Demolition Review: A Historic Preservation Tool for Communities

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Today’s Discussion

- City of Frederick Overview
- Comprehensive Plan
- Designation program
- The ordinance & process
- Case studies
- Case summary/recap
- Indirect impacts
- 2020 Plan
- Lessons learned
Introduction to Frederick

- Second Largest City in Maryland
- 70,000+ Population
- Seat of Frederick County
- 22 square miles
- 60 miles from DC and Baltimore
- Landmarks:
  - Fort Detrick
  - Hood College
  - Frederick County Courthouse
  - Downtown Historic District
• Identify, document, designate, and protect significant historic resources, including archaeological resources.

• Encourage the retention, enhancement and maintenance of valuable historic resources.
Comprehensive Plan

- Odd Fellows Home, 1730 North Market Street
- Rose Hill Manor, 1611 North Market Street
- Schifferstadt, 1110 Rosemont Avenue
- Schley Farm, 8018 Gas House Pike
- Hood College, 401 Rosemont Avenue
- Frederick City Packing Company, 106 Commerce Street
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- Belle-Air-Conley Farm, 199 Baughmans Lane
- Parkway Elementary School, 300 Carroll Parkway
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- 800 Carroll Parkway (Hopwood House)
- Schley House, 423 East Patrick Street
Brengle Farm

Background

• 1989: Approx. 55 acre farm annexed

• 2005: Sketch/pre-application

• 2006: TND Master Plan retained farmhouse

• 2008: Revisions to TND MP submitted included demolition of farmhouse and barn

• No process for review of historic resources.
Brengle Farm

Designation

- 2010 Comprehensive Plan identifies properties on Historic Resources Map.
- After developer delays, review proceeds in 2011.
- Property is vacant and abandoned.
- Historic Preservation Commission makes and application to designate the farmhouse, meat house, and privy.
- Still an informal/inconsistent process for review of historic resources outside the historic district.
Brengle Farm

Conclusion

• Designation ultimately denied by the Board of Aldermen—Too late in the process

• Farmhouse ultimately retained as community center.

• Subject to architecturally unsympathetic additions and alterations.
Benvenue

- Annexed into the City in 2009.
- Architecturally and historically significant property.
- Annexation agreement required Maryland Inventory of Historic Properties (MIHP) form be completed for main dwelling prior to demolition.
- Annexation agreement required architectural salvage.
- Demolished in 2012 with little to no public outcry.
Timeline

2010

Comprehensive Plan adopted

2011

HPC Designation Committee:
- Guidelines
- Incentives
- Documentation

2012

HPC Designation Committee:
- Existing research
- Property tax credit

HPC Designation Committee:
- Grant application
- Design guidelines
Timeline

- **2010**: Comprehensive Plan adopted
- **2011**: HPC Designation Committee:
  - Guidelines
  - Incentives
  - Documentation
- **2012**: HPC Designation Committee:
  - Existing research
  - Property tax credit
  - Grant application
  - Design guidelines
"The recent demolition of Park Hall reinforces the idea that our community has a stake in properties that are significant to our history and culture. This event has reinvigorated local historic preservation grassroots efforts and initiated a comprehensive effort from the city aimed at protecting other sites of historic value."

- Letter from the Planning Department
The ordinance

Ensure that potentially significant historic resources are not demolished without notice to the community and the opportunity to be protected if appropriate.

Public outcry
Elected official support
The ordinance

Goals

- Utilize existing designation process
- Use of “review” versus “delay”
- No fees, minimal paperwork
The ordinance

Goals

- Target “landmark” buildings
The ordinance

Goals

- Target “landmark” buildings
- Not every building that is 50+ years
The ordinance

- Historic Preservation Commission role within authority

- Developers & Property Owners:
  - As fast as possible
  - Reduce number of meetings
  - No surprises
Demolition Review Process

- The demolition of an entire structure.
- The removal of a roof for the purposes of raising the overall height of the roof, rebuilding the roof to a different pitch, or adding another story to a structure.
- The removal of one or more exterior walls or partitions of a structure.
- The removal of more than 25% of a structure's overall gross square footage.
- The relocation or moving of a structure from its existing location.

