

**CITY OF DOVER, DELAWARE
HISTORIC DISTRICT COMMISSION MEETING
Thursday, June 20, 2024 at 3:30 PM**

City Hall City Council Chambers, 15 Loockerman Plaza, Dover, Delaware

AGENDA

IN-PERSON and VIRTUAL MEETING NOTICE

The Historic District Commission Meeting for June 20, 2024, will be held in City Hall Council Chambers. The public is welcome to attend in person. The Meeting will also be provided as a Virtual Meeting using Webex, an audio/video conferencing system as an electronic means of communication. See the participation information below to join by phone or computer.

PUBLIC PARTICIPATION INFORMATION

City of Dover Historic District Commission Meeting of June 20, 2024

Join By Phone: 1-650-479-3208

Access code: 253 309 35240

Password from Phones: 36837432

Join Online: <https://bit.ly/HDCMeeting6202024>

Webinar Number: 2533 093 5240

Webinar password: DoverHDC

If you are new to Webex, get the app now at <https://www.webex.com/> to be ready when the meeting starts. For problems accessing the meeting, please call the Planning Office at (302) 736-7196.

Written comments are accepted via mail to City of Dover - Historic District Commission, P.O. Box 475
Dover DE 19903 and via email at CompPlan@dover.de.us.

WELCOME

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) Adoption of Minutes of May 16, 2024

COMMUNICATIONS & REPORTS

Summary of Activity

- [2.](#) Summary of Applications 2023 and 2024
- [3.](#) Summary of Architectural Review Certificates for 2024

Department of Planning & Inspections Updates**NEW APPLICATIONS**

- [4.](#) HI-24-05 Building at 120 S Governors Avenue: Demolition – Public Hearing and Review for Action on Architectural Review Certification for the demolition of existing commercial building (former Acme grocery store and other more recent tenants). The parcel contains 1.70 +/- acres with a 19,136 SF building. The property is zoned C-2 (Central Commercial Zone) and subject to H (Historic District Zone). The property is located on the west side of South Governors Avenue and halfway between Reed Street and West Loockerman Street. The owner of record is Downtown Dover Development Corporation c/o Downtown Dover Partnership. Property Address: 120 S. Governors Avenue, Dover. Tax Parcel: ED-05-077.09-01-44.00-000. Council District 4.

NEW BUSINESS**Review of Permits Referred to Commission****OLD BUSINESS****Certified Local Government (CLG) Program****Implementation of 2019 Comprehensive Plan****ADJOURN**

Posted: June 12, 2024

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(e)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING

CITY OF DOVER
HISTORIC DISTRICT COMMISSION
MAY 16, 2024

The Meeting of the City of Dover Historic District Commission was held on Thursday, May 16, 2024, at 3:30 PM as an In-Person meeting in the City Hall Council Chambers (anchor location) and virtually using the videoconferencing system Webex. With Chairman Czerwinski presiding, the other members present were Ms. Horsey, Mrs. Richardson, and Mr. Street. Mrs. Mason was absent.

Planning Office Staff members present were Mrs. Melson-Williams, Ms. Katherine Oehmke, and Assistant City Manager Sharon Duca (assisting with management of the Department of Planning and Inspections).

APPROVAL OF AGENDA

Ms. Horsey moved for approval of the agenda as presented, seconded by Mr. Street, and the vote was unanimously carried 4-0. Mrs. Mason was absent from the meeting.

ADOPTION OF MINUTES OF THE REGULAR HISTORIC DISTRICT COMMISSION MEETING OF JANUARY 18, 2024

Mr. Street moved for approval of the Meeting Minutes of January 18, 2024, seconded by Ms. Horsey, and unanimously carried 4-0.

ADOPTION OF MINUTES OF THE REGULAR HISTORIC DISTRICT COMMISSION MEETING OF FEBRUARY 15, 2024

Ms. Horsey moved for approval of the Meeting Minutes of February 15, 2024, seconded by Mrs. Richardson, and unanimously carried 4-0.

COMMUNICATIONS & REPORTS

Summary of Applications for 2023 and 2024

Mrs. Melson-Williams mentioned that the Commission meeting packet includes the list of applications considered by the Historic District Commission in 2023. Most of those projects are either underway or complete. One of those does include the parking lot improvements at 34 The Green and that project is underway. It is associated with the Kent County Family Court project. The John Bell House at 43 The Green has installed their Informational Kiosk Sign. For an update to Application HI-23-05 Referral of a Demolition Permit for the property at 153 S. Bradford Street, it was a Renovation/Demolition Permit that came before the Commission late last year. It was placed on hold while the applicant considered options for that building. Their original proposal was to remove the second floor of the masonry building and reconstruct a flat roof system basically creating a one-story building. That Permit has actually been withdrawn. A new Permit to repair a masonry was filed with the Department in April. They are moving forward with that option and keeping it as a two-story building and making the necessary masonry repairs.

In 2024, today, we will have three new applications added to that list. The Fence Permit that was referred to you related to 146 S. State Street you acted upon back in February. A Permit was issued

with the conditions that you established for that. I believe the fence was removed, but I'm not sure. I have not been there to see the latest status but certainly some action happening with that. Mrs. Melson-Williams asked if there were any questions on the application list from the last two years; there were none.

Summary of Architectural Review Certifications for 2024

Mrs. Melson-Williams stated that there had been a total of 12 applications through the end of April. Only one of them, mentioned as the Fence Permit at 146 S. State Street, involved the Historic District Commission.

The other Permit Applications were eligible for review by Planning Staff either in review of exterior projects, a couple of sign requests, and a number of Roof Permits. A lot of times the Roof Permits are not in visible locations; so, that's a relatively straightforward authorization. There are Building Permits that involve only the interior of buildings; they're just not subject to Architectural Review Certification.

Mrs. Melson-Williams asked if there were any questions; there were none.

Department of Planning & Inspections Updates

Mrs. Melson-Williams stated that there were no updates.

Update on C-2 Code Amendments Project for Potential Revisions to *Zoning Ordinance* for C-2 (Central Commercial Zone): Adopted Ordinance #2024-01

Mrs. Melson-Williams stated that first is an update on the C-2 Code Amendments project that was a series of amendments to the *Zoning Ordinance* which is primarily focused on the C-2, (Central Commercial Zone) which is located here in Downtown Dover. The Ordinance was adopted on March 11, 2024. Ordinance # 2024-01 was provided to the Historic District Commission members. For the C-2, it does make changes to the potential uses that are allowed in that district. It made changes to some of the bulk standards for the C-2 district. It is notably now allowing a building height up to 10 stories and 125 feet. Along with that comes a series of design standards related to facade articulation, the stepping back of building height as you go up in floors, and then some of the additional amendments to the *Zoning Ordinance*. They are focused on parking and basically eliminating a parking requirement in the Downtown Redevelopment Target Area and require that new projects put forth a parking strategy as part of their review process. There are some minor amendments to dealing with the Dumpster requirements as well. This is setting up some things for future development Downtown and making that hopefully a little easier and more straightforward.

Mrs. Melson-Williams asked if there were any questions; there were none.

Projects and Studies Activities

Mrs. Melson-Williams stated first is the Downtown Dover Pathways Study. We are just a day out of the Loockerman Street Design Charette that happened here on Monday through Wednesday. That was a series of collaborative meetings, activities, and a walk of the Loockerman Street corridor. Last evening there was an Open House that presented basic information about what the project team heard over those last three days and their meetings with public and select stakeholders.

The walk focused on what will be potential opportunities for transportation related improvements on that Loockerman Street corridor.

The City has a major utility project that is planned to do water line and sewer line replacement. This study focuses on options for how that road and sidewalk network go back in place. The results of that study will be forthcoming this summer. The information for the future Loockerman Street is basically focused on the five blocks between South State Street and the split where it becomes Forest Street in the vicinity of Kirkwood Street.

There is a website and the Dover/Kent County MPO is one of the entities that sponsored this study. You can find more information on the website. If you were unable to participate information will be posted shortly. The project team, I can tell you, worked hard all week. They received a lot of information and good feedback from a number of individuals. They survived a rainy couple of days but exciting things to come forward include thinking about travel lanes, walking locations on the sidewalk, how do you plant more trees and deal with the trees that are there now, and other opportunities for street amenities and furniture. There will be more forthcoming.

Chairman Czerwinski asked if there were any questions; there were none.

NEW APPLICATIONS

HI-24-02 Building at 148 S. Bradford Street: Demolition – Public Hearing and Review for Action on the Architectural Review Certification for the Demolition of the existing 1 ½ story, stucco clad building. The parcel consists of 0.13 +/- acres of land. The property is zoned C-2 (Central Commercial Zone) and subject to H (Historic District Zone). The property is located on the west side of S. Bradford Street and slightly north of Minor Street Alley. The owner of the record is Russell and Dee Ann Widder. The applicant is the Downtown Dover Partnership. Property Address: 148 S. Bradford Street. Tax Parcel: ED-05-077.09-02-25.00-000. Council District 4.

Mr. Jonathan Street mentioned that as a member of the DDP (Downtown Dover Partnership) Executive Committee and the Board he would need to recuse himself from applications HI-24-02 and HI-24-03. (Mr. Street left the meeting room.)

Mrs. Melson-Williams noted for the record that you continue to have quorum as you have three members of the Historic District Commission available to participate.

Ms. Katherine Oehmke gave a brief overview of the project. She stated that this is a Demolition of a structure within the Historic District. This property is owned by Russell and Dee Ann Widder. The applicant is the Downtown Dover Partnership. It is a small parcel of land of 0.13 acres on the west side of South Bradford Street and slightly north of the Minor Street Alley. I have some historical maps here showing what this property looks like starting in 1868. Both properties that we are reviewing today are shown in red and as you can see in 1868 the properties looked different; so, those are different structures. Starting in 1897, the property at 148 South Bradford Street was not there. With the next map you can see it is also not present, but it is present in the 1885 O.H. Bailey and Company Birds Eye view. However, as you can see it is a different structure. Starting in 1929 Sanborn Maps, the present building is showing. This is a picture from the 1978 National Register of Historic Places photo inventory. The description reads it's a 1 ½ story, 3-bay, frame

bungalow-style dwelling now used as a doctor's office. It shows the palladian windows on the gable end with a half-round attic window.

This is a view from our current GIS system and another view from the county map. The Downtown Dover Partnership's Plan for redevelopment for that area out of the Mosaic Plan. The portion shown in gray on the bottom half of the right screen is 2 parcels combined to make this the potential parking structure that they are planning for this location. This is a view of the larger blocks where they are making plans for which are lots #25 and #27. The *Transforming Downtown Dover Capital City 2030 Plan* is the plan that is being implemented by Mosaic and the DDP. This is their plan for this area and this parking structure is going to be a multi-modal transit center which will be multi levels and allow for over 300 parking spaces. We also have a letter from Ms. Diane Laird from the Downtown Dover Partnership supporting this project. I would like to turn it over to Ms. Laird so that she can provide additional information.

Representative: Ms. Diane Laird, Executive Director, Downtown Dover Partnership.

Ms. Laird mentioned that she appreciates your time today. I want to tell you just a little bit about my background. I've been with the Downtown Dover Partnership for about 6 years and prior to that I was with the State of Delaware as the State Coordinator for the Main Street program, which is a program of downtown revitalization that acknowledges historic preservation as the basis for an experiential environment for Downtowns and preserving and authentically reducing or reusing spaces integral to that program. I have a master's degree in urban Affairs and Public Policy with specialization in Historic Preservation. I am a proponent of Historic Preservation. I highly value the historic landscape of Downtown, The Green, business districts, and the surrounding neighborhoods, etc. I absolutely want to see the historic landscape remain intact as much as possible. As we all know the Downtown has been faced with significant challenges over the last 20-30 years but not more than these last 5-6 years. We have nearly 50% vacancy in our Downtown business district. We have a chronic issue with vagrancy, homelessness, crime, and ongoing lack of foot traffic particularly since COVID. Businesses struggled and people frankly got used to being at home and I think they enjoyed it. We are not alone in Dover to have these challenges. Cities and towns across the country are facing these same challenges. When I came to Downtown Dover this was before COVID, it was apparent to me that a Master Plan would be very helpful. We started to explore the possibilities of redevelopment in certain project areas that were parcels that we owned. Through that, we determined that it was best to look at a more comprehensive encompassing plan because addressing one parcel was not going to address the issues of ongoing crime, vagrancy, vacancy, and safety.

So, we created a plan that you may be familiar with, it's called the *Transforming Downtown Dover Capital City 2030 Plan*. Some of the anticipated outcomes are potentially 2000 new residents because we were building on a strategy of bringing a built-in population of residents and downtown workers or local community workers. Certainly, we want to maintain and increase our historical and cultural resources to have more visitors and tourists. Basically, we cannot keep doing what we're doing now and expect to have a revitalized beautiful Downtown that is thriving. We're not going to thrive doing what we've been doing all along. So, with this Master Plan, I don't envision, we don't envision; and the team of the community that was engaged to create this Plan, don't envision a lot of disruption of historic resources. The point is not to get a lot of mixed-use in here

or disrupt the historic landscape that is beautiful and certainly historic. But there is a need and opportunity to build several priority projects that will bring good numbers of residents and commercial activities that will support those business ventures that are already here and will bring an influx of residents that want to live and work in a Downtown pedestrian-oriented environment. This isn't the project that we're talking about. Here today are two of our priority projects that involve a multi-story, mixed-use, mixed income, residential and commercial project. For this hearing on 148 South Bradford Street, it involves a multi-modal parking facility that would accommodate about 300- 350 parking spaces and also provide for other methods of transportation such as a micro transit scooters, bikes, ride share, or even bus share in smaller buses that can provide almost an Uber like pick-up and circulation just around North and South Dover. So, it provides options for additional vehicles. Certainly with 2000 new residents here there will be more cars, but there will also be more options to get around, that is certainly the goal.

For many years we've heard that people need more parking and with the potential expansion in the population as we're envisioning and targeting to ensure a strong revitalized Downtown. A centralized parking hub in the center of Downtown but off the main street there is what we believe is ideal. It addresses the needs of the public and residents that have many times expressed the need and interest in parking. It will also allow us to build on the assets of Loockerman Street with perhaps a little less parking on Loockerman Street, a little more widening of the sidewalks making it a more pedestrian oriented environment, and one that there is more opportunity to have outdoor dining, outdoor eyes on the street to help reduce crime, and to make it a more engaging and activated center of town. The multi-modal parking hub would be located on this property. This is where we have this hearing and the next application on 148 and 150 S. Bradford Street, which is going to be our request for demolition because that is on the corner of the property in which we anticipate on building this multi-level structure. We have an anticipated mixed-use building across the street. This would help service residents, the public, visitors, residents, building owners, and business centers, as well as the local workforce for Downtown or nearby.

Mrs. Dawn Melson-Williams stated that for those that joined us online, basically the image that Ms. Diane Laird just showed is the one shown on the screen that indicates the potential construction areas for their envisioned buildings.

Ms. Laird stated that you can see this is part of a much larger plan that really emphasizes that this is not a one-shot deal. We're not looking at one parcel, but we're looking at our comprehensive plan that would bring in more residents and that would be able to allow a Loockerman Street corridor that is enjoyable and a place to live, work, play, and build community. There's a much broader Plan on-line in several versions and the whole version of the Executive Summary. I'm going to emphasize again that's not our goal to remove building history here. We want to celebrate the history that's in the Downtown and in this case, there are these two parcels that are in the position of where we need to have other amenities to accommodate a strong future for Downtown Dover to more residents and a lot of new amenities to make it a thriving Downtown.

Chairman Czerwinski asked if there were any questions.

Mrs. Richardson asked if there was a parking lot there already. Ms. Laird replied yes.

Mrs. Richardson asked how many cars that accommodates? Ms. Laird replied roughly 150.

Mrs. Richardson said so this would double that? Ms. Laird replied yes, part of the parking lot would be part of the multi-levels for the center. In time the other part of the parking lot would be proposed for additional mixed-use.

