

ARCHITECTURAL REVIEW REPORT

Recommendation from the Dover Historic District Commission
Meeting of October 17, 2024
And Staff Review Report

Application: Legislative Hall Building Addition, HI-24-08

Owner: State of Delaware

Location: East side of Legislative Avenue as the block between Martin Luther King Jr. Boulevard North and Martin Luther King Jr. South

Address: 411 Legislative Avenue and Court Street

Tax Parcels: ED-05-077.09-05-15.00-000 and ED-05-077.09-05-14.00-000

Size: 2.80 acres +/- and 0.43 acres +/-

Present Uses: Legislative Hall

Proposed Use: Legislative Hall with Building Addition to create new main public entrance and Plaza area with Monument Walk

Present Zoning: IO (Institutional and Office Zone)
H (Historic District Zone)
SWPOZ (Source Water Protection Overlay Zone)

ROS (Recreational and Open Space Zone)
H (Historic District Zone)

For Consideration: Architectural Review Certification including alternative front yard setback

ACTION OF THE HISTORIC DISTRICT COMMISSION:

The application was considered at the October 17, 2024 meeting of the Historic District Commission. The following members were present at the October Meeting: Vice-Chair Mrs. Ellen Richardson (serving as Acting Chair for the Meeting), Mrs. Ann Horsey, and Ms. Mary Mason. The application was represented by Mr. Gabe Cheung, Architect at Studio JAED; and Mr. Drew Boyce, Century Engineering. No public testimony was received during the Public Hearing.

Action Taken by Historic District Commission:

The motion to recommend approval passed 3-0 of the members present for this application at the October 17, 2024 Meeting. **The Historic District Commission recommends approval of the Architectural Review Certificate for Application HI-24-07 based on the applicant's presentation and plans with reference to the Staff Comments (Staff Recommendation Report).**

This also includes a recommendation of approval of the Alternative Bulk Standards to allow a Front Yard Setback of ten (10) feet to be waived.

During the Meeting, the Historic District Commission heard the applicants' presentation on the Legislative Hall Building Addition Project and including their response to the series of Staff Comments and Recommendations. They presented information on the addition's placement and relation to the existing building, other nearby buildings, and street network; the materials and finishes selected; the status of the front setback; sidewalks; and other site items (Plaza Area and Monument Walk), landscaping, etc. *An Excerpt of Meeting Minutes is being prepared.*

The following information was considered by the Historic District Commission in marking their recommendation including the initial recommendations made by Planning Staff in regard to the application.

I. PROJECT DESCRIPTION:

The Historic District Commission will act on a recommendation for an Architectural Review Certificate for a Site Development Plan Application for a Site Development Plan Application for renovation and expansion of Legislative Hall. The proposal includes a three-story Building Addition on the east side of the existing Legislative Hall building creating a new main public entrance, a Plaza area with Monument Walk, and other site improvements. The main property of 2.80 acres+/- is zoned IO (Institutional and Office Zone) and subject to the SWPOZ (Source Water Protection Overlay Zone) and the H (Historic District Zone). The other property of 0.43 acres+/- is zoned ROS (Recreational and Open Space Zone) and subject to H (Historic District Zone). The subject properties are located on the east side of Legislative Avenue as the block between Martin Luther King Jr. Boulevard North and Martin Luther King Jr. South. The owner of record is the State of Delaware. Property Addresses: 411 Legislative Avenue and Court Street. Tax Parcels: ED-05-077.09-05-15.00-000 and ED-05-077.09-05-14.00-000. Council District 4.

Surrounding Land Uses

This subject property location in the block bounded by Legislative Avenue, Martin Luther Kings Jr. North, and Martin Luther King Jr. Boulevard South is part of the Capital Complex where multiple State buildings and offices are located. Across the street to the north is the Delaware Public Archives and to the south across the street is the Tatnall Building (offices) and the proposed location of the Legislative Hall Parking Garage and the Del-One Credit Union Building. Surrounding properties are zoned IO (Institutional and Office Zone) with other open space areas like the Legislative Mall area zoned ROS (Recreational and Open Space Zone). The surrounding properties are within the H (Historic Zone).

Previous Applications

The Legislative Hall Building at this location was constructed c. 1931-1933 with later building additions in 1965-1970 and in 1994. Prior to that the Delaware General Assembly met in the Old State House building located on The Green. (Previous Application: MI-94-17 Legislative Hall: Proposed Landscape Plan.)

