

REVISED 10-12-21- additions underlined in bold; deletions struck through

STAFF REPORT 10-13-2021 REGULAR MEETING

PREPARED BY: G. LANDSBERG

APPLICATION NUMBER: 21-7529

ADDRESS: 14901, 14917, 14927 E JEFFERSON

HISTORIC DISTRICT: JEFFERSON-CHALMERS HISTORIC BUSINESS DISTRICT

APPLICANT: ~~CITY OF GROSSE POINTE PARK~~ **URBAN RENEWAL INITIATIVE FOUNDATION (URIF) DBA SCHAAP CENTER**

PROPERTY OWNER: CITY OF GROSSE POINTE PARK

JURISDICTION: CITY OF DETROIT

DATE OF PROVISIONALLY COMPLETE APPLICATION: 09-17-2021

DATES OF STAFF SITE VISITS: 10-01-2021, 10-07-2021

SCOPE: DEMOLISH BUILDINGS, CONSTRUCT PARKING LOTS AND LOADING ACCESS DRIVE FOR ARTS CENTER PROJECT IN GROSSE POINTE PARK

EXISTING CONDITIONS & PROPERTY HISTORY

The proposed project area is composed of three separate parcels at a prominent gateway location to the city, situated at the northeast corner of Alter and East Jefferson. Three city of Detroit parcels are proposed for redevelopment; two currently form a landscaped lawn area and the third, the easternmost parcel of the city along Jefferson, is occupied by the westernmost thirds of buildings that are otherwise in adjacent Grosse Pointe Park.



View of existing conditions at 14901-14917 E. Jefferson, view to the north. The western portions of 14927 East Jefferson, also in the district, are visible at right.. Staff photo, October 1, 2021.

Until 2015, the corner location (14901) was occupied by a strikingly handsome 2-story red brick and stone corner building, once known as the Deck Bar building. The owner of the property, the City of Grosse Pointe Park, applied to this Commission for approval to demolish the building in late 2014. The previous staff report, including photos and correspondence relating thereto, is appended to this report. The structural report submitted at that time was unconvincing to both professional staff and the Commission, and your body unanimously denied the request. Shortly after, based only on the minor internal issues identified in the structural report, an emergency demolition order was issued by BSEED. Since that time the parcel has been vacant, creating another

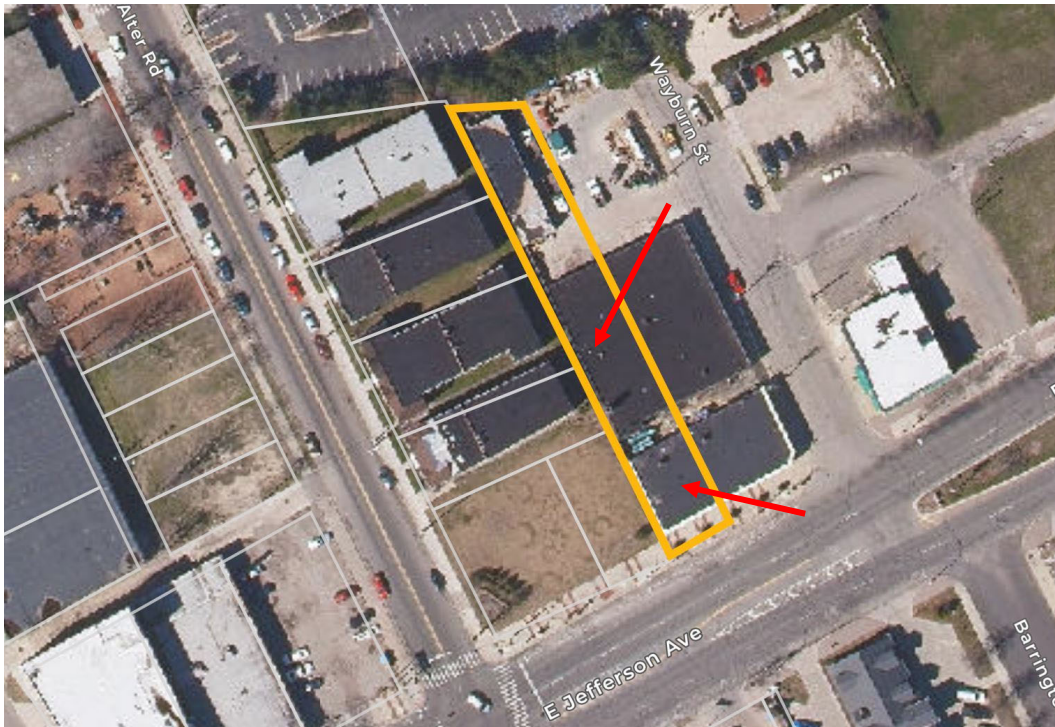
gap in the street wall along East Jefferson. Landscape plantings, and a short section of fence closed with a metallic panel have since been added; none of this work has been approved by the Commission or its staff. The lot appears to be well-maintained, but is suburban in character and out of place in this district.



