

**STAFF REPORT:** APRIL 10, 2024, SPECIAL MEETING  
**APPLICATION NUMBER:** HDC2024-000125  
**ADDRESS:** 350 MADISON  
**HISTORIC DISTRICT:** MADISON-HARMONIE  
**APPLICANT:** JOHN P. BIGGAR, STUDIOZONE LLC  
**PROPERTY OWNER:** MUSIC HALL LLC  
**DATE OF PROVISIONALLY COMPLETE APPLICATION:** MARCH 25, 2024  
**DATE OF STAFF SITE VISIT:** FEBRUARY 27, 2024; MARCH 7, 2024; APRIL 3, 2024

**PREPARED BY:** T. BOSCARINO

**SCOPE:** ALTER FIRE ESCAPE

**EXISTING CONDITIONS**

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

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



April 2024 photo by staff looking south from Madison.

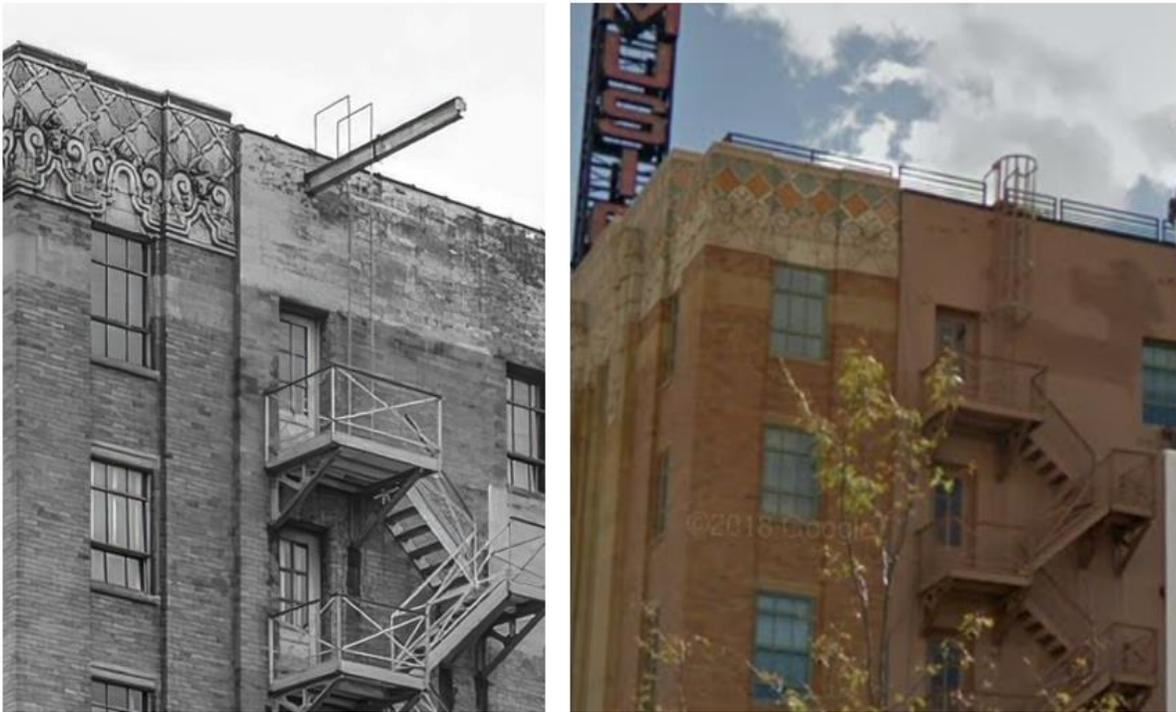


*Detroit Parcel Viewer image with subject property outlined in yellow. At the top (north) of the image is the Madison façade. Arrow shows fire escape location.*

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



*Left: April 2024 staff photo of west elevation. Right: 1928 photo, taken during construction, depicting same; [musicall.org/history](https://musicall.org/history)*



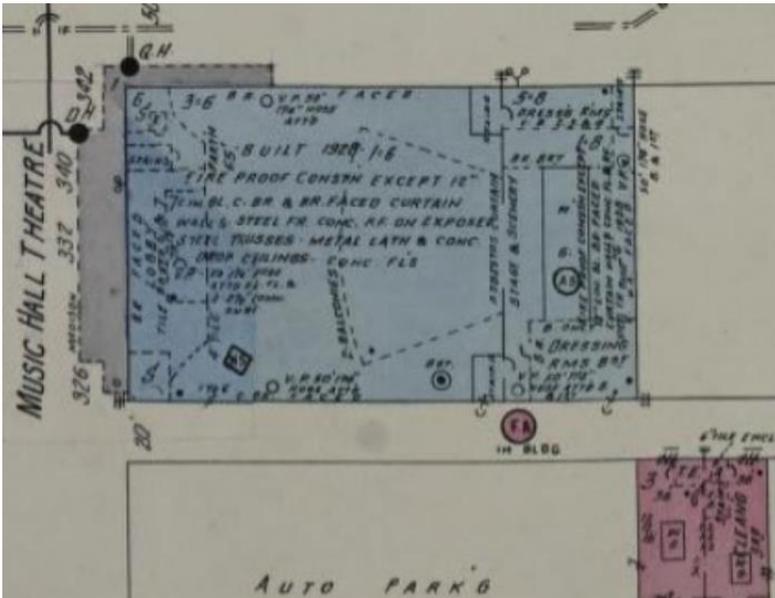
Photos showing interim conditions of the fire escape; Left, 1953 (Walter Reuther Archives); Right, 2015 (Google Street View).

