

HISTORIC WILMINGTON FOUNDATION and WILMINGTON DOWNTOWN, INC

JOINT COMMITTEE ON PRESERVATION INITIATIVE – OUTLINE OF RECOMMENDATIONS FOR CBD

Recommendations for Land Development Code amendments in Central Business District
Committee Chair – Bruce Bowman, AIA October 2009

WHY PROPOSE THESE CHANGES:

- Prevent razed building sites from remaining undeveloped for extended periods.
- Neutralize debate over what structures are considered significant.
- Provide criteria for partial redevelopment.
- Incentivize preservation with minimal impact to property owners.

CURRENT RULES IN EFFECT:

Current rules allow for demolition without any redevelopment proposed.

Current rules in effect can only delay demolition of Contributing historic structures:

- 365 days in Locally Designated District through HPC
- 90 days in remainder of CBD
- Any structure or portion of structure may be demolished after these time frames have expired unless preserved by covenant or Landmark status.

COMMITTEE’S OBJECTIVES:

1. Require development plan for any structure to be demolished.
2. Provide objective criteria to identify significant historic structures.
3. Incentivize full preservation of these structures by allowing transfer of foregone developable building rights.
4. Allow for partial redevelopment of these structures to currently permitted building heights if portion fronting on the public way is retained.
5. Limit full redevelopment of these structures to be no taller than the historic structure to be demolished.

REDEVELOPMENT PLAN:

Objective 1 – Redevelopment Plan

- Applicants seeking demolition for any structure in the CBD must first submit a redevelopment plan demonstrating that the proposed redevelopment satisfies the Land Development Code prior to receiving approval to demolish.
- Demolition permit will be released only after all other permits are obtained for the redevelopment.

CRITERIA FOR HISTORIC STRUCTURES:

Objective 2 – Criteria for historic structures of Significance

Only structures meeting all of the following criteria are affected

- Structure is located in the Central Business District.
- Structure has Contributing status on the National Historic Register.
- Structure scores 50% or higher on the evaluation criteria.

EVALUATION CRITERIA:

Contributing Structures are evaluated in the following four categories:

- Contextual merit
- Architectural merit
- Cultural merit
- Structural merit

Contributing Structures are to be scored on an individual basis.

Non-Contributing Structures are not subject to evaluation and scoring.

SCORING PROCESS:

Contributing Structures will be scored from 0 – 3 in whole numbers in each category

- 0 – Doesn't meet criteria
- 1 – Partially meets criteria
- 2 – Mostly meets criteria
- 3 – Fully meets criteria

Maximum score is 12

Score of 6 or more establishes Significant status for the structure

INCENTIVE FOR FULL PRESERVATION:

Objective 3 – Incentivize full preservation through transfer of height bonus

Historic structures with significant status that are preserved into perpetuity may transfer foregone building volume, as measured between the height of the existing historic structure and the maximum allowable building height, to other sites in the CBD.

Contributing historic structures with Significant status that are razed after October 1, 2009 may not be a receiving site.

Transferred volume is measured above the maximum tabular building height for the receiving site.

PARTIAL REDEVELOPMENT:

Objective 4 – Allow partial redevelopment of Significant historic structures if portion fronting on the public way is retained.

- The depth of the portion retained is to be a minimum of 30’ or one-half of the frontage as measured back from the right-of-way. This establishes the Reconstruction Setback.
- The Reconstruction Setback is reduced by one-half for secondary frontages on corner lots.
- The balance of the site behind the Reconstruction Setback may be redeveloped to the current height standards for structures without Significant status.

FULL REDEVELOPMENT

Objective 5 – Full redevelopment of historic structures is discouraged but will still be permitted.

Significant historic structures that are demolished and redeveloped may only be reconstructed to the building height of the structure razed as applicable to the footprint area of that structure.

REQUIREMENTS FOR PARTIAL REDEVELOPMENT:

Requirements for portions of Significant structures that remain along public way:

- Stabilize historic structure
- Reverse non-historic alterations

Redeveloped portions:

- Comply with Land Development Code
- Differentiate new from historic portions

ADMINISTRATIVE RECOMMENDATIONS:

- Sites within the Locally Designated District (Historic District Overlay) are recommended to be administered through the Historic Preservation Commission and Staff.
- Sites in other portions of the CBD:
 - Redevelopment plans are recommended to be reviewed by staff for compliance with the Land Development Code.
 - A Council appointed Advisory Board of 3 – 5 people is recommended to score buildings and evaluate partial redevelopment submittals for Significant structures.
 - Staff reports (finding of facts) are prepared for Contributing structures for architectural, cultural and contextual criteria which are then considered by the Advisory Board along with any information furnished by the applicant.
 - The engineering report portion of the evaluation is to be prepared by a structural engineer acceptable to the staff if applicant chooses to have the structural soundness included in the scoring process.

