

STAFF REPORT 10-08-2025 REGULAR MEETING

PREPARED BY: G. LANDSBERG

APPLICATION NUMBER: HDC2025-00593

ADDRESS: 808-816 VIRGINIA PARK

HISTORIC DISTRICT: NEW CENTER AREA

APPLICANT/ARCHITECT: STEVEN C. FLUM

DEVELOPER: SHAHIN MUSTAFA/VIRGINIA PARK TOWNES LLC

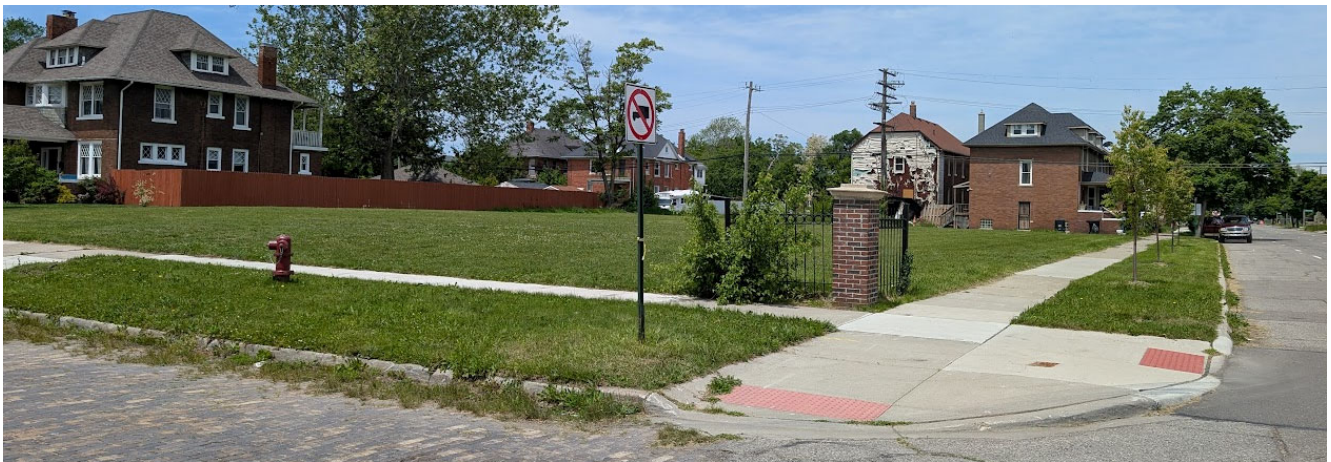
OWNER OF RECORD: VIRGINIA PARK TOWNES LLC

DATE OF STAFF SITE VISIT: 02-04-2025, 05-30-2025, 09-26-2025

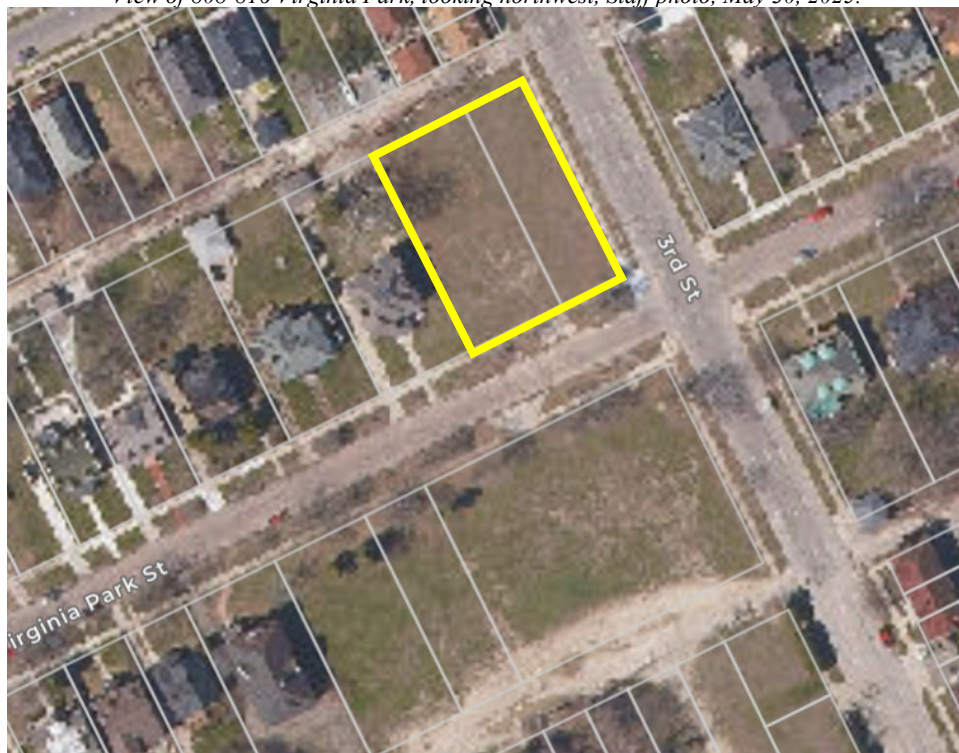
SCOPE: ERECT TWO ATTACHED DUPLEX BUILDINGS (14 UNITS TOTAL)

EXISTING CONDITIONS

The project site consists of two vacant parcels on the northwest corner of Virginia Park and Third Streets. For many years, the parcels served as a parking lot for Detroit Central (or Hope) Hospital, across Virginia Park Avenue to the south. Prior to the 1950s, at least one large brick residence similar in age, style and character to the other historic houses once occupied these parcels.



View of 808-816 Virginia Park, looking northwest, Staff photo, May 30, 2025.



808-816 Virginia Park outlined in yellow, per Detroit Parcel Viewer.



View to the east showing historical context of Virginia Park Avenue, south side, east of Third. Staff photo, May 30, 2025.



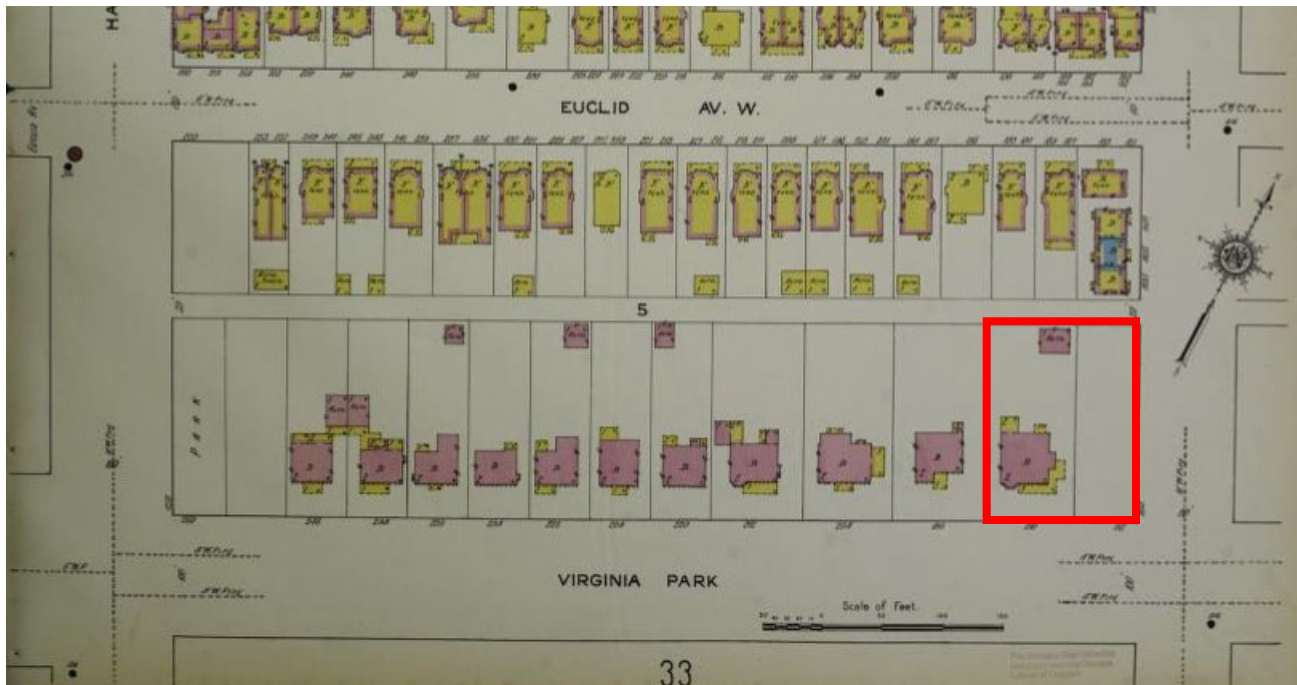
View to the north showing historical context northeast of intersection. Staff photo, May 30, 2025.