A property owner requests review
Demolition Review Process

Day 0

+ 15 days

Less than 50 years old

Certificate to Demolish Without Delay

+ 15 days

HPC does not make application to designate

Certificate to Demolish Without Delay

+ 30 days

HPC does not recommend/withdraws application

Certificate to Demolish Without Delay

50 years old or older

HPC makes an application to designate

Certificate to Demolish Without Delay

HPC recommends approval

Follows rezoning procedure
Demolition Review Process

Staff’s role

- Review existing documentation and supplement if needed
- Prepare designation application & associated report
- Issue public notices
- Attend public meetings
- Findings and formal recommendations on eligibility under designation criteria
Demolition Review Process

Historic Preservation Commission

Uses only the Criteria for Designation

Planning Commission

- HPC’s findings regarding the criteria
- Consistency with the Comprehensive Plan
- Any other planning issues
Demolition Review Process

Board of Aldermen

- The findings and recommendation of the HPC
- The findings and recommendation of the PC
- Approve, approve with modifications, or deny

Renn Farm
Demolition Review Process

Designate

- Historic Preservation Overlay applied
- All exterior alterations, demolition, and new construction reviewed and approved by the HPC
Demolition Review Process

Certificate to Demolish Without Delay

- Less than 50 years
- Historic Preservation Overlay denied
- Automatic if failure to act
- Good for five (5) years
- Once issued, building/demolition permit or development approvals can be granted without further delay
Property’s demolition could beat ordinance
Originally published June 08, 2012

By Patti S. Borda

Before the city could put any historic district restrictions on the Schley Farm, its owners filed for a permit to demolish it.

The farm at 8018 Gas House Pike is one of 25 properties the city considers historically significant, but it is unprotected by any historical designations or easements.

Celeste Schley, whose late husband grew up in the farmhouse, said in a telephone interview that the Schley Farm Partnership Trust LLC filed for a demolition permit Wednesday in direct response to the city's efforts to find a way to restrict what happens to historic properties. She was concerned that a historic overlay zone could be placed on the site and impose use restrictions. ?

"We understood they were going to try to do that," Schley said.

She was advised that the restrictions could make it harder for the trust to sell the land, which has been for sale for several years, she said.
Case Studies

1. Coca-Cola Bottling Plant
2. Conley Farm
3. Barns at the McMurry Farm
4. David O. Thomas Farmstead
5. 210 Magnolia Avenue
Coca-Cola Bottling Plant

Background

- Listed in the Comprehensive Plan
- Sketch plan
- Neighborhood Commercial → Mixed Use District
Coca-Cola Bottling Plant

Significance

- Example of bottling and distribution plants constructed by the Coca-Cola Company.

- Example of Art Deco architecture.

- Signature design uniquely associated with the Coca-Cola Company in the mid-Atlantic.

- Recommendations of approval from both the HPC & PC.
Coca-Cola Bottling Plant

Challenges

- Abandoned by Coca-Cola in 2007.
- Developer threatens to walk from redevelopment project.
- Understanding ordinance purpose & limitations.
Coca-Cola Bottling Plant

Challenges

- “Facadism” as historic preservation.
- Is it “old enough”?
- It is not “part of the historic district.”
Conclusion

- Designation denied.
- Partial demolition of historic structure.
- Convert to commercial use and add 86 new multi-family units.
Conley Farm

Background

- Listed in the Comprehensive Plan
- Sketch plan/PND Master Plan
- Early on-site meetings with staff
- 34 acre agricultural site with a collection of historic resources dating from ca. 1800-1925.
Conley Farm

Significance

- Rare intact example of agricultural property in the City of Frederick
- Design and construction
- Recommended by both the HPC and the Planning Commission
Challenges

- Significant structure located in right of way
- Defining designation boundaries
Conley Farm

Challenges

- Significant structure located in right of way
- Defining designation boundaries

...BUT

Developer generally supports designation!
Conley Farm

Conclusion

- Historic Preservation Overlay approved
- 220 residential units and the adaptive reuse of the historic structures
- Mill House to be relocated
- Anticipate ground breaking within a few months
Background

- The remnants of the former McMurry Farm located on a golf course.
- Not listed Comprehensive Plan.
Barns at the McMurry Farm

Challenges

• Historic integrity had been lost.