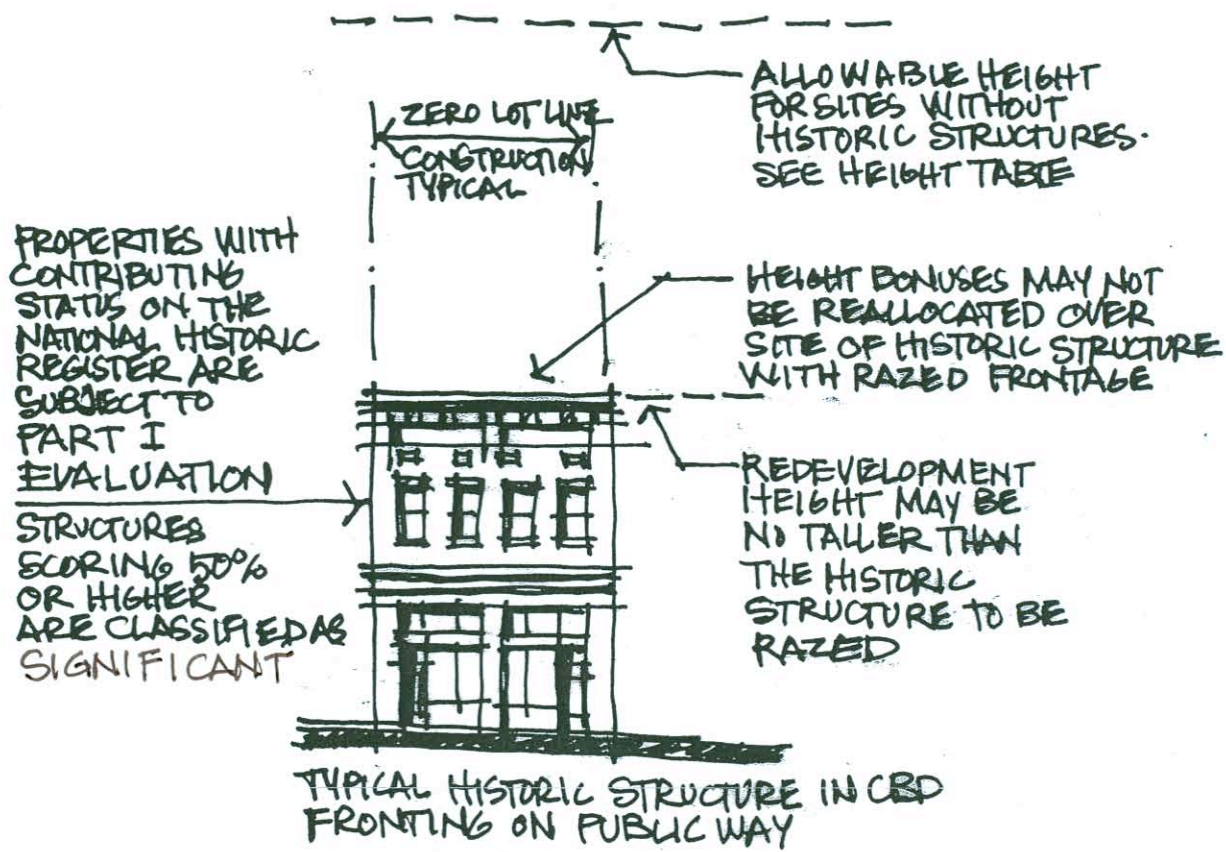


DIAGRAM A
 HEIGHT LIMIT OF RAZED HISTORIC STRUCTURES
 THAT DO NOT RETAIN AND MAINTAIN FRONTAGE
 DEMOLITION PERMIT NOT RELEASED UNTIL OTHER PERMITS
 ARE ACQUIRED FOR REDEVELOPMENT