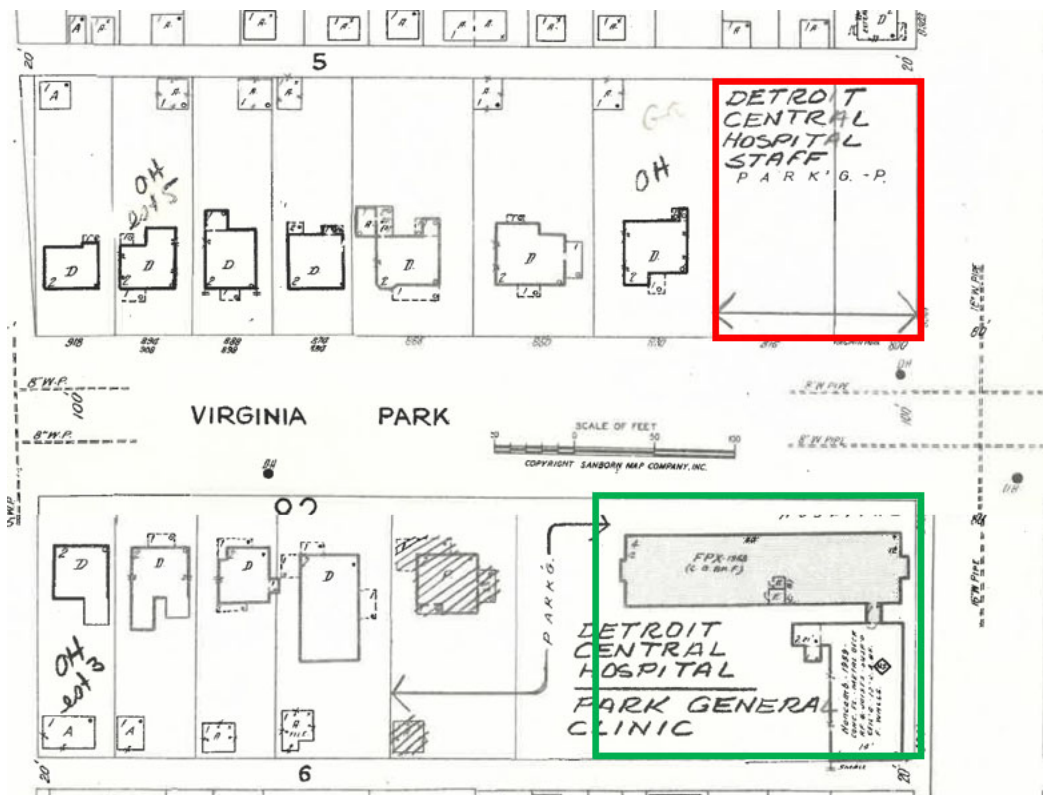
View to the southwest showing context of Virginia Park Avenue, south side, west of Third.. This parcel, 801 Virginia Park, is the former site of Detroit Central Hospital and was offered by the city as part of an RFP for a multi-family developer in 2019, but the project did not occur. Note that the historic district does have larger multi-family buildings (visible in center of photo), but not on Virginia Park. Staff photo, May 30, 2025.



Detail view of the residential dwellings immediately adjacent to (west of) the project site. Staff photo, February 4, 2025.



1915 Sanborn map of the north side of Virginia Park between Hamilton (left) and Third (right). The three westernmost houses depicted here were removed for the construction of the Lodge Freeway. Subject parcel outlined in red. Note existence of a large brick home, 816 Virginia Park, which is illustrated in an excerpt from the Detroit Free Press in the next section.



1977 Sanborn map, from PDD records, showing location of Detroit Central Hospital on south side of Virginia Park, and the staff parking area on the north side. The subject property under review (808-816 Virginia Park) is again outlined in red. 801 Virginia Park, another development property controlled by the Detroit Land Bank Authority, is outlined in green. Compare to earlier map, above.

HANDSOME PRESSED BRICK RESIDENCE IS BEING COMPLETED IN VIRGINIA PARK
Detroit Free Press (1858-1922); Nov 15, 1914; ProQuest Historical Newspapers: Detroit Free Press
pg. A17

HANDSOME PRESSED BRICK RESIDENCE IS BEING COMPLETED IN VIRGINIA PARK



HOME FOR D. S. ZEMON.

One of the handsome homes approaching completion in the exclusive residence section of Virginia park is being erected on the northwest corner of Third avenue for D. S. Zemon, from plans prepared by **George V. Pottle**, architect. The outer surface of the walls is of cream colored pressed brick, trimmed with stone. A central hall on the main floor opens on a large reception hall and living room. The first floor also contains the dining-room, sun-parlor, den, kitchen, butler's pantry and a lavatory. The principal rooms are in birch mahogany finish and the kitchen in white enamel. The living room contains a large fireplace and built-in bookcases, and has beamed ceiling, as has also the dining-room, in which the walls are wainscoted to a height of four feet. Opening off the lower landing of the semi-grand stairway is a large conservatory. On the second floor are four sleeping rooms in white enamel with mahogany doors, a sleeping porch and two baths with tile floors, built-in tubs and shower bath.

The house once present at 816 Virginia Park, from a 1914 edition of the Detroit Free Press.



View of 640 Virginia Park, a non-contributing flat-roofed apartment building and the only structure on Virginia Park not consistent with the existing historic fabric of substantial houses. Staff photo, February 4, 2025.

Per the submitted drawings, documents, and the scope of work reproduced below, the applicant is proposing to **construct two attached duplex buildings, each three stories in height**, with associated parking and landscaping.

- Construction of a two attached duplexes total 4-units, 7,140 gsf
- Construction of a five attached duplexes total 10-units, 17,850 gsf
- vehicular drive and entry off third avenue
- car port for 4 cars (14 cars in attached garages)
- dumpster enclosure and site landscaping

