STAFF REPORT: 02-12-2025 MEETING PREPARED BY: G. LANDSBERG

**APPLICATION NUMBER:** HDC2024-00694

**VIOLATION NUMBER:** 24-955 **ADDRESS:** 701-703 W. CANFIELD

**AKA:** McCURDY – WARD DOUBLE HOUSE **HISTORIC DISTRICT:** WEST CANFIELD

APPLICANT/ARCHITECT: MARC GRASSI/PUSH DESIGN PROPERTY OWNER: SCOTT LOWELL/701 W. CANFIELD LLC

DATE OF PROVISIONALLY COMPLETE APPLICATION: 12-03-2024 DATES OF STAFF SITE VISIT: 11-26-2024, 12-02-2024, 01-31-2025

**SCOPE:** ERECT ROOFED STAIR STRUCTURE AT REAR (REVISION TO PREVIOUSLY APPROVED DESIGN, WORK STARTED WITHOUT APPROVAL)

## **EXISTING CONDITIONS**

This three-story duplex, constructed in 1898, is located at 701 West Canfield on a 1/5 acre lot. The symmetrical front elevation features a third-story, cross gable roof with hipped-front, slate shingled dormers. The slight eave overhang at the roof features modillion detailing, which stand out particularly above the two-story, curved corners of the house. Cottage-style windows with finely detailed transoms puncture the rough-faced stone façade. Stone is the dominant material that unifies the façade, including a stone baluster balcony and rough-hewn stone columned entrance. A stamped concrete walkway from the public walkway approach the stone steps embraced with broad stone railings. The rear elevation features a pair of hipped-front, slate-shingled dormers. The hipped-pyramid roof has a slight eave overhang boxed with dentils above a tightly bricked façade. Narrow windows with Syrian arched brick details line the second and first floors. Two door openings in the first floor and basement also have the slight arched detail.

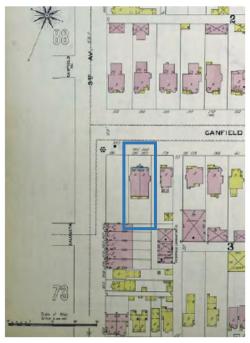
The building is currently undergoing alterations, most of which were approved by the Commission in December 2020.



View of 701 Wesst Canfield with approved replacement windows installed. Staff photo, January 31, 2025.



Rear view of 701 West Canfield showing unapproved stair structure and roof form paused during construction, and subject of this application. Staff photo, January 31, 2025.







Aerial of Parcel 04000902. 701 W. Canfield, Detroit MI

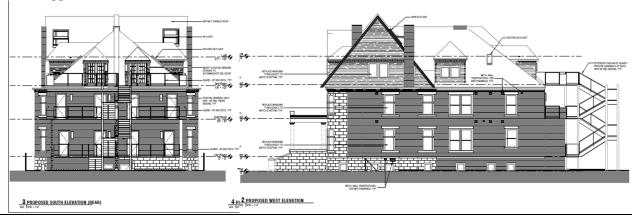
### **PROPOSAL**

The applicant proposes a revision to the previously approved rehabilitation design (2020). Proposed is a reorientation of the multi-level stair tower along the rear of the building, and the crowning thereof with a hippedroof element intended to prevent water accumulation on the stairs in accordance with building code egress requirements. The structure is proposed to be built of wood and is designed to exist independently from the historic roof, but integrate with it by reproducing its pitch.

