

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

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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