

City of Detroit

Janice M. Winfrey
City Clerk

OFFICE OF THE CITY CLERK

Andre P. Gilbert II
Deputy City Clerk

DEPARTMENT PETITION REFERENCE COMMUNICATION

To: The Department or Commission Listed Below

From: Janice M Winfrey, Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

Petition No.	2023-231
Name of Petitioner	Music Hall LLC
Description of Petition	Petition to encroach the public alley lying adjacent to the property commonly known as 350 Madison Street, for the purpose of installing fire escapes attached to structure as 350 Madison Street.
Type of Petition	Alley Vacation/Encroachment/Utility Vacation:
Submission Date	06/14/2023
Concerned Departments	Department of Public Works, Planning and Development Department, City Engineering Division
Petitioner Contact	Music Hall LLC 350 Madison St., 4th Floor Detroit, MI, 48226



**CITY OF DETROIT
DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION**

**COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVE. SUITE 601
DETROIT, MICHIGAN 48226
PHONE: (313) 224-3949 TTY: 711
WWW.DETROITMI.GOV**

To: Clerk's Office
From: The Department of Public Works
City Engineering Division
MapsandRecordsBureau@DetroitMI.Gov
(313) 224-3970

Petitioner:
Music Hall LLC
350 Madison St., 4th Floor
Detroit, MI, 48226

On behalf of the above-mentioned petitioner the Department of Public Works: City Engineering Division is submitting a petition request for the below mentioned action. The petitioner has received a project consultation from the Department of Public Works: City Engineering Division and has been advised the following:

Type of action recommended:

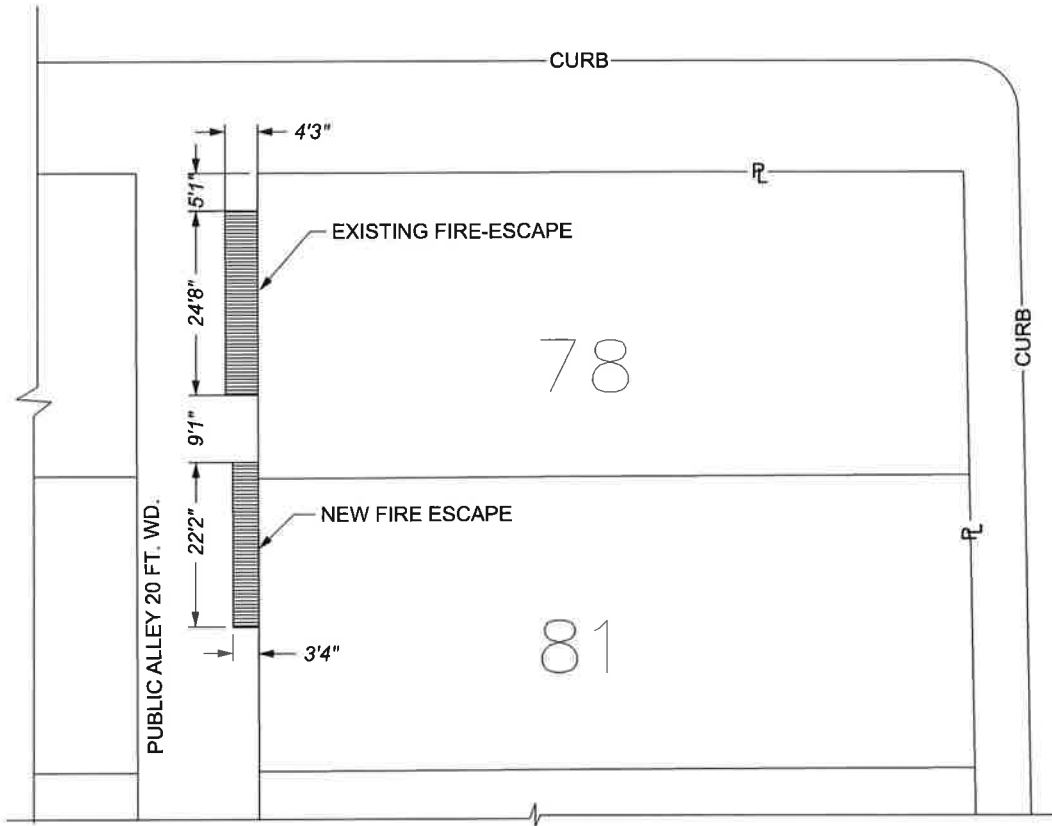
Petition to encroach the public alley lying adjacent to the property commonly known as 350 Madison Street, for the purpose of installing fire escapes attached to structure as 350 Madison Street.

