

City of



Dover

ARCHITECTURAL REVIEW STAFF REPORT

Before Dover Historic District Commission

July 17, 2025

<u>Application:</u>	Mixed Use Building at 120 S Governors Avenue, HI-25-02
<u>Owner:</u>	Downtown Dover Development Corporation c/o Downtown Dover Partnership
<u>Location:</u>	Between South Governors Avenue and South New Street, midway between Reed Street and West Loockerman Street in Dover, DE
<u>Address:</u>	120 South Governors Avenue
<u>Related Properties:</u>	105, 111, and 115 South New Street
<u>Tax Parcel:</u>	ED-05-077.09-01-44.00-000
<u>Related Properties:</u>	ED-05-077.09-01-37.00-000, ED-05-077.09-01-42.00-000, ED-05-077.09-01-43.00-000
<u>Size:</u>	1.70 acres +/- (main parcel) 2.03 acres +/- (total of all parcels)
<u>Present Uses:</u>	Vacant lot – Former auto retail store and daycare center
<u>Proposed Use:</u>	Mixed Use Commercial (Grocery, retail, restaurant, child day care center) and Multi-family Housing (Apartments) and associated parking
<u>Present Zoning:</u>	C-2 (Central Commercial Zone) H (Historic District Zone)
<u>For Consideration:</u>	Architectural Review Certification

Note: This Review Report was initially prepared by Staff of the Rossi Group (under a Planning Services contract with the City of Dover). The Report was completed with additional review and editing by the City's Planning Office.

I. PROJECT DESCRIPTION:

The Historic District Commission will act to make a Recommendation for an Architectural Review Certificate for a Site Development Plan Application for the proposed construction of a mixed use commercial and multi-family (apartment) development in Downtown Dover, to be located at 120 South Governors Avenue. The project is construction of a four story, 169,080 SF Mixed Use

Building including a grocery, retail and restaurant spaces, a child day care, 120 apartment units, and a roof-top courtyard with site improvements of a parking lot, a courtyard, and landscaping. The parcel contains 1.70 +/- acres. 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 midway between Reed Street and West Loockerman Street. It is bounded by South New Street on the west. The owner of record is Downtown Dover Development Corporation c/o Downtown Dover Partnership. Property Address: 120 South Governors Avenue, Dover. Tax Parcel: ED-05-077.09-01-44.00-000. Council District 4.

The project also proposes improvements on adjacent related properties at 105, 111, and 115 South New Street. One of these parcels is owned by the Downtown Dover Partnership and the other two are owned by the City of Dover. These parcels are not within the H (Historic District Zone).

Surrounding Land Uses

The subject property is within the Downtown Development District, located one block north of Loockerman Street. The site is bordered by South Governors Avenue to the east, South New Street to the west, and part of the Minor Street (paper alley) to the south. As previously noted, the parcels are zoned C-2 (Central Commercial Zone) and within the Historic District. Properties immediately adjacent to the subject project location are also zoned C-2. Others in the immediate area are zoned RG-1 (General Residence Zone). The subject property is currently vacant with recent demolition of the one-story Auto Parts/AutoPlus retail store and daycare center; known as the Acme site). The largest of the subject parcels is within the H (Historic District) Zone, as are properties to the south and east, as well as to the north fronting South Governors Avenue. The smaller parcels that are adjacent to the main subject of this application are outside of the H (Historic District Zone). Properties west of the subject site across South New Street are also outside of the H (Historic District Zone). Surrounding uses are a combination of mixed use and residential, with a church located at the southeast corner of South New Street and Reed Street.

Previous Applications

The property owners are the Downtown Dover Development Corporation c/o Downtown Dover Partnership and the City of Dover. On June 20, 2024, the Historic District Commission granted approval of the Architectural Review Certification allowing demolition of the previous structure, a one-story Auto Parts/AutoPlus retail store and daycare center, located at 120 South Governors Avenue (HI-24-05). On March 14, 2025, a Narrative Letter, a Site Plan set, and Architectural Graphics set with building elevations and 3-D views were submitted to the Department of Planning and Inspections as the initial filing of the application to the Historic District Commission. Only 120 South Governors was included in that submission, not the additional parcels located at 105, 111, and 115 South New Street. The application was held at the request of the applicant while additional design refinements were made to the submission. The design changes were made to the proposal and the status of the three additional parcels located at 105, 111, and 115 South New Street was clarified and incorporated into the 120 South Governors Avenue Mixed Use Development Narrative Letter, Site Plan set, and Architectural Graphics set with building elevations and 3-D views, which were submitted to the Department of Planning and Inspections on June 13, 2025. This latest submission is the one under consideration.