Google Street View of same location, circa 2011, prior to the demolition of 14901 (contributing) and 14917 (non-contributing), showing fully intact commercial block. 14927, the white building at far right, is extant, closed off from the street, and serves as the City of Grosse Pointe Park's DPW facility, a poor use for a commercial building on a historically pedestrian avenue.



Current view in front of 14901 East Jefferson looking east towards Grosse Pointe Park. The brick sidewalk ornamentation was meant to enrich the pedestrian experience here and elsewhere in the district, but has lost the commercial street wall that previously framed it. Staff photo, October 1, 2021.



Parcel view of vicinity, 14927 East Jefferson outlined in yellow. Note how the western (left) portions of two buildings substantially in Grosse Pointe Park occupy this parcel (red arrows). The structure at the north end is a salt storage shed.

The legal parcel known as 14927 East Jefferson, one of three parcels under review, is the easternmost parcel along Jefferson and merits some deeper discussion. Per the legal description of this parcel, it includes all of lot 201 and the westernmost 2’ of lot 202, and has a frontage of 42’, to wit:

N--E JEFFERSON 201 W 2 FT 202 TURNBULL & EPSTEANS JEFFERSON AVE SUB L26 P98 PLATS, W C R 21/300 42 IRREG

Per the assessor’s records, lot 201 is 40’ wide. According to the codified boundary of the Jefferson-Chalmers Historic Business District as described in Section 21-2-204 of the 2019 Detroit City Code, the historic district boundary in this vicinity runs

northerly along the center line of Alter Road to its intersection with the north line of Lot 1 lying north of East Jefferson Avenue, Alters Plat (L7 P85), extended northwest; thence southeast along said north line of Lot 1 to the northwest corner of Lot 201 in the Turnbull and Epstean's Jefferson Avenue Subdivision (L 26 P 98); thence continuing southeast along the north line of said Lot 201 to the northeast corner of said Lot 201 and the intersection with the City limit; thence south along the east line of said Lot 201 to the north line of East Jefferson Avenue; thence continuing along the line of the City limit, extended south to its intersection with the center line of the alley running east-west behind the lots fronting on the south side of East Jefferson Avenue;