II. HISTORIC PROPERTY INFORMATION

Review of Historic Maps

A series of historic maps were reviewed by Planning Staff for preliminary information on the area and found that the area was predominately open space with scattered buildings until the 1930s when the new Legislative Hall was constructed and the street network that we know today begins to be constructed as the Capital Complex area developed with various government buildings.

Property Information

This property is not listed in the National Register of Historic Places. The property is located within H (Historic District Zone) as established by the City of Dover. The development area consists of two parcels and a street/drive aisle area. The existing Legislative Hall Building is on the western parcel in the block and then the eastern area (street/drive aisle area and east parcel) are an existing parking lot and landscape open space area.

III. PROJECT PROPOSAL

PROJECT PROPOSAL (Submission of September 2024):

The application proposes renovation and expansion of Legislative Hall involving construction of a Building Addition on the east side of the building to include a new main public entrance and a Plaza area with Monumental Walk with other site improvements. This is associated with a separate project previously reviewed for the Legislative Hall Parking Garage Project (HI-24-04 and S-24-14). The Applicant submission includes a Design Narrative, series of site plan graphics, building elevations, and 3-D views, and schematic building footprint/site plan and architectural drawings. The elements of the project are as follows:

1. Building Addition: The Building Addition is on the east side of the existing Legislative Hall building enclosing that side of the U-shaped building partially infilling the central court(yard) area. A new main public entrance will be created on this east side as a raised monumental entry with steps and accessibility ramps. The 3-story structure is brick and rises to a hipped roof (a height of 53 feet 6 inches to top of the roof top balustrade). The architecture of the Building Addition is brick with window openings with keystone headers and trimwork surrounds, cornice detailing, a series of dormer windows on the hipped roof in a concrete tile and turned gable roof elements. It continues the Colonial Revival style and detailing of the current Legislative Hall Building and the surrounding Capital complex buildings.
2. Plaza Area with Monument Walk: The east side of Legislative Hall will be reimagined into a tiered Plaza Area in three levels: main public entrance, the upper plaza, and lower plaza with Monument Walk. The Plaza levels include stair and ramp systems, patterned brick surface materials, landscaping areas, lighting, and benches with connections to the sidewalk systems. Also incorporated is a Monument Walk where a series of monuments will be placed/relocated. This includes the relocation of the "Delaware Continentals" Revolutionary War Monument statue and four other monuments.

3. Sidewalks: The street frontage sidewalks along the project site will continue to be brick paving to match existing sidewalks in the surrounding area. Additional traffic control/identification measures are planned for crosswalk striping. More detailed crosswalks at street level will cross Martin Luther King Jr. Boulevard South towards Legislative Hall Parking Garage and cross Martin Luther King Jr. Boulevard North towards the Delaware Public Archives. These crosswalks include landscape planter boxes and alternative surface materials of brick pavers.
4. Tree Planting and Landscaping: The project shows some street tree plantings and grass/landscaping areas as part of the tiered Plaza Area.

See the attached Design Narrative and associated graphics and drawings for detailed information on building dimensions, locations, and material choices.

IV. ZONING REVIEW

The entire project site is 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.

The subject project area is zoned IO (Institutional and Office Zone) The IO zone allows the use for public and institutional building and makes the development subject to provisions of regulations the IO zone. The IO zoning district has a front yard setback of 10 feet; the building addition placement encroaches into this setback as the existing parking lot area/drive aisle is mapped as right-of-way. The Historic District Commission can consider alternative setbacks as part of their recommendation on the Architectural Review Certification.

Review of DESIGN STANDARDS AND GUIDELINES

The subject property is located in the Dover Historic District Zone within the Capitol Square Historic Context. The Capitol Square Context is described on pages 2-8 and 2-9. Location within the Dover Historic District Zone requires proposals for demolition, new construction, 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 §3.2, the Historic District Commission will provide a recommendation to the Planning Commission regarding the project’s compliance with the architectural review standards.

Chapter 3: Maintenance, Repair, Preservation and Restoration of Existing Historic Buildings includes guidance related to various building elements and materials. This proposal must be

reviewed for conformity with the design criteria guidelines found in Chapter 4: New Construction, Additions, Demolition and Relocation. Information on the review considerations is given below.