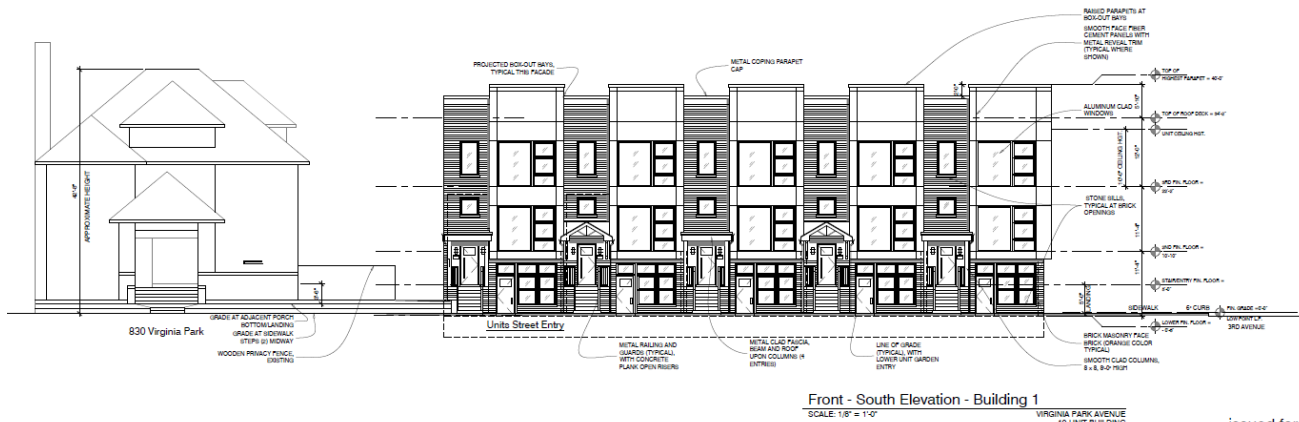
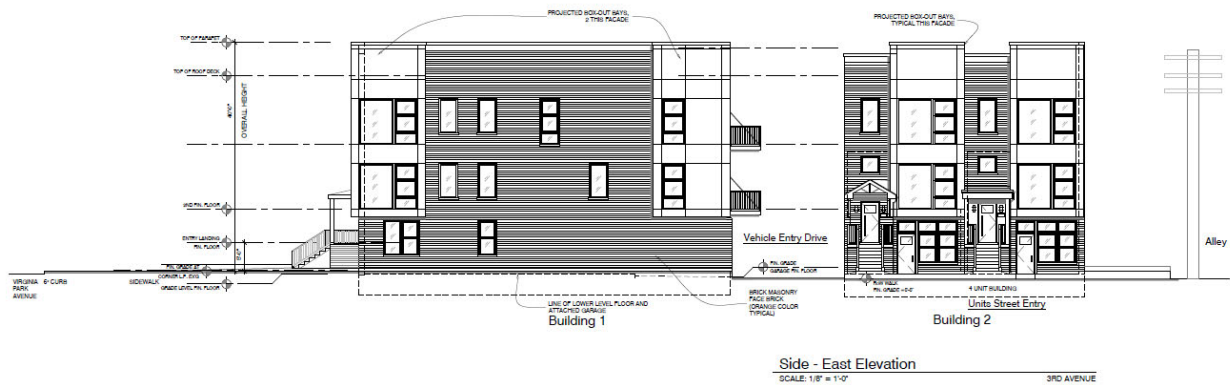
- *Wood framed three story structures, two buildings total 14-units*
- *Membrane roof pitch to rear to gutters and downspouts*
- *Roof parapets on three sides of building to screen view of AC units*
- *Front entry stoop with brick walls and concrete cap, metal guard and handrail*
- *Front entry stoop will be cover with supporting columns and roof*
- *Attached 7-two car garages, each with a 16'wide garage doors*
- *Partial brick façade with concave mortar joints*
- *Partial fiber cement panels, painted with metal trim*
- *Aluminum clad wood windows*
- *Metal front entry and sectional overhead garage doors.*
- *Metal suspended balcony with tension rods at rear bedrooms second and third floor*

[illegible]

Site plan (above) and perspective rendering (next page) from the applicant's submission materials. The buildings will be faced in a mix of traditional brick and cement panels, as depicted below.



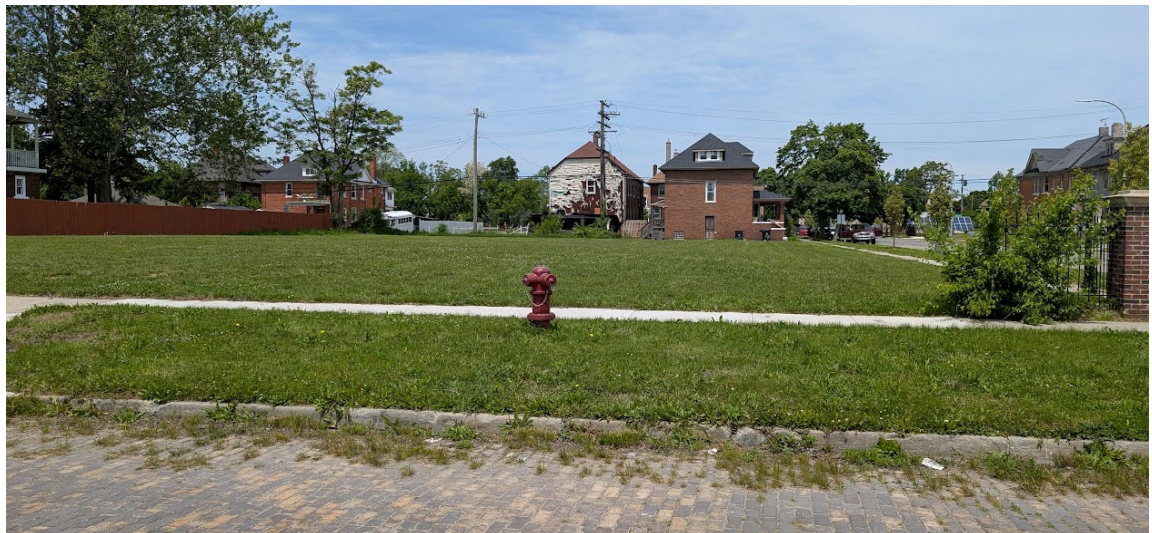
Changes to the design reviewed at the February meeting include more traditional forms for porch roofs, increased variation in color at the cement panels, and additional at-grade entrances for garden units.



issued for: REVIS



Proposed (rendered) view along Virginia Park given above. The current view is seen in staff photo below, taken on May 30, 2025.



CHANGES TO THE FEBRUARY DESIGN PROPOSAL AND OTHER RECENT ACTIVITY

- The Historic District Commission reviewed a previous proposal for the site at the February 2025 Meeting, which was issued a Denial. The Commission gave the following reasons, which are numbered here for clarity and reference:
 1. *The proposed new building requires a typology and massing that is contrary to the defined characteristics of Virginia Park Avenue, which is universally characterized by substantial single-family dwellings set off by spacious lawns.*
 2. *The new work, while differentiated from the older houses, is incompatible with the massing, size, scale and architectural features established by the existing Virginia Park Avenue historic context.*
 3. *Based on the historic context on Virginia Park, the proportion of the front façade should appear taller than wide or wider than tall, with an overall neutral appearance. The proposed attached dwellings are substantially wider than tall, very far from neutral.*
 4. *Cement panels with metal reveal trim are not reasonably related to a historic material precedent on Virginia Park Avenue. The extensive use of these modern panels on these proposed buildings makes them the default primary expression and substantially at odds with the historic context.*
 5. *The proposal does not incorporate “ornate” architectural detailing as specifically called out in*

the Elements of Design for Virginia Park.

6. *Flat roofs are not compatible with the existing character of Virginia Park, which is universally marked by pitched and complex roof forms of various types.*
 7. *The proposed setback does not align with the wall of continuity and the existing rhythm of established setbacks of the Virginia Park Avenue historic corridor.*
 8. *The scale of the facades in the proposal are not compatible with the scale/complexity of the facades on the historic buildings along Virginia Park.*
 9. *The directional expression of the proposed front elevations is not compatible with the overall “neutral” directional expression of the houses on Virginia Park.*
 10. *The degree of complexity in the facades of the existing houses on Virginia Park requires a similar complexity in a historically compatible new structure, independent of the style, very important, which is not achieved by the proposal.*
 11. *The proposal is not compatible with the general environmental character of Virginia Park Avenue, which is marked by large residences set off on lawns in a lower density setting*
- Per the Commission’s Rules of Procedure, subsequent to a Denial, no application “*which has been denied wholly or in part by the Commission shall be resubmitted for a period of one year from the effective date of such decision, except on the grounds of new evidence or proof of change of conditions.*” Note that the Commission has the power at any time to suspend or modify their own Rules of Procedure by a majority vote.
 - The applicant, in their application, argues that the following changes have advanced the project, in their italicized words below. Before and after renderings of the Virginia Park portion are given for context:



