

STAFF REPORT: MARCH 13, 2023, REGULAR MEETING

PREPARED BY: T. BOSCARINO

APPLICATION NUMBER: HDC2024-00066

ADDRESS: 350 MADISON

HISTORIC DISTRICT: MADISON-HARMONIE

APPLICANT: JOHN P. BIGGAR, STUDIOZONE LLC

PROPERTY OWNER: MUSIC HALL LLC

DATE OF PROVISIONALLY COMPLETE APPLICATION: FEBRUARY 14, 2024

DATE OF STAFF SITE VISIT: FEBRUARY 27, 2024 AND MARCH 7, 2024

SCOPE: REPLACE FIRE ESCAPE, ALTER FENESTRATION

EXISTING CONDITIONS

Now known as the Music Hall Center for the Performing Arts, this building was built in 1928 as the Wilson Theater. It faces north onto Madison. The Historic Designation Advisory Board Final Report describes it as follows:

The front (north) elevation has a dark marble base topped by beige Mankato stone to the height of the marquee. Above the marquee are six stone pilasters alternately surmounted by the masks of tragedy and comedy. These pilasters form a fenestration pattern which is composed of paired openings divided by slender engaged columns. The cornice line above the pilasters is covered by a green and tan mosaic. On either side of the pilasters is one bay of face brick which wraps around the corners of the building. The east elevation features Mankato stone with face brick courses, topped by face brick, with some decorative brickwork at the cornice line. The other two facades are common brick. This exterior ... combines features of the Arts and Crafts style with early Art Deco.

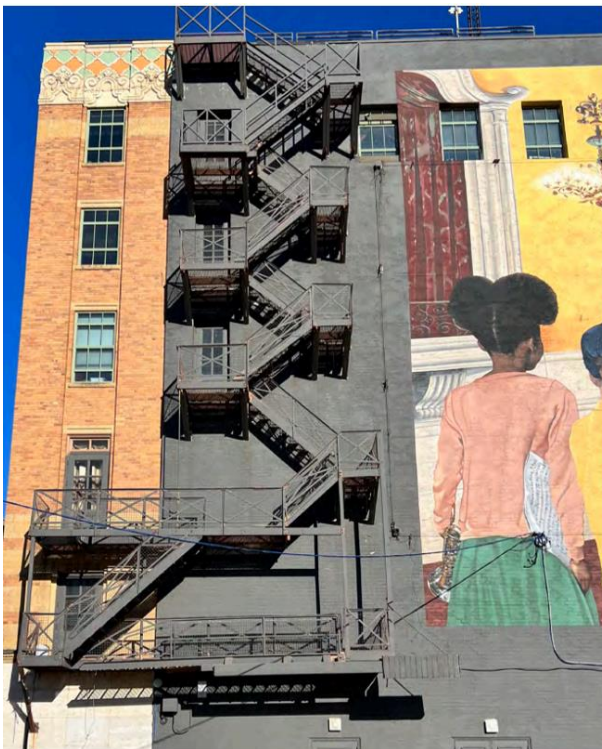


February 27, 2024, photo by staff looking south from Madison.



Detroit Parcel Viewer image with subject property outlined in yellow. At the top (north) of the image is the Madison façade. Arrow shows fire escape location.

The west face of the building bears the alley-facing fire escape and five door openings that are the subject of this application. The fire escape initially extended to the building's top story, as seen in the photos below, with a ladder providing roof access. Between 2015 and 2017, an additional tier was added, providing a stairway to the roof. The alteration was made concurrent with new rooftop use of the building. There is no record of Historic District Commission approval of this work.

