

ARCHITECTURAL REVIEW STAFF REPORT

Before Dover Historic District Commission

May 15, 2025

Application: Biggs Museum Expansion: Select Removals at 15 and 21 The Green, HI-25-03

Owner: Sewell C. Biggs Trust

Location: Northeast part of The Green, south of East North Street in Dover, DE

Addresses: 15 The Green and 21 The Green

Tax Parcels: ED05-077.09-05-19.00-000 and ED05-077.09-05-18.00-000

Size: 0.11 Acre± and 0.09 Acre ±

Present Uses: Office

Proposed Use: Office

Present Zoning: IO (Institutional and Office Zone)
H (Historic District Zone)
SWPOZ (Source Water Protection Overlay Zone – Tier 3 Excellent Recharge Area)

For Consideration: Architectural Review Certification:

I. PROJECT DESCRIPTION:

The Historic Commission will conduct a Public Hearing and will act on a request for the Architectural Review Certification for the selective removal of portions of the buildings located at 15 and 21 The Green as associated with future renovation and expansion of the Biggs Museum of American Art. The proposal includes the selective dismantling of a fire escape at 15 The Green and selective removal of the rear two-story addition, basement and associated fire escape at 21 The Green. The properties total 0.2 acres±, are both zoned IO (Institutional and Office Zone), subject to the SWPOZ (Source Water Protection Overlay Zone), and the H (Historic District Zone). The subject properties are located on the northeastern side of The Green, south of East North Street and east of South State Street. The owner of record is the Sewell C Biggs Trust dba Biggs Museum of American Art. Property Addresses: 15 and 21 The Green. Tax Parcels: ED05-077.09-05-19.00-000 and ED05-077.09-05-18.00-000. Council District 4.

The following application for selected removals at 15 The Green and 21 The Green 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:

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 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 a 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 of 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 Selected Removals at 15 and 21 The Green.

Surrounding Land Uses

The location of the subject property is the northeast corner of The Green. As previously noted, the parcel is zoned IO (Institutional and Office Zone) and within the Historic District (H) Zone. Properties immediately adjacent to the subject project location are zoned IO (Institutional and Office Zone). Residential Properties owned and occupied by Ridgely House and Gardens LLC are adjacent to the west. Properties to the east are occupied by the Biggs Museum of American Art. Properties to the north are occupied by the State of Delaware. The surrounding properties are also within the H (Historic Zone).

Previous Applications

The existing structures were constructed in 1859. 15 The Green served as a private residence, and 21 The Green served as an office. The buildings were sold in 1876, after which 15 The Green became a boarding house for ±5 years. James Satterfield purchased 21 The Green in 1921 and completed extensive renovations. In 1947, the State of Delaware purchased 21 The Green and used it as overflow offices for the Board of Agriculture. In 1963, the State of Delaware purchased 15 The Green for use as offices by the State Banking Commissioner and the Office of the Attorney General. Shortly after the purchase, the secondary door on the front façade was converted into a

window. The buildings have served as offices for various agencies. Building Permit #12-26 was completed in 2012. It included the exterior restoration of both 15 and 21 The Green. Another Building Permit #15-643 was completed in 2015 and consisted of further exterior restorations for 15 The Green.

II. HISTORIC PROPERTY INFORMATION

Review of Historic Maps

The Green was an original part of the Town/City of Dover and has existed more or less in its current form for over 300 years. According to the A.D. Byles Map, the structures were present in 1859. The applicant's submission includes a more detailed history of development with other maps.

Property Information

The subject property is located within H (Historic District Zone) as established by the City of Dover. Four contexts contribute to the historic character of Dover including the Green Historic Context, the Victorian Historic Context, the Loockerman Historic Context, and the Capitol Square Historic Context. This property is located within the Green Historic Context. The area found in the Green Historic Context was originally laid out in 1722 as a market square. The earliest buildings on the Green date to 1728. The *Design Standards and Guidelines for the City of Dover Historic District Zone* describe this context as "varied in character. It includes the best-preserved historic context in the City, the Dover Green, as well as more modest residential and commercial structures that contribute to the character of the context of the Dover Green National Register District."

The building located at 15 The Green was constructed in 1859. As described in the National Register of Historic Places Nomination and the Applicant Narrative, 15 The Green is a three-story Italianate-style building facing the Dover Green. The building functioned as a residence and an office, with a separate entrance for each. The building features a low-hipped roof above a bracketed cornice. The building has a five-bay façade symmetrically arranged. The façade features pressed brick laid in a running bond with fine mortar joints, and the front entrance consists of a paneled double door with an etched glass transom set in a Greek Revival surround. The building façade rests on a marble watertable and is served by a set of marble steps. The interior retains its original floor plan and has most of its original detailing, including two marble mantelpieces, plaster cornices, molded window and door surrounds, baseboard, paneled doors, and staircases.