Representative: Jed Hatfield, Colonial Parking and DDP

Mr. Hatfield stated that the two properties that are being discussed are in the south corner where we're envisioning the Mobility Center to go. The current parking lot is a greater area than the two properties. There is a portion on the northern side of the current parking lot today that would not be part of the footprint of the Mobility Center. If you look at the gray box in the exhibit that would be the footprint of the Mobility Center and the orange would be the future development plan that is part of the parking lot today.

Mrs. Richardson mentioned that she was just wondering if there's an alternative to demolishing these two buildings which appeared to be in very good condition. I mean, are there alternative plans if this isn't done? Mr. Hatfield replied, so there's not. In the blue box, there is also a privately owned property that's not part of the assembly that the Downtown Dover Partnership controls. So, in the absence of 148 and 150 S. Bradford Street, there's not enough of a footprint to create a functioning Mobility Center Parking Garage.

Mrs. Richardson asked if the City owned the two properties.

Mr. Hatfield replied that the Partnership is under contract for the purchase of those two properties. Ms. Laird replied that the City owns other parcels that are in the paved area, and we have a joint agreement for parking. The City owns the property on the east side, and we own the property on the west side. It is kind of an interlocking space that is considered one parcel parking lot that extends to South Governors.

Mrs. Richardson asked if it was possible instead of having the building cross the gray part (referring to the exhibit), to have half of it on the gray and the other half on the pink. Ms. Laird replied that the lower bottom right is where these two houses are located. You would not be able to have the massing or the efficiency of the parking garage entering from both sides. It would not accommodate, and it would not be an efficient use of the overall parcel.

Mr. Hatfield mentioned, perhaps to say it in a different way, if you turned it at a 90-degree angle so that it would run north and south instead of east and west, and you preserve those two buildings at 148 and 150 S. Bradford Street, it would not be long enough to accommodate the ramping slope that you need to make the garage function. So, it would not fit. We did a lot of study of different orientations of how to put the garage on the existing Bradford Street Parking Lot and adjacent parcels. And, even with what we are able to get per footprint today this is the optimum.

Mrs. Richardson asked, so, what will you do if we don't approve this application? You don't have any options or plans? Ms. Laird replied that we don't have another plan at this time. We believe the overall transformation of Dover is more important for a sustainable future for the City. We value historic preservation; you know my background. Sometimes for the greater good, sometimes

you have to make hard decisions, that is how she sees it. She values preservation, but the overall transformation of Dover to me is the important outcome of this building number two, it's not that we can't make a smaller parking garage, but when we are anticipating potentially 2000 new residents to support a thriving Downtown that will ultimately reduce crime that will bring services and equitability to several marginalized populations. That has been our goal, the overall transformation. So, no we don't have another plan or recommendation at this time.

Ms. Horsey noted that I think that you already mentioned that you are trying to configure the present parking lot into the additional space that you would have without taking those two buildings down. Look at the Plans and still save the buildings and still have that parking garage. If you get clever with your design. The highest and best use of any building in the Historic District is to keep it standing. If the building is in good shape, which these buildings certainly appear to be, that is what this Commission needs to do, and we need to ask the hard questions. There is a big gapping tooth where we allowed the demolition of Dover Hardware which was a long hard-fought battle several years ago. We lost obviously, but there is nothing that has been replaced there. Could this parking garage go there? It could be set back enough; the backside is from North Street. Perhaps it could accommodate it. Was that taken into account at all?

Ms. Laird replied that the Loockerman Street Plaza is not owned by the DDP. It is owned by a private developer at this point. There has been contemplation about appropriate mixed-use development that it does not be a parking garage. Should there be a redevelopment of that property, they would stand to use parking in this facility as any number of other facilities in the area. So, we don't control that one. I don't think it will be ideal to have a parking garage facing on Loockerman Street. The goal there would be to have buildings that are more sympathetic to the architecture that is already there. Having this off the main thorough fair is a far better location for a building to accommodate visitors, residents, and business owners.

Ms. Horsey mentioned, I think what is far better is to have the two: one bungalow style house and neither one Victorian. But that's not the point, they just happen to be in that District. They are good examples of what your 1920's into the 1930's Colonial Revival, and even though the Mission movement. The bungalow style is not exactly Victorian, it's post; and that's the style of building that Dover does not have enough of. Taking down two totally beautiful buildings for the purpose of a parking garage or Lot is really never allowed in the Historic District without a lot of real good reasons. The reason that has been given is not good enough just because Dover now has \$25 million dollars. I think when you have that amount of money the design needs to be of the highest standards. A lot of homework needs to be done. Now, I am sure you have done it. The easiest thing in the world is to take down two buildings. That's pretty simple. I think you can do better than that. The other point I want to make is that there are two other parking garages in Downtown Dover that are being constructed or will be shortly. We know about the Family Court Building that will be open to the public with limited times. The other is the Legislative Hall (Parking Garages), which is a little further away, but Dover tends to not like to walk. Maybe that is too far for people to come Downtown; I don't know. If we are trying to be a bike city and encourage walking, health, and getting their exercise, then I think this proposed parking garage can be reconfigured. Go back to the drawing board and do a little bit better on saving two important buildings in the Downtown area. She asked, how many buildings has the Downtown lost? People are not going to come down here to see a parking garage. They want to see a Historic District that has historic houses in it.

Ms. Laird stated that she (we) hears Ms. Horsey concerns. Right now, we don't not have anyone coming to Downtown Dover at all. We have good historic resources here. The concern is not the lack of historic resources. I believe it is the lack of other reasons to come such as the lack of good businesses, restaurants, and houses to live in. We can't find enough housing at the current time for the number of calls that we get from people that want to live here. We are increasing the workforce at Delaware State University, Bayhealth, and Dover Air Force Base. So, we want to see a thriving Downtown, but we have to have people living here to do that. I would agree with you, I think the distance to walk from Legislative Mall and even Family Court is a long walk. When people go to the mall, they like to park in front of where they shop. So, we would not want to ask them to walk a long way because I don't think they would do it. Putting it in the heart of Downtown, but off Loockerman where the historic landscape is. That we believe is the right location to attract people to shop, eat, and live in Downtown.

Mr. Hatfield stated that I may add a couple of thoughts if I may to that. A lot of thought went into the Master Plan process as well as the thought subsequent to that of trying to consolidate parking for the whole Downtown. So, rather than having multiple parking facilities spread out and smaller parking facilities, the thought was that the Downtown Dover Partnership to consolidate it on this site. One parking facility would really serve the bulk of Loockerman Street. I agree with Ms. Laird that the Legislative Hall Garage and the Family Court Garage are probably further than the average Dover visitor or resident would be willing to walk to get too Downtown or onto Loockerman Street. So, this was kind of a solution that would split that difference between State and Queen Streets and be able to serve in one location as opposed to multiples. As for the design concept, I have never built a building around two existing buildings, I presume that there is a way to do that. I don't know what it would do to the cost and the way they fall in the garage there will be a center line of columns to support the structure and the ramping of the Mobility Center that I presume will fall somewhere in the 148 building. I don't know how you would build around them and try to preserve them and build a modern parking facility and preserve those buildings at the same time. I think it is one or the other.

Ms. Horsey mentioned that she believes that there are parking garages in Downtown Wilmington that do just that. Maybe Dover deserves to have the best design. You know keeping two buildings is not too much to ask. It really isn't.

Mr. Hatfield stated that I don't want to argue with you. Our business is in Wilmington; I'm not aware of any existing buildings that were built around to accommodate a parking structure. If there is an example, I'd be happy to look at it.

Chairman Czerwinski asked if there was anyone else withing to speak?

Representative: Mr. Ken Anderson, DDP Property Site Developer.

Mr. Ken Anderson stated that I'm the Property Site Developer for the DDP (Downtown Dover Partnership). I think you cannot look at these two properties in isolation. You have to consider that there is a massive Master Plan that this multimodal parking facility accommodates. You're going to get an application tomorrow for the demolition of 120 S. Governors. We haven't talked about it unless you've been very cognizant of the Master Plan and what's going on with 120 S. Governors. We are going to build a six-story mixed use/ income housing unit that is coupled with and needed by a multimodal parking facility right across the street. In the absence of a multimodal parking

hub and the number of spaces that this would facilitate, coupled with what we're already planning right across the street at 120 S. Governors; there are no good alternatives absent this one to facilitate 120 S. Governors. If we don't have this, the scenario for 120 S. Governors changes demonstratively. Now, the other part of this and it's just kind of anecdotal to some degree, we're on the clock. We did get \$25 million from the Governor's Office for this plan. That money has to be expended or allocated by the end of this year, and it has to be spent by 2026 or it goes away.

Representative: Mr. Todd Stonesifer, DDP (Downtown Dover Partnership) Board President.

Mr. Todd Stonesifer stated that he was the Chair of the Downtown Dover Partnership and I live at 115 N. State Street. I own the property at 127 W. Loockerman Street, and I was a former partner at 14 Loockerman Plaza at The House of Coffi. I have invested, I have lived, I have spent a lot of time on what we can do to improve Downtown. I grew up here, I was born and raised her. When I was a little child as you well know because you were here, as well as you, Loockerman Street was the center of the universe. It was the center of all commerce and over my 49.6 years on the planet, it has gone in this direction. So, we engaged at the DDP (Downtown Dover Partnership) some consultants to help us with what does it take to revitalize this area. It takes people living here that will utilize the space. It takes pedestrians, it takes people on the street, everything. So, how do we do that? We go up with mixed-use, mixed financial levels housing, and increase density Downtown. So, at the beginning of this meeting, you heard Mrs. Melson-Williams talk about the C-2 Zoning changes. There was formerly a parking requirement that on many of these small parcels based on the square footage of the commercial space and the maybe the residents upstairs. You don't have room to put the parking spaces that would be required under that former zoning. We believe that the right solution to this is to build a vertical parking structure and to allow that parking to be more efficiently used. So, I could park there when I'm working, the residents could park there in the same parking space when I'm not parked there when they're sleeping, and our customers can come in and fill in and utilize those parking spaces too. So, you can essentially get three or four different uses out of the same parking space. In all of this hard work, lots of planning, and lots of due diligence, the best solution really and the only solution is a vertical parking structure that will accommodate these parking needs and parking challenges, so that these sites can then be developed into something greater. We can bring Downtown Dover back to what it was when I was a young child. The current system doesn't work; it has not worked. It has caused Loockerman Street to fall into the state of disrepair that is in today. So, we have to think differently. We have to think outside of the box. The definition of insanity is doing the same thing and expecting a different result. We can't continue to do the same thing. I believe our history is one of the great attractions of that Downtown area, but nobody's coming Downtown to enjoy that history. One of the reasons they complain about is not having a place to park. Let's give them one. Unfortunately, with growth comes some challenges and some pain points. Frankly, I believe that Loockerman Street and the side streets off of that is primarily a commercial district. These are houses that were once there when it was not primarily a commercial district. And so, they don't fit in with the landscape that is currently in existence. We would love to preserve as much of the history as we can for the greater good of Dover. We have to come up with something outside of the box that solves our problems and helps us to move forward. Without this the money that we have been promised from the Governor's Office, it goes away because this is what it's for. So, with that, I would beg you to please think outside the box; please look at the greater good for Dover and Loockerman Street. Let's bring people down here to enjoy all the wonderful history that we can. But we've got to change the way they get here to do that. So, please reconsider or please consider the greater good

of our great City as you consider the Demolition of these two buildings and the replacement of them with something that can be utilized in the future. I appreciate your time. I appreciate you hearing me out, and I appreciate your consideration. Thank you.

Ms. Laird stated that she had one last comment. We do have a letter from the Board of Directors of the Downtown Dover Partnership which of course is a broad partnership among public and private entities, nonprofits, residents, and property owners. There is another one that came in today through the Central Delaware Chamber of Commerce. You have that already. Thank you.

Chairman Czerwinski asked if there were any callers on-line? Mrs. Melson-Williams mentioned I think we formally moved into the public hearing. The applicant had a number of representatives. I will remind you that we are dealing with 148 S. Bradford Street.

This is a request for Demolition of the existing building. It is not a review of what could be built on it. So, we're not reviewing what this parking garage/mixed-use structure might look like. The Request before you today is for Architectural Review Certification for Demolition of the building. As part of the packet, there was a Staff Review Report. That Review Report references the portions of the *Design Standards and Guidelines for the City of Dover Historic District Zone* related to Demolition and the criteria that you are to consider. The Staff comments and kind of recommendations begins on page four of that Report. I'd be happy to kind of present those to you in summary as reminder for what you're looking at, but you do need to conduct a public hearing. If you want to move into that, you can certainly gavel that open and we'll hear from folks in the room first and then go online.

Chairman Czerwinski mentioned I believe we still have one or two more comments, right.

Mr. Stonesifer stated that his intent was to be part of the public hearing. I was not part of the presentation just so we're clear. Chairman Czerwinski stated that it was on the record.

Chairman Czerwinski asked so can we go ahead and move on to public comment? Mrs. Melson-Williams replied yes, and we will note that Mr. Stonesifer, who was the most recent speaker, is intended to have been part of that public testimony aspect of this consideration.

The public hearing is open.

Mrs. Melson-Williams noted that they received a letter which I imagine Dina's going to reference here dated today and that was provided on the desks of the Historic District Commission members.

Dr. Dina Carol Vendetti, President Central Delaware Chamber of Commerce and a resident of the City of Dover.

Dr. Dina Carol Vendetti stated that she does not live Downtown to be clear, but I walk down here almost every weekend and absolutely love Downtown Dover. I and the Central Delaware Chamber of Commerce are very proud to be part of the Capital of the First State in this country. That's something that we brag about, we take great pride in, and we recognize the history that's here and we appreciate it. We have been a very strong partner with the Downtown Dover Partnership on the Master Plan and on the implementation of it. We see great value in what that Plan proposes in

terms of bringing people Downtown and bringing business back to the Downtown. As the President of the Chamber, our job is business. Our job has to do with businesses and making sure that they're thriving and healthy and all of that. Over a period of time, we've seen many businesses who have wanted to be Downtown and for several reasons have not been able to locate in Downtown or they learned more about some of the things that are happening Downtown and have changed their minds. That is not an indicator of economic development and economic growth in the capital of our state. We have seen a number of businesses fold up and go away because there is not enough support in terms of residents, shoppers, customers, etc. in the Downtown. Over the time that I've lived here, and I will say that after hearing some of the comments from all of you, Todd and the rest, I could say that I'm kind of new here. I've only lived here for 24 years. In my short time here in Dover, I have seen the decline of what's happened Downtown, and I have often dreamt of what it could be because the potential is stunning. It's a gorgeous Downtown and I think you know we're not talking about a complete redo of everything. We're talking about some really wonderful additions and editions that can make something of that Downtown. People are just so anxious to get there, be there, live there, enjoy their time there, spend their money there, open businesses there, and we can see commerce return in a big way to the Downtown. I do feel strongly that we're at a point now where we have two choices; we can either be part of the recovery of the capital city, or we can put it into hospice care. We've got to make a choice here about what we want moving forward with this project with the parking to accommodate the other plans that are in the Master Plan. I think that's the right thing to do. The Central Delaware Chamber of Commerce is in support of the proposal from the DDP. Thank you for your time.

Mrs. Melson-Williams from the Planning Staff noted that that letter of May 16, 2024, from the Central Delaware Chamber of Commerce that was signed by Dr. Dina Vendetti as their President does indicate their support for the project of the demolition of these two buildings and it does reflect what she mentioned in her presentation.

Ms. Kathleen Baker, 3 S. Bradford Street

Ms. Baker stated that she was newer than probably anybody in this room to Dover. I came here a little over three years ago. I am honored to live in the Hopkins House at 3 S. Bradford Street and get to know my wonderful neighbors, people who care about history as I always have, and people who want to help solve problems. I speak for myself only, but I remember the first time I came to Dover. I said to my husband at the time where is the welcome center for Dover, where is an attractive place you go to get information, maybe use the restroom, maybe get a drink of water, maybe toss something in the public trash bin. We couldn't find anything; we still had a wonderful visit to Christ Church on The Green. We got a little bit lost beyond there, but I came back because I was serving with the League of Women Voters on education policy and spent a lot of time in Leg Hall.