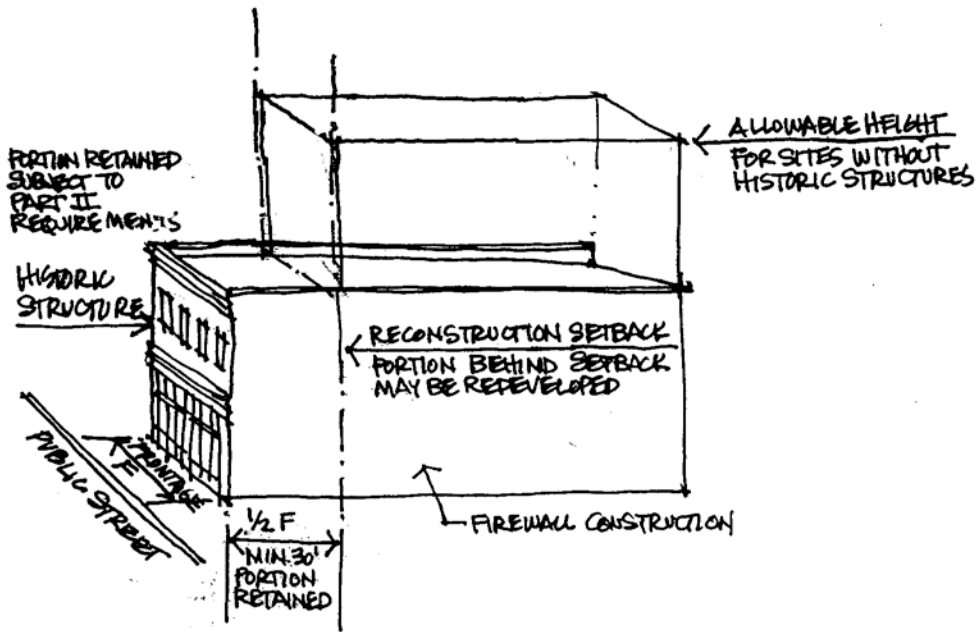


DIAGRAM B
 MINIMUM LIMITS FOR HISTORIC FRONTAGE TO BE RETAINED
 DEMOLITION PERMIT NOT RELEASED UNTIL OTHER PERMITS ARE
 ACQUIRED FOR REDEVELOPMENT

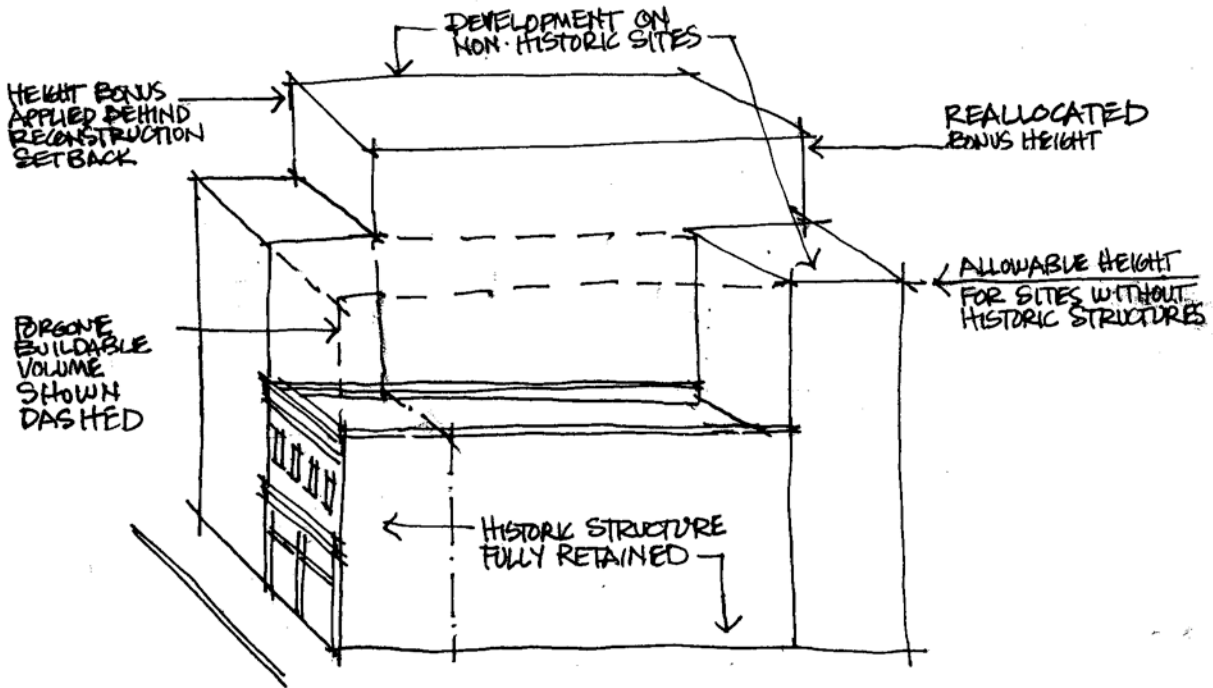


DIAGRAM C
 HISTORIC STRUCTURE FULLY RETAINED
 PROPERTY ELIGIBLE FOR
 • LOCAL LANDMARK STATUS - DEFERRED PROPERTY TAX
 • FACADE EASEMENT DONATION - FEDERAL TAX CREDIT
 BONUS HEIGHT MAY BE REALLOCATED TO OTHER NON-HISTORIC SITES
 WITHIN C. B. D. WITH DEEDED RIGHTS