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.

II. HISTORIC PROPERTY INFORMATION

Review of Historic Maps

Historically, this block of Downtown between South Governors Avenue and South New Street 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 were 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. 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 two-story residential dwellings with accessory buildings (garages, sheds). By 1897, the school building was 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 was replaced by a one-story cinderblock store building adjacent to Governors Avenue. In the late 1960s, the subject site was redeveloped with the recently demolished masonry commercial building (the Acme grocery store building) setback in the middle of the block; its construction appears to have eliminated approximately nine residential dwellings.

Property Information

The subject property is located within H (Historic District Zone) as established by the City of Dover. There are four contexts that 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 Loockerman Historic Context. Buildings in the Loockerman Context include a wide variety of nineteenth century commercial buildings. The *Design Standards and Guidelines for the City of Dover Historic District Zone* describe this context as “a coherent, densely-built commercial area that would have an attractive mix of historic and new buildings and related parking.”

The subject property is located within the boundaries of a National Register of Historic Places Historic District, specifically the Victorian Dover Historic District (K-396) but the mid-twentieth century commercial building was considered a non-contributing building.

III. PROJECT PROPOSAL

PROJECT PROPOSAL (Submission of June 2025):

The application proposes the construction of a 169,080 SF Mixed Use Building including grocery, retail and restaurant spaces, a child day care facility, 120 apartment units, and a roof-top courtyard with site improvements of a parking lot, a courtyard, and landscaping. It will be located directly across from the proposed Dover Mobility Center (Parking Garage), which is prioritized in the

Capital City 2030: Transforming Downtown Dover Master Plan because the parking and related infrastructure will support the transformation of the Capital City into a vibrant hub for commerce, living, and cultural activities. Additionally, the proposed mixed use redevelopment project will support an additional revitalization strategy within the Master Plan, which is to increase the number of mixed-income residents living in downtown, provide access to food within downtown Dover, and increase retail and service opportunities. It is also identified as a Key Project in the Downtown Development District Plan.

The Applicant's submission includes a Narrative Letter, a Site Plan set, and Architectural Graphics set with building elevations and 3-D views. The elements of the project are as follows:

1. Building Construction: The proposed four-story building will be 60 feet tall. The proposed Mixed Use building will feature two main material palettes. The first includes a blend of masonry colors, feature material such as copper-brown metal panels, matte black metal trim, fiber cement panel in neutral tones, and black or dark bronze decorative metal elements and frames which will be wrapped around the building's northeast and southeast corners. The second includes neutral tones of plank siding and fiber cement panel, matte black metal trim, masonry, and black or dark bronze decorative metal elements and window frames. The building's façade will primarily feature retail frontages that alternate between masonry piers, glazing, fiber cement panel piers, and accent metal panels. Both street-facing elevations follow a brickwork pattern of varying orientations up to cornice lines, where it then transitions to a more muted expression for the upper levels.
2. Parking Lot: A surface parking lot will be developed along the west side of the building with access to South New Street. The proposed Dover Mobility Center (separate project HI-24-09 and S-25-01) will be located directly across South Governors Avenue and will accommodate the anticipated parking needs of the residents, business owners, and shoppers.
3. Sidewalks and Site Amenities: The proposal maintains sidewalks along South New Street and South Governors Avenue. There are also sidewalks and crosswalks adjacent to the parking lot leading to the building. There is a west facing courtyard area in the central u-shaped area of the building. The renderings show additional amenities on the adjacent three parcels on S. New Street, including a public green space with a pollinator garden, nature playscape, and dog park.
4. Tree Planting and Landscaping: The Site Plan proposes seven trees to be planted along South New Street and the either the preservation or replacement of the existing trees along South Governors Avenue. To the northwest of the structure on South New Street (on the adjacent properties), a public green space area is proposed, incorporating trees, shrubs, and various plantings to enhance the aesthetic quality of the site and provide a natural respite within the urban landscape. A mix of trees, shrubs, and various plantings is also proposed in the courtyard of the structure.