Comparative renderings of February design as denied (left); current design under review in current application (right)

- Continued meeting with the community and community representatives to reduce the number of units and changes (to) the site and exterior design, as such:
 - *The number of units has been decreased from 21 to 14 units. This was achieved by changing the stacked three-unit configuration to two-unit (duplex) configuration.*
 - *The front yard setback on the Virginia Park building has been increased to 21’. This exceeds the zoning code minimum required front yard setback.*
 - *The buildings footprint has decreased from the revised front yard setback. We also decreased the 3rd street building to match the other building*
 - *The lower “garden level” unit will have a garden patio and entry to the unit. The upper unit entry will be from the raised stoop previously shown*
 - *We have created an additional entrance to the parking area from the alley. We have also changed two-way vehicular drive to a one-way direction.*
 - *The zoning code review has been updated and we now only need 2 dimensional variances; Floor Area Ratio and the Recreational Space Requirement. Previously there were 5 dimensional variances being requested*
 - *The front entry roof design were changed from a cantilevered metal roof to a more traditional design that are found on Virginia Park Avenue*
 - *The exterior façade colors were updated*
 - *The casement and awning windows shown before were replaced with a more traditional single-hung window.*
- Of the Commission’s reasons given for Denial numbered above, staff assesses that the revised design does not successfully address them, excepting maybe slightly more complexity in support of reasons #5

and #10 by the addition of the garden units and porch roofs, though not fully. As discussed in our original historic analysis from the February report, mostly reproduced verbatim below, a large multi-family or attached dwelling-style development project is quite unlikely to meet historic standards, given the stark difference in massing, scale, and character between such a development and the historic 2½ story single-family dwellings. This appears to leave a “Notice to Proceed” as the only viable approval path. Such a decision requires the Commission to find that the inappropriate work serves a substantial community benefit, among other possible provisions.

- Subsequent to the February denial, HDC staff attended a neighborhood meeting discussing the matter in mid-April. We discussed the Secretary of the Interior’s Standards, state statute provisions regarding a Notice to Proceed (for inappropriate work), why contemporary architecture could meet the Standards under NPS guidelines (and conversely, why some traditionally-styled architecture, if improperly massed and placed, might still fail) and many other concerns. Community members asked many good and probing questions. The applicant and architect were also present and presented an updated design. Staff impression was that there was a general community consensus that a multi-family/attached townhouse style development was desirable at this parcel. However, there was some concern expressed over the contemporary design and aspects of the massing/roofline.
- Our current staff recommendation, under historic preservation standards, has therefore not changed.
- However, since receipt of the revised design in May 2025, and subsequent to a withdrawal of that application at the June 2025 meeting, the applicant has secured the endorsement of the Mayor’s Office for a Notice-to-Proceed, acknowledging that the project is in the interest of the majority of the community and/or is a major improvement program carrying a substantial community benefit. Senior executive leadership will be present at the HDC meeting.

STAFF OBSERVATIONS AND ANALYSIS – CERTIFICATE OF APPROPRIATENESS (COA)

- The New Center Area Historic District was established in 1982. The district, composed of several streets, has a large variety of building typologies that give it a mixed character overall. However, Virginia Park Avenue, with a single non-historic exception at 640 Virginia Park, is universally composed of 2½ story single-family dwellings, of substantial historic character, built in the early 20th century.
- Virginia Park, along with its consistent row of large historic houses, also uniquely maintains its original paving block street surface, further distinguishing it from the rest of the New Center Area Historic District. The street paving, curbs, and other landscape elements are also under the jurisdiction of this Commission.
- As a guide to the appropriateness of new construction proposals, the Commission is always encouraged to first examine the Elements of Design, which City Council has enshrined in the City Code as features of the district significant to its appearance. The Commission can then decide which of these features have integrity today and should be treated as distinctive and historic character-defining features worthy of preservation during your application of the Secretary of the Interior’s Standards, at either a district or resource level. Similar to districts like Indian Village, some of this district’s Elements (e.g., Height) are written as design guidelines, which bind the Commission in its issue of Certificates of Appropriateness in staff’s opinion. It is important to note that some of the codified Elements (Section 21-2-129) specifically call out Virginia Park, as a way to distinguish the historic character of these blocks from others in the district. Code language is given below in italics. Each individual Element is followed by the applicant’s response and staff recommendation. Elements considered failed by staff are **highlighted in purple text**.
 - ***(1) Height.** All houses that were originally single- or two-family have two full stories plus an attic or finished third floor within the roof; these are generally called "two-and-a half-story" houses. The few terraces in the district are two or 2½ stories tall. Apartment buildings range in height from three to ten stories; the majority are four stories tall. Additions to existing buildings shall be related to the existing structure; new buildings in New Center Commons (Delaware, Pallister and Bethune) and on Virginia Park shall meet the following standards:*
 - a. *The six adjoining structures on the same face, excluding churches and commercial structures, shall be used to determine an average height. If six structures are not*

available on the same block face, then one or more structures as close as possible to being directly across the street from the proposed structure may be used. The height of the two adjoining houses shall be added into the total twice, with a divisor of eight used to determine the average. Any new building must have a height of the main roof of at least 80 percent of the resulting average; in no case shall a new building be taller than the tallest roof height included in the computation. In determining the height of existing structures and proposed structures, the highest point of the main roof shall be used, even where towers, or other minor elements may be higher.

b. The level of the eaves of a proposed new structure having as much or more significance for compatibility as the roof height, an average eave or cornice height shall be determined by the same process as that described in Subsection (e)(1)a of this section. The proposed new structure shall have a height at the eaves, or cornice, of not less than 90 percent of the average determined from existing structures, and in no case shall eaves or cornice of the proposed structure be lower than the lowest eave or cornice height used in the computation, or higher than the highest.

- **Applicant response:** Six of the adjoining structures on the same face shall be used to determine an average height. With the height of the two adjoining houses shall be added into the total twice. Any new building must have a height of the main roof of at least 80 percent of the resulting average; in no case shall a new building be taller than the tallest roof height.
 - Average height of 6 Virginia Park homes
 - 830 42.66' x2
 - 850 29.37 x2
 - 866 39.37'
 - 874 36.09
 - 888 39.37'
 - 918 32.81'
 - 291.7 subtotal divided by 8 = 36.46' resulting average roof height.
 - The resulting average minimum roof height 36.46' < 34.16' proposed roof height OK
 - The maximum roof height is 42.66' > 34.16' proposed roof height OK
- **HDC Staff analysis:** Staff assesses that this Element is satisfied.

- *(2) Proportion of buildings' front façades. Proportion varies in the district, depending on use, style, and size of buildings. While single-family dwellings may appear taller than wide or wider than tall, the overall appearance is neutral. Terraces or rowhouse buildings are wider than tall; apartment buildings appear taller than wide although some are wider than tall due to projecting and receding wall surfaces that emphasize the vertical.*

- **Applicant response:** “..... row house buildings are wider than tall; apartment buildings appear taller than wide although some are wider than tall due to projecting and receding wall surface that emphasize the vertical.” The proposed building design has bays that create that create a projecting and receding façade. The façade has a vertical expression with the following elements; bays extending past the roof parapet, brick wall and vertical windows.
- **HDC Staff analysis:** The historic character of Virginia Park is universally single-family dwellings, with no historic terraces, rowhouse, or apartment buildings. As such the proportion of the front façade should appear taller than wide or wider than tall, with an overall neutral appearance. The proposed attached dwellings are substantially wider than tall, very far from neutral, and therefore fail this Element.

- *(3) Proportion of openings within the façades. Areas of voids generally constitute between 15 percent and 35 percent of the front façade, excluding the roof. Most window openings are taller than wide, but are frequently grouped into combinations wider than tall. Where there are transom windows above doors, they are wider than tall; a few round windows exist on upper*

stories or attics. A great variety of sizes, shapes, and groupings of openings exist in the district.