Also on the west elevation of the building, a new fire escape was recently approved by the Historic District Commission at its March 13, 2024, meeting (proposal HDC2024-00066). The new fire escape has not yet been installed.



West elevation drawing showing approved (not yet installed) fire escape. Image from HDC2024-00066 application documents. Note that this image does not depict the existing fire escape as that proposal initially included removal of the existing fire escape; that aspect of the proposal was later withdrawn.

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



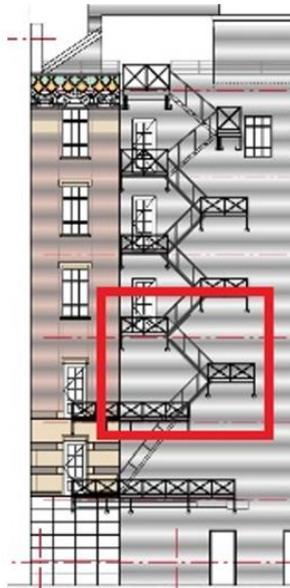
1950 Sanborn Map showing the theater building and adjacent parking lot.

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

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



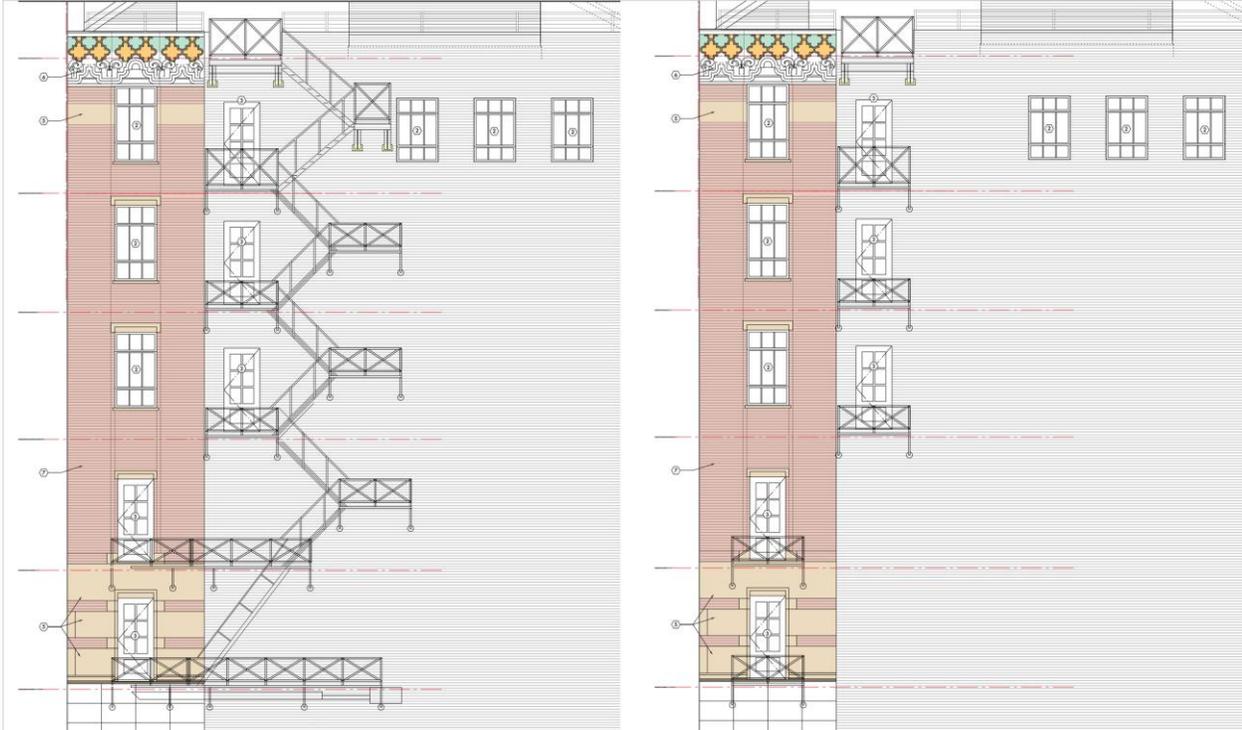
Rendering of approved new building; Image from August 21, 2023, application materials.



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

## PROPOSAL

The applicant proposes to alter the existing fire escape. The proposed work would remove the stairways (stringers, risers, treads, and half-story landings), leaving only full landings at floors four through six and truncated landings at the second and third floors. The landings would be converted to balconies.



