



ARCHITECTURAL REVIEW STAFF REPORT

Before Dover Historic District Commission

January 19, 2023

Application: Shank Shack LLC: Parking Lot Improvements, HI-23-01

Project Location: Southwest corner of The Green and is south of Bank Lane

Property Addresses: 34 The Green, Dover, DE

Tax Parcels: ED05-077.09-03-35.00 -000

Owner: Shank Shack LLC

Present Zoning: RGO (General Residence and Office Zone)
H (Historic District Zone)

Existing Uses: Office Building with Parking Lot

Proposed Uses: Office Building with Parking Lot Improvements

Site Acreage: 0.342 acres

Project Description:

The Historic District Commission will act on a recommendation for an Architectural Review Certificate for the Parking Lot Improvements project at 34 The Green. It is associated with an Administrative Site Plan.

This application consists of a project involving the construction associated with parking lot reconfiguration and parking improvements at 34 The Green. The property is zoned RGO (General Residence and Office Zone) and is subject to the H (Historic District Overlay Zone). The project is also associated with the future redevelopment of the western portion of the existing parking lot area (now located on adjoining parcel) that will be part of the Kent County Family Courthouse project; the adjoining area was previously part of the subject parcel and is zoned IO (Institutional and Office Zone) and subject to the H (Historic District Zone). The property located in the southwest corner of The Green and is south of Bank Lane. The owner of record is Shank Shack, LLC. Address: 34 The Green. Tax Parcel: ED-05-077.09-03-35.00-000. The related parcel located on South Governors Avenue owned by the State of Delaware is Tax Parcel ED-05-077.09-03-36.00-000. Council District 4. *Minor Lot Line Adjustment Plan MI-21-09 is associated with this property.*

Property Information:

The project site is located with the local Historic District Zone (H) and subject to the provisions of the *Zoning Ordinance*, Article 3 §21 and referenced sections. The building on the property is known as the Captain Wilds House, built in 1870. The main section of the building faces directly onto The Green with a front porch and has rear additions extending to the west. A south side addition first appears in the 1919 Sanborn Maps. The rear of the property extends to mid block

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(as revised by Lot Line Adjustment made with MI-21-09). To the west of the building, this property includes a lawn area and an existing parking lot dating back to at least 1980. The subject site is adjacent to the proposed Kent County Family Courthouse Projects S-22-06 and HI-22-03. The property immediately to the north is in the final stages of approvals for another parking lot improvement project HI-21-04.

This building is located within the boundaries of a National Register of Historic Places Historic District, specifically the Dover Green Historic District. It is listed as a contributing resource of the National Register Historic District. Provided below is the building summary from the building inventory listing found within the National Register nomination completed for the Dover Green Historic District (nomination completed 1973-76, amended 1979, 1984). This federal designation focuses on the area immediately around The Green and extends for several blocks to its south. The nomination recognizes “the significance of the evolution of Dover during the eighteenth and early nineteenth centuries.” In the subject area, a series of contributing and non-contributing resources were listed in the inventory for the National Register nomination. The resources were predominately dwellings of the 19th century through mid-twentieth century. A more detailed architectural description is given in the nomination.

The building is identified as K-394.38 and as K-211 in the Delaware Cultural Resource Survey.

K-394.38 34 The Green - Captain James P. Wilds House - 1870; frame, 2½ story, 5-bay dwelling in the Second Empire style. A frame, 1-story, 2-bay office wing was added to the south side of the house between 1897 and 1919. The concave mansard roof of the main block is covered with hexagonal slates. There is a bracketed cornice. Exterior walls are sheathed in German siding with wood panel quoining detail. A projecting central tower section on the facade has a modified form of Palladian window at the second floor level. The window has a small hood roof which echoes the curve of the mansard roof. It is supported on brackets and has sawn scalloped decorative wood trim. The 2/2 sash windows on the first and second floors have bracketed cornices.

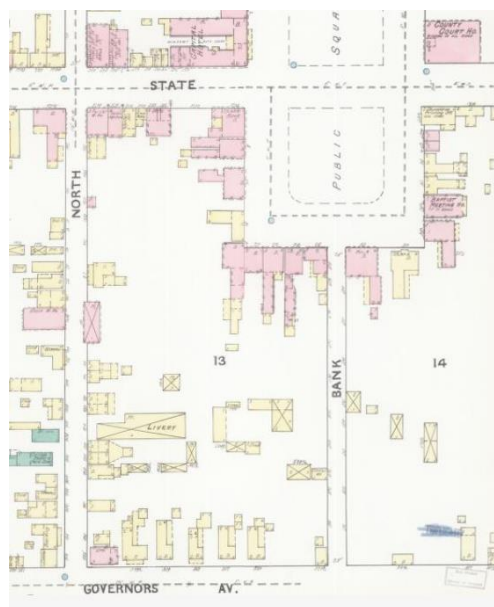


Figure 1(1891) Sanborn Fire Insurance Map from Dover, Kent County, Delaware. Sanborn Map Company, Aug. [Map] Retrieved from the Library of Congress, https://www.loc.gov/item/sanborn01208_002/.

