CITY OF DOVER
HISTORIC DISTRICT COMMISSION
April 17, 2014

The Regular Meeting of the City of Dover Historic District Commission was held on Thursday, April 17, 2014 at 3:00 PM with Chairman Scrafford presiding. Members present were Chairman Scrafford, Mr. McDaniel, Mr. Fisher, and Mr. Salkin (arrived at 3:14pm) Mr. Jackson was absent.

Staff members present were Mrs. Melson-Williams, Bill Cook, Mrs. Purnell, Mrs. Townshend, and Mr. Koenig. Also present were Heather Adam, Caroline Dworkin and Eric Czerwinski.

APPROVAL OF AGENDA

Mr. Fisher moved for approval of the agenda as submitted, seconded by Mr. McDaniel and the motion was unanimously carried 3-0. Mr. Salkin arrived at 3:14pm and Mr. Jackson was absent.

ADOPTION OF MINUTES OF THE REGULAR HISTORIC DISTRICT COMMISSION MEETING OF MARCH 20, 2014

Mr. Fisher moved to adopt the minutes of the regular Historic District Commission meeting of March 20, 2014, seconded by Mr. McDaniel and the motion was unanimously carried 3-0. Mr. Salkin arrived at 3:14pm and Mr. Jackson was absent.

COMMUNICATIONS & REPORTS

Summary of 2013 Activity

Mrs. Melson-Williams stated that included in the packet was a summary of applications from both 2014 and 2013. For 2014, the Historic District Commission will be hearing their third application of the year. The other two items for the year were a sign permit referral that was worked out by Staff and the Kirby & Holloway signage. For 2013, the Family Dollar project should be moving forward. The Demolition and Building Permits have been issued. Pre-Construction meetings have been held with City Staff. Last month there was a question regarding HI-13-04 and the permit for the Replica Outhouse at 33 The Green. The Permit has been ready for issuance as of last April, but there has been no action on the Permit. At a certain point they will need to reapply because the permit would have expired. Since it was a Permit that was a referral to the Historic District Commission, it should only require Staff Review unless the plans have changed.

Responding to Mr. Fisher's question of whether the permit had expired, Mrs. Melson-Williams stated that she was not sure regarding the Building Permit since it was ready a year ago.

With the 2013 North Street Pocket Park application, the Final Plan Approval was granted. The Pre-Construction meeting was held and the construction will begin within the next two weeks.

Mrs. Melson-Williams asked if there were any questions regarding the applications and their status.

Responding to Mr. McDaniel's question of whether the owners of the Kirby & Holloway

Restaurant acknowledged anything or say thanks (regarding the sign determination), Mrs. Melson-Williams stated that she had spoken to several of those working on the project and she informed them that everything was successful.

Summary of Architectural Review Certifications for 2014
Mrs. Melson-Williams stated that it is a summary of all the permit activities in the Historic District for the year. A large number of the permits are eligible for staff approval. Through the end of March 2014 there have been a total of 18 permits. Two of the permits were associated with applications that came before the Historic District Commission.

Mrs. Melson-Williams asked if there were any additional questions regarding the permits.

Responding to Mr. Fisher's question of whether the signage near the tree at Dale's Bail Bonds located south of The Green is allowed, Mrs. Melson-Williams stated that they would look into it.

Department of Planning & Inspections Update
Bicycle & Pedestrian Sub-Committee
Mrs. Melson-Williams stated that the Bicycle & Pedestrian Sub-Committee continues to meet. If the Historic District Commission has anything that would be of interest to the Committee that you have observed as a bicyclist or pedestrian let Staff know so that the information can be forwarded.

Central Dover Community Plan
Mrs. Melson-Williams stated that the Central Dover Community Plan also referred to as the "Restoring Dover Plan" will begin their Open House in early May. She will inform the Historic District Commission of the date and location of Open House. They will be using a storefront along Loockerman Street as the area to visit.

Citywide Recreational Needs Assessment
Mrs. Melson-Williams stated that the Planning Office and the Parks and Recreation Division have started gathering and mapping some of the information from existing studies. This is an on-going project and they will bring forth any needed information to the Historic District Commission. The report will be due by the end of the year.

Responding to Mr. Fisher's question of the status of the needs assessment and the use of space at the Old Dover High School, Mrs. Melson-Williams stated that she was not aware of the needs assessment looking at that option. Initially, it is meant to study what the City has as recreational assets and the needs of the City.