Left: Elevation showing existing conditions. Right: Elevation showing proposed work. Images from application documents.

## STAFF OBSERVATIONS AND RESEARCH

- The Madison-Harmonie Historic District was enacted by Ordinance 11-88 in 1988. The Historic Designation Advisory Board Final Report mentions sixteen contributing buildings from 1895 through 1924, suggesting a Period of Significance. The Final Report emphasizes the architectural significance of the buildings of the district. The report states that 350 Madison, originally the Wilson Theater, is a contributing resource significant as “one of the best examples of early Art Deco architecture in Detroit.” It is noteworthy for its design by William Kapp with architectural sculpture by Corrado Parducci.
- The subject building, in addition to its importance as an example of Art Deco, appears to be almost entirely unchanged from its original appearance, though the rooftop sign has been changed to reflect the Music Hall name. Thus, the building is of citywide importance as an example of Detroit’s theater building history.



*Uncredited 1920s photo from [historicroetroit.org](http://historicroetroit.org).*

- The Elements of Design for the district do not discuss fire escapes or fenestration on side elevations.
- A finding from the Detroit Fire Department requires that the building management “discontinue use of the fire escape” (July 25, 2022, letter from Detroit Fire Department, Fire Marshal Division to Vince Paul). A July 14, 2022, inspection report (referenced as Exhibit 9 in the July 25, 2022, letter) outlines several deficiencies with the fire escape. However, staff did not see any indication in either document that the fire escape needs to be removed, only that it is not suitable for use.
- Staff contacted the Fire Marshal’s Office of the Detroit Fire Department to clarify any concerns regarding retaining the fire escape as a purely ornamental feature, and to determine whether the existing (historic) fire escape may conceivably be left in place. The email response (Fire Marshal Thomas, March 12, 2023, email to staff) is that the Fire Department has no objection to the fire escape remaining in place as a non-functional feature, but that cyclical maintenance and inspection would still be recommended. The email is quoted in full below (the “final decision letter” referenced has also been made available to the Commission along with the submitted application materials):

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

- The existing fire escape is certainly historic (it is original to the building), and staff suggests that it is a character-defining feature warranting preservation, as directed by the Secretary of the Interior’s Standards for Rehabilitation. Repair would be an appropriate intervention. If beyond repair, in-kind replacement would also be appropriate. It could also be preserved in its current condition, maintaining its important visual qualities despite not being usable.
- The proposal reflects the guidance of “Interpreting the Secretary of the Interior’s Standards 43: Converting Fire Escapes into Balconies in Mill Complexes” (National Park Service, 2007). That document acknowledges that “historic fire escapes are generally character-defining elements of mill buildings and, accordingly, they should be retained in a rehabilitation project.” (Though this document references mill buildings in particular, staff suggests that its lessons are relevant to theater buildings as well, as concerns of fire safety were paramount to the historical evolution of both building types.) After acknowledging the importance of fire escapes, ITS 43 suggests that fire escape stairways can be removed for “safety and security reasons” while the landings are preserved as balconies that “are often so desirable in a residential conversion project.”



*Before (left) and after (right) photos of the conversion of an unspecified “1868 brick mill complex.” Image from National Park Service, ITS 48.*

- However, staff suggests that the guidance provided by ITS 43 is not applicable here. Indeed, the ITS documents are “case specific and are provided as information only; they are not necessarily applicable beyond the unique facts and circumstances of each case,” according to the National Park Service. According to the Chair of the Advisory Council for Historic Preservation, they “have been deemed to lack precedential value.” (Sara Bronin, “Report and Recommendations on the Application and Interpretation of Federal Historic Preservation Standards to the ACHP, 2024.”) Although it is not specifically stated, ITS 48 seems to invoke the “reasonableness” preamble—“the following Standards are to be applied to specific rehabilitation projects in a

reasonable manner, taking into consideration economic and technical feasibility” (36 CFR §67.7[b])—in a case study where “safety and security reasons” are a concern and when a residential adaptive use is being facilitated. ITS 48 does not seem to suggest that the alteration of a character-defining fire escape is acceptable in all instances. There is no evidence to suggest that “safety and security reasons” are a concern at 350 Madison or that adaptive use of the building required to facilitate its continued preservation.

- As an additional note, the fire escape would lose its character-defining status if a large portion (approximately half) were removed as shown, and already approved, in application 23-8515 (the application for the large adjacent building). At that point, removal of the entire fire escape would be appropriate, in staff opinion. However, the project architect indicated (March 7, 2024, email to staff) that the bridge and associated penetration are unlikely to be built as proposed.

## ISSUES

- As mentioned above, staff opinion is that the fire escape is a distinctive and character-defining feature. Its removal would be contrary to Standard #2 (applicable Standards are quoted in full below): “The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.”

## RECOMMENDATION

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

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

- The existing fire escape should be preserved as it is historic (original to the building) as well as character-defining due to its visual prominence in a highly visible and architecturally treated location.

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

2. *The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*
5. *Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.*