• HPC lack of understanding on how to apply the criteria, especially with respect to integrity.

• As a result, a lot of staff time was invested in the required public notice and documentation.

• Brings the process into question.
Conclusion

- Contrary to staff recommendation, the Commission voted to make an application, but withdrew it at a subsequent meeting.
- City updated ordinance to explicitly incorporate the evaluation of integrity per the NR Bulletin.
- Trainings offered to the HPC and elected officials on the concept of integrity.
Background

- Not in Comprehensive Plan
- Property Maintenance Code
- Demolition Permit
Background

- 5 of 7 total structures submitted for demolition review.
- No pending development applications.
David O. Thomas Farmhouse

Significance

• The site exhibits significance in design or construction by embodying the distinctive characteristics of a type, period or method of construction

• Integrity

• Unanimous recommendations for approval (HPC & PC)
Challenges

- Owner objection
- Property condition
- Zoning
- Politics and public perception
David O. Thomas Farmhouse

Challenges

- Historic Preservation Overlay not approved
- Demolished in 2016
- No change in ownership/use
- No pending development applications
210 Magnolia Avenue

Background

- Demolition Permit
- Ca. 1950 Colonial Revival dwelling and garage
- Neighborhood is a good collection of Colonial Revival and post-war houses

...BUT

Not individually eligible
Challenges

- Outcry over “McMansion” and tear downs
- Understanding of the purpose and limitations of ordinance
- Understanding of designation criteria
- No other tools available
Examples of similar properties submitted for demolition review.

Similar properties found not to individually eligible.

No designation applications initiated by the HPC.
Conclusion

- Staff recommendation not to make an application to designate
- Initial hearing - HPC voted to make the application
- Designation hearing - HPC voted not to forward a recommendation of approval
- Application was withdrawn
210 Magnolia Avenue

Conclusion

• Structures demolished in 2017
• New house completed in 2018
• Neighbor-led efforts for other tools to protect neighborhood character
Case summary

Since February 2013

120: Total Requests for Demolition Review

77: # of requests for structures 50 years+ forwarded to the Historic Preservation Commission

6: # of properties recommended for designation to the Planning Commission and Board of Aldermen

3: # of properties designated by the Board of Aldermen
Recap: the list

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Demolished/To be Demolished
Designated
Altered/Loss of Integrity
Recap: the list

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Indirect impacts

Franklin Schley House

- Owner of Schley Lime Works
- Row of brick worker housing adjacent
- Most prominent building in potential “Schleysville” historic district
Indirect impacts

Franklin Schley House

- Sketch plan
- Demolition review triggered
- Meetings with staff
- Potentially eligible
Indirect impacts

Franklin Schley House

- Demolition review withdrawn
- Revised plans - no demolition
- Townhouse adjacent to historic house
- Infill multifamily condominium-style housing

Franklin Schley House to remain
Other indirect impacts

- Certified Local Government grant
- Survey an area of East Frederick
- Schleysville Historic District
- Recommended as eligible for the National Register
  - Community Planning
  - Architecture
- Impact of development on eligibility? TBD

Franklin Schley House
Other indirect impacts

Holly Park

- A large single family home previously used as a funeral home
- Low-density residential
- Non-conforming use
Other indirect impacts

Holly Park

- Return to single family use
- Or demolish and re-subdivide which would trigger demo review
- Substitution of non-conforming use approved by the ZBA
- Preserved and rehabilitated
2020 Comprehensive Plan

- Eliminate historic resources list and map
- Formalize use of Maryland Inventory of Historic Properties for local survey/list
- Continue policies to research, document, and designate historic properties
Lessons Learned

• Review/evaluation of historic resources at the beginning of the development review process can be successful.

• Certificates to Demolish: 5 years may not be enough time.

• Properties need to be historically significant & retain historic integrity.

• Having a list of properties incorporated into the Comprehensive Plan may not be the best approach.
Lessons Learned

• Communication with Code Enforcement
• Consider a moratorium on demolition before proceeding
• As more applications take place there is a growing acceptance of historic preservation being a vital part of the development review process.
• Education and training
Contact

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