr. Baka indicated he has spoken to several Downtown historic property owners who have told him if this is successful they would also like to de-list.

**01-03-18**

**HISTORIC DESIGN REVIEW**  
**556 W. Maple Rd.**  
**Birmingham Historic Museum**

Zoning: PP Public Property

Proposal: Mr. Baka offered background. The City of Birmingham is proposing to reconstruct the previously existing pool behind the Allen House and install an ADA compliant path system to create an accessible outdoor experience available to all users. This project is being proposed in conjunction with the implementation of a wetland restoration project in the pond area. The Historical Park and Museum is a historically designated property and is required to obtain City approvals for exterior changes. The Birmingham Museum Director, Ms. Leslie Pielack, has provided a report outlining the motivation and analysis involved in the consideration of this proposal. The report contains details on the current proposal as well as historic photos. HRC Engineering has also provided an analysis of the pond area which includes many physical characteristics of the pool. In addition, the landscape and accessibility plans for the property have been included.

The construction of the crushed stone pathways is part of an ongoing effort by the City of Birmingham to make the parks and other public facilities accessible to all users.

Mr. Brian Devlin, Landscape Architect, reported on his proposal to:

- Emulate the original pool behind the Allen House;
  - A boardwalk along the eastern edge to complete that edge,
  - A staging area to form the southern edge,
  - Handicap parking with signage along Willits that will allow someone with a disability to get all the way around the pond to a proposed overlook to the river,
  - A sidewalk on the south side of Willits.
- Replace wooden steps with stone steps to widen the stairway and improve the accessibility from top to bottom of the slope;

- Include a hand rail at the steps with wooden supports, and a metal rail with cables;
- Complete the boulder retaining walls around the path;
- Plant new elm trees that are resistant to Dutch Elm disease in the transition zone and in the front yard;
- Add Bell Plaza in the front yard, which is already in place;
- Add a Heritage Garden in the front yard and a Children's Garden at the Hunter House;
- Include trails on the west side of the woodland area as suggested in the Rouge River Corridor Trail Study.

The idea is to limit their footprint on the site in terms of keeping it open and planting elms as it was in early days.

Responding to Mr. Willoughby, Mr. Devlin thought the pond that is presently filled with vegetation could be excavated partially in order to form a water garden. Also they are trying to conform with the principles of the four Bs: the birds, bats, butterflies, and bees. The idea behind the restoration is to create areas that everyone can benefit from in terms of enjoying nature.

Discussion turned to fencing around the pool. Mr. Devlin said right now they show a wood fence with cable railing along the east and south portions of the pool. The addition of a planting plan would provide some plant material that would prevent someone from slipping into the pool.

Chairman Deyer thought in this case there is a logical argument for trying to emulate the original stone wall rather than differentiate from it with the new construction as put forth in the Secretary of the Interior Standards. Mr. Devlin said they could vary the uniform stones a little and still compliment the wall, but still know that it is different.

Chairman Deyer noted that he thinks the renovation is a nice plan and the new construction will be a nice plan also. He thought there might be grant money from the State and some of the other historic groups that could be used for some of the renovations.

Ms. Pielack said because of the focus on special needs access the Museum Board already is very excited about the idea of finding people who want to donate funds to help make the renovation happen.

**Motion by Mr. Willoughby  
Seconded by Mr. Trapnell to approve in concept the Historic Design Review  
for 556 W. Maple Rd.**

Chairman Deyer pointed out that four quadrants have been identified. As funds become available, each quadrant could come back before this board for approval. Mr. Devlin added that a ballpark cost to complete the whole plan is \$250 thousand.

Ms. Pielack reported that the Museum Board's take on the pool and pond area is heavily influenced by the desire to make it accessible first, and secondly to explain or interpret what happened there. Restoring it is probably not the highest priority in terms of returning the pool to exact depth, etc. If the water surface and the treatment around it suggest what it was, and they can explain more about it, that is more in line with what they were going for.

**Motion carried, 5-0.**

VOICE VOTE

Yeas: Willoughby, Trapnell, Burley, Charles, Deyer

Nays: None

Absent: Henke

**01-04-18**

## **MISCELLANEOUS BUSINESS AND COMMUNICATIONS**

### **A. Staff Reports**

- Administrative Approvals
  - 1158 Maple Rd. - Side yard generator install.
  - 188 N. Old Woodward Ave., Comerica Bank - Replace concrete vestibule entrances.
  - 412 Willits - Replace current A/C unit with new A/C unit.
  - 303 E. Maple Rd., Supernatural Lingerie - Replace storefront signage.
  - 185 W. Maple Rd., Union Barber - Requesting approval to re-cover existing awning with new fabric and add new business name "Union Barber" to valance portion only. No structural framing nor fastening changes whatsoever.
  - 389 S. Old Woodward Ave., Adachi - Switching a door to a window and a window to a door on north facade.
- Violation Notices (none)

-- Demolition Applications

- 1027 Suffield
- 1825 Maryland
- 271 Fairfax
- 1231 Cedar
- 1735 Henrietta
- 912 Ann
- 708 E. Lincoln
- 1963 Holland
- 2229 Manchester
- 815 Puritan
- 452 Suffield
- 407 Greenwood

**B. Communications**

-- Commissioners' Comments

Chairman Deyer encouraged holding a study session in order to reconcile the existing Sign Ordinance and the Overlay Sign Ordinance so they are more compatible, Mr. Baka thought the sooner that conversation is started, the better.

**01-05-18**

**ADJOURNMENT**

No further business being evident, the Chairman motioned to adjourn the meeting at 8:30 p.m.

Matthew Baka  
Sr. Planner