- **Applicant response:** “Areas of voids generally constitute between 15 percent and 35 percent of the front façade, excluding the roof” The proposed design front elevation has 28 percentage, within the range required. The windows are generally taller than wide, but are frequently grouped into combination wider than tall.
 - **HDC Staff analysis:** Staff assesses that this Element is satisfied.
- **(4) Rhythm of solids to voids in front façades.** *Queen Anne and Arts-and-Crafts style buildings display freedom in the arrangement of openings within the façades, but usually result in a balanced composition. In buildings derived from classical precedents, voids are usually arranged in a symmetrical and evenly spaced manner within the façade. arrangements of openings, but the overall impression is still one of regular, repetitive openings.*
- **Applicant response:** The proposed facades arrangement of openings are balanced composition and symmetrical.
 - **HDC Staff analysis:** Staff assesses that this Element is satisfied.
- **(5) Rhythm of spacing of buildings on streets.** *The spacing of buildings has generally been determined by the setback from the side lot lines. The spacing of buildings tends to be consistent, except where vacant lots occur. On Virginia Park, where lots are approximately 50 feet wide, some buildings are placed closer to one side lot line, creating room for a side driveway. On smaller lots in the district, the buildings occupy most of the width of their lots, while complying with the side lot setback restrictions.*
- **Applicant response:** The building facing Virginia Park Ave. takes up most of the frontage, but still leaves side yard setbacks. Including able separation of the existing single residential home to the west. The rhythm of the buildings facing Third Street is adequate to have a vehicular drive between the buildings and spacing with the existing townhouse to the north.
 - **HDC Staff analysis:** Staff assesses that this Element is satisfied.
- **(6) Rhythm of entrance and/or porch projections.** *Steps and porches exist on all of the single-unit and multiple-unit 2½-story dwellings in the district; the progression of porches lends to the consistency of the streetscape. Entrances and porches are either placed centrally on the façade, as is usually the case with Classically-inspired buildings, or are placed to one side of the front façade, and the porch sometimes wraps around to the side. Rear porches are common on single-family residences; few side porches exist due to narrow lot sizes. On Virginia Park, there is an occasional porte cochere.*
- **Applicant response:** The front stoop at each entry creates a rhythm in the façade and leads to a consistency of the streetscape.
 - **HDC Staff analysis:** Staff assesses that this Element is satisfied.
- **(7) Relationship of materials.** *The district exhibits a wide variety of building materials characteristic of single- and multiple-unit residential buildings dating from the last decade of the 19th Century and first quarter of the 20th Century. The majority of buildings are faced with brick; a brick veneer first story and a stucco, clapboard, or wood shingle second story is not unusual. All-stone, all-stucco, and all-wood buildings exist but are few in number. Later replacement siding is uncommon in the district; when it does exist, much of side changes the original visual relationship of the siding to the building. Stone sills and wood trim are common. Roofing includes slate, tile, and asphalt shingles. It is common for apartment buildings to have limestone or concrete high basements or first stories and stone ornamental detail and trim.*
- **Applicant response:** There is a combination of brick and siding on the front and side elevations. The rear is all siding. Stone is used at sills of windows when brick is present. The front entry stoop roof trim and supports are painted wood.
 - **HDC Staff analysis:** The applicant characterizes the cement panels as “siding.” Staff disagrees. Unlike the brick, cement panels with metal reveal trim are not reasonably

related to a historic material precedent on Virginia Park Avenue. While modern materials on new construction in historic districts are often used successfully in small doses (as accents), especially when they can be traced to a historic use, the extensive use of modern panels on these proposed buildings makes them the default primary expression and substantially at odds with the historic context. Staff acknowledges the introduction of additional wood features at the porches, but this element is failed. See also Element 8, below.

- **(8) Relationship of textures.** *The most common relationship of textures in the district is that of the low-relief pattern of mortar joints in brick contrasted to the smooth surface of wood trim and masonry sills. The brick is sometimes textured. Also common is the contrast in textures created by the juxtaposition of different materials used for the first and second stories; frequently, a brick first story is contrasted with a stucco or wood-sheathed second story. Half-timbering adds textural interest to the stucco where it exists on Neo-Tudor houses. In apartment buildings, stone, either rough cut or smooth and/or cut to appear like rustification at the basement and/or first-story level, contrasts with the main material, brick. Slate and tile roofs contribute to the textural interest, whereas asphalt shingles generally do not.*
 - **Applicant response:** The brick is a smooth brick with concave mortar joints that contrast nicely with the smooth painted fiber cement board.
 - **HDC Staff analysis:** Despite the concern over the cement panel material (see Element 7), staff concurs that the textural relationship between smooth areas and mortar patterns is satisfied by the proposed design.
- **(9) Relationship of colors.** *Paint colors generally relate to style. Natural brick colors (red, brown, yellow, orange, buff) predominate in wall surfaces. Natural stone colors also exist. Stucco and concrete are usually left in their natural state or are painted in a shade of cream; half-timbering is frequently stained or painted brown or brownish-red. Classically inspired buildings, particularly Neo-Georgian and Colonial Revival, frequently have wood trim painted white, cream, or in a range of these colors. Where shutters exist, they are either dark green, black, or another appropriate dark color. Colors known to have been in use on buildings of this type in the 18th Century or 19th Century on similar buildings may be considered for suitability. Buildings of Medieval and/or Arts-and-Crafts inspiration generally have painted wood trim of dark brown; black and red is also present. Queen Anne and Late Victorian style houses may have several colors painted on the same façade. Storm windows are sometimes a different color from the window frames and sashes; window sashes are most often the same color as the window frames, with a few exceptions. Colors used on trim of apartment buildings are frequently brown, gray, black or green. The original color scheme of any building, as determined by professional analysis, is always acceptable for the building, and may provide suggestions for similar buildings. Roofs are in natural colors; slate is predominantly gray, gray-green and black; tile is green or red. Asphalt shingles display a variety of colors, most derived from colors of natural materials (tile, slate and wood colors).*
 - **Applicant response:** The brick has natural brick colors similar to homes on the block. Natural limestone is used. The smooth beige panel siding is contrasted with the gray window frame and metal trim that divides the panel siding. The front door, canopies and balconies are also in a gray color.
 - **HDC Staff analysis:** Staff notes the additional variation in color in the cement panels, which were not necessary for this Element. Staff nevertheless assesses that this Element is satisfied.
- **(10) Relationship of architectural details.** *Architectural details generally relate to style. Porches, window frames, cornices, dormers and gables are frequently treated. Neo-Georgian and Colonial Revival buildings display classic details in wood; buildings influenced by the Arts-and-Crafts movement have wood details, such as half-timbering, heavy vergeboards, and other wood elements. The vernacular "four-square" buildings usually show restraint in detail. In*

general, the houses on Virginia Park are more ornate than those in the rest of the district. Some of the apartment buildings display carved stone ornament set in panels, string courses, spandrels and cornices.