New Construction

The *Design Standards and Guidelines* for New Construction (Chapter 4: pages 4-1 through 4-8) provide the design criteria and development guidelines. The guidelines specify the following individual considerations for new construction to be considered in the review by the Historic District Commission (and Planning Commission) of the project for Architectural Review Certification:

- Style
- Scale (*building to reflect dominant cornice and roof height of adjacent buildings*)
- Elevation of the First Floor
- Floor-to-Floor heights
- Bays, windows, and doors (*size, relationship, spacing of*)
- Absolute Size (*compare overall size of new building*)
- Massing (*relationship of solid-to-void*)
- Orientation (*location of primary façade*)
- Proportions (*comparison of height to width of building and elements*)
- Materials
- Forms (*shape of building and roof to be complementary*)
- Siting (*location of building on lot and in relation to street*)
- High density/ large-scale construction

Also, in Chapter 4 there is guidance related to “Additions to Existing Buildings” (Chapter 4: pages 4-8 through 4-10) which outlines similar topics of Siting, Scale, Elevation of the First Floor, Floor-to-floor Height, Massing, Orientation, Proportions, Materials, Forms, and other guidance. Reading of this guidance finds that it is primarily focused on additions to residential and smaller scale buildings which have a front façade and rear. For this Legislative Hall Building Addition project, the considerations for New Construction are more appropriate, especially all four elevations of the building front on public streets.

The proposed project must also be reviewed for compliance with the standards established by the *Zoning Ordinance*. The standards include items such as setbacks from property lines, lot coverage, height, etc. This Proposal for the Building Addition appears to conform to most of the bulk requirements of the IO Zoning District except for the front yard setback due to the parcel configuration. The *City of Dover Zoning Ordinance* authorizes the Historic District Commission to recommend waiving certain bulk standards when issuing its recommendation to the Planning Commission for an Architectural Review Certificate if necessary.

STAFF COMMENTS AND RECOMMENDATIONS

The Staff Comments and Recommendations for this application regarding project activities and Architectural Review Certification were provided in the Architectural Review Staff Report issued for the October 17, 2024 Historic District Commission Meeting.

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

- 1) Staff recommends conditional approval of the Architectural Review Certificate for the construction of the Building Addition and Plaza Area project finding that the building addition to be of compatible design with the existing building and the other nearby buildings. The proposal complies with the intent of the *Design Standards and Guidelines for the City of Dover Historic District Zone* and with its recommendations for large-scale development in Capital Complex Historic Context. The proposed Building Addition siting continues the placement of the Building Addition and Plaza Area within proximity to street and sidewalk systems creating a scale in proportion to the pedestrian and viewscales as you approach Legislative Hall. Its brick exterior finishes and detailing with building elements and sectioned wall surfaces break up the expanse of the building elevations continuing the architectural styles of the existing Legislative Hall building and the other government buildings in the Capital Complex.
- 2) The following conditions are recommended by Staff to improve the project's compliance with the recommended guidelines of the *Design Standards and Guidelines*. The following are recommended conditions:
 - a. The selected brick choices should be compatible with the brick of the existing buildings.
 - b. Utilize black posts for any signage elements to be attached to posts i.e., traffic control signs.
 - c. Signage identifying the Legislative Hall may be integrated into the building design. However, consideration of any free standing signage may require additional review.
 - d. Any light fixtures/poles utilized on the property for site lighting should utilize a black finish color. Light fixtures/poles continue style of the lighting used in the nearby areas of the Historic District.
 - e. Ensure proposed trees are appropriate to urban planting settings along streets and for Plaza Areas. Clarify where trees and landscaping are to be planted (or preserved) in the future Landscape Plan as the architectural renderings may only be concepts.
 - f. Any revisions or changes in the identified materials may be subject to further review by the Historic District Commission.
- 3) Some of the site improvements/amenities were not specifically described or had limited information within the application information. Please provide information for consideration and discussion.
 - a. Identify if any bicycle parking rack will be part of the Plaza Area. The bicycle parking rack should be black in finish color and of a decorative style if placed in this area. This location is near the Capital City trail.
 - b. The location of the sidewalk along the street frontages must be evaluated with sidewalk construction standards as sidewalk placement typically includes a grass area along the curb line setting the sidewalk back from the curb and accessibility ramps. The minimum width of the sidewalk is five feet but may be greater.