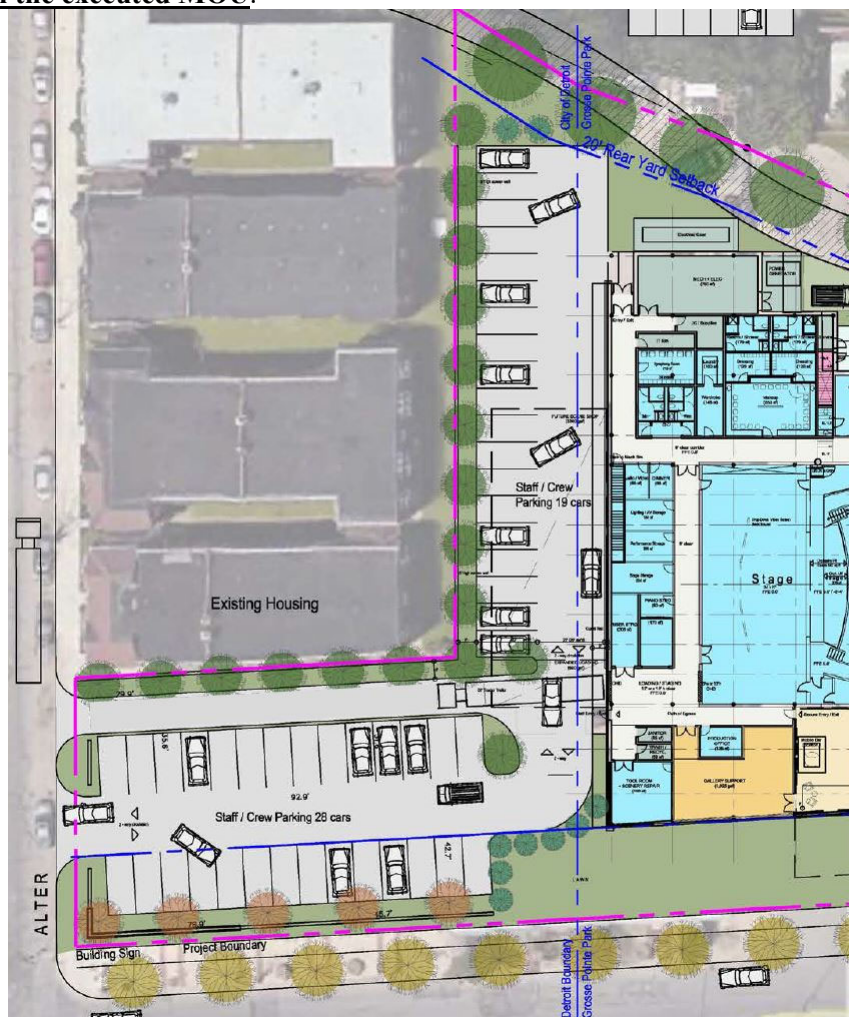
Carefully parsed, there is an apparent 2’ conflict between “intersection with the City limit” and “south along the east line of said Lot 201” at this eastern extreme of the historic district, unless the city limit is also at the east line of Lot 201. HDC staff is attempting to confirm with the assessor’s office. **What is certain is that the Commission jurisdiction includes at least 40’ of the 42’ frontage of 14927 East Jefferson, and the entire depth behind that to the north.** The two additional easternmost feet may also be covered, or may be in Grosse Pointe Park, but are probably de minimis in practice, as in either case at least 1/3 of the buildings are transected by the historic district boundary, just in a slightly different location. Thus, while the City of Grosse Pointe Park **and/or the applicant** may legally demolish the eastern portions of these buildings according to their own rules, the western portions are subject to the jurisdiction of this City and the Commission. The applicant states in their narrative that the Grosse Pointe Park Department of Public Works Building is “scheduled” for demolition in 2022.

PROJECT DESCRIPTION

Per the attached plans, renderings, and documents, the City of Grosse Pointe Park Urban Renewal Initiative Foundation (URIF, dba Schaap Center) proposes to construct a surface parking lot at the northeast corner of East Jefferson and Alter Road, as well as a loading drive for trucks adjacent to the south elevation of neighboring 1020 Alter Road. 14927 East Jefferson, the long parcel extending north behind the three district apartment buildings, is also proposed to be surface parking. These improvements are intended to serve the new Schaap Arts Center building proposed for the Grosse Pointe Park portion of the block.

The city City of Grosse Pointe Park and the Urban Renewal Initiative Foundation signed an MOU with the City of Detroit in 2019 regarding the future of the property, which is included in the application materials. However, the law department has confirmed to PDD and HDC staff that the MOU did not exempt any proposed project from regulatory review under zoning, historic, or other requirements. The Historic District Commission was not a party to the negotiated MOU, and there is no record of planning and historic staff involvement in the proposal, though it was signed by the previous planning director, Maurice Cox. For this reason, the project has been docketed for this body's review.

Responding to the staff report, the applicant further notes that they “relied on the executed MOU and City of Detroit Approvals to proceed with the mutually acceptable construction of the Schaap Center in accordance with the MOU. Based upon the City of Detroit Approval, the URIF has spent over \$4 Million in pre-construction costs to date. The City of Detroit has also accepted a \$300K donation from the URIF in compliance with the executed MOU.”