The building located at 21 The Green was constructed in 1859 concurrently with the building at 15 The Green. It is a three-story brick office building. The rear addition and basement at 21 The Green were added between 1877 and 1885, and the structure was renovated again in 1921. The 1921 renovations included remodeling the lower third of the front façade into a three-bay configuration, adding a balustrade along the roofline, and altering/expanding the rear addition further.

National Register of Historic Places

The structures are contributing buildings to the Dover Green Historic District as listed in the National Register of Historic Places ct. The following is the inventory listing for each from the 1984 nomination.

15 The Green – Kirk Building – 1858; brick, 3-story, 5-bay office building in the Italianate style. The building has a frame 2-story rear wing. The façade of the main block is of pressed brick and is laid in stretcher bond. There is a decorative stone water table, narrow 4/1 and 4/4 sash windows have stone sills and lintels. The double leaf centered door is framed by simple stone pilasters and a cornice with carved acanthus leaf design. The transom light is glazed with etched glass. There is a bracketed cornice under the deep eave. (c)

21 The Green – Robert A. Short Memorial Building – 1850's; brick running bond. 3-story, 3-bay. This flat roof Italianate building has a molded cornice, stone window lintels and a bracketed gable frontispiece. (c)

III. PROJECT PROPOSAL

The application proposes the selected removal (demolition) of the rear addition, its basement and associated fire escape at 21 The Green, and the dismantling (demolition) of the fire escape at 15 The Green. This is the initial step in a larger plan to connect the newly acquired buildings 15 and 21 The Green into the Biggs Museum of American Art, opening additional gallery space and allowing for greater use of the outside space. The project proposes the preservation of the original structures (main blocks) and the façades of both buildings. The rear addition (wing) of 15 The Green is to remain. Further, the project proposes the preservation of the original footprint of 21 The Green before the 1877 and 1921 additions/renovations.

The proposed removals will dismantle the rear additions and elements added in later years to the rear of 15 and 21 The Green. These selected removals will allow the Biggs Museum to expand in a future.

The Applicant's submission includes an architectural narrative with a site overview, contextual analysis, existing conditions photography, historic analysis, and timeline of development. The elements of the project are as follows:

1. Existing Structure: No changes to the front facades are proposed for this project. The proposed selective removal is taking place in the rear of the properties. The existing fire escape at 15 The Green will be removed, and the two-story rear addition and related basement and fire escape at 21 The Green will be removed. Once complete, there will be some openings remaining in the rear facades of the structure to be filled, renovated, or restored at a later date as part of the future project. These select removals would not occur until part of the phasing for the future museum expansion project.
2. Sidewalks: The proposal does not affect sidewalk connectivity throughout The Green or along East North Street. Access to the cut-through between East North Street and The Green between the Biggs Museum and 21 The Green may be temporarily impeded during demolition.

See the attached Architectural Narrative document and associated graphics and drawings for detailed information on the proposed selected removals.

IV. ZONING REVIEW

These two properties are located in the H (Historic District Zone) and subject to the provisions of the *Zoning Ordinance*, Article 3 §21 and referenced sections. *Zoning Ordinance*, Article 10 §3.2 outlines the review process for Architectural Review Certification and related building height, bulk, and setback standards. Both properties are subject to the SWPOZ (Source Water Protection Overlay Zone). The buildings are currently used as offices by the Biggs Museum of American Art.

The subject project area is zoned IO (Institutional and Office). The IO zone allows for “Business, professional or government office, banks, research, design and development laboratories, public and institutional uses including hospitals, medical clinics, libraries, police stations, courthouses, transit centers, schools, colleges, universities, places of public assembly, philanthropic and charitable institutions, parks, playgrounds, public indoor recreation centers, athletic fields” as principal uses. The subject properties have frontage on one street, The Green. The IO zone requires a front yard of 10 feet, side yards of 10 feet and a rear yard of 15 feet. No changes are proposed that would impact the existing setbacks or building height. Future renovation and expansion plans would address these provisions of the *Zoning Ordinance*.

V. Review of DESIGN STANDARDS AND GUIDELINES

The subject property is located in the H (Historic District Zone) within The Green Context. The Green Context is described on pages 2-3, 2-4, and 2-5 of the *Design Standards and Guidelines for the City of Dover Historic District Zone*. This *Design Standards and Guidelines* describe this context as “varied in character. It includes the best-preserved historic context in the City, the Dover Green, as well as more modest residential and commercial structures that contribute to the character of the context of the Dover Green National Register District.” Location within the Dover Historic District Zone requires proposals for demolition, new construction, building additions, and certain renovation or rehabilitation activities to existing 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 “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.” In accordance with Article 10 §3.23, the Historic District Commission may approve the Architectural Review Certification if it determines that the project complies with the architectural review standards.