Now, I asked myself, hey where is this attractive welcome center, a welcome place in Downtown Dover where you can get information. I know you can go to the Archives space; that's really nice. And again, where are you going to store the car, if that's how you got here.

Then it occurred to me. What about what we have seen in Annapolis where the welcome center is a historic facade attached to a modern building and a parking garage? I'm looking and saying we have at least one historic facade here that's up on the agenda. I was wondering if anybody ever

gave some thought to that. That's all I have to say. Thanks a million, and God speed in the grand plan.

Mr. Nate Attard (Virtual participant) 452 E. Loockerman Street, Dover

Mr. Attard stated that he is Preservation Chair of the Friends of Old Dover. I will speak first within my experience. I am a professional Planner. I worked for four years with the State of Delaware: two years for DelDOT and two years for the Delaware Transit Corporation. Part of that involved launching the State's first Micro-Transit Pilot in Georgetown and Millsboro, which I believe is a great thing and DART Reimagined is pushing that forward.

I no longer work there so I am happy to talk as much as I can about my past experience. Among the things that I would like to emphasize here is please don't use micro-transit as an excuse to tear down buildings. Micro-transit is a flexible transit application that requires basically just one spot for the vehicle to park while it's not driving around. It uses the right call request to get rides. The rides meet people conveniently where they are at within a few 100 feet where they are requesting a ride. It pulls those transit trips together and it gets them going where they need to go. I guess as I look at this Plan, I'm just curious do we really need to dedicate a space on Governors Avenue for micro-transit while at the same time tearing down two historic buildings.

From the perspective of the Friends of Old Dover, they are very supportive of the work that the Historic District Commission does. I would like to emphasize what I think Mrs. Melson- Williams said, which is that we're considering the demolition of these buildings and whether based on the criteria for which the Historic District Commission is supposed to evaluate its applications these buildings should be demolished. I hear the passion in the room; and I live not far away. For the record, I live at 452 E. Loockerman Street. I walk in this direction often. I actually love walking on South Bradford Street. When I worked at DelDOT, we worked on the other side of the wall from where they were working on TAP project where we replaced the sidewalks. It's a very nice street. Those two houses are pretty special. I agree with the Commissioner who stated that they're a lovely example of buildings that we don't really have in Dover. We have a 1920s era bungalow and a Shingle-style building. Do you see a lot of them around town? I know that I do not. We have a lot of buildings that are very similar to each other. We have way too much Colonial style architecture. Those types of buildings are pretty unique. Looking at the Plan that is being shown on the screen along with this application, I was curious as to who is drawing up this Plan. He was really grateful that the Friends of Old Dover were able to be included in the master plan process. A lot of us attended different events as the Plan was being developed. We didn't really hear very much about buildings being demolished. We heard about the creative ways the historic preservation would be a key part of this plan. We haven't heard overtures to trying to save the building at Loockerman and New Street that was unfortunately demolished through actions by the City despite the Historic District Commission voting in opposition. There was so much that could have been done if you engaged the stakeholders on this specific section of the Master Plan earlier. You did a great job of engaging us in the Master Plan process, but as you started to draw up these Plans, who are we talking with here? I really would just ask that you please consult with City Staff who are very professional. They can advise you that maybe this would get some folks in the community a little bit upset. Dawn has a strong background in historic preservation. She is a consummate professional and very much one to take stuff with impartiality, but this is something that really could keep us on a slippery slope towards continuing to demolish more buildings. I

would have loved to join you in person today, but I work in Washington D.C. I take the bus from Kent Island every day on a temporary job here. It is amazing what they do here as it relates to fixing up historic buildings. They build basically the buildings you're trying to build in Dover around them. I'd be happy to take anybody on a road trip here to look at some of those examples like the East Street corridor on Massachusetts Avenue and other places. And again, we emphasize that we're not something special in Dover by tearing down these buildings becoming something a little bit more ordinary. The cities that are really building on their character are finding ways to keep these types of buildings in place. So, with that I'd like to complete my comments. I appreciate the time with the Commissioners today. Again, I urge you to please vote no on this Application as well as the subsequent Application for 150 S. Bradford Street. Thank you.

Mrs. Melson-Williams wanted to make sure we have the written correspondence entered into the Record as part of this Application. So, first is the Letter that was earlier mentioned regarding the Downtown from the Downtown Dover Partnership dated April 22, 2024, signed by Diane Laird, the Executive Director, noting the Request for Architecture Review Certification to demolish the building at 148 S. Bradford Street. It outlines and kind of the references the *Transforming Downtown Dover Plan* as she mentioned in her statement and the identification of the public transportation hub that would be a future plan for this general location. They asked for the Committee's thoughtful consideration of the proposed demolition. The second Letter has already been identified from the Central Delaware Chamber of Commerce. We also have an e-mail of this afternoon from Mr. Tom Smith, a concerned member of the Board of the Friends of Old Dover. And that was again provided to our Historic District Commission members. The Letter was read into the Record. Mr. Chair that's the written correspondence that we have in regard to this Application. So, I believe that would conclude the public testimony in regard to this Application. Thank you.

The public hearing was closed see no one else to speak.

Discussion on HI-24-02

Chairman Czerwinski gave his opinion of this project. For a lot of people who know me, I'm very protective of historic spaces. I could be quite protective of them. The issue here is expansion. I look at these two houses and it pains me to even think about them being torn down. But if you look at that Plan what's around all those houses for a block? Parking. One of the things about Historic Preservation, which is what my Master's degree is in, is the fact that when you look at a structure and you look at the architecture of a structure you also look at the context. The context of which it's being employed. Neither of these houses have backyards. These houses have their front yards. They are surrounded by concrete; and they are surrounded by parking lots.

Now as painful as it is to tear those structures down; they're out of context. They're no longer doing the job they're supposed to be. The houses all along there are now gone except for a couple across the street. We've already seen the demolition of one of those. And so, we look at context. The thing is when you look at urban development and you look at houses, you ask how many of these houses go into destruction or demolition by neglect because they're not being used? My personal opinion is I think the parking lot should go in. I hate to see these houses go, but again, if you look at the context of where these houses are sitting, it's a big parking lot. Now another part was we're talking about working around these buildings and reconfiguring the parking lot. My

concern is the next block over. On North Bradford you got this beautiful Victorian neighborhood there. And if you reconfigure this parking lot, it's going to sit on Reed Street. It's actually moving towards Bradford Street and the Bradford neighborhood. Now, if you look at the whole area, it's all concrete. My preference would be for them to build that structure and build something next to it that would complement the Bradford neighborhood because that's the next block that's threatened and it's not part of the Historic District. If we're moving ahead and if you look at other towns and if you look at Annapolis, what did they do? They built a multi-story parking structure behind the front buildings. Undoubtedly, there were buildings torn down to make that happen. Look at Newark. If you go down the back street, it's all parking that backs the facades or the buildings along the Main Street. So, while pains me to think about these two houses demolished. I think within the context of the future of the town, I think it's a commonsense approach here to build a multi-floor parking garage. Because if not those two buildings most likely will become demolished- by-neglect. There's no doubt about it. Because really, they're not necessarily an ideal business location. They're being used, but to what extent, the hair salon and lawyers' office. So, in my opinion and again I'm not going to speak for anybody else on this Board because you know we all have our own opinions, I think these houses should be demolished and we should move ahead with the parking garage. Because what we can do is then look ahead with the expansion of the City. Then we can really make those fights and fall on the sword where it really matters. These two houses by themselves don't contribute to the flavor of the area because it's surrounded by concrete. They're no longer in the neighborhood that they once were built in. So, that's just my opinion.

Mrs. Ellen Richardson stated I just can't in good conscience support the demolition which is what is on the table today. I've just seen too many situations where we've lost historic buildings. That's one of the reasons they are isolated because people have been tearing them down. I think certainly there are enough properties within Downtown Dover. I agree that we need a parking garage. And you know what's been presented sounds exciting and supportive, but I just cannot in good conscience approve demolition of these buildings. The idea of using it as a Welcome Center, that's an idea. But you know, I'm also concerned that it doesn't appear to have any other alternative plans or locations. These buildings are very close to Loockerman Street and probably is just as close as the Family Court Parking Garage, which is on Governors Avenue, one and a half block south of Loockerman Street.

Ms. Horsey stated that she agrees with Mrs. Richardson on this, and I will make a proposal or move to deny the Architectural Review Certificate to demolish the building at 148 S. Bradford Street file number HI-24-02. It was seconded by Mrs. Richardson.

Chairman Czerwinski stated, so we have a motion to deny. We'll go ahead and vote on the motion to deny. (One Member recused and one absent.)

Roll Call Vote to Deny

Mrs. Richardson – yes

Ms. Horsey – yes

Chairman Czerwinski - no

Mrs. Melson-Williams stated to Mr. Chair that the result of the vote is, we have two votes in favor of the motion, which is the motion to deny and one opposed. With that, I will note for the applicant that there is an appeal process that exists in the City's *Zoning Ordinance*. I'd be happy to share that with you. We do also have another application to consider; so, I think we need to continue to move on through our agenda.

HI-24-03 Building at 150 S. Bradford Street: Demolition – Public Hearing and Review for Action on the Architectural Review Certification for the Demolition of the existing 2 ½ story, frame building. The parcel consists of 0.17 +/- acres of land. The property is zoned C-2 (Central Commercial Zone) and subject to H (Historic District Zone). The property is located on the west side of S. Bradford Street at the corner of Minor Street Alley. The owner of the record is CEI Properties, LLC. The applicant is the Downtown Dover Partnership. Property Address: 150 S. Bradford Street. Tax Parcel: ED-05-077.09-02-27.00-000. Council District 4.

Ms. Katherine Oehmke gave a brief overview of the project description. She stated these are the same maps that were reviewed for the previous application. The structure as we see it today did not appear as it stands today until the late 1800s. The Birds Eye View Map shows a different structure. On the 1929 Sanborn Maps you can see the same structures we have today with the accessory structures in the rear that have been demolished. Only a portion of the building is in the pictures from 1978-1979 National Register of Historic Places as it is in the background of the picture for 148 S. Bradford Street. As you can see, the structure as it was at that time is different than it is today. The aerial map shows the location on the side of the alley. The larger aerial with the same drawing of the Plan from the Downtown Dover Partnership and Mosaic. This is the larger block showing which parcels are involved in this Master Plan just for these two structures. The Master Plan also shows 120 S. Governors across the street and shows the proximity to the parking garage. We also have a letter from Ms. Diane Laird from the Downtown Dover Partnership supporting this project.

Representative: Ms. Diane Laird, Executive Director, Downtown Dover Partnership

Ms. Laird stated that this narrative for me is going to be a little different than the first narrative because the first narrative applies in terms of my background, my value for historic preservation. I've always considered myself not a purist preservationist but a bridge. I look at myself as a bridge from what is pure and what is reasonable. Sometimes in order to keep a building active you can reuse it and other times in order to gain a greater good, we have to remove it. As I said, I'm not a purist, but I do appreciate the value of the historic resources. And I also acknowledge the comments that have been made about context. So, beyond that, I just want to give you a little vision from my window at the CenDel building second floor and looking at this building daily throughout the day. Every time I look out the window, I would say at least 6 times out of 10, I'm going to see a prostitute, I'm going to see a drug deal, I'm going to see someone sitting on the porch of this building having a drug overdose attack. I know of times when that parcel at night when the business owner is not there, the porch is covered with any number of vagrants plugging their crock pots into the electric site (electrical outlet) and having a party on a property that is clearly not their own. The police cannot keep up with these issues. I know that the owner doesn't have a long-term plan to be there. I know that the owner of the other one was planning to sell it some time ago.

I can imagine there were people that want to buy these houses, but I cannot imagine that there will be people coming to buy those houses at any given time of the day when they see a prostitute walk

by, or a John walk by (excuse my slang), or a drug deal take place out front or across the street or down the alley, or have any number of other unmentionable things happen on the property or around the property. This is a clear picture because this is what I witnessed daily and at night if I'm leaving the parking lot at night. I just want to implore the group to consider the future of these historic resources. They're truly beautiful buildings. But in the context of where they are and the state of the Downtown now, the state that we cannot control seemingly through social, through legal, through policing, or through economic development. Again, I asked the committee to look at the greater good here and the potential for this parcel to be used efficiently with willing owners that want to sell. You can imagine that they don't want to continue to see what goes on here even when they are in the building with their employees day and night. So, that really is the extent of my comment. I'm happy to answer questions. It angers me to see what I see daily and feel that I cannot affect that without a greater encompassing plan that will bring a transformation of Downtown.

Representative: Mr. Ken Anderson, DDP Property Site Developer

Mr. Anderson mentioned that I think Ms. Laird just reiterated the way we view those two properties. We view it not in isolation. We don't disregard the historical significance of those properties. Our calling has been to come up with a plan for the transformation of Downtown Dover. That transformation transcends those two properties. We look at the other things that we're doing relative to the 120 S. Governors property. As I alluded to, there was a plan to submit a request to demolish that building, which I think we would agree has no extremely significant historical significance. Those two properties were being considered after multiple considerations for alternatives in the light of what we're doing throughout the Downtown. It was a deliberate, sensitive and difficult decision to come to the final resolution after many iterations to get to the one that we got to on 148 S. Bradford Street and 150 S. Bradford Street. So, it's important to understand that from that context unless there is a better plan, we will continue to have the dynamic that Ms. Laird just alluded to.

Ms. Laird stated that she will be happy to answer questions.

Chairman Czerwinski asked if any Board members had any questions?

Mrs. Richardson asked has any consideration been given to moving the properties versus straight out demolishing them?

Ms. Laird replied I realize that's a valid conversation. We have not explored the cost involved in that or the possibilities, but we're certainly willing to explore that. I think it's a valid and reasonable request.

Ms. Horsey mentioned that she was actually going to ask the same question. I also want to ask; I'm wondering what the plans would be once let's say the parking garage goes there. Is the security on that parking garage going to be any different than what it is now in Downtown? I mean if we can't keep these unsavory types from coming Downtown and there's two historic buildings there; what's going to keep them from coming down and doing the same thing with the parking garage there? I mean it's a huge problem and I think the City itself needs to look into how we can stop this. There's no good answer, I realize.

Ms. Laird mentioned that as you can imagine six years, 24/7, I've given this thought. I used to try to address the issues and collaborate with people. I realized that there are really four lanes to running. There's policing, there's legal, there's social, and there's economic development. We're in economic development and we try very hard to run very strong using best practices from around the nation. We look at how we can increase business acumen and increase residents to have the live in audience. That's the strategy we've encompassed. We've requested officers dedicated to Downtown. We've requested foot patrols. Unfortunately, the current environment does not provide much authority to policemen and certainly the public does not give much respect to police officers. The City of Dover Police may have the okay to have 112 officers but at any given time it's well under 100. Some are on training, some are retired, but largely, mostly, they are not getting to recruit the people here. People do not want to be police officers because they're not respected, and they're not valued. They are putting their lives in their hands. I could tell you before we had our manager had the CenDel building parking lot using a simple lock; it was still open every Saturday night and I've learned, and we could see the litter that there were potentially 60 to 100 people partying in that parking lot every Saturday night doing everything imaginable. The police force and all cannot come against that kind of an issue. You don't think about it because you don't see it. I come in on Monday mornings and see the litter. I had no idea.

Even this historic property was overrun. One of these Saturday nights somebody took off and went right up onto the porch. They removed columns and half of the porch. We helped and paid for a façade improvement to get it back in order. When we got them out of our parking lot, they moved across the street to where the Wells Fargo kiosk is located. That is where the same activity and litter is now. I don't know if we are solving it, but I will say that the parking garage will be staffed for many hours of the day. It will not be staffed 24/7, but there will be eyes on the street. While we're not running in the policing lane, we can run in the crime prevention through environmental design lane. That is something we can affect with landscaping, cameras, lighting, and more eyes on the street. These are all proven methods of helping to reduce crime. So, more eyes on the street. You know 2000 new residents is 4000 new eyes on the street. People do not want to be seen committing their crimes or doing their drugs. Having more eyes on the street with the residents and with management in the form of the office which is intended to be right where this building is on this front corner so that people coming and going know where to find the mobility options, the bike share, or how to get to parking, etc. It will be a managed parking garage.