- **Applicant response:** The contemporary design has architectural details used in the front entry stoop. Neighboring existing entry stoop details were used in the design. Both gable and flat roof coverings with supporting columns and brackets are used.
 - **HDC Staff analysis:** The Elements specifically call out the “more ornate” character of Virginia Park Avenue in the City Code. The addition of modern reinterpretations of some of the traditional porch roofs have achieved some additional detail, but the starkness of the flat cement panel areas are not relieved or enriched by the color variation introduced in this revision. This Element is still failed.
- **(11) Relationship of roof shapes.** *A multiplicity of roof types exist, and frequently within the same building. Predominant forms are hip and gabled, frequently punctured with dormers. A few buildings have engaged towers or bays with conical roofs. Other buildings have less complex roofs, appropriate to their architectural style.*
- **Applicant response:** The majority of the structure has a flat roof. The front entry stoops do have roofs similar to neighboring homes. Gabled and flat entry roofs are shown.
 - **HDC Staff analysis:** Staff agrees that flat roofs are appropriate to the contemporary style of the proposed building; however, flat roofs are not compatible with the existing character of Virginia Park, which is universally marked by pitched and complex roof forms of various types. Contemporary design, as suggested in Element 10 above, is flexible enough to incorporate complex geometries and intricate details while staying true to a modern “style.” Though the introduction of traditional roof forms at the porches does explicitly acknowledge historic prototypes, this element is still failed.
- **(12) Walls of continuity.** *The major wall of continuity is created by the building façades when their setbacks are uniform within each block face. Where lighting poles and trees exist in sufficient numbers, they contribute to a minor wall of continuity along the tree lawns.*
- **Applicant response:** The front yard setback on Virginia Park Ave. does set forward of the adjacent home. But does have the approximate front yard setback of the city’s design for the townhouses across the street. The front yard setback on Third Ave. matches the townhouses to the north across the alley. We are keeping the existing trees and adding additional trees to maintain the minor wall of continuity.
 - **HDC Staff analysis:** The conceptual design for the townhouses at 801 Virginia Park, as published by PDD in the Rosa Parks/Clairmount Neighborhood Framework Plan, was not intended to meet historic standards and prioritized the provision of affordable housing. Should that design be adopted or developed, with additional community input, it would be presented to the Commission for consideration under a Notice to Proceed as a substantial community benefit. The same limitation exists here. Under historic standards concerning walls of continuity and consistent setbacks, this Element is failed.
- **(13) Relationship of significant landscape features and surface treatments.** *The typical treatment of individual properties is a flat or slightly graded front lawn area in grass turf subdivided by a concrete or brick walk leading to the front entrance; a side walk sometimes leads to the rear. On sufficiently graded lots, steps lead up the earthwork terraces to the front steps. Some straight side driveways, primarily in concrete but a few in brick, leading from the street to the rear garages exist on Virginia Park, Bethune, and Lothrop. Where front lawns are uninterrupted by driveways, a unity to the succession of front lawns is achieved. Foundation plantings of an evergreen and deciduous character are present on individual lawns. Hedges between properties along the side lot lines are common; properties on corner lots frequently have hedges along the north-south street. Trees are evenly spaced on the tree lawn; on Pallister where the tree lawn has been widened, trees are planted close to the public sidewalk and*

upright lighting standards are evenly spaced near the brick paving of the street. Public sidewalks throughout the district are concrete; brownstone and some bluestone curbs remain on Delaware between Woodward Avenue and Second, Virginia Park and Seward. Virginia Park is paved in brick; traffic off Woodward Avenue enters and exits through a horseshoe with wrought iron gates and brick piers with stone cresting and foundations. A grassy turf, hedges, and young trees are planted inside the court created by the horseshoe. Newer gates at the entrances of other blocks are of the same materials. Side and rear yard wooden fences, either painted brown or left in a natural state, exist throughout New Center Commons. Side yard fences generally do not extend beyond the face line of the front porch, except where they fence in side lots or corner properties. Fencing, in public view through the district, is of a fluted design to compliment the style, design, material, and date of the residence. Pallister between Second and Third streets is a pedestrian street; it is paved in brick with concrete around its perimeter. Street furniture and upright iron light standards are placed at regular intervals. Ornamental poles (O.P. type, Public Lighting Department) are located on Delaware between Woodward Avenue and Second, Virginia Park and Seward. On Second Boulevard and Third Avenue, where they run throughout the district, are fluted steel lighting standards with crane-neck pendants (Union Manufacturing Company No. 4700). Alleys are paved in either asphalt or concrete, the exception being the alley north of Delaware east of Second, which is brick. Parking areas off the alleys next to the alley-facing garages in New Center Commons are also either asphalt or concrete. Alleys are entered and exited on Bethune Court; they do not have outlets on Third Avenue. Bethune Court, Bethune Street, and the alleys have tall, modern light standards. Ornamental light posts on Pallister Commons are Union Metal manufacturing No. SP874-Y1.

- **Applicant response:** The development is retaining all the existing street trees and adding additional trees where there are none. There will be additional trees along Virginia Park Ave. sidewalk in the 5 front yard setback. Hedges and shrubs will also be planted in the front yard closer to the building, each creating a linear planting.
 - **HDC Staff analysis:** Staff assesses that this Element is satisfied.
- **(14) Relationship of open space to structures.** Vacant land in the New Center Historic District is located immediately west of Bethune Court, where it provides a small buffer from the street at the corners of Bethune Court and Pallister. Open space on Pallister is provided by the brick-paved pedestrian mall and widened tree lawns. There is also ample vacant land adjacent to the Virginia Park gates at the corners of Woodward Avenue and Virginia Park. Where buildings have been demolished, vacant land exists, usually in the form of parking lots. This condition prevails primarily in the block of Virginia Park between the Lodge Freeway Service Drive and Third Avenue, and on Lothrop. Backyards as well as front yards exist on all single- and double-family residential properties; backyards to houses on Bethune, Pallister and Delaware tend to be relatively small due to the placement of 1½- or 2½-car garages and adjoining paved parking area off the alley.
- **Applicant response:** Currently there is a large open space across the street on Virginia Park Ave. The vacant lot formerly had the Detroit Hope Hospital on it.
 - **HDC Staff analysis:** Staff assesses that this Element is satisfied.
- **(15) Scale of façades and façade elements.** There is a variety in scale from street to street and style to style; most houses have a small to moderate appearance and apartment buildings have a moderate appearance. The size and complexity of façade elements and details either accentuate or subdue the scale of the façades. Houses on Virginia Park are large in scale compared with the rest of the district. The elements within the façades of Queen Anne and some Colonial Revival buildings emphasize their size by dividing the façades into large segments, such as towers, projecting gables, and bays. Neo-Georgian façades have restrained, small-scale detail within. Buildings influenced by the Arts-and-Crafts movement contain heavy elements, such as vergeboards and large brackets. Apartment buildings usually contain small-scaled elements within moderate to large-scale façades. Buildings generally are within normal limits of scale for moderate single- and multiple-family residences of the late 19th Century and early

20th Century.

- **Applicant response:** The apartment buildings have a moderate scale facades with small scaled elements.
- **HDC Staff analysis:** Staff assesses that the scale of the facades in the proposal, while moderate, are not compatible with the scale/complexity of the facades on the historic buildings along Virginia Park, though the revisions at the porch and the garden units have achieved some progress. See also Elements 7 and 10. This element is failed.
- **(16) Directional expression of front elevations.** *Although some houses appear wider than tall and some appear taller than wide, the overall directional expression is neutral. Apartment buildings are expressed vertically; terraces (rowhouses) are horizontal. The Church of Christ, Scientist, is expressed horizontally.*
 - **Applicant response:** The Virginia Park Ave. building directional expressed as wider than tall, but has a vertical expression with its design elements. The Third Ave. building directional expression is certainly taller than wide.
 - **HDC Staff analysis:** Similar to our analysis for Element 2, we do not assess that the directional expression is compatible with the overall “neutral” directional expression of the houses on Virginia Park. This element is failed.
- **(17) Rhythm of building setbacks.** *Setbacks vary from area to area within the district, though they are usually consistent within each block or streetface in compliance with deed restrictions. The varying designs of the houses, occasionally with slight setbacks in the façades, cause the houses to relate to the front setback line.*
 - **Applicant response:** See item 12.
 - **HDC Staff analysis:** As discussed in Element 12, this element is failed as the setback is inconsistent with the rhythm established by the contextual historic houses.
- **(18) Relationship of lot coverages.** *Lot coverage of single-family dwellings ranges from approximately 20 percent to 45 percent, most being in the 25 percent to 35 percent range of lot coverage. Lot coverage of multi-unit apartment buildings range from 50 percent to 90 percent of their lots, most being in the upper end of this range.*
 - **Applicant response:** The proposed buildings have a lot coverage of 50%, is on
 - the low end of the 50 -90% for the district’s multi-family apartment buildings.
 - **HDC Staff analysis:** Given the large houses present along Virginia Park, staff assesses that this Element is satisfied.
- **(19) Degree of complexity within the façades.** *The degree of complexity has been determined by what is appropriate for a given style. The Late Victorian buildings exhibit complex massing and multiplicity of forms, colors, and textures. Other styles in the district are less complex. The Classically-inspired buildings usually have simple, rectangular façades with varying amounts of ornamentation.*
 - **Applicant response:** The front facades are simple and less complex in keeping to the contemporary design style.
 - **HDC Staff analysis:** Similar to discussion above, the precedent complexity of the existing houses on Virginia Park requires a similar complexity in a historically compatible new structure, independent of the style. New construction should not appear sparse, plain, or stripped down. This element is failed.
- **(20) Orientation, vistas, overviews.** *Single-family houses and apartment buildings are generally oriented towards the east-west streets. The majority of terrace buildings are oriented toward Third Avenue. The majority of the garages are oriented towards the alleys; where driveways exist, garages are frequently oriented towards both the street and the alley. All garages are detached and at the rear of the lot. A dramatic view of the General Motors Building and Fisher Building can be seen just south of the district*

