CITY OF DOVER
HISTORIC DISTRICT COMMISSION
MARCH 21, 2013

The Regular Meeting of the City of Dover Historic District Commission was held on Thursday, March 21, 2013 at 3:00 PM with Chairman Scrafford presiding. Members present were Chairman Scrafford, Mr. McDaniel, Mr. Fisher, and Mr. Jackson. Mr. Salkin was absent.

Staff members present were Mrs. Melson-Williams, Ms. Cornwell, Mrs. Townshend, and Mrs. Purnell.

APPROVAL OF AGENDA

Mr. Jackson moved for approval of the agenda as submitted, seconded by Mr. McDaniel and the motion was unanimously carried 4-0. Mr. Salkin was absent.

ADOPTION OF MINUTES OF THE REGULAR HISTORIC DISTRICT COMMISSION MEETING OF FEBRUARY 21, 2013

Mr. Fisher moved to adopt the minutes of the regular Historic District Commission meeting of February 21, 2013, seconded by Mr. McDaniel and the motion was unanimously carried 4-0. Mr. Salkin was absent.

COMMUNICATIONS & REPORTS

Training Opportunities

Mrs. Melson-Williams stated that included in the packet was information regarding the upcoming Historic Preservation Commission Training Session on Design Review to be held on Saturday, April 27, 2013 in Lewes, Delaware. The workshop will be led by Sharon Kennedy, Chairman of the Annapolis Historic Preservation Commission. The workshop is free and formal invitations will be issued, please inform Staff if you would like to attend.

Update on Discussion-Role and Scope of the Historic District Commission and Historic District

Mrs. Melson-Williams stated that there was a community outreach meeting that was held in a workshop session by the Planning Office at the Dover Public Library on February 26, 2013. There were two (2) presentations and facilitated discussions led by an outside consultant. There were thirty (30) members from the public that attended. Mrs. Townshend reported to the City Council Legislative Finance and Administrative Committee the ideas regarding how the process could be streamlined and how the City could improve the preservation if it's historic character. There are no specific recommendations to implement at the present time. Planning Staff will continue to conduct additional public outreach on the topic that will include a survey and more refinement of the ideas that were put forth.

Mrs. Townshend stated that she hopes within the next two weeks to have a survey on-line and to send it to all who participated. She hopes the information would be forwarded and looks forward to receiving feedback. There were no comments on eliminating the Historic District Commission.

There was an inquiry to expand the District on State Street.

NEW BUSINESS

HI-13-03 Capital City Trail Project: Phase 2 – Presentation on Phase 2 segment of the Bicycle/Pedestrian Improvements Project for the Capital City Trail. A presentation of the design concepts for bicycle and pedestrian path improvements between Martin Luther King Jr. Boulevard (previously known as Court Street) and East Loockerman Street in the area east of the Delaware Public Archives. The segment is located within the Historic District zone. *A Presentation on Phase 1: Court Street Gateway was given in July 2012 (HI-12-04).*

Mrs. Melson-Williams stated that in July 2012 a presentation on Phase I of the Capital City Trail Project was given which focused on the segment of Court Street that is now called Martin Luther King Jr. Boulevard extending east from Legislative Hall to Route 13 and progressing south along Route 13. Phase 2 of the project is from the Legislative Hall area going over to Loockerman Street. The project is a Bicycle/Pedestrian path improvement.

Representative: Jon Hermes of Century Engineering

Presentation:

Mr. Hermes stated that the Phase 1 work will begin at the end of April 2013. The Historic District Commission approved that a brick pattern be used for the sidewalk from Legislative Hall to Family Court. The same style will continue on Phase 2 that will start from Martin Luther King Jr. Boulevard to the Delaware Public Archives and tying into Loockerman Street. Phase 3 will ultimately connect to Silver Lake Park. In the handout was a map of the alignment and path area and the color of brick to be used. The brick path will go around the existing stormwater pond. A wall will separate the Delaware Public Archives parking lot and pathway. There will be a straight alignment and no additional lights will be added. Landscaping, larger trees, and small plantings will be added at the end of the project. Four benches will also be added. Today they wanted to discuss the type of wall between the parking lot and pathway as shown on the plan. The three alternatives presented were: brick walk with brick wall, brick walk with concrete curb-like wall, and brick walk with red colored split-face concrete block wall. He stated that all three will work well, but the cost difference varies yet all fit in the budget.

Responding to Mr. McDaniel's question regarding when the work would start on Phase 2, Mr. Hermes replied 2014. He stated that it would be a ten foot wide path. The plan would begin as soon as Phase 1 was completed. The construction will take at least 120 days.