Representative: Jed Hatfield, Colonial Parking and DDP

Mr. Hatfield mentioned he really did not have anything to add but just to reinforce Ms. Laird's comments. Relative to economic development, the thought is to the question you posed. How do you change the current condition? I think the overriding goal of the Master Plan and this element of the Master Plan is bringing more people Downtown. It helps drive out the people that are there to do illegal things or whatever. The more people that we can bring Downtown, the eyes on the street as Ms. Laird put it, the more it will start to change the character of Downtown. In a small way, the mobility center will be staffed, managed, and we'll be able to maintain it probably better than the little buildings that are there now relative to the people that are there to do bad things. There may be a modest bump, but I think the bigger issue is as Diane said the more people, we get Downtown that are there for the right reasons the more it chases off folks that are there for the wrong reasons. Ms. Laird stated that in addition, and this is not about the parcels but about the Plan, it's built on equitable development. There are built into the Plan ways to help those that are marginalized to be able to afford houses or at least access income level of good housing that is

same quality in a mixed-use, same building. But we'll have a number of traditional affordable, a large number of workforce housing that is for people with a \$65,000 income. That's many young professionals taking a one bedroom or studio apartment. The idea is to try to engage the community more, not just more eyes on the street, but those that are marginalized now to be able to get in the game, to be able to access funding for a small business, to be able to get into residence or access workforce. We don't want to displace people. We don't want the prostitute to move up the street; we want them to get into the game and to be a part of a thriving community.

Chairman Czerwinski asked if there were any more questions.

The public hearing is open.

Mr. Nate Attard (virtual participant) – 425 E. Loockerman Street:

Mr. Nate Attard stated that he has to say that I listen to a lot of these meetings, and I often don't comment. I am disappointed in the direction that this is going and the organization that is partly funded by the City. To be thinking so bad about my neighborhood. I know it's bad, but also it is not going to be like a HOA neighborhood out in the country. It is going to have trouble. We have to find ways to move the people that live around us up in the world. I do see that there's strong potential in this Plan for that, but demolition isn't really an excuse, especially if we're building a parking garage that we know is going to be at least partly understaffed some of the time. There are really a lot of good people out there who can speak about parking. You might think that it's going to bring people, but what we really need to do is be able to find some people that want to live in Dover that can overlook some of these issues. We got to work to try to correct them through the administration of the City and serve the best we can. You can use crime prevention environmental design. While including these buildings, there's any number of ways to secure those buildings and report so that the types of things that are happening are not happening. It's a real challenge to sort of hear the way that this discussion went. I'm really proud to live in Delaware, but when I hear people representing our City and they are funded by our City speaking the way that I just heard, makes me feel like packing up and moving. So, if the point of this is to help continue to empty Dover, I'm really proud of Downtown Dover Partnership Committee. These are my personal comments.

Mrs. Melson-Williams entered into the record the correspondence that we received in regard to this application. There is a letter from the Downtown Dover Partnership specific to 150 S. Bradford Street signed by their Executive Director Ms. Diane Laird which is dated April 22, 2024. It notes that the Downtown Dover Partnership's position on this request and its very similar to the previous letter. And again, there is the letter from the Central Delaware Chamber of Commerce dated today focused on 150 S. Bradford Street signed by Dr. Dina Vendetti as President of the Chamber that expresses support for the demolition that is proposed. Also, the e-mail that we received from Mr. Tom Smith that was read into the record earlier also referenced this property at 150 S. Bradford Street.

The public hearing was closed seeing no one else to speak.

Mrs. Melson-Williams noted the Staff Report was provided regarding this application for Demolition that outlined the things from the *Design Standards and Guidelines* to consider with a Demolition request and includes the Staff recommendations beginning on page 4.

Discussion on HI-24-03

Mrs. Richardson stated that she has nothing really to add except that it makes it sound like if we don't approve demolition of these two historic properties, crime in Dover will never be resolved. I think there are alternatives that we need to consider regarding reconfiguring of the building on the property or moving the historic buildings. I still cannot support the demolition.

Ms. Horsey mentioned that Mrs. Richardson said exactly what was on her mind. So, I concur.

Chairman Czerwinski stated that he was going to have the same opinion here. I think when it comes to crime and if you could get an influx of income, that helps a lot. We are moving from two pieces of private property to a public car park. With the security cameras and the oversight, I think that the problem of crime is when you are dealing with private properties. There are a lot of hidden corners; they are dark and there are a lot of things that go on. When you go into a public car park there is light and there are security cameras. I think it helps to some extent mitigate the problem that is there. Again, the attempt here is to bring in income. When you bring in income, now you have money that can be used towards the police force. Right now, those properties are not contributing as far as income to the City, the tax base, or anything.

Mrs. Richardson stated that she agrees that we need to bring in income and we need a parking garage in Dover. She just does not agree with demolishing these two buildings to accomplish that.

Ms. Horsey added that the security, the lighting, and all of that could well be provided for these two buildings, especially in the overall scheme of things. They should not be left out of the overall Plan to make it more secure in Downtown Dover.

Ms. Horsey stated a motion to deny the Architectural Review Certificate to demolish the building at 150 S. Bradford Street, file number HI-24-03. It was seconded by Mrs. Richardson.

Chairman Czerwinski stated, so we have a motion to deny. We'll go ahead and vote on the motion to deny. (One member recused and one member absent)

Roll Call Vote to Deny

Mrs. Richardson – yes

Ms. Horsey – yes

Chairman Czerwinski - no

Mrs. Melson-Williams stated to Mr. Chair with the result of the vote, we have two votes in favor of the motion, which is the motion to deny and one opposed. With that, I will note for the applicant that there is an appeal process that exists in the City's *Zoning Ordinance*. I'd be happy to share that with you. We do also have another application to consider, so I think we need to continue to move on through our agenda.

Chairman Czerwinski thanked everyone who testified today, we appreciate it.

HI-24-04 Legislative Hall Parking Garage at 425 East Avenue - Public Hearing and Review for Recommendation on Architectural Review Certification for a Site Development Plan

Application for a new Parking Garage for Legislative Hall to be located at the corner of East Avenue/E. Water Street and Martin Luther King Jr. Boulevard South. The proposal includes a three-story, 42,500 SF Parking Garage with 335 vehicle parking spaces and other site improvements. The 5.59 +/- acre property includes an existing surface parking lot and an office/credit union building (to remain). The property is zoned IO (Institutional and Office Zone) and is subject to H (Historic District Zone). The property is located at the southeast corner of Martin Luther King Jr. Boulevard South and East Avenue/E. Water Street. The owner of the record is the State of Delaware. Property Address: 425 East Avenue and existing building addressed as 150 E. Water Street. Tax Parcel: ED-05-077.10-01-02.00-000. Council District 2.

Representatives: Mr. Gabe Cheung, Architect at Studio JAED; and Ms. Dana Dunphy, Century Engineering

Mr. Cheung began speaking with a PowerPoint presentation. The project site where the Parking Garage is proposal is a current parking lot of about 150 parking spots is used by Capitol Police, staff, and visitors. The adjacent buildings include Legislative Hall which is across Martin Luther King Jr. Boulevard as well as the Del-One Credit Union which is in Jason the same lot and then across the street on east border is Tatnall Building which is owned by the State of Delaware and houses the Division of Facilities Management. Here's the proposed Site Plan; it includes 2 phases for the redevelopment. Of course, we are here only to talk about the first Phase which is the Parking Garage. It's located in the existing parking lot site that's there and then Phase two which is a future proposed Legislative Hall Addition and site improvements which also include a proposed walkway that connects the Legislative Hall Parking Garage and the building itself.

Mr. Cheung continued to give a quick kind of history of how we how we got to this point. Studio JAED was hired to do a feasibility study for the State of Delaware in 2020. It identified that the existing Legislative Hall building for the timeframe of 50 years would not have enough space in their current building to support their growth and their function. And so, with that we had made a recommendation to propose an addition to Legislative Hall and with that addition would be the need to accommodate parking for their current and future needs. When the Legislature is in session there is an influx of public, members, and Senators and all sorts of legislative members that come visit this legislative complex. There really just is not enough parking for them on that current lot. Second, there was a concern about the security of the legislators since they are currently parking on the street. So, bringing them and moving them into the parking lot will provide that security for them when they do come to visit the legislature.

Ms. Dunphy of Century Engineering began presenting on the civil site plan. They had an initial meeting with Dawn and staff at the City and initially the building did encroach into the Special Flood Hazard Area (floodplain). Taking into consideration everything that staff had told us, then Studio JAED went back and decreased the size of the building. We now have it outside of the floodplain. We are proposing sidewalks along the frontage of Water Street to match the same aesthetic as what's out there is existing as the brick herringbone pattern. Also, we are proposing a drive aisle that will connect from the drive-through of Del-One into the rear parking lot. Initially that was being proposed as an impervious surface but during discussions with the City and with the floodplain issue, it is being proposed as a pervious pavement now as well as the remaining parking lot structure that is staying in the rear of the building and off to the side. The Parking

Garage is located within the 10 foot setback as we're trying to keep the aesthetic of the line of the buildings across the street. We would ask for a variance or approval from the Historic District Commission that it (the Building) would be within that 10 foot setback. Studio JAED is also proposing a fence along the north side of the rear of the existing parking lot to shield the generators that will be back there. They are going to be servicing the Parking Garage as well as Legislative Hall. A portion of that fence will be 15 foot high and then there will also be a 16 or sorry a six foot chain-link fence around the remaining portion of that existing parking lot.

Mr. Cheung noted for clarification that 15 foot high "fence" that would be a perforated brick wall. So, it's more of a wall than a fence that would enclose just the two sides of the generators and its fuel tank that are facing MLK (Martin Luther King Jr. Boulevard) and along the river. For a quick history of Legislative Hall, which is the building that the Parking Garage is looking to kind of homage to and kind of emulate, it was built in 1933 obviously as the capital building in Delaware. The first addition added wings to the east and the west in 1965 to 1970 and then a second addition was performed which extended those wings on northward in 1994. Then a future proposed addition will kind of enclose the Legislative Hall with a courtyard in the middle and have feature improvements that extend north and northward towards MLK. Legislative Hall has a Colonial Revival style. Some of the elements most of you are very familiar with the style are very heavy symmetry with respect to the building. They use of gable roofs, high double hung windows as their primary openings, the use of brick has a primary building material, and dormers along with the roof and crown molding and trim around the eaves at the underside of the roof, and then the use of a tile roofing as a material surface. I reiterate that it's a three story for the parking structure and each floor/story is 42,500 square feet. The approximate dimension of the entire parking garage is under 70 feet by 255 feet with a total height of 55 feet at the intersection of East Water Street and MLK. The structure is to be constructed of precast concrete wall panels with a precast double bay standard that is typical for three of the four elevations. When I get to that special elevation, I can talk a little bit more about the purpose of going with a little bit different construction method.

Mr. Cheung continued with a brief overview of the kind of the access points to this Parking Garage. Referring to the plan image to orient yourself, MLK is to the north on the plan and East Street to the left. There are two pedestrian access points along that street. The one the public one is at the intersection between those streets that gives access to the second level third level parking levels which are public and then there is a restricted access that gets you into the secure parking garage which is on the ground floor. With respect to the vehicular access, there is a kind of restricted access into the ground level for the legislature parking and then a public access off to the right there (or for this plan south) which allows for public access to where there's parking along there as well as along the ramp up and on the second and third floors. There's an indicator for the location of the generator and fuel tank. As already mentioned, there's going to be appropriate for closure that surrounds it on two sides as proximately 20 foot wide by 60 foot as it comes down along the backside of that wall there and then the remainder that would be chain -link fence all the way to enclose it for maintenance purposes. There is a proposed 95 restricted parking spots and 240 public parking spots which gives a total of approximately 335 total overall spaces in the parking garage.

Mr. Cheung then spoke about the elevations showing the elevation on Martin Luther King Jr. Blvd. South and that also kind of shows the elevation and its relationship to Tatnall Building. The heights are approximately very similar. The parking garage is 55 feet tall, and Tatnall Building is very

similar in 50 foot something range. Along the MLK, we are having openings that are in line with the level grade that is intentional so that we keep the rhythm of those windows. The windows do not slope in regard to how a parking garage would get access up and around. We've taken the circulation, and we pushed it towards the back so we're able to get this level surface and that level elevation which matches the elevation in the windows to Legislative Hall. There are openings that are identified on the elevations. Most of the openings that you see there are complete openings, and they have window frames with mutons that mimic the double hung windows that are typical of Colonial Revival architecture, but there is no glass. They will be completely open. There's windows in the dormers that are decorative windows and those will just have standard glass again with mutons that keep the same character that we see throughout the buildings on site. We have a couple of windows that do have glass in them for some of the enclosed spaces such as the lobby and an office on the 1st floor. Those are the only three conditions of windows that exist. There is a fourth condition just on the ground floor level as there is some screening as wire mesh that would make those minor things a little smaller so that you don't get anything going into them but still represent the look of those windows. Then the other elevation that is along East Water Street is where the primary entrance to the parking garage is located. You can see to the right is an elevation of Del-One Credit Union and we know that it is a smaller building. It is a little newer compared to these historic buildings, but we feel that that the scale is appropriate. There's no building or any structure built to the right of it; so, it's still kind of open. It doesn't feel compressed between two larger buildings. Elevation C is the elevation that is adjacent to the Del-One Credit Union, and you see a little bit of the departure from the Colonial style. For the bay on the left there, they have 4 windows in that structural bay, and it is keeping with that rhythm as we make the turn over. We keep that same traditional look; however, as we get to the rear of the building that's kind of less public. That's really hidden also from sight as you approach and drive through East Water Street. There we employed a system of precast concrete columns with panels that stand between those columns and that allows us to get the larger openings that are kind of required to classify this as an open garage. This garage does not have any mechanical ventilation systems in it because we have enough openings to preclude it from having to do so.

Mr. Cheung noted that there are some solar panels located and mounted on that roof facing southeast to harvest sunlight for power. That is one of the kind of requirements that we were trying to achieve by going and making the Legislative Hall Building LED Silver. For compliance, we can use the Legislative Hall Parking Garage as kind of a complex to provide a source of renewable energy. Then, on the other elevation that is against the St. Jones River, the little stipple area on the lower right hand corner that's the kind of the limit of the perforated brick wall to enclose the generators and the fuel tank and allow for the air flow that's required to keep a generator cooled and have a space around it to walk around. Highlighting a couple of borrowed elements by showing Legislative Hall and its the historic original elevation, elements can be seen on Legislative Hall and comparing it to the elevation along East Water Street. You see elements of borrowing the hipped gable roofs that kind of show the entrance into the building and into the parking garage. And keeping elements such as like the dormers are there. We also have the doors that we are also bowing as well as the windows and the openings. We're keeping true to the nature and the feel of Legislative Hall. If looking at the heights between the two buildings, there's 54 feet as what we're proposing for the Parking Garage and for the existing building to the top of the ornamental balustrade railing on the roof that is about 53 feet 4 inches. So, we are a little bit taller there, but we also got the chimneys that pick up right above that and the cupola. And then of course, we've

got the dormers that are still a prominent feature for the elevation along on Martin Luther King Jr. Blvd. We're able to keep that symmetry. It's a little difficult to have complete symmetry throughout as working with lines of openings for a parking structure and circulation. We're kind of proud that we're able to kind of keep that symmetry which you know talks to the symmetry of Legislative Hall.