OLD BUSINESS
None

NEW BUSINESS
Review of Building Permits Referred to Commission
Mrs. Melson-Williams stated that there were no Building Permits to refer to the Historic District Commission today. Today Staff completed the review of a project at 5 South State Street regarding roof shingles that will be replaced in-kind. Another was a permit for 29 West Loockerman Street to

propose work on the pent wood awning on the front of the building and cleanup of the first floor of the building. The other permit that will need to be reviewed by Staff is for 210-212 South Governors Avenue and a major roof replacement. They are proposing a metal roof system (pent wood awning). They are also working on the transition from the first floor to the second floor. They would like to paint the brick on the first floor of the building and they will be advised that it is not appropriate.

Responding to Mr. Fisher's question of what happened to the Governor's House and if there was some type of stable built in the rear, Mrs. Melson-Williams stated that there is a vegetable garden area that is east of the house.

Mrs. Melson-Williams stated that she had an inquiry regarding 36 The Green for the front porch or deck area that needs some repair on the southwest corner of the building. No permit has been filed at the current time.

Update on Certified Local Government (CLG) Program Application
Mrs. Melson-Williams stated that Staff has not had the opportunity to make any progress on the application. An information packet was received from the State Historic Preservation Office program manager.

Responding to Mr. Fisher's question regarding the requirements of CLG, Mrs. Melson-Williams stated that one of the requirements of a CLG program is a Historic District Commission of a certain membership characteristic with certain review responsibilities.

Mr. Salkin arrived at 3:14pm.

NEW APPLICATIONS

HI-14-03 at 6 South State Street – Public Hearing and Review for Recommendation on the Architectural Review Certification associated with a Site Plan to permit the construction of a parking lot, handicap access, and the landscape plan. The property is zoned RGO (General Residence and Office Zone) and is subject to the H (Historic District Overlay Zone). The property is located on the southwest corner of South State Street and Division Street. The owner of record is Six South State, LLC. Address: 6 South State Street. Tax Parcel: ED-05-077.05-04-27.00-000. Council District 3. *Associated with Site Plan Application S-14-11*.

Mrs. Melson-Williams gave a summary of the report and stated that Staff provided a Review Report, application plan, photo and submission from the applicant. They would like to convert the entire building to office space and they will need to construct adequate parking for the office facility. It involves a ten (10) space parking lot, tree plantings, existing wrought iron decorative fence, and metal gazebo.

Representative: Conny Malmberg and Glenn Mandalas of Six South State, LLC; Troy Adams of Mountain Counsulting; and Cameron Llewellyn of Tidemark, LLC.

Mr. Malmberg stated that this was one of the grand old buildings of Dover. The intended use of the building is for the law firm of Baird Mandalas & Brockstedt. It will require a few more parking

spaces. There six (6) additional parking spaces across the alley that are existing. They are not doing anything with them at the current time. The additional spaces do not appear on the plan. The building is being restored to its original condition as best as they can. With regard to the interior, they are removing the framed up walls that have been added over the years. They are removing a lot of the apartment facilities that were added. There are no changes anticipated for the outside of the building. The colors will be maintained closely as they are right now. The intention is to patch and paint as close to the current color as possible. The back of the property near the alley has pull in parking spaces with a walkway in front of it which ties into the handicap ramp that goes into the doorway that faces the south. All of this other than the parking lot, including the railings to the ramp, is rarely visible from Division Street and not at all visible from State Street. There is also a landscaping plan that was submitted. They are working with a landscaper as to what trees to keep and what trees not to keep and plantings that may go in as far as shrubs. The landscaping plan is not complete because part of the process is to figure out what trees will need to be removed. He will address the items more specifically when he goes through Staff comments. There were five (5) noted to be saved and the one in the middle (loblolly pine) is dangerous. There are large limbs hanging over both their property which is a long way from the tree and over the adjacent house which is very close to it. The intention is to elevate the tree as much as possible to save it, but they want permission if necessary to take it out. If the tree is removed they will plant a similar tree 10 to 12 feet in height.

Mr. Malmberg reviewed and discussed Staff comments. He stated that for the most part he was fine with the comments.

Responding to Mr. Malmberg's question whether he needed to get a parking waiver recommendation from the Historic District Commission, Mrs. Melson-Williams stated no, the Planning Commission will consider the waiver to reduce the parking.