The 1891 Sanborn Map of this property shows that the property extended down to S. Governors Avenue and includes a small outbuilding at the back of the property. By 1902, the property was purchased by Mr. Thomas Clayton. The first maps showing the left addition on the south side of the property appeared between Maps dated 1910 and 1919. The garage first appears on the Sanborn Maps in 1919. There is no garage on the property currently.

It appears that the parking lot was first paved in 1980 according to the City of Dover Tax Assessor records as an improvement. The property was inventoried in 1984 as part of the National Registry contributing inventory; however, the parking lot and previously existing garage are not mentioned.

This property was previously reviewed and granted a Historic Property Tax Credit in 1999 (H-99-02).

PROJECT PROPOSAL (Drawings dated 12/16/2022):

The application proposes construction to reconfigure the existing parking lot in the backyard area of 34 The Green. These Parking Lot Improvements are related to a future project for development of the Kent County Family Court Project on the adjacent parcel is where the property currently has parking. The elements of the project are as follows:

1. Parking Lot Improvements - Reconfigure and Expand: The current Parking Lot area does not have parking space lines. The improved design allows for 11 spaces, including a handicapped space, with 2 turn around areas. It relocates the signage and installs 2 bike racks. The parking spaces have concrete parking bumpers, handicapped signage, and parking space lines and handicapped parking painted symbols.
2. Waiver Request: Elimination of Upright Curbing: The upright curbing for parking lots and drive aisles is required the requirements of Appendix B Article 6 Section 3.6(b) of the *Zoning Ordinance*. As no upright curbing is proposed for the parking lot (other than the island in the NW corner, a series of concrete parking bumpers are placed at the head of each parking space. Planning Staff approves this Waiver recognizing the lack of upright curbing for the parking lot areas as an existing condition and also as more appropriate for the character of the area. It also helps to facilitate stormwater management for runoff to grassy areas
3. Tree Planting and Landscaping: The Parking Lot improvements will include landscaping and trees to the south side of the parking lot, giving at least 20% of the parking area in the Dover Historic District to landscaping and unpaved area. The proposal includes removal of 2 large existing trees on the south side of the parking lot. The Landscape Plan includes 3 new Thornless Honey Locust trees and 37 bushes between the south side of the parking lot and their portion of a parking island that connects to 30 The Green and 123 Bank Lane.

Review of DESIGN STANDARDS AND GUIDELINES

The subject project site is in the Dover Historic District Zone within The Green Historic Context. The Green Historic Context is described on pages 2-3 through 2-5 of the *Design Standards and Guidelines for the City of Dover Historic District Zone*. Locations 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 regarding the project’s compliance with the architectural review standards.

This proposal should be reviewed for conformity with the design criteria and development guidelines found in the *Design Standards and Guidelines* of Chapter 3: Maintenance, Repair, Preservation, and Restoration of Existing Historic Buildings. More specifically the sections on *Design Guidelines* for Landscaping and Site Amenities, Fencing and Walls, Paving and Bordering, and Parking Lots found on pages 3-24 through 3-27. These guidelines highlight the consideration that should be given to the areas surrounding buildings including the choice of materials. The *Design Guidelines* recommend that 20% of parking lots should be unpaved and planted.

STAFF COMMENTS AND RECOMMENDATIONS

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 Parking Lot Improvements at 34 The Green. The design of the Parking Lot Improvements follows the guidelines for these types of site improvements within the local Historic District. In the case of this project, a portion of the parking area exists, and the applicant is making improvements and adding screening elements which will be more in compliance with the *Design Standards and Guidelines* for such facilities.
- 2) Some of the site improvements/amenities were not specifically described with the application information. Please provide information for consideration and discussion.
 - a. Clarify the west side island mulch material. The Landscape Plan calls for 3” depth shredded hardwood bark mulch at the planting area along the south property line. Confirm the same for the parking island on the west side in the tree planting detail specifications.
- 3) 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.

- 4) The plan for this project is also subject to the application and review process for Site Development Plan (Article 10 §2 of the *Zoning Ordinance*) through Administrative Site Plan Review; this review is also underway. The following are Site Plan revisions noted through the start of this initial review:
 - a. The zoning of this property is RGO (General Residences and Office Zone) and H (Historic District). Please correct the Site Data on drawing set #7-Zoning to code “H” from “HD”.
 - b. The Landscape Plan must be prepared and certified by the appropriate design professional per the *Zoning Ordinance*, Article 5 Section 16. An engineer is not qualified preparer of the Landscape Plan.
 - c. Additional technical items for compliance with the *Zoning Ordinance* and other regulations may be identified during the Administrative Plan Review Process.
- 5) The applicant shall be aware that the Building Permit for the Parking Lot Improvement project is required to track the construction activities on the property. The permit applications must comply with the approvals and conditions granted through the Architectural Review Certification and Site Plan Review process.

Historic District Commission Action Required

The Historic District Commission shall consider the proposal and provide a recommendation to in regards to the Architectural Review Certification for the project site development plan for Parking Lot Improvements. The recommendation should reflect consideration of the *Design Standards and Guidelines*.

Attachments:

- Application Submission Letter
- Photograph series of Existing pictures
- Site Plan Set (5 pages: C041, C141, C241, C941, L141)