Jered Dean
Manager II
Department of Public Works
City Engineering Division
313-224-3985

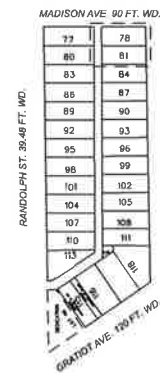


MADISON AVE. 90 FT. WD.

RANDOLPH ST. 39.48 FT. WD.



BRUSH ST. 50 FT. WD.



- REQUEST ENCROACHMENT
(For Fire-Escape, Min. 10 ft. Above Grade)

(FOR OFFICE USE ONLY)

CARTO 28 A

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	LC	CHECKED	JD		
DATE	4-3-2023	APPROVED	JD		

REQUEST ENCROACHMENT INTO
ALLEY BOUNDED BY RANDOLPH,
MADISON, BRUSH, AND GRATIOT
FOR FIRE-ESCAPES AT
350 MADISON (MUSIC HALL)

CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU	
JOB NO.	23-48
DRWG. NO.	

1456



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February 14, 2017

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- Mr. William Patrick Young
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The Honorable City Council
Attn: Office of the City Clerk
200 Coleman A. Young Municipal Center
Detroit, MI 48226

Dear Council Members:

On behalf of the Music Hall Center for the Performing Arts and its Board of Trustees, I hereby submit the following petition for vacation of the city-owned alley bordering the west side of Music Hall's building and request a formal hearing before City Council.

Music Hall Center for the Performing Arts opened its doors as the Wilson Theatre in 1928. It is the vision and creation of Matilda Dodge Wilson, who dreamed of a top-tier venue that welcomed one and all to both its audience and its stages. Her forward-looking, inclusive views remain central to our current mission and work. We have been home to the Detroit Symphony Orchestra, Michigan Opera Theatre, Youththeatre and original Tyler Perry plays.

Music Hall has established that its current interior elevator, original to the 1928 structure, cannot be retrofitted to achieve universal access for all patrons to the entire facility and that in order to achieve Americans with Disabilities Act compliance, a new elevator and fire escape is required. Given the building's north-facing frontage on Madison, the east side Brush Street border, and the rear of the building being inaccessible due to the placement of the stage house, the only possible location for the new construction is on the building's west side on the site of the current alley.

Previous to the transition of a 6,000 square foot, 7th floor roof area into a performance/multi-use venue for events, Music Hall's original elevator was exempt from current building codes based on its age. However, this "Grandfather Clause" is no longer in effect once the transition of this space occasioned in the summer of 2014. On December 9 of 2014, Vincent Paul, Music Hall's President & Artistic Director and Architect, John Biggar, AIA, appeared before the Michigan Administrative Hearing System.



Administrative Law Judge found that compelling need was demonstrated by Applicant for exception from requirements contained in the Barrier Free Design Rules of the State Construction Code. The Judge's recommendations led, on February 10, 2015, to the granting of a three-year exception to the requirements of the 2009 Michigan Building Code, Section 1104.4, by the Michigan Barrier Free Design Board of the Michigan Department of Licensing and Regulatory Affairs. This exception will expire on January 23, 2018.

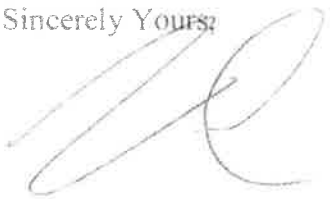
With this time allowance, Music Hall began work on the architectural plans and feasibility study for the proposed fire escape and elevator tower and having found the project fundable and feasible in the given time period, we now must turn our attention to the vacation of the alley. In addition, Music Hall has acquired a long-term lease and is now operating the adjacent parking lot to further facilitate this action.

In the meantime, Music Hall has been instructed by Detroit's Department of Buildings and Safety Engineering to extend its current outdoor fire escape to the 7th floor. The current fire escape/emergency exit descends directly onto the adjacent alley, as do the existing artist entrance and emergency exits from Music Hall's main floor, mezzanine and balcony. The frequency of use of these entrances and exits also demands that the alley be closed to through traffic whenever there is an event or people in the Hall. The low frequency of activity for many years allowed for a low incidence of usage overlap of the alley, but Music Hall's current activity level of 300+ events a year renders continued overlap of usage dangerous and untenable.

Parcel numbers of adjacent parcels are as follows: 01000267.0002L, 01003939-44, 01003938, 01003937, 01003936, 01003935, 01003933-4, 01000249-52, and 01000248.

We look forward to receiving notice of a hearing to discuss this urgent situation. Thank you very much for your prompt attention and please be in touch with any questions or concerns you may have.

Sincerely Yours,



Vincent C. Paul,
President and Artistic Director