Responding to Mr. Malmberg's question whether the parking is presumed 20% automatically, Mrs. Melson-Williams stated that in the Downtown area 20% waiver is a given. The Planning Commission can waive up to 50% of the parking requirement.

Mr. Malmberg stated that they have six (6) spaces across the street and they plan to have ten (10) more which will put them at the 20% reduction. But the Staff recommendation is to wipe out one of the spaces and it is the space closest to Division Street. He thinks the recommendation is to allow a wider area for planting screening and the response to that is a soft objection. They could use the space and do upright hollies about 2 feet. There is enough dirt to cheat the plants towards the fence and have four feet of root structure. They are asking to not to comply with Staff recommendation, but if needed they are fine wiping it out and grading down to the remainder of the parking lot.

Chairman Scrafford questioned of how they are going to be able to use it. His interest is in the property across the alley and the parking garage on the west side of the alley that looks to be about 30-40 feet from the sidewalk. There is a nose on the property that extends out and almost inhibits the ability to use the first space. Mr. McDaniel stated that in order to use that first space the easiest way would be to come from the south behind the church. Mr. Malmberg stated that they thought they would ask and they are aware it is a tight space. There is not very convenient on-street parking in that area.

Chairman Scrafford questioned whether on-street parking was included with the analysis, Mrs. Melson-Williams stated no. The number of parking spaces needs to be located on-site, and they are calculated based on the size of the building. It is to be on the same property as the building. There is the ability for accessory parking, but it is on another property. Street parking does not count towards meeting your parking requirements.

Chairman Scrafford stated that it seemed like it was used in order to compute parking for Treadway Towers. They used the street between them and the Post Office for a number of the spaces.

Mrs. Melson-Williams stated that on-street parking is not used in the computation or credit towards any one property's parking requirements. It may be looked at in general if they are looking at any kind of parking waiver. For parking waivers, they look at the characteristics of the area such as municipal parking lots, transit, on-street parking, sidewalks for walking ability, bike parking, and any other options for parking other than on-site.

Mr. Adams stated that they looked at the spaces as they were laid out and there is about 4 foot between the tail end of each space and the actual right-of-way line in the alley. The spaces can be pushed up more to allow for easier maneuverability getting in and out of the spaces.

Mr. Malmberg stated that there is a proposed retaining wall that is perpendicular to Division Street and they have room to grade instead of the retaining wall.

Responding to Chairman Scrafford's question of how it deals with the gazebo, Mr. Malmberg stated that it is okay with the gazebo per Mr. Adams, because they are not moving the gazebo.

Responding to the recommended conditions:

Mr. Malmberg referring to sidewalks and paved areas stated that if there is any sidewalk on the Division Street side of the property that is visible they will be glad to lay brick. The sidewalk that is being referenced and the sidewalk that is going into the back door with the new handicap entrance ramp are not visible from Division or State Streets. They do not want to waste money on bricks when they use the money to repairing the cornices around the property. They prefer not to be required to use brick on any of the sidewalks.

Mr. Malmberg stated that they will retain and maintain the wrought iron fence and the metal gazebo on the property. He was fine with relocating the proposed Crepe Myrtle trees from the front sidewalk area to the lawn area north of the building. He did not have a problem with maintaining unpaved areas of the property as lawn areas with landscape beds in the areas of shrub plantings for ease of maintenance. No problem with utilizing black posts for any signage elements to be attached to posts i.e. handicapped parking signage. If the sign is illuminated, it will be externally lit and the lighting fixture will be screened from view. The construction format and materials of the handicap access ramp will be constructed of concrete.

Mr. Malmberg stated that they will have sign approval before they do construction.

Mr. Malmberg stated that the asphalt sidewalk is just an extension of the parking area although it will be marked differently.

Responding to Chairman Scrafford's question whether the two sidewalks perpendicular to the parking if they were going to be concrete, Mr. Malmberg stated yes.

Responding to Chairman Scrafford's question whether the traverse between the bumper blocks and the end of the parking is the location of the walkway, Mr. Malmberg stated yes.

Mr. Malmberg questioned what and when on Item (d) because they do not have final decisions on the shrubs.

Responding to Chairman Scrafford's question if he had a landscape plan, Mr. Malmberg stated no.

Responding to Chairman Scrafford's question whether there will be a plan, Mr. Malmberg stated that they will do whatever the Historic District Commission wants regarding a landscape plan.