Site plan per applicant submission. The Commission's jurisdiction (city of Detroit) is west (or left) of the blue dashed line. Note loading drive approach adjacent to existing historic apartment building, including a semi-truck shown staged in front of 1020 Alter, denoted here as "Existing Housing."

STAFF OBSERVATIONS AND RESEARCH

- The Jefferson-Chalmers Historic Business District was established in 2008, at least partially in response to the proposed actions concerning the Deck Bar building (14901 East Jefferson).
- A surface parking lot at this prominent corner makes permanent the loss of density and character caused by the controversial and unnecessary demolition of the Deck Bar building. In staff's opinion, the only appropriate redevelopment of these vacant parcels are public-facing buildings similar in scale, massing, and density to what was once here, built to the front lot line with no setback, and consistent with the existing street-engaging historic context of the Jefferson-Chalmers Historic Business District.
- The area around three well-maintained pre-war apartment buildings, 1020 Alter, 1034 Alter, and 1034 Alter, will be heavily impacted by the project through the introduction of surface parking to the south and east. Additionally, the loading drive along the south elevation of 1020 Alter, though nominally separated by a row of trees which appear to be Bradford Pears, is alarmingly close to residential units ventilated by double-hung windows, and will clearly impact the historic environment in that area. A masonry screening wall, not shown on the site plan but visible in the renderings and described in the scope of work, will also cut off light and air to these residents. Though the MOU outlines limited hours of operation for loading, there appears to be no enforcement mechanism to control such an easily abused rule.



View of the Alter Road apartment buildings. The proposed loading drive would run adjacent to the south elevation of the building at right. There is no existing curb cut in this location. Staff photo, October 1, 2021.



View to the east along south elevation of 1020 Alter, where loading drive is proposed. By staff's count, there are thirty-two (32) operable windows at this elevation, including several at grade. Staff Photo, October 1, 2021.

- Two new curb cuts will be introduced along Alter Road, one for the loading drive, and one for entry into the corner parking lot. Such cuts were not present historically and will disrupt the historic pedestrian character of the district.
- As currently designed, the project locates “back of house” uses and negative support functions (i.e., parking, pedestrian/vehicle conflicts, and truck loading) in, and facing toward, the City of Detroit. The addition of a few landscaped beds or masonry walls does not diminish nor mitigate this obvious disparity, and is not historically compatible with the pedestrian and historic context.
- The proposal also requires the demolition of additional streetwall buildings on this block, further aggravating the damage already caused by the loss of 14901 and 14917 East Jefferson. Though the buildings have been insensitively re-clad, they maintain enough integrity of setting and association in playing their part to maintain the historic street wall.



The westernmost section of historic brick buildings at 14927 East Jefferson, showing the approximately 40' of frontage subject to the Commission's jurisdiction. Note historic limestone still intact behind the incompatible white siding.

- The proposal is additionally in conflict with the following Elements of Design for the Jefferson-Chalmers Historic Business District (per Section 21-2-204 of the City Code), as excerpted below:
 - **Element 5, Rhythm of spacing of buildings on streets:** *Where buildings abut each other along East Jefferson Avenue, the continuous flow of the streetscape is broken rhythmically only by the intersection of side streets. Where gaps exist because of building demolition, that rhythm is broken.*
 - **Element 12, Walls of continuity:** *Walls of continuity are created by the continuous flow of abutting buildings along the front lot lines. This continuity is broken where buildings have been demolished.*
 - **Element 14, Relationship of open space to structures:** *Open space generally exists in the form of public right-of-way in the front of buildings on East Jefferson Avenue and the side when the building is on a corner lot, such as the sidewalk and street.*
 - **Element 16, Directional expression of front elevations:** *Most front elevations express horizontally, an impression reinforced by the repetition of similar storefronts along the street*
 - **Element 17, Rhythm of building setbacks:** *A consistency of building setback is created, except where demolition has occurred, due to the siting of the buildings on the front lot lines along East Jefferson Avenue.*
 - **Element 18, Relationship of lot coverage:** *Buildings on corner lots often occupy most of their entire parcels*
 - **Element 20, Orientation, vistas, overviews:** *The primary orientation is towards East Jefferson Avenue...The wide, uninterrupted sweep of East Jefferson Avenue lined with buildings of fairly uniform heights results in a consistent but varied silhouette.*
 - **Element 22, General environmental character:** *The Jefferson-Chalmers Business Historic District is a low-scale, mixed-use neighborhood commercial district that maintains a high degree of integrity but faces increasing pressures from redevelopment...the district has potential to grow into a gateway that complements that of the Grosse Pointes.*