The Historic District Commission was in agreement with the first alternative: a brick walk with brick wall. Mr. Salkin was absent.

HI-13-04 Building Permit #13-260 for John Bell House at The Green – Referral by the City Planner to the Historic District Commission for Review of Architectural Review Certification for Building Permit application #13-260 for construction of an accessory structure (historic replica outhouse). The project site is zoned RGO (General Residence and Office Zone) and subject to the H (Historic District Zone). The property is located east of South State Street on the southeast side of The Green. The owner of record is the State of Delaware. The property address is 43 The Green. Tax Parcel: ED-05-077.09-05-28.00-000. *Also associated with Building Permit #13-261 for a fence.*

Mrs. Melson-Williams stated that because of the location in the Historic District a permit was filed that was referred to the Historic District Commission. The permit filed was for construction of a historic replica outhouse as an accessory structure in the rear yard of the John Bell House. The associated permit is for the construction of a wood picket fence to surround the back yard area. Staff reviewed the submission in regards to the *Design Standards and Guidelines for the City of Dover Historic Zone.* Staff found that the building construction does meet the recommended practices found in the *Design Standards and Guidelines.* Staff had concerns about the building location. The *Zoning Ordinance* requires that accessory structures be a minimum setback of five feet from side and rear property lines. The location of the outhouse building will be less than five feet from the rear property lines of the John Bell House. The Historic District Commission is authorized to waive certain bulk standards including setbacks when issuing an Architectural Review Certificate.

Chairman Scrafford asked if there were any questions.

Representative: Ms. Elaine Brenchley of First State Heritage Park

Responding to Mr. McDaniel's question if there was going to be a fence around the outhouse and it would not be available to the general public, Ms. Brenchley replied correct. It will be for use by Staff and people who are taking tours. In the evening, there are no bathroom facilities for people who are on The Green taking tours. The fence will be locked and access will be through the house and the outhouse will also be kept locked.

Responding to Mr. McDaniel's question if the building was heated, Ms. Brenchley replied yes.

Responding to Mr. McDaniel's question as to when the four (4) boxwood between the John Bell House and the Sykes House that were removed were going to be replaced, Ms. Brenchley stated that she was unaware; he would need to ask someone at the Courthouse. Also responding, Mrs. Melson-Williams stated that Staff visited the site and there was boxwood that had been placed at the rear of the Sykes House. They are not near the fence or between the buildings. The boxwood helps screen some of the HVAC units in that area.

Responding to Mr. McDaniel's question if the boxwood were planted in the correct location, Mrs. Melson-Williams replied they were implemented as shown on the plan.

Responding to Mr. Fisher's question if there was access through the gate in the fence to the outhouse as well as through the building, Mr. Scrafford replied yes.

Mr. McDaniel moved to approve application HI-13-04 at 43 The Green for the location and construction of an accessory structure (historic replica outhouse) and fence as shown on the plans, seconded by Mr. Jackson and carried with four (4) yes. Mr. Salkin was absent.

HI-13-02 Family Dollar at 300 West Loockerman Street – Public Hearing and Review for Recommendation on the Architectural Review Certification for demolition of the existing commercial building and for construction of a new 8,308 S.F. retail building and associated site improvements. The property is zoned C-2 (Central Commercial Zone) and is subject to the H (Historic District Overlay Zone). The property is located on the southwest corner of West Loockerman Street and South New Street. The owner of record is Fisher/Grimes Partnership and equitable owner is Chesapeake Group, LLC. Address: 300 West Loockerman Street. Tax Parcel: ED-05-077.09-01-69.00-000. Council District 4.

Mrs. Melson –Williams gave an overview of the Architectural Review Staff Report dated March 21, 2013 that was included in the packet. The application is a proposal for a Family Dollar to be located at 300 West Loockerman Street. The property is listed on the National Register of Historic places as part of the Victorian Dover Historic District. Staff did preliminary work related to the history of the site. As early as the late 1800's, the property is being utilized as the Dover Machine Works and Auto Junk Yard with auto storage and repair. Sometime between 1929 and 1951 the property was redeveloped with the construction of a new building for auto sales and services. Planning Staff included information from the *Dover Transit Center Neighborhood Plan and Design Book (January 14, 2011).* She stated that included in the Staff Report were comments and recommendations as well as a series of advisory comments.

Representative: Conny Malmberg, Attorney at Young & Malmberg on behalf of the applicant and Mr. Doug Liberman of Larson Engineering Group, Inc.