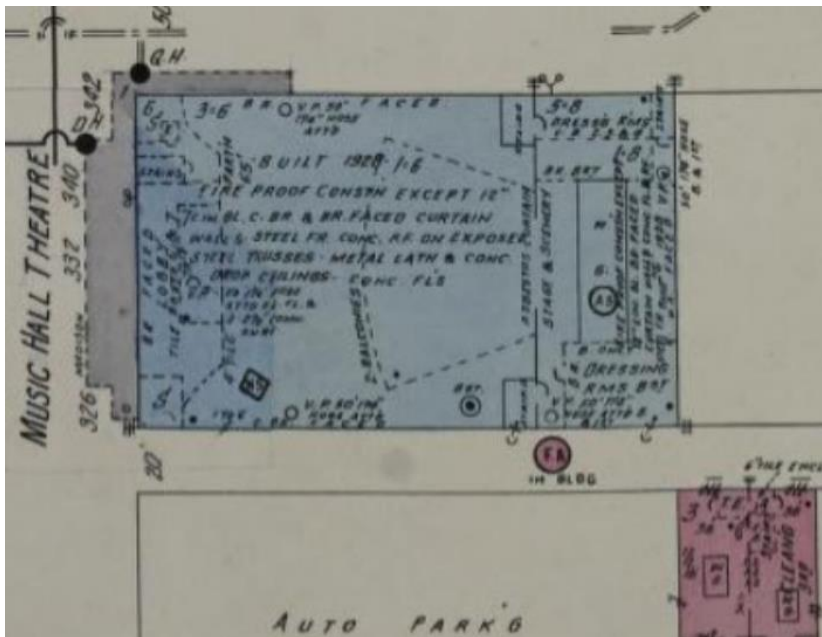


Left: 2024 photo of west elevation provided by applicant. Right: 1928 photo, taken during construction, depicting same; musichall.org/history



Photos showing interim conditions of the fire escape; Left, 1953 (Walter Reuther Archives); Right, 2015 (Google Street View).

The area to the south is presently a parking lot and has been one for at least fifty years, though it was occupied by apartment, hotel, and assembly buildings, facing west onto Randolph, at the time the Wilson Theater was built.



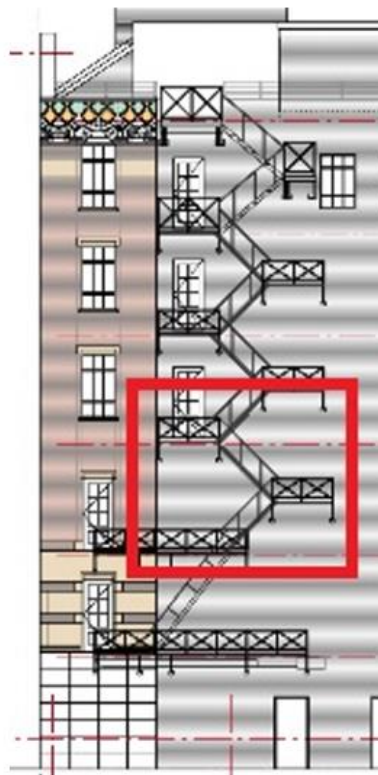
1950 Sanborn Map showing the theater building and adjacent parking lot.

Also to the south, the Historic District Commission recently approved a new building on the adjacent parcel. The new building would not be connected to 350 Madison at ground level but would be connected with two above-ground bridges across the alley. One of the bridges would be in the location of the proposed fire escape and fenestration work.

The appropriateness of the proposed work should be considered by the Commission both in the context of the proposed new building (as it has already been approved) but also, independently of any proposed development (as approved buildings are sometimes erected many years later, erected not at all, or erected in a revised form).