- **Applicant response:** The buildings are oriented to the south and to the east. The garages and exterior parking spaces are oriented away from the street view. The units take advantage of the dramatic view of the Fisher building, especially the units facing south.
 - **HDC Staff analysis:** Staff assesses that this Element is satisfied.
- *(21) Symmetric or asymmetric appearance. Neo-Georgian and other classically inspired buildings are generally symmetrical. Other styles, including Queen Anne and Arts-and-Crafts inspired, are generally asymmetrical but result in balanced compositions. Front façades of apartment buildings are symmetrical in appearance.*
 - **Applicant response:** The front facades are symmetrical.
 - **HDC Staff analysis:** Staff assesses that this Element is satisfied.
- *(22) General environmental character. The character of the New Center Historic District is that of late 19th Century and early 20th Century residences on straight east-west streets. A cohesiveness is attained by entrance gates, uniform setbacks, spacing on lots, buried utilities, and, on Pallister, spacious tree lawns, street furniture, and brick paving. Overall, the district has an urban, low to moderate density, revitalized residential character with small-scale commercial usage on its southern periphery and on Second from Virginia Park to Delaware.*
 - **Applicant response:** The character is strengthening by developing this vacant lot with urban, moderate density housing.
 - **HDC Staff analysis:** The proposal is not compatible with the general environmental character of Virginia Park Avenue, which is marked by large residences set off on lawns in a low density setting, each of them richly detailed. This element is failed.
- As reinforced above, the Elements of Design (indeed, the entire consideration of a proposal under the Secretary of the Interior's Standards), are focused on eligibility for a Certificate of Appropriateness (COA). A COA is issued for historically appropriate work that is compatible with the historic context, which for this proposal is the Virginia Park corridor. Other streets in the New Center Area Historic District, while important in their own right, cannot "donate" their historic features and character (i.e., height, typology, flat roofs, materials, spacing, massing) to this unrelated location and make an incompatible project acceptable. It is also noted that the proposal, as presented could be compatible for another street in the New Center Area Historic District, but is not compatible here on Virginia Park.
- Per our analysis above, the proposal fails Elements of Design 2, 7, 10, 11, 12, 15, 16, 17, 19, and 22.
- The proposal additionally fails Secretary of the Interior Standard #1 and #9:

(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.

Staff analysis: By introducing a sprawling multi-family development, this new use changes the defining characteristics of the site environment, that being single-family dwellings lining Virginia Park Avenue.

(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.

Staff analysis: The new work is not compatible with the massing, size, scale, and architectural features of the environment, that being the single-family dwellings lining Virginia Park Avenue.

- The proposal therefore cannot be recommended by staff for a Certificate of Appropriateness.

NOTICE TO PROCEED INFORMATION/ANALYSIS

- This information is provided to the Commission in cases where staff anticipates a Notice to Proceed may become a subject of discussion and is not meant to endorse or recommend this outcome, or consideration thereof. As described earlier in this report, HDC staff expects a senior representative from the Mayor's Office to recommend approval of a NTP.
- A Notice-to-Proceed (NTP) is an alternate approval path available to the Commission for historically inappropriate work. None of the Elements, nor the Secretary of the Interior's Standards, need to be satisfied. An alternate set of conditions (or "prongs"), codified in Section 21-2-75, are prescribed by state law and local ordinance, that being:

(1)The resource constitutes a hazard to the safety of the public or the occupants;

(2)The resource is a deterrent to a major improvement program that will be of substantial benefit to the community. Substantial benefit shall be found only if the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances, and the improvement program is otherwise feasible;

(3)Retention of the resource would cause undue financial hardship to the owner. Undue financial hardship shall be found only when a governmental action, an act of God, or other events beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to an appropriate vacant site within the historic district, have been attempted and exhausted by the owner;

(4)Retention of the resource would not be in the interest of the majority of the community.

- The Michigan State Historic Preservation Office, in April 2022, produced a document concerning the issuance of Notices-to-Proceed by Michigan HDCs as part of their [CLG \(Certified Local Government\) programming resources](#). A [Certified Local Government](#) is a Michigan municipality that enforces a local historic district ordinance via a state-enabled Historic District Commission. This document (available on this property's public website) makes the following points, presented verbatim in *italics*:

- **Concerning prong 1, public safety hazards**, SHPO dictates (emphasis in original):

As a best practice, use of this criteria should be based, at minimum, on a thorough, unbiased structural assessment report prepared by a licensed engineer. Reports should be prepared by engineers experienced in historic preservation as historic building systems are often quite different from their modern counterparts.

In documenting its decision, the HDC should reference specific evidence to support its conclusions and show that the burden of proof has been met rather than broadly stating the "report is satisfactory" or something similar. Also keep in mind that HDCs have the ability to retain an on-call historical architect or preservation specialist that can provide advisory support to the HDC in such situations. This option is particularly useful in communities where the HDC does not include a commissioner with professional preservation experience. [Note that, in Detroit, both professional staff and the Commission include licensed and experienced historic architects.]

- **Concerning prong 2, deterrent to a major improvement program**, SHPO dictates (emphasis in original):

This criteria requires that additional considerations be met by the applicant. Specifically, the applicant must have obtained all necessary planning and zoning approvals, financing, and

*environmental clearances. These steps are important as the intent of this criteria is to minimize instances where action is taken on a hypothetical project that is still very much dependent on future actions that may or may not happen. If the project is contingent on actions still to be taken, it cannot be processed under this criteria. The other key consideration is that, per PA 169 [Michigan's Local Historic Districts Act, Public Act 169 of 1970, as amended], for a NTP to be issued, the proposed work has to be necessary to **substantially improve or correct** the condition. Being broadly associated with a proposed development site isn't enough. The continued existence of the historic resource in its original location must in and of itself be a contributing deterrent.*

*In documenting use of the NTP, the HDC should explicitly identify the **substantial** community benefit, including known and anticipated positive impacts and the sources of information upon which they are based, and enumerate all steps completed by the applicant.*

- **Concerning prong 3, undue financial hardship**, SHPO dictates (emphasis in original):

PA 169 sets a high bar for demonstrating undue financial hardship. Specifically, the hardship must be due to an issue beyond the owner's control and the owner must have exhausted all feasible alternatives to eliminate the hardship before this criteria can be met.

Communities can identify specific documentation that must be submitted as part of a request under a financial hardship claim. Such documentation commonly includes appraisals, tax records, property income records, documentation of efforts to sell the property, and more. HDCs that have not done so are encouraged to establish such documentation standards as a best practice since this helps to ensure that decisions are based on a thorough understanding of the financial situation and efforts taken to eliminate the hardship.

