



MEETING MINUTES

PRESERVATION COMMISSION

Tuesday October 12, 2021

7:00 P.M.

Via Virtual Meeting

Members Present: Beth Bodan, Mark Simon, John Jacobs, Stuart Cohen,
Sarah M. Dreller, Jamie Morris

Members Absent: Aleca Sullivan, Suzi Reinhold

Staff Present: C. Sterling; C. Ruiz

Presiding Member: M. Simon, Chair

Notes Taken by: C. Sterling

AGENDA

1. SUSPENSION OF THE RULES

City staff recommends suspension of Article 2, Section 4 of the Commissions Rules and Procedures to permit remote participation.

- A motion to suspend the rules to permit remote participation passed unanimously.
- Chair Simon provided some introductory comments regarding application of the standards for review as well as the scope of the Commissions review authority.

2. NEW BUSINESS

A. 585 Ingleside Place – Landmark – 21PRES-0133

Morgante-Wilson Architects applies for a Certificate of Appropriateness to construct a single story masonry boat house in the same footprint as an original wood framed structure previously demolished and construct a new two-story accessory structure with ground floor boat storage and upper roofed enclosure and open terrace.

Applicable Standards: Construction [1-4; 7-8; 10-11; 13; and, 16]

- Eliot Flaws and Fred Wilson provided a detailed presentation of the proposal including material selection, form, and detailing mimicking that of the principle structure, construction techniques and materials capable of withstanding severe weather and rising lake levels, and the proposed use, primarily as storage for small watercraft as well as a lakeside enclosed seating area.
- Elliot Flaws described the use of the sites grade change to reduce the perceived height and mass of the two structures.

- Commissioners provided comment on the proposed roof form for the northern of the two accessory structures and questioned the positioning of the structure in relation to the property to the north
 - The location of the proposed northern structure was determined to be further east of both the principle structure to the north, as well as east of the pool deck and at-grade boat-house
 - Mr. Sterling reminded the Commission that although many of the standards for review relate to the association between proposed structures and adjoining properties and structures, those a most relevant in the context of a Historic District and in this instance, the properties in question are not within a Local Historic District, and only the subject property, not the northern property is a Local Landmark.
- Commissioners expressed concern with the proposed northern structures fenestration and expanse of glass not having a relation to the existing principle structure which has multi-lite windows and asked if this could be replicated.
 - The applicant suggest that this could be replicated and the condition on the south and west elevations could more closely mimic the east elevation which has mullion divisions which break up the glass area
- Commissioners expressed concern with the glass railing and suggested a change to match the existing railing system on the principle structure.
 - The applicant agreed to explore alternatives which were more contextual
- The property owner to the north, Lucy Lehman, provided public comment, with concern over both the legality of the non-conforming location of the southern accessory structure, and the ability of the north accessory structure to destabilize bluff system.
- An architect for Ms. Lehman provided testimony regarding the unpredictability of the bluff system and required sensitivity in engineering a structure such as those proposed.
- Mr. Sterling explained that the engineering of the structure would be reviewed in detail during general permitting and that the City Engineer has experience with these types of proposals and the engineering needs to ensure the bluff is not destabilized.
- Commissioners agreed that there was sensitivity required in the engineering and suggested some solutions but ultimately determined those concerns were outside their purview and would be adequately addressed during permitting.
- Commissioners debated the specific conditions for approval relating to the northern structures fenestration and railing design ultimately determining that the applicant can propose something to be reviewed by a subset of the Commission at a later time.
- A motion to approve the project with the aforementioned conditions on the railing design and fenestration was approved on a unanimous vote.

B. 217 Dempster Street – Lakeshore Historic District – Landmark – 21PRES-0134

David Raino-Ogden, architect, applies for a Certificate of Appropriateness to construct an addition to the east volume of the properties detached accessory structure and alter the accessory structures fenestration on the north elevation upper-story.

Applicable Standards: Alteration [1-10]; Construction [1-5; 7-8; and 10-13; and, 15]

- Mr. Raino-Ogden provided a brief presentation on the proposed addition to the existing Coach House including matching the existing structure in materiality and roof form.
- Mr. Sterling noted that the north elevation changes in fenestration were not visible from any public way and as such were outside the purview of the Commission.
- The applicant noted that the principle structure had recently undergone many exterior renovations and that the Coach House in question was designed and constructed much later in the 1920s.