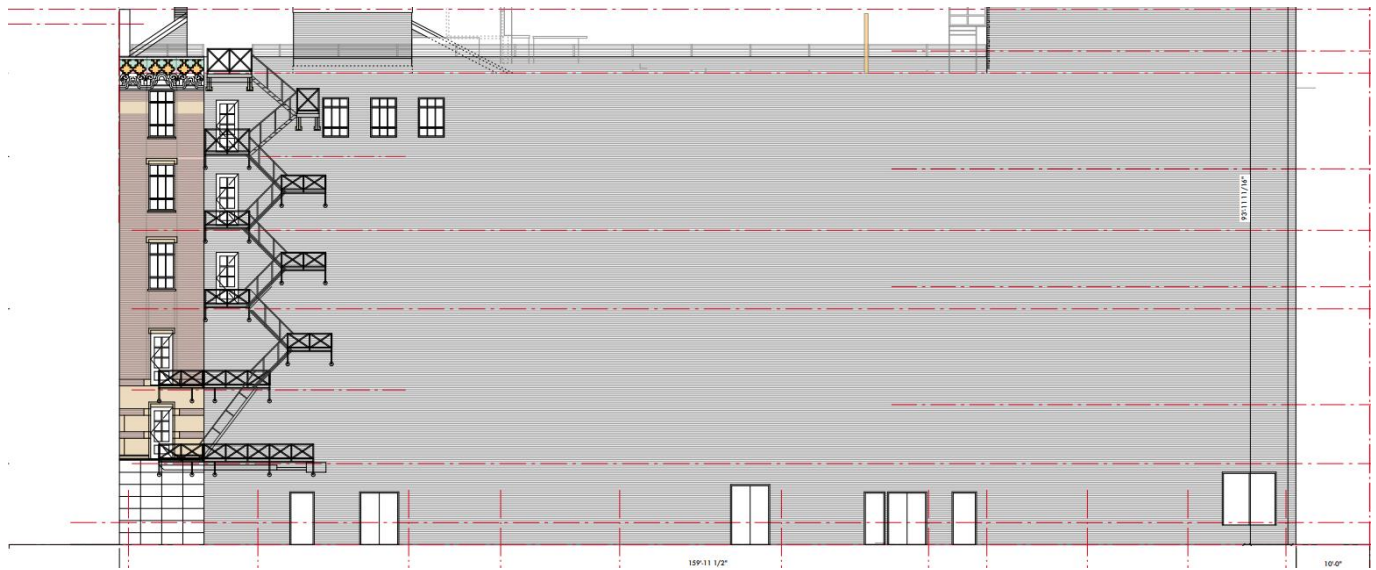
Rendering of approved new building; Image from August 21, 2023, application materials.



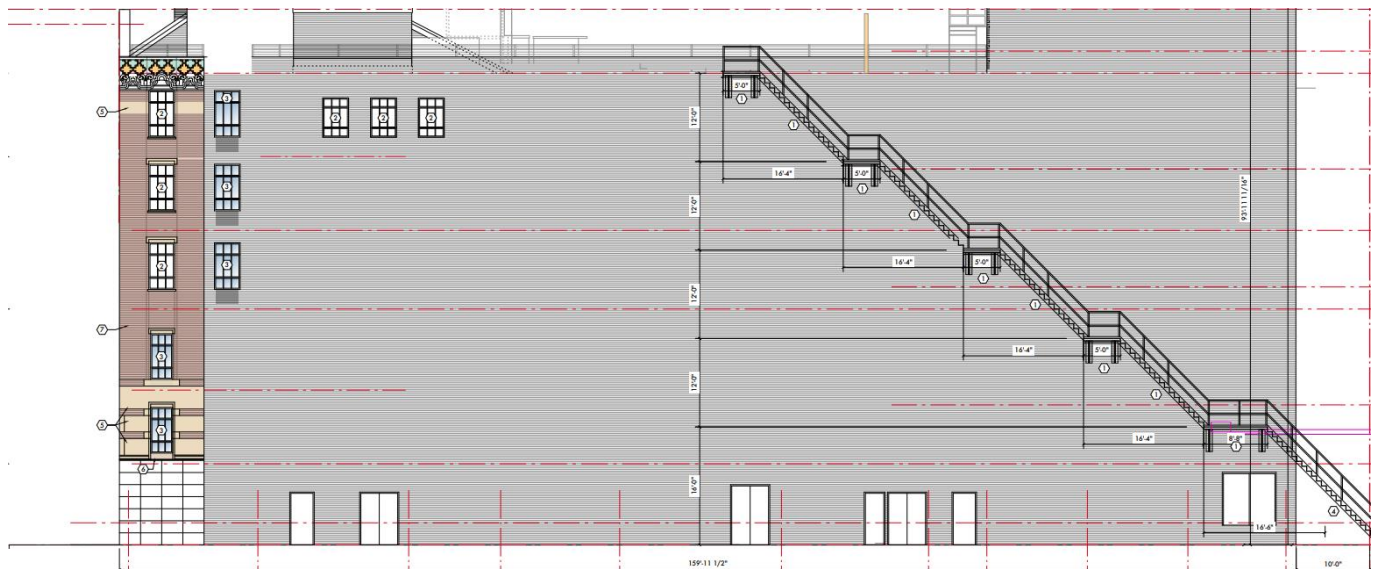
Left: Rendering of 350 Madison and proposed 300 Madison; from application 23-8515. Right: Elevation drawing by applicant with red box added by staff to show approximate location of bridge penetration.