Mr. Cheung presented a facade view of the Parking Garage pointing and identifying some of these items and elements that we have. We have some decorative precast medallions, precast dentil crown moldings, and other precast items. All those things are to be cast as part of the precast concrete panels that we're proposing as the structure. The brick that is shown there as the soldier course bands, the arch, and the keystones as well as the brick watertable. All those features are to be used as a thin brick to emulate those details. The window openings are there with the trim and the precast sill and the wire mesh for the restricted parking areas to provide security from anyone entering into that area. It's also showing a couple of items like the dormers and the internal gutter on that sloped roof collecting water and then emptying it out onto these decorative rain collector boxes with downspouts. These are elements that are in the existing Legislative Hall. There are some decorative light fixtures (sconces) and site features such as lampposts that we intend to implement. The brick material that is used in a Flemish bond pattern; it's got variations in the existing bricks due to the different additions that exist as well as the age of the building. At the Parking Garage, we tend to keep that Flemish bond pattern which matches. For brick over the precast panels, we're working for colors that will be similar as well as the texture. We're going to do our best to match that we actually need. We meet next week to look at samples and really do our homework to really get as close as we can to the original building. The windows are large double hung windows and we've got the jack arch with the keystone and the wood casing and sill. At the Parking Garage, we have the open openings with the matching keystone that's done with the precast panel, and we'll be using synthetic casing and trim to emulate the trim that's already around the windows. With roof materials, the Legislative Hall's original existing roof was a clay roof and there was a replacement not that long ago in 2023 that used a concrete tile to imitate the style of the clay tile. They also used those snow guards, copper flashing, and the built-in gutter which we are going to be matching. I do have samples of the concrete tile that was used on that roof replacement. We're looking to use a synthetic shake tile; it's a lighter in its composition and seeing that we're not having to fully replicate something that's looked at from 50 feet away or even more, then the use of a lighter material will be easier on our structure. We'll have a similar color and pattern for roof, and we'll be using similar snow guards, copper flashing, and built-in gutter. I have a sample of those tiles so take a look and see how close they are. Regarding the dormer, the wall has the windows and we have a flat standing seam roof that is on top. There is a wood casing and then we have tile siding that goes up the side of those dormers. The Parking Garage will have decorative non-operable windows up there with a spandrel panel in them. They will be matching the flat standing seam metal roof as well as the casing, trim, and then a similar tile going up the sides.

Mr. Cheung continued with a rendering that shows all three buildings that are on this corner and adjacent properties. You can see how the proposed Parking Garage is nestled in between there and normally it would be a void there. Right now, you see the flat surface parking lot. Here's a view along MLK Jr. Boulevard looking northward and on the left of the proposed parking garage and tall building on the right. This is probably a common view as MLK is a one way street and this is

predominantly the way that vehicles will be traveling. This is the view that they will be seeing along MLK at Legislative Hall. Here's a close up view that is mainly to show the site elements that are going to be used to again keep in context and with the rest of the City of Dover. As mentioned, the herringbone pavers are used along the sidewalks, there are the light pole elements, and the sconces that are going to be implemented. We're looking to have a little buffer between the base of the building and sidewalk with some planted landscaping and shrubs to keep within the greenness of the City of Dover. Here's a view along East Water Street looking back towards MLK with the Legislative Hall in the back. For the Parking Garage is to the right and you can see the openings for the vehicle access. There's one thing that's a little different from the other renderings. Shown here is the Parking Garage has ability to close when needed; so, there will be roll up doors that will come down at the public side at the least. The restricted parking always has a gate that comes down and there are arms that allow for key card access to get legislators and others in. Here with this rendering, we're bringing in a little bit of the Del-One Credit Union into the mix and you can see the return facade showing that you can still see the elements of the historic elevation as you're driving there. You really don't get a sense of that other style or other structural system that we're using to create the openness as part of the requirements. Then this one shows another overall view from the parking lot looking at all the buildings. This one is looking along MLK Jr. Boulevard South looking southward and this is probably not a view that many people see because of the one way. Everything's coming towards us from the photo, but any traffic will be much farther back. When you merge into the northbound side of MLK, you'll be able to see a portion and then the height of that brick wall that's going to enclose the generators. It is the height of the watertable once it is in place. You can see that context where that's going to be. We can also put in some landscape and trees to kind of soften that harsh wall. We are already lighting up it as much as possible with some perforations in that wall.

Mrs. Melson-Williams asked that the presentation show the overall building and also noted that Historic District Commissioner Mr. Jonathan Street has had to leave the meeting due to other commitments. Jonathan did hang with us a little bit longer online here and heard most of the presentation by the applicant. In the chat, he apologized but he does know that he is in favor of what they have presented. The Commission can start with questions and then we have to have a Public Hearing.

Ms. Horsey noted that there are a lot of staff comments that have been made in this Report and asked the applicant if they are in support of all of them and aware about them and will taking into consideration? Mr. Cheung questioned if he had a copy of the comments but then realized there were two pages and that they were okay with them.

Mrs. Melson-Williams noted that they are in the Staff Review Report beginning on page 5 of 7 has a series of staff comments and a number of them have actually been addressed in the presentation by the applicant today in what they've either presented on screen or shared with us verbally. I will note that that Ms. Dunphy identified earlier that they do need to seek relief to allow the building to encroach into that 10 foot setback of the IO zoning district. That is something that you can make a recommendation on to allow that or not as part of their project.

Ms. Horsey questioned that since there's a 10 foot setback, I couldn't tell from the plans how close the building was to the sidewalk.

Ms. Dunphy noted that the building is about 8 feet away from the back of the curb; so, we're only encroaching into the setback line about 5 feet. It's not much but it's just to try to keep in line with the Del-One Credit Union building. It just leaves enough space between the sidewalk and building. With the floodplain, there is that restriction that we can't encroach into. We made adjustments to the building to get it out of the floodplain.

Mrs. Horsey noted that's the main concern over there because I've seen it get very wet.

Ms. Horsey asked how does this building tie in? The reason I'm asking this question is that was on the Planning Commission when the State came forward with a water retention pond which is essentially kind of across the street from Tatnall Building going west. The reason they did that is because there was flooding or potential with the nearby sewer and water systems.

Mr. Cheung noted this building's water system is that the building will be sprinkled and there are some hose bibs this around the building for irrigation and internal use with one bathroom as the limits of a water system.

Ms. Horsey commented that overall she really hears you've taken a lot of design thought into this building and it's really nice. Legislative Hall was pretty much designed the way it was in 1933 and you have really echoed that in this development. Mr. Cheung said thank you.

Ellen Richardson commented that she agrees with Ann and mirrors her comments. It reminds me very much of the Parking Garage that the State is building for the Family Court; it's very similar. And continued to ask if it will be open 24 hours? Is it open to the public? Is it going to have lighting and security?

Responding, Mr. Cheung said that this is to be a public facility that is the direction I received. It has the ability to be closed as needed. As sessions are only held for 6 months of the year, when it's not needed as much then you can definitely close it. The security plans are for a parking attendant to be managing the overall daily activities of the parking garage and the Capitol Police will be monitoring the cameras inside as well as the addition of Legislative Hall. That's where basically it will be secured and monitored. Then there's lighting that is provided throughout exterior pictures.

Mrs. Richardson asked how many charging stations will be built into this garage. Mr. Cheung responded yes, with the LED Silver requirements there is 5% of the spots that need to be accessible with charging. At this time, the intent is to have the building EV-ready. When it opens, there will be boxes and conduits that are for future installation of EV-charging. Mrs. Richardson stated that I'm glad you're planning ahead.

Mrs. Horsey asked about their provisions for bicycle parking. Responding, Ms. Dunphy noted for bicycle parking for sure will be there as that was a comment from Staff and will work with staff and we will provide bicycle parking for the next stage.

Mr. Czerwinski asked for clarification about the perforated brick wall and that you're saying inside that perforated brick wall you have a chain-link fence.

Responding, Mr. Cheung noted there's not a chain link fence on the inside of the structure itself and pointed to a plan image its location. Ms. Dunphy explained that on the plan, there is the red line (red L-shape) that's going to be the brick wall and from that point to down to where you would draw a perpendicular line from the back corner of the Parking Garage that'll be the chain link fence.

Mr. Czerwinski asked if a chain-link fence can be visible from the bridge on Court Street? You've got the extended wall and it's going to be visible from the road. Responding, Mr. Cheung stated we can see if we can do something to soften it like landscaping.

Mr. Czerwinski suggested incorporating the use of faux iron fencing instead of chain link. We want to make that change here because it's visible and the chain-link fence totally destroys the look of the area. You look at a four to six foot vertical faux wire fence.

Ms. Dunphy asked if you could consider slats throughout the chain-link and Mr. Czerwinski responded no he wouldn't.

Mr. Czerwinski noted because if you notice in the Historic District, we are always defensive about fences because fences can totally destroy the whole area. For any approval we have for fences in the District, our *Guidelines* state that chain-link is not to be used. We usually use metal; it could be aluminum or steel or whatever. You get the idea that we're talking about "wrought iron" looking for the fence. To approve this project, we probably would stipulate that it be used because if you're going down and you look after your perforated wall and you see a chain-link fence it's not going to look good. I can tell you that; so, it's probably also noted by fellow board members to incorporate architectural elements like a wrought iron looking fence for there.

Mrs. Horsey asked to put up that slide that wasn't in the package because I think you can see that side of the new building really well where it showed the curve around.

Looking at the image, Mr. Czerwinski noted that from that view you would probably see it (the chain-link fence) if coming across the bridge. The extended wall as perforated brick was a great idea, but we will probably make that recommendation about the fence.

Chair Czerwinski opened the Public Hearing to the in-person audience and the virtual participants.

Mr. Nate Attard (Virtual participant) of 452 E. Loockerman Street, Dover

(His initial statement was inaudible, but he entered it into chat and it was read by Staff)

"I support the project and ask the board to support. The renderings look great. We'll see what execution brings. I hope that the area overall gets a redesign that removes some of the street parking in lieu of program space and event space. Our Capital Complex looks dated and tired; hopefully, this is a launching pad for improvements that gives us a world class Capital Complex."

Phillip Conte, President of Studio JAED

He apologized for not being there this evening but noted that I do appreciate all of your comments and say that Gabe and his team did an excellent job. I think this is a priority project for Dover particularly in this area and really is going to set you up for the next 50 years. I do think one thing that Nate may have mentioned at the end was softening the building as it's hitting the landscape.

Certainly, we will be bringing in landscape designers to enhance the Parking Garage and the new Addition. So, he just wants to say thank you and looks forward to more comments.

Also, online (Call-in User #2) Patty McGonegal had no comment.

There is no written correspondence, and the Chair closed the Public Hearing.

Mr. Czerwinski noted that we do like the design but we the setback, right? So, we have a setback that we will have to note in our approval or disapproval. Staff confirmed. Mr. Czerwinski looked to clarify it as a variance of the 10 feet; is it 8 feet? Ms. Dunphy corrected that we're approximately 5 feet into the setback.

Mr. Czerwinski asked the board members is there anything else you saw in the design that we need to get any comments on before we make a vote.

Mrs. Melson-Williams noted that what the Historic District Commission is looking to do today would be a Recommendation in regard to the Architectural Review Certificate. This would be a Recommendation that moves on to the Planning Commission. It appears that you'll need to act on the request to encroach into that required setback to something less; it's approximated at 5 feet at the present time. You can certainly make reference to the Staff Recommendations in the Report. And in your discussions, you've also referenced a preference regarding the fencing at the east end of the building.

Ms. Horsey offered a motion for approval of the Legislative Hall Parking Garage (HI-24-04) and to abide by the Staff comments and to waive the setback from the full 10 feet and to incorporate the Historic District Commission approved products for the brick wall around the generators and the fence. Seconded by Mrs. Richardson.

Roll Call Vote to Approve

Mrs. Horsey – Yes

Mrs. Richardson – Yes

Chair Czerwinski – Yes

Mrs. Melson-Williams reported the results as three affirmative votes to recommend approval of the Architectural Review Certification for the Legislative Hall Parking Garage noting the Staff comments and to include the waiver of the setback to allow the building to encroach up to five feet and the Historic District Commission's discussion of the brick wall and fencing in that generator area. These discussions focused on that fence being something other than chain-link and with the suggestion of it being some type of metal fencing due to its visibility.

NEW BUSINESS

Review of Permits Referred to Commission

Mrs. Melson-Williams noted that there are new permits for us to refer to the Commission.

OLD BUSINESS

Certified Local Government (CLG) Program

Mrs. Melson-Williams stated that we had talked in previous months there was an ability to apply for some grant monies that was being offered. The Planning Staff did do an initial application for that. We have not finalized that document and would be looking to do so in the near future. There is some time to get started on that project. That was to bring on consultant services to look at alternative and modern technologies here in the Historic District.

Implementation of 2019 Comprehensive Plan

Mrs. Melson-Williams stated the other item that we always list is the implementation of the *2019 Comprehensive Plan* and there's no specific item that I need to bring to you today in that regard.

Chairman Czerwinski asked if there were any further questions or business. There was none.

Mrs. Richardson moved to adjourn the meeting seeing no other items of business, seconded by Ms. Horsey, and unanimously carried 3-0 of the members still present.

Meeting adjourned at 6:17 PM

Sincerely,

Maretta Savage-Purnell
Secretary

FILE#	PLAN NAME	LOCATION	TYPE	ACTION	STATUS
HI-23-01	Lands of Shank Shack, LLC: Parking Lot Improvements	34 The Green	Site Plan for Parking Lot Reconfiguration Improvements	Review for Architectural Review Certification of Site Plan; Public Hearing and Review by HDC 1/19/2023. Recommended approval of ArchRevCert for project.	Site Plan granted conditional approval by Historic District Commission. Administrative Site Plan review completed: Final Plan approval issued May 2023. of Administrative Building Permit #23-1668 issued 11/6/2023 to commence construction. Improvements are associated with future Kent County Family Court Project. Project underway.
HI-23-02	Referral of Fence Permit #23-781 at 147 S. New Street	147 S. New Street	Fence Permit	Permit #23-781 referred to HDC by City Planner for consultation on Architectural Review Certification; 5/18/2023 HDC recommended approval of ArchRevCert to allow height of 6-feet constructed of wood materials that may be stained (no vinyl fence).	Permit Application received 5/12/2023 and Referred to the HDC for consultation. Permit to be approved for issuance per HDC action of 5/18/2023. Permit issued 6/6/2023. Fence installed.
HI-23-03	Referral of Permit #23-987 at 43 The Green	43 The Green, John Bell House	Sign Permit for Informational Kiosk	Permit #23-987 referred to HDC by City Planner for consultation on Architectural Review Certification; 7/20/2023 HDC recommended approval of ArchRevCert to allow kiosk style sign subject to use of certain materials.	Permit Application received and Referred to the HDC for consultation. Project is installation of information kiosk of 9 SF as post and panel style sign to display information on the First State Heritage Park activities. Permit approved for issuance per HDC action of 7/20/2023 requiring the use of black metal material or painted wood for kiosk. Sign installed.
HI-23-04	Referral of Sign Permit #23-1462 at 32 W. Loockerman St	32 W. Loockerman Street	Sign Permit for 2 Business Tenants	Permit #23-1462 referred to HDC by City Planner for consultation on Architectural Review Certification; 10/19/2023 HDC recommended approval of ArchRevCert for window signs and signs on metal band.	Permit Application received and Referred to the HDC for Consultation. Project is installation of signage for two tenants. HDC recommended Revised Signage. Permit approved for part of window sign portion of project; sign installed.

FILE#	PLAN NAME	LOCATION	TYPE	ACTION	STATUS
HI-23-05	Referral of Demolition Permit #23-1521 at 153 S. Bradford St	153 S. Bradford Street	Demolition Permit for Demolition of Second Floor	Permit #23-1521 referred to HDC by City Planner for consultation on Architectural Review Certification; deferred from October 19, 2023 HDC Meeting at request of Applicant. Consideration began at November 16, 2023 HDC Meeting; action pending submission of additional information.	Building condemned by Code Enforcement, Case #23-3847. Permit Application received for Partial Demolition and Referred to the HDC for Consultation. Project seeks to demolish the second floor of the masonry building and construct flat roof system. Supplemental Engineering Report received 2/5/2024 and forwarded to Code Enforcement Staff. Permit #23-1521 was withdrawn as new Permit #24-427 for renovation/repair of masonry filed in April 2024 and approved for issuance. Renovation work underway.