- Commissioners asked for clarification on the additions fenestration and why the existing regular fenestration pattern could not be replicated on the addition as seen from Dempster Street.
 - The applicant explained that the interior floor plates of the new addition, in order to accommodate a higher ground floor for storage, would bisect the regular window location. It was determined to exclude the window rather than provide one bisected, or a faux window.
- Commissioners asked for clarification on the downspout locations as well as the basement entryway.
 - The applicant affirmed that the downspout ran down the center of the structure between the addition and existing structure and that the new ground floor entryway was intended to be obscured as much as possible as seen from the public way.
- A motion to approve the project as presented passed unanimously.

C. 1233 Judson Avenue – Lakeshore Historic District – 21PRES-0135

Nathan Kipnis, architect, applies for a Certificate of Appropriateness to replace existing windows, add a 40 panel solar array to the south roof face, and construct a rooftop deck over the southeast flat roof with new stair access at the south roof face rear volume.

Applicable Standards: Alteration [1-10]; Construction [1-8; and, 10-14]

- Nathan Kipnis presented a detailed explanation of the proposed work with an emphasis on sustainability and creating an energy efficient, all-electric building, as well as utilizing an existing flat roof on the recessed bay of the structure for a rooftop deck.
- Commissioners expressed concern with the proposed window replacement of the structures entire window program and asked about the condition of the existing windows
 - The applicant explained that the intent is energy efficiency, including the efficiency increase of a casement window vs the existing double-hung windows. The existing windows themselves are in good condition
 - Commissioners provided input on the ability to improve efficiency with restoration and weatherization of the existing windows as well as new custom wood flush mounted storm windows agreeing that the efficiency would be similar to the proposed casement windows.
 - Mr. Sterling provided input on the existing windows embodied energy as well as ability to be consistently repaired, where even the best replacement windows would need to be discarded and replaced in 20-30 years.
- Mr. Sterling suggested that perhaps the front-facing windows on primary elevations could be restored and weatherized while those less or not visible could be replaced.
 - The applicant suggested that they provide more information on the comparison between new casement windows and what the Commission was suggesting.
- The applicant reviewed the proposed solar array for the building and noted that they would be obscured by the front facing parapet wall when looking at the structure from the street.
- The applicant reviewed the proposed rooftop deck, noting that the proposed location was setback significantly from the street.
- Commissioners expressed concern with the proposed rooftop deck not having a historic basis within the District, or for the particular building.
 - The applicant provided a proximate building with a rooftop deck
 - Commissioners asked if the location of the deck could be moved further from the front edge of the building as to obscure it from view as seen from the street.
 - It was further suggested that the railing system be revised to reduce its bulk and prominence

- A motion to continue the case to the November meeting to allow the applicant to provide additional evidence and testimony in relation to the window replacements, as well as revise the decks location and railing detail passed unanimously.

D. 1217 Michigan Avenue – Lakeshore Historic District – Landmark – 21PRES-0121
The applicant is requesting reconsideration of a case previously denied per Article 4, Section 3 of the Commissions Rules and Procedures.

Garry Shumaker, applicant, applies for a Certificate of Appropriateness to: demolish the existing detached two-car framed garage; construct a new attached garage at the subject properties southeast rear volume; replace three non-original vinyl windows on the north and south elevations attic and basement levels; replace existing vinyl siding on the north and south elevations with wood clap-board siding; replace the existing window trim to match original conditions; and construct a new permeable concrete driveway.

Applicable Standards: Demolition [1-5]; Alteration [1-10]; Construction [1-8; and 10-15]

- Chair Simon provided some introductory remarks regarding the rules and procedures as well as the ordinance as it relates to facilitating application and design review processes.
- Mr. Citron, legal counsel for the applicant, provided an introduction for consideration of a motion to reconsider and the reasoning for pursuing this alternative rather than submitting a modified proposal or new application for review.
- Mr. Shumaker, architect for the client, provided some comments on the previous action taken in September and the perception that they were not given the same due process as other applicants to work with City Staff to address what they felt were minor concerns.
- Mr. Shumaker and Mr. Citron provided comments on the findings of fact supplied after action was taken in September and their feeling that many of the standards listed as not being met were not directly communicated during the meeting.
- Chair Simon, Mr. Sterling, and the applicant debated the proper procedure for reconsideration with Chair Simon and Mr. Shumaker acknowledging that this request had never been made before.
- Mr. Sterling stated the position of the City's Law Department, that action could be taken the same evening as reconsideration, noting that the reconsideration itself was based in a precursory outlining of the new evidence and facts now made available, and that those facts would only be presented in more detail after a motion for consideration was made.
- Chair Simon expressed a different understanding that the facts and evidence would be presented before the motion for reconsideration and action would be taken at the subsequent meeting. Chair Simon asked the applicant rather than reconsideration, if they would be willing to receive the detailed feedback they requested and instead reapply for the November meeting with a clear understanding of what was needed for approval.
- The applicant, legal counsel, and owner asked for time to discuss. The Commission recessed.
- Following recess, the applicant asked that reconsideration and presentation of the new information was preferred.
- The Commission debated the new evidence and facts the applicant stated would alter the basis of the previous action taken in September and whether a motion for reconsideration was appropriate.
 - Mr. Sterling reminded the Commission that a motion for reconsideration was not necessary, and that if no motion was made or no second received, the previous action would stand.
- Following further debate, a motion for reconsideration was made and carried unanimously.
- Mr. Shumaker provided a detailed presentation of the previous proposal including new exhibits showing the relationship between the south structures fenestration, rear coach-