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

IV. ZONING REVIEW

The large parcel that fronts South Governors Avenue 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 entire project area is zoned C-2 (Central Commercial Zone). The C-2 zone allows for “retail stores, apartments and multi-family dwellings; uses accessory to the residential units such as lobby and amenity spaces are permitted on the first floor; live-work units; parking lots and parking structures” as principal uses. The subject property has frontage on two streets: South New Street and South Governors Avenue.

<u>Code Compliance for C-2</u>	<u>Required</u>	<u>Provided</u>
Front Setback	0’	> 5’
Rear Setback	20’ above ground floor. At ground floor, 5’ required	37’ ground floor 54’ above ground floor
Side Setback	None required, but 5’ min. if provided	10’ on the North 22’ on the South
Building Height	10 stories (125’)	4 stories (60’)

The C-2 zoning district also includes some design standards provisions. See the code excerpt below:

Article 3 Section 13

13.5 *Design standards*. The following standards shall apply to the site and building development in the central commercial zone (C-2):

13.51 *Façade articulation*. Building facades should incorporate design elements to provide a base, middle, and top of the building to reinforce the pedestrian scale at the street level.

13.52 *Height*. For buildings greater than four stories in height, then the upper floors above the fourth story shall step back six feet for fifty percent of the width of the primary facade. For buildings greater than six stories, then the upper floors above the sixth floor shall step back an additional six feet on the primary façade. These step back areas may begin at a lower height than these minimums as part of the building design in order to be compatible with the character of the area.

13.53 *Step back areas*. The step back areas should be open to the sky and can be open air balcony spaces or other design architectural features that are not enclosed spaces.

13.54 *Off-street parking*. Off-street parking lots shall not be permitted to be situated between the street line and the primary facade of the principal building. Consideration should be given to locating parking to the side or rear of the building.

13.55 *Screening*. Any off-street parking lots provided shall be screened from the street line by buildings, landscaping, or other means. Off-street parking lots shall be screened from adjacent residential zones and residential uses. This screening provision does not apply to adjacent alleys.

V. Review of DESIGN STANDARDS AND GUIDELINES

The subject property is located in the H (Historic District Zone) within the Loockerman Context. The Loockerman Context is described on pages 2-7 and 2-8 of the *Design Standards and Guidelines for the City of Dover Historic District Zone*. The *Design Standards and Guidelines* describe this context as “a coherent, densely-built commercial area that would have an attractive mix of historic and new buildings and related parking.” 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 §3.2, the Historic District Commission will provide a recommendation to the Planning Commission regarding the project’s compliance 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.

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 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

Design criteria and development guidelines specific to the Loockerman Historic Context are detailed on page 4-6 of the *Design Standards and Guidelines* and provide that “the siting of new construction in the Loockerman historic context should conform to the building line of adjacent buildings, to reinforce the sense of the ‘wall’ of buildings, especially along Loockerman Street. New commercial buildings should occupy the full width of their lot at the street line. Freestanding “object” buildings that do not conform to the street and lot lines should not be permitted in the Loockerman historic context. Where a commercial building is built adjacent to a vacant lot, it should be built with a party wall in anticipation of subsequent new construction being built adjacent and up to the property line.” The *Design Standards and Guidelines* Chapter 3 includes information about the use of certain materials within the Historic District.

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 120 South Governors Avenue Mixed Use Building appears to conform to the bulk requirements of the C-2 zoning district; however, this should be verified via Site Plan review. The *City of Dover Zoning Ordinance* authorizes the Historic District Commission to waive certain bulk standards when issuing its recommendation to the Planning Commission for an Architectural Review Certificate if necessary.

The *Design Standards and Guidelines* note that “the vacant lots to the north and south of Loockerman Street are not desirable locations for large-scale construction, because they are in the transition area between the commercial and residential zoning districts.”