This proposal must be reviewed for conformity with the design criteria guidelines found in Chapter 3: Maintenance, Repair, Preservation and Restoration of Existing Historic Buildings and Chapter 4: New Construction, Additions, Demolition and Relocation. Information on the review considerations is given below.

Maintenance, Repair, Preservation and Restoration of Existing Historic Buildings

The *Design Standards and Guidelines* for New Construction (Chapter 3: pages 3-1 through 3-27) provide the design criteria and development guidelines. The preservation of the historic character

of the District is largely a function of the preservation of the existing historic building fabric. Paneled doors have been used during every period of Dover architecture and in every building type found in the four historic contexts.

Demolition

The proposal for the selected removals of the rear addition and fire escapes on these buildings 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.

The section on demolition (P 4-10 through 4-12) establishes the considerations for the demolition of historic buildings. It is noted that this application proposes to retain the historic buildings and demolish rear additions that were not part of the original structures.

VI. STAFF COMMENTS AND RECOMMENDATIONS

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

- 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 Partial Demolition (Select removals of portions of the buildings).
 - a) In this instance, the economic maintenance evaluation of the property individually is not the issue for the applicant, but rather the need for the land to as part of a future larger project plan to expand the Biggs Museum of American Art and provide additional usable outdoor space.

- b) The Architectural Narrative document describes the structures as they have been through changes over the years. 15 The Green has changed from single family home to office use. 21 The Green was expanded between 1877 and 1885 with a frame, shed roofed addition and then further expanded in 1921, including remodeling of the lower third of the front façade into a three-bay configuration adding a balustrade along the roofline, and significantly altering and expanding the rear addition. Even with the changes the general integrity of the front façade of the buildings remain. The significance and integrity of each building is discussed in the narrative.
 - c) Included in the Architectural Narrative are some preliminary layouts for the proposed expansion of the Biggs Museum of American Art; however, the expansion project will be subject to other reviews.
 - d) We have been provided with clear plans for the selected removals and can verify it does not affect the portions of the property mentioned in the National Register of Historic Places nomination.
 - e) The buildings will remain and these select removal activities will not commence until the start of the expansion project as the renovations of the north elevations would have to be designed.
- 2) Staff recommends approval of the Architectural Review Certificate for the Biggs Museum Expansion: Select Removals at 15 and 21 The Green finding that the demolition will not significantly impact the historic character of The Green area of the Historic District. The intent of the project aligns with the *Design Standards and Guidelines for the City of Dover Historic District Zone*. The proposed demolition will restore 15 and 21 The Green closer to their original historic form and help open the way for expansion of the Biggs Museum. The area for the select removals is generally not visible from The Green thus maintaining the streetscape views and the building facades.
- 3) The submitted Architectural Narrative outlines the extensive research, building documentation, and conditions assessments, and the master planning process with its engagement activities. The Applicant has made significant effort to clearly document all existing portions of the properties at 15 The Green and 21 The Green in photography and narrative. It is noted that a Historical Research Report was also prepared.
- a) Staff recommends submission of the Historical Research Report on 15 and 21 The Green to the Delaware Division of Historic and Cultural Affairs (Delaware State Historic Preservation Office) for their records as part of the Delaware Cultural Resource Survey.
- 4) Applicants should be prepared to provide a preservation strategy for the main parts of 15 and 21 The Green with the submittal of the Building Permits for demolition activities to ensure that the existing historic structures will be protected during the demolition process.
- 5) If major changes and revisions to the design, materials, or site layout occur in the finalization of the plan and/or construction drawings contact the Department of Planning and Inspections. These changes may require resubmittal for review by the Historic District Commission.

- 6) The applicant shall be aware that Building Permits are required to proceed with any demolition activities on the project site. The permit applications must comply with the approvals and conditions granted through the Architectural Review Certification.
- 7) For the select demolition activities and building construction, the requirements of the building code or fire code must be complied with. Consult with the Building Inspection Staff and Fire Marshal regarding these requirements. The resolution of these items can impact the site design in some cases.
- 8) Any future construction of new buildings or expansion of the Biggs Museum will be subject to a separate application for Architectural Review Certification and must go through the Site Development Plan process.

Historic District Commission Action Required

The Historic District Commission shall consider the proposal and take action in regard to the Architectural Review Certification for 15 The Green and 21 The Green. The action should reflect consideration of the *Design Standards and Guidelines for the City of Dover Historic District Zone*.

Attachments:

- 1) Architectural Narrative document
- 2) Excerpt on Demolition from the *Design Standards and Guidelines for the Historic District Zone*