- **Concerning prong 4, majority community interest**, SHPO dictates (emphasis in original):

*While this criteria can be broadly interpreted, it should be carefully considered. It should not be looked at as a "catch all" out for a NTP or used lightly to benefit an individual developer or development company. The fact is that historic preservation in and of itself has been determined to be a public purpose under state and federal law. As such, any effort to demonstrate that retaining a historic resource is not in the interest of the **community at large** must be well founded and documented. Isolated editorials representing one person's opinion or off-the-cuff remarks at a meeting or on social media do not by default represent majority community interest. The burden of proof lies with the applicant—not the HDC—to explicitly demonstrate wh it is not in the interest of the majority of the community to retain the resource **and how** that majority interest was determined.*

- This proposal first came to the attention of PDD and HDC staff in May 2024. Sometime previous to that date, the Detroit Land Bank Authority entered into an agreement to sell 808-816 Virginia Park, publicly owned property, to the developer based on a conceptual design by the architect, reproduced below.



Conceptual design for this site, as presented to the Land Bank by the architect/developer team as part of their winning proposal for the property. PDD/HDC had no input or role in the selection of this design team or the sale of this property.

- Unfortunately, neither HDC staff nor PDD was invited to comment on the above proposal, or consult with the the DLBA, the developer, or the architect prior to the purchase agreement. Though the sale requires the developer to secure all necessary regulatory approvals before construction, PDD and HDC staff were concerned that making a sale based on a plainly incompatible building concept in a historic district would ultimately lead to confusion and disappointment. PDD has since recommended additional safeguards to DLBA to prevent a repeat of the current situation.
- HDC staff’s initial advice to the applicant was that a massive, blockish multi-family building was unable to be approved by the Commission in this location. However, we did share the conceptual design and program for 801 Virginia Park as incorporated in the Rosa Parks/Clairmount Neighborhood Framework Plan. 801 Virginia Park (the large parcel on the south side across from the project site, and formerly the site of the hospital) was identified as an “opportunity” site during the neighborhood planning process. This meant that it had been introduced and discussed with the community in public meetings as a means to address larger community needs, including affordable housing, density, and revitalization. Specifically, PDD stated that a development on that parcel would address short and long term strategies on Mobility, Landscape, Housing and Economic Development, and that the site had the potential for mixed use. The community impact was conceived in the context of the entire neighborhood.
- City of Detroit Housing & Revitalization Department (HRD) representatives further suggested adding affordable housing to this project to improve eligibility for a Notice-to-Proceed, an idea that was not pursued by the developer.
- PDD acknowledges that the developer and their architect have worked in good faith to revamp the design from a large block building to a more sensitive but still historically incompatible “townhouse” typology that is more closely aligned to the conceptual design for 801 Virginia Park, which had an undetermined level of neighborhood “buy-in” via PDD’s neighborhood planning work, conducted in 2018. It was hoped that developing a similar design, and working with the community to develop that design, would generate more community support for a NTP.
- The Commission, per the law, has the exclusive right to determine for itself what constitutes a “substantial community benefit” or “majority community interest” as required for inappropriate work by the second and fourth “prongs” of Section 21-2-75. However, the Commission has often relied on the input of the Planning and Development Department (PDD), the Housing & Revitalization Department (HRD), the Department of Neighborhoods (DON), and elected city officials when considering what

constitutes community benefit, as these departments and leaders are tasked with undertaking community engagement and tracking community needs and concerns, and are accountable to same.

- PDD was notified in September 2025 that the Mayor's Office now recommends to the Commission that the project will be of substantial community benefit and/or in the interest of the community-at-large, and that the project should be awarded a NTP approval. As such, the project was redocketed for your review. Senior leadership from the Mayor's Office is expected to be present at the meeting to listen to public comments and discuss the project with the Commission.

ISSUES – COA (NOTE THESE ISSUES NOT APPLICABLE TO A NTP APPROVAL)

- The proposed new use requires a building typology and massing that is contrary to the defined characteristics of Virginia Park Avenue, which is universally characterized by substantial single-family dwellings set off by spacious lawns.
- The new work, while differentiated from the older houses, is incompatible with the massing, size, scale and architectural features established by the existing Virginia Park Avenue historic context.
- Based on the historic context on Virginia Park, the proportion of the front façade should appear taller than wide or wider than tall, with an overall neutral appearance. The proposed attached dwellings are substantially wider than tall, very far from neutral.
- Cement panels with metal reveal trim are not reasonably related to a historic material precedent on Virginia Park Avenue. The extensive use of these modern panels on these proposed buildings makes them the default primary expression and substantially at odds with the historic context.
- Despite the addition of some elements at the porches and garden units, the revised proposal does not incorporate "ornate" architectural detailing as specifically called out in the Elements of Design for Virginia Park, and is incompatible with the richly detailed character of its historic context.
- Flat roofs, despite the addition of more traditional forms at the porches, remain the dominant expression in the revised design and are not compatible with the existing character of Virginia Park, which is universally marked by pitched and complex roof forms of various types.
- The proposed setback does not align with the wall of continuity and the existing rhythm of established setbacks of the Virginia Park Avenue historic corridor.
- The scale of the facades in the proposal are not compatible with the scale/complexity of the facades on the historic buildings along Virginia Park.
- The directional expression of the proposed front elevations is not compatible with the overall "neutral" directional expression of the houses on Virginia Park.
- The degree of complexity in the facades of the existing houses on Virginia Park requires a similar complexity in a historically compatible new structure, independent of the style, which is not achieved by the proposal.
- The proposal is not compatible with the general environmental character of Virginia Park Avenue, which is marked by substantial residences composed of traditional materials, set off on lawns in a low density setting.

RECOMMENDATION

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

Recommendation 1 of 1, Denial

Staff recommends that the proposed work will be inappropriate according to the Secretary of the Interior's Standards for Rehabilitation and the New Center Area Historic District's Elements of Design, specifically:

Standard (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.

Standard (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.

- And Elements of Design 2, 7, 10, 11, 12, 15, 16, 17, 19, 22.

For the following reasons:

- The proposed new use requires a building typology and massing that is contrary to the defined characteristics of Virginia Park Avenue, which is universally characterized by substantial single-family dwellings set off by spacious lawns.
- The new work, while differentiated from the older houses, is incompatible with the massing, size, scale and architectural features established by the existing Virginia Park Avenue historic context.
- Based on the historic context on Virginia Park, the proportion of the front façade should appear taller than wide or wider than tall, with an overall neutral appearance. The proposed attached dwellings are substantially wider than tall, very far from neutral.
- Cement panels with metal reveal trim are not reasonably related to a historic material precedent on Virginia Park Avenue. The extensive use of these modern panels on these proposed buildings makes them the default primary expression and substantially at odds with the historic context.
- Despite the addition of some elements at the porches and garden units, the revised proposal does not incorporate "ornate" architectural detailing as specifically called out in the Elements of Design for Virginia Park.
- Flat roofs, despite the addition of more traditional forms at the porches, remain the dominant expression in the revised design and are not compatible with the existing character of Virginia Park, which is universally marked by pitched and complex roof forms of various types.
- The proposed setback does not align with the wall of continuity and the existing rhythm of established setbacks of the Virginia Park Avenue historic corridor.
- The scale of the facades in the proposal are not compatible with the scale/complexity of the facades on the historic buildings along Virginia Park.
- The directional expression of the proposed front elevations is not compatible with the overall "neutral" directional expression of the houses on Virginia Park.
- The degree of complexity in the facades of the existing houses on Virginia Park requires a similar complexity in a historically compatible new structure, independent of the style, which is not achieved by the proposal.
- The proposal is not compatible with the general environmental character of Virginia Park Avenue, which is marked by large residences set off on lawns in a low density setting.