FILE#	PLAN NAME	LOCATION	TYPE	ACTION	STATUS
HI-24-01	Referral of Fence Permit #23-1868 at 146 S. State Street	146 S. State Street	Fence Permit	Permit #23-1868 referred to HDC by City Planner for consultation on Architectural Review Certification; 1/28/2024 HDC deferred action on ArchRevCert seeking additional information on its materials, location, and another nearby fence. 2/15/2024 HDC granted ArchRevCert subject to conditions.	Permit Application received 12/13/2023 and Referred to the HDC for consultation. The Fence is subject to Code Enforcement Case #23-3983 for installation without a Permit. It is a vinyl fence that is six foot in height. HDC granted ArchRevCert subject to conditions: Fence #2 must be wood and 4 feet in height. Fence #1 due to location can remain at vinyl at 6 feet. Permit issued in April 2024.
HI-24-02	Building Demolition at 148 S. Bradford Street	148 S. Bradford Street	Review for Architectural Certification for Demolition	Public Hearing and Review for Architectural Review Certification by HDC on 5/16/2024. Action to deny ArchRevCert.	Request to demolish existing building (currently used as offices). HDC denied ArchRevCert for demolition. Applicant filed an Appeal to the Planning Commission: to be considered by Planning Commission on 6/17/2024.
HI-24-03	Building Demolition at 150 S. Bradford Street	150 S. Bradford Street	Review for Architectural Certification for Demolition	Public Hearing and Review for Architectural Review Certification by HCD on 5/16/2024. Action to deny ArchRevCert.	Request to demolish existing building (currently used as offices). HDC denied ArchRevCert for demolition. Applicant filed an Appeal to the Planning Commission: to be considered by Planning Commission on 6/17/2024.
HI-24-04	Legislative Hall Parking Garage at 425 East Avenue	425 East Avenue, corner of East Avenue/ E. Water Street and Martin Luther King Jr. Boulevard South	Site Plan Review for Architectural Review Certification	Public Hearing and Review for Recommendation on Architectural Review Certification by HDC on 5/16/2024. Recommended approval of ArchRevCert for project.	Site Development Plan review for new Parking Garage Structure and associated site improvements. Recommendation on ArchRevCert will be forwarded to Planning Commission for future consideration during Site Plan review process. Application filed with Board of Adjustment for variances related to floodplain requirements; to be considered 6/20/2024.

FILE#	PLAN NAME	LOCATION	TYPE	ACTION	STATUS
HI-24-05	Building Demolition at 120 S. Governors Avenue	120 S. Governors Avenue	Review for Architectural Certification for Demolition	Public Hearing and Review for Architectural Review Certification by HDC scheduled for 6/20/2024.	Request to demolish existing commercial building (was Acme grocery store then recent tenants of auto parts store and a Child Day Care Center.

Summary of Permit Applications with Architectural Review Certification
2024- Updated Thru 5-31-2024

Item 3.

DATE	PERMIT #	LOCATION	TYPE	ACTION ON ARCHITECTURAL REVIEW CERTIFICATE	NOTES
1/26/2024	24-67	28 W Loockerman St, The Hive	Building Permit - Interior Renovations	Staff Approval. No ArchRevCert required for interior work.	Interior renovations - storage area wall.
2/21/2024	23-887	29 N State St, Office	Sign Permit	Staff Approval. No ArchRevCert required for interior work.	Installation of monument sign in State building sign format.
2/5/2024	24-84	3 S American Avenue, Offices	Building Permit - Interior Renovations	Staff Approval. No ArchRevCert required for interior work.	Interior renovations of office space.
2/23/2024	24-159	89 Kings Hwy SW, Richardson & Robbins Building	Roof Permit	No Planning Staff Review.	Roof replacement project.
2/26/2024	24-198	401 Federal Street, Townsend Building	Building Permit - Exterior Improvements	Staff Approval	Repair and reconstruction of ADA ramp system on north side of building and parking lot areas improvements.
3/4/2024	21-1660	215 W Loockerman Street, Mountain Consulting	Building Permit - Exterior Renovations	Staff Approval	Renovations to entry door and creation of vestibule entry area with storefront door/window system.
3/19/2024	23-1383	8 The Green	Building Permit - Exterior Renovations	Staff Approval	Replacement of wooden egress stair to side/rear of building.
3/25/2024	23-1868	146 S State Street, Offices	Fence Permit	HDC Consultation on ArchRevCert 1/18/2024 and 2/15/2024; Staff approval per ARC	Fences built without a permit; Code Enforcement Case. Referral of Fence Permit as HI-24-01. HDC approved with conditions: Fence #1 to remain a 6-foot vinyl as limited visibility; Fence #2 to be replaced by 4-foot wood fence.
3/25/2024	23-1874	1 Kings Hwy NE	Roof Permit	No Planning Staff Review.	Replacement of roof on back of house.
3/25/2024	24-147	108 W Loockerman St	Roof Permit	No Planning Staff Review.	Roof replacement project.
4/23/2024	24-455	217 W Loockerman St	Building Permit - Interior Renovations	Staff Approval. No ArchRevCert required for interior work.	Interior renovations for fire walls and rear door to storage area.
4/29/2024	24-566	147 S Governors Avenue, Pastries Deli & More	Sign Permit	Staff Approval	Installation of hanging sign for business tenant.

DATE	PERMIT #	LOCATION	TYPE	ACTION ON ARCHITECTURAL REVIEW CERTIFICATE	NOTES
5/8/2024	24-546	151-181 Kings Hwy SW, Woodburn	Administrative Permit	Staff Approval.	Brick repair and repointing of patio areas.
5/23/2024	24-697	501 S State Street, Christ Church	Temporary Sign Permit	Staff Approval.	Temporary Banner installed June- July.

ARCHITECTURAL REVIEW STAFF REPORT

Before Dover Historic District Commission

June 20, 2024

Project Name: Building at 120 S. Governors Avenue: Building Demolition

Location: West side of South Governors Avenue and east of South New Street,
between West Loockerman Street and Reed Street

120 South Governors Avenue

Tax Parcel: ED-05-077.09-01-44.00-000

Property Owner: Downtown Dover Development Corporation (c/o Downtown Dover Partnership)

Present Zoning: C-2 (Central Commercial Zone)
H (Historic District Overlay Zone)

Present Use: Multi-tenant Commercial Building (Last tenants - Retail Store and Child Day Care Center)

Proposed Use: Demolition of Building (Future Redevelopment)

File Number: HI-24-05

PROJECT DESCRIPTION:

The Historic District Commission will act on an Architectural Review Certification regarding the Demolition of existing commercial building (former Acme grocery store and other more recent tenants). The parcel contains 1.70 +/- acres with a 19,136 SF building. The property is zoned C-2 (Central Commercial Zone) and subject to H (Historic District Zone). The property is located on the west side of South Governors Avenue and halfway between Reed Street and West Loockerman Street. The owner of record is Downtown Dover Development Corporation c/o Downtown Dover Partnership. Property Address: 120 S. Governors Avenue, Dover. Tax Parcel: ED-05-077.09-01-44.00-000. Council District 4.

The following application for demolition at 120 S. Governors Avenue is submitted to the Historic District Commission regarding the issuance of the Architectural Review Certificate for a Demolition project. Applications for certain types of construction activity within the Historic District Zone (H) are reviewed by the Historic District Commission for Architectural Review Certification as part of the application review process. The Application is for review under the provisions of *Zoning Ordinance*, Article 10 Section 3.23. See below:

Article 10 Section 3.23 *Architectural review certification by the historic district commission.*

- (A) The historic district commission shall issue architectural review certificates for the construction or demolition of single-family and two-family homes, and nonresidential

P. O. Box 475 Dover, DE 19903

Community Excellence Through Quality Service

structures or additions involving a gross floor area of 3,000 square feet or less, after review of the proposed construction and after a determination that the construction is in general accordance with the standards set forth in subsection 3.25 below.

- (B) All applications to the historic district commission for architectural review certification shall be subject to the procedures set forth in subsection 3.26.
- (C) All decisions of the historic district commission pursuant to this subsection shall be formalized in a written notice of decision. When the commission grants conditional approval under this subsection, all conditions of approval shall be set forth in writing in the notice of decision. In the event of a denial, the notice of decision shall state the reasons for denial and shall identify all elements of the application found to be contrary to the provisions or intent of this subsection.
- (D) An applicant may appeal the decision of the historic district commission to the planning commission, and such appeal shall be considered as an architectural review certification application to the planning commission and shall meet all the requirements set forth in subsection 3.24 and subsection 3.26.

The Historic District Commission will act on an Architectural Review Certificate regarding the request for Demolition of the building at 120 S. Governors Avenue. The future redevelopment will be subject to additional review processes including Architectural Review Certification and Site Development Plan review for any proposed building.

Property Information

The subject site consists of a twentieth century commercial building currently divided into two tenant spaces: a retail tenant and a day care center facility. A portion of the existing parking is managed by the Downtown Dover Partnership as a permit parking lot.

This building is located within the boundaries of a National Register of Historic Places Historic District, specifically the Victorian Dover Historic District (K-396). Staff reviewed the National Register nomination completed for the Victorian Dover Historic District (nomination completed 1977-78) and found the following description:

.203 124 South Governors Avenue - c. 1970, 1-story, masonry food chain establishment. Intrusion.

This existing commercial building is considered a non-contributing building to the National Register Historic District.

The property is located within H (Historic District Zone) as established by the City of Dover and subject to the provisions of the *Zoning Ordinance*, Article 3 §21 and referenced sections. There was previous proposal in 2011 for demolition of the building and redevelopment of the property with applications HI-11-04 Acme Site Redevelopment Master Plan and S-11-11 Lands at DDP at 120 South Governors Avenue: Master Plan; the plans were never finalized and expired.

Historic Map Review

Historically, this block of Downtown between South Governors Avenue and South New Street to the north of West Loockerman Street was part of an area known as the Comegy's Lots laid out in the 1850s with development occurring 1859-1885. The 1868 *Beers Map* shows the subject site primarily vacant with one building owned by L. Geiser and a school building. By 1885, a series

of residential dwellings fronting on both Governors Avenue and New Street are in existence. The subject site is just north of the original building location of the Robbins Hose Fire Company building. The *1887 Map of Dover* published by W.B. Roe continues to show a public school in the southern portion of the site with dwellings to the north. Review of the *Sanborn Fire Insurance Map Series* from 1885 – 1944 with updates also documents the history of buildings on the subject site. The 1885 Map shows a two story school building and a Sunday School & Meeting House building with a series of two story residential dwellings with accessory buildings (garages, sheds). By 1897 the school building is replaced by a Methodist Protestant Church building with the residential dwellings remaining. These uses for the subject site continue through the early twentieth century. By the mid-twentieth century, the church building is replaced by a one story cinderblock store building adjacent to Governors Avenue. In the late 1960s, the subject site is redeveloped with the existing masonry commercial building setback in the middle of the block; its construction appears to have eliminated approximately nine residential dwellings.

PROJECT PROPOSAL FOR DEMOLITION

The applicant has filed an application for Architectural Review Certification for the demolition of the Building at 120 S. Governors Avenue. The submission consists of a narrative with attachments including a photo gallery. The project is described below:

1. Demolition of Building: The project involves the demolition of the existing commercial building (former Acme grocery store and other more recent tenants). The parcel contains 1.70 +/- acres with a 19,136 SF building.

The applicant in their narrative outlines the challenges with the upkeep of the building and property due to current dynamics in the surrounding neighborhood. The Downtown Dover Partnership has identified this property as an opportunity for redevelopment as mixed-use including both residential and commercial/retail uses. The pending redevelopment involves the demolition of the current building. This redevelopment project has been identified as a priority within the *Capital City 2030: Transforming Downtown Dover!* Master Plan. See applicant's submission for information on the *Transforming Downtown Dover* Master Plan. The redevelopment of the site will be subject to a separate review process.

Anticipated Scope of Demolition

The applicant's narrative outlines the scope of the demolition activity which has not yet been bid. The scope of Demolition notes that an environment Assessment Asbestos Containing Materials Phase I Survey has been completed finding some asbestos that will be required to be abated. The demolition process is anticipated to involve the use of equipment to take down the building with the appropriate disposal of the debris (building materials and vegetation/overgrowth materials) off-site. The demolition includes the installation of compacted clean sand and gravel in the demolished area. The area would include a barricade fence during these activities.

Review of DESIGN STANDARDS AND GUIDELINES

The subject property is in the Dover Historic District Zone within the Loockeman Historic Context. The Loockerman Historic Context is described on pages 2-7 through 2-8. Location within the Dover Historic District Zone requires proposals for specific types of construction

activities such as new construction, additions to existing buildings, exterior renovations, and demolition of buildings to receive an Architectural Review Certificate.

As stated in the *Design Standards and Guidelines for the City of Dover Historic District Zone*, an Architectural Review Certificate will be granted for the project “if it is found that the architectural style, general design, height, bulk and setbacks, arrangement location and materials affecting the exterior appearance are generally in harmony with neighboring structures and complementary to the traditional architectural standards of the historic district.”

Demolition

The proposal for demolition of the building must be reviewed for conformity with the design criteria guidelines found in Chapter 4: New Construction, Additions, Demolition and Relocation. The *Design Standards and Guidelines* gives guidance to the Historic District Commission by listing specific criteria to be evaluated when considering applications for the demolition of buildings (or portions of buildings) in the historic district (Chapter 4: pages 4-10 to 4-12). These guidelines are summarized below (see *Design Standards and Guidelines* for the complete text); an excerpt of Chapter 4 is attached.

1. Determine the financial implications of maintaining a property versus demolition.
2. Regardless of economic issues the relative significance of the individual buildings slated for demolition should be evaluated.
3. In development related applications the City should review the schematic plans for the new structures to weigh the virtues of the new structure versus what exists.
4. Determine the extent of adequate recordation of a property the applicant would be required to complete if demolition were approved.
5. Lots left vacant by demolition should be treated in a manner that is sympathetic to the historic context.

STAFF COMMENTS AND RECOMMENDATIONS

The following are the Staff comments and recommendations for this application regarding project activities and an Architectural Review Certificate.

1. The *Design Standards and Guidelines* outline specific criteria to be evaluated in considering demolition applications (Chapter 4). The following are Staff’s consideration of the criteria for Demolition.
 - a) For this property, the applicant has stated the increase in crime in the area has made it difficult to maintain the property adequately.
 - b) The City of Dover tax records list this building as built in 1966. The structure of this property was built around 1970 according to the National Register of Historic Places Historic District inventory. It specifically was listed in the National Register of Historic Places inventory as an “intrusion”; this deemed it non-contributing.
 - c) The specific plans for the redevelopment of this property were not presented with the application other than noting it is a priority project location of the *Transforming Downtown Dover Plan*.

- d) While this building is not of historical significance to the Victorian era for which this Historic District is based on, the building is an example of mid-twentieth century commercial architecture.
 - e) The lot is not expected to be left vacant for a long length of time. It is part of the Downtown Dover Partnership's plan *Transforming Downtown Dover: Capital City 2030*.
- 2) Staff recommends approval of the Architectural Review Certificate for the demolition of the existing commercial building on the property at 120 South Governors Avenue finding that the building is not significant as it is a modern intrusion into the historic area. The overall form of the building retains the general massing of a gable front with low sloping roof; however, the storefront window and entry detailing has changed with its conversion to multi-tenant spaces.
- 3) Staff recommends that an exterior photograph series and any other available building information (available in the owners' records) be collected to serve as documentation/recording of the existing building. As the building has a Cultural Resource Survey record (K-396.203) from the survey completed associated with the National Register nomination for the Victorian Dover Historic District, the appropriate survey forms should be completed to record its demolition (if/when it occurs) and to add available information on the building to Survey Records maintained by the State Historic Preservation Office.
- a) The Historic District Commission could require additional documentation/recording of the building i.e. measured drawings/floor plans and more photography if deemed appropriate.
 - b) A set of current photographs were included in the application.
- 4) If approval for demolition of the building is granted, Staff recommends the following conditions pertaining to the building demolition and site stabilization. These conditions are presented to improve the project's compliance with the recommended guidelines for consideration of demolition in the *Design Standards and Guidelines* and other code provisions:
- a) A specific timeframe for demolition activities and site stabilization should be established.
 - b) All utilities must be properly capped and/or abandoned.
 - c) Clarify the plan for site stabilization of the site.
 - i) The building footprint area following demolition of the building and removal of the foundation walls must be restored to grade. The disturbed area is to include stabilization with topsoil and seeding to establish a grass lawn area unless construction activities are commencing immediately.
 - d) Staff do not recommend installation of solid (opaque) fencing on the site. The chain-link fencing can remain as a temporary site security measure. If areas need to be segregated on the site, other alternative fence styles may be more appropriate.
 - e) Parking could continue on the paved areas only. Stabilization of the building footprint area with gravel is not an approved parking surface even as a temporary measure.