PROPOSAL

The applicant proposes to remove the existing fire escape, eliminate the door openings serving the fire escape by converting them to windows, and install a new fire escape elsewhere on the same elevation.



Elevation showing existing conditions; image from application materials.



Elevation showing proposed work; image from application materials.

STAFF OBSERVATIONS AND RESEARCH

- The Madison-Harmonie Historic District was enacted by Ordinance 11-88 in 1988. The Historic Designation Advisory Board Final Report mentions sixteen contributing buildings from 1895 through 1924, suggesting a Period of Significance. The Final Report emphasizes the architectural significance of the buildings of the district. The report states that 350 Madison, originally the Wilson Theater, is a contributing resource significant as “one of the best examples of early Art

Deco architecture in Detroit.” It is noteworthy for its design by William Kapp with architectural sculpture by Corrado Parducci.

- The subject building, in addition to its importance as an example of Art Deco, appears to be almost entirely unchanged from its original appearance, though the rooftop sign has been changed to reflect the Music Hall name. Thus, the building is of citywide importance as an example of Detroit’s theater building history.



Uncredited 1920s photo from historicdetroit.org

- The Elements of Design for the district do not discuss fire escapes or fenestration on side elevations. The following observations are included:
 - The monumentally scaled buildings on Madison have very large window openings as well.
 - Foundations, keystones, window sills and decorative trim of brick buildings are frequently stone or cast stone. Glazed tile, terra cotta and enameled brick are also found in the district.
 - Window frames on Madison are usually painted green.
- The submitted scope of work states that “the Detroit Fire Department is requiring Music Hall remove the existing fire escape at the northwest corner of the building.”
- The applicant has stated (March 3, 2024, email to staff) that the existing fire escape is no longer usable. According to the applicant, it was determined by the Detroit Fire Department to be structurally unsound based on a visual inspection. The applicant also states that they disagree with the Fire Department assessment and had offered the results of 2018 load test support of their position, but the load test results were not accepted by the Fire Department.
- Staff notes that a finding from the Detroit Fire Department requires that the building management “discontinue use of the fire escape” (July 25, 2022, letter from Detroit Fire Department, Fire Marshal Division to Vince Paul). Staff also notes that a July 14, 2022, inspection report (referenced as Exhibit 9 in the July 25, 2022, letter) outlines several deficiencies with the fire escape. However, staff did not see any indication in either document that the fire escape needs to be removed, only that it is not suitable for use.

- Staff has contacted the Fire Marshal’s Office of the Detroit Fire Department to verify the above information and to clarify any concerns around structural soundness as a purely ornamental feature, and to determine whether the existing (historic) fire escape may conceivably be left in place. The email response (Fire Marshal Thomas, March 12, 2023, email to staff) is that the Fire Department has no objection to the fire escape remaining in place, but that cyclical maintenance and inspection would still be required. The email is quoted in full below (note that the “final decision letter” referenced has also been made available to the Commission along with the submitted application materials):

In my final decision letter issued to Mr. Paul (attached), there was no request from this office to remove the existing fire escape. However, if the fire escape is required to be utilized as the second means of egress from business/office areas, then it would have to meet the requirements for structural integrity as prescribed by the adopted city Fire Code (evaluation by a registered design professional or others acceptable to the fire code official). It is my opinion that even if the existing fire escape does not meet the criteria for secondary egress then it should be tested for structural integrity every 5 years. This office has no objections to the existing fire escape remaining in place as long as the stated requirements (current structural engineering reports and subsequent repairs) are followed. Please feel free to contact me should there be any additional questions. Thanks!