Mr. Malmberg stated that this project started with a different design and there were a number of concerns raised by Staff in regards to the architecture, materials, site safety from a traffic flow prospective and visibility of parking from Loockerman Street. He stated that they have worked through all of the issues except for the parking. After addressing this in the presentation, he thinks that they will have satisfied most of the concerns. There is not a significant alternative to the building footprint. There is a pattern book that concentrates mainly on the difference of the street parking on the east and west side.

Mr. Liberman gave a presentation and provided copies of a handout book of information to members of the Commission. Referring to the presentation he stated that the building is split into different elevations in the roofline as well as materials. The facades were alternated to look like a couple of different buildings instead of a long blank face that you typically see at other stores. The site going across Loockerman Street is only 100 feet wide. In order to construct the building

and the parking as requested by Family Dollar, it would include the current layout presented. It would exit off of New Street and have parking alongside the building with a drive aisle. There will also be parking spaces along the alley with parking bumpers. Grass curbs islands have been added to the site. The landscaping added does meet the City of Dover Code for tree requirements. Majority of the layout was dictated by Family Dollar. They want a lot of parking oriented to the front door and the truck loading area to be able to pull into the site and back to the door. They did not want to back from an alley into a loading area. Family Dollar safety concern was they did not want trucks backing in from the street or alley as they have done in the past because of a fatality where a pedestrian was hit. He stated that he reviewed photo documentation from the 1960's of the original building when it was occupied by the Volkswagen dealership. He then discussed the layout of the building renovations, window style changes, mansard style roof, doors and parking as it was used by the NAPA Store. Referring to the aerial key map he discussed locations of the site and parking lots throughout the area that included My Place Restaurant, Delaware Health Care, Army/Navy Store, Capital Cleaners, Keen Gas Station, Church and Cemetery area, and Daycare. He also compared how the proposed building looked and related to other buildings in the area. Referring to the presentation, he stated that the height of the building is 20 feet and 4 inches, and the total height at the corner towards Loockerman Street is 26 feet and 8 inches.

Responding to Mr. Scrafford's question regarding the standing seam metal roof and the building shield of the wall on the west side; Mr. Liberman replied yes the wall would be butted up.

Mr. Liberman stated that the proposed site works for the Family Dollar as it is laid out. If a different site plan was proposed, they would probably lose the Family Dollar project.

Responding to Mr. Scrafford question regarding if the layout was approved would there be any screening options for New Street, Mr. Liberman replied no, not for parking. Mr. Scrafford referred to the street on the east side where there are a row of planted trees in the brick work on the outside of the sidewalk, Mr. Malmberg replied that they could do the cut outs on the sidewalk as they have been done on Loockerman Street. Also responding, Mrs. Townshend stated that it would need to be approved by Public Works.

Mr. Malmberg stated that where the building is located part of the Downtown could use some Economic Development.

Mr. Scrafford stated that his thoughts were boxwood hedge on the west side of the sidewalk, but it would interfere with traffic and require maintenance. He suggested it being screened with trees.

Responding to Mr. Scrafford's question on if there was a proposal to screen the parking, Mr. Malmberg stated that this could be done, referring to a photo he stated it looks more suburban than urban having a grassy area to block parking. Their thought to screen the parking was a short brick

wall along Loockerman Street that would urbanize the area a little. Mr. Scrafford asked if they were referring to New Street; Mr. Malmberg replied that New Street is too tight to do anything. Also responding, Mrs. Townshend stated that her concern regarding Loockerman Street is pedestrian conflict of people turning around and backing out of parking spaces coming over the sidewalk.

Mr. Scrafford stated that there was already a place that replicates this concern.

Mrs. Townshend stated that many of the items are nonconforming and at the point and time when they are proposed for development or redevelopment it would be expected to comply with the current requirements. From a Staff point of view, it is not consistent with the Historic District *Design Standards and Guidelines.*

Mr. Liberman stated that on the site plan there would be a curb along the back edge so that vehicles could not go totally onto the sidewalk in that area.

Mr. Scrafford stated that there needs to be something to differentiate between the sidewalk and the parking area.

Mr. Malmberg stated that it is code compliance at the current time. The Public Works Department reviewed the site entrance.

Mrs. Townshend stated that the Historic District Commission *Design Standards and Guidelines* would recommend screening parking from the street.

Mr. Scrafford stated that they would want to create something that would be more secure other than a hedge to prevent a vehicle from backing out of the parking lot onto the sidewalk.

Responding to Mr. Scrafford question regarding the wall to screen parking from Loockerman Street in the twenty (20) foot area, Mr. Liberman stated that they had not decided on a location. He stated that the benches were a part of the wall. With the screening of the wall it screens vehicles from Loockerman Street, but would also present a vertical building type look to the corner and minimize having to set the building away from New Street.