VI. 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 Mixed Use Building at 120 South Governors Avenue project, finding that the building to be of a compatible design with the nearby buildings and with the intent of the *Design Standards and Guidelines for the City of Dover Historic District Zone*. The proposed multi-use site enhances the pedestrian scale of the Downtown area and supports the *Capital City 2030: Transforming Downtown Dover Master Plan*. The brick exterior finishes take cues and architectural style from the buildings downtown and the form breaks up the total façade into smaller building segments and set back (steps-back) in certain areas making it look like multiple connected buildings. Sidewalk expansions and the implementations of pedestrian elements will add to the urban activity expected within the Loockerman Historic Context.
- 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 choice should be compatible with the brick of other existing buildings in the area. Clarify the brick size and patterning.

- b. Clarify the window glass area material as mirrored or colored glass is not always appropriate for use in the Historic District zone.
 - c. Clarify the edge treatment (railing material and form) at the west facing Roof Courtyard area.
 - d. Consideration of wall or free-standing signage may require additional review.
 - e. Consider screening of and placement of any roof-mounted equipment.
 - f. Any light fixtures utilized on the property should be consistent with the style of the lighting used in the nearby areas of the Loockerman Context of the Historic District.
 - g. Any revisions or changes in the identified materials may be subject to further review by the Historic District Commission.
- 3) The Mixed Use Building at 120 S. Governors Avenue appears to comply with the design standards of the C-2 zoning district in regard to the building façade articulation (having a base, middle and top). The project has also incorporated the step backs for the lower floors (under the fourth floor). The project design show consideration of the pedestrian at the street level.
- 4) In regard to the placement of off-street parking, South Governors Avenue is considered the primary façade of the building. The placement of a small on-site parking lot along the S. New Street frontage of the property can be considered as it is a secondary front elevation due to the full block depth of the development site. Appropriate screening by landscaping or low fence/wall elements of the parking must be considered.
- 5) 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. Consider the format of the area to the south of the building for its surface treatments, ability or limitation for pedestrian access, landscaping of area, and any screening of this loading area at its connection to South Governors Avenue.
 - b. Section 5-5 of the *Design Standards and Guidelines for the City of Dover Historic District Zone* details recommendations for signage. Signs at the storefront level should be oriented primarily to pedestrians and sized and designed for pedestrian vision. Large-scale signs are not recommended.
 - c. Off-street parking lots provided shall be screened from the street line by buildings, landscaping, or other means. Page 5 of the proposed submission indicates the off-street parking lot will be screened by shrubs and trees. Screening in compliance with *Zoning Ordinance*, Article 6, Section 5 – Supplementary Regulations for Parking and Loading Facilities and the design standards of the C-2 Zone will be further evaluated with the Site Development Plan submission.
 - d. Provide information on the dumpster enclosure/ utility area construction and screening.
- 6) Clarify whether existing trees on the site or adjacent streetscape area will be preserved. If they are proposed to be removed, replacement of removed trees will be required. The

development area (the property) is also subject to tree planting requirements of the *Zoning Ordinance*.

- 7) Staff recommends the following pertaining to the site design elements of the project:
 - a. The sidewalk system on the street frontage along both South New Street and South Governors Avenue should continue and include barrier free access, crosswalk striping, etc. at the points of intersection with the entrance and exit drive aisles.
 - b. Any proposed landscaping or tree planting locations, and lighting fixture locations should be depicted on the plan and be consistent with the character of these elements as they exist within the Loockerman Context area.
- 8) The review of the development of the three adjacent parcels along S. New Street will occur with the Site Plan review process as some of the planned amenities are likely tied to code requirements for certain uses such as the residential units.
- 9) The central Courtyard/Wellness Area may be an opportunity for public art installations.
- 10) For building construction, the requirements of the building code and fire code must be met. Consult with the Building Inspections Staff and Fire Marshal regarding these requirements. The resolution of these items can impact the site design in some cases.
- 11) 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.
- 12) 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.
- 13) 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.
- 14) The applicant should be aware that a Sign Permit is required to proceed with the placement of signage on the property.

VII. Historic District Commission Action Required

The Historic District Commission shall consider the proposal and provide a recommendation in regard to the Architectural Review Certification for the 120 South Governors Avenue Mixed Use Building development. The recommendation should reflect consideration of the *Design Standards and Guidelines for the City of Dover Historic District Zone*.