# STAFF OBSERVATIONS AND RESEARCH

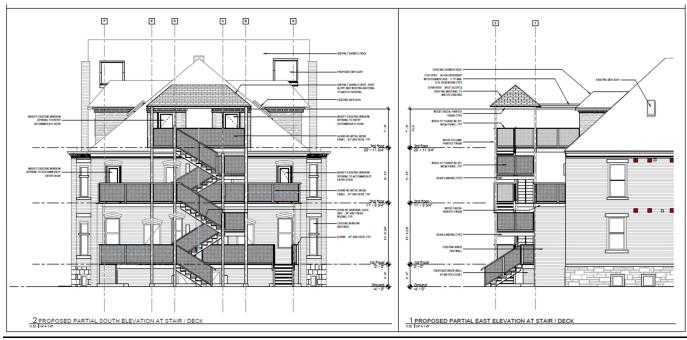
- The revised rear stair was reviewed by staff for possible administrative approval under Resolution 19-05, colloquially known as staff's "minor changes" authority. The delegation afforded by this resolution concerns minor changes that are consistent with the Commission's intent." Though a rear exit stair, whatever the orientation, is consistent with the "intent of the Commission's approval" (in staff's opinion), the revised *scale* of the proposed stair tower, in particular the addition of the roof structure, could not be considered minor in the context of this building and the Commission's previous approval. Additionally, the proposed stair tower crosses the line into "new construction" and/or an "addition," either of which trigger a requirement for public hearing before the Historic District Commission under Section 21-2-77 of the City Code, thus precluding staff review entirely. As such, staff approval of the present scope would violate both the limited delegation of changes approved by this Commission by Resolution, but more importantly city ordinance/state law.
- Another factor pertinent to staff approval and/or recommendation is, of course, whether the scope is appropriate under historic standards. As the Commission knows, it is staff's policy to recommend applications for approval unless the proposed work (or portions thereof) are "demonstrably inappropriate," thus placing the burden of proving inappropriateness on the City and the Commission. In practice, this means that staff (or the Commission) must be able to provide legitimate written reasons for denial to a denied applicant, per the requirement of Section 21-2-78 and corresponding state law. These reasons, based in the referenced standards enforced by the Commission, must make clear (demonstrate) why any particular scope is inappropriate (i.e., "accompanied by a written explanation by the Historic District Commission of the reasons for the denial,"; and, where feasible, should include "suggested changes" that would produce a more favorable result upon resubmission. This requirement protects the public from spurious or arbitrary reasons for denial, such as "not liking it" or "it doesn't feel right." We are bound to be precise.

• The rehabilitation of this building, as originally approved by the Commission in 2020, is in support of an adaptive reuse of all levels, including the 3<sup>rd</sup> floor attic, for residential, multi-family use. This change of use from two-family to multi-family triggered a requirement that all work meet current building code requirements, including the addition of an egress path from the attic level to grade at the rear of the building. This required egress path was originally intended to be accommodated *within* the building, out of the jurisdiction of this Commission. At the same time, an exterior stair was proposed and approved as part of the rehabilitation, but was *not* the code-required egress stair at the time of the Commission's approval.



Design approved by the Commission, and signed-off by staff for construction, in 2020. Note configuration/size of rear stair.

- Subsequently, as is typical, the developer submitted the project to SHPO and the National Park Service for review in seeking to qualify for federal historic tax credits. The interior of the building, in so much as it is historically significant, is subject to review for this purpose. Because of SHPO/NPS concerns around interior historic spaces and details, an interior code-compliant egress stair was no longer possible. As such, the *exterior* stair was redesigned and reconfigured to serve as the code-required egress stair. The Michigan building code (*MBC1011.7.2, Outdoor conditions*) requires that a rear egress stair "be designed so that water will not accumulate on walking surfaces." A satisfactory water-excluding design is not specified by the code, but typical solutions have included overhangs, enclosures, heated slabs or "reliable snow removal programs" when approved by code officials. In this instance, the architect chose to incorporate a roof overhang to meet the code requirement.
- The roof overhang, importantly, was accepted by SHPO/NPS as in compliance with the Standards and Guidelines, despite its scale, and despite records of earlier concerns with the third floor stair calling "undue attention" to itself. The applicant reports that several roof designs were considered, and that the proposed design was selected because the roof does not touch the original building, therefore limiting disturbance of original building fabric. The pitch of the roof matches that of the historic building roof. The applicant argues that the new roof form creates a consistent visual rhythm of the roofs from large to small, front to back. A less obtrusive shed roof, for instance, would not carry such a rhythm.
- During the same SHPO/NPS review, it was required that the rear stair be oriented parallel to the rear decks, rather than projecting from the decks as originally proposed.
- It is not unusual for reviewers at different levels of government, even when using the same Standards, to reach different conclusions concerning historic significance, the impact of proposed alterations on such significance, and the interpretation of NPS Standards and Guidelines with respect to a particular property or design problem. Other reviewing agencies, even at the local level, have different requirements that may create successive redesign cycles and iterative reviews. The Commission, and its staff, has regularly reviewed changes to approved designs triggered by other historic reviewers, or requirements of building, fire, zoning, or other code reviewers. In all cases, construction may not commence, nor may a permit be issued, until all reviews are updated, final, and complete.
- However, in this case, the applicant made the change required to qualify for federal historic tax credits, (and redesigned the stair for code egress under the building code), without revising or updating their historic approval or building permit. During construction of the reconfigured/unapproved stair, staff received a violation inquiry, visited the site, and determined that the scope under construction had not been reviewed or approved by staff or the Commission. Work was stopped at the site.