- 4) The following items should be clarified regarding the building designs.
 - a. Identify brick material (size, form, etc.) and patterning.
- 5) Staff notes that the project location (building and site) may be an opportunity for the continued incorporation of public art projects. The Monument Walk area is an opportunity to plan for future placement areas.
- 6) Staff recommends the following pertaining to the site design elements of the project:
 - a. The sidewalk system on the street frontage should continue and include barrier free access, crosswalk striping, etc. at the points of intersection.
 - b. Any proposed landscaping or tree planting locations, and lighting fixture locations should be depicted on the plan and maintain the character and type of these elements as they exist with the Capitol Complex area.
 - c. We understand that research continues on the status of the mapped right-of-way area that crosses the eastern portion of the project area creating the two parcels. Future resolution of this matter may result in its abandonment and parcel consideration.
- 7) For building construction, the requirements of the building code or fire code must be complied with. Consult with the Chief Building Inspector and Fire Marshal for these requirements. The resolution of these items can impact the site design in some cases.
- 8) In the event that 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.
- 9) This site development plan for this project is also subject to the application and review process for Site Development Plan (Article 10 §2 of the *Zoning Ordinance*) before the Planning Commission. Note: Additional technical items for compliance with the *Zoning Ordinance* and other regulations may be identified during the Site Plan Process. Review comments pertaining specifically to the Site Plan set will be issued at that time. The Site Development Plan was filed on October 4, 2024 to begin its review process (S-14-19).
- 10) The applicant shall be aware that Building Permits are required to proceed with any construction activities on the project site. The permit applications must comply with the approvals and conditions granted through the Architectural Review Certification and Site Plan Review process.
- 11) The applicant should be aware that a Sign Permit is required to proceed with the placement of signage on the property.

Historic District Commission Action

The Historic District Commission considered the proposal at their Meeting of October 17, 2024 and have provided a recommendation in regard to the Architectural Review Certification for the Legislative Hall Building Addition and associated Site Improvements. The recommendation reflects consideration of the *Design Standards and Guidelines for the City of Dover Historic District Zone*. The specific conditions of the Recommendation are noted in this Report under the heading of “Action of the Historic District Commission.”

Note: An Excerpt of the Historic District Commission Meeting Minutes focused on this Application HI-24-08 is still being prepared.

Documents Considered by the Historic District Commission:

- Design Narrative *Attached
- Legislative Hall Building Plans Site Plans and Floor Plans
- Project Architecture Graphic Presentation Set of architectural renderings and building elevation drawings of Parking Structure and surrounding area. *Select pages attached.

From: Gabriel Cheung, NCARB, LEED-AP, ALEP
2500 Wrangle Hill Road, Suite 110
Bear, DE 19701
cheungg@StudioJAED.com

To: Department of Planning & Inspections
City of Dover
PO BOX 475
Dover, DE 19903

Date: September 13, 2024

Re: **Legislative Hall Addition – Design Narrative**

The project involves the renovation and expansion of the existing State of Delaware Legislative Hall building. Originally constructed in 1932, the existing building is three (3) stories in height above grade and serves as the capitol building for the State of Delaware. Housing the chambers of the Delaware General Assembly, the project includes three (3) stories of new building area for approximately 16,000 square feet per story for a total building area of approximately 133,400 square feet of building area. The project includes an additional 12,000 square feet of existing building renovation area.

The expansion area features assembly committee, hearing and meeting rooms at the Ground and 1st Floor levels serving the existing Senate and House Chambers, including the creation of an open court area and secure entry Lobby. The 2nd Floor is limited to office use activity with open workspaces and clerical support areas as an extension of the existing building office use activity. The addition also contains an atrium spanning three (3) stories, connecting the Ground through 2nd Floor levels. There is an interior courtyard that is accessible from the 1st Floor.

Site

A new plaza is proposed in front of the Legislative Hall Addition, completing the semi-circular loop of Martin Luther King Jr. Blvd. The plaza is designed with three distinct levels: the main public entrance, the upper plaza, and the lower plaza/monument walk.

The main public entrance, located at the center of the half-circle, serves as the focal point of the plaza. Monumental stairs lead to the entrance, with ramps on either side and brick planters filled with shrubs and trees in front. The entrance features three doors, with the central door being the most prominent, adorned with decorative elements, and acting as the primary access to the building's 1st Floor.