Chairman Scrafford questioned what exactly he was saying about what goes in the planting areas or where the planting areas go, or if there are planting areas, Mr. Malmberg stated that the recommendation stated to maintain unpaved areas of the property as lawn areas with landscape beds in the areas of shrub plantings for ease of maintenance. He stated that they are good with it, but does not know the specifics.

Chairman Scrafford stated that it is talking about one side which is the north side of the building between Division Street and the building; Mr. Malmberg stated correct.

Mrs. Melson-Williams stated whether the shrubs are planted and are in some type of a landscape mulch bed rather than planted individually which then you would have to mow around. The question relating to Item 3d is that there are several labels on the landscape plan that was submitted. It has no defined edge so Staff could not tell if the whole north side of the building would be one big mulch area or areas of lawn.

Mr. Malmberg stated that they would have defined beds and grass areas.

Mr. Llewellyn stated that they cannot design a landscape plan until he knows what trees will be staying and the ones that will be removed. Once he has that information then he can do the landscape plan.

Responding to Mr. Salkin's question whether the Planning Commission had jurisdiction over which trees should be removed; Mrs. Melson-Williams stated that they received a landscape plan that has to be certified by a landscape architect as one of the site plan requirements. The plan should identify any existing trees that will be removed as well as any new tree plantings. The project site has to meet the tree planting requirement based on the total lot area. Beyond that there is nothing that describes that you have to have a certain number shrubs or any other plantings. The only thing that may play into it is screening needed for other purposes such as in this case the parking lot area to make things that look more modern go away from the visual view.

Responding to Mr. Fisher's question whether the new planting do not have to be native, Mrs. Melson-Williams stated that there is nothing in the Code that prescribes it one way or the other. There are some trees that are not recommended for various reasons such as disease and that don't work well. The trees are more about "the right tree for the right place" and the size at maturity.

Chairman Scrafford questioned if they satisfy that they are addressing the issue and if it satisfies the Historic District Commission's interest. Mrs. Melson-Williams stated that the Historic District Commission's interest would be if there is any screening that is needed beyond the natural. They did submit a plan that shows certain trees are proposed for removal because of their condition.

Mr. Malmberg stated that the required bicycle parking rack should be black in finish color and to look at using the extra fencing along the alley way.

Responding to Mr. McDaniel's question regarding the location of the bicycle rack, Mr. Adams stated that the bicycle rack will most likely be located on the south side near the handicap space; it was not located on the plan.

Mr. Malmberg stated that he was fine with the mechanical equipment being located so that it is not be visible from the streets and to have appropriate screening by plantings, lattice, etc. There is some existing that can be seen from the street that cannot be removed, but will be screened.

Mr. Malmberg stated that he understood that additional information on the size and materials of the proposed sign will be required for submission and review of the required Sign Permit.

Mr. Malmberg stated that the fence is 3 feet in height other than it has periodic end pieces that are higher than the 3 feet. They will be maintaining it. They will determine the dumpster location.

Chairman Scrafford stated that in the past there was a problem with the dumpster and an elevated trash container was built and private service was used. The dumpster must be screened.

Mr. Llewellyn stated that the nature of their business is a law firm which means the majority of their refuse will be shredded documents that will be picked up by a service.

Mrs. Townshend stated that the Public Works Department is getting out of the Commercial collection.

Responding to Chairman Scrafford's question if alley was one side or both side pickup, Mr. Llewellyn stated one side which is the west side.

Responding to Mrs. Townshend's question of how many containers they currently have, Mr. Malmberg stated one.

Mr. Malmberg stated as he referred to Item #7 that the only exterior improvement to the building is repairing and repainting.

Mr. Llewellyn stated that the key for that building is to get all the ivy off and stop deterioration. Mr. Malmberg stated and to remove the overgrown trees.

Responding to Chairman Scrafford's question if there is only going to be repair with minor replacements will it be under your preview as long as they keep with the existing materials and shapes they can go to the Planning Department. Mrs. Melson-Williams stated that depending on what the extent and the level of activity for repair they may suggest a Building Permit to confirm that they are doing a replace in-kind scenario. If they are just doing minor patching to then paint the cornice it probably does not rise to that level, because we do not require a Permit for painting.

The exterior things by her understanding have been minor. There was within the last couple of years a Building Permit for that property when they had to reconstruct part of the front porch. It was a permit that Staff was able to review because they were rebuilding in-kind and with the same detailing.