house, the existing rhythm of structure spacing on the block as well as building heights, and a typical interior floor plan of the south structure showing the interior courtyard and light wells which provide the majority of the structures light and air.

- Mr. Shumaker provided considerable evidence in support of both the new structures height and location, as well as the depth of the proposed roofed enclosure and relationship between the south structure as being contextual to neighboring properties and typical relationships on the block and within the District in whole.
- Members of the public provided comment in support of the Commissions earlier action for denial and expressed frustration with the applicants desire to alter the location of the existing garage in a way they felt would be detrimental to the south structures integrity and the quality of life in the first floor unit most afflicted.
- Commissioners asked the owner of the aforementioned first floor unit if the provided floor plans were representative of her unit.
 - She acknowledged that they were, but felt the loss of light in the north windows would negatively impact her hallways.
- Mr. Shumaker provided testimony in relation to the new location of the garage and not only providing more privacy for the backyard space, but further providing more sunlight to the currently deprived rear-yard due to the location of the existing garage and the south structures detached accessory dwelling unit.
- Commissioners expressed concern with the proportion of the proposed eyebrow dormer
 - The applicant agreed and suggested a willingness to work with the Commission and City Staff to revise to be more appropriate.
- Commissioners expressed concern with the depth of the roofed enclosure and being notably deeper than the front porch and porches of other structures referenced.
- Mr. Shumaker acknowledged it was deeper, but was intended to allow a roof pitch which was sympathetic and contextual to the existing principle structure
- Commissioners suggested this could still be achieved while having less depth and noted that it appeared the intent was to not provide contextual or rhythmic depth, but to provide for covered parking.
 - The applicant suggested a willingness to revise the depth to better mimic the condition of the front porch so long as the proposed roof form could remain similar
- Commissioners acknowledged the efficacy of the new information provided and expressed that a different outcome would have likely occurred at the September meeting if the same information had been provided.
- A motion for approval with the condition that revised plans be submitted and reviewed by a subset of the commission which addressed the concerns regarding the proposed eyebrow dormer and depth of the roofed enclosure passed unanimously.

3. MEETING MINUTES

A. Approval of meeting minutes of September 14, 2021

- Mr. Sterling explained that the video of the September meeting was unavailable and locked by the Broadcast Manager. As such the minutes were created using hand notes without a thorough video review.
- Commissioners expressed some concern with the accuracy of the 1217 Michigan case and would like the video reviewed to ensure accuracy. It was suggested that this be done and the minutes up for approval at the next available meeting.

4. DISCUSSION

5. STAFF REPORTS

A. Design Guidelines Update

- Mr. Sterling presented the intent to create a set of illustrative design guidelines.
- The Commission discussed the value of the design guidelines and generally agreed they were a valuable tool for homeowners, contractors, and designers alike.
- The Commission agreed the guidelines should be a tool to help set expectations for proper treatment types which would meet the standards for review but wanted to ensure that there remained room for innovation and creativity.
- Commissioners Cohen and Morris volunteered to help create guidelines as well as review drafts of the guidelines

B. Long-Range Work Plan Subcommittee Update

- Mr. Sterling provided brief background on the visioning exercise and initial outline which was sent to the subcommittee the month prior

C. 2020-2021 Design and Preservation Awards

- Mr. Sterling read the award recipients and bios of the three jury members.
- Mr. Sterling stated the intent was to host an in-person ceremony the next year where the 2020-2021 recipients would be asked to join the 2022 recipients.

6. ADJOURNMENT

The next meeting of the Preservation Commission is scheduled for **November 9, 2021**.
The Commission adjourned at 9:45pm