ISSUES

- Staff notes again that the City of Detroit entered into an MOU regarding this property, which is included in the review materials for the Commission this evening. However, for unclear reasons, the Detroit Historic District Commission, which has statutory authority over work in historic districts per Chapter 21 of the 2019 Detroit City Code and MCL 399.201-215 (the Local Historic Districts Act), was apparently not consulted prior to the agreement, despite the City of Grosse Pointe Park's previous experience with the Commission's approval requirements. For clarity, except for appointment of its members, neither the Mayor nor City Council have authority over the actions and decisions of the Commission. Decisions of the Commission may be appealed to the State Historic Preservation Review Board, and thereafter to Circuit Court. The City does not review, and cannot overrule, decisions of the Commission. The Buildings Department (BSEED) may not issue permits for work in historic districts without Commission approval, except for emergency orders for work that is "immediately necessary for the protection of public health and safety" per Section 21-2-74 of the City Code.
- The applicant and the City of Grosse Pointe Park, via the design of this project, appears to have missed a real opportunity to create a gateway facility that respects the historic context, while celebrating and joining both of our cities. Instead, the proposed design enshrines in concrete and steel the imbalance often symbolized by this fraught municipal boundary. It is the opinion of staff that the project should be entirely redesigned to incorporate multi-story massing along East Jefferson, centered at Alter Road in Detroit, which would restore the lost street wall and maintain pedestrian vitality consistent with the city's planning goals and historic preservation principles. Parking and loading could be relocated to areas north and east on the development site, away from public view.
- Staff finds the proposed surface parking and loading drives proposed for 14901-14917 East Jefferson to be historically inappropriate, as it puts the property into a new use that requires substantial change to the defining characteristics of the site and its environment, destroys the historic character of the property, is incompatible with the massing, size, scale, and architectural features of the property and its environment, and impairs the essential form and integrity of the historic property and its environment, and does not conform to the Elements of Design for the Jefferson-Chalmers Historic Business District.
- Staff finds that demolition of those western portions of buildings on 14927 East Jefferson, and replacement by surface parking to be historically inappropriate, as it would create an even larger void in the historic Detroit commercial street wall, and correspondingly places the property in a new use that requires substantial change to the defining characteristics of the site and its environment, destroys the historic character of the property, removes historic materials, alters features and spaces that characterize a property, destroys distinctive features of a historic property, destroys historic materials that characterize the property, is incompatible with the massing, size, scale and architectural features of the historic property and its environment, and impairs the essential form and integrity of the historic property and its environment, and does not conform to the Elements of Design for the Jefferson-Chalmers Historic Business District.
- Staff therefore recommends that the Commission deny the proposal in its entirety.

ADVISORY REVIEW

- Per Section 21-2-5 of the city code, the Commission is also required to make a finding on the demonstrable effect of the proposed physical development project, and if an effect is found, whether that effect is likely to be beneficial or adverse to the historic district. This finding does not affect the permit approval decision (i.e., COA/NTP), and will be reported separately to the Mayor and City Council.

RECOMMENDATION

Section 21-2-78, Determinations of Historic District Commission

The proposed project, including building demolition, surface parking lots, loading drives, curb cuts, and associated landscaping, is inappropriate with respect to the Secretary of the Interior's Standards for Rehabilitation and does not conform to the Jefferson-Chalmers Historic Business District's Elements of Design.

Staff therefore recommends that the Commission deny the proposal, as it fails to meet the Secretary of the Interior's Standards, especially Standards 1, 2, 5, 6, 9, and 10:

- (1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- (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.
- (5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- (6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- (9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- (10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

and is additionally incompatible with the district's Elements of Design (especially 5, 12, 14, 16, 17, 18, 20, and 22) of Section 21-2-204 of the 2019 Detroit City Code.