- The applicant also states that existing interior egress needs are met without the fire escape, but continued rooftop use will require an exterior fire escape (March 3, 2024, email to staff).
- The proposed new fire escape is of an appropriate design, materials, and other visual qualities to be appropriate and compatible with the building and the district, in staff opinion.
- However, the appropriateness of removing the existing fire escape is less certain. It is certainly historic (it is original to the building), and staff suggests that it is a character-defining feature warranting preservation, as directed by the Secretary of the Interior’s Standards for Rehabilitation. Repair, or if repair is not possible, replacement with a matching new feature, would certainly be an appropriate intervention. It could also be preserved in its current condition, maintaining its important visual qualities despite not being usable. Another possibility would be to preserve enough portions of the fire escape (such as the balconies) for it to retain its character-defining status, even if the steps and other components were removed.
 - Historic fire escapes are frequently recognized, in other contexts, by preservation professionals as being important. For one example, “Interpreting the Secretary of the Interior’s Standards 43: Converting Fire Escapes into Balconies in Mill Complexes” (National Park Service, 2007) states that historic fire escapes are generally character-defining elements of mill buildings and, accordingly, they should be retained in a rehabilitation project.” Although this document discusses a different property type in a different setting, its lessons may be relevant to other buildings as well. It suggests that fire escape stairways can be removed for safety and security reasons while the landings are preserved for either functional or non-functional balconies. For another case study, the New York City Landmarks Preservation Commission guidelines state “fire escapes are considered significant features and characteristic of *some* historic districts”¹ (emphasis added); their removal due to deterioration is often acceptable but they must be replaced by new units of similar materials and appearance.



Example character-defining fire escape from the Landmarks Preservation Commission guidelines.

- As an additional note, the fire escape would lose its character-defining status if a large portion (approximately half) were removed as shown, and already approved, in application 23-8515. At that point, removal of the entire fire escape would be appropriate, in staff opinion. However, the project architect indicated (March 7, 2024, email to staff) that the bridge and associated penetration are unlikely to be built as proposed.
- Due to their different size and placement, altering the two openings on the northernmost bay (defined by face brick and architectural detail) would require a different level of intervention than the three openings set further back (on the common brick portion of the building). For the former, the proposed new windows would fill the entire opening, requiring a minimum of alteration to the façade other than the addition of a new masonry sill. For the latter, the openings would need to be enlarged upward and to each side, with the lower portion of the opening filled with brick. This change can be seen in a side-by-side comparison of the existing and proposed elevation drawings included with the application materials and shown on page 5 of this report.
- The existing windows on the building do not appear to be original, but they are a very close match to the dimensions, profile, and materials of the original windows. It is not known when they were replaced.

ISSUES

- As mentioned above, staff opinion is that the fire escape is a character-defining feature. Its removal would be contrary to Standard #2 (applicable Standards are quoted in full below): “The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.” As long as the fire escape remains in place, alterations of associated door openings would also constitute the removal of a character-defining spatial relationship.
- If the Commission were to approve the removal of the fire escape, the treatment of the five associated door openings would also be a concern.
 - The elimination of the door openings would visually imply that the fire escape never existed, creating a “false sense of historical development,” contrary to Standard #3.
 - Although minor changes to fenestration on less prominent, secondary elevations are sometimes warranted, such as to meet egress needs, provide an accessible entrance, or to connect an addition, there is no such rationale here.

- There is a discrepancy in the submitted drawings. The enlarged window elevation shows windows that are four panes tall, while the alley elevation shows all window as being three panes tall. Were the replacement of the doors with windows to be approved, the configuration of each window should correspond with a comparable window on the front façade. For reference, façade has windows on the third and fourth floors that are four panes tall, while the windows on the first, fifth, and sixth floors are three panes tall.

RECOMMENDATION

Section 21-2-78, Determinations of Historic District Commission (Recommendation One: Denial)

Staff concludes that the proposed removal of the existing fire escape and proposed alteration of door openings does not meet the Secretary of the Interior’s Standards for the following reasons:

- The existing fire escape should be preserved as it is historic (original to the building) as well as character-defining due to its visual prominence in a highly visible and architecturally treated location.
- The existing five door openings subject to this application should be preserved, as they are components of a character-defining spatial relationship.
- Converting doors to windows, absent a compelling rationale, would create a false sense of historical development.

Therefore, staff recommends that the Commission issue a Denial for the proposed alterations as the proposed work fails to meet the Secretary of the Interior’s Standards for Rehabilitation, in particular:

2. *The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*
3. *Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.*

Section 21-2-78, Determinations of Historic District Commission (Recommendation Two: Certificate of Appropriateness)

Staff recommends that the Commission issue a Certificate of Appropriateness for the proposed new fire escape as it meets the Secretary of the Interior’s Standards for Rehabilitation.

¹ https://www.nyc.gov/assets/lpc/downloads/pdf/LPCPermitGuidebook_Chapter13_FireEscapes.pdf