

CITY OF MUSKEGON  
**HISTORIC DISTRICT COMMISSION**  
**SPECIAL MEETING MINUTES**

**October 15, 2020**

Chairperson S. Radtke called the meeting to order at 4:00 p.m. and roll was taken.

MEMBERS PRESENT: S. Radtke, T. Emory, K. George, K. Panozzo, A. Riegler

MEMBERS ABSENT: L. Wood, excused.

STAFF PRESENT: J. Pesch, H. Griffith

OTHERS PRESENT: T. Jacobs, President/CEO Community Foundation; T. Dorman, Frauenthal Center Facility Operations Manager; B. Spray, 1522 Clinton

**NEW BUSINESS**

**Case 2020-22 – 401 W. Western Avenue (Windows).** Applicant: Frauenthal Center/Community Foundation for Muskegon County. District: Downtown Structures. Current Function: Commercial. J. Pesch presented the staff report. The applicant is seeking approval to replace 102 windows. 57 windows are on the north and west facades of the offices fronting W. Western Avenue and 3<sup>rd</sup> Street, respectively; 6 small windows are on the 3<sup>rd</sup> Street side of the building on the upper floors and closer to the alley; 14 windows are in the alley; 3 windows are above the main roofline of the building on the elevator equipment room; 21 windows are in an internal courtyard not visible from the street; 1 window is on the west façade, facing 4<sup>th</sup> Street. The work has been partially completed.

T. Jacobs gave an overview of what was needed in upgrades for the structure. Ernhardt Construction Company (general contractor) had performed the assessment of the structure so the Community Foundation would have an idea of the upgrades that would be needed. A. Riegler asked for more information regarding the permit process for this work and this structure's location in a historic district. T. Jacobs stated that he believed the contractor had looked into whether a permit was needed, found out it was required after most the windows had already been installed, and a permit was then obtained. The HDC and Staff discussed how permits were obtained for the replacement windows without HDC approval. J. Pesch clarified that building permits were applied for under the Community Foundation's address (425 W. Western) which is not located in a historic district; the Frauenthal theater building has its own address (401 W. Western) and is part of the Downtown Structures Historic District. J. Pesch stated that a majority of building permits for work at 401 W. Western dating back a number of years were listed under the 425 W. Western address.

A. Riegler stated that she was concerned about the tint of the new windows as they appeared to be darker. T. Jacobs explained that there is a protective film on them that will be removed once the trim is finished and that the windows will not be as dark as they appear with the film. There was discussion of the window's Visible Light Transmittance (VLT) and the Zoning Ordinance's

requirements specific to the Form Based Code. J. Pesch explained that the Form Based Code allowed for glass having a VLT of seventy (70) percent minimum, which the replacement windows' specifications appeared to meet. T. Jacobs noted that the existing first floor windows have a darker tint than the new windows being installed on the upper floors. The history of the building and its window styles was discussed. S. Radtke stated that the windows that had been replaced were not the same as what had originally been installed. J. Pesch noted that, during the 1990s renovations, the Frauenthal Center had produced a study stating that on the original plans for the building, wood double hung windows with equal sized upper and lower sashes were specified, but never built. The proposed original window configuration – while not built, for reasons unknown – would closely match what was currently being installed. The board generally agreed that the new window configuration was more in line with the architects' original intent than the 2/3 upper and 1/3 lower sash configuration that was installed in the late 1970s or early 1980s (based on photographic evidence) and was in the process of being replaced.

A motion that the HDC approve the request to replace 102 windows: 57 windows on the north and west facades of the offices fronting W. Western Avenue and 3<sup>rd</sup> Street; 6 small windows on the 3<sup>rd</sup> Street side of the building on the upper floors and closer to the alley; 14 windows in the alley; 3 windows above the main roofline of the building on the elevator equipment room; 21 windows in an internal courtyard not visible from the street; and 1 window on the west façade, facing 4<sup>th</sup> Street as long as the work meets all zoning requirements and the necessary permits are obtained was made by A. Riegler, supported by K. Panozzo and unanimously approved with S. Radtke, T. Emory, K. George, K. Panozzo, and A. Riegler voting aye.

**Case 2020-23 – 1522 Clinton Street (New Construction (garage)). Applicant: Belinda Spray. District: Clinton-Peck. Current Function: Residential.** J. Pesch presented the staff report. The applicant is seeking approval to construct a new 12' x 20', wood frame, vinyl sided garage in the rear yard of the property accessed from the rear alley. The work has been partially completed.

The commission members discussed the garage that had been removed and what was being constructed there. K. Panozzo asked if the garage could be seen from the street. J. Pesch stated it could not and that the garage is accessed from the alley. B. Spray stated that she did not know a permit was required for construction of the garage, but had since begun the process of applying for a building permit, which led to her application to the HDC.

A motion that the HDC approve the request to construct a new 12' x 20', wood frame, vinyl sided garage in the rear yard of the property accessed from the rear alley as long as the work meets all zoning requirements and the necessary permits are obtained was made by K. Panozzo, supported by K. George and unanimously approved with S. Radtke, T. Emory, K. George, K. Panozzo, and A. Riegler voting aye.

#### **OLD BUSINESS**

None

#### **OTHER BUSINESS**

**Resolution Ratifying and Confirming Prior Historic District Commission Approvals** – A motion that the HDC approve S. Radtke to sign the resolution to ratify and confirm, *nunc pro tunc*, all of the Historic District Commission's actions approved at Historic District Commission meetings held after April 30, 2020, which were conducted remotely via technological means in compliance with the Executive Orders.

**MHPN Historic Resources Directory** – Staff distributed copies of the Michigan Historic Preservation Network's Historic Resource Council Spring 2019 Member Directory to HDC board members. A copy is available online at the following link: <https://www.mhpn.org/wp-content/uploads/2019/09/MHPN-2019-HRC-Directory.pdf>

**Work Completed Without HDC Approval** – The HDC discussed the process for reviewing work that had already received building permits prior to HDC review and approval. HDC board members requested that Staff review other work that has been completed in the historic districts after issuance of a building permit, but before HDC review.

There being no further business, the meeting was adjourned at 5:30 p.m.

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