Mr. Malmberg stated that from his understanding the issues for this group is the handicap ramp material and the spacing for the parking lot. Chairman Scrafford stated yes.

Mr. Malmberg stated that from the recommended conditions he understood numbers 8, 9, 10, 11, and 12.

Chairman Scrafford declared the public hearing open.

There being no one wishing to speak, Chairman Scrafford declared the public hearing closed.

Discussion from the Historic District Commission

Responding to Mr. McDaniel's question whether there will be an elevator in the building, Mr. Malmberg stated no.

Mr. Malmberg stated that he liked the project. They can have the parking space. They can use asphalt instead of brick.

Responding to Mr. Salkin's question regarding the sidewalk and the ramp leading up to the house for the parking lot because on the two plans there are two different proposals. On one the ramp and sidewalk are side by side and he was not sure if he was clear on why there needs to be two sidewalks coming off the parking lot at the beginning. Mr. Llewellyn stated that the Code requirements per talking to Greg Akers stated that they needed a little more rise. In order to get the rise and not have the ramp stick out of the back and be visible to the street, he along with Mr. Adams thought it would be best to spread the ramp away from the sidewalk to have more travel to turn left and head towards the building. This would also allow for landscaping between the sidewalk and the ramp. This would allow for some plants there and then they would not have to go to the expense of putting brick on there.

Responding to Mr. Salkin's question that the sidewalk is proposed to be concrete from the parking lot to the door, Mr. Llewellyn stated correct. It is their intent to take the salvage brick that was found around the project add some ribbons in the sidewalk and break it up with bricks to put back into the project as a gift to Mr. Malmberg and the firm.

Mr. Salkin questioned and asked them to explain what's outside of the footprint of the ramp. Mr. Llewellyn stated that there will be vertical walls; they will be parged block so that they will have a structure to carry the concrete ramp and keep it stable. On the other side there will be boxwood and traditional plants. The plan is that it will not be visible from the south property with landscaping.

Mr. Salkin stated that he did not have any preference regarding the brick. It would be nice if the sidewalk and the parking lot was concrete as opposed to asphalt.

Mr. Llewellyn stated that the positive for the asphalt is they can use deicing chemicals in the winter so that they can get safe access. If they use concrete they would have to use a much more expensive product to make it safe.

Responding to Mr. McDaniel's question if the handicap ramp needed a railing, Mr. Malmberg stated no, it will be black metal per Code requirements and Staff recommendations.

Chairman Scrafford commented that the handicap parking and the location of the striping for the exit from the handicap vehicle seems to be on the wrong side. The passenger side is normally where the striped egress side is from the vehicle.

Mr. Malmberg stated that it was not a problem.

Mr. Salkin questioned if there was an existing porch where the ramp and sidewalk comes together, Mr. Malmberg stated yes.

Mr. Salkin questioned what was being eliminated, Mr. Llewellyn stated the stoops. It is just the step and the door.

Mr. McDaniel questioned if they had taken down the fire escape, Mr. Llewellyn stated yes.

Mr. McDaniel questioned if there were required fire escape for offices, Mr. Llewellyn stated no, according to Mr. Akers.

Mr. Malmberg stated that they have a more stringent smoke alarm because of one access.

Chairman Scrafford commented that the screening not be too dense because it creates a place for people to congregate behind it. You want to screen it so that it can still be seen through.

Mr. Salkin stated that he supports Staff recommendations to remove the space for a variety of reasons and safety, but it would be much more attractive to buffer a historic building to have a much brighter landscape buffer so it does not have to be vertical dense evergreen, because it looks out of character. The ability to have a 10 foot wide buffer with some evergreen is appropriate.

Mr. McDaniel moved to approve the project as recommended in the Staff recommendations with the following exceptions that they put the parking spaces where they want, allow them to construct the handicap access ramp out of concrete, allow them to have the asphalt and the concrete sidewalk if they want in the back, and recommendation of approval to the Planning Commission in regards to the Architectural Review Certification, seconded by Mr. Fisher and the motion unanimously carried 4-0. Mr. Jackson was absent.

Mr. Salkin stated that he supports the motion completely except for the parking portion.

Mr. Fisher moved to adjourn the meeting; seconded by Mr. McDaniel and unanimously carried 4-0. Mr. Jackson was absent.

Meeting adjourned at 4:07 PM

Sincerely,

Maretta Savage-Purnell
Secretary