Responding to Mr. Scrafford question if the four (4) foot rule for fence height applied, Mrs. Melson-Williams replied that the four (4) foot rule would apply as well as the corner visibility area limitation that would drop the height to three (3) feet.

Mr. McDaniel stated that the concept is great for the brick wall, but it needs to be higher.

Responding to Mr. Fisher's question if the parking lot elevation for the building will be the rear and the door would be the loading dock area; Mrs. Townshend stated that on the building elevation

the parking lot is from the rear. Also responding Mr. Liberman stated that there will be brick along the alley. The personnel door can be moved to the backside to eliminate any conflict in the area.

Responding to Mr. McDaniel's question if it was regular brick on the back south side of the building; Mr. Liberman replied yes. Also responding, Mr. Scrafford stated that on the plans it indicated block on the parking lot elevation with a brick water table and block on the rear elevation facing the west wall. Mr. Liberman stated that they will be saving as much of the west wall as possible.

Responding to Mr. Scrafford's question regarding the downspouts and if the drainage from the roof will be adjusted to accommodate the adjoining of the two (2) buildings; Mr. Liberman replied yes.

Responding to Mr. McDaniel's question if the windows were decorative windows; Mr. Liberman stated that the windows will not be used to look out of. They may be able to add glass to the windows at the corner on the Loockerman Street side.

Responding to Mr. McDaniel's question regarding metal windows on Loockerman Street at the Bayard Pharmacy; Mrs. Townshend stated that are some that you can see through. Also responding, Ms. Cornwell stated that the windows are real and they are blocked with a gray look.

Chairman Scrafford questioned if there was any additional discussion.

Chairman Scrafford asked if there were any questions.

Mr. Scrafford declared the public hearing open.

Mr. Gary Patterson member of the Downtown Dover Partnership and Economic Development Committee introduced the new Executive Director of Downtown Dover Partnership Mr. Lou Colon. He also invited members to the Ribbon Cutting Ceremony on Loockerman Plaza on March 28, 2013 at 10:30a.m. The Economic Development Committee endorses the new project and hope that any concerns can be worked out. They are happy with the new façade on Loockerman Street and the one that will face New Street.

Mr. McDaniel stated that he is a member of the Downtown Dover Partnership Board and he abstained from voting on the application at their meeting.

Mr. Lou Colon, Director of Downtown Dover Partnership stated that he endorses and support the project. It is designed for Downtown and it is a potential to bringing more employees to the Downtown area.

Mr. Mike Harrington of Harrington Realty in Dover stated that upon speaking with the architect there is an eight (8) foot wide sidewalk. At the entrance there is twenty-six (26) feet from the parking spaces to the curb which is also wide. There is enough space for parking and turning around. He has represented thirty-five (35) years of service to tenants and landlords on Loockerman Street. For the first time in his career, he has seen growth and energy Downtown. The President of Wesley College was also excited about this project for the students and the E-Z Pass project that will bring roughly sixty (60) employees Downtown.

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

Mr. Scrafford questioned if there were any questions, comments, or motion.

Mr. McDaniel commented that he reviewed other Family Dollar sites on-line in different Colonial towns such as Williamsburg, Massachusetts, Chestertown, and Madison, Mississippi. He could not find a Family Dollar that was not on a highway with a flat front. The fact that this project is willing to come into town and use various materials shows a commitment. He stated that he likes the way the building looks and the proposal including the parking.

Mr. Jackson was also in agreement with the proposal of the building. He stated that it was a great start.

Responding to Mr. McDaniel's question if My Place was a part of the project; Mr. Liberman replied no. They responded to Staff comments as how it relates to the project.

Mr. Scrafford suggested a partial screening from Loockerman Street and New Street that will embrace your vision when looking at the parking. This will prevent a car from going into the sidewalk. The main concern is safety.

Mr. McDaniel moved to recommend to the Planning Commission approval of the Architectural Review Certificate for the project as proposed to include demolition of the existing structure, the recordation as specified in Staff recommendations #3 and #4, and with the conditions of possibly planting street trees in the sidewalk area on New Street to provide some screening of parking, include a low brick wall to screen the parking from Loockerman Street, and upright curbing between the parking lot and sidewalk, seconded by Mr. Fisher and the motion was unanimously carried 4-0. Mr. Salkin was absent.

Mr. Fisher moved to adjourn the meeting; seconded by Mr. Jackson and unanimously carried (Mr. Salkin was absent).

Meeting adjourned at 4:19 PM

Sincerely,

Maretta Savage-Purnell
Secretary