At the base of the monumental stairs lies the upper plaza, a versatile open space designed to accommodate a variety of gatherings and events, such as inaugurations and press conferences, with the main entrance serving as a podium or stage.

The lower plaza connects directly to the sidewalk along Martin Luther King Jr. Blvd. This space will feature the relocated Revolutionary War Monument, "Delaware Continentals" Statue, at its center, while the other four monuments will be placed within surrounding green spaces. The walkway affectionally named "monument walk" provides a walking path connecting the monuments. The area will be enhanced with landscaping, shaded walkways, and benches, creating a welcoming environment for visitors to relax and enjoy the monuments.

The sidewalk and plaza will be paved with brick to match the existing sidewalks in the Legislative Mall area. Red pavers will dominate, with accents of white to visually break up larger areas.

Two new crosswalks are proposed between Legislative Hall and the parking garage and Delaware Archives Building. The crosswalk will be level with the street and marked with brick pavers, adhering to DelDOT standards for materials and signage. For additional safety, Rectangular Rapid Flashing Beacons (RRFB) will be installed at these crosswalks. Brick planter boxes with matching coping will line both sides of Martin Luther King Jr. Blvd., containing trees, shrubs, and low-growing plants. Special care will be taken in selecting plants to ensure they do not obstruct visibility for drivers or pedestrians.

Monuments

There are five (5) memorials and monuments that will be carefully removed, stored, and reinstalled as part of the new plaza.

1. Revolutionary War Monument “Delaware Continentals” Statue
2. Dover Light Infantry Monument
3. Middle East & Afghanistan Conflicts Monument
4. Medal of Honor Monument
5. World War II Monument

Façade

The proposed addition is conceived as a seamless extension of the existing building, thoughtfully designed to blend with the original structure in terms of materials, style, and architectural detailing. The intention is to maintain visual coherence while enhancing the building's overall functionality and capacity.

The architectural style of the addition mirrors that of the original structure, maintaining the same proportions, rhythm, and aesthetics. The addition will carry forward the existing building's use of symmetrical windows, gable roofs, and brick chimneys preserving its historical integrity or stylistic intent. Key features such as window shapes, mullion patterns, and keystones will be replicated to sustain uniformity across the façade.

The addition will adhere to the same dimensional standards as the existing building, ensuring that it integrates seamlessly into the existing form. The overall height, depth, and width will be proportionally scaled to maintain balance and avoid overshadowing the original structure. Rooflines will align precisely, continuing the established roof pitch and eave heights to preserve the cohesive silhouette.

Cornices, moldings, and other decorative trims will be meticulously replicated in the addition, ensuring continuity in detailing. The new cornices will match the profile, depth, and articulation of the existing ones, providing a unified aesthetic. Where appropriate, any distinctive architectural moldings will be carried through to the new structure, preserving the integrity of the building's design language.

Roof

The addition will continue the hipped roof design around the entire perimeter of the building. The roofing material will be lightweight concrete tile, matching the material used in the recent roof replacement. An internal gutter system runs along the roof's perimeter, directing water to a rain collector box and downspout. The dormers will be finished with concrete tile siding, a flat seam copper roof, and matching trim. Rooftop balustrades will adorn the sloped roof, blending seamlessly with the existing structure. The

flat section at the top of the hipped roof will be covered with a single-ply membrane. A sunken flat roof houses the chiller, which will remain hidden from street view and surrounding buildings.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Gabriel Cheung', with a long, sweeping horizontal stroke extending to the right.

Gabriel Cheung, NCARB, LEED-AP, ALEP

Applicant: Legislative Hall Building Addition

Variance Request #1: Variance from City of Dover Zoning Ordinance, Article 4, Section 4.15

Variance Requested: Variance from the required 10-foot front yard setback for the Institutional and Office (IO) zoning district.

Project Background Information: The proposed project is located within the Historic District, City of Dover along Martin Luther King Jr Boulevard S/ Martin Luther King Jr Boulevard N.