ADVISORY COMMENTS:

- 1) The applicant shall be aware that a Demolition Permit is required to proceed with any demolition activities on the property should Architectural Review Certification be granted for the demolition proposal. The Demolition Permit application must comply with the conditions

of approval granted through the Architectural Review Certification process.

- 2) If major changes and revisions to the project proposal occur, contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Historic District Commission.
- 3) Any future construction activities such as redevelopment of the site for a building or for an expanded parking facility are subject to additional review processes for permitting and plan review.
- 4) If the building is or will be vacant prior to the Demolition, then it may be required to be registered as a Vacant Building with the City under the Vacant Buildings program.

Historic District Commission Action Required

The Historic District Commission shall consider the Demolition Permit and act in regard to the Architectural Review Certification for the demolition proposal. The action should reflect consideration of the *Design Standards and Guidelines*.

Attachments:

- 1) National Register Inventory Information of the property
- 2) Google Street View photo.
- 3) *Design Standards and Guidelines for the City of Dover Historic District Zone* - Excerpts from Chapter 4: New Construction, Additions, Demolition and Relocation.
- 4) Applicant's Submission: Narrative and Photo series

National Register of Historic Places Inventory – Nomination Form.

https://s3.amazonaws.com/NARAprdstorage/lz/electronic-records/rg-079/NPS_DE/79000622.pdf

Page 50:

.203 124 South Governors Avenue - c. 1970, 1-story, masonry food chain establishment. Intrusion.



Page 151, National Register of Historic Places Inventory – Nomination Form.

In the block between Reed Street and W Lookerman Street.







Forms Of Additions

The following are additional guidelines for additions to existing construction:

- New front porches should not be added to a historic building without precedent for a porch.
- It is inappropriate to enclose front porches.
- Handicapped access ramps should not be located on the primary facades of historic buildings, unless they can be located and designed to be unobtrusive. Regardless of where they are located, the sloped run of the ramp should be screened such that the slope of the ramp does not detract from the horizontal elements of the building to which it is attached. A new ramp should be constructed in a manner that does not require the removal of historic fabric, and does not damage the existing building. The ramp should be constructed in a manner such that its future removal will not damage existing historic fabric.
- Roof-top additions should not be constructed. These would disturb the

proportions of the building and the historic form of the roof.

- The addition of dormer windows and skylights is not recommended, but may be acceptable if kept to the rear of the building, not visible to the street.
- The design of the addition should make clear what is new and what is original. This may be done in a variety of ways, including simplifying of details, changing materials, slightly altering proportions, or even slightly varying paint color.
- Decks are inappropriate on front or side facades. When decks are constructed on rear facades, they should be screened from the street with landscape materials.
- The architectural style of an addition should not be older than the style of the existing building.

Demolition

The pressure to demolish buildings within any historic district is a regrettable fact of life. Either through catastrophic damage or through years of neglect, there are and will continue to be situations when a building is deemed beyond repair and "not worth" preserving. As the Dover Historic District continues to attract new residents and businesses, there will be pressure to "make way" for the "progress" that new construction is believed by some to represent.

Whereas issues of design guidelines for preservation and new construction are driven by architectural and aesthetic considerations, demolition, especially of repairable structures,

is more frequently an economic issue. Indeed, the only other legitimate reason for consideration of demolition is if the building poses a threat to public safety. In considering applications for demolition, especially those based on economic or development considerations, the City must weigh issues beyond matters of architectural appropriateness, for demolition of an historic building in an Historic District is rarely if ever appropriate. Rather, the City must be convinced that all possible means of saving the building have been exhausted.

It should be noted that the City of Dover is trying to prevent unnecessary demolition by giving the Historic District Commission the authority to determine when "Demolition by Neglect" is occurring. "Demolition by Neglect" is defined as "improper maintenance or lack of maintenance of a building, structure or object which results in substantial and widespread deterioration of the building, structure or object which threatens the likelihood of preservation and which presents a threat to the public safety, health and welfare of the immediate community." Once the Historic District Commission determines that a property is in a state of Demolition by Neglect, it can direct the building inspector to take actions under the City's Dangerous Building Code or Housing Code to order repairs. It is the responsibility of all citizens to look for and report instances of Demolition by Neglect to the City of Dover Historic District Commission.

The following criteria should be evaluated in considering applications for the demolition of historic buildings within the Dover Historic District:

- To determine the financial implications of maintaining a property versus demolishing it, the City may ask an

applicant to submit documentation pertaining to differential costs, structural soundness, suitability for rehabilitation, estimated market value of the property as is and after renovation for continued use, economic feasibility of rehabilitation, purchase price, income, and cash flow information (relating to the property only) and any other information considered necessary.

- Regardless of economic issues, the relative significance of the building slated for demolition should be evaluated. If the building is not considered a contributing structure in the District, then its demolition may not be objectionable. If a building is significant, then even a finding of economic hardship may not be sufficient to allow demolition. Some buildings, such as the Richardson mansion, the Parke-Ridgely House, the Rose Cottage, etc., are so significant that extraordinary measures should be made to delay or prevent their demolition. Adaptive reuse of historic buildings is always preferable to demolition and new construction.
- In development-related applications, the City should review schematic plans for the new structure, in order to help weigh the virtues of the new versus what exists.
- Further, in order to provide some slight mitigation of the effects of unavoidable demolition of historic structures within the Dover Historic District, owners should be required to provide adequate recordation of a property. The extent of such recordation would depend on the

significance of the property. At the least, archival photographs should be produced for every historic building that is lost to demolition within the District. When the demolition of an extremely significant building is unavoidable, measured drawings should be produced that comply with the standards of the Historic American Buildings Survey.

- Lots left vacant by demolition should be treated in a manner that is sympathetic to the historic context. In the residential and commercial contexts, a 5' high opaque barrier should be constructed at the building line, either a fence or plant materials or both. Parking should not be permitted on vacant lots. Community gardens or parks should be encouraged.

Relocation of Existing Buildings

Moving historic buildings out of, into or within the Historic District should be discouraged. The removal of historic buildings from the District has the same effect as demolition on the historic character of the District. Moving historic buildings within the District confuses the actual history of the District. Moving historic buildings into the District falsifies the existing historic record by adding a building that does not belong to either time or place. Relocating a building, however, is always preferable to its demolition.

NARRATIVE FOR APPLICATION TO HISTORIC DISTRICT REVIEW COMMISSION

120 SOUTH GOVERNORS' AVENUE DOVER, DELAWARE

This application seeks an Architectural Review Certificate of 120 S. Governors Avenue, a property within the Dover's (Historic District Zone) for which the applicant is requesting demolition.

Existing 120 S. Governors Avenue Street Building/Property

- See Photo Gallery for series/description of property and views (ATTACHMENTS 1-6)

Context for Demolition Request

While the applicant acknowledges the need to consider the historic value of properties within the Historic District Zone, this property is located within the block of S. New Street, an area severely challenged by chronic crime, vagrancy, drug-use, and prostitution. Despite the property being appropriately occupied with qualified, sustainable tenants over many years' time, and despite ongoing policing of the neighborhood and appropriate upkeep of the building and site for tenants and customers, the challenges that continue to increase within the block and encroach into the property have caused the neighborhood and particularly the property and building to deteriorate. It is time for a full redevelopment of the property to infuse new residential and appropriate commercial/retail occupancy that will revitalize the block and inject new life into this severely blighted area. Thus, demolition of the current building is necessary.

To accomplish this goal, this redevelopment project has been identified as a priority within the Capital City 2030: Transforming Downtown Dover! master plan, now

underway in downtown Dover. The plan has set the stage for a strong sustainable future for the downtown business district and neighboring communities of Dover for years to come. (ATTACHMENT 7)

Anticipated Scope of Demolition

At this writing, an Information to Bid (ITB) or Request for Proposal (RFP) has not been released for the demolition of this structure.

An Environment Assessment Asbestos Containing Materials Phase I Survey has been completed and approximately 220 square feet of Category I Non-Friable ACM has been identified at the Site. This material will be removed by a Delaware Certified Asbestos Abatement Contractor will be initiated prior to any demolition activities that could impact these materials.

For this structure, we anticipate responses to any Information to Bid or Request for Proposal, to propose a traditional demolition to the structure utilizing an excavator and skid steer working from the top to the bottom of the structure, and from the front to the rear. Disposing of the resulting work debris would be off-site to DSWA (Sandtown), using a Rolloff truck with containers removing concrete as required. The Rolloff truck containers will also dispose of all vegetation and overgrowth on the lot.

The demolition will include the installation of clean sand and gravel in the demolished area, compacted every 6 to 12 inches. A barricade fence is currently in place and will remain enhanced as the City of Dover permit might require. That fence will be removed once approved by the City of Dover.

We anticipate the construction of the replacement structure to commence as soon as possible after our participation in the required reviews and approvals.

In Consideration of Dover's Historic District Guidelines

The *Design Standards and Guidelines for the City of Dover, Historic District Zone*, in Chapter 4 entitled "*New Construction, Additions, Demolition, and Relocation, starting at Page 10 entitled "Demolition*" provided the DDP with guidelines regarding the criteria to be thoughtfully considered prior to the demolition of any structure, for any purpose in the City of Dover Historic District.

After a thorough review of the above guidelines, and coupled with the overall impact to the citizens of the City of Dover, we offer the following to support a proposed authorization to proceed with the demolition of 120 S. Governors Avenue, Dover Delaware:

- The 120 S. Governors Avenue property is not being demolished because of catastrophic damage or neglect. Now vacated, it is subject to loitering and vagrancy, and is a threat to public safety.
- The DDPs demolition of this vacant property, provides a critical component of the *Capital City 2030: Transforming Downtown Dover! Master plan* ("the Plan"). This plan was resoundingly supported by the State of Delaware, as reflected by a recent award of \$25M by Governor Carney to fund a Mult-Purpose Transportation Hub, and to partially fund the predevelopment costs associated with the replacement structure at the 120 S. Governors Avenue location. (\$15M ARPA; 10M Bond Bill)

- The highly anticipated mixed-Use redevelopment project at 120 S. Governors Avenue is a principal priority of the *Capital City 2030: Transforming Downtown Dover! Masterplan* (ATTACHMENT 8)
- The 120 S. Governors Avenue site, although within the Downtown Dover District, is vacant, and not a noteworthy source of revenue to the City of Dover.
- The projected redevelopment of 120 S. Governors Avenue is a mixed-use redevelopment project which, as of this writing, has identified sources for seventy-three (73%) of its required funding.
- Although this property is not listed on the *National Historic Registrar of Historical Properties*, if necessary, the DDP will facilitate the recordation of archival photographs of the property, prior to demolition.
- Upon receiving approval to demolish the 120 S. Governors Avenue parcel, and upon acquiring a Contractor for demolition through a formal solicitation process, for a menagerie of environmental, development and safety reasons, we will expeditiously permit for the demolition of the structure and begin the process for approvals for the replacement structure. A portion of the funding received from the State of Delaware has been targeted for this location, and those funds require allocation by the end of 2024 and fully expended by the end 2026.

The applicants appreciate the thoughtful consideration of the members of Dover's Historic District Review process and look forward to working with the Commission to ensure our combined goals will support Dover's sustainable and exciting future.

ATTACHMENTS 1-6

PHOTO GALLERY 120 SOUTH GOVERNORS AVENUE



Front of Property from Governors Ave.

S. Governors Ave
= (for all (-b))



Left Side of Property from Governors Ave.



South-Facing Side of Property



Back of Property from New St.



Back of Property (New St.) from parking lot.



North-Facing Side of Property

ATTACHMENT 7

(MASTER PLAN)

Capital City 2030: Transforming Downtown Dover!

For additional information on the Plan:

[DOVER Masterplan Presentation 1.31.23.pdf- Google Drive](#)

<https://tinyurl.com/CapitalCity2030>

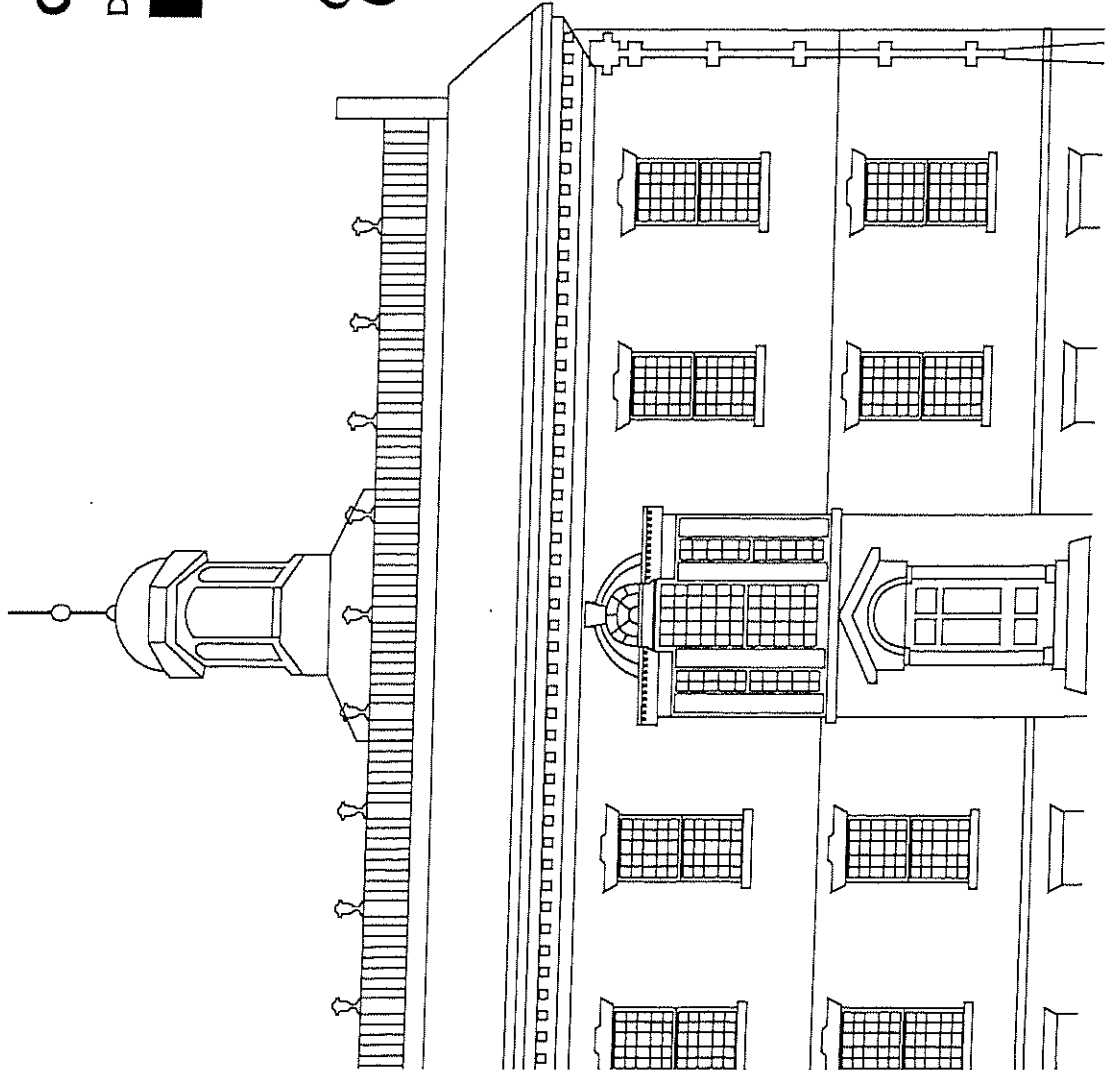
Transforming Downtown Dover

Capital City 2030

DOVER, KENT COUNTY, DELAWARE

January 2023

Executive Summary



Transforming Downtown Dover:

CAPITAL CITY 2030

TRANSFORMING DOWNTOWN DOVER: CAPITAL CITY 2030 provides a fresh and integrated approach to transform Downtown Dover and the surrounding area into a vibrant, thriving community and regional destination. With the support of the public, the business community and public officials, this document is intended to spur public and private investment to realize this vision.

