

STAFF REPORT: 07-14-2021 REGULAR MEETING

PREPARED BY: G. LANDSBERG

APPLICATION NUMBER: 20-6721 (INCLUDING 20-6722, 20-6723)

ADDRESS: 1401 MICHIGAN AVENUE, 1501 CHURCH (INCLUSIVE OF 1525-1541 CHURCH), AND 1750 TRUMBULL (INCLUSIVE OF 1742 TRUMBULL & 1403-1441 LEVERETTE)

HISTORIC DISTRICT: CORKTOWN

APPLICANT: SETH HERKOWITZ, HUNTER PASTEUR HOMES (OWNER/DEVELOPER)

PROPERTY OWNER: GODFREY DETROIT PROPCO, LLC

RE: REQUEST FOR MODIFICATION TO TERMS OF SUSPENDED NOTICE-TO-PROCEED

BACKGROUND

At the May 13, 2020 Regular Meeting, the Commission approved a Notice-to-Proceed for the referenced project, subject to the fulfillment of several conditions, as outlined below:

- (1) *The graphic design on the wall adjacent to the existing home is limited to two stories below the top of the building, and will be complementary to the existing home,*
- (2) *The NTP be suspended and not issued by staff until:*
 - a. *The applicant submits final construction documents for permit showing adherence to the approved design in all respects, **including a contract with a Detroit-based artist for execution of the murals/graphic design**, excepting minor changes typically approvable by staff, and;*
 - b. *The work has obtained all other necessary planning and zoning approvals, financing, and environmental clearances and is otherwise ready to proceed, including the completion of Site Plan Review and the implementation of any design changes based on recommendations thereon, which are hereby made staff-approvable if consistent with the Commission's intent;*
- (3) *The NTP is issued exclusively to this applicant team for this project, and does not run with the properties, individually or collectively, and;*
- (4) *The suspended NTP expires within one year of today's date if not successfully issued.*

Note that Condition 2 suspends the issuance of the NTP (and, correspondingly, the project's approval), subject to two additional sub-conditions. At this time, the applicant has fulfilled the suspension conditions with the exception of part of Condition 2(a), specifically the provision of a contract with an artist to execute the murals/graphic design (bolded text above). This condition, as originally proposed by staff and passed by the Commission, was meant to ensure that the artwork was integrated and coordinated with the design and construction process so that no later conflicts or delays would arise. The ongoing suspension of the NTP approval has meant that staff has not been able to review or sign-off on permit drawings for the project; according to the developer, the construction timeline anticipates the beginning of demolition in early August/late September. Concerning the delay on the artist selection, the developer notes that the community outreach envisioned in working with GSD's City Walls program, and selecting an artist or artists to execute the work, has not been possible under the original timeframe envisioned.

Staff has discussed the matter on several occasions with the developer and PDD leadership, and recommends that the Commission modify the language as set below in our recommendation to allow the Notice-to-Proceed to be issued. The revised language will give staff the opportunity to ensure that the murals are complete at or near final inspection, and release the project for construction, pending staff approval of the permit documents.

For information, the Commission should note that the one year limitation instituted by Condition 4, above, has already been extended to November 13, 2022 via the Commission's passage of Resolution 21-03 at the May 5, 2021 Special Meeting.

RECOMMENDATION

Staff is satisfied that a revised condition concerning the murals/graphic design, combined with specific incorporation of the mural scope into the exterior elevations on the permit documents (recently completed by the applicant), will substantially achieve the outcome envisioned by the original condition. HDC staff therefore recommends that the Commission approve the following motion:

Having duly considered application #20-6721-6723 for the demolition and new construction at 1401 Michigan, 1501 Church, and 1750 Trumbull at its May 2020 Regular Meeting, and now in receipt of additional information concerning circumstances affecting the proposed project, the Commission hereby removes the condition currently suspending staff issuance of the previously approved Notice-to-Proceed, specifically that language concerning the submission of “a contract with a Detroit-based artist for execution of the murals/graphic design.” The Notice-to-Proceed as issued in May 2020 is therefore released and shall be promptly issued by staff, subject to the following additional new condition:

(5) A contract with a Detroit-based artist for execution of the murals/graphic design shall be in place no later than 6 months prior to the expected opening of the Godfrey Hotel ('Hotel'). Completion of the murals/graphic design will be a condition of the Certificate of Occupancy unless the hotel opens December 1st through April 15th ('Winter Period') and conditions make completion of the murals not practical or possible. Should the Hotel open during the Winter Period, the developer will have 90 days from April 15th to complete the murals/graphic design.