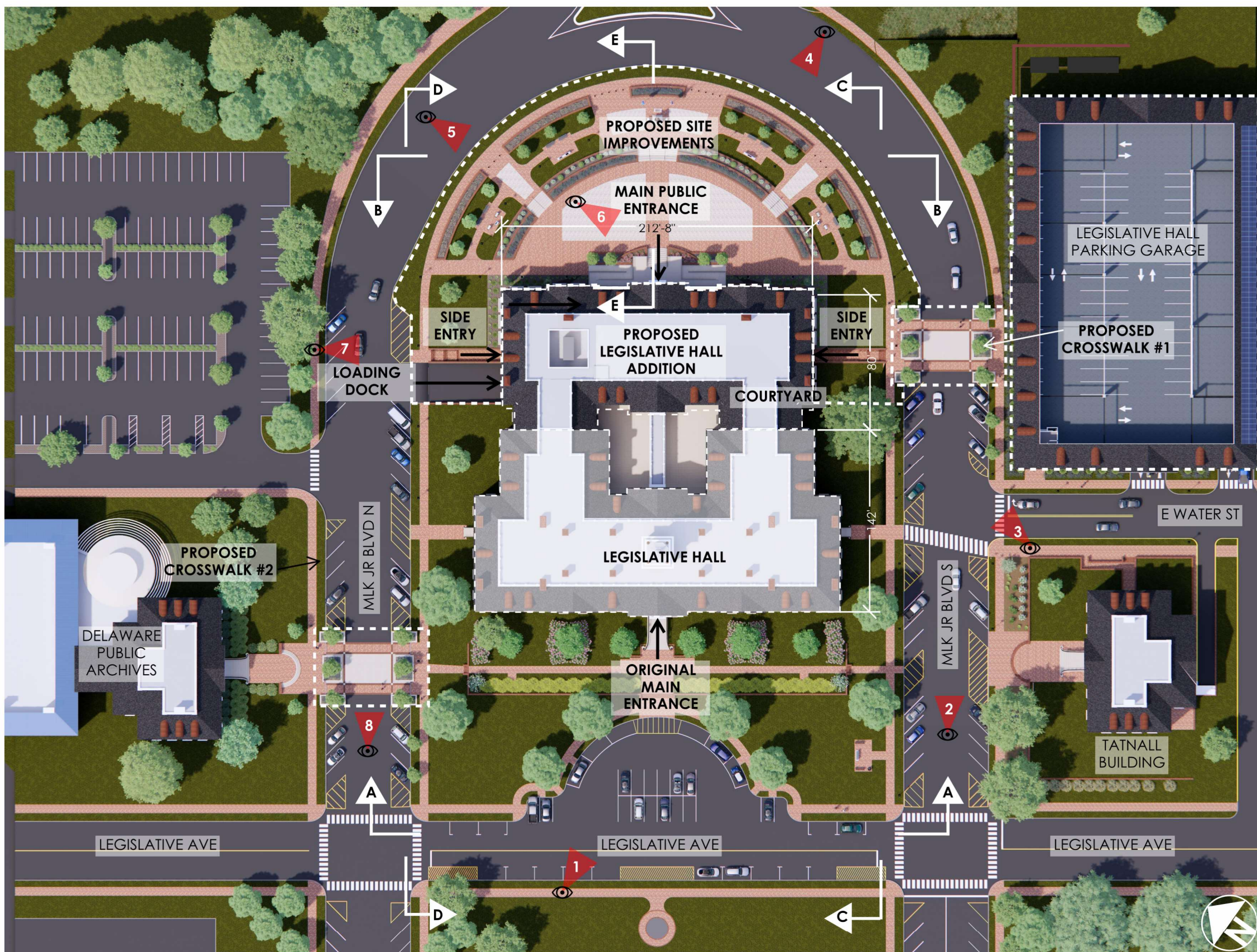
A variance is being requested to allow the building addition to encroach into the required 10-foot front yard setback. The addition is designed to enhance the operational capacity of the Legislative Hall while maintaining architectural continuity with the existing structure.

The variance is for an encroachment of 6.7 ft into the required 10 ft setback to accommodate the addition's layout and functional needs. The encroachment is necessary due to existing site constraints, including the limited available space and the need to accommodate the functional requirements of the addition. This variance will enable the building to fulfill its intended function effectively, with the encroachment being minimal and having no significant impact on adjacent properties or the overall character of the area.