The team engaged in an intensive listening process, reaching more than 800 residents, business owners, property owners, elected officials, and public and private stakeholders. The team then dissected key issues, needs and concerns to identify opportunities for meaningful growth.

They focused on a range of physical and programmatic solutions to jump start Downtown Dover and augment its already historic and bucolic setting. The areas of focus included key destination points, business attraction and connection, public financial support tools, architectural strategies, ground floor activation, multi modal transportation, public space, permits and zoning and new residential density.

The plan puts people first, with a focus on the customer who may be an employee, a resident, a student, a soldier, a nurse and artist, or a public servant. DDP's plan respects cars but is not constrained by them. The plan welcomes those who walk, cycle, use a scooter, take a bus or drive. We prioritize how streets interact with residents and visitors to increase

connection and improve the overall experience on the ground. Specifically, we reimagined the future Loockerman Street to again serve as the spine for the downtown district, having wider sidewalks, better tree infrastructure, brighter store fronts, more food and retail options, outdoor seating and traffic calming strategies.

The central premise of a reignited downtown district calls for density and connection to become the engines that drive change. The future requires new developments that activate ground floor spaces, adding nearly 1000 new residential units, a boutique hotel, centralized parking, more contemporary architecture, upgraded existing building structures, restaurants with outdoor seating, authentic retail, programmed public spaces, streamlined government approvals and government assisted financial incentives.

Our plan recommends incentives for building owners and businesses to stay or come to Downtown Dover. To attract and keep businesses, we recommend continued public investments in infrastructure, creating new financial tools such as TIFs to spur economic development, and an expedited path to approval for projects that align with the DDP plan.

By working with our existing key anchors, we start from a position of strength. These anchors are located within minutes of the downtown district, and include government entities, healthcare, and education. Delaware's state capital, its government agencies, Bayhealth, Delaware State University, and Dover Air Force Base are all longtime investors who could create synergy and directly benefit from a revitalized community.

These anchors employ and/or house thousands of people who currently are not fully engaged with downtown. This plan will build stronger connections through initiatives such as safe and convenient pathways from the anchor sites to downtown, quality residential housing and amenities and other programming that directly supports these anchors.



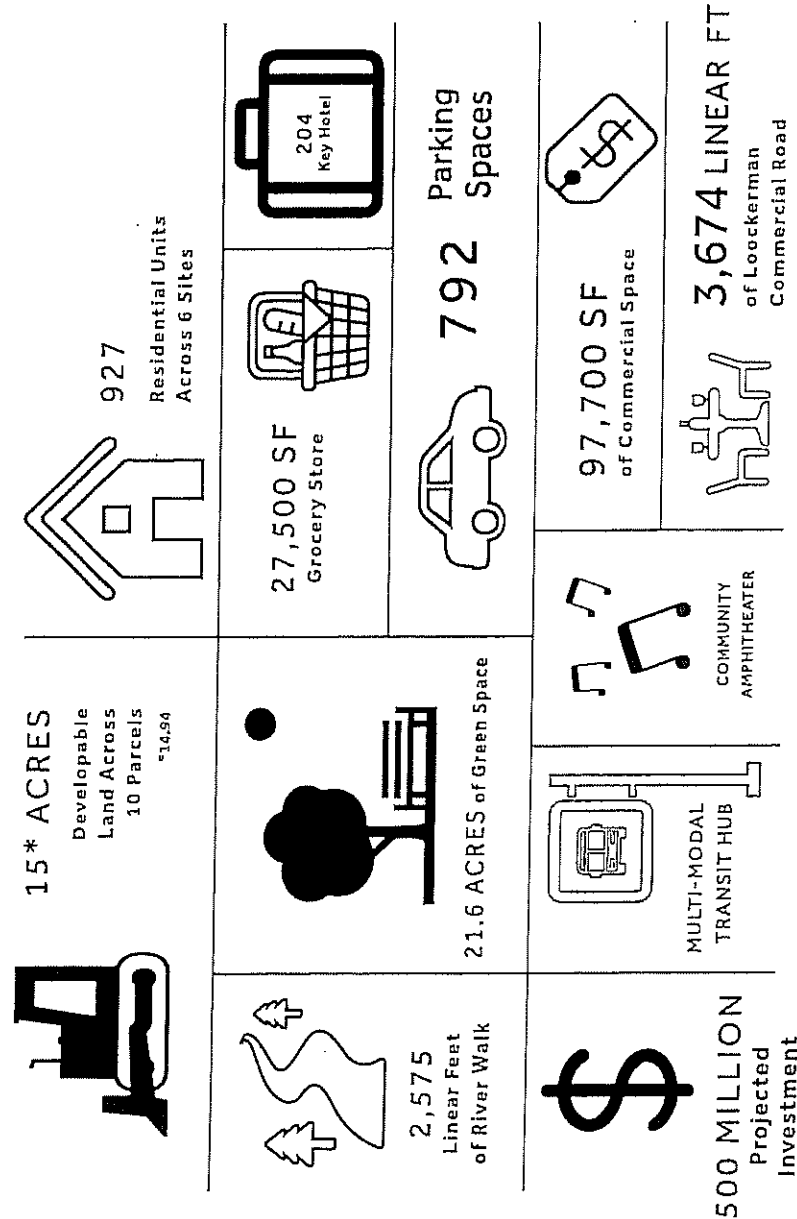
This plan was also built on the principles of equitable development. Building a more vibrant community also means including those who are traditionally left behind in the process. Dover has a large population of low- and moderate-income residents, many of whom need programmatic support to invest in job training, small business development, stabilized housing, and social support.

To help achieve that, we recommend attracting new businesses and training programs that emphasize local hiring, working closely with not-for-profits to leverage all investments, and working with established agencies to lessen the burden of homelessness, vagrancy, drug addiction and crime. The plan creates spaces for young people to learn, create and play, giving them new ways to enjoy the downtown.

To implement this plan, we recommend strengthening public-private cooperation. Leading this plan will be the Downtown Dover Partnership and its supporters. To assist them, we recommend adding a high-level development position to DDP to guide this project, convening a public-private Finance task force to investigate, implement, and manage financial incentives to bring investment to downtown, continue to outreach to the community to maintain support and engage the private sector directly in the development of DDP controlled sites.

Capital City 2030 will create a new downtown for the City of Dover. This will become a model community for people to live, work, and play. Working together, we can make the Capital of the First state of the nation a true destination worthy of its heritage.

Projected OUTCOMES



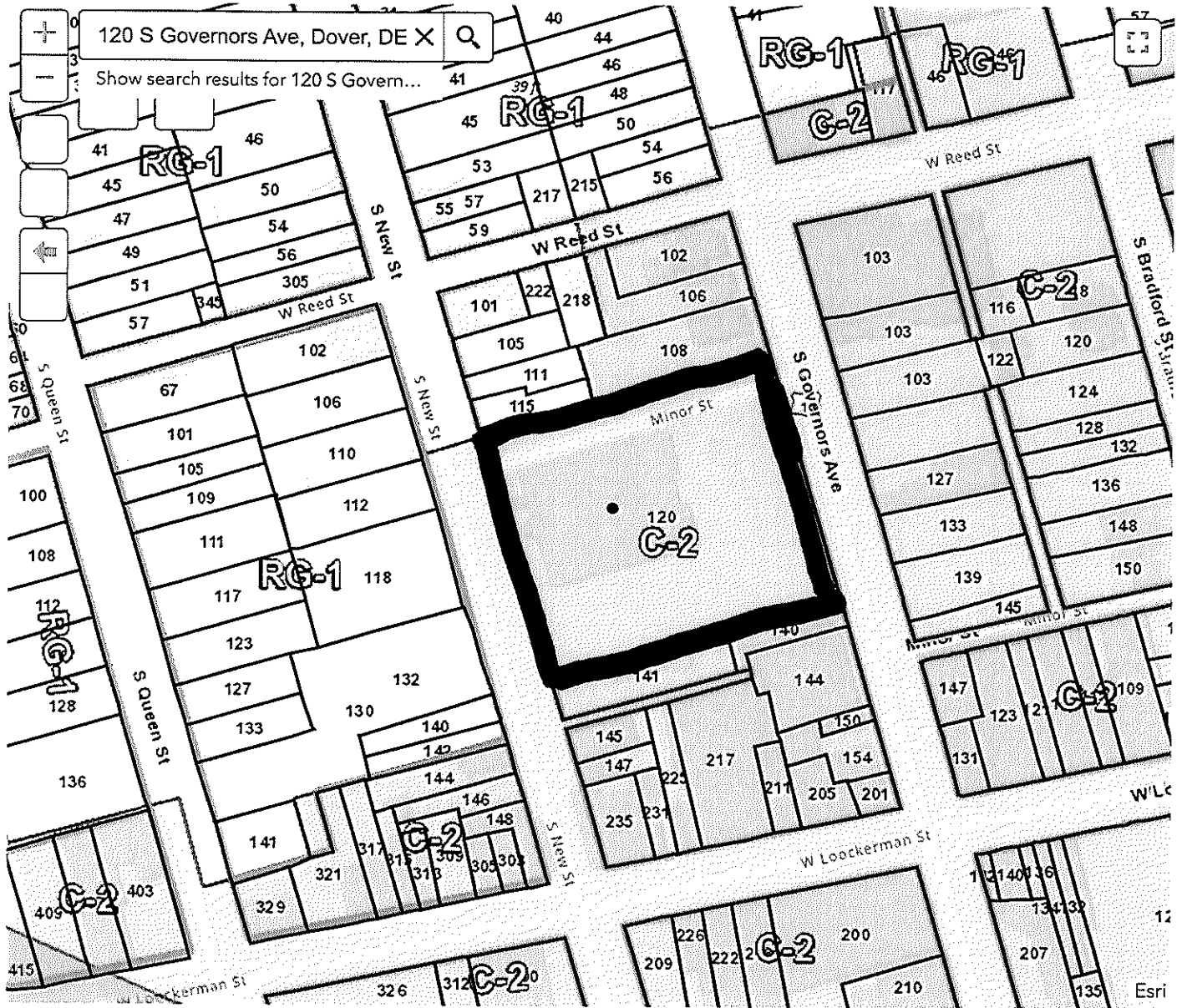


Dover Parcel and Zoning View

with Web AppBuilder for ArcGIS

Tax Assessor Data

Item 4.



loading... 200ft

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ATTACHMENT 8

(MASTER PLAN)

**Mixed Use Redevelopment Project Capital City
2030: Transforming Downtown Dover!**

Your chance of being a victim of crime in Dover may be as high as 1 in 12 in the central neighborhoods, or as low as 1 in 43 in the southwest part of the city. See the section on interpreting the crime map, however, because comparing rates for crime or any other crime is not as intuitive as it may seem.

Item 4.

Dover Total Crime Map

The map below shows a simple count for crime in Dover, meaning it will closely resemble state population maps.



By a simple count ignoring population, more crimes occur in the east parts of Dover, DE: about 602 per year. The southwest part of Dover has fewer cases of crime with only 42 in a typical year.

Inte

S. BRADFORD ST.



PHASE 2

MIXED USE BUILDING

PARKING STRUCTURE
(TARGET COMPLETION: 2026)

MOBILITY HUB

S. GOVERNORS AVE.

PHASE 1

COFFEE SHOP

RESIDENTIAL LOBBY

DAYCARE

FITNESS

GROCERY
(MULTIPLE FLOORS ABOVE
RESIDENTIAL ABOVE
GROUND FLOOR)

**SURFACE
PARKING**

LARGE SCALE PRIORITY #1



B. VIEW OF 120 GOVERNORS AVENUE ALONG SOUTH NEW STREET

120 Governor's Avenue

BRINGING BACK GROCERY AND RESIDENTS TO DOWNTOWN

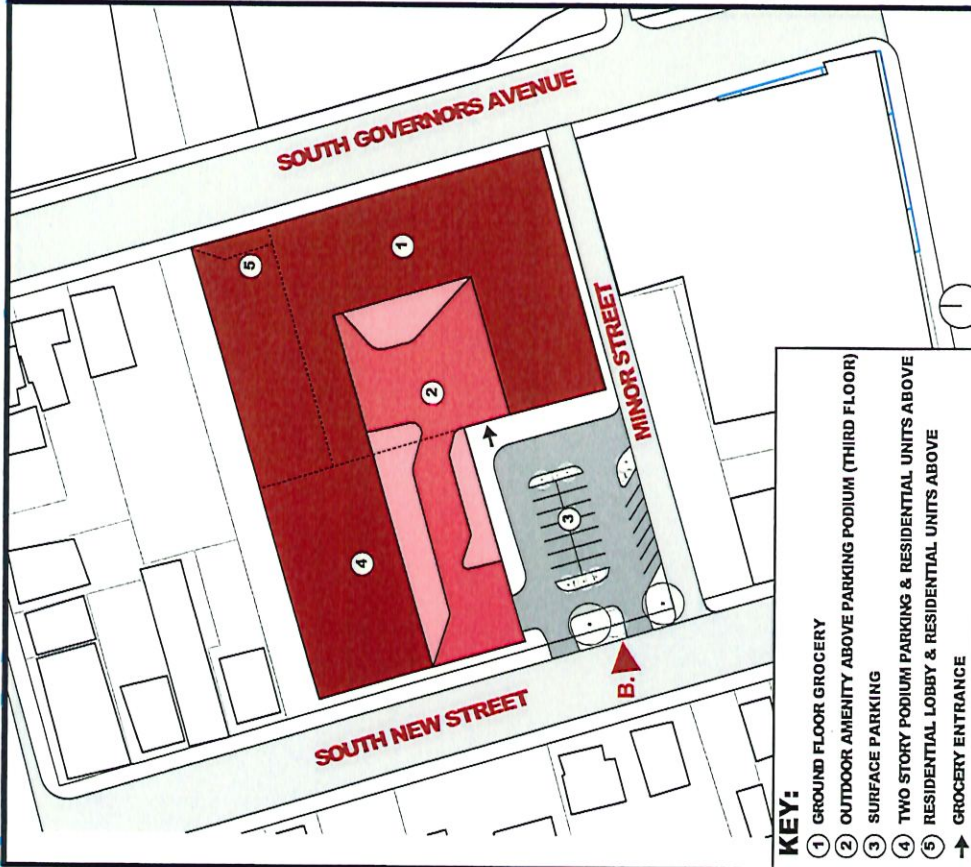
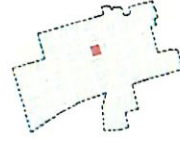
SITE METRICS

Acreage: 1.76 Acre

Building: 6 story Building (4-story Wood Construction over 2-story Steel Podium)

- Residential: 179,500 SF (196 units)
- Grocery: 27,500 SF
- Parking: (2-story Garage) 37,000 SF (113 Spaces)
- Outdoor Amenity: 16,300 (above Podium)
- Residential Support (Lobby, Amenity, etc.): 11,400 SF

Exterior Parking: 22 Spaces



KEY:

- 1 GROUND FLOOR GROCERY
 - 2 OUTDOOR AMENITY ABOVE PARKING PODIUM (THIRD FLOOR)
 - 3 SURFACE PARKING
 - 4 TWO STORY PODIUM PARKING & RESIDENTIAL UNITS ABOVE
 - 5 RESIDENTIAL LOBBY & RESIDENTIAL UNITS ABOVE
- GROCERY ENTRANCE

*Plan/Design is conceptual