Revision approved by SHPO/NPS but not HDC. Compare to the design on previous page.

• In initial communication with staff subsequent to the violation, the applicant/architect informed us that the revision consisted of a change in orientation of the rear stair that included a "roof covering." Given the scope of the original HDC approval, staff initially suggested that such a change (i.e., reorientation) would probably be approvable under staff's minor changes authority outlined above. However, after reviewing the drawings and visiting the site, the new roof over the reoriented stair became a cause for concern, given that the Commission had not approved nor considered any addition to the roof line, much less a prominent element blocking or overpowering the rear dormers. At that point, the revision was docketed for your body's review.



As-built stair tower (in progress) from two different vantage points on November 26, 2024. Work was suspended at this point and has not restarted. Compare to Commission's original approved drawings, previous page. Staff photo.

• Significance, as defined by the NPS, is the association of a resource with the rationale for the district's preservation, be it architectural or association with historic people/events. Central to significance, again per the NPS, is the retention of a building's integrity, or the continued ability of a resource (or major portion thereof) to express that significance. Historic integrity is statutorily defined using seven "aspects," namely *location, design, materials, workmanship, feeling, and association.* Staff assesses that, despite some loss of detail and alterations, the rear of this building still retains integrity.

- In assessing the appropriateness of any proposal under the NPS Standards and Guidelines, reasonableness shall also be a factor. As defined in 36 CFR 67.7, the reviewing authority shall consider "economic and technical feasibility" in meeting the Standards.
- Another consideration is the recognition that the significance of historic features are not binary ("yes/no") but instead exist on a continuum (or spectrum) of significance from most to least. As such, the NPS recognizes the concept of "cumulative effect" in assessing the impact on a building's features. Stated simply, this concept recognizes that negative impacts to *less* important though still significant historic features might be acceptable, in the context of a larger project that preserves or restores substantially *more* important features, and delivers a net positive result.
- In this case, the Commission is faced with a large and fairly obtrusive roof/tower addition to the *rear* of the building. However, the rear of the building is quite hidden, has suffered for years from a lack of maintenance, and has a minimal contribution to the overall historic character of this important historic district. The proposed roof, while prominent when viewed from grade directly behind the structure, is minimally visible from longer distances, and is quite invisible from the West Canfield right-of-way within the district itself. Finally, the addition of the egress stair is a key ingredient in the realization of a multifamily development that will preserve the building for decades to come.
- Staff assesses that, despite its increased visual impact on the rear of the building, the roofed stair is a reasonable addition to the building under the Secretary of the Interior's Standards, that is necessary to satisfy a technical concern in the context of a larger rehabilitation (i.e., cumulative effect), that includes a high quality exterior (and interior) rehabilitation of the building and returns the building to a productive reuse after decades of disuse.

#### **ISSUES**

• None

#### RECOMMENDATION

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

## **Recommendation 1 of 1, Certificate of Appropriateness**

Staff recommends that the proposed work will be appropriate according to the Secretary of the Interior's Standards for Rehabilitation and the West Canfield Historic District's Elements of Design.