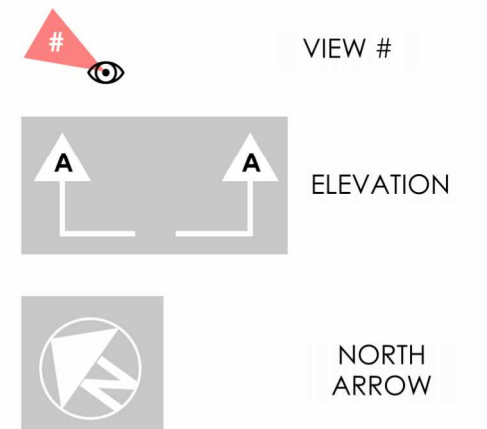


LEGISLATIVE HALL ADDITION

STATE OF DELAWARE
411 LEGISLATIVE AVE, DOVER, DE 19901



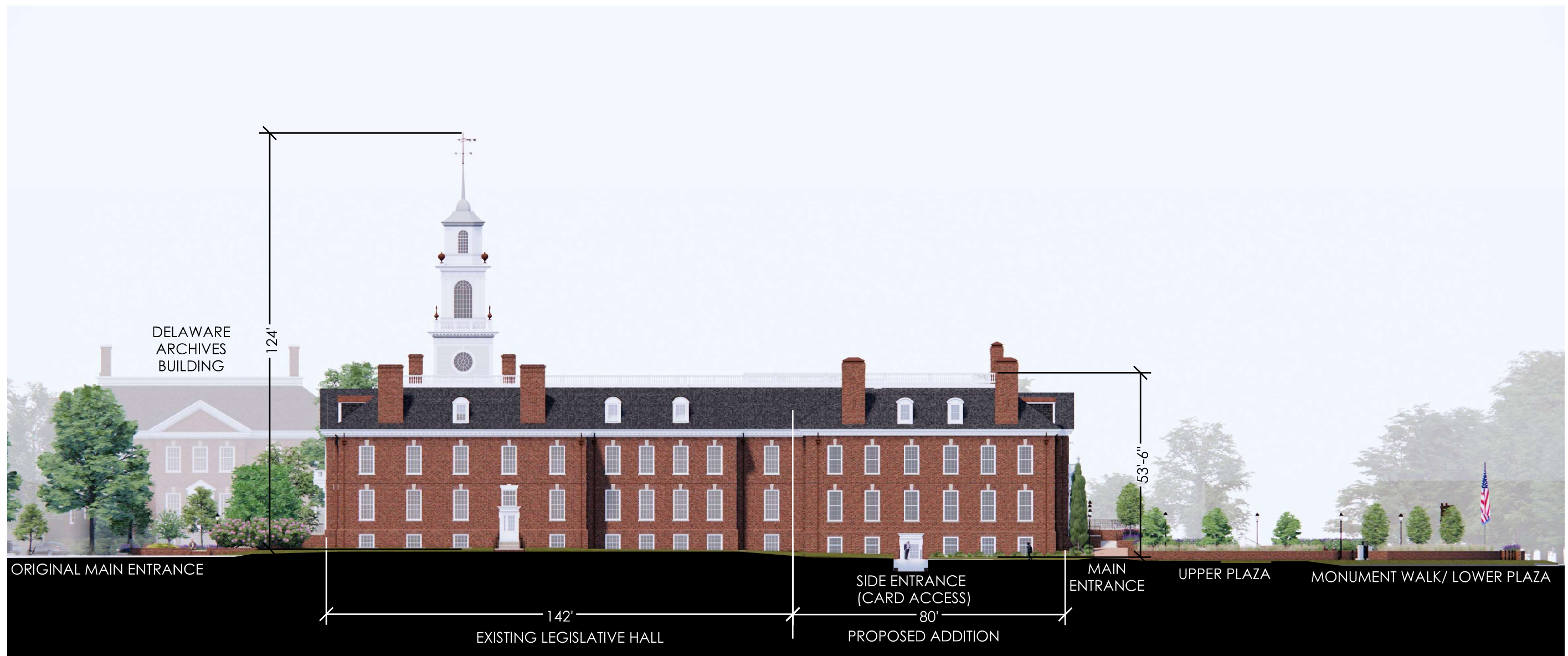
SYMBOL LEGEND



SITE PLAN

LEGISLATIVE HALL ADDITION

STATE OF DELAWARE
411 LEGISLATIVE AVE, DOVER, DE 19901



C-C - ELEVATION ALONG MLK JR BLVD S

LEGISLATIVE HALL ADDITION

STATE OF DELAWARE
411 LEGISLATIVE AVE, DOVER, DE 19901